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PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, FIRST SESSION

SENATE

TUESDAY, MAY 11, 1965

(Legislative day of Monday, May 10, 1965)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Gracious God, our Father, whose still, small voice invites us to turn aside from the feverish ways of the world: Forgive us that, pursuing our way amid the false standards set up by men who have not Thee in awe, we so often make Thy love too narrow, by false measures of our own.

As we bow at this altar of Thy grace, make us vividly aware that if we live a life of prayer, Thou art present everywhere. Endow and enrich Thy servants in this national body with wisdom and purity of motives in the ministry of public affairs. In these days so fraught with destiny, make them worthy of the Nation's trust, turning to Thee with the fervent vow—

We pledge our hopes, our faith, our lives,
  That freedom shall not die.
We pray Thy guidance, strength, and
    grace,
  Almighty God on high.

Amen.

VOTING RIGHTS ACT OF 1965

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Under the order previously entered, the Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. KENNEDY], on behalf of himself and other Senators, numbered 162, to the amendment in the nature of a substitute, as amended, numbered 124, offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN].

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I yield myself one-half minute.

The PRESIDENT pro tempore. The Senator from Montana is recognized for one-half minute.

Mr. MANSFIELD. I ask unanimous consent that the Subcommittee on Permanent Investigations of the Committee on Government Operations, the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary, and the Committee on Foreign Relations be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY of Massachusetts. Mr. President, I yield 7 minutes to the senior Senator from New York.

The PRESIDING OFFICER. The senior Senator from New York is recognized for 7 minutes.

Mr. JAVITS. Mr. President, we come now to the closing moments of the debate. I believe it is important to sum up.

First, on the affirmative, I believe we have demonstrated that upon the facts banning the poll tax is justified because it represents in a broad enough area and in enough circumstances an abridgement upon the right to vote which we hold sacred, and which is so fully protected by the Constitution.

Second, I believe that we have shown that the poll tax is not a qualification for voting. It has nothing to do with a person's capacity to understand his responsibilities as a citizen. It is a tax, and it is a tax which represents a burden upon the right to vote and therefore it ought to be banned as an abridgement of the right to vote under the 15th amendment.

Third, we have demonstrated that court decisions upon the subject have not been based upon such a record as we have made in the Senate. Decisions have been made, for example, in a case, such as Breedlove against Suttles, a case with no 15th amendment impact, in which the questions of racial discrimination or the economic impact of a poll tax were not even raised, but in which other questions were raised long before the time when it was possible to make and present, as we have now made and presented, a record of fact upon which a ban by Congress could be based.

Fourth, we point to the recommendation of the U.S. Civil Rights Commission, based upon its own hearings, on the ground, as it were, in a poll tax State. Their finding, as they made it public on May 8, reads as follows:

> The requirement that any poll tax be made a prerequisite to voting in any election should be abolished, in view of the fact that poll taxes have been intended and utilized as a means of discrimination in violation of the 15th amendment. In the opinion of the Commission, there can be no reasonable doubt of the power expressly granted to Congress to enforce the 15th amendment.

Finally, we come to the proposal made by the majority leader and the minority leader in their amendment in the nature of a substitute. The following ingredients are missing from it:

First, there is in that proposal no finding of fact—and I make this statement advisedly—and that is a very critically missing ingredient, because that is the basis for a different approach from that which was taken by the Court in Breedlove against Suttles. The evidence of these facts was observed, but the finding is missing. Indeed, the Attorney General's letter asserts that a finding is there, but it is not. So the only way in which to effect the result is by enacting the amendment which we have proposed.

So, first, there is missing in the proposal made by the majority leader and the minority leader a finding which is in our judgment absolutely essential as a basis for a change to be made by the court.

Second, we feel that a ban can properly follow a finding. In other words, if the Congress makes a finding, it ought to have the courage of its convictions and include a ban as well, and therefore the absence of a finding in the so-called leadership substitute becomes doubly important.

Third, the courts insist on a case or a controversy in considering any question.

We feel that by banning the poll tax, and thereby seeking action to restrain its enforcement in any State which would have a mind to enforce it notwithstanding the ban, we would have a ready made case or controversy.

Finally, by banning the poll tax, we would present the court with an issue which could be decided across the board.

It seems to me that that is the decisive point, because if the court sustains the ban, that is it, and the poll tax would go out in every State. But under the Attorney General's proposal, which is contained in the leadership substitute, the courts could get into a case-by-case situation.

Mr. President, the fact that the poll tax in that particular State was being used to abridge the right to vote under the 15th amendment would have to be proved at least in every State. So we would have at least four major litigations, but we might have a great many more based on varying sets of fact. That, it seems to me, is the absolutely decisive point in respect of both the finding and the ban.

So I sum up as follows: We have borne the burden on the facts. We have borne the burden on the law in terms of constitutionality. And we have demonstrated that what is offered to us will not do the job. Would it not be the crowning anachronism if, having sought to do something about the voting right, which everyone agrees ought to be safeguarded and preserved, we omitted the removal of this impossible anachronism of a poll tax?

I do not see how we can fulfill our obligation if we fail to do that and say that we have enacted an effective bill to safeguard the right to vote.

I hope the Senate will approve the amendment.

Mr. KENNEDY of Massachusetts. Mr. President, I yield 3 minutes to the distinguished Senator from Michigan.

Mr. HART. Mr. President, not often does the Senate approach a vote as to which the outcome is any more in doubt than the vote which is about to occur on the pending amendment. Before the question is resolved, I should like to make a comment that may reach beyond today and the days immediately ahead.

First, I support the Kennedy amendment, which I believe would best achieve what the President asked of us on March 15; namely, that we frame a bill to "strike down restrictions to voting in all elections," and to assure "all Americans the right to vote."

But in expressing my views and my strong support, I recognize the leadership of the President, which has drawn from all sides and all parties the cooperative spirit, the singlemindedness of purpose, and the untiring efforts which have achieved so wide a spectrum of agreement on the abolition of the poll tax, for we are all agreed on this purpose.

Today, we differ only as to the best means to accomplish this end, which the President, the Vice President the majority leader, the minority leader, the majority of the members of the Committee on the Judiciary, and the Attorney General have joined forces in seeking.

However the vote today results, we shall have achieved a great strengthening of the anti-poll-tax provisions of the bill as originally proposed. Also, we shall owe a debt to the President and to the leadership for establishing and maintaining the warm climate in which these honest differences as to means can be discussed, debated, and resolved to the ultimate growth of strong and enduring legislation.

As for me, I hope that Congress will declare that the poll tax as a precondition to voting in this country is an anachronism, as the Senator from New York [Mr. JAVITS] has just said, and will no longer be applied as a precondition to voting.

For the many reasons assigned in the course of the debate, which has been so brilliantly managed and led by the distinguished junior Senator from Massachusetts, I hope the Senate will vote "yea" on the amendment.

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the distinguished Senator from Indiana.

Mr. HARTKE. Mr. President, I wish to make clear in a few minutes the basis on which I have reached the conclusion that I cannot support the Kennedy amendment. My position is straightforward and, I believe, one of commonsense.

First, let me make clear that I am in favor of equal protection for all citizens under the law, including full equality on the right to vote. I am in favor of these rights because only thus can we have justice, and because their provision is essential to fulfillment of the Constitution.

I am in favor of making justice and the Constitution apply to many who have been denied these rights. I am in favor of elimination of all prejudicial approaches, whether these take the form of a poll tax, of literacy tests, of threats of violence or threats of economic reprisal. I know that Negroes have been prevented from voting in the South. I want to correct that situation now. I know that Puerto Ricans have been denied the right to vote in the North and Latin Americans in the Southwest. I hope we will correct this situation at the earliest possible moment in all areas, for all our citizens—the Negroes, the Puerto Ricans, the Latin Americans, and all others against whom there is discrimination.

I have supported every effort to make human rights real and meaningful. I believe that my support of the Mansfield-Dirksen substitute and my opposition to the Kennedy amendment are a continuing fulfillment of that aim. Due to my action, the swimming pools of the city of Evansville, Ind., were desegregated on the very first day of swimming after I became mayor of that city. I have firmly supported every civil rights bill and every meaningful civil rights amendment in my career in the U.S. Senate, even those which failed. My civil rights voting record will bear out fully my devotion to the cause of equality for all our citizens.

So my first point is that I am fully devoted to the cause of civil rights. My second point is that I am also fully devoted to the Constitution of the United States. I do not believe we should adopt any legislation which distorts the Constitution even for the sake of constitutional ends. I do not believe we can twist one section of the Constitution in order to achieve the goal of another section. There is no question about the end which we want. But this is not a time when the end justifies the means. Before I could vote for this amendment, I would have to tell myself that I am ignorant of the Constitution. But since I have been a student of the Constitution, this I cannot do. It would be possible to support this amendment if I were willing to ignore the still, small voice within me which says that justice and constitutionality should be equally our guides. Some perhaps will say that I should be swayed by the messages of my friends in the civil rights movement and in organized labor, who are so insistent that this amendment must be passed. But I make no apology. My voice and my vote has been at the side of the workingman without hesitation, as it has been devoted to the ends of justice in the civil rights movement.

I do not propose to review the entire law on this amendment. But as the Breedlove decision of the Supreme Court in 1937 sustained the constitutionality of the poll tax against a 14th amendment attack, and as lower courts have consistently followed that ruling—including the two recent cases arising in Virginia—there is strong reason to question the constitutionality of an amendment to this bill which states that "no State or political subdivision shall enforce the collection of a poll tax or other tax as a precondition of registration or voting." The end is desirable, that there be no slightest impediment to the vote. We have declared by constitutional amendment that there shall be no such requirement for Federal elections.

But we are still operating under the Constitution of the United States, which does give to the States the right to fix their own voting requirements. The Mansfield-Dirksen substitute bill achieves the desired end, the elimination of discrimination which is also enjoined by the Constitution and its amendments, but it does not so distort another portion of the Constitution in doing so. I believe that we must eliminate discrimination in voting rights. But we must do so by the clearly constitutional means available to us.

Fortunately, the Constitution is a flexible and living document. We have seen changing times result in the disclosure of new meanings within it, as it has been interpreted by the Supreme Court of the United States. The fact that the Breedlove decision of 1937 has stood to date does not mean that any effort by congressional action to overrule it is absolutely and necessarily doomed to failure. But such action as this amendment takes is on shaky constitutional ground. It is all the more infirm because of the fact that we have deemed it wisest to abolish the poll tax in Federal elections by the route of constitutional amendment. As the Court has said in the Virginia case:

> The very fact that the Congress deemed a constitutional amendment necessary to abolish [the poll tax] in Federal elections demonstrates that such a tax is not in itself unconstitutional.

What is clearly unconstitutional is the use of a tax, or a literacy test, or any other device as a tool of discrimination, making it possible for one group of persons to be denied the vote by use of that tool. But to deny the possibility of a poll tax, or head tax, in the manner by which it is used without such effects is not the same thing. The Mansfield-Dirksen bill has its provisions to protect against the discriminatory use, and it has not the same constitutional hazards.

I do not propose that what I say shall persuade anyone to vote differently than he now proposes to do. Most Senators have committed themselves. I do not personally care that others disagree with me. Of course, I think I am right, otherwise I would not speak as I do. I think they who support this amendment are wrong, but it does not offend me that they should be wrong. Nor does it change my mind to discover that my judgment is at variance with those who support the amendment. I hope that the supporters can approach this vote in the same manner and with the same clear conscience that I hold.

One final, and most telling, point. In this question, which bears not on the ends to be desired but on the means for attaining those ends, it is my firm conviction that the judgment of the Attorney General of the United States as to the tools we give him is of the greatest importance. He has expressed, as the Senator from Minnesota [Mr. McCARTHY] so clearly stated yesterday, the clearest and most unequivocal preference for the Mansfield-Dirksen approach.

> In my view—

He has said—

> the Mansfield-Dirksen provision offers the safest, swiftest, and most effective course.

Attorney General Katzenbach has demonstrated under most difficult and trying circumstances his complete devotion to the cause of full equality. He was appointed Deputy Attorney General by President Kennedy, and he holds the full confidence of the present administration, as evidenced by his elevation to Attorney General. He is a champion of justice and of civil rights, and he should be allowed to choose the weapons with which he fights insofar as we can help him to do so.

Mr. Katzenbach has elaborated his thinking on this point, so far as the question of constitutionality is concerned—the question which I have put paramount in my own thinking.

> No case—

He has said—

> can reach the Supreme Court sooner than the Harper case.

This is the Virginia poll tax case which the Court has agreed to hear next fall.

> It would be unfortunate—

He continued—

> to jeopardize this opportunity of obtaining a very prompt ruling.

Both measures make clear enough to the Supreme Court and to the rest of the world what the views of Congress are in this matter. But a legislative declaration that the poll tax abridges the Constitution is not the same thing as a Supreme Court finding. When the Court hears the Harper case, it will reach its decision on the basis of the facts, as they are brought out in testimony and judicial procedure. We can declare all we wish that the poll tax must go because of its discriminatory effects, but we will neither have eliminated the constitutional provisions concerning the rights of States to set their voter qualifications nor have proved the case in any legally acceptable fashion.

I agree with the Attorney General that our safest and best and most effective route to the end we all seek is to keep from jeopardizing the work of the Court. We are establishing the right to vote in this bill. We are seeking to protect that right wherever it is abused by discrimination, whether applied through the poll tax or otherwise. In any case, there will be eventual consideration by the Court. Let us support the proper procedure, the procedure which the Attorney General assures us will be most expeditious, the procedure which will accomplish the goal with the least confusion. Let us, therefore, reject the Kennedy amendment.

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the distinguished Senator from Kentucky.

Mr. COOPER. Mr. President, I shall vote against the pending amendment because I have been unable to find any authority before Congress to strike down summarily and to abolish the poll tax.

I suggest that it would be possible for the Senate to include, as a part of section 3(b) a procedure which would enable the court, upon a finding of discrimination, to suspend the poll tax. After consultation, I shall submit such an amendment.

Mr. President, it is with regret that I have determined that I cannot vote for the amendment offered by the junior Senator from Massachusetts [Mr. KENNEDY] and his cosponsors. I am sure the great majority of the Members of Congress and the people of our country do not approve the imposition of a poll tax as a precondition of voting. I believe it is wrong to place a price on the right to vote. The Senator is to be commended for his able presentation of the arguments, as he sees them, which would authorize the Congress to completely abolish the poll tax as a precondition for voting, in the States of Alabama, Mississippi, Texas, and Virginia, which now impose it, and any others which would attempt to do so in the future. We are also indebted to the senior Senator from New York [Mr. JAVITS] for his presentation over many years of arguments in support of the abolition of the poll tax by statute.

I say that it is with regret that I shall vote against the amendment because, during my service in the Senate, I have cosponsored and supported all of the civil rights bills which have been enacted by the Congress—in 1957, 1960, and 1964. Also, I have introduced bills which, at the time of their introduction, were not agreed to by the Congress, but were later approved in substantial form by the Congress and in some cases by the Supreme Court of the United States.

In 1948, Senator MORSE and I opposed the Southern States compact, establishing a separate but equal educational institution, and sponsored the amendment of recommittal which was agreed to by the Senate in that year. In 1957, I offered an amendment to the civil rights bill, which would have authorized the Attorney General to intervene in school desegregation cases. It was defeated but, in 1964, the civil rights bill included this procedure. In 1964, Senator DODD, of Connecticut, and I, introduced the first general public accommodations bill, based upon the 14th amendment. In modified form, it was incorporated in the civil rights bills of 1964, but under the commerce clause. And in 1962, I introduced in the Senate and argued in debate on the floor for the adoption of an amendment to the voting rights section of the 1957 and 1960 acts, which would have stricken down all literacy tests which depended upon the subjective judgment of local registrars or voting officials. This position was later adopted by the Supreme Court of the United States in the case of United States against Louisiana, decided in March 1965. The Court held that such tests were invalid on their face.

I mention the above bills and amendments which I have introduced, in some cases years before they were adopted by the Congress, to indicate that I have argued for civil rights measures and certainly voting rights measures when the Constitution and the record of evidence provided authority for their enactment by the Congress.

My problem with the pending poll tax amendment is that it provides that the Congress can summarily abolish all poll taxes which are a precondition for voting—and search as I have, I can find no authority for the Congress to do so, either under the 14th or 15th amendments.

The substance of the 15th amendment is that the vote may not be discriminatorily denied on account of race or color. I have no doubt that the poll tax has been used as an instrument of discrimination, and that a proper amendment could be incorporated in the bill providing a procedure to suspend the poll tax until its discriminatory use is halted. This would be in accord with the procedures of suspension followed by the courts when they have found a discriminatory use of literacy tests or other devices. The Senate bill now before us likewise provides a procedure for suspending literacy tests or other devices used discriminatorily.

Likewise, I can find no authority under the 14th amendment to abolish poll taxes. I can find nothing that would make the privilege or immunities or due process clauses of section 1 applicable. The equal protection clause could apply, as the courts have indicated, if the poll tax was so substantial on its face as to constitute an unequal burden on groups of those entitled to vote as compared to others. But in such a case, though the particular unequal poll tax could be stricken down, I know of no authority to abolish the poll tax as such, distasteful as it is.

To summarize, I can find no authority which would authorize the Congress to strike down the poll tax completely, as the Kennedy amendment would do. Then, one may ask: Is the Congress wholly helpless to do anything about the poll tax, used as a precondition of voting? I hold that it is not helpless. The Attorney General has testified that there is not sufficient evidence to include the poll tax as a test or device to bring it within the terms of the triggering mechanism of section (4)(b). Nevertheless, I believe that Congress may authorize a court, under section (3)(b)—if the court shall make a finding that the collection of a poll tax has been used for discrimination in violation of the 15th amendment—to suspend the collection of such a poll tax in the same manner that the court may suspend the use of a literacy test as a test or device.

I cannot vote for the pending amendment as much as I believe the poll tax to be wrong and repugnant in placing a price on the vote, because I can find no authority to abolish it completely as this amendment would do. I do recommend that the bill be amended as I have suggested, to provide a procedure for its suspension when found to be discriminatorily used. I hope that through constitutional processes, the poll tax in all forms, in every State, in every local subdivision, as a condition for voting, may forever be wiped off the statute book, and from our history.

Mr. KENNEDY of Massachusetts. Mr. President, I yield 2 minutes to the distinguished Senator from Ohio.

Mr. YOUNG of Ohio. Mr. President, I am supporting this amendment instead of the Mansfield-Dirksen substitute. It is a happy personal recollection that in 1942, as Ohio Congressman-at-large, I served as floor manager in supporting the anti-poll-tax bill which we passed in the House of Representatives for the very first time. It is true that nothing further came of this for the reason that the bill, during the 77th Congress, was not acted on in this body. At that time eight States levied a poll tax, oppressive to the poor people, which required payment before they were eligible to vote. This archaic poll tax is now retained in only 4 of our 50 States—Alabama, Mississippi, Texas, and Virginia.

The poorest citizen in the land is entitled to one great day—election day—and one great power—the right to cast his vote. As matters now stand, in four States election means nothing whatever to poor men and women because they need the $1.50 or $2 tax money for something else. Furthermore, in some States the poll tax is retroactive and a citizen is compelled to pay for past years he has missed before he may vote.

In 1959, early in my first term as a Senator of the United States, I wrote in my newsletter:

> This Congress should expand civil rights and protect civil liberties. We should support the Supreme Court of the United States and its decisions as the law of the land. Daily we hear and read arguments for and against segregation, and suggestions to compromise troublesome questions of civil rights. There just cannot be any compromise on civil rights. Either you are for the Supreme Court decision or you are resisting law and order. Racial problems are, in reality, moral problems and not political issues. Let us remember at all times, we are the Nation which chiseled on our Statute of Liberty: "Give me your tired, your poor, your huddled masses yearning to breathe free; send these, the homeless, tempest-tossed to me; I lift my lamp beside the golden door."

At that time, in all candor, I must say I believed it would be a matter of some years before full civil rights and civil liberties would be won by Negroes in States in the Deep South. However, the brutal savagery of bigoted white people in Mississippi and Alabama, coupled with the intolerable, malicious, arrogant, and cruel actions of State and local police have speeded the time by many years that complete civil rights will be granted and exercised by all citizens of those States and all States of the United States. The conscience of our Nation has been aroused. These vile extremists preaching hate and white supremacy and practicing brutality and utmost savagery have ruined their own objectives.

I am indeed proud to reaffirm my complete dedication to the principle of full civil rights and civil liberties for all citizens by cosponsoring the voting rights bill before the Senate today.

During the last 8 years the Congress has passed three voting rights bills. After the enactment of each, we discovered that the laws were too weak, too easy to evade, and too cumbersome to guarantee fully the right to vote to all Americans regardless of race. In this bill we hope to complete the job so that there will be no doubt and no question as to the ability and the intent of the Federal Government to protect the voting rights of all citizens.

However, unless we include in this bill a positive prohibition on poll taxes as a precondition to voting, I predict that next year we are likely to be considering another voting rights bill which will accomplish that end. Unless the poll tax as a precondition for voting is eliminated this year, it appears certain to me that before many months have passed those denied their voting rights by poll taxes will be marching in the streets of communities of at least four States of our Union demonstrating against this infamous levy. The Nation and the world will witness again the sorry spectacle of Americans demonstrating in the streets for a right guaranteed them in the Constitution more than 100 years ago by adoption of the 15th amendment.

Mr. President, no one today seriously disputes the fact that poll taxes are solely a device to obstruct and to deny to Negro citizens their right to participate in the elective process. They were conceived in discrimination and bigotry and are in direct defiance of the 15th amendment to the Constitution of the United States.

The idea behind the poll tax is to keep the poor from voting or to keep the Negroes from voting. As a matter of fact, the poll tax accomplishes both. When you keep the poor of this Nation from voting you do violence to everything taught by Thomas Jefferson. If, in addition, you keep the Negroes from voting you do violence to the Emancipation Proclamation of Abraham Lincoln and the 15th amendment to the Constitution.

Mr. President, the argument has been made that the Congress does not have the constitutional power to abolish the poll tax. The amendment before the Senate does not abolish poll taxes. What it does do is provide that States can no longer enforce poll taxes by making them a precondition to voting. This amendment will have no effect whatever on the States which levy such taxes but do not tie them to voting rights. Many constitutional lawyers and scholars have testified or publicly stated that this amendment will be upheld by the courts. Of course, if any law before the Congress is clearly unconstitutional it should not be passed. However, if it is clearly indicated that the constitutionality of a bill may be upheld on genuine legal merits, the Congress should not refuse to enact a needed law merely because some believe it might not be upheld by the courts. Furthermore, when a constitutional issue on which the Congress has acted comes before the courts, it does so on much stronger grounds.

Certainly I make no claim that I am an authority on constitutional law. However, as a lawyer and former president of two bar associations, it would appear to me that those of us who are opposed to the imposition of a poll tax as a precondition to permitting a citizen to vote, would do well to express in the legislation we act on that as a national policy the Congress is opposed to the imposition of such a poll tax. Furthermore, following the final enactment into law of this legislative proposal, a test of constitutionality of this law could, of course, be instituted just as soon as if this amendment were to be defeated and the constitutionality of the law without such amendment were to be tested by action of the Attorney General.

Mr. President, I believe that the Congress has a mandate to enforce the right to vote guaranteed all Americans by the 15th amendment. If there is doubt as to their constitutional power to do so, the proper place for argument is before the Supreme Court of the United States. We would be remiss in our duty were we to assume the function of the Supreme Court by attempting to decide whether or not this amendment is within the framework of the Constitution.

Mr. President, it has been stated that the inclusion of this anti-poll-tax amendment will jeopardize the chances for enactment of the voting rights bill. If I genuinely believed this were the case I would not hesitate to withhold my support from this amendment at this time. However, I can see no reason why this amendment would jeopardize this bill. If by some chance the courts of the land were to hold this amendment unconstitutional, the decision would in no way affect the provisions of the legislation. Let us once and for all come to grips with the problem and solve it for all time.

It is left for us now to guarantee the right to vote to all Americans. To temporize is to encourage defiance of the law and contempt for the law. We are a Nation committed to justice and to Democratic principles; a Government of law and not of men. We cannot continue to deny to millions of our citizens what we offer to the world.

Let us pass this amendment and this bill as a step toward providing democracy in the fullest sense to all the people of this Nation.

Mr. KENNEDY of Massachusetts. Mr. President, I yield 4 minutes to the distinguished senior Senator from Rhode Island.

Mr. PASTORE. Mr. President, I cosponsored the amendment, I support it, and I shall vote for it.

I cannot subscribe to the arguments that are being offered on the floor of the Senate that if we vote for the amendment, we shall endanger the application of cloture. This is not a question of expediency; it is not a question of practicality; it is a matter of principle.

Any time Congress limits the right of an individual to vote by requiring the payment of money, it is defeating the American ideal. We shall be doing something that is hostile to the American concept of equity. The poll tax is not collected to raise revenue; the poll tax is instituted to deny to certain individuals the right to vote.

Then we have this new principle of an accumulation of obligation over a period of years. This makes it even more impossible for a freeman to exercise his right of franchise under the Constitution of the United States.

If the 14th amendment can give the right to vote to every individual, as proclaimed by the Supreme Court, under the one-man, one-vote principle, it can certainly strike down the fallacy that a man must pay a certain amount of money and render his receipt before he is afforded the constitutional right, as a free American, to cast his vote.

I believe that the time has come for Congress to proclaim that it is un-American to array class against class, color against color, and rich against poor. This amendment would strike down the un-American premise that a man must pay a price to vote for a Governor, councilman, or President of the United States.

What do we say to the mother who did not pay the poll tax and who has a son who becomes 21 years of age? Do we say that he shall not serve his country because she has not paid the poll tax? Do we say that to that mother? Of course, not. Yet, we say to that mother, "If you did not pay your poll tax, you cannot vote to elect a man who will go to Congress, may declare war, and send you son to that war."

I support this amendment because, in the American concept, it carries out the American creed. I cannot accept the excuses being offered in this Chamber to the effect that if we were to vote for this amendment, we would kill the bill. Anyone who believes in the right to vote must believe in free elections. If we believe in free elections; we must believe in the right of every freeman to cast his vote freely without paying a price to do so. That is what a poll tax does. It makes a freeman pay a price to vote.

A State has a right to tax in order to raise revenue. However, in this case this is a price that must be paid in order to cast a vote. That is un-American. It is inimical to amendment XIV, which provides that every citizen shall be given equal protection of the law.

If we believe in justice, if we believe in the United States, and if we believe in the privilege of an American citizen to stand up in his full stature and claim his right as an American, we shall vote for this amendment this afternoon.

Mr. MANSFIELD. Mr. President, how much time remains for my side?

The PRESIDING OFFICER. Twenty-four minutes.

Mr. MANSFIELD. Mr. President, I yield 14 minutes to the junior Senator from Illinois, the distinguished minority leader.

Mr. DIRKSEN. Mr. President, fortunately this is a government of law and not of emotion—and that is what we deal with today.

When the Judiciary Committee was mandated by the Senate to bring back a bill on the 9th of April, that committee operated diligently. The committee had an excellent staff. The committee sought to bring to the Senate a bill that would insure the voting right of every U.S. citizen under the 15th amendment, regardless of race or color. What the committee sought to do was to end discrimination as it applied to a U.S. citizen.

We tried to have respect for the States. The measure reported did not abolish the poll tax. It did not abolish the literacy test. We tried to respect the poll tax and literacy test in every case. We even modified and improved the measure when, at long last, the majority leader and I introduced a modified version as a substitute. That was testimony to the effect that, after we finished the formal hearings in the committee, many of us, day after day, continued the effort to improve the bill if we could. What we brought back in the form of the substitute contained a provision that would instruct the Attorney General forthwith to bring an action in a case in which there was a State poll tax and also to obtain a declaration from the high court as to whether it was constitutional. That was the shortest way to get the job done. It was not to avert cloture, as the distinguished Senator from Rhode Island said. It was not a question of jeopardizing the bill.

The question was, "How soon can we obtain a final determination on this matter by the highest and the only constitutional tribunal created by the Constitution?" That is, of course, the Supreme Court of the United States. However, notwithstanding that fact, an amendment is now proposed which would definitely abolish by statute the poll tax as it relates to State and local elections.

I was in Congress when Representative Garagan, of New York, in 1933 offered a bill to invalidate the poll tax as it applied to States. We passed the measure through the House by a whoop and holler. The bill arrived over here and it sank—and it should have.

In the next session of Congress, Representative Joe Garagan introduced the measure again. I voted for it the second time. The measure failed a second time in the Senate.

In the next session of the Congress, Joe Garagan introduced the measure once more. I voted for the measure again. The measure passed, but for the third time, failed in the Senate.

As I remember, it, Bob Taft said to me, "You cannot do it in that fashion. It should be done by constitutional amendment."

I noticed the presence a moment ago of the distinguished senior Senator from Florida [Mr. HOLLAND]. The senior Senator from Florida took up the matter, and we voted for a resolution to effectuate the 24th amendment to the Constitution, which amendment invalidated the poll tax so far as Federal elections are concerned.

It is now proposed to do all this by statute insofar as State elections are concerned. It is done notwithstanding Breedlove against Suttles, a decision which was rendered by the Supreme Court in 1937. That decision is as clear as it could be made.

No one will stand up in the Chamber and gainsay the fact that the Court said that the poll tax is a perfectly valid, legal instrument so long as it is not abused. We are trying to deal with abuse in the bill. That is one of the reasons that the bill is here. However, there was something in the way of a decision after the 1937 decision. There was a Court decision in 1951. That was in the case of Butler against Thompson.

What did the Court say in 1951? The Court said:

> To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment. The privilege of voting is not derived from the United States, but is conferred by the States, and, save as restrained by the 15th and 19th amendments, and other provisions of the Federal Constitution, the State may condition suffrage as its deems appropriate.

In that decision, the Court discussed the question of motive. It said that motive had nothing to do with it—no matter what any person may say as to the use to which it is hoped the poll tax would be directed. It was not a question of motive.

I remind the Senator from Rhode Island that this is a State-Federal system. If we undertake to do this now, I submit, how can we forgo opposing the invalidation of section 14(b) of the Taft-Hartley Act, which saves to the State the right to legislate in the labor field? We shall be meeting ourselves coming and going. The two provisions do not square with one another.

This is a State prerogative. It is a privilege. It is part and parcel of the whole State system. However, notwithstanding that fact, it is now sought to invalidate this right, when the Court said that it is perfectly legal and reaffirmed that decision as late as 1951.

Let me go a little further. Here is a three- or four-page letter from the Attorney General. What does he say? It is not a question of when or whether. It is a question of how. He says there are constitutional risks if we adopt the Kennedy amendment. The Attorney General says the constitutional approach—like that taken by the Senator from Floridea [Mr. HOLLAND]—is the proper approach. The Attorney General in his letter says that the 15th amendment is not a doctrine of universal abolition of the poll tax; and even the authors of this amendment confess their doubt in section (d), because they indicate that if it does not "cut the mustard" and get through, we have something to fall back on. If that is not a risk, I do not know what risk is.

The Attorney General says it is a gamble when the same results can be obtained more swiftly in another way. The Attorney General says that if this language is written into law many people will be misled into not paying their poll taxes. Finally, when the Court passes on it, and then it is found to be unconstitutional, it will be too late. There will be a delay and it will not be able to be used. Are we going to put this burden on those people in the States where this question is a real issue? Only four States are involved.

We have provided the procedure in the Mansfield-Dirksen substitute for taking care of that. The language is as clear as crystal. We provide that, in view of the evidence presented to Congress that constitutional rights of citizens are denied or abridged, and so forth, the Attorney General shall forthwith institute a suit, that it shall be expedited, and that it shall go to the Supreme Court as quickly as possible.

Let me point out that the case of Harper against Board of Education, out of the State of Virginia, is in the Court. We trust it will be passed upon in the October term. Why should we jeopardize that case? Why should we take the risk of having the Court say, "We will remand that case to the lower court?" So there will be problems there, and another year's delay, or possibly 2 years' delay. Who shall say how long? When it reaches the Supreme Court shortly, what a mistake and a blunder it would be to adopt this language when today we are on solid ground and moving expeditiously toward a disposition of that question in the highest Court of the land. Should we undertake to give a court direction, with this court case pending? In my opinion it would be improper to do so. I trust, therefore, that this amendment will be voted down.

Mr. President, there is nothing more to say. The Attorney General has spoken. He is the principal law enforcement attorney, even as the present occupant of the chair [Mr. KENNEDY of New York] was once upon the time, and he graced that office with dignity and dispatch. He is the one who is charged with going across the plaza, going to that big white marble building, and pleading the case there and letting it be decided by instituting an action. If that is not done, we make him go there with a condition of handicap. Is that what we want to do? Not I. Look at what we are up against. It will be said, "Look at Breedlove against Suttles, if we want a legislative or judicial decree." Mr. Attorney General, if you want to know what the law is, look at the recent case no later than 1951, which confirms Breedlove against Suttles. There is the law. What more do you want? Are we going to send him in with tied hands? Let us give him a "fair shake" and let us resolve this issue as it ought to be resolved, with proper respect for the sovereign States and the Federal-State system.

That is the real basis of the argument involved here. It is not as frothy as some of the motivations that have been attached.

I do not care about the motivations. I am thinking of the Federal-State system. We have sought in the Judiciary Committee at all times to study it. That is why we do not abolish the poll tax and why we did not abolish the literacy tests. Those are incidents of sovereignty that go back to the very treaty that concluded the Revolutionary War. I have it in a memorandum before me, if I can find it. I was interested in learning that there was reference to States even in the treaty. This is what the first article of the Treaty of Paris of 1782 provided:

> His Britannic Majesty acknowledges the United States, viz New Hampshire—

The State of the Senator from New Hampshire [Mr. COTTON]—

> Massachusetts Bay—

The State of the Senator from Massachusetts [Mr. SALTONSTALL]—

> Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Virginia, North Carolina, South Carolina, and Georgia, to be free sovereign and independent States—

That was the treaty signed by His Britannic Majesty in 1792. In pursuance of it, the wise and prudent framers of the Constitution gave us a Federal-State system. One of the reasons why we have a great free country today is that we have respected the rights of the States as sovereign in this field.

If Congress can tell the States by statute this afternoon that they cannot impose a poll tax or any other tax, why not tell them they cannot impose a cigarette tax or any other tax—Senators can name any of the number of taxes imposed. It would be exactly the same thing. That is what the Court said in the Butler case in 1951. It is not a case of interpretation. I would be the first to admit that there have been abuses in the field of discrimination. That is why the bill is before us. That is the reason why we are trying to cure those abuses. We are saying to the States, "Go ahead with your qualifications, but watch it if you run afoul of the 15th amendment, because if you run afoul of it you will be in trouble. There will be examiners sent in to see that citizens have the right to vote in your districts."

Mr. President, I trust the amendment will be roundly defeated.

Mr. KENNEDY of Massachusetts. Mr. President, I yield 2 minutes to the Senator from New Jersey [Mr. CASE].

Mr. CASE. Mr. President, none of us who support this amendment has any less affection or respect for our colleague the minority leader, who has just spoken, or the majority leader, but in this matter we differ completely.

There are just two questions. Is this going to hurt the passage of this proposed legislation, that is to say, the adoption of this act?

The minority leader just mentioned the colloquy he had with the late, respected and revered Senator Taft many years ago when this measure first passed the House. If it passed the House then, it can pass it again. That happened 20 years ago——

Mr. DIRKSEN. Thirty years ago.

Mr. CASE. Thirty years ago. There have been some changes. I feel that we shall have no trouble either in coming to a vote or passing a bill with the Kennedy amendment in it, whatever may have been true 30 years ago.

Thirty years ago, it was inconceivable that we could have obtained cloture on a civil rights bill. We did obtain it last year because of the paramount and preeminent leadership displayed in the Senate, and Senators on both sides of the aisle helping to bring it about.

The PRESIDING OFFICER. The time of the Senator from New Jersey has expired.

Mr. KENNEDY of Massachusetts. Mr. President, I yield 1 additional minute to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 1 additional minute.

Mr. CASE. Therefore, the question is not whether we shall hurt chances of passage of the bill, because we will pass that bill. Let us make it the best possible bill that we can.

The question is: Should the Kennedy amendment be adopted on its merits?

The minority leader says—and no one seriously disagrees that I have heard—that the poll tax as a precondition for voting has been used and is now being used as an instrument for discrimination. I say that under the 15th amendment, there is no question as to the propriety of enacting the bill to eliminate the poll tax as a precondition for voting. I hope very much that the Senate will do so.

Mr. KENNEDY of Massachusetts. Mr. President, I yield 2 minutes to the Senator from Texas [Mr. YARBOROUGH].

The PRESIDING OFFICER. The Senator from Texas is recognized for 2 minutes.

Mr. YARBOROUGH. Mr. President, I have cosponsored the Kennedy amendment to remove the barricade of the poll tax before the ballot box because I believe that such removal is just, timely, and constitutional. In the affairs of men, institutions arise, serve their generation, outlive their usefulness, become impediments to progress in later generations and pass away. The poll tax as a bar to voting has lasted beyond its time, and now should pass away.

In my own State, the million and one-half Texan Americans with Spanish names have the lowest incomes of any ethnic group in Texas. The poll tax, for them, is a crown of thorns and a cross on the road to the voting place.

Without the poll tax ban, this bill would affect very few States; it is frankly designed to cover very few States. I favor expanding the opportunity to vote in every State, not just some States other than my own.

Some critics state that the bill as drawn does not apply to Texas. I want it to apply to Texas. Some proponents of this bill would use a few Deep South States as a whipping boy and overlook larger disenfranchisements in their own States. I favor a fair treatment for all States. Some would pluck the mote from their neighbor's eye and overlook the beam in their own. I want this bill to bar the poll tax as a voting ban completely, in my own State and in every other State.

I oppose the use of literacy tests in some States as a discriminatory tactic to bar large groups from the franchise, and am proud of the fact that Texas practices no literacy test discrimination. But the poll tax is discriminatory, too, in many ways, and I am just as willing to uproot this discrimination in my own State as I am to tell other States what to do. More people are probably barred from the ballot box in Texas by the poll tax than are barred in any other one State by a literacy test.

The **PRESIDING OFFICER**. The time of the Senator from Texas has expired.

Mr. **YARBOROUGH**. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

Mr. **KENNEDY** of Massachusetts. Mr. President, I yield 30 seconds to the Senator from Texas.

The **PRESIDING OFFICER**. The Senator from Texas is recognized for 30 seconds.

Mr. **YARBOROUGH**. Mr. President, the pending bill is deficient in failing to remove the poll tax voting ban, because I believe that a large majority of the Senate is agreed on the principle of doing away with the poll tax. I do not think the success of the bill will be prejudice by adoption of this amendment—a large majority will still favor the bill.

Neither do I fear for the constitutionality of this bill if this anti-poll-tax amendment is adopted. The recent Supreme Court decision in Harmon against Forsseniuss—from Virginia—should lay those fears to rest for all who read the case.

The time is ripe to eliminate discriminatory preconditions to voting, and to support President Johnson's state of the Union message which urged the country to eliminate the barriers to the right to vote.

The poll tax is a poisonous snake across the path to the voting box, and I intend to hit it with any stick in reach. The Kennedy amendment is a good, legal and lethal weapon in easy reach, and we should not pass up this opportunity to use it.

Mr. **MANSFIELD**. Mr. President, I yield myself up to 10 minutes, which I understand is the time still remaining.

The **PRESIDING OFFICER**. The Senator from Montana is correct.

Mr. **MANSFIELD**. Mr. President, as the time to vote approaches, I wish to repeat my support for the elimination of the poll tax by the safest, swiftest, and surest means. In my judgment, the safest, swiftest, and surest means lie in the adoption of the Dirksen-Mansfield substitute provision.

There is today overwhelming agreement in the Congress that the poll tax—and by this I mean the requirement of payment as a precondition of voting—must no longer continue as a clog upon the American franchise. We are agreed in principle that the vote should be open to all. We discuss today only the means which will best and soonest achieve this end.

It is to me unfortunate that this vast majority, agreed in principle, should be still discussing alternate methods. I say it is unfortunate because these discussions delay the entire voting bill which we all want and which is needed now.

Yet, the poll tax is a great and historic issue which has been many times before this body. It should be resolved properly, and the time spent to reach agreement upon that resolution is not begrudged.

I feel confident that a review of the provisions before us will lead to but one judgment—that the joint leadership approach is right on the issues that count. This approach does not risk delay, and I am hopeful that its adoption will move us forward to swift adoption of the entire bill. The risk of delay might be worth taking if the choice were between no poll tax provision and the Kennedy amendment. But that is not the choice. The choice is between the course of risk and the course of sureness, the course of speed and the course of possible delay. The choice, in my opinion, is clear.

The Dirksen-Mansfield a mendment avoids any constitutional doubts. It will not mislead the voters into a reliance which might mean the loss of their vote.

These are my principal reasons for believing that our approach is the best means of assuring the elimination of the poll tax. In making this judgment, I attach the greatest importance to the views of tne Attorney General which he set forth so clearly and candidly in his letter of May 7.

I received a further communication from him based on my promises to the Senator from Massachusetts [Mr. Kennedy], and the Senator from New York [Mr. Javits], on last Friday.

The letter reads as follows:

Hon. Mike Mansfield,
U.S. Senate,
Washington, D.C.

My Dear Senator Mansfield: This is in response to your request for my comments on questions raised during last Friday's debate on the poll tax provision of the substitute to S. 1564 sponsored by you and Senator Dirksen.

Senator Edward Kennedy and Senator Javits questioned whether the substitute contains a congressional finding that poll tax requirements had been used to deny or abridge the right to vote. In my view, such a finding is included in the substitute. The substitute recites that evidence has been presented to Congress that poll tax requirements have been employed in violation of the Constitution, and it goes on to direct the Attorney General, on the strength of this evidence, to initiate legal proceedings forthwith to eliminate such abuses. The fact that the substitute directs, rather than authorizes, the Attorney General to bring suit clearly implies a finding that poll tax requirements are, in fact, being employed in violation of the Constitution. In short, I believe the present language is clear and adequate.

As to the other questions raised last Friday concerning the Mansfield-Dirksen substitute and the poll tax amendment offered by Senator Edward Kennedy, I feel they are answered by your statements during the debate and by my letter to you of May 7.

Sincerely,
Nicholas deB. Katzenbach,
Attorney General.

Mr. President, I cannot forget that it is the Attorney General who must enforce the law which we enact. I cannot forget that it is the Attorney General who has struggled in litigation to make the voting provisions of the laws work. I cannot forget that it is the Attorney General who must go to the courts and vindicate our judgment. And in view of this, when he advises this body that the Dirksen-Mansfield provision offers the safest, swiftest, and most effective course, I am not prepared to disagree.

In addition, however, I am troubled by the provisions of the Kennedy amendment which would impose a flat bar against any and all poll taxes imposed now or in the future as a precondition of voting. If enacted, this provision would prohibit the State of Vermont from enforcing its statute which now requires payment of a $1 tax as a precondition of voting in town and other municipal meetings. This despite the fact that the Vermont statutes provide a number of exemptions, including exemptions for "persons actually poor" and "persons receiving old-age assistance," and despite the fact that as of the present time there is, to my knowledge, no evidence that the Vermont poll tax has the purpose or the effect of discriminating against any racial group.

In any court test of the Kennedy bar, the reach of the bar to these Vermont provisions will raise unnecessary problems—problems which are not presented by our provision. In any court test of the Kennedy amendment, the result will depend to a great extent upon the reasonability of the bar against the tax in Vermont. Because of this, we cannot have the necessary certainty under the Kennedy amendment.

And finally, history teaches us that this voting statute will require a final ruling by the Supreme Court before assurance will be had that these provisions will be universally applied.

Therefore, the real issue comes down to this question—which measure, the Kennedy or Dirksen-Mansfield, brings the earliest test. The answer is clear, for the Dirksen-Mansfield provision directs the Attorney General to institute suit forthwith and calls upon the courts to expedite their action in resolving these suits. The Kennedy provision, on the other hand, means a delay until a State denies the right to vote at election day because of a person's failure to pay the tax. The Kennedy provision, as the Attorney General has pointed out, also risks two trips to the Supreme Court in the event the first suit is dismissed because of a lack of case or controversy.

In conclusion, in my view, the most important issue today is the immediate adoption of a strong and effective voting rights act. The poll tax is but one significant part. The poll tax provision in the joint leadership substitute is strong and effective, safe and sure. It risks no delay either in final elimination of the poll tax or in prompt passage of the entire voting rights bill.

Before this vote is taken I wish to commend the distinguished Senator from Massachusetts [Mr. KENNEDY] for the brilliant way in which he has led the proponents of the pending amendment. His mastery of the substance of the issue has been complete. His presentation and argumentation have been lucid and compelling. Regardless of outcome, I did want to say for the RECORD that his initiative, energy, and effort have been outstanding in every respect. It would be my hope, however, that despite his valiant effort he has not persuaded a sufficient number of Senators—as he almost, but not quite—persuaded me. I hope that the pending amendment will fail.

How much time have I remaining?

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. MANSFIELD. I yield 30 seconds to the Senator from Missouri.

Mr. LONG of Missouri. Mr. President, as a consistent advocate of effective civil rights legislation and as a member of the Senate Judiciary Committee, I have been close to the pending voting legislation since it was originally introduced. I am deeply interested and greatly concerned that the Congress pass a responsible and effective bill to make the guarantee of the 15th amendment a reality without undue delay. My record in the field of civil rights is clear and everyone knows my position against poll taxes.

The poll tax is inherently wrong. The concept that an American must pay cash for the right to vote is basically undemocratic. Nevertheless, I do not believe anyone will deny that Federal legislation abolishing poll taxes in State and local elections raises a constitutional question of a most difficult nature.

Throughout the Judiciary Committee deliberation and the Senate debate, I have carefully studied and considered the constitutional arguments on this question both for and against. While I am inclined to believe the Congress does have the power under the 14th and 15th amendments to take this action, I do not find the constitutional certainty that I like to have in supporting legislation.

With respect to the present amendment, there is an additional element which normally is not involved in considering legislation. It has become evident that there is a grave question as to Senate passage of the bill if the pending poll tax amendment is added to it. While a majority vote will carry the day for the amendment, it will require a two-thirds vote for cloture and today it looks certain that if this amendment is adopted, cloture will be necessary for final Senate action. In view of what has been said, I do not see where we can obtain sufficient votes for cloture if this amendment is added.

In my mind, it is urgent that Congress enact an effective bill that will allow Americans to vote who are now denied this right because of their race. As I said in my statement to the Judiciary Committee, it is time for action. Our first consideration must be the enactment of a strong and responsible bill. We cannot allow all our efforts to be lost because we cannot obtain all we want. We cannot allow widespread discrimination in voting to continue because we cannot meet every problem directly. I cannot with a clear conscience look in the face the Negro who is denied his right to vote because of his color and say wait a little longer—we could not get exactly what we thought necessary as to poll taxes.

I do not want anyone to take me wrong. I am not trying to sell short the importance of the pending amendment. But considering the poll tax provision already in the Mansfield-Dirksen substitute amendment, I do not believe it worth the risk of the loss of the entire bill to add this stronger poll tax provision.

For all these reasons, I have reluctantly reached the conclusion to vote against the pending amendment. Every instinct and emotion I possess said vote for the amendment, but reasoning and logic said no.

I may well be condemned by those who misunderstand or those who do not care to understand my course of action. Nevertheless, I believe the paramount consideration is the enactment of a good bill that will open the ballot box to American citizens who are today denied the opportunity to vote because of their skin color. The Mansfield-Dirksen substitute is a good bill.

I want to make it clear I stand ready at any time to support and vote for a separate proposal to abolish all poll taxes be it by legislation or constitutional amendment. But I cannot vote for the pending amendment which promises, if adopted, to destroy all the fine efforts that have gone into the enactment of an effective voting bill.

Mr. MANSFIELD. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Montana has no time remaining.

Mr. KENNEDY of Massachusetts. Mr. President, this has been my first opportunity to assume responsibility for a major piece of legislation that has come before the Senate.

I wish to express my deep appreciation to the leadership for their kindness, courtesy, and understanding during the past few weeks.

As the distinguished majority leader has said, this has been a matter about which Members of the Senate have felt very deeply. No matter how the vote on the amendment results, we shall still have the utmost respect for each other. I, certainly, shall have such respect for both the majority and minority leaders.

During the past few minutes a number of questions have been raised, which I believe should be discussed before the Senate votes on the question before it.

As the majority leader and the minority leader have said, we, too, wish to have the swiftest, surest, and most expeditious way of handling this matter. We do not disagree on what we seek to accomplish. We do disagree very strongly on the manner in which this shall be accomplished.

We believe the adoption of the amendment, which has bipartisan support, would permit us to go immediately into the State of Virginia and the State of Texas, where the payment of poll taxes is a precondition to registration; for as soon as the bill is signed, and a Negro citizen or any other citizen sought to register in these States without the prepayment of a poll tax, and such registration was refused, the issue would be clearly raised.

Mr. President, at that point in time we would see a case started. When the Attorney General entered such a case, as indeed he would, he would be armed, under our amendment not with the language of the Mansfield-Dirksen resolution—which states that evidence has been found that poll taxes deprive citizens of their rights, yet Congress has failed to act—but with a clear and unequivocal declaration by Congress to the effect that we find, in order to secure the rights given under the 14th and 15th amendments to the Constitution, that poll taxes must be eliminated and the Congress has acted to eliminate them.

Nowhere during the debate have we heard the Attorney General or anyone else declare that he would not have a stronger case if Congress were to speak out on this important question. There has not been a constitutional authority or scholar in the country who has suggested that the Attorney General's case would not be stronger when he is armed with a precise and a clear declaration of the Members of Congress in the abolition of the poll tax as a precondition to registering or voting.

It is our strong feeling that when there is a question raised before the Court with relation to the constitutionality of our action, and when we give the Attorney General of the United States the power that only comes from a positive congressional act we shall be able to get an expeditious and successful resolution of the question.

Mr. President, our distinguished minority leader has raised some questions with respect to the effect of our amendment on a current case before the Court. What would be the effect of the amendment which is before the Senate on the Harper case that arose in Virginia? This case is one in which the poll tax in Virginia is being challenged as a violation of the rights secured under the 14th amendment. It would be possible for the Solicitor General to act. All he would have to do in the Harper case would be to file with the Supreme Court a memorandum of changed circumstances. The court would then ask the parties in the

Harper case to add to their briefs, which are not due until August, arguments on how the new law would affect their case.

In fact, Mr. President, the opportunity of a favorable ruling in the Harper case would be significantly enhanced by the enactment of our amendment into law.

Finally, the majority leader has suggested that because our amendment would apply to poll taxes for town elections in Vermont, it is somehow not a proper approach.

It is a settled constitutional doctrine that where Congress finds an evil to exist, such as the economic burden in this case, it can apply a remedy which may affect people outside the evil. For example, in exercising the power to regulate interstate commerce the Shreveport Rate case, and other cases, have made it clear that the regulatory power of Congress also extended to the regulation of intrastate commerce as part of the broad regulatory scheme.

Moreover, Paul Freund, a most distinguished constitutional authority has indicated that Congress can legislate outside the orbit of the evil it seeks and strike down in the process of general congressional action a State law if that law is inherently capable of being used for discriminatory purposes, even if such State law is not now used for such purposes.

In 1957 this body acted on important questions of civil rights. The Senate struck out title III, because it did not feel that it was important to include that title in the Civil Rights Act of 1957. Yet Congress was forced to return in 1960 and include title III in the 1960 act.

In 1960 Congress excluded the possibility of the appointment of Federal registrars in voting rights cases.

Now, in 1965, we are back attempting to put a provision of that kind back into our laws. Let it not be said in the future, when the question arises regarding the discriminatory use of poll taxes, that we struck it out of the proposed legislation of 1965. I feel that if this amendment is not accepted, we will be forced to return to this issue again. We will be back in some future session of Congress attempting to write into law an elimination of the poll tax.

If this amendment fails we could well find Negroes at polling places in Virginia, Mississippi, Alabama, and Texas trying to register and vote and not having an opportunity to do so this year. Either the registrar will not be there or the doors will be closed.

Mr. President, I say that we ought to do the job; and if we are going to do it, it ought to be done here and now.

Mr. President, the basic issue before us in this amendment is whether the Senate is ready, in 1965, to take a firm and unequivocal action against the poll tax. In general this tax is the oldest and most infamous of the barriers to voting in the South. If we believe the tax disenfranchises the poor—white and black—if we believe that every American citizen has the right to vote regardless of wealth—if we believe these things, are we willing to act? That is the question before us.

The issue is clear. The people of a nation are watching to see what we do. We have heard certain critics say that we ought to wait; that if we act now, we shall delay civil rights legislation. Mr. President, Negroes who have waited for years to realize their rights are willing to wait on this issue. Those who are most concerned about poll taxes are ready to wait. They are ready to wait 2 weeks so they will not have to wait 2 years, 4 years, or 6 years for the opportunity to vote.

The vote on this amendment will be a vote as to whether Congress will act on this final barrier to the franchise. That is a clear issue. The question is whether the Senate, in 1965, will say to the people of the country that we find that the poll tax is being used to discriminate on the basis of the 14th and 15th amendments.

How can we ask the Supreme Court to make that declaration unless we are ready to assume our own responsibility? We have the responsibility under the 14th and 15th amendments. The 5th clause of the 14th amendment provides—

> The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

The second section of the 15th amendment provides—

> The Congress shall have the power to enforce this article by appropriate legislation.

Mr. President, I urge the Senate to adopt this amendment.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. All time has expired. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. KENNEDY], on behalf of himself and other Senators, numbered 162, to the amendment in the nature of a substitute, as amended, numbered 124, offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN].

The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McGOVERN (when his name was called). On this vote I have a pair with the Senator from Arkansas [Mr. FULBRIGHT]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. METCALF (when his name was called). On this vote I have a pair with the senior Senator from Missouri [Mr. SYMINGTON]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. SCOTT. Mr. President, on this vote I voted "yea." I have a pair with the senior Senator from Georgia [Mr. RUSSELL]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Arkansas [Mr. FULBRIGHT] is absent on official business.

I further announce that the Senator from Georgia [Mr. RUSSELL], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

The result was announced—yeas 45, nays 49, as follows:

[No. 66 Leg.]

YEAS—45

Bartlett
Bass
Bayh
Boggs
Brewster
Burdick
Cannon
Case
Church
Clark
Dodd
Douglas
Fong
Gore
Gruening
Harris
Hart
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, La.
Magnuson
McGee
McIntyre
McNamara
Mondale
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Smith
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—49

Aiken
Allott
Anderson
Bennett
Bible
Byrd, Va.
Byrd, W. Va.
Carlson
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Long, Mo.
Mansfield
McCarthy
McClellan
Miller
Monroney
Montoya
Morton
Mundt
Murphy
Pearson
Prouty
Robertson
Russell, S.C.
Saltonstall
Simpson
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—6

Fulbright
McGovern
Metcalf
Russell, Ga.
Scott
Symington

So the amendment of the Senator from Massachusetts [Mr. KENNEDY] on behalf of himself and other Senators, numbered 162, to the amendment in the nature of a substitute, as amended, numbered 124, offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN], was rejected.

Mr. DIRKSEN. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The VICE PRESIDENT. The substitute is open to further amendment.

ORDER OF BUSINESS

Mr. HOLLAND. Mr. President, I wish to address a question to the majority leader. Does he intend to ask that there be a brief morning hour or any other occasion during which Senators may introduce bills or make brief requests of importance?

Mr. MANSFIELD. Mr. President, I had not intended to make such a request, but I shall be most happy to ask unanimous consent that there be a period of 15 minutes for the transaction of morning business, after which time the Senate will resume the consideration of the bill.

Mr. HOLLAND. I thank the majority leader.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a period of 15 minutes for the transaction of morning business and that Senators be permitted to speak not in excess of 3 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H.R. 3043) to amend title 37, United States Code, to authorize payment of special allowances to dependents of members of the uniformed services to offset expenses incident to their evacuation, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 720. An act to expand the authority of the Canal Zone Government to settle claims not cognizable under the Tort Claims Act;

H.R. 724. An act to authorize the transfer of certain Canal Zone prisoners to the custody of the Attorney General;

H.R. 2984. An act to amend the Public Health Service Act provisions for construction of health research facilities by extending the expiration date thereof and providing increased support for the program, to authorize additional Assistant Secretaries in the Department of Health, Education, and Welfare, and for other purposes;

H.R. 4528. An act to regulate archeological exploration in the Canal Zone;

H.R. 5990. An act to grant increased benefits to persons receiving cash relief under the Panama Canal Cash Relief Act of July 8, 1937, and to extend cash relief benefits to widows of recipients; and

H.R. 7059. An act to amend the act of July 2, 1940 (54 Stat. 724; 20 U.S.C. 79–79e), to authorize such appropriations to the Smithsonian Institution as are necessary in carrying out its functions under said act, and for other purposes.

The message further announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 364. Concurrent resolution authorizing the printing as a House document of a revised edition of "The Capitol"; and providing for additional copies; and

H. Con. Res. 383. Concurrent resolution authorizing the printing of a pocket-sized edition of "The Constitution of the United States of America" as a House document, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 720. An act to expand the authority of the Canal Zone Government to settle claims not cognizable under the Tort Claims Act;

H.R. 724. An act to authorize the transfer of certain Canal Zone prisoners to the custody of the Attorney General;

H.R. 4528. An act to regulate archeological exploration in the Canal Zone;

H.R. 5990. An act to grant increased benefits to persons receiving cash relief under the Panama Canal Cash Relief Act of July 8, 1937, and to extend cash relief benefits to widows of recipients; and

H.R. 7059. An act to amend the act of July 2, 1940 (54 Stat. 724; 20 U.S.C. 79–79e), to authorize such appropriations to the Smithsonian Institution as are necessary in carrying out its functions under said act, and for other purposes; to the Committee on Armed Services.

H.R. 2984. An act to amend the Public Health Service Act provisions for construction of health research facilities by extending the expiration date thereof and providing increased support for the program, to authorize additional Assistant Secretaries in the Department of Health, Education, and Welfare, and for other purposes; to the Committee on Labor and Public Welfare.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were referred to the Committee on Rules and Administration:

H. Con. Res. 364

Resolved by the House of Representatives (the Senate concurring), That there be printed as a House document, with illustrations, a revised edition of "The Capitol"; and that four hundred and sixty-nine thousand additional copies shall be printed, of which four hundred and thirty-nine thousand copies shall be for the use of the House of Representatives and thirty thousand copies shall be for the use of the Joint Committee on Printing.

H. Con. Res. 383

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document "The Constitution of the United States of America", as amended (pocket-sized edition); and that there shall be printed sixty-four thousand five hundred additional copies of such document, of which forty-three thousand nine hundred copies shall be for the use of the House of Representatives and twenty thousand six hundred copies shall be for the use of the Senate. Such copies shall be prorated to Members of the Senate and House of Representatives for a period of sixty days, after which the unused balance shall revert to the respective Senate and House document rooms.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Travel and Transportation Allowances for Certain Members of the Uniformed Services

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize travel and transportation allowances under certain circumstances for members of the uniformed services when ordered to make changes of permanent stations while away from their permanent stations under orders, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

Requirement of Aviation Accident Insurance for Passengers on Certain Journeys

A letter from the Secretary of State, Chairman, Civil Aeronautics Board, and Administrator, Federal Aviation Agency, transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958, as amended, to require air carriers to procure aviation accident insurance for the benefit of passengers on certain journeys subject to the Warsaw Convention, and for other purposes (with accompanying papers); to the Committee on Commerce.

Publications of Federal Power Commission

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, for the information of the Senate, copies of publications entitled "Hydroelectric Power Resources of the U.S. Developed and Undeveloped, 1964," "World Power Data, 1963," "Major Natural Gas Pipelines, Dec. 31, 1964," and "Uniform System of Accounts Prescribed for Public Utilities and Licensees, for Class A and Class B Companies, March 1, 1965" (with accompanying documents); to the Committee on Commerce.

Proposed Legislation Relating to District of Columbia

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize appropriations for payment of reasonable funeral and burial expenses of indigent residents of the District of Columbia (with an accompanying paper); to the Committee of the District of Columbia.

Cost-of-Living Increase in Rates of Subsistence Allowances Paid to Certain Veterans

A letter from the Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to provide a realistic cost-of-living increase in rates of subsistence allowances paid to disabled veterans pursuing vocational rehabilitation training (with accompanying papers); to the Committee on Labor and Public Welfare.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on potential savings through use of Government-owned housing to meet military requirements in the Tampa, Fla., area, Federal Housing Administration, Housing and Home Finance Agency and Department of Defense, dated May 1965 (with an accompanying report); to the Committee on Government Operations.

Termination of Cost-of-Living Allowances for Certain Federal Civilian Employees

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting a draft of proposed legislation to terminate cost-of-living allowances for statutory-salaried Federal civilian employees in nonforeign areas, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

Discontinuance of the Postal Savings System

A letter from the Postmaster General, transmitting a draft of proposed legislation to provide for the discontinuance of the Postal Savings System, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Finance:

"Senate Joint Resolution 22—Relative to Benefits for Veterans of the Vietnam Campaign

"Whereas U.S. military personnel have been engaged in an actual wartime situation in Vietnam for several years; and

"Whereas they are being subjected to dangers and privations comparable to those which our Armed Forces endured during World War II and the Korean emergency, hundreds already having been killed and many more wounded; and

"Whereas the campaign in Vietnam is an undeclared war, thus preventing these men from becoming eligible for veterans benefits; and

"Whereas the Congress generously recognized the service of the veterans of World War II and the Korean emergency with educational, housing, and other benefits which would be equally appropriate as a recognition of the unsung efforts of these men serving so gallantly the interests of the United States: Now, therefore, be it

"*Resolved by the Senate and the Assembly of the State of California (jointly)*, That the Congress of the United States is memorialized to enact legislation conferring benefits, comparable to those given veterans of World War II and the Korean emergency, to those personnel of our Armed Forces serving in Vietnam, where the tensions, dangers, and privations far exceed the demands normally made by peacetime service; and be it further

"*Resolved*, That the Secretary of the Senate is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A concurrent resolution of the Legislature of the State of North Dakota; to the Committee on Interior and Insular Affairs:

"HOUSE CONCURRENT RESOLUTION X

"(Thirty-ninth Legislative Assembly, State of North Dakota begun and held at the capitol in the city of Bismarck, on Tuesday, the 5th day of January 1965)

"A concurrent resolution urging the construction of a scenic badlands road connecting the units of the Theodore Roosevelt National Memorial Park

"*Be it resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein)*:

"Whereas there has been introduced in the U.S. House of Representatives and the U.S. Senate bills authorizing the construction of a road linking the three units of the Theodore Roosevelt National Memorial Park; and

"Whereas the construction of this road for the conservation of our endowed beauty in its natural state is to foster for future generations as much of America as we can, in the same state that our earliest generation saw it and grew to love it; and

"Whereas the construction of this road would improve the opportunity for the touring public to enjoy the scenic beauty of the North Dakota badlands; will facilitate enjoyment of the Theodore Roosevelt National Memorial Park by those visiting the area; will provide increased income from a growing tourist trade; and will be a convenience in the future of the ranchers living in the Little Missouri River badlands; and

"Whereas the rugged beauty of this area sustained the frail Theodore Roosevelt, turning the sickly and grieving guest into a North Dakota citizen and a titan among men; and

"Whereas the preservation of our beauty is not without reward to our citizens in the form of increased income from a growing tourist trade; and

"Whereas it seems in the best interest of the State of North Dakota to preserve the State's livestock industry rather than severely disrupt that industry; and

"Whereas this legislative assembly recommends that grazing along such a scenic badlands road be in accordance with section 36-11-07 of the North Dakota Century Code as amended; and

"Whereas it seems in the best interests of all concerned to obtain the desired expansion of tourism with the least possible adverse effect on the established agricultural economy of North Dakota; and

"Whereas the State of North Dakota will not have to expend $1 for the construction of this scenic road nor for the maintenance of the road after construction; And now, therefore, be it

"*Resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein)*:

"That this Legislative Assembly does support the construction of a scenic badlands road connecting the three units of the Theodore Roosevelt National Memorial Park by the U.S. Government; and be it further

"*Resolved*, That this legislative assembly urges that the scenic badlands road shall utilize to the fullest extent possible the lands presently owned by the U.S. Forest Service and the U.S. Park Service so as to cause a minimum inconvenience and loss to the ranches that will be affected by the scenic badlands road; and be it further

"*Resolved*, That a copy of this resolution be sent to the President of the United States, the Speaker of the House of Representatives, the President of the U.S. Senate, the Secretary of the Interior, the Public Roads Administrator of the Bureau of Public Roads, the Director of the U.S. Forestry Service, the Director of the U.S. Park Service, and each member of the North Dakota congressional delegation.

"ARTHUR A. LINK,
"*Speaker of the House*.
"DONNELL HAUGEN,
"*Chief Clerk of the House*.
"CHARLES TIGHE,
"*President of the Senate*.
"GERALD L. STAIR,
"*Secretary of the Senate*."

A resolution of the Legislature of the State of Nebraska; to the Committee on Post Office and Civil Service:

"LEGISLATURE OF NEBRASKA LEGISLATIVE RESOLUTION 40

"Whereas there is pending in the Congress of the United States, House bill 980, which if enacted will give an effective means of stopping the flow of unsolicited obscenity through the mails; and

"Whereas the enactment of this legislation is necessary to close a gap in postal and penal statutes through which a tremendous volume of indecent mail is pouring into American homes and particularly into the hands of American children; and

"Whereas this legislation will be an effective remedy against the cheap filth peddlers who are invading the privacy of the individual; and

"Whereas House bill 980 was passed by an overwhelming vote by the House of Representatives: Now, therefore, be it

"*Resolved by the members of the Nebraska Legislature in 75th session assembled:*

"1. That the Congress of the United States be and they are hereby urged and requested to take all necessary action to the passage of House bill 980.

"2. That printed copies of this resolution be promptly transmitted to the President and Vice President of the United States, Speaker of the House of Representatives of the United States, and to the Members of Congress from Nebraska.

"PHILIP C. SORENSEN,
"*President of the Legislature*.

"I, Hugo F. Srb, hereby certify that the foregoing is a true and correct copy of Legislative Resolution 40, which was passed by the Legislature of Nebraska in 75th regular session on the 4th day of May 1965.

"HUGO F. SRB,
"*Clerk of the Legislature*."

A resolution adopted by the Board of Commissioners of Day County, S. Dak., favoring the inclusion of the professional services of radiologists, pathologists, anesthesiologists, and physiatrists as part of the definition of hospital services in the Social Security Amendments of 1965; to the Committee on Finance.

A resolution adopted by the Improved Order of Red Men, of Waco, Tex., supporting the action taken by the President in the Dominican Republic; to the Committee on Foreign Relations.

A resolution adopted at a caucus of the Seventh District of Democratic Farmer Labor Central Committee, at Minneapolis, Minn., favoring the proposed reorganization of the Bureau of Customs; to the Committee on Government Operations.

A resolution adopted by the Lower Snake River Ports Association, Clarkston, Wash., relative to the reorganization of the Bureau of Customs; to the Committee on Government Operations.

The petition of Walter H. Maloney, of Washington, D.C., representing the Miami Tribe of Indians of Oklahoma and the Miami Tribe of Indiana, relative to a joint judgment as compensation for lands taken by the United States in 1818; to the Committee on Interior and Insular Affairs.

A resolution of the Council of the Village of Hanover, Minn., favoring Federal assistance in the reconstruction of a bridge at Hanover, Minn., which was destroyed by recent floods; to the Committee on Public Works.

The petition of Henry Stoner, of Columbus, Ohio, relating to the publishing of a special document of speeches made by the Senator from Oregon [Mr. MORSE] on the war in Vietnam; to the Committee on Rules and Administration.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mrs. SMITH:

S. 1937. A bill to provide the Congress with more complete information concerning the use of funds appropriated to the Department of Defense; to the Committee on Armed Services.

By Mr. BIBLE:

S. 1938. A bill to amend the Indian Long-Term Leasing Act; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. BIBLE when he introduced the above bill, which appear under a separate heading.)

By Mr. TALMADGE:

S. 1939. A bill to amend the definition of earned income for income tax purposes in the case of contributions by self-employed individuals to pension and profit-sharing plans; to the Committee on Finance.

By Mr. MAGNUSON (by request):

S. 1940. A bill to amend the act of July 8, 1940, relating to the transportation of the remains, families, and effects of Federal employees dying abroad, so as to restore the benefits of such act to employees dying in Alaska and Hawaii, and for other purposes; and

S. 1941. A bill to provide for the alteration, maintenance, and repair of Government buildings and property under lease or concession contracts entered into pursuant to the operation and maintenance of Government-owned airports under the jurisdiction of the Administrator of the Federal Aviation Agency, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. DOUGLAS (by request):

S. 1942. A bill to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities; to the Committee on Banking and Currency.

(See the remarks of Mr. Douglas when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY of Massachusetts:

S. 1943. A bill for the relief of Fereidun Sanjabi; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 1944. A bill to amend section 404(b) of the Housing Act of 1950; to the Committee on Banking and Currency.

By Mr. HARTKE:

S. 1945. A bill for the relief of Dr. Esther Yolanda Lauzardo; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S.J. Res. 79. Joint resolution to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Williams of New Jersey when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. KENNEDY of New York (for himself and Mr. Javits):

S.J. Res. 80. Joint resolution to authorize appropriations to defray the costs of organizing and holding the 20th annual World Health Assembly in the United States; to the Committee on Foreign Relations.

(See the remarks of Mr. Kennedy of New York when he introduced the above joint resolution, which appear under a separate heading.)

AMENDMENT TO THE INDIAN LONG-TERM LEASING ACT

Mr. BIBLE. Mr. President, I introduce, for appropriate referral, a bill to amend the Indian Long-Term Leasing Act to remove the 50-year lease limitation on the Pyramid Lake Indian Reservation lands in Nevada. It does not apply to any other Indian lands.

If enacted, this amendment will permit the Pyramid Lake Paiute Tribal Council to lease lakeshore acreage for up to 99 years for development of a major recreation center. Both the tribal council and the Bureau of Indian Affairs inform me that the existing 50-year lease limitation discourages adequate financing by private lending institutions.

Pyramid Lake, located 30 miles from Reno in northwestern Nevada, is already one of the fastest growing recreation areas in the region, if not in the Nation. It is located near other major vacation resorts such as Lake Tahoe and Squaw Valley and will soon have a direct interstate freeway link with the major population centers of California and other areas of the West.

Pyramid Lake is a 175-square-mile body of water within a half-million-acre Indian reservation. This desert lake is almost entirely undeveloped now, yet it is already a popular boating and fishing attraction. Now the tribe is offering up to 3,500 acres of waterfront land for development as a water-oriented vacation and residential center.

This development plan has already received Bureau of Indian Affairs approval, and private developers across the Nation are being invited to submit proposals. The sole purpose of this legislation I introduce today is to implement this plan.

The development potential of Pyramid Lake is great. Certainly the Pyramid Lake Tribe should have every assistance in realizing this potential.

The PRESIDING OFFICER (Mr. Kennedy of New York in the chair). The bill will be received and appropriately referred.

The bill (S. 1938) to amend the Indian Long-Term Leasing Act, introduced by Mr. Bible, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

TRANSPORTATION OF REMAINS, FAMILIES, AND EFFECTS OF CERTAIN FEDERAL EMPLOYEES

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the act of July 8, 1940, relating to the transportation of the remains, families, and effects of Federal employees dying abroad, so as to restore the benefits of such act to employees dying in Alaska and Hawaii, and for other purposes. I ask unanimous consent to have printed in the Record the letter from the Deputy Administrator, Federal Aviation Agency, requesting the proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 1940) to amend the act of July 8, 1940, relating to the transportation of the remains, families, and effects of Federal employees dying abroad, so as to restore the benefits of such act to employees dying in Alaska and Hawaii, and for other purposes, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. Magnuson is as follows:

Federal Aviation Agency,
Washington, D.C.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed is a draft of a bill "To amend the act of July 8, 1940, relating to the transportation of the remains, families, and effects of Federal employees dying abroad, so as to restore the benefits of such act to employees dying in Alaska and Hawaii, and for other purposes."

The proposal is part of the Federal Aviation Agency's legislative program for 1965, and it is recommended that it be enacted by the Congress.

The purpose of this proposal is to authorize the payment of the expenses of preparing and transporting to his former home or place of interment the remains of a Federal employee who dies while performing official duties in Alaska and Hawaii and the expenses of transporting his family and household effects to his former home.

Up until the time that Alaska and Hawaii became States, the act of July 8, 1940, authorized payment for these two categories of expenses. However, the change in political status of Alaska and Hawaii from territories to States had the effect of canceling the authority, because the authorizing provisions contained the geographical description of "a territory or possession of the United States," which excluded Alaska and Hawaii when they became States.

The authority to pay a third category of expenses—transportation of the remains of dependents of employees stationed in Alaska or Hawaii to their former home—was added to the 1940 act by the act of July 15, 1954. This authority was not affected when Alaska and Hawaii became States, because the 1954 amendment contained the geographical description of "a place outside the continental United States or in Alaska." Thus, we have the inconsistent situation where the remains of a dependent of an employee stationed in Alaska or Hawaii can be returned at Government expense, but the remains of the employee cannot be.

This bill is motivated by geography not political status. It does not involve special legislative treatment for Alaska and Hawaii. It does involve recognition of geographical factors which the conferring of political status could not change and which pose special problems in the recruitment of personnel for the conduct of Federal activities in these areas.

As evidence of the very practical distinctions posed by the geographic location of Hawaii and Alaska, which the Congress continues to recognize in other statutes, section 7 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–3) may be cited. This section provides that an employee cannot be sent to posts outside the continental limits of the United States (including Hawaii and Alaska) at Government expense unless he signs an agreement to remain there for at least 12 months (this Agency and Departments of Defense and Interior require a 2-year tour in Alaska and Hawaii). If the employee breaches this agreement, he is indebted to the Government for the cost of transportation to the post of assignment. Further, this section requires an agency to return the employee, his family, and his effects to his actual place of residence after not less than 1 or more than 3 years of service (unless the employee agrees to an extended tour). Finally, the section permits an agency to return an employee and his family to his place of residence prior to the expiration of the original agreement if his separation is for "reasons beyond the control" of the employee.

The Comptroller General has construed this latter provision to permit the return of dependents of a deceased employee since death was, obviously, beyond the control of the employee (40 Comp. Gen. 196). In the same opinion, however, the Comptroller held that the section did not authorize the return of the employee's remains. He reasoned that the act of July 8, 1940, which relates to return of remains of employees (but upon statehood became inapplicable to Alaska and Hawaii) was exclusive authority and, therefore, that the Administrative Expenses Act of 1946 applied only to living persons. It is this decision which motivates the amendment to the act of 1940 herein.

As the law now stands, if an employee of this Agency should serve 2 years in Alaska or Hawaii, this Agency would be obligated by statute and contract to return the employee, his dependents, and his effects to his place of residence in one of the other 49 States. However, should the same employee die after completion of 2 years service in Alaska or Hawaii but before commencing travel to his place of residence, the Agency could not return his remains, although we could return his dependents and his household effects. Finally, and to complete the inconsistency, if a dependent of an employee dies at any time during the employee's service in Alaska or Hawaii, the Agency may return the dependent's remains. For these reasons, we earnestly recommend

Congress early and favorable consideration of this corrective legislation.

The Bureau of the Budget has advised that there is no objection from the standpoint of the administration's program to the submission of the proposed legislation to the Congress.

Sincerely,

HAROLD W. GRANT,
Lieutenant General, USAF,
Deputy Administrator.

ALTERATION, MAINTENANCE, AND REPAIR OF CERTAIN GOVERNMENT BUILDINGS AND PROPERTY

Mr. MAGNUSON. Mr. President, by request of the Administrator, Federal Aviation Agency, I introduce, for appropriate reference, a bill to provide for the alteration, maintenance, and repair of Government buildings and property under lease or concession contracts entered into pursuant to the operation and maintenance of Government-owned airports under the jurisdiction of the Administrator of the Federal Aviation Agency, and for other purposes. I ask unanimous consent that the letter from the Administrator be printed in the RECORD.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1941) to provide for the alteration, maintenance, and repair of Government buildings and property under lease or concession contracts entered into pursuant to the operation and maintenance of Government-owned airports under the jurisdiction of the Administrator of the Federal Aviation Agency, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

FEDERAL AVIATION AGENCY,
Washington, D.C., April 5, 1965.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: It is requested that the enclosed proposed bill to provide for the alteration, maintenance, and repair of Government buildings and property under lease or concession contracts entered into pursuant to the operation and maintenance of Government-owned airports under the jurisdiction of the Administrator of the Federal Aviation Agency, and for other purposes, be introduced in the Senate at your earliest convenience.

This proposal would grant specific authority to the Administrator of the Federal Aviation Agency to include in lease or concession contracts, provisions for the maintenance, repair, and alteration of Government buildings and properties by the grantee, lessee, or permittee notwithstanding the provisions of section 321 of the act of June 30, 1932 (47 Stat. 412; 40 U.S.C. 303(b)). That section reads as follows:

"Except as otherwise specifically provided by law, the leasing of buildings and properties of the United States shall be for money consideration only, and there shall not be included in the lease any provision for the alteration, repair, or improvement of such buildings or properties as a part of the consideration for the rental to be paid for the use and occupation of the same. The moneys derived from such rentals shall be deposited and covered into the Treasury as miscellaneous receipts."

The need for specific legislative authority for this purpose stems from a decision of the Comptroller General No. B-125035, dated February 1, 1962, to the Secretary of the Interior. That decision, which was based on an interpretation of the above quoted section, held that Department of the Interior concession agreements were leases within the meaning of section 303(b) and that, therefore, inclusion of provisions in such agreements for the alteration, repair, or improvement of Federal property by the concessioners was unlawful. (Congress removed the impact of this decision as it relates to the Department of the Interior by enactment of Public Law 87-608.)

The Comptroller General's decision has cast doubt upon the validity of some of our lease and concession agreements entered into in connection with the operation of the two Washington airports. Throughout the 23 years of operations at the Washington National Airport this Agency has entered into a number of leases and concession agreements which call for substantial investment by the tenants and concessionaires in improvements, alterations, and repairs to the airport property which they occupy. The same arrangements are used at the new airport. Rates, fees, and charges at the airports are established on the basis of contribution, in varying degrees, of alteration, repair, and improvement by tenants and concessionaires. If such provisions are held invalid and the Agency required to perform these functions, substantial increase in appropriations would be required. It is also possible that the tenants and concessionaires would gain a substantial windfall by being relieved of the obligation to repair, alter, maintain, and improve the property occupied.

Section 303(b), like other sections of the Economy Act, reflects Congress' concern, among other things, that appropriations to the various agencies not be augmented by administrative devices. This policy consideration loses much of its force, however, when applied to revenue producing activities under the control of Government agencies. In its operation of the two Washington airports, it is the responsibility of this Agency to manage the properties in the most efficient and economical manner to the end that the airports are financially self-sufficient. These airports, being essentially business enterprises, require the application of business practices in their management. In business, it is quite common for the lessee to assume responsibility for the alteration, repair, and improvement of the premises. Leased premises are constantly remodeled, altered, or improved to increase the lessee's revenue or meet competition. The lessee, who must make these decisions, is best equipped to carry them out. Furthermore, the administrative overhead costs to the Government are substantially reduced when responsibility for such work is undertaken by the lessee. Therefore, while the revenue from concessions may be less if repairs and alterations are assumed by the lessee, any loss in revenue will be offset by reduction in the Government's expenditures and other savings in operating costs.

Finally, we believe that placing responsibility upon lessees for the maintenance, repair, and alteration of leased space provides an added incentive for the exercise of greater care by the lessee in the use and treatment of the premises. In the long run, this becomes a significant factor in reducing operating costs and protecting the value of the capital investment.

The Bureau of the Budget has advised that there is no objection from the standpoint of the administration's program to the submission of this proposed legislation to the Congress.

Sincerely,

N. E. HALABY,
Administrator.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

Mr. DOUGLAS. Mr. President, I have been requested to introduce, for the consideration of the Senate Banking and Currency Committee, the 1965 omnibus housing bill as reported out by the Housing Subcommittee of the House Committee on Banking and Currency. While I do not necessarily agree with every detail in the House subcommittee bill, I believe it does offer several notable improvements over the administration's original proposal which I joined in cosponsoring. I am therefore introducing the House subcommittee bill so that the Senate may consider it as a possible alternative.

Perhaps the most notable feature of the House subcommittee bill is the removal of the income floor on the proposed rent supplement plan. As originally proposed, rent subsidies would be paid to moderate-income families whenever their rent exceeded a specified percentage of their income. However, the plan would be limited to those whose incomes were too high for public housing. As the hearings before the Senate Banking and Currency Committee brought out, this would exclude most people with incomes under $3,000 even though this is the very group with the most desperate need for such assistance. I support the removal of the income floor in the House subcommittee bill and I will do all I can to see that this feature is incorporated in the Senate bill.

Another desirable feature of the House subcommittee bill is the continuation of the below-market-rate loan insurance program for middle-income housing. While the administration had indicated a possible intention to phase out this program, the hearings before both committees demonstrated wide support for expanding it. I believe the 3-percent ceiling on the rate of interest as specified in the House subcommittee bill will make this program even more effective, although there may be other ways of achieving a lower rate than the bill indicates.

I was also glad to see the broad bipartisan support for the housing bill shown by members of the House Subcommittee on Housing. Only one Republican voted against the revised bill.

Mr. President, I ask unanimous consent that a section-by-section summary of this revised housing bill may be inserted in the RECORD at the conclusion of my remarks.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the section-by-section analysis will be printed in the RECORD.

The bill (S. 1942) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities, introduced by Mr. DOUGLAS, by request, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The section-by-section analysis presented by Mr. DOUGLAS is as follows:

SECTION-BY-SECTION SUMMARY OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1965

The first section provides that the bill may be cited by its short title—the "Housing and Urban Development Act of 1965".

TITLE I—HOUSING FOR DISADVANTAGED PERSONS

Section 101. Financial assistance to enable certain private housing to be available for lower income families who are elderly, handicapped, displaced, or occupants of substandard housing: This section authorizes the Housing Administrator to undertake and carry out a program of rent supplement payments to help make housing available to individuals and families who are unable to obtain standard private housing. The Administrator would establish income ceilings for each community, taking into account family size, and the income ceiling could not exceed four times the minimmum rent required to occupy decent private housing. In addition, eligibility for the program would be limited to the elderly, the handicapped, those displaced by governmental action, and those living in substandard housing.

The Administrator could contract with private nonprofit organizations, limited dividend organizations, or cooperatives to pay them rent supplements where they provide housing financed with FHA section 221 market interest rate insured mortgages. The maximum term of a rent supplement contract would be 40 years, and the payments would be limited to the amount by which the fair market rental of the dwelling unit involved exceeds one-fourth of the tenant's income.

The aggregate amount of rent supplement payments that could be contracted for could not exceed amounts approved in appropriation acts nor $50 million per annum, but this limitation would be increased by $50 million on July 1 of each of the years 1966, 1967, and 1968.

The Administrator would certify to the project sponsor the basic facts needed to establish eligibility of tenants, and would recertify tenant incomes at least every 2 years thereafter (except in the case of elderly tenants) so as to permit the adjustment of rental charges and supplement payments under the program on the basis of tenants' income. The Administrator could enter into agreements, or authorize sponsors under the program to enter into agreements, with public or private agencies to provide for the services required in the selection of qualified tenants. The Administrator would be directed to report to the Congress on or before January 1, 1968, with respect to operations under the new program. (H.R. 5840, as amended.)

Section 102. Extension of FHA section 221 programs; modification of interest rate; pooling of mortgages for sale: Subsection (a) extends for 4 years (to Oct. 1, 1969) FHA's authority to insure mortgages under its section 221 programs of housing for moderate income families. These include the sales housing program under subsection (d)(2), the market rate and below market rate rental housing programs for nonprofit mortgagors under subsection (d)(3), and the rental housing program for profitmaking mortgagors under subsection (d)(4). (H.R. 5840.)

Subsection (b) places an interest rate ceiling of 3 percent (or the rate derived under the existing formula, if lower) on mortgages which may be insured by FHA under the section 221(d)(3) below market interest rate program. (The rate is now 3⅞ percent and will rise to 4 percent or higher on June 30, 1965.) (H.R. 6501.)

Subsection (c) would authorize FNMA to set up a pooling arrangement for section 221 (d)(3) below market interest rate mortgages to substitute private financing for a substantial portion of the amount of such mortgages, thereby reducing the budget impact. This subsection would authorize appropriations to reimburse FNMA where section 221 (d)(3) below market interest rate mortgages are included in any trust under FNMA's program of pooling mortgages and selling participations therein, for the differential between its total outlay for interest and its total receipts from such mortgages.

Section 103. Low-rent housing in private accommodations: This section amends the U.S. Housing Act of 1937 to provide a new form of low-rent housing, utilizing existing privately owned housing to supplement the units provided in low-rent housing projects under the existing program.

Each local public housing agency would conduct a continuing survey and listing of the available privately owned dwelling units within the area under its jurisdiction which provide decent, safe, and sanitary dwelling accommodations and are (or can be made) suitable for use as "low-rent housing in private accommodations" under the new program. The owners of housing so listed would be notified from time to time of the anticipated need for dwelling units to be used under the new program, and invited to make their units available for such purpose. (Not more than 10 percent of the units in any single structure could be used in the program, except in the case of buildings with small numbers of units or in other cases determined by the local agency.)

If the local agency finds that units offered in response to such an invitation are (or can be made) suitable for use in the new program, it may approve such units for use as low-rent housing in private accommodations and enter into a contract (having a term of from 1 to 3 years, renewable) with the owner for their use in the program. Each such contract would make the selection of tenants for the units involved a function of the owner of the property subject to the contract between the local agency and PHA, would provide for the negotiation of the rentals by the local agency and the owner (using standards applicable to units in low-rent housing projects), and would contain other appropriate terms and conditions.

Payments under the new program to housing owners would be made from funds generally authorized for annual contributions to low-rent housing; in any case such payments would be limited to the amount of the annual contributions payable for a newly constructed project offering comparable accommodations.

PHA would be directed to report to the Congress on or before January 1, 1968, with respect to operations under the new program. (H.R. 6501.)

Section 104. Low-rent public housing: Subsection (a) amends section 10(e) of the United States Housing Act of 1937 to increase by $47 million immediately, and by an additional $47 million in each of the years 1966 through 1963, the existing limit on the aggregate amount of contracts for annual contributions which may be entered into by PHA under the low-rent housing program. This increase would provide about 60,000 additional units of low-rent housing annually, to be available both for conventional low-rent housing projects and for the new approaches to low-rent housing contained in the bill (purchase, purchase and rehabilitation, lease and low-rent housing in private accommodations). (H.R. 5840.)

Subsection (b) would provide an alternative formula for computing annual contributions in the case of low-rent housing provided through the purchase, purchase and rehabilitation, or lease of privately owned existing dwelling units. Under the alternative formula a maximum dollar amount (based on the fixed annual contribution otherwise established for a newly constructed housing project offering comparable facilities) could be established as the annual contribution for a purchased or leased unit, thus permitting the acquisition, or acquisition and rehabilitation, of structures over whatever period may be appropriate, as well as the leasing of units for short-term use in meeting particular needs. (H.R. 5840.)

Subsection (c) would establish parity of treatment between handicapped families and elderly families for low-rent housing purposes, thereby extending to handicapped families all of the various special provisions in the act (for example, increased room cost limits in the case of low-rent housing designed specifically for the families involved, and the special contribution of $120 per unit per year for dwelling units occupied by them) presently available to the elderly. (H.R. 5840.)

Subsection (d) would eliminate the existing requirement that there be a 20-percent gap between the upper rental limits for admission to a low-rent housing project and the lowest rents at which private enterprise is providing a substantial supply of standard housing. Previous laws have already eliminated the 20-percent-gap requirement for the displaced and the elderly.

Section 105. Direct loans to provide housing for the elderly or handicapped: This section would extend the program of direct loans for housing for the elderly under section 202 of the Housing Act of 1959 for 4 years by removing the dollar ceiling on the authorization for appropriations and in place of it providing that no loans can be made under the program after October 1, 1969. (H.R. 6501.)

In addition, a ceiling of 3 percent (or the amount derived under the existing formula, if lower) would be placed on the interest rate applicable to loans under the program. (Under existing law, the interest rate is the higher of 2¾ percent or the rate derived under the formula. The latter is currently 3¾ percent and would rise to 4 percent on June 30, 1965.) (H.R. 6501.)

Section 106. Rehabilitation grants to homeowners in urban renewal areas: This section adds a new section 115 to title I of the Housing Act of 1949 (the urban renewal program) to authorize the use of urban renewal capital grant funds for grants to low-income homeowners in an urban renewal area to cover the cost of residential repairs and improvements which are necessary in order to comply with applicable housing codes or other requirements of the urban renewal program.

A rehabilitation grant under the new section 115 may cover the actual cost of the repairs and improvements involved up to a maximum of $1,500; except that if the homeowner's income exceeds $2,000 a year, the grant would in any case be limited to the portion of such cost which cannot be paid for with any available loan that can be amortized without requiring the homeowner's housing expense to exceed 25 percent of his monthly income.

Outstanding contracts under the urban renewal program may be amended to include rehabilitation grants under the new section 115. (H.R. 5840, as amended.)

TITLE II—FHA INSURANCE OPERATIONS

Section 201. Land development: This section would amend the National Housing Act by adding a new title X to authorize a new program of FHA mortgage insurance for land improvement and site development.

FHA would be authorized to insure mortgages to finance acquisition of land and the installation of improvements such as water and sewer lines, streets, curbs, sidewalks, and storm drainage facilities. The new program is designed to help developers to obtain financing on reasonable terms in order to improve their subdivision sites. The FHA Commissioner would be required to give small builders an opportunity to participate in the program and in projects financed with this aid.

The maximum mortgage for a single land insurance undertaking could not exceed $12,500,000. The mortgage maximum would be limited to 50 percent of the Commissioner's estimate of value of the land before development plus 90 percent of his estimate of the cost of such development, subject to an overall ceiling of 75 percent of the value upon completion.

The maximum maturity of the mortgage would be limited to 7 years and the Commissioner would be authorized to prescribe maximum interest rates and premium charges.

To be eligible, the mortgage would have to represent a good mortgage insurance risk in the Commissioner's estimation, and the development would have to be consistent with sound land use patterns and consistent with comprehensive planning being carried on for the area in which the land is situated. It would also have to be served by such shopping, school, recreational, transportation, and other facilities as the Commissioner deems adequate or necessary.

Cost certification would be required to assure that the amount of the mortgage loan outstanding at reasonable intervals during construction does not exceed the maximum loan ratios described above.

The section includes amendments which would make the new land insurance mortgages eligible for FNMA's regular secondary market program, and also would make them eligible investments for national banks and Federal savings and loan associations.

No mortgage could be insured under the new program after October 1, 1969, except pursuant to a commitment to insure issued before that date. (H.R. 5840, as amended.)

Section 202. Extension of insurance authorizations: This section continues for 4 years, until October 1, 1969, FHA's authority to insure (and to make commitments to insure) property improvement loans and housing mortgages under all of its programs (except the sec. 221 program of mortgage insurance for low- and moderate-income families which would be continued for 4 years by sec. 102 of the bill, discussed above). (H.R. 5840.)

Section 203. Multifamily mortgage limits for four or more bedroom units: This section amends FHA's multifamily housing program (secs. 207, 213, 220, 221, 231, and 234 of the National Housing Act) to increase the dollar limitation on the amount of an insurable mortgage in the case of dwelling units having four or more bedrooms. The amount of the increase would range from $2,250 to $2,500 per family unit. No change would be made in the existing limits for dwelling units having less than four bedrooms. (H.R. 5840.)

Section 204. Rehabilitation in urban renewal areas: This section amends section 220 of the National Housing Act (FHA's urban renewal housing program) to increase the maximum amount of an insurable mortgage in a case where the mortgagor is not the occupant of the property but intends to hold it for rental purposes from 85 percent of the amount which an owner-occupant could receive to 93 percent of such amount. The existing 85-percent limit would continue to apply where the nonoccupant mortgagor intends to hold the property for sale rather than rental. Where refinancing is involved, existing indebtedness for improvement of the property could be included in the computation of the mortgage amount whether or not the indebtedness is secured by a mortgage against the property. (H.R. 5840.)

Section 205. Nondwelling facilities for urban renewal housing: This section amends section 220 of the National Housing Act (FHA's urban renewal housing program) to expand the class of nondwelling facilities which may be included in a project financed with a section 220 mortgage. Under the amendment, such a project could include such nondwelling facilities which will contribute to the project's economic feasibility as the Commissioner deems desirable and consistent with the urban renewal plan, so long as the project is predominantly residential. (Under existing law only such nondwelling facilities as are needed to serve the occupants of the project and of other housing in the neighborhood would be included.) (H.R. 5840.)

Section 206. Larger insured mortgages for servicemen: This section amends section 222 of the National Housing Act (FHA mortgage insurance for servicemen) to increase the maximum mortgage amount from $20,000 to $30,000 (the ceiling established for sec. 203 single-family home loans in the Housing Act of 1964). (H.R. 5840.)

Section 207. Refinancing of insured mortgages: This section amends section 223 of the National Housing Act to give FHA the authority to insure mortgages executed for the purpose of refinancing existing mortgages insured under any of FHA's programs; this authority is now available only for mortgages insured under sections 220, 221, 903, 908, and (in certain cases) 608. (H.R. 5840.)

Section 208. Consolidation of FHA insurance funds: This section adds to title V of the National Housing Act a new section 519, providing for the consolidation into a single general insurance fund of all of FHA's existing insurance funds except the mutual mortgage insurance fund, which would continue without change in its present coverage of section 203 mortgages (although sec. 203(k) home improvement loans would be transferred to the new fund). The only other FHA-insured mortgages not covered by the new general insurance fund would be the section 213 cooperative housing mortgages which would be the obligation of the new cooperative management housing insurance fund established by section 209 of the bill (discussed below). (H.R. 5840, as amended.)

Section 209. Mutuality for management-type cooperatives: This section amends section 213 of the National Housing Act to place FHA's mortgage insurance program for management-type cooperatives on a mutual basis. (Sales-type cooperatives would not be included, nor would projects built for sale to cooperatives unless actually so sold.) A new cooperative management housing insurance fund would be created with funds transferred from the general insurance fund (established by sec. 208 of the bill), with a general surplus account and a participating reserve account to which income or loss would be appropriately credited or charged. Cooperative mortgages heretofore insured and transferred to the new fund, as well as cooperative mortgages insured in the future, would be eligible for mutuality. (Messrs. MULTER, FINO, HALPERN.)

Section 210. Optional cash payment of insurance benefits: This section adds to title V of the National Housing Act a new section 520, authorizing the FHA Commissioner in his discretion to pay either in cash or in debentures any insurance claim filed by a mortgagee under any of FHA's programs after the enactment of the bill. (Under existing law payment must be in debentures, except in the case of mortgages insured under secs. 220, 221, and 233 after the enactment of the 1961 Housing Act and loans insured under sec. 203(k) after the enactment of the 1964 act.) The Commissioner could obtain the funds for these cash payments by borrowing from the Treasury. (H.R. 5840.)

Section 211. FHA mortgage financing for veterans: This section amends section 203(b)(2) of the National Housing Act (FHA's regular residential mortgage insurance program) to provide special liberal terms for veterans who have not received benefits under VA housing programs. For these veterans no downpayment would be required on the first $20,000 of value and 15 percent would be required as a downpayment on any amount above $20,000 up to the existing FHA ceilings. (H.R. 6501.)

Section 212. Mortgage limit for homes in outlying areas under FHA section 203(i) program: This section amends section 203(i) of the National Housing Act to increase from $11,000 to $12,500 the dollar limit on the amount of a mortgage which can be insured under the FHA program of mortgage insurance for low-cost housing in outlying areas. (H.R. 6501, as amended.)

TITLE III—URBAN RENEWAL

Section 301. Study of housing and building codes, zoning, tax policies, and development standards: This section directs the HHFA Administrator to conduct a study of housing and building laws, codes, standards, and regulations, zoning and land use laws, codes, and regulations, and Federal, State, and local tax policies, for the purpose of determining how local property owners and private enterprise can be encouraged to serve as large a part of the total housing and building need as they can and how governmental assistance can be so directed as to enable them to serve a larger part of such need. The Administrator would submit a report based on such study to the President and the Congress within 18 months. (H.R. 6501.)

Section 302. General neighborhood renewal plans: This section amends section 102(d) of the Housing Act of 1949 to permit a general neighborhood renewal plan to cover adjoining areas as well as the urban renewal area itself, thereby eliminating the present requirement that the whole area covered by a general neighborhood renewal plan be an urban renewal area, and authorizes such a plan even though the area involved includes subareas which are not themselves so blighted or deteriorated as to require urban renewal treatment. (H.R. 5840, as amended.)

Section 303. Increase in authorization for capital grants: This section amends section 103(b) of the Housing Act of 1949 to increase the aggregate amount of capital grants which the HHFA Administrator may make under the urban renewal program. At present this amount is $4,725 million, including $25 million for mass transportation demonstration grants which is eliminated by the bill; the resulting $4,700 million would be increased by $675 million on the enactment of the bill, by $725 million on July 1, 1966, and by $750 million on July 1 in each of the years 1967 and 1968. (H.R. 5840.)

Section 304. Use of grant funds in code enforcement and rehabilitation projects: This section amends section 110(c) of the Housing Act of 1949 to earmark at least 10 percent of the aggregate amount of the additional capital grant authority provided by section 303 of the bill and subsequent acts, and rehabilitation loans under section 312 of the Housing Act of 1964, for projects which involve primarily code enforcement and rehabilitation. (H.R. 6501, as amended.)

Section 305. Strengthened workable program requirement: This section would strengthen the workable program requirement of section 101 of the Housing Act of 1949 to assure that such programs are sufficiently extensive and detailed to prove the need for individual urban renewal projects, and further requires that the Administrator determine that individual projects are in accord with the workable program. (H.R. 5840, as amended.)

Section 306. Rehabilitation loans: This section would extend the program of direct loans for rehabilitation created by the Housing Act of 1964 for 4 years by removing the ceiling on the authorization for appropriations and in its place providing that no loan under the program may be made after October 1, 1969 (H.R. 6501).

Section 307. Lease guarantees for small business concerns displaced by urban renewal projects: This section amends the Small Business Act to authorize the Small Business Administration to assist small business concerns which have been displaced by urban renewal projects in obtaining leases of property, by insuring the owner or lessor of such property against any losses which might be sustained as a result of the small business concern's failure to perform the lease according to its terms. The lease could not be for a term of more than 10 years, and the small business concern would have to satisfy the Administrator that it is financially sound and efficiently managed and will perform the lease according to its terms.

An insurance fund would be established for carrying out the new lease guarantee program, with $5 million authorized from SBA's revolving fund to provide initial capital. Premiums for the insurance would be fixed by SBA, with a maximum premium equivalent to 1 percent of the annual (or minimum) rental payable under the lease (H.R. 6501, as amended; Mr. Harvey.)

Section 308. Relocation of displacees from urban renewal areas: This section amends section 105(c) of the Housing Act of 1949 in order to expand and implement the existing requirement that there be a feasible method for the temporary relocation of persons displaced from an urban renewal area, and the requirement that there be a relocation assistance program designed to determine the needs of displacees, provide information and aid in minimizing the hardships of displacement, and coordinate relocation activities with other governmental activities in the community. (H.R. 6501, as amended.)

Section 309. Redevelopment in accordance with urban renewal plan: This section amends section 106 of the Housing Act of 1949 to require, as a condition of entering into any urban renewal contract with a local public agency, that such agency demonstrate that its projects theretofore assisted under the urban renewal program have been or will be undertaken and carried out in accordance with the applicable urban renewal plan and the contracts covering such projects. (H.R. 6501, as amended.)

Section 310. Limitation on noncash grant-in-aid credit allowed for publicly owned parking facilities: This section amends section 110(d) of the Housing Act of 1949 to provide that publicly owned parking facilities provided by a locality in connection with the redevelopment of the area can be counted as local grants-in-aid under the urban renewal program only to the extent that the cost of such facilities is not anticipated to be recovered out of the revenues therefrom. (H.R. 6501.)

Section 311. Eligibility of communities in depressed areas for urban renewal assistance: This section would eliminate the 150,000 population limit on eligibility for three-fourths urban renewal grants in depressed communities (those eligible for assistance under sec. 5(a) of the Area Redevelopment Act). (Mr. St Germain.)

Section 312. Local grants-in-aid for urban renewal project in Philadelphia: This section makes certain expenditures by the University of Pennsylvania for land acquisition and demolition eligible as local grants-in-aid for purposes of urban renewal project Pennsylvania 5–3 (University City). (Mr. Barrett.)

TITLE IV—COMPENSATION OF CONDEMNEES

(H.R. 6501, as amended)

Section 401. Declaration of policy: This section establishes a uniform Federal land acquisition policy for real property acquired in federally assisted housing and urban development programs.

Section 402. Definitions: This section defines various terms used in the new title IV. "Development programs" would include most of the housing, clearance, and rehabilitation programs in which the United States provides financial assistance to local agencies in their acquisition of real property. "Federal assistance" would include grants, loans, guarantees, and annual contributions. An "applicant" would be a public or nonprofit agency or institution which receives Federal assistance under a development program. An "interest" would be any interest in real property, including future, nonpossessory, and leasehold interests. "Real property" would mean land and interests in land, buildings, and fixtures, and articles specially adapted to the use of the property which are not economically capable of use elsewhere.

Section 403. Land acquisition policy: This section conditions Federal assistance under any development program on the applicant's satisfying the Housing Administrator that he will meet certain requirements in acquiring land by eminent domain in the course of such program. The applicant would try to acquire real property by negotiation, and before negotiating (1) would appraise the property, permitting the owner to accompany the appraiser; and (2) would offer the owner a price established by the applicant as fair. In partial takings the applicant would provide the owner with an estimate of the fair market value of the whole property before the remaining property after the acquisition, of the value of the property acquired, and of damages and benefits to the remaining property. Before an owner surrenders possession of his property, the applicant would have to give him 90 days' notice and (1) pay him the negotiated purchase price, or (2) in any case where only the amount of the payment to the owner is in dispute, pay him not less than 75 percent of the most recent fair and reasonable price. Rents charged persons temporarily occuping property acquired by the applicant could not exceed the fair rental value of the premises for the period to be occupied, as determined by the applicant. Applicants could not try to lower the price of acquired property by advancing or deferring condemnation or withholding compensation, and could not leave owners with uneconomic remnants of land. The applicant would be required to take into account human considerations in setting project boundaries.

Section 404. Relocation payments under federally assisted programs: Subsection (a) would extend the relocation payments authorized by section 114 of the Housing Act of 1949 to families, individuals, and business firms displaced by college housing under title IV of the Housing Act of 1950, housing for the elderly under section 202 of the Housing Act of 1959, public facilities financed under title II of the Housing Amendments of 1955, and the open space program under title VII of the Housing Act of 1961. These payments are now made to persons displaced by urban renewal and public housing.

Subsection (b) would raise the amount of the relocation payment to displaced small business firms (authorized by the Housing Act of 1964) from $1,500 to $2,500.

Subsection (c) would authorize reimbursement of the local agency for the payment of certain costs involved in the transfer of real property to the public body or other recipient of Federal aid. To the extent that they would otherwise be borne by the seller, payment would be authorized to cover (1) recording fees, transfer taxes, and similar expenses, (2) mortgage prepayment penalties, and (3) the pro rata portion of taxes covering a period after transfer of title.

Subsection (d) provides that these provisions become effective upon the date of enactment of the bill.

Section 405. Funds for certain payments in eminent domain: This section makes a technical amendment.

TITLE V—COLLEGE HOUSING

Section 501. Increase in authorization for college housing loans: This section amends the Housing Act of 1950 (the college housing loan program) to increase the total amount authorized for college housing loans (presently $2,875 million) by $300 million on July 1 in each of the years 1965 through 1968, for a total increase of $1,200 million. (H.R. 6501.)

Section 502. Interest rate on college housing loans: This section amends the 1950 act to place a ceiling of 3 percent (or the amount derived under the existing formula, if lower) on the interest rate applicable to college housing loans. (Under existing law, the interest rate is the higher of 2¾ percent or the rate derived under the formula. The latter is currently 3¾ percent and will rise to 4 percent on June 30, 1965.) (H.R. 6501.)

Section 503. Parking facilities for colleges and universities: This section would amend the college housing loan program to make parking facilities for faculty and students eligible for these loans.

TITLE VI—COMMUNITY FACILITIES

(H.R. 5840, as amended)

Section 601. Purpose: This section states that the purpose of title VI of the bill is to assist and encourage the Nation's communities in (1) the construction of adequate basic water and sewer facilities needed to promote efficient and orderly growth and development, and (2) the construction of neighborhood facilities for programs of necessary social services.

Section 602. Grants for basic water and sewer facilities: This section would authorize the HHFA Administrator to make grants (up to 50 percent of development cost) to local public bodies and agencies for the construction of basic public water and sewer facilities.

No such grant could be made unless the project is necessary to orderly community development and is designed so that an adequate capacity will be available to serve the reasonably foreseeable growth needs of the area. Further, no such grant may be made unless the project is consistent with a program for a unified or officially coordinated areawide water or sewer facilities system as part of the comprehensively planned development of the area; except that prior to July 1968 such a grant could be made if a program for an areawide system is under active preparation but not yet completed, provided the project for which assistance is sought is urgently needed and can reasonably be expected to be required as part of such program.

Section 603. Grants for neighborhood facilities: This section would authorize the Administrator to make grants (up to 66⅔ percent of development cost, or 75 percent in the case of projects located in depressed areas designated under sec. 5 of the Area Redevelopment Act) to local public bodies and agencies for the construction of neighborhood facilities which are (1) necessary for carrying out a program of health, recreational, social, or similar community services (including a community action program under the Economic Opportunity Act of 1964); (2) consistent with comprehensive planning for the development of the community; and (3) so located as to be available for use by a significant portion or number of the area's low- or moderate-income residents.

A neighborhood facility constructed with such a grant could not be converted to other uses for a period of 20 years, without the Administrator's approval. Priority would be given to projects designed primarily to benefit members of low-income families or otherwise substantially further the objectives of a community action program under the Economic Opportunity Act of 1964.

Section 604. General provisions: This section confers upon the Administrator the usual functions, powers, and duties, and authorizes him to make advance or progress payments on account of any grant made under the program.

Section 605. Definitions: This section defines various terms used in the new title VI. (The term "development cost" would mean the costs of the construction of the facility and the land on which it is located, including necessary site improvements to permit its use as a site for such facility.)

Section 606. Labor standards: This section makes applicable to construction work financed with assistance under sections 602 and 603 the prevailing wage standards of the Davis-Bacon Act, and the authority generally available to the Secretary of Labor with respect to the enforcement of such standards.

Section 607. Appropriations; termination of program: Subsection (a) authorizes the appropriation of the funds necessary to carry out the new title VI, and provides that all funds so appropriated will remain available until expended.

Subsection (b) provides a cutoff date of October 1, 1969, for the title VI program.

TITLE VII—FEDERAL NATIONAL MORTGAGE ASSOCIATION

Section 701. Increase in FNMA special assistance authority: Subsection (a) amends section 305(c) of the National Housing Act to increase the amount of special assistance which the President can authorize FNMA to provide for housing and community development (presently $1,700 million) by $100 million on the enactment of the bill, by $450 million on July 1, 1966, by $550 million on July 1, 1967, and by $525 million on July 1, 1968 (for a total increase of $1,625 million). (H.R. 5840, as amended.)

Subsection (b) would provide for the transfer to and merger with FNMA's regular special assistance authority of the balance (approximately $220 million) of the amount of special assistance authorized for housing for the military, NASA, and AEC financed with FHA title VIII insured mortgages. (H.R. 5840.)

Section 702. Increase in limitation on mortgages for dwelling units having four or more bedrooms: This section amends section 302(b) of the National Housing Act to increase the maximum amount of a mortgage which FNMA can buy in its special assistance program from $17,500 to $20,000 per dwelling unit in the case of dwelling units having four or more bedrooms. (Mr. REUSS.)

TITLE VIII—OPEN-SPACE LAND AND URBAN BEAUTIFICATION AND IMPROVEMENT

(H.R. 5840, as amended)

Section 801. Change in name of program; findings and purpose: This section changes the name of the existing open-space land program (title VII of the Housing Act of 1961) so that it will include a reference to "urban beautification and improvement," thus reflecting the proposed new program of grants for urban beautification and improvement (described below). It would also expand the existing statement of congressional findings and purpose so as to reflect the need for this new program as well as the proposed new program (also described below) to provide open-space land in built-up urban areas.

Section 802. Increased grant level for preservation of open-space land: This section increases from 20 to 30 percent of the land acquisition cost (and from 30 to 40 percent of such cost in cases to which the higher rate is applicable) the maximum amount of any grant which may be made under the existing title VII program for the preservation of open-space land.

Section 803. Substitution of appropriation authority for grant contract authority: This section would eliminate the present $75 million contract authority for grants under title VII of the 1961 act and substitute authority for the appropriation of such amounts (without dollar limit) as may be necessary to carry out the title. This authorization would apply to all aspects of the open-space program in the existing title VII as well as to the two proposed new grant programs discussed below. The bill also provides a cutoff date of October 1, 1969, for the programs under title VII of the 1961 act.

Section 804. Grants for provision of open space land in built-up urban areas: This section adds to title VII of the 1961 act a new section 705, authorizing the HHFA Administrator to make grants to States and local public bodies to assist them in the acquisition of developed land in built-up portions of urban areas for clearance and use as open-space land. Grants for this purpose (which could not exceed $500,000 or 40 percent of the acquisition and demolition cost) could be made only where adequate open-space land cannot effectively be provided through the use of existing undeveloped land and the proposed acquisition is important to the comprehensively planned development of the locality. Such grants could include relocation payments for individuals, families, business concerns, and nonprofit organizations displaced by projects assisted under the title VII programs.

Section 805. Grants for urban beautification and improvement: This section adds to title VII of the 1961 act a new section 706, authorizing the Administrator to make grants to States and local public bodies to assist in carrying out local programs (utilizing all available public and private resources for the beautification of the land involved, and important to the comprehensively planned development of the locality) for the greater use and enjoyment of open-space and other public land in urban areas. Such a grant could not exceed 40 percent of the amount by which the community's activities under the program during any fiscal year exceeds its usual expenditures for comparable activities; except that up to $5 million of the available funds could be used in making 100-percent grants for activities determined by the Administrator to have special value in developing and demonstrating new and improved methods and materials for urban beautification and improvement.

Section 806. Labor standards: This section adds to title VII of the 1961 act a new section 707, making applicable to construction work financed with assistance under such title the prevailing wage standards of the Davis-Bacon Act (and the usual time-and-a-half overtime provisions), along with the authority generally available to the Secretary of Labor with respect to the enforcement of such standards and provisions.

Section 807. Use of funds for studies and publication: This section permits the Administrator to use open-space grant appropriations (up to $100,000 per year) for undertaking and publishing open-space surveys and other studies in connection with title VII activities. (Under existing law such studies and publications must be financed through separate appropriations.)

Section 808. Conforming amendments: This section makes necessary technical and conforming amendments in various provisions of title VII of the 1961 act to reflect the inclusion of the two new grant programs.

TITLE IX—RURAL HOUSING

(H.R. 5840, as amended)

Section 901. Loans for previously occupied buildings and minimum site acquisition: This section amends section 501 of the Housing Act of 1949 to authorize the Secretary of Agriculture to make loans to farmers and rural residents for the purchase of previously occupied dwellings and related facilities and farm service buildings and for minimum adequate building sites.

Section 902. Interest rate on direct rural housing loans: This section amends section 502(a) of the Housing Act of 1949 to increase to 5 percent the maximum interest rate on direct loans under section 502, except for loans to elderly persons in accordance with section 501(a)(3) and loans in accordance with sections 503 and 504, which would remain at 4 percent. It would also authorize the Secretary to charge fees on all title V loans.

Section 903. Insured rural housing loans: Subsection (a) of this section adds to title V of the Housing Act of 1949 two new sections (517 and 518).

The new section 517 would authorize the Secretary of Agriculture to insure loans, and make loans to be sold insured, in accordance with section 502; except that such loans to persons of low or moderate income would bear interest not above 5 percent and be limited to adequate housing modest in size, design, and cost and to an aggregate of $300 million per year, and such loans to other persons would be made at rates and charges comparable to those in effect under FHA's section 203 program. To assure the marketability of these loans to private investors within the interest ceiling set by this section, it is further provided that the Secretary may enter into a repurchase agreement with the investor but in no event could the agreement be for less than 5 years.

The new section 517 would also establish a new rural housing insurance fund to finance insured section 502 loans and to be utilized by the Secretary for various specified purposes. The new fund would be used in lieu of the agricultural credit insurance fund for section 514 domestic farm labor housing and section 515(b) elderly rental housing loans. Loans made out of the fund and held unsold could not exceed $100 million at any one time. The Secretary would be authorized to borrow from the Treasury to meet loan insurance obligations and to make other authorized expenditures from the fund.

The new section 518 would establish a rural housing direct loan account, and would transfer to such account all rural housing direct loans made under sections 502, 503, 504, and 515(a) of the 1949 act, all collections therefrom, and any funds available from appropriations or Treasury borrowings for such loans. Amounts transferred to the account and such further amounts as may be appropriated would be available for making loans under the above sections and for making repayments to the Treasury.

Subsection (b) of section 903 of the bill amends section 511 of the Housing Act of 1949 to extend for 4 years (to October 1, 1969) the unused balance (approximately $101 million) of the existing borrowing authority under section 511, and to remove the existing special reservation of $50 million exclusively for loans to elderly persons in accordance with section 501(a)(3).

Section 904. Federal National Mortgage Association secondary market operations for insured rural housing loans: This section amends title III of the National Housing Act to authorize FNMA to purchase loans insured under the new provisions of title V of the Housing Act of 1949 in its secondary market operations.

Section 905. Extension of rural housing authorizations: This section amends title V of the Housing Act of 1949 to extend for 4 years (to October 1, 1969) the authority of the Secretary of Agriculture to make section 503 loan contribution commitments, the authority for appropriations to finance assistance under sections 504(a), 504(b), 506, and 516, and the authority of the Secretary to make section 515(b) rental housing loans for elderly persons. It would also increase from

$10 to $50 million the total amount of appropriations authorized for section 516 assistance to provide low-rent housing for domestic farm labor, and would extend the construction standards and technical services provisions of section 506(a) to operations under the new provisions added to title V by the bill.

Section 906. Payment of interest to the Treasury on appropriations for rural housing loans: This section adds to title V of the Housing Act of 1949 a new section 519, directing the Secretary of Agriculture to pay into miscellaneous receipts of the Treasury any surpluses from the new rural housing insurance fund or the new rural housing direct loan account. It would also provide for payment to the Treasury of interest on any portions of future appropriations to such fund or account for the purpose of making loans until returned to miscellaneous receipts.

TITLE X—MISCELLANEOUS

Section 1001. Authorization for urban planning grants: This section amends section 701 of the Housing Act of 1954 to eliminate the existing $105 million ceiling on the total amount authorized to be appropriated for urban planning grants thereunder. It also provides a cutoff date of October 1, 1969, for the urban planning grant program. (H.R. 5840, as amended.)

Section 1002. Authorization for Federal-State training programs: This section amends section 802 of the Housing Act of 1964 to eliminate the existing $10 million ceiling on the total amount authorized to be appropriated for grants to States for the Federal-State training program under part 1 of title VIII of such act. It also provides a cutoff date of October 1, 1969, for the program. (H.R. 5840, as amended.)

Section 1003. Authorization for public works planning advances: This section amends section 702 of the Housing Act of 1954 to eliminate the existing ceiling on the total amount which may be appropriated for advances under the 1954 planning advance program. It also provides a cutoff date of October 1, 1969, for the program. (H.R. 5840, as amended.)

Section 1004. Advisory committees—Technical provision: This section eliminates from section 601 of the Housing Act of 1949 (relating to HHFA advisory committees) a provision which has become obsolete. (H.R. 5840.)

Section 1005. Public facility loans to nonprofit corporations: This section amends section 202 of the Housing Amendments of 1955 (the community facilities program) to permit the Housing Administrator to make loans to private nonprofit corporations to finance the construction of works for the storage, treatment, purification, or distribution of water, or the construction of sewage, sewage treatment, and sewer facilities, if such works or facilities are needed to serve communities with a population of less than 10,000 and no existing public body is able to construct and operate them. (H.R. 5840.)

Section 1006. FHA conforming amendments: This section amends various provisions of the National Housing Act to reflect the consolidation of FHA insurance funds into a single general insurance fund under section 208 of the bill. (H.R. 5840.)

Section 1007. Savings and loan associations: This section amends section 5(c) of the Home Owners' Loan Act of 1933 to permit savings and loan associations (1) to make loans on the security of buildings to be used as college dormitories or fraternity or sorority houses, or to be used for residential purposes by the staffs of community hospitals, and (2) to make loans on the security of lease-holds under certain conditions. It would also confer upon District of Columbia associations the same powers with respect to the investment of assets as are authorized for Federal savings and loan associations.

Section 1008. Urban renewal project in Johnson City, Tenn.: This section permits certain electrical installations to be counted as local noncash grants-in-aid for an urban renewal project in Johnson City, Tenn.

Section 1009. Repayment of certain planning grants: This section would waive repayment of a planning advance made to the city of Woonsocket, R.I., for a project built under the accelerated public works program.

DEVELOPMENT OF ELLIS ISLAND AS A PART OF THE STATUE OF LIBERTY NATIONAL MONUMENT

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a joint resolution to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument, and for other purposes.

At a special ceremony at the White House this morning, the President issued a proclamation adding Ellis Island to the Statue of Liberty National Monument. I was honored to attend that ceremony. For all of us, the President's proclamation called to mind once again the unique role Ellis Island has played in our history.

The island came into Federal possession in 1800. Its symbolic role as gateway to a new land and a new life for citizens of foreign lands was assumed 90 years later when the Federal Bureau of Immigration undertook to develop the island as an immigration station.

Ellis Island was our official host to 70 percent of all those who immigrated to this country between 1892 and 1954. By the millions they came, the "little people" and those who were later to achieve prominence in their new country. They came seeking refuge, liberty, and freedom. They helped forge our unique American heritage, and they lent their skills and energies to the job of building America's position as a world power.

Ellis Island was the birthplace of many millions of Americans. Stepping into the shadow of the torch of liberty, these immigrants from many lands were born into a new world.

In 1954, the use of Ellis Island as host to our immigrants was discontinued. It remains, however, nationally symbolic of our friendship to those of other lands and of our indebtedness to those who have helped to make America the Nation it is today. The island is, therefore, eminently qualified for protection and preservation for generations of Americans yet to come.

The proclamation the President issued this morning provides that the Department of the Interior shall administer the island. No funds, however, shall be expended for its development as part of the national monument unless otherwise provided by an act of Congress. The resolution I am introducing today authorizes the appropriation of such funds as may be necessary for this purpose.

Although the resolution does not specify the amount of funds required for this project, the Department of the Interior tentatively places total development costs at $6 million. Of this amount, approximately $2,450,000 would be expended during the first 5 years after the establishment of the national monument. Development plans include landscaping, rehabilitation of several existing buildings, and other work.

The resolution has the support of the Department of the Interior, and the Bureau of the Budget has advised that the proposal is in accord with the program of the President.

President Johnson also announced this morning the establishment of a Job Corps in Jersey City, N.J. Part of the work-training provided corpsmen will be in the development of a New Jersey State park at Jersey City. Ellis Island, of course, lies only a few hundred yards off the Jersey City shorefront, and the park will be an appropriate waterfront setting for this new national monument. Ultimately we will see the enlarged Statue of Liberty Monument, including Ellis Island, linked to the New Jersey park by a causeway or bridge.

The development of Ellis Island and the adjacent park in Jersey City will add a priceless recreational and historic asset to our New Jersey waterfront. All of us in the Congress who have been pressing for this kind of project are particularly pleased with the Interior Department's recommendations. Secretary Udall and his staff are to be commended for their excellent work.

Mr. President, those of our citizens who can trace their ancestry as Americans to Ellis Island can attest that they have made the most of the freedom and opportunity which were opened to them. By building this monument to the courage and energy of our immigrant citizens, we can memorialize one of the great chapters of American history.

The PRESIDING OFFICER (Mr. McGOVERN in the chair). The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 79) to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument, and for other purposes, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

APPROPRIATIONS TO DEFRAY THE COSTS OF ORGANIZING AND HOLDING THE 20TH ANNUAL WORLD HEALTH ASSEMBLY IN THE UNITED STATES

Mr. KENNEDY of New York. Mr. President, on behalf of myself, and my senior colleague from New York [Mr. JAVITS], I introduce, for appropriate reference, proposed legislation to extend an invitation to the World Health Organization to hold its 20th annual World Health Assembly in the United States. I ask that the resolution remain on the table for 5 days to permit additional cosponsors to join.

As you know, the World Health Organization was founded in New York City in 1948 when 26 countries joined together under the auspices of the United Nations to promote the cause of world health. Since that date, 99 countries have joined the Organization, raising the total to 125 member countries.

The World Health Organization has proved to be an effective tool in the promotion of world health. The vital statistics of the member nations have reflected its success in the almost total eradication of malaria, reduction of the disease yaws, and a general increase in local community health standards throughout the world.

However, the constant battle against disease continues with the World Health Organization in the forefront. Major hazards to health in the world today are smallpox, bilharziasis, cholera, and a number of epidemic diseases. Current programs of the World Health Organization are focused on these diseases, on malnutrition, environmental sanitation, sanitary water supplies, and general health services.

The World Health Organization holds an annual World Health Assembly as a means of exchanging knowledge about the health programs being conducted by the Organization, of providing knowledge about new methods of attacking disease, and as a means of providing an exchange of information by health officials from member countries.

In 1968, the World Health Organization will celebrate the 20th anniversary of its founding in New York City. I think it would be fitting to invite the World Health Organization to meet again in New York City to discuss the progress that has been made and the continuing challenges to world health.

New York City is internationally recognized as one of the foremost medical centers in the world today. Few other cities offer the combination of experts in the medical and health fields, medical facilities, educational institutions in the health field, and practicing health clinics.

I hope that my distinguished associates in the Senate will join me and Senator Javits in supporting this resolution.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be held at the desk, as requested by the Senator from New York.

The joint resolution (S.J. Res. 80) to authorize appropriations to defray the costs of organizing and holding the 20th annual World Health Assembly in the United States, introduced by Mr. Kennedy of New York (for himself and Mr. Javits), was received, read twice by its title, and referred to the Committee on Foreign Relations.

VOTING RIGHTS ACT OF 1965—AMENDMENTS

AMENDMENT NO. 175

Mr. PROUTY submitted amendments, intended to be proposed by him, to the amendment, in the nature of a substitute (No. 124) proposed by Mr. Mansfield (for himself and Mr. Dirksen) to the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 176

Mr. KENNEDY of New York (for himself and Mr. Javits) submitted an amendment, intended to be proposed by them, jointly, to the amendment, in the nature of a substitute (No. 124) proposed by Mr. Mansfield (for himself and Mr. Dirksen) to Senate bill 1564, supra, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 177

Mr. PROUTY submitted an amendment, intended to be proposed by him, to the amendment, in the nature of a substitute (No. 124) proposed by Mr. Mansfield (for himself and Mr. Dirksen) to Senate bill 1564, supra, which was ordered to lie on the table and to be printed.

REPLACEMENT AND EXPANSION OF THE U.S. NONSUBSIDIZED MERCHANT AND FISHING FLEETS—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of April 30, 1965, the names of Mr. Bayh, Mr. Brewster, Mr. Dirksen, Mr. Gruening, Mr. Hart, Mr. Hartke, Mr. McCarthy, Mr. Nelson, Mr. Pell, Mr. Scott, and Mr. Young of Ohio were added as additional cosponsors of the bill (S. 1858) to promote the replacement and expansion of the U.S. nonsubsidized merchant and fishing fleets, introduced by Mr. Bartlett on April 30, 1965.

HEARINGS SCHEDULED ON GOLDEN SPIKE NATIONAL MONUMENT AND HERBERT HOOVER NATIONAL MONUMENT

Mr. BIBLE. Mr. President, for the benefit of those interested, and as chairman of the Parks and Recreation Subcommittee of the Interior and Insular Affairs Committee, I announce that hearings have been scheduled on S. 26, a bill to provide for the Golden Spike National Monument, and S. 810, a bill to establish the Herbert Hoover National Monument for Wednesday, May 19. The hearings will start at 9 a.m. in room 3112, New Senate Office Building.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Edward F. Boardman, of Florida, to be U.S. attorney, middle district of Florida, term of 4 years. (Reappointment.)

Joseph N. Tierney, of Illinois, to be U.S. marshal, northern district of Illinois, term of 4 years. (Reappointment.)

Joseph P. Kinneary, of Ohio, to be U.S. attorney, southern district of Ohio, term of 4 years. (Reappointment.)

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, May 18, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

RURAL ELECTRIFICATION PROGRAM IN FLORIDA

Mr. HOLLAND. Mr. President, today is the 30th anniversary of the Executive order that established the Rural Electrification Administration. One year later, legislation was enacted.

REA loans to rural electric systems in Florida provide for service to an estimated 132,548 rural consumers over 25,359 miles of line. Loans made thus far to the 17 REA electric borrowers in the State, including 15 cooperatives, total $99,796,233. The first REA loan in the State was approved in October 1935, with the first REA-financed line energized June 19, 1936, by the Florida Power Corp., St. Petersburg.

Low consumer density and low revenue per mile make the service job harder for REA borrowers than for power companies. I am informed by REA that its borrowers in Florida serve only 4.3 consumers per mile and average $621 in revenues per mile, compared with 41.1 consumers and $10,181 per mile for class A and B commercial utilities.

Consumers served by REA borrowers in the State are using increasing amounts of electricity on their farms, in their rural homes and businesses. In 1953, the average monthly consumption per consumer was only 198 kilowatt-hours. By 1963, the average had risen to 440 kilowatt-hours. The continuing objective of Florida REA borrowers is to provide the electric service required by their consumers under rates and conditions more nearly comparable to those available in urban communities.

To assist them in this objective, by January 1, 1965, REA had advanced $90,144,701 to borrowers in our State. The funds have been invested by the borrowers in local electric facilities, including 25,170 miles of line, serving 116,498 farm and other rural consumers. Of the 39,000 farms in the State, 98.8 percent were receiving electric service on June 30, 1964, compared with only 5,700 farms when REA was created in 1935.

By January 1, 1965, REA borrowers in Florida had made a total of $32,650,625 in payments on their Government loans. The payments included $18,688,460 repaid on principal as due, $2,367,196 of principal paid ahead of schedule, and interest payments of $11,594,969. I am happy to report that no Florida borrower is overdue in its payments.

TRAFFIC TICKET FIXING AND THE POINT SYSTEM IN THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, the District of Columbia has what is known as the "point system," which is binding upon the drivers of motor vehicles. If drivers' violations of traffic laws are of a serious nature, points are chalked up against them. Eventually, their drivers' permits can be suspended or revoked, depending upon the number of points they accumulate.

Over the weekend, articles have been published in the Washington newspapers concerning allegations of abuses of the point system. These articles allege that drivers who otherwise might lose their permits or have them suspended are sent to traffic school. The interesting thing, according to the articles, is that in some instances a driver has attended traffic school several times. The articles state that such repeated attendance at traffic school has resulted in a reduction in the number of points acquired by drivers. If that is true, it is another way of fixing tickets.

One does not have to attend a traffic school to know that driving while drunk cannot be justified. One does not have to attend a traffic school to know that the driving of an automobile is the handling of a dangerous weapon, especially when it is operated at a speed of 70, 80, or 90 miles an hour in a congested area.

Mr. President, one does not have to go to traffic school in order to learn that he is a great danger to society when he commits a traffic violation that ought to cause him to have points checked against the ultimate loss of his license if he continues to act so irresponsibly.

Yesterday I wrote a letter to Mr. Tobriner, President of the Board of Commissioners. I asked Mr. Tobriner to look into and investigate the administration of the point system. Also, I asked him to give me a report as to whether Mr. England, who is in charge of the Motor Vehicle Department, ought to have, as he suggests, the whole point system taken away from the Office of Corporation Counsel and turned over to his administration.

I am satisfied that it ought to be taken away from the Deputy Corporation Counsel, Mr. King, because he is the No. 1 fixer in the District of Columbia when it comes to the matter of traffic ticket fixing. My investigation already shows that time and time again the Deputy Corporation Counsel, Mr. King, has been guilty of arbitrary and capricious indiscretion in connection with fixing traffic tickets in the District of Columbia.

I ask unanimous consent that my letter of May 10, 1965, addressed to Mr. Tobriner, and newspaper articles, one of which is entitled, "Motorists Fight Points in District of Columbia Traffic School," published in the Washington Post of May 9, 1965, be printed at this point in the RECORD.

There being no objection, the letter and articles were ordered to be printed in the RECORD, as follows:

MAY 10, 1965.

Hon. WALTER N. TOBRINER,
President, Board of Commissioners, District of Columbia, Washington, D.C.

DEAR COMMISSIONER TOBRINER: Preliminary to further hearings on ticket-fixing problems, it would be very much appreciated if you would look into the matter of the operation of the District of Columbia Traffic School in relation to suspending points or dropping charges, as described in the attached article from the Washington Post.

It seems to me that the policy behind the point system is to protect the public from dangerous and reckless driving. One does not have to go to traffic school repeatedly to learn that he should not drive his automobile when drunk, or disobey the speed limit, and other moving traffic regulations.

I would appreciate very much if you, as the Commissioner in charge of police administration in the District of Columbia would look into the administration of the point system and then have breakfast or lunch with me in the near future for a discussion of the problem.

I would also like to know what your thinking is in regard to the suggestion made by George England, of the Department of Motor Vehicles, that the administration of the point system should be put under the jurisdiction of his department. Also, would it be advisable to deprive the Corporation Counsel and other District of Columbia officials of all jurisdiction over the point system to the end that the assessment of points would be automatic and irrevocable if the individual is found guilty of the violation for which points are assessable?

It would seem to me that on the basis of my understanding of this problem no administrative officer of the District of Columbia government should have any discretionary power whatsoever to suspend the assessment of points involving any driver. It would further seem to me that the only place where possible suspension of points against a driver should be considered is at the traffic court level and then only when good cause is shown. I think a traffic court judge and not the corporation counsel should decide any question involving a possible suspension of the point system in a given case.

Unless the general public has confidence that no ticket fixing exists with regard to the point system, further disrespect for the administration of justice in the District of Columbia is bound to grow.

I am very desirous in trying to work out with you and any other officials of the District of Columbia government an informal conference on all phases of the traffic-ticket problem which would bring about an amicable and satisfactory solution to this problem. As you know, I am satisfied that very serious abuses existed before I initiated my study of traffic-ticket adjustments. Although there has been some improvement, I still am satisfied that additional improvements can be made.

I shall continue to press for public disclosure of all the facts about the matter unless there can be worked out a procedure to be administered by the District of Columbia Commissioners through you as president of the Board to put a stop to discriminatory practices in the form of arbitrary discretion in the handling of traffic tickets.

However, I want you to know that I appreciate very much the complete cooperation that you and Chief Layton have extended to me, and I look forward to discussing the whole matter further with you at a mutually convenient time after you have looked into the problem of the administration of the point system.

Sincerely yours,

WAYNE MORSE.

[From the Washington (D.C.) Post, May 9, 1965]

MOTORISTS FIGHT POINTS AT DISTRICT OF COLUMBIA'S TRAFFIC SCHOOL—SOME STUDENTS USE CLASSES TO SAVE LICENSES

(By Alfred E. Lewis)

Some motorists facing serious traffic charges have found a way to avoid penalty points and keep their driver's licenses. They go to traffic school.

Motor Vehicles Department records show that some students have been through the school's 6-hour course more than once—some as many as five times.

Chief Judge John Lewis Smith, Jr., of the court of general sessions concedes that most people who go to court on traffic charges and to traffic school "are there fighting points." The school is run by the Metropolitan Police.

Some drivers attending the school "have been through the course so many times they should be teaching it," says an official of the Motor Vehicles Department.

These drivers usually miss points by being sent to school before disposition of their cases, then return to present a certificate of course completion to a court clerk, who then dismisses the charge, according to sources close to the system.

In the District eight points are needed to suspend a permit and a dozen to revoke it, if the points are accumulated within 3 years. Conviction for speeding means 4 points, hit run 8 or 12 points depending on whether there is an injury and reckless driving and driving on a suspended license 12 points. Drunk driving means 12 points.

GRADUATES SAVE LICENSES

Motor Vehicles officials have found cases of Traffic School graduates who shaved points which, if levied, could have put them on foot.

Cases in point:

On April 24, 27, and 28, the school had 240 students, of whom 122 were sent by the Corporation Counsel and 95 by the court. The remainder were sent by the Motor Vehicles Department's Driver Improvement Section for training after their licenses had been suspended.

Fifteen of the drivers had been to the school once before, four had been twice, and one had been three times.

Of those sent by Corporation Counsel or court, 30 could have had their permits suspended had they been convicted. Seventy-nine had previous traffic records with enough points to put them near suspension.

Three of the drivers actually had had their permits suspended or revoked and somehow had got their cases reopened so they could go to the school and keep driving.

TRAFFIC JUDGES HEARD

Two General Sessions Judges, who often hear traffic cases, George D. Neilson, and Milton D. Kronheim, Jr., denied sending Traffic School graduates back to school so they can shave points.

Neilson said he never sends defendants to school a second time. He acknowledged that he withholds points for a defendant who has successfully completed the school's two-session classes. Neilson said he does this as an inducement to further a defendant's traffic education.

Kronhiem said he requires a defendant to plead either guilty or innocent. If a driver pleads guilty or is found guilty, he can go to school if he wants, but such attendance does not affect assessment of points against him, Kronheim said.

Three other judges who hear traffic cases were unavailable for comment yesterday. They are Judges Edward A. Beard, Andrew J. Howard, Jr., and Thomas C. Scalley.

According to sources in the Hack Inspector's Office of the Metropolitan Police, dozens of cabbies now driving have been to traffic school four or five times. One of them, whose name was not available, attended school three times in the last 7 months.

REPEATERS BREEZE THROUGH

Repeater students breeze through their lessons. They have heard it all before. A cabdriver got 100 on his examination in 1959, a 95 last year, and 100 after his most recent examination this year. Another driver, who has been charged with 12 moving violations since 1956, including 6 speeding offenses, scored 95 on each of 3 exams.

A man with a record of 10 violations since 1955 was charged last November with speeding and running a red light, but these charges were dropped by the Corporation Counsel's office. He has been through traffic school twice this year, both times sent by the Corporation Counsel's office.

This kind of situation has continued even though Clark King, chief of the Corporation Counsel's enforcement division, told his assistants 6 months ago that no one with a traffic record should be sent to school without clearance through King or his chief assistants.

Motor Vehicles Director George A. England wants his department to administer the point system, meting out the points wherever a violator has been found guilty of an assessable violation—regardless of whether he has been to traffic school.

England maintains that speed has been a major factor in most fatal traffic accidents.

He is not opposing the school—indeed nearly everyone concerned with traffic safety in the District considers the school a good one—but England feels it has been misused in some cases.

Use of the school to shave points from driving records has been a sort of open secret for some time. The problem has been discussed at meetings of District officials concerned with traffic safety, the Citizens' Traffic Advisory Board and police captains.

Apparently the system of avoiding points by getting traffic school grades just grew.

Judge Smith says there is nothing in the District of Columbia Code or traffic regulations that permits sending a defendant to school in lieu of assessing points.

Yet, he adds, there is nothing to stop a judge from suspending or vacating a judgment and dismissing a case. This is what often happens when the traffic school graduate returns to court with his "diploma," a slip of paper showing he has passed his traffic exam.

For more than a few drivers this procedure amounts to a long distance between points.

[From the Washington (D.C.) Post, May 10, 1965]

UNIT TO PROBE TRAFFIC CLASS POINT DODGE

(By Alfred E. Lewis)

A Senate District subcommittee will widen its inquiry into ticket fixing to examine the use of traffic school as a way of shaving driver penalty points, a District committee staff member said yesterday.

Richard E. Judd, said Subcommittee Chairman Senator WAYNE MORSE, Democrat, of Oregon, already has gathered evidence of what Judd called "a more serious form of ticket fixing because it allows bad drivers to stay on the street."

He referred to the practice of sending drivers faced with serious traffic charges such as speeding, to the school, even though they have been there already. In some cases these drivers have avoided assessment of points that could lead to suspension or revocation of their driving permits.

So far the inquiry has centered on adjustment of parking tickets. MORSE'S subcommittee held a hearing last month, and Judd said a second hearing, still to be scheduled, will go into the traffic school problem.

District Motor Vehicles Director George A. England, probably will be the first witness called, Judd said. He added that other officials of the Motor Vehicles Department, the Corporation Counsel's office, courts, and police also probably will be called.

England, who wants administration of the point system placed in his department, has complained that in some cases drivers who have been to school previously have escaped permit suspension by being sent back to school in lieu of point assessment.

Under the District system, points are assessed after conviction or forfeiture of collateral for a moving violation, such as improper turn, speeding, or reckless driving.

Sometimes the points have been withheld, however, after drivers completed the 6-hour traffic school course.

Motor vehicle's records show cases of drivers who have been to school three times. For example, one motorist finished his third course last February, scoring 95 on his examination, although he has been charged with 12 moving violations since 1956, including 6 speeding offenses.

Hack Inspector's Office sources say some cabdrivers have attended the school four or five times.

OKLAHOMA'S ROLE IN STIMULATING THE GROWTH OF AVIATION

Mr. MONRONEY. Mr. President, no State in the Nation has done more to stimulate the growth of aviation than the State I have the honor to represent, Oklahoma. The airplane and Oklahoma came into being in the same decade. The pioneering spirit that converted the prairie from tepees to towers in a lifetime also brought the airplane to the fore as an indispensable transportation tool.

Several of our major airlines and aviation manufacturing companies owe their start, or their growth, to aeronautical pioneers of Oklahoma. Aviation is one of Oklahoma's leading industries today, and the developments just ahead in aviation will, I believe, dwarf the seeming magnitude of today's achievements.

Recently, another first for Oklahoma aviation was the inauguration of one-plane service from Oklahoma City and Tulsa to Paris and Rome. Before the first flight of this new oversea schedule, Mr. Charles C. Tillinghast, Jr., president of Trans World Airlines, shared his vision with my fellow Oklahoma aviation enthusiasts.

Mr. Tillinghast's speech included many valuable comments concerning the Nation's prospective yield in future years from a dynamic aviation industry. I ask unanimous consent that Mr. Tillinghast's speech be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

AVIATION'S SEVEN-LEAGUE BOOTS

(Remarks by Charles C. Tillinghast, Jr., president, Trans World Airlines, Inc.)

Today we are joining the heartland of America, one of our Nation's youngest States, with two leading capitals of the Old World. It is my sincere hope that the peaceful bonds of travel and commerce which we forge today may always link Oklahomans and Europeans in a mutually profitable exchange of people and products.

This time of the year is a good one for new enterprises in Oklahoma. The 76th anniversary of the great land rush was celebrated just 5 days ago, as I hardly need tell this audience. It is interesting to note that, although Oklahoma was the 46th State admitted to the Union, it was the last State to be permanently settled. Certainly you have come a long way in three-quarters of a century.

It is also appropriate, I think, that Paris should be one of the European cities served by this new flight. The land that is now Oklahoma was part of the Louisiana Purchase. It was once ruled from Paris—although the local inhabitants of that time probably did not realize that fact. It is easy to imagine how astonished Napoleon would be if he could return to Paris today and discover that this once-empty wilderness he sold so cheaply has now become a thriving, weathly State, separated from his own capital by only 12 hours and 40 minutes of travel time.

The service which we inaugurate today is an appropriate reflection of the progressive attitude toward aviation that has been so conspicuous a characteristic of Oklahoma City. Few cities have made a greater commitment to progress in aviation than have you. You've taken a forward-looking, farsighted posture in the matter of airport zoning. Many of the larger metropolitan centers around the United States would have done well to follow an equally enlightened approach. In many cases, the damage has been done, and it is already too late to provide adequate elbow room for aviation in those cities. I hope that more communities elsewhere will follow the example set by Oklahoma City.

When I spoke to the Oklahoma City Chamber of Commerce in September of 1963, I said that your master plan to convert Will Rogers Field into a "supersonic airport of the future" might well be remembered as the most foresighted undertaking in your city's history. In the year and a half since then, Oklahoma City has given still further evidence of its commitment to progress.

The series of sonic boom tests conducted here by the FAA contributed greatly to advancing the frontiers of our knowledge about supersonic transport operations. It seems clear that the SST will be flying commercially in less than 10 years and we need to know as much as possible as soon as possible about the potential problems caused by these aircrafts.

When the history of supersonic transport development is written, a chapter will certainly have to be devoted to the progressive outlook of Oklahoma City residents. Obviously not all of them were delighted to be part of a test-bed for SST research. Yet the community in general gave its strong support to this vital work—and future generations of Americans will fly more swiftly and sleep more soundly as a result.

Recent developments in the United States and across the Atlantic have made the American supersonic transport both more practical and more important to our national interest. Our friendly rivals in Great Britain and France have been moving ahead on the Concorde SST project, after some indications of dissension earlier this year. There appears to be little doubt that the Concorde will be built—and that it will compete for world markets during the 1970's.

This fact presents us with a significant challenge. Since the end of World War II, aircraft exports have been a very important item on the plus side of our balance of trade. Airlines of almost every nation outside the Iron and Bamboo Curtains operate United States-built Boeing, Convair, Douglas, and Lockheed aircraft. In recent years, total U.S. aviation exports have been averaging about $1.3 billion annually. Offsetting imports have been relatively small, as a general rule. Boeing and Douglas together will ship abroad $360 million worth of commercial jets in 1965—double their exports for last year.

Market analysts who have studied the prospects for SST sales forecast that an American-built SST, faster, larger, with longer range and better economic characteristics than the Concorde, would be sold overseas to the tune of some 150 units. This would result in a favorable gold flow of roughly $5.5 billion. On the other hand, if a U.S. supersonic transport is not built, the airlines of this country would have to buy more than 250 Concordes, resulting in an outflow of $4.3 billion in gold. Thus the SST is not just a prestige project by any means. U.S. airlines will have to operate some kind of supersonic aircraft simply to stay competitive. The only question is, where will these airplanes be built? In which direction will this volume of trade be flowing during the 1970's?

This, perhaps, is an appropriate forum in which to note Senator MONRONEY'S outstanding contributions to aviation progress over the years. His enlightened, forward-looking, firm support of an American SST program will number among a long list of his major accomplishments. He has seen clearly the potential pitfalls, and he has worked closely with the manufacturers, the airlines, the FAA, and President Johnson's blue-ribbon SST committee in the fight to achieve a realistic supersonic program.

If the Senator has his way, and I hope he will, the U.S.-built airplane will be economically sound as well as safe. It will be a fast-flying advertisement for American technical excellence wherever it lands around the globe, no matter which airline's insignia it displays. It will earn money for the airlines and thus enable the Government to recover money spent on the research, development, and engineering phases of the program. It will make air travel still more attractive to the millions of people who have never before flown. It will be an Oklahoma-size success.

We should not, of course, allow our gaze to become so fixed on the mach 3 marvels of the 1970's, that we forget some of the less exotic, but more immediate problems that face our air transport system. One of these is the matter of service to our smaller and intermediate cities.

From time to time concern has been expressed that the trunklines are mainly concerned with "skimming the cream" from long-haul flights between the very largest cities, and that they are disregarding the smaller communities.

On the whole, I think that the charge is unjustified, although there is enough to be said for it that it has been made by more than one who holds a position of respect in the political and aviation world. So let's take a look at the problem:

As a generality, it is safe to say, I think, that the planes go where the traffic is. This appears to me to be a sound condition. It not only provides the airlines with the substance which they require to survive and prosper; it provides the maximum of service to the traveling public .

There is one unhealthy exception to this rule. In a few limited markets the attempts of certain carriers to achieve competitive advantage by outscheduling their rivals has led to excessive frequencies. Load factors are so low that optimum use of expensive aircraft is not achieved. With more sensible scheduling some aircraft could be released for use in other markets.

This problem, though easy to identify, is not so easy of solution. No governmental authority has seen fit to encourage the carriers to develop a cooperative program for dealing with the problem. And any effort to interject the CAB directly into the scheduling process would so burden their administrative duties as to create a virtual paralysis. The only beneficiaries would be those who practice before the Board, because every significant schedule change would become a drawn-out Board proceeding.

I frankly do not know the answer to this problem. Happily, I think that this is but a minor part of the overall problem. The major part has been the lack of jet aircraft suited to many of the smaller markets.

All the major airlines once had small cities served by as many as 10 DC–3 flights per day in each direction. The flights had to stop for fuel anyway, and no significant added expense was involved in dropping off or taking on two or three passengers. Because many of the seats were occupied by through passengers, it meant that maybe 50 to 100 seats per day each way were being offered for sale.

As aircraft became larger and faster and longer ranged, neither economics nor customer convenience would tolerate frequent stops. Consequently, each community was forced to stand more and more on its own traffic-producing ability. In the late four-engine piston days and early jet days this problem reached its peak. The lack of sufficient traffic to support frequent schedules by planes carrying from 75 to 175 persons resulted in sharply reduced schedules, and this, in turn, reduced the traffic potential. Small piston aircraft no longer presented a viable alternative since they lacked passenger acceptance and could not support themselves economically in a high-wage, unsubsidized, jet era.

Fortunately, the situation is improving and can be expected to improve even more as the new twin-engined jets go into service. One must remember that so far, with the exception of United's 20 Caravelles, we have had nothing smaller to work with than 95-place jets.

The next 18 months will see quite an influx of twin engined jets far better suited to some of the so-called neglected markets. They will permit better scheduling and a better spectrum of services to many cities. By providing better service, they will induce increased travel. In my judgment, we will witness a major change in the cycle.

I would not wish to leave this subject without noting that in this area significant progress already is being made. Sixty U.S. cities are now served by jets and the number is growing almost every month. TWA operates only jet service west of Wichita and soon we will be offering more.

Our history at Oklahoma City may be taken as an example of our operations in medium-size communities. Although we served this area back in the 1920's and early 1930's, the era of the Ford trimotor, our current relationship dates from February 1, 1956. We started out with the reliable old Constellations. In the peak season of that year we offered three frequencies east and one frequency west. This involved a total of 257 seats. In 1961, TWA was the first airline to offer jet service to Oklahoma City.

Today we offer two jet frequencies daily to the West and three daily to the East—plus twice weekly service to the East and on to Europe. This is an average of 580 seats daily, or 125 percent more than we offered in 1956.

Just 2 days ago we inaugurated the first through plane jet flights between Oklahoma City and Albuquerque. Nine years ago that might have been the most important new service we could offer your community. Today, however, we are able to shrink an ocean and half a continent, to put Paris less than 13 hours from Oklahoma City.

The service that we inaugurate here today should stand as evidence that at least one airline is willing to experiment by bringing international service to a city considerably smaller than any to which such service has been brought in the past. While we are optimistic that it will prove itself, only time will tell. I know that we share the hope that it will succeed so well that we can make it more frequent and more direct. And we hope that you so support this effort that we feel justified in taking a similar step with your friends to the east in Tulsa.

This new transatlantic service is of particular significance in a time of trouble for the U.S. balance of payments. Naturally, this new flight will make it easier than ever before for Oklahomans to travel to and from Europe. It will induce a certain amount of tourism. But over and above this, it will help you to find new markets for your goods.

I hope that we will be seeing many Oklahoma businessmen boarding flight 890 to go abroad in quest of new markets for their products. And I hope we will also be seeing the products themselves going abroad in the cargo compartments of our jets. We can get both men and products to Europe in a single business day.

There are multiple benefits for Americans in export trade. Sales abroad help the Nation's balance of payments and bolster our gold position. They also mean added sales and profits for the individual firms. And on top of this they forge a bond of mutual, peaceful, productive interest with other countries. In all of the expressions of current concern over our balance-of-payments problems, I hear no voices seriously urging that we raise new barriers to international trade and retreat into an isolationist shell.

Speaking to the chamber of commerce here 19 months ago, I said that the air age makes Oklahoma City a port city for the first time in history. Even as recently as then, it was impossible to foresee the inauguration of this direct international service. That is characteristic of the jet age; it makes even the most visionary prophets appear conservative as time passes. But now the service is a reality—and it is up to you, the citizens of this air-minded community, to make Oklahoma City truly a world port in the years to come.

THIRTIETH ANNIVERSARY OF THE RURAL ELECTRIFICATION ADMINISTRATION

Mr. MONRONEY. Mr. President, the Rural Electrification Administration, 30 years old on Tuesday, May 11, not only has turned the lights on for farmers, it has made farm living more satisfying and profitable for millions of rural Americans. It has helped improve the living standards of all of our citizens as farm productivity has grown.

The REA was created by Executive order as a way to make work in rural areas, but Franklin Roosevelt, Sam Rayburn, and George Norris very soon saw that farm electrification required skilled labor and a different approach. Congress a year later created the REA as a lending agency only, for the purpose of financing electric systems in rural areas. By 1949, it was given the job of improving and extending telephone service in rural areas through loans.

Seldom has an act of Congress stimulated such progress. Less than 11 percent of all farms had electric service in 1935. Now REA estimates that 98.1 percent of our 3.4 million farms are electrified.

REA-financed electric systems serve slightly more than half of these electrified farms, according to the annual report of Norman Clapp, REA Administrator.

Although 24 electric companies, 53 public power districts, and 31 other public bodies were among the 1,105 borrowers who had had $5.5 billion in electric loans approved as of January 1 this year, 997 borrowers were cooperatives—and that is part of the miracle we have seen.

Farmers themselves serve on the average nine-member boards which run these borrower cooperatives. The average borrower serves about 5,500 rural consumers located in parts of three counties. Consumers average 3.5 miles of line. Some 91 percent of the meters are located on farms and nonfarm residences in the service area; the remaining 9 percent are at schools, churches, and rural business firms and industries. In late summer, usually the membership turns out for the co-op's annual meeting and elects the board. Most co-ops have borrowed several times from REA and paid their principal and interest on time or ahead of time.

They have managed to do the job despite the fact that use of electricity has more than doubled in the past 10 years, as more of the 400 possible uses of electricity on a farm have become known. They have done the job although the density on their systems is only 3.3 consumers per mile of line and the average revenue only $460 per mile of line. Class A and B utilities, on the other hand, have a consumer density of 33.2 and average revenues of $7,164 per mile of line.

In Oklahoma, the transformation brought by REA has been even more dramatic than the national average. We have over 97.5 percent of our 88,000 farms now receiving electric service compared with 2.6 percent in 1935. REA borrowers serve only 2.3 consumers per mile, averaging $321 in revenue per mile, compared with 31.2 consumers and $6,242 per mile for class A and B commercial utilities. Yet no borrower was overdue, and our 28 borrowers paid $78,929,290 for principal and interest on their loans, with $9,164,446 of the principal paid ahead of schedule.

Telephone service for rural areas, since REA was authorized to make telephone loans 15 years ago, has more than doubled, both in the Nation and in my own State.

Every American has reason to be proud of the accomplishments of a good law passed by Congress, well administered by public servants, which has been translated into exciting farm improvements by farmers themselves.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. HARRIS. Mr. President, I compliment my senior colleague for his excellent statement on the Rural Electrification Administration.

I join with my senior colleague in his statement that, for Oklahoma and America, this has been a tremendous program for the development of rural areas and small towns of our State and the country.

Mr. MONRONEY. Mr. President, the annual report of the Administrator of the Rural Electrification Administration for 1964, gives an excellent analysis of what is ahead for REA. I ask unanimous consent to have the report by Mr. Norman Clapp inserted at this point in the body of the RECORD.

Mr. HARRIS. Mr. President, I join in the unanimous-consent request of my colleague that the annual report be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT OF THE ADMINISTRATOR OF THE RURAL ELECTRIFICATION ADMINISTRATION, NORMAN CLAPP

I. THE PURPOSE OF THE REA PROGRAMS

From the privations of the early pioneers to the present day, rural people have labored under many handicaps. Always there has been the handicap of isolation—isolation from one another, from centers of information and culture, from centers of trade and opportunity, and from sources of capital for growth and advancement.

As our modern industrial civilization has developed, bringing with it great increases in material wealth to our society as a whole and making possible higher living standards and greater comforts and conveniences of life, these handicaps have never been more dramatically demonstrated than in the struggle to bring the blessings of electricity and modern communication to rural people and their communities. When the Rural Electrification Act was passed in 1936, only 1 farm in 10 had central station electric service. When Congress enacted the basic authorization of the present REA telephone program in 1949, only 38 percent of the Nation's farms had telephone service of any kind, most of which was totally inadequate and of very limited use.

Although great progress has been made as the result of assistance provided by the Federal Government through the rural electrification and rural telephone programs, the handicaps of providing such vital services in areas of relatively sparse population are still with us.

Among REA's electric borrowers, there was in 1962 an average of only 3.3 consumers (or meters) per mile of line, compared with 33.2 consumers per mile on the lines of class A and B commercial utilities. The disparity in revenues was even sharper, averaging $460 per mile of line on REA-financed electric systems versus $7,164 per mile on lines of commercial utilities. Comparable figures in the telephone program reveal 4.4 subscribers per mile on the lines of REA borrowers, versus 40 per mile for Bell System companies.

The initial phase of REA's task, that of reaching rural people with the physical facilities of service, is being successfully accomplished through the distinctive cooperation of rural people and their Federal Government in the REA program. Today more than 98 percent of America's farms have central station electric service. About 79 percent of farms now have telephones and an estimated 90 percent of this service is dial.

But there still remains the continuing challenge of making electric and telephone service available to rural people on terms comparable with urban service. The successful achievement of this goal is an essential and inescapable requirement if parity of opportunity is to be achieved for and by the people of rural America. Many rural residents still lack modern telephones, or any telephone service at all, and the availability of single-party service still is severely limited in rural areas. In the electric program, consumers on REA-financed lines still pay 19 percent more, on the average, for 500 kilowatt-hours of electricity than do consumers in adjacent towns and cities. Much remains to be accomplished.

REA financing and technical assistance have been indispensable in bringing parity of electric and telephone service within the reach of rural people, but its permanent achievement depends upon the development of basic equalizers such as rural areas development, territorial protection for rural systems, efficient management, and nonprofit operation where it has been available through cooperative organization.

REA during fiscal 1964 intensified its efforts to encourage borrower systems to seek and apply these basic equalizers in overcoming the handicaps of serving rural areas. These efforts are consistent with the agency's guiding policy of moving "as far and as fast as is feasible toward a situation in which every borrower possesses the internal strength and soundness to guarantee its permanent success as an independent local enterprise." It is our conviction that the encouragement of the strength and permanence of borrowers, which will permit them to depend less and less on the special assistance provided by REA, represents the proper road to Government economy in the REA programs and to the ultimate success of REA borrowers as local business enterprises.

II. THE ELECTRIC LOAN PROGRAM

Summary of loans and repayments

During fiscal year 1964, REA approved 285 loans for $261.5 million to electrification borrowers, bringing the agency's 29-year loan total to $5.3 billion by June 30, 1964. Loans for distribution purposes accounted for 60.8 percent of the year's loans; generation and transmission, 39 percent; and consumer-type loans, 0.2 percent. Of the loans for distribution purposes, about 44.3 percent will be used for system improvements, to heavyup lines, and to assure consumers of adequate electric service.

In 1964, REA received loan applications amounting to $329 million. There were carried forward to fiscal year 1965 loan applications of $227.6 million, of which $179.5 million was for generation and transmission loans.

REA advanced $246.1 million in loan funds to its electric borrowers in fiscal 1964, bringing the total advanced in the electric program to $4.5 billion. The year's advances left an unadvanced balance of $829 million to be drawn upon for approved loan purposes. Loan rescissions in the fiscal year totaled $750,713.

Four new rural electric borrowers received REA loans during the year—three distribution borrowers and one power-type borrower. The latter is United Power Association, Elk River, Minn. New distribution borrowers are: Electrical District No. 2, Coolidge, Ariz.; Truckee Public Utility District, Truckee, Calif.; and City of Okolona Electric Department, Okolona, Miss.

Electric borrowers' payments made to REA during fiscal 1964 totaled $199.2 million, of which $134.6 million was principal and $64.6 million was interest. On June 30, 1964, 835 borrowers had a balance of payments in advance of due dates totaling $237 million, an increase of 9.7 percent over fiscal 1963.

Only three borrowers were in arrears more than 30 days on debt payments, totaling $116,794 at the end of the year. Two of these paid off their delinquencies in less than 60 days after the end of the fiscal year.

Growing strength and efficiency of borrowers

Utilizing technical assistance from REA in accounting, engineering, management, and other fields, REA electric borrowers during fiscal year 1964 made important gains in financial strength and in operational efficiency.

During the calendar year 1963, 966 reporting electric borrowers had a composite net margin of $109,166,136. Twenty-eight of these borrowers reported operating deficits of $1,436,771.

Net worth of electric borrowers totaled $954.2 million on December 31, 1963, which amounted to 23.6 percent of total assets, an increase of 1 percentage point over the previous year.

Borrowers' service record: Borrowers were serving 5,300,643 consumers by the end of the year. This is an increase of 144,085 over the number served at the close of fiscal 1963. The net increase in miles of lines was 23,074, bringing the total to 1,536,738. REA estimates that 98.1 percent of the Nation's farms are now receiving central station electric service. More than half of these are served by REA borrowers.

The energy put into systems financed by REA during the fiscal year was 42,095,186,000 kilowatt-hours, an increase of 10.6 percent over 1963. Cost of wholesale energy purchased by all borrowers averaged 6.6 mills per kilowatt-hour, down from 6.8 mills in the previous fiscal year.

Generating capacity placed in service during the fiscal year by borrowers totaled 178,300 kilowatts, of which 153,160 kilowatts were steam and 25,140 were other types of generation. Hydro capacity was reduced by

3,720 kilowatts, resulting in a net increase of generating capacity during fiscal 1964 of 174,580 kilowatts.

On June 30, 1964, capacity in service totaled 2,252,449 kilowatts, of which 1,787,860 kilowatts were steam facilities, 64,269 kilowatts were hydro, and 400,320 kilowatts were other production. In addition, 1,848,983 kilowatts of capacity not yet installed was provided for in loans approved by REA prior to fiscal 1964 and loans in 1964 provided for 286,150 kilowatts in additional generating capacity. This capacity brings the total for which financing has been provided by REA to 4,387,582 kilowatts.

Taking advantage of new developments in electric living and electric farming, rural people continued to increase their use of electricity in fiscal year 1964. Energy sales, exclusive of those between borrowers, were 37,256,444,000 kilowatt-hours, 11.1 percent greater than sales for the preceding fiscal year and 194 percent greater than annual sales 10 years earlier. Average monthly usage by all consumers during calendar 1963 was 565 kilowatt-hours and by residential consumers was 425 kilowatt-hours. Costs per kilowatt-hour to all consumers continued to decrease to a new low to 2.18 cents.

Rural electrification, like urban electrification, is a rapidly growing industry. Forecasts by the electric utility industry suggest that capital investment in new electric plants for all suppliers, now at an annual rate of more than $4 billion, will reach an annual rate of nearly $14 billion by 1980. In the light of these industry projections, it can be expected that the need for capital investment by REA cooperatives, serving the rural areas as a part of this fast-growing industry, will not only continue but actually accelerate.

General fund compliance: Electric borrowers continued compliance with REA recommendations on general funds. This action included, among other things, advance payments on loans, rate reductions, and investment of general funds in plant.

During the fiscal year the increase in borrowers' advance payments was $20,955,744, bringing the total to $237,004,604, or 7.71 percent of principal outstanding. In addition, electric borrowers during the year applied $6.6 million to retire notes before the due dates.

The number of rate reductions in a single year reached an alltime high in fiscal 1964 when 111 borrowers made downward adjustments. This compares with 77 borrowers in 1963, 31 in 1962, and only 14 in 1961. Rate reductions made in fiscal 1964 will save rural consumers about $2½ million on their power bills annually.

At the end of calendar year 1963, electric borrowers reported a cumulative total utility plant of $4,406,157,921, while advances of REA section 4 loan funds totaled $4,287,294,165 at that date. This gives at least a partial indication of the borrowers' use of general funds for construction.

As a result of these actions only 181 electric borrowers had general funds exceeding 20 percent of plant on December 31, 1963. This is in contrast to 263 borrowers which exceeded this level on December 31, 1961, before REA issued its recommendations on general fund management.

Consolidations: In separate cases in three States, two or more borrowers during the year effected or planned consolidations or joint operations to meet various problems and to lower operating costs. Two Maine rural electric cooperatives, plagued by wholesale power costs so high that they were unable to provide their members adequate service, in 1964 decided to merge with a third cooperative. Retail rates were lowered after feasibility studies reflected a stronger financial and operating structure.

Boards of directors of two Indiana rural electric membership corporations in a joint meeting in January 1964 adopted resolutions calling for consolidation. This action was later ratified by members of the two organizations. Lower operating and administrative expenses are expected to result when the merger, scheduled for January 1, 1965, becomes effective.

In Oregon, a rural electric cooperative, serving only about 900 members in a sparsely populated area and beset by an accumulated operating deficit of $127,000 at the end of 1963, began to look for a solution to its problems. When a 26-percent rate increase in 1964 failed to produce the desired results, the cooperative made plans to enter into a 2-year operating agreement with a neighboring cooperative which went into effect July 28, 1964. Plans provide for lower retail rates.

Improved management techniques: During fiscal 1964, REA continued its efforts to help borrowers adapt to the most up-to-date techniques of management. A revised bulletin to provide electric distribution borrowers with suggestions for preparing long-range financial forecasts was released.

A publication embodying the broad scope of financial management to emphasize all phases of an electric system's operations was also developed. REA policy concerning the level and management of general funds, retail rates, and related consumer benefits was included.

An increase in the number of 10-year forecasts received by the REA staff for examination, analysis, and evaluation has taken place. As of the close of the fiscal year, 382 distribution borrowers had acceptable long-range financial plans.

In order to provide themselves with greater managerial efficiency by the timely detection and solution of operating problems, borrowers in increasing numbers are using automatic data processing equipment. By utilizing such equipment to the maximum extent possible, many borrowers are obtaining reports and producing records economically and quickly.

REA has assisted borrowers with data processing through field trips, workshop presentations, and replies to numerous inquiries. Material prepared for the use of borrowers has covered preparation of records for the conversion to automatic data processing and recent innovations in equipment.

REA is continuing its research, and progress has been made in preparing a publication covering the numerous applications of ADP equipment to borrower operations and providing guidelines for assisting them in making evaluations of the advisability of utilizing automatic data processing equipment. Included, also, will be information on selection and installation of equipment.

An analysis of operating expenses of 900 REA borrowers was completed to provide borrowers with annual performance criteria. The program put into effect during fiscal 1963 after considerable testing was designed to aid distribution borrowers in making an annual comparison of their operating costs with those of systems having similar characteristics.

Assisting borrowers in cost comparisons and reductions assures consumers of rural electric systems the benefit of the efficiencies resulting from the use of this analysis.

Five-star member service program: Nonprofit operation has been helpful in enabling rural systems to provide electric service, particularly in remote and thinly populated areas. Moreover, it has effected a responsiveness to the needs of rural consumers.

To assist electric borrowers in reevaluating their member service benefits, REA, in its role as adviser, launched the five-star member service program in fiscal 1964.

Since July 1963, REA field representatives have assisted nearly 600 electric cooperatives to make a self-inventory to analyze operations and determine where each cooperative has succeeded and where weaknesses remain.

As a result of the 5-star-member service inventory, more than 200 cooperatives held followup appraisal meetings. At these, directors evaluated in greater detail those activities in which the inventory revealed weaknesses, and then in turn planned the improvements needed.

Results from inventory and appraisal meetings have been dramatic. Many cooperatives have started or updated long-range financial plans; adopted capital credit programs, or started making capital credit retirements; studied and reduced or adjusted retail rates to benefit members; extended area-coverage policies; initiated power-use programs, and started rural area development activities.

Many cooperatives have started or reactivated employee training programs. Some have organized member service departments, staffing and budgeting them to carry on power-use and member activities.

Cooperatives have gained in strength by developing membership organization patterns of various types to obtain greater participation of members at community, district, and areawide levels. An increasing number of larger cooperatives are being organized on a district basis. Members use their district meetings for discussion of cooperative problems, preparation of resolutions, selection of board candidates, and conducting numerous cooperative education and action programs.

Engineering development: In an effort to meet the growing demand for improved service in rural areas, REA engineers devoted considerable effort toward making underground construction feasible in rural areas during the year. With the cooperation of manufacturers and other segments of the industry, techniques and equipment have been developed which have resulted in substantial reduced costs. As part of this activity, a comprehensive bulletin on rural underground construction (REA Bulletin No. 61–3) was completed and distributed to REA borrowers in 1964.

To obtain the many benefits of standardization, standard construction drawings, construction specifications and description of units were prepared and made available to borrowers in preliminary form. In addition, material specifications on primary and secondary cable were prepared and, for the first time, the list of materials was expanded to include a complete line of material and equipment acceptable for underground construction.

Keyed to the general development taking place throughout the rural areas of the country is a growing demand for high capacity types of electric service for large farm, commercial, and small industrial users. A variety of different types of revenue metering installations exist which, for adequate and efficient service to all types of consumers, must be properly matched to each type and size of powerload.

To assist in the selection of proper metering installations, REA engineers published a comprehensive application guide for watt-hour meters, covering the use and technical requirements for all commonly used installations.

The typical electric borrower: The typical REA electric borrower is a cooperative, consumer-owned and locally managed. It is about 26 years old.

This average borrower serves almost 5,500 rural consumers located in parts of three counties. Consumers average 3.5 per mile of line. Some 91 percent of the meters are located on farms and nonfarm residences in the service area; the remaining 9 percent are at schools, churches, and rural business firms and industries.

During calendar 1963, REA's typical borrower took in $775,000 in revenues. Residential consumers on its lines used an average of 425 kilowatt-hours of electricity a month. The average for all types of consumers, including businesses, rose to 565 kilowatt-hours per month. The co-op buys its wholesale supply of power from a nearby power company which serves urban territory, from a public agency, or from a generation and transmission federation of which it is a member.

When the co-op was organized in 1938, only about 7 percent of the farm people in the counties it serves had central station electric service. Today 98.1 percent of the farmers have it.

The membership turns out once a year—in late summer—for the co-op's annual meeting. At that time, the officers and directors, the manager, and key employees report to the members on problems and progress. The members vote to fill board vacancies; the board of nine directors later elects officers from its own ranks. The co-op manager is responsible to the board, and the other co-op employees are responsible to the manager.

The co-op is a good credit risk. It has borrowed a total of $4.3 million from REA in several loans, and it has made payments of principal and interest amounting to about $1.8 million. About $217,000 of this amount represents payments made ahead of schedule.

Net worth of the co-op as of December 31, 1963, stood at $973,455. Net worth as a percentage of the total assets of this distribution borrower is 26.4 percent. The co-op provides service on a nonprofit basis. Margins from the co-op's operations are credited to the consumers as their paid-in capital in the enterprise.

Twenty-nine employees, all local residents, are on the co-op's payroll. The headquarters building is one of the rural community's modern structures, and the co-op paid $25,318 last year in taxes.

Problems of power supply

REA and its borrowers during 1964 continued their struggle to bring down the cost of wholesale power. This entailed such activities as negotiations with commercial and public power suppliers, loans for generation and transmission facilities, construction of power plants and transmission lines, and rate reductions by power-type borrowers.

Rural electric systems paid $114 million to commercial companies for wholesale power during the year. Purchases of electricity from the companies increased 5.2 percent over the previous year.

With more than 200 contracts and amendments involving borrowers' power supply approved by REA during the year, significant progress was made in obtaining improved terms to borrowers. Negotiations not only averted rises in wholesale rates but in about 20 cases resulted in reductions. Removal of dual rates or other restrictions were agreed upon in negotiations affecting 69 distribution borrowers. Dual rates and related restrictions limit the ability of a borrower to benefit from serving large power or other beneficial loads.

In 1961, 19 commercial power companies had dual rate provisions in 189 contracts with rural electric cooperatives. By the end of fiscal year 1964, 10 companies had such provisions and 5 of these have indicated that they may eliminate dual rates when their contracts are renewed. This progress is the result of patient and persistent bargaining, backed by the availability of generation and transmission loans.

Negotiations aimed at achieving power pooling arrangements and interconnections between power-type borrowers and commercial power companies were given concerted attention during the year. Pooling their facilities with private and public sources of power afforded borrowers access to efficient large-scale generation and hydroelectric developments which effect economies for all three segments of the industry that participate. For borrowers, the cost of about 8.6 billion kilowatt-hours of power was substantially lowered by their participating in power pools in fiscal 1964.

Pooling arrangements and interconnections that provide the benefits of cooperation and advanced technology in the realm of power supply will help the rural electric systems gain the financial strength needed to provide their consumers parity of service.

During the year, engineering and construction work continued on 18 generation and transmission projects for which REA had made previous loans. The generating capacity involved totaled approximately 1,300,000 kilowatts. Six borrowers placed into operation generating units with a total capacity of 178,300 kilowatts.

In the period January 1, 1961, to June 30, 1964, REA made G. & T. loans totaling more than $536 million. This exceeds by far G. & T. loans approved for any similar period in the history of the rural electrification program.

Of the loans made to G. & T. borrowers during the year, only one provided for major generation, with the majority approved for transmission to meet continuing load growth of existing systems.

On July 3, 1963, in response to recommendations of the Appropriations Committees of the Senate and the House of Representatives, REA established a Power Survey Staff in the Office of the Administrator. Purpose of the surveys is to provide a broader review of power supply requirements, to assist the Administrator in finding the best possible solutions to power supply problems, and to avoid financing any unnecessary facilities.

During the fiscal year, 59 surveys were completed and certified to the Secretary of Agriculture under procedures developed in response to recommendations of the Senate and House Appropriations Committees. Six of these certifications were on generation and transmission loans of over $2 million, which also were certified to the Congress and the Comptroller General.

Six power-type borrowers made wholesale rate reductions during the year. Reductions ranged from 2.5 percent to 9 percent. Despite the fact that a few isolated G. & T. systems through the special situations and through no fault of their own, continued to be forced to charge members wholesale rates as high as 15 mills, the average rate for power supplied to distribution borrowers by their REA-financed G. & T. systems has declined from 11.4 mills per kilowatt-hour in 1954 to 8.5 mills in 1964. A few systems in 1964 charged members as little as 5 mills. These rate reductions not only assist distribution borrowers in extending area coverage electric service, they also contribute toward the eventual achievement of parity of rates for rural people. While REA borrowers generate only 18.2 percent of their power supply, the effect of this activity has been far-reaching in strengthening the negotiating position of the cooperatives in dealing with power supply problems generally.

Territorial integrity

Rural electric systems in extending central station electric service to the unserved homes and businesses of rural America are performing a task that no one else was willing to undertake. In recent years, however, the growth of population in the United States has brought a growth in housing and industrial development in some rural areas served by REA borrowers that formerly were open country. The growing market potential in these areas has, in many instances, attracted other suppliers, and this in turn has produced conflict.

In accordance with the provisions of Senate Report No. 497, on the Department of Agriculture and Related Agencies Appropriation bill, 1964, REA transmitted to the Senate Appropriations Committee reports on 81 territorial disputes between REA cooperatives and commercial power companies that were reported by borrowers as pending in 1963. These cases ranged from a loss of a single consumer to large subdivisions along cooperatives' lines that ran into hundreds of consumers with revenues totaling thousands of dollars annually.

In one State a power company built into a cooperative area and took several new consumers, in spite of a provision in the power contract prohibiting such action. The revenue loss was estimated at $4,000 annually. In another State, a power company moved in and took an industrial customer the cooperative had served for several years. In this case, the cooperative successfully defended its right to serve the industry before the State regulatory body, but to defend the right to serve the consumer it already was serving cost the cooperative approximately $10,000.

In another case, the power company invaded the territory of a cooperative and took a new industrial consumer, with a loss of revenue to the cooperative of more than $17,000 a year. A letter from a company official to the cooperative declared that cooperative service to industrial loads "was not the intent of Congress in establishing REA."

One cooperative has spent more than $60,000 to defend its right to serve some 1,000 homes scheduled for construction in territory it has served for 7 years. If the case is appealed, the cost could run as much as $100,000. This was only one case in a long series of territorial battles between the cooperative and the power company.

In a rare case, a power company line was removed following a letter from the cooperative protesting that extension of service to the customer, which the cooperative had served for 15 years, was a violation of the power contract.

If rural electric cooperatives are permitted to retain the commercial and industrial as well as residential loads they helped develop in their service areas, they can make progress toward the objectives of the program and hasten the time when they are less dependent on Government financing. On the other hand, a lack of territorial protection retards their development and tends to create financial insecurity, which will lessen or postpone indefinitely the opportunity for private financing.

Rural areas development

REA borrowers are directly interested in helping toward full development and utilization of the resources in their service areas. As new housing and businesses are established in these areas, new jobs and new sales enlarge the market for service for borrowers. A broadened demand for service improves the efficiency of the rural systems and thereby enhances their ability to serve adequately everyone in their areas.

Because of the burden of poverty in rural areas—where one-half the Nation's poverty exists—REA and its borrowers must work persistently on rural areas development if the decline of the rural areas is to be stemmed, idle facilities restored to use, and the rural systems strengthened.

Mail surveys by REA indicate that, during the period from July 1961 to the end of calendar year 1963, electric and telephone borrowers had helped to launch over 900 industrial and business enterprises in rural areas, creating more than 60,000 direct jobs, plus over 40,000 indirect jobs in supply, service, and other related industries.

A total of $750 million was invested in these enterprises, of which more than 90 percent came from State and local sources including private capital and commercial lending institutions. About $43 million was provided in Federal funds, including loans from the Area Redevelopment Administration and Small Business Administration. Less than $2 million came from financing through loans to cooperatives under section 5 of the Rural Electrification Act.

The assistance given by borrowers to these enterprises generally involves technical help in developing sound projects and locating financing, rather than participation in the financing. Although working with other groups and agencies, borrowers frequently take the lead in getting community support for a proposed industry and in mobilizing other local leaders to make available the services and facilities needed for a particular enterprise to locate there. Availability of adequate, reasonably priced electric and telephone service from the borrower is often an important factor. REA's RAD staff services are provided for obtaining needed specialized technical advice and possible source of credit.

In Tennessee, the Holston Electric Cooperative, Rogersville, helped bring about a virtual industrial revolution in the two-county area it serves. Through the cooperative's efforts and those of other local leaders, 3 manufacturing industries employing approximately 2,300 workers have located in the once predominantly agricultural area.

In its work with the borrowers on all types of projects, the REA Rural Areas Development staff in fiscal year 1964 assisted 553 commercial, industrial, and community facility projects, bringing to nearly 1,200 the number of projects receiving such help since initiation of the RAD program in mid-1961. During the fiscal year, three REA loans totaling $510,000 were made to electric borrowers to help finance electrical equipment and plumbing facilities for industries and businesses on their lines These loans are available only if the needed financing is not otherwise available, and serve to fill gaps left by other sources of funds.

Under a delegation of authority from the Area Redevelopment Administration, REA assisted that agency during the year in the processing of 206 project proposals for ARA financing. The proposals involved agricultural or forestry products or were industrial enterprises located in rural areas. In the assistance provided, reviews by appropriate Department of Agriculture agencies were obtained and reports furnished to ARA. More than 600 of such project proposals were reviewed and reported to ARA during the 3-year period since REA was assigned this responsibility.

Foreign interest in the REA pattern

REA continued its work with rural electrification leaders from foreign countries during the year. Sixty-eight visitors from 19 countries received training. They were referred to REA mainly through the Agency for International Development but in some cases applications were made directly by their individual organizations.

An example was a group of 13 electrification leaders from Columbia, Ecuador, Mexico, Uruguay, Ethiopia, and India who spent 4½ weeks with REA staff members in Washington. This program was arranged by AID and involved REA coordination with the International Cooperative Training Center at the University of Wisconsin and with the National Rural Electric Cooperative Association. Visits to several REA borrowers' systems were arranged as a part of the program. AID pays the cost of this training.

Guidance by the REA staff was also given to borrowers' employees who volunteered to render assistance in the conduct of rural electrification programs in foreign countries.

"The REA Pattern," which was published last year, has been translated into Spanish and Portuguese and continues to be useful to program participants from foreign countries.

III. THE TELEPHONE LOAN PROGRAM

Loans, advances, and repayments

REA telephone borrowers received 146 loans from the agency during fiscal year 1964, totaling $90 million, nearly $4 million more than was approved a year earlier. The net number of borrowers rose by 18 during fiscal 1964, bringing the total to 838, including 616 commercial companies and 222 cooperatives. Loans approved during the year will finance initial or improved service for an estimated 105,899 subscribers.

Telephone loans from the beginning of the program to the end of fiscal 1964 amounted to $1,078.4 million. Of this amount, $378 million was loaned to cooperatives, and $700.4 million was loaned to commercial companies.

The amounts loaned for the various purposes are shown in table 13.[1] Of the total amount loaned during the year, 63.7 percent was for new construction, 33 percent for the improvement of existing service, and the remaining 3.3 percent for refinancing, acquisitions, and other purposes.

The cumulative loans, when construction is completed, will provide modern telephone service to 1,964,601 subscribers over 492,700 miles of line (table 12). Rescissions during the year amounted to $2,501,599.

A milestone in the 15-year-old REA telephone program was reached when the billionth dollar in loans was approved to Norway Rural Telephone Co., Kanawha, Iowa, on November 4, 1963.

Loan funds advanced to telephone borrowers in fiscal 1964 amounted to $84.3 million. As of June 30, 1964, advances have been made to borrowers in a cumulative total amount of $876.7 million. The unadvanced balance of loan funds at June 30, 1964, was $201.7 million (table 12).

REA received 214 loan applications during fiscal 1964, totaling $102.1 million. This was the highest number of applications received by REA since 1960. There were 160 applications on hand at June 30, 1964, totaling $84.7 million.

Here is an example of one of the 146 telephone loans approved by REA during the year, illustrating the strenuous efforts which are being made to reach the 3.5 million unserved rural homes in the United States:

In southwestern Texas, 526 subscribers are scheduled to receive initial service and 202 subscribers improved service as a result of a $2,250,000 loan approved June 30, 1964. The area to be served by the new borrower, Big Bend Telephone Co., Alpine, Tex., is located in isolated, mountainous rural parts of seven counties. So sparsely settled is the area that the system, as described in the loan supporting data, will average only one subscriber for every 4 miles of line. The ranchers and other rural subscribers will have one-, two-, and four-party modern dial service. Some subscribers will be served by dial radio telephone because of the remoteness.

Borrowers made payments to REA totaling $35.8 million in 1964; of this amount, $15.7 million was interest, and $20.1 million was principal. Of the principal amount, $1.9 million was an increase in the advance payment account. As of June 30, 1964, 276 borrowers had a total balance with REA of more than $9.3 million in advance payments.

Four borrowers were delinquent more than 30 days in their payments at the end of the fiscal year. The delinquency totaled $166,652 (table 18).

Financial status of telephone borrowers

The 794 borrowers reporting to REA had operating revenues totaling $161 million in fiscal 1964, an increase of 11 percent over fiscal 1963.

During the calendar year 1963, 96 of 784 borrowers reporting showed deficits on an accrual basis for their operations (table 20). This was a continuing improvement over the previous year when 105 of 760 borrowers showed deficits. In most cases these deficits are temporary and will be eliminated after the borrowers complete construction and start normal operations.

Telephone borrowers reported at December 31, 1963, a net worth totaling $96.2 million (table 21). The variation in the net worth of individual borrowers expressed as a percentage of assets is shown by the data in table 22.

Today the typical telephone system which has borrowed funds from REA has been a borrower for 8 years. It provides service to nearly 2,000 subscribers located in several small towns and in the surrounding rural areas. Of these subscribers, some 42 percent received initial service as a result of REA financing.

The typical company has 5 central offices, providing modern dial service over 450 miles of pole line, cable, and buried plant. Telephones in service include 1,755 for residential and 235 for business users. In addition, 14 percent of the subscribers have extension telephones.

The rural telephone program is now in its second phase of upgrading. In the initial phase, eight-party dial service was the accepted standard. While it was a marked improvement over the 20-party line, rural people found that the growing needs for ready communications now make further upgrading to 4-, 2-, and even 1-party service necessary.

The demand for better service is reflected, to an extent, in the fact that 33 percent of loan funds approved in fiscal 1964 was earmarked for system improvements.

The average rural subscriber now makes three times as many calls over the telephone as he did when he first obtained modern dial service. This means that with today's service on an 8-party line, it is harder to get the line than when 20 parties shared a line but used it less.

In view of these developments, what was standard only a few years ago is obsolete today. Consequently, REA has revised its recommendations to make four-party service the preferred standard in rural areas.

The constant change in patterns of life in the rural communities, coupled with rapid developments in telecommunications technology, indicates a strong demand for single-party service in the near future.

The first REA borrower to provide all one-party service was Dunnell Telephone Co., Dunnell, Minn. With a $150,000 REA loan approved October 31, 1963, the company rehabilitated its 300-telephone system and prepared to make the cutover in September 1964. A survey of subscribers had found that 95 percent of them desired 1-party service.

Northwest Telephone Cooperative Association, Havelock, Iowa, made plans to initiate one-party service in October 1964. The cooperative had obtained an REA loan in 1963 to provide 5-party service to 359 subscribers and 1-party service to 271 subscribers. When an engineering study showed that the cost of one-party service was within the reach of all, subscribers decided that the time saved by this improved service was worth the added cost.

During fiscal 1964, REA's typical telephone borrower took in $202,725 in operating revenues, one-third of this coming from toll calls. It has borrowed a total of $1,288,000 in several loans, and has paid $174,650 in principal and interest on its REA indebtedness. Net worth of the borrower as of December 31, 1963, stood at $122,660.

This average REA borrower has a modest headquarters building, employs an office and maintenance staff numbering 14 persons, and paid taxes amounting to $21.884 in 1963. In addition, its subscribers paid more than $18 000 in excise taxes on their telephone bills.

Like REA electric borrowers, telephone borrowers are helping to build their financial strength through rural areas development activities.

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[1] Tables not published in RECORD.

Chatham, La., which lost 75 residents between the 1950 and 1960 censuses, leaving it with a population of only 758, now has close to 200 new weekly paychecks flowing into its economy. Job opportunities now exist for young people who desire to remain in the hometown. The Chatham Telephone Co. officials and other business leaders formed a development corporation to bring industry to the town. Led by the telephone company, the local group helped find the right sites and financing arrangements which enabled a veneer plant and lumber mill to locate in Chatham.

Upgrading telephone service

In addition to approving loans to finance initial telephone service to unserved rural persons, REA during fiscal year 1964 continued to make loans and provide technical assistance to borrowers in support of these loans for upgrading rural telephone service.

In carrying out the telephone amendment, REA and its telephone borrowers have been guided by the following congressional policy statement contained in the enabling legislation:

"It is hereby declared to be the policy of the Congress that adequate telephone service be made generally available in rural areas through the improvement and expansion of existing telephone facilities and the construction and operation of such additional facilities as are required to assure the availability of adequate telephone service to the widest practicable number of rural users of such service."

REA has approved loans to several other borrowers to provide single-party service, and additional applications for this type of service are expected in the future. Trends indicated in market forecasts prepared by borrowers show that by 1970 some 35 percent of their subscribers will be receiving single-party service, substantially behind the pace being set in the industry by the Bell System. Sixty-four percent of the Bell System service in 1962 was single party. Its plans call for 87 percent one-party service by 1975 and the ultimate objective of the system is complete elimination of multiparty service.

If the objective of parity of rural service of a kind and quality comparable to that available to urban subscribers is to be achieved and maintained, REA borrowers have a real challenge ahead of them.

Telephone engineering developments

REA has made rapid progress toward providing modern telephone service to rural areas. However, one of the most difficult phases of the program lies ahead. That is providing REA borrowers with the design criteria, materials, and equipment which can make it economically feasible to serve sparsely settled areas and to reinforce existing systems to meet the increasing demands for better grades of service. During 1964, REA engineers made notable contributions toward these objectives.

With REA assistance, one manufacturer has developed electronic equipment (carrier) which will undergo field trials early in 1965. It appears to be of sound design and likely will prove satisfactory in field trials. Equipment of this type will provide the means for borrowers to make available one-party service in rural areas at a cost heretofore not possible with the use of conventional plant.

Significant savings have been obtained on trunk carrier equipment built to REA specifications which is now in use on more than 50 percent of all REA borrowers' systems. This was brought about primarily through a joint effort by REA engineers and manufacturers in developing equipment particularly adaptable to rural application.

Three engineering symposia were held in the fall of 1963 for the benefit of over 500 borrowers' personnel, consulting engineers, contractors, REA field staff, and others concerned with providing telephone service in rural areas. These meetings imparted a better working knowledge of techniques for reducing costs, improving the quality of service and accelerating service to unserved rural people.

A comprehensive study of the physical composition and characteristics of telephone borrowers' plant use was made. The information, which is being machine processed and analyzed, will enable our engineers to pinpoint those areas where improvements, refinements, and innovations can be made in telephone materials and equipment and will provide criteria for economical plant reinforcement to meet the demands for higher grade service.

To effect savings in initial and annual costs and more dependable service, more than 70 percent of the route mileage constructed by borrowers in 1964 is buried plant. Techniques developed by REA engineers make it possible for borrowers to extend the range of buried plant to more than 30 miles from the central office. Heretofore, the use of this plant was restricted to those borrowers' systems where favorable soil conditions prevailed. To permit its use in rough and rocky areas, REA engineers, working with manufacturers, developed a high density plastic insulated cable, plowing equipment, and techniques. Field trials have proven successful.

Other significant accomplishments during the year included the development of a specification for a telephone set which will provide improved mechanical, electrical, and transmission characteristics; the revision of REA specifications for outside plant construction (REA Form 511: Telephone System Construction Contracts), which now includes new construction techniques and materials, and the development of a specification to make the purchase of point-to-point radio (microwave) easier for borrowers. Field tests were also completed on an improved type of mobile dial radio equipment which is compatible with the nationwide system now being installed by Bell System companies.

National defense

REA telephone borrowers are contributing to the Nation's defense by furnishing reliable communications facilities for military installations in more than half of the States. In each of two Western States, eight borrowers are providing service to several installations, which include an Air Force base and Minuteman missile and SAGE sites. Other borrowers provide service to Nike, Bomarc, and Titan missile sites. Preparations are underway to provide service for underground seismograph equipment designed to detect nuclear explosions.

IV. AGENCY ADMINISTRATION

Administrative obligations

Administrative funds obligated by REA in fiscal year 1964 totaled $11,028,500. Man-years employed in the electric program were 505, and in the telephone program were 445.

Loan authorizations

Congress provided in the electric program a new loan authorization of $275 million, and also a reserve loan authorization of $150 million which was not utilized. Loan authorizations in the amount of $8,765,002 were carried over from 1963.

The new loan authorization for the rural telephone program was $70 million. Loan authorizations of $40,743,732 were carried over from 1963.

Agency financial statements

At June 30, 1964, the gross assets of REA amounted to $4,037,581,912 including loans outstanding of $3, 869,276,232 and interest receivable of $147,035,101. After allowances for possible losses on loans and interest receivable, and for depreciation of furniture, fixtures, and equipment, the assets amounted to $4,028,136,670. No change was made in 1964 in the amount of the allowance for possible losses on loans and interest receivable as it is believed the existing amount is adequate to cover any foreseeable losses. Loans and interest receivable increased $170,926,617.

At the end of the fiscal year, REA borrowers had a balance of payments made in advance of due dates in the amount of $246,328,716. This balance is available to meet maturing installments or to pay off notes before maturity.

Unadvanced loan commitments to borrowers total $1,030,797,968. To meet these commitments and to make additional loans, REA had cash of $19,647,014 on deposit with the Treasury, in addition to an unrequisitioned cash balance of $1,057,500,000 on loans made to the Administrator by the Secretary of the Treasury under congressional authorizations.

Interest income during the year amounted to $75,758,218. Since inception of the program in 1935, it totals $872,668,139. Interest paid to the Treasury during 1964 on borrowed funds amounted to $74,202,687. This brings the total interest paid to the Treasury and RFC to $807,420,333, or $65,247,806 less than the interest income of $872,668,139. After losses of $44,478 and a provision of $9,090,000 for possible losses on loans and interest receivable, the cumulative net difference of income over expense is $56,113,328 as shown in the REA accounts. This income is not necessarily net income to the Treasury. REA does not determine the difference, if any, between the interest costs incurred by the Treasury and the interest received from REA for funds used to finance REA lending programs.

Projected payments from borrowers

The principal and interest which became due annually from 1950 to 1964, and the estimated amounts to become due from 1965 through 1969, are shown in table 27. [Not printed in Record.]

COLD WAR GI BILL PROSPECTS GIVE HOPE TO SERVICEMEN

Mr. YARBOROUGH. Mr. President, when we hear that the Department of Defense is calling for the drafting of 17,000 men for the Army in the month of June 1965—the largest monthly quota since November 1963—we become more aware of the great demands made upon and sacrifices required of our young men and women in this crucial cold war period. Spokesmen for the Defense Department recently stated that the primary reason for the increased draft call is a noticeable drop in enlistments.

I submit that under the present system of induction this Government is working a gross injustice on the dedicated veterans of cold war service in the Armed Forces. Education and technical training are denied these persons at a time in their lives when they are most receptive to new ideas, thoughts, and methods and when the economic advantage of such training is greatest.

Enactment of the cold war GI bill will extend a measure of justice to the brave men and women who have fought the cold war battles at home and abroad. This bill is receiving solid support from persons throughout America—veteran and nonveteran, civilian and serviceman. My office has received a constant flow of letters from dedicated Americans who see in the cold war GI bill an opportunity provided for educating capable young people who would otherwise become an economic liability and a cultural drain of this Nation. Mr. President, I ask unanimous consent that excerpts from representative letters be printed in the Record at this point.

One of these letters is from Gilbert Reyes of the U.S.S. *Topeka*. The other is from Herbert Hobson, of the Air Antisubmarine Squadron 27, Norfolk, Va.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Senator Ralph Yarborough,
Senate Office Building,
Washington, D.C.

Dear Senator Yarborough: Senator, so many of us, disillusioned by our marginal chances in financing our education upon discharge from the service, are denied any hope of attaining one.

My faltering determination has now received a boost. The bill (S. 9) must be accepted and passed.

Gilbert Reyes,
U.S.S. "Topeka."

Senator Ralph Yarborough,
U.S. Senate,
Washington, D.C.

Dear Senator Yarborough: Thank you for your support of the cold war GI bill. I am planning to attend college upon completion of my obligated service. However, it is a little difficult to save for my tuition on my salary. Any assistance from the Congress would be greatly appreciated by all Armed Forces personnel.

Many of my civilian friends are trying to work their way through college. If the Armed Forces provided an incentive, such as the GI bill, the rate of enlistments would definitely increase and with a larger number of enlistments, the number of career personnel would certainly increase.

Herbert Hobson,
Air Antisubmarine Squadron 27,
Norfolk, Va.

DEDICATION OF THE SAM RAYBURN DAM BY PRESIDENT LYNDON B. JOHNSON

Mr. YARBOROUGH. Mr. President, on Saturday, May 8, the Sam Rayburn Dam, named after the late Texas Congressman, Sam Rayburn, Speaker of the House of Representatives for almost 17 years, was dedicated by our President, Lyndon B. Johnson.

The President was ably introduced by Congressman Jack Brooks who had worked long and diligently for this project, contributing his talents to the successful completion of this dam.

Although President Johnson was unable to be at the location of the ceremony on the Angelina River, 10 miles northwest of Jasper, Jasper County, he was able to give his fine dedication remarks by long-distance telephone. The President was well qualified to judge the significance of this new dam, as he himself had given the project the benefit of his energy and ability when he was in the Senate, and the successful completion of this project owes much to his work. It was my privilege to participate in the ceremony and to hear the President's remarks.

I ask unanimous consent that the text of the President's dedicatory remarks, along with selected portions of the program, be printed at this point in the Record.

There being no objection, the text of the President's remarks were ordered to be printed in the Record, as follows:

Text of the Remarks of the President at the Dedication of Sam Rayburn Dam, by Telephone, From the White House, Washington, D.C., May 8, 1965

This is a proud and happy occasion for the people of southeast Texas and all the Nation.

Having worked with you from the earliest beginnings of this project which we dedicate today, I deeply regret that the press of official duties here makes it impossible for me to join with you this morning in your celebration.

This dam and reservoir fulfill the foresight and vision of many citizens who saw 20 years ago the necessity and opportunity of developing the basin of the Neches and Angelina Rivers. The list is long of private citizens to whom credit is due. Certainly particular credit goes to the energy and enterprise of your Congressman and my good friend, Jack Brooks. Without the patience, perseverance, and will of Congressman Brooks this important achievement might not yet be a reality.

It is especially appropriate that this dam should bear the name of that great American—Sam Rayburn.

As Speaker of the Texas House of Representatives, Sam Rayburn was a friend of my father when I was born. Later, as Speaker of the House of Representatives in Congress, Mr. Rayburn became my teacher, counselor, and mentor. My personal debt to him is great and I am very proud to participate in perpetuating his memory so appropriately.

Through his lifetime, Sam Rayburn was a strong and tireless supporter of our Nation's efforts to conserve and develop the bountifulness with which we are endowed. This continuing effort—through many generations—has contributed greatly to the strength and success in the challenging years of the 20th century.

Today the world in which we live presents many perils. As a strong people—steadfast in our course, stable in our response—we are prepared and willing to meet every peril that endangers freedom or the peace of mankind.

Yet, if we are to be the equal of what lies before us, we must never cease and never slacken in our effort to utilize most efficiently and effectively all our resources—human resources and natural resources alike.

No single resource is more important than water.

Our management of America's water resources is basic to the success in meeting the many obligations and opportunities of our growing population, our bountiful economy and our continuing quest for a just and decent society.

Water has always been a first concern of the Western and Southwestern States. Today no region of the Nation can afford to take water for granted. From the Atlantic to the Pacific coast, urbanization and industrialization are creating a mighty and great thirst for water—and more water. If this thirst is not satisfied by positive, constructive and timely action, we could experience very grave trouble in fulfilling the promises and potential of American life.

I believe there are 10 objectives we must set for ourselves—and strive continuously to reach:

1. We must control flooding on our rivers and streams.
2. We must assure an ample supply of good water for domestic, municipal, industrial, and agricultural use.
3. We must purge our rivers and harbors of pollution.
4. We must further develop our navigation systems.
5. We must develop more fully our Nation's great hydroelectric power potential.
6. We must provide increasingly for water-oriented outdoor recreation of all kinds.
7. We must be good stewards of our irreplaceable fish and wildlife heritage.
8. We must conserve and enhance the grandeur of natural environments and make them more accessible to the public.
9. We must preserve and create beauty throughout the land.
10. Finally, we cannot afford to approach any part of our overall water resources development problem on a single-purpose, or a single-interest basis. If all the requirements that confront us are to be satisfied, none of us can afford to be selfish. We must all learn to share this limited resources to attain the greatest good of the greatest number of people.

"The greatest good for the greatest number" was the personal creed by which San Rayburn lived and worked and served our Nation through his long and valuable life. That creed is an appropriate and fitting guide for us now as we work together in unity to make life better throughout our land—and make life safer, happier and more hopeful throughout the world.

We of this generation bear a high and noble trust. The burdens are heavy. The demands are many. But we shall not fail. Where the word of America has been pledged, it will be honored. Where freedom is in danger, it will be defended. Always and forever wherever there is an opportunity to make peace, America will be represented.

I take great personal pride now in dedicating to the service of the American people and to the strength of the Nation the Sam Rayburn Dam and Reservoir.

Official Program of Dedication Ceremonies of Sam Rayburn Dam

(Lyndon Baines Johnson, President of the United States, May 8, 1965)

THE SAM RAYBURN PROJECT

The dedication ceremony today of Sam Rayburn Dam is not only a tribute to a great statesman, but is recognition of the broad based cooperation of many fine citizens and agencies here in east Texas who have worked unselfishly through the past decade to accomplish the construction of this dam.

Full recognition should be given President Lyndon B. Johnson and Congressman Jack Brooks who with the aid of Senator Ralph Yarborough, Senator Price Daniel and Congressman John Dowdy steered through the Congress the successful completion of this project. This dam stands today as a monument to the cooperative efforts of the Lower Neches Valley Authority, the Tex-La Electric Cooperative, Sam Rayburn Electric Cooperative, Gulf States Utilities Co., the Southwestern Power Administration and the U.S. Army Corps of Engineers. This project is the finest example of the local and Federal partnership concept of developing the water resources of Texas.

Many will benefit for years to come from the construction and operation of this dam and reservoir. Not only will millions of visitors annually have an opportunity to enjoy water oriented recreation, but there are benefits which will be obtained through the sale of electric power; and the remarkable fact is that the water used in the generation of this power will be picked up and distributed by the Lower Neches Valley Authority for present and future industrial, municipal and agricultural development of the entire area.

The Lower Neches Valley Authority has already paid $5 million toward the construction of this project and has contracted to pay an additional $10 million in annual installments of $200,000.

To provide suitable facilities for the millions of visitors who will be enjoying the reservoir, the Congress of the United States has authorized and directed the Corps of Engineers to provide well-developed public recreation areas and the U.S. Forest Service to develop six additional areas for public recreation on their lands bordering the reservoir. The Lower Neches Valley Authority and the Texas Parks and Wildlife Commission stand ready to assist in the rapid development of proper recreation facilities at this reservoir in the State level. This activity will certainly assure that the vast recreational potential of this great reservoir will be fully developed for you, your family and your friends to enjoy.

THE PROGRAM

Honors

Ruffles and Flourishes: Lamar State College of Technology Band.

Hail to the Chief: Lamar State College of Technology Band.

The National Anthem: Lamar State College of Technology Band; Stephen F. Austin State College Band.

Presiding: W. F. Weed, president, Lower Neches Valley Authority.

Invocation: The Reverend M. S. Jordan, First Methodist Church, Jasper.

Welcome: The Honorable RALPH YARBOROUGH, U.S. Senator.

Recognition of guests and introduction of the President: The Honorable JACK BROOKS, U.S. Representative.

Address: The Honorable Lyndon B. Johnson, President of the United States.

Benediction: The Reverend Dr. Browning Ware, Calder Baptist Church, Beaumont.

LET US END THE EXCISE TAXES

Mr. YOUNG of Ohio. Mr. President, most excise taxes were imposed on the American people by Congress early in World War II as necessary for the war effort. They were referred to as wartime, or temporary, taxes. Experience has shown there seems to be nothing more permanent in this world than a temporary tax.

I was delighted when President Johnson proposed to Congress the end of the 10-percent retail tax on jewelry, furs, toilet articles, cosmetics, and luggage, handbags and other leather goods, and on other consumer items. I am hopeful that this legislative recommendation will come at the time imposition of these taxes expires next June 30. Not only will this relieve the tax burden on American taxpayers, but it also should act as a spur to the economy.

Mr. President, Americans should also resent paying each month a 10-percent excise tax as telephone users. Telephone service is a public utility service. However, other public utilities—water, electricity, and gas—do not suffer by the imposition of such an odious tax. The telephone companies, in reality, are not the actual sufferers from the imposition of the tax. The burden is passed on to citizens who use telephones, and this means practically every citizen in the land.

This tax is discriminatory. Telephone service is surely a household, as well as a business, necessity. It cannot be placed in the same category as sumptuary taxes on liquor, wine, beer, cigarettes, and other products on which there is justification and need for an excise tax.

The abominable 10-percent excise tax on telephones is a sales tax on a necessity and violates every sound principle of just taxation. It is regressive. It burdens most those who have least. It is not in accord with that sound principle of just taxation that taxes should be levied by our Government upon its people based upon their ability to pay.

There are more than 44 million telephone users in the Nation whose average excise tax last year was more than $20 a customer. When Congress imposed the communications excise tax to discourage civilian use of an essential service during World War II and to raise funds for the war effort, no one contemplated the continued existence of this tax more than 20 years later. In 1963 the people of Ohio paid the Federal Government over $43 million for the privilege of using their telephones. In that same year in the entire Nation $855 million was levied on this so-called luxury. If our citizens had this money to spend as they had wished, it would be a valuable addition to our economy.

Today, 20 years after this tax was first imposed on Americans, it is still on the statute books. I am very hopeful that when the Congress considers the elimination of excise taxes this year as recommended by the President, we shall abolish this discriminatory tax on telephone users, or at least reduce the burden on them. This atrocious excise tax should be swept out of existence and be buried, unwept, unhonored, and unsung.

Mr. President, an excellent editorial entitled "Let Your Fingers Do the Talking" appeared in the Arcanum Times of Arcanum, Ohio, on April 22, 1965. The editor of the newspaper, Mrs. Taffy Bachert, is to be commended on the clear and concise manner in which she has stated the case against the excise tax on telephone users. I commend this to my colleagues and ask unanimous consent that it be printed in the RECORD at this point as part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Arcanum Times, Apr. 22, 1965]

LET YOUR FINGERS DO THE TALKING

A sampling survey of Congressmen and Senators by the U.S. Independent Telephone Association disclosed that, although congressional mailbags have been stuffed with mail on medicare, removal of sales tax on automobiles and other retail products, there have been few letters protesting retention of the telephone excise tax.

It's time, we feel, that we all protest.

The 20-year-old 10-percent tax had two purposes. One was to raise funds for the Nation's defense during World War II. The other was to discourage telephone use by raising the cost so more circuits would be available for the military.

The telephone excise tax was part of a series of taxes on luxury items such as jewelry, furs and liquor. We do not feel that telephone service is in the luxury class; it is more a necessity than luxury. We feel, too, that it is further injustice that communications should be the only utility service taxed as a luxury by the Federal Government.

If you are paying (approximately) $5 per month for your phone, the Federal tax alone is 50 cents. If you are paying $20 or more per month for business telephone service, figure what the 10-percent saving would mean over a 1 year period. Also, figure what life would be without the phone. Many businesses would find the volume of trade and service dropping drastically. Most housewives would find themselves unable to reach the doctor when the children run a fever, unable to shop by phone when the car isn't available, unable to reach the plumber when a pipe springs a leak in the basement. The phone a luxury? Not these days.

President Johnson's tax message, which is expected this month, is not expected to recommend elimination or reduction of the telephone tax. Congress might very well increase the size of tax cut from $1.5 billion to some other figure which the House and Senate can agree on, but there is no way of knowing whether or not the increased reduction will be carved partially out of the telephone tax.

On Capitol Hill, the wheel that squeeks gets the oil, so, unless the telephone users get into the battle against it, the telephone tax will become permanent, effective July 1.

Annually, we consumers are taxed more than $1 billion for the use of the telephone and allied communications services. The moneygrabbers (and spenders) on Capitol Hill are not likely to let go of a hunk of lovely tax money such as that unless we let them know we are violently against continuance of such a tax. During the war, there was reason for such a tax; now, no.

So we say, let your fingers do the talking. Take pen in hand and write. Write Senators LAUSCHE and YOUNG, write Congressman McCULLOCH (just address them in care of the Senate or House of Representatives, Washington, D.C.) and let them know how you feel. The 5 cents it costs you may save from 50 cents to untold dollars in taxes each year.

Our letters are going in the mail today. Please write your letters today or tonight and voice your opinion. That's the only way we can exorcise the 10-percent excise tax on telephone service. Write now: time is very short.

GOLDEN TROUT FETE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to place in the RECORD at the conclusion of my remarks a news article from the "Outdoors Section" of the May 4 Washington, D.C., Post concerning plans for the golden trout fete to be held this week in Petersburg, W. Va.

Only a few days ago, the fiscal year 1966 Interior Department and related agencies appropriation bill was reported in the Senate. Included in it, among other provisions, were funds to continue Federal underwriting of research at the Eastern Fish Disease Laboratory at Leetown, W. Va. Research conducted at that laboratory, in methods of combating diseases among young trout, is recognized as outstanding among scientific circles. It is the only Federal fish hatchery where these important research findings are immediately disseminated through courses arranged for officials of Federal, State, and private hatcheries.

Included in the appropriation bill are also provisions for continued operation and maintenance of the Leetown National Fish Hatchery in Jefferson County, the Bowden Fish Hatchery near Elkins, the Fishery Management Studies at Bowden—which I initiated in fiscal year 1963—and the National Fish Hatchery at White Sulphur Springs—including funds which I added for construction of a much-needed new hatchery building.

It is Federal programs such as these, in conjunction with State efforts such as those at Petersburg trout hatchery and Spring Run hatchery, that are rapidly advancing West Virginia toward becoming a world leader in research and development in this field. The dividends from these programs are reaped by the American people through opportunities for sports and recreation such as are offered during Petersburg's Golden Trout Fete, and through the increasing opportunity to raise the diet level, and variety, of foods consumed by the American citizenry.

There being no objection, the editorial was ordered to be printed in the RECORD as follows:

[From the Washington Post, May 4, 1965]

PETERSBURG PLANS GOLDEN TROUT FETE

Petersburg (2,075 population) in the beautiful South Branch Valley of West Virginia is getting ready to venerate the golden rainbow trout which first made its appearance in 1955 at the Petersburg trout hatchery.

The second week in May has been set aside for honoring the finny first citizen of Petersburg. Visitors are being urged to visit the Petersburg trout hatchery and the Spring Run hatchery, where thousands of these golden beauties may be seen, along with their equally beautiful relatives, rainbow and brook trout. Prizes for the largest golden rainbow and largest brook caught that week, a dance, and an all-day trout fry will be among the week's activities.

Streams around Petersburg have long been famed for the excellent sport they provide fishermen. The North Fork and its tributaries; the South Branch in the Smoke Hole; Lunice Creek and its tributaries; and Pattersons Creek in Greenland Gap are among the best known.

These streams are kept stocked and offer fine fishing as well as some of the most beautiful mountain scenery in the east. Special awards are being offered for the largest golden rainbow and the largest brook trout caught in Grant County streams during the period Monday, May 10, through Saturday, May 15.

To be eligible, fish must be caught within Grant County and registered and weighed at certain designated places in Petersburg.

The American Legion will have a Golden Trout Dance on Wednesday evening, May 12.

Festivities will end with an all-day trout fry on Saturday, May 15, sponsored by the Petersburg Kiwanis Club.

The golden rainbow differs from the true rainbow only in its bright golden hue. Its appearance at the Petersburg trout hatchery was a happenchance. In one hatch of eggs, one fingerling was paler than all the rest. When it grew to maturity, it was a beautiful golden color with a bright rainbow on its side.

Instead of destroying this oddity, fish biologists at the Petersburg hatchery used her eggs in developing more fish for stocking the streams. The golden rainbow bred true, her descendents reproducing her beautiful coloration and sporty characteristics.

By 1963, sufficient golden rainbows were available to use them in stocking trout streams, and Governor Barron, realizing the publicity value of this new fish, proclaimed it the "golden centennial rainbow trout," in honor of West Virginia's 100th birthday.

The fish offers great sport to fishermen, and the sight of many thousands of them swimming together at the hatcheries has proved fascinating to visitors.

Golden rainbow trout may be seen at both the Petersburg and Spring Run hatcheries.

Petersburg's Golden Trout Festival falls at the height of the wild flower season and many visitors will take the opportunity to explore for wild flowers which grow thereabouts in abundance and infinite variety as well as to visit nearby caverns and such scenic areas as Germany Valley, Dolly Sods, and Spruce Knob.

The PRESIDING OFFICER. Under the unanimous-consent agreement, the time for the transition of routine morning business is concluded.

VOTING RIGHTS ACT OF 1965

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. HARRIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President——

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. ERVIN. Mr. President, I call up my amendments No. 157, and ask the clerk to state them.

The PRESIDING OFFICER. The amendments offered by the Senator from North Carolina will be stated.

The legislative clerk read as follows:

Amendments intended to be proposed by Mr. ERVIN to the Mansfield-Dirksen amendment in the nature of a substitute to S. 1564, a bill to enforce the fifteenth amendment to the Constitution of the United States, viz:

On page 4, line 16, strike out the words "of Columbia" and insert in lieu thereof the words "in which the capital of such State is located or such political subdivision is situated."

On page 5, line 11, strike out the article "An" and insert in lieu thereof the following: "Upon motion of the Attorney General, an."

On page 7, line 25, strike out the words "of Columbia" and insert in lieu thereof the words "in which the capital of such State is located or such political subdivision is situated."

On page 8, line 16, strike out the words "Such an action" and insert in lieu thereof the words "upon motion of the Attorney General such action."

On page 12, lines 23 and 24, strike out the words "court of appeals for the circuit" and insert in lieu thereof the words "district court for the district."

On page 17, line 12, insert the words "the appropriate United States District Court" between the word "institute" and the word "for".

On page 19, lines 12 to 20, both inclusive, strike out subsection (b) of section 14 in its entirety.

The PRESIDING OFFICER. Does the Senator from North Carolina wish the amendments to be considered en bloc?

Mr. ERVIN. Yes. I ask unanimous consent that these amendments be considered en bloc, and that at the appropriate time they be voted on en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I have been asked by a number of persons why I debate this bill and offer amendments to it when it seems to be obvious that the administration and the Democratic-Republican coalition have an overwhelming number of votes for the bill.

There are many reasons, one of which can be found in the King James version of the Bible, the Book of Exodus, chapter 23, verse 2:

> Thou shalt not follow a multitude to do evil.

I have spent the major efforts of my life in the administration of justice as a practicing lawyer and as a trial and appellate judge.

As a result of my lifelong experience and study, I am convinced in my heart of hearts that the bill in its present form is utterly repugnant to the basic principles upon which our system of justice rests.

Notwithstanding the fact that my amendments may be defeated, I wish to perform my duty as a U.S. Senator and give to the Senate an opportunity—by offering amendments—to bring the bill more into harmony with those fundamental principles which are inherent in any system of justice which is worthy of being called by the name of justice.

It is a tragic day in the history of this Republic, a day which comes 750 years after Runnymede and the signing of the Magna Carta, to have a bill pending before the Senate which is more reactionary in its position with respect to courts and trials than King John was before Runnymede.

Before King John was confronted by the barons at Runneymede, the question of whether the door of the courthouse should be open was a matter which rested in the arbitrary heart and mind of a tyrannical king.

However, at Runnymede, the barons of England wrung from King John this promise which this bill would deny to seven States: "To no one will we deny justice. To no one will we delay it."

That statement by King John was the basis of what has come to be known as due process of law.

The pending bill is utterly inconsistent with both the spirit and the letter of due process of law. Nowhere is this observation illustrated more strikingly than in the so-called presumption or triggering process.

A great Massachusetts lawyer gave us the best definition of due process of law. I refer to Daniel Webster in his argument in the Dartmouth College case, which is reported in 4 Wheaton 518. Daniel Webster stated on that occasion that by due process of law is meant:

> A law which hears before it condemns, which proceeds upon inquiry, and renders judgment only after trial.

We have the startling proposal made by the bill in the so-called triggering process that 7 States of the Union be denied due process of law in the first instance. If the triggering process is enacted into law, we shall have a law which condemns before it hears.

That is precisely what the triggering process will do. We not only shall have a law which condemns before it hears, but we shall also have a law which refuses to proceed upon inquiry, because we would have Congress rendering a verdict of guilt without testimony. If the triggering process remains in the bill and the bill is enacted into law, we shall have a law which would render judgment without trial.

These inequities are bad enough, but the bill proceeds further in its manifestation of contempt for the basic principles of our legal system. After condemning seven States or parts of States without a hearing and without an inquiry which precedes a judgment in any trial, the bill——

Mr. TALMADGE. Mr. President, will the Senator from North Carolina yield at that point?

Mr. ERVIN. Let me finish my sentence and I shall be glad to yield.

The bill goes further and undertakes to make it impossible for these States thereafter to obtain justice in the courts of the United States.

I now yield to the distinguished and able Senator from Georgia.

Mr. TALMADGE. The Senator used the word "judgment." What the Senator had in mind by "judgment" was not a judgment of a court of law, but a decision reached by the Attorney General on his own motion; is that correct?

Mr. ERVIN. The Senator is correct.

Mr. TALMADGE. In other words, the Attorney General would be empowered by the bill, on his own motion, without due process, without notice, without hearing, without trial, without decree, without witnesses of any kind, to point his finger at a State and say "You are guilty. Your registrars are fired. We will send in Federal registrars to handle your business." Is that correct?

Mr. ERVIN. It would confer on the Attorney General a degree of infallibility which I do not believe is possessed by any being in the universe except the Lord God Almighty.

Mr. TALMADGE. Will the Senator yield further?

Mr. ERVIN. I yield.

Mr. TALMADGE. After the Attorney General made that decision, it would deny the State affected the right to go into court to prove otherwise. Is that correct?

Mr. ERVIN. The Senator is correct.

Mr. TALMADGE. Has the able lawyer, in any of his studies of legal decisions of any kind or character in any jurisdiction whatever in human history, found anything so monstrous as that?

Mr. ERVIN. I have not. If I were to start to look for such a system of injustice, the one country where I would look and expect to find it would be a country like the Soviet Union.

Mr. TALMADGE. Does the Senator know of any decree of Genghis Khan or Tamerlane which so denied the rights of justice to their subjects?

Mr. ERVIN. I do not know of any ruler who ever made any pretense of believing in equal justice under law or any other kind of justice who set up a system of the kind the bill would set up.

Mr. TALMADGE. I agree with the Senator. I thank him for yielding to me.

Mr. ERVIN. A great democratic President, Woodrow Wilson who understood more about the American system of government than any other man who ever occupied the White House said, on one occasion:

> Justice has nothing to do with expediency. Justice has nothing to do with any temporary standard whatever. It is rooted and grounded in the fundamental instincts of humanity.

The pending bill is repugnant to the principle embodied in that statement of Woodrow Wilson. The bill is based, in the first place, upon expediency. I say that because the guilt of these seven States is assumed, and not proved. They are denied access to the courthouses, where they could get a fair trial. It is based upon an argument I never expected any lawyer to make especially the Attorney General of the United States. It is based, in the second place, upon temporary standards resting upon the Presidential election of 1964.

The Attorney General now has at his disposal statutes which, in the hands of any competent lawyer, are sufficient to secure the registration of any qualified person of any race in any precinct in the United States. I say this because he has two criminal statutes, sections 241 and 242 of title 18 of the United States Code. Under those statutes any State or local election official who willfully denies to any qualified citizen the right to vote on the basis of his race or color can be sent to the penitentiary.

During the hearings on the bill, the Attorney General admitted that, so far as he knew, there had been no effort to prosecute any State or local election official for the crimes denounced by either of these statutes in any case in which a State or local election official had allegedly denied any citizen his right to vote on account of race or color.

The other statutes at the disposal of the Attorney General are the Civil Rights Acts of 1957, 1960, and 1964.

Under those statutes, the Attorney General could bring equitable actions, triable by Federal judges without juries, and secure the registration of every qualified voter in any precinct of the United States who is allegedly denied his right to register or vote on account of his race or color.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ERVIN. I yield to the able and distinguished senior Senator from Florida.

Mr. HOLLAND. I thank the Senator for yielding to me. Is it not true that under one of the statutes which the distinguished Senator has named—I believe it is the 1964 Civil Rights Act—the United States, and the Federal District Court for the Southern District of Alabama, had completed a case against the appropriate local officials in Dallas County, at Selma, Ala., under which the registrars could be appointed to register the entire Negro population that was eligible to be registered, and that that had been ordered by the court before the demonstrations that took place there?

Mr. ERVIN. My knowledge of what happened is based on press reports. The press reports stated emphatically that the Federal judge had ordered the registrar to take the name of every Negro who applied for registration, and that if the registrar was unable to process any registration of any Negro within the time prescribed by State law, he was to process it after the time for so doing had closed.

Mr. HOLLAND. Will the Senator yield further?

Mr. ERVIN. I yield.

Mr. HOLLAND. Therefore there had not been in that case any inability of the United States to force the registration of demonstrators who were entitled to register and to vote under the procedures of which the Senator has spoken, which are in the law of the United States?

Mr. ERVIN. That is undoubtedly true.

Mr. HOLLAND. Can the Senator, for the edification of the Senate, explain why the organizers and agitators of that demonstration, which followed, and did not precede the action of the district judge in Mobile, in that southern district court, put on the demonstration under those circumstances, when the thing that they were petitioning against had already been handled effectively by decree of the court?

Mr. ERVIN. I cannot do so, because I am unable to understand the mentality of people who profess to believe in law and order and then refuse to leave problems of that nature to solution by law.

I will add that from everything I have read on the subject, the demonstration seems to have been totally unnecessary, because the Federal court was already engaged in the process of securing for the demonstrators that which they said they were seeking; namely, the registration of qualified Negro citizens.

Mr. HOLLAND. Mr. President, will the Senator further yield?

Mr. ERVIN. I yield.

Mr. HOLLAND. Of course, the Senator knows that the right of petition, a rather sacred right, is preserved by the Constitution. However, the right of petition was not needed in that particular case, was it?

Mr. ERVIN. No. The prayer of the petitioners had already been granted by the Federal district court.

Mr. HOLLAND. Mr. President, will the Senator further yield?

Mr. ERVIN. I am glad to yield.

Mr. HOLLAND. Is there any such thing as the right of agitation which is granted by the Federal Constitution?

Mr. ERVIN. Of course, the right of petition may justify a certain amount of agitation. However, it is extremely unfortunate when people who profess to be against violence engage in demonstrations which are likely to provoke violence on the part of others.

Mr. HOLLAND. And particularly when there was no need for a petition because their prayer had already been granted by a court of adequate jurisdiction.

Mr. ERVIN. The Senator is correct.

Mr. HOLLAND. I thank the Senator for yielding.

Mr. ERVIN. I was mentioning the fact that the bill is based upon expediency. I asked the Attorney General of the United States in the hearing before the committee why he did not depend upon the laws which he now has available and which would enable him not only to put in jail any person who might wrongfully deny a qualified citizen's right to vote on the basis of race or color, but also to have Federal voting referees appointed to pass on the qualifications of those applying for registration and allegedly denied the right of registration on the basis of their race and color.

I received a most astounding answer from the Attorney General, an answer that I never expected to receive from any lawyer, much less the chief legal adviser to the President. He stated that judicial proceedings were too slow and cumbersome; therefore he wanted a law under which he would not have to ask the courts to pass on the question of whether State or local election officials were engaged in violating the 15th amendment. He wanted that decision to be made by a congressional act, rather than by the courts. So he urged the passage of this bill which I honestly believe is a bill of attainder and an ex post facto law within the meaning of article I, section 9, of the Constitution.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. ERVIN. I yield to the Senator from Georgia.

Mr. TALMADGE. Is that not the same reason that lynch mobs cite as their excuse to lynch victims—that the courts take too long and the legal processes are too slow?

Mr. ERVIN. As the Senator from Georgia has suggested, that is the excuse which is given by a mob when it wishes to take the law into its own hands. The mob states, "This man is guilty. We know he is guilty. If we allow his guilt to be adjudged by the court before he is punished, it will take too much time and justice will be delayed. Therefore we will lynch him now."

There used to be an old couplet about Lidford law:

> I oft have heard of Lidford law
> How in the morn they hang and draw
> And sit in judgment after.

This is the first time that an administration in America has asked for a Lidford law under which States and counties would be condemned and punished by Congress, before any court passed upon the issue of their guilt or innocence.

(At this point Mr. McGOVERN took the chair as Presiding Officer.)

Mr. ERVIN. Mr. President, the bill has two fundamental defects which my amendment undertakes to correct in part. The bill would prostitute the judicial process in two ways. First, it would bar the States and political subdivisions of States to which it applies from access to all courts sitting anywhere in the United States, except the U.S. District Court sitting in the District of Columbia. At the same time it would grant the adversary of those States and political subdivisions of States—the Attorney General—full liberty to proceed against them, their officials, and their citizens in any court he desired. That is the first way in which the bill would prostitute the judicial process.

The second way is as follows: Even in the only court open to them—that is, the U.S. District Court for the District of Columbia—the States and political subdivisions of States to which the bill would apply would be subjected to especially created rules of evidence and procedure which would rob them of the essentials of due process and the fundamentals of simple justice. I do not know of a viler act that can be perpetrated by a legislative body than that of prostituting the judicial process.

Ever since the barons wrung from King John at Runnymede the pledge, "to no one will we deny justice; to no one will we delay justice," it has been the proud boast of the Anglo-Saxon system of justice, that all courts in all areas should be open to those who seek justice under law in them.

The bill would condemn 34 counties in my State without a trial and without evidence. It would condemn them despite the fact that the Attorney General admitted at the hearings that he had no evidence that they were engaged in violation of the 15th amendment. I wish the Senate, the House of Representatives, and the President of the United States would exhibit on all occasions as high a conception of the fundamentals of justice as the people of my State of North Carolina manifest in our State constitution.

Article I, section 35, of the North Carolina State constitution contains as fine a statement of the boast of the Anglo-Saxon race that courts ought to be open for the redress of grievances as is to be found in any document on the face of the earth. I read what the North Carolina constitution states about the great doctrine that all courts shall be open:

> All courts shall be open, and every person for an injury done him in his lands, goods, person, or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial, or delay.

I wish to read the provisions of the amendment in the nature of a substitute to which my amendment is addressed. I read a portion of section 4(a), which appears on lines 7 through 24, on page 4 of the substitute:

> SEC. 4. (a) To assure that the right of citizens of the United States to vote is not denied or abridged on account of race or color, no citizen shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device in any State with respect to which the determinations have been made under subsection 4(b) or in any political subdivision with respect to which such determinations have been made as a separate unit, unless the United States District Court for the District of Columbia in an action for a declaratory judgment brought by such State or subdivision against the United States has determined that the effects of denial or abridgment, if any, of the right to vote on account of race or color have been effectively corrected by State or local action and that there is no reasonable cause to believe that any test or device sought to be used by such State or subdivision will be used for the purpose or will have the effect of denying or abridging the right to vote on account of race or color:

The amendment in the nature of a substitute closes all courts of the United States to the States and political subdivisions of States condemned by the measure, except the U.S. District Court sitting in the District of Columbia.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield?

Mr. ERVIN. I am glad to yield to my colleague from North Carolina.

Mr. JORDAN of North Carolina. The substitute provides that voting rights cases shall be tried in the U.S. District Court in Washington, D.C., that being the only court, if there is to be any court, where redress can be held. In the past, it has been said that it has taken too long to obtain justice in the State courts or the Federal courts in the States where these cases would arise. Would not that argument now apply to the one court specified, the U.S. District Court for the District of Columbia? Would not all the voting rights cases be piled into one court?

Mr. ERVIN. All proceedings by States and political subdivisions of States would be confined to one court, a court which the Senator from South Carolina said the other day is, in his judgment, the most congested Federal court in the Nation.

Mr. JORDAN of North Carolina. Would not the voting rights cases add to that already congested condition?

Mr. ERVIN. Yes. I say frankly that I believe that is one of the purposes of the bill. The proponents have selected the most congested court in the United States. They have already condemned those States and political subdivisions, they have already punished them. Section 4(a) is the only way the States and political subdivisions can get relief from the punishment that is meted out to them by a bill of attainder and an ex post facto law.

Mr. JORDAN of North Carolina. In that way, the decision could be put off forever.

Mr. ERVIN. Yes. And justice delayed is justice denied.

Mr. JORDAN of North Carolina. I thank the Senator.

Mr. ERVIN. This measure would, in effect, say to the State of Alabama, "You cannot go into the U.S. District Court for the Northern District of Alabama; you cannot go into the U.S. District Court for the Middle District of Alabama; you cannot go into the U.S. District Court for the Southern District of Alabama, and seek an interpretation of this Federal law," although those three districts in Alabama have exactly the same jurisdiction in all other respects as does the U.S. District Court for the District of Columbia.

The substitute would nail shut the doors of the three Federal district courts in the State of Alabama to the State and its political subdivisions.

In the State of Georgia, there are three U.S. judicial districts—the northern district of Georgia, the middle district of Georgia, and the southern district of Georgia. The judges in those districts are not nearly so busy as are the judges of the U.S. District Court for the District of Columbia. But the substitute amendment would nail shut the doors of all the Federal courts sitting in the three judicial districts of Georgia and say to Georgia, "You must come all the way from Georgia to the District of Columbia to ask that you be freed from the condemnation imposed on you by a bill of attainder and an ex post facto law."

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. TALMADGE. If someone were indicted in Georgia for the crime of treason, could he not defend himself in the Federal district court in Georgia?

Mr. ERVIN. If a man were indicted in Georgia for treason, he would be presumed to be innocent until his guilt should be established beyond a reasonable doubt at a judicial trial. He would have the right of compulsory process to obtain witnesses to testify in his behalf. He would have the right to be tried in the U.S. judicial district in Georgia where the crime is alleged to have been committed.

Mr. TALMADGE. In other words, a man indicted in Georgia for treason would have far more rights in defending himself than would the sovereign State of Georgia.

Mr. ERVIN. The substitute amendment provides, in effect, that the State of Georgia is not worthy of having the same legal rights as a person charged with treason against the United States. That is what the substitute amendment provides, in plain English.

Mr. TALMADGE. In other words, the substitute amendment says to the State of Georgia, "You are politically and morally bankrupt. We condemn you, and we will not allow you to have a trial. We say you are guilty. You cannot even ask for a pardon for 5 years; and then you will have to come to the District of Columbia to apply for it."

Mr. ERVIN. That is correct.

Mr. TALMADGE. I thank the Senator from North Carolina.

Mr. JORDAN of North Carolina. Mr. President, will the Senator further yield?

Mr. ERVIN. I yield to my colleague.

Mr. JORDAN of North Carolina. Will the Senator from North Carolina, distinguished jurist that he is, tell the Senate how Federal judges in Georgia and the District of Columbia are selected, where they come from, and how their nominations are confirmed for the offices to which they are appointed?

Mr. ERVIN. All Federal district judges are appointed by the President, and their nominations are confirmed by the Senate after their appointments have been made by the President. Before their nominations are made by the President, they are approved by the Department of Justice. Yet the Department of Justice says, in effect, "We are unwilling to have the judges we have approved for seven States, the judges nominated by the President for seven States, and the judges whose nominations have been confirmed by the Senate for seven States, try any case that arises under the so-called Voting Rights Act of 1964.

Mr. JORDAN of North Carolina. In other words, the same procedure that is followed to create a Federal judge in North Carolina, Alabama, Georgia, Mississippi, or any other State, is followed with respect to all the judges who sit in the U.S. District Court for the District of Columbia, is it not?

Mr. ERVIN. Exactly.

Mr. JORDAN of North Carolina. The nominees were screened and cleared by the same Attorney General, and were appointed by the President, and their nominations were confirmed by the Senate.

Mr. ERVIN. Their nominations were confirmed by the Senate. Now the Department of Justice asks Congress to pass a law which would declare, in effect, that the judges selected by the President, screened by the Department of Justice, and confirmed by the Senate to serve in Federal district courts in the area south of the Potomac River are not worthy to sit in any case arising under this measure.

Mr. JORDAN of North Carolina. It is a strange sort of procedure to exclude one group but to include another group, all of them selected by the same procedure and the same method, and all of whose nominations have been confirmed by the Senate. Yet they say they cannot do it in one State, but they can in another. They want to pile it on in the District of Columbia—if the court can ever get to hear a case when it does come up.

Mr. ERVIN. My colleague may be interested in the reason the Attorney General gave for his position.

Mr. JORDAN of North Carolina. I wish the Senator would give his reason. I wondered if he had a reason.

Mr. ERVIN. The Attorney General says that the reason he wants only one court to be open for the States and political subdivisions of States condemned by this act was that he wanted all interpretations of this law to be made by the same judges, so that they would be uniform. It was not important in his consideration whether the interpretation to be correct, but it was important that it be uniform.

I thought "If that is a good excuse, the laws should be amended so as to require that all cases arising under Federal laws should be tried by the District Court of the District of Columbia."

Mr. JORDAN of North Carolina. And they would be tried by the same judges.

Mr. ERVIN. The Senator is correct.

Mr. JORDAN of North Carolina. That would be because they might not change their mind.

Mr. ERVIN. The excuse which the Attorney General gave for saying that no court should be open to the States and political subdivisions of States condemned by the bill except the District Court of the District of Columbia is intellectual rubbish. Why do I say that? I say that because the Attorney General is perfectly willing to let all other Federal cases be tried in any of the districts of the United States in which they arise.

The chance for different interpretations of Federal law certainly arises under the Federal judicial system. We have 11 Federal courts of appeal between the district courts and the U.S. Supreme Court. One of them is the U.S. Court of Appeals for the District of Columbia Circuit. The other 10 are the U.S. Courts of Appeals for the 10 circuits lying outside the District of Columbia.

There are 74 active circuit court judges, and 22 retired circuit court judges who are eligible to be called at any time for service in the 11 different circuit courts of appeals which are authorized to interpret Federal laws.

The Attorney General did not suggest that the laws permitting this ought to be changed. He wants to restrict the jurisdiction of Federal courts only when dealing with selected Southern States and their political subdivisions. It is only southerners who are unworthy to receive justice in the same courts as other people. It is only southerners who are to be involved in voting rights cases.

The U.S. District Court for the District of Columbia has virtually the same jurisdiction as all of the other U.S. District courts. It may be interesting to know how many districts there are. There are 91 U.S. judicial districts in which U.S. district courts sit. The judge sitting in each one of the U.S. judicial districts can interpret any Federal law which is involved in litigation before him. That means virtually every Federal law except the law to be made by means of this bill.

If the Attorney General of the United States thought that all of the cases in which the States or political subdivisions of States would be parties plaintiff or petitioners under the bill ought to be tried only in the U.S. District Court for the District of Columbia in order to get a uniform interpretation, he overlooked that reason when the remainder of the bill was drawn. This is so because the bill leaves every Federal district court in all of the States open to suits by the Attorney General when he brings a suit under the provisions of the bill. Under the bill, the Attorney General has the liberty to go into any Federal court he selects in which to bring a suit under this act or any other act. There is an old expression to the effect that, "What is sauce for the legal goose ought to be sauce for the legal gander." Not so under this bill.

When suits are brought under this bill by States or political subdivisions of States, they ought to be able to bring the suits in the same courts in which the bill allows the Attorney General to bring suits. Those courts would certainly have jurisdiction to interpret the provisions of this bill in any suit brought by the Attorney General.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. TALMADGE. Mr. President, is it not true that in the Declaration of Independence, with which we separated from our mother country England, one of the charges against King George III was that he created special courts in which some of the colonists could be tried in admiralty courts, to their disadvantage?

Mr. ERVIN. The Senator is correct. The King and the Parliament gave exclusive jurisdiction to the admiralty courts.

Mr. TALMADGE. They created the admiralty courts.

Mr. ERVIN. The Senator is correct.

Mr. TALMADGE. Is it not true that our forefathers rebelled because there was tyranny, and they entered into a war of revolution and won independence for this country?

Mr. ERVIN. The Senator is correct.

Mr. TALMADGE. Yet, is it not sought through this bill to do the same thing, even to the extent of denying jurisdiction in the admiralty courts, to the sovereign States?

Mr. ERVIN. The Senator is correct. Not only that, but the suit also must be brought in the District Court of the District of Columbia which is situated anywhere from 250 to 1,000 miles from most of the States and political subdivisions of States condemned by the bill.

The question asked of me by the distinguished Senator from Georgia reminds me of the fact that when Thomas Jefferson wrote the Declaration of Independence, he gave this reason as one of the reasons why the 13 Colonies should sever their political band with the mother country, England. He stated:

> For transporting us beyond seas to be tried for pretended offenses.

It is only a difference of degree between transporting people from the United States to England to try them for offenses and telling them to journey 1,000 miles from Louisiana, Alabama, or Mississippi to find a single court open to them.

The first part of my amendment proposes to change this provision. It provides that instead of the U.S. District Court for the District of Columbia having sole jurisdiction of cases brought by the States and the political subdivisions of States which seek exoneration from the congressional condemnation, the U.S. district courts sitting in the States which are involved shall have jurisdiction.

My amendment would strike out the words which restrict jurisdiction to the District Court of the United States in the District of Columbia, and provide that the States or political subdivisions of the States can seek exoneration from their congressional condemnation in the U.S. district court for the district in which the capital of the State is located, or in which the political subdivision is situated.

Every other case arising in that area can now be tried in those courts. Why should not the States and political subdivisions of States have access to those courts when they seek exoneration from the congressional condemnation imposed upon them by the bill?

In order that the Department of Justice may have the legal dice loaded in its favor, which is something it is always demanding, the second part of my amendment, which refers to page 5, line 11, would give an option to the Attorney General, if he did not like the district judge in a particular district, to call for a three-judge court, and obtain two judges selected by the chief judge of the circuit to sit in the three-judge court. That would give the Attorney General an option which is not given to the State or political subdivision of the State, but it would expedite the trial. This is true because an appeal from a three-judge court can be taken directly to the Supreme Court of the United States.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield for another question?

Mr. ERVIN. I am glad to yield.

Mr. JORDAN of North Carolina. Is it not true that frequently, when a judge in a Federal court district may be ill, or absent for other reasons, for prolonged periods of time, judges are sent to that court from any place in the United States from which the Attorney General wants to send a judge?

Mr. ERVIN. That can be done.

Mr. JORDAN of North Carolina. And that has been done.

Mr. ERVIN. Yes. Any judge whom the chief judge of the circuit selects can come in.

Mr. JORDAN of North Carolina. So no one area of the United States has a complete monopoly of judges. I can well remember a judge, and the Senator also knows him, who was ill for a period, and later died. During the period of his illness a judge who was not from a Southern State was sent into the court.

Mr. ERVIN. I am sure my colleague will agree that in North Carolina, where 34 of the counties to be condemned by the bill are located, there are 6 Federal district judges who are equal in learning and character to any other Federal judges anywhere in the United States.

Mr. JORDAN of North Carolina. I know that to be a fact.

Mr. ERVIN. I say that because the Department of Justice approved the three of them whom my colleague and I recommended for appointment.

Mr. JORDAN of North Carolina. That is correct.

I thank the Senator for yielding.

Mr. ERVIN. Mr. President, what is the reason for the provision in the bill nailing all courthouse doors outside the District of Columbia shut against certain States and subdivisions of States? Do the proponents of the bill think that southern judges are not quite as subservient to the Department of Justice as the Department of Justice would like for them to be? That is the only excuse I can find with any rationality in it. There is nothing to justify the conclusion that district judges in one part of the country are superior to district judges in another part of the country.

There are competent district judges throughout the Nation. The idea that a uniform interpretation is needed and a uniform interpretation can be made by only one district court out of all the district courts in the United States lacks validity. This is impliedly admitted by the provisions of the bill specifying the courts to which the Attorney General can appeal when he seeks enforcement of provisions of the bill. When the States and political subdivisions seek exoneration, they can apply to no Federal court except the district court of the District of Columbia. But when he sues to enforce the provisions of the bill, the Attorney General can sue in any U.S. district court.

The third section of my amendment reads as follows:

> On page 7, line 25, strike out the words "of Columbia" and insert in lieu thereof the words "in which the capital of such State is located or such political subdivision is situated."

The next section of my amendment reads:

> On page 8, line 16, strike out the words "such an action" and insert in lieu thereof the words "upon motion of the Attorney General such action."

The effect of those two amendments is merely to bring section 6, which appears upon pages 8 to 10 of the bill, in harmony with what would be done to section 4(a) of the bill by the first two provisions of my amendment.

Section 6 of the bill has a very peculiar and unprecedented provision in it—that no State or politicial subdivision covered by the triggering device can change its law relating to qualifications for voting, or voting procedures, without first getting consent of the Federal district court for the District of Columbia or the consent of the Attorney General.

That is an astounding provision. The 10th amendment to the Constitution undoubtedly reserves to the States the power to pass laws prescribing qualifications for voters in State elections. The second section of the first article and the first section of the second article of the Constitution and the 17th amendment undoubtedly bestow upon the States the power to prescribe voting qualifications for presidential electors, Senators, and Representatives in the National House of Representatives.

So the bill goes so far as to say that a State cannot change its laws prescribing qualifications for voting, if it is condemned by the triggering process of the act, until it obtains consent of the Federal district court in the District of Columbia or the Attorney General.

This amendment would merely provide that a State or political subdivision of a State could apply to the district court in which the capital of the State is located or in which the political subdivision in question is situated, and seek permission there, instead of having to journey to Washington and apply to the District Court of the District of Columbia.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. JORDAN of North Carolina. Can the able and distinguished Senator, who is so ably discussing this piece of legislation, give me any good reason for that? Under the Constitution the right to fix qualifications is reserved to the States. Why should the States have to appeal to anybody to change those laws?

Mr. ERVIN. They should not have to.

Mr. JORDAN of North Carolina. Why should they have to go to anybody?

Mr. ERVIN. This provision of the bill will not last 15 minutes in court if we still have constitutional government in this land.

Mr. JORDAN of North Carolina. That is why I was wondering why it should be put in the bill. If the States have a right to fix the qualification of the voters, why should they have to go to court if they want to change those laws?

Mr. ERVIN. Under the express words of the Constitution and under every decision of the Supreme Court interpreting those words, the States have power to prescribe the qualifications for voting, and that power embraces the right to establish a literacy test as a prerequisite for voting.

Mr. JORDAN of North Carolina. Is it not true that some States have no literacy tests at all?

Mr. ERVIN. That is correct.

Mr. JORDAN of North Carolina. They have a right to have them if they so desire.

Mr. ERVIN. Yes.

Mr. JORDAN of North Carolina. And some States do have them.

Mr. ERVIN. There are 21 States that have literacy tests. Under the bill 7 States cannot have them, but 14 States can.

Mr. JORDAN of North Carolina. I did not have to come to the Senate to understand that. I understod it before I got here.

Mr. ERVIN. But I did not think anyone would ever ask for the passage of a bill which provides that 7 States cannot have literacy tests but 14 others can.

Mr. JORDAN of North Carolina. It is a little hard to understand.

Mr. TALMADGE. Mr. President, will the Senator yield for a question?

Mr. ERVIN. I yield.

Mr. TALMADGE. Is it not true that the provision the Senator was discussing would give the Federal courts legislative powers affecting sovereign States?

Mr. ERVIN. Yes; despite the fact that the courts have no legislative power at all under the Constitution.

Mr. TALMADGE. Is it not true that there are three separate, distinct, coordinate branches of the Government; namely, the legislative, the executive, and the judicial; and that not one of those three branches of Government can perform the function of the other?

Mr. ERVIN. The Senator is correct. The reason for establishing the three branches of Government was succinctly stated by James Madison, who is correctly called the father of the Constitution, when he said that when the several powers of Government are united in one man, or in one body, or in one Government, there is a tyranny, regardless of the name by which the government may be called.

Mr. TALMADGE. Adolf Hitler merged all those powers into himself; did he not?

Mr. ERVIN. The Senator is correct. The first thing a dictator seeks to do when he wishes to establish total authority over a country is to abolish the courts of justice.

Mr. TALMADGE. When that occurs, the people have no redress, they have no remedy for the deprivation of their rights; is that not correct?

Mr. ERVIN. The Senator is correct.

Mr. TALMADGE. In this particular instance, a sovereign State would have no remedy for the deprivation of its rights before a Federal court having legislative power fixed upon it, contrary to the Constitution; is that not correct?

Mr. ERVIN. The Senator is correct. That is absolutely true.

Mr. TALMADGE. Does the Senator know of anything more monstrous than to say that a Federal district judge in the District of Columbia shall become a part of the legislative process of the State of North Carolina?

Mr. ERVIN. I do not. The most accurate nutshell interpretation of the Constitution of the United States was given by Chief Justice Salmon P. Chase, in Texas against White, when he said that the Constitution in all of its provisions looks to an indestructible Union composed of indestructible States.

If Congress has the power to say that a State cannot pass a law in an area committed to it by the Constitution, and make that law effective without the consent of a Federal court, or the Attorney General of the United States, Congress has the power to destroy the States entirely. This bill goes a long way toward attempting to destroy seven States which the Constitution undertook to make indestructible.

Mr. JORDAN of North Carolina. Mr. President, will my colleague from North Carolina yield?

Mr. ERVIN. I am glad to yield to my colleague.

Mr. JORDAN of North Carolina. My colleague spoke a moment ago about dictators destroying the courts. In our own lifetime, we have witnessed three such cases; namely, Japan, Italy, and Germany. Another thing which went along with that was that when they obtained control of the courts they also completely abolished free elections; is that not correct?

Mr. ERVIN. That is true.

Mr. JORDAN of North Carolina. The Soviet Union holds elections from time to time, but the people do not have much of a choice because there is only one man on the ticket. Free elections go right out the window without freedom of the courts; is that not correct?

Mr. ERVIN. The Senator is absolutely correct. All freedom goes out the window whenever the independence of the courts is destroyed. In the ultimate analysis, the courts are the only agency of government which can be depended upon to protect the rights of the people and the rights of the States against the other departments of the government itself.

Mr. JORDAN of North Carolina. That is exactly correct. That is exactly what the substitute amendment seeks to undo, under which the people of this country would have no rights through the courts in the subdivision of a State, a county, or whatever portion it might be of a State, named in the substitute amendment; is that not correct?

Mr. ERVIN. That is true. The substitute amendment does not attempt absolutely to destroy the courts, because its proponents know very well that the American people would not tolerate such action. All the substitute amendment undertakes to do is to nail the courthouse doors shut against certain Southern States which are picked out of the 50 States to be discriminated against by laws which no one would advocate if they were going to be applied to a moonshiner operating a still, or a man charged with treason against the United States.

Mr. President, the next portion of my amendment is phrased in these words:

> On page 12, lines 23 and 24, strike out the words "court of appeals for the circuit" and insert in lieu thereof the words "district court for the district."

Mr. President, my amendment is designed to cure a drastic defect in section 8(a), which appears on lines 22, 23, 24, and 25, on page 12, and lines 1 and 2 on page 13 and which reads as follows:

> A petition for review of the decision of the hearing officer may be filed in the U.S. court of appeals for the circuit in which the person challenged resides within 15 days after service of such decision by mail on the moving party, but no decision of a hearing officer shall be overturned unless clearly erroneous.

Mr. President, it has always been the policy of those enacting election laws to allow any citizen to challenge the eligibility to vote of any person who seeks to register. It is essential that these challenges be passed upon quickly. Ordinarily, they are passed upon by State election officials in the registration district in which they are made, and then are reviewed, if necessary, by the courts of the State sitting in that locality. This bill provides that if a challenge is made and an appeal is taken from the ruling of the hearing officer overruling the challenge, it would have to be taken to the circuit of appeals of the circuit.

This is just another scheme in the substitute amendment to make it impossible for the States or the counties condemned by the congressional declaration to obtain justice according to law. Circuit courts do not sit except occasionally. Unlike district courts, they are not easily available.

For example, the State of Georgia is in the same circuit as the State of Texas. If there were to be a challenge to anyone in the State of Georgia, and the challenge were to be overruled by the hearing examiner, anyone who wished to prosecute an appeal from that ruling might have to go to El Paso, Tex., in order to get the matter adjudged. This is true, because the circuit court having judisdiction in Georgia might be sitting in El Paso, Tex.

The substitute amendment is cleverly designed to rob the Southern States, and the political subdivisions embraced by the triggering process of every right and every power they have in this field, and make it possible for the Federal Government to run roughshod over them without affording them any adequate means to secure justice under law.

The next provision in my amendment provides:

> On page 17, line 12, insert the words, "the appropriate United States district court" between the word "institute" and the word "for."

This is only another indication of the haste in which the substitute amendment was written. It would allow the

Attorney General to bring suit, but it does not tell him where to bring it. I am only trying to cure this defect by specifying in this portion of the substitute amendment that the Attorney General can sue for the enforcement of the provisions of the bill in any U.S. district court he selects. My amendment is in harmony with the other provisions of the bill authorizing the Attorney General to sue.

The last portion of my amendment reads as follows:

> On page 19, lines 12 to 20, both inclusive, strike out subsection (b) of section 14 in its entirety.

Section 14(b) reads as follows:

> No court other than the District Court for the District of Columbia or a court of appeals in any proceeding under section 8 shall have jurisdiction to issue any declaratory judgment pursuant to section 4 or any restraining order or temporary or permanent injunction against the execution of enforcement of any provision of this Act. The right to intervene in any action brought under authority of this Act shall be limited to the Attorney General and to States, political subdivisions, and their appropriate officials.

My amendment would strike that entire section, because that section is but another effort to rob these States and their political subdivisions of any real capacity to get justice in any proceedings under the bill.

A Federal officer enforcing the provisions of the bill could commit any kind of offense. He could absolutely disregard the provisions of the bill itself, and carry out his duties in a way inconsistent with the bill. That could happen in Georgia, North Carolina, South Carolina, Virginia, Alabama, Louisiana, or Mississippi. Any person injured or threatened with injury by the wrongful act of the Federal officer could not go into any court in his locality to obtain an injunction. He would have to go to the U.S. District Court for the District of Columbia. This section takes justice like the grapes that the fox was jumping for in Aesop's fables and hangs it so high that it is beyond the reach of the people. I suspect that is what this section of the bill is designed to do.

The bill gives the Attorney General the right to go into any court. He can go into any court in any State and obtain relief. However, if any of the States or any political subdivision of a State or any citizen wishes to obtain relief against any wrongful act of a Federal officer carrying out the bill, the State or political subdivision or citizen must come to the District Court for the District of Columbia to seek it. This portion of my amendment would give the State, the political subdivision, and the citizen the same rights they now have under existing Federal law to secure relief against wrongful acts of Federal officers.

It seems to me that in any fair system of justice, any court having jurisdiction in a given field should have the power to try an action. That is precisely what my amendment would undertake to do. It would open all Federal courts to the States and political subdivisions of States and election officials of States on exactly the same basis as those courts are open to the Attorney General of the United States.

No bill ought to be enacted into law which makes certain courts the private preserves of the Attorney General when he wishes to proceed against certain parties, and denies those parties access to those courts. That is an offense to justice.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. ERVIN. I yield to the Senator from Mississippi.

Mr. STENNIS. Is not the sum total effect of his amendment to restore to the proposed law the general judicial system which we already have in effect in all the areas of the country, and available to everyone?

Mr. ERVIN. That is what the amendment would do. It merely provides that the courts which try antitrust cases, which try cases arising under the Fair Labor Standards Act, and which try cases arising under other acts of Congress shall be open for the trial of cases arising under the provisions of the pending bill.

Mr. STENNIS. That has been the established pattern and custom since the Constitution was adopted, has it not?

Mr. ERVIN. The Senator is correct.

Mr. STENNIS. The Senator is not asking for anything different; he is not asking for anything new? Is the Senator doing anything more than asking for the regular order?

Mr. ERVIN. I am saying that all Federal trial courts should be open for the redress of all grievances falling within the jurisdiction of the courts of their character. I would give the States and the political subdivisions of the States and the election officials of the States and the citizens of the States the same right which Federal laws give to everyone else in the United States.

Mr. STENNIS. The bill would not only set up a special rule of conduct for Government people in certain areas, but, in effect, would take the courts of an area of the country away from the people and away from the area and away from the Governors of the States and from whoever else may have business before the courts and transfers the courts to Washington. Is that correct?

Mr. ERVIN. Yes. As I said—and I know of no other word that more fairly describes it—the bill undertakes to prostitute the judicial process. It does this by saying that all courts in the country shall be open to the Attorney General when he invokes the provisions of the bill, and that all courts in the country, except the District Court for the District of Columbia, shall be closed to the parties against whom the Attorney General invokes the provisions of the bill.

Mr. STENNIS. The Constitution of the United States, in the smallest criminal proceeding, even in a misdemeanor case, prescribes the rules that would make this impossible. Is that not correct?

Mr. ERVIN. The Senator is exactly correct.

Mr. STENNIS. The spirit of the Constitution as to civil cases is, of course, that pattern, and that is what the Senator's amendment would preserve. Is that correct?

Mr. ERVIN. Under virtually every other act of Congress civil cases are tried in the Federal courts in the State in which they arise. There is a good reason for that. It is because that is the place where the witnesses reside and where the truth is more easily ascertainable.

I wish to point out that when a State or a political subdivision of a State is required to come to the District of Columbia to seek exoneration from the condemnation visited upon it without trial, or to seek permission to make one of its laws which the Constitution authorizes it to enact effective, it does not even have compulsory process under the applicable statute to secure the presence of its witnesses.

Mr. STENNIS. That means, does it not, that without compulsory process witnesses need not respond and do not have to testify, and that leaves a man without any power of compelling the witnesses to testify. Is that correct?

Mr. ERVIN. That is correct.

Mr. STENNIS. What real reason can the Senator imagine as to why there should be this vesting of such a power in the Attorney General, as proposed in the amendment? Is there any other reason than that the proponents wish to do it that way because they believe they will have a better chance to win or prevail in a case? Is that not the substance of it?

Mr. ERVIN. That is the substance of it. In other words, they put the jurisdiction of cases to be brought by States or political subdivisions of States in the District Court for the District of Columbia because they knew that the District of Columbia is so far away from the locality in which the cases arise that it is difficult for the States and the subdivisions to journey to Washington and get justice there. They did that knowing that the States and political subdivisions would have no compulsory process for witnesses, in the District of Columbia, whereas they would have compulsory process for witnesses if the actions are brought, like other cases, in the locality where they arise.

Mr. STENNIS. Is it not further true that they would close the courthouse door in any of the affected States, despite the fact that those courts are functioning every day and are trying civil rights actions and deciding them on the facts, and despite the fact that those mandates of the court are being obeyed and carried out? Is that not true?

Mr. ERVIN. The Senator is correct.

Mr. STENNIS. That is taking place in all the States of the South, is it not?

Mr. ERVIN. The Senator is correct. Southern judges are just as devoted to the law, even to laws they dislike, as are judges anywhere else in this country and as are judges in the District of Columbia. It is an insult to every Federal judge who resides below the Potomac River to say that he cannot be trusted to try a case arising under the provisions of the pending bill. The bill is aptly designed to make it impossible for the States or political subdivisions condemned by it to get fair trials.

Mr. STENNIS. If we set a precedent like that by passing the proposed bill, will that not open the door to any other area in the country to be so abused or any other courts anywhere else in the country to be so abused; and is it not a further assault on the judicial system itself?

Mr. ERVIN. There is no question about it. The bill represents a prostitution of the judicial process. I do not know of anything which is more inexcusable than to take a process by which men are supposed to seek and attain justice and distort, pervert, and prostitute it in such a way that it is impossible to get justice under it.

Mr. STENNIS. I should like to ask the Senator one more question. Does not the Senator agree, and is it not clearly established under our system a thousand times over, that if any lower court makes a mistake or fails to follow the law, or enters the wrong kind of order, those cases can be dispatched to the Supreme Court of the United States; and is that not being done in a very few weeks or months?

Mr. ERVIN. That is true. That is one reason why the excuse given by the Attorney General, that is, that he wanted uniform rulings lacks validity. A ruling of the Supreme Court can be speedily obtained in a case tried by a three-judge court, because such a case is appealable directly to the Supreme Court. Such ruling will insure uniformity. This is true because all courts are required to follow a ruling of the Supreme Court.

Mr. STENNIS. I thank the Senator for yielding to me. I congratulate him on working up the amendment and giving the Senate an exposition of it. I appreciate his having it in the RECORD and spread before the people of the country. I appreciate also his work on the bill, particularly his defense of the judicial system, and his continued espousal of the cause of our highly important and respected judicial process.

Mr. ERVIN. I pointed out the fact that under section 4(a), section 5, and section 14(b), all courts, except the District Court of the District of Columbia, would be closed to States and political subdivisions of State seeking exoneration from their congressional condemnation or seeking to make their laws effective or seeking relief against wrongdoing on the part of Federal officials executing the provisions of the bill.

I wish to call attention to the fact that other provisions of the bill would give the Attorney General the right to go into any court he sees fit. Under section 8(c) the Attorney General would be expressly given the power, in any contempt proceeding that he might desire to bring under the bill to go into any U.S. district court anywhere.

Section 9(a) and section 9(b) of the proposed act would give the Attorney General the absolute power to go into any district court of the United States to contest the validity of the poll tax.

Section 10 would give the Attorney General the absolute liberty to go into any available district court to insure the voting of persons listed by the Federal examiners as competent to vote.

Section 12(d) would give the Attorney General the absolute power to go into any available district court to seek any kind of relief whatsoever under the provisions of the proposed act.

Section 12(e) and section 12(f) would give the Attorney General the absolute right to go into any available district court in any case involving the denial of the right to vote of persons who presented themselves for voting.

As I have stated, the bill would prostitute the judicial process in a second way; namely, even in the only court open to them; that is, the U.S. District Court for the District of Columbia, the State and political subdivisions of States to which the bill applies would be subjected to specially created rules of evidence and procedure which would rob them of the essentials of due process and the fundamentals of simple justice.

That is true because, in the first place, section 4(b) of the bill would condemn the States and political subdivisions of States for violating the 15th amendment without trial or evidence showing that they had violated the 15th amendment. That action would be accomplished by the triggering process, which is wholly artificial in nature.

Under the triggering process, a State or a political subdivision of a State would be included within the condemnation of the bill and deprived of certain rights of sovereignty if the following three conditions should exist:

First, if more than 20 percent of persons of voting age residing in the State or subdivision in 1960 were nonwhite;

Second, if the State or political subdivision maintained a literacy test as a prerequisite for voting on November 1, 1964;

Third, if less than 50 percent of persons of voting age residing in the State or political subdivision were registered on November 1, 1964, or if less than 50 percent of such persons voted in the presidential election of November 1964.

There is no rational relationship between any one of those three conditions or the three conditions in their totality, and the inference which they allegedly justify; namely, that the States or political subdivisions falling within the purview of the three conditions violated the provisions of the 15th amendment in respect to registration and voting in the presidential election of 1964.

Manifestly, the mere fact that a State or county has a population of which more than 20 percent is nonwhite does not show anything, one way or the other, with respect to whether anyone in that county is being denied the right to register or vote on account of race or color.

Likewise, the fact that a State or county maintained and used a literacy test as a prerequisite to voting on November 1, 1964, bears no rational relation to the question whether that literacy test was being used as a device to keep people from voting on account of race or color.

The substitute amendment itself recognizes this. It provides that 14 States may continue to use their literacy tests, but that 7 States shall be denied the right to use theirs. This recognizes the fact that the use of a literacy test bears no rational relation to the question whether a State or a political subdivision is violating the 15th amendment.

The third condition has no rational relation to the question of discrimination. It would cover a State or political subdivision if less than 50 percent of the persons of voting age residing in it were registered on November 1, 1965. Manifestly, that shows nothing except that in the State or political subdivision less than 50 percent of the persons of voting age were registered.

The alternative third condition, that is, if less than 50 percent of the persons of voting age in the State or political subdivision voted in the presidential election of 1964, has no relevancy to prove discrimination. There is no way in which a State or county can compel its inhabitants to vote. A State or county can register every person of voting age residing in it without discrimination but it cannot compel any percentage of them to vote. The fact that less than 50 percent voted, would show nothing except, perhaps, apathy on their part, or that they did not like the candidates, or that they preferred to go fishing, or that the State or county was a one-party State or county, where there was no opposing ticket from which to choose.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield?

Mr. ERVIN. I yield to my colleague from North Carolina.

Mr. JORDAN of North Carolina. The Senator has covered the very question I wanted to inject at this point. I intended to ask him if any State, county, subdivision, or whatever else it might be, has any way in which to require people to register, if the people do not want to register.

Mr. ERVIN. None whatever.

Mr. JORDAN of North Carolina. The bill might as well include a provision to the effect that every person of voting age must register, otherwise he would be fined $10,000. That would be just as sensible, would it not?

Mr. ERVIN. Absolutely.

Mr. JORDAN of North Carolina. That would make just as much sense. The people could be told, "You have brought your county into disrepute because you did not register; therefore, we will make you register, so that we will not be accused of doing something we should not have done." But if the people registered there would be no way in which they could be made to vote, if they did not want to do so. We have seen that occurrence many times where there is a one-party system, or only one ticket. Where there is no opposing ticket, a candidate can be elected if only one person votes for him. So the people might as well stay at home.

Mr. ERVIN. The Senator is correct. The 34 counties of North Carolina that are covered by the measure lie in the eastern part of the State. That part of North Carolina is a one-party area in which only the Democratic Party runs candidates for county offices.

The Senator knows also that some of the counties are in the district ably represented in Congress by Representative LAWRENCE H. FOUNTAIN and some of them are in the congressional district ably represented in Congress by Representative ALTON LENNON, and during the 1964 presidential campaign and election, those candidates for Congress had no opposition.

As the Senator has pointed out, where there is no contest for political offices, the voters do not vote in large numbers, and a candidate needs only one vote to be elected.

Mr. JORDAN of North Carolina. Is it not true also that during that particular election there were no races for sheriff in North Carolina?

Mr. ERVIN. There were no races for sheriffs or for clerks of courts in any of them.

Mr. JORDAN of North Carolina. In a great many of the counties covered in the substitute amendment, those are the only offices for which there is a real contest.

Mr. ERVIN. North Carolina had no hot Senate race, such as occurred in Texas. North Carolina had no hot race for Governor, as was the case in Texas. It was a foregone conclusion that the Democratic candidate for Governor in North Carolina would be elected. Moreover North Carolina had no native son running for the office of President. Although Texas had a hot race for the Senate, a hot race for Governor, and a native son of Texas was running for President, 19 of North Carolina's 34 condemned counties had a higher percentage of their adult population voting for President in 1964 than Texas itself did.

Thirty-four North Carolina counties and 137 Texas counties voted less than 50 percent of their adult population in the presidential election of 1964. But under the strange triggering device in the bill, the 34 North Carolina counties are presumed to have discriminated; whereas the 137 Texas counties are presumed not to have discriminated. That shows how absurd the measure is.

Mr. JORDAN of North Carolina. That answers my question. I wanted to have my distinguished colleague verify those facts.

Mr. ERVIN. I invite attention to the provision of section 4(b) which appears in lines 22 to 25, on page 6 of the amendment in the nature of a substitute:

> A determination or certification of the Attorney General or of the Director of the Census under this subsection or under section 6 shall be final and effective upon publication in the Federal Register.

The subsection mentioned in this provision is subsection (b) of section 4, and refers to the determinations of the Attorney General and the Director of the Census that the three conditions constituting the triggering device exist.

Section 6 relates to the certificate which the Attorney General issues to secure the appointment of examiners by the Civil Service Commission.

The provision I have just read stipulates that after the States and political subdivisions of States are condemned by an artificial formula bearing no rational relation to the thing for which they are condemned, they are denied the right to contest, anywhere on the face of the earth or even in the world to come, the certificates and determinations of the Attorney General and the Director of the Census. This is the provision of the bill which I had in mind a while ago, when I said that the measure attempted to confer upon the Attorney General of the United States a degree of infallibility which is inherent in no being in this universe except the Lord God Almighty.

Is it not strange that Congress should be asked to pass an act which provides that these certificates and determinations shall be deemed conclusive proof, or be deemed to be proof without evidence, that a State or a political subdivision of a State is violating the 15th amendment, and that the State or political subdivision cannot contradict the truth of the certificates and determinations or the soundness of the presumption of wrongdoing they raise?

I shall have a little more to say about that in a moment. Up to the present hour, the Supreme Court of the United States has always held these two things—First, that a presumption created by statute is invalid under due process unless there is a rational relation between the fact established and the fact inferred; and, second, that the party against whom a statutory presumption is raised must have the right to rebut or disprove the presumption.

Another provision of the bill which would confer omnipotent power upon the Attorney General is section 13, which would vest in the Attorney General the power to terminate listing procedures by examiners.

The Attorney General makes his decision. It is not subject to review in any court, under any circumstances.

In this provision, the bill vests a discretionary power in the Attorney General to make a ruling which would continue certain States and political subdivisions of States in a second class status and denies to those States or political subdivisions of States any opportunity to obtain a review of the soundness of the ruling of the Attorney General.

I quoted Woodrow Wilson several moments ago. Woodrow Wilson stated, in effect, in one of the finest speeches he ever made, that under the law the Government should be an umpire and not the master. He stated that when we give discretionary power to officials, we violate this provision because we make Government the master. He said that every man who loves liberty and the established character of this Republic ought to be opposed to laws which vest discretionary power in public officials. This is undoubtedly true. Discretionary power is incompatible with a government of laws. It is compatible only with a government of men.

There is another provision of the bill which is incompatible with simple justice.

I refer to a part of section 4(a) which appears on lines 14 to 20 on page 5.

The provision reads as follows:

> The court shall retain jurisdiction of any action pursuant to this subsection for 5 years after judgment and shall reopen the action upon motion of the Attorney General alleging that a test or device has been used for the purpose or will have the effect of denying or abridging the right to vote on account of race or color.

Under section 4(a), a State or county which had been condemned by the triggering formula of the bill could come into the District Court of the District of Columbia and seek to exonerate itself from the wrongdoing implied by the formula. Even though the State or county won the lawsuit and established its innocence, it would still be held in court for 5 years and subjected to its jurisdiction.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The Senator from North Carolina is recognized.

Mr. JORDAN of North Carolina. Mr. President, is that not a sort of new concept of law? I am not a lawyer; but it sounds to me like a new concept—that after a man has proved himself to be innocent, he is still on probation for 5 years for a crime of which he has been adjudged innocent.

Mr. ERVIN. That is a new principle of law. The old law always provided when a party had been unjustly hailed into court, and had exonerated himself of wrongdoing, the court should render a judgment allowing him to go hence without day and recover the cost in that behalf expended. Under this bill, a party could not recover any cost whatever. Moreover, he could not go hence without day. Under the bill, he would be retained in the District Court of the District of Columbia every day for 5 years.

Mr. JORDAN of North Carolina. The law under which we are now operating provides in all cases, that if a person is convicted of a crime or a misdemeanor, the judge has the right in his court, in some cases, I believe, to let the convicted person go on probation for a period of 4 or 5 years, but the person is still adjudged to be guilty of doing something wrong and is held under the jurisdiction of that court for 5 years, if that be the probationary period.

Mr. ERVIN. The Senator is correct. But that is done only in a case in which the man has been convicted.

Mr. JORDAN of North Carolina. That is what I say.

Mr. ERVIN. The Senator is correct.

Mr. JORDAN of North Carolina. In this case, the State or political subdivision would be innocent, but would still be deemed to be guilty for 5 years.

Mr. ERVIN. The State or political subdivision would be subject to the jurisdiction of the District Court of the District of Columbia for 5 years, even if it were to establish its innocence.

Mr. JORDAN of North Carolina. Is that not an unusual procedure in a supposedly enlightened bench and bar?

Mr. ERVIN. It certainly is.

Mr. JORDAN of North Carolina. Can the Senator inform me as to who drafted the bill? Does the Senator believe that lawyers had anything to do with it? I might have written such a bill, because I would not have known any better.

Mr. ERVIN. I probably should not say this. I do not know who drew the bill. But if the one who drew the bill were charged with being a lawyer who possessed respect for due process or fair play, I could take the bill, offer it as evidence in his behalf, and get him acquitted of the charge.

Mr. JORDAN of North Carolina. I might write a bill similar to this because I am not a lawyer and would not know any better.

I do not know how a lawyer who respects due process or fair play could write a bill and put in the bill the things which are contained in this measure.

Mr. ERVIN. Mr. President, a while ago I mentioned the fact that there is no rational relationship between the three conditions in the triggering process and the inference that a State or a political subdivision of a State falling within such process is violating the 15th amendment.

The Supreme Court has held in many cases that everyone who has a presumption raised against him shall have the right to rebut the presumption. The presumption that would be raised against States or political subdivisions of States under this bill would be that they are guilty of violating the first section of the 15th amendment which states:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

It would seem that under the decisions a State or political subdivision could come into the District Court for the District of Columbia, under the provisions of section 4(a), and secure exoneration by showing that it is not engaged in denying or abridging the right of qualified citizens to vote on account of race or color. But not so. Section 4(a) provides that it can be exonerated only by satisfying the U.S. District Court for the District of Columbia that—and I read lines 18 to 24 on page 4:

> That the effects of denial or abridgment, if any, of the right to vote on account of race or color have been effectively corrected by State or local action and that there is no reasonable cause to believe that any test or device sought to be used by such State or subdivision will be used for the purpose or will have the effect of denying or abridging the right to vote on account of race or color.

Putting those words into plain, simple English, the State or political subdivision of a State condemned by this artificial triggering device, can secure exoneration only if it does two things: first, it has to show either that it has not violated the 15th amendment or that it has effectively cured its past violations of the 15th amendment; and, second, it has to show that it is not going to sin in that respect in the future.

It would certainly be a tragic thing if everyone were going to be condemned if he could not show he was not going to sin in the future. And yet that is the burden put on a State or political subdivision of a State condemned by the artificial formula.

Mr. President, I stated a moment ago that under the decisions of the Supreme Court of the United States down to date, the triggering process is unconstitutional because it raises a presumption based upon conditions which bear no rational relationship to the fact presumed, namely, that the States and political subdivisions condemned violated the 15th amendment in 1964.

I also assert that the substitute amendment is inconsistent with the decisions of the Supreme Court, which assert that when a statutory presumption is created, the party against whom it operates must have a fair opportunity to rebut the presumption, and must be able to rebut the presumption by disproving it.

This is so because the State or political subdivision cannot secure exoneration from congressional condemnation without showing that it has not only not sinned in the past, or has corrected its past sins, but also must show that it is not going to commit future sins.

A legislative body cannot circumvent a constitutional provision by creating a statutory presumption. Yet this is precisely what the triggering device attempts to do.

I invite brief attention to an opinion of the Supreme Court of the United States on this point; namely, *Bailey* v. *Alabama*, 219 U.S., on page 219. The holding in this case is clearly epitomized in the headnote:

> A constitutional prohibition cannot be transgressed indirectly by creating a statutory presumption any more than by direct enactment.

The substitute amendment attempts to circumvent the constitutional principle that States have the power to prescribe qualifications for voting by creating a statutory presumption. For that reason it is, to that extent, invalid under the decision of the Supreme Court in Bailey against Alabama.

On the question of the necessity for some rational relationship between the fact proved and the fact inferred as being essential to due process of law, I wish to cite two cases. One of them is ***Western Atlantic Railroad Company*** **v.** ***Henderson***, 279 U.S. 639.

This case involved the validity of a Georgia statute which made the mere fact of a collision between a railway train and a vehicle at a highway grade crossing a presumption that the railroad company and its employees were negligent in the manner alleged in the complaint, and required the railway company to rebut such presumption. The Supreme Court held such statute to be unreasonable and arbitrary and violative of the due process clause of the 14th amendment.

At pages 641 and 642, the Court said:

> Upon the mere fact of collision and resulting death, the statute is held to raise a presumption that defendant and its employees were negligent in each of the particulars alleged, and that every act or omission in plaintiff's specifications of negligence was the proximate cause of the death; and it makes defendant liable unless it showed due care in respect of every matter alleged against it. And, by authorizing the jury, in the absence of evidence, to find negligence in the operation of the engine and train, the court necessarily permitted the presumption to be considered and weighed as evidence against the testimony of defendant's witnesses tending affirmatively to prove such operation was not negligent in any respect.
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> Legislation declaring that proof of one fact or group of facts shall constitute prima facie evidence of an ultimate fact in issue is valid if there is a rational connection between what is proved and what is to be inferred. A prima facie presumption casts upon the person against whom it is applied the duty of going forward with his evidence on the particular point to which the presumption relates. A statute creating a presumption that is arbitrary or that operates to deny a fair opportunity to repel it violates the due process clause of the 14th amendment. Legislative fiat may not take the place of fact in the judicial determination of issues involving life, liberty, or property.

Although that was a decision under the due process clause of the 14th amendment, the observations of the Court apply to the due process clause of the fifth amendment as well. The due process clause of the fifth amendment is binding on the Federal Government and upon Congress, as a part of the Federal Government.

I wish to call attention to a second case on this point: *McFarland* v. *American Sugar Company*, 241 U.S. 79. I read a portion of the opinion at page 86:

> As to the presumptions, of course, the legislature may go a good way in raising one or in changing the burden of proof, but there are limits. It is "essential that there shall be some rational connection between the fact proved and the ultimate fact presumed, and that the inference of one fact from proof of another shall not be so unreasonable as to be a purely arbitrary mandate." *Mobile, Jackson & Kansas City R. R.* v. *Turnipseed*, 219 U.S. 35, 43. The presumption created here has no relation in experience to general facts. It has no foundation except with tacit reference to the plaintiff. But it is not within the province of a legislature to declare an individual guilty or presumptively guilty of a crime.

Mr. President, these two decisions bear directly upon the provisions of the proposed legislation. As I have pointed out, the three conditions enumerated in the bill as the basis for congressional condemnation bear no rational relationship to the inference that the States or counties covered by the bill are guilty of violating the 15th amendment. This being true, the presumption of guilt which the bill would create violates the due process of the fifth amendment.

I also call attention to the case of ***Speiser*** **v.** ***Randall***, 357 U.S. 513. **This case involved a California statute which the Supreme Court held unfairly shifted the burden of proof. In holding the California statute invalid, the Court said:**

> Of course the legislature may go a good way in raising (presumptions) or in changing the burden of proof, but there are limits * * * it is not within the province of a legislature to declare an individual guilty or presumptively guilty of a crime.
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> In civil cases, too, this Court has struck down State statutes unfairly shifting the burden of proof.

The proposed act condemns States and political subdivisions of States without judicial trials, and then casts upon them the burden of showing by evidence not only that they were not guilty of violations of the 15th amendment, or had corrected their past violations of the 15th amendment, but also that they were not likely to violate the 15th amendment in the future.

I say that that requirement would unfairly shift the burden of proof.

Mr. President, on April 26, 1965, a decision was handed down by the Supreme Court of the United States in the case of James A. Dombrowski against James H. Pfister. That case involved a statute of Louisiana which required persons invoking the right of freedom of speech under the first amendment to the Constitution to show that they had not been guilty of a violation of a criminal statute. In that case, the Court said:

> A designation resting on such safeguards is a minimum requirement to insure the rationality of the presumptions of the Louisiana statute and, in its absence, the presumptions cast an impermissible burden upon the appellants to show that the organizations are not Communist fronts. "Where the transcendent value of speech is involved, due process certainly requires * * * that the State bear the burden of persuasion to show that the appellants engaged in criminal speech." *Speiser* v. *Randall, supra*, at 526. It follows that section 364(7), resting on the invalid presumption is unconstitutional on its face.

That case involved a statute which was applied to James Dombrowski. It raised a presumption against him that he was not engaging in an activity protected by the right of freedom of speech guaranteed to him by the first amendment of the Constitution. In that case, on April 26 of the present year, the Supreme Court of the United States held that that statute rested upon an invalid presumption and unfairly shifted the burden of proof or the burden of persuasion. For that reason the Louisiana statute was adjudged unconstitutional.

In that case the Supreme Court held, in effect, that where a party claims that he was exercising his rights under the first amendment to the Constitution of the United States, a State could not adopt a statutory presumption which would require him to prove that he was not guilty of a violation of a criminal law.

The States of Alabama, Georgia, Louisiana, North Carolina, South Carolina, and Virginia are certainly entitled to the rights guaranteed by the Constitution of the United States to James Dombrowski or any other individual. If this bill were enacted, it would provide that if the States or the subdivisions condemned by the triggering device claim that they were exercising their rights and their powers under section 2 of article I, section 1 of article II, the 17th amendment, and the 10th amendment to the Constitution, in using literacy tests as a prerequisite for voting in the presidential election of 1964, they have the burden of proving that in so doing they were innocent of violating the 15th amendment. I submit that this requirement would unfairly shift the burden of proof and violate the due process clause of the fifth amendment. The bill is unworthy of an American Congress. It would bar the States, and political subdivision of the States to which it would apply, from access to all courts sitting anywhere in the United States except the U.S. District Court sitting in the District of Columbia in violation of the basic American principle that all courts should be open for the redress of grievances. At the same time, it would grant to their adversary, the Attorney General, full liberty to proceed against them and their officials and citizens in any court he might select.

That principle is inconsistent with equal and exact justice under the law. It is a prostitution of the judicial process. In addition, the bill is unworthy of an American Congress, because it provides that even in the only court open to them, that is, the U.S. District Court for the District of Columbia, the States and political subdivisions of States to which the bill would apply would be subjected to specially created rules of evidence and procedure which would rob them of the essentials of due process and the fundamentals of simple justice.

We have the greatest judicial system on the face of the earth. We have the greatest legal system on the face of the earth. For those reasons I urge the Senate to adopt my amendment and assist in the preservation of those systems.

Let us not prostitute the judicial process for the purposes of attaining ends—even ends which may be just. There is no justification for so doing because the right of every qualified citizen to vote can be secured by constitutional means.

Mr. TALMADGE. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Does the Senator from North Carolina yield to the Senator from Georgia?

Mr. ERVIN. I am glad to yield to the Senator from Georgia.

Mr. TALMADGE. I congratulate my friend the able and distinguished senior Senator from North Carolina, upon the eloquence and logic of his speech. It is a great pity that the Senate Chamber has not been filled with Senators with open minds to hear his eloquent wisdom. In my judgment, the speech that he has delivered would do credit to the legal giants who have preceeded him in this body. If Senators would read his words and hear his wisdom and logic, it might make some impression upon their minds.

I realize that we are living in a time of emotional turmoil, when people do not seek the truth. People do not seek to hear the truth, and people do not seek knowledge when they wish to vote a certain way, regardless of what the wisdom might be, what the logic might be, what the facts might be, what the Constitution might mean, and what damage the proposal might do to the fabric of our system of Government.

The Senator has made an eloquent and outstanding speech. He has cited not only the Constitution but also the leading decisions interpreting the Constitution. He has done great credit to the State that he represents and to this body with the speech that he has delivered in the Senate this afternoon.

Mr. ERVIN. I thank my good friend the Senator from Georgia for his far too generous remarks.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield at that point?

Mr. ERVIN. I yield to my colleague.

Mr. JORDAN of North Carolina. I wish I were as eloquent as my good friend from the State of Georgia. The distinguished Senator from Georgia has said the very things which I would like to say. I go along with him in everything he has said.

I wish to go a little further and suggest a reply to every voter in our country who has written to me, to my colleague, and to other Senators, and even those people who have not written and yet have said, "You would not want to deny people the right to vote." I would point out to those people that my colleague has never said anything about denying anyone the right to vote. My colleague from North Carolina has never condoned any proposed legislation which would bar anyone from voting. So far as I know, no one in North Carolina has ever been denied the right to vote in the years immediately past; and neither would we desire to do so.

As the Senator from Georgia so well pointed out, if every other Senator were present in the Chamber to hear the eloquent speech of my colleague, I am sure that his amendment would receive a large affirmative vote of the Senate.

I should like every person in North Carolina to get a copy of the speech which has been delivered, so that he might have an opportunity to read it. That speech will go down as one of the greatest expressions of legal authority on the proposed legislation now before the Senate that has ever been heard.

I am almost tempted to study a little law; but it is a little late for me to start to do that, so I shall sit at the feet of my colleague.

Mr. ERVIN. I deeply appreciate the fulsome tribute which my good friend and colleague from North Carolina has paid me.

Mr. THURMOND. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. I am glad to yield to the Senator from South Carolina.

Mr. THURMOND. I commend the able Senator from North Carolina for the magnificent address he has made in the Senate today on the voting rights bill of 1965. He has stated very clearly the many aspects in which the bill is unconstitutional. He has pointed out the lack of a need for such a bill and the unwisdom of passing such a piece of legislation.

I hope that every Member of the Senate will read the address the senior Senator from North Carolina has made today. If Senators will do so, and if they really believe in the Constitution of the United States, they will find much difficulty in supporting this piece of proposed legislation.

Mr. ERVIN. I thank my good friend, the senior Senator from North Carolina.

Mr. RUSSELL of South Carolina. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. I am delighted to yield to my friend, the junior Senator from South Carolina.

Mr. RUSSELL of South Carolina. Speaking as the junior Senator from South Carolina, I join the senior Senator from South Carolina in extending congratulations to the distinguished senior Senator from North Carolina, who has made one of the great legal arguments that I have heard. I can only share the regret, as expressed by the Senator from Georgia [Mr. TALMADGE], that more Senators were not in the Chamber so that they could have profited from the distilled wisdom of a great jurist, a learned constitutional lawyer, and a distinguished Senator.

Mr. ERVIN. I am deeply grateful to the distinguished Senator from South Carolina for his kind remarks.

Mr. President, I yield the floor.

ORDER FOR ADJOURNMENT UNTIL 12 O'CLOCK NOON TOMORROW—UNANIMOUS-CONSENT AGREEMENT TO LIMIT DEBATE ON THE PENDING ERVIN AMENDMENTS

Mr. MANSFIELD. Mr. President, I am about to propound a unanimous-consent request. I first suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. I ask unanimous consent that the order for a quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour tomorrow until not later than 1 o'clock, and that the time for debate on the pending amendments, beginning at the conclusion of the morning hour, be equally divided between the distinguished senior Senator from North Carolina [Mr. ERVIN] and the distinguished junior Senator from Michigan [Mr. HART].

The PRESIDING OFFICER. Without objection, it is so ordered. How much time does the Senator from Montana request for debate?

Mr. MANSFIELD. And that the vote on the pending amendments en bloc occur at 3 o'clock tomorrow afternoon.

The PRESIDING OFFICER. Is there objection? Without objection the order is entered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That the Senate proceed to vote at 3 o'clock p.m., Wednesday, May 12, 1965, on the amendment No. 157 offered by the Senator from North Carolina [Mr. ERVIN] to the substitute amendment by Senators MANSFIELD and DIRKSEN, No. 124, as amended, for the bill (S. 1564).

Provided, That all time for debate after the transaction of routine morning business on Wednesday, May 12, 1965, not to exceed 1 o'clock p.m., shall be equally divided and controlled by the Senator from North Carolina [Mr. ERVIN] and the Senator from Michigan [Mr. HART].

During the delivery of ERVIN's speech,

Mr. ERVIN. Mr. President, I ask unanimous consent that I may yield to the senior Senator from Oregon for comments or insertions, without having this part of my speech and any subsequent speech counted as more than one speech, and without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, and with the further understanding that my intervention will be printed elsewhere in the RECORD. I thank the Senator for his unfailing courtesy to the Senator from Oregon.

RIGHT TO COUNSEL—THE MALLORY RULE

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an editorial in today's Washington Post entitled "Right to Counsel."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RIGHT TO COUNSEL

The long debate over the Mallory decision concerns, essentially, self-incrimination. The police complain that there are many kinds of cases impossible to prosecute unless the suspect can somehow be induced to incriminate himself under questioning. But the issue is being very rapidly transformed by the succession of more recent decisions sharpening and extending the suspect's constitutional right to counsel.

A distinction needs to be clearly understood. The police indisputably have the authority to question witnesses and suspects. But the police want the opportunity to question their suspects under arrest, in the police stations, before the suspects talk to lawyers or even realize that they have a right to talk to lawyers.

In the Senate crime hearings last week, Metropolitan Police Chief Layton illustrated very precisely the collision between the recent decisions and the traditional police methods. Chief Layton objected sharply to the clause in Senator DOMINICK's bill that would require police, before interrogation, to warn the suspect of his right to counsel and his right to remain silent.

While Chief Layton was testifying, the court of appeals handed down its decision in the Alston case, in which a suspect had confessed to manslaughter after 5 minutes of questioning in a police station. Judge McGowan wrote: "My vote to reverse in this case is * * * premised upon my own reading of the record as showing undisputedly the omission of a timely warning." Unless the Alston decision should be overturned by the Supreme Court, a most unlikely possibility, the Metropolitan Police are already required to provide the warning of defendants' rights to which the Chief objects in the Dominick bill.

The city and Congress need to recognize that the Bill of Rights makes difficulties for the metropolitan police. It was drafted precisely for the purpose of making prosecutions difficult for police, the most particularly those prosecutions based on self-incrimination. The only jurisdictions where the Bill of Rights does not hamper the police are those where it is not enforced. The solution is not to abandon the Constitution. It is, instead, to provide the metropolitan police with the men that they need, and the computers, and the training. Chief Layton's testimony was temperate and rational. We have no doubt that he will command an increasingly efficient department, even when his detectives are required to warn the ignorant and indigent of their full rights.

The Senate District Committee is quite right to delay any action until next month, when the American Law Institute and the Justice Department will present their proposals. Whatever shape these proposals take, they will, of course, conform to Justice Goldberg's words in the Escobedo decision: "* * * no system of criminal justice can, or should, survive if it comes to depend for it continued effectiveness on the citizens' abdication through unawareness of their constitutional rights. No system worth preserving should have to fear that if an accused is permitted to consult with a lawyer, he will become aware of, and exercise, these rights."

Mr. MORSE. Mr. President, this editorial is another sound defense by the Washington Post of the need for protecting the constitutional rights of accused persons from the time of arrest to and through a criminal trial. The presumption of innocence becomes meaningless if only the inocent in fact are to be the cause of concern. Even the guilty are entitled to the benefits of the presumption of innocence if the rest of us are to remain protected from Star Chamber proceedings by police or jailers.

Neither the repeal of the Mallory rule, nor the prohibtion against arrests for investigation, nor the holding of material witnesses for any length of time without a court order, nor allowing police questioning without benefit of counsel for the accused can be squared with the true meaning of the guarantee inherent in the presumption of innocence doctrine.

I am disappointed that some law enforcement officials in the District of Columbia show a shocking insensitivity to constitutional rights of citizens, including those who need to be arrested, arraigned immediately, and held for trial.

In my opinion, not a single witness who has testified before the Senate District of Columbia Committee has made a case showing a scintilla of evidence that protecting the constitutional right of every person suspected of crime bears any cause-to-effect relationship to the increased crime rate in the District of Columbia.

I repeat this as a constitutional liberal who is never going to walk out on the oath he took in the Senate four times to do what he could, not only to uphold the Constitution, but to see to it that it is made available to every citizen. Even if some cause-to-effect relationship between the granting of constitutional rights to every citizen and an increase in crime in the District of Columbia could be shown, the senior Senator from Oregon would continue to stand for the protection of everyone's constitutional rights. He would continue to insist that the Police Department can and should be required to improve its efficiency in law enforcement without denying constitutional guarantees.

I have heard enough testimony in the Senate District of Columbia Committee hearings on the omnibus crime bill to say, most respectfully and kindly, that there are many places in the administration of the Metropolitan Police Department where efficiency can be improved. I intend, as chairman of the subcommittee with jurisdiction over the Metropolitan

Police Department, to give my full cooperation to the president of the District of Columbia Board of Commissioners and to his colleagues on the Board. My full cooperation will also be given to the chief of police, Mr. Layton, to help him obtain whatever additional aids he needs—within the framework of constitutional guarantees—to help the District of Columbia Commissioners and the chief of police to improve the efficiency of the police department. However, I serve notice on them this afternoon that I do not intend to support any proposal coming to us from any law enforcement office downtown, including the chief of police, that in my judgment does violence to basic Anglo-Saxon guarantees of protection written into our Constitution. Star Chamber proceedings and police abuses will always creep in if we do not insist on protection of the full constitutional rights of all our citizens.

It is up to the Metropolitan Police Department and the District of Columbia Board of Commissioners to ask for additional assistance from the Congress to help improve the efficiency of the police department. In my judgment, it is the clear duty of the Congress to grant reasonable and substantiated aids asked for by the District of Columbia Commissioners and the police department. But neither the police department nor the Congress can justify approving of police state procedures that are bound to lead to police abuses and jeopardize basic constitutional rights.

I am satisfied that the omnibus crime bill passed by the House, and unfortunately supported by many law enforcement officials downtown, is a crime bill that is doing violence to basic constitutional guarantees in defense of which the Senator from Oregon has raised his voice for the 20 years he has been a Member of the Senate.

I say to the police department and to the District of Columbia Board of Commissioners that there should be a cooperative attitude on their part in return for the cooperative attitude which the Senate District of Columbia Committee has demonstrated throughout the hearings, by coming here and asking for aid and assistance and improvements in respect to bettering the efficiency of the Washington, D.C., Police Department—but within the framework of the Constitution.

So long as the chief of police or anyone else in the law enforcement offices of the District of Columbia, continues to insist that the District of Columbia police should be given the right to arrest in violation of the Mallory rule now in effect, and therefore seek an amendment to the Mallory rule; so long as they, by indirection or direction, seek to get procedures approved by Congress which would allow what in effect is arrest for investigation—although it may be called by another name—so long as they insist that the police ought to have a right to subject people to police station questioning prior to arraignment; so long as they feel they should arrest a person without probable cause, so long as they propose to want to hold material witnesses without court order, this Senator will continue to oppose their recommendations in that respect.

I am also going to embrace them and give them my support in any recommendation that they make which does not do violence to the kind of guarantees to which I have just alluded.

I thought we had behind us the suggestions from downtown that they were going to continue to insist upon the eradication of the Mallory rule. I thought they had learned their lesson in regard to arrests for investigation. I thought they understood the growing tide of opposition in Congress against taking a person off the streets and subjecting him to police questioning.

Let me say to the citizens of the District of Columbia and the American people in general, do not be fooled by the semantics of the police. Place yourself in the place of an arrested person and ask yourself whether the answer is that you are entitled to be taken without delay to any magistrate and have that judicial officer determine whether there was probable cause for you to be arrested in the first place. Do you wish to be subjected to a situation, in the case of the growing crime wave in the District of Columbia, which ignores your precious Anglo-Saxon rights, your rights under Anglo-Saxon justice, that no arresting officer shall be allowed to detain you unless he has probable cause for your arrest? If he has probable cause for your arrest, what is the Washington, D.C., Police Department so disturbed about?

I will tell you what they are disturbed about. They are disturbed because they cannot arrest you. I wish to talk about you. I wish to bring this down to the level of each individual who may be someday placed in the position of being arrested. The police are disturbed because they cannot arrest you and take you to the police station and subject you to cross-examination for several hours, and then after they have browbeaten you and third-degreed you—and get it out of your heads if you believe that the "third degree" is not still a serious evil in police department after police department in this land—they wish the power to subject you to that kind of questioning before they take you before any magistrate.

Suppose you are a material witness. Suppose you are downtown, and you witness a crime committed at, say, 2 in the morning. The police will wish authority to take you and throw you in jail; yet you have had nothing to do with the crime you witnessed; you are just a passerby, but, because you witnessed a crime at 2 in the morning, the police want to hold you in jail until they can get you before a magistrate the next day to decide to what extent and how long they wish to hold you as a material witness.

I know that there are many critics in the press who do not like to hear me say these things. But they typify the procedures which are followed in a police state. I do not intend to support police state procedures in the Capital of our Nation, or anywhere else in the United States where I have any voice in trying to bring to an end such shocking procedures.

These are the issues. I make this statement today because I wish the majority leader, the distinguished Senator from Montana [Mr. MANSFIELD]—who is now in the Chamber—to know that when the crime bill comes to the floor of the Senate, should it contain any police state procedures, the Senate will be in for a long debate; because I believe that the rights of the people must be protected even in an hour of hysteria which is being whipped up in the District by those who falsely allege that there is a cause and effect relationship between the Mallory rule—the denial of arrest for investigation, the holding of material witnesses, the denial of the arbitrary and discretionary powers which the police wish—and the crime rate in the District of Columbia.

Every witness who has appeared before the District of Columbia Committee and has had anything to say to that effect, in my judgment, has fallen flat on his face, because the evidence does not bear him out.

In closing, let me thank my friend, the distinguished Senator from North Carolina [Mr. ERVIN], for yielding to me, particularly because in some respects he and I are in agreement. Although we are in agreement on them constitutionally, we may be in disagreement as to what involves the Constitution; but I wish to thank the brilliant lawyer, the Senator from North Carolina, for his courtesy in permitting me to make this record today, because I thought it should be made in this short speech.

Mr. TALMADGE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of measures on the calendar beginning with No. 165, and that at the conclusion of the call of the calendar the Senate resume the consideration of the pending business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will proceed to state the measures on the calendar, as indicated.

WORK RELEASE PROGRAM FOR PERSONS SENTENCED BY COURTS OF THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 1319) to authorize a work release program for persons sentenced by the courts of the District of Columbia; to define the powers and duties in relation thereto, and for other purposes, which had been reported from the Committee on the District of Columbia, with amendments, on page 4, line 24, after the word "purposes:", to strike out "(a) the payment of an amount estimated by them as the cost of the prisoner's room and board; (b)" and insert "(a)"; on page 5, line 3, after the word "prisoner", to strike out "(c)" and insert "(b)"; at the beginning of line 4, to strike out "(d)" and insert "(c)"; at the beginning of line 5, to strike out "(c)" and insert "(d)"; in the same line, after the word "or", where it appears the second time, to strike out "(f)" and insert "(e)"; on page 6, after line 4, to insert a new section, as follows:

SEC. 10. (a) Section 102 of the Manpower Development and Training Act of 1962 (76 Stat. 23), as amended, is amended by adding after paragraph (4) thereof the following new paragraph:

"(4A) establish a program of factual studies and promote, encourage, or directly engage in programs of information concerning the employment problems of workers participating in employment under the provisions of the District of Columbia Work Release Act; develop solutions to such problems, and publish findings pertaining thereto;".

At the beginning of line 16, to change the section number from "10" to "11"; and on page 7, at the beginning of line 3, to change the section number from "11" to "12"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Work Release Act".

SEC. 2. There is hereby authorized to be established in the District of Columbia a work release program under which any person who is (1) convicted of a misdemeanor or of violating a municipal regulation or an Act of Congress in the nature of a municipal regulation, and is sentenced to serve in a penal institute a term of one year or less, (2) imprisoned for nonpayment of a fine, or for contempt of court, or (3) committed to jail after revocation of probation pursuant to section 16–2350, District of Columbia Code, may, whenever the judge of the sentencing court is satisfied that the ends of justice and the best interests of society as well as of such person would be subserved thereby, be granted the privilege of a work release for the purpose of working at his employment or seeking employment. Such a work release privilege may also be granted, in the discretion of the sentencing court, whenever there exist such special circumstances as merit the granting of the privilege. As used in this Act, the word "sentence" and its derivatives shall be construed to include sentencing, imprisonment, and commitment as referred to in this section.

SEC. 3. At the time of imposition of sentence, or at any time subsequent thereto, the probation officers of the courts, the United States Attorney for the District of Columbia or the Corporation Counsel, as the case may be, or the Director, Department of Corrections of the District of Columbia, may recommend to, or the person sentenced may petition, the sentencing court that such person be granted the privilege of a work release. On motion of such person, the court may, in its discretion, allow any such petition which has been denied to be reinstituted. No person shall be granted work release privileges without his consent, nor shall any prisoner be given work release privileges except by order of the sentencing court.

SEC. 4. The sentencing court shall provide in its original order of commitment or in a modification thereof the terms and conditions under which a person granted work release privileges may be released from actual custody during the time necessary to proceed to his place of employment or other authorized places, perform specified activities, and return to a place of confinement designated by the Director, Department of Corrections.

SEC. 5. The Commissioners of the District of Columbia are authorized to promulgate from time to time such rules and regulations as they deem necessary for the administration by the Department of Corrections of the work release program. Subject to the terms and conditions prescribed in the order of the sentencing court, the Commissioners are authorized to prepare an individual plan to meet the specific needs of each prisoner granted the privilege of a work release.

SEC. 6. (a) The Director, Department of Corrections, may suspend the work release privilege of a prisoner for not to exceed five successive days for any breach of discipline or infraction of institution regulations. The court may revoke the work release privilege at any time, either upon its own motion or upon recommendations of the Director, Department of Corrections.

(b) Any prisoner who willfully fails to return at the time and to the place of confinement designated in his work release plan shall be fined not more than $300 or imprisoned not more than ninety days, or both, such sentence of imprisonment to run consecutively with the remainder of previously imposed sentences. All prosecutions for violation of this subsection shall be in the District of Columbia Court of General Sessions upon information filed by the Corporation Counsel of the District of Columbia or any of his assistants.

SEC. 7. The Commissioners are authorized to include in individual work release plans provisions for the collection of the wages, salary, earnings, and other income of each gainfully employed prisoner when paid, or require that the same be surrendered when received, less payroll deductions required or authorized by law, and to deposit the amount so received in a trust fund account in the Treasury of the United States. Such wages, salary, or earnings in the hands of either the employer of the Commissioners during such prisoner's terms shall not be subject to garnishment or attachment. The Commissioners are further authorized in individual work release plans to provide for disbursements for any or all of the following purposes: (a) necessary travel expenses to and from work or other business and incidental expenses of the prisoner; (b) support of the prisoner's dependents, if any; (c) support of minor children pursuant to court order; (d) payment of court fines or forfeitures; or (e) payment, either in full or ratably, of the prisoner's debts which have been acknowledged by him in writing or have been reduced to judgment. The balance of such earnings, if any there be after payments therefrom for the foregoing purposes, shall be paid to the prisoner upon the completion of the period during which he is subject to confinement.

SEC. 8. Payments for support pursuant to section 7 of this Act shall be made through the clerks of the respective courts. In cases where there is no outstanding court order of support or judgment against the prisoner, the Director, Department of Public Welfare, or his designated agent, shall, after investigation, report to the Commissioners the amounts deemed necessary for support of the prisoner's dependents.

SEC. 9. The Attorney General of the United States may, in order to carry out the purposes of this Act, designate the Commissioners as his authorized representative to perform the functions vested in him by section 11 of the Act entitled "An Act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes", approved July 15, 1932, as amended (D.C. Code, 1961 edition, sec. 24–425).

SEC. 10. (a) Section 102 of the Manpower Development and Training Act of 1962 (76 Stat. 23), as amended, is amended by adding after paragraph (4) thereof the following new paragraph:

"(4A) establish a program of factual studies and promote, encourage, or directly engage in programs of information concerning the employment problems of workers participating in employment under the provisions of the District of Columbia Work Release Act; develop solutions to such problems, and publish findings pertaining thereto;"

SEC. 11. (a) As used in this Act the term "Commissioners" means the Board of Commissioners of the District of Columbia or its designated agents.

(b) Nothing in this Act shall be construed so as to affect the authority vested in the Commissioners by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Commissioners or in any office or agency under the jurisdiction and control of said Commissioners may be performed by the Commissioners or may be delegated by said Commissioners in accordance with section 3 of such plan.

SEC. 12. This Act shall take effect on the first day of the first month which follows its approval by at least ninety days.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 178), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of this bill, as amended, is to authorize the courts of the District of Columbia to release selected offenders from prison confinement at specified hours of the day to obtain or engage in gainful employment.

The purpose of the first amendment is to eliminate clause (a) of section 7 of the bill, which would have provided for a prisoner to pay an amount estimated by the Commissioners as the cost of the prisoner's room and board. The committee was of the opinion that this provision should be removed for the reason that it would place a greater burden on the prisoner who volunteers to work than it would on one who did not seek to work during his period of incarceration.

The second amendment would provide for the utilization of the resources of the Manpower Development and Training Office of the Department of Labor in the District of Columbia work release program. The Secretary of Labor would be directed to establish a program of factual studies and to promote, encourage, or directly engage in, programs of information relating to the employment problems of workers participating in the Work Release Act. The Secretary would be further directed to develop solutions to such problems and publish findings pertaining thereto. The objective of the amendment is to develop statistical background and knowledge of the special problems of employment confronting those with criminal records. It is anticipated that this provision might give greater insights into the retraining and reemployment needs of those convicted of criminal offenses. Hopefully, it would be a first step toward a better understanding of the rehabilitation problem of inmates of correctional institutions generally.

Under the bill, the persons who would be eligible for work release privileges would be those who have been sentenced to a term of imprisonment in a correction institution as a result of a conviction of the following criminal offenses in the District of Columbia: (1) convicted of a misdemeanor, or violation of a municipal regulation, or an act of Congress in the nature of a municipal regulation, and the penal sentence is for a term of 1 year or less; (2) convicted and imprisoned for nonpayment of a fine or contempt of court; (3) sentenced to a prison term following a revocation of probation in offenses involving failure to make support payment to children born out of wedlock (16 D.C.C. 2350).

Under the provisions of the bill, the court is authorized to grant a work release privilege when the sentencing judge is satisfied that the ends of justice and best interests of society as well as of the prisoner will be subserved thereby. The sentencing court shall provide in an appropriate order the conditions and terms under which an inmate granted a work release program may be released from actual custody during the time necessary to proceed to his place of employment or other authorized places, perform specified activities, and return to a place of confinement designated by the Director, Department of Corrections.

A prisoner at the time of imposition of sentence or subsequently, may originate a work release privilege for himself by filing an appropriate petition with the sentencing court. Also, the Office of the U.S. Attorney, Corporation Counsel, the probation officers of the court, and the Department of Corrections for the District, at the imposition of sentence or subsequently, may recommend to the sentencing court that the prisoner be granted work release privileges. Under the terms of the bill no prisoner shall be granted work release privileges without his consent, nor shall any prisoner be granted work release privileges except by order of the court. Other pertinent sections of the bill provide for the following:

1. Section 5 authorizes the Commissioners to promulgate rules and regulations for operation of the work release program and authorizes them to prepare individual work release plans subject to the terms and conditions prescribed in the order of the sentencing court.

2. Section 6 authorizes the Director of the Department of Corrections to suspend temporarily a work release privilege where there is a breach of discipline of the institution regulations. It also permits the court to revoke a work release privilege on its own motion or upon the recommendation of the Director, Department of Corrections. The section provides a penalty of 90 days maximum imprisonment or $300 fine, or both, where a prisoner who wilfully fails to return at the time and place of confinement designated in his work release plan.

3. Section 7 authorizes the Commissioners to include in individual work release plans provision for the collection of wages and earnings of each gainfully employed prisoner and to disburse the same for specified purposes; i.e., support of the prisoner's dependents, payment of legal debts, court fines or forfeitures, and the like.

AUTHORIZING THE BOARD OF PAROLE OF THE DISTRICT OF COLUMBIA TO DISCHARGE A PAROLEE FROM SUPERVISION PRIOR TO THE EXPIRATION OF THE MAXIMUM TERM FOR WHICH HE WAS SENTENCED

The bill (H.R. 66) to authorize the Board of Parole of the District of Columbia to discharge a parolee from supervision prior to the expiration of the maximum term for which he was sentenced was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 179), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The purpose of this bill is to authorize the Board of Parole of the District of Columbia, subject to the approval of the Board of Commissioners of the District of Columbia, to promulgate rules and regulations under which the Board of Parole, in its discretion, may discharge a parolee from supervision prior to the expiration of the maximum term or terms for which he was sentenced.

The basis for this legislation was actually developed in 1956, when the District of Columbia Board of Commissioners appointed a Committee on Prisons, Probations, and Parole to supervise a study of the problem of overcrowding in the District's correctional institutions, and also the existing policies with respect to probation and parole. The report of this committee, submitted in 1957, included a recommendation that the Parole Board be granted the authority which is incorporated in H.R. 66.

Under existing law, the Board of Parole for the District of Columbia is required to retain under supervision, and legal custody, persons released to a parole status but whose maximum term of sentence has not expired. As a practical matter this means in some cases that the Parole Board must retain supervision for the rest of a person's natural life or for many years after a person has been paroled. This is the fact even though the parolee has made an excellent adjustment in the community and is without need of supervision.

BOND REQUIREMENTS IN CONNECTION WITH ATTACHMENT BEFORE JUDGMENT

The Senate proceeded to consider the bill (S. 1321) to amend section 501(e) of title 16 of the District of Columbia Code relating to bond requirements in connection with attachment before judgment which had been reported from the Committee on the District of Columbia, with an amendment on page 2, line 2, after the word "levied", to strike out "upon'." and insert "upon: *Provided,* That the United States marshal may, in his discretion, when levying upon such property, have the same appraised by an independent appraiser retained by the marshal at the expense of the plaintiff. Any such appraisal shall be made at the time the marshal levies upon the property, and the appraiser shall accompany him for such purpose. If such appraisal has been made, then only such property as may have a value not exceeding one-half of the amount of the bond shall be attached. In the event the appraised value of the property shall be more than one-half of the amount of the bond, the marshal may refuse to execute the writ unless and until the amount of the bond is increased so as to be at least twice the value of the property to be attached'."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 501(e) of title 16 of the District of Columbia Code is amended by inserting, immediately before the period at the end thereof, a semicolon and the following: "except that in any case in which the plaintiff states in his affidavit that the value of specified property to be levied upon is less than the amount of his claim, the court may set the amount of such bond in an amount twice the value of the property being attached, and, notwithstanding the provisions of subsection (f) of this section, only the property so specified shall be levied upon: *Provided,* That the United States marshal may, in his discretion, when levying upon such property, have the same appraised by an independent appraiser retained by the marshal at the expense of the plaintiff. Any such appraisal shall be made at the time the marshal levies upon the property, and the appraiser shall accompany him for such purpose. If such appraisal has been made, then only such property as may have a value not exceeding one-half of the amount of the bond shall be attached. In the event the appraised value of the property shall be more than one-half of the amount of the bond, the marshal may refuse to execute the writ unless and until the amount of the bond is increased so as to be at least twice the value of the property to be attached".

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 180), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The purpose of this bill, as amended, is to amend the provisions of section 501(e) of title 16 of the District of Columbia Code relating to attachments before judgment. The bill permits the plaintiff in such an action to take out a bond in an amount twice the value of the property attached rather than twice the value of the claim against the defendant when the property to be attached is of less value than the total claim. When this provision is invoked only that specific property under the bond may be levied upon. The smaller bond is not to cover the general property of the defendant and general property cannot be levied upon.

Section 501 of title 16 of the District of Columbia Code, 1961 edition, sets forth the manner and procedures by which a plaintiff in an action to recover specific personal property, a debt, or damages for breach of an express or implied contract, may attach the defendant's property before a judgment is rendered on the merits of the case.

Such attachment may issue only where the plaintiff avers that at least one of five conditions is met, namely:

1. The defendant is a foreign corporation or not a resident of the District of Columbia and has been absent for at least 6 months;

2. He evades the service of ordinary process by concealing himself or temporarily withdrawing from the District;

3. He has removed or is about to remove some of his property from the District so as to defeat just demands upon him;

4. He has assigned, conveyed, or disposed of or secreted or is about to do any of the aforementioned, to defraud his creditors; or

5. He fraudulently contracted the debt or incurred the obligation respecting which the action is brought.

Subsection (e) of section 501, which this bill amends, requires the plaintiff to file with the clerk's office a bond in twice the amount of his claim to make good to the defendant all costs and damages which may result from a wrongful suing out of an attachment before judgment.

The present language of subsection (e) is designed to protect the defendant against loss or damage to his property because of wrongful attachment. A bond related in amount to the property attached rather than the amount of the claim would not diminish this protection. It would, however, avoid placing undue burden on a plaintiff who finds that the defendant has insufficient property in the District of Columbia to satisfy plaintiff's claim. The District Bar Association reports that the court has required a bond in an amount twice the value of the property where the property attached exceeds the value of the claim. This bill would extend the logic of this practice for the benefit of the plaintiff by permitting the plaintiff to file a bond in twice the amount of the property in lieu of a bond in twice the amount of the plaintiff's claim.

PENALTIES PRESCRIBED FOR HANDLING AND COLLECTION OF DISHONORED CHECKS OR MONEY ORDERS BY COMMISSIONERS OF THE DISTRICT OF COLUMBIA

The bill (S. 1317) to authorize the Commissioners of the District of Columbia to prescribe penalties for the handling and collection of dishonored checks or money orders was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are authorized and directed to prescribe and impose as a penalty, in addition to any other penalties provided by law, an amount to be paid by any person who gives or causes to be given a check or money order in payment of any tax, assessment, fee, charge, or other obligation due the Government of the District of Columbia, and such check or money order is subsequently dishonored or not duly paid. The amount of the penalty shall be prescribed from time to time by the Commissioners and shall be based on the approximate cost borne by the District of Columbia in handling and collecting such dishonored or unpaid checks or money orders. Upon imposition, such penalty shall be collected in the same manner as the original obligation due the District of Columbia and any receipt theretofore given in reliance upon such check or money order shall be null and void and no other receipt shall be given for the payment of the original indebtedness until the penalty has also been paid. This Act shall not apply to a check which is not paid because of the death of the drawer thereof.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 181), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of this bill is to authorize the Commissioners of the District of Columbia to prescribe penalties for the handling of dishonored checks or money orders which have been presented to the District government by persons in payment of a tax, assessment, or other District government obligations.

During the past several years the District government has been concerned with the substantial and steadily increasing number of dishonored checks tendered by persons in purported payment of obligations due the District. The number of such checks and money orders received by the District have increased from a total of 3,082 in fiscal year 1956 to a total of 4,754 in fiscal year 1964. The face amount of these defective instruments totaled $384,498 in fiscal 1964.

The Finance Office of the District government conducted a cost study in fiscal 1963, and determined that the average cost to the District for processing and collecting each defective check amounted to $6.42. On an annual basis this cost to the District was estimated at between $25,000 and $30,000. The study made by the Finance Office, also revealed that in fiscal 1963, of the 4,394 instruments received, three-fourths were dishonored because the drawer's bank balance was insufficient to meet the amount of the drawn check.

A number of States and municipalties in recent years have deemed it essential to enact laws and ordinances to combat the cost problems involved in handling dishonored checks and money orders. Essentially all local banks in the District have found it necessary to assess service charges against its customers who draw defective checks to recover their handling costs. The Federal Government, under the Internal Revenue Code of 1954 (26 U.S.C. 6657), likewise penalizes, under certain conditions, persons who tender checks and money orders which are not duly paid.

Under the provisions of S. 1317 the District Commissioners would be authorized to prescribe from time to time a penalty in an amount as will approximate the cost to the District of processing and collecting the dishonored or defective check or money orders. Upon imposition of the penalty by the District government the collection of such penalty would be in the same manner as the original obligation due the District. The bill also provides that any receipt theretofore given in reliance upon such dishonored check or money order shall be null and void, and that the original indebtedness will not be considered paid until the penalty charge provided for in this bill is also paid. The provisions of the bill are made inapplicable to a check which is unpaid due to the death of the drawer thereof.

FRANCIS CASE MEMORIAL BRIDGE

The Senate proceeded to consider the joint resolution (S.J. Res. 5) designating the bridge crossing the Washington Channel near the intersection of the extension of 13th and G Streets SW., the "Francis Case Memorial Bridge," which had been reported from the Committee on the District of Columbia, with amendments, on page 1, at the beginning of line 10, to insert "or of the District of Columbia"; on page 2 at the beginning of line 4, to strike out "shall" and insert "shall place on the 'Francis Case Memorial Bridge' plaques of suitable and appropriate design."; and after line 5, to strike out:

(1) place on the "Francis Case Memorial Bridge" plaques of suitable and appropriate design; and

(2) in connection with the opening of such bridge to the public, provide for suitable ceremonies honoring the late Francis Case, United States Senator from the State of South Dakota, for his many valuable services for and on behalf of the residents of the District of Columbia.

So as to make the joint resolution read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the bridge crossing the Washington Channel of the Potomac River on Interstate Route 95, approximately one hundred yards downstream from the outlet gate of the Tidal Basin, near the intersection of the extension of Thirteenth and G Streets Southwest, shall be known and designated as the "Francis Case Memorial Bridge." Any law, regulation, map, document, record, or other paper of the United States or of the District of Columbia in which such bridge is referred to shall be held to refer to such bridge as the "Francis Case Memorial Bridge".

SEC. 2. The Commissioners of the District of Columbia shall place on the "Francis Case Memorial Bridge" plaques of suitable and appropriate design.

SEC. 3. The Secretary of the Senate shall transmit copies of this resolution to the wife of the late Senator Francis Case, Myrle Case; his daughter, Jane Case Commander; and his granddaughter, Catherine.

The amendments were agreed to.

The joint resolution (S.J. Res. 5) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 183), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of the joint resolution is to name the bridge across the Washington Channel on the Potomac River connecting the Rochambeau Memorial Bridge with the Southwest Freeway complex in the city of Washington as the "Francis Case Memorial Bridge" to honor the late distinguished U.S. Senator Francis Case, of South Dakota.

The construction of the Washington Channel Bridge was completed during 1962, and it has been open to vehicular traffic since the opening ceremonies held on July 31, 1962.

It was the committee's opinion that the naming of this bridge after the late Senator Francis Case would do much to honor this former U.S. Senator who served as a member of the Senate Committee on the District of Columbia for several years, and was chairman of the committee in 1953 and 1954. He was one of the foremost congressional architects of the 23d amendment to the Constitution of the United States, which gave to the residents of the District of Columbia for the first time the right to vote for President and Vice President.

The bill also provides that suitable name plaques of appropriate design will be placed on the bridge by the District of Columbia Commissioners in order to properly commemorate the dedicated service of Senator Case in behalf of the District of Columbia.

SPECIAL REGULATIONS FOR PERIOD OF AMERICAN LEGION NATIONAL CONVENTION OF 1966

The joint resolution (H.J. Res. 195) to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the American Legion National Convention of 1966, to be held in Washington, D.C., to authorize the granting of certain permits to the American Legion 1966 Convention Corp. of the District of Columbia on the occasion of such convention, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 184), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE JOINT RESOLUTION

The purpose of the joint resolution is to authorize the District of Columbia Commissioners, the Secretary of the Interior, and the Secretary of Defense, to provide for the comfort and protection of all persons within the District of Columbia, and also to provide assistance to the convention corporation, during the convening of the American Legion National Convention of 1966, in the District of Columbia on August 29, 30, 31, and September 1, 1966.

The committee has been advised that the forthcoming American Legion convention will present special problems for the city as well as exert a heavy burden on the municipal services of the city. The problems in large measure relate to the handling of large crowds, the erection of reviewing stands and lighting for parades, and the proper regulation and control of automobile traffic. Also, as part of the problem there is a need for the services of the Police Department and the Department of Public Health to be adequately supplemented in order to protect the personal safety and health of the citizens of the District and the many visitors who will be here during the convention period.

RENTAL OF CERTAIN PROPERTY IN THE DISTRICT OF COLUMBIA BY THE VETERANS OF FOREIGN WARS OF THE UNITED STATES

The bill (H.R. 4338) to authorize the Veterans of Foreign Wars of the United States to rent certain property in the District of Columbia for certain office purposes; was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 185), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of the bill is to authorize the Veterans of Foreign Wars of the United States to lease or rent any part of their Memorial Building located at 200 Maryland Avenue NE., in the District of Columbia, for office purposes only, to any agency of the Federal or District of Columbia Governments or to any nonprofit organization.

EXCLUSION OF HEADWEAR FROM WOOL PRODUCTS LABELING ACT

The Senate proceeded to consider the bill (S. 836) to amend the Wool Products Labeling Act of 1939 to authorize the Federal Trade Commission to exclude from the provisions of that act wool products with respect to which the disclosure of wool fiber content is not necessary for the protection of the consumer.

The bill (S. 836) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 14 of the Wool Products Labeling Act of 1939 (15 U.S.C. 68j) is amended by inserting "(a)" immediately after "SEC. 14", and by adding at the end thereof the following new subsection:

"(b) The Commission may exclude from the provisions of this Act any headwear with respect to which the disclosure of wool fiber content is not necessary for the protection of the consumer."

The title was amended so as to read: "A bill to amend the Wool Products Labeling Act of 1939 to authorize the Federal Trade Commission to exclude from the provisions of that Act headwear with respect to which the disclosure of wool fiber content is not necessary for the protection of the consumer."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 186), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

S. 836, as amended, would authorize the Federal Trade Commission to exclude any headwear from the labeling requirements of the Wool Products Labeling Act where such labeling is, in the Commission's judgment, not necessary for the protection of the consumer.

At the present time, the Wool Products Labeling Act requires that all wool products, including headwear, disclose by percentages the constituent fibers contained in the product. By contrast, the Textile Fiber Products Identification Act, which applies to textile products other than wool, expressly exempts "headwear" from fiber labeling requirements.

Since wool hats compete with hats made of other fibers, the additional cost of labeling wool hats is a unique burden, which places the wool manufacturer at a competitive disadvantage. Moreover, the exclusion of headwear from the Textile Fiber Products Identification Act reflects the judgment of Congress that the constituent fibers are a matter of little concern to the purchaser of headwear. Thus the committee concluded that the Federal Trade Commission should have the authority to exclude wool headwear from labeling requirements where it finds that such labeling is not necessary for the protection of the consumer.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDRESS BY REPRESENTATIVE MARTHA W. GRIFFITHS AT SIXTH ANNUAL DETROIT AREA FORD COMMUNITY SERVICE AWARDS DINNER

Mr. HART. Mr. President, for several years the Ford Motor Co. has made important contributions toward increasing interest and participation on the part of Ford Motor Co. employees in community affairs. On the occasion of the sixth annual Detroit area Ford Community Service Awards dinner, held at Dearborn, Mich., on May 4, 1965, the Representative from the 17th Congressional District of Michigan, Hon. MARTHA W. GRIFFITHS, was the speaker. Her comments are most interesting. In order that they may be shared by others, I ask unanimous consent that her address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF THE HONORABLE MARTHA W. GRIFFITHS, MEMBER OF CONGRESS, ON THE OCCASION OF THE SIXTH ANNUAL DETROIT AREA FORD COMMUNITY SERVICE AWARDS DINNER, MAY 4, 1965, DEARBORN, MICH.

When I was originally judge of the Ford Good Citizen Award, and again when I was asked to speak tonight, I have considered who is a good citizen and why do we say he is a good citizen. To define a good citizen, I think you must first name the country about which you are speaking. That is, that which is considered good citizenship in the United States is not necessarily the same thing acclaimed in a citizen of Russia; nor is a good citizen of Germany today the same type of citizen that was decorated in Germany during the Hitler regime. It is apparent, therefore, that not only are the responsibilities of good citizenship different from country to country, but they can be different in the same country at different times in history.

Our country, which is the oldest democracy on earth, probably would consider today as a good citizen the same person that would have been considered at the time George Washington was President. The activities in which the citizen participates may be different but the duties, although today more complex, it seems to me are the same. The duties of that citizenship, unitemized, unpunished, and largely unrewarded, lay like a steel hand in a velvet glove upon every man's shoulder. More than laws, more than mechanical inventions, more than a temporate climate or a large unexplored piece of land, good citizens have made this Nation what it is.

Some years ago I was junketing in South America. I am well aware that such trips are usually considered fringe benefits for Congressmen, but let me tell you that most of the ones I have ever been on come under the heading of hard work. One morning in Chile, we were invited to visit a church-related school. The purpose of the school was to train rural children in the growing of crops, the management of the land, the building of homes, and the management of a home. The monseigneur who was in charge of this school and 11 other such schools in South America sat beside me at lunch. When I complimented him upon the training of the children, he told me that there was only one thing which the children could not learn—one thing which no amount of training could instill into them. Naturally, I was interested and I asked him what that one thing was. He replied, "Mrs. GRIFFITHS, we can teach these children to read and write; to manage the land; to grow crops. The one thing that we cannot teach them is to help each other. The purpose of the school is to train each child so that he can return to his village and teach the other villagers that which he has learned. We teach the child and he returns to the village, but he will not share the knowledge."

I was amazed. I thought for a minute about our own country. You can't even go out in the front yard on Sunday afternoon to mow the lawn without receiving some advice from your neighbors on how to do it better, or where to get a better mower. More free and unsolicited advice is passed out in America perhaps than in any other nation on earth. If your neighbors can't tell you, you can always write Ann Landers, or an economist in any paper, or the editor—or you can call the radio station, the public library, the underpaid pastor of your church, or the rabbi of your synagogue. America is bursting with free advice on how to run your life better; make more money; be fat;

be slim; or to do whatever else you want to do.

Perhaps, this very attribute is one of the things that has helped us most. It began long ago, this help-your-neighbor, advise-your-neighbor program, when America was settled. Consider the barn raisings and the corn huskings of the American frontier. The Federal Government set its national stamp of approval more than 100 years ago upon passing around the knowledge when it set up the land-grant colleges, training people to use the land and then passing out little pamphlets of national know-how. Sharing knowledge is as American as apple pie.

It seems to me, therefore, that a good citizen in America today or any day is a person who helps his neighbors. He is a person who shares his knowledge. He is his brother's keeper.

It was easy to help on the American frontier. It is easy to help now when the Mississippi is at flood tide or a tornado devastates your community; but is it easy to help when before your window you watch a girl murdered as the people in New York who stood at their windows and watched a neighbor killed without calling the police or attempting to help her. Is it easy to be a good citizen when you observe three civil rights workers killed in Mississippi and you fear to tell the authorities because of the danger to your own life? What is the duty of a good citizen who approves or disapproves the bombing of Vietnam, the entry of the Marines into Santo Domingo? Are you supposed to go marching down to Washington in opposition, or do you thus endanger other American lives by giving aid and comfort to the enemy? Is it enough that you rear your own child to make a living or do you have some duty toward assisting with the problem of juvenile delinquency? Is it enough that you attend church on Sunday morning or should you participate in church activities? Is it sufficient that social security pays the bills of the elderly or do you have some obligation to your elderly parents and your elderly neighbor.

Not every answer is clear. Not every person will answer the same on every question. The right to differ is an American right, and yet, in my judgment, there can be neither quibbling nor divergence in the view that peace and order in our country is not maintained solely by police officers. It is maintained by men and women who do call the police when they see a murder occurring, or who otherwise act to stop the murderer or convict him.

No court of law can function without witnesses. No police department can function without witnesses, and order cannot be maintained nor can the safety of any person's life be guaranteed without the cooperation of his neighbor. A responsible man or woman cannot hide behind a child's objection of being a tattletale. Security in this Nation from criminals depends upon honest, courageous citizens participating in the law enforcing process.

The law must treat all men the same. There cannot be one law for white people; another law for colored people; one law for the North; and another for the South. The law must apply equally to all men. To report the murder of the girl on the New York street may jeopardize your life, but the failure to report jeopardizes every life. Thus, in my judgment, a good citizen participates in the law enforcement process.

A good citizen participates in the law-making processing through voting, through informing his representative of his approval or objection to a law, and of his understanding of how that law works. None of this is done easily; little of it is done without controversy; rarely, indeed, is a good citizen rewarded for his excellence. In this case, too often virtue is its own reward. It is most unusual for an employer to encourage participation; and quite remarkable for an employer to offer an award. But, in this case, the employer remains the family that started the business. The operation of the business itself, it seems to me, could have happened only in America. First, the European trade barriers would probably have prohibited making a model T, priced to every man's pocket, but, in addition, isn't it possible that in place of a modest margin of profit on a production-line model widely sold, that handmade cars would have been produced for the wealthy few? As a person interested in the economies of the modern world, I have considered this problem many times. Americans had shared too long; had helped each other too many times. This something in American life, which distinguishes it, for instance, from our neighbors to the south, probably contributed as much to a production line as the availability of materials; or as the competitiveness of other manufacturers.

This sharing, this helping our neighbor, this participation within our Government, this idea of good citizenship, is a precious attribute in the world. Begun by a few men upon a vast continent, it is endangered today by the vast numbers of people, by the complexity of the problems we face, by our lack of understanding that our security and our well-being still rest in our neighbor's hands, as his security and his well-being rest in ours. I am particularly pleased, therefore, to be present tonight and to salute a group of people singled out for that additional something which they have added to American life, and with representatives of the Ford family who invite you here tonight to commend you for the excellence of your performance as a citizen on the street where you live.

RESOLUTION BY NEW YORK CITY COMMISSION ON HUMAN RIGHTS ENDORSING CELLER-HART BILL

Mr. HART. Mr. President, under date of April 27, 1965, I received a letter from the distinguished mayor of the city of New York, Hon. Robert F. Wagner. In his letter, Mayor Wagner enclosed a resolution adopted by the Commission on Human Rights of the City of New York. The resolution endorses and strongly recommends the enactment of the immigration bill, S. 500, and the House companion bill, H.R. 2580. These bills embody the proposals recommended to Congress by the President of the United States in his message to Congress on the subject of immigration. I ask unanimous consent that the mayor's letter and the text of the commission's resolution be printed at this point in the Record.

There being no objection, the letter and resolution were ordered to be printed in the Record, as follows:

City of New York,
Office of the Mayor,
New York, N.Y., April 27, 1965.

Hon. Philip A. Hart,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator Hart: The Commission on Human Rights of the City of York, a duly constituted governmental commission of New York City, has requested that I transmit to you a resolution endorsing the Celler-Hart bill to amend the Immigration and Nationality Act. I consider it a privilege to comply with this request. Accordingly, I am enclosing a copy of the resolution. I do so with my strong endorsement.

As mayor of New York City, I consider the passage of the Celler-Hart bill essential. This legislation is long overdue to rectify past injustices in our immigration policy.

Sincerely,
Robert F. Wagner, *Mayor.*

Resolution of the City Commission on Human Rights of New York, on Support for New Federal Immigration Law (Celler-Hart Bill)

The Commission on Human Rights, charged by New York City local law 55 to "encourage and bring about mutual understanding and respect among all groups in the city, eliminate prejudice, intolerance, bigotry, discrimination, and disorder occasioned thereby and give effect to the guarantee of equal rights for all assured by the Constitution and the laws of this State and of the United States of America," has been convinced since its creation in 1955 that to find solutions to the serious problems of prejudice and discrimination confronting our city, the united effort of all citizens is required to bring all of us to an appreciation of the unique needs and aspirations of each group and the contribution each is making to our progress. For this reason the commission adopts the following resolution:

"Whereas the New York City commission is charged by local law 55 to insure, protect, defend, and extend the human rights of all people of the city; and

"Whereas the commission recognizes that the denial and abrogation of the rights of any one person or group is the denial and abrogation of the rights of all citizens and groups; and

"Whereas the commission recognizes that the de facto exclusion of people from southern and Eastern Europe, and from Asia, in the present immigration laws, is based solely on place of origin, and, therefore, is unjust and discriminatory; and

"Whereas the New York City Commission on Human Rights believes that these immigration laws psychologically cripple Italian, Greek, Polish, Hungarian, Chinese, Japanese, Malaysian, and other children just as the 1954 Supreme Court decision declared segregated schooling cripples minority group children; and

"Whereas the commission believes that our present immigration laws create in southern and eastern Europeans and Asiatic peoples the same frustrations which have produced demonstrations by Negroes in Birmingham, Selma, and Montgomery, Ala., as well as here in New York City; and finally

"Whereas the commission is further convinced that the present immigration law and the frustrations it creates are part and parcel of the entire struggle for civil rights in America and for the equal opportunity for all people to contribute their unique heritage to the progress and welfare of America: Therefore be it

"*Resolved,* That the New York City Commission on Human Rights strongly supports liberalizing our present immigration laws through passage of the Celler-Hart bills, H.R. 2580 and S. 500, and urges the citizens of New York to marshal their efforts in support of it; further, that the New York City Commission on Human Rights, through the office of the mayor of the city of New York, asks the New York City congressional delegation and Senators Javits and Kennedy to assert responsibility to the people of New York and the Nation by obtaining swift passage of the Celler-Hart bill."

THE 30TH ANNIVERSARY OF ESTABLISHMENT OF THE RURAL ELECTRIFICATION ADMINISTRATION

Mr. YOUNG of North Dakota. Mr. President, 30 years ago today, the Rural

Electrification Administration was created. That was a signal event in the history of rural America, and one that will long be remembered in the chain of events which have made the American farmer a model for the world.

It has been my privilege, over the years, to have been closely associated with this program. My first experience with it came as a member of the North Dakota State Senate. Since coming to the U.S. Senate, I have watched the development and growth of the REA cooperatives throughout the Nation. Amazing strides have been made in the field of providing electric power to our rural areas, and the record of achievement in my own State is among the most notable.

In 1935, when this agency was established, only 2.3 percent of North Dakota's farms were served by central-station power. Today, 26 electric borrowers in the State provide electric service to 97 percent of our farmers. To accomplish this, these organizations have borrowed $179,556,486 from REA. Through January 1 of this year, repayments of principal and interest totaled $68,212,697, with over $9.5 million representing payments of principal ahead of schedule. At that time, not a single borrower was overdue on its payments.

The advent of electricity into the life of the farmer has made it possible for him to have many of the conveniences and comforts of life that his urban counterpart has long taken for granted. More important, many of the time-consuming farm chores can be performed with the aid of electric power, thus easing the workload of the farmer, and enabling him to move toward more efficient use of his time and resources.

Only in recent years has research work into the farm use of electricity really moved into high gear. Some of the highly mechanized farm feedlots, dairy operations, grain-handling installations, and shop facilities, which 5 or 10 years ago, were considered the most up-to-date systems, have been rendered obsolete by new developments in the use of electricity. It is becoming possible for the modern farmer to handle larger farm enterprises through the efficient use of the most valuable of tools—electricity.

In this march of progress, the farm wife has not been neglected. Today, she enjoys the advantages of a modern electric home, which 30 years ago was but a dream.

Mr. President, I feel that the outstanding success of the REA program is a tribute to the ability and vision of thousands of people across the Nation who have made use of the assistance available, through the Rural Electrification Administration, to bring electricity to the farm. This program is an outstanding example of cooperation between local groups and the Federal Government.

I take this opportunity to salute the Rural Electrification Administration and all of the people who have done so much to make its operations so successful.

Mr. NELSON. Mr. President, today marks the 30th anniversary of President Franklin D. Roosevelt's Executive order establishing the Rural Electrification Administration. That important act signaled the end for the kerosene lamps that had long been the symbol of farm hardships.

At that time, when the Nation struggled to throw off a terrible depression, only 11 percent of the farms in America had electric power. The figure was even lower in the sparsely settled areas with their need for miles and miles of poles and lines. It was here, in areas private utilities were unwilling to serve, that REA has meant the most.

Farm leaders had begun pressing for rural electrification by the 1920's, supporting their demands with examples of successful programs in other countries. Canada, for example, had the Hydro-Electric Power Commission which supplied 28,000 Ontario farmers with electric service at less than 5 cents a kilowatt-hour. In 1923 electricity had reached half the farms in Denmark. Practically all of Holland's farms had electric power.

Rural electric cooperatives had an early start in Wisconsin, setting some of the high standards we are so proud of today. A cooperative formed by 43 farmers in the Viola, Wis., area in 1919 was still going strong when the Presidential order was signed 30 years ago today. It was one of 46 electric cooperatives and nonprofit companies set up in 13 States during those pioneering years.

By 1933, when the Roosevelt administration came into office, it was clear that a Federal rural electrification plan would be part of its national power and economic recovery program. The first step, a regional approach, was taken promptly with establishment of the Tennessee Valley Authority.

Two years later President Roosevelt made rural electrification nationwide by including funds for this purpose among his high-priority requests to Congress. A $100 million request which Congress quickly approved set the stage for signing—on May 11, 1935—of the Executive order we are recognizing today.

A year later, Congress passed legislation establishing REA as a permanent agency with a long-range lending program. The bill had been guided through both Houses by two of the most skillful and dedicated friends of rural electrification, Senator George W. Norris, of Nebraska, and Congressman Sam Rayburn, of Texas. It is among the most significant pieces of social legislation ever enacted.

REA stands today as one of the great, lasting accomplishments of this exceptional era in American history. It withstood the criticism of those days in the 1930's when it was called "socialism" and "communism" and moved in a distinctly democratic manner in bringing electricity to our rural areas.

Independent, home-owned cooperatives, with capital provided on a strict loan basis from the Federal Government, were created. Wisconsin's leadership continued with the first REA-financed lines energized on May 8, 1937. These rural lines were serviced by the Richland Cooperative Electric Association, Richland Center, and the Columbus Rural Electric Cooperative, Columbus.

Rural electric systems in Wisconsin new serve nearly 104,000 rural businesses and families on 32,795 miles of line. REA loans made to the State's 31 borrowers over the years total nearly $208 million.

This cooperative program, operated in the finest traditions of a free democracy, gets spectacular results.

The REA-serviced systems in Wisconsin have only 3.2 customers and an annual revenue average of only $538 per mile of line, compared with 23.1 customers and $4,828 for commercial utilities. Yet they have grown to the point where 98.8 percent of Wisconsin's farms have electric power—a record exceeded by only five other States.

Wisconsin also was a leader in early arrangements to obtain electricity to supplement that available from the power companies. In the 1930's, cooperatives could draw power only in some areas from sources such as Bonneville and the TVA. This growing requirement resulted in creation of generation and transmission—G. & T.—cooperatives, which are federations of distribution cooperatives.

The Nation's first G. & T. loans were granted by REA to the Wisconsin Power Cooperative of Chippewa Falls, Wis., on March 11, 1938. This cooperative, no longer in existence, was a forerunner to the present Dairyland Power Cooperative. Dairyland now is the largest of the 43 G. & T. cooperatives serving rural areas.

I am also proud that Wisconsin provided one of the seven administrators who have ably guided REA through the past 30 years of service to rural areas. Norman M. Clapp, Administrator since 1961, was born and educated in Wisconsin and was an employee in the 1940's of the Grant Electric Cooperative in southwest Wisconsin. His brother, Gordon, also was a a leader in this field. He served with distinction as Chairman of TVA.

Under the leadership of these administrators, REA has grown to the point where 97.9 percent of all the farms in this country have electricity. Not only are they well served, but they also enjoy lower and lower electric rates.

The U.S. average cost to rural residential consumers has declined from 3.92 cents per kilowatt-hour in 1948 to only 2.3 cents in 1963. Part of this fine record is due to the increased use of power on farms—roughly a fourfold increase since 1948. The rest is due to good management of these consumer-owned and locally managed systems.

I would like to say in closing that it is difficult to imagine how today's farmer could operate, particularly in the face of steadily rising costs, without this dependable source of cheap electric power. It has made the family farm—with its electric-powered milkers, grain dryers and water pumps and heaters—the most efficient type of farming unit today.

It also has brightened almost beyond imagination the life of the farm wife, providing electricity for irons, washers, and dryers, refrigerators and freezers. The electricity brought to rural areas by REA has banished much more than the kerosene lamp. It has ended for all time much of the drudgery taken for granted on the typical farm of May 11, 1935.

Mr. PROXMIRE. Mr. President, today marks the 30th anniversary of the Rural Eelectrification Administration. Few Federal agencies have done more for the farmer yet received less credit than the REA. Few agencies have been subjected to such severe yet unjustified criticism.

The basic purpose of the REA program has been to provide the rural sector of our economy with electricity and modern communications. REA has taken giant strides toward the achievement of this goal. When the Rural Electrification Act was passed in 1936, only 10 percent of the Nation's farms had central station electric service. Today a mere 2 percent are without this electric service. When REA began its telephone program in 1949, 6 out of 10 farms had no telephone service. Today 79 percent of farms have telephones while 90 percent of those phones are dial phones.

I am especially proud of the fine job the REA Administrator, Norman Clapp, has done in helping to keep REA's programs alive and vital. Norm is a Wisconsinite, whose background ideally suits him for his present assignment. He has gained an intimate knowledge of farm problems as editor and published of the Grant County Independent, a weekly newspaper in a county which ranks 85th in the United States in value of farm products sold. Yet he also knows how to work through the Washington hierarchy after serving as administrative assistant to Senator Robert La Follette, Jr., as a staff man for the Senate Finance Committee, and on the staff of the National Labor Relations Board.

Norm daily faces the challenge of providing cheap electric and telephone service to rural people. Consumers on REA-financed lines still pay 19 percent more for 500 kilowatt-hours of electricity than consumers in towns and cities.

In addition, many rural residents still lack modern telephones while the availability of single-party service in rural areas continues to be severely limited.

I especially want to draw the Senate's attention to the fine record of loan repayment achieved under the REA's programs. By January 1, 1965, REA electric borrowers had repaid the Federal Government over $2.1 billion on their loans. This included $255 million of principal paid ahead of schedule. Only one borrower was overdue in payments amounting to less than $50,000. This is a record of which any commercial lending institution would be proud.

My State of Wisconsin has benefited greatly from the REA's programs. Low consumer density has made REA indispensible to Wisconsin's farm families. Commercial utilities simply are unable to provide economic service to our widely scattered farming communities. For example, REA borrowers in my State serve 3.2 consumers per mile, averaging $538 in revenue for each mile served. In contrast, commercial utilities serve 23.1 consumers and average $4,828 in revenue per mile. The rural electrification program has meant a jump in the number of farms in Wisconsin receiving electric service from 19.6 percent in 1935 to 98.9 percent on June 30, 1964.

In closing, Mr. President, I would like to commend REA for helping not only the farmer but the consumer. The widespread mechanization of agriculture has required electric power and lots of it. The increasing availability of this power over the last decade because of REA's programs has been a major factor in the growth of output per farm worker at more than twice the rate experienced in other sectors of our economy. This in turn has resulted in food costs to the consumer that are less than half the European average in terms of percent of income spent on food. We all owe a vote of thanks to the American farmer for this amazing record. Today, on the occasion of its 30th anniversary, REA deserves a big share of the credit.

Mr. METCALF. Mr. President, 30 years ago today the late President Franklin D. Roosevelt by Executive order started one of the greatest social and economic changes in the history of mankind. On May 11, 1935, the President, with the single stroke of a pen, gave rural America the impetus that lifted millions of our citizens out of the dark ages—he created the Rural Electrification Administration—REA.

This rural elecrification program has been a prime factor in achieving the abundant agricultural production of the United States, adding to our gross national product. The National Rural Electric Cooperative Association estimates that rural people with electric service create a new market in appliances and equipment alone that has developed to $1.25 billion each year. In many communities the rural electric cooperative is the largest payroll in town.

Rural electrification did not just happen—it came about. It came about through the persistent legislative efforts of a few dedicated public servants whose vision was recognized in President Roosevelt's Executive order. It materialized largely through the ingenuity of the American farmer whose determined conquest of obstacles made rural electrification a reality.

But if a single person were to be named as most responsible for the electricity now available on 98 percent of American farms, it undoubtedly would be Franklin Delano Roosevelt. Widespread use of cheap electricity was his insistent objective for all rural people and all urban residents as well.

In the early 1920's, farm leaders began pressing for rural electrification. They supported their demands with examples of other countries. In 1923 half the farms in Denmark were electrified as were practically all of the Netherlands 234,000 farms. In Canada, the Hydro-Electric Power Commission of Ontario supplied 28,000 farmers with central station electric service at a maximum cost of 5 cents a kilowatt-hour, while in rural Georgia in 1924 the cost was 18 cents for the same kilowatt-hour. And compare the 2.8 percent farm electrification in the United States in 1923 with that of Denmark and the Netherlands I just mentioned.

Power companies were not interested in serving low-density customer areas. Any proposals they made lacked appreciation of rate significance and vision toward area coverage which is the basic principle of successful rural electric service. Profits, not service, was key to the power company planning.

And they changed very little in the early days of REA, building lines only to those locations that were profitable and leaving the other farmers without service. Purely action motivated by spite.

Today, it is a different story. With the help of REA loans, local cooperatives have proved serving even the remotest areas can be profitable and the rates they charge prove a thorn in the side of the power companies. These investor-owned utilities want rural electrics absorbed in their own systems to eliminate the comparison that often keeps them from boosting already high rates even higher. Rural electrics are living proof electricity can be sold at a lower rate than IOU's charge and still show a reasonable profit.

Electricity is no longer a luxury. President Roosevelt said in 1932, "It is a definite necessity."

Yet, it was 31 years later before some 150 residents of my own State of Montana would enjoy that necessity. And then only because of the Rural Electrification Administration which made it possible for those hardy people to join with their neighbors and bring power to their homes and ranches.

Mr. President, only through cooperative rural electrification was the remote and sparsely populated Yaak River Valley in northwestern Montana finally able to join the 20th century less than 2 years ago. Before they were hooked up to the electric lines of their own rural electric cooperative, many residents had known only flatirons, kerosene lamps, and handwater pumps.

Over the years REA has meant a great deal to the people of Montana. REA loans to rural electric systems in Montana provide for service to an estimated 50,897 rural consumers over 31,997 miles of line. Loans made thus far to the 25 REA electric borrowers in the State, all cooperatives, total $71,205,429. The first REA loan in the State was approved in May 1936, with the first REA-financed line energized December 5, 1937, by the Lower Yellowstone Rural Electric Association, Sidney.

Low consumer density and low revenue per mile make the service job harder for REA borrowers than for power companies. REA borrowers in Montana serve only 1.5 consumers per mile and average $286 in revenue per mile, compared with 17.4 consumers and $3,868 per mile for class A and B commercial utilities.

Consumers served by REA borrowers in Montana are using increasing amounts of electricity on their farms, in their rural homes, and businesses. In 1953, the average monthly consumption per consumer was 414 kilowatt-hours. By 1963, the average had risen to 759 kilowatt-hours. The continuing objective of REA borrowers in Montana is to provide the electric service required by their consumers under rates and conditions comparable to those available in urban communities.

To assist them in this objective, as of January 1, 1965, REA had advanced $65,970,156 to borrowers in Montana. The funds have been invested by the borrowers in local electric facilities, including 32,103 miles of line, serving 49,557 farm and other rural consumers. Of the 30,400 farms in Montana, 95.6 percent were receiving electric service on June 30, 1964, compared with only 2,768 farms, or 5.5 percent, when REA was created in 1935.

By January 1, 1965, REA borrowers in Montana had made a total of $31,505,374 in payments on their Government loans. The payments included $16,964,196 repaid on principal as due, $4,529,124 of principal paid ahead of schedule, and interest payments of $10,012,054. No borrower was overdue in its payments.

To meet vastly increasing requirements for power and to be certain of adequate power sources, rural electric cooperatives need their own generation and transmission plants in addition to private utility and Federal power sources. This became apparent as early as 1937 and here again REA has helped, not with loan funds, to bring power to the farm, but by making loan funds available so generation and transmission facilities can be built to insure a constant and continuing supply of power as the demand increases.

This is only part of the job that lies ahead for the rural electric cooperatives and the REA. Rather than being near the completion of their task as some of the investor-owned utilities would have us believe, the job is just beginning.

Even though 98 percent of our farms have electricity, we must not be content until service reaches the other 2 percent. Service must continue to the old and new customers.

Rural electric systems have a community responsibility to provide leadership in areas other than electric service.

Rural America has half of the Nation's poverty even though it has less than a third of the population. Median income is 40 percent below the median for urban families. Adults have 2 years less schooling than their city counterparts. The partly idle rural labor force is equivalent to 2 million jobless people or nearly two-thirds of the number of urban unemployed. Child mortality rates are higher. Housing and medical care are poorer.

These are the probelms rural America faces.

The rural electric co-ops must play a key role in helping develop their rural areas. They must be the innovators and implementers in developing rural communities.

In the last 30 years, in partnership with Government through the REA, the success of rural electrics has been tremendous. The challenge is as great for the future. The ingenuity that made the first 30 years of REA a modern phenomenon, will be carried forward in a new generation to rival these accomplishments.

Mr. YARBOROUGH. Mr. President, this week marks the 30th birthday of the rural electrification program, which has enabled our farm families and rural communities to share the benefits of American living standards. The Rural Electrification Administration—created by an Executive order on May 11, 1935—through its loans and its technical assistance has brought light into the darkness that covered much of our land. It helped create a broader and more solid economic base for agriculture and for rural industry—with a multiplier effect which has poured billions of dollars of new wealth into the main streets of countless towns and into the mainstream of this Nation's urban economy. It gave new hope and dignity to millions of rural consumers who became joint owners of the REA-financed cooperatives which provide them with electric service.

The high expectations of Congress in passing the Rural Electrification Act, in 1936, have been surpassed many times over in the successes of the rural electrification and telephone programs administered by the REA. The late Speaker of the House for almost 17 years, Sam Rayburn, was a coauthor of the Rural Electrification Act of 1936.

Three decades of rural electrification have changed the face of rural America. More than 98 percent of the Nation's farms are electrified; and in the wide spaces of my own State of Texas, the percentage is very close to that level.

A principal accomplishment of the rural electrification program has been the steady lowering of both the wholesale price and the retail price of electric power. This has occurred against a background of generally rising prices in the American economy.

Electric energy is one of the few things—if not the only thing—that today costs most farmers less than it cost at the close of World War II. Currently, the wholesale cost of electric power purchased by REA borrowers averages about two-thirds of a cent per kilowatt-hour. This compares with nine-tenths of a cent in 1946. The average retail price to the consumer on the lines of REA borrowers is 2¼ cents per kilowatt-hour, and this compares with the price of a little over 4 cents in 1946.

As electric rates move downward, in Texas and elsewhere, people use more of it, to do their chores and to increase the safety and comfort of their daily lives. The consumers on the lines of REA borrowers used an average of 451 kilowatt-hours a month, last year, compared with 425 kilowatt-hours a month the year before.

Today, the loans of the REA are going more and more to meet the demands for distribution systems with greater capacity, for more miles of lines to reach new loads which the rural systems have developed in the areas they serve, and for generating facilities to supply the ever-increasing needs.

While all this is going on, we should note with pride that the faith which Congress had in rural people as good credit risks has been fully justified. The repayment record is almost unbelievably good. REA borrowers have put more than $2 billion into the U.S. Treasury, as principal and interest payments on their loans.

As I see it, everyone has gained from the creation of the Rural Electrification Administration 30 years ago. For farmers, it has meant greater production and improved quality of their products for the markets. And, of course, this benefits urban shoppers in the supermarkets. For the farmer's family, electrification has meant better health and safety, new comforts and free time for other activities. For the rural community, it has meant more jobs and higher income to be spent locally. For the electric appliance and equipment industries, it has meant a whole new multimillion-dollar market.

The Administrator of the REA, Norman M. Clapp, points out that the REA pattern combines Federal financing and technical assistance with local ownership and initiative. It is a partnership which retains control in the hands of citizens at the community level. Participation in cooperatives has developed community leaders and increased interest in local and national affairs. Here is a program which encourages democracy, because it requires the practice of democratic methods. In a very real sense, the REA pattern is an avenue which freemen everywhere can use to realize their goals.

Texas, with more than 300,000 users, has the largest number of REA users of any State in the Union. The benefits to the economy of my State have been incalculable.

The job of the REA here in the United States is far from finished; but 30 years of experience and success have called it to the attention of less fortunate nations, in other parts of the world. Like most of the good things we have developed in America, rural electrification is now being tried in other countries. The REA pattern has become an American export.

At a meeting which I attended earlier this month, President Johnson said:

> For years, everyone wondered what there would be to do when all rural America had electricity. Well, I think now you have the answer—you are going to electrify the rest of the world.

I think this is a great statement about a great program by a great President. I cannot think of a better way to recognize the 30th anniversary of REA than to call attention to the way its experience is being put to such good use abroad.

The majority of REA borrowers are cooperatives, owned and directed by the rural people they serve. In many ways, this form of enterprise is ideally suited to the desperate needs of new nations just beginning to develop their economies. The notion that farmers and other rural people, totally inexperienced in running electric utilities, can make a success of their own electric system, is a revolutionary concept that has wide appeal. It is also a sound idea that promises a practical approach to stability and democratic methods.

Rural electrification projects in 20 countries are underway. These include not only our neighbors in Latin America, but also such additional stanch oversea friends as the Philippines and Thailand.

In this way, the successful techniques of U.S. rural electrification are being widely applied throughout the world, today. Direct application of the REA pattern already has established new rural electric cooperatives in Ecuador and Nicaragua. I think Congress can be proud of a homegrown program that is winning friends for us at the grassroots level overseas.

On the 30th anniversary of the Rural Electrification Administration, all Americans pay tribute to this successful program, which has contributed heavily to the progress of our great Nation.

RUMANIAN INDEPENDENCE DAY

Mr. WILLIAMS of New Jersey. Mr. President, on May 10, 1877, the nation of Rumania, after centuries of living under the yoke of the Ottoman Turks, declared its independence. Today, that nation is only one among many in Eastern Europe forming part of the vast Soviet system stretching from the Baltic Sea to the Black Sea, for in August 1944, as World War II drew to a close, Soviet armies marched into Rumania, and stayed there, to insure the establishment of a Communist regime subservient to the Soviet Union.

In recent years, however, events have shown that the Soviet leaders sorely underestimated the determination of the Rumanian people to maintain an independent stance vis-a-vis their giant neighbor to the east and to the north, and to cling to the traditions that always have tied them to the West. The Rumanians have stubbornly resisted Soviet efforts to maintain them in the inferior position of a primarily agricultural country. They have sought help from Western countries in the building of industry. They have banished Russian as a compulsory language in their schools. They have pursued an independent line in the Sino-Soviet dispute.

Undoubtedly, true independence still lies far ahead; but the first steps have been taken. It is my hope that, one day, the Rumanians will once more be able to observe their traditional independence day in freedom.

Mr. SALTONSTALL. Mr. President, the 10th of May is a most significant anniversary for the Rumanian people. It is the commemoration of three great events in the history of that valiant nation. It is sad, however, that because of the Soviet domination of the Rumanian nation, this anniversary cannot be celebrated openly by the people of Rumania. However, those in exile do celebrate it. The Soviet Government has forcefully tried to eradicate all traces of Rumania's glorious past. Nevertheless, the Rumanian people throughout the world continue to observe this national holiday with great devotion, and continue to work toward their ultimate goal of restoring freedom to their homeland.

On May 10, 1866, the Rumanian dynasty was founded when Charles of Hohenzollern-Sigmaringen, a member of the Prussian royal family, was proclaimed Prince of Rumania. On May 10, 1877, Rumania proclaimed her independence from the Ottoman Empire. Another landmark in Rumanian history was reached on May 10, 1881, when she was recognized as a sovereign kingdom, and Charles was crowned her first King.

Now, however, the Rumanian nation is living under the repression of a foreign ruler. The Soviets have changed the national holiday from May 10 to May 9, the anniversary of the Soviet victory in World War II. Although the official celebration takes place on May 9, it is the traditional loyalty to their independence day, as celebrated on May 10, which warms the hearts of many Rumanians. Celebrations of the May 10 anniversary continue, secretly.

In commemorating this important event, we give the Rumanian people hope and inspiration that will help to enable them to maintain their efforts and to join the great fight against communism.

All Americans look to the day when Rumanians and other captive peoples will again have freedom.

Mr. PROXMIRE. Mr. President, the Rumanian people constitute the largest ethnic group on southeastern Europe, in the Balkan peninsula. Some 19 million Rumanians constitute a formidable force in the Balkans today, as did their robust ancestors in the course of their past history. For centuries these tireless tillers of the soil held their own against powerful, ruthless, and aggressive invaders. But in the 15th century they were overcome by the Ottoman Turks; their country was overrun, and then made part of the Ottoman Empire. During that long period, for nearly 400 years, Rumanians endured the crude, cruel, and oppressive rule of the Ottoman Empire, and at the same time they did their utmost to cast off the alien yoke which weighed heavily upon them. Time and again they revolted and rose in rebellion against their powerful overlords; time and again they were overpowered, and were severely punished for their attempts to free themselves. But the Rumanian people, firmly resolved to be free and independent, and unwilling to be held down, or held back from their national goal, revolted several times during the last century, and in at least two of these uprisings they were successful.

In 1856, after the conclusion of the Crimean War, they obtained autonomous status within the Ottoman Empire, and for all practical purposes their only tie with their suzerain the Sultan was the payment of annual tribute to his treasury. But the Rumanians wanted to cut off this last remaining link between themselves and their former oppressors. To attain this goal they rose again in revolt in 1877, proclaimed their complete independence of Turkey on May 10, and started a war against the Turks. Fortunately for them in this war, they had the Russians as well as all other Balkan peoples on their side. And the victory of their cause was assured in 1878.

Thus May 10, 1877, and the events connected with that date, mark a veritable milestone in Rumanian national history. The proclamation of May 10 ushered in a new era in their national life, and made them a sovereign and independent nation. They then built and developed their country, made good use of its immense natural resources, and made Rumania the huge granary, the real "breadbasket" of Europe. Still later it was also to become the largest source of Europe's petroleum. Rumanians enjoyed the freedom as well as the prosperity of their country. But the two World Wars proved disastrous. In particular the last war was tragic to the Rumanian people. They suffered under the Nazis during that war, and since 1945 they have been held down by their powerful Communist neighbors, the Russians.

It is the sad and inescapable fate of Rumanians to have the Soviet Union as their neighbor in the East. That geographical fact made Rumania the first victim of Soviet aggression early in 1945. Until very recently Rumanians have been held down with an iron hand by the agents of the Kremlin. In recent years, fortunately, Rumanians have taken full advantage of the apparent relaxation of Soviet rule in the satellite countries, and have asserted considerable freedom, especially in economic and trade spheres. It is naturally hoped that soon this freedom will extend to the political sphere, thus enabling Rumanians to regain at least a part of their long-cherished freedom. This is my wholehearted wish to the Rumanian people on their independence day.

ADMINISTRATION'S POLICY IN VIETNAM

Mr. DODD. Mr. President, I wish to bring to the attention of my colleagues three items which recently appeared in the press strongly supporting the administration's policy in Vietnam.

The first item is an article by the distinguished columnist David Lawrence, which appeared in the Washington Star for April 28, 1965.

Mr. Lawrence quite accurately points out that the difficulties which are hampering the administration are for the most part in the psychological field. He said:

> What is said on the floor of Congress about quitting the war in Vietnam, is promptly relayed and given overemphasis abroad.

In responding to those "who would prefer to see their own Government make peace at any price," Mr. Lawrence quoted this unchallengeable paragraph from President Johnson's statement:

> From Munich until today we have learned that to yield to aggression brings only greater threats and brings even more destructive war. To stand firm is the only guarantee of a lasting peace.

The second item I wish to call to my colleagues attention is an editorial in the Houston Chronicle of April 29, 1965. Commenting on the President's speech, the Chronicle said that "he took to the field to contain critics, at home and abroad, of what he called 'a crucial struggle' in southeast Asia." The editorial went on to say that—

> The President intends to carry the debate to the critics, challenging their premises and answering their demands for negotiations. Equally plain, he shows no inclination to back peddle from his resolve to stand firm until and unless North Vietnam desists from

its attacks in the south—or openly accepts his offer to parley.

The third item to which I refer in my opening remarks is a column by Mr. Kenneth Crawford in Newsweek for May 10, 1965, captioned "Kidding the Kids."

Mr. Crawford is tolerant of the student demonstrators against Vietnam.

> It would be unrealistic to expect youth to learn from the experience of age.

Said Mr. Crawford—

> Each new generation must learn for itself, and from its own experience, not from example or preachment.

But the distinguished Newsweek columnist is not so tolerant of the faculty members and academicians who are joining the students in these demonstrations or even inciting them to demonstrate.

> Unless the learned are incapable of learning from events—

Said Mr. Crawford—

> professors should know from the world's experience during the last quarter century that wars are not prevented by running away from aggressors during the early stages of an aggression. They do the student no service by clothing his aversion to jungle war in the habiliments of idealism.

Mr. President I ask unanimous consent to insert into the RECORD at this point the three items to which I referred in my remarks.

There being no objection, the articles and editorial were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Apr. 28, 1965]

PRESIDENT DRAMATIZES PEACE ISSUE

(By David Lawrence)

President Johnson felt that it was necessary to reiterate the American Government's desire for peace negotiations to end the Vietnam war, so he used a televised press conference yesterday—especially called for the occasion—to dramatize the issue.

There is no doubt that the situation in southeast Asia is causing anxiety and a feeling throughout this country that the war might be widened as well as lengthened. Johnson is well aware of the apprehensions that emerge as young men and their parents begin to wonder if troops will be required in larger numbers. So the President is wisely explaining the Vietnam problem to the American people even though repeating what he has said many times before.

The United States finds itself criticized as an aggressor by the Communist countries, and it is necessary to emphasize the truth. This is that the Communists are continuing their aggression in South Vietnam despite opportunities to settle the war by a peace conference. As the President says, there can be an end to the war and a peace agreement the moment the Communist countries decide not to send troops and supplies from North Vietnam into South Vietnam.

Johnson is careful to point out that the United States has no alternative to the bombing of bridges and supply lines in North Vietnam. The President stressed the fact that the bombing is being conducted primarily against bridges and installations and that there is a minimum loss of life. The United States, therefore, is not waging a war in which it is going to extremes. In fact, Johnson ruled out any possibility of using nuclear weapons to achieve the present objectives and declared at his press conference that no steps involving nuclear weapons had ever been suggested by anybody in the Government here.

The whole purpose of the administration is to present to the other peoples of the world a true exposition of American policy in Vietnam so that public opinion everywhere will begin to put pressure on both Communist China and the Soviet Union to initiate the necessary steps to withdraw their guerrilla henchmen from South Vietnam.

To a certain extent the President is also aiming at critics in this country who seem indifferent to the high principles of American policy and who would prefer to see their own Government make peace at any price. While such a course has never repressed the appetite of aggressors, appeasement, if not virtual surrender on the main issues involved, seems nevertheless to be advocated, in effect, even by a few Members of Congress. Some of these spokesmen evidently believe that an uninformed public regards the issue as one-sided and that the only thing to do for political reasons is to speak up on the pacifist side.

Past experience, however, shows that an adversary interprets such an attitude as a reflection of the unwillingness of a nation to fight. The President said:

"From Munich until today we have learned that to yield to aggression brings only greater threats and brings even more destructive war. To stand firm is the only guarantee of a lasting peace."

The risk today is that the enemy may come to believe that, if the war can be prolonged, the United States will grow weary of the conflict and, in the case of Vietnam, withdraw her forces and abjectly surrender.

Johnson realizes the danger of such a misinterpretation and takes every opportunity to remove it. He has declared again that the United States will be glad to talk peace without requiring any conditions in advance. But he says the United States will not cease to use military force to protect the people of South Vietnam in the meantime and, in fact, until there is a peace arrangement which can be trusted to be effective.

Most of the difficulties are in the psychological field. What is said on the floor of Congress about quitting the war in Vietnam is promptly relayed and given overemphasis abroad. The President pointedly referred in his press conference to the almost universal approval that has come from our allies since he made a comprehensive statement of policy in his recent address at Johns Hopkins University. He said he didn't think America had lost any friends because of a firmness in policy. He might have added that, among the governments which had not expressed any opinions publicly, there is a feeling that the United States is really fighting a war in behalf of all the smaller nations of the world, any one of which might become the victim of aggression if the Vietnam conflict turns into a victory for the aggressors.

A major principle of far-reaching consequence to world peace is really at stake. It is a source of much satisfaction to peace-loving peoples in all parts of the world that the United States is emerging as the champion of smaller nations under attack even though the United Nations has taken no protective steps and no other major nation has actually joined America in its military mission in Vietnam.

L.B.J. DEFENDS VIETNAM POLICY AND CARRIES DEBATE TO HIS CRITICS

In his televised news conference Tuesday, President Johnson interpolated an old axiom—that the best defense of American policy in Vietnam is a strong, take-charge offense. He took to the field to contain critics, at home and abroad, of what he called a crucial struggle in southeast Asia.

The President underlined both this country's determination not to tuck our tails and run home and abandon our friends as well as his oft-repeated readiness for peace.

His recollection of Munich, a city whose name has become synonymous with appeasement, echoed what John F. Kennedy had said during the Cuban missile crisis.

President Johnson said that to yield to aggression brings only greater threats. President Kennedy said that "the 1930's taught us * * * aggressive conduct, if allowed to go unchecked and unchallenged, ultimately leads to war."

Mr. Johnson spurned the idea that the term "appeaser" could be appropriately applied to those who take issue with his policy. "We want honest, forthright discussion in this country," he said, "and that means discussion with differences of view."

This should cool the temper of the Vietnam debate which has degenerated to epithets that, to the President, both compounds and confounds the issues. But Mr. Johnson intends—along with his Secretaries of State and Defense to carry the debate to the critics, challenging their premises and answering their demands for negotiations. Equally plain, he shows no inclination to back peddle from his resolve to stand firm until and unless North Vietnam desists from its attacks in the south—or openly accepts his offer to parley.

In short, he is calling the signals to prosecute national objectives in Vietnam, as he sees them. Critics can (and ought to) argue, entreat, and dissent, but he is the playmaker—the loneliest and weightiest job in the free world.

KIDDING THE KIDS

(By Kenneth Crawford)

It would be unrealistic to expect youth to learn from the experience of age. Each new generation must learn for itself, and from its own experience, not from example or preachment. Why then should anyone be surprised that a vocal segment of the student population is protesting President Johnson's policies in southeast Asia? Why should a bright college student, eager to start a civilian career, be attracted by the prospect of soldiering in Asia? Yet this is the prospect he will face if the limited war now going on in Vietnam becomes prelude to big war.

His reluctance is understandable. What is not so understandable is the guidance he is getting from many faculty members at teach-ins and from academicians marketing their advice on National policy to journals of opinion. Unless the learned are incapable of learning from events, professors should know from the world's experience during the last quarter century that wars are not prevented by running away from aggressor during the early stages of an aggression. They do the student no service by clothing his aversion to jungle war in the habiliments of idealism.

FACTS ARE FACTS

That is what they are doing when they equate denunciation of bombing raids against North Vietnam with the cause of civil rights in the United States. That is what they are doing when they suggest that an American plane dropping bombs on a North Vietnamese bridge or on a Vietcong concentration in South Vietnam is an evil comparable with systematic terrorization of South Vietnamese villagers, 9,750 of whom were murdered or abducted by the Vietcong in 1964.

What is even less understandable is the ignorance of facts or the determination not to be influenced by facts which characterizes much of the professorial comment on Vietnam. There is, for example, the repeated assertion that the South Vietnamese Army, which has sustained more casualties per man engaged than the United States suffered in Korea, won't fight. There is the reiterated statement that the war in the south is an indigenous revolution, in no way the product of aggression from the north, which is belied by irrefutable evidence that Hanoi directs, supplies, and, increasingly, mans the insurgency. A captured document disclosed that Hanoi itself concedes: "The revolution for liberation of the south would never succeed if the [Communist] Party were not directing it."

The major premise of the teach-inners seems to be that Red China's manifest destiny, given its population and resources, is to overrun southeast Asia and that to resist this movement is to defy an immutable law of nature. The same argument was made against interfering with Hitler's bid for elbow room, and against arming Turkey and Greece when Stalin menaced them—sometimes by the same scholars who are now saying that we are hopelessly overextended trying to police the world.

EAST IS EAST

Even though intervention stopped Hitler and slowed Stalin, the teachers now tell their students that intervention won't work in Asia because East is East and West is West and the Asians hate whites even more than Hindus hate Moslems of the same complexion, which is frightening if true. But if it is true, then we whites haven't much future in this world because we are a small and shrinking minority of the human race.

Within the framework of China's inevitable expansion, Dr. Hans Morgenthau, of the University of Chicago, offers us comfort. Ho Chi Minh, he says, will be a Tito, somehow remaining independent of the Chinese. Just how Ho is to accomplish this is not clear. It has something to do with his Vietnamese nationalism. True, Ho hasn't the resources that protected Tito from Stalin, but Vietnam's historic dislike of China will make him free, or so Morgenthau contends.

Dr. Kenneth Galbraith, of Harvard, also has an interesting, though less important, idea. He told his teach-in audience that President Johnson is a victim of the wrong advice from the wrong people. Is it possible he doesn't know who's in charge here?

Somebody should tell the taught-in college boys of 1965 that their feeling about Vietnam, while natural, isn't noble. Their fathers, perhaps.

GUIDELINES FOR SCHOOL DESEGREGATION

Mr. CASE. Mr. President, I was shocked to read in the press, this morning, that nine Southern Governors contemplate the formation of a congressional bloc to force the Office of Education to change its guidelines for school desegregation. The bloc, to be made up of southern Members, would threaten to withhold appropriations to the Department of Health, Education, and Welfare unless the Office of Education agreed to slow down the pace of desegregation.

No section of the Civil Rights Act, passed last summer, received more careful scrutiny than title VI. That title, in section 601, provides:

> No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Section 602 further provides:

> Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract, other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 601 with respect to such program or activity by issuing rules, regulations, or orders of general applicability.

Congress acted decisively. There can be no question about the policy of this Nation. Under the act, the responsibility of the Department of Health, Education, and Welfare and the Office of Education is clear. The Commissioner of Education, Francis E. Keppel, and the Department would be derelict in the performance of their duty had they not acted to establish guidelines which will promptly bring about desegregation of schools receiving Federal assistance.

As the Governors' own statement declared:

> This Department (Health, Education, and Welfare) is a Federal department, and the law being administered is a Federal law.

The Governors would be well advised to set about the business of compliance with the law as promptly and effectively as possible.

EXCERPTS FROM REPORT OF PANEL ON TRANSPORTATION RESEARCH AND DEVELOPMENT

Mr. RIBICOFF. Mr. President, yesterday the Commerce Department released a report to the Secretary of Commerce by the Panel on Transportation Research and Development, of the Commerce Technical Advisory Board.

I ask unanimous consent to have printed at this point in the RECORD the panel's discussion and recommendations, relating to the problem of highway safety.

There being no objection, the excerpts from the report were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM THE REPORT OF THE PANEL ON TRANSPORTATION RESEARCH AND DEVELOPMENT

3. SAFETY IS AN IMPORTANT PARAMETER IN THE TRANSPORTATION SYSTEM

One important measure of quality in any portion of the transportation system is the degree of safety with which people and goods are transported, and improvement of safety is an important problem in all forms of transportation. We have chosen however to focus attention on the role or research in highway safety only.

3.1 HIGHWAY SAFETY SHOULD BE THE SUBJECT OF INTENSIVE STUDY

The problem of safety in highway travel is of great national concern. The country has now reached the point where the number of traffic fatalities per year exceeds 45,000, and the number of persons permanently disabled each year exceed 200,000. The monetary cost commonly assigned to highway accidents is 1 cent per vehicle-mile traveled or a total of about $8 billion per year. This overall cost of highway accidents in lives and in dollars is enormous, and it will increase as time goes on unless strong measures are taken.

The rate of accidents and fatalities is the product of a complex interaction involving the vehicle, the driver, the roadway, and the methods of controlling the flow of traffic. There is little systematic knowledge of how these factors interact and how they can best be adjusted to reduce the accident toll.

3.2 ACCIDENT DATA MUST BE SUBSTANTIALLY IMPROVED

For many years, the fatality rate per hundred million miles of vehicle travel declined steadily, from a high of about 25 in the early 1920's to a low of 5.2 in 1961. Since 1961, however, the rate has again risen and in 1964 it was 5.7. Although there are a number of plausible theories, there has been no systematic analysis that would explain why the long-term declining trend has been reversed.

Figures are frequently cited showing fatalities per vehicle mile or passenger mile by different modes of transportation, but the data available do not provide a useful comparison of the degree of danger involved in taking a particular kind of trip by alternative modes. For example, a transcontinental trip of 5,000 passenger miles is not comparable to 500 10-mile trips to a shopping center. But this is the type of comparison which is made when fatalities are related to passenger miles.

The procedures commonly used in reporting highway accidents do not provide reliable information about how the various factors in the driver-vehicle-highway system contribute to particular accidents. An intensive accident investigation program could bring to light the common causes of automobile accidents and could point the way to accident elimination, much as the investigation of aircraft accidents has served to reduce air accidents.

In the absence of better information and analysis, evaluation of alternative remedial measures is difficult. One would like to construct cost-benefit curves from which one could estimate the amount of additional safety to be derived from a given amount of expenditure on alternative improvements in various portions of the system. While the data necessary for such curves are not available, it is known that some improvements would lead to large gains.

3.3 AVAILABLE IMPROVEMENTS SHOULD BE MORE VIGOROUSLY PROMOTED

General use of seat belts, for example, would reduce passenger fatalities by perhaps as much as 30 percent at very low cost. Experience with four-lane, divided, limited-access highways indicates that they cut the accident rate approximately in half.

As far as we know, however, data are not available on the benefit to be achieved through strict traffic law enforcement, nor are the costs of strict enforcement readily available. Similarly, we know that compulsory vehicle inspection reduces accidents, but quantitative cost and benefit data are lacking.

Much is known about the relationship between automobile interior design and passenger injury when an accident occurs, but little is known about the relationship between vehicle characteristics, including age and quality of maintenance, and accident frequency. Automobile manufacturers have introduced many important improvements in recent years, including seat belts, padded dashes, collapsible steering wheels and improved door latches—which reduce injury—and better brakes, suspensions and handling characteristics—which reduce accidents. An intensified effort to design safer automobiles could obviously reduce the accident and injury hazard, but neither the cost of such effort nor the amount of benefit to be derived have been calculated.

Intensive study is also indicated in the field of driver training and certification procedures. Some information about different classes of drivers is available, as evidenced, for example, by differential insurance rates for youthful drivers.

The use of advanced technology for automatic scanning, communication, and control of vehicles and traffic probably offers great potential for improving safety. Closed circuit television, combined with computers and automatic signaling devices, is already being tried to improve the flow of traffic on some high-density highways and intersections. The next step may be devices to relieve the burden on the driver by giving him essential information about his route and highways and traffic conditions over his car radio. Eventually, the fully automated highway may relieve the drive of all control functions on certain kinds of trips.

Because these developments would improve the efficiency as well as the safety of highway travel, they are especially promising areas for research. Such efforts would, of course, require close cooperation between vehicle and highway designers and traffic engineers.

3.4 A MORE EFFECTIVE APPROACH IS NEEDED

The panel believes that while there is progress to be made in the safety improvement of highway design and vehicle design, and while this improvement is being pursued by the highway agencies and the industry, still far to little is known about accidents.

The Bureau of Public Roads has established the beginning of a good highway safety R. & D. program, but it is too narrow in scope and far too small to provide the major breakthroughs required. To reduce significantly an annual loss of $8 billion will require the expenditure of sums far larger than those presently committed to the safety program.

To understand the problems and to develop effective means for coping with them we must seek the help and advice of imaginative people in a variety of fields—including automobile design, public relations, psychology, traffic engineering, and politics at local, State, and National levels.

It seems to the panel that the first step in a new program should be the assignment of a single responsibility for overall highway safety R. & D.—from data collection to public education, from highway design to determination of the political means for implementing a national effort. More specific recommendations for such a program are made hereafter.

Mr. RIBICOFF. Mr. President, I heartily endorse the panel's recommendation that the Secretary of Commerce establish a separate highway-safety research and development program. It seems to me that the Department of Commerce is the logical agency for this job. It now does the bulk of highway-safety work at the Federal level. It builds the roads. It has close contacts with the automobile industry. It administers various programs and laws dealing with highway safety. Its Secretary is now Chairman of the Interdepartmental Highway Safety Board. Certainly it is logical to designate this agency as the key Federal traffic-safety unit. When the Secretary of Commerce testified before my subcommittee, I suggested to him just such an arrangement, but he did not appear overly enthusiastic about the prospect of heading the Federal traffic-safety effort. His "Detroit knows best" attitude that day was, in fact, disappointing. But I am confident that with this panel's backing, he will take the steps suggested.

In other respects, the report was disappointing. It pointed out gaps in our present knowledge of the highway-safety problem, but failed to indicate adequately that we do not even apply effectively what we already know. If the members of the panel wanted data, for example, on the benefits and cost of strict traffic-law enforcement, they needed only visit Connecticut. In 1955, Connecticut had a high traffic-death rate. Through strict law-enforcement measures, my State reduced the rate, until today its rate is the lowest in the Nation. Strict law enforcement works. We need to apply it now, not wait for a cost-benefit study to be completed.

With regard to vehicle design, the panel went out of its way to praise Detroit for introducing seat belts, padded dashes, collapsible steering wheels, and the like. No mention was made of the intensive public effort needed in order to get action by Detroit, or of the fact that neither padded dashes nor collapsible steering wheels are standard equipment today. I did not expect criticism of Detroit from the members of this distinguished panel, but I did not think they would go so far as to give the automobile makers an excuse for inaction because the "cost-benefit ratio" of safer car design has not yet been calculated. It has been calculated by the public. We want action, and we want it now. It is hoped that Detroit will voluntarily turn its many talents to the building of a safer—instead of a "hotter"—car. If that is not done, public action will be required in order to insure the development of safer cars.

I'M WYOMING

Mr. SIMPSON. Mr. President, the State of Wyoming is this year celebrating the 75th anniversary of her entry into the Union of States. In 75 short years, Wyoming has moved from a sparsely populated mining and farming territory to a State which today lays proud claim to having produced the first woman Governor in the Nation. Wyoming has the lowest illiteracy rate in the world, no bonded indebtedness, a fine highway system, and we host the largest missile base in the world. We call ourselves the land of high altitude and low multitude.

A count of Wyoming's many "firsts" was taken by a longtime Wyoming booster, Larry Birleffi, writing in a recent issue of the Cheyenne, Wyo., Eagle.

Mr. Birleffi, a noted sportscaster and commentator, and a man I have long known as a valued and trusted friend, is manager of Cheyenne's radio station KFBC. He says of Wyoming:

> But I'm proudest of my people, my prize possession. Many of my "younguns" leave, and many come back. Those who don't seem to always have a special place in their hearts for me. I'm proud of the fact that even the folks back in the days before my country took me in have always had a special allegiance that even Texas can't match.
>
> I hope you'll forgive me this morning for being so immodest and taken to all kinds of bragging. But you see this is my birthday. I'm only 75 years young and in a way I feel that things may be just beginning.
>
> I'm Wyoming.

I have invited my colleagues to participate in the Equality State's diamond jubilee, and I have received many favorable replies. This excellent column by Mr. Birleffi will, perhaps, explain a few more reasons for going West to participate in Wyoming's diamond jubilee.

I ask unanimous consent that the column be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

LARRY BIRLEFFI SAYS: AND MANY HAPPY RETURNS, BUDDY

I'm kidded a lot. They tell me that Montana, Colorado, South Dakota, Idaho, Utah, and Nebraska first took what they wanted and left me with what was left right in the middle. Many of the folks in America know very little about me, some care less and some think like the funny chap on TV who says, "there is no such place."

Most of the kids and maybe most of the grownups think of me only as a place where there are cowboys and Indians; others for rodeos, wind and snow, and blizzards and lots and lots of prairie grass that bends with the wind.

At first some people don't like me. They shake their heads in compassion at some of my people who live here. Then there are those who leave and come back. I'm in their blood and there is a special kind of loyalty that may be hard for others to understand.

The image I mention is hard to escape. I'm proud of my heritage and my past. I became the first haven, the first point of no return for America's real pioneers who carved out the new world as the wagon trains plodded across my plains.

I served as the first bastion for the pioneers. Today I serve as the bastion for the entire free world as the first site of the intercontinental ballistic missile.

I'm not given to boastin' but I can give you facts bigger than Texas can. Not one of my sisters can quite claim all these things. I am among the leaders in oil, wool, sheep, cattle. Produce more uranium than anybody. Produce more than 11 million board feet of lumber a year for the sawmills out of my forests. I have an acre for every three people. My winters, some folk complain about, furnishes the watersheds and snowfall for three main rivers of America nourishing millions in 12 different States.

I have 20,000 miles of the best fishing in the world, the largest elk and antelope herd in North America and the best and longest four-lane highways per capita in the good old U.S.A. My schools are second to none as I have the lowest illiteracy rate in the world and was the only one to have a perfect record among the 1 million rejects for service in 1943.

Petroleum and ore lie deep across all my plains. I'm second to none in natural resources and as a young confident rookie I feel my industrial might beginning to stir.

I've produced the first lady Governor, the first national park and national monument. I have 500 square miles of inland water and more than 100 of the prettiest lakes and mountains in the world. I meet more than 1 million people every year, the biggest cross-section of America than any other spot in our country come to see me.

But I'm proudest of my people, my prize possession. Many of my "younguns" leave, and many come back. Those who don't seem to always have a special place in their hearts for me. I'm proud of the fact that even the folks back in the days before my country took me in have always had a special allegiance that even Texas can't match.

I hope you'll forgive me this morning for being so immodest and taken to all kinds of bragging. But you see this is my birthday. I'm only 75 years young and in a way I feel that things may be just beginning.

I'm Wyoming.

THE POLICE AND THE ACADEMIC WORLD

Mr. JAVITS. Mr. President, last month I introduced the State and Local

Law-Enforcement Assistance Act of 1965—S. 1409—which would provide a Federal matching grant-in-aid program to assist in improvement of the training, education, and recruitment of local and State police officers.

In the States and the communities, there is increasing realization of the great need for the education of law-enforcement officials at a level beyond the training in police practices, which has obtained heretofore. More and more we find men and women with college degrees being attracted to law enforcement—a tendency which requires encouragement and enhancement. The fact that more than 100 institutions of higher education, mostly junior colleges, offer courses in police practices is a favorable sign.

An informative article on this subject, written by Dr. William P. Brown, director of the graduate program in public administration, of the School of Public Affairs, State University of New York, at Albany, has been published in the May issue of the Police Chief, the publication of the International Association of Chiefs of Police. I ask that Dr. Brown's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE POLICE AND THE ACADEMIC WORLD

(By Dr. William P. Brown)

In the past decade there has been a phenomenal growth in the participation of police in academically centered educational programs. From the east coast to the west there have arisen scores of programs in which it is possible to take either a 2-year or a 4-year course with a major in police work and, in more than a few instances, courses are available at the graduate level.

The "why" of this great interest in the academic world is not quite so clear but it apparently stems largely from the general American belief that education is a good thing and that the person who has received additional college training is better fitted for work in a complex field such as that in which the police have their responsibilities. There are also some very practical considerations. The college offers a better continuing basis for the development of a teaching staff than does the average training unit of a police department and this benefit is particularly stressed in those schools where there has been long-term interest in the provision of vocational training important to the community. A somewhat less frequently mentioned but very real benefit in this relationship is that the college or university tie tends to strengthen the police claims for professional status.

There is no question as to the importance of the objectives that have been enumerated; and, to a considerable extent, the programs that have been offered in our colleges have afforded some measure of achievement. They have been popular; they seem to have an eternal fascination for the average college executive who has had no police background, even when he is not too sure of what the need is, and there is a fairly constant flow of our young people through these programs and into jobs with greater responsibility. But we would be much less than honest if we did not recognize that the police-academic relationship has not been without some problems.

For one thing, we do not usually make note of the fact that most of our preservice training seems to have had very little effect on the recruitment of the uniformed police. With the possible exception of some of the California departments the graduate of the 4-year police program is almost automatically slated for a job other than in a uniformed police force. A strong note of exception should be made for a number of specialized positions that have been created in such cities as St. Louis, Mo., where there is the opportunity to bring in a small number of high-level college graduates in the training, planning, or community relations areas. There are several indications that this practice will spread. With these few exceptions, however, the Federal agencies are probably the major beneficiaries of most of the 4-year college programs. This raises an interesting problem in that the programs are usually adapted to one kind of police career potential (the job of the general police agency), but the graduates almost inevitably wind up in the specialized agencies. The 2-year college programs are still very new insofar as providing a great many recruits for the police ranks but they seem much better geared to the task. Their graduates do not have the salability of the baccalaureates and they have the very important advantage of providing a way of carrying through the years in between high school graduation and the earliest date of possible appointment to a police department.

There have been some other problems in articulating the police studies with standard academic programs. In some cases the police who have pressed for the creation of such programs have argued for a large percentage of the courses to be given in standard police topics, whereas most of the academic faculties will reject programs which do have this high level of technical content. This is not a great problem but it does create a good deal of confusion for many of those who take a 2-year program under the assumption that all of their work toward this certificate will be credited toward a 4-year degree. Many of these candidates then come to the unhappy realization that the standards for 2-year degrees are often quite different insofar as the inclusion of technical matters is concerned as compared to the 4-year academic programs.

Probably the least recognized and yet most important problem of the police programs is the presence of something that might be called an academic dryness or lack of nourishment. Course offerings change little and chew over and over the standard fare with comparatively infrequent introductions of the new—and this in a day when our needs for educational leadership are growing and changing at almost unbelievable rates.

It is the major thesis of this paper that this dryness results because the conventional police contacts with the colleges have only explored a small part of the area of potential cooperation with the academic world. They have been concerned almost exclusively with using the colleges to transmit the rather meager supply of information which has been gathered by the police over the years. They have almost entirely neglected the areas of knowledge production and mastery and these constitute the absolute essence of any deeply rooted academic discipline. Knowledge production and mastery are generally considered as being the components of research and it is my belief that we in policework have our own version of the teaching-research dilemma that plagues the academic world—but ours is different. In contrast to the general problem which has been noted in many of the academic fields where research has been overemphasized to the neglect of teaching, we in the police field have—partly through neglect but more through force of circumstance—concentrated almost exclusively on teaching to the neglect of research.

It should be made clear that the word "research" is used here to mean the planned development of knowledge about an area of interest. Planning in this connection is a difficult and important matter requiring the cooperation not only of persons learned in the field of policework but, equally important, those persons who are aware of the complexities and techniques of knowledge development. It is not enough to take a man who is good at carrying out police tasks and then to tell him that from now on he will have time and additional staff to carry out a research function. The very task of preparing an adequate and sophisticated research design is one which can be done by comparatively few people in the academic world and, particularly when we consider the problems of the social sciences and the applied discipline (such as police work), by very few people outside the academic ranks.

It is not only the questions of methodology that are difficult. Just as important, or possibly more so, are the questions as to what should be researched and here there must be thinking of a high order to reconcile the needs of the field as seen by the practitioners and by those who attempt to stand apart from the day-to-day operational responsibilities and to see, in a rather abstract manner, the overall needs of a very important occupational group in our society. In short, I would propose the rather heretical concept that the problems of police work are too important to settle for anything less than bringing in the best minds of our day in consultation with our police authorities to plan the developing of the area of knowledge related to our work.

Possibly the problem can be put more into focus by stating my firm conviction that it is only through research that we can hope to create two constellations of absolute necessity if we are to emerge as the "professional" group that we have postulated as our goal:

1. We must develop a series of related rationales to explain our objectives, our efforts, and the job that we feel we must accomplish in relation to them. These rationales must be realistic and yet jibe with the needs of our society and a definition of our own image that is acceptable to us.

2. We must develop a series of relationships to the streams of learning that do make up the growth of the world of knowledge, of such quality that this information can be brought to bear on the problems that are given to us as police.

These ideas are important enough so that some amplification of them seem called for at this point and before we go into the question of the steps that can be taken.

1. The question of rationale: One of the most formidable factors in attempting to get a clear picture of police work so that we can use that picture as a target for research, development, and teaching is that it has so many different connotations and variations in different situations. We can point out some of the important similarities but even if we speak of something like the apprehension of criminals or the treatment of emergency situations we find very great differences between the problems faced by the rural and the urban agencies, or by agencies of different size or even different geographic location and tradition.

Further complications in defining our concept of the police task are occasioned by the oversimplified and naive picture of the professional policeman which is commonly offered. I would hazard an opinion that there has been a tendency to sketch in the professional in simple Horatio Alger terms. We need a real picture if it is to serve as a guide but the administrative and legal problems occasioned by police decisions are much more difficult than for most other public servants and it is not quite so easy to place all the cards on the table.

The problem of developing rationales and definable conceptions of our work is made vastly more difficult by the fact that it is changing at a rate faster than almost any of us in the field are willing to accept as possible. The last meeting of the IACP held at

Louisville was a weeklong conference, primarily about the factors that are pushing us toward change. The old conventional subjects: juvenile delinquency, traffic, the old crime patterns and the old police management issues, seemed to me to receive relatively scant attention. The major interest of the conference centered on such issues as living with recent Supreme Court decisions on arrests and confessions, the new emphasis on organized crime, and, generally speaking, the whole problem of the future as determined by electronic development, judicial decisions and social, cultural and economic change. There were signs that the police executives were well aware of the importance of these factors and the attention that was given to education, training, and research—even though it was still small in absolute terms—represented a major growth in interest in these subjects. The description of the research activity of the International Association of Chiefs of Police through its contact with the President's Committee on Juvenile Delinquency and Youth Development and the Ford Foundation seemed of particular interest to the assembled chiefs as were the deliberations of the Committee on Research under the chairmanship of a most distinguished academician and police professional, Dr. Robert R. J. Gallati, a former top police official and now director of the intelligence project being established in New York State.

2. The relationship with developing knowledge: It is interesting to look at the objectives of the IACP's committee on research and the topics that it reported on at the 1964 conference (centralized criminal identification systems, electronic data processing capabilities, infrared applications, closed circuit television, voice printing, novel fingerprint methods, computer systems for use against auto larcenists, operations research in the allocation of manpower, recruitment, psychological testing, police activity in nonpolice areas and, finally, the problem of retrieving scientific knowledge developed in other fields for possible police applications). One cannot fail to be impressed by the way in which much of the knowledge being developed in the behavioral and management sciences finds application within police work. Because a police department is an occupational entity with operating responsibilities which relate to the control of and assistance to human beings rather than to some rather abstract view of the way the world progresses, we have a far greater need to tap the other areas of knowledge than do persons who are sociologists or psychologists or in one of the other established disciplines that does not have operational responsibilities.

One way of bringing in this information is to have people who are very well qualified in one or another of the major disciplines in addition to having had police experience and long-term interest, but the number of such broad gage individuals is small. Another and somewhat more likely possibility is to work to bring the interest of highly trained people into our area to perceive the problems that are important to us and yet are still important to them. A psychologist, for example, may not always wish to stay with police problems for his entire career but he may find great professional interest in a particular study of the beliefs of entering police officers which may be of very real value to us in our recruitment or training tasks.

SOME IMPLICATIONS

If the argument that has been presented here has validity, then there are some implications for us:

1. First, and most important, is that we are going to have to recognize that research is a first order of business and strive to assure that police-related research is increased greatly. Obviously the major task of stimulating this research will belong to those who are academically oriented within the police ranks, that is, to those who are in the teaching assignments in the schools and universities across the land. However, there are important responsibilities for the police executive. He can stimulate research; he certainly can allow reasonable research activities when they are proposed by others; at the very least he can assume a less formidable attitude than has been sometimes observed in facing the academic personnel in all of the university structure and not only those areas which are definitely labeled as being police science.

It has been my experience that a great many highly competent academic people in a wide variety of fields are or can become interested in doing work within the police field. Unfortunately they are sometimes regarded with excessive suspicion. The average academician who does become involved in cooperative work with the police has comparatively little interest in exposing or holding up to ridicule or political attack any inadequacies or problems which do develop, providing, of course, that the police are sincere and honest. Generally speaking, in fact, such people are extraordinarily willing to understand imperfection and at the same time almost unbelievably impressed by attempts at honest self-improvement.

One point that sometimes is not recognized is that the academic investigator tends to look at problems and frailties in a different light than that seen by the investigator from a district attorney's office. The academician is not out to find only that for which guilt can be assessed. He places a high value on being positive, on helping. For the average situation in which he is investigating a problem which is of interest to him and in which the police extend their cooperation, a major result—regardless of his findings about the subject of the research—is much greater sympathy toward the police. There may have been instances where the information obtained in the course of research activity has been used improperly but they have not come to my attention. Any such practice would be considered a serious violation of the ethical standards of the university world and one which would have far more repercussions for the average academician than benefits.

2. Cooperation with the university world does offer problems but they are not insurmountable. It should be stressed that cooperation with university personnel does have its problems. One cannot always take time away from important operational responsibilities to spend a day or two in exploring a dissertation topic. It is not easy to evolve a satisfactory but polite way of dealing with the undergraduate student who is in a course on some subject related to the administration of justice and who can prepare a questionnaire that would call for weeks of work if it were to be answered in the generality in which it is framed. But these are the extremes and the important point to keep in mind is that reasonable cooperation is a far more productive policy than one of almost hostile guardedness. In fact, there is a great deal to be said for a positive policy of seeking research rather than of just waiting for it to be requested. A police executive can benefit greatly from informal and friendly contact with researchers who do have an interest in police problems in the community.

3. The average member of a police faculty needs more opportunity and more background if he is to participate in important research. The major charge, however, is not so much to the operating executive (although his cooperation is vital) as to the academic-police community. Here we face very real problems. The average police instructor is a man burdened with a heavy teaching load and hard pressed to devote any considerable time to the development of a research project or to carrying it through. He tends to be separated from the groups within the academic world which are strongly concerned with research and his academic preparation has seldom been carried through to a point where research has been an important consideration. All of these things add up to make it difficult for him to make the initial investment in time and effort which is ordinarily required to obtain the financing which can allow him to take time off from teaching and to devote enough to research to achieve measurable results. In short, he is in a serious circular problem. He needs research to progress in academic terms just as much as the police world needs the research that he could perform if he had the research skill, time, and support. Yet his teaching load and the related administrative efforts are ordinarily so demanding that research is effectively denied him.

The problem tends to be complicated by one other factor, that is, the police instructors tend to be concentrated in the academic situations where research interest is less frequently found. The teacher at a junior college, for example, does not ordinarily have the opportunity to collaborate with the graduate school faculty member whose main task is research. The teacher in a 4-year college on the campus of a university is in a better position though he may find that physical proximity is not necessarily related to the opportunity for fruitful contact with a research-oriented faculty.

SOME INDICATED STEPS

With the upsurge of governmental interest in the problems of the police it seems obvious that substantial Federal funding will be made available and a considerable share of those funds will go to support and build up the police-academic relationship. I hope that they will not be used just to provide more of what we already have. "More" is certainly needed but this is the time when new and broader goals and approaches can be established.

The following objectives represent what I think is indicated but they are offered not with any belief that they are necessarily the "best possible" answers but with the hope that they will provoke discussion and that from discussion more adequate proposals will emerge. It should be clearly understood, however, that these suggestions only refer to the police relationships with institutions of research and teaching; they are not intended as a proposal to meet all police needs.

I. There must be an attempt at definition of the problems and potentials in police-related research.

II. There must be a stimulation of governmental support of research important to the police.

III. There must be even greater attempts to involve high level researchers from the university world in the determination and the investigation of important police problems.

IV. There must be provision to release police faculty members and opportunities for research participation and the professional upgrading to enable that participation in research to be effective.

V. A program must be instituted to promote recognition within the general police field of the importance of research and, in general, of university-police participation.

The achievement of objective I (problem and goal definition) is largely a matter of attempted definition and refinement. Objective II (governmental and foundation support) is aided by problem definition but—in the light of President Johnson's concern for the advancement of police education and the similar attitude of many Members of Congress—calls more for the development of concrete suggestions for such help.

Objective III (the introduction of nonpolice specialists to police problems) demands such requirements as the clarification of the boundaries and content of the research areas and the easing of entree to police situations. Objective IV (the build-up of research capacity in, and the support of research opportunities for, police academicians) is furthered by definition of the research areas but really requires the conception of a broad and imaginative program and its support by foundation and/or Government sources. Objective V (stimulation of police field interest in research) has been well launched by the efforts of the IACP in this area and would seem to be a continuing problem calling for the attention of the IACP's Committee on Education and Training.

The problem of beginning the delineation of the research field is a major objective of the May 28 joint meeting at Michigan State University of the IACP's Education and Training Committee, and ad hoc committee on education and training (a group of police educators and trainees formed at the last IACP conference) with the International Association of Police Professors. At this conference, papers and workshops will deal with the problems and potentials of police-related research. A tentative outline of research possibilities will be offered at this time and will be explored in a series of workshops to be held at this meeting. These workshops will be chaired by prominent research authorities who will work with members of the police profession who have gained wide recognition as authorities in the subject areas to be considered.

In that complex world into which we spin at a 60-second-to-the-minute pace, the possession and the mastery of knowledge about the hard problems of living will mean the difference between the high and the low who will serve society. As I see the picture, we in the police world must deal with the hardest problems but we have not developed enough knowledge to allow any complacency on our part about the future. Cooperation with the academic world offers the clearest road to a more complete understanding of how we can serve the world of the future more effectively but it is a two-way street and the ways are labeled "Teaching and Research." We cannot afford to neglect either.

FIRMNESS IN WORLD AFFAIRS

Mr. WILLIAMS of New Jersey. Mr. President, in the past few weeks we have seen the tranquillity of the Western Hemisphere shattered by a series of events in the Dominican Republic. We have seen the lives of American citizens and of citizens of other countries seriously endangered by a breakdown in the processes of orderly government there.

The President of the United States, when confronted with this crisis, acted with speed and decisiveness, as well as with an equal measure of restraint, to bring these people to safety.

Underlying these developments, we now have undeniable evidence revealing the hand of the Communists once again at work. President Johnson put it quite succinctly in his message to the American people:

> What began as a popular democratic revolution, committed to democracy and social justice, very shortly moved and was taken over and really seized and placed into the hands of a band of Communist conspirators.

It is now obvious that the infection which started in Cuba has spread to this small nation, and threatens to engulf it, as well. The American nations learned too much from their bitter experience with Fidel Castro to want to see a repetition of it elsewhere in Latin America. In the spirit of the 1962 accord, the Organization of American States has taken swift measures to counter this newest threat to peace and freedom in the Caribbean.

An editorial published recently in the Saginaw News, of Saginaw, Mich., dealt in a clear and cogent manner with this crisis. I ask that the editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Saginaw News, May 3, 1965]

U.S. Policy of Action Timely and Justified

The world knows today that the Monroe Doctrine is no outdated decree, that the security of the Western Hemisphere against foreign invaders is a pragmatic 20th century policy-in-force of the U.S. Government. President Lyndon B. Johnson made it so in his historic weekend decision to rush thousands of Marines into Santo Domingo to block Communist seizure of an internal revolution as well as protect the lives of nationals from this and some 30 other countries.

It is a policy swiftly implemented under pressures of a turbulent, confused situation which in a matter of hours revealed that Communist conspirators had prepared for a takeover of the rebellion at its height.

It is a policy of action drawn from the bitter past experience of a powerful nation which, until now, has restrained its might in bowing to world opinion only to see a Communist beachhead firmly entrenched in Cuba from which military threat, subversion, and infiltration has diffused throughout the waters of the Caribbean and to Latin American shores.

In the advanced context of Western hemispheric security the President has consulted, albeit hastily, with representatives of the Organization of American States and, to this point, has received their blessing as well as approval for acting while time remained to act.

There will be ample time for full consultation once the military situation is well in hand and there can be assurance that the interests of all Dominicans will be protected and represented.

President Johnson made the U.S. position unmistakably clear even as he sought to explain to startled Americans as well as to peoples throughout the world what had transpired:

"What began as a popular democratic revolution, committed to democracy and social justice, very shortly moved and was taken over and really seized and placed into the hands of a band of Communist conspirators * * * many of them trained in Cuba.

"The American nations cannot, must not, and will not permit the establishment of another Communist government in the Western Hemisphere."

His clear declaration is no unilateral utterance, which might otherwise be resented even by Latin American friends in the absence of previous agreement. It is a reiteration of the 1962 accord to which all American nations subscribed in formal declaration that: "The principles of communism are incompatible with the principles of the inter-American system."

Let Moscow thunder and Havana shrill their protests of "imperialist aggression" as they choose. This time, the United States has established its presence first and will maintain that presence in Santo Domingo until "those who fight only for liberty, justice, and progress" in their country can undertake to do so free from the grasping opportunism of would-be Communist rulers.

Had we understood and acted as surely when the revolution of Fidel Castro took its first overt turn toward Moscow, there would be today no Communist Cuba bent on subverting this hemisphere to Communist influence and rule. The President has taken an action and invoked a policy which Americans of both hemispheres should gratefully applaud.

Mr. WILLIAMS of New Jersey. Mr. President, the handling of the Dominican Republic situation is only one instance, however, of the good results we are achieving by acting with firmness in various places throughout the world.

There has been a general feeling that the United States has been too willing to overlook the disrespect which has been paid it by nations that have benefited handsomely from its assistance. President Johnson has taken the initiative to put these countries on notice that in the future the United States is not going to suffer these indignities quite so lightly.

An excellent article written by Marguerite Higgins, and published in the Chicago Daily News, deals with this shift in our attitude. Therefore, I ask that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Chicago Daily News, May 4, 1965]

Johnson Lines: More Respect for United States

(By Marguerite Higgins)

Washington.—Despite a flurry of criticism at home, President Johnson's firm way of dealing with our international friends is paying off abroad.

The other day a Johnson insider defined this somewhat toughened line as "putting the world on notice that the United States is not lightly to be tampered with." He added: "There are some nations who are going to have to get over the idea that we are so big and powerful that they can keep on kicking us in the flanks and it won't matter."

One nation that seems to be finding this out is the United Arab Republic. Although the story has been a bit hush-hush up until now, a lot of things have changed since our U.S. Information Agency library was burned to ruins in Cairo, and Gamal Abdel Nasser invited the United States to take its aid and "go jump in the lake."

At the time of the library burning, President Johnson and Secretary of State Dean Rusk, who happened to be conferring at the L.B.J. ranch, decided against following the old policies of patiently shelling out the dollars to rebuild the ruined library building as, for example, we had done so often in Indonesia. Word was quietly sent to Cairo that the burnt-out eyesore would be left as it was.

As to our aid (mostly surplus food) we were not of course about to go jump in the lake with it, but we know lots of other places where it would be welcome.

The first sign that the United Arab Republic was having second thoughts about its flamboyant hostility was when President Nasser passed the word (also quietly) that the government would like to offer a lovely villa in Cairo to house the USIA library. We have accepted.

Nothing could ever make up of course for the destruction of the previous books which constituted one of the most valuable collections in the world on the Middle East.

But President Nasser did make a gift of 1,000 volumes to get the library off to a start. Additionally he has promised to pay close to half a million dollars in indemnity.

That is not all. It is the contention of the Nasser government, after due investigation, that the library fires were set by African students—not Arabs—who had infiltrated hours before the riot started, placed gasoline in strategic places, and had only to set a match to it when the actual demonstration began. Twenty of those African students believed responsible for the burnings have been sent home.

Most important of all, however, is the apparent United Arab Republic decision to stop shipping Red-bloc arms to the Communist-abetted rebels in the Congo. Word of this decision has not been officially passed. But informally, Nasser has let it be known that the Congo rebels are no longer "in" but "out" so far as he is concerned.

It can be argued that this decision is primarily the result of Moise Tshombe's own determination not to bow before his African critics. It has no doubt been influenced also by the squalid internecine squabbling among the Congolese rebels themselves. But, however, the credit is apportioned, the decision is very much on the plus side so far as the United States is concerned.

With regard to the Johnson postponement of the Shastri and Ayub visits, it is certainly the case that the President thought it wiser to see the Indian and Pakistani leaders after the foreign aid program had been passed. But no one in the Johnson administration would deny, in private, that Ayub's obvious efforts to make life rough for the United States on such things as Vietnam is unconnected with the postponement. Shastri's hostile attitude on Vietnam made the postponement easier in his case.

There are signs that Pakistan and India are beginning to get the point. At last week's Jakarta reunion of the Bandung powers, both nations totally resisted President Sukarno's vitriolic efforts to stir his guests into denunciations of America that would match his own hate-filled outpourings.

Not long after he came into power, President Johnson told this correspondent: "We are going to try and handle things so there is a little more respect for the United States around the world." The evidence would indicate that a good beginning has been made.

IS UNCLE SAM CONTRIBUTING TO STUDENT UNREST?

Mr. RIBICOFF. Mr. President, on Sunday, May 9, 1965, I was privileged to address the 42d annual meeting of the National Association of College Bookstores in New York City. In my remarks to this distinguished assembly of bookstore managers, I discussed the question of the Federal Government's responsibility for the student unrest presently plaguing the campuses of many of our great universities. I questioned whether the Federal Government's vast expenditure of research and development funds in some of our major universities has not helped bring about a fundamental change in higher education in this country—an increasing emphasis on research—a decline in the prestige of the teacher—and a growing tendency to involve the academician in the world of government and of business. I questioned whether Uncle Sam has been luring teachers from the classroom with research grants and contracts.

Because of the interest expressed in the subject matter of this speech, I ask unanimous consent that full text of my speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

IS UNCLE SAM CONTRIBUTING TO STUDENT UNREST?

You men and women whose lifework is the texts from which our college youngsters learn.

You who are intimately concerned with the books students and faculty members read, and from which they draw ideas and intellectual sustenance.

You know the value of books—the importance of educational materials—how crucial is the nature of education to our whole society. The improvement—the perfecting of American education—is part of your daily lives.

Perhaps some of you have had experiences in your bookstores like that of a friend of mine who went into a toy store to buy a toy for his young son. After a quarter of an hour's browsing his eye lit on a fascinating gadget—colorful plastic circles and loops that were marvelously intertwined. He played with it for a bit, then timidly approached a saleslady.

"Pardon me, ma'am," he said, "could you tell me what this is?"

"That, sir," she answered, "is an educational toy."

"Yes," he persevered, "but I don't understand it. I can take the pieces apart, but I can't fit them together again."

The saleslady smiled benignly. "Exactly," she said, "no matter how you fit it together it never comes out right. It's to teach the child to adjust to the modern world."

Actually, of course, life is never quite that bad. Our youngsters face obstacles, but they also surmount them. Our problems in helping them to understand—in helping them to achieve—are not insurmountable.

Having surmounted many problems, we stand right now at a new beginning—at a moment of promise and performance in American education. Legislative progress in education brightens our Nation's horizon, as well as our hopes and dreams as individual Americans.

Our journey has been long, and the pathways thorny. For many years we have known the necessity of Federal support for education. Where the local units of our government cannot or will not do the job alone—where private colleges and universities are overwhelmed by the great demands made on their faculties and facilities—then the Federal Government, the Government of all the people, must step in, or our children are the losers.

Still, year after year, we have seen aid to education bills founder on the shoals of controversy—especially aid to the elementary and secondary schools which lay the foundation for our children's education. Year after year legislative proposals suffered defeat in the Congress. But it was never the administration—it was never this Senator or that Congressman—who was dealt a body blow. It was rather the millions of our children, our boys and girls.

Our Nation itself suffered from those delays. For the fate of our schools and colleges is intimately connected with our national purpose and power. The thorough education of our young people is essential to our very strength and survival.

The quest for the Great Society has caught the imagination of our people. We seek a unity for man with the world he has built—with the knowledge that can save or destroy him—with the cities which can stimulate or stifle him—with the wealth and machines which can enrich or menace his spirit. We seek to establish a harmony between man and society which will allow each of us to enlarge the meaning of his life and all of us to elevate the quality of our civilization.

But how can we reach these lofty goals—how can we achieve the Great Society—without full educational opportunity? How can we achieve the Great Society, for instance, when we have draft rejections because of basic educational deficiencies? How can we achieve the Great Society when we have a 20-percent unemployment rate of young people between 18 and 24 years of age? How can we achieve the Great Society when college faculties and others charged with the responsibility of trying to educate and train young people complain of inadequate educational foundations?

Most of all, how can we achieve the Great Society when our children from poor families have two strikes against them before they even go up to bat? Does a child sleep in class? Is he so hungry he can't do his lessons? Is he unable to understand simple language or take directions? Is he, in short, so conditioned by his home environment—or lack of it—that he cannot benefit from ordinary school programs? Can he be part of the Great Society?

Of course not. We are all agreed on that. And we are agreed on the necessity of education in the broadest sense of that word—the leading out—the nourishment of the child. Or, as Spencer put it, "to prepare us for complete living is the function which education has to discharge." We feel that our educational problems are national, and require a national solution.

Happily, we have taken a giant step toward the achievement of this solution. The Elementary and Secondary Education Act of 1965 is the law of the land. Enactment of the higher education bill, and my bill—S. 100, to create a Department of Education—would make this Congress the greatest benefactor of American education since the founding of our Republic.

Fundamentally, the Elementary and Secondary Education Act of 1965 has two principal purposes: First, it deals squarely with the problem of inadequate financing of public elementary and secondary education in every school district where that problem exists. Second, it recognizes that every school child in America, regardless of the type of school that he attends, is entitled to the best education attainable.

This $1.3 billion law channels funds to help the children of the poor; but in so doing, all American children benefit. It also provides funds to buy textbooks and expand school libraries—including the purchase of books and periodicals. It aims to raise educational services to all students in our communities, in any way local school districts see fit. Bookmobiles, portable science laboratories, special classes, special projects in music or the arts or with museums—only the imagination of our communities themselves will set the limit.

This new great law also provides for funds for basic research to find new techniques and new teaching concepts. And it strives to strengthen State departments of education.

Like the elementary and secondary law, the intent of the higher education bill now before Congress is to provide educational opportunities for needy students attending any college or university—and to a lesser extent for all students attending so-called "developing institutions."

In all of its titles, the $250 million bill is a general aid to the higher education measure. If this bill becomes law, we could expand and develop continuing education, community extension services and adult education. We could strengthen college and university libraries and train librarians. If this bill becomes law, we would have up to 160,000 scholarships for qualified high school students from low-income families.

So we strengthen our massive national commitments to the cause of education. But we have not yet taken one step I believe is absolutely necessary to complete the commitment.

What is needed desperately in the Federal Government is a focal point for education—a voice at the highest levels of Government—an agency to coordinate the expanding programs of Federal aid. In short, we need a Department of Education.

I proposed such a Department this year in Congress. I proposed the Department of Education because a chorus of voices, each with its own point of view—its own program—its own mission, says it speaks for education today. Nowhere is there a comprehensive policy.

The President has made a valiant attempt to bring order out of chaos. By Executive order he set up an Interagency Committee on Education, chaired by a very able and dedicated man—Francis Keppel, U.S. Commissioner of Education.

But where is Dr. Keppel's office? Buried in the tangled web of the Department of Health, Education, and Welfare; a Department responsible for running nearly 150 different programs, including aid to education, and with a budget that has soared from under $2 billion in 1953 to more than $7 billion in fiscal 1966.

But Dr. Keppel and one Office of Education do not administer most Federal education spending. This year, less than a third of Federal funds for education—or $1.6 billion—is being channeled through the nominal agency for education, the Office of Education.

Where is education in the Federal Government today? It might be more appropriate to ask where it isn't. From the green lawns of Bethesda's National Institutes of Health to Foggy Bottom—from the space age world of NASA to the complex of Health, Education, and Welfare, 42 separate Federal departments, bureaus and agencies are involved in Federal education programs and spending a total of $5 billion. And each of them makes educational policy—often indifferent or ignorant of the broad national objectives in the field of education. Look at some of the agencies spending Federal education dollars:

The Department of Health, Education, and Welfare itself spends $800 million for education. These millions are channeled through the Public Health Service, the Vocational Rehabilitation Administration and the Welfare Administration—all separate and equal parts of the Department—all separate from and equal to the Office of Education.

The Department of Agriculture spends half a billion dollars a year on education.

Directly concerned with education, the National Science Foundation will channel $400 million into our schools and colleges this year.

The Housing and Home Finance Agency spends one-third of a billion dollars for college housing loans, the Labor Department $362 million, and $77 million is spent for war orphans and veterans education by the VA.

The Department of Defense, NASA, and the Atomic Energy Commission together contribute another $443 million to education—for the most part primarily in the area of research and science.

And other agencies have their finger in the education pie: The Department of Interior spends $123 million; the State Department, $60 million; the District of Columbia government, $12.5 million; the Canal Zone, $12.4 million; the Department of Commerce, $7 million; the Treasury, $6.1 million; the Justice Department, $3 million; and the Job Corps of the equal opportunity program, $190 million.

Next year most of these figures will be even larger, as we add $1.3 billion from the recently enacted elementary and secondary school aid legislation and hopefully $250 million for higher education, to the Federal education budget.

Each of the agencies I have mentioned has its own narrow responsibility; none of them is concerned with the whole problem of education. The sums spent by the agencies in many cases are so large that they can distort the aims of the overall aid to education program. That is the tragedy here.

Every year in Congress, we review and pass upon the President's budget. We review and pass on a massive document, complete to the smallest detail of the salaries of employees and the distribution of funds. But you can look all through that massive compilation of information—and nowhere will you find a summary of all the money to be spent for education. To determine the amounts, you must look through each Department and agency's budget—and even then it would be impossible to discover all the items.

One finds no concise summary. Even more important, one finds no one place in the Congress where the impact of the budget on education in America is debated or considered. A Department of Education would change that. A department could give us a central source of information and a central point of responsibility for collecting the necessary data, assessing its relevance, and recommending a policy. Then Congress could really do its job of considering various proposals in the light of their total effect on education in America.

For example, a large slice of the money spent by the Federal Government in educational institutions comes from agencies like the Atomic Energy Commission or the Department of Defense. It is money purely for R. & D.—research and development. Yet it has an enormous effect on our universities, across the board, and this effect raises some serious questions.

Where have our professors been disappearing lately? Perhaps into the laboratories with a few select graduate students. Perhaps into the depths of the Government as consultant. Perhaps to Washington to get themselves grant or research contract renewals.

And where has this left the student? In many cases, the student is left in the middle of hundreds of his fellows listening to an aloof figure on the lecture platform—distinguished for his works, but unknown to his students. The student is left to discuss the course material with a graduate student in a section meeting. So the student of today has become more and more anonymous—a seat in a lecture hall, a number on a card in the administration office, a statistic in the university records.

There is a popular song around these days all about ticky-tacky. I'm sure you've heard it. I won't presume to sing it for you, but it does repeat a common theme: It sings of boxes—little boxes—and they're all made out of ticky-tacky and they all look just the same. And it goes on about the people in the houses, and how they drink their martinis dry, and how they all look just the same. And the people send their children to the university—and they come out looking just the same.

The song is a bestseller; like most bestsellers it says something that means something to you and me. We are—especially the young among us—greatly concerned with a loss of individuality. The revolt on the campus makes big bold headlines. A growing group of American undergraduates are rebels against their college administrations.

There are probably many reasons for this movement. But this much is clear—the undergraduate wants to feel he belongs to the university, he wants to feel he is more than a number, he wants to feel he is important to the schools. As J. Glenn Gray, chairman of the philosophy department at Colorado College put it in the current Harpers:

"There has hardly been a time, in my experience, when students needed more attention and patient listening to by experienced professors than today. The pity is that so many of us retreat into research, Government contracts, and sabbatical travel, leaving counsel and instruction to junior colleagues and graduate assistants. In so doing we deepen the rift between the generations and at the same time increase the sense of impersonality, discontinuity, and absence of community that makes college life less satisfactory in this decade than it used to be. What is needed are fewer books and articles by college professors and more cooperative search by teacher and taught for an authority upon which to base freedom and individuality."

If anyone has lured the teacher from the classroom, it is Uncle Sam.

The Federal Government has helped bring about a fundamental change in higher education in this country—an increasing emphasis on research—a decline in the prestige of the teacher—a growing tendency to involve the academician in the world of government and the world of business. This change has come—not by design—not through regular aid-to-education funds but rather through the back door of research and development dollars spent in our schools.

Who gets the Federal dollar? What kind of schools receive this Federal aid to education? For Federal aid to education it is, despite the protestations of the mission-oriented Government agencies—NASA and the rest—who administer R. & D. funds.

A few months ago, I asked the heads of several departments and agencies in Washington to answer these questions. I asked the Department of Defense, the Space Agency, the Department of Health, Education, and Welfare, and the Atomic Energy Commission, and the National Science Foundation to list all the colleges and universities that had received their R. & D. funds in 1964. I asked them to list the moneys the recipient university received. And I asked them to tell me how many members of faculties served on their advisory panels, advising them on the wisdom of their grants.

The answers were disturbing. Five agencies—none of them the Office of Education—distributed nearly one and a quarter-billion dollars for research and development to universities during 1964. Their funds reached into nearly every State in the Union and went to 124 colleges and universities.

And, on closer examination, it became clear that there is a definite pattern to the distribution of funds. Twenty-five universities received amounts greater than $10 million. Those same 25 universities together received 58 percent of all the funds awarded to all the universities.

Even more disturbing: 16 schools received amounts greater than $20 million each—and those 16 institutions accounted for more than 40 percent of all the funds awarded.

Statistics in themselves don't tell the whole story. But, interestingly enough, a student told a newspaper reporter recently: "Just having a professor nod at you in the hall is a big deal. You feel like you've really arrived." And that young man was a student at one of the universities receiving the most Federal R. & D. dollars.

And who sits on the advisory panels of the five Federal agencies which distribute these R. & D. funds? I asked this question because an advisory panel is very important. It sits in judgment on research applications submitted to an agency for financial assistance. Advisory panels were invented so that no critic could ever say a government bureaucrat had turned down a worthwhile scientific project. If money is available and a project is turned down, it is usually because the members of the panel believed it would not contribute significantly to knowledge in the research specialty.

Warren Weaver of the New York Times once wryly described a mythical advisory panel—the "Special Committee for X." "These are men," Weaver wrote, "intensely interested in X, often with a lifelong dedication to X, and sometimes with a recognizably fanatic concentration of interest on X. Quite clearly, they are just the authorities to ask if you want to know whether X is a good idea."

Where do these panel members come from? Of the advisory panel memberships of the 5 agencies here involved, 1,622—a majority of the members—come from the academic community. Amazing correlation exists between the amount of Federal funds for research flowing into a university and the number of faculty members serving on the advisory panels which pass on the grants. The higher the number of dollars, the higher the number of panelists. In fact, the same 16 schools that receive 42 percent of the dollars send 810—or exactly one-half—of all the academic members of the advisory panels to Washington.

Clearly, we are caught up in a vicious circle.

Let us take the case of Professor A. He is very learned about X. He gets a grant to do some research on X—and learns even more about X. Soon his school becomes known as the place to go to do research on X and attracts even more experts. So Professor A finds himself on an advisory panel advising on the directions research in X should take—and even more prestige enhances his university department.

If the Government wants to pay for research in X, where else should they go but to professor A's school? There is no conspiracy—no conflict of interest. If the judgment to be rendered on the Government's part is "where do I get the best research value for my dollars?" the Government would be silly to go anywhere but to professor A's university.

Our system of reliance on a small number of large universities for the great bulk of federally aided scientific research may be the best way to get research done—but does it benefit our schools? More important—does it benefit our students?

We are beginning now to debate the wisdom of this policy. We have seen the symptoms of dissatisfaction grow. We have seen riots on our great campuses, and on small. We have seen students battle to reverse the "publish or perish" trend among our faculties.

We have seen all these things. But the real tragedy does not lie with young grumblings and unrest. The real tragedy lies in the fact that we have come all this way without seriously considering the consequences of our actions. We have continued to build up the dependence of our universities on the Federal Government—on the fictitious premise that we were only buying research results. But what we have really been doing is changing the character and content of our children's education.

We have drifted too long. Federal policy on education must not be based on pure and simple expediency. Federal policy on education must be geared to a massive assault on ignorance and its evils. Only if this policy is wisely formed, and expertly administered, can education achieve its star role in the Great Society.

ACTION IN THE DOMINICAN REPUBLIC

Mr. LONG of Missouri. Mr. President, U.S. action in the Dominican Republic has been determined and decisive in curbing the threat of further Communist subversion in the Western Hemisphere.

President Johnson's wisdom in moving promptly to protect the lives of U.S. citizens has brought high praise from many sources. I firmly believe that the President has been rightly acclaimed as a dedicated and effective defender of freedom in the Americas.

Recent issues of the Washington Evening Star have carried two articles in appraisal of the administration's course in this troubled area.

Mr. President, I ask unanimous consent that these two articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, May 3, 1965]

REDS TAKE OVER DOMINICAN REVOLT

(By Max Freedman)

Early Wednesday afternoon of last week, the U.S. Ambassador in the Dominican Republic reported to Washington that there was no immediate threat to the personal safety of American citizens living in that country.

Exactly 2 hours later Ambassador Bennett, in a second message, reported that the situation had deteriorated with tragic speed.

The military and police forces supporting the Dominican Government were no longer able to control the situation. In some places there had been an utter collapse of military efficiency. Officers wept openly at the news of spreading unrest and at reports of growing defections.

The Dominican authorities could give no assurances that the lives or the property of U.S. citizens would be protected. They were unable to protect the airfield or the railway station or the port from which American citizens could be evacuated.

No longer could they protect the large hotel or other buildings where some of these Americans had gathered for safety. Nor were they able to protect the U.S. Embassy in Santo Domingo from attack.

Faced with these accumulating proofs of a critical situation growing steadily worse, the Dominican officials strongly urged the Embassy to advise Washington to send enough force without delay to protect and evacuate the endangered American citizens.

The members of the U.S. Embassy, confronted with this new evidence and listening to this urgent plea for American troops to prevent outrages and the tragic loss of life, unanimously agreed that the time had come for direct American assistance. Ambassador Bennett conveyed this unanimous recommendation to Washington and the marines were soon on their way to the Dominican Republic.

It seems clear that some military officers are supporting the revolt and are defying the cease-fire not because they really believe in the rebel cause but because they feel they have no alternative, having once broken their military oath and taken up arms against the Government.

Equally clear to Washington is the danger that the original revolt, started to restore former President Juan D. Bosch to power, is being supplanted by highly trained Communist agents who are seeking to gain control of a revolutionary situation by an almost classic application of Communist tactics.

There are three Communist parties in the Dominican Republic. The first is the Dominican Popular Socialist Party, an orthodox Communist party looking to Moscow for guidance.

The second is the Dominican Popular Movement, a small aggressive party with leanings to China. The third is the 14 July Movement, not completely Communist in character but with a strong Castro influence.

These three groups have not yet formed a united front. That may come later. They are still fighting for the leadership of the revolt. But they are exploiting every weakness, every breakdown in authority, to spread the influence of Communist power.

Their success can be measured by one stark and tragic fact. Many of Bosch's original supporters have left the revolt and have gone into hiding.

Officials in Washington have a list of names of the 58 most important Communist leaders who have seized key strategic positions in the revolt and are twisting it into a Communist pattern. This list contains the names of these Communists and their military and technical training as agents of revolutionary upheaval.

Some of them were trained in Russia, others in China, still others in Cuba. All of them have been identified as active and sinister figures in the present stage of the revolt.

No signs exist as yet of any significant movement of Communist agents from Cuba to the Dominican Republic. It is the judgment of Washington officials that Cuba was taken by surprise by the success which marked the uprising and the weaknesses thus revealed in the crumbling fabric of governmental power.

The local Communist agents, expertly trained and strategically placed, moved in quickly to exploit the situation for Communist purposes. Cuba's future role has to be watched carefully.

Bosch's supporters made a serious mistake. They gave some seized weapons and ammunition to people more eager to loot and plunder for private gain than to fight for the proclaimed cause of the uprising.

Thus, the revolt lost popular favor and became a weapon of anarchy instead of a movement to restore Bosch as the last constitutionally elected President. These excesses drove many moderates into silence or retreat and again gave added strength to the Communist minority.

Even at this critical hour the situation might have been restored if Bosch, by a greater display of personal daring, had left Puerto Rico and gone to Santo Domingo to raise once more the flag of his cause.

That might have given a fighting unity to his scattered and dispirited followers. As yet, however, he has not appeared where the bullets are flying and the issue is being decided.

The supreme point, which should be understood by everyone, is that the United States is not trying to overthrow the present government or keep it in power. It is not trying to restore Bosch as President or keep him in exile in Puerto Rico. It is not interfering in the internal politics of the Dominican Republic. Its political fate is to be settled by the Dominican people themselves.

Nor is the United States practicing intervention or imperialism in the sense so familiar to Latin America and so resented by it. It is a strange sort of intervention whose declared and single purpose is evacuation. The United States wants to get its citizens out of the Dominican Republic, not to get more troops in there.

But growing anarchy, the rising threat to American citizens, and the sinister designs of Communist power may give the United States no choice but reluctantly to increase its rescue operations.

Meanwhile every forward-looking leader in Latin America is being urged by the United States to use his influence to keep the Dominican Republic from sliding into anarchy or communism. The Organization of American States has decided to grapple with the crisis.

The Johnson administration seeks nothing for this country in the Dominican Republic and it stands ready to prove this, once conditions of law and order are restored and the Dominican people can shape their own national course without Communist domination.

[From the Washington (D.C.) Evening Star, May 5, 1965]

INTERVENTION HAS OAS BASIS

(By David Lawrence)

Whether or not some of the countries in Latin America disapprove of the sending of U.S. military forces into the Dominican Republic, the realistic fact is that basic international law approves such rescue measures when the lives of foreigners are endangered and no other police force to protect them is available.

The Charter of the Organization of American States provides, in effect, that, where there is an established government capable of discharging its international obligations, "No state or group of states has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other state." But this does not exclude intervention when the local government has broken down. The United States has openly declared that it has no desire to participate in the political affairs of the Dominican Republic.

There are indeed, even more pertinent articles in the Charter of the Organization of American States on this point. Articles 7 and 8 say:

"Every American state has the duty to respect the rights enjoyed by every other state in accordance with international law.

"The fundamental rights of states may not be impaired in any manner whatsoever."

These provisions are in complete accord with precedents of international law, which have always held that the lives of foreigners resident in a country must be protected against any violence and that, if the existing government is incapable of giving such protection, the state or states whose nationals are threatened may take appropriate action in defense.

Another article in the Charter provides that "the territory of a state is inviolable" and that "military occupation" or other measures of force must not be taken against it even temporarily. The plain objective of such a provision, however, is to prevent territorial acquisition. The United States has no hostility toward the Dominican people and, of course, has no intention of annexing a single foot of territory or of interfering with a government once established.

Among the principles affirmed in the Charter of the Organization of American States are the following:

"International law is the standard of conduct of states in their reciprocal relations;

"An act of aggression against one American state is an act of aggression against all the other American states."

In the present instance, the United States had detected an effort on the part of the Communist imperialist regimes to take over the Dominican Republic. This has precipitated a situation which not only endangers the lives of all foreigners, but also could extinguish self-government altogether in the Dominican Republic.

This means that the United States was obligated by the Charter of the Organization of American States to exert military as well as moral force against the aggressors.

There will always be a dispute as to how much evidence was available beforehand to the American Government concerning Communist infiltration. But there can be no doubt that a state of anarchy developed in Santo Domingo and that it was a wise precaution for President Johnson to order American marines to land, not only to protect American citizens but to prevent the injury of many innocent persons in the Dominican Republic who were in no way participants in the quarrels between the various factions.

By announcing at once that the United States would withdraw its forces as soon as the OAS could put into effect its own peace plan, President Johnson followed the procedures provided for in the Charter of the Organization of American States. The duty of a strong nation like the United States is clear. It must protect the weaker nations. If an emergency arises, it can act alone.

The proof of the sincerity of the Washington Government is to be found in its open declaration that it will join with other countries in the OAS to help preserve the independence of the Dominican Republic. For the really significant provision of the OAS Charter is its statement on collective security, which reads as follows:

"Every act of aggression by a state against the territorial integrity or the inviolability of the territory or against the sovereignty or political independence of an American State shall be considered an act of aggression against the other American States."

The U.S. action, therefore, is based upon two points—the protection of the lives of foreign nationals, and the preservation of the territorial integrity and political independence of the Dominican Republic against acts of aggression by imperialistic governments. This was the fundamental principle originally proclaimed in the Monroe Doctrine, and it has been preserved in essence in the Charter of the Organization of American States.

ADDRESS BY VICE PRESIDENT HUMPHREY TO THE ADVERTISING COUNCIL

Mr. WILLIAMS of New Jersey. Mr. President, on April 6, our distinguished former colleague, Vice President HUMPHREY, delivered a most exciting and interesting speech to the Advertising Council. In the forthright and lucid manner which is so inimitably his, the Vice President spoke of the great goals we have for our land and the cooperation between business and Government which is so necessary in order to build the Great Society. As he put it: "We have no little dreams; we make no little plans." HUBERT HUMPHREY spoke most eloquently of the hopes we have for a Great Society here at home and a peaceful and prosperous society abroad. I am sure all Senators will find his remarks of great interest. Therefore, I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT H. HUMPHREY TO THE ADVERTISING COUNCIL, APRIL 6, 1965

My friends in advertising should feel very much at home in the America of 1965.

Not merely because our economy is booming—and billings are up.

You—as representatives of an industry that lives by creativity—can feel at home because we are entering in this country the most creative and therefore rewarding period of our history.

America is creating new wealth—new and better goods and services, faster, for more people than ever before. But we are creating far more than that. We are creating in this country the means for sustained national growth. Not just economic growth. But a fuller growth which can keep us free and secure in the future.

We are improving and strengthening every major resource of this Nation—our educational system, our medical facilities, our housing, our recreation, and our most important resource, our people.

We are doing this through an unprecedented peacetime effort of national cooperation.

First, there is the creative partnership which now exists between Government and private industry.

We see this most dramatically at Cape Kennedy. Vital, creative work by Government, the aerospace and other industry will soon put Gemini Four into orbit. By 1970, Government and industry, working together, will land a man on the moon through project Apollo.

We see it too in Comsat—a unique corporation which fuses public and private enterprise. Comsat will revolutionize international communication.

We see this cooperation too in domestic programs. Several major private corporations, for instance, are now serving the Office of Economic Opportunity as contractors in operating job training camps.

We see it in Government economic and fiscal policies designed to give the private sector maximum latitude for enterprise and growth.

Thankfully, business and Government have passed the time when they regarded each other as natural enemies.

You of the Advertising Council have demonstrated for many years the achievement in the public good which can flow from the great talent and resources of private enterprise.

There is a second and broader area of cooperation today in this country. This is the cooperation which is developing between others who once opposed each other as a matter of course—cooperation between North and South, Negro and white, farmer and city dweller, business and labor.

There is another word for this developing cooperation. It is consensus.

Consensus is voluntary agreement based on constructive dialogue, mutual respect, and understanding.

In consensus today, we Americans are together joining the fight on old common enemies; poverty, disease, ignorance, discrimination.

It is exhilarating. It is, in the words of the President:

"The excitement of becoming, always becoming, trying, probing, failing, resting, and trying again—but always trying and always gaining."

United we stand. And united we gain.

We must gain. Our needs are multiplying. In 5 years, 211 million people will live in our country—half of them under the age of 25.

In 10 years, we will need—each year—over 2 million new homes. We will need schools for 10 million additional children * * * welfare and health facilities for 5 million more people over the age of 60.

We have no time to lose. We must challenge the tasks at hand.

We must make our cities more livable—places where children can play and men and women can work, in safety and health.

We must preserve our natural heritage before it is lost * * * we must preserve our landscape and our forests. We must preserve clean air and water.

We must find ways to help our rural citizens adjust to technological revolution and social change.

We must solve the problem of mass transit. The commuters present in this room know what I'm talking about.

We have no little dreams. We make no little plans.

President Johnson has proposed—and your Congress is passing—legislation which will help create the freedom and security we seek.

Programs to provide adequate medical care, to better educate our children, to eradicate poverty, to give each man and woman in this country truly equal opportunity.

These investments carry a price tag.

But the cost per thousand or per man or per million of national problems like illiteracy, school dropouts, poverty, delinquency, and, yes, discrimination is far greater than the cost of our efforts to overcome these things.

We spend $450 a year per child in our public schools. But we spend $1,800 a year to keep a delinquent in a detention home, $2,500 a year for a family on relief, and $3,500 a year for an inmate in State prison.

We must make the investments necessary so that all in our society may be productive. Poor and uneducated people are poor consumers. They are a drain on our economy. They are wasted resources.

But beyond the economic good, there is the morality of our efforts.

We in America have always drawn strength from our belief that democracy can give the greatest reward of all: the opportunity fore each man and woman to make something better of himself, in his own way. We believe in the dignity and worth of every man—not just our society as a whole, but each man in it.

That is why we educate a child, or give a hand to those without jobs or hope, or do the things we must do to insure that each American, whatever his color or national origin, shall have his equal chance.

We must do here at home the responsible tasks of freemen if we as Americans are to live up to our beliefs. I ask your support and your work for the programs which will make these things possible.

I also ask your support and work for something else: for the belief that the world need not destroy itself by war, and that we Americans can help others, too, in other places, find a better life.

We hear many voices these days saying that America is overextended in the world * * * that other people's problems needn't be our problems * * * that we ought to close up shop overseas and enjoy our fruits here in the good old U.S.A.

Too easy, my friends. And too dangerous. Who in the world will work for democracy if we do not?

Who in the world can preserve the peace if we do not?

Who in the world can set the example, can offer the needed hand, if we do not?

We live in a time when everything is complex, when there are no more rapid or easy answers. We live in a time when we must exert our patience as never before. Have we the patience, for instance, to continue a disagreeable struggle thousands of miles from home—perhaps for months and years ahead—without any guarantee of final success?

I can tell you that the forces of totalitarianism have that patience.

We must stand abroad as we stand at home: for the pledges made by Americans who came before us. We must love freedom and justice enough to practice it * * * and defend it.

President Johnson has made his commitment to all of us. I join him in that commitment.

THE MESS IN VIETNAM—XIV

Mr. GRUENING. Mr. President, university communities—faculties and student bodies—include a very substantial number of opponents of our southeast Asia policies. They properly reject Secretary of State Rusk's chiding of the academic world for what he chooses to label its "stubborn disregard of plain facts." A reply from New England university faculty members was published as a three-quarter page advertisement in last Sunday's New York Times. It points out their view that Secretary Rusk and the administration spokesmen are the ones who are guilty of "stubborn disregard of the facts."

The advertisement was signed by over 750 faculty members of 25 New England universities. Harvard leads the list, with 200 signers. Massachusetts Institute of Technology is second, with 137. Brandeis is third, with 69; Yale, fourth, with 62. Boston University has 46; Northeastern University and Tufts University, 43 each. Others are: Andover Newton Theological School, Boston College, Brown University, Clark University, College of the Holy Cross, Dartmouth College, Episcopal Theological School, Goddard College, Simmons College, Smith College, University of Connecticut, University of Vermont, Worcester Polytechnic Institute, Cardinal Cushing College, Wellesley, Wheaton, Williams, and Amherst.

The list is an impressive one of outstanding faculty members, but I do not wish to burden the Public Printer by having the list printed in the RECORD. However, I do ask unanimous consent that the text of the message, entitled "A Reply to Secretary Rusk on Vietnam," be printed at this point in my remarks in the RECORD.

There being no objection, the excerpt from the advertisement was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 9, 1965]

A REPLY TO SECRETARY RUSK ON VIETNAM

In his address on April 23 before the American Society of International Law, Secretary of State Dean Rusk attacked academic critics of the administration for talking "nonsense about the nature of the struggle" in Vietnam. He continued: "I sometimes wonder at the gullibility of educated men and the stubborn disregard of plain facts by men who are supposed to be helping our young to learn—especially to learn how to think." This abusive language suggests that the administration wants to silence its critics.

This suggestion is confirmed by insinuations from other administration spokesmen about the loyalty of such critics. Precisely in this time of crisis, however, the academic community has both a right and an obligation to point out hazards and inconsistencies in our military and diplomatic policy.

It is easy to see why the Secretary of State is angry. The reasons have nothing to do with "gullibility" in the academic community. He is angry because the facts and wider considerations brought up by these critics have contradicted so many official pronouncements. It is not the scholars but the leaders of the administration who have shown a "stubborn disregard of plain facts."

PLAIN FACTS?

For example, on March 25, 1965, President Johnson said, "We seek no more than a return to the essentials of the agreements of 1954—a reliable agreement to guarantee the independence and security of all in southeast Asia." But the "plain fact" is that the Geneva agreement did not provide for a division of Vietnam into two nations. On the contrary, the agreement spoke of the two parts of Vietnam as "regrouping zones" and said that "the military demarcation line is provisional and should not in any way be interpreted as constituting a political or territorial boundary." It provided that "* * * general elections shall be held in July, 1956, under the supervision of an international commission * * *." No such unifying elections have been held. The Saigon regime, with United States approval, refused. Ever since, the United States has insisted that Vietnam remain divided.

On April 7, 1965, the President gave another description of the administration's goals. He said, "Tonight Americans and Asians are dying for a world where each people may choose its own path to change," and further on: "Our objective is the independence of South Vietnam, and its freedom from attack. We want nothing for ourselves—only that the people of South Vietnam be allowed to guide their own country in their own way." The plain fact is that the scale of American intervention is incompatible with the goal of self-determination. North Vietnam has, to be sure, intervened by helping the Vietcong. But at every stage of the war the scale of American intervention has been far greater. The manner of combat shows that we have saturated South Vietnam with every kind of military equipment the terrain allows. We airlift troops and supplies continually. We drop napalm on civilian populations intermingled with guerrillas. We burn and defoliate crops and forests. We have resorted to incapacitating gas. An intervention as massive as this does not furnish a choice to the people. It deprives them of one.

STUBBORN DISREGARD OF PLAIN FACTS

If American actions in Vietnam are defensizle, administration attempts to defend them should square with the plain facts. Self-deception about American intervention can be a greater peril than discriminating protest. Only by recognizing the ambiguities of the situation can we reach accord with the deepest levels of the American conscience and with the common conscience of mankind. The administration may have contrived the discreet silence or the grudging lipservice of some foreign governments and of some U.S. Senators, but the hazards and inconsistencies of the present policy are widely recognized both at home and abroad.

The situation in Vietnam raises serious moral questions, not merely diplomatic and tactical ones. As a nation we hold immense power. To permit it to be used in reckless and barbarous ways is to imperil the entire basis of American leadership.

Let us make known to the Government and to our compatriots that we oppose the disastrous policy of continued bombardment of North Vietnam. Continuation of the present policy makes it impossible for Americans and Russians to talk further about peaceful coexistence and encourages all Communist nations to close ranks in opposition to the United States.

World opinion does not support U.S. military operations in Vietnam. Throughout the world these operations appear increasingly to be a campaign in the self-interest of a Western power rather than in the interest of that stricken Asian nation. Indochina has been macerated by 20 years of anticolonial, nationalist, and Communist warfare. The United States has the military might to defeat the Vietcong. But unless we show immediate restraint, and show humane imagination in bringing interested parties to the peace table, we risk the loss of the respect and sympathy of men and nations far beyond the present theater of war.

WHAT CAN BE DONE?

Citizens must speak out on issues of national policy. We will not be intimidated by charges of gullibility or disloyalty.

We demand that the administration return to the plain facts and make an earnest attempt to obtain a negotiated peace. Reiteration of the phrase "unconditional discussions" is not enough, especially because the condition is attached to it that the rebel forces in the civil war are not to appear at the conference table. Peaceful intentions can be made plainer than this. We must arrange for an immediate cease-fire and offer to negotiate with the principal combatants, including the Vietcong; we must cease our air raids on North Vietnam; we should use the good offices of the United Nations in bringing about these ends; and we must assure the world that we will not use nuclear weapons in the pursuit of victory or in the pursuit of peace.

Mr. GRUENING. Furthermore, Mr. President, in yesterday's edition of the Washington Post, the distinguished columnist, Marquis Childs, commented on the New England situation. Writing from Boston, and under the headline, "Academics Oppose Johnson Policies," he pointed to the very considerable revolt taking place in our universities against the administration's policy in southeast Asia. He pointed out that while in voting strength the intellectual community may not amount to a great deal, nevertheless, over the years, this community has, on the whole, supported Democratic Presidents and has supplied ideas and initiatives. He added that this is an important function that cannot be scorned. Neither would it be safe for the administration to continue to disregard this very substantial opposition by the intellectual leaders of our Nation's life. The administration would do well to revise, first of all, the facts on which it bases its policies, so as to make them accord with history, and, on that basis, to revise the so-called unconditional discussions or negotiations which President Johnson proclaimed in his April 7 Johns Hopkins University address. Among the revisions should be, first of all, a recognition that the Geneva accords, a return to which the President has urged, provide for a reunited North and South Vietnam, not an independent South Vietnam; second, the revision should take cognizance of the fact that the United States, under the Eisenhower administration, invited itself to aid Vietnam militarily. The myth that an independent government of Vietnam asked us in, and that successive Presidents have pledged such aid on the basis of such a request, needs to be disspelled as a preliminary to realistic negotiations. As a third revision, there should be an understanding that there has been aggression on both sides. Our buildup of arms in South Vietnam was a violation of the Geneva agreement. That is spelled out in the report of the Commission created by that accord. The same is true of the violations by the North Vietnamese.

As a fourth revision, there should be a willingness to negotiate with the National Liberation Front—in other words, the Vietcong. Even if Hanoi should decide to yield, in response to our bombing of North Vietnam, the war would not cease. It has been, and still is, a civil war, although in response to vastly increased U.S. aid, North Vietnamese aid to the Vietcong has also increased.

I ask unanimous consent that Marquis Childs' article entitled "Academics Oppose Johnson Policies," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, May 10, 1965]

Academics Oppose Johnson Policies

(By Marquis Childs)

Boston.—For a President who dreamed of uniting the country behind his policies, Lyndon Johnson seems well on the way to dividing opinion along intensely partisan lines. In this center, with its 13 universities and colleges and the ccmplex of new industries grown up around advanced research in these institutions, the division is strikingly evident.

The President's sudden action in sending marines into the Dominican Republic seems far more than the rapidly increasing American commitment in Vietnam to have aroused student opposition and the deep concern of the academic community. From the prespective of Boston it is possible to see two poles of opinion sharply alienated coming into being with attitudes hardening at each extreme.

At a "teach-in" at Boston University the other night, with most of the area colleges represented, an overflow crowd of 2,000 warmly applauded Barrington Moore, Jr., a Harvard sociologist, when he said: "We have to stop the enemies of freedom at home and, let's be blunt about it, Johnson is one of them. It is my careful and sober judgment that Johnson is one of the most dangerous men in politics today."

Turner A. Shelton, a spokesman for the State Department, got some cheers but far more boos and catcalls when he said, "If you're afraid to fight I don't know how to help you." At one point a faculty adviser took the microphone from Shelton to appeal to the students to allow Shelton to be heard.

More significant than this uproarious outpouring was the earlier "teach-in" at Harvard. By comparison, it was sober and, according to all reports, well balanced. Distinguished professors such as J. Kenneth Galbraith, a former Ambassador to India, analyzed the Johnson policy on Vietnam and while Galbraith and others opposed the bombing in North Vietnam they argued the case for sustaining a position of strength that would permit a negotiated settlement of the war. The unilateral intervention of the United States in a small, troubled Caribbean republic has been the trigger for a more unrestrained and vociferous reaction among students.

Faculty members with whom this reporter has talked speak with deep concern of the trend of American foreign policy. They see President Johnson resorting more and more to the emotional appeal of anticommunism to win support for his actions. As the recent past has shown, such an appeal gets a response from a large segment of opinion. But such an appeal, the fear is, will create a war psychosis defeating all hope of easing tensions and threatening a nuclear confrontation down a deadend road.

The memory of John F. Kennedy is strong. This is still Kennedy country. His academic admirers speak of his American University speech calling for a peaceful settlement of differences with the Soviet Union and the nuclear test ban treaty that followed as they ask whether the current promise set in motion is forever cut off.

On innumerable campuses across the country, judging by all reports, this same phenomenon is evident. The alienation of the intellectual community, if that is what is happening, can be easily discounted. A cartoon in the Boston Traveler summed it up—L.B.J. as an anguished Hercules holding the world on his shoulders while beatniks and the "better Red than dead" chip away at his ankles.

But among serious young students there is a genuine fear of what the intrusion of the Communist issue can do to student attitudes. They are especially concerned over the effort to brand certain phases of the civil rights movement as Communist-infiltrated or Communist-dominated and then linking this to the anti-Vietnam movement to discredit all student movements. It will harden attitudes, the belief is, and make it easier for the very small number of Marxist or Communist-oriented students to gain influence.

As a straw in the wind the Harvard Crimson editorial board was virtually unanimous in support of an editorial condemning the Dominican intervention while the board was divided, roughly 10 to 9, over a strong anti-Vietnam editorial last November. "The U.S. Government seems incapable of understanding that social reform, not communism, is the central concern of Latin Americans," the editorial said.

In voting strength the intellectual community is probably not more than 5 percent of the total, if it is that large. A practical politician can, therefore, dismiss it. But over the years this community has, on the whole, supported Democratic Presidents and supplied ideas and initiatives. This is an important function that cannot be scorned.

MESSAGE TO YOUTH DURING AMERICAN EDUCATION WEEK

Mr. TYDINGS. Mr. President, this past week I received a letter from Dr. Hyman B. Kaminkow, a distinguished educator in Baltimore city. Dr. Kaminkow is the principal of the Gwynns Falls Elementary School.

He has suggested to me that the President give an annual message to the youth of our Nation during American Education Week.

Mr. President, the concept of an annual message to the young people of this country is an appealing one. Adults talk about the importance of an education but little is done directly to explain to our youngsters the goals and aspirations of our society in terms of education.

A message from the President to the youth of our Nation will highlight the importance we place on this vital subject.

Mr. President, I ask unanimous consent to place at this point in the Record a copy of Dr. Kaminkow's letter to me and his letter of request to the President of the United States. I commend to my colleagues these thoughtful letters with the hope that they too might petition the President on behalf of this excellent suggestion:

There being no objection, the letter was ordered to be printed in the Record, as follows:

Gwynns Falls Elementary School,
Baltimore, Md., April 27, 1965.

Hon. Joseph D. Tydings,
New Senate Office Building,
Washington, D.C.

Dear Senator Tydings: In an address at the University of Michigan, May 22, 1965, President Lyndon B. Johnson said, "The Great Society is a place where every child can find knowledge to enrich his mind and to enlarge his talents." This statement reinforces my deep conviction of the urgent need of an annual presidential message to the children and youth of our Nation irrespective of the political party in office. Although I am aware of the tremendous beneficial impact of recently passed Federal legislation in the field of education, I am equally aware of the political, social, and economic climate of our time which makes the President's annual message to the children and youth of our Nation more appropriate today than at any other time. The Great Society needs the additional impact of an annual presidential message that would serve not only to motivate the children and youth to enrich their minds and to enlarge their talents, but to set a continuing example of our goals and standards for their future needs.

Should you find merit in the suggestion of the President's annual message to the children and youth of our Nation during American Education Week, then I would deeply appreciate the services of your office in effectuating its realization. I am hopeful that you will find it in the public interest to lend your support and cooperation to Mr. Allen Dale Olson, AEW coordinator, whose very warm reaction to my suggestion is amplified in his letter to me.

I extend my deep appreciation to you for your consideration of and response to this letter.

Sincerely,
Hyman B. Kaminkow,
Principal.

Baltimore Elementary School No. 60,
Baltimore, Md., February 24, 1964.
President Lyndon B. Johnson,
The White House,
Washington, D.C.

My Dear Mr. President: During one of the 4 tragic days of the assassination of our late President John F. Kennedy, I was fortunate to view a rebroadcast of a special television program in which you were interviewed by a commentator on the LBJ ranch. I was impressed by the simplicity and cogency of your comments on national and international affairs. Your comments were so sincerely expressed that they gave meaning to the quotation, "Sincerity is the highest form of eloquence."

Of particular impact was the comment that the present generation is better than the previous one, and that the next generation will be better than the present one. This optimistic observation was significant to me because of its educational implications; it gave support, strength, and encouragement to the pursuit of our national goals. As Ralph McGill pointed out, "We cannot, any more than could past generations, see the face of the future. But we know that written across it is the word education."

The television program I experienced several months ago is still with me in some personal and professional reflections. In the past, every message by the President of the United States, if my memory serves me right, has been addressed to the adult citizenry. Has not the time arrived, Mr. President, when a "century of the educated man" talk be addressed to the children and youth of the elementary and secondary schools of our Nation—public, private, and parochial?

You, Mr. President, had once been a teacher. In my mind, you still are; only this time you're our "top teacher." And as our top teacher, Henry Adams would have said that you affect eternity because you never can tell where your influence will stop. It is in this light that I respectfully suggest an idea that would take the form, via radio and television, of the President's annual message to the children and youth of our naation. This message, I believe, could be addressed appropriately during American Education Week, a week when our children and youth need to be reminded of their unique opportunity to fulfill their responsibilities of both optimum self-realization and maximum contribution to our democratic society.

In conclusion, it is my hope that the teacher and politician become President of the United States will find merit in the idea suggested in this letter.

May God grant you a double portion of good health, strength, energy, and wisdom in the guidance and protection of our Nation.

Respectfully yours,
Hyman B. Kaminkow,
Principal.

UNDER SECRETARY OF TREASURY PROMISES CONTINUANCE OF SOUND DEBT-MANAGEMENT POLICY

Mr. HARTKE. Mr. President, public debt in the United States has often been a subject of concern for many of our citizens; and in recent months, members of the banking community and investing public have been especially interested in possible changes in debt-management policy that might result from the changes in Treasury Department personnel.

In an excellent statement before the Louisiana Bankers Association, the Hon. Joseph W. Barr, newly appointed Under Secretary of the Treasury and former Congressman from Indiana, outlined the development of debt-management policies since the Second World War and expressed the administration's desire to continue present policies in light of experience gained in recent years.

Under Secretary Barr pointed up the intricacies of the structural nature of the debt and the new techniques developed in the 1960's for meeting the difficulties—techniques which have helped to maintain a sound monetary system.

I ask unanimous consent that the text of Mr. Barr's statement be printed in the Congressional Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Remarks by Hon. Joseph W. Barr, Under Secretary of the Treasury, Before the Louisiana Bankers Association, Jung Hotel, New Orleans, La., May 4, 1965

On April 1, 1965, Henry H. Fowler became Secretary of the Treasury. Two months earlier Frederick L. Deming became Under Secretary of the Treasury for Monetary Affairs. On April 29 I assumed the office of the Under Secretary of the Treasury, and on the same date Merlyn N. Trued became Assistant Secretary for International Affairs. Some of you may wonder what these changes will mean in terms of policy developments—particularly in the area of debt management. Perhaps a brief report would be in order.

Secretary Fowler has already made clear his intention to build on the programs that have been taking shape in the last few years. This intention is particularly strong in the debt management area where so much progress has been made in recent years.

In the same way that Secretary Dillon and Under Secretary Roosa built upon the debt management policies initiated and developed by Secretary Anderson and Under Secretary Baird, I can promise that we will follow through along the lines laid down by our predecessors. The issues and problems that confront the Treasury—in taxation, debt management, gold, silver, or the balance of payments—all have a long life history. I know this from personal experience, having lived with a number of issues in the major areas of Treasury responsibility.

My first contact with the Treasury, other than that of being a taxpayer, was in 1959, when as a new Congressman I came over to the Treasury to meet some of the Treasury officials and staff members. My discussions with Secretary Anderson, Under Secretary Baird, and the Treasury staff alerted me to a developing problem that was to some extent threatening to get out of hand—the problem of managing the public debt.

In 1959 this was not an important problem in the public mind, but the Treasury was doing all it could to alert the country to it. As a result of those efforts, and the progress that has been made since then I am able to report now that public debt management is in excellent shape.

I developed immediate interest in 1959 in the debt management problem. The concern expressed about this problem by the Treasury at that time lead Representative Moorhead and myself to a series of meetings with Treasury officials and also to meetings in New York with participants in the Government securities market.

Treasury officials at that time were deeply concerned over the problem of how to properly manage our public debt, and were intensively exploring new techniques in this area. However, it was not until 1962 and 1963 that there was much public concern over the problem. This public concern was perhaps best exemplified by the fact that Congress passed three separate bills dealing with the debt limit instead of only a single piece of legislation to cover the year's requirements.

As I was in charge of Treasury's congressional liaison at that time I can testify to the irritation this caused Members of Congress. By the time the year was over Congress was not only heartily sick of the issue but so were we in the Treasury Department. However, by that time the Treasury was already well on the way to a satisfactory solution of the problem.

To understand how it was solved we should begin with the nature of the problem itself. In terms of its size the public debt has gone up $59 billion since 1946. This seems like quite a startling increase until it is put into perspective with the rest of the economy. This debt increase represents a 23 percent rise, but since 1946 our population has grown some 35 percent so that on a per capita basis the debt is nearly $200 less than it was at the end of World War II. The debt in 1946 was larger than our gross national product but today it is less than half of GNP. Similarly, during the same period, while the Federal debt went up 23 percent, private debts, the debts of individuals, businesses, State and local governments, have increased more than 400 percent. Obviously the size of the debt alone was not the major difficulty. The truth is that we have been growing up to a debt of this size, and the debt itself—in terms of its absolute magnitude—is actually much more manageable now than it was back in 1946.

The real difficulties in debt management were those of a structural nature. We came out of the war with the debt well under control and improved the situation even further during 1946 by paying off bank-held debt with surplus cash that was in the Treasury till. The average length of our marketable debt issues was close to 8 years and we had over $43½ billion of the debt maturing out beyond 20 years. In a sense the Treasury lived off the fat of that good structure for a number of years. Attempts were made to maintain a balanced structure of the public debt but no consistent way was found to keep the structure from eroding and, although long-term issues were put out from time to time, the debt gradually shortened through the passage of time so that by the end of 1959 the average length of marketable debt was down to 4 years and 4 months and the amount of debt maturing out beyond 20 years had declined from $43½ billion to only $8 billion.

In the meantime market forces had brought interest rates up from the artificially depressed level of the war years to a level that was higher than those at the present time. The Treasury for a time found that it could not, because of the 4½ percent interest rate ceiling, sell any securities out beyond 5 years. Prior to this there had been a burst of speculation in Treasury bonds which had led to a massive oversubscription of the 2⅝'s of February 1965. This boom ended spectacularly in mid-1958 and in the face of the largest peacetime deficit of our history the Treasury had a series of financings that could be called successful only in a technical sense—the amounts needed were raised. In fact the market was not stabilized until late 1959 when the so-called magic 5's were issued.

In the interval the Treasury had been able to control the growth of the short-dated debt that matured in less than 1 year. This had risen from about $55 billion to about $80 billion—not an excessive increase in terms of the money market needs for a short-dated security. But this control over short-dated debt and the inability to issue long-dated debt created a buildup in the intermediate area so that the debt maturing in from 1 to 5 years increase from $24 billion to $61½ billion. All of this short intermediate debt could quickly spill into the shortest dated debt in just a few years. The need for debt lengthening was illustrated by a 1960 study of the potential increase in short-term coupon securities. These issues, excluding Treasury bills, totaled $35½ billion in 1961 and could mount to $93½ billion by 1964 if all the maturing debt had to be rolled over into short-term securities.

This steady attrition in structure was finally arrested in 1960 as the Treasury developed and tested new techniques in debt management that have proven to be quite successful. In the first place a larger part of the debt has been put on an automatic basis through the development of new Treasury bills, tapping the 6-months market and the 1-year market. Secondly, the long-term debt problem was met through the advance refunding technique. Under this technique securities are offered in exchange for longer-dated securities well in advance of their maturity. Since its first use in June 1960 there have been some 11 advance refunding operations and the turnaround in the structure of the debt has been marked. Although marketable issues have increased by some $25 billion since 1959 the under-1-year debt has grown by only $8 billion, probably at a lesser rate than the liquidity needs of the economy. The over-20-year debt has more than doubled, growing from $8 billion to very close to $20 billion and over two-thirds of these long-term securities have come out of advance refundings. The average length of the debt has also improved and at the present time is up over a year in length, at 5 years and 3 months. The results are shown in the volume of financing the Treasury has to undertake. New cash borrowings in 1964 were $11½ billion—down substantially from the $25 billion of 1959. Maturities of coupon issues are also down to $32½ billion from the $42½ billion of 1959, and in terms of public holdings of the same down from $23½ billion to $14 billion. The better spacing of the debt has meant the Treasury can be in the market less frequently and for smaller amounts.

The second major current problem of the Treasury, the balance of payments, has compounded the problem of debt structure because we no longer can afford to be isolationists in our domestic monetary and debt management policies. In previous periods of business slack interest rates in our economy could go to any level without any serious consequences internationally. But since 1958 and 1959 when other major currencies of the world became fully convertible, as only the dollar had been since the early 1930's, our short-term interest rates can no longer fluctuate only in accordance with domestic needs. If Treasury bill rates had declined to as low of five-eighths of 1 percent per annum as they had during earlier business recessions we could have had a hemorrhage in our balance of payments as short-term funds sought higher rates abroad in equally liquid short-term instruments. As a result, we have consciously increased our short-term rates from the recent recession low of 2¼ percent to the current level of close to 4 percent. From a debt management standpoint this required a large increase in Treasury bills to put upward pressure on these rates. Since 1959 we have added $20 billion to the amount of our regular Treasury bills. To keep the total of short-dated debt from growing by the same amounts, coupon issues have been reduced in size largely through the advance refunding techniques. As a result our short-dated debt total has only grown by $8 billion.

At the same time as all of this was going on the Government and the Treasury had to be concerned with the financing of the deficits occasioned by failure of the domestic economy to perform at or near its potential. The direction of Treasury response has been to place as much of the debt increase as possible outside the commercial banks to avoid the possibility of any inflationary potential. This policy has also been highly successful. As a matter of fact, of the $28 billion increase in the debt since January 1961, none of the increase has gone into the hands of commercial banks. Commercial bank holdings of Government securities are actually down by over $2½ billion.

Banks have contributed to the record of sound debt management in other ways, by temporarily underwriting new issues thus facilitating their secondary distribution, by educating the public on the need for sound financial habits and practices, and by advising the Treasury on debt management through industry advisory committees. Another and vital service freely given by bankers has been your aid in the savings bond program without banker and other volunteer support we could not point with pride to the fact that $22 of every $100 of debt in the hands of the public is now in the form of series E and H bonds. The growth of these holdings is not dramatic on a month-to-month basis but over the years adds up to a large amount—more than $5 billion since January 1961 and more than $18 billion since 1946. This record has been a tremendous assist to the debt managers and we thank you for a job well done.

The proper management of our public debt in the years ahead will require careful attention, but I think we can continue to profit by the experience of the past. The ingenuity of the various measures which have been developed reflects credit on the men charged with this responsibility, and you may be sure we will continue to profit from their wisdom and their experience. We are well aware that debt management was a serious problem not so many years ago, and we will remain constantly on the alert in the years ahead to make every effort to see that it does not become one again.

MENNONITE ORGANIZATION VIGOROUSLY AT WORK IN VIETNAM

Mr. HARTKE. Mr. President, daily we read of the heroic efforts of our American military personnel in the swamps and jungles of Vietnam. Today, I wish to call attention to the valiant work of the Mennonite Central Committee which, since 1954, has been quietly, yet vigorously seeking to alleviate the many health and welfare problems of the Vietnamese people. Now, the committee is again projecting new plans to meet emergency as well as long term needs.

The Mennonite Central Committee has been especially alert to the exigencies of the vastly increasing numbers of refugees who have been uprooted by the conflict in their villages and home areas. The political and military significance of such uprooted peoples, both Vientamese and Montagnards, is of the first magnitude in the struggle against communism; and the contributions of the committee to the welfare of these peoples should not go unheralded.

It is always heartening to note such humanitarian activities by private organizations, continuing evidence of the value of our kind of society in which the creative genuis of private initiative is given maximum freedom.

I ask unanimous consent that the report by the Mennonite Central Committee on their Vietnam program be printed in the Congressional Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

MENNONITE CENTRAL COMMITTEE—VIETNAM PROGRAM

I. REVIEW OF PROGRAM

(A) MCC, the only Protestant relief agency working in Vietnam, began working in Vietnam in late 1954 following the end of the Indochina War ceasefire. The program was initially one of emergency relief and later, in cooperation with the Christian and Missionary Alliance Mission, a leprosarium was erorganized at Banmethuot. In 1959, MCC in cooperation with the Evangelical Church of Vietnam helped build and staff a hospital and clinic at Nhatrang.

MCC relief, assistance to Vietnam, 1955–64

	Value	Weight (pounds)	U.S. commodities		Direct cash costs
			Pounds	Value	
1964	$475, 839. 51	6, 482, 946	6, 335, 824	$352, 628. 16	$21, 439. 23
1963	261, 854. 07	2, 699, 494	2, 552, 040	112, 016. 11	15, 540. 72
1962	235, 429. 63	2, 220, 149	2, 106, 590	116, 559. 99	20, 000. 26
1961	226, 841. 00	2, 632, 877	2, 525, 863	149, 622. 22	21, 630. 00
1960	239, 177. 00	2, 042, 618	1, 992, 736	191, 646. 54	34, 214. 00
1959	111, 874. 00	1, 245. 754	1, 187, 164	59, 984. 33	32, 004. 00
1958	120, 504. 73	239, 234	92, 000	7, 710. 00	30, 640. 36
1957	44, 375. 40	65, 446	35, 209	16, 245. 16	26, 904. 40
1956	15, 853. 31	91, 815	83, 000	6, 700. 00	35, 426. 83
1955	156, 257. 74	365, 977	321, 625	107, 933. 34	12, 892. 63
Total	1, 888, 006. 39	18, 084, 310	17, 232, 051	1, 121, 045. 85	250, 701. 43

(B) MCC program at present:

1. Medical: Support with limited subsidy, a medical doctor and two nurses, the Evangelical hospital and clinic at Nhatrang which is serving 150 outpatients daily through the clinic, more than 25 patients in the hospital and a number of TB patients treated on an outpatient basis.

2. Distribution of supplies: In 1964 Public Law 480 commodities were distributed at the rate of 525,000 pounds per month through pastors and regional representatives in the rural areas, through institutions such as orphanages, and in the form of 162,000 loaves of bread baked and distributed in Saigon each month to schools and orphanages.

3. Family-child assistance: Projected to begin actual operation in May 1965. Will be centered in area of Saigon designated as needy by minister of social action and involves casework with a child and his family.

II. PRESENT SITUATION AND NEEDS

(A) In spite of the growing difficulties and perplexities in connection with administering a program in Vietnam because of the military involvement, the obvious only becomes more obvious: the Vietnamese people who were in need in 1954 have been reduced to even greater need in greater numbers in 1965.

1. General population: Normal communications are badly disrupted, recent natural disasters devastated certain areas robbing the people of at least one crop this year, general insecurity makes normal life routine very difficult. The result is growing poverty for many folk.

2. Refugees: These result from (1) Vietcong and (2) Vietnamese-American military actions. Now estimated at 300,000, the number of refugees is expected to grow to 600,000 soon. Refugees are pouring into the coastal provinces: (a) Vietnamese—The major attention has been directed toward the needs of this group of people because of their political significance; (b) Montagnards—Just as badly or even worse affected by military actions but largely neglected by Vietnamese Government-U.S. AID assistance.

3. Needs are both emergency and longer term.

III. EMERGENCY PROGRAM PROJECTION

In cooperation with Church World Service and in response to growing needs, MCC is planning to expand emergency assistance:

(A) For the next 12-month period we project and implement a program to meet emergency needs.

(B) This is to be done in collaboration with the Evangelical Church, determining distribution locations, establishing eligibility criteria of recipients, securing staff and facilities, and providing supervision.

(C) Program is to be centered in coastal provinces where concentrations of refugees are developing.

(D) Program should be sensitive to areas of neglect and particular groups not being adequately assisted; and provide for specialized distributions and services.

(E) Personnel—six to eight material aid field assistants and medical personnel.

(F) Budget—initially projected at $50,000 for 6 months.

SUMMARY OF MEDICARE TESTIMONY, MAY 11

Mr. HARTKE. Mr. President, the Finance Committee today devoted its hearings on the so-called medicare bill to testimony from the American Medical Association and five State medical associations—those of Alabama, Pennsylvania, Illinois, California, and Florida. I ask unanimous consent that there may appear in the RECORD a brief summary of that testimony, prepared by my staff, in the hope that it may assist others to follow the progress of the hearings.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

TESTIMONY BEFORE FINANCE COMMITTEE, MAY 11—AMERICAN MEDICAL ASSOCIATION

Dr. Donovan F. Ward, president, Dubuque, Iowa:

1. Urges substitution for both basic hospital and supplemental voluntary portions the provisions of S. 820 (eldercare).

2. Objects to provision that physician must certify hospital services for payment; facility should certify that admission and care was on advice of doctor.

3. Supplemental plan should be altered to provide (a) a choice of plans; (b) State and local administration; (c) a sliding scale of income eligibility; (d) designation of insurance carriers as underwriters of any such program. These are principles of eldercare.

4. Should specify "customary charges by physicians" rather than "reasonable" costs, a word which should be deleted.

5. Urges maintenance of present provisions excluding radiologists, anesthesiologists, etc. Such professional medical services do not belong in a hospital benefits program.

6. Extended-care facility should be defined to include any nursing home accredited "as a skilled or intensive care nursing home" or meets certain American Hospital Association standards.

7. Medical assistance programs: (a) States should determine whether operation is by welfare department or health department; (b) State extension of MAA, "medically indigent, principle" to blind, disabled, and aid-to-dependent-children categories should be optional, not mandatory; (c) section 1903(e), calling for comprehensive care for all medical needy by 1975, warrants your most careful study

8. Urges deletion of coverage for self-employed physicians.

MEDICAL ASSOCIATION OF THE STATE OF ALABAMA

Dr. John M. Chenault, Decatur, Ala., member State committee of public health, State board of medical examiners, board of censors of the medical association. Association has 2,200 members.

Same basic position as AMA, especially points 1, 5, and 8 above. Considers that bill will centralize control over many aspects of care of the sick, a basic error. Use of a regressive tax for funding is also basic error. Favor expansion of MAA (Kerr-Mills) program.

PENNSYLVANIA MEDICAL SOCIETY

Dr. William E. Flannery, immediate past president, 12,000 members:

1. Favor cash benefits increase and the concept of voluntary participation of medical insurance subsidized by general fund revenues, but on the whole are opposed to the measure.

2. Regardless of age, those who are able should pay. Tax financing should be in proportion to taxpayer's ability to pay. Cash benefits are preferable to service benefits, which remove freedom to purchase that which most adequately meets individual needs.

3. Administration of medical matters should rest in the hands of those with the highest medical training and should take place at the lowest practical governmental level.

4. Specialists' services in radiology, etc., should remain in the voluntary portion rather than under hospital coverage.

ILLINOIS STATE MEDICAL SOCIETY

Dr. V. P. Siegel, East St. Louis, practicing surgeon and chairman of society's legislative committee; membership, 10,000:

Supports AMA position, stressing: (1) should omit physicians from social security coverage; (2) physician specialty services—radiology, etc.—should remain in the bill as written; (3) customary should replace reasonable—AMA point 4 above; (4) medically oriented agencies should have administrative responsibility—this is not a welfare program but a medical care program.

FLORIDA MEDICAL ASSOCIATION

Dr. H. Phillip Hampton, Tampa, president:

1. Requirement that welfare administration agency of State shall administer Kerr-Mills—MAA—program should be made optional.

2. Approves allowing administration of voluntary plan by an insurance carrier.

3. Approves exclusion of compensation for specialists "medical services—radiologists, etc."

4. Proposes a fund for medical education, administration, and research supported through voluntary contributions by physicians of a portion of his payments from the supplemental insurance plan, linked with a pension fund for physicians who could deposit $3 for each $1 of such contribution, to be treated as deferred income until paid out.

CALIFORNIA MEDICAL ASSOCIATION

Ralph C. Teall, M.D., Sacramento, president, 22,000 physician members:

1. Basic hospital benefits plan should be separated and considered independently. Supplementary program should be dropped entirely. If either is adopted, it should be rewritten to incorporate the concept of help related to need.

2. If enacted, both basic and supplemental programs should be modified along lines of Federal employees' health benefits program.

3. The bill should emphasize and support office, home, and outpatient care on the basis of anticipated need.

4. The bill should be amended to substitute the phrase "institutional, nonphysician providers of service" wherever the phrase "providers of service" occurs.

5. Concurs with other AMA recommendations: Removal of physicians from social security coverage; exclusion of specialist services—radiologists, etc.—as now written; substitution of customary for reasonable charges.

ADVERTISING BY THE MONARCH CONSTRUCTION CORP.

Mr. WILLIAMS of New Jersey. Mr. President, on January 25 of this year, my office received a letter from Nathan H. Cohen, president of Monarch Construction Corp., developers of the American Towne House. At that time, suggestions and comments on Monarch's program were requested. Knowing very little about Mr. Cohen's enterprise, I merely replied, in a routine fashion, that I strongly favored middle-income housing projects, and that his programs seemed designed to produce such projects.

Shortly after that, there was published a full-page advertisement which contained both my letter and letters from many other Senators and from Members of the House of Representatives. The impression created by the advertisement was that all those whose letters appeared there were endorsing and praising the Monarch Construction Corp. An endorsement was not my intention; and I strongly condemn the careless use of my name in a commercial advertisement of this type.

What has particularly distressed me is that I have recently received information that Mr. Cohen, the Monarch Construction Corp., and the American Towne House program have been charged with numerous instances of fraud and deceit, and are now under intensive investigation by the office of the U.S. Attorney.

Therefore, I wish to reiterate and to make crystal clear, for the purposes of anyone interested in these enterprises, that I have never given any commercial endorsement to this concern, and that Mr. Cohen has been instructed to cease all use of my name in his advertisements. It is my sincere hope that no unsuspecting buyer has been led astray by the appearance of these misleading newspaper advertisements.

PRESIDENT JOHNSON'S ACTION IN REGARD TO THE DOMINICAN REPUBLIC

Mr. TALMADGE. Mr. President, once again all Americans have every reason to be proud of the President of the United States for the swift and decisive manner in which he has exercised his position as leader of the free world.

The President's determination to resist communistic aggression, wherever it may exist, and especially in the Western Hemisphere, was never more clear than in his swift action to aid in the perilous situation last week in the Dominican Republic.

While the United States and the President may receive some criticism in the world community, and even within the boundaries of our own Nation, I, for one, want to go on record as affirming my confidence in his action and my pride in his leadership. As President Johnson said time and time again, the United States desires to extend its control over no other nation and no other territory. We merely desire to insure that any country which wishes to do so, may freely choose its own form of government, without outside intereference.

Anyone who has doubts about the intentions of the United States need only reflect upon the words of President Johnson in his address to the Nation on the nature of our commitment in the Dominican Republic:

> Our goal in the Dominican Republic is the goal which has been expressed again and again in the treaties and agreements which make up the fabric of the inter-American system. It is that the people of that country must be permitted to freely choose the path of political democracy, social justice and economic progress.

The action of the President can in no way be interpreted as a return to "gunboat diplomacy." The primary reason for sending in marines was to protect American lives when law and order completely broke down in that war-torn country, and when officials of the Dominican Republic informed the United States authorities that they could no longer insure the safety of Americans.

The marines were protecting both the lives of Americans and the lives of thousands of citizens of the Dominican Republic and of citizens of European and other Latin American republics, which were made safe because of the action of President Johnson.

Furthermore, all Americans and the citizens of all other countries should be reassured that the United States is not interfering in foreign internal politics or taking sides with any of the factions in the Dominican Republic uprising. Our sole purpose is to protect human lives and to insure that the cancer of communism does not gain another foothold in our own backyard.

The United States has announced and demonstrated its good intentions in the Dominican Republic by providing food for the hungry and medical supplies and treatment for the sick and the wounded in that troubled area.

Surely, for these reasons, all freedom-loving people of Latin America who yearn for the decency and dignity of democracy will join President Johnson in his hope that shooting and bloodshed will cease and that a stable government will be instituted in the Dominican Republic.

It has been a source of pride for me to see the response from the editors of our Nation's newspapers to the President's actions in Latin America. Eugene Patterson, the Atlanta Constitution, and the outstanding editorial department of that newspaper have been in the forefront of informed news analysis. I ask unanimous consent to have printed in the RECORD three of the informative editorials which have been published in the Atlanta Constitution.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Atlanta Constitution, May 1, 1965]

GIVE UP WHAT IN VIETNAM?

(By Eugene Patterson)

My difference with the quit-in-Vietnam wing of U.S. liberalism is a deep one because I believe they are advocating—without meaning to, which makes it worse—that this Nation quit on liberalism. The sword they demand be surrendered is their own.

In varying degrees of anguish or triumph these good people write to tell me the Vietcong is winning thus far, which is true, that President Johnson ought to negotiate an end to the war, which they do not seem to recognize is the very thing he is trying to do, and that the United States is just plain wrong in Vietnam, anyway, which is an incredible irony, coming from them.

For it will be peaceseeking idealism, not hotspur jingoism, that will lose if the United States loses in Vietnam.

This country had its taste of the dangers and failures of Dulles-Radford brinkmanship based on a politics of status quo and threats of massive nuclear war. Then liberalism especially was cheered when President Kennedy and President Johnson tried to limit the nuclear danger by developing the option of limited war.

Failure in Vietnam will mean the failure of that option, rekindling all the dangers inherent in a resurgence of the bomb-Moscow mentality.

Civic action, counterinsurgency, grassroots aid, U.S. special forces—these were Mr. Kennedy's bright new hopes for prevailing against communism's small "wars of liberation" on the home ground without having to pulverize Peiping.

The bomber wing at the Pentagon never did much approve. The new tactics were based on helping the people we were to defend; on creating political and economic systems that were to be better for them than any other; on teaching national armies to become the friends and helpers of their own peoples, and not just instruments of authority or tools of feudalism. It was to be an historic experiment, based on the codes of military honor, to humanize the soldiery, to use the plowshare as well as the gun, to repel the guerrilla aggressor by winning the people to something better.

In short, it was to be an experiment in idealism, a search for a positive pro-people program as an alternative to a negative anticommunism frozen in the nuclear syndrome.

Naive, gullible, infantile—all these adjectives have fitted mistakes made during the tryout of this new kind of war in Vietnam. But one would have expected to hear them come from the big-war believers in nuclear force, and not from the wing of political thought that advocates more idealistic social and economic reform and less blind reliance on the bomb.

Yet now that the going has gotten rough, and mistakes have mounted, and success has not come conveniently within sight—and indeed, may not—the demand that we give up comes first and loudest from the very people who ought to stay longest and fight hardest.

With no illusions at all about the many failures our experiment in idealism has suffered in Vietnam, I'll say, thanks. War is with us. I am proud my country has tried—whether it fails or not, has tried—to learn limited war based on creation of needed reforms, as an alternative to unlimited war based on unfeeling power. Those are, I am afraid, the untidy alternates.

[From the Atlanta (Ga.) Constitution, May 1, 1965]

SWIFT U.S. ACTION IN DOMINICAN REPUBLIC WAS NECESSARY; IT'S NOW UP TO OAS

Vietnam is not the only trouble spot for the United States and its long-range goal of world peace. Our awesome power, which has prevented a major conflagration, has not prevented those frustrations of nationalist revolutions, rivalries and clashes between states and the ever-present threat of a major explosion.

We're now involved in the Dominican Republic, the Caribbean island country, which is in the throes of a violent revolution. An undisclosed number of marines and airborne troops have landed on the island, presumably to protect Americans until such time as they can be evacuated. Estimates of the number of troops already involved range up to 5,000, indicating our ability to move swiftly and perhaps decisively in what obviously has been determined in Washington to be an attempted repetition of Castro's Communist takeover in Cuba.

Already there are outraged voices from some of the members of the Organization of American States. Memories of the old cry, "the marines have landed," have aroused lingering suspicions of the giant from the north. Faced with the necessity of a quick decision to protect American nationals, President Johnson had no time to consult OAS members. If at the same time he was following the Kennedy doctrine that this country will not tolerate Communist takeovers of any more Latin republics, he has acted in our own and the hemisphere's interests.

The President disclaims any intent of occupying the Dominican Republic. But the presence of American troops will tend to act as a brake on violence, permitting the OAS to move in as intermediary in the absence of an organized government. If necessary, our presence will prevent a Communist takeover, Castro-style, which no Latin country wants.

The Dominican Republic, after its many years of dictatorial rule by Trujillo, faces a long and tortuous road to democracy. After his years of cruel dictatorship, the door to an even more cruel dictatorship of the left has been left open. That is the vacuum into which the United States has been forced to move and the OAS should lend its support. The main concern now is to establish a reasonable government so that the marines can leave.

[From the Atlanta Constitution, Apr. 30, 1965]

THE JOHNSON BRAND

(By Eugene Patterson)

WASHINGTON.—Disparaged often as a merely political animal, President Johnson likes to point earnestly and a little sensitively to the character of his appointees.

The Johnson cadre now taking full form can hardly be called partisan, he points out.

He adds that he simply sent for the best men, that none among them asked him for the job they got.

This President has, in truth, gone about staffing the Government in unique ways. For his principal talent scout he did not choose a political adviser but a civil service professional, John Macy. Macy does operate loosely through the politically knowledgeable White House staff, but they report back to him and he recommends to the President. Their telephone inquiries cover the country and final selections are made from long lists of carefully weighed possibilities.

The faces fit no set forms. Nicholas Katzenbach, an abrupt and intense intellectual, and John Doar, a ruggedly reticent John Wayne type, were considered Kennedy men (even though Doar joined the Justice Department under Ike). But Mr. Johnson chose them for his own, on merit, as Attorney General and chief of Justice's civil rights division, respectively.

Secretary of the Treasury Henry Fowler is small and silver haired, soft spoken and pleasant—a southerner. ("You fellows have a dynamic base down there in Atlanta," he says.) But the steel shows in his eyes, his mind is quick and his word is firm. He may work some quiet surprises.

Secretary of Commerce Conner is a strong man in a post that has not always been strongly filled. He has differed in the past and still does with some L.B.J. policies. A maverick and a man of action, he has about him a tough vitality that you sense in the top businessmen. He stopped for lunch in Atlanta a couple of years ago, when he was head of the Merck pharmaceutical empire, and I remember him then expressing some reservations about medicare. But not blind ones. He felt industrial retirement plans had created the inadequacy of medical care for the elderly masses, and he was searching his mind for some positive way whereby private employers might fill the gap before Government did.

Of the new Johnson crop, one of the most impressive is Adm. W. F. (Red) Raborn, Jr., who was sworn in Wednesday as chief of the CIA. Sandy haired and weatherbeaten, Raborn is a hardfisted administrator who demands the impossible. In developing the Polaris submarine missile years ahead of schedule, he got it. But he laughs off compliments about that. "I know what they mean when they call me the father of Polaris," he smiles. "They know how little the father has to do with the baby—and they know it's somebody else who really has to get the job done."

Raborn recalls with pleasure, incidentally, a recent trip to Callaway Gardens in Georgia. He says he has been a great admirer of Georgia Representative HOWARD (BO) CALLAWAY since the Congressman let him fish his well-stocked bass pond.

ARMENIAN INDEPENDENCE DAY, 1965

Mr. PELL. Mr. President, today we live in an era when the future of many groups of peoples around the world hangs in the balance. The world is unsettled and no one can now say how the pieces will fall back together. Uncertainty and instability are the rule in many areas of every major continent. The nature and rate of economic and political progress will unfortunately not be determined solely by the people themselves, but instead by the larger struggle known as the cold war.

Self-determination of peoples remains a noble ideal which we shall never abandon no matter how difficult it is to achieve in practice, and in spite of the apparent permanence and stability of oppression from without. The 47th anniversary of the Armenian peoples' declaration of independence on May 10, was a reminder that the situation of minorities and nations today is nothing new to history. We learned a bitter lesson from the events that followed the achievement of independence of the Armenian people and many others in 1918. We learned that minority nationalities cannot maintain their own independence unaided in the face of more powerful neighbors.

Today it is our policy to try to forestall this all-too-familiar pattern. We finally have come to the realization that a passive role, and the attempt to be a sideline umpire play into the hands of the aggressive power seekers and ideologs at loose in the world.

The Armenian Republic was not only a victim of her oppressors, but a victim also of apathy and inaction on the part of those who could have helped her before it was too late. The historic homeland of the Armenian people was attacked and divided in 1920 by the ancient enemies, Russia and Turkey, taking advantage of the general state of postwar chaos and exhaustion to dominate others and extend their borders.

There is not a single barbarity known to man that the Armenian peoples have not suffered. For many people in the Western World their first realization of genocide was that of the Nazis in World War II. But in 1915, while the great powers were locked in the First World War, Turkey took the opportunity to massacre and deport nearly 2 million Armenians within the crumbling sphere of Turkish power.

It is a tribute to the vitality and resourcefulness of the Armenian people that they were able to establish themselves as an independent republic only 3 years later when the opportunity came. We salute the Armenian people and pray that their unquenchable spirit of freedom will once again find expression in the world's political structure.

MISSOURI RIVER RESOLUTIONS

Mr. McGOVERN. Mr. President, I ask unanimous consent to have printed in the RECORD 10 resolutions adopted by the Missouri River States Committee, and forwarded to me by Gov. Nils Boe, of South Dakota. The resolutions deal with resources matters before the Congress, and will consequently be of wide interest.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION 1—WATER POLLUTION RESEARCH LABORATORY

Resolution of Missouri River States Committee, Omaha, Nebr., April 15, 1965

Whereas the Missouri River is the longest river in the United States; and

Whereas this river serves some 529,000 square miles of land important to the welfare of both Canada and the United States; and

Whereas water is the lifeblood of this area serving human, natural habitat, agricultural and industrial needs; and

Whereas the quality of this water must be maintained at a level to serve intended uses; and

Whereas the development of this area tends to degrade this water quality to a level unfit for intended use; and

Whereas the degradation of this water is peculiar to this area, demanding special restorative measures and practices; and

Whereas the Secretary of Health, Education, and Welfare, under Public Law 89-88, approved July 20, 1961, shall establish, equip, and maintain field laboratory and research facilities in various sections of the country to prevent and control water pollution; and

Whereas laboratory sites have already been selected for several regions outside the boundaries of the Missouri River Basin, making service to this basin impractical, if not impossible: Now, therefore, be it

Resolved, That the Missouri River States Committee on this 15th day of April 1965, requests the Secretary of Health, Education, and Welfare to locate a regional water pollution research laboratory in the Missouri River Basin at a site selected on the basis of the criteria set forth in the Gross committee report, Department of Health, Education, and Welfare, 1962.

RESOLUTION 2—SOIL CONSERVATION AND ACP FUNDS

Resolution of Missouri River States Committee, Omaha, Nebr., April 15, 1965

Whereas the work of millions of years in soil formation can be completely destroyed in a century, a generation, or overnight. Therefore, soil conservation is the most important of all resource conservation programs, for it is from this resource that the food and fiber for this generation and all future generations must come.

Whereas preventable erosion of topsoil through lack of adequate soil conservation contributes to the floods so damaging to both rural and urban areas. Uncontrolled erosion contributes materially to the silting which shortens the effective life of multiple purpose Federal and local water resource control installations such as dams and reservoirs. Inadequate soil conservation limits the ability of our water to perform all its necessary functions in today's civilization.

Whereas there is a great need for an acceleration of this Nation's soil conservation program to guarantee the productivity of land to meet the needs of our growing population.

Whereas there is great need to maintain continuity of conservation efforts on all lands in a given area in order to maximize long-term benefits. Therefore, conservation efforts are the responsibility of all levels of government, working with individual landowners, and it is in the continuing national interest of each and every U.S. citizen, whether rural or urban, of this and future generations, that our soil resources be conserved and protected: Now, therefore, be it

Resolved, That the Missouri River States Committee, on this 15th day of April 1965, opposes any reduction in Federal appropriations for soil and water conservation programs. The committee also opposes the adoption of any principle which would require that landowners and cooperators in soil and water conservation districts pay part of the cost of Federal employees assisting in the application of conservation practices.

RESOLUTION 3—WATER RESOURCES PLANNING ACT

Resolution of Missouri River States Committee, Omaha, Nebr., April 15, 1965

Be it resolved, That the Missouri River States Committee on this 15th day of April 1965, endorses in principle the proposal before Congress to establish State-Federal river basin commissions; be it further

Resolved, That the Missouri River States Committee urges the conference committee on S. 21 to adopt the language of section 205e of said bill as it was passed by the Senate, providing for the approval by the vice chairman of the actions of the chairman set forth in said section.

RESOLUTION 4—WATER POLLUTION CONTROL ACT

Resolution of Missouri River States Committee, Omaha, Nebr., April 15, 1965

Be it resolved, That in view of the need to protect the quality of the Nation's waters, and because of the need for a strong program of local, State, and Federal cooperation of pollution abatement in the Missouri River Basin, the Missouri River States Committee supports the revision of the Federal Water Pollution Control Act as proposed in the amended version of S. 4 and reported by the House Committee on Public Works.

RESOLUTION 5—FEDERAL WATER PROJECTS RECREATION ACT

Resolution of Missouri River States Committee, Omaha, Nebr., April 15, 1965

Be it resolved, That the Missouri River States Committee on this 15th day of April 1965, does endorse the principle in legislation of providing uniform policies with respect to Federal multiple-purpose water projects, and to provide the Secretary of the Interior with authority for the development of recreational facilities in projects under his control.

RESOLUTION 6—WILD RIVERS ACT

Resolution of Missouri River States Committee, Omaha, Nebr., April 15, 1965

Be it resolved, That the Missouri River States Committee on this 15th day of April 1965, does endorse the concept encompassed in protecting certain free-flowing streams, but that further attention be given to drafting specific legislation to require full participation and concurrence by the Governor or the legislature of the affected State in any planning and authorization prior to designation of specific portions of streams as "wild rivers"; and, further, that planning for "wild river" areas should be carried out as a part of comprehensive river basin planning.

RESOLUTION 7—AMENDING WATERSHED ACT

Resolution of Missouri River States Committee, Omaha, Nebr., April 15, 1965

Whereas S. 99, 89th Congress, 1st session, proposed to increase the maximum capacity which may be incorporated in works of improvement under provisions of Public Law 566, the Watershed Protection and Flood Prevention Act, as amended; and

Whereas incorporation of such larger structures in watershed work plans have both advantages and disadvantages under the Public Law 566 program: Now, therefore, be it

Resolved by the Missouri River States Committee, a voluntary interstate association of the Governors and two other members from each State having portions or all of its area in the Missouri River Basin, That:

1. The uniquely local protection from flood damages by land treatment measures and structural improvements continue to be the primary objective of Public Law 566;

2. Within this premise, the Congress be encouraged to enact provisions as contained in S. 99, 89th Congress, 1st session;

3. The Soil Conservation Service, Department of Agriculture shall give preference to optimum local flood damage prevention in technical assistance rendered to watershed project local sponsoring bodies; and

4. That watershed projects work plans include evaluation of the effects of watershed development upon the flood damage hazards beyond the mouth of the watershed, especially under the authority and greater responsibilities as provided in S. 99 for larger storage reservoirs.

RESOLUTION 8—MONETARY AUTHORIZATION, MISSOURI BASIN PROJECT

Resolution of Missouri River States Committee, Omaha, Nebr., April 15, 1965

Be it resolved, That the Missouri River States Committee on this 15th day of April 1965 endorses the inclusion in the omnibus rivers and harbors bill now before Congress of additional monetary authorization for the use of the Corps of Engineers on the Missouri Basin project.

RESOLUTION 9—FUNDS FOR MISSOURI RIVER BANK AND NAVIGATION PROJECT

Resolution of Missouri River States Committee, Omaha, Nebr., April 15, 1965

Whereas the early completion of the 9-foot navigation and bank stabilization project on the Missouri River is an integral part of the benefits of the comprehensive Missouri Basin development program; and

Whereas any delay in completion of the project due to the failure of Congress to appropriate funds up to the full capability of the Corps of Engineers for this project will unnecessarily delay realization of the full benefits of the program: Therefore be it

Resolved, That the Missouri River States Committee on this 15th day of April 1965 urges the Congress to appropriate sufficient funds to keep this navigation and bank stabilization project on schedule.

RESOLUTION 10—GARRISON DIVERSION UNIT

Resolution of Missouri River States Committee, Omaha, Nebr., April 15, 1965

Whereas the Pick-Sloan plan, approved by the Congress in 1944, provided for the multiple uses of the waters in the Missouri Basin; and

Whereas many of the benefits have been achieved, such as flood control in the upper and lower reaches of the Missouri River, including the near completion of the hydroelectric power installations; and

Whereas irrigation is one of the major phases of the integrated program of the Missouri Basin development plan; and

Whereas the Garrison Diversion Unit in North Dakota is one of the Missouri Basin reclamation projects whose engineering and economic studies have been completed, indicating a favorable benefit-cost ratio; and

Whereas the Garrison Diversion Unit is now pending before the Congress of the United States for reevaluation and reauthorization; and

Whereas the Missouri River States Committee, on several previous occasions, has given its emphatic and unanimous endorsement of the Garrison Diversion Unit and urged its reauthorization: Now be it

Resolved, That the Missouri River States Committee again reaffirms and urges early and favorable action by the 89th Congress so that construction may be started at the earliest possible date, assuring the beginning of another phase of the beneficial uses of the waters of the Missouri River Basin; be it further

Resolved, That copies of this resolution be forwarded to the President of the United States, the Vice President of the United States, the Honorable John W. MCCORMACK, Speaker of the House of Representatives, the Honorable HENRY W. JACKSON, chairman of the Interior and Insular Affairs Committee of the U.S. Senate, the Honorable WAYNE N. ASPINALL, chairman of the Interior and Insular Affairs Committee of the U.S. House of Representatives, and to the congressional delegations from the Missouri Basin States.

AGRICULTURE UTILIZATION RESEARCH—PAST PERFORMANCES AND FUTURE HOPES

Mr. MUNDT. Mr. President, agricultural utilization research is a child of this century, an adult of our generation. Most of us in this body have seen this maturing; and all of us have gained from it.

Can you remember the good old days when you had to squeeze oranges for your breakfast juice? Or wait 48 hours or more for paint to dry? Or when a sudden April shower not only took the crease out of your trousers, but caused them to shrink unbelievably? Or more critically, the early part of this century when infections claimed many times the number of lives they claim today?

Good fresh orange juice is an excellent morning starter. There is nothing wrong with squeezing oranges yourself if you have time—and if oranges are in season. In the good old days, there were several months of the year when it was impossible to have fresh orange juice. But today, agricultural utilization research has made available through the frozen concentrate process a wide variety of fresh-quality juices every day of the year. And at the same time, this research rescued the citrus producer and gave us a whole new industry.

Agricultural research, directed to finding new uses and industrial outlets for farm products, has given us dialdehyde starches that make paper retain its strength when wet and improved components that speed paint drying and eliminate the drip.

Woolens have been developed that are completely machine washable—shrink and wrinkle resistant—and retain a permanent crease in trousers and slacks.

Agricultural chemists found ways to mass produce penicillin, reducing the cost from $1,400 to $100 a pound. This and other utilization research launched the antibiotics industry—and played a lifesaving role in helping reduce the mortality rate in pneumonia and other serious diseases and infections.

The good old days had their virtues—but variety, convenience, and antibiotics were not among them. Convenience foods, the frozen food industry, easy care fabrics, and the so-called miracle drugs have all been born within the past quarter century.

Research to analyze farm products for their chemical constituents began when the Department of Agriculture was born in 1862. But specific research to find new and improved industrial, food, and feed uses for the raw products of the farm did not begin until after 1935.

In 1935, the Bankhead-Jones Act directed the Secretary of Agriculture to conduct scientific, technical, economic, and other research into laws and principles underlying basic problems of agriculture in its broadest aspects. Among other things, this act provided for a laboratory at Urbana, Ill., to seek industrial uses for soybeans.

This facet of agricultural research was broadened to a full-scale thrust in the Agricultural Adjustment Act of 1938, which provided for a regional utilization research laboratory in each of the four major farm areas. They were completed and in operation by April 1941. These four regional research laboratories were charged with finding new and expanded uses for agricultural products—thus providing the farmer new outlets for his crops—and the consumer new and improved products from farm crops.

World War II, however, put other immediate demands on the laboratories and they turned their time and equipment to activities to support the war effort.

The major payoff on the early work in these laboratories was the development of higher yielding strains of the penicillin mold, and methods for economical large-scale production. Development of this drug came at a critical point of the war, and pointed the way to a whole spectrum of antibiotics.

Later, during the Korean conflict, agricultural research with micro-organisms produced a blood-plasma substitute and extender by fermentation of sugar. This substitute—dextran—can be made clinically pure and requires no refrigeration. It can be stockpiled for emergencies.

There has been a steady expansion in the Department's utilization research and development program in the past 10 years; some of it, I am happy to report, due to the direct action of the Senate in approving additions to the Department's budgets earmarked for these purposes by our Appropriations Agriculture Subcommittee.

Since 1956, for instance, funds for program activities have risen from $9.6 million to nearly $30.2 million, including $3,990,000 in section 32 funds, in 1965.

However, a more realistic gage of the increase, I believe, may be found in terms of the relation of utilization research and development investment to gross farm income. In these terms, the percentage has doubled between 1956 and 1964.

The following tables show this rapid increase in utilization research funds, and the relationship to gross farm income:

Appropriations for utilization research and development, and as percentage of gross farm income, fiscal years 1956–64

Fiscal year	Utilization appropriation	Gross farm income, including Government payments	Utilization research as percentage of gross farm income
		Millions	
1956	$9,611,357	$34,626	0.027
1957	11,401,747	34,389	.033
1958	14,030,558	37,907	.037
1959	16,155,925	37,479	.043
1960	16,100,378	37,934	.052
1961	18,169,200	39,586	.056
1962	18,766,100	40,951	.046
1963	24,349,500	41,737	.058
1964	[1] 30,048,900	42,012	.071

[1] Includes $5,000,000 of funds transferred from CCC and sec. 32 funds.

U.S. DEPARTMENT OF AGRICULTURE, AGRICULTURAL RESEARCH SERVICE

Appropriations for utilization research and development, fiscal years 1955 through 1966 budget estimate

Fiscal year	Budget estimate	Senate action	Appropriation act
1955	$9,167,143	$9,027,143	$9,167,143
1956	9,636,357	9,636,357	9,611,357
1957:			
Program	11,671,147	11,271,147	11,401,747
Construction	810,000	810,000	785,000
Total	12,481,147	12,081,147	12,186,747
1958:			
Program	14,440,558	14,235,558	13,245,558
Construction	105,000	105,000	105,000
Total	14,545,558	14,340,558	13,350,558
1959	19,193,425	16,068,925	16,050,925
1960	15,999,778	16,200,378	16,100,378
1961	19,432,200	18,419,200	18,169,200
1962	19,172,100	18,841,100	18,766,100
1963:			
Program	19,474,500	26,974,500	24,349,500
Construction		17,500,000	
Total	19,474,500	44,474,500	24,349,500
1964:			
Salaries and expenses, program	24,929,960	24,961,860	25,048,960
CCC and sec. 32 funds:			
Program		12,500,000	5,000,000
Construction		17,500,000	19,500,000
Subtotal		30,000,000	24,500,000
Total, 1964	24,929,960	54,961,860	49,548,960
1965:			
Salaries and expenses, program	26,203,500	26,203,500	26,203,500
Sec. 32 funds, program		3,990,000	3,990,000
Total, 1965	26,203,500	30,193,500	30,193,500
1966	29,255,700		

Should we put the lives saved by penicillin and the other wonder drugs on the scale against the costs, the lives saved obviously would outweigh the costs of all agricultural utilization research in the past 25 years. On that basis, we could assume that all other benefits are pure gain. Nevertheless, I should like to point out some of the specific accomplishments in recent years, and show that this work pays for itself over and over again.

For the sake of convenience, let us consider some of them in the broad categories of cereals and forage crops; cotton and wool; fruits and vegetables; oilseeds; new and special crops; and poultry, dairy, and other animal products.

Wheat and corn, produced so abundantly by the Nation's farmers, get primary attention by reason of their abundance and because chemically they possess valuable properties with industrial potential. Starch is one of the most versatile and plentiful constituents of grain. Corn is about 70 percent starch and provides the major economical source of this material. To broaden still further the industrial market for starch products, utilization research is seeking to improve its properties for existing applications, and to reveal entirely new uses.

Starches with superior strength and adhesive properties are valuable for use in sizings and coatings for paper. Scientists believe it may be possible to chemically combine starch with cellulose fibers or to develop starch as a fibrous element of paper itself. Some 38 million tons of paper and paper products such as corrugated box board, bagging paper, and gypsum board are used in the United States today and the use is rapidly expanding. These products could provide an outlet for 40 to 100 million bushels of grain, if only 2 to 5 percent starch were used.

Another major breakthrough in starch chemistry has brought a versatile material known as dialdehyde starch. This chemically modified starch, now manufactured industrially on a large scale, is already providing new and growing industrial outlets for abundantly produced grains. Although unknown to most housewives, this starch conveys wet strength to paper toweling, facial tissues, and the like—a quality they desire in household paper products. Still further industrial outlets for this new product are promised in paper coatings and glues for southern pine plywood, a newly developing industry which begain commercial production in 1963.

Another promising area is in the high-amylose corn starches that are tailor-made for a variety of industrial uses. Unlike ordinary cornstarch, the chemists have found that amylose is capable of forming strong films and fibers and stiff gels. These properties make it attractive to a number of industries. Several million pounds of high amylose starch already are being produced and sold annually by industry for uses not served by ordinary cornstarch. This could result in the diversion of a sizable acreage from the production of feed grains to the new high-amylose type of corn from which the high-amylose starches are milled.

Although the basic emphasis in utilization research on cereals is to extend industrial uses for these grains, research on new food uses is also part of the program.

One of the big problems of the baking industry is to maintain oven-fresh quality of bread and other bakery goods from baker to consumer. Stabilizing the goodness of these products by freezing is helping to overcome this problem and is helping to maintain domestic market consumption of bread and all kinds of baked products by providing fresher and better breads, cakes, pies, and such. Utilization research has provided essential information to bakers on economical and effective freezing techniques for major bakery items. The annual market for frozen bread and baked products amounts to $275 million.

Wheat can compete in some foreign markets more effectively after first being converted to bulgur—parboiled wheat. Nearly 10 million bushels of wheat a year are now exported in this form, although there was no foreign market before 1961. Utilization research has developed a new, continuous process, which operates at atmospheric pressure, is economical in heat and labor requirements, and uses conventional, readily available equipment. A very recent further improvement by chemical removal of bran is yielding a bland, light colored wheat kernel with good retention of nutritive value and little additional cost. Reduction of fiber should be particularly advantageous in the Far East where consumers favor low fiber foods. The product is now being market tested in Hong Kong.

Restrictions to marketing U.S. wheat on the dollar markets of Europe involve flour maturation methods necessary for the types of domestic wheats in abundant supply. Basic research is finding the reason why some wheat flours must be matured while others need not. A solution to this problem will be of great importance to the U.S. wheat industry.

A most promising route toward wider use of abundant grains lies in the fermentation of grain constitutents. The U.S. Department of Agriculture maintains one of the world's largest collections of micro-organisms—the yeasts, molds, and bacteria. Current research includes work on fermentation of grains to make products as varied as antibiotics to help plants fight diseases caused by rusts, mildews, and blights; new foods from wheat; spores of milky disease organisms that kill Japanese beetles; vitamin additives to make more nutritious animal feeds; and new industrial chemicals such as citric, fumaric, itaconic, gluconic, and organic acids from grains.

The potential for expanded industrial use of farm-grown chemical products is there and it is tremendous.

In the work with fibers, chemists have faced no stiffer demands than those to increase the utility of cotton—nature's overall wonder fiber—in competition with synthetic fibers tailored for special uses. Although rapid strides have been made in broadening general farming in the South, it is still true that a sound economy for American cotton is vital to the 14 major cotton-producing States—and therefore to the entire country. Cotton represents a more than $2 billion-a-year cash crop for farmers. It is our most important farm-grown industrial raw material.

With the emergence of synthetic fibers, cotton has lost important markets. The synthetics gained a foothold with their initial lower prices, or because of other special advantages in certain uses, and heavy promotion by the synthetic fiber industry. Agricultural research has been working toward better utilizing the natural qualities in cotton, and modifying the fiber to add other valuable properties.

Since 1941, science has discovered more new facts about cotton than were learned during all the previous history of the cotton fiber. The major part of this new knowledge came from the Department's agricultural utilization research.

Scientists have studied the physical structure and chemical characteristics of cotton, and have modified the native fiber to give it special properties for specific uses. Industry can now make cotton more moisture absorbent, or even water soluble. It can make cotton flame-resistant, oil- and water-repellent, and, of course, wrinkle-resistant for minimum-care clothing.

One of the first returns from chemical research on cotton came with the development of the conforming bandage, produced first for use of our Armed Forces. This all-cotton, elastic bandage fabric that conforms to various parts of the body without tight binding was developed toward the end of World War II. It was used by the armed services in the Korean conflict. This was a new type of product—now known as stretch cotton. The scientific principle involved has since been applied in the production of many types of cotton articles for general civilian use.

The industry estimates that returns of some $3 million are received each year from retail sales of the conforming bandage, and about $5.2 million from wholesale deliveries to hospitals and other institutions. The Armed Forces saved some $13½ million during the Korean conflict by replacing the more expensive elastic rubber-rayon bandage.

A related development—conforming highly absorbent diapers—have brought comfort to thousands of babies, and a yearly market potential of some $5 million. The chemical studies of cotton and other basic work for the conforming bandage prepared the way for stretch socks and stretch cottons for work clothes and active sports apparel. Reliable estimates place the potential for stretch cottons at a volume comparable to that of wash-wear fabrics, amounting to more than 2 billion yards produced from more than a million bales of cotton a year.

At least 30 companies are in commercial production of all-cotton stretch fabrics. Most of the production is going into clothing, but upholstery and slipcover materials are also being produced.

A few years ago, a consumer survey on preferences in summer dress showed that although cotton was the first choice of more than half the women questioned, those selecting synthetic fabrics chose them because of their luster and general appearance after repeated washings.

Great progress has been made in the manufacture of cotton fabrics to meet this preference. The new cottons combine permanent luster, excellent wash-wear properties, and extraordinarily high tearing strength. They retain these qualities after as many as 35 launderings.

Cotton duck treated with new antimicrobial agents resists mildew and algae growth for more than 24 months of outdoor exposure. The market potential for cottons finished this way—tarpaulins, shoe linings, and tents now becoming available to the consumer—is estimated to be equivalent to 265,000 bales of cotton annually.

Although wool has never been a surplus commodity in the same degree as cotton, woolgrowers have also felt the competition from synthetics. Thanks to Department utilization research, wool, which offers highly desirable qualities of tailorability, comfort in wearing, appearance, and "hand," is making a strong comeback. One of the newest assists is the development of finishes that give machine washability, easy care, shrink and matting resistance, and permanent creasing properties to wool. Agricultural research has also treated wool in one stage so that woolen yarns and knit goods can have these same desirable properties. Companies offering what the laboratory folks call Wurlanized knit garments say they have the look and feel of untreated wool and the machine washability of synthetics.

One development often opens the door to a host of other possibilities. Now the chemists are investigating new families of fluorochemicals as possible oil and water repellent finishes for wool. A major reduction in cost for such treatments appears possible as a result of basic chemical research on synthesizing fluorine-containing compounds.

In the fruit-and-vegetable category, the first notable achievement from the utilization laboratories was the development of frozen orange juice concentrate. Research started in 1943. Scientists from the Florida Citrus Commission and USDA researchers joined forces. They discovered the secret for retaining the flavor of freshly squeezed orange juice in the frozen product. Freezing the concentrate makes the juice widely available, at all seasons, in convenient form.

Commercial production started in 1945. The frozen juice industry, however, got its first big push when prices for oranges fell below production costs in the 1946–47 season, and the citrus industry was saved by this new product. Since then, output of frozen orange juice concentrate has increased steadily. Today, retail value of the concentrate is more than $300 million a year.

Other citrus-juice concentrates, such as tangerine, grapefruit, lemon, and lime, and noncitrus concentrates, such as apple, pineapple, and grape, are contributing to the Nation's nutritional needs. At the same time, they are creating wider markets for fruit crops.

More importantly, this and earlier work in freezing led to a whole new industry of frozen foods or more properly, several new industries. Today's frozen food counters offer a wide variety of frozen fruits and vegetables at all seasons in a variety of forms—desserts, soups, stews, and creamed vegetables.

Utilization research has supplied information for improvement of freezing techniques, equipment, and storage, information to help processors, distributors, retailers, and consumers to maintain the original high quality of frozen foods.

Continuing study in this field has led to other developments, including dehydro-freezing. This process combines two established methods of food preservation—drying and freezing. It offers an economical method of preserving fruits and vegetables, while contributing to high food quality. The foods reconstitute easily, with high flavor quality. This method permits substantial savings in shipping and storage costs, because the product is lighter and more compact than the fresh. For remanufacturing, it provides convenience and cost savings to pie manufacturers, canners, and others.

Research-developed techniques for drying have proved a fortunate selling aid for potatoes. Potato granules and potato flakes, that reconstitute to fluffy, mashed potatoes, have been especially popular with consumers because these products save so much time in the kitchen. They may well do as much for potato growers as concentrated orange juice has done for the citrus industry.

Sweet potato flakes are on the market now—and other products can be expected.

In the next category—oilseeds and special crops—oilseeds probably offer chemical-use possibilities second only to those of the starches from cereal grains.

Each year, the United States produces about 8 billion pounds of vegetable oils—from soybeans, cottonseed, flaxseed, peanuts, and other oilseeds. Our domestic market takes about 6 billion pounds.

Utilization research is constantly seeking ways to produce new and improved food and industrial products from homegrown oilseeds to extend both domestic and foreign markets. So far, the chemists believe they have only begun to take advantage of the versatility of domestic oilseeds.

The principal vegetable oils used in industry are from flaxseed, soybeans, and castorbeans. They are useful in paints and other protective coatings, plastics and plasticizers, resinous and rubberlike materials, and lubricants and lubricant additives.

The first definitive utilization research by the Department of Agriculture began with the directive in the Bankhead-Jones Act to find new and industrial uses for soybean oil. Soybean oil makes up the bulk of the 10 million pounds of vegetable oils used annually to make a certain group of acids, known as dimer acids, for industrial use. These acids, in turn, are valuable as raw materials in a wide variety of factory-made goods—paints, adhesives, and paper coatings; sealing compounds for metal, paper, and other containers; heat-stable plastics for diecasting molds; thickening agents for the new, nondrip gelled paints; and plasticizers, lubricants, insecticides, and emulsifying agents. More recently, they have found still wider uses in the manufacture of flexible and rigid foams and glass-fiber laminates.

Exterior emulsion paint, made from linseed oil, is another new product recently marketed by industry. These paints dry so rapidly that they can be recoated within about 30 minutes. They adhere well to old painted surfaces, resist blistering, and offer many other improved properties, including the ease of cleanup that is so important to the do-it-yourself painter. These paints have been a major factor in the upturn in consumption of linseed oil.

One of the most fascinating potentials is that of linseed oil as a curing agent for concrete. When the Highway Research Board met in Washington last January, it devoted considerable time to problems of freeze-thaw damage to concrete and its deterioration by deicing chemicals. Linseed oil provides excellent protection when sprayed on concrete.

The oil seals the surface of the concrete and prevents the disruptive effects of water and dissolved salt during freeze-thaw conditions. Some 35 States are either regularly using linseed oil, or are experimenting with this treatment. Countrywide adoption of this practice would greatly increase the consumption of linseed oil. The building of new roads holds a potential for use of around 50 million pounds of linseed oil per year, and 100 million pounds could go for older surfaces, bridge decks, sidewalks, and other industrial uses.

Now our scientists are finding still another promising use of linseed oil as coating to promote curing of freshly paved concrete. By controlling loss of moisture during curing, linseed oil emulsion coatings insure development of optimum strength properties of concrete. In addition, they provide a dual benefit by continuing to serve as a protective agent against subsequent deterioration. This development has a potentiality for increasing by many million pounds the market for linseed oil in concrete coatings.

Edible soybean oil, too, has benefited greatly from utilization research. Development of new basic information and new processing techniques, designed to impart maximum stability to heat, oxidation, and storage have made contributions to the increased consumption of edible soybean oil and to its position as the major edible oil used today in the United States.

Not only are the "oil" chemists creating new products and finding new uses for the seed oils, but they are finding new and less expensive ways to extract the oils.

Accompanying the intensive work being carried on in the regional laboratories to find new industrial outlets for our domestic surplus crops, other scientists are seeking new plants that could be used to divert acreage from surplus crops and to supply constituents not available in our domestic plants for specific end uses in industry.

Most of you know the soybean as the classic example of such a crop. Less than 30 years ago it was still being tested as a forage crop. Today it has become important in its own right, occupying nearly 30 million acres, which otherwise would have been contributing to farm surpluses.

At present, crambe is attracting considerable interest. Field studies have shown that crambe, a plant related to rape and mustard, gives satisfactorily high yields under dry farming and irrigation conditions, and has excellent crop potential. It could therefore be grown in place of crops now in overabundant supply. Crambe oil would not compete with presently grown domestic vegetable oils.

One of the most promising potential uses for crambe oil is as a lubricant in continuous casting of steel. Other immediate uses for the oil are based on chemical conversion to new plasticizers for vinyl plastics and to new types of nylon polyamide resins.

Chemists are screening plants from many areas of the world to determine whether, because of specific or unusual constituents, they might have a place in American agriculture.

Utilization research designed to increase consumption of animal products leads to better and more attractive diets. It has an enormous leverage in expanded use of feeds and forages. On the average it requires the equivalent of 14 pounds of grain to produce a pound of meat at retail. Consumption of animal products and meat in particular is more responsive to price differences than is that of other commodities. Research, therefore, is directed to lowered processing and distribution costs as well as to development of new attractive food products. Better return can be had from improved uses for animal byproducts and this too contributes to increased use of animal foods and accordingly feeds since it permits price reductions without penalty to the producer.

Dried eggs really date back to World War II when they were an important part of the food supply for combat troops. But they left a great deal to be desired. Then the food chemists discovered the cause of the egg-solids instability, and were able to produce highly satisfactory dried eggs. About 50 million pounds of dried eggs are now being produced annually, and their development is the basis for a wide variety of prepared mixes for cakes, breads, and other bakery items.

USDA scientists are working to develop a method for producing a high-quality, dry, whole milk. Their achievement thus far is a whole milk powder that reconstitutes instantly in cold water, has the full flavor of fresh milk, and retains its flavor for several months under ordinary refrigeration. Their further objective is a powder that can be stored at room temperature for several months without flavor change. Successful large-scale production of dry whole milk would provide consumers with milk at lower cost. The resulting increase in consumption could lead to substantial increases in the use of feeds and forage.

Other utilization research in this area—poultry, dairy, and other animal products—involves methods of preservation and processing aimed at expanding consumption of poultry and livestock.

Studies on the chemistry of meat flavors have revealed new facts on flavor and aroma in poultry and meats. These facts, in turn, provide a basis for the development of improved processing, handling, and preservation of meat and meat products.

Maintenance of meat quality during frozen storage is a big problem in the meat industry. Studies conducted by utilization scientists have shown that this deterioration, resulting from fat decomposition during frozen storage, actually originates with poor initial sanitation or during periods of defrosting. This kind of deterioration can largely be eliminated by improving the initial handling of the meat and by continuous maintenance of low temperature during storage.

The development of new chemicals to speed tanning and give us soft, pliable, washable leathers, will stimulate markets for hides and skins. Already, fashion designers are showing attractive dresses and slacks made from the dress-weight leathers, as well as jackets and coats. With further modifications in our techniques we may be able to develop additional markets for hides and skins.

Animal fats present another problem. Utilization research has long faced the unhappy reality that synthetic detergents have displaced animal fats in soap products. One of the big complaints against synthetic detergents so widely used by industry is that they contaminate our streams. Agricultural chemists have come up with detergents from animal fat that can be broken down readily by micro-organisms in streams, in the soil, and in sewage-treatment systems. If industrial acceptance can be achieved for these fat-based detergents, foam problems in our streams can be vastly reduced or eliminated.

A striking example of a new market for animal fats achieved by utilization research is the use of about 800 million pounds of these fats each year in animal and poultry feeds. The fat increases the energy content of the feeds, reduces dustiness, and improves feed mill operations.

These are some of the achievements already accomplished, or near their commercial fulfillment. While dollars-and-cents values cannot be estimated for all of them, it is clear that returns from these scientific efforts already vastly exceed the costs that made them possible. USDA estimates that new markets created for animal fats alone have an annual value greater than the current expenditures for all four regional laboratories. Returns to growers each year from frozen orange juice concentrates amount to several times the yearly cost of USDA utilization research.

Although most of the achievements described have come from one of the four regional utilization laboratories, some have come from research done under contract with State experiment stations, universities and colleges, and other public and private facilities.

During 1964, additional research was made possible by an increase in section 32 funds. These funds will permit physical expansion, enabling the Department to construct a fifth regional laboratory at Athens, Ga., and to make essential additions to its four original regional laboratories and the facilities at Olustee, Fla., and Weslaco, Tex.

Research has been initiated in two new, important areas with regular funds and then expanded with increased funds in order to expedite this research.

Following the release of the Surgeon General's report on smoking and health, the utilization research program on tobacco was redirected toward health hazard aspects. This program is coordinated with similar research within the Department of Agriculture and within the Department of Health, Education, and Welfare in order to avoid duplication of effort and to expedite progress.

When it was found in 1963 that some of the lower qualities of American peanuts might be contaminated with a toxic substance produced by the growth of a certain kind of mold, research was initiated to determine the extent of this contamination and to more precisely identify the quantities involved. This kind of research has now been extended to cover cereal grains and other oilseeds and includes research to develop means for preventing contamination with this toxic substance and to detoxify it or eliminate it when it does occur.

The increase in funds also made it possible to extend the number of projects carried on under contracts and grants. These contracts and grants provide for new studies or new approaches in all of the major categories. In the cereal grains, one such contract provides for the preparation and evaluation of starch plastic foams for industrial use. Another will investigate the use of liquid nitrogen to preserve certain microorganisms for use in industrial fermentations. Another project will determine how much soft wheat can be mixed with hard wheat without detrimental effects on baking quality of the resulting flour in order to improve the competitive position of U.S. wheats in European dollar markets. And still another study is aimed at finding whether petroleum chemicals can be grafted to cereal starches to produce new industrial products.

In the work with fibers, grants are financing studies to improve the stretchability of cotton yarns and fabrics, improve weather resistance of cotton textiles, and to find ways to reduce fiber breakage in mechanical processing.

In fruit and vegetable research, contracts are being used to develop continuous, commercial-scale processes for making instant powders from dry beans, peas, lentils, and other legumes; to improve the quality of canned vegetables and other low-acid foods; to improve flavor, product stability, and storage capabilities of grapefruit juice; to improve procedures for extracting juice from grapes for better color and flavor; and to clarify applejuice.

Oilseeds research contracts are directed toward eliminating toxic substances that may contaminate peanuts and cottonseed meal and thus decrease their value; to evaluate new chemical products from soybean and linseed oil; and to study the relation of the starches, acids, and proteins in peanuts for better marketability of this commodity.

Other contracts are financing additional work on crambe, a potential new crop, to evaluate possible use of chemicals from crambe oil in synthetic fibers and plastics, and studies on the factors affecting smoke flavor and aroma of cured tobacco leaf.

And some of the projects being financed by grants include studies on butter flavor, the relation of milk fat and milk protein to the dietary regimen of the dairy cow, time-temperature-tolerance relationships in meat freezing, and development of new basic information on the chemistry of starch.

What can we expect from work still "on the drawing board"?

The commercial applications of utilization research on agricultural products are only beginning. Numerous other new industrial and food outlets, in addition to those mentioned, are already in sight for agricultural commodities now lacking adequate markets.

Today's commercial applications stem from basic chemical studies made over a period of years. As utilization research continues to accumulate basic scientific information and technological experience, the promise is ahead for the discovery and development of many more large-scale, profitable, new and expanded uses for farm products.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. RUSSELL of South Carolina. Mr. President, I rise with some reluctance to speak to a body of which I am so recently a Member. Despite such reluctance, I feel constrained to rise in defense of my State against a bill which so unfairly deals with my State and the constitutional rights of its people.

I should like at the outset to make plain that it is not the policy of South Carolina or its public officials to discriminate on account of race or color in either voter registration or in voting in any elections, State, or National. Our registrations in party elections and in general elections are open to qualified citizens of all races. We have no poll tax. The qualifications are the normal ones and include, as do the laws of so many States, a literacy test. But, this literacy test is a simple one involving merely the ability to read and write, and it has been applied generally with both impartiality and with fairness.

I believe that the fairness of our registration procedures, both in their statutory language and in their application, is apparent from the testimony of the Attorney General himself, who said in the hearings before the Judiciary Committee:

> Voting discrimination has unquestionably been widespread in all but South Carolina and Virginia, and other forms of racial discrimination suggestive of voting discrimination are general in both of these States.

In short, he would justify the drastic portions of this bill, so far as South Carolina is concerned, not by any evidence of discrimination in voter registration or voting in that State, but by reference to certain statutes governing schools and recreation statutes, most of which, so far as I can ascertain, have already been repealed by our general assembly. If any such statutes remain, they were overlooked by our legislature and are generally dead letters in the law of our State.

This conclusion of the Attorney General in favor of the fairness of my State is confirmed by the statement made a few days ago by the head of the NAACP in South Carolina. I should like to read an account of his statement as it appeared in the Columbia State, a very fine and accurate newspaper published in the capital city of our State, which account I had incorporated in the RECORD a few days ago. This account is as follows:

> The field secretary of the South Carolina NAACP said Friday he doesn't think South Carolina Negroes need outside help in voter registration.
>
> The Reverend I. DeQuincey Newman, NAACP field secretary, said, "In the last 4 years there has been a 147-percent increase in Negro voter registration without any outside invasion.
>
> "I think this is one of the best records of voter registration anywhere in the South. I think that record speaks for itself as to whether or not we need outside assistance.
>
> "Registration of Negroes increased from 58,000 in 1960 to more than 150,000 in 1964," he said.
>
> Newman's comments were in response to an announcement last week by Congress of Racial Equality Director James Farmer that CORE would send 100 workers into South Carolina this summer to work on Negro voter registration. Farmer is scheduled to be in Columbia Sunday and will hold a press conference.
>
> In his remarks, Newman added, "Negroes of South Carolina have never spurned a bona fide offer of help. At the same time I believe I voice the sentiment of Negroes in South Carolina when I say we feel perfectly capable of providing our own leadership in the area of voter registration as well as in other civil rights activities."

I think the reports of the Civil Rights Commission itself reinforce this conclusion. Thus, in its 1961 report, the Commission stated bluntly that it "has never received any sworn complaints from South Carolina." Again, in its 1963 report, the Commission said:

> In South Carolina discrimination was found in five counties. The Justice Department has brought no suits in the State. It has, however, negotiated with election officials.

The necessary inference from the last sentence of this report is that, when the complaints referred to were brought to the attention of the proper officials, prompt and effective steps were taken to remedy the situation, thus avoiding any need for judicial action and establishing the good faith of our officials in their desire to observe and protect the constitutional rights of all our citizens. More, I submit, could not be expected of local officials.

I am sure that, despite all this, some will argue that there must have been discrimination of some kind, else there would have been a greater percentage, especially of Negroes, registered. Yet, the authors of this bill would absolve Alaska, for instance, of any shortcoming, even though its percentage of registration is less than that of South Carolina. And they would do this, simply because, as they put it, Alaska has no Negro population. But if Alaska can be absolved of culpability in this situation for whatever the reason, why must we be conclusively presumed to be guilty of discrimination?

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. RUSSELL of South Carolina. I yield.

Mr. TALMADGE. Is it not true that the District of Columbia polled less than 50 percent of its registered voters in the last presidential election?

Mr. RUSSELL of South Carolina. That is true.

Mr. TALMADGE. Is it not also true that the District of Columbia was arbitrarily excluded by this formula and device contained in the bill?

Mr. RUSSELL of South Carolina. That is unquestionably true.

Mr. TALMADGE. If all States, territories, and districts were to be treated alike, would not the District of Columbia necessarily have to be included in the bill?

Mr. RUSSELL of South Carolina. The Senator is correct.

Mr. TALMADGE. I thank the Senator for yielding.

Mr. RUSSELL of South Carolina. Mr. President, why should not my State and its public officials be at least given the same clearance, the same benefit of the doubt as Alaska, until there is at least some proof of discrimination?

I am not, I hasten to add, criticizing Alaska. I recognize that there undoubtedly are special reasons for her situation. But similarly, there are equally strong reasons for our situation in South Carolina. Our State, for generations, had a consistent record of voting overwhelmingly for the national Democratic ticket. The Republican ticket was little more than a token candidacy. As a consequence, the general election was largely a formal matter, with a minimum of voter interest. Only within the last decade have the general elections been really contested and this fact has been marked by a sharp rise in the last 10 years in the number of votes cast in such elections. And I think any impartial review of our voting records will show that not discrimination, but long-continued apathy and general acceptance of result are really responsible for our present voting percentage in general elections.

Under the objectionable part of this bill, if less than 25 percent of those Negroes of voting age in a State are not registered or if less than 50 percent of those of voting age registered or voted in the general election of 1964 in a State with a nonwhite population of more than 20 percent, that fact per se requires the factual conclusion that there has been a discriminatory use of literacy tests in such State against Negro citizens. I have already referred to Alaska. Permit me to cite two other inconsistent instances included in the hearings before the Judiciary Committee. Considerably less than 50 percent of its eligible voters in Texas registered their electoral will in the general election of 1964. But no inference of discrimination would fall upon Texas under this bill. Again, in New York City in 1964, slightly more than 51 percent of the persons of voting age voted, and the reason is stated to be the disqualification of Puerto Ricans under the New York literacy test. But, again, this bill passes no sentence of presumptive guilt against New York and does not seek to strip New York of its right to enforce a literacy test which admittedly denies the ballot to large numbers of citizens of Puerto Rican birth living in New York City.

It is difficult to understand why South Carolina should be treated differently from Alaska, Texas, or New York. The law should be evenhanded, falling equally and justly upon all alike without unfair discrimination. I submit it cannot be said that this bill does that.

If I may, I would like to reinforce this conclusion by my own experience as chief executive of my State for approximately the last 2½ years. During that time, I received not one single complaint—and I may say my door was open to all citizens, white and Negro, as I am certain the Negro citizens of my State will verify—that any qualified Negro had been unfairly discriminated against in voter registration.

Two complaints only were received by me as Governor. One of these complaints was that in one county of our State we had too few registration clerks and that the registration was, therefore, to slow. Such situation was promptly remedied by the appointment of additional clerks, and in the 1964 report of the civil rights section of the Department of Justice, the statement is made:

> In the spring of 1964, Negro leaders advised departmental attorneys, that, in their judgment, the registration problem had been ended.

The other complaint, vigorously pressed during the 1964 election, was that, in one county, the board of registration was entirely too lax and was registering large numbers of voters, particularly Negroes, improperly. I would like to read a partial part of this protest as it was set forth in the Greenville, S.C., News:

> Greenville County Republicans yesterday continued to make charges against the county board of voter registration.
>
> GOP County Chairman Jeff Richardson, Jr., charged that "hundreds of people are being registered illegally in Greenville County."
>
> Mr. Richardson reiterated his party's intention of stationing representatives at the registration board when it opens August 3 to see that only qualified citizens are registered.
>
> He said he hoped "Republican observers will be accorded the same courtesy as is given NAACP helpers."
>
> He pointed out that "Negro organizations have conducted registration drives and have been allowed by the county authorities to station Negroes in the courthouse to fill out applications for other Negroes."

At the risk of laboring this point unduly, I would cite one other fact that I think quite relevant. After the presidential election in 1960, when President Kennedy carried South Carolina by approximately 10,000 votes, our Negro organization claimed repeatedly that the State had registered its electoral vote in the Democratic column because of the heavy voting by Negro registrants.

I do not oppose this bill, therefore, because we in South Carolina would discriminate against the registration of Negro voters or would deny to them their constitutional right to vote. As a matter of fact, few South Carolinians, I am convinced, would oppose a general bill applied without discrimination to all States guaranteeing the right to register to all qualified citizens without regard to race or color and enforcible by an appeal to the injunctive powers of a local Federal equity count in conformity with established judicial procedures, if present statutes did not already give these rights.

I am proud of the record that South Carolina has made in giving to all its citizens, white and Negro, equal rights to register and vote. I am proud—as I know all our responsible citizens are—that in the last decade and a half not one suit has been filed by either a private citizen or the Attorney General of the United States on the basis of a complaint that any qualified citizen has been denied his constitutional right either to register or to vote. I believe our State can take pride in the fact that if any complaint has been made, it must have been promptly remedied by our responsible public officials.

I think it important to remark, too, that, though we have in our State a simple literacy test much more liberal than that of many States not covered by the so-called trigger provision, we are acting aggressively to attempt to make every citizen we have qualified under such a test. Within the last year and a half, we have launched a major attack on illiteracy. I take a special pride in this program because I inaugurated it. Under this program, called STEP, financed by the Manpower Development and Training Act and operated without the slightest racial discrimination, as can well be attested by the Department of Health, Education, and Welfare, we are attempting to make available in every county of our State basic education. This is hardly the act of a State which seeks to use a literacy test to limit the right of voting. It is true it is not a program primarily designed to qualify illiterate citizens to vote; it is designed to give them greater employment opportunities; but the result is that, in so doing, we are qualifying all illiterate citizens, both white and Negro, for the proper excercise of their franchise. As a State we are seeking manfully to serve all our people.

It seems farfetched to assert that a State which is administering so massive a program to make every citizen, white or Negro, literate and thus qualified to register and vote, is one which seeks to use a literacy test to discriminate against any citizen in his right to vote. Actually, I believe that this bill, which would give to an illiterate the right to vote, is a disservice to the very group, which it claims to benefit. Such a bill almost makes a virtue of illiteracy. By rewarding as it does illiteracy, it destroys much of the incentive of the illiterate to qualify himself by learning to read and write and by taking advantage of this State program. The greatest need of our people is education and every inducement should be given him to secure such education, if he is to qualify to exercise intelligently the right to vote or to qualify for job opportunities. A literacy test—especially one as simple as we have in South Carolina—is an added incentive for the Negro of the South to take advantage of the opportunities for basic adult education which we are making available to the citizens of every county of our State. It should be sustained, not destroyed. And this is particularly true, since I believe that the record abundantly establishes that this test is both reasonable and fairly applied.

I am sure it will be replied that only 34 percent of our Negroes of voting age are registered and shows that the literacy test is denying them the right to vote, even though we have no other proof. This argument overlooks the fact that over 40 percent of our adult Negro population is classified in the census figures as functionally illiterate. It is thus obvious that well over 60 percent of our literate Negro population of voting age is registered, a percentage that compares with our percentage of white registration. So far as the 40-odd percent classified as functionally illiterate is concerned, we are offering them the opportunity to overcome their deficiency through an adult education program, to which I have referred.

I ask the Senate: What more can be asked of any State? What better record could any State make?

But is this record of accomplishment—of scrupulous observance of the constitutional right of all citizens, white or Negro, to register and vote without social discrimination, and of honorable obedience to the constitutional mandate—of a massive program to qualify all to register—given any recognition? Has it won for us any mark of commendation? Are the responsible public officials and the fair-minded citizenry honored?

On the contrary, under the pending bill, without any hearing, without any judicial proceedings of any kind and despite all the facts I have just recited, South Carolina, through the use of a rigid statistical formula, would be found presumptively guilty of discrimination in voter registration and would be stripped of its right as a State, under the Constitution of the United States, to prescribe the qualifications of its voters by a fair and impartial literacy test, applied without discrimination.

This is certainly an unusual, if not anomalous use of presumptive proof. It is perfectly true that there are many instances in judicial proceedings of certain facts creating presumptions. But these presumptions are never used to justify sentencing without a hearing or a trial and without an opportunity to refute. They actually are used as methods of shifting the burden of proof in a trial. But here the presumption becomes a sentence; the State involved is stripped of its normal power to conduct its own affairs; all without an opportunity to refute the presumption.

I know that it will be replied that we would have a remedy by appealing to the Attorney General. This is cold comfort for anyone who frankly has experienced the delays and harassments of bureaucracy. I say this not in any endeavor to belabor our bureaus but in recognition of simple facts, established by repeated experiences. I illustrate this by a current experience we are today having in South Carolina. We have five school districts operating under Federal court orders of desegregation. The school districts are complying with the orders and have signified their intention and willingness to continue to abide by such orders and any amendments thereto. By so doing, all of which has been duly certified to the Department of Health, Education, and Welfare almost 2 months ago, the school districts have fully and completely complied with title VI of the Civil Rights Act of 1964 as explained by the Secretary himself. The certifying of the school districts as in compliance with title VI is a purely ministerial act.

The school districts, seeking to arrange their schedules for the next school year, need to know promptly that they have been approved. Yet the school districts still await action by the Department. If we have encountered such unexplainable delay in a matter so plain, why should we be so naive as to believe that the Attorney General would act expeditiously under this proposed statute? Indeed, this experience gives credence to Prince Metternich's aphorism that administration has taken the place of government.

Again, it may be urged that we can file our action for a declaratory judgment in the District of Columbia. Without adverting to the unusual requirement that we bring our suit in a distant and inconvenient court, I would inquire how long would it take such suit to be heard and adjudicated? In all the months and years that would mark the slow progress of such suit, South Carolina would be under sentence and would be punished by being denied the right to fix its qualifications for voters. This presents the odd situation of being sentenced before trial and then given a long and tedious trial in order to ascertain whether the sentence should be abated. Certainly, this is an amazing and shocking reversal of traditional judicial principles.

It is suggested that this harsh result—this deprivation by a State of its normal governmental rights—finds justification in a record of past injustice by a prior generation or generations. Indeed, in my first day on the floor of the Senate, I heard a gifted Senator read some remarks made—as I now recall his words—by the late Senator Carter Glass 60 or 70 years ago. It is idle to argue from such a premise. Over the years change has occurred and new attitudes have developed both in the North and in the South. We legislate not to right the wrongs of yesterday but to assure justice for the present and the future.

The fact is, if we study the pages of history, and we are to be punished for what was done in the past, all of us might find ourselves in the same pillory. I cannot forget, for instance, that De Toqueville, the acute French commentator on American democracy, pointedly remarked in his great work that the so-called:

> Free States of the Nation usually do what they can to render their territory disagreeable to the Negroes as a place of residence. A kind of emulation exists between the different States in this respect.

Many years ago in this Chamber, a distinguished Senator from my State, William Smith, answered an argument largely like that made by the proponents of the bill, with a wealth of illustrations of discriminations by Northern States against Negroes. He identified their constitutions which denied the franchise to Negroes. The distinguished senior Senator from Mississippi had printed in the RECORD a list of Northern States which have impaired Negro rights in the past.

I do not cite this authority in any attempt to condemn others. I refer to them merely to indicate that few if any States can claim immunity from a charge of injustice in the past. As I have said, we live in the present and we legislate for the future.

I do believe, however, that we can profit from the experience of the past. Almost a hundred years ago, Congress sought to establish a double standard of law and conduct among the States of the Union. The unfairness of such a procedure begot bitterness that lived long afterward and made more difficult the development of wholesome relations between the races. I hope that today we may avoid that mistake. I fear we shall repeat that same mistake, though, if we persevere in the unfortunate attempt to discriminate against a few carefully selected States, to place them in a special classification and to subject them to a punishment not meted out fairly to all other States.

It may be fairly inferred from the record in the hearings before the Judiciary Committee that the bill is aimed primarily at a very few counties, described often in these hearings as hard-core counties. It seems grossly unfair that all the other counties in the States, some of which are not even included in the hard-core classification, should be penalized and inconveniently deprived, without any hearing, of their constitutional rights, simply because a few counties have been criticized. I, of course, do not know the facts in these counties described by the proponents of the bill as hard-core areas. I would not presume to judge whether the charges against them are justified. But I cannot believe that judicial remedies could not be fashioned to deal with them in a perfectly judicial way, without this blanket punishment and deprivation of constitutional rights leveled against all the counties in seven States.

In fact, if I read the record correctly and if an article in the Wall Street Journal of May 7 is accurate, the courts, under existing statutes, have already provided remedies that clearly assure every right of Negro citizens. The article in the Wall Street Journal indicated that it is apathy and not legal restrictions that deter Negro registration in many of these so-called hard-core areas.

I would call to the attention of this Senate the reply made to a proposal similar to that included in this bill by one of the most distinguished members of the original Civil Rights Commission. Dean Robert G. Storey is one of the great constitutional lawyers of this Nation and a great leader in the field of civil rights.

He commented:

> As pointed out in the 1959 report of this Commission, I strongly believe in the right of every qualified citizen of the United States, irrespective of his color, race, religion, or national origin, to register, vote, and have his vote counted. Full protection of these rights of suffrage by both State and Federal governments is necessary and proper. However, I cannot join in so sweeping a recommendation as this.
>
> Proposals to alter longstanding Federal-State relationships such as that incorporated in the Federal Constitution, declaring that the qualifications of electors shall be left to the several States, should not be made unless there is no alternative method to correct an existing evil. Such is not the case today.
>
> The Federal Government has sufficient authority under the Constitution and the existing framework of laws to enable it effectively to deal with denials of the right to vote by reason of race, color, religion, and national origin.
>
> The Civil Rights Act of 1957 authorized the Attorney General to institute civil suit in the Federal courts to prevent the denial of voting rights is pursuant to a pattern or practice, the court may appoint voting referees to register qualified persons denied this right by local election officials. The further denial of the right to vote to these persons so registered by the court-appointed voting referees constitutes contempt of court and is punishable accordingly. The vigor with which these civil rights acts are applied will significantly affect the extent to which voting denial practices will be discontinued.
>
> Many States have voting requirements more extensive than age or length of residence, incarceration, or felony convictions. These qualifications, having nothing to do with race, religion, or national origin, are an important element in preserving the sanctity of the ballot. They are specific disqualifications which are felt justifiable for the good of the State. Disqualifications of persons whose mental condition makes it impossible for them competently to exercise the discrimination necessary in voting has long been accepted. Many States disqualify paupers supported by municipal or county officials on the theory that these people are too easily exploitable by such officials for their own purposes. The security and purity of the ballot can be destroyed by permitting illiterates to vote. And as the English language is still the official language of the United States, there is good justification for States requiring that voters have at least a rudimentary knowledge of this language.

Many of us believe, as Dean Storey did, that existing laws are adequate to remedy the situation complained of by the proponents of this bill. But if they are not, the able Senator from North Carolina proposed an amendment which clearly would have armed the Attorney General with ample powers to secure the rights of all citizens in these criticized counties and with powers that can be exercised without unfairly discriminating against any nonoffending counties. It represented a fair and a constitutional approach that should commend itself to all thoughtful and concerned citizens. It is one that would be accepted and would promote that which is all important, that is, a better relation between the two races in those areas where they must and should live together peaceably and harmoniously.

Already this bill has been revised at least four times and perhaps even more. Why can we not take another hard look at it, seek understanding and cooperation between all sections of our Nation, and, if there is a need for new legislation, let it be fair, let it be nondiscriminatory, let it apply equally to all States and to all sections and be lasting legislation. None can say this bill is that type of legislation. It is punitive without necesity. I appeal to the proponents of this bill to revise it to accord with basic principles of fairness and constitutionality. Thus shall we build a bridge of understanding among our peoples and take the road of true statesmanship and lasting progress in a field too often exploited for tawdry political purposes.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. RUSSELL of South Carolina. I yield.

Mr. TALMADGE. I congratulate the able and distinguished Senator from South Carolina on the eloquent logic of his address. The Senator has had a long and distinguished career as a Federal official, as president of his university, as an outstanding Governor of his State, and now as U.S. Senator. He has been one of the most outstanding lawyers in his State and in the Nation.

He has analyzed the pending bill very well, and in my judgment has pointed out its leading inequities. With a complicated formula it selects seven States for arbitrary and unconstitutional discrimination.

In other words, it would suspend the operation of the Constitution in South Carolina, Georgia, portions of North Carolina, portions of Virginia, and in Alabama, Mississippi, and Louisiana.

The courts have held time after time that there is no way that any portion of the Constitution can be suspended at any time in any State, even in wartime.

The Senator has pointed to the great progress that has been made in voter registration in South Carolina. In my State there are approximately 300,000 Negroes registered. A minimum of eight Negroes, and perhaps nine, will serve in the next session of the General Assembly of Georgia. I have not checked the record, but I would suspect that that is more than will serve any other legislature in any other State of the Union.

Yet my State of Georgia would be treated in identically the same manner as the State of South Carolina. It would say to the sovereign State of Georgia, "You are guilty. We will not give you a trial, because you are guilty. What is the necessity for giving you a trial? We have determined that you are guilty. Now that we have determined that you are guilty, we are not even going to let you defend yourself. We will discharge your voter registrars and call in the Civil Service Commission, and suspend the officials of your State and handle the matter in our own way, and we will not even let you come into court to defend yourself."

Mr. President, the bill would say to the State of Georgia: "After 5 years, you can come in, provided you can come to the District of Columbia and beg for a pardon. Prior to that time, you are guilty, because we have determined you to be guilty by legislative process, even though not one bit of evidence has been adduced."

The Senator knows that is a complete and totally unconstitutional procedure.

I am sorry there were not more Senators in the Chamber to hear the magnificent address of the Senator. I hope they will read his address in the RECORD. I hope the news media of the country will give it wide dissemination, because it is worthy of being heard by all American citizens.

I compliment the Senator on his outstanding address.

Mr. RUSSELL of South Carolina. I thank the Senator.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. RUSSELL of South Carolina. I yield to my colleague.

Mr. THURMOND. Mr. President, I compliment my colleague on his magnificent address on the voting rights bill of 1965. My colleague graduated from the University of South Carolina Law School with honors. He has served as a distinguished lawyer for many years. He has also served as president of the University of South Carolina, where he made a magnificent record. Then he served as Governor of the State, prior to coming to the Senate. The address he has made today is one of the finest contributions that have been made during this debate.

I should like to propound a few questions on this subject to my colleague if it is agreeable to him.

Mr. RUSSELL of South Carolina. Certainly.

Mr. THURMOND. Is not the bill unquestionably the most abysmal and chasmic departure from and contradiction of the Constitution which has confronted the Congress and the Nation in a century, if not in all time?

Mr. RUSSELL of South Carolina. That question covers a great deal of territory. I believe that the bill is one of the most unconstitutional bills I have ever looked at. I am not familiar with all the bills. I believe the ingenuity of some of the authors of those bills may have exceeded that of the authors of the bill now pending, but I doubt it very seriously.

Mr. THURMOND. Is not the proposal to pervert the Constitution particularly profane, for it masquerades as an attempt to enforce a provision of the Constitution itself, the 15th amendment?

Mr. RUSSELL of South Carolina. I think it is rather unusual that a provision of the Constitution would be used to prohibit discrimination and at the same time accomplish a discrimination.

Mr. THURMOND. Is the sole power not given to Congress by the 15th amendment, and the only appropriate legislation which can be enacted pursuant to it, the power to prevent the United States or any State from denying certain people the right to vote on account of their race or color?

Mr. RUSSELL of South Carolina. The Senator is correct.

Mr. THURMOND. Is it not true that the 15th amendment does not confer the right to vote on anyone, nor does it vest power in the Congress to confer the right to vote on anyone?

Mr. RUSSELL of South Carolina. That is the way I understand the decisions in relation to the Constitution.

Mr. THURMOND. Is it not true that the provision in article I, section 2, was not modified by the adoption of the 15th amendment?

Mr. RUSSELL of South Carolina. That is my understanding. It added that one may not use the statute to discriminate on account of race or color. That provision is to be enforceable by the courts.

Mr. THURMOND. Is it not true that the proposed Voting Rights Act of 1965 would invalidate a whole spectrum of voter qualifications currently imposed by a number of States, particularly the requirement for proof of literacy, and is it not true that such qualifications would be invalidated in certain States, regardless of the impartiality as to race or color of such qualifications and their application?

Mr. RUSSELL of South Carolina. That is my understanding of the bill.

Mr. THURMOND. In South Carolina there has been no allegation that the voter qualification requirement of ability to read and write is used to deny or abridge the right to vote on account of race or color. Yet, under the proposed Voting Rights Act of 1965, would not the literacy requirement for voters in South Carolina be invalidated?

Mr. RUSSELL of South Carolina. Yes.

Mr. THURMOND. Is it not true that the proposed Voting Rights Act of 1965 is in conflict with article IV, section 2, of the Constitution, which provides:

> The citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States.

Mr. RUSSELL of South Carolina. I so understand.

Mr. THURMOND. Under the bill the invalidation of voter qualifications would apply not to all States requiring such qualifications, nor even to those in which there is use of such requirements to deny the right to vote on account of race or color. On the contrary, is it not true that the invalidation would apply only in States or political subdivisions which fall within the confines of an arbitrary statistical formula having no rational relationship to incidents of voting denials?

Mr. RUSSELL of South Carolina. That was the burden of what I had to say.

Mr. THURMOND. Would not the determination of those States and subdivisions in which existing qualifications for voters would be invalidated hinge on the percentage of voting age population registered and participating in the presidential election of 1964?

Mr. RUSSELL of South Carolina. That is the language of the proposal.

Mr. THURMOND. Is it not true that the statistical formula proposed in this bill reflects no consideration of the number of people who have applied to register or vote, nor whether any person has been illegally denied the right to vote?

Mr. RUSSELL of South Carolina. That is a point that I tried to develop. As far as South Carolina is concerned, I do not believe that there is any record of discrimination which would justify legislation.

Mr. THURMOND. The statistical formula in this bill in no way reflects any number and variety of circumstances which influence, in fact, the number of persons who apply to register and vote. For instance, until very recently, the Southern States—to which this bill, incidentally, would principally apply—were dominated by a one-political-party system. It has been only a little more than a decade that any substantial number of persons voted in general elections in those States, because nomination in the Democratic primary was tantamount to election. Now the Republican Party is becoming established in the Southern States, but by no means has the prevailing apathy toward general elections been overcome. Yet, it is not the percentage of voting age population participating in the general election which provides the basis of this arbitrary statistical formula in this bill.

Mr. RUSSELL of South Carolina. The amount of voting would determine that point. That is correct. I referred to the reason for the low percentage of voting in national elections. The Senator refers to the development of a two-party system in the State. There might be some difference of opinion on that question.

Mr. THURMOND. There is no constitutional requirement that any of the electorate be given the opportunity to participate directly in the selection of presidential electors. Article II, section 1, paragraph 2, of the Constitution, which determines the mode of choosing electors for Presidents and Vice Presidents provides:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress.

Is it not within the constitutional power of a State legislature, therefore, to, itself, appoint presidential electors and, thereby, legally to have a zero percentage of the voting age population registered or voting in a particular presidential election?

Mr. RUSSELL of South Carolina. I have not looked at that provision. The Senator is going a little bit beyond what I studied in connection with that subject.

Mr. THURMOND. Is it not a basic and fundamental constitutional tenet, never to my knowledge overtly disputed, that the status of statehood is an invariable entity, with each State having the same powers and authority as every other State, and would not the proposed Voting Rights Act of 1965 flout that constitutional tenet, by denying to selected States, while leaving to other States, the power to fix voter qualifications which would not discriminate on account of race or color?

Mr. RUSSELL of South Carolina. I do not believe there should be unfair discrimination among the States. I believe that principle is in accordance with constitutional law as well as good commonsense and justice.

Mr. THURMOND. Would not the bill violate the statement which the able Senator just made?

Mr. RUSSELL of South Carolina. Yes. The bill would unfairly discriminate among the States.

Mr. THURMOND. The bill would constitute a bill of attainder or an ex post facto law in violation of specific constitutional provisions. Would not this result follow from the fact that a State would be adjudged guilty of voting discrimination prohibited by the 15th amendment and penalized accordingly on the basis of past actions—too small a percentage of voting age population voting in the 1964 presidential election—which action did not constitute an offense at the time it was committed?

Mr. RUSSELL of South Carolina. The distinguished Senator from North Carolina made a most convincing argument on that point a few days ago.

Mr. THURMOND. Would not the enactment of the bill violate the due process of law provisions of the fifth amendment to the Constitution by virtue of any number of its provisions, for example, does not the bill establish a conclusive presumption that a State was guilty of denying persons the right to vote on account of race or color, if too few people voted in the presidential election of 1964, and provide no opportunity to the State to rebut the presumption?

Mr. RUSSELL of South Carolina. I believe that the able Senator from North Carolina also covered that point amply and very well this afternoon in his magnificent address on the constitutionality of the bill.

Mr. THURMOND. Would not the bill prohibit in States affected by the bill, the enforcement of any act of a State legislature which changed voting qualifications or procedures from those in effect on November 1, 1964, without specific prior approval of either the U.S. District Court for the District of Columbia or the Attorney General of the United States? Is it not difficult to conceive of any provision more antagonistic to the constitutional concept of federalism than is this provision?

Mr. RUSSELL of South Carolina. It is in keeping with the language of the measure. I do not think it is fair or proper.

Mr. THURMOND. The Senator knows, of course, that every State has laws to protect the right to vote. In addition, I am sure the Senator is familiar with the fact that there are 16 Federal laws, 6 criminal and 10 civil, to protect the right to vote. Does not the Senator from South Carolina feel that there are ample State and Federal laws on the subject, without Congress now being called upon to enact an unconstitutional, unwise, and unnecessary piece of legislation?

Mr. RUSSELL of South Carolina. I share the opinion of Dean Storey, which I quoted, and which I think fairly answers the question, that we already have ample power without the present measure.

Mr. THURMOND. I commend my able colleague from South Carolina for the magnificent address he has made on this piece of proposed legislation today.

Mr. RUSSELL of South Carolina. I thank my colleague.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield?

Mr. RUSSELL of South Carolina. I yield to the Senator from North Carolina.

Mr. JORDAN of North Carolina. I join other Senators in commending the able junior Senator from South Carolina upon his magnificent address. I have known the Senator slightly, and by reputation, as well.

I had a sister who lived in the Senator's great State until 2 or 3 years ago, when she passed away. She lived in South Carolina most of her life. I have a niece and a nephew who still live in South Carolina. I am sure they voted for the Senator a long time ago.

I know something about the laws and the people of the Senator's State, because I visit South Carolina quite often. I know that his State has made great advances in its educational system, a system which has qualified great numbers of all the people, not only Negroes, but whites, as well. South Carolina's educational system has gone a long way toward bringing its people up from the level where they could barely read and write to where they are now qualified to vote.

The Senator from South Carolina has made a magnificent address. I have heard many maiden speeches in the Senate, although not quite so many as have some other Senators. I commend the Senator from South Carolina for having made one of the finest maiden speeches I have ever heard in the Senate.

Mr. RUSSELL of South Carolina. I thank the Senator from North Carolina.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. RUSSELL of South Carolina. I am happy to yield to the Senator from Mississippi.

Mr. STENNIS. I am happy to say to the Senator from South Carolina that I believe his speech was a great credit to his State. It reflects worthiness and credit upon the people of his State as well as upon himself. I have been proud of South Carolina before, for many reasons, and I am certainly proud of South Carolina this afternoon.

The Senator has shown that he is a worthy successor of our late friend, Senator Olin Johnston, whom the Senator succeeds.

I was impressed with the Senator's clearness on every point in his speech. He pointed out the absurdity of repealing the literacy test. Of all the phases of the measure, it seems to me that that is the most ridiculous and backward approach to any problem that the Nation could possibly take. The week before the Senator from South Carolina came to this body, the Senate passed a broad, comprehensive education bill, launching the Federal Government in a large way, and with the expenditure of billions of dollars, into the education field. But we turned around the next week and began to debate a bill that would repeal, for a time at least, the literacy test. I do not see how with logic, reason, or consistency, we could take such steps.

The Senator from South Carolina has shown in a clear way that the measure is an act of rashness, an attempt, as the Senator said, to try to convict and perpetually punish. It is a rash approach. I think the inclusion of this provision in the measure was an act of rashness.

The Senator has further shown, as Dean Storey said, that there are now far more laws to protect the right to vote than there were at the time referred to by Dean Storey.

This is a political measure, thrown together in a rash, hasty fashion, in an attempt to stem the tide of emotion. It will not stem the tide. The Senator's clear and unimpassioned speech showed that. His speech will attract the favorable attention of the Membership of the Senate and of the Nation, as well. I highly commend him.

Mr. RUSSELL of South Carolina. I thank the Senator from Mississippi.

ADJOURNMENT

Mr. HART. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate adjourn until noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 16 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Wednesday, May 12, 1965, at 12 o'clock meridian.

* * *

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 11, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this Scripture: Psalm 33: 13: *The Lord looketh from heaven; He beholdeth all the sons of men.*

Eternal and gracious Spirit, we acknowledge how remote and isolated we are from the realities of the communal life when we allow our superficial distinctions and differences of our human nature to engage our thought and time.

Help us to think and plan in terms of human beings who have the one and same basic and ultimate needs and the same God who can supply them all.

Grant that as fellow creatures we may cultivate a more charitable feeling toward one another and may nothing mar that fellowship.

May the prayers we offer for universal peace heal our broken world and hasten the day when there shall be love instead of hatred and harmony rather than bitter racial rancor.

Bring us all closer to thyself in whose fellowship there is health and holiness and may these self-centered and lonely lives become a community life of men who have pursued the larger, more abundant spirit.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 7855. An act to authorize appropriations for procurement of small patrol cutters for the Coast Guard.

The message also announced that the Vice President, pursuant to section 1, Public Law 86-42, had appointed Mr. Mansfield, Mr. McCarthy, Mr. Metcalf, Mr. Jordan of North Carolina, Mr. Inouye, Mr. Young of Ohio, Mr. Aiken, Mr. Saltonstall, Mr. Cooper, Mr. Simpson, Mr. Jordan of Idaho, and Mr. Pearson to be members of the U.S. group of the Canada-United States Interparliamentary Group at a meeting to be held in Ottawa-Montreal, Canada, May 20 to 24, 1965.

SUBCOMMITTEE ON TRANSPORTATION, COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Transportation of the Committee on Interstate and Foreign Commerce may sit while the House is in session today during general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SUBCOMMITTEE ON RICE, COMMITTEE ON AGRICULTURE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Rice of the Committee on Agriculture may sit while the House is in session today and tomorrow during general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PRESIDENTIAL MEMORIAL CERTIFICATE PROGRAM

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 225) to amend chapter 1 of title 38, United States Code, and incorporate therein specific statutory authority for the Presidential memorial certificate program, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to ask the distinguished gentleman, the chairman of the Committee on Veterans' Affairs, to give us a little rundown on this bill, and to explain why the General Accounting Office and the Comptroller General object to this bill and why, in view of the fact that it is being done anyway, it is necessary to have legislation introduced under this procedure.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the distinguished chairman.

Mr. TEAGUE of Texas. Mr. Speaker, a few years ago the Veterans' Administration began issuing memorial certificates to the next of kin of veterans who died. This was done at the request of the President of the United States. The General Accounting Office made a study of the situation and ruled that there was no authorizing legislation which permitted the Veterans' Administration to spend their money to provide these certificates. The maximum cost in any one year is estimated to be about $35,000.

Mr. HALL. This would then be an addition to the gratuities of a grateful Government, not only for those who have served but those who have died in service. Is that correct?

Mr. TEAGUE of Texas. That is correct.

Mr. HALL. Does the gentleman know if there are listings made of those who respond to the receipt of such information and, if so, what use they are put to?

Mr. TEAGUE of Texas. I would say to the gentleman I have seen some responses of next of kin expressing appreciation for the certificate. If there is any other use made of the responses, I do not know of it.

Mr. HALL. Mr. Speaker, in view of the fact that this has not been cleared, and it is controversial, and there is a GAO objection, may I ask the chairman of the committee to withdraw the request at this time and put the bill on the Consent Calendar for future study and action?

Mr. TEAGUE of Texas. I will be glad to.

Mr. Speaker, I withdraw my request.

Mr. HALL. I thank the gentleman.

LAND TRANSFER TO ROSEBURG, OREG.

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 2414) to authorize the Administrator of Veterans' Affairs to convey certain lands situated in the State of Oregon to the city of Roseburg, Oreg., and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Speaker, reserving the right to object, I have considered this, including its purpose. I know well that the U.S. Government did not pay for this land originally, that there are reclaimer clauses, but I am interested in the fact that the ordinary and established process of disposing of surplus property is not being undertaken in this instance.

For example, there are the rules of procedure under the Consent Calendar; and now I am informed by the Chair and by the distinguished chairman of the Committee on Veterans' Affairs, that this bill is not being brought in under the aegis of the Consent Calendar but by unanimous consent and therefore represents a different technical procedural situation here on the floor. Nevertheless I would think that the rules stipulated by Chairman Aspinall on the majority side about "consent requests," would apply at least so far as departmental reports are concerned. Inasmuch as the disposal of surplus property, real and otherwise, comes through the GSA, does not the gentleman think it would be well to have their views before acting in this fashion?

Mr. TEAGUE of Texas. Mr. Speaker, I would say to the gentleman that we went through the Veterans' Administration, we went through the Bureau of the Budget, and we know that what we have done here is in compliance with the wishes of the Veterans' Administration. This is just an attempt to expedite legislation.

Mr. HALL. Mr. Speaker, I know the Veterans' Administration has no objection and I understand, as I said in my preamble, that the Bureau of the Budget has no objection to the submission of the Veterans' Administration's report. But, the Bureau of the Budget does recommend against enactment. This is a departure from the usual surplus property disposal procedure, and the GSA views are not here.

So I would again implore the gentleman from Texas to withdraw his unanimous consent request and place this bill on the Consent Calendar. I have had a colloquy here as late as the last 5 minutes with the gentleman from Oregon. I have no objection to the principle of returning this, if the GSA views are submitted and if the bill is put on the Consent Calendar for next week perhaps there would be no objection.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield further?

Mr. HALL. I yield.

Mr. TEAGUE of Texas. Mr. Speaker, I assume the gentleman's attitude would be the same regarding the bill H.R. 4421?

Mr. HALL. My attitude is the same. That is why I made my request to the majority leader, that perhaps we should not bring these bills up by this particular procedure.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Iowa.

Mr. GROSS. What is the emergency? If there is an emergency in connection with these bills that are brought up overnight without the opportunity to see them, will the gentlemen state it? If there is no emergency then these bills ought to be put over.

Mr. TEAGUE of Texas. These bills are being brought up in complete compliance with the rules of the House. There is no emergency. It is just an attempt to expedite legislation.

Mr. RONCALIO. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman.

Mr. RONCALIO. Mr. Speaker, I would like to discuss H.R. 4421, if I may, for the benefit of the gentleman from Missouri and the gentleman from Iowa. This matter has been pending action by the House of Representatives for some 4 years. It was originally introduced as H.R. 12644, 88th Congress, by William Henry Harrison, the gentleman from Sheridan, Wyo., my predecessor. The entrance way to the veterans' main hospital buildings in Cheyenne was changed 4 years ago, leaving land that is not being maintained now. It could be better maintained by the city of Cheyenne. The city of Cheyenne is happy to assume the responsibility of doing so.

Summary or unanimous-consent action is warranted. I believe we have many more serious bills that require the attention of the whole House and the Members of the Congress. This is a matter of comparative minimal importance. I would ask the cooperation and the understanding of Members on the other side of the aisle, and ask that none oppose this. It has been pending for 3 years. It is not controversial; and would be beneficial to all concerned. I thank the distinguished Member from Missouri for yielding.

Mr. HALL. Mr. Speaker, I have tried to make clear before, and I assure the gentleman, that I have no question about the worthwhileness of the legislation. But this is an unusual and a precipitous method of disposing of a matter which usually would be put on the Consent Calendar. The situation in Cheyenne may be quite different from that in Roseburg, Oreg., but the fact remains that the Bureau of the Budget does object to it, and this is not the usual way of disposing of surplus property. I am quite familiar with that surplus property disposal procedure as a member of the Committee on Armed Services which disposes of surplus property regularly and in vastly greater amounts.

Mr. Speaker, I would hope that the dictates and fulfillments established under our Consent Calendar working rules on this floor be complied with and then, perhaps, there would be no objection.

Mr. Speaker, I again call upon the chairman of the Committee on Veterans' Affairs to withdraw this request.

Mr. TEAGUE of Texas. Mr. Speaker, if the gentleman will yield, I do not agree with the gentleman from Missouri that there is anything unusual being done here and anything out of the way. If the gentleman wants to object, he can object.

Mr. HALL. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

TO AUTHORIZE PAYMENT OF SPECIAL ALLOWANCES TO DEPENDENTS OF MEMBERS OF THE UNIFORMED SERVICES TO OFFSET EXPENSES INCIDENT TO THEIR EVACUATION

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 3043) to amend title 37, United States Code, to authorize payment of special allowances to dependents of members of the uniformed services to offset expenses incident to their evacuation, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert:

"That title 37, United States Code, is amended as follows:

"(1) The following new section is inserted after section 405:

"'§ 405a. Travel and transportation allowances; evacuation allowances

"'(a) Under regulations prescribed by the Secretaries concerned, when dependents of members of the uniformed services are ordered evacuated by competent authority from places outside the United States to places inside the United States, they may be authorized such allowances as the Secretary concerned determines necessary to offset the expenses incident to the evacuation. Allowances authorized by this section are in addition to those authorized by any other section of this title. For the purposes of this section, a dependent "ordered evacuated by competent authority" includes—

"'(1) a dependent who is present at or in the vicinity of the member's duty station when the evacuation of dependents is ordered by competent authority and who actually moves to an authorized safe haven designated by that authority, whether such safe haven is at or in the vicinity of the member's duty station or elsewhere;

"'(2) a dependent who established a household at or in the vicinity of the member's duty station but who is temporarily absent therefrom for any reason when evacuation of dependents is ordered by competent authority; and

"'(3) a dependent who was authorized to join the member and who departed from his former place of residence incident to joining the member but who, as a result of the evacuation of dependents, is diverted to a safe haven designated by competent authority or is authorized to travel to a place the dependent may designate, even though he was in the United States when the evacuation was ordered.

"'Under regulations prescribed by the Secretaries concerned, each member whose dependents are covered by subsection (a) of this section is entitled to have one motor vehicle owned by him and for his personal use, or the use of the dependents, transported at the expense of the United States to a designated place for the use of the dependents. When the dependents are permitted to rejoin the member, the vehicle may be transported at the expense of the United States to his permanent duty station.'

"(2) The analysis of chapter 7 is amended by inserting the following new item:

"'406a. Travel and transportation allowances; evacuation allowances.'

"(3) Section 407(a) is amended by inserting the words ', or whose dependents are covered by section 405a(a) of this title' after the word 'station'.

"(4) Section 407(b) is amended—

"(A) by striking out the word 'or' at the end of clause (1);

"(B) by striking out the period at the end of clause (2) and inserting the word '; or' in place thereof; and

"(C) by adding the following clause (2):

"'(3) the member's dependents are covered by section 405a(a) of this title.'

"(5) Section 411(a) is amended by inserting the figure '405a,' after the figure '405,'.

"(6) Section 1006 is amended—

"(A) by adding the following sentence at the end of subsection (c): 'The Secretary concerned or his designee may waive any right of recovery of not more than one month's basic pay advanced under this subsection if he finds that recovery of the advance would be against equity and good conscience or against the public interest.'; and

"(B) by adding at the end:

"'(g) Under regulations prescribed by the Secretary concerned, the dislocation allowance authorized by section 407 of this title for a member of a uniformed service whose dependents are covered by section 405a(a) of this title may be paid in advance of the evacuation of the dependents and to the dependents designated by the member.'

"SEC. 2. This Act becomes effective on February 1, 1965, and terminates on June 30, 1966."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Mr. Speaker, reserving the right to object, am I to understand that this legislation is called up with practically no notice on an emergency basis, or on what basis?

Mr. PHILBIN. I should say so. Of course, this bill has been formerly passed by the House and there have been added some Senate amendments.

Mr. GROSS. Will the gentleman state to the Members of the House the emergency that exists which requires such fast action on these payments?

Mr. PHILBIN. These payments relate to the evacuation and return and resettlement to their homes of dependents of those who were involved in the Vietnam conflict.

Mr. GROSS. And payments to these dependents has already been approved by the House of Representatives?

Mr. PHILBIN. These payments have been previously approved by the House. This is the bill that passed the House some time ago. The gentleman is correct.

Mr. GROSS. I thank the gentleman from Massachusetts.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

INDEPENDENT OFFICES APPROPRIATION BILL, 1966

Mr. THOMAS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7997) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1966, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 2½ hours, the time to be equally divided and controlled by the gentleman from North Carolina [Mr. JONAS] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Speaker, reserving the right to object, does the gentleman think that in 2½ hours he can adequately explain how the various independent offices and agencies of the Government can spend $14 billion in a year?

Mr. THOMAS. If the gentleman will yield, we will do our best, may I say to my friend.

Mr. GROSS. Well, I hope that is adequate.

Mr. THOMAS. I do, too.

Mr. GROSS. And I hope the gentleman will be lenient if it is found not to be adequate. I hope the gentleman will be lenient under the 5-minute rule.

Mr. THOMAS. We will.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7997, with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. THOMAS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we bring to you the annual bill making appropriations for independent offices. The bill covers some 25 agencies.

May I say in the beginning we have just about as unanimous an agreement as it is possible to have on bills of this size and magnitude.

The budget called for about $14½ billion. The committee cut the bill about $444 million. In the beginning, referring to the inquiry of my distinguished friend from Iowa a while ago, we are all here, we are your servants. You are entitled to know all we know and if we cannot answer questions individually we will do our best to answer them for you collectively. We want you to have whatever information you want and that we are able to give you.

The bill is about $159 million larger than the bill last year. But that needs some explanation. We had two or three items in this bill that were not in last year's bill. If you will subtract the items; namely, urban renewal and mass transportation, the bill is about $115 million less than last year.

I think it would be well in the beginning to point out there is no money in this bill with reference to the closing of veterans' hospitals and some 17 regional offices. We followed the recommendation of the Bureau of the Budget. Those two items together account for about $23 million, the hospitals alone are $20,500,000.

I am told there will be a motion filed to restore some or all of this. Just what it will be, I do not know.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the distinguished chairman of the Committee on Veterans' Affairs.

Mr. TEAGUE of Texas. If I understand the situation correctly, I am told unless an amendment is offered and if June 30 came, there would be no money to operate any of the proposed VA facilities.

Mr. THOMAS. That is correct.

Mr. TEAGUE of Texas. I would like to advise the Members there will be an amendment offered to place this money back in the bill in order to permit the operation of these facilities. The President's panel has not completed its work and this will protect both the Congress and the executive branch of Government whatever decision is made.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the distinguished gentleman.

Mr. JONAS. I interrupt the chairman only to say that with reference to the last statement made by the very distinguished chairman of the Committee on Veterans' Affairs, I do not think it would be correct for the inference to be drawn that an amendment to add money would be putting funds "back in the bill" because the committee did not cut a single dime from the medical care item. We approved every penny requested by the President in the budget and the amount in the bill is $23 million more than last year.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman.

Mr. TEAGUE of Texas. Of course, there is a total amount of money in the budget request of a billion dollars to operate our veterans' hospital facilities. In your report you say there is no money in this bill for the facilities which the President has proposed closing. If that language were not in the report, the Veterans' Administration tells me that they would feel there was money there to operate any facility that they wanted to operate.

Mr. JONAS. That is correct, if the gentleman will permit me to say so. We do not earmark so much money to operate X hospital or Y hospital or Z hospital. I repeat that this item was not cut by a single dime; actually the bill as written contains an increase of $23 million over last year and includes $1.177 billion for hospital operations without specifying what hospitals are to be operated, so I say that funds are available to operate as many as are determined to be continued. Then, of course, if they run out of money, there will be no difficulty in getting supplemental funds. My only purpose in asking the chairman to yield at this time was to make it crystal clear that the committee did not make any cuts whatsoever in the funds requested for hospital operations. I would hope that the bill could stand as it is and that we could make some legislative history here on the floor and disclose exactly what was meant by the language in the report instead of anticipating what the President may do after he has the report from his special committee and without anticipating what recommendations will be made by the gentleman's own committee, which has had this subject under consideration and study for several months.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman.

Mr. TEAGUE of Texas. It just seems to me from discussing this with members of my committee and with Members of the House who are involved in this, we feel it would be a better thing to have this money in there if there is a recommendation, and we would have the money in there if the facility continues to be operated.

Mr. THOMAS. If I may ask my colleague to yield briefly, the language is not in the bill. The language is in the report. We gave the full budget estimate. We do not intend for the language in the report to convey the idea that it was a prohibition against spending any funds for the operation of these hospitals. If they have the money to operate any one of these hospitals, which I understand are 11 in number, that is perfectly all right with the committee. We did not mean to foreclose or shut down any of these hospitals. All we were doing is saying that we were following the language of the Bureau of the Budget.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman.

Mr. JONAS. I would like to concur in the latter remark and express my full concurrence that that was our intention.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman.

Mr. TEAGUE of Texas. The Administrator of Veterans' Affairs told me that with this language in the report, they would feel there was not 1 penny to be used for any of these facilities starting July 1.

Mr. THOMAS. We hope the language we have used here on the floor clarifies the situation. Of course, the Administrator of Veterans' Affairs is a fine gentleman and whatever he sees fit to do is his own business.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman.

Mr. ADAIR. May it be assumed from what the gentleman from Texas [Mr. THOMAS] and the gentleman from North Carolina have just said that they, as representatives of the Committee on Appropriations, would not find it objectionable if the Administrator of Veterans' Affairs was able to find money to operate any facilities which may be left open?

Mr. THOMAS. That is well said and expresses our thoughts 100 percent.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman.

Mr. FLOOD. One of the things that has concerned many of us with reference to this problem and, of course, the distinguished gentleman from Texas is not responsible for that any more than anybody else is, but unfortunately when the full Committee on Appropriations reported out the bill of his distinguished subcommittee despite the same assurances with reference to this same language that the gentleman is now giving us, the newspapers the next day and that evening, and the gentleman may not be aware of this, in very strong language throughout the country stated very flatly that this action of the Committee on Appropriations could only be construed as approval of what action had been taken by the Veterans' Administration.

I know that the distinguished gentleman from Texas was not a party to that and probably did not even read the newspaper which said so. A number of Members have talked to me about this. They were greatly upset by the press stories, which construed the action of the Appropriations Committee to be placing the imprimatur of the Appropriations Committee and of the House upon the action of the Veterans' Administration. I, for one, know that was not the intention of the Appropriations Committee. As the gentleman from Texas has now reaffirmed, clearly it was not his.

Mr. THOMAS. The gentleman from Pennsylvania has expressed it very clearly. The gentleman from Indiana put his finger right on the point.

Mr. Chairman, I had intended to use only 10 minutes. All these other gentlemen have worked hard on the bill. They know as much about it as I.

Mr. ANDREWS of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to my distinguished friend from North Dakota.

Mr. ANDREWS of North Dakota. Mr. Chairman, I should like to make sure it is crystal clear to all Members that in the discussion in the Appropriations Committee, although funds for keeping the Veterans' Administration facilities open were not requested by the Bureau of the Budget, so we could hardly appropriate money for that, it was the feeling of the entire committee that we would go along with the wishes either of the President's blue ribbon committee or of Mr. TEAGUE's committee on Veterans' Affairs. When they made recommendations to keep certain facilities open, the Appropriations Committee will wholeheartedly amend the bill, if necessary, to provide funds for those facilities; is that correct?

Mr. THOMAS. We will do our dead level best. If the gentleman from Texas, the distinguished chairman of the legislative committee, offers his motion today, that will take the responsibility from the Appropriations Committee.

Mr. ANDREWS of North Dakota. But the opinion of the Appropriations Committee, in reporting the bill, was that we would make the funds available subject to the wishes of the blue-ribbon Committee or the Committee on Veterans' Affairs; was it not?

Mr. THOMAS. That is correct. If the motion is offered today, that will be the end of it.

Mr. ANDREWS of North Dakota. I thank the Chairman.

Mr. THOMAS. Mr. Chairman, I believe the gentleman from North Carolina desires to consume some time.

The Members of the House are entitled to any information we have. We are all here to tell what we know. If we cannot answer individually, we will answer collectively.

Mr. JONAS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the bill under consideration appropriates $14,086,408,000 and contains funds to finance the operations of 26 independent offices and agencies of the Government. The subcommittee considered requests totaling $14,531,023,000 for these purposes.

Thus it will be seen that the committee has cut $444,615,000 from the budget requests. These are not phony cuts but are actual and specific reductions in the funds requested.

While the bill now under consideration is $159,165,200 more than was appropriated for these agencies for fiscal year 1965, about $94 million of this increase is brought about by the decision of the subcommittee to change the method of financing the Urban Renewal Administration from back-door withdrawals from the Treasury to direct financing by appropriations. The additional increases are all caused by new programs enacted by Congress last year.

Our committee has been concerned about the constant increase in requests for new jobs by these agencies and in the constant increases in travel and printing bills. The committee made a substantial cut last year in jobs and travel money and has done so again this year.

Specifically, the budget contained requests to finance 294,133 jobs for these agencies. The committee reduced these requests by 3,402 and the bill contains funds for only 290,731 jobs.

It may come as a shock to Members to know that this bill contains $74.8 million of travel money. Although we are dealing with 26 executive agencies of the Government, it is difficult for me to see how nearly $75 million a year can be justified for travel by civilian employees of these agencies.

I hasten to say that the money requested for travel amounted to $84.6 million so the committee cut this by nearly $10 million—$9.8 million to be exact.

The constantly growing Government printing bill also seems to be getting out of hand. The committee has been giving this item close scrutiny in recent years in an effort to cut down the extraordinary costs of printing.

The budget requests included $23.1 million for printing for the agencies covered by the bill but the committee reduced the items for printing by $5.3 million—a cut from $23.1 million to $17.8 million.

The committee has prepared a rather elaborate report of actions taken by it as reflected in this bill presented to you today.

The narrative and tables cover 32 pages and the report has been available since last Thursday. I will not undertake in this general discussion to repeat what is said in the report, but I do recommend that all Members carefully review the tables and committee comments and explanations as contained in it.

The table on page 9 lists 32 major public building projects included in the bill. The tables beginning on page 19 and running through page 32 contain agency by agency comparative statements of appropriations for 1965 and individual estimates and amounts recommended in the bill for 1966.

The tables will show specifically where the $444,615,000 in cuts were applied and how the bill compares with the independent offices appropriation bill for 1965.

A bill containing nearly $15 billion in appropriations covering operating funds for 26 separate executive agencies and offices of the Government covers too many activities of the Government for any eight Members of Congress to agree on every single item.

We had our differences within the committee but resolved them as best we could. If I had been writing this bill individually, I would have made additional cuts, but it is well known by all who serve in Congress that legislation frequently must be a compromise between divergent views.

The members of the committee all worked well together and I think I can say without fear of contradiction that each member of the committee respects the views of the others.

There was a free exchange of ideas and opinions within the committee at the markup sessions.

The result before you is a bill which represents the composite judgment of the members of the Independent Offices Subcommittee.

The bill is not the result of hasty deliberations or arbitrary actions. It was formulated after extensive hearings beginning February 3, 1965, and not concluded until April 13.

The hearings are contained in three volumes and cover 3,839 pages of testimony.

I join the chairman in commending this bill to the consideration of the Committee of the Whole.

Mr. Chairman, I would like to refer to an item in which I have a great deal of interest. I refer to the operation of motor pools by GSA. It was my privilege to author the bill under which GSA expects to have 91 motor pools in existence around the country by the end of the fiscal year. There are now 89.

The advantage of a motor pool is that when you have a dozen Government agencies in Chicago or St. Louis or Boston or Philadelphia or anywhere in the United States, you create a motor pool instead of giving a fleet of automobiles to each of those agencies to use from time to time.

When X agency has an employee who needs to make a trip by automobile, he requisitions one from the pool. He may use it today and another agency may use it tomorrow. Therefore, you don't have a fleet of automobiles sitting in the garage half the time.

These employees drive a great many miles in the United States during a year.

During the hearings, the GSA testified that in 1964, the 33,617 vehicles in our motor pools traveled 346.6 million miles at a cost of seven and a half cents a mile, with a savings to the Government of $11.1 million from this activity.

The GSA told me last week that based on 6-month figures, the projections are that the Government will realize a savings of $15,153,684 during fiscal year 1965. GSA further projects that the 36,500 vehicles in the motor pools will have traveled 405 million miles by July 1.

The total accumulated savings through this fiscal year are expected by GSA to total $66,389,430.

Mr. GROSS. Mr. Chairman, will the gentleman yield at that point?

Mr. JONAS. I am glad to yield to the gentleman.

Mr. GROSS. I was glad to hear that the committee has held jobs down to what increase?

Mr. JONAS. To 290,731, a reduction of 3,402 jobs.

Mr. GROSS. But still an increase of how many?

Mr. JONAS. It is not an increase; it is a decrease.

Mr. GROSS. All right; I am glad to have the gentleman straighten me out on that. The next question is, How much, if any, is being spent, for contract hire of personnel in order to get away from what the gentleman's committee is trying to do?

Mr. JONAS. There is a substantial amount of contracting being done by the Government in all of its agencies. I am sorry I cannot give the gentleman a breakdown on the exact amount of contracting activity. There is a substantial part of it in NASA, for example, and in many of the other agencies of the Government.

Mr. GROSS. In one of the largest items in this bill there is one of the largest contracting outfits in the Federal Government. So you may be holding down the number of warm bodies on the payroll in the Federal Government, but what about the amount of contract hire of people? I come back to that question.

Mr. JONAS. You are speaking of NASA now. We have a bill here that reduces funds for NASA by $100 million. I might say to the gentleman that it was not easy to get that reduction in the subcommittee. I hope no effort will be made on the floor today to increase it because I am rather doubtful whether our position would be sustained. I thought we did right well to reduce that program by $100 million, and frankly, I think the subcommittee did right well to come up with $444 million of reductions. And they are not phony reductions, either. They are actual line item reductions that are definitely identifiable.

I do not claim that this bill is perfect. If I had marked up this bill myself I would have made deeper cuts in some instances and I might have made some increases in others. But we have to operate on a basis of compromise in the subcommittee.

The CHAIRMAN. The gentleman from North Carolina [Mr. JONAS] has consumed 10 minutes.

Mr. JONAS. Mr. Chairman, I yield myself 5 additional minutes.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Missouri.

Mr. HALL. I thank the gentleman. I simply have a request for information. I notice in the report on page 16 under section 303 of the bill it speaks of the "indirect costs" of research projects. We have, in this past week, authorized huge additional research involvement for the military, the National Institutes of Health, in the U.S. Public Health Service, Department of Health, Education, and Welfare, et cetera. In the report there is treated the question of overages of grants and/or contracts for research. I notice it refers to a flat 20-percent limitation in the bill of last year, which has been removed. It simply says in lieu thereof—as I interpret the report, and I must confess I cannot find that it has been omitted in the bill, although I have searched it carefully—it simply says that in lieu thereof the committee has modified the general provisions of the bill to require that part of the cost of research grants be met by the sponsoring institution.

Now, if the gentleman will let me pose the question, Does the committee in its wisdom feel, after careful investigation, that this portion sponsored by the institution and assumed by it as the sponsoring institution will more than cover the 20-percent overage, or that the Government will save money thereby, or could it be, therein, a 50-percent overage?

Mr. JONAS. I will say to the gentleman from Missouri, first, that the section of the bill that deals with this is section 303 and the gentleman will find it on page 57.

Mr. HALL. I have it.

Mr. JONAS. The reference in the report, if the gentleman will refer to it again, he will see that we adopted the same language that was incorporated recently in the appropriation bill for financing the Department of Health, Education, and Welfare. There has been a growing controversy or, rather, a growing amount of discussion between the sponsoring institutions and the governmental agencies over how much indirect costs will be financed by the Government, and the committee decided instead of restricting the amount of a percentage figure, to leave it up to a matter of negotiation between the Government agency and the institution, on the theory that in one case the amount might be, say, 5 percent and another case it might be 20 percent and in another case it might be somewhere between 0 and 100 percent.

Mr. HALL. Mr. Chairman, if the gentleman will yield further, reading lines 1 through 4 of section 303 on page 57, it could actually be up to an equivalent of or 100 percent of the grant; is that not correct?

Mr. JONAS. Not 100 percent. It could go to 99.9 percent I assume, but it could not go to 100 percent.

Mr. HALL. Mr. Chairman, this is a tremendously interesting situation and as a member of the Subcommittee on Research and Development of the Committee on Armed Services which authorizes the expenditure of about as much of this money as any other group, it has long worried me, and as one of the scientists in Congress who thoroughly believes in research; I would say that when we have directly and/or indirectly under the control of the Government 82 percent of the researchers and technicians of the country and, perhaps have "hooked" them with the "morphia" of grants, our colleges and our commercial research laboratories have gotten to the place where they come to us and say we cannot longer live without these Federal subsidies and grants and yet 18 percent of private business and industry researchers have "footed their own bills" and are turning out design, combined systems approach, and developmental engineering, as I referred to the other day, "horizontal research," in matters equivalent to that of the sum total of that which we get the other way, I question whether we cannot give them up to 99.9 percent overage on contracts or grants.

Mr. JONAS. I certainly question it too and I would go beyond that and would oppose that approach wherever I have the opportunity to do so.

I believe the sponsoring institution ought to absorb a substantial portion of the indirect costs, if not all of the indirect costs.

Mr. HALL. That is the intent of the committee?

Mr. JONAS. The decision here was to go away from a fixed percentage to a position of flexibility which would permit negotiation with the idea that the Bureau of the Budget would work with the agencies in question and work out equitable arrangements between the institutions handling a certain kind of research grant and institutions handling other types, without having the matter tied down to a fixed percentage. However, I personally believe this change will cost the Government money in the long run.

Mr. HALL. I hope as the "oversight" committee that we realize some day that it is well to have a fixed fee for overage or, rather, "cut off the source at the bulb," rather than continuing with this, if it does not yield the necessary dividends in research.

Mr. JONAS. I believe this is an example of the trend toward calling upon the Federal Government to provide the funds to take care of all these programs.

Mr. EVINS of Tennessee. Mr. Chairman, I yield myself 15 minutes.

The distinguished chairman of the Subcommittee on Independent Offices Appropriations, the gentleman from Texas [Mr. THOMAS], has explained the bill in some detail.

This is a big bill—an important bill—a well-considered, thoroughly discussed bill.

It authorizes appropriations totaling more than $14 billion for some 26 independent agencies and offices whose responsibility it is to meet a great many human needs in our society.

At the risk of being repetitive to some degree, I shall emphasize certain highlights of the bill—the independent offices appropriations bill for fiscal year 1966.

First, however, I want to pay tribute to the hard work and diligence of our distinguished chairman, the gentleman from Texas [Mr. THOMAS]. He has given every facet of this bill his careful attention. He has made a number of constructive contributions and recommendations which I am sure will help to better governmental operations in the agencies embraced in this bill.

This bill has been unanimously reported by the subcommittee and the full Committee on Appropriations. However, there are individual differences over specific items. This is natural because each Member brings to the discussions his own experience, his own personal viewpoint, his own philosophy, his own concept of our society.

There are shadings of difference between all of us. Each Member is not in agreement on every item. There are some items on which I feel further cuts could be made. On some other items I feel that increases would be justified.

All legislation is a compromise. It has to be a process of give and take. But, overall, this is a good bill.

Next, let me commend the work of other distinguished colleagues and members of the subcommittee—the gentleman from Massachusetts [Mr. BOLAND], the gentleman from Illinois [Mr. SHIPLEY], the gentleman from Connecticut [Mr. GIAIMO], the ranking minority member, the gentleman from North Carolina [Mr. JONAS], the gentleman from Ohio [Mr. MINSHALL], and the gentleman from Arizona [Mr. RHODES]. They have all contributed measurably to our deliberations.

Every item in this bill has been thoroughly considered. We have had more than 4 months of hearings comprising three volumes of testmony. Our chairman, the gentleman from Texas [Mr. THOMAS], as usual, has conducted the hearings with the patience of Job and the wisdom of Solomon.

This is one of the most important bills Congress annually considers. Directly or indirectly, it bears an influence on the life of all our citizens.

Time will not permit a discussion of item requests of all agencies concerned. All of our agencies and commissions perform useful work and valued service.

Let us glance briefly at the responsibilities and obligations embraced by a few of the agencies concerned in this bill.

It includes the National Aeronautics and Space Council which advises the President on matters of national policy in an aggressive program of space exploration.

It includes the Office of Emergency Planning, headed by the former Governor of my State, Director Buford Ellington. Director Ellington is concerned with building an overall national emergency plan in the event of an emergency, as well as direction of disaster programs for the Nation.

It includes the Federal Aviation Agency and the Civil Aeronautics Board, which have the responsibility for development of a national policy of air transportation and air safety.

It includes the Federal Trade Commission, which safeguards the interests of millions of small businessmen, as well as housewives, by compelling adherence to reasonable business standards.

It includes the Federal Power Commission, the Interstate Commerce Commission, and the Securities and Exchange Commission.

It includes the General Services Administration, which is concerned with the construction, maintenance, repair, and operation of Federal buildings.

It includes the Housing and Home Finance Agency, the National Science Foundation, and the Veterans' Administration, among others.

In an overall way, the bill as it now stands, provides for a cut or reduction of about a half-billion dollars.

To be specific, the bill calls for expenditure of $444,615,000 less than the recommendation made by the Bureau of the Budget. Our committee has made reductions all along the line and throughout the bill.

I would like to direct your attention to a few of the reductions which are indicative of the care with which your committee has studied the various estimates.

The committee is concerned about the steadily increasing travel expenses in the Government and placed specific limitations on this item of expenditure where such limitations were indicated.

The committee has reduced the budget for the Federal Aviation Agency by $16,166,000 below the budget estimates.

We are recommending that the Civil Aeronautics Board receive $90,500,000 which represents a reduction of $4,300,000 below the request.

The committee has approved $48,800,000 for FAA for new facilities and equipment for fiscal 1966 and $62,500,000 in advance funding for airport construction in 1967.

We are recommending $1,016,195,000 for the Housing and Home Finance Agency which represents an increase of $400,310,000 over the current year. This increase stems primarily from increased funding for the Urban Renewal Administration in 1966 and increased funding for the new urban mass transportation grants.

And yet, the total amount recommended is $57,740,000 less than budget estimates.

We are recommending $5,160 million for the National Aeronautics and Space Administration and that is $100 million less than the request for 1966 and $90 million less than the funding level for fiscal 1965.

We are recommending $16,900,000 for the Federal Communications Commission which is under the able leadership of Chairman William Henry. This is $594,000 less than the budget estimate and $85,000 less than the total for fiscal 1965.

The committee's recommendation for the Federal Power Commission—guided by the capable hand of Joseph G. Swidler—is $13,475,000 for salaries and expenses. That is $664,000 less than the budget estimate and $99,500 under the current year.

The Federal Trade Commission—whose Chairman, Paul Rand Dixon, is a champion of the public interest—would receive $13,475,000 under the bill before us. This Commission is rendering a most important and useful service, and to cut back to the 1965 level is, in my opinion, not fully justified.

The committee recommends the budget estimate of $46,900,000 for the General Accounting Office—the same amount as in the current fiscal year. This will support 4,471 positions, 54 less than in 1965.

The recommendation for the General Services Administration is $550,913,000—or $62,950,000 less than the appropriation for the current fiscal year and a cutback of $76,964,000 in the budget estimates.

This budget includes $90 million to continue the modernization of Federal buildings. This is $10,400,000 above the budget estimate because the committee felt that GSA should make a greater effort to reduce the backlog of needed repairs and improvements.

The bill includes $105,577,000 for the construction or major alteration of 31 public buildings projects and to buy 1 building.

Now, I would like to discuss the recommendation for the Veterans' Administration. It was my privilege to chair the hearings on this agency and I, therefore, feel I can speak with some familiarity of the inner workings and the programs of the agency.

I know there is much concern about the proposed Veterans' Administration hospital closings. Our committee has given full and thorough consideration to the matter. The hearings will document each individual project in which Members are interested.

I personally questioned the Veterans' Administration Administrator, Mr. William J. Driver, and the Chief Medical Director, Dr. J. H. McNinch, regarding every one of the hospitals concerned in the proposed closing—as to location, conditions, number of patients at each hospital, and the reason for the proposed closing.

All of this is documented in the hearings.

As you know, the President has appointed a blue-ribbon Committee headed by James G. Gleason, former Administrator of the Veterans' Administration, to study and consider this matter. This committee is currently engaged in this study.

Also, the House Committee on Veterans' Affairs headed by our distinguished colleague, the gentleman from Texas, Chairman OLIN TEAGUE, is looking into the closings. When these reports are in, we will be in a better position to make a judgment in this matter.

We have the greatest veterans program of any nation in the world. Our committee recommended a total of $5,663,192,000 for all the programs of the Veterans' Administration for fiscal 1966. This is an increase of $22,445,000 over the budget for fiscal 1965.

The bill includes an appropriation of $1,177,417,000 for medical care. We did not cut the medical care program by one dime. In fact, we increased the Veterans' Administration medical program by $22,445,000 over 1965.

For compensations and pensions we recommended an appropriation of $4,142 million.

Other items included in the bill are $36 million for readjustment benefits, $9.9 million for the veterans insurance program and $2,500,000 to start a new program of grants for State nursing homes.

As the report indicates, this bill carries an appropriation of $87,585,000 for construction of new veterans hospitals. This is the sixth increment in a 15-year program of Veterans' Administration hospital modernization and replacement to cost an estimated $1,300 million.

To emphasize the scope of our veterans benefits program let me cite the fact that at the end of fiscal year 1964, there were 81 million veterans and members of their families. This amounts to 43 percent of the total population of the Nation.

The Veterans' Administration has a total of 168 hospitals in its system—including 41 neuropsychiatric hospitals and 16 domiciliaries. It has another 2,643 beds it has obtained on contract.

The maximum Veterans' Administration authorization for beds is 125,000. Last year the Veterans' Administration treated 746,000 patients, according to the testimony of Dr. McNinch, the Veterans' Administration Medical Director.

Veterans' Administration officials testified that next fiscal year—1966—a total of 15,000 more veterans will be provided with hospital services than in the previous year, making a total of 761,000 patients expected to receive treatment in fiscal 1966.

The Veterans' Administration contends it will be able to accommodate this increased patient load because of a more efficient handling of patients. Their reasoning is this:

Congress has authorized 4,000 nursing home beds. They will be filled immediately by 4,000 long-term patients who are occupying medical beds today. They estimate that this would mean, because of short-term patient turnover, that they would treat, on the average, 48,000 more patients in the year the nursing home beds are in full operation.

In addition, Mr. Driver pointed out, another 2,700 beds would be made available for acute care by the support by VA beginning in 1966, of 2,700 beds in private or public nursing home facilities. Mr. Driver said the treatment of the 2,000 patients in the hospitals proposed to be closed "poses no problem within the VA system."

Again, I want to emphasize that we have the greatest and most comprehensive veterans program of any nation in the world. We propose to spend more than $4 billion on pensions, more than $1,100 million on the medical care program, $36 million for readjustment benefits, almost $10 million for the veterans insurance program, as well as more than $87,500,000 for construction of new veterans hospitals, in fiscal 1966.

In the State of New York, where the Veterans' Administration proposes to close three hospitals and a domiciliary, there will remain, if the closures are finally effected, 8 veterans hospitals plus 2 others under construction—a total of 10.

We are recommending $5,600 million for veterans benefits and if there is a need for additional funds, a supplemental appropriation can be authorized.

I urge approval of the pending bill.

Mr. JONAS. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. Pelly].

Mr. PELLY. Mr. Chairman, I have asked for this time in order to try to clarify certain language which appears in the report on this legislation. I would direct my inquiry to my friend the distinguished gentleman from Texas [Mr. Thomas].

As the gentleman knows quite well, I am sure, on page 14 of the report in connection with the independent offices appropriation bill there is a little sentence which provides that the amount recommended in the bill is $14.7 million less than the budget estimate. Then there is this language, which says:

> No part of the reduction shall apply to the Electronics Research Center if and when it is approved.

I am a little confused as to what this means in view of the fact that when the authorization bill for NASA went through the House the other day, on page 117 of the report accompanying that bill there was a statement made that covered the Electronics Research Center which read as follows:

> The request for $10 million for construction of facilities for three laboratory buildings and center supported facilities for this center was denied by the committee. The committee was not convinced that NASA could utilize these funds in addition to the funds authorized in prior years.

What I would like to ask is, Is the language in the report of the Committee on Appropriations intended to vitiate the statement and the position of the authorizing legislation?

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. PELLY. I yield to the chairman.

Mr. THOMAS. To the contrary. We intended to follow the admonition and the judgment of the legislative committee. You notice that we said, if, as, and when it is approved. We were trying to give to the legislative committee ample opportunity for them to decide exactly what they want to do.

Mr. PELLY. I appreciate the explanation of the gentleman. I do not know why the language is in the report, but I think it is clear that there already exists some $3.5 million from fiscal 1964 which is available for acquiring the site for this Electronics Research Center plus another $10 million in fiscal 1965.

Mr. THOMAS. We did not intend to vitiate but intended to complement the legislative committee. Suppose the other body disagrees and then you gentlemen can work out something different in conference. All we intended to say is when the bill is finally completed we did not intend any of this cut to be applied to that.

Mr. PELLY. Of course, the gentleman realizes the authorizing legislation has not been enacted into law and a point of order can easily be made against this. I would certainly want to make one if I felt that the Committee on Appropriations was trying to legislate in an appropriation bill.

Mr. THOMAS. I assure you we were not.

Mr. PELLY. Another question that I would like to ask the distinguished chairman has to do with the provision in the appropriation bill on page 36, still in connection with the NASA appropriation. This refers to the provision that not to exceed 5 percent of any appropriation made available to NASA by this act can be transferred to any other appropriation. The House Committee on Science and Astronautics tightened up this transfer authority and, as shown on page 118 of the report which accompanied their bill, it was provided that the amount that could be transferred would be reduced. The gentleman from Texas [Mr. Teague], authored an amendment so that not exceeding, as I recall it, 3 percent or 2½ percent could be transferred from research and development. I hope that the appropriation committee is not trying to legislate in this bill and thereby to allow 5 percent to be transferred in view of the fact that the legislative committee cut that amount down.

Mr. THOMAS. That is correct. We have used that language from year to year and it has been consistent and in step with what the legislative committee has done heretofore.

Mr. PELLY. I would hope that the committee will revise their language.

Mr. THOMAS. We will.

Mr. PELLY. I thank the gentleman and yield back the balance of my time.

Mr. THOMAS. Mr. Chairman, I yield to the distinguished gentleman from Illinois [Mr. Shipley] such time as he may consume.

Mr. SHIPLEY. Mr. Chairman, I want to commend our distinguished chairman, the gentleman from Texas, Albert Thomas, for again spending many days and nights working on this bill. I know of no one in the entire Congress who is more dedicated than he.

I would also like to commend the subcommittee as a whole for the work they have done and the research they have applied in reporting out this bill.

The total price tag on this bill, as you know, is $14,086,408,000. The biggest share of this, of course, is for the Veterans' Administration, which amounts to $5,663,192,000. The second largest is for our space program, which amounts to $5,160 million. The rest covers some 24 agencies and offices. We have, as your committee, done our best to report out an economical appropriations bill, yet solid enough to take care of everyone involved and the pressing needs of the numerous agencies. It was not the intention of anyone on the subcommittee to hurt or deprive any agency, but many of us felt that they could tighten their belts and spend with a little more inhouse economy.

What we have tried to do is to cut the waste in all areas and we believe we have accomplished this. Because of the number of agencies involved, we are subject to a great deal of inside and outside influence. However, in our best judgment, we bring to you today a bill that is sound, sensible, and economical, all in all it is a good bill.

Mr. JONAS. Mr. Chairman, I yield to the distinguished gentleman from Ohio [Mr. Minshall], a member of the subcommittee, such time as he may consume.

Mr. MINSHALL. Mr. Chairman, as a new member of this subcommittee, I have become enthralled with the massive amount of detail we have to consider in relation to these 26 agencies. We have literally become, in consideration of the requests of these 26 agencies, a jack-of-all-trades and a master of none. I want to pay tribute to my good friend and chairman of the subcommittee, the gentleman from Texas [Mr. Thomas] for the amazing job he has done; also to the ranking minority member, the gentleman from North Carolina [Mr. Jonas], and the other members of the subcommittee.

In considering this bill we spent nearly 4 months, examining witnesses and evidence regarding NASA and the regulatory agencies. We cut nearly $400 million from the original budget requests. And I want to say that we cut out only the fat. Each one of these reductions can be accounted for in the various line items.

Many people have asked when we cut out some of the funds for the FAA—I think the authorization committee cut out some $70 million, though we only cut out some $30 million, and that figure is subject to correction—many people were worried whether we have reduced the budget request to the point where it would affect air safety of this country, in the operation of our commercial airliners and private aircraft. I can say categorically and I am sure that Mr. Halaby, the Administrator of the FAA will agree with me, that this cut will in no way jeopardize the air safety of the commercial, general, or private aircraft of this country.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. MINSHALL. I yield to the gentleman.

Mr. DOLE. I am particularly interested in the gentleman's last comment. I note there will be a cut of around $10.9 million in the operations section, and have particular reference to flight service stations. Back in February 1964 there was an announcement by Mr. Halaby that 42 flight service stations around the country would be closed. Following his announcement there were hearings held by the Transportation and Aeronautical Subcommittee of the Committee on Interstate and Foreign Commerce. Following these hearings the FAA decided to conduct a study which will terminate on July 1, 1965.

On this basis, my question is whether or not there is anything in this bill which would permit closing of any flight service stations anywhere?

Mr. MINSHALL. In answer to the question of my friend, the gentleman from Kansas [Mr. Dole], there is nothing in this bill that will terminate any of the flight service stations.

As the gentleman has so ably stated, this matter is under consideration, and for the information of the membership of the committee I should like to point out that presently we have some 330 flight service stations throughout the country. There had been a plan to reduce these over a period of years to 180. This would be accomplished through relays and microwaves. It would reduce the personnel of flight service stations but in no way jeopardize the safety of any of the air traffic. The matter, however, is still under study.

Mr. CONTE. Mr. Chairman, will the gentleman yield to me?

Mr. MINSHALL. Yes, I yield to the gentleman from Massachusetts.

Mr. CONTE. In view of the statement contained on page 104 in the Budget of the United States Government for the fiscal year ending June 30, 1966, the funds requested for the grants-in-aid for airport program "should henceforth be concentrated mainly at airports which serve a significant volume of commercial traffic," I would like to ask the gentleman from Ohio [Mr. Minshall] whether or not this means that the funds contained in this budget will be used only for such airports, or whether they will be made available to general aviation airports?

Did the subcommittee receive any assurance that funds made available under this program would be made available to small commercial airports such as the one in my district at Pittsfield, Mass., which does not have a significant amount of commercial air traffic, but which does have a great value to the community and to the area?

Mr. MINSHALL. In response to my friend, the gentleman from Massachusetts [Mr. Conte], I would like to say we did discuss this privately several days ago and as a result of that conversation, I took up the matter with the FAA Administrator, Mr. Halaby. I would like to quote to the gentleman from Massachusetts the letter which I received from Mr. Halaby in response to my inquiry:

Federal Aviation Agency,
Washington, D.C., May 7, 1965.

Hon. William E. Minshall,
House of Representatives,
Washington, D.C.

Dear Mr. Minshall: This will confirm our conversation about third-level air carriers operating in western Massachusetts.

The following are scheduled air-taxi operators serving this area and the locations where they are based:

Greylock Airways, Inc. (doing business as Yankee Airlines), Municipal Airport, Pittsfield, Mass.

Statewide Airlines, Inc., Grenier Field, Manchester, N. H.

The airports at which these third-level carriers operate are eligible for Federal aid. Inevitably, airports served only by air-taxi operators will have a lower priority than will airports served by trunk and local airlines. However, to the extent that funds permit and aeronautical needs require, such airports will also be developed with Federal aid. There is no earmarking of the funds requested for fiscal year 1967, as regards the specific airports to be served.

The airports being served by these operators are Fitchburg Municipal Airport, Fitchburg, Mass.; Worcester Municipal Airport, Worcester, Mass.; and Pittsfield Municipal Airport, Pittsfield, Mass.

Sincerely,

N. E. Halaby,
Administrator.

Mr. CONTE. If the gentleman will yield further, I am pleased to hear that because we certainly think a lot of that one little airport. It is a lifeline and is one of the major arteries of Berkshire County. If we did not have that airport one of the quickest means of getting in and out of central Berkshire County would be lost to the residents of this area. Nor do I wish to minimize its value to the many tourists that visit us annually.

Mr. Chairman, I cannot see for the life of me spending $4.3 million for the great white elephant at Dulles International Airport and $3.6 million at the National Airport while denying or reducing funds to municipal airports around the country whose people are largely dependent upon airports to get in and out quickly, but which now may not be able to get even a little help from the Federal Government because of the language I have quoted from the budget.

Mr. MINSHALL. I am glad to have the gentleman's views and, as a member of the committee, if the gentleman from Massachusetts has any further inquiry of the FAA I shall be glad to assist him.

The gentleman from Massachusetts has mentioned the Dulles Airport. A lot of Members have asked me about the situation which exists there and at the Washington National Airport. There is a study underway now. It is a study only. There is no money provided under this bill for it. This study has to do with the feasibility of making Washington National Airport a jet airport. However, as I stated, it is a study and there is no money contained in this bill for any improvement of Washington National Airport.

Mr. CONTE. I thank the gentleman from Ohio and I want to commend the committee under the able leadership of the gentleman from Texas [Mr. Thomas] for bringing out this fine piece of legislation.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. MINSHALL. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, I want to compliment the gentleman from Massachusetts on his position in reference to this particular problem. I know the deep concern he has for Pittsfield and he is absolutely correct. It is an area that demands and justifies commercial use from Pittsfield to many areas in the United States. The gentleman has pointed out the problem of Pittsfield to our committee and through the Federal Aviation Agency as well as the problems in connection with CAB. With the letter that has been read to him by the gentleman from Ohio, he can receive the assurance of that committee that we are concerned about the problem and we intend to do something about it.

Mr. CONTE. I thank the gentleman.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. MINSHALL. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. There is also a program on the part of the Federal Aviation Agency to close down a great number of weather reporting stations in my community, for instance, at Eau Claire and Wausau, Wis. Most of these stations have a weather observation station connected with them. There is no present plan in this bill to delete any of those from the present flight service stations? In other words, it is not going through with the FAA proposition.

Mr. MINSHALL. That is their position. There is a study presently underway.

Mr. O'KONSKI. May I find out if Eau Claire and Wausau are included?

Mr. MINSHALL. I do not believe we have that detail before the committee but I will be glad to get it for the gentleman.

Mr. O'KONSKI. I thank the gentleman.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. MINSHALL. I yield to the gentleman from Kansas.

Mr. DOLE. With reference to the flight service stations, I want to make the record perfectly clear. At least, I want to state my understanding and see if the gentleman agrees. It is my understanding after this study is completed by FAA on or about July 1, the entire matter will go back to the Committee on Interstate and Foreign Commerce and specifically to the subcommittee chaired by the gentleman from West Virginia [Mr. STAGGERS], the Transportation and Aeronautics Subcommittee, for additional hearings, or, at least, the legislative committee will make further recommendations?

Mr. MINSHALL. That is my understanding.

Mr. DOLE. I have one other question with reference to that asked by the gentleman from Massachusetts. It is my understanding that certain allocation language was deleted and the budget message said that aid "should henceforth be concentrated mainly at airports which serve a significant volume of commercial air traffic."

I understand this has been interpreted by the FAA Administrator to mean airports primarily used by the air carriers. Coming from a rural area, we have a number of small airports. May I ask, would this allocation language preclude grants-in-aid to small airports in rural areas?

Mr. MINSHALL. It would not because they are based entirely on need and all levels of airports are eligible for these grants-in-aid programs.

Mr. DOLE. There is the safety factor involved and as the gentleman said before there is nothing in this bill that will in any way impair the safety factors anywhere in this country?

Mr. MINSHALL. I want to point out both the CAB and the FAA are doing everything possible to make our airways as safe as they can be made. That improvement is going along on a day-to-day, year-to-year basis, and that is what we are attempting to do in this bill.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. MINSHALL. I yield to the gentleman from Minnesota.

Mr. NELSEN. I want to comment on the air flight situation which has been mentioned. I might point out that the Flight Service Station at Redwood Falls, Minn., a needed facility in that area, at one time was considered by FAA as one at which services could be curtailed. We feel it is a very necessary facility. I would like also to mention the feeder airlines. As I recall, we had a hearing over in the caucus room of the House Office Building relative to a proposed plan for feeder airlines. But the plan was never adopted and the plan seemed to have merit. It would seem to me our experience would indicate that some of our feeder airlines need a little attention, and I would hope the committee has given that some consideration.

Mr. MINSHALL. We have given it very careful consideration and we will continue to do so.

Mr. NELSEN. I thank the gentleman.

Mr. MINSHALL. Mr. Chairman, I would just like to state in conclusion, I think the committee has written a very excellent report. I certainly hope the Members will go along with this bill.

The CHAIRMAN. The gentleman from Ohio has consumed 13 minutes.

Mr. THOMAS. Mr. Chairman, I yield to the very able and distinguished gentleman from West Virginia [Mr. STAGGERS] 1 minute.

Mr. STAGGERS. Mr. Chairman, I would like to take this opportunity to congratulate the chairman of the Appropriations Subcommittee, Mr. ALBERT THOMAS, one of the most able, distinguished, and beloved Members of the Congress, and also all the members of the subcommittee, for the work they have done on this bill.

Mr. Chairman, on the whole this is a good bill. I especially want to compliment the distinguished chairman of the subcommittee and the members of the committee for the interest they have shown in the local transport airlines and the treatment that they are given in this bill. This part of the bill alone affects a number of cities in my district as well as some of the local airlines that serve my district, and I am sure in the same way it affects the congressional districts of most of the Representatives here in the House of Representatives.

These local airlines are so important to the continued development of air transportation in America, and in conjunction with the statement, I will ask permission later to have inserted at this point a letter from the Association of Local Transport Airlines expressing their views on this present legislation.

The letter is as follows:

ASSOCIATION OF LOCAL
TRANSPORT AIRLINES,
Washington, D.C., May 11, 1965.

HON. HARLEY O. STAGGERS,
Chairman, Subcommittee on Transportation and Aeronautics, Committee on Interstate and Foreign Commerce, Washington, D.C.

DEAR CHAIRMAN STAGGERS: On behalf of Mr. Lloyd W. Hartman, chairman of ALTA, the remaining 20 presidents of the member carriers, and myself personally, I am writing to extend our heartiest congratulations on the present status of the independent offices appropriations bill with accompanying report concerning public service payments for this short haul transport industry.

Chairman ALBERT THOMAS, of the House Appropriations Subcommittee for Independent Offices, has issued a report which is most favorable to the continued growth and development of this industry and this is particularly true with regard to the specific wording which, while explaining the appropriation of slightly less than requested by the Civil Aeronautics Board, indicated that "whatever the final figures are they will be paid."

It is recognized that this industry is most fortunate in having enjoyed for all the years of its existence the sincere interest and support of not only the House Subcommittee on Transportation and Aeronautics, the House Appropriations Subcommittee on Independent Offices, but the full membership of the House Interstate and Foreign Commerce Committee.

The industry is not only appreciative of this support, but is endeavoring in every feasible manner to conduct its operations in such a manner that the public interest will be best served at the least future expense to the Federal Government in the matter of public service payments. We have just recently issued a report No. 4 entitled "Public Benefits Provided by the Local Service Industry," and in this report we are proud to note the continued decline of public service payments as a percent of commercial revenue and that the expense per seat-mile as indicative of control of expense has declined rapidly since 1960.

Thus, the present excellent support of the House of Representatives through its various subcommittees is proving the correctness of the original Civil Aeronautics Board action in certificating these carriers and the public interest benefits are truly justifying your past and present support.

Sincerely yours,
JOSEPH P. ADAMS.

Mr. THOMAS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Mr. Chairman, I take this opportunity to congratulate our illustrious, most distinguished and beloved chairman, the gentleman from Texas [Mr. THOMAS] and the members of his subcommittee for a job well done. This is a job that gets tougher every year.

I do want to ask the distinguished chairman a question concerning the San Antonio Veterans' Hospital and its status under this bill.

Mr. THOMAS. Mr. Chairman, may I say that the committee is delighted that the distinguished gentleman has asked this question. We received a telephone call from the Governor of Texas, Governor Connally, a couple of days ago. The Governor gave us some advice that we needed and which we had not had previously. The Governor stated that the Legislature of Texas had heretofore appropriated money to build a State medical college in San Antonio. He stated that the construction would go forward within 6 months and that it would take about a year or a year and one-half to build the building and necessary equipment and appurtenances. Where we made our error was that we thought there was a question between San Antonio and Lubbock, Tex., for a medical school. The Governor said they were considering building a fourth medical college in Texas and that the city that was interested in that was the city of Lubbock. With that in mind, we will notify the Veterans' Administration that we want them to proceed with the building of the hospital in San Antonio.

Mr. GONZALEZ. I thank my distinguished colleague very much.

Mr. JONAS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. WYDLER].

Mr. WYDLER. Mr. Chairman, if I may have the attention of the chairman of the subcommittee, the gentleman from Texas, I have taken this time to address a question to the chairman of the subcommittee.

First, I should like to authenticate a story which appeared in the Boston Traveler of Wednesday, May 5, 1965. The story is entitled "Move Threatened Unless Resolved 'Pronto' " and further entitled "Squabble Perils NASA Site."

The dateline is Washington, and it says:

> A powerful voice in Congress has threatened to put the $61 million space electronics research center "someplace else" unless a squabble over a site in Cambridge, Mass., is resolved "pronto."

You, Mr. Chairman, are the "powerful" voice.

You are also from Texas, and you have me at a disadvantage, because I believe the word "pronto" is sort of a Texas expression. I wonder if the gentleman can enlighten me as to what is meant by the word "pronto."

Mr. THOMAS. May I say to my genial friend from New York, he is always 3 jumps ahead of the gentleman from Texas.

During the hearings there were two distinguished groups before the committee from Boston, one pro and one con on the question of the site. We were informed by those distinguished groups that the Laboratory was badly needed. The Federal Government spends in the neighborhood of $8 billion a year on electronics. We were trying to get them together, to get them to "bury the hatchet" and decide on something. I used that word "pronto." In Texas it means in a hurry.

Mr. WYDLER. Could the gentleman enlighten me as to the time period referred to? One month? One year? Two years? What is the time period?

Mr. THOMAS. A reasonable time. They were talking about having lawsuits which could last 3 or 4 years. I believe 3 or 4 years would be unreasonable.

Mr. WYDLER. Does the gentleman know that I have received from this group of businessmen in Cambridge, Mass., a letter stating their absolute intention of pursuing a lawsuit to the ultimate end—to the U.S. Supreme Court, if necessary?

Mr. THOMAS. No; I did not know the gentleman had received it. If the gentleman says he has received it, his word is 100-percent gold with me. If he has received it he has received it.

The letter referred to follows:

COMMITTEE FOR THE PRESERVATION
OF CAMBRIDGE INDUSTRY,
Cambridge, Mass., April 12, 1965.

Hon. JOHN W. WYDLER,
House Science and Astronautics Committee,
House of Representatives,
Washington, D.C.

SIR: The purpose of this letter is to respond to your inquiry regarding anticipated legal actions to be taken by the Committee for the Preservation of Cambridge Indusrty, representing the 94 companies involved in the Kendall Square NASA controversy.

Thus far, the only significant point resolved in legal proceedings brought by the companies involved against the Cambridge City Council is the statement by the Massachusetts Supreme Judicial Court that these proceedings had been brought prematurely, before any urban renewal plan had been formulated or adopted. In other words, it was in no sense a decision on the merits as to whether or not the Kendall Square area qualified as "decadent" within the meaning of the urban renewal statute. Specific reference was made in the decision to the remedy specified in paragraph 26P of chapter 121 which provides for the filing, within 30 days after publication of notice of a determination that an area is "decadent," of a petition in the supreme judiciary court or superior court sitting in Suffolk County for a writ of certiorari against an authority to correct errors of law in such determination. It is further provided that the above shall be the "exclusive remedy for such purpose."

It is contemplated that if and when the Cambridge Redevelopment Authority determines that the Kendall Square area is "decadent," proceedings will be promptly instituted in Suffolk superior court in accordance with the statute. It is not possible at this time to cite all the questions of law which might be raised, but certainly the issue of whether the Kendall Square area could qualify as "decadent" under the statute, and the issue of whether the taking was indeed for a public purpose, would be raised. If, after hearings, the petition was denied, an appeal would be taken to the Massachusetts Supreme Judicial Court and, if necessary, to the Supreme Court of the United States.

We are fully cognizant of the long period of time that will be consumed by these legal steps, and we stand ready to pursue these matters to the fullest extent, taking whatever time is necessary in the process.

Further, the Committee for the Preservation of Cambridge Industry, representing the 94 companies involved, has a very substantial fund specifically set aside for these legal and other proceedings so that we are more than adequately financed to pursue these steps to the ultimate.

In addition, we will, at the local level, utilize every legal avenue open to us to prevent the NASA site being located at Kendall Square.

I trust that this will provide you with the information you have requested.

Respectfully,
JOHN J. BRENNAN, Jr.,
Chairman.

Mr. WYDLER. Mr. Chairman, I should like to refer to the matter taken up by the gentleman from Washington [Mr. PELLY] and ask a question regarding the language in the report to the effect that no part of the reduction in the funds shall apply to the Electronics Research Center if and when it is approved. I am sure the gentleman is aware that the House authorizing committee gave no funds at all for the construction of the Electronics Research Center in this year's budget. Is the gentleman aware of that fact?

Mr. THOMAS. Yes.

Mr. WYDLER. Under those circumstances, is not this language completely superfluous?

Mr. THOMAS. No, because there is an equal and coordinate body which sits on the other side of the Capitol. They may completely disagree with us on this side of the Capitol. They quite often do. We merely put that in as a safety valve. We will follow the recommendation of our legislative committee. Whenever the legislative committee makes up its mind and comes to a definite conclusion, we will certainly abide by it.

Mr. WYDLER. Is it not fairly obvious that the House has already made up its mind? The House voted overwhelmingly that there would be no funds for the construction of the Electronics Research Center in Boston this year.

Mr. THOMAS. Has there been a conference with the other body yet?

Mr. WYDLER. No, but I do not believe the committee intends to protect the prerogatives of the other body against the interests of this body.

Mr. THOMAS. What we were trying to say, if the gentleman will read the language, is that when the legislative committee comes to a final conclusion—it will not be final until there is a conference and the conference report is adopted by both bodies—we will abide by it.

Mr. WYDLER. Is the chairman telling me that he knows the other body intends to restore the funds?

Mr. THOMAS. Far from it. I have no idea what they will do.

Mr. WYDLER. I thank the chairman.

Mr. JONAS. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. KEITH], who has a question he would like to direct to the chairman of the subcommittee.

Mr. KEITH. Mr. Chairman, I really did not intend to ask you a question, but I had hoped to express an opinion which might have some standing later on.

You make some reference in your report to the need for more Indians in the Securities and Exchange Commission and you note that they have quite a few chiefs over there now. I can understand your estimate of that stituation. If they had had more Indians to work with the chiefs, they might have been able to present a better case. However, what I would like to do is invite the attention of the House to the fact that in 1964, under the Securities and Exchange Act amendments we gave the Commission new responsibilities. We particularly asked that they regulate over-the-counter securities in the same manner as they now regulate listed securities. This is a most important assignment and one which they must do efficiently if we are to protect the public which deals in the over-the-counter securities market.

Further, we gave them the responsibility for policing the qualifications, standards, and disciplinary controls with respect to the securities industry personnel. I believe that, as the SEC develops this entire problem, they are going to find the need for some more Indians and perhaps one or two more chiefs to accomplish this job, which is very much in the public interest. I would hope that, upon closer examination and upon the presentation of a better case by the chiefs of the SEC, that the Congress will help to fund this increased responsibility which we assigned them just a year ago.

Mr. THOMAS. Mr. Chairman, will the gentleman yield briefly?

Mr. KEITH. Certainly.

Mr. THOMAS. We cannot quibble with our able and distinguished friend from Massachusetts. We agree with practically everything he says. But may I point out to our genial friend that in the last 9 years, as a matter of fact, this is one of the agencies we have urged to go forward. You are right. They do have a tremendous responsibility and have acquitted themselves well. Do you know how much of an increase we let them have in the last 9 years? One hundred percent. I do not know of any other agency in the Government that has doubled itself, 100 percent, in the last 9 years. We will not quibble. We will give our friend our word on that.

Mr. JONAS. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. KUNKEL].

Mr. KUNKEL. Mr. Chairman, I would like to ask a question of the chairman of the subcommittee.

Mr. Chairman, as I read the report, most all of these public buildings were cut approximately 10 percent. Is that correct?

Mr. THOMAS. If the gentleman will yield, that is correct, Mr. KUNKEL.

Mr. KUNKEL. What I would like to know is this: Is the opinion of the committee that the General Services Administration would have authority which would enable them to award a contract even though their original estimate appears to be the minimum amount required to award a contract? In other words, taking into account the 10 percent override which they have by law.

Mr. THOMAS. May I say to our distinguished friend from Pennsylvania, he has asked a fair and sensible question, of course, and he has more than his share of that good, common horsesense, anyway.

These are in-house estimates. They are not contract estimates. They figure those estimates over there and when you put them out to bid we have seen different things happen. Under Mr. Floete, for instance, in Mr. Eisenhower's administration, we cut these estimates 15 percent, and I have seen the time when Mr. Floete got out his pencil and sharpened it and made the contractors sharpen their pencils and, out of $150 million, he would save another $5 or $6 million. He would use some of these savings and pick up these lease-purchase contracts. We have no inclination to slow down or hamper the building program. If you will notice in the general provisions there they have a leeway or transferability of 10 percent for each one of these buildings. So there is ample flexibility to construct these buildings.

Mr. KUNKEL. They can go ahead and award the contracts under the override, is that correct?

Mr. THOMAS. We hope not. We hope they will live within the money; we hope they can live within the money. But if they cannot, they can come back to the committee and we can talk it out with them. I will say to the gentleman that he will get the building; he does not have to worry about it. We have no disposition to close them down on that.

Mr. KUNKEL. Of course, the gentleman knows what I am particularly interested in; that is the building in Harrisburg, the Federal office building and courthouse. I would not like to see that delayed an additional year. Of course, if the GSA is not permitted to award the contract it would be delayed a year.

Mr. THOMAS. As I remember, the very able gentleman from Pennsylvania was good enough and courteous enough to come before the committee and make a very strong statement advocating what he is interested in. We will get the building built for him; he need not worry about it.

Mr. KUNKEL. That takes a lot off my mind. I thank the gentleman, Mr. Chairman.

Mr. JONAS. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas [Mr. DOLE].

Mr. DOLE. Mr. Chairman, I take this time to ask the chairman of the subcommittee if he can give me the reason for the words beginning on page 39, line 18—"and recognition of war veterans;"—can the chairman explain what that means and what that authorizes?

Mr. THOMAS. President Kennedy authorized, under his prerogative as President of the United States the issuance of memorial certificates to families of deceased veterans. They cost about 33 cents per copy.

Mr. DOLE. I thank the gentleman; Is this language subject to a point of order?

Mr. JONAS. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, this, in my opinion, is just a fair to middling bill. I cannot go along with those who say that the committee has done the best job of which it was capable, but I think it is better than the average, perhaps. You do have $159 million more in this bill for the same general purposes than was spent last year, and while some $90 million of it will go for urban renewal, to put that program on an annual financial basis, no matter how you look at it, it is still $159 million more than was spent last year. So I say that it just a fair to middling bill.

I would like to see some appropriations subcommittee come in here with a bill below that of the previous year and make the cuts stand up and not be taken care of later in a deficiency or a supplemental bill.

I have several questions to ask the genial gentleman from Texas. First, with reference to page 3 of the report, I wonder if he can tell me why there is a National Aeronautics and Space Council and an Office of Science and Technology in the White House.

Mr. THOMAS. Because the Congress passed the law.

Mr. GROSS. Can the gentleman justify this kind of a setup?

Mr. THOMAS. Who am I to criticize the Congress? I am here begging the Congress to pass a bill. I cannot criticize them. I cannot criticize the Congress.

Mr. GROSS. Here we are with two setups in the White House that must be dealing with the same general subject matter.

Mr. THOMAS. The gentleman is right. This deals with the same subject matter.

Mr. GROSS. And, of course, it does give someone and I do not have to guess who, the ability to appoint two directors at nice fat salaries and a staff of so-called "backstoppers."

While the gentleman from Texas is on his feet let me call his attention to the language contained in the report on page 3 under the "Office of Science and Technology." It says:

> This is $92,000 less than the budget estimate and will provide for a staff of 38 positions.

It also says:

> Some 300 expert consultants in the fields of science and engineering are also called upon as needed to provide judgments and evaluations as required.

Under the terms of that sort of thing, the Committee's work in holding down employment is nullified by turning around and giving them the money to go out and hire $100-a-day consultants. And 300 of them if they want them.

Mr. THOMAS. If the gentleman will yield further, may I say to my very genial friend——

Mr. GROSS. Of course.

Mr. THOMAS. This is the President's committee. Regardless of which party he belongs to or whatever his name happens to be, this was set up by the Congress as his blue-ribbon Committee that advises him, and what they do is this: They go out and get these college professors and college presidents and top people in industry and they appoint panels of various kinds. If a question of electronics is involved, a panel is appointed on electronics, and they come down here and meet and discuss the matter. Really they are the ones who call the signals in the scientific programs, in the last analysis, as the gentleman from Iowa knows.

Mr. GROSS. The point I am trying to make is, you say you have held down direct employment, and you have. This is your statement, I accept it, and I applaud you for holding down employment. But you turn around and give them the money to go out and hire 300 consultants, at $100 a day.

That is no saving to the taxpayers.

Now, with respect to the civil service system, while the gentleman is on his feet, is there any money in this bill to take care of the shocking debt that is being piled up with respect to the retirement system, the Federal employees' retirement system?

Mr. THOMAS. I am glad my able friend from Iowa has brought up that question. We have been talking about it on the floor, and I thank him very much. He has held the hand of the subcommittee on that.

The answer to the gentleman's question is "No." The debt is increasing at the rate of about $1.3 billion a year. It is defunct to the extent of about $40 billion. If one goes back to the old law of bankruptcy, when is a man bankrupt? He is bankrupt when he owes more than he can pay. We have a debt of $40 billion hanging over our heads.

Mr. GROSS. I thank the gentleman for that response—for that statement. As I understand it, not a dime of this $40 billion is charged into the national debt. Therefore, we could with all justification say that instead of a national debt of $320 billion, we have a national debt of approximately $360 billion as of today, this hour?

Mr. THOMAS. This certainly is a part of the national debt and the gentleman is right about it. The gentleman is just as right as rain.

Mr. GROSS. Someone raised a few questions a while ago about the Washington National Airport and the Dulles International Airport. What is Dulles losing a year?

Mr. THOMAS. They are behind their schedule, as well as I remember, about $10 million.

Mr. GROSS. They are losers to the extent of $10 million a year?

Mr. THOMAS. The loss in 1966 is estimated at $7,751,000.

Mr. GROSS. Well, that represents a bigger white elephant than I thought.

Mr. THOMAS. Let me point out to the gentleman this. We requested, as a matter of fact we put it in our report, that we wanted them to amortize every penny of expenditure including interest over a period of 20 to 25 years. This includes the cost of the buildings and everything else. They say they will make it up, but as of today they are behind.

Mr. GROSS. Let me ask the gentleman this question: Is there a deliberate freezeout of pure jets of medium size at National Airport in order to keep some traffic going into Dulles?

Mr. THOMAS. My understanding is they have a study going on with reference to these jets, but there is no money in here for that. However, as I said, they have a study going on. As far as I am concerned, I hope they put some short lines in there.

Mr. GROSS. It is an injustice to the traveling public if it is true that medium jets are being frozen out of National in order to force a certain amount of traffic to Dulles.

Mr. THOMAS. That is not my understanding.

Mr. GROSS. Then why are jets not flying into nearby National Airport?

Mr. THOMAS. The hazard out there is tremendous already. They are afraid it will increase the hazard. They will tell you that sometime when they have a failure of equipment and a failure of manpower at the same time, it is going to be terrible.

Mr. GROSS. This can happen with the present planes they are flying into National. My understanding is that the medium jets would replace the present piston jobs. The leading airlines want to replace them but they cannot land at National Airport.

Mr. THOMAS. Safety is the only factor.

Mr. GROSS. It is unfair to the short haul traffic to have to go to Dulles, in view of the added cost of getting into Washington, D.C., from the Dulles Airport.

Mr. MINSHALL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Ohio.

Mr. MINSHALL. I have been talking to Mr. Halaby about this improvement of National Airport. Of course, as the chairman of the subcommittee has said, this is presently under study. There is no money in this bill. They have a proposed plan to complete the revamping and to lengthen the runways, put in proper runways and move the Administration Building back. But that is a very expensive operation, to the tune of some $60 million. In respect to your inquiry, limiting the jets going into Washington involves two factors. One is the noise factor. The other one is the aircraft itself. They have different speeds that create a danger hazard. Until this can be resolved, until the airlines get all jet-propelled craft, we will not be able to put jets into the Washington National Airport, at least in the near future, but I think eventually they will be.

Mr. GROSS. I thank the gentleman. Does the gentleman agree with me that this is a sad and sorry situation that exists with respect to these airports?

Mr. MINSHALL. Yes, it is an unfortunate situation. Nonetheless you have these limitations at the Washington National first because of the noise factor. You will get complaints from the residents around that part of the country as you increase the number of jets going in there. You have the runway length to be considered. You will have additional runways that will be required to take care of these jets.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Ohio.

Mr. HAYS. I was not here during all of this debate but I would like to point out to the gentleman there is not an airport in the United States, except National, that does not mix jets and propeller planes. I landed at the Pittsburgh airport in a private plane not long ago with a jet ahead of me and a jet behind me. The reason they do not have jets down here is that they are trying to force them to go to Dulles so they can bail that white elephant out.

Mr. GROSS. I thank the gentleman. That is the contention I was trying to make and I am convinced there has been a freeze-out of jets at National.

Mr. MINSHALL. I think at the present time they have jets landing at National Airport.

Mr. GROSS. They are propeller jets.

Mr. MINSHALL. We have several kinds of jets that presently land in Washington, the business type jets, the saber type jets, the French type jets, and various others. But the noise factor and the speed factor of some of these jets is much different than some of the commercial airlines.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. JONAS. I would ask the gentleman to go back to the colloquy with the chairman of the subcommittee with respect to the deficiency in the civil service retirement fund. It is my understanding that legislation dealing with this subject has been pending before the gentleman's committee for some time. Maybe the gentleman from Iowa can tell us on the Appropriations Committee what the prospect is of some legislation being reported out of that committee that would start correcting this situation.

Mr. GROSS. I wish I could give the gentleman some reason to hope that the Post Office and Civil Service Committee, of which I am a member, will take some action to correct that situation, but I happen to be in the minority of the minority on the committee and far be it from me to make a prognostication of what the committee will do.

Mr. JONAS. We have been reporting this matter to the House in reports and in debates on the independent offices bill for several years, but the situation continues to worsen.

Mr. GROSS. That is exactly correct. I am sorry the legislative committee does not take some action to at least collect and apply to this fund the interest that ought to be paid by the Government on the huge amount of money it owes.

With respect to the Housing and Home Finance Agency, I would like to ask my friend, the gentleman from Texas, what has developed at Wink, Tex., in that wonderful urban renewal project there. That was the project, you know, where one, Lyndon B. Johnson, wrote a letter to Mr. Weaver and on the basis of the letter that project was given top priority ahead of, I guess, every other project in the country. How is that wonderful project coming along at Wink?

Mr. THOMAS. May I say to my friend, I believe that that was approved under President Kennedy. I did not know President Johnson had anything to do with it.

Mr. GROSS. Well, he wrote the letter to Mr. Weaver. At least your hearings indicate that to be the fact.

Mr. THOMAS. I accept anything that the gentleman says, and if he says it is true, it is true. But the present Commissioner admitted that that was one of his first projects. It may have been initiated at a prior time. Well, it cost $1.1 million. It is a ghost town or was a ghost town and I think he was really scraping the bottom of the meal barrel when he started it. I got a very salty letter from the president of the Chamber of Commerce of Wink saying that I was crazy and that the subcommittee was almost as crazy as I was, and that it was a good project—and so on and so on. He only took 2½ pages, single spaced to say how crazy we were. So they think it is all right, but the best that we can find out is that it will take many, many years to ever pay out the cost of over $1 million.

Mr. GROSS. In other words, it is a losing proposition?

Mr. THOMAS. The gentleman is correct.

Mr. GROSS. Now has the controversy between Mr. Webb and the Governor of Alabama resulted in any action in closing the NASA facility in Alabama?

Mr. THOMAS. None whatsoever.

Mr. GROSS. That controversy is all over with; is that correct?

Mr. THOMAS. I do not think it ever started.

Mr. GROSS. Yes; it did start, I will say to the gentleman. I would like to know if the gentleman can tell me what the space program has cost so far?

Mr. THOMAS. About $16 billion. Of course, that is an off-the-cuff figure.

Mr. GROSS. I am afraid you are about 50 percent low on that. I am talking about the space program in its entirety.

Mr. THOMAS. Yes; that is right—excluding this one, I think the appropriations for NASA are about $17 billion to date.

Mr. GROSS. I think you will find it nearer to $30 million on a Governmentwide basis.

Mr. THOMAS. No, no.

Mr. GROSS. Will you supply that information later?

Mr. THOMAS. We will put it in the RECORD at this point, but I do not think it is anything approaching that figure that the gentleman mentioned.

(NOTE.—Appropriations since the creation of the National Aeronautics and Space Administration to date total $17,521,226,300. The bill this year includes an additional $5,160 million.)

Mr. GROSS. I shall appreciate it if the gentleman will do so.

Can the gentleman break out the cost of the "moondoggle"?

Mr. THOMAS. The what?

Mr. GROSS. The "moondoggle," the proposed man on the moon deal.

Mr. THOMAS. The gentleman refers to the Gemini project?

Mr. GROSS. The Apollo. What will that cost?

Mr. THOMAS. For the entire Apollo program I believe they have put on a price tag of almost $17.5 to $18 billion.

Mr. GROSS. Would the gentleman have any idea how much has been spent on this particular program up to this time?

Mr. THOMAS. The cost through 1965 will be $6.6 billion.

Mr. GROSS. The authorization bill the other day provided close to $3 billion more for the moon project.

Let me ask the gentleman about the White House fellows. What is this fund for White House fellows all about?

Mr. THOMAS. That is a special program of taking these extra bright boys and training them for future executive positions. I wish they had had it when I started out.

Mr. GROSS. I could suggest that perhaps they ought to be sent over to the other body for their training. That seems to get them in the big money and influence faster, a la Bobby Baker.

What will this so-called training program cost?

Mr. JONAS. Mr. Chairman, will the gentleman yield to me? I have the figures on that.

Mr. THOMAS. The figure I have is $64,000 for this year for selecting the fellows. They expect some 3,000 to apply.

Mr. GROSS. Does that include everything?

Mr. THOMAS. That is the administrative cost. That is enough, is it not?

Mr. GROSS. Yes, you can bet your life it is enough. I merely wish to be sure we had it all in there.

Mr. THOMAS. It does not include the salaries of the fellows.

Mr. JONAS. There are 15 of these fellows; 4 at the White House, 1 with the Vice President, and 1 with each of 10 Cabinet members.

Mr. GROSS. One for each of 10 Cabinet members?

Mr. JONAS. Yes. Fifteen in all.

Mr. THOMAS. Fifteen all together.

Mr. GROSS. Now I wonder whether the Government needs those three new Assistant Secretaries the House approved yesterday, in the light of all the brilliance which is going to descend upon the White House and the Cabinet.

Mr. THOMAS. Mr. Chairman, I yield 3 minutes to the very genial gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Chairman, I take this occasion to remind the House that although we are about to appropriate $16.9 million for the Federal Communications Commission, to regulate the television and radio industry, this industry does not pay even license fees for the cost of regulation. I believe it is high time that the Congress of the United States required this very lucrative industry to pay at least the cost required to regulate it.

These people apply for licenses and are granted licenses which in many instances give them a virtual monopoly. We give them the people's airways free of charge. Then what do they do? They proceed to sell them.

We give them a free license, and they sell the airwaves at a tremendous profit. We do not regulate even the frequency of commercials or the length of commercials. They are on their own, and they make a tremendous profit.

In most municipalities and States, if a person wishes to be a barber he has to pay a license fee at least for the cost of regulation. If a person wishes to sell liquor he must pay a license fee.

In this case not only do we give him a very valuable property, but we do it virtually for nothing.

Now, if you want to talk about giveaways, this is a shameful giveaway of very, very valuable resources. If I can revert to the language of Madison Avenue, it is a jumbo, super colossal, extra special giveaway. It think it is high time that the television and radio industry paid at least the costs to cover their own regulation.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman.

Mr. EVINS of Tennessee. The Federal Communications Commission over the years has been setting a system of charging fees. It is my information that the fees paid this year to the Commission for services rendered are something like $4 million or $3.6 million. These fees are increasing for the services which the Commission renders particularly to the radio industry.

Mr. JOELSON. I am aware of the fact, but it was done only recently and after much agitation. I remember speaking to Mr. Newton Minow about it. He was the Commissioner at the time these fees went into existence. But they are almost a joke they are so small. You say they are paying about $4 million, but we are now appropriating $16.9 million. It does not even cover the cost of regulation.

Mr. EVINS of Tennessee. Mr. Chairman, I yield such time as he may consume to the gentleman from Connecticut [Mr. GIAIMO], a member of the committee.

Mr. GIAIMO. Mr. Chairman, at this time I will not comment at length on this bill, because it has been rather thoroughly covered in general and also in great detail by many Members of this body.

This is my first year on this subcommittee and I would like to commend my colleagues on both sides of the aisle for the effort, diligence and hard work which went into this extremely important appropriation bill. As for my chairman, the gentleman from Texas [Mr. THOMAS], I find it difficult to find the adequate words properly to describe this gentleman. In my opinion, Mr. THOMAS is one of the alltime great Members of the House of Representatives and one of the truly great Americans. He has served his country superbly for many years. He is extremely able, experienced, and diligent and at all times a gentleman. In addition, he is a great pleasure to work with. I am delighted to have had this opportunity to work with him and the other colleague of mine on the subcommittee and I strongly urge the adoption of this legislation.

As I say, there are many items covered in here which have been commented upon and explained at length, so I will not do so at this time. However, I will comment on the item which is very much in dispute, about which many of us have received so many letters; namely, the possible closing down of some veterans' hospitals.

I can assure my colleagues in this body that in the event the President's special panel appointed to look into this matter and review it, and in the event the group designated by the legislative committee to look into this matter and review it, recommend that these hospitals not be closed down but be kept open, I am certain that the funds will be found to staff and run these hospitals. I am completely sure, even though there may not be funds in this bill at the present time for some of these hospitals, that we are going about this matter in the right way. Everyone is taking a new look and a second look at this and studying it again to make certain that we are doing the absolute best for the veterans of the United States and that once a determination and a decision is made on it the money will be found.

I would like to comment on one change which has been made and which is in this legislation and which I think is a good change and one which has been a long time coming. I am talking about the elimination of the 20-percent limitation on the cost of research grants. This has been discussed by many people over many years. When we make research grants, the various universities and colleges have to pay for the indirect overhead costs because they have been limited presently by a 20-percent limitation when actually the cost of these indirect costs exceeded in a good many instances and in most instances 20 percent.

This has been recommended by the executive branch. It has been recommended by the Bureau of the Budget and several Presidents. It has been recommended by quite a few Members of the Congress who have fought long and hard for this.

I would like to point out that my colleague, the gentleman from Connecticut, Congressman Daddario, is a subcommittee chairman on the Space Committee and has studied the problems of research for a long time. He testified before us. He has done diligent work in seeking the elimination of this 20-percent limitation on the indirect cost of research grants.

I would like to commend the subcommittee for accepting this proposal made by so many people to eliminate the 20-percent limitation and making it workable so that we can arrive at a fair and just and equal percentage which shall be applied to the indirect cost of research grants which, I might stress, run into many, many millions of dollars. In effect, what this will do will be to release a great deal of money which our colleges and universities of America are paying at the present time for these indirect costs; it will release that money which they can use otherwise in the liberal arts and humanities.

I think it is a very healthy thing and certainly should be adopted. The people who have worked for this should be commended.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I am delighted to yield to the gentleman.

Mr. HALL. Before the gentleman was available we had considerable discussion about research grants. I certainly concur in his last statement; namely, that we must watch it carefully. These funds can be used otherwise. But would the gentleman agree with me—and I have a second question I shall ask later—that there has been no lack of applicants—universities and technical laboratories and research centers—for these Government grants and contracts under any system?

Mr. GIAIMO. As far as I know of my own knowledge I believe that is so.

Mr. HALL. I thank the gentleman.

The second question I want to ask is about an operation that is going to test the crust of the earth's surface. I believe it is known as Operation Mohole. There has been much written about this. I ask this question not in any facetious vein whatsoever, but there is going to be a digging, deep and wide into the earth's surface, I believe at a point northwest of Maui in the Hawaiian Islands, to test the crust of the earth's surface and study the geological evolution, if not the archeology of the earth's surface. Can the gentleman tell us if there are funds in here for that and if the initial estimated cost of $27 million has been upped in this bill?

Mr. GIAIMO. There are funds in this budget for that function.

Mr. THOMAS. The amount was $25 million last year and $11 million is for this year.

Mr. HALL. Could the gentleman advise us about the total estimated cost of this project, whether or not it has been increased and who is doing that work?

Mr. GIAIMO. I should like to defer to the chairman for an answer to that question.

Mr. THOMAS. They came up with an estimate of anywhere from $50 to $75 million, and as far as the committee is advised, that figure is firm. Of course, there is quite a latitude between $50 and $75 million. I believe the best we have been able to get is that it will cost in the neighborhood of around $60 to $65 million. The National Academy of Sciences were very, very ambitious for this project. The topflight scientists throughout the United States think they will get invaluable information from this deep hole. I am not a scientist, I will say to my distinguished friend, but I hope that they are right.

Mr. HALL. Can the gentleman tell us about what firm the National Academy of Sciences has contracted with to do this work and whether or not they have scratched the crust yet?

Mr. THOMAS. No, sir; they have not; that is my understanding. They are waiting on a ship that will be completed in about 6 to 8 months. My understanding is that they will be ready to start drilling then. In other words, it is a stationary ship. It is quite a precision instrument. If they go that deep in the ground—they will be drilling under 10,000 or 11,000 feet of water—it has got to be a precision instrument.

Mr. HALL. The location is correct, then?

Mr. THOMAS. Yes.

Mr. HALL. It is off Maui in Hawaii?

Mr. THOMAS. That is my understanding; yes.

Mr. HALL. Beneath the ocean where they intend, after getting their Texas oil rig for Hawaii established at the proper place which I can understand would be a great investment and take much preparation, to penetrate the earth's surface?

Mr. THOMAS. Yes. They intend to go way down. I forget the archeological term, but they intend to go 15,000 or 20,000 feet into the ocean floor. They hope to go through the crust of the earth to the mantle. They know approximately the thickness of the earth's crust where they will drill and it is my understanding they intend to go all the way down to perhaps 35,000 feet below sea level.

Mr. HALL. Has a contract been granted by the National Science Academy?

Mr. THOMAS. They are going to do it as an in-house job. They have a contractor but they are superintending it. The contractor works for a fee. It is not a contract job in the sense that he works for a flat fee.

Mr. HALL. This comes back to the original question of the gentleman from Connecticut [Mr. Giaimo]. Is it a cost-plus or is it a fixed-fee or is it to be done on a bid basis?

Mr. THOMAS. I understand it is a fee job. If they do it economically and save money, the fee will be increased, but if it goes above the figures on which they have agreed, the fee will be reduced. So, it is an incentive contract. It is not wide open.

Mr. HALL. And it is being done by Brown & Root of Houston?

Mr. THOMAS. That is my understanding.

Mr. GIAIMO. Mr. Chairman, in conclusion, I urge the adoption of this legislation.

Mr. THOMAS. Mr. Chairman, it is my understanding that there are no further requests for time on either side of the aisle. I ask that the Clerk read the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

GENERAL PROVISIONS—CIVIL DEFENSE

Appropriations contained in this Act for carrying out civil defense activities shall not be available in excess of the limitations on appropriations contained in section 408 of the Federal Civil Defense Act, as amended (50 U.S.C. App. 2260).

No part of any appropriation in this Act shall be available for the construction of warehouses or for the lease of warehouse space in any building which is to be constructed specifically for civil defense activities.

No part of any appropriation contained in this Act, or of the funds available for expenditure by any corporation or agency included in this Act, shall be used for construction of fallout shelters.

Appropriations contained in this Act for the Department of Defense to carry out civil defense activities shall not be available for expenses of travel in excess of $595,000 or for printing and reproduction costs in excess of $2,450,000.

Mr. LIPSCOMB. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time to make an inquiry of the chairman of the subcommittee, the gentleman from Texas [Mr. Thomas] in regard to civil defense.

The Secretary of Defense indicated in his testimony before the subcommittee on the Department of Defense appropriations that civil defense is an integral part of our defense program.

Could the chairman say what the purpose was in reducing this program from a request of $193 million?

Mr. THOMAS. The subcommittee just did not feel this year, or the year before nor have we felt for the last 10 years, that we wanted to get into the business of building fallout shelters, or bomb blast shelters, either, for that matter. Of course, we have already expended in the neighborhood of $1 billion or $1.2 billion and conversely we have saved much more than that as differentiated between the various requests which have been made.

I know there are two sides to the argument and I do not want to be in the position of arguing with my genial friend from California.

Mr. LIPSCOMB. I realize that the gentleman and his subcommittee, as well as the entire Committee on Appropriations, have evaluated civil defense many times and have given it thoughtful consideration; but the concern I have, serving on the Defense Appropriations Subcommittee, is that the Secretary of Defense puts such stress on the total requested program of $193 million for fiscal year 1966 that reduction recommended becomes a matter of concern.

Mr. **THOMAS**. May I say to the gentleman that the Secretary of Defense is a great American, one of the most able men in the United States. But with all due respect and due regard for our able friend, the committee did not go along with him and I hope that the gentleman from California will support the committee. I know he is a very valuable member of the Defense Appropriations Subcommittee.

Mr. **LIPSCOMB**. I was wondering if it would not be advisable, if we could suggest to the Secretary of Defense and others interested in civil defense, that they evaluate this problem in a little more detail and, if necessary, suggest some alternatives or some plan that would do the job.

Mr. **THOMAS**. I am afraid they will come up with a budget estimate of $5 billion.

Mr. **GROSS**. Mr. Chairman, will the gentleman yield?

Mr. **LIPSCOMB**. I yield to the gentleman from Iowa.

Mr. **GROSS**. I should like to say to the gentleman from Texas I did have the time to read some of the hearings on this bill and I want to commend the gentleman from Texas and his committee members for their close questioning on this civil defense proposition. I am of the opinion that the representatives of the civil defense setup did not make a good case and I think the committee was wise and fully justified in holding down the funds in this area.

Mr. **THOMAS**. We appreciate the gentleman's very kind words very much.

Mr. **LIPSCOMB**. Mr. Chairman, if there could be more thought and planning on civil defense so the people would understand the program that is necessary, it would help. If civil defense is not the answer, alternative proposals should be considered.

The Clerk read as follows:

PAYMENTS TO AIR CARRIERS

(Liquidation of contract authorization)

For payments to air carriers of so much of the compensation fixed and determined by the Civil Aeronautics Board under section 406 of the Federal Aviation Act of 1958 (49 U.S.C. 1376), as is payable by the Board, $80,000,000, to remain available until expended.

AMENDMENT OFFERED BY MR. KEOGH

Mr. **KEOGH**. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEOGH: On page 6, line 20, strike out "$80,000,000" and insert "including not to exceed $2,100,000 for subsidy for helicopter operations during the current fiscal year, $82,100,000".

Mr. **KEOGH**. Mr. Chairman, here is that little boy again who last appeared before you on April 29 and addressed himself to a somewhat similar situation. On that date, Mr. Chairman, I expressed my deep admiration, my devotion to, and my high regard for, the great and genial gentleman from Texas, the chairman of this subcommittee. And, Mr. Chairman, I do here and now reallege, reaffirm, and restate all of those sentiments so far as the gentleman from Texas is concerned. If any change has overtaken me, it is in the direction of increased admiration, devotion, and regard for the great chairman of this subcommittee.

On that date, Mr. Chairman, we were enlightened by an obviously erudite and somewhat philosophical discussion on the prerogatives and the pride of the House of Representatives.

But, Mr. Chairman, we were addressing ourselves to an item in a supplemental appropriation bill. All that was said in opposition to my preferential motion on that day should, in my humble opinion, be called in support of my amendment today. For, Mr. Chairman, the situation is entirely different. We have pending before us a supply bill for the fiscal year 1966. My amendment seeks to restore to that bill an item of $2,100,000 to continue the subsidy of the scheduled helicopter services for the balance of this calendar year—an item of $2,100,000 in a $14 billion bill; an item, Mr. Chairman, that has the approval of the President of the United States; that has had the scrutiny of and the approval by the Bureau of the Budget; that has had the approval of the administrative agency charged with the responsibility of carrying out the substantive mandate of the Congress. And we have here the spectacle, the sorry spectacle, that this great and powerful Committee on Appropriations by its failure and refusal to appropriate $1 for this operation has exercised an item veto—has exercised a negative repeal of a substantive act of this Congress.

I say to you, Mr. Chairman, that it falls with ill grace that this amendment is directed to a section of the bill that provides $80 million for subsidies for the feeder airlines of the country and deprives the three largest cities—those cities that have had the foresight and courage to inaugurate this helicopter service—not for themselves, for their local residents—but for all the travelers, national and international.

I therefore say, Mr. Chairman, with those 144 colleagues of mine who were gracious enough to support my preferential motion on April 29—I say to them, "Thank you very much." I say to the chairman of this subcommittee that our helicopter service will die by December 31 even if this amendment is adopted. It will die and then you will come and see us where we are lying and kneel, I hope, and say an "Avé" for us. But until then and in the meantime, Mr. Chairman, we ask for life. We ask for the right to phase out this operation. We ask for the opportunity to do what the chairman of this subcommittee has directed them to do, to seek other ways of financing their operation. I say, therefore, to you, Mr. Chairman, that I trust my distinguished and devoted—my loyal friend for whom I do have such high regard will recognize the basic equity and merit in our plea and will rise in his typical fashion, will caress the microphone at his table and say, "My colleague, you have made out such a case on your teeny weensy little bit of an amendment—we will accept it."

Mr. **THOMAS**. Mr. Chairman, I rise in opposition to the amendment.

It is very difficult to follow my beloved friend from New York. I believe he is the best trial lawyer on the floor.

Mr. Chairman, I do not believe I can add anything to what was said in the debate which took place on this floor 10 days or 2 weeks ago. There was a record vote. The preferential motion to restore the funds in the supplemental appropriation bill lost by 84 on the record vote.

There are 39 other cities in the United States which want this service. Three of them are getting it. There is one operating in California, in the Bay area, which pays its own cost.

I do not believe I can add anything to what has already been said. The amendment ought to be voted down. It is nothing in the world but a direct subsidy to the big trunk lines. It helps people visiting in the great big metropolitan areas of Chicago, Los Angeles, and New York. They do not live there; they live in your town and in my town.

The amendment ought to be voted down.

Mr. **KEOGH**. Mr. Chairman, will my dear friend yield to me?

Mr. **THOMAS**. Of course I yield.

Mr. **KEOGH**. Much has been said about the San Francisco operation. I have in my hand reliable statistics which prove that the company operating that service in the San Francisco-Oakland Bay area has sustained a loss in excess of $1 million, comprising 83 percent of the company's net worth. I am reliably informed that that company proposes to make application under the law enacted by the Congress for an operating subsidy.

Mr. Chairman, I am sure my friend cannot dispute the fact that the $80 million subsidy we are here giving to the feeder lines is in effect aiding the major lines of the country.

Mr. **THOMAS**. I believe there is some truth in that. It primarily helps the people back in the smaller towns in the United States.

Mr. Chairman, I ask for a vote on the amendment. I respectfully ask Members to vote it down again, as they did 2 weeks ago.

Mr. **PUCINSKI**. Mr. Chairman, I move to strike the last word.

Mr. **EVINS** of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. **PUCINSKI**. I yield to the gentleman from Tennessee.

Mr. **EVINS** of Tennessee. Let me say to my great friend, the gentleman from New York, GENE KEOGH, he is such a great man and such a great colleague that we hope he will reconsider and come back, after being reelected next year.

Mr. **KEOGH**. Mr. Chairman, will the gentleman yield?

Mr. **PUCINSKI**. I yield to the gentleman from New York.

Mr. **KEOGH**. I say to my fine friend from Tennessee, the great chairman of an unofficial but important committee of the House, I suspect that the action of the committee today might have an influencing effect on what will happen in the future.

Mr. **PUCINSKI**. Mr. Chairman, I rise in support of the amendment.

The gentleman from Texas knows that not only I but all of us in the Illinois delegation have the highest respect and the highest regard for him. He has been more than kind to us in respect to all of our requests.

However, I wish the Members would consider for one moment what closing down this helicopter service will mean to a city like Chicago. We are now trying desperately to reactivate Midway Airfield. We have $160 million invested in Midway Airfield. If this helicopter service is phased out at this point the chances for reactivating that field will be considerably minimized.

We are not asking for a permanent subsidy for the helicopter service. The House should know that the Civil Aeronautics Board has arranged a plan for an orderly phasing out of Federal subsidies to the helicopter system. It is a plan which requires 5 years, and each year there will be a smaller and smaller subsidy, until finally there will be no subsidy at all.

The CAB has approved an extensive promotion program for these helicopter services—a program of intensive advertising, special fares, extra tickets, and what not—to try to improve passenger support of the helicopter service, so that these services can become self-sustaining.

We will be doing a great disservice to a city like Chicago, which is trying to keep Midway Airfield going, if we phase out the helicopter service.

I know the chairman is trying to save money. We all want to save money. But I do not really believe this is an economy move because in the long run, successful operation of these helicopter services without a Federal subsidy will bring revenue into the Treasury. What we need now is to give them a chance to become self-sustaining.

A statement was made here earlier that 39 other cities have helicopter service and are not participating in this subsidy program. As far as I know, they have not requested any assistance because their services are too small. But certainly we would be agreeable to an amendment for these helicopter services that want this assistance and apply to make them eligible. Helicopter service is a way of life in most large cities and big international airports. For that reason, it would seem to me we should go along with the CAB. The CAB has proposed an orderly phasing out of this helicopter service. They want 5 years to do it in, and I do not see that any violence will be done to the principle of fairplay by doing so. In the meantime we will maintain a service which will help the great cities to operate their airports efficiently.

The gentleman from New York [Mr. KEOGH] properly pointed out that at San Francisco the service is not getting any subsidy and is now losing in excess of $1 million a year and it is highly questionable whether they can continue that helicopter service without a subsidy. It is my hope that our friends here will realize what this means to us in the Midwest and Chicago and support the motion, and see that the money is restored.

The CHAIRMAN. The question is on the amendment of the gentleman from New York [Mr. KEOGH].

The question was taken; and on a division (demanded by Mr. KEOGH) there were—ayes 32, noes 50.

So the amendment was rejected.

The Clerk read as follows:

CONSTRUCTION, WASHINGTON NATIONAL AIRPORT

For necessary expenses for construction at Washington National Airport, including acquisition of land, $1,000,000, to remain available until expended.

AMENDMENT OFFERED BY MR. JONAS

Mr. JONAS. Mr. Chairman, I offer an amendment, and I offer it on behalf of the committee.

The Clerk read as follows:

Amendment offered by Mr. JONAS: On page 13, line 13, strike out "including acquisition of land".

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. JONAS].

The amendment was agreed to.

The Clerk read as follows:

OPERATING EXPENSES, NATIONAL ARCHIVES AND RECORDS SERVICE

For necessary expenses in connection with Federal records management and related activities, as provided by law, including reimbursement for security guard services, and contractual services incident to movement or disposal of records, $15,932,000, including $50,000 which shall be available for continuing to carry out the purposes of SEC. 2 of Public Law 88–195 approved December 11, 1963, for the period ending June 30, 1966.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to address an inquiry to the chairman of the subcommittee, the distinguished gentleman from Texas. I notice, Mr. Chairman, that in the grants-in-aid for airports the committee has recommended $62,500,000. That is the budget estimate. I know this is a reduction from the previous year of $75 million. I wonder if the distinguished subcommittee chairman would comment on the reasons for the reduction.

Mr. THOMAS. May I say to our genial friend that he is correct in what he has said, but in truth and in fact there is a point that I ought to bring out. In the first place, there is no disposition on the part of the committee to reduce the funds for airport construction. As a matter of fact, the committee likes the program, the gentleman likes it, and the House generally likes it, and we want to carry out the wishes of the House. In truth and in fact they will have a carryover, I say to the gentleman, of $42,500,000. So while the Bureau of the Budget reduced the figure from $75 million to $62,500,000, they will have over $100 million to spend. So there is no reduction.

You tell your folks you are going to take care of them and we will help you.

Mr. STAFFORD. I thank the gentleman.

The Clerk read as follows:

VETERANS ADMINISTRATION

General operating expenses

For necessary operating expenses of the Veterans Administration, not otherwise provided for, including expenses incidental to securing employment for and recognition of war veterans; uniforms or allowances therefor, as authorized by law; not to exceed $1,000 for official reception and representation expenses; purchase of one passenger motor vehicle (medium sedan for replacement only) at not to exceed $3,000; and reimbursement of the General Services Administration for security guard services; $157,000,000: *Provided,* That no part of this appropriation shall be used to pay in excess of twenty-two persons engaged in public relations work.

Mr. TEAGUE of Texas. Mr. Chairman, I offer two amendments and ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DOLE. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. DOLE. Mr. Chairman, I make a point of order against the language on page 39, commencing in line 18 with the words "in recognition of war veterans" on the basis that it is legislating in an appropriation bill and not authorized.

The CHAIRMAN. Does the gentleman from Texas [Mr. THOMAS] wish to be heard on the point of order?

Mr. THOMAS. Does the gentleman wish that the words "war veterans" go with it? If the gentleman does, the gentleman's point of order is good, if the gentleman insists upon it. I hope the gentleman does not. The gentleman knows what the program is. It is not too expensive. It is a recognition to which certainly any deceased veteran's family is entitled. But if my distinguished friend insists upon it, we have to admit the point of order is good, because it is.

Mr. DOLE. I will say to the gentleman that I shall insist upon the point of order. There is legislation pending now and the projected cost of this little program is $4.2 million. On that basis, Mr. Chairman, I insist upon the point of order.

The CHAIRMAN (Mr. BOLLING). The gentleman makes a point of order against the language on line 18 and the point of order is good and the Chair sustains it.

AMENDMENTS OFFERED BY MR. TEAGUE OF TEXAS

The Clerk will report the amendments offered by the gentleman from Texas [Mr. TEAGUE] en bloc.

The Clerk read as follows:

Amendments offered by Mr. TEAGUE of Texas:

On page 39, line 24, strike out "$157,000,000" and insert in lieu thereof "$160,000,000".

On page 41, beginning in line 8, strike out "$1,177,417,000" and insert in lieu thereof "$1,197,917,000".

Mr. GROSS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GROSS. Has the Clerk read to page 41?

The CHAIRMAN. No, the Clerk had not read to that language, but the unanimous-consent request was agreed to. The unanimous-consent request of the gentleman from Texas was that his two amendments be considered en bloc.

The gentleman from Texas [Mr. TEAGUE] is recognized for 5 minutes in support of his amendments.

Mr. TEAGUE of Texas. Mr. Chairman, on page 15 of the report is the section to which I refer. There are no funds in the bill for the installations that the President has recommended for closing.

Mr. Chairman, the President's panel has not concluded its work, but it seems to me that regardless of what may transpire, for the protection of the Congress and for the protection of the executive branch of Government, whatever happens will require some money, whether we close them all or keep them all open or close some of them.

Mr. Chairman, what this amendment proposes to do is to add $3 million, which is the amount the Veterans' Administration estimated it would take to operate the regional offices, and to add $20.5 million which they estimate it would take to operate the hospitals proposed for closing.

Mr. Chairman, if some of them are eventually closed, then all this money will not be used. It seems to me that this is a simple matter for the protection of the Congress and for the protection of the executive branch of the Government in this situation.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. As a member of the Committee on Veterans' Affairs, I certainly hope that these two amendments are adopted so that when the committee appointed by the President makes its report, if they recommend that all of these facilities be kept open, then the money will be there, and if they are not kept open then, of course, the money will not be expended.

Mr. SECREST. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Ohio.

Mr. SECREST. I believe it is recognized by everyone, and it has been stated in official circles from the President down, that the recommendations of this commission will be followed.

I think it is certain that the commission will recommend keeping open some of these regional offices and some of the hospitals scheduled for closing. There should be money in this bill to operate every single thing this commission can save on behalf of the veterans.

Mr. BARING. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Nevada.

Mr. BARING. Mr. Chairman, I want to commend the chairman of the Veterans' Committee for this action. I think it is vitally necessary.

Mr. Chairman, I urge support of the amendment presented today by my colleague from Texas, the chairman of the Veterans' Affairs Committee, providing for the restoration of $23.5 million to the appropriations bill for the Veterans' Administration facilities, which previously had been deducted from the Veterans' Administration budget.

When the Veterans' Administration announced their proposal to close 11 hospitals, 4 domiciliaries, and 16 regional offices they stated that this would cut the budget for the Veterans' Administration by $23.5 million a year. Yet when the appropriations for the Veterans' Administration was presented to the Congress it contained a net increase of $22,445,000 over the amount appropriated for last year's budget—thus I fail to see any savings on the part of the Veterans' Administration.

The House Veterans' Affairs Committee has conducted weeks of hearings, listening to hundreds of witnesses, including over a hundred Members of Congress, presenting enough testimony in opposition to the Veterans' Administration's action, and giving ample evidence that the action of the VA is definitely untimely.

On the eve of the committee's decision to report a bill out of committee proposing to limit the authority of the Veterans' Administration and the Bureau of the Budget with respect to new construction or alteration of Veterans' hospitals and closing of such hospitals, the President appointed a committee of eight to review the entire issue and make a report by June 1 of this year.

As far as I am concerned, until this report is received stating otherwise or agreeing that these hospitals should continue in operation, these hospitals have not been put out of operation, and funds should be available for their operation and maintenance. The Appropriations Subcommittee on Independent Offices should have recognized this and restored the $23.5 million to the budget for the Veterans' Administration facilities.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Vermont.

Mr. STAFFORD. I would like to commend the gentleman for the amendments he has offered and express the gratitude of the veterans in Vermont. I hope the amendments will be agreed to.

Mr. TEAGUE of Texas. It should be pointed out that the panel recommendation is not binding on the President, and neither is the recommendation of the President binding upon the Congress. The situation is not completely settled.

Mr. DUNCAN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Oregon.

Mr. DUNCAN of Oregon. I think it is vitally important that these amendments be accepted in order to avoid the charge that the Congress is endorsing the action of the President or the administration in closing the hospitals. The conclusion has been drawn by the press to that effect. I think it is justifiable. Only 2 weeks ago this Congress and this same Appropriations Committee inserted money in a bill to continue the operation of two Public Health Service Hospitals which the administration had marked for closure.

The action of the committee can be readily interpreted at 1600 Pennsylvania Avenue as an endorsement of the President's proposal. Only a week ago we passed a $700 million appropriation to underscore the President's program in South Vietnam and we expressed the hope that our action would be heard loud and clear in Hanoi and Peiping. I hope the action of the Congress this afternoon in putting funds back in the bill will be heard loudly and clearly by 1600 Pennsylvania Avenue.

Mr. THOMAS. Mr. Chairman, let us not suffer any delusions here. If the purpose is to restore this cut, which eliminates 11 hospitals, 4 domiciliaries, and 17 regional offices, that is something else; but, as far as the language in the report is concerned, do not twist that around. I do not think that language means they cannot spend any funds. As far as I am concerned, I am going to vote against the amendments, against my able and distinguished friend of many years. I am going to wait. I am going to wait for the decisions to be made and I think we all ought to wait. Let us not tell the White House to jump in the lake at this time.

Mr. TEAGUE of Texas. I want it clearly understood I have no intent of telling the White House to jump in the lake.

The President has been keenly interested in this entire question, and has devoted much attention and time to it. He has read many pages of the transcript of the hearings which were held before the Committee on Veterans' Affairs, and I would like to quote from the statement which he issued on April 3, when he appointed the special panel to consider the closing question:

> This week I have personally been reading the reports of these hearings very carefully, and I must say they have raised some doubts in my mind about some facilities included in the original order.
>
> The facts are in dispute on some hospitals. Much of the testimony is contradictory. There is considerable reason to believe that further examination and study are necessary before a final decision is implemented.

The panel named by the President has not yet made its report. The amendments which I have offered are, as I stated earlier, a protection both to the executive branch and to the Congress, but the amendments are, in my opinion, essential and certainly cannot be construed as a rebuff to the President or as anything but a prudent action on the part of the House.

The Administrator of Veterans' Affairs tells me if this language stays in the report, he will not have anything to do except to bring about the closing of the hospitals and regional offices announced earlier this year.

Mr. THOMAS. Your Administrator is clearly not right. We will tell him now he can spend any part of his medical program funds for that purpose.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. It has been my information until today that the distinguished gentleman from Texas [Mr. TEAGUE] had not completed his report. We have proceeded on the basis his Veterans' Committee was investigating the matter, and also the President's Commission was investigating the matter.

We hope to have the benefit of these reports, although I have not heard of the reports or seen them.

Mr. THOMAS. The gentleman is 100 percent correct. Let us wait until we get the reports. They can operate. We tell them now they can operate.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from North Carolina.

Mr. JONAS. I would like to associate myself with the remarks of the chairman of the subcommittee [Mr. Thomas] and those expressed by the gentleman from Tennessee [Mr. Evins]. We are all veterans on this subcommittee and have no disposition to harm the veterans programs or to stand in the way of operating hospitals.

The distinguished gentleman from Texas [Mr. Teague] is chairman of the great Committee on Veterans' Affairs and he has had this subject under consideration in his committee for several months and has not filed a report. We do not know what his recommendations will be. We do not know what the recommendations will be of the special panel created by the President. We made no cuts in this item but provided $23 million more than was available last year. The chairman is making legislative history today by saying there is money in this bill to operate any hospitals that remain open. The other body has to pass on this bill. We have to have a conference. I think the chairman will join me in stating that if additional money is found to be necessary we will agree to it in conference. We will have plenty of opportunity to take care of this matter before the end of the fiscal year without passing on it today before we know how many of the hospitals will remain open.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman.

Mr. EVINS of Tennessee. I want to emphasize that I do not want to do anything that is going to hurt the veterans' program or impair the veterans' hospital program, and I am sure all members of the committee do not want to do any such thing. We did not cut the veterans' medical program one dime. In fact, we increased the veterans' medical program by $23 million and that is set forth in our report. So we are not cutting the veterans' program, we are increasing it by $23 million.

Mr. JONAS. I thank the gentleman and concur in the views he has expressed.,

Mr. THOMAS. Mr. Chairman, I respectfully ask for a vote and ask that the amendment be voted down because it is premature at this time.

Mr. RANDALL. Mr. Chairman, I rise in support of the gentleman's amendment to restore funds to the Veterans' Administration to continue operation of 32 VA facilities in 23 States.

In scanning through H.R. 7997, it is most noteworthy to me that the Committee on Appropriations seems to have proceeded upon the assumption that the January order to close 17 regional centers, 11 hospitals, and 4 domiciliaries operated by the VA would stand unchanged and unchallenged and that there would be no need to appropriate funds for their operation under the independent offices appropriation bill for the fiscal year commencing July 1, 1965.

We had thought the closings were still an open question, since the President himself had appointed a commission to make a careful study of the order made by the Acting Veterans' Administrator in January.

When the announcement of the commission's appointment was made, the President very frankly admitted that these proposed closings needed further study. Our Chief Executive quite rightly agreed with concerned Members of Congress that there should be no further hasty actions on these closings. Most of us were therefore led to believe the commission had been appointed to take a fresh and objective look at the rationale for the decisions and to submit public recommendations at a later time.

Now I certainly do not know whether this panel has been in touch with the distinguished chairman of the subcommittee on appropriations and indicated to the gentleman what its decision will be. It would be nothing but guesswork for any of us to attempt to say whether our good friend and colleague had the benefit of some inside information that none of the rest of us possess. Nor can any of us speculate with any degree of accuracy whether those in the upper echelon of the Veterans' Administration are betting all of these facilities will be closed. But surely someone must have had some information leading him to believe that all of these facilities will be closed.

The plain fact is that exactly $23,500,000, consisting of $20,500,000 for hospitals and $3 million for regional centers, have been left out of the appropriation bill for fiscal year 1966. To me, this is tantamount to a statement that the commission has already made a recommendation to the Chief Executive that each and every one of the facilities will be closed, that not a one of them will remain open. It implies that not a single exception will be taken by this commission to the order proposed back in January.

Mr. Chairman, would not such an assumption imply that the commission was stacked by the Chief Executive with members who complacently agreed with the proposal of the Veterans' Administrator and the Bureau of the Budget?

We all know what the word "stacked" means, and it does not have a pleasant ring. In this case, the use of such a term would mean that those on the commission have prejudged the question, that, in the language of the street, they were prejudiced.

No, I cannot believe that such is the situation.

Yet there is something very strange and something very puzzling about just why the Subcommittee for Independent Offices Appropriations left out exactly $23,500,000, the amount the administration said would be saved by the closing of these facilities.

I can come to but one of two conclusions. Either they have some inside information on the report of the commission that the rest of us do not have and the omission was intentional, or else this is an oversight which would have the effect of making necessary supplemental appropriations if the commission recommends reversing some or all of the closing orders.

I prefer the latter construction. Certainly there has been no official order confirming the closing of all facilities, and one would assume naturally that the commission would not prematurely release its findings. And I certainly cannot believe that the subcommittee would willfully make an omission of this nature in the hopes that those Members who are friends of the veterans would somehow or other overlook the omission.

Under any construction, Mr. Chairman, it is essential that $23,500,000 be added to this appropriations bill. As has been shown time and again in speeches and in testimony before the Veterans' Affairs Committee, the two grounds offered by the VA for the closings do not bear careful scrutiny. First, the alleged economies in the amount of $23 million are largely false economies and shift the cost burdens from the Government to the individual veteran. Second, the criterion of efficiency could not have been applied in any consistent manner and still result in the same decisions.

It is a real privilege to associate myself with the chairman of the House Veterans' Affairs Committee and with those members of the committee who have risen today to propose and advance amendments to this appropriations bill restoring the $23,500,000. This amendment makes whole the normal appropriation for the facilities proposed to be closed and therefore does not prejudice any recommendation which might be forthcoming from the Commission. Thank goodness these alert and vigilant friends of our American veterans were here in the House to call the Members' attention to the oversight.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Texas [Mr. Teague].

The amendments were agreed to.

The Clerk read as follows:

MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES

For expenses necessary for administration of the medical, hospital, domiciliary, construction and supply, research, employee education and training activities, as authorized by law, $12,596,000: *Provided*, That no part of this appropriation may be used for expenses of any area medical or regional representative offices.

Mr. SAYLOR. Mr. Chairman, I make a point of order against the language on page 40, line 8, beginning with the word *"Provided"* through line 10, as being legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from Texas desire to be heard on the point of order?

Mr. THOMAS. Mr. Chairman, that is purely a limitation on the use of funds. We cannot admit that point of order.

The CHAIRMAN (Mr. Bolling). The Chair is prepared to rule.

The language is clearly a limitation on the use of funds. The point of order is overruled.

Mr. NELSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to direct the attention of the Members of this body to the responsibilities of the Civil Service Commission. In this bill money is provided for the operation of the Commission. In 1961 complaints came to me from the Rural Electrification Administration as to violations of the Corrupt Practices Act and of the Hatch Act. I asked for investigations of these reported violations. Investigators of the Commission conducted the investigation and made their report which found one man under the civil service classification in violation of the Hatch Act and three men in the excepted service in violation of the Corrupt Practices Act. This report was submitted to the Justice Department for action. The Civil Service Commission so far has failed to act in the instance of the one gentleman in violation of the Hatch Act.

I am sure, so far as the Members of this body are concerned, it is our feeling that the Civil Service Commission is to function as a policeman, and it is to protect the Federal employees from arm twisting and from political pressure. I would just suggest that the gentleman from Texas [Mr. THOMAS], whom I know to be a very fair and honorable gentleman, join with me in saying that the Civil Service Commission has failed in their responsibility if they fail to do something about the violations that they themselves by their own investigations have brought to the attention of me and the Justice Department.

Mr. THOMAS. I cannot disagree with anything my able friend has said. He is one of the most capable men in this House. He has had a lot of experience not only in the legislative branch of government but also in the administrative branch. I have a high regard for his ability. If the gentleman believes they are out of line, I will join hands with him in helping him to correct the situation.

Mr. NELSEN. I thank the gentleman very much.

The CHAIRMAN. The Clerk will read.

The Clerk concluded the reading of the bill.

Mr. THOMAS. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore, Mr. ALBERT, having assumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7997) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1966, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. THOMAS. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The **SPEAKER** pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The **SPEAKER** pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The **SPEAKER** pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. JONAS. Mr. Speaker, I ask unanimous consent that all Members who participated in the debate today in the Committee of the Whole may be permitted to revise and extend their remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

APPROPRIATIONS FOR PROSECUTION OF PROJECTS IN RIVER BASIN PLANS

Mr. TRIMBLE, from the Committee on Rules, reported the following privileged resolution (H. Res. 381, Rept. No. 340), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6755) authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

UNIFORM POLICIES WITH RESPECT TO RECREATION AND FISH AND WILDLIFE BENEFITS, ETC.

Mr. TRIMBLE, from the Committee on Rules, reported the following privileged resolution (H. Res. 380, Rept. No. 339), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5269) to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multipurpose water resource projects, and to provide the Secretary of the Interior with authority for recreation development of projects under his control. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Interior and Insular Affairs now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

CRITICS FAIL TO HOG-TIE JOHNSON

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. YOUNG. Mr. Speaker, I am sure that few would disagree that the current situation internally and internationally is probably as severe as any that has confronted our Nation in its history.

I have noticed, and there have appeared in numerous instances in the national press, various comparisons of these circumstances and situations with those of the past in our history. There have been many favorable comparisons of our present great President with other Presidents in our history.

I have before me, Mr. Speaker, an article which appeared in the Pittsburgh Press of May 3, 1965, by Marguerite Higgins, which, although I do not concur completely with everything she says with reference to past Presidents, I include unedited at this point in the RECORD.

The article follows:

L.B.J. REFUSES TO BOW TO WORLD OPINION—CRITICS FAIL TO HOG-TIE JOHNSON

(By Marguerite Higgins)

WASHINGTON.—Is President Johnson a Franklin Roosevelt in domestic affairs and a Teddy Roosevelt in foreign affairs?

Even if there is something to it, the comparison is surely too pat.

For one thing, in domestic affairs L.B.J. may well have already proved himself to be a more effective and liberal President than F.D.R.

But then the problems and atmosphere are vastly different now, and if this is the case on the domestic front, it is even more so on the global front.

In his year and a half as President, L.B.J. has in fact been very chary of the use of America's "Big Stick" of power. In Vietnam, the Joint Chiefs of Staff had been unanimously advocating the bombing of Hanoi's supply lines to the south for at least 6 months before Mr. Johnson finally acted.

Teddy Rooosevelt, of course, never had to cope with an enemy even remotely as powerful, dedicated and globally organized as the Communist empire.

In the Dominican Republic, L.B.J. has had to consider the consequences of doing nothing as well as doing something, just as former President Eisenhower was faced with the same dilemma in Lebanon when it appeared that a Moscow-sponsored coup was taking over in neighboring Iraq.

The United States went into Lebanon and into the Dominican Republic because we felt we could not take this risk of doing nothing.

Both moves were harshly unpopular with certain sectors of so-called "world opinion." Further, they were taken by Presidents Eisenhower and Johnson in full knowledge that this would be the case.

It is precisely in his attitude toward world opinion that President Johnson has made some potentially important changes in policies over those that prevailed in the Kennedy years.

President Johnson respects world opinion, and worries about it. But he would never let world opinion be decisive in forcing him to abstain from the use of American power where he deemed it to be in the national interest.

At the "Bay of Pigs" the United States let Fidel Castro win the day in great part because of fears of world opinion. As Vice President, Mr. Johnson did not agree with the decision to let the mission fail rather than give it overt American support.

The first test of President Johnson in matters of world opinion came in the case of Panama in January 1964. After the mob attacks on the Canal Zone, he unbendingly refused to negotiate so long as the Panamanian Government continued to hold the threat of mob action over our head.

At the time, some of his advisers, including McGeorge Bundy, were astonished at Mr. Johnson's determination to stick to his position, especially in light of the anti-Yankee propaganda rampage let loose in Latin America with the Panama incidents as the excuse.

But it was Mr. Johnson's judgment that caving in on Panama under demeaning circumstances would not silence anti-Yankee outpourings but do the opposite—stimulate it.

The truth is, of course, that anti-Yankeeism is a hard political reality in many parts of Latin America and the world. Failing to defend American national interests is not going to change things.

SCIENTIFIC OBJECTIVES OF THE SPACE PROGRAM

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DAVIS of Georgia. Mr. Speaker, on this day, when the House will consider an appropriations bill for the national space program, it is appropriate to call the attention of the membership of this body to a most excellent article by Dr. Lee A. DuBridge, president of the California Institute of Technology, which appeared in the current issue of Vectors, a magazine published by Hughes Aircraft Co.:

Scientific Objectives of the Space Program

(By Dr. Lee A. DuBridge)

The U.S. space program has many aspects and many objectives. The very multiplicity of its purposes has been, and remains, a cause of great confusion. This is epitomized in the frequently posed question: "Why do we spend $30 billion to go to the Moon?"

If the person asking this question were willing to sit down and listen carefully for 30 minutes, he could be given an answer. But those asking this question do not want lengthy answers. Usually they do not want an answer at all—for they are convinced the question is either self-answering or has no answer. The question, in fact, is usually not intended as a question but as a speech.

Unfortunately, there is only one possible short answer to this question: "We go to the Moon to beat the Russians." But, of course, that is no answer at all. At best it is only a small piece of an answer; at worst it misrepresents the whole spirit and purpose of the space exploration program—a program initiated for scientific purposes long before Sputnik I was launched.

The real question is not, then, whether "a man on the Moon" makes sense—or is worth the cost—but whether our whole space program makes sense. And, if it does, it is then a question not of whether but only of when we send men to the Moon, and what do they do there?

Why, then, do we have a space program at all? We have heard a number of answers to that question. We have heard, either explicitly or implicitly, about military objectives. We have heard about prestige. We have considered technological dividends and economic factors. And we have heard something of scientific purposes.

It is all aspects of all these things taken together that have persuaded the U.S. Government and most of the American people that some substantial space exploration program is both desirable and necessary. But the objective that started the whole program in the first place—and which probably still constitutes the major substantive (though maybe not the major political) reason for its existence—is the scientific objective. Possibly the scientific objectives are the most difficult of all to explain—and, for this reason, the least understood by the public.

Even before the dawn of human history there is adequate evidence that men were always interested in the nature of the world in which they lived. They have always been curious about the shape, size, constitution, and structure of the earth itself—i.e., whether it was flat or round. And there has always been an exceptionally keen curiosity about the heavens above the earth. In fact, it can be said that no mystery has ever engrossed so many human minds for so long a period or so intensively as the mystery of the heavens—or, as we would now say, "the mystery of space." The nature, size, location, and behavior of the sun, the moon, the planets, and the stars have been matters for observation and speculations as long as men have been intelligent beings.

For 2,000 years, for example, from the time of Aristotle to the time of Galileo, Kepler, and Newton, the nature of motions of the heavenly bodies was a subject of extensive speculation, or vigorous arguments and of deep philosophical and religious controversy. And, indeed, it may be said that the beginning of all modern science stemmed from the observations of Galileo with his telescope, from the mathematical calculations of Kepler on the motions of the planets, and the brilliant achievement of Isaac Newton in setting forth the laws of motion and the law of gravitation. It was the work of these great creative geniuses which led mankind to the conviction that the universe was understandable, that its law and behavior could be comprehended by men as the result of careful observation, experiment, analysis, and creative thinking.

Modern science, then, began in space—and so space has a long, honorable, and even exciting history. And today science again turns to space to solve new mysteries and ask new questions.

In the past 100 years as a result of advances in astronomical instruments, as well as advancements in our knowledge of physics, the science of astronomy has moved ahead by leaps and bounds. We now know that our sun is but one rather average sort of star located in a cloud containing some 100 billion stars, a cloud which we see sweeping across the sky and which we know as the "Milky Way." In recent decades we have learned about the chemical constitution of these stars; we have learned that the source of energy which causes them to shine so brilliantly and so long comes from nuclear reactions going on deep in their very hot interiors.

Yet, in spite of all we have learned, there is vastly more that we do not know and that we cannot learn so long as we are chained to the surface of the little planet which we call the earth. We have built marvelous astronomical telescopes, but even the finest of them have always been, and always will be, severely limited by the fact that they must peer out from the surface of the earth through a blanket of air which is, even under best conditions, always wiggly, always murky, and always only partially transparent to the radiations from distant heavenly bodies.

Even though a photograph of the moon taken with a fine telescope on a clear night seems to show remarkable detail, yet when we come to examine it closely we see that the finer details are still blurred by the murkiness of our atmosphere. Even though somebody were to drop an object the size of a battleship on the surface of the moon, our best telescopes would barely be able to detect it—much less recognize what it was. Even the closeup photographs taken by television on Ranger 7 and Ranger 8, and transmitted to the earth, though they reveal features only 18 inches in size, still do not precisely establish the true character of the lunar surface. Not until we land on the moon, in person or by proxy, will our knowledge of selenography or selenology improve materially.

If our knowledge of the moon is fuzzy, that of any other heavenly object is far more so. Our moon is only some 240,000 miles away—so close that it takes a light beam only 1.5 seconds to travel from the moon to the earth. The next nearest object is the planet Venus, whose minimum distance from the earth at the point of closest approach to the earth is about 26 million miles, in which position light travels from Venus to the earth in about 140 seconds, or 2⅓ minutes. Venus is perpetually covered by a dense layer of clouds, and its surface is forever invisible to us—until we actually get there. Only in the 1962 flight of Mariner II did we learn that the upper cloud layers of Venus are at a temperature of about −50° F., while the temperature of the surface far below is something like 800° F.

The next nearest neighbor, Mars, gets to a minimum distance of about 34 million miles from the earth and, since it is farther away from the sun, is somewhat chillier than the earth. Its atmosphere, however, is extremely thin and some of its surface features can be observed with our best telescopes. However, the pictures of Mars are fuzzy indeed, and it will take instruments abroad a spacecraft to get a clear idea of what the Mars surface is really like.

But the space mysteries are not confined to the questions about the Moon and the planets. In fact, one of the most interesting aspects of our space program involves experiments designed to learn more about the Earth itself. We already have learned many new things about the upper reaches of the Earth's atmosphere beyond the limit of the highest-flying balloons, which cannot get higher than about 20 miles above the surface. Above 50 miles the atmosphere is becoming considerably rarefied; but many interesting things are there to be observed: the ionospheric layers which reflect and absorb radio waves, the ozone layers which absorb much of the ultraviolet light from the sun (and, incidentally, keep us from getting sunburned worse than we do), and now the Van Allen layers of charged particles extending out for thousands of miles, are phenomena of extraordinary interest. The magnetic field of the Earth has been measured for the first time out to where it merges with the magnetic field of the Sun—some 30,000 miles from here. It has been possible to make accurate measurements of the gravitational field of the Earth, the distribution of matter within it. But many mysteries still exist about the Earth's gravity and its magnetic field.

Then, too, interplanetary space contains a very tenous but detectable atmosphere of neutral and charged atoms. Our knowledge on this subject is extremely meager and mostly gleaned from observations made on the Mariner flight. We know, of course, that there are extremely high energy charged particles wandering through space, a few of which actually reach the Earth's surface and constitute what are called "cosmic rays." Nearly every spacecraft sent from the Earth has contained one or more instruments for obtaining additional information about these cosmic rays—and there is far more yet to be learned.

Space explorations promise to tell us much more about our Sun than we have been able to gather in the past. We could get better pictures of the sun, for example, if we were above the Earth's atmosphere and free from its turbulence. We should like to see the details of sunspots more clearly and be able to observe more precisely the various eruptions continually taking place on the Sun's surface. However, the Earth's atmosphere, though quite transparent to visible light, is almost opaque to infrared light, to ultraviolet light, to X-rays, and to most wavelengths of radio waves. Once we are outside the atmosphere, all of the radiations coming from the Sun, at all wavelengths, can be observed. Preliminary observations have shown that the Sun's radiation does indeed extend throughout the whole electromagnetic spectrum and that important information may be gained when we can measure the X-rays, the far-ultraviolet radiation, the infrared and radio radiations that come from the Sun. Since the Sun is a fairly typical star, the more we learn about the sun the more we will have learned about the nature of all the stars in the heavens, about the processes which go on within them, about their history—maybe why it is that stars sometimes explode.

When we get such radiation-detecting instruments into space we will turn them not only to the sun, but to other stars. Indeed, a whole new era of astronomy may dawn when we can make observations from above our atmosphere of all the radiations that must be coming from distant parts of the heavens.

But no matter how much we may be interested in learning more about the Earth, about interplanetary space, and about the distant stars and galaxies, it is still true that the most interesting problems in the minds of most people center on what can be learned when we land instruments or men on the Moon or on Mars. There are exciting scientific questions to be resolved by such landings. Not until a series of scientific instruments have been placed on the Moon and have sent back their measurements, will we be able to begin to answer any questions about what the Moon is really like.

The things we are curious about on the Moon we are also curious about on Mars—probably even more so. And when we send instruments to Mars, one overriding scientific question must be examined: Is there any form of life on that planet? In spite of all the speculations made over many years, pro and con, on this question, the only answer to it at the present time is that we simply do not know. The Mars atmosphere contains almost no oxygen (necessary for human life) and only faint traces of carbon dioxide (necessary for plant life). The conditions are so different from those on Earth that one must assume that if life has begun on Mars, its evolution must have taken place along different lines from evolution of life on Earth.

Man's growing understanding of the nature and constitution of the universe has led to new advances in our knowledge of physics and of chemistry; and these in turn have led to applications of knowledge to the development of things which men have found useful. We have never been able to predict in advance what the usefulness would be of new knowledge about the nature of the physical universe. All we know is that, by and large, new knowledge always has proved useful—and often it has proved useful in the most unexpected and unforeseeable ways. No one would have predicted that Newton's enunciation of the laws of motion would lead to the age of machinery; that Faraday's experiments would lead to the age of electricity; or that Einstein's theory of relativity and Bohr's theory of the atom would lead to the atomic bomb and atomic power.

We do know one thing: that scientific research which has been aimed at purely practical problems though it often has been of great value, has over a long run been of less value in producing wholly new things than has the research aimed solely at the extension of knowledge. The extension of man's knowledge is the basic and the overriding purpose of the space exploration program.

PROTEST AGAINST DELETION OF DALLAS FEDERAL OFFICE AND COURT BUILDING

Mr. CABELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CABELL. Mr. Speaker, I rise on this occasion to protest the action of the Subcommittee on Independent Offices in deleting the Dallas Federal office and court building from its current recommendations, as contained in H.R. 7997.

This action was obviously taken without full knowledge of the facts and the history of this project.

By this means I am calling upon these gentlemen to reopen this case for the objective study that characterizes the full membership of this important subcommittee.

If this is done, I have no doubt that this much-needed facility will either be reinstated in the current bill or included in a subsequent one.

For the information and guidance of these gentlemen, I cite herewith, in capsule form, the history of the project and attach recent editorials published by Dallas' two great newspapers.

After detailed study by the GSA showing not only a saving to the Federal Government in rentals paid versus cost of construction, but a vast anticipated increase in the efficiency of the offices involved, the General Services Administration recommended and requested it in 1954.

The project was authorized by the Public Works Committees of both Houses in 1956.

Bids were advertised for in December 1956 and the site was acquired by negotiation and/or condemnation at a net cost to the Government of $1 million.

A group of Dallas business and civic leaders underwrote and paid in the sum of $464,000, as agreed, in order to keep the net cost to the Government at the $1 million maximum figure.

Plans costing $745,000 were drawn up, approved, and paid for by the GSA.

With the recommendation and active support of the late Speaker Rayburn, the project was included in the request for funds of January 1960, but it was omitted by President Eisenhower in his budget.

Since the then incumbent Representative from Dallas commended the President on his action, it is obvious why the project lay dormant until this time.

Subsequently, President Johnson included it in his recommended budget in January of 1965 on the basis of its worthiness and need, and knowing that it had been an issue in my 1964 campaign for office.

With these facts, I commend this project to the consideration of the Appropriations Subcommittee on Independent Offices, confident that its demonstrated sense of justice and of what is best for our country as a whole, will prevail.

In closing, I thank the distinguished gentleman from Tennessee, the Honorable JOE EVINS, quoted in the Dallas Times-Herald of May 7, 1965, for his pledge of support in the next session of Congress.

Thank you, Mr. Speaker, for granting me this time.

[From the Dallas (Tex.) Times Herald, May 7, 1965]

DISMAYED? WE'RE FURIOUS

Disappointment is too mild a word to use for Dallas' reaction to the news that the proposed Federal center has been axed from the budget.

Dismay might express something more akin to what is felt, even though stronger terms come easily to the tongue as Dallas readers contemplate the statement of Houston's ALBERT THOMAS, who excused the chopping job saying, "Frankly, we doubt they can justify the building since one is under construction in Fort Worth only 35 miles away."

Washington observers lay most of the blame at the feet of THOMAS, a man who seems to have an unusually large chip on his shoulder when it comes to anything connected with Dallas. THOMAS heads the subcommittee within the House Appropriations Committee which controls this phase of the budget appropriations. Thursday's action was by the House committee and Times Herald White House Correspondent Bob Hollingsworth says the action "all but kills the work for the coming year."

Dallas can be justified in asking the uneasy question, Will the Federal center ever be approved with THOMAS in the saddle?

Over a period of 10 years, three administrations have knitted Presidential brows and agreed to the need and the acceptability of the Dallas Federal center. This year Dallas leaders were more optimistic than at any time before and most of them, in private, felt certain that approval was on the way after President Johnson included the project in his budget request.

There has to be a more logical answer to "Why not?" than the mere fact that Fort Worth has a Federal center under construction. If Dallas still needs the building and Fort Worth needs one, too, then where is the argument? The Fort Worth center, for that matter, is not of a size to absorb the Dallas need, even if this had been the plan.

So now Dallas must sit and wait at least another year for another budget. Even in a city famous for its optimistic outlook, the sad story is getting to be very bitter and very perplexing. The politics of spite, if that's what it is, offer very little but bitterness.

[From the Dallas Morning News, May 8, 1965]

FEDERAL CENTER

Dallas deserves a better explanation for the latest rejection of its Federal center. Representative Albert Thomas merely says that one is under construction in Fort Worth only 35 miles away. Mr. Thomas is chairman of the Appropriations Subcommittee which handled the Dallas request.

If this was the reason, why was ours included in the President's budget? Does this mean that all Federal employees in Dallas are going to be moved to Fort Worth in a centralized location? If that is the plan, is Representative Thomas, of Houston, going to recommend that all Federal workers in his city be moved to Austin, where a new Federal building is under construction?

The News has never suggested that this city's lamented project be built except on the basis of economy, utility and convenience to the public.

The administration is phasing out several veterans' hospitals right now on the logical theory that new structures will be more efficient and beneficial in the long run.

But the same theory with respect to Federal agencies and offices in Dallas evidently does not apply.

Our Federal center was first authorized in 1954 after careful study by the Government's own planners. It has been authorized ever since. In 1959 a new Public Building Act required that all projects previously recommended but not completed must be reauthorized by Congress. So again, in 1960, the Dallas center was reauthorized by the Senate Public Works Committee and final drawings were approved by the General Services Administration. In 1961 the building was authorized again by the House Public Works Committee.

How strange. In 1954, the GSA approved 18 projects in the four-State region of which Dallas is a part. By late 1963—nearly 2 years ago—17 had been completed. Only 1—that in Dallas—has been kicked around, stalled and shoved into seclusion.

Dallas appreciates the position of Representative Jim Wright, of Fort Worth, who differs with the excuse announced by Houston's Representative Thomas. Both Fort Worth and Dallas need these centers, Representative Wright says. The Fort Worth structure, he adds, will not be large enough to handle Federal agencies of both cities; more important, according to Mr. Wright, "it was on the basis of a careful analysis * * * that both Federal buildings were authorized and approved by Congress, the General Services Administration and the Budget Bureau."

If Representative Thomas is correct, then the President, the GSA, Representative Wright and the Budget Bureau are wrong in their assessment of the Dallas project. If they are right, then Representative Thomas obviously is wrong.

It is his privilege to take a different position, but in view of the 10-year evidence favoring the Dallas center, Dallas is entitled to a better explanation.

THE 30TH ANNIVERSARY OF REA

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, I am pleased to join in this well-merited tribute to the Rural Electrification Administration on the occasion of its 30th anniversary.

It can be said, without challenge, that no Federal program has brought greater benefit to our rural areas than the rural electrification program which began in 1935. From this viewpoint, and after 20 years of service in this House, I know of no single program that has created greater benefits for all of America.

Yet the rural electrification program, and REA, is under attack today as a relic and an extravagance which is no longer needed. Because of this—based as it is on a misunderstanding of the nature and objectives of our Federal rural electrification program—I want to recall some of the circumstances which led to a demand that the Federal Government help farmers and rural people get central station electric service. I also plan to identify some of the contributions which REA and the rural power systems it has fostered have made to the development of rural areas and our Nation.

The young person of today—living and traveling always within easy access to electricity—may well wonder about two things. One is that rural electric cooperatives serve more than half the geographical area of the Nation. The other is the intensity of the feeling that older rural people have for their rural electric cooperative. This goes against the feeling that most business enterprises, particularly the utilities, merit little more than respect.

I believe I know the basis for this devotion many rural people have toward their rural electric cooperative. It is rooted in the deep frustration that surrounded rural families in the early 1930's after years of trying to get the nearest power supplier to stretch his lines a quarter-mile, a half-mile, or perhaps further so that they might have the blessing of electric light in their homes. It was the practice then, not just in southern Illinois but all over the country, to place a series of barriers between the farmer and the electric service he sought.

First, there was the highest hurdle of all: the line extension charge. This meant that the farmer, in effect, had to buy the poles, the wire and the hardware, and the labor that was required to extend the highline to his farm. These line charges ran as high as $2,100 a mile. For many farmers in the depression years of the 1930's, the price might as well have been $10,000 a mile. But if he could jump this hurdle, the farmer was confronted with another: the minimum bill.

The minimum bill was justified on the grounds that the farm or rural consumer would use electricity for little more than lighting, hence a minimum monthly charge must be imposed in order to make rural service pay out for the power supplier. The minimum bills varied, according to the number of prospective users to the mile. Unfortunately, the minimum often was so high that it acted to discourage use of electric service. The farmer who was willing to advance cash for his share of construction costs might be asked to pay a minimum monthly bill of $10.

Some power suppliers created another hurdle by charging higher rates in rural areas than in the cities and towns where they served. The practical effect was to force the rural power user to put up the cost of building the lines out to his home and then to insure payment of this obligation—where the power company refunded the investment through a monthly credit against his power bill—with a premium price on all the power he used. Many rural people refused to play this kind of a "heads-I-win, tails-you-lose" game.

The result was that in the two counties, Madison and St. Clair, making up the present 24th District of Illinois, only 15 percent of the farm dwellings in 1930 were lighted with electricity, either from a central station or from a home lighting plant. Now this was in two counties which were part of the industrial-shipping complex around St. Louis, with many of the farms producing milk for the St. Louis milkshed. And I might add that these were substantial farmers, owning their farms debt free or practically so. Yet the 1940 census of agriculture was to show that almost within the shadows of East St. Louis, Alton, Granite City, and Belleville, 70 percent of the farms still were without central station electric service. Yet the picture was changing for the better.

It was changing because the New Deal administration of Franklin Delano Roosevelt had established the Rural Electrification Administration to help rural people get electric services. It was changing because the Rural Electrification Administration, under the stimulus and encouragement of wise congressional leaders such as Sam Rayburn and Senator George W. Norris, was developing the means and methods of accomplishing rural electrification at minimum cost. It was changing also because the Congress put rural electrification high on its list of national needs and supported it with the legislation, the authority, and the funds needed to get the job done. But the picture was changing for the better because rural people, responding enthusiastically to this long-sought opportunity, worked through their State and local groups to create rural electric cooperatives.

In 1935, at the end of its first half-century, the entire electrical industry in the United States was generating about 95 billion kilowatt-hours of electric energy annually, in a plant costing $13 billion. To many in the industry, the advent of Government-financed rural electrification and the creation of the Tennessee Valley Authority were the opening thrusts of a nationalized power industry. For them, the power industry could be only completely privately owned, or entirely Government-owned. There could be no mingling of public and private interests.

The record proves how wrong these industry voices were. REA and TVA did not slow or halt the private segment of the electric power industry. Instead, their example of widespread electric service at lowest possible rates caused the commercial power industry to cast off its blinders and become more active in serving the needs of the Nation.

In 30 years the 1,000 REA-financed systems—serving only the rural areas that no one else cared or dared to serve—have grown to the point where they now handle more than 47 billion kilowatt-hours of power annually. They have made a total investment of almost $5 billion in power facilities in 46 States, the Virgin Islands and Puerto Rico. Impressive as this growth is, the REA borrowers comprise only a small segment of the overall U.S. electric industry. They generate only 1 percent of the power, serve only about 8 percent of the consumers and distribute only 4 percent of the power. In terms of size alone, and their share of the total industry, they are overshadowed by the commercial power companies. But in terms of initiative, dedication, and pace-setting consumer service, the rural power systems are giants. They have broken the tight monopoly which the power companies sought to establish in the Insull era, and made the electric industry somewhat more competitive. And a glance at the financial section of any daily newspaper confirms the great prosperity of the commercial companies, despite this touch of unwanted competition.

There are those who say that the power companies were handicapped in the 1930's, because of the tight money situation, in their efforts to build rural lines. The record will show, in St. Clair County, that Farm Bureau leaders and interested farmers held at least three conferences in 1938—3 years after REA was established—with representatives of the power company serving their area to explore possibilities of getting service from the company. At the third conference, held at the Farm Bureau office in Belleville, the district manager of the power company told the rural leaders:

> There is no Santa Claus behind our extensions. We build them with honest-to-God money. My experience dates back to when the urban business was just as hard to get as rural business is today. When I hear farmers say rates are too high, I feel that it is a "blankety-blank" attitude.

At this same meeting, a higher official of the power company confirmed that the company was not interested in serving rural areas, but would hope to serve the cooperatives at wholesale. So the rural people of St. Clair County asked the newly formed cooperative at Waterloo to expand into St. Clair County.

Today, four electric cooperatives serve rural areas of Madison and St. Clair Counties. Each of the four recently completed its 25th year of operation. These are the Monroe County Electric Cooperative at Waterloo, the Egyptian Electric Cooperative at Steeleville, the Clinton County Electric Cooperative at Breese, and the Southwestern Electric Cooperative at Greenville.

These four cooperatives have established excellent records both in loan repayments and their service obligations to rural people. As of March 31, 1965, the four had received a total of about $13,850,000 in advances on loans approved by REA. On this debt, they had repaid more than $4,750,000 plus another $1,550,000 in advance payments on principal. The four borrowers also had paid $2,225,000 as interest on their REA loans. Their total remittances to the Treasury thus exceed $8,500,000. They now serve more than 18,500 rural consumers over a 5,500 mile network of power lines.

The cooperatives serving in my district are representatives of the 29 electric cooperatives in Illinois and the 934 rural electric cooperatives serving throughout the United States. They have met the handicaps of low consumer density and low revenue per mile. REA borrowers in Illinois serve only 3.1 consumers per mile and average $538 in revenues per mile, compared with 49.9 consumers and average annual revenues of $11,758 per mile reported by class A and B commercial utilities of Illinois in 1962.

Consumers served by REA borrowers in the State are using increasing amounts of electricity on their farms, in their rural homes and businesses. In 1954, the average monthly consumption per consumer was 301 kilowatt-hours. By 1964, the average had risen to 625 kilowatt-hours. The continuing objective of REA borrowers in Illinois—as in the Nation—is to provide the electric service required by their consumers under rates and conditions comparable to those available in urban communities. Equal opportunity for our rural people demands that electricity be made available to them on this basis.

To assist them in this objective, by January 1, 1965, REA had advanced $140,226,347 to borowers in this State. The funds have been invested by the borrowers in local electric facilities, including 46,905 miles of line, serving 144,551 farm and other rural consumers. Of the 144,000 farms in the State, 98.6 percent were receiving electric service on June 30, 1964, compared with only 28,379 farms, or 12.3 percent, when REA was created in 1935.

By January 1, 1965, REA borrowers in Illinois had made a total of $69,809,805 in payments on their Government loans. The payments included $38,086,768 repaid on principal as due, $9,184,646 of principal paid ahead of schedule, and interest payments of $22,538,391. No borrower was overdue in its payments.

Those who said that rural electrification was impractical, when fewer than 11 percent of the farms were electrified, have made repeated attempts in recent years to alter the public image of the rural electric systems—an image which was earned and created through the selfless efforts of countless rural men and women. It has been stated that rural electric cooperatives have been extending their lines into cities and serving industries, in competition with commercial power companies.

Those of us who know the story of rural electrification are not likely to buy this false representation or the line that REA has "deviated," whatever that means. We know that the rural electric systems came into existence to do the job that no one else wanted to do. If rural electric systems are serving close to cities, it is because the cities have reached out into rural areas through growth and annexation. Where rural electric systems are serving industry, it is because these systems are the nearest, often the only, power supplier available.

Through service on the Armed Services Committee of the House and the Joint Committee on Atomic Energy, I have had opportunity to judge the value of the rural electrification program to the Nation. These electric systems, reaching out to unserved farms and ranches, had power within reach when our defense plans called for air and missile bases in remote areas along our northern perimeter. They were ready earlier when national security required the location of radar stations in rural areas. Together with the rural telephone systems financed by REA, these rural power systems have contributed materially to the creation of strong defense installations throughout our country.

In its first 30 years, REA has served the Nation well. Today, under the leadership of Secretary of Agriculture Orville L. Freeman, Assistant Secretary of Agriculture John A. Baker, and REA Administrator Norman M. Clapp, it is fulfilling to a greater degree than ever its mission of service to rural people and to the American economy. I am sure that it is the sense and the wish of the Congress that it continue to do so.

REPEAL OF SECTION 14(b) OF TAFT-HARTLEY

Mr. GRIDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GRIDER. Mr. Speaker, I have recently announced to my constituents of the Ninth Congressional District of Tennessee that I favor repeal of section 14(b) of Taft-Hartley. Because there has been so much misunderstanding concerning this proposal, I would like to state my views and give my reasons for taking this position.

Section 14(b), simply stated, permits States to enact legislation outlawing agency shop and union shop agreements. They call such legislation "right to work laws." This cruel misnomer has resulted in widespread misunderstanding of the effect of 14(b). One prominent government official in Memphis, Tenn., thinks that the right-to-work laws "guarantee every person the right to work." A leading businessman wrote me that repeal of the States right-to-work law will automatically require every worker to join a union. Of course, both of these premises are incorrect. The repeal of section 14(b) would not automatically require anyone to join a labor union and certainly, as many Tennesseans who are now unemployed know, the right-to-work law does not guarantee them that right.

When Taft-Hartley with section 14(b) was enacted in 1947, it created a dual system under Federal law. This section is the only part of the Nation's labor law permitting the States to impose restrictions on the historic freedom of employer and employee to bargain collectively. Its repeal would establish a uniform set of laws and permit workers and employers in Memphis, Tenn., to bargain on the same terms as workers and employers in the leading industrial States, none of which have right-to-work laws.

Many people have expressed to me the view that no man ought to be forced to join a union against his will. Such a statement naturally appeals to our patriotic and liberty-loving instincts. No man ought to be required to do anything against his will except where a greater, public good is involved. We Americans cherish this concept. However, there are many things that we must do against our will, and many of them are good. For example, it is basic to the American concept of government that the minority must be governed by the will of the majority. Logically, the same concept ought to apply in labor relations. It seems to me, therefore, that when the majority of the workers in a plant vote to be represented by a particular union, then all of the members of the plant ought to abide by that decision. Even today, with 14(b), they are bound by the agreement made between the union and the employer. They are bound by, and generally benefit from, the wage scale agreed upon, the fringe benefits, the vacation periods and all of the other clauses in the contract.

Certainly the worker is "free" to vote against the union, but where the majority has voted for the union, I think it fair to question whether that worker should be "free" to withhold all support from the union thereafter. He enjoys the benefits; it seems reasonable to expect him to pay the cost. Those who voted Republican in the last election are still expected to pay taxes.

Another argument often made is that unions treat the employees with more consideration if they know that the employees have the right to quit the union. This view overlooks the fact, expressed to me by many outstanding employers and businessmen, that unions in such situations tend to be far more militant. If they have to continue to attract workers as well as represent them, they tend to be in continual conflict with management in an effort to show the workers the results. This is bad labor relations and, in my view, a weak argument.

This is not to say that I have a great and undying love for union shops. I know many good companies that do not have labor contracts of any kind. On the other hand, there are many, many companies that do have union shop agreements and many employers who prefer them. The point is that I see nothing in union shop agreements so sinister, so evil, so contrary to public policy that they should be declared illegal. The right-to-work law does exactly that, and it puts a union shop agreement in the same category as a common crime. This seems unrealistic and contrary to good public policy.

The word "freedom" is often used by proponents of right-to-work laws, but they ignore the freedom of contract now denied employers and unions in those States that still have these laws.

Of course no one would be forced to join a union by the repeal of a right-to-work law. Repeal would simply open up the field for negotiation. Employers who feel strongly against union shops would still be free to refuse to make such a contract.

Many people have union shops confused with "closed shops." As most people know, a closed shop is one which requires union membership as a condition precedent to getting a job. In a closed shop the union virtually does the hiring. I am against closed shop agreements and they are in fact outlawed by the Taft-Hartley Act and will continue to be after 14(b) has been repealed.

Many of my constituents have written me that Tennessee's right-to-work law attracts industry and is responsible for higher incomes. But the hard fact is that the per capita income in the right-to-work States is far lower than in the States that do not have it. What is worse, the gap is getting wider every year. In 1947 when the Taft-Hartley Act was written, the average income of the right-to-work States stood $230 below the national average. By 1950, this imbalance had increased to $281. And in 1961, it was $379.

Statistics show that the per capita income in the Southeast—where all States except Kentucky have right-to-work laws—has increased 87 percent since 1947, while the national average increased only 72 percent. While this statistic is impressive, it does not hide the fact that the per capita income in these States is falling farther and farther behind the national average. The high percentage of increase is due to the fact that they started from such a low base.

In my efforts to be objective in this matter, I have chosen that State nearest Tennessee which does not have a right-to-work law to compare the progress of that State with Tennessee. Kentucky does not have a right-to-work law, although it is similar to Tennessee in many other ways. I asked the Library of Congress to compare the industrial growth of these two States. Between 1954 and 1962 payrolls in Kentucky increased 61 percent. During the same period, payrolls in Tennessee were up 59 percent. Value added by manufacturers increased 78 percent in Kentucky and 80 percent in Tennessee during these years. Average gross weekly earnings of production workers increased by 37 percent in Kentucky and by 36 percent in Tennessee.

These statistics seem to indicate that Kentucky's lack of a right-to-work law makes little difference. The real difference is shown in the weekly earnings in these two States. In 1962 in Kentucky the average weekly earning was $91.03 while in Tennessee it was only $78.26. If this is an advantage to the people of Tennessee, I cannot comprehend it.

In the fall of 1961, the Southern Governors' Conference met in Nashville and was presented with a report showing that the annual per capita income of southern industrial workers was $800 below that of other regions because the South had not been selective in attracting new industry. Three months earlier a Vanderbilt University historian denounced the policy of trying to attract investors by "the promise and guarantee of low wages and low taxes." He underlines the connection between these practices and the right-to-work laws existing in these States.

I prefer to think that plants locate in Tennessee because we have a market for their products and because we offer certain advantages in transportation, low-cost TVA power, and other benefits. In my view this is an infinitely more powerful and dignified argument than to say that people in Tennessee will work at lower wages than those in other States.

These are the considerations which inclined me to favor a change in section 14(b) of the Taft-Hartley Act.

GERMAN WATER RESOURCE MANAGEMENT

Mr. MARSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MARSH. Mr. Speaker, at a time when the development of our water resources is becoming increasingly a question of national concern, it is my hope that those in the executive agencies, particularly the Corps of Engineers, will make a thorough study of all possible approaches to this question.

One such area of particular interest to the Nation's Capital is the Potomac River Basin, which also includes the Shenandoah River and its tributaries, a large portion of which system is located in the Shenandoah Valley in the Seventh Congressional District of Virginia. I particularly would like to call to the attention of the House a proposal of Prof. Ernest Gehman, member of the faculty at Eastern Mennonite College at Harrisonburg, Va., who has devoted a tremendous amount of time and study to the application of a concept of water resource development, including low-flow augmentation, developed on the Neckar River in Germany.

Mr. Gehman points out a number of striking similarities in the problem confronting the Germans in managing their water resources, including topography, in the Neckar region to those of the land area served by the Shenandoah River. He suggests that a similar approach might be adaptable to the Shenandoah.

The German concept, which has been used successfully on the Neckar River, and more recently on other rivers of that country, does not embody the large dam approach, but has been described as a system of river channel lakes using a series of small river channel dams.

It is my hope that those charged with the responsibility of water resource development of the Potomac River Basin will at least give thorough study to this interesting and different approach.

MEDICARE

Mr. VAN DEERLIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, I direct the attention of Members to a new strategem in the continuing campaign to defeat medicare.

Although there has been no published announcement concerning it, the house of delegates to the Arizona Medical Association voted 10 days ago to seek a nationwide "strike" by doctors if the Medicare Act becomes law.

The Arizona association recommended to its parent body, the American Medical Association, that doctors refuse to treat patients under the Government medical insurance program for the elderly, scheduled to take effect next year.

When I telephoned the State association's Scottsdale headquarters yesterday, its executive director, a Mr. Bob Carpenter, told me the text of the delegates' resolution was still being revised, to incorporate amendments agreed to during extended debate. He promised its release by Wednesday of this week—in time, it is doubtless hoped, to influence the Senate's action on medicare.

The Arizona Medical Association is calling its proposal "nonparticipation" in the Government program. A spokesman for the American Medical Association here in Washington said the parent organization was aware of the move for a doctors' boycott in Arizona and certain other pockets in the Nation, including southern California, but he dismissed it as ill advised and impractical.

Let us hope our family physicians will show similar scorn for the sort of tactics which they would surely deplore if tried by say, the Teamsters Union.

The action proposed in Arizona is aimed at protecting no legitimate interest of the medical profession. The bill passed by this House on April 8, and awaiting Senate action, imposes no controls on doctors or hospitals, sets no new standards of health care, intrudes upon no phase of the relationship between, or the free choice of, doctor and patient. Medicare deals solely with the manner in which Americans have chosen to meet the rising cost of illness in old age.

EMERGENCY BASIN AUTHORIZATION BILL

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the body of the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, I am privileged to rise today in support of H.R. 6755, the so-called emergency basin authorization bill.

The Public Works Committee appeared this morning before the Rules Committee in support of this legislation and it is my understanding that it is scheduled to come up on the floor tomorrow.

This bill provides for increased authorizations totaling $263 million for 10 river basin plans. These increased authorizations are needed to cover funds already appropriated or funds that are included in fiscal year 1966 appropriations. Furthermore, these increased authorizations are required now so that the construction programs for these basins can be maintained without delay.

Unless additional authorization is provided for, the 10 basins listed in H.R. 6755 will run out of authorization in fiscal year 1966. When this same condition arose last year it was necessary to curtail Government expenditures for design, construction, real estate acquisition, and other necessary work, and to advise contractors of the lack of authority to obligate or expend appropriated funds.

Testimony of the Corps of Engineers on April 27, 1965, in hearings before the Subcommittee on Flood Control indicated that decisions on deferring scheduled contract awards are made on a day-to-day or week-to-week basis. These deferrals are necessary due to the fact that without assurance of sufficient authorization at this time the award of new contracts would use up remaining authorization needed to satisfy the requirements for existing contracts and real estate acquisition where landowners are depending on announced dates for taking their land.

In the Los Angeles-San Gabriel Basin three contracts having a total value of $6,722,000 were not awarded in April as scheduled. By letter dated May 6, 1965, the Chief of Engineers informed the chairmen of the Senate and House Public Works Committees that he was deferring the award of four contracts having a total value of $7,837,000 in the central and southern Florida basin; five contracts having a total value of $1,839,000 in the upper Mississippi River Basin; and two contracts having a total value of $2,010,000 in the West Branch Susquehanna River Basin. Therefore, in these 4 basins, 14 contracts having a total value of $18,408,000 have already been deferred because of the lack of assurance at this time that additional monetary authorization will be available. These contracts are located in the States of California, Florida, Iowa, and Pennsylvania.

In addition to the 14 contract awards already deferred, if H.R. 6755 is not enacted into law as soon as possible, it will be necessary to defer 36 contracts having a total value of $68,562,000 in the States of Arkansas, Florida, Idaho, Kansas, Oklahoma, Oregon, and Washington, which are scheduled for award in May and June 1965.

Because of the urgent nature of this situation, and the impending deferral of work in addition to that which has already been deferred unless this basin authorization is adopted, I urge approval of H.R. 6755.

FOREIGN AID AND THE BALANCE OF PAYMENTS

Mr. VIGORITO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VIGORITO. Mr. Speaker, it is not surprising that the foreign aid program is being blamed for the U.S. balance-of-payments deficit. Foreign aid has been blamed for just about everything else.

But, let us take a few moments to look at the facts.

The facts are that since 1961, foreign aid has had a steadily decreasing impact on our balance of payments. In the long run, foreign aid will be of substantial help to the U.S. balance-of-payments situation as more and more countries become economically developed and thus better markets for U.S. products. And, at the present time economic assistance plays a significant role in maintaining U.S. commercial exports at a high rate.

Foreign aid programs are only one of the many elements on the outflow side of the balance of payments, but most of aid today takes the form of direct exports of goods rather than an outflow of dollars.

Over the past few years, AID has instituted rigorous policies of tying our assistance to export of U.S. goods and services. As a result, more than 85 percent of AID funds committed in fiscal year 1966 will be spent in the United States for U.S. goods and services.

During fiscal year 1964, the latest data available, the gross adverse effect on the U.S. balance of payments of AID's economic assistance programs was about $513 million.

Preliminary estimates for the calendar year 1964 show substantial further improvement. The payments abroad dropped to about $400 million. This is offset by repayments of past assistance loans extended by AID and predecessor agencies of over $150 million, making a net effect of about $250 million.

The current expenditure rate under our economic assistance program is almost exactly $2 billion per year. Thus in 1964, for every dollar of economic aid extended, 20 cents showed as a current adverse impact in our balance of payments—not considering current or future receipts.

Put the other way round, 80 percent of AID's expenditures last year represented not dollars going abroad, but steel, machinery, fertilizer, and other goods and services purchased in the United States.

Under these circumstances, of course, a cut in AID appropriations would primarily reduce U.S. exports, and would have only a very small effect on the balance of payments.

In the main, gold transactions between the United States and AID recipients result in a net gain in U.S. holdings. During 1964, for example, less-developed countries purchased $28 million worth of gold from the United States—of which all but $3 million was subscribed to the IMF—but they sold $89 million worth of gold to us for dollars in the same period.

There is thus no direct relation between aid and an outflow of gold to AID recipients. In fact, the reverse is true. The U.S. gold problem lies with the industrial countries of Europe, not in our relations with the AID recipient nations.

Looking beyond the immediate present, the foreign aid program has a number of effects which are positively beneficial to our balance of payments.

Secondly, the evidence is plain that countries which with our aid achieve steady economic growth become increasingly better markets for U.S. exports and more attractive places for U.S. investment abroad. Over the last 15 years our exports to Europe have doubled and our exports to Japan have tripled. As other countries—Spain, Greece, Taiwan, and so on—gain economic mommentum and our aid comes to an end the same kind of result is evident.

Mr. Speaker, these are the facts about the AID program and its relation to the balance-of-payments problem.

AMERICAN RURAL LIFE

Mr. STALBAUM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STALBAUM. Mr. Speaker, today marks a special day for those who have followed the progress of American rural life. It was on May 11, 1935, 30 years ago, that President Roosevelt signed the Executive order creating the Rural Electrification Act.

Ever since, and with the passage of the Rural Electrification Act of 1936, this lending agency in its 10-year electrification loans program has played a vital role in the progress, the well-being, and the increase in the standard of living of the American farmer. At the end of 1964, over 5,300,000 consumers were being provided electric service by borrowers from the REA, along with nearly 2 million telephone subscribers similarly covered. REA co-ops have over 1½ million miles of powerlines.

The tremendous impact of REA can best be noted by the fact that only 7 percent of farm people in the counties it serves had electric service when it started. Today, over 98 percent of the farmers in those areas have this valuable aid to their operations and to their comfort. In my own State of Wisconsin, 20 percent of the farms had electricity in 1935. Today, 99 percent have electric service.

Since 1961, the program has been under the administration of a fellow Wisconsin resident and good friend of mine, Mr. Norman M. Clapp. Mr. Clapp has brought to the position of REA Administrator the same dedicated service which he showed while he was serving as an administrative assistant to Senator Robert M. La Follette, Jr., of Wisconsin, and which his brother, the late Gordon Clapp, provided as Administrator of the Tennessee Valley Authority.

On this 30th anniversary, we salute this outstanding program which has contributed much to the American farmer and to his way of life.

THE 30TH ANNIVERSARY FOR REA

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. EDMONDSON] may address the House for 1 minute and revise and extend his remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, it is a pleasure to join my colleagues in saluting a great program for progress on its 30th anniversary.

I do not know of any piece of legislation which has made a more important contribution to the betterment of life and the productivity of the American farmer than the measure authorizing the REA.

Millions of farm families have literally moved into the 20th century as a result of this program, and additional millions of Americans have benefited directly through the introduction of electrification on the farms of the Nation.

The REA has strengthened the entire Nation, and its good work should continue to command the overwhelming support of the Congress.

FRENCH GOVERNMENT DEPLETION OF OUR GOLD RESERVES

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, today I learned that France has depleted our gold reserves at a much faster rate than is realized by most Americans. The French Government, during the first 4 months of this year, drained our country's reserves of more gold than the total of all their claims against us in 1964.

I shall not belabor the well-known fact that we have a serious balance-of-payments problem, and that the President has called upon all Americans to sacrifice to reduce this imbalance. We are asked not to invest or travel abroad. Yet to the United States falls the major burden of defending the free world and assisting developing countries on the road to political independence.

While we are expected to give and give again, De Gaulle mocks our generosity and international responsibility by making constant and unremitting demands upon our gold reserves. Yet this is the same nation that we pulled from the depths of national despair in two world wars, an effort not without a severe toll of American lives and wealth.

Mr. Speaker, today I rise on the floor of the House to denounce the policy of the French Government in taking advantage of our generosity and if they persist in this course, I demand that they be called upon to repay the $6 billion they still owe the United States from World War I. Payments on this debt have not been made by France since 1931. Yet they do not hesitate to attack our financial stability when the whim strikes them.

Mr. Speaker, the United States and France have been friends since the birth of our Republic. Is this the spirit that should prevail between traditional friends?

If this unfortunate policy is to continue, I call for total repayment of the gold drained from the United States in rescuing France from national oblivion.

THE 30TH ANNIVERSARY OF THE RURAL ELECTRIFICATION PROGRAM

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HUNGATE. Mr. Speaker, I count it a rare privilege to join with my distinguished colleagues here today in observing the 30th anniversary of the rural electrification program. No national effort has done more to raise the standard of living for rural people. It is a program that has been good for the economy and good for democracy. It is a program marked by cooperation, cooperation between farm and nonfarm neighbors, cooperation between town and country, and cooperation between the people and their Government.

In my home State of Missouri, we see everywhere the striking changes that three decades of rural electrification have brought. Today, the "show me" State stands first in the Nation in REA generation and transmission loans, second in total rural electric loans, second in advance payments on these loans, second in miles of lines, and fourth in number of rural electric systems. But, Mr. Speaker, this is a program we cannot measure in dollars, miles of lines, or kilowatts alone. True appreciation of its worth unfolds only when we look at the benefits that have come to the 272,000 members—perhaps more than a million persons—now receiving service from the 47 rural electric systems operating in my State.

Just to name a few, rural electrification in Missouri has relegated the pitcher pump, the sadiron, the scrubboard, and the woodstove to the scrap pile. Our rural homemakers, free from backbreaking drudgery, now can devote their energies and talents to better living for their families and better futures for their children.

At the barn, the electric motor has replaced the scoop shovel and the electric waterer has supplanted the ice chopper. The bulk milk tank, the electric milker, and the water heater have eliminated the time-consuming and insanitary chore of milking by hand. The electric cable and heat lamp have banished the frosty farrowing pen and brooder house.

All these improvements have meant more and better and relatively cheaper food for our growing population. More than that, as the farmer increased his efficiency through electrification, he had more money to spend in the stores in the towns and cities.

This has opened up new jobs and generated more business. Rural electrification is a program designed for the rural areas, but its benefits flow throughout the economy. It is indeed good for all Americans.

Mr. Speaker, a little noticed but historic event took place in northeast Missouri in July 1937 when about 100 pioneers of rural electrification met at the farm of B. L. Anderson, near Lewistown, to witness the beginning of the REA program in my State. Since that first line was energized by Lewis County Rural Electric Cooperative Association, some 4,500 members have been added to its lines and it is repaying its REA loan ahead of schedule.

I hope you will pardon my personal pride in noting that this event took place in the congressional district which I now represent. Above all, I wish to pay honor to the late Congressman Clarence Cannon, who so ably represented this district for more than 40 years. Certainly, no stancher friend of the farmer and REA ever stood in this Chamber. The opportunity to carry forward in the Ninth District his rural electrification work for our people is one of the great and worthwhile challenges I am privileged to share.

Mr. Speaker, an anniversary is a time to look forward as well as to look back. There is unfinished business in the rural electrification program. The objective is not merely the connection of all applicants, but it is to provide rural consumers service comparable in cost and quality to that available to urban consumers. Parity, if you please, is the goal.

I am happy to report that the rural electric cooperatives in my State are working vigorously toward that end. In the early 1950's they were taking steps to assure an adequate supply of wholesale power at reasonable rates. That foresight is now paying off. In the past 3 years, the generation and transmission cooperatives have made rate adjustments saving distribution systems more than $800,000 a year on their power bills. We have reason to believe this is only a beginning.

The joining of the six generation and transmission cooperatives operating in the State into Assocated Electric Cooperative, which began operations in August 1962, is one of the most advanced steps taken to meet the power requirements of rural areas. Associated has entered into pooling arrangements with the Southwestern Power Administration and commercial electric utilities. Here we see the benefits stemming from cooperation in the pooling of hydroelectric production with that from large and efficient generating plants. All participants—cooperative, public, and commercial—stand to gain significantly.

Northwest of Moberly, Associated is constructing what is known as the Thomas Hill generating plant. This plant, with a capacity of 150,000 kilowatts will be the largest cooperatively owned plant in the State. It is scheduled to start production in December next year. This project will provide power to meet the growing needs of rural consumers, employment for more than 40 permanent employees and a market for coal available in the area. Not to be overlooked is the fringe, though substantial, benefit from recreation on the 4,500-acre lake nearing completion.

Ample supplies of power in the right places are helping toward the economic progress of rural Missouri. On March 12, Gov. Warren E. Hearnes, of Missouri, took part in ground-breaking ceremonies to start construction of a $15 million fertilizer plant by the American Cyanamid Co. near Palmyra, Mo. This plant will be served by Northeast Electric Power Cooperative, a federation of distribution cooperatives, and it will employ 100 persons.

The Department of Commerce on April 26 announced that the personal incomes of Missouri residents rose 5 percent last year to a new record for the State. I am confident that a substantial share of this rise was due directly or indirectly to the strong rural electrification program in our State.

While the G. & T. cooperatives have been strengthening the supply of power, the 41 distribution cooperatives have not been idle in their quest for parity of service for rural people. Utilizing the wholesale rate reductions and the latest technology, during the past 4 fiscal years, no less than 17 cooperatives have reduced their rates. These reductions will save members more than $742,000 annually on their electric bills. The fact that these reductions came at a time when most costs have been rising speaks well for the management of the rural electrification program in Missouri.

There is other unfinished business in the program. Besides power supply there is the problem of enlarging the capacity of lines to carry the mounting power loads required by rural consumers. In 1954, the average monthly use of power per consumer in our State was 265 kilowatt hours. In 1964, it had climbed to 445 kilowatt hours. As farmers and other rural consumers turn to new uses of electricity to save labor, add income and provide modern-day comforts, an increase of usage follows.

It was in my district that the first rural home on a cooperative line in Missouri was heated electrically. Mr. and Mrs. Emery Lancaster made the installation in 1948 at their home north of La Grange. Today a growing number of rural families over the State are heating their homes electrically. Many churches, schools, and business establishments are also heated by electricity. Air conditioning is also coming to the rural communities.

There is unfinished business in extending service to the people who desire to establish a business or build a home along the lines of the rural electric cooperatives. These systems are adding several thousand consumers each year.

We take great pride in the fact that about 98 percent of the farms and a large percentage of other rural homes of our State have electric service, in contrast to only 6.4 percent when REA was established. Yet it cannot be said that rural electrification is nearing completion. If our rural areas are to prosper, indeed, if our State as a whole is to go forward, the rural electrification program must not only be continued, it must be continually strengthened to meet changing conditions and changing needs of our people.

If rural people are to get a fair shake on electric rates and service, the cooperatives must be permitted to continue to serve the areas they have developed. If the best loads and the best areas are chipped away by other suppliers, the cooperatives will weaken and the members remaining will pay higher rates. The rural electrification program in Missouri could never have attained the heights it has reached without town and country cooperation. Surely reasonable men can resolve this problem for the benefit of all.

There is considerable difference of opinion in my State about the ability of rural electric cooperatives to pay taxes. Some contend that they should be taxed the same as commercial companies. In considering this question, I believe we should take into account the fact that the revenues of the companies average $8,396 per mile of line, in contrast to only $388 per mile collected by the cooperatives. Another important fact in this connection is that taxes are actually paid by the consumer—not the companies.

It is encouraging, I am sure, to the rural people of Missouri to see their cooperatives united in a fine statewide organization. Under the dynamic leadership of its president, Orma Mackey, of Mexico, the Missouri State Rural Electrification Association is moving progressively to strengthen the program in the State.

Certainly the people that own the rural electric cooperatives have in their corner unfaltering friends in this Administration. President Johnson, who helped organize the Texas cooperative that serves his ranch, has been a long and steadfast supporter of the program. The same can be said for Secretary of Agriculture Freeman and Norman Clapp, the REA Administrator.

The rural electric cooperatives in Missouri with their 87,000 miles of lines stand as a monument to the foresight and cooperation of the people of Missouri. But more than that, they can serve as a means of providing new and better ways of working and living in our rural communities.

Truly, Mr. Speaker, this is a people's program. If the people of Missouri and the Nation who built the rural electrification program continue to support it in the future as they have in the past 30 years, new and greater opportunities for their children are sure to open up in rural America.

MEXICO, MO.—"AN ALL AMERICA CITY"

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HUNGATE. Mr. Speaker, I would like to call the attention of my colleagues to one of the outstanding cities in the midwest, recently described in the January 1965 issue of Missouri Business, a monthly publication of the Missouri State Chamber of Commerce.

Mexico, Mo., which I have the privilege to represent, was designated as an All America City in 1955, in national municipal competition, because of its record of continuous civic progress. The city continues its great progress under the leadership of such men as Frank Kister, who is presently the president of the Mexico Chamber of Commerce.

I am pleased now to insert in the Congressional Record the text of the article from Missouri Business:

Mexico, Mo.—"An All America City"

Mexico, Mo., is both a town and a philosophy.

The town is unusual; the philosophy is so simple it should be usual. The philosophy has to do with industrial development. Simply stated, it is:

"The bird in the bush is important, but the bird in hand is more important."

In short, take care of the industries you have, as you look for new industries.

Mexicoans, as these mid-Missourians call themselves, say the test of a town's industrial pudding is how its industries expand in that town.

Every one of Mexico's major industries, and most of its smaller industries, have expanded there in recent years. And many of these industries have expanded there repeatedly. Further, multimillion-dollar future expansions have been announced.

Mexico's bird-in-hand philosophy seems to be paying off for both the town and its industries.

What about the town itself?

Today, Mexico, with about 15,000 population, sometimes calls itself the Hub City of central Missouri—Federal and State highways serve the city from all four directions; three railroads serve Mexico: Norfolk & Western, Gulf, Mobile & Ohio, and the Burlington; a modern airport is being expanded; there are three buslines serving the city and seven motor freight carriers.

Mexico also is known as an All America City. The name was won in 1955 in national municipal competition sponsored by the National Municipal League and Look magazine. Mexico was judged a winner because of its record of continuous civic progress.

Mexico is also known—perhaps best of all—as the fire clay and saddle horse center of the world.

In Mexico proper is the largest single firebrick plant in the world—the home office and plant of the A. P. Green Fire Brick Co. There are two other refractory plants in Mexico—an important division of Kaiser Refractories and the Western Stove Lining Works. All in all, more than 3,000 people in Mexico and its trade area are on the payrolls of refractory companies. Other nearby refractory plants are located at Vandalia, Farber, and Wellsville.

What about saddle horses?

There is no saddle horse show in America which has not been won by horses from Mexico, Mo., and most of the top shows are won regularly by Mexico horses.

The horse industry got its start in Mexico when the original settlers brought their fine horses with them from Virginia and Kentucky.

The largest saddle horse operation in America today is that of Arthur Simmons of Mexico, whose entries won more than 400 ribbons in shows throughout the Nation in 1964. Mr. Simmons has some 80 horses "in tailsets" in his training barn, and more than 110 saddle-bred horses at his breeding farm.

The Cunningham stables and farm have more than 75 saddle-bred horses. William J. Cunningham, owner, is one of the Nation's best known horse show judges, having judged every major show in America.

However, Mexico, county seat of Audrain, is more than firebricks and saddle horses.

It is rapidly becoming known as a center for agricultural industry—two livestock auctions, one with annual gross sales of more than $30 million, two packing plants, an ultramodern soybean processing mill, a new seed processing plant, three agricultural fertilizer plants.

The full impact of this new industrial complex is yet to be realized. But Mexicoans are both proud and pleased with the success of their older industries and the new diversification of industrial income by way of expanding new industries.

Meanwhile, these same Mexicoans take pride in their city government—the nonpartisan manager-council form with its professional police and fire protection, its sound city financing, its new underpasses and street improvement programs, its new sewage disposal plant in progress and its lack of slums—the housing director did such an outstanding job in Mexico he was named in December 1964, to go directly from Mexico to head the program in Kansas City.

Still other Mexicoans will tell you the city's real claim to fame is its truly remarkable recreation program. This pioneer program was based on a master plan which dotted the town with seven parks totaling 350 acres, swimming pools, tennis courts, picnic areas, baseball fields, fishing lakes, playgrounds, and the like. Even more impressive than the physical facilities are its supervised activities.

The parks in the recreation program and its other facilities were donated by citizens, industries, and civic groups. For example, one civic club donated the all-sports area, another, one of the fishing lakes, a woman's club the outdoor stage for the park bowl. Industries and businesses donated many features—lights for the major baseball field, shelter houses, and the like. Individuals donated labor, signs, and even the popular nine-hole municipal golf course, Arthur Hills.

(Mexico also has a private country club complete with modern club house, swimming pool, and other facilities.)

Schools are a source of pride in Mexico. While many towns fretted about shortages of classrooms and wished for Federal help, Mexico has continually passed bond issues keeping its schools modern, well staffed, and adequate for present and future growth. Included in the school system are special classes for retarded and handicapped children.

Incidentally, Mexico takes great pride in its adult evening school which is the largest between St. Louis and Kansas City enrolling more than 1,100 students in 80-odd classes every year. It has been said that you can judge the kind of people who live in a town by their attention to the responsibility of education.

Besides its public schools, its parochial grade school, Mexico has a private school which has received wide acclaim—Missouri Military Academy. MMA also can be considered one of Mexico's industries. It employs 100 people and has a student body of 320 cadets from 26 States and 5 foreign countries.

Like most of Mexico's industries, the school has prospered and expanded in Mexico. In the last 6 years, MMA has added six new buildings to its handsome campus. These new buildings include a $250,000 academic building, a memorial chapel, a fieldhouse, an infirmary, an administration building annex, and a junior school academic building.

And like the executives in most of Mexico's industries, the administration and faculty of MMA participate actively in community affairs. As a matter of fact, a great deal of Mexico's record of progress comes from a tradition of civic service found among Mexico's industry executives, businessmen, and other leaders from all walks of life. And their wives.

If MMA is an industry—and it is—another institution, the Audrain hospital, is also an important industry.

Right after World War II Mexico had the same problem most towns did in caring for its aged, ill, and injured. There was a shortage of hospital rooms and a shortage of doctors.

So civic leaders in Mexico and Audrain County formed a master plan. It called for expansion of the Audrain Hospital—a tax supported county hospital—and active support for that hosiptal.

The result is that the hospital today—its third major expansion since World War II totaled $1,300,000 completed in 1964—is a remarkable institution. It has a rating of 225 beds, it has 260 employees, it cares for an average of 7,800 patients a year from Mexico, Audrain, and the surrounding counties of central Missouri.

The hospital is remarkable for the quality of its equipment, much of which has been donated by local businesses and industries including industries located in the Mexico trade area. The A. B. Chance Co., of Centralia, for example, and the Wellsville Fire Brick Co., of Wellsville, have repeatedly made generous donations of money and special equipment to the hospital.

Needless to add, as excellent hospital facilities took shape, more and more doctors moved to Mexico. Today, the number and quality of doctors in Mexico is a matter of common knowledge. What may not be as well known outside of Mexico is how well these doctors also serve on the city council, on the community chest, and in many other civic activities.

As a part of health care in Mexico, there is an active program of scholarships for nurses, also a school for practical nurses.

And now for a closer look at Mexico's major industries:

The A. P. Green Fire Brick Co., one of the largest manufacturers in the refractories industry, is headquartered in Mexico. The company has 28 plants located all over the world and its plant in Mexico—the largest of its type in the world—has 27 acres under roof. More than one-third of the 3,000-plus people working for the company work in Mexico.

Gross sales indicate the growth of the company: 1920, $1,354,008; 1930, $3,390,752; 1940, $4,255,008; 1950, $17,794,156; 1960, $39,926,310; 1963, $49,826,980. Sales for 1964 are now estimated at more than $56 million.

The company has repeatedly expanded in Mexico. Its ultramodern research center, one of the leading facilities of its kind in the United States, maintains a staff of scientists, engineers, technicians, and specialists in numerous fields.

Other recent expansions, besides the new research center, includes additional manufacturing facilities for new products, new grinding equipment and expanded stock buildings for increased raw material reserve.

The Mexico works of Kaiser Refractories is currently busy with an extensive modernization program totaling several million dollars. The plant and offices in Mexico have 650 employees. Customers in many parts of the world are served from Mexico.

In 1964 the company completed expansion of product storage facilities and a modernization of shipping processes. Also work started on additional kiln car storage facilities and a major renovation of the dry press department. The company has announced that it has additional long-range plans for further modernization.

The Florsheim Shoe Co., Women's Division, of the International Shoe Co., has a record of modernization and expansion in Mexico. In the last 3 years this company employing 335, has increased its production 13 percent, its man-hours 20.4 percent, and its average hourly earnings 16 percent.

These gains have been made possible by improved working areas and modernization in the company's plant here. The plant totals 50,000 square feet of floor space.

Mexico shoe workers take pride in the fact that the shoes made there are of high quality, only. It is considered a tribute to the desire, skill, and interest of these workers that the company selected Mexico for this quality work.

Missouri Power & Light Co. has the largest plant in its system in Mexico with a total of 125 employees. This modern plant is reinforced by emergency lines from three different hookups.

Another power source in Mexico is the two Panhandle Eastern Pipeline Co.'s parallel pipelines coming into Mexico to supply natural gas for both domestic and industrial use.

Missouri Cities Water Co. has its general offices in a modern new office building in Mexico. Its Mexico installations are in the midst of a broad modernization program ranging from enlarging mains to the installation of a new 500,000-gallon overhead storage tank. Mexico is served by four deep wells with a per day capacity of 3 million gallons. The average daily use is about 1 million gallons.

The Southwestern Bell Telephone Exchange in Mexico was rebuilt and expanded in 1957. It employs 70 people and serves from Mexico, 17 surrounding towns and an extensive rural area.

The Newell-Wetterau Grocery Co. of Wetterau Foods, Inc., in Mexico, is the largest food distributing facility between St. Louis and Kansas City. Employment totals 109, with more than 30 trucks serving 110 stores in western and northern Missouri and a part of Iowa.

The company's facilities in Mexico were built in 1951 with additions in 1956, 1957, 1961, and 1964. The site includes 17 acres and the building totals 170,000 square feet, of which there is about 10,000 square feet of cooler and freezer space.

Central Missouri Livestock Auction started in Mexico in 1960 and had gross sales of $30 million last year. So far this year the company has sold under hammer 100,000 cattle, 250,000 hogs, and 41,000 sheep for a total of 391,000 head of livestock.

The rapidly expanding auction building—125,104 square feet now under roof—includes electronic scales, overhead viewing ramps, and many other facilities. Some 17 to 20 packer buyers regularly attend the sales which serve an area of about 100-mile radius. Fat hogs are distributed coast to coast, fat cattle mostly to the eastern United States, and stocker and feeder cattle are mostly distributed in the Midwest.

The MFA Grain and Feed Division in Mexico employs 55 persons, has a storage capacity of 2 million bushels, and can process 6 million bushels of soybeans a year.

Its ultramodern plant, recently completed, now produces 125,000 tons of soybean meal and 11,000 railroad tank cars of soybean oil.

Space forbids mentioning all of Mexico's industries. Some of them are the Continental Bag Supply Co., which manufactures 250,000 newspaper carrier bags per year; the Mexico Stockyards Co., which has served Mexico for many years; McGee's Packing Co. and Baker Packing Co., each slaughtering more than 100 cattle and 100 hogs per week and each serving an area of about 100 miles around Mexico; Fechtling Seed Co., whose new $160,000 plant was completed in 1963, and others.

Once again, industry executives, foremen, businessmen, workers, and their wives make civic service a tradition in Mexico. A sales manager of a grocery company is now head of the school board, a car dealer is mayor, an industry foreman is a city councilman as is a doctor, the president of a private school is president of the hospital board (his board members include a farmer and several businessmen and the vice presidents of industries), the president of a livestock auction company is president of the chamber of commerce, the manager of a shoe factory has headed the community chest drives. Mexico seems to demand the best from its best.

Meanwhile, Mexico's two banks continue to grow, so does its savings and loan association; several new churches are now completed while others are under construction; the local AM radio station is expanding its modern building; the nationally known, prize winning daily newspaper—the Ledger—has announced a new record high circulation of 10,153.

Mexico is both a town and a philosophy. It considers the bird in hand important. It demands the best—no one there was surprised when Missouri's only two national 4-H winners this year were both Mexico High School products. This town seems to expect the best—and just about gets it.

ADDRESS BY HOMER L. HOOVER AT LIONS CONVENTION, BOWLING GREEN, MO.

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HUNGATE. Mr. Speaker, it is with great pride that I include for this body the remarks of an outstanding Lion, Homer L. Hoover, who is an international director for that organization, which remarks were made recently at the District 26–C Lions Convention in Bowling Green, Mo.:

REMARKS OF MR. HOOVER

Since time began men have grouped themselves together for mutual understanding, encouragement, and benefit. They have formed societies for the betterment of the world, for cleaner living, higher thinking, and worthwhile accomplishment.

We in Lionism are closely knit together by intimate bonds of club life. Lions Clubs is a group of men banded together in the spirit of community service, doing things as a team which could not be done as an individual.

We seek and find comfort and consolation in the wholesome society of our fellow men. We become stronger and finer and better, by having other men as our friends. As a result of this our knowledge of the world increases, and we become more broadminded, more human, and more like the manner of men that God intended we should become.

The Bible tells us "None of us liveth to himself alone." Lions International is an association of Lions Clubs joined in a common program under a universal emblem with the united purpose of exerting worldwide influence for good which no single club could possibly attain. This is the overall picture of Lionism with strengthened effectiveness and accomplishment through cooperation. It is an inverted pyramid. The base is the individual Lion expanding upward into clubs, districts, countries, and areas, until at the top is a broad plateau of promise to the needy, the handicapped, and the stricken peoples of the world.

The age in which we are living is no doubt the frothiest in history. Standards seem lowered and ideals lost; and never in the history of the world has there been such a need for organizations like Lions. Never has there been such a need for men—big men, good men, and men of unselfish idealism.

We are distracted, not because we are helpless, but because we have forgotten the rules men live by. We think of our rights and not of our obligations to each other. We must get back to voluntary cooperation which is the mainspring of life.

Our Lionism, forming as it does one big society over the world, upholds every noble and redeeming ideal of humanity. It makes all communities better by its presence. It makes each individual better for having belonged. It brings out the best in human nature, the give-and-take, the openheartedness and comradeship of Lions, and leaves no place in our lives for selfishness, cheapness, or narrowmindedness.

Our members are welded together in an unbreakable union. You have been invited by one of our Lions to join our Lions Club because they wish you to share the rewards of Lionism in this community.

The one thing I like about Lionism is that when we come into this room we forget selfishness. Personal resolve becomes one of human sympathy, combined with the spirit of brotherhood. We renew moral courage in a combination with faith, and we take a bulldog grip on fundamentals, and resolve to be better men.

All members pull together, with a common objective, with a spirit of friendship, strengthened by a common desire to live up to the Golden Rule and we all place civic and social progress on a high plane.

You are joining the largest service organization in the world. We have well over 750,000 active members in 17,000 clubs in 130 countries or areas of the free world.

Too often we are prone to stress the size of our organization to which we belong. We take pride in being a member of the biggest and the best. In this case Lions International. Yet, I would like to tell you as forcibly as I can that despite its size and its worldwide station, membership in Lions International is purely a personal thing.

Every organization in the world is cursed with one common problem. Even though it is a problem common to all, it is far from simple, and in fact is quite complex and is masked by a variety of names and by every means known to man. Lionism suffers from this problem, though not to the extreme degree that is common to many, it is serious enough to cause continuing concern. In a word, that problem is "inertia." Webster explains it perfectly: "Indisposition to exertion or action."

The signs are simple. There is the problem; the solution; and the action needed to attain the solution. The first two parts are comparatively easy. The problem is easy to define and intelligent discussion usually develops the best methods needed to resolve the problem. However, it is the action, the doing, the translating of words into deeds, that bogs down the solution.

Think a minute. Have you ever given much thought as to how your Lions Club is run? You attend State meetings; you revel in the fun and fellowship, sponsored by the clubs. We all enjoy the benefits of these many activities, but how many of us are willing to contribute our time or talents to insure the success of these programs. This is when inertia sets in.

Your meetings and all other activities connected with your Lions Club don't happen, they are planned. They run smoothly and efficiently on silent wheels oiled by the sweat and effort, the time and talents of the few who are dedicated to the many. Whether the problem is to run a meeting, plan a membership campaign or sell tickets for one of our events, the only solution is hard work and cooperation from as many members as possible.

But before this problem is solved, those responsible for directing these activities must first solve the problem of overcoming the inertia of the many who are content with agreeing that the problem must be met but who are willing only to give lipservice to its solution. Every activity of Lions has to have direction, and direction means work and dedication.

While we have a goodly number of highly dedicated workers in our Lions Clubs, there are still too few doing too much for too many. This is not to say that those who are doing the work are complaining or don't like it; not at all.

All of those responsible for the smooth operation of your Lions Club looks on it as a labor of love, but they could operate more efficiently, and we would derive more benefits, if there were more workers to share the load. We like the benefits but we hate to exert the effort it takes to overcome our inertia and translate it into action. Let's try it anyhow, what do you say? You will find each member kind, generous, and decent to everyone else.

You may have thought of Lionism as just a luncheon club, or just another organization. This great organization's slogan is "We are the eyes of the blind," also, "We Serve."

A few years ago Lions International held a motto contest. Hundreds of excellent suggestions were received from Lions all over the world. Many were clever. Many were impressive. But out of the large number received, the judges selected a simple two-word motto. They chose "We Serve" and it became the official motto of Lions International. The motto was nothing fancy. But it is strong in its modesty and simplicity, applicable to all forms of Lions service, easily translatable and understood in any language and universal in its meaning.

We serve—we care not what you need, your trouble, your distress. We care not your race, your nationality, your beliefs. You may be as near to us as a next door neighbor, or as far as the other side of the world.

We serve—not for headlines, but for heartlines. Not for personal benefit, but for personal warmth of a sharing hand. Not to stand above you, but to stand with you until your distress is no longer yours or ours.

"We serve"—Beautiful words, defining the work done by a host of good men, unselfishly eager to help others in their own cities, their own countries across the world.

I strongly recommend that all clubs use the motto, "We serve." We can work under this simple, sincere motto, "We serve," knowing that out of the sum of our efforts will come better days.

To be a real Lion implies service. Too few in any organization take responsibility. Perform all duties delegated to you. Come right in and be a real Lion. You will get out of it only as much as you put in.

A man is a Lion when he can look over the rivers, the hills, and the far horizon with a profound sense of his own littleness in the vast scheme of things and yet have faith, hope, and courage.

When he knows that down in his heart every man is as noble and as vile, as divine, as diabolic, and as lonely as himself and seeks to know, to forgive, and to love his fellow man.

When he knows how to sympathize with men in their sorrows, yes, even in their sins, knowing that each man fights a hard fight against many odds.

When he has learned how to make friends and to keep them, and above all, learned how to be friends with himself.

When he loves flowers, can hunt the birds without a gun, and feels the thrill of an old forgotten joy when he hears the laugh of a little child.

When he can be happy and high-minded amid the meaner drudgeries of life.

When star-crowned trees and the glint of sunlight on flowing waters subdue him like the thought of one much loved and long dead.

When no voice of distress reaches his ears in vain and no hand seeks aid without response.

When he finds good in every faith that helps any man to lay hold of higher things and to see majestic meanings in life whatever the name of that faith may be.

When he can look into the wayside puddle and see something besides mud and into the face of the most forlorn mortal and see something beyond sin.

When he knows how to pray, how to love, how to hope.

When he has kept faith with himself and his fellowmen and with God.

When in his hand is a sword for evil, in his heart a bit of song, glad to live, but not afraid to die.

In such a man, whether he be rich or poor, scholarly or unlearned, famous or obscure, Lionism has wrought her sweet ministry.

The longer we dwell on our misfortunes the greater they become.

The satisfaction you receive from your membership will in the final analysis be purely personal. You will benefit from your membership only to the extent of personal satisfaction you enjoy as part of our fellowship. The rewards you get out of your membership will be a satisfaction to yourself, when you have helped someone less fortunate than yourself.

The rewards you get in Lionism, you can't hang in your trophy room or dangle from your watch chain, but you will wear them in your heart and the world will see them in the glow of your whole being and the pride of your walk because you have done purely personal, wonderful worldwide things.

We sang a popular song a few years ago, "Everything Is Going My Way." We may say everything is lovely.

I have a fine family, a good business. I have many pleasures and some luxuries. These are things not to be laughed at. These are things to be truly thankful for.

Did you ever take into consideration, while things may "be going my way" today, that tomorrow they may be going in the opposite direction. Life is like that. Things were "going our way" in America until the Japs hit us at Pearl Harbor. We never had been attacked before, and in just a few short hours we lost most of our Pacific Fleet. This Nation woke up, and history will record that Japan defeated Germany at Pearl Harbor.

Beauty is all around us. It has always been here. We move so fast in our scramble for business and money, the landscape is blurred. If we take time to look around, it is here just the same.

To many, the road is rough, because they make it so. To many life has become difficult.

It is our great objective that Lionism helps men to better vision and to see beauty in the world. Be proud of belonging to the greatest organization of service-minded men on the earth—"The Lions." Work with your fellow Lions in every group project or activity that will benefit your fellow men in any way. Give your time, your resources, your efforts, to the satisfying work of Lionism.

Things in the world would be vastly better if we would each of us inject just a little more kindness in our daily lives. If we would forget our rights and think more of our obligation to each, this world would be a much better place to live in.

Most of us are born with an instinct for beauty and perfection; however, we are too busy to remember it. Lions should devote their efforts to helping those who are less fortunate than themselves. With that bright emblem the Lions pin on your lapel, you will never walk alone.

"Art thou lonely, O my brother
Share thy little with another
Stretch a hand to one unfriended
And thy loneliness is ended."

I promise that, in sharing a little, in stretching a hand, you will find true rewards in a Lions membership and they will be purely personal.

A poet once put it far better than I could:

"DOING FOR OTHERS

"Doing things for others can be a lot of fun
I guarantee it's one sure way to put blues on the run.

"For when we think of someone else, we overlook ourselves
Thereby placing worries on the highest shelves.

"A tender word or kindly act does much to pave life's road,
Helping those who struggle to bear their heavy loads.

"The surest way to happiness is doing what we can
To follow God's example and help our fellow man.

"Some folks do not agree with this, but in my heart I know,
By doing things for others my joys are sure to grow."

Goodby and God bless you all.

WHERE ARE AMERICA'S FREE WORLD FRIENDS?

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I had no difficulty, when I read the morning newspaper, of ascertaining the fact that 5 more U.S. citizens, American servicemen, had lost their lives in the fighting in Vietnam, and another 11 had been wounded.

But I could read the same paper with a magnifying glass, or any other newspaper you choose to name, and fail to find where a single serviceman from any other so-called free world nation lost his life in the struggle in Vietnam. We have ladled out $130 billion to foreign countries all over the world. Where are the so-called free world friends we are supposed to have as a result of this dissipation of our resources?

REMODELING OF THE CANNON HOUSE OFFICE BUILDING

Mr. O'NEILL of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. O'NEILL of Massachusetts. Mr. Speaker, Speaker McCormack, as chairman of the House Office Building Commission, announced today that the House Office Building Commission, consisting of himself as chairman and Congressman Emanuel Celler and Congressman Charles E. Goodell, members, had met on May 10, 1965, and determined the scope and timing of the remodeling of the Cannon House Office Building.

The Cannon Building was the first office building constructed for the House of Representatives. It was authorized in 1903 and occupied in 1908. Except for the additional story constructed in 1913–14, installation of the air-conditioning system in 1936–38 and the garage in the courtyard in 1958–59, no major changes have been made to the building since occupancy in 1908.

In 1955 when construction of the Rayburn Building and remodeling of the Cannon and Longworth Buildings were authorized, the Commission approved retaining of Mr. Roscoe DeWitt and Fred L. Hardison of Dallas, Tex., to prepare plans and specifications for complete remodeling of the Cannon Building. These plans, developed over a period of years, were intended to provide for the occupants of the Cannon Building the same office facilities as those in the Rayburn Building and to renew marble and other structural material and equipment to an extent that would result in the Cannon Building becoming substantially equivalent to a new structure.

This complete program of remodeling of the Cannon Building was recently restudied and estimated to cost approximately $10.7 million in today's market.

Several weeks ago the Commission directed that a further study be made to determine minimum changes which could be made in a reasonably brief period of time and at a reduced cost. They realized that some remodeling was inevitable, but desired that the work be expedited as much as possible, in order to make the remodeled facilities available to the House membership quickly, and that the cost be held down.

The revised plans, approved by the Commission at their meeting yesterday, provide for the following work:

Cutting of doorways and blocking of certain existing doors, so as to provide each Member with a three-room suite, arrangements being made to provide movable steel partitions in one of the two rooms not used by the Member;

Retaining the present air-conditioning system, but increasing the capacity by installing larger refrigeration coils;

Installing a new, modern plumbing system, replacing the deteriorated 1903–8 system;

Installing new incandescent lighting fixtures in the Member's office and new fluorescent fixtures in the remainder of the suites;

Providing new carpets for Members' suites and committee suites;

Installing clocks and legislative call signals in Members' suites and other locations throughout building;

Providing one toilet in each Member's suite, located in Member's room;

Correcting of fire safety hazards in the attic and basement;

Elimination of wire-cage storerooms on fifth floor and constructing in lieu thereof, larger masonry-partitioned storerooms;

Repairing and/or replacing exterior doors and windows;

Installation of partitions in committee suites as required;

Additional electrical wiring, including additional outlets and conduits for expanded telephone service;

Replacing marble balustrade on roof of building, which is now in seriously deteriorated condition;

Cleaning and caulking exterior stonework of building;

Installation of one additional freight elevator, large enough for a stretcher and large items of furniture;

Relocation of first aid station, beauty salon, and snack bar;

Providing increased accommodations for the legislative counsel; and

Painting interior of building, throughout.

This approved revised plan is estimated to cost $5.2 million or less than one-half of the original plan. The original plan would have required 3 years for execution; the revised plan 1½ years from the time the new plans and specifications are ready. Revised plans and specifications are to be ready in November 1965 and the entire work should be completed in the spring of 1967. The work will be accomplished in two stages, the first to include remodeling the New Jersey Avenue and C Street sides of the building and the second to cover remodeling of the Independence Avenue and First Street sides.

The principal items eliminated from the original plans, or modified, are:

Installation of additional elevators and modernization of those now in place, making it unnecessary to remove two monumental stairways adjacent to the rotunda;

Installation of marble base along the corridors and acoustical treatment of the corridors;

Installation of extensive underfloor duct system, entailing cutting and repairing of concrete floors in offices throughout building;

Replacing of wood base in offices with marble base;

Installation of acoustical ceiling in offices;

Construction of built-in cabinets and files in Members' suites;

Providing toilets in general workrooms in congressional suites;

Repairs to marble floors, bases, and plinths throughout building;

Installation of television antenna system and lightning protection system;

Replacement of air conditioning, which also eliminates the necessity to install suspended ceilings several inches beneath the present ceilings in Members' suites and changes in certain ornamental plaster work; and

Terrace work.

The Commission considers the revised plan will provide for the essential needs of the House with respect to the Cannon House Office Building; that the work can be done in a much shorter period of time than the original plan—about one-half the time—thereby making urgently required space and improved facilities available to the House membership and committees as soon as possible; and that the lower cost is more in line with the efforts of the House to hold operating and housing expenses within reasonable limits.

When the approved remodeling has been completed, the Cannon Building will offer the following principal accommodations, including those already in place: 138 three-room suites—131 with three connecting rooms and 7 with two connecting rooms and one odd room; 138 storage rooms for Congressmen, 38 separate office rooms, 3 committee hearing rooms, 6 subcommittee hearing rooms, 33 committee and subcommittee staff rooms, 1 caucus room; 1 large suite for legislative counsel—22 rooms, 1 beauty salon, 1 take-out bar, 1 House disbursing office, 10 rooms for first aid, physiotherapy, barber shop, post office, telegraph, superintendent of building, and storage, 3 committee storage rooms, and 32 public toilet rooms.

All remodeling work to be constructed will be accomplished through open competitive bidding procedures.

CLOSING OF VETERANS' HOSPITALS

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, I am not going to make a lengthy statement. I have already indicated my opposition to the closing of veterans' hospitals and other veterans' facilities.

I merely want to make it clear that I have supported the amendment to provide funds for the operation of these hospitals and facilities which was offered by the chairman of the Veterans' Affairs Committee and which I am glad was passed by a voice vote a few minutes ago.

DISCHARGES FROM ARMED SERVICES

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MORSE. Mr. Speaker, today I have introduced a bill designed to assist the more than 400,000 individuals who have received other than honorable discharges from our armed services since 1940. My bill authorizes the Armed Services Boards of Correction of Military

Records to consider an individual's postservice record 3 years after his original discharge, and to act favorably on that record, if warranted, by granting an exemplary rehabilitation certificate. This certificate is a recognition by the Armed Forces that a man has made an effort to readjust to civilian life.

Mr. Speaker, I do not question the legitimacy of the original discharge; I do, however, question the lifetime ramifications of that discharge. Many young men received other than honorable discharges from administrative tribunals rather than from a military court of justice. Many were discharged for acts they committed while under 21—acts motivated by youthful folly rather than serious intent. One cannot with full conscience overlook the lifetime stigma and handicap of such a discharge. How many thousands of former servicemen have been denied gainful employment because of a foolhardy act done 5, 10, or 15 years ago?

My bill is an effort to mitigate a lifetime blemish on what may otherwise be a very responsible record. Mr. Speaker, prompt action on this bill will extend still further the social justice and equal opportunity under the law which we seek for all.

CLEVELAND JOINS SENATOR SMITH OF MAINE IN PLEA FOR EQUAL FEDERAL TREATMENT OF NEW ENGLAND

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the eloquent and forceful senior Senator from Maine [Mrs. SMITH] recently testified on the need to reverse the discrimination against New England which resulted from enactment of the Appalachian Regional Development Act and other Federal policies. An excellent summary of the Senator's remarks was contained in an Associated Press dispatch printed recently in the Nashua Telegraph, which I offer for the RECORD, with these additional comments.

Mr. Speaker, as I pointed out during the debate on the Appalachia bill, this legislation is a new departure for the Federal Government. For the first time in our history, the Congress has approved a major program for the benefit of a particular area. Under this act, funds are siphoned from the rest of the country and concentrated on a favored area. For the first time, we have a program of special benefits and public works limited to a particular area and from which the rest of the country is excluded, regardless of the need in other areas.

The goal of the Appalachia bill is to elevate that region at the expense of the rest of the country. Whether it will really do so is highly questionable but there is no question as to the expenses to the rest of the country. They will be huge. And, to the extent that the program succeeds, it will create within Appalachia conditions designed to draw industry—and jobs—from other parts of the country and to attract new industries. In effect, the rest of the country is financing its own competition through this program. There is, thus, a real possibility that this program, by drawing industries to Appalachia from other parts of the country, may well create new disadvantaged areas elsewhere.

It was this reasoning that inspired the Republican plan. The Republican bill, forged by the minority members and staff of the Public Works Committee, recognized the need for special Federal attention to disadvantaged areas but provided that all areas of the country needing attention could qualify for assistance. Although this program represented a modern approach to new problems, it was based on traditional concepts of concern for the entire Nation.

Our efforts failed and the traditional concepts were reversed. Now we are faced with a situation, both economic and political, in which something must be done for other areas that are disadvantaged. The balance must be redressed. It appears that the only way to do this is going to be through the establishment of other regional programs. This is going to be complicated to work out, more expensive than it need have been, and politically very involved. Had the Republican alternative to Appalachia been adopted, none of this would have been necessary.

I want the record abundantly clear that the Republican Party opposed this approach and that I took an active part both in the opposition and in the construction of a sound alternative plan. So much for the record. We failed but the question remains: "What can I tell my people in New Hampshire?" In New Hampshire, also part of the Appalachian Mountain Chain, there are many disadvantaged areas, especially in the northern part. Our recent history has been one of drastic economic erosion. We have seen our textile industry drained away to the South, to areas that now are included in the favored Appalachian region.

We, too, need roads—some 80 percent of the Appalachia Act is for roads—and flood control projects, soil conservation, water pollution measures, hospitals, sewage-treatment plants and the other community facilities that are to be bestowed on Appalchia. Our tax base declines while every level of government is pressing for greater revenues, yet Federal policies increase our burdens. Cuts are threatened in vital soil conservation services, our fuel oil needs cost more than they should because of restrictions on imports of residual oil—another major concession to the big coal interests of Appalachia—and operational reductions are announced by the Veterans' Administration and the Internal Revenue Service. Our food and clothing cost more, in large part because of Federal policies on wheat, corn, cotton, soybeans, sugar and coffee. Our fruit growers are threatened with a loss of traditional harvest labor because of the Labor Department's new restrictions on the use of foreign workers. A labor policy that may be right for California is applied against us in New England—a different situation, a different problem, but treated the same.

New Hampshire taxes help pay for Federal subsidies and, in common with citizens throughout the land, New Hampshire people suffer the effects of deficit spending and inflation.

It is not enough to tell the people of New Hampshire that I fought against Appalachia and lost. Of course I must fight to redress the balance. We will never object or complain about paying our fair share but the key word is "fair." We are entitled to fairness and we shall demand it. Perhaps the Great Society will pay us no heed: we are not powerful politically relative to Appalachia, which includes some of the richest and most populous States in the Union, but for my part, I intend to make certain that we are heard.

I commend the distinguished lady from Maine for her remarks and offer them for the earnest consideration of the House:

SENATOR SMITH SAYS CONGRESS DISCRIMINATING AGAINST NEW ENGLAND

WASHINGTON.—Congress has been asked by Senator MARGARET CHASE SMITH, Republican of Maine, to reverse what she described as discrimination against New England by voting Appalachia-type legislation applicable to the Northeast region.

Mrs. SMITH was among several New England witnesses Tuesday before a Senate Public Works Committee who endorsed the administration's bill for public works and economic planning in regions having problems similar to those of Appalachian area States.

She recalled that when the Appalachian bill was before the Senate she and others refrained from offering amendments to cover areas when it was indicated that other areas would be provided for in subsequent legislation.

Mrs. SMITH told the committee:

"Maine needs an Appalachia-type legislation for economic assistance. For decades now we have continually lost our once prosperous and proud textile industry to the cutthroat, cheap-labor competition of foreign countries without any protection or assistance from the Federal Government, such as the protection given to the domestic oil industry and the coal industry in the Federal restrictions against residual fuel oil imports.

NOT PRETTY

"It is not a pretty picture. When one sees so clearly how Maine has been discriminated against to the advantage of other States and other areas of our country, what answer can there be other than that of the obvious political favoritism in favor of some sections of the country against Maine?"

She said that what has happened to the Maine textile industry now is happening to the Maine shoe, plywood, clothespin and fishing industries.

She also intimated that politics was involved in the closing of New England military establishments, recalling that in December 1963 she said that the Kittery-Portsmouth Naval Shipyard would be closed, with the announcement to come after the November 1964 election.

"I was immediately politically attacked for that warning," she said. "I was accused of deliberately calculating to panic the workers at that yard and charged with making the statement for which there was no basis of truth at all.

"Yet in less than 2 weeks after the November 1964 election, the formal announcement was made that it had been decided to close the Kittery-Portsmouth Naval Shipyard."

THE TAX TREATMENT OF BUSINESSES LOCATED IN THE DISTRICT OF COLUMBIA

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. NELSEN. Mr. Speaker, I have introduced today a bill to amend the franchise tax provisions of the District of Columbia Code so as to clarify the tax status of business offices located in the Nation's Capital for the sole purpose of "doing business" with the U.S. Government.

I include in my remarks at this point a brief explanation of this proposal which points out the need for such an amendment to the tax laws of the District of Columbia:

EXPLANATION

Section 47–1580 of the District of Columbia Code imposes a franchise tax upon corporations for the privilege of carrying on or engaging in a trade or business within the District. Trade or business is defined to include carrying on "commercial activity." The measure of the tax is that portion of the net income of the corporation fairly attributable to the trade or business carried on in the District. An exemption is provided for corporations maintaining an office or other place of business in the District for the sole purpose of "doing business" with the United States.

The question presented is whether a corporation maintaining an office in the District of Columbia for the sole purpose of maintaining liaison with the Congress, departments, and agenices of the United States, and having no connection whatever with sales of property in the District, subjects the corporation to the income and franchise tax.

Many corporations maintain offices in the District of Columbia only because this is the seat of the Federal Government. These offices have nothing to do with the sale of property and would be here whether any of the corporation's products came to rest here or not. They are here because the Congress, the departments and agencies of the United States regulate so many aspects of the business world and because it is necessary to have people available to collect information, keep the corporation advised of developments on a day-to-day basis and to represent the corporation in matters not within the competence of corporate officers who are not in close touch with the Federal Government. If the seat of the Federal Government were not here, these offices would not be here.

The District of Columbia government has taken the position that corporations maintaining offices in Washington for the sole purpose of liaison with the United States are subject to the District of Columbia income and franchise tax if any of the corporation's products come to rest in the District, even though the offices of the corporation in the District have no connection whatever with sales. The District takes the view that the only exemption is for a corporation maintaining an office for the sole purpose of "doing business" with the United States. "Doing business" with the United States is interpreted by the District of Columbia as selling to the United States, and nothing more. If, in addition to selling to the United States, the office keeps up with legislative developments, contacts, for example, the SEC, the FTC or the Bureau of Customs, the District of Columbia says it is not here for the sole purpose of "doing business" with the United States. The District has thus made the exemption virtually meaningless because it would be difficult indeed to find such an office in the District of Columbia.

This situation results from a relatively recent interpretation of the taxing statute (sec. 47–1551c, D.C. Code). The legislative history of the sections in question lend no weight to this interpretation, and in fact indicate that the intention of the Congress was to the contrary.

If the District prevails, the offices involved are likely to move to nearby Maryland or Virginia in order to avoid the tax, resulting in inconvenience to the companies involved, and in a considerable loss to the District of Columbia of rents, salaries and other income now derived from these offices.

The amendment suggested here would clarify the statute to make it clear that the maintenance of an office in the District of Columbia solely for liaison with the Congress, or the Department and Agencies of the United States, and having no connection with sales or other commercial activity, would not subject a corporation to the District of Columbia income and franchise tax.

HOPE FOR COMMUTERS

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mrs. DWYER. Mr. Speaker, the growing crisis in commuter mass transportation affects most of the major urban areas in the United States and involves, in turn, most of the estimated 70 percent of our people who live in these urban areas.

Despite the obvious significance of the problem, all too little is being done by Federal, State, and local governments and by the commuter railroads themselves to raise the quality and quantity of commuter service to the levels required by our growing urban population and the inadequacies of urban highway transportation.

For this reason, it is particularly important to call attention to individual instances in which imagination, determination, and cooperation between Government, railroad management, and railroad labor are creating new hope for commuters.

Such an instance is described in the May 8 issue of Business Week in an article discussing efforts to save and improve the Reading Railroad's commuter service in the Philadelphia area.

In the hope that our colleagues will find this article provocative and productive, I include it under leave to extend my remarks in the RECORD.

The article follows:

TRANSPORTATION: HARDEST LOOK YET AT RAIL COMMUTERS—IN PHILADELPHIA, READING RAILROAD GETS $4.7 MILLION SUBSIDY FOR AN 18-MONTH TEST THAT WILL SEEK THE IDEAL MIX BY TRYING MANY COMBINATIONS OF FARES AND SERVICES

Whenever a commuter railroad gets into serious financial trouble and begins to ask for public subsidies, a hullabaloo inevitably arises.

People who want to avoid paying the subsidies start to ask questions: If the books were kept differently, wouldn't the commuter deficit disappear? If the cars were newer, the fares lower, the service more frequent, would more riders be attracted, thus putting the road on a paying basis? What does it cost to run the service, and how much of that must be subsidized? Has management realy tried to make its commuter service suport itself, or is it just dashing to the public trough?

BOSTON AREA

One hullabaloo of this sort went on for years around Boston, before the Massachusetts Bay Transportation Authority finally had to take over commuter service in the region—leaving most of the critics' questions unanswered. Another is raging in the New York area, with most attention focused on the bankrupt New Haven.

But in Philadelphia, with strangely little fanfare, the Reading Railroad is hunting for the answers even before the last-ditch crisis is at hand.

What has been launched for the Reading is a $4.7 million, 18-month demonstration study to find out the most efficient balance of fares, train frequencies, utilization of equipment, and promotion. But at first glance, this project, called Operation Reading, looks like a compound of chaos and a commuter's nightmare.

SERIES OF STEPS

Last week, the road added 48 commuter trains during offpeak hours in and out of Philadelphia. In 3 months, it plans to introduce new zone fares on 7 of its 13 commuter runs, and to cut service by varying amounts on 9 runs.

Three months after that, the Reading will introduce new fares—some up, some down—on the other six lines. At the same time, it will increase service on six runs. By next winter, most fares will have been pushed upward again, to "test the upper limits" of what the commuter will accept. Decreases in service are tentatively scheduled on nine runs.

Finally, a year from now, the road expects once more to modify both fares and services.

All this pulling and hauling may look chaotic, but in the minds of the road, its unions, and a batch of city, county, State, and Federal officials, it's the last reasonable hope of the Reading's 44,000 daily riders.

SUBSIDIES

One Operation Reading has arrived at the ideal balance, State and local subsidies are expected to keep on making up the expected deficits. Edward A. Harvey, executive director of the Southeastern Pennsylvania Transportation Compact (Sepact)—the group that packaged Operation Reading—puts the prospects this way: "When this ends, we will be through studying the Reading. From then on, it will be up to responsible officials to make some gutsy political decisions."

The principle of community help for Philadelphia commuter lines is well established. In all, the city has pumped about $13.5 million into area railroads in the past 7 years, including its contribution to Operation Reading. More recently, plans have been widened through Sepact to include State and county funds.

According to Harvey, "these earlier tests proved conclusively that reduced fares, new equipment, and more frequent schedules will get riders back to the rails." Unfortunately for the carriers, the benefits of increased patronage have been virtually washed out by lower fares and higher operating costs.

FEDERAL FUNDS

The search for optimum conditions on the Reading is being bolstered by Federal funds, in the hope that findings will be applicable to such other hard pressed roads as the New Haven and the Erie-Lackawanna. The Housing and Home Finance Agency is chipping in nearly $3 million. Philadelphia is putting up $1.5 million, with the rest from three counties and the State.

John C. Kohl, HHFA's Assistant Administrator for Transportation, stresses that the Reading plan is experimental. The Agency has no funds to cover operating deficits, and no plan to become involved.

CARRIER'S PLAINTS

As for the Reading, it has spared no effort to convince its riders that it can't afford passenger losses much longer. Since 1958, when the first small commuter subsidy from the city of Philadelphia went into effect, the road claims to have lost $42.8 million with its passenger service, while it has received $7 million in subsidies. With freight revenues dwindling at the same time, the road's overall operation has been in the red since 1961.

Last summer, faced with a $4.8 million passenger deficit, the Reading began to talk about abandoning the passenger operations. At the same time, it appealed to the State government for financial relief. When Sepact began to assemble its plans for Operation Reading, the road agreed to call off its plans for ending service.

STILL IN THE RED

Of the money put up for Operation Reading, $4.1 million will go directly to the railroad to conduct the 18 months of experimental services. The Reading figures it will still face a $1.6 million deficit. However, it is willing to absorb the loss, because the subsidy for the 18 months corresponds to its own estimate of the minimum eventual operating deficit, if the whole experiment is successful. HHFA agreed to go along on that basis, because "there is as yet no other equitable way to assess the value of the service Reading is rendering."

If total revenues plus contract payments exceed costs during the experimental period, the Reading will be glad to refund the surplus to its benefactors.

SPEEDUP

Most of the operation funds that don't go directly to the road will be used to speedup the evaluation of the fare and service changes as soon as they go into effect. Several methods of evaluation have been programed:

For the entire 18 months, weekly trip diaries will be kept by a structured sample of households—picked to mirror the public in the whole Reading commuter area within 5 percent of accuracy. Harvey says this is the least expensive way to get a continuous flow of data on shifting travel patterns, as the various shifts in arrangements go into effect. It will also help Sepact to find why travelers do or don't use the railroad commuting system.

Because the Reading wants to get continuing public subsidies after the experiment ends, it is opening its doors to management consultants charged with evaluating "the quality and quantity of the road's passenger management." And during the experiment the road has created the post of superintendent of passenger operations, and has beefed up its passenger management department.

The Reading is permitting auditors, appointed by Sepact, to study its books throughout the test, in the hope of convincing the public once and for all that commuter deficits are real. The road has also agreed to test the use of "avoidable cost accounting," instead of the traditional Interstate Commerce Commission accounting system, which prorates expenses between passenger and freight operation.

In its simplest form, the avoidable cost method assumes that if, say, a signal system is used by both freight and passenger trains, the system would still have to be run even if passenger service were eliminated. This approach reduces the charges that can be applied against passenger services, and, in theory, gives a more realistic basis for figuring the cost of running a commmuterless road.

CONTRAST

In 1963, using ICC accounting, the Reading ran a passenger deficit of nearly $5.8 million. A study the same year by McKinsey & Co., using avoidable cost, pegged the loss at $3.1 million. During the experimental period of Operation Reading, the railroad will keep books both ways.

Results of the various aspects of the study will be coordinated with actual passenger statistics by an evaluation team made up of Reading management, representatives of labor, and consultants on transportation costs and market research. Each month, the team will evaluate all data, and possibly recommend changes. "If we find some of these new trains are complete duds," says a Reading spokesman, "we will take them off immediately. If a pattern of new trains or new fares seems to be giving good results, we can try pushing it harder."

TAX CREDIT TO ASSIST BASIC AND INTERDISCIPLINARY RESEARCH PROJECTS

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CURTIS. Mr. Speaker, the Federal Government spends increasingly large amounts of money to finance research and development in many different scientific fields. Examples can be readily found in our moon exploration program and in the Mohole project. However, despite the fact that the Federal Government spends a large amount of money to support big research projects, the amount of Federal moneys spent to support the individual scientist or small group of scientists who are doing what is known as basic research is very small. It is research of this type that has in the past led to major breakthroughs in previously unexplored areas and that has made major contributions to man's field of knowledge. Often these small projects are the genesis of many larger projects of applied research affecting major segments of our economy. The Federal Government too often needs to have the guarantee that a project will lead to significant results before funds are committed to it. Too many times individual scientists find unnecessary delays in obtaining Federal funds for these projects, if they are able to receive any funds at all.

Another area of scientific research that is not supported by the Federal Government is that of research of an interdisciplinary nature, that research that involves teams of scientists from many different and seemingly unrelated fields. Both of these types of research have been dependent upon the private sector of our economy for support of their activities.

Mr. Speaker, I feel that scientific research is vital to the advancement of all areas of our society from agriculture and mining to industry. For there to be advancement, there must be discovery, and it must be realized that discovery is done by people and not departments of universities or research institutions. One must remember the impact of the findings of individuals upon our body of knowledge. In order to increase individual basic and interdisciplinary research, I have introduced H.R. 3791 to provide tax credits for those engaged in activities of this sort. H.R. 3791 permits tax credits to individuals and corporations for their contributions to basic research. Individuals who make contributions to universities and nonprofit organizations will be allowed to credit these contributions against taxes. The taxpayer could claim 90 percent of his contribution as a credit against his tax liability up to a total of 5 percent of his liability. For businesses which make contributions, there would be a credit of 75 percent up to 3 percent of tax liability. This bill would allow a certifying board of scientists of the universities and nonprofit organizations to determine if the project is worthy of the status to allow for tax credits to be charged against those contributing toward it. Such a system would be, in my estimation, far preferable to a program by which the Federal Government would underwrite these costs. This bill would foster our progress in context of individual freedom which has been so important in the past. This bill would facilitate contributions by private sources in these areas.

Mr. Speaker, I received the other day an exceptionally complete and thorough analysis of why H.R. 3791 is very necessary to basic research in this country. This letter was written by Dr. John H. Heller, Executive Director, New England Institute for Medical Research. I insert, therefore, under unanimous consent Dr. Heller's letter in today's CONGRESSIONAL RECORD:

NEW ENGLAND INSTITUTE
FOR MEDICAL RESEARCH,
Ridgefield, Conn., April 15, 1965.

Hon. THOMAS B. CURTIS,
House of Representatives, House of Representatives Office Building, Washington, D.C.

DEAR CONGRESSMAN CURTIS: As per your request on the telephone, I am sending you this letter to indicate that my colleagues and I find that the bill H.R. 3791 is a bright light in an increasingly great horizon apropos of basic research.

Unquestionably, there are preeminent scientists throughout the land, in academia and elsewhere, who would concur most heartily with the concepts of bill 3791.

At a recent meeting called by the Governor of Hawaii to discuss science and technology in that State, a few scientists from the mainland were invited. In addition to myself, there were Dr. Frederick Seitz, President of the National Academy of Sciences; Dr. James Shannon, Director of the National Institutes of Health, and Dr. Donald F. Hornig, Chief Science Adviser to the President.

A recurrent theme that was emphasized, particularly by Dr. Seitz, but concurred in by the others, was the evolution in handling scientific funding by the Federal Government. It has resulted in very serious concerns in the area of basic research.

In particular, the concern was with so-called big science. This is the name applied to multimillion-dollar projects requiring teams of scientsists, long periods of time, and a rather substantial commitment of the Federal scientific budget. The Mohole project would fall in this category, as would the moon shot, superaccelerators, and so on.

The Congress, as you well know, was willing for a matter of years to consider significant increases in the total R. & D. budget. Now there is a tendency, in both the executive branch and Congress, to plateau. As big science commands ever-increasing amounts of the Federal moneys, the amount remaining for the support of the individual investigator dwindles. The individual investigator, ironically enough, is usually the man whose brilliance or whose conceptualization has resulted in creation of the very large projects which are referred to above as big science.

I believe it was Dr. Seitz' or Dr. Shannon's estimate that today a young man might have to wait 5 years before his application for research funds might be approved by a Federal agency. The National Science Foundation points out that last year they could support less than half of those projects which they considered worthy of support, and they could support these only at a fraction of the amount which was requested.

As the President's Scientific Advisory Committee has stated, "We must give full scope to the individual scientist who prefers to work alone or in small groups. He must be given the opportunity to work as he deems appropriate, for the history of science has taught us time and again that the memorable advances—the kind that shape technology for decades and centuries—usually are the work of rare minds, able to see beyond what others believe to be the pressing problems of the day."

Today we must take a very hard look at the words, "basic research." Whereas one can choose from a variety of definitions, practically any definition will leave some gray area. Irrespective of which definition is used, there seem to be two areas into which most Government agencies are rather reluctant to go.

The first represents the area of the truly novel. If I might make an analogy, I would suggest that the following might be more apt than strained. Basic research is exploration into the unknown. By definition, Columbus, as well as Lewis and Clark, were explorers. Whereas Columbus was personally convinced that he would find something, he was embarking upon a venture which was truly novel insofar as everyone else was concerned, and many felt that he would fall off the edge of a flat earth. Supporting Columbus took courage, because there were no guarantees that he would ever return or that he would find anything.

Lewis and Clark faced a very different situation. We knew that there was land to the west. The people of that day had heard rumors and tales relating to its geography and people. Its specific nature, however, was not known. Thus, though Lewis and Clark also went into the unknown, the guarantee that they would, by definition, have to find new territories was implicit.

Today most of the agencies which say they support basic research may support Lewis and Clark, but they will not support Columbus. Some of us have made a careful 10-year study of this in the Federal Government, and feel that we can document this quite adequately. It is enormously frustrating to be told, "Bring back a tobacco leaf and an Indian and then, and only then, will we finance the *Nina, Pinta,* and *Santa Maria.*"

However, it may not be the Government's role to support the Columbuses, or its failure to do so may be due to an agency's fear of failure, fear of congressional ridicule, and so on. The Federal apparatus is much less venturesome in this regard than the private sector, which includes foundations.

The second area which does not have adequate Federal support is the newly emergent and enormously important field of interdisciplinary research. Very few Government agencies are set up to handle requests for funds for a truly interdisciplinary research effort. I used the modifying word "truly" because one could say that a medical research effort could be termed interdisciplinary if a bacteriologist, internist, immunologist and pathologist were involved. Indeed, these kinds of requests can be handled by existing Government panels and selecting agencies. However, when I say "truly interdisciplinary," I refer to the type of research proposal which may involve subatomic physics, chemical physics, photochemistry, biochemistry and microbiology. This is too broad a spectrum for any panel with which I am familiar to cope.

There are such research proposals which are very exciting in concept. I can cite them for you and show how the various agencies that were confronted with the problem involving the disciplines just mentioned found that they were unable to bring together a group of interdisciplinarians able to handle so many different fields. Here again, the private sector plays a vital role. My colleagues and I are most familiar with these problems, since we are in interdisciplinary basic research.

Although we do receive support from such agencies as the AEC, NSF, NIH, ONR, Government support represents but 7 percent of our total annual budget. Hence, 93 percent comes from the private sector. This is in support of pure research, involving no contracts, no strings attached to any of the grants, and no quid pro quos.

In a recent conversation with people at the National Science Foundation, they stressed that they were unhappy over the number of proposals that they could not fund. I asked them if they had any idea what happened to the scientists whose applications were turned down. They said that although they had not made an exhaustive survey, it was their impression that many of them were lost to basic research.

Although we are a relatively small organization, the number of individuals that want to go into basic research is well known to us, as evidenced by the following:

Our salary scale is not high. There is a shortage of scientists, and industry, Government, and academia are all actively recruiting. We do not recruit. Last year we had two openings for postdoctoral fellows. This was not publicly announced. A notice was sent only to departmental chairmen of top departments at preeminent universities. We received approximately 425 applicants for 2 openings. It is quite clear, therefore, that there are far more first-class people who want to go into truly basic research than there are places for them to go into or funds to support them.

A bill such as H.R. 3791 could quite easily be one of the most powerful tools that this country has ever produced to support the integrity of this Nation and its position in the world.

Science and technology affect the entire warp and woof of our national life. Agriculture and manufacturing, mining, transportation and defense, literally any field is dependent upon science and technology. We compete not only with our known adversaries, but in the world market with our friendly allies.

By definition, there can be no application unless there is discovery. Your bill could well do more to stimulate discovery than any other single device with which I am familiar.

It is only from questing minds, the eager and curious individuals who wish to go into the unknown, that new discoveries come. In the history of the world no nation, no university, no department, no industry, has ever made a discovery. Only people make discoveries. To have the wherewithal to support the questing minds and the vaulting imaginations that are willing to challenge the unknown is incalculably important.

As Professor Rossi, of MIT, has said, "The most important facts that remain to be discovered are those whose existence we do not even suspect."

Sincerely yours,

JOHN H. HELLER, M.D.,
Executive Director.

STATISTICS ON JOB VACANCIES

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CURTIS. Mr. Speaker, it seems to me strange that the executive branch has made such slow progress in developing adequate statistics on the job vacancies which exist in our economy. Here is one area of Federal Government activity on which conservatives agree Federal action is needed. Indeed, the area of economic statistics collection and its dissemination is one in which conservatives seem to be pushing the Federal Government more rapidly than it apparently would like our Great Society to go.

It is easily understandable that the New Frontiersmen and the Great Societists are reluctant to develop accurate statistics on job vacancies rapidly enough.

After all, if the statistics were to establish what many have suggested—that there are more jobs going begging than there are unemployed people—then clearly the problem we face is the traditional U.S. problem, a problem of employment, not unemployment.

In other words, what holds our society back is our inability to fill the jobs, primarily skilled jobs, now going begging. The unemployed, far from being an economic liability to exploit politically through welfare programs, are our greatest unutilized resource. The solution lies in training and retraining, increasing labor mobility and improving placement and counseling services. It does not lie in freezing our employment patterns regionally and institutionally as our national labor leaders seem to advocate. It does not lie in applying massive Federal expenditures designed to increase overall demand at the cost of economic stability.

I am happy to place in the RECORD at this point the report of Secretary Wirtz of April 5, in which he announces the results of the second round of job vacancy surveys. I am glad to see this report finally completed. It is 2 years late in coming. But the Secretary's "program for the future" is obviously pictured without enthusiasm, as something quite ordinary. The Great Society apparently prefers the direct spending approach to the war on poverty so it can get the political benefits from what actions it takes. It obviously does not favor sound administrative reforms to remove the structural obstacles to full employment.

Now we find the Democratic Party split in a great patronage war not only about who is going to get the political credit for helping the poor but, even more important, who is going to be able to build the bigger political machine based upon the exploitation of our lower income groups.

Secretary Wirtz' press release follows:

SECRETARY WIRTZ ANNOUNCES SECOND ROUND OF JOB VACANCY SURVEYS

Secretary of Labor W. Willard Wirtz today announced the start of the second phase of the job vacancy survey program, which is scheduled to begin in early April in each of 16 pilot labor areas.

In making the announcement, the Secretary called attention to the President's message calling for an expanded program to develop job opportunities for unemployed workers in service and other industries.

The Secretary stated that the initial job vacancy reports suggest that many jobs in service industries and occupations are vacant in all sections of the country. Information on wages and working conditions for these openings has not yet been evaluated, however.

The Secretary said that the first phase of job vacancy information surveys under the experimental program has now been completed in all 16 pilot areas. The surveys were conducted by State employment services in cooperation with the U.S. Employment Service, and with the technical collaboration of the Bureau of Labor Statistics. The 16 areas covered by the program include most of the country's largest employment centers, and a representative group of small- and medium-size areas. A full listing of the areas covered is attached.

Primary focus of the experimental program, the Secretary said, is on helping reduce unemployment by using job vacancy data as a basis for a more rapid and effective matching of men and jobs.

Job vacancy information is needed, he said, for interarea recruitment operations of the public employment service system, to advise job applicants of employment opportunities in other areas, in developing local manpower training programs authorized by legislation on area redevelopment, manpower development and training and vocational education, and for the counseling and guidance of unemployed workers. The surveys are also expected to provide information needed by employers to plan their own internal staff promotions and training programs in the light of specific occupational shortages.

The Secretary expressed great satisfaction with the high degree of employer acceptance and cooperation in the job vacancy survey program. Employer response reached approximately 80 percent or more in 12 of the 16 surveyed centers. In 3 of these 12 areas—Portland, Milwaukee and Richmond—the response rate was above 95 percent.

Employers in each of the areas reported vacancies in a wide variety of occupational classifications ranging from professional and skilled occupations to those involving relatively simple tasks. From one-third to one-half of the vacancies were relatively hard to fill—that is, they were vacant following a month or more of recruitment effort by employers. Among occupations most frequently mentioned as hard to fill were engineers, registered nurses, draftsmen, laboratory technicians, physical therapists, stenographers and typists, machinists, tool and diemakers, and various types of mechanics and repairmen.

There were significant imbalances between the number of vacancies and the number of jobseekers in certain skill categories and areas, the Secretary said. For example, job vacancies for skilled welders in Milwaukee in October were about 1½ times the number of job applicants with this occupational background (187 to 112). Yet at the same time, the Portland, Oreg., area reported only 12 vacancies and 100 applicants in this occupation, while Birmingham had 89 vacancies and 53 applicants.

The Secretary said that the experience in the initial phase of the program demonstrates that the collection of job vacancy information, by specific occupation, appears to be feasible. He said that the initial results of the program indicate that the surveys are bringing to light a great deal of information which will be useful in improving the manpower operations and programs of the Department. For this reason, he indicated, the Department is planning, subject to congressional approval, to extend the program to 150 major metropolitan areas later this year.

WAGE PRICE GUIDELINES: THE LATEST FABIAN SOCIALIST DOCTRINE

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CURTIS. Mr. Speaker, Dr. Arthur Burns, in a recent article appearing in the March–April 1965 issue of Harvard Business Review, calls attention to the dangers of the administration's wage price guidelines. He states that the likely effects will be the throttling of competition, drag on economic growth, and wage and price fixing.

I think it is important to consider the significance of many of the administration's recent programs based upon so-called voluntary cooperation of the private sector. This technique is quite insidious. In spite of its semantic camouflage, it is substituting governmental economic decision for marketplace decision. Furthermore, in many of these so-called voluntary agreements the antitrust laws are winked at. Reaching the agreement under Government auspices does not relieve it of its debilitating effect on the economic process of competition.

I hope attention will be paid to Dr. Burns' point of "Wages and Prices by Formula"—more attention than was paid to his devastating criticism of the "economic gap" theory which is still being peddled by the same school of political economists who are promoting the wage price guidelines.

Here follows Dr. Arthur Burns' article:

[From Harvard Business Review, March–April 1965]

WAGES AND PRICES BY FORMULA?

(By Arthur F. Burns)

(NOTE.—The intended effect: avoidance of inflation and more responsible labor-management leadership. The likely effect: throttling of competition, drag on economic growth, and wage and price fixing.

(Arthur F. Burns, formerly Chairman of President Eisenhower's Council of Economic Advisers and now president of the National Bureau of Economic Research as well as John Bates Clark professor of economics at Columbia University, argues that the administration's general guideposts for wages and prices could have dangerous consequences for the economy. If they had the influence intended, he believes, they could: throttle the forces of competition; become a drag on economic growth and efficiency; lead to an economy which is almost indistinguishable from one in which wages and prices are fixed by government.

(Efforts by management and labor to use the guideposts would, Mr. Burns thinks, be beset by many practical difficulties. Ironically, these difficulties may lead not to cutting down the guideposts but to enforcing them with Federal price and wage controls. The need, he concludes, is not for guidelines for management and labor but for guidelines for the Government in formulating its own economic policies.—THE EDITORS.)

In recent years our Nation's economic policy has been focused largely on the problem of unemployment. The reasons for this concern are plain. The recovery from the recession of 1957–58 failed to develop momentum and came to a halt in the spring of 1960 when the unemployment rate was still above 5 percent. The new recession that followed proved to be mild and brief. But when the labor force is growing and becoming more productive, even a minor recession of business activity can have serious repercussions. In the early months of 1961 unemployment reached 7 percent, and the new administration, as was generally expected, embarked promptly on an expansive economic policy.

At first the administration placed its emphasis on increasing Federal expenditures and on creating as much monetary ease as the state of our balance of payments might allow. Later, with unemployment still hovering around 6 percent, the need for a more effective policy became clearer. Official interest gradually shifted from raising Federal expenditures to carrying out a sweeping reduction of income tax rates, which still bore the stamp of the great depression and World War II. After a protracted debate, Congress recognized the importance of revising the tax system, and lower tax rates for individuals and corporations become law. Meanwhile, the administration promulgated more liberal rules for figuring depreciation on tax returns, took some steps to improve the matching of jobs and skills in labor markets, and pressed for an extension of monetary ease.

By and large, the economy has responded well to the new direction of economic policy. Of late, production and employment have increased materially, and the unemployment rate has been moving gradually downward.

PROGRESS WITHOUT INFLATION

In pursuing its expansive economic policy, the administration has been aware of the risk that unbalanced budgets and rapid additions to the money supply may set off a new wave of inflation. That can hardly be a pleasant prospect for any government under modern conditions. The impact of inflation on the purchasing power of families living on pensions or other types of fixed income is severe. Also, inflation commonly bears harder on those who work for a salary than on wage earners, and it deals harshly with anyone whose plans for the future depend on savings accumulated in the form of bank deposits, shares of savings and loan associations, Government savings bonds, and the like. These injustices of inflation tend to breed political discontent, and so, too, does the widespread awareness that inflation is often the precursor of recessions. When costs and prices begin advancing rapidly, experience has shown that speculation in inventories and overbuilding tend to develop, that the strength of economic expansion tends to be undermined in the process, and that prosperity is then liable to give way to recession.

Moreover, the precarious condition of the balance of payments has lately added a dimension of risk to inflation that we, unlike an earlier generation of Americans, cannot ignore. Since 1958 our country has experienced a massive outflow of gold and a still larger increase in its short-term liabilities to foreigners. The United States has continued to serve as banker of the world; but any banker whose reserves dwindle while his demand liabilities keep mounting will inevitably invite caution on the part of those who deal with him.

Fortunately, our wholesale price level has recently remained stable while much of the rest of the world has suffered inflation. This development has served to keep down the deficit in our balance of payments, but it has not sufficed to eliminate it. Therefore, if our price level should rise in relation to that of competing nations, our exports would tend to diminish relative to imports. Unless major steps were taken to counteract such a development, the deficit in our international accounts would become larger, and this could lead to a run on the dollar and its ultimate devaluation. The attending financial crisis would unsettle commercial and industrial markets throughout the world. It would leave a legacy of fear that could result in a lasting constriction of international trade and investment.

Worse still, it might injure fatally our country's foreign prestige and, therefore, its capacity for political leadership of the free world.

Clearly, the risks of inflation are formidable, and they are recognized as such in informed circles both within and outside Government. Thus, in formulating the Nation's economic goals, the President's economic report of 1962 emphasized "the achievement of full employment and sustained prosperity" and urged such an achievement "without inflation."

But how can inflation be avoided? Government authorities have approached this question pragmatically since 1960, just as they did during the 1950's and in earlier times. They have, however, made it plain that they would be disinclined, as long as the economy is still operating short of full employment, to seek general price stability by imposing monetary or fiscal restraints. And the one need that they have stressed above all others is that wages and prices be set in responsible fashion by private parties—in other words, that trade union leaders and business managers need to moderate their economic power in ways which will take account of the national interest in preventing inflation.

ADVENT OF GUIDEPOSTS

Exhortation with regard to prices or wages is by no means a novel practice of government. In its days of secular authority, the Church spoke firmly on the need for just pricing. In later times governments often blamed profiteers for increases in food prices. In the postwar period it has become customary for governments to stress the importance of stability in the general level of prices rather than the rectitude of individual prices. As of old, however, the authorities seek to limit private power in the marketplace by moral suasion. In today's world, as everyone knows, some trade unions can raise wages beyond the level that would prevail in a competitive labor market, just as some corporations have the power to push prices above competitive levels.

It is understandable enough, therefore, why our successive Presidents in the postwar period have seen fit to lecture the private community on the need for noninflationary conduct. General Eisenhower, for example, warned during his presidency that "businesses must recognize the broad public interest in the prices set on their products and services" and that "greater stability of the general level of prices" is "unlikely unless the national average of increases in wage and salary rates and related labor benefits remains within the limits of national productivity gains."

In the last few years governmental pronouncements of this sort have become more frequent and louder. In fact, the urging of moderation on private parties has reached a scale that marks something of a break from the earlier policy of dealing with inflation. Thus:

On the one hand, the classical weapons of monetary and fiscal restraint, which in the past were relied on as the main defense against inflation, are now frowned on.

On the other hand, general appeals to public responsibility are being implemented by wage and price guideposts. Trade unions and business firms, in other words, are no longer merely asked or admonished to moderate their private power in the public interest; they are advised with a show of specificity how this can best be done.

Once exhortation has been fortified by formula, it can no longer be dismissed as sheer rhetoric. It then takes on new authority over the minds of men, and its capacity for good or ill becomes much greater.

Intended nature

The guideposts have been a major part of the administration's economic policy since early 1962, when they were first set forth by the Council of Economic Advisers. What are these guideposts or guidelines?

1. Wages: This guideline specifies that the annual rate of increase in wage rates, including fringe benefits, should be equal in a particular firm or industry to the annual trend increase in national productivity; that is, to the average annual percentage rate of growth over a term of years in the output per man-hour of the economy at large.

2. Prices: This guideline specifies that when the trend of an industry's productivity rises less than the national trend of productivity, its prices "can appropriately rise enough" to accommodate the rise in labor costs per unit of output that is indicated by the wage guideline; and that when an industry's productivity rises more rapidly than the national average, its prices "should be lowered" in keeping with the decline in unit labor costs.

The Council originally characterized its pronouncement on the guidelines as a contribution to public discussion of how the national interest may be judged in the case of private wage and price decisions. The guidelines were certainly not intended to be interpreted as directives to industry or labor. In fact, they were described by the Council as general guideposts which still had to be reconciled in individual situations with objectives of equity and efficiency. In other words, specific modifications were required to adapt the guidelines to the circumstances of particular industries.

The more important types of modification that would be likely to arise in practice were actually listed by the Council. For example, the suggestion was advanced that wage increases should exceed the "general guide rate" if the bargaining position of workers in a particular industry or locality had previously been weak or if an industry was unable to attract sufficient labor.

Actual effect

As was bound to happen, however, it was the crisp formula of the "general guideposts," not the qualifications or disclaimers, that mainly caught the public eye. And, with the passage of time, the administration has itself become bolder. Thus:

The January 1964 report of the Council no longer speaks of the guidelines as a contribution to public discussion of how the national interest may be judged; instead, it describes them as a "standard" for private wage and price decisions.

The report of 1962 had avoided specifying the annual trend increase of national productivity on the ground that this was "a large and complex subject and there is much still to be learned." The report of 1964, on the other hand, is free from all methodological doubts, and presents without qualification a figure of 3.2 percent as the annual trend increase of productivity in the private economy that is currently applicable.

The report of 1962 had indicated that the "general guideposts" were "only first approximations" that would need to be adapted extensively "to the circumstances of particular industries." The report of 1964, on the other hand, states flatly that the guideposts "can cover the vast majority of wage and price decisions" and, while the modifications that had been suggested earlier "still apply, * * * it must be emphasized that they are intended to apply to only a relatively few cases."

Thus, the official position, as now developed or clarified, is that the national interest can be best served by setting wages and prices in accordance with the formula of the general guidelines—not, to be sure, in every instance, but almost that.

TROUBLESOME CONSEQUENCES

As every economist knows, there are only two ways of raising the real earnings of labor. They can be raised by (1) increasing output per man-hour of work or (2) enlarging the share of total income that accrues to wage and salary workers.

Of these two sources, the first is basic, and it has always been vastly more important in our country than the second. The guidelines have the great merit of calling attention to this fact. Taking the economy as a whole, it is the cost of labor that dominates production costs. If the cost of labor per unit of output rises, business firms will ordinarily seek to protect their profit margins by raising prices. But a rise in wage rates, using this term broadly so as to include fringe benefits, need not involve a rise in production costs. It will do that only if the rise in the hourly wage rate is proportionately greater than the increase in output per man-hour. Therefore, if the average percentage increase in wage rates across the Nation merely equals the average percentage increase in output per man-hour, the general level of prices could remain stable without reducing the fraction of the Nation's output accruing to stockholders and other income claimants.

By expressing this basic truth, the guideposts have helped to direct the attention of thoughtful citizens to ways of raising output per man-hour—ways such as investing in more and better tools of production, improving the education and skills of workers, improving the quality of management, and eliminating featherbedding and restrictive trading practices.

Public enlightenment, however, has been an incidental aspect of the guideposts. Being a tool of policy, they point to a course of action. Their essential purpose is to curb inflation—or, more precisely, to permit monetary and fiscal policies to stimulate production and employment without stirring up inflationary pressures from trade unions or corporations. And if the guidelines for prices and wages were generally observed, it is indeed true that the existing links between the flow of money to markets, on the one hand, and the flow of goods and services to purchasers, on the other, would be broken. In such a world the levels of wages and prices would be governed by formula, and they would no longer reflect the changing forces of market demand and market supply—as they now do.

If the policy of the guideposts became fully effective, it would therefore change drastically the workings of our commodity and labor markets, and thereby modify—for better or worse—the character of our economic system.

Practical effects

Let us try to visualize a little more definitely how the guideposts, if they were generally and fully respected, would work out in practice.

Statistical records stretching back into the nineteenth century demonstrate that, although the over-all productivity of our economy occasionally declines, its trend has been steadily upward. If this continues to be true, as we may reasonably suppose, general observance of the guidelines will result in higher wages every year, regardless of the stage of the business cycle or the level of unemployment or the state of the balance of payments. The rise of wages will be the same, on the average, in years of recession as in years of prosperity; but in any given recession the rise of wages could easily be larger than in the preceding years of prosperity. Furthermore, the average wage will tend to rise in any given year by the same percentage in every firm, regardless of its profitability or the state of the market for different kinds of labor.

However, general observance of the guidepost for prices will not freeze individual prices or the relations among them. What it would tend to freeze is (1) the general level of prices and (2) the ratio of individual prices to unit labor costs of production. The tendency of the price-cost ratio to remain constant will be stronger in some industries than in others. Strictly speaking, the guidepost for prices specifies merely that the ratio of price to unit labor cost of production should not rise; it does not argue against a decline of the price-cost ratio. Hence, firms or industries experiencing a weak demand for their products or keen foreign competition may need to be content with prices that decline relative to their unit labor costs. On the other hand, firms or industries that are favored in the marketplace would be unable to raise prices relative to their unit labor costs even if their incoming orders were many times as large as their production. Nor would they be able to raise prices to compensate for increases in costs of production other than those of labor.

The broad effect of these tendencies would be to keep more or less constant the percentage share of the national income—or of national output—going to labor. Changes in the use of capital relative to the use of labor, whether upward or downward, could still have a large influence on the size of the national income but not on the proportion of income accruing to labor. Unless major shifts occurred in the occupational or industrial distribution of employment, any fluctuation in labor's percentage share of the national income would be due primarily to the discrepancy between the movement of over-all productivity in a particular year and the corresponding trend increase. Nonlabor income, in the aggregate, would also tend to be a constant percentage of the national income.

It is well to bear in mind, however, that since profits are only a fraction of nonlabor income, the share of profits in the total national income could either rise or decline. In the postwar period, the amount paid by corporations on account of excises, customs duties, property taxes, licensing fees, and other indirect taxes has risen more rapidly than their net output. If this trend continues, the income share of inventors in the corporate sector will tend to undergo a persistent decline, while that of labor will tend to remain constant.

Throttling of competition

In the hypothetical economy that I have sketched, monopolies—whether of business or labor—would no longer have the power to push up the price level. Put more precisely, if trade unions and business firms complied voluntarily with the guidelines, they would relinquish any market power that they have not yet used or that they might gain in the future. This is worth noting, but it is not the main point.

The fundamental point of the preceding analysis is that general observance of the guideposts would throttle the forces of competition no less effectively than those of monopoly. The point is important because, unlike much of the rest of the world, the rivalry among U.S. business firms is very keen. Even in industries where a few corporations dominate the market—as in the case of automobiles, steel, and aluminum—each corporation competes actively against the others in its industry, against rival products of other industries, and against foreign suppliers. Competition in labor markets is also stronger than casual references to labor monopoly may suggest. After all, only a little over a fourth of the population working for wages or salaries is unionized, and many of the trade unions are weak. By and large, it is competition—not monopoly—that has vast sweep and power in our everyday life. Since free competitive markets would virtually cease to exist in an economy that observed the guidelines, this transformation of the economy merits serious reflection.

To be sure, compliance with the guidelines would be voluntary in the economy we are considering. That, however, may not mean much. For when economic freedom is not exercised, it is no longer a part of life. As far as I can see, an economy in which wages and prices are set voluntarily according to a formula suggested by the Government would be almost indistinguishable from an economy in which wages and prices are directly fixed by governmental authorities. In either case the movement of resources toward uses that are favored by the buying public would be impeded; the tendency to economize on the use of what happens to be especially scarce, whether it be materials or labor or equipment, would be weakened; since prices will no longer tend to equate demand and supply in individual markets, some form of rationing would need to be practiced.

In all likelihood, therefore, a shift from our present market economy to one of voluntary compliance with the guidelines would adversely affect efficiency. It would also adversely affect the rate of economic growth and the rate of improvement of the general standard of living.

It is true, of course, that controlled economies can and do escape complete rigidity. The exigencies of life do not permit their authorities to be blind to considerations of efficiency or social harmony, so that price and wage edicts have to be modified here and there. Black markets tend to develop, and—despite their unsavory character—they often perform a useful function in facilitating production. Moreover, managers gradually become skillful in gray practices, such as reclassifying labor in order to escape the wage restraints or modifying products in order to escape the price restraints. Our hypothetical economy of voluntary compliance would also have its safety valve; that is to say, the guidelines would be modified in "a relatively few cases" in the interest of equity or efficiency. However, gray or black markets, which impart some fluidity and resilience to authoritarian economies, could not exist in the economy of voluntary compliance that we have been considering here.

ARE THE GUIDES WORKABLE?

This theoretical sketch of how our economy would work if the guidelines were generally and fully observed has blinked institutional factors—such as the adjustments caused by the disappearance of auction markets, the new role of trade unions, and so on. Moreover, our theoretical sketch has tacitly assumed that voluntary compliance with the guidelines is merely a matter of will. Life is not that simple. Even if everyone responded to the Government's plea for cooperation and sought faithfully to act in accordance with the guidelines, it would frequently be difficult or actually impossible to do so.

There is, first of all, a vast gap in our statistical arsenal. To comply with the guideline for wages, businessmen would need to know the trend increase of the overall output of the Nation per man-hour. Once this highly complex magnitude had been estimated by the Government, it would presumably be subjected to outside review, revised if need be, and accompanied by a specification of the boundaries of the year (if a year be the interval) to which it would apply. All firms dealing with labor, except those newly established, would then know what wage adjustment was expected of them.

Compliance with the price guideline would be infinitely harder. For this purpose, every company would need to know the trend increase in the productivity of its own industry and how this increase compares with the trend increase of overall productivity of the economy. Such information is not generally available, nor is it readily usable.

Applying the indexes

The productivity indexes now being published, besides being often out of date, lump together a great variety of products. In time, more detailed and more current indexes of productivity will doubtless be constructed, but there are limits to what is statistically feasible. Even if measures of this type become available for each of a thousand or ten thousand industries, much confusion or perplexity will still remain:

Should a manufacturer of bricks, for example, be guided in his pricing by an index of productivity for the stone, clay, and glass group or by an index confined to brick manufacture?

If the latter, is the pertinent index a nationwide measure, one confined to his region, or perhaps to his locality or plant

How should a manufacturing firm proceed with its output is not standardized or when it makes a hundred different items, instead of just one product?

If the appropriate index is not available, as may long remain the case for many firms, especially in the service trades, what is the best "proxy" for it?

Will the judgment of a company's management on such issues, even if made entirely in good faith, be acceptable to others—such as its trade union, the Council of Economic Advisers, or the general public—who also seek only what is right?

Better statistics on productivity will reduce these difficulties; however, they cannot possibly remove them.

Changes in work force

Another puzzling problem would be posed by changes in the composition of labor that is used in industry. Consider, for example, the case of a company that has recently decided to employ more skilled workers of different sorts and less unskilled labor:

Since skilled labor is compensated at a higher rate, the average wage per hour that is paid by the company to its workers will go up, quite apart from any wage increase that may be needed for the individual grades of labor. Let us now suppose that the wage guidepost calls for an increase of, say 3 percent. Then the company's employees will naturally expect an increase of this size in their individual rates of pay.

But may not the company's personnel executive, who has become steeped in the mathematics of the guidelines, properly insist that the average wage has already gone up this much or more on account of the more intensive use of skilled labor and that no increase of wage rates is therefore warranted by the Government's guideline? Will the trade union's representative grasp this statistical subtlety? Will he not argue that the guideline requires an increase of 3 percent, that other organizations are putting through such increases, and that simple justice requires that the same be done by this company?

Suppose that the personnel executive perseveres and finally convinces the union's representative. Will the latter, in turn, be able to persuade the company's employees? Can we even be sure that the company's board of directors will be convinced by the argument of its personnel officer?

In view of modern trends that emphasize the use of higher skills, this sort of difficulty would be bound to occur frequently in an economy of voluntary compliance.

Other pitfalls and puzzles

A related puzzle with which businessmen would need to grapple arises from changes in the composition of output. Suppose that a firm has two plants, that each of them makes a unique product, that the output per man-hour is constant in each plant, but that the two plants differ in efficiency. If the wage guidepost calls for a 3-percent increase in wages, it might appear, since no improvement of productivity has occurred in either plant, that a corresponding increase in the price of each of the two products is justified by the guideline for prices. But are price advances really proper if the firm has shifted some workers from the less efficient to the more efficient of its two plants and thereby raised the output per man-hour of the entire firm as much as or more than the trend increase of national productivity? In that event, does the guidepost for prices require that the productivity of each plant be taken separately or that the two be taken in combination?

Another problem that businessmen and trade union leaders would need to face is whether the modifications of the guideposts that the Council of Economic Advisers has officially sanctioned apply in a particular case. In assuming, as I have, a general willingness to comply with the guidelines, I have not meant to abstract from human nature entirely. Since the modifications suggested by the Council are phrased in very general terms, men acting in good faith may feel that their situation is precisely the kind of rare case that permits some departure from the guidelines. But will business managers and labor leaders always or even frequently agree in their interpretation of what modifications are permissible? In any event, is it not likely that the modifications will turn out to be numerous, rather than, as now intended by the administration, relatively few?

In view of these and many other problems that are bound to arise in practice, the guidelines would prove unworkable over a very large segment of industry, even if everyone sought conscientiously to observe them. To deal with this critical difficulty, a new governmental apparatus might need to be established; its function would be to spell out detailed rules and to interpret them in individual cases. Although there is no way of telling just how such an agency would work, it seems reasonable to expect that not a few of its clarifying rules and interpretations would be arbitrary, that its advisory rulings would at times involve considerable delay and thereby cause some economic trouble, and that the rulings themselves would have at least some inflationary bias. These factors inevitably cast a cloud over the preceding analysis of how an economy of voluntary compliance would function, but they hardly make the prospect more inviting.

SPECTER OF CONTROLS

I have as yet said nothing about the aspect of guidepost policy that has aroused the most skepticism; namely the likelihood of general observance on a voluntary basis. In recent years unemployment has been fairly large, and many industries have had sufficient capacity to increase output readily. Under such conditions, upward pressure on prices cannot be great. Even so, the guidelines have been sharply criticized or defied by powerful segments of the business and labor community. The critical test of the inhibiting power of the guidelines will come, of course, when both labor and commodity markets become appreciably tighter—and this test may come soon. If the recent wage settlement in the automobile industry is at all indicative, expectations of a high degree of compliance with the guidelines are hardly warranted. Similar experiments in other countries also suggest that general price stability will not long be maintained through voluntary restraint.

But once the government in power has committed itself to a policy, it may become difficult to move off in a new direction. A strong commitment to the policy of the guidelines inevitably means that any extensive private defiance would, besides frustrating the Government's anti-inflation policy, injure its prestige. There is always a possibility, therefore, that failure to comply voluntarily with the guidelines will be followed by some coercive measure. This might initially take the form, as has frequently been proposed, of a review by a governmental board of the facts surrounding the price or wage changes that are being contemplated. The thought behind proposals of this nature is that once the facts are clearly developed, the force of public opinion will ordinarily suffice to insure responsible action by corporations and trade unions.

No one can be sure whether this expectation will be fulfilled. But if it is, the governmental review board will have virtually become an agency for fixing prices and wages. If, on the other hand, the board's reports were flouted with any frequency, the next step might well be outright price and wage fixing by the Government. It would seem, therefore, that from whatever angle we examine the guidelines, direct controls pop up dangerously around the corner.

Incipient realities

This danger must not be dismissed as an illusion. Although the guidelines are still in their infancy, they have already hardened, as I previously indicated. Nor has the evolution of the administration's thinking concerning the guidelines been confined to a literary plane. In April 1962, only 3 months after the announcement of the guidelines, the administration moved sternly to force the leading steel companies to cancel the price increases that they had just posted. This interference with the workings of a private market had no clear sanction in law, and it caused consternation in business circles. Fortunately, a crisis was avoided by a prompt and concerted effort of the administration, in which President Kennedy himself took the leading part, to restore business confidence.

Since then, the Government has been more cautious. But it has continued to espouse the need for moderation in the matter of wages and prices, and now and then has even gently rattled its sword. Early in 1964 President Johnson requested the Council to reaffirm the guideposts. He emphasized his commitment to this policy by adding that he would "keep a close watch on price and wage developments, with the aid of an early warning system which is being set up." Last summer, when intimations of a rise in the price of steel appeared in the press, the President lost no time in declaring that such action would "strongly conflict with our national interest in price stability."

TOWARD SOUNDER POLICIES

As this account of recent history suggests, the guidepost policy may, under the pressure of events, move our Nation's economy in an authoritarian direction. The danger may not yet be large, in view of prevailing political attitudes, but it could be serious in a time of trouble or emergency. And this is not the only risk, as I shall presently note. However, the fact that many citizens both within and outside Government favor the guidelines must also be considered, for it means that they see smaller risks or larger advantages in this policy than I do.

It may readily be granted that the guidepost policy has the meritorious objective of blunting the power of monopolists to push up the price level. This is the feature of the policy that its proponents often stress. Indeed, they are apt to argue that it matters little in practice whether or not the bulk of the economic community pays any attention to the guidelines—as long as the major corporations and trade unions do so.

But if the guidelines are circumscribed in this fashion, they are still subject to the criticism of interfering with the competitive forces of the markets in which many major corporations actually operate. Moreover, the absence of a precise indication of what firms, industries, or trade unions are covered by the guidelines can create a mood of uncertainty that will militate against compliance. Not least important, the effectiveness of the guidelines in curbing inflation becomes doubtful when their application is restricted. For the very limitation on wage and price increases in the guideline sector of the economy would facilitate increases in the uncovered sector whenever an expansive economic policy generated a monetary demand that grew faster than the supply of goods and services.

Another argument frequently advanced in favor of the guideposts is that if they were in fact respected on a sufficient scale, then profit margins would tend to be maintained and the chances of prolonging the current business expansion would therefore be improved. This consideration is bound to count in men's thinking at a time when our Nation is striving to reduce unemployment and to spread prosperity.

We must not, however, become so absorbed in today's problems that we overlook those that will haunt us in a later day. If the guidelines may stretch out the expansion now by helping to maintain the relatively high profit margins of prosperity, may they not at some later time stretch out contraction by serving to maintain the low profit margins of recession?

Let me add, also, that I recognize that the guideline policy was adopted by the administration only after it had given serious consideration to alternatives. The thought of its economists apparently is that, in general:

Monetary and fiscal tools must be used to promote expansion as long as the economy is not operating at full employment.

Other devices must therefore be employed (in the absence of full employment) to prevent inflation.

Policies aiming to increase competition or to improve productivity cannot accomplish much in the short run or cannot be pushed hard for political reasons.

Direct controls of wages and prices cannot and should not be seriously considered under peacetime conditions.

Consequently, there is only one major way left for curbing immediate inflation—namely, through devices of exhortation.

And the guidelines for wages and prices are merely a promising specific application of the technique of exhortation.

Locus of responsibility

Space will not permit me to unravel this complicated argument, but I at least want to suggest why I think it may be faulty. Once the Government looks to trade unions and business firms to stave off inflation, there is a danger that it will not discharge adequately its own traditional responsibility of controlling the money supply and of maintaining an environment of competition. In the past our own and other governments have often found it convenient to blame profiteers, corporations, or trade unions for a rising price level. Only rarely have they pointed the finger of blame at their own policies—such as flooding the economy with newly created currency or bank deposits.

To the extent that the Government relies on private compliance with its guidelines for prices and wages, it may more easily be tempted to push an expansive monetary and fiscal policy beyond prudent limits. Besides, it may fail to resist strongly enough the political pressure for higher minimum wages, larger trade union immunities, higher farm price supports, higher import duties, more import quotas, larger stockpiling programs, and other protective measures that serve either to raise prices or to prevent them from falling.

One of the major needs of our times is to give less heed to special interest groups and to reassert the paramount interest of consumers in vigorous competition. The political obstacles to reducing artificial props for prices are undoubtedly formidable. However, reforms of this type—supplemented by more stringent antitrust laws, effective enforcement of these laws, and reasonable steps to curb featherbedding—are likely to contribute more to the maintenance of reasonable stability in the general price level than will the guidelines for wages and prices on which we have recently come to rely.

Guidelines for Government

Another major need of our times is for better guidelines to aid the Government itself in formulating and carrying out its economic policies. The widespread tendency of attributing most existing unemployment to a deficiency of aggregate demand is an oversimplification. Thus:

When the amount of unemployment is larger than the number of job vacancies at existing wages, the aggregate demand for labor is clearly insufficient to provide employment for everyone who is able, willing, and seeking to work. At such a time, a deficiency of aggregate demand exists, and a governmental policy that relies on monetary and fiscal devices to expand demand is, in principle, well suited to the Nation's needs.

When the number of vacant jobs is equal to or larger than the number of the unemployed, however, there is no deficiency of aggregate demand. A government that is seriously concerned about inflation will not pursue an expansive monetary and fiscal policy at such a time, and—instead of lecturing the private community on the need for moderation—will itself lead the Nation in a policy of restraint. This does not mean its concern about unemployment will cease but, rather, that it will direct its policy measures toward better matching of the men and women who seek work with the jobs that need to be filled.

A sensible guideline for monetary and fiscal policy is, therefore, not the volume or rate of unemployment as such, but the relation between the number of the unemployed and the number of job vacancies. As yet, such a guideline is merely a theorist's dream because statistics on job vacancies hardly exist in our country. There are grounds for hoping, however, that this condition will be corrected in another few years, so that we will become better equipped for promoting our national goals.

The problem of achieving and maintaining prosperity without inflation in a free society is a very difficult one. We must be willing as a people to seek out and to explore new ways of meeting this critical challenge of our times. But we also must remain mindful of the lessons of past experience—particularly, the need for prudent control of the money supply and the need for maintaining and enhancing the forces of competition. The progress that we make will depend heavily on the economic understanding of citizens and the intensity of their interest in public policies.

MORE AT STAKE IN FARM CRISIS THAN ROTTING STRAWBERRIES

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TALCOTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TALCOTT. Mr. Speaker, more and more people are becoming alarmed, even shocked, by the callousness of the Federal Government, and particularly the Department of Labor, with the agriculture debacle now occurring in California.

Crops spoiling in the field is not a pretty sight. Such spoilage affects more than the unfortunate and frustrated farmer who cannot obtain adequate labor.

F. K. "Pete" Arthur, editor of the Monterey Peninsula Herald, has written an editorial, May 6, 1965, which displays an unusual understanding of the certain consequences of the agricultural chaos in California. He speaks from the vantage point of an objective observer whose paper has a predominantly nonfarm circulation.

The Secretary of Labor, the President, and Members of Congress ought to have the opportunity to read Mr. Arthur's thoughtful and informative editorial. Under unanimous consent I include the editorial in the RECORD now:

MORE AT STAKE IN FARM CRISIS THAN STRAWBERRIES

Current joke in the Salinas Valley: "Things are going from bad to Wirtz."

The strawberry crisis isn't funny, and neither is the attitude of the Secretary of Labor, who seems determined to plow under as much of California's $3 billion farm income as he can reach—without stooping, of course—on the ground that keeping foreigners out is more important than feeding Americans.

With berries rotting, where are the workers that labor promised would be in the fields, in sufficient numbers and willing to work? Certainly not down on the farm.

The Governor, who gave no real help to save-the-crops efforts when he could have been effective—before it all happened, that is—has changed his tune somewhat. But he still plays politics on his musical saw.

He told a news conference that he thought his on-the-spot investigators should know more than Wirtz in Washington, then added lamely: "I think he's wrong, but he could be right." He also remarked that he thinks "Wirtz is doing a good job." For whom?

The Governor was busy last night savoring the heady brew of Democratic unity at a benefit dinner, so he probably missed hearing one of Wirtz's willing hands try to pass the buck back to the growers.

Their fault, it seems, was that when the rug was pulled out, they banged their heads on the floor and couldn't get up quickly enough to salaam in the direction of Washington.

If there is any question in the Governor's mind about who needs what, why doesn't he fly down to see for himself? We think that Senator Farr, who has the Governor's ear, should make it a first order of business to change the Governor's mind.

As Chairman Tom Hudson pointed out when the board of supervisors extended the invitation earlier this week, floods threatening equal damage would bring inspecting officials flying in from all directions.

Passing thought: Where is Secretary of Agriculture Orville Freeman in all this? Isn't he charged with protecting U.S. agriculture?

In case there is any doubt that Monterey County is in trouble, remember that it was first in the Nation in strawberries, lettuce, and artichokes in 1963, latest figures available.

The county's agricultural products in 1964 were valued at more than $152 million, of which $93 million was in vegetables. Strawberries are hurting now, but the crisis is coming for the other major crops, including celery, carrots, broccoli, beans, and sugar-beets.

And there are other factors in the economic picture besides crop losses.

What happens to the people who work in the packing and processing plants if they don't have the crops to pack or freeze?

What happens in other specialized industries dependent on agriculture—containers, commercial ice, waxed paper, and other items? How about the truckers and trainmen who do the hauling?

But it doesn't stop there. The assessed valuation of agricultural land totaled $66 million. Assessments are based on land use. Thus a crop failure could lead to major reductions in farm valuations, which other property would have to assume.

And if growers are forced out of California—there is talk already of moving strawberry production to Mexico, the mountain to Mahomet, so to speak—what then?

We think it's time officials, housewives, and the rest of us start getting concerned, and let Wirtz know it.

F.K.A.

COMMITTEE ON THE JUDICIARY

Mr. JOELSON. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may be permitted to sit during general debate for the balance of the week.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey [Mr. JOELSON]?

There was no objection.

STATUTES, REGULATIONS, POLICIES, AND PRACTICES OF SELECTED FOREIGN COUNTRIES PROVIDING FOR PREFERENCES FOR DOMESTIC MATERIALS AND FIRMS IN THE AWARDING OF PUBLIC SUPPLY AND PUBLIC WORKS CONTRACTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. SAYLOR] is recognized for 1 hour.

Mr. SAYLOR. Mr. Speaker, the study of public purchasing policies of Australia, New Zealand, and South Africa completes the compilation to be printed in the RECORD.

Through these records, Congress has had an opportunity to discover the stark reality that other major countries, by statute or by arbitrary administrative procedure, in effect, prohibit American firms from contracting for public works projects. To complete the picture, we need only the records showing how our own tax money is used for buying products and materials from the same nations that discriminate against us.

I am attempting to obtain this information, and if and when it becomes available I shall bring it to the attention of my colleagues. Such figures will indicate the extent to which American labor is disregarded in the letting of contracts by our Government. They will also account for a portion of our serious balance-of-payments deficit.

Mr. Speaker, the chapter I present today should be preserved, along with preceding documents of the series, as a basis for designing sensible guidelines for Government offices responsible for purchasing materials and equipment. In Europe, in Canada, Mexico, South America, and across the Pacific the philosophy is the same: "Buy from our own people who use our own labor and pay our taxes." Only in the United States is a fuzzy, foreign-minded attitude substituted for sanity and patriotism.

Article No. 8 appears below:

AUSTRALIA—MEMBER OF GATT

Departments of the Commonwealth Government are required to purchase their supplies and equipment in accordance with the Treasury Regulations (Statutory Rules, 1942, No. 523, as amended by No. 32 of 1943, No. 3 of 1953, No. 9 of 1959, and No. 77 and No. 122 of 1961), which were issued under the provisions of the Audit Act, 1904–60. Article 52 of the regulations provides that, except in special circumstances, public tenders are required for all purchases within the Commonwealth exceeding LA500. Such tenders are normally open to suppliers both in Australia and overseas and are usually advertised in the Commonwealth Gazette and in the principal daily papers.

Preference is given to Australian manufacturers and products by the addition, for purposes of comparison, of duty to any price quoted by a foreign bidder, as if it were a normal commercial transaction, even though the Commonwealth does not pay duty. When the prices quoted by foreign bidders have been adjusted to take account of duty, all other things being equal, the lowest suitable tender is normally accepted.

The practice of discriminating in favor of Australian suppliers and products is part of the announced policy of the Government to offer protection under the customs tariff to economic and efficient local industries.

The Australian customs tariff has three columns—the British preferential tariff, the intermediate tariff, and the general tariff. Where different rates of duty are provided under the three columns of the tariff, the lowest rates are under the British preferential tariff. For the most part, it applies to imports from the United Kingdom and to certain specified imports from members of the Commonwealth and British colonies. The intermediate tariff provides for higher rates, which have been established for a large number of products, and applies to imports from countries accorded most-favored-nation status, including the United States. The general tariff, with still higher rates, applies to imports from the few remaining countries. As an example of the operation of the tariff, for most machine tools and machinery the intermediate rate applicable to imports from the United States is 55 percent, while the British preferential rate is at least 7½ percent lower.

Accordingly, the policy of the Government discriminates not only in favor of Australian suppliers and products but also in favor of suppliers and products of the United Kingdom and other members of the Commonwealth.

According to unofficial reports, the Government calls on Australian steel companies to supply all its steel requirements which are within the manufacturing range of such companies.

There are a number of Commonwealth public corporations owned by the Commonwealth the purchasing procedures of which are not usually subject to treasury regulations. Nevertheless, many of them follow the contract procedures of the Commonwealth Government and a number of them compare prices of foreign and local bids on a duty-paid basis, even when they are not required to pay duty.

The individual States have considerable authority in making their own purchases. They are reported to follow substantially the same policy as the Commonwealth Government.

The policy followed by Victoria, the second most populous State, is succinctly described in the following excerpt from a letter dated February 4, 1965, from the Secretary of the Premier's Department:

"I desire to refer to your letter of January 20, relative to the award of public supply and public works contracts in the State of Victoria, and to inform you that there is no specific form of preference applicable in this State.

"However, with the object of promoting local production and providing more employment in Victoria the Government has directed that wherever possible, preference is to be given by Victorian departments and instrumentalities to goods manufactured in Victoria.

"Likewise preference is to be given to goods manufactured in the Commonwealth of Australia over goods manufactured in the United Kingdom and other parts of the British Commonwealth.

"Preference is also to be given to goods manufactured in the United Kingdom and other parts of the British Commonwealth over those from other countries.

"So far as other local authorities are concerned such as municipal councils and waterworks and sewerage trusts, etc., these are also bound to give some form of preference under the provisions of section 504 of the Local Government Act, 1958, No. 6299, and section 4(1) of the Public Contracts Act, 1958, No. 6347."

Section 504 of the Local Government Act, 1958, of Victoria (Act No. 6299) provides as follows:

"(1) In purchasing or obtaining any goods machinery or material for any municipality the Council thereof shall give effective and substantial preference to goods machinery or material manufactured or produced in the Commonwealth.

"(2) If goods machinery or material manufactured or produced in the Commonwealth cannot be purchased or can only be purchased in insufficient quantities or of a quality unsuitable for the work the Council shall give substantial and effective preference to goods machinery or material produced and manufactured in the United Kingdom as against those of foreign manufacture."

Section 4(1) of the Public Contracts Act, 1958, of Victoria, provides as follows:

"(1) All goods machinery or materials purchased to the amount of five hundred pounds or upwards at any one time by any local authority or by any contractor with the local authority for any works undertaken by or on behalf of the local authority shall be goods machinery or materials manufactured or produced in the Commonwealth unless the Minister first certifies in writing under his hand that he is satisfied that goods machinery or materials (as the case may be) manufactured or produced in the Commonwealth cannot be purchased or can only be purchased at an unreasonable price or within an unreasonable time or in insufficient quantities or of a quality unsuitable for the works."

PRINCIPAL SOURCES

1. Letter dated December 4, 1963, from the U.S. Embassy in Canberra to Cravath, Swaine & Moore, Paris.
2. Airgram No. A–195 dated September 6, 1963, from the U.S. Embassy in Canberra, entitled "Australian Government Policy on Bidding for Government Contracts."
3. Letter dated February 18, 1965, from the Director of Contracts, Contracts and Disposals Branch, Department of Supply, Canberra, to Cravath, Swaine & Moore, New York.
4. Letter dated February 17, 1965, from the First Assistant Secretary, Commonwealth Treasury, Canberra, to Cravath, Swaine & Moore, New York.
5. Letter dated February 5, 1965, from the Secretary, Premier's Department, State of Victoria, Melbourne, to Cravath, Swaine & Moore, New York.
6. U.S. Department of Commerce, "Report of the 1964 Trade Commission to Australia" (1964).
7. U.S. Department of Commerce, "Foreign Trade Regulations of Australia," Overseas Business Reports, No. OBR 63–129 (1963).
8. U.S. Department of Commerce, "Import Tariff System of Australia," Overseas Business Reports, No. OBR 62–43 (1962).

NEW ZEALAND—MEMBER OF GATT

The established policy in New Zealand is to give preference to domestic and Commonwealth bidders in the award of public supply contracts. The policy is not based on any specified law but is carried out administratively by the particular government department making the purchase.

The application of the policy is best described in the following excerpt from the letter dated December 4, 1964, cited infra from the New Zealand Government Stores Board:

"The Government Stores Board is responsible for the supervision and coordination of all Government supply work. However, most of the day-to-day buying, including by far the majority of items purchased direct from overseas, is conducted by the various Government agencies and departments themselves in accordance with rules and instructions issued by the board from time to time.

"The basic method of purchase is by written competitive tender although there are obvious exceptions to this in the case of items procurable from one source only, such as many items of spare parts and accessories.

There is a distinct preference for purchase ex local merchants stocks but this of course is not practicable for many stores items used by Government and when direct import is warranted or necessary the general policy applicable is to invite tenders on a worldwide basis.

"Departments maintain indexes of suppliers for particular commodity groups and normally send invitations to all firms listed. These lists are culled periodically to remove the names of those suppliers who have not shown interest in tenders or who have failed consistently to meet specifications. In practice overseas manufacturers appear to rely heavily on local agents in New Zealand to keep them informed on tenders but departments also send copies of invitations to the trade missions and representatives of overseas countries domiciled in New Zealand and also to New Zealand Government trade representatives overseas.

"For comparative purposes all tenders are brought to a common basis by the addition of shipping charges and ocean freight and are then loaded with appropriate rates of duty prescribed by the New Zealand tariff. In normal circumstances the tariff is regarded as a true reflection of Government policy with regard to the various preferences accorded to British and most favored nations and to local manufacture. The board itself may however in certain cases direct purchase from a local source where this is deemed necessary in the light of current import policy."

New Zealand operates under a multicolumn tariff in which three tariff rates exist—the British preferential, the most-favored-nation, and the general—plus special rates which apply to certain items imported from Australia, Canada, and South Africa that are not placed under the British preferential tariff. With those exceptions the British preferential rates apply to members of the Commonwealth and British colonies. The most favored nation, or intermediate rates, which have been established for a large number of items, apply to most other countries, including the United States. The still higher rates under the general tariff apply to the few remaining countries. It is estimated that the rate of duty for goods under the intermediate tariff is on the average 18 percent higher than the rate of duty under the British preferential tariff.

Accordingly, it is clear that the application of the above-described policy results in a substantial preference to domestic and Commonwealth bidders, since the Government does not, of course, actually pay any duty.

Bids for supply to Government departments operating as commercial enterprises, such as the railways department and the hydroelectric department, are on the basis of landed cost, including the customs duty which is paid by the particular enterprise. As a result, domestic and Commonwealth bidders also have an obvious advantage.

According to the commissioner of works, who is responsible for the execution of all Government works, no domestic or Commonwealth preferences are available in respect of contracts for building or engineering construction contracts. The usual method of awarding contracts is by public tender after advertisement, either locally or, in the case of exceptionally large works, through the press of all Commonwealth and certain other countries, including the United States. The most satisfactory tender in every respect is accepted and in general this is the lowest tender unless there are good and valid reasons to the contrary. Nevertheless, according to the U.S. Department of Commerce, domestic and Commonwealth bidders are accorded a preference of up to 10 percent.

PRINCIPAL SOURCES

1. Letter dated December 4, 1964, from the Government Stores Board, Wellington, New Zealand, to Cravath, Swaine & Moore, New York.

2. Letter dated December 15, 1964, from the Commissioner of Works, Ministry of Works, Wellington, New Zealand, to Cravath, Swaine & Moore, New York.

3. Letter dated November 19, 1964, from the senior New Zealand trade commissioner in the United States, Washington, D.C., to Cravath, Swaine & Moore, New York.

4. U.S. Department of Commerce, "Basic Data on the Economy of New Zealand," World Trade Information Service, part 1, No. 62–72 (1962).

5. U.S. Department of Commerce, "Foreign Trade Regulations of New Zealand," Overseas Business Reports, No. OBR 64–4 (1964).

6. U.S. Department of Commerce, "Selling to New Zealand: Report of the 1964 Trade Mission to New Zealand" (1964).

Republic of South Africa—Member of GATT

The usual method of awarding Government contracts on all levels in the Republic of South Africa is competitive bidding on invitations for tenders published in official newspapers.

The largest share of Government procurement is carried out by the State Tender Board of the Central Government. The provisions of state tender board regulations, a copy of the English version of which is attached hereto as Schedule A, govern the procedure for the procurement of supplies and services (including works) and the disposal of stores by the Government (excluding the South African Railways and Harbors Administration, the Provincial administrations and the South West Africa Administration).

Invitations for tenders and the arrangement of contracts are centralized in the State buyer's office under the direction of the State buyer, who is also an ex officio deputy chairman of the state tender board. The functions of the latter include the definition of general procurement policy and the issuance of invitations for, and acceptance of, formal tenders.

With the exceptions specified in regulation 13, formal tenders must be invited where the estimated value exceeds 2,500 rands (R) ($3,500). Tender notices are published only in the Republic in such manner as the board deems expedient.

Regulations 33 and 34 contain a number of preference provisions designed to implement the policy of the Government to encourage local industry to the maximum extent possible without disrupting the economy. The most important are those contained in regulation 34, which authorize the board to grant preferences to commodities produced, manufactured, or assembled within the Republic according to the percentage of local content, that is, the landed cost at factory in the Republic of that portion of the tender price which does not comprise components, parts, or materials which have been or are still to be imported by the tenderer or by his suppliers or subcontractors. The sliding scale of preference reaches a maximum of 10 percent, where the local content of the article exceeds 80 percent of the price.

In addition to the normal scale of preference, the board has discretion to introduce an additional scale of preference, inclusive of customs duty, of not to exceed 15 percent. For example, locally produced steel products have a local content exceeding 80 percent, and are, therefore, accorded a preference of 10 percent. Since the customs duty is 3 percent, the board may grant an additional preference of up to 12 percent (15 percent, less customs duty of 3 percent).

Moreover, the board is empowered to grant further preference over and above those preferences after consultation with, and on the recommendation of, the board of trade and industries.

Another provision of regulation 33 empowers the board to grant preferences to commodities produced in the Commonwealth by adding to the respective prices the customs duties ordinarily payable, even though not actually payable, since the commodities are destined for Government use. South Africa has a three-column tariff consisting of minimum, intermediate, and maximum rates. The minimum or preferential rate applies to specified items imported from the United Kingdom, Canada, Ireland, and other Commonwealth countries. The intermediate rate applies to most dutiable items imported from the United States.

The Department of the South African Railways and Harbors is also an important procurement factor. Its tender board regulations and instructions, a copy of selected excerpts from the English version of which is attached hereto as schedule B, are patterned after the regulations of the state tender board, and instructions 30 and 31 correspond generally to regulations 33 and 34 of the state tender board, with the same sliding scale of preferences.

The four provinces—Cape of Good Hope, Natal, Orange Free State, and Transvaal—conduct a considerable amount of procurement activity under the provisions of tender regulations which correspond generally to those of the state tender board. Copies of selected excerpts from the English version of the regulations of the Cape of Good Hope, Natal, Orange Free State, and Transvaal are attached hereto as schedules C, D, E, and F, respectively. All four provide for preferences for articles manufactured in the Republic and the regulations of the latter two Provinces also provide for preferences for articles manufactured within the Province, "all things being equal."

PRINCIPAL SOURCES

1. Letter dated December 26, 1963, from the Acting Director, Africa Division, Bureau of International Commerce, U.S. Department of Commerce to Cravath, Swaine & Moore, Paris.

2. Airgram dated December 18, 1962, from the U.S. Embassy in Pretoria, entitled "State Tender Board Increases Preferences for Local Bidders."

3. U.S. Department of Commerce, "Basic Data on the Economy of the Republic of South Africa," Overseas Business Reports, No. OBR 63–3 (January 1963).

4. U.S. Department of Commerce, "Foreign Trade Regulations of the Republic of South Africa," Overseas Business Reports, No. OBR 64–92 (August 1964).

Schedule A

Republic of South Africa, State Tender Board Regulations, 1964

(Government Gazette Extraordinary, October 2, 1964)

It is hereby notified that the Minister of Finance has, in terms of section 61 bis of the Exchequer and Audit Act, 1956 (Act No. 23 of 1956), made the regulations as contained in the schedule to this notice to provide for the appointment of the State tender board and the procedure for the procurement of supplies and services and the disposal of stores by the Government of the Republic of South Africa (excluding the South African Railways and Harbors Administration, the Provincial Administrations, and the South West Africa Administration).

Government Notice No. R. 171 of the 30th June, 1961, as amended by Government Notices Nos. R. 2022, dated the 7th December, 1962, R. 445, dated the 29th March, 1963, R. 859, dated the 14th June, 1963, R. 1503, dated the 27th September, 1963, R. 1775, dated the 15th November, 1963, and R. 421, dated the 20th March, 1964, is hereby withdrawn.

SCHEDULE

Definition of terms

1. In these regulations, unless the context otherwise indicates:

"Board" means the State tender board referred to in regulation 2;

"Chairman" means the Chairman of the State tender board;

"Current domestic value", in relation to supplies imported or to be imported into the Republic means the market price at which, at the time of tendering, such or similar supplies are freely offered for sale, for consumption in the territory from which exportation took place or is to take place, in the usual wholesale quantities in the ordinary course of trade to all purchasers in the principal markets of that territory, including the cost of packages ordinarily used in those markets plus the extra cost of packing and packages for export, carriage to the port of shipment or other place of final despatch in that territory, and all other expenses incidental to placing the supplies on board ship or vehicle at that port or place, ready for export to the Republic, but excluding excise duties or sales taxes imposed by the government of that territory.

"Due date and hour" means the date and hour specified in the tender form for the receipt of tenders.

"Formal tender" means a tender for purchases, services or sales the estimated value of which exceeds R2,500.

"General contract" means a contract entered into for the supply of commodities, the rendering of services or the disposal of Government stores over a specified period.

"Government" means the Government of the Republic of South Africa.

"Imported content" means the landed cost at factory in the Republic of South Africa, of that portion of the tender price which comprises components, parts or materials which have been or are still to be imported whether by the tenderer or by his suppliers or subcontractors.

"Informal tender" means a tender for purchases, services, or sales the estimated value of which does not exceed R2.500.

"Landed cost of factory" means the oversea costs plus direct importation costs such as freight, all landing charges, dock dues, import duties and the like at the South African port of entry as well as inward transportation and handling to factory in the Republic of South Africa where the supplies tendered for are manufactured or assembled.

"Local content" means that portion of the tender price which is not included in the definition "imported content."

"Minister" means the Minister of Finance.

"Republic" means the Republic of South Africa and includes the territory of southwest Africa.

"Secretary" means the Secretary to the Board referred to in subregulation (8) of regulation 2.

"State buyer" means the State buyer referred to in regulation 10.

"State buyer's office" means the State buyer's office referred to in regulation 10.

State tender board

2. (1) There shall be a State tender board, which shall consist of a chairman, a deputy chairman who shall be the State buyer, and not more than 14 other members and their alternates.

(2) Except as provided in subregulation (3), the other members and their alternates shall be appointed from persons who are officers or employees in the public service.

(3) One member and an alternate shall be appointed in respect of each of the following organizations from a list of nominations submitted by them to the Minister for the purpose:

(a) the Association of Chamber of Commerce of South Africa;

(b) the South African Federated Chamber of Industries;

(c) the Afrikaanse Handelsinstituut;

(d) the South African Agricultural Union.

And in addition one member and an alternate shall be appointed to represent the trade unions in the Republic.

(4) The chairman and the other members (excluding the deputy chairman) and their alternates shall be appointed by the Minister for such period as the Minister may determine in the case of the chairman and for a period of 3 years in the case of the other members and their alternates, and they shall be eligible for reappointment at the expiry of their respective terms of office: *Provided*, That the period of 3 years in respect of those members and their alternates referred to in subregulation (2) who are appointed as such prior to the 1st day of October 1963, shall be deemed to commence on that date.

(5) The deputy chairman shall act as chairman in the absence of the latter and the Minister shall appoint a member to act as chairman in the absence of both the chairman and the deputy chairman.

(6) In the absence at any particular meeting of the chairman, the deputy chairman and the member referred to in subregulation (5), the members present shall elect from amongst themselves a member to act as chairman at that meeting.

(7) In the absence of the State buyer the officer referred to in regulation 12 shall be co-opted as a member of the board.

(8) There shall be a secretary to the board appointed by the State buyer from the State buyer's office staff who shall keep full records of the meetings of the board and perform such other duties as may be assigned to him by these regulations or by the State buyer.

(9) The board shall meet at such intervals and on such special occasions as may be determined by the chairman or, in his absence, by the deputy chairman or, in the absence of both of them, by the member referred to in subregulation (5), and any meeting thus called may be adjourned or postponed by the chairman, the deputy chairman or the member, as the case may be.

3. In the event of equality of votes at a board meeting, the chairman shall have a casting vote as well as a deliberative vote. Five members shall form a quorum, but if only four members are available consideration of the business on hand may be proceeded with and in the latter case any decision arrived at unanimously shall be regarded as the decision of the board.

4. (1) Votes may be cast either at a meeting of the board or by individual members being circularized but in the latter case any member may demand that a meeting of the board be convened.

(2) A resolution taken by circularizing members shall be recorded in the minutes of the next board meeting.

(3) The number of members voting for or against any resolution shall be entered in the minutes if so decided by the meeting. Any member may demand that a record of his vote shall likewise be entered.

5. When a matter affecting a department or organization represented on the board is under consideration, the member representing such department or organization shall be considered as being present at the meeting in an advisory capacity only and shall not be entitled to vote on the matter under discussion.

6. (1) All discussions at board meetings and matters considered and decisions arrived at by the board shall be treated as confidential and shall not be disclosed by any member of the board or of the State buyer's office staff, without the prior consent of the board.

(2) Decisions of the board shall be communicated to those concerned by the chairman or State buyer.

7. Expert advice may be engaged by the board with the consent of the Treasury. Any Government official may be required by the board to give expert or technical advice.

8. The functions of the board shall be, inter alia—

(a) To define the general policy to be followed in the invitation and acceptance of tenders for supplies, services and sales and in the placing of orders;

(b) To invite and accept formal tenders;

(c) To decide for what supplies, services and sales common to more than one department general contracts shall be arranged;

(d) To insure that proper specifications and descriptions are prepared for all supplies, services and sales submitted to competition;

(e) To standardize requirements as far as possible by eliminating unnecessary articles and unnecessary grades and varieties of articles and to provide for the procurement of such articles as are best suited to the requirements of the Government;

(f) To insure that the conditions of contract for supplies, services and sales are framed on uniform lines and to provide adequate safeguards for due delivery, cancellation necessitated by breach of contract and any other matter in the interest of the Government;

(g) To deal with breaches of the conditions of tenders or contracts and to decide what action, if any, shall be taken against defaulters.

(h) To grant extension of contract delivery periods;

(i) To approve, ex post facto, of emergency purchases, services or sales by departments where the board is satisfied that the action of the department was in the best interests of the Government: *Provided*, That where the delay in taking timely action is due to negligence or where fruitless expenditure is involved, the matter shall be submitted by the department concerned to the Treasury for approval;

(j) To authorize departments to invite formal tenders;

(k) To dispense with the invitation of tenders or letter quotations when such action is considered to be in the interests of the Government; and

(l) To exercise such other powers or duties as may be conferred or imposed by these regulations.

9. (1) The board may, with the approval of the Minister, institute one or more committees of the board and may at its discretion delegate to any committee so instituted such of its powers and functions as it may from time to time deem expedient.

(2) Any committee instituted in terms of subregulation (1) shall consist of the chairman, the deputy chairman, and at least two other members and the provisions of subregulations (5), (6), (7), (8), and (9) of regulation 2 and of regulations 3, 5, 6, and 7 shall apply mutatis mutandis in respect of any such committee.

State buyer and State buyer's office

10. (1) There shall be a State buyer's office under the direction of the State buyer.

(2) Subject to the provisions of regulation 13, the invitation of all tenders and the arrangement of contracts on behalf of the Government and all other matters incidental thereto shall be centralized in that office.

11. The functions of the State buyer shall be, inter alia—

(a) To authorize, where necessary, communications between departments and tenderers in order to elucidate doubtful points in tenders;

(b) To award contracts by the spin of a coin or by the drawing of lots in the case of equal tenders not in excess of the maximum amount laid down for an informal tender in these regulations;

(c) To dispense with the invitation of informal tenders when such action is considered to be in the interests of the Government, and to authorize the invitation of letter quotations or to make the best arrangements in terms of paragraph (a) of regulation 14;

(d) To authorize departments to invite informal tenders in terms of paragraph (b) of subregulation (2) of regulation 13;

(e) To grant authority in terms of the second proviso to paragraph (c) of subregulation (2) of regulation 13;

(f) To admit late tenders for consideration as offers in terms of subregulation (a) of regulation 31;

(g) To accord additional preference in terms of paragraph (a) of subregulation (2) of regulation 34 to tenders the value of which does not exceed the maximum amount laid down for an informal tender in these regulations;

(h) To authorize the placing of indents in terms of regulation 43;

(i) To enter into written contracts in terms of regulation 46;

(j) To vary the amount of the security to be provided in terms of regulation 47;

(k) To approve the cession of contracts in terms of regulation 48;

(l) To insure that contracts are properly executed;

(m) To determine in consultation with departments which supplies or services are best suited to the particular requirement;

(n) To exercise supervision over the sale of Government property by public auction subject to such directions as may be given by the Treasury; and

(o) To exercise such other powers or perform such duties as may be conferred or imposed upon him by the Minister or the board.

12. In the absence of the State buyer, a senior officer in the State buyer's office nominated for the purpose by the State buyer in consultation with the Treasury or failing such nomination, by the Treasury, shall perform the functions assigned to the State buyer in terms of regulation 11 and carry out the authorities delegated to the latter by the Minister or the board.

Tenders

13. (1) The procedure laid down in paragraphs (a), (b), and (c) of subregulation (2) shall govern the procurement of all supplies and services required by the Government or the disposal of Government stores, except—

(a) Where supplies are indented for in terms of regulation 43;

(b) Where tenders for items appearing on approved lists are invited in terms of regulation 44;

(c) Where authority for the disposal of stores by public auction or out of hand has been obtained from the Treasury; or

(d) Where authority has been given to dispense with the invitation of tenders or letter quotations in terms of regulation 14.

(2) (a) Where the estimated value exceeds the maximum amount laid down for an informal tender in these regulations, formal tenders shall be invited by the State buyer on behalf of the board, unless prior approval has been granted by the board for a department to invite such tenders.

(b) Where the estimated value does not exceed the maximum amount laid down for an informal tender, the State buyer shall invite informal tenders, unless prior approval has been granted by him for a department to invite such tenders.

(c) Where the estimated value does not exceed R100, tenders shall, where practicable, be invited locally: *Provided*, That tenders may be dispensed with if a department considers this course to be more advantageous or convenient in the interests of the Government: *Provided further*, That the State buyer may authorize an increase of the said amount from R100 to R250 in certain instances and at the request of departments which have obtained Treasury approval for such request.

(3) (a) The estimated value shall cover or include the total value of all items on a requisition or order and not the value of any individual item appearing thereon.

(b) A supply, service or sale shall not be subdivided in order to bring the estimated value within the limits of paragraph (b) or (c) of subregulation (2).

14. Where it is considered to be impracticable or not in the interests of the Government to invite tenders in terms of regulation 13, prior authority to dispense with such tenders and to invite one or more letter quotations or to make the best arrangements for the supply, service or sale shall be obtained from—

the state buyer, if the estimated value exceeds R100 (or R250 in terms of the second proviso to paragraph (c) of subregulation (2) of regulation 13) but does not exceed the maximum amount laid down for an informal tender;

(b) The board, if the estimated value exceeds the maximum amount laid down for an informal tender.

Informal tenders and letter quotations

15. (1) Subject to the provisions of paragraphs (b) and (c) of subregulation (2) of regulation 13, the state buyer shall invite informal tenders or letter quotations from likely tenderers.

(2) Informal tenders or letter quotations received shall be decided upon by the state buyer in cases where the total value of the tenders or quotations recommended for acceptance does not exceed the maximum laid down for an informal tender in these regulations and by the board in all other cases.

(3) The procedure hereinafter prescribed for formal tenders shall, save insofar as such procedure is inconsistent with the concept of informal tenders or letter quotations, also apply to informal tenders, and for the purposes of such application any reference in the regulations to the board shall be construed as a reference to the state buyer.

Formal tenders

(1) Invitation of Tenders

16. (1) Tenders shall be invited in the Republic only and shall indicate the place at and the latest date and hour up to which they will be received and give such further particulars as may be necessary.

(2) Tender notices shall be published in such manner as the board may deem expedient.

17. Departments shall not divulge information about their anticipated requirements nor shall any communication take place between departments and likely tenderers in regard to tenders invited by the state buyer without the prior consent of the latter.

18. (1) Where the contract necessitates the use of transport for its fulfillment, the successful tenderer shall, in cases where he does not own transport vehicles used solely for the purpose of his business, use South African Railways and Harbors Administration transport wherever available, but the services of public haulers as provided for in the Motor Carrier Transportation Act, 1930 (No. 39 of 1930), as amended, sea transport or parcel post may also be used.

(2) The successful tenderer shall also comply with the terms of any shipping freight agreement to which the Government is a party.

19. The use of trade names and reference to proprietary articles in tender forms shall be avoided as far as possible but where this is not possible, the words "similar or equal" shall be added to indicate the style, type, or quality of the article required.

20. (1) Samples supplied to prospective tenderers, shall be charged for at prices determined by the board.

(2) A nominal charge may be made for prints, specifications, and tender forms, which will be refunded in the event of the return of the documents so issued in the form of a bona fide tender, or if a bona fide tender is not submitted, within such period as may be specified in the tender form for the return of the documents.

21. (1) Samples in support of a tender shall be supplied by the tenderer at his own cost and risk. There shall be no obligation on the Government to keep or purchase such samples. Samples of value may be purchased by the Government at the tendered price, but if not so purchased, they shall be reconsigned to the tenderer at a place within the Republic at Government expense, but at the tenderer's risk.

(2) Where samples are destroyed or damaged in the process of testing or examination the Government shall not accept liability for the cost of such samples unless so specified in the tender form and approved by the Treasury.

(3) Samples made up from materials supplied by the Government shall not be returned to the tenderer, nor shall the Government accept any liability for the cost of such samples, unless so specified in the tender form and approved by the Treasury.

22. (1) The due dates of formal tenders shall be determined as follows:

(a) For supplies ex stocks held in the Republic or to be manufactured in the Republic from materials already in the Republic, not less than 21 days from the date of first publication; and

(b) In cases not covered by (a), not less than 30 days from date of first publication.

(2) The board may vary these periods in its discretion if circumstances make this expedient in the interests of the Government.

23. Unless otherwise directed by the board, tenderers shall be required to hold their offers good for 30 days from the due date of the tenders.

24. (1) Tenderers may tender for one or more items specified in the tender form.

(2) If it is necessary to accept a larger or a lesser quantity than called for against any item, the tenderer shall have the option of refusing acceptance.

25. When the date for the receipt of tenders falls on a Sunday or public holiday, tenders shall be received up to the stipulated hour on the following working day of the office of the State buyer.

26. Tenders invited by the board shall be addressed to the secretary of the State tender board and shall be submitted by the tenderer under sealed cover with the tender number, due date and name and address of the tenderer endorsed on the outside.

27. Tenders received open or without the endorsement on the cover referred to in regulation 26 shall, after the tender reference has been ascertained, be sealed and a note shall be made on the envelope indicating—

(a) The date and time of receipt;

(b) The relative tender number and due date; and

(c) The condition in which it was received.

28. Tenders received by telegraph on or before the due date and hour shall be admitted if the name of the tenderer, the tender number, the price against each item tendered for and the delivery period offered, are clearly stated therein: *Provided*, That—

(a) Such tender shall be confirmed on the prescribed official tender form or in any other bona fide manner; and

(b) Such confirmation shall be posted or delivered within 24 hours after the due date and hour of the tender.

(2) Opening of Tenders

29. As soon as practicable after the due date and hour for receiving-tenders, the officials to whom that duty shall be assigned by the state buyer shall open in public all tenders duly received. If a member of the public so desires, the names of the tenderers shall be read out, but not the prices, unless the prior authority of the board has been obtained.

30. All tenders after being opened and listed by the officials to whom that duty has

been assigned by the state buyer, shall be forwarded to the state buyer for consideration and, if deemed necessary, consultation with the department concerned.

31. Any tender arriving after the due date and hour for receiving it shall not be considered and, where practicable, shall be returned immediately to the tenderer unopened with an explanatory letter: *Provided*, That—

(a) If no tender has been received on or before the due date and hour, and a tender is received subsequently, the state buyer may in his discretion admit the late tender as an offer;

(b) If there is evidence that the tender should have, but for unavoidable reasons, has not reached the secretary in time, such tender shall be submitted to the board at the first opportunity for a decision as to whether it should be admitted or not.

(3) Submission of Tenders to Board With Recommendations

32. (1) All tenders duly received or admitted in terms of these regulations shall be submitted, together with the recommendations of the state buyer, to the board for consideration but the board shall not be obliged to consider any tender which does not comply with the advertisement in response to which it is submitted.

(2) The board may, in its discretion, consider any tender received in response to a tender invitation although it does not comply with the conditions of tender.

(4) Preferences

33. (1) (a) Where tenders for goods manufactured in the Republic and tenders for imported goods are compared, any preference to be accorded in terms of regulation 34 shall be deducted from the former, whilst to the latter (if not already allowed for in the tender) shall be added freight, insurance, duty, landing charges and railage.

(b) Where tenders for imported goods only are being compared a preference of 1 percent shall be allowed on supplies offered from stocks already held in the Republic.

(c) Where tenders for imported goods only are to be compared there shall be added to the respective prices the customs dues ordinarily payable, in order that countries entitled thereto may receive the benefit of any customs preference, and there shall also be added any difference there may be in the ordinary freight charges from the different ports of shipment.

(d) Where tenders on an f.o.r. basis for goods manufactured in the Republic are to be compared, railage to the point of delivery shall be added.

(2) Where transport is involved, calculations for purposes of comparison of prices shall be based on rates normally paid by the public.

34. (1) In the comparison of tenders for supplies produced, manufactured or assembled within the Republic from imported and local materials, the following preferences shall be allowed:

(i) One percent if the local content in relation to the tender price is not in excess of 5 percent.

(ii) Two percent if the local content in relation to the tender price is more than 5 percent but not in excess of 10 percent.

(iii) Three percent if the local content in relation to the tender price is more than 10 percent but not in excess of 20 percent.

(iv) Four percent if the local content in relation to the tender price is more than 20 percent but not in excess of 30 percent.

(v) Five percent if the local content in relation to the tender price is more than 30 percent but not in excess of 40 percent.

(vi) Six percent if the local content in relation to the tender price is more than 40 percent but not in excess of 50 percent.

(vii) Seven percent if the local content in relation to the tender price is more than 50 percent but not in excess of 60 percent.

(viii) Eight percent if the local content in relation to the tender price is more than 60 percent but not in excess of 70 percent.

(ix) Nine percent if the local content in relation to the tender price is more than 70 percent but not in excess of 80 percent.

(x) Ten percent if the local content constitutes more than 80 percent of the tender price.

(2) In addition to the foregoing preferences the board may in its discretion accord—

(a) Additional preference, provided such additional preference together with the existing customs duty on the supplies concerned does not exceed 15 percent;

(b) Further additional preference after consultation with and on the recommendation of the board of trade and industries.

(3) (a) For the purpose of determining the degree of preference to be accorded to supplies produced, manufactured or assembled within the Republic, tenders shall be requested to embody in their tenders a certificate showing the classification under which the supplies offered fall in terms of subregulation (1).

(b) The question of bona fide manufacture or assembly of supplies in the Republic and of current domestic value of imported supplies shall be considered when tenders are compared, and in case of doubt documentary evidence may be called for to substantiate any claims or statements made. Furthermore, any other steps may be taken, then or later, to verify the authenticity of claims and statements made.

(c) Where a contract has been awarded as a result of a preference claimed, the contractor shall, before final payment of the contract price is made to him, be required to furnish an affidavit to the effect that the claim for preference made in the certificate is correct and that the local content of the items supplied in execution of the contract is as classified in the certificate.

(d) Where the supplies tendered for originate from a country other than the Republic, the board may, in its discretion, require the tenderer to furnish the current domestic value of the supplies offered.

(e) Should the current domestic value of the supplies be greater than the price tendered, the board may, when considering the additional preference provided for in paragraph (a) of subregulation (2), draw a comparison between the current domestic value of such supplies plus freight and all other charges incidental to the transport of such supplies to and within the Republic, and the tendered price of the supplies produced, manufactured, or assembled in the Republic.

(4) The board may, in its discretion, exclude from the operation of this regulation such products as it may from time to time deem necessary or expedient to exclude.

(5) In addition to the foregoing preferences, such further preference as may be decided upon by the Minister from time to time shall be accorded to items bearing the mark of the South African Bureau of Standards.

35. (1) In case of equality after the provisions of regulations 33 and 34 have been applied, the order of preference in the award of contracts shall be as follows:

(a) Tenders for supplies entirely or mainly produced within the Republic;

(b) Tenders for supplies manufactured from raw or nonfabricated materials entirely or mainly imported;

(c) Tenders for supplies assembled in the Republic from components entirely or mainly imported;

(d) Tenders for supplies from imported stocks held in the Republic;

(e) Tenders from accredited agents for goods for import who are in position to give expert advice or service;

(f) Tenders from oversea firms (preference being given to firms having branches or agencies and carrying stocks in the Republic).

(2) All things still being equal, the award may be made in the following order:

(a) To cooperative societies;

(b) To tenderers quoting for delivery from points of dispatch nearest to the centers at which delivery is required;

(c) By the spin of a coin or the drawing of lots.

36. Notwithstanding the provisions of regulations 33, 34, and 35, articles of a perishable nature shall, as far as practicable and in the interest of economy, be purchased at, or as near as possible to, the center where the supplies are required.

(5) Board's Decision

37. The board shall not necessarily accept the lowest or any tender, or assign any reason for the acceptance or rejection of any tender, and shall have the right to accept the whole or part of any tender or in the event of a number of items being tendered for, any item of a tender.

38. (1) Any decision of the board regarding the acceptance of tenders shall be final.

(2) If the state buyer does not agree with any decision of the board regarding any matter other than that referred to in subregulation (1), he may refer such decision for review to the treasury whose decision shall be final. The state buyer shall in such a case intimate to the board his intention to defer the execution of the board's decision pending the treasury's ruling.

(6) Notification of Acceptance of Tenders

39. Successful tenderers shall be promptly notified by the state buyer or the department of the acceptance of their tenders, and the unsuccessful tenderers shall be informed accordingly.

40. The acceptance of a tender may be notified to the tenderer by letter or by telegram or by placing an order and in such case the posting of such letter or order or the delivery of such telegram to the post office or telegraph office shall be regarded as notification of such acceptance to the tenderer.

(7) Information Which May Be Made Available

41. (1) After the acceptance of tenders, the tender documents shall not be made available to the public but the following information may on request be furnished by the State buyer:

(a) The names and addresses of all tenderers;

(b) The prices and bases of delivery quoted by all tenderers;

(c) The brands and the names of manufacturers, if available, in respect of the accepted tenders only; and

(d) Where applicable the percentage of preference claimed by the successful tenderer in terms of sub-regulation (1) of regulation 34 for supplies produced, manufactured or assembled in the Republic of South Africa.

(2) Where no tender has been accepted particulars of the tenders received shall not be made public.

(8) Amendments to Tenders

42. (1) If it is considered desirable to amend, alter or subsitute samples, specifications, prints, or conditions after tenders are returnable and before acceptance has been notified, fresh tenders shall, if so directed by the board be invited. The board may, however, in its discretion and subject to the provisions of regulation 24 authorize an increase or decrease in the number of articles ordinarily involved without calling for fresh

tenders when it considers that the interests of the Government will be best served thereby.

(2) When it is found necessary in the interests of the Government to alter the conditions after a tender has been accepted the board may, in its discretion, authorize the best arrangement practicable with the contractor, provided that if such arrangement is to the disadvantage of the Government, Treasury approval shall be obtained.

Indents

43. When prices quoted in a tender invited in terms of these regulations for supplies are considered to be excessive or when supplies cannot be obtained in the Republic, or through agents in the Republic, such supplies may be indented for by the state buyer through the Republic's representatives abroad.

Lists of approved tenderers

44. (1) Where the board considers it advisable that tendering for specific articles or services should be limited to tenderers who comply with the requirements of sub-regulation (3) hereof, lists of approved tenderers for such specific items or services may be framed by the board.

(2) Before framing such a list, the board shall cause to have published in such manner as may be deemed expedient, a notice inviting manufacturers and others interested to submit applications on or before a stated date for inclusion in the list.

(3) After consultation with the department of labor and other departments concerned and other public bodies where considered necessary, the board shall include in the list of approved tenderers the names of such companies, firms, or persons as it considers suitable in all respects to undertake Government contracts.

(4) The board may at any time in like manner remove from an approved list the name of any company, firm, or person whom it considers to be no longer suitable in all respects to undertake Government contracts.

(5) The board may at any time after an approved list has been framed consider further applications for inclusion therein.

(6) The board shall publish from time to time in such manner as it may deem expedient lists of commodities and services in respect of which there are lists of approved tenderers.

(7) Tenders for items appearing on approved lists shall be invited only from the companies, firms, or persons whose names are included in the relative approved list.

(8) The names of the companies, firms, or persons appearing in the approved lists concerned may be made available on request.

Contracts, securities, and deliveries

45. General contracts may be entered into on any of the following bases:

(a) For a definite quantity which may not be varied without mutual consent;

(b) For an estimated quantity subject to an increase or decrease of 10 percent;

(c) For a maximum quantity where the minimum quantity ordered cannot be guaranteed but where the maximum quantity may not be exceeded without the consent of the contractor; or

(d) For a quantity not specified or an estimated quantity not guaranteed.

46. When the value of a supply, service, or sale exceeds R2,500 and is for other than immediate delivery or execution, security shall be provided and, unless otherwise directed by the board, a written contract shall be entered into with the contractor by the state buyer. Such contract shall be signed and administered on behalf of the department concerned by the state buyer or an officer appointed by him.

47. (1) When security is required to be provided by successful tenderers, it shall be preferably in the form of a guarantee by a bank or approved guarantee corporation or the deposit with the state buyer of cash or Government or approved municipal stock in negotiable form.

(2) The security shall represent 10 percent of the value of the contract unless otherwise decided by the state buyer.

48. The state buyer may authorize the cession of a contract after satisfying himself as to the sufficiency of the cessionary's security (if any is required).

49. Where imported supplies are to be inspected before shipment or where shipment is to be arranged by one of the Republic's representatives abroad, the successful tenderer shall request his principals to notify the Republic's representative abroad concerned when consignments are available so that arrangements for inspection or shipment may be made.

50. Unless in special cases the board agrees to the contrary, the law of the Republic of South Africa shall govern the contract created by the acceptance of a tender and the tenderer shall choose a domicilium cinandi et executandi at a place in the Republic to be specified by the tenderer in his tender at which all legal process may be served on the tenderer who shall agree to the jurisdiction of the courts of the Republic. A tenderer abroad shall also state in his tender the name of his accredited agent in the Republic duly appointed to sign the contract in case the tender is accepted and to act in all respects on behalf of the contractor.

51. (1) (a) Deliveries of suppliers shall be systematically inspected, sampled and tested by the purchasing department, institution or a testing house as directed by the board and shall not be accepted unless they comply with the specifications or approved samples or conform to the quality indicated in the contract.

(b) In the event of rejection the supplier shall be responsible for all costs and expenses incurred as a result of such rejection.

(c) The board may arrange for any additional inspections, analyses or tests considered necessary and any representative of the state buyer's office shall be afforded immediate access to any stores for inspection purposes on exhibiting a written authority from the state buyer.

(d) Results of inspections, analyses and tests and particulars of rejection shall be reported to the state buyer.

(2) The board or the state buyer may in their discretion authorize the acceptance of supplies not conforming strictly to the specification provided such acceptance is not to the disadvantage of the Government.

Penalties

52. (1) If a tenderer varies or withdraws his tender after the due date and hour but before he is notified of its acceptance or if a tenderer, when notified that his tender has been accepted—

(a) Notifies the state buyer of his inability to execute the contract in terms of his tender; or

(b) Fails within the period stipulated in the conditions of tender or such extended period as the state buyer may allow to sign a contract and to provide security in terms of regulation 46; or

(c) Fails to execute the contract;

he shall forfeit any deposit which may have been required with the tender or pay the Government any additional expense incurred by its having to invite fresh tenders or to accept any less favorable tender or to make any less favorable arrangements: *Provided*, That the board may in its discretion waive or vary the enforcement of this subregulation as circumstances may warrant: *Provided further*, That where such waiver or variation is to the disadvantage of the Government or where the deposit forfeited is less than the additional expense incurred, Treasury approval shall be obtained.

(2) When the successful tenderer—

(a) Notifies the state buyer of his inability to execute the contract; or

(b) Fails within the period allowed to sign the contract or to provide the required security; or

(c) Fails to execute the contract;

and it is not practicable within the available time to invite fresh tenders, the state buyer may negotiate for the acceptance of the next most acceptable tender and shall, after consultation, where necessary, with the department concerned, submit to the board for decision his recommendations either for the acceptance of such tender or, if no other tender is acceptable, for the making of such other arrangements as he considers to be in the best interests of the Government.

(3) Where a contract has been awarded to a tenderer because of preferences claimed by him and allowed in terms of subregulation (1) of regulation 34, and it is subsequently shown to the satisfaction of the board that the preferences claimed were too high, the board may, in addition to any restrictions it may impose in terms of regulation 54, or any other remedy it may have—

(a) Recover from the contractor all costs, losses or damages incurred or sustained by the Government as a result of the award of the contract to him, and/or

(b) For good cause shown impose on the contractor a penalty not exceeding 5 percent of the value of the contract.

53. For the purpose of the application of the procedure prescribed in regulation 52, any reference to the board shall, insofar as it concerns contracts arising out of the invitation of informal tenders as defined in these regulations or letter quotations the value of which does not exceed the maximum laid down for informal tenders, be construed as a reference to the state buyer.

54. (1) If the board is satisfied that—

(a) The execution of a Government contract by a person, firm, or company has been unsatisfactory; or

(b) A person, firm, or company has offered, promised, or given a bribe or any other consideration to an official in the service of the Government in relation to the obtaining or the execution of a contract; or

(c) A person, firm, or company has acted fraudulently or in bad faith or in any other unsatisfactory manner in the obtaining or execution of any contract with the Government, any public body or company or firm or person, or has in the conduct of his or its business failed to observe statutory requirements resulting in a criminal conviction; or

(d) A person, firm, or company has varied or withdrawn his or its tender after the due date and hour but before he or it has been notified of its acceptance; or

(e) A person, firm, or company, when notified that his or its tender has been accepted, has notified the state buyer of his or its inability to execute the contract in terms of his or its tender or has failed to execute the contract or has failed within the period stipulated in the conditions of tender or such extended period as the state buyer may allow, to sign a contract or to provide security in terms of the tender form.

the board may in its discretion after consideration of all the circumstances resolve—

(i) Subject to the provisions of regulation 52 that the particular contract and any other contract held by the person, firm, or company be canceled; or

(ii) That no tender from that person, firm, or company shall be considered during such a period as it may decide.

(2) The board may, after further consideration, at any time rescind or vary a resolution passed by it relative to the restriction of tenderers.

(3) Any restriction relative to tendering imposed upon any person, firm, or company shall apply also to any other enterprise under the same or different name with which the person, firm, or company restricted is actively associated.

(4) For the purpose of this regulation the term person, firm, or company shall include an authorized employee or agent of such person, firm, or company.

(5) The board may, in its discretion, apply any decision of any other governmental tender board, including those of the South Africa Railways and Harbors, the provincial administrations, and the administration of South-West Africa relative to the restriction of tenders, to the person, firm, or company so restricted.

55. The state buyer shall inform state departments, the South African Railways and Harbors Tender Board, provincial administrations, the South-West Africa administration, and, where necessary, the Republic's representatives abroad of any resolution relative to the restriction of tenderers passed under regulation 54 and any rescission or variation thereof.

General

56. Whenever under these regulations any power is to be exercised or any duty is to be performed by a department or by the state buyer such power or duty shall be exercised or performed by the accounting officer of the department concerned or the state buyer as the case may be or by any officer delegated thereto by them.

57. The financial standing of tenderers and their ability to manufacture or supply shall be considered before acceptance of their tenders is recommended.

58. Without the express prior permission of the state buyer, no communication of any nature shall take place between any official of the Government or of a duly appointed testing house and a member of the public on a question affecting a tender during the period between the due date of tenders and the date of notification of the successful tenderer.

59. Nothing in these regulations shall be deemed to prohibit the purchase of stores by one department from another, and stocks surplus to the requirements of a department shall be offered to other departments and provincial administrations before being disposed of to the public.

60. In the event of a contract being placed for the supply of products of the Republic of South Africa the successful tenderer shall not be permitted to substitute imported products without the prior consent of the board.

61. Articles manufactured in the Republic, purchased by the Government, shall be marked by the supplier "Made in the Republic of South Africa" whenever practicable.

62. (1) When a tender or quotation for a supply or service to the Government is received from an official of the public service, this fact shall be specifically stated if the tender is recommended for acceptance. The acceptance of such tender shall be subject to treasury approval.

(2) Unless otherwise prescribed, however, an official of the public service shall not be precluded from making purchases from the Government by tender, at auction sales or at tariffs prescribed for sales to members of the public.

63. If, in exceptional circumstances, the treasury deems it expedient in the interest of the Government to depart from the provisions of these regulations, it may, after consultation with the chairman and the state buyer, authorize such departure and at the first meeting of the board held after such departure has been so authorized, the board shall be fully informed thereof.

64. The state buyer shall furnish the controller and auditor general with full particulars of all authorities granted and decisions taken under these regulations.

SCHEDULE B

SELECTED EXCERPTS FROM REGULATIONS AND INSTRUCTIONS OF THE SOUTH AFRICAN RAILWAYS AND HARBORS TENDER BOARD

REGULATIONS: GOVERNMENT NOTICE NO. R. 273 OF JULY 21, 1961, AS AMENDED BY NOTICE NO. 1481 OF SEPTEMBER 27, 1963

Under the powers vested in me by subsection (2) of section 2 of the Railway Board Act, 1916 (Act No. 17 of 1916), I, Barend Jacobus Schoeman, Minister of Transport of the Republic of South Africa, do hereby after consultation with the Railways and Harbors Board, make the following regulations with regard to the composition, functions, powers, and duties of the South African Railways and Harbors Tender Board:

Definitions

1. In these regulations—

"Administration" means the railway administration according to the meaning assigned to that expression by section 2 of the Railway Board Act, 1916 (Act No. 17 of 1916);

"Board" means the South African Railways and Harbors Tender Board;

"Chairman" means the chairman of the South African Railways and Harbors Tender Board;

"General Manager" means the General Manager of the South African Railways and Harbors;

"Instructions" means the instructions issued in terms of regulation No. 29;

"Minister" means the Minister of Transport; and any expression to which a meaning is assigned in the Railways and Harbors Service Act, 1960 (Act No. 22 of 1960), or in the regulations framed thereunder shall, when used in these regulations, bear the meaning so assigned thereto.

Cancellation of previous regulations

2. The regulations governing the South African Railways and Harbors Tender Board published under Government Gazette No. 3998, dated July 16, 1948, are hereby cancelled and any action lawfully taken under any provision of the said regulations shall be deemed to have been taken under the corresponding provisions of these regulations.

Policy

3. It shall be the policy of the administration to purchase its requirements, obtain its services and dispose of surplus stores with a maximum of economy and efficiency, due regard being had to the importance of encouraging industrial and commercial undertakings established in the Republic of South Africa.

Transactions which must be arranged by tender

4. Unless exemption has been obtained under these regulations or unless the supply, service or sale is being dealt with under the provisions of regulation Nos. 24, 25, 26 or 27, all services, supplies, purchases, sales or trading concessions shall be arranged through the medium of public tenders duly advertised in the Gazette and in such newspapers as the general manager may prescribe from time to time; provided that the general manager may in his discretion arrange, outside the scope of these regulations, for the following:

(a) The services of professional consultants;

(b) The erection of buildings under the house ownership scheme;

(c) The purchase and lease of immovable property;

(d) Authorization of tariffs for trading concessions, leases, rentals, hire charges, and prices to be charged for permanent way material sold for use in private sidings;

(e) The purchase of goods at auction sales;

(f) Advertising;

(g) The purchase of the products of sheltered employment factories under the control of the Department of Social Welfare;

(h) The disposal of surplus, dormant or obsolete aircraft spares.

Framing lists of approved tenderers for specified goods or services

5. Notwithstanding anything in regulation No. 4 contained, the general manager may in his discretion direct that tendering for specific articles or services or classes of articles or services for which there is a constant demand, shall be limited to tenderers, or to the products or services of tenderers, who comply with the relevant requirements laid down from time to time in the instructions, and may frame lists of approved products or approved tenderers for specified articles, products or services. The invitation of tenders for such specified articles, products or services shall be confined to the tenderers or products appearing on the relevant list.

Constitution of board

6. There shall be a South African Railways and Harbours Tender Board, which shall consist of the following members who shall be appointed by the minister for such period as he may determine:

(a) A chairman;

(b) A deputy chairman, who shall be one of the senior officers mentioned in paragraph (c) hereof whose office is located in Johannesburg;

(c) Six senior officers of the administration, with alternates; and

(d) Four other members, of whom one shall be nominated by the Association of Chambers of Commerce of South Africa, one by the South African Federated Chamber of Industries, one by Die Afrikaanse Handelsinstituut, and one by the South African Bureau of Standards, with alternates.

When general manager dispenses with calling for tenders (value not exceeding R20,000)

24. (1) If the general manager is satisfied that it would not be in the administration's interest to call for tenders for a service, or the sale of stores or materials, or for the supply of stores, when the need for the service, sale or supply is very urgent, or when there is only one source of supply, or when the stores or materials are in short supply, and the transaction is not one that can be dealt with in terms of Regulation No. 4, 5, 25, 26 or 27, the general manager may authorise the head of the department concerned to dispense with the procedure prescribed in respect of the invitation of tenders and to obtain instead one or more quotations, depending on the circumstances, and may—

(a) When the value of the service or of the stores or materials to be sold or supplied, does not exceed R20,000 give authority for such service, sale or supply to be arranged, after consideration and recommendation by the board; provided that the general manager may, in cases of urgency or in exceptional circumstances, give authority for such service, sale or supply to be arranged even though the matter has not been referred to the board, provided the prior consent of the minister has been obtained; and

(b) When the value of the service or of the stores or materials to be sold or supplied exceeds R20,000 give authority for such service, sale or supply to be arranged, subject to the prior consent of the minister being obtained.

(2) Whenever in terms of the proviso to paragraph (a), or of paragraph (b) of subregulation (1), the general manager is required to obtain the consent of the minister before giving authority for a service, sale or

supply to be arranged, he shall have power to act without such consent in any case where for good and sufficient reasons, he considers that the delay involved in obtaining the minister's consent will cause loss to the administration, provided that in every such case the minister's confirmation shall be obtained at the earliest opportunity.

(3) In every case dealt with in terms of paragraph (b) of subregulation (1), the quotation or quotations, together with the recommendation of the head of the department concerned, shall, whenever practicable, and in any event whenever the general manager so directs, be submitted to the board for consideration and recommendation before any such quotation is submitted by the general manager to the minister for his consent.

(4) Every case dealt with in terms of the proviso to paragraph (a) or of paragraph (b) of subregulation (1) (where the procedure prescribed in sub-regulation (3) has not been followed), shall be reported to the chairman for the information of the board at the earliest opportunity, and any subsequent variation of the terms and conditions of the contract entered into in any such case shall likewise be so reported at the earliest opportunity.

DELEGATION OF AUTHORITY

25. The general manager may grant to the chairman and to such officers of the administration as he may determine, such standing authority for inviting and accepting tenders, obtaining services and supplies and for the sale or the disposal of stores or materials as the general manager may from time to time prescribe after having obtained the recommendation of the board.

Proprietary articles

26. Subject to any standing authority granted under Regulation No. 25, every proposal to purchase any specified proprietary article or articles—

(a) Where the value of any one such article exceeds R400; or

(b) Where the aggregate value of all such articles covered by the proposal exceeds R400,

shall, unless it falls under the exceptions mentioned in Regulation No. 27, be referred to the chairman for submission to the board, together with a certificate that no other suitable article is available, and a statement from the head or sub-head of the department concerned as to whether or not the prices quoted are considered to be fair and reasonable. If the board recommends the purchase and the general manager approves thereof, the purchase may be effected.

Exceptions in respect of proprietary articles

27. Spare parts for proprietary makes of aircraft, vehicles, machines, and similar appliances, or requirements of proprietary drugs as specified by the sick fund, may be purchased by the officers thereto authorized only, without the prior concurrence of the board, and without limit as to the value, but all such purchases—

(a) Where the value of any one such article purchased exceeds R400; or

(b) Where the aggregate value of all such articles covered by the purchase exceeds R400;

shall be reported to the board at the earliest opportunity accompanied by a statement from the head or subhead of the department concerned as to whether or not the prices quoted are considered to be fair and reasonable.

No contact with tenderers without authority

28. In cases where tenders are returnable to the chairman, a tenderer may at any time communicate with the chairman on any matter relating to his tender, inquiry, quotation or offer, but, in the absence of written authority from the chairman, no communication on a question affecting a service, supply, sale or disposal which is the subject of a tender, inquiry, offer or quotation shall take place between a tenderer or other potential supplier and any member of the board or servant of the administration during the period between the closing date for the receipt of the tender and the date of the notification of the successful tenderer. Every such case of unauthorized communication shall forthwith be reported to the board. A tender in respect of which such communication has occurred, may be disqualified.

Instructions

29. These regulations shall be carried out and applied in conformity with such instructions as may be issued by the administration from time to time.

Law governing contract

30. The law of the Republic of South Africa shall govern the contract created by the acceptance of a tender, and the domicilium citandi et executandi shall be at a place in the Republic of South Africa to be specified by the tenderer in his tender, at which all legal process may be served on the tenderer who shall agree to submit to the jurisdiction of the courts of the Republic of South Africa. Oversea tenderers shall, therefore, state in their tender forms the name of their accredited agent in the Republic of South Africa who is empowered to sign any contract which may have to be entered into in the event of their tender being accepted, and to act on their behalf in all matters relating to the contract.

INSTRUCTIONS: GOVERNMENT NOTICE NO. R. 118 OF 1961, AS AMENDED BY NOTICE NO. 258 OF FEBRUARY 15, 1963, AND NOTICE NO. 1,000 OF JULY 3, 1964

The following instructions appertaining to purchases and sales by the administration are issued in terms of regulation No. 29 of the tender board regulations and are published for general information:

* * * * *

Indents placed overseas

9. When it is considered that the prices tendered from the sources of the Republic of South Africa will be or are too high for supply from local sources or from overseas through local representatives, or when acceptable tenders cannot be obtained in the Republic of South Africa, or the articles or services are not available in the Republic of South Africa, or the services, delivery, manufacturing or producing conditions are unsatisfactory, such supplies or services may, with the approval of the general manager, be placed on indent overseas or obtained from outside the Republic of South Africa.

* * * * *

(v) Preference

30. In order that a correct comparison may be made between tender prices, the following procedures shall be observed:

South African and oversea tenders

(a) (i) Where the comparison lies between tenders for supplies produced or manufactured within the Republic of South Africa and supplies from overseas, any preferences accorded in terms of instruction No. 31 shall be deducted from the former and railage at the departmental rate applicable shall be added from the point at which the supplies are tendered to the place where delivery is required, whilst to the latter shall be added freight, insurance, duty, landing charges, wharfage (if not allowed in the tender) and railage at the departmental rate from the port of entry to the place where delivery is required.

(ii) In the case of tenders for supplies manufactured within the Republic of South Africa the difference between railage at the public tariff, in respect of material used in the commodities produced by South African manufacturers and railage at the departmental rate from the point of supply or from the nearest port, to the point where the supplies are manufactured, shall be deducted.

(iii) In the case of supplies from overseas offered from stock, the preference accorded in terms of instruction No. 31 and railage at ordinary public rates from the nearest port to the place at which the supplies are tendered shall be deducted and railage at the departmental rate applicable shall be added from the nearest port to the place at which the supplies are tendered and thence to the place where delivery is required.

Exception: If Lourenço Marques is the nearest port the railage adjustments must be made from Ressano Garcia.

Tenders for supplies from overseas

(b) Where a comparison has to be made between tenders for supplies from overseas there shall be added to the respective prices the customs dues ordinarily payable, in order that countries entitled thereto may receive the benefit of any customs preference, and in the case of f.a.s. or f.o.b. offers there shall be added also any difference there may be in the ordinary freight charges from the different ports of shipment.

Adjustment to current exchange rate

(c) For purposes of comparison in (a) and (b) hereof prices shall be adjusted, where necessary, to the current buying rate of exchange.

(d) Where a comparison has to be made between tenders for supplies produced or manufactured within the Republic of South Africa, the various preferences accorded in terms of instruction No. 31 shall be deducted from the respective tendered prices, and railage or other transport charges applicable to the point where the supplies are required by the administration shall be added at the rate determined by the administration.

31. (a) As the encouragement of local industries and commercial interests in the Republic of South Africa is the policy of the Government of the Republic of South Africa, departments shall, in comparing tenders received, allow the preferences set out in subparagraph (c) hereunder.

(b) In determining the "local content" of supplies for the purposes of paragraph (c) (iii), the following definitions shall be applied:

"Local content" means that portion of the tender price which is not included in the "imported content," as defined below.

"Imported content" means that portion of the tender price which represents the landed cost at factory (as defined below) in the Republic of South Africa, of components, parts or materials which are to be used in the manufacture, production or assembly of the supplies tendered for, and which have been or are still to be imported, whether by the tenderer or by his suppliers or subcontractors.

"Landed cost at factory" means the oversea cost plus direct importation costs such as freight, all landing charges, dock dues, import duties and the like at the South African port of entry as well as inward transportation and handling to factory in the Republic of South Africa where the supplies tendered for are manufactured or assembled.

(c) The following rates of preference shall be allowed:

(i) One percent on imported supplies offered from stocks already held in the Republic of South Africa; this is applicable only when a comparison is being made with goods still to be imported.

(ii) One percent on supplies bearing the standardization mark of the South African Bureau of Standards; this is applicable only when comparing tenders for supplies manufactured in the Republic of South Africa.

(iii) (a) One percent if the local content in relation to the tender price is not in excess of 5 percent.

(b) Two percent if the local content in relation to the tender price is more than 5 percent but not in excess of 10 percent.

(c) Three percent if the local content in relation to the tender price is more than 10 percent but not in excess of 20 percent.

(d) Four percent if the local content in relation to the tender price is more than 20 percent but not in excess of 30 percent.

(e) Five percent if the local content in relation to the tender price is more than 30 percent but not in excess of 40 percent.

(f) Six percent if the local content in relation to the tender price is more than 40 percent but not in excess of 50 percent.

(g) Seven percent if the local content in relation to the tender price is more than 50 percent but not in excess of 60 percent.

(h) Eight percent if the local content in relation to the tender price is more than 60 percent but not in excess of 70 percent.

(i) Nine percent if the local content in relation to the tender price is more than 70 percent but not in excess of 80 percent.

(j) Ten percent if the local content constitutes more than 80 percent of the tender price.

Order of preference

32. In case of equality in price and quality after the provisions of Instructions Nos. 30 and 31 have been followed, the order of preference shall be as follows:

(a) South African manufacturers or merchants tendering supplies entirely or mainly produced within the Republic of South Africa.

(b) South African manufacturers or merchants tendering supplies manufactured from raw or nonfabricated materials entirely or mainly imported.

(c) Merchants tendering supplies from imported stocks held in the Republic of South Africa.

(d) Accredited agents for goods for import who are in a position to give expert advice or service.

(e) Oversea firms, preference being given to firms having branches or agencies and carrying stocks in the Republic of South Africa.

* * * * *

(vii) Recommendations

Compliance with tender conditions

43. Tenders not complying with the tender conditions may be taken into consideration if other tenderers are not prejudiced thereby and if it is considered to be in the administration's interest to do so, but otherwise they may be rejected. Qualified tenders may be regarded as not complying with tender conditions.

Checking and compilation of schedule

44. All documents must be carefully checked and must be dealt with by all concerned as expeditiously as possible. In order to provide a comparison all tenders for an item shall be reduced on a schedule to a common basis. Any charges to be added, and preferences to be deducted, in terms of Instructions Nos. 30 and 31 must be clearly indicated on the schedule.

Recommendations

45. The lowest or any tender shall not necessarily be recommended for acceptance. The acceptance of the whole or part of any tender, or in the event of a number of items being tendered for, any item or part thereof may be recommended.

Passing over lowest tender

46. Where a tender other than the lowest is recommended for acceptance, the recommending officer shall certify that the recommendation is made in the best interests of, and represents the best value to, the administration and shall give his reasons therefor.

Reasons for recommending tenders

47. The reasons for recommending tenders shall be clearly stated and when only one tender is received and recommended for acceptance, it shall be certified that the prices are fair and reasonable. In the latter case, if the article or service has been previously obtained the price paid on that occasion, the date of such transaction and the delivery conditions shall, where possible, be given for purposes of comparison.

Financial standing

48. A tender shall not be recommended for acceptance if the officer required to make the recommendation has any doubt, based on reasonable grounds, as to whether the tenderer is sufficiently experienced and equipped and is of sufficiently sound financial standing, to enable him to carry out satisfactorily any contract that may be awarded to him pursuant to his tender.

SCHEDULE C

PROVINCE OF THE CAPE OF GOOD HOPE—SELECTED EXCERPTS FROM TENDER REGULATIONS (PROVINCIAL NOTICE NO. 760 OF SEPTEMBER 18, 1953, AS AMENDED BY NOTICE NO. 665 OF NOVEMBER 22, 1957, AND NOTICE NO. 721 OF OCTOBER 14, 1960)

The Administrator has made the subjoined tender regulations for the Province of the Cape of Good Hope, which shall come into operation as from January 1, 1954, as from which date the regulations published under Provincial Notice No. 585 dated August 15, 1952, as amended by Provincial Notice No. 627 dated August 22, 1952, and Provincial Notice No. 60 dated January 23, 1953, are hereby withdrawn.

Chapter I

Definition of Terms

1. In these regulations—

"Administrator" means the Administrator personally unless otherwise provided in these regulations;

"Provincial Secretary" shall include Deputy Provincial Secretary;

"Provincial Hospital" means a hospital conducted, administered, and financed by the administration under the provisions of the hospitals ordinance No. 18 of 1946, as amended.

Method of Obtaining Supplies or Services, and of Disposal of Stores

2. All supplies and services required by the administration of the Cape of Good Hope and all sales of public stores shall be governed by these regulations.

The regulations in chapter II shall apply to all supplies and services and to all public stores, except—

(a) certain supplies and services for provincial hospitals as specified in regulation 47 of chapter III, and

(b) certain provincial hospital stores as specified in regulation 65 of chapter III, which shall be governed by the provisions of chapter III.

* * * * *

Chapter II

Definition of Terms

6. In this chapter—

"Department" means a department, a subdepartment, a branch of a department, or an institution under the control of the Provincial administration;

"Formal tender" means a tender required to be submitted to the tender board;

"Head of department" means the head of a department, subdepartment or of an institution, to whom power has been delegated by the Provincial secretary to act under these regulations;

"Informal tender" means a tender submitted to and dealt with by the head of department without reference to the tender board.

* * * * *

Formal Tenders for Supply or Service

9. Except as otherwise provided for elsewhere in these regulations, formal tenders shall be invited for every supply or service required by the Provincial administration.

10. All invitations to tender shall be published in the Provincial Gazette and when deemed desirable shall also be advertised in the public press. They shall state to whom the tenders are to be addressed, the date and hour up to which they will be received, the period for which they shall hold good, and shall contain full information stating where the necessary tender documents and all relevant particulars, including specifications can be obtained, and to whom samples should be sent.

The use of trade names and reference to proprietary articles in tender forms shall be avoided as far as possible, but where this is not possible the words "similar or equal" shall be added to indicate the style, type or quality of the article required.

All tenders shall be made receivable by the chairman of the tender board unless the Provincial secretary shall direct that in any specific case or class of cases they are to be received by some other official.

Immediately after an invitation to tender has been published in the Provincial Gazette, the department concerned shall furnish the chairman of the tender board (or other official by whom the tenders are receivable) with one copy of the relative notice as published in the Provincial Gazette, together with a complete set of the tender documents as issued to prospective tenderers.

In connection with tenders for supplies, tenderers must be requested to specify in detail on the tender form the following particulars:

(a) Whether manufactured locally from supplies entirely or mainly produced within the Union;

(b) Whether manufactured locally from raw materials entirely or mainly imported;

(c) Whether manufactured from imported stocks held in the Union, and if so, the country of origin;

(d) If to be imported, the country of origin.

It shall not be obligatory upon the board to consider any tender unless it complies with the advertisement in response to which it is submitted, and open or qualified tenders may be disregarded.

All tenders shall be subject to the understanding that the tenderer has fully acquainted himself with and undertakes to be bound by the terms of these regulations, and any amendment thereof, as published from time to time in the Provincial Gazette, and all tenders shall be received subject to this condition.

* * * * *

12. (1) All tenders after being opened by the chairman of the tender board or other officer duly authorized thereto shall, together with a copy of the list referred to in regulation 11, be forwarded to the head of the department concerned for scheduling and report and shall be returned by that officer to the chairman with such recommendations as he desires to make for the consideration of the board.

(2) The following shall, in every case, be attached to the tenders when forwarded to the chairman for the board's consideration:

(a) Three copies of the advertisement inviting tenders;

(b) Three copies of the relative specifications;

(c) A comparative schedule in triplicate of the tenders received, incorporating the following particulars in respect of each tender:

(i) Name and address of tenderer.

(ii) Description of article or service required.

(iii) Quantity required (where applicable).

(iv) Price (delivered, f.o.b., f.o.r., c.i.f., etc.).

(v) Name of tenderer whose tender is recommended for acceptance, and reasons in support thereof.

(vi) Reasons for rejection of other tenders.

(d) A schedule in triplicate of the tender or tenders recommended for acceptance;

(e) A statement of the surety of nature of the security and the monetary value thereof that it is proposed to demand from the successful tenderer against any default by him in carrying out his duties and obligations under the contract to be entered into between him and the Cape Provincial Administration.

(3) In the case of the documents referred to in subregulations 2 (c), (d) and (e), the original shall be signed by the head of the department concerned or by such officer as may be duly authorized thereto.

(4) For comparative purposes the prices shown on the comparative schedule referred to in subregulation (2) (c) should be brought to a common basis by adding the charges or allowing the preferences, or both, as laid down in regulations 21 and 22. The charges so added and the preferences so allowed shall be clearly indicated in the comparative schedule.

(5) Where a recommendation is based on the fact of the tender being lowest for major requirements although higher for minor requirements, the total quantity of each article likely to be required shall be clearly indicated.

(6) When only one tender is received and is recommended for acceptance, it must be stated whether the rates are fair and reasonable.

(7) When no tenders are received in response to an invitation or when no tender can be recommended for acceptance the department concerned shall report to the tender board whether it recommends—

(a) Postponement of further action for the time being;

(b) Invitation of fresh tenders (formal or informal);

(c) Making the best arrangements for the supply, service or sale without calling for further tenders.

* * * * *

General

Comparison Between Tender Prices

21. When making a comparison, on the one hand, between tender prices of goods to be imported and, on the other hand, tender prices of goods manufactured or otherwise supplied in the Union of South Africa, there shall be added to the price of the goods to be imported freight, insurance, duty, landing charges and railage at rates which are normally paid by the public and there shall be deducted from the price of the South African goods the preferences provided under regulation 22.

Preference on Locally Manufactured Supplies

22. As it is the Government's policy to encourage local industries and the commercial interests in the Union, departments shall, in comparing tenders received for supplies produced, manufactured or assembled within the Union, from imported and/or local materials, allow the following preferences:

(1) (a) Ten percent if less than 20 percent of the tendered price constitutes the cost of imported components or materials.

(b) Seven and one-half percent if 20 to 45 percent of the tendered price constitutes the cost of imported components or materials.

(c) Five percent if 46 to 70 percent of the tendered price constitutes the cost of imported components or materials.

(d) Two and one-half percent if more than 70 percent of the tendered price constitutes the cost of imported components or materials.

(2) One percent on imported goods offered from stocks already held in the Union, applicable only when comparison is being made with goods to be imported.

In order to determine the degree of preference to be accorded to supplies produced, manufactured, or assembled within the Union, tenderers shall be required to embody in their tenders a certificate by a managing director or a responsible official of the firm, certifying the classification (a), (b), (c), or (d) under which the cost of imported components or materials falls.

The question of bona fide manufacture or assembly of goods in the Union shall be carefully observed when tenders are compared, and in case of doubt the matter shall be referred to the board who may call for documentary evidence to substantiate any claims made.

The board may, in its discretion, exclude from operation of this paragraph such products as it may from time to time deem necessary.

PREFERENCE TO COOPERATIVE SOCIETIES AND COMPANIES AND ON GOODS BEARING THE STANDARD MARK OF THE SOUTH AFRICAN BUREAU OF STANDARDS

23. In comparing tenders, heads of departments and the tender board shall—

(a) In case where tenders are equal, give preference to tenders from cooperative societies or cooperative companies registered in terms of the cooperative Societies Act, 1939 (act No. 29 of 1939):

(b) Allow a 2½-percent preference to goods bearing the standard mark of the South African Bureau of Standards.

* * * * *

SCHEDULE D

PROVINCE OF NATAL: SELECTED EXCERPTS FROM RULES RELATING TO TENDERS AND QUOTATIONS (PROVINCIAL NOTICE NO. 368 OF SEPTEMBER 1, 1960, AS AMENDED BY NOTICE NO. 257 DATED JULY 5, 1962, AND NOTICE NO. 263 DATED JULY 11, 1963)

The administrator has been pleased to repeal the rules relating to tenders and contracts for the Natal Provincial administration, published under Provincial notice No. 51 of 1954, as amended, and to substitute the following:

1. In these rules—

"Administrator" means the administrator of the Province of Natal, acting on the advice and with the consent of the executive committee;

"Administration" means the Natal Provincial administration;

"Board" means the Natal Provincial tender advisory board constituted in terms of these rules;

"Current domestic value," in relation to supplies imported or to be imported into the Republic, means the market price at which, at the time of tendering such or similar supplies are freely offered for sale, for consumption in the territory from which exportation took place or is to take place, in the usual wholesale quantities in the ordinary course of trade to all purchasers in the principal markets of that territory, including the cost of packages ordinarily used in those markets plus the extra cost of packing and packages for export, carriage to the port of shipment or other place of final dispatch in that territory, and all other expenses incidental to placing the supplies on board ship or vehicle at that port or place, ready for export to the Republic, but excluding excise duties or sales taxes imposed by the Government of that territory;

"Imported content" means the landed costs at factory in the Republic of South Africa, of that portion of the tender price which comprises components, parts or materials which have been or are still to be imported whether by the tenderer or by his supplier or subcontractors;

"Landed cost at factory" means the overseas cost plus direct importation costs such as freight, all landing charges, dock dues, import duties, and the like at the South African port of entry as well as inward transportation and handling to factory in the Republic of South Africa where the supplies tendered for are manufactured or assembled;

"Local content" means that portion of the tender price which is not included in the definition "imported content";

"Tender" means a formal tender required to be submitted to the board in terms of these rules;

"Quotation" means an informal written tender dealt with without reference to the board.

* * * * *

3. (1) Subject to the provisions of the next succeeding rule and to rule No. 26—

(a) All stores, supplies and services, excluding oversea indents, the value of which can reasonably be anticipated to exceed £500 (R1,000) in the course of any financial year; and

(b) All public works or kindred services which can reasonably be anticipated to exceed £2,000 (R4,000) in value;

shall be offered to tender.

* * * * *

7. If urgency or other sufficient reason renders it inexpedient in any specific instance to call for tenders or to dispose of property by tender or quotations or by public auction, the Administrator may authorize the waiver of the provisions of these rules.

8. Tenders shall be invited by notice in the Natal Provincial Gazette and by such advertisement in the press or otherwise as may be necessary.

* * * * *

14. (1) After the opening of tenders in terms of rule 11(2), the Secretary shall forward such tenders to the head of the department/branch by whom tenders have been invited, and after consideration the latter shall return the tender or tenders to the Secretary, together with any recommendation he may wish to make. The Secretary shall thereupon place such tenders before the board for its consideration.

(2) In considering such tenders, the board may, if it thinks fit, require the attendance of the head of the department/branch for which the tenders have been invited or of any technical departmental officers in connection with the consideration of the tenders.

(3) All things being equal, the award shall be by division where practicable or by the spin of a coin or the drawing of lots.

(4) After such consideration the board shall convey its recommendations to the administrator, who shall decide on the acceptance of tenders. If the administrator is not prepared to accept the tender recommended by the board, he shall not depart from such recommendation until such time as he has advised the board of his decision and his reasons therefor for further review by the board.

(5) In any case where the administrator finally accepts a tender other than that recommended by the board, he shall advise the tenderer recommended by the board that he is acting contrary to the board's recommendation.

15. (a) The board need not recommend nor need the administrator necessarily accept the lowest or any tender or assign any reason for the acceptance or rejection of any tender and shall have the right to accept the whole or part of any tender or, in the event of a number of items being tendered for, any item of a tender.

(b) If it is necessary to accept a larger or a lesser quantity than called for against any item, the tenderer shall have the option of refusing acceptance.

* * * * *

22. (1) With a view to the encouragement of local industries and the commercial interests of the Republic, departments shall, in

the comparison of tenders for supplies produced, manufactured, or assembled within the Republic from imported and local materials, allow the following preferences:

(a) One percent on imported supplies offered from stocks already held in the Republic, applicable only when comparison is being made with supplies to be imported.

(b) (i) One percent if the local content in relation to the tender price is not in excess of 5 percent.

(ii) Two percent if the local content in relation to the tender price is more than 5 percent but not in excess of 10 percent.

(iii) Three percent if the local content in relation to the tender price is more than 10 percent but not in excess of 20 percent.

(iv) Four percent if the local content in relation to the tender price is more than 20 percent but not in excess of 30 percent.

(v) Five percent if the local content in relation to the tender price is more than 30 percent but not in excess of 40 percent.

(vi) Six percent if the local content in relation to the tender price is more than 40 percent but not in excess of 50 percent.

(vii) Seven percent if the local content in relation to the tender price is more than 50 percent but not in excess of 60 percent.

(viii) Eight percent if the local content in relation to the tender price is more than 60 percent but not in excess of 70 percent.

(ix) Nine percent if the local content in relation to the tender price is more than 70 percent but not in excess of 80 percent.

(x) Ten percent if the local content constitutes more than 80 percent of the tender price.

(xi) Two and one-half percent on goods bearing the standard mark of the South African Bureau of Standards.

(xii) Twenty percent on timber grown within the Republic when competing against imported timber.

The preference prescribed in subparagraph (xi) hereof shall be in addition to those prescribed in this subrule. The preference prescribed in subparagraph (xii) shall be in lieu of any other preferences prescribed in these rules.

(2) In addition to the foregoing preferences the administrator may in his discretion accord—

(a) Additional preference, provided such additional preference together with the existing customs duty on the supplies concerned does not exceed 15 percent.

(b) Further additional preference after consultation with and on the recommendation of the Board of Trade and Industries.

(3) (a) Where the supplies tendered for originate from a country other than the Republic, the administrator may, in his discretion, require the tenderer to furnish the current domestic value of the supplies offered.

(b) Should the current domestic value of the supplies be greater than the price tendered, the administrator may, when considering the additional preference provided for in paragraph (a) of subrule (2), draw a comparison between the current domestic value of such supplies plus freight and all other charges incidental to the transport of such supplies to and within the Republic and the tendered price of supplies produced, manufactured, or assembled in the Republic.

(4) Tenderers offering imported supplies may be requested to certify in an affidavit to the current domestic value of the supplies offered.

(5) For the purpose of determining the degree of preference to be accorded to supplies produced, manufactured, or assembled within the Republic, tenderers shall be requested to embody in their tenders an affidavit certifying to the classification under which the supplies offered fall in terms of subrule (1) and, for the purpose of subrule (2) the existing customs duties on the supplies concerned.

(6) The question of bona fide manufacture or assembly of supplies in the Republic and of current domestic value of imported supplies shall be carefully considered when tenders are compared, and in case of doubt documentary evidence may be called for to substantiate any claims or statements made, and submitted to the board for consideration whose decision shall be final.

(7) The administrator in his discretion may from time to time exclude from the operation of this rule or any part of it such products as he may deem necessary.

23. (1) Where the competition lies between South African manufacturers or suppliers and oversea tenderers, any preference to be accorded in terms of rule 22 shall be deducted from the former, whilst to the latter (if not already allowed for in the tender) shall be added freight, insurance, duty, landing charges, and railage at rates which are normally paid by the public.

(2) Where the comparison lies between oversea tenderers only, there shall be added to the respective prices the customs dues ordinarily payable, in order that countries entitled thereto may receive the benefit of any customs preference, and there shall be added also any differences there may be in the ordinary freight charges from the different ports of shipment.

(3) Where the comparison lies between South African tenderers only (f.o.r.), railage to the point of delivery shall be added at the rate normally paid by the public.

24. In case of equality after the provisions of rules Nos. 22 and 23 have been followed, the order of preference shall be as follows:

(1) South African manufacturers or merchants tendering supplies entirely or mainly produced within the Union.

(2) South African manufacturers or merchants tendering supplies manufactured from raw or nonfabricated materials entirely or mainly imported.

(3) Merchants tendering supplies from imported stocks held in the Union.

(4) Accredited agents for goods for import who are in a position to give expert advice or service.

(5) Oversea firms (preference being given to firms having branches or agencies and carrying stock in the Union).

* * * * *

SCHEDULE E

PROVINCE OF ORANGE FREE STATE PROVINCIAL TENDER BOARD REGULATIONS

ADMINISTRATORS' NOTICE NO. 157 OF 1949 AS AMENDED BY ADMINISTRATOR'S NOTICES NOS. 107 OF 1951 AND 112 OF 1958

Method of obtaining supplies or services and disposal of stores

1. The method of obtaining supplies or services required by the Provincial administration and all sales of public stores shall be governed by these regulations which shall not be varied or departed from except upon the authority of the administrator, through the Provincial secretary, who shall forthwith notify the Provincial Auditor stating the reasons for the departure from the ordinary procedure.

Public officers contravening these regulations will render themselves liable to surcharge.

It shall be competent for the Provincial secretary to arrange for Provincial requirements to be met under Union Government contracts, or through the high commissioner, London, or any other authorised foreign representative of the Union of South Africa, whenever deemed desirable, in which case the Provincial auditor shall be notified and supplied with details.

Definition of terms

2. In these regulations—

"Administrator" means the officer appointed under subsection (1) of section 68 of the South Africa Act of 1909 acting under the executive committee of the Province;

"Board" means the O.F.S. Provincial tender board;

"Department" means a department, branch, or an institution under the control of the O.F.S. Provincial administration;

"Formal tender" means a tender required to be submitted to the Tender Board;

"Informal tender" means a tender to be dealt with without reference to the Tender Board;

"Provincial secretary" shall include the assistant Provincial secretary;

"Manufacture" means bona fide workmanship and construction and not a putting together of pieces of manufactured articles or the making of additions.

* * * * *

Formal tenders for supplies or services

4. (a) Any supply or service the value of which can reasonably be anticipated to exceed £500 shall be put to formal public competition; provided that in the case of works or buildings estimated to cost not more than £1,000 the Provincial secretary may, in order to save delay that would result if formal tenders were called for, determine whether such tenders should be called for or not; provided further that with the approval of the Provincial secretary supplies of proprietary articles or services in connection therewith may be obtained on quotation without calling for tenders. Notwithstanding anything contained in these regulations the Administrator may decide that any service may be undertaken departmentally.

(b) With a view to limiting the number of contracts and in order to secure uniformity in respect of services of a similar nature tenders for the combined requirements of the various departments should, as far as possible, be called for and as far as it is practicable they should be for the term of the financial year.

Tender notices

5. (a) In the case of formal tenders all invitations to tender shall be published in the O.F.S. Official Gazette. Such notice shall state clearly at what place, up to what day and at what hour tenders will be received and when deemed desirable notices may also be inserted in the Union Gazette and in the public press giving such further particulars as may be necessary.

(b) In connection with tenders for supplies tenderers must, if so requested, specify in detail on the tender form the following particulars:

(i) Whether manufactured locally from material entirely or mainly produced within the Union of South Africa;

(ii) Whether manufactured locally from raw materials entirely or mainly imported;

(iii) Whether manufactured from imported stocks held in the Union, and, if so, the country of origin;

(iv) The country of origin if the raw material or article is to be or has been imported.

(c) It shall not be obligatory upon the Board to consider any tender unless it complies with the notice of advertisement in response to which it is submitted.

(d) Open or qualified tenders may be disregarded.

(e) The notice inviting tenders shall indicate the period from the date and time of opening such tenders, for which tenders shall hold good; and unless the contrary be stated in any tender, all tenders received shall be valid for the period specified in the notice.

* * * * *

Department's recommendations

11. (a) All tenders after being opened shall be forwarded by the chairman of the tender board or, in case they were received by some other officer appointed by him, by such officer to the head of the department or branch

concerned for report and shall be returned by that officer with such recommendations as he desires to make to the Chairman for the consideration of the Board.

(b) In cases where sureties have been required the officer shall before making a recommendation ascertain and certify whether the sureties are satisfactory.

(c) Financial standing of tenderers and their ability to carry out the tenders must be considered before making recommendations.

12. The following documents shall in every case be attached to the tenders for submission to the Board:

(i) A copy of the advertisement inviting tenders;

(ii) A detailed comparative schedule of tenders received which should also contain:

(a) In the case of recurrent services or supplies rates and prices under existing contracts (if any);

(b) In the case of works the departmental estimates of the cost of the service where available;

(c) Any further information which may be of assistance to the Board in its determinations.

13. The reasons for recommending tenders shall be clearly stated in the remarks column of the comparative schedule and when only one tender is received and is recommended for acceptance, it shall be stated whether the rates are considered fair and reasonable. In cases where the tender recommended is the lowest for the majority of articles, or for those chiefly required, the acceptance thereof as a whole may be recommended, notwithstanding that it may not be the lowest, for all the articles, provided adequate reasons are advanced that the acceptance thereof as a whole will facilitate administration.

14. Where other than the lowest tender is recommended for acceptance the officer in charge of the department or branch concerned shall state that in his opinion the recommendations made are in the best interest of and represent the best value to the administration.

Preferences

15. (a) When considering tenders the country of origin of the articles tendered for shall be taken into consideration and the following preferences may be allowed:

(i) Twenty percent on timber grown within the Union of South Africa when competing against imported timber;

(ii) Ten percent on supplies produced or manufactured within the Union of South Africa from materials mainly or entirely produced in the Union;

(iii) Five percent on supplies manufactured within the Union of South Africa from materials entirely or mainly imported; and

(iv) One percent on imported goods offered from stocks held in the Union—applicable only when comparison is being made with goods to be imported.

(b) In case of equality after the provisions of regulations 15(a) have been applied, the order of preference shall be as follows:

(i) South African manufacturers or merchants tendering supplies entirely or mainly produced within the Union.

(ii) South African manufacturers or merchants tendering supplies manufactured from raw or nonfabricated materials entirely or mainly imported.

(iii) Merchants tendering supplies from imported stocks held in the Union.

(iv) Accredited agents for goods for import who are in a position to give expert advice or service.

(v) Oversea firms (preference being given to firms having branches or agencies and carrying stocks in the Union).

(c) All things being equal, preference may be given in respect of articles produced or manufactured within the Province of the Orange Free State.

(d) The question of bona fide manufacture shall be carefully observed when comparing prices, and in case of doubt the facts shall be reported to the administrator, whose decision shall be final.

SCHEDULE F

TRANSVAAL PROVINCIAL TENDER BOARD REGULATIONS

The administrator-in-executive committee has been pleased to approve the regulations for the Tender Board of the Province of Transvaal as set forth in the schedule hereto with effect from the date of publication of this notice.

The regulations published under Administrator's Notice No. 370, dated June 23, 1948, as amended from time to time, are hereby repealed.—T.A.S. 30/E/1.

PART I.—INTRODUCTION

Method of obtaining supplies or services and of disposal of stores by tender

1. The method of obtaining supplies or services required by the Provincial administration and all sales of public stores, shall be governed by these regulations which shall not be varied or departed from except under the authority of the administrator obtained through the Provincial secretary, who shall forthwith notify the Provincial auditor stating the reasons for departure from the ordinary procedure. It shall be competent for the Provincial secretary to arrange for Provincial requirements to be met under Central Government contracts, through the South African Embassy, London, any South African legation, or other authorized representative of the Republic of South Africa, whenever deemed desirable, in which case the Provincial auditor shall be notified and supplied with copies as the case may be of—

(a) Relative State tender board contracts; or

(b) Advices received in respect of external purchases.

* * * * *

Definitions

3. In these regulations—

"Administrator" means the officer appointed under the provisions of section 36 of the Republic of South Africa Constitution Act of 1961 (act No. 32 of 1961) acting on the advice and with the consent of the executive committee of the Province;

"Formal tender" means a tender required to be submitted to the board.

"Informal tender" means a tender dealt with without reference to the board;

"Provincial secretary" shall include the deputy Provincial secretary, or any other officer to whom authority has been delegated;

"Manufacture" means bona fide workmanship and construction and not a putting together of pieces of manufactured articles or the making of additions to such articles;

"Board" means the Transvaal Provincial Tender Board;

"Branch" includes section, institution, or other subdivision of the Transvaal Provincial administration;

"Officer" means an official of the Transvaal Provincial administration or of the Government of the Republic of South Africa;

"Head of branch," the officer at the head of a branch or other officer to whom the head has delegated authority.

PART II.—FORMAL TENDERS

Tenders for supply or service

4. (a) Any supply or service including works and buildings the value of which during the ensuing 12 months can reasonably be expected to exceed R2,500 shall, where such supply or service is not provided for in existing contracts, be put to formal public competition.

(b) Supplies of proprietary articles or services may with the approval of the Provincial secretary be obtained from the sole agent on quotation without calling for tenders.

(c) Whenever it becomes necessary to call for tenders for any supply or service under regulation 4(a) hereof the head of the branch concerned shall write to the chairman of the board giving particulars of the supply or service required. Thereafter no variation in or additions to such particulars shall be communicated to individual tenderers without the prior consent of the board.

Tender notices

5. (a) All invitations to tender shall be published in the Transvaal Provincial Gazette, such notice to state clearly at what place and up to what day and hour tenders will be received. When deemed desirable relevant notices may also be inserted in the Government Gazette and in the public press.

(b) In connection with tenders for supplies tenderers must be requested to specify in detail on the tender form the following particulars:

(i) Whether manufactured locally from material entirely or mainly produced within the Republic of South Africa.

(ii) Whether manufactured locally from raw materials entirely or mainly imported.

(iii) Whether manufactured from imported stocks held in the Republic, and, if so, the country of origin.

(iv) The country of origin if the raw material or article is to be or has been imported.

(c) The notice inviting tenders shall indicate the period calculated from the date and time of opening such tenders, for which tenders shall hold good. Unless the contrary be stated in any tender, all tenders received shall be valid for the period specified in the notice.

(d) All tenders shall be subject to the understanding that the tenderer has fully acquainted himself with and undertakes to be fully bound by the terms of these regulations and any amendment thereof and all tenders shall be received subject to this condition.

* * * * *

Recommendations by branch

11. (a) All tenders received by the chairman of the board shall, after being opened, be forwarded to the head of the branch concerned for report and return with recommendations to the board for consideration.

(b) When making recommendations in terms of subsection (a) of this regulation the financial standing of tenderers and their ability to manufacture or supply shall be taken into consideration.

12. (a) The following documents shall in every case be attached to the tenders before they are returned to the board:

(i) A copy of the advertisement inviting tenders.

(ii) A comparative schedule of the tenders received showing the rates of the existing contract if any, and those of the tender or tenders submitted.

(iii) A schedule in triplicate of the tender or tenders recommended for consideration by the board.

(b) The reasons for recommending tenders should be clearly stated in the remarks column of the comparative schedule. Reasons, together with an indication, if possible, of the total quantity of each article likely to be required should be given in cases where the recommendation is based on the fact of a tender or tenders being lowest for the articles chiefly required although higher than others for those of less importance.

(c) Where other than the lowest tender is recommended for acceptance the head of the branch concerned shall certify that the recommendations made are in the best interest of and represent the best value to the administration.

(d) When only one tender is received and recommended for acceptance it should be stated whether the rates are fair and reasonable.

(e) In recommending tenders the probable annual consumption of articles should be taken into consideration and shown on the comparative schedule.

Comparison between tender prices

13. To enable a correct comparison to be made between tender prices, the following procedure shall be observed:

(a) Where the comparison lies between tenders for South African and imported manufactures or supplies any preference to be accorded in terms of regulation 14 shall be deducted from the former, whilst to the latter (if not already allowed for in the tender) shall be added freight, insurance, import duty, landing charges and railage, at rates which are normally paid by the public.

(b) Where the comparison lies between overseas tenders, there shall be added to the respective prices the customs dues ordinarily payable, in order that countries entitled thereto may receive the benefit of any customs preference and there shall be added also any difference there may be in the ordinary freight charges from the different ports of shipment.

Preferences

14. (a) The following preferences shall be allowed when considering tenders received:

(i) Two and one-half percent on South African manufactured goods bearing the mark of the South African Bureau of Standards, when competing with other South African manufactured goods not bearing such mark, the preference being calculated on the tender price of the former and being additional to any preference allowed under (iii) hereof;

(ii) One percent on imported goods, offered from stocks already held in the Republic, applicable only when comparison is being made with corresponding goods to be imported; and

(iii) In the case of all offers received for supplies which are produced, manufactured or assembled wholly or partly in the Republic, the following preferences shall apply:

(A) One percent if the local content in relation to the tender price is not in excess of 5 percent.

(B) Two percent if the local content in relation to the tender price is more than 5 percent but not in excess of 10 percent.

(C) Three percent if the local content in relation to the tender price is more than 10 percent but not in excess of 20 percent.

(D) Four percent if the local content in relation to the tender price is more than 20 percent but not in excess of 30 percent.

(E) Five percent if the local content in relation to the tender price is more than 30 percent but not in excess of 40 percent.

(F) Six percent if the local content in relation to the tender price is more than 40 percent but not in excess of 50 percent.

(G) Seven percent if the local content in relation to the tender price is more than 50 percent but not in excess of 60 percent.

(H) Eight percent if the local content in relation to the tender price is more than 60 percent but not in excess of 70 percent.

(J) Nine percent if the local content in relation to the tender price is more than 70 percent but not in excess of 80 percent.

(K) Ten percent if the local content constitutes more than 80 percent of the tender price.

"Local content" means that portion of the tender price which is not included in the definition "imported content."

"Imported content" means the landed cost at factory in the Republic of South Africa, of that portion of the tender price which comprises components, parts, or materials which have been or are still to be imported whether by the tenderer or by his suppliers or subcontractors.

"Landed cost at factory" means the oversea cost plus direct importation costs such as freight, all landing charges, dock dues, import duties, and the like at the South African port of entry as well as inward transportation and handling to factory in the Republic of South Africa where the supplies tendered for are manufactured or assembled.

The board may, in its discretion, exclude from the operation of the foregoing provisions of this paragraph such products as it may from time to time deem necessary.

Any tenderer claiming preference for goods produced, manufactured or assembled wholly or partly in South Africa shall certify what percentage of preference he is entitled to and furnish an assurance to the effect that costs have been fully and carefully investigated by him and that to the best of his knowledge, belief, and experience the rate of preference claimed is correct and in accordance with what the actual "local content" will be. The administration, however, reserves the right at any time, at its discretion, to demand a sworn statement confirming any such claim and to call for supporting documentary evidence.

Any successful tenderer who has claimed preference shall undertake to report and explain the position immediately to the head of the Provincial department or branch concerned should circumstances arise which cause the percentage of actual local content to become lower than certified in the preference claim form.

(b) In case of equality after the provisions of regulations 13 and 14(a) have been applied, the order of preference shall be as follows:

(i) South African manufacturers or merchants tendering supplies entirely or mainly produced within the Republic.

(ii) South African manufacturers or merchants tendering supplies manufactured from raw or nonfabricated materials entirely or mainly imported.

(iii) Merchants tendering supplies from imported stocks held in the Republic.

(iv) Accredited agents for goods for import who are in a position to give expert advise or service.

(v) Oversea firms (preference being given to firms having branches or agencies and carrying stocks in the Republic).

(c) All things being equal, preference will be considered in respect of articles manufactured within the Province of the Transvaal.

(d) The question of bona fide manufacture shall be carefully observed when comparing prices, and in case of doubt the facts shall be reported to the administrator, whose decision shall be final.

Recommendations by board

15. (a) (i) It shall not be obligatory upon the board to consider any tender unless it complies with the advertisement in response to which it is submitted.

(ii) No tender will be considered where alterations have been made on the tender form unless such alterations are duly authenticated by the tenderer or if any material particulars required therein are not complete in every respect: *Provided,* That the board may in its discretion in any particular case dispense with the requirements of this regulation if it is satisfied that there is reasonable cause for such dispensation and that the interests of any person will not be prejudiced thereby.

(iii) Qualified tenders may be disregarded.

(b) The board shall not necessarily recommend the acceptance of the lowest or any tender and may recommend the acceptance of the whole or part of any tender, or in the event of a number of items being tendered for, any item of a tender.

(c) The reasons for the board's decision in recommending the acceptance of a tender other than the lowest tender shall be communicated to the administrator through the Provincial secretary.

(d) The board shall after consideration forward all tenders and accompanying documents to the Provincial secretary with its recommendations.

CITIZENS BAND RADIO

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Bow] is recognized for 30 minutes.

Mr. BOW. Mr. Speaker, several thousand citizens of my congressional district and perhaps as many as 2½ million throughout the Nation use the facilities of the citizens radio service for communication over short distances with families and friends. A recent ruling of the Federal Communications Commission severely restricts their use and enjoyment of this service, many think unjustly, and I am introducing today legislation calling for an investigation and review with the goal of establishing a means whereby these families may continue without undue restraint to operate their citizens band radio stations.

The FCC created the class D citizens radio service, popularly known as CB, in 1958 and assigned 23 channels of the 11-meter shortwave band, also called the 27 megacycle band, to this new service.

The typical citizens band equipment is a transceiver which almost anyone can learn to operate quickly and easily. The typical citizens band licensee might be a farmer who would install a transceiver in his home, another in the barn, a third in his truck or automobile so that he might be in touch with his family and they with him on matters of business arising during the day.

The service proved immensely popular. There are now 800,155 licensees and we may assume that an average of three persons operate the equipment of each licensed station.

The original rules of the FCC were vague and general in terms, but for the past 2 years the Commission has been engaged in a major revision, adopted July 22, 1964, effective April 26 of this year, which put greater restrictions on the use of citizens radio service. Some of them are:

First. The prohibition of hobby-type operation.

Second. Limiting interstation communication—calls between units of different class D stations—to 7 channels where previously all 23 channels had been available for this use.

Third. All interstation communications are restricted to not more than 5 minutes transmission with a 5-minute period of silence before another transmission is permitted.

The sale of citizens' band equipment has grown far beyond expectations, becoming an industry with gross sales of between $50 and $75 million annually. A great many of the 800,155 licensees who have invested large sums of money in this equipment have, in fact, created a nationwide hobby-type operation. Thousands of persons will be owners of expensive equipment for which they have no use if the new FCC order is enforced.

The FCC contends that the prohibition of hobby-type operation is not a fundamental change but only serves to clarify an FCC intent that was expressed some years ago. However, thousands of citizens who have become CB users were not aware of this. The FCC quite obviously never made it clear. The willingness of the Commission to license applicants without adequate explanation of the prohibition on hobby-type operations and without adequate investigation of the purposes for which the licenses were sought constituted, in my opinion, encouragement of the development in good faith of hobby-type stations. Ineffective enforcement and ambiguity helped to create a $50 million industry of questionable legality.

The FCC has advised the owners of citizen band equipment to switch over to the amateur radio service. The Commission fails to give sufficient consideration to the facts that such a conversion would require several hundred dollars worth of additional equipment as well as study and training to qualify for the amateur license.

The popularity of the citizens radio service is based on the relatively low-cost equipment, its simple licensing and operating requirements, communication values, and the need for little technical training.

It seems to me that justice requires us to find a means of continuing to permit hobby-type operations in the CB. We should be able to accommodate both those who use CB as a necessary element in their work and those who have developed the hobby-type operation. Ideally, this means assigning additional frequencies to the hobbyist. All of us recognize that the airwaves are crowded, but I am certain there is room somewhere.

My resolution asks the House Committee on Interstate and Foreign Commerce to review this entire problem with a view to enlarging the number of frequencies available for CB.

It suggests that there may be room in the 10-meter or 28-megacycle band for a CB hobby operation. I am informed that 10 meters is not particularly useful to the amateur radio service to which it is now assigned, because sunspots sharply limit long-distance transmission in this band in 10 years out of 11. Inasmuch as CB stations are interested solely in short-distance transmission, and are limited to 150 miles, this would be ideal for them.

Also, I am told there is reason to doubt the extent to which the Department of Defense requires or uses the great many frequencies to which it lays claim.

Admittedly, it is a difficult problem, but I hope that the Committee on Interstate and Foreign Commerce will undertake the work outlined in my resolution.

The resolution further provides that the FCC order will be held in abeyance pending outcome of the study.

THE UNITED STATES AND LATIN AMERICA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. COHELAN] is recognized for 5 minutes.

Mr. COHELAN. Mr. Speaker, the action taken by the United States during these last 2 weeks in the Dominican Republic should be the subject of serious concern. It should be of concern not only for our relations and dealings with one weak and troubled country, but for the future course of this country's policy in all of Latin America.

Article 17 of the Charter of the Organization of American States make unequivocally clear that—

> The territory of a state is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another state, directly or indirectly, under any grounds whatsoever.

Yet our recent action would appear to be a direct contradiction of this policy. It would seem to be a throwback to the days of gunboat diplomacy and the Roosevelt corollary; days which we have tried hard to erase and correct through the good-neighbor policy and the Alliance for Progress.

I feel sure, Mr. Speaker, that we stand united in our determination to prevent any revolutionary establishment of a new Communist state in this hemisphere. The free Republics of the Americas have solemnly declared communism to be incompatible with the inter-American system.

And there is support, there is justification for our initial actions in seeking to protect the lives of endangered Americans and other foreign nationals; of seeking to preserve law and order and to protect free peoples.

Max Freedman, writing in the Washington Evening Star on May 4, points out:

> The Dominican authorities could give no assurance that the lives or the property of U.S. citizens would be protected. They were unable to protect the airfield or the railway station or the port from which American citizens could be evacuated.

Charles Bartlett, commenting on the same day and in the same newspaper, said:

> Criticisms of Johnson for resorting to gunboat diplomacy in these circumstances must be weighed against the private laments of many South American liberals in 1961 that President Kennedy did not snatch triumph from disaster at the Bay of Pigs by dispatching American soldiers to finish off Fidel Castro * * *. The criticisms must be further weighed against the gratitude of Juan Bosch in mid-November of 1961 after American naval forces frustrated the return to the Dominican Republic of the wicked Trujillo uncles.

And the New York Times, of May 6, stated:

> At the beginning of the present crisis, no one questioned the need to protect American lives in Santo Domingo when law and order broke down.

But surely this cannot mean—and I certainly hope and urge it does not—that from now on we plan to act unilaterally without regard for or cooperation with our friends and allies in the Organization of American States.

During the last few years, we have taken slow and often painful steps in establishing new foundations of mutual confidence and trust. We have made slow but steady progress in gaining recognition that we are all commonly involved in the struggle for free government.

It is, of course, easier and faster to act unilaterally, but in the process other values are sacrificed.

We pay, it is true, a price for consultation, but it is a price we can afford for the greater strength and meaning which comes from acting in concert with our neighbors.

The New York Times on May 3 quite correctly commented:

> Restoring political stability in the Dominican Republic is the rightful responsibility of the Organization of American States * * *. The inter-American system, to which the President has pledged full support, is our best assurance, and the hemisphere's.

But it is also true that the inter-American system must be able to function in times of need and the judgment of many knowledgeable observers is that the OAS was not prepared to deal with the emergency in Santo Domingo.

As Walter Lippmann pointed out this last week:

> On our part, candor and humility compel us to admit that we acted outside the law because we deemed it obsolete for the emergency. On the part of our neighbors, candor and humility call for a recognition that the OAS is an underdeveloped institution for realizing the ideals which it proclaims.

Mr. Speaker, the goal of our country in Latin America ought to remain the establishment of democratic governments, chosen in free elections, and devoted to the welfare and liberty of their peoples. It ought to remain the development of vibrant economies, the growth of unrestricted societies, and unrelenting war on those common enemies of man—poverty, ignorance, and disease.

Let us develop the machinery which can make these just goals possible. Let us devote our energies to building the Alliance for Progress and the Organization of American States.

Mr. Speaker, I include the several articles to which I have referred for the information and insights they bring to this problem:

[From the Washington (D.C.) Evening Star, May 4, 1965]

THE CASE FOR DOMINICAN ACTION

(By Charles Bartlett)

Much of the liberal instinct to protest the American intervention in the Dominican Republic is being stifled by an awareness that President Johnson had no sound alternatives to the course he has followed.

The authentic leading South American liberals are largely silent in the chorus of protest. Johnson has taken great pains to make them understand that on the evening of April 27, the Dominican Republic was a power vacuum in which many lives were imperiled and many efficient, purposeful, and guerrilla-trained Communists were at work.

One proof of this vacuum will be found in the efforts of the coming days to piece together new leadership for the country. Even after the dust settles, this necessary leadership will be hard to find. An almost total lack of the caliber of men who make leaders in one tragic consequence of 31 years of brutal dictatorship.

Charges that the United States has resisted the return of Juan Bosch, the poet liberal whose incompetence as an administrator permitted his deposition in 1962, are unfounded. Bosch himself, through timidity or indecision, chose to stay in Puerto Rico instead of asserting himself in the chaos that his followers had created. His failure to take command will not strengthen his cause in the new era.

The Dominican generals, including Elias Wessin y Wessin, proved in the testing moments to have the clay feet of men who matured in a corrupt society. Since none of them rose to the occasion, some suspect the Dominicans may turn toward Joaquin Balaguer, the old man who remained as president immediately after the Trujuillo assassination in 1961. He represents a compromise between the new taste for democracy and the old reliance on authority.

If there was no leader in Santo Domingo to whom Johnson could look confidently on the evening of April 27, there were several on whom he could look with concern. The postmortem debate on whether the Communists could have captured the Government if the marines had not landed has already begun. Fortunately the intelligence readings were excellent and they indicated in advance that the potential was there.

The ominous Communist asset was the training in guerrilla tactics that had been imparted in Cuba to at least 18 of the insurgents. In the fluid situation which prevailed in Santo Domingo, these paramilitary experts, led by a resourceful Spanish Communist named Manuel Gonzalez Gonzalez, had a splendid chance to prevail.

Criticisms of Johnson for resorting to gunboat diplomacy in these circumstances must be weighed against the private laments of many South American liberals in 1961 that President Kennedy did not snatch triumph from disaster at the Bay of Pigs by dispatching American soldiers to finish off Fidel Castro. Critics also must ponder the presumption of responsible Venezuelans and Bolivians that American troops will arrive, if all other hope is lost in chaos, to save their Governments from the Communists.

The criticisms must be further weighed against the gratitude of Juan Bosch in mid-November of 1961 after American naval forces frustrated the return to the Dominican Republic of the wicked Trujillo uncles. Bosch hailed this fleet intervention, which stopped just short of marine landings, as an act "that could save many lives and many troubles in the near future."

The little-known record of this country's dogged efforts since 1961 to implant democracy in the barren Dominican soil is one pledge of Washington's virtuous intentions. From the moment that Trujillo was killed, leading Dominicans have leaned heavily upon American guidance in the tricky transition from dictatorship. All the leverage of Washington's good offices has been applied to encourage constitutional government.

The break with the habits and attitudes of 31 years does not come easily. Henry Wells, a political scientist who helped to construct the machinery for the 1962 election, observed after the voting to a Dominican official that everything had gone smoothly. "These people are very well disciplined," the man responded.

The future will be no easier than the past in the Dominican Republic. One American policymaker said the decision to send marines into Santo Domingo was "like arresting your mother." As the Communists try to make the most of the tender days ahead, this country's composure will rest upon its case that the decision was unavoidable.

[From the Washington (D.C.) Evening Star, May 4, 1965]

Reds Take Over Dominican Revolt

(By Max Freedman)

Early Wednesday afternoon of last week, the U.S. Ambassador in the Dominican Republic reported to Washington that there was no immediate threat to the personal safety of American citizens living in that country.

Exactly 2 hours later Ambassador Bennett, in a second message, reported that the situation had deteriorated with tragic speed.

The military and police forces supporting the Dominican Government were no longer able to control the situation. In some places there had been an utter collapse of military efficiency. Officers wept openly at the news of spreading unrest and at reports of growing defections.

The Dominican authorities could give no assurances that the lives or the property of U.S. citizens would be protected. They were unable to protect the airfield or the railway station or the port from which American citizens could be evacuated.

No longer could they protect the large hotel or other buildings where some of these Americans had gathered for safety. Nor were they able to protect the U.S. Embassy in Santo Domingo from attack.

Faced with these accumulating proofs of a critical situation growing steadily worse, the Dominican officials strongly urged the Embassy to advise Washington to send enough force without delay to protect and evacuate the endangered American citizens.

The members of the U.S. Embassy, confronted with this new evidence, is listening to this urgent plea for American troops to prevent outrages and the tragic loss of life, unanimously agreed that the time had come for direct American assistance. Ambassador Bennett conveyed this unanimous recommendation to Washington, and the Marines were soon on their way to the Dominican Republic.

It seems clear that some military officers are supporting the revolt and are defying the cease fire not because they really believe in the rebel cause but because they feel they have no alternative, having once broken their military oath and taken up arms against the Government.

Equally clear to Washington is the danger that the original revolt, started to restore former President Juan D. Bosch to power, is being supplanted by highly trained Communist agents who are seeking to gain control of a revolutionary situation by an almost classic application of Communist tactics.

There are three Communist Parties in the Dominican Republic. The first is the Dominican Popular Socialist Party, an orthodox Communist Party looking to Moscow for guidance.

The second is the Dominican Popular Movement, a small aggressive party with leanings to China. The third is the June 14 movement, not completely Communist in character but with a strong Castro influence.

These three groups have not yet formed a united front. That may come later. They are still fighting for the leadership of the revolt. But they are exploiting every weakness, every breakdown in authority, to spread the influence of Communist power.

Their success can be measured by one stark and tragic fact. Many of Bosch's original supporters have left the revolt and have gone into hiding.

Officials in Washington have a list of names of the 58 most important Communist leaders who have seized key strategic positions in the revolt and are twisting it into a Communist pattern. This list contains the names of these Communists and their military and technical training as agents of revolutionary upheaval.

Some of them were trained in Russia, others in China, still others in Cuba. All of them have been identified as active and sinister figures in the present stage of the revolt.

No signs exist as yet of any significant movement of Communist agents from Cuba to the Dominican Republic. It is the judgment of Washington officials that Cuba was taken by surprise by the success which marked the uprising and the weaknesses thus revealed in the crumbling fabric of governmental power.

The local Communist agents, expertly trained and strategically placed, moved in quickly to exploit the situation for Communist purposes. Cuba's future role has to be watched carefully.

Bosch's supporters made a serious mistake. They gave some seized weapons and ammunition to people more eager to loot and plunder for private gain than to fight for the proclaimed cause of the uprising.

Thus, the revolt lost popular favor and became a weapon of anarchy instead of a movement to restore Bosch as the last constitutionally elected President. These excesses drove many moderates into silence or retreat and again gave added strength to the Communist minority.

Even at this critical hour the situation might have been restored if Bosch, by a greater display of personal daring, had left Puerto Rico and gone to Santo Domingo to raise once more the flag of his cause.

That might have given a fighting unity to his scattered and dispirited followers. As yet, however, he has not appeared where the bullets are flying and the issue is being decided.

The supreme point, which should be understood by everyone, is that the United States is not trying to overthrow the present government or keep it in power. It is not trying to restore Bosch as president or to keep him in exile in Puerto Rico. It is not interfering in the internal politics of the Dominican Republic. Its political fate is to be settled by the Dominican people themselves.

Nor is the United States practicing intervention or imperialism in the sense so familiar to Latin America and so resented by it. It is a strange sort of intervention whose declared and single purpose is evacuation. The United States wants to get its citizens out of the Dominican Republic, not to get more troops in there.

But growing anarchy, the rising threat to American citizens, and the sinister designs of Communist power may give the United States no choice but reluctantly to increase its rescue operations.

Meanwhile every forward-looking leader in Latin America is being urged by the United States to use his influence to keep the Dominican Republic from sliding into anarchy or communism. The Organization of American States has decided to grapple with the crisis.

The Johnson administration seeks nothing for this country in the Dominican Republic and it stands ready to prove this, once conditions of law and order are restored and the Dominican people can shape their own national course without Communist domination.

[From the New York Times, May 2, 1965]

Confusion in Santo Domingo

The disposition of the Dominican revolt has been placed where it belongs—in the Organization of American States. The Soviet effort to involve the Security Council will surely fail except as an opportunity to attack "American imperialism" from a world platform. The agreed cease-fire has not affected the hundreds—perhaps thousands—of civilian and military rebels who captured or were given arms. Nevertheless, an end to the fighting can be envisaged.

At that point the Dominican Army, Navy, and Air Force, which are strong by Latin American standards, could take over, and the U.S. marines and paratroopers could—and should—be withdrawn.

However, it was obvious almost from the beginning that U.S. policy went well beyond the necessary and unexceptionable purpose originally announced by President Johnson of protecting and evacuating Americans and other foreign nationals. More than 5,000 marines and paratroopers were not needed for such a simple operation.

The United States is carrying out what President Theodore Roosevelt, in the famous "Roosevelt Corollary" to the Monroe Doctrine, called "the exercise of an international police power." The effect of American military intervention is political as well as humanitarian, and—according to authoritative spokesmen now—it was desgined to be so.

The argument is that a victory for the rebellious forces would bring a Castroite type of government into power, and the United States is firmly committed to the idea that it will not permit another Castro-type government to take control in any Latin American country. But no one any longer will be able to prove or disprove the thesis that a rebel victory would in fact have brought a Communist government to Santo Domingo.

So far as Juan Bosch is concerned, nothing could be further from the truth than to label him as Communist or even pro-Communist. His deficiencies as a President for 7 months in 1963 were great, but no one can question the fact that he is a true liberal and a democrat. It can, however, be argued that the revolt which began in his name was taken over by extreme leftists or that, if he had returned, he would have been pushed out of office by the Communists.

It is also arguable—and we think more likely—that Professor Bosch would have been driven from power by the military rightists under General Wessin y Wessin who are now gaining the upper hand under the umbrella of American military might.

The need to protect lives in a state of anarchy is clear. Insofar as American troops are performing that service in Santo Domingo, they belong where they are. But this crisis was handled by Washington in such a way that the reaction in virtually all Latin American capitals, including the friendliest, was critical. The members of the Organization of American States were neither consulted nor advised until after action was taken. At yesterday's OAS meeting, a parade of major countries censured this unilateral policy.

The use of American marines has stirred up memories of the five historic interventions in the Caribbean in the first quarter of this century. Reinforcement of the marines by paratroopers suggests an intention to stay in the Dominican Republic after the function of getting American nationals out has been completed. This means that whatever government takes power in Santo Domingo will do so with American permission.

The United States, therefore, may yet find that it has embarked on a major task of intervention, quite apart from the humanitarian action of saving American lives.

[From the New York Times, May 3, 1965]

DOMINICAN TROOP BUILDUP

In ordering several thousand more marines and paratroopers into Santo Domingo this weekend, President Johnson reiterated that their sole mission was to protect and evacuate endangered Americans and other foreign nationals. Yet, every private briefing held for Congressmen and correspondents in Washington emphasizes that the primary aim of U.S. military involvement in the Dominican rebellion is to prevent "another Cuba."

The fear of a Castroite takeover stems from the presence among the insurgents of a handful of disciplined Communists, with ties to Havana, Moscow, and perhaps even Peiping. No one pretends that these elements are currently dominant in the drive to restore Juan Bosch to the Presidency, but the Cuban experience has engendered a sense of insecurity in Washington about any leftist influence in Latin American uprisings.

This is an understandable concern, but not one that should prompt a panicky display of power whenever any hint of Communist infiltration is reported. It would be one thing for the United States to act on the basis of compelling evidence of substantial outside manipulation in arming or directing the Dominican rebels. But, in the absence of anything more menacing than the names of a few Communist activists, it would be disastrous to let fear of "another Cuba" become the excuse fo employing our military might to prop up a rightwing dictatorship in a country still scarred by three decades of brutal repression under Generalissimo Trujillo. Such a course would be as self-defeating as it would be morally unjustifiable.

Restoring political stability in the Dominican Republic is the rightful responsibility of the Organization of American States. This responsibility has been acknowledged by President Johnson; it is being exercised by the OAS through its dispatch of a five-man mediation mission to Santo Domingo. If that delegation finds a need for an inter-American peace force to help maintain a cease-fire, the OAS is the proper instrumentality for bringing the peace force into being.

The massing of American marines and paratroopers in ever-increasing numbers already has stirred bitter recollections throughout Latin America and the world of the excesses of "gunboat diplomacy." A unilateral decision to assign these troops an active role in helping the Dominican military junta put down the revolt would run counter to all the principles of "progress, democracy, and social justice," for which Mr. Johnson appealed in televised remarks Friday evening.

Such an abuse of our strength would do more to spread communism in this hemisphere than the Castroite agents it was directed against. As the President repeatedly pointed out in the 1964 election campaign, the United States cannot bulldoze its way to security, nor should it try. The inter-American system, to which the President has pledged full support, is our best assurance—and the hemisphere's.

[From the New York Times, May 6, 1965]

THE ILLUSION OF OMNIPOTENCE

The United States is not omnipotent but President Johnson talks as if it were. There is not one else who can do the job of insuring "the right of all people to shape their own destinies," he said in his message to Congress. If the Communists "are going to put Americans in danger," he told a labor conference in Washington, "where Americans go that flag goes with them to protect them."

This is the language of 1898, not 1965. In its development if not in its origin, the marine intervention in the Dominican Republic was reminiscent of 1916. At the beginning of the present crisis, no one questioned the need to protect American lives in Santo Domingo when law and order broke down. The practical reasons for intervening against a genuine threat of a Communist takeover would also have been understood. But the American troops were used almost immediately for political ends on the basis of reports that a handful of Communists were involved in the rebellion and on flimsy evidence that they threatened to gain control of it. And the Organization of American States was neither consulted nor informed of the intervention until after the invasion had been accomplished.

The result of an initially reasonable and acceptable maneuver was to engage American soldiers in an internal struggle, in which many thousands of non-Communist or even anti-Communist Dominicans were fighting, some of them no doubt because Americans—as they naturally saw it—were invading and occupying their country.

Another and more serious result has been to glorify the previously weak Dominican Communists and make them seem such a power and such a menace that nearly 20,000 American troops—more than half the number now in Vietnam—have thus far had to be sent in to assure order. Communism all over the world has been given new "heroes" and some damaging propaganda against the United States.

What Sir Denis Brogan as long ago as 1952 called the illusion of American omnipotence is now being turned into the Johnson doctrine. U.S. policy since the end of World War II has been based on anticommunism, accompanied by efforts to achieve a détente with the Soviet bloc. The evolution of such a détente was one of the most encouraging developments in world affairs in recent years. But if it means anything, the Johnson doctrine means that the emphasis is now going to be on resisting the advance of communism anywhere in the world with military force rather than on differentiating between various kinds of communism or trying to coexist with any of them. The United States gives the appearance of heading toward the uneviable, self-righteous, and self-defeating position of world policeman.

The Dominican Republic is a weak country, but its problems are not susceptible of military solution. It can be occupied by the United States; it will not be dictated to by the United States. A final truce accord was signed yesterday; but it will have no validity if by remaining there the United States tries to force the Dominican Republic to have only the kind of government of which the United States would approve.

Ours is the most powerful nation on earth, but there are things that even the United States cannot do in this period of history. The sooner this country extricates itself from the Dominican Republic—if at all possible with the help of the OAS—the better.

[From the Washington (D.C.) Post, May 6, 1965]

TODAY AND TOMORROW: THE SOLIDARITY OF THE AMERICAS

(By Walter Lippmann)

Our immediate need in the Dominican affair is to persuade the other American States to participate in dealing with the problem. For there is no denying that our intervention was decided upon without prior consultation with, much less prior authorization from, the Organization of American States. Furthermore, it is undeniable that the intervention is flatly contrary to article 15 of the charter. Procedurally and legally we are in a bad position.

The fact is, however that in the Dominican Republic the emergency was believed to be so acute that there was no time for a thorough inquiry before acting, and that neither the Charter of the OAS nor the existing setup of the OAS provided the machinery for dealing with the emergency. It can be said, as President Bosch is saying, that his supporters were on the verge of winning when President Johnson stepped in. But it appeared to President Johnson that Communists trained by Castro were very near to seizing control of the Bosch rebellion. If they had done so, the situation in the Dominican Republic might well have been irreversible. There would then have been no more constitutional elections. The U.S. intervention, though it was unilateral and in violation of Article 15, has to be justified on the ground that it prevented an irreversible situation, whereas now the way is still open for a democratically elected government.

If the United States is to come out of the affair with clean hands, it must persuade its neighbors in this hemisphere that the charter, which was adopted in 1948, must be supplemented and developed in order to meet the conditions which were not known or realized 17 years ago in 1948. The charter was based on the proposition that, with the defeat of Hitler in 1945, there was no further external threat to the peace of the hemisphere, and that the problem was how to end forever the U.S. interventions in Latin American affairs which had been going on for something like a hundred years. Article 15 is directed to this.

The United States agreed to the doctrine of the charter, being itself convinced that the hemisphere had nothing further to fear from Europe, and that the U.S. interventions in order to protect American interests were out of date. But what neither the Latin American governments nor the United States realized in 1948 was that an American Republic, Cuba, was to undergo a revolution that might make it, as happened in 1962, a military outpost of a foreign power.

For this contingency the OAS was not prepared, and public opinion in the American Republics was not prepared. Even before the Cuba missiles crisis of October 1962, as a matter of fact, as early as the autumn of 1961, the American Republics have been talking about the problem. The Conference at Punta del Este, Uruguay, was convoked in December 1961 in order to discuss the problem of "the intervention of extracontinental powers directed toward breaking American solidarity." (From the resolution of the Council of the OAS on December 4, 1961.)

The fact of the matter is that the OAS had not carried that discussion to a point where the organization was ready to deal with the emergency which broke out last week. It is this deficiency which needs to be repaired, and only when it is repaired will our unilateralism in the emergency be overcome and our violation of the letter of an inadequate treaty be purged.

It is, I believe, upon such a foundation of candor and humility that we can bring about the solidarity of the hemisphere. On our part, candor and humility compel us to admit that we acted outside the law because we deemed it obsolete for the emergency. On the part of our neighbors, candor and humility call for a recognition that the OAS is an underdeveloped institution for realizing the ideals which it proclaims.

EVANS AND NOVAK BIAS IS SHOWING

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Ashbrook] is recognized for 10 minutes.

Mr. ASHBROOK. Mr. Speaker, I take this time to again call attention to the recurring effort of many news commentators and writers to treat the left and right in American political thinking in a different and, I feel, unfair manner. I have pointed out several occasions where the New York Times referred to "far right" or "rightwingers" while at the same time calling their counterpart "liberals" with no adjective.

In the Washington Post column of Rowland Evans and Robert Novak, which was carried on Sunday, May 9, 1965, we once again see this device. I point this out with particular interest because it has long been the stock and trade of Marquis Childs, Walter Lippmann and other writers of the left but not Evans and Novak. They have usually been fairer. Referring to the seven Democrats who voted against the $700 million additional authorization for Vietnam and the Dominican Republic military ventures, Evans and Novak charitably referred to them as super liberals.

Now there is a real label—super liberals. In the same article they refer to a "group of rightwing Republicans who financed Ronald Reagan's speeches." Now, tell me Rowland and Bob why is it "far right" or "rightwing" when it comes to conservatives and Republicans but it is only "liberals," or in this case "super liberals" when it comes to the other side of the political spectrum?

This is not to take anything away from the small group of Congressmen which opposed the President's request. They are very ardent in their views but by any honest political termination they would be as far left as the right-wing backers of the Ronald Reagan speeches of last fall. Why is it that most writers continue to use this unfair terminology in labeling the various shades of American political thought?

The conservatives never seem to get a fair break. Is this deliberate? You can read the New York Times for weeks and rarely see "left wing," "far left" or "leftist" but they label most conservatives by the "far-right," "right-winger" label.

The entire article is included at this point in the Record:

L.B.J. Feeds on GOP: President Quick To Snatch Up Ford's Idea of Viet Fund as Vehicle for Support

(By Rowland Evans and Robert Novak)

All Washington has been ooh-ing and ah-ing about President Johnson's political mastery in getting a congressional vote of confidence for his foreign policy without realizing that the idea really came from a Republican: House Minority Leader Gerald Ford, of Michigan.

The Ford assist came last Sunday night during a bipartisan emergency session of congressional leaders called at the White House by Mr. Johnson because of the Dominican crisis.

With congressional leaders from both parties seated around the Cabinet table, the President made it clear he was upset about the Capitol Hill sniping—Democratic sniping—against the U.S. hard line in Vietnam and the Dominican Republic. Through much of this monolog, Mr. Johnson was glaring at Senator J. William Fulbright, of Arkansas, his old friend who has called for a pause in the bombing of North Vietnam.

Mr. Johnson implied that Congress ought to show the world it really backs up his policies. Moreover, he went on, if his critics in Congress desired, they could amend the resolution of August 1964, giving him a blank check in Vietnam.

It was at this point that Ford got his inspiration. Congressional resolutions are old hat, he said. Besides, that blank check authorization on Vietnam was passed by Congress only last August. Asked Ford: Wouldn't it be more effective for Congress to give the President a vote of confidence by passing a special appropriation for Vietnam?

Mr. Johnson snatched Ford's fast ball and ran with it. He sent the $700 million request to Congress 2 days later (after first taking it up privately with White House aids).

Although the money isn't really needed, the appropriation was widely billed as a display of confidence. Moreover, there were fewer defecting Democrats (only seven superliberals in the House) than would have been the case with a policy resolution.

A footnote: Although the appropriation was a Republican idea, House Republican leaders had to work hard to get a unanimous Republican vote. One conservative southern Republican was ready to vote "no"—not because he opposes a hard foreign policy but because he opposes unnecessary appropriations.

An offer by the California group of rightwing Republicans who financed Ronald Reagan's speeches on television last fall has been rejected by House Republican leaders. The offer: To promote a regular series of money-raising political shows over nationwide TV.

This group is the old TV-for-Goldwater-Miller Committee headed by James Kilroy, a militantly conservative Los Angeles realtor. The Kilroy committee has sent public relations man, Robert Raisbeck, to Washington on several visits the past few months.

Raisbeck's mission was to get permission from the House Republican campaign committee, headed by Representative Bob Wilson, of California, to start a regular series of money-raising political shows (to get contributions from viewers). Initially financed by the Kilroy committee, the shows' proceeds would go to House candidates in 1966.

Most important, the programs would have been produced under the overall direction of Raisbeck's firm, P.R. Counsellors, Ltd. (which produced the Reagan shows for the Kilroy committee).

Wilson, House Republican leader Gerald Ford and National Party Chairman Ray Bliss were understandably suspicious.

What worried them was that in the hands of militant conservatives like Kilroy (who still controls an estimated $160,000 left from the Goldwater-Miller campaign), the films might embarrass the Republican Party.

To guard against the possibility, Raisbeck and two members of the Kilroy committee on their last visit here guaranteed not to interfere with the political "line" of the TV series.

But Wilson and Ford remained skeptical. More significantly, so did Bliss. Again they said "no." Kilroy will have to look elsewhere to spend his money.

Alaska's Democratic Senator, Ernest Gruening, is hurting badly back home because of his passionate opposition to President Johnson's no-retreat policy in Vietnam.

What is damaging the 78-year-old Senator is not so much his stand on southeast Asia but the fact that his violent disagreement with the President has undercut his prestige in the White House.

More than any other State, Alaska depends on the good will of the Federal Government. It lives on Federal benefits. There are deep fears that these benefits might be affected as a result of the Gruening-Johnson split.

Despite this, Gruening voted against the President's request for $700 million for the war effort in Vietnam but (attempting to temper the effect of that vote) came out strongly in favor of Mr. Johnson's intervention in the Dominican Republic.

NEED FOR IMMIGRATION REFORM

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. OTTINGER. Mr. Speaker, on January 13 of this year we were privileged to receive a message from the President on a matter vital not only to our country but to our friends and neighbors overseas as well. On the same day, my distinguished colleague from New York [Mr. Celler] introduced a bill to effect the President's proposals—H.R. 2580.

Because this legislation is of such great significance, I should like to take this opportunity to present the statement I sent to Subcommittee No. 1 of the Committee on the Judiciary for insertion into the hearings on H.R. 2580:

STATEMENT OF HON. RICHARD L. OTTINGER, OF NEW YORK, TO SUBCOMMITTEE NO. 1 OF THE HOUSE COMMITTEE ON THE JUDICIARY, CONCERNING H.R. 2580, A BILL TO AMEND THE IMMIGRATION AND NATIONALITY ACT

Mr. Chairman, I thank you and the members of the committee for allowing me to submit a written statement into the hearings on H.R. 2580—a measure of great impartance and one on which action is long overdue.

I feel there are few areas in our law which more urgently demand reform than our present unfair system of choosing the immigrants we will allow to enter the United States, particularly under the archaic and inequitable national origins quota system. This system embarasses us in the eyes of other nations, it creates cruel and unnecessary hardship for many of our own citizens with relatives abroad, and it is a source of loss to the economic and creative strength of our country.

While I believe that our immigration laws must first serve the best interests of our Nation and must contain a clearly defined system of selective controls, I feel that the provisions contained in H.R. 2580 are far better than the national origins quota system, which makes no attempt at all to distinguish which immigrants will best serve the interests of our Nation. As President Kennedy so aptly noted in his book "A Nation of Immigrants": "The use of a national origins system is without basis in either logic or reason. It neither satisfies a natinoal need nor accomplishes an international purpose. In an age of interdependence among nations such a system is an anachronism, for it discriminates among applicants for admission into the United States on the basis of accident of birth."

It is my belief that the bill under discussion would make it easier to bring to the United States persons with special skills and attainments that we need and want; it would reunite thousands of our citizens with members of their families from whom they are now needlessly separated; it would remove from our law a discriminatory system of selecting immigrants that is a standing affront to millions of our citizens and our friends overseas; and, it would provide for the needs of refugees and serve our traditional policy of aiding those made homeless by catastrophe or oppression. In essence, this measure would accomplish all these necessary goals without damaging the interests of any person or group, either here or overseas.

It is obvious that if a change were not necessary in our immigration laws, four Presidents would never have called attention to this serious flaw in our legislation.

Some sections of our immigration laws are particularly unjust, such as that which involves the Asia-Pacific Triangle where the quotas are not on the basis of one's place of birth but rather on their racial ancestry. As our distinguished Secretary of State noted: "It represents an overt statutory discrimination against more than one-half of the world's population."

Of almost equal inequity is the fact that much of the total quota goes unused each year. Thus, while England and Ireland are assigned 83,000 persons a year, or about one-half the total for all nations, and use only about 32,000 persons annually, most of the other countries of the world must suffer under small quotas which are, in the greater majority of cases, heavily oversubscribed.

Our great Nation was built by immigrants of courage and ability who came from many lands. We have benefited from the genius of men who came to our country, often seeking religious, political or intellectual freedom—men such as Albert Einstein, Neils Bohr, Enrico Fermi and thousands of others. Our country has prospered not only economically from the contributions of these people, but also socially and culturally.

Under the protections provided in this bill, I am convinced that the proposed law constitutes no threat to our labor force. Governmental studies show that the present quality of immigration results in the creation of more jobs than the immigrants themselves take and, in many cases, the immigrants are highly skilled and can make major contributions to our science and industry. This bill emphasizes needed skills whereas existing legislation virtually ignores them.

I would submit as a further safeguard, however, that while preferences should be provided to meet particular labor shortages, I do feel that this preference must be precisely defined and properly administered. Furthermore, I feel a definite distinction needs to be made between those jobs which are permanent and those of purely a seasonal or temporary nature.

Another provision which is salutory is the establishment of an Immigration Advisory Board. I feel this Board would be most useful in providing in-depth evaluation of the operation of the new law. Also, this Board would serve to help remove some of the injustices in the present system by administering the pool of unused quotas during the yearly reduction of these quotas. However, on decisions pertaining to the existence of labor shortages in particular fields, I feel the Secretary of Labor should be given a more active and clearly defined role than is apparently envisaged. The Secretary of Labor possesses the necessary information on which to base sound judgments in this area of concern.

In essence, then, it is my belief that H.R. 2580 will clarify our policy and bring it closer to the desires of the American people. It will demonstrate to the world our dedication to equal and just treatment of immigrants. I take this opportunity to urge this committee to issue a favorable report on this bill. I join with the President in urging my distinguished colleagues "to return the United States to an immigration policy which both serves the national interest and continues our traditional ideals."

Again, Mr. Chairman, I wish to thank you and the members of the committee for allowing me to present written testimony on this subject.

DR. FREDERICK ALBERT COOK

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. McCARTHY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. McCARTHY. Mr. Speaker, last March I noted that this was the centennial year of the birth of one of the greatest of American polar explorers, Dr. Frederick Albert Cook. At that time I inserted in the RECORD an article in the highly reputable Journal of the Arctic Institute of North America, which called for a reopening of a scientific study of the North Polar expedition of Dr. Cook.

> The case for Dr. Cook is strong and should be reviewed by fair minded men—

The article declared. Accordingly, as the 100th anniversary celebration approaches, I am gratified to know that the New York State Legislature has seen fit to memorialize this outstanding yet largely unrecognized son of the Empire State, whose remains lie in Forest Lawn in Erie County.

The legislature has memorialized the Governor to proclaim Thursday, June 10, as Dr. Frederick A. Cook Centennial Day in New York State, urging appropriate ceremonies. The people of Delaware Township in Sullivan County have organized a centennial committee, and the town has authorized a historic marker which will be erected at Dr. Cook's birthplace. A civic celebration will be held June 13.

I join with my fellow citizens in honoring the memory of this great explorer, who gave two decades of his life to further our knowledge of the uttermost ends of the earth in both the North and South Polar regions. If there is no objection, I would like to insert the following resolution of the New York Legislature sponsored by my good friend and able colleague, Mrs. Dorothy A. Rose:

RESOLUTION 165

Concurrent resolution of the senate and assembly memorializing His Excellency, Gov. Nelson A. Rockfeller, to proclaim Thursday, June 10, 1965, as Dr. Frederick A. Cook Centennial Day in New York State

(By Mrs. Dorothy A. Rose)

Whereas Dr. Frederick Albert Cook was born 100 years ago this June 10 in the hamlet of Hortonville, Sullivan County, in the State of New York; and

Whereas Dr. Cook is acknowledged as being a pioneer American polar explorer, a physician and scientist who participated in the early expeditions in both the Arctic and Antarctic, a writer, author of several books, lecturer and traveler; and

Whereas Dr. Cook's accomplishments have been acknowledged by various scientific and geographic societies, including knighthood by Leopold, King of the Belgians, and a gold medal presented by the King of Denmark; and

Whereas Dr. Cook was given honor by the giants of polar exploration of his day, including the discoverer of the South Pole, Roald Amundsen, and his two decades of service toward the expansion of geography and science in both polar regions have earned him an important place in polar history; and

Whereas the fruits of his 20 years in the farthest reaches of the earth resulted in his reaching, on April 21, 1908, the geographical North Pole, and the subsequent recognition of this feat by the Royal Danish Geographical Society and the University of Copenhagen, whose honors remain in force; and

Whereas such authoritative sources as Steiler's Atlas and the Italian Military Polar Institute have joined with many polar historians, explorers, and scientists in recognizing Dr. Cook as the discoverer of the North Pole; and

Whereas recent studies and explorations of the polar ice cap tend to corroborate the original observations made by Dr. Cook 56 years ago, and recognized proceedings such as the journal of the Italian Geographical Society and the journal of the Arctic Institute of North America have called for a serious study of his polar expedition; and

Whereas a group of explorers, educators, oceanographers, and students of polar exploration have joined to form the Dr. Frederick Albert Cook Society, nonprofit educational organization seeking to gain official recognition for the scientific and geographic accomplishments of Dr. Cook; and

Whereas on June 10 next in the community of Callicoon, county of Delaware, Sullivan County, the society will be joined by the officials of the township and the Sullivan County Historical Society in celebrating the centennial of Dr. Cook's birth; and

Whereas the Legislature of the State of New York also seeks to honor the accomplishments of this native son who passed to his reward in his 75th year on August 5, 1940 and who is now buried in Forest Lawn Cemetery, Buffalo, Erie County: Now, therefore, be it

Resolved (if the senate concur), That Gov. Nelson A. Rockefeller be and is hereby respectfully memorialized to issue a proclamation designating Thursday, June 10, 1965, as Dr. Frederick A. Cook Centennial Day in New York State and calling upon the people of the State to mark and observe that day with appropriate ceremonies and exercises; and be it further

Resolved (if the senate concur), That a copy of this resolution be transmitted to His Excellency, Gov. Nelson A. Rockefeller.

By order of the assembly.

JOHN T. MCKENNAN,
Clerk.

SALUTING THE RURAL ELECTRIFICATION ADMINISTRATION ON ITS 30TH BIRTHDAY

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. JONES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, I am happy to join with my colleagues in saluting the Rural Electrification Administration on its 30th birthday.

REA to me has always been one of the most rewarding Federal agencies ever created—a wonderful example of good purpose and great deeds.

REA has been an agency of the U.S. Department of Agriculture for the last 26 years, and I would be remiss today if in my salute to REA I did not include Orville L. Freeman, the Secretary of Agriculture, and Norman M. Clapp, the REA Administrator.

REA is once again a vital and driving force in rural America, with a deep sense of purpose. Secretary Freeman and Administrator Clapp believe that the way to economy in this great program is through strengthening the rural systems by permitting them to develop to their full potential and thus become less dependent on Federal financing.

They also believe that the real objective of Congress when it wrote the Rural Electrification Act was to make electricity available to people in the country on a parity with the rates and services enjoyed by people in the cities. I agree with them support them in this endeavor.

There is a gap between the price of electricity in the country and the price in the cities and towns. This gap should not be permitted to exist and something is being done about it. Let us look at the record.

In my home State of Alabama, the REA-financed distribution systems were able to make only four rate reductions in fiscal years 1961 through 1964, but so far in the first 10 months of this year, six already have made reductions for a total savings of $223,500 to consumers.

Alabama has 27 REA electric borrowers, including 24 cooperatives. They serve approximately 224,000 consumers over more than 40,000 miles of line. And like rural people everywhere, these consumers are using more and more power. In 1953, the monthly consumption per consumer on REA-financed lines in Alabama was 221 kilowatt-hours; 10 years later, in 1963, it had climbed to 540 kilowatt-hours—more than double.

The rural people of Alabama are proud of their electric systems. They are locally owned and they represent private enterprise at its very best.

It was President Johnson, who as a Member of this House in 1948, said:

> If ever there was an enterprise wholly American in concept and character, it is the program of extending the blessings of electricity to all people who live in the rural areas of our land.

In the 30 years of the federally sponsored rural electrification program we have seen rural America move into its rightful place as an important segment of our society; we have seen the people of rural America come alive, to enjoy many of the privileges and pleasures that had hitherto been only the privileges and pleasures of city people. And why? Because the marvel of electricity moved in over the lines of the REA systems.

In Alabama, I watched the REA loan programs, both electric and telephone, play a major part in the preservation and improvement of the family farm. The availability of electric power and telecommunications has enabled the family farmer to become more productive by helping him to make more efficient use of his family's time, his capital, and his resources.

Electricity, which has many important applications in the mechanization of such farm enterprises as dairying, poultry and egg production, and hog and cattle feeding, has enabled the family farm unit to increase production without the employment of additional human labor. Electricity—working for pennies a day—has proved an efficient and tireless "hired hand" which can help overcome rising costs and marketing problems.

Electricity also has made life on the farm more attractive to young people and has helped discourage migration to urban areas. Today the farm family can enjoy the same standard of living, including electric kitchen appliances and equipment, laundromats and dryers, air conditioning, television and radio, and electric heating, which is available to the people residing in the towns and cities. I know firsthand of a number of young people in Alabama who have built their homes on their families' farms, and remain in the country to carry on operations that their parents might be forced to abandon when they become too old to work.

The availability of electricity also has been essential in creating new nonfarm enterprises in the rural areas. The new jobs created by these commercial firms represent important supplementary income to many members of farm families and are enabling them to weather the current cost-price squeeze and to continue to maintain their homes in rural areas.

But despite the great inroads rural electrification has made in making rural America a better place in which to live, half the poverty of our country is concentrated among 30 percent of the American people who reside in rural America.

President Johnson, Secretary Freeman, and Administrator Clapp have called upon the rural electric and telephone systems to assume a leadership in the war on poverty and to help in bringing about the Great Society. The systems were asked to help because our country's leaders are aware that the people who pioneered rural electrification possess the initiative and the know-how to tackle difficult jobs and get results.

Under the rural areas development program of the Department of Agriculture, and through REA's own RAD staff, REA electric and telephone borrowers from July 1961 to the end of 1963 helped to launch over 900 industrial and business enterprises in rural areas. These projects created more than 60,000 direct jobs and over 40,000 indirect jobs in supply, service, and other related industries.

A total of $750 million was invested in these enterprises, of which more than 90 percent came from State and local sources, including private capital and commercial lending institutions. About $43 million was provided in Federal funds, including loans from the Area Redevelopment Administration and Small Business Administration. Less than $2 million came from financing through loans to cooperative systems under section 5 of the Rural Electrification Act.

The assistance given by the REA borrowers to these enterprises has generally involved technical aid in developing sound projects and locating financing, rather than participation in the financing. Availability of electric and telephone service from the REA borrowers has often been an important factor in the location of these new enterprises.

REA borrowers in my State and elsewhere in the Nation have responded magnificently to this call to rid our countryside of poverty.

The REA-financed rural electric systems also have the great task of meeting the demands for more power in an expanding rural America. Not long ago, President Johnson said that "in the next 25 years, the rural electric cooperatives of the United States will be lighting the lamp of our Nation's progress." The REA borrowers are on the way to making this prediction come true. And while they are doing it, we must never forget that these rural electric systems are a permanent segment of our society and of the electric industry. They have earned the right to be treated as such. We wish them many happy tomorrows.

A BILL TO STRENGTHEN PRESENT FEDERAL DISASTER RELIEF PROGRAMS

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Brademas] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, on Palm Sunday, in Indiana and again last week in Minnesota, a devastating series of tornadoes ripped through the Midwest. One of the hardest hit areas was my own congressional district in Indiana which, according to the Red Cross, suffered 54 dead, 242 injured, and millions of dollars in property damage. The response of the local, State, and Federal governments and many private organizations and citizens to the emergency needs of the stricken areas and communities came quickly and effectively—first aid, food, and temporary shelter were provided.

We are very grateful to those public officials and private citizens who gave so unselfishly of their time and energy in the hours and days immediately following the disaster.

On April 14, 3 days after the tornadoes struck Indiana, President Johnson, my colleagues, Senators Vance Hartke and Birch Bayh, Buford Ellington, Director of the Office of Emergency Planning, Gov. Roger Branigin of Indiana and I toured part of the stricken area of my district, particularly the little community of Dunlap, near Elkhart. The extensive damage, total in some places, and the personal suffering and tragedy stunned and moved us all.

Mr. Speaker, under unanimous consent, at this point I insert in the Record an article from the April 14, 1965, South Bend Tribune describing President Johnson's visit to Dunlap:

L.B.J. Views Dunlap Ruins, Promises Federal Aid for Storm Victims—President Calls Scene Horrible

(By Jack Colwell)

President Johnson today walked through rubble south of Elkhart which once was a subdivision and then he promised Federal assistance for the survivors of the tornado which leveled the area.

Again and again the President shook his head in disbelief as he viewed the wreckage left by the Palm Sunday tornadoes which killed at least 54 persons in Elkhart County and at least 86 throughout northern Indiana.

As the President stepped aboard his plane at 11:08 a.m. at the St. Joseph County Airport to fly to other tornado and flood disaster areas in the midwest, he was asked if Federal aid could be expected for the devastated area he had just seen.

"Yes," said the President.

Johnson arrived in South Bend for his whirlwind tour at 8:40 a.m. A crowd of about 2,000 greeted him at the airport.

TEN THOUSAND IN ELKHART WELCOME

Scattered spectators were along his motorcade route through South Bend to the northern Indiana toll road.

As he drove through downtown Elkhart, enroute to the nearby Dunlap disaster area, Johnson was greeted by 10,000 spectators.

"Horrible, just horrible," Johnson said as he viewed and walked through the wreckage of the Sunnyside subdivision at Dunlap.

He talked with some of the tornado victims who had lost their homes.

"I'm sorry," he told them.

Several times Johnson was asked if he had ever seen such devastation. He shook his head "no."

There was a grim expression on Johnson's face throughout most of the hike through broken boards, shattered glass, and scattered household furnishings.

VIEWS RUBBLE IN SILENCE

Much of the time he just stood amid the rubble, saying not a word.

He climbed onto what was left of a porch of a damaged house to see what was left inside.

For a while he stood atop a pile of debris near where someone had affixed a tattered American flag.

After his first stop, to see a crushed house trailer, the President and accompanying officials, including U.S. Senators Birch E. Bayh and R. Vance Hartke and U.S. Representative John Brademas, moved to the heart of the destruction in the Sunnyside area.

Then they visited disaster headquarters at the nearby Concord Township fire department, where Johnson had a cup of coffee and a sweet roll.

"I sure thank you," the President told the woman who served the coffee.

TALKS WITH YOUNGSTER

"Thank you for what you're doing for these people," he told her.

The coffee counter was set up in the station by members of the fire department auxiliary to help disaster victims who still were probing the acres of wreckage in search of personal belongings.

Although the Johnson of today was far different from the talkative, hand-shaking, exuberant Johnson of campaign days, he took time out to talk to a little boy and ask "Are you my friend?" The little boy said "Yes."

Johnson signed an autograph with a sprawled "L.B.J."

And he had an "L.B.J." pin for another youngster.

For a moment he stopped to talk to Mr. and Mrs. Carl Sharkey, residents of the leveled Kingston Heights subdivision adjacent to Sunnyside.

COUPLE DESCRIBES ESCAPE

They told the President how they had escaped serious injury by finding shelter in the basement as the tornado struck.

"I'm thankful we got out of it, even if it did take our home," Sharkey told Johnson.

Sharkey assured the President that Mrs. Sharkey's black eye was the result of the storm and not action on his part. The President and spectators, many of them homeless victims of the tornado, chuckled.

"Good luck to you. My thoughts are with you," Johnson told the Sharkeys as he left.

Johnson spent about a half-hour in the subdivision destruction area. He spent about 10 minutes at the fire station.

He stopped the motorcade only once during its path through the downtown and residential sections of South Bend and Elkhart. That was to shake hands with some schoolchildren gathered along Lincoln Way West not far from the airport.

NATION "STUNNED, SHOCKED"

In a short speech at the airport immediately after his arrival, the President said all the Nation was "stunned and shocked over the weekend by the tragedies which struck so many families and communities in so many of our States."

He noted that he was making the tour of disaster areas with Buford Ellington, Director of the Office of Emergency Planning, in order to find out what the Federal Government could do to help.

"We pray that our technology and science will some day enable us to exercise greater measure of control and prevention" over natural disasters, Johnson said.

"Until that day comes, I know it is the will of the American people that whenever their neighbors or friends in any community, in any State, suffer such losses at the hands of nature, the Government of this good and generous people should be ready and prepared to assist in every useful way," he said.

"This is the reason we are here."

He said the Federal Government at such times "must not be something cold and far away" but instead be a "warm neighbor."

The President said he hoped his visit and the visit of the other officials would "enable our Federal assistance to the States and communities to serve more effectively, more promptly and more efficiently in the tasks of reconstruction and rebuilding that face the citizens of this area."

When Johnson left here, he headed by plane for Minnesota, where he was to view flood damage along the Mississippi River.

He planned to fly over and view tornado damage in Illinois and Iowa while en route.

After leaving Minnesota, the President was to fly to Toledo, Ohio, to inspect tornado disaster sites. He was to fly over and view tornado damage in Michigan on the way.

Mr. Speaker, what had been suburban homes in neat little subdivisions at Dunlap had been replaced by dirt-covered and broken boards, shattered pieces of glass, and scattered debris which had once been furniture. Neat rows of mobile homes were replaced by a field of useless rubble.

Entire families were killed; others lost sons or daughters or wives or husbands. The human loss was the worst of any natural disaster in our history.

We saw and heard all this and more. My district deeply appreciated the time President Johnson had taken to pay a personal visit. His visit also emphasized to the people of my district, and I am sure of all the districts he visited, that the entire Nation shared in their suffering and stood ready to assist them.

Mr. Speaker, under unanimous consent I enter in the Record at this point, three editorials written about the President's visit to my district:

[From the Goshen (Ind.) News,
Apr. 15, 1965]

Here and Gone

The President of the United States has come and gone. It didn't take him long.

His visit to Elkhart County on an inspection tour of disaster areas in six Midwestern States was brief but timely. It came at a time when a lift in spirits was welcome.

Hundreds of people who voted for him and scores upon scores who didn't turned out to greet him on a motorcade swing through Dunlap, the hardest hit area in Indiana.

President Johnson mingled freely with the crowds of well wishers, touching the hands of many and shaking the hands of a few from the time he stepped off his plane at South Bend until he returned to it less than 2 hours later.

The occasion was one which called for solemnity and L.B.J. did not appear out of character. He exchanged sympathetic words with many of the victims of the storm, he tenderly patted youngsters on the head and he fondled the ears of at least two dachshunds.

"It is sad" the President said when he returned to South Bend after viewing the destruction in the Sunnyside addition at Dunlap. He told a television commentator he'd do his best to help those in the stricken areas. "Does that mean Federal aid?" asked his questioner. "It does" was his crisp reply. He didn't seem to want to talk.

And that was that, as he hustled off to board his plane.

He left the impression that even though he carries the weight of many problems he still was moved as were we all by what had happened in Elkhart County.

We hope he can pay us another visit but we pray he never comes back under similar circumstances.

[From the South Bend (Ind.) Tribune, Apr. 15, 1965]

TILL A HAPPIER DAY

For the second time in a year, the South Bend area has had the honor of a visit from the President of the United States.

The first occasion was in the wake of an economic disaster. The second followed a natural disaster.

There are those who ask, some with cynicism, what good a Presidential visit does anybody after a tornado has flattened his home or business, or has killed and maimed his family. In fact, such Presidential tours are far more than public relations gimmicks. They are good and uesful from several points of view.

The sprawling bureaucracy that is the Federal Government in the 1960's is an impersonal thing, as institutions are. The Presidential visit briefly transforms the institution into a symbol, a person to be seen and spoken to. In short, Lyndon Johnson's presence in Dunlap Wednesday proved to the victims of the Sunday tornadoes that somebody cares. That alone is important to distressed spirits.

A more practical good also stems from Presidential visits. Because stricken communities have no resources adequate to the challenge such disasters bring, and because the State has neither the money nor the agencies to take over, the Federal Government is the only public agency capable of coping with the problems of survival and rehabilitation.

The objective is to get the right kind of help to the right places as soon as possible. A demonstration of personal Presidential concern about the stricken areas cannot help but prod the Federal agencies to cut through redtape and bypass normal channels to provide help more quickly and adequately.

On top of all this, it is good for the Chief Executive of the United States, a man normally insulated in the artificial environment of Washington and the White House, to come into contact occasionally with citizens who have suffered serious tragedies.

President Johnson was obviously moved by what he saw in Dunlap. And he must have been impressed by the courage he encountered, just as he was impressed a year ago by the South Bend community's determination not to give in to economic blows.

It is well for the President to see such things first hand, and to be reminded that, after all the public agencies have done their best, it remains for individuals to do the most important part of the rebuilding.

The area can be grateful for President Johnson's concern. And we may hope that his next visit will be under happier circumstances.

[From the Elkhart (Ind.) Truth, Apr. 15, 1965]

PRESIDENT'S VISIT WAS WELCOME

The visit of President Johnson Wednesday to tornado disaster scenes near here was most appreciated by the people of Elkhart.

Enormity of the blow which has befallen our community was reflected in the awed reaction by President Johnson to what he saw and heard.

Though suffering and devastation from these tornadoes were widespread, ours was the area hardest hit.

That was stressed by the fact that the President came here first on his four-State tour. It was the first time that a President has driven through the streets of our city.

President Johnson's promise of Federal assistance in the task of reconstruction is helpful. There will be much that the Federal Government can do in the long-range effort to rebuild the shattered hopes and dreams of so many people—just as it has done in other areas in many years past when disasters beyond man's control have occurred, and where the individual has been unable to cope with his own resulting problem.

Such Federal assistance can supplement the long-range assistance by contributions through voluntary agencies.

The more immediate emergency needs—and in particular the direct needs of individual families—need to be met primarily by nongovernmental effort.

Already there has been an outpouring of generosity and neighborly assistance here. Clothing and food needs have been met.

There remains an acute need for more temporary low-cost housing for victims.

Mechanics for obtaining this already are well underway.

As the President himself noted, no words or deeds of ours can ease the loss of the bereaved families.

We do applaud the courage and spunk of the survivors who refuse to be disheartened: as one said, "We built from scratch once, and we'll do it again."

We do applaud the tireless efforts of the many who have helped in rescue and relief.

Only those who went through it know what these tornadoes really were like. Yet people generally in this area, we believe, do have a deeper appreciation now of what human suffering can mean—and of consideration for the needs of others.

Mr. Speaker, the areas ravaged by the Palm Sunday tornadoes joined an unusually large group of other unfortunate areas which, during the past year, also have been the victims of major disasters. And now people in my district join with other unfortunate ones in attempting to rebuild not only their homes, businesses, and communities, but also their lives. For many lost not only all of their personal possessions, the products of years of labor; but, in many cases, at least one member of their family.

In their endeavor to rebuild, however, many individuals from the Midwest to the Pacific coast have found, or are finding, that in spite of the general and extensive disaster relief provided by the Federal Government, little or no assistance is available to them.

Although special legislation or ad hoc arrangements will, in many cases help meet the needs not covered by existing laws, it has become increasingly apparent in the past year that our present laws are not adequate to deal swiftly and justly with the problems arising from a major disaster. If nothing else, these disasters and the resulting inability of the Federal programs to handle them, should stir us to correct these deficiencies.

Consequently, I am introducing today an omnibus bill similar to that (S. 1861) recently introduced in the Senate by Senators BAYH and HARTKE, of Indiana, and cosponsored by 29 other Senators. My bill, however, also includes the provisions of another bill (S. 1795), which was introduced earlier by a group of midwestern Senators including Senator HARTKE.

The legislation I am today introducing may not correct all the deficiencies in the existing laws, but I believe it does eliminate many of them. In particular, I think, it offers to the individual caught in a major disaster considerably more assistance and relief than is presently available.

Neither do I contend that this bill would meet every need of every individual and community in a major disaster area. This bill can probably be strengthened and improved and I welcome suggestions. But along with my colleagues in the Senate, I feel this omnibus disaster relief bill points the way toward adoption of much-needed legislation. Of primary importance is the enactment of a law which will give assistance to those who now desperately need help and to future unfortunate victims of major disasters.

I particularly hope that when this, and other similar, proposals are considered by Congress we will have the comments of the affected executive agencies. I find it regrettable that, although the executive branch was asked as early as last fall to submit recommendations for strengthening the existing disaster relief laws, no such recommendations have yet been sent to Congress. Even worse, detailed studies of this problem have been finished by the concerned executive agencies and their recommendations lie buried somewhere in the Bureau of the Budget, while disasters and their resulting suffering continue to occur.

The Nation can wait no longer, Mr. Speaker; we, in Congress, must take the initiative. We must now consider what permanent continuing authority should be provided to the executive agencies to enable them to deal adequately with the multitude of problems which every major disaster brings.

I now present a summary of the subjects covered in the bill I am introducing:

SUMMARY OF BILL TO STRENGTHEN PRESENT FEDERAL DISASTER RELIEF PROGRAMS

1. Federal loan adjustments in declared disaster areas:

(a) Authority is granted to refinance a borrower's indebtedness or damaged property under programs administered by the Farmers Home Administration, the Rural Electrification Administration, the Housing and Home Finance Agency, the Veterans' Administration and (on dwellings) the Small Business Administration. Existing obligations and new ones could be financed for as little as 3 percent interest for up to 40 years. Principal and interest payments on the old and new loans could be suspended for up to 5 years—extending the total maturity period to a maximum of 45 years—where the appropriate authorities determined such action necessary to avoid severe financial hardship.

(b) Authority is granted to the Small Business Administration to suspend for up to 5 years principal and interest payments on existing and new small business loan obligations if such action is determined to be necessary to avoid severe financial hardship.

2. Refinancing mortgage obligations on real property not insured or guaranteed by any Federal agency:

(a) The President, upon application from States in which a disaster has been declared, is authorized to make grants to such States, on a 75-percent Federal matching basis, to pay the costs of refinancing mortgage obligations on real property not insured or guaranteed by any Federal agency.

(b) The legislation requires each applicant State to submit a plan to be approved by the President for the implementation of the refinancing of the real property; to designate a State agency to carry out the plan; to provide assurances that any loan made under the plan shall have a maturity of up to 40 years with interest not to exceed 3 percent; to require that the State agency may suspend principal and interest payments on the loan for up to 5 years if necessary to avoid severe financial hardship; to specify that no loan to refinance an existing debt on any single property shall exceed $30,000; to assure that equitable treatment will be accorded all eligible property owners; to empower the President to prescribe whatever regulations may be deemed necessary to effectively administer the program and to prevent waste of Federal funds; to permit Federal auditing of books and records of the State agency dispensing assistance under the provision.

3. Shelter for disaster victims:

(a) The President is authorized to provide dwelling accommodations for individuals or families if he determines that the home they occupied—as owners or tenants—is uninhabitable due to a major disaster, that such action is necessary to avoid severe hardship and that such dwelling accommodations cannot otherwise be provided.

(b) Such accommodations may be provided through acquisition or lease of existing housing or mobile homes. The monthly rental for such housing (including any fixed expense for payment of a debt on a destroyed or damaged house) may not exceed 25 percent of an individual's or family's income. Rentals may be waived for up to 12 months if necessary to avoid severe financial hardship.

4. FHA-insured disaster loans: Owners of damaged or destroyed homes may receive FHA-insured loans of up to 100 percent of the appraised value of the property or estimated cost of repair to replace or restore the homes. The maximum insured loan is $20,000, and can be made for up to 40 years.

5. Extension of time for compliance with programs administered by Department of Agriculture: The Secretary of Agriculture is authorized to reopen to farmers in disaster areas the opportunity to participate in any program administered by his Department if such action is necessary to avoid severe financial hardship, if the farmer would have been eligible for such program had he made timely application, and if the action will not materially defeat the purpose of such program.

6. Disaster warnings: The Secretary of Defense is authorized to use the facilities of the civil defense communications system to warn governmental authorities and the civilian population in areas endangered by imminent natural disasters.

7. Assistance to unincorporated communities:

(a) Authority is extended for disaster assistance to any rural community or unincorporated town or village where the head of the appropriate Federal agency determines there is need, that such assistance is feasible and that it will be effectively utilized.

(b) Assistance is also authorized in the form of loans or insuring loans to permit construction of waste disposal systems and other public facilities providing for community services in rural areas. In certain cases, a grant not to exceed 50 percent of the cost may be made for this purpose.

(c) Provision is also made to allow, in certain cases, suspension of the principal and related interest payments on operating loans made to farmers and ranchers whose operations are severely affected by a major disaster.

8. Assistance to elementary and secondary schools: When the Governor of a State in which there is a declared disaster area certifies that the State and affected local communities have exhausted their resources to repair or replace damaged or destroyed elementary or secondary schools, the Office of Education may provide assistance, in addition to that which they now provide, to repair or rebuild schools in the disaster areas, and may provide assistance to operate those schools.

9. Highway assistance in disaster areas: Assistance to rebuild or repair Federal-aid highways or bridges in disaster areas may be provided on a 100-percent Federal-aid basis, instead of the usual Federal-State matching basis required for initial construction of such highways or bridges.

NEW YORK CITY IN CRISIS—PART LXIV

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MULTER. Mr. Speaker, last summer New York City was unfortunate enough to have riots.

The following article is from the New York Herald Tribune of March 21, 1965, and presents the views of a number of prominent New York City citizens about the prospects for this summer.

The article is part of the series on "New York City in Crisis" and follows:

New York City in Crisis—Another Long Hot Summer Ahead—Voices of Concern on New Riots

(By Barry Gottehrer)

Race rioting finally erupted in New York City last summer but the conditions that spawned it and the indifference that spread it have been a part of this greatest city in the world for a long, long time.

By the time the week of rioting in Harlem and Bedford-Stuyvesant had been halted last July, one youth had been killed, 93 civilians and 50 policemen injured, more than 500 persons arrested and hundreds of thousands of dollars in property damaged.

Yet these are only statistics and tell only a small part of the story of this city last summer.

To the 8 million living here, the race riot had finally become a reality—and the fear that it could have involved thousands instead of hundreds terrified a city and brought the poverty of Harlem and Bedford-Stuyvesant to the front pages of each of the city's newspapers.

In the aftermath, as the irresponsibility of some of the Negro leadership and some of the press and the indifference of the city administration were forgotten, one thing became painfully clear—the riots had pointed up the lack of communication between the people of the ghetto and the Negro leaders, the Negro leaders and the city administration, and the whites of New York.

To establish a dialog, Mayor Wagner met with the city's Negro leaders and the Reverend Martin Luther King and, though he refused to set up a civilian police review immediately as they demanded, he did make a handful of promises.

Foremost among them were a special committee to consider setting up a civilian review board to go over charges of alleged police brutality; a massive effort to get more funds to fight poverty in Harlem and the Harlems all over the city, and a plan to hire 1,000 ghetto youths for summer work in the city government "to indicate the city's overriding concern with jobs and the high necessity of getting unemployed youths off the streets and into useful employment."

Eight months have passed since the mayor made these promises.

The special committee has, like the vast majority of the mayor's special committees, done absolutely nothing but defer action by the mayor.

Through the mayor's efforts, the Federal and city governments have increased the flow of poverty funds into this city's ghettos but HARYOU-ACT, the biggest of the ghetto community-action programs, has been painfully slow in getting started and currently is facing a handful of investigations.

And the city's admirable plan to hire 1,000 youths resulted in the number being hired at $1.50 an hour for an average of less than 8 weeks each.

Yet it is not only the mayor's broken promises that have led to talk of more rioting this summer.

It is this basic lack of communication among the people of this city which seems to have increased rather than lessened in the last 8 months.

It starts with the Negroes who condemn the mayor for not giving them enough to the increasing number of whites who condemn the mayor for giving the Negroes too much, and ends with the Negro leaders who have lost touch with the people and city officials who have chosen to ignore reality.

Over the past few weeks, Claude Lewis of the Herald Tribune's New York City's staff has spoken to civil rights leaders, citizens and city officials in an attempt to establish some lines of communication and a dialogue before it is too late—before another summer, more terrifying, more destructive than the last, is upon us again. Here the leaders give their opinions as to what has been done, what hasn't been done and what must be done to prevent another summer of rioting.

WHAT THEY SAY—A WEATHER EYE ON THE BAROMETER

James Farmer, national director of CORE

Cursed by history and grafted onto a wealthy island, Harlem is a white-owned Negro ghetto that systematically rots from apathy, poverty and violence. But those are words, and Harlem has plenty of words. Words from 55 dozen documents cranked out of the commission system, the antipoverty system and the system system. The single most outrageous fact about Harlem is that they know. "They," the people who can provide jobs, hire Negro cops, kill rats and fumigate the physical blight, they know. Make no mistake, Harlem is not the victim of the mayor's innocence, the Governor's improvidence or the President's ignorance. It is the victim of deliberate betrayal, real and present racism, greed and political cynicism. Yes, we are in for another "long, hot summer" and let no one call that a self-fulfilling prophecy. Words are not the gasoline of riots. Rats, unemployment, narcotics and rotted doorframes are the self-fulfillers.

You see a rat; he bites. You see an unemployed man; he might bite, too. In understanding Harlem and similar places throughout the North, consider the Negro who comes from Georgia or Alabama to 125th Street. From the absolute segregation of the South we come wishfully north to the "open society." We find Harlem. We find the almost absolute segregation of the North. And consider how much more violent is our outrage when we discover this geographic betrayal. Only now, in the past half-decade have we acted to secure the right to vote in the South, but in the North even with that right we find ourselves physically starved, racially isolated and politically manipulated. All this, with the heady air of freedom 15 blocks south. How can you counsel this furious man? "Patience" is surrender, "violence" is suicide, and "education" is inadequate and often a cynical contrast to an empty stomach and a fetid home.

Only a racial concert of action to relieve our lives can touch us. Only an open market in jobs and homes and limitless educational options can answer our defeatism.

And all of this must be set in motion by those in the seat of political power. Do not tease and further infuriate us with a "clean-up-1-block-a-year" tokenism. Write no more studies about our cultural and psychological hangups. Don't wait until our people are bloodied by 5 days of rioting to toss our children a smattering of jobs. Don't pour tens of thousands of Federal dollars into programs that are instantly siphoned into a political "bag." Don't insult our intelligence by hiring black faces to sit near your windows and for God's sake, walk in Harlem and learn that we are not telling a lie.

Julius C. C. Edelstein, executive aid to mayor

The Harlem community is beset by many problems. Many communities are suffering from the same conditions and we are pressing ahead with programs to offset these conditions.

There are school problems, housing problems, employment problems and others. It is all of these problems and none of them specifically which cause the feeling of despair among those living in our underprivileged neighborhoods. The city has done a lot to offset these problems and we will be doing a lot right along.

We've also been progressing with our antipoverty programs.

We feel we are meeting the problems of Harlem as well as we can. We have no reason to anticipate a repetition of last year's disorders.

Alexander J. Allen, executive director of the Urban League of Greater New York

The racial crisis is at the bottom of New York City's troubles. It produced many of the dilemmas which have plunged it into chronic and virtually insoluble disorder.

For generations it was ignored. White citizens turned their back to it, fled from it, and forgot it.

During this time, New York City declined. Whole neighborhoods changed; leadership in communities was torn out by the grass roots and the normal processes of gradual transition of leadership were destroyed.

Racial stratification and ghettoization created vast pools of people having no effective leadership—and leadership is the catalyst which a great city must have if it is to rise from the doldrums of racial stratification and despair.

The ghettoization of New York City's 1,141,000 Negro citizens worked a tragic and terrible hardship of indescribable proportions on this group, as well as upon white residents.

It has contributed to social disorganization—produced by inferior education, high unemployment, slums, and inadequate health and welfare services. It has also led to the high rates of drug addiction, crime and violence—disorders which not only characterize life in the ghetto but which have spilled out to threaten people everywhere, black and white alike. It has made many areas islands of fear, it has made others deserts of suspicion and misunderstanding.

I refer to the neighborhoods whose streets are unsafe after dark; I speak of the parks where people fear to walk; I think of the subways women are reluctant to ride. I think of all-white areas of angry, frightened homeowners and school groups. I think of what Alan Paton, in "Cry, the Beloved Country," called, "the fear of bondage and the bondage of fear."

And I think, too, of the steady deterioration of the city's physical facilities unable to keep pace with accelerating population growth and demands for increased social services.

The exodus not only of upper-income white persons but of thousands of Negro citizens to the suburbs has not only often bankrupt the leadership of our inner-city communities but robbed the central city of the tax potential absolutely vital to maintain and improve these public services indispensible to the functioning of a great metropolis.

New York cannot ignore one-seventh of its population—or treat their afflictions with poultices and survive as a great place in which to live, to work, and to raise our children. New Yorkers cannot consider Harlem's plight only when a riot erupts. They must take sufficient and immediate action at every level to help those Negro citizens mired in poverty to break the poverty cycle.

A city's buildings may rise to the sky; but a city cannot rise in stature above its people. A city is people—all of its people; the sum total of their productivity rather than their potential. If New York City in the past has turned its back on Negro citizens, it has turned its back on the possibility of utilizing the full potential of all its people.

I reiterate the call of the National Urban League for a Marshall plan for Americans—a crash, all-out immediate effort sparked by Federal, State, municipal, private, and corporate funds to break the cycle of poverty. The hour has come to build a new New York—an open city free of ghettos, free of blight, free of unemployment and stagnation.

Our city today is in the state of shock—it lies semiparalyzed—whether we view its traffic snarl or the lack of creative and dynamic leadership. This blight will prevail unless we can wipe out the racial ills which have produced so much of this paralysis.

Arthur J. Rogers, director, New York City youth board

I don't foresee rioting this summer, but I didn't think there would be riots last summer either. I think the prevention dollar is the most important dollar. From what I observed last year none of the kids in the youth board program were involved in the riots. We must expand all of the programs where youth is involved and in that way we can motivate them to look beyond their immediate environment toward a better and more fulfilling future.

Livingston Wingate, executive director of HARYOU-ACT

The major problem affecting Harlem is the inability of a substantial segment of its citizens to meaningfully or adequately sustain themselves spiritually and physically in our society pursuant to the rules and standards established by the society.

In brief, the residents of Harlem are victims of a grievous social injustice dating back to 1619 which remains uncorrected to date. These residents, identifiable by color and geographical isolation, react to their deplorable plight in various manners both as to scope and method.

The question presented is how can we best be assured that these victims of our social lockout will not disturb the peace of our society. Clearly, the best answer lies in removing all the barriers which stifle their development, thereby enabling them to enter the mainstreams of our economic, educational, social, and political life.

I don't think enough substantial moves have been made by the city to eliminate the basic cause of the disturbances of last summer. That is not to say that there will be riots this year.

Disturbances such as those which took place last year are caused by imponderables. In Harlem massive disturbances seem to have a history of being set off by incidents involving the police. A stray bullet hits a woman and Harlem's off and running. It's not because Harlem has a disrespect for law and order, but rather Harlem has a deep and in some cases legitimate resentment of rules which govern the community and which Harlem had no part in creating.

It is necessary for Mayor Wagner to perform some overt acts that will indicate that the city is making a genuine effort—and I don't mean talk—to change the conditions which have existed for far too long. The appointment of Captain Sealy as head of a Harlem police precinct was long overdue and is a small example of what must happen here.

No kid will follow a set of rules if he believes he is not an important part of the total community. If he sees an iron gate locking him into a life of frustration and despair he will create his own rules and they will be negative or antisocial.

The answer is to crack the door with meaningful acts. You've got to give them something positive to identify with, to eliminate their deep sense of hopelessness. I once did a great job talking to a kid, telling him he did belong to the total community, that he was welcomed, that his opinions were valued. He thanked me and then asked me to give him something tangible and substantial to show my good faith. That kid had had many lectures and no lecture could satisfy him any longer, he wanted a job, a decent home, and, most of all, respect. That's the best way to solve the ills of Harlem. Offer respect, equal opportunity in employment, education, housing, and health.

Melvin Anderson, a 19-year-old unemployed Negro dropout

Whites just don't want to see me do anything with my life. They just want to see Negroes pushing brooms and cleaning things. They only come to Harlem to take money. That's the cops and businessmen. Most of them don't care if I live or die.

The trouble with a kid's life in Harlem is that by the time any real help arrives, it's too late. You've got to reach a Harlem kid by the time he's 12 because by then he's a man and his mind's made up. He's already decided what he wants and how he's gonna get it. He knows who he hates and he knows why.

I know people who just walk around Harlem all the time. They are broken up. They are hopeless. One thing about Harlem. We get everything here. But everybody in Harlem has troubles and not too many people can change their life. I don't think the city would do anything for Negroes if they felt the Negro and Puerto Rican wouldn't take anything they want. One thing the city doesn't want is more riots. We learned that last summer. White people don't like trouble. Negroes are used to it.

Bishop A. A. Childs, mayor of Harlem

Last summer when the riots erupted, a number of shocking conditions were in glaring evidence. Today, many months later, the very large majority of these conditions continue to exist. One of the most obvious inequities of Harlem life is the lack of proper—or even reasonable—enforcement of existing laws. People are allowed to stand on street corners, drinking openly, using profanity, and generally displaying disorderly conduct. They wouldn't be allowed to behave like this on Park Avenue and 60th Street, so why should they be allowed to behave like this in Harlem?

Harlem lacks industry which intensifies the shortage of job opportunities. Drug addiction is no less a problem than it was last year and we cannot even look toward a comprehensive program to handle drug addiction. Housing is poor; as it has been for too many years. In short, city hall has done very little to change the face or the character of Harlem.

There are a number of things the city could do if it chose to deal honestly with Harlem. They could move some city offices into central Harlem, stimulating business and housing. This alone would bring up the tone of the community. There is a need for a cultural center and perhaps a university here. Also, much could be done about the unemployment problem, which remains on the highest level in the country.

Negroes are, to a large extent, locked out of the craft unions. Why doesn't the city take advantage of these unemployed, skilled men? They could form a task force, and put them to work renovating these slum tenements and bill the landlords.

The city has failed Harlem in many ways. But of paramount importance is the police situation. There have been many instances that if they cannot be termed police brutality it is safe to say they were badly handled. I believe that Commissioner Murphy should be replaced because of his failure to deal realistically with Harlem and other potentially explosive areas.

The mayor will not admit that Harlem is a volcano. It is not a sleeping volcano but a quiescent volcano. It will take only a small incident added to the ever-increasing tension that we constantly live with. The treatment of Negroes in Selma, Ala., has a direct affect on Negroes in Harlem. Wherever one of our black brothers is injured we all bleed a little. This creates resentment toward white policemen in Harlem even though he's not connected with Selma. But the fact is that any arrest by a white policeman becomes a racial issue because of the pressure which exists in every community in the country. This is a fact which the city can do nothing about but this does not excuse his indifference in areas where he can help. Harlem can explode into a deluge of riots and bloodshed any day.

Jesse Gray, chairman of the community council on housing

Harlem can become a livable and respectable community and still remain 99 percent black. That is, when the Federal Government, along with the city and State, decides to throw in a billion dollars to rehabilitate the entire community.

Unless this takes place, we have no choice. The conditions which have existed so long will remain. Harlem will remain a ghetto without adequate heat, hot water and other facilities. One night this summer coming, a woman may just run out into the streets with a baby that has been bitten by a rat. The baby may have blood running all over it and a scene like that just may kick off another riot.

I expect this summer to be hotter than last summer because people here in Harlem are more angry than they were last summer. I think that the riots and the attitude toward America's shrines are all a part of the deep resentment on the part of Negroes. It is especially important to note that the Federal Government should worry about freedom in the United States with the same degree of concern they are showing for the situation in Vietnam. The city has to face up to the problems of Harlem. Many other antisocial situations are certain to arise unless the problems here are dealt with.

Paul Zuber, civil rights attorney

There has been a quieting of the racial unrest in Harlem but this has not been because of action on the part of the city of New York. Rather it is the result of people wanting to believe that the difficulties they have lived with for most of their lives are going to be resolved. But the situation of rat infestation has remained the same, the relations between the police and the Negro have remained the same. Youngsters are not getting the opportunities promised. Not enough of them are learning to earn a living or being trained to perform a job. There is still the feeling of hopelessness that existed prior to the last demonstrations. The key as to whether or not there will be riots this year lies in how effective the Federal funds given to the city are used to rectify these wrongs. We have got to face the facts. If those funds are not used effectively, we are in for a summer this year that will make last year look like a tea party.

You cannot satisfy the needs, desires, and aspirations of 50,000 kids by announcing there'll be 375 jobs under antipoverty by June. That's simply not enough. If we don't move diligently and honestly, in all the troubled aspects of our deprived communities, we are headed for real trouble. Mere promises are not going to satisfy these dejected children. The disillusionment of our young will result in the emasculation of Negro leadership in the community. This leadership promised results and they can't go back this summer with the same promises.

If Mr. Wagner's proposed action programs were really effective and functioning he would be the first to broadcast it. We have not heard from him along these lines recently.

We are also faced with the mockery of justice revealed by the Whitmore case. Kids are certain to feel that "they'll acuse me and beat the lie out of me."

It is time for the Governor to set up a special district attorney to go into all aspects of law enforcement. I don't know whether Christopher Lynch, the suspect in the recent subway murder, is guilty or not but because of the Whitmore case many Negroes will look with a jaundiced eye at his confession, if he confesses.

The only way to solve the problems of Harlem is for a complete disclosure of the facts which envelop this community. Hiding behind halftruths won't solve it. The loss of confidence in police last year and the loss of confidence in the courts this year, these are ingredients leading to anarchy. There will be a new breed of liberators, or so-called liberators, fanning the heat who hope to put Harlem back on the front pages around the world. This couldn't have been accomplished last year if the city had done its job.

The problems of Harlem are not indigenous to race. Any people who believe that their rights are being denied and that he has no place to appeal to will behave like Harlem did last summer. This sense of powerlessness creates a type of cancer which erupts into a disease. And there is only one cure for that disease: honesty. America fought a great revolution in 1776 over freedom. A nice community like Forest Hills would behave the same way Harlem behaved last summer if the conditions were the same. Take away rights and redress from any group and they will behave like animals. A lack of freedom gets people down to the basic in a hurry.

Sugar-coated pills won't solve the problems. The mayor has been fooling around instead of facing the problem of Harlem for over a year. He will be elected by default, but he'll still have to face Harlem and the kids again each summer.

Michael J. Murphy, police commissioner

The crises we experienced in New York City last year provided valuable lessons for all of us. Freedom of expression, peaceful demonstrations, and picket lines were protected. License to loot, pillage, and riot was revoked by swift, firm, and legal police action.

We look forward to 1965 with hope and optimism. We feel that the hates and passions of 1964 have been diminished by an understanding that nothing was solved by riot and rancor. We have established better relationships with the leaders of all communities in the city. Our goal is the creation of a better understanding by the public of the role of the police and a greater awareness by police of their responsibilities to the public. Now programs of improving police-community relations are being developed. I am certain that through this two-way street will flow a traffic of tranquillity and constructive change for the ultimate benefit of all.

NEW YORK CITY IN CRISIS—PART LXV

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article is the first in a series of articles on the New York City Housing Authority. It appeared in the New York Herald Tribune of March 22, 1965, as a part of the overall series on "New York City in Crisis."

The article follows:

NEW YORK CITY IN CRISIS—CITY HOUSING—A MYTH IN A WORLD OF LUXURY

(NOTE.—Nearly one-fifth of this greatest city in the world's 8 million people continue to live in poverty—many of them trapped in dilapidated, rat-infested tenements, all victims of the slums. To these people, the chief means of escape would seem to be through the massive multimillion-dollar, low-income housing program administered by the New York City Housing Authority. It would seem to be but it isn't. Here, in the first of three reports, Barry Gottehrer presents a study of the housing authority—a case of myth versus reality.)

(By Barry Gottehrer)

In four offices and two boardrooms on the ninth floor of 250 Broadway, the men who run the New York Housing Authority, the Nation's biggest landlord, work in well-decorated splendor.

The offices are new, furnished when the authority moved into its new quarters in January 1964, and the offices are expensive—ranging in taste from early American to contemporary, from plush carpeting to handsome wood paneling.

Though most of the housing authority's employees are unaware of the interiors of these offices—and even fewer have seen them—one employee, after seeing one for the first time last week, commented, "I wouldn't mind living there."

Inside these offices, considered by many to be the most luxurious of the city administration, William Reid, who receives $35,000 a year as head of the authority, and Ira S. Robbins and Francis V. Madigan, who receive $25,000 each as the authority's two other directors, puzzle over the program's greatest problem.

The problem? Money from the Federal and State Governments to finance low-income housing desperately needed by a city in which nearly one-fifth of its 8 million people continue to live in poverty conditions that are almost total unlivable.

"That's our biggest problem—money," says Mr. Reid, 75, former deputy mayor under O'Dwyer and head of the authority since 1958.

"Robert Moses told me about 6 or 7 months ago that he had $2 billion committed to build more highways in the city. And we have practically nothing left to build housing. The whole damn scheme of things is crazy."

The housing authority's financial problems are both clear and present.

The authority today owns and operates three kinds of developments—federally aided, State aided, and city aided—with a total of 137,064 apartments and an estimated 525,000 people.

To obtain funds to construct Federal or city developments, the authority sells long-term bonds guaranteed by the Federal or city governments. For State developments, housing bonds are sold by the State and proceeds are loaned to the authority at the same rate the State pays.

All of the developments receive partial tax exemption from the city, and the rent paid by public-housing tenants constitutes the major portion of the authority's income. However, with the exception of a few city-aided projects, this income is insufficient to meet operating costs and debt service—and annual grants from the Federal, State, and city governments in the form of cash subsidies are required to make up this deficit.

Since the first public housing project—first houses—was completed in May 1936, 41 percent of the projects have been federally aided, 37 percent State-aided, and 22 percent city aided.

Increasingly, however, all three sources of revenue for the city's low-income housing program have been drying up.

Since New York voters rejected a proposition last November which would have provided an additional 7,000 State aided public housing units in the city, the State-aided part of the program has braked to a halt.

For a city in which more than 325,000 families live in substandard housing and 100,000 are currently on the housing authority's waiting list, it is obvious that the funds would have to come from somewhere—and quick. And, like so many other city programs, the Federal Government seemed to be the most obvious benefactor.

Yet President Johnson in his recent housing message offered little help—or hope. In the message, he called for 35,000 new public housing units to be built nationally each year with approximately 3,000 slated for New York City.

At the rate of 3,000 units a year, it would take a family applying today more than 30 years to get into a new public housing unit.

Yet if the city's low-income housing money problems are both clear and present, they are no more clear and present than the lavishness of the authority's executive offices and the mushrooming state of its payroll.

According to the authority's own figures, it cost $22,822.68 to decorate the four executive offices and two board rooms. Asked to explain the expense by an authority which says its biggest problem is a shortage of money, Oscar Kann, the public relations director, remarked, "It's nothing unusual. You should see the city administrator's office on the 14th floor."

The expense, however, is unusual—particularly when considered alongside the cost of building public housing apartments.

It cost nearly $23,000 to furnish these four offices and two board rooms.

It costs—from start to finish—an average of $3,000 to build a public housing room and, under the Federal program, cannot exceed $20,000 for any apartment regardless of its size.

Yet this apparent freedom with taxpayers' money is not limited to office decoration. In 1958, after stinging press criticism, and several investigations, the housing authority which had been established in 1934 by Mayor LaGuardia, was totally reorganized.

Mr. Reid, who had an exceptional and long record as a city official, was brought in to head the program and, for the first time, two other men were named to serve as full-time salaried members of the authority.

The reorganization took place in 1958 and, as the chart clearly demonstrates, the payroll has gone up a lot more quickly than public housing units.

In 1957, before the new group moved in, the authority had 6,370 employees (1,269 in the central office and 5,101 in the field) and a payroll of $25.8 million ($5.3 million in the central office and $20.5 million in the field) to administer 103,010 apartments and 380,000 people in 87 developments.

As of December 31, 1964, at the end of the 7th year of the new group, the authority had 8,670 employees (1,426 in the central office and 7,244 in the field) and an annual payroll of $55 million ($10.7 million in the central office and $44.7 million in the field) to administer 135,472 apartments and 519,000 people in 129 developments.

Broken down, this means that the central office, which increased its staff by 157 people in 7 years, increased its payroll by more than $5 million—an increase of more than 100 percent—to administer only 32,462 additional apartments—an increase of less than 33 percent.

And, as the chart additionally shows, the authority, in the 7 years under new leadership and under a new program, has built a total of 35,637 units with a high of 8,326 in 1964 compared to 49,459 units built in the last 7 years under old leadership and the much-criticized program.

Yet this rapidly expanding payroll is only a small part of the crisis that has brought New York City's desperately needed low-income housing program to a standstill.

At the heart of the crisis is the concept of public housing itself—what it was created for and what it represents today, why it isn't really working and why it might not work at all.

To most New Yorkers, public, low-income housing, where the rents range from $11 a month to $19, represents the major means of providing decent and sanitary housing for the city's impoverished and troubled people.

That is what it represents. That is not what it has become.

"The original concept behind public housing was based on the assumption that it would not only house people but would also change the behavioral patterns of the people it houses," says a former and longtime manager of one of the city's problem projects.

"In reality, however, what we have learned is that it only provides better housing. We have learned that if we put enough troubled people together we will not have a housing project. We will have—and we do have—behavioral slums.

"Until the mid-1950's, it used to be a delight to live in public housing and we would accept people strictly on the basis of need and income. But we learned that when a minority group reaches 40 percent in a project the white families start fleeing. This has left the authority with an almost insurmountable problem—practice discrimination in certain projects to keep them integrated or let them become almost totally Negro and Puerto Rican.

"This is an overwhelming problem but they can't afford to admit the program has failed and try to do something about it. Like a great many other things in this city, the low-income housing program has become a political matter where department heads are forced to speak only of success and are not allowed to face reality."

Complicating this problem are the income limitations placed on residents.

This not only insures that the financially needy get in, which obviously is necessary; it also, unfortunately, forces those whose incomes rise above the limits out.

What this has done is create a housing environment where permanency comes only to those who remain impoverished and where continued failure is made more advantageous than future success.

Since job and income opportunities for Negroes and Puerto Ricans have continued to lag far behind similar opportunities for whites, it is not difficult to see why public housing projects increasingly have become minority group ghettos.

In 1959, when the housing authority undertook to reverse this trend by instituting a new policy of tenant selection to control the number of whites and nonwhites admitted into each project, Negroes constituted more than 39 percent and Puerto Ricans more than 17 percent of all public housing tenants.

Today, the breakdown in federally aided projects in the city is 33.6 white, 43.7 percent Negro, and 22.7 percent Puerto Rican and other, and in State-aided projects, 29.6 percent white, 47.1 percent Negro, and 23.3 percent Puerto Rican and other.

Yet even this breakdown—supplied by the housing authority to show that the city's public-housing projects are integrated—doesn't present a true picture.

The racial breakdown of each individual project, which the housing authority refused to release to the Herald Tribune, paints a far more realistic picture.

This four-page report, dated June 30, 1964, shows that while the overall program may be integrated, the individual projects are essentially mostly white or mostly Negro and Puerto Rican.

Yet the housing authority's inability to bring about true integration in its projects is a small failing compared to the problem created by its adoption of a long list of eligibility requirements in 1961. The list—called Desirability Standards for Admission of Tenants—was revised in April of 1964 and, though the housing authority does not like to admit it, serves as a means of eliminating the vast majority of people who need public housing the most.

Who is to take care of these "ineligibles," who number more than 300,000 in the city, and whose problems range from drug addiction to poor housekeeping, if the housing authority won't?

"It's a welfare problem," says Mr. Reid. "We can't take care of everybody and we have to draw the line somewhere."

Not surprisingly, Welfare Commissioner James R. Dumpson is convinced the ineligibles are a problem to be handled by the housing authority in which people must first be removed from the slums and into decent housing before they can be rehabilitated.

And, while the number of people on welfare rolls continues to climb, the slums multiply and the plight of the city's truly troubled people grows progressively worse each day, the three men who head the housing authority, created to house the impoverished of New York, sit in luxurious offices refusing to face reality.

AID PROGRAM PROMOTES CO-OPS

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BROWN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BROWN of California. Mr. Speaker, we are all familiar with cooperative organizations and the tremendous effect they have had on the development of the United States. There are 40,000 cooperative organizations representing practically every type of private enterprise in the United States. They have a combined worth of $22 billion which belongs to 20 million families.

For more than 3 years now, cooperatives have been a valuable part of our foreign aid program. They afford the people a chance to share in the development of their own area and to make an important contribution to their own way of life and civilization while at the same time, bringing in a profit.

The Humphrey amendment to the 1961 Act for International Development stated that:

> It is the policy of the United States to encourage the development and use of cooperatives, credit unions, and savings and loan associations.

• Since enactment of that amendment cooperative activities have achieved an outstanding success as a part of our foreign aid program.

Rural electric cooperatives have been established in Colombia, Ecuador, and Nicaragua. In Latin America, 1,100 credit unions have been organized, and the 300,000 depositors have invested $12 million in savings. The goal is 4,500 credit unions by 1970. Seventy-three savings and loan associations, with 125,000 members and $40 million in savings, have been organized in 5 Latin American countries. These associations have loaned $64 million to finance nearly 19,000 new homes.

U.S. cooperatives and voluntary organizations helped AID to revive community work patterns and mutual assistance traditions, and to establish and expand cooperative services. This assistance included furnishing people to train, educate, and organize, providing grants for food, money, and surplus material to start cooperative projects, and offering loans to build permanent cooperative facilities.

Financial and technical assistance for AID's cooperative projects in fiscal year 1964, ranging from simple mutual assistance to complex electric power installations, included:

First. Thirteen million dollars for cooperative services, technical assistance, and grants.

Second. Fifty-two million dollars for AID loans to cooperative-type enterprises.

Third. Ninety-four contracts with cooperatives involving 278 country projects. In addition, many projects were directly assisted by AID staff people. This compared to 93 projects in 48 nations for fiscal year 1963 and 35 projects in 36 nations for fiscal year 1962.

Fourth. Three hundred and sixty-one persons hired by AID or AID contractors in cooperative projects in fiscal year 1964. This included both part-time and full-time people. This compares with 263 persons—including 62 Peace Corps volunteers and 15 persons from the American Institute for Free Labor Development—who were employed in 1963. Seventy-nine were engaged in cooperative programs in fiscal year 1962.

Fifth. Six hundred and sixty cooperative participants were given intensive training during the year, compared to 271 participants in fiscal year 1963, and 203 in fiscal year 1962.

Sixth. More than 27,000 trainees, mostly members and directors, attended cooperative short-course programs of 1-day to 1-month duration. This compares to 1,405 trainees in fiscal year 1963 and none in fiscal year 1962.

There is encouragement in the huge increase in the number of people who received cooperative training during the year. This increase of almost 2,000 percent over 1963 not only helps establish a stronger permanent base for cooperatives, but creates new leadership. Many persons who received AID participant training in the United States are now not only administering cooperatives, but are carrying on educational work with a missionary zeal. The trainees provide grassroots support and leadership, so essential for healthy cooperative development.

At a time when we as a nation are engaged in a titanic struggle for freedom's survival in the world, we should welcome the opportunity to continue the development of cooperative enterprises through our foreign aid program.

THE 30TH BIRTHDAY OF RURAL ELECTRIFICATION ADMINISTRATION

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. POAGE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. POAGE. Mr. Speaker, today we celebrate the 30th birthday of the Rural Electrification Administration, an agency which has done more real good for the American farmer and rancher than practically any other agency I can think of. REA and the cooperatives to which it has loaned money have taken the farmer out of darkness and put him into the 20th century where he belongs with the rest of America.

REA grew out of the emergency relief programs of the thirties, through an Executive order of President Roosevelt, but it quickly proved to be something much bigger than any relief program could possibly be. Along with the truck and tractor and the all-weather rural roads, rural electrification created a revolution in agriculture—a revolution that has not stopped changing things yet. My good friend and colleague, the late Speaker Sam Rayburn, could see that, just as earlier he had seen the need for better rural roads, and in 1936 he drafted and introduced in the House the bill that became the Rural Electrification Act. With the passage of that act, the REA electric loan program was placed on a solid foundation and the electrification of the American countryside got underway.

I first came to Congress the following year, in January 1937, and I have been privileged in the years since to watch the growth and development of this great program. When it began, we used to hear a lot of talk about how the lines would fall down and how the Government's debt would never be repaid. We haven't heard warnings like that for a good many years now, because for a long time it has been clear to everybody that there is no better service than service over lines financed by REA and that there are no better credit risks than REA cooperatives.

It was the wonderful record of REA and its borrowers that prompted me, beginning in 1945, to introduce a perennial bill in this House to establish a rural telephone loan program, patterned in many respects after the successful REA electric loan program.

We held extensive hearings before my bill finally became law in 1949. I recall that witnesses pointed out that only about 38 percent of the farms in the United States had telephones back then, and that a great deal of this was of the obsolete magneto or common battery variety. One witness after another—solid, experienced representatives of the independent telephone industry among them—said that what was needed was a source of low-cost, long-term financing to permit the expensive changeover from the old magneto stystems to modern dial telephones.

The man who was REA Administrator at the time, former Secretary of Agriculture Claude R. Wickard, testified that in his opinion, farmers needed good telephone service even more than city people did.

He said:

> With the possible exception of electric power it is hard to conceive of anything that means more to the health, happiness, and economic well-being of farm people than good telephone service. In time of sickness, fire, or other emergencies, a farmer without a telephone is practically helpless.

The telephone amendment to the Rural Electrification Act of 1936 was signed into law by President Truman on October 28, 1949, and since then the REA and rural people have proved that they are just as good at getting telephones into the country as they are at providing electricity.

There is no question but that REA loans have greatly stimulated the improvement and extension of telephone service in rural areas. Instead of 38 percent, an estimated 79 percent of our Nation's farms now have telephone service, and about 90 percent of this service is automatic dial. One reason for this rapid improvement in service is that REA makes loans only for the most modern of service. Another reason is that when it passed the telephone amendment, the Congress directed that the program be conducted to "assure the availability of adequate telephone service to the widest practicable number of rural users of such service." This "area coverage" clause assures service for the rancher down at the end of the road as well as the one close to the central office.

As of January 1, 1965, REA had approved more than $1.1 billion in loans to 617 commercial telephone companies and 224 cooperatives in 46 States to finance telephone facilities to serve more than 2 million rural subscribers. These facilities include more than half a million miles of line.

Despite the magnitude of the tasks and the difficulties it presented to so many small co-ops and companies, REA telephone borrowers are making a good credit record. They have paid more than $165 million on their loans, including $80 million on principal as due, about $10 million paid ahead of schedule, and

$75 million in interest. As of the first of the year, only 3 of 841 borrowers were behind in their payments. There have been no foreclosures.

In my own State of Texas, the proportion of farms with telephones has gone up from about 24 percent in 1949 to 70 percent today. So far, 66 Texas borrowers have availed themselves of REA financing and already had placed in operation 407 new automatic dial exchanges to serve rural people. The loans provide service for an estimated 166,000 rural subscribers.

REA engineers and planners today are working hard on improving the quality of rural service—what they call "upgrading." As a result of buried telephone plant and other new developments, construction costs are coming down and service is getting better. When REA began making loans, the standard was for eight parties to the line. Today the REA standard is four parties to the line and the agency already made several loans for all single-party service in rural areas. All this is a far cry from 25 parties to the line that were commonplace on the old rural magneto line.

Today REA is continuing to work toward completion of its basic goal in the telephone program, which is to provide modern, adequate telephone service to all people in rural areas who want it. It also is committed, as it is committed in the electric program, to the objective of achieving this service for rural people under rates and conditions comparable to that available in towns and cities.

President Johnson has spoken eloquently on many occasions of his vision of a Great Society, including both rural and urban Americans. I am sure that he envisions as a part of that society an electric distribution network and a modern system of telecommunications that will stretch into every corner of this land.

I commend REA and its present Administrator, Norman M. Clapp, of Wisconsin, and the Secretary of Agriculture, Orville L. Freeman, for the businesslike way in which they are going about fulfilling these important objectives and I hope that they will continue to add to their accomplishments.

THE JOHNSON PLAN FOR SOUTHEAST ASIA—A MAJOR PSYCHOLOGICAL WEAPON

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FASCELL. Mr. Speaker, in his famous speech at the Johns Hopkins University on April 7, President Johnson appealed to the people of North Vietnam to renounce the endless course of battle as a means to the attainment of better life, and to associate themselves instead with other countries of southeast Asia in a peaceful and greatly expanded cooperative effort for development.

In a gesture indicative of his wise and generous understanding of the dire economic needs of that area, President Johnson pledged to ask the Congress to join in a billion-dollar American investment in this effort as soon as it is underway.

This was a humane and statesmanlike proposal. It provided the people of North and South Vietnam, and of the other countries of that area, with an alternative to war and a solid hope of achieving, through peaceful cooperative effort, the betterment of the human condition in southeast Asia.

Will the Johnson plan succeed in attaining its objective? We earnestly hope so. Before it can reach its goal, however, this plan must be made known to, and understood by, the people of southeast Asia.

The other day I read an interesting commentary by Mr. Henry Mayers, president of the Cold War Council, which relates to this very subject. Mr. Mayers drew a parallel between the Marshall plan and the Johnson plan, and tried to point out how the success of the former should be a guide to the implementation of the latter. The Marshall plan, in Mr. Mayers' view, succeeded in large part because the United States had the foresight and took the effort to sell it to the people of Europe, thereby winning their cooperation and active participation.

Mr. Mayers believes that a similar job of salesmanship must be performed if the Johnson plan for peace in southeast Asia is to bear fruit. And it seems to me that his argument has much to commend itself.

In our report No. 2 on ideological operations in foreign policy, issued last year, the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs stressed that, in this day and age, the success of our foreign policy undertaking, depends in large part on our ability to make our objectives known to foreign audiences, to influence the attitudes of such audiences, and to motivate them to action.

We have pointed out that without proper support on the informational and psychological level, economic and military operations in the field of foreign policy run the risk of meeting with failure.

Again, in our Report No. 3 on the oversea programs of private, nonprofit American organizations, released just last week, the subcommittee has pointed out that much of the success of the private American effort abroad can be traced to the ideological image of the organizations carrying it out. In this case, in order to be effective, many of those private organizations must project and maintain a nonpolitical image.

Because of its relevance to one of the most crucial issues of our day, I wish to insert in the Record the pertinent part of Mr. Lee Merriman's "Editor's Diary" column which appeared in the April 21 issue of the Pasadena Independent-Star-News. The column follows:

U.S. Billion Dollar Aid Offer to Southeast Asia Can Fail for Lack of Adequate Propaganda

Old friend, Henry Mayers, father of the cold war council, is a world traveler, his interest and avocation being checking in foreign countries the effectiveness of American efforts at psychological warfare.

He sees a direct parallel between the North Vietnam reaction to the President's billion dollar Asian economic relief proposals and the Soviet reaction to the Marshall plan when first enunciated by the general back in 1947.

"Originally," he recalled, "the Marshall plan included an offer of aid to the U.S.S.R. and its satellites. Czechoslovakia rushed to accept, but Moscow forbade all of its captive nations from participating.

"The attitude of the Hanoi regime today is identical," he continued. "The explanation for this goes deeper than what Vietcong may still hope can be its military victory. From the Communist standpoint it is inconceivable that North Vietnam could join forces with the United States in implementing a project whose sole purpose is to create a vast area of non-Communist prosperity."

Here Henry fell back on his parallel, comparing this problem with that of the Marshall plan's early years. Communists at first were highly successful in misrepresenting it, dubbing it an American exploitation—a U.S. takeover of Europe.

U.S. information operations in Europe were totally inadequate to overcome this. The situation grew worse until Pasadena's Paul G. Hoffman became Marshall plan administrator. He recognized quickly that his first job in Europe was selling.

A salesman himself, by ingenuity he created an organization capable of getting the show on the road in the average European's mind.

"The southeast Asian situation may be different in many respects," Henry said, thoughtfully, "but Communist efforts to discredit the Johnson plan will be repeated.

"Red propaganda could prove a greater hindrance to U.S. objectives there in 1965 than it was in Europe in 1947.

"Today's U.S. Information Agency is now far more experienced, but it is still handicapped by American underrating of the part propaganda can play in either hot or cold war."

This Johnson plan he rates as an astute piece of American statesmanship, welcome cold war initiative. He thinks its objectives will be adequately communicated to South Vietnam farmers, thereby making an immediate contribution to the political war effort against the Vietcong.

But if the President's offer can also be registered in the minds of the North Vietnam masses, it may prove a major psychological weapon. If it can also be sold by competent, adequately financed propaganda directed to the masses of Burma, Thailand, Laos, and Cambodia, the Johnson plan may live up to its sponsor's objectives.

CAB FINDINGS SUPPORT CHARGES OF FAA IRRESPONSIBILITY

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, radar air traffic control facilities were not designed to give FAA employees ringside seats to passively observe near-misses and midair collisions. Yet, apparently the Federal Aviation Agency under Najeeb Halaby condones and encourages this amazing and shocking practice. This is the full and unmistakable import of the revelations made at the CAB hearings into the Eastern Air Lines crash of February 8 being conducted in New York City this week of a recent exchange of letters between the CAB and the FAA, and of a recent CAB report of another near-miss incident.

It will be recalled that on March 15 I took the floor of the House to discuss the crash of February 8 and to sharply criticize the role of the FAA Administrator in the events leading up to and following the tragedy in which 84 persons were killed. During that speech, as well as on previous occasions, I charged that the FAA Administrator, Najeeb Halaby, was running a sloppy and mismanaged program of air traffic safety. I further charged that the FAA Administrator had invaded the jurisdiction of the CAB, which is authorized under law to investigate all air crashes, and that it was attempting to cast a smokescreen over its own responsibilities for bringing about the near-miss involved in the February 8 crash. I stated in my March 15 speech:

> There is some likelihood that the two planes had a near miss, that to avoid a collision the Eastern banked sharply away from the Pan American, and that somehow the Eastern could not emerge from the turn and it crashed into the sea.

This likelihood was supported by the statements of the pilots of the Pan American airliner who saw the Eastern dive into the sea and from the evidence that the two planes were headed toward each other in the dead of night at approximately the same altitudes at the time of the crash.

But, Halaby zooming onto the scene, the FAA quickly denied any possibility of a near-miss, insisted that the planes were vertically separated by at least 1,000 feet—the minimum legal separation—and horizontally separated by 3 miles. Halaby then increased the vertical separation to 1,700 feet. Testimony received by the CAB this week flatly contradicts these self-serving statements by the FAA. This testimony revealed the following facts:

First. The Eastern and the Pan American came within 200 to 500 feet of each other. One of the Pan American pilots testified that the Eastern "seemed to be diving down straight at us."

Second. An FAA controller saw the radar images of the two planes merge on his screen.

Third. A detailed examination of the wreckage revealed no preimpact failure of the aircraft structure, engines, or systems.

Thus in the testimony received so far the FAA statements that the planes were vertically separated by from 1,000 to 1,700 feet has been shown to be without foundation. In fact, the planes were within 200 to 500 feet, according to the eyewitness testimony of two pilots trained to observe such things. Similarly, the FAA statements that the planes were horizontally separated by 3 miles has been shown to be utterly untrue. One plane not only flew directly over the other, but an FAA controller has admitted that he saw the two merge on his radar screen. When planes merge on a radar screen there can be no appreciable horizontal separation.

Most of these facts were apparent from the initial statements and releases of information made during the first week following the February 8 crash. It is understandable, therefore, that the CAB, which is authorized by statute to investigate aviation accidents to determine the facts and the probable causes, would be concerned. The CAB is also authorized by statute to make recommendations to the FAA for the purpose of preventing accidents. On March 30, 1965, the CAB made its first recommendation to the FAA as a result of the February 8 crash. In a letter to the FAA the CAB's Bureau of Safety recommended that the terminal area traffic control procedures be changed so that two aircraft may not be convergent, or nearly identical tracks, when they are climbing or descending toward each other. The letter from the CAB states in part:

> We are concerned with radar air traffic control procedures used by controller personnel that we believe to be inconsistent with safe operating procedures. We refer specifically to the procedure in which two aircraft are placed on convergent courses or near identical tracks at a time when they are climbing and/or descending toward each other in the terminal area.

The reason for this concern on the part of the CAB is that when two planes are climbing or descending, or where one is climbing and the other is descending, toward each other it is difficult for the pilots to judge whether any vertical separation exists, even when they observe the other aircraft and are advised of the relative altitudes. This is particularly true at night and near terminal areas. And these are precisely the circumstances surrounding the February 8 tragedy. The CAB in its letter goes on to state that in response to this situation, when the pilot of a plane traveling toward another plane cannot tell whether there is any vertical separation between the two, there may be an avoidance maneuver to escape a collision that only appears imminent. This, says the CAB, could result in a greater possibility of collision.

The CAB then sets out two specific recommendations in its message to the FAA:

> (a) When radar services are provided to known IFR departing and arriving traffic in terminal areas, divergent track separation be provided; and
>
> (b) That climb or descent headings shall not be assigned which would result in track divergence between inbound and outbound aircraft on the order of less than 30°.

In other words, the CAB definitely believes that two planes, inbound and outbound from an airport, should not be placed on courses which will cause one to fly over the other unless there is at least a 30° divergence. In view of the February 8 crash, when one airliner did fly directly over the other and in which a near-miss did play some part, such a safety requirement seems to me to be entirely reasonable.

In this light, the response of the FAA to the CAB's recommendations is enlightening. The FAA in its reply dated April 14, 1965, summarily dismissed the recommendation of the CAB. Cocksure and arrogant as ever, the FAA under the leadership of Najeeb Halaby, replied in its letter:

> We firmly believe that our current procedures are adequate and consistent with safe operating procedures. Since we can see no justification for any change, we propose to take no further action on your recommendation at this time.

This, in my judgment, is an intolerable situation. The CAB is attempting to diligently perform its statutory duty to investigate air collisions and make such recommendations to the Administrator of the FAA as will tend to prevent similar accidents in the future. The overall objective of the law in this respect is, of course, to improve aviation safety. But Halaby is frustrating and opposing the CAB and defeating the goal of aviation safety by the rigid and inflexible position he has taken.

As if the evidence that demonstrates the incorrectness of Halaby's position is not weighty enough, over the weekend still another instance of a near-miss brought about by FAA procedures has come to light. The CAB issued a report on Saturday, May 8, blaming the FAA for putting two planes on a collision course over Springfield, Va., last September. According to the CAB report, an FAA control center was directing the planes in cloudy weather, but it failed to provide adequate separation between the planes and failed to warn either plane of the other's presence. One of the planes was a United Air Lines Viscount with 42 persons aboard. It was descending for a landing at National Airport when the incident occurred. Had the alert pilot of the Viscount not seen the other plane and suddenly pulled his plane up, the two planes would have collided in a matter of seconds. As a result of this evasive maneuver the lives of everyone aboard the planes were saved, although two stewardesses were injured.

Mr. Speaker, when I stated on March 15 that there was a near-miss involved in the February 8 crash of the Eastern airliner near New York, and that the FAA Administrator had some responsibility for it and that the FAA Administrator has been responsible for many near-misses in the past, I was met with a good deal of criticism. I was told that such a charge could not be true. But the charges I made on March 15 were true in every detail. In fact, if anything, I understated the case. For I would not have believed that even Najeeb Halaby would be so stubborn and unwilling to admit a mistake that when requested by the CAB to change an air traffic procedure for the sake of greater safety and the prevention of air collisions, he would summarily refuse. I would not have believed that rather than comply with a CAB request for greater air safety he would stick to his old outdated traffic procedures. I would not have believed that any person would be so callous and indifferent to the welfare of the general public that rather than admit a mistake the FAA Administrator would cause his agency to retain an obsolete and outmoded air traffic procedure which could have well caused the deaths of 84 persons.

Still, I have been criticizing the FAA and Najeeb Halaby for 3 years because the ineptness of his administration and the dangers to the flying public have been obvious to me. I have seen the rigidity and the indifference of the FAA operate in my own district where Halaby has ordered the abandonment of a new FAA Air Traffic Control Center. The unreasonableness of Halaby now threatens the safety of my constituents and all persons who fly in the San Antonio area. For if the San Antonio center is in fact abandoned and closed, I could not assure the public that the excellent air safety record of this area would continue. If this center is in fact closed I could not assure the public that the excellent air safety record of this area would continue. If this center is in fact closed down, I will pray to God that I am wrong.

But I do not want to be proved right by the twisted, smoking metal and the charred, indistinguishable bodies of an aircraft collision. For this reason, I am asking the new Administrator of the FAA to completely reexamine the decision to close the San Antonio center. I am confident that when the facts are scrutinized Halaby will be proved wrong again.

It is true that Halaby has been replaced as FAA Administrator. Now we have to get rid of Halabyism as well.

With unanimous consent, I am inserting in the Record four stories from the New York Times reporting the CAB hearings into the February 8 crash, dated May 5, May 6, May 7, and May 8, written by Edward Hudson; copies of the letter from the CAB to the FAA dated March 30, and the FAA reply dated April 14; a story from Aviation Daily commenting on the two letters dated May 6; and a story from the Sunday Star reporting the CAB report on the near-collision over Springfield, Va., dated May 9:

[From the New York Times, May 5, 1965]

Pilot Cites Dive by Doomed Plane—Pan Am Captain Testifies on Crash That Killed 84

(By Edward Hudson)

An Eastern Air Lines DC–7B that crashed off Jones Beach on February 8, killing all 84 aboard, came within 200 to 500 feet of a Pan American jetliner and "seemed to be diving down straight at us," the pilot of the Pan American plane testified yesterday.

The pilot, Capt. Robert A. Marshall, of Miami, was one of six witnesses who testified on the opening day of hearings by the Civil Aeronautics Board on the cause of the tragedy. The hearings, which are scheduled to last through Friday, are being held in the building of the United States Mission to the United Nations, at 799 United Nations Plaza.

The Eastern plane plunged into the Atlantic Ocean 6.7 miles south-southeast of Jones Inlet at 6:27 p.m., 7 minutes after takeoff from Kennedy International Airport. The plane was en route from Boston to Atlanta. Its next stop was to have been Richmond, Va.

Taped radio conversations released shortly after the accident had indicated a near-miss. While one Pan American pilot reported that "we had a close miss here," a second stated: "He was well over the top of us. And it looked as though he went into an absolute vertical turn and kept rolling."

EVASIVE MANEUVER SHOWN

The idea that a close call had indeed been experienced by the two planes was given further weight at yesterday's hearing by Captain Marshall's description of the encounter, and by evidence of an evasive maneuver shown by the Pan American jet's flight recorder.

Furthermore, a CAB statement introduced in evidence reported that an unidentified air traffic controller who had been guiding the Pan American jet at one point saw the radar images of the two planes merge on his screen.

The merging of two targets is by itself not necessarily an indication that a collision is imminent since planes can be at different altitudes. However, the controller's report did conflict with Federal Aviation Agency reports just after the crash that its controllers had not seen the planes closer than 3 miles.

The vital question that remained unanswered yesterday was this: If the Eastern plane did descend toward the Pan American jet, what caused it to do so rather than continue its climb on its outbound journey?

At the time the Pan American jet was inbound toward Kennedy Airport and descending. It was night and though both planes were guided by radar controllers on the ground, each had been told of the other's presence and had acknowledged seeing each other.

The CAB's investigator-in-charge, William L. Lamb, testified that a detailed examination of the wreckage, of which 62 percent was recovered by divers, revealed no preimpact failure of the aircraft structure, engines or systems. Medical histories of the Eastern crew showed all had been in good health at their last examinations.

'DISORIENTATION' A POSSIBILITY

Experts raised the possibility that the Eastern pilot, Capt. Frederick R. Carson, had become disoriented, had mistakenly believed that the Pan American jet was at his altitude and had dived to avoid the jet. One pilot testified there was no horizon visible that night.

The Civil Aeronautics Board announced it would conduct a study of such "spatial disorientation." The results will be entered into the record at a later date.

It was also disclosed that the Board had expressed concern about the Federal Aviation Agencys radar air-traffic-control procedures, in a letter dated March 30. The letter was not made public.

The hearing here will resume at 9:30 a.m. today. G. Joseph Minetti, of the CAB, is presiding.

[From the New York Times, May 6, 1965]

Crash Spurs a Bid for New Air Rule—CAB Would End Vertical Passing in Airport Areas

(By Edward Hudson)

A change of air traffic rules, apparently prompted by the crash of an Eastern Air Lines DC–7B off Jones Beach last February 8, has been recommended by the Civil Aeronautics Board to the Federal Aviation Agency.

But the FAA, which operates the air traffic system, has refused to make the change and has told the CAB which is investigating the crash that current procedures are adequate and consistent with safe operating practices.

The CAB, in a letter to the FAA dated last March 30, recommended that the FAA abandon a procedure that allows an outbound plane in an airport area to climb over the path of a descending inbound plane.

This corresponds roughly to the traffic pattern in the Eastern accident. The Eastern propeller plane, outbound from Kennedy International Airport, was steered by FAA radar controllers from an easterly to a southerly heading—in the general direction of a descending inbound Pan American jet.

The letter, from B. R. Allen, director of the CAB Bureau of Safety, to Clifford P. Burton, acting director of the FAA's Air Traffic Service, was made public by the CAB during the second day of hearings by that agency into the cause of the Eastern crash. An FAA lawyer had referred to the letter on the first day of the hearing and reporters had asked for copies.

The Eastern plane, bound for Richmond, Va., plunged into the Atlantic Ocean 7½ miles south of Jones Inlet, killing all 84 occupants aboard. A minute or so before the crash, according to the Pan American crew, the Eastern craft crossed the jet's path in a near-vertical right bank, coming so close that it caused the two jet pilots to fear a collision.

The jet pilots both said they saw a "rapid deterioration" of the Eastern craft's altitude seconds before the reported near miss. No evidence has been introduced yet in the hearings to explain why the Eastern plane fell.

However, pilot representatives have questioned whether the Eastern crew, seeing the lights of the Pan American jet at twilight, were deceived into thinking the jet was at their altitude and reacted by diving.

A Braniff pilot testified Tuesday that a right turn under such circumstances would make another craft off to the right appear to be above him rather than below.

This still would not explain how the Eastern craft wound up in the ocean. One participant in the hearing speculated privately that the Eastern craft, already banked on one wing, might have been caught in the turbulence of the jet's wake and thrown out of control, from which it could not recover in 3,000 feet.

The CAB had announced at the hearing's start that it would study sensory illusions by pilots at night.

In its letter the agency said that pilots often found it difficult to judge vertical separation when they were on opposing courses—with one plane descending and the other climbing—particularly in an airport area at night.

"The response to this situation," it said, "may be an avoidance maneuver to escape a collision that only appears imminent, although altitude separation exists."

The CAB closely questioned FAA witnesses yesterday on whether proper and sufficient guidance had been given the two planes.

The letter, from B. R. Allen, Director of the CAB Bureau of Safety, to Clifford P. Burton, Acting Director of the FAA's Air Traffic Service, was made public by the CAB during the second day of hearings by that agency into the cause of the Eastern crash. An FAA lawyer had referred to the letter on the first day of the hearing and reporters had asked for copies.

[From the New York Times, May 7, 1965]

Two Differ on Path of DC–7 in Crash—Traffic Testimony Follows Pilot Report of Near-Miss

(By Edward Hudson)

Two air traffic controllers who were on duty when an Eastern Air Lines DC–7B crashed last February 8 off Jones Beach made conflicting statements yesterday on the relative flight paths of the Eastern plane and a Pan American jet just before the crash.

The pilot of the Pan American jet has told of a close miss with the Eastern craft a minute or so before the DC–7B plunged into the Atlantic Ocean, killing all 84 occupants on board. He said the DC–7B went by in a near vertical right bank, only 200 to 500 feet away.

The discrepancy in controller statements bears on the question of whether adequate separation was being provided for the planes by Federal Aviation Agency traffic controllers. The rules require 1,000 feet vertical separation or 3 miles horizontal.

While one radar controller said he had guided the Eastern craft to pass to the east of the Pan Am jet, a second radar controller said he saw the Eastern craft to the west of the jet. It had previously been brought out that the second controller had seen the radar targets of the two craft touch.

THIRD DAY OF INQUIRY

The conflicting versions emerged on the third day of a Civil Aeronautics Board inquiry into the disaster.

Statements by several other controllers during the hearings coincided with that of the first controller, Peter Angelone, who was guiding Eastern on its outbound journey from Kennedy International Airport.

The conflicting observation by the second controller, John D. Zagami, supported a contention by the pilot and copilot of the inbound Pan American jet that the Eastern plane was to the west of the jet as it came toward it after turning.

Mr. Zagami was to have been the next controller in line to take control of Eastern. However, the Eastern crew made no radio contact with Mr. Zagami. The plane plunged into the ocean less than 2 minutes after the crew had signed off its radio conversation with the first controller.

Mr. Angelone said he had guided the Eastern airliner into a turn from east to south after it had crossed the "bow" of the Pan Am jet, which was northwestward to Kennedy. He said he could not recall seeing the Eastern plane complete the turn, but he last remembered it 4 miles east of the jet.

[From the New York Times, May 8, 1965]

PERIL IN JET WAKE NOTED AT INQUIRY—EAL INSTRUCTOR PILOT GIVES VIEW AT CRASH HEARING

(By Edward Hudson)

An instructor pilot of Eastern Air Lines testified yesterday that there was "a good possibility" he could lose control of a plane if he were to fly through the turbulent wake of a jet while in an extreme bank.

The testimony by Robert S. Kraskey, Eastern's manager of flying, came on the fourth and final day of hearings into the crash last February 8 of an Eastern DC–7B propeller craft off Jones Beach. All 86 aboard died.

A minute or so before the crash the DC–7B apparently had a close miss with a Pan American jet on a nearly opposite course. The jet's two pilots have stated that they took evasive action to avoid the DC–7B as it passed 200 to 500 feet overhead in a vertical bank, slightly nose down.

Both jet pilots said they had feared the DC–7B would strike their craft. They said the Eastern plane had appeared to lose altitude just before the encounter.

NEAR MISS EMPHASIZED

As the Civil Aeronautics Board hearings ended, it became apparent that the investigating agency's primary interest had been the reported near miss and why it occurred. The questioning of 2 dozen witnesses delved almost exclusively in this area.

At the hearing's outset, G. Joseph Minetti, a CAB member, appeared to rule out mechanical trouble. He said recovered DC–7B wreckage had shown no preimpact failure of structures, engines, or systems of the plane.

At the time of the alleged near miss, it was dark, the weather was relatively clear and Eastern had just returned right from an easterly to a southerly heading. Pan Am had been flying north northwest. Both planes had been guided by radar controllers and had acknowledged seeing each other.

Eastern was outbound from Kennedy International Airport and Pan Am was inbound.

One of the major mysteries is how the two planes could come so close in altitude. Eastern's last altitude report, just before its last turn, was that it was "out of 3,700" feet in its climb. Members of the Pan Am crew indicated that the midair encounter took place at 3,000 feet, and the jet's flight recorder indicated sharp maneuvers at this level.

THEORY OF ILLUSION

Did the Eastern pilots have an optical illusion that Pan Am's lights were at or above them and dive instead of continuing a climb? A major study of such illusions has been begun by the CAB, it was announced at the hearing.

Another question is: Why was there not horizontal separation? A radar controller who guided Eastern said he had seen Eastern go safety across Pan Am's bow and turn right, winding up 4 miles east of the jet and, at his last glance, moving away from the latter craft.

A second radar controller has testified, however, that he saw Eastern's and Pan Am's radar targets meet on his scope, with Eastern slightly to the west of Pan Am.

The Pan Am pilot, Capt. Robert A. Marshall, was questioned closely as to whether he had delayed for 55 seconds a 20° turn to the left given by a controller less than a minute before the apparent close miss. Captain Marshall never admitted a delay but said any maneuver he had flown was to separate the two planes more.

FEDERAL AVIATION AGENCY,
Washington, D.C., April 14, 1965.

Mr. B. R. ALLEN,
Director, Bureau of Safety,
Civil Aeronautics Board,
Washington. D.C.

DEAR MR. ALLEN: This is in reply to your letter dated March 30, 1965, regarding radar air traffic control procedures.

We do not concur in the recommendations contained in your letter. After thoroughly reviewing your comments we do not agree that the proposal would not derogate air traffic control efficiency. On the contrary, it would have an adverse impact on our overall method of providing radar air traffic control services, as well as significantly reducing the capacity of the system.

We firmly believe that our current procedures are adequate and consistent with safe operating practices. Since we can see no justification for any change, we propose to take no further action on your recommendation at this time.

Sincerely yours,
CLIFFORD P. BURTON,
Acting Director, Air Traffic Service.

MARCH 30,1965.

Mr. CLIFFORD P. BURTON,
Acting Director, Air Traffic Service, Federal Aviation Agency, Washington, D.C.

DEAR MR. BURTON: Relative to your telephone conversation with the Chief of our Operations Division, Mr. Joseph C. Zacko, on March 29, 1965, we would like to elaborate further on the subject of radar air traffic control procedures. We are concerned with radar air traffic control procedures used by controller personnel that we believe to be inconsistent with safe operating practices. We refer specifically to the procedure in which two aircraft are placed on convergent courses or near identical tracks at a time when they are climbing and/or descending toward each other in the terminal area. In a situation in which one aircraft is in climb attitude and the other in descent attitude, it is often difficult for pilots to judge whether vertical separation does or does not exist, even though they observe the other aircraft and are advised by ATC of the relative altitudes. This problem is particularly acute in the terminal area during nighttime operations, and is compounded when either or both aircraft turn on the landing lights for identification purposes.

The response to this situation may be an avoidance maneuver to escape a collision that only appears imminent, although altitude separation exists. This could result in a greater possibility of collision. In addition, the practice of placing two aircraft moving in a vertical plane on the same, or nearly the same, track in opposing directions, under visual flight conditions, sets up the possibility of loss of control of personal injury if for any reason one of the aircraft executes an unexpected maneuver for apparent collision avoidance.

It is the Board's belief that these potentially hazardous situations can be eliminated with little or no derogation of air traffic control efficiency, since the altitude levels of known IFR traffic in terminal areas are not extensive and the control of both the outbound and inbound traffic is vested in the same control facility. Exchange of information and coordination between the departure controller and the arrival controller, therefore, should not be difficult or burdensome.

Accordingly, the Board recommends that (a) when radar services are provided to known IFR departing and arriving traffic in terminal areas, divergent track separation be provided, and (b) that climb or descent headings shall not be assigned which would result in track divergence between inbound and outbound aircraft on the order of less than 30°.

Sincerely yours,
MARION F. ROSCOE
(For B. R. Allen,
Director, Bureau of Safety).

[From Aviation Daily, May 6, 1965]

ATC PROCEDURE MAY HAVE LED TO FATAL EAL CRASH, CAB IMPLIES

FAA's air traffic control procedures may have set up an apparent-collision situation which led to the crash of an airliner in New York in February, a letter from CAB to FAA implies.

The March 30 letter from CAB's Bureau of Safety, made public yesterday, recommended that FAA change the terminal area traffic control procedure in which two aircraft are placed on convergent courses, or near-identical tracks, when they are climbing and/or descending toward each other. The recommendation, rejected by FAA, grew out of CAB's investigation of the February 8 crash of an Eastern Air Lines DC–7B which killed all 84 persons aboard.

When one plane is climbing and the other descending, CAB said in the letter, "It is often difficult for pilots to judge whether vertical separation does or does not exist even though they observe other aircraft and are advised by air traffic control of relative altitudes * * *. The response to this situation may be an avoidance maneuver to escape a collision that only appears imminent * * *. This could result in a greater possibility of collision. In addition, the practice * * * sets up the possibility of loss of control if * * * one of the aircraft executes an unexpected maneuver for apparent collision avoidance."

The letter, and FAA's reply dismissing the suggestion, were made public yesterday at CAB hearings in New York.

Testimony at the hearing has reinforced reports immediately after the accident that the Eastern pilot pulled up sharply to avoid a nearby jet, then lost control of his aircraft.

CAB's letter, signed by Marion F. Roscoe, Deputy Director of the Board's Bureau of Safety, and addressed to Clifford P. Burton, acting director of FAA's Air Traffic Service, said "It is the Board's belief that these potentially hazardous situations can be eliminated with little or no derogation of air traffic control efficiency."

The Board recommended specifically that "when radar services are provided to known IFR departing and arriving traffic in terminal areas, divergent track separation be provided and climb or descent headings not be assigned which would result in track divergence between inbound and outbound aircraft on the order of less than 30 degrees."

"We do not agree that the proposal would not derogate air traffic control efficiency," Burton said in an April 14 reply. "It would have an adverse impact on our overall method of providing radar ATC services, as well as significantly reducing the capacity of the system. We firmly believe that our current procedures are adequate and consistent with safe operating practices. Since we can see no justification for any change, we propose to take no further action on your recommendation at this time."

[From the Washington (D.C.) Star, May 9, 1965]

NEAR-MISS BY TWO PLANES BLAMED ON CONTROL UNIT

The Civil Aeronautics Board yesterday blamed the Federal Aviation Agency's control center here for putting two planes, one with two persons aboard, on a collision course over Springfield, Va., last September.

The CAB said the control center was directing both planes in cloudy weather.

The center, CAB said, not only failed to provide adequate separation between planes but also failed to warn either plane of the other's presence.

George L. Donnahoo, of 724 Pinehurst Avenue, Fairfax, Va., was the pilot of the larger plane, a United Air Lines Viscount descending for landing at National Airport with 42 aboard.

TWO STEWARDESSES HURT

Seeing a light military plane ahead, he suddenly pulled the Viscount up, causing serious injury to two stewardesses.

The CAB said calculations indicate the two planes were closing at about 385 miles per hour and would have hit within a minute, the Associated Press reported.

The other plane—whose identity remained a mystery in the initial reports of the near miss—was listed in the CAB report as an Air Force light twin engine plane flying from Andrews Air Force Base to Dulles International Airport at 3,000 feet.

NO INDICATION ON RADAR

The CAB said the FAA center failed to warn the planes because the center's radar did not show the danger. Present systems do not indicate the altitudes of planes directly to the control center.

A United Air Lines spokesman said the stewardesses injured were Valerie Whittington, who lived in the Washington area, and now is married and Carla Burns, of Pittsburgh. Miss Whittington's back was injured. Miss Burns is working as a United stewardess again.

"LET KING GO TOO FAR," JOHNSON TELLS SENATORS

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, there have been few occasions on which the President and I have agreed on the subject of the behavior of Martin Luther King, but when he recently commented that he had let him go too far, he struck a responsive chord with me. I would hope that this statement, recorded in the New Orleans Times-Picayune of April 19, 1965, means that the administration plans to take back some of the free rein it has allowed King to have in the past. If so, it is a long overdue and a welcome move.

With unanimous consent, I would like to insert the story telling of the President's change of heart:

"LET KING GO TOO FAR," JOHNSON TELLS SENATORS

(By Sarah McClendon)

WASHINGTON.—President Lyndon B. Johnson, in talking with Senators at the White House a few days ago (April 13), said "I let Martin Luther King go too far."

The remark, made in the presence of some southern Senators, astounded them.

Some in the audience said they did not hear it. Others well noted it.

At the time, the President was reportedly talking about entirely different matters.

The almost aside remark came as he was discussing Vietnam, telling how he did not like to be pressured, and would not submit to it.

"FOREIGN AID HELPS PEOPLE—NOT GOVERNMENTS"

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, judging by the tenor of the letters which I continue to receive, in the face of overwhelming evidence to the contrary, there are still those who apparently think that foreign aid means sending bales of money to foreign governments.

Nothing could be further from the truth.

In the first place, we do not send money in today's foreign aid program. We send American-made goods and services—goods and services which the developing countries need to get on their own feet—things like DDT for malaria control, farm equipment, generators for electric power, bulldozers for roadbuilding, schoolteachers, technicians, and agriculture experts.

In the second place, our foreign aid program is not basically designed to help other governments. It is designed to help other people.

When we talk about aid, we are not talking about dollars or foreign governments.

We are talking about ways to help the people of other lands learn better ways of building things, better ways of growing things, better ways of educating their children, better ways of improving public health, better ways of public administration—and in general, better ways of living.

Foreign aid deals with people, down-to-earth problems, and practical solutions.

AID technicians all over the world are sharing American know-how with the people of the developing countries:

Like Charlie "Chicken" Davis who helped the people of Nigeria learn better ways of producing chickens and eggs, bringing about a major advance in the country's economy.

Like Nasser Lateef who worked with the people of Tunisia to develop improved methods of horticulture which have revolutionized the tomato paste industry of that country.

Like Edgar "Pop" Buell who has helped the people of Laos learn better methods of raising crops, building schools, and irrigating their farms.

Like Paul Zehngraff whose work with the people of West Pakistan in planting trees, rather than crops, on the skimpy mountainsides resulted in a thriving timber industry.

Like Paul Foster, an AID housing planner in Peru, whose work with the people in that country to establish savings and loan institutions have enabled thousands of workers to own their own homes.

Like Earl Brockman whose work with the people of Vietnam has resulted in putting some 35,000 families in the pig-raising business.

And like another AID technician whose work with the people of Korea resulted in efficient, economical rat control methods which saved thousands of tons of grain for Korean farmers.

These are just a few of the unsung heroes of our foreign aid program—American technicians who are working daily side by side with the people of the recipient countries to improve their methods of doing things, to help them meet their own needs in better ways. Technical assistance is AID's primary instrument for the development of human resources and skills.

There are other examples of how foreign aid meets the needs of people.

In Latin America, surplus agricultural commodities from the United States are being used to feed some 10 million schoolchildren through the Operation Ninos program of the Alliance for Progress.

The number of children and adults learning to read and write and acquiring skills through AID assistance runs into the millions.

Foreign aid is also helping to eradicate malaria, measles, and other diseases throughout Asia, Africa, and Latin America.

Mr. Speaker, as a direct result of our people-to-people foreign aid program, in the last 3 years alone, we have erected 280,000 hospitals and health centers, built or improved 120,000 miles of roads, and established 110,000 wells and water systems.

This is truly aid to people in the fulfillment of their hopes and dreams for a better world. And, it is a wise investment in our own security. Our foreign aid program offers irrefutable argument that the United States is interested in the welfare of people who need assistance.

ADDRESS OF THE HONORABLE JAMES KEE, OF WEST VIRGINIA, AT 41ST ANNUAL MOTHER'S DAY SERVICES AT ARLINGTON NATIONAL CEMETERY

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. STAGGERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. STAGGERS. Mr. Speaker, last Sunday, May 9, the American War Mothers held their 41st annual Mother's Day services at Arlington National Cemetery. The program, as usual, was inspiring, and brought back vividly to mind the sacrifices made in the best traditions of patriotism during all our history, and particularly in the current century. The mothers in attendence at Arlington last Sunday represent the strongest force looking toward the establishment of a perpetual peace that will make further sacrifices unnecessary.

The program was participated in by various agencies of the National Government. The principal address of the day was delivered by the Honorable JAMES KEE, Representative from the Fifth Congressional District of West Virginia. Our friend and colleague is the third member of a distinguished family to be chosen to represent the citizens of West Virginia in the Halls of Congress, and his address on Sunday shows why he is so popular among those who know him. It was eloquent and at the same time forceful, and was received with evident appreciation and enjoyment by his audience. I believe the Members of the House would find it more than usually impressive, and I therefore insert it in the RECORD at this point:

Address of the Honorable James Kee, of West Virginia, on the 41st Annual Mother's Day Services on May 9 at Arlington National Cemetery, Conducted by the American War Mothers

Madam Chairman, General Johnson, members of other national patriotic organizations, especially the national guard of honor of the American Legion and the national honor guard of the Veterans of Foreign Wars, and most important, members of the American War Mothers, and distinguished guests all, it is a privilege to have this opportunity to substitute for the honorable HARLEY O. STAGGERS, the distinguished dean of our West Virginia congressional delegation, and it is an honor to join with you on this 41st annual Mother's Day ceremony.

Of the 339 organizations chartered by a special act of Congress, including the first charter issued in the year 1791, I know of none which has so completely justified this confidence as has the American War Mothers.

It is appropriate that we recognize those mothers—mothers of men and women who have served and are serving in our Armed Forces.

Especially should we remember those wonderful mothers who founded the American War Mothers on September 29, 1917.

We should also remember Mr. Frank Herren, affectionately known as "the father of Mother's Day," who arranged for your first observance of Mother's Day here at Arlington National Cemetery in 1924, as a tribute to beloved children whose lives had been lost in the service of their country.

We should, again, thank those whose unselfish efforts resulted in obtaining your congressional charter on February 24, 1925.

It is entirely fitting and proper that we assemble here on these hallowed grounds, the final resting place of our servicemen and our servicewomen, who have now gone to their eternal reward—those who gave their lives in service in order that America can continue to move forward for the benefit of the generations yet to come.

Because of their supreme sacrifice, Madam Chairman, we are all here today to pay respectful tribute to your 20,000 mothers, including the 1,874 Gold Star Mothers who are members of your organization.

As we look back through the pages of our own history, we find as of October 7, 1964, a total of 31,453,000 participants in all of our nine wars, with 972,000 deaths in service.

Today we have 45,000 military personnel on duty in South Vietnam with 360 known fatalities from hostile forces.

In the Dominican Republic we have 20,000 military personnel on duty with 12 known fatalities.

Within the past half-century, the United States has found it necessary to become an active participant in the two greatest wars in the history of the human race—the First World War and the Second World War.

When the guns had ceased sounding in World War II, the civilized nations of the earth joined together in forming the United Nations in the hope that after centuries of bloodshed, mankind could find a substitute for armed conflict in the settlement of disputes between nations. Yet, less than 5 years after this pact was signed, the United States found itself engaged in a bitter war against Communist aggression in far-off Korea—a conflict brought on because the Communist nations cynically violated their pledge in the United Nations to respect the rights of other countries.

And now again, as these ceremonies are being held, American lives and American dollars are helping a friendly nation to fight off another vicious Communist aggression in the far Pacific—this time in Vietnam.

Thus the record shows four wars in less than half a century. What common thread runs through all these conflicts? The answer is, That not one of these wars was of our making. The United States has not been guilty of a single act of aggression or wrongdoing that helped to bring on World War I, or World War II, or the war in Korea, or the present ugly struggle in Vietnam. Our country fought in these wars because liberty was at stake. It fought to preserve the liberty of its own people and the liberty of all peaceloving peoples on this globe.

The war in Vietnam is just as much a struggle against tyranny as was the war against Hitler and Mussolini and the war lords of Japan. We entered this struggle because we had given our pledge to help the friendly people of South Vietnam to preserve their liberties against unjustified attack. This was the motive which inspired the sending of American troops to Vietnam by former President Eisenhower, the sending of more troops by the late President Kennedy, and the sending of still more troops by President Johnson. Our word of honor is at stake in Vietnam and our people and our Government believe in the sacredness of our word of honor.

Why are American soldiers in Vietnam? The best answer to this was given by President Johnson in his recent message to Congress asking for more funds to support our forces there—an explanation so eloquent that I quote a part of this historic message:

"In 1954 we signed the Southeast Asia Collective Defense Treaty. That treaty committed us to act to meet aggression against South Vietnam. The U.S. Senate ratified that treaty and that obligation by a vote of 82 to 1.

"Less than a year ago the Congress, by an almost unanimous vote, said that the United States was ready to take all necessary steps to meet its obligations under that treaty.

"That resolution of the Congress expressed support for the policies of the administration to help the people of South Vietnam against attack—a policy established by two previous presidents.

"Thus we cannot, and will not, withdraw or be defeated. The stakes are too high, the commitment too deep, the lessons of history too plain.

"At every turning point in the last 30 years, there have been those who opposed a firm stand against aggression. They have always been wrong. And when we heeded their cries, when we gave in, the consequence has been more bloodshed and wider war.

"We will not repeat that mistake. Nor will we heed those who urge us to use our great power in a reckless or a casual manner. We have no desire to expand the conflict. We will do what must be done. And we will do only what must be done."

Last week the Congress clearly affirmed the resolve of the American people.

Those of us participating in these ceremonies today are grateful to our country because of the abundant life we are able to enjoy in this land of the free. But we are even more proud of our spiritual heritage of the fact that as President Johnson said we believe that our pledge is a debt of honor. We promised our partners in democracy to aid them against aggression. That pledge is now being redeemed.

The great significance of Mother's Day is emphasized by the fact that within a few short decades, it has come to occupy a place alongside Christmas, the Fourth of July, and Thanksgiving in the calendar of America's consecrated days. It is an observance frankly based on sentiment, in fact, the most sacred sentiment that may be found in the heart of a human being. The man or woman who cannot recall the warm love of a devoted mother has lost their most precious part of the human heritage.

The United States is strong in its manpower and strong in its material resources, but the major source of its strength is the love and loyalty of its millions of citizens. This meeting here today has a deeper purpose than a mere gathering together to pay tribute to the war mothers of America or to hear once again the glorious story of America's past. The purpose of this gathering is to relight once again the sacred flame of patriotism—to remind both ourselves and our fellow citizens of the high duty involved in love of country.

The fact that you have presented a special award in honor of our country's military serving in South Vietnam to Gen. Harold K. Johnson, Chief of Staff, U.S. Army, representing the Joint Chiefs of Staff, clearly demonstrates our obligation to those to whom we owe our entire future as a nation.

Since its humble beginnings nearly two centuries ago, this Nation has been able to grow and prosper because in each generation there have been men and women willing to sacrifice their lives and their fortunes to insure its preservation. May it always be so. May we hope that for untold centuries devoted citizens will gather each year in this hallowed place to renew once again their pledge of love and loyalty to our country. May we hope that the observance of Mother's Day will continue as long as life exists on this planet.

In conclusion, I believe that Pat O'Reilly had each of you in mind in writing the poem, "A Wonderful Mother." I believe this poem expresses the gratitude held as close and dear by a grateful nation:

"A WONDERFUL MOTHER

"God made a wonderful mother,
  A mother who never grows old;
He made her smile of the sunshine,
  And he molded her heart of pure gold;

"In her eyes he placed bright shining stars,
  In her cheeks, fair roses you see;
God made a wonderful mother,
  And he gave that dear mother to me."

—PAT O'REILLY.

ELLIS ISLAND IS ADDED TO STATUE OF LIBERTY MONUMENT

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I have just come from the White House where I watched President Johnson sign a proclamation adding Ellis Island to the Statue of Liberty Monument. This ceremony was an especially happy event for me and the people of New Jersey. It has long been my hope that a bridge would be built to both Liberty and Ellis Islands to provide easier access from parklands to be developed on the Jersey shore and that the island be developed into a national park commemorating the 16 million immigrants who came to America through Ellis Island.

I have been advocating this idea for the past 6 years. Present plans call for the construction of a bridge or causeway to Ellis Island and I am hopeful that the success of this project will accelerate consideration of a causeway to Liberty Island.

I am today introducing a joint resolution in the Congress along with Senator WILLIAMS to authorize the appropriation of the needed funds to develop Ellis Island as a part of the Statue of Liberty National Monument. This legislation has the full support of the Department of the Interior. The improvements are expected to cost $6 million. The proposed development of Ellis Island includes the rehabilitation of the main immigration building and another building for administrative and public service uses; the rehabilitation of the ferry basin, existing utility services, and the seawall; and the landscaping of the grounds.

The inclusion of Ellis Island in the national park system will complement and augment the facilities of Liberty Island and alleviate the overcrowded conditions there. Equally important is the part which this project will play in the overall development of the Jersey City waterfront. I foresee the day when Americans from all over the Nation will journey to the area on pilgrimages of patriotism.

I am also gratified by the President's announcement of the establishment of a 200-man Job Corps Conservation Center in Jersey City on the waterfront in the new park. Young people who will spend half of their time on the waterfront park and half on the island with landscape workers. Job Corps trainees will work under the supervision of the National Park Service.

This will be the first Job Corps Conservation Center set up to work concurrently on a Federal and State project.

THE ALLIANCE IS MAKING PROGRESS

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BINGHAM. Mr. Speaker, in these days when the situation in the Dominican Republic is so difficult and dangerous, it is important that we keep in mind the broad picture in Latin America. It is especially vital that we not lose faith in the Alliance for Progress program. The fact is that, despite many obstacles and setbacks, progress is being made through the Alliance for Progress. Many lasting and solid achievements have been scored—achievements that have more than justified the vision and faith of the late President Kennedy in launching this unique partnership with our friends south of the border.

The Alliance was conceived 4 years ago to be a 10-year effort. Actually, some countries may well achieve self-sustaining growth before the end of the 10 years, if they keep pace with their present progress.

One of President Johnson's first actions was to reaffirm his personal dedication to the Alliance, and to propose to the Latin American diplomats, that it be made a living memorial to President Kennedy. And, more recently, he committed the United States to a redoubled effort in support of Latin America's development aspirations.

The record well justifies this renewal of our commitment.

Over half the nations of Latin America have drawn up their development plans; over half have met or surpassed the target of a 2½-percent yearly increase in per capita income; and the institutions which can carry forward progress and change, through Latin America's own efforts, are becoming more numerous and effective.

By the end of the current fiscal year U.S. assistance to Latin America, both directly and through local institutions, will have helped build 326,000 homes, construct 36,400 classrooms; print 11 million textbooks; extend 290,000 agricultural credit loans; build 735 health centers, hospitals or mobile health units; drill or install over 2,000 wells and water systems; and provide food, under Public Law 480, for 22 million people.

Every Latin American nation has made improvements in its tax administration, and major tax reforms have been made in eight nations. Tax collections have increased by more than half a billion dollars.

Fifteen countries have self-help housing programs, and the capital of housing banks, affecting 16 countries, have been sharply increased. Savings and loan legislation has been adopted by 10 countries. In 6 countries alone, there are now over 70 savings and loan institutions, with 157,000 savers, and over $40 million in deposits.

Twelve countries have introduced or passed agrarian reform laws, and the entire field of agrarian development—including marketing, diversification, extension work, and agrarian education—is the focus of much attention and activity. In Peru alone, with one of the newest agrarian reform laws, 750,000 acres have been purchased for distribution in the central Sierras.

I might say, Mr. Speaker, that I have a particular personal interest in Peru, because my father was the discoverer of the famous Inca city, Machu Picchu, in 1911, which I was fortunate enough to visit in 1953.

Eight nations have established specialized offices of planning for education, and the percentage of Central Government expenditures for education has risen about 12 percent.

Mr. Speaker, these are just some of the achievements of the Alliance for Progress. There are many others, but the ultimate goals of the Alliance will require the continued and expanded efforts of all the Alliance partners, as well as increased technical assistance and project implementation on our part.

The methods of attaining the goals of the Alliance have been thoroughly tried and tested. On the basis of this experience, the successful programs are being expanded, and others are being phased out. New techniques have been devised, their effectiveness determined, and plans made for their application in future endeavors.

I particularly applaud the recent trend toward giving to the Latin American countries themselves a larger share in the overall coordination of the program. As I know from my visits to various Latin American countries in 1953, 1961, and 1963, it is essential to the success of the program that it be a partnership operation, not a charity handout.

The road to development is long and difficult. The problems of Latin America will not be solved simply by condemning Castro, Communists, and national extremists. While extremism is a frequent fellow traveler of human misery, it is more often the result than the cause of it. Hunger, ignorance, and despair must be fought with food, knowledge, and hope.

President Johnson put it this way:

> Our Alliance will prosper because, I believe, we do have that faith. It is not idle hope, but the same faith that enabled us to nourish a new civilization in these spacious continents, and in that New World we will carry forward our Alliance for Progress in such a way that men in all lands will marvel at the power of freedom to achieve the betterment of man.

I trust that, when the legislation comes before this House, the Members will once again give their overwhelming support to the Alliance for Progress.

CHARLES S. MURPHY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from North Carolina [Mr. COOLEY] is recognized for 1 hour.

Mr. COOLEY. Mr. Speaker, the President of the United States on April 27, 1965, announced the appointment of Charles S. Murphy, the Under Secretary of Agriculture, to a new and responsible post, as Chairman of the Civil Aeronautics Board.

I have not asked the indulgence of the House at this time a applaud this appointment. It involves a great loss to the agriculture of the Nation. As is known to my colleagues, my own interests, personally and as chairman of the House Committee on Agriculture, embrace the well-being of those 3½ million farm families across the Nation who produce our food and fiber. I regret that our farm people no longer will have the first call upon Charley Murphy.

However, I am immensely pleased that another President—the third President—has recognized the varied and seemingly unlimited abilities of so deserving a person, a native of the great State of North Carolina.

Moreover, Mr. Speaker, the President in this appointment has advanced in this Nation a new recognition and appreciation of the role, the worth, and the indispensability of the true public servant, for Charley Murphy is typical of those dedicated people who by their integrity, ability, and devotion to duty, keep the wheels of Government turning. These are the people who create respect for our democratic system.

Therefore, the real significance of this appointment is the acknowledgment of the importance of public service by rewarding excellence in this service. It would be difficult to overemphasize this significance.

Mr. Speaker, the Federal Government today performs services in areas of activity that affect Americans intimately in many phases of their lives. Our Government employs approximately 2 million civilian workers in more than 70 departments, agencies, and commissions. The new responsibilities assigned to one of them has created this occasion for me to emphasize that the importance of the work of these public servants and the skill and devotion with which the great bulk of them perform it warrants a far greater degree of public recognition and appreciation than has yet been accorded them.

In this emphasis, it is appropriate to quote three Presidents—

Dwight D. Eisenhower said:

> Any free government certainly needs a vast corps of well-trained, dedicated, intelligent, long-service people who can take care of all the intricate jobs of operating the many and manifold activities that governments these days are compelled to carry on.

John F. Kennedy said:

> The success of this Government, and thus the success of our Nation, depend in the last analysis upon the quality of our career services. The legislation enacted by the Congress, as well as the decisions made by me and the department and agency heads, must all be implemented by the career men and women in the Federal service. * * * We are all dependent on their sense of loyalty and responsibility as well as their competence and energy.

Lyndon B. Johnson said:

> The day has passed when Government jobs are the easy jobs of our society, or when the public service is the refuge of those inadequate for the demands of private competition. Many of our society's most challenging and most demanding and most difficult and most important posts today are in the public sector.

Some 250 years ago William Penn wrote:

> Governments, like clocks, go from the motion men give them; and as governments are made and moved by men, so by them they are ruined too. Wherefore governments rather depend upon men than men upon governments.

Mr. Speaker, it is all important that we have a proportionate number of our best minds and most capable people in Government service. To attract such people into Government employment, and to hold them there, we in this country must recognize that a public servant is deserving of the highest respect in our society, and outstanding service must be rewarded.

This explains why, although I am disappointed to lose Charley Murphy's service to agriculture, I find deep satisfaction in the President rewarding him with new responsibility in Government.

Now, who is Charley Murphy?

Most of us in the Congress know him well. But for the few who may not be familiar with his beginnings and his career, I will tell you first that he was born lucky. That is the common fortune of all who are born in North Carolina, and who have parents of sturdy stock to guide them in their tender years.

Charley was born August 20, 1909, in Wallace, N.C., where he attended public schools. He received an A.B. degree from Duke University at Durham, N.C., in 1931 and an LL.B. in 1934. He worked his way through school as a laborer and clerk in the Post Office. He was admitted to the North Carolina bar in 1934.

In that same year, he became a law assistant in the Office of the U.S. Senate Legislative Counsel, serving in this post for 2 years. For the next 11 years he was Assistant Legislative Counsel to the Senate. His duties were to help the Senators and senatorial committees draft bills and committee reports and to advise them on legal matters. As a specialist in agricultural legislation, he helped draft the Agricultural Adjustment Act of 1938, prepared committee reports on agriculture, and assisted in the drafting of other important farm bills.

In 1947, he became administrative assistant to President Truman. In 1950, he was advanced to the position of special counsel to the President, where he acted as the principal staff assistant on legislation—including farm legislation.

From 1953 to 1961, Charley Murphy practiced law as a member of the Washington, D.C., firm of Morison, Murphy, Clapp & Abrams. He was admitted to the Supreme Court Bar in 1944, and to the District of Columbia Bar in 1947. From 1957 to 1960, he was counsel to the Democratic National Advisory Council. He is a member of the American Bar Association, the North Carolina Bar Association, the Federal Bar Association, and the District of Columbia Bar Association. From 1956 to 1958, he was president of the National Capital Democratic Club. He also belongs to the Order of the Coif, Delta Sigma Phi, Pi Gamma Mu, and Omicron Delta Kappa.

In 1961, shortly after John F. Kennedy became President of the United States, he appointed Charley Murphy as Under Secretary of Agriculture. In this position, he served as the No. 2 man in the administration of the Department of Agriculture, and as Acting Secretary in the absence of the Secretary of Agriculture.

He had a general supervisory responsibility for all the Department's activities and agencies. He was chairman of the budget committee of the Department and president of the Commodity Credit Corporation. He had special responsibility for supervising the commodity programs, including support prices and acreage allotments. His responsibilities also included policies relating to management and disposition of Government stocks of agricultural commodities, and the purchase and distribution of commodities for the school lunch program as well as the direct distribution program for providing foods to needy persons.

He coordinated the Department's staff work on major legislative proposals and reviewed departmental reports on legislation. He was a member, and usually acted as Chairman, of the Program Review Board of the Department and also supervised its extensive civil defense activities. He reviewed marketing orders before they were issued.

Mr. Speaker, I will concede that I am prejudiced in favor of Charley Murphy because he first saw the light of day and grew up in my beloved State of North Carolina. However, his accomplishments are such that he needs no such sentimental advantage to qualify for the tribute I pay him here today. As a North Carolinian, and as an American, I am proud of this man. He has a penetrating mind, good judgment, integrity, and a high degree of administrative ability. In a word, he is the ideal public servant.

I commend the President, Mr. Speaker, for elevating our Nation's appreciation of public service by his recognition of quality of individuals performing this service. I salute Charley Murphy, and I wish him and his fine family well as he assumes his new responsibilities and as other horizons may open for him in the years ahead.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I am very happy indeed that the distinguished chairman of the Committee on Agriculture, a long time friend of Charley Murphy, has taken this time to address himself to the achievements of this great American. I have known Charley Murphy since he was in President Truman's administration. He was then an outstanding public servant. He has served three administrations, and he has been an outstanding public official whose work has been of high quality and in the national interest over the years. I am sure he will do equally outstanding work in his new area of responsibility.

I associate myself with the remarks of the gentleman from North Carolina.

Mr. COOLEY. I thank the gentleman.

In closing, I want to commend and congratulate my dear friend, Charley Murphy, upon the magnificent manner in which he has discharged all public duties which have been assigned to him through the years.

Mr. OLSON of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Minnesota.

Mr. OLSON of Minnesota. I want to join with the chairman of the Committee on Agriculture in his comments and appreciation of Mr. Murphy for his dedicated services in the field of agriculture.

In my brief tenure in this body I have grown to appreciate very much Charley Murphy's competence and his great service to agriculture. I join in wishing him well in his new responsibilities. I am confident he will continue to contribute greatly to the cause of good government in his new responsibilities.

Mr. COOLEY. I thank the gentleman.

Mr. HENDERSON. Mr. Speaker, I want to add to what has been said about Charles S. Murphy. I am proud of my fellow townsman and fellow "Tarheel."

Charlie Murphy is a native of Wallace, my hometown, and still has relatives and friends living there.

He has done an outstanding job as Under Secretary of Agriculture and my contacts with him in that capacity—which have been numerous and varied—have, in every instance, been extremely satisfactory.

His service to the Federal Government has been long and varied. He served efficiently on the White House staff under President Harry Truman, has been impressive in his work in the Agriculture Department, and all of us who know him have no doubt that he will be equally outstanding as Chairman of the Civil Aeronautics Board.

My hometown newspaper, the Wallace Enterprise, recently had a front page story on the announcement of Murphy's appointment as head of the CAB, and I insert it in its entirety at this point:

WALLACE NATIVE WILL HEAD CIVIL AERONAUTICS BOARD

Duplin area residents were pleased to learn this week that Charles S. Murphy, 56, a native of Wallace, and longtime Government official, has been named chairman of the Civil Aeronautics Board by President Johnson. This action took place Tuesday.

Murphy had been Under Secretary of Agriculture, second-ranking official in that Cabinet department since 1961.

As head of the CAB, Murphy will head one of the Government's most sensitive regulatory agencies. The Board decides which private airline firms will serve specific areas and has strong control over long-range planning of air transportation policies.

The term to which Murphy was named expires in early 1967. He will receive the same $28,500 salary attached to the Agriculture undersecretaryship.

The 5-man CAB meets daily at its Washington office.

Murphy replaces Alan S. Boyd, a Florida lawyer named chairman of the CAB in 1961 by the late President John F. Kennedy. Boyd becomes Under Secretary of Commerce for Transportation. Dr. John A. Schnittker, 41, Director of Agricultural Economics in the Department of Agriculture, was named to the undersecretaryship there.

Murphy's appointment as CAB chairman was announced at a Presidential press conference among eight top level changes in Government jobs.

The President said Murphy recommended his own Agriculture successor after being tapped to replace Boyd.

Johnson said of Murphy: "He has gained a widespread respect for his sound judgment, his broad knowledge, and his unfailing integrity. As an experienced lawyer, he possesses a judicial approach to the solution of public problems. This blend of talents makes him a most worthy successor to Alan Boyd as chairman of CAB. That critically important regulatory agency would receive strong and fair leadership under Charles Murphy's chairmanship."

Other appointments announced by Johnson were Wilbur Cohen, from Assistant Secretary of Health, Education, and Welfare to Under Secretary, replacing Ivan Nestigen, who resigned; Gen. William F. McKee to head the Federal Aviation Agency, replacing Najeeb Halaby, who resigned; Warren Willams Wiggins, from Associate Director to Deputy Director of the Peace Corps; Leonard C. Meeker, promoted to Chief Legal Counsel in the Department of State, and Donald Turner, a Harvard law professor, as Assistant Attorney General in charge of the Antitrust Division, replacing William H. Orrick, Jr., who resigned.

The shift from farming to flying is not too abrupt for Murphy. As a top White House aid to President Harry Truman, he became known as a troubleshooter in various Government fields.

Known for his planning abilities, he helped draft many Government programs during a 12-year tenure with the legislative counsel's office of the Senate during the 1930's and World War II.

A law graduate of Duke University in 1934, he came to Washington that same year as a bill drafter.

Truman tapped him for White House service after he had worked as a staff aid to Truman's Senate Investigating Committee.

LEGAL ADVISER

During the Eisenhower years, Democrat Murphy was in the Washington law firm headed by North Carolinian Fred Morrison. He was a legal adviser to the Democratic advisory committee, a group of leading Democrats who issued policy statements during the Republican administration.

He was tapped in 1960 to help plan the transition from Eisenhower to Kennedy, serving under Clark Clifford, the former Truman aid who is now a top Washington lawyer and close friend of President Johnson.

His longtime governmental and political associations have made Murphy a familiar figure in Washington circles at the highest levels. He has been president of the influential National Capital Democratic Club.

He still keeps ties with North Carolina, and is a personal friend of most leading North Carolina political and business leaders.

Mr. FOUNTAIN. Mr. Speaker, I am happy to join the distinguished dean of our North Carolina delegation, the gentleman from North Carolina [Mr. COOLEY], my distinguished and able colleague, the gentleman from North Carolina [Mr. HENDERSON], and others in the well-deserved tributes they have so eloquently paid to another distinguished former North Carolinian, the Honorable Charles S. Murphy, Under Secretary of Agriculture.

As they have so ably pointed out, Mr. Murphy has given much of his life and his talents in the service of his country in many distinguished capacities. After having faithfully served in a number of administrations, including the administrations of Presidents Kennedy and Johnson, as Under Secretary of Agriculture, he now moves into another very important arena of public service where the need for great wisdom and understanding will always be present.

Coming from an agricultural district, where the livelihood of most of our people is dependent upon the strength of an agricultural economy, I am impressed by the fact that Mr. Murphy has been a true friend of the farmer. Down my way, nothing else is more important. He has reflected credit upon himself, his family, and upon all of those whom he has had the opportunity of serving in his capacity as Under Secretary of Agriculture.

I hate to see him leave the Department of Agriculture, especially at a time when his experiences could well pay greater than ever dividends for the general well-being of agriculture and the rest of the Nation. At the same time, I am delighted to know that the President has encouraged him to continue in the public service as Chairman of the Civil Aeronautics Board.

I wish for him every success and happiness in the new undertaking to which he has been appointed.

Mr. KORNEGAY. Mr. Speaker, it has been my privilege to know Charles S. Murphy personally for the past several years and by reputation for many years prior to that time.

Although his age belies it, Mr. Murphy has served our Government for 28 years in a wide range of jobs. It is to his credit and to the benefit of all of us that he has served ably in every position he has held and in each assignment he has undertaken.

I know that Charles Murphy will utilize his great knowledge and experience to the utmost in his new position as Chairman of the Civil Aeronautics Board. I am confident that he will continue to use his wise counsel for the common good of all who travel our airways and for all who in this modern day are affected by aeronautics and its many facets.

As a North Carolinian, I, too, am proud of the new honor he has won for himself. As a Member of Congress, I cannot lay claim on him as a constituent of the Sixth District of North Carolina. I can say he is a constituent once removed, since he attended Duke University in Durham in my district as an undergraduate and while pursuing a law degree there. I further claim constituent kinship since he selected a Durham girl as his partner in life, the former Kate Graham.

It is with a sense of personal pride that I salute Charles Murphy in his new position and wish him well.

Mr. WHITENER. Mr. Speaker, it is a privilege to join with my colleagues in extending best wishes to my good friend, Charles S. Murphy, on the occasion of his selection by the President to be Chairman of the Civil Aeronautics Board.

Charlie Murphy is a distinguished North Carolinian with an outstanding record of service to his State and Nation. He has held many important posts of distinction in the Federal Government.

Charlie Murphy is a native of Wallace, N.C. He was educated in the public schools of North Carolina and holds both an A.B. and an LL.B. degree from Duke

University. He was admitted to the North Carolina bar in 1934.

His adult life has been spent in public service. Immediately following his admission to the North Carolina bar in 1934 he became a law assistant in the office of the Senate legislative counsel. Charlie held this post for 2 years and for the next 11 years was assistant legislative counsel.

Charlie Murphy has always been extremely interested in our farm economy and in legislation to improve agricultural opportunities for our people. As assistant legislative counsel of the Senate he was instrumental in drafting the Agricultural Adjustment Act of 1938. In addition, he rendered outstanding service to Senators and senatorial committees in the preparation of bills, committee reports, and in counseling on legal problems.

In 1947 he was appointed by President Truman as his Administrative Assistant. The President in 1950 named him as his Special Counsel. In this very important post he assisted in drafting legislation to help the American farmer.

Charlie Murphy is a distinguished lawyer and is a member of the American Bar Association, the North Carolina Bar Association, the Federal Bar Association, and the District of Columbia Bar Association.

In 1961 he was named Under Secretary of Agriculture. He has made a splendid record as Under Secretary, and the high level of economic opportunity enjoyed by our farmers today is to a large measure due to his efforts in their behalf. As Under Secretary of Agriculture Charlie Murphy has had the responsibility of general supervision of the Department of Agriculture. He has performed his many important duties with distinction, and his fine service reflects great credit upon himself, his State, and his country.

Mr. Speaker, our President has made a wise selection in naming Charlie Murphy Chairman of the Civil Aeronautics Board. His great administrative talents, his understanding of people, and his ability to get things done amply qualify him for his new position.

We are very proud of Charlie Murphy in North Carolina. As he enters upon his duties as Chairman of the Civil Aeronautics Board he carries with him the best wishes of all of those who have been privileged to know him and admire his ability, devotion to duty, and his many accomplishments.

Mr. MORRIS. Mr. Speaker, our distinguished colleague from North Carolina, the gentleman from North Carolina [Mr. Cooley], is to be complimented for affording us this opportunity to join him in expressing best wishes to our esteemed friend, Charles S. Murphy, as he proceeds to his new responsibilities as Chairman of the Civil Aeronautics Board.

Those of us who have been associated with Mr. Murphy during his tenure with the Department of Agriculture are reluctant to relinquish his leadership and counsel in this field. Indeed he leaves behind king-sized footprints of a truly dedicated public servant—an outstanding example and record of accomplishment.

Mr. BOGGS. Mr. Speaker, it is a great pleasure and an honor for me to rise in tribute to one of our country's finest public servants—my good friend, Charlie Murphy, the distinguished Under Secretary of Agriculture. As my colleagues in the House know, the President has assigned Charlie Murphy to a new and challenging responsibility—that of being Chairman of the Civil Aeronautics Board. Mr. Murphy has not yet left the Department of Agriculture, where he has so ably served for the past 4 years as Under Secretary, but he probably will do so next month.

Charlie Murphy has been—and is—an exemplary public servant of the highest caliber. He has served our country for more than 20 years under four Presidents—Presidents Roosevelt, Truman, John Kennedy, and now President Johnson. He has held various, responsible jobs through these years, and he has acquitted himself well in all of them. Charlie Murphy is a dedicated and sincere man who has devoted most of his adult life to the service of our Government and our country. I am proud to salute him, and to enjoy his friendship.

Charlie Murphy is a man of great common sense—a man who has exercised, in a first-rate manner, this practical sense to real advantage in dealing with the very complex problems in the field of agriculture.

Charlie Murphy has relinquished the opportunity to earn more money and to enjoy an easier life by his long and dedicated service to our country.

He came to Washington 30 years ago, and first served as legal assistant in the office of U.S. Legislative Counsel; then for 11 years, he served the Senate faithfully and well as that body's assistant legal counsel. In 1947, he became the administrative assistant to President President Truman; 3 years later, President Truman appointed him as his special counsel in charge of legislation and legislative matters. In the 8 years of the Eisenhower administration, Charlie Murphy practiced law in Washington with the firm of Morison, Murphy, Clapp & Abrams. He also served as counsel to the Democratic National Advisory Council from 1957 to 1960. With the inauguration of President Kennedy in 1961, Charlie Murphy returned to Government service once again—as Under Secretary of Agriculture—where he has displayed so admirably his exemplary qualities for public service.

Here is a man, Mr. Speaker. I am proud to join Charlie Murphy's fellow North Carolinian, the distinguished chairman of the Committee on Agriculture, in saluting him here today. I would be happy and proud to do so anytime, for I know of no other man in the service of our country today who is more deserving of the highest commendation than is Charlie Murphy.

Mr. STUBBLEFIELD. Mr. Speaker, many fine tributes have been accorded our friend the Under Secretary of Agriculture Charles S. Murphy today upon his forthcoming resignation from the Department of Agriculture, and it gives me great pleasure to add my remarks to this richly deserved accolade.

I regretted very much to learn that Mr. Murphy was leaving his post in the Department. His record as Under Secretary has been outstanding and impressive and his experience, seasoned judgment, and wise counsel will be sorely missed. As a member of the Agriculture Committee, I have been privileged to work with him on many occasions and can certainly attest to his great ability and leadership. He is held in high esteem by all who know him, and I shall personally miss my association with him.

As Mr. Murphy leaves his position, which has been more distinguished by his service, I wish him much happiness and success in his future endeavors.

GENERAL LEAVE TO EXTEND REMARKS

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that all Members of the House desiring to do so may have permission to extend their remarks at this point in the Record on Mr. Murphy.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

THE 30TH ANNIVERSARY, REA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. Shipley] is recognized for 15 minutes.

Mr. SHIPLEY. Mr. Speaker, I am pleased to have this opportunity to join with my distinguished colleagues to observe the 30th anniversary of the establishment of the Rural Electrification Administration. To me, this is not an occasion where we merely take note of the accomplishments of a Federal agency, great though its accomplishments have been. This is a time to pay respect and tribute to the millions of Americans who have joined hands to electrify our farm areas and to the leaders that have implemented the hopes and aspirations of those millions.

In 1935, when the REA program was launched by President Franklin D. Roosevelt, the electric lights were shining in very few farmhouses. In fact, less than 11 percent of the farms of the United States had central station electric service. For many rural people, the only way to get electric service seemed to be to move to town, and that is exactly what many of the young people did.

What happened to change the picture? Rural people began to talk to their Congressmen and officials in Government to find out whether something could be done to light up rural America. The President and Congress responded by creating REA to administer a self-liquidating loan program so that rural people working together could set up their own cooperatives and build their own electric systems. It was through their perseverance, their cooperation, neighbor with neighbor, their devotion to the great idea of making life on the farm better for their children that gave the REA program its real thrust. They pitched in wherever there was a chore to be done and saw it through to its present success.

Today, the approximately 1,000 rural electric systems of this country have written a record of outstanding success. It is a record of countless benefits—benefits to the country through the blessings of light and power, benefits to the towns and cities through increased business, more jobs, and better food. It is a record of sound economics—getting a dollar's worth of service out of a dollar invested. It is a record of cooperation between the people and their Government. And it is a record of cooperation between town and country people, for without the support of people in the towns and cities, the REA program would never have succeeded.

I am sure you are thrilled as I am when visitors from friendly lands, seeking ways to raise the standard of living of their people, come to our shores to learn about REA. Exporting the REA pattern is good for all Americans because it fosters international understanding and builds toward peace. It was no accident that a U.S. Senator, in talking with leaders of the Soviet Union, described a rural electric cooperative as typical of the kind of America we live in today. Yes, the rural electric cooperatives have written a brilliant chapter in the history of this country.

In my own State of Illinois, where 144,500 farm and other rural families have joined hands to form 29 rural electric cooperatives, we see the great benefits of rural electrification everywhere. In a drive down country roads, where in yesteryear only darkness prevailed after sundown, now one can see glowing lights from the farmhouses and beaming security lights to hasten farm chores. Rural electrification has opened up a whole new world for my people.

For the farmer, it means the ready movement of water at the proper temperature and feed in proper balance to his farm animals. It means replacing muscle with machines so that his energy can be directed into more productive work. For the rural housewife, rural electrification means emancipation from the steaming kitchen and the pump handle. It means added time and strength to read and work for the good things that promote the health and education of her children.

To the country merchant, rural electrification means refrigeration and modernization of merchandising, and better profits. To the owner of a small rural industry, it means dependable power out where the raw material is found.

The rural electrification program was created to serve rural areas and that is what it does. But the benefits do not stop here. The towns and cities reap many benefits too. In making an analysis of purchases made with an REA loan, the manager of one cooperative found that he had placed orders for materials and services to carry out the purposes of the loan in 27 States and the District of Columbia. Therefore, a State with no REA-financed lines could and probably does benefit indirectly from this program.

Certainly not to be overlooked is the more than $1 billion a year that cooperative members spend annually for new electric appliances and equipment. Rural electrification has created new jobs—thousands of them—in mining, manufacturing, processing, transportation, construction, communications, merchandising, and advertising. Scarcely an industry or profession has not benefited from this program.

Rural electric cooperatives have made significant contributions to our national defense by furnishing reliable service to strategically located missile sites, airports, and radar installations.

While today, we honor the more than 5 million rural families that have built this great rural electrification program, in passing it is fitting that we recognize those whose dedication to the program is enabling it to continue to move forward.

President Johnson is a member of the cooperative he helped organize. He has a long and unfailing record of support for the rural electric cooperatives. He voted for REA appropriations as a Congressman and as a U.S. Senator and he supported the efforts of cooperatives to obtain an adequate supply of low-cost power—the lifeblood of the rural electric systems. Under President Johnson, the White House has been always open to rural electric leaders and the needs of the cooperative members have been heeded.

Under Secretary Freeman and REA Administrator Clapp, this administration is working vigorously to strengthen both the rural electrification and the rural telephone programs, for these programs are basic to economic and social progress in our rural areas. Neither the lack of these services nor the high cost should be a penalty suffered by people who live or seek their livelihood in the country.

Some critics of rural electric cooperatives would eliminate REA loans, or hike the rate of interest, or curtail their supplies of power. As a representative of a 21-county area that needs a strong and continuing rural electrification program, I am indeed gratified that we have an administration that is not only willing but determined that the rural electric cooperatives will have ample funds at interest rates that will help them to continue their growth, and assure them a permanent place in the electric power industry of this Nation.

Mr. Freeman and Mr. Clapp have said repeatedly, and I heartily agree with them, the way to economize in Government rural electrification is to strengthen the cooperatives. If the cooperatives are permitted to develop their service areas and hold on to them, if they are afforded the opportunity to obtain ample and unrestricted supplies of power, if they are permitted to serve all who choose to build homes and businesses in their areas, if they are provided loans under favorable terms to enable them to enlarge their lines to carry the added power required by their members, they will in time become fully able to forgo Federal financing. That is the way to build the future of rural America; that is the way to save tax dollars.

As for me, Mr. Speaker, I am indeed privileged to be able to support this kind of rural electrification. It is one of the finest investments ever made. Whether we live in the country or in a big city, let us resolve that we will help the 5 million families that own these rural lines to keep the lights burning brightly in their homes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Cahill (at the request of Mr. Gerald R. Ford), for May 10 and 11, on account of official business as adviser to the Intergovernmental Committee for European Migration.

Mr. Herlong (at the request of Mr. Matthews), for May 11 and 12, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Saylor for 60 minutes today, and to revise and extend his remarks.

Mr. Bow (at the request of Mr. McDade), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Ashbrook (at the request of Mr. McDade), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Pirnie (at the request of Mr. McDade), for 60 minutes, on May 17; to revise and extend his remarks and include extraneous matter.

Mr. Cohelan (at the request of Mr. Krebs), for 5 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Shipley (at the request of Mr. Krebs), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Madden and to include his statement to the Committee on the Reorganization of the Congress.

Mr. Gilligan and to include extraneous material.

Mr. Brooks and to include a speech.

Mr. Wydler (at the rquest of Mr. Jonas) to include extraneous matter in the remarks he made in the Committee of the Whole.

Mr. Olson of Minnesota.

Mr. Powell.

Mr. Pucinski.

Mr. Cooley.

Mr. Machen.

Mr. Talcott.

(The following Members (at the request of Mr. Krebs) and to include extraneous matter:)

Mr. Burke.

Mr. Rostenkowski.

Mr. Callan.

Mr. William D. Ford.

Mr. Rosenthal in two instances.

ADJOURNMENT

Mr. KREBS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; acccordingly (at 3 o'clock and 33 minutes p.m.) the House adjourned until tomorrow, Wednesday, May 12, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1075. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 10, 1964, submitting a report, together with accompanying papers and illustrations, on an interim report on the Arkansas River and tributaries, Las Animas, Colo., and vicinity, requested by a resolution of the Committee on Commerce, U.S. Senate, adopted September 30, 1942, and a resolution of the Committee on Flood Control, House of Representatives, adopted July 2, 1943 (H. Doc. No. 165); to the Committee on Public Works and ordered to be printed with three illustrations.

1076. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated January 26, 1965, submitting a report, together with accompanying papers and illustrations, on an interim report on the Iowa and Cedar Rivers, Iowa and Minnnesota, requested by resolutions of the Committee on Flood Control, House of Representatives, adopted July 16, 1945, the Committee on Commerce, U.S. Senate, adopted August 6, 1945, and the Committee on Public Works, House of Representatives, adopted July 29, 1955 (H. Doc. No. 166); to the Committee on Public Works and ordered to be printed with three illustrations.

1077. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated May 28, 1964, submitting a report, together with accompanying papers and illustrations, on an interim Hurricane survey of Morgan City and vicinity, Louisiana, authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 167); to the Committee on Public Works and ordered to be printed with 19 illustrations.

1078. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated April 28, 1964, submitting a report, together with accompanying papers and illustrations, on an interim survey of Highland Bayou, Tex., authorized by section 204 of the Flood Control Act approved June 30, 1948 (H. Doc. No. 168); to the Committee on Public Works and ordered to be printed with four illustrations.

1079. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated September 3, 1964, submitting a report, together with accompanying papers and illustrations, on an interim report on the Buffalo Bayou and tributaries, White Oak Bayou, Tex., requested by a resolution of the Committee on Public Works, House of Representatives, adopted April 20, 1948 (H. Doc. No. 169); to the Committee on Public Works and ordered to be printed with four illustrations.

1080. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize appropriations for payment of reasonable funeral and burial expenses of indigent residents of the District of Columbia; to the Committee on the District of Columbia.

1081. A letter from the Chairman, Federal Power Commission, transmitting a copy of each of the following: Hydroelectric Power Resources of the United States, Developed and Undeveloped, 1964; World Power Data, 1963; Major Natural Gas Pipelines, December 31, 1964; Uniform System of Accounts Prescribed for Public Utilities and Licenses, for Class A and Class B Companies, March 1, 1965; to the Committee on Interstate and Foreign Commerce.

1082. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases of certain aliens found admissible to the United States, pursuant to section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1083. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies or orders exercised in behalf of certain aliens and entered in cases in which the authority is contained in section 212(d)(3) of the Immigration and Nationality Act, pursuant to section 212(d)(6) of the act; to the Committee on the Judiciary.

1084. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to provide a realistic cost-of-living increase in rates of subsistence allowances paid to disabled veterans pursuing vocational rehabilitation training; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. H.R. 6032. A bill to amend the act authorizing the Mann Creek Federal reclamation project, Idaho, in order to increase the amount authorized to be appropriated for such project (act of Aug. 16, 1962; 76 Stat. 388); with amendment (Rept. No. 335). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 5206. A bill to continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors; with amendment (Rept. No. 336). Referred to the House Calendar.

Mr. DAWSON: Committee on Government Operations. H.R. 6027. A bill to establish a Department of Housing and Urban Development, and for other purposes; with amendment (Rept. No. 337). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 5989. A bill to amend section 27, Merchant Marine Act of 1920, as amended (46 U.S.C. 883); with amendment (Rept. No. 338). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 380. Resolution for consideration of H.R. 5269, a bill to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and to provide the Secretary of the Interior with authority for recreation development of projects under his control; without amendment (Rept. No. 339). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 381. Resolution for consideration of H.R. 6755, a bill authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes; without amendment (Rept. No. 340). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BECKWORTH:

H.R. 8048. A bill to repeal the manufacturers excise tax on passenger automobiles; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 8049. A bill to promote economic growth by supporting State and regional centers to place the findings of science usefully in the hands of American enterprise; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE:

H.R. 8050. A bill to amend title I of the Tariff Act of 1930 with respect to the valuation of certain protective footwear for duty purposes; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 8051. A bill to authorize certain modifications of the project for Calumet Harbor and River, Ill. and Ind.; to the Committee on Public Works.

By Mr. DIGGS:

H.R. 8052. A bill to provide for certain reorganizations in the Department of State and Department of Health, Education, and Welfare, and for other purposes; to the Committee on Government Operations.

H.R. 8053. A bill to amend title 18, United States Code, to provide penalties for the use of certain devices upon individuals in the exercise of their rights under the Constitution of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. WILLIAM D. FORD:

H.R. 8054. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H.R. 8055. A bill to amend the Internal Revenue Code of 1954 to provide that apprentices may deduct from gross income certain education expenses; to the Committee on Ways and Means.

H.R. 8056. A bill to repeal the excise tax on business machines; to the Committee on Ways and Means.

By Mr. HANLEY:

H.R. 8057. A bill to amend title 39, United States Code, to provide severance pay for postal field service employees; to the Committee on Post Office and Civil Service.

By Mr. NELSEN:

H.R. 8058. A bill to amend section 4 of the District of Columbia Income and Franchise Tax Act of 1947; to the Committee on the District of Columbia.

By Mr. MORSE:

H.R. 8059. A bill to amend chapter 79 of title 10, United States Code, to provide that certain Boards established thereunder shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate, and for other purposes; to the Committee on Armed Services.

By Mr. PATMAN:

H.R. 8060. A bill to amend the Small Business Act to provide additional assistance for disaster victims; to the Committee on Banking and Currency.

By Mr. PUCINSKI:

H.R. 8061. A bill to amend the Internal Revenue Code of 1954 to provide that small business corporations which elect to have their shareholders taxed in the manner provided in subchapter S may elect to have distributions made in the first 2½ months of a year treated as if made on the last day of the preceding year; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 8062. A bill to amend the Tariff Act of 1930, as amended, to limit button blanks to crude forms suitable for manufacture into buttons; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 8063. A bill to establish a new program of grants for public works projects undertaken by local governments in the United States; to the Committee on Public Works.

By Mr. SMITH of Iowa:

H.R. 8064. A bill authorizing the modification of the project on the Des Moines River for flood protection of Des Moines, Iowa; to the Committee on Public Works.

By Mr. TEAGUE of California:

H.R. 8065. A bill to designate the authorized Port Hueneme Small Craft Harbor, Calif., as the Channel Islands Harbor; to the Committee on Public Works.

By Mr. WHALLEY:

H.R. 8066. A bill to repeal the House Employees Position Classification Act; to the Committee on House Administration.

By Mr. BALDWIN:

H.R. 8067. A bill to amend the Labor Management Relations Act, 1947, to permit employer contributions to labor organizations to assist their educational or recreational activities; to the Committee on Education and Labor.

By Mr. BETTS:

H.R. 8068. A bill to prevent for 5 years, the destruction of sheep exposed to the disease of scrapie; to the Committee on Agriculture.

By Mr. BRADEMAS:

H.R. 8069. A bill to provide additional assistance for areas suffering a major disaster; to the Committee on Public Works.

By Mr. DOW:

H.R. 8070. A bill to amend the Packers and Stockyards Act, 1921, as amended, to make the act applicable to egg dealers, and for other purposes; to the Committee on Agriculture.

By Mr. HAMILTON:

H.R. 8071. A bill to provide for the establishment and administration of the Ohio River National Parkway in the State of Indiana; to the Committee on Interior and Insular Affairs.

By Mr. OLSON of Minnesota:

H.R. 8072. A bill to make dairy products available for domestic and foreign programs; to the Committee on Agriculture.

By Mr. OLSEN of Montana:

H.R. 8073. A bill to amend title 39, United States Code, to provide for notification of new addresses with respect to matter mailed under any franking privilege authorized by law, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROGERS of Florida:

H.R. 8074. A bill to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Fla., and for other purposes; to the Committee on Foreign Affairs.

H.R. 8075. A bill to repeal the manufacturers excise tax on passenger automobiles; to the Committee on Ways and Means.

By Mr. SECREST:

H.R. 8076. A bill for the relief of certain retired officers of the Army, Navy, and Air Force; to the Committee on the Judiciary.

By Mr. WHITE of Texas:

H.R. 8077. A bill to promote the general welfare, foreign policy, and security of the United States; to the Committee on Ways and Means.

By Mrs. GRIFFITHS:

H.J. Res. 452. Joint resolution providing for a National Break No Law Today Day; to the Committee on the Judiciary.

By Mr. ROUDEBUSH:

H.J. Res. 453. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.J. Res. 454. Joint resolution to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GALLAGHER:

H.J. Res. 455. Joint resolution to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CURTIN:

H.J. Res. 456. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BOW:

H. Res. 377. Resolution relative to the Interstate and Foreign Commerce Committee making an investigation and study of certain policies of the Federal Communications Commission; to the Committee on Rules.

By Mr. CELLER:

H. Res. 378. Resolution creating a select committee to conduct a study of the Office of Economic Opportunity; to the Committee on Rules.

By Mr. PATTEN:

H. Res. 379. Resolution to stop the transfer of the Naval Training Devices Center at Sands Point, N.Y., pending an investigation; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 8078. A bill for the relief of Majda Brinovec; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 8079. A bill for the relief of Zeev Nitzan; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 8080. A bill for the relief of Guglielmo Fabrizi; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 8081. A bill for the relief of Doroteja Babic; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 8082. A bill for the relief of Miss Araxie Tartarian; to the Committee on the Judiciary.

By Mr. MACHEN:

H.R. 8083. A bill for the relief of the estates of certain former members of the U.S. Navy Band; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 8084. A bill for the relief of Zygmunt Gajewski and his wife Barbara; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 8085. A bill for the relief of Harvey E. Ward; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 8086. A bill for the relief of Joyce Dorothy Hyatt; to the Committee on the Judiciary.

By Mr. SICKLES:

H.R. 8087. A bill for the relief of certain individuals; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 8088. A bill for the relief of Bienvenido Gabriel; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

203. By Mr. HOSMER: Petition of certain residents of the 32d Congressional District of California, who object to the President's speech on March 26, 1965, carried on television throughout the Nation, in which he pronounced certain people guilty, thus throwing away a man's constitutional right of being considered innocent of a charge until indicted by a grand jury and proven guilty by a jury of his fellow citizens; who also demand that the Congress of the United States repudiate this action by the President by arising to the defense of our Constitution; to the Committee on the Judiciary.

204. By Mr. PATTEN: Petition of Alden Clausen, Perth Amboy, N.J., to consider a plan to end cold war; to the Committee on Foreign Affairs.

205. Also, petition of Alden Clausen, Perth Amboy, N.J., relative to United Nations and world security; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Bracero Program

EXTENSION OF REMARKS

OF

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1965

Mr. TALCOTT. Mr. Speaker, with the escalating losses of fruit and vegetables now spoiling in California fields, with the enormous losses of investments in crops which cannot be harvested, with the increasing costs to the consumer throughout the Nation, many Members of Congress are reconsidering their positions on the bracero program. At least seven who voted last year to terminate Public Law 78—which authorized the entry of Mexican farm workers—have told me they would vote differently today. Many others have said they did not believe any Secretary of Labor would ever permit valuable food to rot in the fields for lack of harvest labor.

No group of farmers, or other businessmen, could possibly cope with the sudden withdrawal of 100,000 competent, experienced, reliable workers. Most persons who study the problem objectively are sympathetic with the farmer and consumer, and would reinstate the bracero program in some form—preferably on a gradually declining basis over a period of several years to allow sufficient time for other arrangements to be developed.

Two recent congressional questionnaires document this view.

First. In my questionnaire, I, as an advocate of the bracero program, and representing a predominantly rural agricultural area, asked this question:

> Do you favor Federal legislation which would permit temporary admission of foreign nationals under strict supervision to help harvest farm crops if domestic labor is not

available and prevailing farm wages are paid?

The tabulation of over 18,000 answers was:

	Percent
Yes	86.9
No	11.5
No answer	1.6

Second. Congressman JEFFERY COHELAN, of Berkeley, an opponent of the bracero program, and representing a predominately urban industrial area in Alameda County, asked these questions. The tabulation of about 13,000 answers was:

> Migrant farm labor: Several different bills have been introduced in the field of farm labor:
>
> (a) Would you favor extending the national minimum wage of $1.25 per hour to agricultural workers?

	Percent
Yes	74.6
No	14.1
Undecided	11.3

> (b) Would you favor resuming Public Law 78, the importation of Mexican farmworkers (braceros), which was ended by Congress in 1964?

	Percent
Yes	45.2
No	37.9
Undecided	16.9

A larger percentage of responders in my district answered affirmatively on the question of importing Mexican farmworkers, but, nevertheless, the concensus is clear and substantial in both instances.

I believe that an overwhelming majority of the American people would approve action either by Congress or the administration to permit the entry of workers from Mexico in sufficient numbers to help prevent crop spoilage. Should not the administration, the Secretary of Labor and Congress conform to the will of the people—and remove the specter of continued crop losses, spoiled food and higher consumer prices?

Laotian National Day, May 11

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1965

Mr. POWELL. Mr. Speaker, on May 11, 1947, Laos promulgated its first constitution. This constitution was to become a kind of modern statute for the kingdom, which received its independence from France 2 years later. In Laos, May 11 has been designated National Day and today is the 18th anniversary of that important and historic occasion.

I wish to take this opportunity to congratulate His Majesty King Sri Savang Vatthana, His Royal Highness Prime Minister Souvanna Phouma, and His Royal Highness, the Laotian Ambassador to the United States, Prince Tiao Khampan.

It is an appropriate time to turn our attention to the Kingdom of Laos. There is a tendency for our eyes to focus on the developments in South Vietnam and to ignore what is happening in Laos. Yet Laos, as much as its neighbor to the south, is deeply engaged in a grim struggle for survival. Both countries are waging a war against Communist subversion and penetration.

The front pages of newspapers are filled with reports from South Vietnam—about the most recent air strike against a Vietcong stronghold or the arrival of a new contingent of marines. On rare occasions a column or two on Laos may appear in an inside page. In Laos there is none of the tempo or drama of the conflict in South Vietnam. Perhaps, for this reason, it is often called "the quiet war."

We should not forget, however, that the struggles in Laos and South Vietnam are indivisible. The leaders in Hanoi are masterminding both offensives and their goal in each case is the same. Their aim is clear and unmistakable—to bring the people of both countries under Communist domination.

A year ago the Communist Pathet Lao were rapidly gaining ground and the Royal Lao government, as represented by its neutralist and right wings, was falling apart. Indeed, it seemed that Laos was almost lost. The last 12 months, however, have seen some remarkable changes. Prime Minister Souvanna Phouma has consolidated his power and is for the moment confident and prepared to battle with the Communist guerrillas.

It would be unwise to exaggerate the importance of these gains. On the 18th anniversary of its "national day" the kingdom of Laos faces a difficult and dangerous future. In the year to come each day will be a test of the people's strength and will to survive. We in the United States honor these democratic and freedom-loving people. Their courage in these days of crisis assures them of the continued close support of the American people.

Prince Georges County Boy Receives Lifesaver Medal

EXTENSION OF REMARKS

OF

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1965

Mr. MACHEN. Mr. Speaker, on May 6 at the White House, President Lyndon B. Johnson presented one of American Automobile Association's gold lifesaver medals to James Raymond Hendricks. Buddy, as he is known to his friends and family, was honored for saving the life of a first grade student who ran in front of an auto after she accidentally knocked him down. He jumped to his feet and grabbed the girl as the auto narrowly missed both of them.

The American Automobile Association has been presenting these medals since 1949 to members of the school safety patrol whose acts have saved the lives of persons in imminent vehicular traffic danger. We have seen some startling statistics concerning the reduction in the traffic death rate for children 5 to 14 years of age. Since 1922 the traffic death rate for this group has decreased to nearly one-half while the death rate of other age groups has practically doubled. I am certain that a large amount of the credit for this achievement can go to youngsters like Buddy Hendricks who conscientiously and bravely perform their duties as safety patrol members.

Preserving the Taft-Hartley Act

EXTENSION OF REMARKS

OF

HON. JOHN J. GILLIGAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1965

Mr. GILLIGAN. Mr. Speaker, the Citizens Committee To Preserve Taft-Hartley, a national organization headquartered in Washington, D.C., inserted a full-page advertisement in the Washington Post on May 4, 1965.

The purpose of the advertisement was to for public opinion to support retention of section 14(b) of the Taft-Hartley Act. It was entitled "Keep the Taft-Hartley Act Intact and Protect Fundamental American Rights."

As I read the advertisement, Mr. Speaker, I was delighted by the high aims of this group of citizens. I read that the committee sought to "safeguard an employee's right to make a free choice regarding union membership." Further, I found that the committee was working to prevent serious weakening of "the fundamental right of every American to work in his chosen occupation."

What American could deny that these are desirable goals? Impressed by these statements, I read further. An interesting statement of the beliefs of the committee was presented:

> We believe that good labor-management relations depend upon the proper balancing of the rights of individual wage earners, labor organizations, and employers, so that the interests of all are served.
>
> We believe that the Taft-Hartley Act helps to achieve this balance by placing reasonable restraints on the powers of each group involved.

Finally, the committee stated that the President and the Congress should stand firm against pressures to reduce the effectiveness of the Taft-Hartley Act.

As I read the advertisement, I wondered who are these fine businessmen who are willing to stand up to be counted publicly on the side of the American workingman and to defend him against all sorts of unlawful abuses? What forward looking men they must be who pledged themselves to protect an important Federal law regardless of the consequences, and who felt that they had a duty to "protect fundamental American rights."

I must confess that I was shocked, Mr. Speaker, at the very first name heading the list of 34 active committeemen. It was none other than Mr. A. D. Davis, president of the Winn-Dixie Stores, Inc., cochairman of the committee.

I recognized the name of this company, Mr. Speaker, because it was involved in a Federal court action in the city of Cincinnati in my district just 9 weeks ago. The court action involved the findings against the Winn-Dixie Stores, Inc., made by the National Labor Relations Board that the company was guilty of unfair labor practices, and that it had violated the Labor Management Relations Act, otherwise known as the Taft-Hartley Act.

The National Labor Relations Board—143 NLRB No. 848—had found that the Winn-Dixie Stores, Inc., was guilty of four charges of unfair labor practices. The company had:

First. Illegally refused to bargain with employees.

Second. Illegally demanded that employees should provide the company with statements given under protection of the law by the employees to investigators from the National Labor Relations Board.

Third. Illegally interrogated employees as to their desire for a union.

Fourth. Illegally threatened reprisals against employees, including the threat to close the store if the employees there voted for a union.

These are very serious findings, Mr. Speaker, which were made by the National Labor Relations Board, a Federal Government agency set up to enforce the Taft-Hartley Act and to prevent abuses to both employers and workingmen.

The Winn-Dixie Stores, Inc., refused to abide by the finding of unfair labor practices by the NLRB, and would not respect its working people as bargainers for wages. It was necessary for Mr. Arnold Ordman, General Counsel for the NLRB to bring the Winn-Dixie Stores, Inc., before the U.S. Court of Appeals, Sixth District, Cincinnati, for trial. The case is known as the National Labor Relations Board against Winn-Dixie Stores, Inc. and Winn-Dixie Louisville, Inc., and was decided on February 27, 1965, just 9 weeks ago.

Were the Winn-Dixie Stores, Inc. guilty of unfair labor practices as charged? The U.S. court of appeals agreed with the NLRB and sustained the findings against the company.

First, did Winn-Dixie illegally refuse to bargain with employees? The court said:

> We find substantial evidence on the record considered as a whole to support the holding of the Board (concerning procedures requesting bargaining) and that respondents (Winn-Dixie Stores, Inc.) violated Section 8(a) (5) and (1) of the act (the Taft-Hartley Act) in refusing to bargain with the union.

I ask, Mr. Speaker, does this sound like an attempt to "keep Taft-Hartley Act intact and protect fundamenal American rights"?

Second, did Winn-Dixie illegally demand that employees should provide the company with statements given under protection of the law by employees to the NLRB?

The court said:

> We approve the following language of the Board's decision on this point.

The Board was concerned that if the employers "knew of the employees' statements to them, what they contained, or how the union was viewed, it would exert an inhibitory effect on the employee's willingness to give a statement at all or disclose all of the matters of which he has knowledge for fear of saying something that might incur the employer's displeasure and possible reprisal," and issued orders to Winn-Dixie Stores, Inc., to cease its activities in this respect.

Mr. Speaker, does this charge bear out the advertisement's statement that the committee—of which Mr. Davis is cochairman—and the members of it desired to "safeguard an employee's right to make a free choice regarding union membership"?

Third, did Winn-Dixie Stores, Inc., illegally interrogate employees as to their desire for a union? The U.S. court of appeals says it did, and that it should not have interfered in—

> Matters of union membership (discussion of) the nature of extent of union activity, or (the dissuasion of) employees from joining or remaining members of a union or otherwise to interfere with the statutory right to self-organization.

Mr. Speaker, does this finding bear out the statement of the committee—of which Mr. Davis was cochairman—and its members that it is in favor of placing reasonable restraints on the powers of each group involved?

Fourth, and last, did Winn-Dixie illegally threaten reprisals against employees, including the threat to close the store if the employees there voted for a union? If Winn-Dixie did, then it is guilty of a dastardly action, threatening reprisals against a group which cannot defend itself, and which fears that its very means of livelihood might be taken away. The court said:

> We find substantial evidence on the record supporting the Board's conclusion that respondents violated section 8(a)(1) (of the Taft-Hartley Act) by interrogation and threats of reprisal, including a threat to close the Owensboro store in event a majority of the employees authorized the union to become their bargaining representative.

Does this square with the assertion of Mr. Davis, as a member of the committee, that he desires to assure the fundamental right of every American to work in his chosen occupation?

Can it be said, Mr. Speaker, that it was only one store of a number of stores owned by the Winn-Dixie Co., Inc., which did these dastardly things, and that Mr. Davis, as president of the company cannot be connected with the action of one of its stores?

No, Mr. Speaker, as the U.S. Court of Appeals, Sixth District, Cincinnati said:

> The parent corporation, respondent Winn-Dixie Stores, Inc., is liable together with its susidiary for the unfair labor practices found with respect to the Owensboro store.

It further said that:

> The respondents have common officers, directors, and operators; that the common directors and operators formulate and administer a common labor policy for both respondents; that the same directors sit as the ultimate managerial authority for both the parent and subsidiary; and that the basic labor relations policy of the subsidiary emanates from the headquarters of the parent corporation in Jacksonville, Fla.

In order to realize the extent of the dangers inherent in the actions of the Taft-Hartly busting company known as Winn-Dixie Stores, Inc., it must be realized that this is a giant corporation, for as the U.S. Court of Appeals, Sixth District, Cincinnati, said:

> Respondent Winn-Dixie Stores, Inc., a Florida corporation, operates through subsidiaries or divisions some 600 retail food supermarkets in the southeastern part of the United States.

And so we have the whole sorry story, Mr. Speaker. It is a story of harsh, unprincipled, abusive breaking of the Taft-Hartley Act by a company whose president now serves as a cochairman of a "National Committee To Keep the Taft-Hartley Act Intact and Protect Fundamental American Rights."

It is a sad day indeed, Mr. Speaker, when a company which has broken a national law, and unlawfully abused its employees, piously preaches about preserving a law it has so flagrantly violated, and about protecting the rights and interests of the American workingman. This sorry incident may well serve as a warning to the Members of this House that not all those who proclaim their devotion to the rights of the individual workingman, and to his right to work, deserve either the respect or attention of the Nation.

Persecution of Soviet Jewry

EXTENSION OF REMARKS

OF

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1965

Mr. ROSENTHAL. Mr. Speaker, yesterday morning I testified before the Subcommittee on Europe of the Committee on Foreign Affairs, of which I am a member, on my resolution, House Concurrent Resolution 277, and similar resolutions, which express the sense of the Congress that persecution of the Jews in the Soviet Union be condemned and censured.

Under leave to extend my remarks in the Congressional Record, I would like to set forth my testimony herewith:

Statement of the Honorable Benjamin S. Rosenthal Before the Subcommittee on Europe of the House Foreign Affairs Committee, May 10, 1965

Madame Chairman, I am grateful for the opporunity to appear before this committee in support of my concurrent resolution, House Concurrent Resolution 277, which expresses the sense of Congress that persecution of Soviet Jewry be condemned and censured. I want first to commend the subcommittee for the service it is performing as a forum for national opinion on this critical issue. I appear before you today out of a profound sense of duty and personal commitment, and as the representative of thousands of my constituents to whom the subject before us today is of the deepest possible significance.

It is my belief that the crime against Jews in Russia is a form of cultural genocide, a crime against all humanity, and therefore is properly on the agenda of this Nation and all nations, subject to the judgment of all men.

Three million Jews currently living in the Soviet Union are now subject to the systematic strangulation of their historic identity and the erosion of their sacred traditions. This deliberate policy of premeditated persecution is evil. It offends the ethical dignity of all men. It denies the accumulated moral wisdom of centuries. It contradicts the principles which all members of the United Nations, including the Soviet Union itself, have declared to provide the basis of a world order dedicated to universal justice.

Only in the past several years has the full story of the persecution of Soviet Jewry become clear. Now we are able to see that the ends of this persecution are in no way different from those once pursued by Nazi Germany. Only the means have changed. Gone are the concentration camps and the cruel machinery of extermination. In their place is a strategy seeking the destruction of Jews by undermining all those special qualities which have assured the cohesion of a people throughout the most rapacious persecutions in history. In place of death by violent murder, there is a different death—one of subtle and persistent cultural starvation.

Thus, Jews in the Soviet Union are now being denied the sustaining food of their religion, their education, their culture, their vocations and, indeed, their humor and pleasure. No people can maintain its identity in the absence of all those forces which bind it together and make it one. It is this danger which we must recognize as the real threat to Soviet Jewry.

The systematic assault on an entire people escapes the imagination. Only when we began to comprehend the tragedy of individual Jews did we begin to make sense of the Nazi genocide. Perhaps it will be useful, therefore, to consider the case of one Russian Jew.

If this citizen is a young man, say in his middle thirties, he may still remember that 2,500,000 of his fellow Russian Jews were murdered during World War II. His memory, if it fails, may be reinforced by the circumstances of the life he shares with those Jews who escaped the Nazi terror. On his passport he carries the classification "Jew," as did his brothers in Europe during the Nazi domination of the Continent. He is branded at once as a member of a minority, a special unit of humanity to be distinguished from all others. He is to be known as a Jew because he and his fellows are subject to special rules, laws, and procedures in the operation of Soviet society.

Perhaps he has sought the education which Soviet Russia has declared to be the right of all its citizens. In so doing, however, he has encountered a ruthless quota system limiting the number of Jews who can participate in the benefits of a Russian education—a quota system, scholars tell us, more extensive and discriminatory than any which operated during the days of the czarist pogroms. Denied an education, the Soviet Jew finds himself with most doors to opportunity closed to him forever.

He may turn, then, to self-education, education in his own heritage and traditions perhaps. If, as is true with many Russian Jews, his language is Yiddish, he may seek books and journals and newspapers in this tongue. He will find none, for no publication of Yiddish books has been permitted since 1959, with the exception of six—only six—short works by authors long dead. Perhaps he may wish to go to his own theater, but the Soviet Yiddish theater, long one of the prides of Russian artistic achievement, has been banned. Today, only a few amateurs gather together informally and privately to try to continue a tradition of hundreds of years. But a culture deprived of public expression and celebration is a culture threatened with extinction—which is the policy in Russia toward the rich and persevering culture of its Jews.

If the cultural and intellectual roots of his identity are thus threatened, perhaps our citizen may seek ennoblement and purpose in his religion. In the Soviet Union, however, the Jewish house of worship—with few exceptions—is padlocked. The number of synagogues and rabbis which the Government allows to flourish has now been reduced to about 60 or 70 in the entire country, or 1 for each 16,000 Jewish believers. The training of young rabbis who seek to continue the religious vocation has been viciously curtailed so that of the 13 students in the one single rabbinical academy, in all Russia, only 2 are less than 40 years of age—2 young rabbinical students in the entire country.

Our citizen, then, has virtually no one to train and serve him in his religion. He has almost nowhere to worship. If he seeks to do so at home, once again, he is denied the material of his faith; for Judaism is permitted no publication facilities and no publications. No Hebrew Bible has been printed for 50 years. No religious book of any kind in Hebrew has appeared since 1920. Nor is this surprising, for the language itself is outlawed.

The ritual articles and symbolic foods of his faith are denied him; these too cannot be produced without ruthless prosecution. If our citizen is fortunate enough to live in an area where a synagogue has been allowed to exist, he still will find no opportunity to communicate with his brothers in other parts of the country; for the Soviet Government has outlawed any association of Jewish religious organizations. Nor can he communicate with Jews outside Russia.

Denied the language, the teachers, the practitioners, the facilities, the ritual articles, the books, and the community of his faith, the Russian Jew is dispossessed of his religion and sent, once again, to the exile of secrecy, with the threat of arrest and further persecution.

As a Jew, then, he is deprived of his culture and religion. As a Russian, he is deprived of first-class citizenship in employment and vocation. Since he has not had full opportunity in education, he is at serious disadvantage in the specialist society of Soviet Russia. Even if he is specially gifted, he will still be refused entrance into any vocation judged to be of significant national importance. Thus, he is excluded from any service in government, in diplomacy, in education, or in science. The few scientists and educators whose brilliance could not be matched are now older men and women who are being eased out as the elitist educational system produces non-Jewish talent and skill. In the work and business of his land, then the Russian Jew is an alien, not to be trusted—to be avoided and excluded systematically without regard to his worth and his gifts.

The Jew in Russia, then, is increasingly a stranger to his history and tradition. Who is the Jew to his fellow Russian citizens, to those who have never met him or his fellows? A review of current Soviet publications, journals, magazines, and newspapers reveals a systematic ridicule and virulent stereotyping of Jews and Judaism. The young citizen whose life we have discussed is described, to his fellow Russians, as a worshipper of money, a drunkard, an agent of subversion, a speculator in human lives, a pagan who not only exploits his fellow citizens, but turns, as a matter of habit, upon his own fellow Jews. This is the Russian Jew as he appears day after day in Soviet publications. He resembles, if one takes the time to remember, the exact same stereotype as was publicized throughout the years of Nazi domination in Europe. He looks the same, acts and talks the same; the brutal cartoons may just as well have been captured Nazi documents. Their message is the same: The Jew is to be avoided for he corrupts and demeans society and blemishes national integrity.

Can just men in this country tolerate this subtle attempt to destroy the character and unity of an entire people? Can any of us here fail to raise voices of protest and still remain true to the democratic traditions and principles of our own history? I myself cannot. And this is why I have introduced a resolution expressing the sense of the Congress that the Soviet Government's persecution of Jews be condemned and that it allow the free exercise of religion and cultural pursuits by Russian Jewry. This is why I urge that the United States ratify the Convention on the Prevention and Punishment of the Crime of Genocide, as established by the United Nations General Assembly in 1948. This is why I urge the President and Secretary of State to communicate, again and again, this country's outrage over the cultural genocide now being pursued against Russian Jews.

There is no tradition or custom which forbids the citizenry of the world to make public its indignation at crimes against humanity. For such action, the nations of the world have sought to join together in common enterprise in the United Nations. Where an entire people is threatened with spiritual and cultural extinction, so the whole world is threatened with moral guilt if it fails to express its outrage in the strongest voice. I therefore urge the adoption of my resolution expressing the outrage of the U.S. Congress at the crime of cultural genocide against Soviet Jews.

No Single Resource Is More Important Than Water

EXTENSION OF REMARKS

OF

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1965

Mr. BROOKS. Mr. Speaker, Saturday, May 8, 1965, was a very significant day in the history of southeast Texas. On that day, President Lyndon Johnson dedicated the Sam Rayburn Dam and Reservoir in Jasper, Tex. This 120-foot-high dam and the 114,000-acre reservoir make up the largest fresh water lake in the State of Texas. The thousands of people assembled at the site were welcomed by the senior Senator from Texas, the Honorable RALPH YARBOROUGH. Following this, President Johnson, speaking by telephone, told of the importance of maximum utilization of our water resources. He also pointed out how especially appropriate it was that the dam be dedicated to our late beloved Speaker Sam Rayburn. Others pointed out that it was fitting that the President make the dedication since he has been long noted for his work in behalf of water development for Texas and the Nation and particularly since, as Senator, he had strongly supported this great project in southeast Texas from its inception.

The complete text of the President's remarks follows:

President Johnson's Remarks

Hello there, Jack Brooks and Charlotte, Senator Yarborough, General Free, Bill Weed, and my beloved friend Mrs. Bartlett, this is a very happy and proud occasion for me and for the people of southeast Texas and for the entire Nation.

Having worked with all of you from the earliest beginnings of this project which you are dedicating there today, I deeply regret that the official duties that I have here this weekend make it absolutely impossible for me to join with you this morning in your celebration which I had planned for so long to attend.

Jack and Charlotte have talked to me for several months about this occasion and Lady Bird and I had looked forward to being there and enjoying it with all of you. Perhaps you will give us a raincheck and we can come back another day.

This dam and reservoir fulfill the foresight and the vision of many citizens who saw many years ago the necessity and the opportunity of developing the basin of the Naches and Angeline Rivers. The list is long of private citizens to whom credit is due. Certainly particular credit goes to the energy and the enterprise of your own very able and effective Congressman and my longtime good friend, Jack Brooks. Day after day, week after week, month after month, year after year, I was almost afraid to meet Jack in the corridors or on the street for fear that he had one more errand that he wanted me to run in connection with this authorization and appropriation. Without the patience, the perseverance, the will, and the determination of Congressman Brooks, this important achievement might not yet be a reality. He had the support of the Texas delegation, including Mr. Rayburn, your own very able, senior Senator Ralph Yarborough and all the rest of us in doing our little bit to help bring this about, but it is chiefly through his own efforts that it is a monument to him as well as to Mr. Rayburn.

I think it is especially appropriate that this dam should bear the name of that great American—Sam Rayburn.

As Speaker of the Texas House of Representatives, he was a friend of my father when I was born. Later, as Speaker of the House in Congress, Mr. Rayburn became my teacher and my counselor. My personal debt to him is great and I am so proud to be able to participate in perpetuating his memory so appropriately when his sister is able to be present.

Through his lifetime, Mr. Rayburn was a strong and tireless supporter of our Nation's efforts to conserve and to develop the bountifulness with which we are now endowed. This continuing effort, through many generations, has contributed greatly to the strength and success in the challenging years of the 20th century.

No single resource is more important to us than water. Our management of America's water resources is basic to the success in meeting the many obligations and many opportunities of our growing population.

Water has always been a first concern of the Western and Southwestern States. Today, no region of the Nation can afford to take water for granted because from the Atlantic to the Pacific coast, the urbanization and industrialization are creating a mighty and great thirst for water, and more water.

I don't think any of you really know how much you are contributing to the industrialization of your wonderful east Texas area by the attention that you are giving the water resources of that area. And no two men in the entire Congress are more active in water resource legislation than Jack Brooks and Ralph Yarborough, and I know all Texans are proud of that.

If this thirst is not satisfied by positive and constructive and timely action, we could experience very great trouble in fulfilling the promises and the potentials of American life.

I believe there are at least 10 objectives that we should set for ourselves and we should strive continuously to reach. If you will give me a moment, I would like to point them out:

We must control flooding on our rivers and our streams.

We must assure an ample supply of good water for domestic and industrial and agricultural use.

We must purge our rivers and harbors of pollution.

We must further develop our navigation systems.

We must develop more fully our Nation's great hydroelectric power potential.

We must provide increasingly for water-oriented outdoor recreation of all kinds.

We must be good stewards of our irreplaceable fish and our wildlife heritage.

We must conserve and enhance the grandeur of natural environments and make them more accessible to all of our families of this land.

We must preserve and create beauty throughout the land.

Finally, we cannot afford to approach any part of our overall water resources development program on a single-purpose, or a single-interest basis. If all the requirements that confront us are to be satisfied, none of us can afford to be selfish. We must all learn to share this limited resource to attain the greatest good of the greatest number of people.

"The greatest good for the greatest number" was the personal creed by which Sam Rayburn lived and by which Jack Brooks and Ralph Yarborough and the rest of us try to work and serve our Nation. That creed is an appropriate and fitting guide for us as we work together in unity to make life better throughout our land, and to make life safer and happier and most hopeful throughout the world.

We of our generation bear a high and a noble trust. The burdens are heavy. The demands are many. But we shall not fail. Where the word of America has been pledged, as we have demonstrated this last week, it will be honored. Where freedom is in danger, it will be defended. Always and forever wherever there is an opportunity to make peace, America will be represented.

So I take great personal pride now in dedicating to the service of the American people and to the strength of the American Nation the Sam Rayburn Dam and Reservoir.

Thank you my good friends of Texas. I am so sorry I am not there with you now.

Rural Electrification Administration

EXTENSION OF REMARKS

OF

HON. CLAIR CALLAN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1965

Mr. CALLAN. Mr. Speaker, today we mark the birthday of an agency of our Government which has meant more than can be told to the people of this country. An agency which attains the age of 30 years could be forgiven if it concentrated on the achievements of the past but I know that the Rural Electrification Administration is looking to the future.

I would therefore like to briefly review the history of this agency—one of those that has made life as we know it today possible.

The REA was created May 11, 1935, by Executive Order No. 7037 pursuant to authority granted in the Emergency Relief Appropriation Act of 1935. With that action President Roosevelt set into motion machinery of government that would have an untold impact on millions upon millions of our people. The authorizing legislation had been sponsored by Senator George W. Norris, of Nebraska, and Representative Sam Rayburn, of Texas, but this legislation was anything but regional. It was national in the broadest sense of that term.

When Executive Order No. 7037 was signed, only 10.9 percent of the farms in the country had access to electricity. Some men said it was and would always be impossible to electrify farms because of the distances and lack of uses for this source of power.

Others predicted that the REA would fail early and often and the entire concept would end in dismal failure. But, Mr. Speaker, I can remember that the success of the REA was immediate and often. I remember utility companies racing to put up lines to rural consumers after passage of the act so the REA's would have less territory to cover.

The record of the REA is a proud one. It has made loans to more than 1,100 borrowers with a total of more than $5.5 billion loaned. About 93 percent of these loans were to cooperatives organized under State laws by rural people seeking electric service. REA borrowers operate more than 1.5 million miles of line and serve over 5.4 million consumers in 46 States, the Virgin Islands, and Puerto Rico.

The activities of the REA have been so successful that today, it is estimated that more than 98 percent of the farms in this country are electrified.

That uneconomic market for electricity of 30 years ago has become one of the largest single blocs of electrical consumers in the country and were the farms to be deprived of electrical power, costs of food would skyrocket. Slightly more than half of the electrified farms in this country are served by REA-financed systems and the demand for electricity in rural America is increasing.

As farms become larger, farmers turn to electrically powered equipment to do more of their work and this increased demand places ever greater burdens on rural electric systems. Burdens which must be met by expanding distribution and generating systems.

All of this work must be done under handicaps which are unique to systems which provide service to rural consumers. There is an average of 3.3 consumers on each mile of rural lines versus 33.2 consumers per mile of class A and B utilities.

In spite of this handicap, REA borrowers have one of the best payback records of any group in the country. These borrowers have paid more than

$1.2 billion on the principal of their loans as due, $255 million of principal ahead of schedule, and $693 million in interest.

Mr. Speaker, I contend that this is a record of which the REA, the Congress, and the country can be very proud but much work remains. We can rest assured that the Rural Electrification Administration will devote the same heroic efforts to the work of the future that they have given in the past.

Joint Congressional Committee Hearings

EXTENSION OF REMARKS

OF

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1965

Mr. MADDEN. Mr. Speaker, yesterday the special Joint Committee on the Organization of Congress opened its hearings in the old Supreme Court chamber in the Capitol Building.

Members of Congress will be heard over the next two weeks if they so desire to appear before the joint committee.

As cochairman of this committee I am submitting the statement made by me at the opening hearings:

Opening Statement of Congressman Ray J. Madden, Cochairman of the Joint Committee on the Organization of the Congress

Congress acted wisely when it authorized this joint congressional committee to hold hearings and make recommendations on streamlining and modernizing the legislative procedures of both branches of the U.S. Congress.

On only one occasion in modern history of our Government has this legislative step been taken, and that was over 20 years ago when Congress passed the Legislative Reorganization Act of 1946. The LaFollette-Monroney joint committee was primarily responsible for this act. We are, indeed, fortunate to have Senator Mike Monroney as a cochairman of this joint congressional committee, since he was in 1946 a Member of the House and the cochairman, along with Senator LaFollette, of the earlier committee.

The LaFollette-Monroney committee made a remarkable contribution to the functions of Congress by reducing the permanent committees of the House from 48 to 18. It also made a number of other valuable recommendations that were adopted in both Houses. Some of the changes adopted through the recommendations of the LaFollette-Monroney committee have not been implemented and others have been outgrown by reason of population explosion and the numerous additional functions assumed by the Congress. Certainly some of the duties we have today never even occurred to the Members in 1946.

But at that time the Members did not nor could not realize that the next 20 years would bring about a fantastic scientific advancement of modern office inventions, computer systems and work-saving devices, most of which were totally undreamed of during the days of World War II.

For example, in 1965 our annual budget has risen to approximately $100 billion and our gross national product in 20 years has increased from $220 billion to approximately $660 billion. (Secretary Dillon predicted that figure would be reached by the end of 1965.)

After the long program of hearings which this committee is scheduling, additional recommendations on organizational and legislative procedures will, no doubt, be made which the House and the Senate will adopt in order to carry out the intentions for which this joint committee has been organized.

I predict this committee, in its report, will make recommendations to the various governmental departments, including the Bureau of the Budget, to forward systematically to the desk of each Congressman and Senator, a simple abbreviated breakdown of all appropriations properly bracketed as to "purpose for expenditures" so that each Congressman can understand the purposes for every dollar appropriated in our annual gigantic budget of around $100 billion.

The committee can also explore the advisability of saving time on lengthy and tedious rollcalls and quorum calls by the possible installation of modern electrical systems for that purpose. For example, a 5-hour congressional day and a 35-minute average for rollcalls or quorum calls will waste approximately 70 congressional days in a 12-month session of the Congress.

Possible recommendations, after testimony is taken, could be worked out for simplifying and reducing the cumbersome subcommittee system which has expanded beyond reason in some of the House and Senate committees.

The inexcusable and extravagant time which has been wasted on unnecessary filibusters, some of which extend to 2 or 3 months, can also be reviewed by this committee in order to save the time of both Houses and the expense to the taxpayers.

Also some recommendations seem appropriate to develop a system whereby committees can begin work immediately after the convening of a new session of Congress. By so doing, the House can proceed to act upon legislation within a few weeks after the convening of Congress.

The committee could explore the advisability of establishing a code of ethics, eliminating fabulous campaign expenses, conflict of interest of Members, and numerous other areas which could eventuate a great saving to the American taxpayer.

Our forefathers, in the colonial days, decided on a 2-year term for the Members of the House of Representatives. Since that time, practically all offices on city, county, and State level have been extended to 4-year terms. The committee could explore this angle progressively and if the Congress saw fit, it could, under its own authority and jurisdiction, adopt a recommendation for an amendment to the Constitution extending the term of Members of the House of Representatives to 4 years. When a Member is sworn into office in January, after his November election, he is then within 12 months of another campaign and a great deal of his time and money is spent on and wasted in an almost round-the-clock campaign for reelection under the 2-year term provision.

Our workload here in Congress has increased because of the fantastic economic growth and expansion which has taken place within this great Nation of ours, and the tremendous responsibilities that have been placed upon our Nation by our position as leader of the free world. We have met our responsibilities here in Congress but only by increasing the workday and the length of our sessions. This has often meant neglecting some of our other duties with regard to office work and constituent requests, and most particularly it leaves little time to visit our congressional districts.

Thus, this bipartisan committee has the tremendous task of studying the organization and operation of the Congress. Its task is to make recommendations that will help to strengthen the Congress so that it may better meet its responsibilities as one of the three coequal branches of our Government. When one looks at the many timesaving devices that have been adopted by our large corporations and other institutions in the era since World War II, one cannot help but wonder if many of the new automatic and electronic office and auditing devices could not be adapted to our use. I would hope that this joint committee, after conducting thorough and exhaustive hearings, will be in a position to make recommendations to our respective Houses that will enable Congress to fulfill its responsibilities more efficiently and economically.

There have been a great many proposals made concerning the reform of Congress in the last few years both within and outside this body. In the proceedings commencing today we shall undoubtedly hear many of these repeated and even some new ones suggested. We, of this committee, have the duty to investigate all these possible avenues of reform in detail. After due deliberation we shall have the opportunity to make recommendations that will enable us to save the taxpayers millions of dollars and insure for the future that the Congress of the United States will remain the greatest legislative body in the world.

Excise Tax on Entertainment Equipment

EXTENSION OF REMARKS

OF

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1965

Mr. BURKE. Mr. Speaker, on February 8, 1965, I introduced H.R. 4471 to amend the Internal Revenue Code of 1954 relating to the manufacturers excise tax on entertainment equipment to alleviate the economic burden on consumers.

I believe my colleagues would appreciate being informed of the reasoning for the introduction of this legislation:

Ten Reasons Why Congress Should Repeal the 10-Percent Federal Excise Tax on Television, Radios, Phonographs

Most excise taxes were levied on the American people by Congress during World War II and the Korean conflict as fundraising measures for the Nation's defense effort. They were described as wartime and temporary taxes.

The following reasons explain why the 10-percent manufacturers excise tax imposed on radios, phonographs, television sets and their components should be repealed to remove the burden imposed on the consumer, encourage the growth of ultra high frequency (UHF) television broadcasting, promote the economic well being of the industry and stimulate the national economy.

1. Tax repeal is the logical second step after the all-channel TV law.

This industry became "double taxed" when Congress passed a law effective May 1, 1964, requiring a separate UHF tuner on all TV sets, raising the price as much as $30 per receiver even though 80 percent of purchasers cannot now, and many may never use this added equipment. Leaders of Congress and Government agencies concerned have advocated excise tax repeal to offset this added burden on the consumer.

2. Excise tax cuts will be passed along to the consumer.

The reduction in the average price of black-and-white television sets from $270 in

1960 to $140 in 1965 demonstrates the intensity of competition and efficiency in this industry.

Compared to the Department of Labor wholesale price index of 100 for the base years 1957–59, the December 1964 wholesale price index was 87.2 on radios, phonographs, and television, whereas all other commodities averaged 100.8. Portable radios, for example, had a price index of 60.1. In fact, radios, phonographs and television had one of the lowest price indexes of all consumer items in the Nation.

The administration, the Congress and the consumer can be assured by this industry's pledge and past performance that the benefits of excise tax repeal will be passed on to the consumer through lower prices, thereby bringing the hoped-for result—a boost in the national economy.

3. Excise taxes on radios, phonographs, and TV fall on those who are least able to pay.

The history of tax philosophy has been to alleviate the burden of the taxpayer least able to pay—the family—particularly the lower income family for which these media are often the sole means of entertainment and enlightenment. To these families a radio, phonograph or television purchase represents a much more substantial expenditure than it does for the higher income groups.

4. The householder pays a discriminatory tax on his radio, phonograph, or TV set.

In 1954 Congress reduced the manufacturers excise tax rate on practically all household items subject to the tax, but the 10 percent on radios, phonographs and TV sets remain. These products account for 43 percent of total sales. Yet they are the source of 59 percent of the revenue from all household items.

5. TV, radios, and phonographs are no longer luxuries, but necessities.

Radio and television as the major sources of information and entertainment today are essential to everyday life. Radios or phonographs are in 94 percent of U.S. homes and TV in 93 percent. Average TV families watch some 6½ hours daily; 70 percent of all men, 78 percent of all women and 99 percent of all children watch TV daily.

6. Radio and TV are "must" media in time of crisis.

They provide an unmatched communications system to the entire population in times of local or national emergency, for civil defense instruction, and for hurricane, tornado, and flood warnings. They were the first media to inform the people of such events of national importance as President Kennedy's assassination and the succeeding dramatic events; Presidential speeches on the Cuban and Vietnam crises, and vital messages to Congress and the Nation. More people are likely to hear of a major news event from radio than through any other medium of communication.

7. Radio and TV are optimum means for enlightenment, education, and cultural progress.

The most important key to national and international understanding is communication. Because of their intimacy and immediacy, radio and television stand supreme among all media of communications. Educational television (ETV) supplements and enhances classroom instruction and brings information and culture into the home. ETV, largely dependent on UHF broadcasting, is hampered by the higher cost of all-channel sets. Tax repeal would offset this deterrent to UHF development.

8. Radio and TV are major, mature media for news and special events.

A survey[1] reveals that TV is looked to for news more than any other medium, and that radio and TV are the most believable news sources. More than a third of the time spent by people viewing TV or listening to radio, even on the lowest educational level, was devoted to news and public affairs programs. Live coverage of the political conventions, the elections, the space launchings, the civil rights movement—all illustrate the vital role radio and TV play in keeping the American people informed.

A tax on television and radio is as contrary to wise public policy as a tax on newspapers and magazines would be.

9. Radio and TV are the most valued sources of entertainment.

Radios, phonographs and television are the principal means of entertainment for the entire family and particularly among the lower income families who are least able to pay the higher prices made necessary by the 10-percent excise tax. The American public, in a recent survey,[2] chose television ahead of radio, newspapers and magazines as the item they would least want to give up.

10. Revenue loss to the U.S. Treasury will be largely offset by business growth.

The combined radio and television manufacturing and broadcast industries employ over a million people. Increased sales brought about by excise tax repeal on radios, phonographs and television will increase employment and plant expansion in manufacturing and distribution and will open new areas of opportunity to broadcasting.

Color television is on the threshold of becoming a billion-dollar industry and the all-channel law is encouraging UHF broadcasting. The effect of excise tax repeal in these areas and in general on the electronics industry, the Nation's fifth largest, can have no other result than to stimulate the flow of the economy, thereby offsetting to a large extent any tax revenues lost to the Treasury.

REA in Minnesota

EXTENSION OF REMARKS

OF

HON. ALEC G. OLSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1965

Mr. OLSON of Minnesota. Mr. Speaker, perhaps no congressional district in the Nation can testify more directly and convincingly of benefits derived from the Rural Electrification Administration than the Sixth Congressional District of Minnesota. Since the beginning of the rural electrification program in 1935, REA has helped to light the homes and ease the labors of farm people in rural areas of the 19 counties in this district.

In this great agricultural area, REA has been a boon to farm and village residents and to the city dwellers who have cottages near our fine lakes or in our wooded sections. Today, there are 13 rural electric cooperatives which maintain their headquarters facilities within the Sixth Congressional District, and 6 others which serve sections of counties in the Sixth District. In addition, there are eight REA telephone borrowers which have headquarters within this congressional district.

The 13 rural electric borrowers are operating a total of 19,664 miles of electric powerlines and they serve 53,044 rural consumers. One of these borrowers is the Rural Cooperative Power Association of Elk River, a generation and transmission cooperative, which is operating the first nuclear power facility built in our State.

The people of Minnesota know the value of the REA programs and are grateful for the opportunity to enjoy rural electric and telephone service at rates which would not be possible except for the favorable terms which the Congress has made available. In reviewing the history of the REA programs, we are impressed that the Government used its credit to help rural people gain the blessings of rural electrification and later to help rural areas get modern dial telephone service. There were risks, great ones, but farmers and other rural residents took much of the risk out of the programs by their enthusiastic reception of electric power and telephone service.

So it is with pride that I call attention to the great achievements made under the REA programs in Minnesota.

Despite criticism of REA, we in Minnesota have seen no evidence that the rural electrification program has turned away from its original purposes. In Minnesota, five out of every six farms today receive electric service from REA-financed rural power systems. The partnership of local people with their Federal Government was the means by which rural Minnesota was able to enter the wondrous electrical age. In 1935, when REA began, only 6.8 percent of Minnesota's farms had central station electric service. For the Nation, the percentage of farms so electrified in 1935 was 10.9 percent. Today, 99 percent of our Minnesota farms have central station electric service, against 98 percent for the entire Nation.

Today, the Minnesota rural electric borrowers are operating almost 85,000 miles of line, both distribution and transmission, to serve almost 250,000 farm and other rural consumers. About one-half of these rural consumers are farmers.

Because Minnesota farmers have found cooperatives an effective means of solving tough problems, 52 of the 54 Minnesota electric borrowers under the REA program are rural electric cooperatives. The other two are municipalities—Litchfield and New Prague—which used REA financing to serve rural needs. The loan to New Prague has been fully repaid.

The first REA loan in the State was approved in September 1935. Since then, REA has approved loans totaling $248 million. REA had advanced $191.8 million of this amount on December 31, 1964.

It must be recognized that the job of rural electrification in Minnesota has been made difficult by the built-in handicaps which are found in so many rural areas of this country. The Minnesota rural electric systems have had to contend with low consumer density per mile of line, 2.8 consumers for the Minnesota cooperatives, compared with 3.3 consumers per mile for all REA borrowers. As a result, the Minnesota borrowers, despite their great progress, have averaged annual revenues of only $480 per mile, whereas the class A and B commercial utilities in Minnesota averaged 38.7 consumers and $8,599 per mile.

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[1] Elmo Roper & Associates Survey, 1964.

[2] Elmo Roper & Associates Survey, 1964.

The Minnesota rural electric cooperatives are also handicapped by a lack of diverse loads and large power consumers. And they operate as isolated systems, which adds to cost and difficulty of operation.

Their principal handicap at the outset was the high cost of wholesale power. Some of the early cooperatives were asked to pay more than 2 cents per kilowatt-hour at wholesale. Fortunately, the availability of power from Federal dams on the Missouri River helped to reduce somewhat the high power costs for Minnesota rural electric cooperatives. The availability of REA loans for generation and transmission facilities also is helping to bring this cost down.

In finding ways to surmount their handicaps, the Minnesota rural electric systems have fully justified the confidence of their organizers and members with outstanding performances in almost every phase of operation and service.

By January 1, 1965, REA borrowers in Minnesota had made a total of $140,988,227 in payments on their Government loans. The payments included $64,802,835 repaid on principal as due, $12,950,685 of principal paid ahead of schedule, and interest payments of $33,234,707. No borrower was overdue in its payments.

Consumers served by REA borrowers in the State are using increasing amounts of electricity on their farms and in their rural homes and businesses. In 1954, the average monthly consumption per consumer was 293 kilowatt-hours. By 1964, the average had risen to 560 kilowatt-hours. The continuing objective of REA borrowers in Minnesota is to provide the electric service required by their consumers under rates and conditions comparable to those available in urban communities.

The growth in power consumption points up one of the principal concerns of rural electric systems as they plan for the future—the assurance of an adequate supply of power at low cost. The power requirements of all REA-financed rural systems rose from 30 billion kilowatt-hours in 1960 to 41 billion in 1964. Looking to the future, REA estimates that its borrowers will need at least 65 billion kilowatt-hours by 1970, 87 billion kilowatt-hours in 1975, and 116 billion kilowatt-hours in 1980.

For Minnesota borrowers, power requirements will rise from the 1.7 billion kilowatt-hours of 1964 to 2.7 billion kilowatt-hours in 1970, 3.4 billion kilowatt-hours in 1975, and 4.3 billion kilowatt-hours in 1980. By 1985, incidentally, the Minnesota rural systems will require 5.3 billion kilowatt-hours, or more than three times the total for 1964.

These estimates underscore the fact that the task of rural electrification is far from finished. In the 30-year-old REA program, as with our highways, the job is not finished when the initial system is built.

As REA Administrator Norman M. Clapp has pointed out, along with their total power requirements, the capital requirements of REA-financed systems will increase in the years ahead. Mr. Clapp has said that REA borrower systems may need as much as $8.1 billion in new capital between 1965 and the end of 1980. In 1980, the REA borrowers may need as much as $675 million for investment in new facilities to serve their consumers.

I regret that time is not available for me to discuss the accomplishments and needs in Minnesota and the Nation adequately or fully. I do wish, however, to state that rural electrification progress has been facilitated in our State by the close cooperation of all types of power suppliers. The power cooperatives in Minnesota are working with the commercial utilities in the creation of power pools and the planning of future facilities for maximum economy.

Address of the Vice President on Polish Constitution Day at Chicago, Ill., May 2, 1965

EXTENSION OF REMARKS

OF

HON. DANIEL D. ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1965

Mr. ROSTENKOWSKI. Mr. Speaker, on Sunday, May 2, 1965, Chicago observed the commemoration of Polish Constitution Day with a rally held in Humboldt Park, which is located in my congressional district. We were honored by the presence of the Vice President of the United States, the Honorable Hubert H. Humphrey, who delivered the principal speech to the 150,000 people gathered for the occasion.

It was a stirring speech, so with permission I include it in the Record at this point:

Address of the Vice President on Polish Constitution Day, Chicago, Ill., May 2, 1965

Distinguished reverend clergy, his honor, the great mayor of the great city of Chicago, Richard Daley; members of the county and city government, State legislators, my good friends of the Congress, the Congressmen from the district in which this great gathering is being held—Congressman Dan Rostenkowski whom you all know well, Congressman Roman Pucinski. Danny and Roman invited me several times to be here. They promised me that with your intercession and divine providence and the mayor of Chicago all working together, we'd have good weather, and we have it. Congressman Kluczynski, who I trust is with us here today, and Congressman Ed Derwinski, my good friends are all here on this great day to commemorate the Polish Constitution Day, the 174th anniversary of a document of freedom—a document of liberalism—a document of humanitarianism—a document of parliamentary government—a document of majority rule—a constitution of liberty for a great people. What a beautiful day it is to celebrate that memorable event of May 3, 1791—Polish Constitution Day.

May I pause for a moment in behalf of our country, in behalf of freedom-loving people everywhere, to pay our respects to a great soldier, to a great patriot of his own land, and to a fighter of freedom second to none. Of course, I refer to the distinguished soldier and patriot that has addressed us here today, General Marczek, who has graced this platform by his presence and by his words. The world will never forget this great general was commander of the famed Polish 1st Armored Division which took part in many of the most important battles of World War II, and every battle was an honor to the general and his troops. And then, may I once again pay my respects to these distinguished statesmen who have come here representing the Assembly of the Captive European Nations. They're fine people, and Mr. Rozmarek, the citation and the medal you've received today is a high honor. I cherish in my office a plaque which I received a few years ago with the flags of the captive nations of Europe—a plaque which was an expression of appreciation on the part of those people for some work in the Congress of the United States which I was privileged to perform. So may I once again express my gratitude to these valiant, courageous lovers of freedom who have done so much for each and every one of us. And I want also to pay my respects today to the many fraternal organizations that are here—the Polish fraternal groups, the Polish veterans, and the many veterans organizations that are here on this memorable day; and above all, may I say a word of happiness and good cheer to the youth, to the young people, because, as Mrs. Humphrey and I had those few moments to witness a part of your parade, we were once again thrilled by the young people—their health, their vigor, their vitality.

Ladies and gentlemen, I want to talk today a little bit about our citizenship as Americans. I want to talk to you a little bit about our responsibilities as a people and as a country, because this Nation of ours, as Mr. Rozmarek has indicated, has tremendous responsibilities today. Charles, I want you to know how grateful I am as Vice President of these United States to hear your words in support for the President, for the Congress, for the policy of the Government of the United States, as we defend freedom in southeast Asia and as we resist the most brutal form of terrorism and the most unbelievable and insidious form of subversion and aggression that this Nation has witnessed in all of its life, by the Communists in that area. And lest there be any doubt, let me remind you of the words of President Johnson in that memorable address at Johns Hopkins University in Baltimore just a few weeks ago, when he told us that we will not be defeated, we will not withdraw, we will not tire, we will defend freedom and we will not sell out or sell away the liberties of others and call it peace. That lesson has been learned in this century. There is no peace for anyone, nor is there any freedom for anyone, if country after country—little countries—can be sold down the river into tyranny and into slavery. Freedom and peace are indivisible, and we have no intention my fellow Americans of withdrawing from the struggle, of seeking an easy truce or peace at the price of principle and freedom.

Yesterday, Mrs. Humphrey and I were at Williamsburg, Va., and at Jamestown. Jamestown, Va., represents the first English-speaking settlement in the United States—1707. There we were privileged to participate in the ceremony of new citizenship for about 200 immigrants that had come to our shores to become American citizens. And what a wonderful experience it was. What a glorious day. It was beautiful like today. And there they were, young people in the main, people of every race, creed, and nationality, people from Poland, people from Eastern Europe, people from the northern countries of Europe, from Asia, from Latin America, from Africa, from the Middle East. There they were taking that oath of allegiance to the United States of America. It was an exciting experience because I saw my country and our country strengthened. No one nation has a unique claim to America, but no people has a greater claim or can claim greater contributions to our country, to our beloved America, than those who came here from Poland. All one has to do is to look at that statue, to look at that memorial to a great patriot, General Kosciusko, one of the great fighters for freedom, one who helped America, and then we know that the people of Poland have made great contributions to our land.

From the earliest beginnings, America—our country—has benefited from the wisdom, the courage, the guidance, the leadership of the Polish people. We have benefited from the art and the literature and the beautiful music and the skill and the craftsmanship and the statesmanship and the love of liberty of the Polish people.

We share great heroes, as I've said, like Gen. Thaddeus Kosciusko and General Pulaski, men who have been heroes in battle and fighters for human rights and human dignity, battlers every one of them against tyranny, battlers against tyranny of the mind and spirit, as well as tyranny of the body politic.

As Americans of Polish descent, therefore, you share the strengths of two great peoples. Many of the democratic American traditions have their parallels in Polish history of a thousand years. Think of it—a thousand years. Might I add, that great Constitution that we commemorate today, of May 3, 1791, came to the Polish people only 2 years after our own Constitution. This, above all, proves to me that a good idea is a powerful weapon. And the good idea of American freedom and independence penetrated every land within a very few years after the adoption of our Constitution. That Constitution of Poland, dedicated to parliamentary government, had much of its inspiration, my fellow Americans, from our Constitution—we the people of these United States.

For most of that period of a thousand years, Poland has been an independent Christian nation, though there are those that today within her boundaries would ignore, and indeed destroy, these traditions, we know that the spirit of the real Poland never dies, and we know that the spirit of the liberty-loving free Poland will flower once again.

Our late and beloved President Kennedy said these words: "Poland's claim to independence and liberty is not based on sentiment or politics. It is deeply rooted in history, in culture, and in law—and no matter what pressure the Soviets may exert, we do not intend to see that claim abandoned."

Ladies and gentlemen, those words of a departed President who loved Poland—those are the words of America today, just as truly now as then.

We are convinced that time is on the side of freedom—that is, if we put time to good use—if we put time to good use and do not abandon freedom.

We intend to put that time to good use, and we're doing it here today. We intend to build bridges to the Polish people—bridges which may now and then be obstructed at the other end, but which will be there to be cleared when the day of freedom dawns. We intend to build bridges that strengthen the bonds of friendship between America and the Polish people, and I say to Frances Dymek, as she read the resolutions here today, we intend to expand our programs of cultural exchange, of contact with the people of Poland, because, make no mistake about it my friends, Poland is not Communist—Poland is Polish, loving liberty. Poland is a friend of the United States, the likes of which I've never seen elsewhere and I've traveled in that country and know of what I speak. The people of Poland love our America, and the people of Poland love their nation, they love their history, and I wish my voice could go to the people of Poland—we love you too, and we stand with you, good people of Poland, for your days of freedom.

The fires of liberty are not dimmed in Polish hearts. The fires of their nationalism and their independence—they burn brightly. We must help sustain that fire.

As our own President Lyndon Johnson has said only recently: "We know the unswerving dedication of the Polish people to the goals of liberty, equality, and independence. That is why our policy is extended to help the Polish people, so that they may increasingly help themselves." These are the words of your President.

Last fall, as has been indicated here today among the introductions, I spoke here of one act of friendship and fellowship of the United States—one act that was intended to help cement our good relations with the people of Poland. It was an opportunity which we did not miss.

Under legislation sponsored by some of your own very distinguished Representatives, such as your own Congressman PUCINSKI, and with the help of your own friend, DANNY ROSTENKOWSKI, and others, the United States—and I should add CLEM ZABLOCKI who was a power in this from the great State of Wisconsin—the United States has contributed more than $10 million for the construction of a modern, beautiful children's hospital at the great university city, Krakow, in Poland. What a different symbol it is, my friends, to the Polish people than that of a statue of Stalin or someone else. My friends, that hospital will stand there as a living reminder to the people of Poland for generations yet to come that America believes in people and human dignity, that America believes in and stands up for freedom and human life, and the hospital will remind them of that.

I am proud to say that this hospital and research center which I had something to do with will be dedicated sometime this summer. The children of Poland will know that the United States has a real love for the children of God wherever they are, and that we are determined to wipe out sickness, crippling misery, and disease, wherever we can. We care not what be the nationality or what regime they may live under. Where there is a child that is in need, America wants to be of help, and that's what the hospital means.

Now quickly let me turn to another matter where we need your attention and your help. Four successive Presidents, President Truman, President Eisenhower, President Kennedy, and now President Johnson, have called attention to the need of revising our immigration laws, pointing out the serious defects in our existing immigration law.

Now before the Congress is a bill—a bill which was put before them some 3 years ago first by President Kennedy and now by President Johnson—which puts the principles of basic American immigration law in line with the ideals and the commitments of this Nation and its people. It's a bill that is humanitarian, a bill that is fair.

This legislation calls for the elimination of the national origins quota system, because that system is incompatible with our basic American tradition. This bill seeks to put into practice in the law the words that we think about freedom and human dignity.

After all, all of us are immigrants or sons of immigrants, and I think the main reason that America is so strong and so rich and so interesting and so vital is because there is in this land the bloodline of many people, many cultures, many faiths, many traditions—all of them like you with their identity, but all of them, may I say, with one common purpose—to serve the United States of America and what it stands for.

Throughout our history the newcomers to our shores have brought us new energy and new vitality—never new problems, never weakness. Do we still offer welcome to those who would come to America to build a better life? Under our present immigration law, we do not.

Our present immigration law is, to put it bluntly, a bad law. The national origins system has four major defects.

First, it is not humanitarian. It has kept families divided and broken. Elderly parents and relatives of many of you right here have had to wait years, sometimes wait until they were no longer alive—wait for admission under an outmoded, unfair national quota—often a very small national quota discriminating against the eastern and central and southern European people. And I submit to any fairminded man, that the people of eastern Europe and central Europe and southern Europe have contributed as much or more to America as any people in our rich land. Today a man can bring to Chicago a domestic servant from any of the several countries, but he can't bring his own mother or his own father or his own brother to live here and to enjoy in those last few years of their lives that have been filled with such pain and anguish—to enjoy a little of the happiness that the younger ones could provide. And my goodness, couldn't we make them happy if they could just join us here in America.

Secondly, our present immigration law deprives us of people that we need, people of great skill and professional ability. There's always room in America for people that know how to do things. There's always room in America for people that are ambitious, people that want to work, people that have pride and skill and self-confidence.

Thirdly, the present immigration law embarrasses us in our international relations. It seems to say in bold type that we regard a great majority of the people on this earth as inferior to others. And surely in a nation that believes in equality, that kind of law has no place on our statute books.

Finally, and most important, this present law goes against our basic commitments and ideals. It is a flaw, it is a blight, which we must remove, and we owe it to ourselves to correct.

So I ask you today to help us—in keeping with the very best traditions of our democracy—I ask you, Polish and American, to throw your wholehearted support behind President Johnson's new immigration bill, so that America can hold her head high. Let your voices be heard.

This immigration bill is just one more step toward achieving what you and I know we can achieve—a better America, the Great Society for all Americans. A great society is a just society. It's a kind society, and it is possible for America.

The Great Society is not just one of more goods and bigger bank accounts. It is a society in which every American, regardless of race, color, creed, religion, or national origin will have the opportunity to develop his potentiality and his ability to a maximum. And it's to that proposition that present-day America is dedicated. The key word, the theme of these days in your America is opportunity for all—equal opportunity for every American. I know that there may be some who will squander this opportunity. There may be some who will waste it, some who will let it slip away. But at least every person should have the opportunity to make freedom and dignity realities in his life.

This means better education for young and old alike. And we're going to give it. We're going to provide it. There will never be a time again in America when a person who wants to have an education will be denied it. We have resolved to permit every American to develop his mind to the maximum, and how rich America will be and how powerful it will be when that goal is achieved. And Mr. Mayor, Mayor Daley, following your leadership, we intend to help America make better cities, better places for our people to live, not only places where people can work, but cities that are worthy of the people within them, cities that are beautiful, cities where the laughter and the joy of children is evident and can be heard. A degree of kindness and security for the elderly and opportunity for everyone. This is the meaning of our new immigration which needs your support. This is the meaning of the Great Society. This is the meaning of a thousand years of Polish history, a thousand years dedicated to the great concept of freedom and justice.

My fellow Americans, as I leave you today, I remind you of the pledge that every one of you has taken a hundred times—at least your children have. When we look at our flag, and as our youngsters go to their schools, they are called upon time after time to repeat, as an affirmation of their faith and their loyalty to this Republic, what we call the Pledge of Allegiance. These young people, and most of us older people, repeat it almost, I'm afraid, without thinking through each word. We say, "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands." And then these words, "One nation, under God, with liberty and justice for all." Not two nations, not North, not South, not East and West, not city and rural, but one nation, one people, under the majesty of divine providence. With a recognition that our rights and our liberties are God-given and God-ordained, and that it is man's duty through law and through custom and through tradition, to uphold those God-given rights and protect them. The rights of freedom of speech and freedom to assemble and freedom to petition, the rights indeed and responsibilities. Of social order and obedience to law, of respect for law and of responsibility for our actions. And finally, in those words "with liberty and justice for all."

Liberty—what a precious, precious gift. Remember freedom is never free and liberty only belongs to those who can defend it and love it. And justice for all means just that. If it is not justice for all, it is justice for none. And whether it be colored or white, Catholic, Protestant or Jew, whether it be big or little, rich or poor, justice means what it says—to do justice and to be kind and to walk humbly with thy Lord. Thank you.

A Tribute to Congressman Frank Annunzio

EXTENSION OF REMARKS
OF
HON. ROMAN C. PUCINSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 11, 1965

Mr. PUCINSKI. Mr. Speaker, last week our colleague from Chicago, Congressman FRANK ANNUNZIO, was honored by the Filippo Mazzei Post No. 1, Illinois, of the Italian-American War Veterans of the United States, for his outstanding contribution in behalf of veterans legislation.

I should like to call my colleagues' attention to the fine tribute given Mr. ANNUNZIO and also to include his own remarks delivered in Chicago on Loyalty Day, May 1, 1965. We can all find great inspiration in Mr. ANNUNZIO's eloquent words regarding Loyalty Day.

Mr. Speaker, the two documents follow:

A TRIBUTE TO CONGRESSMAN FRANK ANNUNZIO

(By Dr. James F. Greco, commander, Italian-American War Veterans of the United States, Inc.)

We are pleased to have with us this evening the distinguished Congressman from the Seventh Congressional District of the State of Illinois, Hon. FRANK ANNUNZIO. We welcome him as a friend; but his presence here tonight is of even greater significance—he is a champion of veterans everywhere.

From his earliest beginnings, Congressman ANNUNZIO's interest in civic affairs has prompted him to work for and with the people—recognizing their needs and their deeds—filling those needs and praising their deeds.

A look at the long, impressive list of his accomplishments makes one wonder how one man could have done so much. His driving vitality earned him a bachelor of arts degree and a master's degree from DePaul University. He entered the teaching profession and guided students in many of our Chicago schools.

As a fighter for human rights, he was in the trenches many years ago. After he was named director of labor in 1949, he issued a bulletin which drastically eliminated discrimination in employment services. He continually worked for the educational and legislative betterment of the labor community.

For his service to the Catholic Youth Organization, FRANK received the CYO Bishop Sheil Medal—Club of Champions. His fostering of good relations between Italy and the United States impelled the Italian Government to award him the Medal of Solidarity during the crucial period of World War II.

Even in private business FRANK found time to be part and parcel of a multitude of civic and charitable organizations. And just to prove this man is human, he is married and the father of three lovely girls. To his four grandsons, he is simply and affectionally "Grandpa."

FRANK typifies the expression, "Service before self," and he is not a man who is satisfied to go on past performance. His projected plans for the future include the procurement of a congressional charter for the national organization, the establishment of a national shrine for Italian-American War Veterans. He has been instrumental in securing a 40-bed hospital on the West Side of Chicago which will be built in 1966.

On March 12 of this year, we were honored to have FRANK represent the Filippo Mazzei Post at the ceremonies at the Tomb of the Unknown Soldier and at the wreath-laying ceremony at the Kennedy gravesite in Arlington Cemetery.

And so this evening we feel it particularly fitting that we present Hon. FRANK ANNUNZIO with the flag of the country he is serving so well. May it long stand in his office in Washington as a reminder of the high esteem in which he is held by his friends of the Filippo Mazzei Post.

LOYALTY DAY

(By Congressman FRANK ANNUNZIO)

I am very happy to be here with you tonight and very honored to be invited to share your observance of Loyalty Day. In March 1961 the late Senator Wiley, of Wisconsin, predicted that our country during the 1960's will face "threats to our security and survival greater than ever before in our history." In this spring of 1965, the truth of his words is becoming appallingly apparent. Never has our country had greater need of our loyalty, and never has there been a time, more urgent in its demand, for all Americans to step forward and give expression to their loyalty.

I did two things when I first began to think of speaking to you tonight. I looked up the dictionary's definition of loyalty, and I looked back over the history of Loyalty Day in order to review it briefly with you. From time to time, our office has been asked what is Loyalty Day, how it does differ from Law Day, and why are they both celebrated on the same day.

Loyalty, according to Mr. Webster, is the state, quality, or instance of being loyal, and one of the definitions of loyalty is "being faithful to the lawful government."

In 1961, the chairman of Loyalty Day of the Veterans of Foreign Wars, Thomas B. Dean, published an article entitled "Loyalty Day—Americanism in Action." It appeared in the VFW magazine, and in it he reviewed the beginnings of Loyalty Day. He wrote:

"When the Communists in the United States flaunted their anti-American beliefs with the visual aid of annual May 1 parade in the heart of New York City, the VFW parried this strategy with the sponsorship of another parade—this one dedicated to the spirit of Americanism. Subsequently the May 1 parade by Communists in New York became a memory."

Loyalty Day then was the idea of a veteran's organization, whose members had fought on land and sea. It was the brainchild of men who knew the horrors of war and who were determined that all people of this country should understand the sacrifices of war and rededicate themselves to a love of country which these fighting men had demonstrated in the past.

The idea was enthusiastically received. The American Legion and numerous other groups joined in celebrating Loyalty Day in State after State, city after city. Then Governor after Governor in all the States joined the list of those proclaiming May 1 as Loyalty Day.

In 1955, Congress by a special proclamation designated May 1, 1955, as Loyalty Day, and 3 years later the Congress officially designated May 1 of each year as Loyalty Day.

The resolution was introduced in Congress by Mr. Van Zandt in the House, who said he did it at the request of the Veterans of Foreign Wars. He offered an explanation of why May 1 was chosen, when he said:

"The idea of a patriotic celebration is an excellent means of countering communism. May Day demonstrations was conceived * * * about 30 years ago. It was agreed that emphasis should be placed on and attention focused on loyal Americans rather than subversive elements * * * (and that the day should be) dedicated to openly expressing loyalty to our Nation and its cherished ideals of liberty and freedom. In short, the virtues of true Americanism were given the public spotlight as a fitting and conclusive rebuttal to the vaunted claims of the Communists."

The joint resolution requested the President to order the flag to be displayed on Government buildings and to invite the people to observe Loyalty Day with appropriate ceremonies.

In the same year that Congress designated May 1 as Loyalty Day, President Eisenhower proclaimed May 1 as Law Day, and 3 years later Congress by joint resolution officially designated May 1 of each year as Law Day. The result is that we celebrate both Law Day and Loyalty Day on May 1, but no one has ever suggested that the two observances on the same day conflict in any manner.

If you recall with me the definition of loyal as "being faithful to the lawful government," you will see why no question was ever asked. However, the newspaper, The Stars and Stripes, on May 1, 1958, carried an editorial on "Law and Loyalty," which summarized the affinity of the 2 days as follows:

"Fortunately the ideas do not conflict. Dedication to the principles of government under law and loyalty to our country go hand in hand. Proper observance of the law brings of itself loyalty to the country and loyalty to the country must result in recognition of law which governs the people."

A good citizen obeys the law and is loyal to his country. A loyal man is faithful to the lawful government. America today is being challenged by a ruthless world and by countries without principles who are dedicated only to the will to conquer and to accomplish world domination. I thank you for this opportunity to join with you in this Loyalty Day observance to demonstrate to the world that we in America are free and friendly and dedicated to the proposition that all men should be free and friendly, and in addition, we are united as one people living loyally under law.

Remarks Made by President Lyndon B. Johnson to the Building Trades Council, Washington, D.C., May 3, 1965

EXTENSION OF REMARKS

OF

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1965

Mr. WILLIAM D. FORD. Mr. Speaker, I place in the CONGRESSIONAL RECORD the following remarks made by President Lyndon B. Johnson to the Building Trades Council on May 3 in Washington, D.C. The President's words constitute an inspiring message for all Americans.

Mr. Hagerty, members of the Building and Construction Trades Department, friends from the Building and Construction Trades Department, ladies and gentlemen, I knew you were meeting today and I wanted very much to come over and drop in and give you a word of welcome and say howdy and thank you. But when I looked at my schedule and saw the cables that were being brought to my desk I did not see how in the world I could make it. Then I got a telegram. It wasn't about repealing 14b, although I know that is important to you, and it is important to me. It wasn't about the various legislative proposals which you are interested in, important as they are. It was about the most vital issues in this country, and for that matter, in the whole world, which are peace and freedom.

So I have stolen these few minutes to come over here just to say thank you. Thank you for saying to the world that this Nation of ours, the United States of America, speaks in unity with one voice from one heart. Thanks to you for saying that we believe in freedom and we believe in peace. Thanks to you for saying that we will not buy peace at the price of losing freedom anywhere, anytime, in the world. Thanks to you for saying that American labor, the champions of freedom here at home, knows that freedom's frontiers are today in Vietnam and the Dominican Republic, where both are under attack.

So thank you for putting first things first, for being leaders of the free America today, for being, even before that, the leaders of America herself, and before I overlook it, I want to thank you for what we did last November.

As citizens you must be proud of the fact that you are the builders of America. You know what it is to make something rise with toil and sweat and effort. The product of your labor is not just buildings, and not just homes, and not just monuments. The product of your labor is the face of America itself throughout all of the world.

We have seen that face change many times, you and I. We have worked through the darkness in distressing periods. We have worked through the depression, or at least wanted to work during the depression.

We have worked through the challenge of conflict through the prosperity of an uneasy peace.

We share in the legacy of great American leaders, from Franklin Delano Roosevelt to John Fitzgerald Kennedy. And I came here this afternoon to pledge to you that together we are going to build an America that Roosevelt began, that Harry Truman worked for, and that John Kennedy died for. We are going to build a Great Society where no man or woman is the victim of fear or poverty of hatred; where every man and woman has a chance for fulfillment, for prosperity, and for hope. That is the direction that you are going. That is the direction that we are going to continue. And I promise you here today that no one, no group here or in any land, is ever going to stand in our way as we march forward.

There is crisis and conflict in many lands at this hour, and we have very great and overpowering responsibilities in a very turbulent world, but we are going to fulfill those responsibilities. Let me make this clear. No world problem must be allowed to keep us from meeting the needs and the desires of our own people. Trouble abroad will never divert us from the task of building the Great Society at home.

There are some that would say turn the clock back, stop, look, and listen. We have problems in Vietnam and in the Dominican Republic. Before you get back to the office we may have some in other lands in the world. And for that reason let's put off until another day the poverty program, the Appalachia program, the medical care program, the education program. Well, they are just talking through their hats. We are not going to put anything off.

I worked last night on some thoughts that I want to incorporate when I get the recommendations from your leaders, and from the leaders of the Government concerned with your welfare into a message that I will send to Congress in the next few weeks. By the way, while we are talking, I want to make an arrangement with you today, while you are here in person, to realize that we don't just send these messages up to Congress to be read. We send them up there to be acted upon and voted upon, up or down. And as Andy B. Miller plows through the dark corridors of the House Office Building calling "wolf" to the White House, I don't want you fellows to run under the bed and hide either.

There are talkers and there are doers. An old man told me the first year I was in Washington, which was 34 years ago, and I was inquiring about the processes of the Congress, and he said, "Son, there are two kinds of congressional horses, the workhorse and the show horse." Well, we want to be workhorses, and before this Congress, this 89th Congress, closes its first session, the workhorses are going to establish it as the most productive, the most enlightened, the most progressive Congress for all the people that ever sat in Washington.

That is why I came out here this afternoon. I came out here to ask your help. I came out here to call upon you to help me do what you have been doing so well for more than a half century—to help build America, in the cause of freedom, and the cause of prosperity, build it here and build it abroad.

We have much to be thankful for. We have much to remember. The figures for the first quarter, January, February, and March, are just out of the typewriter. They show that we have 71,300,000 people working today. That is exactly 1,500,000 more than were working this day last year, 1 year ago. The figures out of the typewriter show that wages and salaries amount to $347 billion. That is up more than $25 billion. I said up, now, not down. That is an increase in wages and salaries over last year of 8 percent.

The corporation profit figures for this quarter are just in, and they are running at the rate—for the end of the quarter—but they are running at the rate of $36 billion after taxes. That is up 13 percent.

So our employment is up, our wages are up, our business profits are up. You just don't know until you talk to the leaders of 114 other nations how much you have got to be grateful for; how much you have got to be proud of.

I have been your President for 17 months. I have met every week with the titans of industry and the great corporate leaders of this country. I have met every week with the religious and spiritual leaders of this country, ranging from Cardinal Spellman to Billy Graham. I have met every week with your leaders, Mr. Hagerty and Joe Keenan and Andy Biemiller, and that great statesman, George Meany. They have sat in the Cabinet room. They have met face to face with each other, and they have met privately in the little offices off the corridors. We have started some strikes and we have settled some, but I think I can say without peradventure of a doubt that never in the history of the Republic has there been more cooperation with any President, the 35 men that have preceded me, than the cooperation that I have received from labor, from business, from government.

The judicial branch, the legislative branch, the Congress, headed by that great leader, JOHN MCCORMACK, and MIKE MANSFIELD in the Senate, are workhorses. And the executive and the legislative and the judiciary have never gotten along better, just as the employer and the employee and their Government have never gotten along better.

I am happy that the corporations got $36 billion after taxes. I don't begrudge them a dime. I helped them make it. They had $72 billion before taxes, and I took half of it. And the more the incentive system and the free enterprise system makes, the more they have to pay decent wages, and the more they have to let their Government use for medical care, and for education, and for beautification.

I don't object to the payrolls running $347 billion, because we have some men scattered in district offices all over the land with their scissors that cut out that little withholding from every dollar of that $347 billion. All I want them to do is to do better because the better they do the better the country does.

Last Saturday, a week ago, our Ambassador from the Dominican Republic was here in Washington. He had been called back here to report on very disturbing developments in that little nation of 3½ million off our shores in this hemisphere.

While he was talking to us, the government was overthrown. We rushed him back to his post of duty. Since that time certain undesirable elements have stepped in and tried to take control of that nation.

Today, there are between 1,000 and 1,500 dead people whose bodies are in the streets of Santo Domingo, threatening an extreme epidemic. There were 8,000 American and foreign nationals in that country whose lives were in danger.

At approximately 3:30, our Ambassador wired me—well, he was here Saturday, we rushed him back—on Tuesday we went before the OAS Peace Council and discussed that serious problem. On Wednesday, the

Organization of American States met and they talked about the gravity of the situation, discussed it thoroughly, and adjourned.

On Wednesday afternoon we were meeting there with what I thought was the greatest problem that we had on our hands—Vietnam.

Mr. Rayburn used to say, when these Congressmen poured into his office every day, the fellow would say, "I have the most important problem in the world." He said, "That's what that fellow said that you met going out of here."

I thought this was the most important until I got a cable at 3:16 saying the chief of police, and the governmental authorities, telling us that American lives are in danger and we can no longer offer them any protection. We notified the appropriate people to stand in readiness and we went ahead to conclude our conference on Vietnam.

By 5:16 we had another cable that said, "You must land troops immediately or blood will run in the streets, American blood will run in the streets."

And that is the unanimous decision of every man on the American team. There are nine of them, one from the Army, one from the Air Force, one from the Navy, the Ambassador, one from the USIA, and so forth—what we call a country team, the board of directors in that specific country.

Well, I said I have a meeting on the balance of payments with a bunch of bankers and big businessmen in the next room. You get the troops on the way, and you ask the Congressmen, the leadership, to come to the White House and we'll meet at 7 o'clock. That was about 6 o'clock, à little before. I went on with my meeting without discussing it. When we met at 7, talking to the leaders, while I was talking to them, I was handed a note by the Chairman of the Joint Chiefs of Staff which said the marines have landed. That's a great tribute to Bob McNamara and the Joint Chiefs of Staff for competence and efficiency, that within an hour they can put men ashore without the loss of a single life.

No President ever has a problem of doing what is right. I have never known one to occupy this office—and I have worked with five of them—that did not want to do what is right. The big problem is knowing what is right. But I knew this, this was no time for indecision, or procrastination, or vacillation. The American people hadn't elected their President to dodge and duck and refuse to face up to the unpleasant.

Since that time we have evacuated 2,500 Americans. The Michigan State University Jazz Band was down there. We got them home. The brewers, the brewery people—I guess they didn't know you were all meeting here in Washington, they were having their convention down there, and we got them home.

There hasn't been a drop of civilian blood shed although 5 of our marines have died because of sniper action, and 41 of our boys are wounded. We have 5,000 nationals from 30 other countries and America yet to be evacuated from Santo Domingo and all over the countryside. We will by tonight have 14,000 Americans there to get that job done.

I have had the papal nuncio send me a cable congratulating us and commending us for our assistance. The leaders and ambassadors from many countries have told us that the streets would have run red with human blood except for the presence of American troops. The representatives of 30 countries, 6 of whose embassies were torn to pieces, are expressing their gratitude, but we still have 5,000 to get out. We still have the job of feeding 350,000 people, both the rebels and the loyalists have to eat because we are humanitarians and we don't want to starve people to death. We have the hospitals and they are running out of their ears. So we have taken some of David Dubinsky's mobile hospital units and we are putting them in the Dominican Republic to take care of their health.

We are taking sanitary measures so that a serious epidemic won't break out. We have established an international peace zone and asked the Organization of American States of these Republics to go there and present us with some plan for setting up a stable government.

We covet no territory. We seek no domination over anyone. All we want to do is live in peace and be left alone if they will do it. But if they are going to put American lives in danger, where American citizens go that flag goes with them to protect them. You don't know how they appreciate it.

As a little boy I learned a declamation that I had to say in grade school. I don't recall all of it but a little of it is appropriate here this afternoon. It went something like this:

I have seen the glory of art and architecture. I have seen the sun rise on Mount Blanc. But the most beautiful vision that these eyes have ever held was the flag of my country in a foreign land.

Now I am the most denounced man in the world. All the Communist nations have a regular program on me that runs 24 hours a day. Some of the non-Communist nations just kind of practice on me. Occasionally I get touched up here at home in the Senate and House of Representatives. But that is not important. What is important is just two things in this hemisphere. No. 1, that we know, and that they know, and that everybody knows, that we don't propose to sit here in our rocking chair with our hands folded and let the Communists set up any government in the Western Hempshire.

We have said to the people of the Dominican Republic that we are hopeful that the other nations of this hemisphere will provide some troops to help us clean up this operation, to preserve law and order and peace. We'll provide our share of them and we'd like to bring our boys home as soon as we can evacuate our people.

We have two purposes: We want to evacuate our citizens and we want to preserve, to see that a plan is worked out where the people themselves can select their own government, free from any international conspiracy or any dictatorship of any kind.

We believe the Organization of American States will make such a recommendation. We are not intervenors in the Dominican Republic. The people that intervened in the Dominican Republic were the people who had been trained outside of the Dominican Republic in guerrilla warfare and came in there to help overthrow that Government and to have a Communist seizure of that country. We are there to protect those people and we propose to protect them.

It reminds me of a story I heard as a youngster when Huey Long was here and everybody in the Senate was denouncing him because he had taken a sound truck and went into Arkansas and helped to elect the first woman elected to the Senate—Mrs. Caraway. People weren't accustomed to electing women in the Senate in those days. The Senators in those days campaigned for somebody else and they were a little upset about it, and they were denouncing Long for forgetting States' rights and leaving his State and going into another State. He sat there all afternoon and let one Senator after another denounce him for importing his sound truck and telling other people what to do and dictating to them. He had this chocolate silk suit on—I'll never forget it—and he had brown and white shoes, and he was marching back and forth. And it came his time to answer, and he got up and said, "Mr. President, I have been denounced all afternoon." He looked over at Senator Robertson, who was the majority leader and the most powerful man in the Senate, a very robust man, a very rotund man, he had a great big stomach and had a cigar that he always smoked and kept in the corner of his mouth—he was the most powerful man in the Senate. He walked right over to Joe Robertson, and put his hand on his shoulder in a very affectionate and friendly way, and said, "I wasn't in Arkansas to dictate to any human being. All I went to Arkansas for was to pull these big, pot-bellied politicians off this poor, little woman's neck."

All we are in the Dominican Republic for is to preserve freedom and to save those people from conquest. The moment that the Organization of American States can present a plan that will bring peace on the island, and permit us to evacuate our people, and give us some hope of stability in government, we will be the first to come back home.

Now, in these times our enemies want to divide us. They want us to argue among ourselves. They want us to chew on each other.

I read the cables every day and up to the last 3 weeks they have really believed that in Vietnam the pressure would become so great on the American President that he would have to pull out. Well, I have had plenty of pressure but they don't know the American President. He is not pulling out until aggression ceases. But they have that hope.

So I warn you and I plead of you, if you have any suggestions or any views, or any differences, with your President—and all of you do at times; we don't see everything alike or we would all want the same wife—but communicate them to me through Uncle Sam, or Western Union, or directly, or through your friends. Don't send them through my intelligence bulletin via Peiping, or Hanoi, or Moscow.

A great man said, "United we stand; divided we fall." There never was a period in our national history when unity and understanding, perseverance, and patriotism would pay larger dividends than it would pay now.

I expect the leaders of the labor workers' movement in this country to come up, punch that timeclock, stay on that shift until we preserve democracy for ourselves and for free people all around the globe.

Thank you very much.

Statement of Representative Benjamin S. Rosenthal Before the Joint Committee on the Organization of Congress

EXTENSION OF REMARKS

OF

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1965

Mr. ROSENTHAL. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I would like to set forth at this point my testimony given this morning before the Joint Committee on the Organization of Congress.

The statement follows:

STATEMENT OF REPRESENTATIVE BENJAMIN S. ROSENTHAL BEFORE THE JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS, MAY 11, 1965

Mr. Chairman, I am grateful for the opportunity to appear before the Joint Committee on the Organization of Congress. A systematic scrutiny of congressional procedures, rules, and mechanics, it seems to me, is a precondition for maintaining the health and vitality of the legislative branch.

Voices more experienced and knowledgeable than mine have urged a reexamination of the full spectrum of congressional operations. I will not presume to undertake anything of such scope. I appear today in hopes that my experiences can help this organizational introspection be fully representative of all congressional sentiment.

Even as the increased burden of work has, perhaps, complicated the procedures of Congress as a whole, so has it rendered more difficult the job of the individual Members of the legislative body. Since the commencement of my term of service, I have been particularly anxious to discover ways whereby my own personal service to constituent and Congress could be made more efficient.

In anticipation of these hearings, I have attempted to crystallize my own views and share them with several experts on management and office organization. Several weeks ago I asked representatives of the firm of Daniel J. Cantor & Co., a management consultant organization in Philadelphia, to meet with me in Washington, to examine the entire operation of my own office, including my work and that of my staff, and to discuss in some detail possible ways of increasing the efficiency of individual congressional offices. It was my feeling, Mr. Chairman, that their detached study of the means and methods by which I myself function as a legislator might provide the best possible perspective for offering useful testimony to this committee. In several frank discussions, certain proposals seemed to emerge which I believe could be helpful to our joint project of studying congressional organization.

It seems to me Congress might well profit from the establishment of an Office of Management Adviser to be available to any Member of the House or Senate who felt that professional management advice might increase the efficiency of his office operations. New methods, procedures, and equipment for facilitating business organization and operation are constantly being developed. Such innovations might well be of service to the individual Member in such diverse but important fields as the utilization of staff talent, the budgeting of office operations and personnel, the processing of research studies, the arrangement of office furniture, the organization of case and legislative files, and many other such functions.

Let me make it clear that I appreciate the extent to which any office and its procedures must be an extension of the peculiar needs, talents, interests, and temperaments of the individual Members. Might there not be, however, certain basic plans and procedures common to all offices in Congress—or to any efficient complex organization for that matter? And might there not be certain important innovations which informed and sensitive management consultants are in business to keep track of—to discover, devise, and develop—innovations which could help any one of us improve the service he renders his constituency and the Congress itself? I think these questions can be answered in the affirmative. My own experience convinces me that an Office of Management Adviser might provide a permanent agency for advice, whenever any Member sensed the need for consultation on how to improve his own operations.

Surely such an Office would be of invaluable aid to the new Member, unacquainted as he is with the practical complications of his new role. In my own particular case, at the beginning of my service, I was fortunate enough to secure the able services of an administrative assistant with great experience and knowledge of congressional operations. There are, as we all know, many new Members who are not that fortunate.

The Office of Management Adviser that I am projecting could be a repository of ideas on how to establish and develop an individual congressional office. It would be sensitive to the requirements of serving different types of constituencies, or different legislative functions. And, in all cases, it would be the faithful servant of the individual's Member's own requests, needs, and even whims.

Naturally such an office will not spring up overnight. Before becoming fully equipped to service the varied needs of diverse congressional offices, it would have to acquaint itself with all available services now present and offered, and it would have to study the full spectrum—and I am convinced this exists—of possible improvements and innovations.

I am equally emphatic, Mr. Chairman, in maintaining that there would be nothing compulsory about the services rendered by an Office of Management Adviser. Its sole purpose would lie in being constantly available upon request; we would call it, not have it call us. Members fully satisfied with their own operations would have no occasion to deal with such an office. But the availability of professional, expert, objective, and detached advice on ways to improve the means by which we do our job seems to me fully consistent with the goal of an effective and efficient Congress.

II

Another area that I believe warrants attention is that of congressional personnel hiring procedures. As of now, there is no central hiring office or personnel pool to service the staff needs of individual Members. An Office of Personnel might be a clearinghouse for trained and aspiring congressional employees. It could be equipped to offer Members names and background material on available staff. It could supervise an extensive intern program, something many Members seem to be making more use of. It might also provide greater career stability for our aids whose services are often unique and valuable. There might be developed a standing pool of employees to be called upon to assist particular offices on peak days, or under circumstances of illness, leaves, or vacations. As with the Office of Management Adviser, such a service would simply be available to Members on request, and would in no way constitute the sole sources of employment. But again, its availability and readiness to serve our unanticipated needs constitutes its potential contribution to congressional efficiency.

III

In reflecting upon means of increasing my own efficiency, I have also been concerned with the problem of finding specialized information and expert advice on legislative problems in a reasonably short period of time. Certain proposals have occurred to me as means to that end.

First, the Legislative Reference Service is, of course, an invaluable aid to all of us. I would hope, for that reason, that the joint committee would consider ways of expanding and increasing the Service's resources. Obviously, the workload of this session is unprecedented. The Legislative Reference Service is too important not to receive careful and sympathetic attention.

Second, there might also be ways to improve and enlarge the services of the CONGRESSIONAL RECORD. I think many Members would find a subject index in each daily RECORD of significant value. Rather than leafing through every page of every RECORD looking for a particular topic, we might save much time by being able to turn to an index in order to discover which issues were covered that day, and where such items might be found.

Third, let me also raise the possibility of developing some sort of daily press digest which could reproduce and capsulize important editorial, feature, or reportorial journalism from the national press. Not one of us has time to read as many newspapers as he would like. Such digest could serve us by reproducing those stories, reports, or expressions of opinion which are, for all practical purposes, unavailable to Members.

Fourth, and perhaps most important, we might also expand the present means of securing legislative expertise by authorizing office budget allowances specifically for expenditure for consultations with experts not in Government service. There may be times, for example, when the views of a single expert are particularly pertinent to a legislative concern of a Member. At present that Member can only call upon the services of such an expert informally—usually without being able to offer remuneration. A small allowance might yield a large improvement in the quality of legislative work by providing a Member with resources for seeking out ideas and expertise not available from his own staff, committee staff, or established Government services.

In conclusion, I believe that there are services not presently available to Members of the Congress which, were they available, would be utilized and would improve the efficiency and quality of congressional operations. None of the recommendations I have made today need be instituted without full consideration of their impact and utility. We might be prepared to institute trial periods—an approach perhaps useful for an Office of Management Adviser.

Our duties, functions, and interests seem to be rising in geometric proportion to our resources. To acquit ourselves well under such conditions, we must be prepared to entertain new ideas and procedures, often developed outside Congress or outside Washington. Such a process seems to me practical, promising, and democratic.

Finally, lest my remarks emphasize the technical and dreary side of congressional organization, let me raise a strong plea for a guaranteed congressional vacation—each summer, at specified times—in order to allow us to be efficient family men as well as efficient Members of Congress. Unlike any other job I know of, there is no promise of a planned vacation for Senators and Representatives. Naturally, such plans would be made subordinate to the Nation's needs. Surely rest, relaxation, and the resultant renewal of energies lead to a more efficient, modern, and responsive 20th-century Congress.

Rural Electrification's Birthday

EXTENSION OF REMARKS

OF

HON. HAROLD D. COOLEY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1965

Mr. COOLEY. Mr. Speaker, this week we observe the 30th anniversary of the real beginning of rural electrification in America. In this observance, it is fitting that we bring special attention to the role which the Rural Electrification Administration—REA—and electric power play in the changing pattern of American agriculture.

This is an occasion to look back across the years.

When I entered the Congress a little more than three decades ago, I immediately joined in a movement, then in its infancy, to turn on the lights in rural America. As a young Member of the House, I associated myself with the Honorable Sam Rayburn, of Texas, then chairman of the House Committee on Interstate and Foreign Commerce, and later to become the great and revered Speaker of the House. "Mr. Sam" stepped into the forefront of a drive in the Congress to carry electricity down our country roads to the people who produce our food and fiber. I have no greater pride of service in the Congress than my work with "Mr. Sam" to create the REA, and my subsequent efforts in behalf of the rural electrification movement.

Mr. Speaker, the industrial revolution of the 19th century transformed life in the cities but scarcely touched the farm.

At the turn of the century, the American farmer was earning his living in a way that had changed but little since the days when the first colonies were established in the New World. The tools he used were simple and ancient—the wheel, the lever, the block and tackle, the plow. For most tasks, he had to depend on the strength that he and his family could supply and upon his horses and other animals. His children studied by the dim light of a kerosene lamp, and his wife was slave to the wood range and the washboard.

Thirty years ago electricity for light and power and heat was available to people in the cities and towns, providing comforts and creating wealth through industrial production and commerce. On a few farms electricity was a luxury in the first three decades of this century. For a number of farm chores the tractor and the stationary gasoline engine had replaced animal power and human labor, but in most respects there was little evidence of the progress which characterized the cities.

Rural electrification was neglected because it appeared unprofitable. In 1929, only 9.5 percent of the farms in the United States had electric service, and the economic depression of the early 1930's further limited the electric companies' progress into farming areas. In 1935, when President Franklin D. Roosevelt created the Rural Electrification Administration as an emergency relief program, the figure for farms with central station electric service had crept to 10.9 percent.

Today, Mr. Speaker, after 30 years of REA loans and technical assistance in rural electrification, more than 98 percent of our farms are electrified. The lights have been turned on in rural America.

When the rural electric cooperatives in my home State of North Carolina and elsewhere were building their first lines, some cooperative leaders and even REA doubted that the average consumer would use as much as 40 kilowatt-hours per month. In 1964, not yet 30 years after those first lines were built, the average consumer on the lines of REA borrowers used 451 kilowatt-hours per month. This is more than 10 times the early estimates.

To grasp some idea of the impact which rural electrification has had on agriculture, we may look at farm production. The average farmer in 1935 produced enough for himself and 10 other persons; today that same average farmer—or more likely his son—produces at least enough for himself and 32 other persons. It is no coincidence that in the same years while the rural consumption of electric power showed such a remarkable increase, the individual farmers' production of farm goods also showed a remarkable increase—300 percent.

Certainly no one credits all the increase to rural electrification. We know that soil conservation practices, increased use of fertilizers, insecticides, the tractor, improved breeding methods, new and better roads, better selection of seeds, and a considerable list of other developments in the science and practice of farming all share credit for improvement in yield and quality of farm production. But we also must recognize that electric power was a significant factor, and on this 30th anniversary of REA we should acknowledge the accomplishments of REA under the Rural Electrification Act which Congress passed in 1936, and of the rural electric cooperatives and other borrowers of REA funds for building the lines that carry power to this Nation's farms.

Farmers have found more than 400 uses for electricity in their homes and on the farm. Farmers soon learned that a 1-horsepower motor can do as much work in an hour as a man can do in a day. Usually the more repetitious the task and the more drudgery connected with it, the more easily an electric motor can be harnessed to take it over.

Mr. Speaker, many aspects of modern farming would be unthinkable without electrification. Take dairying as just one example. Three decades ago, dairying was confined largely to Northern States. There were many reasons for this regionalization of dairy herds. Warm temperatures in rural areas where there was no electric power for cooling was just one aspect of the problem.

Today, many of the Southern States stand high in the production of milk and milk products. The modern sanitary dairy depends on electric power for its very existence. Electricity mixes the feed, loads hay and silage, powers the milking machines, provides the hot water for sterilizing equipment, furnishes refrigeration, and even ventilates and cleans the barn.

The same advantages apply to many other aspects of farming.

Rural electrification helped make the revolution in agriculture possible. It also offers the solutions for many of the problems arising from the great changes in agriculture that we are witnessing. For about half the farms in the United States, the farm families themselves own the electric systems that have become such important farm tools.

Mr. Speaker, inequality still contrasts the cost of electricity in the cities with what rural people have to pay. Even with all the progress which has been made, farm families and other consumers on the lines of REA borrowers pay on the average 24 percent more than urban consumers for 250 kilowatt-hours of electric power. For 500 kilowatt-hours, the difference averages 19 percent.

The reasons for this disparity are easy to understand. REA borrowers, serving thinly populated territory, average 3.3 consumers per mile of line. By contrast, the urban based companies average 33.2 per mile of line.

But, Mr. Speaker, we can be thankful on this 30th anniversary of REA that the hard fight is being won, day by day, to pull down the cost of electricity for rural America. On this occasion, I salute the rural electrification movement and all the farm families and others who have brought the blessings of electricity to rural America.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 12, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., prefaced his prayer with these words: Philippians 2: 6: *Let this mind be in you, which was also in Christ Jesus.*

O thou God of all truth and guidance, in these tangled and troubled times we are thinking especially about that vast host of bright, alert, clever, zealous young people, who seem to be torn by the tragedy of clashing loyalties.

They seem to be living in a strange world with new aspirations and adventures, with new insights and new outlooks.

Their minds are fully aware that there is an uprising passion of humanity which is determined to be free and which is too strong for chains and too large for imprisonment.

"Something there is that doesn't like a
wall,
That wants it down."

May we be wise enough to supply them with a democracy and a spiritual community which will challenge and demand their noblest youth and may that goal continually become wider and more expansive in its fellowship and more divine and intensive in its spirit.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on May 7, 1965, the President approved and signed a joint resolution of the House of the following title:

H.J. Res. 447. Joint resolution making a supplemental appropriation for the fiscal year ending June 30, 1965, for military functions of the Department of Defense, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 66. An act to authorize the Board of Parole of the District of Columbia to discharge a parolee from supervision prior to the expiration of the maximum terms or terms for which he was sentenced;

H.R. 4338. An act to authorize the Veterans of Foreign Wars of the United States to rent certain property in the District of Columbia for certain office purposes; and

H.J. Res. 195. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the American Legion national convention of 1966, to be held in Washington, D.C.; to authorize the granting of certain permits to the American Legion 1966 Convention Corporation of the District of Columbia on the occasion of such convention, and for other purposes.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 836. An act to amend the Wool Products Labeling Act of 1939 to authorize the Federal Trade Commission to exclude from the provisions of that act headwear with respect to which the disclosure of wool fiber content is not necessary for the protection of the consumer;

S. 1317. An act to authorize the Commissioners of the District of Columbia to prescribe penalties for the handling and collection of dishonored checks or money orders;

S. 1319. An act to authorize a work release program for persons sentenced by the courts of the District of Columbia; to define the powers and duties in relation thereto, and for other purposes;

S. 1321. An act to amend section 501(e) of title 16 of the District of Columbia Code relating to bond requirements in connection with attachment before judgment; and

S.J. Res. 5. Joint resolution designating the bridge crossing the Washington Channel near the intersection of the extension of 13th and G Streets SW., the "Francis Case Memorial Bridge."

GENERAL SUBCOMMITTEE ON EDUCATION OF THE COMMITTEE ON EDUCATION AND LABOR

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the General Subcommittee on Education may be permitted to sit during general debate this afternoon for consideration of the extension of the Juvenile Delinquency Act.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. GILLIGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GILLIGAN. Mr. Speaker, it was impossible for me to be present in the House, on Monday, May 10, and to respond to rollcall No. 99, on H.R. 2984, extending the expiration date for construction of health research facilities under the Public Health Service Act and providing increased support for the program. Had I been present I would have voted "aye."

REPORT OF RAILROAD RETIREMENT BOARD FOR FISCAL YEAR 1964—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 27)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed with illustrations:

To the Congress of the United States:

In compliance with the provisions of section 10(b)4 of the Railroad Retirement Act, approved June 24, 1937, and of section 12(1) of the Railroad Unemployment Insurance Act, approved June 25, 1938, I am sending for the information of the Congress, the report of the Railroad Retirement Board for the fiscal year ended June 30, 1964.

Since the inception of these programs nearly 30 years ago, almost $15 billion has been paid to railroad employees and their families in retirement and survivor benefit payments and unemployment-sickness benefits. In the fiscal year covered by this report, retirement and survivor benefit payments were made to 970,000 beneficiaries—$704 million to retired employees, $119 million to wives, and $274 million to survivors of deceased employees.

It is noteworthy that the 423,000 retired employees receiving annuities as of June 30, 1964, averaged 74 years in age and their annuities average $140. Disability annuitants averaged 66 years of age and payments to them average $127.

During the term of this report, an average of 785,000 persons held jobs covered by the Railroad Retirement and Railroad Unemployment Insurance Acts, 11,000 fewer than in the previous year. On a monthly basis employment during February 1964 dipped to the lowest total of any month since 1937—this low point total was 767,000. Higher individual earnings—averaging $6,800 per job or $100 more than in 1962–63—largely offset the declining employment, so that the total railroad payroll for 1963–64 amounted to $5.4 billion, about the same as in the preceding year.

The report of Chairman Howard W. Habermeyer, of the Railroad Retirement Board, is comprehensive and detailed, and I commend it to the Congress for review and study.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 12, 1965.*

REPORT OF NATIONAL CAPITAL HOUSING AUTHORITY FOR FISCAL YEAR ENDED JUNE 30, 1964—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on the District of Columbia:

To the Congress of the United States:

In accordance with the provisions of section 5(a) of Public Law 307, 73d Congress, approved June 12, 1934, I am sending for the information of the Congress the report of the National Capital Housing Authority for the fiscal year ended June 30, 1964.

At this period there is a wholesome and welcome national interest—extending far beyond the geographic limits of this District of Columbia—in developing our Nation's Capital City as a proud and beautiful showcase of America at its best. This interest is heartening and hopeful. I believe we may reasonably and responsibly expect that these next years immediately ahead will be the finest years in the history of the city of Washington.

As I have indicated in my previous messages to you, the challenges here are many, and our efforts must proceed with courage and perseverance on many fronts. The most basic challenge—requiring our most determined perseverance—lies on the front of housing now, as it has for 30 years.

In 1934, early in his administration, President Franklin D. Roosevelt and the Congress began the attack on slums and blighted housing in the District of Columbia with the Alley Dwelling Act. Over this span, the National Capital Housing Authority has carried forward that attack. But, as this report notes, "the evidence of a critical shortage of adequate housing for low-income families in the District of Columbia is overwhelming."

We can be pleased that the National Capital Housing Authority is presently accelerating its efforts to enlarge the supply of housing available for low-income families. But this acceleration must continue. If we are to make certain that the city of Washington is a great Capital worthy of a great nation, it is fundamental that our families residing here must have good homes in which to live.

Our goal for the Nation is a decent neighborhood for every family. The fulfillment of that goal should—and must—be realized here in the Nation's Capital.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 12, 1965.*

PROPOSED PAY INCREASE FOR FEDERAL EMPLOYEES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 170)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

America expects—and receives—much from her public servants.

In every field of endeavor vital to the security of this Nation—from foreign affairs to science and technology to national defense—we depend on the career men and women of the Federal service for competence, devotion, loyalty, and responsibility.

I have been a part of this service for almost 35 years. I have seen it perform critical and vital tasks. Most of the time it has performed at its best—and that is the way we want it to stay.

I believe firmly that the merit system is the keystone of good government.

I believe that the public service is a profession of dignity, opportunity, and profound personal achievement.

I reject the proposition that Government employment is somehow inferior to employment in business, in the professions, in university life, or in any other occupation. There can be no class system separating the men and women who are committed to the service of their fellow men or to the defense of their country.

I also believe strongly in the obligation of the Federal Government to be a good employer. And I define a good employer as one who—

Demands excellence and rewards it;

Is fair and just;

Respects the dignity of his employees;

Insists upon ethical standards and sets a good example;

Practices no discrimination;

Welcomes fresh ideas and new approaches;

Fulfills his responsibilities to the community;

Provides opportunities for growth and challenge; and

Combines prudent business judgment with enlightened policies on compensation and benefits.

We do not have two standards of what makes a good employer in the United States—one standard for private enterprise and another for the Government. A double standard which puts the Government employee at a comparative disadvantage is shortsighted. In the long run, it costs more.

In all respects, save one, the Federal Government today is meeting the test of a good employer. In the last 4 years we have almost—but only almost—achieved adequate, up-to-date, and fair pay systems for all categories of Government personnel.

We must not cease our effort now.

In my budget message on January 25, 1965, I announced the appointment of a Special Panel on Federal Salaries to review Federal military and civilian pay levels.

That Panel presented its report to me on April 15. It is attached to this message. I have been studying it carefully.

The report contains a series of recommendations concerning adjustment of Federal pay in the fiscal year 1966.

I endorse the proposals of the Panel and recommend early action by the Congress to authorize—

An average increase of 3 percent in Federal civilian salaries;

An average increase of 4.8 percent in compensation of all uniformed personnel, except enlisted personnel with under 2 years of service;

A 2.7-percent increase in base pay of enlisted personnel with less than 2 years of service.

These proposed adjustments will restore the relationships between civilian and military pay established in 1963.

The adjustments will not bring us to full achievement of the comparability standard enunciated in the Federal Salary Reform Act of 1962, but they will prevent loss of ground already attained.

Before including the full effect in retirement plans, the proposed increases will have a total annual cost of approximately $853 million—$447 million for uniformed personnel and $406 million for civilian personnel. In order to hold the costs of pay adjustments in the fiscal year 1966 within amounts included in the budget for that purpose, I recommend that the increases be made effective January 1, 1966.

Legislation to carry out these recommendations is attached. I ask that it be referred to the appropriate committees of the Congress for early consideration.

The pay adjustments proposed in this message emphasize the obligation of the Federal Government to insist upon maximum return from every dollar spent on a salary.

All agencies of the executive branch are working hard to improve the productivity of their employees and to curtail outmoded activities. All agencies have established personnel control programs which should bring to a halt unwarranted increases in average grades and average salaries.

I am continuing my personal efforts to hold down employment. The most recent monthly report of the Civil Service Commission shows that there are now about 22,000 fewer civilian employees in the executive branch than in December 1963.

New employees must replace many who leave, but additional employment will occur only when our responsibilities permit no other course of action.

I am proud of the progress we have made toward lean and fit competence in the discharge of Federal responsibilities. Adequate pay will help us to continue our advance toward that goal.

The report of the Panel proposes new procedures for acting upon compensation matters in the future.

The first proposal would establish a permanent mechanism for impartial review at 4-year intervals of the structure and interrelationships of all Government salary systems. Following these reviews, the President would be authorized to propose changes in salary schedules for top positions in the executive, legislative, and judicial branches. The changes would go into effect automatically at a given date, unless disapproved by resolution of either House of the Congress. Other changes proposed by the President as a result of a quadrennial review would be acted upon through the regular processes for the enactment of legislation.

The second proposal would authorize a procedure for acting, between quadrennial reviews, upon such periodic adjustments in pay rates for Federal civilian and military personnel as may be warranted to keep pace with changes in pay rates elsewhere in the economy. Under this proposal the President would continue to make prescribed reports annually to the Congress. When any such annual report includes recommendations for revision of salary rates, these revisions would go into effect automatically at a given date, unless disapproved by resolution of either House of the Congress.

I concur in these recommendations of the Panel.

Legislation to establish the first of these new and improved procedures is attached.

Amendments of existing law to make the second recommendation effective are included in the bills authorizing pay adjustments for civilian and uniformed personnel.

The civilian pay bill also includes an amendment of the Federal Salary Reform Act of 1962 which would carry out another of the Panel's recommendations. This amendment would give the President discretionary authority to make salary surveys and comparisons in additional fields of non-Federal employment.

Existing law limits the annual surveys and comparisons to "private enterprise." Collection and analysis of salary rate information in such fields of employment as State and local governments and nonprofit institutions would give added assurance that Federal salary rates are kept in appropriate relationship with salary rates prevailing throughout our economy.

Drafts of legislation to carry into effect other important recommendations contained in the Panel's report will be promptly transmitted to the Congress. These drafts will propose to—

Authorize certain civilian employees not now receiving premium pay for overtime to receive such pay on an equal basis with other civilian employees;

Establish a coordinated and equitable system for payment of moving expenses to employees transferred for the convenience and benefit of the Government;

Authorize payment of readjustment allowances to certain employees separated involuntarily from Federal employment through no fault of their own.

The report of the Special Panel and this message largely take the place this year of the President's annual report to the Congress, as required by the Federal Salary Reform Act of 1962. Nevertheless, the report and analysis of the Bureau of the Budget and the Civil Service Commission on the comparison of Federal and private enterprise salary levels, and the views of employee organizations, should be available to the Congress. I am transmitting them by separate communication.

With the enactment of the legislation recommended in this message, we shall have taken still another series of steps in the most far-reaching revision of Federal compensation laws in the history of our country.

We shall be much nearer to full achievement of the comparability standard adopted by the Congress in 1962.

We shall have established for the first time sound procedures for maintaining interrelated salary systems for both civilian and military personnel, which will be based upon fair, clear, consistent, and up-to-date policies.

And we shall be in a far better position to attract and retain in Federal service the best talent in America.

I urge prompt consideration of these proposals. Their results will more than justify their costs.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 12, 1965.*

CALL OF THE HOUSE

Mr. DERWINSKI. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 100]

Andrews, George W.
Ashley
Baring
Battin
Belcher
Blatnik
Bolton
Bray
Brown, Calif.
Cahill
Cederberg
Chelf
Clark
Collier
Conyers
Fogarty
Ford, William D.
Fulton, Tenn.
Gubser
Holifield
Holland
Huot
King, Utah
Laird
Landrum
Lindsay
Macdonald
Martin, Mass.
Mathias
Miller
Moeller
Morris
Morton
Patman
Powell
Resnick
Rivers, Alaska
St Germain
Smith, Va.
Steed
Talcott
Teague, Tex.
Toll
Udall
Walker, N. Mex.
Willis

The SPEAKER. On this rollcall, 389 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

INTERNATIONAL COFFEE AGREEMENT ACT OF 1965

Mr. O'NEILL of Massachusetts. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 364 and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 364

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 701) to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL of Massachusetts. Mr. Speaker, at the conclusion of my remarks I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. O'NEILL of Massachusetts. Mr. Speaker, last evening in Washington, D.C., the Boston College Club of Washington, D.C., honored one of our colleagues, the gentleman from Massachusetts, Congressman EDWARD BOLAND, as the outstanding Boston College alumnus of the year 1965. I think their choice was indeed a great one. I have known Congressman BOLAND for over 30 years. I have seen him in the public life of Massachusetts at the age of 21 when he was elected a State representative and stayed in the Massachusetts Legislature for 8 years.

He was then elected registrar of deeds in Hampden County, Mass., where he served for a period of 12 years. During 4 of those years he served in the U.S. service and while he was in the U.S. service, he turned his salary back to the State for worthy causes.

Congressman BOLAND is indeed an outstanding man, one that the Nation, one that the State of Massachusetts, and one of whom all of his friends can well be proud.

Mr. Speaker, through the years, since 1952, he has been a Member of Congress and currently he is serving on the Committee on Appropriations where he served faithfully and well.

At this time, Mr. Speaker, I am happy to yield to the gentleman from Texas [Mr. THOMAS] who had previously asked me if I would yield to him.

Mr. THOMAS. Mr. Speaker, may I join my genial and distinguished friend from Massachusetts in saying a few words about our beloved friend and colleague, EDDIE BOLAND.

Mr. Speaker, I was delighted to learn that his alma mater conferred this distinctive honor upon him last night.

Mr. Speaker, I do not know of a finer person any place. It has been my privilege and pleasure to serve with scores and scores of fine men during my service here. But EDDIE BOLAND is really a true love. He knows his business. He works hard on the committee. We rely upon him and his judgment. Frankly, Mr. Speaker, I would rather trust his judgment than my own any day in the week.

With reference to the honor which has been bestowed upon him, I do not know of anyone who deserves it any more than EDDIE and I do not know of anyone who has any more friends than EDDIE.

Mr. Speaker, I congratulate Mr. BOLAND and, certainly, that great college used the best of judgment in bestowing this high honor upon him.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL of Massachusetts. I am delighted to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join our distinguished friend, the gentleman from Massachusetts [Mr. O'NEILL], in congratulating EDDIE BOLAND for the high honor he received. Of course it was merited. He is an outstanding Member of the House of Representatives, an outstanding American, and his great alma mater in honoring EDDIE BOLAND honored itself.

Mr. BATES. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL of Massachusetts. I yield to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES. Mr. Speaker, last evening I, too, was privileged to be in the caucus room on the occasion of the designation of our distinguished colleague, Congressman BOLAND, as the Boston College Graduate Man of the Year.

I consider Representative BOLAND not only one of my dear friends but one of the most valuable Members of the House of Representatives. He is a prodigious worker and is a great credit to the Commonwealth of Massachusetts and to the U.S. Congress.

Mr. YATES. Mr. Speaker, will the gentleman yield at this point?

Mr. O'NEILL of Massachusetts. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, I am delighted to join in the tributes that are being paid here today by the Members of the Congress to my good friend, Congressman EDWARD BOLAND.

Mr. Speaker, I have served with EDDIE BOLAND for many years on the Independent Offices Subcommittee of the Committee on Appropriations, and it was a pleasure to work with him on that very intricate and complicated appropriation bill. He brought ability, he brought humor, he has brought perceptiveness, he brought wide experience, he brought all of his many talents to work on that committee. But I would not, by emphasizing his contribution to that work, minimize his other great contribution to other important legislation which the House considered.

Mr. Speaker, I consider EDDIE BOLAND one of the most able Members of this body. It has been a tremendously valuable experience to serve with him and to know him as a friend. We in the Congress are fortunate in the opportunity given to us to serve with a man of the great stature of EDDIE BOLAND.

I congratulate the members of Boston College in the District of Columbia for their wisdom in selecting Congressman EDWARD BOLAND as the recipient of their award.

Mr. PHILBIN. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. PHILBIN. Mr. Speaker, I am very happy and proud to associate myself with the views so felicitously expressed by my very distinguished and esteemed friend, the gentleman from

Massachusetts [Mr. O'Neill], regarding our good mutual friend and very distinguished, able, and esteemed colleague, the Honorable Edward P. Boland, illustrious son of Massachusetts.

Mr. Speaker, Eddie Boland is not only a dear, beloved friend of mine and many Members of this great House, but he is one of the truly outstanding public servants in the Congress. In fact, he is one of the outstanding leaders of the Nation, and one of the most distinguished, capable and dedicated men I have known during my lifetime. I have utmost respect, admiration and affection for him.

Mr. Speaker, Congressman Boland is a man of warmth and personal charm, a valued and loyal friend, whom we all love for his fine human and humane qualities. He is most diligent, efficient, and effective in the performance of his duties and a real tower of strength in the vital legislative work and achievements of the House, a leader of first magnitude.

He has made a brilliant record in this historic Chamber, is one of the leading Members of this body, and I take greatest pleasure and pride in paying my sincere tribute to him on the occasion of the highly merited award of "Man of the Year" that he received yesterday from his cherished alma mater, one of the great universities of our country and the world, Boston College, an institution of higher learning of superlative renown.

I wish for my dear friend, Eddie, many more happy, constructive, and fruitful years in this body, to which he has made such highly valuable contributions. I hope and pray that the good Lord will shower upon him in the future, all of the choicest blessings, continued good health and success, even greater advancement in his brilliant career, and as well as happiness and peace.

Mr. BURKE. Mr. Speaker, I wish to associate myself with my colleagues here in paying tribute to a great American, the gentleman from Massachusetts, Congressman Edward P. Boland.

I first met Mr. Boland back in the Massachusetts General Court in 1937. At that time he impressed me as being a great public servant, devoted and dedicated to his work. Through the years, as a member of the Massachusetts General Court, in the service of his country during wartime, also in his home county as register of deeds and here in the U.S. Congress, his work has been outstanding. He has given liberally of his time on behalf of the people of the Nation.

I was present last night when that great university, Boston College, made this award, this most deserving award to this fine young man. I am very proud of him.

Mr. McCORMACK. Mr. Speaker, in conferring the honor on our distinguished friend and colleague, Edward Boland, Boston College, through its organization, honored itself.

We are all happy when any Member of the House receives an award of any kind, particularly an unusual one like this. Without regard to party politics we recognize that when an award is conferred upon a Member of the House it is because of the qualities he possesses in attracting himself to those who confer the honor upon him, and we all accept it with appreciation.

Coming from Massachusetts, as I do, and Edward Boland, coming from Massachusetts, I am very proud of him as a Member of this body. He not only serves the people of his district with great distinction, and the Commonwealth of Massachusetts, but he has that broad understanding of the national viewpoint where in the Halls of Congress he represents the entire United States of America.

So I join with my distinguished friend from Massachusetts, Mr. O'Neill, and others, in conveying to Edward Boland, not only our pleasure at the honor he received last night, which he so richly deserves, but in conveying to him the deep respect and friendship and esteem we have for him.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I too want to congratulate Boston College for this award which was made to Edward Boland. "Ed" Boland is one who is effervescent in enthusiasm, integrity, and ability. I am sure the Commonwealth of Massachusetts and the country itself is benefited greatly because of his service in the U.S. Congress.

Mr. CONTE. Mr. Speaker, we have heard some fine things said here today about my friend and distinguished colleage from Massachusetts, Ed Boland. And, although I am pleased to carry the banner of the elephant and my good friend and colleague is doomed to carry the sign of the other animal, I am constrained to add my own congratulations to him for the splendid record and devoted statesmanship which have earned him the distinction conferred on him last night by Boston College, my alma mater.

I am always pleased to recount the many things the gentleman from Massachusetts, Ed Boland, and I hold in common, in spite of our divergent party allegiance. Our congressional districts border one another and, together, embrace more than half of the land mass of the great State we are pleased to represent. We share a great many problems in common and, of course, a great many blessings.

The fact that he is a Democrat and I am a Republican is a pretty good case for the fact that the secret of success in politics is not so much party label as it is responsiveness to the needs of your people; at least in Massachusetts this is so.

I am proud, too, that the gentleman from Massachusetts, Ed Boland, and I attended the same school. I was pleased last night to attend the special reception in honor of my colleague who, as you know, has been named outstanding alumnus of Boston College for 1965. It was a great pleasure for me to see many of my old friends from Boston College and to renew many old acquaintances..

I was especially happy to see Father Frank Sullivan who was athletic director during my days on the Boston College campus. Father Sullivan was instrumental in teaching me the fine art of stubborn resistance.

The gentleman from Massachusetts, Ed Boland, is as good an example as I can think of who represents all the fine things Boston College and the State of Massachusetts stand for. I am proud to serve here with him and proud to add my personal congratulations to him on this occasion.

Mr. KLUCZYNSKI. Mr. Speaker, I want to join with my colleagues in paying tribute to one of the finest Members of this House, Congressman Boland, who received the Man of the Year Award from the Boston College Club, of Washington, D.C., last night. No one is more deserving of this award that Congressman Boland. He is a dedicated and hard working member of the Appropriations Committee. I have served with him in the House for 13 years, and I know of his many contributions to the well-being of the Nation and his State.

Mr. BENNETT. Mr. Speaker, it is a cherished opportunity for me to speak in praise of a great American, Congressman Boland. The honor conferred upon him by his alma mater is indeed a well deserved one. His statesmanship, ability, and courage are qualities for which we admire him. His enthusiasm, thoughtfulness, and friendly spirit at all times are qualities for which we love him—men like Ed Boland make our country this great nation it is; and for one I am truly grateful for his friendship.

Mr. EDMONDSON. Mr. Speaker, it is a pleasure to join my colleagues in heartfelt tribute to a great member of the House, Ed Boland.

Since he first came to the House of Representatives, Ed Boland has been recognized as a man of great ability, integrity, and dedication.

Early in his legislative career, he was assigned to the important Committee on Appropriations, and he has been one of the most diligent and respected members of that committee for many years.

The House of Representatives is a stronger and better legislative body because of Ed Boland, of Massachusetts, and it has been a privilege to serve with him.

Boston College is to be congratulated upon his selection for the honor just conferred upon him.

Mr. O'HARA of Illinois. Mr. Speaker, Edward P. Boland is as fine a gentleman as can be found anywhere in the world, and the great honor bestowed upon him by Boston College is a source of delight to all his colleagues. My congratulations to both Boston College and our beloved friend Ed Boland, the alumnus of the year of that famed school.

Mr. DONOHUE. Mr. Speaker, I wish to join with my fellow Members here in extending my most sincere congratulations to my distinguished associate and esteemed colleague from the Second Congressional District in Massachusetts for the additional honor conferred upon him last evening by the Boston College Club of Washington, D.C., as this year's recipient of their annual Man of the Year Award.

Of course we, as his fellow Members here, very rightly feel we had assayed and found superlative the courageous character and eminent ability of our colleague long before the discerning membership of the local Boston College Club here saw fit to formally confirm our united judgment by presenting him with their highest accolade.

For the past 12 years here we have observed first hand the constantly growing legislative stature of "EDDIE" BOLAND as he has steadily risen to a position of leading responsibility in the vitally important Appropriations Committee and in the admiration of our membership. In a comparatively short period he has marked himself as one of the Nation's outstanding financial authorities and most learned lawmakers in modern congressional history.

For those of us who have known "EDDIE" BOLAND through the years, this is by no means a surprising development; it is only what was to be expected. From his early youth EDDIE seemed to instinctively know his extraordinary talents and industry could be best devoted to, and developed in, the most exacting field of public service.

Happily for his community, his State, and his country, the people of his area appeared to instinctively recognize their good fortune to have such a gifted man offer himself to their service; the exercise of their original instinct was soon most fruitfully productive of concrete proof of their basic wisdom. For the past 28 years of his still young life his people have consistently and repeatedly elected him to positions of great public trust and, over the past 12 years, they have increasingly returned him to the challenging responsibility of U.S. Representative.

In return for the confidence his people have placed in him, "EDDIE" BOLAND has dedicated himself to the fullest discharge of his Representative duties with a sincerity, an industry, a zeal, and a determination that is unsurpassed by any other Member of this House.

Here is a man who conducts his life in the truest traditions of a gentleman, a scholar, a statesman, and a patriot.

We congratulate you again, EDDIE, for this further and preminently merited distinction the Washington, D.C., Boston College Club has granted you; in their righteous action they have reflected the highest credit upon their own objective, standards of judgment, and endorsement.

May the good Lord keep you with us, EDDIE, for the assumption of ever-increasing responsibilities in the dedicated service of your home people and your country for many, many good years to come.

GENERAL LEAVE TO EXTEND REMARKS

Mr. O'NEILL of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on Mr. EDWARD P. BOLAND.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. O'NEILL of Massachusetts. Mr. Speaker, House Resolution 364 provides for consideration of S. 701, a bill to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 25, 1962, and for other purposes. The resolution provides an open rule with 2 hours of general debate.

The authority provided by S. 701 enables the United States to fully meet its obligations under the coffee agreement, which authority is as follows:

First. The President is authorized to prohibit imports from members of the International Coffee Organization of coffee that is not accompanied by a certificate of origin. These certificates identify the source of the coffee and enable the coffee organization to maintain a statistical check on exports and to detect quota violations by producing members. Prohibiting imports of coffee that are not accompanied by certificates helps exporting countries police their quota systems.

Second. The President is authorized, as a further control measure, to require U.S. exports and reexports of coffee to be accompanied by certificates of origin or reexport issued by a qualified agency of the United States designated by the President.

Third. The President is authorized to impose quotas on nations not members of the coffee organization in certain circumstances, when necessary to prevent nonmember exporting nations from increasing their exports at the expense of member nations. At present, about 97 percent of the coffee traded in the world is exported by member countries.

Mr. Speaker, I urge the adoption of House Resolution 364 for consideration of S. 701.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Massachusetts has ably explained the provisions of this rule, which brings before us again the proposal that the Congress appropriate funds to carry out certain activities of this Government in connection with the International Coffee Agreement.

This is the same old story we have had in the past. The only issue involved in this bill is whether we want to do it or not, whether we should do it or not, and whether it is establishing a precedent that may react to the destruction of this House of Representatives eventually as a legislative and lawmaking body by the relinquishing of the House of Representatives the rights and duties granted it under the Constitution to originate all appropriation bills.

Seemingly there has not been too much push—too much energy—behind this legislation to appropriate up to $150,000 a year. It is not a matter of the amount involved, but the principle that is at stake. As I say, apparently there has not been too much push or too much energy behind this legislation, as one might think. This agreement was entered into during September 1962 by the State Department, which very frankly has said it is part of our foreign aid program to certain Latin American countries which produce most of our coffee. However, we did not get around to voting here in the House until November 1963, about 14 months after the agreement was entered into at a little meeting between State Department officials and a few coffee importers.

Then no action was taken by the Senate. The vote in the House on November 14, 1963, on the original bill was 181 to 145. The other body did not consider the legislation until July 31 of 1964—many, many months after the House had acted. So there seemingly was not any great demand that action be taken immediately because of some emergency. We were operating under that agreement anyhow and the prices of coffee, of course, had gone up as had been predicted and expected by and reasonable-minded person.

Then, on August 11, 1964, the bill was sent to conference, and the conferees made their report.

On August 18 the House defeated the conference report. The House decided it did not want any part of it. That vote was rather close, I believe, 195 to 187. Nevertheless, the conference report was rejected, and no action was taken until April of this year, when the Senate passed the bill now before us, S. 701, on which the House is asked to take favorable action by the Ways and Means Committee, which reported the bill favorably.

I should like to have Members follow this, if they will. The argument is made in the report of the Ways and Means Committee that there is an obligation on the part of the House to appropriate this money because the Senate approved a treaty for the United States to participate in this coffee agreement. I cannot accept that for one moment, either as good law or as constitutional law or anything else. It should not be said that because the Senate writes a treaty or approves a treaty, to furnish a certain amount of money to some international organization, that we have to vote the money although we voted down the proposal and said, "No, we do not believe it should be appropriated."

Let me ask a question, to emphasize the point I am trying to make. Suppose the Senate of the United States passed a foreign aid appropriation bill carrying an item of $100 million of American aid for Sukarno of Indonesia. We will use him as an example. Suppose the House rejected that and refused to go along, and said, "No, we do not want to appropriate $100 million of the taxpayers' money to Sukarno of Indonesia. We do not believe he deserves it. We opposed it."

What would happen under the procedure now brought before us and suggested to be constitutional law—not supported by logic, commonsense, or reason. The Senate could put into the form of a resolution a treaty providing that the United States, upon the adoption of the treaty, would furnish Mr. Sukarno with $100 million.

Does anyone mean to tell me that the House of Representatives would be bound and compelled to vote the $100 million to Sukarno simply because the Senate wanted to do it? Anything in the world could be done under that kind of a rule, that kind of logic, which the Senate might want to do, anything which the treatymaking body might want to put in the form of a treaty. Then the rights and prerogatives of the House would be destroyed.

I should like to talk a bit about the bill. The argument is made, as I said a moment ago, that it is a part of our foreign aid program to help these people in Latin America who produce coffee. It is said there are a number of small farmers in Latin America producing coffee who need this help.

Regardless of what one may think about foreign aid—whether he is for it or against it—now can it be argued, that if we are to furnish foreign aid to a country, it ought to be done at the expense of the coffee drinkers instead of at the expense of the general public, the entire taxpaying public? Why not say that anyone who wears overshoes will have to pay a special tax, or will have to spend a certain amount of money in order to give foreign aid to some particular country?

Of course, it is not any more logical to do that than it is to do that which we are doing here. I am not unmindful of the fact that there are a lot of small farmers in Latin America producing coffee, but I am also mindful of the fact that there are a great many rich Latin Americans producing coffee who are benefited as a result of this particular agreement and the action of the Congress and the Department of State in connection therewith. I am not interested in fattening any rich Latin American coffee producer or lining the pockets of any corrupt politician in that part of the world. Above all, I am interested in what is happening to the consuming public of the United States.

Within a short time after the coffee agreement was made, the price of coffee went up about 35 percent for the average American consumer. I have a great many coffee consumers in my State and my district and in the Midwest from where I hail, and I am sure that most of you have a great many coffee consumers in your home districts. I have heard from quite a number of them. They do not like the idea that they are being nicked a penny or two to take care of this particular program every time they have a cup of coffee. They do not like it at all. But, you know, rather strangely—and I will let you in on my confidential file—I do not have a single message in my office from any coffee producer in my district or my State or from the Middle West asking me to support this legislation. I rather have the idea that while it is fine for these people who represent the Latin American countries to do what they can to get high coffee prices for their people, we have to look at it in a different way. They have been able to get these prices. Regardless of this legislation, they are getting these prices right now and have been right along. The enactment or the failure of enactment of this particular legislation has had nothing to do with what we are doing under the coffee agreement. They are going ahead, operating just the same. And the price is going up for the consuming public. The consuming public is being taken for a ride in the United States in order to benefit people in other parts of the world. Maybe that is what you want to do. If so, it is all right, but I say let us do it in the proper way and share that cost equally among all of the people and not just those people who happen to like coffee.

That is the issue before us. It is composed of two things: first, whether or not we want to agree, as a Member of this House, to the proposition espoused by this committee report. I have every respect for the members of the committee who have signed this report and joined in it, but the question is as to whether or not you agree that the U.S. Senate by adopting a treaty and ratifying it can bind this House to appropriate money for some purpose that the House refused to appropriate money for in the past by action of this body.

Do we want to do that and establish that precedent? Do we want to say that we will leave it up to the Senate to decide what we shall do in the way of spending the people's money? No longer will the House actually be able to control the purse strings of the Nation through the constitutional provision that all appropriations must originate in this body. The second issue is whether or not we want to represent the consuming public or just a relatively few people in other parts of the world.

Those are the two questions and the issues. I hope that this rule is defeated. I do not believe the bill has any business here. I feel if there had been any great urgency or any great emergency existing that demanded the enactment of this legislation, there would not have been this delay before any action was taken by the other body. So there has been no pressure, except that somebody would like to have the money.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. GROSS. Mr. Speaker, I want to commend the gentleman for his excellent statement and say that I agree with him completely. I would also like to say that apparently the Committee on Ways and Means does not consider this very important legislation for no hearings have been held on the bill now pending before the House this year. At least there are no printed hearings available on the House floor.

Mr. BROWN of Ohio. Mr. Speaker, I reserve the balance of my time.

Mr. O'NEILL of Massachusetts. Mr. Speaker, there is no question about the remarks made by the gentleman from Ohio [Mr. BROWN]. It seems rather ridiculous when we consider the fact that the U.S. Senate may approve a treaty and all we can do is to authorize and appropriate. I think perhaps the time has come when the House itself should act on treaties. I know that the gentleman from Florida [Mr. PEPPER] has legislation pertaining to this matter.

With regard to the bill itself there is question that it is a foreign aid bill and there is no question that we are in serious trouble at the present time with our Latin and South American neighbors. I think we should, if we are to take into consideration the policy of the U.S. Government, follow that policy, and adopt the rule.

Mr. Speaker, I move the previous question on the resolution.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RIVER BASIN PLANS, 1966

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 381 and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 381

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6755) authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska [Mr. MARTIN], and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 381 provides for consideration of H.R. 6755, a bill authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes. The resolution provides an open rule with 1 hour of general debate.

H.R. 6755 provides increased authorizations for the prosecution of river basin plans for flood control and related purposes under the jurisdiction of the Secretary of the Army and the Chief of Engineers. The appropriations intended to be covered by these increased authorizations are those for fiscal year 1966. The necessity for these increased authorizations, totaling $263 million, is explained as follows:

Basin monetary authorizations were placed in effect by the Flood Control Acts of 1936 and 1938. Their effect is to limit the authority to expend funds within a specified basin below the total authorized extent of development of the basin. Subsequent authorizations have increased previous limitations when needed. The purpose of the basin monetary authorization is to give the Congress an opportunity to review programs from time to time to determine if changes in the authorized plans are needed.

If H.R. 6755 is not enacted into law as soon as possible, it will be necessary to defer a number of contracts.

Mr. Speaker, I urge the adoption of House Resolution 381 in order that H.R. 6755 may be considered.

Mr. MARTIN of Nebraska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I heartily agree with the statements of the gentleman from New York [Mr. DELANEY]. This flood control program is a very necessary program, as witnessed by the recent very severe and disastrous floods that we have had in the central part of the United States.

Mr. Speaker, as the gentleman from New York stated, the rule provides for 1 hour of general debate, under an open rule. The bill provides for the authorization of a total of $263 million to carry on the work of flood control in these 10 river basin areas.

Mr. Speaker, on the minority side, we approve and support this legislation.

Mr. DELANEY. Mr. Speaker, I have no further requests for time. I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INTERNATIONAL COFFEE AGREEMENT ACT OF 1965

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 701) to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Arkansas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 701, with Mr. YATES in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas [Mr. MILLS] will be recognized for 1 hour and the gentleman from Wisconsin [Mr. BYRNES] will be recognized for 1 hour.

The Chair recognizes the gentleman from Arkansas.

Mr. MILLS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the bill before the House, S. 701, is, in my opinion, an important piece of legislation, though I must say in the very beginning that it does not carry with it, perhaps, the appeal that some legislation which has come from the Committee on Ways and Means might carry with it.

Mr. Chairman, the purposes of the legislation are very simple and very easy to understand. They are to carry out certain commitments that we have made and to which we have become a party under the International Coffee Agreement which the gentleman from Ohio [Mr. BROWN] pointed out had been entered into by the United States and other countries and ratified by the Senate of the United States some months ago.

Now, Mr. Chairman, early in February of this year, the Senate passed this bill, S. 701, in substantially the form that it is reported to you by the Committee on Ways and Means.

The provisions of the bill are briefly the following:

The bill authorizes the President:

First. To require certificates of origin or reexport of coffee entering the United States from members of the International Coffee Organization;

Second. To require certificates of origin or reexport of coffee leaving the United States; and

Third. To limit the entry of coffee from nonmembers; that is, countries not members of the International Coffee Organization, if this should be necessary.

Now, Mr. Chairman, these certificates identify the source of the coffee and enable the Coffee Organization to monitor the flow of coffee in the world market and to detect export quota violations.

In addition, the bill requires the President to submit an annual report to the Congress on the operations of the coffee agreement itself, including full information on coffee prices and the actions the United States and the International Coffee Organization have taken to protect the interests of U.S. consumers.

The authority contained in this bill continues until October 1, 1968, or, and I now quote the safeguarding amendment included by the Senate, "Until the Congress by concurrent resolution determines that an unwarranted increase in the price of coffee has occurred."

Let me underline the significance of that amendment. Should the Congress so determine at any time that an unwarranted increase in coffee prices has occurred, the authority in this bill lapses. Thus, we are not giving anyone a blank check. There are satisfactory safeguards in the agreement to protect our interests and there are safeguards in this bill as well.

Now, what is the purpose of the coffee agreement and what is the purpose of this bill? The purpose of the coffee agreement is to stabilize the disorderly world coffee market. Coffee is a tree crop that takes more than 5 years after planting to bear fruit, but when mature, bears fruit for 20 years or more. When prices are good because coffee is scarce, there is overplanting. In 5 years or so, when the trees bear fruit, there is a glut of coffee on the market, far more than the world wants. So prices fall sharply. Then, after years of depressed returns, farmers neglect and abandon their coffee plantations because they are impoverished, and coffee is scarce again. The history of coffee is a history of boom and bust. In this cycle of boom and bust, frost and drought also play a part, so coffee is plagued by short-term ups and downs within the longer cycle of instability. Thus, green coffee prices were as low as 7 cents a pound in 1938, as high as 93 cents a pound in 1954, 34 cents in 1962, and 45 cents currently.

This instability in coffee prices does no one any good. It is not good for the producers, for the U.S. coffee trade, or for the U.S. consumer.

The purpose of the coffee agreement is to try to bring some stability to coffee prices, to check these wild swings in price, to keep prices on an even keel.

As I stated, these wild price swings are not good for the U.S. coffee trade, and it is not good for the U.S. coffee consumers, who consume on the average about 15.5 pounds of coffee a year.

The purpose of the coffee agreement is to try to bring some stability to coffee prices, to check these wild swings in price, to keep prices on an even keel, if possible. The coffee agreement does this by adjusting exports of coffee from the exporting nations to the consumer demand of the importing nations, limiting exports when there is a glut on the market and the prices threaten to tumble; increasing exports when coffee is scarce and prices threaten to rise.

The burden of stabilizing prices falls on the producing countries entirely and not upon the importing countries. It is they, the exporting countries, that have to control exports and production. The consumer countries, that is the United States and the 20 others, have very limited obligations. All that we are committed to do and all this bill does is to help the United States monitor the flow of coffee by requiring these certificates of origin so the organization and the exporting members in particular can see who is and who is not abiding by the export quotas of the exporting countries.

That is the purpose—that is the sole purpose of this implementing bill. We require that coffee shipments be accompanied by certificates of origin. Then we pass the certificates on to the Organization. The Organization can see which exporting members, if any, are overshipping or undershipping their export quotas.

It is important to note that we are not interfering in any way with our coffee trade. Our traders are not required to purchase coffee from any particular country. They are not required to buy any specific amount of coffee. They are not required to pay any specific price for coffee. They are free to continue their established practices and patterns of trade.

Practically all of the world's coffee exporting and importing countries are members of this agreement. As I pointed out a moment ago, the exporting countries account for 97 percent of the world's exports and the importing members account for 91 percent of the world's imports. All of them, with the exception of the United States, have passed the legislation necessary to permit full implementation of the obligations under the agreement.

The United States ratified the agreement December 1963. This implementing bill will put us in the position of all the other importing members. It will enable the United States to play its proper part in helping to stabilize the world coffee market under the coffee agreement.

I know the Members of the House are interested primarily in one question, and that is: how this agreement—not this bill—but how this agreement affects the American consumer. I believe the record shows that this agreement does help the American consumer rather than injure the American consumer as some have contended.

Let me illustrate just what I mean. In 1962 when the coffee agreement was negotiated, the price of coffee was depressed. Coffee was a glut on the market and its price was 34 cents a pound. That was the lowest it had been in 13 years. Notwithstanding the agreement, prices continued to drift downward. In fact, during the first 9 months of 1963 they moved down even below 33 cents a pound. I am referring here to the New York spot market price of Brazilian, Santos 4 which is an average coffee.

Then came reports from Brazil of a severe frost, the worst drought of the century. The reports were confirmed and the importers and roasters here scrambled to increase their inventories to protect themselves against what they thought was an impending shortage of coffee. As a result U.S. green coffee inventories which had been at 3.4 million bags on June 30, 1963, rose to 4 million bags by September 30, 1963, and 4.7 million bags by the end of the year. In this scramble for coffee, the price was bid up. What action did the International Coffee Organization take under the circumstances? It did take responsible action, I think. It increased export quotas by about 3 million bags to insure our importers and roasters that the needs of the market would be met. What happened to prices? The price rise was checked. Prices receded from over 50 cents in March to their current levels of around 45 cents.

This happened in a year in which Brazilian coffee production fell to 10 million bags. That is just a quarter of what Brazil had produced in the year 1959–60.

Let us compare this experience with what happened in 1954, when we did not have this coffee agreement. In that year Brazil suffered a very severe frost. Prices skyrocketed from about 58 cents to over 90 cents a pound, and speculation in coffee here was rampant. There was no international agreement to check or to cool the speculative fever.

Today we have an agreement, a forum and a mechanism to protect the American housewife from unwarranted price increases such as did occur in 1954. Producing countries need our help when prices are falling. They do have to behave responsibly when prices are rising, as they did behave when they voted overwhelmingly to increase quotas in the International Coffee Council, largely following suggestions from the United States.

It is my considered opinion, therefore, that the coffee agreement does afford consumers protection in a tight market.

The U.S. coffee trade—that is, the people in their organization representing the importers and roasters—and others support this agreement. They know that without the agreement prices would have gone higher than they did, got there faster, and stayed there longer.

Let us look at coffee prices today. The average retail price for 1 pound of coffee is about 84½ cents. It has been at about this level for some 8 months, a price lower than the average for the past 15 years. There are not many foods for which this can be said. If we look at some of the things like white bread or potatoes, we find that they are substantially higher than their 15 year average.

If we look at the consumer price index, put out by the Department of Labor, we find the same story. In February 1965 the index for all items was 108.9. The index for all foods was 106.6 But the index for a can or bag of coffee was only 96. And this is true in a year when world consumption is running well ahead of world production.

Thus I believe that we can be assured that there is protection here for the American consumer in a tight world market coffee situation. I believe that ought to be considered as we consider other aspects of this legislation.

We can be confident that the interests of the American housewife will be fully protected. There are adequate safeguards in the agreement—no action-fixing quotas can be taken without the approval of the importing countries, of whose 1,000 votes the United States holds 400—virtual veto power. And then there is the safeguarding clause in this implementing bill under which Congress can by joint resolution withdraw the authority granted therein when it determines that an unwarranted increase in the price of coffee has occurred.

Now, as important as coffee is to the American consumer, it is the lifeblood of many of the producing countries. Coffee dominates the economy of Latin America. It accounts for about 25 percent of the export earnings of 14 Latin countries, and in 6 of these—including Colombia, Brazil, Costa Rica, Guatemala—it accounts for more than half of their earnings. In Africa, coffee accounts for 30 to 50 percent of the earnings of seven producing countries. What happens in the world coffee market affects them profoundly.

The gyrations in coffee prices make orderly growth and development in these countries impossible. When prices are too high there is inflation and overplanting. When prices tumble, so too do government revenues, exchange receipts, private investment, and the general level of economic activity. Trade with the United States is curtailed and increased aid is needed to bail out the producing countries.

This economic instability is not only an economic phenomenon. It has far-reaching political repercussions. In a stable economic environment, democratic institutions can flourish and grow. In an unstable economy, bouyant one year and depressed the next, fragile political institutions have no chance to take root. Economic instability means political unrest.

The producing countries need stable earnings to move forward steadily, to meet the aspirations of their people for steady growth and development. The coffee agreement will help just that. It is intimately tied up with our basic foreign policy purpose to help the low-income countries become stable and effective partners in a stable and prosperous world.

This legislation will enable the United States to protect the domestic interest and to bring a measure of stability to the economies of our good neighbors. It is of cardinal importance to the Alliance for Progress. We should act on it promptly.

To me, frankly, the important part of this whole debate in this forum and the whole issue is simply this: I do not know what I would have done had I been a Member of the U.S. Senate, called upon to ratify the agreement. The fact is that it was ratified in accordance with the provisions of the Constitution. We are a member of this agreement by that action. All in the world that this legislation proposes to do is to let us carry out the commitments which have been made, by helping to police the exports of coffee to, and the export of coffee from, the United States in accordance with that agreement. It has nothing whatsoever to do with anything except the policing of that part of the agreement to which we have taken solemn obligation. That is what is involved here. I would hope that the House would see fit to permit the Government to carry out this agreement and to help police it to this extent. Bear in mind that every one of the other 20 importing nations and every one of the other 34 exporting nations has already done what is necessary to implement this agreement.

Regardless of anything else, I would believe now that a Member would hesitate a long time before saying that he wished to go on record disapproving of legislation which is necessary for us to implement a firm international agreement, a treaty.

That is going to go forward anyway. The agreement is in existence. The agreement remains in existence. All in the world that is involved here is just the things I mentioned earlier which enable us to carry out those commitments in an orderly manner and to limit the importation of coffee from countries that are not members of the agreement when such limitation is necessary; and also to enable us to be able to report back to the Council, so that the Council can see that the exporting nations party to the agreement are carrying out their quota arrangements which they have imposed on themselves. If this thing stood up by itself, I do not know what I would have done, as I said, but I know now it would be awfully hard for me to say that we should not take the action which is required when an obligation exists. This is not some obligation which the Congress made but is an obligation that the President made and that the Senate saw fit to approve. It is just as binding as any obligation we have.

We adopted one amendment to this in the committee, and it is an amendment offered by the distinguished gentleman from Montana, who is a member of our committee [Mr. BATTIN]. If you will observe, in the bill there was an authorization, as it passed the Senate, for us to appropriate moneys necessary to carry our part in the operation of this Council, but there was no dollar limit placed on it. Actually we are advised that this amount will be approximately $135,000, but we have rounded it out in the committee to say that there could not be more than $150,000 appropriated, because this will prevent, as some have charged, with regard to some of these other world organizations, the payment of the total bill from the Treasury of the United States. We thought that the House would appreciate that action, and so we adopted the amendment. We think Mr. BATTIN is right.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLS. Mr. Chairman, I yield myself 3 additional minutes.

Mr. MATSUNAGA. Mr. Chairman, will the gentleman yield?

Mr. MILLS. Yes. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Chairman, I rise to establish legislative history so that the International Coffee Agreement Act of 1965, which is now before us for implementation, will not include restrictions on the export of coffee from the State of Hawaii to any foreign nation.

Mr. MILLS. It does not restrict the quantity of exports from Hawaii in any way. The exporting nations, the so-called producing members those that are primarily producers of coffee, 34 of them, agreed to place restrictions on their exports to keep the supply in line with world demand. However, the United States is included in the 21 nations importing coffee. We have not agreed anywhere to place any restriction on the raising of coffee or the amount of exports of coffee by the gentleman's State of Hawaii.

Mr. MATSUNAGA. I thank the gentleman for his comment.

If the gentleman will yield further, is it also a correct statement that it is a requirement under this legislation that every export or reexport of coffee from the United States shall be accompanied by a certificate of origin or reexport which would not be applicable to coffee exported from the State of Hawaii?

Mr. MILLS. Under the bill the State of Hawaii in exporting its coffee would accompany it with a certificate. That would be required, but there would be no limitation on production or export and no interference whatsoever with what the producers of coffee are doing in the State of Hawaii at the present time.

Mr. MATSUNAGA. The so-called certificates of origin are to be supplied by whom?

Mr. MILLS. They are supplied by the exporter of the coffee when the coffee is shipped from Hawaii to some other place.

Mr. MATSUNAGA. It is my understanding presently it is being done informally even without legislation.

Mr. MILLS. It can be done informally by agreement of the producer. Yes. There will be no real change with respect to what that producer is now doing.

Mr. MATSUNAGA. My understanding is West Germany is a party to the agreement.

Mr. MILLS. That is right. West Germany is a party to the agreement and it has already passed implementing legislation. It is one of the 21 importing nations. Next to the United States, I believe it has the next largest number of votes in the Council.

Mr. MATSUNAGA. So that without the certificate of origin, Hawaii's coffee could not be exported to Germany?

Mr. MILLS. That is true. It could not be imported into West Germany without the accompanying certificate of export. The gentleman is right.

Mr. MATSUNAGA. The quota provisions of the treaty do not in any way apply to coffee from Hawaii?

Mr. MILLS. Not at all. There will be no quota on what can be exported from Hawaii.

Mr. MATSUNAGA. I thank the gentleman.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield.

Mr. FINDLEY. I note on the first page of the committee report that it appears that this legislation is an authorization providing procedures to carry out obligations under the treaty which has been ratified.

Mr. MILLS. That is true.

Mr. FINDLEY. I notice on page 1 of the bill the phrase "or until the Congress by concurrent resolution determines that an unwarranted increase in the price of coffee has occurred."

This proviso means that by resolution the Congress can set aside a treaty which has been in effect approved, does it not? I was wondering if the gentleman could explain why that was included and if it is not an unusual provision.

Mr. MILLS. This is an amendment adopted in the Senate—I am not certain who offered it, but I think it was the distinguished senior Senator from Illinois [Mr. DIRKSEN]; the gentleman will remember that last time he had an amendment that had been included by the Senate Finance Committee. This time this amendment seemed to be preferable to them. Frankly, I do not know what precise meaning the author attached to it. I would like to have the gentleman's interpretation rather than to state my own. I will say that this type of an amendment was cleared, before it was adopted in the Finance Committee, by the Department of Justice. The Department of Justice said that it was all right. The gentleman may have some question about it. I do not want to indicate here that I do have a question, since we were assured in the Committee on Ways and Means by a representative of the Department of Justice there was no legal problem.

Mr. FINDLEY. Mr. Chairman, it does seem to me that if a concurrent resolution were adopted it would have the effect of nullifying a treaty of the United States, and that seemed to me to be a rather unusual procedure.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. This legislation provides certain procedures that otherwise the Customs could not comply with unless we changed the law, such as restricting the importation of coffee through a certificate, and there are various other procedural aspects that are authorized under this enabling legislation. What the caveat, which we call the Dirksen amendment, says is this. My interpretation of it is that this implementation can only continue, or it can be terminated, if we pass a concurrent resolution. I do not think we ever would intend that we can affect a treaty itself by a resolution adopted by the House.

Mr. MILLS. I do not believe there is any doubt in the mind of the gentleman from Illinois that Congress can by this device terminate legislation the Congress passes. That is the opinion of the gentleman from Wisconsin [Mr. BYRNES], of what it was endeavored to do here. The legislation being terminated, it would be almost impossible for us to carry out the obligation we have of policing the export of coffee to the United States. We have been in the agreement and operating in the Council since December of 1963.

But we have not been able to police the operation of it.

Mr. FINDLEY. I thank the gentleman.

Mrs. MINK. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I would be glad to yield to the gentlewoman from Hawaii.

Mrs. MINK. I would like to join in the comments made by my distinguished colleague from Hawaii and express my concern about the effect of this legislation upon our foremost Kona coffee-growers. In response to the questions that my colleague asked of the gentleman from Arkansas, I wonder if the gentleman would comment as to section 3 of the bill on page 3 relating to section 2 of the International Coffee Agreement of 1962, and the definition of "coffee"?

Perhaps this would clarify the situation.

The CHAIRMAN. The time of the gentleman from Arkansas has again expired.

Mr. MILLS. I yield myself 1 additional minute, Mr. Chairman.

There is no question whatsoever, under the agreement or under the implementing legislation, and under the definition of "coffee" under article II of the International Coffee Agreement of 1962 about there being any limitation on the export of coffee from Hawaii. The only requirement—that is, under this legislation—is that when coffee is exported, say to West Germany from Hawaii as exported coffee, there must be this certificate accompanying the coffee. That is all in the world that is added. But you can double, triple, quadruple your production of coffee in Hawaii without any regard to this agreement and it has no effect whatsoever on it. You can increase your exports in the same way if you want to and you will not in any way affect or interfere with, in any way, your operations in coffee.

Mrs. MINK. I thank the gentleman for his response.

The CHAIRMAN. The time of the gentleman from Arkansas has again expired.

Mr. MILLS. Mr. Chairman, I yield myself 1 additional minute.

Mrs. MINK. Mr. Chairman, Hawaii is the only coffee-producing State in the Nation. As such, it has a direct interest in S. 701, the International Coffee Agreement Act of 1965, and the International Coffee Agreement of 1962, which this bill would implement.

Kona coffee, grown on the slopes of the Kona district of the Island of Hawaii, is a mild bean which is highly prized for its flavor. The 873 farms now producing coffee there are family farms, with most of the labor being provided by the farmer and his family.

For several years now the coffee farmers of Kona have been struggling valiantly to keep their farms producing in the face of widely fluctuating, but usually low, coffee prices. With the help of Hawaii's State government, they are cooperatively marketing a new instant Kona coffee which has become a favorite of those who have been exposed to it in test marketing, and are seeking new specialty markets.

There is, for the first time in years, a ray of light for this small, uniquely Hawaiian agricultural enterprise.

It is all the more important, therefore, that it be afforded as benign an atmosphere as possible in which to seek economic good health.

I have studied carefully the provisions of the agreement, which seeks to stabilize coffee prices by regulating the amounts exported by the coffee exporting nations of the world. I was concerned that the Kona coffee producers might be restrained from seeking markets for their products.

However, all of the information available to me indicates that the agreement would not restrict exports of Kona coffee in any way.

When the agreement itself was before the Senate for ratification 2 years ago, the Department of State issued a memorandum by its legal adviser which said:

> The provisions of the agreement establishing export restrictions apply solely to exporting members. It is apparent from the terms of the agreement, as well as its negotiating history, that the United States will be an importing member and not an exporting member. Therefore, the system of export quotas established by the agreement will be wholly inapplicable to the United States or to any integral part thereof, including the State of Hawaii.

This was further affirmed by the gentleman from Arkansas, Chairman WILBUR D. MILLS, of the House Ways and Means Committee, in debate on the House floor on November 14, 1963, while the House was considering a measure similar to the one before us today.

He said then:

> While the exporting nations have agreed to place restrictions upon their exports, we, being an importing nation, have not agreed to place any restrictions on the export of coffee from the great State of Hawaii.

I am entirely confident, then, that the International Coffee Agreement will have no ill effects on Hawaii's coffee production.

To the contrary, I can see the possibility of benefits to the coffee farmers of my State.

They, like the coffee farmers of our Latin American neighbors, are subject to the ills of almost continually depressed prices and sudden wild fluctuations in price. The effects of continued low prices can be seen in the fact that the 873 Hawaii coffee farms in production last year marketed 6,651,000 pounds of coffee, less than half the coffee produced in the previous year.

The effect of violent fluctuations can be as graphically illustrated. In early 1964, and for a few months after the start of harvesting in July 1964, coffee prices rose considerably. Those farmers who were able to harvest early because they were situated low on the slopes on which coffee is raised in Kona were able to show a profit for the year's work and investment. However, those higher on the slopes, whose coffee takes longer to ripen, were hit by a rapid price decline—3.75 cents a pound in a month's time—so that they wound up taking a heavy loss on their crops.

The stabilization of the world price of coffee, on which hinges the price paid to our Kona farmers, thus might also mean stabilization of Kona prices.

The major impact of the bill, of course, is of wider and more international scope. The International Coffee Agreement is a 5-year commodity agreement which Congress will reconsider in 1968. Its primary intent is to at least interrupt the boom-and-bust cycle which hampers seriously the efforts of underdeveloped Latin American coffee-producing countries to achieve economic self-sufficiency and decent living standards. It does this mainly by setting export quotas.

It is hoped that this period of relatively stable prices will enable our neighbors to the south to set out on the road to self-sufficiency by undertaking economic and social planning based on a stable income from their coffee exports.

At present, 34 coffee exporting countries, representing 96.8 percent of the world's coffee exports as of 1961, and 21 importing countries, representing 91 percent of world imports in 1961, are members of the agreement. Although most of the exporting countries are in Latin America, there also are a number of the emerging African nations in the agreement. Strengthening of the economies of these countries could have an important effect in lowering the amount of economic aid which the United States supplies to them.

The United States, as the major importer, has a virtual veto over quota level decisions, as a safeguard for the American consumer.

The bill before us today would enable the United States to carry out its obligations under the agreement.

Mr. Chairman, I support S. 701 and ask my colleagues to join me in that support.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from North Carolina.

Mr. BONNER. Mr. Chairman, I, of course, shall support the bill. I am interested in the transportation phase of coffee from Latin America into this country.

Mr. Chairman, the primary purpose of the International Coffee Agreement is to bring a measure of stability to coffee prices throughout the world. I realize that coffee is a most important agricultural commodity in many less-developed countries and particularly in Latin America. However, I would point out that the ocean transportation of coffee from the producing countries to the United States is an integral and important part of the overall coffee picture. In this regard, it has been brought to my attention that one Latin American coffee-producing country is discriminating against U.S.-flag vessels. Other countries are now contemplating further governmental discriminatory action which, if enacted into law, will work to the serious disadvantage of our merchant shipping.

In an effort to bring an end to these discriminations, I communicated with the Department of State on January 28, 1965, and on the same day I wrote to the gentleman from Arkansas [Mr. MILLS], chairman of the Committee on Ways and Means, asking that when the International Coffee Agreement came up before that committee for consideration, that some attention be given to the subject of discriminations affecting American-flag shipping in the case of Colombia and Peru. I subsequently asked Mr. MILLS at the time of these hearings to seek assurances from the State Department so that the Congress can be sure that our State Department will continue to make vigorous efforts to bring an end to such discriminatory practices.

I am pleased to report that when the Committee on Ways and Means held executive hearings on the International Coffee Agreement on April 13, the subject of shipping discriminations was discussed. I am informed that Thomas C. Mann, Under Secretary of State for Economic Affairs, in that hearing assured the committee that the Department of State was fully aware of the situation and is working diligently with various agencies of our Government and with the foreign governments involved, to eliminate problems of shipping discriminations. It is gratifying to know that our Department of State is pursuing this matter with vigor and I can assure you the Committee on Merchant Marine will follow the matter with deep interest.

In order that the complete story of these shipping discriminations might be made available to Members of the House, I am setting forth in the RECORD copies of correspondence between myself and the Department of State and Chairman MILLS of the Ways and Means Committee:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON
MERCHANT MARINE AND FISHERIES,
Washington, D.C., January 28, 1965.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: As you know, legislation again has been introduced in the Congress to implement the International Coffee Agreement of 1962.

Inasmuch as the ocean transportation of coffee from the producing areas to the United States is an important part of the overall coffee picture, it is disturbing to me to learn that some Latin American coffee producing countries are practicing or contemplating various types of shipping discriminations to the serious disadvantage of U.S.-flag vessels; and these practices rather than decreasing are becoming more prevalent.

At the present time, for example, there is discrimination being practiced by Colombia and further discriminatory practice being contemplated. Peru presently has a discriminatory decree which, if made effective, would seriously worsen the U.S.-flag position in the Peruvian trade.

I need not detail all of these malpractices. However, there is one organization of recent vintage which requires further description. ALAMAR is an advisory committee representing shipowners of nine countries in South America, of which five are signatories to the International Coffee Agreement. They presently are considering restricting the transportation of cargoes moving between the nine countries to vessels of those countries. Other discriminations against U.S. shipping are also under consideration such as port and berthing preferences. The discriminatory proposals of ALAMAR have not as yet become effective, and the American-flag operators have been and continue to work closely for their elimination with the Federal Maritime Commission and the State Department. I also know that your Department has held extended discussions with the representatives of various South American countries in an effort to eliminate all of the above discriminations.

I am aware that the elimination of shipping discriminations is not a matter which should be written into the proposed legislation implementing the International Coffee Agreement. However, it seems incongruous that countries which are signatories to the International Coffee Agreement, and as such beneficiaries under the terms of the agreement, should continue to take discriminatory action against U.S.-flag ships. Therefore, I believe it would be of great help in solving this problem if at the time your representatives appear before the Ways and Means Committee in connection with the agreement they give assurance to the Congress that our State Department will continue to make vigorous efforts to bring an end to such practices.

You will note that I am furnishing a copy of this letter to Chairman Wilbur Mills, Committee on Ways and Means, and shall ask his assistance in this matter when the legislation on the agreement comes before his committee.

Sincerely,

Herbert C. Bonner,
Chairman.

January 28, 1965

Hon. Wilbur Mills,
Chairman, Committee on Ways and Means, House of Representatives, Washington, D.C.

Dear Wilbur: There is attached hereto a copy of a letter dated January 28, from me to the Secretary of State with reference to the International Coffee Agreement of 1962 which will be considered by your committee sometime in the near future. The letter is self-explanatory.

For years American shipping has been plagued by discriminatory laws and malpractices in some of the Latin American countries. The Department of State, Maritime Administration, and the Federal Maritime Commission have been concerned about those laws and practices, but they still continue. Among nations where such discriminations adversely affect American-flag shipping are Colombia and Peru, both of whom are signatories to the International Coffee Agreement.

My point in writing Secretary Rusk and you is to call attention to these situations and express the hope that when the coffee agreement comes up for consideration some attention will be given to the subject in your hearings and your report. Although they are in one sense separate subjects, it is ridiculous for this country to be working out fair and reasonable cooperative arrangements with other countries who are at the some time unilaterally severely hurting us.

I would appreciate being notified when your hearings are scheduled on the International Coffee Agreement.

Kindest regards and best wishes.

Sincerely,

Herbert C. Bonner,
Chairman.

Department of State,
Washington, D.C., February 4, 1965.

Hon. Herbert C. Bonner,
Chairman, Committee on Merchant Marine and Fisheries, House of Representatives.

Dear Mr. Chairman: I am replying to your letter of January 28, 1965, addressed to Secretary Rusk in which you point out that some Latin American coffee producing countries have adopted or are considering the adoption of practices which discriminate against U.S.-flag shipping companies operating in that area. You suggest that these practices appear to be becoming more prevalent.

I assure you that this Department is fully aware of the difficulties to which you refer. For a number of years the Department of State has worked in the closest cooperation with the Federal Maritime Commission, the Maritime Administration, of the Department of Commerce, and with the various American-flag shipping companies serving Latin America in seeking to eliminate problems of discrimination as they have appeared, and to anticipate potential discriminatory actions before they could have harmful effects on American-flag carriers. The Department will continue its best efforts to deal promptly and effectively with these problems.

I appreciate that your reference to the difficulties, present or potential, faced by U.S.-flag shipping companies in Colombia and Peru, as well as the possible collective shipping problems posed by the Alamar program, was not intended to be comprehensive of all the current discriminatory situations we now face. I wish to point out, however, that in each of the instances you mention the Department is now in close touch with its posts in the affected countries and with the American lines with the objective of developing a positive program for dealing with these particular situations.

When representatives of this Department testify before the Ways and Means Committee in connection with legislation to implement the International Coffee Agreement they will be prepared to assure that committee of our continuing vital interest in preserving freedom of competitive opportunity for American-flag carriers in Latin America and that the Department will continue to take all appropriate steps toward the objective.

Sincerely yours,

Robert E. Lee,
Acting Assistant Secretary for Congressional Relations.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, there is not a great deal that I can add to what the chairman of our committee has presented to you by way of an explanation of this legislation and the reason that it is before us.

Mr. Chairman, our committee was faced with a situation that is quite unusual as far as our committee is concerned. We were presented with a fiat accompli as a treaty had been advised to and consented by the Senate and had been signed and was in full force and effect.

Mr. Chairman, the situation was simply, that in order to carry out the terms of that treaty and to fulfill the obligations under the treaty which the United States had assumed, we had to provide restrictions on imports into this country of coffee.

If we do not provide implementing legislation then the only thing that can be done would be for the United States to keep records of the point of origin of this coffee, and carry out its obligations on a voluntary basis rather than a compulsory basis. We have been carrying out our obligations on a voluntary basis. But the main point is we were faced with a treaty that was a solemn agreement of the United States. You could not go behind that to determine whether it was a good treaty, whether it was a sound treaty, or anything else.

The issue is not whether the treaty should have been entered into, but whether the United States should go back on its word and disregard the provisions of the treaty by an act of Congress, or an act of the committee, in not reporting out the implementing legislation. The basic effect of our failure to adopt this bill would be the abrogation of the treaty, and I do not think we in this country have come to the point where we abrogate a treaty lightly.

I reviewed this matter to see whether or not there was any reason why the treaty should be abrograted or whether it would be in our best interest to comply. I have come to the conclusion it would be in our best interest to honor our obligation. In my judgment, the conditions that exist show that it is in our best interest to comply with the treaty and to pass the legislation to implement it. I am, therefore, supporting this legislation today.

We have to look at what the objectives of the agreement were. What was intended to be accomplished by it, and what safeguards do we have it will be in our best interest?

There were two objectives in mind in entering into this agreement. I am not sure this is the way to solve the problem that was involved, but this is the course pursued by the administration and these were the objectives sought to be achieved. One was economic and the other political.

In the economic phase, the purpose was to create a greater stability in coffee markets and coffee prices as it affected the world market, and also as it affects the U.S. market, because it was recognized that the United States is one of the principal consumers of coffee in the world market.

The purpose was to develop some kind of stability and avoid these extreme fluctuations.

The other objective was political. The political objective encompasses the desirability of creating an economic stability in the coffee market because that has an impact particularly on the underdeveloped and developing countries of South America, which depend to such a high degree upon the export and marketing of coffee. We have had programs attempting to be helpful to these countries. We have tried to assist in bringing stability to them, particularly those in this hemisphere, because of its effect on us and the hemisphere. We have tried to be helpful. It was clear that one thing that was required to bring political stability was also economic stability in this area.

And you could not very well have economic stability without providing some stability to the coffee market. So that was the political encouragement for entering into this agreement. I am hopeful that the solution here proposed, the entering into this agreement, and the carrying out of our part of it, will produce the desired result.

To those who are concerned that the net result of this will be an unreasonably high price of coffee to the consumers, let me say that this arrangement provides for a participation by consumers in determining the amount of coffee that would be marketed and, therefore, in determining the prices at which coffee will ultimately sell during a particular period.

I would point out that there is nothing at all which would prevent the producing countries, that are parties to this agreement, to get together among themselves without the participation of the United States or of the other consuming countries and establish for themselves quotas on the amount of coffee that they would market and thus control the price of coffee and shoot it up sky high, and there would not be anything that we could do except to stop buying.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. GROSS. Neither is there anything to prohibit the farmers of this country getting together and going on strike and refusing to deliver to the marketplaces of this country.

I think that argument with respect to the coffee producers is about as illogical as any that I have ever heard.

Mr. BYRNES of Wisconsin. I think one has a little different situation here. In the first place, we have attempted in this country to solve the problem which the farmer faces, and we have done it because one of the things the farmer cannot do is control the amount that goes into the marketplace, because there are so many of them. We have approved arrangements for marketing to assist the farmer. The gentleman understands that. We also have in this country antitrust laws which would prevent entering into this kind of agreement so far as the farmers are concerned or any other producers in this country. But we cannot reach the Latin American countries or any other countries with our antitrust laws. All that I am pointing out is that they do have the opportunity irrespective of what we might do here, and so combine as to restrict the marketing of coffee and thus really force the prices up. But by this arrangement, we have a situation where it is understood both sides will sit across the table and both sides will enter into an agreement and both sides will agree on how much the market needs in any given period of time and the consumer is part of that bargaining and sits at that table. It seems to me, there is the protection that we have. It is because of this situation, frankly, Mr. Chairman, I have come to the conclusion that there is in this legislation something to our advantage rather than our disadvantage, and I therefore approve it. First, I think it is to our advantage to the degree that we can participate in attempting to provide a stability of the economies, and the stability of the economic situation in these developing countries that are so dependent upon coffee. Unless something is done to bring some stability into the marketing of coffee, we cannot expect a stability of the political and economic situations in those countries. So this moves in that direction, and in that direction, I think, is also a benefit to the United States of America.

As far as the American consumer is concerned, I think there are certain advantages to the American consumer where he can be assured of a certain stability in coffee prices, particularly if the consumer is allowed to sit in at that bargaining table and at the conference and play a part in determining what is a reasonable level at which coffee should be marketed and what, therefore, is a reasonable price for coffee in any given period.

I believe, in the overall, that if we do not adopt this implementing legislation we in effect by our action will be abrogating a treaty of the United States. As I said at the beginning, I do not believe we should do that lightly or without real cause. So far as I am concerned, I cannot find a cause which would justify that kind of extreme action. Therefore, I shall support the legislation.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the distinguished gentlewoman from Missouri [Mrs. SULLIVAN].

COFFEE AGREEMENT DID NOT CAUSE PRICE INCREASES

Mrs. SULLIVAN. Mr. Chairman, I am again going to vote for this bill, as I did twice in the last Congress, and I hope that this time the House will not permit itself to be frightened into defeating the measure, as was done last year on the conference bill. It is true that some very good supporters of consumer causes were among those voting against the conference bill in the House last year. I hope they have had a chance to assess since then the remote connection between this legislation and the high prices of coffee last year—prices which have now been coming down much too slowly. And I also hope they have had an opportunity to note the remote relationship of some of those who fought the bill so grimly last year with any legislation which benefits needy Americans or the poor of any other nation.

I have tried to express that thought carefully so as not to transgress House rules and not to cast aspersions on any Member or question any Member's motives. One does not, in this Chamber, point the finger at a colleague and say, "You deliberately tried to mislead the Members." So, of course, I shall say no such thing.

THE ALLEGED BRAZILIAN CROP FAILURE OF 1953–54

But when this bill was before us last August, in much the same form in which it is before us now, following the addition of some Senate amendments and the drafting of the conference report, the House was told—and many House Members were lead to believe—that the International Coffee Agreement had resulted in a deliberate holdback of coffee supplies from the market which in turn had caused a sudden skyrocketing of coffee prices in the United States.

What were the facts? Brazil had suffered an almost catastrophic injury in 1963 to its coffee trees in its main producing area. The much-publicized fires had not done much damage; the damage came primarily from a severe frost following an extended and extremely serious drought. When Brazil told the world that its coffee crop had been ruined, as it did in late 1963, I remembered that it had told us the same story in exactly the same way just 10 years before that—in late 1953, during my first year in the House. In early 1954, I reported to the House that I suspected the alleged shortage was a possible hoax, and it turned out that I was correct.

After I had raised the possibility of a hoax being perpetrated on the American consumer by exaggerated Brazilian reports of complete destruction of the coffee crop, President Eisenhower a week later assigned the Federal Trade Commission to make an investigation. Nearly 6 months later, a comprehensive FTC study of speculation in coffee futures on the New York Coffee & Sugar Exchange confirmed the existence of a conspiracy to create a shortage which did not actually exist. This fake shortage of 1954 sent prices zooming to levels never reached before or since—90 cents a pound for green coffee at dockside, compared to a still comparatively high level today of just half of that amount.

THE 1963–64 CROP DISASTER WAS REAL

Naturally, when the 1963 reports of complete crop destruction in Brazil began to influence coffee futures quotations in this country, I again suspected Brazilian exaggeration of the damage and an attempt at creating another fake shortage. This time, however, the facts were much different: qualified investigators from our Department of Agriculture made on-the-spot studies of the crop damage and reported that while not total, the damage was almost as bad as Brazil had indicated. American roasters, fearing the worst, bid strenuously for the very small supply of new crop Brazilian greenish coffee which is most desired for American blends, and the price increases reflected this spirited competition for supply.

But countermeasures were taken by consumers and also by roasters. More blends began to feature Colombian coffee, and some well-known brands switched over to 100 percent Colombian coffee instead of a mix of Brazilian and Colombian. There was plenty of African coffee available, and thus there was a sharp acceleration of the trend begun by consumers in 1954 toward instant, or soluble coffee.

Furthermore, although Brazil kept insisting that its 50 million bags, of 132 pounds each, of old crop coffee in its warehouses contained very little coffee suitable for American tastes, roasters were able to find and buy a good deal of it and use it successfully. But because the spot price in this country is usually quoted in terms of Santos 4's, and most of the trading on the futures exchange is in contracts for this same type of coffee, the tremendous surge in published price quotations for the standard Brazilian grade created a pulling power for the entire coffee market, and the retail price of canned coffee to the American consumer went from the 50 to 60 cents per pound level to the 90 cents to a dollar level.

This reflected a spurt in green coffee prices from 32½ cents a pound to around 55 cents, before the roaster competition for scarce new supplies eased off. Demand slackened considerably, however, because the roasters had accumulated large inventories of green coffee during the buying spree. The current quotation for Santos 4's is 45½ cents, at the average price of all imported coffees is about 36½ cents.

RETAIL PRICES WENT UP FAST BUT CAME DOWN SLOWLY

The Department of Agriculture last year, while confirming the extensive crop damage in Brazil, established that the trees themselves were not ruined—that they would recover and bear good harvests in the coming 1965–66 crop year and thereafter. This, plus assurances by the USDA that more of the coffee in storage in Brazil was good quality coffee than the Brazilian Government itself had been willing to admit, helped to dampen down the fever in futures speculation and bring some balance back to the coffee market.

But consumer prices, which moved upward very fast in 1963–64 on news of the probable shortages of Brazilian new crop coffee have been receding much too slowly since the market eased. Roasters have cut their prices with extreme reluctance, and retailers as a rule have waited as long as they could to follow suit.

This is the true story of what happened to send coffee prices booming upward last year. Any connection which this development had with the signing in 1962 of the International Coffee Agreement, or its ratification by the Senate as a treaty in 1963, or the debates in House and Senate over the implementation legislation in 1963 and 1964 was purely coincidental. But one would not have thought so to hear some of the attacks on the Conference bill here last fall. A majority of the Members of the House, including many who had voted for the bill the previous November, voted against it and defeated it, presumably because of charges that the agreement had raised coffee prices and hurt the consumer.

COFFEE AGREEMENT BECOMES A POLITICAL ISSUE IN THIRD DISTRICT

My Republican opponent in the campaign last fall used as his main issue—just about his only issue—my vote in favor of this legislation. He handed out thousands of packages of coffee to voters as a symbol of what I was supposed to have done to raise coffee prices. Each little package of coffee he gave away was supposed to represent the reduction in the quantity of coffee the consumer was able to buy for the same money as a result of the operations of the International Coffee Agreement and, therefore, of my action in voting for the legislation to implement that agreement, even though the legislation had not passed.

Of course, it was a phony argument. But many Members here feared just such attacks last fall when they voted against the conference bill. If any of the Members are worried about the possible gullibility of the American voters in falling for phony consumer issues—and I stress the word phony, Mr. Chairman—then I call their attention to the campaign in the Third District of Missouri. My opponent spent a small fortune in giving away free coffee to publicize my vote on this legislation. But only a handful of voters ever asked for my explanation. Most of them assumed, from my record, that I would never vote for legislation intended to create artificial shortages of coffee and raise prices unfairly to the American consumer. Furthermore, they could readily see the justice of the objectives of this program in assuring stable marketing conditions for a product on which the economies of so many Latin American countries are so utterly dependent.

One of the groups which did ask me for enlightenment on my vote on this issue, the St. Louis League of Women Voters, thereupon studied the entire record of this legislation and the agreement, and have officially endorsed the passage of this bill, and have thanked me for supporting it last year.

LEGITIMATE DOUBTS ABOUT MERITS OF STABILIZATION AGREEMENTS

So I say to my colleagues, Mr. Chairman, do not fear any demagogic political attacks upon you for voting for this legislation. For the International Coffee Agreement does not do and has not done what its opponents have charged. Politically motivated attacks based on alleged concern for consumers will fall flat for they are not based on facts.

However, those who believe sincerely that any form of international agreement to stabilize the marketing of agricultural commodities subject to periodic cycles of great surplus is a bad thing have honest reasons for opposing this bill, and I respect those reasons. Those who believe the benefits of market stabilization will go mostly to the rich plantation owners in the coffee-producing nations have a great deal of historic proof on their side. Those who feel we should subsidize Latin America's economies directly with more aid, rather than use approaches of this nature to help them to stabilize their main source of income, have a legitimate viewpoint which also deserves respect. But those who oppose this bill and then also oppose any and all efforts to help the shaky economies of our sister nations of this hemisphere, so dependent on coffee for income, are preaching an economic isolationism which is blind to the realities of the political dynamite inherent in mass hunger and misery.

PROTECTIONS FOR THE CONSUMER

Mr. Chairman, under permission granted in the House to revise and extend my remarks, I will include at the end of my remarks some of the background on the International Coffee Agreement when it was being negotiated in 1962, and the assurances I obtained at that time on the protections which would be accorded American consumers. That material will then be followed in the RECORD by my remarks here in November 1963 in proposing the Sullivan amendment to the implementation bill to assure that reliable information is made available to the President, and through him to the Congress, on the actual level of coffee prices as a result of any price movements flowing from the operation of the International Coffee Agreement.

Thanks to the chairman of the Committee on Ways and Means, who accepted my amendment on the House floor in the last Congress, this principle has been written into the bill ever since, and is contained in the language of the bill now before us. The Sullivan amendment on prices, and Dirksen amendment providing for quick withdrawal, coupled with the assurances given to us by the late President Kennedy prior to his death—assurances reiterated by President Johnson—should give us sufficient confidence that passage of this legislation will not lead to unjustified increases in coffee prices to the American consumer.

COFFEE PRICES MAY STILL GYRATE

However, there is no guarantee that coffee prices will not rise or gyrate for other reasons. Coffee futures are traded in an unregulated exchange. I have been trying since 1954—when the Federal Trade Commission first proposed it—to have legislation enacted to bring speculation in coffee futures under the Commodity Exchange Act. Until that is done, this market is subject to many influences other than the classic ones of supply and demand. Even under regulation, gyrations could occur if some of the longstanding inadequacies in the Commodity Exchange Act are not corrected.

But the International Coffee Agreement, and this implementation legislation to enable the United States to carry out its responsibilities under that treaty—responsibilities assumed with the advice and consent of the Senate—will not and cannot lead to victimization of the American coffee consumer unless all of the consuming nations represented in the International Coffee Council were to agree to such a thing, and unless our President were to abdicate his powers and neglect his duties, and unless the Congress went to sleep, and everyone permitted the coffee producing nations to use the agreement in order to manipulate supplies without regard to the interests of the consumer nations.

Since we have abundant powers under the agreement to prevent these things from happening, they could happen only with the official connivance of the United States. I refuse to concede that such a thing would ever happen in this great country, no matter which party were in power.

BACKGROUND OF CONSUMER PROTECTIONS IN TREATY

Mr. Chairman, the background on the consumer protections written into the treaty in 1962 is contained in the following material from the CONGRESSIONAL RECORD, volume 109, part 7, page 9176, on the day the Senate ratified the agreement as a treaty:

THE INTERNATIONAL COFFEE AGREEMENT

(Extension of remarks of Hon. LEONOR K. SULLIVAN of Missouri, in the House of Representatives, Tuesday, May 21, 1963)

Mrs. SULLIVAN. Mr. Speaker, in the debate in the other body yesterday on ratification of the International Coffee Agreement—on which a vote is scheduled for 5 p.m. today—I noted at page 9057 of the CONGRESSIONAL RECORD that a letter to me from Assistant Secretary of State Frederick G. Dutton, dated October 3, 1962, was included in the debate. This communication indicated that the American coffee consumer does not have to fear any excessive increases in coffee prices growing out of the ratification of the agreement.

I sincerely hope the State Department's optimism on this point is valid. I have always taken the position that we should help the producers to obtain a fair price for their product, but sometimes these support programs tend to control excessive price fluctuations in one direction only—that is, while going down, but never while shooting up.

Mr. Speaker, since the Department letter to me of last October is now an important piece of evidence in the International Coffee Agreement ratification debate, I would like to have the RECORD also show the reasoning which prompted me to write to the State Department last September, and my comments at the time of making the reply public in the daily RECORD for last October 5, as follows:

"WILL PROPOSED INTERNATIONAL COFFEE AGREEMENT PREVENT EXCESSIVELY HIGH AS WELL AS EXCESSIVELY LOW PRICES?—EXTENSION OF REMARKS OF HON. LEONOR K. SULLIVAN, OF MISSOURI, IN THE HOUSE OF REPRESENTATIVES, FRIDAY, OCTOBER 5, 1962

"Mrs. SULLIVAN. Mr. Speaker, as one who has always tried here in the Congress to reflect the consumer point of view, I have, however, never opposed fair treatment for the farmer in assuring decent prices for the food he produces. The consumer is not benefited in the long run if prices to the producer of food are so ruinously low as to drive the farmers off the farm.

"Similarly, while I have vigorously opposed the recurring—and sometimes successful—attempts to boost prices of coffee to the American consumer on the basis of fake shortages or rumors of shortages, I would certainly not want to give the impression that I think the Latin American producers should not be helped to get fair and reasonable prices for their coffee. Far from it.

"The unconscionable speculative price increases of January 1954 did not have much chance to help the individual coffee grower; the subsequent collapse of the wholesale price 6 months later, after the disclosure of the market excesses and irregularities, hurt the coffee grower very much, however. Thus, violent upswings in prices are a problem to both consumer and producer, just as depressed prices are a problem, particularly when the economy of a whole country rests heavily on just one commodity.

"With this in mind, Mr. Speaker, I wrote to the Secretary of State last month asking what provisions were being included in the proposed international agreement on coffee which would protect the American consumer—who forms the main market for Latin American coffee, and who is also the individual who is going to have to pay for most of the cost of any stabilization agreement—what provisions were included to protect our consumers against unconscionable price increases, in case today's surpluses should conceivably turn into tomorrow's shortages. There are circumstances under which such a thing could happen, of course.

"WHAT PROTECTION FOR CONSUMER AGAINST RUNAWAY PRICES?

"Mr. Speaker, I think the correspondence is self-explanatory. We all remember during price control days in this country that while it was politically possible to put a floor under farm prices, it became almost impossible politically to put any effective price ceilings over them once circumstances drove these prices from far below parity to way above parity. I had that in mind when I addressed the following letter to the Secretary of State on September 13:

"CONGRESS OF THE UNITED STATES,
"HOUSE OF REPRESENTATIVES,
"Washington, D.C., September 13, 1962.

"The Honorable DEAN RUSK,
"Secretary of State, State Department,
"Washington, D.C.

"DEAR MR. SECRETARY: Ever since I raised an alarm over runaway coffee prices in the United States in 1954, setting off a Federal Trade Commission investigation which disclosed widespread evidence of speculative price excesses and futures trading irregularities, I have been attempting to keep in touch with developments in this field which might foreshadow possible gouging once again of the consumer. Just recently, I called the attention of the House, and of the housewives of the country, to a news report from Brazil implying that some frost damage to the new crop would, or might, result in higher coffee prices in the United States. I warned that any wholesale or retail price increases based on such a scare story would be utterly unjustified, in view of the tremendous stocks of coffee on hand.

"My purpose in writing to you is to do two things: first, to assure you and your aides that my concern is directed primarily at unwarranted increases in coffee prices based on false reports and speculative excesses, rather than on any opposition on my part to any reasonable international program for stabilizing coffee prices at prices which are fair to both producers and consumers; and, secondly, to ask what safeguards are being written into the proposed international agreement which would serve to protect the American consumer in case crop controls and other measures should result in inordinately high prices to the American consumer.

"We have long followed a policy in this country of encouraging reductions in farm production when prices are ruinously low, so I do not subscribe to the idea that any attempt to stabilize coffee prices for Latin American producers is necessarily a disservice to the American consumer, particularly if it should mean any substantial improvement in incomes and living conditions for the people of Latin America, and thus a reduction in the amount of aid we would have to give there.

"On the other hand, it has been the sad experience of the American consumer in both World War II and Korean war days that after having gladly cooperated in building a floor under farm prices, the consumer was denied any effective ceiling over those same prices once inflation became virulent. I fear that if a stabilization program should be adopted for coffee, it would require our consumers to support the idea of a floor under coffee prices, but would give them no protection over excessive increases if unexpected circumstances should precipitate sharp increases in price.

"Perhaps this matter has already received departmental consideration, and the necessary safeguards have been included in the draft agreement. If so, I would be glad to know about it. If not, I certainly trust some proviso is included to permit reasonable restraints on excessive price rises as well as on excessive price declines. Since we are the biggest customer-country involved in the negotiations, and since the American consumer will largely pay for the international stabilization program in terms of higher prices for coffee in the stores, I think our consumers are entitled to the kind of consideration I have outlined.

"May I have your thinking on this?

"Sincerely yours,
"LEONOR K. (MRS. JOHN B.) SULLIVAN,
"Member of Congress, Third District, Missouri.

"Mr. Speaker, I have now received a reply to this letter from Assistant Secretary Frederick G. Dutton outlining the provisions of the proposed new agreement which could possibly operate to protect the American consumer in case of sudden inflation in coffee prices.

"I think this information will be highly useful to us in assessing the desirability of Senate approval of the agreement. If the safeguards here outlined do not appear strong enough, perhaps we can then take whatever steps might be necessary to assure adequate protection for the American consumer.

"SAFEGUARD PROVISIONS IN PROPOSED AGREEMENT

"I again want to make clear, as I have tried to do in all my past discussions of coffee prices, that I favor helping the coffeegrowers, particularly those on family-sized acreage, to obtain a fair price for their product. A cup of coffee would taste bitter, indeed, if it represented starvation returns for the men and women who raise and gather the beans. But excessive speculative price increases in the commodity exchanges must also be prevented, and any runaway inflation in coffee prices, no matter how improbable such a thing might seem at the moment, is something our consumers must nevertheless be protected against.

"Mr. Speaker, the State Department reply to me on this issue was as follows:

"DEPARTMENT OF STATE,
"Washington, October 3, 1962.

"The Honorable LEONOR K. SULLIVAN,
"House of Representatives.

"DEAR MRS. SULLIVAN: I want to thank you for your letter of September 13, 1962, addressed to the Secretary, with regard to the new international coffee agreement which is now before governments for consideration. I am sorry that our reply is somewhat tardy; our workload in the closing days of this Congress has been exceptionally heavy.

"At the beginning I want to say that the officials of this Department concerned with the coffee problem are sincerely appreciative of the constructive view you have taken in this matter. Accordingly they want me to assure you that they have been mindful throughout the long negotiations with foreign governments that our first duty is to protect the American consumer. The advisory committee appointed by the National Coffee Association to work with the State Department during the negotiation of the new coffee agreement has, of course, always maintained that the U.S. consumer must be protected in any coffee agreement. Toward this common objective we have managed to secure a number of provisions in the new agreement which should fully protect our interests.

"Before describing these specific provisions, it is noteworthy that the tremendous stocks of coffee now held by Brazil and Colombia would seem adequate assurance that no substantial advance in green coffee prices could be sustained in the foreseeable future. Stocks are also building up in some African countries, and present productive capacity everywhere is in excess of any likely demand over the next 5 years. Thus the supply and demand situation as presently known argues against any marked increases in coffee prices.

"The new international coffee agreement does not have any specific price objective in the sense that it will endeavor to maintain prices for the various kinds and qualities of coffee at certain cents-per-pound figures. It does provide that through the fixing of quotas, the members agree on the necessity of assuring that the general level of coffee prices does not decline below the general level of such prices in 1962. We consider this price objective a realistic one in view of the burdensome stocks overhanging the market. In the light of the price trend it is also a reasonably modest one, as coffee prices have been declining steadily in recent years. During the first 8 months of 1962 the price of Brazilian coffee averaged about 34.3 cents a pound, compared with 36.6 cents in 1960 and 48.4 cents in 1958. The decline set in immediately after 1954, when you will remember the severe frost damage in Brazil resulted in prices averaging 78.7 cents per pound.

"Consumer protection against any unwarranted price increases is assured by a number of specific provisions in the agreement. Probably the most important are the provisions relating to the establishment and adjustment of export quotas. Export quotas are intended to control the amount of coffee that may be made available to the market by the producing countries during a given period, and thus they directly influence the price. The agreement provides that all decisions on the establishment and adjustment of export quotas shall be taken by a distributed two-thirds majority vote, i.e., a concurrent two-thirds majority of the importers and exporters voting separately. As the United States has 400 votes this in effect gives us a veto power over decisions of the Council. We would to make the veto effective need only one other importing country voting with us. The number of votes held by it would be of no consequence as we alone have more than one-third, but it was felt desirable to provide that one country alone could not exercise a veto. We cannot conceive of any situation in which the United States advocated a veto where we could not persuade at least one other importer of the merit of our position.

"In addition to the voting provisions of the agreement with regard to export quotas, two other provisions are noteworthy, in that they specifically recognize the undesirability of marked changes in coffee prices for whatever reason, and provide for corrective action under voting procedures which are easier to attain than the standard procedure of a distributed two-thirds majority. These two provisions are quoted below for your information.

"'(5) All members recognize that marked price rises or falls occurring within brief periods may unduly distort underlying trends in price, cause grave concern to both producers and consumers, and jeopardize the attainment of the objectives of the agreement. Accordingly, if such movements in general price levels occur within brief periods, members may request a meeting of the Council which, by distributed simple majority vote, may revise the total level of the quarterly export quotas in effect.

"'(6) If the Council finds that a sharp and unusual increase or decrease in the general level of prices is due to artificial manipulation of the coffee market through agreements among importers or exporters, or both, it shall then decide by a simple majority vote on what corrective measures should be applied to readjust the total level of the quarterly export quotas in effect.'

"In the unlikely event that unforeseeable circumstances might arise in the administration of the agreement which would operate against the interests of our consumers or our coffee trade, the United States could always withdraw from the agreement. It is provided that any government, after September 30, 1963, may withdraw by giving written notice, such withdrawal to be effective 90 days after notification. As the agreement would collapse without our participation, this possibility is the final assurance that our views on the operation of the agreement must be respected.

"If I can be of any further assistance in furnishing information please do not hesitate to let me know.

"Sincerely yours,

"Frederick G. Dutton,
"*Assistant Secretary.*"

Finally, Mr. Chairman, I submit, under unanimous consent, the explanation I gave in the House on November 14, 1963, for the Sullivan amendment on coffee prices which was added to the bill at that time and which is still in the legislation now before us. The material referred to is as follows:

AMENDMENT OFFERED BY MRS. SULLIVAN

Mrs. Sullivan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

"Amendment offered by Mrs. Sullivan: On page 2, line 17, after the word 'distribution', insert 'prices'."

Mr. Mills. Mr. Chairman, will the gentlewoman from Missouri yield?

Mrs. Sullivan. Yes.

Mr. Mills. Mr. Chairman, during the course of the general debate the gentlewoman from Missouri pointed out the fact that she would offer the amendment at the appropriate time. I advised the gentlewoman then, as I recall, that I would have no objection to the amendment and that I would urge it be adopted.

Mrs. Sullivan. I thank the gentleman from Arkansas.

Mr. Chairman, as I explained during general debate on the bill, H.R. 8864, as reported, calls upon the President to report annually to the Congress on the operation of the International Coffee Agreement, including, and I quote, "full information with respect to the general level of prices of coffee." Such reports are called for in order to give the Congress a basis on which to decide whether continued U.S. participation in the international agreement is to our national interest, and whether the consumer is being properly protected against unwarranted increases in prices.

Elsewhere in the legislation, in section 2, paragraph 3, the President is authorized to require the coffee trade to keep such records, statistics, and other information, and to render to him such reports, relating to the importation, distribution, and consumption of coffee as he may from time to time prescribe. However, it should be noted that whereas the President "shall" submit to the Congress a full report each year on all aspects of the operation of the agreement, including full information with respect to the general level of prices of coffee, the section of the bill giving him authority to require the rendering to him of relevant information by the trade does not make any mention of his right to require information on prices. Certainly he should have that express authority if he, in turn, is to report to the Congress on this vital phase of the agreement's operations.

The international agreement is intended to achieve a stable floor under prices at about 1962 levels. However, we have a right to fear that under unforeseen circumstances, quota restrictions could also lead to a sharp rise in prices well above 1962 levels. So we have a right to know—the President has a clear duty to find out—what is happening to prices at any time during the life of our participation in the agreement.

Now the question might be asked, Mr. Chairman, why it should be any problem for the President, or any one else, to ascertain the prices of coffee. Presumably anyone could find out by reading the financial journals each day, or looking at the published daily information from the New York Coffee and Sugar Exchange. But it is not that simple.

As my Subcommittee on Consumer Affairs of the House Banking and Currency Committee has learned in connection with our study of sugar, the published daily spot price of a volatile commodity is not necessarily—not at all necessarily—the actual price at which importers are buying the commodity. The spot price represents only the price at which some sugar, for instance, comes into the country on a particular day—or will come in some weeks or months hence. But huge quantities are purchased on a fixed price basis which just does not show up in the published daily quotations.

Coffee futures are gyrating now in response to rumors, expectations, possibilities, and a great deal of speculative fever. A seat on the Coffee and Sugar Exchange sold a few days ago for $8,500, up $1,400 from the last previous sale. Futures speculation can certainly influence price—as we found out earlier this year in sugar—but it does not necessarily set the price at which most of the commodity is actually sold. Incidentally, this is not a federally regulated exchange.

Mr. Chairman, in carrying out his responsibilities to Congress and to the American people under the International Coffee Agreement, the President of the United States should have the clear-cut authority to obtain full and exact information, rather than be restricted to the bits and pieces of price information which may be fed out by the trade to suit its own purposes. This amendment gives him that authority. I urge its adoption.

Mr. JOELSON. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. Yes. I am glad to yield to the gentleman from New Jersey.

Mr. JOELSON. Mr. Chairman, I want to compliment the gentle lady for a very persuasive statement. I happen to be one of the people who first supported this legislation and then changed my position because I was afraid that there would be a rise in the price of coffee as a result. Having heard your statement today, I am convinced these fears are groundless and I am glad to be able now to support this legislation.

Mrs. SULLIVAN. I thank the gentleman.

Mr. CURTIS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, under authority previously granted in the House to insert additional remarks in the Record, I insert my additional views that are in the committee report on this matter:

Additional Views of Thomas B. Curtis on the Coffee Agreement

I am reluctant to recommend this legislation to implement the International Coffee Agreement. As I stated in my supplemental views to H.R. 8864 of the 88th Congress, the use of a Government-sponsored cartel to stabilize coffee prices will not in the long run benefit the producing countries it is primarily intended to assist. It will certainly impede increased productivity in coffee production, processing, and distribution to the detriment of the investor, the worker, and the consumer.

In addition, the coffee agreement will discourage countries whose economies are based largely on this one commodity from moving forward to the much needed diversification of their economics.

This technique of political decisionmaking is the antithesis of the use of marketplace, properly regulated, to produce economic decisions. The United States has developed the high standard of living of its people by the use of the regulated marketplace mechanism. It is a shame that we should be undermining rather than promoting this economic philosophy abroad.

The administration has, however, set its course on a different basis. Administration spokesmen agree that the theory of the coffee agreement is unsound economics, but defend it on the ground that it is necessary for immediate international political and social reasons. Congress is confronted with a fait accompli, in that the administration has succeeded in putting the International Coffee Agreement into effect for the past 2 years. This has been done without this enabling legislation through administrative improvisation.

Under these circumstances Congress is somewhat compelled to acquiesce in enabling the administration to carry out its theories and legitimatizing what it has done. The bill requires that the administration report back yearly on the operation of the agreement, and the agreement itself will be reviewed by Congress in 1968. We can only hope that the administration's short-range theories may prove to be useful, even if unsound in the long run.

I would like to advise the House that the Government's bureaucratic decision to supplant the marketplace mechanism has been confined by this administration to the coffee agreement. Regretably, it has not been so confined. Instead, this expedient one-time device is another precedent which is likely to be used to support future actions of a similar nature. Instead of promoting abroad the best tradition of American economic practice, we seem to be copying the debilitating economic techniques that flourished in the interwar period. We are putting new wine into old bottles.

Mr. Chairman, I would like to supplement those views to some degree. In commenting on the gentleman from Iowa's [Mr. Gross] observations that committee hearings were not available, I want to express regret. There were hearings and we had executive sessions, and the hearings were transcribed. I think it was more of an oversight, certainly it was not intentional. They should have been printed and available. But I have a copy of the transcript here and I hope this transcript will be printed and made public.

I think we have to recognize that what we have before us really is just one more instance—and I emphasize one more instance—of a Government-sponsored cartel agreement. This is very inconsistent on the part of an administration under President Kennedy before, and now President Johnson, which talks in terms of liberalizing trade, to move to the most regressive form of trade limitations.

I know the administration does not like to hear the name cartel, but this is what it is clearly, dividing up the market under Government sponsorship. The ones who are really carrying out the agreement, let me assure the House, are the private people engaged in this coffee operation.

The gentleman from Ohio [Mr. Brown], in his discussion on the rule, made some most important points. They were quite well taken, I thought, pointing out who benefits from this.

Mr. Chairman, I am starting out as if I am opposing the bill itself. I wish I were in that position. I voted for this the first time it came out and then I voted against the conference report for a very simple reason. We had been told by the administration when the matter was first presented to the Committee on Ways and Means, that this enabling legislation was necessary in order to put the treaty into effect and the Committee on Ways and Means responded and so did the House and it was passed. Then it was sent over to the other body, and month after month after month, passed. Finally after many months, I do not know how many, it came back to the House in conference, only at the tail end of the session of the Congress when there was not the opportunity to fully consider the matter.

The point that I raised in conference was that if this was so necessary why had the administration dawdled. I questioned how they had implemented this treaty. I raised those same questions at the recent hearings. They said they really did not implement the treaty. But the answer is that they really did. This is another one of these so-called voluntary agreements that seems to be one of the key weapons used by the Johnson administration to carry out Government policy in economic matters.

I would like to call attention of the House to an article written by Dr. Arthur Burns appearing in the Harvard Business Review of the April-May issue. I put it in the Record yesterday. It appears on page 10186. Here Dr. Burns is talking about wage-price guidelines; that is, voluntary wage-price guidelines. He makes a very fundamental point, that these so-called voluntary agreements are really not voluntary.

The force of the Federal Government coming in makes these so-called voluntary agreements a method of thwarting competition they result in a drag on economic growth. In other words, they amount to wage and price fixing.

I would add, Mr. Chairman, they wink at the antitrust laws. This is the essence of the international agreement on textiles which this administration sponsored, again an international cartel. This is the thrust of the Canadian-United Statse auto treaty which the Committee on Ways and Means has under consideration. This procedure is going directly opposite to the basic trade policies of this country and certainly is the opposite of our traditional emphasis on the private marketplace, properly regulated by Government through our antitrust laws and other laws to protect the consumer and to provide for competition.

So, Mr. Chairman, this coffee treaty has been implemented by this kind of backward agreement using the power of the Federal Government in effect moving in to bring about "voluntary" arrangements.

Mr. Chairman, as I say in my supplemental views, although the administration recognizes that this is bad economics, they have argued that it is necessary for international political, and social reasons. The administration defends it on this ground. Congress, in effect—and I am reading from my remarks—is confronted with a fait accompli in that the administration has succeeded in putting the International Coffee Agreement into effect for the past 2 years. This has been done without this enabling legislation through administrative improvisations. Under these circumstances, Congress and I, as a member of the loyal opposition, am somewhat compelled to acquiesce, I argue, in enabling the administration to carry out its treaties and legitimatizing much it has done, as much as I disagree with the basic policy.

Mr. Chairman, this bill requires that the administration report back and we can only hope that my views on the economics are not sound, arguing against myself, and that possibly the administration's short-range policies may be productive. But I do say that I agree with the administration and with Secretary Mann when he said that there are social and political reasons involved here that warrant me to say to my colleagues that I am going to vote for this bill with reluctance. I think short sighted administration policies have contributed to create this situation.

Mr. Chairman, I believe the policies we are following are wrong. These are the policies that have created the difficulties in South America and Latin America and which have helped to establish one-crop economies, such as that of Cuba. The situation which exists today in Cuba is to a large degree the result of our Sugar Act and another international cartel sponsored by the Government, encouraging Cuba to remain a one-crop economy.

Incidentally, Mr. Chairman, a study of the history of Cuba back in the 1890's and 1880's will show that Cuba then had a fairly diversified agricultural economy. The emphasis of this administration on voluntary agreements the interests equalization tax, is another example of the same thing—Government by men and not by law—the administration sent a message up saying it was recommending that an interest equalization tax be put in effect, a tariff wall against American moneys being invested in foreign securities, and then immediately printed the forms to enforce this tax before Congress even had an opportunity to enact such a law.

Mr. Chairman, this brought about another example of the voluntary agreement, a further extension of the tax not by law but by "voluntary" agreement. But note the techniques of the administration here of Government action, action without congressional approval.

Then putting the Congress in the embarrassing position of not backing up the United States itself in these obligations if we do not go along with these acts.

There is the voluntary agreement on oil imports, and the voluntary agreement in connection with textiles in the International Textile Agreement.

We see also in this legislation a further deterioration in the problem of balance of payments. Let us not kid ourselves about that. This is going to hurt our balance of payments. One of the arguments for the International Coffee Agreement is to help the balance-of-payment problem of Brazil, and these other coffee exporting countries, to the detriment of the U.S. position on balance of payments.

The same thing is true of the impact on the American coffee consumer, as has been pointed out. This would result in increaesd coffee prices. It is designed to do that because it is trying to get more money over to these Latin American countries.

The administration is pursuing a double course here. The Ways and Means Committee has a bill under consideration at this very time to cut back on the amount a tourist can bring in duty free from $100 to $50, to help our balance of payments. In other proposals the administration is trying to hit at the private sector which provides the strength in our balance-of-payments situation. At the same time it exercises no discipline as far as its own investments are concerned. We are asked to increase the amounts to be spent on foreign aid, not decrease them. This House has passed a $700 million increase for the Inter-American Bank and $1 billion for the International Monetary Fund, which is Government capital investment, replacing in many instances, I would suggest, private investment which is at the base of our basic and strong world position.

In so many ways this bill demonstrates and brings to a head some of the basically inconsistent policies that this administration is following in international economics. It is tragic, in my judgment, that the Congress is put in this position today, or the House, where we have to go along with something that many of us feel is unsound economics and contrary to the basic principles by which this Nation had become strong. Yet because of the reckless actions of the administration in committing the Nation itself, without waiting for proper action on the part of the Congress, in asking the Congress to legitimatize what it has done and to back it up in the commitments it has made.

I do want to make a concluding remark. It seems to me that the use of the technique that has been employed by the Executive many times in the past in having executive agreements instead of treaties, when the subject matter deals with trade is preferable, then the House which is deeply involved in trade policy through our tariff laws would be able to express its judgments in a timely and orderly manner. Trade matters should not be matters for the treaty technique requiring just the action of the other body. Trade issues should be presented to the House so that it can study and debate the issue. We should be involved—the process in connection with the Canadian-United States automobile treaty. If the administration is going to come to the House to implement these trade treaties, which operate in the field of economics, it should do so initially through the executive agreement route which requires action of both Houses, majority action of both Houses of the Congress not piecemeal—the first part, policy, through the treaty technique with just Senate approval, then the second part, the implementation, which requires action of both bodies.

Mr. MILLS. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. HANNA].

Mr. HANNA. Mr. Chairman, I thank the chairman of the great Committee on Ways and Means for this time.

I should like to bring the attention of this House to the broader prospect of this bill. To those of you who have not read today's Wall Street Journal, I hope you will do so and look at a particularly interesting article on the right hand corner of the front page entitled "Poor Nation's Plight." It raises the very important question about the position of the poorer nations in terms of their balance of payments. But it also brings back in prospect what our long term interest is. I hope you will look on this legislation in terms of what it means to our long term interests as a very vital manufacturing industrial nation looking for markets.

We are engaged in programs such as the Alliance for Progress in which we hope we can find self-help in friendly, underdeveloped nations. Many do not have the ability to develop the dollars that give them the oportunity to do their part on these programs. How in the world can we hope to switch from pure aid and bring into a partnership arrangement the capabilities of these countries when we are not willing to help them do what they can with the products they now produce. I suggest to you, gentlemen, it has been the history of all nations that they build their industrial complex and their commercial complex out of what they can drag out of the ground and this means either farming or it means minerals. That is the position of our friends, particularly Latin America.

I bring to the attention of the House that coffee exports count for more than 50 percent of all the exports in 6 Latin American countries and an average of 25 percent in all 14 Latin American exporting nations.

About 20 million persons in the world depend on coffee for their livelihood and more than 60 percent of them are in Latin America.

Now, I do not look on this legislation as foreign aid. If you care to do so, I will not argue that with you. But this is more rationally serving a mutual goal; that is, to bring into being a stabilizing influence in a basic commodity—No 1. No. 2, to recognize a more commonsense principle that is now very uncommonly entertained and that is that, if the growing and thriving industrial nations are going to continue their expansion, they will have to seek and find markets in the countries of the world that produce the very basic materials out of which we support our processing and manufacturing activities.

Now, after all, gentlemen, that only represents two-thirds of the people of the world. That only represents 100 nations. I think we can well take some time to turn our attention to our long-term interest in that two-thirds of the world's people and 100 nations of the globe. I should also suggest that, if we are interested in sharing the benefits of an emerging better life in this world, and if we feel our interest is involved in the stability of those areas of the world where erupting controversy is opportunity for communistic exploitation and thus becomes our problem—if we are interested in these things, then we are interested in a program such as is envisioned in this legislation.

The industrially developed nations cannot have all the sugar on the stick. If we are to realize our potential for growth, we must have growing new markets. We found in America that the farmer could not buy the city goods unless there were some stability and fairness in the market and price of agricultural produce. We must apply this lesson on the world scene. This is only a small exposure of this problem which will be discussed in the well of this House many times in the near future. Some of the sugar or usable wealth must be on the bottom of the stick for the 2 billion deprived people who are not yet participants in the market for industrial goods and services.

It reminds me of the story of the Pied Piper of Hamlin. The basic moral behind that story is that there are certain problems for which you are going to pay the price in one way or the other. You can sit down and intelligently and controllably dicker with the Pied Piper at the time when you can see the solution for a reasonable cost. Or you can wait until it becomes a crisis and it is then a tragic solution you have before you. You have no choice and you are in a tragic situation.

It would seem to me, it is time for this country and all countries vigorously to deal with the Pied Piper of these world problems at a time when we can do something about it that makes sense rather than in a crisis when we have to solve them on the basis of tragedy.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. BROYHILL], a member of the committee.

Mr. BROYHILL of Virginia. Mr. Chairman, it has been 2 years since the Senate gave its advice and consent to the ratification of the International Coffee Agreement. The United States is a full member of that agreement, having ratified it in December 1963. But the United States is still not in a position to make its membership fully effective. It is a matter for regret that we are the only importing member of the agreement not able to carry out all of our treaty obligations. This bill will remedy the matter. It will give the President the powers he needs to comply with the agreement.

The powers authorized in this bill are really quite limited. They enable the President to require certificates of origin on imports of coffee from member countries, so that the Coffee Organization can have a full record of the source and flow of coffee in world trade, and they enable the President to limit imports of coffee from nonmembers if this should become necessary. Nothing in this bill would require our coffee trade to buy from any particular country, to pay any particular price for coffee, or to buy any specified quantity of coffee. Our trade is free to continue its established practices.

And this bill protects the American consumer. The powers and duties conferred by the bill are to be exercised by the President so as to protect the interests of U.S. consumers; and the annual report to be submitted by the President will include a summary of the actions taken by the United States and the Organization to protect these interests.

The purpose of the coffee agreement is to bring some stability to world coffee trade. Coffee prices fluctuate wildly. Within the last 15 years green coffee prices have been as low as 32 cents a pound and as high as 93 cents a pound. These fluctuations do no one any good. They are seriously disruptive to the economies of the producing countries, especially in Latin America; they are disruptive to the U.S. coffee trade; and they bring no lasting benefits to the ultimate consumer. The purpose of the agreement is to narrow the range of fluctuations, to cut off the peaks and troughs, and keep prices on a reasonably even keel. And the way it seeks to do this is by supply control—limiting exports when supply is in excess of demand and increasing exports when demand rises. The burden of stabilizing the coffee market falls on the producing countries. It is they who have to retain coffee when supply is excessive and release it when supply is tight. Our function in the agreement is to help them police themselves, by requiring certificates of origin so that the Organization can monitor the flow of coffee and detect quota violations. And our function is also to insure that the agreement is operated to protect our consumers.

Although the agreement has been in effect for only about 2 years, it has already proved its value to consumers. The steep drop in Brazilian production following severe frost and drought caused prices to rise sharply last year. As importers and roasters rushed to stock up. By raising the export quotas some 3 million bags, thus insuring the market that its need would be met, the agreement was able to check the price rise and in fact to reverse it. The price of Santos 4, a typical coffee, is now 45 cents, down from 50 cents last March; substantially above its depression low of 34 cents in 1962 it is true, but well below the average of the last 15 years. There is no speculative fever and importers are confident that they can secure ample supplies to meet their needs. This was not the case in 1954 when severe frost in Brazil caused prices to skyrocket from about 58 cents to over 90 cents a pound and speculation was rampant. There was no agreement then and no opportunity for consuming countries to ensure responsible behavior by the producers. So long as we have a voice in the agreement and in fact a virtual veto, we can be confident that the agreement will protect our interests and prevent any unwarranted increase in coffee prices.

The producing countries need this agreement to protect them from the sharp gyrations in price and income that make planning and development impossible. When prices are too high, they suffer from inflation. When in the next round, prices plummet, so too do their exchange earnings, their government revenues, and their domestic income. And when their revenues fall, they curtail their purchases from the U.S. market, and we have to bail them out. Stable returns that grow as consumption grows is their objective, and it is ours as well. This agreement is a key element of the Alliance for Progress. We should give it our full support and enable the United States to do its part to stabilize world coffee trade.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. MATTHEWS].

Mr. MATTHEWS. Mr. Chairman, I want to thank the distinguished chairman of the Committee on Ways and Means for granting me this time.

I want to say that I am in favor of this legislation, as I have favored it when it has come before the House on previous occasions.

Mr. Chairman, I am favoring this legislation in the first place because it is a part of the foreign policy of the President of the United States. I, for one, have confidence in the foreign policy of our President, and I believe we ought to give him this legislation because it is helpful particularly in the area of our Latin American relations.

I have not traveled as extensively, perhaps, as some of my colleagues, but I have traveled in South America.

I believe these great nations want trade and not aid. I believe these great nations want us to help them to make their own way. They do not want aid handed to them on a silver platter.

Mr. Chairman, last year as a member of the Committee on Agriculture I had the honor of sponsoring an amendment to Public Law 480 which promoted more food-for-work projects throughout the world. If I had my way—and I believe I speak the sentiment of all of us—we would give every person who wanted to work an opportunity to work. I sincerely believe this legislation will enable our sister republics in Latin America to create more jobs for their people and better care for their own economic needs.

I say it is an integral part of the foreign policy of the United States and it is for that reason that I favor this legislation.

I am told that just a 1-cent change in a pound of green coffee in price could well mean $50 million to the Latin American nations and perhaps $65 million to all the coffee-producing nations of the world. So I repeat, it is a part of our foreign policy to help our friendly neighbors to help themselves; and it is for that reason that I think this legislation ought to be passed.

Then in the second instance, Mr. Chairman, as the committee so cogently points out in this report, in their view it is in the best interests of the consuming public of the United States. I listened with appreciation to the address by the gentlewoman from Missouri a few minutes ago. I remember back in the first Congress that I had the pleasure of belonging to, the 83d Congress, she stood here in the well of the House and she pointed to the coffee-scarcity scare which she said was a hoax. She pointed out that the price of coffee had zoomed to 90 cents a pound, as I recall—the price of green coffee. In some restaurants you could get a cup of coffee for 5 cents, and then the price went up to 10 cents. In restaurants where you could get a cup of coffee for 10 cents it went up to 15 cents. And in those restaurants where they had been paying 25 cents for coffee, the price went up to 35 cents. And in some of those restaurants those prices have not been reduced to this day.

The American consumer paid billions of dollars more—and I sincerely believe that this would be supported by research—the American consuming public paid billions of dollars—imagine that—just because of this coffee-scarcity scare.

Last year we had another coffee scarcity scare. Last year prices began to zoom. The production in Brazil had plummeted from 44 million bags in 1959–60 to about 10 million bags this year. Once again there was a scarcity scare. But we had the International Coffee Agreement. And what happened? The price of coffee was stabilized at about 45 cents a pound for green coffee; futures about 40 cents a pound, and the coffee that you buy to take home costs about 84.4 cents a pound can. This price is below the average cost for the last 15 years.

Mr. Chairman, these are facts to indicate, in my opinion, beyond all shadow of a doubt, that because of this agreement and because of this legislation that implements that agreement, the American consumer is going to be best served, and I plead with our colleagues who are interested in the consumer, as we all are—and many of you voted against this legislation the last time we considered it in the House, because you believed it was bad for the consumer—I suggest to you that I believe we can prove to you that it is good for the consumer. Of course, no one can tell with 100-percent accuracy what is going to happen. Nothing is certain except death and taxes, and yet, as so many gentlemen have pointed out, if by concurrent resolution we decide that this legislation is a failure, it can be negated by the Congress.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I have listened attentively to the statements that have been made and I believe I have an item of news for the coffee consumers in Wisconsin, northern Virginia, Florida, and Arkansas, and that is that coffee prices have already been stabilized at artificially high levels.

Mr. Chairman, I have another small item of news for the gentleman from Florida [Mr. MATTHEWS] who sits before me on the mourners' bench.

Mr. MATTHEWS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Florida.

Mr. MATTHEWS. May I move to the amen corner, sir?

Mr. GROSS. Yes, I would be glad to have the gentleman do just that because when the consumers of coffee in Florida and elsewhere talk to the gentleman, and other supporters of this bill, they ought to be on the amen bench as well as on the mourners' bench.

Mr. Chairman, the gentleman from Florida talks about trade-not-aid with South America. The Finance Minister of Brazil—he was the then Finance Minister—came before a subcommittee of the Committee on Foreign Affairs of which I am a member, not so many months ago seeking some $200 million. When I suggested to him that we trade our handout wheat for Brazilian coffee, he threw his hands in the air in protest and came half way up out of his chair.

Why cannot we trade wheat for coffee? Because he said, they have to have our dollars. They are not going to trade coffee for wheat. They are not going to trade anything else for coffee as long as they can get foreign giveaway money while they bilk the consuming public of this country, and you here today will be assisting in that bilking of the consumers if you pass this bill.

Mr. Chairman, some of the proponents of this bill try to say that coffee prices have not increased. I want to call up one of the best witnesses on this House floor to attest the fact that coffee prices have increased. The witness is the gentleman from Arkansas [Mr. Mills].

On May 27, 1964, the gentleman from Arkansas [Mr. Mills], asked unanimous consent to consider the bill, H.R. 4198, to amend the Tariff Act to provide for free importation of soluble and instant coffee. At that time I reserved the right to object. I do not ordinarily do that but I did on this occasion. I asked the gentleman from Arkansas if that bill would have the effect of increasing the price of soluble and instant coffee. The gentleman's answer was in the negative. There followed this colloquy, which I quote in part:

> Mr. Gross. I would say to the gentleman from Arkansas that the International Coffee Agreement has worked in reverse insofar as American consumers are concerned. We have seen nothing but increasing prices of coffee to consumers.
>
> Mr. Mills. I must say in connection with the gentleman's statement that I have been somewhat disappointed in the developments that have occurred since the House did act on this legislation implementing this coffee agreement. The price of coffee has gone up. We were told in the committee—

And, parenthetically, I suppose I can attribute this to the State Department—

> we were told in the committee that the agreement itself could not go into effect until the implementing legislation was passed. But I find that even though the other Body has not passed the legislation, they are operating as a practical matter under the treaty as though the treaty had been implemented.

So, Mr. Chairman, the price of coffee has gone up as a result of this agreement, and I am sure that the gentleman from Arkansas is not going to quarrel with that statement.

Now, I wonder where and when all of this newfound concern for producers? Last year, hogs were selling for $12 per hundred to the farmers in Arkansas.

There was a surplus of pork in this country, and the low prices to farmers reflected that surplus. There was also a huge surplus of coffee last year in the coffee-producing countries but instead of reduced coffee prices the U.S. Government permitted the international coffee cartel to limit imports to this country and otherwise control the flow of coffee thus maintaining the high prices.

I reiterate, how the hearts of some people bleed for the consumers of this country until it is decided by some of those in high places to gouge them for the benefit of others, especially the poor, downtrodden coffee barons.

I did not hear anybody rise on the floor of the House and cry about how the producers in Arkansas were being punished. You weep about wild price fluctuations as they affect the coffee producers of some foreign land, but who is doing anything about prices paid to farmers in Arkansas, Virginia, Wisconsin and Florida? Anybody? The farmers of Iowa get 25 cents a dozen or less for eggs, probably less in Arkansas where they produce more. Who is complaining about the prices the farmers are getting in Arkansas for their eggs today?

Why all this new-found concern for the South Americans in the matter of coffee prices? The gentleman from Massachusetts [Mr. O'Neill] properly described this bill when he discussed it under the rule and said it was just another foreign aid bill. Of course it is.

Only a short time ago many of you in this House, certainly a majority, stepped up and turned loose another $700 million of our taxpayers' cash for the Inter-American Bank. How much more do you want to do for these people? They have hundreds of millions of dollars coming to them in the foreign aid bill that will be on the floor of the House in the next 2 weeks. How much more do you want to bilk the consumers of this country in order to provide foreign aid for the South Americans? And I might ask in passing, where are these South Americans today in the matter of fighting and dying that is going on in the Dominican Republic? Where are they?

This International Coffee Agreement, stripped of excess verbiage, means controlled exports and higher revenues to foreign coffee-producing nations. In turn, this can only mean continuing high and perhaps even higher coffee prices to American consumers. In effect, it puts a floor under coffee prices, but no ceiling. The price to Americans, who consume half of the coffee sold in the world, can and will be anything the traffic will bear.

I have fought this legislation in every way I know how, and for a variety of reasons. In the first place, it gives sanction to an international cartel. Even before adoption of the legislation the Coffee Council in London, headquarters for the cartel, fixed the volume of export quotas for coffee-producing countries at 1 percent below estimated world consumption. This started immediate price increases, ranging from 1 to 10 cents a pound, depending on the type of coffee.

On the basis of present American consumption, every penny-per-pound increase means that this Nation's consumers cough up approximately $31 million more for their coffee. The figure may be higher. I did not get the figure that the gentleman from Florida used a little while ago and, of course, none of us have the benefit of the hearings that were held because for some strange reason they did not see fit to print those hearings.

The proponents of this measure say it was necessary to stop "price fluctuations" in foreign countries and "stabilize their economies." Their hearts bleed for foreign producers, but never do the same individuals bleed for American agricultural producers who are the constant victims of price fluctuations which contribute heavily to an unstabilized, artificial economy in this Nation.

The implementing of the International Coffee Agreement simply means that a new foreign aid program has been launched with housewives and consumers paying the bills. And this is to be superimposed upon the so-called Alliance for Progress and other programs through which hundreds of millions of dollars are already being funneled each year to the coffee-producing nations. Incidentally, this can be a beautiful windfall to the coffee barons of South and Central America.

Is there no end to the victimizing of American citizens?

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. Findley].

Mr. FINDLEY. Mr. Chairman, back in 1962 a good many of us voted in support of the Trade Expansion Act. I had some mixed feelings about it, but I voted affirmatively nevertheless. I would do so again today. I was impressed by the arguments offered by proponents of the act on both sides of the aisle.

The philosophy and objective of this act is to lessen the straitjacket of world trade, to reduce artificial barriers to commerce, and to make possible a freer flow not only for the benefit of the industrialized nations like ourselves but for the developing nations. It would hopefully reduce the amount of market rigging on an international basis and result in less government control of supplies and prices.

In other words, this act was intended to make possible a freer flow of commodities and services.

We now have in progress in Geneva negotiations which are aimed at carrying out the objectives of this act, and meanwhile at the very moment when these critical and very important negotiations are underway, we are enacting a proposal which on the face of it seems to work in exactly the opposite direction to the objectives of that great act of 1962.

I cannot see how we can reconcile the Trade Expansion Act with what we are attempting to do here today. I will certainly gladly yield to anyone who can reconcile these two acts. How does one fit into the other? To me they are mutually exclusive in their objectives. Have we actually turned our back on the Trade Expansion Act? Are we pulling the rug out from under the U.S. negotiators in Geneva who are seeking to reduce rather than increase barriers to trade?

I was shocked to learn from the gentleman from Iowa that assurances had been given to the subcommittee which considered the original authorization that this coffee agreement would not be carried out until enabling legislation had been enacted.

Here today, 2 years later, we still have not enacted the enabling legislation, but if I am correctly informed, the agreement has been carried out for a matter of almost 2 years.

The gentleman from Missouri [Mr. CURTIS] in his very excellent remarks said that this has been done without enabling legislation through administrative improvisation. Well, I wonder if we are wise to put our stamp of approval on this legislation simply because the administration has found a way to improvise in the interim and carry out what we would otherwise consider to be an unwise agreement to rig world markets.

I repeat my offer to yield to anyone who can reconcile this legislation with the Trade Expansion Act.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman.

Mr. WAGGONNER. I do not know whether it is possible to reconcile the gentleman's thinking with the Trade Expansion Act or not, but I do not think it is too difficult for anybody to realize that we are talking about stabilizing the supply and price of a commodity that we do not produce which in the end will work to the ultimate benefit, I believe, of the American consumer. We must consider in a different way that which we do not produce. Now we stabilize the price of cotton that my people produce and I oppose controls when possible and the price of wheat that the gentleman's people produce and I think we all in the end benefit from that because sadly enough this is the only way to keep many farming. I think the people of this country would raise the roof off this Capitol if they ever ran out of coffee and we would get more cold shoulder and hot tongue in the morning from the wives at breakfast than most of us would want if we let coffee disappear from the American market.

Mr. FINDLEY. I would dispute the contention that the programs variously described as supply management or price control or crop control have actually acted to the benefit of the consumers, the taxpayers or the farmers. I believe in each case, and particularly in respect to the cotton program, the opposite has been true.

Certainly we do not want to get into a situation in which we cannot buy coffee. But so long as other countries produce coffee and seek markets for it, I am sure coffee will be made available to us. We will have the best opportunity on the average, year in and year out, to get fair prices as consumers when we have access to these commodities through an unencumbered, unrigged market.

I am not suggesting that rejecting this legislation will result in a free market situation even for coffee, but it would be a healthy and hopeful step in the right direction.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman from Missouri.

Mr. CURTIS. I was rather surprised to hear the gentleman from Louisiana make his remarks, in the light of what happened to the very fine and well-developed cotton futures market, the futures market in wheat, and others, as a result of the Government moving in under this Government technique to stabilize prices. In fact, this is going backward, as many of us feel, and I believe we are going to continually hear from the consumers as a result of exactly this kind of substitution of government fiat in stabilizing prices instead of the development, regulation, and preservation of well-regulated futures markets.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman from Louisiana.

Mr. WAGGONNER. As much as I am opposed to controls, I sincerely believe that without some sort of support for the cotton farmer today there would not be 1 cotton farmer in 100 able to put a plow in the ground and raise a crop in the calendar year 1965.

We must admit that this can be classified by some, and some have so classified it, as foreign aid legislation. If that is what it is, it is a good bit cheaper than other foreign aid programs in which we have engaged. But aside from this we must honor our commitment. If in the end the cost is raised to the consumer we can withdraw by the device provided in this bill. I believe it is worth a try.

Mr. MILLS. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. BINGHAM].

Mr. BINGHAM. Mr. Chairman, first of all, I should like to compliment our great Speaker on demonstrating once again his wisdom and sense of the appropriate by selecting to serve as Chairman of the Committee of the Whole House for the debate on this legislation a gentleman—Mr. YATES, of Illinois—with such wide experience in foreign affairs. I had the pleasure of serving at the United Nations with the distinguished and able gentleman from Illinois.

I rise to support the pending bill because I feel it is of great importance as a part of a broad and statesmanlike foreign policy.

I was serving at the United Nations at the time when the coffee agreement was being negotiated and I know how long and hard the representatives of the producing and consuming countries labored to achieve an agreement which would be fair to both producers and consumers.

I was disturbed just today, Mr. Chairman, to read the lead article in the Wall Street Journal, under the following headline, "Less Developed Lands Suffer Sharp Downturn in Economic Fortunes." This unfavorable trend presents us with a dangerous situation. In the words of the distinguished British economist, Barbara Ward, the United States and other wealthy industrial powers of the West face the real possibility of "a sort of international class war of the messiest kind."

The coffee agreement which this bill would implement is a sensible step which would assist many of our friends among the developing countries to earn their way toward economic progress, rather than to have to depend on outside assistance. I know from my experience in the point 4 program of President Truman and at the United Nations that, without exception, the developing countries prefer to earn their way if they can.

Sometimes we hear it said that in our policy toward the poorer nations of the world we should stress "trade, not aid." That is perhaps an oversimplification of the problem. But some of the arguments made here today against this measure seem to represent a philosophy of "neither trade nor aid."

I hope the House will give overwhelming approval to the bill before us.

The article which I referred to from the Wall Street Journal of May 12, 1965, is as follows:

POOR NATIONS' PLIGHT—LESS-DEVELOPED LANDS SUFFER SHARP DOWNTURN IN ECONOMIC FORTUNES—LEVELS OF FOREIGN EXCHANGE, GOLD DROP AS IMPORT COSTS RISE, EXPORT PRICES FALL—SYNTHETICS CUT INTO MARKETS

(By Alfred L. Malabre, Jr.)

NEW YORK.—The economic fortunes of the world's poor nations, which only a short time ago seemed a little brighter, are taking a major turn for the worse.

Though the roots of this turnabout are largely economic, many diplomats and economists view the implications as overwhelmingly—and dangerously—political. Unless the present decline can be reversed, these analysts fear, the United States and other wealthy industrial powers of the West face the distinct possibility, in the words of British economist Barbara Ward, "of a sort of international class war of the messiest kind."

The present trend has "within it the seeds of disastrous conflict," warns Miss Ward, among others.

The recent turn of economic fortunes can be glimpsed in statistics compiled by the International Monetary Fund. A widely used gage of a country's economic well-being is the amount of gold and foreign exchange, such as dollars and pounds, it has in reserve to pay its debts to other countries. Until about the middle of last year, these reserves of the countries the IMF classifies as "less developed"—in Latin America, the Middle East, Africa, and Asia—had been mounting with vigor. The total hit a record of $10.1 billion in mid-1964, some 18 percent higher than only a year and a half before and nine times the 2-percent gain of industrial countries' reserves in the same span.

THE GAP WIDENS

The picture has changed drastically since about mid-1964, however. The industrial nations have added nearly $2 billion to their reserves, which now approximate $52 billion. At the same time, the reserves of the less-developed group not only have stopped rising, but have declined some $200 million.

To analysts such as Britain's Miss Ward, the significance of such statistics is clear: The economic gap is rapidly widening "between a white, complacent, highly bourgeois, very wealthy, very small North Atlantic elite and everybody else, and this is not a very comfortable heritage to leave to one's children."

"Everybody else" includes approximately two-thirds of the population of the earth, spread through about 100 nations; it is perhaps a sign of their increasing economic frustration that these countries generally insist they be called less developed or developing, rather than underdeveloped. "Everybody else," it should be added, is increasing in numbers at the rate of more than 2.5 percent annually, considerably above the average population growth of less than 2 percent a year in the 25 or so relatively rich nations of the world.

GAINS HARD TO MAKE

The comparative rapid population rise in the poor countries, of course, makes gains in living standards extra hard to achieve; U.N. studies show that roughly half the foreign assistance these lands get is consumed in simply maintaining living standards.

Per capita income—as good a measure of living conditions as any—is woefully low in most of these nations. In many, it is less than $100 a year, and is hardly rising; in some countries it has actually fallen in the past year. In the strife-torn Dominican Republic, per capita income, at about $240, has barely budged since 1960. In the United States, by comparison, it exceeds $2,300 yearly and is climbing swiftly.

There have been poor nations living alongside relatively rich nations since the beginning of history, of course; cyclical swings in the fortunes of the less-developed, commodity-producing nations are nothing new, either, but have reflected the periods of prosperity and recession in the industrial lands that consume raw materials. Still, the present worsening of conditions in the less developed countries comes at a time when some international economists had grown more hopeful for the longer term outlook. They were hoping, perhaps overoptimistically, that the poor countries were starting to close the economic gap left by centuries of backwardness.

Between 1960 and 1964, exports of the less-developed nations increased a full 25 percent, the IMF reports. In the same period, the average price of raw commodities—the agricultural goods and other unprocessed commodities that comprise the main exports of most less-developed lands—climbed more than 20 percent, according to the Reuters United Kingdom commodity price index.

Recent events, however, have prompted most analysts to conclude that the encouraging 1960–64 trend was nothing more than a temporary reversal of what Raul Prebisch, a high-ranking U.N. economist, calls the tendency of the developing countries "toward deteriorating terms of trade."

COMMODITY PRICES FALL

A few statistics help spell out the worsening of most poor countries' trade positions in recent months. The Reuters price index, which had been rising, has fallen about 6 percent since its 1964 high, and IMF figures show that exports of the less-developed lands have barely budged since the middle of last year. To make matters worse, the average price of manufactured goods—which the developing countries must have if they are ever to diversify their commodity-oriented economies—has not only been on the rise, but has very recently been rising at a faster rate.

Accordingly, the healthy trade surplus of $1.7 billion annually that the less-developed nations registered as recently as the first quarter of last year has evaporated. In its place is a deepening trade deficit; in the fourth quarter of 1964, the latest period for which an overall figure has been compiled, the poor countries' imports topped their exports by $1.6 billion, on a yearly basis.

If the present decline persists, warns Mr. Prebisch, of the U.N., "the trade gap of the developing countries may reach an order of magnitude of about $20 billion by 1970."

In part, the recent turnabout reflects the growing impact of developments that long have tended to restrict the exports of developing lands.

Synthetics, for example, are cutting more deeply into demand for such natural commodities as rubber and wool. Manmade materials, in fact, account for more than a third of the increase in the developed countries' consumption of industrial raw materials in the last few years, considerably above the proportion a decade ago.

The developed countries, moreover, are sharply boosting their own production of many natural commodities traditionally purchased from less-developed areas. As a result, the industrial countries not only are becoming more self-sufficient, but also are taking commodity business away from less fortunate lands. At present, roughly 60 percent of world exports of primary materials are from developed countries, up from 47 percent 15 years ago.

In addition to such intensifying long-term pressures, several very recent developments are conspiring to curtail economic progress in less-developed lands.

SLOWDOWNS ELSEWHERE HURT

During much of the 1960–64 period of improving fortunes in many backward countries, the economies of most industrial nations—the poor lands' chief customers—were expanding swiftly. Industrial output in the six-nation European Common Market spurted nearly 10 percent a year during the period. Recently, however, the growth of many industrial countries has slowed; for example, industrial production in France, a key member of the Common Market, actually slipped a bit in a recent 12-month period.

The impact of such a slowdown on the exports of most poor nations has been considerable, analysts say. Take the case of French wool imports. In the past 2 years, these imports have plummeted to about 300 million pounds a year from nearly 400 million. The decline closely parallels a recent drop in French production of worsted yarn, the finished product in which much of the raw imported wool is used.

Dissension among many of the developing countries is adding to the recent pressures on their commodity exports. Late last year, for instance, six major cocoa producers signed a pact agreeing to hold down their cocoa sales, in an effort to push up sagging cocoa prices. But no sooner was the pact in effect than some of the countries began violating it, selling their beans, as one New York commodity trader puts it, "behind the backs of the other five." Result: Cocoa prices have skidded by about a third since last October when the agreement supposedly went into effect.

SOME SUCCESSFUL PACTS

Not all efforts to forge commodity agreements have failed as dismally as the cocoa producers' attempt; somewhat more successful arrangements have been worked out for such commodities as wheat, coffee, and tin. In addition, most developing nations have launched a series of discussions, through a unit of the U.N. aimed hopefully at establishing broad measures to bolster commodity prices. After almost a year of sporadic discussion, however, the U.N. talks have produced little more than windy press releases.

In some recent instances, developing countries have acted with downright hostility toward one another, and this has hurt their export earnings. Example: As part of its war against rubber-producing Malaysia, Indonesia has been selling rubber at cutrate prices; this price attack, analysts say, has badly hurt the financial reserves of both Asian countries.

On top of other problems, it is increasingly evident that many developing countries, particularly new African nations, suffer from a gaping lack of marketing know-how.

Analysts cite the apparent absence of storage planning prior to the unsuccessful cocoa pact. "Apparently, nobody gave any serious thought to warehousing facilities in which to store beans to be held off the market," the aforementioned commodity trader says. "Adequate storage facilities in the producer countries simply don't exist, and this undoubtedly prompted some of the violations of the pact." The six countries are Nigeria, Ivory Coast, Cameroon, Togo, Ghana, and Brazil.

SWIFT RISE IN DEBT

The magnitude of the poor lands' economic predicament is suggested by the swift rise of their debt burden. About a third of the financial assistance these countries receive currently from industrial nations is eaten up servicing foreign debt, compared with only 8 percent in 1955.

Not only have many developing countries been borrowing far beyond their means, analysts say, but less of the assistance being provided is in the form of grants. Grants make up some 70 percent of U.S. aid to these countries, down from about 90 percent early in the post-World War II era. The total foreign debt of the developing nations currently exceeds $30 billion, up from $10 billion in 1955, and, at current lending rates, aid officials estimate this debt load will reach $90 billion in another 10 years.

"Loans to developing countries haven't always been made wisely, according to their needs and ability to pay," contends a U.N. economist. "Rather, all too often they have been made simply to facilitate the exports of the particular industrial country's manufactured products."

Cocoa-producing Ghana is among the less-developed countries in distress. Ghana officials in recent months have been desperately attempting to borrow hundreds of millions of dollars from the United States and other Western powers with scant success. The funds are needed, according to various reports, to help the African country meet its rapidly mounting debts. Ghana's reserves of gold and foreign exchange are believed to have dropped to about $25 million, down from $209 million as recently as the start of 1963.

BELT TIGHTENING IS DIFFICULT

According to traditional rules of international commerce, the way out of such financial straits entails a large dose of belt tightening. Typically, this involves curbing domestic consumption to trim imports and, at the same time, working hard to boost exports—much as the United Kingdom is attempting to do at present.

In the opinion of most analysts, however, what possibly works for a developed country such as the United Kingdom can't normally succeed in backward economies.

"You simply can't apply the traditional rules of the game to these sort of countries—they're not in a position to compete, and won't be for generations," says a National Industrial Conference Board economist who specializes in the economic problems of developing lands. "The standard of living is still so low that there's a limit to what can be accomplished through customary stringent measures."

Mr. MORSE. Mr. Chairman, I rise in support of S. 701. In effect this measure has been pending before the Congress ever since the Senate ratified the International Coffee Agreement 2 years ago in May 1963. For one reason or another it has not yet been implemented by statutory action by the Congress. It is high time that we did so.

The principle before us today is an important one. Here is a genuine opportunity for the United States to declare, in a concrete way, our support for the stabilization of one of the most important markets for Latin American and African nations. And we can now do this without harming the consumer in our own country. In my judgment the bill before us today is a better bill than those we considered in 1963 and 1964.

Protection for the U.S. consumer is explicitly given in sections 2, 4, and 5. In section 2, S. 701 limits the effectiveness of the implementing legislation to 1968, "or until the Congress by concurrent resolution determines that an unwarranted increase in the price of coffee has occurred." In section 4 the President's power is directed to be exercised "in the manner the President considers appropriate to protect the interests of U.S. consumers." In section 5, the report of the President to the Congress is required to include a summary of the actions the United States and the International Coffee Organization have taken to protect the interests on U.S. consumers.

These protections coupled with the U.S. voting weight in the International Coffee Organization surely provide the guarantees asked by many Members of Congress and many consumers.

While the U.S. consumer interest is clear and well defined, the interests of the United States in the stability of Latin American nations are less clear to many in our country. As we enjoy our coffee we do not often think that it is the lifeblood of millions of Latin American people. Six countries earn more than 50 percent of their export earnings through coffee. This figure averaged 25 percent for all 14 coffee-exporting nations in Latin America. This dependence on coffee is all the more acute when we consider that the coffee-growing process is full of economic and climatic uncertainty. The average crop takes from 5 to 10 years to mature. In times of high prices more trees are planted. When bad weather or a change in the market forces makes these plantings failures or surplus, the entire economic stability of a nation can deteriorate drastically. We have seen the drastic consequences for Brazil of a series of poor harvests.

It has been argued that the stabilization of coffee prices through the mechanism of the International Coffee Agreement discourages necessary economic and agricultural diversification. I respectfully disagree. Even diversification requires capital. If coffee prices plummet and cause acute shortages of capital, diversification cannot occur. What is needed is both the stabilization of prices and the recognition on the part of the coffee-producing nations that the benefits of this stabilization must be channeled into diversification.

I am happy to see that this process is taking place. In Colombia for example, the Inter-American Development Bank, in cooperation with the fund for development and diversification of coffee-growing areas and numerous producing elements, has begun a program for diversification.

Under this program family coffee farms will be transferred to production of livestock and other crops. It is hoped that within 2 years the program will include 20,500 hectares of marginal coffee plantations. The program includes funds for the purchase of materials, equipment, seed, fertilizer, and other items needed by farmers to develop other types of agricultural production in formerly marginal coffee areas. Technical assistance is also part of the program to eliminate unproductive coffee production, increase output per hectare and improve employment possibilities in the affected areas.

In my judgment a program of this nature represents good sense on the part of the coffee producer who is represented through the National Federation of Coffee Growers, the Departmental Committee of Coffee Growers of Caldas; the Colombian Institute of Agrarian Reform—INCORA—and the other participating groups. It shows that stabilization is not incompatible with diversification. And it demonstrates that the political wisdom of many Latin American countries is far more advanced than the credit given it in our own country and elsewhere.

It is true that the concept of an international group controlling output and importation of a product is contrary to our traditional free trade principles. But it is also true that many of the same people urging the defeat of an international agreement on coffee are the same who urge the creation of international agreements regarding other commodities to protect domestic industry and production. In short, I think that there is a far greater community of interest between the northern and southern portions of the Western Hemisphere than we generally admit.

Our failure to provide the necessary implementing legislation for this agreement has been a source of embarrassment to the United States, and needlessly so. Time has permitted the improvement in the vehicle of our approval but it has not mitigated the need.

The House of Representatives can no longer escape our responsibilities. This legislation, in my judgment, affords us with an opportunity to demonstrate our determination to play a major role in the exercise by the United States of the leadership of the forces of freedom throughout the world.

Mr. REUSS. Mr. Chairman, I rise in support of S. 701, to approve U.S. participation in the International Coffee Agreement.

Since I have had doubts as to the value of commodity agreements, I should like to indicate briefly what they are and why I nonetheless believe that U.S. participation in the coffee agreement is needed at this time.

I have several reservations on international commodity agreements.

In the first place, both importing and exporting countries joining in world commodity agreements may be misled into thinking that their particular interests can be advanced beyond what is in fact possible.

For example, in the case of coffee, U.S. consumers may think that an international agreement will assure them an ample supply at all times and at low prices. On the other hand, Brazilian and Colombian producers may believe that the same agreement will assure them stable incomes at all times at high prices.

Neither objective could be entirely satisfied. It is not in the nature of an international agreement to be able to offset crop failures due to weather, the inability of producing countries to control output, production outside of the quota system, or fluctuations in demand.

Any one of these factors or a combination of them could cause big swings in output, prices, and incomes.

To prevent such swings and to maintain any predetermined balance of interests between consumers and producers, costly production control and price support programs may be necessary. This would not be economically or politically feasible on a worldwide scale. As we have learned in the United States, such programs are not only very expensive but they give rise to further problems such as what to do with surpluses, or about shifts into substitute commodities.

Second. Commodity agreements as a way of financing economic development have disadvantages for both developed and developing countries. The largest producer of a commodity may not be the one most in need of development assistance. The largest consumer of a commodity may not be the one most able to finance economic assistance. Instead of relying on narrow specialties for export earnings, developing countries need to place greater emphasis on economic diversification and the expansion of a wide variety of exports. The developed countries should expand public and private investment in the poorer areas in ways that assist that diversification instead of encouraging one-crop economies.

I still hold these reservations on international commodity agreements generally. But I believe that the coffee agreement deserves support for three reasons:

First. At the United Nations Conference on Trade and Development held in Geneva in the spring of 1964, the poorer countries placed great emphasis on commodity agreements as a way of narrowing the growing gap between the rich and the poor. They said that promises on the part of the rich to give foreign aid, or to buy the output of their infant manufacturing industries, were not enough. They argued that the rich must be willing to buy commodities like coffee and other tropical products, which are the only sources of export earnings that many poor countries now have.

This position of the poorer countries is one which we cannot in justice ignore. However imperfect the results of commodity agreements, we must use them when they can reasonably be expected to safeguard the export earnings of poorer countries. It would not be morally or politically defensible to ask the poorer countries to tighten their belts still further while the rich debate the best ways to contribute to economic development.

Second. The coffee agreement holds some promise for success. The United States is the world's largest consumer of coffee. Our participation in the agreement would, therefore, do much to stabilize world demand. At the same time, our voting strength in the agreement will assure safeguarding U.S. consumer interests. Brazil, a friend and neighbor, the major world producer, has demonstrated its capacity and desire to assure an adequate supply of coffee to world markets. Close cooperation between the United States and Brazil should, therefore, yield results desired by both countries. This is especially the case since 97 percent of all coffee exports will be covered by the agreement.

Third. United States participation in the coffee agreement is essential for the success of the Alliance for Progress, a major foreign policy program of this country. Our rejection of the agreement would be viewed by Latin America as U.S. rejection of the Alliance. And there would be strong justification for this view. A sustained drop of 1 cent in green coffee prices means a cut in Latin American export earnings of some $50 million per year. If, through our failure to participate in the coffee agreement, we discouraged stable production and encouraged unwise dumping, the Alliance would suffer a major blow. I think it worthwhile to do everything possible, including participating in the coffee agreement, to avoid such an outcome.

Mr. CLEVELAND. Mr. Chairman, I studied the report on S. 701, to implement the International Coffee Agreement, and have listened with great attention to the debate. I have weighed the matter carefully and, although I realize the pressures under which we are considering this bill, I am unable to support it.

While the International Coffee Agreement may alleviate a short-term situation, it is not, in my opinion, in the best long-range interests of any of the countries involved.

I oppose price-fixing and unnecessary restrictions on the operation of a free market, which are imposed by this Coffee Agreement. It seems to me that the international cartel which is created under the agreement and which is supported by our Government serves only to fasten the big coffee interests of Latin America upon the necks of the peons. By rigging prices and controlling the international coffee market, we lock the coffee-producing countries into continued dependence on coffee as the major source of national income. We make it infinitely more difficult for them to diversify their economies and get them away from such total dependency upon coffee.

The agreement, furthermore, is anticonsumer. I am sick and tired of hearing the constant refrain from this administration about its concern for the consumer. This concern is unsubstantiated in fact or deed and this agreement and this legislation to carry it out mean high coffee prices for American consumers.

On that ground, as well as the ground of the bad foreign and economic policies it represents, I shall vote against the bill. We ought to be advocating instead of international cartels of great economic interests, a return to the regulated discipline of the marketplace by which our democratic strength and prosperity was created.

I think of the familiar television ad run by one of the big producers of coffee. It features the life and work of a Colombian fieldhand called Juan Valdez and most Members probably have seen it. I say it is time we came out on the side of Juan Valdez and not the plantation owner and time that we came to the defense of the American consumer as well.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of S. 701 and to establish legislative history for the record so that the International Coffee Agreement Act of 1965 now before the House will not be interpreted to impose restrictions on the export of coffee from the State of Hawaii.

Mr. Chairman, although not too well known, Hawaii is the only State in the Union which grows coffee commercially. Hawaii's famous Kona coffee is known the world over for its flavor and aroma. Much of it is exported to European countries. In 1965 total production was valued at $3,980,000. While Kona coffee has commanded premium prices even above those of the high quality coffee of the Central American countries, its price is necessarily controlled by the price levels on the world market. The implementation of the International Coffee Agreement as proposed by S. 701 will mean that the coffee industry of the world will be stabilized by international coordination of production and marketing policies. It should, therefore, serve to the benefit of the Kona coffee growers in my State of Hawaii.

Mr. Chairman, shortly after the International Coffee Agreement was signed, I had the occasion to inquire of the State Department what effect it will have on the export of coffee from Hawaii to foreign countries. A legal opinion was rendered by the State Department's legal adviser on April 8, 1963.

This legal memorandum stated that the International Coffee Agreement will not impose restrictions on the export of coffee from Hawaii for the reason that the export quotas established in the treaty are applicable only to exporting members, and the United States is named only as an importing member.

Mr. Chairman, I urge the enactment of this implementing legislation on the basis of this understanding: That Hawaii's coffee industry including its exports will in no way be restricted by quota or in any other manner upon enactment of this legislation.

The CHAIRMAN. There being no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

S. 701

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "International Coffee Agreement Act of 1965".

Sec. 2. On and after the entry into force of the International Coffee Agreement, 1962, and for such period prior to October 1, 1968, as the agreement remains in effect, or until the Congress by concurrent resolution determines that an unwarranted increase in the price of coffee has occurred, the President is authorized, in order to carry out the provisions of that agreement—

(1) to regulate the entry of coffee for consumption, or withdrawal of coffee from warehouse for consumption, including (A) the limitation of entry, or withdrawal from warehouse, of coffee imported from countries which are not members of the International Coffee Organization, and (B) the prohibition of entry of any shipment from any member of the International Coffee Organization of coffee which is not accompanied by a certificate of origin or a certificate of reexport, issued by a qualified agency in such form as required under the agreement;

(2) to require that every export or reexport of coffee from the United States shall be accompanied by a certificate of origin or a certificate of reexport, issued by a qualified agency of the United States designated by him, in such form as required under the agreement;

(3) to require the keeping of such records, statistics, and other information, and the rendering of such reports, relating to the importation, distribution, prices, and consumption of coffee as he may from time to time prescribe; and

(4) to take such other action, and issue and enforce such rules and regulations, as he may consider necessary or appropriate in order to implement the obligations of the United States under the agreement.

Sec. 3. As used in section 2 of this Act, "coffee" means coffee as defined in article 2 of the International Coffee Agreement, 1962.

Sec. 4. The President may exercise any powers and duties conferred on him by this Act through such agency or officer as he shall direct. The powers and duties conferred by this Act shall be exercised in the manner the President considers appropriate to protect the interests of United States consumers.

Sec. 5. The President shall submit to the Congress an annual report on the International Coffee Agreement, 1962. Such report shall contain full information on the operation of such agreement, including full information with respect to the general level of prices of coffee. The report shall also include a summary of the actions the United States and the International Coffee Organization have taken to protect the interests of United States consumers. Such annual report shall be submitted not later than January 15 of each year. The first such report shall be submitted not later than January 15, 1966.

Sec. 6. There are hereby authorized to be appropriated from time to time such sums as may be necessary to carry out the provisions of this Act, including the necessary expenses and contributions of the United States in connection with the administration of the International Coffee Agreement, 1962. The amount of the contributions of the United States to administer the agreement for any period shall not exceed 20 per centum of the total contributions assessed for such period to administer the agreement.

Sec. 7. The joint resolution of April 11, 1941, entitled "Joint resolution to carry out the obligations of the United States under the Inter-American Coffee Agreement, signed at Washington on November 28, 1940, and for other purposes" (19 U.S.C. 1355 and 1356) is repealed.

Mr. MILLS (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read, and be printed in the Record at this point, and be open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

> Committee amendment: Page 4, line 4, after "agreement" insert ", nor shall such amount exceed $150,000 for any fiscal year".

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. FINDLEY: On page 4, after line 12, insert the following:
>
> "SEC. 8. This Act will not become effective until the President makes a determination and reports the determination to the Congress that, in his judgment, it will not result in an unwarranted increase in coffee prices to United States consumers."

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I will be glad to yield to the gentleman.

Mr. MILLS. Mr. Chairman, I have conferred with the gentleman from Illinois and also with the gentleman from Wisconsin [Mr. BYRNES]. I find no reason to object to the gentleman's amendment and I am perfectly willing to accept it.

Mr. FINDLEY. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I will be glad to yield to the gentleman from Iowa.

Mr. GROSS. What is an unwarranted price increase? Can the gentleman give us some indication of that?

Mr. MILLS. Mr. Chairman, will the gentleman yield to me on that point?

Mr. FINDLEY. I will be glad to.

Mr. MILLS. The gentleman from Illinois is using the language in his amendment which was used in the Senate amendment that we referred to in the course of the general debate on page 1, lines 8 and 9. That amendment refers, in connection with providing the Congress the authority to nullify this act, should we decide that an "unwarranted increase in the price of coffee" occurs. The gentleman from Illinois, I assume, is using language to conform with that Senate amendment in his effort to see that there is this finding before it goes into effect.

Mr. FINDLEY. That is correct. I realize the word "unwarranted" is open to interpretation and varied definition. Even though I believe this amendment will make the bill a better bill, it still does not make it a good bill.

However, I think the amendment is in the public interest. We should take every opportunity to call attention to price problems confronted by consumers. This would require the initiative and affirmative action of the President in making a determination that unwarranted consumer price increases would not result if this legislation is carried into effect. I would hope he would interpret the word "unwarranted" as meaning any further consumer price increases. I realize I cannot bind him to it, but to the best of my ability I would like to make this definition legislative history.

Mr. MILLS. If the gentleman will yield further, I think it is perfectly proper for us to do what we can in connection with this legislation further to emphasize the concern we have that in the process of operating within this agreement, our consumers here in the United States are protected to the maximum extent possible. That is what the gentleman from Illinois, as I understand it, is trying to do here in his amendment.

Mr. FINDLEY. That is correct.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have already had an unwarranted increase in the price of coffee. Any amendment to this bill that deals with the subject of price ought to take into consideration the absolutely unwarranted increase that has already taken place under this agreement. In passing, I would like to call attention of the House to the fact that 25 years ago, in 1939, Safeway stores in Washington, D.C., were selling two 1-pound bags of roasted coffee for 25 cents. As of last August, a 1-pound can of Wilkins—pardon me for the commercial—was selling for around 91 cents or more in Washington, D.C., and that is about the price now.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes.

Mr. HAYS. What was the price of milk in 1939? Do you know?

Mr. GROSS. No; I do not. Maybe the gentleman would like to supply the figure since he is a farmer and in the business.

Mr. HAYS. I am just pointing out that the price of everything has gone up since 1939.

Mr. GROSS. I do not question that, but the increase in price has been around 20 to 25 cents a pound since this coffee agreement went into effect and that is rough when you know that a cent-a-pound increase comes to around $31 million to the consumers of this country. This amendment calls for another Presidential determination. It has become fashionable, at least in the House of Representatives, to insert in almost every bill some form of "if the President determines it to be in the national interest" or "the welfare of the nation." Why do we not decide here in the House of Representatives what is in the interest of the people instead of delegating to someone else our responsibility to make that determination? I cannot support this amendment. It is just so much more frosting on the cake in an effort to make it a little more palatable. I am not surprised that the committee accepts the amendment for it is meaningless. It does put the House on record once again of delegating its power and responsibility to the executive branch of Government.

Mr. MILLS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, my friend from Iowa [Mr. GROSS] has referred to the fact that the price of coffee has risen. I so stated in the course of the general debate, that it had gone up. It has gone up from 7 cents a pound, I believe, in 1938, to various levels between then and now, and in 1962 the price of green Santos 4 coffee from Brazil was about 33 cents. During the course of this year because of conditions that we referred to in the discussion of the matter, conditions in Brazil such as drought and frost, which reduced the supply of coffee available for export, prices went above 50 cents a pound. I am talking about the wholesale price to the importers and the roasters. But this Council and the arrangements within the agreement, enabled us to get an increase in quota from other coffee-producing countries of the world which brought the price down from where it was.

What I have contended all along here is that this agreement will, in my opinion, protect the American consumer from this high price that occurs in the tight coffee market that we have had in the past.

In 1954 the price went above 90 cents. The same thing probably could have happened during the course of this past year had it not been for the Council working to increase the quota, requiring these countries which are members of it, to live up to their agreements to increase quotas when the importing nations wanted the quotas increased.

I would remind my friend from Iowa that even at 45 cents a pound coffee is lower today—that is, the average price of coffee—than it has been for the last 15 years. I would remind my friend again of the indexes that I used earlier in talking about the increase in prices generally from the average of 100, taken for 1957–59—that in February of 1965 for all items the index was 108.9 and the index for all foods was 106.6; but the index for a can or a bag of coffee was 96 compared to 100 at that time, 1957–59.

So in spite of the fact that we both admit that there have been increases in the price of coffee and fluctuations since this agreement has gone into effect, the situation is better today than was the average for the last 15 years.

That, I think, bears out the point that we are trying to indicate which is the virtue of this, and that is the stability that we hope to bring about and to obtain in the price of coffee as a result of the agreement.

Mr. Chairman, let me reiterate again that all that is involved in this legislation is the reporting to the Coffee Council as to where the coffee comes from so that the council itself can see to it that the countries abide by their agreements and do not violate their quotas and do not violate what they have agreed to do.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I would be glad to yield to the gentleman from Iowa.

Mr. GROSS. That is not quite all that is involved in this legislation.

The gentleman, I am sure, well knows it and by voting for this legislation, you will put your stamp of approval upon the present prices of coffee.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. That is implicit in this vote and the gentleman from Arkansas knows it.

Mr. MILLS. No; wait a minute; I do not agree with you.

Mr. GROSS. Let me ask the gentleman this question.

Mr. MILLS. That is the gentleman's contention. He has contended that all the way, that we put our stamp of approval on something. We do not put our stamp of approval upon an agreement that we are not required to put our stamp of approval upon. The Senate has already done it. It is a treaty. If we do not do this, the gentleman would have us renege or fail to carry through on a very firm commitment made in keeping with the constitutional provisions for arranging treaties.

I would think that it would be disastrous for the United States at the present time to say to the world that we are not going to carry out our treaties with these countries, all of whom are in the category of being underdeveloped areas of the world where the great problem of communism exists.

Mr. CURTIS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I was not going to take this time but I just could not let this colloquy go by without clearing up the record.

I am sorry the chairman used these figures which we obtained in the committee, these average prices for 15 years. When the hearings are printed, I hope everyone will read them. When Secretary Mann appeared before the committee, I said, "This is the old gimmick of messing around with figures. Why 15 years?"

Because it included, by going back 15 years, the year 1954, when we had these unusually high prices on which the gentlewoman from Missouri [Mrs. SULLIVAN] commented. I said to Secretary Mann: "Certainly going back 10 years we will have a little better picture," and these full figures can be seen in the record when the hearings are printed. If we go back to 1960, before this agreement—we had really a relatively good price stabilization for 3 years—the picture is quite different.

The consumer is going to pay more. There is no denial of that. Coffee prices have gone up. The gentleman from Iowa [Mr. GROSS] is correct.

I am supporting this legislation, as I have pointed out, reluctantly. But I do not wish this legislation to be supported on false premises. I hope the State Department and others in the administration will stick to correct economic statistics in the future and not indulge in this rigging of figures.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Iowa.

Mr. GROSS. Time is running out on me because my wife is going on a shopping expedition. I would like to ascertain from the gentleman from Arkansas [Mr. MILLS] where she can this afternoon in Washington buy coffee for 45 cents a pound. I want her to stock up.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Arkansas.

Mr. MILLS. There is a lot of confusion I think about what we are talking about. I used the price of 84½ cents a pound, which is the average price, they tell me, at retail, according to the chart I have here. But the prices I have mentioned of 33 cents, 34 cents, or 45 cents, are the New York prices of Santos 4 which is the wholesale price or the prices paid by the importers and the roasters of the coffee and not by the gentleman's wife and my wife.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FINDLEY].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. YATES, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 701) to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962, and for other purposes, pursuant to House Resolution 364, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

Mr. FINDLEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. FINDLEY. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. FINDLEY moves that S. 701 be recommitted to the Committee on Ways and Means.

Mr. MILLS. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit offered by the gentleman from Illinois [Mr. FINDLEY].

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes had it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 300, nays 97, not voting 36, as follows:

[Roll No. 101]

YEAS—300

Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Ashley
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Barrett
Bates
Beckworth
Bell
Bennett
Berry
Betts
Bingham
Blatnik
Boggs
Boland
Bolling
Bonner
Brademas
Brock
Brooks
Broyhill, N.C.
Broyhill, Va.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cabell
Callan
Cameron
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clark
Clausen, Don H.
Clevenger
Cohelan
Colmer
Conable
Conte
Conyers
Cooley
Corman
Craley
Culver
Curtis
Daddario
Daniels
Davis, Ga.
Dawson
Delaney
Dent
Denton
Dingell
Donohue
Dorn
Dow
Downing
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Fino
Fisher
Flood
Flynt
Foley
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Grover
Hagan, Ga.
Hagen, Calif.
Halleck
Halpern
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harvey, Mich.
Hathaway
Hawkins
Hays
Hébert
Hechler
Helstoski
Hicks
Holifield
Hosmer
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kunkel
Landrum
Leggett
Long, La.
Love
McCarthy
McClory
McDowell
McFall
McGrath
McVicker
Machen
Mackay
Mackie
Mahon
Mailliard
Matsunaga
Matthews
May
Meeds
Mills
Minish
Mink
Mize
Moeller
Monagan
Moorhead
Morgan
Morrison
Morse
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Pool
Powell
Price
Quie
Race
Redlin
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Schneebeli
Scott
Selden
Senner
Shipley
Sickles
Sikes
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Stafford
Staggers
Stalbaum
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Tenzer
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Todd
Trimble
Tunney
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner

Watts
White, Idaho
White, Tex.
Whitener
Willis
Wilson,
Charles H.
Wright
Wyatt
Yates
Young
Zablocki

NAYS—97

Abbitt
Abernethy
Adair
Anderson, Ill.
Arends
Ashbrook
Belcher
Bolton
Bow
Broomfield
Brown, Ohio
Buchanan
Burton, Utah
Callaway
Clancy
Clawson, Del
Cleveland
Corbett
Cramer
Cunningham
Curtin
Dague
Davis, Wis.
Derwinski
Devine
Dickinson
Dole
Dowdy
Dulski
Duncan, Tenn.
Edwards, Ala.
Findley
Ford, Gerald R.
Fulton, Pa.
Gross
Gurney
Haley
Hall
Hansen, Idaho
Harsha
Harvey, Ind.
Henderson
Horton
Hutchinson
Johnson, Pa.
Jonas
King, N.Y.
Kornegay
Langen
Latta
Lennon
Lipscomb
Long, Md.
McCulloch
McDade
McEwen
MacGregor
Marsh
Martin, Ala.
Martin, Nebr.
Michel
Minshall
Moore
O'Konski
Pelly
Poff
Quillen
Randall
Reid, Ill.
Reinecke
Robison
Roudebush
Rumsfeld
Satterfield
Saylor
Schweiker
Secrest
Shriver
Skubitz
Smith, Calif.
Springer
Stanton
Talcott
Teague, Calif.
Thomson, Wis.
Tuck
Utt
Walker, Miss.
Watkins
Weltner
Whalley
Whitten
Widnall
Williams
Wilson, Bob
Wydler
Younger

NOT VOTING—36

Andrews,
George W.
Baring
Battin
Bray
Brown, Calif.
Cahill
Chelf
Collier
de la Garza
Diggs
Fogarty
Gubser
Hamilton
Herlong
Holland
Laird
Lindsay
McMillan
Macdonald
Madden
Martin, Mass.
Mathias
Miller
Morris
Morton
Olsen, Mont.
Pucinski
Purcell
Resnick
Rivers, Alaska
Roush
Smith, Va.
Teague, Tex.
Toll
Walker, N. Mex.
Wolff

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Wolff for, with Mr. Fogarty against.

Mr. Martin of Massachusetts for, with Mr. Bray against.

Mr. Collier for, with Mr. Battin against.

Mr. Lindsay for, with Mr. Laird against.

Mr. Morris for, with Mr. Cahill against.

Mr. Walker of New Mexico for, with Mr. Gubser against.

Until further notice:

Mr. Miller with Mr. Mathias.

Mr. Madden with Mr. Morton.

Mr. Pucinski with Mr. Chelf.

Mr. Rivers of Alaska with Mr. Diggs.

Mr. Brown of California with Mr. Smith of Virginia.

Mr. Herlong with Mr. Macdonald.

Mr. Teague of Texas with Mr. McMillan.

Mr. Toll with Mr. Olsen of Montana.

Mr. George W. Andrews with Mr. Baring.

Mr. Roush with Mr. Holland.

Mr. Purcell with Mr. Resnick.

Mr. de la Garza with Mr. Hamilton.

Mr. McCLORY changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that those Members who desire to do so may be permitted to extend their remarks in the body of the RECORD during debate on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that those of us who spoke during the course of debate on the bill just passed may include extraneous matter in their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following communication, which was read:

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I find that other official responsibilities make it necessary for me to resign from the Committee on Education and Labor. Please accept this letter as my resignation.

I have appreciated this honor very much and thank you for your consideration.

Sincerely yours,
PAUL FINDLEY,
Representative in Congress.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following communication, which was read:

HON. JOHN W. MCCORMACK,
The Speaker,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: In view of my pending assignment to the House Education and Labor Committee, I herewith tender my resignation effective immediately as a member of the House Government Operations Committee.

Sincerely yours,
EDWARD J. GURNEY.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

ELECTION OF MEMBERS TO COMMITTEES

Mr. GERALD R. FORD. Mr. Speaker, I offer a resolution.

The Clerk read the resolution as follows:

H. RES. 383

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Education and Labor: EDWARD J. GURNEY, of Florida.

Committee on Government Operations: JOHN W. WYDLER, of New York.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADDITIONAL AUTHORIZATION FOR CERTAIN RIVER BASIN PLANS TO COVER FISCAL YEAR 1966

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6755) authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6755, with Mr. HANNA in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. JONES of Alabama. Mr. Chairman, I yield myself 10 minutes.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, this is a bill that is noncontroversial which was unanimously reported out of the committee. It is needed and needed now. It is not an authorization for new projects but increases authorizations for existing projects, and I would suggest it deserves the support of the House. I ask the gentleman from Alabama if my statement is not substantially correct relating to the bill?

Mr. JONES of Alabama. Yes, the bill was reported out unanimously by the subcommittee and the full committee.

Mr. Chairman, I was unavoidably absent when hearings were held on this legislation. Detailed hearings were held, thanks to the efforts of my colleagues. I would particularly like to thank the gentleman from Louisiana [Mr. THOMPSON] who so ably chaired the hearing in my absence. He, along with the gentleman from Texas [Mr. WRIGHT], the gentleman from Oklahoma [Mr. EDMONDSON] and the gentleman from Florida [Mr. CRAMER] and the associate members of the committee rendered invaluable assistance in this matter.

Mr. Chairman, this bill, H.R. 6755, provides for the increased authorizations for the prosecution of river basin plans for flood control and related basins under the jurisdiction of the Secretary of the Army and the Chief of Engineers.

At the present time there are 21 basin development plans, or major project plans, subject to basin monetary authorization limitations. Authorizations provided to date, including the most recent provided by legislation in December 1963, are generally adequate for work to be performed through the end of the current fiscal year, June 30, 1965. However, the 10 basins listed in H.R. 6755 will run out of authorization in fiscal year 1966, unless additional authorization is provided.

The 10 basins as listed in the bill are: Arkansas River, Brazos River, Central and Southern Florida, Columbia River, Los Angeles-San Gabriel, Missouri River, Ohio River, Ouachita River, Upper Mississippi River, and West Branch Susquehanna River.

When this same condition arose in 1963 it was necessary for the Corps of Engineers to curtail expenditures for design, construction, real estate acquisition, and other necessary work, and to advise contractors of the lack of authority to obligate or expend appropriated funds.

Of course, that is the aim of this bill.

This bill provides for increased authorizations totaling $263 million for the 10 river basin plans. These increased authorizations are needed to cover funds already appropriated or funds that are included in fiscal year 1966 appropriations. Furthermore, these increased authorizations are required at this time so that the construction programs for these basins can be maintained without delay.

The normal construction programs for these basins could continue through fiscal year 1965 under the existing authorizations if an increase in basin authorizations is assured by June 30, 1965. However, the important point is that decisions must be made and continue to be made for the next 2 months on the deferral of contracts scheduled as a part of the approved fiscal year 1965 program for which appropriations have been made. In fact, decisions have already been made in some instances resulting in 14 contracts, in 4 river basins, having a total value of $18,408,000, being deferred. I will cover these in more detail later.

According to testimony of the Corps of Engineers, in hearings before the Subcommittee on Flood Control, decisions on deferring contracts are made on a day-to-day or week-to-week basis. These deferrals are necessary because without assurance of sufficient authorization at this time the award of new contracts would use the remaining available authorization required for existing contracts and real estate acquisition where landowners are depending on announced dates for taking their land.

Now I will very briefly discuss the 10 basins listed in the bill and I will take them in the order in which they are listed in the bill.

In the Arkansas River Basin there are 12 projects on which the requested authorization is planned to be used. Although no contracts which are scheduled for award in May or June of this year have been deferred, if H.R. 6755 is not enacted into law as soon as possible, it will be necessary to defer 18 contracts having a total value of $46,162,000 in the States of Arkansas, Kansas, and Oklahoma.

In the Brazos River Basin there are three projects on which the requested authorization is planned to be used. The assurance of the increased authorization must be had now so that construction programing through fiscal year 1966 can be more effectively developed.

The central and southern Florida basin is essentially one project. Four contracts having a total value of $7,837,000 have already been deferred in this basin. There are two additional contracts with a scheduled May 1965 award date which have not yet been deferred.

In the Columbia River Basin there are 13 projects on which the requested authorization is planned to be used. Although no contracts that are scheduled for award in May or June of this year have been deferred, as in the case with the Arkansas River Basin, if H.R. 6755 is not enacted into law as soon as possible it will be necessary to defer 16 contracts having a total value of $21,851,000 in the States of Idaho, Oregon, and Washington.

The Los Angeles-San Gabriel River Basin consists primarily of one project, the Los Angeles County drainage area. Three contracts having a total value of $6,722,000 were not awarded in April as scheduled.

In the Missouri River Basin there are 21 projects on which the requested authorization is planned to be used. Here, as with the Brazos River Basin, the assurance of the increased authorization must be had now so that construction programing through fiscal year 1966 can be more effectively developed.

There are 35 projects in the Ohio River Basin on which the requested authorization is planned to be used. Here, again, assurance of the increased authorization must be had now.

There is one active project in the Ouachita River Basin on which the requested authorization is planned to be used. This basin falls in the same category as the Brazos, Missouri, and Ohio River Basins.

In the Upper Mississippi River Basin there are four projects on which the requested authorization is planned to be used. Five contracts in the State of Iowa, having a total value of $1,839,000 have been deferred.

In the West Branch Susquehanna River Basin there are two projects on which the requested authorization is planned to be used. Two contracts in the State of Pennsylvania, having a total value of $2,010,000, have been deferred.

So in 4 of the 10 basins, 14 contracts having a total value of $18,408,000 in the States of California, Florida, Iowa, and Pennsylvania have already been deferred because of the lack of assurance at this time that additional monetary authorization will be available.

Furthermore, it will be necessary to defer 36 contracts having a value of $68,562,000 in the States of Arkansas, Florida, Idaho, Kansas, Oklahoma, Oregon, and Washington, which are scheduled for award in May and June 1965, if H.R. 6755 is not enacted into law as soon as possible.

In view of the fact that on four basins contracts have already been deferred, and of the impending deferral of additional contracts in two other basins, on work scheduled for award in May and June, I am sure that you will agree that the situation is urgent and I therefore urge approval of H.R. 6755.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Florida.

Mr. FASCELL. I thank the gentleman for yielding.

I wish to say that all of us are very happy and pleased to see the distinguished gentleman from Alabama at his usual post working very diligently and very hard. We are all happy to see him looking so well.

I wish to express my appreciation to him and the members of the subcommittee for acting with dispatch on a matter which is so urgent. They have acted in the national interest and certainly in an economical sense to see to it that the necessary authorization is provided for these basins so that the contracts will not have to be canceled and work can proceed as scheduled.

Mr. Chairman, as the Representative of the Fourth Congressional District of Florida, one of the areas which may be affected by the lack of sufficient monetary authorization, I strongly support the bill before us today, H.R. 6755. Along with several other colleagues, I cosponsored this legislation when it became apparent that 10 basin development programs would run out of authorization in fiscal year 1966.

The central and southern Florida flood control project encompasses an 18 county area, comprising more than 2.4 million residents, or 40 percent of the total population of the State. Since World War II, southeastern Florida has doubled in population during each of the two decades; since 1950, it has more than tripled in economic developments.

In Dade County, Fla., we have experienced devastating floods over the years due to hurricanes. Need for the flood control works to prevent further serious flood damage and loss of life by the periodic floods that ravage the area is accentuated by the phenomenal growth in the region.

The committee supports my contention that central and southern Florida is one of the basins in most critical need of authorization for fiscal year 1966. Unless Congress acts immediately, four contracts totaling $7,837,000 scheduled to be awarded in May must be deferred.

I join the committee in urging our colleagues to support this sorely needed legislation. Further delay will mean the deferring of scheduled contracts and additional construction and administrative costs to the U.S. Government.

Mr. JONES of Alabama. I thank the gentleman from Florida.

Mr. Chairman, I announce to the House that it is the intention of the Committee on Public Works to begin hearings very shortly on the omnibus rivers and harbors and flood control bill. The presentation of this bill today should not lend itself to any misunderstanding that we will not consider a rivers and harbors and flood control bill this year. We expect to present such a bill. We invite the Members to communicate with the committee if they have projects they think should be included in the omnibus bill this year.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding.

I join the gentleman from Florida in saying it is a source of keen pleasure to all the members of the committee that the gentleman from Alabama is able to be back at his post and in charge of this very important piece of legislation.

Mr. JONES of Alabama. I will say to the gentleman from Oklahoma [Mr. EDMONDSON] it is rather rewarding to be away and find that the work assigned to me has been done much better than I could have done it myself.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. JONES of Alabama. Mr. Chairman, I yield myself 2 additional minutes.

Mr. EDMONDSON. Will the gentleman yield further?

Mr. JONES of Alabama. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, this legislation is urgently needed to assure orderly progress in construction on 10 of our river basins.

The evidence heard by our committee firmly establishes the need for expeditious approval of the measure, in order to avert wasteful delays in construction contract awards.

Those delays are already being experienced on four river basin projects: the Los Angeles-San Gabriel, the central and southern Florida, the upper Mississippi and the West Branch Susquehanna. They are costing us money in all four instances.

I hope and trust the bill will be approved by an overwhelming vote in this body, and expeditiously advanced by the other body.

There is certainly no reason why the passage of this 1-year authorization should interfere in any way with plans for an omnibus public works authorization bill a little later in the session. It will serve to meet the emergency now confronting us, and will make possible the careful and orderly consideration of an omnibus bill by the House Committee on Public Works.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. Yes. I am glad to yield to the gentleman from Illinois.

Mr. GRAY. Mr. Chairman, as a member of the subcommittee of which the distinguished gentleman from Alabama is chairman, I am glad to see my captain back at the helm looking so well. I certainly want to commend him for the fine work that he has done not only on this piece of legislation but all of those passed by this House. I know, coming from the Mississippi River area, that these river basin authorizations are a must if we are to continue the orderly development of our resources and alleviate the flood conditions up and down the great river valleys.

Again I want to commend the distinguished gentleman from Alabama and tell him how delighted we are to see him carrying this legislation through the House today.

Mr. JONES of Alabama. I do not know of any experience that could possibly be so satisfying and make me so happy as to return to this splendid forum.

Mr. PEPPER. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I am glad to yield to the gentleman from Florida.

Mr. PEPPER. I want to join my colleagues in expressing delight that the distinguished gentleman from Alabama, the chairman of this important subcommittee, is well again and back in the position of leadership that he has filled with such credit to the Congress for so long. Florida, particularly south Florida, is especially grateful to him and to his committee for the provision that has been made for a continuation of a meaningful program for central and southern Florida flood control projects.

We, in south Florida particularly, are very much concerned about the Federal Government discharging what we feel to be its responsibility in respect to contributing to projects to arrest saline encroachment into our waterways. We feel that legislative authority already exists for the Government to perform such work and we are going to pursue the matter so that a satisfactory clarification of the authority of the engineers may be provided.

Mr. JONES of Alabama. Mr. Chairman, I thank the gentleman from Florida for his kind remarks, and I yield back the balance of my time.

Mr. BALDWIN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this bill came out of the Committee on Public Works by a unanimous vote. The amount authorized, $263 million, is included in the budget. This is the authorization bill that would be required, however, before those budget items can be included in the public works appropriation bill which will follow a little bit later in this session. The main objective of our committee in bringing this bill out at this time is to try to avoid the most unfortunate situation which happened 2 years ago when we had some river basins which ran out of funds. There was a delay here in Congress in getting a new authorization bill through for them. We had some extremely unhappy situations arise because of contracts already let, which were part way constructed, on which they ran out of funds. The most difficult problem of all that occurred 2 years ago occurred in the Los Angeles-San Gabriel River Basin in California. On that river basin 2 years ago contracts had been let and they ran out of the authorization when the contracts were to the point where the projects were half way constructed. There were people who had great quantities of earth dumped on their front lawns and great dredging of ditches in front of their property when the contractor and his men had to go off the job because there was no longer any funds to carry them through. In some cases that situation was a constant threat. In fact, the local agencies in that area had to lend funds to the Corps of Engineers to try to tie together some of those loose ends.

This is something the Congress should not allow to happen. Therefore our committee is bringing this bill to the floor of the House today to try to get these authorizations through in time so that funds can be made available for these contracts and so that we can avoid this kind of situation and keep it from developing. Whenever we have a gap and contractors have to leave the job, we actually lose continuity of construction. We increase the construction costs, also, because the contractors have to pull equipment and men away from the job and go somewhere else. This is not a good way to conduct the business of doing an effective flood control job.

Therefore, Mr. Chairman, I hope that this bill will pass here in the House today with a unanimous vote, and I very much hope that the other body will give consideration to this bill on an urgent basis, because according to the information we have from the Corps of Engineers, unless this bill is passed and passed very promptly, we will have 47 contracts which will have to be deferred within the next 2 months, and it would be a tragedy if this happened.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I think the gentleman has made a very constructive contribution to putting across the urgency of this measure. I certainly want to commend him for it. Also I would like to say that we are certainly delighted that he is back from spending some little time in the hospital, as did our colleague from Alabama [Mr. JONES] because his help on this bill has been invaluable to the committee.

Mr. BALDWIN. I thank the gentleman.

Mr. TRIMBLE. Mr. Chairman, I wholeheartedly support this bill.

Mr. BANDSTRA. Mr. Chairman, I strongly urge passage of H.R. 6755, a bill to increase the fiscal 1966 authorizations for projects being built by the U.S. Army Corps of Engineers in 10 river basins.

Of immediate and important interest to my home State of Iowa is the provision for increasing by $14 million the authorization for the Upper Mississippi River Basin. This increased authorization is necessary so that work can continue on the Red Rock Dam and Reservoir project, now under construction on the Des Moines River in south-central Iowa.

The Corps of Engineers, in testimony April 27, 1965, before the Subcommittee on Flood Control of the House Public Works Committee, indicated that several phases of the project, involving contracts totaling more than $1.8 million, would be delayed unless the Congress approves the new authorization promptly.

The need for flood control projects such as Red Rock is obvious, and it should be all the more apparent because of the heavy floods in the Upper Mississippi River Basin this spring.

The Des Moines River was swollen by floodwaters, as were many other rivers in the area. The Office of Emergency Planning estimates that flooding in Iowa resulted in nearly $5 million in damage. This is the amount of damage that has been determined thus far. It is quite likely that the actual damage will run much higher.

The Corps of Engineers has informed me that, on the Des Moines River, flooding caused about $850,000 in damage at points on the river from the Red Rock damsite downstream to the confluence with the Mississippi River.

This is a routine bill. But it is badly needed to avoid delay on flood control projects, both in Iowa and in other parts of the country. I therefore urge that the House of Representatives act favorably on this measure today, so that it can be sent to the Senate for approval there at the earliest possible date.

Mr. SCHMIDHAUSER. Mr. Chairman, the State of Iowa has been ravaged by the most devastating floods in the history of the Upper Mississippi River Valley. I am sure that the people of southeast Iowa applaud the recognition which the House of Representatives has given them today in responding to the seriousness of the situation. The appropriation for Red Rock Reservoir which will allot $15 million to provide flood control protection on the Des Moines River is vitally needed. The allotment of $30,000 for Coralville Reservoir improvements and $628,000 for the needed completion of the Coralville-Mehaffy Bridge is of tremendous economic importance to the people of the Iowa and Cedar River Basin.

Mr. CALLAN. Mr. Chairman, the general comprehensive plan for flood control and other purposes in the Missouri River Basin which was first approved by the Flood Control Act of June 28, 1938, has benefited my district of Nebraska immensely. The Flood Control Act of 1944 provided additional advantages for the eastern section of Nebraska. Today there is a need for the expansion of the Missouri River Basin comprehensive plan. One of the needs is for additional recreational facilities for our people.

I believe that it is necessary that we pass this bill in order that we might provide for the ever-demanding needs of people for recreation. My district needs additional recreational facilities. This bill will provide funds for the development of recreational facilities for the people of the First Congressional District of Nebraska at the Gavins Point Reservoir and the Harlan County Reservoir, in Nebraska. Although not in my district, this lake is used by many people in eastern Nebraska. I believe the proposed amounts of $90,000 for the Gavins Point Reservoir and the $50,000 for the Harlan County Reservoir to be spent for recreational development is a step in the right direction. These two recreational facilities will provide the people in my district with numerous opportunities to avail themselves of water recreation. The passage of this bill will provide such an opportunity.

Mr. Chairman, I support this proposed legislation.

Mr. ROGERS of Florida. Mr. Chairman, H.R. 6755 provides an authorization of $11 million for 1 fiscal year for the central and southern Florida flood control project. I appreciate the committee including the project in its legislation for fiscal year 1966, and express the hope that the committee would approve an authorization for this project for 2 fiscal years in its next action.

The Central and Southern Florida Flood Control District presently has $2.8 million in authorizations left for fiscal year 1966. The Corps of Engineers has indicated a capability of $15 million for flood control works in fiscal year 1966, and the committee's action allowing $11 million would bring the total authorizations to $13.8 million in the next fiscal year. Even with the approval of the $13 million for the central and southern Florida flood control project as included in the President's budget for fiscal year 1966, the remaining monetary authorizations are marginal and present planning difficulties to the Federal and State agencies concerned.

The flood control project has meant a great deal to Florida. It is a critical necessity in an area where land once inundated by floods has been turned into use in one of the Nation's fastest growing areas. And the results have been excellent, as judged by the fact that of some $175 million in funds invested in the Central and Southern Florida Flood Control District, there has been a return of some $200 million in benefits.

I have introduced legislation, H.R. 6749, to provide a monetary authorization of $30 million for 2 fiscal years, and urge that congressional approval be given to long-range authority for this project. Short-range planning can be costly for the uncertainty causes interruptions. Already the Corps of Engineers has canceled invitations to bid on two Central and Southern Florida Flood Control District projects, and I am advised that the corps may be forced to cancel two more contracts already awarded for construction works.

Mr. Chairman, the Central and Southern Florida Flood Control District spans all or part of 18 counties in Florida. I respectfully ask that consideration be given to providing authorizations for longer than 1 fiscal year in the next actions taken by the committee.

Mr. BALDWIN. Mr. Chairman, we have no further requests for time.

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 6755

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, (a) in addition to previous authorizations, there is hereby authorized to be appropriated for the prosecution of the comprehensive plan of development of each river basin under the jurisdiction of the Secretary of the Army referred to in the first column below, which was basically authorized by the Act referred to by date of enactment in the second column below, an amount not to exceed that shown opposite such river basin in the third column below:

Basin	*Act of Congress*	*Amount*
Arkansas River	June 28, 1938	$115,000,000
Brazos River	September 3, 1954	6,000,000
Central and Southern Florida.	June 30, 1948	11,000,000
Columbia River	June 28, 1938	73,000,000
Los Angeles-San Gabriel.	August 18, 1941	10,000,000
Missouri River	June 28, 1938	24,000,000
Ohio River	June 22, 1936	3,000,000
Ouachita River	May 17, 1950	1,000,000
Upper Mississippi River.	June 28, 1938	14,000,000
West Branch Susquehanna River.	September 3, 1954	6,000,000

(b) The total amount authorized to be appropriated by this Act shall not exceed $263,000,000.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. HANNA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6755) authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes, pursuant to House Resolution 381, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

U.S. POLICY IN DOMINICAN REPUBLIC IS A COMMITMENT TO HEMISPHERIC SECURITY AND WORLD PEACE

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, the events of recent days make it more than ever apparent that the only alternative to the present U.S. commitment in the Dominican Republic would be to see that nation go the tragic way of Castro's Cuba.

Despite a heavy propaganda din by some of the same fatuous observers who helped pave Castro's road to power in the

1950's, the evidence accumulates that so-called Dominican rebel forces, if successful, would establish a second Communist base in the Caribbean.

Critics of the President's action in moving to meet the Communist threat to the Dominican Republic fail to grasp the essential lesson to be learned from the tragedy of Cuba's fall to Castro communism. The establishment of a Communist base in the Caribbean has imperiled hemispheric security and endangered world peace. Had President Johnson failed to meet the Communist menace to the security of the people of Hispaniola, the door would be opened wide to Red takeovers, not only along the Caribbean but throughout Latin America.

This is to say, as these critics seem to overlook, that the same "domino theory" which has committed American forces in Vietnam also applies to the nations of the Western Hemisphere. Hemispheric policy, set forth in numerous inter-American meetings in recent years, provides for the isolation and ultimate removal of the Communist cancer in Havana. The emergence of a second Red base in the Caribbean would effectively destroy this policy and the entire fabric of the Inter-American system itself.

What are the purposes of the inter-American system if not to protect the member States and peoples of our hemisphere from becoming, as have the tragic people of Cuba, mere satellites of an alien power?

> The OAS—

Declares the Department of State in setting forth the legal basis for our country's actions in the Dominican Republic—

> thus exists to assist the American States to maintain their rights to defend their integrity and to provide for their preservation and prosperity.
>
> The action of the United States—

Continues this State Department analysis—

> has given the organs of the OAS the essential time in which to consider the situation in the Dominican Republic and to determine means of preserving the rights that country has under the inter-American system.

Certainly, the matter of sending in U.S. forces to maintain order in a neighboring country is not a course desired by any American President. But the alternative course—that is, to have done nothing at all—would have endangered not only the life and property of U.S. citizens and other foreigners in Santo Domingo, but the very security of our hemisphere. Once before in the past decade the U.S. Government, beguiled by the propaganda din of those who represented Fidel Castro as a mere "agrarian reformer," miscalculated its hemispheric responsibilities. The results proved tragic to the people of Cuba and the hemisphere. Eventually, underestimating and miscalculating the true scope of Communist aims in the Americas, we came to the brink of a third world war.

It is well then that the Johnson administration has demonstrated by its timely action in Santo Domingo that the United States has profited from the lesson of Castro and Cuba. Further, that we regard our solemn commitments to curb and eliminate the Communist cancer from the hemipshere as more than mere words on a scrap of paper. For time and again in recent years the nations of our hemisphere have pledged their resources toward protecting the Americas from Communist subversive aggression. Now, the evidence is clear—for all who will study it—that U.S. action in the Dominican Republic has been directed solely toward that end.

> The United States—

Asserted the Department of State in its statement on the Dominican situation—

> continues to support its commitment to the preservation of the right of all free peoples in this hemisphere to choose their own course, without falling prey to international conspiracy from any quarter.

That is the sum and substance of our country's current position in the Dominican Republic. It is the essence of our commitment as the leader of the Western Hemisphere. Any failure in that leadership at this critical time could result in tragedy, not only for the cause of freedom in the Americas, but throughout the world.

SMALL BUSINESS SUBCOMMITTEE UNANIMOUSLY APPROVES LEGISLATION INCREASING DISASTER AID

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, this morning the Subcommittee on Small Business of the House Banking and Currency Committee unanimously reported H.R. 8060 and its companion bill, S. 1796. This legislation grants additional benefits for victims of natural disasters, both in the form of an increase of $50 million in SBA's revolving fund and more liberal terms in loans granted to disaster victims by SBA.

Passage of H.R. 8060 or S. 1796 in the shortest possible time is imperative so that loans made to victims of the recent floods and tornadoes can be made under the new terms.

I am including a copy of my opening statement on H.R. 8060 which was given this morning at the hearings conducted by the Small Business Subcommittee:

Opening Statement of Chairman Patman on H.R. 8060 and S. 1796, To Provide for Disaster Victims

> The bill before the Subcommittee on Small Business this morning would not be necessary if Congress were able to legislate against disasters. But, of course, we cannot make laws to prevent floods in our Midwest, nor can we legislate against tornadoes in the Southwest or, for that matter, any type of natural disaster in any part of our Nation.
>
> However, we can provide legislation that will offer financial assistance to disaster victims so that they may rebuild their lives and property to a level equal to that before tragedy struck. H.R. 8060 and its companion bill, S. 1796, would help disaster victims in the following manners:
>
> 1. They would allow the Small Business Administration to increase the maturity of disaster loans from 20 to 30 years.
> 2. They would suspend payment for up to 5 years on the principal and interest of disaster loans at the discretion of the Administrator of the Small Business Administration.
> 3. If the request for suspension of the principal involves a participation loan, SBA, at the request of the lender, shall either purchase the participating lender's portion of the loan or make payments to the lender on behalf of the borrower during the suspension period in order to avoid default.
> 4. This legislation would also increase SBA's revolving fund by $50 million.
>
> There are many bills pending in the House of Representatives dealing with aid to disaster victims, most of them involving complex and comprehensive programs of rehabilitation. H.R. 8060 and S. 1795 are stopgap measures until fuller disaster legislation can be passed. Passage of these measures will in no way slow down the consideration of the other disaster measures before Congress.
>
> The importance of H.R. 8060 and S. 1796 is underscored by the number of Senators who have taken time from their busy schedules to appear before this subcommittee or filed statements on behalf of the measures. It is my sincere desire that the subcommittee can take swift action on these bills and report them to the full committee today so that the new programs of aid will be available to the thousands of people who lost their homes and businesses in the recent midwestern disasters.

CONGRESSMAN CHARLES A. VANIK CITES PAST AND FUTURE ACCOMPLISHMENTS OF THE SAVINGS AND LOAN INDUSTRY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, few men in this country are more qualified to speak on finance and financial institutions than the gentleman from Ohio, Congressman Charles A. Vanik. As a member of the Committee on Banking and Currency for 10 years and now a member of the Committee on Ways and Means, he has become intimately acquainted with our Nation's financial system. More important, he is not only skilled in the technicalities of our financial laws and practices—he also has a deep understanding of their human significance.

Congressman Vanik yesterday delivered a speech to the annual management conference of the National League of Insured Savings Associations, in Houston. In it he describes how the savings and loan industry has grown to meet the need for lending institutions particularly directed to, and knowledgeable about, individual credit needs. He outlines the tremendous contributions savings and loan associations have made to this country, and he charts a course to assure them of an equitable position in relation to other credit institutions and of the opportunity to develop their potential fully.

This is an important speech for the savings and loan industry and for the Nation. The full text follows:

STATEMENT OF CHARLES A. VANIK, OF OHIO, HOUSTON, TEX., MAY 11, 1965

Mr. Chairman, my first words in the city of Houston must be words of gratitude for this community's representative in the U.S. Congress since, except for President Lyndon B. Johnson, there is no more beloved Texan in Washington than ALBERT THOMAS. Your distinguished Congressman is my friend and counselor. My colleagues and I have come to rely on his judgment—he is a Congressman's Congressman—rightly endowed with wisdom and warmth.

I come to this meeting with a profound high regard for the savings and loan industry and its contribution to the American scene. My experience in public life began in 1934, over 30 years ago. During the great depression, the great war, and the smaller Korean war, I have been witness to the early contribution of the savings and loan industry to recovery from depression and from war. I have been witness to your dramatic contributions to the housing of the returned veteran and the expanded formation of postwar family life. Twice in my own lifetime I needed home financing assistance. On each occasion I turned to a savings and loan association. The banks were strange and indifferent. The insurance loans were made primarily in large tract developments.

The great majority of my colleagues in the Congress share my views and my affection for your industry. They have had the same experience in the same times of change. As a member of the Banking and Currency Committee for over 10 years, I know the pride and the respect which Chairman WRIGHT PATMAN has for your growth and your stability and your importance to the sound, economic growth of America. His predecessor, Brent Spence, of Kentucky, shared these same views. People in Government who know the financial institutions best—are joined in this concept.

The community and the people who I represent in my district are served infinitely more through the savings and loan institutions than through any other financial medium. They borrow their money from your institutions. They save their money in your institutions.

I am among those in the Congress who believe that your industry is mature and responsible. There is no need for "forced feeding" of statutes and the "spoon feeding" of regulations. It is for this reason that I oppose arbitrary and crippling Government controls over dividend rates—limitations and restraints on the income of the small saver who is your depositor. The Federal Reserve may have valid reasons for enacting regulation Q, but we must recognize that the decisions of the Federal Reserve Board are not purely public determinations. The policies of the Federal Reserve have a built-in guidance system—built in by your competitor—the banking industry. Since when has it become right to permit your competitor to fix his bid price for money in regulation Q and then insist that yours be fixed where it suits him best?

Competition at the marketplace is still a good creed for America. If your industry is capable of paying a higher interest rate and continues to loan money at attractive low rates, who wins—the saver, the borrower, the home buyer? It has been scientifically concluded that your industry can and must pay a higher differential rate for deposits. Your deposits and loans are longer in term. They require less servicing. You can pay a higher yield and make a cheaper loan. As long as the depositor's moneys are safe, you should be encouraged to do your best in the competition for business.

I believe that the present system of regional pricing for savings funds makes a great deal of sense and should be continued. The temporary pause in housing expansion has just about passed. We must be prepared for the dynamic surge in house building which is soon to overwhelm us. We must be ever mindful of our long-term needs in the housing area. A case has not been made for the imposition of dividend rate controls on an industrywide basis. Nor should such controls be extralegally imposed through economic sanctions—such as the denial of funds to an institution only because it offers a higher dividend rate.

If an institution is not sound or well managed the Home Loan Bank Board should certainly have the power to issue such orders as are necessary to protect the depositors. The Board should certainly have the power to issue cease-and-desist orders. However, an institution must have the right to appeal for relief in the courts. It is certainly entitled to judicial review after the Board's administrative procedures have been completed. But if an institution is otherwise sound and well-managed, it needs no instruction on what dividend it should pay.

As I understand it, the Federal Home Loan Bank Board is seeking new authority in the area of holding companies, supervisory powers and standby controls over savings and loan dividend rates. At the present time, the savings and loan holding company law prohibits any holding company from acquiring control of any additional savings and loan associations which are insured by the Federal Savings and Loan Insurance Corporation. The Board is seeking powers, broadly speaking, to amend the present law to require savings and loan holding companies to register and file regular reports with the Board. In addition, the Board's proposals would confine holding company operations to a single State and require divestment of subsidiary associations in other States. Other provisions of the bill would subject holding companies to FSLIC examination and generally holding companies would be prohibited from carrying out transactions which an insured association could not by law perform.

The holding companies take the position that they are subject to supervision by State banking authorities and FSLIC with respect to insured associations and that the parent company must abide by the rules of the SEC. Others in your industry feel that holding companies by their nature operate with competitive advantages and should for this and other reasons be subjected to closer scrutiny by the Board through the FSLIC. This issue should be resolved in a way to insure institutional stability and also insure against unfair competition. I will watch carefully the deliberations of the banking committee.

To financial institutions—as with every other kind of American enterprise—taxes are at the root of substantially all concern. I am fully mindful of a disturbing feature of our tax laws under which a Federal association or a State-chartered association operating within the limits of its authority could fail to qualify as a domestic building and loan association under the Internal Revenue Code and thereby be deprived of the special sections of the code related to the taxation of the institution. I do not believe there is another instance or any other industry which is confronted with a tax section which is also a regulatory measure. Mutual savings banks qualify for the same tax provisions as savings and loans simply because they are mutual savings banks. They are not burdened to keep proving that they are what they claim to be.

Powerful competitive forces are also engaged in an effort to erode the tax status of the savings and loan institutions. One of my colleagues filed a bill several days ago which would treat savings and loan institutions the same as banks for the purposes. Such efforts must be decisively overcome. They are inspired by the same forces which would limit and restrict your dividend rate and the ultimate income of depositors. Your industry does a different job than the banks. You are restricted in the loans you make. You do not enjoy the bonanza of cost-free money which banks are provided out of Federal funds and which the citizen provides in his commercial account deposits. Your loans are long-term, often 200 or 300 percent longer than the average commercial bank loan.

Your business entails considerably more risk as you obligate yourself to long-term loans at fixed interest rates. If interest rates should spiral, you must face the challenge of depositor demand for higher interest and the borrower's insistence upon the scheduled system of long-term repayment. You must be prepared to give the depositor his money at once and then wait three decades or more to get it from the borrower to whom you gave it. When my father signed a bank note and mortgage for the old homestead, he was promised a 15-year loan but was ordered to sign a demand note. When the depression came, the bank demanded the money and our family was at the wall of despair. This lesson will never be forgotten.

You need the tax reserves that the tax system now provides. The attack on this principle is absolutely and certainly a competitive attack on your very existence.

It is my hope that the current tug of war among financial institutions will meet a tolerable accord. It is certainly time that the factional infighting will subside and give the total industry a chance to catch up and permit the best segments of the industry to find their own level. Now is the time to chart a firm future course.

Frankly, I would like to see the commercial banks remain commercial—making loans to industry, corporate activity, and productive financing.

By the same token, I would like to see the savings and loan industry dominate in the individual loan field by serving the market for individual needs whether it be a home, a car, an appliance, a home improvement, or self-improvement as through an education loan. The cost of consumer credit is a staggering item in an annual family budget. In some low-family income groups interest can run as high as 25 percent of the total family budget.

The savings and loans are in unique position to serve these needs. No one has a better family history on the borrower than the institution serving a home mortgage. You know best how a family can manage debt or afford further debt for home remodeling, furniture, appliances, or education. The department store has become your competitor with 18-percent interest and unrestrained promotion. The debt managers have become your competitors with 1 percent per dollar per month.

By reaching the complete spectrum of family need your industry could provide quality service at less costs. The entire economy would benefit since it would precipitate increased buying, production, and utilization of goods. Your industry would be fulfilling its purpose.

The commercial banks already have a large and unique area of activity. They produce resources for commercial uses and for industry. They produce resources for your own use. The savings and loan industry has already become one of the biggest customers of the commercial bank supermarket of exclusive services.

There is thus under development a more clearly defined orbit of activity—banks in the commercial world, savings and loans in the individual family life. Neither class of institutions should endeavor to be all things to all people. Program should be developed which utilize the capabilities of each type of institution.

Our legislative and administrative leadership has a great stake in your industry. We want you to prosper and to grow. We want you to serve the growing needs of our people. We want to see your industry achieve the highest standards so that regulation can be reduced to a minimum. We want you to establish your own discipline—and you must deny membership or withdraw it from those who cannot follow the highest standards. Membership in your organization can develop into an asset value which no one would chance to lose. You must help in the exposure of those who detract from your standards.

I consider myself a warm friend of your industry; I want it to succeed and prosper primarily because I believe you can provide savings and loan service to the general public in a way no one else can.

RUMANIAN INDEPENDENCE DAY

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, we should take note of the fact that the words we speak today in this House about Rumania's national instincts may well be broadcast beyond and through the Iron Curtain, bearing a continued assurance of American interest in the well-being and eventual independence of the Rumanian nation.

The Soviet presence, I am told, makes it impossible for the people of Rumania to celebrate their national Independence Day on the anniversary day of May 10. It has been subtly shifted to May 9, to deprive the ceremony of nationalistic overtones by making it seem a celebration of Soviet arms over Hitler.

The history of Rumania did not begin, however, with the 1941–45 era. It began in the Roman era and it endured through the long centuries when the Ottoman Empire spread over most of southwestern Europe. Rumania established itself as a principality on May 10, 1866, proclaimed itself a sovereign nation of May 10, 1877, an independent kingdom on May 10, 1881.

There was during this period, a time of the breaking of nations, and allies were gathered where they might be. But the Rumanian people kept themselves from being swallowed up permanently by Ottoman Turks, or by Russians, by Austria-Hungary or by Prussia.

There are signs that the shifting tides may bring other changes in the future and that Rumania as a proud and brave nation will resume her advance. We have good reason to wish these people well, and to pause for celebration of their anniversary.

POLISH CONSTITUTION DAY

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, the Polish Constitution Day we celebrated in this House a few days ago is one of the landmarks in the advance of what we call—for want of any other appropriate term—Western and liberal democratic civilization.

I have been struck with the fact that the Constitution Day celebrated by the Polish people, both by ancestral origin in this Nation and in their homeland, dates back to 1791. This was only 4 years after the establishment in our own land of a constitutional government guaranteeing the stability of the Nation and the rights of man.

We took our new Constitution on the upswing as an infant nation; the Polish people acted during the agonies of three successive partitions in which Poland's soil, villages, cities, universities, and sovereignty were brazenly invaded by the 18th-century greedy powers of Russia, Prussia, and Austria.

The month of May, a season when life and hope spring up in renewal, is also a month of bitter memories for the proud Polish people. They learned in May a quarter of a century ago of the massacre of Polish Army officers in the Katyn Forest. They saw their emissaries to Moscow, in May of 1945 in the aftermath of World War II, seized and installed in the Soviet Union's prisons.

It is permissible for us to take note of the fact that the Polish people, in recent years, have shaken loose some of the rigidity of Soviet controls. But we must not misunderstand the basic reality: That Poland is still a prisoner, a captive nation, a people given a certain amount of self-assertion but only under the threat that if such self-assertion should go too far the Red army would instantly be sent in another invasion.

We must not misunderstand the other basic reality—that Poland is very probably a nation that can never be swallowed whole, beaten, and cowed into conformity with a Soviet imperialist system it despises. If we can read the lessons of history correctly, time is on the side of the Poles.

COMPLIANCE WITH CIVIL RIGHTS ACT NEEDS REASON

Mr. FUQUA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FUQUA. Mr. Speaker, last year the Congress passed into law a civil rights bill. It had far-reaching effects on the life of this Nation and we recognize that it is the law of the land.

I think we have a right to expect that this law will be administered fairly and with reason. I think we have a right to expect that when States are making an honest and determined effort to comply with its provisions, then they have the right to expect that those charged with enforcement of its provisions will act with restraint and reason.

I believe that this has not been the case with certain officials of the Office of Education in determining approvable plans for school districts. In my opinion we see actions of this Office going beyond the intent of the law, and that such action is damaging to education.

Let me state categorically that the men who serve as the superintendents and school board members in the counties in Florida are honorable men. Our State education department is staffed with able and competent educators. In Thomas D. Bailey, State superintendent of public instruction, we have a man of unquestioned integrity and one of the Nation's finest educators.

These men and women are interested in educating children. The people in Florida began with a good attitude in trying to work out a difficult problem. We recognize the law, we recognize its provisions, and great effort has been extended to come to terms with it.

But, Mr. Speaker, we have seen instances time and again when plans were submitted to the Office of Education that they were turned down. What concerns me is that I have had numerous instances where a school board submitted a plan, and it would be returned as rejected, but the reasons were not stated. I believe that these boards are entitled to know just what the reasons are. They may be major, or they may be minor, but I cannot see how they can be worked out if the people who are trying to come up with a workable plan do not know the specific reason why their plan was rejected.

Mr. Speaker, I believe that the Office of Education has gone far beyond the intent of the law when they prescribe that four grades must be integrated by a certain date. This is arbitrary and goes far beyond the intent of the law.

The law as I interpret it states that you shall not discriminate. The interpretation being placed on this law by the Office of Education is that you shall integrate.

The intent of the law is that if a child wants to attend a particular school and there is no real nor imagined effort to prevent him or her from doing so for reasons of race, creed, or color, then there is no discrimination.

When a school board is told that they must integrate four grades by a certain date, whether there is no discrimination or not, you have an entirely different situation. It might well be that two grades might be integrated, all 12 grades integrated, or any combination in between, and this would be fine. Emphasis must be placed on the phrase "no discrimination" as opposed to "must be integrated."

In pleading for restraint and reason, I want to point out to you the climate which you will find in Florida. When the University of Florida was integrated, by court order, you did not have rioting. You did not send in Federal troops; there was no turmoil. There was not as much as a highway patrolman stationed on campus to maintain order. When you have a climate like this to work in, it would seem to me that the American people and our Government would want to bend over backward to assist.

When you push and push, when you order and order, you create a situation where there is no room to maneuver, for flexability with regard to the local situation.

When our people are making a sincere effort, indicated by the fact that they have submitted a plan, then I believe that the Office of Education should accept these in good faith. If there is something discriminatory about a plan, then this should be pointed out in writing so that this might be corrected. Simply to turn down a plan without giving any reason is not the way to operate.

The civil rights bill was not intended, I believe, to force a specific amount of integration if it was not desired by the people of either race.

If you have an entire county where a pupil may apply for any school in a particular district, and you never have an application, then is this discrimination? What is the school board to do? Are they to go out and recruit students to attend a school which they honestly do not want to, so that they might comply with a directive from the Office of Education?

It would seem to me to be yet another thing to accept plans where there was a genuine statement that there would be no discrimination. If a student should apply for a particular school and it was felt that he was not allowed to attend for reason of race, color, or creed, then you have a case to work on.

Then it might be necessary to cut off Federal funds because the law was not complied with. But simply to assume that a school is discriminating when no application for attendance at a particular school has ever been filed is assuming guilt. It questions the integrity of public officials who have said they will not discriminate. They deserve the chance to prove themselves, and they should be considered innocent until proven guilty.

We need to respect the integrity of these public officials. This is a new law. It will change our pattern of living. Such adjustments are always difficult, and they can best be accomplished by reason.

An arbitrary and specific number of grades integrated by a certain date was not the intent of the Civil Rights Act.

The climate in Florida is good. Certainly we have problems and I would be the first to admit that. But I defy any State, north, south, east, or west to point to a record which is as good as our State has made under such difficult circumstances.

The people of our State recently approved a nine-man board of regents to operate our university system. Our able Governor, Haydon Burns, named a Negro to one of those posts. This is another example of an honest and sincere attempt on the part of the people of Florida to come to grips with, and solve, a difficult problem.

I denounce as vigorously as I know how the plan of the Office of Education in stating that a certain number of grades must be integrated by a certain date. I denounce this as going beyond the intent of the law.

Each district presents its own particular problem, and they should be viewed as such. Let us give a little here, take a little there, as we strive to build a better America for all people.

I would warn that when Federal funds are cut off from any county or school district, it will be the children who will suffer. They will suffer by a decrease in the quality of the education which they receive, without regard to race, color, or creed, and the Nation suffers as a result. The damage cannot be undone.

It is my understanding that in the past week or so a much better attitude is being seen on the part of our educational people in the way that the Office of Education is attempting to work out this problem. I hope they will go further.

I hope they will act with reason and with proper restraint. The law is the law, and it can be applied fairly or it can be applied harshly. I do not think that the Congress meant that it be applied harshly and without reason when an honest attempt is being made by a people to meet its requirements.

The President has said many times, "Come let us reason together." I plead for nothing more. Let us use reason and commonsense in dealing with a most difficult problem. We will all reach our goal much sooner and it will be in a harmonious spirit that creates a climate where further progress can be made. I believe that nothing less than this should be expected, nor was ever intended.

COMPASSION, DEDICATION, AND SERVICE

Mr. ICHORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ICHORD. Mr. Speaker, the President of the United States has recently proclaimed the week of May 9 to 16 as National Hospital Week. This is a time when we all should contemplate the value of our medical institutions and of those dedicated people who contribute to the growth of our hospitals as well as those who staff them.

The subject of proper medical care is one which has been in the limelight of public attention for many months. All agree that our people need and should receive all the medical attention they require. There is much debate on how this should be accomplished. There are great amounts of criticism spewing forth on what is wrong with our hospitals. Not all of this is unwarranted. Surely there are many areas in which improvement is necessary, but in the light of this constant criticism can we not realize the volumes of good being done by the dedicated people in our medical profession.

In the area of medical research alone, the advancements made and knowledge procured are encyclopedic in proportion. Medical research centers around the country attack such gargantuan enemies of man as heart disease, cancer and mental illness. Most of this research is financed solely by private contributions. This is evidence of America's relentless search for victory in the war against disease.

The building which we call a hospital is alive with activity. Inside one finds a staff of nurses to provide expert personal attention, a staff of technicians who engage in the chemical analysis of disease, interns, and a team of doctors whose compassion for and service to their fellow being is most enviable. All of these people are ready to serve and care for us if illness or injury should strike.

It is most reassuring to know that competent medical attention is rarely but a few blocks away and always as close as a telephone.

America's hospitals and medical professionals act as the gleaming light of hope shining through the dismal cloud of disease and suffering.

All of us owe a tremendous debt of gratitude to the dedicated people of this honorable profession. I sincerely hope that each American will take time this week to appreciate the sense of security afforded us by our Nation's hospitals and that each of us will pray for their continued success in the fight against pain and human suffering.

DISCUSSION OF THE PRINCIPLES OF ALBERT W. WATSON

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, I have been reading a little bit in the papers about the campaign in South Carolina conducted by the former Member of this body, Mr. Watson. He says that he resigned and he is running for reelection as a matter of principle. At the same time, by some curious rule of this body, his former office staff is still on the payroll, still in his office, with his name on the door, and still mailing out literature to try to get him reelected. Since his principles are so high, according to his statements in the paper, it seems to me we ought to help him maintain these principles by taking these people off the payroll.

ADDRESS BY HON. JAMES KEE BEFORE THE APPALACHIAN TECHNICAL COMMITTEE OF THE AMERICAN PULPWOOD ASSOCIATION

Mr. HECHLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an address by the Honorable JAMES KEE.

The **SPEAKER.** Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER. Mr. Speaker, my esteemed West Virginia colleague, the Honorable JAMES KEE, delivered a noteworthy address yesterday at a luncheon of the American Pulpwood Association. In the course of this address, Representative KEE touched on many matters of interest and value to all Members, and therefore under unanimous consent there follows the complete text of his remarks:

STATEMENT OF THE HONORABLE JAMES KEE OF WEST VIRGINIA, BEFORE THE APPLACHIAN TECHNICAL COMMITTEE OF THE AMERICAN PULPWOOD ASSOCIATION AT THE HOLIDAY INN, ARLINGTON, VA., MAY 11, 1965

Mr. Chairman and distinguished members of the Appalachian Technical Committee of the American Pulpwood Association, it is indeed an honor to have this opportunity to meet with you and attempt to outline the present role and future goals of the Federal Government in Appalachia.

Pulpwood is an extremely important industry in the United States, and particularly to my home State of West Virginia and the entire 165,000 square miles of the Appalachian area.

It is interesting to note that there are 5,271 papermaking plants in the United States—located in 1,258 cities and towns—in 48 States. It is significant for our economy to realize that your industry provides productive employment for 620,000 employees in the making of paper products, which represents an annual payroll of $4 billion.

IMPORTANCE OF PULPWOOD

It has been quite a revelation to me to realize that 475 pounds of paper products are used annually by each person in the United States. In addition, I am happy to know that $856 million are paid out annually to purchase pulpwood which, in turn, provides employment for an additional 222,000 pulpwood industry workers—that is, sawyers, loaders, haulers, producers, dealers, and foresters.

With reference to the Appalachian Regional Development Act of 1965, all features of this program are capable of being coordinated so as to assist wood utilization industries. The program provides for comprehensive land and water stabilization within the Appalachian area, but it also provides grants to assist in the construction of public facilities needed by industry.

The region's water resources are considerable: It has 47 inches of rainfall per year reasonably well distributed throughout the seasons, more than most other areas of the country. Out of a total area, 106 million acres, over 1 million acres is under water. Unfortunately, much of the water potential of the region is inadequately used and poorly controlled; much of it is highly destructive. The economic development of the region obviously must be tied to a greater utilization of its water potential.

BETTER FOREST MANAGEMENT

Similarly, the region's land resources are considerable, but underutilized. Out of a 105-million acre land area, only about 4 million acres is urban, while approximately 67 million acres is forest land and 34 million acres is open nonurban area including farms. But because of the steep slopes and fertile bottom land of Appalachia, much of the good soil is washed away. The forests, 80 percent hardwood, and once the Nation's chief source of quality wood, have depreciated to a state of poor quality and poor quantity. If Appalachia is to reach its full potential the land must be stabilized, erosion stopped, and production—where feasible—increased; the forests must receive better management so that they can produce the wood needed by pulpwood producers and other wood utilization industries.

The comprehensive and integrated development provided for under the Appalachian program is designed to meet these needs.

The Appalachian Act specifically authorizes over a 2-year period $5 million for a water resources study to be conducted by the Army Corps of Engineers in cooperation with the Soil Conservation Service and the Geological Survey. Two million dollars has been appropriated for fiscal year 1966. In addition, both the Corps and the Soil Conservation Service have received a combined appropriation under existing authorizations of approximately $25 million for fiscal year 1966 to step up existing water development programs, including dams, water impoundments and watershed improvements.

The act also authorizes $17 million over 2 years for improved conservation and land stabilization practices to be carried out through the existing agricultural conservation program, of which $7 million has been appropriated for fiscal year 1966. But additional assistance will be provided under existing programs through a stepped-up farm loans and related activities. The $5 million authorized for a 2-year period under the Appalachian Act for loans to associations of woodland owners so that they can improve forest management practices will be supplemented by increased appropriations under existing Forest Service programs. Additional funds have been appropriated for fiscal 1966 for acquisition of land to be added to national forests, for additional cooperative foresters to be stationed in the field, and for the construction of access or logging roads into national forests.

Full utilization of Appalachian land and water resources will be aided, however, by other features of the act. The highway provisions make possible the construction of 1,000 miles of access roads in addition to the developmental highway system provided by the act. Some of these access roads could quite logically be constructed into State forests or other non-Federal public land which should be opened up for harvest and greater utilization.

OTHER MEASURES

The 2-year authorizations of $16 million for vocational education, $6 million for sewage treatment plants, $36.5 million for reclamation of strip-mined areas and other mine-related problems, and the $28 million for demonstration health facilities will all aid wood utilization and other industries which need adequate community facilities if they are to locate in the Appalachian region.

With reference to the future goals of the Federal Government in Appalachia, I am pleased to advise that the House Committee on Public Works, of which I am a member, completed hearings and the House of Representatives has now passed the Water Quality Act of 1965.

Of particular interest to your industry is the fact that in the House-passed version, we provided for the establishment of a Federal Water Pollution Control Administration with the specific provision that the individual States would establish their own program regulations for cleaning up our streams. This version of the bill is different from the bill as passed by the Senate—which provides that the Federal Government establish uniform regulations for all of the 50 States. The bill as passed by the House provides an incentive, that is grants, to the individual States in order that the appropriate State water pollution control agency will establish regulations of unique and effective control of water pollution existing in the individual State.

In view of the fact that on the rollcall vote in the House—398 votes in favor and not a single vote in opposition—I believe that we will be able to retain this extremely important provision when the House and Senate conferees meet to resolve the existing differences in the two bills.

NEW PUBLIC WORKS ACT

We are now engaged in hearings before the House Public Works Committee on the Public Works and Economic Development Act of 1965. In a brief statement, this bill provides for essential public works that will enable a regional grouping of multicounty areas as well as a regional grouping of States in order to provide for public works that will definitely contribute to the establishment of new and permanent jobs through private enterprise.

The other main section of this bill provides for financial assistance to the establishment of privately owned and controlled industries for the purpose of creating employment opportunities not only in the Appalachian region, but in all areas of the United States where over a long period of time—of at least 1 year—persistent and substantial unemployment has existed.

In short, the Appalachian region is now being given attention by the Federal Government, providing essential services and finances and management, not available at this time. These steps require time, and with continued hard work the Appalachian region, especially West Virginia, will enjoy the benefits of ample prosperity.

FEDERAL AND STATE GOVERNMENTS PARTNERS IN ORGANIZED CRIME

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, in the next several weeks, I will bring to the attention of this House certain facts which will show that the Federal Government and our several State governments are full partners in organized crime and vice.

The proof is overwhelming. In one State after another, the Federal and State governments have abandoned gambling to the underworld, thus enabling the vice syndicates and dope groups to finance themselves with lush gambling profits.

I say that this default of the Federal and State governments is tantamount to criminal negligence. Government has let the scum of the earth ooze onto the ground where government hypocritically fears to tread.

Let us take my own State of New York, which is certainly one of the biggest sources of gang gambling revenues.

Obviously, New York is just sodden with illegal gambling and all that illegal gambling finances. Anyone familiar with the financial patterns of crime syndicates knows that gambling revenues bankroll everything from heroin rings to prostitution networks. Last year, the parimutuel turnover in New York was about $1.4 billion. Illegal gambling is enough to dwarf this figure. Just recently, the Federal Government indicted 86 New York metropolitan region bookies, estimating that they had an annual level of business between $300 million and $400 million. Obviously this is just scratching the multi-billion-dollar surface. Testimony before the McClellan committee indicated that off-track betting across the Nation is about $50 billion per year, which sum is just some 42 percent of a roughly $120 billion total. On a population basis, New York's total illegal gambling should reach about $11.28 billion. Not hard to believe when you realize that public authorities in Massachusetts have said that people in that State spend more on gambling than groceries. Why not New York?

This money is behind housewife prostitution from Montauk to Manhattan. It is behind the screams of narcotics addicts from Salamanca to Southampton. And behind this money is the ignoble partnership of New York State and the Federal Government in refusing to recognize and regulate gambling. This policy of keeping gambling illegal and safe for gangland financiers who use gambling revenues for all depths and shades of vice has made the governments in Albany and Washington joint fingers on the dope needle plunger. The vast revenues of New York gangland gambling may well be buying their own protection at untold cost to our political system—and to the morals of the State of New York. As far as I am concerned, the State and Federal Governments are partners in immorality by blatant nonfeasance.

I urge the Members of Congress to call for an end to hypocrisy. I urge them to seek an end to this indirect State and Federal partnership in prostitution, dope, and vice. We need Government controlled and regulated gambling, and tomorrow is not too soon.

DESPERATE CRISIS OF CALIFORNIA FARMERS

Mr. UTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. UTT. Mr. Speaker, I take this opportunity to call the attention of the Members of the House to the desperate crisis faced by the small specialty crop farmers of California. Millions of dollars' worth of strawberries and other specialty crops are rotting and being plowed under. The situation has reached catastrophic proportions. Agriculture is California's largest industry, and California economy will suffer at least a billion-dollar loss in 1965 due to the inability of the farmer to secure labor to harvest his crops. In one small area, 40,000 crates of strawberries will rot on the vine each day. In my own district the daily losses are greater. It costs $2,500 to produce 1 acre of strawberries, so for each 20 acres of strawberries there is a $50,000 loss to the farmer.

There are also indirect losses suffered by the canners, packers, truckers, and manufacturers of containers. Last year the labor costs of one of the growers in my district were $250,000; $90,000 of which paid for braceros, and $160,000 was paid to American workmen. There will be no such payroll this year.

I have done all that I can to get relief from Secretary Wirtz and from Governor Brown. Secretary Wirtz does not even acknowledged my telegrams. I have proposed the following remedies:

First. I have requested President Johnson to declare the agricultural areas of California as disaster areas and to transfer $1 billion from the unexpended, unobligated funds in the foreign aid account, to be made available to the small farmers and workers in California who have suffered losses because of this manmade disaster. I have further requested the President to dismiss Secretary Wirtz because of his inept handling of the farm labor situation. After promising sufficient labor, he induced the farmer to plant, and then deserted him at harvesttime.

Second. I have requested the four State legislators from my district to file impeachment proceedings against Governor Brown for criminal neglect and criminal waste of food.

I have here pictures of rotting strawberries, and of a farmer plowing up his strawberry patch. This condition also exists in asparagus, and other needed agricultural products. Again, I say, this is a manmade catastrophe, but it is just as deadly as a tornado, an earthquake, or a flood, and could have been avoided by an administration with a heart.

AGRICULTURAL DISASTER IN CALIFORNIA

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, I most heartily endorse the remarks just made by my colleague, the gentleman from California [Mr. Utt], and compliment him for stating them so forthrightly and forcefully. We do have an agricultural disaster in California. It is a disaster that has been imposed upon us from Washington, because the agricultural policies of this administration have neglected, overlooked, and actively moved to hurt the farmers of California rather than help them. This Government which annually spends billions and billions and billions of dollars of the American people's money supposedly to help farmers spends other money to impose disaster and distress upon the farmers of California.

I ask you, what can this administration be thinking of?

OAS MILITARY ORGANIZATION

Mr. GROVER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GROVER. Mr. Speaker, the startling and dangerous developments in the Dominican Republic should come as no surprise to us. Repeated warnings of Communist designs on Central and South America have been heard from all corners of our land, and in fact have been made frequently by Members of this House.

If there is any doubt about intended takeover by Castro and his guerrilla murders, let us dispel it. The very nature of the neo-colonialism of communism is that it feeds on the subversion it breeds in others. A Castro contained is a Castro ultimately destroyed.

But we have closed our eyes to the obvious and buried our heads in the sands of a vain hope that he would go away—or maybe he just was really not there.

Our policy has been too easy on Castro—a sort of quasi-coexistence.

We should have insisted on on-site inspection when it would have been acquiesced.

We should have directed the Russians out.

We should have placed Dr. Castro back in his mountain cave, or better, in his own political prison.

Mr. Speaker, there is still time. In a recent visit with a former Cuban President, Manuel Urritia, I was advised that 95 percent of the Cuban people despise Castro. The free Cubans and captive Cubans need help against the Red Cubans. There is still time, but time is running out.

I suggest that the 30 free Cuba associations in this country be aided, guided, and consulted and coordinated; that a free Cuba radio be supported and that a positive plan be developed to have their voices heard and their influence felt inside and outside Cuba.

In addition, Mr. Speaker, I am introducing a resolution expressing the sense of Congress that the OAS create immediately an Organization of American States Military Command.

Our President acted with forthrightness and courage in the Dominican Republic incident and breathed new life into the Monroe Doctrine.

Let us now take the further and necessary step for cooperative military security as we did with NATO and SEATO, to forestall further intrusion of Communist or other malevolent foreign influences into our hemisphere.

The text of my resolution follows:

H. Res. 382

Resolution expressing the sense of the House of Representatives that the Organization of American States should create its own military organization

Resolved, That the Organization of American States needs military strength to properly carry out its hemisphere duties, therefore it is the sense of the House of Representatives that the Organization of American States forthwith should create a permanent military organization which could be known as the Organization of American States Military Command, and could provide that each member state contribute military units to the extent feasible, with each such unit remaining under the immediate command of a national of the contributing state, subject to the overall command of the Organization of American States Military Command.

DENIAL OF FREEDOM OF SPEECH TO W. AVERELL HARRIMAN

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. RONCALIO. Mr. Speaker, our country is presently embroiled in trying conflicts in Vietnam and, more recently, the Dominican Republic, that require perseverance, patience, and clearness of mind.

When representatives of our Government seek to supply information on these situations, it is in the best interests of every American to grant the freedom of speech we all cherish to those who would provide this information.

When a distinguished public servant of the stature of W. Averell Harriman is driven from a stage by intemperate outbursts, then this right is denied and damages all who seek a better understanding of these difficult questions.

Mr. Harriman went to Cornell University last night in the hope of presenting some degree of insight into the policies our Government is pursuing. These are necessary and proper policies.

He had only recently returned from a successful tour of South American capitals where neighboring diplomats courteously accorded him an opportunity to discuss the Dominican crisis.

It is a sad footnote to his admirable efforts that it was in his own country he is denied an opportunity to enter into the same sort of discussion.

On the same day, Mr. Turner B. Shelton, of the State Department, who addressed students of Adelphi and Hofstra Universities, was interrupted by a student who accused the United States of trying to evoke "same old emotionalism that got us into World War II." This charge was greeted by wild cheers and applause. By a rudeness and lack of manners they do a shocking damage to their own cause. Manners and knowledge make man. The shocking facts are these audiences displayed neither.

Mr. Shelton's answer is one that deserves repetition. He said that problems such as policy in Vietnam could not be dealt with through emotionalism.

This, Mr. Speaker, is precisely the point in question. By making available to our Nation's universities, men versed in these problems, our State Department is trying to combat this emotionalism with the authoritative facts.

I am not questioning the rights of students or instructors to criticize our policies; rather, I welcome their comments. But surely the dictates of common courtesy and freedom of speech require that these "teach-ins" be conducted without the useless arrogance and thoughtless discourtesy that was displayed in these two instances.

Mr. Harriman is scheduled to speak at the University of Ohio today, and I know I echo the sentiments of all Americans who desire a reasonable approach to issues of foreign policy when I say that I hope his remarks are met with a sensible spirit of mutual understanding and respect that can best lead to an enlightened exchange of viewpoints.

AGRICULTURAL LABOR REFORM ACT OF 1965

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I am today introducing a bill directed at improving the wages, hours, and working conditions of the most lamented, but neglected, citizens of the United States—the American farm laborer.

The short title of my bill is the Agricultural Labor Reform Act of 1965. I consider it to be a bill of rights for American farmworkers.

In the midst of fantastic abundance this group of laborers has lagged so far behind that an examination of their working and living conditions would turn the stomach of the average American.

Within the last 5 years much has been done in an attempt to improve the lot of these people. We have seen the enactment of the war on poverty program with significant features directed toward alleviating the hardships confronting farmworkers. We have enacted the Migrant Health Act and the Farm Labor Contractor Registration Act. And the Congress has allowed the expiration of Public Law 78, hopefully terminating the adverse impact that foreign labor has had upon domestic labor.

However, despite recent progress, much remains to be accomplished. There is no reason whatsoever for the continuation of second-class citizenship for agricultural employees. These men, women, and children are entitled to equal protection of the laws. It is their right to be protected equally by the provisions of the Fair Labor Standards Act and the National Labor Relations Act. The illusion that there are no sweatshops under the blue skies is false. Itinerant farmworkers are frequently laboring under conditions akin to that provided for farm animals. This must be changed.

I am including at this point in my comments excerpted remarks from an article entitled "Slaves for Rent," by Truman Moore, which appears in the May 1965 issue of the Atlantic, page 109. I commend the entire article to my colleagues:

SLAVES FOR RENT—THE SHAME OF AMERICAN FARMING

(Truman Moore, a 29-year-old freelance writer-photographer, a graduate of the University of North Carolina, spent 4 years traveling the migrant streams and talking with growers, union officials, ministers, social workers, and the migrants themselves. The article following is drawn from his book "The Slaves We Rent," which Random House will publish later this month.)

(By Truman Moore)

Each year when the harvest begins, thousands of buses haul thousands of crews to fields across America as millions of migrant workers hit the road. They ride in flatbed trucks or old condemned school buses patched together for just one more season. They go by car: Hudson bombers with engines knocking, laying a smokescreen of oil; prewar Fords packed with bags, bundles, pots and pans, children crying. They go in pickups made into mobile tents—a home for the season.

Into all these fields, through State after State, the migrants cut a footpath across America. But in spite of their mobility, the migrants are shut off in their own world. Migrant America is a network of side roads, of farm towns and labor camps and riverbanks, of fields and packingsheds. The host community sees them not as a potential payroll but as a blight to the community's health and a threat to the relief rolls.

Across America there are tens of thousands of migrant camps. They are in the valleys and in the fields, on the edges of cities and towns. Some are half deserted. Some are behind barbed wire and even patrolled by armed guards.

You can drive from New York to California and never see a migrant camp. You have to know where to look. To borrow a popular analogy, a tar-paper curtain separates the migrants from the rest of America.

Inspectors from the Department of Labor find children working illegally on 60 percent of the farms they inspect. No one really knows how many migrant children there are. Estimates run from 100,000 to 600,000. The most frequently used figure is 150,000. One survey in the olive groves of California showed that nearly three-fourths of the workers were children. An Oregon survey showed the importance of child's labor to the family. There the average migrant worker earned $32 a week during the weeks he worked. But his wife and children together earned $48. In some crops women and children do more than half the harvest work.

Children have worked on farms since the first farmer had a son, and it has always been considered part of the rural way of life. But there is a difference between the farmer's boy doing his chores and the migrant child topping onions and digging potatoes. The two are blurred together in the minds of people outside agriculture.

Under the blue skies of Idaho, a 12-year-old girl got her ponytail caught in a potato-digging machine. It ripped off her scalp, ears, eyelids, and cheeks. She died shortly afterward in a hospital. On a farm in California, a 10-year-old girl came back from the fields exhausted from a day's work. She fell asleep on a pile of burlap bags as she waited for her parents. As other workers returned from the fields, they tossed the empty bags on the stack, and the little girl was soon covered up. A 2-ton truck backed across the pile and drove off. They did not find her body until the next day.

If children were mangled in steel mills, there would be a storm of public protest. But death and injury on the mechanized farms seem to pass unnoticed. Under the blue sky of the farm factory is no place for little children. Agriculture is one of the three most hazardous industries. In California alone, more than 500 agricultural workers under the age of 18 are seriously injured every year.

The migrants who follow the harvest are the only people in America who are desperate enough for this work to take it. Their children will be another generation of wanderers, lost to themselves and to the Nation.

Today, the important farms, as units of production, are more like factories. Great cultivators and harvesting machines lumber through endless fields. Gangs of workers bring in the harvest.

The importance of making the distinction between the big farm and the little farm—between the homestead and the factory in the field—is essential to the story of migrant labor. To begin with, the family farmer and the migrant worker are in the same sinking boat. The family farm, while providing an income and a place to live, no longer contributes significantly to America's food production.

If the earth suddenly swallowed up a million and a half small family farms in America—nearly half the total number—food production would drop by only 5 percent. Half of our food is produced by only 9 percent of the farms. These highly mechanized, capitalized, and integrated companies use most of the seasonal labor. Only a relatively few big growers (5 percent of the total number) use more than $2,000 worth of labor a year. The real giants—the top 3 percent—hire more than a third of all farm labor.

Until this year the commercial farms have been allowed to draw on the pools of cheap labor from other countries, principally Mexico. The presence of hundreds of thousands of foreign workers has naturally disrupted the domestic labor market, resulting in low wages and poor working conditions. The family farmer, who hires little outside help, has to value his and his family's labor at no more than the commercial farmer pays for gang labor.

The farm of the classic rural tradition, the family farm, required little outside labor. A hired man or two were enough on the bigger farm for most of the year. And at planting or harvest, neighboring farm families joined together and did the work, going from farm to farm.

While manufacturers adjusted to the industrial revolution early, agriculture was able to win exemption from most of the social legislation passed since the turn of the century. Agriculture has grown from a society, or way of life, into a complex food industry without coming to terms with its labor force.

The commercial farm has never adjusted to the realities of modern labor conditions or wages. Furthermore, the modern commercial farmer holds on to the idea that he somehow has a God-given right to unlimited cheap labor. Never has he had to enter the labor market and make serious efforts to attract farm labor. If anything characterizes the history of the seasonal farmworker, it is this—fate, through famine or depression, war or revolution, has time and again delivered to the commercial grower an ample supply of cheap and docile labor.

Over the years growers have shown a decided preference for foreign farmworkers. The reasons are many. The foreigner many times does not speak English. He is uninformed about his rights and in a poor position to defend them if they are violated. He is willing to work for less and under poorer conditions. Imported farmworkers are always single males. Housing and transportation are simpler. And when the farmer has done with them, they can be shipped back where they came from. And if any of them make trouble, they can be shipped home a little early.

Shortage of workers amid mass unemployment; foreign workers in record numbers while American workers can't find jobs—these are longstanding contradictions in farm labor. Growers say they can't find workers. Workers say they can't find jobs. Part of the answer lies in the definition of the terms. A shortage of labor exists for many growers when they don't have more than twice the number of workers they can get by with. Extra hands keep the wages down and the union out. The workers' idea of the proper labor supply is when he can choose between jobs and take the one that pays the most.

The marketing of agriculture products needs a thorough investigation. In many cases neither the grower nor the worker is getting a fair shake. Tomatoes grown in McAllen, Tex., and sold in Denver, for instance, produced a net income to the grower of $68.85 per acre. But the consumers paid $9,600 for this acre of tomatoes. Only a small fraction of retail food prices reflect farm crop prices. And a much smaller fraction represents harvesting wages.

There is room here for fair profits to growers and honest wages to workers. What the harvesters need is the dignity of work done under conditions meant for farmworkers, not farm animals. The issues that are fought over are cabin space, hot water, and piece rates, but the real issues are basic human rights and fair play. The migrant doesn't want charity or handouts. He wants a chance, a start, to build his strength and manage his own life.

The wages paid harvest labor constitute a tiny fraction of the retail cost of food. In many cases, an increase in wages as much as 100 percent would barely affect the retail price. The price to consumers of eliminating migrant poverty is measured in pennies.

Legislation designed to help migrant labor is urgently needed. In 1964 a number of bills were enacted which will help States improve migrant education, expand the restrictions on child labor, provide some new day-care centers for children, and help farmers provide field sanitation. Congress could, if it would, establish a minimum wage for migratory workers, improve the methods of recruiting, training, transporting, and distributing farmworkers, and extend the National Labor Relations Act to cover agriculture.

The ingrained poverty and underemployment that exist among the seasonal farmworkers will be difficult to eliminate. Our agricultural system has made harvest work shameful. It has made the welfare check often more honorable than harvest work. It has made pride and satisfaction impossible. No man goes into a field to harvest crops if there is any other choice open to him. The new laws passed in 1964 do not constitute a complete solution. But they would make a start.

The valleys of California and Arizona and the suburbs of the Middle West are filled with the cabin slums of Mexican-Americans, Negroes, and poor whites trying to settle down. After a few years a migrant who cannot escape the stream is broken by it. The poverty, anxiety, homelessness, and isolation wear away his spirit. It is this apathy that is often called acceptance and makes people say, "They like things that way."

Few urban Americans have any awareness of this vast impoverished army that tramps through their country to bring the crops in from the fields. It cannot be seen except as a broken-down car or bus here, a truck there, a ragged crew working somewhere off in a field.

But the harvest cycle yields its own fruits: ignorance, poverty, death, and despair. Until we see the connection between migrancy—the corpses piled up on the roadway, the children left to the darkness of ignorance and illiteracy, the despairing, destitute families groping for a way to live—and the bountiful supply of fruits and vegetables on every corner fruit stand or in every supermarket, no changes will come. Without this understanding, no war on poverty can hope to win more than a few skirmishes.

Mr. Speaker, a brief description of the Agricultural Labor Reform Act of 1965 follows:

TITLE I

This title would establish a Federal minimum wage for agricultural employees by amending the Fair Labor Standards Act. The minimum wage would escalate from $1 an hour to the industrial minimum wage (presently $1.25) over a 3- or 4-year period. The piece-rate system would not be altered, but it would have to yield actual wages equal to the minimum hourly wage.

Employees performing hired farm labor for an employer who used more than 300 man-days of hired farm labor in any one of the four preceding calendar quarters would be covered by the minimum wage provisions of the act. The coverage test would apply the minimum wage requirements to farm enterprises using approximately four or five full-time employees during a calendar quarter. It is estimated that this would provide a minimum wage for over 750,000 farm employees.

The minimum wage would not apply to members of the employer's immediate family, sharecroppers, or members of sharecroppers' immediate families working on or in connection with the sharecroppers' tracts of land.

TITLE II

This title would allow a child to work in agriculture outside of regular school hours or during vacation only if (1) he is 14 years of age or older or (2) he is between 12 and 14 and commutes daily not more than 25 miles from his permanent residence and either has the written consent of his parents or his parent is employed on the same farm.

The Secretary of Labor would be authorized to issue regulations barring children below age 18 from working on particularly hazardous farm operations.

No restrictions are imposed on the employment of children working for their parents on a home farm.

TITLE III

This title would extend collective bargaining rights to agricultural employees.

TITLE IV

This title would amend the Wagner-Peyser Act to provide a voluntary farm placement program which would supplement the present Federal-State placement procedures. This title is designed to provide fuller employment to farm laborers and to assure growers that sufficient qualified workers will be available to them. Workers recruited under this program and their employers would enter into written contracts which make applicable to the domestic worker some of the same employment conditions that have long been assured to foreign contract labor.

TITLE V

This title provides for a National Advisory Council on Migratory Labor, composed of 15 members appointed by the President. The life of the Council would expire after 5 years. The Council would have the duty of advising the President and the Congress with respect to the operation of Federal laws, regulations, programs, and policies relating to migratory agricultural labor. The Council would also consider and evaluate the problems relating to migratory agricultural labor with a view to devising plans and making recommendations for the establishment of policies and programs designed to meet such problems effectively. In addition, it would submit an annual comprehensive report of its findings and recommendations to the Secretary of Labor for transmission by him to the President and to the Congress.

THE CONSUMER IS ENTITLED TO COMPETITION—NOT CARTELIZATION

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, recently members of the International Air Transport Association entered into an agreement to ban inflight movies and other flight entertainment. This agreement is presently before the Civil Aeronautics Board for its consideration and possible approval. If the Board approves the agreement this will provide the members of IATA with immunity from the consequences of violation of the antitrust laws.

It is contended by some that the American members of IATA succumbed to coercion in agreeing to the "packaging" of the inflight entertainment agreement with certain rate agreements, the purpose of which is to prevent rate wars.

Such an agreement bodes ill for the American consumer, or at least that portion of our consumers who are fortunate enough to be flying this year to foreign lands for their vacation, together with those whose business requires them to use international air transportation.

The great driving force of our free enterprise system is competition. It is competition which provides benefits for the consumer in terms of price, service, and innovation. Whether one cares for movies while traveling by air is not the point. Actually, what has happened is that competition has virtually ceased in international commercial flights. The size of the seat, the amount of legroom, the number of calories in a sandwich, and many other details have become standardized by agreement. This fact is clearly demonstrated in the advertising of one leading airline which says, "All airlines are alike. Only people make them different."

Fortunately this matter has drawn attention from a wide variety of sources. The Wall Street Journal, for instance, in an editorial contained in the May 3 edition sharply criticized this move. I ask unanimous consent that the editorial be inserted at this point in the RECORD.

[From the Wall Street Journal, May 3, 1965]

MOVIES AND MEALS IN THE SKY

It may well be true, as the chairman of a major airline said recently, that "no one ever bought an airline ticket to see a movie." If so, it is equally true that no one ever rode an airliner merely to savor a multicourse, chef-prepared meal. The fact is, however, that many air travelers do enjoy both movies and fancy meals in the sky.

This situation will be changed somewhat if the International Air Transport Association succeeds in a current campaign. IATA, the cartel-like assemblage of 93 international airlines, is eager to bar "visual entertainment," such as movies, from all international flights. Though Washington's Civil Aeronautics Board has refused to go along with an antimovie mandate, right now anyway, there are indications IATA regards the setback as only temporary.

IATA is not critical of the cinema as such—only its cost. Most of its members are Government-owned and operated, many of them with the inefficiency that somehow so often infects such enterprises. For them, keeping the customers entertained on high means deeper operating deficits.

So why don't the unprofitable lines merely toss out their own movie screens? Well, it seems that some airlines, notably the U.S. carriers such as Pan American and Trans World Airlines, can make money while showing movies. And though few people may catch the early morning flight to Istanbul just to take in "Topkapi," IATA's money-losers don't want to take the competitive risk.

It's all reminiscent of the great "sandwich war" that raged on transatlantic air routes a few years ago. In a similar economy move, the airlines got together and agreed to serve only sandwiches instead of the elaborate meals they had been offering, complete with choice of wines.

Pretty soon it became clear to everybody that the customers simply were not intrigued by a couple of slivers of ham between slices of bread. In due course the sandwiches became so big and fancy, and the whole business so absurd, that the deluxe dinners were reinstated.

Things might not work out that way this time. But before the airlines again clamp down on customer comforts, they might at least reflect that now and then competition can confound even the coziest of cartels.

Additionally, the Hon. William H. Orrick, Jr., Assistant Attorney General in charge of the Antitrust Division, on the same day filed comments with the Civil Aeronautics Board. This memorandum cogently and incisively sets forth a number of compelling arguments against the approval of the agreement. I ask unanimous consent that this memorandum be inserted in the RECORD at the conclusion of these remarks.

Because of the predominance of small business firms in the in-flight entertainment industry, my Small Business Subcommittee has been studying this matter with great interest. On April 27, I wrote to the Chairman of the Civil Aeronautics Board informing him of our interest in this matter and asking certain questions. I ask unanimous consent that the contents of the letter be inserted in the RECORD at this point.

APRIL 27, 1965.

HON. ALAN S. BOYD,
Chairman, Civil Aeronautics Board,
Washington, D.C.

DEAR MR. CHAIRMAN: It has come to my attention through recent accounts in the press that the Civil Aeronautics Board has been presented with the problems arising from the recent agreement between the members of the International Air Transport Association to ban the use of visual in-flight entertainment. As I understand, domestic carriers are also considering whether to enter such an agreement.

I note from order No. E22049 issued by your agency on April 16, 1965, that dates have been set for the submission of comments in order to expedite your consideration of the agreement.

Because of the potential impact that would result upon the small businesses concerned, this subcommittee is closely studying this entire matter as a possible subject for a hearing in the near future. In line with this, it would be most helpful, if you could supply me with answers to the following questions:

1. Are provisions being made for a hearing which would afford interested parties adequate opportunity for cross-examination?

2. Are provisions being made for the issuance of subpenas duces tecum upon the request of interested parties?

3. An agreement to eliminate in-flight visual entertainment would appear to be an agreement not to compete in a particular way. Are there currently operative within the air transportation industry similar agreements as to other methods of nonprice competition covering such items as food, liquor, cigarettes, etc?

It would be most appreciated if I might be supplied with a copy of all public documents issued by the Board in conjunction with the IATA agreement and such justifications for the agreement as may be filed by IATA members.

Sincerely yours,

JAMES ROOSEVELT,
Chairman, Subcommittee on Distribution.

It is my hope that the Board will give consideration to the numerous points raised by the Department of Justice in its memorandum and disapprove the agreement. By so doing, they will have acted in behalf of the American consumer and for the preservation of competition.

COMMENTS OF THE U.S. DEPARTMENT OF JUSTICE ON AGREEMENTS CAB 18268, 18269, AND 18273

This memorandum sets forth the comments of the U.S. Department of Justice on Agreements CAB 18268, 18269, and 18273, filed for Board approval under section 412 of the Federal Aviation Act (docket No. 16065).

On the basis of information furnished the Board to date by the parties to these agreements and by others, the Department is of the opinion that the agreements must be disapproved by the Board as antithetical to antitrust principles and without any demonstrated redeeming public benefits. We note, moreover, that assertions have been made concerning events leading to the adoption of these agreements which raise serious questions about the compatibility of the private International Air Transport Association (IATA) regulatory system with the public interest of the United States and indicate a need for close scrutiny of these agreements by the Board upon an evidentiary record. Indeed, in the light of developments of the past several years, we submit that the entire concept of IATA conference machinery and Board approval thereof could profitably be reexamined.

I

Agreements CAB 18268 and 18269 embody a number of IATA resolutions which would—with certain exceptions—ban all visual inflight entertainment and establish the same fares as existed prior to April 1, 1965. Interrelated is Agreement CAB 18273, whereby TWA, Pan American and 15 other scheduled transatlantic carriers would reimburse TWA up to a total of $600,000 in proportionate shares for payments which TWA might have to make to Inflight Motion Pictures, Inc., under the present TWA-Inflight contract. In addition, the airlines would indemnify each other without dollar limit with respect to any claim by Inflight for damages related to the TWA contract or to other activity.

These proposals, filed on April 9 and 12, 1965, provide that unless they are approved by all interested governments on or before April 27, 1965, they shall be deemed void in every respect, the in-flight entertainment ban, the indemnity agreement, and the transatlantic fares.

Simply stated, what the Board is being asked to approve is an agreement among the world's international air carriers to eradicate one form of passenger service, in-flight visual entertainment, and thus necessarily to refuse to deal with an identifiable group of suppliers of this commodity.[1] Because of the participation of American companies and the direct and substantial impact that these agreements have upon the foreign commerce of the United States,[2] there can be no doubt that without CAB immunization, the IATA agreements and resolutions would be per se violations of the Sherman Act. Since at least 1941, when a unanimous Supreme Court labeled a trade association "in reality an extragovernmental agency, which prescribed rules for the regulation and restraint of interstate commerce, and provides extrajudicial tribunals for determination and punishment of violations, and thus 'trenches upon the power of the national legislature and violates the statute' * * *."[3] The illegality of private efforts at industry economic regulation has been clear. Recent cases have further established the per se illegality of all such arrangements: *Northern Pacific Railway Co.* v. *United States,* 356 U.S. 1 (1958); *Radiant Burners Inc.* v. *Peoples Gas Light & Coke Co.,* 364 U.S. 656 (1961). "Group boycotts, or concerted refusals by traders to deal with other traders, have long been held to be in the forbidden category." *Klor's* v. *Broadway Hale Stores,* 359 U.S. 207 (1959). In the *IATA Credit Agreements* case, 30 CAB 1553 (1960), the Board disapproved IATA resolutions limiting the use of credit cards. There the Board said (p. 1555):

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[1] Although the issue will not be analyzed here, it should be noted that approval of an indemnification agreement such as Agreement CAB 18273 does not seem to be contemplated by sec. 142. The pooling of losses there specified logically refers only to operating losses.

"Fundamentally, the resolutions amount to boycotts of outside credit plans; as such, they are per se violations of the Sherman and Clayton Acts and the reasonableness of the restraints is therefore irrelevant." *Fashion Guild* v. *Trade Commission,* 312 U.S. 457 (1941); *Associated Press* v. *United States,* 326 U.S. 1 (1945).

In the past, when asked to approve agreements which would otherwise be "in the forbidden category," the Board has followed the guidelines of the Federal Aviation Act[4] by applying the test set forth in the Local Cartage Agreement case.[5] That test, frequently reaffirmed, precludes approval of agreements "repugnant to established antitrust principles * * * unless there is a clear showing that the agreement is required by a serious transportation need, or in order to secure important public benefits." Although some IATA agreements repugnant to antitrust principles have been approved, this was done only because, as pointed out in the North Atlantic Tourist Commissions case, 16 CAB 225, 226–27 (1952), it was recognized:

"That such agreements among these carriers are necessary to deflect their competitive efforts into channels serving the public interest; namely, striving to provide the traveling public with the best quality and dependability of service and equipment possible in relation to the fare charged."

II

Not only has there been no showing of a serious transportation need or important public benefits made as to the instant agreements, it is also becoming increasingly clear that attempts of the Board to "deflect" carriers into competitive efforts beneficial to the public are being met with a methodical elimination by IATA of all forms of competition in international air travel.[6]

This assault on nonprice competition ought not really to have been unanticipated. In his dissent to the original CAB approval of the IATA machinery, Member Lee noted the fate of the railroads and cited their "agreement to prevent installation of air-conditioning equipment" as "another illustration of what may be expected to happen in the aviation industry unless it is kept alert by competition." IATA traffic conference resolution, 6 CAB 639, 651 (1946). His prediction has been amply borne out. As soon as a carrier contrives better to serve the public under the existing IATA rates (which, because they are set high to protect the inefficient, allow the more efficient operators to seek nonprice methods of competition to increase their volume and profits), IATA moves to control such competitive efforts. Thus, carrier relationships with travel agents are carefully regulated. Advertising is rigidly controlled. Seat measurements and leg space are legislated. Outside sources of passenger credit would be boycotted.[7] Now motion pictures have become popular enough to be banned. Sic semper IATA.[8]

III

The carriers have two stock arguments as to why agreements such as the ban on inflight entertainment should be approved, as exemplified by the joint letter of Pan American and TWA to the Board, dated April 13, 1965. First they maintain that since the practices in question do not lead to an increase in traffic, they serve only to shift business from one carrier to another. A corollary to this claim is that if all carriers adopt the practice it would merely be an added expense which they cannot afford and which would ultimately lead to a fare increase. With regard to the last point, the Board need only refer to the recent substantial earnings of our international carriers on foreign routes. As pointed out in testimony before the House Aviation Subcommittee on April 28, 1965, the carriers' profits, though not labeled exorbitant, were classified as approaching that level. The argument that no new traffic is generated by in-flight entertainment was answered by the Board in the IATA credit agreements case where it was also claimed that "the additional costs of outside credit card plans would be substantial" and that "outside plans would not generate additional traffic." The Board held:

"After carefully considering the available information, the Board has concluded that the resolutions, unless approved, would violate existing antitrust laws in the manner described in the order of tentative disapproval. The carriers apparently have misconceived the thrust of the original order. The findings of possible restraints of trade rested, not upon an assumption that outside credit plans would generate new traffic, but on a conviction that all parties concerned should be free from coercive attempts to prevent them from competing for existing business and developing new traffic. Fundamentally, the resolutions amount to boycotts of outside credit plans; as such, they are per se violations of the Sherman and Clayton Acts and the reasonableness of the restraints is therefore irrelevant. *Fashion Guild* v. *Trade Comm'n.,* 312 U.S. 457 (1941); *Associated Press* v. *United States,* 326 U.S. 1 (1945). Since these agreements violate the antitrust laws, they should not be approved unless their proponents have made a clear showing of the need for approval to fill serious transportation need or secure important public benefits. No such showing has been made, nor do we otherwise know of any.

"It follows, from the cases cited above that, regardless of whether outside credit companies will generate new traffic, they should not be prevented by concerted carrier action, from attempting to do so unless that attempt will work serious harm to air transportation. For this reason, the Board will deny the carriers' request for an evidentiary hearing in which to attempt to show that outside credit plans will not generate new traffic. To justify approval of these resolutions, their proponents must show more than a mere lack of benefit from competing credit plans" (30 CAB 1553, 1555 (1960)).

The second oft-repeated argument advanced in seeking Board approval is that disapproval would threaten the entire international rate structure. The imagined horribles of an "open" rate situation are trotted out and vague references are made to the possibility that foreign governments might be annoyed by such a situation. In its original approval of IATA, the Board clearly envisioned these eventualities when it said:

"Our approval of the resolution therefore assumes that after conference procedures have been complied with, an open rate may, and indeed should, exist if the rate proposals advanced at any conference are unreasonable or economically unsound and are not properly related to the reasonably attainable costs of the air carriers" (6 CAB 645).

In the instant case, the carriers assured themselves that the open rate threat would be available by tying the rate agreements to approval of the in-flight entertainment ban. Whatever justification may exist for continuation of the rate agreements, we urge that service agreements be made to stand, or fall, on their own merits and not be brought under the rate umbrella. The Board has noted before that:

"In those situations where competition has been found necessary and has been provided by granting competing routes to other carriers, the Board should be most reluctant to approve actions which would limit competition without compensating benefits to the users, for such approval would defeat the purposes of establishing competing routes. And when such matters involve foreign air transportation, as do the resolutions under consideration, the Board should be even more concerned with the possibility of limiting competition. Since the Board has no direct control over the rates to be charged or the standards of service to be rendered in foreign air transportation, as it has in the case of domestic air transportation, competition in lieu thereof is the only means of fostering improvement of services which is not otherwise likely to be accomplished" (12 CAB 509).

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[2] There is some indication that visual inflight entertainment in the U.S. domestic market was also brought into the IATA negotiations and that some U.S. carriers may have commitments with respect to in-flight entertainment in domestic air transportation. See "Aviation Week" and "Space Technology," Mar. 8, 1965, p. 26, col. 2.

[3] *Fashion Originators' Guild* v. *Federal Trade Commission,* 312 U.S. 457, 466 (1941).

[4] 49 U.S.C. 1302.

"The encouragement of constructive competition is of greatest importance to maintain a properly balanced system of air transportation. It represents the economic philosophy underlying the antitrust acts and, under the mandate of Congress, a factor to be considered in the public interest." IATA agency resolution proceeding, 12 CAB 493, 509 (1951).

[5] 15 CAB 850, 853 (1952).

[6] In recent advertisements, one of the leading transatlantic carriers, pointing to the identity of rates and similarity of service among the carriers, epitomized the state of IATA-regulated competition when it proclaimed: "All airlines are alike. Only people make them different."

[7] IATA credit agreements, 30 CAB 1553 (1960).

[8] Despite this record, IATA blandly asserts that its members are free to compete in service to the passenger.

"Sir William. They cannot compete on rates, sir. But they can compete on all other things, like stewarding and food, and all of the characteristics of the service.

"No, they cannot compete on rates. The governments decided, 55 of them, that rate wars, which are the most desperate and shabby things of the last century, should not start in this industry, and they are not going to. There are going to be, I am sure, fixed and uniform rates, and the competition will be in other directions." (Testimony of Sir William Hildred, Director-General of IATA. Hearings Before Antitrust Subcommittee of the House Committee on the Judiciary, Monopoly Problems in Regulated Industries, 84th Cong., 1st sess., pt. I, vol. 2, at 1070 (1957).)

The carriers gave similar assurances "that with equalized rates all carriers would direct their competitive efforts toward service competition * * *" in the IATA agency resolutions proceeding, supra note 4, at 508.

We realize that disapproval of the entertainment agreements may well result in an open rate situation, but we do not subscribe to the belief that this eventuality would necessarily prejudice the public interest. It seems elementary that if the airlines can obtain approval of an otherwise objectionable anticompetitive agreement simply by raising the spectre of "open rates," they have truly been given a carte[1] blanche.

The United States has reluctantly gone along with the IATA form of private regulation of public utilities since 1946 simply because it has been considered the lesser of several evils. The efforts of the CAB to keep abreast of IATA developments have been met largely with intransigence. The Board has repeatedly been denied information it seeks, and needs, intelligently to evaluate IATA activities.[9] U.S.-flag carriers who are IATA members have at times not only opposed CAB policies within IATA but have on occasion led this opposition.[10] The annual date set by IATA for expiration of rate agreements, April 1, is so fixed as to allow increased pressure to be brought upon the Board for approval, so that an open rate situation should not exist and "wreck" the high season.

IV

At the time the Board approved the basic IATA ratemaking system the fact that conference action required unanimous consent by the carriers was considered of great importance.[11] It was stressed that this veto power would "preserve the right of any carrier to take independent action" and the Board warned that "the right of independent action of any carriers * * * must be scrupulously preserved."[12] Of course, if threats and other forms of coercion are used to obtain "agreement" the right of independent action becomes an empty shell. Charges of threats and coercion have been made in this proceeding and for this reason, in addition to those enumerated above, we urge the Board to hold a hearing where subpenaed documents, testimony and the right to cross-examination might shed light upon the forces that produced the agreements in question.

IATA has repeatedly charged that the Board, in its efforts to protect the interests of the American public, is unilaterally attempting to regulate international air transportation, thus infringing upon the sovereignty of other nations. But as a practical matter, because foreign air carriers are so frequently dominated by their government, the United States is the only Government with no voice in IATA policy. Our Government is typically presented with a "take it or leave it, but hurry up about it" alternative every year. This year, a clear-cut threat to the existence of service competition is proposed for Board approval.

V

Finally, we observe that the impact of the instant IATA agreements is not limited to the air transport industry. Their impact would fall heavily—even disastrously—upon firms outside the airline industry which have pioneered in providing a service to airplane passengers which apparently has achieved wide acceptance. The question of retention of this service has implications not only for this young and growing industry, but for the electronics and motion picture industries as well. Aside from the issue of what the traveling public may desire, we do not believe that the Board can adequately inform itself as to all the ramifications of the carriers' proposals, much less insure due process for persons whose businesses or property may be injured thereby, without holding a full evidentiary hearing on their merits.

CONCLUSION

We strongly urge the Board to hold a full evidentiary hearing on these proposed agreements. If the Board does not do this, it should, on the basis of the data which has been put before it in support of the request for approval, disapprove the agreements.

IMPENDING STATE VISIT OF PRESIDENT CHUNG HEE PARK

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. ZABLOCKI] is recognized for 30 minutes.

Mr. ZABLOCKI. Mr. Speaker, I would like to take note at this time of the approaching arrival in the United States of President Chung Hee Park of the Republic of Korea. President Park's state visit to the United States is a significant occasion, marking for all of us the particularly warm and close relations that have developed over the past years between the Republic of Korea and the United States. This relationship, as close as any existing in the world today, is particularly noteworthy for its development into a partnership of increasing mutual trust and assistance.

It is less than 20 years since the end of World War II enabled Korea to commence its reentry into the community of nations. It is less than 17 years since the Republic of Korea was born under United Nations mandate in the face of Communist hostility, and less than 15 years since the Communist attack from the North roused the United Nations to Korea's defense.

The war in Korea brought sorrow to people in many nations—in Korea, in the United States, and in the 15 other countries whose young men fought and died in the defense of freedom. The war also brought to the United States a new awareness of the need to be strong for the sake of peace. It brought to the Communists the realization that the free world would fight rather than give up freedom. And it brought to the people of the United States and Korea the knowledge that they were bound together by bonds of freedom and mutual sacrifice.

Many things have changed in the world since the Korean war. Some of these changes have been for the better, others for the worse. But the changes we have seen in Korea, and in our relations with Korea, are, I believe, grounds for real encouragement.

The Korean military situation has developed remarkably since the war. Our ally now has a strong and efficient force of 600,000 men, next to which our own troops stand proudly in confrontation with the still threatening army of North Korea. In addition, 2,000 Korean troops are now assisting the Republic of Vietnam in its resistance to Communist aggression, the largest foreign, free world commitment, after that of the United States, in South Vietnam. A former recipient of assistance from other free nations in its hour of need, the Republic of Korea is now able and anxious to play its part when another free nation is attacked. The Korean contribution demonstrates the seriousness with which Communist aggression in Vietnam is regarded in the rest of Asia, and the firmness of the bonds which unite Korea with the United States and other free world nations.

The Korean economy has changed too, from a war-torn and devastated shell to a vital structure that is approaching the status of self-sustaining economic growth. Under President Park's leadership the Republic of Korea has advanced with determination toward a settlement of differences with Japan; success in the negotiations, now in their final stages, will eliminate one of the anomalies remaining from World War II, strengthening the free world in Asia and greatly helping Korea's drive for economic progress.

I believe we and the Korean people can look upon our efforts with satisfaction and forward with hope. The course of events has not been smooth, and we cannot expect an easy time ahead, but we have shown that difficulties can be faced and overcome through unity of purpose and determination. The challenges we have surmounted give us reason for confidence in the future. President Park's visit should serve to remind us all that two nations of widely differing cultural background on opposite sides of the world can, when united by a love of freedom, work in closest friendship and collaboration for the common good.

We look forward to his visit. We welcome his views. Undoubtedly both our great nations will benefit because of his visit.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Speaker, I commend the distinguished gentleman from Wisconsin, who is chairman of the Subcommittee on the Far East and the Pacific of the Committee on Foreign Affairs, for taking this time to discuss the pending state visit of the President of Korea. The distinguished gentleman from Wisconsin [Mr. ZABLOCKI] is one of the great leaders on the Committee on Foreign Affairs. During his service on the committee he has contributed significantly to the development of the foreign policies of our country, to the work of the committee, and to the work of this Congress, because of his dedication and knowledge of Far Eastern matters. I commend him for his leadership.

I also want to thank him for pointing out one of the bright spots in the current international political scene as he discusses the state visit of President Chung Hee Park of Korea.

President Park understands that the basic U.S. objective in the Republic of Korea is to maintain a stable, democratically oriented and increasingly self-reliant nation capable of resisting subversion and, with U.S. assistance, repelling Communist aggression.

Through his leadership the Republic of Korea is fast gaining those objectives.

He is a stanch anti-Communist.

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[9] See numerous instances listed in Bebchick, "The International Air Transport Association & the Civil Aeronautics Board," 25 J. Air Law and Comm., 8, 18–20 (1958).

[10] Hearings, supra, note 8 at 2563.

[11] 6 CAB 639.

[12] Id. at 645.

He shares with his people not only the desire for freedom, but the right to choose their own leader. He resigned from his military position in August 1963 to be the presidential candidate of the Democratic Republican Party. He won the election in an honest, and hard fought campaign. He heads a popularly elected government.

In the face of highly demonstrable dissident groups, fortunately in the minority, he has pursued a courageous policy calling for the normalization of relations between Korea and Japan. He recognizes the need and the obvious economic and security benefits that can be derived from the establishment of friendly relations.

His domestic policies reveal a deep understanding of the needs of his people. His program for developing the Korean economy is a model for developing nations. It sets a hard task but recognizes Korea's limitations to achieving early viability.

It provides for the educational and social welfare needs of his people but recognizes the need for the Government to spend within the limits of its revenues.

His announced policy of "self-help" and "self-support" is one every American can understand, appreciate, and support.

His government is making one of the largest free-world contributions to South Vietnam's struggle against communism. A 2,000-man expeditionary force was sent to South Vietnam in February of this year.

President Park is above all a realist who unflinchingly faces facts. In his state of the union message President Chung Hee Park designated 1965 as the "year for hard work."

Listen to the words of appraisal and the national call to work:

> Twenty years have passed since the liberation and fifteen years since the Korean war. In this new year, we cannot but feel emotions that are more profound and special than ever before.
>
> Some countries have regained prosperity on the ruins of past wars and others have reclaimed deserts, building abundant societies thereupon. When we recall these facts and reflect upon what we have done during these precious 20 years, we cannot but feel deep repentance and self-reproach.
>
> While we idled time away, others sweated. When we consumed, they saved. When we forgot the morrow and thought only of today, they saved and worried about tomorrow.
>
> Now, however, when they smile, we are oppressed with grief. When they feel the joy of life amidst prosperity, we are constrained to fret over our poverty. Nevertheless, this is not to say that it is too late.
>
> If all the people do their best with determination, self-sufficiency, and indomitable courage to achieve, save what they have, make more, and earn more, we can recover before long from the futility of the past 20 years.
>
> From now on, we must renew our determination; we must sweat and work. We must scrub away the accumulated dirt of the past 20 years which were spent in confusion and stagnation. We must now begin to do genuine work, meaningful work.

He goes on to say in his state of the union message in words equally as forceful concerning economic development as follows:

> As you know, economic development is attained not by miracle. It is an outcome of the diligence, thrift, and savings of all the people. This is attested by what has been achieved by the advanced nations. This is no reason why our country alone should be an exception.

Equally as frank, Mr. Speaker, and attesting to the realism of this great leader are his words in his state of the union message which tell his people as follows:

> Immediately, we should promote a fresh atmosphere to wipe out falsehood. Tax evasion, breach of law, prevalence of tax free foreign commodities, direct or indirect smuggling, and all other forms of dishonesty and corruption should be rooted out from among us.

President Park is also a realist when it comes to understanding thoroughly the nature of the free world struggle against the Communists.

Here are his words on Korean national defense:

> Meanwhile, in the field of national defense, the upheavals in South Vietnam and other southeast Asian nations, the traditional expansionism and nuclear testing of Communist China, and the incessant military buildup and threat of southward invasion by the North Korean Communists will require us to strengthen our defense capability more than ever.
>
> Therefore, the armed forces will continue to maintain the present level of manpower. Quality will be stressed over quantity and modernization of arms and equipment and training and spiritual armament will be strengthened.
>
> At the same time, we will do our level best to consolidate military ties with free world allies and to establish a collective defense posture, maintaining a mobile defense system which can counter both nuclear and conventional warfare.

Equally as significant is President Chung Hee Park's recognition of the necessity in establishing the mammoth Freedom Center dedicated to educate anti-Communist leaders.

The Freedom Center of the Asian People's Anti-Communist League, an international education and research institute, was dedicated on December 3, 1964, in a colorful ceremony attended by President Chung Hee Park, many other ranking government officials and foreign dignitaries including U.S. Ambassador Winthrop G. Brown.

Mr. Speaker, the construction of the Freedom Center began on September 15, 1962, which is the anniversary of the victorious landing of the U.N. forces in Inchon under the command of General MacArthur during the Korean war, in conformity with the resolution concerning the establishment of the APACL Freedom Center in Seoul, Korea, as adopted unanimously at its Seoul extraordinary conference held in Seoul from the 10th through the 15th of May 1962.

In his congratulatory address given at the dedication ceremony, President Park hailed the center as a "symbol of freedom and peace." He also expressed his firm belief that the center as an anti-Communist bastion of the free world will see great results in formulating strong anti-Communist theory, educating anti-Communist leaders and staging vigorous anti-Communist public relations activities in the future.

He continued:

> The center should play an inspiring role in realizing democratic ideals and building welfare society in which mankind can preserve everlasting freedom and peace.

He assured that the Government of the Republic of Korea would make every possible effort to help promote and develop the center. He also called on the peoples of the free world to render their positive support and cooperation for the development of the center.

The huge Freedom Center was constructed at the 49-acre site near the Changchundang Park at the cost of 235 million won. The center will house the Training Institute, Research Institute, Public Relations Service, International Freedom House, Secretariat and Library. The International Freedom House, which is the symbol of the center is a 17-story building, the highest in Korea. The lower half of the House will be used by trainees and the upper half for foreign visitors, professors, and research fellows.

The Training Institute, to be called the Freedom Academy, will conduct the anti-Communist education program of the freedom center. The basic objective of the Freedom Center is to educate and train anti-Communist leaders and cadres of all APACL member nations.

The Freedom Academy will be staffed with competent specialists on the theory and practice of world communism. It will make anti-Communist education available to keep people from every strata of society, thus enabling them to take an active part in the common struggle against the Communist aggression.

The anti-Communist research and training center will be operated jointly by the APACL member nations including Nationalist China, and Philippines, Thailand, South Vietnam, and the Republic of Korea.

While talking about the Freedom Academy, I want to commend two gentlemen among many who have done a great deal to insure the success of the Freedom Center and who have fought courageously and relentlessly to bring about a better understanding of and preparation for combating Communist efforts. They are Dr. Chin Kim, legal adviser of the APACL Freedom Center and associate dean of the graduate school of law of Seoul National University and Mr. Dongha Cho, director of public relations of the Freedom Center.

So we see, for all these reasons, that President Park is a serious and dedicated leader, clearly pursuing the practical interests of his beloved country while maintaining a clear-eyed view of the entire international struggle and the common interests of both the Republic of Korea and the United States in that struggle.

He visits the United States on a state visit to discuss Korea's national efforts and her role in international affairs. On the eve of his 2-day state visit to our

Nation's Capital, I feel certain we will all join President Johnson and my distinguished colleague from Wisconsin in a warm welcome to Korea's President Chung Hee Park and his official party.

Mr. ZABLOCKI. I thank the gentleman for his excellent contribution. The gentleman has eloquently outlined General Park's achievements, his policies and goals for Korea, for peace in his country, in the Far East area, and in the world.

I particularly wish to express my appreciation to the gentleman for referring to the Korean Freedom Center. I know the gentleman's deep interest in that particular project.

I am certain the sentiments he has expressed are the sentiments of all our colleagues regarding the welcome to President Park on the eve of his impending state visit to the United States.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I am delighted to yield to the gentleman from Missouri.

Mr. HALL. I compliment the gentleman in the well of the House [Mr. Zablocki]—and wish to associate myself with his remarks—for bringing these thoughts and those of the gentleman from Florida [Mr. Fascell] to the attention of the House on the eve of the visit of the President of the Republic of Korea.

The last time I was privileged to be in Korea, as a member of the Armed Services Committee, was when General Park was then still the Chairman. It is a distinct honor for this Nation to have the President of this burgeoning, dedicated, fine young Republic, which the gentleman in the well has so beautifully stated, visit our Nation. I know that much will come from it.

I have had the privilege of knowing the vice admiral, the chief of the Republic of Korea naval operations. In former civilian professional life, the brother of one of my surgical partners is now the chief of the MAAG unit, MAAG B as they call it, in the Republic of Korea, Major General Yancey.

I have had the opportunity of visiting these installations.

In addition to the Freedom Center, so well reported, I have been particularly impressed by the readiness and the excellent state of training not only of the Republic of Korea's armed forces but also of their reserve units. A tremendous job has been done, from the ROTC on up through the reserve and the guard, and, of course, the regular established divisions which man the armistice line.

This republic has, as the gentleman stated, come a long way in 17 years. It does indicate that freedom is erstwhile and can work when people diffuse their power, respect it, and act as rugged individualists.

I compliment both gentlemen who have spoken on this subject on the appropriateness and timeliness of their remarks, and wish to associate myself with their remarks.

Mr. ZABLOCKI. I thank the gentleman for his fine contribution and for joining in the expression of welcome to General Park.

THE TOURIST-DOLLAR EXCHANGE PROGRAM AND DUTY EXEMPTIONS FOR TOURIST PURCHASES

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CURTIS. Mr. Speaker, I wish to call to the attention of the House a plan proposed by my distinguished colleague, Congressman Paul Findley, of Illinois, recently reported in the Quincy, Ill., Quincy Herald-Whig, the gentleman from Illinois [Mr. Findley] plan stems from the tourist-dollar exchange program he successfully introduced into the disposal of foreign "Public Law 480" balances which the United States holds in accounts in foreign countries. These foreign funds are credited to the United States as a result of sales of U.S. agricultural products under authority of Public Law 480 known as "counterpart" funds, they are used as specified by agreement between the United States and the country receiving the Public Law 480 products.

Mr. Findley's tourist-dollar exchange program allows U.S. tourists to exchange dollars for local currencies drawn from U.S. "counterpart" fund balances, if the tourist exchanges his dollars for local currency at a U.S. Embassy. Thus a U.S. tourist in India can go to the U.S. Embassy and exchange his dollars for rupees. In this way some of the very large rupee balance held by the United States in India can be used.

Fully 30 countries have agreed to participate in the tourist-dollar exchange program. But in order to increase the use of the tourist-dollar exchange device, and thus help use U.S. foreign currency holdings, Mr. Findley has now proposed that tourists be allowed to bring into the United States duty free up to $500 of articles bought with currencies obtained through the tourist-dollar exchange device.

I wish to commend my colleague for his very interesting proposal and with unanimous consent I place the Quincy Herald-Whig editorial above referred to in the Record immediately following:

[From the Quincy Herald-Whig]

Tourist Gold

Although there have been reports that some Americans have abandoned planned trips abroad this summer, in response to appeals to keep needed dollars at home by seeing America first, there will still be a record horde of Americans abroad this season. And the result will be many millions of dollars added to our unhappy balance-of-payments problem.

In the light of this, our Congressman, Paul Findley, this week offered what seems a sound idea when he testified before the House Ways and Means Committee, which is considering cutting the reduced $100 duty-free allowance for travelers returning from abroad to just $50.

Findley proposed, instead, that the allowance on duty-free merchandise brought back into the country by tourists be increased to $500—but with an important provision. This is that it must be purchased through the "tourist-dollar exchange program."

That program, which was initiated by Findley 4 years ago, permits American tourists to buy U.S.-owned local currencies in certain countries. These are currencies which the United States has been paid in those countries, but which may not be taken out of the country. But in the 30 countries which have approved the program, American tourists may buy local currencies through the U.S. Embassy, and spend the money there.

Findley pointed out that the program has gained the cooperation of very few tourists, partly through lack of information. But he is confident there would be much greater cooperation if tourists were permitted to bring back into the United States $500 worth of merchandise duty free, if purchased with local currencies of the countries visited, obtained in the dollar exchange program.

Since the exchange would keep tourist dollars spent abroad from becoming a claim on our gold supply, it could help reduce our imbalance of exchange very appreciably.

U.S. NAVAL TRAINING DEVICE CENTER

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Gurney] may extend his remarks at this point in the Record and include extraneous matter and a table.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GURNEY. Mr. Speaker, some Members of Congress have challenged the economic feasibility of the proposed move of the U.S. Naval Training Device Center from Port Washington, N.Y., to the site of the Orlando Air Force Base which is being closed.

Since the new location of this Center is to be in my Congressional District, it seems appropriate for me to attempt to clarify the confusion which exists. I have verified the economic feasibility of this planned move with the Department of Defense and the Department of the Navy. I include the following background material showing the economic benefits to be derived from this move, in the Congressional Record.

In addition, an excellent editorial on this subject was carried in the May 9, 1965, Orlando Sentinel. I wish to submit this editorial for inclusion in the Congressional Record:

Background of Proposed Move of Naval Training Device Center From Port Washington, N.Y., to Orlando, Fla.

THE NAVAL TRAINING DEVICE CENTER

The Naval Training Device Center of 1965, an 800-man activity at Port Washington, N.Y., has evolved from a 1 man "special devices desk" of 1941 first located in the engineering division of the Navy's Bureau of Aeronautics, now the Bureau of Naval Weapons. The wartime problem of training large numbers of personnel had necessitated the development of other means than by use of the Navy's operational equipment, for rapid, mass training and this desk was set up to do something about this problem. From this small beginning came the art of simulation. In simulation, an environment with a high degree of realism is presented by synthetic means enabling trainees to learn, and become proficient, in performance of an operational mission. The classic example of a simulator is the so-called Link trainer of World War II fame. Hundreds of other simulators have since been developed with applications in space exploration and surface and subsurface warfare, among other areas. As weapons systems have increased in cost complexity and lethality, the use and cost of simulators likewise increased and their use promises to continue to increase in the future. For example, entire fleet exercises can be simulated on "team" trainers, such as the Antisubmarine Warfare Coordinated Tactics Trainer currently being installed at the Antisubmarine Warfare Tactical School, Norfolk. This trainer permits the familiarization and training of large numbers of personnel in fleet tactics by supplementing, with the simulator, the actual use of aircraft, surface ships and submarines. This can be done on a simulator at a substantial reduction in cost and time and complete elimination of operational hazards.

Based on a 1950 secretarial agreement under which the Center's facilities are utilized to satisfy the training requirements of the Army, the Center also serves that service. The Air Force is served to a lesser degree.

HISTORY OF NAVAL TRAINING DEVICE CENTER FACILITY REQUIREMENTS

In the spring of 1946, the Naval Training Device Center moved from its wartime location at 610 H Street NE., Washington, D.C., to the Daniel Guggenheim Estate, located on Sands Point at Port Washington, N.Y. The 160 acres were occupied by the Center, under lease from the Institute of Aeronautical Sciences, until its purchase in 1951, and from then to the present as a Government-owned facility. An overhaul and repair facility for training devices is also operated at the Naval Supply Depot, Mechanicsburg, Pa.

The slow but steady growth of the Center over the next 5 years necessitated consideration in 1956 of additional facilities. Between then and 1960 four construction projects of varying proportions were introduced but none resulted in a funded project. During this period other locations for the Center were also considered. In 1959 temporary relief from these crowded conditions was obtained through the disestablishment of a small tenant activity at the Center and the obtaining of a Naval Industrial Reserve facility in nearby Mineola plus some space in a Marine Corps Reserve facility in neighboring Garden City. The Center now operates in four different locations.

In 1960 it was determined that Mitchel Air Force Base was to be vacated by the Air Force. The Navy thereupon embarked on a plan to move the Center in Mitchel. In the early days of consideration of Mitchel as a location—1961—a proposal was made to move a substantial number of Navy activities to Mitchel. For various reasons, this proved to be impractical. In 1961, NAS Lakehurst was reviewed as a possible location for the Center. This location was also determined to be inappropriate.

In 1962, the concept of establishing Mitchel as a Federal center, with the General Services Administration as the landlord and the Center as a major tenant came into being. A Navy construction project of $550,000 was included in the fiscal year 1964 program to be matched by approximately $2 million in GSA funds, for a total cost of about $2.5 million, to cover the rehabilitation and alterations required to make the buildings habitable and functional for the Center's purposes. Congress failed to authorize the Navy's portion in 1964. The project was resubmitted in the 1965 program and survived. GSA also received its authorization in that year.

In the fall of 1964, Orlando Air Force Base became surplus and was referred to the Navy for consideration as a possible Navy activity. A study of Orlando indicated that it would provide better facilities into which the Center could be relocated at a cost less than the cost to move to Mitchel. It was therefore decided to consolidate the Center's four elements at Orlando with completion scheduled for June 1967.

DECISION TO CLOSE PORT WASHINGTON, THE SUBSEQUENT PLANNED MOVE TO ORLANDO AIR FORCE BASE, VICE MITCHEL FIELD, AND THE CENTER'S FUTURE GROWTH IN TERMS OF DOLLARS, PEOPLE, AND SPACE

The facilities presently occupied by the Center were built at the turn of the century by the millionaire son of Jay Gould. The stone mansion, and another larger stone building originally constructed as a stables, comprise the main Center plant. The internal space arrangement and heavy construction of these buildings severely limit their adaptability. Notwithstanding, the Center made do until 1960 when these limitations rendered future efficient operation at this location impractical without new construction. As described above, it has been impossible to obtain this new construction. Mitchel Field then became surplus. In 1960 Mitchel had much to commend it as a relocation site for the Center.

The original plan for the use of Mitchel Field was based on the availability of certain of the better buildings, appropriate for the Center's use. It included in its total square footage a reasonable growth factor. Study of these buildings in collaboration with GSA, showed that they could be rehabilitated and altered for Center use at a cost of about $2.5 million ($2 million—GSA, $0.5 million—Navy). However, the Center's increase in personnel from 680 to 810, and an annual workload from $40 to $75 million, between 1961 and the present, have eliminated the expansion potential for normal growth included in the original plan.

With the anticipated assumption of the Polaris training device program by the Center and the conversion of contractor technical services to Civil Service, a further increase of 250 personnel is anticipated during fiscal year 1966. It is estimated that the provision of sufficient additional space to accommodate this new growth at Mitchel would cost approximately $1.2 million. This is based on new construction, since the remaining buildings at Mitchel are unsuitable for Center use. Thus, the total cost to move to Mitchel becomes $3.8 million.

When the closure of the Orlando Air Force Base was planned, an inspection revealed that it would provide ideal spaces for NTDC. Construction and rehabilitation needed to accommodate the present staff was priced out at $851,000 plus $1,250,000 to move employees and the activity's equipment for a total estimated cost of $2,101,000 vice the $2.6 million for Mitchel. The anticipated expansion to accommodate the Polaris and CTS programs could be accomplished at Orlando for about an additional $100,000, instead of the $1.2 million for the same expansion at Mitchel. Thus the total estimated cost, including provision for the anticipated growth at Orlando could become $2,201,000 as opposed to the aforementioned $3.8 million. In addition, sufficient additional spaces are available at Orlando to accommodate normal future Center growth. This space can be adapted to Center use for about one-tenth the cost of similar space at Mitchel.

The following table shows comparative estimates:

	Present location		Proposed Mitchel		Proposed Orlando	
	Square feet	Cost	Square feet	Cost	Square feet	Cost
800 people:						
Without 250-man expansion	[1] 237,000	[2] $5,496,600	215,000	[3] $2,550,000	321,000	[4] $851,000
With 250-man expansion	277,000	[5] 1,200,000	255,000	[5] 1,200,000	361,000	[4] 100,000
Cost to move personnel and equipment		[6] 50,000		50,000		1,250,000
Total		6,746,600		3,800,000		2,201,000

[1] Includes much unusable space.

[2] Consolidation, rehabilitation, and new construction.

[3] Rehabilitation and alteration.

[4] Rehabilitation and alteration.

[5] New construction.

[6] For consolidation.

[From the Orlando Sentinel, May 9, 1965]

NEW YORK CONGRESSMEN THREATEN SCHEDULED MOVE OF NAVY TRAINING CENTER TO ORLANDO

Some New York Congressmen have unleashed an unwarranted attack on the move of the Naval Training Device Center from Port Washington, Long Island, N.Y., to Orlando Air Force Base.

One, Representative LESTER L. WOLFF, Democrat, of New York, called the move a gross waste of taxpayers' money and a travesty on the Pentagon's famed economy program.

We submit that Mr. Congressman WOLFF is guilty of a gross misstatement of the facts. The Florida congressional delegation should be alerted to it.

Fact of the matter is that the move to Orlando Air Force Base is in the best interests of the Nation and the taxpayers.

The Naval Training Device Center is now housed in a stone mansion and stable built at the turn of the century by the millionaire son of Jay Gould.

The center must move to larger and more efficient quarters in order to fulfill its mission.

The New Yorkers want the center to move to Mitchel Field, also on Long Island. In fact, the Navy at one time planned to do just that.

In the fall of 1964, however, Orlando Air Force Base was declared surplus. The Navy inspected the Orlando base and determined that it was ideally suited for its purposes.

There are many factors favoring Orlando as the site for the center—not the least of which is the fact that this is a fine place for the center's technical personnel to live. Recruiting personnel will be easier than in the highly competitive New York area.

In dollars and cents, the center's move to Orlando is the only justifiable decision.

The move to Orlando will cost $851,000 in rehabilitation and alteration of 321,000 square feet of buildings at the base.

To provide additional space for the new Polaris training device program will cost another $100,000 in rehabilitation of Orlando Air Force Base buildings.

The cost of moving personnel to Orlando will be another $1.25 million.

The total cost of the Orlando move, therefore, will be $2,201,000.

Compare that with a cost of $3.8 million to move the center to Mitchel Field, Long Island, N.Y., in rehabilitation and construction of buildings.

In addition, the taxpayers would also be faced with far greater future expense if the center were to move to Mitchel and to expand. New buildings would be required, whereas the buildings already exist at Orlando Air Force Base.

Expansion of the center at Orlando Air Force Base would cost only one-tenth of what the price of new construction would be at Mitchel Field.

This is the Navy's sound argument for its move to Orlando.

Yet, some New York Congressmen are abusing the Navy and the Defense Department for the decision on the totally false grounds that they are wasting money.

Indeed, they are saving money by coming to Orlando.

Florida's Congressmen and Senators should be advised of the facts and be alert to efforts to kill the move in committees of Congress.

REMARKS BY REV. HOWELL O. WILKINS

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. TUPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TUPPER. Mr. Speaker, I am certain that a great majority of House Members are as disgusted as I am at the continuing unfair attacks made by extremists upon our Government, our churches, and our institutions.

There is a strong inclination to ignore the right wing and their paranoic mission of hate rather than to dignify them and their organizations. However, these noisy and well-financed reactionaries are taking advantage of the fact that many people are apt to believe those things that are set forth in print.

The text of remarks made by the Reverend Howell O. Wilkins, pastor of the St. John's Methodist Church, Seaford, Del., in a May 1965 newsletter, deserves a far larger readership than his parish. For this reason I am making Reverend Wilkins' remarks a part of the body of the CONGRESSIONAL RECORD, as follows:

REMARKS BY REV. HOWELL O. WILKINS, PASTOR, ST. JOHN'S METHODIST CHURCH, SEAFORD, DEL.

I write on a subject about which I have kept still too long. I have no desire to seek controversy; however, when controversy appears or blatant attacks are made upon the church, it is time that the truth be made clear. I must write you about what is variously called the extremists, the right wing, the lunatic fringe, etc. I am not referring to particular political parties, particular churches, but rather to some individuals who have written or broadcast charges about our church which cannot be substantiated. Perhaps the place to begin would be the well-known book, "None Dare Call It Treason," by John A. Stormer. In this book there is a chapter called, "Subverting Our Religious Heritage." This chapter is like some radio programs we hear—it encourages suspicion, disloyalty, and withdrawal from the churches of our Lord. Let me give you one illustration of how the truth is manipulated.

Mr. Stormer says:

"Further, Marx is equated with Jesus as a revolutionary. Under the heading 'Two Revolutionaries,' the 'Adult Student' (a Methodist Sunday School publication) says:

" 'Jesus and Marx each lived in a time of social crisis. Each believed that a new order lay within the reach of man. Both recognized the need for social and moral reform. Both revealed a messianic sense of destiny. Both men drew on their heritage of Old Testament prophecy to denounce evils in the world, thus Marx and Christ were revolutionary leaders.' " ("None Dare Call It Treason," pp. 129–130.)

The fact is, it is true that Marx and Jesus were both revolutionary leaders, but let the reader beware because Mr. Stormer has stopped his quotation in the midst of a sentence. The "Adult Student" really reads as follows:

"Thus Marx and Christ were revolutionary leaders, but their methods and goals lay far apart. Jesus sought to change the minds and souls of men in a transformation or conversion, a 'turning together,' which would manifest itself in social justice and brotherhood. Marx, on the other hand, resolved to impose new political and economic patterns on society—molds into which men's minds would then be forced to fit." ("Adult Student," September 1962, p. 21.)

From time to time some people have accused the clergy of our land of being Communist sympathizers or dupes. Some time ago in one of our newspapers Lee Layton mentioned that there were a number of our clergy who were supporting Communist causes. I wrote him a letter and asked him to mention immediately any Methodists so that those ministers could be brought to trial and no longer serve in the Methodist Church. He had no names to mention. I also encouraged him to send immediately to the Federal Bureau of Investigation any names of clergymen who were serving the Communist cause. He had no names for the FBI either.

One of the things that distresses me is that there are those who would rather listen to the voices of dissension found in the McIntyres, the Hargesses, and the Bennetts than they would listen to the voice of their own pastors and their church officials. These men who speak from the safety of the radio do not really attack Communists but rather other churchmen, Negroes, and others with whom they do not agree. What is the seat of this problem? So much fear and hate shows a lack of faith in God. I believe the problem goes back to the fact that we live in a period of great social change. It is difficult for us to live in such a time. We are constantly being bombarded with all kinds of social pressures and problems. The world is not one successive series of beautiful and delightful spring days. Some people are unable to cope with all these changes. Now, how can we cope with such a world as this? First, I suggest that you read some of the books in our church library which help us to understand the basis of the Christian faith, and some of the books that interpret the development of the Communist movement and help us to understand how we can confront this challenge to Christianity. Second, I suggest that if you are not already enrolled in one of the adult classes in the church school that you do so. Here is a setting, with good background material, to learn how to discuss and face the problems of our time. Third, I suggest you respond when you hear your church or her officials unjustly attacked. We need to learn how to cope with changes—to form and direct the changes. This is part of the Christian witness, part of the Christian affirmation. Certainly, as a minister from another community has said, "the voices which preach hate and dissension are without love." They have little contribution to the spreading of the Christian gospel, for, if there is one thing that is basic in the Christian gospel, it is found in the words of Christ, "love one another."

PERSONAL EXPLANATION

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. TUPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TUPPER. Mr. Speaker, during the 88th Congress, on November 13, 1963, I reported in the body of the CONGRESSIONAL RECORD on my outside income which at that time was nil.

Consistent with my belief that all Members should periodically report the sources of their income, I would like to state that my financial condition has not noticeably improved, and again report that my income is still solely from that as a Member of Congress.

I own no stocks, bonds, or securities.

FABULOUS FOURTH QUESTIONAIRE

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WYDLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WYDLER. Mr. Speaker, in March of this year I mailed my second annual questionnaire to over 100,000 constituents in the Fourth Congressional District of New York.

My first questionnaire last year elicited an enthusiastic response and requests for more, and I promised to make this procedure an annual one. Through it I learn the thinking of those who live in the "Fabulous Fourth" Congressional District and I keep abreast of public opinion. Although its printing is expensive, it is well worth the cost to me.

Returns are still coming in at a rate which indicates we will surpass the unusually high number of 14,000 replies received last year.

There is no politics in this questionnaire. It is sent to all registered voters regardless of party.

The results were independently compiled by Date Management, Inc. of Washington, D.C.

Of the 11 questions asked only one received a "no" vote and that was on admitting Red China to the U.N. There was an overwhelming 73.7 percent against this.

All the other questions received "yes" votes, the most emphatic being in favor of withholding voting rights from U.N. members who do not pay dues—89.7 percent—and the next in favor of prayer in public schools—81.1 percent.

The largest uncertain vote concerned American policy in Vietnam—14.6 percent—and the smallest on prayer in schools—3.1 percent.

However, 54.9 percent of those answering favored continued participation in the war in South Vietnam using present methods.

The deepest splits developed on the issues of medicare—46.5 to 44 percent—and Federal aid to private and parochial schools—44.6 to 49.6 percent.

Support for my bill, H.R. 2488, to give tax credits to parents paying tuition—70.2 percent in favor this year as compared to 72.3 percent last year.

The most interesting and unique result was on the personal choice of a political philosophy. Most persons described themselves as politically moderate—43.7 percent. Conservative was selected by 28.8 percent and liberal by 20.1 percent. The balance indicated no preference.

The growing response and fact that more than half of the questionnaires returned contained individual comments shows that the people of the "Fabulous Fourth" Congressional District do care about their government.

On May 13 of last year, I gave the benefit of this combined thinking of our district to my colleagues in the House of Representatives.

As promised, I now do this again this year—and on the same day—May 13—and I will mail these results to all who live in the Fourth Congressional District.

My thanks and congratulations to those who participated and made this questionnaire a success. You have assured its continuation next year.

The questionnaire follows:

Fabulous Fourth questionnaire

		Percent—		
		Yes	No	Undecided
FOREIGN POLICY				
1. Do you favor participation of Red China in the U.N.?		17.5	73.7	8.8
2. Do you favor continued participation in the war in South Vietnam using present methods?		54.9	30.5	14.6
3. Do you favor withholding voting rights from U.N. members who do not pay their dues?		89.7	4.8	5.5
HOMEFRONT POLICY				
4. Do you favor further Federal legislation to enforce the right to vote?		66.1	26.4	7.5
5. Do you favor the 35-hour week?		46.3	42.0	11.7
EDUCATION				
6. Do you favor allowing a voluntary nondenominational prayer to be recited in public schools?		81.1	15.8	3.1
7. Do you favor inclusion of private and parochial schools in Federal aid to education programs?		44.6	49.6	5.8
8. Do you favor tax credits for parents who pay tuition for their children attending school?		70.2	24.3	5.5
SOCIAL SECURITY AND TAXES				
9. Do you favor hospital care for those over 65, paid for by an increased social security tax?		46.5	44.0	9.5
10. Do you favor a reduction in spending to produce a balanced Federal budget?		72.2	16.8	11.0
GENERAL PHILOSOPHY				
11. Do you favor a philosophy of government that is—	*Percent*			
Conservative?	28.8			
Moderate?	43.7			
Liberal?	20.1			

SECRETARY RUSK GOES TO NATO MINISTERIAL MEETING IN LONDON

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FINDLEY. Mr. Speaker, press reports this morning brought the news that our Secretary of State, Mr. Dean Rusk, was en route to London to assume the position of U.S. delegate at the NATO Ministerial Meeting which began May 11.

Secretary Rusk had been designated for this position, and had planned to attend, according to press information. However, the White House announced over the weekend that due to the crisis in the Dominican Republic, Mr. Rusk would not leave Washington and the position of the U.S. delegate at the NATO Ministerial Meeting would be filled by the Under Secretary of State, Mr. George Ball.

Immediately upon learning that Mr. Ball was to substitute for Mr. Rusk, I sent the following telegram to the President. The text follows:

MAY 10, 1965.

The Honorable LYNDON B. JOHNSON,
President of the United States,
The White House,
Washington, D.C.:

I respectfully urge that you send Secretary of State Rusk, as originally planned, as the U.S. delegate to the NATO ministerial meeting which begins tomorrow in London. Division and misunderstanding within NATO are a greater threat to free world security than the Communist "war of liberation" in the Dominican Republic.

In substituting an Under Secretary for our top foreign policy official, you imply a greater concern for the Dominican crisis than for the problem of NATO unity.

Your statement of last Saturday concerning the need for NATO unity in nuclear affairs was most commendable. We should back up our words with action and give our allies reassurance that NATO problems are first and foremost.

Representative PAUL FINDLEY,
Chairman, House Republican Committee on NATO and the Atlantic Community.

The President, in my view, wisely reverted to his original plan by sending Mr. Rusk to serve as U.S. delegate. It is highly important that we give our allies every reassurance possible that we regard the problems of NATO unity as superseding all others in the foreign policy field.

NOTICE OF HEARINGS TO REVIEW THE WORK OF THE ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. EVANS of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. FOUNTAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, on May 25, 26, and 27 the House Intergovernmental Relations Subcommittee and the Senate Subcommittee on Intergovernmental Relations will jointly hold hearings to review and evaluate the performance of the Advisory Commission on Intergovernmental Relations since its establishment by Public Law 86–380 late in 1959.

Senator MUSKIE, chairman of the Senate subcommittee, and I are both strong advocates of the principle that Congress should periodically undertake a full-scale review of the programs that it creates. It is in this light that our subcommittees plan to examine the work of the Advisory Commission now that it has been in operation for 5 years.

The hearings will be concerned with the past performance of the Commission in relation to its assigned duties and with the future role of the Commission in the context of changing conditions in our Federal system.

I hope that all my colleagues who are acquainted with the Commission's work and who are interested in the important task of increasing the vitality of our Federal system will make a special effort to participate in these hearings. Members wishing to testify, or to obtain copies of reports issued by the Advisory Commission, are requested to contact the House Intergovernmental Relations Subcommittee office.

YOUTH OPPORTUNITY CENTERS

Mr. EVANS of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. MINISH] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. MINISH. Mr. Speaker, I should like to go on record as expressing my belief in the concepts of the new youth opportunity centers which the Department of Labor is sponsoring in the various States affiliated with the U.S. Employment Service. Although my belief in this program concept is based on a number of factors, some of the major ones are the following:

First. It is a well-known fact that we have many thousands of disadvantaged youth in our Nation who are desperately in need of help to raise themselves out of their hopeless morass of poverty, ignorance, and unemployment. If these youth are not helped now they will pass on this same heritage of poverty and ignorance to their children.

Second. If this first point is true, and I firmly believe that it is, then some means must be found to reach these needy youth, because it is obvious to me that most of them will not come to us. In this view, I understand that the new youth opportunity centers plan to reach out in both the city slums and the remote areas where these young people are found to make the services of the center available to them, according to their individualized and specialized needs.

Third. I further understand that after a thorough interview to determine each individual's needs, he will receive testing to help evaluate his potentialities; he will receive individual and group counseling; and he will be referred to the specific services he needs. If after the initial interview he is found to be ready for employment, he will be referred to jobs or work-training programs. If, however, he is found to need additional preparatory work, he will be referred to literacy training, physical or mental rehabilitation services, or vocational training. Furthermore, followup counseling is planned all during this process to provide continuity of service.

Fourth. The centers would bring to the attention of each youngster the full range of educational and employment opportunities that are available to him. This would be a big step forward from the present situation where many youngsters have a very limited knowledge of any opportunities. Thus, these opportunity centers would not only bring greater opportunities to disadvantaged youth, but would assist each youngster in deciding the particular opportunity for which he is best suited.

Mr. Speaker, fellow members, I do not dispute the action which has been taken on the proposed budget for this activity, but I do have serious reservations about the possible effect this action may have on this creative and stimulating new program. In my humble opinion, there is nothing we could do to offer more hope to our youth than this type of service.

We are faced with a real problem in this country today. We are faced with the ever increasing waste of our most valuable natural resource—our youth. I have full faith that our scientists and engineers can develop substitutes for coal, wood, metals, and countless other items. But I do not believe that we can ever develop a substitute for the creative imaginations and strengths of well-trained and dedicated young Americans who will be capable of taking us into a bright new tomorrow. I say to you then that some other means must be found to insure the maintenance of the Department of Labor's youth opportunity center program.

ANALYSIS OF PROPOSED FOREIGN AID PROGRAM

Mr. EVANS of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Nedzi] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. NEDZI. Mr. Speaker, the foreign aid program has performed a monumental task in effectively helping to better the lives of millions of people in the less-developed nations. In light of its many accomplishments, it is particularly noteworthy that the aid program defies the usual trend of government spending programs, for as it becomes older it has proven itself more efficient and less costly.

The program proposed for fiscal year 1966 is the lowest request in the history of U.S. foreign aid. The aid budget has declined as a percentage of the gross national product from almost 2 percent at the beginning of the Marshall plan to only one-half of 1 percent of what the proposed program for 1966 will require, and as a share of the Federal budget from almost 12 percent in 1949 to 3.5 percent in 1966. During the height of the Marshall plan, American aid amounted to as much as $20 per European per year. Today, the region where our aid is largest per person is Latin America, where it amounts to about $2.73 per person. In Africa and Asia, our assistance amounts to little over $1 per person each year.

The following, from the "Summary Presentation to Congress," explains the criteria and goals of the highly selective and efficient economic aid program proposed for 1966:

ANALYSIS OF FISCAL YEAR 1966 REQUEST BY FUNDING CATEGORY

Three basic principles determine the nature and amount of U.S. assistance allocations to individual countries. They are:

The importance to the United States of strengthening the country's economy and development effort, its political and social structure and institutions, its security situations;

The needs of the country for assistance, and the availability to the country of assistance from other sources;

The effectiveness with which the country is using its own resources.

The application of these principles to AID programing over the past 4 years has led to the present concentration of economic assistance in a relatively small number of countries. For fiscal 1966, some kind of AID assistance is proposed for 72 countries (compared with 86 countries as recently as 1963). However, 95 percent of all country economic assistance is proposed for just 31 of these. Limited AID programs in the remaining 41 countries will account for only 5 percent of total country assistance. (In most of these countries, the AID program has been sharply limited because other donors are bearing the major burden, or because the country is approaching self-support.)

More than half of all proposed country economic assistance will go to just seven major programs in India, Pakistan, Turkey, Tunisia, Nigeria, Brazil, and Chile.

Each proposed AID country program is developed as a result of painstaking review and analysis in the field and in Washington. Proposed country programs are reviewed in the field by the U.S. Ambassador and the AID mission director, and in Washington by the regional Assistant Administrators of AID and the regional Assistant Secretaries of State, and by the AID Administrator. A continuing review is maintained as programs are carried out, to make sure that adjustments are made to take advantage of new opportunities or to overcome obstacles.

The Congress clearly stated, in the Foreign Assistance Act of 1961, America's commitment to promoting growth as a primary objective of U.S. foreign aid. The proposed program for fiscal year 1966 continues to emphasize assistance for sound economic and social development efforts by the emerging nations.

DEVELOPMENT ASSISTANCE

Development assistance—including development loans, technical cooperation/development grants, and Alliance for Progress loans and grants—has increased from less than a quarter of the total economic and military aid program in 1961 to about 45 percent of the total program during the past 2 years.

Fiscal year 1966 proposed development assistance is $1,557 million, a slight increase above the level being carried out in fiscal year 1965.

Development assistance programs

[In millions of dollars]

	Fiscal year 1964 actual	Fiscal year 1965 estimated	Fiscal year 1966 proposed
Development loans	836	814	840
Technical cooperation	208	236	231
Alliance for Progress	572	523	596
Loans	(479)	(435)	(508)
Technical cooperation	(93)	(88)	(88)
Total, development assistance	1, 616	1, 573	1, 667

Of the total development assistance proposed for fiscal year 1966:

More than one-third ($596 million) is for the Alliance for Progress.

Four-fifths ($1,348 million) is planned for development loans (including Alliance for Progress Loans) repayable in dollars; one-fifth will finance technical cooperation and development grants (including Alliance for Progress grants).

Over the past 4 years, AID has sharpened its techniques for planning and implementing development assistance programs. Major improvements include:

Long-range studies of major development assistance programs to identify and deal with future development opportunities and bottlenecks.

Incentive programing—fuller and more systematic use of development assistance (particularly program loans) to induce and support self-help measures.

Improved coordination among free world donors through aid consortia and consultative arrangements such as the Development

Assistance Committee of OECD, the Inter-American Committee for the Alliance for Progress (CIAP), and World Bank consultative groups.

Development loans

For fiscal year 1966 AID requests $780 million in new obligational authority for development lending in Africa and Asia. This amount, together with $60 million in repayments and recoveries, will finance a development loan program of $840 million for fiscal year 1966.

The development loan program proposed for Asia and Africa is shown below. In addition, a loan program of $508 million is proposed for Latin America under the Alliance for Progress.

Regional lending programs

[In millions of dollars]

	Fiscal year 1964 actual	Fiscal year 1965 estimated	Fiscal year 1966 proposed
Near East and south Asia	726	678	690
Far East	30	56	50
Africa	80	80	100
Total	836	814	840

Development loans are the major tool of AID's development assistance efforts. They enable recipients to import U.S. goods and services they need for development but could not finance from their own scarce foreign exchange or could not afford to obtain from commercial sources. The development loans' share in AID assistance has increased steadily since 1961.

Criteria for Development Loans

Development loans, both project and program, must meet all applicable technical and economic feasibility standards set forth in the Foreign Assistance Act, as well as additional standards and criteria developed by AID to insure sound and effective use. Each loan proposal is carefully reviewed by the AID mission and by responsible Washington executive technical personnel to insure that it meets all standards. Major loans are approved by the Administrator, on the advice of the Development Loan Committee, a U.S. Government interagency body which includes representatives of the Treasury, the Export-Import Bank, and the State Department.

Project Loans

The most familiar type of development loan is the "project loan," which finances a single specific development project. In fiscal year 1964, over 120 project loans were authorized, for a wide range of projects such as highways and bridges, ports, powerplants, dams and irrigation works; construction or expansion of private industrial plants and factories; rural electrification cooperatives; local development banks, and surveys of mineral resources, feasibility studies, and other consultative services to solve specific problems.

In reviewing project loan applications, AID follows essentially the same methods as do other development finance institutions such as the Export-Import Bank and the World Bank. Each project application is carefully studied for technical soundness. Engineering and cost data must be adequate and accurate. The capital structure of commercial-type enterprises must be sound and cash flow analysis must show that the debt can be serviced. Management must be competent, and careful consideration is given to the fact that management talent and skills are among the most serious deficiencies in many of the less-developed countries. Finally, an informed banking judgment is reached on the overall economic and technical soundness of the project. Although it takes time to meet these requirements, a thorough review is essential to assure sound use of U.S. and recipient country resources.

Two-Step Loans

AID loan terms take account of the limits on a country's ability to service external debt; loans are ordinarily made at low interest rates and low maturities. The AID dollar loan terms, however, are often not appropriate to the individual enterprise, private or public, which receives the goods and services financed by the loan. Such enterprises operate within the economy of the country where they are located and should, of course, pay local currency costs for capital which are appropriate in the light of market conditions in that country.

To deal with such cases, AID has developed a two-step loan procedure under which the borrower pays back his loan in local currency at normal rates for the type of project involved. The Government of the country then pays AID in foreign exchange on the terms fixed for that country. Thus, both objectives are achieved: The individual enterprise repays a reasonable price in relation to the character of the project, and the country repays AID on a reasonable basis in relation to its overall balance of payments.

Program Loans

Loans for specific projects can finance a wide variety of large and small activities. But they are not an effective way of meeting certain important development requirements. A sound development program is made up of thousands of small, undramatic improvements, replacements, additions, investments, and raw materials as well as of major development projects. Yet the preference of many aid donors for financing specific large projects has reinforced the tendency in many developing countries to overemphasize large-scale public sector projects and to neglect smaller investments and the private sector.

Moreover, as an economy expands, many plants which have been operating at less than full capacity can find a market for increased production—if they can get the raw materials and spare parts they need. Successful agricultural extension services will increase the demand for fertilizers, pesticides, and farm machinery. Quickened economic activity will be reflected in greater demands on railroads and road transport—and therefore, increased need for fuel. These development requirements can often most effectively be met by loans for categories of development commodities rather than for specific projects.

To meet these needs, AID provides in limited and carefully selected cases development loan-financed "program" loans for U.S.-produced equipment, spare parts, supplies, and raw materials for countries whose vigorous and effective efforts to develop have generated requirements which cannot be met efficiently with project loans alone.

Development loan-financed program loans must meet rigorous standards in addition to the criteria applied to project loans.

The United States must be convinced that the recipient country is fully committed to a major development effort, and is following a consistent and sensible set of policies relating to internal finance, balance-of-payments problems, and development priorities which will insure that commodities financed under the program loan in fact contributes directly to the country's development—and do not simply permit the country to avoid hard policy problems it must solve if it is to progress.

Because these standards are deliberately high and firmly maintained, program loans are limited to a few key countries—probably only seven or eight countries will receive such loans in fiscal year 1966 * * *.

Program lending is often an effective means of providing incentives for major improvements in self-help performance. Major reforms and improved development policies are sometimes difficult for developing nations to adopt for domestic political reasons, and because of possible temporary strains on a country's limited resources which may be associated with such self-help measures * * *.

Loan Terms

All development loans must be repaid in U.S. dollars. Loan terms within the limits set by the Foreign Assistance Act are established for each country on the basis of its particular circumstances and U.S. program objectives. Most loans are made at the new minimum terms set in 1964 by the Congress at 1 percent for the first 10 years during the grace period and 2½ percent for the remaining 30 years.

It is AID policy to grant terms more favorable than those available from the World Bank or the Export-Import Bank only to the extent clearly necessary to achieve U.S. objectives. AID hardens terms on its loans when the recipient's economic growth and improved repayment capacity permit reliance on more normal capital sources. The Congress authorizes development lending at concessional terms primarily because normal credit sources cannot meet the needs of many less-developed countries on terms which recognize the limits on their repayment capacity. To impose harder terms prematurely would dangerously delay development progress and prolong dependence on concessional aid. The gross amount of aid required to maintain required levels of net investment would also increase sharply.

Loan terms appropriate for a developing country depend mainly on its future capacity to service foreign debt. When a country has achieved a good rate of progress and can look forward with confidence to the time when it will no longer depend on concessional assistance, AID can realistically raise interest charges and shorten maturities. For example, the most recent (fiscal year 1964) loans made to Greece, Iran, and Israel bore interest rates of 3½ percent; grace periods of 3 to 5 years, and maturities of 15 to 20 years. Jamaica and Mexico received loans at 3½ percent, 2 to 5 years' grace, and 20 to 30 years' maturity. Harder AID terms are typically a first step toward transition from AID-financing to reliance on more normal sources of capital.

The debt-service burden builds up rapidly with short grace periods and maturities and high interest rates. At present minimum AID terms, cumulative payments during the first 10 years of a loan total only 10 percent of the amount loaned. This is reasonable for a country whose import needs and repayment burden will be increasing. At 3½ percent interest, no grace period and 25-year maturity, on the other hand, payments in the first 10 years would total over 60 percent of the amount loaned. For countries with bright prospects for the near future, the latter terms are reasonable, but for many AID recipients such terms would prevent the development process from getting underway.

A heavy debt-service burden in a less-developed country creates an unstable and risky economic situation. It is likely to inhibit foreign private investment and may also deter lending from the World Bank and other potential sources of capital.

The debt repayment burden of the less-developed countries has been rising rapidly and will continue to rise. Debt-servicing charges on official and officially guaranteed debt owed by developing countries rose from $700 million in 1956 to $2.4 billion in 1963. Already the debt-service burden of Latin America is the equivalent of one-half of its gross capital inflow. Even on the best of terms this burden will continue to rise rapidly through the 1960's. For many countries, debt is already a major obstacle to achieving a net inflow of resources sufficient to support a sound development effort.

The United States has been urging other lenders, and particularly members of the DAC of the Organization for Economic Cooperation and Development (OECD), to lower their interest terms and extend the maturities and grace periods on their development loans. This effort has met with considerable success, but to meet the growing need of the underdeveloped world, we and our allies must accomplish much more.

AID has launched a study of Development Loan terms and a review of the terms appropriate for each of the countries receiving Development Loan assistance. We expect to make available to Congress early in the 1965 session a fuller analysis of our loan term policies and their relationship to development efforts. (This study is now complete and available to the Congress.)

Technical cooperation

The second major instrument of development assistance is technical assistance. A total of $210 million is requested in new obligational authority (NOA) for technical cooperation and development grants for fiscal year 1966. This appropriation, together with recoveries, will fund programs in Asia and Africa amounting to $231 million. The fiscal year 1965 program totals $236 million. In addition, an $38 million program is proposed for technical assistance under the Alliance for Progress.

Technical cooperation new obligational authority and program

[In millions of dollars]

	NOA	Carry-over and recoveries	Program
Fiscal year 1964 (actual)	155	53	208
Fiscal year 1965 (estimated)	204	32	236
Fiscal year 1966 (proposed)	210	21	231

Technical assistance is AID's primary instrument for the development of human resources and the strengthening of institutions—the core requirements for economic and social progress in the countries to which the United States gives aid. In Africa, technical assistance makes up 42 percent of the proposed program, reflecting the continent's urgent need for skills and institutional development prior to major capital investment. In Asia, technical assistance is a far smaller fraction of our aid programs, reflecting greater capacity to make use of large amounts of capital.

The fields in which technical assistance is provided, and the techniques used vary according to each country's needs, and according to the size and focus of the total AID effort in each country. About one-fifth of all AID-financed technical assistance is directed to education: strengthening educational institutions and teacher-training, and gearing curriculums more closely to development needs. Agriculture is the next major area of concern. Lagging food production in many countries has increased attention to rural development. Two other fields account for about 10 percent each of total technical assistance funds. These are the development of industry and transportation, and assistance in health and sanitation (including sizable support of the worldwide malaria eradication program). Technical assistance is also provided in the fields of public administration, public safety, community development, housing, and labor.

THE ALLIANCE FOR PROGRESS

For fiscal year 1966, the program proposed for the Alliance for Progress totals $596 million. Of this, $508 million is programed for lending and $88 million will finance technical cooperation. Since $16 million of recoveries and loan receipts are anticipated, $580 million of new obligational authority is requested.

Program summary

[In millions of dollars]

	Fiscal year 1964 actual	Fiscal year 1965 estimated	Fiscal year 1966 proposed
Alliance for Progress:			
Development loans	[1] 479	435–490	508
Technical cooperation	93	88	88
Total	572	523–578	596

[1] Excludes $50,000,000 Brazil contingency fund loan.

Calendar year 1964 saw favorable developments, not predictable earlier, in several major Latin American countries. Largely because of improved policies and more vigorous development efforts in Brazil and Chile, AID has received and is considering priority loan applications totaling $55 million more than the $435 million available in Alliance for Progress loan appropriations and recoveries for fiscal year 1965. The additional requirement will be met to the extent possible by transfers from other Agency resources, but the shortage may not be fully covered and may result in increased fiscal year 1966 requirements.

The estimates for both fiscal year 1965 and fiscal year 1966 are conservative even without assuming any further favorable political and economic developments in the coming year in other Latin American countries. The fiscal year 1966 request may well prove too modest if some of these countries move ahead more rapidly than now seems likely. The trend of self-help and reform is promising in a number of Latin American countries. Education budgets are increasing. Rural areas are getting increased attention. There is greater realization in Latin America that self-help includes positive action to encourage private enterprise; to control inflation; to provide incentives, including tax reform, to stimulate activities in fields important to social progress such as housing construction; to build institutions which mobilize savings and provide cheaper credit; and to help diversify production and expand exports. A significant step forward in 1964 was the completion of the first overall review of Latin American plans and programs by CIAP. In getting together for frank country reviews all the international agencies involved in the development of Latin America, CIAP made a substantial contribution to the identification of obstacles to success of the Alliance and to the concentration of means for overcoming these obstacles. CIAP's efforts with respect to external debt, control of inflation, and reduction of barriers to trade within the area should help to improve both country and external agency investment performance in fiscal year 1966.

THE MONROE DOCTRINE

Mr. EVANS of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Dowdy] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. DOWDY. Mr. Speaker, the May 4 and May 7 issues of Newsday, published in Garden City, N.Y., had editorials concerning the importance of the Monroe Doctrine. I respectfully request that the editorials be made a part of, and to immediately follow, my remarks.

The Monroe Doctrine was an inherent part of the foreign policy of our Government for more than 100 years. It was so important, that the doctrine had actually become a part of international law.

But for too many years, the doctrine seemed to have been discarded by our Government. Our "liberal" friends, domestic and foreign, declared it to be outmoded and no longer in effect. This declaration was given a hearty "amen" by Premier Khrushchev, only 3 years ago, after he had established Castro in Cuba, and that unfortunate island had become a Communist satellite. From this base, the Communists have instituted a systematic program of subversion and infiltration of the Latin and South American countries. This is an intolerable situation, and demonstrates the wisdom inherent in the Monroe Doctrine. The doctrine will never be outmoded, and must not be abandoned.

These Newsday editorials place that newspaper in the fold with many others which applaud the resurrection, revival, and reimplementation of the wisest statement of foreign policy in the history of our Nation.

The editorials referred to are as follows:

[From Newsday, May 4, 1965]

The Monroe Doctrine: Time for an Updating

("With the governments who have declared their independence, and maintained it, and whose independence we have, on great consideration and on just principles acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other matter their destiny, by any European power, in any other light, as the manifestation of an unfriendly disposition toward the United States. It is equally impossible that we should behold such interposition, in any form, with indifference."—From the Monroe Doctrine.)

When President Monroe proclaimed his doctrine he was thinking, first, of Russian efforts to bar fishing and navigating off the coast of Alaska, then a colony of the czar; second, of the former Spanish colonies in South America that had revolted and had set up governments of their own, however shaky. It was a resounding notice to foreign powers not to meddle in hemispheric affairs.

Now, some 14,000 American troops are either in the Dominican Republic or on their way there, and President Johnson frankly says his purpose is to avoid a second Cuba—a second Communist-oriented government such as the one in Cuba that is a thorn in our side. In a sense, he is relying upon the broad principles of the Monroe Doctrine, but that statement of American policy was based upon the world as it existed 133 years ago, not as it is now. Foreign intervention, in terms of fighting men and ships, has ceased to exist. The new mode is foreign subversion—first a local uprising, sparked by outside subversion; next, foreign "advisers," and finally foreign missiles, as was the case in Cuba. For these contingencies, the Monroe Doctrine is inadequate.

But what was promulgated by one President can be revised by another President, and that seems to be the great need if our Latin American policy is to match current events. The Monroe Doctrine needs updating. We still support the right of any nation in this hemisphere to choose the type of government its people want—bearing realistically in mind that with largely illiterate populations the choice cannot be made upon the same reasoned basis as in the United States. We also have the clear right, as shield and buckler of the hemisphere, to insure that no government uses its sovereignty as a cover for Soviet or Chinese communism, our deadly enemy.

In the Dominican Republic our first role is to save lives and restore peace; our second to make it clear, whoever takes power, that the constituted government must eschew foreign domination and the creation of a base of operation against the United States or its hemispheric allies. We shall have to stay, however unhappy the prospect, until that result is achieved.

[From Newsday, May 7, 1965]

THE UNITED STATES, THE OAS, AND THE MONROE DOCTRINE

By 14 to 5, with Venezuela abstaining, the Organization of American States has voted to establish an inter-American military force in the Dominican Republic. Already Venezuela (bowing to majority rule), Paraguay, Argentina, and Brazil have volunteered to send troops to work shoulder to shoulder with Americans seeking to put down revolution, restore peace, and forestall Communist intervention in Dominican affairs.

This is a hopeful result, indicating the determination of a majority of Latin American nations not to permit the creation of another Cuba within the hemisphere. It is a first step toward the concept of a Pan American Legion, suggested by the publisher of this newspaper in 1961.

Such a legion would act as a permanent peacekeeping force, trained for defense in war and for helpful public works in peace; a warning and shield against aggression and an aid to the economic development of the countries of Latin America.

And the troops soon to police the Dominican Republic represent a recognition, even if belated, that the Monroe Doctrine needs to be reinterpreted to meet changing times.

The doctrine already has been breached in Cuba. Now every country in this hemisphere is subject to invasion by international communism. Invasion is no longer a matter of warships and armed forces; now it is a matter of infiltration by stealth; of "technicians" and combatants in business suits bringing with them the tools and techniques of subversion; of arms shipped in to remote beaches; and of submarine bases disguised as fishing ports.

The Monroe Doctrine was a unilateral statement of policy by the United States, based upon the fear of direct intervention by European powers using the force of arms. It was and remains an important part of our foreign policy for the preservation of the integrity of all the States of this hemisphere, of which ours is the most powerful member.

President Johnson has grasped the fact that new times demand a new interpretation of this doctrine, and happily most Latin American States agree. Those who voted against the joint force for the Dominican Republic—Uruguay, Mexico, Chile, Peru, and Ecuador—are among the nations in which the leftwing elements or the Communists or the two groups in alliance have a powerful voice or hold a threatening position.

States menaced from within may feel they cannot speak out; but beyond doubt those who head such states are privately relieved that the United States took action and that the OAS now backs it up.

The Dominican incident indicates that the United States must still bear initial responsibility for quickly countering Communist efforts to take over or to direct weak states such as the Dominican Republic. We have the forces; we have the intelligence sources; and we are geared to move in a hurry. The OAS, as a deliberate and consultative body, moves slowly. Cries of "Yankee imperialism" should not and must not deter us from acting to maintain peace within this hemisphere.

If the OAS, by joining in our peacekeeping efforts, has at last realized that the doctrine of nonintervention can lead to a gradual takeover of Latin American countries by the forces of international communism; if its members can be persuaded that a permanent joint force, equipped to move at a moment's notice, is the logical answer, then the safety of the hemisphere will have been immeasurably enhanced. But when the OAS won't move, then it is up to the United States to enforce the Monroe Doctrine against the new challenge of infiltration, subversion, and domination by international communism.

TRIBUTE TO REPRESENTATIVE JOHN E. FOGARTY BY SENATOR ROBERT F. KENNEDY

Mr. EVANS of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CAREY] may extend his remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. CAREY. Mr. Speaker, on April 24, 1965, in Providence, R.I., our great and distinguished colleague, the gentleman from Rhode Island, JOHN E. FOGARTY, was honored at a testimonial accorded him by the Rhode Island Association for Retarded Children. None of us who know him need speculate on the contribution which JOHN FOGARTY has made to the cause of the mentally retarded. For 25 years in the Congress of the United States, JOHN FOGARTY has shown dedication and concern for his fellow man. A striking figure in American political life, acknowledged leader in the field of health and welfare, 18-year member of the House Appropriations Committee, JOHN FOGARTY has greatly advanced the cause of medical research. Since joining the committee in 1947, the total appropriation for operating the National Institutes of Health—the U.S. Government medical research organization—has risen from $3½ million to over $1 billion, largely through his efforts.

Universally known as "Mr. Public Health" and "champion of better health for the Nation," he has been an ardent and successful advocate of many programs in the field of mental retardation. Rising above partisan consideration, he has brought the State of Rhode Island to a position of leadership in this area and has extended not only hope but help to retarded children everywhere. Recipient of the famed Lasker and Kennedy Awards, Congressman FOGARTY donated the $13,500 cash awards to the cause of the mentally retarded in Rhode Island.

All our lives have been made richer by the presence among us of this man of vision, Congressman JOHN E. FOGARTY.

I am gratified that the State of New York was enabled to participate in this well-deserved tribute to Mr. FOGARTY. The principal address at the dinner was delivered by the junior Senator from the State of New York, the Honorable ROBERT F. KENNEDY. He most eloquently detailed his own high regard for our colleague and I am privileged to include his remarks on that occasion in the RECORD at this point:

SPEECH BY SENATOR ROBERT F. KENNEDY, RHODE ISLAND ASSOCIATION FOR RETARDED CHILDREN, PROVIDENCE, R.I., APRIL 24, 1965

A quarter of a century ago a bricklayers' union gave a testimonial dinner in honor of a Congressman newly elected from their ranks. From that day until this, JOHN FOGARTY has permitted no more dinners. Instead, he has built his own testimonial. He has continued to lay bricks—bricks of solid achievement, mortared with care and love. He has built a house for all of us.

And I need not remind this audience that one of the great wings of the house that JOHN FOGARTY has built is reserved for the mentally retarded. The first brick for this wing was laid in 1955, when he secured the first Federal research funds for research in mental retardation—$750,000.

That brick was followed by others, until now, in 1965, the Federal Government appropriates $120 million for this research. For his leadership in the cause of health, JOHN FOGARTY has been honored many times. Among others, he has won the Albert Lasker Award, and the Leadership Award of the Kennedy Foundation. These awards he has turned into further benefits for mentally retarded children; thus every honor we do him gives us cause to honor him the more. Nothing could be more fitting than this further tribute.

When JOHN FOGARTY first raised his voice for the mentally retarded, there were few who shared his concern. Mental retardation was thought hopeless because it was misunderstood, it was feared, and because men feared these little children, they all too often turned away.

It was not considered a national problem—though we know now that it is the No. 1 health problem among our children, afflicting 1,000 times as many children as did paralytic polio before the Salk vaccine was developed.

Cancer, heart disease, polio—these were the challenges that aroused the energy and idealism of the scientists. No fledgling scientist could dream of fame and fortune by inventing a vaccine for mental retardation, or developing a new method of teaching its victims.

Indeed, those who did do significant work in this field were ignored. Thirty years ago, Skeels proved that the IQ of many retarded children could be raised by 10, 20, even 30 points—that is, to well within the normal range. His findings were out of step with then-current fashion; he was denounced as a virtual fraud. This pioneer, fortunately, continues his work to this day. But the climate is very different now.

In January, for example, President Johnson sent to Congress a program of over 100 new projects to combat mental retardation. A special assistant to the President on Mental Retardation is working in the White House. A new National Institute for Child Health and Human Development has been created—and I know how much help JOHN FOGARTY was to President Kennedy in this effort. The Advertising Council is conducting a nationwide campaign to help in the fight against retardation.

Rhode Island has made a particular contribution. Not only JOHN FOGARTY, but also your Senators, JOHN PASTORE and CLAIBORNE PELL, have led the way in Washington. You of the Rhode Island Association for Retarded Children have contributed many hours of volunteer work to spread information on retardation. Rhode Island was the first State to have an information flyer on mental retardation enclosed with the pay checks of all State employees. It is because of people like you, all over America, that this campaign is so successful.

Because of the work in which you are engaged, individuals by the thousands are writing to the White House, to the Department of Health, Education, and Welfare, to the Kennedy Foundation, and to the National Association for Retarded Children—people who want to help, young people who want to choose careers with the retarded; people of all ages who want to develop programs in their community.

And the knowledge at our command is increasing daily. Doctors are developing tests to screen infants for 20 diseases like PKU to prevent mental retardation. A French scientist has discovered that an extra chromosome in every cell is the cause of mongolism. In the last 4 years more doctors have studied mental retardation in formal programs in medical school than in our entire history. A new German measles vaccine can eliminate deformation caused by this disease during pregnancy. Soon, new tests will show—before birth—whether a child is developing normalcy.

These are encouraging developments. But they are no occasion for relaxing our efforts. Rather they demand that these efforts be redoubled. For the truth is that for all our efforts—for all that JOHN FOGARTY has done, and this group has done, and others have done—we still do not fully apply what we now know. The results are as needless as they are tragic. We know, for example, that lack of adequate prenatal care results in premature birth and consequent liability to retardation. We know this—and we also know that half the children born in Manhattan, in the city of New York, this year will be born to women who have not had that adequate care.

It is not enough to make prenatal care available if mothers come to doctors for the first time when they are 6 months pregnant. It does little good to prescribe balanced diets when mothers do not know how to prepare food properly. And it does little good to prescribe adequate rest, and the rudiments of comfort and hygiene when expectant mothers live in crowded, filthy rooms, without heat in the winter or adequate plumbing.

Everyone here tonight, I think, would agree that the application of what we know would cut mental retardation in half. But we should all recognize that this application will require a revolution. It will require, as a beginning, the elimination of the conditions of poverty and ignorance under which millions of Americans live. Equality of opportunity is a mockery to those whose birth and early experiences—or lack of experiences—handicap them throughout life. It will require a revolution in our educational system as well. Mental retardation, after all, is not a single well-defined disease. It is a symptom—a word we use to describe those whose IQ's are under a certain level, who do not relate normally to the people around them, who do not as adults support themselves.

What we must have for these, as for all children, is, in the words of Dr. Nicholas Hobbs, "a new bill of rights for children, which will claim as the simple but precious right of every child the opportunity to learn from his earliest days and to his fullest capacity.

Up to now, we have allowed our educational system to function like a sieve, sorting out those who fit a predetermined pattern, and neglecting the rest. But we know that virtually every child—however retarded, however handicapped—can be taught.

We know that 85 percent of retarded children can become self-supporting. We know that whatever difference there is between the mentally retarded and other children, there is one respect in which they are the same—they can be taught, they can be helped, they can lead normal lives, contributing to the society instead of burdening it—if we will it.

If we are prepared to accept responsibility for these children to work with them—not to what we think is the limit of their abilities, but to the limit of our abilities—they can be helped.

And there is another revolution that is necessary. For far too long, we have thought of jobs as something to be competed for, with the less able and the less skilled relegated to lifetime dependency. And the mentally retarded, of course, have been last on the list. But we have seen that even the retarded can lead useful, dignified lives. The Federal Government had not hired a single retarded person before the 1960's. In these few years, 450 mentally retarded persons have been hired by 30 Government agencies. Some work in the Justice Department and I can testify to their competence. Others work in the Treasury Department, even as currency examiners, keeping complicated records. And Secretary of the Treasury Dillon reports:

"The experience of the Treasury Department with mentally retarded workers has been entirely satisfactory. They are a valuable source of manpower."

The reports are the same from stores, from businesses, from an electronics plant on Long Island where retarded employees solder radio parts and assemble aircraft ejector seats, from factories where others sculpt candles and blow glass.

At the Kennedy Foundation we had a secretary running our Xerox machine. We hired a mentally retarded young man to do this job. He not only operates the Xerox flawlessly, he knows how to fix it when it breaks down—which is something none of the psychologists in the office can do. And the girl who used to operate it is now free to do a full secretarial job.

The lesson is plain—if we want to, we can find productive work for these people—work which will repay our efforts many times over. We can do this much—we cannot do less. JOHN FOGARTY has shown us the way.

"Neither a borrower or a lender be" said Polonious; how wrong he was. We have borrowed JOHN FOGARTY's vision, and his wise labor in pursuit of that vision. We are only the richer for it. To him we owe the best of debts: the obligation to repay him in the only coin for which he cares—the coin of devoted effort to the cause he has served so well.

So we meet here tonight with a sense of completion, but also of beginning, a sense of fulfillment, but also a promise; with pride in JOHN FOGARTY's accomplishment, and also with gratitude for the contribution that he has made and will make to all of us—and with the satisfaction of sure knowledge that if we all continue in the spirit that he has shown and that is here tonight, we cannot fail.

MINIMUM WAGE PROTECTION FOR THE HANDICAPPED

Mr. EVANS of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. DENT. Mr. Speaker, today I have introduced, for appropriate reference, a bill to provide minimum wage protection for handicapped men and women who are employed in the Nation's privately operated sheltered workshops.

As you know, I have long been interested in improving minimum wage protection under the Fair Labor Standards Act for all working people, including handicapped workers employed in sheltered workshops. In 1959 during the 1st session of the 86th Congress, I first offered a proposal to remedy the woefully inadequate wages paid handicapped workers in sheltered workshops; and I have continued to work for congressional acceptance of similar proposals in each Congress since then.

In striving for the enactment of this legislation, Mr. Speaker, I have been motivated solely by the desire to assure handicapped workers in sheltered workshops of the same kind of basic minimum income for their work as we have given to their nonhandicapped fellow citizens. Throughout all the years that I have served as a member of the legislature of my home State of Pennsylvania and as a Member of the Congress of the United States, I have worked to improve the lot of the millions of working men and women of America—to help them secure a greater measure of financial security amid economic uncertainty, to work without fear for fair compensation, to secure a better opportunity for themselves and their families; to live with decency and dignity.

I do not believe, Mr. Speaker, that because men and women who work are also blind, crippled, or otherwise handicapped and do their jobs in a sheltered workshop, they are therefore entitled to less protection under the law. Whether a man is physically fit or physically handicapped, as long as he is employed as a worker, he should be given the protection of laws designed to provide protection for workers.

Unfortunately, Mr. Speaker, this is not now the case with regard to handicapped workers employed in sheltered workshops; for they are excluded from the minimum wage protection of the Fair Labor Standards Act by a specific provision of the act. Section 14 of the Fair Labor Standards Act provides that the Secretary of Labor may permit the payment of subminimum wages to handicapped workers employed in sheltered workshops. The Secretary is authorized to issue certificates of exemption which specify a minimum for individual specific workshop operations.

I am sure you will be shocked to learn, just as I was several years ago, that certificate minimums are often set at very low levels, frequently as low as 50 cents, 25 cents, and even 10 cents an hour. And the rates of hourly wages paid handicapped workers in workshops are not arrived at by the usual collective bargaining procedures which would apply for a similar type of industrial operation if it were not a sheltered workshop for the handicapped. On the contrary, workshop management alone decides what wages should be paid each handicapped worker between the minimum specified in the certificate issued by the Department of Labor and the statutory minimum wage. As a matter of fact, Mr. Speaker, in actual practice decisions on wages and working conditions in sheltered workshops are made solely by the workshop management without consulting with the handicapped workers or their representatives.

As you know, the Federal minimum wage law was intended to provide a floor of financial security to working men and women—to assure them sufficient income to live decently and with dignity. The bill I have introduced today would provide this floor of financial security for handicapped workers employed in sheltered workshops.

My bill would amend section 14 of the Fair Labor Standards Act to do the following:

First. Increase the wages paid handicapped workers in sheltered workshops to 50 percent of the prevailing minimum wage effective January 1, 1966; 75 percent of the prevailing minimum wage effective January 1, 1967; and the prevailing minimum wage effective January 1, 1968.

Second. Prohibit reduction of wages for handicapped workers who are receiving pay in excess of the prescribed minimum.

Third. Authorize payment of less than the prescribed minimums to handicapped workers being provided training or evaluation services in a workshop where work is incidental to the services, and to those individuals so severely disabled they are unable to engage in regular competitive employment outside the workshop.

Fourth. Establish an absolute floor of 50 percent of the prevailing minimum wage for all handicapped persons in workshops, including those engaged in training and evaluation programs.

Fifth. Establish a category of facility in the law to be known as work activity centers for handicapped individuals whose productivity is inconsequential.

Sixth. Authorize a study by the Secretary of Labor to determine rates of compensation for individuals in work activity centers.

Seventh. Provide for annual certification by State vocational rehabilitation agencies for individuals to be paid less than the minimum wage and for those in work activity centers.

The bills I introduced in prior Congresses to improve section 14 of the Fair Labor Standards Act for handicapped workers in sheltered workshops have consistently had the support of the National Federation of the Blind. I am pleased to say that the bill I am introducing today has the support of that organization and two additional major organizations in the field of work for the blind persons of this Nation—the American Association of Workers for the Blind and the American Foundation for the Blind. With this added support, I am hopeful that the 89th Congress will take favorable action on it.

I commend this bill, therefore, to all of my colleagues in the House of Representatives as a just and fair measure designed to improve the lot of handicapped workers in sheltered workshops in the same way the wage structure has been improved for nonhandicapped workers over the years.

OPPOSITION TO VOTING RIGHTS ACT OF 1965

Mr. EVANS of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. NIX] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. NIX. Mr. Speaker, for the information of the Members of Congress and for all others who have been misled by misinformation pertaining to voting rights enjoyed by Negroes in South Carolina, I herewith categorically assert that whereas virtually every South Carolina political figure has issued a statement opposing S. 1564, the Voting Rights Act of 1965, such statements usually include references to the free and open registration process as it is practiced in South Carolina.

The fact is that this alleged liberality is a myth.

The bare statistical facts show that as of November 1, 1964, 19 of the 46 counties in South Carolina had a Negro registration rate under 30 percent of the total number of eligible Negros in the respective county. Two counties of the State had Negro registration rates lower than 10 percent.

Not a single county in South Carolina, however, had a white registration rate lower than 45 percent, and seven had a white registration rate in excess of 100 percent of the total number of eligible whites.

South Carolina is one of two States which does not have a compulsory school attendance law, and the economic facts of life in South Carolina keep a great many Negro children from ever obtaining even a basic education. Sixty-one percent of the State's Negro population over 25 years old have only a sixth-grade education or less. The literacy test used in South Carolina effectively disfranchises a great portion of these citizens.

In addition, in off-election years, registration books in most counties are open only 1 day per month at the county courthouse and even then only from 9 o'clock to 5 o'clock with an hour or more off for lunch. In many cases, it is extremely difficult for Negroes to obtain time off from their jobs in order to go to the county seat to register. A trip to the county seat may involve a round trip of as much as 80 miles, and, of course, there is no guarantee that the prospective voter will be able to register during this day due to slowdown tactics which have been used in some counties.

There are also very strong psychological barriers inherent in a situation where Negroes must face an all-white, and often hostile, registration board in order to complete the registration process.

Last, but by no means least, many, many Negroes feel that their jobs would be placed in jeopardy if they were to register to vote. This is particularly true among the tenant farmers and domestics who make up a large percentage of the total Negro work force in South Carolina.

Further, as a part of my remarks, I incorporate a resolution of the South Carolina voter education project, passed April 27, 1965, which is as follows:

Whereas despite percentage increases in the number of Negroes registered to vote in the State of South Carolina, tremendous difficulties remain to be overcome in the area of voter registration in South Carolina; and

Whereas the lingering effects of a long-standing system of legal, political, and social segregation hinders the completion of the enfranchisement of all qualified voters; and

Whereas these effects vary greatly in intensity from county to county in South Carolina; and

Whereas the key provisions of S. 1564, the proposed Federal Voting Rights Act of 1965, contain procedures designed to mitigate in part these discriminatory effects: Therefore be it

Resolved, That the executive committee of the South Carolina voter education project formally endorse S. 1564, the proposed Federal Voting Rights Act of 1965; and be it further

Resolved, That the executive committee of the South Carolina voter education project urge the immediate passage of this act by the Congress; and be it further

Resolved, That the executive committee of the South Carolina voter education project strongly urge each Representative and Senator from South Carolina to support this act, both in committee and on the floor of the Senate and House of Representatives.

STATEMENT URGING CONGRESS TO TAKE A POSITION ON SOVIET ANTI-SEMITISM

Mr. EVANS of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. MULTER. Mr. Speaker, I was pleased today to submit the following statement to the distinguished chairlady of the Subcommittee on Europe of the Foreign Affairs Committee:

TESTIMONY OF HON. ABRAHAM J. MULTER BEFORE SUBCOMMITTEE ON EUROPE, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, MAY 12, 1965

Madam Chairman, I am delighted for this opportunity of sharing, with the Subcommittee on Europe my views on the resolutions placing the House of Representatives on record as opposing religious intolerance in the Soviet Union, particularly those actions against Soviet Jewry.

I do not believe it is necessary for me to catalog all the grievances that freemen can register against the Soviet Union for indulging in the tyranny of anti-Semitism. During the past few years the story has been told and retold in the public press, in public meetings, and on the floor of the House. Leading Jewish organizations in this country and abroad have published extensive and well documented reports on the dimension of Soviet anti-Semitism.

We know, therefore, Madam Chairman, that Soviet Jewish citizens have been singled out for the severest type of discriminatory action. They have been falsely charged with so-called economic offenses, and in many cases the death penalty has actually been imposed. In the religious realm Soviet Jewry has suffered the severest forms of disabilities. The education of young rabbis, a vital aspect of the life of any religious community, is made extraordinarily difficult. Until the year 1957, there was no Jewish institution to train rabbis. In that year a rabbinical academy was established as an adjunct to the great synagogue in Moscow.

Other forms of discrimination in the religious realm have taken the shape of restrictions on publications. It has been impossible to publish Hebrew Bibles, prayerbooks, or Jewish calendars. Moreover, synagogues have been closed, cemeteries desecrated, and the overall practice of Jewish religious life rendered very, very difficult.

In the cultural realm Soviet Jews have suffered considerably from Soviet acts of discrimination. Soviet Jews are actually a culturally deprived people in the Soviet Union. The Yiddish theater, once the pride of Russian Jews is, practically speaking, a suppressed cultural form. Jewish literature, as a vigorous source of cultural expression, had been deprived of its former influence in the intellectual life of Soviet Jewry. Except for a few limited publications Jewish literature is simply not published.

Discrimination against the Jews has also reached into every other area of Soviet life. In the university and other institutions of higher learning, the Soviet Jew runs up against a wall of discrimination. Of course, any role he hopes to play in the political life of the country is drastically reduced by forms of discrimination that deprive him of the full exercise of his natural gifts.

All of these sources of discrimination exist in the Soviet Union, and they exist in spite of constitutional guarantees of freedom of religion.

House Resolution 50 which I introduced on January 4, 1965, and which this subcommittee is now considering, asks that the House of Representatives take a public position condemning anti-Semitism and any other antireligious action in the Soviet Union. The resolution states that it is the sense of the House that the persecution of any persons because of religion by the Soviet Union be condemned, and that the Soviets, "in the name of decency and humanity," stop executing persons for alleged economic offenses. It also urges that the Soviet Union permit fully the free exercise of religion and the pursuit of culture by Jews and all others within the Soviet borders.

This resolution deserves the support of all freemen. It speaks from the soul of our Nation. Its sentiments are rooted in our historic declarations on religious liberty and thus reflect those great American qualities that have always shone through our historic past. But more than that these words are phrased in the spirit of that larger, more universal idea of man's right to exercise freely his own religious beliefs.

I also urge the adoption of my House Concurrent Resolution 211 which provides for the House and the Senate to jointly express the sentiments contained in House Resolution 50.

Such sentiments are also embodied in my House Concurrent Resolution 31 which states that, and I quote:

"It is the sense of the Congress that the United Nations should forthwith adopt a universal declaration calling for the elimination of all religious intolerance and all discriminatory practices against religious and ethnic groups."

Madam Chairman, I urge this subcommittee to act affirmatively on these resolutions condemning anti-Semitism in the Soviet Union and urging the United Nations to take action against religious discrimination and intolerance.

To do so is to reassert the historic traditions of our Nation, traditions that have been an inspiration to all men.

To do less is to fail in our responsibilities to our people and to our historic traditions as a nation.

NEW YORK CITY IN CRISIS—PART LXVI

Mr. EVANS of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article is the second in a series on New York City's public housing and appeared in the New York Herald Tribune of March 23, 1965, as part of the series on "New York City in Crisis."

The article follows:

NEW YORK CITY IN CRISIS—THE 30 HURDLES TO PUBLIC HOUSING—THOSE WHO NEED IT MOST DON'T QUALIFY

(Nearly one-fifth of the 8 million inhabitants of this greatest city in the world continue to live in poverty—many of them trapped in dilapidated, rat-infested tenements, all victims of the slums. The chief means of escape would seem to be through the massive, multi-million-dollar, low-income housing program administered by the New York City Housing Authority, the Nation's largest landlord. It would seem to be—but it isn't. Here, in the second in a series of articles, Barry Gottehrer presents a study of the projects themselves—and a set of seldom-discussed eligibility standards that automatically bar many of the low-income families who need public housing the most.)

(By Barry Gottehrer)

Most New Yorkers think public housing is supposed to be designed and administered for the benefit of the city's poor—those who can't afford to move out of the slums on their own. They are the disenfranchised 1.5 million in this greatest city in the world, those who need help the most.

When Mayor LaGuardia set up the New York City Housing Authority in 1934, need and income were the determining factors in eligibility for admission—and that is precisely what they are supposed to be today.

What they are supposed to be—and what they are in reality—are two entirely different matters.

Handicapped by a shortage of Federal, State, and city funds for public housing, which seem to decrease each year, fearful that the projects were rapidly turning into Negro and Puerto Rican ghettos and pressurized by project managers to keep "problem" people out, the authority decided to shift directions in November of 1961.

This new direction took the form of the adoption of a long list of eligibility requirements called desirability standards for admission of tenants.

This list was revised in April 1964 and, though the housing authority does not like to admit it, the 10-page list today serves as a means of eliminating the vast majority of people who need public housing the most.

It is not at all surprising that most New Yorkers—including those who apply for public housing—have no idea that this 10-page list even exists. The checklist is not something the housing authority goes out of its way to make public.

Called the 30 hurdles of public housing, they are broken down into two groups—clear and present dangers, all immediate grounds for exclusion, and conditions indicative of potential problems, all grounds for mandatory examination before a final decision is made.

However, even before the technical screening, the average family in need of housing is discouraged from applying.

The applicant must first fill out a 4-page application, which asks for the usual name, address, and number of children. He also is asked for his marital status, military service, present housing conditions (hotel, rooming house, etc.), and why housing is needed. He must also include his work history, income history, and addresses for the last 3 years.

YES OR NO

Once his application is submitted, the applicant receives a notice telling him either that it has been accepted and that there is a 2-year waiting period or that it has been rejected because he earns too much to qualify or because he has not been a resident of the city for 2 years.

Even when an applicant is accepted, the acceptance must still be reviewed by the tenant selection and site management divisions and the project manager—and any of these can disqualify him.

In any case in which the applicant's record, the renting interview or information received from other sources establishes the existence of any one of the standards listed as a "Clear and present danger," the applicant is declared ineligible.

This ineligibility can be determined by any section supervisor of the tenant selection division or by a project manager, without review of the case by the social service division or by the tenant review board.

Cases where extenuating circumstances exist are reviewed by the tenant review board, but the number of cases in which changes are made remains small.

Applications falling into the second category—"conditions indicative of potential problems"—are turned over to the sorely understaffed social service division. Here again, the applicant's record, the eligibility interview with the family, and the interview at the project may serve as the basis for disqualification.

In these cases, however, personnel of the social service division establish priorities so study and review of those cases felt to be most urgently in need of rehousing.

The vast majority, however, because of the small tenant turnover (less than 6 percent a year), the limited funds for new construction and the vast number of applications (more than 100,000 last year), gather dust in the files, unless a newsman or a politician expresses personal interest in a particular case.

The factor of eligibility was highlighted by a recent housing authority survey of East 101st Street. Of some 300 families interviewed, the authority repeatedly found that more than 60 percent would be ineligible for public housing under the checklist.

"All that happens is that the ineligibles have to find another place to go," said one housing authority official. "What we're creating is pockets of ineligibles."

And, as the 30th hurdle in the checklist clearly states, "This standard is intended to include patterns of behavior other than those specified above which indicate potential problems should the family be admitted to a project."

In other words, an applicant can be rejected for any possible personality problem, as determined by the authority, and never told why he has been rejected.

This is an extract from a seldom-discussed 10-page check list used by the housing authority to determine desirability standards for admission of tenants:

NEW YORK CITY HOUSING AUTHORITY,
April 20, 1964.

To: Division heads and housing managers.
From: Irving Wise, director of management.
Subject: Desirability standards for admission of tenants.

The authority has established a new policy, setting forth detailed standards, to govern the admission to projects of families which behavior would interfere with neighbors or the proper operation of projects. The new policy is an outgrowth of an extensive study by the authority with the assistance of an Advisory Committee.

1. STANDARDS

A. Clear and present danger

1. Contagious diseases which create a hazard for other tenants.
2. Past or present engagement in illegal occupations.
3. Evidence that an individual is prone to violence.
4. Confirmed drug addiction.
5. Rape or sexual deviation.
6. Grossly unacceptable housekeeping.
7. Record of unreasonable disturbance of neighbors or destruction of property.
8. Other evidence of behavior which endangers life, safety or morals.

B. Conditions indicative of potential problems

1. Alcoholism.
2. Use of narcotics.
3. Record of anti-social behavior.
4. Membership in a violent teen-age gang.
5. Record of poor rent payment or eviction for non-payment.
6. Highly irregular work history.
7. Frequent separations of husband and wife.
8. Husband or wife under 18 years of age.
9. Placement of children.
10. Out-of-wedlock children.
11. Common-law relationship where there is no impediment to marriage.
12. Presence of one or more children who are not the offspring of the applicant.
13. Family with minor children which does not include both parents.
14. Lack of parental control.
15. Mental illness which required hospitalization.
16. Unusually frequent changes in places of residence.
17. Poor housekeeping standards including lack of furniture.
18. Elderly persons whose ability to adequately care for themselves on the premises is questionable.
19. Apparent mental retardation.
20. Obnoxious conduct during processing of application.
21. Recent discharge from service with other than honorable discharge.
22. Other conditions indicating possible nondesirability.

NEW YORK CITY HOUSING AUTHORITY.

The hurdles, approved by chairman William Reid, can be changed by him at any time but he has no plans to do so—at least until the authority has enough apartments to take care of all the non-problem people first.

Since the authority has built a total of 35,637 apartments in seven years, it should be a while before the problem families get their chance.

"Why reward the problem families with subsidized housing?" asks Alexander Wolf, housing assistant at the Boulevard project in Brooklyn. "They would ruin the projects. Every project would be a ghetto. If you get a behavior problem family, they make all the others move out.

"These families should not be allowed in public housing. It's a shame the authority doesn't have more power to get rid of problem families once they get in."

"If we had no screening, that would be the end of the movement for good housing," adds Ira S. Robbins, one of the three men running the housing authority. "These problem families would make a hash out of it. It's a welfare and a social problem first. Treat them first and then we'll house them. As our program grows, we do plan to take in some of these families who are being rehabilitated at the same time by another social agency. As it is now, we just don't have enough room."

Yet—even in the problem projects where the authority has difficulty in attracting tenants—the managers of the projects go out of their way to keep potential problem families out.

"After you've been at it a few years, you can spot a problem family the first time you seem them," said one former housing manager. "You know that if you let in a problem family, you're going to have more trouble controlling your project. So you take the easy way out. What happens then is the people who need a new environment the most can't pass the checklist.

"I don't care what they tell you about it. The checklist is just a means of keeping people with real problems—or any problems for that matter—out. This may help the housing authority but it doesn't help the troubled people of New York."

And while the housing authority, which truly does not have sufficient funds to utilize what they say is a potential to turn out between 20,000 and 25,000 apartments a year, is forced to discriminate against the people who need help most, the number of ineligibles continues to grow.

According to one estimate, there are more than 300,000 ineligibles in New York City today—more than 20 percent of the 1.5 million New Yorkers who live in poverty.

The housing authority has been far more successful in administering its massive population of 525,000 living in 132 developments and 137,064 apartments than it has been in setting policy and lobbying for more Federal, State, and city funds for public housing.

To most of the people—living in the better projects (invariably those with little integration)—life can be beautiful.

The apartments, which were built without showers, without lids for the toilets and without doors on the closets before the authority was reorganized in 1958, today are attractive and comfortable.

The buildings, often criticized in the past for their sterility of design and overall unattractiveness, today have combined a new look in architecture with a wide range of playground and recreational facilities for the tenants.

"Our flower garden show is absolutely sensational," says Mr. Robbins. "We're very proud of our accomplishments. The image of public housing created by the papers is wrong. The way the papers write it, you'd think all that happened in public housing were murders and robberies. We think we're running a highly successful operation. Our major problem is to convince people of the job we're doing so that we can get money for more housing."

Yet even here, in a discussion of the accomplishments of the housing authority and the nature of the people living in the projects, authority spokesmen refuse to face reality—preferring instead to deny problems that exist rather than face up to them.

"The public image of public housing is cockeyed," says Mr. Reid. "Why 97 percent of our families are normal people who have low incomes. We have less than 3 percent problem families."

That is what the housing authority says is true.

That is definitely not what one former manager, well acquainted with the authority's public pronouncements, knows is true.

"What they say is statistically true but unreal," he says. "Statistics are based on reports from the project managers. Most project managers don't report the vast majority of their problem families because it doesn't end with the report. You're involved suddenly with redtape, legal work special investigators, and somebody in the central office who begins to wonder why you can't take care of your project. I know that's the way I did it and I know that's what is happening today.

"I know one manager out at Fort Greene, in Brooklyn. **Out of 3,000 families, he had** more than 40 percent who could have been classified problem families if he had reported their violations to the central office.

"I know that he never reported 90 percent of them."

Asked about this manager's charge, which has been confirmed by other managers, Gerald J. Carey, general manager of the authority, said:

"That is about as garbled a piece of garbage as I've ever heard. It would seem to me that a manager would be the first to regard a potential problem family as a threat to his project."

EVICTIONS NUMBERED 164

In 1964, 164 authority tenants were evicted, a reduction of 36 from 1963.

Far more indicative of the severity of the problem is the arrest record. Though the authority refused to supply the arrest record broken down project by project, a spokesman did say that in 1964 4,188 arrests were made in connection with authority projects supervised by 817 full-time policemen—1,879 of them tenants, 2,309 of them nontenants.

As the authority spokesman was quick to point out, the figures are for arrests, not convictions.

What he didn't add was that these arrests were made by the housing authority's police force and did not include arrests made by city police.

For an agency that claims it has fewer than 3 percent "problem families" and has the 25th largest police force in the United States (only two cities in New York State have larger ones), the authority is unable to explain why the most frequent complaint from many tenants is that there aren't enough police to protect them.

Yet this is by no means the only inconsistency that surrounds the housing authority today. Among the most critical—and the ones the authority has chosen to ignore rather than face—are:

An increasing payroll (more than doubled in the past 7 years) versus curtailed building (in the last 7 years the authority put up nearly 14,000 units less than it did in the previous 7-year period).

An enabling concept that public housing is to take care of the city's impoverished people versus 30 hurdles which exclude most of the people who are the most impoverished.

A desperate plea for more money by the authority versus an expenditure of nearly $23,000 in 1964 to decorate four executive offices and two board rooms in lavish fashion.

A statement that the housing projects are well integrated (40 percent white, 40 percent Negro, and 20 percent Puerto Rican and other) versus a report, which the authority would not release, that shows that the individual projects are essentially mostly white or mostly Negro and Puerto Rican.

"The present public housing program, which was conceived in the thirties to meet the social and economic objectives of the depression years, is not sufficiently flexible to function adequately in terms of either the new urban problems or the broadened objectives of the sixties," says James W. Gaynor, State housing commissioner.

And, adds Jane Jacobs, author of "The Death and Life of Great American Cities," "Because we lack any ideology that puts government as the landlord and owner of public housing in the context with the rest of our national life, we have no sense about how to contend with such a thing. The bureaucracies that build and run these places—always in terror lest their capricious masters, the taxpayers, find fault with the tenants' housekeeping, morals or standards of amenity and blame the bureaucrats—are in some things impossibly arrogant and in others impossibly timid."

NEW YORK CITY IN CRISIS—PART LXVII

Mr. EVANS of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article appeared in the New York Herald Tribune on March 24, 1965, and is the third concerning New York City's Housing Authority.

It is part of the series on "New York City in Crisis," and follows:

NEW YORK CITY IN CRISIS—ONE FAMILY VERSUS THE HOUSING AUTHORITY

(According to housing authority officials, New York's public housing program has been given on unfair image by the press which, they say, reports only the murders and rapes—and none of the good aspects. Here, in the third of a series of articles on the low-income housing program, Marshall Peck talks to the people—those who live in the projects, those who want to get in but can't, and those who refuse to live in them.)

(By Marshall Peck)

Mary and Christopher Fisher came to New York 6 years ago from Kingston, N.C., to seek out a new and better way of life. To make the move, they left their four children—the youngest was then 1—with Mrs. Fisher's parents.

Since then, the Fishers have, by many standards done well for themselves. Mr. Fisher, 31, earns $108 a week on a GM assembly line in New Jersey; Mrs. Fisher earns $52 a week making pen clips in Manhattan. They have a second-hand 1959 Olds.

But in a very basic way, the Fishers today are a frustrated and troubled couple, discouraged and dismayed, despite their modest affluence. After 6 years in New York, they are still living in two rooms and their children are still separated from them because of lack of adequate housing.

Last summer, they brought their children, to New York. Two lived with them, two stayed at an in-law's small apartment. They couldn't find a suitable place and, the children went back to North Carolina. The Fishers drove to see them over the long Washington's birthday weekend.

The Fishers are among the 100,000 persons in New York City who last year tried to get into public housing, and who, for one reason or another, are among those who are still on the outside looking in.

It's not that they haven't tried, and it's not that the housing authority wouldn't like to find a home for them. But there are brutal circumstances that surround not only their case, but tens of thousands of others, that conspire against their chances.

In the squeeze to get into public housing, which can take only 12,000 people a year under the present building rate and tenant turnover, the vast majority of these applying have to lose out, and rules have been laid down to carry out this necessary, and yet ruthless, screening process.

There are 8 standards and 22 conditions, which, the authority rules, "govern the admission to projects of families" on the grounds that an individual's behavior or activities or character might interfere with neighbors or the operation of the project. These include everything from "grossly unacceptable housekeeping" to "out-of-wedlock children." There are, in certain cases, relaxation of requirements.

Even before the technical screening, which amounts to an evaluation of the applicant's character and ability to assimilate well with neighbors, the housing authority, in its preliminary exchanges with applicants, tends to cut down the number applying. An applicant is notified he is not yet eligible if he is above a certain income and/or has not been in New York for 2 years. Further, return notices for those who make the waiting list note that waiting time for entry is at least 24 months.

The Fishers have been among those who have tried before and been discouraged before. Now they are trying again.

The other afternoon, Mr. Fisher took a half day off from his job in Linden, N.J., and Mrs. Fisher took time off from her job at Ideal Metal, and went downtown to the Housing Authority office at 250 Broadway.

In 1961, the Fishers say, they filed their first application for public housing.

In 1963, they filed another, they say, with no result. No one told them that they might get in, sometime, or that they were not eligible. (Technically, children living away from the family, except for "unavoidable circumstances," can mean exclusion from public housing. The authority would not comment on the Fisher's particular case.)

THEY TAKE ACTION

Last month they sent in their third application, and so, armed with the return notice that they had been given a file number (1556646) and its warning of a 2-year wait, they decided to go to the authority in person, for the first time, and impress on it the urgency of their search for adequate housing so they could bring the family together.

The ride up the escalator took about as much time as the quick and somewhat curt rebuff they were to receive. Going in, Mr. Fisher said: "Well, a friend of mine, Jenkins, he sent in his application same time as we did. He's already going for an interview."

Added Mrs. Fisher: "I've almost given up, but still, so many of my friends are getting in, we decided to try once more."

The Fishers received a number and waited about 5 minutes. When it was called, Mr. Fisher went to talk with a young woman. In less than 10 minutes, he had presented his plea and said all he could say: that he hoped to gather his family in public housing, that his wife intended to drop her job when the children were with them.

He was told, in return, that he and his wife should have the children with them if they wished to follow through with their application.

Mr. Fisher, a small man, neatly dressed, walked, with a soft, expressionless face, back to his wife.

"I tried to explain," he reported, "tried to tell her that we don't have room for them now and that you're not going to work. She listened, but she didn't take much listening."

Down the escalator again. "Every one keeps telling me that I shouldn't have any trouble," Mr. Fisher said, "but I am. All I'm told is 'there's so many ahead of you, be patient, you just have to wait'."

"Well, I've been waiting 4 or 5 years."

"I've really no hope," said Mrs. Fisher. "I don't know where we stand."

The story of Mr. and Mrs. Fisher is being repeated daily, with infinite variations, in New York City. Perhaps the key is dogged perservance—as in the case of Seymour Blackman, who after applying "over the years" while living in "an infamous neighborhood," submitted one more application last September.

"Nothing beats a try, but a failure," Mr. Blackman philosophized. And this time, fortune smiled, and he and his mother a few days ago moved into the new DeWitt Clinton Houses on Park Avenue. They became 2 of the 535,000 housed by the housing authority in 137,064 apartments in 132 projects.

Or perhaps, part of the key is chance: Take the example of an almost hopeless case—a family with 14 children, in a city where large apartments just aren't built any more. Dennis Berrios and his wife live in seven well-kept-up, but dark, vermin-infested, rooms on West 92d Street. They first applied in 1958. They were never given a chance. But now, urban renewal is at work around them (West Side urban renewal area) and those living in such a district have a priority for public housing, provided, of course, they pass the qualifying exams.

The Berrios passed ("we were very impressed with the neatness of their house, despite its condition," said a housing authority official), and thus, with a lucky assist from urban renewal, the Berrios have been accepted for Stephen Wise Towers on West 90th. They are now waiting for a wall to be knocked down so that they can occupy two joined-together five-and-a-half-room apartments.

The obvious fact remains that demand for public housing is far greater than supply, and from all signs, such as the defeat for a proposed new State aid injection on last November's ballot, there is little chance that a balance can be achieved. Still, despite this known situation, and reports of incidents or other things that paint an unfavorable picture about public housing, the demand to get in grows larger every day.

THE MAIN CRITICISM

"Overall," says a city official who is not in the housing authority, "public housing works. It gives people good homes. It can be improved, too. The program is becoming more sophisticated, there's more imagination in project design, more concentration in the possibilities of rehabilitation.

"The main criticism of public housing has centered around its dehumanizing aspects. You stick people up in cement towers, 20 stories above the sidewalk, where you feel terribly separated from children on a playground down below, where you may be afraid to go into the halls at some hours, where you're afraid young toughs may be lurking or on the prowl, where it may not be too clean. That's the prison-like effect of public housing.

"The attempt to overcome some of the worst points is difficult because of the economies involved. Managers may rule like concentration camp leaders. And then, then if you start making too much, they boot you out, and you have to go back to the slums again.

"But basically, people who get into public housing are very pleased with it. They've arrived. It's those who can't get in that we should start thinking about. That's the main thing. What happens to the people who can't get in, the unfortunates? What we are getting down to is the fact that we're not helping those who need help most."

Another person, formerly in the housing authority and now in private business, questioned the authority's attempt, revealed 3 years ago, to create racially integrated projects by allegedly discriminating against some applicants so as to fill the desired racial quotas.

"The authority used the term 'phasing,'" the former official said. "It may still be doing it, or halfway doing it now. But here's the bind: once upon a time the basis for taking people in was—need. If this isn't the basis, priorities get fouled up.

"I am agreed that if the qualification formula for applicants was dropped, this would, probably, result in less desirable tenants going into projects. So, no one can interfere with the authority's right to screen out possible troublemakers and malcontents, but there's a real and serious conflict between the law against discrimination and the need for integration. No one is sure how to handle this. I think the two sides are on a sort of collision course."

The Greenleigh survey, a privately conducted study of the West Side urban renewal area that was ordered by the city and released last month, questioned the use of desirability standards in regards to public housing applicants.

The Greenleigh report said: "The survey findings cast doubt upon the extent to which some of these standards really are indicative of potential problems. While we are cognizant of the mammoth problems in the administration of public housing in New York City, we question the extent to which these standards help tenants to qualify for public housing."

As to the people who have arrived—who have been accepted for public housing—their sentiment is usually in favor of accepting safeguards.

Charles McHarris, who has been waiting 3 years and now "considers himself lucky" to be moving into Morris Houses, the Bronx, in April, said:

"Even if some of the questions (in the screening interview) are personal, they are questions that should be asked. Make sure a family is really a family, screen out the bad eggs, the undependable folks, those with real problem children. I feel this is good for the house, for everybody who is going to live there. We're looking forward to a home we can be proud of, a place where we'll have real family life. No half-families, or boy friends and girl friends or common law deals."

Mr. McHarris, 39, who served in the Marines in the Pacific in World War II, and was called up again during the Korean war, said that the chance to take his family into a real apartment would be a turning point in his life. He and his wife, and their four children, now live in a three-room flat on East 173d Street, the Bronx, which he said has no sink in the bathroom but a complement of rats.

Mr. McHarris said that he was interviewed for 1 hour at 250 Broadway, and that later a housing authority staff member visited his home and inspected the rooms. "He said he was looking to see how neat and clean we kept it," said Mr. McHarris. "He told us some people couldn't qualify if they didn't keep their homes in order. Some didn't pass the test, he said."

Other potential candidates for public housing are distressed at the changes that must take place. Mrs. Carmen Scifi of West 89th Street, is one of those who can be accorded priority for public housing as her house is soon to be demolished in the West Side urban renewal area, but she has serious doubts.

"I'm not so sure I want to go into a project, with those elevators and halls," she says. "I don't like to have these people asking me all sorts of questions. I don't know why I have such a hard time. All this interview business. It's sickening, frustrating."

Mrs. Scifi, 28, is a bookbinder and lives with her two children (she and her husband are separated). The department of relocation is now trying to help Mrs. Scifi find temporary lodging to make way for urban renewal demolition. But the need to move, and then move again, perhaps to public housing, has upset Mrs. Scifi.

To a great extent, the trepidation of Mrs. Scifi, and many others, is due to a somewhat unsavory image of public housing that has been nurtured, rightly or wrongly, in the minds of many citizens of ordinary affluence.

The authority announced this week that tenant organizations had been formed at 85 percent of its projects—an all-time high. These organizations, which theoretically are designed to serve as means of communication between the tenants and the housing authority, don't always work the way they're supposed to.

Though the tenants will complain among themselves about insufficient police protection, unsatisfactory maintenance of the halls and the grounds, and a regulation that prohibits dogs and cats, a great many will not take their grievances to their tenant organization.

A RUNDOWN EXAMPLE

The reason: A fear that the project manager, whose success is determined by the way he runs his project, will remember their names and retaliate (by reporting them to the central office) for any one of several dozen possible violations.

At present, Harlem River Houses, at 153d Street and Seventh Avenue, have the heaviest concentration of Negro tenants—98.1 percent; there was 100 percent Negro occupancy when the development opened in 1937. This project appeared to be one of those less well kept up, during an inspection tour of housing in Manhattan, Brooklyn, and the Bronx. There were a great many cracked or broken windows in the entry at one building, and walking around, an observer counted 53 similarly damaged windows in apartments. There is a group of stores near 151st Street, which are maintained by the housing authority, only one of which is rented. The others are dirty and dingy, one with a window replaced by a piece of tin, and another with a cracked plate glass window broken and in a precarious position.

Tenants are painfully aware of the bad name a project can get from the neighborhood around it. Seven years ago, the Fort Greene community in Brooklyn, where the Fort Greene project is situated at Myrtle and Carlton Avenues, was plagued by teenage gangs representing a variety of ethnic groups—the "Mau Mau Chaplains," the "El Quintos," and the "Irish Boys."

The gangs roughhoused throughout the entire neighborhood, including the Fort Greene houses. The housing authority police threw reinforcements in and set up a special system of 50 telephone boxes, which made it possible for complaints to be called from almost any spot. In 1962, a rapist terrorized the women tenants for several months, allegedly attacking 11 women and raping 6 of them, before being captured.

There was at least one larger disorder, with racial overtones, that added to the project's projection as a breeding ground for adult and juvenile delinquency. Now the project's name has been changed to Whitman-Ingersoll, with two separate managements, in something of a try to wipe the slate clean.

"We have such a bad reputation," says one tenant. "I'm glad they changed the name of the project. Now when I tell people I live in Ingersoll houses, they think it's another place. But the minute I say Fort Greene, everybody raises an eyebrow. Cabdrivers will balk and friends don't want to come to visit because we live in Fort Greene."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PURCELL (at the request of Mr. ALBERT), for today, and the balance of the week, on account of official business.

Mr. OLSEN of Montana (at the request of Mr. JOHNSCN of California), for May 12, 13, and 14, 1965, on account of death in the family—Mary Kiley.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HANSEN of Idaho (at the request of Mr. MCDADE), for 1 hour, on Thursday, May 13, 1965; and to revise and extend his remarks and to include extraneous material.

Mr. STRATTON (at the request of Mr. EVANS of Colorado), for 30 minutes, on May 13; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. CURTIS his remarks in Committee of the Whole today and to include extraneous matter.

Mrs. SULLIVAN (at the request of Mr. EVANS of Colorado) to include in her remarks during debate on S. 701 extraneous matter concerning action taken previously on the International Coffee Agreement.

Mrs. MINK (at the request of Mr. EVANS of Colorado) to extend her remarks immediately following those of Mr. MATSUNAGA during debate on S. 701 and to include extraneous matter.

(The following Members (at the request of Mr. EVANS of Colorado) and to include extraneous matter.)

Mr. BANDSTRA.
Mr. ST. ONGE.
Mr. MCVICKER.
Mr. MATSUNAGA.
Mr. BOLLING.
Mr. HICKS.
Mr. CALLAN in two instances.
Mr. EVINS of Tennessee.
Mr. FRASER.
Mr. DANIELS
Mr. SCHMIDHAUSER.
Mr. MURPHY of New York.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 836. An act to amend the Wool Products Labeling Act of 1939 to authorize the Federal Trade Commission to exclude from the provisions of that act headwear with respect to which the disclosure of wool fiber content is not necessary for the protection of the consumer; to the Committee on Interstate and Foreign Commerce.

S. 1317. An act to authorize the Commissioners of the District of Columbia to prescribe penalties for the handling and collection of dishonored checks or money orders; to the Committee on the District of Columbia.

S. 1319. An act to authorize a work release program for persons sentenced by the courts of the District of Columbia; to define the powers and duties in relation thereto, and for other purposes; to the Committee on the District of Columbia.

S. 1321. An act to amend section 501(e) of title 16 of the District of Columbia Code relating to bond requirements in connection with attachment before judgment; to the Committee on the District of Columbia.

S.J. Res. 5. Joint resolution designating the bridge crossing the Washington Channel near the intersection of the extension of 13th and G Streets SW., the "Francis Case Memorial Bridge"; to the Committee on the District of Columbia.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found

truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 66. An act to authorize the Board of Parole of the District of Columbia to discharge a parolee from supervision prior to the expiration of the maximum term or terms for which he was sentenced;

H.R. 3043. An act to amend title 37, United States Code, to authorize payment of special allowances to dependents of members of the uniformed services to offset expenses incident to their evacuation, and for other purposes;

H.R. 4338. An act to authorize the Veterans of Foreign Wars of the United States to rent certain property in the District of Columbia for certain office purposes;

H.R. 7855. An act to authorize appropriations for procurement of small patrol cutters for the Coast Guard; and

H.J. Res. 195. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the American Legion National Convention of 1966, to be held in Washington, D.C.; to authorize the granting of certain permits to the American Legion 1966 Convention Corp. of the District of Columbia on the occasion of such convention, and for other purposes.

ADJOURNMENT

Mr. EVANS of Colorado. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 43 minutes p.m.) the House adjourned until tomorrow, Thursday, May 13, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1085. A letter from the Comptroller General of the United States, transmitting copy of audit of Virgin Islands Corporation for fiscal year 1964, pursuant to section 106 of 31 U.S.C. 851 (H. Doc. No. 171); to the Committee on Government Operations and ordered to be printed.

1086. A letter from the Acting Administrator, General Services Administration, transmitting a report on the progress of liquidation activities of the national defense, war and reconversion activities of Reconstruction Finance Corporation, and a financial statement as of March 31, 1965, pursuant to Public Law 83–163, as amended, and 22 F.R. 4633; to the Committee on Banking and Currency.

1087. A letter from the Comptroller General of the United States, transmitting a report of Federal loan assistance for plant acquisition and improvement resulted in no new employment opportunities within redevelopment area in which plant was located, Area Redevelopment Administration, Department of Commerce; to the Committee on Government Operations.

1088. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument, and for other purposes; to the Committee on Interior and Insular Affairs.

1089. A letter from the Assistant Secretary of the Interior, transmitting a copy of an application by the Brown Canal Co., of Graham County, Ariz., for a loan under the Small Reclamation Projects Act, pursuant to section 4(c) of that act; to the Committee on Interior and Insular Affairs.

1090. A letter from the Director, U.S. Information Agency, transmitting a draft of proposed legislation for the relief of Kent A. Herath; to the Committee on the Judiciary.

1091. A letter from the president and chairman, Little League Baseball, Inc., transmitting the annual report of the corporation for calendar year 1964, pursuant to Public Law 88–378; to the Committee on the Judiciary.

1092. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to amend section 4 of the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans for the financing and refinancing of new and used fishing vessels; to the Committee on Merchant Marine and Fisheries.

1093. A letter from the Postmaster General, transmitting the cost ascertainment report of the Post Office Department for fiscal year 1964, pursuant to 39 U.S.C. 2331; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 396. A bill to provide that until June 30, 1968, Congress shall be notified of certain proposed public land actions; with amendment (Rept. No. 341). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 7969. A bill to correct certain errors in the Tariff Schedules of the United States; without amendment (Rept. No. 342). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 4525. A bill to amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs; without amendment (Rept. No. 343). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 344. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. COOLEY: Committee on Agriculture. House Joint Resolution 436. Joint resolution to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed; without amendment (Rept. No. 345). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of North Dakota:

H.R. 8089. A bill to amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission over nonprofit cooperatives; to the Committee on Interstate and Foreign Commerce.

By Mr. BELL:

H.R. 8090. A bill to provide an elected mayor, city council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. CAREY:

H.R. 8091. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

H.R. 8092. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 8093. A bill to amend the Fair Labor Standards Act of 1938 to increase to 50 percent of the minimum under section 6 the minimum wage applicable to handicapped workers employed in sheltered workshops and to provide for periodic increases beginning January 1, 1966, and for other purposes; to the Committee on Education and Labor.

By Mr. EVINS of Tennessee:

H.R. 8094. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the amount of a taxpayer's regular personal income tax exemptions for himself, his spouse, and his dependents; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 8095. A bill to authorize travel and transportation allowances under certain circumstances for members of the uniformed services when ordered to make changes of permament station while away from their permanent stations under orders, and for other purposes; to the Committee on Armed Services.

By Mr. GRABOWSKI:

H.R. 8096. A bill to amend the Bank Merger Act so as to provide that bank mergers, whether accomplished by the acquisition of stock or assets or in any other way, are subject exclusively to the provisions of the Bank Merger Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. HELSTOSKI:

H.R. 8097. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 8098. A bill to amend section 302 of title 23 of the United States Code relating to State highway departments; to the Committee on Public Works.

By Mr. HUNGATE:

H.R. 8099. A bill to designate the Joanna Dam and Reservoir proposed for construction on the Salt River near Joanna, Mo., as the "Clarence Cannon Dam and Reservoir"; to the Committee on Public Works.

By Mr. KREBS:

H.R. 8100. A bill to amend certain laws relating to housing in order to assist in the provision of decent, safe, and sanitary housing for low-income families in urban and rural areas, to provide standards for determining just compensation in eminent domain proceedings, and for other purposes; to the Committee on Banking and Currency.

H.R. 8101. A bill to establish a Department of Housing and Urban Development, and for other purposes; to the Committee on Government Operations.

H.R. 8102. A bill to provide time off duty for Government employees to comply with religious obligations prescribed by religious denominations of which such employees are bona fide members; to the Committee on Post Office and Civil Service.

By Mr. McDOWELL:

H.R. 8103. A bill to repeal the manufacturers excise tax on passenger automobiles; to the Committee on Ways and Means.

By Mr. McGRATH:

H.R. 8104. A bill to amend the Export Control Act of 1949; to the Committee on Banking and Currency.

By Mr. McVICKER:

H.R. 8105. A bill to amend title II of the Social Security Act to provide that a survivor beneficiary shall not lose his or her entitlement to benefits by reason of a marriage or remarriage which occurs after he or she attains age 62; to the Committee on Ways and Means.

By Mr. MICHEL:

H.R. 8106. A bill to amend the act of May 16, 1910, with respect to the fees to be charged for certain tests and investigations conducted by the Bureau of Mines; to the Committee on Interior and Insular Affairs.

By Mrs. MINK:

H.R. 8107. A bill to correct inequities with respect to the basic compensation of teachers and teaching positions under the Defense Department Overseas Teachers Pay and Personnel Practices Act; to the Committee on Post Office and Civil Service.

By Mr. REUSS:

H.R. 8108. A bill to amend the Sherman Antitrust Act (15 U.S.C. 1 et seq.) to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize, and for other purposes; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.R. 8109. A bill to amend certain provisions of the Fair Labor Standards Act of 1938 and the National Labor Relations Act relating to agricultural labor, and to establish a voluntary farm employment service and a National Advisory Council on Migratory Labor; to the Committee on Education and Labor.

By Mr. SCHEUER:

H.R. 8110. A bill to provide for a program of assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques, and practices in State and local law enforcement and prevention and control of crime; to provide for an additional Assistant Attorney General in the Department of Justice to administer such program; and for other purposes; to the Committee on the Judiciary.

By Mr. SCHMIDHAUSER:

H.R. 8111. A bill to establish the Herbert Hoover Birthplace National Historic Site in the State of Iowa; to the Committee on Interior and Insular Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 8112. A bill to provide a realistic cost-of-living increase on rates of subsistence allowances paid to disabled veterans pursuing vocational rehabilitation training; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of Louisiana:

H.R. 8113. A bill to amend the Internal Revenue Code of 1954 to provide a deduction from gross income for certain funeral expenses; to the Committee on Ways and Means.

By Mr. VIGORITO:

H.R. 8114. A bill to provide for the designation, under the provisions of section 1109(b) of the Federal Aviation Act of 1958, of the Port Erie Airport, Erie, Pa., as a port of entry for civil aircraft; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITENER (by request):

H.R. 8115. A bill to transfer certain functions from the U.S. District Court for the District of Columbia to the District of Columbia Court of General Sessions and to certain other agencies of the municipal government of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. ANDERSON of Tennessee:

H.R. 8116. A bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply and water systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes; to the Committee on Agriculture.

By Mr. DON H. CLAUSEN:

H.R. 8117. A bill to amend the Internal Revenue Code of 1954 to repeal certain retailer and manufacturers excise taxes, the excise taxes on facilities and services, the documentary stamp tax, and certain other excise taxes; to the Committee on Ways and Means.

By Mr. COOLEY:

H.R. 8118. A bill to provide that a portion of the excise tax on cigarettes be set aside in the Treasury as a special fund which shall be available for appropriation for certain programs relating to tobacco; to the Committee on Ways and Means.

By Mr. GURNEY:

H.R. 8119. A bill to provide for the establishment of a program under which foreign agricultural workers can be recruited for temporary employment in the continental United States; to the Committee on Agriculture.

By Mr. HARRIS:

H.R. 8120. A bill to create the National Capital Airports Corporation, to provide for the operation of the federally owned civil airports in the District of Columbia or its vicinity by the Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARVEY of Michigan:

H.R. 8121. A bill to amend the Bankruptcy Act; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H.R. 8122. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mrs. KELLY:

H.R. 8123. A bill to amend title 10 of the United States Code to provide for the payment of certain taxes in foreign countries on behalf of members of the Armed Forces; to the Committee on Armed Services.

By Mr. MACDONALD:

H.R. 8124. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. MEEDS:

H.R. 8125. A bill to make dairy products available for domestic and foreign programs; to the Committee on Agriculture.

By Mr. MULTER:

H.R. 8126. A bill to amend the District of Columbia minimum wage law to provide broader coverage, improved standards of minimum wage and overtime compensation protection, and improved means of enforcement; to the Committee on the District of Columbia.

By Mr. REUSS:

H.R. 8127. A bill to amend the Internal Revenue Code of 1954 so as to permit certain tax-exempt organizations to engage in certain activities for the purpose of influencing legislation directly relevant to the purposes which qualify such organizations for tax exemption, without causing the loss of certain benefits under such code, and to provide tax exemption for organizations engaged in promoting the conservation of our natural resources; to the Committee on Ways and Means.

By Mr. ROSENTHAL:

H.R. 8128. A bill to amend section 2 of the Export Control Act of 1949; to the Committee on Banking and Currency.

By Mr. ST. ONGE:

H.R. 8129. A bill to create a commission to study Federal laws limiting political activity by officers and employees of Government; to the Committee on House Administration.

By Mr. UDALL:

H.R. 8130. A bill to provide necessary services and facilities to facilitate the administration and conclusion of matters arising out of the respective incumbencies in office of living and deceased former Presidents and Vice Presidents of the United States, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BRADEMAS:

H.R. 8131. A bill to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961; to the Committee on Education and Labor.

By Mr. O'HARA of Michigan:

H.R. 8132. A bill to amend the Vocational Rehabilitation Act to assist in providing more flexibility in the financing and administration of State rehabilitation programs, and to assist in the expansion and improvement of services and facilities provided under such programs, particularly for the mentally retarded and other groups presenting special vocational rehabilitation problems, and for other purposes; to the Committee on Education and Labor.

By Mr. MACDONALD:

H.R. 8133. A bill to amend title 10 of the United States Code to authorize the Secretary of the Army to lend obsolete or condemned rifles to local units of certain national veterans' organizations for use for ceremonial purposes; to the Committee on Armed Services.

By Mr. COLLIER:

H.J. Res. 457. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TUPPER:

H.J. Res. 458. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DENT:

H.J. Res. 459. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. SCHWEIKER:

H.J. Res. 460. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.J. Res. 461. Joint resolution in honor of Joan Merriam Smith; to the Committee on the Judiciary.

By Mr. FINO:

H.J. Res. 462. Joint resolution in honor of Joan Merriam Smith; to the Committee on the Judiciary.

By Mr. FASCELL:

H.J. Res. 463. Joint resolution in honor of Joan Merriam Smith; to the Committee on the Judiciary.

By Mr. HOSMER:

H.J. Res. 464. Joint resolution in honor of Joan Merriam Smith; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H.J. Res. 465. Joint resolution in honor of Joan Merriam Smith; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.J. Res. 466. Joint resolution to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STAGGERS:

H.J. Res. 467. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HOWARD:

H. Con. Res. 410. Concurrent resolution to request the President to bring before the United Nations for its consideration the question of the forceful incorporation into the Soviet Union of various captive nations; to the Committee on Foreign Affairs.

By Mr. GROVER:

H. Res. 382. Resolution expressing the sense of the House of Representatives that the Organization of American States should create its own military organization; to the Committee on Foreign Affairs.

By Mr. HAYS:

H. Res. 384. Resolution establishing certain requirements for persons serving as pages in the House of Representatives; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK:

H.R. 8134. A bill for the relief of Col. Thomas O. Lawton, Jr., U.S. Air Force; to the Committee on the Judiciary.

By Mr. BOLLING:

H.R. 8135. A bill for the relief of Jennifer Rebecca Siegel; to the Committee on the Judiciary.

By Mr. CULVER:

H.R. 8136. A bill for the relief of Demetrius Farfaras; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 8137. A bill for the relief of Aldo and Emilia Vallera; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 8138. A bill for the relief of Leonora Guevara Villanueva; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 8139. A bill for the relief of Mordecai Z. Lapidus; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 8140. A bill for the relief of Dr. Osias M. Villaflor; to the Committee on the Judiciary.

By Mr. GRIDER:

H.R. 8141. A bill for the relief of Telemachos Tzagarakis; to the Committee on the Judiciary.

By Mr. KREBS:

H.R. 8142. A bill for the relief of Etelka Jakobovits; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 8143. A bill for the relief of Lt. Col. Marcelino C. Guiang; to the Committee on the Judiciary.

By Mr. O'BRIEN:

H.R. 8144. A bill for the relief of Irene Zaloga; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 8145. A bill for the relief of Vahram Kaloust Sarrafian; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 8146. A bill for the relief of Marjorie Cynthia George; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

206. The SPEAKER presented a petition of the Board of Supervisors, Westchester County, White Plains, N.Y., relative to requesting enactment of legislation amending the Immigration and Nationality Act as proposed by S. 500 and H.R. 2580; which was referred to the Committee on the Judiciary.

* * *

SENATE

Wednesday, May 12, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, before whose eyes the ages pass, who givest unto every people its heritage to enrich the commonwealth of mankind, we thank Thee that as Thy earth children beat their way out of the jungle of selfish isolation, something there is in the heart of man which hates a wall, as he gazes on far horizons.

In all our national attitudes and policies, keep us, we pray Thee, from any taint of greed, of pride, or of lust for power. Hasten, we beseech Thee, through us, the day of an ampler life for all, when every man will dwell in safety among his neighbors, free from gnawing want, free from torturing fears, free to speak his thoughts, and free to choose his altar of worship.

Be Thou the companioning presence of our daily lives, going with us where we go, sustaining, guiding, correcting, empowering, until our day's work is over and sunset comes to find us undishonored, undefeated, and unashamed.

We bring our prayer in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Monday, May 10, 1965, and Tuesday, May 11, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

FEDERAL SALARIES — MESSAGE FROM THE PRESIDENT (H. DOC. NO. 170)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying papers, was referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

America expects—and receives—much from her public servants.

In every field of endeavor vital to the security of this Nation—from foreign affairs to science and technology to national defense—we depend on the career men and women of the Federal service for competence, devotion, loyalty, and responsibility.

I have been a part of this service for almost 35 years. I have seen it perform critical and vital tasks. Most of the time it has performed at its best—and that is the way we want it to stay.

I believe firmly that the merit system is the keystone of good government.

I believe that the public service is a profession of dignity, opportunity, and profound personal achievement.

I reject the proposition that Government employment is somehow inferior to employment in business, in the professions, in university life, or in any other occupation. There can be no class system separating the men and women who are committed to the service of their fellow men or to the defense of their country.

I also believe strongly in the obligation of the Federal Government to be a good employer. And I define a good employer as one who—

Demands excellence and rewards it;

Is fair and just;

Respects the dignity of his employees;

Insists upon ethical standards and sets a good example;

Practices no discrimination;

Welcomes fresh ideas and new approaches;

Fulfills his responsibilities to the community;

Provides opportunities for growth and challenge;

Combines prudent business judgment with enlightened policies on compensation and benefits.

We do not have two standards of what makes a good employer in the United States: one standard for private enterprise and another for the Government. A double standard which puts the Government employee at a comparative disadvantage is shortsighted. In the long run, it costs more.

In all respects, save one, the Federal Government today is meeting the test of a good employer. In the last 4 years we have almost—but only almost—achieved adequate, up-to-date, and fair pay systems for all categories of Government personnel.

We must not cease our effort now.

In my budget message on January 25, 1965, I announced the appointment of a Special Panel on Federal Salaries to review Federal military and civilian pay levels.

That Panel presented its report to me on April 15. It is attached to this message. I have been studying it carefully.

The report contains a series of recommendations concerning adjustment of Federal pay in the fiscal year 1966.

I endorse the proposals of the Panel and recommend early action by the Congress to authorize:

An average increase of 3 percent in Federal civilian salaries.

An average increase of 4.8 percent in compensation of all uniformed personnel, except enlisted personnel with under 2 years of service.

A 2.7-percent increase in base pay of enlisted personnel with less than 2 years of service.

These proposed adjustments will restore the relationships between civilian and military pay established in 1963.

The adjustments will not bring us to full achievement of the comparability standard enunciated in the Federal Salary Reform Act of 1962, but they will prevent loss of ground already attained.

Before including the full effect in retirement plans, the proposed increases will have a total annual cost of approximately $853 million—$447 million for uniformed personnel and $406 million for civilian personnel. In order to hold the costs of pay adjustments in the fiscal year 1966 within amounts included in the budget for that purpose, I recommend that the increases be made effective January 1, 1966.

Legislation to carry out these recommendations is attached. I ask that it be referred to the appropaite committees of the Congress for early consideration.

The pay adjustments proposed in this message emphasize the obligation of the Federal Government to insist upon maximum return from every dollar spent on a salary.

All agencies of the executive branch are working hard to improve the productivity of their employees and to curtail outmoded activities. All agencies have established personnel control programs which should bring to a halt unwarranted increases in average grades and average salaries.

I am continuing my personal efforts to hold down employment. The most recent monthly report of the Civil Service Commission shows that there are now about 22,000 fewer civilian employees in the executive branch than in December 1963.

New employees must replace many who leave, but additional employment will occur only when our responsibilities permit no other course of action.

I am proud of the progress we have made toward lean and fit competence in the discharge of Federal responsibilities. Adequate pay will help us to continue our advance toward that goal.

The report of the Panel proposes new procedures for acting upon compensation matters in the future.

The first proposal would establish a permanent mechanism for impartial review at 4-year intervals of the structure and interrelationships of all Government salary systems. Following these reviews, the President would be authorized to propose changes in salary schedules for top positions in the executive, legislative, and judicial branches. The changes would go into effect automatically at a given date, unless disapproved by resolution of either House of the Congress. Other changes proposed by the President as a result of a quadrennial review would be acted upon through the regular processes for the enactment of legislation.

The second proposal would authorize a procedure for acting, between quadrennial reviews, upon such periodic adjustments in pay rates for Federal civilian and military personnel as may be warranted to keep pace with changes in pay rates elsewhere in the economy. Under this proposal, the President would continue to make prescribed reports annually to the Congress. When any such annual report includes recommendations for revision of salary rates, these revisions would go into effect automatically at a given date, unless disapproved by resolution of either House of the Congress.

I concur in these recommendations of the Panel.

Legislation to establish the first of these new and improved procedures is attached.

Amendments of existing law to make the second recommendation effective are included in the bills authorizing pay adjustments for civilian and uniformed personnel.

The civilian pay bill also includes an amendment of the Federal Salary Reform Act of 1962 which would carry out another of the Panel's recommendations. This amendment would give the President discretionary authority to make salary surveys and comparisons in additional fields of non-Federal employment.

Existing law limits the annual surveys and comparisons to "private enterprise." Collection and analysis of salary rate information in such fields of employment as State and local governments and nonprofit institutions would give added assurance that Federal salary rates are kept in appropriate relationship with salary rates prevailing throughout our economy.

Drafts of legislation to carry into effect other important recommendations contained in the Panel's report will be promptly transmitted to the Congress. These drafts will propose to:

Authorize certain civilian employees not now receiving premium pay for overtime to receive such pay on an equal basis with other civilian employees.

Establish a coordinated and equitable system for payment of moving expenses to employees transferred for the convenience and benefits of the Government.

Authorize payment of readjustment allowances to certain employees separated involuntarily from Federal employment through no fault of their own.

The report of the Special Panel and this message largely take the place this year of the President's annual report to the Congress, as required by the Federal Salary Reform Act of 1962. Nevertheless, the report and analysis of the Bureau of the Budget and the Civil Service Commission on the comparison of Federal and private enterprise salary levels, and the views of employee organizations, should be available to the Congress. I am transmitting them by separate communication.

With the enactment of the legislation recommended in this message, we shall have taken still another series of steps in the most far-reaching revision of Federal compensation laws in the history of our country.

We shall be much nearer to full achievement of the comparability standards adopted by the Congress in 1962.

We shall have established for the first time sound procedures for maintaining interrelated salary systems for both civilian and military personnel, which will be based upon fair, clear, consistent, and up-to-date policies.

And we shall be in a far better position to attract and retain in Federal service the best talent in America.

I urge prompt consideration of these proposals. Their results will more than justify their costs.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 12, 1965.*

REPORT OF NATIONAL CAPITAL HOUSING AUTHORITY—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on the District of Columbia:

To the Congress of the United States:

In accordance with the provisions of section 5(a) of Public Law 307, 73d Congress, approved June 12, 1934, I am sending for the information of the Congress the report of the National Capital Housing Authority for the fiscal year ended June 30, 1964.

At this period, there is a wholesome and welcome national interest—extending far beyond the geographic limits of this District of Columbia—in developing our Nation's Capital City as a proud and beautiful showcase of America at its best. This interest is heartening and hopeful. I believe we may reasonably and responsibly expect that these next years immediately ahead will be the finest years in the history of the city of Washington.

As I have indicated in my previous messages to you, the challenges here are many and our efforts must proceed with courage and perseverance on many fronts. The most basic challenge—requiring our most determined perseverance—lies on the front of housing now, as it has for 30 years.

In 1934, early in his administration, President Franklin D. Roosevelt and the Congress began the attack on slums and blighted housing in the District of Columbia with the Alley Dwelling Act. Over this span, the National Capital Housing Authority has carried forward that attack. But, as this report notes, "The evidence of a critical shortage of adequate housing for low-income families in the District of Columbia is overwhelming."

We can be pleased that the National Capital Housing Authority is presently accelerating its efforts to enlarge the supply of housing available for low-income families. But this acceleration must continue. If we are to make certain that the city of Washington is a great capital worthy of a great nation, it is fundamental that our families residing here must have good homes in which to live.

Our goal for the Nation is a decent neighborhood for every family. The fulfillment of that goal should—and must—be realized here in the Nation's Capital.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 12, 1965.*

REPORT OF RAILROAD RETIREMENT BOARD—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 27)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

In compliance with the provisions of section 10(b)4 of the Railroad Retirement Act, approved June 24, 1937, and of section 12(1) of the Railroad Unemployment Insurance Act, approved June 25, 1938, I am sending for the information of the Congress, the report of the

Railroad Retirement Board for the fiscal year ended June 30, 1964.

Since the inception of these programs nearly 30 years ago, almost $15 billion has been paid to railroad employees and their families in retirement and survivor benefit payments and unemployment-sickness benefits. In the fiscal year covered by this report, retirement and survivor benefit payments were made to 970,000 beneficiaries—$704 million to retired employees, $119 million to wives, and $274 million to survivors of deceased employees.

It is noteworthy that the 423,000 retired employees receiving annuities as of June 30, 1964, averaged 74 years of age and their annuities average $140. Disability annuitants average 66 years of age and payments to them average $127.

During the term of this report, an average of 785,000 persons held jobs covered by the Railroad Retirement and Railroad Unemployment Insurance Acts, 11,000 fewer than in the previous year. On a monthly basis, employment during February 1964, dipped to the lowest total of any month since 1937—this low point total was 767,000. Higher individual earnings—averaging $6,800 per job or $100 more than in 1962–63—largely offset the declining employment, so that the total railroad payroll for 1963–64 amounted to $5.4 billion, about the same as in the preceding year.

The report of Chairman Howard W. Harbermeyer of the Railroad Retirement Board is comprehensive and detailed, and I commend it to the Congress for review and study.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 12, 1965*.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of Leonard C. Meeker, of New Jersey, to be legal adviser of the Department of State, vice Abram Chayes, which was referred to the Committee on Foreign Relations.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 7997) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1966, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H.R. 66. An act to authorize the Board of Parole of the District of Columbia to discharge a parolee from supervision prior to the expiration of the maximum term or terms for which he was sentenced;

H.R. 3043. An act to amend title 37, United States Code, to authorize payment of special allowances to dependents of members of the uniformed services to offset expenses incident to their evacuation, and for other purposes;

H.R. 4338. An act to authorize the Veterans of Foreign Wars of the United States to rent certain property in the District of Columbia for certain office purposes;

H.R. 7855. An act to authorize appropriations for procurement of small patrol cutters for the Coast Guard; and

H. J. Res. 195. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the American Legion National Convention of 1966, to be held in Washington, District of Columbia; to authorize the granting of certain permits to the American Legion 1966 Convention Corp. of the District of Columbia on the occasion of such convention, and for other purposes.

HOUSE BILL REFERRED

The bill (H.R. 7997) making appropriations for sundry independent executive bureaus, boards, commission, corporations, agencies, and offices, for the fiscal year ending June 30, 1966, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Permanent Investigations of the Committee on Government Operations, the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary, and the Committee on Commerce were authorized to meet during the session of the Senate today.

ENROLLED BILL SIGNED

The VICE PRESIDENT announced that on yesterday, May 11, 1965, he signed the enrolled bill (H.R. 7064) to amend the Foreign Service Buildings Act of 1926, as amended, which had previously been signed by the Speaker of the House of Representatives.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON REVIEW OF VOLUNTARY AGREEMENTS AND PROGRAMS

A letter from the Attorney General, transmitting, pursuant to law, a report on a review of voluntary agreements and programs under the Defense Production Act of 1950 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON PROGRESS OF LIQUIDATION ACTIVITIES OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report on the progress of the liquidation activities of the Reconstruction Finance Corporation, as of March 31, 1965 (with an accompanying report); to the Committee on Banking and Currency.

DEVELOPMENT OF ELLIS ISLAND AS A PART OF THE STATUE OF LIBERTY NATIONAL MONUMENT

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument, and for other purposes (with an accompanying paper); to the Committee on Government Operations.

KENT A. HERATH

A letter from the Director, U.S. Information Agency, Washington, D.C., transmitting a draft of proposed legislation for the relief of Kent A. Herath (with an accompanying paper); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

ADJUSTMENT OF STATUS OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered relating to the adjustment of the status of certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT OF ELEANOR ROOSEVELT MEMORIAL FOUNDATION

A letter from the chairman, Eleanor Roosevelt Memorial foundation, New York, N.Y., transmitting, pursuant to law, a report of that foundation, for the year 1964 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Senate of the State of Washington; to the Committee on Appropriations:

"S. RESOLUTION 1965–Ex 30

"To the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, and to the Senate and House of Representatives of the United States, in Congress Assembled:

"Whereas the construction of the third powerhouse at Grand Coulee Dam is necessary to utilize the upriver storage which is to be provided pursuant to the recent treaty between the United States and Canada; and

"Whereas, the electric power from this huge project will be needed to serve rapidly increasing demands in the Pacific Northwest; and

"Whereas the $400 million project will produce an additional 3,600,000 kilowatts, making Grand Coulee the largest producer of electric power in the world, and will again move the United States ahead of the Soviet Union in this important field; and

"Whereas the construction of the project will provide additional employment and will provide a great economic boost to the immediate area and to the entire State: Now, therefore, be it

"*Resolved by the Washington State Senate,* That the Congress of the United States and those committees concerned with appropriations be requested to provide funds so that the construction of the third powerhouse at Grand Coulee can be commenced at the earliest practical date; and be it further

"*Resolved,* That the secretary of the senate transmit copies of this resolution to the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, to each Member of Congress from the State of Washington, and to the Secretary of the Department of the Interior.

"WARD BOWDEN,
"*Secretary of the Senate.*"

A resolution of the Legislature of the State of Minnesota; to the Committee on Interior and Insular Affairs:

"RESOLUTION 3

"Resolution memorializing the Congress of the United States to provide for development of the Wild Rice River watershed and construction of a dam on the Wild Rice River

"Whereas the Wild Rice River periodically is the source of floods that inundate the low, flat, fertile lands in the western reaches of the river, thereby endangering lives and damaging farm property, crops, highways, bridges, railroads, and other property; and

"Whereas control of the Wild Rice River would conserve the water available in the river, would provide for industrial development, recreational needs, and would provide a habitat for wildlife: Now, therefore, be it

"*Resolved by the Legislature of the State of Minnesota,* That the Congress of the United States provide for development of the Wild Rice River watershed and for construction of a dam on the Wild Rice River near Twin Valley; be it further

"*Resolved,* That copies of this resolution be forwarded to the President and Vice President of the United States, to all Members of the U.S. Congress from the State of Minnesota, to the Secretary of Defense, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Department of Health, Education, and Welfare, and to the U.S. Army Corps of Engineers.

"A. M. KEITH,
"*President of the Senate.*
"L. L. DUXBURY,
"*Speaker of the House of Representatives.*
"HY TORREY,
"*Secretary of the Senate.*
"G. H. LEAHY,
"*Chief Clerk, House of Representatives.*
"Approved May 3, 1965.
"KARL F. ROLVAAG,
"*Governor of the State of Minnesota.*"

A resolution adopted by the Thomas Lau Suedhoff Post No. 9500, Veterans of Foreign Wars of the United States, of Fort Wayne, Ind., protesting against the merger of the Army Reserve and the National Guard; to the Committee on Armed Services.

A resolution adopted by the executive committee of the Georgia School Boards Association, Atlanta, Ga., relating to the enforcement of title VI of the Civil Rights Act of 1964; to the Committee on the Judiciary.

A resolution adopted by the Pensacola Typographical Union No. 293, of Pensacola, Fla., favoring the enactment of Senate bill 1781, to prohibit interstate trafficking in strikebreakers; to the Committee on Labor and Public Welfare.

SOIL AND WATER CONSERVATION—JOINT RESOLUTION OF VERMONT LEGISLATURE

Mr. AIKEN. Mr. President, I submit, for appropriate reference and printing in the RECORD, a joint resolution adopted by the Vermont State Legislature. The joint resolution relates to soil and water conservation, and requests the Congress to appropriate the funds necessary to maintain the soil conservation practices at least at the same level as existed in 1964.

The VICE PRESIDENT. The joint resolution will be appropriately referred.

There being no objection, the joint resolution was referred to the Committee on Agriculture and Forestry, as follows:

HOUSE JOINT RESOLUTION 29

Joint resolution relating to soil and water conservation

Whereas the conservation and proper use of the soil and water resources of America is the proper concern of all the people; and

Whereas the Soil Conservation Service of the U.S. Department of Agriculture has been charged with the responsibilities of furnishing technical assistance to all landowners for the purpose of recommending and guiding the proper use of our land and water resources; and

Whereas the landowner is financially responsible for the actual carrying out of the recommended practice; and

Whereas the Congress for 30 years has consistently appropriated the necessary funds to provide the technical assistance; and

Whereas the Federal Budget Bureau has now proposed to cut back by about 20 percent the appropriation for Soil Conservation Service technical assistance; and

Whereas the Budget Bureau has also proposed that Congress establish a revolving fund through which landowners would pay the Federal Government for technical assistance provided by the Soil Conservation Service, contrary to the established practice of the past 30 years; and

Whereas the implementation of the Budget Bureau's proposal would constitute a complete reversal of sound national policy; and

Whereas the adoption of these proposals would severely retard the conservation and development of the soil and water resources of America: Now, therefore, be it

Resolved by the senate and house of representatives, That the General Assembly of the State of Vermont reaffirm its belief in the principles of conservation and proper use of land and water as set forth in Public Law 46, known as the Soil Conservation Act of 1935; and be it further

Resolved, That the General Assembly of the State of Vermont urge Congress to appropriate the necessary funds to maintain the technical services of the Soil Conservation Service on at least the level of 1964; and be it further

Resolved, That the secretary of state is instructed to send copies of this resolution to the Vermont congressional delegation, to the chairman of the appropriate committees in both Houses of Congress, to the Soil Conservation services, and to the National Association of Conservation Districts.

Approved: May 4, 1965.

PHILIP H. HOFF,
Governor.
FRANKLIN S. BILLINGS, Jr.,
Speaker of the House of Representatives.
JOHN J. DALEY,
President of the Senate.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. MONRONEY, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated April 28, 1965, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS:

S. 1946. A bill to amend the Internal Revenue Code of 1954 to provide that the tax on admissions shall not apply to admissions to any live dramatic (including musical) performance; to the Committee on Finance.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 1947. A bill to amend section 203(e) of the Federal Property and Administrative Services Act of 1949 to facilitate the procurement of certain surplus personal property by State agencies; to the Committee on Government Operations.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 1948. A bill to amend the Communications Act of 1934, as amended, with respect to commissioners, employees, and executive reservists of the Federal Communications Commission;

S. 1949. A bill to amend the Communications Act of 1934, as amended, to conform to the Convention for the Safety of Life at Sea, London (1960);

S. 1950. A bill to amend section 1003 of the Federal Aviation Act of 1958 to authorize common carriers under the jurisdiction of the Civil Aeronautics Board, Federal Maritime Commission, and Interstate Commerce Commission to enter into joint rates, provide for their regulation by a joint board, and for other purposes; and

S. 1951. A bill to provide for the retirement of enlisted members of the Coast Guard Reserve; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. LONG of Missouri (for himself, Mr. DOUGLAS, Mrs. NEUBERGER, and Mr. RANDOLPH):

S. 1952. A bill to establish a national policy and program with respect to wild predatory mammals, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. LONG of Missouri when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG:

S. 1953. A bill to provide for the gradual reduction and eventual elimination of the tax on passenger automobiles and the tax on automobile parts and accessories; to the Committee on Finance.

(See the remarks of Mr. FONG when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT:

S. 1954. A bill to protect coastal fishery and other resources by implementing the Convention on the Territorial Sea and the Contiguous Zone; to the Committee on Commerce.

(See the remarks of Mr. BARTLETT when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 1955. A bill for the relief of Sister Maria Silvia (Natalina DaDalt), and Sister Maria

Angela (Rosa Colombo); to the Committee on the Judiciary.

By Mr. BURDICK:

S. 1956. A bill to donate to the Devils Lake Sioux Tribe, Fort Totten Reservation, some submarginal lands of the United States, and to make such lands part of the reservation involved; to the Committee on Interior and Insular Affairs.

By Mr. PASTORE:

S. 1957. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. TYDINGS (by request):

S. 1958. A bill to amend the Fire and Casualty Act of the District of Columbia (District of Columbia Code 35-1301 to 35-1350) by adding at the end thereof a chapter No. III containing sections Nos. 1 through 11, defining insurance premium finance companies: providing for the licensing and regulation of such companies by the Superintendent of Insurance, the establishment of charges which may be made by such companies; and to provide a penalty for violations thereof; to the Committee on the District of Columbia.

REPEAL OF THE 10-PERCENT FEDERAL EXCISE TAX ON THEATER TICKETS

Mr. JAVITS. Mr. President, I send to the desk, for appropriate reference, a bill to repeal the Federal excise tax on tickets for live dramatic and musical performances.

It will be remembered that this is a measure which I have enthusiastically supported before. The last time the measure was before the Senate, on June 25, 1964, it was defeated by a vote of 32 to 54. However, the Senate agreed by voice vote to a reduction of the tax on live theater admissions from 10 to 5 percent. The Senate amendment was not included in the final excise tax bill as enacted.

This particular 10-percent excise tax, which pertains to live dramatic and musical performances in the commercial theater, does not produce very much revenue. The Treasury has advised me that revenue collection is within the range of $6 to $10 million.

The tax has been found to be a deterrent to attendance at theater performances throughout the United States. This country now has 200 year-round theaters, a large number of summer stock theaters, and some 75,000 nonprofessional groups. The New York City theater industry, as well as theaters in other areas, is in a terrible financial plight now. Rising costs have necessitated increases in ticket prices. When an industry has rising costs it seriously considers raising prices or suffer the financial consequences. The imposition of the 10-percent tax places even heavier burdens on those interested in attending these cultural events.

In practically every country of the free world, as well as the Communist world, the theater is subsidized by government. That practice is not pursued here, though we are hopeful that S. 1483, the bill establishing a National Foundation on Arts and Humanities, will render some assistance to the theater industry. The assistance, however, would be rendered to nonprofit theaters.

For all of these reasons, I strongly urge the Senate to take action upon this measure at long last. A small amount of revenue is involved in the 10-percent excise tax, but represents a large barrier to the growth and development of the theater in this country.

The theater in the United States represents one of our major cultural developments. It is a field in which we lead the world. I would like to keep it so. The elimination of the 10-percent excise tax on admissions will help the theater to survive.

We have every expectation that, in spite of the repeal of this tax, the theater admission prices will remain stable. The theater industry throughout our country is now suffering financially, and the elimination of this excise tax would help greatly.

I hope that early action on this measure may be taken by the Finance Committee.

The PRESIDING OFFICER (Mr. Montoya in the chair). The bill will be received and appropriately referred.

The bill (S. 1946) to amend the Internal Revenue Code of 1954 to provide that the tax on admissions shall not apply to admissions to any live dramatic (including musical) performance, introduced by Mr. Javits, was received, read twice by its title, and referred to the Committee on Finance.

FACILITATION OF PROCUREMENT OF CERTAIN SURPLUS PERSONAL PROPERTY BY STATE AGENCIES

Mr. YARBOROUGH. Mr. President, every year the General Services Administration disposes of hundreds of millions of dollars of surplus personal property no longer needed by the Federal Government. In 1962, for example, the value of such surpluses disposed of by GSA had a value of about $1 billion. Some of this property goes directly to our various State and local governments, either by donation or by purchase. This saves these governments many millions of dollars annually.

However, as this disposal process now operates, our local governments are severely hampered in receiving or purchasing surplus property which they sorely need. The simple fact is that the purchasing agents for our local governments have no way of knowing what surplus property is available at any given time. Because of this, a great deal of the property disposed of by GSA instead of going directly to our local governments is sold first to private surplus dealers, who then widely advertise and eventually profitably sell this property to our local governments.

Even when the purchasing agents for our various local governments and agencies do find surplus property needed by their particular agency, which the Federal Government wants to dispose of, they often find that, before they can obtain the authority to make what may be for some of our smaller governmental units a substantial purchase, GSA has already sold the property to a private dealer. So once again the purchasing agent finds that he must buy the property in question at a much higher cost from a private dealer rather than directly from the Federal Government. I need not point out the effect that this has on our taxes. It means that as Federal taxpayers, we must first pay for the purchase of this property—property which is sometimes never used and disposed of at a great loss to the Federal Government—and then we as local taxpayers must again pay so that a private surplus dealer can resell this property to our local governments at a profit.

Today, I am introducing a bill which will correct this situation. It requires the GSA to establish a regular system of sending out notices to our local governments describing what surplus personal property is available. The bill further requires that after distribution of such notices, the GSA wait 30 days before offering such property for general sale to private as well as public buyers.

This bill is strongly endorsed by the National Institute of Governmental Purchasing—the organization which represents the purchasing agents of our various local and State governments. After introducing this bill during the last Congress, I received endorsements for it from the Texas State Board of Control; the division of purchasing of the city of Green Bay, Wis.; the central board and department of purchases of the city of Milwaukee; the purchasing department of the city of Atlanta; the purchasing agent of the city of Hollywood, Fla.; the division of purchases of the city of Middletown, Ohio; and the purchasing agent of the city of Springfield, Ohio.

I think the endorsements of these various responsible State and local officials speak for themselves. Let us stop our present system of double taxation by passing this bill at our earliest possible opportunity.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1947) to amend section 203(e) of the Federal Property and Administrative Services Act of 1949 to facilitate the procurement of certain surplus personal property by State agencies, introduced by Mr. Yarborough, was received, read twice by its title, and referred to the Committee on Government Operations.

AMENDMENT OF COMMUNICATIONS ACT OF 1934, WITH RESPECT TO COMMISSIONERS, EMPLOYEES, AND EXECUTIVE RESERVISTS OF THE FEDERAL COMMUNICATIONS COMMISSION

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Communications Act of 1934, as amended, with respect to commissioners, employees, and executive reservists of the Federal Communications Commission. I ask unanimous consent that a letter from the Chairman of the Federal Communications Commission, requesting the proposed legislation, together with an explanation of the bill, be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and explanation will be printed in the RECORD.

The bill (S. 1948) to amend the Communications Act of 1934, as amended, with respect to commissioners, employees, and executive reservists of the Federal Communications Commission, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and explanation presented by Mr. MAGNUSON are as follows:

FEDERAL COMMUNICATIONS
COMMISSION,
Washington, D.C., April 8, 1965.

The VICE PRESIDENT,
U.S. Senate, Washington, D.C.

DEAR MR. VICE PRESIDENT: The Commission has adopted as part of its legislative program for the 89th Congress a proposal to amend section 4 of the Communications Act with respect to commissioners, employees, and executive reservists of the Commission.

The proposed amendment revises the provisions dealing with financial interests of Commissioners and commission employees and provides certain exceptions for "special Government employees" and executive reservists.

The Commission's draft bill to accomplish the foregoing objective was submitted to the Bureau of the Budget for its consideration. We have now been advised by that Bureau that from the standpoint of the administration's program there would be no objection to the presentation of the draft bill to the Congress for its consideration. Accordingly, there are enclosed six copies of our draft bill and explanatory statement on this subject.

The attached proposal combines three earlier commission proposals without changing their substance. The earlier proposals were submitted to the 88th Congress and introduced in the Senate as S. 1504, S. 2319, and S. 3033.

The consideration by the Senate of the proposed amendment to the Communications Act of 1934 would be greatly appreciated. The commission would be most happy to furnish any additional information that may be desired by the Senate or by the committee to which this proposal is referred.

Yours sincerely,

E. WILLIAM HENRY,
Chairman.

EXPLANATION OF BILL TO AMEND SECTION 4 OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED, WITH RESPECT TO COMMISSIONERS, EMPLOYEES, AND EXECUTIVE RESERVISTS OF THE FEDERAL COMMUNICATIONS COMMISSION

In the 88th Congress, bills were introduced at the request of the Federal Communications Commission to amend section 4 of the Communications Act of 1934 with respect to Commissioners and employees (S. 3033 and H.R. 12394), special Government employees (S. 2319 and H.R. 8155), and executive reservists (S. 1504 and H.R. 6019). No hearings were held on any of these bills. To assist Congress in the consideration of these measures, we have consolidated them into this one proposal without changing their substance.

Section 4(b) of the Communications Act of 1934 provides as follows:

"(b) Each member of the Commission shall be a citizen of the United States. No member of the Commission or person in its employ shall be financially interested in the manufacture or sale of radio apparatus or of apparatus for wire or radio communication; in communication by wire or radio or in radio transmission of energy; in any company furnishing services or such apparatus to any company engaged in communication by wire or radio or to any company manufacturing or selling apparatus used for communication by wire or radio; or in any company owning stocks, bonds, or other securities of any such company; nor be in the employ of or hold any official relation to any person subject to any of the provisions of this Act, nor own stocks, bonds, or other securities of any corporation subject to any of the provisions of this Act. Such Commissioners shall not engage in any other business, vocation, profession, or employment. Any such Commissioner serving as such after one year from the date of enactment of the Communications Act Amendments, 1952, shall not for a period of one year following the termination of his service as a Commissioner represent any person before the Commission in a professional capacity, except that this restriction shall not apply to any Commissioner who has served the full term for which he was appointed. Not more than four members of the Commission shall be members of the same political party."

Proposed paragraph (1) of subsection (b) of section 4 includes, without substantive changes, all existing provisions of that subsection dealing with Commissioners except as to their financial interests. Proposed paragraph (2) is the portion which does make important substantive changes. It revises the provisions dealing with the financial interests of Commissioners and Commission employees. The need for these changes is discussed in part I of this explanatory memorandum. To take care of special problems, proposed paragraph (3) exempts from the revised financial interest standards of paragraph (2) the following: (i) "special Government employees" (discussed in part II), (ii) executive reservists not otherwise employed by the Government in a full-time capacity, and (iii) executive reservists when employed full time in time of war or during periods of national emergency declared by the President (discussed in pt. III). Section 2 of the proposed bill repeals the second sentence of subsection (j) of section 4 as redundant.

I

Conflict-of-interest provisions in the law have the highly salutary purpose of insuring that Government officials act in the public interest and maintain their affairs so that no actual or apparent personal financial motivations cloud their official decisions. With this objective, we are in full accord.

However, section 4(b) of the Communications Act, adopted in 1934 under quite different circumstances than prevail today, goes far beyond recent congressional and administration pronouncements in this area and is substantially inconsistent with current national policy.

Congress in 1962 extensively revised chapter 11 of title 18, United tSates Code, dealing with bribery, and conflicts of interest (Public Law 87–849, approved October 23, 1963). Section 208 of that revision requires nonparticipation by officers or employees in matters in which they have financial interests. It states:

"(a) Except as permitted by subsection (b) hereof, whoever, being an officer or employee of the executive branch of the United States Government, of any independent agency of the United States, or of the District of Columbia, including a special Government employee, participates personally and substantially as a Government officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which, to his knowledge, he, his spouse, minor child, partner, organization in which he is serving as officer, director, trustee, partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest—

"Shall be fined not more than $10,000, or imprisoned not more than two years, or both.

"(b) Subsection (a) hereof shall not apply (1) if the officer or employee first advises the Government official responsible for appointment to his position of the nature and circumstances of the judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter and makes full disclosure of the financial interest and receives in advance a written determination made by such official that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect from such officer or employee, or (2) if, by general rule or regulation published in the Federal Register, the financial interest has been exempted from the requirements of clause (1) hereof as being too remote or too inconsequential to affect the integrity of Government officers' or employees' services."

In certain highly specialized fields such as communications, it is recognized that some basis exists for additional restrictions—for example, with respect to investments of Commissioners and employees in companies regulated by the agency. In this respect, the Communications Act, proscribing certain activities and investments of Commissioners and Commission employees, is much more restrictive than are the statutes of other regulatory agencies, which as a general rule, apply only to Commissioners.[1]

Recent pronouncements of both the administration and the Congress lend vital support to the view that conflict-of-interest provisions, while they must adequately protect the public interest, need not go beyond what is necessary to insure that protection. Thus, President Kennedy, in his message to the Congress on April 27, 1961, recommending changes in the conflict-of-interest laws, stated: "But if the (existing general) statutes often leave important areas unregulated, they also often serve as a bar to securing important personal services for the Government through excessive regulation when no ethical problem really exists."

And Congress has expressed its attitude with respect to this general problem in the legislative history of the 1962 amendments to the conflict-of-interest statutes. The House report (H. Rept. No. 748, 87th Cong., 1st sess., p. 6) states: "It is also fundamental to the effectiveness of democratic government, that, to the maximum extent possible, the most qualified individuals in the society serve its government. Accordingly, legal protections against conflicts of interest must be so designed as not unnecessarily or unreasonably to impede the recruitment and retention by the Government of those men and women who are most qualified to serve it. An essential principle underlying the staffing of our governmental structure is that its employees should not be denied the opportunity available to all other citizens, to acquire and retain private economic and other interests, except where actual or potential conflicts with the responsibility of such employees to the public interest cannot be avoided."[2]

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[1] The more liberal provisions of the ICC act (49 U.S.C. 305) apply to members, examiners and members of a joint board; the CAB prohibition applies only to members of the Board (49 U.S.C. 1321(b); restrictions at FAA are on the Administrator and Deputy Administrator but not on employees of the agency (49 U.S.C. 1341(b) and 1342(b)); restrictions against financial interests with respect to the Federal Power Commission apply only to Commissioners (16 U.S.C. 792); employees are included in the case of the Federal Maritime Commission (46 U.S.C. 1111 (b)).

Thus, the Commission is not asking for any special treatment in this area, but is seeking to have the antiquated provisions of its statute modified to reflect the present general law and to avoid obvious inequities which, through changed circumstances since its enactment, give the Communications Act potentially greater coverage than we feel was either intended or envisioned.

There is no legislative history to explain the meaning Congress attached to section 4(b). Since its enactment, however, far-reaching changes have occurred in the communications art, and the Commission now has more than a million licensees. Thus, every corporate executive plane using radio must have a license from the FCC. States and municipalities are licensees of police and fire radio systems. In fact, practically every facet of the industrial complex (farming, mining, fishing, manufacturing, transportation, public utilities, etc.) uses radio communication as an aid to business operations and is, therefore, subject to the licensing provisions of the Communications Act.

The full import of this vast growth in licensing activity is itself sufficient to cause a reevaluation of the coverage of section 4(b). But even beyond this is another independent factor also tending to broaden the potential coverage of 4(b)'s existing language. That is the increased diversification of activity and financial interests of companies which has occurred in the past three decades since the section's enactment. Thus, many companies, through a complex of corporate interrelationships and business organizations, may have some remote interest in a licensee of the Commission—which fact itself might require considerable research to uncover.

These factors have so changed the factual bases on which any worthwhile approach to the problem should be founded, that a reexamination of the entire area in the light of present conditions appears warranted.

Even as to companies directly involved in broadcasting or communications common carriers—the effect of the growth of mutual funds must be considered. Thus, almost any mutual fund would likely contain some shares in A.T. & T., GE, RCA, or some such company which—as noted herein—we agree Commissioners and employees should not be permitted to invest in directly. However, where the employee's financial interest in such company—through investment in shares of a mutual fund—is so remote or inconsequential that he would not be barred under 18 U.S.C. 208 from participation in matters involving such companies, then the Communications Act should be clarified to permit him to hold such investments.

The effects of such wide disparity between the potential reach of section 4(b) of the Communications Act and existing national policy are difficult to evaluate but would all be of an adverse nature. Thus, it can be safely presumed that its broad restrictions have the tendency to discourage potential applicants for employment with the Commission.[3] And Commission personnel are distressed with the circumstance that an investment, considered safe, is found to be in violation of section 4(b).

The proposed amendment would continue to prevent the same types of activities—i.e., investment, employment by, or holding "official relation to" certain types of companies. It would continue to apply these prohibitions both to Commissioners and Commission employees. It would continue to preclude direct investment by Commissioners and Commission employees in broadcasting or communications common carriers, the primary fields of Commission regulatory activity. Moreover, it would continue to apply to relationships with and investments in companies a substantial part of whose activities consists of the manufacture or sale of radio apparatus or of apparatus for wire or radio communication or the providing of services to radio broadcasters or to common carriers offering communication services by wire or radio. The language also adds a specific reference to prohibit official relationships with or investment in companies a substantial part of whose activities is the installation, servicing, or maintenance of apparatus used for the transmission of communications by wire or radio. These provisions would, for example, preclude investment in networks, manufacturers of telephones, radio and television sets, etc. However, a furniture store which happens to include a broadcast licensee among its customers would not ordinarily be a prohibited investment, nor would a department store which handles television sets among countless thousands of other items. Such operations clearly have no bearing upon any conflicts of interest, real or apparent, which the section is designed to prevent.

This part of the proposed amendment, finally, would extend to investment, etc., in a holding company, mutual fund, or other investment company whose activities are concentrated substantially in broadcasting, communications by wire, or the other mentioned activities.

In such circumstances, the nonparticipation test of Public Law 87–849 could well apply, i.e., whether the investment is so substantial as likely to affect the integrity of the services which the Government may expect or whether it is too remote or inconsequential to affect the integrity of such services. (See 18 U.S.C. 208(b) quoted above.)

The proposed amendment would, however, make clear that it is not intended to cover a multitude of companies whose incidental use of radio, etc., could unnecessarily and unfairly limit the investment opportunities available to Commission employees contrary to the expressed congressional and administration policy of the 1952 amendments to the general conflict-of-interest laws. The Communications Act of 1934, as amended, the substantive statute under which the Commission operates, should be amended to conform to this overall policy.

The Commission agrees that actual or apparent conflicts of interest should be avoided and prohibited. However, as shown, we believe the limitations of section 4(b) potentially go far beyond what was ever envisioned and the section's prohibitions are certainly much more extensive than required in order to avoid actual conflicts of interest or even the "appearance of evil."

The general conflict-of-interest laws—revised in 1962, together with some additional requirements as contained in the proposed amendment—directed to this agency and covering the major fields of Commission activity, would seem to provide adequate statutory standards to protect the public interest in this area .

Additionally, the President, by Executive order (E.O. 10939, May 5, 1961, 26 F.R. 3951), has prescribed standards of conduct for Presidential appointees. And the Commission, by administrative order (see, e.g., Revised Administrative Order No. 10, FCC 63–234, March 8, 1963), imposes a number of restrictions on employee conduct such as outside employment. Should any circumstances arise where further restrictions appear needed, the Commission could act administratively on the matter.

II

The proposed amendment exempts from the financial interest provisions of subsection (b) of section 4 "special Government employees" as that term is defined in Public Law 87–849, 76 Stat. 1119, approved October 23, 1962. The broad scope of existing section 4(b), or even of section 4(b)(2) as herein proposed to be amended, stands as an obstacle to the use of part-time consultants contemplated by Public Law 87–849, which has liberalized the conflict-of-interest standards as they apply to special Government employees. That bill is designed to "help the Government obtain the temporary or intermittent services of persons with special knowledge and skills whose principal employment is outside the Government." (Attorney General's "Memorandum Regarding Conflict-of-Interest Provisions of Public Law 87–849," dated January 28, 1963 (28 F.R. 985).)

Thus, a "special Government employee" could own stock or business interests in the communications industry while he is employed on a part-time basis by the Commission. Such an employee would continue to remain fully subject to all the conflict-of-interest standards now contained in Public Law 87–849. And in the event a "special Government employee" should become a regular employee of the Commission, or a member thereof, he would then become subject to section 4(b)(2) of the Communications Act. In short, it is not intended to confer on "special Government employees" any rights beyond those now set out in Public Law 87–849.

III

Paragraph 3 of the proposed revision of subsection (b) of section 4 of the Communications Act would exempt from the financial interest provisions of such section persons acting as executive reservists pursuant to subsection (e) of section 710 of the Defense Production Act of 1950, as amended (69 Stat. 583. 50 U.S.C. App. 2160(e)), and not otherwise employed by the Government in a full-time capacity and those executive reservists employed full-time in time of war or during periods of national emergency declared by the President.

The executive reserve program, approved in Congress in 1955 as an amendment to section 710 of the Defense Production Act (50 U.S.C. App. 2160(e)), authorized the President to provide for the establishment and training of a nucleus executive reserve for employment in executive positions in Government during periods of emergency. It further authorized the President to provide by regulation for the exemption of members of such reserve from the operation of the conflict-of-interest provisions in sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (section 99 of title 5).[4] The

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[2] S. Rept. No. 2213, 87th Cong., 2d sess., also quotes from President Kennedy's Apr. 27, 1961 special message that some of the statutes "create wholly unnecessary obstacles to recruiting qualified people for Government service." The report refers to this as the "consensus" of views, p. 5.

[3] Unlike the general conflict-of-interest statute which forbids participation in matters in which an employee has a financial interest (10 U.S.C. 200), sec. 4(b) does not have a provision for waiver of insubstantial financial interests.

[4] Public Law 87–849, approved Oct. 23, 1962, and effective 90 days after the date of its enactment, provides in sec. 2 thereof that "All exemptions from the provisions of secs. 281, 282, 283, 284, 434 or 1914 of title 18 of the United States Code heretofore created or authorized by statute which are in force on the effective date of this act shall, on and after that date, be deemed to be exemptions from secs. 203, 204, 205, 207, 208, or 209, respectively, of title 18 of the United States Code except to the extent that they affect officers or employees of the executive branch of the U.S. Government, of any independent agency of the United States, or of

President exercised the authority thus granted him and promulgated, on February 15, 1956. Executive Order No. 10660 establishing the National Defense Executive Reserve. That Executive order has since been amended in minor respects.

A number of departments and agencies of the Federal Government, including the Federal Communications Commission, have established units of the National Defense Executive Reserve, pursuant to the foregoing authority. In the case of the Federal Communications Commission, its reservists have been given broad training at periodic intervals in the work of the various bureaus and offices to which they have been designated. Such training is designed with the objective of providing these reservists with the capability of fulfilling the executive position in such bureaus and offices involving the administration of the Communications Act. Thus, in the event of their mobilization in a national emergency, such reservists will have had the necessary training to assume the duties and responsibilities of such bureaus and offices and to perform such other duties and responsibilities as may be duly delegated to the Commission in a national emergency.

For the purpose of recruitment for the executive reserve training program of the Commission, the financial interest provisions of section 4(b) of the Communications Act have been found to be unduly restrictive and have deterred well-qualified persons from accepting appointment for training as executive reservists in the Commission's unit of the National Defense Executive Reserve. It is these people who, by reason of their past employment in the Commission or employment in executive positions in the communications industry, are the best qualified and most valuable to serve the Government as full-time Commission employees in periods of national emergency or time of war.

Finally, the proposal would repeal as unnecessary the second sentence of subsection (j) of section 4, which appears redundant in the light of section 208 of title 18.[5]

In view of the foregoing, the Commission strongly urges adoption of this proposal as one of important practical significance to its employees and one which can be accomplished consistent with the recent expressions of congressional and administration intent, while providing full protection to the public interest in leaving administrative proceedings free from actual or potential conflicts of interest.

Adopted: November 12, 1964.

Commissioner Ford absent.

AMENDMENT OF COMMUNICATIONS ACT OF 1934, TO CONFORM TO THE CONVENTION FOR THE SAFETY OF LIFE AT SEA, LONDON (1960)

Mr. MAGNUSON. Mr. President, by request, I introduce for appropriate reference, a bill to amend the Communications Act of 1934, as amended, to conform to the Convention for the Safety of Life at Sea, London (1960). I ask unanimous consent that a letter from the Chairman of the Federal Communications Commission, requesting the proposed legislation, together with an explanation of the bill, be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and explanation will be printed in the Record.

The bill (S. 1949) to amend the Communications Act of 1934, as amended, to conform to the Convention for the Safety of Life at Sea, London (1960), introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and explanation presented by Mr. Magnuson are as follows:

Federal Communications
Commission,
Washington, D.C., April 26, 1965.

The Vice President,
U.S. Senate,
Washington, D.C.

Dear Mr. Vice President: The Commission has adopted as part of its legislative program for the 89th Congress a proposal to amend the Communications Act to conform to the Convention for Safety of Life at Sea (SOLAS), London (1960).

Pursuant to its terms, the convention comes into force on May 26, 1965. Article I (a) thereof requires that the contracting governments, including the United States, undertake to promulgate all laws necessary to give the convention full and complete effect.

The Commission's draft bill to accomplish the foregoing objective was submitted to the Bureau of the Budget for its consideration. We have now been advised by that Bureau that from the standpoint of the administration's program there would be no objection to the presentation of the draft bill to the Congress for its consideration. Accordingly, there are enclosed six copies of our draft bill and explanatory statement on this subject.

Early consideration by the Senate of the proposed amendments would be appreciated in view of the early date at which the convention will come into effect. The Commission would be happy to furnish any additional information that may be desired by the Senate or by the committee to which this proposal is referred.

Yours sincerely,
E. William Henry,
Chairman.

Explanation of Bill To Amend the Communications Act of 1934, as Amended, To Conform to the Convention for the Safety of Life at Sea, London (1960)

Upon the invitation of the Inter-Governmental Maritime Consultative Organization, a conference was held in London during May and June 1960, a major purpose of which was the drafting of a convention to replace the International Convention for the Safety of Life at Sea, signed in London in 1948. The Commission was represented at the conference by Commissioner Robert T. Bartley, and by Curtis B. Plummer, Harold R. Woodyard, and Duncan Peters of the Commission's staff.

As a result of its deliberations, the conference prepared and opened for signature and acceptance the International Convention for the Safety of Life at Sea, 1960 (SOLAS), to replace the International Convention for the Safety of Life at Sea, 1948.

Pursuant to article XI of SOLAS, the Inter-Governmental Marine Consultative Organization has informed all governments which have signed or accepted the present convention (including the United States) that it shall come into force on May 26, 1965.

Article I(b) of SOLAS requires, among other things, that the contracting governments undertake to promulgate all laws necessary to give the convention full and complete effect. The Commission recommends that Congress implement the provisions of SOLAS by amending the Communications Act of 1934 as set forth in the attached proposal.

The major substantive changes recommended herein are: (1) the extension of the application of compulsory radio installation requirements to cargo ships as low as 300 gross tons (now 500 gross tons); (2) elimination of nuclear ships from the Commission's exemption authority; and (3) elimination of applicability of the compulsory radio requirements of part II, title III, of the Communications Act to vessels while they are navigating on the Great Lakes. An explanation of specific changes follows.

Section 1 of this proposal would amend the following subsections of section 3 of the Communications Act of 1934:

1. A definition of the term "nuclear ship" is added in subsection (w).

2. Subsection (x) is revised by substituting "radiotelegraph autoalarm" for "autoalarm" wherever the latter term appears in this subsection. This differentiates it from the radiotelephone auto alarm and conforms the terminology of the Communications Act to that used in the SOLAS Convention. (See regulations 2(b), 10, ch. IV, SOLAS 1960.)

3. Subsection (y) is revised editorially, and the phrase "country to which the ship belongs" is changed to read "country in which the ship is registered" in conformance with convention usage.

4. A new subsection (z) has been added, defining the term "radio officer", in view of the adoption of that term in SOLAS 1960. (See regulation 2(c), ch. IV, SOLAS 1960.) The present subsection (z) is redesignated "(aa)."

5. Present subsections (aa) through (dd) are redesignated "(bb)" through "(ee)," respectively, in order to conform to the new designation given the present subsection (z).

6. Present subsections (ee) and (ff) are deleted, inasmuch as the terms therein defined ("existing installation" and "new installation") have not been employed in parts II and III of title III of the Communications Act or in the Commission's rules. Subsection (gg) is redesignated "(ff)."

Section 2 of this proposal amends section 351 of the Communications Act in the following respects:

1. The heading of that section is amended to read "Ship Radio Stations and Operations" to conform to SOLAS terminology.

2. Paragraph (1) of subsection (a) is amended as follows:

(i) The minimum gross tonnage of cargo vessels to which the compulsory radio requirements apply is lowered from 500 gross tons to 300 gross tons to conform to the convention. (Regulations 3 and 4, ch. IV, regulation 12, ch. V, SOLAS 1960.)

(ii) The term "radio installation" is changed to "radio station" to conform to SOLAS terminology.

(iii) The term "radio officer" is used for clarification and in accordance with SOLAS terminology.

(iv) New subparagraphs "(i)" and "(ii)" are added to paragraph (1) of subsection (a). They require that all passenger ships, and all cargo ships of 1,600 gross tons and upward, be fitted with a radiotelegraph station, and permit cargo ships between 300 and 1,600 gross tons the option of carrying a

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the District of Columbia, as to whom they are no longer applicable." Further, sec. 3 of said Public Law 87–849 reads as follows: "sec. 190 of the Revised Statutes (5 U.S.C. 99) is repealed."

[5] That sentence provides: "* * * No commissioner shall participate in any hearing or proceeding in which he has a precuniary interest." It would seem that nonparticipation by a Commissioner in any hearing or proceeding in which he has a pecuniary interest (sec. 4(j), Communications Act) is, if anything, not as broad as the nonparticipation in a wider variety of activities enumerated by 18 U.S.C. 208 in which, to his knowledge, he, his spouse, minor child, etc., has a financial interest.

radiotelephone station. This clarifies existing law (sections 355 and 356 of the Communications Act), and reflects the new 300-gross-ton exception provision of paragraph (1) of subsection (a).

3. Paragraph (2) of subsection (a) is clarified editorially.

4. The proviso clauses in paragraphs (1) and (2) of subsection (a) are deleted because they are no longer necessary.

Section 3 of this proposal would amend the following subsections of section 352 of the Communications Act:

1. Paragraph (6) of subsection (a) is amended by striking the words "on the Great Lakes".

2. Paragraphs (7) and (8) are added to except from the provisions of part II, title III, of the act vessels navigating solely on the Great Lakes and the St. Lawrence River, and vessels which navigate both on the Great Lakes and on the open sea while those vessels are on the Great Lakes. (Regulation 3(b), ch. 1, and regulation 1(b), ch. IV, SOLAS 1960.)

3. Subsection (b) is amended to except nuclear ships from the Commission's exemption authority. (Regulation 3, ch. VIII, SOLAS 1960.) Paragraph (1) thereof makes it clear that a passenger ship meeting one of the voyage patterns described in this subsection may be exempted from the requirements of part II, title III, of the Communications Act. (See, *Western Trader*, FCC 60–553.)

4. A new subsection (d) is added to spell out the Commission's authority to grant exemption from radio direction finding apparatus requirements (in accordance with regulation 12(b), ch. V, SOLAS 1960, as regards ships subject to SOLAS). This amendment is desirable to clarify the exemption authority of the Commission.

Section 4 of this proposal would amend section 353 in the following respects:

1. The heading is changed to read: "Radio Officers, Watches, Auto Alarm, Radiotelegraph Equipped Ships."

2. Since the SOLAS 1960 rectified previous ambiguity which existed in the SOLAS 1948 concerning the terms "installation" and "station," editorial clarifications have been made throughout this section by replacing the terms "installation," "auto alarm," and "qualified operator" with the terms "station," "radiotelegraph auto alarm," and "radio officer."

3. Subsection (c) has been amended to include the phrase "while being navigated in the open sea outside of a harbor or port" in substitution for the present phrase "while being navigated outside a harbor or port." This change makes the language of subsection (c) of section 353 consistent with the phraseology of paragraph (1) of subsection (a) of section 351.

4. Subsection (c) has also been amended to provide that the continuous watch is to be maintained whenever the station is not being used for authorized traffic.

Section 5 of this proposal amends section 354 of the Communications Act to make editorial changes in subsection (a) and to change subsection (b) to require a continuous watch whenever the station is not used for authorized traffic. (Regulation 7, ch. IV, SOLAS 1960.)

Section 6 of this proposal would amend section 355 in the following respects:

1. The heading section 355 is amended to read: "Technical Requirements—Radiotelegraph Equipped Ships."

2. New subsections (a) through (i) replace the present subsections (a) through (h) to conform to the technical requirements for radiotelegraph stations as set out in the following regulations found in chapter IV, SOLAS 1960: 355(a): Regulations 9(a)(i) and 9(b); 355(b): Regulations 8(a) and 8(e); 355(c): Regulations 8(b) and 8(c); 355(d): Regulations 9(e) and 9(h); 355(e): Regulation 9(g); 355(f): Regulation 9(j); 355(g): Regulations 9(k) and 9(o); 355(h): Regulations 8(d) and 11(f); 355(i): Regulations 11(a) and 11(b).

Section 7 of this proposal amends section 356 of the Communications Act to conform to the technical requirements for radiotelephone equipped ships as set out in regulation 4, chapter IV, SOLAS 1960, and to the following provisions of that chapter: 356(a): Regulations 14(a) and 14(b); 356(b): Regulations 15(b) and 15(f); 356(c): Regulation 15(c)(i); also section 356(c) is made consistent with section 355(e); 356(d): Regulation 15(i).

Section 8 of this proposal amends the heading and text of section 357 of the Communications Act by substituting "survival craft" in lieu of "lifeboat," to conform to the terminology used in Geneva 1959 and SOLAS 1960.

Section 9 of this proposal amends subsection (a) of section 359 of the Communications Act by making editorial amendments and by adding the requirement that the master of a ship of the United States equipped with a radio transmitting apparatus which encounters subfreezing air temperatures associated with gale force winds causing severe ice accretion on superstructures, or winds of force 10 or above on the Beaufort scale for which no storm warning has been received, shall make the necessary transmission as provided by that subsection. (Regulation 2(a), ch. V, SOLAS 1960.)

Section 10 of this proposal amends section 361 of the Communications Act to change the terminology of the certificates to conform to the terminology used in the convention.

Adopted by the Commission December 9, 1964. Commissioner Lee absent.

JOINT RATES FOR CERTAIN COMMON CARRIERS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend section 1003 of the Federal Aviation Act of 1958 to authorize common carriers under the jurisdiction of the Civil Aeronautics Board, Federal Maritime Commission, and Interstate Commerce Commission to enter into joint rates, provide for their regulation by a joint board, and for other purposes. I ask unanimous consent to have printed in the Record the letter from the Chairmen of the Civil Aeronautics Board, Federal Maritime Commission, and Interstate Commerce Commission, together with a statement of purpose and need for the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the Record.

The bill (S. 1950) to amend section 1003 of the Federal Aviation Act of 1958 to authorize common carriers under the jurisdiction of the Civil Aeronautics Board, Federal Maritime Commission, and Interstate Commerce Commission to enter into joint rates, provide for their regulation by a joint board, and for other purposes, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and statement presented by Mr. Magnuson are as follows:

Civil Aeronautics Board,
Washington, D.C., March 30, 1965.

Hon. Hubert H. Humphrey,
President of the Senate,
U.S. Senate, Washington, D.C.

Dear Mr. President: The Civil Aeronautics Board, the Federal Maritime Commission, and the Interstate Commerce Commission recommend to the Congress for its consideration the enclosed draft of a bill to amend section 1003 of the Federal Aviation Act of 1958 to authorize common carriers under the jurisdiction of the Civil Aeronautics Board, Federal Maritime Commission, and Interstate Commerce Commission to enter into joint rates, provide for their regulation by a joint board, and for other purposes.

The three agencies have cooperated in the preparation of the bill.

Advice has been received from the Bureau of the Budget that there is no objection to submission of the draft bill to the Congress and its enactment would be consistent with the administration's objectives.

Sincerely yours,

Alan S. Boyd,
Chairman, Civil Aeronautics Board.
John Harllee,
Chairman, Federal Maritime Commission.
Charles A. Webb,
Chairman, Interstate Commerce Commission.

Statement of Purpose and Need for a Bill "To Amend Section 1003 of the Federal Aviation Act of 1958 To Authorize Common Carriers Under the Jurisdiction of the Civil Aeronautics Board, Federal Maritime Commission, and Interstate Commerce Commission To Enter Into Joint Rates, Provide for Their Regulation by a Joint Board, and for Other Purposes"

Section 1003 of the Federal Aviation Act provides for joint rates between air and other common carriers, and in the case of joint rates between air carriers and carriers subject to the Interstate Commerce Commission, for a joint board composed of representatives of both agencies to pass upon such joint rates in accordance with standards of the Federal Aviation Act.

The proposed legislation, which represents coordinated efforts by the Civil Aeronautics Board, the Federal Maritime Commission and the Interstate Commerce Commission, would create a new joint board comprised of one member each from such agencies to handle through service and joint rates between places in the United States or in its territories or possessions or between the United States and its territories or possessions of any combination of air, water, and ground carriers where such rates are not subject to the individual regulatory jurisdiction of any one of these agencies.

Also, the proposed legislation sets up procedures for the filing and observance of tariffs; requires the maintenance of just and reasonable rates and divisions; empowers the joint board to prescribe joint rates and divisions, to suspend rates and to determine reparations; and sets up a new rule of ratemaking which the joint board must follow in exercising its powers with respect to joint rates.

Jurisdiction over joint rates between air and water carriers, now held by the Civil Aeronautics Board, and between air and ground carriers, now held by the joint boards presently authorized under section 1003, would be transferred to the new joint board. Thus, the new joint board would be permitted to authorize joint rates between motor and water carriers subject to the Interstate Commerce Act and water carriers subject to the Intercoastal Shipping Act of 1933 (exclusive of those in the Alaskan and Hawaiian trade).

Enactment of the legislation would open up new opportunities for all carriers, as well as providing a sound basis for arrangements which could greatly increase service and convenience to the general public.

RETIREMENT OF ENLISTED MEMBERS OF THE COAST GUARD RESERVE

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to provide for the retirement of enlisted members of the Coast Guard Reserve. I ask unanimous consent to have printed in the RECORD the letter of the Secretary of the Treasury requesting the proposed legislation, together with a comparative type showing changes in existing law made by the proposed bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and comparative type will be printed in the RECORD.

The bill (S. 1951) to provide for the retirement of enlisted members of the Coast Guard Reserve introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and comparative type presented by Mr. MAGNUSON are as follows:

THE SECRETARY OF THE TREASURY,
Washington, D.C., April 8, 1965.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is submitted herewith a draft of a proposed bill to amend the provisions of title 14, United States Code, section 755(e) relating to the retirement benefits for members of the Coast Guard Reserve.

The purpose of the proposed legislation is to provide for enlisted members of the Coast Guard Reserve with 20 years' active service the same benefits now provided enlisted members of the regular Coast Guard under 14 U.S.C. 355, and members of the Navy Fleet Reserve under 10 U.S.C. 6330.

Any enlisted member of the regular Coast Guard who has completed 20 years' service may voluntarily retire from active service, pursuant to section 355 of title 14, United States Code, with retired pay computed on the basis of 2½ percent of basic pay for each year of service. No similar provision is made for enlisted members of the Coast Guard Reserve.

However, section 755(e) of title 14, United States Code, now provides that members of the Coast Guard Reserve shall be entitled to the same retirement benefits as prescribed by law for personnel of the Naval Reserve. Included in the retirement benefits for naval reservists is voluntary retirement upon completion of 20 years' active service in the Armed Forces at half pay, as provided in section 6327 of title 10, United States Code. The benefits of this section are limited, however, to persons who were members of the Naval Reserve on January 1, 1953. This provision of the law, therefore, does not apply to enlisted members of the Coast Guard Reserve who were not members thereof on January 1, 1953.

Under section 6330 of title 10, United States Code, an enlisted member of the Naval Reserve who has completed 20 years or more of active service in the Armed Forces may voluntarily transfer to the Fleet Reserve. Each member so transferred is entitled to retainer pay computed at 2½ percent of his basic pay times his years of service. The Fleet Reserve of the Navy, originally a part of the Naval Reserve, became a separate entity and a component of the regular Navy as of January 1, 1953. Members of the Fleet Reserve are transferred to the Retired Reserve of the Navy after 30 years of service or when found not physically qualified under section 6331 of title 10, United States Code. Members of the Fleet Reserve also have certain obligations and privileges differing from those of members of the Retired Reserve of the Navy.

The Coast Guard has no equivalent of the Fleet Reserve. Consequently it cannot, under section 755(e) of title 14, United States Code, utilize as a basis for retirement of enlisted reservists the provisions of section 6330 of title 10. The purpose of the Fleet Reserve is to retain a reservoir of trained qualified men capable of immediately undertaking full naval duties on short notice in the event of war or national emergency. The purpose of the Coast Guard Reserve is identical and while some greater control over members of the Fleet Reserve is retained by the Navy, it is believed that in practice the Coast Guard Reserve serves the same purpose with substantially equal effectiveness. As the ultimate goal of both services is to retain a cadre of trained personnel for recall to active duty in time of war or emergency, it would appear fair and just to provide for enlisted members of the Coast Guard Reserve who joined the service after January 1, 1953, the same benefits upon the completion of 20 years' active service that are now possible for enlisted members of a sister service. Moreover, the proposed bill is intended to place the enlisted reservist of the Coast Guard on an equal footing with the enlisted members of the regular Coast Guard who, as noted above, can voluntarily retire with pay upon the completion of 20 years' active service. There appears to be no valid reason for any difference in retirement benefits between the two categories of Coast Guard enlisted personnel.

In the event of passage of the bill, expenditures thereunder would commence in 1965 when the first enlisted reservist becomes eligible for retirement under its provisions. The retirement pay will be approximately $2,400 per annum. Because very few enlisted reservists are recalled to active duty under ordinary circumstances, it is expected that no more than 11 reservists will qualify under the provisions of the proposed bill by 1983. These annual expenditures would increase gradually from $2,400 in 1965 to approximately $26,400 in 1985. Thereafter, costs would remain level.

It would be appreciated if you would lay the proposed bill before the Senate. A similar bill has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this proposed legislation to the Congress.

Sincerely yours,

HENRY H. FOWLER.

COMPARATIVE TYPE SHOWING CHANGES IN EXISTING LAW MADE BY THE PROPOSED BILL

(Matter proposed to be omitted is enclosed in brackets; new matter is in italic)

SECTION 755 OF TITLE 14, UNITED STATES CODE

§ 755 Benefits.

(a) Personnel of the Reserve when engaged on active duty, on active duty while undergoing training, on training duty with pay, or when engaged in authorized travel to or from such duty, shall receive the same benefits as provided for personnel of the Naval Reserve of corresponding grade, rating, and length of service. In determining length of service for the purpose of this section, there shall be included all service for which credit is given by law to members of the Regular Coast Guard.

(b) The provisions of chapter 13 of this title, except for sections 461, 462 and 485(c), shall apply to members of the Reserve under the same conditions and limitations as are applicable to officers and enlisted men of the Regular Coast Guard.

(c) Members of the Reserve who suffer sickness, disease, disability, or death shall be entitled to the same benefits as prescribed by law for members of the Naval Reserve who suffer sickness, disease, disability, or death under similar conditions.

(d) Members of the Reserve, when on active duty or when retired for disability, shall be entitled to the benefits of section 253(a) of title 42, and, when on active duty other than training duty or when retired for disability, shall be entitled to the benefits of section 253(b) of title 42.

(e) Members of the Coast Guard Reserve, *except enlisted members retiring on the basis of years of active service,* shall be entitled to the same retirement benefits as prescribed by law for personnel of the Naval Reserve, and wherever any such law confers authority upon the Secretary of the Navy, similar authority shall be deemed given to the Secretary of the Treasury to be exercised with respect to the Coast Guard when the Coast Guard is operating under the Treasury Department. *Enlisted members of the Coast Guard Reserve requesting retirement on the basis of years of active service shall be entitled to the same retirement rights, benefits, and privileges as prescribed by law for enlisted members of the Regular Coast Guard.*

(f) Any former member of the Coast Guard Reserve, other than a temporary member, honorably discharged or discharged under honorable conditions from the Coast Guard Reserve after February 18, 1941, and before January 1, 1949, who at the time of his discharge had completed at least 30 years of active service in the Armed Forces other than active duty for training, or who had completed at least 20 years of active service other than active duty for training the last 10 of which he served in the 11-year period immediately preceding his discharge, shall upon his request be placed on the retired list of the Coast Guard Reserve and shall be entitled to receive the same retired pay, only after being placed on the retired list, that he would be entitled to receive had he been retired as a member of the Naval Reserve under the Naval Reserve Act of 1936 instead of being discharged.

NATIONAL POLICY AND PROGRAM WITH RESPECT TO WILD PREDATORY MAMMALS

Mr. LONG of Missouri. Mr. President, Mr. Charles Callison of the National Audubon Society recently brought to my attention the report of the Secretary of Interior's Advisory Board on Wildlife Management relating to predator and rodent control in the United States.

A careful study of this report led me to the conclusion that there is a need for changes in our present control programs, particularly in outlook. In my opinion, it should be recognized that predatory mammals are among the wildlife resources of interest and value to the American people. Control should be limited to the extent necessary to protect other resources and human health. Conservation practices should be followed that would stop the killing of such animals when it serves no useful purpose to society.

Representative JOHN DINGELL has introduced in the House a bill to help achieve this goal. It is a privilege to join with him in this endeavor by introducing an identical bill in the Senate.

Mr. President, I introduce, on behalf of myself, Senator DOUGLAS, Senator NEUBERGER, and Senator RANDOLPH, for appropriate reference, a bill to establish a national policy and program with respect to wild predatory mammals, and for other purposes.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1952) to establish a national policy and program with respect to wild predatory mammals, and for other purposes, introduced by Mr. LONG of Missouri (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Commerce.

GRADUAL REDUCTION AND ELIMINATION OF EXCISE TAX ON AUTOMOBILES, PARTS, AND ACCESSORIES

Mr. FONG. Mr. President, I introduce, for appropriate reference, a bill to provide for the gradual reduction and eventual elimination of the Federal excise tax tax on passenger automobiles and the tax on automobile parts and accessories.

My bill will accomplish this in three stages.

On July 1 this year, the 10-percent tax on passenger cars would drop to 7 percent; on July 1, 1966, to 3½ percent; and on July 1, 1967, to zero.

The tax on automobile parts and accessories is now 8 percent. Under my bill, it would drop to 5 percent on July 1 of this year; to 2½ percent on July 1, 1966; and to zero 1 year later.

Thus, my bill provides for full repeal starting July 1, 1967, of the excise taxes on passenger cars and parts and accessories.

Full repeal would save U.S. automobile buyers nearly $2½ billion a year in taxes.

While the tax is a manufacturers' excise tax, paid by the manufacturer, it is usually passed along to the final purchaser as part of the purchase price.

It is my intention that the tax savings provided in my bill be passed along to the ultimate consumer.

Under this bill, the Nation's economy would receive an additional boost of about $800 million each year because these tax savings would give consumers more to spend on goods and services. Starting July 1, 1967, consumers would have an extra $2½ billion to spend each year.

This will help offset tax increases in other areas which could have a depressing effect on the economy.

Savings to the people of Hawaii would total an estimated $5.3 million a year, once repeal is fully effected, based on estimates of these excises paid in Hawaii in the current fiscal year. Islanders will pay an estimated $4½ million in passenger auto excises and an estimated $850,000 in excise taxes on auto parts and accessories in 1965.

Repeal of the Federal excise taxes in these two categories would strengthen the automobile industry, which is a key factor in America's economy. It will mean more jobs for more Americans.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1953) to provide for the gradual reduction and eventual elimination of the tax on passenger automobiles and the tax on automobile parts and accessories, introduced by Mr. FONG, was received, read twice by its title, and referred to the Committee on Finance.

IMPLEMENTATION OF CONVENTION ON THE TERRITORIAL SEA

Mr. BARTLETT. Mr. President, I introduce, for appropriate reference, a bill to protect coastal fishery and other resources by implementing the Convention on the Territorial Sea and the Contiguous Zone, adopted as one of four conventions at the 1958 Law of the Sea Conference in Geneva. The convention was ratified by the United States on April 12, 1961, and brought into force on September 10 of last year by ratification of the Dominican Republic, which represented the 22d nation to ratify the convention. Since that date, three additional nations have ratified.

Mr. President, I ask unanimous consent to insert in the RECORD at this point a copy of the Geneva Convention on the Territorial Sea and the Contiguous Zone and to insert a list of the 25 nations which have ratified the convention to date.

There being no objection, the convention and list were ordered to be printed in the RECORD, as follows:

ANNEX I: CONVENTION ON THE TERRITORIAL SEA AND THE CONTIGUOUS ZONE

The States Parties to this Convention Have agreed as follows:

PART I—TERRITORIAL SEA

Section I. General

Article 1

1. The sovereignty of a State extends, beyond its land territory and its internal waters, to a belt of sea adjacent to its coast, described as the territorial sea.

2. This sovereignty is exercised subject to the provisions of these articles and to other rules of international law.

Article 2

The sovereignty of a coastal State extends to the air space over the territorial sea as well as to its bed and subsoil.

Section II. Limits of the territorial sea

Article 3

Except where otherwise provided in these articles, the normal baseline for measuring the breadth of the territorial sea is the low-water line along the coast as marked on large-scale charts officially recognized by the coastal State.

Article 4

1. In localities where the coast line is deeply indented and cut into, or if there is a fringe of islands along the coast in its immediate vicinity, the method of straight baselines joining appropriate points may be employed in drawing the baseline from which the breadth of the territorial sea is measured.

2. The drawing of such baselines must not depart to any appreciable extent from the general direction of the coast, and the sea areas lying within the lines must be sufficiently closely linked to the land domain to be subject to the régime of internal waters.

3. Baselines shall not be drawn to and from low-tide elevations, unless lighthouses or similar installations which are permanently above sea level have been built on them.

4. Where the method of straight baselines is applicable under the provisions of paragraph 1, account may be taken, in determining particular baselines, of economic interests peculiar to the region concerned, the reality and the importance of which are clearly evidenced by a long usage.

5. The system of straight baselines may not be applied by a State in such a manner as to cut off from the high seas the territorial sea of another State.

6. The coastal State must clearly indicate straight baselines on charts, to which due publicity must be given.

Article 5

1. Waters on the landward side of the baseline of the territorial sea form part of the internal waters of the State.

2. Where the establishment of a straight baseline in accordance with article 4 has the effect of enclosing as internal waters areas which previously had been considered as part of the territorial sea or of the high seas, a right of innocent passage, as provided in articles 14 to 23, shall exist in those waters.

Article 6

The outer limit of the territorial sea is the line every point of which is at a distance from the nearest point of the baseline equal to the breadth of the territorial sea.

Article 7

1. This article relates only to bays the coast of which belong to a single State.

2. For the purposes of these articles, a bay is a well-marked indentation whose penetration is in such proportion to the width of its mouth as to contain landlocked waters and constitute more than a mere curvature of the coast. An indentation shall not, however, be regarded as a bay unless its area is as large as, or larger than, that of the semicircle whose diameter is a line drawn across the mouth of the indentation.

3. For the purpose of measurement, the area of an indentation is that lying between the low-water mark around the shore of the indentation and a line joining the low-water marks of its natural entrance points. Where, because of the presence of islands, an indentation has more than one mouth, the semicircle shall be drawn on a line as long as the sum total of the lengths of the lines across the different mouths. Islands within an indentation shall be included as if they were part of the water areas of the indentation.

4. If the distance between the low-water marks of the natural entrance points of a bay does not exceed twenty-four miles, a closing line may be drawn between these two low-water marks, and the waters enclosed thereby shall be considered as internal waters.

5. Where the distance between the low-water marks of the natural entrance points of a bay exceeds twenty-four miles, a straight baseline of twenty-four miles shall be drawn within the bay in such a manner as to en-

close the maximum area of water that is possible with a line of that length.

6. The foregoing provisions shall not apply to so-called "historic" bays, or in any case where the straight baseline system provided for in article 4 is applied.

Article 8

For the purpose of delimiting the territorial sea, the outermost permanent harbour works which form an integral part of the harbour system shall be regarded as forming part of the coast.

Article 9

Roadsteads which are normally used for the loading, unloading and anchoring of ships, and which would otherwise be situated wholly or partly outside the outer limit of the territorial sea, are included in the territorial sea. The coastal State must clearly demarcate such roadsteads and indicate them on charts together with their boundaries, to which due publicity must be given.

Article 10

1. An island is a naturally formed area of land, surrounded by water, which is above water at high tide.

2. The territorial sea of an island is measured in accordance with the provisions of these articles.

Article 11

1. A low-tide elevation is a naturally formed area of land which is surrounded by and above water at low tide but submerged at high tide. Where a low-tide elevation is situated wholly or partly at a distance not exceeding the breadth of the territorial sea from the mainland or an island, the low-water line on that elevation may be used as the baseline for measuring the breadth of the territorial sea.

2. Where a low-tide elevation is wholly situated at a distance exceeding the breadth of the territorial sea from the mainland or an island, it has no territorial sea of its own.

Article 12

1. Where the coasts of two States are opposite or adjacent to each other, neither of the two States is entitled, failing agreement between them to the contrary, to extend its territorial sea beyond the median line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial seas of each of the two States is measured. The provisions of this paragraph shall not apply, however, where it is necessary by reason of historic title or other special circumstances to delimit the territorial seas of the two States in a way which is at variance with this provision.

2. The line of delimitation between the territorial seas of two States lying opposite to each other or adjacent to each other shall be marked on large-scale charts officially recognized by the coastal States.

Article 13

If a river flows directly into the sea, the baseline shall be a straight line across the mouth of the river between points of the low-tide line of its banks.

Section III. Right of innocent passage

Subsection A. Rules Applicable to All Ships

Article 14

1. Subject to the provisions of these articles, ships of all States, whether coastal or not, shall enjoy the right of innocent passage through the territorial sea.

2. Passage means navigation through the territorial sea for the purpose either of traversing that sea without entering internal waters, or of proceeding to internal waters, or of making for the high seas from internal waters.

3. Passage includes stopping and anchoring, but only in so far as the same are incidental to ordinary navigation or are rendered necessary by *force majeure* or by distress.

4. Passage is innocent so long as it is not prejudicial to the peace, good order or security of the coastal State. Such passage shall take place in conformity with these articles and with other rules of international law.

5. Passage of foreign fishing vessels shall not be considered innocent if they do not observe such laws and regulations as the coastal State may make and publish in order to prevent these vessels from fishing in the territorial sea.

6. Submarines are required to navigate on the surface and to show their flag.

Article 15

1. The coastal State must not hamper innocent passage through the territorial sea.

2. The coastal State is required to give appropriate publicity to any dangers to navigation, of which it has knowledge, within its territorial sea.

Article 16

1. The coastal State may take the necessary steps in its territorial sea to prevent passage which is not innocent.

2. In the case of ships proceeding to internal waters, the coastal State shall also have the right to take the necessary steps to prevent any breach of the conditions to which admission of those ships to those waters is subject.

3. Subject to the provisions of paragraph 4, the coastal State may, without discrimination amongst foreign ships, suspend temporarily in specified areas of its territorial sea the innocent passage of foreign ships if such suspension is essential for the protection of its security. Such suspension shall take effect only after having been duly published.

4. There shall be no suspension of the innocent passage of foreign ships through straits which are used for international navigation between one part of the high seas and another part of the high seas or the territorial sea of a foreign State.

Article 17

Foreign ships exercising the right of innocent passage shall comply with the laws and regulations enacted by the coastal State in conformity with these articles and other rules of international law and, in particular, with such laws and regulations relating to transport and navigation.

Subsection B. Rules Applicable to Merchant Ships

Article 18

1. No charge may be levied upon foreign ships by reason only of their passage through the territorial sea.

2. Charges may be levied upon a foreign ship passing through the territorial sea as payment only for specific services rendered to the ship. These charges shall be levied without discrimination.

Article 19

1. The criminal jurisdiction of the coastal State should not be exercised on board a foreign ship passing through the territorial sea to arrest any person or to conduct any investigation in connexion with and crime committed on board the ship during its passage, save only in the following cases:

(a) If the consequences of the crime extend to the coastal State; or

(b) If the crime is of a kind to disturb the peace of the country or the good order of the territorial sea; or

(c) If the assistance of the local authorities has been requested by the captain of the ship or by the consul of the country whose flag the ship flies; or

(d) If it is necessary for the suppression of illicit traffic in narcotic drugs.

2. The above provisions do not affect the right of the coastal State to take any steps authorized by its laws for the purpose of an arrest or investigation on board a foreign ship passing through the territorial sea after leaving internal waters.

3. In the cases provided for in paragraphs 1 and 2 of this article, the coastal State shall, if the captain so requests, advise the consular authority and the ship's crew. In cases of emer-steps, and shall facilitate contact between such authority and the ship's crew. In cases of emergency this notification may be communicated while the measures are being taken.

4. In considering whether or how an arrest should be made, the local authorities shall pay due regard to the interests of navigation.

5. The coastal State may not take any steps on board a foreign ship passing through the territorial sea to arrest any person or to conduct any investigation in connexion with any crime committed before the ship entered the territorial sea, if the ship, proceeding from a foreign port, is only passing through the territorial sea without entering internal waters.

Article 20

1. The coastal State should not stop or divert a foreign ship passing through the territorial sea for the purpose of exercising civil jurisdiction in relation to a person on board the ship.

2. The coastal State may not levy execution against or arrest the ship for the purpose of any civil proceedings, save only in respect of obligations or liabilities assumed or incurred by the ship itself in the course or for the purpose of its voyage through the waters of the coastal State.

3. The provisions of the previous paragraph are without prejudice to the right of the coastal State, in accordance with its laws, to levy execution against or to arrest, for the purpose of any civil proceedings, a foreign ship lying in the territorial sea, or passing through the territorial sea after leaving internal waters.

Subsection C. Rules Applicable to Government Ships Other Than Warships

Article 21

The rules contained in sub-sections A and B shall also apply to government ships operated for commercial purposes.

Article 22

1. The rules contained in sub-section A and in article 18 shall apply to government ships operated for non-commercial purposes.

2. With such exceptions as are contained in the provisions referred to in the preceding paragraph, nothing in these articles affects the immunities which such ships enjoy under these articles or other rules of international law.

Subsection D. Rule Applicable to Warships

Article 23

If any warship does not comply with the regulations of the coastal State concerning passage through the territorial sea and disregards any request for compliance which is made to it, the coastal State may require the warship to leave the territorial sea.

PART II—CONTIGUOUS ZONE

Article 24

1. In a zone of the high seas contiguous to its territorial sea, the coastal State may exercise the control necessary to:

(a) Prevent infringement of its customs, fiscal, immigration or sanitary regulations within its territory or territorial sea;

(b) Punish infringement of the above regulations committed within its territory or territorial sea.

2. The contiguous zone may not extend beyond twelve miles from the baseline from which the breadth of the territorial sea is measured.

3. Where the coasts of two States are opposite or adjacent to each other, neither of the two States is entitled, failing agreement between them to the contrary, to extend its contiguous zone beyond the median line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial seas of the two States is measured.

PART III—FINAL ARTICLES

Article 25

The provisions of this Convention shall not affect conventions or other international agreements already in force, as between States Parties to them.

Article 26

This Convention shall, until 31 October 1958, be open for signature by all States Members of the United Nations or of any of the specialized agencies, and by any other State invited by the General Assembly of the United Nations to become a Party to the Convention.

Article 27

This Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 28

This Convention shall be open for accession by any State belonging to any of the categories mentioned in article 26. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 29

1. This Convention shall come into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations.

2. For each State ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

Article 30

1. After the expiration of a period of five years from the date on which this Convention shall enter into force, a request for the revision of this Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General of the United Nations.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such request.

Article 31

The Secretary-General of the United Nations shall inform all States Members of the United Nations and the other States referred to in article 26:

(a) Of signatures to this Convention and of the deposit of instruments of ratification or accession, in accordance with articles 26, 27 and 28;

(b) Of the date on which this Convention will come into force, in accordance with article 29;

(c) Of requests for revision in accordance with article 30.

Article 32

The original of this Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States referred to in article 26.

In witness whereof the undersigned Plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this Convention.

Done at Geneva, this twenty-ninth day of April one thousand nine hundred and fifty-eight.

STATUS OF RATIFICATIONS OF 1958 CONVENTION ON THE TERRITORIAL SEA

United States, Australia, Bulgaria, Byelorussian S.S.R., Czechoslovakia, Dominican Republic, Finland, Haiti, Hungary, Israel, Portugal, Rumania, Ukrainian S.S.R., U.S.S.R., United Kingdom, Venezuela, South Africa, Cambodia, Malaysia, Senegal, Malagasy Republic, Uganda, Italy, Nigeria, Sierra Leone.

Mr. BARTLETT. Mr. President, the legislation I introduce today would implement the Convention on the Territorial Sea by requesting the President to direct that all necessary research be accomplished to indicate on a large-scale official map the baseline for measuring the breadth of the territorial sea as is specifically required by article 3 of the convention, including the employment of straight baselines where appropriate under article 4 of the convention.

This convention contains 32 articles and is the most important of the 4 conventions adopted in Geneva from the standpoint of sea boundaries. The first two articles of the convention provide that the sovereignty of a nation extends beyond its land territory and its internal waters to a belt of sea called the territorial sea. Articles 3 to 13 involve the determination of the boundaries of the territorial sea. In these determinations, two boundary concepts are involved. The first is an inner one referred to as the baseline and the second is an outer one which is dependent upon the breadth of the territorial sea. The United States adheres to a 3-mile territorial sea.

In addition, the baseline is the line from which the boundaries of any contiguous zone is measured. Article 24 of the convention recognizes the establishment of contiguous zones which may extend up to 12 miles beyond the baseline for customs, fiscal, immigration or sanitary regulations. The United States established, by an act of Congress in 1935, a 12-mile contiguous zone for purposes of customs and fiscal regulation. Moreover, under the same 1935 act, the President has authority to establish customs enforcement areas up to 50 nautical miles beyond the 12-mile custom zones to prevent the unlawful introduction of merchandise or persons into the country. The Territorial Sea Convention does not mention contiguous zones for fishery regulation, although many nations, including many which have ratified the convention, have established contiguous zones not to exceed 12 miles for purposes of fishery regulation. At the 1958 Geneva Conference on the Law of the Sea, the decision was made to treat fisheries under a separate convention, which to date has not been ratified by the necessary 22 nations. However, I personally, and other Senators, have advocated a 12-mile fishery zone for the conservation of U.S. fishery resources for several years. When this proposal is accepted, and I am convinced it will be, it will be necessary to have measured and certain the baseline from which to deterimne the breadth of the 12-mile fishery zone. This will be accomplished under the proposed bill.

The baseline also represents the inner limits of the Continental Shelf and the high seas. The accurate establishment of baselines is, therefore, also significant for determining whether offshore oil exploration is being undertaken on State or Federal land.

In my opinion, this matter is of utmost urgency. Not only does the United States have an obligation as a party to the convention to mark on an official map the baseline for measuring the limits of our territorial sea but we have a definite need to do precisely this because of the increasing pressure from foreign fishing efforts in our coastal waters. I have been advised that there is at the present time no official map designated as such as required by the convention. Our international obligation in this respect is quite clear. But I would like to emphasize also the importance of meeting this obligation as a means of assisting the enforcement of legislation enacted by Congress last year which I introduced and which imposes strict penalties on any foreign fishing vessel that engages in the fisheries in our territorial waters.

At the present time, the Coast Guard which has primary responsibilities under that act has available at best only an approximation of the boundaries of our territorial sea. They do not even have that for many areas off the Alaska coast which is the area under the heaviest pressure at present from foreign fishing operations. Additional studies and investigations will be necessary before such an official map can be completed. But these studies must be undertaken and must, in my opinion, be undertaken immediately.

The bill I introduce today would not only request the President to prepare this official map but would express the sense of Congress that in the preparation of the map the United States should adhere to the convention method of employing straight baselines where the coastline is such that it will permit. This, I should point out, is the major change being proposed in this legislation in regard to the principles presently used to mark the limits of our territorial sea. The straight baseline principle is applicable to irregular coastlines such as we have in the North Atlantic and more particularly in Maine, and in the North Pacific specifically in Alaska. It may be applicable to other areas as well such as those off the gulf coast off Louisiana. However, the extent of the application of the straight baseline principle is uncertain because sufficient search has not been accomplished. This proposed legislation would assure its accomplishment in the interest of the United States and pursuant to present U.S. international obligations.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1954) to protect coastal fishery and other resources by implementing the Convention on the Territorial Sea and the Contiguous Zone, introduced by Mr. Bartlett, was received, read twice by its title, and referred to the Committee on Commerce.

SOCIAL SECURITY AMENDMENTS OF 1965—AMENDMENTS

AMENDMENT NO. 178

Mr. DOUGLAS submitted amendments, intended to be proposed by him, to the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes, which were referred to the Committee on Finance and ordered to be printed.

AMENDMENTS NOS. 180 THROUGH 183

Mr. HARTKE. Mr. President, I send to the desk four amendmetns to the social security amendments bill H.R. 6675, now under consideration by the Finance Committee. Two of these are in substance identical to bills which I offered earlier in the session. They are S. 1788, to establish a drug stamp plan as a supplement to the medical and hospital provisions of the medicare bill, and S. 1490, which calls for removal of the limitation on earnings for those who are receiving social security benefits. The third increases allocation of certain funds for the Virgin Islands from $330,000 to $500,000. The fourth amendment is the same as my bill S. 2060 of the 88th Congress, which would allow the payment of old-age insurance benefits to a fully insured beneficiary at age 60, if he has exhausted his unemployment compensation benefits without finding new employment.

The PRESIDING OFFICER. The amendments will be received, printed, and appropriately referred.

The amendments were referred to the Committee on Finance.

VOTING RIGHTS ACT OF 1965—AMENDMENTS

AMENDMENT NO. 179

Mr. SPARKMAN proposed amendments to the amendment, in the nature of a substitute (No. 124) proposed by Mr. Mansfield (for himself and Mr. Dirksen) to the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States, which was ordered to be printed.

AMENDMENT NO. 184

Mr. SPARKMAN. Mr. President, I send to the desk an amendment to the substitute bill S. 1564. I ask that it be printed and lie on the table.

This amendment would delete the provisions of the bill that nullify the power of State legislatures to enact voting laws after the bill goes into effect in a State or to enact any voting qualification or procedure different from that in effect on November 1, 1964.

It is a sad commentary on our form of Government to require States to submit new laws duly enacted by their legislatures to the Attorney General for approval before they can go into effect, and it is likewise inconsistent with the powers of the States to require that new State laws be tested by declaratory judgments in the District of Columbia before they can be placed into effect.

The Constitution of the United States would not have been ratified by the States had this provision been in it. It seems to me that it is beyond the power of Congress at the present time to require this indignity of the States.

There is no real need for the provision and it is purely an attempt to punish the Southern States. Under our normal system of law acts of State legislatures can be tested in the courts, and in many cases they can be tested promptly.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

ADDITIONAL COSPONSORS OF BILLS

Mr. MUNDT. Mr. President, I ask unanimous consent that at the next printing of Senate bill 1232, the so-called Freedom Academy bill, that the name of the distinguished junior Senator from Arizona [Mr. Fannin] be added as a cosponsor.

The PRESIDING OFICER. Without objection, it is so ordered.

Mr. INOUYE. Mr. President, I ask unanimous consent that the names of the Senator from Illinois [Mr. Douglas], the Senator from Nevada [Mr. Cannon], and the Senator from Minnesota [Mr. Mondale] be added as cosponsors of S. 1833, a bill to establish the Pacific Medical Center.

The PRESIDING OFFICER. Without objection, it is so ordered.

AID TO ECONOMICALLY DISTRESSED AREAS—ADDITIONAL COSPONSORS OF AMENDMENT

Under authority of the order of the Senate of May 4, 1965, the names of Mr. Bartlett, Mr. Bass, Mr. Bayh, Mr. Brewster, Mr. Byrd of West Virginia, Mr. Clark, Mr. Gore, Mr. Gruening, Mr. Hartke, Mr. Inouye, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. McCarthy, Mr. McGovern, Mr. Montoya, Mr. Moss, Mr. Nelson, Mrs. Neuberger, Mr. Pastore, Mr. Pell, Mr. Ribicoff, Mr. Williams of New Jersey, Mr. Yarborough, and Mr. Young of Ohio were added as additional cosponsors of amendment No. 143, intended to be proposed by Mr. Randolph, to the bill (S. 1648) to provide grants for public works and development facilities, other financial assistance, and the planning and coordination needed to alleviate conditions of substantial and persistent unemployment and underemployment in economically distressed areas and regions, submitted by Mr. Randolph on May 4, 1965.

NOTICE OF HEARINGS ON AMENDMENT TO EXPORT CONTROL ACT OF 1949

Mr. MUSKIE. Mr. President, I announce that the Subcommittee on International Finance of the Senate Committee on Banking and Currency will begin hearings on Monday, May 24, 1965, on the bill, S. 948, to amend section 2 of the Export Control Act of 1949. The hearings will be held at 10 a.m., in room 5302, New Senate Office Building.

Any person who wish to appear and testify in connection with this bill are requested to notify Matthew Hale, chief of staff, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C., telephone 225-3921.

SUBCOMMITTEE ON CONSTITUTIONAL AMENDMENTS, NOTICE OF HEARINGS — REAPPORTIONMENT OF STATE LEGISLATURES

Mr. BAYH. Mr. President, as chairman of the Senate Judiciary Subcommittee on Constitutional Amendments, I wish to announce further hearings on the matter of reapportionment of State legislatures. These hearings will be held on May 14, 1965, in room 2226 of the New Senate Office Building beginning at 10 a.m.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. SPARKMAN. Mr. President, on behalf of the chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Leonard C. Meeker, of New Jersey, to be Legal Adviser of the Department of State.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

URGING LUIS MUÑOZ-MARÍN TO BE U.S. AMBASSADOR TO THE DOMINICAN REPUBLIC

Mr. YOUNG of Ohio. Mr. President, President Johnson would be well advised if he were to recall U.S. Ambassador W. Tapley Bennett, Jr., as our Ambassador to the Dominican Republic. Ambassador Bennett is, in my judgment, the sort of ambassador who misrepresents us in Latin American countries and who is typical of the striped-pants State Department and Foreign Service officers who denounce as Communists any Latin American leader who opposes the wealthy economic and military oligarchies that control many of our neighbors to the south. In the myopic mind of Ambassador Bennett, a leader such as Juan Bosch and leaders in Brazil, Bolivia and other Latin American Republics, who seek to expropriate by legal actions vast land holdings of absentee landlords and distribute them to the impoverished, helpless and well-nigh hopeless underprivileged peasants and laborers of these countries are automatically suspect as Communists. No doubt he regards Juan Bosch as a Communist or at least a Communist sympathizer. Of course, it is well known that he is neither.

Events of the past few weeks indicate that Ambassador Bennett is the sort of State Department officer who is unable to distinguish between truly democratic elements in the citizenry of other countries and the Communist elements. In my opinion he is on the side of militarists and fascist elements.

That we have been misrepresented or inadequately represented in the Dominican Republic is indicated by the fact that our President has dispatched as a special envoy, John Bartlow Martin, in whom the people of the Dominican Republic apparently have confidence and who I am sure has the confidence of my colleagues.

Mr. President, I urge that our President appoint as Ambassador to the Dominican Republic, not only a great American administrator, diplomat and leader, but one of the foremost statesmen of the entire free world—the former Governor of the Commonwealth of Puerto Rico, Luis Muñoz-Marín. I hope and believe this great American patriot would accept this post if offered. With him as Ambassador and the Organization of American States taking over the policing of the Dominican Republic, order undoubtedly would be restored. No other action that the President can take would do more to restore confidence in our policies by leaders and citizens of Latin American nations.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I be permitted to proceed for 3 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Our President was justified in relying on the recommendations of Ambassador Bennett at the outset. The Dominican Republic is within our sphere of influence in the Western Hemisphere. Of course, we cannot and will not tolerate any Communist takeover in that little island.

Not one American civilian has been killed in the rioting or revolt in the Dominican Republic. The continued presence of Ambassador Bennett can only serve to encourage Communist elements throughout Latin America. His inadequacy has apparently been recognized by the appointment of a special envoy.

Dan Kurzman, staff writer for the Washington Post, reports that Col. Francisco Caamano Deno of the so-called rebel forces, although the military junta which deposed the duly elected President are in reality rebels against law and order, states that Ambassador Bennett laughed when he asked him to help him end the bloodshed. Colonel Caamano was ready to agree to a ceasefire and to negotiate with the military junta seeking peace. Bennett refused to mediate. He said he had no authority to do so. It is said he laughed scornfully at Colonel Caamano. Ambassador John Bartlow Martin, later dispatched by our President, immediately took part in mediation efforts.

It is time we withdrew all of our marines except those who will be members of the peacekeeping force of the Organization of American States. Our military advisers and Ambassador Bennett caused nearly 25,000 men of our Armed Forces to be sent into this island city. This could be likened to using a sledge hammer to drive in a tack. Furthermore, Ambassador Bennett aided and abetted Gen. Wessin y Wessin of the militarists.

I am hopeful that without delay free democratic elections will be held in the Dominican Republic. The appointment of Luis Muñoz-Marín as our Ambassador to the Dominican Republic would be a great step toward restoring law and order in that nation and a sign of our good intentions for liberty-loving oppressed people throughout Latin America.

Mr. President, I ask unanimous consent that the column of Drew Pearson published in the Washington Post of Wednesday, May 12, under caption "Past Ignored in Island Crisis," be printed in the RECORD, at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, May 12, 1965]

PAST IGNORED IN ISLAND CRISIS

(By Drew Pearson)

Those who have worked with and watched President Johnson close up during the Vietnamese and Dominican crises predict that his No. 1 problem will continue to be foreign affairs.

This is because, while he knows legislative problems as no other President in history, he has an intimate feel for education, agriculture, poverty, taxes, economics, and the entire field of domestic problems, he does not have a feel for foreign affairs. It is also because every President to some extent is a prisoner of those who feed him information, who advise him on problems he does not know firsthand.

In view of the fact that the Dominican crisis has set back our Pan American relations 30 years, it is important to call the roll of advisers who gave the President bum steers and what they did:

Ambassador Tapley Bennett in Santo Domingo flew to Washington 2 days before the crisis, told the State Department the political situation was deteriorating, but predicated no revolution.

Three days after the revolt started and 1 day before Mr. Johnson landed the marines, Col. Francisco Caamaño Deno, now rebel provisional President, came to see Bennett, offered to negotiate a cease-fire. The Ambassador laughed in his face. This infuriated Caamaño. He went back to fight harder than ever. This fighting contributed to the decision to land marines.

BITTERNESS DEEPENS

After the marines landed, Ambassador Bennett sent them into the front lines to fight alongside and relieve the troops of Gen. Wessin Y Wessin, who last year had helped kick out President Bosch, first duly elected President in 32 years. The sight of U.S. marines fighting to support Gen. Wessin y Wessin infuriated the pro-Bosch forces, created a lot of anti-American bitterness.

In Washington, Assistant Secretary of State Jack Vaughn and Ellsworth Bunker, cool-headed Ambassador to the OAS, both favored full consultation with OAS Ambassadors. They had little chance to make their point. The person L.B.J. leaned on was his old Texas friend, Tom Mann, rapidly promoted by Mr. Johnson to be No. 3 man in the State Department. Last year, Mann called in U.S. envoys, made it clear that the United States would support military regimes on this continent.

The President has no conception of the long, tough battle Latin Americans have waged to ban intervention by the "Colossus of the North." He has no conception of Latin American hatred for marines. They have become a symbol of "Yankee imperialism." Even if he had sent the U.S. Army instead of the marines, reaction would have been better.

The President has no realization of the fact that the standard excuse for landing marines in Latin America has been the danger of communism.

OLD "RED HERRING"

I recall that when President Coolidge landed marines in Nicaragua in 1927, the first excuse was the protection of American property. Then Under Secretary of State Robert E. Olds called in Kirke Simpson, of the AP; Ludwell Denny, of the UP, and Mauritz Hallgren, of the INS; gaves them a "no attribution" story that communism was penetrating Nicaragua, the Panama Canal was in danger. Denny and Hallgren refused to carry the planted piece unless the State Department could be quoted. There was no threat of communism in Central America in 1927.

This month, 38 years later, the Johnson administration first used the excuse of protecting American lives for landing marines; then brought out the old excuse of communism.

The real fact is that one-third of the Dominicans are unemployed, which breeds unrest, communism, and a bitterness in which rebels do not particularly care whether they die sniping at American marines.

Finally, Mr. Johnson has not sweated through the international conferences in which Latin diplomats slowly built up the doctrine of nonintervention in Pan American affairs. Their first real progress came at the 1928 Pan American Conference in Havana, which I covered for the Christian Science Monitor. Calvin Coolidge, then President, opened the Conference. Secretary of State Frank B. Kellogg was a delegate, as was Charles Evans Hughes, elder statesman of the Republican Party.

Latin Americans were then boiling over the 1927 landing of U.S. marines in Nicaragua. So at this Conference, three distinguished Republicans, Coolidge, Hughes, and Kellogg, accepted the doctrine of nonintervention.

President Johnson's hardnosed advisers permitted him in 1 hour to kiss off 38 years of better understanding in the Western Hemisphere without consulting a single Latin neighbor.

PRESIDENT'S MESSAGE ON FEDERAL PAY INCREASES

Mr. CARLSON. Mr. President, the President has just submitted to Congress a message on pay increases for Federal classified workers and military personnel in service. The message was based on the report of a committee, which he mentioned in his message of January 25, 1965, known as the President's Special

Panel on Federal Salaries, which was to review Federal military and civilian pay levels. This was an outstanding committee, headed by Marion Folsom, who has given many years of service to the Government and who has recommended many important programs in the interest of our citizens generally and particularly the classified Federal workers.

The President's message proposes an average increase of 3 percent in Federal civilian salaries; an average increase of 4.8 percent in the compensation of all uniformed personnel, except enlisted personnel with under 2 years of service; and a 2.7 percent increase in the base pay of enlisted personnel having less than 2 years of service.

In his message, the President suggests that a committee be established to study proposed pay increases in future years. That proposal, in my opinion, while it has merit, will require hearings and study by the Committee on Post Office and Civil Service.

I mention one item in connection with the proposed pay increase, which the President states will cost approximately $853 million—$447 million for uniformed personnel and $406 million for civilian personnel. This is the sentence about which I wish to comment:

> In order to hold the costs of pay adjustments in the fiscal year 1966 within amounts included in the budget for that purpose, I recommend that the increases be made effective January 1, 1966.

I am a member of the Committee on Post Office and Civil Service, which will deal with this proposal. I sincerely hope that the committee will hold early hearings, because it is my feeling and contention that the effective date should be moved back to July 1, 1965. Our Federal workers and our military personnel are entitled to early pay increases. I sincerely hope that when our committee begins to consider the President's proposal, we will give serious consideration to fixing an earlier effective date.

Mr. MANSFIELD. Mr. President, will the Senator from Kansas yield?

Mr. CARLSON. I yield.

Mr. MANSFIELD. I listened with interest to the statement of the distinguished senior Senator from Kansas concerning the proposed pay raise for military and civilian personnel. I am delighted that a bill will be coming to us soon, but I would hope that more stress will be placed on the pay raise for the military, because it is my belief that the discrepancy between pay raises allowed by the Government for civilian and military personnel shows the military pay lagging far behind.

There is a sizable investment in the training of men who enter the Armed Forces. In my opinion, a sizable pay increase would be a gesture and a factor in achieving greater economy, because it would mean that more men would remain in the Armed Services. This in turn would mean that the Government would spend less money to train pilots, technicians, and specialists of various kinds.

I would most certainly hope that proper regard would be given to the military so that those people would remain in service and the Government would be able to save money through the retention of their technical skills, thereby making the effective support of the country that much stronger.

Mr. CARLSON. I deeply appreciate the views of the distinguished majority leader with respect to military pay. I fully agree with him.

The 3-percent increase for classified Federal workers is based upon studies by the Bureau of Labor Standards. Based on those studies, I do not believe the pay raise proposed for the Federal classified workers is excessive. But as to the military pay, I thoroughly agree with the Senator from Montana.

It would be most unfortunate if the effective date of the military pay increase were deferred until 1966. I hope that it will be made effective on July 1, 1965, for Federal classified workers and military personnel.

Mr. MANSFIELD. I feel certain that the Senator from Kansas, who is the ranking minority member of the Committee on Post Office and Civil Service, will see to it that that factor is given every consideration.

REAPPORTIONMENT OF STATE LEGISLATURES

Mr. TYDINGS. Mr. President, the last ditch effort to prevent the fair apportionment of our State legislatures is coming rapidly to a head The Subcommittee on Constitutional Amendments of the Senate Committee on the Judiciary is expected to conclude its hearings this week. The committee is under pressure to report an amendment which would permit one house of a State legislature to be apportioned on the basis of factors other than population.

Such an amendment would overrule the Supreme Court's decision in the case of Reynolds against Sims and, in effect, carve out an exception to the equal protection clause of the 14th amendment.

It is time that the public became fully aware of the dangers of such an amendment. I was therefore pleased to learn that the distinguished junior Senator from New York [Mr. KENNEDY] has called for a wide public discussion of this issue. In a concise and trenchant address, he called attention to the grave dangers that lurk in the deceptive language of the pending amendment.

I commend his address to the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR ROBERT F. KENNEDY, COLUMBIA LAW SCHOOL FORUM, NEW YORK CITY, APRIL 29, 1965

I am grateful for the opportunity to join in this great law school community's observance of Law Day. Columbia Law School has long been a great contributor to the mainstream of American law, having produced a glittering array of Supreme Court Justices, great scholars, outstanding lawyers, and important Government officials. I am particularly glad, therefore, to be with you today as we all reaffirm our commitment to the rule of law.

Even as we engage in that reaffirmation, a little-noticed struggle is going on in Congress over a group of proposed constitutional amendments which, in my judgment, would interfere seriously with the fairness and evenhandedness of the rule of law in our State governments. I am speaking of the amendments which would, in essence, overturn the decisions of the Supreme Court last June 15 in *Reynolds* v. *Sims* and related cases, and allow one house of a State legislature to be apportioned according to factors other than population. In my judgment, these amendments are a threat to long-established constitutional principles, and the struggle over their enactment is a constitutional crisis of the deepest significance.

What is particularly distressing is that there has been very little public discussion of these amendments. All too recently, the same kind of vacuum permitted substantial support to develop for a group of three proposed constitutional amendments which would have seriously weakened the power of the Supreme Court, particularly in relation to reapportionment. We still owe thanks to Anthony Lewis, of the New York Times, to the Association of the Bar here in New York City, and to others whose careful analysis of these amendments finally did expose the damage they would have caused.

Despite that recent experience, the gathering support in Congress for the latest set of constitutional amendments relating to reapportionment has gone largely unnoticed in the popular press, save for an editorial here and a brief piece there. Legal scholars have been writing on the subject, but their comments have not received wide circulation.

I believe it is time that a full-scale, far-reaching public discussion of these amendments began, a discussion which explores all of their implications and attributes, both good and bad.

Since one aspect of the rule of law is open discussion of matters pending in the Congress and the legislatures, and another is the obligation of lawyers to contribute their specialized knowledge to such discussion, Law Day is a particularly appropriate time to begin.

Throughout, I think we must bear in mind that because *Reynolds* v. *Sims* was decided less than a year ago, no one can possibly have sufficient historical perspective yet to criticize or condemn the decision's effects in practice. The Court, in fact, expressly contemplated "some deviations from the equal population principle" "based on legitimate consideration incident to the effectuation of a rational State policy." The content of that exception deserves to be worked out on a case-by-case basis. These considerations alone should give pause to those who would nullify the decision and thereby change the basic law of the land.

But the movement is instead gathering momentum. Why? What are these amendments?

Their operative principle seems innocuous enough. All of them provide that one house of a bicameral legislature can permissibly be apportioned on a basis other than population if the people of a State approve of the plan in a statewide referendum. At first glance that seems reasonable enough. Let's just take a few moments to analyze what will happen to make the amendments most unreasonable in their operative effect.

To begin with, the reasoning of the Court in *Reynolds* v. *Sims* suggests strongly why interference with its holding would be unfair. "Legislators," Chief Justice Warren wrote, "represent people, not trees or acres." "If a State," he went on, "should provide that the votes of citizens in one part of the State should be given 2 times, or 5 times, or 10 times, the weight of votes of citizens of another part of the State, it could hardly be contended that the right to vote of those residing in the disfavored areas had not been effectively diluted.

Thomas Jefferson put it well. "Equal representation," he said, "is so fundamental a principle in a true republic that no prejudice can justify its violation because the prejudices themselves cannot be justified."

The prejudices here, in my judgment, are the forces of the status quo, the forces which wish to preserve the existing power structures in the State legislatures. A look at the mechanics of the operation of these amendments bears this out.

First, who would frame the question to be put to the people? No one other than the State legislature whose chronic malapportionment created the whole problem in the first place. The interest of the majority of that malapportioned legislature is in preserving its position of control. I think we can expect that the majority would frame a plan which perpetuates its control and maybe even enlarges it, and I certainly think that that majority would be ingenious enough to put the choice to the voters in a way which insures that they will choose the appropriate alternative.

The first point, then, is that the cards are stacked against a fair result from the outset. The people would in all probability never have the chance to make a free choice between the principle of equal representation and a plan departing from it.

I might remind you that the Colorado reapportionment plan which was before the Supreme Court last year in the Lucas case had been approved in a referendum. The Court nevertheless struck down the plan, saying, "An individual's constitutionally protected right to cast an equally weighted vote cannot be denied even by a vote of a majority of a State's electorate * * *." The Colorado choice, I might add, was between an equal-population plan and a so-called little Federal plan, but it is interesting that the former plan provided for the election of senators at large, which obviously detracted from its appeal to the voters.

Will we now let the majority of the voters dilute or deny the right to equal representation, particularly when we know that the majority may either not even appreciate the implications of what it is doing or may not be given a realistic choice to make?

Further, as most of the amendments are now drafted, they lack any mandatory provision for periodic resubmission to the voters, so majority acceptance of a particular plan would not only deny individual rights in the present, but could also bind generations of unborn citizens to a system which they had no say in choosing.

Second, what are the effects which the people's vote to depart from a population basis of representation will have in various parts of the United States?

What about the South? The Negro, of course, is still badly underregistered in many States. Again, it will be entirely logical for the legislatures of those States to draft a plan which would protect their position against the day when Negroes obtain full voting rights. And, of course, the electorate as presently constituted is equally as interested in preserving the status quo. In much of the South, therefore, permitting a departure from reapportionment based on population will inevitably result in a serious stumbling block to the Negro's ever attaining equality in the political process.

What about other parts of the country? In heavily urbanized States the amendments could have far-reaching effects on the future of the cities and on the urban development process. The legislative majorities in these States are for the most part nonurban in composition and, once again understandably from their viewpoint, do not want anything to happen which would cause them to lose their control. These majorities can be expected to do everything in their power to utilize for their own ends any opportunity to escape from apportionment based on population.

The perpetuation of minority, nonurban control, even though confined only to one house, could be catastrophic for the cities. The result at worst would be a continuation of the shortchanging of the cities, and at best a stalemate, a legislative paralysis caused by the differing apportionment bases in the two houses.

As time passes, this situation would only become a more and more serious problem for the cities. As we become more and more urbanized, it becomes increasingly critical that every appropriate governmental resource be focused on meeting the problems of urban areas. We all know that the States have not done their share up to now, and that a major reason for the States' failure to face up to deepening urban problems has been the control of the legislatures by a rural minority having no urgent interest in the welfare of the cities.

The inadequate action by the States up to now has caused the cities and suburbs to look to the Federal Government, which has made significant and important contributions to better housing and better transportation, to eliminating slums and urban sprawl, and now, at last, to improving the quality of education.

But more—much more—is needed, and I do not think the Federal Government has the resources to do the job alone; 69.9 percent of our Nation's population now lives in urban areas, and we have only begun to provide healthy, well-planned urban environments and to see to it that urban areas have the full range of governmental services and protections which they deserve.

But in the last analysis this struggle must be fought mainly at the State and local level. The Supreme Court's decision in *Reynolds* v. *Sims* offered new hope that State governments would at last be truly representative and therefore responsive to the needs of the cities. It would be tragic to destroy that hope now.

And, of course, if the amendments end up injuring the people of our cities, that will be a serious blow to the cause of minority rights. Negroes, Puerto Ricans, and other deprived minorities are city dwellers. Perpetuating the antiurban balance of power in the State legislatures, therefore, would jeopardize any hope that these minorities had of obtaining significant help at the State level in their struggle for equality of economic opportunity, better housing, and better schooling.

I believe these amendments will generally have an antiurban effect. But I also want to emphasize strongly that no one can be sure that this will be the effect everywhere and for all time. The majority which acts to consolidate its position at the expense of the outvoted minority need not always be rurally oriented. The coalition which holds the balance of power in the State legislature might well be composed of other interest groups. For instance, considerations relating to the coordination of metropolitan development could well bring urban and suburban interests together to formulate a plan which ended up being unfair to the rural minority. And future shifts in population could change the balance of power completely.

The point is that whatever plan is adopted will be weighted somehow, and that, however, it is weighted, someone will be the loser. I wonder, frankly, how many of those who think they will benefit from the malapportionment which the proposed amendments would create have stopped to think that they could in fact end up on the short end. There are undoubtedly many States in this country in which it is not at all clear who would be the watered-down minority.

In sum, to paraphrase Chief Justice Marshall, we must remember that this is, after all, a Constitution we are amending. What the proponents of the amendments are advocating is the introduction of an exception to the equal protection clause of the 14th amendment, an exception which says, in effect, equality is the rule except where representation in the State legislatures is concerned. What they are supporting is the removal of a right previously enjoyed—the taking away of a guarantee of equality—the equality of representation—which the 14th amendment has previously been held to encompass. They are talking about changing the basic fabric from which our Government is woven and they are talking about doing so in a way which would diminish the rights guaranteed by the 14th amendment. To me this kind of venture is inconsistent with the ideal of equality for which we have always strived, and which we have always held out to peoples of other lands as the principle which differentiates America from less democratic nations. And this whittling away at the 14th amendment represents a most troublesome precedent for the future.

I have tried in these few moments to point out the dangers in the proposed modification of the rule laid down in *Reynolds* v. *Sims*—dangers not just to particular interest groups or to particular segments of the population, but dangers whose ultimate effect cannot even be entirely gaged at the present time.

Reynolds v. *Sims* offered new hope to so many that the rule of law at the State level would finally bring results of tangible benefit.

If congressional action which destroys that hope is to be prevented, your participation is vital. The premises of the amendments need to be brought into the light of day and examined and reexamined. Their implications for all individuals and groups within the States need careful analysis.

We are confronted with a proposal to change the structure of our Government for a long time to come. This is important and significant to all of us, and we should be fully aware of what its results will be before we allow it to proceed any further.

A SALUTE TO ISRAEL ON THE CELEBRATION OF HER 17TH ANNIVERSARY OF INDEPENDENCE

Mr. MONDALE. Mr. President, 17 years ago this week, one of this century's most significant and successful adventures in freedom was undertaken. The establishment of Israel on May 14, 1948, marked for the Jewish people both a prophecy fulfilled and a future blessed with the freedom of self-determination.

All free men had a stake in Israel's emergence as a sovereign state; and all men in bondage drew, and continue to draw, inspiration from her story. A people dispersed throughout every nation, homeless for the better part of 20 centuries, commenced building on May 14, 1948, a nation devoted to the egalitarian principles of the French and the American Revolutions.

The measure of Israeli success in the past 17 years can be gaged from many perspectives. In surveying the modern miracle of Israel's resurrection, some may prefer to talk in terms of the purely physical wonders which have been wrought; the construction of entire urban centers, rising from the ruins of the ancient world; the establishment of thriving centers of intellectual achievement, built on the foundation of an ancient wisdom which has inspired and enriched the heritage of many nations;

or the unsurpassed conversion of an unyielding desert terrain to a land of promise and harvest.

But the modern miracle which is Israel can also be approached from the vantage of values, for there are many lessons to be learned from Israel's experiment with democracy. For the most part, those lessons hew closely to those taught by our own Revolution. There is, first of all, the lesson that free men detemined to remain free can acomplish all manner of objectives if they cherish freedom above all else. There is also the lesson that liberty can be salvaged even from the ashes of the greatest holocaust in the history of the world if brave and optimistic men will challenge the darkness of despair and derision. There is also the lesson that freedom means no more, and no less, than the freedom to be different; and that in recogizing the right of others to differ from us, we protect our own inalienable right to be and to do as we wish. This is the anniversary we celebrate this week. It is the anniversary of what one tireless and faithful people began to accomplish by harnessing the full power of diversity under the disciplined yoke of liberty.

We, as Americans, have a special affinity for this young state. Under the leadership of President Truman, our Nation was the first to accord full diplomatic recognition to the State of Israel. That was done immediately after its establishment. In recognition of Israel's role as a bastion of democracy in a part of the world where human rights are questioned and democratic institutions are unknown. The American Government and people have readily furnished unstinting moral and financial aid to the young state.

Like all nations in the last half of the 20th century, Israel is confronted with grave and growing problems. On all sides, the tiny country is surrounded by hostile neighbors, mutually pledged to her destruction. Time and again in the last 17 years, Israel has had to turn her resources and her national purpose away from social progress and toward military security. President Bourguiba, of Tunisia, has recently stirred peaceful hopes in this troubled part of the world by recognizing the possibility of reaching an equitable agreement under which Israel and her neighbors can live in peace. President Bourguiba has been denounced by his Arab brothers for this action; but the important thing is that the Arab world is no longer wholly united in its hostility toward Israel.

Israel's greatest domestic problem has been, and continues to be, water. Israeli planners and engineers have achieved tremendous feats in the development of all water resources in the tiny state. I am pleased to note that the United States and Israel have joined in a program of desalinization of sea water which heralds a new era of agricultural abundance and economic development, not alone to Israel, but to all the nations of the Middle East.

Mr. President, I join all other Senators and countless other Americans in saluting the State of Israel for its past achievements, and in renewing our traditional pledge to aid any friend to insure the survival and success of liberty.

CONFERENCE ON INTERNATIONAL ASPECTS OF THE TSUNAMI (SEISMIC SEA WAVE) WARNING SYSTEM

Mr. FONG. Mr. President, a meeting of national and international importance was held in Honolulu recently when, for the first time, scientists from many nations assembled for a Conference on the International Aspects of the Tsunami Warning System of the Pacific. The effectiveness of the tsunami or seismic sea-wave warning system is a matter of life and death to all who live within reach of these destructive, giant waves. Every island and coastal city or village in the Pacific Ocean area is vulnerable to the seismic sea waves spawned from earthquakes and volcanic eruption. The tsunamis born of the March 1964 earthquake in Alaska, destroyed much of Valdez, Alaska, and caused loss of life and property at Crescent City, Calif. The same waves touched Hawaii, Chile, and Japan.

Tsunamis which struck the Hawaiian Islands in 1946 brought death to 173 persons and property damage of $25 million. Again, in 1960, tsunamis killed 61 persons and caused $23,550,000 in property damage in Hawaii. The problem of developing the most effective methods of providing advance warning of impending tsunamis is, therefore, of vital importance to the many peoples and governments around the Pacific basin.

The conference held in Honolulu on April 27–30 this year was of great significance because for the first time it brought together a large number of earth and oceanographic scientists to discuss various aspects of an international sea-wave warning system, including effective seismological and tide recording stations and rapid international communication systems.

Canada, Chile, Republic of China, France, Japan, Mexico, New Zealand, Peru, the Philippines, the United States of America, Soviet Russia, and Western Samoa were represented by official delegations. Also represented were the Trust Territory of the Pacific Islands, Ryukyu Islands, Intergovernmental Oceanographic Commission, International Union of Geodesy and Geophysics, World Meteorological Organization, and Inter-American Geodetic Survey.

Although the meeting was sponsored by the Intergovernmental Oceanographic Commission of UNESCO, it was hosted by one of our Nation's foremost scientific organizations, the Coast and Geodetic Survey of the U.S. Department of Commerce. It was most fitting that the Coast and Geodetic Survey, which maintains and operates the most effective tidal wave warning system in the world, took the initiative to organize and host such a meeting on behalf of the U.S. Government.

The U.S. delegation was headed by Rear Adm. H. Arnold Karo, Director of the Coast and Geodetic Survey. He was assisted by five official delegates, including Dr. Harris B. Stewart, Jr., who had the distinction of being named Conference Chairman. Under Dr. Stewart's able direction and guidance, items of the conference agenda were approached with much enthusiasm, and a spirit of genuine international cooperation prevailed throughout the meeting. Much was accomplished, as indicated in the recommendations adopted by the body of international scientists.

Admiral Karo and the Coast and Geodetic Survey are to be commended for great leadership in their efforts to promote better international understanding and cooperation in the field of seismic sea-wave warning capabilities.

I am proud that the State of Hawaii was chosen as the site for this highly important international meeting. Organizations and institutions in Hawaii, such as the University of Hawaii and its Geophysical Institute, the Bishop Museum, the East-West Center, U.S. Army Engineers, and other deserve recognition for their assistance in making the international conference a success.

I ask unanimous consent to have printed in the RECORD at this point the recommendations adopted at the Honolulu meeting and the list of participants.

There being no objection, the recommendations were ordered to be printed in the RECORD, as follows:

RECOMMENDATIONS

The Working Group on the International Aspects of the Tsunami Warning System in the Pacific urges that the Intergovernmental Oceanographic Commission take appropriate steps to insure the implementation of the following recommendations. These are designed to provide for the development of the most expeditious, efficient, and effective methods for providing advance warning of impending tsunamis. It is therefore recommended that:

1. An International Tsunami Information Center be established on a permanent basis to collect and interpret seismic and sea-level data on a real-time basis to act as a source from which national centers may obtain data on which to base their warnings, and further that the U.S. Government be asked to strengthen its present tsunami warning service based at the Honolulu Observatory to enable it to act in addition as the International Tsunami Information Center, but it is also anticipated that other nations may be prepared to assist in operating this Center, for instance by providing personnel.

2. The Intergovernmental Oceanographic Commission established an International Coordinating Committee for the Tsunami Warning System in the Pacific to:

(i) Effect liaison among the participating countries at the technical level, particularly with regard to communications,

(ii) Insure exchange of information on developments of observing methods and of techniques of tsunami forecasting,

(iii) Effect liaison and coordination with the Intergovernmental Oceanographic Commission, World Meteorological Organization, and the International Union of Geodesy and Geophysics—particularly with its Tsunami Committee, and

(iv) Provide essential secretarial service for the International Tsunami Information Service and for the International Coordinating Committee.

This International Coordinating Committee should meet biennially, and preferably a few months before each meeting of the Intergovernmental Oceanographic Commission, or oftener if required, to review the technical aspects of the System and to prepare recommendations to the Commission regarding improvements in the System which require action by member governments.

3. The Intergovernmental Oceanographic Commission encourage the exchange of scientific and technical personnel among the various national tsunami warning and research centers.

4. The attention of member states be drawn to Resolution III–7 of the Commission which asks member states having surplus tide gages that they are willing to lend or present to other countries to inform the Secretariat of the Commission so that this information may be promulgated in "International Marine Science," and further that seismographs be similarly considered.

5. Further emphasis be placed on the recommendation in Resolution III–8 of the Commission that member states of the Commission in the Pacific area who are not part of the present tsunami warning system establish adequate internal communications and responsible administration, establish and operate seismic and tidal stations, and integrate their systems with that currently in operation. And further that the Commission emphasize to member states the importance of establishing adequate internal national communication networks (a) as a prerequisite to joining the tsunami warning system and (b) so that warnings of tsunamis generated by earthquakes close to their coasts may be initiated from the national center concerned.

6. Emphasis be given to the importance of promptly submitting seismic and tidal records associated with significant tsunamis to world data centers A and B so that the information can be used in developing the history of past tsunamis and for research on their nature. It is suggested that the procedure for submission and the provision for additional stations be as specified in the resolution of the IUGG Tsunami Committee, August 1963, and later adopted by the ICG–WDC.

7. An informal tsunami newsletter be prepared by the International Tsunami Information Center for the assistance of tsunami workers and include:

(i) News of changes in national tsunami warning systems,

(ii) Summarized progress reports on individual tsunami research projects,

(iii) Listings of available tsunami research data such as digitized tide gage records used in spectral analysis, and

(iv) Bibliographical references to new tsunami research papers. And further, this information be made available for consideration for publication in "International Marine Science."

8. The International Coordinating Committee explore the possibility of establishing a standard code for the transmission of seismic and sea-level data.

With regard to sea-level data:

9. In order to have tide gage data intercomparable among stations, each participating member state be requested to provide to the International Tsunami Information Center:

(i) A station description of each gage (including type, size of well, size of orifice, etc.) and of its location,

(ii) A plotted position on an appropriate large scale chart,

(iii) Several typical tsunami records, if available,

(iv) Results of any power spectrum analysis, if available.

And further, that reports of tidal data for use in the tsunami warning system be in the English language and in metric units, using four digits to the nearest centimeter (i.e., 2.85 meters should be reported as 0285).

10. There be a general expansion of the tide station network in the Pacific for the use of the Tsunami Warning System with due consideration also being given to the research uses of sea-level data. Both uses should be considered in site selection.

11. Whenever possible tide gages that are part of the tsunami warning system should be located on the open coast rather than in harbors or behind protective reefs.

With regard to communications:

12. The urgent communications requirements of tsunami data transmission in the Pacific include the requirement for the allocation of radio frequencies which should be made part of the recommendations of the IOC Working Group on Communications.

13. The highest priority be assigned to all messages transmitted as part of and in support of the tsunami warning system.

14. The communication links between United States, Japan, and U.S.S.R. and other areas, such as Latin America be improved. Presently, Japan acts as a relay link between U.S.S.R. and United States, but in addition the most rapid communications between U.S.S.R. and United States should be explored.

15. The Intergovernmental Oceanographic Commission take steps to have prepared a summary of the existing international communication links which could serve the tsunami warning system.

With regard to seismic data:

16. Any country not participating in the system but having suitable seismic stations whose data could be very useful for determining the elements of any strong earthquake be asked to cooperate by sending its seismic data to the appropriate center as part of the system.

With regard to research and development:

17. The Commission draw the attention of member states to the urgent need for additional support for tsunami research and equipment development.

Cooperative tsunami research efforts among scientists of all countries should be encouraged.

Areas of necessary research include:

(i) Methods of describing ground motion from seismic and barometric evidence, and development of techniques for rapid analysis of such motion,

(ii) The mode of transfer of energy from the earth to the water,

(iii) Tsunami period and amplitude measurements in the deep sea,

(iv) Study of one- and two-dimensional propagation of tsunami waves over irregular topography,

(v) Study of the transformation of tsunami waves produced by near-shore topographic features,

(vi) Study of tsunami runup,

(vii) Additional bathymetric surveys to facilitate study of propagation, transformation, and runup of tsunami waves,

(viii) Assessment of tsunami characteristics in terms of earthquake characteristics,

(ix) Development of improved equipment and techniques required for telemetering seismic and sea level data; eventual automation of sea level recording; rapid low-magnification seismic recording, deep sea tsunami detection, etc. Equipment standardization and intercalibration should be encouraged, and

(x) Development and use of modeling techniques for tsunami studies.

INTERGOVERNMENTAL OCEANOGRAPHIC COMMISSION CONFERENCE ON THE INTERNATIONAL ASPECTS OF THE TSUNAMI WARNING SYSTEM, EAST-WEST CENTER, HONOLULU, HAWAII, APRIL 27-30, 1965

DELEGATIONS AND PARTICIPANTS

Canada

Dr. George L. Pickard, Institute of Oceanography, University of British Columbia, Vancouver, Canada.

Chile

Capt. Guillermo Barros (Chairman), Director del Instituto Hidrografico de la Armada, Valparaiso, Chile.

Mr. Ricardo Montaner Jefe, Seccion Mareas y Corrientes Instituto Hidrografico de la Armada, Valparaiso, Chile.

Republic of China

Dr. Kenneth T. C. Cheng, Director, Taiwan Provincial Weather Bureau, 64 Kung Yuen Road, Taipei, Taiwan, Republic of China.

France

Dr. Claude Blot, Institut Francais D'Oceanie, Noumea, Nouvelle Caledonie.

Japan

Dr. Takuzo Hirono, Japan Meteorological Agency, Otemachi, Chiyoda-ku, Tokyo, Japan.

Dr. Ryutaro Takahasi, Chuo University, Bunkyoku, Tokyo, Japan.

Dr. Kiyoo Wadati (chairman), National Scientific and Technological Center for Disaster Prevention, Bosai Center, 6-1 Ginza-Higashi, Chuoku, Tokyo, Japan.

Mexico

Dr. Nicolas Grijalva, Instituto de Geofisica, Universidad de Mexico, Mexico City, Mexico.

New Zealand and Western Samoa

Mr. J. W. Brodie, NZ Oceanographic Institute, Wellington, New Zealand.

Peru

Rear Adm. Esteban Zimic V., Director de Hidrografia y Faros, Ministerio de Marina, La Punta (Callao), Peru.

Republic of the Philippines

Mr. Jaime J. Tecson, Chief Meteorologist, Philippine Weather Bureau, P.O. Box 2277, Manila, Philippines.

United States of America

Dr. J. Wallace Joyce, Office of International Scientific Affairs, Department of State, Washington, D.C.

Rear Adm. H. Arnold Karo (chairman), Director, U.S. Coast and Geodetic Survey, Department of Commerce, Washington, D.C.

Mr. Leonard M. Murphy, Chief, Seismology Division, U.S. Coast and Geodetic Survey, Washington, D.C.

Dr. John S. Rinehart, Assistant Director for Research and Development, U.S. Coast and Geodetic Survey, Washington, D.C.

Dr. Harris B. Stewart, Jr., Deputy Assistant Director for Oceanography, U.S. Coast and Geodetic Survey, Washington, D.C.

Mr. Bernard D. Zetler, Office of Oceanography, U.S. Coast and Geodetic Survey, Washington, D.C.

Union of Soviet Socialist Republics

Dr. Uyriy V. Tarbeev (chairman), Chief, Section of Hydrometeorological Guarding of Sea Fleet and Fishing Industry, Hydrometeorological Service, St. Pavlik Morosov, Moscow.

Mr. Mikhail I. Golubnitchy (Official U.S.S.R. Translator of Ministry of Foreign Affairs).

Inter-American Geodetic Survey

Mr. Maurice A. Tewinkel, Inter-American Geodetic Survey, Fort Clayton, C.Z.

Intergovernmental Oceanographic Commission

Dr. Richard P. Von Herzen, Deputy Director, Office of Oceanography, IOC–UNESCO, Place de Fontenoy, Paris 7e France.

International Union of Geodesy and Geophysics, Tsunami Committee

Mr. J. W. Brodie (also New Zealand).

Mr. Doak C. Cox, Hawaii Institute of Geophysics, University of Hawaii, Honolulu, Hawaii.

Mr. Leonard M. Murphy (also United States).

Dr. George L. Pickard (also Canada).

Dr. Ryutaro Takahasi (also Japan).

Dr. William G. Van Dorn, Scripps Institution of Oceanography, Post Office Box 109, La Jolla, Calif.

Dr. Kiyoo Wadati (also Japan).

Mr. Bernard D. Zetler (also United States).

World Meteorological Organization

Mr. Leonard M. Murphy (also United States).

Ryukyu Islands

Mr. Michio Shiroma, Ryukyu Weather Bureau, Ameku, Naha, Okinawa, Ryis.

Trust Territory of the Pacific Islands

Mr. John E. Welch, Director of Communications, Trust Territory of the Pacific Islands, Saipan, Mariana Islands.

Conference Secretariat

Mr. Joel B. Campbell, International Activities Officer, U.S. Coast and Geodetic Survey, Washington, D.C.

Other participants

Dr. W. M. Adams, University of Hawaii, Honolulu, Hawaii.

Dr. R. Barkley, U.S. Bureau of Commercial Fisheries, Department of Interior, Honolulu, Hawaii.

Mr. Roy L. Belknap, U.S. Weather Bureau, Honolulu, Hawaii.

Hon. John A. Burns, Governor of Hawaii, Honolulu, Hawaii.

Rear Adm. T. J. Fabik, U.S. Coast Guard, Honolulu, Hawaii.

Lt. Comdr. L. T. Gray, U.S. Navy, Pearl Harbor, Honolulu, Hawaii.

Dr. Gordon W. Groves, University of Hawaii, Honolulu, Hawaii.

Dr. Thomas H. Hamilton, President, University of Hawaii, Honolulu, Hawaii.

Dr. Robert W. Hiatt, vice president for academic affairs, University of Hawaii, Honolulu, Hawaii.

Mr. Edwin Ihil, Federal Aviation Agency, Honolulu, Hawaii.

Lt. Comdr. K. William Jeffers, U.S. Coast and Geodetic Survey, Ewa Beach, Oahu, Hawaii.

Mr. John C. Marr, area director, U.S. Bureau of Commercial Fisheries, Honolulu, Hawaii.

Dr. Gaylord R. Miller, U.S. Coast and Geodetic Survey, Washington, D.C.

Mr. J. W. Osmun, Honolulu Regional Office, U.S. Weather Bureau, Honolulu, Hawaii.

Mr. T. J. Sokolowski, U.S. Coast and Geodetic Survey, Ewa Beach, Oahu, Hawaii.

Mr. Mark Spaeth, U.S. Coast and Geodetic Survey, Washington, D.C.

Lt. Comdr. Ray M. Sundean, U.S. Coast and Geodetic Survey, room 10, building No. 1, Pearl Harbor, Honolulu, Hawaii.

Lt. Comdr. Floyd J. Tucker, Jr., U.S. Coast and Geodetic Survey, Ewa Beach, Oahu, Hawaii.

Mr. Ronald L. Viets, U.S. Coast and Geodetic Survey, Ewa Beach, Oahu, Hawaii.

Col. Glen M. Vinquist, Defense Communication Agency, Hawaii.

THE WYOMING PARTNERS OF THE ALLIANCE TEAM—OBSERVATIONS ON BRAZIL AND THE ALLIANCE

Mr. SIMPSON. Mr. President, a group of Wyomingites spent a week in Brazil during late March under the aegis of the State Department's Partners of the Alliance program. The delegation included Mr. Marvin D. Anderson, mayor of Albin; Mr. Leland Graham, Cody's city engineer; Mr. James Alan Tilker, a Cheyenne attorney; Mr. Alexander H. McMillan, of Riverton, a member of Wyoming's State Legislature; and Dr. Don Carlton Hawley, professor of Spanish at the University of Wyoming. The observations and experiences of Dr. Hawley are summarized in a very comprehensive letter which he directed under date of April 26 to Mr. Clyde W. Gaymon, of Cheyenne, who is chairman of the steering committee of the Wyoming Partners of the Alliance. Mr. Gaymon was not able to journey to Brazil, and Dr. Hawley was selected as spokesman for the group while in Latin America.

Dr. Hawley and others of the Wyoming delegation obviously went to Brazil with their eyes and minds open and with a determination to learn all they could about the circumstances in the country which led to their trip there. Dr. Hawley had the added advantage of being able to communicate with the Brazilians in their native language.

He summarized the basic ideas of the Partners of the Alliance program:

To enlist the support of a private organization within an American State and a corresponding Latin American State in order to improve our knowledge of each other, and to encourage the American State to undertake to finance certain small projects within the Latin American State in order to give a certain impetus to its development and to show that the people of the United States are interested in the people of Latin America and are desirous of working with them to better their living conditions; that, in addition, a necessarily much more limited number of projects, limited in scope and financial backing, be undertaken by the Latin American State for the benefit of the American State in order to show that the American people are willing to learn as well as teach, accept as well as give, and that they appreciate the capacity and knowledge, in certain areas particularly, of the Latin Americans.

Although a number of Dr. Hawley's recommendations are specifically applicable to the University of Wyoming, his summary of conditions in Brazil and his recommendation for action by the Alliance program should be of interest not only to my colleagues but to the many Americans who are deeply concerned about the continuous economic and political instability of much of Latin America. I ask unanimous consent that Dr. Hawley's excellent letter be printed in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE UNIVERSITY OF WYOMING,
Laramie, Wyo., April 26, 1965.

Mr. CLYDE W. GAYMON,
American National Bank Building,
Cheyenne, Wyo.

DEAR CLYDE: This is an attempt to give you my personal reaction to the recently undertaken trip to Goiás as a member of the Wyoming Partners of the Alliance team. Although selected as spokesman for the group while in Brazil, I understood and understand that this was a temporary duty. Certainly I have no reason to believe that I could express the feelings of the entire group. These will of necessity vary from individual to individual, not only because our different backgrounds cause us to see the same experience in a different light but also because no two of us had precisely the same experiences or met precisely the same persons. Even when we went to the same places, as we did most of the time, we were in different cars, with different persons, heard different points of view, and became acquainted with different individuals among the Goianos who accompanied us. I certainly believe that it was a definite advantage to me to be able to communicate directly with the Brazilians in their language, rather than working through an interpreter, yet I should not deny, either, that each of the other members possessed more knowledge than I about specific areas of finance, agriculture, even certain aspects of public education, than I, and hence would have had better tools than I for complete understanding of certain phases of the situation there. Therefore I make no claim to express any views but my own.

I consider the trip well worth the time I invested in it. Although exhausting, it certainly was very interesting and informative. I do not know how any group of Americans could learn more about a comparable area of any foreign country in the same length of time. For this we are indebted both to the members of the Goiás team and other citizens of that State with whom we were in contact, and to the American officials in Brazil, who gave unstintingly of their time in order to make the trip worthwhile. Whether it proves to be worth the money invested by the Alliance for Progress depends ultimately upon the entire membership of the Wyoming Partners of the Alliance committee and upon the response of the people of this State. Certainly I feel an obligation to contribute personally whatever I can to its success, within the limits of my own ability and the resources and time at my disposal, and should be happy to cooperate with you and the other members of the committee in whatever way you may desire.

I believe that the basic idea of the Partners of the Alliance program is sound: to enlist the support of a private organization within an American State and a corresponding Latin American State in order to improve our knowledge of each other, and to encourage the American State to undertake to finance certain small projects within the Latin American State in order to give a certain impetus to its development and to show that the people of the United States are interested in the people of Latin America and are desirous of working with them to better their living conditions; that, in addition, a necessarily much more limited number of projects, limited in scope and financial backing, be undertaken by the Latin American state for the benefit of the American State in order to show that the American people are willing to learn as well as teach, accept as well as give, and that they appreciate the capacity and knowledge, in certain areas particularly, of the Latin Americans.

I have one reservation in this approval of the program, however, which I may as well express immediately. I feel that the expectations raised among the people of Goiás as to the material benefits likely to accrue to them as a result of this partnership very greatly exceed anything within the realms of possibility, even if each and every member of the Wyoming committee were to exert himself to the maximum degree possible, and the response of the people of Wyoming were to equal or exceed our most optimistic estimates. I should have much preferred, therefore, that the advance billing of our visit stress, not the possibility of financial aid for projects, but the cultural ties to be developed: that we were coming to get acquainted with the people of Goiás, to strengthen the bonds of friendship and understanding, and to lay the basis for continuing and increasing this cultural interchange in the future through correspondence, the sending of brochures, school contacts and student exchange, and other similar means; with the suggestion, in a minor key and as a kind of afterthought, that possibly an effort might be made to help them in a financial way with a very few projects. In this way, if only a very few did result, it would not be a disappointment. If, on the other hand, a considerable number were undertaken, it would come as an agreeable surprise. The importance of the projects could still have been emphasized to the members of the Wyoming team and committee, and I am confident that there would have been no difficulty at all for us to find many worthy of our attention. If there were doubts about our ability to do this, a preliminary scouting expedition by a member of the Alliance for Progress staff in Brazil could easily have laid the groundwork. I realize that a certain amount of misunderstanding and exaggeration is inevitable. For this very reason, however, understatement rather than overstatement of the goals of the partnership appears to me to be desirable.

However much I might wish that the expectations of the Goianos were less, we of the Wyoming committee are faced with the fact that they are very great and that we are obliged to do the very best we can to keep these great hopes from being completely dashed, in which case the results of our trip would be entirely negative, and the image of the American people held by the Goianos far worse than if the Partners-of-the-Alliance idea had never been conceived.

I shall not attempt here to describe the political, economic, and cultural situation of the State of Goiás. You will have gotten much of this directly from Jim Tilker, and, probably, either directly or indirectly from others of the team.

I shall only say, very briefly, that Goiás, like much of the rest of Latin America, seems to have been asleep for much of the past century. In some ways it is incredibly primitive. I recall the simple plow that was being used for demonstration in the public school in the northern city of Porto Nacional, because the farmers there knew only the use of hand tools such as the hoe. I had read that many of the farmers of Africa and Asia did not possess this knowledge, but I had not realized that this was the case in Brazil. When I lived in Puerto Rico, several times I accompanied a good friend of ours, who taught agriculture in a rural school, when he made his home visits and talked to the fathers of his students about hybrid grains, conservation, fertilizers and insecticides; but he never had to show them how to use a plow; this was a traditional tool handed down for generations. But there are also unmistakable signs of awakening. In the schools of Porto Nacional and the little farming community of Nova Venesa, we met teachers who were entirely aware of the needs of the people, and who appeared competent to teach them and dedicated to their work. We met other men in other professions who possessed this same knowledge of their own field: in public health, in agriculture, and in industry. Not all were dedicated to the task of passing on the knowledge and benefits to all the members of their communities and State, but many were. Eventually, the Brazilian economy will begin to function with some efficiency on a national scale, as it now does on a regional scale in the south. When it does, Brazil will be a powerful country, for it has a wealth of resources of all kinds. One member of our group stated his belief that what was needed was to make the people dissatisfied with what they had, with their traditional ways of doing things. This, I think, is partially true, but the seeds of dissatisfaction are already there, and are growing. Most important, in my estimation, is the channeling of the energy which this dissatisfaction eventually will produce, is producing now to some degree. We can only hope it will follow a path similar or at least not hostile to that of our own system, for Brazil contains half the population and resources of the whole South American Continent, and has frontiers with nearly every other South American nation. We can also attempt to do something to lead it in this direction, even though our part, of necessity, will be a small one.

Finally, I should like to refer briefly to some specific projects. Personally, I should like to see precedence given to one or two of the projects of the city of Porto Nacional. This is the center for the whole northern half of the State, the part which is most primitive, poorest, and therefore most in need of aid. Also, I was extremely impressed with the knowledge and dedication of the members of the community whom we met who were concerned with education and public health. I am confident that any aid we could give them would be well deserved and well utilized.

After this, I should like to see some support given the Federal University of Goiás. On the whole, they seem to be achieving good results with very little material resources. Furthermore, since students come here from all over the State, it is one way in which a program could benefit the whole State. The Institute of Physics and Mathematics, a unit of the university, has put in a request for some $10,000 in equipment. I consider this excessive, but I should like to see something, perhaps a third, contributed. Perhaps a member of our faculty here at the University of Wyoming could check over the list and choose the items he deems most necessary. I should be happy to try to arrange this, if you would like.

Another project related to the university was the one I agreed to work on immediately. In this particular case, I was acting for the whole team, since we had all discussed this and agreed unanimously that it would be highly desirable and not very expensive. We wish to bring one graduate student from the Federal University of Goiás to introduce the study of Portuguese on this campus. He would be employed as a graduate teaching assistant and receive the regular stipend for this work. It is my understanding that the Alliance for Progress would furnish transportation. I suggested that some one be chosen who had a background in both English and Portuguese. In my judgment, we would be able to obtain a fairly competent person who could teach two courses in Portuguese, study one foreign language, probably either Spanish or French, in order that he learn our teaching methods as well as that language and literature; and also take courses in English so that he might be able to make a contribution to the teaching of this language on his return. The most important element, however, is that he teach Portuguese. I think the public relations value of this is obvious, if we can say to the people of Goiás, in effect: the visiting team from America was so impressed with the Brazilian culture in general and that of Goiás in particular that it is bringing a teacher from Goiás to introduce the study of Portuguese at the University of Wyoming. Furthermore, it is inexcusable that the third language of the American continent is not taught, to my knowledge, in a single school of any kind in the State of Wyoming, even though is is not particularly difficult. A good basic knowledge could be acquired in a limited program by students of other romance languages, and particularly of Spanish, which is closely related. I have discussed this proposal with several persons here, including the deans of arts and sciences and of academic affairs, Dr. E. Gerald Meyer and Dr. James Ranz. Although there is some opposition, both deans were sympathetic, and I hope for eventual success. Since our budget for the fall is already fixed, however, it will be difficult to set up anything for next year, as we had hoped to do. This is unfortunate, since it would certainly be best, from the point of view of public relations as well as getting cooperation in Goiás, to "strike while the iron is hot," while the memory of our visit is fresh. I wonder if it would be possible to secure, either from the Alliance for Progress or from private sources, money to finance this program for the first year, if the university indicates a willingness to carry it on from that point.

I am unable as yet to give you an answer as to whether or not I might attend the meeting in Washington. I doubt that it will be possible if I must finance it from my own funds, since I am the poorest of the five members of the team; but I do not wish to commit myself until I have explored all the possibilities. I shall try to let you know early next week.

Sincerely yours,

D. C. Hawley,
Associate Professor of Modern Languages.

RUMANIAN INDEPENDENCE DAY

Mr. MONDALE. Mr. President, I extend my heartiest congratulations to the people of Rumania on this annual celebration of their national holiday. The 10th of May is a day rich in significance in the history of that Nation. It was 99 years ago today that Charles I, Prince of Hohenzollern-Sigmaringen, was proclaimed Prince of Rumania, thus bringing the Nation a long step forward in its struggle for independence.

That was a long and painful struggle against internal strife and foreign domination. In the first half of the 19th century, the principalities of Moldavia and Wallachia were but pawns in the conflict between two great powers, Russia and Turkey. It was not until 1856 that the situation was partially remedied, by means of the Treaty of Paris. In the following year, the legislative bodies of the two principalities voted unanimously for autonomy and for their union under the name of Rumania. That official expression of a long-embraced and burning desire, known as the divans ad hoc, led eventually to the proclamation of Charles I as Prince of Rumania. The foreign-born Charles ended an era of internal political rivalries, and ushered in a reign that was as illustrious as it was long.

May 10th marks a second great event in Rumania's history, for although the Treaty of Paris ended Russia's protectorate, Rumania was still obliged to recognize the suzerainty of the Turkish sultan. However, in 1877, during the Russo-Turkish War, Rumania severed that last bond to the Ottoman Empire, by proclaiming her independence on May 10, and by declaring war on Turkey the following day. As an ally of Russia, Rumanian troops contributed materially to the joint victory at Plevna. The Congress of Berlin in 1878 ended not only the war, but also Rumania's vassalship, as her complete independence was confirmed and recognized.

Still another event of great significance for Rumanians occurred on the magic date of May 10, for it was on that day that Charles I accepted the crown, and the Nation became a kingdom. His long and fruitful reign continued until even the great war.

It is with pride that the people of Rumania look on this day. But it is with sorrow that they must at present mark its observance in their hearts, instead of in outward celebration. Even now, however, the tide is turning; and the brave and freedom-loving people of Rumania will once more note this traditional anniversary with the honor it deserves and demands.

SENIOR CITIZEN MONTH

Mr. LONG of Missouri. Mr. President, by special proclamation of the President of the United States, the month of May 1965 has been designated Senior Citizen Month. The purpose of the proclamation is to remind us all of the special problems and needs of the more than 18 million men and women over the age of 65 living among us. In his proclamation, the President urges all Federal, State, and local agencies of government, together with all public and private organizations, and all citizens, to give effective expression to the theme of the month, which is, "Meeting the Challenge of Aging Through Community Action for Older Americans."

This month, the lead article of Aging, the publication of the Office of Aging of the Department of Health, Education, and Welfare, describes an outstanding example of community action to meet the challenge of aging. In an article entitled "Kansas City's Referral Helps Elderly While Identifying Their Needs," it tells of the work of Referral, a project of the Regional Health and Welfare Council of the Greater Kansas City area, which assists and counsels the chronically ill and aged of the area. The devoted effort and public service of the staff of this organization can serve as an inspiration and model for institutions and groups throughout the Nation who strive to identify and bring to public attention the needs and promote the well-being of our senior citizens. I wish to extend my congratulations and sincerest appreciation to Referral's director, Kathleen Morrow, its associate director, Jack E. Sigler, and to all the members of the staff of this fine organization.

Mr. President, I ask unanimous consent that the President's proclamation, and the Aging article be printed at this point in the RECORD.

There being no objections, the proclamation and article were ordered to be printed in the RECORD, as follows:

A Proclamation by the President of the United States of America: Senior Citizens Month, 1965

Whereas there are now more than 18 million men and women over the age of 65 in the United States; and

Whereas every 20 seconds another American reaches this milestone of maturity; and

Whereas the present rapid rate of growth in this segment of our population—our honored senior citizens—is a uniquely modern development that can be attributed to the forces of industrialization, urbanization, and advancing medical science and technology; and

Whereas the aged must be integrated into American life as full partners in the Great Society; and

Whereas the aged have special needs that must be met; and

Whereas the needs of older Americans are a matter of utmost concern to all of us, and must be met by all of us so that we may enrich their lives today, our own lives tomorrow, and the lives of our children in the decades to come; and

Whereas Federal, State, and local governmental efforts, in partnership with private, voluntary organizations, can and should offer leadership and assistance in stimulating community action on behalf of older Americans; now, therefore,

I, Lyndon B. Johnson, President of the United States of America, do hereby designate the month of May 1965 as Senior Citizens Month; and I urge all Federal, State, and local governmental agencies, as well as public and private organizations and all citizens, to give effective expression to the theme of this special month—Meeting the Challenge of Aging Through Community Action for Older Americans. It is necessary, desirable, rewarding, and satisfying to help transform into realities the dreams that we have for our fathers, our mothers, and our other aging citizens. Let us make this month outstanding by giving full support to the common efforts of public and private agencies at the Federal, State, and local levels that are working together to improve the added years which our civilization has made possible for so many of our citizens.

I also invite the Governors of the States, the Governor of the Commonwealth of Puerto Rico, the Commissioners of the District of Columbia, and appropriate officials in other areas subject to the jurisdiction of the United States to join in the observance and promotion of Senior Citizen Month.

In witness whereof, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

Done at the city of Washington this 10th day of April in the year of our Lord 1965, and of the Independence of the United States of America the 198th.

LYNDON B. JOHNSON.

Kansas City's Referral Helps Elderly While Identifying Their Needs

If you had the job of determining what services are needed by the elderly people in your community how would you go about it? Would you conduct a survey? Or would you start an information and referral service—like Referral in Kansas City, Mo.—to show, on the basis of requests and inquiries, where the greatest gaps in service lie?

A project of the chronically ill and aged of the regional health and welfare council, Referral serves a six-county area, including four counties in Missouri, two counties in Kansas, and both Kansas City, Mo., and Kansas City, Kans. This geographical spread introduces its own complications into any effort to provide for the needs of the elderly people living in the area.

For example, public assistance payments differ in the two States, and in Kansas, nursing home payments differ from county to county. Referral's staff, in seeking to solve the problems of its clients, must deal with not one set of public and private agencies, but with several.

THE UNMET NEEDS

In all, there are at least 450 agencies, organizations, and facilities in the area meeting the health and welfare needs with many of them providing some service to the elderly and chronically ill. Unaided, an individual often would have great difficulty finding the one which could help him. Referral acts as a bridge between individuals needing help and the agencies that help them. Unfortunately, even with so many resources, there is often no help available. And part of Referral's job is to pinpoint gaps in service and stimulate the community to develop programs to meet all the needs. Even before Referral had completed its 3-month pilot period last September, Kathleen Morrow, center director, said, "We have seen the tip of the iceberg that tells us there are countless other aging people involved in a grim survival where the supportive and protective help of the community is required."

In January, at the end of Referral's first 6 months, she listed as the greatest needs of the elderly in the area: financial assistance; good, inexpensive nursing homes; home care programs; homemaker services; meals-on-wheels; free dental care; "reaching out" casework and protective and legal services; transportation; and free medicines and medical care.

Public assistance payments are generally too low to meet the minimum living standards of older persons. This is especially so when they also need nursing home care. The maximum permissible payment is far below the amount necessary to provide the minimum of adequate care in a nursing home.

Furthermore, there is very little voluntary financial assistance available in the area for use in helping an elderly person through a crisis period. It is exceedingly rare for voluntary agencies to be able to pay rents or utilities, and grocery orders are usually limited to $2 or $3 a week for one person and for a few weeks only.

As early as last September, Miss Morrow was already challenging Kansas City's failure to develop any programs as alternatives to prolonged hospital care or nursing home placement. There is, she feels too, a need for greater community concern for old people too confused to protect themselves from exploitation, too feeble to plan for their meals or for adequate housing and personal care, too poor to buy transportation to an activity center where they might find some companionship.

HOW REFERRAL STARTED

In December 1959, the Committee on Aging of the Health and Welfare Council of Kansas City recommended that the Regional Health and Welfare Council establish a Committee on Aging. In June 1961, the committee recommended that:

A survey be made of current resources for, and unmet needs of, the aging.

A means be created for coordinating the many community programs for the elderly.

A counseling and referral service be established.

Late in 1962, the Regional Council submitted a proposal to the Public Health Service, U.S. Department of Health, Education, and Welfare, for a 3-year Community Health Service project grant to operate an information, counseling, and referral service for the chronically ill and aged.

In July 1963, a 3-year grant of $188,942 was approved by PHS—$80,171 in local funds will also be used—and the project started officially on August 1, 1963.

As a first action, the regional council delegated the responsibility for project policy and operational decisions to a newly designated Committee on the Aging and Chronically Ill, under the chairmanship of Albert Incani, administrator of the Swope Ridge, a nonprofit nursing home in Kansas City. A technical advisory committee, composed of eminent professionals in the Kansas City area, was also appointed.

By January 1964 the project was fully staffed. Jack E. Sigler had been hired on a contract with Kansas City's Community Studies, Inc., to act as associate director for research and evaluation in September, but it was November before he was able to devote full time to the project. Miss Morrow, with a master's degree in social work and 16 years of experience, most of it as a caseworker or supervisor in interdisciplinary settings, joined as center director in December, and Mrs. Martha Ara Tess, a registered nurse with a master's degree in public health, started on January 1, 1964. In addition, the staff includes a secretary-bookkeeper, as well as a receptionist who had been answering inquiries for the regional council for 6½ years and whose salary is still paid by the council.

TOOLING UP

Even before the project personnel were employed, staff from the council had listed and arranged in some order the resource facilities and agencies and had accompanied Mr. Sigler on visits to some of the agencies.

In January, Referral's staff began an intensive investigation of the resources available in the area. Meetings were held with the various county medical societies and, in February, staff members visited the two State capitals to contact strategic offices. Miss Morrow and Mrs. Tess also began visiting and interviewing nursing homes and agency personnel.

A number of interview forms were designed for use during these visits—one for gathering general information on all agencies, and 14 separate ones for recording such information as medical services, income maintenance and financial assistance, mental health services, social work and counseling services, dental services, and home nursing services.

The information gathered was recorded on cards in two visible card files, one for Miss Morrow and one for Mrs. Tess. Thus, each has the information at her fingertips when she answers calls. By using different drawers for different types of activities, and colored cards, the information is coded for quick reference.

During the 6-month period from January 1 to July 1, 1964, Miss Morrow and Mrs. Tess handled a few of the more complex inquiries received by the receptionists, but most of their time was spent obtaining information on community resources. Then, in July, Referral began a 3-month trial period.

THE PILOT PERIOD

During this test run, Referral's services were announced only to community agencies and a few doctors. No effort was made to give the project any wider publicity because it was felt that the time could best be used in testing referral techniques and checking information on resources. Nevertheless, almost two of every three major cases handled during the period were initiated by nonprofessionals, although often professional agency people had suggested the contacts.

A complete record was kept on each inquiry. The inquiry form had been coded so that each case could be transferred to an IBM card. This made it possible for Mr. Sigler quickly to identify such data as the number of women and of men contacting Referral, their ages, education, religion, geographic location, current living arrangements, chronic illness conditions, occupations, income, prior contact with agencies, and the services requested.

About 10 percent of the inquiries could be handled rather quickly—in 15 minutes or less. But many others took much longer—some as long as 6 or 7 hours. Often, Referral's staff found that the clients did not realize the complexity of their problems, and it was necessary to help refocus their attention on some other aspect or some other method of solution.

In 8 out of 10 cases, referrals were accepted gladly. Many of the people were especially pleased—and relieved—that there existed a place where they could get guidance. There were, of course, a few who rejected Referral's suggestions, and all too often the problem was one for which there existed no available resource.

EFFECT OF PUBLICITY

At a community resources assembly shortly before July 1964, an announcement had been made that Referral was open for service. From that date until September 22, 1964, the only publicity given Referral was two brief announcements in the Jackson County Medical Society Bulletin.

On September 22, reports on the operation of the center during the first 2 months of the trial run were made at a meeting of the Regional Council's Committee on the Aging and Chronically Ill, attended by representatives of radio and TV stations and the newspapers in the area. That evening, announcements of Referral's service were made to the general public through these media.

Response to this publicity was immediate. Referral's caseload jumped from an average of a little more than 4 calls a day to an average of almost 25 a day for the rest of September. Also, the inquiries received, few of which were initiated by professionals, took more staff time to handle. Referral's staff often found themselves working until 9 or 10 o'clock at night.

During the fall, other newspaper articles appeared on the service. The staff were interested to observe that reference to a specific type of service in an article, such as homemakers would bring a large influx of requests for that service. In Kansas City, only a few homemakers were available, and shortly after that particular newspaper article was published, one agency decided that it could no longer use its people for any except families with children. This meant that all the elderly who called Referral thereafter to ask for homemaker service had to be told that this help was not available.

NEEDS ARE NATIONWIDE

Of one thing, Referral's staff is certain. Most older people do not lack courage, fortitude, and self-reliance, nor are they irresponsible.

Miss Morrow cites the case of an 83-year-old grandmother who operates her household from a wheelchair and cares for three grandchildren, one of whom is completely helpless and bedridden. In this case, Referral was able to contact a county health unit which was able to offer some assistance in the care of the child.

There was also the 76-year-old woman, who lived alone and who dropped into Referral's office and wondered about ways she could manage better on her monthly social security benefit of $74 while paying $50 in rent. Miss Morrow felt that this lady had accomplished a marvelous feat of survival, and wished she could have known earlier that she was eligible for the surplus commodities program and for supplementation of her income under old-age assistance.

Then there was the 83-year-old woman who visited the office one day, saying she was looking for a job so that she could qualify for social security in her "old age."

Referral tries to give some help to everyone who asks for it. It has given advice on retirement, obtained free legal aid, wheelchairs, and crutches. It has referred its clients to agencies where they could get food, clothing, shelter, medical care, employment, and help on other special problems. But even its report for the first 3 months of operation showed that, in a sizable number of cases, the caller had to be told that there was no adequate resource—no place to turn.

The tip of the iceberg was showing. Unfortunately, this iceberg is not limited to a six-county area in Kansas and Missouri; it is nationwide. Only a few communities have resources to help a larger proportion of their older people. Under the surface and, too often, out of sight is much misery—undeserved and, therefore, unjustified.

USE OF TAX INFORMANTS TO GAIN INFORMATION ON TAX EVADERS

Mr. LONG of Missouri. Mr. President, in recent weeks I have become aware of a practice of our Internal Revenue Service which I wish to call to the attention of all my colleagues—a practice which is, to say the least, shocking and deserving of further inquiry.

In a fact sheet dated March 23, 1965, the Internal Revenue Service released information on its practice of relying on tax informants to gain intelligence on tax evaders. These informants may be rewarded for their efforts by payoffs from IRS for up to 10 percent of any delinquent taxes collected as a result of their tips. In the fiscal year ending June 30, 1964, 822 of 4,494 claimant tipsters were so rewarded.

The Internal Revenue Service attempts to minimize the remunerative aspects of the procedure by claiming that the number of persons who volunteer information and make no claims for reward is 20 times as great as the number who do claim rewards. It is then stated that "many of those who do not claim a reward are impelled to furnish information from patriotic motivation of civic duty." IRS then cites a concluding justification by stating that in the last fiscal year, $18 million in tax revenue was collected as a result of information furnished by tipsters.

Can we in good conscience condone a practice by a nonsecurity agency of the U.S. Government which seriously jeopardizes an intangible but invaluable asset of public trust and confidence for $18 million?

Do we wish to foster apprehensions of anxiety in all American taxpayers by the continuing reliance of IRS on tax tipsters?

Should we permit the continuation of a practice which encourages wild accusations while denying to the accused the right to know the identity of the informant?

Shall we acquiesce to a system which encourages the motive of grudge as well as greed in which disgruntled employees inform on employers, sons turn on fathers, mothers report daughters, brothers tell on brothers, and wives expose husbands not for purposes of monetary recompense but for reasons of malice and revenge?

I say no, and no again to each of these questions.

I am sure that many of my colleagues share my distaste on learning of this practice by IRS. The reliance upon tax tattlers, in addition to the recently discovered IRS practice of confiscating and opening the first-class mail of delinquent taxpayers, smacks of the methods of a police state.

Silence on the part of this legislative body to discovery of these tactics might well be construed as acquiescence in them.

Inaction cannot but encourage practices and policies by administrative agencies which could open a Pandora's box of threats to the future privacy of individual American citizens.

I heartily concur with the opinion of a former IRS Commissioner who stated:

> I would not regard any tax system that makes people informers against each other as being compatible with our American concept of government * * *. Any tax system is fundamentally unsound that cannot be enforced without encouraging people to be stool pigeons.

The Subcommittee on Administrative Practice and Procedure, currently inquiring into invasions of privacy, fully intends to investigate these questionable practices of financially rewarding informants.

Pursuant to this intention, the subcommittee has prepared and mailed a questionnaire on paid informants to a number of department heads and the chairmen of independent agencies. A prompt, candid, and complete response to this questionnaire should put the subcommittee in a better position to evaluate whether and to what extent the IRS practice of relying on informants has been adopted or imitated by other governmental agencies.

At this point in the RECORD, I ask unanimous consent to have the text of the questionnaire entered as a part of my remarks.

There being no objection, the questionnaire was ordered to be printed in the RECORD, as follows:

APRIL 26, 1965.

DEAR ———: As you know, the Subcommittee on Administrative Practice and Procedure is inquiring into possible invasions of privacy by Federal departments and agencies. In this regard, would you please supply the following information:

1. In your investigative or law enforcement activities, does your agency use informers who are paid in cash or other emolument?

2. If so—

(a) What fund is used to pay the informers?

(b) What was the total cost to the agency for use of paid informers over the last 5 years?

(c) Who decides whether an informer will be paid or not?

(d) Who decides how much an informer will be paid?

(e) What is the procedure or practice to make the determinations of who will be paid and how much they will be paid?

(f) Does your agency consider the informers' fees taxable income to the informer?

(g) If so, is a report made to the Internal Revenue Service of the fees paid and to whom paid?

(h) If no report is made to IRS, does your agency keep any records as to the payments to informers? And, if so, who is in charge of the recordkeeping?

(i) Is the overall cost of informers' fees included in your annual request for appropriations before Congress?

(j) For what purposes and in which cases are paid informers used?

With kind regards.

Sincerely,

EDWARD V. LONG,
Chairman, Subcommittee on Administrative Practice and Procedure.

RESPECT FOR THE LAW—ADDRESS BY HON. DONALD T. BARBEAU

Mr. MONDALE. Mr. President, a distinguished member of the district court bench, the Honorable Donald T. Barbeau, recently delivered an excellent address on one of the keystones of our democracy—respect for the law—at the Hennepin County bench and bar observance of Law Day in the Minneapolis City Council Chambers. Judge Barbeau's statement is particularly meaningful, since it is comprised of the reflections of a distinguished jurist on the contemporary exercise of the law which confronts him daily, in and out of his courtroom. I commend Judge Barbeau's remarks to the attention of all Senators, and request unanimous consent that they be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

LAW DAY U.S.A.—EVERY DAY U.S.A.

(An address delivered by the Hon. Donald T. Barbeau, judge of the district court, at Law Day ceremonies in the city council chambers, at 9:30 a.m. April 29, 1965)

While I greatly admire the setting aside of a particular day each year as Law Day to reaffirm the American belief in law and peace as opposed to the totalitarian belief in armed might, I must point out that those of us closely connected with the law must and do practice Law Day every day of the year.

The people who appear in our courts come from all levels of society, rich and poor, educated and uneducated, man, woman, and child, of all races and creeds, the poverty stricken and the affluent, the alcoholic, the mental misfit, all reaching out for an American way of justice administered in an equitable manner.

We jurists think of Law Day every day when we ascend the bench and see before us the poor and downtrodden and persons by the thousands burdened with almost insurmountable problems of existence.

We see Law Day every day when the American system of justice is able to extend itself and apprize each of these persons of his rights, protect his constitutional privileges and give each and every one an opportunity to express himself. Above all, we see it when the American system of justice is able to furnish help and succor to many of these citizens who are enmeshed in problems beyond their control.

We think of Law Day every day when we see the great legal advocate rise to defend these same impoverished people, regardless of how unpopular or impossible the cause may be, and when he carries such cause to the highest court in the land, not always with success, but always with sincerity.

What bulwark would freedom or the innocent unjustly accused of crime have if none had the courage to defend?

We think of Law Day every day when we consider the judge who, to quote Socrates, "hears courteously, answers wisely, considers soberly and decides impartially." We think daily of the courts as being the guardians of liberty and the sentinels who watch for the capricious, the corrupt, the arbitrary, and the automatic. We see it every day in the conduct of the trial judge who feels it is his duty to do justice, to love mercy, and to walk humbly with his God.

The citizen, the advocate, and the judge, all working together daily, must convince the entire world that we have the finest form of justice. This can be done by the daily guarding of our precious heritage and a daily reaffirmation of our belief in the dignity of man because freedom itself demands constant vigilance. We must all daily dedicate ourselves to fighting for freedom for "the man next door." So to us who sit as judges "the rule of right, not might" is a living, vibrant thought that must be present day in and day out.

The American system of justice, though not perfect, is the marvel of the modern world. Under it we have grown and progressed and become the richest and most powerful Nation in the world.

But more important than that, today in our country the lowliest person under our flag enjoys a broader opportunity to possess happiness, more equal justice, more protection of life, liberty, and property and a greater personal freedom than has ever been provided for the common man by any other legal system in recorded history.

Under present world conditions, with all of us so concerned lest nations and peoples, forgetting law and morality, turn to mutual destruction, we need all the more every day, as well as Law Day, to work for a day when law may govern nations as it does men within nations.

Thoughtful persons do not need to be told that our Government can not long exist once respect for the law is destroyed. Any apathy or indifference to the great rights of American justice may deprive us of many of them.

It is most proper, therefore, that on Law Day U.S.A. and every other day we rededicate ourselves to the idea of the preservation of a free society with equality and justice for all.

TEXAS LEGISLATURE CALLS FOR GUADALUPE MOUNTAINS NATIONAL PARK

Mr. YARBOROUGH. Mr. President, the Legislature of the State of Texas now in session has recently completed action on a concurrent resolution urging the Congress to authorize the creation of the Guadalupe Mountains National Park in west Texas. The Texas Senate Concurrent Resolution No. 44, sponsored by Texas Senators W. E. (Pete) Snelson and Don Kennard, sets out many of the reasons why this area of outstanding natural beauty should be added to the national park system. This resolution illustrates the unanimity of support for this proposal, embodied in my bill S. 295. The State and local governments support it, the National Parks Advisory Board has endorsed it, the Interior Department has recommended it, and conservationists everywhere are hoping for its early enactment.

I ask unanimous consent to print at this point in the RECORD the complete text of Senate Concurrent Resolution 44 of the Texas Legislature, passed by the Texas Senate on March 22, and the Texas House on April 13, 1965.

There being no objection, the concurrent resolution was ordered to be printed in the RECORD, as follows:

SENATE CONCURRENT RESOLUTION 44

Whereas there is pending in the Congress of the United States several bills having for their purpose the creation of a Guadalupe Mountains National Park; and

Whereas the creation of the Guadalupe Mountains National Park has been recommended by the Southwest regional office of the National Park Service to the U.S. Department of the Interior; and

Whereas Mr. J. C. Hunter, Jr., of Abilene, Tex., has expressed a desire to sell his 71,790-acre ranch in the Guadalupe Mountains region located near the northern border of west Texas betwen Odessa and El Paso; and

Whereas Mr. J. C. Hunter, Jr., has expressed the further desire that this ranch be used for parks and public recreational purposes; and

Whereas it has been further recommended by the Southwest regional office of the National Park Service that the J. C. Hunter, Jr., ranch be purchased for the formation of such a park; and

Whereas Mr. Wallace Pratt has donated to the National Park Service 5,632 acres of land in the northern McKittrick Canyon area in New Mexico, immediately north of and adjacent to the Hunter ranch, which donated Pratt land alone is inadequate for development as a national park; and

Whereas the area offers a natural game and fish preserve for its various species of wildlife including bear, lion, elk, bighorn sheep, deer, turkey, and smaller birds, and the only fresh water mountain trout stream in the State; and

Whereas the proposed Guadalupe Mountains National Park would complement and adjoin the Lincoln National Forest and the Carlsbad Caverns National Park areas in New Mexico; and

Whereas the current rate of growth of our cities and our population creates a demand for additional recreational areas; and

Whereas a national park in the Guadalupe Mountains would prove to be an economic benefit to the citizens of this State, attracting many tourists to the area: Now, therefore, be it

Resolved by the Senate of the State of Texas (the House of Representatives concurring), That the Congress of the United States is respectfully urged to enact the required legislation with all deliberate speed to purchase land and establish the Guadalupe Mountains National Park in Texas and New Mexico; and be it further

Resolved, That a certified copy of this concurrent resolution be furnished to the President of the Senate, the Speaker of the House of Representatives, to each of this State's representatives to the Congress, and to the Secretary of the Interior of the United States.

PRESTON SMITH,
Lieutenant Governor,
President of the Senate.

Attest:

CHARLES SCHNABEL,
Secretary of the Senate.

UNIVERSITY OF MARYLAND NEWSPAPER PRAISES GI BILL

Mr. YARBOROUGH. Mr. President, among the many supporters of the cold war GI bill—S. 9—have been colleges and universities across the country. This support has come from all phases of higher education—from presidents, deans, administrators, professors, associations, students, and college newspapers.

An example of such interest is to be found in the Diamondback, of April 1, 1965, the campus newspaper of the University of Maryland, in an article written by Jim Guffey, and entitled "Vets To Be Given Aid Under Proposed Bill."

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BENEFITING RECENT GI'S—VETS TO BE GIVEN AID UNDER PROPOSED BILL

(By Jim Guffey)

U.S. Senior Senator RALPH YARBOROUGH, a Democrat, of Texas, has introduced a bill that would provide assistance for veterans of the armed services who have served on active duty any time from January 31, 1955, until the termination of the present draft law July 1, 1967.

According to YARBOROUGH, readjustment assistance authorized by this bill is similar to that previously offered to veterans of the Korean conflict.

Eligibility is based on more than 180 days of active duty or discharge for service-connected disability. A period of education offered to veterans to acquire new job skills will be calculated by multiplying each day of active duty by 1½ and cannot exceed 36 months.

During the educational period veterans may receive a monthly allowance varying with the number of their dependents. A full-time student with no dependents would receive $110; one dependent, $135; and more than one, $160.

"Veterans," stated YARBOROUGH, "must begin training within 3 years of discharge or enactment of this bill, whichever is later. In addition, they must complete their education within 8 years."

The Senator added, "No allowance shall be paid for any period prior to September 1, 1965. However, persons enrolled in courses at that time would get payments after the bill is enacted. Also, a program of guarantee and direct loan assistance is included in this measure."

According to this bill, the same conditions of 180 days in active duty or service-connected disability are in effect under this program. However, widows of those veterans who died of service-connected disabilities are also eligible. These loans would be for the purpose of purchasing homes, farmlands, livestock, and other equipment used in farming operations.

Under the proposal, banks or other lenders would make the loans with the U.S. Government guaranteeing 60 percent of up to $7,500 on residential real estate and 50 percent of up to $4,000 on non-real-estate.

"No longer can we ignore the fact that men are plagued with problems by serving their country in her Armed Forces," concluded YARBOROUGH, "and I hope the Senate will make this move to help ease their problems."

NORTH DAKOTA LEGISLATURE SUPPORTS CONSTRUCTION OF SCENIC ROAD IN THEODORE ROOSEVELT NATIONAL MEMORIAL PARK

Mr. BURDICK. Mr. President, the North Dakota Legislative Assembly this year has been proclaimed by many as one of the most productive and responsible in the history of our State. It met and provided solutions for crises facing the State in the field of tax legislation, education, and reapportionment as well as an array of minor laws. Because of the acclaim this legislative assembly has received from the people of the State, it was with a prideful appreciation that I learned of its resolution in support of a scenic road connecting the three units of Theodore Roosevelt National Memorial Park in western North Dakota.

I have supported the creation of such a road since my first days in Congress and this year I was joined by my friend and colleague in the House of Representatives, the Honorable ROLLAND REDLIN, who was elected for his first term last November to represent the people of western North Dakota.

We are both hopeful that the House and Senate will realize the justification for this road. We are confident that its benefits to the Nation and North Dakota will far outstrip the original investment.

At this point then, Mr. President, I ask unanimous consent that the resolution by the North Dakota Legislature be printed in the RECORD.

There being no objection, the concurrent resolution was ordered to be printed in the RECORD, as follows:

HOUSE CONCURRENT RESOLUTION X

Concurrent resolution urging the construction of a scenic badlands road connecting the units of the Theodore Roosevelt National Memorial Park

Whereas there has been introduced in the U.S. House of Representatives and the U.S. Senate bills authorizing the construction of a road linking the three units of the Theodore Roosevelt National Memorial Park; and

Whereas the construction of this road for the conservation of our endowed beauty in its natural state is to foster for future generations as much of America as we can, in the same state that our earliest generation saw it and grew to love it; and

Whereas the construction of this road would improve the opportunity for the touring public to enjoy the scenic beauty of the North Dakota badlands; will facilitate enjoyment of the Theodore Roosevelt National Memorial Park by those visiting the area; will provide increased income from a growing tourist trade; and will be a convenience in the future of the ranchers living in the Little Missouri River badlands; and

Whereas the rugged beauty of this area sustained the frail Theodore Roosevelt, turning the sickly and grieving guest into a North Dakota citizen and a titan among men; and

Whereas the preservation of our beauty is not without reward to our citizens in the form of increased income from a growing tourist trade; and

Whereas it seems in the best interest of the State of North Dakota to preserve the State's livestock industry rather than severely disrupt that industry; and

Whereas this legislative assembly recommends that grazing along such a scenic badlands road be in accordance with section 36-11-07 of the North Dakota Century Code as amended; and

Whereas it seems in the best interests of all concerned to obtain the desired expansion of tourism with the least possible adverse effect on the established agricultural economy of North Dakota; and

Whereas the State of North Dakota will not have to expend one dollar for the construction of this scenic road nor for the maintenance of the road after construction: Now, therefore, be it

Resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein), That this legislative assembly does support the construction of a scenic badlands road connecting the three units of the Theodore Roosevelt National Memorial Park by the U.S. Government; and be it further

Resolved, That this legislative assembly urges that the scenic badlands road shall utilize to the fullest extent possible the lands presently owned by the U.S. Forest Service and the U.S. Park Service so as to cause a minimum inconvenience and loss to the ranches that will be affected by the scenic badlands road; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Speaker of the House of Representatives, the President of the U.S. Senate, the Secretary of Interior, the Public Roads Administrator of the Bureau of Public Roads, the Director of the U.S. Forestry Service, the Director of the U.S. Park Service, and each member of the North Dakota congressional delegation.

ARTHUR A. LINK,
Speaker of the House.
DONNELL HAUGEN,
Chief Clerk of the House.
CHARLES TIGHE,
President of the Senate.
GERALD L. STAIR,
Secretary of the Senate.

SLEEPING BEAR DUNES NATIONAL LAKESHORE, MICH.

Mr. McNAMARA. Mr. President, my distinguished colleague from Michigan, Senator PHILIP A. HART, is becoming known throughout the country as a dedicated and effective champion of conservation.

He is the principal sponsor of legislation to create a Sleeping Bear Dunes National Lakeshore on the shores of Lake Michigan and thus preserve this beautiful natural resource for the enjoyment of future generations. It has been my privilege to cosponsor this legislation with him, and we are both hopeful that this year it will be enacted into law.

When Senator Hart first proposed some years ago that the Sleeping Bear Dunes area become a national lakeshore, it aroused a great deal of controversy and opposition, from residents of the surrounding areas.

But he patiently persisted and through reason and persuasion has won a majority of the people of the area over to his side.

Just how successful he has been was demonstrated recently when nearly 500 persons gathered in the Frankfort, Mich., High School auditorium for a testimonial dinner honoring Senator Hart for his efforts on behalf of the Sleeping Bear National Lakeshore and for his contributions in general to the cause of conservation.

Now, 500 people may not seem like a large crowd in a big city, but this Hart testimonial dinner, which was sponsored incidentally by the Frankfort Chamber of Commerce, was described as the largest event of its kind ever held in the town.

Mr. President, I ask unanimous consent that selected newspaper articles describing this successful event be placed in the body of the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Benzie County Patriot, Apr. 29, 1965]

Four Hundred and Sixty-Nine People Make Senator Hart Testimonial Huge Success—Senator Hart Cites Change in Area Attitude Toward Proposed Bill—Pickets Greet Guests at Door but No Incidents

In the largest event of its kind ever held in Frankfort a total of 469 people gathered at the Frankfort High School last Friday evening to pay tribute to Senator Philip A. Hart for his contribution to conservation.

These efforts included antipollution legislation, Great Lakes water level plans, fisheries research work, Sleeping Bear Dunes National Lakeshore Recreation area and many others.

As the huge throng moved into the local school they passed by about 75 to 80 pickets, mainly from Empire and Glen Arbor who were present to protest the Sleeping Bear Dunes bill. They were carefully controlled by local and State authorities, however, and there were no incidents.

Senator Hart arrived by private plane at the Frankfort Airport at about 5:00 p.m. Friday. He was taken to the Sou'Wester Motel where he first held a press conference and then met a number of out-of-town distinguished visitors who had been invited to the testimonial dinner.

At the press conference which was attended by a number of radio, television and newspaper representatives the Senator pointed out that Senator Alan Bible of the Subcommittee on Public Lands had indicated that he will help in getting the current dunes bill, S. 936, through the Senate if a similar bill is not soon introduced in the House of Representatives.

The press conference brought out the fact that the Senator felt the testimonial dinner in Frankfort indicated a turn in public opinion within the general northwestern Michigan area regarding the proposed park.

From the reception at the motel the Senator and party were brought to the school where the dinner began at 7 p.m.

The invocation was delivered by Father Paul Kersjes, pastor at Pewamo, Mich, formerly of St. Ann's Parish in Frankfort.

Following the whitefish dinner John Peterson, local publisher, took charge of the program as master of ceremonies.

About 25 distinguished guests including James Rouman, executive director, United Michigan Conservation Clubs; W. R. Freeman, president, Michigan Audubon Society; Aurey Strohpaul, secretary-manager, West Michigan Tourist and Resort Association; Arthur C. Elmer, chief of parks and recreation, department of conservation; Carl T. Johnson, member, Michigan Conservation Commission; Mr. William J. Briggle, deputy director, National Park Service; Charles Towle, vice president, operations, Detroit, Toledo, and Ironton-Ann Arbor Railroad Co's.; H. W. Seeley, chief engineer, D. T. & I. A. A. Railroad Co.'s.; Glenn Gregg, regional manager, department of conservation; Miss Genevieve Gillette, president, Michigan Parks Association, Senator Guy Vander Jagt, Karl Detzer, roving editor, Reader's Digest, Dr. Edward Brigham, director, Michigan Parks Association; Harold Titus, conservation editor of Field & Stream magazine and former State conservation commissioner, and Harold McClure, of McClure Drilling & Pipeline Co. of Alma, well-known summer resident, and State Representative Eugene Cater of Ludington were present at the reception and the dinner.

Messages from a number of people including Senator Pat McNamara, Lt. Gov. William Milliken, and President Lyndon B. Johnson were read.

Mr. E. M. Laitala, chairman of the Michigan Conservation Commission, delivered a short talk and he was followed by Mr. Charles D. Harris, deputy director of the Michigan Department of Conservation, who praised Senator Hart for his wonderful work on numerous conservation projects, including the Sleeping Bear Dunes bill.

Harris said that in general the State conservation department favors State development of recreation facilities, except when projects are beyond the financial capabilities of the State, as in the case of the Sleeping Bear Dunes proposal.

Following the talk by Mr. Harris, Mr. John E. Chubb, president of the Detroit, Toledo & Ironton-Ann Arbor Railroad Co's. was introduced to present Senator Hart with a wall plaque commemorating his work in conservation. President Chubb delivered a splendid introduction of the Senator and lauded him for his efforts.

Upon accepting the plaque Senator Hart arose as the huge crowd applauded the guest of honor.

Appearing deeply touched by the ovation Senator Hart reviewed the progress of the Sleeping Bear Dunes bill pointing out that, "a couple of years ago I couldn't have bought a dinner here."

"No matter how vocal the opposition is," said Hart, "I have never lost a minute's sleep over history's verdict on the Bear, so certain am I of its necessity.

"Within 40 years we know for sure there'll be more than twice as many people as there are now—but not a single new acre of land."

Following the Senator's remarks the meeting closed.

The eminently successful gathering was under the general chairmanship of Superintendent of Schools Arthur L. Richter assisted by a committee composed of Arthur Finch, Larry Olsen, Waldo Hobson, Irving "Bud" Johnson, Dudley Penfold, Ronald Swanson, Gordon Eriksen, Norval Boyd, Mrs. Elvin Olsen, Donald Gullett, Byron Norton, Jack Blacklock, Robert Peterson, Mary Weslock, John Schlosser, Roland Hull, Ed Bradley, Charles Kibby, Allen Blacklock, Robert Lockhart, Raymond Jaeger, Robert Denton, John Daugherty, and John Peterson.

The entire event was sponsored by the Frankfort Chamber of Commerce.

[From the Jackson Citizen-Patriot]

Frankfort Gives Senator Hart Civic Salute for "Bear" Bill

Frankfort.—"Two years ago I'm not sure I could have bought a dinner here," Senator Philip A. Hart, Democrat, of Michigan, quipped Friday night to an audience of some 500 persons.

He was acknowledging a civic salute for his bill to preserve about 43,000 acres of Lake Michigan shoreline in Benzie and Leelanau Counties as a national recreation area.

The dinner sought to show a change of attitude—led by Frankfort interests—accepting placement of the Sleeping Bear Dunes area under Federal jurisdiction as a boon rather than a landgrab.

Dinner guests were met, however, by about 100 pickets hooting their displeasure as property owners in the affected areas.

"No matter how vocal the opposition is," said Hart, "I have never lost a minute's sleep over history's verdict on the Bear, so certain am I of its necessity.

"Within 40 years we know for sure there'll be more than twice as many people as there are now—but not a single new acre of land."

Charles D. Harris, deputy director of the Michigan Conservation Department, was principal speaker. He praised Frankfort for its change of attitude.

"It would be unrealistic to hope for unanimous support but I am convinced that most people in the area support the program," Harris said.

"We in the department not only support it but are doing all we can to make certain the park becomes a reality," he added.

Mrs. Thomas Dean, Jr., of Glen Haven, cochairman of the picketing demonstration, said it was organized by word of mouth in sympathy against a common threat.

"We hope to counteract publicity being put out here that people want the park," she said.

Hart said the Senate must act this year on his bill in order to permit House consideration of a proposal in 1966. He noted that Sleeping Bear was one of a dozen areas recommended by President Johnson for the National Recreation Area program.

"The President is not an unuseful ally," Hart said.

[From the Traverse City Record-Eagle, Apr. 24, 1965]

Senator Hart Honored at Frankfort Dinner

Frankfort.—An estimated 400 persons attended a testimonial dinner Friday evening at Frankfort to honor U.S. Senator Philip A. Hart, of Michigan, for his efforts to provide for a Sleeping Bear Dunes National Lakeshore Area in Benzie and Leelanau Counties and for other work on behalf of northwestern Michigan.

In accepting a plaque presented during the dinner at Frankfort High School, Senator Hart expressed thanks for the honor accorded him and, in a press conference preceding the dinner, said he believed the turnout indicated a change in attitude in northwestern Michigan toward his Sleeping Bear Dunes proposal.

At the press conference, the Senator also said Senator Alan Bible, chairman of the Senate Subcommittee on Public Lands, had indicated that he will help in getting the current dunes bill, S. 936, started through the Senate if a bill is not soon introduced in the House of Representatives.

Besides Senator HART, speakers during the testimonial event included Matt Laitala, chairman of the Michigan Conservation Commission; Charles Harris, deputy director of the conservation department; and John Chubb, president of the Detroit, Toledo & Ironton Railroad, who presented the testimonial plaque.

Harris said that in general the State conservation department favors State development of recreation facilities, except when projects are beyond the financial capabilities of the State, as in the case of the Sleeping Bear Dunes proposal.

John Peterson, Frankfort publisher, served as master of ceremonies for the dinner sponsored by Frankfort Chamber of Commerce and Arthur Richter, Frankfort superintendent of schools, was a general chairman.

A number of diners were introduced during the evening and several congratulatory messages were read, including one from President Lyndon Johnson.

Outside the school, persons identified as residents of the area designated for inclusion in the proposed lakeshore carried placards protesting the legislation. Estimates of the number of demonstrators ranged from 40 to 150. No incidents were reported. Frankfort is situated to the south of the proposed dunes lakeshore of 47,600 acres and extra parkway areas.

Members of ticket sales and other committees for the testimonial dinner included: Arthur Finch, Larry Olson, Waldo Hobson, Irving "Bud" Johnson, Ray Greenan, Dudley Penfold, Ronald Swanson, Gordon Eriksen, Norval Boyd, Elvin Olsen, Donald Gullett, Jack Blacklock, Robert Peterson, Mary Weslock, John Schlosser, Roland Hull, Ed Bradley, Charles Kibby, Allen Blacklock, Robert Lockhart, Byron Norton, Robert Hazzard, Robert Denton, John Daugherty, Raymond Jaeger, Cornelius Classens, and John Peterson.

PUERTO RICO: OUR FIFTH BEST CUSTOMER

Mr. JAVITS. Mr. President, my deep and longstanding interest in the remarkable economic progress of Puerto Rico—and I speak as a Senator who represents more than 600,000 Americans of Puerto Rican origin who make their homes in my State—has been quickened by my recent appointment to the United States-Puerto Rico Commission on the Status of Puerto Rico. Therefore, I was very much pleased to have brought to my attention a statement containing some truly impressive statistics and comparisons, gathered by the Resident Commissioner of the Commonwealth of Puerto Rico, the Honorable SANTIAGO POLANCO-ABREU, regarding the great and increasing role that Puerto Rico plays as a customer of the United States.

According to these statistics, in the fiscal year 1964, the purchases of Puerto Rico from New York State alone amounted to an estimated $141 million, generating directly about 16,000 jobs in the State; from the mainland United States as a whole, Puerto Rico bought almost $1¼ billion worth of goods—ranking after Canada, Japan, the United Kingdom, and West Germany, as our fifth best customer.

I ask unanimous consent that this statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

NORTHEAST STATES SELL $372 MILLION YEARLY TO PUERTO RICO; COMMONWEALTH BUYS MORE FROM UNITED STATES THAN 17 EUROPEAN NATIONS COMBINED

WASHINGTON, D.C., April 2, 1965.—Seven Northeastern States now sell $372 million of their products yearly to Puerto Rico, and over 45,000 persons in these States earn their livelihood in supplying this rapidly growing market, it was revealed here today by the Commonwealth's Resident Commissioner, SANTIAGO POLANCO ABREU. Puerto Rico's annual purchases from the entire United States exceed $1.2 billion, added POLANCO, and are greater than the combined purchases of 17 European nations.[1]

"The United States as well as Puerto Rico has benefited greatly from their close Commonwealth relationship," stated POLANCO. "This relationship has become very much a two-way street, as shown by Puerto Rico's rapidly growing importance as a market for U.S. products."

Commissioner POLANCO noted that Puerto Rico now purchases more from the United States than all 44 nations of the African Continent combined; it is also a bigger customer for U.S. products than all seven east coast countries of South America (including Brazil and Argentina) plus all eight Caribbean countries combined.

The Northeastern States of New York, New Jersey, Pennsylvania, Connecticut, Massachusetts, Maine, and Rhode Island have increased their sales to Puerto Rico by more than 50 percent in 4 years, said POLANCO. These seven States now sell more to Puerto Rico than the entire United States sells to any South American country except Venezuela, and Puerto Rico has become a bigger customer for these same 7 States than 19 European nations are for the entire United States.

On a national scale, the Commonwealth's purchases now generate significant amounts of income in 47 States and the District of Columbia, and nearly 150,000 persons in the continental United States work directly or indirectly to supply goods and services purchased by Puerto Rico. On a per capita basis, Puerto Ricans far outstrip all major customers, buying $490 a year per person from the United States. Next closest are the Canadians, with $241 per capita purchases, followed by the Dutch ($81) and the Venezuelans ($73).

The following Northeastern States realized the greatest benefits from direct and indirect sales to Puerto Rico in fiscal 1964, POLANCO announced:

New York: Realized a total of $141 million in income, and created over 16,000 jobs as a result of sales to Puerto Rico. This is an increase of 60 percent in 4 years. Apparel and motor vehicles were its biggest shipments to the island, followed by woven fabrics, textiles, wood products, plastics, chemicals, leather products, machinery, household appliances, professional instruments, toys, watches, and jewelry.

Pennsylvania: Jumped its sales to Puerto Rico by 72 percent in 4 years, to a total of $81 million, and created 9,600 jobs in the process. Apparel, fabricated metal products, and motor vehicles were best sellers, as well as woven fabrics, textiles, wood products, plastics, chemicals, foundry products, and machinery.

New Jersey: Sold $59 million of its products to Puerto Rico, up 41 percent in 4 years; 6,400 persons in New Jersey work for the Puerto Rican market, producing apparel, woven fabrics, drugs, medicines, toilet preparations, chemicals, machinery, and household appliances.

Connecticut: With large sales of tobacco and metal products, Connecticut earned $43 million from sales to Puerto Rico, up a solid 72 percent in 4 years. This business provides jobs for 6,700 people in the State.

Massachusetts: Selling $37 million yearly to the Commonwealth, mostly in apparel, industrial machinery, motor vehicle, or components, footwear, metal products, woven fabrics, and electronic equipment, Massachusetts provides 5,100 jobs by its shipments to Puerto Rico.

Maine: Increasing its sales to $6 million yearly, a jump of 100 percent in 4 years, Maine is beginning to become an important supplier of footwear, paper, and paperboard to Puerto Rico. Seven hundred people in Maine now owe their jobs to this trade.

Rhode Island: Sells mostly woven fabrics and jewelry to Puerto Rico, to the amount of $4 million annually. This provides employment for 500 people in the State.

Commissioner POLANCO predicted that Puerto Rico's purchases from the United States and from the Northeastern States will continue to increase at a rapid pace. He pointed to the continued growth of the Commonwealth's economy at a steady 10 percent annually as indicating that the Puerto Rican market will expand in roughly the same proportion. "Puerto Rico is now the most concentrated and one of the most profitable markets for the products of U.S. factories and farms in the world," said POLANCO.

Purchases from United States, calendar year 1964

	In millions of dollars [1]	Population [2]	Per capita in dollars
Canada	4,746.6	19,102,000	248.0
Japan	1,908.2	96,160,000	20.0
United Kingdom	1,468.2	53,500,800	27.0
West Germany	1,310.3	55,430,000	24.0
Puerto Rico	[3] 1,225.0	2,500,000	490.0
Mexico	1,076.2	38,416,000	28.0
Netherlands	989.7	12,041,000	81.0
India	954.0	449,381,000	2.0
Italy	831.1	51,507,000	16.0
France	802.0	48,133,000	17.0
Belgium-Luxembourg	627.8	9,221,000	68.0
Australia	626.3	10,965,000	57.0
Venezuela	599.5	8.255,000	73.0
South Africa	392.7	17,075,000	23.0
Brazil	386.6	77,521,000	5.0
Pakistan	375.7	98,612,000	2.5
Philippines	360.3	30,331,000	12.0
Switzerland	341.2	5,810,000	59.0
Spain	314.6	31,077,000	10.0
Argentina	261.3	21,762,000	12.0
Colombia	245.6	15,098,000	18.0
Peru	220.5	10,420,000	22.0

[1] Source: U.S. Department of Commerce.

[2] Source: 1965 World Almanac.

[3] Preliminary estimate based on Department of Commerce figures.

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[1] Sweden, Norway, Denmark, Greece, Turkey, Yugoslavia, Austria, Portugal, Finland, Ireland, East Germany, Czechoslovakia, Hungary, Rumania, Bulgaria, Cyprus, and Iceland.

RURAL ELECTRIFICATION ADMINISTRATION ANNIVERSARY

Mr. MONDALE. Mr. President, yesterday was the 30th anniversary of the establishment of the Rural Electrification Administration. This agency has been of immeasurable significance to the State of Minnesota; and I express my wholehearted support for continuation of its fine programs of assistance to rural communities.

I ask unanimous consent that a fact sheet prepared by the REA about its program in Minnesota be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

RURAL ELECTRIFICATION PROGRAM IN MINNESOTA

REA loans to rural electric systems in Minnesota provide for service to an estimated 258,554 rural consumers over 86,298 miles of line. Loans made thus far to the 54 REA electric borrowers in the State, including 52 cooperatives, total $248,090,500. The first REA loan in the State was approved in September 1935, with the first REA-financed line energized October 31, 1936, by the Mille Lacs Region Cooperative, Aitkin.

Low consumer density and low revenue per mile make the service job harder for REA borrowers than for power companies. REA borrowers in Minnesota serve only 2.8 consumers per mile and average $480 in revenues per mile, compared with 38.7 consumers and $8,599 per mile for class A and B commercial utilities.

Consumers served by REA borrowers in the State are using increasing amounts of electricity on their farms, in their rural homes and businesses. In 1953, the average monthly consumption per consumer was 283 kilowatt-hours. By 1963, the average had risen to 534 kilowatt-hours. The continuing objective of REA borrowers in Minnesota is to provide the electric service required by their consumers under rates and conditions comparable to those available in urban communities.

To assist them in this objective, as of January 1, 1965, REA had advanced $191,771,800 to borrowers in this State. The funds have been invested by the borrowers in local electric facilities, including 84,519 miles of line, serving 245,258 farm and other rural consumers. Of the 147,000 farms in the State, 99 percent were receiving electric service on June 30, 1964, compared with only 13,783 farms, or 6.8 percent, when REA was created in 1935.

By January 1, 1965, REA borrowers in Minnesota had made a total of $110,988,227 in payments on their Government loans. The payments included $64,802,835 repaid on principal as due, $12,950,685 of principal paid ahead of schedule, and interest payments of $33,234,707. No borrower was overdue in its payments.

MANAGEMENT AND ORDERLY DEVELOPMENT OF OUR PUBLIC LANDS

Mr. METCALF. Mr. President, as one who has been intensely interested in the wise management and orderly development of our public lands, I call the attention of my colleagues to an address by Mr. Robert L. Williams, executive director of the American Institute of Planners, delivered at the Public Land Management Congress and the midwinter western region district business meeting of the National Association of Counties at Reno, Nev.

Mr. Williams discussed why all of us in this Chamber, as well as legislators at all levels of government throughout this Nation, should look forward to the day when our population will force additional demands on our great expanses of public lands. Mr. Williams has, in a concise and forthright manner, outlined the case for public land development and management, with coordinated planning at all levels of government.

I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

COMPREHENSIVE COUNTYWIDE PLANNING: A VOICE IN PUBLIC LAND MANAGEMENT

(By Robert L. Williams, executive director, American Institute of Planners, Washington, D.C.)

In contemporary terms public land management means much more than merely stewardship, or a holding of public domain lands until disposition can be justified. Today, long-range retention, management, and development policies are equally possible under the Public Land Law Review Commission Act. Some 400 million acres are involved.

In addition to the Review Commission Act there are other recent congressional acts that set forth many of the goals and aspirations of the American people concerning the public domain. Each law, in its own way, recognizes and identifies the interdependence of public and private land management.

The Classification and Multiple Use Act requires the establishment of criteria to be used in determining the appropriateness and suitability of public lands for disposal, particularly where lands are needed for orderly community growth.

The Public Sale Act also requires disposal where justified for urban and other purposes.

OFFER OF REAL PROMISE AND POTENTIAL

Yet the history of public domain legislation has not always offered the real promise and potential, in the public interest, as these more recent programs. The Small Tract Act of 1938 stressed individual parcel disposition and development. It was not until 1954 that the act was amended to encourage group arrangements.

By the late 1950's the uncoordinated tracting of land was recognized as contrary to sound development objectives. It was February 1962, however, before the law was again amended to assure that "small tract activity shall be coordinated with interested local governmental agencies."

RECOGNITION OF LOCAL PARTICIPATION

I use this one public domain program only as an illustration of the long and arduous evolution we have seen in the recognition of local participation, usually by counties, in the affairs of public land disposal. The new laws offer great promise. They also challenge local governments to measure up to their planning and policy responsibilities * * * for the history of intergovernmental relations in the public land sector reveals many instances of default of local responsibility and the reversal of stated policies or positions regarding the public domain.

GOOD INTENTIONS NOT ENOUGH

Assuming a bright future in local-State-Federal cooperation, we should recognize from the lessons of history that good intentions and warm cordiality will not be sufficient. We will also need mutually acceptable, long-range goals for the orderly and timely release of public lands.

We will need a program approach to qualifying communities and counties for the release of lands earmarked for "community growth." Such a program should include a proper sequence of considerations such as an adopted, long-range, comprehensive plan for community development; a program of community services for new urban areas (e.g., water, power, sewage disposal); and a program of land development controls such as zoning, subdivision control, building codes, etc. Since satisfying human needs is the ultimate purpose of releasing public domain lands for urban growth, such a program approach that calls for certain specific minimum commitments on the part of the community or county, as a prerequisite to the disposition of public domain lands, appears reasonable and in the public interest.

Under the Public Land Sale Act of 1964, we are not talking about a wholesale disposition program. Currently only some 2 percent of the land within the United States is used for urban purposes. Over the next 40 years the present population of our country will increase by some 150 million persons and the land used for urban purposes will double.

DRAMATIC URBAN GROWTH

This constitutes dramatic urban growth, at least when you are in the city and looking outward. However, it is not the quantity of land but the potential impact of rapid urban growth upon surrounding lands that must be remembered, and respected. This impact often is physically and economically far reaching.

The real problem occurs, however, where the private and public lands meet. It is here that the intermingled lands often create the "gray areas" of public indecision. It is the line where the most sensitive solutions to proper urban expansion are most needed. Charles H. Stoddard, Director of the Bureau of Land Management, has recently said: "There is no real difference between public and private land, only the incidental one of who holds the title."

I agree with the added factor that a full recognition of interdependent responsibilities between private interests and all levels of government concerned in the public domain will better assure the efficient utilization of the Nation's land resources. Along the jagged line of jurisdiction we cannot afford a jagged public policy.

UNIFIED EFFORTS ARE IMPERATIVE

At this point in time, with the passage of the several public land measures including the Wilderness Act and the Land and Water Conservation Fund Act, we find that Congress has generated the greatest national interest in the proper management, development or disposition of the public domain since the days of Theodore Roosevelt. The public expects effective local, State, and Federal coordination and planning. The burden of fixed accountability and the glare of public attention make unified efforts imperative.

COMPREHENSIVE COUNTY PLANNING

How do the processes of comprehensive county planning fit into this picture? In the first place, the county planning function must be countywide. This is essential to show the important intercounty (or regional) and the city-county developmental relationships. The idea that the county must confine its planning considerations to the unincorporated area is a misreading of the county planning function and assumes that counties have no physical, social or economic ties to their cities or neighboring counties. In metropolitan areas this would be disastrous since urban counties have a strong subregional role.

A second factor of importance to a successful, contributive county planning function to questions of the public domain involves policy development. As an advisory partner in public policy formulation, planning will be stable only to the degree that policy formulation and implementation are stable. The failure to create essential development policy, or worse, to create and then rationalize or circumvent established policy, is to flaunt the public interest. If a man is expected to stand by his word, why not government? The question at issue in intergovernmental relations involves integrity of purpose and intent. It is a prerequisite to all intergovernmental or public-private endeavors.

A third element of importance in assuring a clear county voice in public land management is the need to undertake comprehensive county planning as a basic framework for land use decisions and land regulations, such as zoning or subdivision design. Policy precedes policy implementation. Thus comprehensive planning (which is a policy tool) must precede zoning.

ADAPT PLAN TO YOUR COUNTY

For the most part the Western States have provided their counties with the opportunity and the authority to plan and regulate the uses of land. In many instances the approach to a planning program will vary greatly from one area to another. The key to successful planning is to adapt the scope of the program to the demonstrated needs and problems of the area and to the resources, both financial and technical, available in the area. The planning approach in a dynamic, metropolitan county like San Bernardino, will be markedly different from that of a sparsely populated but stable county in Montana.

While a county planner I always considered prime agricultural and functional open space uses as legitimate uses of land in perpetuity. Mr. Sam Zisman, a planning consultant from San Antonio told the BLM Urban and Rural Land Planning Training Conference just completed that, in many respects, we can assure better land planning if we start with the identification and preservation of essential and desirable open space in our growing urban areas.

Under this approach we would accommodate our residential, commercial, and industrial areas and our road networks to these essential open spaces being established for public use. This concept has a great deal of merit. However, until the present image of open space as a secondary urban land use is reversed in our country, Mr. Zisman's concept may find tough going.

A USEFUL RULE OF THUMB

Many of you may not yet feel the urban impact that is coming. There are few acres of the great West, however, that will not experience measurable effects of this phenomenon during the next several decades. Let me express a rough rule of thumb for you concerning the dynamics of population and urban change, namely, the need for planning is directly proportional to the rate of population and urban growth. On both counts we are in the midst of explosive change.

LAND USE CATEGORIES

With the future impact upon all rural lands so predictable, what are the land use categories of deepest concern to many counties where the public domain is a pertinent planning consideration? Here are a few:

1. Areas of high potential for park, recreation, and open space use.
2. Lands with high agricultural value.
3. Lands needed for orderly urban expansion, under a comprehensive plan for development.
4. Lands needed for intensive public purposes (e.g. hospitals or other institutions, airfields, etc.).

Together, in close philosophic and technical collaboration, counties individually and collectively can aid the Federal agencies concerned in public land management to determine the highest public purpose for lands in the public domain. The basic approach must be that land serves people. The public interest is identified when land service benefits accrue to the greatest number in a manner most appropriate to the long-term conservation and utilization of the land.

EMPHASIZE COMPREHENSIVE, COUNTYWIDE PLANNING

The American Institute of Planners, which I represent, has long believed in the principles of effective intergovernmental action. We subscribe to the notion that a local government, whether city or county, urban or rural, qualifies its role and its voice in public land management when it has developed a clear point of view concerning its own destiny and its own future development. This qualification is best achieved through an effective and concerned public speaking through their locally elected officials. And the mechanism most capable of providing the public policy focus on future growth is the comprehensive, countywide planning program.

THIRTIETH ANNIVERSARY OF THE REA

Mr. COOPER. Mr. President, 30 years ago yesterday, the Rural Electrification Administration was established. Kentucky was one of the first States to join the REA program in 1935, when a loan to the Henderson-Union cooperative was approved. Today, the Kentucky statewide RECC is one of the most progressive and constructive in the Nation, and the East Kentucky RECC, at Winchester, provides an outstanding example of leadership and service to the growing needs of an entire area, not only through its generating and transmission facilities to cooperatives and municipalities, but also through an active concern in the total development of Kentucky and the improvement of life for its people.

Twenty-eight rural electric cooperatives serve more than 300,000 rural consumers in Kentucky, over 56,000 miles of line. These REA borrowers have made payments of $86 million—including more than $9 million ahead of schedule—on the Government loans of $225 million advanced in Kentucky since the beginning of the program.

In 1935, only 3 percent of Kentucky farms had electricity, but the REA has brought light and power to rural families and country towns. Today nearly all farms, 98.5 percent, have electric service, but the use of electricity has trebled in the last 10 years and continues to grow, so that the work of the REA cooperatives in supplying the present and future needs of their member-users continues.

In addition, REA telephone borrowers in Kentucky serve over 90,000 rural subscribers. I am glad that, since 1949, more than two-thirds of the rural homes and businesses in Kentucky have telephones, with a high proportion of modern dial service.

The officers and members of the Kentucky rural electric cooperatives have brought leadership in many areas, and I point out only two recent examples. First, in cooperation with a program of the Agency for International Development, Kentucky's 24 cooperatives provided surplus materials and equipment for the first rural electric cooperative in Latin America, in Santo Domingo, Ecuador, following the feasibility study carried out by Charles Stewart, manager of the Warren RECC at Bowling Green. Second, the "Let's Speak Up for Kentucky" program is mobilizing broad cooperative efforts for the growth and development of the entire State.

I have strongly supported the rural electric and telephone programs throughout my service in the Senate, by my votes and as a member of the Subcommittee on Rural Electrification of the Senate Committee on Agriculture. It has been my pleasure to work closely with leaders and members of the Kentucky rural electric cooperatives for many years. The tribute of this anniversary belongs to the members and farmer-directors of the cooperatives, and to their officers and managers, who, in Kentucky and the Nation, have brought light and power and communication to rural America.

SUMMARY OF MEDICARE TESTIMONY, MAY 12

Mr. HARTKE. The Finance Committee today received testimony from eight more witnesses on the medicare bill, H.R. 6675. I again ask unanimous consent that there may appear in the RECORD an unofficial condensed summary of the points made by the witnesses, prepared by my staff.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SENATOR JACOB K. JAVITS

1. Supports the bill, particularly the supplementary section, which has antecedents in previous bills and efforts by Senator JAVITS.

2. There should be added provisions for coverage of prescription drugs used outside the hospital, which could be done for an additional $1.50 per month (half Government paid, half beneficiary).

3. Coverage of radiologists, anesthesiologists, etc., should be returned to the basic hospital coverage portion.

4. Financing of State matching funds for Kerr-Mills portions should be left up to the States to determine source of those funds (State treasury, local sources, contributions, or otherwise).

CHRISTIAN SCIENCE CHURCH

Dr. J. Burroughs Stokes, manager, Washington office, Christian Science Committee on Publication, for the Christian Science board of directors.

Definition of "hospital" includes services of Christian Science sanatoriums, but omits Christian Science nursing homes and Christian Science visiting nurse services. The bill should be amended to correct this oversight.

NATIONAL COUNCIL FOR THE ACCREDITATION OF NURSING HOMES

Dr. Pierre Solomon, San Mateo, Calif., superintendent of institutional clinical services, department of public health and welfare, and member, NCANH board of directors.

1. Amendment should be made to recognize specifically the program of nursing home accreditation by the council, whose composition "is very similar to the Joint Commission on the Accreditation of Hospitals" recognized in the bill. Council has AMA financial support, paralleling joint commission. By effective date of bill, will have surveyed 900 more nursing homes; has now accredited 595 facilities in 43 States, with 39,350 beds in first year. Basic effort is to upgrade nursing home care.

2. The council is working toward utilization review of extended care facilities with cooperation of county medical societies (detailed in 13-page appendix to testimony). Recommends amendment in section 1865 accordingly.

AMERICAN PSYCHIATRIC ASSOCIATION

Dr. Robert W. Gibson, medical director, Sheppard and Enoch Pratt Hospital, Towson, Md. Association has 15,000 members.

1. Approves elimination of some provisions discriminating against the elderly mentally ill, extension of mental retardation planning. Overall approval.

2. Accredited private psychiatric hospitals should be in the basic plan, which should have coverage of service in the complete range of psychiatric facilities. Basic plan does not provide for flexibility in treatment methods, which should also include public mental hospital geriatric units, in- and outpatient facilities, part-time day hospitals, home visiting service.

3. Limitation to $250 or 50 percent of cost is unwarranted, as is limitation to 180 days of care in lifetime. Survey of 80,000 patients in private phychiatric hospitals shows that of the 10 percent over 65, 78 percent were back in their own homes in 2 months or less. Depressions are the commonest of mental illnesses among elderly, and most readily treatable.

LEISURE WORLD FOUNDATION

Dr. Floyd L. Wergeland, executive medical director, Laguna Hills, Calif. Three Leisure World communities, two more in construction, planned total of 124,000 residents.

1. Radiologists, anesthesiologists, etc. should be included in basic plan, where provided by hospitals.

2. Deductibles should be simplified by consolidation into one sum, or by providing uniformity in amounts.

3. Physicians' services under group practice arrangements (such as by salary for Leisure World doctors) should be allowed billing from the group organization or clinic.

KENTUCKY. MEDICAL REHABILITATION COMMITTEE

Dr. W. K. Massie, orthopedic surgeon, Lexington, Ky., chairman. Testimony confined to section 303 of the bill, concerning the totally disabled. Bill would change permanent disability to mean disabled for 6 consecutive months. Present law should be retained. Otherwise resistance to rehabilitation will be increased. The objective of returning the worker to active status as soon as possible will be hampered if the section is not deleted.

INTERNATIONAL CHIROPRACTORS ASSOCIATION

Grady V. Lake, D.C., Atlanta, Ga., member ICA Board of Control.

1. Forty-seven States have granted legal status to the chiropractic profession, numbering about 20,000 members. Section 1809's guarantee of patient's freedom of choice is not complete without choice of "all or any of the healing arts."

2. Proposes inclusion of language under definition of "physician" to include all licensed to practice "any of the healing arts * * * as defined by the State."

AMERICAN PODIATRY ASSOCIATION

James A. Conforti, president, Bedford, Ohio. Present definition of "physician" includes only medical doctor and osteopath. Recommend amendment to include podiatrists.

SOUTH DAKOTA ECONOMIC DEVELOPMENT

Mr. McGOVERN. Mr. President, Senate bill 1648, the Public Works and Regional Development Act of 1965, now being considered by the Public Works Committee and the Commerce Committee, has been interpreted as a hopeful means of strengthening the economy of my State and the economy of other areas of the Nation where the economic growth rate has been falling behind the national average.

Title V of the act authorizes the establishment of State-Federal development commissions in States with areas of high unemployment and lagging development. At least five interstate areas have shown an interest in the establishment of such development commissions—New England, the Upper Great Lakes, the Upper Great Plains, the Ozarks, and the Intermountain States, centering in Utah.

I have been greatly pleased by the support for such a development commission which has been reflected by the press in my State.

The Rapid City Journal, the Mitchell Daily Republic, and the Aberdeen American-News have published fine editorials, widely reprinted, commending my efforts to obtain a commission for the upper Great Plains. In that effort, I have had the effective support of Senators Burdick, Metcalf, and McGee.

I ask unanimous consent that these three editorials be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Rapid City (S. Dak.) Daily Journal, May 7, 1965]

South Dakota Faces Challenge

Four States—including South Dakota—have had considerably less than average economic growth in the past 2 decades. Senator George McGovern contends that the two Dakotas, Montana, and Wyoming should be enabled to unite for the establishment of a development commission.

Senator McGovern offered the map which portrays the general economic situation for the United States. The map presents changes in total personal income by States from 1948 to 1963. It reflects the fact that all four were in the lowest group of States in total personal income gains.

This can be startling for some South Dakotans. However, the facts are obvious.

Senator McGovern said:

"The areas for which we are advocating a development commission reflects a considerably more serious general economic situation than even the Appalachia States. * * * Excepting only West Virginia, the Dakotas had the lowest total personal income gain, at 60 percent—or less than half the national average. Montana's gain was 83 percent and Wyoming's 96 percent."

Senator McGovern cites other statistics to show that this is a lagging area, and where employment is declining, the unemployed go to other areas, which in turn, aggravates employment problems. Employment in the United States increased 46.3 percent from 1940 to 1960. Only one-fifth of the gain was counted for North Dakota and South Dakota's tally was less than half the national average—19 percent.

Out-migration conceals the economic situation for South Dakota and the neighboring States.

More people leave the State and fewer enter, according to the surveys.

"The picture that emerges from these statistics is one of a lagging area, in which employment is actually declining, which is sending its unemployed to other areas to aggravate the employment problems caused by automation there. The conclusion is quite clear that economic development, and the stimulation of job opportunities in areas like the upper Great Plains would lessen the problems in other areas of the Nation to which our unemployed are migrating," says the Senator.

Our society in South Dakota is not so affluent that we should casually miss opportunity to find more and better ways to assist our economy.

Senator McGovern has offered a proposal which will supplement and augment the efforts of the IDEA and GSDA for this State. The Industrial Development and Expansion Agency works to encourage new and more industry. The Greater South Dakota Association has similar goals.

A South Dakota development conference will be held in Washington next month, where community leaders will have opportunity to discuss existing Federal programs and proposals that are new. "There are many untapped Federal opportunities available to our State," says the Senator, "and I hope we can encourage civic leaders to take advantage of Federal-State-local programs."

McGovern's amendments for regional development—by commission—are commendable. His call for a development conference should be heeded.

Rugged individualists may deplore Federal assistance, but Senator McGovern has proposed logical methods whereby this State and our neighbors can help ourselves.

There is much to do.

[From the Mitchell (S. Dak.) Daily Republic, May 5, 1965]

For Regional Progress

South Dakotans should hope that Senator George McGovern is successful in his efforts to establish regional economic development commissions to assist areas of lagging economic growth.

While this area has not suffered economic depression to anywhere near the extent that the Appalachia region has, it is the Senator's proper view that attention is needed because we have enjoyed less than average economic growth in the past 20 years.

McGovern earlier was joined by three colleagues from this region in requesting establishment of an Upper Great Plains Commission, including the two Dakotas, Montana, and Wyoming. (The three other Senators are Lee Metcalf, of Montana, Gale McGee, of Wyoming, and Quentin Burdick, of North Dakota.) The current proposal is for permissive legislation that would permit regional economic development programs where they are needed and feasible.

In supporting his plan, the Senator pointed out that in the 16-year period through 1963, the Dakotas, Montana, and Wyoming were in the lowest group of States in total personal income gains; while employment in the United States gained 46.3 percent between 1940 and 1960, it gained only one-fifth of this in North Dakota, and less than half the national average in South Dakota, 28 percent in Montana, and 42.4 percent in Wyoming.

Further, he said, South Dakota's median family income was the ninth lowest in the Nation as of September 1964; and, the national annual population growth rate in the Nation in the fifties was 1.7 percent, but in the upper Midwest it was less than 1 percent, and in South Dakota it was less than one-half of 1 percent.

Accomplishments which would be possible if the regional development commissions were authorized by Congress are numerous. In the upper Great Plains area, for example, McGovern pointed to broad development of interconnecting scenic, historical, and recreational areas to create a massive tourists' paradise which could benefit the entire four-State region.

"South Dakota has the Badlands, the Black Hills, Mount Rushmore, the Great Lakes of the Missouri, Wind Cave, and Crystal Cave, prairie grasslands, a section of the Lewis and Clark Trail, rich Indian lore, scenic lakes, and outdoor recreation which would be included in a great loop in the upper Great Plains States which, joined with the Theodore Roosevelt Monument, Fort Peck, and other scenic and historic attractions in our sister States would be a once-in-a-lifetime must for Americans who wanted to know their country well—and would undoubtedly draw tens of thousands of them back into the area many times," said McGovern.

For men of vision, such a regional project—too vast for the States themselves to accomplish—is an endeavor toward economic betterment which should not be ignored.

[From the Aberdeen (S. Dak.) American-News, May 10, 1965]

South Dakota Could Benefit From Area Plans

In recommending regional commissions to study the possibilities for developing economic resources in rural areas such as the Dakotas, Senator George McGovern is advocating needed constructive action.

Modern methods and trends in agriculture have reduced manpower needs in farming States.

The development commissions the South Dakota Democrat proposes would seek ways to provide new employment and opportunities in the farming regions.

Members of the economic study groups might learn that it would be better for all concerned to take industries to the rural communities where a supply of good labor exists than to have jobseekers moving to congested cities where they would add to the number of unemployed.

A regional development commission in the Dakota-Montana sector might recommend that the economy of the area could be vastly improved by speeding the Garrison and Oahe irrigation projects. This would assist farmers in raising more of the products that are in demand.

Intensive studies of the area might also lead to programs that would develop more rapidly the new recreational possibilities of the Missouri River chain of great lakes.

Profitable use of the great deposits of lignite might also be speeded under programs endorsed by a regional development commission.

Since President Johnson has emphasized his belief that there are many more farm people than farm jobs, industry is taking another good look at farm States as possible sites for factories.

The Federal Government has not been helpful to farm areas in its recent efforts to remove branches of Government operation from rural States to urban centers.

(South Dakota has seen examples of this in attempts to move Veterans' Administration facilities from Sioux Falls to the Twin Cities. And in the proposed law that would permit the Secretary of the Treasury to move some functions of the Internal Revenue Service office in Aberdeen to Kansas City.)

Help rather than hindrance is needed in meeting the problems of rural communities. Regional development commissions could perform a worthwhile service.

FOUR TIMELY BOOKS ON VIETNAM

Mr. GRUENING. Mr. President, in The Nation for May 17, 1965, are reviews of four recent books on U.S. involvement in Vietnam.

The reviews themselves are made by persons with wide knowledge of, and personal involvement in, that area of the world. Bernard B. Fall, professor of government at Howard University, and the author of books and studies on Indochina, has reviewed the book entitled "The New Face of War," written by Malcolm W. Browne, the Associated Press reporter in Vietnam; also the book entitled "Vietnam: Inside Story of the Guerrilla War," written by Wilfred G. Burchett; and the book entitled "Vietnam: An Eye-Witness Account," written by Suzanne Labin.

Charles Mohr, now White House correspondent for the New York Times, who resigned as correspondent for Time magazine, due to disagreements over Vietnam coverage, has reviewed the book entitled "The Making of a Quagmire," written by David Halberstam, New York Times foreign correspondent.

The reviews are fair, objective, and well done.

The books themselves should be required reading for those who wish to understand what is going on in Vietnam and what has been going on there.

I ask unanimous consent that these reviews be printed in the Record at the conclusion of my remarks.

There being no objection, the reviews were ordered to be printed in the Record, as follows:

The Mess: Three Views

"The New Face of War," by Malcolm W. Browne, preface by Henry Cabot Lodge. The Bobbs-Merrill Co., 284 pages, $5.

"Vietnam: Inside Story of the Guerrilla War," by Wilfred G. Burchett. International Publishers, 253 pages, $4.95.

"Vietnam: An Eyewitness Account," by Suzanne Labin. Crestwood Books, 100 pages, $1.50 paper.

(By Bernard B. Fall)

(Note.—Bernard B. Fall, professor of government at Howard University, is the author of "Street Without Joy," "The Two Vietnams," and other studies on Indochina.)

The second Indochina war has been discovered by the American public now that American servicemen are being committed in it in ever-increasing numbers, and books on Vietnam are flooding the bookshelves. And that is a good thing, for it takes the subject away from the columnists and the official press handouts and puts it where the public can examine it at greater leisure. Not that all those books are good—far from it—or even unbiased (they are not); but they leave a more permanent record of certain crucial events which must be examined if one wishes to understand at least a small part of the war which now engulfs the "two Vietnams."

The three books under review represent an interesting "spread" in the field, since they include an American Pulitzer Prize winning journalist, an Australian who does not hide his Communist sympathies, and a Frenchwoman who, on the score of Vietnam, actually stands to the right of the John Birch Society. Of the three, Browne's book will probably be the most interesting and the most disturbing, for he forces the reader to look unblinkingly into what he calls "the new face of war," from burning Buddhist priests to Vietcong suspects being keelhauled to death behind American armored personnel carriers. It would be interesting to know whether Ambassador Lodge, who prefaced the book, was fully aware of the kind of photographs which would illustrate it.

Browne is a journalist, and by now probably the dean of the Saigon press corps. U.S. division (Newsweek's French reporter François Sully no doubt holding the overall record with 15 years in the country). This gives him an authority few can match. He does not editorialize, nor does he write history; his book is functionally divided into such subjects as "Mechanized paddy war," or "Vietcong gadgets" or "Our image." Working for the Associated Press, Browne writes in the quietly understated style of the wire-service reporter, which only makes the facts he cites more impressive. The reader can, unfortunately, fully believe him when he affirms that of the thousands of officials in the Vietnamese administration whom he meets. "I can think of none who does not more or less hold the Vietnamese people in contempt." Or when he tells the story of the Vietnamese army units who collect "taxes" in a village and later have it napalmed out of existence so as to cover up for their malfeasance. Or when he cites an American official in Saigon as saying that the "only solution to all this is to bomb the hell out of both Hanoi and Saigon, and start the whole thing from scratch, working entirely with the peasants." Although Hanoi may well be bombed before much more of the year has passed, and Saigon may well be mortar shelled in return (or vice versa, depending on who is playing retaliation), I am afraid that is is a bit late for "starting from scratch." The whole world is stuck with the Vietnam mess just the way it is and Malcolm Browne honestly admits there are no good solutions, let alone quick and easy ones.

Having said that the book is excellent and should be read by every concerned person, I can only regret that even as sensitive a journalist as Mr. Browne apparently never bothered to pick up a modicum of Vietnam's background, not even for the past two decades: the Hoa-Hao sect was not led by a "Christlike-looking man named Ba-Cut" but by a mad-looking prophet named Huynh Phu So. Ba-Cut merely was one of the Hoa-Hao war lords. Trinh Minh Thé did not lead the Cae-Dai forces (he was but one of several war lords and most of the time hostile to his own religious leaders); General de Castries at Dienbienphu did not command a "brigade" but a 15,000-man force; and France's flag, in French, is not the "tricouleur"—logical as this may sound to American ears—but the tricolore. In his conclusion, Browne expresses the hope that the United States, in this era of revolutionary warfare, "can put Marx, Lenin, Mao, and Giap to work for it, without embracing communism itself." As a Frenchman who has seen some of his own country's military embracing such theories as a psychological substitute for true political reforms this reviewer hopes that the United States can do better than that.

Burchett's book is literally the opposite story for he has, over the past 10 years, observed the Vietnam scene from the other side of the fence; either from Hanoi or from inside South Vietnam itself, but on the Vietcong side. To dismiss Burchett's book simply as "Communist propoganda" would be too easy. Of course, it contains Communist propaganda, but it contains a great number of important truths as well. In fact, Burchett's story is a bit like the Russians' more recent publications on space; enough successes allow them to play at least part of the story straight. There is, for example, no doubt that Burchett repeatedly traveled inside "our" Vietnam (as a corpulent white man, the way I remember him from personal acquaintance) without being picked up by "our" Vietnamese, even though he had been photographed together with some of the American prisoners held by the Vietcong—not one of whom has thus far been liberated by initiatives from our side. This is a good indication of how good Vietcong control over the civilian population is.

Some of the descriptions of life in the "liberated zones" have an evident ring of truth and are fully corroborated by what line-crossers or deserters tell us, and perhaps one of the most tragic-comical lines of the book occurs when the author describes the passage of a column of Communist regulars with rucksacks fashioned from American-donated flour bags, each marked with the U.S. Seal and the inscription: "Gift of the People of the U.S.A." And he adds that the American "clasped hands of friendship" symbol was more in evidence in the Vietcong zone "than their own yellow-starred red and blue flag." (There is, however, a good reason for the discretion about the latter: it draws the unwelcome attention of Vietnamese and American jet bombers.)

The best part of the book, and thus far unequaled in any other publication, is Burchett's description of the organization and structure of the National Liberation Front of South Vietnam (NLFSV). After reading it, it is difficult to dismiss the guerrillas as "gooks anonymous." They are men with known backgrounds, with photogenic faces, and with precise political aspirations. Of course, they are "connected" with Hanoi, as were all the West European underground movements affiliated with Special Operations Executive in London during World War II; this did not mean that their political objectives were similar to those of their exile regimes in London even when they received military orders, parachuted equipment, and OSS teams from the outside. In the long run, the "internal" resistance movements largely imposed their stamp on the postwar European liberation regimes. One may well wonder (and Burchett, of course, does not offer a satisfactory answer to this) whether the very harshness of the war is not doing the same thing for the Vietcong.

In his final chapter, Burchett makes the often overlooked point that the NLFSV in 1962 threatened to appeal to North Vietnam for help; and in an epilog, dated January 1965, he quotes Nguyen Huu Tho, the chairman of the Liberation Front, on Gen. Maxwell Taylor's tactics. I wonder whether Taylor ever read it, for it is a frightening symptom of the whole Vietnam mess that Tho and Taylor to all appearances, fully agree:

"He has brought nothing new [from Washington]. A few hundred more U.S. 'advisers,' a few more planes, tanks, artillery. But it is not bombs and artillery that win wars; it is infantry that can occupy territory. And here they are in a real impasse * * *. Above all, it is morale that counts; it is the human factor that is decisive."

Apparently, both Taylor and Washington have bought Nguyen Huu Tho's estimate, and now preparations are underway to beef up the Vietnamese Army and to transform the U.S. advisers into an enlarged battle force. And bombing North Vietnam is expected to provide the closest approximation to better morale for the South Vietnamese—and it may just work. It is going to be a long war, the way Burchett and Tho see it. And perhaps that is the way General Taylor sees it, too.

Mme. Labin's book differs from Burchett's in that Burchett, over the years, has become more sophisticated and thinks that the soft sell is on the whole more successful than the ultrahard shell. Not so Mme. Labin. Her book has, on the average, at least two fully capitalized lines per page, complete with exclamation points, not to speak of italic and such subdued titles as "The American Incitement" or "The Wall of Blood." Her line is simple: the weak-kneed, Communist-loving United States sold out the Ngo Dinh Diem regime because it was "winning the war" against the Communists. And she has no hesitation about naming her chief target: "the junto [sic] in the State Department" whose "grim game * * * was fully disclosed to me by the late Counselor [Ngo Dinh] Nhu and President Diem * * *." Since there is no doubt that this line will become the piece de resistance of a future investigation into what went wrong in Vietnam, it would be well if it could be laid to rest quietly. There may be much wrong with the way the State Department handled Vietnam over the years, but lack of anticommunism was not a part of it.

The rest of Mme. Labin's arguments are mostly based on a lack of information about Vietnamese affairs, which she shares with many people of her persuasion, whether French or American. To prove that the Buddhists are unimportant, she adduces some pretty fantastic statistics, in which she dismisses the Hao-Hao and Cao-Dai Buddhists as non-Buddhists and estimates the tiny (perhaps 15,000) Vietnamese Protestant community at half a million. And to prove that the Diem regime was above financial reproach, she states that a "1958 investigation by a U.S. Senate committee cleared him of asserted misuse of American aid." The joke is that, strictly speaking, she is almost right. The "investigation" took place in July 1959, and did indeed involve charges of corruption in Vietnam. The aid agency, then known as ICA, submitted to the bemused committee an audit that, if submitted to the Internal Revenue, would surely have landed its author in a Federal penitentiary. The report blandly stated that 147 million piasters had been destroyed by fire as per affidavit of a Vietnamese bailiff, while another 82 million had been allegedly burnt by fire without proper affidavit. Accounts for another 33 million were still not available 3 years later. That amounts to the tidy equivalent of about $9 million—all of which disappeared at a crucial moment when several Vietnamese generals threw their support to Diem in another little civil war.

Mme. Labin blandly denies that tortures ever took place in Vietnam (no doubt those color spreads in Life were all staged by USIA to improve the American image abroad) and finally compares the wily Ngo Dinh Nhu (who incidentally, in 1953 ran a highly left-wing and neutralist labor movement in Saigon, and during the last days of his life, according to his own wife, Mme. Nhu, had contacts with the Liberation Front) with Thomas Jefferson. But in the final paragraph of her treatise, my compatriot finally relents and admits that some reforms were, after all, needed—in official Washington.

THE WAR ONLY LASTS A LIFETIME

"The Making of a Quagmire," by David Halberstam, Random House, 323 pages, $5.95.

(By Charles Mohr)

(Note.—Charles Mohr is the White House correspondent for the New York Times. He resigned as Hong Kong bureau chief for Time in 1963 due to disagreements over Vietnam coverage.)

In late 1962 and throughout 1963, the decisive drama of Vietnam was tragically played out. The Vietcong guerrillas, who might at that time have been defeated or contained militarily were allowed to breathe and prosper. They captured many thousands of weapons and grew into the formidable military force they are today. The population, which might have been persuaded to oppose the conquest of the countryside by the Vietcong, was driven into the arms of the guerrillas by policies which failed to protect them or to inspire their loyalty. The American establishment in Saigon, which just might have prevented these irretrievable calamities, failed even to recognize that they were taking place.

Into this doomed and acrimonious atmosphere stepped a few young, relatively inexperienced American reporters. They were the only element in the country, other than the Vietcong, which President Ngo Dinh Diem and his family could not control or intimidate. At times it seemed they were the only Americans on either side of the Pacific whom Robert S. McNamara and other American officials could neither silence nor delude. They distinguished themselves as journalists and men—partly by having the innocence to see what was under their noses, but mainly by having the honor, the guts, and the simple honesty to write the truth in the face of abuse and near slander directed at them from their own Government, and by other American journalists who did not bother to cover the war, much less understand it.

In "The Making of a Quagmire," David Halberstam retells the story of that period. It is a sensitive and brilliant book but, above all, it is an enormously sad one. Like most Americans who have ever spent much time there, Halberstam loved Vietnam and the Vietnamese. The idea of its conquest by the Communists was repugnant to him. His book is a chronicle of lost chances and of official self-delusion.

When Halberstam first arrived in Vietnam in September of 1962, it was possible to be optimistic—but not for long. Frederick G. Nolting, the U.S. Ambassador, once said in exasperation, "You are always looking for the hole in the doughnut, Mr. Halberstam." The holes in American policy were not hard to find. The Ngo Dinh family wanted American arms and money, but did not want American advice. Politically, the government had alienated a large part of the population and administration was a nightmare of confused incompetence. Militarily, the army was being led disastrously by generals appointed not for merit but for political loyalty to the Ngo Dinh family. The American officials could not correct—or even acknowledge—these defects because in the words of another great foreign correspondent, Homer Bigart, they had chosen to "sink or swim with Ngo Dinh Diem.

"Having failed to get reforms," writes Halberstam, "our officials said that these reforms were taking place; having failed to improve the demoralized state of the Vietnamese Army, the Americans talked about a new enthusiasm in the army; having failed to change the tactics of the military, they talked about bold new tactics which were allegedly driving the Communists back. The essence of our policy was: There is no place else to go."

Halberstam and the other reporters discovered this in the simplest way possible. They became the trusted friends of brilliant young American military officers assigned to advise Vietnamese combat units who turned in frustration to the reporters when their own reports on the downward spiral of the war were ignored, blocked or bottled up in Saigon. They also learned by going into the field to watch the pillow-punching military operations which consistently let the Vietcong escape destruction and by witnessing the cruelly corrosive effect of the war on the Vietnamese population. With growing cynicism and disgust they watched the antics of men like Huynh Van Cao, the worst general in the Vietnamese Army, whom Diem had given the most vital assignments in the Mekong Delta area. Cao's major talent was flattering visiting American brass. Halberstam recalls how, when U.S. Marine Commandant Gen. David Shoup arrived to visit Cao's headquarters, "he was greeted by the 7th Division band playing the 'Marine Hymn,' and by a huge sign reading: 'The U.S. Marine Corps: From the Halls of Montezuma to the Banks of the Mekong River.' Shoup was duly impressed." Cao's forte was not fighting. It was an open secret that Diem had told him to stop taking American advice and to avoid casualties. In 14 division operations from October until December 22, 1962, when he was promoted by the President, Cao's troops suffered only four men killed. At the same time the paramilitary units manning overextended static defense posts were being overrun every night and losing American weapons to the guerrillas.

From the American officers Halberstam learned of some other major problems. The Government forces would not fight at night and they would not patrol. A U.S. captain told Halberstam cynically one day. "They go out at night, walk down the path, take a leak, and then call it a night patrol."

"Although none of us fully realized it then, this was the decisive time in the delta," writes Halberstam.

"A guerrilla war is seen first-hand by the local population; for this reason, not only must a successful force in such a war prove that it has political benefits to offer the peasantry, but it must also prove that it can protect them. In such a military and political situation there is sometimes a crucial moment of truth, which is often unperceived by fairly knowledgeable observers: the moment when the local population senses which side is winning. * * * One side has the momentum and the other doesn't—it is just that simple—and the first people to be aware of this momentum are the peasants."

It is instructive to recall what the top officials were saying at that time. In April 1963, McNamara authorized his press spokesman, Arthur Sylvester, to proclaim, "We have turned the corner in Vietnam." In that same month Gen. Paul D. Harkins, the U.S. commander in Vietnam, predicted in all seriousness that the war would be won "within a year." By the summer and fall of 1963, a full-scale attempt was underway to discredit the reporting of Halberstam and his colleagues. This campaign was joined by Time magazine and by Miss Marguerite Higgins, then of the New York Herald Tribune. Halberstam ungallantly quotes from one of the stories which Miss Higgins wrote at the time, stories which said the war was going remarkably well:

"As of the moment, General Harkins and his staff flatly contradict published reports that South Vietnam's U.S.-backed fight against the Communists—particularly in the rice-rich delta—is deteriorating and that a Vietcong buildup is taking place to the point where the Communists will be able to conduct mobile warfare with battalions as well equipped as the Government's. 'What is mobility?' interjected one of the general's corps advisers. 'Mobility means vehicles and aircraft. You have seen the way our Vietnamese units are armed—50 radios, 30 or 40 vehicles, rockets and mortars and airplanes. The Vietcong have no vehicles and no airplanes. How can they be mobile?' "

The brainless lack of simple respect for a formidable enemy led to painful results. The Vietcong were fighting in battalion size units even when Miss Higgins wrote: they are fighting in regiment size units today.

Halberstam's plodding, painfully honest work in the field gave him a different view of the enemy. His descriptions of military operations have the sharp quality of snapshots—this is, indeed, the way it was. "Moving in a rice paddy," writes Halberstam, "is a bit like trying to run in one of your own dreams—slowly, your feet stuck, feeling exposed and all alone." He notes that for many years the Vietcong "had fought constantly against an enemy which had superior equipment and air power. By necessity they had learned to be careful and shrewd, and how best to exploit their limited resources. In order to survive they had to be wily; to be careless, sloppy, or indifferent meant sure death. They could never rely on an air strike or armored personnel carriers to bail them out of trouble; rather, there would be air strikes to wipe them out and APC's to crush them. They had to be elusive. 'Their commanders,' an American captain once told me, 'have a sixth sense about their flanks. It is almost impossible to surround them.' "

Those who read this book will find that the author of this review is mentioned often. Normally I could not review a book by a man with whom I was so closely associated, but if I can be accused of being a prejudiced witness, it must be admitted that I was a witness. And there were precious few of those. One of the great stories of the postwar era was left to a handful of men to cover. And only that handful can give testimony as to how wise and true this book is.

The war in Vietnam will not be won by air strikes on North Vietnam, and certainly not by optimistic press conferences. It will last as long as the incredibly patient, uncomplaining Vietnamese can endure it, and no one saw this more clearly than Halberstam. On his first combat mission moving with a battalion of troops into a delta village he wrote:

"About a hundred yards away we came upon a dead peasant lying in the yard of his hut with a poncho spread over him. Two huts further on, a desperately frightened old man of 80 years was genuflecting in front of the American and Vietnamese officers and telling them he had never heard of the Vietcong. How many times had this old man had to tell Government troops that he knew no Vietcong? How many times had he had to tell the Vietcong that he knew no Government troops? 'The war,' a young Vietnamese said to me bitterly later, 'only lasts a lifetime.' "

MEANINGFUL STATISTICS ON THE FARM SITUATION

Mr. McGOVERN. Mr. President, few segments of American life are more completely analyzed and reported by the statisticians than is our agriculture. The Department of Agriculture issues scores of regular statistical reports on crops, marketings, acreages, production, livestock numbers, prices, costs—every detail of farming.

The statistics are so voluminous that sometimes we fall into disagreement about their meaning and the interpretations which should be put on them.

I have just received from the Lemmon, S. Dak., Chamber of Commerce a copy of some agricultural statistics and an interpretation of their meaning that can readily be understood. They are contained in a statement sent to our agriculture committees; and they are so clear and understandable that I wish to share them with readers of the Congressional Record and with the press.

The Lemmon Chamber of Commerce statement shows that in 1963, there were 42 farm-auction sales in the trade area of this town of 2,500 population; and in 1964, there were 51 selling-out auctions.

The elimination from agriculture of this many farmers and their families is estimated to result in a $911,547 loss in trade volume. This estimate might be disputed; but there is no disputing the next statistic offered—the closure of 11 business establishments, including hardware stores, implement dealerships, groceries, and a furniture store.

These figures present as clear a picture of the situation in the farm country in America as can be found in volumes of statistics from the Department of Agriculture—indisputable proof of the contention of the Lemmon Chamber of Commerce that "the present inequitable farm parity program is crushing the economy of the rural area. It is disastrous not only to the farmer-rancher but also to the towns, cities, countries, States, and individuals."

I ask unanimous consent to have printed in the Record the Lemmon Chamber of Commerce statement and the text of a typical farm-auction sale bill which was enclosed with the statement.

There being no objection, the statement and the bill were ordered to be printed in the Record, as follows:

A Statement to the Agricultural Committees of the U.S. Congress, Washington, D.C.

(By the Lemmon Chamber of Commerce, Lemmon, S. Dak.)

Honorable Chairman and gentlemen, you, the gentlemen of the U.S. Congress, have been informed of the difficulties of the farmer-rancher and at this time especially of those in the northern Plains States.

We, the Lemmon Chamber of Commerce, wish to present to you some thoughts of the disastrous side effects of the farmer-rancher problem. The elimination of people from the land; the elimination of business dependent on and of assistance to the farmer-rancher; and the potential financial straits of all people in the rural Northern Plains agricultural area.

The low parity of farm product prices and subsequently low income of the farmer-rancher compared to the increasing costs of operation has compelled the average farmer-rancher to either expand his operation or dispose of his properties on which he is unable to earn a living income. This is shown through auction sales of farm equipment and personal belongings and the farmer-rancher moving to some other place to attempt to make a living with the result we have fewer and larger farms and less people.

As an example, farm auction sales in the Lemmon, S. Dak., trade area in 1963 and 1964 were as follows: Penfield Auction Service held 42 farm auction sales in 1963 and 34 farm auction sales in 1964. Francis Haley held 17 farm auction sales in 1964.

This total of 93 farm auction sales equaled 93 less farm families in the area. The average size of the farms and ranches was increased but the area population was decreased. A farm auction sales bill of such a sale is attached to show what is generally disposed of—a lifetime of savings at a forced liquidation price of a few cents on the dollar valuation.

The dire effect of this outmigration of farm families is shown in a survey conducted whereby the first 10 farm accounts of an accountant's file were checked as to the expenditures for farm-ranch operations expenses. These expenses totaled $100,170, or an average of $10,017, spent by each farmer-rancher.

On this average basis it is shown that the loss to business from the 91 liquidated farms-ranches and eliminated farm family expenditures in this area total $911,547. This, plus the unrecorded personal expenditures would be far in excess of a million dollars annually, a loss to the small business of the area which has had a dire effect on the towns of the area of this western North and South Dakota area.

During the past 2 years many business firms have been liquidated and we note these so that you will recognize that many types of services and assistance are removed. These not only affect the local community but show the lessening distribution to these points by industries of other portions of the United States.

These liquidations by auctions and other means are: Gambles Hardware Store; Finsand's Hardware; Davison's Case Farm Implements; Red Owl Grocery; City Market Grocery, all of Lemmon, S. Dak. Erz Hardware & Implements, Watauga, S. Dak.; Oberlander Farm Implements; Sack Service Hardware; Reeder Furniture, all of Reeder, N. Dak. Cooperative Grocery, Scranton, N. Dak; Carsterns-Zempel Hardware, Bowman, N. Dak.

These 11 firms are no longer an economic factor in these communities and have lessened the capabilities of main street to be of assistance to the farmer-rancher in his production and to assist him in combating the inequities that the present below-parity farm program places on the area farmer-rancher.

Lemmon, S. Dak., although a city of only 2,500 people, is proud of being a financial center for the area farmer-ranchers. Its banks are highly rated in that only banks in the 11 major cities of South Dakota have greater deposits. These deposits as of January 1, 1965, in Lemmon's two banks totaled $13,547,275; but, sorry to say, that is only part of the story. If the people of the area had this money unencumbered it would show a prosperous rural economy. What must also be shown are the debts of the area and in this instance, the above-noted banks, with the Northwest South Dakota Production Credit Association and the Federal Land Bank Association of Lemmon, S. Dak., show, as of January 1, 1965, loans totaling $18,119,000. Too, this does not show loans made by Federal agencies. A financial situation fraught with danger for the individual farmer-rancher.

In summary: The present inequitable farm parity program, with constantly forced reduction in cash income crops acreage, is crushing the economy of the rural area of these Dakotas. It is not only disastrous to the farmer-rancher but to the towns, cities, counties, States, and individuals.

We, the Lemmon Chamber of Commerce, request that you, the Congress of the United States, give heed to this situation and evolve a program of farm product price parity in income that will tend to correct the present situation of lessening income and higher costs of farm-ranch product production.

ARTHUR SVENDBY,
Manager, Lemmon Chamber of Commerce.
LEMMON, S. DAK., *May 1, 1965.*

FARM AUCTION

Having decided to quit farming and leave the State we are selling at auction our personal property and livestock at the place 2 miles north and 1 mile west of White Butte, Friday, November 8. Sale time 10 o'clock. Lunch served by Ladies Club.

LIVESTOCK

Eight milk cows, one just fresh and one to freshen soon.
Seven calves.
Eight yearling Hereford heifers.
One registered Hereford bull, 6 years old.
Ten registered Hereford cows.
Eight Hereford cows, not registered.
Fifty-five 1-year-old laying hens.

HOUSEHOLD GOODS

One bottle gas apartment-size stove.
One Maytag washing machine.
One No. 618 DeLaval electric cream separator.
One bottle gas heater, four-room size.
One bottle gas tank, 250 gallon.
One large cabinet heater.
Three steel cabinets.
Two wardrobes.
Two base cabinets.
One bed with spring.
One day bed.
One dining table and chairs.
One chest of drawers.

TOOLS

One garden seeder.
One garden rake.
Two garden hoes.
One garden cultivator.
Two log chains.
Three oil barrels, 30-gallon.
Four grease guns, oil and grease.
Two scoop shovels.
Two forks.
One new hay knife.
One lariat rope.

FARM MACHINERY

One 1957 12-foot S.P. Allis Chalmers combine with pickup.
One 1957 Allis Chalmers forage harvester.
One 1956 Massey Harris side delivery rake.
One 1955 John Deere dump rake.
One 1954 John Deere power mower, 7 foot.
Two 10-foot John Deere discs.
One 9-foot John Deere one way.
One 14-ince John Deere three-bottom plow.
One 1952 16-inch four-bottom plow.
One 1952 WD-9 International tractor.
One 1942 H International tractor.
One 1956 Ford 1-ton truck.
One 1952 11-foot International drill.
One Farmhand with haybasket and grapple fork.
One hayrack with trailer.
One hayrack, with steel wagon.
One 10-inch International feed grinder.
Two gas engines—one 5 horsepower and one 1½ horsepower.
One grain elevator.
One sickle grinder.
One vise and stand.
One post drill.
Four gas barrels.
One 300-gallon gas tank with hose.
One 240-gallon gas tank with hose.
One barrel pump.
One tank heater.
Four 1-inch well pipes.
Three hog troughs.
One feed bunk.
One Clipper fanning mill.
One grindstone.
One pump jack.
Two sets good harness, one set nearly new.
One stack silabe, about 100 tons.
About 150 tons of hay.
Scrap iron.
Other articles too numerous to mention.

Terms: Cash.

No property to be removed till settled for, or see clerk before sale.

Steve Braun, owner. Bob and Earl Penfield, auctioneers; license Nos. 117 and 166. Bank of Lemmon, clerk.

THE NATIONAL GEOGRAPHIC REPORTS ON ALASKA'S "MARINE HIGHWAY"

Mr. GRUENING. Mr. President, the June 1965, issue of the National Geographic magazine contains a magnificent, illustrated article entitled "Alaska's Marine Highway." The author-photographer, W. E. Garrett, took his wife, Lucille, and their sons—Michael, 12; and Kenneth, 11—to Alaska, last summer.

The Garretts drove north to the 49th State in the National Geographic Society's Dodge Motor Home. Their adventures, starting from Prince Rupert, British Columbia, when they drove aboard the *Malaspina*, one of the new year-around ferries which serve as a vital link in Alaska's marine highway, have been vividly recaptured in Mr. Garrett's article.

Out of Prince Rupert, he writes:

> With other passengers we stood at the rail to watch porpoises and whales run beside our bow * * *. A land otter scampered up a bank to escape our wake * * *.
>
> Later we were to see glaciers twisting down from icefields, parting trees and pulverizing rocks as they crept to the sea to crumble and melt.

That evening, near Ketchikan, the Garretts made camp, assisted by hospitable Alaskans. Here is part of Mr. Garrett's description of the evening:

> We had no need for our kitchen on the first evening on Alaskan soil. The rain stopped, and a glowing sunset reddened the sky and water. Chickens broiled on Bill's outdoor grill. We interrupted a game of horseshoes to drink a toast to another of the ferries as it passed us southbound.

Alaska's marine highway embodies a vital, new concept in highway development. It consists of an impressive ferry system, composed of three mammoth vessels, operated by the State of Alaska, which ply daily between Prince Rupert and all principal southeastern Alaskan points. The sea highway connects once more with land highway at Haines-Point Chilkoot.

The marine highway became a necessity when 11 years ago, the only U.S. carrier abolished its passenger service between the lower 48 States and Alaska. This left, as the only means of passenger transportation between the older States and Alaska, the commercial air services and travel by automobile over the long, unpaved Alaska highway through Canada, as well as some "cruise" ships, which are excellent, but provide only occasional service.

As long as Alaska was a territory, remedying the situation was impossible. The restrictive Organic Act—fastened on the territory in 1912—by which Alaska was shackled up to the time when statehood was achieved, forbade the territory to incur any debt.

Statehood made it possible for Governor William Egan to propose a $28 million bond issue to establish the two ferry systems in Alaska. The legislature gave prompt approval, and the people of the State ratified the proposal.

Now it is possible to explore hitherto nearly inaccessible areas of Alaska.

Author Garrett left his mobile home in Juneau, and flew by helicopter 25 miles east, "landing near the middle of the 12,000-square-mile Juneau icefield," where Dr. Maynard M. Miller is working—under a National Geographic Society research grant—to complete a classic study of Alaska ice. Author Garrett has illustrated his visit with spectacular ice photographs.

His article is generously supplied with superb Alaskan views.

I shall not attempt to describe further the jeweled descriptions of Alaskan treasures which are to be found in Mr. Garrett's work. He has combined word and picture; and the National Geographic has used its magnificent resources to recapture the beautiful scenery of Alaska, which Mr. Garrett has photographed in color. In his concluding paragraph, Mr. Garrett compactly describes the real value of the marine highway which connects Alaska's far-flung empire:

> Now the marine highway has opened a new trail to the north. By 1966, Canada will have added a ferry link between Vancouver Island and the Alaska ferry system terminus at Prince Rupert. With already existing service from the State of Washington to the city of Victoria, on Vancouver Island, this will complete the ferry route through the Inside Passage, a new lifeline from parent Nation to youthful State, speeding its great and imminent growth.

I ask unanimous consent that the full text of the article entitled "Alaska's Marine Highway," published in the June 1965 issue of the National Geographic magazine, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ALASKA'S MARINE HIGHWAY—FERRY ROUTE TO THE NORTH

(By W. E. Garrett)

For decades, gold from the Klondike and Alaska diggings flowed down the inside passage to the United States—the "Outside" or the "South 48," as Alaskans say. Then, no longer profitable, the gold workings closed.

Now the 49th State has moved to reverse the flow of wealth with a fleet of fast, far-ranging ferries to entice tourists and trade and make the inside passage a marine throughway to the north. Three new vessels, each bearing the name of an Alaskan glacier, have opened seven towns and 1,500 miles of coastline to cars and trucks. In their first 2 years of service, the ferries have carried 187,000 Alaskans and outsiders.

Not since the gold rush of 1898 has southeastern Alaska seen so many strangers. But today they come with their cars and their truck-campers, in search not of the pot of gold, but of the rainbow itself—the scenic beauty of Alaska.

For residents of the Alaska coastline, many of them cut off from the rest of their State and the world by water, ice, and lack of roads or rails, the new year-round ferries—added to long-established service by tour ships, freighters, and planes—have brought a virtual end to isolation. The *Malaspina, Taku,* and *Matanuska* each transport 108 cars and 500 passengers at 17 knots. Since 1963 they have run regularly through Alaska's Florida-size panhandle, connecting Canadian Highway 16 on the south and the Haines Highway on the north and saving motorists driving to central Alaska 650 miles of gravel road.

Last summer the *Tustumena*—58 cars and 200 passengers—opened service to Kodiak Island from Seward, Seldovia, Homer, and Anchorage. Each of the four ships has private staterooms and a fine dining room.

My wife Lucille, our sons Michael, 12, and Kenneth, 11, and I have covered most of the coastline of the South 48 and Canada. We welcomed an invitation from Gov. William A. Egan to extend our travels to Alaska's shores.

At the southern terminus in Prince Rupert, British Columbia, we drove "Roadrunner," the National Geographic Society's Dodge motor home, aboard the *Malaspina* and climbed one flight to the passenger deck. Mike and Kenny, who knew this north country from Jack London's writings, were disappointed to find no bearded sourdoughs aboard. Yet the rugged wilderness has changed little.

With other passengers we stood at the rail to watch porpoises and whales run beside our bow. Fishing boats circled to set their nets for salmon. A land otter scampered up a bank to escape our wake. A doe and her fawn looked up from their grazing.

Later we were to see glaciers twisting down from icefields, parting trees and pulverizing rocks as they crept to the sea to crumble and melt. Once in the stillness we heard a sharp crack and rumble as tons of ice broke off, or "calved," into the salt-water channel, leaving cobalt-blue scars on the glacier's white face. Swirling mists, ponderous fog banks, and brilliant patches of sunshine mingled in a slowly churning kaleidoscopic sky.

MANY COASTAL TOWNS NOT LINKED BY ROADS

Southeast Alaska hangs under the main body of the State like the tail of a treed racoon. Sitka, Ketchikan, Wrangell, and Petersburg are on islands in the Alexander Achipelago, while Haines, Skagway, and Juneau are backed up against mountains and glaciers. No roads lead to any of these towns except Haines, which has a 160-mile link to the Alaska Highway.

Near the first stop, Ketchikan, a fellow passenger asked in a friendly drawl if I was Mr. Garrett of National Geographic. "I'm Bill Boardman," he said. "I've been on a trip outside. Heard you were aboard."

I had written to Bill, manager of the Ketchikan Chamber of Commerce, for information. Like many Alaskans we were to meet, he and his wife Flossie became our good friends. Their help was of the personal "we're-proud-of-our-State" kind we received everywhere. Alaska is 2¼ times as big as Texas, and Alaskans seem that much prouder. Maybe it's because their State is so new.[1]

Bill offered his home on Tongass Narrows as our night's campsite. We drove off the ferry in a rain which was contributing to the 150 inches a year that make Ketchikan the wettest town in the continental United States.

To set up camp, we had only to park our motorized home. The living and dining rooms are up front, right behind the driver. Lucille, my copilot, navigator, cook, and housekeeper, need go only a few steps to reach her kitchen with its hot and cold running water and gas stove and refrigerator. In the rear of the 26-foot bus are four bunks, a toilet, shower, and storage space. A 110-volt generator supplies electric power.

We had no need for our kitchen on this first evening on Alaskan soil. The rain stopped, and a glowing sunset reddened the sky and water. Chickens broiled on Bill's outdoor grill. We interrupted a game of horseshoes to drink a toast to another of the ferries as it passed us southbound.

Until a grand jury reformed it, Ketchikan was as wide open as a frontier town. In 1957 it was named an All-America City in recognition of its cleanup and progress.

The town stretches along a narrow strip of land squeezed between the water and the mountains of Revillagigedo Island. A few old board streets and docks built on pilings steal precious space from the channel. On the occasional dry day they rattle under car wheels like a toneless xylophone. Wood pulp has lately become Ketchikan's biggest industry, but the town still calls itself "salmon capital of the world."

In addition to its salmon, Ketchikan has trout in hundreds of lakes within minutes of town—minutes by bush plane, that is. We decided to sample Alaska's lake fishing in Tongass National Forest, whose 16 million acres cover 75 percent of southeastern Alaska. The 68 cabins and 60 boats on the lakes are free to all comers.

We loaded our gear into one of charter pilot Pete Cessnun's single-engine floatplanes. Twenty minutes east of town, Pete landed near the only cabin on Ella Lake.

He was in a hurry to get away. Just before we had left Ketchikan, word had come that a logger named Rex Strong and his nephew were overdue from a goat-hunting trip.

"My pilots are all searching now," Pete said. "Rescue squad thinks the plane must be down north and east of here."

FREAK WIND BRINGS TRAGEDY

Pete accepted my offer to ride along as observer. We circled high into the coastal range, spotting dozens of mountain goats as we skimmed like a hunting hawk along the slopes and dipped down to check each lake.

"You won't see the plane," Pete told me. "Just look for a patch of ground or woods that's different from the rest."

The high snow slopes took twilight colors and the lakes became black patches as the sun settled under our wings. We saw no sign of the missing aircraft. Pete left me at Ella Lake and went home for the night.

When I awoke next morning, Kenny already had two trout for breakfast. They were the sweetest fish to come out a frying pan. For 1 lovely day we had the world to ourselves. We loafed and fished lazily. The boys swam in shallow pools warmed by the sun.

That evening Pete returned for us. The search for Rex Strong had ended. During the night a Coast Guard plane had spotted a flashlight signal from a remote lakeshore. It was from Rex Strong's nephew. He had been left ashore to be picked up later, while his uncle attempted to take off with a heavy load of goat carcasses. A freak gust had flipped the plane over. Mr. Strong was dead.

Dick Borch, who heads the Ketchikan Volunteer Rescue Squad, told me that all local pilots had stopped work and flown a total of 13,700 miles in the search. I asked if Mr. Strong had been well known.

"Everybody knew Rex," Dick answered, "but that didn't make any difference. You give it your best. Next time it might be you."

Later, Pete flew us to Thorne Bay to see the logging camp Rex Strong had bossed. Dutch Andriesen, Strong's successor, met us.

"You're on Prince of Wales Island, the largest in the panhandle," he told us. "We've got more all-weather roads than all the rest of southeast Alaska put together. Now—what do you want to see?"

BEHEADING A FOREST MONARCH

I said I wanted most to photograph a tree-topping, an operation in which the brushy topknot of a forest giant is lopped off, while the bole is left standing to serve as a support for a log-moving rig.

To get the picture I wanted, I would have to shoot from the top of the tallest nearby tree. That seemed sensible—until the rigging crew began talking about fitting me with a pair of climbing spurs. But soon they stopped kidding and attached a pulley in the high branches with which to winch me to the top. Before I was really ready, I was upward bound, dangling and turning on the end of a thin steel cable.

It took Jack Moriarty, the topper, only minutes to skin his way up a 140-foot tree, lopping off branches with a chain saw as he came. When he reached the top, I called across to ask him if he had ever been afraid of heights. He looked back at me and grinned. "The first time I climbed, I was so scared my knees stripped the bark off the tree."

Our treetops swayed in unison in the rising wind. I remembered that logging has one of the highest accident rates of any industry.

"This should be the best-paying job in the woods," I said reverently.

Jack shook his head. "Not at all. The bushelers, the guys who fall the trees, can make as much as $20,000 a year. Their rate was established in the days of the misery whip—the old crosscut saw."

His chain saw whined as the severed the bole just above his safety rope. The heavy top balanced precariously for a monent, then tilted away from Jack, fell free, and crashed to the forest floor.

Back in Ketchikan, we watched the logs from Thorne Bay go through the pulp mill, where they were barked, chipped, digested, bleached, and rolled into sheets of blotter-like pulp from which rayon and cellophane would be made.

"Before long we may be using balloons to harvest logs from the woods," said Art Brooks, timber boss for the mill. "In the future we may make our chips in the woods and pipe them to barges or even to the mill."

ALASKA TURNS TO ASIA'S MARKETS

We took the next ferry north to Wrangell and looked up the lady mayor of this small lumber and fishing town. Mrs. Doris Barnes had decided not to run again in 1963, but won anyway on write-in votes—a tribute to her popularity and to the prosperity a new Japanese-owned sawmill brought to the town during her term in office.

She introduced us to Mr. Maas Iwakami, vice president of the Wrangell Lumber Co. He was proud that this first Japanese factory in the United States had won President Kennedy's E-Award for export trade in 1962.

As we toured the mill, a Japanese freighter loaded Sitka spruce and hemlock. Later, I heard complaints that the Japanese were getting in peace what they failed to get by war. In Juneau, I asked economist George Rogers how Japan fitted into Alaska's future.

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[1] See "Alaska's Warmer Side," by Elsie May Bell Grosvenor, National Geographic, June 1956.

"We must look to Asia, particularly to Japan," he said. "Japan's resources are limited, but it has labor, factories, and markets. We have the raw materials. And it's easier to get to Tokyo than to New York."

The ferry *Taku* carried us on to a transplanted bit of Scandinavia. Petersburg, settled by Norwegian fishermen, harbors 160 fishing boats and processes 16 to 20 million pounds of seafood a year. The crisp little local shrimp are so hard to stop eating that Alaskans call them "Petersburg peanuts." Not so small was the world's record king salmon caught near here—126½ pounds.

"If a fisherman is poor in this town, it's his own fault," said Norwegian-born banker Ed Locken. "People here make good money, and they save it."

He told me that deposits then were averaging about $3,000 per person. That's high by any standard.

The conservative Mr. Locken is one of many who did not favor increasing the State's indebtedness by $20 million to build a ferry system. He is one of the few still unconvinced.

"The ferry doesn't bring us any business," he told me. "The tourist brings his family and his camping equipment with him. He comes in here with a $10 bill and the Ten Commandments and doesn't break either."

Lew Williams, Jr., owner of the Petersburg Press, saw it another way:

"The lumber mill just had its best year because it could ship out on the ferry. We even have a parking problem now; thanks to the ferry, we can afford to bring in cars."

Three times a week the ferries turn from their regular route and thread their way through the Sergius Narrows and Neva Strait to Sitka, former capital of Russian America. There they lie over for two and a half hours, and passengers can visit the historic town.

We climbed Castle Hill, where America's 2-cent-an-acre purchase of Alaska for $7,200,000 was formalized on October 18, 1867. Czar Alexander II, reluctant to take over the failing Russian trading company, had instructed his Minister to accept as little as one and a half cents if necessary.

From Castle Hill we watched a freighter pulling away from the Japanese pulp mill at Silver Bay. The plant had cost $60 million to build—enough to buy eight Alaskas at Seward's purchase price.

"You know," Mike said, "I'll bet the Japanese built here because it reminded them of home." He was looking toward Kruzof Island to the west, where snow-capped Mount Edgecumbe rose from the Pacific mists like a mirage of Mount Fuji.

The *Taku* worked its way back to the inside passage and headed north for Juneau, the State capital.

Here, where Joe Juneau's gold strike founded a town in 1880, small clapboard houses crowd between the water and steep, tree-clad slopes. Narrow, winding roads give way in places to stairways. Built by a population which was usually either poor or transient, Juneau's older sections boast little beauty beyond the loveliness of their setting. Gold miners made poor city planners.

The mines that produced $150,000,000 in gold are silent, closed these 20 years by high costs. The only traffic in the tunnels is a daily tourist trip in the old ore train. On the mine tailings, an expanse of crushed quartz where no grass grows, local golfers built southeast Alaska's only course. The fairways contain flecks of gold that filtered through the extractors and gave the place its name: "Million-Dollar Golf Course."

We camped north of town on the edge of the lake where Mendenhall Glacier terminates (left). From inside a handsome wide-windowed visitor center, we watched the face of the glacier glow in the evening light. A Forest Service naturalist told us that 25 years ago the ice had covered the ground where we stood. In another 70 years it could advance again and crush this building. Mike and Kenny promised to bring me back to witness the event.

COPTER CLIMBS TO ICEFIELD STATION

For a few days Juneau became a base of operations from which we struck out by air and by sea. I went first 25 miles eastward by helicopter, landing near the middle of the 1,200-square-mile Juneau icefield, where scientists and students of the Summer Institute of Glaciological Sciences had set up camp. The group's leader, Dr. Maynard M. Miller, had been in charge of glacial studies on the National Geographic Society-supported American Mount Everest expedition (October 1963, Geographic). Now he was working under another Society research grant to complete a classic study of Alaskan ice.[2]

Here, only minutes away from the mild climate of Juneau, I found myself in an arctic environment. Dr. Miller explained the abrupt temperature change.

"This icefield ranges in altitude from sea level, where the glaciers melt, to 8,600 feet. Every 1,000 feet of elevation is the equivalent of 300 northward miles, which gives the highest part of the field a near-polar climate. A thermometer left here registered 86° below zero Fahrenheit one winter.

"The ice you're standing on is less than 100 years old," Dr. Miller continued. "It will reach the sea in another 80 years. Our studies over the past 18 years indicate that we're entering a period of lower temperatures and generally heavier snowfall in the Northern Hemisphere. Two winters ago 120 feet of snow fell at one of our camps. Such snowfalls and increasing cold will enlarge the coastal glaciers and cause many of them to advance again."

Dr. Miller had given me a look into the future of the great glaciers. Now the wiry professor offered me a glance into their past via a twisting cable ladder that dangled deep in a crevasse.

Fifty feet down, I reached 1950's snowfall. I was surprised to find that summer melting and the weight of subsequent snows had compressed many feet to a few inches. Each year's deposit was separated from the next by a faint gray-brown layer of dust and pollen that had fallen on the icefield during the summer. The pollen layer is as sure a measure of the years as are the rings of a tree.

I traveled over the icefield with graduate students as they made gravity and seismic measurements, checked ice density, took pollen samples, and made other tests. A few years ago one student met his most surprising discovery in the camp outhouse. He found it occupied by a porcupine.

"We still don't know how it got there, miles from the nearest forest," Dr. Miller said. "The next morning it was gone."

I flew back to Juneau on the next mail-running helicopter. Before we left the area, Alaska's Senator Ernest Gruening, Dr. Miller, and I scouted the superb Taku River country by bush plane. The Senator wanted Dr. Miller's opinion on a proposed route for a road from Juneau to the Canadian highways.

We flew low up the valley, surprising moose grazing in the flats, over lakes stair-stepped in the flanks of the mountains. We circled the Devils Paw, a rocky column jutting 4,000 feet above the icefield. Pilot Ken Loken treated us to a symphony of wild scenery.

Senator Gruening, Alaska's former Governor, knows and loves the wilderness.[3] He's walked or flown over most of it.

"Mr. Garrett," he said, "this piece of country we're looking at is one of the Nation's most valuable resources. With our population expanding and its leisure time increasing, the need for outdoor recreation will triple during the next 30 years. And here, in this new State with only 1 percent of America's people, are two-thirds of her public domain, one-third of her national park lands, and one-fifth of her total forest acreage. The pressure of civilization will drive men to the wilderness we offer."

SALMON RUN IN ICY STRAIT

We found old friends of the National Geographic in Juneau: Amos Burg and his wife Carolyn. Amos, who has written nine articles for the Geographic, is now with the Alaska Department of Fish and Game. He told us that despite a general depletion of salmon in past years, there was a record run then going on in Icy Strait. He arranged for me to join a commercial fishing boat.

Lucille and the boys flew to the Indian village of Hoonah with me and stayed there while I sailed with the *Karen Jean*—the "high boat of Hoonah."

Tlingit Indians from the little village are respected salmon fishermen. To be "high boat" means making the largest catch, and Hoonah's high boat is always among the top fishing vessels in all southeast Alaska.

I rode out to Icy Strait with a cannery boat, boarded the *Karen Jean*, and climbed to the flying bridge to meet the captain-owner, Joe White.

The old Indian acknowledged my wordy thanks for his hospitality with a deep grunt and continued to scan the waters with eyes squinted from 45 years of searching for salmon. The surface seemed inscrutable to me, but soon the skipper turned and nodded slightly. His son Jerry jerked a line. The skiff tied to one end of the huge purse seine dropped away astern.

Joe eased the throttle forward. The mound of nylon net jumped and tumbled over the stern rail until its full 1,500-foot length was strung in an arc. Then he circled back to the skiff. The crew fed the nylon drawstring through the power winch, closing the bottom of the purse.

As the net was hauled, Joe pointed to salmon thrashing within the shrinking circle.

"Maybe hundred humpies," he said.

Humpies, I learned, mean humpbacked pink salmon. Joe continued: "One set I got 12,000." Twelve thousand fish in one haul.

I missed hearing details of that epic catch in the creaking of the hoist and the noise of the wind, but I did learn that he had once netted 20,000 fish in a single day. In a good season *Karen Jean* boats about 120,000 salmon, worth roughly $48,000. Joe takes a third of that for himself and his boat. The eight-man crew divides the rest.

With the day's catch of some 2,000 delivered to the cannery boat, we headed home to Hoonah for the weekend, proudly flying a broom to tell all that Joe's boat had been the first to pass the 100,000 mark that season.

FAMILY RELIES ON BOATS, NOT CARS

I walked along the dusty main street paralleling the water to the unpainted two-story frame hotel. There Mike and Kenny told me how two Indian friends had taught them to jig herring under the cannery docks. While we swapped fishing stories, the proprietor fried a skilletful of fresh crabmeat.

Frank See, Joe White's newphew, joined us for a cup of coffee. The husky Indian is mayor of Hoonah, a member of the State legislature, a master guide, a hunting lodge operator, and proprietor of one of the town's three general stores. Instead of family cars, Frank has a cabin cruiser and a 16-foot "compact" outboard for his wife.

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[2] Dr. Miller is updating a monumented reference work on Alaska's glaciers, published in 1914 by Ralph S. Tarr and Lawrence Martin with support from the Society. In addition to his glacier research, Dr. Miller has headed numerous expeditions in Alaska, one of which he described in "First American Ascent of Mount St. Elias," National Geographic, February, 1948.

[3] The Senator wrote of his State in National Geographic: "Alaska Proudly Joins the Union," July 1959, and "Lonely Wonders of Katmai," June 1963.

When he heard we were from Washington, D.C., he told us he had been there the previous winter and jokingly complained that it had been 15 degrees colder there than back home in Hoonah.

"You'd be surprised what some Washingtonians think about us," Frank said. "They asked if we lived in igloos. Someone at the hotel asked me if I'd ever tasted ice cream. On an average summer day we sell 30 gallons of it in our ice-cream parlor. On the Fourth of July my wrist aches from scooping cones."

Before the Russians arrived, the Tlingits had one of the highest Indian cultures in western North America. Today many are on relief and are said to be shiftless. I asked Frank how this reputation developed.

"Because it is true of many of our people," he answered. "Missionaries and early government officials tried to destroy our culture. I got many a whipping for speaking Tlingit on the school grounds. Our people lost their initiative. We had no leadership. We were not allowed to be responsible for our own lives. Now the Bureau of Indian Affairs people are encouraging us to save our language and revive our handicrafts.

"But it's still impossible for us to get clear title to our lands. We can generally sell only to other Indians. The community can't tax Indian property, either. So, to make extra money for the school and finance a youth program, we're opening a community liquor store."

The Tlingits have always been known for their valor. Russians suffered a military defeat at the hands of Tlingits in 1805, when warriors wiped out the foreign colony founded near Yakutat. Remembering this and hearing that the Soviets had the atom bomb, an old Indian lady appealed for protection. She was sure descendants of the slaughtered Russian settlers would now avenge the massacre by bombing tiny Yakutat.

The village lies on a bleak Pacific shore south of the great glaciers fed by the St. Elias Mountains. Here, from 1909 to 1911, the National Geographic Society sent three expeditions to study the Yakutat Bay area.

We found a willing guide in George Ramos, one of the best Indian dancers in Yakutat. He borrowed a 16-foot outboard, and Lucille, Mike, Kenney, and I launched another society "expedition" into Yakutat Bay.

After 2 hours of pounding through the icy water, we stopped at a small cabin along the wild shoreline. George told us this was a home he was building for his family. He was returning to hunting and fishing for a living.

I couldn't question the beauty of the location. Salmon were running up the nearby streams. There was plenty of food and fur-bearing game in the area. But Mrs. Ramos was a nurse, and George had worked for 7 years with the U.S. Public Health Service. I couldn't understand why they would want to raise their family in such a remote spot.

"Won't it be lonely out here?" I asked.

George thought a moment before answering.

"Last New Year's Eve I was in Times Square in New York City," he said. "I've never been more lonely."

WHERE GLACIERS SPAWN ICEBERGS

We picked up extra fuel cans and continued northward past the Malaspina Glacier. It is as large as Rhode Island, yet we could see Mount St. Elias' 18,008-foot peak behind it.

As we approached the head of the bay, faint thunderlike rumbles sharpened into distinct detonations. Seventy-five years ago Prof. Israel C. Russell, leader of the National Geographic Society's first expedition to this area, heard just such sounds as he neared the glacier he named in honor of Gardiner Greene Hubbard, then the society's president.

The Hubbard face loomed 200 feet above our tiny boat and stretched a couple of miles on either side. We were too close for safety, but the awesome sight and sounds were compelling. As we watched, huge chunks of ice plunged into the water. Each collapse was followed by a wave which bobbled our boat.

One of the ice slides grew larger, and its rumble rose to a roar. Hundreds of tons fell in a seemingly slow slide to the sea. A cloud of ice crystals boiled up like smoke from a bomb blast.

We sped away ahead of the outrushing impact wave. Though it was partly spent by the time it reached us, it gave our little craft a powerful shove toward the mouth of the bay.

From Yakutat we flew south over Glacier Bay National Monument to Juneau to continue our interrupted journey. Once again we took the marine highway north, this time to the end of the line at Skagway, gateway to the Yukon.

The town had grown in 1 year, 1897, from a single settler's cabin into the biggest, toughest city in Alaska. The location at the head of the Inside Passage and at the foot of the Chilkoot Pass and White Pass Trails attracted a transient population of 15,000, including several thousand opportunists who fed, housed, entertained, and often robbed the gold seekers. Today only 750 people live in Skagway.

We were to find the town much the way the rush left it. Boardwalks and old saloons still line the dusty main street which is kept, for the benefit of tourists, in its original unpaved state. Featureless frame houses face the waterfront.

Our ferry docked late at night. We drove through town and parked our home beside Skagway's Trail of 1898 Museum. Next day we met Mrs. Jeannette Hillery, receptionist in the museum and a resident of Skagway for 66 of its 68 years. I asked Mrs. Hillery how the community had survived.

"The rush ended as fast as it started," she told me, "but for quite a while there were men in the hills looking for the mother lode. Those men had to be supplied. Later the railroad provided jobs. We carried on as best we could. A town dies hard."

We told her we wanted to walk the Chilkoot Trail to Bennett, British Columbia, 35 miles north. Mrs. Hillery discussed the trail's reputation as a mankiller in the gentle tone of a teacher who loves her subject.

"It's not as bad as the old stories make it. You have to realize that many of the men who suffered so on the Chilkoot were soft. They were 'cheechakos,' as we call them. Some, like my father, were clerical workers. It was difficult for them."

Larry Dutton, of the Alaska Division of Lands, offered to act as our guide. "Dutt," a long-legged, husky young Alaskan with a red sourdough beard, was packed and ready early. We four cheechakos took most of the forenoon getting our packs light enough to carry, yet full enough to provide for 4 days in the wilderness.

CHEECHAKOS FOLLOW THE GOLD RUSH TRAIL

For the first few hours we walked along a well-marked path through the rain forest. By evening the trail narrowed and steepened. The mosquitos seemed hungrier.

The first night we enjoyed one of the State's sturdy cabins. By 10 o'clock the next night we were approaching the high point on the trail after climbing a mountain of loose, sliding scree. We had been laboring upward for 13 hours. The August day lingered as if to savor Alaska's short summer. Ahead of us the Big Dipper slowly came into view as we struggled up the last few yards of soft ice to a ridge overlooking the pass. We had reached the desolate summit line of the Coast Mountains, the border between Alaska and Canada.

As we stood alone and exhausted on the mountaintop that evening, we shivered in the same chill wind which met thousands who poured past this spot in their dash for the Yukon gold. Tired muscles and the moonless dark put an end to the day's trek. An inhospitable rock ledge bordering the snowcap became our bivouac for the night.

The wind cooled our pot as fast as the little alcohol stove could warm it, but even lukewarm stew was welcome. Lucille feared the boys might walk in their sleep and fall off the ledge. Mike reassured her: "I'm not walking anywhere tonight."

Certainly Lucille was not the first woman to pass here. Any woman who reached the Yukon towns in 1898 could get married or rich or both. Some found the prospect irresistible. One lady, impatient to move on despite dangerous conditions that winter, was caught in a snowslide which killed her and some 50 others.

For 3 days we walked over the bones of the gold rush. We slept in the only cabin left standing in long-deserted Lindeman, and explored the ruins of a blacksmith's shop where the arid climate had preserved in near-perfect condition sledge runners, wagon wheels, and hundreds of horse and mule shoes.

Dense underbrush delayed us on the fourth morning. Only by running the last hundred yards to the railroad right-of-way near Bennett were we able to flag the narrow-gage train which would take us back to Skagway.

Each day during the summer the old White Pass and Yukon Railroad takes tourists from Skagway to Bennett in antique wooden parlor cars, serves a gold-rusher's lunch, and brings them back over the same scenic route.

This day the tourists enjoying the wild northwest scenery saw two bearded men burst from the underbrush and flag the train to a halt. Dutton's big pistol and our generally disheveled appearance gave the passengers some uneasiness at first. It vanished when we helped Lucille and the two boys aboard.

"We thought we were being robbed," joked one passenger. "Where in the world did you come from?" It was hard to convince him that we had walked from Skagway.

Dutt and I went to the baggage car to wring the water out of our socks. In a soft, understated tone he informed me I had a hole in my pants. I felt behind and found that the entire seat of my knickers had split. No wonder some of the passengers smiled when I assured them the trip had been uneventful and the rigors of the trail overrated by zealous writers and cheechakos.

In Skagway we treated ourselves to steak dinners and whooped it up at the "Days of 1898" show like sourdoughs on their first night back in town. Afterward we took the ferry's shortest trip, a 17-mile run to Haines. By rail and road it is 360 miles.

Haines boasts the most publicized performance in the panhandle: the Chilkat Dancers. The dancers are sponsored by Carl Heinmiller, head of Alaska Indian Arts, a nonprofit corporation which also produces Indian handicrafts. A former major of Army Rangers, with a sealskin beret and a black patch to cover an eye blinded by a booby trap, Carl has become more Indian than many of the Tlingits. He has been given three names—a high honor, especially from Indians who tell such tales as this about white men:

A white trader married an Indian girl and quarreled with her constantly. He turned to a brave for sympathy, complaining, "I should never have married a squaw."

"You right," was the answer. "White woman plenty good enough for you."

WHITE MAN'S MASK PASSES TEST

"The Indians didn't trust me at first," Carl said. "They had been cheated and lied to by white men since the Russians first arrived. I studied their customs and handicrafts at the Alasak Museum in Juneau and at the Smithsonian Institution in Washington. I tried to tell them that I understood and respected their culture, but I got nowhere until I carved a Tlingit mask myself and took it to the village. One of the old men studied it carefully and said, 'White man, you guys make a lot of promises, but this one I can feel.'"

Carl now employs 40 Indians who carve masks and totems and make canoes, dance costumes, and moccasins. We enjoyed the dances that evening with about 200 tourists from the ferry and a tour boat. As we left the tribal dance house, the purples, greens, and reds of the northern lights flowed through the sky, sometimes as a faint teasing trickle, then as bright flowing splashes.

We drove north over the old Dalton Trail, originally surveyed and cleared by the opportunistic Jack Dalton, who later demanded and got $150 from each traveler upon his road. Driving 42 miles on asphalt, we left Alaska, entering it again after 320 gravel miles through British Columbia and the Yukon. We reached Anchorage in 2 days.

I had been there 4 months earlier, just after the Good Friday earthquake.[4] Now debris had been cleared away, and new buildings were being erected. But the State had been shaken economically as well as geologically. Certainly Alaska survived and probably will emerge stronger than ever, but the more than $310 million in losses—twice the State's annual budget—was too great a blow for hard-hit Alaskans to absorb. Massive Federal aid has been essential to the recovery.

SALMON DERBY OFFERS $3,000 PRIZE

We would return to Anchorage. But right now we wanted to join the city's fishermen in their annual expedition to Seward and its Silver Salmon Derby. From Seward we would take the ferry *Tustumena* to Kodiak and back to Anchorage, by way of Homer.

The road to Seward was open only 2 hours a day. It had settled several feet during the shaking and was now under water in several places at high tide. Seward itself had lost all its port and industrial facilities and payrolls.

But this week the tragedy was half forgotten. Silver salmon were running in Resurrection Bay, and hundreds of boats crowded the water. The derby offered a $3,000 top prize for the biggest fish; so far only a 17-pounder had been caught. Tomorrow would be the last day of the contest, but our boys felt lucky.

By 5 a.m. we had finished breakfast, had our entry ticket punched, and were trolling. Suddenly Kenny hollered; his rod bent, the reel whirred, and a nice silver broke water. He got the fish close to the boat. Then, with a flip of his tail, the salmon dived. Kenny jerked the rod and the line broke. He almost cried.

Soon we saw a flurry of action among the skiffs near shore. The word passed like an echo from boat to boat: A 21-pounder.

"Couldn't be a silver," said our guide, Russell Lohman, a 27-year-old diver, pilot, and commercial fisherman. "Must be a king."

As we edged closer, Russ exclaimed in true fisherman's appreciation. "Mister," he called, "I've never seen a silver salmon that big around here. You've got a sure winner."

Then we heard the saddest fish story of the year. Walter Krotke, an electrician for an airline in Anchorage, had fished in seven derbies and on every day of this one. This time he was on his way to get his ticket punched when he made his big catch. It could not be entered.

Kenny suggested he go in, get his ticket punched, and come back out. It was still only 7:30 a.m.

"No, sonny," replied Mr. Krotke, "that wouldn't be honest. I just fish for fun anyway."

To the lady who had sold us our fishing gear, I commented on the honesty of Alaska's fishermen.

"It's not unusual," she replied. "That's just the way people are up here."

The sky darkened as we left to catch the overnight ferry to Kodiak. We had heard that the water between Seward and Kodiak could get choppy when squalls hit. Now we watched and waited.

Before dinner could be served, the ship began to pitch, yaw, and roll, and within a few minutes dishes were crashing to the steel deck. Dinner was canceled. During the night the ship rolled as much as 30 degrees. A fisherman on his way to Kodiak to join his boat admitted that for the first time in his life he felt seasick. A waiter revealed that at times like these the ferry was known as the "Dramamine Express."

MEETING PLACE OF WIND AND TIDE

When I visited the bridge the next morning, Capt. Maitland Merkley asked with a straight face if we had slept well. Then he smiled.

"We had swells coming at us from three different directions in the area we passed through last night. Tides out of Cook Inlet mix with the currents and Aleutian winds coming up Shelikof Strait, sometimes blowing 100 knots. Right in the middle of all that are the Barren Islands."

I asked if anyone lived there.

"Only seals and sea lions. Used to be a guy lived there. Raised foxes. He had the ugliest squaw I've ever seen. Said he used to have a beautiful wife, but somebody was always trying to steal her. Somebody finally did, so he married the ugliest woman he could find. Said some fool even tried to steal her."

Seventeen hours after leaving Seward, we reached the town of Kodiak. In the quake-generated wave which hit Kodiak last year, one man lost a $100,000 fishing boat anchored there. Four hours later the same wave destoryed a six-unit apartment hourse he owned in Crescent City, Calif.

The captain docked at the King Crab Cannery. He pointed to the giant crabs being off-loaded near our bow.

"Some guys from Louisville found one of those and brought it to me. They asked what it was. I told them it was an Alaskan spider—had to be that big to catch the flies up here. Told 'em they sometimes even jump a jackrabbit."

Mayor Pete Deveau, who runs one of Kodiak's eight canneries, greeted us on the dock. He likes to make sure that newcomers find out what a king crab is.

"Until after the war, not many fished for the king. Now it's our biggest moneymaker next to salmon—and after what happened to us on Good Friday, we need the money."

Pete talked about plans to rebuild downtown Kodiak with a covered-arcade shopping center behind a new small-boat harbor.

ALASKAN BROWN BEAR IS WORLD'S BIGGEST

The crab may taste better, but the symbol of Kodiak is still its huge brown bear. The hunting season hadn't opened yet, so Alf Madsen, most famous of Kodiak's bear guides, offered us the use of one of his camps for a few days to get pictures.

As Alf flew us to the Uganik Lake camp, he speculated that the great bears on Kodiak may have descended from migrating bears of the Ice Age. Stranded when the ice retreated and the sea returned, and with plentiful food and good climate (for bears), they became true giants of the bear family.

Trophy hunters, eager for a shot at the largest carnivorous mammal on land, bring about $2,000 into the island's economy for each bear they take out.

"The bears aren't as large as the writers say," Alf warned. "They just look big when you meet them in the woods. The largest I ever weighed went 1,320 pounds; the males average about 900 pounds."

Alf loaned me his .30-06 rifle in case of an unexpected attack. It seemed to me too small tc stop an angry bear, but the big guide had been hunting them for 30 years, and this was his only weapon. "Of course," he warned, "if you just wound a big one and he gets his adrenalin up, by golly, he's hard to stop. We put 18 shots in one before he fell."

I asked Alf what his closest call had been.

"It happened when I was helping a fellow from Hollywood. We shot a sow—a female—by mistake. The man wanted to get to the bottom of a cliff, set up his camera, and have me roll her off so he could shoot her tumbling down. We got her to the edge. I leaned my gun against a tree and sat on the old bear while he set up. He got his camera ready and looked up but didn't say anything—seemed to be staring past me. I turned just in time to see the sow's mate standing 15 feet away.

"I dived for the gun and had a bullet in the chamber almost before I hit the ground. I got him just below the eye as he lunged. He fell, hit the sow, and they both tumbled down the cliff. The photographer kept on staring. He never shot a frame."

Alf left us; he would return in 5 days. We saw several bears along the streams during our first 3 days, but none close enough for good photographs. On the fourth morning, I loaded a pack and went into the hills looking for them.

I had walked a few miles when the sense of a sound I really hadn't heard made me duck down in the bear path I was following. Seconds later a cub appeared about 70 feet away. As I lifted the camera, another one joined him. I quietly eased the lens through the brush, squeezed off one frame—and immediately fell into that category of writers to whom bears look bigger when met in the woods. The mother I hadn't seen heard the camera click, stood up beside her babies, and looked straight at me.

She probably wasn't 8 feet tall, but she looked 10. I made one picture before she started toward me; then I dropped my camera and reached for Alf's 6-shot rifle, hoping I could get her down before she got her adrenalin up. She took a step or two, stood up again, looked my way with an inquiring rather than angry expression, then turned and disappeared into the brush.

I neither heard nor saw them again. Their silence was more eerie than their presence.

ALASKA'S PROGRESS THREATENS BEARS

Unfortunately for the bear, progress is closing in on him. Kodiak ranchers claim they are losing cattle to the bears at a serious rate. Last summer, with State support, a plane equipped with an automatic rifle was used to kill bears spotted in the 270,000-acre grazing area.

The clash between "bear" men and "cattle" men had been smoldering, but this brought it to a flame quickly. Said Ron Hurst, one of the cattle ranchers whose herd had been hurt by the bears:

"Nobody enjoys watching an old brownie fish a salmon stream more than I do, but I lose a darn sight more beef to the bears than I market. Civilization is moving north, and the bear is going to have to give way."

Jim Brooks of the Alaska Department of Fish and Game admitted that cattle were here to stay, but felt better herding would help, especially in the spring when the bears are hungry and the cattle are weak. The fight will grow more bitter, but I'm afraid that in the end the bear, like the bison, will suffer most.

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[4] See "Earthquake!" by William Graves; "Our Restless Earth," by Maynard M. Miller; and "An Alaskan Family's Night of Terror," by Mrs. Lowell Thomas, Jr., all in the July 1964 Geographic.

We flew back to Kodiak in time to catch the northbound ferry for Homer. After a relatively calm return trip, we off-loaded on the dock at the end of Homer Spit, a 4½-mile-long finger of land that settled an average of 4.5 feet during the quake. High tides still threaten it, but millions of tons of earth fill are being brought in to save it.

Homer residents will tell you they have the best climate, the richest farmland, the greatest growth potential, and the finest scenery in Alaska. Civic pride aside, their enthusiasm is understandable.

Past the spit and across Kachemak Bay we could see six glaciers in the Kenai Mountains. Not far from Homer we watched a herd of Dall sheep graze in a high valley near Tustumena Glacier. Moose abound in the nearby Kenai National Moose Range. Fresh crab, halibut, flounder, shrimp, and salmon were for sale at the docks. And from fields just north of the town, we learned, have come oil and gas worth some $120 million.

The next ferry to Anchorage was 2 days away; so we drove up the Sterling Highway and reached Alaska's largest city in time for lunch. We ate at the Top of the World restaurant crowning the Anchorage-Westward Hotel, which had miraculously survived the earthquake.

Below us, extending three blocks along Fourth Avenue, was a sunken field of bulldozed earth. Thirty-one stores, saloons, and pawnshops had stood there before the clay-sand earth slid away. Beyond lay the more modern section of the city, appearing at this distance to have been little damaged.

OFFSHORE OIL PROMISES NEW WEALTH

To the north we could see the anchorage for which the city was named in 1914—now a modern port facility. One hundred and thirty miles beyond, Mount McKinley rose above the horizon. To the southwest we looked past Turnagain, where 72 homes were destroyed by the quake, to the new offshore oil fields.

In the past Alaska has rewarded its people with fur, gold, copper, fish, and timber. Now oil promises to outdo all of them combined. What may become one of the richest oil areas in the world is just being opened. In the Kenai Peninsula, 50 wells now yield 30,000 barrels a day. Five major companies are drilling in Cook Inlet. Millions are being spent in testing possible fields north of the Brooks Range.

I hitched a ride to an offshore oil rig, called *Wodeco II*, in one of the helicopters which shuttle men and parts from Anchorage. This offshore drilling barge brought in one of the first wells in the inlet. Now there are 10, with more being drilled.

We stayed up most of the night while the crew struggled to install a blowout preventer on the well they were drilling. Diver Paul Greenke pulled on his suit as the riggers rushed to lower the 100,000-pound unit into place. During slack tide, near midnight, Paul would go to the bottom to direct the final fitting.

The men topside had to be ready or wait for the next tide change—an expensive delay where costs are $600 an hour whether you're drilling or not.

I stood beside Paul on the slippery steel deck watching an operation which seemed chaotic, yet ruled by a certain frenzied order. Intuitive teamwork coordinated the work of oil-rig tool pushers, riggers, and roughnecks. The squealing of winches, the slamming of steel, and the clatter of huge ratchets drowned out the orders and answers yelled from level to level. At a signal, Paul stepped in the water. His assistant handed me one of the telephone headsets.

Paul had 25 minutes to go down, do the job, and get back. If the tide started to run, he would be pulled along with it. From 100 feet down in the 40° water he called for the rigger to lean the preventer to starboard. I could hear the bubbling of his breath over the phones as he felt for catches which had to snap into place.

After 8 minutes he called: "That's got it. Let's get out of here."

I took the crew boat back to Anchorage, getting there in time to fly over the epicenter of the great earthquake with a group from the National Academy of Sciences. The trip enabled me to see the last segment of the Alaska Ferry System.

The small ferry *Chilkat* carries 15 cars and 60 passengers between Valdez and Cordova on Prince William Sound. At Valdez we saw what was left of the town which had called itself the "Switzerland of Alaska." Destruction and risk had seemed great enough to warrant moving it to a safer location 4½ miles away. Its 600 residents will be relocated by 1967.

Some mountains were jolted 5 feet horizontally by the quake, according to the Coast and Geodetic Survey. On the way to Cordova we saw evidence that one small peak had literally been shaken to pieces, spreading 8 million tons of earth across the white surface of Sherman Glacier.

When its mines closed in 1938, Cordova had shipped more than $100 million in copper ore. Today it depends mainly on fishing. But the town rose 6 feet during the earthquake, dumping most of the water out of the harbor and putting the canneries beyond reach of the boats. The Corps of Engineers has dredged out the harbor so that the docks are once again accessible.

As we returned to Anchorage by way of Montague Island, Dr. William E. Benson of the National Science Foundation pointed out new beaches of white barnacles where the south end of the island had tipped up. The ocean bottom in that area lifted as much as 50 feet—the greatest uplift on record.

In Anchorage our friends Joe and Donna Rychetnik had planned an Alaskan dinner for our last night. Judge Richard Collins brought pickled salmon from Cordova. Air Force Maj. Bob Reed contributed smoked salmon—squaw candy, as Alaskans call it. Airline Pilot Arnt Antonsen flew in four whole king crabs from Kodiak that afternoon. Joe fried an Alaska-size platter of moose and caribou steaks from his freezer. Donna capped the meal with three Baked Alaskas.

The next morning we started the long trip home to the South 48. The days were beginning to shorten, and the evening chill carried the first hint of the deep winter ahead. Yet winter has lost its sting for Alaskans. Ferries travel the year round, and the Haines Highway is kept open despite drifting snow.

As we drove away from Anchorage, a sign reminded us that the Alaska Highway, built during World War II, was opened to civilian traffic only 18 years before. It has been as important to this territory as was the Santa Fe Trail to our earlier frontier.

Now the marine highway has opened a new trail to the north. By 1966 Canada will have added a ferry link between Vancouver Island and the Alaska ferry system terminus at Prince Rupert. With already existing service from the State of Washington to the city of Victoria on Vancouver Island, this will complete the ferry route through the inside passage, a new lifeline from parent Nation to youthful State, speeding its great and imminent growth.

THE DOMINICAN REPUBLIC AND THE FUTURE OF THE ORGANIZATION OF AMERICAN STATES

Mr. GRUENING. Mr. President, the situation in the Dominican Republic has implications far beyond the confines of that little Caribbean country. Indeed, the future of the Organization of American States hinges on the role which the regional system assumes in resolving the Dominican situation.

A number of Latin American countries—principally, Mexico, Uruguay, Chile, and Peru—are incensed at President Johnson's decision to land troops in the Dominican Republic. They assert that the action constitutes a violation of the principle of nonintervention. These Latin American critics are joined by certain academic and other sectors of public opinion in the United States.

Since I was instrumental in prodding the United States toward adoption of the principle of nonintervention, in the first place, and happily saw it put into practice, I believe that I can speak with some degree of authority regarding that cornerstone of our Latin American policy. On May 6, I spoke at some length about my role—first as managing editor of the Nation; then in conversations with Secretary of State Cordell Hull and President Roosevelt; then as the sole adviser to the U.S. delegation to the Seventh Inter-American Conference in Montevideo, in 1933—in persuading the United States to reverse its then-existing policy, and thenceforth to abjure intervention in the affairs of the other American Republics. I pointed out, however, that the abandonment of the right to unilateral intervention had a corollary, which was to make the Monroe Doctrine, in the words of President Roosevelt, a "joint concern of all the other American Republics." As such, the Monroe Doctrine will continue to serve the purpose of protecting the nations of this hemisphere that were valid at the time when it was proclaimed. As such, I reject the cry that it is obsolete. As a joint concern, it has been updated, and its validity reaffirmed and strengthened.

Thus, there are two sides to the coin of U.S. policy; on the one hand, we forswear intervention in the affairs of our smaller neighbors; on the other hand, continental peace and security are to be maintained by collective responsibility.

The success of this inter-American policy requires that both principles be made to function. In effect, nonintervention can be a reality only so long as an adequate collective system of security is available.

The impact of the cold war greatly complicated the operation of the inter-American system. The post-World War II environment in which the inter-American system had to function differed radically from the epoch in which the United States had accepted certain limitations on its freedom of action in this hemisphere. After World War II, the United States emerged as the leader of the free world—a position we neither coveted nor sought, but which circumstances thrust upon us. As such, we became the prime target of the Communist world. The Communists sought every opportunity to weaken U.S. power and prestige. Consequently, Latin America loomed as an inviting target. Latin America, although far from Communist armed might, became a magnet for Communist subversion.

Unfortunately, the inter-American system was generally organized to cope only with traditional threats. The Inter-American Treaty of Reciprocal Assistance, hammered out in 1947, and signed in 1948, does not speak specifically of collective action in the event of subversion. Instead, the Rio Treaty is generally designed to deal with armed aggression. As the new Communist tactic of subversion emerged, a number of Latin American countries clung to a narrow interpretation of the treaty. In their legalistic view, the sanctions provided by the Rio Treaty could be invoked only in the case of direct armed aggression. In 1954, we witnessed the reluctance of the Latin American countries to consider what was transpiring in Guatemala a threat to this hemisphere. Even after Castro's Marxist-Leninist ties were well established, even after 16 American nations had broken relations with Cuba, in protest over Castro's machinations in their countries, a number of other Latin American nations continued to resist collective responsibility for hemisphere peace and security.

On July 26, 1964, the inter-American system finally voted sanctions against Castro's Cuba, but only after the Venezuelan Government had presented incontrovertible proof that Cuba was directly involved in a plot to overthrow the Venezuelan Government. Fortunately, the Venezuelan Government had discovered the plot and a 3-ton cache of armaments in time to avert the catastrophe.

The ninth Meeting of Consultation did give some indication that the majority of Latin American countries were awakening to the dangers of Communist subversion in the hemisphere. The final act of the ninth Meeting of Consultation resolved, among other things, "to warn the Government of Cuba that if it should persist in carrying out acts that possess characteristics of aggression and intervention against one or more of the member states of the Organization, the member states shall preserve their essential rights as sovereign states by the use of self-defense in either individual or collective form, which could go so far as resort to armed force, until such time as the Organ of Consultation takes measures to guarantee the peace and security of the hemisphere."

Despite this attempt to redefine "aggression" to include the interventionary tactics practiced by Cuba, the question of effective collective action to nip off Communist subversion before a Communist government could be installed in a Latin American Republic remains very much an issue. In short, although the inter-American security system is prepared to meet the possibility of open military aggression by Communist forces against nations of the hemisphere, no plan for collective action against Communist subversive aggression has been developed.

The Dominican situation starkly reveals this essential weakness in the inter-American system of collective security. As I said on the floor of the Senate on May 10, no longer can there be argument over whether a Communist takeover was an imminent possibility in the Dominican Republic. Despite the fact that the press continues to question the validity of the Communist threat in the Dominican Republic, an official organ of the Organization of American States, sent to the Dominican Republic to investigate the situation, has spoken. On May 10, I promised to introduce into the RECORD, as soon as I could secure a translation, the entire proceedings of the 4th plenary session of the 10th Meeting of Consultation. At that session, four of the five Latin American Ambassadors sent to the Dominican Republic by the OAS Council were interrogated for several hours by their colleagues about developments in the Dominican Republic. One member of the Special OAS Committee, the Ambassador of Panama, was not present, since he had remained behind in the Dominican Republic, to keep alive the Committee's presence in that tragic little country.

I urge all Senators to read carefully the minutes of the Fourth Plenary Session. The excerpts which I include in my remarks cannot convey the full flavor of the unanimous conclusions of the OAS Special Committee or the urgency of its appeal for speedy OAS action. Hence, I shall mention only a few, as illustrations. For instance, in answer to a question of whether "in the high command of the rebel group, there is now definite and significant Commuist leadership," Ambassador Carrizosa, of Colombia, replied:

> With regard to the sector led by Col. Francisco Caamaño, many diplomats accredited in the Dominican Republic, and I can include my country's diplomatic representative, feel that, if not Col. Francisco Caamaño, who I do not know to be personally a Communist, there are indeed numerous persons on his side that, if they are not members of the Communist Party, are actively in favor of Fidel Castro's system of government or political purposes. There is such a tendency in the opinion of many diplomats I spoke to, and I do not mention other countries in order not to commit countries represented here. They are firmly convinced that on that side there are many persons, I do not say members registered in an officially organized Communist Party, but persons who do have leanings toward a well-known trend prevalent in Cuba.

Shortly afterward, Ambassador Penna Marinho, of Brazil, answered in this way:

> I should like to add, gentlemen, that with the complete collapse of public authority—since neither the forces of the government junta of Benoit, Santana, and Saladin nor those of Colonel Caamaño were in control of the situation—the Dominican State practically disappeared as a juridical-political entity, and the country became a sort of no man's land. The arsenal had been given to the people and an entire disoriented population of adolescents and fanatics was taking up modern automatic arms, in a state of excitation that was further exacerbated by constant radio broadcasts of a clearly subversive character.
>
> Neither do I believe that I am, nor does any of the members of this committee believe that he is, in a position to state with assurance that the movement of Colonel Caamaño, inspired by the truly popular figure of former President Bosch, is a clearly Communist movement. But one fact is certain: in view of the real anarchy in which the country has been engulfed for several days, especially the capital city, where bands of snipers have been sacking and killing and obeying no one, any organized group that landed on the island could dominate the situation.
>
> For that reason, and our understanding coincides with that of a majority of the depositions of the chiefs of diplomatic missions accredited there, all of the members of the committee agree in admitting that the Caamaño movement, fortunately truly democratic in its origins, since none of us sincerely believes that Caamaño is a Communist, could be rapidly converted into a Communist insurrection; above all it is seen to be heading toward becoming a government of that kind, susceptible of obtaining the support and the assistance of the great Marxist-Leninist powers.
>
> Therefore, Mr. President, we do not believe that Colonel Caamaño and his closest advisers are Communists. Meanwhile, as the entire Caamaño movement rests upon a truly popular basis, by certain areas escaping from the control of that democratic group of leaders it would be quite possible for that movement to be diverted from its real origins and to follow the oblique plan of popular-based movements, which can be easily controlled by clever agents and experts in the art of transforming democratic popular movements into Marxist-Leninist revolutions.

The Ambassador of Uruguay, who was not a member of the Special Committee, and whose government voted against invoking the OAS system in the Dominican crisis, asked this important question:

> For this Meeting of Consultation to be competent to take measures to bring peace and to carry forward the work begun, it is necessary, above all, in the opinion of my delegations, to ascertain whether the situation in the Dominican Republic is a situation that can endanger the peace and security of the hemisphere. This is the requirement of article 19 of the Charter for carrying out collective action in matters that normally are within the domestic jurisdiction of the States.
>
> As is well known article 19 states: "Measures adopted for the maintenance of peace and security in accordance with existing treaties do not constitute a violation of the principles set forth in articles 15 and 17," which are those that refer to nonintervention. Hence my delegation believes that a pronouncement must be made by this Meeting of Consultation to the effect that the events in the Dominican Republic constitute a situation that endangers the peace and security of the hemisphere. Departing from that basis, I should like to ask the committee if it is of the opinion that this is the case, that is to say, that the situation in the Dominican Republic constitutes a threat to the peace and security of the hemisphere.

The Uruguayan Ambassador's question goes to the heart of the controversy within the inter-American system—that is, whether the OAS is competent to deal with Communist subversion.

Mr. President, I strongly recommend that Senators read all the responses to this question. Here, as a sample, is part of the response by Ambassador Colombo, of Argentina, the president of the Special OAS Committee:

> When, among the powers and duties, the duty of investigating was decided upon, I cannot conceal the fact that I felt the same as I always feel whenever an investigating

> committee is named. Generally it investigates nothing; few, indeed, are the investigating or factfinding committees which, in the parliamentary life of all of our countries, show any fruitful jurisprudence in their results.
>
> But this investigating committee did have the possibility of good results. And that was because it was aimed at two fundamental objectives that were governing events in the Dominican Republic. I understood, first, that the investigation was to determine the scope of the danger resulting from the events, which are a matter of concern to the Ambassador of Uruguay. If this was a situation that did not threaten the peace, we would verify that immediately. If the situation was under the control of groups intent on stirring up tension in the Americas, in a struggle in the history of America, which is full of struggle between brothers, in this incorrigible vocation that is periodically written into the history of our countries, that delays the advance of law and democracy, then we would verify it immediately; and we have verified it. This could be the beginning of a struggle confined to the two well-defined groups.
>
> But the presence of those uncontrollable factors, which I urge the ambassadors to analyze in detail, in the evaluation of facts in order to reach conclusions, they are going to be impressed, as we ourselves were impressed, without seeing them; they have become more dangerous than the groups themselves put together. To my mind, they have become the element that will determine the fate of what is going to be done.

The fact remains that the special committee of the OAS recognizes the dangers inherent in the Dominican situation. In the process, the OAS has now been swept by the flood of events to face up to its responsibility for collective security. Should the OAS default, there would seem to be no alternative but for the United States, unilaterally, to pursue its vital interest in securing the Dominican Republic from Communist subversion.

I fervently hope that matters do not come to that. As one of the architects of the good neighbor policy, including the principle of nonintervention, I firmly believe that the inter-American system represents the best policy for all the American Republics to apply in defending their peace, security, and independence. Nevertheless, I believe, as President Kennedy stated in April 1961, after the abortive Bay of Pigs invasion:

> Should it ever appear that the inter-American doctrine of noninterference merely conceals or excuses a policy of nonaction—if the nations of this hemisphere should fail to meet their commitments against outside Communist penetration—then I want it clearly understood that this Government will not hesitate in meeting its primary obligations, which are to the security of our Nation.

Let us remember that U.S. policy, as designed by President Franklin D. Roosevelt and Cordell Hull, had two prongs: a commitment to nonintervention, coupled with a responsibility for collective measures.

I assure my Latin American friends that my conviction that the United States should refrain from intervening in their internal affairs remains as devoted as it was during my struggle to get the United States to adopt such a policy. I sympathize with their historical fears with regard to their powerful northern neighbor. I recognize that weakness and instability of their governmental structures make it desirable to refrain from any action which might exacerbate their domestic leftwing forces. Nevertheless, I would say to my Latin American friends that it is time to bury the ghosts of the past. No longer can they afford the luxury of using the United States as a whipping boy for long-past offenses. In the world today, in the world of reality, not memory, the freedoms which Latin Americans profess to cherish are threatened, not by the United States, but by Communist forces. It would, indeed, be tragic if the Cuban missile crisis were forgotten in the rush of baseless fears which long ago should have been put to rest.

Mr. President, the Organization of American States stands at a crossroads. It can go forward into the realities of the 1960's, or it can become paralyzed by shibboleths of a bygone era.

At the moment, the inter-American system seems to be gradually inching forward. The special committee, whose opinions I include in today's RECORD, recognizes the obligations of the OAS to assume leadership in the Dominican crisis. Unhappily, the resistance encountered among a minority of the American republics has delayed swift action. Meanwhile, every day, every hour, every minute of hesitation complicates an already monumental task in the Dominican Republic. With every passing moment, tempers become more taut, positions harden, and lives are endangered. Dr. Mora, Secretary-General of the OAS, who remained in the Dominican Republic, has made repeated appeals for action.

I was deeply impressed by the fact that both sides in the present conflict—both Colonel Caamaño and Colonel Benoit—expressed to the OAS Special Committee their faith in the inter-American system and their desire to have it enter the picture. This being the case, there is a considerable element of hope that OAS intervention can help to pacify the country and to bring it to the point of holding democratic elections and establishing a constitutional government.

I lament the fact that the formation of a special commission of such experienced Caribbean senior statesmen as former Gov. Muñoz Marin, of Puerto Rico; Venezuelan ex-President Romulo Betancourt; and former Costa Rican President José Figueres, was opposed by a few Latin American governments. I grant that all these men are controversial in certain circles in Latin America. But no man has achieved distinction without causing some controversy.

In fact, seldom does a man of character, conviction, and high purpose escape the label of "controversial." Nevertheless, there are many other able Latin Americans who can contribute to the construction of a viable, democratic government in the Dominican Republic. I was happy to learn that two eminent Ambassadors—Colombo, of Argentina; and García Bauer, of Guatemala—have returned, to represent the OAS on the scene.

Mr. President, it is urgent that the OAS act responsibly and quickly to end the fighting in the Dominican Republic and to supervise a disarmament of the populace. So long as the two opposing forces face each other, with U.S. marines in the middle, there is an ever present danger of conflict in which their involvement would further diminish the chance of a peaceful settlement, and would furnish more fuel for Communist propaganda.

But the establishment of peace will not be enough. It is equally important that the OAS recognize that its duty goes beyond the restoration of peace. Tranquility will be permanent in that long-suffering island only with the establishment of a viable, democratic government. President Johnson has stated that this is the U.S. aim, that the United States wants neither a dictatorship of the left nor a dictatorship of the right. I commend the President; and I urge that the OAS assume responsibility for the achievement of this desirable objective.

The job will be arduous. The inheritance of 32 years of the brutal and venal Trujillo tyranny is still with us, plus the earlier Dominican history of alternating chaos and dictatorship. This must be rooted out by the OAS, so that the Dominican people will have an opportunity to participate fully in the citizenship of a democratic nation. Only then can the hemisphere be hopeful that there will not be a repetition of the events of the last 2 weeks.

Whatever the outcome of the Dominican crisis, it is now clear that the question of subversion in the Western Hemisphere must be faced squarely. The inter-American system, the product of 75 years of painstaking development, and with a proud record of achievement, must come to grips with the new challenges confronting the hemisphere in 1965.

I ask unanimous consent that the translation into English of the provisional text of the minutes of the 10th meeting of consultation of the Organization of American States be printed in the RECORD at the conclusion of my remarks.

There being no objection, the translation was ordered to be printed in the RECORD, as follows:

MINUTES OF THE FOURTH PLENARY SESSION (CLOSED)

(Document 46 (Provisional) May 7–8, 1965)

Chairman: His Excellency Ambassador Guillermo Sevilla Sacasa, special delegate from Nicaragua.

Secretary general of the meeting: Dr. William Sanders.

Present: Their Excellencies Alfredo Vázquez Carrizosa (Colombia), Roque J. Yódice (Paraguay), Alejandro Magnet (Chile), Ramón de Clairmont Dueñas (El Salvador), Rodrigo Jácome M. (Ecuador), Juan Bautista de Lavalle (Peru), Ricardo A. Midence (Honduras), Enrique Tejera Paris (Venezuela), José Antonio Bonilla Atiles (Dominican Republic), Humberto Calamari G. (Panama), Raúl Diez de Medina (Bolivia), Ricardo M. Colombo (Argentina), Carlos García Bauer (Guatemala), Rafael de la Colina (Mexico), Gonzalo J. Facio (Costa Rica), Emilio N. Oribe (Uruguay), Ellsworth Bunker (United States), Fern D. Baguidy (Haiti), Ilmar Penna Marinho (Brazil).

Also present at the meeting was Mr. Santiago Ortiz, assistant secretary general of the meeting of consultation.

Recording secretary: José F. Martínez.

REPORT OF THE COMMITTEE

The President. Your Excellencies, I have the honor of opening the fourth plenary session of the 10th meeting of consultation of ministers of foreign affairs, which has been called for the principal purpose of receiving a confidential report from His Excellency, Ambassador Ricardo M. Colombo, Representative of Argentina and Chairman of the Special Committee that went to the Dominican Republic, which has prepared a confidential report. Ambassador Colombo addressed the following note to me today:

"Your Excellency, I have the honor of transmitting to you the first report of the Special Committee of the 10th meeting of consultation of ministers of foreign affairs of the member states of the Organization. I respectfully request you to direct that this report be distributed to the Special Delegates to this Meeting of Consultation. Accept, Sir, the assurances of my highest consideration. Ricardo M. Colombo, Ambassador of Argentine, Chairman of the Special Committee."

First of all, I wish to express to His Excellency Ambassador Ricardo M. Colombo and to his distinguished colleagues on the Committee, Their Excellencies Ambassador Ilmar Penna Marinho, of Brazil, Ambassador Alfredo Vázquez Carrizosa, of Colombia, Ambassador Carlos García Bauer, of Guatemala, and Ambassador Frank Morrice, of Panama, the deep appreciation of the meeting, and especially of all of their colleagues, for the magnificent and efficient work they have done in carrying out the delicate mission entrusted to them by the Meeting. We have followed their work with a great deal of attention and interest, and feel proud of having appointed them; and we are sure that the Americas, our people and our governments, applaud that work, and this Meeting expresses its appreciation and praise for it. In accordance with the Regulations, plenary sessions are public. When I spoke this morning with our colleague Chairman of the Committee, it seemed to me appropriate that this meeting be closed, precisely because the report to be presented by Ambassador Colombo, in behalf of the Commission of which he is Chairman, is, precisely, of a confidential nature. This decision by the Chair, that this meeting be closed, I am sure will not be objected to by the Representatives. I am happy that everyone agrees that this meeting should be closed. This will be recorded in the minutes. I recognize the Ambasador of Argentina, His Excellency Ricardo Colombo, Chairman of the Special Committee, so that he may be good enough to present the report referred to in the note I had the honor of receiving this morning. The Ambassador has the floor.

Mr. Colombo (the Special Delegate of Argentina). Thank you very much, Mr. President. I should like to make clear, before beginning to read the report, that it begins by referring to the very time of our arrival, or rather, to our departure from Washington, for which reason we do not record here the fact, which we do wish to point out, that at the time of our arrival, and in compliance with a resolution of the Council of the OAS, the Secretary General of the Organization of American States, Doctor Mora, was already there carrying out his duties, regarding which he will give his own report.

[Reads the first report of the Special Committee] [1]

Mr. Colombo. May the meeting consider the report to have been presented in behalf of the Committee duly appointed. Thank you very much, Mr. President, thank you very much, gentlemen.

The President. I take note of what Ambassador Colombo has just said, and, clearly, we have been most pleased with the report. Your Excellencies will have noticed its fine quality.

Mr. García Bauer (the Special Delegate of Guatemala). If the President will allow me, I should like to recommend to all the Delegates that they take the following note with respect to the document that contains the report of the Committee that has just been read, and has also just been distributed, pardon me. On page 9 there are certain errors that were made in transferring the text to the stencil. In the last line on that page, where it says "guardia de policia militar" the word "mixta" should be added, so that it will say "una guardia de policia militar mixta." On page 12, in the next to the last line from the bottom, where it says "y de que ésta mantendría," it should say "y de que mantendría los contactos." On page 13, at the end of the second paragraph, it is necessary to add "En la última parte de la entrevista estuvo presente el General Wessin y Wessin a solicitud de la Comisión," at the end of the paragraph. And on page 26, in the second paragraph, where it says "la resolución del 30 de abril" it should be "resolución del 1.° de mayo." [These corrections were taken into account before the English text of the document was issued.]

The President. The Chairman asks the distinguished members of the Committee whether they accept and consider incorporated in the text of their valuable report the observations made by His Excellency the Ambassador of Guatemala. The Chairman of the Committee.

The Chairman of the Committee. I fully accept them, Mr. President.

The President. Undoubtedly we shall receive a second edition of this report containing precisely the amendments already accepted by the Chairman of the Committee.

Mr. García Bauer. Mr. President, they are not things to accept, but rather the question is that in the report of the Committee these points were omitted.

The President. That is just what I was referring to, that the Chairman of the Committee has precisely accepted the incorporation of the omitted matter, the clarifying of the points. He has accepted, as Chairman of the Committee, in behalf of all its members, that the observations should be taken into account in the new edition that is to be made of the report. In other words, they are corrections of form.

Mr. Garcia Bauer. No, Mr. President, those are not corrections of form, they are omissions made in copying the report of the committee.

The President. Precisely, the Chair was mistaken, they are omissions of form, precisely. Gentlemen of the Special Committee, the report, which has just been read by your distinguished Chairman, Ambassador Ricardo M. Colombo, of Argentina, reveals a job done that the Chair would describe as extraordinary, very worthy of the sense of responsibility and the personal capabilities of the distinguished Ambassadors who make up this historic Committee on the inter-American system. Being extraordinary, it is a job worthy of our appreciation, of the appreciation of this Meeting of Consultation and of those of us who are honored to call ourselves colleagues of the Ambassadors who make up the Special Committee. In saying this, I am honored to confirm to you what I said to His Excellency Ambassador Ricardo Colombo in the message that I had the honor to address to him today, which reads:

"The Honorable Ricardo M. Colombo, Chairman of the Committee of the Tenth Meeting of Consultation of Ministers of Foreign Affairs: I am pleased to express to you and to your collagues on the Committee of the Organization of American States established by the Tenth Meeting of Consultation of Ministers of Foreign Affairs the appreciation of the Meeting for the prompt and interesting information furnished in your two messages received on May 3 and 4. The Meeting has taken note of the messages and hopes that the important tasks being undertaken with such dedication and efficiency may soon be completed with full success. Accept, Sir, the renewed assurances of my highest consideration. Sevilla-Sacasa, President of the 10th meeting."

I have the satisfaction of informing you regarding a communication the Chair has received from His Excellency Emanuel Clarizio, Papal Nuncio, dean of the diplomatic corps accredited to the Government of the Dominican Republic. It reads:

"Guillermo Sevilla-Sacasa, President of the Tenth meeting of Consultation of Ministers of Foreign Affairs"—this communication is dated May 5—"I thank you with deep emotion for message Your Excellency sent me on behalf of Tenth Meeting of Consultation of Ministers of Foreign Affairs. I have sincere hopes that providential assistance by Organization of American States quickly begun in Santo Domingo by Secretary General Mora and happily assumed by Special Committee of worthy members headed by Ambassador Colombo will soon achieve for the beloved Dominican nation the humanitarian ideals of peace and well-being that inspire that high and noble institution." It is signed by Emanual Clarizio, Papal Nuncio of His Holiness.

I said at the beginning that naturally this meeting is of a closed nature, which indicates that, at the proper time, a public plenary session should be held, in order publicly to take cognizance once again of the text of the report and the opinions expressed regarding it. It seems logical for the first step to be to obtain the second edition, as I call it, of this report, in which the omitted matter so correctly mentioned by our colleague from Guatemala will appear: in order that the General Committee of the Meeting of Consultation may take cognizance of the report and then submit its decision on it to the plenary. This is what the Chair has to report on the matter for the present, but naturally, we would like in this closed meeting, in the private atmosphere in which we are now, to hear some expression by some distinguished Representative on the text of the report that was read by the distinguished Chairman of the General Committee. The representative of Mexico, Ambassador de la Colina, has asked for the floor, and I recognize him.

Mr. de la Colina (the Special Delegate of Mexico). First of all I wish to express, or rather, join in the comments that you, Mr. Chairman, have made in appreciation and deep recognition of the distinguished members of the Committee we took the liberty to appoint, in recognition of not only this wonderful report they have presented us, but also the efforts they doubtlessly have made under most difficult conditions and with great efficiency and dignity. Now I would like to know, Mr. Chairman, whether it would be possible to ask some questions, especially since we are meeting in executive session, for clearly our governments surely are going to want to know the very learned opinion of our distinguished representatives regarding some aspects touched on only incidentally in this most interesting report, with the reservation, naturally, that perhaps in a later session, also secret, we could elaborate on some other aspects that, for the moment, escape us. Would that be possible, Mr. President?

The President. I believe the question is very important. The President attaches great importance to the question put by the

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[1] The first report of the Special Committee, with the corrections indicated below by the Special Delegate of Guatemala and accepted by the other members of the Committee, has been published as Document 47 of the meeting.

Ambassador of the Republic of Mexico regarding our taking advantage of this executive session to ask the distinguished Committee some questions.

Mr. COLOMBO. I ask for the floor, Mr. President.

The PRESIDENT. You have the floor, Mr. Ambassador.

Mr. COLOMBO. The Committee is ready to answer, insofar as it can, any questions the representatives of the sister republics of the Americas wish to ask its members.

The PRESIDENT. Very well. Is the Ambassador of Mexico satisfied? You have the floor.

Mr. DE LA COLINA. Thank you, Mr. Chairman. For the time being I would like to know whether it is possible, after having listened closely to everything our distinguished colleague, the Representative of Argentina, has told us. I have the perhaps mistaken impression, from the technique as well as from the quick reading I was giving this document we just corrected, that there seems to have been a certain consensus between the opposing sides as to the possible elimination of the generals. Perhaps I am mistaken, but it seems to follow from that reading and from this idea that on both sides the colonels were more or less disposed to create, let us say, a high command other than the one that has remained thus far. I wonder whether it would be possible for you gentlemen to elaborate on this, or whether you simply have no ideas on the matter.

The PRESIDENT. Would the Chairman of the Committee like to respond to the concern of the Representative of Mexico?

Mr. COLOMBO. With great pleasure. As the report states, Mr. President, the request to exclude the seven military men, whose names I have read in the Committee's report, was a complaint by the junta led by Colonel Caamaño and transmitted by the Committee to the military junta led by Colonel Benoit. The Act of Santo Domingo, furthermore, is clearly written, and the stamped signatures of the parties ratifying it are affixed. I believe I have responded to the concern of the Ambassador of Mexico.

Mr. DE LA COLINA. Another point now, if I may.

The PRESIDENT. With pleasure.

Mr. DE LA COLINA. I would like to know, if this is also possible, whether the distinguished representatives could give us their impressions regarding the degree of Communist infiltration in the rebel or constitutional forces, or whatever you want to call them. For example, there was the reference to this Frenchman * * * who came from Indochina, and who trains frog men * * * etc.; perhaps there is some thought that this person might have close ties, for example, with other Communists; or do they have the impression at least that, in the high command of that group, the rebel group, there is now definite and significant Communist leadership. Thank you, Mr. President.

Mr. COLOMBO. As for myself, I, as a member of the Committee, not as Chairman, have no objection to answering the question by the Ambassador of Mexico, but as a matter of procedure for answers, I wish to provide an opportunity for the Chairman to speak in general terms in order not to deny the distinguished members of the Committee their legitimate right to answer as members of the Committee, which we all are; that is, I would not want to be monopolizing the answers because, without prejudice to a given answer, we can give another of the members of the Committee an opportunity to give the reply that, in his judgment, should be given. Thus, in order to respect fair treatment and not find myself in the middle of the violent and inelegant position of monopolizing the answers—and I ask the members of the Committee whether some of them want to answer, because I, for my part, will indeed answer. Then I ask you to give the floor first to Ambassador Vázquez Carrizosa, of Colombia.

The PRESIDENT. The Ambassador of Colombia, member of the Special Committee, will answer the question by the Ambassador of Mexico.

Mr. CARRIZOSA (the Special Delegate of Colombia). Mr. President, the Representative of Mexico asks what the opinion is. I will state mine, because I am not going to answer on behalf of the Committee, as to the degree of Communist infiltration on both sides. Of course, the question must refer to the command or sector led by Colonel Francisco Caamaño, because I do not think it refers to any Communist leanings by General Wessin y Wessin, Colonel Saladin or any of his colleagues. With regard to the sector led by Colonel Francisco Caamaño, many diplomats accredited in the Dominican Republic, and I can include my country's diplomatic representative, feel that, if not Colonel Francisco Caamaño, whom I do not know to be personally a Communist, there are indeed numerous persons on his side that, if they are not members of the Communist Party, are actively in favor of Fidel Castro's system of government or political purposes. There is such a tendency in the opinion of many diplomats I spoke to, and I do not mention other countries in order not to commit countries represented here. They are firmly convinced that on that side there are many persons, I do not say members registered in an officially organized Communist Party, but persons who do have leanings toward a well-known trend is prevalent in Cuba.

Mr. DE LA COLINA. Thank you, Mr. Ambassador.

The PRESIDENT. Does any member of the Committee wish to add to the answer requested by the Representative of Mexico? Is the Representative of Mexico now satisfied with the information given to him? The Ambassador of Guatemala.

Mr. COLOMBO. If the President will allow me, I do not know what system the President may have to gauge the kind of questions.

The PRESIDENT. Well, your Excellency said that he wanted his colleagues to participate in the answers in their, let us say, personal status, in order to distribute the task of answering, and, naturally, the President took note of the fact that your Excellency had invited his colleague from Colombia to answer the question put by the Ambassador of Mexico. I, by way of courtesy, am asking your Excellency whether any other colleagues would like to express their opinions on the same question the Ambassador of Mexico asked. I request your Excellency to tell me whether any other of his colleagues would like to ask any questions.

Mr. COLOMBO. I am going to add very little, of course, to what the Ambassador of Colombia, with his accustomed brilliance, has just said, by saying that this report, affirmed by a large number of representatives of the Diplomatic Corps, is public and well known to any one who cares to make inquiry. But despite the respect that I owe to the opinion of the Diplomatic Corps, in order to establish this in precise terms—for I was concerned as much as was the Ambassador with being able to verify this question—I wanted to go to the source; and we spoke with the different men who were in this rebel grouping and, a notable thing, from the head of the revolution, Colonel Caamaño, to some one known as Minister of the Presidency, they recognized that they were their great problem, they explained to a certain extent briefly the process of the history of the Dominican Republic, they confessed to us how gradually a number of elements were being incorporated with them whom they called communists, and that their problem was to avoid infiltration for the purpose of springing a surprise and seizing control. They said this clearly, and even at one point—I in the sometime difficult task of dividing this formal nomination of the chairmanship in which there is no merit greater than that of any one else, because perhaps in the other four members there is much talent for doing what the chairman did—I spoke with Colonel Caamaño and asked him in a friendly way whether he honestly believed that such infiltration existed. He confirmed this to me, but he gave me the impression that he had the courage to face it. He said to me: "They are not going to grab the movement, and my concern is that in their losing the possibility of control, they have stayed behind the snipers, today there are those that do not wish a solution for the Dominican Republic," and already he put the political label on a good part of the snipers on both sides? It should be said, Mr. Ambassador, that you will understand the extent of responsibility of the answers and the depth of the questions, and I would like to satisfy your own concern; but I have fulfilled with loyalty by reporting the conversation to you objectively, telling you that I believe that those who have the answer to this question is to be found among the actors, the protagonists of this hour who are living in the Dominican Republic. This is what I wanted to say now, Mr. Chairman.

The PRESIDENT. Very well, Mr. Ambassador.

Mr. DE LA COLINA. Mr. Ambassador of Colombia, I greatly value this reply; I wanted both, but naturally with reference to the reply whereby you explain one more aspect. Many thanks, Mr. Ambassador.

The PRESIDENT. Would the Ambassador of Guatemala like to say something on the question put by the Ambassador of Mexico?

Mr. GARCÍA BAUER (the Special Delegate of Guatemala). Mr. Chairman, for the moment, no; certainly this point was discussed in the Committee; the Committee also had a series of things, and since there is not yet any criterion of the Committee, I do not for the moment wish to present any viewpoint.

The PRESIDENT. The Ambassador of Brazil.

Mr. PENNA MARINHO (the Special Delegate of Brazil). Mr. President, I should like to corroborate the statements made by my colleagues from Colombia and Argentina, and add one more aspect that I believe could help to clarify the approach that could be given to the problem. I should like to add, gentlemen, that with the complete collapse of public authority—since neither the forces of the Government Junta of Benoit, Santana, and Saladin nor those of Colonel Caamaño were in control of the situation—the Dominican state practically disappeared as a juridical-political entity, and the country became a sort of no man's land. The arsenal had been given to the people and an entire disoriented population of adolescents and fanatics was taking up modern automatic arms, in a state of excitation that was further exacerbated by constant radio broadcasts of a clearly subversive character. Neither do I believe that I am, nor does any of the members of this Committee believe that he is, in a position to state with assurance that the movement of Colonel Caamaño, inspired by the truly popular figure of former President Bosch, is a clearly communist movement. But one fact is certain: in view of the real anarchy in which the country has been engulfed for several days, especially the capital city, where bands of snipers have been sacking and killing and obeying no one, any organized group that landed on the island could dominate the situation. For that reason, and our understanding coincides with that of a majority of the depositions of the chiefs of diplomatic missions accredited there, all of the members of the Committee agree in admitting that the Caamaño movement, fortunately truly democratic in its origins, since none of us sincerely believes that Caamaño is a communist, could be rapidly converted into a communist insurrection; above all it is seen to be heading toward becoming a government of that kind, susceptible of obtaining the support and the assistance of the great Marxist-Leninist powers. Therefore, Mr. President, we do not believe that Colonel Caamaño and his closest advisors are communists. Meanwhile, as the entire Caamaño movement rests upon a truly popular basis, by certain areas escaping from the control of that democratic group of leaders it would be quite possible for that movement to be diverted from its real origins and to follow the oblique plan of popular-based movements, which can be easily controlled by clever agents and experts in the art of transforming democratic popular movements into Marxist-Leninist revolutions. Thank you, Mr. President.

The PRESIDENT. The Representative of Ecuador, Ambassador Jácome, has requested the floor.

Mr. JÁCOME (the Special Delegate of Ecuador). I wish to adhere with all sincerity and warmth to the words of the Representative of Mexico, praising the selflessness and the arduous work as well as the spirit of sacrifice with which the Committee performed its functions, and for having succeeded, by the time of its departure, in leaving a somewhat more favorable situation than the one it found upon arrival. Now that we are asking for the opinions of the distinguished colleagues on the Committee, I would like to know if they have any impression as to a formula, or if there is any desire on the part of the two factions to bring about peace by transforming the cease-fire, the truce, into a peace that will permit the political organization of the Dominican Republic and the natural process that should be followed in order to have a constitutionally stable system. It has been gratifying to hear this opinion, at least on one side, that the so-called constitutional government of Colonel Caamaño is certain that it can at a given moment control and capture the infiltrators that are determined to block peace, and, in order to take advantage of that situation, to continue the chaos that has prevailed in Santo Domingo up to now. But if that command hopes to keep and is confident that it can keep control it is natural that whatever the command thinks with regard to the possibility of a formula for stable peace through an understanding with the others—the present enemies—would be very useful and constructive to know because we would then, with a little tenacity, through friendly, fraternal mediation, have a favorable prospect of arriving, within a reasonably short time, at an understanding between the two combatants. This would be the best guarantee that the Americas, as well as the Dominican Republic, could have that those infiltrators and those elements that wish the chaos to continue, would be eliminated and hence definitely neutralized.

I would like to know what opinion the Committee formed, after it succeeded in talking with the parties in conflict, what impression does it have of the opinion or of the formulas or of the hopes they have regarding a final agreement that may return the situation to normal.

The PRESIDENT. Would the Committee like to answer the question raised by the Representative of Ecuador? One of the colleagues on the Committee; the Chairman, Ambassador García Bauer, Ambassador Vázquez Carrizosa, Ambassador Penna Marinho, the Chairman of the Committee, Ambassador Colombo, in his capacity as Representative of Argentina?

Mr. COLOMBO. Perhaps this is the question that I shall answer with the greatest Americanist feeling, Mr. Chairman. I cannot deny, Mr. Ambassador, gentlemen, that I also, like the Ambassador of Mexico, have confessed to him that I shared and still share the concern expressed in his question and that, perhaps, it was the question that caused me the greatest concern. The most urgent problem when we left was not to find ideological banners distinguishing the parties, but to put an end to the conflict that was already becoming bloody and that could become a blood bath in the Americas. We talked with the two parties and believe me, Mr. Chairman, I at first had the feeling that law was dead; it was chaos in the Dominican Republic. We all shared it—all members of the Committee, the military advisers, the General Secretariat, our civilian advisers—and when we arrived we found chaos, such as we had never seen or even imagined. I felt that law did not exist, and we all thought there was little hope that they wanted to find a solution that would be feasible, despite the moral authority that we represented. We were only a very few, as men, as individuals, but we bore the weight of the historic tradition of the system whose 75th anniversary we celebrated, and this inspired all the members of the Committee. From the first man of the rebel band with whom we spoke, Colonel Caamaño, to the first man with whom we spoke from the Command of the Military Junta, Colonel Benoit, we found that they were both weary of the conflict that darkened the Americas. We found in both of them a desire to achieve peace that was equal to ours.

It would be untrue, Mr. President, if I were to say that I found the wish to continue the fight at this stage of the tragedy in the Dominican Republic. There was a longing for peace and we were caught in the enthusiasm to achieve it. But we were completely surprised, Mr. Ambassador, by something more important than this objective which is essentially what we all desire; the two parties said that the solution lay in the inter-American system. Nobody assumed the right to impose peace because—and let there be no misunderstanding—the side that wishes to triumph in Santo Domingo is stabbing the sister republic. Both factions understood the intensity of the tragedy that was unfolding in Santo Domingo; both placed their faith in the inter-American system.

During the course of conversations, when all members of the Committee asked them if they would be faithful to remaining within the system, they answered yes; with all their faith. But it was more than that, Mr. Ambassador: it was what Colonel Caamaño said, voluntarily. A newsman asked him, "If your cause was denounced in the United Nations, what would you do?" and he confessed to us that he answered that he would in no way accept that channel because he was within the system and the answer had to be found within the system. For that reason he was happy to see the committee sent by the OAS. He placed his faith in the Organization of American States to find the solution. And when we spoke with Colonel Benoit he gave us the same affirmation; his faith is in the system.

I believe that in the midst of the agony of the Dominican Republic, this system that among ourselves we have talked so much of strengthening was more alive than ever and in an hour of testing, in the midst of a struggle more fierce than any I remember within the system, I could see that both sides felt this to be the only possible solution that could maintain peace in the Americas. Both took into account the possibility that it was being compromised: they knew that the peace of the hemisphere might be endangered if the conflict wasn't soon stopped. This, Mr. Ambassador, is what I can tell you, with great satisfaction, and I look to the system for the solution just as all of us are going to look, and you will see that the system will find that solution.

The PRESIDENT. The Representative of Guatemala will contribute to the answer that the Representative of Ecuador has requested.

Mr. GARCÍA BAUER. Mr. President, I wish to add a few words to what the Ambassador of Argentina has said, in reply to the question asked by the Ambassador of Ecuador. I, as a member of the Committee and as Ambassador of Guatemala, confirm the statements made by the Ambassador of Argentina, as to the faith that the inter-American system can help in solving the problem that, so unfortunately, is faced in the Dominican Republic today. Obviously, that country is weary of struggle and would like to arrive at some solution. I, at least, found that there certainly is a basic desire to reach an understanding between the parties and overcome present difficulties. We were surprised, for example, when we began conversations with the Rebel Commander, that a colonel was present who was a liaison officer between the Military Junta of San Isidro and the Papal Nuncio. And the manner in which he was treated, by Colonel Caamaño as well as the other members of the Rebel Command, surprised us because he was in a group completely opposed to the one he represented. We did not see the hatred that might have been expected in such circumstances. We can bear witness, therefore, to that deference, to the treatment that was shown. Also the Rebel Commander offered to the Committee itself to deliver about 500 prisoners so that it might take charge of them; that is, acts such as these indicate how they wish to end this situation that is dividing the people of the Dominican Republic; from these acts, and from others that we have seen, I have reached the conclusion that at bottom there is a desire, a keen desire to reach an understanding. The question is to find the formula for making this understanding a reality.

The PRESIDENT. Other representatives have asked to speak. I ask the members of the Committee if any of them wishes to join in the reply to the question raised by the Representative of Ecuador. The Representative of Ecuador.

Mr. JÁCOME. Yes, thank you, Mr. Chairman. I am infinitely grateful for this reply which is truly promising because it has confirmed the suspicion that every human being has who knows the tragedy of a civil war; that those persons who have stained their country with blood and caused so many deaths, who have seen so much suffering and caused so much suffering, would now have reached the moment of longing for peace and perhaps each of them feeling remorse for the sufferings and the misfortunes they have caused. This is an eminently human reaction that we all know. But I am equally satisfied to hear that both parties rest their faith in the inter-American system, but I have now seen a report, a report concerning the statements made by Colonel Caamaño to the effect that he will not accept the Inter-American Force established by the last resolution of this Meeting of Consultation. We have already seen that it also seems that Colonel Caamaño and his partisans have not accepted the present state of affairs, the presence of foreign troops in Santo Domingo. Hence, would not perhaps Colonel Caamaño, and in the end all Dominicans, whatever their ideologies and whatever the barricade on which they have stood, prefer a mission of peace to a mission of guns? We might think of a permanent peace mission of the Organization of American States, which would receive the same impressions but which would be seeking a concrete formula to bring those parties together who wish to reach an understanding and give them the opportunity of not feeling pressured by arms or not having the inward suspicion that those arms are playing the game of their adversaries. I should like and I venture to put this question to the members of the Committee, and I beg your pardon, as tired and fatigued as you all must be, for still abusing your time with these questions. Thank you very much.

Mr. Colombo. I said something, a little circumstantially, in replying to the question posed by the Ambassador of Mexico, regarding this concern that troubles the Ambassador of Ecuador. Here is the most important instance for telling the whole truth, not part of it. And I am going to tell how I saw it. The effort—I said—is mutual and so is the desire to attain peace, Mr. Ambassador, but it is not that I suspect but that I am certain that the two sides in the struggle are not controlling their movement, because the cease-fire was accepted by the fighting groups; but an uncontrollable ingredient conspired against the carrying out of the act of Santo Domingo, an element that history shows does not find a solution by peaceful means and that grows larger whenever attempts at reaching peace are made, because what will happen, to a great extent, is what happened to us, in parleying for peace, with an absolute cease-fire by the commands so as to talk with the peace mission, but we had to parley for two hours and a half under incessant machine-gun and rifle fire. Who did that? Colonel Caamaño? I think not, categorically no.

It is the sniper ingredient, because in a town where arms are handed out to civilians, there can be only two forms of control: either when the civilians lay down their arms and surrender them willingly, or when this is achieved by a force superior to the civilian force. Let all of you ponder the difficult task of imagining a peace attempt, in which we again have the signatures of the two parties, we have the security zone, and the incident is being provoked as a factor breaking out into a tremendous catastrophe. I honestly confess that until now I could not explain how something much worse did not occur. The provocation of the snipers is constant. There are among them, no doubt, the two classes of snipers that there are in such events: those who grab a gun and continue using it with a resentment that no reasoning will lead them to lay it down, and those who continue using it with the resentment of one who cannot control the revolt. That is, these are factors that cannot be controlled by a mission no matter what flag of peace it carries.

The Government of Santo Domingo will not achieve peace until it can be imposed in a climate where conditions in a peaceful Santo Domingo exist for the recovery of institutional normality in the country. Sincerely, Mr. Ambassador, in the choice that you have given me I sacrifice my wish—which is equal to yours—to a realistic concept that one can only appreciate, unfortunately, by having been there. We wished, and we five ambassadors who were on the mission mentioned it many times to one another, that all of you could have been there, that not one had been missing, Mr. President. That you could have been at the scene of events to see what we were seeing. In the tremendous confusion, in which it is difficult to find the thread that would open the knot we were trying to untie, where there is political and military confusion, economic disaster, confused people, general anguish, no one can find the ingredient for guidance. I believe, Mr. Ambassador, that it is urgent to seek peace in the Dominican Republic and to tarry as little as possible in discussion, because every hour of discussion is an hour you give to someone who, with good or evil intentions, could still pull the trigger that would prevent the Act of Santo Domingo from being fulfilled. This is my personal impression.

The President. The Representative of Ecuador has nothing more than he wants to say? I recognize the Representative of Uruguay, Ambassador Emilio Oribe.

Mr. Oribe (the Special Delegate of Uruguay). Mr. President, first of all, I want to adopt the words of the distinguished Ambassadors who have spoken before me in congratulating the Committee on its work and expressing the admiration of my delegation for the way in which they have performed this first part of their task. And so, our warmest congratulations to all of them. Since it is late, Mr. President, I would like to confine myself to some very specific questions. The first of the questions is as follows: for this Meeting of Consultation to be competent to take measures to bring peace and to carry forward the work begun, it is necessary, above all, in the opinion of my Delegation, to ascertain whether the situation in the Dominican Republic is a situation that can endanger the peace and security of the hemisphere. This is the requirement of Article 19 of the Charter for carrying out collective action in matters that normally are within the domestic jurisdiction of the states. As is known, Article 19 states: "Measures adopted for the maintenance of peace and security in accordance with existing treaties do not constitute a violation of the principles set forth in Articles 15 and 17," which are those that refer to nonintervention. Hence my Delegation believes that a pronouncement must be made by this Meeting of Consultation to the effect that the events in the Dominican Republic constitute a situation that endangers the peace and security of the hemisphere. Departing from that basis, I should like to ask the Committee if it is of the opinion that this is the case, that is to say, that the situation in the Dominican Republic constitutes a threat to the peace and security of the hemisphere. That is the first question.

The second question is as follows, Mr. President: the first part of the task with which the Committee was entrusted has been carried out, and we all congratulate them. We have received a very complete report, which will be studied by the delegations and the foreign ministries. There remains, then, the second part of the Committee's task, under the letter *b*, which reads as follows: "to carry out an investigation of all aspects of the situation in the Dominican Republic that led to the convocation of this Meeting." Naturally, my Delegation understands very well that this cannot be done in one afternoon or one day. However, I should like to ask simply if the Committee believes that there is sufficient evidence to issue a report on this point within a reasonable period of time. Thank you very much, Mr. Chairman.

The President. One of the distinguished members of the Committee would like to refer to the first question put by the Representative of Uruguay. Ambassador Vázquez Carrizosa, Representative of Colombia.

Mr. Vázquez Carrizosa (the Special Delegate of Colombia). Thank you, Mr. Chairman. The first question is this: Is the situation such that it can endanger peace and security? My reply is yes. Yes, there is a situation that endangers the peace and security. The reasons are very clear. A disturbance or even a guerrilla action in a member state where the elements of order and constituted authorities exist is not the same as in a state where the absence of the state is noted, evaluated, and recorded. What is to be done, Mr. Delegate, in the absence of the state? What does the system do when the state does not exist? What happens when blood is running in the streets? What happens, Mr. Delegate, when an American country—and I am going to speak quite frankly so that you may think about this with all the perspicacity we know you to have—is, under these conditions, in the neighborhood of Cuba? Do we sit on the balcony to watch the end of the tragedy?

Do we all sit down as if we were at a bullfight waiting for the crew to come? What are we to do, Mr. Delegate? We are in a struggle against international Communism; and we are in a world, Mr. Delegate, in which America is not even separated from the other continents even by the ocean. We form part of the world and we form part of the conditions existing in the world. The Dominican Republic, like any other country in the Americas, is a part of the system, and it is the system that will suffer from the lack of a head of state in any of its members. The matter and the problem cannot be expressed in juridical terms, in hermeneutics, needed to fit an act into a lawyer's criterion. The problem is one of deep political meaning, of profound significance, of hemisphere importance much more serious than any of the other American revolutions could be.

There have been many revolutions in America. There have been revolutions in my country; there have been some, I believe, in yours, and I do not believe that a revolution in itself justifies the intervention of the inter-American system. That has not been my theory; that has not been the theory of my country. However, the acephalous condition of the state constitutes a problem that has occurred on very few occasions. What are we to do, Mr. Delegate when, as the report states, the President of a Junta says: "I cannot maintain order with respect to the diplomatic missions"? And what are we to do, Mr. Delegate, when that Chief presents a note in which he requests the assistance of another country and confesses with the sincerity that we have heard: "Gentlemen of the Special Committee, have the diplomatic representatives asked me for protection and I did not have the elements with which to protect them?" That is the answer to his first question. Now we have the second question: What is happening to the investigation? It is very clear, Mr. Delegate. The complex political events, the multitudinous situations are very difficult to investigate. All of us who have had contact with problems of criminology know about mob psychology: everything that is studied in the classroom, which is very simple, an investigation of a local event, an individual event, let us say.

However, when there are mobs, when they are in the midst of great movements, an investigation can be conducted, investigations must be carried out. But they are obviously difficult investigations. I would spare no effort to support any machinery, agency, or committee that would carry forward that investigation. It would be very desirable. But, of course, such investigations of complex events are not very easy, because many things have happened. Actually, two or three revolutions have taken place. There was the first revolt of colonels. Then there was a revolt of a party; and after that, a revolution of a whole series of guerrilla groups, so that each one may have a different impression of the same event.

I think that, rather than an investigation of the past, what is of interest to the Meeting of Consultation and what is of interest to America is not the investigation of the past, but the investigation of the future. It is the investigation of the future that interests us. The problem is not to stop to fix responsibility, to ascertain who began to shoot first, who entered the National Palace first, who opened the windows, who got out the machinegun, who saw, who heard; all that would be an interminable process that would fill many pages and many records of proceedings. The important thing is not to look backward, but to look ahead.

The President. The Representative of Uruguay.

Mr. Oribe. I thank Ambassador Vázquez Carrizosa for his remarks. He has told me just what I wanted to know.

The President. The Ambassador of Brazil.

Mr. Penna Marinho (the Special Representative of Brazil). Yes, Mr. President. And I also want to say to the Delegates that my reply is also yes. There are two governments, but each one is weaker than the other, completely incapable and powerless to control the situation that prevails in the country. Peace was made on uncertain terms. The

Act of Santo Domingo is not a definitive peace; it is a difficult truce, a temporary armistice that may dissolve at any moment. Therefore, the Committee suggests, among the measures that in its judgment might be adopted immediately by the Tenth Meeting of Consultation, the appointment of a technical military group in the city of Santo Domingo to supervise the cease-fire, as well as other measures agreed to by the parties to the Act of Santo Domingo. We must keep watch over that peace and create conditions to prevent the struggle from breaking out again—because it could start again, Mr. President, at any moment. Thank you.

The PRESIDENT. Does any other member of the Committee wish to speak on this question? The Chairman of the Committee, Ambassador Colombo.

Mr. COLOMBO. The truth is, Mr. Chairman, that after the words of my distinguished colleagues, the Ambassadors of Brazil and Colombia, there is very little that I might be able to add; but the responsibility involved and the importance of the question, so ably phrased by the Ambassador of Uruguay, compel all of us to make clear our position on this question. When, among the powers and duties, the duty of investigating was decided upon, I cannot conceal the fact that I felt the same as I always feel whenever an investigating committee is named. Generally it investigates nothing; few, indeed, are the investigating or fact-finding committees which, in the parliamentary life of all of our countries, show any fruitful jurisprudence in their results. But this Investigating Committee did have the possibility of good results. And that was because it was aimed at two fundamental objectives that were governing events in the Dominican Republic.

I understood, first, that the investigation was to determine the scope of the danger resulting from the events, which are a matter of concern to the Ambassador of Uruguay. If this was a situation that did not threaten the peace, we would verify that immediately. If the situation was under the control of groups intent on stirring up tension in the Americas, in a struggle in the history of America, which is full of struggle between brothers, in this incorrigible vocation that is periodically written into the history of our countries, that delays the advance of law and democracy, then we would verify it immediately; and we have verified it.

This could be the beginning of a struggle confined to the two well-defined groups. But the presence of those uncontrollable factors, which I urge the Ambassadors to analyze in detail, in the evaluation of facts in order to reach conclusions, they are going to be impressed, as we ourselves were impressed, without seeing them; they have become more dangerous than the groups themselves put together. To my mind, they have become the element that will determine the fate of what is going to be done. If those groups did not exist, and if those responsible for the struggling movements had not confessed that they cannot control them, in view of the existence of a security zone, freely agreed upon by both parties, with a United States military force that is engaged basically in the process of keeping custody over the diplomatic zone, I would also believe, Mr. President, that perhaps we might be able to delimit the process and trust that the peace would not be so obviously jeopardized as it is in this process; because in all revolutions, even a small local one, there is the possibility that there may be the spark of a process that will affect the peace of the Americas.

But the dimensions of this situation, with elements of disturbance on both sides, who are constantly lashing out against the protection offered by the security zone, and in which, Mr. President—and this struck my attention—there is still control to prevent confrontation in a struggle that could technically be called a military struggle; or in other words, there is no military confrontation between the defenders of the zone and the contending groups of the civil struggle. And that struggle is capable of being unloosed, because of the constant harassment by those who are seeking a way to unloose it. Hence, Mr. Ambassador, this matter urgently demands that all of us succeed in finding the way to resolve this situation; that we find the way to dispel the undeniable danger that threatens the peace in this hemisphere, which is the purpose of our organization. Because all of these things are important; economic development, social tranquility, justice, the progress of the countries; but all of them are built on peace; without peace there is no possibility for the triumph of the inter-American system. There cannot be the slightest doubt, Mr. President, that the peace of the hemisphere is in grave peril.

But with respect to the second part of the investigation, which is also a matter of anxiety, we have contributed something in the time we had to make our investigation; more than the investigation is the word of the leaders themselves. This act is a confession, and a partisan confession without proof, Mr. Ambassador. It is not a matter of our characterizing the ideology; nobody goes about trying to do that when, actually, it has already been characterized by the leaders of the governments themselves. If necessary, that should be left to the last. I have said at previous sessions: my Delegation is willing to make and is going to make an exhaustive investigation of the facts, in order to determine the blame according to the action. We shall do nothing to cover up a sharing of responsibility. But in the matter of priorities, investigation has been well placed by the Ambassador of Uruguay. The first thing to be investigated was the projection of the episode, the possibility of its affecting the peace of the hemisphere, the need for urgent action in case it is proved. We five members of the committee shared that opinion when we were there, and we reaffirm it now. The peace of the hemisphere is in such danger, Mr. President, that if the system does not respond to the call of both parties to the struggle, I believe that the peace of the Americas would not be in danger, that peace will be broken. This urgency is shown by the way we have tried to answer the concerns of the Ambassador of Uruguay.

The PRESIDENT. I ask His Excellency the Ambassador of Guatemala if he would like to speak on this point.

Mr. GARCÍA BAUER. Mr. President, I would like to add my voice and my opinion to those of my distinguished colleagues on the Committee. I shall also reply, rather emphatically, as was done by the Ambassador of Colombia, that the peace and security are in danger. As was already said, we in the Committee often asked ourselves and commented on the advisability of having all of the members of this Meeting visit the Dominican Republic in order to see, on the scene itself of the events, the situation prevailing in that country: in a state of war, when we arrived, without water, without lights, without telephones, without public services. The lobby of the very hotel where we stayed was a scene of war: children and women sleeping in the lobby itself. The Diplomatic Corps, which met with us, also told us of the serious situation which they had gone through and were going through; anarchy ruled; the attacks that the diplomatic missions themselves had suffered; the wounded, including the diplomatic missions that had given asylum to wounded persons; and this was something that went on hour after hour.

Undoubtedly, peace and security are seriously affected when there is no authority that is respected, for although there are those who proclaim that they represent authority in each sector, it may be seen later that they do not possess it to such a degree that peace prevails; and although they sign documents, such as the cease-fire that was arranged before we arrived, or the Act of Santo Domingo, which we signed; nevertheless, it can be seen that they have no absolute control over the situation when the spectacle of wounded and dead persons is seen. We asked how many had died, how many had been wounded; and I believe that I can say, as an opinion gathered from persons of whom it can be said, insofar as this is possible, that they are better informed on the matter, that at least one thousand five-hundred persons have died in Santo Domingo. And, how are the forces distributed? How is the country? Fighting has taken place so far only in the city of Santo Domingo itself; but who can assure us that it will not spread throughout the country?

The rebel command states that they have maintained peace there, because they have not wished to arouse feelings in the rest of the country; and the military Junta in San Isidro states that they control the rest of the country. What is the real situation? The Committee did not have time to travel through all of the Dominican Republic; but it is evident that chaos exists, that the situation is deteriorating; it changes from one hour to the next; that is clear. The day after we had an interview—under the fire of snipers, as has been said here—with the Constitutionalist Military Command, the next day, I repeat, the Chief of that Command was proclaimed President of the Republic, Constitutional President; and the Military Junta of San Isidro, which we had talked with and which signed the Act of Santo Domingo, does not now exist, according to reports arriving today through the news agencies. The teletype has just brought, for example, a cable reading: "Domingo Imbert, President of the new Five-Member Junta, quickly convened a press conference and called for a peace-making effort to rebuild the country and restore national unity without discrimination on account of political affiliation." He described Colonel Caamaño as a good personal friend.

The other members of the new Junta are: Julio Postigo, 61 years old, a lawyer whom some people consider a militant in the Revolutionary Party of Juan Bosch; Carlos Crisella Polomey, 51 years old, governor of one of the provinces under the deposed regime of Donald Reid Cabral; Alejandro Seber Copo, 41 years old, an engineer; and Colonel Benoit, a member of the previous Military Junta of three. Imbert did not explain how or why the earlier Junta resigned, or how the new one was formed. Although Caamaño could not be found to give us a statement, the leader of the Revolutionary Party, José Francisco Peña Gómez, stated over the rebel radio that the new group represented an underhanded maneuver against the interests of the Dominican people. In the Dominican Republic we constantly heard rumors, stories that got to us, to the effect that they were inciting to arms over the radio, even during the cease-fire.

The circumstances prevailing in Santo Domingo are most difficult, tremendously difficult; it would be a good thing if the Representatives were to go and see how things are developing there and how, in the report we have submitted, we cannot give an exact picture of the prevailing situation, which has disturbed us deeply. The situation undoubtedly endangers peace and security, and not of the Dominican Republic alone. The Representative of Uruguay also referred to the mission of investigation; and indeed, among the duties entrusted to the Committee was the duty of making an investigation of all aspects of the situation existing in the Dominican Republic that led to the calling of the Meeting. But the kind of investigation that was asked is not one that can be made in a few hours. The Committee had to give priority to what demanded priority, and the first thing was to try to restore peace and conditions of safety, to restore things as much as possible to normal, under prevailing conditions, in order that it could carry out an investigation such as we believed the Meeting of Consultation had requested.

We are in agreement that this investigation should be carried as far as it is desired; but in the short space of time we were there, and with all the tasks we had; and although we sought opinions and points of view on various sides; although we asked all members of the Diplomatic Corps to give us their views in writing, that is, their views on the situation as they saw it; although we asked the disputing groups also to explain to the Committee and to the Meeting what they considered the truth about the Dominican Republic, and also asked the governors of the provinces whom we interviewed to do the same, and did likewise with everyone with whom we had an opportunity to talk and question; although we sought all of the evidence that might serve as a basis for this investigation and to enable the Committee to offer its conclusions to this Meeting of Consultation; despite all this, the time was very short and we cannot give conclusions in the report we have just submitted, not even if we were to be able to change them a little later.

Points of view have been given and information collected, sometimes in personal conversations, as mentioned by the Ambassador of Argentina with respect to his conversation with Colonel Caamaño, or in conversations the members of the Committee had with various persons on the scene; but we should also listen to all parties concerned, to all who want to say something; and such an investigation takes some time. This is the reply we must give to the Ambassador of Uruguay. With respect to this second point, we have done all that we could within the short time available, in an attempt to make the cease-fire effective for the protection of refugees and those who had taken asylum, and so that food distribution could be undertaken, to bring in food, medicines, etc., that can be distributed with the necessary safety. We did a vast amount of work in a very short time, but in regard to investigation, we can say that we have scarcely begun. And despite the little that was seen, the Committee has been able to contribute something in reply to the questions that have been asked here.

The President. I understand that the Representative of Uruguay is very well satisfied with the thorough manner in which the interesting questions put to the members of the Committee have been answered.

Mr. Oribe. Of course, Mr. President, I would like to express my appreciation once again, and I believe that what has now been said here is fundamental; because the conviction of the members of the Committee will surely allow us, through consultation, to take appropriate measures without getting into the problem of intervention.

The President. I recognize the Special Delegate of Paraguay, Ambassador Yódice.

Mr. Yódice. Thank you, Mr. President. First, I wish to join in the words of appreciation that have been spoken here to the ambassadors who composed our special committee that traveled to Santo Domingo and completed the great task of which we are so proud. I am very happy that from the first time the floor was requested until now we have had a series of statements from the distinguished ambassadors on the Committee, and their statements make my congratulations even warmer. As the Chairman of the Committee, the illustrious Ambassador of Argentina, Dr. Ricardo Colombo, has said, this is the moment of truth and the Delegation of Paraguay is quite pleased with the action of the members of the Committee.

The Delegation of Paraguay, Mr. President, is proud of this Committee because it has, in the first place, effectively carried out the peacemaking aspect of its mission as fully as is possible; it is proud of this Committee because it has justified the confidence of the Paraguayan Delegation placed in it, inasmuch as the distinguished ambassadors who composed it, whose ability and inter-American spirit all of us know, as was said when the committee's membership was approved, would determine whether or not international communism had a part in the bloody events in the Dominican Republic. If the distinguished Representative of Mexico had not raised the question he did on the matter, I would have done so. I might, however, have put it differently, since I would not have confined myself to inquiring as to the possibility of Communist intervention in a specific group, but would have extended the inquiry to all aspects of the serious conflict that the Dominican people are undergoing today.

The Government of Paraguay, as I stated clearly when approval was given to the establishment of the collective inter-American force, believed from the beginning that continental security was at stake. The replies by the Ambassadors composing the Committee reporting today on certain questions regarding these delicate aspects of the Dominican situation have been categorical. My government was right. Continental security is threatened. The danger existed, and still exists, that chaos and anarchy will permit international communism to transform the Dominican Republic into another Cuba. With his customary clarity, courage, and energy, the Ambassador of Colombia, Mr. Alfredo Vázquez Carrizosa, has categorically mentioned the highly political nature of the problem we are facing. In reply to a question of the Ambassador of Uruguay, he has rightly said that the peace of America is threatened, that the security of the hemisphere is threatened, and that there is a possibility that another Cuba, another communist government in the hemisphere will arise out of the chaos and anarchy in the Dominican Republic.

We are proud of the action of our committee, because, as the Ambassador of Uruguay said, it is helping to clarify the problem we are facing. Paraguay had no doubts when it voted on the resolution for the establishment of the inter-American force. As I said: "The Government of Paraguay approves the sending of U.S. forces to the Dominican Republic, considering that this does not imply armed intervention prejudicial to the right of self-determination of the Dominican people, but, on the contrary, that it is a measure of hemispheric defense against the intervention of Castro-Communist forces. The Government of Paraguay is aware that U.S. armed intervention has been necessary in view of the urgency of preventing extracontinental and Cuban forces and funds from annulling the Dominican people's right of self-determination, since it was evident that it would be difficult for the inter-American system to act rapidly and energetically. The Government of Paraguay reaffirms its support of the proposed establishment of a hemispheric force and will participate in it if a substantial majority of the governments of the member states do likewise."

Mr. President, if there is anything to regret it is that, for the time being, this valuable, clear explanation of the seriousness of the Dominican problem furnished to us by our committee is known only to the delegates of this Meeting of Consultation.

Obviously we are going to come to a moment when the enlightened judgment of the President and of the Delegates, in my opinion, will decide that these vital conclusions reached by our Committee should be known by all of the Americas, by all of the people of the hemisphere. Because for my Delegation, Mr. President, these conclusions, which appear in the written report and in the replies to the questions posed here, should not be known only by the Delegates; they should be known by all the people. I emphasize this point because I am proud that my Delegation, from the very beginning, has been concerned and has established a position with regard to the seriousness of the conflict, in view of the intervention of international communism in the Dominican events.

Once more, I congratulate the members of our Committee; I am confident that the conclusions they now bring to us from their trip to Santo Domingo and that they will continue to bring will greatly help this Meeting of Consultation. The inter-American system must find the permanent solution referred to by the distinguished Ambassador of Ecuador in order to bring about a return of constitutionality in the sister Dominican Republic, a return of the reign of representative democracy and of human rights, and of all those inalienable principles of sovereign peoples that motivate the resolutions of this Meeting of Consultation in dealing with the Dominican problem. I believe, Mr. President, that with the clarity of the conclusions of the Committee we shall be walking on firmer ground. The basic conclusion that I want drawn from this statement I am now making is that we should act on the basis of these important conclusions furnished to us by the Committee; not only the conclusions appearing in the report that has been distributed, but also those verbally expressed tonight by the members of the Committee. I repeat my congratulations to the ambassadors and my confidence that these highly important conclusions will shortly be brought to the attention of all the Americas. Many thanks, Mr. President.

Mr. Tejera Paris (the Special Delegate of Venezuela). Mr. President, I wish to make a motion.

The President. What is the motion of the Ambassador of Venezuela?

Mr. Tejera Paris. Mr. President, two days ago when it was desired to undertake a thorough analysis of the problem, I asked this distinguished meeting to await the return of the Committee, so that we might question it and hear what proved to be an excellent and highly important report. On behalf of my government, I wish to express apreciation for the work that has been done and the sacrifices that have been made. I now wish to call attention to the following point: perhaps this session should devote itself exclusively to questions and answers, so that by speeding things up we can obtain the information as precisely as possible, leaving basic statements and studies of possible solutions until tomorrow's plenary; otherwise, we shall have to repeat many of the things already said here. This is my motion, Mr. President.

The President. Mr. Ambassador, the Chair entirely agrees with you. It would really be interesting to devote ourselves to questioning the honorable Committee and its distinguished members, and the answers that they give us will be very edifying.

Time goes on, and we must take advantage of the privacy of this meeting precisely to present this type of questions and, in this same confidential setting, to obtain the answers of the distinguished Committee members. Naturally, the occasion will come for us to make detailed statements on behalf of our governments on the text of the important report presented by our colleagues on the Committee. I offer the floor to the Representative of Chile.

Mr. Magnet (the Special Delegate of Chile). Thank you, Mr. President. The opinion that the President has just expressed so wisely is in complete accord with what I am about to say now. Although, for reasons clearly explained at the time, the Delegation of Chile abstained from voting for the establishment of the committee that has now returned to our midst, I can do no less than corroborate, briefly but sincerely, the expressions of praise that the committee has earned. Moreover, the position taken by my country does not inhibit me, for everyone's benefit, from asking some questions that are of interest to my country, and, as I understand, to the others as well. In the Act of Santo Domingo, referred to by the President in his statement, mention is made of a security zone in that city, whose limits would be indicated in a plan appended to this document. Mr. President, I believe that this security zone is a highly important factor in the cease-fire that has been obtained and that a clear delineation of this zone and knowledge of it, not just by the parties involved but by everyone, will be very helpful in forming an idea of what might happen if, as may be feared, this security zone were violated. If acceptable to the Committee, I would request, Mr. President, that this plan not only be incorporated into the Act, but also circulated by the secretariat as soon as possible.

The President. I ask; I imagine that the Chairman of the Committee wishes to reply to Ambassador Magnet's question.

Mr. Colombo. The Committee, through me, reports that the map is now being distributed, and I apologize to the Ambassador of Chile because it was not attached to the report when this was distributed. The explanation may lie in the undeserved expression of appreciation for the Committee's work, on the part of the Ambassador. Material difficulties prevented distribution, but I now present the map to the Chair so that, as the Ambassador of Chile has wisely requested, it may be distributed as soon as possible, since it is necessary for the proper information of the Ambassadors.

The President. The Chair shall proceed accordingly, Mr. Chairman, Ambassador Colombo.

Mr. Magnet. I wish to explain that my words did not imply the slightest criticism or reproach of the Committee.

Mr. Colombo. I wish to make quite clear that I have not even remotely suspected such an attitude from one whom I know to be a gentleman and distinguished ambassador who honors the inter-American system.

The President. Your second question, Mr. Ambassador.

Mr. Magnet. It is more than a question, Mr. President, to try to achieve some kind of friendship. I think it is quite clear both from the text and the context of the report we have just had the pleasure of hearing, especially the Act of Santo Domingo—with which we were already acquainted and which is contained in the report signed on May 5—that there is not, nor was there on that date a constituted government in the Dominican Republic able to represent the country, but two parties or conflicing factions. The committee, with the knowledge it gained through its on-the-spot activity, and with its spirit of impartiality, deemed it necessary to hear the two parties or factions in order to reach some useful result. I would like to ask the Chairman of the Committee, through you Mr. President, if the evidence that has been gathered corresponds to the truth.

The President. Shall I refer the question to the Chairman or to the distinguished members of the Committee?

Mr. Colombo. I think that, in substance, we have already answered the Ambassador's question. That is, all of us Committee members have confirmed the impression of chaos that we found in the Dominican Republic, the complete lack of authority, the existence of two groups that appeared to be standard-bearers in the conflict and with whom we felt impelled to establish immediate contact. I do not know if this will satisfy the Ambassador, and I wish he would let me know if he has any doubts that I can clear up.

The President. What does the Ambassador of Chile have to say?

Mr. Magnet. It seems to me that what the Ambassador has said confirms what I——

Mr. Colombo. I think it is the same thing, Mr. Ambassador.

The President. Is there any other question? Mr. Ambassador.

Mr. Magnet. If it is not an imposition on you or on the meeting, Mr. President, I wonder if it would be too much to ask the Committee to tell us how many asylees or refugees still remain in the embassies in Santo Domingo, if it has been able to obtain this information.

Mr. Colombo. The truth is that at this time, Mr. Ambassador, it is impossible to answer your question because, fortunately, the evacuation of asylees has already started. I have information regarding the asylees at my embassy: there were 14 who have already been able to leave. That is, this changes according to the help received, food and other, because the asylees take advantage of arriving planes in order to arrange their transportation; therefore, at this moment it would be practically impossible—because of the time that has elapsed since our arrival—to say how many asylees have been able to leave the country. Fourteen have left my embassy.

The President. Is the Ambassador satisfied?

Mr. Magnet. I hope I am not being too insistent, Mr. President, but perhaps with the testimony of the other members of the Committee we might obtain an approximate figure, at least.

The Special Delegate of Brazil. Mr. Ambassador of Chile, I wish to inform you that in the Embassy of Brazil there were thirty-eight asylees, of which only six wished to leave the Dominican Republic. The other thirty-two told us that they would prefer to await the return of normal conditions in their country. Therefore, only six asylees in our embassy left the Dominican Republic.

The President. Does Ambassador Vázquez Carrizosa wish to contribute anything?

Mr. Vásquez Carrizosa (the Special Delegate of Colombia). There were about 30 asylees in the Embassy of Colombia in Santo Domingo, some of whom did not wish to leave Dominican territory. Many of them, especially women and children, left on May 5 on the plane that brought in food, medicine and medical equipment.

The President. The Ambassador of Guatemala.

Mr. García Bauer. There were 28 asylees at the Embassy of Guatemala, of whom nine left. There are now 19 asylees at present who will be evacuated as soon as possible on the plane arriving from Guatemala with food and medicines. The Secretariat has already been informed of this.

Mr. Magnet. Mr. President, I wish to leave on record my gratification and to pay public tribute to the patriotism of the Dominicans, since so many of them have chosen not to abandon their country, in spite of the prevailing chaos.

The President. We give the floor to the Representative of El Salvador, Ambassador Clairmont Dueñas.

Mr. Clairmont Dueñas (the Special Delegate of El Salvador). Thank you Mr. President. I am going to ask a question, but I wish at this time to express my government's appreciation for the excellent work of the Committee in the face of the tragic events in the Dominican Republic. Our thanks, gentlemen. The question is as follows, and I wish to refer to the distribution of weapons to the civilian population. I wish to ask the members of the Committee whether they then had sufficient time to investigate how this distribution was made, what was the source, if it is known, whether distribution was made indiscriminately or to persons of any special tendencies, and who were the originators of this distribution. Thank you very much.

The President. I refer the question to the members of the Committee. The Ambassador of Brazil, if you please.

Mr. Penna Marinho. Mr. President, I wish to reply to the question posed by the Ambassador of El Salvador, and I do this on precarious bases, because the information we received was precarious, and, above all, contradictory. There was, however, a common consensus in these replies, that the arsenal of weapons had been opened, access to it was given to the population, and that the civilian population, a part of which was controled by Colonel Caamaño, was armed with automatic weapons considered by several authorities we interviewed as the best and most modern existing in the Dominican Republic. And we were able to ascertain, when we opened negotiations with the group led by the Commander of the Revolutionary Government, Colonel Caamaño, we were able to see various persons, teenagers, women, all armed with machine guns, forming small groups in the streets of the neighborhoods of Santo Domingo that were under the control of the rebels. And so there was a distribution made of all the weapons that were stored in the arsenal of the Dominican Republic to the civilian population that supported Colonel Caamaño's group. This is the information we were able to gather by means of the contacts we had with the various authorities of the Dominican Republic.

The President. Ambassador Vázquez Carrizosa, Special Delegate of Colombia.

Mr. Vázquez Carrizosa. I cannot, of course, give an opinion on the way in which the weapons were distributed, but the truth is that in the sector of the city where Colonel Caamaño's command was located, the presence of weapons, of machine guns, was visible and clear; of all citizens in the streets and of all who were around us, each citizen carried a machine gun, so the weapons were as numerous as the persons who were around us. Thank you.

The President. Does the Ambassador of Guatemala wish to give any opinion in this respect?

Mr. García Bauer. Yes, of course it could be seen in the city, as far as we could see, that automatic and other weapons were in the hands of many young civilians, and even of women. Now, according to information I received early Sunday morning, April 25, many young civilians were armed with automatic weapons from the 16 de Agosto Camp.

The President. The Representative of El Salvador, Mr. Clairmont Dueñas.

Mr. Clairmont Dueñas. Thank you, fellow Delegates. I have a second question, if the President will permit me. I wish to ask the members of the Committee if they have seen, foreseen, or gathered, according to how we use the term, the possibility that the sector controlled by Colonel Caamaño is receiving weapons supplied by another country, not the Dominician Republic—from another country, let us say, Cuba—or is it using the weapons that they have there at this time.

The President. The Representative of Colombia, Ambassador Vázquez Carrizosa.

Mr. Vázquez Carrizosa. There is such a profusion of machineguns in the sector of the city that we visited that in reality the importation of this item is unnecessary.

The President. The representatives who may wish to add something to the reply. The Representative of Venezuela, Ambassador Tejera París, has the floor.

Mr. Tejera París. Mr. President, I should like to ask the Committee two questions, the first precisely about arms. Did the Committee learn of the existence, or was it able to verify that there is some system of distribution or some inventory whereby, in the forthcoming peacemaking activities, it could check what part of the arms has been returned? My experience in such matters has been that it is possible to have a very large part of the arms given to civilians returned, and then, by a supplementary house-to-house search they can be controlled. In general, the military are very good bureaucrats; they generally make inventories, and so the question I ask is not absurd.

The President. I refer the question to Ambassador Colombo, Chairman of the Committee.

Mr. Colombo. Mr. President, the question asked by the distinguished Ambassador of Venezuela I have also asked the various bands or groups in Santo Domingo. All of them were very sorry that they could not provide me with accurate pieces of evidence, which would have been very valuable. When we were about to leave, in connection with the activities reported on in our despatch, our report, the only part on which we obtained a reply that would help allay the Ambassador's fears was given by the United States, when the Ambassador of the United States in Santo Domingo told me that many of those who are arriving in the security zone bring arms with them and turn them in. I tried to go further into this question to ascertain the number of arms. The reply was not definite. I was told merely that this was a report that he had received from General Palmer, who had told the Ambassador of the United States that they had a certain amount of arms that were being turned in by people who were arriving in the zone for diverse reasons, many of whom were coming in search of food or medical care and who were voluntarily turning in their weapons. This is the only thing I can say, but I believe that I have contributed something to allay yours fears, Mr. Ambassador; nothing more.

Mr. Tejera París. Thank you very much, Mr. President. The other question would be this: I was very favorably impressed and feel optimistic at the fact that the Committee noted among both the Constitutionalists and the rebels a fervent desire to have the OAS intervene to seek a solution; and that even, according to what I think I heard the Chairman of the Committe say, Colonel Caamaño himself said that he rejected the Security Council solution and preferred an OAS solution, because it belongs to the system. Now I should like to ask you this: Did the Committee explore the possibility, or did it hear of any methodology of any special system, for example, the presence of a high commission of eminent persons or a high commission of good offices that could assist in returning the country to constitutional normalcy now? Does the Committee believe that there would be some possibility that such a solution would be acceptable to all the bands in conflict? I understand that now there is another change in the country.

The President. I refer the question to the Committee members. Mr. Vázquez Carrizosa, please.

Mr. Vázquez Carrizosa. It is still premature to go into that. Of course, we can find evidence of contact, points of common reference, but within an atmosphere of tension and anxiety such as surrounded us, it is difficult right now to think of formulas for a government that might unite the two parts. I do not exclude it as a possibility for the future, but apart from a similar reference to the Organization of American States, I think it is impossible for the Committee (although my colleagues may believe otherwise) to answer that question more precisely. No system came into view. The thing is it was not our job to investigate political conditions of a new government. Our mission, which was precisely set forth by the resolution of May 1, was to obtain a cease-fire, guarantees for the departure of refugees, and safe conditions for the embassies, and also to organize humanitarian aid. Moreover, the terms of the resolution of May 1 did not authorize us to enter into discussions of matters that are the concern of the Dominican people, and personally, my theory is that our mission was essentially to bring about peace—not to prejudge the will of the Dominicans regarding their own future; at least, that is my reasoning.

The President. The floor goes to the Repsentative of Guatemala, member of the Committee, to reply to certain aspects of the question raised by Mr. Tejera París.

Mr. García Bauer. There is no better way to answer the question raised by the Ambassador of Venezuela than to refer him to the terms of reference of the May 1 resolution of this meeting. The work mentioned by the Representative of Venezuela is not found in the terms of reference, and consequently, the Committee was prohibited from entering into that area. Undoubtedly, and this we have already said, there is a desire for understanding; there is an evident wish for peace, since a number of relationships are involved; there are people, friends of one side and of the other. The Dean of the Diplomatic Corps told us of how, through him, splendid acts of humanitarianism had been performed. People asked him about their friends rumored to be wounded or dead, and he was able to give them explanations and set their minds at rest. In other words, that atmosphere *has* existed, and if the Ambassador of Venezuela, for example, remembers the cable that I read earlier, it mentioned one of the members of this new junta who described Caamaño as a personal friend, and also mentioned a lawyer, whom some think to be a militant partisan of the revolutionary party of Juan Bosch. In other words, it shows that there is a desire for understanding, that that desire is evident, and, of course, that there is faith in the inter-American system. How is that desire to be channeled? How can the OAS help to solve that problem that essentially must be solved by the Dominicans themselves? That is something that must be considered at an opportune time by the system, by the organs of the system. I yield the floor to Ambassador Tejera París.

The President. The Special Delegate of Venezuela has the floor.

Mr. Tejera París. I first want to explain that my question was not intended as criticism of the Committee, nor did I think that it could have wished to go beyond its terms of reference. I was only referring—perhaps I did not explain myself clearly—to the idea proposed informally by the Delegation of Costa Rica—I don't know if all of you know about this—for setting up a delegated committee, a committee that, by delegation of this conference, would go to the Dominican Republic for the purpose of carrying out the second part of the task of re-establishing peace—that is, the administration of the mechanics of re-establishing peace and a return to institutional normality, not the formation of a government and other such matters. Then I asked myself if such an idea had already occurred to other countries in some form or other, since such ideas are normal. That was my question. Now, I have a third one.

The President. The Chairman of the Committee, Ambassador Colombo, will be so kind as to answer these questions.

Mr. Colombo. I want to say a couple of words regarding this concern of the distinguished Ambassador of Venezuela. I share the opinion just expressed by Ambassador García Bauer that our immediate job was to obtain a prompt peace. Also, we were obsessed with the fact—as undoubtedly everyone else was, without exception—that the solution to the Dominican Republic's political problem should be in complete keeping with the principle of self-determination of peoples, and that in the last analysis it was the Dominicans who must determine the direction of their institutional life. For us, it has been enough to know that they respect the jurisdiction and authority of the system and that the system assures the solution. But, Mr. President, with all respect to the Ambassador of Venezuela, neither do I think that this is the time to start discussing these matters, since, precisely for the reasons given by the Ambassador earlier, we should concentrate on the report and on the questions and answers from the Ambassadors and the Committee members respectively.

The President. The Special Delegate of Venezuela has the floor.

Mr. Tejera París. I just want some personal information, as all of us do. And another thing. From my own country's experience, especially during the dictatorship of Pérez Jiménez, communist infiltration is generally chaotic everywhere and tries to produce chaos in the various factions. Experience shows us that it is much easier and more common for communists to ally themselves with elements of the extreme right than with liberal ones. And so I ask whether the Committee noted or inquired as to the presence of agents and provocateurs on the side of Benoit, Wessin y Wessin, and company, or whether they investigated the presence of communists from the other side, because some of their action seem—give the impression of being—provocations rather than judicious acts.

The President. Would the Chairman of the Committee like to say something in this regard?

Mr. Colombo. Thank you, yes. That also is a very pertinent question, and I think that we answered it to a certain extent when we acknowledged the existence of snipers on both sides. That is, there are snipers everywhere; they are a general disturbing element throughout the country, although we cannot attribute to them the particular ideology mentioned by the Ambassador. But it is apparent that anyone who plays the part of a sniper and has escaped the normal command of either of two groups is following his own ideology. That is all, Mr. President.

The President. Would Ambassador Penna Marinho like to comment on the question presented by Ambassador Tejera París? Ambassador Vásquez Carrizosa? Ambassador Bauer? Would you like to, Mr. Ambassador?

Mr. Vázquez Carrizosa. Well, I just have this thought: if there are snipers in both parties, why can't they be snipers of the Wessin communists, or snipers of the Caamaño rightists, or simply nationalists?

The President. Is there any comment on these last statements, Mr. Chairman?

Mr. Colombo. I should not like to continue this dialogue because that would lead us into a maze of conjectures, Mr. Ambassador, but I believe, and I will say, that there is a fundamental difference: Colonel Caamaño's commands recognized the existence of Communist elements that were seeking to infiltrate and to gain control of his movement—an affirmation that I did not hear, nor do I believe that any of the members heard it, from Colonel Benoit.

Mr. Tejera París. Maybe they are not so politically sensitive.

The President. Well, reportedly so, according to some opinions.

Mr. Tejera París. I thought as much, but I just wanted to make sure. Thank you very much, Mr. Ambassador.

The President. Our thanks go to you, Mr. Ambassador. We shall now hear from the Ambassador of the United States, Mr. Bunker.

Mr. Bunker. I would like to express on behalf of my delegation, and indeed on behalf of my Government, appreciation and praise to all of the members of the Committee of the Meeting, individually and collectively, who, under the brilliant leadership of my friend and colleague, Ambassador

Colombo, have accomplished so much in so brief a period, and under, as they have described to us, the most difficult and trying circumstances. We have heard the report of the Committee this evening, and I am confident that this Meeting will agree with me, that the Act of Santo Domingo marks an outstanding achievement in what has been our priority objective under the terms of the resolution, an agreement on an effective cease-fire in the Dominican Republic. As Ambassador Colombo has reported, the Secretary of State has communicated to the Committee that the United States supports its work in Santo Domingo, and pledges to cooperate fully in the observance of the provisions of the Act of Santo Domingo.

Mr. COLOMBO. Mr. President, something has gone wrong with the interpreting equipment, because I heard the English spoken by the Ambassador much more loudly than the Spanish interpreter to whom I was listening.

The PRESIDENT. Is the Ambassador's speaker turned too high?

Mr. BUNKER. Shall I proceed? Well, it seems to me, Mr. Chairman, that the questions which have been put by my distinguished colleague to the Committee, and the answers of the members, have shed further light and have made a very great contribution toward a greater understanding of the situation existing in the Dominican Republic; a contribution so valuable that I think it should become public knowledge, Mr. Chairman. I believe that it was agreed at our previous meeting that the proceedings of the private meetings and the records would become public. I trust that that will be so in this case, because I think the record is extremely valuable to provide a much wider public knowledge of the actual conditions in the Dominican Republic.

The Committee has succeeded in taking this first step of major importance. It seems to me that this meeting can now move to a second major stage of the task, for I think we can all agree that much remains to be done before conditions return to normal in that tragic and torn country. It is quite obvious, from what the Committee has said, that there is today no effective national government in the Dominican Republic. There are contending forces, each in control or perhaps quasi-control in separate areas, but no political grouping or faction can lay a well-founded claim to being the government of the country. I say quasi-control because we had word from our Embassy in Santo Domingo today that the palace inside the rebel zone, in which 400 people, I believe, have taken refuge, had been attacked three times during the day. This may be indeed a violation of the cease-fire.

But it remains, Mr. Chairman, for the Dominican people, with the help of the OAS to which I understand they are looking, from the words of the Committee, to organize a government and to provide for future constitutional arrangements of their own choosing. It seems to me that it is of the greatest importance that the OAS should endeavor to assist patriotic and outstanding citizens of the Dominican Republic, and I am sure they can be found, to establish a provisional government of national unity, which could eventually lead to a permanent representative regime through democratic processes.

Mr. Chairman, we must now seek to find paths of peace and to build on the base which has been established by this act of Santo Domingo. I want again to express the appreciation of my Government for the splendid work of this Committee because they have established, through what they have done here, really the first and essential base for any further progress. Thank you, Mr. Chairman.

The PRESIDENT. I recognize the Representative of Uruguay, Ambassador Oribe.

Mr. ORIBE. Mr. President, I would like to second what the Ambassador of the United States has said with regard to making the minutes of this session public. I do this with the understanding, naturally, that they will be published as is usual; that is, that they will be complete, verbatim minutes. Thank you, Mr. President.

The PRESIDENT. It is so agreed. Ambassador Facio, Special Delegate of Costa Rica.

Mr. FACIO. First, I would like to join in the congratulations given to the distinguished members of the Special Committee for their splendid work. Second, the question I am going to ask is to clarify a concern I have with respect to the possibility of securing an effective peace in the Dominican Republic. I wish to ask the members of the Committee if they interviewed Col. Caamaño or any members of his group after that band was established as what they allege to be the Constitutional Government of the Dominican Republic?

Mr. COLOMBO. The value of the Act of Santo Domingo is precisely that it was signed after the establishment of Colonel Caamaño's group as the titular Constitutional Government, nothing more.

Mr. FACIO. Then, you had the opportunity to discuss with them their claim to be the only constitutional government of the Dominican Republic, because whether or not this claim can be maintained in either relative or absolute terms depends on there being peace through mediation between the two groups.

The PRESIDENT. The Chair again recognizes the Ambassador of Argentina.

Mr. COLOMBO. Mr. President, replying to the important question asked by the Ambassador of Costa Rica, I am pleased to tell him that the Committee delivered the Act previously to Colonel Caamaño for consideration, in order that he would have the opportunity of going into the intricacies of its legal implications, because what we wishes to achieve was the first step that would lead all of us to achieve peace in the Dominican Republic, and if you read the beginning of the Act of Santo Domingo, it sets forth what Colonel Caamaño and Colonel Guerra thought of the Act and the opinion of the parties. I recall simply that it reads: "The Parties signing below who declare that they represent, in the capacities mentioned," that is, in the act of signing they declared their capacity and as we had no authority to pass judgment on the titles, which would have implied a dangerous incursion into a territory that was forbidden to us, we limited ourselves to record the capacity of each one of the groups and with all loyalty to say to frankly and without any legal doubt at the beginning of that Act which would, undoubtedly, be the road to begin working seriously to bring definitive peace to Santo Domingo.

The PRESIDENT. Ambassador Facio wishes to ask another question.

Mr. FACIO. Many thanks. No, I am satisfied and, of course, the question did not imply any criticism whatsoever or any desire that they depart from that norm.

The PRESIDENT. Ambassador Vázquez Carrizosa, the Special Delegate of Colombia.

Mr. VÁZQUEZ CARRIZOSA. The Ambassador of Costa Rica asks whether the constitutional government invokes the qualification of government for the whole country and whether it authorizes the presence of another government.

Mr. FACIO. No. Naturally it is evident that each one of the parties which proclaims that it is the government aspires to this, but did you, specifically from this contact, reach the conclusion that Colonel Caamaño was in an irreducible position; not to yield. And I ask this question because after the signing of the Act of Santo Domingo, Caamaño has insisted that he does not accept the participation of an inter-American force and that the solution is that he is the President, and that he be recognized as Constitutional President, and that he represents legality.

Mr. COLOMBO. First of all, Mr. Ambassador, I would like to know whether this statement by Colonel Caamaño has been officially communicated.

Mr. FACIO. No, it is a publication.

Mr. COLOMBO. That is why I was very surprised that Colonel Caamaño transmitted that note.

Mr. FACIO. No, no, Doctor, it is a statement made in a newspaper.

Mr. COLOMBO. If we follow the newspapers in this process, Mr. Ambassador.

The PRESIDENT. The Representative of Colombia.

Mr. VÁZQUEZ CARRIZOSA. What the newspapers say is one thing and what really happens is another, but it should be noted that many news items that are published should be investigated or it should be known to what extent they correspond to what was said or to what is done. I can only say the following: the demarcation of the zone and the existence of a corridor communicating the San Isidro zone with the center of the city were discussed personally with Colonel Caamaño. There was even a doubt regarding the conditions of the guard in the corridor. An incident had occurred the day before—many incidents occur—regarding some patrol that had entered farther than the two blocks that on one side and the other were authorized by the regulations in order to safeguard this public road; and Doctor Héctor Arístides maintained that it was intolerable that United States patrols should go beyond the limits. The military adviser who accompanied us—he was the military adviser of the Ambassador of Guatemala—who had had the occasion to read the regulations and the truth regarding the incident, explained in perfectly fair terms the truth of the fact, rectifying Doctor Arístides' understanding, but as Doctor Arístides insisted, Colonel Caamaño intervened, with some vigor, to say "no, this is something between the military and we understand one another. I believe that what the military adviser says is true; I believe that it is acceptable; I have no objection." I am stating this fact in case it clears up your doubts.

The PRESIDENT. The Special Delegate of Guatemala, Mr. García Bauer.

Mr. GARCÍA BAUER. I only wished to mention, with regard to something that has been discussed before, especially by the Ambassador of Costa Rica and also with respect to a question that was asked before, that in Document 17 Add. 3, in which the fourth radio-telephone message of the Secretary General of the OAS, Doctor José A. Mora, reports—you all have the document before you—that the Military Junta has already traveled to Santo Domingo and is installed in the National Congress, it states, Center of the Heroes, then——

The PRESIDENT. Of the Military Junta that traveled to Santo Domingo? The fifth or the——

Mr. GARCÍA BAUER. Yes, the Military Junta that was in San Isidro. It doesn't say here whether it was the five-man Junta or the three-man Junta, because I don't know if it was done before the five-man one was established, and then, in today's May 7 document, it says: "as to what is happening here, the situation continues to be very delicate, since the cease-fire agreement is being enforced with great difficulty. It is particularly affected by radio broadcasts that confuse and excite the population. Every effort is being made to stop the Santo Domingo station from issuing messages that excite the people. If this is achieved it would prevent a state of violence. The same is true with respect to the San Isidro Radio. Yesterday I went to the two broadcasting stations and transmitted a message intended to calm feelings and calling upon the Dominican people to comply with the agreements in the Act of Santo Domingo.

Nevertheless, Radio Santo Domingo and Radio San Isidro continue sending messages that aid in inflaming spirits and maintaining the situation of volence." And this same document mentions the asylees who have left and gives up-to-the-minute information regarding them. This is important in relation to the questions that we were asked previously.

The PRESIDENT. Thank you very much. Is Ambassador Facio satisfied?

Mr. FACIO. Thank you very much.

The PRESIDENT. The Representative of Honduras, Ambassador Midence.

Mr. MIDENCE. My delegation wishes to join in the congratulations extended to the Committee for its magnificent work under such difficult circumstances. My Delegation feels sure that the report that has been presented today will be of immense value to this Tenth Meeting of Consultation of Ministers of Foreign Affairs. Thank you very much.

The PRESIDENT. Ambassador Bonilla Atiles, Special Delegate of the Dominican Republic.

Mr. BONILLA ATILES. Mr. President, Delegates: I think that of all the delegates present here none can feel the pain that I have at what I have heard tonight. Words were too few to express my appreciation to the members of the Committee. I have just had a long-distance telephone conversation, from Santo Domingo, with Mr. Antonio Imbert, and he told me that in a search for possible solutions the Military Junta had turned its power over to a civilian-military junta composed of: Antonio Imbert, president; Julio Ortigo, Alejandro Seller, Carlos Grisolía Poloné, and Colonel Pedro Benoit. This junta will try to cooperate with the mission from the Organization of American States to find solutions, which are still premature to discuss. He also informed me that the Junta has discussed with Dr. Mora the problem of the radio broadcasts, and it has been proved that Radio San Isidro has not made any inflammatory broadcasts. As to the last attack on the National Palace, of which Ambassador Bunker spoke, he confirmed to me that there are civilian refugees there.

I am not mentioning this as accusation but as fact. What interests me most at the moment, since it involves my own responsibility and that of the government, whichever it may be, and that of the Dominican people, is that out of this meeting shall come the necessary and imperative declaration that what is happening in Santo Domingo threatens the peace of the hemisphere. After knowing the facts, this is the only justification this body has for having taken the steps that it has. I do not propose that this problem be dealt with or discussed tonight because it seems to me that we are all sufficiently tired, morally and physically, so as to be unable to face this problem immediately; but I do urge the Tenth Meeting of Consultation as soon as possible to make emphatically this decision, so that the fire will not be extinguished, not only in the Western hemisphere but in all political quarters of the world. I have nothing more to say.

Mr. PENNA MARINHO. Mr. President, before ending this session and to a certain extent supplementing the report of the Special Committee, which has just been submitted by its Chairman, Ambassador Ricardo Colombo, allow me to mention one point that ought to be brought to the attention of this Meeting of Consultation. I wish to refer to the magnificent activities of Monsignor Emmanuel Clarizio, the Papal Nuncio in Santo Domingo. He is an exceptional figure, a vertiable Don Camilo on a grand scale, with free entrée into all political areas of Santo Domingo. With astonishing ease, he leaves the headquarters of Colonel Caamaño to go to the Government Junta and from there to the American Embassy. He is a respected friend of Caamaño, as he is of Benoit and of Ambassador Bennett. They all like him and they all have the same high regard for him. It is due to his thorough understanding of things, to his moving spirit of human solidarity and to his profound love for the Dominican people, that the drama in that country did not assume more terrible proportions. I know that the Meeting of Consultation has already paid just tribute to Monsignor Emmanuel Clarizio, but it never will be too much to point out, for the eternal gratitude of America, the admirable labor of this extraordinary prelate in behalf of peace and tranquillity in the troubled Dominican Republic. The Delegation of Brazil, expressing sentiments that I know are those of all of the Special Committee of the Tenth Meeting of Consultation, manifests its deep appreciation and above all its admiration for the continuous and tireless collaboration rendered by Monsignor Emmanuel Clarizio, Papal Nuncio in Santo Domingo, to the Special Committee of the Tenth Meeting of Consultation during its stay in the Dominican Republic. Thank you very much.

The PRESIDENT. Ambassador Ricardo Colombo has the floor.

Mr. COLOMBO. Mr. President, with deep feeling the Delegation of Argentina wishes to add to the words of the Ambassador of Brazil concerning the outstanding work of the Dean of the Diplomatic Corps, that messenger of peace in the Dominican Republic. The only tribute—because everything has already been said—that I can pay under the circumstances, is to repeat here, Mr. Chairman, before the entire meeting, his final words of good-bye to us: Take—he said to me—my blessing to the Meeting of Foreign Ministers that they may achieve the high objectives of peace; the peace that, at all costs, must be preserved in this Republic where I hold this apostleship. Nothing more, Mr. President.

The PRESIDENT. Ambassador Vázquez Carrizosa, Special Delegate of Colombia, has the floor.

Mr. VÁZQUEZ CARRIZOSA. Mr. President, it is only right to say a few words, as my colleagues from Brazil and Argentina have already done, to emphasize the merits of the Dean of the Diplomatic Corps, the Papal Nuncio, in the face of such a difficult situation. There is more; none of our action would have been possible without the advice, without the help of that eminent diplomatic representative. And still more, for the future—for it would be very difficult to think about the future of the Dominican Republic without speaking of him who so perfectly represents the ideal of Pope John XXIII concerning the coexistence of men of good will. But I have asked for the floor to speak on a point which may not be appropriate at this time but would be at another. Our report ends with several recommendations, which I do not propose to discuss at this session, but I do want to point them out, to the Chair so that at the time and in the way provided for in the regulations or when it is considered opportune, they may be submitted to the Tenth Meeting of Consultation for discussion, because they do not deal with political questions, such as those we have discussed intensely, but specific points on the future organization of activities in the Dominican Republic. They are specific points of the greatest urgency, such as supervision of the cease-fire, the appointment of a group qualified to organize the relief measures for the Dominican people and evaluate their needs, the study and planning of an Inter-American Force and the coordination of all its services. Detailed, careful, and immediate consideration of these points seems to me absolutely necessary. Thank you very much.

The PRESIDENT. The Special Delegate of Guatemala, member of the Commitee, has the floor.

Mr. GARCÍA BAUER. At this time I only wish to refer to the tribute that my colleagues, the members of the Committee, have already paid to the Papal Nuncio and Dean of the Diplomatic Corps in Santo Domingo, Monsignor Emmanuel Clarizio, for the great work that he has performed since this grave conflict began in the Dominican Republic. The Papal Nuncio was exceptionally kind to the Committee, offering it every facility within his power, and it was through his great services that the Committee was able to accomplish what it did. He was present, tirelesly, at our interviews with Colonel Caamaño's command and with the Military Junta and, because the confidence both parties have in him, the Act of Santo Domingo was signed. He always used persuasion to the effect that the purposes for which the Organization of American States was in Dominican territory should be borne in mind. As the Ambassador of Brazil has said, the Papal Nuncio was respected in every area, regardless of which authority was in power. He is a person who has the confidence of the different parties and through his good offices, because of the great collaboration he rendered, the Committee was able to accomplish its task. Hence the Committee was moved and felt that its own wishes were fulfilled when, at the Papal Nunciate in Santo Domingo, we delivered to the Dean of the Diplomatic Corps the mesage from the President of the Tenth Meeting, Mr. Sevilla Sacasa, notifying him of the action of this Meeting some days ago concerning Monsignor Clarizio's work.

The PRESIDENT. Ambassador Colombo, Special Delegate of Argentina has the floor.

Mr. COLOMBO. I only wish to add one remark that seems to be strictly justifiable. In order to be able to act with the urgency that the case requires, the five-member Committee had to move up its return so that the Tenth Meeting could be as thoroughly informed as possible with all available data, but we were deeply concerned that before our departure the fundamental problem of the faith in the system as stated by the two sides in the struggle would not have been resolved, and the Committee was the link, at the scene of action, during the emergency, remaining in order to be able to carry out the powers accepted by both parties. It was for this reason that the Delegate of Panama, in an act that honors him, and which I cannot ignore, remained at the center of action, representing our mission. In this way, according to the conversations we held with the parties, it would be as though the Committee were present and together with military advisers and the civilian personnel he could undertake to solve whatever it might be possible to solve, to the extent that we are able—to solve the difficulties arising from the events that have taken place and that are taking place in the Dominican Republic. I want this generous act of the Delegate of Panama, from a country that has so many reasons for counting on the tradition of brotherliness in solving basic problems, to be recognized at this session. Panama is with us on the Committee, represented by its distinguished Delegate. Ambassador Calamari also wanted to be here, physically, with the Committee but was not able to do so. I want to stress this act of the Delegate of Panama because it is eminently fair to do so—to take note of one who has firmly carried the banner of the inter-American system into the midst of the fight. Nothing more.

The PRESIDENT. We are sure that our colleague, Ambassador Calamari, must be gratified by the eulogy given by his compatriot and our dear colleague, Ambassador Frank Morrice. [Sic]

Ambassador Diez de Medina, Special Delegate of Bolivia, has asked for the floor; and then Ambassador Tejera Paris, Special Delegate of Venezuela.

Mr. DIEZ DE MEDINA. Mr. Chairman, I have not asked for the floor to pose any question; I have no questions to ask. I have only words of praise—of warm praise and congratulations—for the distinguished members of the Special Committee of the Tenth Meeting of Consultation, for the intelligent and devoted manner in which they carried out the delicate mission entrusted to the Committee. I only wish, Mr. President, to add my wish that the minutes of this plenary session should also include words of congratulation and appreciation for the task being so successfully performed in the Dominican Republic by Dr. José Antonio Mora, Secretary General of the Organization of American States. Thank you very much.

The President. Very well, we shall do so. Ambassador Colombo, the Special Delegate of Argentina has the floor.

Mr. Colombo. The Ambassador of Bolivia is quite right in proposing formal recognition of the fact that the Committee was able to fulfill its mission because of the brilliant efforts that were begun by Dr. José A. Mora before our arrival in the Dominican Republic. Appreciation should also be expressed to the Secretariat, which, although few in number gave much in efforts and efficiently contributed to the success of our actions. Therefore, I second the Ambassador of Bolivia's proposal but would like to point out that we had intended to submit this matter during the session.

The President. The Ambassador of Bolivia and the Committee have interpreted the feelings and thoughts of the Chair and of all our colleagues very well. Ambassador Tejera París, Special Delegate of Venezuela has the floor.

Mr. Tejera París. The Delegate of Bolivia anticipated what I was thinking and what is certainly the thought of all of us here. My intention was I now confirm it, to ask the chair to ask this Tenth Meeting of Consultation to give to the Committee, to the Secretary General, and to the members of the General Secretariat a vote of applause for the work they have done. The test that the Committee has passed has been hard both there and here, and I believe that since this is a problem that affects the whole security of the hemisphere, these colleagues deserve not only our thanks but the thanks of our governments and of their peoples, and, at this moment, enthusiastic applause which I am sure the President will be the first to begin. [Applause.]

The President. All of us join in the praise and tribute the Sepcial Committee has given to the prelate Emmanuel Clarizio, Papal Nuncio in the Dominican Republic and Dean of the Diplomatic Corps in Santo Domingo. We share in this with real appreciation, with affection, as our common duty. His services for the peace of the Americas, his vows and his blessings we applaud with emotion; with emotion, I say, which corresponds to the emotion that he experineced when he received our expression of deep gratitude for his magnificent labor for the peace of the Americas and for that people that we all love so well: the Dominican Republic. This closed plenary session has been highly important. We have heard the interesting report of the Special Committee. We have posed broad questions; we have obtained splendid and very clear replies, from which we can appreciate even more the extraordinary task accomplished by the Committee. Our repeated applause and eulogy for it and its members, all of whom we are honored to call our colleagues and friends. Unless you think otherwise a plenary session of the Tenth Meeting of Consultation should be indicated to consider the report in the aspects noted by the Committee, so that the meeting may act on that report. We have asked questions and have obtained answers; now comes the job of considering the report and analyzing the action to be taken by the Tenth Meeting of Consultation on the recommendations proposed by the Special Committee and the conclusions that it reached.

I ask you only whether tomorrow's plenary session should be open. I understand that it should be. It should be open so that the public will know everything that we have said, both with respect to the work of the Committee and to the contents of its interesting report. I would call another closed meeting, if the Committee so wishes, but the meeting I am going to convoke for a little later today, should be public and its purpose will be to consider the report of the Special Committee, discuss it and propose decisions concerning the recommendations it makes. The delegates have already seen and have in your briefcases for later reading the fourth radio-telephone message from our Secretary General, Dr. Mora.[2] It is not necessary to have the Secretary read it, since I am sure all of you have read it. With respect to the minutes of this plenary session, I ask you to take note that you have 24 hours in which to give the Secretariat your corrections of style. I ask you to take note of that time period so that the Secretariat can speed up the final edition of the minutes of the plenary session.

Mr. Colombo. Mr. President, I should like you to repeat the last part as to the time and place, according to the Chair's plan, as was suggested. Please do me the great favor of repeating it.

The President. Yes, sir. We are going to adjourn the session and meet again in a few hours, let's say, perhaps this afternoon. It will be a plenary session of the Tenth Meeting, public, for the purpose of considering the report of the Special Committee. To consider it, analyze it, discuss it, and decide on the recommendations and conclusions reached by the Committee. It is assumed that this session should be public. The next plenary session will not be closed like this one; it will be public, so that public opinion of the hemisphere will be informed, but not just of what is in the report of the Special Committee, because I am hereby suggesting that the report should be made public, unless for some reason the members of the Committee indicate to the Chair that it should not be made public but that we ought to wait until tomorrow's session.

Mr. Colombo. Absolutely, Mr. President.

The President. Therefore, gentlemen, as of now the report of the Special Committee is public. Consequently, it can be turned over to the press and sent to anyone wishing it. Naturally, if at tomorrow's meeting we reach conclusions on the suggestions made by the Committee, we shall feel highly gratified. In any case I think that the time has come for the Meeting of Consultation to make concrete statements on the chaotic situation that seems to grow worse every hour. Therefore, within 5 or 6 hours, possibly for 4 or 5 o'clock this afternoon, I am going to convoke the fifth plenary session of the Tenth Meeting of Consultation to meet in this same place and take up the report of the Committee. The Representative of Venezuela.

Mr. Tejera Paría. Mr. President, only to ask if you would be good enough to include in the order of business two specific points that I believe are relevant to the announcement you have just made: first would be consideration of whether or not the present situation in the Dominican Republic affects the security of the hemisphere; second, establishment and implementation of measures to help the Dominican people return to full constitutional democracy.

The President. Very well; it seems to me there is no objection to discussing these two points in the public session we shall hold shortly—the one suggested by the distinguished Representative of Uruguay and supported by the Representative of Venezuela, and the other just mentioned by the distinguished Ambassador Tejera París. I recognize the Representative of the Dominican Republic.

Mr. Bonilla Atiles. Mr. President, I shall wait until tomorrow to formally present a draft resolution on my proposal that the Organ of Consultation declare the situation in the Dominican Republic to be a threat to the peace of the hemisphere.

The President. Very well. The Representative of Paraguay has requested the floor.

Mr. Yódice. I only wish to ask two questions, Mr. President. I understand, or rather, I actually heard you mention a decision on the request of the Delegate of the United States that the minutes of today's session be made public. This request was seconded by the distinguished Representative of Uruguay. From this I assume, that is, I hope, because the suggestion is also mine, that it will be agreed to make public the minutes of this session.

The President. The chair has so resolved.

Mr. Yódice. I beg your pardon. Thank you.

The President. That's quite alright.

Mr. Yódice. Now, I have another question to ask of the distinguished Representative of Costa Rica, arising from an earlier statement by the Ambassador of Venezuela, because it refers to the matter of considering measures to bring democratic normality to the Dominican Republic, and during this Tenth Meeting of Consultation, I don't recall having heard any informal proposal by the distinguished Ambassador Facio regarding the establishment, as the distinguished Ambassador of Guatemala said, of a committee of statesmen, or something similar. Therefore, I would like to ask if Ambassador Facio did or did not make such an informal proposal, because I would not want to fail to inform my foreign ministry of something that had been proposed here. Thank you.

The President. Thank you. The Delegate of Costa Rica.

Mr. Facio. Mr. Representative of Paraguay, I have not yet made any proposal of this sort. Perhaps it can be clarified in this way: there has been some discussion of a proposal, but not one of mine, to put some of the recommendations of the Committee into effect. I shall be very happy to give you a copy at the end of this session. But the proposal was not made by Costa Rica; it has been discussed among several delegations but is nothing specific.

Mr. Yódice. I understand. Thank you. I wanted to know if it was proposed here.

The President. Ambassador Tejera París.

Mr. Tejera París. I would like to ask the Committee on Credentials if it would be possible to have a meeting early tomorrow to re-examine all our credentials, because it appears there are certain doubts that should be clarified in the light of the information transmitted in the cable that the Ambassador of the Dominican Republic reported on a short time ago.

The President. Ambassador Jácome, the Representative of Ecuador.

Mr. Jácome. As Chairman of the Committee on Credentials I can report that I have called a meeting of the Committee for tomorrow at 3:30 p.m. Any representative who has any doubt as to himself or to his colleagues may present his complaints to the Committee.

The President. Gentlemen, we have taken note of the announcement just made by our colleague, the Chairman of the Committee on Credentials, and it is now the time to adjourn the session and to announce that the fifth plenary session of the Tenth Meeting of Consultation will be held here this afternoon at 4 p.m. The session is adjourned.

VIRGINIA STATE CHAMBER OF COMMERCE AWARDS DISTINGUISHED SERVICE AWARD TO SENATOR ROBERTSON

Mr. STENNIS. Mr. President, I commend the members of the Virginia State

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[2] The complete text of the fourth message of the Secretary General is published as Document 17 Add. 3.

Chamber of Commerce on the excellent judgment they displayed in selecting our distinguished colleague, Senator A. WILLIS ROBERTSON, of Virginia, to receive the chamber's Distinguished Service Award.

The award was presented to our esteemed friend and colleague, Senator WILLIS ROBERTSON, at a banquet in Williamsburg last night, ending the 41st annual meeting of the State chamber.

Many well-known persons have received this award, but I feel sure none of them had worked any harder for the welfare of Virginia and its people than the Senator who was chosen for the honor this year.

During my years of close association with Senator ROBERTSON here in the Senate, I have been impressed by his devotion to his State and to the principles upon which this Government was founded, particularly by his steadfast defense of the constitutional doctrine that all powers not delegated to the Federal Government were reserved to the States.

Senator ROBERTSON also has labored incessantly for the improvement of the natural resources and the preservation of the historic places and scenic beauties of his State, which have made Virginia a tourist attraction to Americans from all sections.

And so, Mr. President, I feel that in honoring Senator ROBERTSON the Virginia State Chamber of Commerce has honored itself. I join them in their high evaluation of his services as well as his character.

Mr. HILL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HILL. I join the distinguished Senator from Mississippi and associate myself with his commendatory remarks of the distinguished junior Senator from Virginia [Mr. ROBERTSON] for his great work and fine statesmanship.

Mr. STENNIS. Mr. President, I thank the Senator very much. I am sure that the distinguished junior Senator from Virginia will appreciate the fine sentiments of the Senator.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. SPARKMAN. I join in the Senator's commendation and congratulations extended to our distinguished colleague, the junior Senator from Virginia, who happens to be my desk mate, and chairman of the Committee on Banking and Currency.

We all know the distinguished junior Senator from Virginia to be a fine Senator and a wonderful person in every way. I am delighted that the Senator received this well-deserved recognition.

Mr. STENNIS. Mr. President, I am pleased that the Senator from Alabama is delighted with the selection of the distinguished junior Senator from Virginia to receive the distinguished service award of the Virginia State Chamber of Commerce.

Senators feel great esteem for the junior Senator from Virginia. In our association with the distinguished Senator, we all love him for his ability, but fear him in debate when we are not on the same side.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, is morning business concluded?

The PRESIDING OFFICER. (Mr. MONTOYA in the chair). Is there further morning business? If not, morning business is concluded.

VOTING RIGHTS ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

The PRESIDING OFFICER. The question is on agreeing to the amendments, en bloc (No. 157), offered by the Senator from North Carolina [Mr. ERVIN] to the amendment in the nature of a substitute, as amended (No. 124), offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN].

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum. I ask unanimous consent that the time for the quorum call be charged to neither side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HILL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I yield 10 minutes to the senior Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 10 minutes.

Mr. ELLENDER. Mr. President, I regret that the Senate Judiciary Committee which studied the original voting rights bill was unable to come forth with a recommendation.

As all of us know, the first substitute for the administration's bill came to the Senate without recommendations. That indicated to me that there was quite a difference of opinion among the proponents of the measure.

The second substitute, which is now before us, was presented to the Senate for consideration only a week ago. Since that time, we have proceeded to consider legislation in other fields, but we have also voted on two amendments, one proposed by the distinguished Senator from North Carolina [Mr. ERVIN] and the poll tax amendment that was considered on Tuesday. The pro and con arguments on the latter amendment required Thursday, Friday, Monday, and Tuesday until 1 o'clock.

Mr. President, I am convinced that the opponents of the bill are sincere in their presentation of amendments to the bill. It is not to create idle talk. In my judgment, most of the amendments are to protect and preserve our way of life. They are offered in an attempt to bring this bill more into line with the judicial and legal precedents which have guided our Nation through the years.

The Constitution has served us well. I have been in the Senate for 28½ years, and I do not recall a greater assault having been lodged against constitutional government than that which is contained in this bill.

It seems strange to me that soon after the President of the United States made his emotional speech to the American people, the original bill was presented to the Senate with 66 Members joining in its introduction.

If the truth were known, I doubt that five Members of the Senate whose names were appended as cosponsors had even read the bill.

There is no doubt that this bill represents a serious attack on constitutional government. As such, it deserves careful consideration and serious efforts to amend and improve the bill also deserves a hearing. There cannot be any denial of the fact that the right to prescribe voter qualifications has been, and always should be, in the hands of the States.

Several years ago I presented quite a long speech to the Senate on the poll tax issue, when Congress was attempting to enact a law bypassing the States and seeking to provide a bill to do away with poll taxes. That speech proved beyond all reasonable doubt what the framers of our Constitution meant by the language of article I, section 2.

Back in 1932, when I was Speaker of the House of Representatives of Louisiana, we rid the State of the poll tax as a qualification to vote. Many other States since then have enacted laws to rid themselves of the poll tax.

We have heard much about the 14th and 15th amendments, but it seems that Senators forget the 17th and 19th amendments. Consider female suffrage. The States for many, many years prevented women from voting. That was done through State laws. No female resident in most areas was capable of voting because the States fixed qualifications and denied to women the right to vote.

In order to enable women of this country to vote, a constitutional amendment was required, which is now appended to our Constitution and is referred to as the 19th amendment.

That fact in itself should indicate to all the good lawyers in the Senate that the right to prescribe voter qualifications is in the States, and not in the Federal Government.

We are confronted today with a drastic proposal that seeks, in my judgment, to suspend State laws. Congress would be the judge on an ex post facto basis. The Attorney General would be empowered to more or less fix voter qualifications, in spite of the fact that the Supreme Court itself held in March of this year, reaffirming its past conviction, that voter qualifications must be in the hands of the State, is in the hands of the State, and cannot be established by the Congress through statute.

Not long ago, when efforts were made to do away with poll taxes by way of congressional act, when success was not in sight, the distinguished Senator from Florida [Mr. HOLLAND] led the fight to have the 24th amendment adopted, which provides that no poll taxes shall be imposed or collected from any citizen of our States in Federal elections in order to have the right or the privilege to vote.

Notwithstanding that amendment, notwithstanding the 17th and 19th amendments, to which I have just referred, which indicate clearly and succinctly that the right to fix qualifications is in the States and cannot be exercised by the Federal Government, there is no doubt in my own mind——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. Will the Senator give me 10 more minutes?

Mr. HILL. Mr. President, on behalf of the Senator from North Carolina [Mr. ERVIN], I yield the distinguished Senator from Louisiana 10 additional minutes.

Mr. ELLENDER. There is no doubt in my mind that great pressures have been exerted through some quarters to bring this debate to a quick close and to come up with a bill. What kind of bill apparently does not matter. What the bill contains and what it will do to the fabric of our society and to constitutional government apparently are of no consequence.

The important thing seems to be to get a bill. The demand is made not in the interests of good legislation, not in the interests of preserving the checks and balances which have brought our Nation through many periods of peril, but merely to satisfy certain groups of agitators whose appetites are insatiable.

In the long and strenuous debate which preceded passage of the Civil Rights Act of 1964, I pointed out on several occasions that although many were saying that the bill would end all future demands for legislation in the field of civil rights, those who thought so were mistaken. I predicted—and my remarks are written in the RECORD in black and white—that the Civil Rights Act of 1964 might have the effect of contenting some of the advocates of civil rights legislation but that the agitation would continue.

Under the 1964 Civil Rights Act, and under the Civil Rights Act of 1960, there is no doubt that the Attorney General, with the large number of attorneys we have provided him, and the attorneys in the Civil Rights Commission, could easily bring these cases before the courts and have them adjudicated.

No matter in what section of the country there exists a pattern of discrimination, the Attorney General has the power to come into court, not for 1 person, not for 2 persons, but for 10,000 persons, if he finds that there is a pattern of discrimination in any part of any State in the Union.

In addition, we have provided for special courts which would pass upon such proposals, in the event the Attorney General sought to proceed in that way.

Today, the Senate, once again, is considering legislation dealing with voting rights aimed directly at the South, while title I of the Civil Rights Act of 1964, which also dealt with voting rights and was aimed directly at the South, is not yet dry on the statute books.

Mr. President, the Senate is composed of reasonable Members. I ask them not to turn a deaf ear on reasonable amendments. I ask them to uphold their duty as Senators and to legislate under the terms and guidance of their own consciences and their own wisdom. I ask reasonable Senators not turn their backs on reasonable amendments to an unreasonable bill because of the pressures which are being brought upon them.

What are we requesting in the Ervin amendment? We ask only for those things which our Founding Fathers thought enough of that they declared their independence from Great Britain and engaged in warfare for that purpose.

I invite the attention of the Senate to some of the charges leveled at King George III in the Declaration of Independence:

> For suspending our own legislatures—

That is being done here—

> and declaring themselves invested with power to legislate for us in all cases whatsoever.
>
> He has called together Legislative Bodies at Places unusual, uncomfortable, and distant from the Depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.
>
> He has made Judges dependent on his will alone * * *.
>
> He has forbidden his Governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained.
>
> For depriving us, in many cases of the benefits of trial by jury.
>
> For transporting us beyond the seas to be tried for pretended offenses.

Mr. President, I am reading from charges which were lodged against the King of England prior to the time the United States obtained its independence.

Mr. HOLLAND. Mr. President, will the Senator from Louisiana yield for a question?

Mr. ELLENDER. I am glad to yield to the Senator from Florida for a question.

Mr. HOLLAND. While the recital from the Declaration of Independence indicates as one of the evils complained of that the citizens of the infant Colonies were being transported beyond the seas for trial, is there anything in that charge like the provisions of the pending bill, which would transport any community in the State affected by the so-called voting rights bill to Washington, D.C., before they could even cleanse themselves or purge themselves of the charge that they had violated the voting rights bill?

Mr. ELLENDER. If anything, it might be worse than the charges made by the people of the United States against King George III.

Mr. HOLLAND. Is it not a fact that the pending bill would require that, in the first instance, a finding by the Attorney General is final, subject to no court appeal?

Mr. ELLENDER. The Senator is correct.

Mr. HOLLAND. Also bypassing the court and downgrading the judicial system of a government which is supposed to be divided into three parts of equal sovereignty?

Mr. ELLENDER. And by judges appointed by the President of the United States and confirmed by the Senate.

Those are the judges before whom the cases would be tried.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HILL. Mr. President, on behalf of the distinguished Senator from North Carolina [Mr. ERVIN] I yield 10 more minutes to the Senator from Louisiana.

Mr. HOLLAND. Instead of trying cases at home, before the district judges, and later going through the circuit court of appeals, the bill would require a community, which had been tried and found wanting, not by a court, but by the Attorney General, with a nonappealable decision, to come to the District of Columbia to purge itself, even though it had been falsely convicted by the verdict of the Attorney General or, if properly convicted, had corrected the situation by the passage of new laws. It must come from Texas, let us say, to the District of Columbia to purge itself. Is that correct?

Mr. ELLENDER. The Senator is eminently correct. That is the meaning of the bill.

I plead with reasonable Senators to study these amendments. How many Senators are present now? One or two. Present are the Presiding Officer and the distinguished Senator from Michigan [Mr. HART]. There are a few southerners here who are interested in the bill. The other Senators, I presume, are in committee, doing something else.

Mr. HOLLAND. To make clear my point, is there anything in the original list of complaints in the Declaration of Independence that quite compares with the requirement that a State or a county or municipality, in order to purge itself, because it has been found guilty by the finding of the Attorney General, not by a court, not by a jury, not by a judge, and without any right of appeal, must come to the U.S. Capital to bring suit and then, even after the suit has been successfully sustained, must have that proceeding held open for 5 years to prove that it will be a "good boy" from then on? Is there anything like that in the Declaration of Independence?

Mr. ELLENDER. There is nothing like that. That is what I was about to state.

Every evil with which the 18th century tyrant is charged is embodied in the voting rights bill in one form or another. There is no question about it.

Mr. HILL. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HILL. Can the Senator think of any more glaring example of an ex post facto law than this provision?

Mr. ELLENDER. I cannot.

Mr. HILL. Is it not a fact that the Constitution of the United States strictly prohibits the passage of an ex post facto law?

Mr. ELLENDER. The Senator is correct. What I am trying to emphasize are the charges that were made by the people of this country when they declared their independence, and I have given the reasons that were cited by them to attain their independence. Here we are confronted with a bill which would do more evil than the evils complained of by the people against King George III, the tyrant in England.

It will be recalled that the provisions of the pending bill prohibit the legislatures from passing any law on the subject of voting rights when that State is covered by the proposed bill. The State legislatures cannot exercise their constitutional power to count and qualify their citizens in the exercise of the franchise. The Federal Government will be in effect suspending the State legislatures in those few States affected by this section on legislation. State officials will be required to come to Washington to be tried for the conduct of their State officers by alien judges. These State officials will not have the benefit of trial by jury, nor will other individuals who are prosecuted for violations of this act be granted jury trials. The State officials will be hailed before these unfamiliar judges in Washington—"a place unusual, uncomfortable, and distant from the depository of their public records."

That last quotation is taken from what the people of this country back in 1776 charged was being done by the tyrant King of England, George III.

Mr. President, this voting rights bill is the only measure that I have ever encountered which violates not one but all of our sacred legal and constitutional concepts. It violates trial by jury as expressed in the Magna Carta; it violates the Declaration of Independence as I have just indicated; it violates the Constitution of the United States by suspending that Constitution in those few Southern States which will not be bullied into submission.

Under the pretext of granting and protecting the rights of Negroes, this Senate and this Congress proposes to run roughshod over the rights of all English-speaking Americans for the sake of the questionable advantage of catering to the demagogs and their followers.

The Ervin amendment would simply preserve those fundamental American principles of fairplay in continuing our history and tradition of trial in the locality where a man is accused and granting to him the historic right of a trial by his peers.

I cannot understand how Senators could have so little faith in that major portion of our judiciary who constitute the district courts. These judges, who are appointed by the President of the United States, investigated by the Justice Department and approved by the U.S. Senate, certainly must be men of integrity and honor. Under the terms of this bill, one would suppose that its sponsors have no faith in any of the courts of this country, except the Supreme Court and the District Court for the District of Columbia. It is indeed strange that this misplaced faith is placed in those courts which are the most political.

I urge that the Members of the Senate give careful consideration to the Ervin amendment, which would do much to preserve our American system of the orderly and reasonable administration of justice. I believe they will find it eminently reasonable.

I suggest the absence of a quorum.

Mr. HOLLAND. Mr. President, will the Senator withhold the suggestion of the absence of a quorum?

Mr. ELLENDER. I will withhold it.

Mr. HILL. Mr. President, on behalf of the distinguished senior Senator from North Carolina [Mr. ERVIN], I yield 5 minutes to the Senator from Florida.

OLD PEOPLE AND MONEY—FLORIDA EDITOR SPEAKS OUT

Mr. HOLLAND. Mr. President, Martin Andersen, of the Orlando Sentinel, is one of the outstanding newspaper editors of Florida and the Nation. His editorial views are always fearlessly expressed and clearly stated. The people of Orlando and central Florida are privileged, therefore, to read vigorous editorial comment from the pen of Martin Andersen in addition to the well-edited and comprehensive daily news columns.

I ask unanimous consent to have printed in the body of the RECORD the text of an editorial entitled "Old People and Money," which appeared in the May 4 edition of the Orlando Sentinel, commenting on plans of the Senate Special Committee on Aging to conduct hearings on the problem of poverty and the senior citizen. My able and distinguished colleague, Senator SMATHERS, is chairman of the Special Committee on Aging, and is to be commended for focusing the eyes of the Nation on the problems of our senior citizens. The editorial certainly deserves the attention of all of us in the Congress.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OLD PEOPLE AND MONEY

> All the poor are not necessarily the young dropouts and delinquents of the country, unable to live on $2,000 or less a year.
>
> Old people also need 50 bucks a week for living expenses, doctors, clothes, cigarettes, light bills, rents, and so forth and so on.
>
> Florida's Senator GEORGE SMATHERS discovered this in recent visits to the State. He recalls that everybody today is throwing the spotlight on youngsters who won't go to school and who can't work because they are untrained, and whom the Government plans to pay wages to return to school. But he hasn't seen anybody look the old man and the old woman straight in the eye, or even out of the corner of an eye, and ask: "Can you pay your drug bills?"
>
> The whole trouble with this Nation is that people live too long.
>
> We don't mean this in a harsh, inhuman sort of way. We mean it as a compliment to our doctors, our hospitals, and to our governmental sanitation measures.
>
> Not so many years ago death at 50 or 55 was about the average. Certainly most people died in their early sixties when we were boys. Now they live on and on up into their seventies and later.
>
> We also recall as boys that a man could make about $18 a week and keep a horse and buggy, raise a family, send it to high school but maybe not college.
>
> This reflection is also a thought concerning these geriatrics and their ever-dwindling incomes.
>
> A wage or income of $18 a week today is a pittance. Even $50 a week has little value. Inflation has overtaken the Nation and erupted problems not only for the young, but for the senior citizens.
>
> It is a pleasant thought this spring day that Florida's Senator SMATHERS is thinking of something besides the cherry blossoms that bloom in Washington and the orange blossoms that bloom in Florida.
>
> Frankly, we're proud he is thinking of the older people of Florida and other States because he realizes the President and most other officials have their eyes glued to the problems of youth. So they will eventually be cared for. But SMATHERS is going to care for the aged.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Out of whose time will the time for the quorum be taken?

Mr. HOLLAND. I was granted 5 minutes by the Senator from Alabama. I have used about a minute of that time. Using the remaining will give the leaders sufficient time to come to the floor.

Mr. HART. I suggest that the time required for the quorum call be charged equally to both sides.

Mr. HOLLAND. I am happy to do so. I did not see the distinguished Senator from Michigan on the floor earlier. I make that request.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. Mr. President, I yield myself as much time as is required.

The amendment in the nature of a substitute raises some important questions. This is one point on which, I believe, all Senators have agreed. There is need for uniformity in a determination of the questions in disagreement.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HART. I am glad to yield.

Mr. HOLLAND. The Senator says that all Senators agree. He does not mean, does he, Senators who are objecting, and objecting strongly, to the measure?

Mr. HART. No; I would seek only to persuade the Senator to agree with me. I think my statement was that all Senators agree that important issues are involved.

Mr. HOLLAND. Unquestionably, I must have misunderstood the Senator. I thought he was going into a discussion of some matter as to which I did not agree with him, and I know there is a considerable number of other Senators who do not agree with him.

Mr. HART. But does not the Senator from Florida agree that there are important areas of disagreement?

Mr. HOLLAND. I certainly do.

Mr. HART. Uniformity in the resolution of such questions is much to be desired. We feel that not alone is there precedent for the requirement that suits against the Federal Government be filed in the U.S. District Court for the District of Columbia, but that there is a practical reason why this is true with respect to the disposition of this important question.

It has been suggested that precedent is lacking for the restriction that is attached, to the extent that it is attached, to the selection of a forum in the substitute amendment. We have oftentimes replied to this argument by reciting the judgment of Congress with respect to litigation under the Emergency Price Control Act. In that act, Congress restricted challenges to the validity of the act to the Emergency Court of Appeals. The Supreme Court unanimously sustained that decision of Congress. There are additional precedents, as well.

We find that suits for the review of disallowances of claims by the Alien Property Custodian are confined to the U.S. District Court for the District of Columbia. So, too, we find that suits to review the cancellation of mineral releases of submerged lands on the Outer Continental Shelf are required to be brought in the District of Columbia.

The Constitution itself provides a precedent for requiring a State to litigate in the District of Columbia. Article III, section 2, of the Constitution permits the United States or a State to sue a State directly in the Supreme Court of the United States.

Mr. HOLLAND. Mr. President, will the Senator from Michigan yield?

Mr. HART. I am glad to yield.

Mr. HOLLAND. The Senator is not indicating, is he, that there is any precedent whatsoever for a State to come to the courts of the District of Columbia to institute litigation.

Mr. HART. No, but I am suggesting that there was a clear concept in the minds of the Founding Fathers, the authors of the Constitution, that a requirement that a State come to the seat of government was quite appropriate.

Mr. HOLLAND. Mr. President, will the Senator further yield?

Mr. HART. I gladly yield.

Mr. HOLLAND. Does not the Senator know that the Federalist Papers, which describe this part of the Constitution, stated that the purpose was not to downgrade the States, but to recognize that a State had a right to come to the most dignified Court in the Nation, the Supreme Court of the United States and of being held to be either a party defendant in such Court, if it chose, or to proceed as a party plaintiff? That was because any other decision would have precluded their having brought original jurisdiction cases to the highest Court in the land as the dignified place to go. Was not that the reason that was asserted ?

Mr. HART. I am quite willing to accept the Senator's memory as to the Federalist Papers. I believe that the proposal contained in the amendment in the nature of a substitute is wholly consistent with that approach.

Additionally, for many years subsequent to the adoption of the Constitution, Congress has imposed similar limitations for equally valid reasons in the areas I have already cited.

Mr. President, we feel very strongly that consistency, uniformity, and promptness in the resolution of these admittedly substantial questions, which can be presented by the bill, all suggest the desirabilty of designating the District Court for the District of Columbia as the appropriate forum.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRESSIONAL REORGANIZATION

Mr. HART. Mr. President, I yield such time to the Senator from Oklahoma [Mr. MONRONEY] as he may need.

Mr. MONRONEY. I thank the Senator.

Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD at this point an editorial from today's issue of the Washington Post entitled "Congress Looking Inward." It is a discussion of proposals presently being heard by the Committee on the Reorganization of Congress and deals with several matters in connection therewith.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CONGRESS LOOKING INWARD

To many, the hearings on congressional reorganization which began this week may seem to be poorly timed. On the whole Congress is performing remarkably well this year. Some notable reforms have already been adopted in both the House and Senate. The new rule enabling the Speaker to obtain a vote of the House on any bill approved by a legislative committee if it has been bottled up for 21 days or more in the Rules Committee has removed one of the worst roadblocks to congressional action. On the Senate side the leadership has demonstrated resourcefulness in applying a time limit on the Judiciary Committee's consideration of the civil rights bill and in its readier use of cloture.

These improvements in the power structure need to be broadly supplemented, however, to make Congress a faithful and efficient reflection of the national will. We are glad that the joint House-Senate committee is exploring the whole spectrum of reform proposals even though it is not authorized to deal with rules changes in either House. It has a great opportunity to focus public attention upon the kind of legislative machinery this country ought to have in the challenging decades immediately ahead.

We agree with all three of the major suggestions made by Senator JOSEPH S. CLARK—that committee chairmen be elected by secret ballot of the committee's majority members, that such chairmen step aside at the age of 70 as do the chief judges of the Federal courts, and that Senate filibusters be terminated after 15 days of debate. It is also obvious that Congress needs better methods of fiscal control, as pointed out by Cochairman A. S. MIKE MONRONEY. Part of the answer may be found in more expert staff members, and certainly much could be done to relieve legislators of trivia, such as passing ordinances for the District of Columbia.

Much will doubtless be heard about restoring the initiative of Congress and saving the legislative branch from slipping into the role of rubberstamp for executive decisions. Congress does need to enhance its ability to make its will prevail. But dreaming of a return to what is called congressional government is no more realistic than yearning for restoration of the horse-and-buggy era. The simple fact is that progressive economic and social policies in this large and growing Nation can be carried out only with strong presidential leadership. Central guidance is even more imperative to the discharge of our international responsibilities.

The policymaking role of Congress cannot operate in a vacuum. It must be related to the complex of domestic and international problems with which the country as a whole is grappling. Whether we like it or not, the people have come to look upon the White House as the focal point for the shaping of policies and programs that may be approved, modified, or rejected by the Congress. This will continue to be so because of the complexities of the age of social security, nuclear defense, space exploration, and mass education. The Congress can best serve the country by adjusting its machinery to effective performance within this system instead of looking back toward a simpler age that has passed.

SCHOOL LUNCHES FOR THE NEEDY

Mr. HART. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 10 minutes.,

Mr. HART. On September 21, 1962, as the Senate was passing the amendments to the School Lunch Act, I made the following remarks:

> The chairman of the Agriculture Committee and my fellow members kindly incorporated in the committee report at my request a special section directed to the school lunch problems of our large metropolitan centers.
>
> The big cities of the Nation, such as Detroit, have at one and the same time the largest number of needy children and the highest proportion of older schools built without facilities for serving meals. This means that new techniques and new equipment must be developed in order to have this program reach the hundreds of thousands of children having the greatest nutritional requirement.
>
> The committee report directs the Secretary of Agriculture to look into this key problem and report as promptly as possible after January 1, 1963.
>
> With this kind of concentrated attention it should be possible for Detroit youngsters and those of the other big cities to benefit more fully from this program. Given the 3-year transition period provided in the Senate bill, participation should be stepped up so that Michigan and the many other States similarly situated will not lose by the passage of this bill; indeed, along with the rest of the country we will gain by having the program operated under a formula which provides equal Federal contribution to all who participate.

I made that comment on September 21, 1962.

Mr. President, I am happy to announce that the study requested by the Agriculture Committee is today ready for release.

Better nutrition for hundreds of thousands of city school children is the aim of this highly significant study. It provides valuable information on establishing central school lunch kitchens in big cities to serve children in older, crowded schools, where it is virtually impossible to add kitchen facilities.

At least 1½ million of our children, a high percentage of them needy, in major cities such as Detroit are not able to benefit from the national school lunch program because the schools they attend were built many years ago and have no facilities for serving food. A paradox of our times is that while the national school lunch program is reaching about a million more children every year, it has not yet reached very far into the pockets of serious nutritional need existing in many of our great cities. In short, where the need is greatest the performance is limited.

The Department of Agriculture's Economics Research Service took leadership in carrying out this important study. They had the help of school lunch officials from all parts of the country. We are particularly proud of the contributions made by Michigan State School Lunch Director James L. Borough, who served as one of the consultants in the study.

The report analyzes several approaches to providing a nutritious noon meal from a central kitchen. Economists studied eight different central school lunch kitchens, now in operation, ranging from those providing the least expensive cold packed lunch to a complete hot lunch service—all fully meeting the high nutritional standards of the national school lunch program.

The report will serve as a guide to local officials looking into the possibilities for central school lunch kitchen operations and comparing costs and facilities needed for different types of lunch service.

The real beneficiaries will be our children in Detroit and elsewhere, to whom good food means the health and strength to learn and develop into responsible adult citizens.

This study is an excellent start toward providing lunches for hundreds of thousands of hungry children in crowded cities. But it is only a start. Many of the older urban schools do not have money for the food and facilities it takes to put lunch on the table—even with the planning of centralized kitchens. They will become a reality for many of our needy schools if—

Funds are appropriated under section 11 of the National School Lunch Act, as amended October 1962, to give needy schools maximum assistance in buying food;

Funds for kitchen and cafeteria facilities are provided through the recently enacted legislation on Federal aid to education, which authorizes such use of Federal funds;

Projects to help operate school lunchrooms are initiated under the Economic Opportunity Act through such activities as the community action program, Neighborhood Youth Corps program, or work experience program.

Mr. President, I am glad to see we are making progress in bringing these school lunches to those who need them the most. Surely any concept of the war on poverty—let alone the Great Society—should begin with feeding the hungry. This is not technically or financially beyond our reach. Let us get at it and stay with it.

I ask unanimous consent to insert in the RECORD my remarks on this subject before the Subcommittee on Agriculture of the Senate Appropriations Committee.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TESTIMONY OF SENATOR PHILIP A. HART, OF MICHIGAN, BEFORE THE SUBCOMMITTEE ON THE DEPARTMENT OF AGRICULTURE OF THE SENATE APPROPRIATIONS COMMITTEE, APRIL 29, 1965

Mr. Chairman, thank you for your courtesy in allowing me to appear in support—chiefly—of two items of major importance to our State.

APPROPRIATION OF $2 MILLION UNDER SECTION 11 OF THE NATIONAL SCHOOL LUNCH ACT TO PROVIDE LUNCHES TO MORE NEEDY CHILDREN

The chairman will remember, perhaps, that when I was on the Senate Agriculture Committee I urged that attention be given to the fact that the Nation's neediest children are not fully sharing the benefits of the school lunch program. The very children who most need a decent meal at lunchtime are not getting it.

When the poverty program was initiated, I suggested to Sargent Shriver that one immediate tangible, meaningful step that could be taken was to get this lunch program to the underprivileged children. So far, this has not been done.

Background

Section 11 of the National School Lunch Act authorizes the appropriation of funds to assist especially needy schools that draw a large part of their attendance from areas of poor economic conditions. Its purpose is to enable such schools to serve lunches without charge or at reduced cost to children unable to pay the full cost of their lunch. Section 11 was enacted in October 1962 but thus far Congress has not provided any funds under this authority.

Present situation

At present about 10 percent of the lunches served under the national school lunch program are being served free or at reduced cost. This does not answer the need for free lunches in the blighted core areas of our large metropolitan centers and in isolated rural areas. In such places the lunch programs in operation are financially unable to provide all the free lunches needed and many schools in such areas have no feeding facilities. Increasing the regular appropriation would be ineffective in meeting special needs since the apportionment formula would spread the increase to all participating schools (about 70,000). Section 11 funds on the other hand are only for schools in acutely needy areas.

In the absence of special assistance funds a few State school lunch agencies have attempted to meet the need from regular lunch funds and USDA commodities. Where this has been done the States have found the response by the children to be highly rewarding in terms of increased participation in the lunch programs, improved health, conduct, and learning ability. However, the overall accomplishment has been small in relation to the total problem. A USDA national survey of school food service in March 1962 showed about 1.4 million children were eligible for but were not receiving free or reduced price lunches. Some 500,000 of these needy children attended schools that had a lunch program and 900,000 of these children attended schools that had no lunch program.

Distribution of funds

Section 11 provides a mandatory formula for distributing the funds among the States. It is based on the per capita income of the State and the number of free lunches currently being served. Also the criteria prescribed by section 11 limit the use of section 11 funds to areas where the need for free lunches is substantially above average and community resources are inadequate to meet that need.

Budget request will permit a start

The $2 million requested under section 11 is only enough to provide for some small pilot-type operations, but these funds will make a start possible on such operations in every State. These operations will permit the development of economical and efficient techniques for extending the lunch program to additional needy children in the future.

The need in Michigan

According to information on the 1963–64 school year, more than half of the 4,655 schools in the State of Michigan have no lunch program. Some 595,000 children are enrolled in these schools.

Many of these schools are the older ones without kitchen facilities located in the core of urban areas such as the city of Detroit. In Detroit the 1963–64 figures show that 180, or 64 percent, of the schools have no feeding program. Fifty-one percent of the city's schoolchildren attend those schools that are without feeding programs.

With section 11 assistance it might be possible to start a special assistance operation in some of these disadvantaged urban schools. These feeding programs would probably be of the bag lunch or transported plate lunch variety and would help to demonstrate the tangible results that can be obtained when additional funds are made available.

Feasibility study

You may recall, Mr. Chairman, that at my request the Secretary of Agriculture was asked by the Senate Agriculture Committee to undertake a nationwide survey and study of the feasibility of making lunches available to needy children attending schools without food preparation and serving facilities through the use of central kitchens. I am informed that this study is at last completed, and a report thereon is in the Government Printing Office. It will be published shortly and hopefully will offer guidelines as to techniques for serving these lunches in the older areas of our largest cities and in isolated rural areas.

With this study, with the assistance shortly to be available under the Federal Aid to Education Act, and with the added incentive of the major emphasis now being put on the poverty program, I believe this is a propitious moment to invest the $2 million approved by the Bureau of the Budget for lunches for our needy children.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. EASTLAND. Mr. President, will the Senator from Michigan yield?

Mr. HART. I am very glad to yield to the Senator from Mississippi.

The PRESIDING OFFICER. How much time does the Senator from Michigan yield to the Senator from Mississippi?

Mr. HART. Mr. President, I yield to the Senator from Mississippi as much time as the Senator desires.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EASTLAND. Mr. President, I rise to speak in support of amendments No. 157 to the Mansfield-Dirksen amendment, in the nature of a substitute, to S. 1564.

I do not pretend that the amendment offered by my distinguished colleague would make a bad law good, but I do believe that it would preserve some vestige of constitutional principle in a document which could not undermine or destroy more basic constitutional provisions if it had been specifically designed for that purpose.

I am unalterably opposed to the enactment of this bill in its entirety, for I believe that it would constitute an unconstitutional deprivation of the rights, powers, and duties of individual States—rights, powers, and duties which resided in the sovereign States prior to the enactment of the Constitution, and which were not surrendered upon that occasion, and which, moreover, were specifically stated in that document to be the privilege of the States.

I am equally prepared to oppose any one of the individual sections which have this effect. I could not begin to determine which of the several provisions in this bill I consider the most dangerous to our constitutional processes. It has been said: "That which is round can be no rounder"—by the same token, that which is unconstitutional can be no more unconstitutional.

An unconstitutional provision is no worse, and certainly no more palatable, than any other; although we sometimes hear that this part is less evil, or "we can live with that." I do not take the position that anyone with a love for our legal and constitutional heritage can live with this bill, even if this amendment is passed.

I do take the position, however, that the Senator from North Carolina, a distinguished constitutional lawyer in his own right, has attempted, and is attempting to correct each and every abuse contained in the pending bill, which is virtually every page. I support him completely; my duty under my oath of office demands it.

As I have said, I cannot pick out the most unconstitutional of these sections, but equal to any is the provision requiring that a State, having been subjected to the operation of this act by the trigger, would be allowed to protest its innocence only in the U.S. District Court for the District of Columbia in an action for declaratory judgment.

Not only would these few States be declared guilty by legislative fiat, by bill of attainder in fact; and not only must they submit to a complete reversal of the Anglo-American legal processes and prove their innocence, without having been proved guilty but also, as the Senator from North Carolina [Mr. ERVIN] has stated, every courthouse door in the land would be closed to them except one—the District Court for the District of Columbia. I must admit that even after saying those words again and again, I still have some small, nagging doubt that they are true.

This amendment is a simple one, so simple that a schoolchild can easily understand it. I doubt, however, if he could understand why it should be necessary to have such an amendment in the first place. It would accomplish a simple thing; it would place jurisdiction of actions under this bill where they belong, where they have always belonged under our system of justice, in the court of the district in which the capital of the affected State is located or the affected political subdivision is situated.

I have been given no logical, rational, cogent reason why the District Court for the District of Columbia must be the sole forum for determining whether or not a State is to be allowed to revert back to full statehood. Why cannot the local courts be depended upon to exercise their function and perform their duty as they have always done?

It has been explained that this provision would provide uniformity of decisions; that it would be nice to have it done in one district, reviewed and be available to the Supreme Court; or that this just seemed a good way of doing it.

If this were not such a fundamental question, these reasons would be ludicrous. We have been told that the "atmosphere" pervading other areas is sufficient reason for this provision. It makes one wonder why we have any other district courts at all, since they obviously cannot be expected to perform their duty.

However, I am afraid I am unable to take such a cavalier attitude toward a provision which makes a mockery of the judicial process by subverting one of the basic tenets of Anglo-American jurisprudence—that justice shall be administered to all without delay or denial, without sale or prejudice, and that the courts shall always be open to all alike.

This principle is traceable to Magna Carta, chapter 40 which provides:

> We will sell to no man, we will not deny to any man, either justice or right.

It is a principle so basic, so ingrained in our lives and our heritage, that it makes one feel altogether foolish to find himself in the position of having to defend it. No one prepares defenses for positions and truths that are not subject to attack; these truths are accepted, we order our lives by them and we retain a memory of them from our earliest schooling. We consider them self-evident. We are at fault for taking them for granted; it seems that even the self-evident is now vulnerable. We are surprised that this should happen, and we then realize the meaning of other words of Mr. Jefferson: "Eternal vigilance is the price of freedom."

We are now confronted with a bill that would repudiate the principle that the courts shall always be open to all alike. The bill would permit one party to a controversy, the U.S. Government, access to every court in the land, and would foreclose access to every court but one to the other party; the State or political subdivision thereof.

The States, at least those few at which this legislation is aimed, would be reduced to a status lower than that of a common thief, who is guaranteed a speedy trial in the State wherein the crime was committed. The State, however, must come hundreds of miles from where the violation of law is alleged—or rather, declared by Congress—to have occurred. The thief is an innocent man, until the prosecution proves, beyond a reasonable doubt, his guilt. The State, declared guilty by a formula bearing no relation to the supposed violation, must travel to the District of Columbia, begging the court's pardon for its actions, seeking permission to be allowed to prove its innocence. It must do this without the benefit of compulsory process, and must bear the expense and trouble of transporting witnesses to this city for an extended stay in the Government's chosen forum where the Government's chosen judges hold sway.

We have all heard, and read, the Declaration of Independence and know how it bears upon this premise. It will not hurt to hear some of those words again. In declaring the causes which impelled the Declaration, a history of repeated injuries and abuses by the King of Great Britain was set out. Among these causes, declared not to be "light and transient," are found the following:

> He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.
>
> * * * * *
>
> He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.
>
> * * * * *
>
> He has combined with others to subject us to a jurisdiction foreign to our Constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation.
>
> * * * * *
>
> For transporting us beyond seas to be tried for pretended offenses:

I do not believe that the analogy to the present situation in which we find ourselves can escape anyone. The drafters of the Declaration of Independence seemed to consider the normal judicial processes to be rather important—important enough to constitute a reason for establishing a new nation.

The first clause mentioned showed great concern for the establishment of a judicial power, obviously judicial power in the Anglo-American tradition. The pending bill before us would pervert that tradition.

By quoting the second clause I do not, of course, mean to apply it literally to the present situation. I mean only to comment that by choosing one single forum, and denying all other district judges the right to perform what would normally be their duty, Congress is indicting our entire judicial system, casting doubt on the integrity and ability of every other judge in the land, and at the same time, perhaps unwittingly, is placing a great burden on those distinguished men who make up the chosen court.

The third clause is indeed self-evident. This is precisely what is being attempted by the proposed legislation, and although no State must go beyond the seas for trial of pretended offenses, the difference is one of degree only; and I do not think the Declaration of Independence would have been affected if the distance in that day had been a few hundred miles. Mr. Jefferson was dealing in principles, basic, unalterable, principles. This body would do well to consider them also.

Perhaps I should quote more of the grievances perpetrated by the King, in giving his assent to their acts of pretended legislation:

> For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries so as to render it at once an exemple and fit instrument for introducing the same absolute rule into these colonies:

* * * * *

> For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our government.

For these, I respectfully invite the attention of those States which are not affected by this bill to the first, in particular.

For the second, I submit that the pending bill would indeed abolish our most valuable laws, and would alter fundamentally the forms of our government. Nothing more can be said on that proposition. I only beg of the Senate to consider it well. It has the power to do, or not to do, the identical act.

Mr. President, I have spoken of basic rights to some extent, and less of the Constitution, but that is only a choice of phrasing. The two are inseparable. The general constitutional guarantees, of which much has been said recently, are actually a protection of the fundamental or inherent rights common to all. It has been said that these basic rights do not have their origin and foundation in the Constitution.

Constitutions, after all, do not spring up from some sort of spontaneous combustion. They are based on preexisting ancient rights, laws, traditions, and modes of thought. It has been written that written constitutions sanctify and confirm great principles, but do not bring them into existence, and that a constitution is not the cause, but a consequence, of personal and political freedom. This preservation of fundamental rights by principle is primarily an Anglo-American concept—see 16 American Jurisprudence, second edition, Constitutional Law, section 328, for cases cited.

The point I am driving at is this. The few of us who are disturbed, not with the object of the proposed legislation, but with the means chosen to accomplish the end, have naturally based our argument upon our fear that the principles enunciated in the Constitution are being ignored and perverted.

The principles, however, that justice shall be administered to all without delay or denial, without sale or prejudice, and that the courts shall always be open to all alike, are more basic than our Constitution. They were cited in the Declaration of Independence as reasons for breaking the ties with the mother country of those who brought forth our Nation.

As I have said, they go back to the Magna Carta, and obviously existed prior to that, in practice or at least in the minds of men. From the time they were written into the great charter, they were enlarged as the common law grew into the great system we know. They were brought to this country by our forefathers as part of the unalienable rights of Englishmen, the deprivation of which caused the American Revolution.

When the representatives of the several States gathered to "form a more perfect Union," these same principles were written into the Constitution, the first and greatest attempt at government resting upon a supreme, basic set of principles. As I have said, the Constitution was not a cause, but a consequence, of these principles—these personal and political freedoms.

Our rights, freedoms, and guarantees are based on the Constitution, an absolutely unique document in the history of the world. But, in fact, the Constitution in turn rests on these basic and self-evident principles, one of which is that the safeguards of the courts shall always be open to all alike. Once we subvert that principle, or any other, the Constitution no longer rests easily on a stable, solid foundation. Destroying one basic support in order to reinforce another is folly—it will lead to disaster. All are equal and must be maintained. If not, the Constitution itself, at least as we have known it for 176 years, will cease to exist as the basis for our form of government. It is not a thing to be done lightly, because "it just seemed a good way to do it."

The due process clauses of the Constitution have been cited in debate over the bill. While these clauses furnish additional guarantees, they do not infuse any new principle into the administration of our constitutional system; they are only declaratory of a rule which existed previously—*United States* v. *Cruikshank*, 92 U.S. 542; *Bank of Columbia* v. *Okely*, 4 Wheat. U.S. 235. Whatever was due process before the adoption of the Constitution continues to be such. These guarantees, embodied in the body of the Constitution and the amendments thereto, cannot be destroyed, denied, abridged, or impaired by legislative enactments. This is pure hornbook law. Yet, that is what this great lawmaking body will do if this amendment is rejected out of hand.

I realize that the guarantees of due process, of trial in the district wherein the crime was committed, of open courts to all alike, are framed in language denoting personal right; rights of the individual, or group, as against the sovereign. This does not alter my argument one iota. The basic, underlying philosophy upon which these constitutional principles rest, of which I have just spoken, is the compelling force which compels, under any interpretation, compliance with these principles, whether the party to a lawsuit be an individual or a soverign State. These States, just as any other party to a suit, are guaranteed their rights and basic freedoms. They cannot be usurped by legislative act.

The provisions in the pending bill, expressed in section 14(b) among other places, would deny to some six States the right to U.S. courts in their own jurisdiction, while the opposing party, the U.S. Department of Justice, would enjoy guaranteed access to all courts. Only these few Southern States, and no others, would be subjected to this deprivation.

I have said that this places the State in a meaner position than a common thief. As compared to the remainder of our sovereign States, which continue to enjoy the basic right, unfettered and freely, they are no longer in a position of even remote equality. I submit that this fact in itself is contrary to the principles of the Constitution. In a union of equal, sovereign States, no State can be deprived of that equality or sovereignty in any degree.

The Original Thirteen States, of course, existed prior to the adoption of the Federal Constitution and before that time possessed all attributes of sovereignty. All these, save only those surrendered by the formation of the Constitution and its amendments, have been retained, *Carter* v. *Carter Coal Co.*, 298 U.S. 238. New States, upon their admission into the Union, become invested with equal rights and are subject only to such restrictions as are imposed upon the States already in the Union. Thus, every State stands equally with any other, regardless of time of admission to the Union, *Dick* v. *U.S.*, 208 U.S. 340. There can be no State of the Union whose sovereignty or freedom of action is in any respect different from that of any other State. There can be no restriction upon any State other than one prescribed upon all States by the Constitution. The Supreme Court stated in *Texas* v. *White*, 7 Wall., 17 U.S. 700:

> The Constitution in all its provisions looks to an indestructible Union composed of indestructible States.

This ceases to be true when the sovereignty, equality and freedom of action of even one State is lessened even 1 degree. This will be the effect, however, of passing the bill as it now stands.

The bill would do what its proponents consider a magnanimous concession. They would give my State, or other affected States, permission to travel to this city, to bring an action for declaratory judgment, and to allege that neither the State, nor any person acting under color of law, would be guilty of denying or abridging the right to vote of any person on account of race or color.

Now, what would the Evin amendment do? How would it alter the bill? It would provide that action for declaratory judgment shall be bought in the local district court, in which the capital of the State is located or the political subdivision is situated. It would not change the trigger provision, as terrible as that provision is. It would not prevent the action from being heard by a three-judge court; it merely says that it will be so heard upon motion of the Attorney General; otherwise the regular district court will decide the matter. I cannot believe that this places too great a burden on the Attorney General, if he believes that the matter should be brought before a three-judge court. If he should happen to believe that a district judge, appointed by the President, is able to perform his duty with integrity and ability, he need not make such a motion.

In addition, a petition for review of a decision of a federally appointed hearing officer may be filed in the district court for the district in which the person challenged—as to his being placed on the voting list—resides. No longer would such a petition have to be filed in the court of appeals for that circuit, which would also necessitate traveling great distances in some cases, in order to find a court open to hear the petition of the aggrieved party.

Those who seem to take these provisions lightly might say that this amendment removes the 007 provision from the bill—it takes away the license to kill.

Mr. President, I do not mean to lecture along this line; I stand on what I have said. It has always been our proud boast that our courts are always open to all alike—I should like to continue in that boast. The principle first written into the Magna Carta, "We will sell to no man, we will not deny to any man, either justice or right," has remained with us for a long, long time as an underlying precept of our Constitution and our jurisprudence. It has grown and been enlarged upon. Its philosophy encompasses the several States without doubt. Do not let this body be the means by which this principle is finally undermined and tossed away.

In all good conscience, relying upon the oath of office taken by us all, I urge the adoption of this amendment.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MONDALE in the chair). Without objection, it is so ordered.

PUBLIC LANDS FOR PARKS IN OREGON

Mr. HILL. Mr. President, I yield 3 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, during the past several weeks a controversy has raged in my State involving the Bureau of Land Management relating to its policy on the exchange of public lands needed for the establishment of public parks.

In a controversy such as the one that has prevailed in my State there is a tendency for allegations to be made without the presentation of proof in support of the allegations.

Therefore, I wrote to the Department of the Interior and asked for a detailed statement as to the facts as the Department of the Interior understands them, making perfectly clear that I did not intend to involve myself in that controversy until I had all the facts.

I have received a letter from the Director of the Bureau of Land Management, together with a supplementary clarifying letter, setting forth answers to the charges that have been made against the Department, in particular against the Bureau of Land Management. These items have the approval of Secretary Udall and Under Secretary Carver. I ask unanimous consent that the letters and answers to allegations made in the press be inserted in the RECORD at this point in my remarks.

There being no objection, the letters and answers were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF LAND MANAGEMENT,
Washington D.C., April 30, 1965.

Senator WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: This is the additional background, beyond the Secretary of the Interior's statement, which you asked me to provide on any proposed exchange of Oregon land under section 3c of the Point Reyes National Seashore Act (Public Law 85–657, Sept. 13, 1962, 76 Stat. 538).

First let me say this Bureau has not proposed any such exchange. It has been approached by a Mr. Sweet about the possibility. There is no pending formal application before the Bureau of Land Management under the section a(2) of the Secretary's regulations on Point Reyes exchanges (43 CFR 2244.5–6). No formal application may be made to this Bureau unless accompanied by a letter from the Park Service that "the proposal appears feasible" which statement must accompany an application. No tentative approval letter has been sent by the Park Service to anyone preliminarily proposing an exchange in Oregon and no application has been filed with BLM.

I do want to emphasize at the outset that this Bureau is an integral part of the Department. I am responsive to and responsible to the Secretary and I expect my staff to be.

The only preliminary discussions I have conducted with the one known proponent of Point Reyes exchange in Oregon were conducted at a meeting arranged by State Director Getty in Portland, Oreg., in February 1965 with Mr. J. W. McCracken of WFIA in attendance, also at Mr. Getty's invitation.

I also want to make it clear that Congress sets policy for the disposal and retention of public lands. All actions taken to date have been fully within this mandate and the Secretary's regulations.

The Point Reyes Act states in section 3c that to acquire land in Point Reyes the Secretary may "convey to the grantor of such property any federally owned property under the jurisdication of the Secretary within California and adjacent States, notwithstanding any other provision of of law," the section further requires the use of fair market value in getting property values.

As to the public domain lands in Oregon, a series of laws passed by Congress permit but do not command their disposal by sale, lease, or exchange.

Congress has not yet directed that the public domain lands in Oregon as it has for the O. & C. lands, any strict limit on their disposal.

Last year Congress enacted the Classification and Multiple Use Act (Public Law 88–607, Sept. 19, 1964, 78 Stat. 986). This law directs the classification of the public domain "in order to provide for their disposal or interim management" (title).

Under it the Secretary shall first develop criteria to reach this determination. Then "shall, as soon as possible, review * * * the public lands, in the light of the criteria * * * to determine which lands shall be classified as suitable for disposal * * * and which lands he considers * * * more suitable for retention in Federal ownership for interim management." The law requires public notice of such proposed action. The act expires on June 30, 1969. Thus, it is clear that whatever is done under this act is temporary and interim.

Collaterally Congress elected to create an independent Public Land Law Review Commission to make a comprehensive review of the public domain and other carefully enumerated lands (Public Law 88–606, Sept. 19, 1964, 78 Stat. 982).

Neither of these acts repealed other laws including the pertinent provisions of the Point Reyes Act.

In order to respond to all of these acts, I directed my staff last summer to begin an initial internal analysis of the BLM lands.

In Oregon we have made an initial analysis which we believe places an outside limit of 490,000 acres out of 15,425,000 BLM acres which might fit a transfer criteria. Of this amount 50,000 out of the over 2,392,000 acres in western Oregon were in the transfer criteria.

The analysis made by the Oregon office was designed to do these things. Initially identify our best blocked areas of over 50 percent BLM ownership—identify fragmenting areas with less than 50 percent ownership—and identify possible transfer areas consisting of badly scattered lands.

This was an internal operation, a first step in a larger long-term effort to help the Congress, the public (including State and local governments) and us to plan a better course for the public lands future.

When we have completed our staff work of these analyses, the law requires that they be formally brought before all types of public groups and private organizations concerned with the public lands. This will be independent of any pending requests to acquire public lands.

Specifically in western Oregon, where we have 246,000 acres of public domain, the State director in Oregon has been directed to use the same basic criteria as elsewhere for his analysis. Lands which are badly fragmented I consider generally the more eligible for disposal than for retention. We would hope that in the final analysis the Congress would agree that after satisfaction of mandatory grants to States, exceptionally high priority also would be given to their use in a way that would permit us to better block up areas designated for retention.

Working, for example, through the Association of Oregon Counties and especially Judge Lloyd Rea, who is on a National Advisory Board Council, we have endeavored to give wide information on what we are undertaking. Wide publicity has been given to these new acts of Congress and to the regulations proposed under the Classification Act.

There is no secret plan afoot. Congress is preparing to get its Public Land Law Review Commission underway and we are carrying out publicly the initial intent of the Classification Act to define criteria. We also are preparing basic data for disposal for interim management so we can make recommendation to the Secretary so that these hearings to implement this part of the law can be set in perhaps 1966.

Because of all of the misinformation in a small part of the press about the Point Reyes exchange procedure, I will outline what is involved. (43 CFR 2244.5–6 contains the pertinent regulations.)

Step 1 is for the Point Reyes landowner to advise the Park Service informally of his interest. Sweet did this in 1960 on his unsuccessful California exchange proposal. He did this again in 1964.

Step 2 is for the landowner to describe lands he may want to select in an exchange. Sweet did this on his California proposal in 1960. Thus, Sweet today is back at step 2 on his second effort to effect an exchange on lands in California and Oregon.

Step 3 is for Park Service and BLM to consult and to reach agreement on BLM lands that may be studied, examined and classified. This was done in the 1960 California proposal. This has not been initiated in Sweet's current effort.

Step 4 is for Park Service to notify applicant that he may file a formal application and he does. This was done in the 1960 California proposal.

Step 5 is to value and examine the lands. Then the applicant and the United States try to reach a tentative agreement. After the valuation process in the 1960 proposal, Sweet and the United States agreed on the value of his property at Point Reyes but he placed a much lower value on the BLM property than we did. Sweet declined to accept the Government's values and the case was closed in 1963.

Step 6 is for the Secretary to announce he tentatively accepts proposal and authorize advertisement and makes the entire record of proposed exchange available for public scrutiny.

Step 7 is for the Secretary to receive views including protests.

Step 8 is for the Secretary to hold a hearing, if requested and necessary.

Step 9 is for the Secretary to decide whether to accept or reject the exchange.

Step 10 is for the titles to land to be exchanged. An exchange having value over $250,000 must be reviewed and accepted by the Secretary and in an interbureau exchange he is automatically involved.

The earliest possible time for a useful public discussion with a group such as the O. & C. board of an exchange would be at the point in step 4 where the applicant files for an exchange. Then there would be something reasonably solid. The general scope of the lands both parties have in mind for exchange will have been tentatively set and a policy review could be helpful. Until that time either party may not have concluded as to which lands it seeks to exchange. This was what I told State Director Getty. For example, Mr. J. W. McCracken, of Western Forest Industries Association, at this time would have an excellent opportunity to openly discuss a tentative agreement on lands and effect an allowable cut.

The normal and proper time for public discussion is after step 6. This is the time Congress wisely has set by law for publication and full public discussion. Then the value data is complete and public scrutiny on all aspects can be meaningful. Valuation experts and even financial page writers would have something concrete to examine and discuss sensibly then.

You asked that I answer the allegations in the press. These are both numerous and baseless and I am attaching a statement for your use.

My principal regret is that this grandstand play for headlines has used both the Governor of Oregon, others in Oregon and this Bureau to secure selfish ends. A few misguided people have as their motto "strike now, analyze later."

Not once since this controversy started, except for your inquiries and those of a few other Members of Congress and Washington press representatives of Oregon papers, have those in Oregon who have been making public statements and writing stories, called me to get my views. We have had nothing to hide nor have we hid anything. I never have before in my life and I don't intend to start now.

I deeply appreciate the long and constructive interest you have shown in public land programs. Even more I appreciate the fact that you have asked for the facts before reaching a judgment. All of the records of the Bureau are open to public scrutiny and should you seek further facts, you need only ask.

Sincerely yours,

CHARLES H. STODDARD,
Director.

Enclosures.

BLM ANSWERS TO ALLEGATIONS MADE IN THE PRESS

ALLEGATION

1. BLM "is trading off public domain lands from western Oregon to pay for the creation of a new national park." Already BLM has approved some 2,000 acres in Curry County for the exchange and there is more to come. (Oregonian, April 25.)

FACTS

This is not true. No lands have been traded. No application has been filed with BLM as required by 43 CFR 2244.5–6(b)(2). Only preliminary discussions have occurred with an exchange proponent. Getty was advised to identify and submit to the SD, California a list of public domain lands in Oregon which he considered available for exchange. This he did on February 26, 1965. The list was prefaced with the comment that these lands "appear available for exchange." The criteria to be applied in the identification of these lands was to list all lands for which a good case could not be made for retention in Federal ownership for multiple-use management. This criteria was not applied. The SD, California, in his March 17 notification to the NPS of the identified lands, merely supplied status sheets without making a definite commitment. This is significant in that a week later when the SD, California, advised the NPS of the lands in California considered available for exchange, he specifically stated that the California lands "are available for Point Reyes exchanges and have been so classified." Such a specific statement has yet to be conveyed to the NPS concerning the Oregon lands.

ALLEGATION

2. "At stake could be the entire sustained yield program of the O. & C. lands which have been integrated with the public domain being put up for grabs." (Oregonian, April 25.)

FACTS

This is not true. The O. & C. and Coos Bay Wagon Road lands contain 46.079 billion board feet of timber with an allowable cut of 1.033 billion board feet harvested annually from this 2,145,550 acres. None of these lands or its allowable cut are in jeopardy. There are 242,000 acres of public domain in western Oregon, of which only 180,000 acres are commercial forest. They provide a .094 billion board feet allowable cut. State Director Getty said, "2,000 acres do not have a large and significant effect on the allowable cut."

No detailed examination has been made on any or all of the lands. Mr. Sweet expressed an interest for an exchange, thus the exact impact cannot be stated categorically. Site, age class, and stand composition affect allowable cut estimates. My present estimate based on the only figures used by my staff is that the lands sought might value at $3 million. If this is correct, the value is 50 percent above the present value of Mr. Sweet's land. Mr. Sweet is also interested in some BLM timberland in California. Thus at the most 1,300 acres would be needed, not all of which would be in Oregon. If as much as 1,000 acres were in Oregon the impact on the allowable cut would be about 500,000 board feet out of 1,127 billion board feet or one-half of one-tenth of 1 percent.

ALLEGATION

3. "The reports have brought to light a situation that represents a potential danger to our whole program of sustained-yield timber in western Oregon" (Oregonian, Apr. 25).

FACTS

If the transfer of some public land to a private party so that timber can be cut by that party represents such a threat, I suggest that the Governor of Oregon has it within his power to require that all private timber be cut to the same high standard as is practical on Federal forests. Since Oregon laws do not require private sustained-yield management, I further suggest that the Governor present such a model law to his legislature for enactment. If such a course of action is followed there will be no threat to sustained yield in the event some Federal forest land should be shifted into private lands.

On July 10, 1962, BLM filed a notice of intent to withdraw public domain land in western Oregon from disposal.

On October 11, 1962, Governor Hatfield filed a vigorous protest to the withdrawal because the State wanted to select 8,000 of these acres for its own use. Both the selection and the protest were in his right.

ALLEGATION

4. "Trading lands with the Government can be profitable if you can get the Government timberlands on the basis of Government appraisals, usually less than the value of the actual timber involved.

"The swapping of Oregon's public domain 'could' make the late Al Sarena cry of public giveway seem very small to Oregon" (Oregonian, Apr. 25).

FACTS

The timber industry complains that Government appraisals are too high. If there is competent evidence from Oregon officials that our timber is priced too low, I invite them to submit it within the next 60 days, and I promise to correct it within 30 days thereafter.

It is interesting to note that on Mr. Sweet's first effort to exchange his Point Reyes land for BLM land in California, he failed to finally agree because he thought the Government placed too high a value on its property.

Any exchange for Point Reyes is governed by the law and this says in section 3d (16 U.S.C. 459c–2(b)) that fair market value shall be used. This means but one thing: value based on current transaction evidence, not a giveaway price or a discount price.

Should this exchange proceed to a point where an application is filed and then go to a point where the valuation is made, the full appraisal is at the disposal of interested parties to make a factual analysis upon which to offer intelligent comments.

ALLEGATION

5. About 8 weeks ago, Charles Stoddard, Director of BLM, came to Portland and got into the final details of the swap. (Oregonian, Apr. 25.)

FACTS

The final details of an exchange have not been reached; in fact it is only in the preliminary discussion stage. The first and only meeting Russ Getty and I had with Sweet was held "about 8 weeks ago." It was in Portland on February 10, 1965, arranged by S. D. Getty at the suggestion of J. W. McCracken of Western Forest Industries. Mr. Vladimiroff, district manager, Coos Bay also attended. I attended about 15 minutes out of 2 hours. It was an initial meeting and we discussed how Mr. Sweet might initiate an exchange under terms of the Point Reyes Act. At that time, application had not been made to BLM. On February 12, Mr. Kornelis, NPS, sent to BLM, Oregon, a list of BLM lands in Curry County presented by Mr. Sweet to

NPS. No formal application has yet been filed with BLM by Mr. Sweet under the Point Reyes procedures. Exchange appraisal of BLM lands in Oregon has not been made nor has BLM made an on-the-ground examination to determine whether or not they should be used for exchange.

ALLEGATION

6. Complete secrecy imposed by BLM officials from Washington, D.C., kept the whole project from local officials until this past week. (Oregonian, Apr. 25).

FACTS

No secrecy was imposed on BLM officials. Mr. Sweet's interest was known and discussed by him and others before BLM locally or nationally was ever aware of his interest in Oregon lands. An exchange cannot be conducted in secrecy. When and if Mr. Sweet filed an application after Park Service certification to us the public land office records would show this.

Prior to acceptance of an exchange by BLM and the Department, public notice including newspaper advertisement is required, including a registered notice to any who may have filed another application on the lands or have an expressed interest therein.

There are special situations on the western Oregon public domain such as the inclusion of these lands in the forest management plan and the protest by the State to a proposed withdrawal. The Classification and Multiple Use Act imposes new criteria on land actions.

Normally, preliminary exchange developments are not brought before the advisory boards. In February S. D. Getty proposed to conduct an early discussion with the Board. My view was that this would be timely when we had all the facts.

In retrospect, an earlier thorough review with the Board of all aspects of possible use affecting these lands would have been helpful.

ALLEGATION

7. "The meeting at Portland with Stoddard was the first time anyone outside the BLM office had heard about disposable lands or about a proposed project to dispose of some 11 million acres in all, 646,000 acres of them in Oregon" (Oregonian, Apr. 25).

FACTS

My opening statement to the House Committee on Appropriations on February 3, 1965, discussed the analysis underway which was authorized and directed by the Congress under the Classification and Multiple Use Act (78 Stat. 986; 43 U.S.C. 1411). On numerous occasions since last November I have publicly mentioned that our horseback guess of the acreage of land that might be subject to disposal was 10 million acres.

The Classification and Multiple Use Act directs this review. It directs that no classification for more than 2,560 acres, either for interim management or disposal, be made unless:

1. Public notice is given in the press and the Federal Register for 60 days.

2. Notice to the President of the Senate, and Speaker of the House is not mandatory but is always given.

3. The Public Sale Act (Public Law 88–608) requires elaborate notice and work with local government and no land may be sold "until zoning regulations have been enacted by the appropriate local authority."

No lands have been determined as disposable under the Classification and Multiple Use Act. All BLM has done is make its own first initial analysis of lands in three categories.

1. Best blocked holdings—50 percent or more BLM lands. Most manageable.

2. Fragmented lands—less than 50-percent BLM land. Manageable but consolidations highly desirable for better management.

3. Transfer land—scattered isolated lands more suitable for transfer to block up BLM holdings or for other similar purposes than for retention and interim management.

All last fall and winter wide discussions were conducted with groups and boards all over the West to acquaint them with the requirements of the law. At each step local groups have been advised BLM will lay the entire situation out when the initial analysis is complete.

Specifically, nearly all concerned agencies, organizations, and interested individuals in Oregon were consulted. No strong objections were voiced to any phase of the multiple use law. It received a broad and searching review by thousands of Oregon citizens.

ALLEGATION

8. "Sweet was told to choose lands from those areas which had been pulled out of the public domain as disposable lands" (Oregonian, April 1925).

FACTS

Sweet had a perfect right under the Point Reyes Act to inspect and informally apply to NPS for BLM lands. BLM position is that it would not even consider requests in best blocked areas but would consider the possibility of an exchange in areas when ownership was fragmented and badly scattered.

No commitment was made to Sweet by BLM that any of the lands he sought might be later approved for the filing of an application.

ALLEGATION

9. "Stoddard ordered the local BLM officials to come up with this much (2,240 acres) disposable land ostensibly to improve land management" (Oregonian, Apr. 25).

FACTS

Local BLM officials were not told to come up with 2,240 acres for exchange nor was Getty directed to classify these lands for parks.

ALLEGATION

10. "Getty said he was 'pretty well directed to classify the lands for disposal.' These lands were going to be used to trade for parks" (Oregonian, Apr. 25).

FACTS

Getty was repeatedly directed to make a more comprehensive review of all the western Oregon scattered public domain for disposal or retention for interim management. As to the identification of lands suitable for Point Reyes exchange, Getty was directed to list all lands for which a good case could not be made for retention in Federal ownership for multiple use management.

Getty's position was that virtually every acre of the 246,000 public domain acres in western Oregon were needed for forest management despite the fact that 66,000 of these acres are not commercial forest.

Getty wanted to keep every acre in BLM management but would not develop the type tract by tract justification required in the Classification and Multiple Use Act.

Congress has directed us to look at the disposal retention issue squarely.

My position was that the law set proper and reasonable limits. It gives us freedom to take either route but we must be equally able to defend a disposal or retention classification before a public hearing and public scrutiny.

On the lands in question the State director, Oregon subsequently sent a letter to the State director, California which contained every tract sought by Sweet. He failed to provide any analysis or make any case for retention which would later enable the Secretary and me to have a meaningful and sensible discussion of the BLM position if Sweet's informal proposal came to the formal application stage. This is in contrast to the procedure the State director, California used on BLM land where he listed part of the lands and set forth his reasons for not listing others.

ALLEGATION

11. "Sources within the BLM report that the entire Oregon lands swap has been turned over to Neal Nelson, the California director for BLM."

FACTS

This is false. The State director, California was designated to coordinate activities between NPS and BLM only since an NPS man is in California. Up until February, 1965, the only informal talk had occurred between BLM officials and Sweet. In view of Sweet's interest in both States, the assignment of coordination to the man physically nearest the Park Service man was a proper and simple internal arrangement.

This action in no way limited or reduced the authority of the Oregon State director over the lands in that State. Before and after this action this was discussed with both SD's and both were instructed to keep each other closely advised.

ALLEGATION

12. "Public domain receipts are available to the Land and Water Resources Conservation Fund established by Congress to provide money for park development" (Oregonian, Apr. 25).

FACTS

This is incorrect. Public Law 88–578 makes funds available as follows:

1. Collection of fees; that is user fees, entrance fees, and admissions fees.

2. Net proceeds from sale of surplus Government property.

3. Motorboat fuel tax.

No public domain funds are included. Public domain income in Oregon distribution: 95 percent to the reclamation fund; 5 percent to the State of Oregon (31 U.S.C. 711 (17)). Public domain income in Oregon in fiscal year 1964 was $1,271,367.

ALLEGATION

13. "Congress allotted $8 million for the land purchasers (Point Reyes)" (Oregonian, Apr. 25).

FACTS

Public Law 87–657 authorized $14 million for Point Reyes acquisition. S. 1607 by Mr. KUCHEL introduced March 25, 1965, and H.R. 7061 by Mr. CLAUSEN introduced April 1, 1965, pending in this Congress would provide a new total authorization of $44.5 million.

ALLEGATION

14. "Tacked on to the bill was a provision allowing the Interior Department to swap lands to help put the park together" (Oregonian, Apr. 25).

FACTS

Public Law 87–657 was enacted by the Congress as the bill was introduced. The exchange provision not tacked on. Pursuant to the act, one exchange has been completed in Arizona. About 20 proposals are in various stages of consideration or action. The only proposal that could involve Oregon is Sweet's informal one.

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF LAND MANAGEMENT,
Washington, D.C., May 4, 1965.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: A review of my letter to you dated April 30 reveals possible need for clarification of step 1 on page 4 thereof. Step 1 in the Point Reyes exchange procedure was identified as the informal notification to the National Park Service by the Point Reyes landowner of his interest in consummating an exchange of lands. Sweet did this in 1960 on his unsuccessful California exchange proposal.

This statement requires some explanation since the Point Reyes Act was not enacted until September 13, 1962.

Seizing upon the recommendation of the Department of the Interior to establish a Point Reyes National Seashore, Mr. Sweet, in a discussion with NPS personnel on November 18, 1960, expressed an interest in effecting a land exchange involving Point Reyes lands.

On December 18, 1960, the Secretary of the Interior Seaton instructed the Bureau of Land Management and the National Park Service to proceed with an exchange of public lands for private lands within the proposed Point Reyes National Seashore, under section 8(b) of the Taylor Grazing Act (43 U.S.C. 315g). This was the authority to negotiate for an exchange on a priority basis using the equal value provisions of the Taylor Grazing Act. The appraisal for Sweet's Point Reyes holdings was to be on fair market value with the same standards to apply to the selected lands. Sweet had expressed an interest in selecting California lands.

On February 16, 1961, Sweet filed a formal application for a private exchange, identified by serial number Sacramento 066016.

During the next 18 months, the matter of the appraisal of the offered and selected lands precluded further action on the exchange application.

On September 12, 1962, the Assistant Secretary, PLM, instructed the SD, California, to contact Sweet for the purpose of having him modify his application since our valuation was based on only 4,255.72 acres whereas Sweet had selected 9,679 acres of public domain lands. O. & C. lands were never considered at this time or subsequently for exchange.

A series of extensions of time were granted to Sweet to amend his application. The final extension of time was granted to August 19, 1963. Having failed to take the necessary action, Mr. Sweet's application was finally rejected and closed effective August 19, 1963. Consequently, this application was always a Private Exchange application under the Taylor Grazing Act.

The present negotiations are preliminary to a possible formal Point Reyes exchange application.

Sincerely yours,

Charles H. Stoddard,
Director.

Mr. MORSE. Mr. President, the report speaks for itself. I hope the Department of the Interior will proceed, as I understand it intends to proceed, to discuss the controversy with the various individuals and groups in the State of Oregon who are concerned about it.

From a reading of the report I am satisfied that the Department of the Interior has acted in good faith, and that there is no basis for trying to compare this exchange matter with the notorious Al Sarena case of a decade ago.

Some may differ with the policies that the Department of the Interior has proposed. However, I do not think there can be any question as to the good faith of the Department of the Interior; and its report, in my judgment sustains its good faith.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. HART. Mr. President, I yield such time to the Senator from New York as he may desire to use.

Mr. JAVITS. Mr. President, I rise in opposition to the pending amendments, which would seek to strike out those aspects of the bill which relate to the jurisdiction of suits to prevent the Attorney General from enforcing the automatic triggering provisions of this act.

The bill contemplates the appointment of examiners to register voters in a particular State or political subdivisions of the State, because of a deficiency in the size of the vote in that area, either generally or by certain classes of voters—and we have in mind, of course, Negroes. The State or political subdivision involved may come in and relieve itself of that particular triggering mechanism if it demonstrates to the Court's satisfaction that it has not, in fact, utilized its literacy test or other tests or devices for the purpose of discriminating in voting, and, therefore, should not be made subject to the possibility of the appointment of examiners.

The complaint has been made—and the pending amendments seek to deal with it—that the jurisdiction for that purpose is confined to the District Court for the District of Columbia.

I point out that there are other sections of the bill—the poll tax section, for example—in which there are no such restrictions, and that in the "untriggering" mechanism there is such a restriction; and it is complained that this is an improper way in which to establish the judicial power of the United States.

Normally, as a lawyer, I would be sympathetic to that view. It is a tradition in our country to apply justice locally, even in U.S. courts. We must recognize, however, that this is not an inevitable and universal rule; indeed, when compelling circumstances have called for it, we have made other provisions in legislation, and those provisions have been sustained.

The distinguished Senator from Michigan [Mr. Hart] has already referred to two statutes in which, in one instance, a special emergency court and, in the other, the courts in the District of Columbia, with respect to oil on the Continental Shelf, have been given exclusive jurisdiction.

However, there must exist special circumstances. Special circumstances do exist with regard to the provision of the bill which is under attack. Those special circumstances are as follows:

The Senate will have found, if it passes the bill, and Congress will have found if the bill becomes law, that the procedures provided in the Civil Rights Acts of 1957, 1960, and 1964 have proved to be inadequate to secure the voting right.

Unless we postulate that finding of fact, the argument that we make that this is a proper provision as to the exercise of the judicial power will not lie. Normally proceedings should be had in district courts and circuit courts of the area in which the parties in interest reside—in this case in the States and political subdivisions which are directly affected. But when we have a reason for acting differently, we cannot make the argument unless we also assail the reason. That is the basis for what I feel should be our success in defeating the amendments. The acts of 1957, 1960, and 1964 were prefaced upon legal proceedings. In my judgment, the Attorney General has complete power to go into the courts and seek to redress almost any conceivable act of discrimination or denial of the voting right. The difficulty is that we have found that the ability to circumvent, to delay, to outwit, if you will, on occasion, the judicial process, to require it to be applied on a case-by-case basis, where there is great multiplicity of cases, has so slowed up the process as to create irremediable damage to Americans who have been denied that right. Those Americans cannot collect damages; those Americans cannot profit from a negative injunction. The right to vote is good only if the vote itself counts in the final results, whether a candidate is elected or not elected. And we must remember that we are dealing with States and political subdivisions in which the very practices which are complained of—the denial of equal opportunity—are often the products of the acts of public officials.

That is generally the way it occurs, even up to the rank of Governor, as the Governor of Alabama and the Governor of Mississippi have adequately shown. Once one loses that right, even though it is through normal delays and the complexities of legal proceedings, one can never regain it. The voter—the Negro voter, to be specific—does not have influence on the public official who is elected because he has not cast his vote for him. He does not have the ability to cast his vote for someone else, thereby bringing about the election of someone who might have a different view of the social order in relation to discrimination against Negroes.

So we have a condition, and not a theory. The situation is as follows: What we did in 1957, 1960, and 1964, excellent as it was, was inadequate. Hence we had the Selma-to-Montgomery march and many other manifestations of a revolutionary ferver which rebelled against continuing injustice where there was no remedy, and where the loss was irremediable, because it was the loss of a vote, a loss of one's ability effectively to participate in an election, and a loss in the making or defeat of a public official who would then have the power to pursue the very practices which were complained of.

Under those circumstances we not only had to find a remedy, but we had to find a remedy which would deal with the existing evils. One of the existing evils was the complexity of legal proceedings, and the time which was consumed. There are no shortcuts to justice. Justice must be afforded. But the avenue which is provided may have a very material effect on the celerity of the judicial process. There has never been any complaint that I have heard in the debate about the District of Columbia Federal court not being able equitably to administer the law. That court has a fine reputation in that regard, and its decision would lead to exactly the same ultimate point of decision, namely, the U.S. Supreme Court.

Therefore, it would be a reasonable utilization of our power to provide yet another way in which the time factor could be dealt with by concentrating voting rights cases in one jurisdiction. The courts of the District of Columbia are handy and immediately available to the Attorney General of the United States and would give full justice to the individual participants, which is absolutely essential. Cases arising in that court would come ultimately for decision to the U.S. Supreme Court, to which every other proceeding in local courts would ultimately lead.

Finally, it cannot be claimed that the bill is unfair to litigants other than the Federal Government because we are not dealing with litigants who are unable to pursue a legal remedy. We are not dealing with litigants who might find travel difficult or legal proceedings or appearances expensive. We are dealing with political subdivisions and States, which have county attorneys or State attorneys general who come to Washington, D.C., for many things, and they would not be required to come to Washington merely to participate in litigation that might arise under the bill.

Let us remember that litigation under that section of the bill would be one-shot litigation. In other words, if a State or a political subdivision should seek to untrigger the trigger, it would either do so or it would not. It seems to me, therefore, that we are not dealing with parties in interest who would be at a disadvantage because they would be required to come to the District of Columbia, a disadvantage which would be so material as to overweigh the equity of requiring proceedings to be brought here so that we might shorten, insofar as we possibly can, within our power under the Constitution, the time which judicial proceedings take, as it is time in the judicial proceedings which is the very basis for the bill.

That is the question with which we are trying to deal. Therefore, we have a right to deal with it, not only by the appointment of examiners, but also through the celerity in which legal proceedings under the bill might be carried out. That is the essence of what we are trying to accomplish.

There is no question about the power of Congress to name the judicial power. The cases deciding that point come from the time the Supreme Court was established. They hold that the Congress may decide where and how the judicial power may be exercised, what courts may be established, and so forth. We would confine jurisdiction to the District of Columbia courts on this particular question because of the essence of what we are trying to accomplish by the bill. We are trying to shorten the time within which an American citizen might be deprived of his inalienable right to vote, because he cannot be given remedy for that loss. Therefore, I believe we are proceeding properly.

Mr. President, I hope that the amendments will be rejected.

Mr. HART. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HART. Does the Senator agree that, in addition to the untriggering mechanism for which the bill provides that actions shall be brought in the District of Columbia, the long-term overriding question of the constitutionality of the action of the Congress would be required under the substitute bill, to be brought in the District of Columbia? Is it not of very great relevance in disposing of the amendments to recognize that that is an overriding constitutional question which, in the judgment of the Congress, as reflected in the amendment in the nature of a substitute, is a decision that could best be reached in the District of Columbia court?

Mr. JAVITS. There is no question about it. I believe it again goes to the fact that we are endeavoring to invalidate as quickly as possible the whole or any part of a discriminatory process. The constitutionality of the question would be the whole; the untriggering mechanism, as to any political subdivision or State, would be the part. The argument which has been made would apply equally to the latter as to the former.

Mr. HART. I believe the point which the Senator from New York has made and what we seek to do is that, to the extent the Constitution permits Congress to make such a promise, the time of denial to a qualified American citizen of his right to vote shall be as brief as possible.

Mr. JAVITS. That is correct.

Mr. HART. And the constitutional question bears on that subject as well as on the untriggering mechanism. I thank the Senator.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MONDALE in the chair). Without objection, it is so ordered.

RACIAL HEROISM IN THE SOUTH

Mr. SPARKMAN. Mr. President, will my colleague from Alabama yield time to me?

Mr. HILL. Mr. President, I yield 5 minutes to the distinguished junior Senator from Alabama.

Mr. SPARKMAN. During all the recent racial turmoil in the South, the press has strongly emphasized the racial animosities. However, I invite the attention of Senators to a recent account of heroism and sacrifice by a white Alabamian for a Negro Alabamian.

Mr. Vernon Anderson, of Orrville, Ala., saved the life of young Roland Jenkins and lost his own foot in the act. The occurrence was in connection with a railroad accident. Mr. Anderson jeopardized his own safety and had his foot cut off by a train while he was rescuing the young Negro boy from what would have been certain death.

I ask unanimous consent to have printed at this point in the RECORD an article describing the event and an editorial commenting on it, both published in the Thomasville, Ala., Times, of May 5, 1965.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

LIFE SAVED BUT COSTS FOOT OF HERO RESCUER—FELLOW WORKER TELLS OF MISHAP IN JACKSON, ALA.

A Southern Railway trainman has been credited by fellow workmen with saving the life of a Negro boy at Jackson last Thursday afternoon when he jerked the boy from beneath a freight car, losing a portion of his own foot during the rescue.

Vernon Anderson, of Orrville, who is well-known here, was first treated at Jackson then transferred to Selma Baptist Hospital Thursday night after losing a portion of his right foot during the accident Thursday afternoon. He was reported in good condition this week.

N. L. Horne, of Selma, conductor on the train on which Anderson was working, told the story of the daring rescue that snatched the 11-year-old Negro boy from almost certain death beneath the car's wheels.

Horne said that while the train was switching some cars in Jackson they saw a group of Negro youths picking blackberries and that the boys started to shout that one was trapped under a car. They investigated immediately. One of the boys, identified as Roland Jenkins, of Jackson, had his toes pinched under the wheel of the train.

Horne said that, using the walkie-talkie radios with which the trainmen are equipped, the engineer was told to slack back so that the boy could remove his foot from beneath the wheels. When he slacked back, the boy slipped underneath the train, according to Horne.

Horne said that Anderson then grabbed the youth, who was lying across the rail, and jerked him from beneath the wheels, was brushed by the train himself, and his foot slipped beneath the wheels and was severed.

The Negro boy was apparently unhurt.

The conductor said that but for Anderson's quick action, without any thought for his own personal safety, the youth most certainly would have been killed.

HEROES ARE BORN

There is nothing magical about heroes. Usually, they are just ordinary people to whom fate decrees the opportunity to perform unusual deeds. And, because they are so much like all the other people in the world, the things they do are often overlooked and forgotten.

We think that a heroic deed, performed in Jackson, Ala., last week, by a 31-year-old railroad man, should not be overlooked and forgotten.

He is Vernon Anderson, born and reared in Sunny South, current address: Selma Baptist Hospital, Selma, Ala., married, the father of two young sons, and a fine upstanding young man who has been working as a crew member on Southern Railway trains between Selma and Mobile.

The train on which he was working was engaged in switching operations in Jackson last week when a Negro boy, apparently unaware that the train was there, was caught under a car, unable to free himself, and was in imminent danger of being crushed to death.

Without regard for his own danger, this young man risked his life to get down and, literally, snatch the boy from the jaws of death. In doing so, he suffered the loss of a portion of his own foot.

Such heroism, we think, should not go unrewarded. We feel that this young man should, at the least, receive the Carnegie Foundation "Hero Medal" (or whatever is the proper name for this award). We feel, moreover, that his company should be able to find another position for him, now that he will, most likely, be unable to continue as a trainman. He is intelligent and capable of filling other positions.

The accident which cost the young man his foot serves to demonstrate, once again, that the South is not the barbaric region so often pictured in national news media. It demonstrates that compassion and heroism knows no color line. It is a small example of the white race giving for the benefit of the Negro race, but it is not the sort of human interest story you are likely to see on the Huntley-Brinkley report or read about in Life magazine.

Not that the young man stopped to question whether the boy was white or black. He could have stood and cursed the boy, watching him crushed to death. He could have saved his foot and not risked his life. But he didn't. The only thing that mattered was not that he was white or black, but that here was a human being in desperate need.

He answered that need.

IMPROVED QUALITY OF RETREADED TIRES

Mr. SPARKMAN. Mr. President, I invite attention to the fact that the tire retreaders division of the National Tire Dealers & Retreaders Association is completing its 10th year in a drive to improve the quality of retread tires and thus increase safety on our highways.

This association is composed of over 3,500 independent tire dealers, operating through 40,000 individual outlets, and doing a gross business of more than $1.5 billion annually, not a small part of our economy, managed entirely by small businessmen.

We find these small dealers operating in every city and town in the United States. They are leaders in the communities and help form the backbone of civic progress and enterprise. Secretary of Labor Wirtz has praised them for their splendid achievement in providing thousands of retraining jobs in the service industries.

As a long-time proponent of encouraging small business, I have taken a particular interest in the unique field of retreading, operated by these local dealers in every State. I have observed its great advance, viewed its tax and other problems, and have found this report given me to be an interesting consensus.

Tire retreaders are independent small businessmen, who have survived competition from their own suppliers, from mail-order houses, large department stores, large chainstores, and a multitude of others who today sell tires.

In their survival they have modernized their facilities, have worked longer hours and provided a better product, and have given increasingly better service.

Retreading, a process for renewing the safe life of a worn tire, has come of age.

Retreaded tires represent 12 percent of all the tires in use in the Nation today.

Retreads are to be found on airplanes, on large off-the-highway equipment, on taxicabs, on military vehicles, on buses, on race cars, and on trucks.

The retreading process is basically a simple one:

First, the used tire is carefully inspected for damage, both that which is easily detected and for hidden damage. Only the sound casing is used.

Second, every casing is buffed to remove the old tread.

Third, a thick band of new tread rubber is bonded to the casing, sidewall to sidewall.

Fourth, through a thermal process, the casing is heat molded for perfect adhesion to the tire body.

Fifth, the new finished retread is reinspected before it is sold to a customer.

Retreaders are interested first in the safety of their product. Even before the current interest in new tire standards, retreaders set up standards of quality. They formed an organization known as the Tire Retreading Institute to enforce these standards and to identify those retreads which met the standards.

This was in 1955—10 years ago.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HILL. Mr. President, I yield an additional 5 minutes to the Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama is recognized for an additional 5 minutes.

Mr. SPARKMAN. Mr. President, over the years the public has seen a growing skill in the production of retreads as a result of improved methods, materials, and modern equipment, so that today a retread on a good tire body will give the same mileage and safety as the original tire. This is confirmed by experts.

These dealers say they have one objection to present Government policy, and ask a small amount of tax relief which they believe fair.

The Government, they feel, imposes a burden on them by excessively taxing tread rubber, the raw material used to make retread tires. This is a hidden tax which the retreaders must absorb. It is felt by the retreaders alone, not applying to other segments of the industry. It tends to retard full consumer use of a safe, reliable product.

The Government in 1955 placed a tax on tread rubber of 24 cents per passenger retread tire. In the face of growing competition from "cheapie" new tires, the Government increased the tax to 60 cents in 1960, raising the cost of retreads to a point injurious to the industry and to the consumer. It now fears another boost, which would be severely damaging.

This is the industry's position as stated to me, and I believe it deserves our careful consideration. It feels its 10 years of progress despite the handicap of a specially imposed tax merits such consideration.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. STENNIS. Mr. President, will the Senator yield me 10 minutes?

Mr. HILL. Mr. President, I yield 10 minutes to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 10 minutes.

Mr. STENNIS. Mr. President, I wish to make it clear that my remarks will in no way constitute an attack upon the present Attorney General, Mr. Katzenbach.

Mr. Katzenbach is a very busy man. I am sure that he is applying all of his talents in the best way he can, in the light that he has before him. However, I believe that I have some knowledge and feeling for the duties and responsibilities of a trial judge. I was once so honored myself. I carried on the duties of a trial judge with unlimited jurisdiction for 11 years. I know something of the things that vex a person. I know how irritating the cases, the docket, or even public opinion can be.

I cannot say that I know much about the pressure that may be put on a judge, because in my State, people have such a high regard for the judiciary that they are not in the habit of trying to put pressure upon a judge. However, it seems to me that it is unthinkable that this great Congress, and particularly this body with a membership possessing such long experience in the Government, would go as far as the bill attempts to go in taking away from the courts the entire judicial system that functions in the jurisdiction where these cases may originate. That is unthinkable to me. It is contrary to the spirit of the Constitution of the United States. It is contrary to precedents. It is contrary to the wisdom and experience that should be possessed by those in government. It is a slap in the face. It is more than that. It is a kick in the face. Disguise it in any manner, it is a kick in the face to the Federal judicial system and the men who sit on that bench, not only in the South, where the law is designed to apply, but it is also an insult to the entire judicial system of our great Nation.

There may be a few instances in which there has been some delay, or even a few instances of tactics that could be called dilatory by a judge sitting in a civil rights case. However, I doubt that we could find even one instance which, when fully analyzed on all the facts, would show the least neglect of duty, bias, or prejudice on the part of a sitting judge.

There have been reports—newspaper reports—of the biased, prejudiced comments of those sitting around the council table where this bill was drawn in an unfortunate atmosphere of pressure, high emotionalism, and political duress—those are not strong enough words but I will stop there—that some judge, in an isolated instance, had abused his discretion in this field. But even if it is true, that is not enough to outweigh and overbalance the spirit of the Constitution and the decades of unbroken, competent practice in this field. A trial judge is entitled to his honest views of the law. If he is not, who is? Who is more entitled to an opinion of the law than is a trained trial judge, particularly a judge who has heard the evidence and has considered the honest application of the facts to the law as the judge tried to discern what the law and the precedents meant?

All judges should be free of intimidation by Congress. What we are doing, if the law is to be enacted without the amendment, is intimidating the judicial system, not only in the South but througout the Nation. We are setting a precedent that leaves the door wide open to some other group at some other time when other emotions are aroused to come to Congress and say, "We will not let the judge in Illinois or Indiana or Iowa or Kansas, or any other State involved, sit in these cases. They are not worthy of it. We will take it out of their hands and vest the case in a court a thousand miles away from where the incident happened."

If the bill passes in the form as now written, it will constitute intimidation. It is intimidation not only by the Congress; it is intimidation by the Office of the Attorney General of the United States.

I cast no reflection upon the present holder of the office, but this is a case in which the Office of the Attorney General of the United States is preparing a bill and urging its passage—along with the President, of course, but the Attorney General is the legal officer of the President—and he is saying, in effect, that a large section of the judiciary, which the Department of Justice helps to select, is not worthy to sit in the trial of such cases. That is what we are saying; and it is intimidation with respect to that group of judges, and to the entire group of present judges, and yet to serve.

I am told that some members of the Attorney General's staff look upon a district judge or court as a mere administrative office. I have not observed this, but some members of the staff feel that when they appear before these district judges, it is their preordained feeling that they carry with them a halo——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. May I have 5 additional minutes?

Mr. HILL. I yield 5 additional minutes to the Senator from Mississippi.

Mr. STENNIS. They carry with them a halo when they appear before the judges for a case or motion, something that entitles them to special consideration and special disposition of the matters which they present.

As I have said, that has been repeatedly reported to me.

I tell the Congress that it will not find any of the judges in our part of the country who will let them get by with that kind of a strong attitude or any other kind. Every judge will be condemned by Congress, so long as this question is before us. It will downgrade the office they hold. There are very few of them to which the accusation could apply. I am not the spokesman of the Federal bench, but as a member of the bar, and a proud one, and as a Member of this body, I believe the Department of Justice should be opposing such legislation as this and protecting the judiciary, rather than sponsoring this type of legislation and helping to have it passed.

We are doing the very opposite of what we should be doing; we should insist on a sound judiciary system, one that is independent, so that a judge can decide a case based on the merits of his judgment under the oath he took to uphold the law and the Constitution of our great Nation.

We have grown into the habit over the years of letting the very Department of Justice that is besmirching these judges and distrusting them and telling Congress that it ought not to let them try these cases, have too much control and interest and disposition as to who is going to be a judge in the first place.

The Department of Justice is the chief litigant, and will continue to be, under the trend of our Government, before these very judges. Under the custom of recent years, the office of Attorney General has been built up into a technical position of strategy, ruling, and control, almost, in the selection of the judiciary system, particularly the trial judges. Now the same Department of Government that has been recommending judicial officers to the Senate for confirmation is making a 180° turn and is saying, "No; you cannot trust them."

I do not believe that on any single subject under the shining sun, except on the subject of civil rights, the Senate would tolerate for 10 minutes such a provision in the law with respect to a great body of cases that strips the jurisdiction of the courts in State after State after State, and from the local courts in those States.

Suppose a case involved mining, labor, oil, railroads, or some other subject, in the great State of Illinois, and Congress were to say to the great minority leader, "We are going to pass a law that dips right down to the heart of your State and affects your people, but we are not going to let a judge in the State of Illinois have a thing to do with trying that case. We are not going to let the courts in any of your neighboring States, like Indiana, Kentucky, or any other State that borders your State, try it. We are going to make you come to Washington."

I do not believe a proposal of this kind would last 10 minutes before any committee of this body or before this body itself in any other field except civil rights.

If any Senator says there is any substantial showing of any kind of abuse of discretion by any of these trial judges or circuit courts of appeals, I challenge him to prove his case with facts—not with supposition, not with newspaper items, not with biased and prejudiced reports and hearsay, but with facts.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HILL. I yield 2 additional minutes to the Senator from Mississippi.

Mr. STENNIS. I believe any such proof that could be given would be quite scant indeed. There may have been some, and there may have been a good many reversals. But this proposal is a reversal of the custom of trying cases under the Constitution. Nowhere else can we find that the courts vary more in what they believe than the Supreme Court of the United States, not merely in its divided opinions, but in its reversed opinions in the past 10 to 20 years—and I am not attempting to pass judgment on any member of the Supreme Court or any particular decision which it has offered.

I wish all 99 Senators could have been in the Chamber yesterday to hear the Senator from South Carolina [Mr. RUSSELL] when he delivered his maiden speech. He went into the facts fully with reference to his own fine State. He stated them fully in the RECORD, verified facts, supported by the opinions of persons from every source as to their consistent good faith and prevailing efforts to keep the scales of justice even, regular, and sound.

It is a national disgrace to set aside the courts of South Carolina on this or any subject and say to them—regardless of their fine record and the record of the people of South Carolina—that they will not be allowed to pass on any of these cases.

I hope that the Senate will adopt the Ervin amendment—and thus redeem itself.

I thank the Senator from Alabama for yielding to me.

The PRESIDING OFFICER. Who yields time?

Mr. HILL. Mr. President, will the Chair kindly inform me as to how much time I have left?

The PRESIDING OFFICER. Fourteen minutes remain to the Senator from Alabama.

Mr. HILL. Mr. President, I yield 9½ minutes to the Senator from South Carolina [Mr. THURMOND].

STRATEGIC MILITARY POWER OF THE UNITED STATES VIS-A-VIS THE SOVIET UNION

Mr. THURMOND. Mr. President, in the past few years, and particularly in the last year, there have been many official statements concerning the future prospects for the United States to maintain a strategic military superiority over the Communists, and particularly over the Soviet Union. Indeed, in recent months, some of the officially released details embodied in the statistical comparisons have appeared to border on, if not transgress, the requirements of security classifications.

I do not believe that the fundamental question of whether the United States, at the present level of efforts, will be able to maintain strategic military superiority, can be answered by statistics. For statistics can be so arranged and shuffled as to prove almost any desired point, and this has been particularly true with reference to the statistical approach the administration has adopted in an effort to prove that the United States enjoys and will continue to enjoy strategic superiority over the Soviets.

Of far more concern, however, than the misuse of statistics as a measurement of strategic power is the attitude of officials charged with the administration of our national defense toward the problem of maintaining a strategic military superiority.

A question posed to the Secretary of Defense recently, and his answer, are therefore, particularly significant:

> Question. Mr. Secretary, is it just a matter of time before the Russians catch up with the United States in strategic nuclear forces?

> Answer. There is no indication that they are catching up or planning to catch up—I'm simply saying that there is no indication they are in a race at this time.

The clear implication of the answer of the Secretary of Defense is that the Soviet Union has given up attempting to achieve strategic nuclear superiority over the United States.

Mr. President, the display of armament by the Soviet Union in their military parade on May 9, and the accompanying television presentation, is in sharp contrast to the conclusion of the Secretary of Defense that the Soviet Union is not now making an attempt to achieve strategic military superiority.

According to press reports, the Soviets displayed in their military parade two new intercontinental ballistic missiles, neither of which had been previously displayed.

The larger of the ICBM's was about 110 feet in length, approximately 32 feet longer than any ICBM previously shown by the Soviets.

The smaller of the ICBM's displayed for the first time by the Soviets was apparently a solid fueled intercontinental ballistic missile very similar in appearance to our own Minuteman.

The display of this solid-fueled ICBM also directly conflicts with the assurances of the Secretary of Defense. In an interview on April 12, 1965—1 month ago today—the Secretary of Defense is reported to have said:

> They (the Soviets) have no solid propellant strategic ballistic missiles.

It is hard to believe that the Soviets researched, developed, and produced this solid propellant strategic missile in the last 30 days.

In addition to the two new intercontinental ballistic missiles displayed, the Soviets also displayed a 40-foot, self-propelled, medium-range ballistic missile, which is also a strategic weapon. Apparently, this missile is also fueled by solid propellant.

Indeed, there is no assurance that even the largest of the ICBM's is not also powered by a solid propellant.

In addition to the military parade the Soviets put on a television show, also devoted to the subject of Soviet military power. On this television program the Soviets showed a submerged submarine launch of a ballistic missile, using a technique similar to that used in our Polaris weapon system.

The Soviets also televised pictures of a ballistic missile defense system in operation, displaying pictures of the intercept of a ballistic missile by another missile with a nuclear warhead.

The latter photographs of the operation of an anti-missile-missile intercept must surely have been taken prior to the fall of 1963, for a nuclear warhead was detonated as a part of the intercept, and it would be most improbable that the Soviets would display pictures of an atmospheric burst of a nuclear warhead taken after the signing of the Treaty of Moscow, which banned nuclear detonations in the atmosphere. Logically, we can assume that the Soviets performed this feat at least 2 years ago, and probably earlier.

Mr. President, the Soviets' display of hardware in their parade and their television presentation on the same day, gave no indication as to the numbers of the types of weapons exhibited which the Soviets now have, and unfortunately, they gave no basis for any statistical comparisons.

The display of a 110-foot ICBM, of a solid-fueled smaller ICBM, of a medium-range self-propelled ballistic missile, the televising of the launch of a ballistic missile from a submerged submarine, and the televising of pictures of a missile intercept by an antiballistic missile system certainly does not support, but rather contradicts, a conclusion that the Soviets have abandoned attempts to achieve nuclear superiority over the United States.

The premise that the Soviets are not trying to achieve strategic military superiority is the essence of the euphoria which was both born and forewarned against at the time of the signing of the Treaty of Moscow. This euphoria has continued to prevail in many official circles, despite the warnings. Even more dangerous is the apathy of the American public which has been induced by statistical arguments officially advanced to support the premise that the Soviet Union is no longer attempting to achieve strategic military superiority.

In contrast to the evidence the Soviets displayed of their unlimited effort to achieve strategic military superiority, in which they spare none of their resources, are five vital decisions in which the Secretary of Defense of the United States this year rejected the unanimous recommendations of the Joint Chiefs of Staff.

In five of the most critical decision areas, where experienced military judgments are most essential, the Secretary of Defense acted counter to the unanimous advice of the Joint Chiefs. These five issues were the top issues open for decision this year. They involved: First, the size of our retaliatory force of ICBM's; second, when and if we have an effective new bomber to replace the aging B–52; third, when and if we have an effective interceptor aircraft; fourth, when and if we can have a defense against ballistic missiles; and fifth, the adequacy of our defense against the growing threat of enemy ballistic missile submarines.

It appears that the prevailing euphoria has inspired in our highest defense officials the belief that they can follow the motto "How to succeed in military preparedness without really trying."

Unless such illusions are soon dispelled, both among the public and officials of Government, the Soviet Union will not only continue to attempt to achieve superiority, but they are also very likely to succeed.

Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the Washington Post of May 10, 1965, entitled, "Biggest Red Rocket Yet Is Paraded"; also an article published in the New York Herald-Tribune from May 10, 1965, entitled, "Reds Unveil New Atom Missiles."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, May 10, 1965]

BIGGEST RED ROCKET YET IS PARADED: LAUNCHING OF SPACE PACKAGE TOWARD MOON REVEALED

(By Stephen S. Rosenfeld)

MOSCOW, May 9.—The largest Soviet rocket ever shown in public and the first Soviet rockets reportedly powered by solid fuels were paraded through Red Square today.

But although these rockets were revealed, to mark the 20th anniversary of victory over Hitler Germany, they were not rattled in the speeches of the leaders.

(After the parade, Russia announced her latest space feat—the launching of a 3,254-pound instrument package toward the moon, the Associated Press reported.

(The capsule, called Lunik 5, carries various scientific measuring devices and was hoisted aloft by a multistage rocket, Tass announced.

(There was no indication whether any attempt would be made to send back photographs of the moon. The Tass announcement revealed few details, but said Lunik 5 was close to its planned course and had completed 70,000 miles of the 250,000-mile trip by 10 p.m., Moscow time.)

TOUGH THREATS LACKING

Defense Minister Rodion Malinovsky, in the address of the day, roundly scored American foreign policy but neither mentioned the new Soviet missiles nor made any hard threats. The American Ambassador stayed away.

(In an anniversary statement made public by Tass, the Soviet Union called for "all nuclear powers solemnly to announce to all the world their renunciation of the use of nuclear weapons," the AP reported.)

(The message called for a halt of "U.S. aggression in Vietnam" and appealed for general and complete disarmament, the closing of all military bases on foreign soil and reductions in military budgets.)

FIVE NEW WEAPONS

Five previously unparaded weapons were shown to the Soviet leadership massed on Lenin's Tomb, to a rim of spectators and to a national television audience.

Qualified Western observers were repectful but not surprised. Space shots, missile tests, and intelligence usually supply better information on the Soviet military than Red Square parades and mush of what rolls by for the first time has been in use for up to 4 years.

So it was with today's 110-foot three-stage intercontinental rocket, 32 feet bigger than the longest previously shown. Tass said it was "similar to" those which have orbited the cosmonauts since 1961.

POWER NOT REVEALED

The Tass wording left unclear whether it was powered by solid fuel. Solid-fueled missiles, unlike liquid-fueled ones, can be fired instantly from underground silos and stored indefinitely. They are cheaper, simpler, and more reliable.

The American land-based Minuteman and sub-launched Polaris are operational and solid fueled. With a force still largely liquid fueled, the Russians are heading toward an operational solid-fueled force, according to specialists.

Tass stated clearly that a newly displayed 60-foot strategic rocket was solid fueled and like the big one, it had three lattice-joined stages and was tractor hauled.

The seams and access doors on both were like features for the plumbing of liquid-fueled American rockets, but informed sources assumed nonetheless that the solid-fuel claim was accurate.

SELF-PROPELLED MISSILE

A 40-foot self-propelled missile also supposedly solid fueled zipped by. It had not been seen before and was barely seen today since it was hidden in a green pod.

Tass said the Soviet missiles were unparalleled. Of the antimissile missiles viewed it said, "no offensive weapons can overcome this protective barrage."

A new antitank vehicle appeared with 6 stubby rockets instead of the old 4, and 20 new 3-year-old medium tanks also sped across Red Square.

LEADERS ATOP TOMB

The victory celebration began as the political leaders mounted Lenin's mausoleum. The marshals, all with the silhouette of Otto Coglon's Little King, stood one level below. Among them was the freshly rehonored Georgi Zhukov.

Marshal Malinovsky trooped the line in an open, blue convertible and a band of perhaps 1,000 men played.

In a prideful, brief speech, Malinovsky said that the United States was threatening mankind with war and committing "most evil crimes" in Vietnam. He declared that the Red army with its socialist allies could deal a crushing blow to any aggressor. Observers found this mild for Malinovsky.

DIPLOMATS NOT INVITED

U.S. Ambasador Foy Kohler was absent. Diplomats were not invited to the parade, they were sent passes; it is awkward for a diplomat to walk out on an event to which he has not been invited.

Embassy sources would not say why Kohler boycotted the parade, but apparently he figured that the situation would not have allowed the appropriate response to an anti-American speech.

Among NATO members, only the envoys of France, Iceland, and Turkey attended the parade and only Kohler and the German Ambassador boycotted the Kremlin reception which followed it.

[From the New York (N.Y.) Herald Tribune, May 10, 1965]

Reds Unveil New Atom Missiles—Polaris Shot Shown on TV—Solid-Fuel Rocket a Surprise

(By Stuart H. Loory)

Moscow.—Morning and night, the Soviet Union paraded its rockets before the world yesterday in an apparent attempt to say that anything Uncle Sam can do, Lenin's heirs can do better.

They rode two new examples of their intercontinental nuclear rockets through Red Square in the morning as part of an awesome military parade. The larger rocket—a three-stage monster about 110 feet long, powered by at least seven engines and weighing about 200,000 pounds— has orbital capability according to the Soviet official news agency Tass.

In the evening they showed a nuclear submarine for the first time on television. It submerged and then interior shots showed the crew preparing to fire a Polaris-type missile. Finally, a long shot showed the missile rise from the ocean, ignite and take off. The commentator said the rocket had a range of thousands of kilometers.

But that was not all.

After the submarine shots, the internationally televised program showed a demonstration of one solid-fueled missile intercepting and blowing up another that had just been launched. The commentator said this was an example of an antimissile missile. But the sequence did not indicate the Soviets have solved the real problem of intercepting and destroying an incoming nuclear nose cone traveling 10,000 miles an hour.

FIREBALL SHOT

The television program also revealed a Soviet rocket intercepting and shooting down an airplane. And finally it showed a Soviet nuclear antiaircraft rocket shooting down two planes at once with a huge fireball.

The antiaircraft sequences were shown last November, one observer said, but this was the first public demonstration of rockets fired from submarines. In the past, Western military experts had tended to discount Soviet claims that this country has submarines similar to the American Polaris craft.

The rocket display in the parade came after Marshal Rodion Y. Malinovsky reviewed thousands of troops massed in the square, and then delivered a speech notable for its mild attacks on the United States and the Western allies.

Although his words were less harsh than on previous occasions, the marshal did condemn the United States far warlike policies and particularly for supporting what he called "West German revanchists."

American Ambassador Foy D. Kohler, anticipating tough anti-American talk, did not go to the parade nor to a Kremlin reception afterwards. The Ambassadors of Italy, Britain and West Germany also found it convenient to miss the Red Square demonstration. Only French Ambassador Philippe Baudet of the former wartime allies attended the parade, although the British and Italian Ambassadors did attend the Kremlin reception.

The parade followed the Marshal's speech; first the troops passed by their commandos, amphibious troop carriers, tanks and finally the rockets—the smaller ones first backed up by the larger.

The smaller of the two big new ICBM's was actually more of a surprise to Western observers than the larger. Tass said it was solid fueled—cheaper and more reliable than liquid fuels—could be fired from underground silos and other launching installations. The news agency described it as fully automated and capable of launch at the shortest notice.

That, plus its general appearance—three stages, about 65 feet in overall length—made it seem strikingly similar to the American Minuteman ICBM, the backbone of the U.S. rocket force. Until yesterday Western experts in Moscow had no confirmation of any Soviet program to match American Minuteman developments.

The bigger of the two new weapons was spectacular. Despite its size, an eight-wheeled transporter pulled it effortlessly past the Soviet Union's civilian and military leaders massed atop the Lenin Mausoleum to commemorate the 20th anniversary of World War II's end.

The rocket's three stages were held together with a steel latticework unknown in American rocket construction except in the escape towers of the Mercury and Apollo rocket systems.

The first stage had four engines in its cluster. The number of engines in the second stage could not be determined, and one engine powered the third stage. It appeared possible that this was the type of rocket that placed the first Soviet manned space ships—the 11,000-pound, single-seated Vostoks, into orbit.

Tass said nothing about the fuel the rocket used. Some experts thought it was liquid fueled. Others thought it used a solid fuel.

All told there were five new pieces of equipment in the massive parade. Also on display for the first time were:

A new low-slung medium tank.

A new type of antitank rocket that appeared to be radio controled.

A cumbersome new medium range rocket that travels on a tracked launcher and is encased in a stiff, heavy pod. The rocket itself was not visible.

At the Kremlin reception, Communist Party Chief Leonid I. Brezhnev, flanked by Premier Alexei N. Kosygin who had returned from East Berlin, and President Anastas I. Mikoyan, was unusually expansive. He even took time out to confer publicly with Russian Orthodox Patriarch Alexei, Chief Rabbi Yehuda B. Levin and the Moslem Mufti.

The Soviet Union also used yesterday's VE Day commemmoration to issue a lengthy statement calling on "all nuclear powers solemnly to announce to all the world their renunciation of the use of nuclear weapons."

The Kremlin also restated its criticism of American policy in Vietnam and what it called colonial wars in other areas and reiterated frequent Soviet appeals for general and complete disarmament, closing all military bases on foreign soil and reducing military budgets.

The message also said:

"It is necessary to clear the way for a German peace settlement. It is necessary to establish a stable European security on the basis of the principles of the peaceful coexistence and businesslike cooperation of states with different social systems."

Mr. THURMOND. Mr. President, I also ask unanimous consent to have printed in the Record my weekly newsletter of February 18, 1963, September 10, 1964, March 15, 1965, April 12, 1965, April 19, 1965, and April 26, 1965, all of which bear on the subject of my remarks.

There being no objection, the newsletters were ordered to be printed in the Record, as follows:

Strategic Superiority or Strategic Parity?

(By Hon. Strom Thurmond, U.S. Senator from South Carolina)

February 18, 1963.—The opening battle in the Senate on what promises to be one of the most controversial subjects before the Congress this session begins in the Senate this week. The forum for this battle will be the defense posture hearings before the Armed Services Committee and the issue is the strategic defense policy of the Nation.

At least until June 1962, the officially announced defense policy of the United States was based on the concept of strategic superiority. Under this policy, nuclear deterrence was achieved by maintaining a clear superiority in quality and quantity of strategic weapons. This required heavy investments in research and development, with emphasis on multiple types of weaponry. It provided a mixed system of delivery for our nuclear punch, including medium, intermediate and intercontinental missiles, manned air and carrier based bombers, and Polaris missiles, as well as a host of other weapons and conventional power. The essence of this policy was that it recognized that there is no ultimate weapon.

A new policy—nuclear stalemate—has been adopted by the Secretary of Defense and is well into the process of implementation. Under this policy, we would "accept" a nuclear standoff by relying on a very few types of missiles—Titan and Minuteman in hardened sites, and Polaris under the sea—to deter nuclear attacks by the Soviets. Research and development would diminish and no meaningful effort would be made to develop advanced space weaponry. Under this policy, the United States would strive only for nuclear parity, not nuclear superiority.

It was Secretary McNamara's pronouncement of the new policy in Paris, Bermuda, and Canada that really brought the matter into the open. France would not trust her national security to an allied power who was willing to settle for nuclear parity. So far, neither will Canada.

Traditionally, Congress is more interested in hardware, and its cost, than in strategic policy. The nuclear stalemate policy does permit lower costs, and is explained by the Secretary of Defense in this framework. The abandonment of the Skybolt missile and the B–70 program, the impending cutback in the Dyna-Soar weapon system, and the dismal outlook for development of the TFX variable-sweep fighter are all elements of the new policy. Members of Congress are disturbed by the report in Air Force/Space Digest that "the heads of the Army, Navy, Marine Corps, and Air Force do not approve of the change in strategy. They are unanimous in their support of a doctrine of strategic superiority."

Implications of strategic stalemate in terms of disarmament become immediately apparent. The United States is now estimated to hold about a 3 to 1 superiority in strategic forces, which makes a percentage reduction of arms unacceptable to the Soviets. The disarmament studies conclude that strategic "parity" would increase chances for disarmament.

The Soviets will not accept a nuclear stalemate. They are continuing to work on development of new weapon systems, including space weapon systems. While the United States has stretched out the development of our anti-missile missile until 1969, the Soviets are working full speed on a defense against ballistic missiles. The Soviets have never been able to achieve strategic parity with the United States, but if we give them "parity," their all-out efforts may give them the margin that will spell superiority.

Strategic superiority or strategic parity? The final round will begin in the Congress this week.

Sincerely,

STROM THURMOND.

DEFENSE: YESTERDAY, TODAY, AND TOMORROW

(By Hon. STROM THURMOND, U.S. Senator from South Carolina)

SEPTEMBER 10, 1964.—The military power of the United States today is not an accurate yardstick for measuring the wisdom of today's military policy decisions. The level of power which we have today is more nearly a measure of the decisions made 5 to 10 years ago. Yesterday's decisions determined our strength today, while today's decisions can be finally judged only by the strength of our military forces in the future.

This condition exists because of a technological factor called leadtime—the period between the time when a weapons system is conceived and the time when the actual weapons system is produced and made available in substantial numbers. For major strategic weapons systems, experience has proved that there is a minimum of 5 years between the drawing board and delivery of the weapons system to the troops.

Until this year, our strategic forces relied more heavily on the B–47 bomber than on any of the manned aircraft. This medium jet bomber is now in the process of being phased out. The first model of this aircraft was flight tested, after years of planning and development, in 1948. Thus, one of the major components in our strategic forces in 1963 was the product of a decision made just after World War II.

We do have military superiority today, but recent and current defense policy decisions are jeopardizing our national security in the future.

For instance, in 1962, the Skybolt weapons system, an air-to-surface missile, was abandoned, although the Soviets continue to improve their comparable system. This was a weapons system designed not for today but for the future.

The X–20 Dynasoar project, which was under development to produce a manned military craft in space, has also been terminated.

The B–70 supersonic bomber project is another that has been terminated, although three models will be produced. The B–70 was to have been the replacement for the B–52 bombers, the last of which were bought in 1961 and delivered in 1963, and whose useful life is rapidly waning through age and obsolescence.

The most recent to be terminated is the MMRBM—mobile medium range ballistic missile.

Pluto, a low-flying, atomic-powered missile, has also been suspended.

Some lesser important weapons systems have been initiated in recent years. For instance, development and production of a new main battle tank will shortly bear fruition. Tactical fighter aircraft, such as the TFX, and reconnaissance aircraft, such as the A–11, have been launched down the long path from drawing board to deployment.

The real danger, however, lies in the fact that not only have strategic systems which were in progress been terminated, but also in the fact that not one new strategic weapons system has been originated in recent years.

The alarming consequences of these negative policy decisions on strategic weapons systems is emphasized by the decisions increasing the attrition of our existing forces.

B–47 bombers, once the Strategic Air Command's mainstay, are now being phased out.

Our 129 Atlas missiles, which carry a warhead at least six times larger than the newer Minuteman, are being phased out.

Likewise scratched have been 195 Bomarc-A missiles, and 105 intermediate range Thor and Jupiter missiles were brought home from Europe in 1963.

Most significantly, the decision has again been "postponed" on component production of an antimissile defense system, leaving the United States without any defense against enemy missiles until at least 1970. Defense Secretary McNamara continues to defer this important decision, even though the Soviets began deployment of such a system in 1962.

Our strategic power today is the result of affirmative decisions made in yesteryears on key strategic military systems. U.S. strategic weakness tomorrow will be the result of negative decisions made today, unless these negative decisions are promptly reversed and unless our policy planners henceforth give more emphasis to strengthen than to disarmament.

Sincerely,

STROM THURMOND.

MILITARY PREPAREDNESS: WASTE OR WISDOM?—PART I

(By Hon. STROM THURMOND, U.S. Senator from South Carolina)

MARCH 15, 1965.—"War is waste, and the preparation for war is waste. And it simply means a diversion from the rest of our society to military preparation, a diversion that in a sense we can ill afford." These are the words of Secretary of Defense McNamara, from an interview on January 4, 1965, concerning the closure of a number of defense bases.

In this interview, the Secretary of Defense stated, of course, that the base closures he has ordered would not affect the military capability of the United States. He also stated in concluding his interview, however, that "I think that it would be a tremendous opportunity for us economically and socially to eliminate defense entirely. It would be a social good."

Economy in Government operations and the elimination of waste of taxpayers' funds are most laudable. No one can objectively argue with actions closing military facilities which make little or no contribution to our military preparedness.

Unneeded facilities are not preparation for war, however; and preparation for war is not waste.

War may be considered waste; but the lessons of history demonstrate that military preparedness is the surest way to avoid war—and should war occur, nevertheless—to win it and thereby minimize your losses in lives, property, and maintain freedom. It is the militarily weak who are most likely to be attacked—and conquered.

Since World War II, which we entered unprepared, superior U.S. military power has prevented a general war. Military unpreparedness—withdrawal of our troops from South Korea—resulted in the Korean conflict, and the consequent loss of many American lives. Superior U.S. military power—preparedness for war, that is—has maintained our independence from foreign domination, and also the independence of many other nations. This was no waste.

Preparation for war by the United States since World War II has, therefore, been a social good. In the absence of such preparation, there would have been little, if any, opportunity for Americans to enjoy such social goods as education, better housing, welfare, and recreation.

The assertion, therefore, that "preparation for war is waste" by the official charged with administering the entire U.S. Defense Establishment raises a basic question vital to all Americans: Under what conceivable circumstances would preparation for war be waste? The only apparent answer is that preparation for war would be a waste if there is clearly no danger of any attack on the United States or of any encroachment on U.S. vital interests around the world.

There are obviously many continuing attempts by the Communists to impair or destroy U.S. interests around the world—in southeast Asia, Korea, the Near East, Africa, and Cuba, just to name a few. The question remains, does the United States consider these interests vital? And as to the territorial integrity of the United States, have the Soviets abandoned efforts to achieve strategic nuclear superiority which would threaten the U.S. mainland with destruction?

In recent years, there have been more and more indications that U.S. policymakers believe that the Soviets would "mellow," that the chances of the U.S.S.R. beginning a war would diminish, and that the United States and the U.S.S.R. would be able to reach agreements on differences. For instance, during the "Muzzling of the Military" investigation in 1962, we revealed that the State Department believed and stated, that "the word 'victory' has a militaristic and agrressive ring less suited than * * * (defeat of Communist aggression) to describing our national objectives. 'Victory' also implies an 'all-or-nothing' approach leaving no room for accommodation."

The strategic objective of military preparedness of the United States is to prevent a war, not to be used for purposes of aggression or conquest. It is significant, therefore, that the Secretary of Defense, in testifying before the Congress this year concerning the relative military postures of the United States and the U.S.S.R., prefaced his assessment with the caveat: "Assuming that both sides have the same general strategic objectives, which I believe to be the case * * *."

The rationale is that preparation for war is waste—if you trust the Communists.

In the coming weeks, I will discuss the state of our deteriorating military preparedness.

Sincerely,

STROM THURMOND.

MILITARY PREPAREDNESS: THE THREAT—II

(By Hon. STROM THURMOND, U.S. Senator from South Carolina)

APRIL 12, 1965.—The United States maintains military forces not for the purpose of enforcing its will on others, but to protect its interests from potential infringements through the use of military power by other nations. As a result, both the need and adequacy of U.S. military preparedness depends to a large extent on the threat posed by the military power of unfriendly nations.

A question posed to the Secretary of Defense recently, and his answer, are therefore, particularly significant.

The question: "Mr. Secretary, is it just a matter of time before the Russians catch up with the U.S. in strategic nuclear forces?"

The answer: "There is no indication that they are catching up or planning to catch up—I'm simply saying that there is no indication they are in a race at this time."

The clear implication of the answer of the Secretary of Defense is that the Soviet Union has given up attempting to achieve strategic nuclear superiority over the United States.

Such an implication is in conflict with the intelligence briefings given this year to the Armed Services Committee and Defense Appropriations Subcommittees of the Senate and the House of Representatives by the Director of the Central Intelligence Agency and by the Chairman of the Joint Chiefs of Staff. The information furnished in those briefings cannot be made public for obvious security reasons. However, enough information has appeared in public sources to show that the Soviets have not abandoned their attempts to achieve nuclear superiority.

In their most recent military parade in Moscow, the Soviets exhibited new antiballistic-missile missiles.

Less than 2 months ago, the Soviets tested a large new ballistic missile by firing it 8,000 miles down their Pacific Test Range.

In restoring the 33-percent cut made by Secretary McNamara in the Navy's nuclear attack submarine program this year, the Senate Armed Services Committee unanimously reported: "The intelligence estimates considered by the committee give no indication that the submarine threat posed by our potential enemies is diminishing. Instead, the evidence is that they are continuing to improve their submarine fleet."

The Soviets have not abandoned their hopes of attaining strategic military superiority over the United States.

It is no secret that the Soviet Union is handicapped by inferior capabilities for mass production. They have never mastered the techniques of maintaining quality while manufacturing goods in large quantities, nor have they been able to assemble the production base necessary to produce tremendous quantities of materials rapidly.

The Soviets are acutely aware of this deficiency. As a consequence, they cannot hope to achieve military superiority by producing greater quantities of the same type weapons systems built by the United States.

The Soviets have proved, however, that they are worthy opponents in research and development. This was evidenced in the early 1950's, when the Soviets exploded a thermonuclear bomb long before we believed them capable of doing so. It is also evidenced by the advantage they have held in greater thrust for their missiles, enabling them to use larger warheads on their missiles, and to put larger payloads in space orbit. It is evidenced in the nuclear field by their development of superbombs, with the know-how to develop them with power up to 100 megatons. We have witnessed within the past few weeks the Soviet capabilities in space.

Since the signing of the Treaty of Moscow, which included banning nuclear testing in the atmosphere, the Soviets have been taking advantage of the period of relaxed tensions to perform intensive programs of research and development, intended to perfect qualitative breakthroughs in weaponry. The Soviets are desperately attempting to develop new type weapons, sufficiently far advanced that a few of such weapons, rather than a large number, could provide the edge over the Western Nations in strategic power.

Underrating the enemy threat and capabilities leads to military U.N. preparedness.

Sincerely,

STROM THURMOND.

MILITARY PREPAREDNESS: THE YARDSTICK—III

(By Hon. STROM THURMOND, U.S. Senator from South Carolina)

APRIL 19, 1965.—For the fiscal year 1966, the President has requested appropriations for defense of approximately $45,153 million, exclusive of funds for military construction, family housing, civil defense, and military assistance. This is about $1.6 billion less than was appropriated for the current fiscal year. In fiscal 1965, it was proposed that 44 cents out of each dollar of Federal Government expenditures be spent for defense. However, next year it is proposed to spend only 40 cents out of each dollar for defense—a 10-percent reduction.

Even this reduced amount is not a true reflection of the level of effort proposed for defense as compared to prior years. In the coming fiscal year, military pay for persons on active duty is estimated to increase by more than $30 million, although it is planned to reduce the average number of personnel on active duty by almost 20,000. Pay for retired military personnel will also increase approximately $200 million next year. Although less money is requested for research and development for fiscal 1966 than was requested in fiscal 1965, the cost of doing research and development is estimated to increase by 3 to 5 percent, which means that each dollar spent for this purpose will buy less.

Not all of the money requested for defense contributes to military preparedness. In recent defense budgets money has been included for such purposes as the President's Commission on Equal Opportunity in Housing, the Committee on Export Expansion, and even the President's Advisory Council on the Arts.

Clearly, the total of funds appropriated for defense alone is not an accurate measure of the adequacy of military preparedness, but is at most, merely one indication of the comparative level of effort. The budget requests for defense indicate a diminished level of effort for next year.

Probably the most deceptive yardstick—and the most used by the Secretary of Defense—is that of comparative quantitative measurements of weapons. Statistical comparisons of the number of U.S. bombers and missiles and the number of Soviet bombers and missiles is rendered largely meaningless by a number of factors.

One major factor which compromises statistical comparisons is obsolescence. For example, the Secretary of Defense has announced that he has an "option" to keep B–52-type aircraft "in the inventory" until the mid-1970's. Unquestionably, B–52's can be kept in the inventory for that long, although their average age will be 15 years, and regardless of the fact that the advance in technology will have rendered them obsolete long since. They can be counted as so many strategic bombers. They will contribute about as much to military preparedness, however, as would have the open-cockpit 1926 Keystone Cyclops bombers in World War II, if we had kept them in the inventory until 1941 instead of building the B–17 Flying Fortress. The Cyclops had a top speed of 100 miles per hour.

The meaningfulness of statistical comparisons is also affected by the nature of the prevailing defense policy or strategy. If we plan to permit the enemy to strike first—as would appear to be the case with our present announced strategy—our number of weapons must be reduced for comparison purposes by those which would be destroyed or rendered ineffective by the enemy's first blow.

Other less obvious factors are equally significant. U.S. population and industry are more concentrated; that is, they are grouped in fewer and larger cities than is the case with Soviet population and industry. The Soviets could possibly, therefore, with one-sixth the number of missiles equipped with their larger warheads, inflict fatalities on a greater number and a greater percentage of the U.S. population than the United States could inflict on the Soviet population.

In the final analysis, the true measurement of adequacy of our military preparedness is a balanced, experienced, professional military judgment, based on consideration of all pertinent factors. This is the yardstick which should be used.

Superficial and deceptive measurements of military preparedness may forestall and minimize public concern. However, they cannot remedy the potential consequences of inadequacies in military preparedness—war, defeat, subjugation.

Sincerely,

STROM THURMOND.

MILITARY PREPAREDNESS: FIVE DECISIONS—IV

(By Hon. STROM THURMOND, U.S. Senator from South Carolina)

APRIL 25, 1965.—One of the most essential ingredients of military preparedness is experienced professional military personnel. There is no lack of this resource in our Defense Establishment, but the availability of seasoned, qualified professional officers, alone, does not automatically insure that this vital asset is being properly utilized.

By law, the chief military advisers to the President and the Congress are the Joint Chiefs of Staff. Each member is appointed to the position by the President and confirmed by the Senate.

Immediately above the Joint Chiefs of Staff is the organization of the Office of the Secretary of Defense, essentially a civilian agency. Between 1961 and 1964, this office grew in numbers of personnel from less than 3,000 to 34,000. This bureaucracy provides increasing competition for the role of advisers on military matters.

The degree to which the available resource of professional military advice is used is demonstrated by the decisions made on five vital issues of military preparedness which faced our policymakers this year. In these crucial areas, unanimous recommendations of the Joint Chiefs of Staff were overruled by the Secretary of Defense. These unanimous recommendations did not represent a parochial interest of a particular military service, but the combined judgment of the topmen picked by the President from each service.

First the Joint Chiefs unanimously recommended that a force level of 1,200 Minuteman ICBM's to be deployed by 1969 be carried out as originally planned. The Secretary of Defense decided to abandon the original plan and reduce the force level by 200. The Minuteman ICBM is the principal weapon in our strategic forces.

Second, the Joint Chiefs unanimously recommended that funds be provided in fiscal year 1966 to undertake the "project definition phase" of research and development on an advanced manned strategic aircraft. To carry out this recommendation would require $121 million. The Secretary of Defense reduced the request by $82 million. The Senate authorized the entire amount of $121 million, but there is little probability that the Secretary of Defense will permit it to be used. Last year the Congress voted $52 million for this purpose, but the Secretary of Defense would permit only $24 million to be spent.

Third, the Joint Chiefs unanimously recommended that funds be provided to accomplish pre-production engineering on the YF-12 interceptor aircraft, in order to make it possible to produce this much needed interceptor. The Secretary of Defense decided that this activity could wait another year, and denied the request.

Fourth, the Joint Chiefs unanimously recommended that an additional $200 million be allocated to pre-production engineering for the Nike X system in order to reduce the period of years before we can deploy any defense of our cities and weapons against an enemy's ballistic missiles. We now have no defense against ballistic missiles. The decision to produce such a defense system, already developed and tested, has been repeatedly postponed. The Secretary of Defense refused the $200 million, and again postponed the decision.

The Joint Chiefs unanimously recommended that the rate of construction of nuclear attack submarines be carried out at the level of six per year in 1966 as originally planned. The Secretary reduced the rate of construction to 4, a one-third cut. The Senate authorized the funds for all six, but again, there is no confidence that the Secretary will permit the funds to be spent.

In five of the most critical decision areas, where experienced professional military judgments are most essential, the Secretary of Defense acted counter to the unanimous recommendations of the Joint Chiefs. These five issues were the top issues open for decisions this year. They involve (1) the size of our retaliatory force of ICBM's, (2) when and if we have an effective new bomber to replace the aging B-52, (3) when and if we can have an effective interceptor aircraft, (4) when and if we can have a defense against ballistic missiles, and (5) the adequacy of our defense against the growing threat of enemy ballistic missile submarines.

The United States has the resource of professional military competence available, but it is of little value to our military preparedness when it is ignored and remains unused.

Sincerely,

STROM THURMOND.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. HART. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. HART. I yield myself as much of that time as I may need.

In view of the time limitation I shall be very brief. The suggestion has been made that of all the Federal courts in the land where a person could be certain of delay in the disposition of a case, the most likely would be the District Court for the District of Columbia.

The annual report of the Judicial Conference for 1964 includes some interesting comparisons. Let us compare the number of civil cases that were terminated in the year with those that remained pending at the end of 1964. How does the District Court for the District of Columbia dispose of such cases? The District Court for the District of Columbia terminated 6,400 cases, in round figures. There remained pending 4,400 cases at the end of the year.

By contrast, the southern district of New York terminated 5,600 cases; and left pending, 10,000 cases. The fifth circuit terminated 11,000 cases; pending were 12,500. In the fourth circuit 5,600 cases were terminated; 5,200 cases remained pending.

Another interesting fact is that the U.S. Court of Appeals in the District of Columbia is the only circuit in the country that is current.

This information is relevant and important because in the three-judge court that is provided for in the substitute bill at least one court of appeals judge would be sitting.

Another interesting comparison is that the drop in pending cases in the District Court for the District of Columbia in the period from July 1964 to March 1965, shows that civil cases filed decreased 12.4 percent in the District Court for the District of Columbia. In the country as a whole, the figure has increased by 3 percent.

I suggest that the District Court for the District of Columbia most assuredly is not the court of delay.

Mr. ERVIN. Mr. President, the Senator from Michigan can rest assured that if the bill is passed without my amendments, the District Court for the District of Columbia will be able to try very quickly any cases arising under the bill. I say this because under the law the States and political subdivisions of States would have to come to the District Court of the District of Columbia, where they would be denied compulsory process to obtain the presence for their witnesses.

This means that the District Court of the District of Columbia would not have the benefit of the testimony of witnesses who knew the conditions in the States and the political subdivisions of States which are condemned without a trial and without evidence by the bill.

It has been the boast of America that we believe in a government of law. Any Senator who does not believe in a government of law should vote against my amendments. On the contrary, any Senator who believes in a government of law should vote for my amendments.

Mr. President, this is an indefensible bill. It provides that the Attorney General of the United States, may go into any court in the United States to enforce the provisions of the bill against States and political subdivisions and their citizens. But, it provides that the States and political subdivisions of States which are condemned by the triggering device of the bill without a judicial trial and without evidence cannot seek relief from the disabilities the bill imposes upon them in any court on earth except the District Court for the District of Columbia.

Some of the States and political subdivisions condemned by the bill have to come a thousand miles to seek relief from their legislative condemnation in a court in which they will be denied compulsory process to obtain the presence of witnesses to testify in their behalf. Surely it is not reasonable to assume that they can obtain justice under these circumstances. All that my amendment would do would be to open all Federal courthouse doors to the States and political subdivisions of States on exactly the same basis that those doors are open to the Attorney General.

How can any litigant hope to obtain justice according to law and according to truth when it is compelled to journey from 250 to 1,000 miles in order to obtain access to the only court to which it is permitted to have access?

Under rule 45 of the Rules of Civil Procedure for the Federal Courts, a subpena of the District Court for the District of Columbia is effective only within 100 miles from the courthouse where the court sits. The bill denies States and political subdivisions of States any compulsory process for bringing their witnesses to the District of Columbia. It nails shut the door of every courthouse in America except in the District of Columbia.

To have a bill of this character passed, 750 years after the Magna Carta was signed, would indicate that the Nation finds itself in a truly tragic state.

There have been some demonstrations. The demonstrators have demanded that Congress pass the bill as it is. However, I beg Senators to vote for my amendments, and show that the devotion of the Senate to justice is such that its members are not willing to nail the courthouse doors shut in the areas where witnesses to the truth are available and are not willing to compel any Americans to travel from 250 to 1,000 miles to seek justice. That is the issue which my amendments raise.

If Senators believe that seven States of the United States are entitled to the same rights which are given by law to a man who is charged with treason, they should vote for my amendments. If they think seven States should be denied the rights that are extended by law to a person charged with treason against the United States, they should vote against my amendments. A person charged with treason would be presumed to be innocent; and would be accorded a trial in the district in which the crime was allegedly committed where he would have compulsory process to obtain witnesses. Under this bill the States and the political subdivisions would not be presumed innocent, but they would be condemned without a trial. Then they would be required to travel to a court located at a distance of from 250 to 1,000 miles and there establish their innocence without the benefit of compulsory process to obtain witnesses.

Mr. YARBOROUGH. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. Will the Senator from Illinois yield me a half minute?

Mr. DIRKSEN. We have no time remaining.

Mr. ERVIN. I am glad to yield, if I have the time.

The PRESIDING OFFICER. All time has expired. The time of 3 o'clock in the afternoon having arrived, under the unanimous-consent agreement the Senate will proceed to vote.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. What is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the amendments, en bloc, numbered 157, offered by the Senator from North Carolina [Mr. Ervin], to the amendment in the nature of a substitute, as amended, numbered 124, offered by the Senator from Montana [Mr. Mansfield] and the Senator from Illinois [Mr. Dirksen].

Mr. DIRKSEN. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have not been ordered.

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendments, en bloc, numbered 157, offered by the Senator from North Carolina [Mr. Ervin], to the amendment in the nature of a substitute, as amended, numbered 124, offered by the Senator from Montana [Mr. Mansfield] and the Senator from Illinois [Mr. Dirksen].

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Arkansas [Mr. Fulbright], the Senator from Oregon [Mr. Morse], and the Senator from West Virginia [Mr. Randolph] are absent on official business.

I further announce that the Senator from Massachusetts [Mr. Kennedy], the Senator from New York [Mr. Kennedy], the Senator from Georgia [Mr. Russell], and the Senator from Missouri [Mr. Symington] are necessarily absent.

I further announce that if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Massachusetts [Mr. Kennedy], the Senator from New York [Mr. Kennedy], and the Senator from West Virginia [Mr. Randolph] would each vote "nay."

On this vote, the Senator from Oregon [Mr. Morse] is paired with the Senator from Georgia [Mr. Russell]. If present and voting, the Senator from Oregon would vote "nay," and the Senator from Georgia would vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Jersey [Mr. Case] and the Senator from California [Mr. Kuchel] are absent on official business and, if present and voting, would each vote "nay."

The result was announced—yeas 28, nays 62, as follows:

[No. 67 Leg.]

YEAS—28

Bennett
Byrd, Va.
Byrd, W. Va.
Cannon
Dominick
Eastland
Ellender
Ervin
Fannin
Hickenlooper
Hill
Holland
Jordan, N.C.
Jordan, Idaho
Long, La.
McClellan
Miller
Robertson
Russell, S.C.
Simpson
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Tower
Yarborough
Young, N. Dak.

NAYS—62

Aiken
Allott
Anderson
Bartlett
Bass
Bible
Boggs
Brewster
Burdick
Carlson
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Douglas
Fong
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hruska
Inouye
Jackson
Javits
Lausche
Long, Mo.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Ribicoff
Saltonstall
Scott
Smith
Tydings
Williams, N.J.
Williams, Del.
Young, Ohio

NOT VOTING—10

Bayh
Case
Fulbright
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Morse
Randolph
Russell, Ga.
Symington

So Mr. Ervin's amendments No. 157, en bloc, to the amendment in the nature of a substitute, as amended, numbered 124, offered by the Senator from Montana [Mr. Mansfield] and the Senator from Illinois [Mr. Dirksen], were rejected.

Mr. DIRKSEN. Mr. President, I move that the Senate reconsider the vote by which the amendments were rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I invite the attention of the Senate to the fact that this is the 15th day that the Senate has been giving consideration to the so-called Voting Rights Act of 1965. I do not know how much longer the Senate intends to devote to this particular measure, but I hope we will not approach the 85-day record of last year, made during the consideration of the civil rights bill having 11 titles.

The issue in this instance is, I believe, plain and simple. I would hope that we could come to a decision one way or the other soon; however, that is up to the Senate as a whole to decide.

I should like to propound the following unanimous-consent request: That beginning at the conclusion of morning business tomorrow—the 16th day that the Senate will have devoted to the consideration of the bill—1 hour be allocated to each amendment, the time to be equally divided between the sponsor of the amendment and the majority leader or whomever he may select, and that there be 6 hours of debate on the bill.

Mr. ELLENDER. Mr. President, reserving the right to object, it is true that the Senate has been debating the bill before us for 15 days as the Senator from Montana stated; but I invite attention to the fact that the second substitute bill now under consideration was presented to the Senate barely a week ago, so that the pending substitute has been with us for 7 days. Since we began the consideration of the second substitute, which is the issue now before us, other legislation has been considered. It will be remembered that the President was desirous of having passed an appropriation bill involving $700 million, which was enacted last week.

The opponents of the voting rights measure have used very little time. As will be remembered, the amendment of the Senator from Massachusetts [Mr. Kennedy] was offered last Thursday, and a unanimous-consent agreement was entered into to debate that amendment Thursday, Friday, Monday, and until 1 p.m. yesterday. We had a unanimous-consent agreement also on the Ervin amendment that was disposed of last week.

A number of other amendments will be offered; and if only we could have the attention of more Senators to listen to the debate in the Chamber, more progress might be made.

I do not wish to be arbitrary, but it would seem to me that the debate has been proceeding in an orderly manner. More opportunity should be given to the opponents of the measure to offer very important amendments that have been submitted for the consideration of the Senate.

I would not object to a limitation of debate on amendments as they are offered as has been done in the past, on every amendment so far considered by the Senate. We have moved along quite well.

If the majority leader and the minority leader desire to use all the power they have at hand, I realize that they can trample over our rights without too much effort on their part. It is my belief that this important issue has been before the Senate for only a short time, when we consider the serious constitutional questions involved in the measure.

I wish that Senators who voted "nay" on the last amendment would read the short statement, with interruptions, that I made for the Record a few hours ago. They may consider and note the reaction on their consciences.

As I pointed out in a speech earlier today, the reason that Americans sought independence years ago was the actions of King George III. The complaints which Americans made then were in the same vein as those sought to be imposed in the pending measure.

I call the Senate's attention again to some of the charges leveled at King George III in the Declaration of Independence:

> For suspending our own legislatures and declaring themselves invested with power to legislate for us.
>
> He has called together Legislative Bodies at Places unusual, uncomfortable, and distant from the Depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.
>
> He has made Judges dependent on his will alone.
>
> He has forbidden his Governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained.
>
> For depriving us, in many cases of the benefits of trial by jury.
>
> For transporting us beyond the seas to be tried for pretended offenses.

If Senators would only study some of the amendments being proposed they would observe that what we are trying to do is to make it possible for the ordinary processes of judicial procedure to be followed.

Mr. President, I object to the unanimous-consent agreement.

Mr. MANSFIELD. Mr. President, may I inquire how many amendments are at the desk?

Mr. DIRKSEN. Mr. President, I can supply the answer. There are 61, if I remember correctly.

Mr. MANSFIELD. Only 61?

Mr. DIRKSEN. There may be more.

The PRESIDING OFFICER. It would take a long time to count them.

Mr. ERVIN. Mr. President, I should like to say——

Mr. DIRKSEN. Mr. President, I think I have been recognized.

Mr. ERVIN. Excuse me.

Mr. DIRKSEN. Mr. President, I yield to the distinguished Senator from North Carolina.

The PRESIDING OFFICER. There are 67 amendments at the desk.

Mr. ERVIN. Mr. President, as a member of the Judiciary Committee, I have had to live with these proposals for many weeks. The bill has been rewritten four times since it was originally introduced. I have had to draft amendments to the bill on four occasions. About 25 of the amendments are my amendments to the original substitute. When another substitute was introduced, I had to redraft these amendments, and make them applicable to it.

There are not as many amendments to be voted on as the number at the desk would seem to indicate. This is true because many of the amendments are duplicates. I have some amendments that I should like to offer. I have one amendment that ought to be accepted. That amendment would provide that the District Court for the District of Columbia would have jurisdiction to pass on the constitutionality of the triggering device and the provision of the bill suspending literacy tests. This amendment would permit the States and subdivisions of States to do the same thing that the substitute would allow the Attorney General to do in respect to the poll tax.

I hope that the majority leader and the minority leader and the Senator in charge of the bill will give consideration to accepting that amendment.

A few moments ago the Senate voted on an amendment that would have opened all the courthouse doors which the bill closes. I must confess that I had never even conceived it possible that a majority of the U.S. Senate would vote to sanction nailing shut the doors of any court in the United States. Yet, that is what has just been done. I cannot help but think that many Senators did not appreciate what was involved in my amendment, which has just been rejected.

I say to my good friends the majority leader and the minority leader that I recognize that the leadership has the power to do what they wish to do. It is said that:

> 'Tis excellent to have a giant's strength.
> But 'tis tyrannous to use it as a giant.

I hope that the leadership will manifest the patience thus far manifested and permit the Senate to give adequate consideration to these amendments.

I earnestly believe that this is a bad bill. I believe that it can be improved. I have some amendments that I wish to offer to improve it. I will agree to any reasonable time limitation on those amendments. However, the amendments at the desk include approximately 20 or 25 amendments which I proposed to the original bill, which I have had to redraw for the new substitute. Hence, many of the amendments are duplicates.

I thank the Senator from Illinois for yielding.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. Mr. President, the distinguished Senator from Louisiana used the word "trample" in connection with the leadership. The distinguished Senator from North Carolina has said that the leadership has the power to impose its will. Frankly, I am glad to say that we have not trampled, nor have we ever trampled, any Senator. So far as power is concerned, we do not have it and never had it. The power in this body lies in the collective membership of the Senate. Every Senator knows that to be a statement of fact.

We have heard that there are 67 amendments at the desk. We have been told that other amendments will be offered. I should like to get away some time in August. However, so far as I am concerned personally, I am willing to remain here all year. If we are to get a limitation on debate, it will be up to all of us, Republicans and Democrats alike, not the leadership. We are only the leadership.

I hope that at some time, before it is too late, a meeting of the minds can be achieved, that realities can be faced up to, and that this measure can be disposed of one way or the other so that we can get on with our business and get away at a reasonable time this year.

If not, I am prepared to remain here throughout the year.

I thank the distinguished minority leader for yielding to me.

Mr. DIRKSEN. Mr. President, it may well be that we shall have to commune with the Halloween witches, eat our Thanksgiving dinner, and trim our Christmas tree here this year before the session is out. However, I do not agree with the majority leader when he says that he is willing to do so. I am not willing to stay here if I do not have to. I believe that applies to nearly every other Senator.

We have been staying here too long year after year. That has some impact on the quality of the legislation that issues from this Congress. I share with the majority leader the hope that we can get away at some sedate period and have a respite from these labors. We are willing to do anything within reason to expedite the business of the Senate.

I wish that my friend the Senator from Louisiana had not spoken about the leadership trampling upon the Senate. Of all the things that we have foregone, it has been the business of trying to impose upon the Senate.

We discussed the question of cloture as long as a week ago. I do not mind confessing that I had a nose count made today to see what the sentiment of the Senate was. That would be one way of expediting the business of the Senate. However, if we have not the votes, obviously we cannot invoke cloture. I fully appreciate the indisposition of Senators to extend their hands and say, "Put on the chains. I will be willing to take an hour and let it go at that."

We talked about that. We talked about tabling every amendment as soon as an affirmative case was made. However, for the moment at least, we have backed away from that.

The majority leader now makes a proposal to the Senate that an hour be allowed on each amendment, a half hour to the side, and 6 hours on the bill. The answer is "No."

The distinguished Senator from Louisiana is perfectly within his rights under the rules of the Senate in interposing an objection. However, there has been no counter offer. What does the Senator say?

Mr. ELLENDER. Mr. President, what I said was that we were progressing rather well on agreeing to limitations on debate on the amendments as they are offered. I am willing to continue that procedure.

Mr. DIRKSEN. Very well; we started the first one——

Mr. ELLENDER. However, if the leadership couples the limitation of an hour or 2 hours of debate on each amendment with voting on the bill itself, after 6 hours of debate in one agreement, I must object. I object.

Mr. DIRKSEN. Yesterday or the day before the majority leader sought to contrive a reasonable limitation, but he could not obtain a limitation on the amendments until today at 3 o'clock.

Mr. ELLENDER. No; the Senator is in error.

Mr. DIRKSEN. Yesterday.

Mr. ELLENDER. It could have been set for 1 o'clock.

Mr. DIRKSEN. But we started yesterday. The first bargaining hour was 4 o'clock, and we finally settled on 3 o'clock. I know what happened, and I know the rules.

Mr. ELLENDER. I also know the rules.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. LONG of Louisiana. I know the Senator desires to be fair. He can recall that when the Williams amendment was pending and was at the desk, Senators wanted to vote, but the leadership wanted it to go until the next day.

Mr. DIRKSEN. That is correct.

Mr. LONG of Louisiana. The leadership said, "Let us vote tomorrow." I do not want to unduly delay matters, but I wished to offer an amendment which the House Judiciary Committee thought well enough of to agree to. To me it makes good sense. I hope the Senate will be able to vote on it on its merits. As soon as the Senate has the amendment presented to it and it is discussed, I am perfectly willing to have a vote on it.

Mr. DIRKSEN. What prevents the Senator from offering it?

Mr. LONG of Louisiana. I do not have it. As soon as it is drafted I shall offer it.

Mr. DIRKSEN. If it is only a gleam in the Senator's eye, what can I do? If the Senator offers the amendment, the Senate can vote on it. If we need to impose restrictions we can do that, perhaps. I point out that there are 67 amendments, and there are 4 more to be examined. That is a total of 71. If we are to take 24 hours on each amendment, Senators can calculate when we are going to leave here. It will be 2 days after Christmas.

Mr. MANSFIELD. No; we shall not make it by then.

Mr. DIRKSEN. Very well. We have facing us the foreign aid bill. The Interior appropriation bill is ready. There are other bills ready. How long must we have this backing up? How long must we stalemate the Senate? This question has been discussed in one place or another.

I add to what the majority leader said that time is going by. We have been "nailing up the courthouse door," according to the Senator from North Carolina, every day in the Judiciary Committee, and we have been doing it every day in my office, day after day.

If Senators are content to go along in this manner, it is up to them. I want to know if we can be definite about it, whether we can get to a vote on it. If we cannot, then when Senators want to go on interparliamentary conferences or make speeches somewhere, they will know why they cannot.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HOLLAND. In the first place, I agree entirely with what the minority leader said about jolly old St. Nicholas. I think we ought to be out of here for the Christmas holidays, but I remind the distinguished Senator that the only time the Senator from Florida took the floor—and it was only for a couple of hours—was in support of the position of the distinguished minority leader and the distinguished majority leader. That was a 4-day debate in meeting an amendment put forward by an enthusiastic, but I thought misinformed, part of the Judiciary Committee, to try to make the bill even more unsupportable. So I have had no opportunity to speak on the bill itself. I cannot entertain the hope that I shall enlighten anybody by what I say, but I would like to speak a time or two.

The Senator from Alabama and I made an arrangement with the distinguished Presiding Officer for him to be recognized to offer an amendment, have it made the pending business, and for me to be recognized in an effort to straighten out some other important business, along with my colleague on the other side of the aisle, the Senator from California [Mr. MURPHY].

We want to proceed expeditiously; but I remind Senators that a large part of the determined debate up to this moment has been in an effort to hold up the hands of the two distinguished leaders.

Mr. DIRKSEN. I salute the Senator for the great and sturdy work he did in upholding the leadership. We are grateful to him.

Mr. HOLLAND. I thank the distinguished minority leader.

Mr. DIRKSEN. We cannot have the Senator from Alabama or the Senator from Louisiana recognized to discuss amendments because the Senator from Florida is to discuss braceros and the plowing up of strawberry plants in California. He is going to be aided by the distinguished Senator from California [Mr. MURPHY], whose speech is ready, unless I miss my guess, and who will make his case. So he had better obtain recognition now if the Senator is going to help the fruit crop in Florida.

Mr. HOLLAND. I would like to help. I know how the distinguished Senator likes strawberries.

Mr. DIRKSEN. Indeed so.

I rose for this purpose. The leadership is not trampling on any Senator, nor does it propose to do so.

If we cannot, by proceeding under the rules of the Senate, make better progress, we are going to do less and less and stay longer and longer, before we complete the work on the voting rights bill. There are mountainous pieces of legislation still to come. So Senators can determine how long we are going to be here. They had better start buying Christmas gifts.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. Mr. President, I would express the hope that Members of this body recognize that they have responsibilities. I would express the hope they would not prolong too long consideration of a measure of this kind, because in my honest opinion, the longer we prolong it, the more ridiculous we shall be in our own eyes.

Mr. ELLENDER. Mr. President, I renew my objection.

Mr. MANSFIELD. It requires only one.

Mr. DIRKSEN. Mr. President, I had the floor.

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. DIRKSEN. The objection of the Senator from Louisiana was sustained. I obtained the floor after the objection was sustained.

Mr. ELLENDER. Very well.

Mr. DIRKSEN. I wish formally to yield the floor to any Senator who feels he must discuss braceros or anything else, but I hope we can make progress upon a great sheaf of matters if we are to get away by snowfall.

Mr. MANSFIELD. Mr. President, I understand that the distinguished Senator from Alabama [Mr. SPARKMAN] is about to offer an amendment. I should like to ask the Senator if he would consider a time limitation on his amendment.

Mr. SPARKMAN. I have no objection whatsoever to setting a reasonable time limitation after I have an opportunity to present the amendment. It is my understanding that there has been an arrangement whereby the distinguished Senator from Florida [Mr. HOLLAND] and the distinguished Senator from California [Mr. MURPHY] are to discuss the bracero problem, probably for the remainder of the day.

I would not want that time included in any time limitation on my amendment; but after that is out of the way, I can present my amendment and I shall agree to a reasonable limitation.

Mr. MANSFIELD. It is my understanding, subject to change, and barring unforeseen circumstances, that the Senator from Florida and the Senator from California will take an hour and a half. That would bring us up to about 6 o'clock. I wonder if the Senator would agree to a 1-hour limitation, beginning at 6 o'clock, a half hour on each side, with a vote at 7 o'clock?

Mr. SPARKMAN. My preference would be to resume tomorrow, because my understanding is the discussion will require longer than the majority leader has indicated.

Before my amendment could be subjected to a time limitation, there would have to be some agreement on the limitation of debate by the two Senators. Let me assure the majority leader that when I obtain the floor, I shall be glad to agree to a reasonable time limitation.

Mr. MANSFIELD. I appreciate that, but in an attempt to get things going, so that we can look ahead, if possible, to some sort of procedure in the days ahead, if the Senate comes in at 12 o'clock tomorrow, after recessing tonight, would the Senator from Alabama be agreeable to voting at 1 o'clock on the basis of the time available after the prayer, to be equally divided——

Mr. SPARKMAN. Why not set it for 1 hour from the time debate is started? Does the Senator propose not to have a morning hour tomorrow?

Mr. MANSFIELD. After the prayer, with possibly no morning hour.

Mr. SPARKMAN. Would I be able to obtain the floor at that time?

Mr. MANSFIELD. Yes; for half the time of 1 hour after the Senator from Alabama obtains the floor—and he will obtain it first—after the prayer.

Mr. SPARKMAN. Let me say to the Senator from Montana that we are working hard trying to complete a housing bill.

Mr. MANSFIELD. I am well aware of that.

Mr. SPARKMAN. The Senator also knows that I am chairman of the subcommittee; and we are working hard on it now.

Mr. MANSFIELD. And doing an excellent job of it.

Mr. SPARKMAN. The full committee is meeting at 10 o'clock with an executive session ahead of that. The Housing Subcommittee will meet until 12 o'clock, at which time the meeting will have to be curtailed. If we could set the time for 2 o'clock, how would that do?

Mr. MANSFIELD. That would be fine.

Mr. SPARKMAN. Fine. I agree to that.

The PRESIDING OFFICER. Will the majority leader kindly restate his unanimous consent request?

Mr. SPARKMAN. Let me offer my amendment first, and then the unanimous-consent request can be submitted.

AMENDMENT NO. 179

Mr. President, I call up my amendment No. 121 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

Mr. SPARKMAN. Let me say that my amendment is being offered to the original bill; and I seek to modify it in order to make it fit the pending substitute. I can send forward to the desk the draft of the amendment which I hold in my hand, to substitute for the amendment to be read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The Legislative Clerk. It is proposed to amend the amendment in the nature of a substitute (No. 124) offered by Mr. Mansfield, for himself and Mr. Dirksen, to S. 1564, a bill to enforce the 15th amendment to the Constitution of the United States, as follows:

On page 10, lines 21, 22, 23, and 24, strike out ", in accordance with instructions received under section 8(b), to have the qualifications prescribed by State law not inconsistent with the Constitution and laws of the United States" and substitute "to have the qualifications prescribed by State law".

On page 12, lines 5 and 6, strike out the following: "not inconsistent with the Constitution and the laws of the United States".

On page 13, beginning with "and" on line 8, strike out all through "vote" on line 13 of such page.

The PRESIDING OFFICER. Does the Senator from Alabama wish these amendments to be considered en bloc?

Mr. SPARKMAN. Yes, Mr. President. It is really one amendment. Let me say for the benefit of Senators interested that the substance of the amendment is contained in the printed amendment No. 121.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that tomorrow there be a morning hour, to end at 12:30 p.m., that the time from 12:30 to 2 o'clock be allocated evenly between the Senator from Alabama [Mr. Sparkman] and the Senator from Michigan [Mr. Hart]; and that the vote be taken not later than 2 o'clock.

The PRESIDING OFFICER. Is there objection to the unanimous-consent agreement? The Chair hears none, and it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

Unanimous-Consent Agreement

Ordered, That the Senate proceed to vote not later than 2 o'clock p.m., Thursday, May 13, 1965 on the amendment No. 179, offered by the Senator from Alabama [Mr. Sparkman] to the substitute amendment by Senators Mansfield and Dirksen, No. 124, as amended, for the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Provided, That all time for debate after the transaction of routine morning business on Thursday, May 13, 1965, not to exceed 12:30 o'clock p.m., shall be equally divided and controlled by the Senator from Alabama [Mr. Sparkman] and the Senator from Michigan [Mr. Hart].

Mr. MANSFIELD. Mr. President, this means that it is possible that a vote could come a little before 2 o'clock.

Mr. SPARKMAN. I understand that. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Alabama will state it.

Mr. SPARKMAN. My amendment is now the pending business; is that not correct?

The PRESIDING OFFICER. The Senator is correct.

MIGRATORY FARM LABOR

Mr. HOLLAND. Mr. President, I have no apologies to make whatever for bringing up this subject at this time, even though it is not a part of the debate on the so-called voting rights bill.

I happen to be the chairman of the Subcommittee on Appropriations which handles agricultural appropriations. I also happen to be—under the chairmanship of the able Senator from Louisiana [Mr. Ellender]—the ranking majority member of the legislative Committee on Agriculture and Forestry, and chairman of the subcommittee which deals with agricultural production, marketing, and stabilization of prices.

In both those capacities, if I did not have the very great interest that I have as a Senator from my own State of Florida, which is so heavily involved in the production of perishable fruits and vegetables, I would be interested in the problem which I am now bringing up once more—I believe for the fourth time.

I am bringing it up in conjunction with my esteemed friend from the State of California—who I am glad to see is now in the Chamber—the distinguished Senator from California [Mr. Murphy].

The situation is not growing better in the field of agricultural labor as it affects perishable crops, particularly fruits, berries, and vegetables.

I hold in my hand excerpts from an article entitled "Strawberry Farms Face Huge Loss," published in the Florida Times-Union of May 7, 1965, in Jacksonville, Fla. It is datelined Westminster, Calif., May 6, and reads in part as follows:

> More than a third of this year's strawberry crop will never see market because there are no pickers, Orange County growers said today.
>
> Jack Tabata, spokesman for 85 growers in the county, said more than $4 million worth of strawberries will have to be plowed under before summer's end.
>
> Tabata announced that he would bury 12 acres of his own 60-acre field at a public ceremony Friday.
>
> * * * * *
>
> The growers claim that since the import of Mexican nationals ended last December 31, trained pickers have not been available.
>
> To illustrate the point, the growers sent a tray of bruised berries to Wirtz with a letter that said.
>
> "You would not visit our area to see for yourself the labor situation in Orange County. Therefore, we are sending you this tray of berries so you may gain insight into our problem.
>
> "It was picked by domestic labor and the worker was guaranteed a minimum of $1.40 per hour. Your Department sent us the man who picked this tray. We think it only fair that we send you the fruits of his labor."

Mr. President, I ask unanimous consent to have the entire article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Florida Times-Union, May 7, 1965]

Strawberry Farms Face Huge Loss

> Westminster, Calif., May 6.—More than a third of this year's strawberry crop will never see market because there are no pickers, Orange County growers said today.
>
> Jack Tabata, spokesman for 85 growers in the county, said more than $4 million worth of strawberries will have to be plowed under before summer's end.
>
> Tabata announced that he would bury 12 acres of his own 60-acre field at a public ceremony Friday.
>
> He invited State and national officials—including President Johnson and Labor Secretary W. Willard Wirtz—to the ceremony.
>
> "We invite your presence at this unfortunate and costly interment of a major nonsubsidized agricultural industry," the invitations said.
>
> The growers claim that since the import of Mexican nationals ended last December 31, trained pickers have not been available.
>
> To illustrate the point, the growers sent a tray of bruised berries to Wirtz with a letter that said:
>
> "You would not visit our area to see for yourself the labor situation in Orange County. Therefore, we are sending you this tray of berries so you may gain insight into our problem.
>
> "It was picked by domestic labor and the worker was guaranteed a minimum of $1.40 per hour. Your Department sent us the man who picked this tray. We think it only fair that we send you the fruits of his labor."
>
> Similar complaints have been registered by growers in Monterey, San Luis Obispo, and Santa Barbara Counties.

Mr. HOLLAND. Mr. President, I have been watching this problem daily. I have been discussing it with Senators from other States which are seriously affected. Recently, I had the pleasure of being a guest of the distinguished senior Senator from Virginia [Mr. Byrd], who we all know is a producer of apples in the fine section of Virginia where he lives. Numerous producers of apples whom I do not know, and whose names I could not now recall, came to me during my visit there, introduced themselves, and told me that they are already beginning to be fearful about the problem that will be confronting them a little later in the year.

I have also been watching the ticker daily, reporting on the distress being caused in my own State of Florida and in the State of California, and, I am sorry to say, which will be causing a great deal of distress in other places if the terrible mismanagement of our labor situation continues.

Today, my attention was called by the distinguished Senator from Vermont [Mr. Aiken] to a dispatch on the Associated Press ticker, which adjoins the

Senate Chamber, datelined San Jose, Calif., which reads as follows:

> The Mexican-American Unity Council says it will recruit an additional 3,000 to 10,000 farmworkers to help salvage the strawberry crop in the Salinas Valley.
>
> The offer came yesterday at a meeting here between the unity council, representatives of strawberry growers, and officials of the State farm service.
>
> Earlier, State Employment Director Albert B. Tieburg had endorsed a request for 2,150 more Mexican workers for immediate use in the Salinas Valley. Secretary Wirtz previously had approved importation of 1,063 to help out on California farms.

Mr. President, the situation in California, which is rapidly getting worse, will be discussed in much greater detail and with much more direct knowledge by my distinguished friend, the Senator from California [Mr. MURPHY]. I shall confine my statements for the time being to more general matters and to statements affecting my own State, which, while it is through some of its earlier pains in this matter, thanks to a continuance of 6,500 West Indian workers who were permitted to remain in our State back in April for varying periods of time for various industries, is still suffering. Some of those continuations were not of sufficient length to see certain industries through to the end.

I shall discuss this subject at greater length later in my remarks.

The celery industry and the sweet corn industry are the two industries most seriously affected. Celery was more than half through the marketing period when the orders of the Secretary of Labor and the Immigration Service came through to the effect that those who were working here, from the West Indies, should return immediately. Certain litigation has now been started. I do not like to refer to litigation, and I shall not, except by name, and certainly not with respect to the merits of what is pending. The injunction suits are pending in Florida, one in the district court and one in the State court, to prevent the producers from losing hundreds of thousands and perhaps even millions of dollars on celery and sweet corn crops.

I understand that the judges in both courts have granted restraining orders, which will be in effect until some time later this week. I am glad that that much mercy has been shown by the judicial branch of our Government. I would not dare predict what the outcome will be, much less try to influence the action of our judges.

However, the fact that the producers have been forced to put up their money to bring suits against the Federal Government and departmental officials shows that there is something wrong and is pressing heavily upon them.

This situation has become so notorious that it has gained the attention of the American Farm Bureau Federation, as evidenced by an article written by Charles B. Shuman, the president of one of America's greatest farm organizations, the American Farm Bureau Federation, and published in "Nation's Agriculture" of May 1965. The article is appropriately entitled "Let It Rot."

We hardly need say much more than those three words to understand what Mr. Shuman is talking about. I quote from Mr. Shuman's article, as follows:

> "As to the precious lettuce rotting in the fields, I cannot squeeze out a single tear of grief." Thus spoke a clergyman at the recent congressional hearings on the importation of foreign agricultural workers. No problem affecting farmers has been so prejudiced by misguided emotionalism and false propaganda as has the use of migratory workers in agriculture.
>
> Farmers have been accused of "paying slave-labor wages" and riding "roughshod over human rights, human dignity, and human needs." When foreign workers were brought in we were charged with exploiting "the poverty of other nations in order to beat down and crush the poor of our country."
>
> Farmers have tried to meet this campaign of vilification with factual information only to be beaten down with a continual barrage of false charges and slanted "investigations." Farm wages for both year around and migratory workers have gone up much more rapidly than the average farm operator's net income—they are at an all-time high and are competitive with the rewards for similar skills in other businesses.
>
> Migratory workers generally are better paid and many have better living conditions, while doing farm work, than in their home communities. Far from being "slave labor," the domestic migrants and the Mexican braceros have eagerly sought seasonal work opportunities on our farms to provide a better standard of living for their families—better opportunities for their children.

I ask unanimous consent that the entire article may be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LET IT ROT

The Herold Ranch, California—like many other growers—when cultivating in February had no inkling of whether they could get harvest labor.

"As to the precious lettuce rotting in the fields, I cannot squeeze out a single tear of grief." Thus spoke a clergyman at the recent congressional hearings on the importation of foreign agricultural workers. No problem affecting farmers has been so prejudiced by misguided emotionalism and false propaganda as has the use of migratory workers in agriculture.

Farmers have been accused of "paying slave-labor wages" and riding "roughshod over human rights, human dignity, and human needs." When foreign workers were brought in we were charged with exploiting "the poverty of other nations in order to beat down and crush the poor of our country."

Farmers have tried to meet this campaign of vilification with factual information only to be beaten down with a continual barrage of false charges and slanted "investigations." Farm wages for both year around and migratory workers have gone up much more rapidly than the average farm operator's net income—they are at an all time high and are competitive with the rewards for similar skills in other businesses.

Migratory workers generally are better paid and many have better living conditions, while doing farm work, than in their home communities. Far from being "slave labor," the domestic migrants and the Mexican braceros have eagerly sought seasonal work opportunities on our farms to provide a better standard of living for their families—better opportunities for their children.

Farm mechanization is advancing rapidly. Action by the Federal Government to eliminate the braceros and to force farm wages up by arbitrary Department of Labor standards will speed the adoption of mechanical substitutes for hand labor.

Years ago, John L. Lewis and his union priced the workers out of the coal mines—now we have a poverty program in Appalachia. Continued refusal of certain politicians and labor bosses to recognize that local labor supplies are inadequate, unwilling, or unqualified for peak harvesttime needs will force a similar replacement of farmworkers by machinery. The small family farm is placed at a disadvantage because the big operator usually has a better chance to get the necessary capital or credit for the new and larger machines.

However, there are numerous farm operations that cannot be readily mechanized. Many farmers will be forced out of business if labor costs are driven up without regard to the price of substitutes or foreign competition. Fruit and vegetable production and processing in Mexico and Central America are rapidly expanding with most of this new production being marketed in the United States. Again the family farm operator suffers—he cannot afford to pull up stakes and go south of the border.

Every effort is being made to recruit workers from the ranks of the unemployed but there is little indication of success—most of them cannot or will not do farm work. It is time for a reappraisal of Labor Department policies regarding farm labor. The "let it rot" attitude may satisfy those who are bent on the compulsory unionization of agriculture but it surely will not make a contribution to a Great Society.

CHARLES B. SHUMAN,
President.
American Farm Bureau Federation.

Mr. HOLLAND. Mr. President, the article describes the distress that now exists. I should like to read the last few sentences of the article, because I believe they are most important:

> Fruit and vegetable production and processing in Mexico and Central America are rapidly expanding with most of this new production being marketed in the United States. Again the family farm operator suffers—he cannot afford to pull up stakes and go south of the border.

To interpolate, Mr. Shuman makes it plain that, while the big operator can go south of the border or can go to the islands of the West Indies, as some have done from our State, that course is not possible to the farm operator who has only a small farm and raises his crop largely with the help of his family until harvesting time comes. Mr. Shuman properly calls attention to the fact:

> Again the family farm operator suffers—he cannot afford to pull up stakes and go south of the border.
>
> Every effort is being made to recruit workers from the ranks of the unemployed but there is little indication of success—most of them cannot or will not do farm work. It is time for a reappraisal of Labor Department policies regarding farm labor. The "let it rot" attitude may satisfy those who are bent on the compulsory unionization of agriculture but it surely will not make a contribution to a Great Society.

I completely join in that statement by Mr. Shuman. It accurately points up an operative factor which affects our agricultural producers who do not have price supports, who do not want price supports, who try to trim their plantings to the market needs to the degree they are able to anticipate them. They are among the last independent operators left in our whole country, which used to be full of people who prided themselves on their sense of independence.

Now we are seeing many of them crushed to earth by a shortsighted policy of the Secretary of Labor, undoubtedly a well-meaning man, and who undoubtedly is trying to do what he thinks is the right thing, but who could not be more impractical or have less understanding of the problems with which he is dealing, when he is dealing with requests for supplemental labor from Mexico, the West Indies, or Canada, as the case may be, by producers of perishable crops.

The next editorial to which I wish to call attention is one that shows that the subject is not confined to our rural press or to our agricultural press. It is an excellent editorial from the Miami Herald. It reads: "A Crop of Facts for Mr. Wirtz."

I shall read only two or three sentences. First I ask unanimous consent that the entire editorial may be printed in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Miami (Fla.) Herald, Apr. 21, 1965]

A Crop of Facts for Mr. Wirtz

It is one thing to sit in Washington and dream up ways to bring migrant and offshore farmworkers into the Great Society. It is another to hit the road and find out what the conditions really are and why.

Labor Secretary Williard Wirtz spent the weekend in Florida and it could be a constructive visit for all concerned.

Tramping the fields where much of the Nation's winter vegetables are grown, Mr. Wirtz talked with growers and workers and got some hard facts instead of theories.

The Secretary has been in hot water with growers and citrus producers in Florida and California. He believes that unemployed domestic workers should replace imported labor which has been planting and harvesting crops for years.

Growers, Mr. Wirtz insists, must compete by offering higher wages and better working conditions.

This didn't work out very well in the Florida citrus groves this year. Growers say millions of dollars worth of fruit was left to rot because of insufficient or inefficient pickers. Jobless workers recruited in the East simply walked off once they reached the Sunshine State.

Florida's prospering sugar industry received the Secretary's personal attention Friday. Saturday was spent in the vegetable fields.

Mr. Wirtz found a unanimity of opinion that offshore workers must continue to be available to cut cane. He discovered conditions among the migrant workers around Lake Okeechobee ranged from "very bad" to "quite good."

There must be a way to produce the Nation's winter vegetables and fruits without exploiting labor, bankrupting growers or gouging the housewives at the stores.

And also, we might add, without demanding the resignation of the Secretary of Labor.

Mr. Wirtz' visit should help find that way. At least the man who makes the rules knows better now what it is all about.

Mr. HOLLAND. I read:

> It is one thing to sit in Washington and dream up ways to bring migrant and offshore farmworkers into the Great Society. It is another to hit the road and find out what the conditions really are and why.

The editorial mentions the fact that Secretary Wirtz had come to Florida to look at the situation; and then continues:

> The Secretary has been in hot water with growers and citrus producers in Florida and California. He believes that unemployed domestic workers should replace imported labor which has been planting and harvesting crops for years.

Mr. President, without attempting to belabor the subject or to encumber the RECORD, I merely wish to say that that city editor, sitting down there in Miami, came so much nearer sensing the importance of the problem and its acute and distressing nature than did the Secretary of Labor that there is no comparison between the two of them. I am sorry that such a highly intelligent person, a highly dedicated person, a very decent person, and an undoubted gentleman like the Secretary of Labor, is so completely devoted to what he thinks is the cause of reducing unemployment in our own country that he does not recognize the clear fact of life; namely, that an unemployed coal worker in southern West Virginia is not necessarily a good citrus fruit picker in Florida, or that an unemployed person in any other capacity does not necessarily have either the qualifications or the desire to pick strawberries, which must be picked by the stem very carefully without crushing the fruit, and laid on a tray so that they will not be destroyed and will be suitable for the premium trade rather than be diverted to ice cream, frozen fruit, and the like.

I am sorry that in spite of my very high personal regard for Mr. Wirtz, he has completely missed the boat. He has completely misjudged his own duty on this question, and he has already brought millions of dollars of damage, though he does not so concede, to my people in Florida and to the people in California. As sure as these policies continue in force, great distress will be brought to untold thousands of other producers in the perishable products field throughout our Nation, because the problem will continue and will become enlarged rather than reduced in size.

Mr. President, the next article which I should like to put into the RECORD is an article by a very long-time columnist in the State of Florida, Mr. Russell Kay, under his dateline "Too Late To Classify." I ask unanimous consent that the article may be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Hialeah (Fla.) News-Journal, Apr. 1, 1965]

Too Late To Classify

(By Russell Kay)

It is unfortunate that the housewives of the Nation are not aware of a situation that in the months ahead is going to cost them millions of dollars in increased food prices.

If they could see the tons of fruit and vegetables rotting on the trees, plants, and vines, for want of labor to harvest them, food that should be reaching their tables and kitchen shelves at a reasonable price, they would rise in their might and demand that something be done about it.

Unless something is done about it and soon, Mrs. Housewife will cry tomorrow when she finds that the grocery money won't buy anywhere near what it does today as far as fresh, canned, or concentrated fruits and vegetables are concerned.

The loss to growers throughout the Nation is staggering and still mounts. It has already caused many farmers to curtail plantings on the grounds that it is ridiculous to waste money on seeds, plants, trees, irrigation, fertilizer, and other requirements only to see their crops rot in the field or on the tree.

If it were an act of God, a freeze, or flood, hailstorm or hurricane that was causing this tremendous loss and resultant food shortage we might be able to understand it and if God is aware of it, and I am sure He is, He must truly pity the Nation that is content to squander His abundance in such a manner.

Responsibility for the pitiful situation the Nation finds itself in today can be charged to the arbitrary action of the U.S. Department of Labor which has denied growers and farmers the use of offshore labor and required that domestic labor be employed.

The thought, of course, was to use domestic labor to help the unemployed. It sounds sensible and worthwhile but it isn't. If all the country's unemployed were experienced farm laborers it would be fine but unfortunately the bulk of those unemployed today are factory workers, city people with no knowledge of farmwork, no physical ability to undertake it and above all no desire to engage in it.

The Department of Labor carried on a recruitment program to provide workers for our farms and groves. The program fizzled miserably. It called for growers to pay transportation charges to bring help from other areas, to be repaid from wages by workers who accepted the jobs.

Thousands of unemployed delighted with a free trip to Florida, California, or some other point signed up. Then what happened? A large percentage of them untrained and unfit for the work, walked off, leaving the grower holding the bag while his crops continued to rot.

For many years Florida growers have employed offshore labor from the West Indies, while California has depended on Mexican labor to a large extent. These laborers have been farm laborers all their lives. They know how to pick crops, and working piecework make more money than the pay rate set by the Department of Labor.

The Secretary of Labor and his bright young college trained boys in Washington have worked everything out right pretty with their sliderules and computers. With no real knowledge of farm problems and less of human nature they make rules and stubbornly refuse to recognize facts. If housewives don't want to spend a lot more money for a lot less food in the months ahead they better start writing their Congressmen and I don't mean love letters.

Mr. HOLLAND. I read only three paragraphs of the article:

> It is unfortunate that the housewives of the Nation are not aware of a situation that in the months ahead is going to cost them millions of dollars in increased food prices.
>
> If they could see the tons of fruit and vegetables rotting on the trees, plants, and vines, for want of labor to harvest them, food that should be reaching their tables and kitchen shelves at a reasonable price, they would rise in their might and demand that something be done about it.

Another paragraph is as follows:

> Responsibility for the pitiful situation the Nation finds itself in today can be charged to the arbitrary action of the U.S. Department of Labor which has denied growers and farmers the use of offshore labor and required that domestic labor be employed.

Mr. President, I shall next read a part of the Washington Farmletter edited by Mr. Wayne Darrow, whom almost everyone at the Capitol knows—certainly everyone who is interested in questions related to agriculture. He stated:

> Farm labor: Secretary Wirtz of Labor Department has set his foot and the law down that there'll be no more foreign labor brought into the United States for farmwork until and unless American workers are unavailable. The situation is similar to that of the early 1920's when industry was cut off from cheap foreign labor by the new immigration laws.
>
> The industrial uproar then was greater than the farm uproar now. Immigration restrictions in the 1920's led to unionization in the 1930's.
>
> We sympathize with the growers. Our war labor experience showed us the unreliability of domestic farm labor. Then—and we expect now—it wasn't so much wages and housing as the reluctance of city unemployed to move out of their localities to perform strange and onerous farmwork.
>
> The No. 1 point with farm employers is labor availability—to be sure of having the number of workers at the times and places and durations required for perishable crops. Secretary Wirtz suggested some things that can be done to meet these requirements. This is in the future.

Then underscored is the following part of Mr. Darrow's letter:

> Meantime farm employers are faced with severe readjustments. No quick way out.

Mr. President, next I wish to call attention to a statement reprinted by one of the finest growers in Florida. He used to be a large producer in California, also, but his family, the Chase family, is now confining its operations to the State of Florida. He is respected and known from one end of our country to the other for the fine products he turns out.

Through the years some of their products have come from one of those two great States and some from the other. The article is entitled "Millions in Crops Spoiling Because of Stubborn Mr. Wirtz." The article is quoted from Human Events, and is printed as a paid advertisement by Chase & Co. in the Packer. I do not have to tell any Senator what place the Packer occupies in the agricultural publications field. The article is published with the headline stated over the signature of Chase & Co., and the statement, "Florida and Other Fruit and Vegetable Producing Areas Need Your Help."

Without belaboring the record, I ask unanimous consent that the entire article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Packer, Apr. 3, 1965]

WON'T ALLOW BRACEROS TO ENTER UNITED STATES—MILLIONS IN CROPS SPOILING BECAUSE OF STUBBORN MR. WIRTZ

The New Deal plowed pigs into the ground. Secretary of Labor Willard Wirtz is a "crop rotter." He might deny the charge, but that's the clear conclusion that must be drawn from the facts detailed in a blistering, bipartisan attack against the Secretary launched by several Congressmen on February 18.

Their chief complaint: Because Wirtz stubbornly rejects any plan to permit trained, supplementary foreign labor to enter this country, millions of dollars' worth of oranges, tomatoes, strawberries, asparagus, and the like are perishing in the fields.

The Secretary's actions are also said to be hurting farmers, businessmen, workers, and consumers. The small farmers, say the lawmakers, are being driven to the wall financially because they can't afford the Wirtz-imposed minimum wage for domestic crop pickers. (Under a dubious interpretation of Public Law 414, Wirtz is compelling some farmers to hire American farm labor at $1.40 an hour minimum. He's made this requirement, even though the minimum wage, set at $1.25 an hour by Federal law, specifically exempts migratory farm labor.)

Rotting crops, however, is the central issue. Because of the unpicked and decaying crops, truckers will be losing money; profits of canners and packinghouses will be down, and the final result will undoubtedly be a loud outburst from the housewife who will discover fruit and vegetable prices soaring upward.

Wirtz was in the forefront of those who last year helped persuade Congress to snuff out the life of the tried and trusted bracero program which permitted Mexican nationals to help harvest American crops (see Human Events, Jan. 23, 1965). Under Public Law 414, an immigration statute, he could still permit Mexican and other foreign nationals to work on American farms during the crop-picking season, but Wirtz pointedly refuses to do this. He claims the work should be given to unemployed U.S. citizens whom the Labor Department is in the process of recruiting.

Even under Wirtz' arbitrarily raised wage rates, however, the farm labor shortage remains. Representative A. SYDNEY HERLONG, Democrat, of Florida, bellows that not only is it continuing, but that the Labor Department doesn't care much about whom it recruits to replace foreign farm labor.

The Department, charges HERLONG, appears to be more interested in bringing live bodies to Florida than qualified fruitpickers and that this cost the growers more money in transportation and advances to "these deadheads" than they are worth. Meanwhile the crops rot.

What kind of a recruiter is it, asks an indignant HERLONG, "that tells a 350-pound man that he can make a lot of money on a job that requires him to climb a ladder and pick oranges? Or who would send a man down to Florida to pull oranges off a tree who has no fingers on his hands, or who would drive up in a truck in front of the house of a man who is over 70 years of age and ask the elderly gentleman if he would like to go to Florida and make a lot of money?"

Representative HERLONG declares that citrus growers in the State estimate $6 million has been lost because of insufficient labor to pick the early and midseason supply of oranges, grapefruits, and tangerines.

He adds that Florida's sugarcane mills 2 weeks ago estimated their losses—due entirely to insufficient canecutters—at a total of $1.7 million. Strawberry growers in the State piled up losses "due directly" to Wirtz' refusal to supplement the meager domestic labor supply.

Chimes in Representative ED GURNEY, Republican, of Florida: "The livelihood of many a truck driver or truck owner in Florida depends upon hauling to market one crop, citrus, each year. There will be a great number of these people who will not make enough this season to make both ends meet or to properly feed, clothe, and shelter their families."

GURNEY blames this directly on Wirtz' refusal to let in foreign farm workers. "There are groves with fruit so thick on the ground," charged GURNEY, "you cannot see the dirt beneath."

Representative ROBERT DOLE, Republican of Kansas, joins in the chorus: "I would like to point out that I had the privilege of witnessing this firsthand. Last Friday, I went to Orlando, Fla.; I was there and visited as a member of the Committee on Agriculture some of the groves, and I can attest to the facts stated by the gentleman from Florida that you cannot see the ground."

Other tales of crop spoilage were reported by Representatives CHARLES TEAGUE, Republican, of California, DON CLAUSEN, Republican of California, JAMES HALEY, Democrat of Florida, BURT TALCOTT, Republican of California, and WILLIAM M. MCCULLOCH, Republican of Ohio. The message was the same: The crops are rotting because of Willard Wirtz.

Florida and other fruit and vegetable producing areas need your help. Write your Congressman today. Chase & Co., Sanford, Fla., established 1884.

Mr. HOLLAND. Mr. President, next I ask unanimous consent to have printed in the RECORD an editorial from the Orlando Sentinel of April 1 which relates to a Wirtz meeting.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Orlando (Fla.) Sentinel, Apr. 1, 1965]

WIRTZ' MEETING

Labor Secretary Willard Wirtz has called a hearing for Tampa tomorrow to give Florida citrus growers an opportunity to prove they need the services of 3,000 offshore agricultural workers after April 15, the present cutoff date.

There is no doubt citrus growers can prove the need. They already have. We hope Mr. Wirtz' hearing is not just window dressing, a sop to hard-hit growers to make them feel temporarily better while he prepares to deal them the coup de grace. Mr. Wirtz indicates that if the need can be shown he will extend the certification of the offshore workers. Mr. Wirtz has committed himself and he should now be preparing to live up to his agreement.

Mr. HOLLAND. The article speaks of Mr. Wirtz' recent trip to Florida and his hearing and ends with the following expressed hope:

> We hope Mr. Wirtz' hearing is not just window dressing, a sop to hard-hit growers to make them feel temporarily better while he prepares to deal them the coup de grace. Mr. Wirtz indicates that if the need can be shown he will extend the certification of the offshore workers. Mr. Wirtz has committed himself and he should now be preparing to live up to his agreement.

Mr. President, the editorial writer, Mr. Martin Andersen of Orlando, is one of the best friends that the present administration has. He is the owner and publisher of the Orlando Sentinel and the editorialist of that fine paper. Unfortunately, the hope and wish that he expressed has not been fully realized. The Secretary of Labor did extend the time of some 6,500 foreign workers in various job lots for various industries, some of them for only a few days, some of them until June.

But the trouble is that again the Secretary showed his lack of knowledge of the situation, because in the case of the two crops which I mentioned a while ago—that is the celery crop and the sweet corn crop of Florida—he did not understand that the marketing season and the harvesting season lasted well beyond the time for which offshore laborers were permitted to remain in the State. Only the other day, as of April 30, the time for nearly a thousand people—and I do not remember the exact number; 550, I believe, in the case of celery cutters and the rest of them in the sweet corn industry—were ordered to be taken back to the homes from which they had come within a few days following the termination of their leave to stay, and it was ordered that they should not work beyond midnight of April 30.

Mr. Wirtz says he did not make that order. In a technical sense, that is perhaps true. The Immigration and Naturalization Service officials are the ones who decide when the workers must leave. But the law also provides that the Secretary of Labor shall be the adviser. He is the one who permits the workers to enter the country, because their failure to come in will mean the loss of perishable crops. He has heretofore said they could come in when he thought the strongest case possible had been made by producers to secure domestic workers. But his job is, of course, advisory, in the sense that he makes the finding, and the Immigration and Naturalization Service is responsible for seeing to it that the workers are moved back. They are moved back at the expense of the growers who brought them in. They are moved back at the end of the time for which the Secretary of Labor has approved them.

There has been much talk about the need for the workers, but I desire to have the Record show that Secretary of Labor Wirtz, speaking to me personally, as one of the Senators from Florida, said clearly that he would not agree to certify to the need of any further workers beyond April 30 for the celery industry in the Belle Glade area of Florida, or for the sweet corn industry.

I asked the Secretary if he intended to publicize that statement. He said, "No."

I said, "Have you any objection to my publicizing it?"

He said, "No; that is all right. You may go ahead and do it." I did so. Yet I am told that the Secretary now says that he is not the one who is insisting that the workers be moved out of our fields, merely because the Immigration and Naturalization Service, which is an agency of the Department of Justice, under the Attorney General, is the agency which oversees that part of the effort.

I wish to make it clear that the Secretary of Labor took the position I have just stated. I am sure he would not for a moment deny it. As a result, great hardship has now resulted; and as I understand, some 2,400 acres of celery that are now ready for digging, or will be ready within the next 2 or 3 weeks, are left without the service of cutters. It is the offshore workers who do the difficult and dirty work called cutting, the digging up of the celery out of the ground. The domestic workers, about 3 to 1 in number, do the cleaning and the clipping of the celery into the right lengths to be placed within packages for handling at the packinghouse later.

Instead of relieving unemployment, a step like this, in which hundreds of foreign workers, who cannot be replaced and have not been replaced, are moved out of the country, strikes at the livelihood of a larger number of domestic workers. That has already happened in the domestic celery industry. I am sorry that the ardent hope of Mr. Martin Andersen, expressed in his editorial, has not been realized in its totality. It was partly realized.

I argued with the Secretary of Labor. I said, "You have left a fine taste in the mouths of our people by allowing the 6,500 workers to stay in this country. Here is a way in which a few hundred more, if they are allowed to work in these two particular industries, can mean millions of dollars to the industry and the employment of many more domestic workers. Please do not consider failing to take this last step, after you have taken all the others up to now."

I deeply regret to report to the Senate and to the public that Mr. Wirtz refused to take the last small step, and that great loss and serious damage have resulted from that decision.

I next ask unanimous consent to have printed in the Record an article entitled "Wirtz Views Harvest Labor Problems," published in the Tampa Tribune of April 16, 1965.

There being no objection, the article was ordered to be printed in the Record, as follows:

ON TOUR THROUGH FLORIDA—WIRTZ VIEWS HARVEST LABOR PROBLEMS

TALLAHASSEE.—U.S. Secretary of Labor Willard Wirtz came to Florida yesterday for a firsthand look at why the State says it needs offshore labor to harvest its crops.

"The point of my trip," he told a news conference, "is to find out as much as I can about a situation that is of real importance to Florida and the country as a whole."

He said he would inspect not only wages and working conditions but also housing offered both domestic and offshore labor in an effort to determine why domestic farm labor is unavailable.

Wirtz declined to go into detail, but said he was looking into the situation to help him administer the laws, not to recommend new laws.

But Wirtz said the law required domestic labor to be hired before offshore labor could be used. He said the Nation has 4 million unemployed, not all available to Florida's agricultural interests.

Earlier this month, Wirtz changed his mind and extended the work permits of some 6,500 offshore workers working in Florida fields.

Wirtz said he thought the reports from Florida had been exaggerated but changed his mind after State Industrial Commission Chairman Dan Wright recommended the extensions be granted.

Wright called for help from Wirtz after farmers said the lack of domestic labor coupled with the return of offshore labor would result in millions of dollars loss to Florida because crops would rot in the fields.

OTHER STOPS

Wirtz left for Orlando immediately after the news conference, accompanied by Agriculture Commissioner Doyle Conner and Wright.

Wirtz will inspect citrus groves in Orange County, visiting workers and their homes.

His schedule included stops at Haines City, Winter Haven, and Belle Glade, to discuss problems involved in harvest of sugarcane, vegetables, strawberries, and celery.

Wirtz also plans to meet with the Florida Citizens Committee on Agricultural Labor in Winter Haven and citrus growers in Haines City.

He will return to Washington over the weekend.

Mr. HOLLAND. Mr. President, I want it to be shown affirmatively that the Secretary of Labor made a trip to Florida, that he was cordially received, and that the publicity was good. The article in the Tampa Tribune indicates rather clearly that such was the case. It also shows that the head of the State employment commission, Mr. Dan Wright, had not been successful in getting the number of workers which he had certified to Mr. Wirtz and the Department of Labor were necessary. However, the article shows that Mr. Wirtz did make the trip to Florida. The only comment I shall make that is unfriendly is that he did not make the trip with open eyes and with the clear understanding of the problems connected with the producing of perishable crops in Florida that I had hoped he would have.

Following that, we began to have trouble in the celery and sweet corn industries. On May 1, 1965, a long article entitled "Glades Faces Disaster in Celery Fields" written by Iz Nachman, Glades bureau chief, was published in the Palm Beach Post. I ask unanimous consent that the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

GLADES FACES DISASTER IN CELERY FIELDS

(By Iz Nachman)

BELLE GLADE.—Approximately 2,000 area workers will be without jobs today as the result of the failure of the Labor Department to act to alleviate the shortage of celery cutters.

What this will mean to the economy of the area that Secretary of Labor W. Willard Wirtz has already described as "the crossroads of poverty" is almost impossible to estimate.

The Labor Department order that called for the removal of all British West Indies labor from the celery operations here affects only 550 workers.

George H. Wedgworth, president of the Florida Fresh Produce Exchange, Inc., better known as the "Celery Exchange," could only comment on his own operation—Wedgworth Farms, Inc.

Wedgworth explained that the elimination of 40 offshore celery workers would affect another 120 fieldworkers, not including those engaged in the processing of the commodity in his company's packinghouse.

The Wedgworth operation handles approximately 10 percent of the celery produced in Florida. The largest single operation is that of A. Duda and Sons, followed closely by South Bay Growers.

Using the minimum wage fee as set by the Labor Department recently at $1.15 per hour, the minimum loss to area workers—excluding the imported laborers from the British West Indies—will approximate $110,400 per week.

These figures are based on a minimum wage and 48-hour work week.

Sam Senter, who heads the organization bearing his name, said the shutdown of the cutting operations in the field will also mean the closing of a packing plant that packages nothing but celery hearts.

In this one operation, there are 25 employees working an average of better than 5 days per week.

When one attempts to estimate the number of workers indirectly connected with the celery industry, the employment and earnings figure is impossible to estimate.

What apparently has not been explained to the Government officials is that a good portion of the fresh vegetables that are used by servicemen overseas are supplied from the Glades area at this time of the year.

Early Friday, it was reported here that Senators SPESSARD HOLLAND and GEORGE SMATHERS, along with Representative PAUL G. ROGERS, were to confer with President Lyndon B. Johnson in an attempt to overrule the edict by Wirtz.

Throughout Friday, there was not a single Glades grower, produce broker or man in the street who was not expecting some word from Washington.

Last year, the Glades area sold 5,758,000 crates of the commodity. A total of 7,372,000 crates was produced in the State.

So far this year, production in the Glades has been below the same date of last year. As of Wednesday, a total of 7,899 carloads of the commodity had been shipped as compared to 8,610 last season.

Bill Ferguson, a field representative for the Florida Celery Advisory Committee, said the decrease was caused by the two fall hurricanes and three freezes experienced this winter, one of which was classified as a "killer."

Meanwhile, the crop is about to reach its peak as far as harvesting is concerned and without the vegetable cutters it appears as if more than $4 million in celery will either rot or be plowed under.

The flow-to-market rate was apparently being followed as the shutdown of the industry appeared imminent with the end of Friday's harvesting.

There was only one comment from growers concerned:

"We will have to wait until Monday to see just where we stand and then we may be able to explain our real plight."

Mr. HOLLAND. Mr. President, the article shows the progressive rising of this problem, which has now brought it into two courts, has already brought great loss to our people, and will bring a great deal more unless some relief is given.

The next article is entitled "Wirtz Changes on Labor." It was written by Roulhac Hamilton, of the Orlando Sentinel Washington Bureau, and was published in the Orlando Sentinel of May 1, 1965. I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AFTER WHITE HOUSE AID ASKED—WIRTZ CHANGES ON LABOR

(By Roulhac Hamilton)

WASHINGTON.—Labor Secretary W. Willard Wirtz, apparently under Florida-generated White House pressure, abruptly ordered late Friday a new on-the-scene investigation of Sunshine State needs for offshore harvesters for the celery and sugar corn crops.

Wirtz, who only a day earlier had bluntly asserted he would not certify offshore celery and corn harvesters to stay in the State after midnight Friday, dispatched Deputy Under Secretary Millard Cass to West Palm Beach to meet with growers.

The Labor Secretary's orders to Cass were issued after an angry Senator SPESSARD HOLLAND and an equally irate Representative PAUL G. ROGERS had sought White House intervention in the matter in the wake of Wirtz' claim that adequate domestic labor was on hand.

HOLLAND held a lengthy telephone conference with Lee White, one of President Johnson's special assistants, on the subject. And both HOLLAND and ROGERS had "hand-carried" to the White House, by special messengers, evidence which they said disproved Wirtz' claim that there was no need for offshore celery and corn workers.

The HOLLAND evidence consisted of a massive sheaf of telegrams and letters from celery and sugar corn growers, complaining that they would be wiped out if offshore labor supplies were withdrawn, and asserting that the supply of domestic workers envisioned by Wirtz did not exist, as far as effective labor was concerned.

HOLLAND also sent to the White House a report by the Florida State Employment Commission, asserting that capable domestic harvesters were not available, and that domestic workers brought in from other States were either children, incompetents, or persons unwilling to work when they found out what the job involved.

Mr. HOLLAND. Mr. President, the article states that the congressional delegation from Florida, and I personally, had requested the Secretary to reconsider his action, when we found that he was disinclined to upset the ruling of his agent on the job that people engaged in harvesting celery and sweet corn had to leave Florida or cease working after midnight of April 30. I approached Secretary Wirtz—so did we all—and asked him to send one of his trusted lieutenants to Florida, so that he could see for himself that a large part of the celery crop and a large part of the sweet corn crop had yet to be harvested. This request was made ahead of time. Although all the operations of harvesting are highly mechanized, a part of the operations requires great skill, long training, and experience in that particular part of the job. I am sorry to say that at first the Secretary declined to agree to the request to send his trusted adviser to Florida. Later, after I went to the White House and requested that this matter be checked, the Secretary relented and sent his trusted assistant, Mr. Millard Cass, who is named in the article. Mr. Cass is a gentleman and has been cordial in his attitude toward us; but unfortunately he does not have the power to make a decision in such a situation. Mr. Cass went to Florida. The burden of the article speaks rather loudly, as may be judged from the title itself. It was only after a Presidential aide had insisted that this be done that the Secretary relented from his earlier refusal, and sent Mr. Cass to Florida to review the situation on the ground and report to him.

The next article, published in the Palm Beach Post of May 2, 1965, recites that Mr. Wirtz' aide went to Florida.

Mr. President, I ask unanimous consent that the article entitled, "Wirtz' Aide Confers Here," published in the Palm Beach Post of May 2, 1965, may be printed at this point in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WIRTZ' AIDE CONFERS HERE

BELLE GLADE.—For the second time since the Easter weekend, the fate of the multimillion dollar produce industry in the Glades awaits word from Secretary of Labor W. Willard Wirtz.

With all offshore celery worker contracts scheduled to be terminated with the end of April, it threatened to put a stop to the harvest of a crop estimated at $4 million.

The 550 British West Indies laborers assigned to celery growers were still in the area Saturday, and no decision as to when they may be returned has been announced.

Wirtz sent Under Secretary of Labor Millard Cass here Saturday to confer with growers of both celery and sweet corn.

At an afternoon session held in the board room of the Sugar Cane Growers Cooperative of Florida, Cass heard growers of both crops explain their plight.

Late Friday, word was received from Washington that Senators SPESSARD L. HOLLAND and GEORGE SMATHERS plus Representative PAUL ROGERS were to confer with the President on the issue, but reportedly the President was too involved with the situation in the Dominican Republic to pay too much attention to the plight of the Florida growers.

Nevertheless, Cass was dispatched here to learn firsthand what the local problems were.

Cass said he was here "merely to listen," as the Secretary of Labor makes the policies for the Department.

Although he would make no comment on the gist of the meeting, he did say that both leaders in the celery and sweet corn industry attended the conference that lasted for more than 2 hours.

"I just let the local folks tell me what their problems were," Cass explained, "I took a lot of notes and will report to the Secretary Monday."

There was an indication Wirtz may have an announcement Monday.

Mr. HOLLAND. Mr. President, I shall read several of the paragraphs. I believe that the article shows the kind of palaver that was going on. The headline is Belle Glade, which is in the heart of the Everglades production center. I read from the article:

BELLE GLADE.—For the second time since the Easter weekend, the fate of the multimillion dollar produce industry in the Glades awaits word from Secretary of Labor W. Willard Wirtz.

With all offshore celery worker contracts scheduled to be terminated with the end of April, it threatened to put a stop to the harvest of a crop estimated at $4 million.

The 550 British West Indies laborers assigned to celery growers were still in the area Saturday, and no decision as to when they may be returned has been announced.

Wirtz sent Under Secretary of Labor Millard Cass here Saturday to confer with growers of both celery and sweet corn.

Then the article quotes Mr. Cass. It reads:

Cass said he was here "merely to listen," as the Secretary of Labor makes the policies for the Department.

Although he would make no comment on the gist of the meeting, he did say that both leaders in the celery and sweet-corn industry attended the conference that lasted for more than 2 hours.

"I just let the local folks tell me what their problems were," Cass explained. "I took a lot of notes and will report to the Secretary Monday."

There was an indication Wirtz may have an announcement Monday.

Mr. Wirtz did not have an announcement on Monday, in spite of people sweating, wanting to know whether they had to continue with the expense of keeping the 550 people there at their own expense, and waiting to know whether they could put them back to work. Secretary Wirtz postponed the announcement that day, and he postponed it the next day. At approximately 4 o'clock on Wednesday afternoon an announcement was made.

Anyone who is desirous of helping people who are paying out their good money and seeing their crops spoiled would have wanted to make an announcement at the earliest possible moment.

I started calling on Monday. My first call was at approximately 1 o'clock on Monday. I thought that that would be time enough for them to call back. I kept calling continuously on Monday, Tuesday, and Wednesday. It was at about 4 o'clock on Wednesday afternoon when Mr. Wirtz called me and told me that he had made up his mind to support his regional man, Mr. Marbury, in Atlanta and refuse to extend further the time for the workers on celery and sweet corn.

Mr. President, I thought that that long, continued deliberation was not kindly. I thought it was not in the proper spirit. I see in the chair a Senator from the great State of Montana. The Acting President pro tempore comes from farming country. I see other Senators in the Chamber who come from farming areas. Perhaps they were raised on farms. I was raised in an orange grove. Anyone who knows anything about the problems of agricultural producers who are producing perishables knows that they must act. They must act when the time is ripe and right for action, and when the weather permits.

For 4 days, including Sunday, we had to wait. I do not believe that the decision could have been made until about Monday morning. But we waited Monday afternoon and night, Tuesday afternoon and night, and Wednesday up to 4 o'clock. There was no chance at all to know what would be done until Wednesday night.

Mr. President, speaking only for myself, I did not make the decision to go to court. I believe that the growers acted within their rights. I commend and respect them for showing their resentment at the lack of consideration which they were receiving from a Government official whose duty it was to try to obtain for them the supplemental labor which they needed, at the time that they needed it.

It is for that reason, among others, that I have taken the floor today. The reactions of the Florida press to what was happening at that time and what has happened since have not been very kindly. For instance, here is an article from the Palm Beach Post which is entitled "Celery Workers Await Decision by Wirtz." I shall not attempt to read it all. I ask unanimous consent that this article under date of May 3, 1965, published in the Palm Beach Post may be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Celery Workers Await Decision by Wirtz

(By Iz Nachman)

Belle Glade.—More than 3,000 celery workers are anxiously awaiting word from Secretary of Labor W. Willard Wirtz today if they will be in the payline Friday.

At the same time, an excess of 3,000 acres of glades muckland now planted in celery faces the possibility of either rotting in the field or being plowed under.

The cause of the present crisis is a Wirtz edict that brought a stop to the use of 550 offshore celery cutters as of April 30—Friday.

Following an urgent appeal by industry leaders, Wirtz sent Under Secretary of Labor Millard Cass here Saturday for a meeting with celery and corn growers.

For more than 2 hours, Cass "listened to the problems" of the growers at a closed session in the board room of the Sugar Cane Growers Cooperative of Florida offices here.

When the meeting concluded Cass would only say: "I have taken a lot of notes and will report to the Secretary Monday (today)."

Meanwhile, the British West Indies laborers are preparing to return to their island home, unless a last-minute reprieve is forthcoming today.

The crop that still remains to be harvested has been estimated to exceed $4 million in value.

There are 30 large harvesters—"mule trains"—in operation here by nine large growers. Each of these machines use at least 20 cutters to keep the other workers busy washing, cleaning, sorting and packing the commodity for market.

The employment figures given by men of the industry do not include a number of packinghouse workers, transportation personnel and others who depend on this one vegetable for a livelihood.

George H. Wedgworth, who heads the Florida Fresh Produce Exchange, Inc., also termed the "celery exchange," was not optimistic about the situation when contacted at the close of Saturday's long session with Cass.

"Any comment about the meeting," Wedgworth sighed, "will have to come from Mr. Wirtz."

Wedgworth recently conferred with the Labor Secretary when he visited here over the Easter weekend to make a so-called study of the sugarcane, vegetable, and citrus industries.

Wirtz had more comments on the housing situation that he termed the "worst" he had ever seen and did not come up with any recommendation that pointed to a solution of the labor shortage here.

All of the celery cutters, as well as sugarcane cutters, are imported from the British West Indies. Domestic laborers, the growers claim and have records to prove, will not work in either of these two jobs.

Celery and sweet corn are the top income producers in the Glades area-vegetable market. Both products last year brought more than $15 million each into the economy of the area.

Cass and Ernest Marbury, regional director of the bureau of employment security, Atlanta, left here Sunday afternoon. They spent Saturday night at the local Holiday Inn.

The Undersecretary said he did not want to "appear uncooperative" but he was unable to make any statements about his finding until he confers with Wirtz "who makes the policies for the Department."

While the mule trains were idle and the workers pondered their fate, some lucky sweet corn growers managed to round up harvest crews to work on the Sabbath.

Local merchants, who have reported their best business year ever, are anxiously awaiting news from the Nation's Capital that may still the ring of their cash registers.

"I do not want to appear rude," Cass stated when he was unable to throw any light on what Wirtz may announce today, "but I just let the local folks tell me what their problems were—took a lot of notes and will report my findings to the Secretary."

Late Friday, word was received that Senators Spessard Holland and George Smathers, along with Representative Paul Rogers, had been contacted by the Glades growers to carry their story to President Lyndon B. Johnson.

It is believed that the action by the Florida congressional delegation led to Cass' trip here.

The local meeting was termed "a factfinding session" by the representative of Wirtz.

Wedgworth not only heads the so-called celery exchange but is also chairman of the labor committee of the Florida Fruit and Vegetable Association—the largest importer of off-shore laborers in this area.

It was rumored here Sunday that all celery workers who are not employed in the cutting of that commodity will report for work as usual today.

When this happens, the growers will be forced to send these men and women home from the fields.

Although there are several thousand offshore laborers still in Florida at this time, they all have not been designated as celery workers and as such are contract bound not to work in that industry.

There is a possibility that Wirtz may reassign those workers now employed in the preparation of sugarcane acreage for next year's crop to the hard-hit celery industry.

Both sugarcane and celery cutters, are classified as "stoop laborers" and the type work they perform is so similar that they may readily be moved from one crop to the other without a serious loss of work time in their new assignments.

Mr. HOLLAND. Mr. President, there are one or two things that should be in the Record. One paragraph reads:

> Celery and sweet corn are the top income producers in the Glades area-vegetable market. Both products last year brought more than $15 million each into the economy of the area.

The $4 million figure which was mentioned earlier in my remarks had to do with the remaining celery which was still then in the ground and still to be harvested.

This article places the matter in a more proper perspective. Another paragraph reads:

> Local merchants, who have reported their best business year ever, are anxiously awaiting news from the Nation's capital that may still the ring of their cash registers.

That shows how anxiously the area reacted. I shall show by other articles how the people of the area were not reacting very kindly to what was happening because of the long delay. Next, I have an article from the Tampa Tribune of May 8, 1965. This article is entitled, "Crops Said Rotting." I ask unanimous consent that this article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Crops Said Rotting

New York.—Fruits and vegetables in Florida are rotting in the fields because the Government's policy against foreign labor has made for an insufficient harvesting force, Florida Agriculture Commissioner Doyle Conner said yesterday.

"The problems created by the labor shortage are causing short supplies, resulting in higher prices to consumers," Conner declared.

Conner came here to discuss the problem with New York food officials and retailers.

> He said they were perplexed because supplies are not arriving as scheduled.
>
> New York City gets 20 percent of its fruit and vegetable supplies from the Sunshine State, the agriculture commissioner estimated.
>
> Restrictions imposed by Labor Secretary Willard Wirtz on use of foreign labor are creating devastating effects on agriculture, Conner asserted.
>
> "We have good supplies of high quality fruits and vegetables in our Florida fields and much of them are rotting because we do not have a sufficient harvesting force," he added.

Mr. HOLLAND. Mr. President, this article is datelined May 8, 1965. That was after the damage had been done, and after the suits were brought. The Tampa Tribune is one of the best newspapers in the South. The editorialist and the newswriters are moderates from my point of view. They would not say unkind things about anyone. I am sorry to be saying things about Secretary Wirtz that will be considered as being unkind.

The Secretary is a fine, conscientious person. I enjoy being with him. I enjoy talking with him. However, he is not doing his duty when it comes to providing supplemental labor for those who have sweated and poured their money into the soil. It is almost a case of the sweat and tears that Winston Churchill used to mention.

The article from the Tampa Tribune states:

> Fruits and vegetables in Florida are rotting in the fields because the Government's policy against foreign labor has made for an insufficient harvesting force, Florida Agriculture Commissioner Doyle Conner said yesterday.

Mr. Conner is a fine gentleman. Incidentally, he made the statement in New York, as the dateline shows.

The article reads:

> Conner came here to discuss the problem with New York food officials and retailers. He said they were perplexed because supplies are not arriving as scheduled.

I wonder if Mr. Wirtz understands that when he makes a decision of this kind which puts a spoke in the wheel of an important producing industry, producing food for the Nation, many millions of people must put in their time to insure that the crop is in good condition and that there is a more or less uniform flow of the crop during the season.

This situation has not only affected producers and workers—both domestic and offshore workers, and many more of the domestic workers than offshore workers—but it has also affected the transportation interests, the bankers, and others in that area, including merchants. The situation is affecting the market. Our very able State commissioner of agriculture went to New York to try to explain just what was happening. The article continues:

> New York City gets 20 percent of its fruit and vegetable supplies from the Sunshine State, the agriculture commissioner estimated.
>
> "Restrictions imposed by Labor Secretary Willard Wirtz on use of foreign labor are creating devastating effects on agriculture," Conner asserted.
>
> "We have good supplies of high-quality fruits and vegetables in our Florida fields and much of them are rotting because we do not have a sufficient harvesting force," he added.

Mr. President, a responsible, statewide cabinet officer of Florida, elected by the people of the State, would not go to New York and make a statement of this kind on behalf of the people of his State who are engaged in that particular field of agriculture unless there were great truth to what he is saying. The article reports exactly what he said.

In spite of that, Mr. Wirtz does not believe the Senators from Florida. I do not fall out too much because he does not believe me. This is his privilege. He does not believe the Representatives from Florida. I feel more concerned about that. They are from the districts which are directly affected. The Secretary does not believe either the producing industry or the marketing industry. He does not believe the people in Florida who are handling the labor problems for the State and making these recommendations, certified by them, as to needs, which Mr. Wirtz so frequently now is ignoring. But he is striking at suppliers, housewives, and merchants at every level of merchandising, in a great market like New York and, of course, to a lesser degree, other great markets of the Nation that are handling those crops at that time.

Mr. President, I am proud that my State at a certain time is the market basket of our Nation. A little later there comes into being the market basket of our friends in California. Soon they begin to exceed us in many fields of production, but not in all. Arizona may join, too. Later, as the crops move north, other States come in. But Arizona, California, and Florida supply nearly 200 million men, women, and growing children with fresh fruits and green vegetables that they must have in their diet in the winter.

The Secretary's action is not only unkind as against the producers, but it is unthinkable that such decisions can be made without an understanding of the great harm done to people he probably did not think about and whom he did not consider as being involved. The article I have just read is a very clear one.

The next article is pretty strong. It is written by an old friend of mine. He is a veteran of the same World War in which I served. We are friends. We are buddies. Please bear his background as a fighting soldier in mind when Senators hear his language. The headline from this article, which appeared in the Belle Glade Herald of May 6, 1965, is, "Glades Farmers Gag When They Face Wirtz' Pill of Controlled Socialism."

That is pretty strong language. Yet that is language appearing in one of our country's papers published at Belle Glade, Fla., and it shows clearly the attitude of the producers—not those sitting at desks in swivel chairs as we sit, not those who are thinking in terms of making laws, not people in the regulatory agencies who are thinking in terms of enforcing laws, but people who produce in all kinds of weather, at great expense and labor. I read that headline again—"Glades Farmers Gag When They Face Wirtz' Pill of Controlled Socialism."

I do not see how one can talk much more plainly than that. It might be well to read some of that article, because the text of it shows the strong feeling of people in that producing area, who do not wear kid gloves, but they are good Americans, and they speak on the basis of what they feel. The article reads:

> The administration has sent thousands of Marines to Santo Domingo to "prevent Communists from securing another foothold" on the American continent.
>
> The administration sent one befuddled, impractical do-gooder, with several of his underlings intermittently, to the Glades to administer, comparatively small dosages, of controlled socialism—complete dictation by Washington.

I shall not read the rest of the article. Senators can be regaled by reading it in the RECORD, if they wish to do so. But the thing that is made plain is the attitude toward this servant. I like to think of public officials being servants, and not persons who issue what I regard as dicta, that must be regarded as law, by which people must abide, whether they think them right or not. The reaction of good, everyday, fighting Americans is pretty well reflected in the article from the Belle Glade Herald published at Belle Glade, Fla., on May 6, 1965.

Mr. President, these are rather strong words. I am using words that are unusual for me to use. I have seen more than I have participated, but I have done a little farming and a good deal of citrus growing. I have seen persons who work these very long hours, getting up before daylight, and coming in for supper, exhausted, long after dark, at times, when the weather permitted, when the crops were ripe and ready to be harvested. Those people put their very hearts into the food production of which they are intensely proud.

I call attention to the fact that the citrus advertising, sales, promotion, and dealer service fund, which fund is obtained by a box tax imposed by our people, is the largest such fund in the world. We are proud of our product, and we want to tell the world about that product. To have this kind of treatment doled out to people who have suffered, labored, and worked in order to produce what they know is needed somewhere else arouses the feeling I have tried to show against the action of a bureaucrat in Washington.

I shall not hesitate to denounce it in most extreme terms, because I know it is hurting our country and innocent people, and is destroying innocent people after they have done everything in their power—which is great—in the field of producing and harvesting. They must come to the realization that they cannot have a profitable sale of the crop which they produced with so much pain. To have that decision come from a bureaucrat sitting in Washington, in a plush chair, irritates me almost beyond the power to state. I want what I say in this RECORD to reflect how I feel about this treatment by our Government, through a servant who has not shown himself to be a servant, which is being given to Florida, California, and Arizona already. It is going up the line. It has not yet reached very high up in California. It will go up to Oregon and Washington, over into Colorado, into New Mexico, even into Michigan in the pickle industry. Insofar as the eastern seaboard is concerned, it will affect practically every State from Florida to Maine. When we get into that section, the labor comes from Canada. But there is no end except to be reduced to areas which produce perishable crops which can be used by the people close by.

Whenever we get to areas producing crops for shipment to another area—fruits and vegetables—this decision applies. It is because it so applies that a policy more sane, more satisfactory, more decent, must be announced soon, or there will be a terrible disaster. It is for that reason that I am calling attention to the situation today.

I ask unanimous consent that the article to which I have referred from the Belle Glade Herald of May 6, 1965, be printed in the Record in its entirety.

There being no objection, the article was ordered to be printed in the Record, as follows:

Glades Farmers Gag When They Face Wirtz' Pill of Controlled Socialism

The administration has sent thousands of marines to Santo Domingo to "prevent Communists from securing another foothold" on the American Continent.

The administration sent one befuddled impractical do-gooder, with several of his underlings intermittently, to the Glades to administer, comparatively small dosages, of controlled socialism—complete dictation by Washington.

His reference to the unorganized state of migrant labor and farm harvest hands; his insistence on regulated wages; his offering the good offices(?) of the President's Great Society and suggested munching at the table of the poverty program; all these point to a master double-decked concentrated final dose of controlled socialism, which is the basic requirement of communism.

The millions of dollars Wirtz' arbitrary action is costing the Glades and the State of Florida, is the price being paid for not registering, not voting and indifference toward "give-a-way" programs of the Washington bureaucrat and dictatorship.

Thousands of crates of celery remain uncut in the fields of the Glades; thousands of crates of sweet corn are subject to the same fate within the next 3 to 4 weeks.

Unusual tactics, begging labor to cut celery, raising of wages offered, still fail Glades farmers when they attempt to harvest celery with domestic labor.

Pulling corn creates the same aversion to domestics.

Our own State senators and representatives have pointed out to us since the opening of the legislature in Tallahassee, that agriculture is suffering from malnutrition of legislative action, especially in constructive financial support, even in our own State government.

There were 16,000 acres, or about 5,000 cars of corn to be cut in the Glades, on May 1; there were approximately 2,500 acres of celery, or 4,500 to 5,000 cars at the same time.

Reliable estimates are that not more than 40 percent of the celery ready for harvest has been cut since Mr. Wirtz gave the offshore laborers a vacation.

There's been very little corn ready for harvest, with the real push coming next week, and there has been trouble getting that little harvested.

The rail movement, as reported by Commercial Agent Hotard over the FEC for the week and season is as follows:

Rail movement—Week ending May 4, 1965

	Week	Season
Beans	0	9
Cabbage	11	107
Celery	78	2,231
Corn	45	789
Cucumbers	1	9
Escarole	4	256
Lettuce	0	8
Pepper	2	29
Potatoes	1	74
Radishes	5	162
Squash	0	2
Mixed vegetables	97	2,050
Total	244	5,726
Total, last season	--------	5,926
Sugar:		
This season	--------	2,773
Last season	--------	2,720
Molasses:		
This season	--------	537
Last season	--------	452

It Can't Happen To Us

Our President has made a big show of sending the marines to Santo Domingo to "prevent a take-over by Communists" in this hemisphere.

Most people applaud the President's action and admire his expressed determination to prevent another Cuba.

However, whether by his direct orders, or by acquiesence, the administration in Washington was represented by one man—the Secretary of Labor—in a most effective drive to administer the bitter pill of "controlled socialism" to celery, corn, and sugar farmers in the Glades.

How much of this campaign is to placate organized labor, for the Secretary insists that labor is not represented; how much is due to the Secretary's desire to promote the "Great Society" and the "poverty program" of his boss—whatever the real purpose, is a matter for individual conjecture.

Certainly hordes of farmers, businessmen and some labor organizations, have told the Secretary that his "do-gooder ideas" are impractical.

Socialism is the foundation of idealistic communism; controlled socialism dominates Moscow.

Mr. Wirtz' controlled socialism is a fair running mate of the administration's "do-gooderisms" the Great Society and the poverty program.

Whenever you—as an individual or a group—nibble at the open pocketbooks of your and my tax dollar with teaspoons of "grants—contributions and cooperative participations" from Washington, you are nursing the octopus of controlled socialism as Moscow predicted, and greed for votes is activating.

Mr. HOLLAND. Mr. President, I refer to the next article, more facetiously than otherwise because Secretary Wirtz has come forth with the idea that he will solve the problem with football players, he will bring them in from the schools during the summer, and that will solve the problem.

Secretary Wirtz mentions a few thousand boys who would be only a drop in the bucket, to accomplish such a job even if they were all available.

Morris Siegel, in an article published in the Evening Star of May 5, places the problem in its proper perspective. I shall not read it, but ask unanimous consent to have it printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Sandlots To Be Raided To Replace Braceros

(By Morris Siegel)

How 'ya gonna keep 'em down on the ball yard once they've seen the farm?

This is a problem organized baseball may have to cope with once the Labor Department's program to recruit high school fieldworkers gets going.

Labor wants to alleviate the shortage of farmworkers. Mexicans used to do a lot of it for us, particularly in the West, but Congress recently cut down that supply.

So Labor Secretary Willard Wirtz is turning to high schools to supply about 20,000 new-breed braceros. They would till the soil and help reduce unemployment in the kiddie ranks.

Conceivably, this could cause baseball its biggest headache since the rule forbidding fielders to leave their mitts on the playground.

If it works out, it may also result in a generation of retarded Watusi dancers, drag racers and rock and roll singers.

It is not the intention of Secretary Wirtz to compete with baseball for talent, but his program seems destined to do just that. At yesterday's press conference when he unveiled the new labor plan, the Secretary admitted there might be some intramural ball games in the groves.

He also predicted "some footballs will be flying around over the melon patches this summer." This brought a hopeful smile from Agriculture Secretary Orville Freeman, on hand to endorse Wirtz' teenage agrarian recruiting movement.

This summer's high-schooler, if everything works out, can grub potatoes in Maine or pick fruit in California for a sure shot payday or stick to playing sandlot ball and gamble on being discovered by a baseball scout.

The Wirtz idea is modeled, on a small scale, along the lines of baseball in several respects. There'll be a minimum pay, once the student farmer makes the team, of about $1.25 an hour.

This might not compare favorably with baseball's $7,500 current minimum, but it's a start. And in some cases there will be bonuses paid to the off-season soil tiller. One melongrower from Blyth, Calif., will pay a bonus to all fieldhands who last out the season at his place.

Transportation, presumably by bus, just like they do in the low minors, will be provided in most areas. And naturally, the rookie asparagus pickers will have meals and lodging supplied on road trips in a radius of 350 miles.

The biggest incentive of all, perhaps, is the thought that no player is likely to be cut from the squad regardless of his ERA—earned rutabaga average.

Secretary Wirtz had a classy collection of fieldhands present to endorse the program. There was Stan Musial to attest to the physical fitness values of farmwork, fullback Jimmy Brown, ditto, and Warren Spahn, who lives on a farm which hardly needs unskilled farmhands.

The Methuselah of the Mets owns a 2,800-acre ranch in Hartshorne, Okla., where the deer and the buffalo don't roam, only beef-cattle.

Others whose agricultural backgrounds are suspect but who announced their support of the idea are Mickey Mantle, Ara Parseghian, John Huarte, Sandy Koufax, and Red Auerbach.

The latter two were born in Brooklyn, where there is not only a shortage of farmworkers, but even of farms.

Musial said it was a "wonderful opportunity for boys to get out on a farm and learn some new experiences."

His own agricultural experiences, conceded the man from Donora, Pa., deep in the heart of the steel country, were limited. "I once hooked a basket of strawberries off a truck."

Farm "teams" will be organized with groups of 20 to 30 on a team, supervised by a high school coach or teacher. The program unwittingly provided for a farm system in its own farm program.

More skilled workers, it is assumed, would be assigned to franchises where melons, grapes, strawberries, oranges, and cherries grow. Others, who needed seasoning, would be optioned to the fields of onions, spinach, asparagus, cotton and, in the case of the rookies with extremely skeptical scouting reports, to the hay and grain league.

While the bulk of the work seems physical, there will be an occasion for some serious mental exercises also.

Consider the problem of the high school youngster who must decide whether to pick avocados on Duke Snider's grove or attend a tryout camp for the Mets?

Mr. HOLLAND. Mr. President, the article makes it clear that Secretary Wirtz is an impractical man. It is another evidence of his impracticality when he talks about solving this problem in Florida by using football players. I remind him that the time to solve the problem is when the boys are in school, not on vacation. When he talks about solving the problem in California, the same thing is also true.

Furthermore, I invite the attention of Senators to the fact that he has taken a page out of our book, because some articles were printed in the RECORD the other day showing that Florida truant officers and Federal fair employment practice officers were scouting a large area looking for boys who had played hooky from school to pick valencia oranges, when an abundant supply of orange pickers could not be found.

We deplored that kind of thing and brought it to an end very shortly. Apparently, however, Secretary Wirtz believes that the idea is so good that he is going to extend it into the summer—when workers are not needed in large parts of the country to solve the problems in this vital field—by recruiting football players to handle perishable crops throughout the Nation.

How fantastic, how irresponsible, how ridiculous can the man be to offer this as a solid, serious solution for the picking of a crop which last year brought into the Nation 194,000 Mexicans in the West, approximately 20,000 West Indians in the East, plus a number from Canada—although I have not been able to determine the number, except that the potato industry in Maine reports it alone uses 5,000, and the lumber and pulp industry report that it uses from 2,500 to 5,000.

With this problem continuing throughout the year how can the Secretary of Labor, Mr. Wirtz, expect to solve it in any appreciable degree with a handful of football players during the 3 summer months that they are out of school?

There could be no better evidence of the impracticality of the man, and those who advise him, than this well-meaning but particularly ridiculous proposal.

Mr. President, the St. Petersburg Times, which has been one of the two papers in our State which has frequently, though not always, sympathized with Secretary Wirtz' program, has published an article on this very matter of the use of young men, in an article entitled "Wirtz Pushing Plan To Let Slum Youths Harvest Crops," of May 9, 1965, special to the Times from the New York Times and datelined Washington. I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WIRTZ PUSHING PLAN TO LET SLUM YOUTHS HARVEST CROPS

WASHINGTON.—The Labor Department is completing plans for programs that will send slum youths who have dropped out of school into the fields this summer to harvest crops.

The programs have been the subject of some controversy within the Department. Their critics think that it is pointless to give disadvantaged youths from urban slums work experience on farms since the ultimate object is not to direct them permanently into agricultural work.

Proponents of the programs think that almost any kind of work will be useful to teach the youths what work is about. They emphasize that the programs will not consist just of farmwork.

First, the youths will get 4 weeks of preliminary basic education and physical conditioning. They then will be sent to farms to work for 6 to 10 weeks. They will be accompanied by counselors.

The youths then will return to their home cities for 4 more weeks of training. If the programs are successful, they then should be ready to go into regular on-the-job or skill training projects sponsored by the Labor Department.

Labor Secretary W. Willard Wirtz has decided to go ahead with the programs. Discussions are underway to set them up through about a dozen agencies which already are conducting other Labor Department programs to help poor uneducated young people.

Mr. HOLLAND. Mr. President, I note that this seems to be the gist of it as stated in one paragraph:

> First, the youths will get 4 weeks of preliminary basic education and physical conditioning.

Mr. President, if a football player needs physical conditioning in order to do farmwork, that is something I have not discovered to date. When I was a boy, I went immediately from school into farmwork, as I know other Senators have done.

Continuing reading:

> They then will be sent to farms to work for 6 to 10 weeks. They will be accompanied by counselors.

Mr. President, the completely impractical and ridiculous nature of this whole idea is obvious from that one paragraph.

The next article has to do with the fact that two suits have been brought. I could place in the RECORD, perhaps, 20 articles on this subject. I do not believe it is appropriate, and I do not believe that we should report on it, other than the fact that the two suits are pending—as I have tried to do already—one in the district court of the United States and one in the Circuit Court of Florida. Temporary restraining orders have been issued, and the hearings on the temporary injunctions, as I understand, will be held tomorrow.

The first article on this subject is entitled "State Celery Growers Try Court Appeal," written by Todd Persons and published in the Orlando Sentinel of May 6, 1965.

The first paragraph states:

> Desperate celery growers, watching this week while a million-dollar crop rotted in the fields, went to court on two fronts here yesterday, in an effort to legally force, where pleas for help failed, Labor Secretary Willard Wirtz and others to allow "offshore" labor to harvest the perishable vegetable.

Mr. President, the reference to "harvest the perishable vegetable" means the handling of the celery cutting, which is approximately one quarter of the entire personnel.

It goes on to describe where the suits have been filed, and makes a good many other comments.

For instance, it is stated:

> The growers, who between them own 1,750 acres of celery—

Mr. President, this is no small matter. It is not a matter of dimes, or single dollars. One thousand seven hundred and fifty acres of celery costs a great deal of money to produce—I believe something like $400 or $500 an acre.

To continue reading:

> claim that at the end of this week, 257,000 boxes will be ready for harvesting.
>
> The loss of off-shore labor will not help domestic workers, the growers claim, despite Wirtz' contention that it would create new jobs for American labor.
>
> The plaintiffs cite domestic packers, fertilizer manufacturers and other related industries curtailed by the work halt.
>
> A Labor Department representative visited some of the growers this week and heard their demands, but the April 30 deadline remains, claim the plaintiffs.

Mr. President, I ask unanimous consent to have the article printed in the RECORD, so that Senators may see that we are merely reporting what has happened.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Orlando (Fla.) Sentinel, May 6, 1965]

STATE CELERY GROWERS TRY COURT APPEAL

(By Todd Persons)

Desperate celery growers, watching this week, while a million-dollar crop rotted in the fields, went to court on two fronts here yesterday, in an effort to legally force, where pleas for help failed, Labor Secretary Willard Wirtz and others to allow "offshore" labor to harvest the perishable vegetable.

One petition filed in Federal court by 10 south-central Florida celery growers asks that Wirtz be temporarily restrained from preventing alien labor from working the fields in May and June.

A hearing is scheduled at 8:30 this morning before Federal District Judge George Young.

A second petition, also filed by the 10th, was lodged in circuit court against the Florida Fruit and Vegetable Association and two offshore labor organizations and asks the court to delay the return of the Bahamian and West Indian laborers, more than 500 strong, to their native islands until the Federal court decides their right to work here.

No date has been set on this suit, assigned to Judge George Adams.

The growers claim the $2 million loss would be "catastrophic" on the Everglades area, motherlode of the State's huge celery crop.

Both suits claim that offshore labor is generally used to bolster the domestic harvesting crews in the State's vegetable industry.

They are assigned at request of the individual growers through the FFVA and the West Indian and Bahamian labor groups, but their length of stay is determined by the Labor Department.

The Labor Department, this year, set April 30 as the deadline for celery cutters, and a request by the growers, through the FFVA for an extension until June 15 was denied by Wirtz' Department, the growers claim.

The laborers' visas allow them to remain in the country until June, the suits allege, but they won't be allowed to harvest the celery.

Meanwhile the crop, which requires daily harvesting, is maturing and past maturing, and "heroic efforts" by the growers have failed to stop the daily waste, the plaintiffs state.

Attempts to hire domestic labor have failed, because many will not do "stoop labor," many quit after the first day in the fields, and some demand cash after each day's work, the suit states.

The growers, who between them own 1,750 acres of celery, claim that at the end of this week, 257,000 boxes will be ready for harvesting.

The loss of offshore labor will not help domestic workers, the growers claim, despite Wirtz' contention that it would create new jobs for American labor.

The plantiffs cite domestic packers, fertilizer manufacturers, and other related industries curtailed by the work halt.

A Labor Department representative visited some of the growers this week and heard their demands, but the April 30 deadline remains, claim the plaintiffs.

The growers filing the suits are Chase Glades Farms, Inc., Sanford; A. Duda & Sons Cooperative Association, Oviedo; Vandergrift-Williams Farms, Inc., Pahokee; S. N. Knight & Son Cooperative, Chamblee Farms, Inc., A. J. Sullivan of Florida, Inc., Sam Senter Farms, Wedgworth Farms, Inc., all of Belle Glade; Billy Rogers Farm, South Bay; and C. A. Thomas, Lake Harbor.

Both suits were filed here locally by Orlando attorney M. W. Wells.

Mr. HOLLAND. Mr. President, I happen to know the two judges affected. I do not believe that anything I could say would influence them. I would not say anything on the floor of the Senate in an effort to influence them. Having been a judge myself, I would deeply resent it, if I were one of them, if any such attempt were made. However, I believe that this is a part of the story, to show that the celery growers are so distressed at what has happened to them that they have raised their own money, hired able and expensive counsel, and have gone to suit in the two matters which I have mentioned, not in an effort to accomplish something over a long period of time, but in an effort to hold the matter up for 2, 3, or 4 weeks in the case of 550 laborers in the celery fields alone, who are a key part of their field harvesting personnel.

I say again what I said a while ago, that anyone who knows anything about farm producers knows how much they dislike courts, how much they dislike putting their good money into the expense of a court action, and how much they must have suffered intensely before they would raise the necessary thousands of dollars required to bring these two suits.

Mr. President, the next article is an editorial published in the Orlando Sentinel, entitled "Judge Young's Offshore Labor Rule," of May 8, 1965.

Judge Young is the presiding district judge of the United States in that area. I read one paragraph which states what the judge did:

> The judge has ordered U.S. Labor Secretary Willard Wirtz and his department not to try to keep imported labor out of the celery fields where they are badly needed to harvest the ripe $2 million crop.
>
> As a result of the judge's ruling it is likely that the offshore workers will be allowed to work in the fields at least until June 15, the date their contracts and visas expire.

I doubt seriously if that is a proper construction of the first order entered. The article goes on to say that the matter will come up for hearing on a temporary injunction later this week, which I understand is tomorrow.

I ask unanimous consent to have the editorial printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Judge Young's Offshore Labor Rule

Fast and proper action by Federal District Judge George C. Young has saved the day for Florida celery growers, at least temporarily.

The judge has ordered U.S. Labor Secretary Willard Wirtz and his Department not to try to keep imported labor out of the celery fields where they are badly needed to harvest the ripe $2 million crop.

As a result of the judge's ruling it is likely that the offshore workers will be allowed to work in the fields at least until June 15, the date their contracts and visas expire.

If everything works out as anticipated, the celery crop, as well as the citrus crop, will pretty well be taken care of for this season.

But there's always other ones ahead, and in view of the Federal Government's present attitude, growers and farmers cannot be assured they can obtain enough help to harvest their crops.

The Labor Department wants growers to use domestic help, but many domestics have proved shiftless and unreliable. The Labor Department has done little to recruit and train potential workers, and is in no position to guarantee a steady supply of able hands.

It is time Congress took a hand in this matter. A bill permitting State agricultural departments to import workers when the need can be shown would be a progressive step.

Such a bill could also put the responsibility for recruiting and training domestic farmworkers on the Labor Department.

Some such legislation is needed if we are to avoid the annual hassle over farm labor and are to protect our farmers against huge crop losses.

Mr. HOLLAND. Mr. President, I believe that the last part of my statement is probably the most important part, in some ways, because it reflects the attitude of the Packer which I have always regarded as the leading voice among agricultural journals. This article takes the title "What Others Say—And the King Cheered." It is written as a fable, but I do not think any of us need wonder what the details are to which reference is made. It reads:

[From the Packer, May 8, 1965]

What Others Say—And the King Cheered

Once upon a time there were a lot of growers and shippers in California who decided that it would be nice to give the President's subjects fine strawberries and over the years they did so with a gross of around $50 million.

And there was dancing in the streets as the good people saw how well the strawberries were grown and packed. These loyal subjects were using some workers from a foreign land whose main trouble was that they were competent in their work. There were also some local townspeople who worked very well and were always given preference in the jobs and everyone was happy, and eating fine strawberries and eventually these growers were sending their fruit all over the world.

Then the national legislature decided that the growers were responsible for all the horrid unemployment in the land and they told the workers from a foreign land not to come; that the growers would have to use workers from the ranks of the unemployed and thus kill three birds with one stone (the third one was the growers).

Whether this labor was competent or not, did not occur to anyone in the cloistered halls of the country's Capitol. The elders decided if a man had two arms and two legs that would make him a berry picker. But it was found that even men with two arms and two legs didn't like this sort of work too much and only a small percentage applied.

And then a king appeared. It was King Willard I, a well-mannered and sincere king, indeed, and under each arm he carried a roll of parchment, one was what he called a Mandate and which he quoted at length, and the other was a very precious document called a Criteria. These he waved hither and yon and not only that but he traveled hither and yon with his entourage, happily smiling at both the good housing and the bad housing and saying because of his Great Mandate and his Great Criteria many, many of the loyal subjects were working if not a whole day then at least a couple of hours; if not well, then just badly, but working, and the Great Problem was being solved.

Then he was whisked back to the Capitol on his magic carpet which couldn't compare to the magic of the Criteria. And then, forsooth, the weather in the far province of California became very hot—something it has been doing off and on for lo, these many centuries. And there was a great hue and cry in the land. And many workers did not, indeed, like to work in the heat. And the berries and the asparagus would not stop growing to wait for enough workers of which there weren't any more regardless.

So a royal panel of Thinkers was convened and decreed yes, yes, these growers must have workers and although the need was for around 15,000 right now, they felt that something like 2,500 should be enough to help the loyal growers, but only in two places could they be used and if the strawberries got overripe and the lemons got overbig, and the asparagus went to seed, the growers should feel that they were a part of a Great Social Experiment in which you solve the royal problem by creating two where only one existed before.

And all over the now sorrowing land there was a feeling of patriotism and massive frustration and so many growers watching their crops do their part for Unemployment were heard to suggest that the King could take his Great Mandate and take his Great Criteria and * * * live happily ever after.

Mr. President, I believe this humorous article comments upon the ridiculous aspects of the situation better than a serious attempt might do. I therefore am glad to have read it into the RECORD.

I am now about to yield to my distinguished friend, the junior Senator from California [Mr. MURPHY], who can speak with much greater clarity and knowledge about the problems which are just beginning to bear down on his State than I can. Before he begins I invite attention to the fact that, great as my State of Florida is in agriculture—we produce about $1 billion worth of products a year—the Senator's State produces about $3.5 billion worth, and his State produces food which is consumed in this Nation from one end to the other. When a crisis begins seriously to affect food production in that great State, it is the business of every citizen in the Nation and the critical and serious business of those of us in the Senate.

Mr. MURPHY. Mr. President, I thank the distinguished Senator from Florida for his kind remarks and for his very lucid and explicit presentation of the conditions as they exist today. I have lived for more than a half century in this great Republic of ours, and I have watched a number of performances for 30 years, but I have never seen such a confused and tragic approach to any subject which has to do with the public welfare, as the performance that has been provided us by the Secretary of Labor.

I do not hold him to blame completely and entirely. I have reason to believe that he was given false facts at the outset. I have reason to believe that the figure that were sent to him from California were false figures.

When a man who holds an important position such as this has a theory which he attempts to test on the general public, which affects the general welfare of a State as big as California, and which has been tested and found wanting, he must be certain that his case is wrong. Once he knows that he has made a mistake, the intelligent and obvious and only thing for him to do is to say, "I have made a mistake. Let us see how we can remedy it."

It would be presumptuous on my part to try to follow the eloquent address delivered by the distinguished Senator from Florida, whose help in this matter I appreciate.

About a year ago, during a political campaign in California, I began to talk about these things. I had known about the situation for 12 years. It is not a new one with me. It is strange that it has not been stated very clearly. The reason, I believe, has finally come to the surface.

There is an attempt to organize all farmworkers. Whether this is right or wrong is not to be a part of my discussion today. However, I believe that in the hope of organizing all farmworkers, with a minimum wage, the main industry of my State and the main industry of the State so ably represented by the Senator from Florida [Mr. HOLLAND] might be ruined in the experiment.

California produces 25 percent of all the vegetables grown in the United States, $3½ billion in crops, and $12 billion indirectly affecting the people of the State.

During the campaign last year I predicted that this would happen unless proper steps were taken, following the extinction of Public Law 78. I was the first who said, "Please, Mr. Secretary, implement Public Law 414, the Immigration Act, which has been effective in Florida, and be ready. You cannot take away 85,000 or 95,000 workers and expect the farmer to be able to do his work. You cannot solve this problem overnight. It is not that simple." I am amazed that the Secretary of Labor does not have experience and knowledge enough to realize that.

On the one side we have a group, including my colleague, the senior Senator from California [Mr. KUCHEL], my friends from Florida, Arizona, Colorado, and the other States affected, who had foreseen this trouble and had talked about it continually, and on the other hand we have some impractical and obviously uninformed theorists, led by the Secretary of Labor—and he must take the responsibility—who have asserted that if they deny the admission to this country of farm labor, it will be absolutely necessary to hire domestic laborers.

We have said continually that it is the choice, the desire and the wish of the farmers to hire domestic labor, but we cannot hire it when it is not available. We cannot force men to do work that they do not wish to do.

The experiment has now run its course, and the disaster is upon us. I regret to announce that events on California's farms today are dramatically and tragically proving the folly of Mr. Wirtz' theories. The $50 million strawberry crop and the $25 million asparagus crop are the first to suffer. The tomato crop, which normally returns $100 million, is suffering from lack of labor. It is the same story throughout the State. What I have pointed out is only the beginning. The peak of the necessity for labor will not be reached for another 3 to 4 weeks. When that labor is needed, it will not be available. The delay is exactly as other Senators and I have predicted. Secretary Wirtz has proved to be dead wrong in saying that if there were a need for Mexican workers, they could be brought in within days or possibly hours. I have that statement in his testimony on January 15 and 16. At that time I begged him at least to set up the machinery. I said, "In the event the house catches on fire, please have the hose ready."

He said:

> No; that might be an indication that the system was not going to work and would be an invitation for farmers to relax in their attempts at recruitment.

I assured the Secretary that the farmers have been recruiting for years. This is not new. The Secretary has talked about high school boys and girls working in the orchards. That is not new; it has been going on for a long time. We love Warren Spahn in California. We love football. We have some good football teams and some good baseball teams. We do not need any professional publicity such as this. In California we need braceros. We need them not only today, but we needed them last week and the week before.

Governor Brown of California recently was among those who were encouraging Secretary Wirtz. The Governor said that there would be plenty of labor. Mr. Tieburg said that there would be plenty of labor in six or seven months. That is why I am led to believe that possibly the Secretary was misinformed.

Mr. President, I have an article published in the Los Angeles Times on April 28, entitled, "Brown Assails Wirtz; Huge Crop Loss Seen. Labor Secretary Target of Furious Criticism by Growers, Union Leaders."

I shall read only one paragraph:

> Tieburg said "millions of dollars worth of asparagus and strawberry crops will be lost," and Wirtz must "take the responsibility for the losses."

I ask unanimous consent that the entire article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BROWN ASSAILS WIRTZ; HUGE CROP LOSS SEEN—LABOR SECRETARY TARGET OF FURIOUS CRITICISM BY GROWERS, UNION LEADERS

(By Harry Bernstein)

Secretary of Labor Willard Wirtz was caught Tuesday in a crossfire of furious criticism from Governor Brown, growers and union leaders as a top State government official predicted crop losses totaling millions of dollars.

The bitter attacks stemmed from acceptance by Wirtz of recommendations by a special three-member farm labor panel to admit 2,500 foreign farmworkers in San Joaquin Delta and Monterey County areas.

Governor Brown told his press conference in Sacramento that the number is totally inadequate to meet the State's farm labor needs, and that Wirtz delayed far too long in agreeing to even use the 2,500 foreign workers.

Brown then turned on organized labor and angrily declared:

"It is time for labor to produce. They criticized me and Al Tieburg (State Department of Employment director). Now let them put up or shut up. They claim there are enough American workers to do the job.

"We want them. But I am told they just aren't available."

He said the asparagus fields "will be a mess" by today because of the labor shortages.

Tieburg said "millions of dollars worth of asparagus and strawberry crops will be lost," and Wirtz must "take the responsibility for the losses."

Jack Bias, manager of the Growers Farm Labor Association, said the decision by the Secretary to follow the panel recommendations must be reconsidered at once, and the number to be admitted "are only token of relief."

Similar complaints and attacks on the alleged inadequacy of the number of foreign workers came from other growers, including Bill Duarte, manager of the San Joaquin Farm Production Association.

But the counterattack was even stronger verbally.

State AFL–CIO Executive Secretary Thomas L. Pitts said the panel recommendations constituted "the shabbiest sort of a whitewash job, and an attempt to cover up a complete capitulation to the corporate farm and banking interests which have long made a practice of profiteering on the perpetuation of poverty among farmworkers."

And W. J. Bassett, head of the Los Angeles County Labor Federation, AFL–CIO, called the decision to admit 2,500 foreign workers for the first time since the old bracero program died December 31 "a sad, far-reaching retreat."

The fight on the farm labor issue between Governor Brown and the unions could spill over into the gubernatorial election race, but so far none of the disputants involved have talked directly about the political implications.

PROBE DEMANDED

Bassett, Pitts and Al Green, head of the Agricultural Workers Organizing Committee, demanded an investigation of alleged violations of minimum wages and working condition standards which growers must offer Americans before they can be eligible to use foreign workers.

Pitts and Green said the unions offered to provide hundreds of American farm workers, but, Pitts said, "the growers spurned our offer. No growers, not one, rose to accept."

The growers insist they don't want to take crews of union farm workers, preferring to place individual workers. The unions believe the argument is used to avoid labor organizing, but that in any case there are many Americans who have been seeking farm jobs and are refused.

Pitts also denounced the panel itself, which includes its chairman, Benjamin Aaron, law professor and director of UCLA's Institute of Industrial Relations; Daniel G. Aldrich, Jr., chancellor of UC at Irvine and former dean of agriculture for the entire university, and Arthur Ross, business administration professor at Berkeley and former director of the Industrial Relations Institute there.

PITTS RAPS PANEL

Pitts said the panel was "essentially a patsy, to take some heat off some administration officials under pressure from the big-money interest of corporate agriculture."

Pitts said Wirtz "slapped together a panel of men regarded as educators and relied on them to make a determination that spits in the eye of the economic facts that there will be ample farm labor if growers are required to pay wages more nearly approaching U.S. standards.

"Wirtz should be ashamed of himself for promoting this panel for engineering its report, and for not having the gumption, decency, and fundamental integrity to at least insist that his own department regulations on minimum standards be met," Pitts declared.

Meanwhile, it was learned that the Government has just created a special 28-man task force to investigate wages and working conditions to make certain growers are in compliance before they will be allowed to use the foreign workers.

The panel recommendation that 1,500 Mexican nationals be brought in to help in the harvest of crops must await agreement on procedures between the growers, the United States and the Mexican Governments, and estimates range from 2 to 6 weeks on the time needed to actually get Mexicans into California.

Tieburg said the State is recommending growers cooperate in the formation immediately of a "Save the crop corps."

This is needed to help alleviate the crop losses "which will surely run into the millions," he said.

"We hope to recruit men, women, and youngsters who can work on weekends and after school on weekdays, and to follow through on a plan to allow early parole for men in prison honor camps who want to do farmwork."

Meanwhile, in Washington, Senator George Murphy, Republican, of California, commended Wirtz and the panel of advisers for the decision to import foreign workers.

Murphy, who has been sharply critical of Wirtz, said he is "delighted" that the certification of foreign workers includes Japanese already in California, and that he hopes the panel acted in time.

Mr. MURPHY. Mr. President, I have in my hand an editorial published in the Herald Examiner of Los Angeles dated April 29. The title of the editorial is "Deadly Deed Is Done."

That editorial states in part as follows:

> California grower groups and State Employment Director Albert Tieburg charge that the Federal Government's action has now come "too little and too late."

The editorial states further—

> The State employment director criticized the U.S. Secretary of Labor because he said Wirtz had waited "until the last minute" to grant permission to import braceros.

The Secretary granted the permission. Those people met with the Secretary's criteria. They lived up to every specification that he had ordered, including the questionable right of the Secretary of Labor to set wage rates, in which he discriminated against my State of California. They agreed to pay $1.40 an hour and to do everything else that he asked.

Last Thursday men came to my office. The meetings to set up the machinery to bring in Mexicans started on Friday.

As of today, I was told by one of the men attending those meetings, a man from the great State of Colorado, where braceros are used in the thinning of the sugarbeet crop, that they are having trouble. The Mexicans do not want to make the agreement for only 1,500 workers, which is all the Secretary of Labor has authorized. That is as ridiculous as everything else he has done. Fifteen hundred workers is just a drop in the bucket, and the Secretary knows it. He has the work programs. We can use 6,000 workers in California right now; and 1,500 workers will not make it worth the while of the Mexican Government to set up the necessary machinery. There again we are stymied, and the farmers in my State of California are losing hundreds of thousands of dollars a day while this nonsense, this ridiculous drama, is carried on. For what purpose I do not know.

I ask unanimous consent to have printed in the Record at this point the editorial to which I have referred.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Deadly Deed Is Done

On April 8 in an editorial we stated:

"The tough, unswerving decision of U.S. Secretary of Labor Willard Wirtz against the hiring of supplemental Mexican bracero labor to harvest California crops, and the crops of other States, apparently is not going to be changed until many of these crops have been destroyed."

Apparently, we were not far from wrong. Mr. Wirtz' floundering around in a serious economic agricultural crisis has resulted in the supreme penalty.

Mr. Wirtz has dillied and dallied into the final week of April. Finally, he has announced that California grower groups will be given some slight permission to use braceros.

But what has been the result of this delay?

California grower groups and State employment director Albert Tieburg charge that the Federal Government's action has now come "too little and too late."

Employment Director Tieburg said the San Joaquin Valley asparagus fields already are in a mess because of the hot weather and lack of sufficient labor for which the growers have been pleading. He said this labor shortage already had caused a tremendous loss for asparagus growers and that unless labor is provided quickly for the strawberry crops in the Salinas area they also will be imperiled.

The State employment director criticized the U.S. Secretary of Labor because he said Wirtz had waited "until the last minute" to grant permission to import braceros.

The Farm Production Association said Wirtz should have given his permission for the importation of braceros a month ago. He said the present situation is catastrophic, that thousands of dollars in crops are being lost right now and many more thousands will be lost, because of the lack of farm labor.

And what of these crops that are lost or destroyed? Well, none of them will ever appear on California or other widespread national vegetable markets.

This will create not only heavy market shortages and wipe out an important part of California's agricultural economy this year, but it also will ruin many farmers this year. It probably will cast a long shadow upon the future vegetable farming of this entire State.

Mr. Wirtz probably is resting comfortably at home and won't have to worry. He probably has all the vegetables he needs right now.

Mr. MURPHY. Mr. President, I have in my hand also an article entitled "Tieburg Cites Worker Lack for Disaster of Berry Loss," published in the Sacramento Bee on May 1.

In part the article states—

> State Director of Employment Albert B. Tieburg today said due to a lack of competent pickers there is no way to prevent disaster losses in the Salinas Valley strawberry crop this year.

Tieburg described it as "A wasteful, needless disaster."

The article further states—

> "They're paying $1.40 an hour instead of the $1 they paid braceros," he said. "The camps are spotless, the food is excellent and the supervision is good but the workers won't stay."

The article further states—

> We'll be fortunate if we get any braceros before the last week in May.

Mr. President, I ask unanimous consent that that article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Tieburg Cites Worker Lack for "Disaster" of Berry Loss

State Director of Employment Albert B. Tieburg today said due to a lack of competent pickers there is no way to prevent disastrous losses in the Salinas Valley strawberry crop this year.

Tieburg returned from a tour of the area to describe what he had seen as "a wasteful, needless disaster."

The director visited the 2,000-acre Salinas Strawberry Growers patch and found that only 900 acres had been picked.

"On 1,100 acres not a plant had been touched," he said. "They were just loaded with berries and already more than half of them were rotten.

"They needed 3,000 workers and they had 300. It just makes you sick to see this kind of waste."

SEEK WORKERS

Tieburg said an intensive effort will be made in the Salinas Valley to get men, women, and children into the fields in an attempt to save at least part of the crop.

"Civic organizations in the area will be contacted and asked for help," he said, and officials at nearby Fort Ord in Monterey County will be asked to give 3-day passes to soldiers who volunteer to help pick the crops. He said "schools in the area will be asked to permit children with good grades to spend one-half day a week in the fields."

"But no matter how many pickers they get now it's too late to prevent tremendous losses," he added. "The berries are ripening every day and if they aren't picked on the day they ripen they rot."

PRAISES GROWERS

Tieburg praised the growers in the area for the job they had done in an attempt to recruit domestic workers to replace the Mexican braceros who picked the crop last year.

"They're paying $1.40 an hour instead of the $1 they paid braceros," he said. "The camps are spotless, the food is excellent, and the supervision is good but the workers won't stay."

He said of 1,500 pickers recruited by the growers since March 15, only 90 remain on the job today. Asked the reason for this, Tieburg replied:

"The work is backbreaking. You're stooped over all day long. Those who have not done it before can only work 5 hours a day at first until they get used to it."

NO RESPONSE

To add to the problem, Tieburg noted that the Federal Government has authorized the importation of 1,500 braceros from Mexico to help harvest California crops, but so far the Mexican Government has not responded with any degree of speed.

"We'll be fortunate if we get any braceros before the last week in May," he said.

He blamed the delay on the difficulty of selecting 1,500 workers from the hundreds of thousands who apply. He also cited the "pride" of the Mexican Government which does not wish to "jump to attention" at the command of the U.S. Government.

Mr. MURPHY. Mr. President, I have in my hand also an editorial entitled "Consumer Real Loser" published in the Press-Telegram of Long Beach, Calif., issue of April 29, in which the statement is made—

> "It is time for labor to produce," said Brown. They criticized me and Al Tieburg. Now let them put up or shut up. They claim there are enough American workers to do the job. We want them. But I am told they just aren't available."

Mr. President, I ask unanimous consent that the editorial to which I have referred be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CONSUMER REAL LOSER

Someone who didn't even participate stands to be the big loser in the debate which raged this week on the question of using foreign farmworkers to harvest California fruit and vegetable crops.

That someone is the housewife. She will get hit by higher prices in the grocery market if, as State Employment Director Al Tieburg predicts, millions of dollars worth of produce rots on the ground because of the lack of farm labor.

Tieburg's prediction followed a decision by Secretary of Labor Willard Wirtz to permit a very limited number of foreign farmworkers to come in and pick the crops. The decision appears to be a matter of too little and too late.

Wirtz now finds himself in the middle of a crossfire of criticism from Governor Brown, organized labor, and the growers. An opponent of the principle of the bracero program, Wirtz gave only grudging permission for 2,500 foreign workers to harvest the asparagus and strawberry crops. This won him no favor among union leaders, who contend that domestic labor can do the work, or with the growers or the Governor, who accuse Wirtz of halfway measures.

With unusual and admirable firmness, Governor Brown slapped both Wirtz and the union leaders—Wirtz for taking inadequate action, and the union leaders for failing to provide the labor they say is available. "It is time for labor to produce," said Brown. "They criticized me and Al Tieburg. Now let them put up or shut up. They claim there are enough American workers to do the job. We want them. But I am told they just aren't available."

Apparently they aren't, for crops are rotting on the ground and plantings of some crops have been sharply curtailed because there is no assurance that labor will be available. This means that the shopper in the grocery store will end up mad at Wirtz, too.

The Secretary, who has been at the same time arbitrary and vacillating about a situation which he really doesn't seem to understand, ends up satisfying nobody or solving anything. As the man with the authority, he wins the debate, but in a broader sense he also loses it.

Mr. MURPHY. Mr. President, I have in my hand an editorial entitled "The Scandal of Rotting Crops," published in the San Francisco Examiner, issue of May 5. A paragraph of that editorial reads as follows:

> The critical farm labor shortage has already made damaging inroads on the asparagus crop in the Stockton area and the strawberry crop at Salinas. Without adequate labor, the damage will increase progressively as harvest deadlines approach for other crops all over the State, with a peak in early autumn.

That is the situation from now to November in those areas about which I am speaking.

I ask unanimous consent that the editorial to which I have referred be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE SCANDAL OF ROTTING CROPS

California's next and imminent major political issue may be boiling up apace in the accumulating food crop spoilage in the State's spreading acreage of unharvested fields.

If Governor Brown and his administration, and the California congressional delegation, are not aware of this swiftly developing fact, they are less astute than we think.

The critical farm labor shortage has already made damaging inroads on the asparagus crop in the Stockton area and the strawberry crop at Salinas. Without adequate labor, the damage will increase progressively as harvest deadlines approach for other crops all over the State, with a peak in early autumn.

The abrupt ending of the bracero (Mexican labor) program touched off the crisis. The reasonable and mandatory solution was to establish an emergency foreign labor reserve to bridge the gap, as Governor Brown urged. But the politicians temporized.

The same U.S. Public Law 414 that permits foreign entertainers (Richard Burton and the Beatles) to work here should have been invoked to save California's ripening and now rotting crops. That was not done. Very little—certainly not enough—was done. So now we have the State's richest food crops going progressively and deplorably down the drain.

Politicians may be sure they are running into a storm over this situation. Farming is California's No. 1 industry. Most other industries are vitally linked to farming. All economic indexes reflect the good or bad health of agriculture.

The time left for effective political action is short. The Governor, the Congressmen, the whole body of responsible political leadership, should concentrate on two main channels of action. A prompt meeting of minds between the United States and Mexican Governments should be sought on at least a temporary renewal of farm labor contracts. The second point of concentration should be on breaking down the reluctance of Labor Secretary Wirtz to let enough Mexican workers into California in time to save the remaining food crops from dying unharvested in the fields.

Mr. MURPHY. Mr. President, I have in my hand also an editorial entitled "Farm Aid—Too Little Too Late," published in the San Francisco Examiner on April 28. I ask unanimous consent that that editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FARM AID—TOO LITTLE TOO LATE

Labor Secretary Wirtz has come tardily to a recognition that California food growers have emergency need this year for supplementary foreign farm workers (Mexican braceros).

But his reluctant decision permitting importation of 1,500 braceros, plus 1,000 Japanese and Filipino nationals already in the State, for emergency harvest labor in the Stockton and Salinas areas is too little and too late.

San Joaquin asparagus growers have already suffered severe and irrecoverable losses. Wirtz could have prevented that disaster by acting sooner, and by letting enough workers come in to save the crop.

Salinas strawberry growers are confronting a similar disaster, against which the Wirtz decision is only a half measure. State Employment Director Tieburg says at least 3,500 braceros are needed for the strawberry harvest.

Wirtz has shown willingness to yield to abundant proof that an agricultural labor shortage exists. If he has learned that lesson sufficiently he will move in time to give producers of other major food crops enough workers to handle oncoming harvests without the killing delays experienced by asparagus and strawberry growers.

It should be noted that to the extent that Wirtz has yielded, those who persuaded him to change his mind have no occasion for smugness. They are on sharp notice that the emergency relief they seek is not a solution of the farm labor problem. Importation of foreign workers is a stopgap, not an answer.

There are answers, good ones. Farm wages should be high enough to attract domestic workers. Agricultural States competitive with California should not have legal farm wage scales lower than California growers are allowed. Better housing for migratory farmworkers and families is a social must.

The bracero program was never satisfactory. It was only an inescapable expedient. Wirtz was right in yielding, and should yield more and faster, on the point of emergency need for graceros. He was right, too, that the imported worker must not have a permanent place in the agricultural economy.

Mr. MURPHY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Farm Disaster From Federal Dictation," published in the Sacramento Union on May 2; and an editorial entitled "Wirtz' Folly," published in the San Francisco News Call Bulletin on May 3.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

FARM DISASTER FROM FEDERAL DICTATION

Will Czar W. Willard Wirtz feel proud now of his autocratic abuse of absolute power when he reads that much of the multimillion-dollar Salinas Valley strawberry crop is being lost because of the lack of labor to pick it?

And will the labor unions which brought pressure on Washington and Sacramento to end the bracero program feel that they have benefited anybody if this crop is lost, striking a sad blow at California's agriculture, causing substantial loss to many farmers, and depriving workers in food processing plants of their normal jobs?

Last year, braceros picked the crops. This year, schools are being closed half days to get students to help, housewives and others are urged to assist, Fort Ord was requested to give 3-day passes to soldiers who volunteered for this work—and all because of arbitrary dictation from Washington.

Wirtz cannot use working conditions as an excuse for labor's failure to live up to its pledges of providing a domestic work force. According to Albert Tieburg, State employment director, $1.40 per hour is being offered instead of the $1 rate previously paid braceros and "The camps are spotless and the food is excellent."

Tieburg, not normally a sentimental man, described the scene as "sickening, just heartbreaking." He told how in an area where 30,000 crates had been filled last year, not a berry had been picked currently—and how where they should have had 3,000 workers, they have only 300.

This is what comes of having Washington bureaucracy set policy on some single standard for all the country without regard to local conditions and needs. The same blind regimentation invariably results whether it is in connection with farm problems or medicare.

Because the administration is committed to the philosophy urged upon it by the unions, it dares not change now, regardless how critical the situation. In its inflexibility, it dominates the well-being of the States and of the people rather than seeking conscientiously to serve them.

Tieburg described the result well when he said, "In my opinion, this is a wasteful, needless disaster." Citizens concerned with their own rights should arise to call a halt to the encroaching, destructive grab for still more powers by the Federal Government.

These strawberries might not be saved this year, but other disasters in various areas of our economic and social system can be averted if the people accept the responsibility of their own fates instead of being beguiled by the misleading image of Uncle Sam's paternalism as an easy way to a better life.

WIRTZ' FOLLY

The predicted crisis in California agriculture is here.

The stubbornness and unwillingness to listen displayed by Secretary of Labor Willard Wirtz has resulted in the loss of hundreds of thousands of dollars to California growers, big and little alike.

Strawberries, asparagus, and lettuce come to full bloom and return to the soil for want of harvest hands.

It's too late to do anything about this particular crop, but the full growing year is not yet out. Someone in Washington with influence over the Secretary should set him right.

It is reported, incidentally, that there is no shortage of bracero labor in Texas.

Mr. MURPHY. I should like to recite an experience that I had when I went home to California for the Easter holiday. While I was there, I was called by some of the growers in the Coachella Valley, which is in the southern end of the State. Last year they did well.

I went into the town of Indio, where there are the largest growers of tomato plants. In California we grow 70 percent of all the tomatoes that are grown in the United States. The tomato crop is one of our largest crops. I found that this year, as compared to last year, tomato planting is off 62 percent. One of the biggest growers, a man who a year ago had 3,000 acres, is this year putting in 250 acres. The banks would not lend money to the farmers in order to permit them to arrange their planting until very recently, so that crop is down.

At the breakfast meeting in Indio there was a farmer who had 120 acres of white onions. He tried in every way he could to get help to harvest those onions. The day before we got there he plowed under 30 acres because he knew he could not get them harvested and he would lose them.

There probably will be no fresh market tomatoes from that valley. We are now getting tomatoes from Mexico, when rightfully those tomatoes should be coming from California and Arizona.

Farm production that should rightfully be in California and Arizona is being moved south of the border. The same braceros are being paid $1.50 a day, and their products are being shipped back into America, without any protection for our farmers. That does not create jobs in this country. It results in the loss of more payrolls than we can afford. Mr. Wirtz is actually creating unemployment.

One man in the El Centro district sent to El Paso for help. He obtained 70 workers. He brought them from El Paso to El Centro on the bus at a cost of $35 a head. He fed them and housed them. In the morning, seven of them walked away. After lunch, seven more walked away. At the end of 3 days, 7 workers out of 70 remained.

Last weekend I went to Orange County. I saw the exhibition of plowing under 12 acres of strawberries, to which the Senator from Florida has referred. The man who planted those strawberries is one of the most highly respected citizens in the area. He has farmed the land for 10 years. He is Japanese-American, a hero veteran of the Anzio beachhead of World War II. He has a fine family. He is a leader in the community. He had to run a disc through the 12 acres because he could not get workers to harvest his crops. He has asked for workers continually, beginning in February. At present he has pending a request for 50 workers, and has had ever since the beginning of the season. He has complied with every one of the criteria that the Secretary of Labor has established.

I visited his labor camp. I assure the Senate that it is as clean, as comfortable, and as attractive a camp as could be imagined. I would recommend it. Unfortunately, the camp that the Secretary of Labor saw when he visited California was a camp operated by the county. Unfortunately, his guides took him to see a camp that was in bad condition. They did not take the trouble to explain to him the kind of camp it was. It was not a camp operated by the growers. If the Secretary of Labor had asked, he would have found out what he was looking at.

Mr. COOPER. Mr. President, will the Senator from California yield?

Mr. MURPHY. I yield.

Mr. COOPER. The Senator spoke of a farmer-veteran. Did he ever get the labor he requested?

Mr. MURPHY. No. I watched him plow up 12 acres of strawberries.

Mr. COOPER. Did the employment service ever furnish him any labor?

Mr. MURPHY. The employment service told him and told four other growers in the area that under no circumstances would the farmers in Orange County or Los Angeles County ever get any braceros. I did not see that in the regulations of the Secretary of Labor, but that is what four of the farmers were told.

The people from the town went there, and they benefited. I saw one woman and two little girls go out with a big oil drum filled with the most beautiful strawberries. So there was not a total loss.

But the people there are not joking. This is a disaster. They have no way to recoup. This crop has gone, and they cannot get it back.

As the Senator from Florida has said, this is not easy work.

On Saturday last, I went to Salinas, where I visited a strawberry farm of 2,000 acres. The same thing is happening. The farmers are losing at least 50 percent of their crop. On Saturday morning, about a thousand schoolchildren arrived. No one had said they were coming. They arrived at the gate. Some of the community leaders had got them together. They said there was a crisis, and those good youngsters said, "Fine; we will go out and help." They acted in the true spirit of America. They went out to help. But by the time they were processed and had signed contracts, a part of the day was gone.

When they started to pick, they had not been provided with instructors, so they were picking only 2 boxes in the time it would have taken an ordinary worker to pick 10 boxes. The farmer was losing 32 cents on every box the children picked. So to cut his costs, he had to plow some of his crop under.

Then I learned something interesting. I saw a group of men working down a row. I spoke with them at random.

One man was a Negro gentleman, about my age. He had one arm. He was picking strawberries.

I asked him, "How are you getting along?"

He said, "Fine."

I said, "How is your pay? Is it all right?"

He said, "Oh, it is great. I picked 30 boxes yesterday and made $27. I am going to do better than that today."

I said, "Have you been a professional berrypicker?"

He said, "No sir; but I heard about this work, and I came over from Bakersfield, and I have been averaging better than $25 a day for the past 2 weeks."

I stopped another worker, a young fellow. By noontime he had picked 11 boxes. He said he was going to pick 22.

Another worker, an older man, had been working as a night watchman for a gasoline station. He was making $20 a day picking berries.

I asked him how long he had been picking them. He said, "3 days."

I asked him, "Is it rough?"

He said, "No, not so far as I am concerned. I have been working all my life."

So there are domestic workers who will do the work. But they are the ones who want to work. It is not possible, by numbers, to take a group of men and say, "Go over there and work," because they will not do it. The Secretary of Labor should learn that it is not possible to play a numbers game when dealing with human beings.

I believe I know perhaps as much about labor as he does. I have been in labor unions and have earned my living all my life. I know that there are certain things that must be taken into consideration. When facts stare one in the face a practical approach must be used sooner or later. That point has been passed, so far as I am concerned.

I was picketed at Salinas. Placards had been carefully designed for my personal benefit. I was supposed to be singing a song written by the growers or to dance to the music of the bankers. Anyone who knows me—and I am well known in California—knows that I am obligated to nobody; that my concern in the Senate is for the welfare of the State.

Then I heard a picket say to the people working in the field, "Don't pay any attention to this man"—I was not saying anything—"he came here to get you fired, so that Mexicans can take your place."

So some of the old days of the Screen Actors Guild came back to my memory. I took that fellow by the coat. I said to him, "Go over there. You have told an untruth to those people. You have told a lie. Straighten it out right now."

That is not the kind of representation that labor unions want. That man had never done a job in his life. One could tell by looking at him. He was out there to picket and to tell falsehoods and create trouble. We do not need trouble. There is enough trouble in the world. We need solutions of these problems, and we need them quickly.

Incidentally, in Orange County, I walked into an office and said, "May I see your pay bills?" I was given a stack and pulled them out at random. The pay ranged from $1.70 to $2.30 an hour.

The experience with American workers has been unbelievably bad. I shall try to ascertain how much it costs in taxpayers' dollars to recruit the people who come, some of whom work 1 hour, 2 hours, or half a day. At the end of 2 weeks, the average number remaining is less than 16 percent. Anyone who understands farming knows that in the strawberry season, the picking is continuous. It is not only one crop that is picked; the vines are picked every 4 days. If the vine is not picked every 4 days, it is ruined. They could pick on weekends with school youngsters. They would be glad to do it. However, they lose 30 percent, if they have a full crew of school youngsters every weekend, which they will not have, because by noon, half of them have gone on home.

I could go on and on.

I have pictures showing the condition of the fields. I have color photographs made available to the Secretary of Labor, and, hopefully, to the President of the United States. These are pictures of the berry fields.

I should like for a moment to discuss asparagus. In the trade in California, asparagus is referred to as grass. We will not see any white asparagus this year. There were no braceros or fieldworkers to handle the asparagus at the proper time. The rest of the crop is going so bad now that, unfortunately, the President of the United States is being blamed. The people are now referring to the spoiled asparagus as "Johnson grass" in the whole Sacramento Delta Valley.

Mr. President, I have pictures of the Mussi Bros. Delta Farm, showing 285 acres ruined for 1965. Here is a picture of the Zuckerman Farm showing 750 acres ruined for 1965. I have a picture of the Zuckerman Mandeville Ranch showing 200 acres ruined.

On the Norman Emerson Ranch, 145 acres are ruined. On the Norris & Logan Ranch, Union Island, 265 acres are ruined.

On the Bill Dinelli land, 165 acres are ruined. On the Mariani Farms, Union Island, 135 acres are ruined.

Mr. President, this is not a slight thing that has happened to farming. This is the destruction of an entire industry. The farmers are moving to Mexico as rapidly as they can get accommodations.

I have telegrams that I should like to place in the Record. They are unsolicited. They are from growers and trades people. Incidentally, at the breakfast there was a man who operated the agricultural equipment store in the town of Indio. There was the manager of the Newberry store, the manager of the independent merchandising store. There was a local banker from the town. Growers were present. There were 18 at the breakfast in all.

At the end of the meeting, I said, "Has this affected the economy of the town?" The answer was that it had. It was pointed out that the stores bought their merchandise based on the number of acres planted. That is the way in which they gage their buying of merchandise for the future.

The Mexican bracero spends two-thirds of his money on merchandise in California, and generally sends one-third of his money home.

Those at the meeting told me that the economy of their town is off 38 percent from last year. The head of the chamber of commerce in Salinas told me that their economy is at a dead stop.

No one knows what to do. There are no future orders.

As the senior Senator from Florida has said, this extends throughout the whole economy. There is not anyone, including the ladies and gentlemen in this room, who is not affected by this disaster.

Mr. President, I shall read a couple of these telegrams.

One telegram reads:

San Francisco, Calif.,
May 8, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Personally observed today 1,000 acres of ripe strawberries owned by Salinas Strawberries without one picker in the field. Agricultural Extension Service sampling of a 500-acre unit yesterday showed over one-third of the crop overripe or rotted. This loss will increase each day. Unless 3,000 qualified pickers who will remain on the job are supplied by next Wednesday this acreage will be a total loss of at least $5 million. Salinas Strawberries in complete compliance with U.S. Department of Labor wage orders. Urgent that Mexican nationals be brought in immediately to salvage remainder of crop and maintain plants in cropping cycle.

Harold Angier,
Executive Vice President, California Grape and Tree Fruit League.

Another telegram reads:

Boston, Mass.,
May 10, 1965.

Hon. Senator Murphy,
Washington, D.C.:

We are engaged in the distribution of fresh fruits and vegetables in New England, handling several cars of California strawberries. We are unable to get supplies because of lack of pickers. Unless prompt relief is given the loss of the crop will run in the millions. Your help will be greatly appreciated.

Gilfenbain Bros.

Another telegram reads:

New York, N.Y.,
May 10, 1965.

Senator George Murphy,
U.S. Senate,
Washington, D.C.:

We are one of the larger wholesale receivers of fruits and vegetables from California, for the New York metropolitan area, with strawberries as our specialty. With this in view, we call your attention to the deteriorating market situation for California fruit and produce. Quality going down and prices to the consumer going up steadily. Our shippers from California give us as reason a very specific labor shortage, with not enough farm help available for timely harvest. Anything you can do to help them, and at the same time help the consumer and us as a distributor, will be greatly appreciated.

Harry Klein & Co.

Here is another telegram, from Boston, Mass. It is the same story all over.

Here is a telegram from a drugstore in Salinas, Calif. The business has disappeared.

Mr. President, this is a situation that is is unbelievable and unreasonable. I believe all of us concerned have been overly patient.

I have spoken again, as I have on other occasions since I stood up for the first time in this great, honorable Chamber. I begged the President of the United States to interest himself in this problem. This is not a matter that we have made up. This is not a condition that we think will happen. It is now happening. It is worse than I predicted. It is worse than I am sure my good friend, the Senator from Florida, predicted.

The one man responsible has taken an adamant position. If he has changed at all, in my opinion he has done so very badly and very ungraciously. I beg again that the President of the United States will permit us to show him the evidence and let him know the true story of this horrible, dismal disaster.

I am certain that, if we can present the evidence to him, the matter will be taken care of. I am certain that if the matter is not taken care of within the next 2 weeks, 50 percent of this great industry in California will disappear.

I do not know how we shall ever explain it to the people. I made, as my No. 1 promise in my campaign, that I would fight, talk, and work as hard as I could in an effort to right this great wrong.

I intend to do so. I intend to do everything that I can. I will not cease. I will become a nuisance and a bore, if necessary. This is something that cannot continue. It makes no sense. There is no reason for it.

The Secretary has had plenty of time for his experiment. It has failed. I now call upon him, fine gentleman that he is, to admit that he has been misled, admit that he has been wrong, and immediately do everything possible to save as much as we can out of this wreckage.

It was just 1 year ago, in the midst of my primary campaign in California for the U.S. Senate, that I first pointed out the urgent need for some means to assure the continuation of supplemental harvest labor on California farms. In the intervening 12 months there has been a great amount of public discussion, much of it heated, some of it confused, and a good share of it distorted, between persons representing two diametrically opposed points of view.

On one side have been those of us, including myself, my distinguished colleague from California, Senator KUCHEL; my colleagues from Florida, Colorado, Vermont, Arizona, and others—those of us who have recognized that our farmers have for many years attempted to attract domestic workers to their farms but have had to use foreign labor at peak harvest times because there just have not been enough domestic workers who are willing to do this type of work. We have felt that hope alone would not change the simple fact that there are just not enough domestic workers willing and able to fill the peak farm labor demands.

On the other side have been the impractical and uninformed theorists led by Secretary of Labor Willard Wirtz—those who have asserted that if we are firm in denying admission of foreign farm labor, a sufficient supply of domestic labor will mysteriously appear from the ranks of the unemployed and so solve our Nation's unemployment problem.

Mr. Wirtz has been relentless in his devotion to this idealistic theory and in so doing has established himself as an "agricultural dictator." For months my colleagues and I, realizing that someday even Mr. Wirtz would recognize the need for foreign labor, have pleaded with him at least to permit negotiations with Mexico to begin and so allow a program to be worked out under which Mexican workers could be brought into this country without delay if and when authorized. But the Secretary refused, asserting that he would not even grant this "crutch" to the farmers who claimed a need for foreign harvest labor.

Mr. President, I regret to report that events on California's farms today are dramatically and tragically proving the folly of Mr. Wirtz' theories. The $50 million strawberry crop and the $25 million asparagus crop are the first to suffer devastating losses as a result of the lack of harvest labor, while the tomato crop, which normally returns over $100 million annually to the growers, is suffering from a lack of labor needed to get the plants out into the fields. Millions of dollars worth of crops—the livelihood of hundreds of hardworking California farmers—are being lost solely and directly because of Secretary Wirtz' stubborn position. He refused to permit arrangements to be worked out in advance with Mexico for the importation of farmworkers. Four weeks ago, faced with mounting evidence that foreign workers would indeed be necessary if California's crops were to be harvested, Secretary Wirtz appointed a panel of three California college professors to advise him on the need for foreign labor in California. On April 25, the panel recommended that 1,500 Mexican workers be permitted to help in the strawberry and asparagus fields, and Secretary Wirtz immediately endorsed their recommendation. Negotiations with Mexico began but as yet not one foreign worker has come into California. The delay is exactly as my colleagues and I predicted, and Secretary Wirtz has been proved dead wrong in saying that if there were a need the Mexican workers could be brought in within a matter of days, even hours. It is little satisfaction to be right in a situation such as this, and I cite this facet of the matter only as an example of the frustrations being faced by California's farmers in dealing with their new dictator.

Mr. President, Governor Brown, of California, was until recent months among those who were encouraging Secretary Wirtz in the view that there would be sufficient domestic labor fully to replace the braceros. He has now joined in the effort to allow the importation of Mexican workers, and I believe that the full extent of his awakening to the realities of the situation is well illustrated by an article from the Los Angeles Times on Wednesday, April 28.

Mr. President, there is indeed a disaster today facing hundreds of California farmers who raise strawberries, asparagus, tomatoes, citrus, and dozens of other specialty crops.

Last weekend, I went to California in order to see for myself the situation on the farms there. I had the sad opportunity to see many farmers whose lifework is being wiped out by the lack of sufficient labor to harvest the crops. One of the farms I visited was operated by Salinas Strawberries, a company in Salinas, Calif., which farms 2,000 acres of strawberries. Since January 1, when Public Law 78 expired and Secretary Wirtz' new criteria went into effect, the company has meticulously complied with each and every requirement of the Labor Department. They have offered the wage rates required by Secretary Wirtz in order to be eligible for farm labor. Their farm labor housing, operated by the Bruce Church Co., was described by the Secretary himself as "spic and span." The company has accepted all recruits of domestic workers offered by the recruiting teams since January 1.

The company's experience with domestic workers has been sad. Since January 1 they have received 4,665 domestic recruits. Today they have 651 men working in the strawberry fields, of which 211 are Japanese and Filipinos recently made available by Secretary Wirtz' authorization, so that only 440 of the 4,665 domestic recruits remain on the job. This is exemplary of California farmers' experience with the domestic laborers who just do not find themselves adapted to this kind of stoop labor. Another problem with the domestic workers, in addition to the fact that they do not stay on the job, is that they do not produce enough to justify the $1.40 hourly minimum wage which must be paid under Secretary Wirtz' regulations. Salinas Strawberries offers piece rates of 75 and 90 cents per crate. At these rates good workers can make excellent wages. When I was visiting the company I went down the row and stopped several workers. I found one one-armed man who was making $27 to $30 per day. I found another man who had been working only a few days, and who had previously been a gas station attendant, who was making $22 per day. In Orange County, I went through the employment records of a company and found that its strawberry pickers were making $1.70 to $2.10 per hour. This is what can be done by qualified workers. Salinas Strawberries finds that its domestic workers on the average, if paid by piece rates alone, would be making 50 to 75 cents per hour. Of course, they must be paid the $1.40 under Secretary Wirtz' regulations, and are so paid. The point is that it is not economically possible for the company and they are financially better off to plow under their crops than to pay the $1.40 per hour for nonproduction.

This company alone needs 2,000 more workers in the fields today and will need an additional 1,500 next week. Because of the lack of labor the company estimates it is losing about $50,000 worth of berries each day now and will be losing $100,000 to $150,000 each day next week when they enter the peak harvest period. Secretary Wirtz, on April 25, authorized the use of 1,500 foreign workers in the Salinas area, of whom Salinas Strawberries Co. would get about 800. Because of the Secretary's refusal to permit early negotiations with Mexico, however, it now appears that these workers will not be available for 2 or 3 weeks. The economic loss caused by the Secretary's stubborn refusal to permit early negotiations is here dramatic and easily calculable.

Salinas Strawberries could normally expect a return of upward of $14 million for its strawberries. Present prospects are that the company will have to plow under over one-half of its berries. The economic impact to the Salinas area of the disaster to this one company alone will be enormous. The company spends over $11 million annually in the area, including $1.8 million for payroll, $1.8 million for the transportation of the berries, about $1 million for crates, buckets, cans, and cases, and over $500,000 for fertilizers and insecticides. Another $1.1 million are spent annually by local firms processing the berries grown by this company.

The sad case of Salinas Strawberries is symptomatic of a disease which is now afflicting California's strawberry, asparagus, citrus, and tomato industries and promises to spread to all crops as their peak labor seasons arrive. Stated succinctly, the farm labor situation in California is today in a state of chaos, with the limited available labor rushing from one area to another to answer crisis calls from farmers competing for an inadequate supply of workers. As a result, not only is much produce being lost through lack of harvest but also many absolutely necessary agricultural operations, such as hoeing and weeding, are being completely overlooked and the total extent of this damage cannot be estimated.

One of the most tragic aspects of this situation is its effect upon the small farmers. The opponents of the use of foreign labor have attempted to raise the cry that it is desired by "large corporate farmers." The truth of the matter is that foreign labor is required by both the large farmers and the small farmers who make up California's agricultural community. The ironic point is, however, that the small farmers will suffer worst from the current turmoil, first, because they are less able to spend the time to keep up with the latest paperwork and regulations from the "Agricultural Dictator" in Washington and, second, because they are not in as good a position to seek out and find what limited labor is available. In addition, the result of the present situation, if it is allowed to continue, will be that the large farmers can and will move their operations below the border to Mexico, while the small farmers, unable to undertake this, will simply go out of business. This is an unbelievably sad situation, reflecting very poorly upon people in high office who claim to be working toward humane goals. I wonder when these people will finally learn that what humanity really demands is that the farmers be permitted to grow their crops and so to provide jobs for as many workers—Americans first, of course—as they can.

Only yesterday the director of employment in the State of California certified the need for an additional 2,150 foreign workers in the Salinas area, to harvest strawberries and to work on the vegetable crops. These workers are needed today, but they are not going to be on the job for weeks because Secretary Wirtz would not permit negotiations with Mexico earlier. The negotiations are hampered by the fact that the Mexican Government cannot get very excited about working out arrangements to make its workers available to our farmers in such small numbers. If Secretary Wirtz would recognize the facts of life, and take a lesson from the tragedy that has already occurred in California, and advise frankly that tens of thousands of workers will be needed this year, he could give some vitally needed impetus to the situation. I would remind the Secretary again that the time of peak labor needs has not arrived and what is happening now is only a small indication of the problems to come in future months.

Mr. President, the blindest skeptic can no longer claim that my colleagues and I are crying "wolf." The wolf is no longer at the door but is in the house of California agriculture. Enormous crop losses are a certainty. Secretary Wirtz must, in good conscience, take immediate action to assure that large numbers of Mexican workers will be permitted to come in and help minimize future losses.

Mr. President, I ask unanimous consent to have these telegrams printed in the RECORD.

The PRESIDING OFFICER (Mr. HART in the chair). Is there objection?

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

LOS ANGELES, CALIF.,
May 11, 1965.

Senator GEORGE MURPHY,
U.S. Senator,
U.S. Senate,
Washington, D.C.:

By means of this telegram we should like to indicate to you the very serious repercussions on our operations that the poor quality of the current strawberry workers in Orange County, Calif., has cause us. The lack of ability on the part of the current group of workers in Orange County has resulted in a tremendous loss of the strawberries themselves. Due to inexperience on their part and also due to an inability to quickly acquire the necessary skill, many, many tons of strawberries have been wasted. The net effect to our large operation in Los Angeles is that we will not produce as we had planned 3 million strawberry trays. We will be indeed fortunate to produce slightly 1 million trays. This results in a loss of approximately 16 million square feet of corrugated berry trays. To this can be added the additional loss of sales and production of approximately 24 million plastic baskets and 2 million wire clamps. We had geared our projected production both personnel and materialwise to the projected 3 million tray figure. Because of the vast reduction in the amount of trays we will produce as a result of labor conditions in Orange County at least 50 to 60 people in our plant alone will have their employment jeopardized. Because of the loss of sales volume in the basket and wire area which are components of the strawberry tray another 70 to 80 people will find their positions in jeopardy. In addition we have already prepurchased the special grades of paper required to produce a proper strawberry tray. We will find ourselves with an enormous inventory both tonnage and dollarwise which will of course create another hardship. We have been producing containers for the produce industry here in Los Angeles alone for over 10 years and it is felt we can say with some authority that the conditions as to the availability of labor in Orange County is almost unbelievable. Something must be done and must be done soon. If we can be of any further help, please call upon us.

KEITH RUFFNER,
Sales Manager, Produce Packaging,
Container Corp. of America.

SAN FRANCISCO, CALIF., *May 7, 1965.*
Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Labor shortage very critical in California to harvest strawberries and asparagus. This will soon involve other fruits and vegetables now beginning to mature. If crops not harvested will affect every person throughout our Nation in one way or another, from the many industries that go into planting and growing of crops, such as farm machinery, chemical companies producing fertilizers, lumber, and paper companies producing boxes, transportation companies, etc., right down to the housewife. Labor organizations will suffer along with everyone else. Urgently request you take steps to secure sufficient foreign labor to avert a catastrophe not only for California but for the United States.

L. D. SCHLEY,
Vice President and General Manager,
Pacific Fruit Express Co.

CASTROVILLE, CALIF., *May 10, 1965.*
Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

We harvest, pack, and distribute for 22 broccoli growers. Due to lack of field crews some broccoli fields have gone to seed. We have laid off some of our packing shed crew that have been with us some time due to our inability to harvest crops. What few men we have been able to attract stay a day or two and then leave. This happens every day. Unless something is done soon we will have to lay off more people in our packing shed. Trust you will do all possible to help in this rather hopeless looking situation.

Regards.

RENO COSTELLLA,
Manager,
Associated Produce Distributors.

SALINAS, CALIF.,
May 11, 1965.

The Honorable GEORGE MURPHY,
The U.S. Senate, Washington, D.C.:

Today, more than 20,000 crates of strawberries will be added to those already rotting on the plants in our fields. Continuing daily losses building to 40,000 crates per day this time next week are anticipated if we are unable to pick. Translated to market value, using combination fresh and freezer prices on last year's market prices, at least $50,000 per day loss. It is clearly and abundantly evident insufficient numbers of domestic workers available for strawberry harvest and cultural practices. Today, our needs are for an additional 2,000 workers and by the middle of next week an additional

1,500 requested. This company has met all items of criteria for becoming eligible for supplemental foreign labor and certified for workers; however, no help other than 200-plus Japanese and Filipino nationals yet. Further documentation of losses to be developed by agricultural extension service, University of California, and forwarded separate cover. Any assistance you are able to provide greatly appreciated.

SALINAS STRAWBERRIES,
TOM MCNAMARA.

NAS, CALIF.,
May 11, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Thanks for your interest in visiting California's manmade disaster stricken agricultural area last week. More areas will be affected as other crops mature. Most Californians and many others across the Nation join us in hope that supplemental agricultural labor so desperately needed here will be forthcoming soon.

WILBUR H. STEVENS.

CHICAGO HEIGHTS, ILL.,
May 11, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Slick Airways fully supports the efforts of the Salinas California strawberry growers to obtain Mexican labor to save their crops. As a certificated all-cargo air carrier with operating headquarters in California and a long-time participant in the carriage of perishables to eastern markets we appreciate the urgency of this situation and the desperate plight of the strawberry growers. We respectfully urge that favorable consideration be given to their request for relief.

D. A. EDWARDS,
President, the Slick Corp.

SAN FRANCISCO, CALIF.,
May 4, 1965.

Hon. GEORGE MURPHY,
Senate Office, Building,
Washington, D.C.:

As you know, labor situation concerning strawberries is now critical in California. The problem will soon extend to other crops now ripening. Request your assistance to obtain sufficient Mexican nationals to supplement domestic labor supply. No other solution appears practical at this time and the matter is of vital concern to all connected with the food industry.

B. F. BIAGGINI,
President, Southern Pacific Co.

FOUNTAIN VALLEY, CALIF.,
May 11, 1965.

Senator GEORGE MURPHY,
Washington, D.C.:

Due to the shortage of help I am forced to abandon one-third of my strawberry field. The present help being unreliable. We are unable to harvest my crop. This will create a financial burden and hardship for me and my family.

YUAKA MIURA.

YUMA, ARIZ.,
May 11, 1965.

Hon. GEORGE MURPHY,
Senator from California,
Washington, D.C.:

We employees of this company which has a payroll of 100 people urge you to do everything to expedite the use of foreign labor now to pick fruits, vegetables, and berries along the Pacific coast. The company operates an intransit cold-storage warehouse with a capacity of 30 million pounds, a big operation with over 85 percent of the business coming from the Pacific coast, mainly strawberries. They may have to close if these crops are not harvested and this would not only eliminate our jobs but would have an adverse effect on the entire community.

Sylvia Morrison, Richard Lackey, Sharleen Hall, Linda Chretin, Angel Quintero, Felix Delgado, Cirilo Quijada, Robert Walker, Levi Dornan, Jimmy Hall, Katherine Praeger, Omar Lovett, Carl Cox, Wilburn McQueary, Otis Brown, Cruz Garcia, Frank Quiroz, Edward Ketz, C. M. Palmer, Cecil Long, Floyd Estes, Wilburn Bay, J. E. Lopez, Gilbert Blevins, Lucilo Arias, Roy Hesley, Ernest Baker, E. L. Compton, Wayne Hubble, Joe Espinoza, Frank Twist, Alberto Leal, Rene Rodriquez, Roque Rosas, George Phillips, Clyde McCarty, C. M. Inman, Julian Munoz, B. C. Cabrera, Isaac Murphy, employees of Southwestern Ice & Cold Storage Co.

SALINAS, CALIF.,
MAY 11, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Strawberry crop, Salinas Valley, being seriously threatened by domestic labor shortage. Urge you to influence immediate certification of braceros needed now for strawberries and all crops soon to be harvested; repeat situation critical.

SALLY WASSON,
Manager, Central Supply Co.

ANAHEIM, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Being an allied industry to all produce shippers in the western area, we find ourselves alined squarely against the administration policy on supplemental labor. We find that the lack of workers in this field has caused great suffering in the ranks of our customers. We have lost business directly and are continuing to lose business at an alarming rate in all major agriculture producing areas. We will have fewer jobs for our workforce as a result and the housewife is paying a higher price for poor merchandise.

MENASHA CORP.

WATSONVILLE, CALIF., *May 10, 1965.*

Hon. GEORGE MURPHY,
U.S. Senator, Washington, D.C.:

As a supplier to the strawberry industry this has affected our business and it has for many other suppliers and has affected the economy of the whole Watsonville area.

CONTAINER SERVICE CO.

SACRAMENTO, CALIF., *May 4, 1965.*

Senator GEORGE MURPHY,
U.S. Senate, Washington, D.C.:

A failure of Government agencies to import Mexican farm labor causing losses to farmers and is backing up to box manufacturers and other suppliers. Shortsighted arbitrary decisions on the part of Government officials sure to develop widespread unemployment.

Please give this your best attention.

WOODLEAF TIMBER CORP.,
J. D. MCCANN, *President.*

SALINAS, CALIF.,
May 11, 1965.

Hon. GEORGE MURPHY,
U.S. Senate, Washington, D.C.:

We have been a major supplier of ice and refrigeration services to Salinas Valley growers since 1927. Due to lack of adequate agricultural workers, tonnage of fresh lettuce and strawberries for us to vacuum cool and precool for shipment has been unreasonably low. We have been unable to reemploy many of our regular seasonal workers this year. Our expenses exceed our income and portend a disastrous economic outlook. For this cooperation we commend your interest and efforts.

WILLIAM A. LOGAN,
Manager, Monterey County Ice & Development Co.

LOS ANGELES, CALIF.,
May 12, 1965.

GEORGE MURPHY,
U.S. Senator From California,
Washington, D.C.:

We wish to congratulate you for your excellent efforts to preserve the State of California. As you are familiar with the farm labor problems, we would like to throw a little light on the effects this is having on the industry that supports agriculture without the bracero program. We are now feeling the effects by substantial cutbacks in orders and production. The State of California is not gaining in employment but is losing in employment. As in our case the container industry and many many allied industries such as trucking companies, seed companies, fertilizer companies and sales organizations, etc. Please feel free to call upon us for any additional information to support your stand.

L.A. BOX & CRATE CO.,
TARO SAISHO.

YUMA, ARIZ.,
May 11, 1965.

Senator GEORGE MURPHY,
Senator from California,
Washington, D.C.:

Our in transit cold storage business ends on the harvesting of fruits, vegetables, and berries along the west coast. Strawberries, over 85 percent of our load. If growers do not get farm labor now to harvest crops, these will be lost. This will force us to close our warehouse, terminate jobs, and will adversely affect this community.

JE C. DALE,
General Manager, Southwestern Ice & Cold Storage Co.

SAN FRANCISCO, CALIF.,
May 11, 1965.

GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Situation agricultural labor so acute approaching not only loss crops but because incompetent and unqualified help it is impossible to continue shipping and selling the marginal quality and packaging which we find unable to avoid. They send us schoolchildren, housewives, soldiers, sailors, North Dakota Indians. Expecting anyone with two legs, two arms to be suitable pickers. We been paying at Anaheim equivalent $2.50 to $3 per hour still only able recruit some 20 percent domestics. Our firm has 600 acres asparagus near Stockton with only 25 Japanese nationals working and no advice as to when Mexicans approved will arrive. Impossible salvage better than 50 percent as asparagus going to fern. Processors and canners asparagus, strawberries, working sharply reduced schedules due lack of supplies. Because of acute shortage lettuce have avoided crisis this commodity but when crop fully matures it isn't possible await all the ramifications and technical requirements before additional help can be processed or received. We were paying $15 to $20 per day for asparagus cutters; they left because someone else offered more. This sort of labor pirating going cut across entire economy of California and from what we hear all demand States are experiencing same ridiculous situation. Satisfied Department of Labor playing with fire and results will reverberate for years to come unless this industry is permitted to secure labor without the foolhardy, ridiculous, and unreasonable barriers erected Secretary Agriculture Wirtz.

MENDELSON-ZELLER CO., INC.

REDLANDS, CALIF.,
April 27, 1965.

Hon. GEORGE MURPHY,
Washington, D.C.:

We are desperate for pickers to harvest our crops of citrus. Hot weather is upon us and we cannot afford to lose this crop. We need workers and no more conversation and promises. Please send us Mexican braceros who can and will get this job done.

ASEY AND EDITH VANHORST.

RED BLUFF, CALIF.,
May 3, 1965.

Senator GEORGE MURPHY,
Washington, D.C.:

The spring work of beet thinning and weeding has become critical in the Chico-Hamilton city area of northern Sacramento Valley of California. We need more workers immediately if we are to complete the work without losing a large part of the acreage.

GEORGE M. STUTZ,
Farmer and President of District No. 5, California Beet Growers Association.

SALINAS, CALIF.,
May 11, 1965.

Hon. GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

You may be interested to know we started harvesting lettuce May 5. To date we have lost only about 10 acres due to the lack of sufficient field labor, however, this morning we had 75 acres ready for harvest. This acreage would require approximately 100 willing, able, and qualified workers, but we were able to recruit only 21, all inexperienced.

In addition, last week someone came into our camp in San Joaquin County and pirated about a third of our asparagus harvesting crew which we have been unable to replace. As a result we have closed down approximately one-third of our acreage of bearing asparagus which was being sold to processors. Unless something is done quickly we will be forced to disk additional asparagus and lose a large precentage of our lettuce which is both ready for harvest and approaching maturity. We hope no one is misled by what happened in the strawberry fields over the weekend. It could be compared to 50,000 men who had never seen an Army camp arriving in Vietnam and reporting to the commanding officer that they came to help win the peace.

HARDEN FARMS OF CALIFORNIA.

WATSONVILLE, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.

The State of California is facing serious crop losses and economic losses. Pajaro Valley has just lost 3,500 acres of pole beans which will not be planted. Growers in this area have complied fully with Wirtz criteria. Hesitation and bungling by the Labor Department should be immediately investigated and action taken immediately if California perishable agriculture is to survive.

IRVIN DETHLEFSEN, INC.,
IRVIN DETHLEFSEN,
President.

SALINAS, CALIF.,
May 11, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.

Appreciate your attentive consideration of our farm labor problem by offering your weekend here in the Salinas Valley. I am sure you are impressed by our needs please realize and converse with Senator HAYDEN regarding the next crop of crisis which will be cantaloupes starting May 25. This harvest will progress into the San Joaquin Valley in June and July, needs equal numbers and more than the strawberry situation.

THE GARIN CO.,
WILLIAM O. GARIN,
President.

SALINAS, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Our cooperative representing membership 13 small independent growers who collectively invested $750,000 in lettuce-celery acreage this year. Unless ample field labor available large portion this investment will be lost. Urge your help any possible way.

SALINAS MARKETING COOPERATIVE.

PHILADELPHIA, PA.,
May 10, 1965.

Senator GEORGE MURPHY,
U.S. Senate,
Washington, D.C.:

Situation perishable produce strawberries, lettuce, etc., snafued, but good. Strawberry pack terrible, prices ridiculously high. Same true, lettuce. Housewife backing off from high prices and poor quality. Can't Federal Government recognize error in judgment? Housewives all over United States affected in pocketbook. Retailers complaining half produce going in barrel, half in consumption. Please awaken Wirtz.

MAX FELDBAUM & SONS.

REDLANDS, CALIF.,
April 27, 1965.

Senator GEORGE MURPHY,
Washington, D.C.:

We have received nothing but promises from Washington. Hot weather is here and our citrus fruit must be picked, we cannot afford to lose our crop of fruit; please help us. We must have pickers who will work in this hot weather now, tomorrow will be too late. Get us some braceros they are experienced and will do the job even though it is over 100° in the shade.

Mr. and Mrs. ARTHUR O. JONES.

SALINAS, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

We, Calcagno Farms Co., need strawberry harvest help. We are picking approximately 2,000 strawberry crates per day with approximately 180 workers. We should be at 3,000 crates per day now. In 10 days we should be picking approximately 4,000 crates per day. With enough help in 3 weeks we will have enough strawberries to harvest 6,000 crates per day. This condition will last till approximately June 15, then taper off gradually to approximately 2,000 per day. Will we have necessary harvest help? We are highly in debt to the banks on this crop and we need help now to survive. Weekend student help is good, but still no answer. Can we please have some immediate steady help?

Thank you.

MIKE CALCAGNO,
For Calcagno Farms.

WATSONVILLE, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
U.S. Senate,
Washington, D.C.:

Mishandling of the labor situation in this area has greatly upset our economy. Anything you can do to correct this situation would be greatly appreciated.

PORTOLA MOTORS,
G. MARCUS.

WATSONVILLE, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Field labor shortage more critical each day, supplemental workers badly needed Salinas-Watsonville area.

REX HUFF,
Manager, Schuman Farms.

SALINAS, CALIF.,
May 10, 1965.

Senator MURPHY,
Senate Office Building,
Washington, D.C.:

Crop peak rushing upon us. Wirtz has promised no crop loss. Where is labor?

WALTER NIELSEN.

SALINAS, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Thank you for visiting our area over weekend. Urge you persevere until ample labor provided.

ARDEN OREGGIA.

SALINAS, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Supplemental labor is needed to thin and hoe lettuce, celery, cauliflower, broccoli, cabbage and other crops.

JACOP FARMS, INC.

SALINAS, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Need help now to thin my crops.

JAMES CARACCIOLI.

SALINAS, CALIF.,
May 10, 1965.

Senator MURPHY,
Senate Office Building,
Washington, D.C.:

Monterey County needs your help urgently on critical farm labor situation.

HARLESS BROS.

SALINAS, CALIF.,
May 10, 1965.

Senator MURPHY,
Senate Office Building,
Washington, D.C.:

Californias most important industry in jeopardy account labor short and undependable won't Wirtz do something?

ELMER and LEROY HITCHCOCK.

SALINAS, CALIF., *May 10, 1965.*

Senator MURPHY,
Senate Office Building,
Washington, D.C.:

Monterey County needs your help urgently on critical farm labor situation.

JOHN D. MAHONEY.

SALINAS, CALIF., *May 8, 1965.*

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Government spends billions taxpayers' dollars for foreign aid, relief programs, and unrealistic farm supports. Unemployment insurance and welfare handouts paid to many able-bodied adults and chislers refusing to work. Same Government, through legislative action, pressure politics, mismanagement, and bungling, causing millions in unsupported agricultural crops to rot in fields. Thousands of supplemental field labor required. Situation critical and disgraceful.

California and Salinas Valley particularly. Responsibility of Congress and Senate. Immediate action necessary.

Vincent H. Moore,
Executive Director, Monterey County Industrial Development, Inc.

Salinas, Calif., *May 10, 1965.*

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Crop peak rushing upon us. Wirtz has promised no crop loss. Where is labor?

John Nissen.

Salinas, Calif.,
May 10, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Not enough help available to weed and thin my crops of sugarbeets, lettuce, and so forth. Please do all you can to obtain supplemental labor.

Norman Bundgard,
President, United Farms Co.

Concord, Calif.,
May 4, 1965.

Senator George Murphy,
Washington, D.C.:

Crops rotting. Farmers complain economy suffers. Wirtz and Brown do nothing. What are you doing?

R. J. Reardon.

Watsonville, Calif.,
May 10, 1965.

Senator George Murphy,
Washington, D.C.:

It is hard to conceive that servants of the people can be as biased and indifferent to the welfare of the major economy of California as agriculture. Nothing has been more wantonly mishandled than the present labor crisis. Your good offices in taking the control of this situation out of the hands of stubborn bureaucrats such as Wirtz is earnestly solicited. The question should not be a political maneuver when the whole economy of a State is involved.

Edward P. Pfingsk,
President, El Pajaro Theater Co.

Watsonville, Calif.,
May 10, 1965.

Hon. George Murphy,
U.S. Senate,
Washington, D.C.:

Please congratulate Mr. Wirtz on his carnival of carnage among the California farmers.

Glen M. Price.

Salinas, Calif.,
May 10, 1965.

Senator Murphy,
Senate Office Building,
Washington, D.C.:

Can't understand why we can't get necessary farm labor to harvest our crops. Please help.

David and Roy Martella.

Santa Cruz, Calif.,
May 10, 1965.

Senator George Murphy,
U.S. Senate Office Building,
Washington, D.C.

Dear Sir: Farmers in Santa Cruz area are in desperate need of bracero labor, hope you can help this community.

John Battisini.

Los Angeles, Calif.,
May 11, 1965.

Senator George Murphy,
Washington, D.C.:

Due to the inefficiency of the present labor force now available, and inconsistency in which they show up to work or desire to work has caused many of our growers to abandon parts of their acreage, but more than this, it has made the entire country skeptical of California strawberries, due to their poor arrivals throughout the country, for being either overmature, meaning harvested 3 to 5 days late, due to lack of sufficient help or mistreatment by inexperienced labor. This has not only caused a hardship for the grower, distributor, retailer, and above all, mamma housewife.

Norman Gilfenbain.

Salinas, Calif.,
May 10, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Most imperative you take action to attempt to square away farm labor situation in California. Project the strawberry fiasco 1 month re other crops; the economic impact will be terrific.

T. M. Gottlieb,
Executive Vice President, General Manager, Salinas Lettuce Farmers' Cooperative.

Salinas, Calif.,
May 10, 1965.

Senator Murphy,
Senate Office Building,
Washington, D.C.:

Monterey County crops in big trouble. We need your help.

Jack and Jim Abeloe.

Salinas, Calif.,
May 10, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Salinas valley agricultural labor picture worsening daily. Requires renewed action.

Donald T. Grothe.

Salinas, Calif.,
May 10, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Please do all you can to obtain supplemental farm labor within short period of time. Our critical area will be the true stoop labor; thinning and weeding. We are doing everything we can to get along without supplemental labor but should we not do this, necessary to have some place to turn.

Neil Fanoe.

Salinas, Calif.,
May 10, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Regarding supplemental fieldworkers Salinas, Calif., area. We need supplementary fieldworkers badly. Please help secure for this area.

Eckel Produce Co.

Salinas, Calif.,
May 10, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Need help to do the most difficult of stoop labor—thin and weed vegetable crops.

Arthur Panziera.

Salinas, Calif.,
May 10, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Having trouble maintaining qualified domestic harvesting crew for cauliflower. Have only half as many as needed of which many of those do not want to work on Saturday, Sunday, or even Monday. Our quality of finished products is deplorable, our business as well as others here in Salinas Valley will suffer greatly unless immediate supplemental farm workers are approved for this area.

Cel-A-Pak.

Minneapolis, Minn.,
May 11, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Have just completed a 10-day trip through the principal California producing districts starting at Salinas and ending at Redlands. I think it would be impossible to overemphasize the seriousness of the labor situation. Unless they can get labor the growers of many commodities will lose millions of dollars. Consumers will pay substantially higher prices for many types of foods. In our opinion the situation will never be corrected with local help but only by the use of experienced supplemental labor.

J. G. Scott,
President, Pacific Fruit & Produce Co.

Salinas, Calif.,
May 10, 1965.

Senator Murphy,
Senate Office Building,
Washington, D.C.:

Monterey County crops in big trouble. We need your help.

John Pryor.

Watsonville, Calif.,
May 10, 1965.

Hon. George Murphy,
Washington, D.C.

Dear Sir: It is alarming that perishable nonsubsidized crops can rot in the fields for lack of qualified workers that are being denied by our Federal Government, while our same Government gives millions of dollars in foreign aid to various foreign countries. How do they expect income when they chop off one of the hands that feed them?

Our illustrious civil servants should police their spending closer and not their income.

Any child knows if you keep chopping and harassing the roots of a tree you soon will be void of fruit.

Our small organization compelled to layoff five to eight employees from prior years due to present situation.

George Bassi.

Salinas, Calif.,
May 10, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Urgently request your support and help in obtaining relief from desperate labor situation in Salinas Valley to continue without complete cooperation of our Government will be disastrous.

Demco Farms.

Half Moon Bay, Calif.,
May 11, 1965.

Senator George Murphy,
Office of the Senate,
Washington, D.C.:

The south coastside area of San Mateo County is almost entirely supported by the agricultural industry which at this time is in very dire circumstances because of the lack of potential qualified stoop laborers to harvest winter crop as a member of the Half Moon Bay City Council it was with pleasure that I accepted a request to act as your campaign manager in the Half Moon Bay area because of your fair stand on the farming industry.

Dolores Burns Pompati.

SALINAS, CALIF.,
May 11, 1965.

Hon. GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Secretary Wirtz assured us crops would not be lost due to labor shortage. Crops are now being lost in Salinas Valley with peek harvest season yet to come. Immediate relief needed.

HOWARD LEACH,
President, Valley Packing Co.

SALINAS, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Need supplemental labor to thin and hoe vegetable row crops.

PHILLIPS WYMAN, Jr.,
President, Wyman Farm, Inc.

SALINAS, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Field workers that want to work desperately needed in Monterey County area.

E. BOGGIATTO.

KING CITY, CALIF.,
May 12, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

We urge your immediate support in helping us obtain supplemental labor for harvesting carrots Salinas Valley-King City area which will commence within 1 week. We have disked up carrots acreage in Imperial Valley and fear the same may come to pass here. Thank you.

CARL JOSEPH MAGGIO, INC.

SANTA CRUZ, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

As a result of no supplemental labor and the effect that it has caused on Salinas strawberry growers, we California brussels sprout growers who harvest our crop when the greatest need for fieldworkers is at its peak, can only anticipate crop disaster if supplemental help is not granted.

Respectfully,
DAVENPORT PRODUCERS ASSOCIATION,
E. V. MOCEO.
DAVENPORT, CALIF.

SANTA CRUZ, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Hon. Senator MURPHY, the $10 million brussels sprout industry will be greatly curtailed in California if growers are not assured of braceros. In the past 7 years 85 percent of harvest was done by braceros. We know by years of experience that domestic workers will not harvest our crop. I believe that if braceros are not admitted to harvest our crops the sprout industry will move to Mexico.

Sincerely,
F. FRANCESCHINI & SON.

SANTA CRUZ, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.

DEAR SIR: Hoping you can help us with the bracero program. If we don't get them it will greatly hurt us in the brussels sprouts farming.

Thanking you for all the help you can give us.

S. J. TAMBELLINI.
DAVENPORT, CALIF.

SANTA CRUZ, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Need assurance of sufficient farm labor for planting and harvesting brussels sprouts. Cannot plant under present existing conditions.

R. & D. RANCH.

SANTA CRUZ, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Braceros are definitely needed for me to continue in my brussels sprouts farming operations, they are the only reliable source of stoop labor.

P. BARIARAHI & SON.

SANTA CRUZ, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

We must have foreign workers to pick our brussels sprouts. Eighty percent of them have been picked by braceros before. If we don't get them all the ranches will have to be abandoned.

ENRICO BARILATI.

SANTA CRUZ, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Office of the Senate,
Washington, D.C.

DEAR SENATOR MURPHY: It is pertinent to us brussels sprout growers of California who produce approximately 95 percent of the frozen brussels sprouts consumed in the United States that we need to be assured of harvesting and picking labor for brussels sprouts in order that we plant sufficient acreage to be able to fulfill our quota. We want to avoid the difficulties and the loss of crops that the strawberry and asparagus growers of California are suffering. It is vital for us to be assured of sufficient labor to harvest our sprouts.

Thank you.

GEORGE SOLARI,
Manager Brussels Sprouts Marketing Program, State of California.

SANTA CRUZ, CALIF.,
May 10, 1965.

Hon. GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

I am hoping your meeting with the President of the great United States will help my problem with the bracero program. I have 50 percent bracero help at harvest time.

PETER PRANAVILLA RANCH,
Brussel Sprout Farmer.
DAVENPORT, CALIF.

HALF MOON BAY, CALIF.,
May 11, 1965.

Senator GEORGE MURPHY,
Office of the Senate,
Washington, D.C.:

Implore you continue efforts in behalf of farming industry as growers of brussels sprouts San Mateo county largest vegetable crop. We hesitate in view of lack of qualified stoop labor. Your immediate success in correcting this unfair discrimination against the farming industry will assist us in arriving at a decision as to whether or not we will plant our sprout crop.

HALF MOON BAY GROWERS ASSOCIATION.

SANTA CRUZ, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Urge your intervention with the President on the present labor situation. Unable to plant full quota of brussels sprouts.

GIORGI & RODONI.

SANTA CRUZ, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Braceros are definitely needed for me to continue in my brussels sprouts farming operation. They are the only reliable source of stoop labor.

GORDOLA RANCH CO.

SANTA CRUZ, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Vitally in need of some assurance of labor to harvest brussels sprouts. Unable to plant full acreage with the labor situation as it now exists.

SANTA CRUZ ARTICHOKES
SPROUT GROWERS.

SANTA CRUZ, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Washington, D.C.:

Due to labor shortage will be unable to plant brussels sprouts. Urge your cooperation in getting Mexican braceros back on job.

DON BARGIACCHI & CO.

SANTA CRUZ, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

Urgently in need of farm labor for brussels sprout planting. Advocate you intercede with President in our behalf.

ACME FARMS.

SANTA CRUZ, CALIF.,
May 10, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

We need braceros in brussels sprouts industry in California if continue in our operation.

G. COMELLI & SON.

SANTA CRUZ, CALIF., *May 10, 1965.*

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.

HONORABLE SENATOR MURPHY: If the brussels sprout industry is to remain in California we definitely need braceros or growers will have to move to Mexico and export brussels sprouts into the United States.

Sincerely,
JAMES ANECITO & CO.
DAVENPORT, CALIF.

SANTA CRUZ, CALIF., *May 10, 1965.*

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

We urge you to present to the President of the United States our need for supplementary labor as in the past in order to plant and harvest our 160-acres of brussels sprouts, and save this multimillion-dollar crop for Santa Cruz County.

Sincerely yours,

Nello Giannini.

Santa Cruz, Calif., *May 10, 1965.*

Senator George Murphy,
Senate Office Building,
Washington, D.C.

Honorable Senator Murphy: Braceros are definitely needed for stoop labor in brussels sprout harvest in California.

Sincerely,

Rossi Humphrey Ranch.
Pescadero, Calif.

Half Moon Bay, Calif., *May 11, 1965.*

Senator George Murphy,
Office of the Senate,
Washington, D.C.:

The economy of our city is greatly dependent upon the seasonal agricultural workers that harvest brussels sprouts and other winter crops. Urge you do all possible to support the farming industry in obtaining qualified stoop labor.

Fred Paxton,
City Administrator,
City of Half Moon Bay.

Indio, Calif.,
April 28, 1965.

Hon. George Murphy,
Senate Office Building,
Washington, D.C.:

Labor situation this area acute. Severe crop loss will be sustained without immediate relief. Our organization not represented by Mr. Jack Miller, or Agricultural Producers Labor Council. We have tried every method of recruitment we can think of with practically no results. Wage rate is not the problem. Pickers averaging as much as $2.60 per hour and still leaving due unwillingness to work in severe heat. Heat also will cause severe crop loss if fruit harvest cannot progress in normal manner. We have exhausted all methods to get more labor—high wages do not seem to be answer. Simply too few willing to work under weather extremes. Request immediate attention to this matter. Repeat need is dire—Labor Department unable to even fill small percent our needs. Economic loss will be great unless help comes soon. Our local payroll of over $8,000 per week. These people will be out of work uness fruit can be delivered our packing plant for processing. This shortage due cooler weather other districts, labor piracy from other districts and crops, lack of physical capacity withstand heat. People that were doing job earlier have already left valley due to above. Thank you.

Oasis Gardens, Inc.,
R. M. Keim.

Indio, Calif.,
April 28, 1695.

Hon. George F. Murphy,
Senate Office Building,
Washington, D.C.:

Request 10 grapefruit pickers, impossible get local help in the valley. Temperature above 100° daytime. Crop being ruined by heat. Your support appreciated, haste necessary.

Messini Bros.,
Joe Messini.

Riverside, Calif.,
April 27 1965.

Hon. George F. Murphy,
Washington, D.C.:

It is imperative that we have pickers for citrus fruit, willing and able to work, the Mexican bracero is experienced and is the answer to our problem, we have cooperated and followed suggestions for alternatives to no avail, the hot weather is here, our need is urgent, please help us.

Arlington Heights Citrus Co.

Indio, Calif.,
April 27, 1965.

Hon. George F. Murphy,
U.S. Senate,
Washington, D.C.

Dear Sir: In dire need of 40 grapefruit pickers, local help not available. Have complied fully on all requirements to be eligible. Excessive heat destroying grapefruit crops. Your assistance in waking up the powers in Washington will be greatly appreciated.

Schell Ranch & Packing Co.,
Morgan U. Ward, *Owner.*

Indio, Calif.

Hon. George Murphy,
Senate Office Building,
Washington, D.C.

Dear Sir: Due to the intense heat we have acquired in Coachella Valley the past 10 days citrus pickers are leaving the valley by the hundreds. Imperative that we have any supplemental help that you may be able to acquire for us. I have approximately 400,000 boxes of grapefruit from 20 growers left on the tree. Due to the heat problem here in Coachella Valley, today I had 24 grapefruit pickers and to be able to fill the foreign and domestic market demand I need 125 qualified grapefruit pickers in the field. We have exhausted all resources of recruiting of local and out-of-State workers to fill this need. Anything you may be able to do for us in Washington will be greatly appreciated.

Richard A. Glass Co., Inc.,
J. L. Randall.

Riverside, Calif.

Senator George Murphy,
Washington, D.C.:

It is imperative the Mexican bracero is obtained to complete the harvest of citrus fruits in Coachella Valley. Our weather is hot and they are the only laborers able and willing to perform satisfactory in these temperatures. The need is urgent; tomorrow will be too late.

Golden Valley Groves.

Indio, Calif.,
April 27, 1965.

Hon. George Murphy,
U.S. Senate Office Building,
Washington, D.C.:

A dire need exists for additional workers in citrus picking in the Coachella Valley our company needs 75 pickers immediately. Repeat immediately account domestic workers now leaving because of 100° to 102° temperatures this area.

Richard A. Glass Co.

Indio, Calif.,
April 27, 1965.

Hon. George Murphy,
Senate Office Building,
Washington, D.C.:

Labor situation, Coachella Valley for picking grapefruit impossible local help cannot or will not stay in the fields and pick in this intense heat. Request you do everything practical and possible to get the Government to give us supplemental help.

Very truly yours,

Coachella Valley Grapefruit Orchards, Inc.,
John L. Randall, *President.*

Redlands, Calif.,
May 3, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Urgently request your continued personal intercession with Secretary Wirtz convince him seriousness of need of California citrus growers for supplemental foreign picker. Speaking as manager of marketing cooperative representing 15 packers and some 3,000 growers who heretofore have contributed to favorable U.S. trade balance through vigorous export program we presently unable fill export orders account picker shortage. No apparent relief in sight unless you can convince Wirtz unreasonableness of his position. Any help you can give sincerely appreciated.

Pure Gold, Inc.,
John M. Van Horn,
General Manager.

Indio, Calif.

Hon. George Murphy,
Senate Office Building,
Washington, D.C.:

Citrus industry in Coachella Valley facing severe loss of crop due acute labor problem. Recent poll of our members shows average of 65 percent shortage in all crews. We emphasize that rates being paid are well above minimum. Recent heat wave causing severe damage to fruit, and creating shortage of labor. Consequences to growers, shippers and economy will be devastating without help. We have exhausted all possibilities, and are not receiving men from Labor Department recruitment programs, our own recruitment programs, nor from any source. We request some form of action from Labor Department. Wage rate we repeat is well above minimum—people available simply unwilling and unable to work under extreme weather conditions. Please take every immediate action possible.

Our organization represents 65 to 75 percent total fruit left in this area.

Coachella Valley Citrus Council, Inc.
Bob Weatherman,
President.

San Francisco, Calif.,
April 31, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Reference our newsletter No. 6501, February 18, 1965, regarding farm labor. California strawberry growers are now losing crops because of a shortage of harvest labor. Losses are substantial in Orange, Santa Barbara, Santa Maria, and Monterey Counties. Acreages have been abandoned in Orange and Santa Barbara Counties. We can furnish detail documentation of all pertinent facts. Imperative that everything possible be done to expedite immediate entry of Mexican nationals already authorized for entry under Public Law 414. It is urgent that additional supplemental labor be authorized for entry as recommended by the California Department of Employment.

Harold Angier,
Executive vice president, California Grape and Tree Fruit League.

Redlands, Calif.

Senator George Murphy,
Washington, D.C.

We have cooperated, followed all suggestions—with the hot weather upon us we must have pickers willing and able to work so that we can harvest our growers' citrus fruits. There has been too much delay and a great deal of harm has been done. Please do something now. The obvious answer is the experienced Mexican bracero.

Bryn Mawr Coachella Valley Groves.

San Francisco, Calif.,
May 7, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Strongly urge that immediate steps be taken to alleviate shortage of harvest labor in California strawberry fields. If action by you is not immediately forthcoming, economic consequences will reach far beyond the initial losses to the berry industry, such as loss of sugar sales by the California beet sugar industry, which in turn affects returns of sugarbeet farmers. From our familiarity with the problem only immediate action will avert serious economic losses.

Guy D. Manuel,
President, Spreckles Sugar Co.

Salinas, Calif.,
May 10, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Salinas Valley area in dire need of steady dependable farmworkers particularly for strawberry harvest and lettuce thinning and hoeing. Pressure on lettuce harvest not as bad at present due to lightest spring lettuce production and unusual cold weather.

Appreciate any help you can give us.

Admiral Packing Co.
John Derdivans, *President.*

Salinas, Calif.,
May 10, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Need help to harvest strawberries, crop rotting.

Pozzi Brothers,
By Edward Pozzi.

Salinas, Calif.,
May 10, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Strawberries suffering fantastic losses other crops coming on. Can't you do something?

S. Braga & Sons.

Chicago, Ill.,
May 10, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Imperative that California strawberry growers be given immediate assistance in the harvesting of their berry crop. A month from now will be too late as many fields are now going to waste, some are already beyond salvage and more will follow shortly unless labor to harvester is supplied now. Mrs. Housewife will not pay high prices for poor quality fruit so she too is a loser. The cost of living is bound to go up unless this ridiculous labor situation is corrected.

Austin J. Merkel Co.

Salinas, Calif.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Unable to get my berries picked. Have 3 men in field, should have 40.

Stanley Corda,
Berry Grower.

Salinas, Calif.,
May 10, 1965.

Senator Murphy,
Senate Office Building,
Washington, D.C.:

Strawberries suffering fantastic losses, other crops coming on. Can't you do something?

Art Duarte.

Salinas, Calif.,
May 10, 1965.

Senator George Murphy,
Senate Office Building, Washington, D.C.:

Field labor shortage paralyzing strawberry crop, other crops soon to suffer. Help.

John S. Tamagni.

Watsonville, Calif.,
May 10, 1965.

Senator George Murphy,
Washington, D.C.:

I need qualified strawberry pickers immediately. Today only half of them have reported for work.

Roy Kaito.

Los Angeles, Calif.,
May 11, 1965.

Senator George Murphy,
Senate Office Building, Washington, D.C.:

Because of the inadequate labor situation here in California we are going to lose sales of better than 25 million strawberry baskets. This situation is not only affecting the strawberry growers but many, many allied industries such as ourselves. We are pleading for help.

Ton Paine,
Sales Manager,
Pacific States Box & Basket Co.

Salinas, Calif.,
May 10, 1965.

Senator Murphy,
Senate Office Building,
Washington, D.C.:

Field labor shortage paralyzing strawberry crop. Other crops soon to suffer. Help.

Peter and Arnold Breschini.

Salinas, Calif.,
May 10, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

We wish to reiterate our statements about the critical field labor shortage to pick strawberries and to thin, hoe, and harvest our many other Salinas Valley, Calif., vegetable crops as explained to you during your weekend field trip through our area. We request that you explain your firsthand viewing of the chaotic conditions now existing to President L. B. Johnson and other governmental officials of highest authority in an effort to obtain the immediate entry of supplemental foreign fieldworkers in sufficient number to solve our growers dilemma.

Jack Bias,
Grower Shipper Vegetable Association.

Santa Cruz, Calif.,
May 10, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

We need steady qualified labor daily for strawberries. This crop cannot be harvested with large numbers of unqualified and untrained pickers one day and very few the next day.

Reiter Berry Farmers.

Salinas, Calif.,
May 10, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

The berry growers in this Salinas Valley are unable to hire adequate qualified workers to pick the berry crop.

These are the facts pure and simple. I hope the President will listen to your plea. A state of emergency and disaster exists here right now.

John P. Storm Corp.,
John P. Storm, *President.*

Salinas, Calif.,
May 10, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Need help badly. Strawberries deteriorating fast.

Buena Vista Strawberry Farms,
Joe Violini.

Fountain Valley, Calif.,
May 11, 1965.

Senator George Murphy,
Washington, D.C.:

Insufficient domestic labor causing loss of strawberries; need qualified foreign labor.

Fred F. Morita.

Chualar, Calif.,
May 11, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Have plowed up 4 of 55 acres berries; more will go. We can help not the answer. Please check on many restrictions on agricultural loans for housing.

Frank Viarengo.

Salinas, Calif.,
May 12, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Everyone is deeply concerned about the future economy of Monterey County due to the labor shortage, particularly in the strawberry field. This shortage affects all business, not just the farming industry. Please make an extra effort to assist our growers obtain supplemental help immediately.

Thanks.

Mark Fields Growers
Insurance Agency.

Boston, Mass.,
May 10, 1965.

Hon. George Murphy,
Washington, D.C.:

We are engaged in the distribution of fresh fruits and vegetables in New England handling several cars of California strawberries. We are unable to get supplies because of lack of pickers. Unless prompt relief is given the loss of the crop will run in the millions. Your help will be greatly appreciated.

Gilfenbain Bros.

San Francisco, Calif.,
May 8, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Personally observed today 1,000 acres of ripe strawberries owned by Salinas Strawberries without one picker in the field. Agricultural Extension Service sampling of a 500-acre unit yesterday showed over one-third of the crop overripe or rotted. This loss will increase each day. Unless 3,000 qualified pickers who will remain on the job are supplied by next Wednesday this acreage will be a total loss of at least $5 million. Salinas Strawberries in complete compliance with U.S. Department of Labor wage orders. Urgent that Mexican nationals be brought in immediately to salvage remainder of crop and maintain plants in cropping cycle.

Harold Angier,
Executive Vice President, California Grape & Tree Fruit League.

New York, N.Y.,
May 10, 1965.

Senator George Murphy,
U.S. Senate,
Washington, D.C.:

We are one of the larger wholesale receivers of fruits and vegetables from California, for the New York metropolitan area, with strawberries as our specialty. With this in view, we call your attention to the deteriorating market situation for California fruit and produce, quality going down and prices to the consumer going up steadily. Our shippers from California give us as reason a very specific labor shortage, with not enough farm help available for timely harvest. Anything you can do to help them and at the same time help the consumer and us as a distributor, will be greatly appreciated.

Harry Klein & Co.

Salinas, Calif.,
May 12, 1965.

Senator George Murphy,
Senate Office Building,
Washington, D.C.:

Our economy is off 20 percent for the past 90 days. The lack of agriculture people in our fields is having a terrific impact on the entire valley. The loss in revenue will force us to curtail employment, thereby adding to the problem we already have. This lack of agriculture workers as we see it will affect the grower, teamsters, wholesale, retail, the consumer, and will add a loss of revenue and tax dollars to the State and Federal Government. Act at once to preserve California's great agriculture future. Help of qualified nature is needed at once.

Hank's Drug Stores.

Salinas, Calif.,
May 12, 1965.

Hon. George Murphy,
Senate Office Building,
Washington, D.C.:

We grow asparagus in both Monterey and San Joaquin Counties. April and May are our most productive months and we have made a comparison of our marketable production for April of this year compared to April 1964. The results show a decrease from 2,000 pounds per acre in 1964 to 1,200 in 1965 in Monterey County, which we attribute largely to the inexperience of the crew who left many spears uncut at each cutting which became unmarketable before the next cutting and physical damage to many spears which were cut. In San Joaquin County the production in April dropped from 1,363 pounds per acre in 1964 to 724 pounds this year, which we attribute largely to the shortage of qualified labor in the area. We hope this information will be of some assistance to you in your efforts to relieve the situation. We are even more concerned about our ability to secure sufficient qualified help to harvest our other growing crops which will increase in production very rapidly, and who will thin, hoe, and otherwise cultivate crops to be harvested throughout the year?

Harden Farms of California.

Indio, Calif.,
April 28, 1965.

Hon. George Murphy,
Washington, D.C.:

I am Coachella Valley grower of citrus. Due to shortage of labor to pick my crop I will lose 15 percent to 20 percent of fruit from droppage and softness in next week with continued hot weather. My investment already returning less than 3 percent. What is your and Labor Department's answer for desperate Coachella Valley growers? My pickers averaging more than $1.75 per hour, but too few available to work in heat at any price. Labor Department so far has been unable to fulfill even small percent of requirements. Action imperative.

Duke Wilson.

Salinas, Calif.,
May 11, 1965.

Senator George Murphy,
Senator Office Building,
Washington, D.C.:

As a strawberry crate supplier have discharged half of my experienced help. We who employ outstanding citizens are forced after years of service to discharge them. Growers cannot survive with weekend inexperienced pickers. What is Wirtz thinking about?

Babcock Crate Co.,
D. A. Babcock.

Mr. HOLLAND. Mr. President, I thank my colleague the Senator from California for his fine presentation.

But for the fact that Florida had some 13,800 offshore workers—about one-tenth of our normal total supply—in the State on January 1 when this crusade of the Secretary began, we would have been in much more pitiful shape than we have been.

When the time came for them to return, Secretary Wirtz finally agreed to the retention of 6,500 of them. They have helped greatly. I thanked him warmly for that from the floor. I thanked him personally.

The Secretary could have gone one or two steps further and redeemed himself very greatly in the eyes of the Florida producers. However, he declined to take those steps when the pitiful situation arose in the celery and sweet corn industry.

I do not see how anyone could be deaf to the pleas of the distinguished Senator from California, or blind to the pictures which he shows, which illustrate so clearly the crops produced by so much toil, sweat, and investment of time, effort, land, and money going to waste because of a well-intentioned man who is embarking on a crusade and insists that his crusade will succeed when every indication is that it has already failed dismally. He has hurt thousands of his fellow countrymen.

I thank the Senator for his very fine exposition.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MURPHY. We have in California 1,200 Japanese boys. These boys are carefully selected by the Japanese Government from farms, and they are sent here for a period of 2 years. There were 600 of them in southern California. The Japanese Ambassador told me that unless they were permitted to go to work within 3 days, they had to return to Japan. He said this would be a frightful and shocking thing, because it would destroy the very best international people-to-people program we have had—one that does not cost the American taxpayers $1.

Next to where they were camping was a strawberry farm which needed help.

Finally, the Secretary relented a bit and said 1,500 Mexicans could be used, and to put the Japanese to work. They were next to that farm, but instead of working there, they were sent somewhere else. The story in that area is unbelievable. People who recite that incident ask, "What kind of man can he be?" I know he is an honest, conscientious, decent man, but I know he must be getting the worst possible advice.

The Secretary went to California. I felt as the Senator from Florida felt. We had testified. There were meetings of the Committee on Agriculture and Forestry. I felt that we had all the evidence we could bring in to prove our point. He paid no attention to it. He called together a three-man panel of college professors, one of whom had knowledge of farming. The panel said braceros were needed; that 1,500 were needed immediately.

Mr. President, 1,500 is an arbitrary figure. How does one know how many are needed? The only way to find out is to go to those who will harvest their crops and ask them. There are jobs for 6,000 today. Without those 6,000, the industry will be hurt. The need will increase, because we are now getting into the high period.

Let me stress this point: Never, under any circumstances, does imported labor take a job from a domestic worker who applies for one or wants one. The domestic worker is always hired first.

Never in any year has imported labor in California amounted to more than 10 percent of the total farm labor pool.

This is one of the confusions involved in this question. Some would have us believe that Mexicans are going to take the jobs of Americans. Jobs are not lost; they are created—80,000 work at packinghouses; truckdrivers and longshoremen are involved. We ship one-half billion dollars worth of specialized crops out of California each year. The transport people are involved. Everybody down the line is suffering because one man has become adamant and will not change. I hope he will change. I hope he will do something soon and save something out of the wreckage.

Mr. HOLLAND. I thank my friend. I, too, hope the Secretary of Labor will change his position. I hope the President will assert himself. I hope the Secretary of Agriculture will become much more active and concerned with this problem than he has been up to now.

The real test of our usefulness as an active Senate will be what we do in this situation. I am ready to do everything I can, whether it is in the passage of legislation, the handling of appropriations in the proper way, or whatever else we can do, to bring about a saner and sounder condition, which must be done quickly or the whole Nation will suffer greatly.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MURPHY. In December in my State there were shocking floods and disaster. The damage was horrible. The damage done to our agricultural crops will amount to at least twice as much as the damage done by the floods; and it is unnecessary. With a reasonable approach, the crops could be saved. I hope no further damage will occur.

Mr. HOLLAND. Mr. President, I close with one quotation which occurs to me from an ancient sage—"Wise men sometimes change their minds; fools never."

I hope Secretary Wirtz will change his mind and his approach.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the majority leader.

Mr. MANSFIELD. The question of labor is most important; and I am delighted the distinguished Senator from Florida [Mr. Holland] and the distinguished Senator from California [Mr. Murphy] have once again seen fit to discuss this most important subject.

It is my hope, on the basis of the representations made on the floor, that this problem will be studied again, and that the needs of certain States in this particular area will be given the consideration which is their due.

There is no question in my mind that crops will be lost, if they are not already being lost, in various States of the East, when the time comes for harvesting the apple crop and other crops, because the need will be for a certain kind of labor.

We are all in agreement with the thesis that if U.S. labor can fill up the slack, those workers should be given preference; but there is a great discrepancy between American labor which will do the kind of stoop labor and other kinds of labor necessary in harvesting crops in various parts of the country, and the actuality of getting them to do the job.

I again express my thanks to the distinguished Senators from Florida and California for bringing this subject up. It is my hope that real recognition of the difficulties which confront so many States in this respect will be brought home to the proper authorities so that, before it is too late, at least a portion of the crops which would be lost might perhaps be saved.

Mr. HOLLAND. I thank the distinguished majority leader for his expressions. I hope he will be active in presenting that same feeling at the places where these situations can be corrected, because we badly need his help.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MURPHY. There is one other item I would like to place in the RECORD. In the previous discussion it was suggested that Indians might be used for this labor. I would like to have in the RECORD the statement that it had been tried. A man in Orange County had them brought in, and they stayed 2, 2½, or 3 days.

The large farms I visited in Salinas are now preparing to fly in by air Indians at the request of an agency of the Government in Washington, so this method will again be tested.

There has not been one practical suggestion that I know of that has not been tried. The record is replete with their performance and failure; and there is only one practical way to approach the problem.

I hope that the Secretary can sit down with us and go over the problem with us and possibly put together the machinery to bring this tragic occurrence to an end.

ADJOURNMENT

Mr. HOLLAND. Mr. President, if there is no further business to come before the Senate at this time, I move, pursuant to the order previously entered, that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 39 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Thursday, May 13, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 12, 1965:

DEPARTMENT OF STATE

Leonard C. Meeker, of New Jersey, to be Legal Adviser of the Department of State, vice Abram Chayes.

WITHDRAWAL

Executive nomination withdrawn from the Senate May 12, 1965:

POSTMASTER

I withdraw the nomination sent to the Senate on April 26, 1965, of Ralph N. Hilliard to be postmaster at West Burke, in the State of Vermont.

EXTENSIONS OF REMARKS

Thirtieth Anniversary of the Rural Electrification Administration

EXTENSION OF REMARKS

OF

HON. BERT BANDSTRA

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1965

Mr. BANDSTRA. Mr. Speaker, for many farm families across the Nation, including those in my home State of Iowa, this week marks an anniversary of very special importance.

Thirty years ago this week, on May 11, 1935, President Franklin Roosevelt signed the Executive order establishing the Rural Electrification Administration. A year later, with the passage of the Rural Electrification Act of 1936, the Congress gave its support to this constructive venture.

Today, the REA is a permanent agency of the Federal Government. It has done much, over the 30 years of its existence, to bring the benefits of electric power to farmhouses throughout America.

In Iowa, for example, only 14.4 percent of the farms were receiving electric service when the REA was created in 1935. As of June 30, 1964, 98.7 percent of Iowa's farms were served by electric power.

The REA, and those who have supported it, can justly claim the credit for much of this increase in rural electric service—an increase which, in the long run, benefits both urban and rural areas of our society.

Much remains to be done in developing the resources of rural America. There are new problems to be solved, and new programs must be devised to do so. But the REA, with 30 years of success behind it, is an example that provides us with confidence.

Iowa Rural Electric Co-ops Congratulated

EXTENSION OF REMARKS

OF

HON. JOHN R. SCHMIDHAUSER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1965

Mr. SCHMIDHAUSER. Mr. Speaker, as one who remembers vividly the time consumed filling kerosene lamps, hand pumping water, and cleaning outhouses, the 30th anniversary of the creation of the Rural Electrification Act, observed on May 11, is of special significance.

Ever since President Franklin D. Roosevelt signed the Executive order creating the rural electrification program in 1935, American rural life has experienced significant improvement. The vital role played by the lending agency and its loan program is illustrated vividly by the over 5,300,000 consumers presently provided electric service by borrowers from the REA, and by the almost 2 million telephone subscribers. To date, rural electric cooperatives have over 1½ million miles of powerlines.

Another example of the contribution of our rural electric cooperative program is the contrast between the 7 percent of our farm population in the counties presently served by co-ops who were receiving service when the program began, and the 98 percent who are presently being serviced. In my own State of Iowa, a similar increase in families served has resulted from this great movement.

It is a great pleasure to salute our rural electrification cooperatives on this memorable 30th anniversary of this outstanding program.

The Congressional Directory: A Veritable Treasure Trove of Information

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1965

Mr. EVINS of Tennessee. Mr. Speaker, all of us are prone to take familiar things for granted without considering the work and effort necessary to produce it. The Congressional Directory is an excellent example.

The new directory—larger and containing more information than ever before—is a veritable treasure trove of valuable and useful data to every Member of Congress, the executive branch, and others. The table of contents reflects the extent of every branch of our Government. This directory, prepared annually by the Joint Committee on Printing, contains a wealth of information and we must acknowledge that without the Congressional Directory we would not have at our fingertips a handy reference of our Government and its officials.

I want to take this means of expressing my sincere appreciation to the members of the Joint Committee on Printing, Senators HAYDEN, JORDAN, and SCOTT and Representatives BURLESON, HAYS, and LIPSCOMB for furnishing the Congress with such a highly successful medium of information.

Hawaii-Dooley Foundation Joint Project in Nepal—A New Foreign Aid Concept

EXTENSION OF REMARKS

OF

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1965

Mr. MATSUNAGA. Mr. Speaker, the State of Hawaii, jointly with the Thomas A. Dooley Foundation, is undertaking a project in the Kingdom of Nepal that is probably the first of its kind since our Union was formed. The project is a national public health survey and training program in Nepal involving as joint participants the department of public health of the University of Hawaii, the Bishop Museum in Honolulu, the Institute of Technical Interchange of the East-West Center, and the Dooley Foundation.

Dr. Verne Chaney, executive director and cofounder of the Thomas A. Dooley Foundation, in a recent address before a joint session of the Senate and House of the State Legislature of Hawaii, said:

> In this Hawaiian health survey program for His Majesty's Government of Nepal, we have the first example of a State providing foreign aid to a developing nation with private financing.

Dr. Chaney said that the undertaking "heralds the beginning of an entirely new concept in foreign aid."

Praising Hawaii for leading the way in the search for world peace and understanding among peoples, he summarized the Dooley Foundation's purpose in jointly administering the program in Nepal with these words:

> The Dooley Foundation feels that it has an unusual opportunity and role to play in the world mess of things.
>
> We are not political; we are not sectarian; we are simply people helping people because they need help and because it is right.
>
> We wish to help bridge the gaps of friendship and understanding between peoples. Our tool for this shall be medicine.

The program will commence in August of 1965 and continue for a period of 15 months at a total cost of $270,000. All funds will be privately contributed, and much of the money will be raised right in Hawaii. The program will consist of a public health survey in the fields of infectious disease, nutrition, sanitation, anthropology, and entomology.

Technicians from the three participating institutions in Hawaii will also help the people of Nepal to set up their own public health program for the future.

Among those who will work on the project are: Dr. Robert Worth, consultant, professor of public health at the University of Hawaii; Robert Murphy, administrative assistant; Dr. N. K. Shah, program director; Dr. L. Poudayl, laboratory director; Miss Carolyn McCue, chief technician; Miss Phyllis Morita, laboratory technician; Dr. Alan Howard, anthropologist; Mrs. Kajorn Howard, nutritionist; Peyton Rowan, sanitary engineer; Mrs. Peggy Rowan, public health nurse; and others yet to be selected.

Heading the local committee of distinguished citizens to raise funds for the project are: Retired Navy Admiral Harry D. Felt; Chinn Ho of Capital Investments; and Ernest Albrecht, Pan American World Airways.

Mr. Speaker, as a Representative of the youngest State in the Union, I take great pride in calling to the attention of the Congress, the leadership which Hawaii's private citizens are assuming in fostering better understanding with with other peoples of the world.

Land Use

EXTENSION OF REMARKS

OF

HON. CLAIR CALLAN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1965

Mr. CALLAN. Mr. Speaker, we are all aware that land is the main resource of this country. We also know that it is becoming increasingly scarce. Right now there is plenty of room for every man, woman, and child but what of the future?

Soil and water conservation practices in my own State of Nebraska are helping us prepare for the future growth of the Nation. Multiple land use is a development of growing importance in the conservation picture and it will be even more important in the years ahead as demands upon the land continue to increase. These demands are recreation, urban expansion, transportation, water supply reservoirs, wildlife refuges and others. We cannot afford to overlook the increasing demands of a well fed, growing population for agricultural products and the land that will be needed to produce this food—not to speak of the needs of those in other nations.

In Nebraska, as elsewhere in the Nation, we are already well on the way in multiple land use planning. Land owners and operators are providing outdoor recreation opportunities on their farms, ranches and other rural lands. In Nebraska, 65 soil conservation district cooperators have established income-producing recreation enterprises since the U.S. Department of Agriculture began stressing these developments in 1962.

Other promising projects on private land in many small watersheds include providing areas for wildlife refuges, building ponds for fish conservation and lakes to serve agricultural, municipal, and industrial needs, and reserving space for forestland.

Town and country are meeting across the broad acres of rural America. Wise use of the land will permit Nebraska and the rest of the Nation to contribute to and benefit from this dramatic transition caused by rapid national growth.

Loyalty Day Ceremony

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1965

Mr. MURPHY of New York. Mr. Speaker, on Saturday, May 1, 1965, the Brooklyn Council, Kings County Veterans of Foreign Wars, held a Loyalty Day celebration and parade in Brooklyn, N.Y. Leon J. Elterman, past county commander, VFW, was the master of ceremonies and addresses were given by Stanley Zielinski, senior vice county commander; Borough President Abe Stark; Vincent J. DiMattina, senior vice commander, VFW Department of New York; Hon. James V. Mangano, administrative director of the supreme court, Kings County; Representative HUGH L. CAREY; and myself.

Mr. Speaker, under leave to extend my remarks in the RECORD, I include my address:

> Today, while we pause briefly to rededicate ourselves to loyalty, more than 25,000 American servicemen are proving theirs in the steaming, guerrilla-infested jungles of South Vietnam, lonely guardians of our most remote outpost in the long struggle to contain Communist imperialism.
>
> As of last week, 348 of them had been killed in action; 126 had died in accidents involved with their duties, and 2,049 had been wounded in action. This cost in lives and blood undoubtedly will rise—how much so, nobody knows.
>
> Our involvement in South Vietnam is, as you know, a bitterly controversial issue, in public forums, on college campuses, and in the editorial columns of the newspapers. I feel, personally, that the vast majority of thinking Americans support President Johnson's resolute determination to keep South Vietnam free. I can tell you that I do.
>
> But those who oppose President Johnson's policy of firmness, and would have us get out of South Vietnam at whatever cost in prestige and strategic advantage, seem to have an impact far out of proportion to their numbers. They have a perfect right to express their opinion, certainly, and they do express it, loudly if not always clearly.
>
> Those of us who support President Johnson's commitment to prevent a Communist takeover of South Vietnam also have a right to express our opinion. But how many of us do it? We hear and read the arguments of those who want this country to abandon all southeast Asia to whatever fate might befall it, and maybe we angrily disagree—but do we disagree with anybody, in conversation or in writing? Not often.
>
> True, we're busy—we can't be continually writing to the newspapers and getting into arguments, but we can and should make our views known. How? There are several ways. If a public figure takes a stand that you dis-

agree with, write him a courteous, reasoned rebuttal of his argument. He'll read it. Not everybody agrees with me and those who don't aren't always courteous or reasonable, but I read their letters.

But there is an even better way. Think for a moment of those 25,000 servicemen out there in South Vietnam, killing and being killed in a conflict without banners and glory. We read of their sacrifices and their gallantry and pass on to the sports pages or whatever else happens to gain our attention at the moment.

Now in our circle of friends it is possible that a friend, or a relative or a friend of a friend, is among those 25,000 who are today proving their loyalty in South Vietnam. If such is the case, why not demonstrate our loyalty to them?

Why not sit down tonight and write the 1 man in that 25,000 that you might know, or know of? It doesn't have to be a long letter; just tell him he is out there in a good cause, that he is not forgotten, and that you are with him 100 percent. In doing so, you will lighten his burden—and your own. Thank you.

Amendment of Social Security Act To Permit Remarriage Without Loss of Benefits for Elderly Social Security Survivors

EXTENSION OF REMARKS

OF

HON. ROY H. McVICKER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1965

Mr. McVICKER. Mr. Speaker, I am today introducing a bill to amend the Social Security Act to provide that an individual shall not be deprived of a monthly social security benefit solely because of marriage or remarriage after the age of 62. The existing law is unjustified which penalizes widows and other survivors by cutting off their social security survivors' benefits if they marry or remarry.

The rationale of the present law is that the widow's benefit is canceled upon remarriage, since she will become entitled to a wife's benefit. This, however, is not always the case today. Because the coverage of the social security system was limited during its early years, many men were actually excluded from coverage during their working life. Self-employed farmers are included in this category.

There would be extreme hardship in the case of a widow who wanted to marry such a retired farmer. She would have to sacrifice the benefits earned by her first husband, and she would receive no wife's or widow's benefits.

Even if the new husband were entitled to benefits, the widow's stipend would be reduced. Instead of receiving 82.5 percent of her deceased husband's benefit, she would receive 50 percent of her new husband's benefit—which usually means a reduction of at least $20 a month in the amount she receives. It is clear that this reduction in income would be a deterrent to marriage when one realizes that the average retirement benefit for workers is now around $80, yielding a wife's benefit of $40—a total family income of only $120 a month.

This bill, which would result in only minor costs to the social security system, merits the attention of my colleagues in the Congress. It would enable many of our elder citizens to avoid living alone. Married couples who can take care of each other are more likely to retain their health and spirit as active members of the community. I strongly urge the passage of this bill by the Congress.

Conservation

EXTENSION OF REMARKS

OF

HON. CLAIR CALLAN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1965

Mr. CALLAN. Mr. Speaker, there is a soil for every purpose in America—more than 75,000 kinds to choose from in planning land use. If we choose wisely, all land will be put to its best possible use.

Some soils are best for growing certain crops, some for growing grasses. Some are suitable for building sites, some are not.

Unfortunately, soils frequently are not considered when a decision is made concerning the use of land. Sometimes the results are calamitous—effluent from septic tanks pollutes ground water supplying wells and contaminates the ground surface; walls crack, buildings settle and even collapse. Such things happen not as infrequently as we would like to believe.

To prevent bad land use and to promote good land use, the Federal Government provides help, in cooperation with State colleges and experiment stations, through the National Cooperative Soil Survey. The survey is directed by the Soil Conservation Service of the U.S. Department of Agriculture.

In Nebraska, soil surveys have been completed on about 30 million acres, or about 61 percent of the State's land area.

The purpose of the survey is to map all the agricultural land in the United States. Its functions are gradually being extended to urban areas as American cities expand into the countryside. Cooperation is increasing at the county level of government to bring the benefits of the soil survey to all land under development.

For agricultural purposes, soils are grouped into eight capability classes. As each survey is completed, a descriptive report is published by the Department of Agriculture. The uses of these surveys are many. Besides the farmer, county, and community planning officials, investors, bankers, insurance companies, and loan companies find soil surveys useful. Land appraisers use them as a source of information on which to base land values. Soil maps help community officials locate the most suitable land for housing, schools, shopping centers, parking lots, and industry.

See the U.S.A., Says Vice President Hubert H. Humphrey

EXTENSION OF REMARKS

OF

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1965

Mr. FRASER. Mr. Speaker, Vice President HUBERT H. HUMPHREY has given an excellent review of the work of the Johnson-Humphrey administration to encourage tourist travel within the United States. Vice President HUMPHREY, as chairman of the Cabinet task force on travel, spoke before the meeting of the National Association of Travel Organizations here in Washington and urged private travel groups to cooperate in a See the U.S.A. program.

President Johnson has just appointed Mr. Robert Short of Minneapolis as national chairman for "See the U.S.A." Mr. Short is president and owner of Admiral/Merchant Motor Freight, Inc., the Los Angeles Lakers and a number of other businesses. His leadership of this program brings promise of a vigorous, effective campaign of expansion of our domestic tourist industry. All who are interested in seeing an increase in tourist business here at home will find the Vice President's speech encouraging.

The speech follows:

REMARKS BY VICE PRESIDENT HUBERT H. HUMPHREY AT NATIONAL ASSOCIATION OF TRAVEL ORGANIZATIONS, WASHINGTON, D.C., MAY 12, 1965

I am highly pleased to meet today with my friends of the travel industry.

As you know, I am chairman of the President's special Cabinet task force on travel. That task force was formed 3 months ago by the President as a means of meeting some of our balance-of-payments difficulties. Other members of the task force include Secretary Conner; Secretary Fowler; Secretary Udall; Gov. Buford Ellington, Director of the Office of Emergency Planning; and Sargent Shriver of the Office of Economic Opportunity.

All of us have been giving our attention to this important program.

There is no question that our so-called travel gap contributes to our balance-of-payments deficit. Last year Americans traveling overseas spent $1.1 billion more overseas than foreign visitors spent here. If we add the money spent by Americans on foreign-flag airlines and steamship tickets, our travel gap stood at $1.6 billion—almost half of our 1964 payments deficit.

I remind you of these facts because travel is one of the places where we can meet our payments problem.

President Johnson, in establishing our travel task force, made it clear that the need was for a positive program which would encourage more foreign visitors to come to the United States and which would stimulate greater travel here by our own citizens.

(And may I say to our friends here representing Canada and Mexico: you, too, can gain from the increased number of tourists we hope to draw to this continent.)

I wish to emphasize again today that this administration is not adopting a restrictive policy on travel. We have stood too long for liberalized travel, for removal of travel barriers, and for lowering of travel costs to change our minds now.

How then do we reduce the travel gap?

First of all, we must do more to encourage increased travel to the United States by people from overseas. I was cosponsor of legislation 4 years ago which authorized establishment of the U.S. Travel Service within the Department of Commerce. (And I note that Congressman AL ULLMAN, another sponsor of that legislation, is here today.)

The Travel Service has done an excellent job within the limits of its small staff and small budget, just as NATO has done on an even smaller scale at home.

The Travel Service has requested from Congress a budget increase of $500,000 this year. This request deserves your wholehearted support. But even with the increase, the total Travel Service budget will be only $3.5 million—and that is not enough to do the job overseas.

We have chosen a second way to reduce the travel gap. Legislation has been proposed to reduce from $100 to $50 the duty-free allowance to returning travelers. I want to emphasize that this proposal is not meant to keep Americans at home. It is meant to discourage unnecessary spending overseas.

The third and final part of our program is an ambitious and positive See the U.S.A. program here in the United States. I am highly encouraged by what many private companies and industry associations have already undertaken to promote the See the U.S.A. theme during this travel season. I commend those of you here today who have done this.

Some of you have not chosen to include the See the U.S.A. theme in your promotion this spring and summer. That of course is your choice.

I would point out, however, that there has never been a better time to use this theme.

President Johnson and this administration have thrown their full support behind development of our domestic travel industry. The members of our Cabinet task force are actively doing things to aid the program. All of us are publicizing the effort. These last 2 days, for instance, Secretary Udall has accompanied Mrs. Johnson, Mrs. Humphrey, and wives of several Cabinet members on a tour through the State of Virginia to focus attention on tourist attractions there. I have appeared several times on national radio and television on behalf of the See the U.S.A. program, and so have other members of our task force.

The program, in addition, ties in closely with the President's highway and beautification programs. It also ties in with the New York World's Fair and other major tourist events throughout the country.

We in Government are doing our best to create the best possible climate for development of tourism.

We ask you to capitalize on that climate. All of us stand to gain.

I would like now to take a few moments to tell you what our Cabinet task force has been doing.

Secretary Udall and the Department of the Interior have played a most active role. The National Park Service has made this spring a thorough inventory of all its facilities and the tourist facilities of our States. We know now just where more and better facilities are needed, and where present excellent facilities are not being properly publicized or used. And we are taking steps to do better.

In addition, the Interior Department has established a special task force on Washington, D.C. The objective of this group is to make Washington, D.C., a pilot project for tourism.

This Interior Department task force has set for itself an October deadline to give us a full proposal on long-range development of tourism in Washington, D.C. But in the meantime, the Interior Department task force is doing things to make Washington a better place to visit in 1965.

Before this task force has completed its work, we expect to see a National Visitors Center in Washington—perhaps at Union Station. At this center, newcomers to Washington could arrange their entire visit to the city, from guided tours to hotel accommodations.

They could also receive information on tourist attractions in Washington and be given orientation on U.S. history and Government.

The center could also provide restaurants and parking space and serve as a terminal for a visitor transport system to reduce automobile and bus congestion downtown.

We also expect to see youth hostels in Washington where students can get inexpensive lodging. We expect to see expanded parking facilities for tourists.

We expect to see new tourist literature in a number of foreign languages. We expect to see better housekeeping throughout the city and an effective cleanup drive. Through the efforts of the Interior Department, working with private interests and other Government agencies in Washington, we plan to fully realize Washington's potential as a tourist attraction.

The Office of Economic Opportunity plays a role in our Cabinet task force because travel is an industry which benefits underdeveloped areas of our country and which employs low-skill people. Sargent Shriver is working now with public and private agencies to increase employment opportunity through tourism.

The Treasury Department plays an important part in our task force because it follows, of course, the balance-of-payments situation. But in addition, the Treasury Department is acting through the U.S. Customs Service to extend the best possible welcome to all foreign visitors to this country. The welcome these visitors receive often determines how long they will stay and whether they will ever be back again.

The Department of Commerce is represented on our task force because the U.S. Travel Service is housed there. Beyond this, the Commerce Department has done an excellent job of soliciting cooperation of private industry in closing our balance-of-payments gap—including the travel gap.

Governor Ellington, who works with all the Nation's Governors, has been active in alerting our States and State tourist departments to the unrealized benefits which tourism can bring to their States. I think all our States today are far more aware than they were a few weeks ago of the dollars and cents that can come into their States through tourism. And they are undertaking new programs of cooperation among themselves, with Federal agencies, and with local private industry.

I have also been assigned by the President the task of liaison with the Nation's mayors, city managers, and county officials. I have called their attention, too, to the benefits tourism can bring to their areas.

But despite our efforts within Government, the greatest role in the See the U.S.A. program must be played by the private sector.

The most valuable thing we in Government can do in this task is to extend our full cooperation to initiatives by private industry. We are ready to help you where you need help.

The President last week appointed my good friend, Robert Short, of Minneapolis, as national chairman of a private industry See the U.S.A. program. I have known Bob for many years. He is energetic and has great imagination. If there's a man in this country to make See the U.S.A. a success, it is Bob Short.

I know that Bob has met in the past few days with representatives of the travel industry—in fact, with a number of you in this room. He is forming a private industry committee and is soliciting funds and staff to do a job.

There is hardly an industry in this country which does not benefit directly or indirectly from tourism. But let's be quite frank. In the past, many of you have not been together in fully developing that benefit.

In Bob's hands is the task of encouraging and developing a common effort, cutting across company and industry lines. The President hopes, and I hope, that you will extend your full cooperation to Bob as his private industry program gets underway.

The success of that program will depend upon Bob Short's initiative and the initiative of those working with him.

I think there is no question that all of you who benefit from tourism know that your own self-interest and profits can be served by such cooperation.

There is research to be done. There is promotion to be done. There is a greater need for travel packages. There is the need to look at your costs.

The travel industry has hardly touched the surface of its potential. You know the travel statistics. Those of you in the hotel business are painfully aware of the 65-percent national average occupancy rate—while only 40 percent of our people have ever spent a night in a hotel or motel.

You in the airlines know that 80 percent of our citizens have never been in a plane.

You in the State tourist departments know that more than 80 million Americans took no trip anywhere last year.

All of us are well aware that more than half of our people have never been more than 200 miles away from home.

This is the year, and this is the season when we intend to do something about this. I call on all of you here today:

Devote yourself to this effort through your own companies.

Work through your trade associations.

Join wholeheartedly in the efforts of Bob Short and his private industry committee.

And in your efforts, be fully assured that we in Government are fully behind you.

When these things have been done, I am confident that our domestic tourist industry can be fully developed. When it is, this country can be a magnet for tourists—tourists from within our country and from other countries. An underdeveloped industry can be fully developed. Our travel gap can be a travel surplus.

The 17th Anniversary of the Creation of the State of Israel

EXTENSION OF REMARKS

OF

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1965

Mr. DANIELS. Mr. Speaker, 17 years ago this week occurred an event which is of great importance to all who love liberty and support the right of self-determination for all people.

On May 14, 1948, Sir Alan Gordon Cunningham, the last British High Commissioner for Palestine supervised the hauling down of the Union Jack symbolizing the end of British rule in Palestine.

On the same day, the General Zionist Council and the Jewish National Council declared the establishment of the State of Israel. A new nation was born, a nation which has been a democratic model of stability in a perennially troubled corner of the world.

From the year 70 A.D. when Roman legions commanded by the Emperor Titus destroyed the Temple in Jerusalem there had been no national Jewish homeland. These were the years of the Disapora, or dispersion, when Jews were scattered unto the four corners of the earth.

In all of these years, whenever Jews gathered for the Seder—the family meal held as part of the Passover services—the Hebrew words La Shan ah Haba'ah Bi-yeru Shalayim—next year in Jerusalem—were always chanted demonstrating the desire of Jews everywhere for a national state.

In 1948, the dream of almost 1,900 years became a reality as the blue and white flag with the Star of David flew in its rightful place over the newly declared nation of Israel.

Since 1948 every effort by hostile neighbors to drive the Jews out of Israel has failed and the little nation has grown strong and increasingly self-reliant.

I join with my colleagues to say mazeltov to the people of the gallant little nation of Israel.

Hotel Muehlebach

EXTENSION OF REMARKS

OF

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1965

Mr. BOLLING. Mr. Speaker, next Monday, May 17, one of the proudest institutions in Kansas City will celebrate 50 years of service to the community and, in an unique way, to the people of America and the world.

Anyone who has ever heard of Kansas City has heard of the Hotel Muehlebach. And with good reason.

It was here that a Missouri Senator sat in November 1944, with his wife and daughter to receive word that he had been elected Vice President of the United States.

Just 2½ years later President Harry S. Truman sat in the presidential suite of the Hotel Muehlebach and signed into law a bill to provide aid for Greece and Turkey. With a few strokes of the pen Mr. Truman introduced a whole new concept of international understanding. Out of that quiet ceremony grew the whole Truman doctrine. We know what that has done to keep a large part of this world free.

An entire nation listened and cheered when the man who could not possibly win did just that in the presidential election of 1948. And when the world heard the man from Missouri after his reelection, his voice came to them from the penthouse of the Hotel Muehlebach.

In the years of Mr. Truman's Presidency, the Hotel Muehlebach was the temporary White House when he came home to Missouri.

Is there a hotel suite in the world better known than the presidential suite at the Hotel Muehlebach? I do not think so.

Mr. Speaker, this hotel has indeed found its place in the history of this country and the world. I salute it on its golden anniversary.

Dredging of the Thames River, Conn.

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1965

Mr. ST. ONGE. Mr. Speaker, under leave to extend my remarks, I insert in the RECORD the text of a statement I presented this morning before the House Public Works Subcommittee on Appropriations in regard to two budget items on dredging and navigational improvements of the Thames River in eastern Connecticut, in my congressional district.

My statement was as follows:

STATEMENT BY CONGRESSMAN WILLIAM L. ST. ONGE, OF CONNECTICUT, PUBLIC WORKS SUBCOMMITTEE, HOUSE COMMITTEE ON APPROPRIATIONS, MAY 12, 1965

Mr. Chairman and members of the committee, I appreciate having this opportunity to present to you some brief views regarding two items in the budget which are now under consideration by your committee. These two items are of tremendous importance to my district.

One, is a request to appropriate the sum of $18,000 for a study to consider the feasibility of modifying and deepening the existing channel of the Thames River from New London to Norwich. Specifically, it will be the purpose of this study to determine whether a 33-foot channel shall be dredged from the mouth of the river to Norwich, a distance approximately 18 miles long.

The other is a request for an appropriation of $350,000 for dredging the Thames River and restoring the channel to the authorized depth of 25 feet from the U.S. submarine base at New London to Allyns Point in Gales Ferry, a distance approximately halfway up to Norwich. The Dow Chemical Co.'s plant is located at this point.

The people of southeastern Connecticut, which is an important part of my congressional district, are vitally interested in the navigational improvements of the Thames River. This area has not been making the economic progress that it is capable of making. It has not kept up with the economic growth and development of the rest of the State of Connecticut. It has the people, the land, the waterways, the natural resources, the capabilities—but it is stymied by the lack of new industries and by difficult transportation problems.

Dredging the Thames River all the way up to Norwich and making it navigational for medium- and large-size vessels would serve as a major factor in the economic revitalization of this area. The city of Norwich, for example, which has been severely hit by the lack of new industries in the past few years, has recently completed a redevelopment program which includes a municipal wharf at the head of its harbor. Dredging the river and the Norwich Harbor would open up great possibilities for commercial shipping which would unquestionably have a favorable impact on the economic growth of Norwich and its immediate vicinity—a region which desperately needs industrial development.

Thus, dredging the Thames River and making it navigational for commercial shipping is truly a must upon which the future growth and prosperity of this region depend. The river is the gateway to economic progress of southeastern Connecticut. During the past 2 years I have received many letters from town officials and town councils in the various communities located along the Thames River, from commissions and committees, from business groups and associations, as well as from individual citizens, stressing the need for dredging the river in sufficient depth to Norwich, widening the existing channels, and instituting other improvements.

In the past two decades eastern Connecticut has experienced a substantial increase in population, although its industrial development has not been nearly as extensive as in the rest of the State. I have been informed by some of the towns along both sides of the river, and Norwich in particular, that on several recent occasions they have lost out in having industrial establishments locate in the area simply because of the poor navigational condition of the river. We have been assured, for example, that with proper dredging of the river, the Dow Chemical firm would undertake a substantial expansion of its facilities. Similarly, other industries would be encouraged to locate their plants, factories and other facilities in the region.

The importance of all this is that it would help to create a diversification of industry in eastern Connecticut which would have a beneficial impact on the economy of the area. It would also help to alleviate the crushing tax burden on many of the communities who are struggling to maintain their local school system and the various other services provided by these towns to their citizens.

Most important of all, however, it would help convert eastern Connecticut into an area of diversified industry, instead of having to be dependent primarily on Electric Boat Co. at Groton, Conn., whose employment level is, in turn, dependent on the military needs and contracts of the U.S. Government. Under the best circumstances, the economy of an area which is dependent on such needs is not based on a very solid foundation. It should, therefore, not come as a surprise when many of us in that part of the State are deeply concerned over this situation.

Furthermore, the fact should not be overlooked that the Thames River is strategically located from a geographic standpoint. Several very important Government installations are located on the Thames estuary, such as the U.S. Naval Submarine Base, the Navy Underwater Sound Laboratory, the U.S. Coast Guard Academy, the Coast Guard Mooring Station, and others.

Finally, it should also be noted that dredging of the Thames River and providing other improvements would encourage more boating, fishing, and other recreational activities, as well as more commercial traffic. It would contribute vastly both to the future growth of the area and to its economic stability. I am convinced that this waterway, so neglected in recent years, could become an important artery for shipping and commerce, which would benefit the whole area.

I urge this committee to consider very seriously the facts presented here today and to approve the two items requested in the budget; namely, the $18,000 for a feasibility study of deepening the Thames River to Norwich and $350,000 for dredging the river to Allyn's Point. It is no exaggeration to say that these are life-and-death matters for southeastern Connecticut. Your favorable action will be most appreciated.

Facts, Fallacies, and Foreign Policy

EXTENSION OF REMARKS

OF

HON. FLOYD V. HICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 12, 1965

Mr. HICKS. Mr. Speaker, the distinguished Senator from Washington, HENRY M. JACKSON, is currently delivering a series of major addresses concerning foreign policy, concentrating on the campuses of the country where our leaders of tomorrow are gathered.

The Senator has spoken in my own district, on the campus of Pacific Lutheran University at Tacoma, Wash. He has spoken at major schools in many areas, and recently summed up many of his views in the Maurice Tobin International Affairs Lecture at Boston College under the title "Facts, Fallacies, and Foreign Policy."

These views are not to be taken lightly, for Senator JACKSON enjoys an ever deepening respect in the field of foreign relations as well as in other fields. He understands international affairs, he understands America's role in the world today, and he expresses this understanding clearly.

I am pleased to bring Senator JACKSON's remarks at Boston to the attention of my colleagues:

FACTS, FALLACIES, AND FOREIGN POLICY

(By Senator HENRY M. JACKSON)

I am pleased and honored by your invitation to appear here today.

In recent months, the college campus has become a forum—and in the case of some groups a target—for the advocacy of ill-conceived and false notions of foreign and defense policy. In many cases demonstrations—some of them disorderly—have been a substitute for what should be an informed and orderly debate.

Students who are being exposed to such bombardment may begin to feel like the inebriate who stopped a man on the street to ask the time. The man looked at his watch and gave him the time. The drunk scratched his head and said, "All day long, different answers."

Today, I have no intention of setting forth another program to meet the world crisis. My aim is a modest one. I want to examine with you some of the serious misconceptions that turn up in the national debate.

Debate is our social locomotive—the force that shapes our approach to problems, from Appalachia to Zambia. Public opinion is its byproduct, the fruit of the discourse that begins at the breakfast table, continues at work, in the lunchroom or around the conference table, and is the stuff of which editorial pages and letters to the editor are built, not to mention the pages of the CONGRESSIONAL RECORD.

We live in a dangerous world, where a fresh crisis arrives as regularly as the morning paper. We confront complex issues, and understandably many of us hope for simple answers. So it is not surprising that convenient but false assumptions creep into some people's thinking about public issues.

If the American people are to come to grips with the real problems and the real dangers, roadblocks to clear thinking need to be removed. As Josh Billings has said: "It isn't ignorance that causes so much trouble; it's what people know that isn't so."

Let me discuss with you certain mistaken assumptions about international affairs that crop up repeatedly.

1. One false notion is that communism is a unified force—a really monolithic international movement.

There was a time, in the years following World War II and ending roughly with the death of Stalin in 1953, when communism appeared to be a unified force, centrally directed from the Kremlin. But this view was always exaggerated. Nationalist yearnings were weak but they were not dead. Even before Stalin's death, Tito had introduced the virus of national communism into the movement, and the rumblings in Yugoslavia had their echoes elsewhere, increasingly in Eastern Europe and most vividly, of course, in Red China. It would distort the meaning of words to call Red China a satellite of the Soviet Union today.

What this proves is that ancient traditions and cultures and historic conflicts of interest are deeper than attachment to the religion called Marxism-Leninism.

Today the contest for leadership of world communism is as bitter as only family quarrels can be. But the family, however deeply split, is still a family. Were Peiping's hold on power to be seriously threatened from within or without, Moscow might and probably would come to Peiping's aid. And vice versa—even though that may be difficult to imagine today.

In short, the real world is gray, not black and white. Communism is not a monolithic force: even a junior grade satellite like Cuba does not dance always to the Soviet tune. But neither does the split go so deep that the family could not patch up its quarrels long enough to aid a member whose survival was in jeopardy.

The situation therefore opens up some possibilities, but they must be exploited with care. We cannot expect to inflict a humiliating defeat on a member of the Communist camp without provoking a response by other members. This imposes on the American public a demand for something much subtler and much more difficult to accept than the familiar cry for absolute victory and the unconditional surrender of an enemy. In the atomic era no one can afford a total war, with a total victory for one side and a total defeat for the other. We can push, but we must not push too hard. We must learn to accept the idea of limited conflict with limited objectives, and that means we must learn to accept outcomes that are somewhat ambiguous and that will not satisfy the demands of those who want clear-cut, absolute solutions.

Unfortunately, it is more palatable to say, as General MacArthur did, that in war there is no substitute for victory, than to say gains must be weighed against costs—in lives, in treasure, and in the interruption of forward national programs on other fronts. For to hold the second view means that one must think—and that is always hard.

2. A more and more common fallacy, as a generation comes to maturity that did not experience the thirties and forties first-hand, is that preparedness is the road to war and disarmament is the road to peace.

Once again the so-called peace movement is gaining adherents on many campuses. In addition to writing letters to the editors, you aren't really with it these days unless you have advised the President by carrying a placard up and down in front of the White House.

In one midwestern college, a few students gained brief national attention by staging a 2-day fast for peace. In the same school, another group was formed to eat for escalation. College food being what it is, it is not clear which group made the greater sacrifice.

At one college, I heard about a group of students who were planning a demonstration. A delegation went to see the college president in his office. "Everybody tells us we should conduct a sit-in," they said. "Can you suggest a good issue we could use?"

I wonder sometimes whether the so-called peace movement may not be related to our American tendency to neglect the study of history. I wish every student could be exposed to a thorough study of that fascinating but shameful decade when Hitler was building the German war machine while the democracies were preaching disarmament and neglecting their military preparedness.

Hitler's strength was our weakness, and World War II was not the product of an arms race but of the failure of the West to use its superiority to call a halt before Hitler could do what he said he was going to do.

It is not a pleasant fact to recall but the truth is that the peace movement of the thirties helped to bring on World War II, not to prevent it. And it is a fact that the well-intentioned advocates of immediate withdrawal of our Armed Forces from Vietnam should ponder. As Reinhold Niebuhr has said: "If the democratic nations fail, their failure must be partly attributed to the faulty strategy of idealists who have too many illusions when they face realists who have too little conscience."

The true champions of peace today, as in the thirties, are those who understand that power must be used, with restraint but also with assurance, to keep the peace, or to restore it.

It did not seem possible 15 years ago that it would once again become necessary to expose the fallacies of appeasement. But time passes, and another generation is tempted to hope that perhaps the aggressor's appetite is limited. History suggests that success but whetted Hitler's appetite, and, if possible, Communist ambitions are even more grandiose than Hitler's.

3. Another mistaken idea is that the United Nations is the keystone of American foreign policy.

You have all heard, as I have, that the United Nations is the world's best hope for peace. The truth is that the maintenance of peace depends not on the United Nations but upon the power and will of the free nations to defend the peace.

We want a world that conforms to the Charter of the United Nations, and this is a noble aspiration. But if this world is to be created, we and like-minded peoples will have to do the building. It is not a job we can transfer to the U.N. or otherwise leave to others.

The notion that the United Nations is the keystone of American foreign policy would be closer to the truth if subject and predicate were reversed. The correct statement, indeed, is that the United States itself is the keystone of American foreign policy: our strength, our will, our sense of purpose, the appeal of our conception of peace as a condition in which free and independent peoples may survive and flourish.

The United Nations is not, and was never intended to be, a substitute for our own leaders as makers and movers of American policy. We cannot subcontract away to the U.N. the responsibility for national decision-making.

Today, the crisis of the United Nations is evident. That organization could be one useful avenue of American foreign policy. But this requires that we really understand what the United Nations is—and what it is not—what it can do and what it cannot do.

In the words of W. H. Roberts—distinguished professor of international law and relations at the Catholic University of America: "The United Nations can and will serve a worthwhile purpose only if its limitations are clearly recognized and if its potentialities are not exaggerated."

By misusing the organization, by loading on it a heavier burden of problems than it is able to handle, its ability to act constructively in other situations is impaired. In the name of "building up the United Nations" some of its so-called friends have contributed to the current predicament. And the way to finally destroy the United Nations is to give it assignments that it cannot carry out.

This is not, of course, a popular view in many quarters. To utter it is to expose oneself to the charge of "downgrading" the United Nations.

But the view I am presenting is not a criticism of the United Nations; it is rather a criticism of the approach to the organization taken by so many government officials and pressure groups. If they would approach the United Nations with a more realistic appreciation of its limitations, more modest hopes for its accomplishments, and a mature recognition of the burdens of responsible American leadership, the organization could still be a useful avenue of American foreign policy.

(4) Another frequent error is that "America can do anything" and that American power can always succeed if we will only use it.

The "can do" philosophy grows out of America's successful experience in taming a continent, building a free society, and developing the most productive economy the world has ever seen. But even the United States cannot do everything.

For power is relative. It cannot be measured except in relation to another's power. Strictly speaking, it makes no sense to say, as we often do, that the United States is strong. We should use the comparative—the United States is stronger—or weaker—in this or that respect than some other state.

Power is the ability to produce intended effects. Power is, in other words, the ability to bend others to one's will. Even military force is, in the final analysis, a tool of persuasion. In Korea we sought to persuade the Chinese to accept the unification of Korea on our terms. They were not persuaded. In turn, they sought to persuade us to accept unification on their terms. We were not persuaded. In the final outcome, each side was persuaded to accept roughly the status quo ante because the price of accomplishing unification on its terms proved to be too high.

Thus, power is relative in a second sense: It is not only relative to the power of adversaries but it is relative to the goals sought. The more limited one's objectives the more limited is the power that has to be brought to bear in achieving them. This point has relevance today in Vietnam.

President Johnson has repeatedly made clear that we are determined to preserve the independence of South Vietnam but that we have no designs on North Vietnam. Our goals are limited and, because they are, I believe that we will be able to achieve them with a limited use of American power. But we must make our determination entirely clear to the adversary—and our ability to make him pay a higher price to achieve his goals than he is prepared to pay.

"The difficult we do today, the impossible tomorrow" is a marvelous wartime slogan. But it is not a good premise for the conduct of foreign policy, for it ignores the relativity of power, and that is something responsible statesmen can never afford to ignore.

5. Another misleading view, voiced by some who weary of our involvement in Vietnam, is that neutralism is the way of the problems of southeast Asia.

First, let us understand what we mean by "neutral." Many sins have been committed in that name.

A nation is not neutral by free world standards if it is subservient to Communist aims or a setup for imminent takeover by local Communist stooges. That is the status of the soft neutral which Peiping and Moscow advocate. We see a place in the world, however, for the hard neutral, which recognizes the full dangers of Communist tactics, and which, while telling us it does not intend to be pushed around or become our ally, says the same thing to Peiping and Moscow, and can make it stick.

In short, independence, and the means to maintain independence, are preconditions of hard neutrality—a neutralism that is genuine and not merely a cloak for a Communist takeover.

President Johnson has stated our objective in Vietnam in these words: "An independent South Vietnam securely guaranteed and able to shape its own relationships to all others—free from outside interference, tied to no alliance—a military base for no other country."

The problem is precisely how to achieve and assure such independence for the nations of southeast Asia.

Some people may be honestly confused about this issue. I fear, however, that some of the advocates of neutralism are being disingenuous, that in fact they believe we should now cut and run from Vietnam, that Red China is foreordained by history to dominate Asia. One could at least deal with someone who frankly took this position. It is more difficult to deal with persons who persistently confuse their hopes with reality.

6. Another familiar illusion, often harbored by people of good will, is that negotiation around a conference table is an alternative to the risks and burdens of the cold war.

Like many fallacies, this one is comforting, for it suggests that the risks and burdens are unnecessary; convenient, for it seems to offer a plausible alternative; and false, for it rests on a mistaken notion of the nature of negotiation.

When American and South Korean Forces threw back the third Chinese Communist offensive in the spring of 1951, with staggering Chinese losses, the Communists indicated their willingness to negotiate. At that moment, instead of keeping up the military pressure, our forces were ordered to halt their drive and we agreed to sit down with the Communists at the conference table. Officials thought that the war phase had ended and that the negotiating phase had begun. Optimists thought it might take 3 weeks to work out the details of an armistice; pessimists though it might take 6 weeks. No one imagined that it would take more than 100 weeks.

But once this country let up our military pressure, the Communists took advantage of the lull in the fighting to build a strong defensive line, 14 miles deep, and, once they had it built, they knew we could renew hostilities only at the cost of heavy casualties. With their defenses secure, they proceeded to drag out the negotiations, trying to win at the negotiating table far more than they had been able to win on the field of battle.

Negotiation is not a substitute for pressure. Pressure is a part of the negotiating process. It is an old rule that a diplomat cannot be expected to win more at the bargaining table than his comrade-in-arms has won—or is clearly in a position to win—on the field of battle. I see no reason to doubt the relevance of this principle to Vietnam.

A good many Americans still have to learn the lesson. Negotiation is not talk apart from action—negotiation is talk and action. Indeed, the outcome of discussions inside the conference room is likely to be decided by the whole series of pressures outside the conference room. All these pressures, including military moves, determine whether an international discussion can be brought to a satisfactory end.

To sum up the matter: Whether Americans understand it or not, the Communists know that the war in Vietnam is part of a negotiation that has been going on for 20 years and will continue as far ahead as anyone can see.

Finally, let me say this:

History does not award its prizes in terms of the merits of one's cause—but in terms of the efficacy of one's efforts on behalf of his cause.

Winston Churchill once said he had only one question about the future: Are the American people ready to stay the course?

Communism thrives on crises and strives to produce them. One of their goals is to break our will. They believe, as Hitler did before them, that we do not have the staying power, and that, out of sheer frustration, we may make the fatal errors that will fulfill their prophecy of a funeral for the West.

But they have forgotten something. As someone put it, "The first essential of a quiet funeral is a willing corpse," and we and our allies are certainly not that.

Maybe Moscow and Peiping do not realize this, but, putting this challenge to us as they are, they give us the historic chance to prove the determination, strength, and good sense of freedom.

SENATE

THURSDAY, MAY 13, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Most merciful God, fountain of all wisdom and goodness, the strength of our weakness, the refuge of our weariness, the Good Shepherd of our waywardness, we thank Thee for the gift of sleep, when the tangled web of confused striving and thinking emerges clarified and straightened by the touch of a new day.

Prepare us, we beseech Thee, for the role committed to our fallible hands in these appalling times, with their vast issues that concern not only our own dear land, but all the continents and the islands of the sea.

May those in this forum of freedom face the claimant duties which clamor for their attention with a realization of untapped power available to servants of Thy will, if, with no panic of spirit, they go quietly and confidently about their appointed tasks.

As here there are heard resounding through legislative halls the crying needs of stricken humanity, may the thoughts of our minds, the sympathies of our hearts, the words of our lips, and the decisions of our deliberations be acceptable in Thy sight, O Lord, our strength and our Redeemer. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, May 12, 1965, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 701) to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 6755) authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 6755) authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes, was read twice by its title and referred to the Committee on Public Works.

LIMITATIONS ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Commerce and the Subcommittee on Permanent Investigations of the Committee on Government Operations were authorized to meet during the session of the Senate today.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. AIKEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REORGANIZATION PLAN NO. 2 OF 1965—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 172)

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States on Reorganization Plan No. 2. Without objection, the message will be printed without being read and referred to the Committee on Government Operations.

The President's message was referred to the Committee on Government Operations, as follows:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 2 of 1965, prepared in accordance with the provisions of the Reorganization Act of 1949, as amended, and providing for the reorganization of two major agencies of the Department of Commerce: the Weather Bureau and the Coast and Geodetic Survey.

The reorganization plan consolidates the Coast and Geodetic Survey and the Weather Bureau to form a new agency in the Department of Commerce to be known as the Environmental Science Services Administration. It is the intention of the Secretary of Commerce to transfer the Central Radio Propagation Laboratory of the National Bureau of Standards to the Administration when the reorganization plan takes effect. The new Administration will then provide a single national focus for our efforts to describe, understand, and predict the state of the oceans, the state of the lower and upper atmosphere, and the size and shape of the earth.

Establishment of the Administration will mark a significant step forward in the continual search by the Federal Government for better ways to meet the needs of the Nation for environmental science services. The organizational improvements made possible by the reorganization plan will enhance our ability to develop an adequate warning system for the severe hazards of nature—for hurricanes, tornadoes, floods, earthquakes, and seismic sea waves, which have proved so disastrous to the Nation in recent years. These improvements will permit us to provide better environmental information to vital segments of the Nation's economy—to agriculture, transportation, communications, and industry, which continually require information about the physical environment. They will mean better services to other Federal departments and agencies—to those that are concerned with the national defense, the exploration of outer space, the management of our mineral and water resources, the protection of the public health against environmental pollution, and the preservation of our wilderness and recreation areas.

The new Administration will bring together a number of allied scientific disciplines that are concerned with the physical environment. This integration will better enable us to look at man's physical environment as a scientific whole and to seek to understand the interactions among air, sea, and earth and between the upper and lower atmosphere. It will facilitate the development of programs dealing with the physical environment and will permit better management of these programs. It will enhance our capability to identify and solve important long-range scientific and technological problems associated with the physical environment. The new Administration will, in consequence, promote a fresh sense of scientific dedication, discovery, and challenge, which are essential if we are to attract scientists and engineers of creativity and talent to Federal employment in this field.

The reorganization plan provides for an Administrator at the head of the Administration, and for a Deputy Administrator, each of whom will be appointed by the President by and with the advice and consent of the Senate. As authorized by the civil service and other laws and regulations, subordinate officers of the Administration will be appointed by the Secretary of Commerce or be assigned by him from among a corps of commissioned officers. The Administration will perform such functions as the Secretary of Commerce may delegate or otherwise assign to it and will be under his direction and control.

Commissioned officers of the Coast and Geodetic Survey will become commissioned officers of the Administration and may serve at the discretion of the Secretary of Commerce throughout the Administration. The reorganization plan authorizes the President at his discretion to fill the office of Deputy Administrator by appointment, by and with the advice and consent of the Senate, from the active list of commissioned officers of the Administration.

The reorganization plan transmitted herewith abolishes—and thus excludes from the consolidation mentioned above—the offices of, first, Chief of the Weather Bureau, provided for in the act of October 1, 1890, 15 U.S.C. 312; second, Director of the Coast and Geodetic Survey, provided for in the acts of June 4, 1920, and February 16, 1929, as amended, 33 U.S.C. 852; 852a; and third, Deputy Director of the Coast and Geodetic Survey, provided for in the act of January 19, 1942, as amended, 33 U.S.C. 852b.

After investigation, I have found and hereby declare that each reorganization included in Reorganization Plan No. 2 of 1965 is necessary to accomplish one or more of the purposes set forth in section 2(a) of the Reorganization Act of 1949, as amended. I have also found and hereby declare that by reason of the reorganizations made by the reorganization plan, it is necessary to include in the plan provisions for the appointment and compensation of the officers of the Administration set forth in section 4 of the reorganization plan. The rate of compensation fixed for each of these officers is that which I have found to prevail in respect of comparable officers in the executive branch of the Government.

In addition to permitting more effective management within the Department of Commerce, the new organization will ultimately produce economies. These economies will be of two types. The first, and probably the most significant, is the savings and avoidance of costs which will result from the sharing of complex and expensive facilities such as satellites, computers, communication systems, aircraft, and ships. These economies will increase in significance as developments in science and technology bring into being still more advanced equipment. Second, integration of the existing headquarters and field organizations will permit more efficient utilization of existing administrative staffs and thereby produce future economies. It is, however, impracticable to specify or itemize at this time the reductions of expenditures which it is probable will be brought about by the taking effect of the reorganizations included in the reorganization plan.

I recommend that the Congress allow the accompanying reorganization plan to become effective.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 13, 1965.*

REORGANIZATION PLAN NO. 2 OF 1965

(Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 13, 1965, pursuant to the provisions of the Reorganization Act of 1949, 63 Stat. 203, as amended)

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION, DEPARTMENT OF COMMERCE

Section 1, transfer of functions: All functions vested by law in the Weather Bureau, the Chief of the Weather Bureau, the Coast and Geodetic Survey, the Director of the Coast and Geodetic Survey, and any officer, employee, or organizational entity of that Bureau or Survey, and not heretofore transferred to the Secretary of Commerce, hereinafter referred to as the Secretary, are hereby transferred to the Secretary.

Section 2, abolitions: (a) The offices of Director of the Coast and Geodetic Survey, Deputy Director of the Coast and Geodetic Survey, and Chief of the Weather Bureau are hereby abolished. The Secretary shall make such provisions as he shall deem to be necessary respecting the winding up of any outstanding affairs of the officers whose offices are abolished by the provisions of this section.

(b) The abolitions effected by the provision of subsection (a) of this section shall exclude the abolition of rights to which the present incumbents of the abolished offices would be entitled under law upon the termination of their appointments.

Section 3, Environmental Science Services Administration: (a) The Coast and Geodetic Survey and the Weather Bureau are hereby consolidated to form a new agency in the Department of Commerce which shall be known as the Environmental Science Services Administration, hereinafter referred to as the Administration.

(b) The Secretary shall from time to time establish such constituent organizational entities of the Administration, with such names, as he shall determine.

Section 4, officers of the Administration: (a) There shall be at the head of the Administration the Administrator of the Environmental Science Services Administration, hereinafter referred to as the Administrator. The Administrator shall be appointed by the President by and with the advice and consent of the Senate and shall receive compensation at the rate now or hereafter prescribed by law for offices and positions of level V of the Federal Executive Salary Schedule (78 Stat. 419). He shall perform such functions as the Secretary may from time to time direct.

(b) (1) There shall be in the Administration a Deputy Administrator of the Environmental Science Services Administration, hereinafter referred to as the Deputy Administrator, who shall be appointed by the President by and with the advice and consent of the Senate, shall perform such functions as the Secretary may from time to time direct, and, unless he is compensated in pursuance of the provisions of paragraph (2), below, shall receive compensation in accordance with the Classification Act of 1949, as amended.

(2) The office of Deputy Administrator may be filled at the discretion of the President by appointment (by and with the advice and consent of the Senate) from the active list of commissioned officers of the Administration in which case the appointment shall create a vacancy on the active list and while holding the office of Deputy Administrator the officer shall have rank, pay, and allowances not exceeding those of the vice admiral.

(c) The Deputy Administrator or such other official of the Department of Commerce as the Secretary shall from time to time designate shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the office of Administrator.

(d) At any one time, one principal constituent organizational entity of the Administration may, if the Secretary so elects, be headed by a commissioned officer of the Administration, who shall be designated by the Secretary. Such designation of an officer shall create a vacancy on the active list and while serving under this paragraph the officer shall have rank, pay, and allowances not exceeding those of a rear admiral (upper half).

(e) Any commissioned officer of the Administration who has served as Deputy Administrator or has served in a rank above that of captain as the head of a principal constituent organizational entity of the Administration, and is retired while so serving or is retired after the completion of such service while serving in a lower rank or grade, shall be retired with the rank, pay, and allowances authorized by law for the highest grade and rank held by him; but any such officer, upon termination of his appointment in a rank above that of captain, shall, unless appointed or assigned to some other position for which a higher rank or grade is provided, revert to the grade and number he would have occupied had he not served in a rank above that of captain and such officer shall be an extra number in that grade.

Section 5, authority of the Secretary: Nothing in this reorganization plan shall divest the Secretary of any function vested in him by law or by Reorganization Plan No. 5 of 1950 (64 Stat. 1263) or in any manner derogate from any authority of the Secretary thereunder.

Section 6, personnel, property, records, and funds: (a) The personnel (including commissioned officers) employed in the Coast and Geodetic Survey, the personnel employed in the Weather Bureau, and the property and records held or used by the Weather Bureau or the Coast and Geodetic Survey shall be deemed to be transferred to the Administration.

(b) Unexpended balances of appropriations, allocations, and other funds available or to be made available in connection with functions now administered by the Weather Bureau or by the Coast and Geodetic Survey shall be available to the Administration hereunder in connection with those functions.

(c) Such further measures and dispositions as the Director of the Bureau of the Budget shall deem to be necessary in order to effectuate the foregoing provisions of this section shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

Section 7, interim officers: (a) The President may authorize any person who immediately prior to the effective date of this reorganization plan held a position in the executive branch of the Government to act as Administrator until the office of Administrator is for the first time filled pursuant to the provisions of this reorganization plan or by recess appointment, as the case may be.

(b) The President may similarly authorize any such person to act as Deputy Administrator.

(c) The President may authorize any person who serves in an acting capacity under the foregoing provisions of this section to receive the compensation attached to the office in respect to which he so serves. Such compensation, if authorized, shall be in lieu of, but not in addition to, other compensation from the United States to which such person may be entitled.

APPOINTMENT BY THE VICE PRESIDENT

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the Vice President, pursuant to the provisions of Public Law 86–42, announces the appointment of the Senator from Michigan [Mr. McNAMARA] to the Eighth Canada-United States Interparliamentary Group, to attend the meeting to be held at Ottawa, Montreal, on May 20–24, 1965, vice the Senator from Ohio [Mr. YOUNG] resigned.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

LOANS FOR FINANCING AND REFINANCING OF NEW AND USED FISHING VESSELS

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to amend section 4 of the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans for the financing and refinancing of new and used fishing vessels (with an accompanying paper); to the Committee on Commerce.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States transmitting, pursuant to law, a report on Federal loan assistance for plant acquisition and improvement resulted in no new employment opportunities within redevelopment area in which the plant was located, Area Redevelopment Administration, Department of Commerce, dated May 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on audit of the Virgin Islands Corporation, fiscal year 1964, dated May 1965 (with an accompanying report); to the Committee on Government Operations.

REPORT ON RECEIPT OF LOAN APPLICATION UNDER SMALL RECLAMATION PROJECTS ACT

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on the receipt of a loan application under the Small Reclamation Projects Act, from the Brown Canal Co. of Graham County, Ariz. (with accompanying papers); to the Committee on Interior and Insular Affairs.

COST ASCERTAINMENT REPORT, POST OFFICE DEPARTMENT

A letter from the Postmaster General, transmitting, pursuant to law, a cost ascertainment report, for the fiscal year 1964 (with an accompanying report); to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ANDERSON, from the Committee on Aeronautical and Space Sciences, with amendments:

H.R. 7717. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes (Rept. No. 188).

APPORTIONMENT OF SUM AUTHORIZED FOR THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS, FISCAL YEAR ENDING JUNE 30, 1967—REPORT OF A COMMITTEE

Mr. RANDOLPH, from the Committee on Public Works, reported an original joint resolution (S.J. Res. 81) to authorize the Secretary of Commerce to apportion the sum authorized for the fiscal year ending June 30, 1967, for the National System of Interstate and Defense Highways, and submitted a report (No. 187) thereon; which report was ordered to be printed and the joint resolution was placed on the calendar.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MOSS:

S. 1959. A bill for the relief of Jean Booy Ching; and

S. 1960. A bill for the relief of Capt. Rey D. Baldwin; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 1961. A bill for the relief of Sadat S. Zulfkar, Said H. Sharawi, Khadiga E. Arsalan, Hassan S. Sharawi, and Sherif S. Sharawi; to the Committee on the Judiciary.

By Mr. HICKENLOOPER:

S. 1962. A bill to amend the tariff schedules of the United States to provide for the free importation of certain full-vulcanized camelback; to the Committee on Finance.

By Mr. TOWER:

S. 1963. A bill for the relief of the Students' Association of the University of Texas; to the Committee on the Judiciary.

(See the remarks of Mr. Tower when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 1964. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for certain expenses of higher education; to the Committee on Finance.

(See the remarks of Mr. Dodd when he introduced the above bill, which appear under a separate heading.)

By Mr. HICKENLOOPER:

S. 1965. A bill to amend the Federal Firearms Act; to the Committee on Commerce.

(See the remarks of Mr. Hickenlooper when he introduced the above bill, which appear under a separate heading.)

By Mr. McNAMARA (for himself and Mr. Hart):

S. 1966. A bill to amend the Internal Revenue Code of 1954 for the purpose of repealing the manufacturers excise tax on automobile trailers; to the Committee on Finance.

(See the remarks of Mr. McNamara when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND:

S. 1967. A bill to provide penalties for certain offenses committed in connection with highway construction; to the Committee on the Judiciary.

By Mr. EASTLAND (for himself, Mr. McClellan, Mr. Ervin, Mr. Dodd, Mr. Hart, Mr. Long of Missouri, Mr. Bayh, Mr. Burdick, Mr. Tydings, Mr. Smathers, Mr. Dirksen, Mr. Hruska, Mr. Fong, Mr. Scott, and Mr. Javits):

S. 1968. A bill to amend title 18, United States Code, to provide penalties for the assassination of the President or the Vice President, and for other purposes; to the Committee on the Judiciary.

By Mr. HARRIS (for himself and Mr. Monroney):

S. 1969. A bill to amend the Land and Water Conservation Fund Act of 1965 with respect to entrance, admission, and other recreation user fees and charges authorized thereunder; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Harris when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 1970. A bill to provide for the administration and care and maintenance of the national cemetery system, and for other purposes; to the Committe on Interior and Insular Affairs.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a seperate heading.)

By Mr. WILLIAMS of New Jersey (by request):

S. 1971. A bill to make the question of obviousness of an invention under section 103 of title 35, United States Code, a matter solely for judicial determination after the grant of a patent, and not a matter for determination by the Commissioner of Patents before the grant of a patent, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH:

S.J. Res. 81. Joint resolution to authorize the Secretary of Commerce to apportion the sum authorized for the fiscal year ending June 30, 1967, for the National System of Interstate and Defense Highways; placed on the calendar.

(See reference to the above joint resolution when reported by Mr. Randolph, which appears under the heading "Reports of Committees.")

RELIEF OF STUDENTS' ASSOCIATION OF UNIVERSITY OF TEXAS

Mr. TOWER. Mr. President, I introduce, for appropriate reference, a bill which would give the Students' Association of the University of Texas exclusive right in interstate commerce to use, copy, and sell the song entitled "The Eyes of Texas."

The words of the song were written by John Lang Sinclair and the melody arranged by Virginia Ruth Donoho. It was registered for copyright January 30, 1936, but the copyright registration has expired due to the legal 28-year limit.

This bill is a companion measure to H.R. 4332 introduced in the other body by the Honorable J. J. Pickle of the 10th Texas District. I introduce the bill in the Senate in order to indicate my support for the legislation and in order to speed its congressional consideration.

Since "The Eyes of Texas" is a song of special significance to the University of Texas and, indeed, to all Texans, and because the university previously held the copyright, I believe it is both right and fair that, upon expiration of the copyright time limit, Congress reserve to the university's students exclusive interstate rights to the song.

Mr. President, I ask that the bill text be printed at this point in the Record.

The PRESIDING OFFICER (Mr. Mondale in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1963) for the relief of the Students' Association of the University of Texas, introduced by Mr. Tower, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Students' Association of the University of Texas shall have the exclusive right in interstate commerce to use, copy, and sell and to control the use, copying, and sale of the song entitled "The Eyes of Texas"; words by John Lang Sinclair and melody arranged by Virginia Ruth Donoho, as registered in the Copyright Office under copyright registration number E unpublished 119801, January 30, 1936, which registration has since expired.

Sec. 2. Nothing in this Act shall be construed to confer any right to recover damages for violation of this exclusive right by any act performed before the enactment hereof.

TAX DEDUCTION OF EDUCATIONAL EXPENSES

Mr. DODD. Mr. President, the rapidly spiraling cost of obtaining a college education is imposing an extraordinary burden on American families.

Between 1952 and 1964, the average cost of room, board, and tuition at private colleges increased by 86 percent, to $2,049 a year.

The cost of attending State colleges had risen by 50 percent, to $1,044 a year, during the same period. And comparable increases are projected for the next decade.

For over 10 years, as a Member of the House and of the Senate, I have tried to focus attention on the need for fairer tax treatment of those who are paying these high costs of education.

And during each Congress in which I have served, I have introduced legislation of my own to extend tax relief to parents and to students who are putting themselves through school.

This year I have joined with my distinguished colleague from Connecticut [Mr. Ribicoff] and other Senators in introducing S. 12, a bill to provide a tax credit for the costs of higher education. This bill is similar to the one we worked out under Senator Ribicoff's leadership, which we almost succeeded in having adopted as part of the tax reduction bill in 1964.

The Ribicoff bill has been carefully drafted to provide the broadest possible relief and to bring together behind one bill those of us who have advocated over the years different approaches to this problem. And I am hopeful we can pass legislation along these lines this Congress.

Congress has long recognized that the expenses of doing business, the expenses of producing income, and certain expenses necessarily connected with employment should be deductible from one's gross income. Recently we extended such tax relief to the expenses of moving to a new locality for employment. But we have yet to give fair treatment to the expenses required to prepare a person through a higher education to earn an income.

I now introduce, for appropriate reference, a new bill as a possible alternative should the tax credit proposal not find favor with a majority of Congress. This new bill provides a deduction from gross income for a taxpayer for the expenses of higher education for himself or for his dependents. The maximum amount deductible would be $1,200 per student per year.

My bill also contains a unique feature, one which I believe should be incorporated in any bill enacted granting tax relief for education expenses. And this is the principal reason for introducing my own legislation in addition to cosponsoring S. 12. To a taxpayer who must borrow funds to pay higher education expenses, my bill offers the option of deducting higher educational expenses thus funded either in the year the expenses are paid or in the year the loan is repaid. Thus a parent or student who has little taxable income during college years can have the benefit of the deduction in the years during which the loan must be repaid.

The need for higher education tax relief containing such a provision is urgent. More and more families are being forced to invade their life savings and even to mortgage their future by borrowing more than $200 million from Federal, State, and commercial institutions this year alone.

Tax relief for higher education which does not deal with the borrowed debt aspect of education costs will fall short of helping many who need help most.

It is little or no help to a student who pays his own way but has little taxable income that his tuition is tax deductible. But he will need tax relief when he graduates with a burden of debt on his shoulders which he must pay back during his first and perhaps lowest earning years.

Likewise, parents who sacrifice throughout the youth of their children to finance their higher education should not have to face both the loss of income tax exemptions and the unrelieved repayment of educational loans when those children finally graduate.

I urge my colleagues in both the House and the Senate to study the loan repayment options of this bill. Similar effective provisions should be included in any legislation to give tax relief or loan guarantees for higher education expenses.

The 88th Congress distinguished itself by passing a major program for Federal assistance in the construction of higher education classroom facilities.

I hope this, the 89th Congress, will pass complementary legislation to provide Federal assistance to lighten the burden on students and parents of paying for a higher education.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1964) to amend the Internal Revenue Code of 1954 to allow a deduction for certain expenses of higher education, introduced by Mr. Dodd, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF FEDERAL FIREARMS ACT

Mr. HICKENLOOPER. Mr. President, there has been much talk in our news media in the last several months about the necessity for greater Federal controls of the firearms traffic. The label most given to this kind of traffic is "mail-order firearm," and this label has virtually become a household word with rather sinister connotations.

Both real and fancied problems have spurred a number of my colleagues in the House and Senate to propose measures in the last Congress and in the present body to regulate the movement of firearms in commerce with varying degrees of restriction. Some of these bills indicate an awareness of the legitimate interests of the public on the one hand, and of the law-abiding private citizen, on the other. Unfortunately, Mr. President, other proposals do not display this sense of perception and balance. By emphasizing one aspect of the problem, that of public safety and security, they relegate to a subsidiary position the right of the reputable citizen to own and use firearms within a reasonable regulatory context for the lawful purposes of defense, marksmanship training, and sport.

Since August 1963, nearly 40 firearms bills have been introduced in the Congress to amend the Federal Firearms Act to control the movement of firearms in commerce. At present, there are 15 bills which seek to accomplish this purpose. Among these proposals, the focus of attention is on the bills introduced by Senator Thomas J. Dodd, of Connecticut, S. 14, in January, and S. 1592, introduced in March. Identical measures were introduced in the House.

After viewing all factors in the problem to be solved and the history and content of the various bills proposed in the Congress, I have come to the conclusion that a somewhat modified approach is demanded rather than those suggested heretofore. Accordingly, I am introducing for the consideration of my colleagues a bill which would, in my judgment, meet the requirements of both the public and of the law-abiding private individual. This bill seeks the same objective and incorporates many of the features of the proposals already before the Congress. Its central control provisions are so designed and formulated that reasonable and effective regulation can be achieved without unduly infringing upon the legitimate areas of interest and action of the private citizen.

Briefly, the bill would provide as follows:

First. No carrier in interstate or foreign commerce may deliver any handgun to any person under 18 years of age.

Second. No manufacturer or dealer may ship any handgun in interstate or foreign commerce to any person, except a licensed manufacturer or dealer, unless that person submits to the shipper a sworn statement that the prospective recipient (a) is at least 18 years of age; (b) is not a person prohibited by Federal, State, or local law from receiving or possessing the firearm.

In addition, the statement must contain the true name and address of the principal law-enforcement officer of the locality to which the handgun will be shipped.

Third. Prior to shipment, the manufacturer or dealer must forward the sworn statement by registered mail—return receipt requested—to the local law-enforcement officer named in the statement containing a full description—excluding serial number—of the firearm to be shipped, and must receive a return receipt evidencing delivery of the registered letter, or evidence that such registered letter has been returned to the shipper because of the refusal of the local law-enforcement officer to accept such letter in accordance with Post Office Department regulations.

Fourth. No manufacturer or dealer may deliver any package containing a firearm to any carrier for transportation or shipment in commerce without prior written notice to the carrier.

Fifth. A person must be at least 21 years of age to obtain a Federal firearms license.

Sixth. The fee for a manufacturer's or pawnbroker's license shall be $50 a year; for a dealer's license, $10 a year.

This bill, in my opinion, is posited on a firm, reasonable, and effective basis; and I commend it to my colleagues and to the American people for serious consideration and approval.

I am aware, also, of the apparent need to curb traffic in items of explosive ordnance defined as "destructive devices." Such items as grenades, mines, bazooka shells, and the like, fit in this category. I feel that since the gangster era of the 1930's, we have very successfully curbed the traffic in machineguns through the provisions of the National Firearms Act. Accordingly I am introducing to my colleagues an amendment to that act so that these "destructive devices" may also be properly and effectively controlled.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1965) to amend the Federal Firearms Act, introduced by Mr. Hickenlooper, was received, read twice by its title, and referred to the Committee on Commerce.

REPEAL OF MANUFACTURERS EXCISE TAX ON AUTOMOBILE TRAILERS

Mr. McNAMARA. Mr. President, on behalf of my colleague, the junior Senator from Michigan [Mr. Hart] and myself, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 for the purpose of repealing the manufacturers excise tax on automobile trailers. I ask unanimous consent that the bill, together with an explanation, be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and explanation will be printed in the Record.

The bill (S. 1966) to amend the Internal Revenue Code of 1954 for the purpose of repealing the manufacturers excise tax on automobile trailers, introduced by Mr. McNamara (for himself and

Mr. HART), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 4061(a)(2) of the Internal Revenue Code of 1954 (relating to the imposition of tax on motor vehicles) is amended by deleting the sentence "Chassis and bodies for trailers and semitrailers (other than house trailers) suitable for use in connection with passenger automobiles." and the words ", trailer, or semitrailer" in the last sentence of such section.

(b) EFFECTIVE DATE.—The amendment made by this bill shall apply with respect to articles sold on or after July 1, 1965.

The explanation presented by Mr. MCNAMARA is as follows:

EXPLANATION OF S. 1966

The amendment offered provides for repeal of the present 10-percent Federal manufacturers excise tax now imposed upon the sale of trailers which are considered suitable for use in connection with passenger automobiles, principally small, light, inexpensive so-called utility trailers. The amendment would not affect the present tax on trailers suitable for use in connection with trucks, so that it has no effect on the collection of taxes earmarked for highway construction.

In general, two types of trailers are generally considered to be suitable for use in connection with passenger automobiles: house trailers and utility trailers. In the case of house trailers, Congress has already provided that they are exempt from tax. In addition, the Treasury Department has very wisely ruled that any type of utility trailer is exempt from tax if it is primarily designed for use on a farm.

The distinctions that must be made under present law between tax-exempt house trailers and farm trailers on the one hand, and taxable trailers on the other, has given rise to many difficult problems for both taxpayers and the Government. For example: How do you distinguish between a house trailer and a camp trailer, and why shouldn't a camp trailer used for short periods as a home also be exempt from tax? How do you determine when a trailer used on the farm suddenly becomes taxable because of its incidental use on a highway? The point is, in many cases these subtle distinctions cannot be made and innocent taxpayers are suddenly faced with substantial tax deficiency assessments many years after the sale has occurred.

Since this amendment primarily deals with small utility-type trailers, it is quite possible that no tax is ever collected, as a practical matter, on the large number of trailers manufactured by individuals and small concerns out of used parts. However, to the extent this occurs, the present tax law discriminates against responsible manufacturers and encourages the manufacture of inferior homemade trailers which add to the hazards of highway travel.

This amendment, at a nominal tax cost, would remove the inequities and administrative difficulties encountered under present law. While a revenue estimate on this bill is not available, it most likely would result in a revenue loss of substantially less than $1 million a year.

Under the amendment, repeal of the present tax would be effective with respect to sales made by manufacturers on and after July 1, 1965, and a floor stock refund procedure already in the law would allow a refund of tax to wholesalers and dealers with respect to unsold trailers they have in inventory on July 1.

CONSOLIDATION OF ADMINISTRATION OF NATIONAL CEMETERIES

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to consolidate the administration of the national cemeteries within the 50 States now operated by the Department of the Army and the cemeteries now operated by the Veterans' Administration. This bill would place control of the consolidated system in the Administrator of Veterans' Affairs and would transfer all functions, personnel, property, records, unexpended balances of appropriations, allocations, and other funds—available now or in the future—related to the operation of such cemeteries, to the Veterans' Administration.

Mr. President, this bill is directed to a situation which, in the interests of responsive government and operating efficiency, has long needed corrective action.

At this time, there exists not one, but five different cemeterial systems. There are 85 national cemeteries administered by the Department of the Army. The Department of the Navy maintains 12 cemeterial plots. In the Department of the Interior, the National Park Service operates and maintains 13 national cemeteries. In addition to World War I monuments, the American Battlefield Monuments Commission, an independent governmental agency, administers and maintains 14 World War II national cemeteries located outside the United States, its territories, and possessions. Finally, the Veterans' Administration has 15 active cemeteries located in 15 States.

Each of these systems results from different authority and from different historical backgrounds. There is, however, a functional relationship among these systems, which is bound to produce administrative duplications and economic inefficiency.

In contemplating the consolidation of national cemeteries, three of the five cemeterial systems I have mentioned may be eliminated from all practical consideration. For the present, at least, I believe it advisable to maintain as a separate system overseas cemeteries administered by the American Battlefield Monuments Commission and similar cemeteries under the jurisdiction of the Army. All of the cemeteries under the jurisdiction of the National Park Service are maintained as historical sites and may properly continue under the same operation. The naval cemeteries contain less than 1,000 grave sites and most of these are actually naval plots in private cemeteries. These cemeteries, of course, are virtually inactive.

The majority of national cemeteries, however, come within the purview of the Army or the Veterans' Administration. The justifications for consolidating these two systems are, I believe, sound. A program of consolidation, as provided by this legislation, would eliminate much of the confusion surrounding eligibility. Under the existing system, a veteran may be ineligible for burial in a Veterans' Administration cemetery near his home, but eligible for burial in a national cemetery far distant from his home. The converse, of course, is also true. Implementation of a consolidated system should also reduce expenditures and achieve real economy, not only in administrative and overhead cost but also in a better utilization of existing cemetery services through economizing the need for additional space at existing cemeteries. Moreover, I believe that the responsibility for such a consolidated system would be properly placed in the Veterans' Administration.

The Army's present cemeterial responsibility stems from the post-Civil War period when the Department was given the responsibility of caring for, and memorializing the Civil War dead. At that time it was the only appropriate agency available for the task. With the establishment of the Veterans' Administration in 1930, there came into being an agency responsible for the administration of veterans benefits and the desirability of centralizing veterans affairs in one place was recognized. Transfer of functions and services were effected, and today practically all activities relating to veterans rights and benefits are the responsibility of this Administration. The administration of a national cemetery system for veterans would seem to be a logical extension of the Veterans' Administration's functions. The burial of former servicemen is more closely related to veterans benefit programs than it is to military functions of the Department of the Army. Moreover, a serious question arises, it seems to me, as to whether the administration of national cemeteries by the Army is compatible with its general purpose. I do not believe this essentially civil function is sufficiently related to the Army's primary mission to justify its continued performance by that Department. Moreover, it appears to be unrelated to the Army's other civil functions. From an effective administrative standpoint, I favor freeing the Army of responsibilities unrelated to, and intruding upon, its central military mission.

The legislation I am introducing today will serve at this time to bring this entire question before the appropriate Senate committee, and I am hopeful that public hearings can be commenced at an early date.

Mr. President, I firmly believe the proposal set forth in this legislation is in accord with this administration's goal of sound and economically efficient government, and I, therefore, urge its early consideration. I ask unanimous consent that the text of the bill be printed in the RECORD following my statement.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1970) to provide for the administration and care and maintenance of the national cemetery system, and for other purposes, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That this Act may be cited as the National Cemeteries Act of 1965.

SEC. 2. (a) Part II of title 38, United States Code, is amended by adding at the end thereof a new chapter 24 to read as follows:

"CHAPTER 24—NATIONAL CEMETERIES

"Subchapter I—Establishment and eligibility

"Sec.
"950. National cemetery system
"951. Persons eligible for burial in national cemeteries; removal of remains
"952. Markers to honor memory of certain Armed Forces personnel

"Subchapter II.—Administration

"Sec.
"960. Manner of acquisition of lands
"961. Appraisement of real estate
"962. Payment of appraised value
"963. State donations of land
"964. Conveyance to State or municipality of approach road to national cemetery
"965. Encroachment by railroad on rights-of-way
"966. Superintendents of cemeteries
"967. Enclosure, headstones, and registers
"968. Penalty for defacing cemeteries
"969. Arlington Memorial Amphitheater—Recommendations for memorials and entombments

"Subchapter III.—Headstones and markers

"985. Headstones for unmarked graves; eligibility thereto

"Subchapter I.—Establishment and eligibility

"§ 950. National cemetery system

"There shall be in the Veterans' Administration a national cemetery system. The responsibility for the administration and the care and maintenance of such system shall be in the Administrator of Veterans' Affairs. Such system shall consist of the cemeteries transferred to the Veterans' Administration by section 3 of the National Cemeteries Act of 1964, veterans' cemeteries under the jurisdiction of the Veterans' Administration on the date of the enactment of such Act, and such other cemeteries which may be established or otherwise acquired pursuant to the provisions of this chapter.

"§ 951. Persons eligible for burial in national cemeteries; removal of remains

"(a) Under such regulations as the Administrator may prescribe, the remains of the following persons may be buried in national cemeteries:

"(1) Any person who served in the Armed Forces—

"(A) on active duty and whose last such service terminated honorably; or

"(B) who died while he was on active duty for training or inactive duty training, or while hospitalized or undergoing treatment, at Government expense, for injury or disease contracted or incurred under honorable conditions while on such duty, or while undergoing such hospitalization or treatment.

"(2) Any member of the Reserve Officers' Training Corps of the Army, Navy, or Air Force whose death occurs under honorable conditions while he is—

"(A) attending, or performing authorized travel to or from, an authorized training camp or practice cruise; or

"(B) hospitalized or undergoing treatment, at Government expense, for injury or disease contracted or incurred under honorable conditions while engaged in the activities listed in subparagraph (A) above, or while undergoing the aforementioned hospitalization or treatment.

"(3) Any citizen of the United States who, during any war in which the United States is or has been engaged, served in the armed forces of any government allied with the United States during that war, and whose last such service terminated honorably.

"(4) The wife, husband, surviving spouse, minor child, and, in the discretion of the Administrator, unmarried adult child of any of the persons listed in paragraphs (1)-(3) above, except that the remains of any person listed herein may, in the discretion of the Administrator, be removed from a national cemetery proper and interred in a special section of a national cemetery or, with the approval of the Secretary of the Army, in a post cemetery if, upon death, the related person named in paragraphs (1)-(3) of this section is not buried in the same or an adjoining gravesite. However, such remains may not be so removed if the related person is—

"(A) lost or buried at sea;

"(B) officially determined to be permanently absent in a status of missing or missing in action;

"(C) officially determined to be dead for the purpose of terminating his status of missing or missing in action; or

"(D) one whose remains have not been recovered.

"(5) Any person eligible for interment in a Veterans' Administration cemetery, under regulations of the Administrator, on the date of enactment of the National Cemeteries Act of 1964.

"§ 952. Markers to honor memory of certain Armed Forces personnel

"The Administrator shall set aside, when available, suitable plots in the national cemeteries to honor the memory of members of the Armed Forces missing in action, or who died while serving in such forces, and whose remains have not been identified, have been buried at sea, or have been determined to be nonrecoverable, and shall, under such regulations as he may prescribe, permit the erection of appropriate markers thereon in honor of any such member or group of members.

"Subchapter II.—Administration

"§ 960. Manner of acquisition of lands

"The Administrator may purchase from the owners thereof, at such price as may be mutually agreed upon, such real estate as in his judgment is suitable and necessary for the purpose of carrying into effect the provisions for national cemeteries, and obtain from such owners the title in fee simple for the same. Where the Administrator is not able to agree with any owner upon the price to be paid for any real estate needed for such purpose, or to obtain from such owner title in fee simple for the same, he is authorized to enter upon and appropriate any real estate which, in his judgment, is suitable and necessary for such purposes.

"§ 961. Appraisement of real estate

"The Administrator, or the owners of any real estate thus entered upon and appropriated, are authorized to make application for an appraisement of real estate thus entered upon and appropriated, to any district court within any State or district where such real estate is situated; and such court shall, upon such application and in such mode and under such rules and regulations as it may adopt, make a just and equitable appraisement of the cash value of the several interests of each and every owner of such real estate and improvements thereon.

"§ 962. Payment of appraised value

"When appraisement of the real estate thus entered upon and appropriated has been made under the order and direction of the court, the fee simple thereof shall, upon payment to the owner of the appraised value, or in case such owner refuses or neglects for thirty days after the appraisement of the cash value of the real estate or improvements as aforesaid, to demand the same from the Administrator, upon depositing the appraised value in the court making such appraisement, to the credit of such owner, be vested in the United States, and its jurisdiction over such real estate shall be exclusive. The Administrator is authorized and required to pay to the several owners or owners, respectively, the appraised value of the several pieces or parcels of real estate, as specified in the appraisement of any such courts, or to pay into any of such courts by deposit, as provided in this section, the appraised value; and the sum necessary for such purpose may be taken from any moneys appropriated for the purposes of national cemeteries.

"§ 963. State donations of land

"The Administrator is authorized to accept (on behalf of, and without cost to, the United States) from any State title to such land as he deems suitable for national cemetery purposes. Upon the acquisition of such land by the United States, the Administrator is authorized to establish thereon a national cemetery and to provide for the care and maintenance of such national cemetery.

"§ 964. Conveyance to State or municipality of approach road to national cemetery

"The Administrator may convey to any State, county, municipality, or proper agency thereof, in which the same is located, all the right, title, and interest of the United States in and to any Government owned or controlled approach road to any national cemetery: *Provided,* That prior to the delivery of any instrument of conveyance hereunder, the State, county, municipality, or agency to which the conveyance herein authorized is to be made, shall notify the Administrator in writing of its willingness to accept and maintain the road included in such conveyance: *Provided further,* That upon the execution and delivery of any conveyance herein authorized the jurisdiction of the United States of America over the road conveyed shall cease and determine and shall thereafter vest the State in which said road is located.

"§ 965. Encroachment by railroad on rights-of-way

"No railroad shall be permitted upon any right-of-way acquired by the United States leading to a national cemetery, or to encroach on any roads or walks thereon maintained by the United States.

"§ 966. Superintendents of cemeteries

"The Administrator shall appoint a superintendent for the purpose of guarding and protecting each national cemetery and to give information to parties visiting the same. Such superintendent shall be a veteran who was retired from the Armed Forces for a physical disability, or who is entitled to receive compensation for disability under chapter 11 of this title. He shall be furnished with quarters and fuel at the several cemeteries and for this purpose the Administrator shall cause to be erected a suitable building at the principal entrance of each national cemetery.

"§ 967. Enclosure, headstones, and registers

"The Administrator shall have all national cemeteries, established pursuant to this chapter, enclosed with a stone or iron fence; and cause each grave to be marked with a small headstone of appropriate design and weight. Each such headstone shall bear the name of the soldier and the name of his State inscribed thereon, when the same are known, and also with the number of the grave inscribed thereon, corresponding with the number opposite to the name of the party in a register of burials to be kept at each cemetery and at the Veterans' Administration Central Office, which shall set forth the name, rank, company, regiment, and date of death of the officer or soldier; or if these are unknown, it shall be so recorded.

"§ 968. Penalty for defacing cemeteries

"Every person who willfully destroys, mutilates, defaces, injures, or removes any monument, gravestone, or other structure, or who willfully destroys, cuts, breaks, injures, or removes any tree, shrub, or plant within the limits of any national cemetery, shall be deemed guilty of a misdemeanor, punishable by a fine of not less than $25, and not more than $100, or by imprisonment for not less than fifteen days, and not more than sixty. The superintendent in charge of any national cemetery is authorized to arrest forthwith any person engaged in committing any misdemeanor prohibited in this section, and to bring such person before any United States commissioner or judge of any district court of the United States within any State or district where any of the cemeteries are situated, for the purpose of holding such person to answer for such misdemeanor, and then and there shall make complaint in due form.

"§ 969. Arlington Memorial Amphitheater—Recommendations for memorials and entombments

"(a) The Administrator may send to Congress in January of each year, his recommendations with respect to the memorials to be erected, and the remains of deceased veterans to be entombed, in the Arlington Memorial Amphitheater, Arlington National Cemetery, Virginia.

"(b) No memorial may be erected and no remains may be entombed in such amphitheater unless specifically authorized by Congress.

"Subchapter III.—Headstones and Markers

"§ 985. Headstones for unmarked graves; eligibility thereto

"(a) The Administrator is authorized and directed to furnish, when requested, appropriate headstones or markers at the expense of the United States for the unmarked graves of the following:

"(1) Soldiers of the Union and Confederate Armies of the Civil War;

"(2) Persons buried in Post or National Cemeteries; or

"(3) Persons eligible under section 951(a) (1) and (2) of this title for interment in a national cemetery.

"(b) The Administrator is also authorized and directed to furnish, when requested, an appropriate memorial headstone or marker to commemorate any member of the Armed Forces of the United States dying in the service, whose remains have not been recovered or identified or were buried at sea, for placement by the applicant in a national cemetery or in any private or local cemetery.

"(c) The Administrator is authorized to prescribe such rules and regulations with respect to the submission of applications for all Government headstones and markers and other pertinent matters as may be necessary to carry out the provisions of this section. He shall also cause to be preserved, from the date of the enactment of the National Cemeteries Act of 1964, the name, rank, organization, date of death, place of burial, and such other information as he shall prescribe, of all persons for whom headstones or markers are authorized by this section, when such information is known. Any such information transferred to the Administrator from the Secretary of the Army by the National Cemeteries Act of 1964, shall also be preserved."

(b) The table of chapters at the head of such title 38, and at the head of part II thereof, are each amended to add immediately following:

"23. Burial Benefits"

the following:

"24. National Cemeteries"

SEC. 3. (a) There are hereby transferred to the Administrator of Veterans' Affairs all personnel, property, records, obligations, and commitments relating to or associated with the national cemeteries in the United States under the control of the Secretary of the Army, or relating to or associated with the furnishing of headstones or markers at the expense of the United States, and all unexpended balances of appropriations, allocations, and other funds available (or to be made available) for such purposes.

(b) Any authority given the Secretary of the Army by the Acts of August 4, 1947 (61 Stat. 742), March 10, 1950 (64 Stat. 12), or August 10, 1950 (64 Stat. 434), to expand the existing cemetery facilities at Fort Rosecrans, California; Jefferson Barracks, Missouri; Fort Logan, Colorado; Rock Island, Illinois; Fort Leavenworth, Kansas; or Barrancas (Pensacola), Florida, shall be transferred to the Administrator of Veterans' Affairs, who may make such expansions, if not already accomplished, subject to the approval of the Secretary of the Army or Secretary of the Navy where surplus military property is utilized.

SEC. 4. The following provisions of law are repealed, except with respect to rights and duties that matured or penalties or liabilities that were incurred before January 1, 1965:

(1) In the Revised Statutes of the United States, sections 2870 (24 U.S.C. 271); 4871 (24 U.S.C. 272); 4872 (24 U.S.C. 273); 4873 (24 U.S.C. 274); 4874 (24 U.S.C. 275); 4875 (24 U.S.C. 276); and 4877 (24 U.S.C. 279).

(2) The Act of July 24, 1876 (19 Stat. 99; 24 U.S.C. 278).

(3) The third paragraph under the heading "National Cemeteries" in the appropriations for the Quartermaster Corps in the Act of April 15, 1926 (44 Stat. 287; 24 U.S.C. 290).

(4) The Act of June 11, 1938 (52 Stat. 668; 24 U.S.C. 289).

(5) The Act of June 29, 1938 (52 Stat. 1233; 24 U.S.C. 271a).

(6) The Act of August 4, 1947 (61 Stat. 742; 24 U.S.C. 281a–281c).

(7) The Act of March 24, 1948 (62 Stat. 84; 24 U.S.C. 275).

(8) The Act of May 14, 1948 (62 Stat. 234; 24 U.S.C. 281).

(9) The Act of July 1, 1948 (62 Stat. 1215; 24 U.S.C. 279a).

(10) The Act of March 10, 1950 (64 Stat. 12; 24 U.S.C. 281d–281f).

(11) The Act of August 10, 1950 (64 Stat. 434; 24 U.S.C. 281g).

(12) The Act of August 27, 1954 (68 Stat. 880; 24 U.S.C. 279d).

(13) The Act of September 2, 1960 (74 Stat. 739; 24 U.S.C. 295a).

SEC. 5. All rules, regulations, orders, permits, and other privileges issued or granted under the laws repealed by section 4 of this Act and in effect on the date of enactment of this Act shall remain in full force and effect until modified, suspended, overruled, or otherwise changed by the Administrator.

SEC. 6. This Act shall take effect January 1, 1965.

A BILL TO MAKE THE QUESTION OF OBVIOUSNESS UNDER TITLE 35, UNITED STATES CODE, SECTION 103, A MATTER SOLELY FOR JUDICIAL DETERMINATION AFTER THE GRANT OF A PATENT AND NOT A MATTER FOR DETERMINATION BY THE COMMISSIONER OF PATENTS BEFORE THE GRANT OF A PATENT

Mr. WILLIAMS of New Jersey. Mr. President, I am introducing a bill, by request, which would make certain changes in existing patent law. The bill has been requested by an eminent patent attorney in New Jersey, Mr. John A. McKinney, who is chief patent attorney at Johns-Manville Corp. Since the Judiciary Committee's Subcommittee on Patents, Trademarks, and Copyrights will be undertaking a comprehensive and thorough review of the entire patent system, I know that this proposed legislation will receive careful scrutiny from the subcommittee's able staff.

Mr. President, I ask unanimous consent that the text of the bill be printed in full, together with an explanation and justification for this proposal be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and explanation will be printed in the RECORD.

The bill (S. 1971) to make the question of obviousness of an invention under section 103 of title 35, United States Code, a matter solely for judicial determination after the grant of a patent, and not a matter for determination by the Commissioner of Patents before the grant of a patent, and for other purposes, introduced by Mr. WILLIAMS of New Jersey, by request, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 102 of title 35 United States Code be amended to read as follows:

"SEC. 102. CONDITIONS FOR PATENTABILITY; NOVELTY AND LOSS OF RIGHT TO PATENT—Promptly after the filing of an application for patent meeting the requirements set forth in chapter 11 of this title, the Commissioner of Patents shall grant a patent to the applicant or applicants unless—

"(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or

"(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or

"(c) he has abandoned the invention, or

"(d) the invention was first patented or caused to be patented by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application filed more than twelve months before the filing of the application in the United States, or

"(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or

"(f) he did not himself invent the subject matter sought to be patented, or

"(g) before the applicant's invention thereof the invention was made in this country by another who had abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other."

Section 103 of title 35, United States Code, is amended to read as follows:

"SEC. 103. NON-OBVIOUS SUBJECT MATTER—A patent granted pursuant to section 102 of this title may not be considered valid and enforcible, though the invention is not identically disclosed or described as set forth in section 102, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made."

The explanation presented by Mr. WILLIAMS of New Jersey is as follows:

EXPLANATION

The Constitution in article I, section 8, provides that "the Congress shall have power * * * to promote the progress of * * * useful arts, by securing for limited times to * * * inventors the exclusive right to their * * * discoveries."

The patent system evolved by the Congress pursuant to this constitutional provision has remained unchanged in its essential details since 1836. In the words of report No. 1018 of May 1, 1964, of the Committee on the Judiciary, U.S. Senate, Subcommittee on Patents, Trademarks and Copyrights, "The primary purpose of the patent system is to promote invention by encouraging inventors through the grant of a temporary monopoly." Upon the granting of a patent to an inventor the details of his invention are published and it is the publication of these details which constitutes the consideration for the grant of the monopoly. The public seeks publication of such technological information as a vehicle for stimulating further invention and progress in the arts.

There can no longer be any doubt that there are several major weaknesses in the present patent system which prevent it from accomplishing its two major purposes. Of principal concern are the complexity and rigidity of Patent Office procedures. These render the Patent Office unable to dispose of pending applications in a speedy fashion and result in disillusionment and discouragement of inventors. In its report No. 1481 of May 9, 1962 the Subcommittee on Patents, Trademarks and Copyrights noted at page 2:

"Once again the backlog of patent applications is mounting. After a modest reduction during fiscal year 1962, the backlog rose in fiscal 1963 from 197,397 to 209,131. It is estimated by the Patent Office that approximately 145,000 applications would be pending if the work was reasonably current. New applications are being received at an equal rate in excess of 85,000 compared to 81,000 in 1961."

As reported in the October–November 1964 Bulletin of the American Patent Law Association the Commissioner of Patents at the October meeting of the association presented a projection for the years 1965 to 1985 based on the assumptions that the number of patent applications filed annually would continue to increase at about the same rate as in the past and that the productivity of patent examiners would decline at the rate of about 2 percent per year as it has done for many years past. The Commissioner then stated:

"In 1961 we had a backlog of 198,000 applications and a period of pendency of about 3 years.

"In 1964 we have a backlog of 220,000 with a projected period of pendency of about 4 years.

"In 1970 a backlog of 350,000, a period of pendency of 7 years.

"In 1975 a backlog of 353,000, a period of pendency of 10 years.

"In 1985 a backlog of 1,100,000 applications, and at this point we stopped calculating the period of pendency."

While the average patent application has a period of pendency today of about 4 years the more important patent applications and the more complex applications inevitably result in a substantially longer period of pendency. With such delays it is apparent that the patent system today cannot possibly promote progress in the useful arts to the extent intended.

In return for the grant to the inventor of the exclusive right to his invention the public is supposed to receive a published disclosure of the details of the invention so that the sum of published knowledge will be increased and the progress of technology accelerated. Yet today, when much technology becomes obsolete in only a few years, the public's return for the granting of exclusive rights is information which is already 4 or more years old.

Moreover, such delays are a substantial deterrent to investment in new ideas. The promotion of inventions by licensing often becomes very difficult when it will take several years before it is known whether or not the invention will be protected by the grant of a patent. Also, many times members of an industry will learn that a U.S. patent application is pending because they have seen that a copy of the corresponding patent has already been granted and published in countries with less complex procedures than the United States. Nothing will be done on the invention, because until the U.S. patent issues these firms cannot know, even with reasonable certainty, whether it is practical to proceed.

A second serious shortcoming in the patent system is its tendency to discourage inventors. In its report No. 1018 of May 1, 1964 the Subcommittee on Patents, Trademarks and Copyrights stated:

"Another subject of concern to the subcommittee is the disillusionment of many inventors, especially the so-called independent inventor, with the functioning of the patent system. The files of the subcommittee contain considerable correspondence from inventors who declare that their urge to invent has been seriously impaired by their unpleasant experience with the patent system. Reference is usually made to such factors as the costs of securing a patent, the high mortality rate among litigated patents, and the infringement of their patent rights by more affluent parties necessitating expensive court costs and attorneys fees which many of them are unable to bear * * *.

"The existence of conditions which tend to frustrate this objective should stimulate efforts by the supporters of the patent system to develop remedial measures. The mere fact that certain patent practices have been in effect for a number of years does not automatically justify their continuation."

As to the Patent Office procedures, which are the major reason for the long period of pendency in the Patent Office, Subcommittee Report No. 118 of March 10, 1965, states on page 6: "a common complaint of the inventors was that the Patent Office was to concerned with citing irrelevant prior art and too occupied with technical rules of practice."

A thoughtful reading of the various reports of the Subcommittee on Patents, Trademarks, and Copyrights leads inevitably to the conclusion that the failure of the patent system to have an adequate effect on the advancement of technology and its failure to encourage invention are a direct result of the so-called thorough examination procedures in the Patent Office. These procedures have rested on the assumption that they are necessary in order to protect the public against the issuance of invalid patents. The protection-of-the-public theory lacks merit because practically all patent infringers are corporations which can adequately protect their own rights. The inventor is not protected by thorough examination because there is ample evidence that thorough examination does not always assure valid patents and often results in invalid or unenforceable patents. According to data published in the Patent, Trademark, and Copyright Journal of Research and Education, volume 3, page 33 (1959), in the period 1950 to 1954 only 28 percent of the litigated U.S. patents were held valid and in the years 1955 to 1959 only 35 percent of the litigated U.S. patents were held valid.

In the past, the proposed remedy for all of the problems in the patent system has been to provide for increased support (primarily financial) of a thorough examination system. Yet the proposed remedies have failed. As stated by the Subcommittee on Patents, Trademarks, and Copyrights in its Report No. 1018 of May 1, 1964:

"It is obvious that measures must be taken to bring our patent examining system into accord with the scientific realities of the 20th century. The Congress has seriously attempted to meet its responsibilities toward the Patent Office. The appropriations for the Patent Office have increased from $11.5 million in 1955 to $29.2 million during fiscal 1964. The sizable increases that were provided each year in the Patent Office budget during the late 1950's were approved on the assumption that an increase in the size of the examining corps would be reflected in the reduction of the backlog. No significant reduction has materialized. It is obvious that the answer to the Patent Office problem cannot be in terms of substantially larger appropriations alone."

The currently pending bills for raising the fees charged by the Patent Office will solve no problem; they will result only in further discouragement to inventors.

Increased support of thorough examination is impractical. As reported in the October–November 1964 Bulletin of the American Patent Law Association at page 556, the then assistant counsel of the Patent, Trademarks, and Copyright Subcommittee, Mr. Thomas Brennan, stated at the October 1964 meeting of the association:

"In 1956 in the first report of the current Senate Subcommittee on Patents, the then chairman indicated his endorsement of the legislation which would have expressed the intent of Congress that patents should only be issued after an even more thorough search. The subcommittee on several occasions has criticized the Patent Office for employing a standard of patent ability which in its opinion was at variance with that required by the Constitution and court decisions.

"As the subcommittee declared in 1959, 'it is difficult to justify the elaborate and costly system of examination for novelty and utility to which all patent applications are subjected unless the end result of the examination is to reject applications for inventions unlikely to be recognized as inventions by the courts.' The rising backlog of applications 'and the average 4-year pendency has now caused the Congress to undertake a painful reappraisal of the full examination system. It is difficult for Congress to appreciate how a 3- or 4-year delay in the public disclosure of an invention promotes science, especially in view of the rapid rate of technical and economic development.

"Furthermore, the subcommittee has heard a chorus of dissatisfaction from individual inventors. It is true that the fault by no means lies only with our procedures. But it cannot be denied that the expense and delays of our procedures constitute a barrier for many inventors.

"Thus, in the period from the Patent Act of 1836 down to 1964 sentiment in the Congress has somewhat shifted from strong support of a full examination system to a demand that our examination procedure be reappraised to reflect the scientific realities of the 20th century."

It is believed that study will reveal that a great proportion of the time of patent examiners in examining patent applications and a great proportion of the time of attorneys representing inventors in prosecuting patent applications is devoted to determining, under 35 U.S.C. 103, "If the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which such subject matter pertains."

It is with respect to this determination that the Patent Office is most frequently considered to be wrong by the courts and by the applicants. It is the area of the inventor's "unpleasant experience with the patent system" which diminishes the urge to invent. Inability of the Patent Office to determine this matter realistically is at the same time the source of denial of patents on meritorious inventions and the granting of invalid, but presumptively valid patents, on contributions which teach the art virtually nothing not already within the skill of those actually engaged in the art.

The courts in such decisions as *In re Sporck* (C.C.P.A. 1962) 301 F. 2d. 686, 690, 691 and *Reiner* v. *I. Leon Co., Inc.* (C.A. 2, 1960) 285 F. 2d 501, 503, 504 have clearly indicated that the proper method for determining obviousness is to evaluate facts from which to determine (1) what had previously been done in the art; (2) the means available at the time the invention was made; (3) the knowledge of such means which a person of ordinary skill in the art possessed at the time the invention was made; (4) how long did the need for the invention exist and how many tried to find the way; (5) how long did the surrounding and accessory arts disclose the means through which the invention was made; and (6) how immediately was the invention recognized as an answer to the existing need? It is necessary to consider such matters because it is doubtful if even the most highly skilled and experienced technologist (which patent examiners usually are not principally because they lack the practical background and experience) can, merely through application of personal, subjective standards, fairly determine whether an advance in his art is obvious.

It is well known that the Patent Office rarely succeeds in collecting the most pertinent evidence on the issue of obviousness. Litigation results show that the examiners seldom cite the most pertinent patented art, almost never find the most pertinent nonpatent literature, and can hardly be expected to have adequate knowledge of industry practices which bear on this issue.

The deficiency has little to do with classification of patents or ease or speed of searching; many times the most pertinent, uncited prior art comes from the very subclasses searched. The problem is not to find where the prior art is classified but to recognize the pertinency of the prior art when it comes to hand, and this cannot adequately be done by persons lacking that degree of knowledge of an art which can only be gained by actual experience. The only practical way to determine the matter of obviousness is by weighing the testimony of expert witnesses amplified by documentary evidence at a time when the impact of the invention on the marketplace has become clear. This cannot be practically done in the Patent Office. It would be wasteful to attempt to do so with respect to every invention. It is far more practical to postpone this determination until the invention has become important enough in the marketplace and its patentability is sufficiently questionable to result in litigation. Experience in other countries shows that such a practice does not result in a great deal of unnecessary and expensive litigation. Quite the contrary.

Removing from the Patent Office the responsibility for determing obviousness of an invention and leaving the determination to the courts, should the patent on the invention ever be litigated, would have the following beneficial results:

1. It would remove one of the most time-consuming aspects of the present procedures for examining and prosecuting patent applications, thus enabling the Patent Office to eliminate the present backlog and to publish disclosures promptly.

2. It would eliminate one of the greatest sources of discouragement to invention and investment that exists in the present system.

Opponents of the change will contend that issuance of patents without examination as to obviousness will weaken the presumption of validity of patents, will result in more invalid patents and will result in a great deal more litigation. The similar systems in Canada and Great Britain, however, apparently have not had these results. It is believed that patents in those countries are upheld in a much greater percentage of the litigated cases than is true in the United States and that smaller percentages of the patents are litigated. That patents in Great Britain are considered valuable is revealed by the fact reported in the Patent, Trademark and Copyright Journal of Research and Education, volume 7, 1963 at page 79, that 63 percent of patent applications filed in that country are of foreign origin. The number filed by U.S. citizens is substantial.

The opponents of limited examination have either offered no remedy for the present deficiencies in the patent system or have offered changes which would fail to solve the two problems of backlog and excessive discouragement of inventors. The remedy now receiving the most active consideration, but which is still untested, is to defer examination of applications until a request for examination is made by the applicant. But this proposal still doesn't alleviate the problem for those with important applications when they do request an immediate and thorough examination. Moreover, the plan for deferred examination makes a complicated change in our present practice, whereas removing the determination of obviousness from the responsibility of the Patent Office is only a minor procedural change which could readily be abandoned should it ever become desirable to do so.

As a matter of fact, limited examination is not a new concept to American patent law, whereas deferred examination is a new concept.

It is settled law that an applicant is not entitled to a patent if the invention sought to be patented has been in public use or on sale in the United States for more than 1 year prior to the filing date of the patent application. Truly thorough examination on the part of the Patent Office would require it to make an attempt to determine with respect to each patent application if the invention had been in public use or on sale for more than 1 year. Since it obviously is impractical for the Patent Office to attempt to make such a determination, it has never attempted to do so. Yet a substantial number of patents are declared invalid on this ground. There is no greater reason for the Patent Office to make the almost equally impractical attempt to detemine the matter of obviousness.

The proposed change to the statute is not only simple, it is directed at the specific sources of the present deficiencies of the patent system. It is a change which can readily be placed into effect by the Patent Office and can as readily be abandoned should it become necessary to do so. The results of the change on the backlog problem and on the matter of discouragement to inventors will be immediate and substantial. The alleged disadvantages of the change are almost wholly theoretical and in view of practices and experiences in other countries can be predicted to be nonexistent. The change should therefore be adopted without undue delay.

VOTING RIGHTS ACT OF 1965—AMENDMENT (AMENDMENT NO. 185)

Mr. ERVIN proposed an amendment to the amendment, in the nature of a substitute (No. 124) proposed by Mr. MANSFIELD (for himself and Mr. DIRKSEN) to the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States, which was ordered to be printed.

AUTHORIZATION OF CONVEYANCE OF INTEREST OF THE UNITED STATES IN CERTAIN LANDS IN EL PASO, TEX.—AMENDMENT (AMENDMENT NO. 186)

Mr. YARBOROUGH submitted an amendment, in the nature of a substitute, intended to be proposed by him, to the bill (S. 1819) to authorize the conveyance of all right, title, and interest of the United States reserved or retained in certain lands heretofore conveyed to the city of El Paso, Tex., which was referred to the Committee on Armed Services and ordered to be printed.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. INOUYE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Wisconsin [Mr. NELSON] be added as a cosponsor of the bill (S. 1833) to establish the Pacific Medical Center.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAYH. Mr. President, I ask unanimous consent that the name of the distinguished Senator from New York [Mr. KENNEDY] be added as a cosponsor of Senate Joint Resolution 58, and to have the name of the distinguished Senator from New Jersey [Mr. WILLIAMS] added as a cosponsor of S. 1861.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Miles W. Lord, of Minnesota, to be U.S. attorney, district of Minnesota, term of 4 years (reappointment).

Lavern R. Dilweg, of Wisconsin, to be a member of the Foreign Claims Settlement Commission of the United States, for a term of 3 years from October 22, 1964.

Justin J. Mahoney, of New York, to be U.S. attorney, northern district of New York, term of 4 years (reappointment).

Lawrence M. Henry, of Colorado, to be U.S. attorney, district of Colorado, term of 4 years (reappointment).

William T. Thurman, of Utah, to be U.S. attorney, district of Utah, term of 4 years (reappointment).

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Thursday, May 20, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

RETENTION OF RAILWAY MAIL SERVICE BETWEEN ST. ALBANS AND WHITE RIVER JUNCTION AND RETURN—JOINT RESOLUTION

Mr. AIKEN. Mr. President, I submit for the Record a joint resolution of the Vermont Legislature relating to the retention of railway mail service between St. Albans and White River Junction and return. I ask unanimous consent that the resolution be printed in the Record.

There being no objection, the joint resolution was ordered to be printed in the Record, as follows:

Joint Resolution Relating to Retention of Railway Mail Service Between St. Albans and White River Junction and Return (S.J. Res. 12)

Whereas by recent pronouncement, the U.S. Post Office Department has indicated its intention to prohibit the carriage of mail by railway train service between St. Albans and White River Junction and return, commencing as of July 1, 1965; and

Whereas the implementation of such policy by the U.S. Post Office Department would result in the loss of substantial revenue by the Central Vermont Railway, would result in the loss of employment by several longtime employees of said Central Vermont Railway, and would result in the possible curtailment of railway passenger service furnished by Central Vermont Railway between St. Albans and White River Junction and return: Now, therefore, be it

Resolved by the senate and house of representatives, That the General Assembly of the State of Vermont does hereby register its opposition to the proposed order of the U.S. Post Office Department prohibiting the carriage of mail by railway train service between St. Albans and White River Junction and return, and does strongly urge the Vermont congressional delegation to voice such opposition to the proper Government officials; and be it further

Resolved, That the secretary of state send a copy of this resolution to Senator George D. Aiken, Senator Winston L. Prouty, and Congressman Robert T. Stafford and the Honorable John A. Gronouski, Postmaster General of the United States.

Approved: May 3, 1965.

Philip H. Hoff,
Governor.
John J. Daley,
President of the Senate.
Franklin S. Billings, Jr.,
Speaker of the House of Representatives.

ARMED FORCES DAY—1965

Mr. SALTONSTALL. Mr. President, Saturday, May 15, marks the 16th annual observance of Armed Forces Day. As senior Republican member of the Senate Armed Services Committee and of the Defense Subcommittee of the Appropriations Committee, I take this opportunity to pay a well-deserved tribute to the more than 2½ million American men and women in uniform.

On this occasion, all of us should take time to consider the military strength of our country and, more important, to reflect upon the purposes for which we desire to remain strong: to maintain our own national security and to work toward greater peace in the world. "Power for peace"—the slogan for Armed Forces Day—reflects these purposes. We are the leaders of the free world; and that leadership carries with it heavy responsibilities and commitments to our allies, who share with us a concern for individual rights and a desire to develop in their own way, free from the domination of others, in a world at peace.

That is why we have joined other countries in alliances such as NATO, SEATO, and OAS, to protect one another's freedom and way of life. That is why American military forces can be found in more than 100 countries and territories around the world, today. That is why, though we may regret the necessity of our participation, our military personnel have been sent to Vietnam, to the Dominican Republic, and to other world trouble spots. We want to preserve the integrity of these nations, to prevent their domination by a foreign power; and we want to protect the lives of American citizens abroad.

Throughout history, the price of liberty has been high; and it is still high, today. All of us must make sacrifices, to protect our fundamental freedoms and to preserve our way of life. On Armed Forces Day, we particularly recognize the sacrifices that the dedicated men and women who comprise our services, make daily around the world, in defense of what we believe is right. We are mindful, too, of the sacrifices of their families and friends here at home, from whom they are separated.

As Gen. Lauris Norstad has said, our foreign policy is no more impressive than the force which backs it up; and our military personnel constitute the most vital element of that force.

Our defense capability is great, too; and we want to keep it that way. We have tried to provide our military personnel with the latest weapons and the most modern and efficient techniques. Because of our complex and ever-changing times, we must have a diversified defense establishment capable of deterring any sort of aggression, from the limited type of conflicts in which we are presently engaged, to the all-out holocaust, which all of us want so much to avoid. More than half our total national budget each year is spent for defense purposes; and we all hope for the day when that will not be necessary. Meanwhile, however, we know that the possession of the latest weapons and a well-trained military force constitutes an important deterrent in itself, and a reminder that we are ready and willing to take the necessary steps to defend the interests of the free world, whenever and wherever a threat may arise.

The vital role which our Armed Forces play in the pursuit of our national goal of peace and justice often goes unnoticed until a crisis breaks out in some part of the world. However, not only are the special missions performed by American military personnel vital to the maintenance of security and peace in the world, but so also are the day-to-day activities carried out by men and women in all branches of the Armed Forces throughout the world. Each of them is, in a very real sense, a personal ambassador of our country to the country in which he or she is stationed. Their conduct, their interest in learning the language and customs, the way in which they reflect our own way of life—in these and other ways our military personnel and their dependents serve as American diplomats abroad. How well they perform this function goes far to determine the image toward the United States possessed by the people of other countries.

On the occasion of Armed Forces Day, then, when our military installations open their doors to all, as a "report to the people of the United States," we focus our attention on the tasks and contributions of all our military personnel—our guardians of peace and freedom. We appreciate their continued efforts to keep our Nation strong.

PROPOSED AMENDMENT TO EXISTING AGREEMENT FOR COOPERATION WITH TURKEY

Mr. GORE. Mr. President, I wish to inform the Senate that pursuant to section 123c of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission has submitted to the Joint Committee on Atomic Energy a proposed amendment to the existing agreement for cooperation with the Government of the Turkish Republic concerning the civil uses of atomic energy. The proposed amendment was received by the joint committee on May 8. Section 123c of the act requires that the proposed amendment lie before the Joint Committee on Atomic Energy for a period of 30 days while Congress is in session, before becoming effective.

In keeping with the Joint Committee's general practice of informing Congress of the pendency of matters of this type, I ask unanimous consent, as chairman of the Joint Committee's Subcommittee on Agreements for Cooperation, to have printed at this point in the Record the text of the proposed amendment and supporting correspondence.

Among the supporting correspondence is a letter, dated May 7, 1965, from President Johnson to the Chairman of the Atomic Energy Commission, approving the execution of the proposed amendment to the agreement with Turkey as well as proposed amendments to the agreements with Austria and Korea. While the latter amendments have not as yet been submitted to the Joint Committee, I anticipate that they will be submitted in the near future.

There being no objection, the amendment and supporting correspondence were ordered to be printed in the Record, as follows:

U.S. Atomic Energy Commission,
Washington, D.C., May 8, 1965.
Hon. Chet Holifield,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

Dear Mr. Holifield: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there are submitted with this letter:

(a) An executed "Amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of the Turkish Republic Concerning the Civil Uses of Atomic Energy," as amended;

(b) A copy of a letter from the Commission to the President recommending approval of the amendment; and

(c) A copy of a letter from the President to the Commission containing his determination that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and approving the amendment and authorizing its execution.

The amendment, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, modifies and extends for 1 year to June 9, 1966, the agreement for cooperation with the Turkish Republic which was signed at Washington on June 10, 1955, and amended by the agreement signed at Washington on April 27, 1961.

Article I of the proposed amendment provides that the parties will initiate negotiations promptly for transfer of safeguards to the International Atomic Energy Agency, and it obligates the Government of Turkey to furnish us with its decision by January 31, 1966, as to whether the transfer arrangements are acceptable. In a separate communication, the United States has informed the Government of Turkey that we do not intend to extend the agreement beyond the expiration of this 1-year extension if arrangements for the transfer of safeguards to the IAEA have not been completed.

The Government of Turkey has requested this additional period to complete its consideration of the transfer of safeguards to the IAEA in order to comply with its constitutional procedures which require parliamentary consideration of such questions. In this connection, I should like to observe that the present Agreement for Cooperation with Turkey, unlike other research agreements of this type which had initial terms of 5 years, was originally entered into for a period of 10 years. Thus, the present amendment represents the first extension of this agreement. In other cases where we have effected a transfer of safeguards to the IAEA, there have been one or more short extensions of the agreements to allow the other countries involved to complete their consideration of and preparation for a transfer of safeguards to the Agency. This 1-year extension of the Turkish agreement is consistent with that practice. While we are confident that mutually satisfactory arrangements for transfer of safeguards will be completed by the end of this extension, our notification to Turkey that no further extension will be made in the absence of such agreement insures, as in the case of the short extensions of the Brazilian and Israeli agreements last year, that the U.S. policy of transfer of safeguards to the IAEA is fulfilled.

The amendment will enter into force when the two Governments have exchanged written notifications that their respective statutory and constitutional requirements have been fulfilled.

Cordially,

GLENN T. SEABORG,
Chairman.

Enclosures:

1. Amendment to Agreement for Cooperation with the Turkish Republic (3).
2. Letter from the Commission to the President (3).
3. Letter from the President to the Commission (3).

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE TURKISH REPUBLIC CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of the Turkish Republic,

Desiring to amend the Agreement for Cooperation Between the Government of the United States of America and the Government of the Turkish Republic Concerning Civil Uses of Atomic Energy, signed at Washington on June 10, 1955 (hereinafter referred to as the "Agreement for Cooperation"), as amended by the Agreement signed at Washington on April 27, 1961, and

Recognizing that consultation with regard to the assumption of responsibility by the International Atomic Energy Agency for the application of safeguards to materials and facilities subject to safeguards under the Agreement for Cooperation has been initiated in accordance with article VI bis of the Agreement for Cooperation but that the Government of the Turkish Republic needs, under its statutory and constitutional requirements, additional time beyond the present date of expiration of the Agreement for Cooperation to arrive at its decision concerning the application of safeguards by the International Atomic Energy Agency to the Agreement for Cooperation.

Agree as follows:

ARTICLE I

The following sentences are added at the end of subparagraph (a) of Article VI bis of the Agreement for Cooperation:

"In fact, the Parties have already initiated consultation with respect to the assumption of responsibility by the International Atomic Energy Agency for the application of safeguards to materials and facilities subject to safeguards under this Agreement. It is contemplated that necessary arrangements to this end will be effected through an Agreement to be negotiated between the Parties and the Agency without further modification of this agreement. The Government of the Turkish Republic undertakes to initiate such trilateral negotiations promptly and to furnish its decision to the Government of the United States of America not later than January 31, 1966, on whether the Government of the Turkish Republic finds the negotiated arrangements for safeguards to be acceptable."

ARTICLE II

Article VIII of the Agreement for Cooperation is amended by deleting the date "June 9, 1965", and inserting in lieu thereof the date "June 9, 1966".

ARTICLE III

This Amendment shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Amendment and shall remain in force for the period of the Agreement for Cooperation, as hereby amended.

In witness whereof, the undersigned, duly authorized, have signed this amendment.

Done at Washington, in duplicate, this — day of ——, 1965.

For the Government of the United States of America:

CHARLES W. THOMAS,
Officer in Charge, Atomic Energy Affairs, International Scientific Affairs, Department of State.

EARLE W. COOK,
Foreign Affairs Officer, Division of International Affairs, Atomic Energy Commission.

For the Government of the Turkish Republic:

Mr. ERDIL AKAY,
Second Secretary, Embassy of the Republic of Turkey.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., May 3, 1965.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed "Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Turkish Republic Concerning the Civil Uses of Atomic Energy," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendation.

The proposed amendment which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would revise and extend for one year to June 9, 1966, the agreement between the United States of America and Turkey which was signed at Washington on June 10, 1955, as amended by the agreement signed at Washington on April 27, 1961.

Article I of the proposed amendment provides that the parties will initiate negotiations promptly on the transfer of safeguards to the International Atomic Energy Agency. In this regard, the Government of Turkey will inform us not later than January 31, 1966, as to whether the terms and arrangements developed for the transfer of safeguards are acceptable. While we have every reason to expect that the transfer of safeguards will be worked out on the time scale envisaged, we have informed the Government of Turkey that we do not propose to extend the agreement further without explicit provisions for the transfer of safeguards to the Agency.

Following your determination, approval, and authorization, the proposed amendment will be formally executed by appropriate authorities of the Government of the United States of America and the Government of the Turkish Republic. In compliance with section 123c of the Atomic Energy Act of 1954, as amended, the amendment will then be placed before the Joint Committee on Atomic Energy.

Respectfully yours,

GLENN T. SEABORG,
Chairman.

Enclosure:

Proposed "Amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of the Turkish Republic."

THE WHITE HOUSE,
Washington, May 7, 1965.

Hon. GLENN T. SEABORG,
U.S. Atomic Energy Commission,
Washington.

DEAR MR. SEABORG: In accordance with section 123a of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission has submitted to me certain proposed amendments to existing agreements and has recommended that I approve each such proposed amendment, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The amendments so submitted are listed below:

"Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Turkish Republic Concerning the Civil Uses of Atomic Energy."

"Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of Austria Concerning the Civil Uses of Atomic Energy."

"Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of Korea Concerning the Civil Uses of Atomic Energy."

Pursuant to the provisions of 123b of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

(a) Approve each of the proposed amendments listed above, and determine that the performance of each of these agreements as amended will promote and will not constitute an unreasonable risk to the common defense and security of the United States of America;

(b) Authorize the execution of each of the proposed amendments on behalf of the Government of the United States of America by appropriate authorities of the Department of State and the Atomic Energy Commission.

Sincerely,

LYNDON B. JOHNSON.

ARAB BOYCOTT PRESSURE ON AMERICAN FIRMS

Mr. JAVITS. Mr. President, the appearance of a first of a series of three articles in the New York Herald Tribune on the Arab boycott which adversely affects American firms comes at an opportune time. For today, in the other body, the House Committee on Banking and Currency commenced hearings on H.R. 627 and some full score companion bills which would amend the Export Control Act of 1949, to deal with this question. In this body, the Senate Banking and Currency Committee has indicated that it will hold hearings the latter part of this month on S. 948, the so-called Williams-Javits bill, designed to accomplish the same purpose. This latter measure has 29 cosponsors from both sides of the aisle.

The purpose of our bill, Mr. President, is, quite briefly, to permit U.S. businessmen to take advantage of normal trade opportunities without fearing reprisals from foreign countries which attempt to interfere with this trade. It amends the Export Control Act of 1949 to prohibit domestic exporters from taking any action, including the furnishing of information or the signing of agreements, in furtherance of restrictive trade practices or boycotts imposed by foreign countries against other foreign countries friendly to the United States.

At a time when our national efforts are bent to promoting international peace through the fostering of trade and commerce between nations, it becomes all the more desirable to enact legislation such as the Williams-Javits bill to further this end. This measure, too, would serve to stiffen the back of the State Department in a situation where it needs stiffening.

The appended article from this morning's New York Herald Tribune clearly details the issues at hand.

I ask unanimous consent to have the articles printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune, May 13, 1965]

THE BUSINESS OF BOYCOTT: ARAB PRESSURE ON U.S. CONCERNS

(By William Haddad and Gershon Jacobson)

Many American corporations and businesses—in what amounts to a business "gentlemen's agreement"—are quietly and unnecessarily capitulating to the pressures of the Arab boycott of Israel.

Ironically, while the Arab boycott is directed against Israel's economy, the hardest hit are American businessmen who complain that the boycott is morally wrong but give in "because I must put the stockholders' views above my personal beliefs."

Aiding the success of the boycott is a peculiar combination of U.S. Government officials, chambers of commerce, trade associations and businessmen.

Under conditions of the Arab boycott American businessmen who trade with Israel are blacklisted from doing business in the 12 countries of the Arab League.

The Arab economic boycott of Israel differs from any other act of economic warfare of one nation against another. It is not limited to the boycott of Israel goods and Israel firms. It extends to a secondary boycott of foreign firms doing business with Israel and in some instances to a tertiary boycott of foreign firms who have dealings with other foreign firms that are blacklisted by the Arabs.

In its investigation (which began last January) the Herald Tribune discovered a new dimension of the boycott: the use of American businessmen trading with the Arabs to apply economic pressure on those American companies which refused to stop dealing with Israel.

The boycott has its opponents, but so far they have been powerless to act.

Representative THOMAS E. MORGAN, Democrat, of Pennsylvania, powerful chairman of the House Foreign Affairs Committee, said the boycott "involves more than the relatively few Jewish and non-Jewish Americans who are directly affected: it involves a matter of national pride and respect."

His thoughts were echoed by Senator HARRISON WILLIAMS, Democrat, of New Jersey, author of legislation to halt such boycotts.

"It is not enough to say that we don't approve or condone these practices. We must not permit them. If we agree to this sort of boycott, then the American businessman becomes an unwilling pawn in every trade war in the world.

"Tomorrow the Indonesians can tell American businessmen that they cannot sell their goods in Malaysia. The U.S. businessmen could be enlisted as a partner in every economic reprisal. We must not allow American businessmen to be used in this way."

In order to enforce its boycott, the Arabs must not only use the covert "gentlemen's agreement," but the overt, if reluctant cooperation of the chamber of commerce and other trade associations.

Each invoice used with shipments to Arab nations must contain a certified statement that neither the goods nor any of its components were made in Israel and each company must certify that, among other things, none of its products are made in Israel, that it has no offices or affiliates there, that it does not use the Star of David on its products or take part or support propaganda activities on behalf of Israel.

Until recent years, American companies had to reveal their Jewish directors and managers. This practice is still used in other countries.

All these statements, to be accepted by the Arabs, must be certified by a chamber of commerce or trade association. Without this assistance, documentation to support the boycott would be difficult to obtain.

QUASHING

In New York City a Herald Tribune reporter, posing as a manufacturer, called the Commerce & Industry Association and asked if certification to meet the Arab demands could be obtained. Officials said it would be provided.

Many other cities also provide this assistance. In San Francisco, for instance, the chamber of commerce uses this language to comply with the Arab demands:

"* * * these articles are not of an Israeli origin and no Israeli products were used in their manufacture."

A determined effort by an indignant band of Congressmen to end these practices is now being quietly strangled by the State Department with an off-stage assist from the Commerce Department.

The bitter battle between the administration and Congress may break into the open today.

Last week two New York Congressmen led an afternoon closed-door fight in the Banking and Currency Committee to dramatically reverse a decision, made that same morning, which would have effectively pigeonholed antiboycott legislation. The later decision provides for open hearings today.

The two, ABRAHAM MULTER, Democrat, Brooklyn, and SEYMOUR HALPERN, Republican, Queens, are part of a group of 21 Congressmen who introduced legislation to prohibit American businessmen from responding to boycott questions. Mr. HALPERN's Republican friends on the committee, provided the winning margin.

One of the most blatant uses of Arab pressure was applied to Tecumseh Products, a Michigan manufacturer of commercial and domestic compressors and condensing units for air conditioners.

For Tecumseh, the Middle East, with its hot, humid climate, was a good market for its products.

THREATS

In August 1958, Tecumseh signed a license agreement with Amcor, an Israeli firm, to provide the know-how to build refrigeration compressors according to Tecumseh design.

* * * * *

In addition to the central boycott office, each Arab nation has its own boycott office.

For 4 years, Tecumseh resisted the pressure to drop its contract with Israel, but in 1962 new intimidations began to develop and these were not so easily resisted.

J. A. Galazzi, Tecumseh's vice president, told the Herald Tribune that large American refrigeration firms using Tecumseh products urged them to comply with the boycott.

"We are only suppliers," he said. "We had only one way to go. The whole thing cost us a tremendous amount of money and time and we lost the business in Israel."

"PAINFUL"

Recalling what he termed "the very painful experience," he said he was surprised that the pressure from his suppliers, many of whom sold in Arab countries, was so unanimous.

"Some very Jewish-oriented firms pressed us just as hard to comply with the boycott."

He said Washington provided "very little help * * * they gave us a do-it-yourself kit."

The company also went to Damascus to plead its case.

The Arabs were firm. Tecumseh canceled its contract with Amcor.

The case is typical. Business International reported that among the firms struck from the blacklist are Philco, AMF, Schering, Firestone, Wyeth Laboratories, Shell, and Renault.

On the other hand, major corporations have held their ground and refused to give up Israel operations.

One of the first to put his foot down was Conrad Hilton, whose Nile Hilton is the pride of Egypt.

WARNING

When the Arabs learned he planned to build a Hilton hotel in Tel Aviv, Hilton received a letter from Alfred Lilienthal, a mysterious American and longtime secretary and counsel of the American-Arab Association of Commerce, an organization of major U.S. business firms dealing with the Arab countries.

Mr. Lilienthal wrote without restraint:

"Should Hilton Hotels persist in going ahead with its contract in Israel, it will mean the loss of your holdings in Cairo and the end of any plans you might have for Tunis, Baghdad, Jerusalem or anywhere else in all Arab countries.

"It is important for me to put you on notice that the Arab visitors, including the Saudi Royal family, Egyptian businessmen, and the general flow of persons from the Arab world that have frequented your major hotels in New York City and elsewhere throughout the country, will unfortunately come to an end. And it may well adversely affect the ability of American companies from continuing to bring important business to your well-known establishments."

Mr. Lilienthal threw in a personal note:

"* * * I should personally add my own voice by asking you to consider whether your plan to enter into an economic relationship with Israel could possibly be worth the grave loss that you will be committing yourself to throughout the Arab world and in the United States."

Mr. Hilton, seething with anger, fired back:

"What the committee proposes is absolutely counter to the principles we live by and which we hold most dear * * * our corporation finds it shocking that the committee should invoke the threat of boycott condemnation."

Their bluff called, the Arabs backed away, explaining that the profits which Hilton takes out of Israel are a drain on the economy.

Hilton has new ventures planned for the Arab world and the Tel Aviv Hilton opens later this year.

Chase Manhattan Bank had a similar experience earlier this year.

On July 4, 1964, Mr. Mahgoub issued an ultimatum to the bank that it was going to go on the blacklist because it was the fiscal agent for Israel bonds. Chase was given 6 months to sever its connections with Israel.

John J. McCloy, the experienced diplomat who is now a member of Chase's board, went to see Egypt's President Nasser in October and last January the Arabs announced that Chase would not be blacklisted since its work with Israel was only of a banking nature.

General Tire & Rubber found itself on the blacklist for selling know-how to Israel, but still manages to own a plant in Morocco.

Not everyone can afford to send an ambassador to see Colonel Nasser so when Camera Clicks, a midtown photography studio ran into trouble, it got in touch with the State Department.

DEMAND

Camera Clicks had sold slides to an Egyptian company for $1,700 and instead of payment it received a demand for a notarized declaration that the concern wasn't doing business with Israel before it could receive its money.

Offended, the firm refused, and the State Department intervened. Six months later Camera Clicks not only got its money, but another order. This time, however, the American company was making demands:

"We would like it clearly understood in writing that no declaration of our business or personal relations with others would be made a condition of our continued business with you."

Despite these quiet breakthroughs, hundreds of American businessmen comply with Arab threats and terminate business with Israel (or say they do).

Israel officially maintains that the boycott isn't hurting, but others think the hurt is not in the businesses which stop servicing Israel, but in those which never come there in the first place.

ONE STORY

Mr. I. L. Kenen, editor of the Near East Report, recently reported the story of a prospective American investor in Israel, who having secured a large mining concession, was trying to find partners for his venture.

Armed with statistics and reports attesting that the proposed venture would be profitable, he interviewed dozens of prospective partners.

Again and again, Mr. Kenen reported, American businessmen told him that they thought the idea was wonderful, that the profits tempted them, but that they could not invest for fear of Arab reprisal.

The erratic enforcement of the boycott, is due, in part, to the Arabs' need for certain materials and goods, and also to their unwillingness to put their boycott to every test for fear of arousing American public opinion.

The PRESIDING OFFICER. Is there further morning business?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MOSS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FISH AND WILDLIFE CONSERVATION, CENTRAL UTAH PROJECT

Mr. MOSS. Mr. President, for several years, the Bureau of Reclamation has worked to plan the Bonneville Unit of the central Utah project. Authorized by Congress in 1956, central Utah is a participating project of the great Colorado River storage project.

Central Utah is essential to enable my State to utilize its share of the waters of the Colorado River. Without it, there is not enough water for Utah's growth.

In the development of this project, solutions have had to be found for numerous complex problems.

I am pleased to report today that the last and one of the most complex of these has now been resolved. This is the conservation of fish and wildlife in the project area.

I ask unanimous consent to have printed at this point in the RECORD a letter to me from the Honorable Calvin L. Rampton, Governor of Utah, and a resolution thereby transmitted.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

STATE OF UTAH,
Salt Lake City, April 14, 1965.

Senator FRANK E. MOSS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I am happy to transmit to you a copy of a resolution which resolves a fish and wildlife problem that has threatened our unified support of the central Utah project.

I regard this final settlement as an advantageous arrangement both to the project and to fishery and wildlife interests.

We have had excellent cooperation all through the negotiations that I directed our State agencies to continue with the U.S. Bureau of Reclamation. It is my understanding that the principal recommendation of our State agencies regarding the 6,500 acre-foot storage reservation for fishery release is already being incorporated into the definite plan report by the U.S. Bureau of Reclamation.

It is hoped that this removes the final obstacle to secretarial approval of the definite plan report of the Bonneville unit and in turn it is hoped that we will be successful in having an appropriation to begin construction during fiscal year 1966 of this vitally needed project.

Sincerely,

CALVIN L. RAMPTON,
Governor.

A RESOLUTION OF THE UTAH STATE DEPARTMENT OF FISH AND GAME, THE UTAH WATER AND POWER BOARD, THE GOVERNOR CONCURRING THEREIN, REQUESTING THE U.S. BUREAU OF RECLAMATION TO AMEND THE DEFINITE PLAN REPORT FOR THE BONNEVILLE UNIT OF THE CENTRAL UTAH PROJECT TO INCORPORATE PROVISIONS OF THIS RESOLUTION RELATING TO CERTAIN FISH, WILDLIFE, AND RECREATION PROPOSALS

Be it resolved by the Utah State Department of Fish and Game, the Utah Water and Power Board (the Governor concurring therein):

Whereas the continued economic growth of the State of Utah requires an increased supply of water to meet the future needs of the State; and

Whereas the central Utah project is the major means whereby the State can increase its usable water supply and utilize its compact entitlement of water from the Colorado River as provided by the Colorado River compact of 1922 and the Upper Colorado River Basin compact of 1948; and

Whereas the initial phase of the central Utah project was authorized for construction as a participating project of the Colorado River Storage Act of 1956 (70 Stat. 105) 9 years ago; and

Whereas it is desirable that construction begin at the earliest practicable moment on the Bonneville unit of the central Utah project; and

Whereas it is the responsibility of the State of Utah to indicate the manner in which the water resources of the State should be developed; and

Whereas it is imperative that the maximum benefits from water developments be secured for all purposes including fisheries, wildlife, and recreation: Now, therefore, be it

Resolved, That the Utah State Department of Fish and Game, the Utah Water and Power Board, the Governor concurring therein, recommend the incorporation of the following fish, wildlife, and recreation measures in the definite plan report for the Bonneville unit of the central Utah project:

1. That Starvation Reservoir be constructed with a minimum pool of 15,000 acre-feet which includes 5,500 acre-feet for fish conservation in addition to that required for other purposes.

2. That consideration be given in the design of the outlet works of the Starvation Reservoir to prevent loss of fish to the stream below.

3. That $250,000 be made available to the Utah State Department of Fish and Game and the Bureau of Sport Fisheries and Wildlife to determine and implement the best possible use for fish conservation of project water that is made available for fishery releases.

4. That 6,500 acre-feet of water be made available annually for fishery releases as provided below:

(a) That flows of Rock Creek as measured at the north boundary of the Uintah-Ouray Indian Reservation be not less than 25 cubic feet per second. To accomplish this minimum flow, spills at the upper Stillwater Dam, bypasses for downstream irrigation and natural inflow, will be augmented by not more than 3,500 acre-feet of stored water annually.

(b) That 3,000 acre-feet of stored water plus any unused portion of the 3,500 acre-foot storage allocation for Rock Creek be available annually for release to the Strawberry River below Soldier Creek Dam.

5. That Knight diversion dam be moved downstream about 2 miles, which will pre-

serve more of the best part of Duchesne River for fishing.

6. That the Currant Creek Reservoir intake to the Strawberry aqueduct be designed to exclude fish.

7. That a fish screen be installed at project cost at the inlet to the Syar tunnel.

8. That minimum flows be maintained at the west portal of Strawberry tunnel for fish conservation in Sixth Water Creek, the amount of these flows, which will be comparable to the existing flows resulting from seepage in the tunnel and leakage past the gate, to be determined by the later studies.

9. That funds in the amount of $40,000 be made available to the Forest Service for stream rehabilitation measures to be undertaken on Sixth Water Creek upstream from Sixth Water Reservoir.

10. That a minimum bypass of 15 second-feet or the full flow of Sixth Water Creek, whichever is instantaneously smaller, be provided at Sixth Water Dam.

11. That the inlet of the aqueduct leading to the Dyne powerplant be designed to prevent entry of fish from Sixth Water Reservoir.

12. That Mona Reservoir be constructed with a minimum pool of 7,500 acre-feet which includes 6,400 acre-feet needed for fish conservation in addition to that required for other purposes.

13. That Hayes Reservoir be constructed with a minimum pool of 8,100 acre-feet which includes 6,800 acre-feet needed for fish conservation in addition to that required for other purposes.

14. That a minimum flow of 75 second-feet be provided in the Diamond Fork and the Spanish Fork River from Hayes Dam downstream to the Strawberry power canal diversion dam which will be available for fishery purposes.

15. That Jordanelle Reservoir be constructed with a minimum pool of 20,000 acre-feet all of which is needed for fish conservation.

16. That an agreement be negotiated to transfer the site of existing active storage from several small reservoirs at the head of the Provo River to Jordanelle Reservoir, in which 11,000 acre-feet of capacity will be provided for this purpose, and that the small reservoirs be rehabilitated as fishing lakes by the Forest Service at a cost of about $1,400,000.

17. That a minimum instantaneous flow of 50 second-feet be provided in the Provo River between Jordanelle Dam and Deer Creek Reservoir.

18. That the following lands be made available to the Utah State Department of Fish and Game for wildlife management:

(a) One thousand two hundred and eighty acres northwest of Starvation Reservoir to be acquired and developed at a cost of about $40,000 for deer winter range.

(b) Two thousand eight hundred acres along the Strawberry River upstream from the Strawberry Reservoir enlargement to be acquired and developed at a cost of about $280,000 to mitigate wildlife habitat losses.

(c) Two thousand acres of winter pheasant habitat in the vicinity of Deer Creek Dike be made available for management when Utah Lake recedes to make such use possible.

(d) Twelve thousand five hundred acres in the vicinity of Goshen Bay to be developed at a cost of about $2,147,000 for waterfowl and pheasant habitat. The area includes about 5,800 acres of private land to be acquired at a cost of about $850,000.

19. That the Bureau of Reclamation, the Central Utah Water Conservancy District and State agencies assist the Utah Department of Fish and Game in every way possible to secure 24,250 acre-feet of water from other sources for the Goshen Bay wildlife management area.

Potential sources of water supply include: (a) Return flows (estimated 5,000 acre-feet), (b) purchase of existing water rights, (c) open drains, (d) wells.

20. That the following open canal sections of project features be modified with bridges or other crossings designed so that animals may safely cross the canals:

(a) Starvation feeder canal: The two open canal sections having a combined length of about 2.5 miles. (In preparing final plans and specifications for construction, the Knight diversion dam site was moved downstream about 2 miles and the entire Starvation Feeder Canal will be in closed section.)

(b) Wasatch aqueduct: The first four open canal sections, having a combined length of about 4 miles, and a section about 2 miles long extending southward from a point about 1.3 canal miles north of the Juab-Utah County line to the aqueduct terminus.

(c) Mona-Nephi Canal: The first 1.5 miles, extending south from the terminus of the Wasatch aqueduct.

21. That 7.5 miles of big-game-proof fence be installed south and east of both the Wasatch aqueduct and the High Line Canal from Payson Canyon to a point east of U.S. Highway No. 91 and 0.8 mile north of the Juab-Utah County line, and that it be continued northeastward for a distance of about 0.5 mile on the north and west side of the Wasatch aqueduct.

22. That in keeping with Department of the Interior policy, all project reservoirs, except Syar and Sixth Water Reservoirs, be developed, and administered for maximum beneficial public use, including hunting and fishing as well as other forms of outdoor recreation, according to comprehensive management plans to be developed cooperatively with interested State and Federal agencies.

23. That planning include consideration by the administering agencies and the Utah State Department of Fish and Game of the needs for reservoir zoning, in terms of location or timing, so that there may be orderly use of reservoir areas for hunting and fishing as well as other kinds of recreation.

24. That $20,000 be made available to the Utah State Department of Fish and Game for a 2-year study to provide specific developments needed to mitigate losses of valuable channel catfish spawning areas that will occur with the diking of Goshen and Provo Bays.

25. That funds be provided for the development of catfish spawning areas if future studies indicate such areas are necessary and feasible.

26. That a minimum instantaneous flow of 60 second-feet be maintained in the Provo River from Deer Creek Dam downstream to Olmstead powerplant diversion dam. During drought years shortages are to be shared proportionately with other users; be it further

Resolved, That in the interest of protecting project feasibility and preserving the limited project water supply the following requests heretofore made are now withdrawn:

1. That flows of West Fork of Duchesne River at Vat diversion dam be not less than 8 cubic feet per second.

2. That flows of Currant Creek at Currant Creek Dam be not less than 6 cubic feet per second.

3. That flows of Duchesne River at Knight diversion dam be not less than 45 cubic feet per second.

4. That 47,250 acre-feet of water be provided for the Goshen Bay wildlife management area; be it further

Resolved, That the U.S. Bureau of Reclamation favorably consider the request of the Utah State Department of Fish and Game to maintain Utah Lake at a minimum pool elevation of 4,480 (representing a maximum drawdown of about −9.3 feet below compromise level) and to negotiate with present Utah Lake users and explore other means to prevent the lake from being drawndown below −9.3 feet as has historically occurred and is presently contemplated by the definite plan report of the Bonneville unit of the central Utah project; be it further

Resolved, That copies of this resolution be transmitted to the Commissioner and Regional Director of the U.S. Bureau of Reclamation, the Central Utah Water Conservancy District, the members of the Utah congressional delegation, the Upper Colorado River Commission, and other interested parties.

I certify that the foregoing is a true and accurate copy of a resolution adopted by the Utah State Department of Fish and Game on April 10, 1965.

HAROLD S. CRANE,
Director.

I certify that the foregoing is a true and accurate copy of a resolution adopted by the Utah Water and Power Board on April 12, 1965.

JAY R. BINGHAM,
Executive Director.

As Governor of the State of Utah, I hereby concur in the action taken by the Utah State Department of Fish and Game and the Utah Water and Power Board and declare the foregoing resolution to be the official recommendation of the State of Utah with respect to fish, wildlife, and recreation measures relating to the Bonneville Unit of the central Utah project.

CALVIN L. RAMPTON,
Governor of Utah.

APRIL 12, 1965.

Mr. MOSS. Mr. President, the resolution sets forth 26 points upon which the Bureau of Reclamation and officials of the State of Utah have agreed in resolving this fish and wildlife question.

It was Utah's hope that President Johnson would include in his budget requests for the fiscal year 1966 the funds to begin construction of the Bonneville unit. Perhaps because of the unresolved fish and wildlife problems these funds were not included. We were most disappointed.

The planning of this project is virtually complete. And we are ready to begin construction early in fiscal year 1966. Our need is urgent and immediate.

I have made arrangements to go before the Appropriation Subcommittees of both the House and the Senate to request a write-in of these construction funds.

Now that the fish and wildlife question has been resolved, there is no reason to delay building the Bonneville unit. The central Utah project is a vitally needed investment which will greatly increase both the economic growth and the taxpaying capacity of Utah's most populous region. I say investment, because the money will be paid back from power revenues and water sales. And I say investment because the enhanced land values, enlarged and new industries and the expanded payrolls will add to our national wealth and bring increased Federal, as well as State and local, tax revenues. We invest today to reap benefits tomorrow.

MILITARY ACTIVITIES—ADDRESS BY RALPH R. HARDING, SPECIAL ASSISTANT FOR PUBLIC AND LEGISLATIVE AFFAIRS

Mr. MOSS. Mr. President, Mr. Ralph R. Harding, formerly a Representative from the State of Idaho and now special assistant for public and legislative affairs to the Secretary of the Air Force, yesterday delivered in Ogden, Utah, a well-rounded speech dealing with the military activities of our country. Because I believe the contents of the speech to be of interest to all Members of the Senate, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY MR. RALPH R. HARDING, SPECIAL ASSISTANT FOR PUBLIC AND LEGISLATIVE AFFAIRS TO THE SECRETARY OF THE AIR FORCE, ARMED FORCES DAY LUNCHEON, CHAMBER OF COMMERCE AND ROTARY CLUB, BEN LOMOND HOTEL, OGDEN, UTAH, MAY 12, 1965

INTRODUCTION

During this week, grateful citizens all over America gather to pay tribute to those who have fought to keep us free from tyranny. Liberty and the inalienable rights of man are just as precious to us in the space age as they were to Jefferson, Lincoln, Wilson, and Franklin Roosevelt.

A thankful Nation gratefully honors those who in the past have defended our liberty and our rights, and those who now stand vigilantly on the frontiers of the free world assuring our security and advancing our hopes for a better world.

It is fitting that we remember those who have bravely served freedom's cause. During less than half a century, our Nation has been involved in three wars; nearly 26 million Americans have been called upon to bear arms. Casualties totaled almost 2 million and the cost to American taxpayers exceeded $500 billion. The cost of freedom has indeed been high. But Americans have always been willing to pay the price for the democratic rights and privileges.

Armed Forces Day is a solid reminder that military strength cannot exist in a vacuum. It depends upon full public support and understanding. Without these, no nation can remain strong. The good people of the greater Ogden area have given their support and demonstrated their understanding.

AEROSPACE INDUSTRIES IN UTAH

I was impressed by some of the statistics provided me regarding the amazing growth of your area. Your support of defense industries, and of military installations, is equally impressive. Let me mention just a few of the facts and figures.

Your industrial capacity is 21 times greater than it was just a short 10 years ago. During those years, you have been awarded defense contracts worth in excess of $736 million. Last year alone the State of Utah received over $266 million in defense contracts.

Hill Air Force Base has also enjoyed your wholehearted support and the Air Force people here tell me that relations between them and the Ogden community are cordial, constructive, and cooperative. The Air Force is grateful for your friendship and help.

I realize that many of you here are businessmen. You can easily appreciate the fact that running a military service is much like running a large business. Just as a businessman periodically examines his operations and audits his overhead expenses, the Air Force also takes frequent and close looks at how things are going with the idea of finding better and cheaper ways for getting the job done. Consider just one air base. Need I tell you that it is expensive to run one? Need I tell you that it is poor practice and uneconomical to keep one operating if the Department does not need it, or if a base's functions can be absorbed, or assumed by another base and savings realized?

Hill Air Force Base is one of eight Air Materiel Areas (AMA's) under our Air Force Logistics Command. As the result of an exhaustive study, we are reducing the number of AMA's by three and will consolidate their functions under the remaining five, including Hill Air Force Base. For Ogden AMA it means a considerable expansion over the next 4 years and the creation of nearly 5,000 new jobs over the 11,000 jobs already here. I imagine this will bring an influx of new people into your community, and among them will undoubtedly come some very competent individuals. I am sure you will find that these individuals would be a credit to any community, and that you will afford them the usual Utah hospitality. Of course, not all individuals will move with the positions, and local personnel will be recruited to fill vacancies. Utah has the skilled and capable manpower.

The Air Force will lean heavily upon that competence. With over $117 million already invested in Hill Air Force Base, our plans are to add some vital programs and to utilize our investment more fully. Among the new management programs will be the maintenance of Atlas and Titan ICBM's and air-launched missiles; maintenance of RF–101 "Voodoo" aircraft navigational and photographic equipment; and management of space boosters.

And speaking of boosters, the Air Force announced in January that it had selected Thiokol Chemical Corp. and Lockheed Propulsion Co. for work on new, large, solid propellant motors. Thiokol's division at Brigham City will develop one of three 156-inch diameter motors with a thrust of over 320,000 pounds. Previous firings by both companies of these motors were significant first steps in the large, solid motor program. Indeed, Thiokol's test firing in December 1964 of the gimballed nozzle was an important first.

You people of the greater Ogden area have made notable contributions to the growth of our military strength. But you are not resting on past achievements, regardless of how impressive they were. No; I believe you are looking ahead and are determined to continue your splendid efforts on behalf of national security.

THE SOVIET THREAT

It is essential that all Americans look ahead and that they never take their freedom or rights for granted. On the contrary, we must do all in our power to guarantee their preservation. This is a tremendous challenge today, for the ideals of democracy are being sorely harassed by the militant philosophy of communism. We have faced great dangers in war. In today's cold war we face danger as great. Recent wars have, however, taught us an important lesson. We know that nations that are weak invite outside attack. Those that are powerful deter the strike of aggressive nations.

Prior to World War II, the Armed Forces were hampered by inadequate appropriations, and although Air Force leaders managed to develop a few prototype weapons, such as the B–17, we were still far from prepared when the Japanese struck Pearl Harbor. For the United States had, in effect, been hiding behind two oceans and a policy of isolation. Even the British, who faced the fury of Adolf Hitler first, had ignored the warnings of Winston Churchill and had listened to Neville Chamberlain's promise of "peace in our time." Just as Hitler and his Axis partners sought to take advantage of the military weakness of others, and to dominate the world, so too is the Soviet menace making a similar attempt. The situation confronting the Soviets is, however, not the same as that which faced the Axis Powers.

We had the much needed time to get ready for Nazi Germany and Japan. Our two oceans permitted us to awaken, flex our military and industrial muscles, and forge the most awesome military machine ever seen up to World War II. We were able to smash our enemies convincingly once we were fully armed.

Fortunately for us, we would be alerted to a new danger once World War II was over. Joseph Stalin's aggressive policies inadvertently alerted us to the postwar danger, and we realized in time the true nature of the Soviet challenge. We began our postwar military buildup in response to a wide range of Soviet threats. It is not necessary for me to recite the numerous sinister acts of the Communists, but we do know that we have lived in a period of constant threat. Tensions have risen and fallen several times. Just when we get our hopes up that the threat might be easing, the Reds shatter our expectations. In the typical American way we have responded to friendly overtures, but we must take care not to rely too heavily upon these thaws in the cold war, which are perpetrated under the guise of peaceful coexistence. To the Communists, this means simply war by another means with less muss, fuss and hardware.

We have had to meet Communist challenges in Berlin, Turkey, Greece, Lebanon, Korea, Vietnam, and more recently, in Santo Domingo. It is a part of the same old pattern all over again. Obviously, any philosophy that is determined to achieve world domination is going to probe and push and look for weak spots that can be exploited to hasten their day of victory. It is obvious, in the light of recent events, that the Communists will and can operate on two sides of the globe simultaneously.

GUARDIAN OF FREE WORLD

This Communist push for world domination has resulted in our continued emphasis upon military strength and weapons development. Having come through the last war with no damage to the home base, and possessing the tremendous industrial, economical, and military power that we do have, we naturally and rightfully became the leader of the free world. The U.S.S.R. for similar economic and military reasons has become the leader of the Communist world.

In our efforts to build up the free world, we have given economic and military aid to numerous friendly governments. Concurrently, we covered our friends and allies under our great umbrella of deterrence. Large U.S. military forces overseas discouraged Communist expansion, as has our membership in collective worldwide security arrangements.

Being guardian of the free world has been a heavy responsibility, and a new experience for us. As a nation, we do not believe in aggression; that's not our way of doing things. Our motto has been "peace through superior strength," and it will remain so despite the voices of those like Khrushchev who plan and think in terms of burying us. A policy of protracted restraint like ours is one which requires the utmost individual and national patience. At times, it seems much easier and far simpler to get mad and let our frustrations go; but like a patient parent, we must control our temper, and count to 10, however many times are necessary. But we must also keep our great strength in constant readiness to meet any and all challenges that may occur. The last few weeks alone give ample evidence of this fact.

VIETNAM

It is because of our overall military superiority that the Communists have resorted to what Khrushchev called wars of liberation, such as is taking place in South Vietnam right now. Her people have suffered through 5 years of Japanese occupation, then 8 years of the Indochina war, and now 11 years of Communist guerrilla attacks and subversion. The amount of suffering and misery the South Vietnamese have had to endure defies description. Despite the murder and kidnaping of village leaders, wanton killings, threats, and ambushes in the night, they have fought on desperately trying to prevent their small country from being snatched behind the Bamboo Curtain.

Frequently people wonder, and some ask, why are we in South Vietnam? We are there simply because a small friendly nation called out to us in a desperate hour for help in preserving their independence. We pledged our help 10 years ago, and each succeeding President since Dwight D. Eisenhower has honored that pledge. We have no territorial ambitions in southeast Asia, and we will be ready to leave South Vietnam when aggressors are ready in turn to leave their neighbors in peace. But we also know that in preserving South Vietnam's freedom, we are preserving our own as well.

Some say that there are no aggressors but that this is really a civil war between two factions of South Vietnamese. This is not true. The evidence is abundantly clear that this is a war that is led and supplied by Hanoi. The men, weapons, and even regular military units which have been brought to South Vietnam have been identified as being of North Vietnamese, or Communist, origin. Recently, the majority of the infiltrators have been North Vietnamese who have never lived in South Vietnam or even been near the 17th parallel before. Earlier in the struggle, most infiltrators were South Vietnamese trained in the north and infiltrated back into the south. The weapons captured came from a number of Communist bloc countries including the U.S.S.R., Red China and Czechoslovakia. The evidence is overwhelming that it is just another Red grasp for control.

This is not a genuine civil uprising with no eternal control or support. It is a vicious, underhanded and dirty kind of warfare where every nasty trick in the book has been used at one time or another. Would it be a civil disturbance if 39,000 armed South Koreans were to penetrate North Korea and wage a war directed by Seoul? What would the Chinese call such an enterprise? Would they label it popular rebellion or would they hysterically scream aggression? I am sure we all know the answer to these questions.

The endurance of the South Vietnamese people in their ordeal has been magnificent. In recent months, some 200,000 have fled from areas controlled by the Vietcong. No significant refugee group has fled from government-controlled areas to areas controlled by the Vietcong. No single responsible leader, no major interest group or party in South Vietnam has ever shown sympathy or support of the Vietcong. Since 1960, over 50,000 government soldiers have been killed. Still, they have the will to fight on. Even now they are augmenting their army by another 160,000 men. Does that sound like a nation unwilling to resist? Could we abandon such a country to her enemies? A country that has valiantly staved off a calculated invasion?

President Johnson has made our position clear on this point on many occasions. Let me quote a few of his words. On April 7, 1965, at Johns Hopkins University, he said, "We are there because we learned that aggression, unmet anywhere, opens the gate to aggression everywhere. * * * We will not be defeated. We will not grow tired. We will not withdraw, either openly or under the cloak of meaningless agreement." More recently, on April 28, he stated further: "We are engaged in a crucial struggle in Vietnam. * * * Defeat in South Vietnam would deliver a friendly nation to terror and repression. * * * From Munich until today, we have learned that to yield to aggression brings only greater threats and brings even more destructive war. To stand firm is the only guarantee of a lasting peace. * * * I reaffirm my offer of unconditional discussions * * * this is the same battle we have fought for a generation. Whenever we have stood firm, aggression has been halted, peace has been restored and liberty has been maintained—it will be true again in southeast Asia."

The only action we could never justify would be our failure to support the brave people of South Vietnam in their struggle to preserve their freedom and independence. Our aims in Vietnam are clear. Communism must learn that we will not permit a country to be taken over by force and violence. Nor does it matter where on the map the potential victim may be.

THE DOMINICAN REPUBLIC

On April 24, this time very close to home, the Communists attempted to assume control of a popular uprising and thus hoped to eventually force a tyranny upon the Dominican Republic far worse than that of Trujillo. Ex-President Juan Bosch, who twice has been in exile in our country, had much support for his return to leadership. However, once the spark of rebellion was ignited, his followers could not control armed Communist elements, and were forced to forfeit leadership of the rebel movement to the Communists. Many of these Communist leaders are known and have been identified. They were trained in subversion and guerrilla war in Cuba or other Communist countries.

In addition to the danger of a Communist takeover, there was the immediate danger to the lives of thousands of American citizens and to nationals of some 30 other countries. Alerted a week before the uprising began to expect a political explosion in Santo Domingo, the President kept his finger on the pulse as best he could in a difficult situation. At first he made every effort to restore order by attempting to get agreement to a ceasefire between the various rebel factions, but the Communist elements would not lay down their guns. Next, he turned to the Organization of American States for quick action, but events outran the careful course of deliberation.

Once the U.S. Ambassador in Santo Domingo informed the President that the local police could no longer guarantee the safety of American citizens, and of foreign nationals, the President made his decision. On the afternoon of April 25 our forces entered the Dominican Republic on an errand of mercy designed to seal off an area where people could be safe. Already, the streets of Santo Domingo contained the bodies of a thousand. As he said himself, "* * * someone had to mediate as soon as possible to end the river of blood running in Santo Domingo."

It was not an easy decision, for other countries are always critical of a nation landing forces on the soil of another regardless of the reason. But our President did not hesitate or vacillate in the face of obvious criticism and danger. The OAS sent a five-man team to the Dominican Republic in order to arrange a cease-fire.

The Organization of American States resolved long ago that it would not tolerate the establishment of another Communist dictatorship in the Western Hemisphere. President Johnson has reiterated U.S. policy by telling our people, "I want you to know, and I want the world to know, that as long as I am President of this country, we are going to defend ourselves. We will defend our soldiers against attack. We will honor our treaties. We will keep our commitments. We will defend our Nation against all those who seek to destroy, not only the United States, but every country in this hemisphere. We do not wish to bury anyone, as I have said so many times before, but we do not intend to be buried." There could be no clearer enunciation of our foreign policy.

CONCLUSION

I am delighted to have had a chance to discuss the role of the Armed Forces in meeting the Communist challenge with you today. I would conclude by reminding you that across the pages of our history, the Armed Forces have played a vital role in all our great moments. In a world of conflict and crisis, good causes have always required the dedication of good men who were willing to do battle for those causes. It was true at Lexington, Concord, San Jacinto, St. Mihiel, Pearl Harbor, and Pusan. It is now true at Da Nang. In a very real sense, the future of our Nation, and of the entire free world, is bound up with that of our Armed Forces.

It has been my great privilege to participate with you fine citizens of Ogden in a program to pay our respects, and express our appreciation, to the thousands of servicemen stationed in this area, as well as to the American servicemen throughout the world who call Ogden home. I join you in expressing to these patriotic and dedicated servicemen a hearty thank you for a job well done.

Thank you.

BIPARTISAN SUPPORT OF PRESIDENT JOHNSON

Mr. MOSS. Mr. President, on Thursday, May 6, 1965, the Philadelphia Inquirer published an editorial entitled "Backing Up the President." The editorial discusses the President's request for a supplementary appropriation of $700 million, which was promptly acted upon by Congress, and the appropriation was made. The interpretation placed upon this action by the Philadelphia Inquirer is of interest and should be underlined in the minds of the people of the country. I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BACKING UP THE PRESIDENT

Prompt response in Congress to President Johnson's request for a supplementary $700 million appropriation is a timely display of bipartisan support for his policy of unwavering dedication to the fight against Communist aggression in South Vietnam.

It is also, indirectly, a demonstration of congressional backing for President Johnson's efforts to prevent a Communist takeover in the Dominican Republic. Although he did not mention the Dominican crisis in his message to Congress, the President made it clear in his briefing of Senate and House leaders that the need for additional funds is due in part to troop landings in Santo Domingo as well as stepped-up operations in southeast Asia.

At the same time that the President's special appropriation bill was moving through Congress in Washington, a somewhat less satisfactory vote of confidence in U.S. policy in Vietnam was approved in a communique of the Southeast Asia Treaty Organization at the conclusion of its meeting in London.

SEATO went on record in favor of "resolute defensive action" to prevent a Communist victory in South Vietnam but the sentiment was far from unanimous among the Organization's eight members. France refused to participate in the sessions, except as an observer, and Pakistan offered only reluctant and half-hearted indorsement to the struggle to save Vietnam from the Reds. An encouraging aspect of the SEATO conference, however, was the unexpected, vigorous support which Britain, Australia, and new

Zealand gave to America's efforts in behalf of freedom in southeast Asia.

It might be advisable for Allies abroad to join Americans in pondering deeply President Johnson's words to Congress: "At every turning point in the last 30 years there have been those who opposed a firm stand against aggression. They have always been wrong. And, when we heeded their cries, when we gave in, the consequence has been more bloodshed and wider war * * *. Wherever we have stood firm, aggression has been halted."

The need now is for firmness and courage in confronting the intensifying challenges of Communist armed force and subversion, whether in this hemisphere or on distant shores. In these endeavors the President has the support of Congress and the overwhelming majority of the American people. He should also have the support of freemen everywhere who value their freedom and wish to preserve it.

ADDRESS BY SENATOR TALMADGE AT CAPITOL BREAKFAST MEETING

Mr. STENNIS. Mr. President, the Senator from Georgia [Mr. TALMADGE] addressed a group of his fellow Senators in the Capitol at a breakfast meeting this week. His remarks were a fine analysis of some of the most pressing problems of our times. His observations and suggestions, as always, were timely and valuable. They had value in the political, economic, and spiritual field of thought. I commend the reading of our colleague's able and wise remarks to the entire membership of the Senate and to the public at large. I ask unanimous consent that the address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR TALMADGE, SENATE PRAYER BREAKFAST, MAY 12, 1965

My friends, the people of this Nation have come to know the highest standard of living in the history of mankind.

Although the United States has only 6 percent of the earth's population and comprises only 7 percent of the world's land area, it might well be said that we, here in this country, have the most and the best of everything.

Such is our material wealth that Americans are better paid, better housed, better fed, and better clothed than people anywhere else in the world.

The average factory worker in America, for instance, receives an hourly wage three times greater than workers in Great Britain, and West Germany, five times greater than in France, and six times more than in Italy.

Production and consumption continue to climb to staggering new heights. And it is of more than passing interest to me that virtually everything we build, everything we buy, seems calculated to make life easier.

Speed and efficiency—these are the bywords of today, the much sought-after qualities in our present-day society. And, of course, by attaining them, we have more time to devote to learning how to be more speedy and more efficient.

Thanks to the marvels of space-age electronics, we now have instant communication, instant entertainment, and instant news. With the turn of a dial or the flick of a switch, we can bring the world into our living rooms.

For every 1,000 persons in the United States, there are 395 telephones, 900 radios, and almost 300 television sets.

With more than 60 million passenger vehicles and a network of some 3½ million miles of superhighways, roads and streets, we have almost literally become a nation on wheels. In the United States, there is one car for every three persons, or to put it another way: the entire population could at one time be accommodated in the front seats of our automobiles.

We have gadgets to do this, and complicated devices to do that. Major and minor household appliances are indeed wonders to behold. And—though I look forward to it with some fear and trepidation—we are told that the best is yet to come, that someday there shall be contrivances to do everything for us, except our thinking—and perhaps even that.

Thus, we are moving forward at an unprecedented rate toward greater and greater progress, toward the so-called good life.

But, my friends, I submit that just as fast are we departing from fundamental ideals and principles which are infinitely more important to our daily lives, and to our wellbeing now and in the future, than wealth and all the things that money can buy.

Consider with me this morning the poetic lament of William Wordsworth on the tendency of man toward materialism. Said Wordsworth, in lines which I find appropriate to the present-day situation:

> "The world is too much with us.
> Late and soon, getting and spending, we lay
> waste our powers."

Let me make it clear that it is not my intention to disapprove of progress, whether it be economic, social, or otherwise. Without a doubt, one of the greatest sources of the strength and security which our Nation now enjoys is due to its wealth and prosperity.

It is the American way for each man to work hard, to strive to improve his lot, and to try to make a better world for himself and for his children. This is as it should be. It is this kind of spirit that has made ours the great nation that it is.

However, it is my contention that material gain is not the highest pinnacle of achievement. It is not and should not be the mecca of all man's aspiration.

In my humble opinion, we need to place a great deal more emphasis on the soul of man, than upon his social, scientific and economic progress.

We need to direct more of our attention to the needs of the heart and soul of man, rather than basing our progress in terms of material measurements alone.

I would ask in all sincerity if there isn't a tendency to lose sight of the real meaning of the philosophical truth that man does not live upon bread alone, if there isn't a tendency to relegate spiritual and idealistic values to positions of secondary importance in our lives?

May we not also find it appropriate to ask if it isn't time for the American people to concern themselves more with Christian morality, with the perfection of men as well as machines?

Again, let me reiterate that a high standard of living is of course a very worthwhile goal for any people to seek. But I would ask:

Is not a high standard of religious faith and virtue just as worthy of attainment? Do we not misplace our affection when the material needs of our bodies are dearer to us than the spiritual needs of our souls?

The great Apostle Paul, who as much as any other man was responsible for establishment of Christianity throughout the world, warned against this in his message to the Phillipians. Paul's advice and counsel is as sound today as it was 1,900 years ago when he traveled about preaching the Gospel. Said he:

"Whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report, if there be any virtue, and if there be any praise, think on these things."

Later, in his epistle to the Collossians, Paul wrote further on what are the real and lasting values in life. He tells us to "Set your affection on things above, not on things on the earth."

When considered in the light of history over the centuries, Paul's wisdom surely cannot be questioned. The record clearly shows that when nations and people drift too far toward materialism and debase themselves to embrace the god of mammon and ignore the teachings of Christ, they founder and ultimately meet destruction.

For it is one of the verities of history that riches are not enough to insure strength and guarantee security, no more for the nation than for the individual man.

Material and physical strength may for awhile withstand assault from without, but it is no protection against decay from within which insidiously eats away at the mental and moral fiber of a people until all is consumed.

Arnold Toynbee tells us that of 21 great civilizations in the history of the world, 19 died not from outside aggression, but from internal disintegration. It is said that these now dead societies passed through this sequence:

From bondage to spiritual faith.
From spiritual faith to great courage.
From courage to liberty.
From liberty to abundance.
From abundance to selfishness.
From selfishness to complacency.
From complacency to apathy.
From apathy to dependency.
From dependency back again into bondage.

The steady march of materialism in our time—not just in our own country, but throughout the world as well—has carried us to the brink of an abysmal domestic and international situation, which with increasing frequency we find perilously difficult to control.

The free people of the world are engaged in a life or death struggle with a godless, alien ideology which would enslave them.

To preserve freedom, it has become necessary for us to mount arms upon arms, until today the nuclear sword of Damocles hangs over us all.

Each new day brings another test of our strength and our courage.

It is sad indeed that in the midst of plenty, in this land of unlimited and unparalleled opportunity, lawlessness, and violence have become a way of life for untold numbers. And the law-abiding languish in indifference.

So although we have become proficient at production and technological creation, although we can build the best automobiles, produce the most abundant food, construct the finest houses and fill them with what Mark Twain sardonically referred to as "all the modern inconviences," the fruits of our labor are not altogether sweet.

We have not assured for ourselves peace of mind. Our mental hospitals are filled beyond capacity with the confused, frustrated, and neurotic.

All of our money, our industries, our missiles, bombers, and warships—our vast defense establishment costing more than $50 billion a year—is no certain guarantee of peace and security. The world seems bent on following a collision course to disaster.

Our prosperity at home has not given our people tranquility. Nor has it cemented the bonds of national unity. Great sectional and social rifts threaten to drive our people apart.

Thus, let us not regard material wealth as the highest and best testimony to the good life. Let us remember the admonition of Jesus Christ, in the Gospel according to St. Matthew:

"For what is a man profited, if he shall gain the whole world, and lose his own soul?"

We also might ask: What is national greatness, and prosperity, or liberty, and the dignity of man, unless it is based upon a firm foundation of Christian ethics and morality?

In the final analysis, it all comes to nothing. Neither man, nor his governments, nor his material wealth can be sustained without strong and abiding faith.

Man's stature and the degree of his progress can only be measured by the length and breadth of his faith.

Faith in what is just and true according to God, in the kind of nation that was founded upon this faith, and faith in ourselves.

Other nations may someday surpass us in the production of things; that is not of the utmost importance. But let no people weaken or take from us our faith, for in this faith lies our strength.

And with the power which springs from our faith, we can truly bring progress to the world and we need not be afraid of the future.

Let us turn again to the words of Paul. In his last epistle to Timothy, Paul exhorted his friend and follower to be strong in the grace that is in Christ Jesus. Wrote the Apostle:

"God hath not given us the spirit of fear; but of power, and of love, and of sound mind."

In closing, it is my prayer that we shall always remember that power and love and security come not from the things of this earth, but are the blessings of faith.

Mr. MOSS. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

"PREVENTIVE GEOLOGY"—OR HOW TO LIVE IN EARTHQUAKE COUNTRY

Mr. BARTLETT. Mr. President, less than 24 hours after the first anniversary of the great Alaska earthquake the central part of Chile was shaken by a devastating quake. Although most of the 400 dead were killed as a result of the sudden bursting of a dam which sent tons of water and mud crashing down on one small mining village, millions of dollars of physical damage was done elsewhere in that interesting nation.

Three days later, in a distant but related quake zone, another massive tremor struck. This time it was Greece. And, again, physical damage was severe.

It should be clear from these catastrophic events that we earth dwellers are going to have to learn to live with the ever-present threat of earthquake damage to many of our most populous areas. A recent report of the U.S. Geological Survey entitled "The 'Good Friday' Alaskan Earthquake—1 Year Later" urges the adoption of what it terms "preventive geology" as the means of minimizing this hazard.

Preventive geology—

The report says—

like preventive medicine, will play an increasingly significant role in helping man to live safely and securely in his environment.

Mr. President, I ask unanimous consent to have this very useful and quite brief report, printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE "GOOD FRIDAY" ALASKAN EARTHQUAKE—1 YEAR LATER

One year ago, on Good Friday, March 27, at 5:36 p.m., Alaska standard time, an earthquake with a Richter magnitude of 8.5 dealt a massive blow to south-central Alaska. Seismic energy, radiating from the focus of the earthquake miles beneath Prince William Sound triggered an almost incredible variety of geologic processes.

Within 24 hours, Department of the Interior, Geological Survey scientists were on the scene to determine and appraise the quake damage.

On land and beneath the sea, large masses of sediment were jarred into motion by the shock. Many of the submarine slides occurred so abruptly that they generated seawaves which smashed back at Alaskan coastal communities on the heels of the earthquake itself. Slides and slumps destroyed or damaged homes and business districts, cut railroads, highways, and communication lines, and disrupted water, gas, and sewer service.

Ground motion, resulting from the passage of seismic waves through relatively unconsolidated sediments, literally shook man's works into ruins. Highways were heaved about, to be littered with broken slabs of pavement. Bridges were twisted and rocked off their foundations. Concrete shells of modern buildings fractured in geometrically regular patterns in response to the oscillatory to-and-fro motion of the ground waves.

LAND CHANGES

Less spectacular perhaps, but far more impressive to earth scientists, were the regional changes in land level created by the earthquake. These changes are closely related to a northeast-trending zone of seismic activity which contains the original Good Friday earthquake and thousands of aftershocks. Most of the seismic zone shows little or no change in land level after the earthquake, but adjacent to this zone and west of it a belt of about 30,000 square miles sank as much as 6 feet. To the east, an area of as much as 50,000 square miles has risen, locally more than 33 feet. These vertical changes in the land and seafloor necessitate remapping and recharting vast areas in south-central Alaska.

RECONSTRUCTION

The lessons from the Alaskan earthquake are clear, the Survey says. In earthquake country a basic knowledge of geology is vital to planning safe sites for communications and transportation routes, industry, and residences. This knowledge is equally necessary to the engineer charged with designing structures to withstand earthquake stresses.

In Alaska, teams of geologists and engineers, working closely together, guided reconstruction efforts, advised builders on geologic hazards, and suggested ways of minimizing or avoiding these hazards. In Anchorage, previously published reports of the Geological Survey provided much of the data and guidelines needed for planning.

Elsewhere, as at Valdez, Geological Survey geologists diagnosed postearthquake effects and prescribed a drastic cure—move the town.

VALDEZ—A CASE HISTORY

The problem at Valdez is an excellent example of how geologic knowledge can help man adjust to his environment. Valdez, with a population of 1,300, is a seaport town. It lies at the head of Valdez Arm, a fiord carved during the last ice age by a tongue of glacial ice from the Chugach Mountains. As glaciation waned, the ice tongue retreated eastward past the present site of Valdez, and left in its wake the narrow steep-walled fiord that is now Valdez Arm. Meltwater from the glacier carried fine-grained rock debris, clay, and silt into the head of the fiord where a delta was formed.

The upstream margin of the delta and its surface were broad and flat, but the delta front, hidden by the waters of Valdez Arm, dropped precipituously to the bottom of the fiord. Here, when the earthquake struck, submarine slides along the steep delta front ripped out the Valdez waterfront and port facilities and generated a wave which smashed back at the city with devastating force.

At Valdez, geologic investigations after the earthquake showed that the delta front remains potentially hazardous and it was recommended that the port facilities and much of the city be moved to a relatively stable geologic site on the north side of the Valdez Arm. Relocation of much of Valdez is already underway.

Similar submarine slides and sea waves struck elsewhere in south-central Alaska, where geologic conditions resembled those at Valdez.

PREVENTIVE GEOLOGY

The effects of Alaska's Good Friday earthquake are still being assessed by geologists and geophysicists, but those effects have already indicated that we desperately need much more and better scientific knowledge in order to live with the earthquake problem. To meet this need, the Geological Survey has proposed a broad program of earthquake studies in Alaska and in California which would cost only a fraction of the estimated Alaska earthquake damage of $205 million.

In both California and Alaska, geologic studies of communities or thickly populated areas will be started to evaluate geologic hazards and to help guide planning for the future. The California studies will concentrate on the San Andreas fault zone, a fracture some 600 or more miles in length along which earthquakes have repeatedly occurred.

Detailed geologic studies of the San Andreas fault are planned to better understand the mechanism of major earthquakes, and a variety of geophysical techniques will be used to probe deep beneath the surface and to further our knowldege of energy distributions within the crust of the earth. Hopefully, some of these studies will provide the basis for a system of earthquake prediction. Studies of physical properties of different geologic units are planned to better understand differing responses to seismic energy, and to aid engineers in minimizing damages through proper building design. Research into such destructive geologic processes as submarine slides and landslides forms an integral part of the program.

Man has learned much from the Good Friday earthquake, and much of what he has learned can be used to diminish loss of life and damage when the next great earthquake strikes. Geologists say that another will strike, is certain, for the Pacific coast States lie within the circum-Pacific zone of high earthquake activity. Within this zone, earthquakes are as much a part of man's environment as is the climate; and just as he learns to adjust to the weather, so must he adapt to the geologic hazards of earthquakes. Clearly, preventive geology like preventive medicine, will play an increasingly significant role in helping man to live safely and securely in his environment.

THE CHALLENGE OF PEOPLE AND TREES

Mr. HRUSKA. Mr. President, a week ago Wednesday, the Halsey National Forest in Nebraska, the largest man-made forest in the world, was heavily ravaged by elements over which man has little control. Lightning struck during an electrical storm in a drought-stricken sandhills area of the State. Quickly the flames spread from the dry grasslands, carried by high winds, to the treed hillsides of this monument to man's ingenuity in coping with a hostile environment.

The result of charred trees, burned buildings, and a destroyed dream of tree-covered hills where trees had never grown is well-known to the Nation. Fifteen thousand acres, or nearly 1½ million trees, were left in ruins in a few short black hours. Many brave and dedicated individuals from the entire vicinity are to be commended for the way they fought the fire relentlessly and reduced the stubborn flames.

It is with a note of hope, Mr. President, that we observe that the work to replant and restore the burned-out acres has already begun. No sooner had the last flame been put out, than plans were put into operation to replant the blackened soil with seedlings and reseed the plains with grass. In keeping with Nebraska tradition the people did not despair but began to restore. They were keenly aware of the value of this limited resource of trees. The history of the State emphasized the importance trees have assumed for the people and the resulting efforts to increase and conserve this resource.

For many years Nebraska has been know as the Tree Planters State because of the conscious efforts of its citizens to plant trees and give this once treeless plain a new and green covering. The annual holiday, Arbor Day, is a monument to Nebraskans who early recognized the need for trees and began a conscientious drive to plant trees for lumber for homes, windbreaks on their farms, and for recreation areas.

Each year on Arbor Day in Nebraska City at the home of J. Sterling Morton, the founder of Arbor Day, the occasion is celebrated with an appropriate tree-planting ceremony. This year was the 93d annual celebration and the main speaker was Daniel Peterkin, Jr., president of the Morton Salt Co. Mr. Peterkin gave a stimulating and thoughtful address. He pointed up the need to conserve and expand the resources of forest lands because of the very fundamental problem of ever-increasing demands on a limited resource. The major points of Mr. Peterkin's remarks are outstanding and deserve careful consideration. His remarks, "The Challenge of People and Trees," assume added importance in view of the tragic fire at Halsey.

I ask that the text of Mr. Peterkin's address on the occasion of the 93d annual celebration of Arbor Day in Nebraska City be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE CHALLENGE OF PEOPLE AND TREES

(An address by Daniel Peterkin, Jr., president, Morton Salt Co., Chicago, Ill., on the occasion of the 93d annual celebration of Arbor Day, Nebraska City, Nebr., Apr. 25, 1965)

You have honored me by your invitation to take part in this the 93d annual celebration of Arbor Day.

I feel a particularly close relationship with these activities and this place because I was fortunate enough to be well acquainted with J. Sterling Morton's son, Joy Morton, the founder and first president of Morton Salt Co. Joy Morton was a grand person, embodying the same qualities of leadership and responsible citizenship demonstrated by his father.

Joy Morton talked often of the deep and abiding interest in conservation which motivated his father to work tirelessly toward the goal of planting trees throughout the plains of Nebraska, so that the people who lived here then, and those to follow, might enjoy these blessings of nature.

At one point, speaking of fruit trees, the elder Mr. Morton said: "There is beauty in a well ordered orchard which is a joy forever. It is a blessing to him who plants it, and it perpetuates his name and memory, keeping it fresh as the fruit it bears long after he has ceased to live. There is comfort in a good orchard, in that it makes the new home more like the old home in the East, and with its thrifty growth and large luscious fruits, sows contentment in the mind of a family as the clouds scatter the rain. Orchards are missionaries of culture and refinement. They make the people among whom they grow a better and more thoughtful people."

Harboring these sentiments and being a persuasive writer, orator, and leader of men, it was natural that he should organize a campaign to encourage tree planting. In 1872 he suggested that a day be set aside to honor trees and encourage their propagation. His dream was given formal recognition in 1874 when your State legislature proclaimed Arbor Day a State holiday.

The spirit of Arbor Day has been carried forward to this time in many places and in many ways by people in all walks of life. It is interesting and inspiring to speculate on the tidal waves of change wrought on the landscapes of the world and in the hearts and minds of people everywhere by this idea.

Sterling Morton's son, for one, carried the inspiration of Arbor Day with him throughout his life. He helped in many ways to further the cause of conservation, crowning his personal efforts with the creation of the Morton Arboretum on the site of his farm near Chicago. Since its dedication in 1922, the arboretum has become a leading model for arbor centers here and abroad.

Although today's world is vastly different than the one known by Sterling Morton—or even Joy Morton, for that matter—and the needs are different, there is no less urgency now than in 1872, for the spirit and accomplishments of conservation and Arbor Day.

And I have a strong feeling that we pay the greatest tribute to the memory of J. Sterling Morton and to the meaning of Arbor Day when we concentrate our thoughts on the challenges of today and the future, rather than on the achievements of the past.

These challenges may be simply stated in this manner. There will be an ever-increasing number of people demanding an ever-increasing number of products and benefits from trees and forests. At the same time, there will be a steadily decreasing land base from which to meet these needs. The dean of the Yale University School of Forestry expressed it more pointedly when he declared, "The basic problem is one of ever-increasing demands upon a resource that is not unlimited."

Projections of population growth are many and varied. One can almost pick a number to suit his purpose. But the best estimate seems to be that the population of the United States will continue to expand very rapidly from the present count of 195 million. The latest Bureau of Census projection is that by the year 2000, we Americans will number 325 million.

It is when we relate these figures to available land that we become deeply concerned. This is true whether one is considering land for agriculture, homesites, parks, forests, or any of the multitude of other uses.

However, for our purposes today, it is sufficient to concentrate on forest land. While I will be talking primarily about trees in the collective sense of forests, the same facts and concerns apply, with equal force, to individual trees that lend beauty and meaning to our parks and streets and homes.

Consider these figures. When Arbor Day was first proclaimed, the country as a whole had a population of 44 million and a total estimated forest acreage of 850 million. By 1945, the population had grown by nearly 100 million, while the forest base had been reduced by 85 million acres. Now our population stands at 195 million and the total forest is at 758 million acres. In other words, during the last 20 years, our population has increased at the rate of 2.6 million per year, while our total forest lands have been reduced at the rate of 350,000 acres or 547 square miles per year. This is an annual loss of an area almost 234 square miles larger than the Nebraska National Forest.

The U.S. Forest Service estimates that a net total of nearly 10 million acres of non-Federal forest and woodland will be converted to other uses between the years of 1958 and 1975. This represents an average rate of almost 600,000 acres per year.

What is happening to this land? To what uses is it being put?

The answer, stated in broad general terms, is that the land base is being swallowed up by the relentless demands of our society for the growth of urban areas and the construction of highways, airports, defense installations and powerlines.

Consider the fact that today's superhighways require 50 to 60 acres of land per mile. Some 42,000 miles of new interstate highways are programed for construction during this decade. This means the removal of 5½ million acres of land from the production of forest and agricultural benefits.

An increasing majority of our people are moving into urban areas. It has been estimated that between now and the end of the century, our cities will be more than doubled in size by the addition of another 24 million acres of land.

If we combine the acreages required by only a partial list of these special, single-purpose needs, we very quickly reach a total area larger than the entire State of Nebraska.

While the more dramatic examples of this reduction are to be found in terms of square miles of forest and farm land disappearing in the path of progress, the concern is no less urgent for the yard-wide strip of land in a residential area which is claimed for curbs and gutters rather than gracious and beautiful trees. Just as critical is the loss of a tree-covered park which has been replaced by a coldly efficient parking lot.

In our modern society—oriented as we are to chrome and steel and things electronic—we are apt to think that our lives flow from man-made fibers, chemical compounds and tin cans, and that our emotional and physical renewals come from an easy chair planted firmly before a television set. In our sophistication, we are prone to forget our dependence upon our natural resources such as the forests. No longer directly dependent upon the primary sources of nature as were the people of Sterling Morton's time, we find it easy to be less concerned about such matters. Perhaps we take too much for granted.

When we stop to think, we, of course, realize the essential nature of our forest-based benefits. In broad categories, they are wood products, recreational and aesthetic values and water.

Our lives in the 1960's are sustained and made more pleasant by some 5,000 different wood products. These range from lumber and plywood, to the books and newspapers we read, to the facial tissue we use, to chemicals, to synthetic fabrics. In other words, trees provide shelter, clothing, the vehicles for education and many other essentials.

These products must come from the three-fourths of our forest land classified as commercial; that is, land capable of and used for producing such products. In this category, we have suffered a less rapid rate of decline. It is estimated that, in what are now the 50 United States, we had some 600 million acres of such land at the turn of the century—today, we have approximately 568 million acres.

The U.S. Forest Service predicts that, due to prodigious tree planting efforts on the part of individual landowners and government agencies, we are likely to have approximately the same amount of commercial forest land in the year 2000 as we do now. Thanks to improved management, timber growth is expected to increase nearly 50 percent. But conservative estimates indicate that by the end of the century, the consumption of all industrial wood is likely to be 70 to 114 percent higher than at present.

Where will wood for these products be grown?

The most rapidly increasing demand—pressure is really a more descriptive word—on forest land is that for recreational and esthetic benefits. This is true because: one, there are more people with more discretionary income and leisure time; and, two, there is a growing urge and need for modern man to find spiritual renewal and physical recreation away from his noisy and crowded world.

If we have any doubt about the degree of this pressure we need only to think of how many persons we personally know who have bought tents and great arrays of rather expensive equipment in order to spend their vacations and holidays "going back to nature." Or we can visit a State park or national forest and see our friends parked there by the scores, often creating, in another form, the congestion they seek to leave behind.

Over 100 million visits are made each year to our national forests. Already many of the more popular areas are overcrowded and their facilities are inadequate. In the meantime, it is reliably estimated that the number of visits will increase to at least 600 million a year before the end of this century.

The rate of use for State parks is also skyrocketing. During the 1950's, the annual rate of visits jumped from 92 to 250 million. Visits to privately owned forest lands, for recreational purposes, have increased to a rate of over 6 million per year.

In order to meet the need in this decade alone, the U.S. Department of Interior talks in terms of "15 to 20 million acres of additional land for national parks, plus another 8 million acres for recreational areas, parkways and scenic roads and wildlife refuges." Another projection suggests that 20 million acres of additional land will be needed for State parks by the year 2000.

Where will we find this land?

Clear, good water is to a surprising degree a byproduct of ample, healthy forest land. One of the reasons that Sterling Morton believed so firmly in planting trees was that he knew they are essential to the proper conservation of water resources.

Despite the seemingly inexhaustible supply of fresh water with which the United States is blessed, nearly one-fourth of the Nation is now confronted with water of poor quality or an outright shortage of water. To a great extent, this problem stems from the reduction of forested watersheds. Two-thirds of the water that fills our rivers, lakes, and reservoirs originates on these watersheds.

The country's daily water requirements have risen from 40 to 300 billion gallons during the last 52 years. Predictions of water usage indicate a daily need of 900 billion gallons by the end of this century. This figure is staggering to the imagination, especially when the current supply remains constant at about 515 billion gallons per day.

Trees are most definitely involved in this problem. In some instances, proper stocking of trees may increase water yields by as much as 30 percent. Through unwise handling of the same lands, the runoff of water gets out of control, causing floods and jeopardizing both the quality and quantity of water. The stocking and managing of these lands will, without a doubt, determine, to a large extent, the solution of "the water problem" in the critical times ahead.

This then has been an outline, in broad terms, of the challenge we face in the conservation of trees and forests, 93 years after Sterling Morton's resolution to "set apart and consecrate" a day for tree planting. We are not privileged to know whether he foresaw the problems we face at this time; but we can be sure that the challenges of frontier Nebraska were no less formidable to the pioneers of his day than these of space-age America are to us. If Sterling Morton and his contemporaries could meet and solve their problems, then certainly we can also.

I would suggest, for your consideration, several approaches to the challenge of people and trees.

First, we must guard, with intelligence and zeal, the land on which trees now grow. It will be difficult, if not impossible, for a long time to come, to assert the priority of a woodlot over the demand of a growing town for more housing space or for a new highway right-of-way. But, much can be done to make certain that these demands for more and more space are truly justified and that proper planning has been carried out to assure maximum use of the land so diverted. We have seen countless examples of the clearing of excessive amounts of land to accommodate special single-purpose projects. Often, too, land is retained in a barren, unproductive condition long after the purpose for which it was cleared has been served. Certainly, such land can and must be returned to trees as rapidly as possible. Frequently, when someone cares enough to take a second look, alternative sites, which require little or no clearing of land, can be located.

A recent example of this is fresh in my mind. Last fall, just before the general election, it became known that plans were being made to route a tollway through the grounds of the Morton Arboretum. This would have had a disastrous effect on that lovely location. Immediately, conservation forces were mobilized, pressure was brought to bear on the planners and the idea, which presumably was advanced as being essential, was abandoned. Other means were found for handling that traffic.

Please do not misunderstand me on this point. I am not suggesting that our forest land be locked up and removed from use and enjoyment. This would not be conservation, which means wise use; it would be preservation, which means a static state. What I am suggesting is that trees and the land upon which they grow be used with great wisdom and restraint as befits a resource which, if properly utilized, can last forever, but which, if unwisely used, can be depleted to the loss and sorrow of all people.

We must realize that never again will land and forests be so plentiful that each special interest group can claim an area and do with it as it likes to satisfy its own needs and desires to the exclusion of all others. We will have to learn to apply the multiple-use concept, whereby, through enlightened planning and utilization, each acre of land produces its maximum number of benefits.

Land planted in trees, to be utilized as forest products must also provide cover for game and places of retreat for those who seek to recreate their spirits in communion with nature. By the same token, as the population expands and more people demand more products and benefits from the forest, fewer and fewer sections can be set aside exclusively for game and recreation.

As sites are cleared for the endless expansion of our cities, consideration must be given and steps taken so as to leave the maximum number of trees in their natural settings.

Forested watersheds must husband the source of water while producing tree crops and recreation.

Fortunately, by enlightened management and intelligent use, it is possible—and often best—for a given tract of land to provide multiple benefits. Public agencies and private interests should cooperate at every level to assure that multiple-use concepts are applied relentlessly.

At the same time, it must be realized that while some areas can produce multiple benefits, others are suited to yield only one type of benefit. Where these one-benefit areas exist, they should be managed with the same determination to provide the maximum of that one benefit.

Another remedy to the problem of trees and people is the same as the one advocated by J. Sterling Morton and symbolized by Arbor Day.

Currently, nearly 1 billion trees are planted each year in the United States on private and Government lands. In fact, during the period 1958 to 1975, nearly 19 million acres of land will be planted to trees in an attempt to counteract some of the diversion. We can easily see how much more serious our plight would be without this planting and these new forests.

We must take every means to encourage the planting of trees and the conversion of barren lands to the growing of trees. This encouragement can come in the form of educational campaigns, assistance from private interests and favorable legislation and tax structures.

The people of the United States must have trees and forests, and they will have them. As it is with almost all of the challenges we face as a free people, this one will be solved either by the citizenry acting by its own choice to meet its material and spiritual needs and those of future generations; or, the decisions will be made through authoritative action by the several government agencies. It is my hope and belief that citizens, as individuals, and in groups, will face these facts we have considered today and act with the same devotion, energy, and intelligence shown by J. Sterling Morton.

I would like to close by quoting two paragraphs from a letter he wrote to the Omaha Daily Herald on the occasion of the first Arbor Day. He declared: "A collection of inanimate marbles may, for a few years, preserve the name, and entry, and exist on this stage in life's short play. But how much more enduring are the animate trees of our own planting. They grow and self-perpetuate themselves, and shed yearly blessings on our race. Trees are the monuments I would have.

"Thus we come to a benediction on the institution of Arbor Day in Nebraska. May it become a joy forever, and its anniversary be perpetuated in the constantly increasing blessings which its faithful observance is absolutely certain to bestow."

U.S. GOVERNMENT ACTION IN DOMINICAN REPUBLIC

Mr. BAYH. Mr. President, recently I had the opportunity to read a very fine editorial on the situation in the Dominican Republic which appeared in the Patriot, of Harrisburg, Pa. This statement points up the painful decision which the administration faced when confronted with this emergency and the sensible choice which President Johnson made.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Harrisburg (Pa.) Patriot, May 4, 1965]

A PAINFUL DECISION BUT THE ALTERNATIVE WAS WORSE

The turmoil in the Dominican Republic has confronted the U.S. Government with the most painful kind of decision. Life would be a good deal simpler if right and wrong were always unmistakably clear, and decisions would be relatively painless if events would wait while clarity is being established.

But events don't wait. Most of the important decisions—and hence the hardest—involve the choice between the greater and the lesser evils, or between principles both of which are right but which come into conflict with themselves.

But choices must be made. As President Johnson pointed out in his Sunday evening speech, which was addressed as much to the people of Latin America as to the people of the United States, not to choose is itself a form of choice. If the U.S. Government had stayed its hand and let events sort themselves out as they would, this country would in effect have been making the choice to let the carnage continue, with the lives of thousands of American and foreign citizens at stake. And we would, further, have been taking the chance that out of the blood and bitterness in the Dominican Republic the Communists would have ended up in control.

The United States could not and would not take that chance.

There has been some grumbling in Latin America, quite natural in view of past history, about unilateral "Yanqui" intervention into the affairs of a sovereign state. Yet it must be said that the criticism has not been as great as the Johnson administration feared it might be. Latin Americans are sensitive to "gunboat diplomacy," but they are sophisticated enough to understand that their own interests are involved when Castro-supported forces seek to overthrow a Western Hemisphere government.

It is quite true that the Charter of the Organization of American States declares that "the territory of the States is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another State, directly or indirectly, on any grounds whatever."

It is also true, however, that—as President Johnson pointedly noted in his address—in January of 1962 the OAS declared: "The principles of communism are incompatible with the principles of the inter-American system."

The latter declaration would be a dead letter if nothing were done to implement it. And the inviolability of hemispheric territory cannot be one sided. If, as the administration asserts, outside forces intervened in the Dominican Republic to establish a Castro-type regime, the United States would be remiss in its responsibilities to the Dominican people, to the inter-American system and to itself if it did nothing.

This is not, however, and should not be a one-nation show. The OAS met in response to a U.S. request and has sent a five-nation mission to Santo Domingo to help stop the fighting. The United States also is requesting OAS members to provide military forces of their own for what is a necessary but what must be a temporary occupation. We hope they will comply. Responsibilities for maintaining peace and democratic governments in the Western Hemisphere belong to all members of the OAS, and if present machinery does not work adequately better machinery must be devised.

NOMINATION OF CHARLES S. MURPHY TO BE CHAIRMAN OF CIVIL AERONAUTICS BOARD

Mr. BAYH. Mr. President, Charles S. Murphy, Under Secretary of Agriculture, has been nominated by President Lyndon Johnson to assume the chairmanship of the Civil Aeronautics Board.

I have worked with Under Secretary Murphy on a number of vital and complex problems. I have found him at all times to be an objective and fair administrator. His judgments reflected due consideration of all factors involved. His decisions were just and equitable. It cannot be doubted but that he evaluates all matters on their merits.

Under Secretary Murphy is a highly competent, well qualified, and dedicated public servant. His services and contributions to agriculture have been many and varied.

I recommend him for his exemplary performance of duty in the Department of Agriculture. I am certain that, after confirmation by the Senate, he will continue to contribute greatly to the national interest in his new assignment.

VERMONT LEGISLATURE OPPOSES POST OFFICE DEPARTMENT'S PROPOSAL TO CURTAIL RAILROAD SERVICE INTO NORTHERN VERMONT

Mr. PROUTY. Mr. President, the subject of railway mail service is of deep concern to the people of Vermont. Hundreds of my constituents have written and spoken to me about the plan of the Post Office Department to truck the mail into northern Vermont. They are opposed to this plan, because of the hardships that would result from the loss of employment by several employees, and the resultant curtailment of passenger service.

The feeling that this plan would be a detriment to the economy of the area and to the efficiency of the mail is reflected in the recent action of the General Assembly of the State of Vermont in unanimously adopting Joint Senate Resolution 12.

I congratulate the general assembly, and hope this expression of sentiment will help alert the Senate to the feelings of Vermonters on the proposal of the Post Office Department.

I ask unanimous consent to have printed at this point in the CONGRESSIONAL RECORD the Vermont General Assembly's Joint Senate Resolution 12.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SENATE JOINT RESOLUTION 12

Joint resolution relating to retention of railway mail service between St. Albans and White River Junction and return

Whereas by recent pronouncement, the U.S. Post Office Department has indicated its intention to prohibit the carriage of mail by railway train service between St. Albans and White River Junction and return, commencing as of July 1, 1965; and

Whereas the implementation of such policy by the U.S. Post Office Department would result in the loss of substantial revenue by the Central Vermont Railway, would result in the loss of employment by several long-time employees of said Central Vermont Railway, and would result in the possible curtailment of railway passenger service furnished by Central Vermont Railway between St. Albans and White River Junction and return: Now, therefore, be it

Resolved by the senate and house of representatives, That the General Assembly of the State of Vermont does hereby register its opposition to the proposed order of the U.S. Post Office Department prohibiting the carriage of mail by railway train service between St. Albans and White River Junction and return, and does strongly urge the Vermont congressional delegation to voice such opposition to the proper Government officials; and be it further

Resolved, That the secretary of state send a copy of this resolution to Senator GEORGE D. AIKEN, Senator WINSTON L. PROUTY, and Congressman ROBERT T. STAFFORD and the Honorable John A. Gronouski, Postmaster General of the United States.

Approved May 3, 1965.

PHILIP H. HOFF,
Governor.

JOHN J. DALEY,
President of the Senate.

FRANKLIN S. BILLINGS, Jr.,
Speaker of the House of Representatives.

PATRIOTISM IS NOT DEAD

Mr. BENNETT. Mr. President, in this day when patriotism and love of country are considered unsophisticated and passé by many Americans I am heartened by recent expressions of three Utahans who were recently selected recipients of Freedom Foundation Awards. They are: Raymond Takashi Swenson, Robert B. Fox, and David Van DeGraff.

Their essays are particularly refreshing coming at a time when many of the counterparts of these award winners who likewise enjoy the advantages of American citizenship have taken it upon themselves to picket the White House and to decry our policies designed to protect the people of southeast Asia and generally refusing to serve their country in the preservation of freedom.

On the basis that these essays will have widespread interest, I ask unanimous consent that they be printed in the Congressional Record.

There being no objection, the essays were ordered to be printed in the Record, as follows:

Why I Love America

(By David Van DeGraff)

I don't know why exactly, except when I really start to think about it, I get a strange feeling deep inside my chest. I feel the same way at pack meeting when we have the flag ceremony. I'm really proud to be an American.

I'm proud to be a Cub Scout, too, because I'm learning how to get along with other people and to play fair. And that's why I love America. I know if I do my best and play square that I can be anything I want to be.

I can curl up in my warm bed at night and feel safe, because if America was ever threatened by anyone or anything I know that I and all my friends would stick together and fight to keep our country safe.

What It Means to Me To Be a Citizen of the United States of America

(By Raymond Takashi Swenson)

Fumie Suzuki, a Japanese citizen during the Second World War, lived in a small home in Nagoya with her parents and their five other children. They lived in constant fear of dying, either from lack of food or from the American bombs which had such devastating effects. This dread was heightened especially near the end of the conflict. They were fortunate when they could secure a few grains of the tough brown rice, sometimes the only food available. Her father, an air raid warden, was also fortunate when he was able to return to his family after the bombings.

This woman is my mother. She decided to take the road to American citizenship for her family's welfare. Naturalization allowed her, after living in this country 3 years and taking an oath of allegiance, to become a citizen of the greatest land on earth.

Other aliens had different reasons for becoming citizens, but there is one major one which envelopes all the rest, that can be described in one word: "opportunity." They wanted an opportunity to become rich, an opportunity to make a farm out of wasteland, an opportunity to pursue their chosen profession, an opportunity to worship as they wished, or an opportunity to raise a family in any way they saw fit, and many, ever so many more reasons.

If I had a list of those things dear to me, my mother and my citizenship would head the list. One reason for this is that citizenship is dear to my mother, and thus becomes valuable to me. But there is certainly much more to it than that. It means something to me to live here, belonging to a group of people who, for the most part, defend the principles upon which our Government is founded.

I won't go into idealism and politics. It has little meaning for me to do so yet, for I cannot hold public office, I cannot vote, and I am not qualified to compare societies with other countries. But I can say that these things affect me even now, and I should therefore make an effort to learn more about them, for that reason and also the one of preparing myself to take up these adult privileges and responsibilities.

But what does citizenship mean to me? It means that I can kneel at any time and pray, in my own way, to God. It means that no person, be he pauper or President, can force his beliefs upon me; nor can I force mine upon him.

It means that I can salute the flag of the United States, pledging anew my allegiance to it and the freedoms and principles it stands for.

It means that I can join the Boy Scouts or any other organization that develops my personality and does not limit other peoples' freedoms.

It means that I can have an education, unrestrained by social classes, religious, or other discrimination, and continuing as long as I am willing to work for it.

It means that I can travel anywhere in this broad land without the sanction of the Government. I need no passport or visa in order to vacation in California or visit Wyoming.

It means that I have an opportunity to grow into an intelligent, moral human being.

Most of all, it means that I'm recognized as a separate, thinking individual. I am, as are my fellow men, considered a person, with individual thoughts, individual emotions, individual actions, but possessing rights equal to those of every other citizen. You and I, everyone, is considered separate but equal under the law. Our lives are guided and built upon guarantees made to us by the Federal Republic we live under, assurances that we can pray to God, salute the flag, complete an education, and mature into responsible adults. But, above all, I have the assurance that I will be recognized and appreciated as a thinking individual by my fellows, by my elders, and by my Government.

Reflections While Standing Before the Lincoln Memorial

(By Robert Fox)

When gazing upon the statue of this great man Abraham Lincoln, my thoughts first go back hundreds of years to the man whose name he bears, that man being father Abraham, well known in the literature of the Bible. Abraham of ancient times became the father of many nations. He was chosen by the Lord to be a pillar of strength and a leader among his people. What better name could have been given to one of the fathers and stalwarts in the history of this blessed land of America.

The stone facsimile of this man commands respect and reverence while in its presence because the likeness reminds one of the flesh and blood man, the man who rose from a humble, backwoods, log cabin beginning to the leader of a powerful nation, without himself losing his humility. He never became too great to honor and love the woman who gave him birth. "All I am or ever hope to be, I owe to my sainted mother."

This man who reached the top, the pinnacle of success among businessmen, politicians and people in so-called high places, did not for once forget the common man, for he too liked to be numbered as one. "Whatever is calculated to improve the condition of the honest, struggling laboring man, I am for that thing." He not only preached for the good and improvement of the common man, but as President in the White House he represented and fought for him, and became endeared in the hearts of the people as their "Abe."

I can see this huge stone structure as the real Lincoln because it reminds me that he too was not above human frailties and turmoils. He had weakenesses and made mistakes, and no one was more willing to admit it or make amends than he himself. I can picture him sitting there in his big chair saying with a chuckle in his voice: "The man who can't make a mistake can't make anything."

I picture him as the honest, upright man we are told he was, never compromising with evil or corruption in any form, never giving in to untruth or dealing in underhanded methods for a little more money or a little more power, for a favor here or a publicity there, or anything for his own personal aggrandizement. The mottoes he spoke were the ones he lived. "I have always wanted to deal with everyone I meet candidly and honestly. If I have made any assertion not warranted by facts, and it is pointed out to me, I will withdraw it cheerfully * * *. I can only say that I have acted upon my best convictions, without selfishness or malice, and that by the help of God I shall continue to do so."

I see Lincoln the philosopher maybe sitting by the cracker barrel in the little country store spinning yarns with the town folk. Perhaps we today with all our grumbling and complaints should heed some of Abe's homespun philosophy: "Most people are about as happy as they make up their minds to be." His modern day parables also carried some sound advice: "A man watches his pear tree day after day, impatient for the ripening of the fruit. Let him attempt to force the process and he may spoil both fruit and tree. But let him patiently wait and the ripe fruit at length falls into his lap."

I see Lincoln the diplomat, who could deal calmly and respectfully with the farmer, the blacksmith, the merchant or the statesman. He could comfort and reassure a mother who had lost her son in battle or could put a pompous politician in his place. This man's secret of success as a diplomat and a clever lawyer may have been due to the fact that he was not self-centered or egotistical. His thinking always involved others. His scope of thought was not narrow and stifled by prejudice. He was always open to suggestion or correction, and he tried to envision a total situation and not just one facet of it. His keen thinking can best be explained in his own words: "When I'm getting ready to reason with a man, I spend one-third of my time thinking about myself and what I am going to say—and two-thirds thinking about him and what he is going to say."

While looking up at the statue erected in memorial to Abe Lincoln, my thoughts also dwell upon our present world crisis. How would President Lincoln deal with the cold war? He dealt with a crisis in our own Nation; would his ideals and convictions be strong enough that he could withstand the theories, philosophies and systems of other nations? I rather believe that he could. As well liked and popular as the former President may have been, he also had many enemies, bitter enemies. Any man with strong convictions must have some enemies. Lincoln's convictions led to has assassination. Would he compromise with fascism, nazism, or communism? I think not. This man did not compromise with the convictions of his heart. He thoroughly and sincerely believed in the principles upon which our Nation was founded. "Let every man remember that to violate the law is to trample on the blood of his father and to tear that charter of his own and his children's liberty."

Of all the different sides of this great man's character that I see while standing before his memorial, the side that has impressed me most is that of statesman, leader, President of this Nation and defender of all it stands for. His explanation of the American philosophy, system, way of life or whatever it might be called is a simple clear-cut explanation for all the world to ponder: "The strongest bond of human sympathy, outside the family relation, should be one uniting all working people, of all nations, and tongues, and kindreds. Nor should this lead us to war upon property, or the owners of property. Property is the fruit of labor; property is desirable; is a positive good in the world. That some should be rich shows that others may become rich, and hence, is just encouragement to industry and enterprise. Let not him who is houseless pull down the house of another, but let him labor diligently and build one for himself, thus by example, assuring that his own shall be safe from violence when built." This marvelous spokesman for the American way of life explained further our system of government in his first annual message to Congress in 1861: "Inasmuch as most good things are produced by labor, it follows that all such things ought to belong to those whose labor has produced them. But it has happened in all ages of the world that some have labored, and others, without labor, have enjoyed a large proportion of the fruits. This is wrong, and should not continue. To secure to each laborer the whole product of his labor as nearly as possible is a worthy object of any good government."

While in the presence of this memorial erected in honor of Abraham Lincoln, I could reflect for hours upon the speeches he has made and the ideals he stood for. One of the few pieces I have enjoyed memorizing was the famous Gettysburg Address. Any man that can deliver such an oration must truly be a humble man who has taken God into his life. As long as this Nation is directed by men such as this, she need fear no enemy of freedom. When my own child looks up into the face of the statue and says: "Daddy, who is that man?" I can answer assuredly: "That is Abraham Lincoln, one of our country's greatest Presidents and leaders. Follow his example and you will be a better citizen and human being."

Summing up the reflections upon Lincoln's life and works, his own words spoken years ago seem applicable in some degree to our present-day situation: "With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the Nation's wounds; to care for him who shall have borne the battle * * * to do all which may achieve and cherish a just and lasting peace, among ourselves, and with all nations."

GOVERNMENT COMPETITION WITH BUSINESS

Mr. BENNETT. Mr. President, for many years I have been increasingly concerned about the expanding role of Government competition with private enterprise.

In an attempt to prevent the Government from engaging in any activities with private business, I have introduced in this and in past Congresses legislation designed to get the Government out of many business activities and to keep it out.

My bill would establish a carefully framed policy to phase out gradually and terminate existing Federal activities which compete with the free enterprise system. Unfortunately, the administration, rather than ending programs which compete with free enterprise, on balance, the competition is being sharply increased. It is my feeling that it is both unfair and unjust for the Federal Government to compel private companies to pay taxes that subsidize Federal competitors against themselves and perhaps put them out of business.

Because of the opposition of the administration of this proposal, hearings have never been held on the subject and consequently the bill has died with each ending of a congressional session.

Mr. President, once again I urge that immediate hearings be held on my proposal so that the bill can start through the legislative mill.

Recently Alan Otten, the well-known Washington reporter for the Wall Street Journal, analyzed the subject quite succinctly. He pointed out that the drive to cut rivalry with the Government and business is making little headway. I feel his analysis deserves widespread dissemination and I ask unanimous consent that it be inserted in the CONGRESSIONAL RECORD.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal,
Apr. 27, 1965]

UNCLE SAM INC.: DRIVE TO CUT RIVALRY BY UNITED STATES WITH BUSINESS MAKES LITTLE HEADWAY—PHONE COMPANIES, ENGINEERS, PRINTERS COMPLAIN AGENCIES DUPLICATE THEIR SERVICES—IMPACT OF NEW ORDER IS SLIGHT

(By Alan L. Otten)

WASHINGTON.—It used to be the airlines complaining about competition from the Government's Military Air Transport Service; now it's the consulting engineers grumbling about rivalry from the Reclamation Bureau and Soil Conservation Service.

As complaints of Government intrusion die down among the scrap processors, dairies, laundries, and drycleaning plants, similar laments mount from telephone companies, electrical contractors, and aerial photographers.

Thus the main actors change, but the basic plot remains, in a long-playing Washington drama: The efforts of private firms to cure competing commercial and industrial activities of the Federal Government. Now the Government itself is making a new attempt to restrict such competition, but it's limited in scope; whether any big change will result seems doubtful.

With some fanfare calculated to win fresh plaudits from the business community, President Johnson recently discussed the problem with his Cabinet and ordered the Budget Bureau to take a new look at the situation. As it happened, the Bureau was already in the final stages of a long-pending revision of a 1959 directive that sets guidelines on when and how Uncle Sam can provide products and services for his own "inhouse" use. But Government officials and industry men who have been sounded out on the soon-to-be-issued version are convinced it won't change things much, and some industry officials even fear a step backward.

TOUGHER OR EASIER?

On the one hand, the proposed order seems far tougher than the present one in spelling out what costs Government agencies must take into account in justifying production of a particular product or service. On the other hand, the new order appears to ease up considerably on other standards for sanctioning Government production—national security grounds, ease of administrative control, and the like.

"I would expect a flow in both directions as a result of the new order," a high Government official asserts. "Industry will do a little more that Government's been doing, and Government will do a little more that industry's been doing. The flow toward private industry will probably be a little greater, but not enough to make industry happy."

A Pentagon man who has worked on the new order sees "no momentous change" from it. A trade association executive who has followed its progress closely declares that "any bureaucrat should be fired if he can't find enough excuses in that order to keep on doing what he's always done."

Government competition with private industry has been an issue since early New Deal days, aggravated particularly by Uncle Sam's vastly widened needs during World War II. After the war, business firms began campaigning to cut back Federal competition, and congressional committees put the heat on the administration. Two Hoover Commissions added their weight, and in the latter Truman days results began to be seen. The Eisenhower administration did considerably more to get the Government out of business, though not as much as private industry would have liked.

SMELTER TO BARGELINE

Over the years, the Government has disposed of such varied enterprises as a tin smelter, coffee-roasting plants, a Mississippi River bargeline, scrap-metal processing and paint-producing operations, and auto repair shops. Currently, Defense Secretary McNamara is planning to close a number of installations that compete with industry, including the Brooklyn Naval Shipyard, the Portsmouth yard, and the Watertown and Springfield, Mass., arsenals.

But Uncle Sam continues producing a vast variety of goods and services. He lends money, produces power, insures lives and crops. There are now some 300 military food commissary stores, 40 percent more than a decade ago, with annual sales of about $800 million. Government agencies operate widely in the job-placement field, the Post Office Department still makes its own locks, and the Government Printing Office is planning a new $47 million building. A number of New Frontier or Great Society programs are expanding Federal industrial-commercial activities; the House-passed medical care bill sets up a Federal health insurance program that would preempt nearly all the old folks business.

There is no accurate measure of the extent of Government competition with business. The latest figures date from November 1960, when the Budget Bureau reported some 24,100 industrial-commercial activities. But the Bureau assigned no dollar value to their investment or output, and counted as 1 activity either a shipyard with 16,000 employees or a 1-man janitorial operation in a post office. In fact, some 8,000 activities counted were small custodial operations for Government buildings, while 3,900 were simply grain storage bins.

NO BITTER CONTROVERSY

Despite their worries, some industries seem to be working out some sort of accommodation with the Government. Though the airlines claim they must still be constantly on the alert for military transports making competitive runs, they now resolve most of their complaints with the Military Air Transport Service pretty satisfactorily. "It's not the bitter controversy it was a few years ago," an airline official asserts.

Retail jewelers say the expected removal of the Federal excise tax on watches and jewelry will go far toward reducing the advantage of the military post exchanges, which sell tax free. Private dairies, bakeries, laundries, and dry cleaners see continued progress in ending competing Government operations on military bases in the continental United States.

But other business groups find continued or growing cause for alarm. Many have banded together in an informal "committee to reduce Government competition," including shipbuilders, phone companies, private employment agencies, commercial printers, and many more. The main aim is to bring congressional pressure on offending agencies.

Telephone companies are increasingly concerned over the way the Reclamation Bureau and other Federal power agencies operate their own microwave radio systems to transmit data for controlling the generation and transmission of power. The complainants say the operating costs are far higher than the agencies calculate, and that fairer figuring would give the industry a better chance to win this rapidly expanding business.

Private shipbuilders note that though closing two shipyards, Mr. McNamara proposes spending perhaps $200 million to modernize the nine remaining Navy yards, increasing the competitive threat. Moreover, they view with alarm the fact that the Defense Chief is asking Congress this year to drop provisions of recent appropriations bills guaranteeing 35 percent of all ship repair and conversion work to private yards. Fighting Government competition in this field is "like punching a feather pillow," declares Edwin Hood, head of the Shipbuilders Council of America.

FALSE TEETH MARKET

Private dental laboratories want to make more of the false teeth now turned out in military and Veterans' Administration dental shops. Travel agents contend they could save Uncle Sam money by making plane, train, and boat arrangements for touring officials; their fee would be paid by the transportation lines, and Federal employees in embassies and Washington agencies would be freed for other work.

Electrical contractors claim they are losing work to the Air Force's Ground Electronics Engineering Installation Agency—some 5,700 electronics specialists who are installing communications, electronics, and meteorological equipment at missile bases and elsewhere. They argue much of this is not top secret but general contracting work, and worry that the Army and Navy, which use private firms for this work, will soon begin getting similar ideas for battalions of their own electrical specialists.

The Consulting Engineers Council complains the Reclamation Bureau, Soil Conservation Service, U.S. Geological Survey and other agencies agressively offer free help to States, cities, irrigation districts, foreign governments, and private citizens. The Reclamation Bureau constantly undertakes water supply studies for towns and districts, it's said, while the SCS will cheerfully design water and sewage systems for small villages or artificial ponds for farmers. Aerial mapping firms charge that the Air Force, Coast and Geodetic Survey, and other mapping agencies do work not only for other Federal agencies but for State and local governments and even private industry.

In its efforts to ease the problem, the Budget Bureau is unhappily caught between private industry and many Congressmen on one side and various agencies, Government employee unions, and other lawmakers on the other.

Despite the build-up given the new Budget Bureau directive and despite the work done in checking it out with industry groups, it probably will fail to do much about Government competition with business.

MANY ACTIVITIES EXEMPT

For one thing, the new directive, like the existing one, doesn't apply to a wide range of activities set up by law, including Government lending programs, the Tennessee Valley Authority, and other power-producing operations, the postal savings system and the crop insurance program. Many of these are the operations under sharpest business attack as unfair competition.

Nor does either directive apply to many other goods or services provided to individuals or non-Federal agencies. This removes from its scope the huge military commissary and post exchange systems and the engineering services of the Reclamation Bureau and Soil Conservation Service.

Then, too, the proposed directive drops a few phrases industry men liked in the old one. Though both state a general presumption in favor of private industry, the current draft omits a statement that "the private enterprise system is basic to the American economy." The existing order requires an agency to show compelling reasons to carry on a business-type activity; the new directive as drafted says merely that business-type activities must be "clearly within the Government's overall interest."

ROLES OF SECRECY, EMERGENCY

The new draft, like the old order, provides lots of reasons why the presumption in favor of private enterprise can be ignored: A need for secrecy or for experience in meeting some mobilization emergency, a need for a service in a remote geographical area or for a product so specialized that industry won't produce it—plus substantially higher costs of purchase from private firms.

Most industry men who have seen the proposed order feel it is more loosely worded than the old one on most of these exemptions. Only in spelling out the Government production costs that must be considered for comparisons with private enterprise is it truly tighter, they declare.

While the existing order is silent or vague on many elements of cost, the proposed directive spells them out rather clearly, including such items as allowance for income taxes and other Federal levies, depreciation, insurance, and Treasury borrowing. It still doesn't include allowance for State and local taxes, profits or reserves; industry men think this is regrettable but not insurmountable.

The current draft also sets forth a specific procedure that a Federal agency must go through before starting a commercial or industrial-type enterprise, and requires that a senior official pass on any such plan. "It may be that the most help we get from the new order will come in keeping the Government from starting new things, rather than getting it out of things it's already doing," one industry man suggests.

BANK MERGER ACT

Mr. BENNETT. Mr. President, the chairman of the Banking and Currency Committee, Senator ROBERTSON, is making a speech today before the New York Chamber of Commerce on the subject of the Bank Merger Act.

In his speech, Senator ROBERTSON discusses the importance of banks and the banking system to industry and commerce generally. He discusses the dual banking system and the importance of competition and regulation in the field of banking. He discusses the background of the Bank Merger Act of 1960, and the decision the Congress made at that time to handle bank mergers under general all around factors, rather than under the strictly competitive standards of the Clayton Act, and he concludes by discussing some of the problems which would be raised by breaking up the many banks which have merged under the Bank Merger Act and in the years preceding the enactment of that statute.

As you know, Senator ROBERTSON has introduced a bill, S. 1698, to correct this situation by making the approval of a merger under the Bank Merger Act final and conclusive and not subject to later attack under the Sherman and Clayton Acts. Senator ROBERTSON has announced that hearings on his bill will begin May 19, 1965.

I believe it would be helpful to the Members of the Senate and to the many other readers of the RECORD to have available the text of the remarks Senator ROBERTSON is making in his speech before the New York Chamber of Commerce today.

I ask unanimous consent to have this speech inserted in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

CURRENT ISSUES IN WASHINGTON: THE BANK MERGER ACT

(Remarks of Senator A. WILLIS ROBERTSON, before the New York Chamber of Commerce, May 13, 1965)

It is a high honor to be invited to address the business and professional leaders of our largest city which in recent years has become the financial center of the world. The size and economic importance of your great city is evidenced by the fact that its annual total public expenditures of more than $6 billion are bigger than those of nine Southern States put together—Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Kentucky, Tennessee, and West Virginia. Needless to say, you have big banks and you also have some banking problems. It is important that businessmen, particularly businessmen in this great financial center, should be aware of the problems facing the banking world.

A great New Yorker and a great American, Alexander Hamilton, said in his report on a national bank in 1790 that "by contributing to enlarge the mass of industrious and commercial enterprise, banks become nurseries of national wealth."

Today the proof of that statement is self-evident. The banking system of the United States has provided the loans and other financial assistance which have made it possible for business firms to open up and to grow. And throughout our history, banks have supplied most of the country's money supply, either in the form of bank notes or demand deposits. Without these no commercial or industrial enterprise could carry on business for a day. When banks are sound, when bank notes or checks on bank deposits are freely accepted as a medium of exchange, business can flourish and grow. When waves of bank failures pass across the country, making bank notes or checks on bank deposits unacceptable as a medium of exchange, commerce and industry are severely hampered.

In 1933 there were 4,000 bank suspensions. In addition to tying up the money deposited in these 4,000 banks and eliminating them as possible sources for loans, these widespread suspensions cast a shadow over all out-of-town checks and almost ended their value as a medium of circulation.

The same problems had arisen earlier with State bank notes under the era of unregulated banking before the establishment of the national bank system. In those days, every bank and every business firm had to check every bank note they received against a long list of worthless notes, either counterfeit or issued by banks which had failed. Hunt's Merchants' magazine for Juanuary 1863 contained a colorful reference to the currency circulating out West:

"The frequently worthless issues of the State of Maine and of other New England States, the shinplasters of Michigan, the wildcats of Georgia, of Canada, and Pennsylvania, the red dogs of Indiana and Nebraska, the miserably engraved rags of North Carolina, Kentucky, Missouri, and Virginia, and the not-soon-to-be-forgotten 'stumptail' of Illinois and Wisconsin * * *."

The banks which issued these notes were not nurseries of national wealth, any more than the thousands of banks which failed in the 1920's and early 1930's.

I think we often overlook the progress we have made in the field of banking and monetary affairs. We overlook our almost $40 billion of readily negotiable legal tender, principally in the form of Federal Reserve notes and coins, and our $125 billion of demand deposits subject to check, in a banking system protected by the Federal Deposit Insurance Corporation and the Federal Reserve System. We overlook our 14,000 commercial banks, with assets of about $345 billion, in a position to make $60 billion of commercial and industrial loans, $45 billion of real estate loans, and almost $30 billion of consumer instalment loans.

Size alone, of course, is not the full measure of the importance of banking to industry and commerce. Banks must be alert to the needs of commerce, industry, and the public. They must provide the services which their customers want at a reasonable cost. They must be competitive, and at the same time they must be carefully regulated, so that the competition does not degenerate into the unsound banking practices and problems of earlier days.

Our banking system has grown by a truly American process of trial and error, experimentation and development.

Throughout the history of banking, we have attempted to carry forward the two principles of competition and regulation, sometimes leaning too far in one direction, sometimes in the other. The First and Second Banks of the United States helped to provide a degree of stability and soundness to our banking system. The excesses of the era of free banking in the middle of the century led to the National Bank Act and the dual banking system. The Federal Reserve System was designed partly to provide a more flexible currency supply and partly to give additional support to its member banks. The Federal Deposit Insurance Act gave additional strength to the banking system and the money supply.

Under the dual banking system, we have in 50 sovereign States 50 different groups of State banks and their national bank counterparts. The Comptroller of the Currency charters and supervises all national banks, but he is required to follow State law in many important respects, such as branching. State banks, chartered and supervised by the 50 different State bank superintendents, are also regulated by the Federal Reserve Board if they are members of the Federal Reserve System or by the Federal Deposit Insurance Corporation if they are insured nonmember banks.

This setup is complicated and it leaves some room for disagreement and confusion where there is an overlapping of duties and powers. On the whole, however, it has provided an effective, efficient banking system which has performed its function well—providing service to the public on the one hand and protection against monopolistic practices on the other.

The dual banking system, with all its problems, has made nationwide monopoly, or any approach to nationwide monopoly, quite impossible in the field of banking. Hence my firm belief that bank mergers should be handled by the bank regulatory agencies of the Government only. While local monopolies or concentration may develop, their significance is sharply limited by the ease of banking by mail, to say nothing of the competition from other financial institutions. On the other hand, the regulation by the various supervisory agencies has affected, and in most cases has restricted, competition to a very considerable extent, for example by limiting the creation of new banks and branches, and limiting investments and the payment of interest.

Competition and regulation were important elements in congressional consideration of the problem of bank mergers—one of the most important issues facing the Congress, facing the banking industry, and facing you as leaders of the Nation's important commercial and industrial enterprises, dependent on a strong and effective banking system.

Since most of you are neither lawyers nor bankers, I shall not go into the long history of the antitrust laws, the Sherman Act, the Clayton Act, and the 1950 Celler-Kefauver antimerger amendment to section 7 of the Clayton Act. It is enough to say that the basic premises of the antitrust laws—free entry, free competition, and survival of the fittest—have not been considered generally applicable to banking. Everyone—including President Eisenhower and the Justice Department, Congressman CELLER and Senator Kefauver and the rest of the House and the Senate, and the American Bar Association and every major association representing the banking industry—agreed that section 7 of the Clayton Act did not apply to bank mergers, and everyone agree that the Sherman Act was not effective; some even questioned whether it applied to banking.

The Congress had under constant consideration, during the entire decade from 1950 to 1960, the need for regulation of bank mergers and the problems involved in regulating them. Two solutions were proposed: (1) to apply section 7 of the Clayton Act to bank mergers—many bills to do so were introduced, and one was passed by the House in 1956, but did not become law; and (2) to require approval of bank mergers by the Federal bank supervisory agencies under more general standards specifically designed for banking—a bill to do this was suggested by the staff of the House Judiciary Committee in 1952, and similar bills passed the Senate in 1956 and 1957, but also did not become law.

My Bank Merger Act of 1960 was, therefore, the result of a long and toilsome legislative process. It contained several substantial changes from earlier proposals, such as the requirement that a report from the Justice Department must be obtained and the requirement that the merger must be found to be in the public interest. The provisions of the bill were summarized, immediately before its final passage, in a statement inserted in the CONGRESSIONAL RECORD by the majority leader, then Senator Johnson of Texas:

"This bill establishes uniform and clear standards, including both banking and competitive factors, for the consideration of proposed bank mergers. It eliminates a number of gaps in the statutory framework, which now permit many bank mergers to occur with no review by any Federal agency. It provides for a thorough review by the appropriate Federal bank supervisory agency, under these comprehensive standards, and with the benefit of any information which may be supplied by the Department of Justice in the report required from them, of the bank mergers by asset acquisitions and other means which are now and will continue to be exempt from the antimerger provisions of section 7 of the Clayton Antitrust Act."

This Bank Merger Act represented a real decision of substance. The issue was clear. The Clayton Act rule was stated clearly in the Bethlehem Steel case, quoted in the Senate report: "If the merger offends the statute in any relevant market then good motives and even demonstrable benefits are irrelevant and afford no defense."

Congress specifically rejected this strict and limited test. Instead Congress required the banking agency handling the merger, after getting reports on the competitive factors involved in the merger from the other banking agencies and the Justice Department, to consider a number of banking factors, including the convenience and needs of the community to be served, and the effect of the transaction on competition, including any tendency toward monopoly, and to approve the merger only if found to be in the public interest.

The Bank Merger Act did not contain any exemption from the Clayton Act or the Sherman Act. On the basis of the advice given to the committee and the Congress by all competent authorities, as I indicated earlier, an exemption from section 7 of the Clayton Act was considered unnecessary and would have been meaningless. An exemption from the more general standards of the Sherman Act was also not considered necessary. As Senator FULBRIGHT said while the bank merger bill was under consideration in the Senate, a bank merger approved by the Federal supervisory agency on the ground that it was in the public interest would probably not be held to be an unreasonable restraint of trade.

After the act had been signed into law by the President, a number of banks applied for approval of mergers, and various mergers were approved on the basis of the statutory standards, after reports on the competitive factors involved had been received.

In this connection I should like to point out that the reports from the two banking agencies not handling a particular application and the report from the Justice Department are limited to the competitive factors involved in the merger. The act does not call for reports from these agencies on the banking factors involved; for example, they are not intended to cover the convenience and needs of the community to be served. The reports do not constitute a recommendation as to the action which the responsible agency should take, after weighing the banking factors along with the competitive factors. The agency responsible for the application is the only agency charged with the duty of weighing both banking factors and competitive factors, and deciding whether approval would be in the public interest.

After receiving the required approvals from Federal and State regulatory authorities, most of the banks proceeded with their mergers, relying on the Bank Merger Act, and relying also on the general understanding of the effect of the antitrust laws, particularly the universal understanding, concurred in by every representative of the Justice Department who testified on the subject, that section 7 of the Clayton Act did not apply to bank mergers. Parenthetically, I should note that in one case two banks abandoned their merger plans, even after the Comptroller of the Currency had approved them because they were in the public interest, when the Justice Department threatened suit, because they could not afford the expense and the delay and the embarrassment of an antitrust suit.

Suits were then started by the Department of Justice against the merging banks, on the basis of the Sherman Act and section 7 of the Clayton Act. In the Philadelphia case, the merger was not consummated, and the final decision of the Supreme Court, reached after 2 years of litigation, holding the merger would violate both acts, did not require breaking up a bank which had merged. In other cases the mergers were consummated, either before the suits had been instituted or after denial by district courts of injunctions against the mergers. In these cases, the relief granted would be to break in two the resulting bank.

In the Philadelphia and Lexington, Ky., cases the Supreme Court held that section 7 of the Clayton Act and the Sherman Act applied to bank mergers and that the Sherman Act was to be applied to bank mergers with virtually the same strictness of the Clayton Act. The result was to frustrate the intention of the Congress, and to subject bank mergers to the most rigid standards of the antitrust laws. Banks must, in fact, do more than other corporations. The must give a premerger notification, and they must obtain approval on the ground that the merger is in the public interest, and after all this, they find themselves in no better position than a manufacturing concern which has merged with no notice and no governmental approval.

The Attorney General has been quoted as saying, "It just isn't right to have one arm of the Government say a merger is great and then have the Justice Department take the whole thing into court." I agree wholeheartedly. It is to end this situation that I have introduced my bill, S. 1698, and I trust that the Attorney General will urge the President to support my bill.

I think it is just as important now as it was in 1959 and 1960 to have bank mergers considered on the basis of banking factors, especially the convenience and needs of the community to be served, as well as on the basis of competitive factors, including tendencies toward monopoly or concentration. I think the overall effect of the merger—its merits as well as its drawbacks—should be fully reviewed by the responsible agency, and I think this review should include consideration of all the merits and all the drawbacks and not just consideration of what would happen in one line of commerce in one section of the country. In short, I think the standards of the Bank Merger Act should be applied to all bank mergers, not the standards of the Sherman Act and the Clayton Act as applied in the Philadelphia and Lexington cases.

My new merger bill would relieve mergers which have already been consummated under the Bank Merger Act and mergers consummated before its enactment under the approval of the appropriate State or Federal regulatory authority. I consider this part of my bill vital—vital to the banking system, vital to industry and commerce, and vital to the public and the Government.

Some 2,000 banks have merged since 1950, involving assets of some $15 billion. The Du Pont-General Motors case shows us there is no statute of limitations applicable to the antitrust laws. It is possible, therefore, for the Attorney General to seek to break up not just the handful of merged banks he now has in court but all the rest of these 2,000 bank mergers. This is not just an imaginary possibility. In the complaint filed in the Crocker-Anglo merger in California the Attorney General charged that a merger consummated in 1956 violated the Sherman and the Clayton Acts.

I should like to ask you to consider for a few moments what may be involved in breaking in two a bank resulting from a merger consummated 2 or 3 years ago or, even worse, 5 or 10 years ago. The results may be disastrous. A bank's customers consist of its depositors, borrowers, and other users of personal services, which the bank supplies in competition with other banks in the locality, in the region, and in the country. A bank's services depend on personal relations, on trust and confidence in the institution and in its officials and employees. If a bank is broken in two, and its officials and employees are scattered and their working relations broken, many of its depositors and borrowers will move to other banks, and probably to larger banks than to smaller ones.

The kind of bank involved in these proceedings might be expected to have a substantial trust department with many testamentary trusts under the jurisdiction of the probate or surrogate's court, in addition to irrevocable and revocable living trusts which might or might not be under court jurisdiction and large pension trusts. Such a bank might have substantial deposits by foreign governments and central banks attracted by the statute freeing such deposits from the interest ceilings imposed by the Federal Reserve Board in order to help solve the balance-of-payments problem. Such a bank would undoubtedly have large corporate customers attracted by the possibility of obtaining loans or lines of credit adequate to meet the needs of these customers, without making it necessary to invite a large number of other banks to participate in such a loan or such a line of credit. Such a bank would have many large customers whose deposits would far exceed the $10,000 insurance ceiling of the FDIC.

All these customers come to the bank because they think it offers them better services than its competitors—lower interest rates on loans, higher interest rates on time deposits, better investment advice for trust accounts and pension funds, better credit advice in its foreign department or its commercial department, and so on. But, when the bank is broken in two, it is entirely possible that much of the bank's business will not go to the two smaller institutions created in the breakup. It is more than likely that neither of these smaller institutions will be able to supply the same quality of services. Instead, it is all too likely that many of the customers of the bank which is being broken in two will go to other banks and most likely to other larger banks. Breakup of a substantial bank may well result in increasing the size of the biggest bank in the area and in increasing concentration.

Other practical problems can readily be foreseen. Every sizable bank today has an elaborate and expensive computer system, often costing in the millions of dollars. This equipment cannot be split between two banks. It would not be suitable for either of the two smaller banks, and, even if the equipment could be divided one machine to one bank and the next machine to the next bank, the specially designed quarters to permit the equipment to operate could not possibly be divided.

The trust department offers a special problem. Trustees usually are appointed by and responsible to the local probate or other court. It is by no means clear that the U.S. district court has authority to assign trust funds and trust responsibilities vested in a bank being broken in two over to another newly created bank, at least without the approval of the probate court and an accounting by the former trustee.

Many other examples could be suggested of the problems which face the banks now in court and which may soon face the other thousands of banks which have merged in the past 5 or 10 years.

I have referred to the difficulties facing industry and commerce, and the public and Government also, in the early 1930's when banks failed by the thousand and in the first half of the 19th century when bank failures were also widespread. If the mandate of the Supreme Court in the Philadelphia and Lexington cases is carried to its logical extent, and hundreds or thousands of banks across the country are attacked by the Justice Department in an attempt to break them up, the result could be as catastrophic, to the banking system, and to industry and commerce, as the period of the early 1930's.

It is my hope and also my belief that the present Congress will give the correct answer to this vital problem.

THE AMERICAN GOOD GOVERNMENT SOCIETY—ADDRESS BY RICHARD A. ARMSTRONG

Mr. MUNDT. Mr. President, the American Good Government Society held its annual award dinner in Washington, D.C., on April 25. The principal speaker at that meeting was Richard A. Armstrong, who delivered a witty, yet thought-provoking speech. His thesis was that this country became great, and most of our progress was made because of the efforts of individuals, working to fulfill their dreams.

His remarks were as refreshing as a cup of cold water in this desert of federalism. I feel that it ought to be read by many, to bring to our realization that there is still strength in the individual, derived from a government of freemen, and that by preserving freedom of action we foster initiative and inventiveness, which, in turn, bring progress to our Nation. I ask unanimous consent to have this speech inserted in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

TEXT OF REMARKS PRESENTED BY RICHARD A. ARMSTRONG, EXECUTIVE DIRECTOR, EFFECTIVE CITIZENS ORGANIZATION, AT PRESENTATION OF GEORGE WASHINGTON AWARDS BY THE AMERICAN GOOD GOVERNMENT SOCIETY, APRIL 25, 1965

It is a signal honor for me to have this opportunity to give the George Washington Memorial Address to the American Good Government Society and to play a small role in the commemoration of the 176th anniversary of the inauguration of our first President; and to honor two distinguished Americans for their contributions to good government. In past years, a number of distinguished statesmen, scholars, and high officials have been accorded this honor. If my name on the program is a surprise to you, you can only imagine how surprised I am to be here. The only conceivable area of authority I have in the life of George Washington might be that we both like the horse races; and if the historians are correct, we have both had a proclivity for liking the wrong horses.

If I may be allowed a moment of levity, I would like to read a little treatise concerning George Washington's chances of being elected President if he were alive today. Its source, unfortunately, is apocryphal.

"If George Washington were alive today, he would have no chance of being elected President of the United States. He would find himself bitterly opposed by the following elements: The American Legion and the Daughters of the American Revolution because he was a known radical of revolutionary tendencies; by the New Dealers and the Fair Dealers because he believed in the Constitution and rugged individualism; by the Methodist Board of Prohibition because he loved life, liberty, and the pursuit of happiness and kept the best wine cellars in Virginia; by the Roman Catholics and the Missouri Synod Lutherans because he was a Mason; he would be opposed by the National Association for the Advancement of Colored People because he kept slaves; by the aristocrats and the capitalists because he believed in the rights of the common man; by the United Nations and the internationalists because he warned of foreign entanglements; by the isolationists because he entered into a treaty of alliance with France and welcomed Lafayette and Von Steuben as his allies; and by the conservationists and the Amalgamated Fruit Growers of America because he chopped down the cherry tree."

Since boyhood, I have been a great admirer of a Margaret Slattery's book "He Took It Upon Himself." Miss Slattery tells how she saw this phrase in a magazine just before she left her office in Boston one late winter afternoon. As she walked across the common, she paused in front of the statue of Horace Mann and reflected upon the great contribution this man made to our educational system. He wanted an educational system that was truly public and available to children of all backgrounds. He wanted better teachers and better schools, and his desire and dedication were so great that he couldn't sleep at night until he had accomplished this mission. He took it upon himself to do something about the problem; our public education system in America today owes a great debt to his dedication.

Miss Slattery goes on to suggest that the great problems of our society are solved by individuals and then they are worked out by groups. When we reflect on some of the problems that our society has had, I think we tend to personify these problems and their solution with one man or one woman who took it upon himself. We think of Jacob Riis, who couldn't sleep at night when he saw children playing in the crowded streets. And he worked to see tenements torn down and public parks established in their place. We think of Jane Addams giving of herself in the slums of Chicago, and as a result of her dedication we now have a juvenile court system. We think of individuals who are personally handicapped, we think of Helen Keller and Nurse Sullivan, who brought—through example—new hope and light to the afflicted.

And in each instance, one man or one woman recognized a problem and then devoted his or herself to it. He took it upon himself.

When I think of civic duty and service to country, I think of one man—George Washington. Time after time he served his country and served it well, and then went home to manage his business or to retire; but time after time he returned to serve his country again—often at great personal sacrifice. He didn't even want the highest honor that could be accorded to an American—that of being the first President of the United States. But he said "I was summoned by my country, whose voice I can never hear without veneration and love." He took it upon himself.

History tells us that it's a good thing he did, because our Government might not have survived without the strength of Washington. No sooner had he taken office than Jefferson was tugging on one coattail saying that our Federal Government was too strong and that we were going to destroy the freedom of our individuals by centralizing too much authority; and on the other coattail Hamilton was pulling, saying that the Federal Government was too weak and without more authority and more centralization it would fail. Both sides prophesied doom; but Washington made it work. He took it upon himself to see that it did work. It was his courage, his integrity, and his character that made it work.

But the temptations to say "No" to public service were overwhelming, and it is this aspect of Washington's life that I would like to relate to the public-affairs movement in industry today. A note of explanation is perhaps in order concerning this movement.

We all know and recognize that the business and professional community was once a power in the political life of our country. During the 20th century it began to abdicate this power. In the early 1950's a group of business leaders recognized that they could not afford the luxury of ignoring their Government and had to encourage men like themselves to take a more active part in politics and in government. For many years the progressive American corporation had taken the attitude toward its management people that it wanted them to be good corporate citizens. That is to say, they wanted their management people to help the Red Cross, the chamber of commerce, the symphony orchestra, and a host of other worthy and laudable causes. But the same corporate breath that encouraged participation in civic, community, and charitable activity said in the next breath, "Don't get mixed up in politics." A few business leaders recognized this as a paradox in our society and set about to correct it. I am not for a moment suggesting that the Effective Citizens' Organization, which I represent, deserves all the credit for public affairs activity in recent years in the business community. We have been a catalyst, lighting a firecracker here and there, and tinkling the bells on some sacred cows. Our definition of a public-affairs program in industry contains four essential factors:

First of all, the company must have a policy that encourages active political and governmental participation, and places such participation on the same plane of respectability with community and charitable activity.

Second, that they provide political and economic education for their employees.

Third, that they communicate with their employees on governmental issues, to see to it that their people are better informed.

Finally, in the major corporations we have seen a new profession arise—that of the public affairs officer.

Today we have some 450 companies that meet these criteria; and over a million business and professional men and women have been given some training in practical politics. I sincerely feel that this has given us real hope for our political system. It has meant new blood, new leadership, for both parties. Unfortunately, other groups are making even greater progress and our progress is not nearly as fast as it could be. Briefly, I would like to outline three of the roadblocks to faster progress in corporate public affairs.

First of all, there is fear of controversy. To some extent, we have been schooled in what I call the "Dale Carnegie fear of controversy." His wonderful book has no doubt been a great help to many people in overcoming shyness and broadening their acquaintanceship; but I take issue with him when he suggests staying away from controversial issues. He even goes a step further and says if you are going to join the country club, try to find out what the people in the country club are talking about and then sneak down town and get a book on that subject, to acquire some pithy fact to toss in at the bridge table. If everyone at the country club is eating chocolate ice cream, don't order pistachio. I think that this concept, this fear, has permeated our thinking as individuals, and that we are conforming more and more to a mean of what is artificially socially acceptable. It has permeated the thinking in our corporations, who are afraid sometimes to do the right thing because someone might not like it. Unfortunately, I am afraid it has permeated Government in terms of foreign policy.

And often I fear our course of action is determined, at least in part, not by a soul-searching process of trying to determine what is right—but by a desire to not only be liked, but liked like Willie Lohman—to be well liked. Somehow or other they have forgotten that constructive debate can lead to constructive solution. And our society suffers for the lack of this debate.

Now, Washington knew controversy. He knew it as an individual in practical politics. One time he got into an argument so heated that his opponent knocked him down with a stick and they almost fought a duel. He knew controversy in his military career when New York and Philadelphia were lost, the critics were screaming for his scalp. He knew it in the Office of the President of the United States. He wasn't always first in the hearts of his countrymen. Here is what one of his detractors wrote: "You should retire immediately; let no flatterer persuade you to rest 1 hour longer at the helm of state. You are utterly incapable to steer the political ship into the harbor of safety". But Washington took it upon himself to do the right thing at the right time and to carry on.

Second, there is the cost of public affairs—both to the corporation and to the individual. I would suggest to you—and I think we can document it—that public affairs costs are really investments. Business has more than an altruistic interest in good government. The cost of government is its biggest cost; and clean, honest, decent government is good for all society.

But Washington knew the dollar cost of public affairs, as do the distinguished gentlemen that we are here to honor. Most of his life, Washington was land poor and dollar shy. He even had to borrow money to travel to New York City to be inaugurated. But, as he said—"I was summoned by my country." He took it upon himself.

Finally I would suggest to you that we are taking this marvelous system of ours for granted and we have the rather childish notion that belief in democracy will make it work. You and I know that a democracy can only work when its talented citizens take it upon themselves to make it work.

And when we speak of the dedication and public service of our forefathers, we sometimes feel that it was easier for them to make these sacrifices; that life was not so complicated. I think Washington knew better. There was no *Columbine*—no *Caroline*—no *Air Force 1* to take him where he had to go; and history tells us that he spent 177 days in the saddle, traveling to and from Williamsburg when he served in the House of Burgesses. Yes, life may have been simpler; but it certainly was not easier.

The paradox is that the challenges we face today at home and in the world are greater than the challenges of 1789.

On the domestic and on the international scene today we face survival.

Domestically, we have the very question confronting us of whether or not this democracy of ours can work. Few great minds have ever thought much of democracy as a form of government. They have all said in effect—"it's a great idea, but it won't work". And when De Tocqueville visited this country, he marveled at the experiment. He said, "It looks great. But what's going to happen when people find out they can vote themselves money?"

I think we have arrived at that point today.

On the international scene we not only have an enemy, but we have an enemy that feels that his system can't work as long as ours exists. And our enemy is armed not with bows and arrows, but with atomic bombs.

And so these problems of survival call for the very best that we have to offer and I think in part that we can face and solve them by emulating those characteristics that made Washington great.

I would like to close by quoting a definition written by the essayist, Louis Adamic. I don't know if he had Washington in mind when he wrote these words. I know only that I have no one else in mind when I read the words: "There is a certain blend of courage, integrity, character, and principle which has no satisfactory dictionary name * * * but has been called different things at different times in different countries. Our American name for it is 'guts'."

We need guts. We need to take it upon ourselves.

ARMY TIMES REPORTS THAT PERCENTAGE OF ELIGIBLES DRAFTED WILL DECREASE, WHICH SHOWS THAT NEED FOR GI BILL THEREBY INCREASES

Mr. YARBOROUGH. Mr. President, while thousands of our finest young men and women are taken into the Armed Forces of this country, to serve throughout the world for from 2 to 4 years, or more, many more thousands of our eligible young people escape the call, and continue on their independent course of education and preparation for productive civilian employment. Those who are fortunate enough to have sufficient financial backing to be able to remain in school are not touched by the draft. Those who occupy some specified occupational positions, or who maintain a particular number of dependents, frequently escape the call of the selective service. As a result, those who, regardless of their intellectual capabilities, do not possess enough financial resources to be able to continue their education independently, are forced into the Armed Forces by this Government and, thus, their future prospects for strengthening their intellects and their ability to remain economic assets in their communities are dealt a severe blow.

It is precisely for the purpose of rectifying this injustice and abolishing this inequity that I and 40 other Senators are supporting the cold war GI bill, S. 9. Enactment of this worthy measure will result in placing men and women who have taken several years out of their lives in dedicated service to their country upon an equal educational footing with the more privileged who are able to gain a useful education without the delay and disruption caused by military service.

An article published in the Army Times of May 12, 1965, clearly demonstrates the inequities with which many of our capable young men and women of draft age are faced under the present Selective Service System. The article presents an irrefutable argument in favor of prompt enactment of the cold war GI bill.

I ask that the article, entitled "Draft Study Has Problems," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DRAFT STUDY HAS PROBLEMS—REPORT TO L.B.J. DELAYED

WASHINGTON.—The Pentagon's long study of the need for continuing the draft will not go to the President before June. It had originally been scheduled to go to the White House in April but the complexity of the problem slowed the work down and caused (what has been called) the slippage.

In general, the report is expected to recommend against ending the draft soon, will put a price tag on ending the draft, and make recommendations on how career improvements will lead more young men to volunteer.

The civilian-military "mix" in the Government is expected to be commented upon in the report and it could lead to more civilians in jobs now performed by the military.

Among the toughest problems for the probers have been those connected with the fairness of the system in which only 55 percent of the men who are draft-eligible will serve.

The problem is that we have more people to pick from as the population grows and we need fewer people than when the system was set up in 1948.

By the Korean war we were expanding our strength to 3.7 million and now we are at a million less than that. The number of men available to service (those reaching 18 years of age) is growing from 1 to 1.5 million a year.

By the mid-1970's, under the present system, only 3 out of 10 men who reach 26 will see some form of military service. Now it is 1 out of 2 and by the end of the decade it will be 4 out of 10.

So continuing the present draft system will mean that—by the mid-1970's—2 out of 3 draft eligibles will never see service.

That is why the study is aimed at finding ways to get more volunteers. The pay structure is a chief area of study.

In peacetime, the panel has decided, military pay should be competitive with pay in civilian pursuits. The price tag for an all volunteer force has been reported to be $6 billion more than present pay expenditures—and that is probably one reason there will be no recommendation for a quick end to selective service.

INCREASED TRADE BETWEEN THE UNITED STATES AND OTHER NATIONS OF THIS HEMISPHERE

Mr. TOWER. Mr. President, recently, I have been advised of the view of the board of directors of the San Antonio Downtown Association that nations in our hemisphere should be given an opportunity to trade with the United States, rather than just to receive aid from us. In order that other Senators may be advised of this view, with which I am in full agreement, I ask that a letter from the association president, James M. Kallison, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DOWNTOWN ASSOCIATION,
San Antonio, Tex., May 5, 1965.

Hon. JOHN TOWER,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR: The board of directors of the Downtown Association appreciates the merits of the President's "See America First" campaign as a means of reducing our balance of payments abroad.

However, we must remember that trade, especially with our neighbors Canada and Mexico, is a two-way street. Should we restrict imports from these countries, we could certainly expect them to retaliate.

Given a choice, we feel that the economically emerging nations of this hemisphere would prefer the opportunities of trade with, rather than aid from, the United States. We therefore believe that the restrictions on imports should not apply to Canada and Mexico, or to any member of the OAS.

Sincerely,

JAMES M. KALLISON,
President.

PROPOSED DECREASE OF DUTY-FREE GOODS PERMITTED RETURNING TOURISTS

Mr. TOWER. Mr. President, the front page of the Laredo Times, of my State, recently included a most well-written and thoughtful editorial concerning the reaction of our neighboring nations to the administration's proposal to cut in half the duty-free goods permitted returning tourists.

I shall quote just one powerful paragraph:

> Legislation that is abrasive to our neighborly relations, and a law that will be detrimental to the commerce of both the United States and her neighbors, will be a shortsighted and senseless measure. And, in respect to our two bordering nations, it would accomplish the opposite of the law's intention.

Mr. President, I commend to the attention of other Senators this editorial, published on April 23, 1965, and therefore ask that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RESTRICTION NO GOOD FOR UNITED STATES, NEIGHBORS

Congress has been asked to write legislation to stem the outflow of U.S. gold reserves. One provision requested by the administration is to limit the returning tourist to $50 in duty-free goods. This would cut in half the $100 of such duty-free items permitted now.

The principle is a good one, and its motives noble. However, like all good rules, there should be exceptions. That exception must be to exclude the bordering countries of our hemisphere, Mexico and Canada, from such restrictions.

Mexico and Canada naturally benefit vastly from U.S. tourists, and to cut in half the allowable of these visitors' purchases would crimp this economic support. Such restrictions invite counterrestrictions, and no one who really understands the growing commerce and flow of goods back and forth across the borders wants more restrictions.

The boundaries, in a sense, are geographic as viewed commercially. A sea of commerce and a tide of tourism flow both directions. This is a good arrangement for Mexico, Canada, and the United States. The United States still sells more to Mexico and Canada than it buys from these countries and the volume of gold outflow that would be stopped by further restricting purchases by tourists would be a mere piper's pittance compared to the total trade. It is that total commerce which we all want to nurture, not discourage; for it's just as beneficial to the United States as to her neighbors, if not more so.

Another aspect, a little less crass in the dollar sense perhaps, but probably more important, is the relations of the United States and her immediate neighbors. Never in history has the feeling of good will and mutual respect been so high along our southern border. As an example, a few months ago, Gov. John Connally was received with wild enthusiasm in northern Mexico's capitals in an unprecedented display of acceptance and warm friendship for a Texas leader. And just this month, Gov. Praxedis Balboa, of Tamaulipas, returning that visit, received the most enthusiastic welcome ever accorded a foreign dignitary visiting Texas.

Within the past year, the United States and Mexico have resolved major problems, including the thorny Chamizal issue and the Colorado River salinity question, to the mutual satisfaction of both countries. And problems are being solved every day along this border by those who live here. The United States and her neighbors, both north and south, are setting an example of how to get along in a turbulent world with a minimum of friction and a maximum of understanding and friendliness.

This lesson is not lost on the world.

We are sure that President Johnson, when these facts are called to his attention, will agree that improving the growing commerce and nurturing the blossoming goodwill of neighbors makes sense. We are just as sure that the congressional committee drafting the legislation, given the full facts, will also understand and exclude our neighbors from the restrictions.

Legislation that is abrasive to our neighborly relations, and a law that will be detrimental to the commerce of both the United States and her neighbors will be a shortsighted and senseless measure. And, in respect to our two bordering nations, it would accomplish the opposite of the law's intention.

To include Mexico and Canada in such suggested restrictions would be the application of a right idea to the wrong places, in the wrong direction and at the wrong time.

ISRAEL'S INDEPENDENCE DAY

Mr. RIBICOFF. Mr. President, May 6, 1965, marked the 17th anniversary of Israel's independence. To those of us who have followed the development of this young state, the changes in but a few years are remarkable.

The growth of industry and agriculture, progressive programs for education and housing, large increases in population, in rural and urban settlement—indeed, the noteworthy advances on a hundred different fronts—are almost unbelievable.

They are an inspiration. That they have taken place within the framework of democratic institutions is a great tribute to the ways of freedom—a great tribute to the patience and perseverance and spirit of brave and determined people.

ADMINISTRATION OPPOSES S. 218

Mrs. NEUBERGER. Mr. President, yesterday President Johnson's consumer adviser, Esther Peterson, spoke out strongly against a bill, S. 218, which would sharply curtail the Federal Power Commission's authority to regulate wholesale electric rates and police the utility industry.

In a letter to Senator WARREN G. MAGNUSON, chairman of the Senate Commerce Committee, Mr. Peterson said:

> What you are dealing with as you consider S. 218 is the question of effective regulation versus no regulation.

Mrs. Peterson opposed enactment of S. 218 and has stated that her stand represents the position of the administration regarding this bill. She said:

> As I see it, effective regulation must begin with an active FPC regulating the Nation's largest utility, as a necessary foundation on which States can build local retail regulation. The consumer will only receive his share of the benefits—in terms of the lowest possible electric bills—if both the FPC and the States vigorously fulfill their responsibilities. This was the concept intended by Congress in 1935 when it enacted the Federal Power Act. Nothing has transpired to change that original concept.

On Wednesday and Thursday, May 12 and 13, the Senate Commerce Committee will hold hearings on S. 218. In connection with these hearings I ask unanimous consent to place in the RECORD for the information of the Senate the text of Mrs. Peterson's letter spelling out the administration's position on this bill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 10, 1965.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: S. 218, a bill "to amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission," is of vital concern to consumers.

Recently, I appeared before your committee to express consumer concern with obvious everyday abuses in the marketplace brought about by certain packaging practices. Today, I wish to express the consumer interest regarding a far less obvious, but equally important problem, that of effective regulation of electric public utilities.

It is altogether fitting that the voice of consumers be heard on this vital issue. The right of the consumer to be heard—as stated by Presidents Kennedy and Johnson, was defined as the right "to be assured that consumer interests will receive full and sympathetic consideration in the formulation of Government policy." Too much is at stake here for the consumer voice to remain silent.

It is not possible to overstate how vital electricity is to our Nation and to all its businesses and its people. It ranks with food and water as an essential of modern life. And its cost is part of the cost of all products and services.

I am informed that consumers—both businesses and individuals—now spend about $14 billion a year for electricity. Every reduction in the unit cost of electricity means lower light bills for consumers. A one-tenth of a cent reduction in the cost per kilowatt-hour sounds small. But such a reduction would save consumers nearly a billion dollars.

The recently completed National Power Survey estimated that consumers could save $11 billion a year—each year—by 1980. As I understand it, the basic contention underlying this estimate is that the costs of generating and transmitting electricity can be reduced by greater interstate and regional and national cooperation and coordination of various electric systems.

I am convinced that the only way to assure American consumers their just share of the benefits of the technological developments that are ahead is to assure effective regulation.

I know you have heard the argument stated that the real purpose of S. 218 is to preserve States rights—to return to the States regulation of matters which are primarily of local concern.

We on the President's Committee on Consumer Interests strongly believe that the States need to do a far better job of consumer protection in areas that are primarily of local concern. There is no question whatsover that consumers benefit greatly by vigorous State action where State action is called for.

But with regard to the issue at hand we are dealing with matters of national interest—with matters that transcend State boundaries. I speak not as an expert in the power field. But I am thoroughly convinced that Chairman Swidler is correct when he states that "wholesale rate regulation in interstate commerce is a matter of national concern. It has never been carried on effectively by the States because it involves utility operations and national policies which are beyond the reach of any single State. That is the reason the Federal Power Act was passed in the first place."

With all due respect, Mr. Chairman, I submit that you are not dealing with an issue of infringement on States rights. What you are dealing with as you consider S. 218 is the question of effective regulation versus no regulation.

There can be no question as to the effectiveness of FPC regulation in this area. Since 1962, when it became active in this area, the FPC has ordered over $10 million in wholesale rate reductions. In my position, I must ask the question, has this been good for consumers? Unquestionably it has been good for them.

As I see it, effective regulation must begin with an active FPC regulating the Nation's largest utility, as a necessary foundation on which States can then build local retail regulation. The consumer will only receive his full share of the benefits—in terms of the lowest possible electric bills—if both the FPC and the States vigorously fulfill their responsibilities. That was the concept intended by Congress in 1935 when it enacted the Federal Power Act. Nothing has transpired to change that original concept.

Mr. Chairman, the right of consumers to know and be informed about utility costs and practices through uniform regulation by FPC is vital, considering the amount of money at stake.

But the consumer's stake is much more than the size of his monthly bill. If a consumer does not like the price or the service at a local department store, he can usually shop elsewhere—he usually has a choice. But with rare exceptions, the Nation's utility consumers have no choice. They are served by monopolies. The cost of duplicating utility service would be prohibitive, as well as unwise. But it takes constant vigilance to make sure that these monopolies are effectively regulated in order to protect the public interest. Thus, at stake for consumers is the whole concept of good government. Creating a regulation gap is not a step forward—it would indeed be a step backward.

Mr. Chairman, for these reasons we strongly oppose enactment of S. 218.

Sincerely,

ESTHER PETERSON,
Special Assistant to the President for Consumer Affairs.

CIGARETTE TARS

Mrs. NEUBERGER. Mr. President, every day in laboratories all over the country, research is continuing to attempt to discover the cause of the second greatest killer of man—cancer.

The scientific evidence continues to move toward even more conclusive evidence of the relationship between cigarette smoking and this dread disease. Hardly a day goes by but what there is a story in the papers—but never on television—reporting an interesting and wonderful development.

The New York Times today carried a story from San Francisco showing the effect of cigarette tars on mucous membranes and cilia cells. This will add to the mass of evidence the Senate Commerce Committee has received on this subject and which has led to the cigarette labeling bill which will be reported soon.

Mr. President, I ask unanimous consent that the news story from the New York Times be printed following my remarks.

There being no objection, the news story was ordered to be printed in the RECORD, as follows:

BRONCHIAL ILL LAID TO CIGARETTE TARS

SAN FRANCISCO (Science Service).—If one stops smoking cigarettes early enough, chances seem good that tissue abnormalities regularly found in smokers and thought to be precancerous, will clear up.

In a report to the American Cancer Society, Dr. Dale L. Tipton and Dr. T. Timothy Crocker of the University of California School of Medicine, said they applied cigarette tars to the bronchi of animals. "In a startlingly short time—3 days following tar application—drastic changes occurred in the bronchial lining," they reported.

They found that the cells that manufacture mucus, which lubricates the tubes and engulfs foreign particles, began to disappear. So did the cilia cells, which clean the tract.

In their place abnormal cells developed. The most common is called squamous metaplasia, described as a "disorganized growth of the top layer of the bronchial lining." The researchers regarded the changes—extremely common in smokers and relatively infrequent among nonsmokers—as among the first in the development of lung cancer.

With no further exposure to cigarette tars the different types of abnormal cells slowly began to disappear. Squamous metaplasia disappeared first. Healthy mucus-producing and ciliated cells again appeared. In 18 weeks, all tissues were normal.

The researchers concluded that the cells most sensitive to tars were not the mature cells that line the surface of the bronchial passages but rather the basal cells. Gradually, basal cells become mature surface cells as older surface cells die.

WORKING FOR THE OLD

Mr. RIBICOFF. Mr. President, my State of Connecticut has always been foremost among the States in working for the well-being of its citizens. Connecticut was among the first States to focus attention upon the problems of its senior citizens. When I was Governor, the Connecticut General Assembly set up the Commission on Services for Elderly Persons and authorized the first allocation of funds for special housing projects for them.

From that beginning, Mr. President, there are today 3,700 rental homes in nearly 30 municipalities completed or planned especially for older persons. We have done much but we must do more.

Mr. President, I ask unanimous consent that an editorial, "Working for the Old," from the Hartford Times, May 8, 1965, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WORKING FOR THE OLD

By endorsing the objectives of Senior Citizens Month, both President Johnson and Governor Dempsey are making commendable efforts to focus attention on the growing problems associated with the old.

For several years May has been designated as a special period to launch or strengthen programs designed to enlist older people's participation in the affairs of their communities.

Governor Dempsey urges the people of this State to intensify their determination "to develop meaningful assistance for older Americans by supporting community programs."

Connecticut was among the first States to make plans to care for the growing number of older persons. The 1957 general assembly set up the commission on services for elderly persons and the 1959 legislature authorized the first allocation of funds for special housing projects for them.

Today there are some 3,700 rental homes in nearly 30 municipalities completed or planned especially for older persons.

Since there are estimated to be more than 250,000 persons in the State over 65 years old, it is plain that in housing alone, we have only scratched the surface.

With elderly persons increasing at a greater rate than the population as a whole, in 15 years the old will constitute about 10 percent of our population.

Only in recent years has caring for the aged taken on the magnitude it has assumed today. Now that the concept is firmly established it must be supported.

RUMANIAN INDEPENDENCE DAY

Mr. RIBICOFF. Mr. President, May 10 was the national holiday of the Rumanian people. Each year three great events of Rumanian history are celebrated on that date.

May 10, 1866, marked the successful outcome of the nation's long struggle to acquire the right of electing as its sovereign a member of a Western royal family. This meant the end of strife and rivalries among native candidates to the throne. The Rumanian dynasty was founded.

May 10, 1877, marked the date on which the Principality of Rumania severed the old and outdated bonds that linked her with the Ottoman Empire. This independence was won on the battlefields near the Danube by the young Rumanian Army.

May 10, 1881, marked the date on which the Rumanian people raised their country to the rank of a kingdom. Charles I was crowned King of Rumania by the will of his people. A prosperous era, which lasted over six decades, then began.

Official celebrations of this national holiday are no longer permitted in Rumania. Yet, the Communist rule that now oppresses the nation has not been able to sever the people's attachment to the traditional celebration.

As Rumanians in their homeland await with faith and hope the time when freedom will be restored to them, we in America pay honor to their courage.

THE BLEIBURG TRAGEDY

Mr. LAUSCHE. Mr. President, among the many tragic blunders committed by the Western Allies toward the end of World War II is one that is too often forgotten or overlooked today. That blunder is the unstinting aid given by Western forces to the Communist guerrilla bands of Tito. At the time, there was every indication that Tito was not only fighting against the Nazis but also conducting a ruthless campaign against all the anti-Communists within the borders of prewar Yugoslavia. It was already evident that political and civil liberties and minority rights would be trampled upon in a Communist-dominated Yugoslavia. Nevertheless, those brave freedom fighters who were seeking to hold back the Communist tide in Yugoslavia and to protect the right of distinct nationalities to self-determination received scant sympathy from Allied authorities. In May 1945, British military authorities in Austria extradited to Tito's bands thousands of anti-Communist Slovenes and Croats who had surrendered to the British in the hope of receiving protection and support. These patriots were ruthlessly slaughtered by Tito's forces.

The mass extermination of Croats who were surrendered to Tito by British authorities in May 1945 has come to be known as the Bleiburg tragedy. Croats who have scattered throughout the world in order to escape terrorism in Communist Yugoslavia set aside a day in mid-May to mourn their countrymen who were the victims of Allied blindness. I am convinced that continuing investigation of the Bleiburg tragedy is necessary in order to help lift the veil of illusions surrounding the Communist dictatorship in Yugoslavia. I wish to salute those who are engaged on this task, and to extend to them my heartfelt sympathy on a sad occasion.

U.S. BALANCE OF PAYMENTS

Mr. MUSKIE. Mr. President, reports of hearings conducted by the International Finance Subcommittee of the Banking and Currency Committee, on the continuing deficit in the balance of payments of the United States, together with other information on that subject, were published last week. This is a problem of continuing interest, not only with respect to the effectiveness of measures, recently adopted, to bring the deficits down to a level with which we can live, but also from the standpoint of the longer run significance of the U.S. balance of payments to the broad problem of international liquidity.

In a speech before the business council on May 8, 1965, the Secretary of the Treasury reported progress in the Government's efforts to deal with these problems. I ask unanimous consent that the Secretary's address, in which he also discussed other matters of interest, be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY HON. HENRY H. FOWLER, SECRETARY OF THE TREASURY, TO THE BUSINESS COUNCIL, AT THE HOMESTEAD, HOT SPRINGS, VA., MAY 8, 1965

Many times, and in several capacities, I have had the pleasure of journeying to this pleasant place to discuss with this distinguished group some of the critical economic events and issues of the day.

If today, therefore, I join you in a new role, it is not as a stranger. And you are well aware that the principles and policies for which I stand are, in all essentials, those for which the Treasury has stood over the past 4 years and more.

Like Douglas Dillon before me, I share President Johnson's conviction that the primary purpose of economic policy is to fashion a framework, to create a climate, in which private economic effort can flourish for the benefit of all Americans. I share the President's conviction that the achievement of our national economic goals depends very largely upon our success in bringing public policies and private effort together in joint pursuit of those goals.

These are the convictions upon which our economic policies for the past 4 years have been based—and upon which they will continue to be based.

There could be no better proof than the prosperity we enjoy today of the abundant benefits that can flow from public policies designed to encourage private effort. There could be no better proof of the remarkable feats that American Government and American business can accomplish when they work as allies rather than as antagonists—when they seek, not cause for senseless conflict, but common cause in the national interest.

No man in the history of our Nation has worked harder or longer or more effectively to bring Government and business together in a growing partnership for progress than the man who now occupies the White House. He knows—and he has demonstrated his belief—that in that partnership lies the path to continued economic advance and a better America for all our citizens.

I intend to follow the President's example with every resource at my command. For there is no major area of Treasury concern that is not also of deep concern to you, or in which you are not deeply involved.

I have been most happy to learn that it is the earnest desire of the Business Council—as it is my desire—to reconstitute its Liaison Committee, as a regular channel of communication between the Treasury and the Council. I look forward to meeting with this Committee in the very near future to set up a schedule and an agenda, and thus maintain a really practical and effective medium for the exchange of views on matters of vital concern to you, to the Treasury and to the Nation.

Let me briefly review with you a few of those areas of joint concern:

First, there is no task before us more important than sustaining the economic advance which is now in its 51st month—a ripe age, indeed, as expansions go. In fact, this month of May marks an event which has received only rather perfunctory notice, but which will always hold a high place in the annals of American economic history—for this month our economic expansion has become the longest in the entire history of our Nation, with the single exception of the expansion that included World War II. Would it not be fitting to mark this recordbreaking achievement by a national celebration? All the American people—business, labor, consumer, and government could share in this event—because all have worked together to make it possible.

Yet for all its longevity, this expansion shows no signs of flagging. On the contrary, it continues to forge ahead on all fronts.

Our gross national product for the first quarter of this year rose by $14½ billion over the last quarter of 1964—a gain exceeded on only three previous occasions. The largest part of that gain was the $11½ billion rise in consumer spending. And recent surveys of consumer attitudes show consumer confidence in the Nation's economic outlook at extremely high levels.

But consumer demand must be conjoined to investment demand, or capital expenditures, for a healthy growing competitive economy, and investment demand requires strong incentives. Those incentives have rarely been stronger in recent years than they are today. For example, in the fourth quarter of 1960 the after-tax profit per dollar of sales of U.S. manufacturing concerns was 4 percent. By the fourth quarter of last year it had grown to 5.4 percent—a rise of one-third.

And, as President Johnson reported earlier this week, corporate after-tax profits for the first quarter of this year totaled $36 billion at a seasonally adjusted annual rate—$4 billion above the rate in the last quarter, and more than $4½ billion above the rate in the first quarter, of last year.

And business confidence in our outlook continues to run high. As you know, the recent McGraw-Hill survey of capital spending plans show, for 1965, a 15-percent increase over last year's levels—higher than the sizable 14 percent last year. In manufacturing alone, the planned increase is 21 percent—in contrast to 18 percent last year. The $51.7 billion planned for this year is almost double the level of a decade ago. And the $16 billion growth in capital expenditures for the 5 years 1961–65 exceeds the rise for the entire decade of the fifties. And, most encouraging, the same recent survey reveals the intention of businesses to maintain large capital spending programs well beyond the current year.

This acceleration of capital expenditure is perhaps the most encouraging factor in our national economic outlook. For it means more rapid improvement in our competitive quality—it means new jobs and new products—and it signals the success of a happy combination of creative public policies and private business effort. It is indeed impressive testimony to business confidence in our national leadership and to the imagination, initiative and drive of American business as encouraged by such measures as the depreciation reform and investment credit of 1962 and the tax reduction of 1964.

Slowly but steadily, our expanding economy is moving us closer to our interim goal of 4 percent unemployment. We have cut the overall unemployment rate from an average 6.8 percent in the first quarter of 1961 to an average 4.8 percent for the first quarter of this year—and over the same period the important rate for married men has fallen from an average 4.8 percent to an average 2.6 percent.

Thus, our economy is moving strongly and surely ahead. And to insure that it continues to do so throughout the rest of this year, we have scheduled to take effect at the beginning of July a prudent amount of excise tax reduction—prudent because it provides an adequate but not excessive stimulus to the private sector—prudent because it furnishes added incentives for price reductions at a time when it is imperative that we redouble our efforts to maintain our excellent record of wage-price stability—and prudent because it would achieve these ends without seriously slowing down our drive toward a balanced budget.

This is a second and vital area of joint concern between the Treasury and the business community—the conduct of our national fiscal affairs. When we urged the tax cut in 1963 and 1964, we said that, by helping create more jobs and rising incomes and profits, it would mean rising Federal revenues—even at lower tax rates. We said that growing revenues in a growing economy, together with a rigorous program of expenditure control, were the only sure path to a balanced budget. Last week President Johnson reported to the Nation that, as a result of rising Federal revenues and reductions in Federal expenditures, we expect the actual budget deficit for fiscal 1965 to be at least $1 billion below the $6.3 billion estimated in January.

Thus, President Johnson's programs for economic growth and expenditure control continue to uphold the pattern of diminishing deficits established with the budget for fiscal 1964—when the deficit dropped from an estimated $11.9 billion in January 1963, to an estimated $10 billion in January 1964, to an actual $8.2 billion. There is no need for me to tell you how difficult it is to sustain that pattern in the face of foreign crises that cannot be foreseen but continually appear. Nor is there any need for me to assure you—for President Johnson's record of expenditure control leaves no room for doubt—that despite these crises this administration will continue to save everywhere we can in order to spend where we must. It is essential that we exercise restraint in the upcoming excise reductions—furnishing the economic stimulus we need without seriously impeding our progress toward balance in our budget.

Our third area of joint concern is national credit policy. There are, as you know, those who have urged—either to forestall what they fear is impending inflation at home, or to aid our balance of payments—that we slam hard the brakes on credit expansion. Surely, we must vigilantly guard against inflation—but just as surely we must do so without harming our expansion. I see no reason why we cannot continue to be successful in both endeavors—preventing inflation and sustaining our expansion—if we continue, at the Government level, to follow flexible monetary policies and, at the private level, to avoid inflationary wage settlements or price rises.

Nor is it feasible for us to curtail credit drastically in order to aid our balance of payments. Vigorous domestic growth remains essential to any fundamental solution to our balance of payments problems. Any gain that a sharp boost in interest rates might bring to our balance of payments would hardly be a price worth paying for the domestic economic havoc it would wreak—havoc that would ultimately place our balance of payments position in jeopardy once more.

Certainly, as time passes and situations alter, we must make adjustments in our credit policies to meet given needs at given times. Always, those policies and those adjustments must be based on a hard and careful analysis of realities and evaluation of priorities—not on the basis of some automatic allegiance to tight money or easy money. And both the realities and priorities before us today call for continued flexibility in credit policy capable of supporting our home economy without harming our balance of payments.

The fourth, and final, major area of joint concern is our balance of payments—and more broadly, the continued viability of our international monetary system.

I will not dwell at any length upon developments in our intensified program to bring our international deficit to a swift and sure end. We are moving ahead in all aspects of that program. As President Johnson reported last week the voluntary program among the business and banking communities is off to a good start. Overall, preliminary indications are that—following substantial deficits in January and February—our overall balance of payments was in surplus in March and probably also in April.

I am disturbed, however, by the undue note of elation over these results that I detect in some quarters. By all means, let these results spur us on to greater effort—but let them not delude us into premature visions of victory. Let there be no mistake: these figures are no more than preliminary indications of a brief respite from the intense pressures created by a prolonged period—some 7 successive years—of serious deficits in our balance of payments.

I want to emphasize with all the vigor I can muster the danger of early or excessive optimism. For example, the projected gain of $1.2 billion in the industrial side of the voluntary program concerns only certain specified transactions on which business firms were asked to report—mainly exports, and capital movements, and investment earnings transactions with industrialized countries. It does not take into account what developments may occur in other parts of our balance of payments, such as imports and tourist expenditures or even military expenditures during 1965. The $1.2 billion, therefore, cannot validly be deducted from last year's regular transactions deficit of $3.1 billion as a means of projecting this year's deficit.

We must avoid any overoptimism because of favorable developments in any particular segment of our balance of payments. Early optimism could lead to premature relaxation. For overall assessment of our situation we must rely on the regular quarterly reports which reflect all factors and actual transactions rather than expectations.

The significant fact is that, for the first time, the entire Nation is involved in a massive, concerted effort to reduce our dollar outlays abroad wherever we can, while trying to increase the inflow from abroad—by boosting our exports and attracting greater foreign investment. That effort is bringing good results. And we can allow no letup—indeed we must continue to redouble all our efforts—until we have restored our international payments to balance once again, and until we have maintained that balance, not for one or two quarters, but a sufficient time to demonstrate our strength and our determination and to allow a more permanent solution to take hold.

As we do move toward balance in our payments, a new and crucial challenge is presenting itself with growing urgency before the nations of the free world—the challenge of assuring ample liquidity to support expanding world trade in the years ahead.

Through its balance-of-payments deficits during the past 6 years the United States has, as you know, been augmenting the supply of international liquidity by some $3 billion a year. As our deficits dwindle, therefore, so does a prime source of international liquidity—and it becomes more and more imperative that we progress toward some agreement with our foreign friends on some other means of furnishing adequate international reserves.

We have seen this problem coming for some time—and much of the preliminary spadework has thus been underway for some time. During the past several years the United States has joined with other major countries in comprehensive studies of the international monetary system—its recent evolution, its present effectiveness, and its future.

Under Secretary Deming and Treasury staff members are in Paris this week working on various aspects of the liquidity question. Prime Minister Wilson focused public attention on this question recently when he devoted a portion of his New York speech to a plea for comprehensive planning to avoid a liquidity squeeze when the U.S. payments deficit has disappeared. We expect the Chancellor of the Exchequer, Mr. Callaghan, to visit Washington late next month—and he will doubtless wish to exchange views on this matter.

Over the summer and fall there will be other bilateral and multilateral talks at all levels as we move ahead toward exploring this most complex problem and toward reaching some kind of workable consensus. There is, therefore, no fixed timetable. But we are moving ahead—and we still spare no effort to speed our progress toward a sensible and workable solution.

These, then, are four major areas of joint concern between the Treasury and the business community—four major areas of national concern in which you are deeply interested or deeply involved.

There are, of course, many other important topics of joint concern which I have not been able to discuss—such as the proposed liberalized tax treatment of foreign investment in the United States, our forthcoming program to deal with the silver and coinage problem, our review of abuses in the use of private foundations, and problems arising out of the regulation of the banking industry. But through your Liaison Committee, I intend to keep in close touch with you on these and other matters in the months ahead.

I know that, while I have limited myself today to what we could call the bread-and-butter issues of our economic life, that the interest of this group and others like it is far from limited to these concerns. I know that you are intensely interested in the vital events taking place today on the vast stage of world affairs—in Vietnam, in the Atlantic Alliance, in the Dominican Republic.

But we all know—and we can never let ourselves forget—that America's ability to succeed in its difficult and demanding role as leader of the free world, that all the political, diplomatic and military resources at our command, depend upon a strong and stable American economy and a sound dollar.

We need have no fear for our economy or our dollar if, in the weeks and months ahead, we in Government and you in the private sector can continue to confront the challenges and opportunities before us in these areas in a spirit of growing partnership and cooperation.

I assure you that I will always welcome your advice and your counsel with the same enthusiasm with which I welcome your help and your support.

Mr. MUSKIE. Mr. President, various proposals for dealing with the longer-term liquidity aspect of international payments have been made by a number of individuals and groups, and are being studied by official working parties containing representatives of Government and international financial institutions. An excellent description and analysis of these proposals was contained in remarks by the Honorable Frederick L. Deming, Under Secretary of the Treasury for Monetary Affairs, at Ohio State University, on April 29, 1965. I ask unanimous consent that his speech be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE BALANCE OF PAYMENTS OF THE UNITED STATES AND INTERNATIONAL LIQUIDITY

(Remarks by Hon. Frederick L. Deming, Under Secretary of the Treasury for Monetary Affairs, at the Ohio State University, in connection with "Distinguished Lectures in Monetary Policy," jointly sponsored by the University and the Ohio Bankers Association, Columbus, Ohio, Apr. 29, 1965)

Fifteen days ago, the Prime Minister of Great Britain, Mr. Harold Wilson, devoted a section of his major public speech in New York to consideration of international liquidity. He took the view that the world should push forward promptly in comprehensive planning to avoid a liquidity squeeze which might result from the disappearance of the U.S. balance-of-payments deficit.

Some weeks ago, President de Gaulle suggested that the world should return to a gold standard system, and Mr. Jacques Rueff, a well-known French economist, has recently proposed the same course of action, with the additional suggestion that the price of gold be doubled in order that reversion to a gold standard system might take place without drastic deflationary consequences for the world economy.

The president of the German Bundesbank, Karl Blessing, recently endorsed the present international monetary system but suggested the possible desirability of standardizing the composition of national reserves by agreeing on an appropriate ratio between holdings of gold and reserve currencies.

Former Secretary of the Treasury Douglas Dillon in his last press conference suggested that one of the major questions with which his successor would have to wrestle would be that of the future adequacy of world liquidity. Secretary Fowler has agreed "that the greatest challenge in this area is to work out a steadily improving international monetary system so as to facilitate a continuing expansion of trade and economic development in the free world."

The U.S. position with respect to the liquidity issue has been made very clear by President Johnson, who said in his message to Congress on the balance of payments:

"The measures I have proposed in this message will hasten our progress toward international balance without damage to our security abroad or our prosperity at home. But our international monetary responsibilities will not end with our deficit. Healthy growth of the free world economy requires orderly but continuing expansion of the world's monetary reserves.

"During the past decade, our deficits have helped meet that need. The flow of deficit dollars into foreign central banks has made up about half of the increase in free world reserves. As we eliminate that flow, a shortage of reserves could emerge. We need to continue our work on the development of supplementary sources of reserves to head off that threat.

"We must press forward with our studies and beyond, to action—evolving arrangements which will continue to meet the needs of a fast growing world economy. Unless we make timely progress, international monetary difficulties will exercise a stubborn and increasingly frustrating drag on our policies for prosperity and progress at home and throughout the world."

Today I would like to discuss with you just what it is that all of these distinguished people are talking about and why there is this general and widespread interest in international liquidity.

We might start with a very simple statement as to the purpose of international reserves. Their primary purpose is to permit a country to ride through any balance-of-payments deficit while making an orderly adjustment of its international and domestic policies to restore balance-of-payments equilibrium. In this, the purpose of international reserves is very similar to the purpose of individuals and businesses in setting aside and holding liquid assets for an emergency. A complication with which I shall not deal today is that international reserves in many countries play an additional role as partial determinants of the domestic money supply.

International reserves, of course, are not held in the same form as the reserves of a private business. The traditional reserves of nations are gold and reserve currencies. A reserve currency, if you will excuse the tautology, is a currency which, by general agreement, nations are prepared to hold in their reserves. The dollar is today the major reserve currency. The pound sterling is held rather widely, particularly by sterling area countries, and the French franc is regarded as a reserve currency in some parts of Africa. Each nation makes its own decision as to what it will regard as a reserve currency. It bases its decision on the extent to which that currency can be widely used in international transactions, the confidence it has in the stability of that currency in terms of gold and in terms of goods, and the ease with which it may invest and disinvest both its working balances and additional holdings of the currency in question.

The status of the dollar as a reserve currency developed over the years, particularly since the Second World War, from the voluntary decision of many countries that this was the currency which best met their needs as a reserve asset. The reserve currency status of the dollar is greatly buttressed by the fact that the United States is the only country which stands ready to deliver gold at the fixed price of $35 an ounce to foreign monetary authorities upon request.

But international liquidity has broader dimensions than gold and reserve currencies. When representatives of the group of 10 leading industrial countries began a couple of years ago to study what has come to be called the liquidity problem, they placed emphasis upon a broad liquidity spectrum which shaded from owned reserves through certain credit availabilities.

It was agreed that the first additional asset to be included in the broader liquidity concept should be the "gold tranche" position of member countries in the International Monetary Fund. The International Monetary Fund has 102 member countries, and each of these has a borrowing quota for which it has paid one-quarter in gold and three-quarters in its own national currency. As a result, one-quarter of its drawing or borrowing rights in the Fund are referred to as its gold tranche rights. Any member country is entitled to borrow from the Fund, virtually without question, any currency it may need up to the amount of its gold tranche position. There is general agreement, accordingly, that the aggregate of gold tranche positions in the Fund, amounting to approximately $4 billion, should appropriately be considered an element in international liquidity. I might mention parenthetically that such gold tranche positions will be increased to $5 billion when the 25 percent increase in Fund quotas now underway has been completed.

There are other forms of international credit about as liquid as gold tranche positions in the fund. In the last 4 or 5 years, a network of short-term credit facilities has been created among monetary authorities and central banks of the highly industrialized countries. These are generally referred to as "swap" lines. They consist of agreements that the authorities of one country will make its currency available to its swap partners up to agreed amounts, usually for an initial period of 90 days. If, for example, Italy should find itself in need of dollar currency, it could deposit lire to the account of the Federal Reserve System and the Federal Reserve System would deposit an equivalent sum in dollars to the credit of the Italian authorities. These agreements represent a highly liquid asset for the countries concerned. Swap lines can be activated on only a few hours' notice, and many of them have been so activated throughout the network in many directions in recent years. The total of swap agreements at the present time throughout the network amounts to more than $2½ billion.

Another substantial element in international liquidity is represented by special Government bonds which the United States has issued to certain of its creditors in recent years to help finance the U.S. balance-of-payments deficit. These may be denominated in the currency of the holder and are convertible at short notice by the holders into cash. Foreign currency bonds now outstanding amount to $1.1 billion. Foreign monetary authorities holding these bonds regard them either as part of their reserve assets or as an asset similar to reserves.

In considering international liquidity, it is also appropriate to take into account the availability of credit from the International Monetary Fund beyond the gold tranche positions. As I have said, one-quarter of a country's quota represents its gold tranche; three-quarters represent its drawing rights beyond the gold tranche. These borrowing rights are not so automatic as gold tranche drawing rights and, hence, not so highly liquid. Consequently, they are not generally regarded as reserves. However, they are available in accordance with well understood standards and have been widely used for many years. They represent an important element in total international liquidity.

The report of the deputies of the group of ten, released in August of last year, following their study, brought out several interesting points relative to the growth of international liquidity, as the report defined it, during the 10 years from 1954 to 1963. As noted, they dealt with international liquidity as being a spectrum divided into two broad categories: "reserves" and "credit facilities." The dividing line between these two closely related classifications was fixed in this manner. Credit availabilities that had not been utilized were, broadly speaking, treated as "credit facilities," and these might be available to potential deficit countries in the future, subject to individual credit arrangements. Reserve assets represented the claims of creditor countries that had been established by the extensions of credit to others in the past on their part, through the International Monetary Fund or directly, and that could readily be mobilized for their own use in case they, in their turn, needed foreign exchange resources. This latter category included also the gold tranche claims on the fund acquired by past subscriptions of gold to the IMF.

During the 10-year period, the reserves of all the countries in the free world rose about $17 billion or nearly a third. Gold accounted for nearly $6 billion. Foreign exchange, principally in the form of dollars and sterling, rose nearly $8 billion, and $3 billion was contributed by increased claims on the fund and by the use of bilateral credit facilities.

You will note that only about a third of the total addition to reserves, defined broadly to include the reserve assets noted, was provided by gold. At the end of 1963, countries held in their reserves about $40 billion in gold or about 57 percent of the total reserves of $70 billion. $25 billion was held in the form of foreign exchange, one-half in sterling, and one-half in dollars. These foreign exchange holdings were official reserves and take no account of some $15 billion in liquid assets held by nonofficial private entities, almost entirely as claims in dollars or sterling.

Apart from the global picture, it is useful to pause a moment to look at the regional aspects of this growth in reserves. During the 10-year period, the 8 major nonreserve currency countries of the group of 10 and Switzerland acquired $18½ billion of reserve assets, or $1½ billion more than the world as a whole. This group of countries includes the major part of a persistent surplus area in continental Europe, which has had an unexampled prosperity and an unprecedentedly strong balance-of-payments position. Moreover, this group of countries acquired nearly $11 billion in gold, nearly twice the total of new gold supplies available for monetary use in the world as a whole. They were able to do so through a substantial redistribution of the gold reserves of the United States.

This was the pattern of the 10 years prior to the study undertaken by the group of 10 in 1964. Against this pattern, the ministers and governors concluded that, "For the international monetary system as a whole, supplies of gold and reserve currencies are fully adequate for the present and are likely to be for the immediate future. These reserves are supplemented by a broad range of credit facilities. The continuing growth of world trade and payments is likely to entail a need for larger international liquidity. This need may be met by an expansion of credit facilities and, in the longer run, may possibly call for some new form of reserve asset."

The ministers and governors of the group of 10 then took several decisions looking toward the future of the monetary system. They undertook a thorough study of the measures and instruments best suited for avoiding and correcting large and persistent international imbalances, compatibly with the pursuit of essential internal objectives. They recommended a procedure for "multilateral surveillance" of the ways and means of financing balance-of-payments disequilibria. Looking further into the future, since there was a possibility that the supply of gold and foreign exchange reserves may prove to be inadequate for the overall reserve needs of the world economy, they authorized a study group to examine various proposals regarding the creation of reserve assets either through the IMF or otherwise. Finally, they agreed that they would support a moderate general increase in quotas of the IMF.

It might be asked why there was so much concern regarding the future of international liquidity when reserves had increased so rapidly in the previous 10 years. The eight members of the group of 10 and Switzerland nearly tripled their reserves during the 10-year period, 1954 to 1963. In fact, some of these countries consider that the growth in their reserves has been excessive and has been a contributing factor to inflationary pressures on the European continent. Thus, they are particularly concerned that the growth in reserves not be excessive in the future, as a result of continuing deficits in the U.S. balance of payments.

At the same time, they join with the United States in recognizing that there may be conditions in the future, given the remarkably vigorous expansion of world trade and investment, when annual supplies of new monetary gold would alone be insufficient to provide an adequate secular growth in reserves. You will recall that new gold supplied only about one-third of the 10-year growth in reserve assets.

The United States also looks forward to a changing situation; it is not in our interest to continue substantial balance of payments deficits, to pay out increasing amounts of dollars to the rest of the world, and then to be faced with financing a substantial part of that deficit in gold because other countries no longer wish to accumulate important amounts of dollars in their reserves. There is certainly no fixed or absolute level or ratio of our short-term dollar liabilities to our gold reserves. But officially-held dollar claims of a liquid character are now just about equal to our gold reserves. They have been rising for about 15 years, and rising quite sharply since 1958. It is quite essential that we bring this long series of balance of payments deficits to a halt. In doing so, we will also stop the process of providing gold and dollar reserves to the rest of the world.

When this happens, there may then be a question as to how to provide supplementary reserves in some form, to add to gold and the existing holdings of dollars and sterling exchange. It is, in my view, unrealistic to assume that the world can or should attempt to do away with these existing foreign exchange holdings. The gold exchange standard in itself is a useful and meritorious instrument. But, at the same time, we must exercise moderation in its use, and realize that it has been overstrained by the size and persistence of U.S. deficits, and the resulting supply of dollars.

It is no secret that some European countries feel that the long-continued deficit of the United States has been at best made possible and at worst encouraged and stimulated by the ability of the United States to finance a very substantial portion of its deficit during the past 7 years by paying out dollars that have been added to foreign reserves. If the U.S. deficit had been settled entirely in gold, they assert, the United States would have taken earlier and more rigorous steps to bring its payments into equilibrium.

Accordingly, some of these countries are prepared to argue that the international monetary system at the present time is experiencing a surplus of liquidity, not a shortage. This is perhaps the basis for the suggestion of General de Gaulle that the world should return to a gold standard system. A return to a gold standard would imply a sharp curtailment of world reserves and world liquidity and would carry the threat of world-wide deflation. I need not—for this audience—spell out the detailed mechanism by which this would come about. I mentioned Jacques Rueff, who recently expressed his support for a return to the gold standard in public statements in the United States. Recognizing that this alone would create dangerous deflationary pressures, he couples his proposal with the suggestion that the price of gold be doubled and that the United States then pay off its liquid liabilities to foreign central banks in gold at the new price. That would mean redeeming some $14.5 billion of dollar reserves of foreign official holders at a rate of $70 for an ounce of gold rather than the existing $35 per ounce. The United States would be left at the end of the operation with gold reserves near the present level, according to the new valuation, and would have wiped out its official liabilities to foreign monetary authorities.

Such a proposal is thoroughly unacceptable to the United States. It combines the proposal that the world once again accept automatic regulation of its money supply according to the vagaries of world gold production with the proposal that the implied and stated commitments of the gold exchange standard be repudiated to the advantage of a few and the disadvantage of many. It is easy to see how it might be appealing to the major gold-producing countries, including the Union of South Africa and the U.S.S.R., and to some countries holding a high proportion of their reserves in gold. It would, of course, be discriminatory against countries which have kept a substantial fraction of their reserves in the form of reserve currencies. Our commitment to maintain the fixed parity of $35 an ounce between gold and dollars is basic to the stability of the world monetary system. President Johnson has reiterated our unchanging determination to maintain this parity.

We share fully, however, the European view that our balance-of-payments deficit should be promptly corrected. We do not believe that the existence of the present monetary system has weakened our resolve to eliminate our balance-of-payments deficit. We have, however, insisted that the deficit be eliminated by measures which would have a minimum impact both on the rate of economic growth in our own country and on the continued economic prosperity of the rest of the free world. We have ruled out measures which would have denied our responsibilities in defense of the free world or in the economic development of less developed countries—and we have done so in the interest of free men everywhere. Our deep reluctance to adopt more restrictive monetary or fiscal policies at home has derived from the unshakable conviction that a strong and growing economy in the United States is a prerequisite both to lasting correction of our balance-of-payments difficulties and to continued prosperity in the Western world.

I shall not digress at any length to review the extent to which our balance-of-payments position has, in fact, been strengthened in recent years. The splendid record of price stability which we have maintained through 50 months of steady economic growth has established for us a strong competitive position in world trade and our trade balance is highly favorable. We have reduced the balance-of-payments impact of our military and foreign aid operations without retreating from our commitments in these areas. More recently measures have been taken to dampen the outflow of capital from the United States by means of the voluntary cooperation of the banking system and the business community. The United States will, however, continue to be an important source of productive capital.

Before I resume commenting briefly on what I think will be the principal issues to be decided as we cooperate in working out arrangements to assure that adequate world liquidity will be maintained when our deficit has been corrected, I should acknowledge that there is a school of thought—and one which appears to be quite strong in academic circles—that believes in solving the liquidity problem not by increasing liquidity but by reducing the need for liquidity. Members of that school are the advocates of floating exchange rates. They hold that fixed exchange rates alone create the need for large reserves. More importantly, perhaps, they feel that fixed exchange rates constitute a restraining influence preventing individual countries from following domestic policies which might be deemed appropriate for domestic aims. If exchange rates were free to move up and down in the market, a balance-of-payments deficit would be reflected in a cheapening of the country's currency rather than in a loss of reserves. The cheapening of the currency, in turn, the argument runs, would bring about adjustments in the trade pattern—lower imports and higher exports, among other changes—which would restore balance-of-payments equilibrium. No country would need to hold large reserves and each country could choose its internal monetary and fiscal policies according to its own system of priorities and without regard for balance-of-payments effects.

I am not going to try to argue the case for or against floating rates. I would admit, as any student of economics will admit, that the theoretical arguments for floating exchange rates can be presented with great precision and appeal. Operation of the system in a world of imperfect knowledge, imperfect governmental and monetary institutions, and conflicting national ambitions and policies would be something else again. I will merely express the opinion, which is shared by an overwhelming majority of commercial and financial interests, that such a system, in practice, would prove extremely disruptive to world trade and financial transactions. The ministers and governors of the group of 10 have ruled out consideration of any such system and the International Monetary Fund has operated for nearly 20 years in defense of a regime of generally fixed exchange rates, with individual exchange rate adjustments regarded as appropriate from time to time when individual countries have fallen into a position of fundamental disequilibrium.

As we consider possible methods for assuring adequate liquidity in the future, the next question is whether some new type of asset should be created or whether liquidity needs can be met by further development and refinement of existing credit mechanisms.

On the credit side, agreement has already been reached, in principle, on a 25-percent increase in International Monetary Fund quotas. I say "in principle" because, while more than 80 percent of the membership favored the increase, each member must now determine for itself, in accordance with its own legislative procedures, whether it will accept its appropriate share of such increase. The U.S. administration is seeking congressional approval for an increase of $1,035 million in the U.S. quota. The House of Representatives voted favorably on this bill on Tuesday of this week. We are confident that the total of aggregate quotas in the Fund will be increased from about $16 billion to about $21 billion when this operation has been completed. That will provide an appreciable addition for international liquidity in the form of credit facilities.

The most intriguing aspect of the liquidity question, however, doubtless lies in efforts to devise a new type of reserve asset. I mentioned that the deputies of the Group of 10, in their report to ministers, announced that they had established a Study Group on the Creation of Reserve Assets to study the problem which its name implies. The Group is meeting periodically. It is expected to present to the deputies some time this summer a study which will "assemble the elements necessary for evaluation of the various proposals" which have been put forward.

I cannot speak in detail about the work of this Group. But its terms of reference are public information. The deputies to the Group of 10 spoke of two types of proposals:

"One, the introduction, through an agreement among the member countries of the Group, of a new reserve asset which would be created according to appraised overall needs for reserves; and the other based on the acceptance of gold tranche or similar claims on the (International Monetary) Fund as a form of international asset, the volume of which would, if necessary, be enlarged to meet an agreed need."

Proposals of the first type vary substantially in detail. Essentially, however, these schemes provide that a limited group of countries, by depositing their own currencies or gold, establish a central pool of monetary resources which would provide the backing for a new reserve unit. Members would receive in exchange for their respective subscriptions an equal value of reserve units. These would represent proportionate claims upon the aggregate pool of resources and these claims or units would be transferable among the members in settlement of surpluses or deficits. The reserve unit itself would be held or used much as gold is now held in reserves or used in international settlements. By agreement among the members, it would assume the nature of gold—it would be held as reserves—its value would be fixed in terms of gold—its acceptance by any member would be automatic according to stipulated conditions.

For example, some proposals would call for creation of a limited amount of reserve units and for the use of these units in fixed proportion with gold in making all settlements among members. The economic effect would be little different from the gold standard itself. It would operate like the gold standard with some reserve units added. Like a return to the gold standard, itself, it could call into question the continuing usefulness of reserve currency holdings and would probably encourage the conversion of some holdings into gold. To the extent such conversions should occur, the world would face a decline in total world liquidity, rather than an increase.

A second important condition would be that dealing with the manner in which decisions would be made for increasing or, if necessary, decreasing the amount of units in existence. To oversimplify, it would be in the apparent interest of creditor countries to resist—and of debtor countries to favor—the creation of additional units. If new issues were to be subject to a unanimous agreement—which is to say if any country could veto an expansion or a contraction—it would hardly be accurate to say that decisions regarding the adequacy of international liquidity had been placed under international control in any meaningful way.

The importance of the conditions which might govern creation of new assets would be no less if new reserve assets should be created in the International Monetary Fund. Proposals of this type call for creation of claims on the fund that can be drawn upon at will to meet balance-of-payments deficits. For example, automatic drawing rights could be accorded against some part of the existing credit tranches in the fund. Another proposal is that the fund might be authorized to invest some of its holdings of currencies in member countries, thereby providing those countries with assets useable internationally.

Again, a number of questions would have to be considered. Would operation of the normal weighted voting procedures in the fund serve the interests of creditor and debtor countries equitably? Should reserve assets be created for all countries or for only those countries that might be expected to be in both surplus and deficit over a period of years?

However additional reserves are created, their use implies a credit operation. The original creation could take the form for each participating country of an equal increase in its liabilities and in its assets—the latter becoming, by terms of the agreement, an international reserve asset. There would be no real economic impact at this stage. But as soon as the newly created asset or unit began to be used, those surplus countries which accumulated the unit would be extending credit to the deficit countries. And the extension of credit from one country to another reflects the transfer of real assets. The surplus country forgoes present consumption in exchange for higher reserves—or for future potential consumption. A creditor country has, of course, considerable freedom of action in controlling the credit it will extend. There are many acceptable ways in which a balance-of-payments surplus can be reduced. Study of the adjustment process to determine appropriate policies to be followed—both by deficit countries to correct their deficits and by surplus countries to reduce their surpluses—is another area to which the Group of 10 is giving attention.

With respect to the deficit countries, no country can expect to receive unlimited automatic credit from its trading partners. The search for assurance that adequate international liquidity will be maintained in the future will not in any sense be a search for automatic credit for persistent debtors.

I have mentioned a few of the issues connected with the liquidity discussions without giving any clear indication of what the answers should be. The answers must await continued hard study and, at an appropriate stage, perhaps hard negotiations. I will advance only three questions for your consideration at this time.

First, how can we make certain that any new scheme will be entirely compatible with the evolution of the existing system? This will require that nations should not be penalized nor benefited as a result of the composition of their reserves, when and if some new liquidity asset is developed.

Secondly, how can we assure that any new system will increase and not reduce world liquidity? World liquidity would be reduced to the extent that existing reserve currency holdings are converted into gold. What, then, should be our attitude toward proposals which might stimulate such conversion or cast doubt upon the stability or the convertibility of existing reserve currency holdings?

Thirdly, how can we make sure that any new system will maintain machinery for giving appropriate weight to the views of both creditor and debtor countries? Should it be subject to the arbitrary control of either, or to the veto of a single country?

These are three broad questions, among many, that will need to be kept in mind as we proceed to examine most carefully the various ideas that have been or may be suggested. We are conscious that the creation of any new type of reserve asset by international agreement would be a step of profound significance. We must be sure that it is a step in the right direction. The mechanism of the international monetary system is an intricate and complicated mechanism, the successful functioning of which is of worldwide concern. We must make certain that any adjustments made in that mechanism will be the best that experience and intelligence, and concern for the welfare of all nations can devise.

SUMMARY OF MEDICARE TESTIMONY, MAY 13

Mr. HARTKE. Mr. President, following the practice I have followed since the beginning of the hearings of public witnesses by the Finance Committee on the so-called medicare bill, H.R. 6675, I offer a summary of the testimony presented by those who testified today. I ask unanimous consent that this unofficial compilation by my staff may appear in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

PHARMACEUTICAL MANUFACTURERS ASSOCIATION

Dr. Austin Smith, physician and president of the association. Former editor, Journal of the American Medical Association. PMA membership, 136 manufacturers producing 90 percent of Nation's prescription drugs.

1. Definition of "drugs" and "biologicals" (sec. 1861(t)), by restriction to the listed formularies, would omit 91 of the 200 most-prescribed medications of 1964, many of specific help to the elderly. Language should be made less restrictive, so that physicians are free to prescribe the same quality and spectrum of drug therapy available to other patients.

2. Reliance upon drug committees of hospitals and nursing homes for broadening drug selection is a further limitation. Of the Nation's 7,004 hospitals no more than 1,085 have "active" (meeting annually or more) pharmacy and therapeutics committees.

3. The "reasonable cost" provision (secs. 1814(b) and 1861(v)) should be changed to provide more realistically for "the normal or usual price or charge." Otherwise it is "tantamount to price setting by the Secretary."

TEN HOMEOPATHIC ORGANIZATIONS

Dr. Wyrth Post Baker of Washington for the American Institute of Homeopathy, homeopathic medical and pharmaceutical associations.

1. Bill should include reference to "the U.S. homeopathic pharmacopoeia" in the definition of drugs and biologicals (sec. 1861 (t)). Approved by the Federal Food, Drug, and Cosmetic Act beginning with the 75th Congress.

2. Estimate 6 million patients treated by physicians use these drugs, dispensed by 47,000 retail pharmacies. Omission of homeopathic pharmacopoeia is inconsistent with other laws, would be discriminatory.

COLLEGE OF AMERICAN PATHOLOGISTS

Dr. Victor B. Buhler, Kansas City, Mo., president. Represents 4,500 M.D.'s in the medical specialty of pathology.

1. Supports present bill provision for payment of specialty services (radiology, anesthesiology, pathology, etc.) in voluntary portion of bill. Opposed to amendments seeking transfer to basic portion as "hospital services."

2. Only 59 percent of available pathology residencies were filed in latest year for which figures are to be had. There is shortage among pathologists, and to amend the bill would aggravate it. "Doctors are unwillwilling to undergo years of extra training only to be designated as 'hospital services' at the end of their training."

3. Adoption of amendments 79 or 156 would "force over 10 percent of this country's physicians to become salaried employees of hospitals rather than independent practitioners."

4. Stating physicians' fees separately from hospital charges will tend to reduce patients' costs for hospital "hidden profits * * * particularly in laboratory and X-ray."

GROUP HEALTH ASSOCIATION OF AMERICA, INC.

Dr. Edwin F. Daily, member board of directors and executive committee, medical vice president of Health Insurance Plan of Greater New York.

1. Have long supported the social security approach, approve the bill generally.

2. Radiologists, pathologists, etc., should be placed in the hospital services provided by the basic plan.

3. The benefits program should clearly allow for the continued operation of prepaid group practice plans and contain no inhibiting or hampering provisions. Inasmuch as group practice plan physicians are not compensated on a fee-for-service basis, the bill should provide for payments to a group practice plan by a uniform capitation for all eligible enrollees.

4. The bill should provide for "routine physical checkups, eyeglasses, or eye examinations for the purpose of prescribing, fitting, or changing eyeglasses, hearing aids, or examination therefor, or immunizations." Section 1862(a)(7) now excludes such coverage.

AMERICAN ASSOCIATION OF BIOANALYSIS AND OTHERS

Bernard I. Diamond, director of Diamond Laboratories, Philadelphia, for the association and 13 State clinical laboratory and bioanalyst associations.

1. Nonhospital independent bioanalytical laboratories serve over 50,000 physicians and their 20 million patients per year.

2. The bill arbitrarily excludes them, limiting payment for outpatient service of this sort to accredited hospitals. Amendment should be made to provide direct payment for services rendered by any bioanalytical laboratory, licensed or otherwise, recognized by the States.

INTERNATIONAL ASSOCIATION OF HEALTH UNDERWRITERS

Paul D. Hill, cochairman, legislative committee; 5,000 members.

1. Opposed: "There is no demonstrable need for legislation of this type." "Those who need help with their hospital and doctor bills should receive it; no bill should be passed to cover everyone regardless of need."

2. Costs are not fully known; "will be so high that they will be an intolerable burden to the wage earners."

3. Bill "will cause overutilization of our hospitals and will result in decreased quality of medical care." People will use hospitals for minor illnesses.

4. Section 303 changes the entire concept of disability insurance under social security, "is invading the short-term disability field to pay benefits" to persons who will be able to return to work. Overlaps workmen's compensation systems.

BANNING THE POLL TAX

Mr. HARTKE. Mr. President, after the close vote of yesterday on the Kennedy-Javits anti-poll-tax amendment, I am most gratified to find that both of the major Washington daily newspapers editorially support precisely the position which I took on that amendment, a position which I made clear in my remarks just before the vote.

My first point there was that I was not in the least deserting the cause of civil rights, that I am still a firm advocate of justice for all under the Constitution. The Washington Post concurs when it says:

> It would be a serious error to interpret the vote of the Senate as a referendum on the poll tax or on devotion to civil rights.

I went on to point out the basis for my judgment that the Mansfield-Dirksen substitute is the better approach, noting what I consider the dubious constitutionality of the now defeated amendment. Both the Washington Post and the Washington Evening Star editorially agree with that judgment, noting that the issue centered in the constitutional question.

I ask unanimous consent that the editorial from the Evening Star of yesterday, "Banning the Poll Tax," and that of the Post today, "Senate and the Poll Tax," may be inserted in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, May 12, 1965]

BANNING THE POLL TAX

The poll tax as a qualification for voting is of small importance as a national issue. It remains in force in only four States—Virginia, Alabama, Mississippi, and Texas—and in these its application is confined to local elections.

The principle at stake is another matter. For what the Senate liberals were trying to do was to bypass the Constitution. It was thought necessary to adopt a constitutional amendment to outlaw the poll tax in Federal elections. Surely the reasons which supported this view are hardly less applicable to a ban on the poll tax in State and local elections. Yet the poll tax banners (they lost, 49 to 45) wanted to do by statute what heretofore has been thought to require an amendment of the Constitution. And they wanted to do this in the face of the opposition of the Senate leaders and an expression of grave doubt by the Attorney General as to the constitutionality of such procedure.

There is no doubt that the poll tax, when devised many years ago, was intended to discourage Negro voting in the South. But what the 15th amendment forbids is discrimination on account of race, color, or previous condition of servitude. If the poll tax is applied without discrimination, as is certainly the case in Virginia, it will at least be difficult to prove abridgement of the 15th amendment in 1965. If it serves as a bar to voting, this is because the individual, white or colored, simply does not want to pay the tax.

The Senate bill directs the Attorney General to file suits to test the constitutionality of the levy. This means that the final, authoritative word will come from the Supreme Court, and this is as it should be. The country will not go to pot in the time required to test the tax in the four States which still use it.

It may be that some of the Senators who voted for the defeated amendment were motivated by conviction. There was also a very large element of politics, however, in the anti-poll-tax effort. It is reported that Senators EDWARD and ROBERT KENNEDY picked up much support from Negro and civil rights groups as a result of their fight for the amendment. Perhaps so. But political fortunes ought not to be founded on shortcuts of doubtful constitutionality—especially when other and better means are available to achieve the desired result.

[From the Washington (D.C.) Post, May 13, 1965]

SENATE AND THE POLL TAX

The 49–45 vote by which the Senate rejected the proposed anti-poll-tax amendment to the civil rights bill is indicative of the strong arguments that were advanced on both sides. Senator EDWARD KENNEDY and those who stood with him are convinced that the poll taxes surviving in four States are nothing but instruments of discrimination and that the current bill should make a clean sweep of any restraint upon Negro voting. Majority Leader MANSFIELD, Attorney General Katzenbach, and those who stood with them took a different approach because they are concerned about the constitutional right of the States to determine the qualifications of voters in their own elections.

It would be a serious error to interpret the vote of the Senate as a referendum on the poll tax or on devotion to civil rights. Many of those who made up the majority, Republicans and Democrats alike, are firmly opposed to the poll tax as a matter of principle. Only a few years ago Congress voted overwhelmingly for a constitutional amendment to eliminate all poll taxes in Federal elections. We surmise that the sentiment against any tax as a condition for voting is stronger now. But this is not the issue that was before the Senate.

Nor did the Senate vote to uphold or approve any State poll tax that is being used for discriminatory purposes. Rather, the Katzenbach-Mansfield-Dirksen compromise, which the Senate retained, would authorize the Attorney General to seek injunctive relief from any State poll-tax law that is incompatible with the 14th and 15th amendments. Mr. Katzenbach insists that this method will eliminate any discrimination in voting by reason of the poll taxes in four States faster than the Kennedy approach to the same problem.

The chief difference between the two methods is that the one preferred by the administration and the Republican leadership in Congress would respect the rights of the States to prescribe the qualifications of voters in their own elections. Spokesmen for the liberal bloc argued that the poll tax is not a "qualification for voting under article I of the Constitution but rather a restriction on voting." They could just as reasonably argue that the 21-year-age age limit for voters is not a qualification because it restricts admission to the polls. All qualifications are restrictive in some measure, and the nature of those qualifications has been left to the States unless they discriminate against specified constitutional right of citizens.

What the Senate has rejected is a sweeping ban on any and all poll taxes as a precondition to voting whether or not they are in fact used for discriminatory purposes. The more careful approach which the Senate prefers will have the effect of knocking out all remaining State poll taxes which can be shown through competent evidence, to violate the 14th and 15th amendment. Since the House Judiciary Committee has approved a poll-tax ban similar to the one the Senate rejected, it is especially important that the distinction between the two approaches be clearly understood.

ADDRESS BY GOVERNOR HUGHES, OF NEW JERSEY, AT CONFERENCE ON THE AGING

Mr. WILLIAMS of New Jersey. Mr. President, my good friend, the Honorable Richard J. Hughes, the distinguished Governor of the State of New Jersey, at the recent Governor's Conference on Aging, said:

> The people of this affluent Nation have finally persuaded their legislators that medical and hospital insurance for older Americans is in the traditional of responsible American governmental action.

As part of our progress toward the Great Society, we are enacting proposals to aid our elderly citizens in the solving of some of their most difficult problems.

Two of the examples mentioned by Governor Hughes will give us an indication of the progress made in the last several years in the State of New Jersey alone, not to mention the progress made throughout the rest of the Nation. In 1962, Governor Hughes signed into law an amendment to the State's Civil Rights Act, banning job discrimination because of age; and in 1964, his administration signed legislation to develop adequate adult educational programs to help New Jersey's older citizens to adjust to progress and change in our modern society.

As an example of the progress one State has made in this area of vital concern to all of us, I ask unanimous consent that the remarks by Governor Hughes at the Governor's Conference on Aging be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY GOV. RICHARD J. HUGHES AT GOVERNOR'S CONFERENCE ON AGING, WAR MEMORIAL BUILDING, TRENTON, N.J., APRIL 27, 1965

The responsibility of government to its citizens makes it imperative that, periodically, we stop and take stock of where we have been and the new directions in which we are moving. This we do today.

Six years ago the first New Jersey Governor's Conference on Aging convened in this hall. The areas of concern then differed from the concerns of today. Dr. Wilbur Cohen, Under Secretary of the U.S. Department of Health, Education, and Welfare, was then spelling out in detail the principles of a program which has now become known as medicare.

Today that issue—just a few years ago the center of a great ideological controversy—is a program that rightfully is becoming part of the American way of life. Somehow medical care in a social insurance program for our older citizens was thought to be inconsistent with our American way of life. But is it? The answer—in my opinion—is "No." For the people of this affluent Nation have finally persuaded their legislators that medical and hospital insurance for older Americans is in the tradition of responsible American governmental action on behalf of a group of citizens which finds it difficult to solve its most pressing problem by private means alone.

President Johnson summed the situation up in these words:

"The long debate is drawing to a close. There is going to be a program of health insurance for older people in this country. And the basis of that program is going to be our great social security system. Soon all older people will be able to face a prospect of illness with new assurance that they will not have to bear added worry over how the major costs are going to be paid."

Now, our hospitals, doctors and other social institutions must begin—if they haven't done so already—to plan for the implementation of that bill which I trust will soon pass the Senate and be signed into law by our forward-looking President.

Six years ago there was great emphasis on employment opportunity for older citizens. In 1962, in fulfillment of our 1961 campaign pledge, I was happy to sign into law an amendment to the New Jersey Civil Rights Act which prohibits job discrimination solely because of age. I have been informed by the New Jersey Division on Civil Rights that the number of cases filed under that amendment is small but growing. New rules and regulations spelling out the age prohibitions in greater detail are currently being devised by division officials and will be distributed in pamphlet form to corporations and businessmen throughout the State.

However, we would be unrealistic if we did not face the great changes which have taken place in the employment picture throughout the country. Early retirement is, more and more, becoming accepted company policy in many areas. We must give attention to planning for those added leisure years. We obviously need more and better preretirement counseling, perhaps greater flexibility in pension programs, and added facilities for adult education programs for senior citizens.

As a step to improve adult education, this administration signed legislation in 1964 which would make it possible for local boards of education to cooperate in hiring trained personnel to develop adult education programs. State aid to implement such programs has been requested in my 1965–66 department of education budget which is now before the legislature.

Six years ago we pointed to housing as a basic problem confronting our older citizens, a problem which has become more acute. As local real estate taxes have gone up, the burden on low-income retired property owners has become almost intolerable. A constitutional amendment was approved in 1963 by the electorate to give persons over 65 years of age with a combined gross income of $5,000 or less an $80 deduction from their property tax.

While we have endeavored to help older homeowners, we also have moved forward on other housing fronts. There are a number of communities that now have or are contemplating the creation of local housing authorities which are authorized to place special emphasis on housing for the elderly of low income. I strongly urge that more communities take advantage of this mechanism to solve the housing needs of a specialized group of the elderly.

The local housing authority can bring us multiple advantages. It helps bring back to New Jersey Federal tax dollars and thus stimulates our economy. It develops housing which permits retired senior citizens to stay in their own hometowns, close to families, friends, churches, and organizations. It also fulfills the responsibility of Government to develop appropriate facilities to meet the needs of its longtime residents.

In addition to public low-rent housing, middle-income housing for older adults has been stimulated by two major housing conferences sponsored by our State division on aging along with interrelated agencies of State government and the State federation of planning officials. A housing consultant from the division on aging is available to local governing bodies, volunteer organizations, and church or union groups to explain all the programs now available for official or community organization-sponsored housing. The appointment of this housing consultant is another first for New Jersey.

I recently had the pleasure of joining in ground-breaking ceremonies for yet another community development for older citizens, a $2½ million project known as Heath Village in the northern part of the State, sponsored by the Episcopal Church of New Jersey.

Church groups have taken leadership both in design and provision of service within housing. These programs range from an all-inclusive medical care concept in congregate living to single rental units for older persons. Other nonprofit groups are participating, and we hope to encourage still more to join.

There are many other areas in which State government has moved to assist the elderly. We have passed legislation to take advantage of the Kerr-Mills Medical Assistance to the Aged Act.

We have expanded the services of the division of State and regional planning to assist municipalities in planning, which includes needs for older adults.

The division on aging, with State funds, made it possible for the Urban Studies Center of Rutgers, the State university, to carry on an in-depth study of 1960 census figures showing patterns of population change in selected municipalities.

Today, I would be remiss if I did not also call attention to the distinguished contribution on behalf of the older citizen made by our own Senator Harrison A. Williams, Jr. Especially meaningful was his work on the Special Senate Committee on Aging which investigated mail order land speculation, medical quackery, and fake health insurance schemes by promoters who prey on older citizens.

Senator Williams is also one of the leaders now steering through the Senate of the United States a bill on aging which would establish a national Division on Aging similar to that existing in our State, with sufficient funds to begin working on myriad problems of employment, housing and recreation. That bill—significantly—was passed earlier in the U.S. House of Representatives by an almost unanimous vote.

However, these are beginnings and, in some areas, our concern continues to grow. With the influx of older people into our State, the percentage of aging in our population continues to rise. There are today about 650,000 people in New Jersey who are 65 or over. Planning for this growing segment of our population is a major concern of government and, particularly, the division on aging.

Just recently, my administration reintroduced into the legislature a measure to strengthen the structure of the division on aging. It provides for public hearings on problems affecting the elderly and for authorization to receive Federal funds which could become available to us under pending Federal legislation.

We seek to make real the promise inherent in the words "golden years." Let us now proceed toward that noble objective.

CONSUMER PROTECTION AGAINST BLINDNESS

Mr. WILLIAMS of New Jersey. Mr. President, few Americans would apply the old slogan of "buyer beware" to any purchase of goods or services that relate in any way to the care of their eyes. We feel that for careful and professional help, we must rely on the knowledge and honesty of those with whom we deal.

Yet, at hearings conducted last year by the Senate Subcommittee on Frauds and Misrepresentations Affecting the Elderly, we on the subcommittee received disturbing testimony that gaps exist in such protection. Of special concern to us were the statements made by witnesses critical of present regulations governing the sale through the mail of readymade eyeglasses. The subcommittee therefore recommended that the Public Health Service make a survey, to determine the extent of such sales and the potential harm to buyers.

Our conclusions were based, in part, on information given to us by the Federal Trade Commission, the American Optometric Association, the National Society for the Prevention of Blindness, and the National Better Business Bureau. Each of the private organizations has also engaged in extensive attempts to give the public accurate facts about the dangers of self-diagnosis and self-treatment in eye care.

An excellent summary of the present situation was given by Dr. Irving Ladimer, director of the food, drug, and cosmetic division of the National Better Business Bureau, when he spoke on March 26, in Houston, Tex., at the annual meeting of the National Society for the Prevention of Blindness. Mr. Ladimer, who is also vice president of the NBBB, gave a balanced and informative account of the difficulties of regulation and education in this area. His is a valuable contribution to the consideration of the problems discussed at our hearings and dealt with in our recent subcommittee report. I ask unanimous consent that his statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

None So Blind—Consumer Protection Against Blindness

(By Irving Ladimer, S.J.D., vice president, director, Food, Drug, and Cosmetic Division, National Better Business Bureau, Inc., New York, N.Y., presented at the National Society for the Prevention of Blindness annual meeting, Rice Hotel, Houston, Tex., Mar. 26, 1965.)

Thank you for inviting me to speak on this vital subject of consumer protection. The problem of blindness, particularly its mass prevention, has special meaning for me. At the National Institutes of Health, I was engaged in reviewing research in this field. When I returned to New York, I was project administrator for the school health survey which included vision testing of children. Later, in my studies of the aged, I naturally had to take into account the extent of this condition among the elderly. I am therefore perhaps more than passingly aware of the affliction that affects so many of our people and hold myself both personally and officially dedicated to the cause of public education and vision conservation.

Some 300 years ago, the great English poet, John Milton, wrote the well-known sonnet on his blindness:

> "When I consider how my light is spent
> E're half my days, in this dark world and wide
> And that one Talent which is death to hide
> Lodg'd with me useless."

Although we think of Milton mainly for the grandeur of his "Paradise Lost," his preoccupation also impelled him to write "Samson Agopiates" depicted in tragedy as "eyeless in Cara."

Those of us of have not had to suffer and state, poetically or otherwise, the deep anguish of Milton are fortunate. And as he would serve his Maker, even sightless, we who are more able in this respect should surely feel obliged to help and serve.

COMMON CAUSE IN CONSUMER PROTECTION

Your society and our network of better business bureaus should be joined in common cause against any action or enterprise that robs even one person of the information and knowledge which can prevent impaired sight. I cannot detail but wish to acknowledge with appreciation your long, painstaking efforts in the field of safety, health education, vision testing, improvement of professional standards, protective legislation and countless other activities. It was my privilege to work with your former executive director, now commissioner of health for the State of Connecticut, Dr. Frank Foote, and also with your current director, Dr. John Ferres. And now, I am deeply honored that the program of the National Better Business Bureau and its Food, Drug, and Cosmetic Division can complement yours in promoting public enlightment.

The National Better Business Bureau is a nonprofit organization, established by business in 1912, to protect both responsible business and the general public from advertising and selling practices which are misleading, deceptive, false or fraudulent where they may be found on a national or regional scale. Through our association of better business bureaus, we are affiliated with some 125 local bureaus supported by local business; one of the larger of these bureaus is located here in Houston. The National Bureau is financed by national firms and business organizations. In recent years, such professional societies as the American Medical Association, the American Dental Association, and the national associations of pharmacists and nurses have also joined in our campaigns against health frauds, medical quackery and exploitation of the elderly.

Our service to the consumer is free, without obligation. It is expressed not only in our investigations, voluminous correspondence with individuals and our efforts to obtain adjustments but also through cooperation with voluntary health groups concerned with representations of health products to the general public. In 1962, for instance, I was able to call together almost a score of these voluntary agencies to plan a unified program of health communication and quackery exposure and prevention. Along with such Government agencies as the Food and Drug Administration and the Federal Trade Commission, we are now implementing our original proposals and hope to develop standard, effective sources for information in this area.

ADVERTISING PROBLEMS

The National Better Business Bureau does not enter into professional relationships. We consider that the NSPB, among others, will stress the need for professional diagnosis and care, whereas we will restrict our concern to advertising to the general public. In this regard, we have found two main problems: those arising from the advertising and sale of (1) eyeglasses or devices for the eyes and (2) drugs, medications and formulations which, while intended for other conditions may adversely affect vision. Modern proprietary preparations for eyewashes and similar purposes have not been the subject of major consumer complaint.

Sale of glasses

Let us consider first the advertising and sale of spectacles. Most recently, this issue came to public attention through the report of the Senate Subcommittee on Frauds and Misrepresentations Affecting the Elderly. After extensive hearings during 1963 and 1964, this committee made several cogent recommendations. Its fourth recommendation reads in part, "Possible detrimental effects of the sale of spectacles through the mail should be the subject of a study by the Public Health Service."

This special inquiry was requested in view of testimony given at the hearings that the elderly might incur serious trouble through the unsupervised purchase of glasses. Under present law, the committee pointed out, it is permissible to advertise nonprescription eyeglasses through the mail, if the advertising does not violate certain Federal Trade Commission standards. Essentially, the standards require that magnifying spectacles, sometimes referred to as readymades which represent that they will correct or are capable of correcting defects in vision of persons cannot be advertised, unless it is clearly and conspicuously disclosed that the correction by such spectacles is limited to persons approximately 40 years of age and older who do not have astigmatism or diseases of eye and who require only simple magnifying or reducing lenses.

You can appreciate that this policy was developed by the Commission after long study of the practices of some very highly successful mail order firms. Their advertising previously made no such disclosures. At the Senate hearings, FTC policy was seriously criticized on the obvious grounds that not only the elderly but people in general would not be able to understand this caution or know they had eye trouble. Furthermore, since such glasses are sold quite cheaply, it was felt that many people would be happy to take a chance for the small risk.

There is certainly no indication of possible health hazard in the typical advertisement of magnifying spectacles priced at $2.98 in the catalog of one of our large, well recognized mail order firms. The text says briefly and simply "these glasses are designed for persons between the ages of 40 and 70, who have no astigmatism or disease of the eye and need only simple magnifying lenses." It also states, quite appropriately, "for continued eye health, see your doctor regularly." This advertisement, one of the better examples, includes the appropriate notice: "No orders for glasses will be accepted for delivery in Kansas, Massachusetts, New York, Minnesota, Rhode Island, Wisconsin, or Puerto Rico." In these States, such sales are prohibited and, consequently, residents also cannot get them by mail.

Such advertising meets all the current legal requirements. But is it completely sufficient? Over a decade ago, Dr. Foote sent letters to a number of ophthalmologists to combat a proposal to amend the existing New York law so that any individual would be able to select readymade glasses without a prescription. New York's educational law relating to professional eye care was passed as early as 1928 and, on many occasions since that time, commercial interests have attempted to amend it, repeal it, circumvent it. Basically, it was argued that individual or lay selection of glasses constituted a convenience and presented no harm. Dr. Foote was able to establish, from the replies of qualified specialists, that professional examinations were necessary to detect all forms of eye disease and that apparent improvement due to the use of ready mades might well occasion delays in diagnosis which, in turn, might lead to total loss of vision.

As was pointed out at the Senate hearings, and as the Society for the Prevention of Blindness has stated many times, ready mades magnify equally for both eyes but sight difficulties do not always occur in such fortunate, simple, bilateral arrangements. Also, even when ready mades appear to help, they frequently cause eye strain, fatigue and squinting and make reading more difficult.

I am pleased to report that the Public Health Service, through its Chronic Disease Division, has begun the investigation recommended by the Senate committee. At this stage, it is not possible to indicate whether the Service will find that this problem of nonprofessional dispensing of glasses is serious or widespread and whether Federal or State legislation will be proposed. But it is the responsibility of an organization such as yours to make your position known and to make it known at the right time and place. Appropriate leadership and guidance for others must be developed by you.

NSPB position

It is not within the province of the Better Business Bureau to proceed against a legitimate business but it is certainly within our interest to protect the general public, especially in the health area. In this connection, the National Better Business Bureau's standard publication, "Do's and Don'ts in Advertising Copy," which sets out guidelines for proper public representation, declares: "Since eyeglasses cannot be safely or accurately fitted by mail without a prescription, such offers should not be advertised to the public." It further stipulates that "mail-order courses of eye exercises may not be truthfully advertised to correct defects in vision."

On the subject of mail-order glasses, in view of the Federal Trade Commission trade practice rule, previously described, and the legal situation, Do's and Don'ts states, "Some companies advertise to fill prescriptions for eyeglasses by mail. NSPB has no objection to such advertising provided the doctor's prescription of lenses is filled by duly qualified opticians, optometrists, or oculists." On the other hand, the manual notes that the "glasses fitted by mail are a hazard to the user because improperly fitted glasses are worse than no glasses at all." Specifically, our manual informs that "Glasses sold by mail-order spectacle houses have generally been found to be more magnifying glasses containing exactly similar convex lenses for each eye. In other words, they were good for farsightedness only and then only in such instances as the amount of farsightedness in each eye happened to be of the same character and degree as the lenses were designed to correct. The chances against securing a proper fit under such circumstances are overwhelming."

Thus, from the point of view of truthful advertising to the public, our national bureau sets out cautions and considerations which responsible media should observe and which the careful consumer should take into account. To the extent that we have an opportunity to check advertising in advance, we apply these guidelines strictly. When advertising comes to our notice after it has been published, we notify the advertiser of our position as clearly as we can. Finally, if there is an apparent violation, such as a failure to meet the FIC specifications, we may call this to the attention of that agency. If we consider the glasses or appurtenances as a health device, we may call the Food and Drug Administration which has jurisdiction over health devices and the labeling associated with such devices.

Services

At this date, as you are doubtless aware, although the Food and Drug Administration under its new 1962 drug law imposes premarket testing for effectiveness as well as safety of drugs, this authority does not extend to devices. The National Better Business Bureau has gone on record, in testimony before the Senate committee, favoring the administration's proposal to extend the law to cover devices. Incidentally, this is also the first recommendation of the Senate subcommittee. It reads, "Premarket testing of therapeutic, diagnostic, and prosthetic devices should be required at the Federal level." This is a simple, direct statement and one which I believe should be of supreme and immediate interest to your society.

Drugs and the problem of affirmative disclosure

As noted, the second main problem related to proprietary drugs. The problems of disclosure as seen in the FTC rules must also be considered here. Within recent years, we have had many questions and some complaints regarding advertising of certain over-the-counter products generally sold as sedatives or sleep inducers, cold remedies, and tension relievers. In these cases, the problem has been not what the ad says but what it does not. Typically, these products may contain an antihistamine, or belladonna or scopolamine in an amount permitted for general sale. Presumably, these are "safe," but as we have recently heard from the Federal Food and Drug Administration and from other sources, there is no such thing as an absolutely safe drug, and perhaps not even foolproof safe usage. At best, such unsupervised sale is simply based on statistical experience which indicates that the benefits of a particular formulation greatly outweigh the general adverse effects or side reactions and posible idiosynoratic responses.

As a business-oriented organization, we naturally encourage the proper sale of proper medication, but we appreciate that they may have to be carefully described in advertising. For drugs which must be carefully used as directed or which have a fair degree of untoward reaction, the Food and Drug Administration requires a caution statement as part of the label. It generally appears on the package container or the insert. For example, an acceptable statement for a tension control tablet which may disturb or impair vision reads. "Not to be used by the aged or others suffering from glaucoma, or excessive pressure within the eye, or by children under 12 years of age, unless directed by a physician. Do not exceed recommended dosage. Not for frequent or prolonged use. If dryness of the mouth occurs, decrease dosage. Discontinue use if rapid pulse, dizziness or blurring of vision occurs." This cautionary instruction appears on the carton of a product which contains a standard sedative and antihistamine as the active ingredients.

Advertising and labeling

In the advertising, when it appears at all, the only cautionary statement is likely to be "taken as directed" or "follow instructions." It is well known that most consumers buy by advertising, not labeling. The general belief, right or wrong, is that if a product is widely advertised, it must be approved, safe, effective. Generally, that is so but that does not mean caution may go to the winds.

Last year, an elderly gentleman complained that he had purchased one of these products on the basis of the advertising which was quite bare of any caution and not at all reflective of the label which I have just read.

The caution was not brought to his attention by the sales person. When he got home and read the label, he found that, because of his age, he could not use the product, and protested to us that the omission in the TV commercial misrepresented the product.

We wrote to the company suggesting that advertising should carry some type of disclosure or disclaimer which would be obvious at once. The company, although cooperative in other respects, felt that it was within the law in respect to labeling and also well within current advertising policy and practice, by the phrase "take as directed." The firm also pointed out that since we had not proceeded against all other companies advertising similar products, we could not "pick on them."

It is our view that the ordinary person does not know whether he is "aged" and certainly does not know whether he has the beginnings of glaucoma. As I need not tell you, glaucoma is a serious and increasingly prevalent diseases. According to the statistics provided by your society, it affects as many as 1,335,000 persons 40 years of age or over. As many as half are unaware of the presence of this disease and, if untreated, may lose their sight. Also, there are a million and a half diabetics in this country, living longer as a result of insulin and diet therapy. They often become subject to vision changes of diabetic retinopathy. Other common disorders affecting visual acuity include hypertension, detached retina, and cataracts.

Among the elderly, however, glaucoma is probably the most important disease not only because of its frequency but because of its insidious nature. Therefore, it is a matter of public health and public concern, and in my opinion, the labeling and advertising which I have just described are hardly sufficient to cope with a problem of this magnitude.

Now, the responsible proprietary drug industry seeks to cooperate as a matter of self-interest and also, I am pleased to say, in the public interest. They are, however, reluctant to have their advertisements "draped in crepe" as the saying goes. After all, advertising is expensive. In limited print space, in a brief spot on television, or quick radio commercial, the merits and advantages of a product must be stressed. It is also argued that a long, technical comment will tend to scare, not inform. The advertiser does not want to include any minus elements which will detract from the plus. He is reluctant to pay for presentations which will dissuade rather than persuade. He will only do so when the law requires it or when it can be shown that it is feasible and reasonable.

A suggestion on disclosure

The Federal Trade Commission has the power to order disclosure of pertinent negative aspects in advertising, when their absence could or would mislead the reader or listener. This can also be ordered by requiring appropriate markings or labelings indicating country of origin, for instance. Many important notifications are now part of special laws, such as the Wool Products and Fur Products Labeling Acts.

In the health area, the Federal Trade Commission has gone furthest, because the Wheeler-Lea amendment to the Trade Act defines a false advertisement for foods, drugs, and cosmetics as one which is misleading in any material respect. The health of our people is vital.

In the fields of vitamin preparations and in baldness remedies, the first one selected, the Commission required that all advertising indicate that the product or remedy would not be appropriate in the great majority of cases causing baldness; namely, that of the male pattern variety. You will therefore see that statement in all advertising for hair treatments. (This affirmative disclosure regrettably is sometimes negated by other text and illustration.)

The Congress also recognized the dangers resulting from accidental poisoning. The Federal Hazardous Substances Labeling Act, passed as a lifesaving measure, went into effect in February 1962. This law requires warning statements on household products which are toxic, corrosive, or irritating to the skin or eyes, among other hazards. This law provides that a skull and crossbones and the word "poison" be prominently shown on the container of all highly toxic substances to mark their extreme hazard. Others must bear the word "danger." Any products which will cause illness or injury must be marked "caution" or "warning." Instructions for safe use or storage must also appear on the label of all substances covered under this act and must include the statement "Keep out of the reach of children."

Of course, many products can become dangerous when abused or misused. We cannot blame the manufacturer for this unless he should know that common practice or usage permits or encourages such a danger. It is for this reason that our bureau always tries to consider the normal habits of the consumer, good or bad.

In the interest of truth in advertising and advance protection of the consumer, NBBB holds there should be no basic inconsistency between the label and advertising. This does not mean that labeling must be slavishly repeated. But warnings should be properly disclosed where, for instance, the product has limited usefulness or special application not readily apparent or where it is not safe or suitable for a substantial part of the population. Otherwise, the advertising may be deemed false by omission.

Determination of when warnings or cautions should be advanced in advertising and how they should be expressed, when not already subject to regulation, as illustrated, is a proper area for joint discussion. Professional groups such as yours should sit down with manufacturers on these issues. We have found that business is generally receptive to well-reasoned recommendations, especially where the public health and safety are affected.

It may be that such a dialog will develop a single designation or symbol for a number of products, perhaps applicable to those with potential heart disease or diabetes, as well as vision defects. A distinctive identification referring to the label, requiring little time or space, might in the future come to be as familiar and respected as "Stop, look, and listen" or the skull and crossbones. On the other hand, creative copywriters may draft a variety of acceptable and more pertinent reminders. The principle of necessary disclosure and consumer caution, however, is important and, in my opinion, justifies your serious consideration and cooperation.

SUMMARY AND CONCLUSION

I have titled this paper "None So Blind." Clearly, I meant to imply that none are so blind as those who will not see. We have the opportunity and the responsibility for seeing all about us the ways in which we can protect ourselves and others. I have named some organizations willing and able to be of assistance. I have suggested some problems you might wish to attack. And there are some legislative proposals for your consideration.

My summary now brings me back to the opening of my paper where you will recall I quoted from Milton. The last line of his sonnet, and one of our most familiar quotations, declares "They also serve who only stand and wait." I would recommend, however, that we who are able should choose another way—direct, positive, and immediate action.

Mr. HICKENLOOPER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTING RIGHTS ACT OF 1965

The PRESIDING OFFICER. Under the unanimous-consent agreement, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

The PRESIDING OFFICER. The question is on agreeing to the amendments, en bloc (No. 179), offered by the Senator from Alabama [Mr. SPARKMAN], to the amendment in the nature of a substitute, as amended (No. 124), offered by the Senator from Montana [Mr. MANSFIELD], and the Senator from Illinois [Mr. DIRKSEN].

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Senator from Michigan [Mr. HART], I yield myself 5 minutes for the purpose of suggesting the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I understand my time has expired, and I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President——

The PRESIDING OFFICER. The Senator from Alabama is recognized. How much time does the Senator from Alabama yield himself?

Mr. SPARKMAN. I yield myself 10 minutes.

Mr. President, I sent to the desk yesterday a modification of my amendments, which, as I understand the situation, are now the pending business. I wish to speak briefly on that subject:

The purpose of these amendments is to assure that examiners appointed under the bill apply State voting laws, and not their own self-made laws, or Washington, D.C.-drafted voting laws, otherwise called regulations or instructions to examiners.

I would say at the outset that the legality of my amendments is far more unquestioned than that of the provisions of the bill. I would say also that there should be no objection to my amendments if the true purpose of this bill is to assure proper registration of qualified voters without racial discrimination and to assure the voting of registrants without racial discrimination. This can be done under my amendments, and it also can be done without the enactment of this bill.

If, on the other hand, merely the abolition of discrimniation is not the true and full purpose of this bill, then in that event I expect opposition to the amendments because it would cut back Federal power in making rules and regulations tantamount to State voting laws and procedures.

I do not think that the 15th amendment empowers Congress to delegate power to the Attorney General, the Civil Service Commission, and to Federal examiners to disregard State voting laws, and to proceed with their own interpretation of standards for the qualifications of voters and the procedures for registering and voting. As the bill now stands, this point is stated in favor of allowing the Commission and the Attorney General to instruct examiners on points that at law would sound in substance rather than in procedure.

When and if the establishment of registering and voting procedures by Federal-made regulations reaches the point of allowing or denying one person the right to register or to vote, when under State law that person could or could not do the same thing, then the so-called Federal procedures are squarely in the category of making or changing State voting laws. This is unconstitutional in itself. To delegate this authority without the proper standards being given to the Commission, the Attorney General, or the examiners themselves, is a flagrant abuse of congressional authority and is unconstitutional as a delegation of powers. Thirty years ago, we saw the Supreme Court overthrow an act of Congress because it delegated authority to the executive branch of the Government without the proper standards or legal guidelines. *Schechter Poultry Corp.* v. *United States*, 295 U.S. 495 (1935). This theory should still be applicable in constitutional law. We have not heard much in recent years about the Supreme Court voiding acts of Congress. Most of the emphasis by the Court seems to have been on invalidating State laws under the 14th amendment. At various times in our history, however, the Supreme Court has turned much of its attention toward holding Congress to the limits laid down in the Constitution. It could at some time review this field of activity and if this bill passes, I hope that it does and that it declares many of the extreme provisions of this punitive bill unconstitutional.

In addition to the argument of delegation of powers, let us consider another basic constitutional law doctrine. We have seen and heard the expression for years that "Congress has no powers beyond those delegated to it by the Constitution." This is the basic doctrine of the celebrated case of *United States* v. *Harris*, 106 U.S. 629, 636 (1882). We have heard the expression in many speeches. We have seen it in high school and college textbooks. We believe that it is part of our national life. On the other hand, in the bill before us, we have a prime example of the Federal Government wishing to take over one of the most sound of all State functions—the establishment of State and local systems of voting.

The 15th amendment does not state that Congress can do this. It clearly states that no State can deny a person the right to vote because of race or color and that Congress can enact appropriate legislation to keep the States from making such a denial. This is a negative grant of power to nullify State action. It is not an affirmative grant of power to write the voting laws of the States. That this was the intent and scope of the 15th amendment is shown clearly in the debates on that amendment in Congress, which I will discuss at more length in separate remarks. For reference, however, I refer to the Congressional Globe, 40th Congress, 3d session, February 1869, page 1226 and page 1639.

My amendments would delete language at three places in the bill and in two instances substitute language that would assure congressional intent that examiners and their administrative superiors in Washington must follow State law, and that they do not have authority to think up new laws or draft regulations that are tantamount to State law.

On page 10, the reference to instructions to examiners by the Attorney General and the Civil Service Commission, with respect to whether persons are qualified to register, would be stricken by my amendments. In lieu thereof, the words "to have the qualifications prescribed by State law" would be substituted. This is squarely in line with the language of the Supreme Court decision on March 1, 1965, in the case of *Carrington* v. *Rash*, 380 U.S. 89 at page 91, which reads as follows:

> There can be no doubt either of the historic function of the States to establish on a nondiscriminatory basis and in accordance with the Constitution other qualifications for the exercise of the franchise. Indeed, the States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised.

On March 1, 1965, the Supreme Court stated that the States have the historic and constitutional function and prerogative of establishing the qualifications of voters. Today, only a little more than 2 months later, we are considering a bill to give that authority to Federal officials and to examiners under their administrative jurisdiction. My amendments would put the bill more in line with the law and the Constitution.

On page 12 of the bill, my amendments would delete the words "not inconsistent with the Constitution and the laws of the United States." This is not submitted for the purpose of fostering State laws that are contrary to the Constitution. It is submitted because the language of the bill, when read together with the language on page 10 that I would delete, would attempt to make judges out of examiners. Seeing this language in the bill, examiners and their superiors might easily conclude that Congress intended for them to decide which laws in a State were inconsistent with the Constitution and the laws of the United States.

In no way should we attempt to empower examiners with the functions of a judge. I have heard no mention in the debates thus far that examiners should be judges. They are to be Federal employees appointed by the Civil Service Commission. They are not of enough importance, apparently, to require approval by the Senate. Yet the bill, unless the aforementioned language is deleted, might be construed to mean that lesser Federal officials can look over State voting laws and make determinations, insofar as voting registration is concerned, as to whether the laws are constitutional. If they conclude that all the laws are unconstitutional or even a major part thereof, then I ask the simple question as to how they can register any new voters unless they, the Civil Service Commission, or the Attorney General manufacture some new laws by which they can proceed.

This bill is filled from cover to cover with enlargements of Federal powers over and above the delegated powers of the Constitution. Without these enlargements, the much hoped for wholesale registrations of new voters might fall by their own weight. I say that the enlargements are unconstitutional. I say further that examiners should be restricted to applying State laws in a nondiscriminatory manner. My amendments would accomplish this noteworthy purpose.

On page 13 of the substitute bill, section 8(b) would be deleted by my amendments. This section would give the right to the Civil Service Commission to instruct examiners, after consultation with the Attorney General, concerning State laws respecting qualifications for registering and concerning the loss of eligibility to vote. It also empowers the Commission to issue regulations concerning procedures and the times and places for applying to vote. The part of the section that relates to instructions on qualifications is vague and redundant. In one sense it would apply only State law, and in another sense it would leave the way open for self-made law or Federal law on voter qualifications. Therefore, it should be sticken. Examiners should apply only State voting laws. The part that relates to procedures is clearly an attempt to bypass State laws on registration and voting procedures. Therefore, the whole section should be stricken to make it clear that Congress intends that the fundamental purpose of the bill, other than its punitive purposes, is to have examiners register people in a non-discriminatory manner according to State law.

In no way am I in favor of the bill, even if my amendments are adopted. My purpose in submitting them is to soften the impact of this deplorable proposal and to bring it a little closer to constitutionality.

The language of section 8(b), page 13 of the substitute bill, on its face, appears to be softer as to its impact than that of the original bill. The original bill as submitted to Congress provided that the Civil Service Commission, after consultation with the Attorney General, could instruct examiners as to the qualifications required for listing. When I first read this, I concluded immediately that it would allow the Attorney General and the Civil Service Commission to write or rewrite State voting laws. Naturally, this would cause a deplorable situation until the courts might resolve the situation on unconstitutionality.

On April 1, 1965, I appeared before the Judiciary Committee of the Senate and opposed this bill. Among the many grounds of legal and technical as well as policy opposition that I expressed, was my suggestion to the committee that this power of executive branch officials in Washington, D.C., establishing the qualifications of voters in the States, should be deleted from the bill. The committee redrafted the section to avoid this direct grant of power to the Attorney General, the Commission, and to examiners, to set the qualifications of voters, but the committee inserted in lieu thereof the power to interpret State laws and to determine which of them are inconsistent with the Constitution and the laws of the United States. These functions are clearly judicial functions and they carry with them very important determinations. There is no language in the substitute provisions giving any rights whatsoever to interested parties, be they individual citizens or States and political subdivisions, to be heard on the merits of State laws before they are ruled unconstitutional in this quasi-judicial and quasi-administrative manner. In other words the substitute language provides no due process of law. It proceeds on the theory that "the King can do no wrong" and allows full power to outlaw State voting laws by agency determination. Therefore my amendments simply delete this section. If the opposition feel that the deletion will nullify the power of the Federal Government to establish any procedures whatsoever regarding examiners, I would state that if that should be the final determination of the matter I would at least not be displeased.

However, if the rest of the bill is passed giving the Attorney General, the Civil Service Commission, and examiners the broad powers contained therein, then the power to establish procedures and to issue instructions will probably be held to be included in the broad grant of powers. I would like to see examiners, if we have to have them, conform as nearly as possible to State procedures as well as to State substantive laws. There are certainly precedents for this. Even in our Federal Courts some years ago under the Federal Conformity Act, Federal Courts themselves were required to conform as near as practicable to State practice and procedure.

Under the present language of the bill it is possible for an abrupt administrative determination to be made that all State voting laws are unconstitutional and contrary to the laws of the United States. In that event, Mr. President, how could this new Federal examiner system proceed unless the instructions to examiners from Washington told them how to register voters. Under those circumstances Federal officials would certainly be writing State voting laws. My amendments would make it clear that only State law can apply or be followed as to registering and voting. If there be no State laws then it is incumbent on State legislatures to write new ones, subject to the ridiculous provisions of this bill as to review by the Attorney General and by the courts in the District of Columbia.

Once again, I repeat, if the purpose of this bill is to see that all qualified applicants are registered to vote in a nondiscriminatory manner, let us hold the bill to that basic premise. The correct way to accomplish this is to retrict examiners to applying State voting laws in a nondiscriminatory manner. My amendment would accomplish that purpose.

When I think of the great work that our Founding Fathers did on writing and establishing our Constitution, and of how careful they were to preserve in the States powers over voting laws, and was even after the 15th amendment, in the adoption of the 17th amendment, I state most firmly that the least that the present Congress can do under this deplorable bill is to restrict examiners to State law.

Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally to each side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. Mr. President, I yield myself as much time as I shall require.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. HART. Mr. President, the sequence of events, as the committee, and later the distinguished minority leader, in evolving the substitute, pursued in connection with the section to which the amendments offered by the Senator from Alabama [Mr. SPARKMAN] relate, is, I believe, illustrative and interesting, and I believe should persuade the Senate to reject the amendments which are now pending.

Originally, the bill as introduced required that the examiner should apply State law. We feel that as the bill which is now in the form of an amendment in the nature of a substitute now stands, it remains crystal clear that the obligation to apply State law shall remain. But in the changes made in the Committee, which have been retained in the leadership substitute, we wished to spell out specifically that while State law was to govern, that provision meant only State law which is not inconsistent with Federal law, including this measure.

What is intended is that the Civil Service Commission should consult with the Attorney General in order that examiners might be properly instructed as to the State law. We emphasize that the purpose intended is that examiners should apply State law accurately, and that they have competent legal advice and instruction on the many aspects of State law, all of which law is to be applied, save only that which would be in violation of the Constitution or the bill before the Senate. Elements of the State law that should be applied would be applied. What is intended under this measure to be applied by the examiners includes the age requirement, the requirements with respect to residency, and, to the extent that the State has such requirements, the State would bar mental incompetence—that feature of State law should be applied—and noneligibility of felons should be applied. In order that the examiners might be clearly instructed with respect to the applicable State requirements which would remain applicable, this language was inserted in the bill. It is most definitely not intended that examiners be judges or that the Federal instructions should change State law in any way. It is most certainly not intended that the instructions to the examiners shall change State laws in any way except as is required by the pending measure, Federal laws on this subject, and the Constitution.

It is clear that examiners will need instructions on this subject. Indeed, today I doubt if in many States examiners are turned loose without instructions. States should welcome such instructions, because the instructions would cause examiners to enforce consistent, valid State laws with respect to the eligibility of voters. It is likewise clear that the only State laws with which an examiner may comply, or, for that matter, with which State officials themselves may comply, are those which are consistent with the Constitution and laws of the United States.

We find it difficult to see how these provisions of the bill can be objected to. They are intended to help, not to hinder, consistent application of State law. It is worth noting that the Judiciary Committee added to the original bill the "not inconsistent with federal law" language, to spell out specifically that while State law is to govern, it means only State law not inconsistent with federal law.

In the event the amendments are adopted, some implications would result which I think would be undesirable in the eyes of all of us. The amendments might be taken to suggest that each examiner, some of whom will not be lawyers, should be free to decide for himself what the proper qualifications are without regard to instructions from the Civil Service Commission and the views of the Attorney General. The undesirability of that result seems self-evident.

We believe there are other impacts and other implications that would arise from the amendments, all of which argue in support of the rejection of the amendment.

The amendments seem to suggest that examiners should apply State laws which are contrary to the Federal Constitution and Federal law; indeed, that such application be required. Such a result is, of course, wholly unacceptable; indeed, to require a Federal official to apply invalid State law would seem to be unconstitutional.

In the absence of language now in the bill, an examiner might have to apply newly-enacted State laws not yet approved by the courts; this would have the effect of defeating much of the object of the bill.

Also, the proposed changes purport to require Federal examiners to apply all State laws with respect to voting qualifications, to determine the eligibility or loss of eligibility of voters. No prior determination could be made by the Attorney General as to the validity of State laws which examiners are to administer. The result would be that Federal examiners would be required to apply State laws which have the effect of denying or abridging the right to vote in violation of the Constitution or Federal law until such laws are declared invalid by court action. Indeed, under this language, examiners might even be expected to apply tests or devices suspended by section 3 or section 4 of the bill.

It is for these reasons and many others that we hope the amendments will be rejected. We feel strongly that the change made by the Committee on the Judiciary makes even more clear than was true in the original draft that the Attorney General, in consultation with the Commission, shall draw a set of directions for the examiner, to have the effect of requiring the examiner to apply every feature of State law with respect to the qualifications of voters, save and except such qualifications as under the bill are outlawed or which the Constitution or other laws of the Federal Government set aside.

Mr. SPARKMAN. Mr. President, I yield to the Senator from South Carolina the remaining time to which I am entitled.

The PRESIDING OFFICER (Mr. MONDALE in the chair). Twenty-one minutes remain and are available to the Senator from South Carolina.

Mr. THURMOND. Mr. President, this is my 11th year as a Member of the Senate. I do not believe that during that time any proposal has been presented to Congress that is more obviously unconstitutional than the so-called voting rights bill of 1965. I shall point out a little later in my address today some ways in which the bill is clearly unconstitutional.

I firmly and enthusiastically support the amendments offered by the distinguished Senator from Alabama [Mr. SPARKMAN], although I do not favor Federal registrars. In my judgment, the amendments should have the support of a vast majority of the Members of this body, regardless of their position on the bill.

The amendment specifically reserves to the States the constitutional right to establish the qualifications for voters. As has been stated many times in the debate, this right derives from Article I, section 2, of the Constitution and the 17th amendment to the Constitution. Article I, section 2, reads, in part, as follows:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State leigslature.

What does that language mean? It means that a person voting in a Federal election must have the same qualifications as a person voting for the most numerous branch of the State legislature, which in South Carolina, and in most, if not all, of the other States of the Nation, means the House of Representatives.

Under article I, section 2, it is clear that if one is qualified to vote for the most numerous branch of the legislature in the State, which is usually the House of Representatives, he is also qualified to vote in a Federal election. The Constitution of the United States has adopted for Federal elections the same qualifications that must be possessed by a person in order to vote in the election for the House of Representatives in a State.

There has been some question as to whether the 15th amendment repealed article I, section 2. There is no decision holding to that effect. There is no precedent which so holds. There is no basis whatever for believing that that is the case. But even if it were the case, the 17th amendment, which was adopted 40 years after the 15th amendment, contains the identical verbiage that is contained in article I, section 2. I quote from that amendment:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Mr. President, there is no question that it was the intent of the Congress which submitted the 17th amendment, of the States, and of the people of the United States who ratified the 17th amendment, that it be made clear that the qualifications for voting in Federal elections were the same as the qualifications for voting for the most numerous branch of the State legislature—that is, the House of Representatives. So we have article I of section 2, and we have the 17th amendment, each of which, word for word, in identical verbiage, is absolutely clear on this question. How anyone can take any other position is beyond comprehension.

It is incomprehensible that the advocates of this bill pursue such a course. They run straight into the face of this amendment. The Constitution has left to the States the right to fix voter qualifications. That is where the authority lies.

In my State of South Carolina, for instance, the literacy qualification for voting is that one be able to read and write the Constitution. That merely means that one must be able to read and write. If a man cannot read and write, he can still vote in South Carolina if he owns $300 worth of appraised property. So the qualifications are simple. However, that is one qualification that is required in the State of South Carolina.

When the State of South Carolina fixed that qualification for voting for the House of Representatives of the State legislature—which is the most numerous branch of the State legislature in my State—that became the qualification that must be used by persons voting in South Carolina in Federal elections. How can any other position be taken? The Constitution of the United States has adopted the same qualification for voting in Federal elections in South Carolina that the State of South Carolina uses for voting in State elections for the most numerous branch of the State legislature. It has adopted the same qualifications for voting in Federal elections that every other State uses for voting for the most numerous branch of its State legislature.

In South Carolina no discrimination is practiced against anyone because of race or color, in voting. There have been no complaints on the part of anyone to the effect that there has been unconstitutional discrimination in the voting process. We in South Carolina are in favor of every qualified person voting. We have taken the position that if a man is qualified to vote, he ought to be allowed to vote.

When I was Governor of South Carolina, I pursued that policy. I believe that every Governor since that time has pursued that policy. South Carolina has a long record of believing in and practicing the principle that people who are qualified to vote should be allowed to vote. In a few counties in South Carolina, only a small percentage of Negroes vote. Since there was only a small percentage of Negroes voting, the FBI investigators were sent down to McCormick County, S.C., to inquire whether people were unconstitutionally discriminated against. McCormick County is on the Savannah River, next to the Georgia line, in the western part of the State. The investigators of the FBI stayed there for many weeks in an effort to find some discrimination being practiced against Negroes because of the fact that only a small percentage of Negroes had voted.

After a thorough and exhaustive investigation, no complaint or charge was made by the FBI. The investigators were unable to find any evidence to substantiate the position that anyone had been unconstitutionally or illegally denied the right to vote.

We are proud that that is the case in South Carolina. We are proud that everyone who is qualified to vote is allowed to vote in South Carolina.

Mr. President, the Supreme Court has frequently and invariably held that the right of the States to establish qualifications for voters includes the right to prescribe literacy tests as one method of judging the qualifications for prospective voters. At a very early date, but subsequent to the adoption of the 15th amendment upon which this legislation is based, the Supreme Court held that literacy tests which were drafted so as to apply alike to all applicants for the voting franchise would be deemed to be fair and constitutional on their face.

I repeat that the law has been applied uniformly to all races in South Carolina. I challenge anyone to produce evidence that anyone has been unlawfully denied the right to vote in South Carolina. Yet, this bill would apply to our State. It would hold South Carolina up to the world as a State that discriminates and violates the Constitution. It would do so merely because a large percentage of the people who are registered to vote in our State did not see fit to vote.

Mr. President, this is a free country. If a man wants to vote and is qualified, he has a right to vote. If he sees fit not to vote, no one should compel him to vote. We believe in freedom. We advocate freedom.

We encourage people to vote in South Carolina. We have consistently encouraged all persons who are qualified to vote to do so. I do not know of anything else that the people and the officials of South Carolina could do other than to encourage people to vote.

We cannot haul people to the polls and make them vote, whether they want to vote or not. That would not be proper. That would be depriving them of their freedom. We want people to vote. As time passes, the percentage of people who vote is becoming larger. We hope that eventually all qualified people in our State will take advantage of the franchise.

Mr. President, the Supreme Court pointed out in the case to which I previously referred that in the absence of proof of discriminatory enforcement, a literacy test could not be viewed as denying the equal protection of the laws guaranteed by the 14th amendment. It is implicit from this decision that such a literacy test would not violate the terms of the 15th amendment.

In 1959, Justice Douglas speaking for th Court in the case of *Lassiter* v. *North Hampton Election Board* (360 U.S. 45), said:

> No time need be spent on the question of the validity of the literacy test considered alone, since we have seen its establishment was but the exercising by the State of a lawfull power vested in it not subject to our supervision, and indeed, its validity is admitted.

This celebrated case upheld the constitutionality of the literacy test in the State of North Carolina against a charge of unconstitutionality on its face.

The Supreme Court has passed on this question. The Supreme Court has held that a State can have a literacy test. A good many States do have literacy tests. However, under this bill, the literacy test would be null and void in the States to which the bill would be applicable.

Mr. President, as recently as March 1 of this year, the Supreme Court made the following observation concerning the constitutional right of the States to prescribe voter qualifications:

That is this year, 1965. These are the words of the Supreme Court:

> There can be no doubt either of the historical function of the States to establish, on a non-discriminatory basis, and in accordance with the Constitution, other qualifications for the exercise of the franchise. Indeed, the States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised.

That is as clear as can be. I repeat the last sentence. This was the Supreme Court of the United States talking in March of this year. It said:

> The States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised.

Mr. President, can one make it any clearer than that, any simpler than that, any more concise than that?

The constitutional provisions on the subject are clear. The Supreme Court has consistently held that a nondiscriminatory literacy test is a valid exercise by the States of constitutional power. Under these circumstances it is difficult, if not impossible, for me to imagine that a serious attempt would be made to outlaw, or even suspend for an indefinite period of time, the application of a literacy test in any State.

Nevertheless, Mr. President, S. 1564—this so-called Voting Rights Act of 1965—would suspend the application of a literacy test in those areas covered by the bill. At the same time, the bill would leave unimpaired the application of a similar, or even more stringent, literacy test which is applied in any State not subject to the statistical formula contained in the bill. For example, the application of the literacy test in the State of South Carolina would be suspended for an indefinite period of time, even though there have been no charges of discrimination on the basis of race or color in South Carolina. In contrast, the literacy test of the State of New York, among others, would not be affected.

Unquestionably, a literacy test is valid. If they were not valid, then the Congress would be required to outlaw them in all of the States of the Union which employ such tests if it was determined necessary to do so in any one State, or group of States. Conversely, if literacy tests are valid in any one State, then they are valid in all.

The only question which remains is not in the existence of the literacy tests, but in the application of the literacy tests. The Sparkman amendment is designed to retain the State-imposed qualifications for voters, including literacy tests. The amendment provides that the State-imposed qualifications would be applied by the registrar appointed by the Civil Service Commission. Therefore, there could be no question as to its nondiscriminatory application.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HART. Mr. President, how much time have I?

The PRESIDING OFFICER. Twenty-five minutes.

Mr. HART. I yield the Senator 10 minutes.

Mr. THURMOND. I thank the distinguished Senator.

The bill, as it is presently worded, directs the examiners appointed by the Civil Service Commission to examine applicants for registration on the basis of instructions received from the Civil Service Commission.

In other words, instead of following the literacy test provisions of State law, as is provided under the Constitution, and which we have followed in requiring literacy as provided for in the Constitution and in the laws of the State, the situation would be entirely different; they would be required to take instructions from the Civil Service Commission as to which voting qualifications are to be applicable. This is in violation of the Constitution of the United States as well as the constitution and laws of the State of South Carolina.

These instructions are to be formulated by the Commission, after consultation with the Attorney General of the United States, and are to be based on "applicable State law not inconsistent with the Constitution and laws of the United States." On its face, this provision would seem to leave inviolate the literacy test of the States. However, after reading the bill in its entirety and the testimony of the Attorney General of the United States before the Judiciary Committee of both the House of Representatives and the Senate, it reveals that no State literacy test will be applied by the Federal examiners. Unquestionably a major purpose of the bill is to avoid the application of any literacy test and register voters who are able neither to read nor write.

Mr. President, it seems clear that what the administration wants is not a bill to provide that all qualified Negroes shall vote, but that all Negroes shall vote, regardless of qualification or lack of it. We are asking for the continuation of the right, under the State law and under the Constitution of the United States, to apply the literacy test and to continue applying the test which we have applied for many years, pursuant to the authority in the Constitution of the United States which has been upheld by the decisions of the U.S. Supreme Court, and to do so on a nondiscriminatory basis.

As I stated, there has been no discrimination in voting in the great State of South Carolina. Such an effort is patently unconstitutional as well as unwise. It is unconstitutional because it is within the constitutional right of the States to prescribe qualifications for voters, including the requirement of literacy. It is unwise because it will have the end result of enfranchising many illiterates and thereby lower the quality of the electorate in the covered States.

Mr. President, how can we have better government if we are to enfranchise illiterate people and allow to vote those who cannot read or write, who do not know the issues before the Government, who do not know how to approach the elections because they are not able to inform and enlighten themselves on the facts and exercise an independent judgment on that basis? If this is allowed, how can we expect to elevate the quality of the Government of this country?

Furthermore, if they cannot read, how will they know for whom to vote, or which lever to pull? They will have to have someone go in the voting booth and show them how to vote. If that person so desires, he can influence the vote, or deliberately mislead the voter. It opens the door to fraud. It opens the door to corruption. It open the door to a lack of integrity in the government of the States affected by the bill.

The adoption of the Sparkman amendments would remove a basic objection to S. 1564. The amendments would make the bill more nearly conform to the Constitution in the spirit of fair play and justice for all the States of the Union. A basic concept underlying the Constitution of the United States is that the States of the Union are equal partners to the Union. In carrying out this concept, it is necessary that legislation adopted by Congress be equally applicable to all States. Since the bill is based on a past occurrence, it cannot be equally applicable to all the States. It would deprive some States of the right to enforce literacy tests, but it would not deprive others of the same right.

In other words, Mr. President, if the bill is enacted into law, the law of South Carolina, which requires a man to be able to read and write in order to vote, would be nullified, and a Federal registrar could register an illiterate voter, even though the Constitution and the laws of our State do not permit it.

However, if that same illiterate voter moved to the State of New York, he could not vote there because New York State requires an eighth grade education as a qualification for voting in its great State.

I submit that this is discrimination in itself, to provide that a person shall be allowed to vote in one State, whether or not he can read or write, even though the laws of that State require him to be able to read and write; but then should that person go to another State, where the bill does not apply, he would not be allowed to vote because he is an illiterate.

I see no justice in permitting an illiterate to vote in South Carolina and not permitting him to vote in New York because of an act of Congress.

If South Carolina cannot enforce its literacy requirement, why should New York be able to enforce its literacy requirement?

All States should be on the same basis. We are not asking for any favoritism. We are merely asking for fairplay. We are merely asking Congress not to discriminate among the States.

The pending bill seems to be aimed at certain Southern States. It is rather peculiar that it seems to be aimed at States which voted against the present administration in the 1964 presidential election.

Mr. President, I submit that S. 1564 violates the Constitution of the United States in that it would establish an inequality of powers among the States. The bill would nullify voting qualifications such as the literacy requirement in certain States which fall within certain prescribed statistical formulas, but would leave unimpaired in other States the imposition of such voting requirements.

The PRESIDING OFFICER. The time of the Senator from South Carolina has expired.

Mr. HART. Mr. President, how much time remains?

The PRESIDING OFFICER. Fifteen minutes remain.

Mr. HART. I yield 10 minutes to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 10 additional minutes.

Mr. THURMOND. I wish to thank the Senator from Michigan for his courtesy.

Mr. President, in the case of *Coyle* v. *Smith*, 221 U.S. 559, the Supreme Court stated:

> This union was and is a union of States equal in power, dignity and authority, each competent to exert that residuum of sovereignty not delegated to the United States by the Constitution itself. To this we may add that the constitutional equality of the States is essential to the harmonious operation or the scheme upon which the Republic was organized. When that equality disappears, we may remain a free people, but the Union will not be the Union of the Constitution.

The case of *Coyle* v. *Smith*, a case decided by the U.S. Supreme Court, and reported in 221 U.S. 559, is directly in point at present.

The adoption of the Sparkman amendments would go a long way toward bringing the bill into conformity with this basic concept. No State would be deprived of the right to establish and apply a literacy test as a qualification for voting. Yet, there would be adequate safeguards against any charge of discriminatory application of a literacy test. The question for the Senate is a very simple one: Are the States of the Union to be treated equally, or are some to be singled out as unequal partners to the Federal Union? In answer to this question, I urge the Senate to confirm my belief in the equality of the States by adopting the Sparkman amendments.

Mr. President, I wish to reemphasize my support for the Sparkman amendments. They by no means would cure all the constitutional objections to the pending bill which have been mentioned, but they would bring the bill more nearly into conformity with the Constitution. As a matter of justice, the Senate should adopt the Sparkman amendments.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HART. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I ask for the yeas and nays on the pending amendments.

The yeas and nays were ordered.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, pursuant to the unanimous-consent agreement, the Chair lays before the Senate the pending question, which is on agreeing to the amendments, en bloc (No. 179), offered by the Senator from Alabama [Mr. Sparkman] to the amendment in the nature of a substitute, as amended (No. 124), offered by the Senator from Montana [Mr. Mansfield] and the Senator from Illinois [Mr. Dirksen]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Missouri (when his name was called). On this vote I have a pair with the distinguished Senator from Virginia [Mr. Robertson]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Arkansas [Mr. Fulbright], the Senator from Alaska [Mr. Gruening], the Senator from Oregon [Mrs. Neuberger], and the Senator from Ohio [Mr. Young] are absent on official business.

I further announce that the Senator from Massachusetts [Mr. Kennedy], the Senator from New York [Mr. Kennedy], the Senator from Wyoming [Mr. McGee], the Senator from New Mexico [Mr. Montoya], the Senator from Virginia [Mr. Robertson], the Senator from Georgia [Mr. Russell], the Senator from Florida [Mr. Smathers], and the Senator from Missouri [Mr. Symington] are necessarily absent.

I further announce that if present and voting, the Senator from Alaska [Mr. Gruening], the Senator from Wyoming, [Mr. McGee], the Senator from New Mexico [Mr. Montoya], the Senator from Oregon [Mrs. Neuberger], and the Senator from Ohio [Mr. Young] would each vote "nay."

On this vote, the Senator from Massachusetts [Mr. Kennedy] is paired with the Senator from Georgia [Mr. Russell].

If present and voting, the Senator from Georgia would vote "yea" and the Senator from Massachusetts would vote "nay."

On this vote, the Senator from New York [Mr. Kennedy] is paired with the Senator from Arkansas [Mr. Fulbright].

If present and voting, the Senator from Arkansas would vote "yea" and the Senator from New York would vote "nay."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. Miller] is necessarily absent.

The Senator from Kansas [Mr. Pearson] is necessarily absent, and, if present and voting, would vote "nay."

The result was announced—yeas 19, nays 66, as follows:

[No. 68 Leg.]

YEAS—19

Byrd, Va.
Byrd, W. Va.
Curtis
Eastland
Ellender
Ervin
Hickenlooper
Hill
Holland
Jordan, N.C.
Long, La.
McClellan
Russell, S.C.
Simpson
Sparkman
Stennis
Talmadge
Thurmond
Tower

NAYS—66

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Dirksen
Dodd
Dominick
Douglas
Fannin
Fong
Gore
Harris
Hart
Hartke
Hayden
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kuchel
Lausche
Magnuson
Mansfield
McCarthy
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Smith
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—15

Fulbright
Gruening
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
McGee
Miller
Montoya
Neuberger
Pearson
Robertson
Russell, Ga.
Smathers
Symington
Young, Ohio

So Mr. Sparkman's amendments, en bloc (No. 179), offered to the amendment in the nature of a substitute, as amended (No. 124), offered by the Senator from Montana [Mr. Mansfield] and the Senator from Illinois [Mr. Dirksen] were rejected.

Mr. HART. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

OBLIGATIONS OF THE UNITED STATES UNDER THE INTERNATIONAL COFFEE AGREEMENT, 1962

Mr. BYRD of Virginia. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 701.

The PRESIDING OFFICER (Mr. MONDALE in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 701) to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962, and for other purposes, which were, on page 4, line 4, after "agreement" insert ", nor shall such amount exceed $150,000 for any fiscal year", and on page 4, after line 9 insert:

> SEC. 8. This Act will not become effective until the President makes a determination and reports the determination to the Congress that, in his judgment, it will not result in an unwarranted increase in coffee prices to United States consumers.

Mr. BYRD of Virginia. Mr. President, a majority of the Committee on Finance have indicated that the House amendments are acceptable and that a conference on the bill would not be necessary. Accordingly, I move that the Senate concur in the amendments of the House.

S. 701 provides the legislation necessary to implement the coffee agreement to which the Senate gave its advise and consent on May 21, 1963. The bill passed the Senate on February 2, 1965, by a vote of 56 to 23.

Yesterday, it was passed by the House by a vote of 300 to 97, after two amendments to the Senate version of the bill had been agreed to.

The first amendment, added to the bill by the Committee on Ways and Means, places an absolute dollar limit of $150,000 for any fiscal year on the amounts which may be appropriated for our participation in the agreement.

The second amendment added on the House floor, provides that before the implementing features of the bill become operative, the President must make a determination, and report it to Congress, that in his judgment U.S. participation in the coffee agreement will not result in an unwarranted increase in coffee prices to U.S. consumers.

Both of these amendments further the objectives of the Finance Committee when it amended S. 701 in the first instance to provide for the termination of the implementing authority whenever Congress by concurrent resolution determines that an unwarranted increase in the price of coffee had occurred.

I charge our representatives to the Coffee Council to heed these amendments and the congressional intent they reflect that our consumers are to be protected from upward fluctuations in the price of coffee.

Mr. CARLSON. Mr. President, I shall not oppose the International Coffee Agreement, nor shall I request that it be sent to conference, as a result of the amendments added to it in the House of Representatives.

My views on the International Coffee Agreement are well known. As I have previously stated, I am opposed to global price fixing of commodities and barter agreements in international trade.

I believe that even the administration spokesmen believe that the theory of the International Coffee Agreement is unsound economics, but they defend it for international political and social reasons.

I can fully appreciate the demand for immediate action on this agreement because of our diminished prestige and need for support of Latin American countries. While it may be necessary at times to buy the support of nations for programs in which we are interested, frankly, I do not believe that in the long-run it is in the interest of our Nation's economic and political welfare.

For 2 years the International Coffee Council has been operating without congressional implementation. I hope the Council, meeting in London, will not forget that the American consumer has interests that should and must be protected.

I invite the attention of Senators, for the purpose of future reference, to a speech delivered by Philip H. Trezise, U.S. representative to the United Nations Trade and Development Board, on April 9, 1965. I read a part of the speech, as follows:

> The second category of UNCTAD recommendations relates to commodity problems. There have been significant developments in this field in the months since the Conference. The Geneva recommendations have been, directly or indirectly, a contributing factor.
>
> For example, under the International Coffee Agreement, new procedures have been approved which authorize export quota changes on a semiautomatic basis in response to price changes. This brings a measure of precision to the coffee agreement which it was not possible to negotiate in 1962 and which should serve to moderate price swings—with benefit to both producers and consumers.

Mr. DOUGLAS. Mr. President, may we have order in the Chamber? The Senator from Kansas is making an important speech, and I should like to be able to hear it.

The PRESIDING OFFICER (Mr. BASS in the chair). The Senate will be in order.

Mr. CARLSON. I continue to read:

> At the request of the Tin Council, a conference to renegotiate the Tin Agreement is being held—in the next room, in fact. The United States, which has cooperated with but has not been a party to the agreement, is participating in these negotiations.
>
> A preparatory committee has completed a report on the "Bases and Framework of a New International Sugar Agreement." The United States has indicated general support for the conclusions of the report and will support a call for a negotiating conference if further exchanges of views show reasonable promise for a successful negotiation.
>
> Plans are progressing, in the context of the Kennedy Round, for new comprehensive arrangements for grain, meat, and dairy products.

Mr. President, I merely mention that because we shall be confronted with what I contend are great pressures for global price fixing. It would be most unfortunate if we were to enter into a program of that kind.

Mr. President, typical of the action of the International Coffee Council in its efforts to increase coffee prices is a statement published in the Wall Street Journal of March 23, 1965. I ask unanimous consent that it be printed in the RECORD as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> Buying in coffee futures stemmed from news that the International Coffee Council over the weekend approved a plan designed to strengthen the stabilization measures for green-coffee prices. The world coffee pact at present has a system of flexible export quotes that are supposed to be geared to market needs. But differences of opinion among producer and consumer members of the pact make it difficult to make ready changes in the quotas.
>
> The new plan approved by the council last week at London meetings ties the size of coffee quotas more directly to price fluctuations of green coffee. The area of price stabilization, based on a system of average quotations for basic types of green coffee, is 38 to 44 cents a pound. If the average "indicator" price goes below 38 cents, quotas will be reduced; if prices exceed 44 cents, quotas will be increased.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. HOLLAND. Do I correctly understand that the Committee on Finance, by a majority action, recommends the acceptance and concurrence of the Senate in the House amendments?

Mr. BYRD of Virginia. The Committee was polled. It was not unanimous. It was by a majority.

Mr. HOLLAND. A majority of the Finance Committee recommends the concurrence of the Senate in the House amendments?

Mr. BYRD of Virginia. The Senator is correct.

Mr. HOLLAND. I thank the distinguished chairman of the Committee on Finance.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Virginia [Mr. BYRD] to concur in the amendments of the House.

Mr. COTTON. Mr. President, on this question, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LONG of Louisiana. Mr. President, permit me to say, as one who voted for the bill, that since we passed the bill to implement the Coffee Agreement, the House has added two amendments. These amendments should have some appeal to those who voted against the bill. Senators who voted for the bill are willing to accept the House amendments because they do not drastically depart from the purposes of the bill and the passage of the bill is somewhat urgent.

For that reason, I shall vote "yea" on this rollcall.

Mr. HOLLAND. Mr. President, there is very much wisdom and justice attached to what has been said by the Senator from Kansas [Mr. CARLSON] with reference to the other commodities, but, with reference to coffee, the sale of coffee means much to many of our Latin American nations. Since it is their major commodity, and we have entered into the alliance with them this matter means more to them than any practical thing we could do. We approved the treaty on which this action is based. I believe that we should speedily agree to the request that has been made by the distinguished Chairman of the Committee on Finance, the senior Senator from Virginia [Mr. BYRD].

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Virginia [Mr. BYRD], to concur in the amendments of the House. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Maryland [Mr. BREWSTER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Maine [Mr. MUSKIE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from West Virginia [Mr. RANDOLPH] the Senator from Ohio [Mr. YOUNG], and the Senator from West Virginia [Mr. BYRD] are absent on official business.

I also announce that the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Wyoming [Mr. MCGEE], the Senator from New Mexico [Mr. MONTOYA] the Senator from Virginia [Mr. ROBERTSON], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Alaska [Mr. GRUENING], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], and the Senator from New Mexico [Mr. MONTOYA] would each vote "yea."

On this vote, the Senator from Oregon [Mrs. NEUBERGER] is paired with the Senator from Maryland [Mr. BREWSTER].

If present and voting, the Senator from Oregon would vote "nay" and the Senator from Maryland would vote "yea."

On this vote, the Senator from West Virginia [Mr. RANDOLPH] is paired with the Senator from Ohio [Mr. YOUNG].

If present and voting, the Senator from West Virginia would vote "yea" and the Senator from Ohio would vote "nay."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. MILLER] is necessarily absent.

Also the Senator from Kansas [Mr. PEARSON] is necessarily absent.

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Kansas [Mr. PEARSON]. If present and voting, the Senator from Iowa would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 61, nays 19, as follows:

[No. 69 Leg.]

YEAS—61

Aiken
Allott
Anderson
Bass
Bayh
Bible
Boggs
Burdick
Byrd, Va.
Cannon
Case
Church
Clark
Cooper
Dirksen
Dodd
Dominick
Eastland
Ellender
Fannin
Fong
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Jordan, Idaho
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGovern
Metcalf
Mondale
Monroney
Morse
Morton
Moss
Mundt
Murphy
Nelson
Pastore
Pell
Prouty
Ribicoff
Saltonstall
Scott
Smith
Sparkman
Stennis
Tydings
Williams, N.J.
Yarborough

NAYS—19

Bennett
Carlson
Cotton
Curtis
Douglas
Ervin
Gore
Hruska
Jordan, N.C.
McIntyre
McNamara
Proxmire
Russell, S.C.
Simpson
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—20

Bartlett
Brewster
Byrd, W. Va.
Fulbright
Gruening
Kennedy, Mass.
Kennedy, N.Y.
McCarthy
McGee
Miller
Montoya
Muskie
Neuberger
Pearson
Randolph
Robertson
Russell, Ga.
Smathers
Symington
Young, Ohio

So the motion of Mr. BYRD of Virginia was agreed to.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. MANSFIELD. Mr. President, the distinguished minority leader [Mr. DIRKSEN] and I have consulted in recent days, reviewing the debate on the Senate floor, and we have agreed that some slight modifications in the language of the jointly sponsored substitute would be desirable to state more clearly what we intend the bill to do.

To satisfy some of the suggestions by other Senators, on behalf of myself and the distinguished minority leader, I send to the desk certain slight modifications of the substitute, and ask that these modifications be incorporated into the substitute, and ask for a printing of the new substitute with those modifications incorporated therein.

The PRESIDING OFFICER. The clerk will read the modifications.

The legislative clerk read as follows:

On page 10, line 14, strike out everything after "vote," through line 20 and insert in lieu thereof the following: "and such additional allegations, including an allegation that within ninety days preceding his application the applicant has been denied under color of law the opportunity to register or to vote or has been found not qualified to vote by a person acting under color of law, as the Attorney General may require."

On page 14, line 8, strike all through the word "abridged" on line 13 and insert in lieu thereof the following:

"Section 9(a): Congress hereby declares that the rights of citizens of the United States secured by the fourteenth and fifteenth amendments of the Constitution to vote may have been denied or abridged in some States by the requirement of the payment of a poll tax or other tax or payment as a precondition of registration or voting. To assure that such rights are not denied or abridged"

On page 15, after line 3, insert a new subsection:

"(c) During the pendency of such actions, and thereafter if the courts declare the requirement of the payment of a poll tax to be constitutional, no citizen of the United States who is a resident of a State or political subdivision with respect to which determinations have been made under subsection 4(b) and a declaratory judgment has not been entered under subsection 4(a), during the first year he becomes otherwise entitled to vote by reason of registration by State or local officials or listing by an examiner, shall be denied the right to vote for failure to pay a poll tax if he tenders payment of such tax for the current year to an examiner at least forty-five days prior to election, whether or not such tender would be timely or adequate under State law. An examiner shall have authority to accept such payment from any person authorized by this Act to make an application for listing, and shall issue a receipt for such payment. The examiner shall transmit promptly any such poll tax payment to the office of the State or local official authorized to receive such payment under State law, together with the name and address of the applicant."

On page 15, line 4, after "Sec. 10." insert "(a)".

On page 16, between lines 3 and 4, insert the following:

"(b) Notwithstanding any other provision of this Act whenever an examiner is serving under this Act in any political subdivision, the Attorney General in any action instituted under this Act, may, unless the court shall otherwise order, assign one or more persons, who may be officers of the United States, (1) to enter and attend at any place for holding an election in such subdivision for the purpose of observing whether persons who are entitled to vote are being permitted to vote, and (2) to enter and attend at any place for tabulating the votes cast at any election held in such subdivision for the purpose of observing whether votes cast by persons entitled to vote are being properly tabulated. Persons assigned by the Attorney General pursuant to this subsection shall be appointed, compensated, and separated without regard to the provisions of any statute administered by the Civil Service Commission, and service under this Act shall not be considered employment for the purposes of any statute administered by the Civil Service Commission, except the provisions of section 9 of the Act of August 2, 1939, as amended (5 U.S.C. 1181), prohibiting partisan political activity."

Mr. JAVITS. Mr. President, will the Senator from Montana yield for the purpose of propounding a parliamentary inquiry?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. May I inquire of the Chair what is the status of the substitute offered by the Senator from Montana and the Senator from Illinois?

The PRESIDING OFFICER. The status is that it is the pending——

Mr. JAVITS. It is the pending business before the Senate?

The PRESIDING OFFICER. It is the pending question.

Mr. JAVITS. Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have not been ordered, but the substitute has been amended.

Mr. JAVITS. Is it therefore in order for the proponents of the substitute to make any modification they choose to that substitute without requiring unanimous consent?

The PRESIDING OFFICER. Unanimous consent is required in this case, since action has been taken on the substitute amendment, unless offered as an amendment.

Mr. JAVITS. Mr. President, reserving the right to object—which I might do—and if necessary I shall object, but I hope it will not be necessary—suppose that the consent which is sought by the Senator from Montana, I assume, although he has not actually said so, is granted; will the provisions which are now at the desk be open to further amendment?

Mr. MANSFIELD. Of course.

The PRESIDING OFFICER. The entire amendment—not already amended—if a unanimous-consent request is granted for the modification.

Mr. JAVITS. Mr. President, it is my understanding that if the yeas and nays have not been ordered, this is a substitute and Senators who offer it may make any changes in it that they desire. The Chair, however, has ruled that unanimous consent is required in this case. May I therefore ask the reason for the Chair's ruling?

The PRESIDING OFFICER. The Chair advises the Senator that the pending unanimous-consent request relates to a modification of the amendment which is now the business before the Senate.

The Chair reads from page 34 of Senate procedure:

> A Senator has a right to modify his own amendment, even to the extent of accepting any proposition offered by another Senator as a part of his amendment; but such modification must be made before the Senate takes any action on the amendment, action includes "a decision, amendment, or ordering of the yeas and nays thereon,"

The Senate has already amended the substitute offered by Senators MANSFIELD and DIRKSEN.

The Chair also advises the Senator that if the unanimous-consent request is denied, the Senator from Montana may offer his modification as an amendment to the pending amendment.

Mr. JAVITS. Will the Chair bear with me one step further? An amendment having been adopted to the substitute, any further modification of the substitute by the movers will require unanimous consent?

The PRESIDING OFFICER. That is correct, unless moved as an amendment.

Mr. JAVITS. But if unanimous consent is granted so that the material may be included in the text, whatever is included will, nonetheless, be subject to amendment. It would then be an amendment in the second degree.

The PRESIDING OFFICER. If it is acquired by unanimous consent, it will be subject to amendment.

Mr. JAVITS. There have been submitted to the leaders amendments on the part of myself and other Senators, the Senator from Michigan [Mr. HART], and the Senator from Hawaii [Mr. FONG], which we believe to be incorporated in some way in what is now submitted. But I have not the remotest notion what it is, or what it provides.

I have not the remotest desire to be disrespectful, but we would like to have an opportunity to see what was done with some of the ideas which we have submitted; therefore, unless the Senator may feel that it is in some way offensive to him, or to the plan of the bill, which I am for, I must object. This is an odd way to put it to the majority leader, but——

Mr. MANSFIELD. Mr. President, in view of the objection to the modification offered by the distinguished minority leader and myself, I request——

The PRESIDING OFFICER. Let the Chair make inquiry first. Did the Senator from New York object?

Mr. JAVITS. I have not done so yet. I was pressing an inquiry.

The PRESIDING OFFICER. The Chair is now under the impression that no objection has been interposed in the present situation.

Mr. JAVITS. I was trying to show the respect which I consider to be due the majority leader and the minority leader, but there were some ideas which we submitted which we believe have been dealt with, but we do not know how. We have not seen the proposal. I was submitting to the Senator a suggestion, that he might stay his hand for 5 or 10 minutes to let us have a look at what has been done with the handiwork of some of us. I do not desire to object. I am with the Senator in trying to have the bill enacted into law; but does not the Senator feel that he is putting us in an odd position by taking the things we have been discussing and sending them to the desk? I do not know what is in them. Other Senators do not know what is in them. We should know what is in them. We should have a few minutes to examine them.

Mr. ELLENDER. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. ELLENDER. I make the same suggestion in order that we may have a few minutes to examine the proposal. It should not require more than an hour or an hour and a half. I do not know what is in the proposal.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Louisiana will state it.

Mr. ELLENDER. If the proposed modification is sent to the desk, and a unanimous-consent request is agreed to, will that modification be subject to amendment?

The PRESIDING OFFICER. It will.

Mr. ELLENDER. The same as the bill. This is the fourth modification of the bill that is now before us. Is it subject to amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. ELLENDER. The situation would not be changed.

The PRESIDING OFFICER. The Senator is correct.

Mr. HOLLAND. Mr. President——

The PRESIDING OFFICER. The Senator from Florida.

Mr. HOLLAND. Mr. President, reserving the right to object—I believe that I shall not object—I wish to propound a parliamentary inquiry, if I may.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. I ask for the attention of the two leaders. May I have the attention of the majority and minority leaders?

Mr. MANSFIELD. We are listening.

Mr. HOLLAND. I thank the majority leader.

Mr. President, my question is this: This is wholly in support of the request of the distinguished Senator from Louisiana for a little time to look at the proposed changes. If unanimous consent is not granted, and if the same document is offered as an amendment, would it be in order to ask for a division?

The PRESIDING OFFICER. Unless unanimous consent were granted to consider the modifications en bloc.

Mr. HOLLAND. With that in mind, I respectfully ask the majority leader to grant the request for a little time. I do not believe I shall have any objection. There might be some changes to be made, at least in one Senator's opinion—and possibly others—and Senators may ask that the question be divided. I believe it would promote quick action if that course were to be followed.

Mr. AIKEN. Mr. President, in view of the fact that so many lawyer Members of the Senate will wish to look at the proposal I shall probably not be able to see it; therefore, will some Senator please explain to us what the proposal does to the poll tax?

Mr. MANSFIELD. It would not affect the action taken by the Senate a few days ago.

Mr. AIKEN. That is what I wanted to hear. I have no objection.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, in order to bring this matter to a head, I withdraw my request.

The PRESIDING OFFICER. The request of the Senator from Montana is withdrawn.

The amendment in the nature of a substitute, as amended (No. 124), offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN] is open to amendment. What is the will of the Senate?

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. HOLLAND. Will the proposed rewriting of the amendment in the nature of a substitute which was incorporated in the unanimous-consent request of the distinguished leaders appear as part of the RECORD? Will it be printed in the RECORD?

The **PRESIDING OFFICER.** The Chair advises the Senator from Florida that the proposal was read. Therefore, it will be a part of the RECORD.

Mr. HOLLAND. The actual wording of the proposed changes will appear in the RECORD?

The **PRESIDING OFFICER.** It will appear as it was read by the clerk.

Mr. HOLLAND. I thank the Chair.

AMENDMENT NO. 177

Mr. PROUTY. Mr. President, I call up my amendment No. 177.

The **PRESIDING OFFICER.** The amendment of the Senator from Vermont will be stated.

The LEGISLATIVE CLERK. On page 14, line 19, after "vote" it is proposed to insert the following: "on account of race or color".

The **PRESIDING OFFICER.** The question is on agreeing to the amendment (No. 177) offered by the Senator from Vermont [Mr. PROUTY] to the amendment in the nature of a substitute, as amended (No. 124), offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN].

Mr. PROUTY. Mr. President, this amendment is quite simple in nature.

Section 9 of the substitute provides for the expeditious consideration by the courts for declaratory judgment or injunctive relief through a suit instituted by the Attorney General in the district court system of the United States.

Section 9(a) makes provisions for this Attorney General's suit and requires that the relief sought be based upon the use of the poll tax as a condition for voting to deny or abridge the right to vote.

My amendment would require the suit by the Attorney General to be based upon the use of the poll tax to deny or abridge the right to vote on account of race or color.

In other words, my amendment would attack racial discrimination through the poll tax.

This approach, it seems to me, is in keeping with the basic concept underlying the entire bill. The reason for our considering this bill is racial discrimination in our elective process.

It is my understanding that the Supreme Court will in the term beginning next fall hear the case of Mrs. Harper, which has come up from the State of Virigina. She contends that her only income is from social security, and that, therefore, she is denied the right to vote because she cannot afford to pay the required poll tax.

It is further my understanding, that the Harper case is based on the denial of rights under the 14th Amendment to the Constitution, and not on the 15th amendment. It thus, therefore, does not involve questions of racial discrimination. My amendment would assure judicial determination of the question of the use of a poll tax to deny or abridge the right to vote on account of race or color.

It seems to me that my amendment is essential if we are to have a decision in the reasonably near future on the poll tax being employed for purposes of racial discrimination. Since the Harper case does not involve the 15th amendment or racial discrimination, it would seem to me that section 9 of this substitute, without my amendment, would not assure that the problem of racial discrimination would be raised at all in the courts.

Further, since section 9(a) is mandatory on the Attorney General, we should require that that mandate be related to the principal issue with which we are dealing; namely, the use of the poll tax to deny or abridge the right to vote on account of race or color.

It is generally recognized that S. 1564 was made necessary for Congress to consider for the reason that in some of the States of the Union. Negroes have been prevented from voting or from registering to vote solely because they are Negroes. The debates in this Chamber have enumerated the many and varied devices which have been employed to perpetuate this discriminatory practice.

Fortunately, such discrimination is unknown in my State of Vermont.

The people of Vermont have always been possessed of a singular determination to protect the freedom of the franchise. Ours was, in fact, the first State to liberalize the qualifications for voters when it rejected the requirement that a citizen must also be a property owner in order to participate in elections.

Vermonters take second place to no other Americans in their jealous regard for the freedom—and the purity—of our elections system.

Let me say at the outset, that I find the pending measure a most necessary piece of legislation. And, I find its purpose—freedom from racial discrimination against voters—one which is most desirable.

I have found myself generally in accord with the provisions of the substitute which has been offered to the committee reported bill.

With an awareness of the poll tax requirement in my own State, and the reluctance with which Vermonters even consider its abolition, I find, that the amendment which I have offered is both necessary and desirable to protect the Negro from the discrimination to which he has been subjected through certain unconscionable use of poll taxes.

I find, also, that this amendment in both necessary and proper for the preservation of the right of a State to set the qualifications for electors in those States. The majority of the Senate, a day or two ago, agreed with this proposition.

The general tenor of the debates surrounding this question of poll taxes or their abolition, has been that poll taxes are an evil per se. Only a minor portion of the debates in favor of the abolition of poll taxes has revolved around the discriminatory business to which some poll taxes have been put.

These debates have been more concerned with an effort simply to eliminate poll taxes rather than to assure that their use as a vehicle for racial discrimination would be prohibited.

For the most part, the complaints against all poll taxes, in all places, have come often and loudly from the large urban centers where other forms of voting discrimination, far more evil than a poll tax can ever be, run rampant, in election after election.

Wholesale elections corruption, vote buying, tombstone electors, ballot box stuffing, are just a few of the practices to which I refer. And such practices are not even implicated as an evil in this measure.

Without any doubt, the honest voter, who must cast his ballot amid such squalor, in every section of the country, either white or Negro, is, in the light of such practices, unquestionably the voter most discriminated against. There is precious little in the bill that attempts to come to his aid.

I am not suggesting that the bill should include every safeguard against corrupt practices in elections. But I am suggesting that this bill is designed to guarantee to the Negro voter, in those areas where he is discriminated against, that his right to vote under the 15th amendment will be protected. Section 9 of this bill should be directed at least toward that goal.

Thus, my amendment.

The Senate, only a brief time ago, refused to give credence to the idea that poll taxes are inherently evil in nature. However, there has been, and continues to be in the Senate, real concern that the poll tax as a qualification for voting must not be used as a means of discrimination because of race or color.

The purpose of my amendment is to prevent such discrimination.

The amendment does not change the procedural form of section 9 of the proposed substitute. The Attorney General is still directed to file a suit for declaratory judgment or injunctive relief. It does, however, require that when the Attorney General does file his suit, he will do so because the poll tax involved, as a condition of voting in a State or local election, has the purpose or effect of denying or abridging the right to vote on account of race or color.

With this amendment, Mr. President, I submit that we will have attacked the real heart of the problem of poll taxes on the State and local level. We will have remained constant in our efforts through the bill to protect the right of the Negro to cast his vote and to have it counted.

Mr. President, I am determined, along with other Senators, that racial discrimination in our elections must cease. My specific concern over this question of poll taxes is partly because the State of Vermont has a poll tax requirement on our local elections.

The Vermont poll tax, however, is not susceptible to the objections to poll taxes raised in these debates.

No one has suggested, nor could any one suggest, that the poll tax in Vermont has been used for racial discrimination. Such an idea is patently absurd.

The other principal objection to poll taxes generally, has been that they discriminate against the poor. Again, this charge cannot be made against the Vermont poll tax, because the poor are exempt from payment of poll tax in my State.

There are still other groups of people who enjoy this exemption. They are:

Honorably discharged veterans of all wars who receive compensation other than retirement.

Firemen and the National Guard.

Persons actually poor.

Those on old age assistance.

Those on active military duty.

There may be some Vermonters who can afford to pay the poll tax, but who refuse to do so. It is inconceivable to me that any one could say that these people are discriminated against by the poll tax which is levied in Vermont.

That poll tax is required to be paid by everyone over 21 and under 70 years of age, including aliens.

Would those who propose to eliminate poll taxes also contend that aliens are discriminated against because they are taxed and not permitted to vote?

The payment of a poll tax in order to vote in local elections is not the only qualification for voters in the towns of Vermont. In addition to the poll tax, Vermonters, in order to vote are also required to sign what we call the freeman's oath.

That oath is a simple one, and read, from the Vermont constitution, as follows:

> You solemnly swear (or affirm) that whenever you give your vote or suffrage, touching any matter that concerns the State of Vermont, you will do it so as in your conscience you shall judge will most conduce to the best good of the same, as established by the Constitution, without fear or favor of any person.

I ask my colleagues: Is this a qualification for voting which could be held unreasonable by any person? I would certainly think not. Yet, I can imagine there are some who would even object to this oath as a qualification for voters.

Indeed, the arguments in this debate have seemed to be more an attack on voter qualifications, rather than on qualifications which are used to discriminate.

Mr. President, I shall conclude by reminding my colleagues that this amendment is designed to guarantee that a court test through an Attorney General's suit under section 9 of this bill shall include the determination of whether a poll tax has been used to deny or abridge the right to vote on account of race or color.

I am convinced that this is the primary issue raised by the entire bill. It is the issue upon which we need judicial determination.

I urge my colleagues to support this amendment.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. HOLLAND. Mr. President, is it one of the purposes of the distinguished Senator from Vermont in offering his amendment to make sure that section 9(a) of the bill, which he is seeking to amend, would operate entirely in the interest of the 15th amendment to the Federal Constitution?

Mr. PROUTY. The Senator is correct. I assume that the purpose of the entire bill is to protect voting rights on the basis of race or racial discrimination.

Mr. HOLLAND. Mr. President, if the amendment of the Senator is agreed to, any question of the application of the 14th amendment in that section of the bill would be entirely eliminated.

Mr. PROUTY. That is correct. I assume that the Supreme Court would consider that matter, which relates to the 14th amendment, sometime during the fall term. This is one way of assuring Congress and the people of the country that discrimination through the use of poll taxes will be prohibited.

Mr. HOLLAND. Mr. President, is it the further purpose of the distinguished Senator from Vermont in offering his amendment to make sure—since the provision for a poll tax in his own State is not based on discrimination on the basis of race or color—that the State of Vermont is not adversely affected by the poll tax provision of the pending substitute measure?

Mr. PROUTY. The Senator is correct.

Mr. HOLLAND. I thank the Senator.

Mr. PROUTY. Mr. President, last night's issue of the Evening Star and this morning's issue of the Washington Post contain lead editorials which indicate that, to some extent at least, the discussion about banning the poll tax is more or less much ado about nothing, insofar as this particular question is concerned. It is indicated that some people throughout the country are using this issue as a means of perhaps making political hay and presenting an issue which has been presented at times, I believe, in a rather emotional manner.

Mr. President, I ask unanimous consent to have both of these editorials printed at this point in the Record.

The PRESIDING OFFICER (Mr. Pell in the chair). Is there objection?

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Evening Star May 12, 1965]

Banning the Poll Tax

The poll tax as a qualification for voting is of small importance as a national issue. It remains in force in only four States—Virginia, Alabama, Mississippi, and Texas—and in these its application is confined to local elections.

The principle at stake is another matter. For what the Senate "liberals" were trying to do was to bypass the Constitution. It was thought necessary to adopt a constitutional amendment to outlaw the poll tax in Federal elections. Surely the reasons which supported this view are hardly less applicable to a ban on the poll tax in State and local elections. Yet the poll tax banners (they lost, 49 to 45) wanted to do by statute what heretofore has been thought to require an amendment of the Constitution. And they wanted to do this in the face of the opposition of the Senate leaders and an expression of grave doubt by the Attorney General as to the constitutionality of such procedure.

There is no doubt that the poll tax, when devised many years ago, was intended to discourage Negro voting in the South. But what the 15th amendment forbids is discrimination on account of race, color, or previous condition of servitude. If the poll tax is applied without discrimination, as is certainly the case in Virginia, it will at least be difficult to prove abridgement of the 15th amendment in 1965. If it serves as a bar to voting, this is because the individual, white or colored, simply does not want to pay the tax.

The Senate bill directs the Attorney General to file suits to test the constitutionality of the levy. This means that the final, authoritative word will come from the Supreme Court, and this is as it should be. The country will not go to pot in the time required to test the tax in the four States which still use it.

It may be that some of the Senators who voted for the defeated amendment were motivated by conviction. There was also a very large element of politics, however, in the antipoll tax effort. It is reported that Senators Edward and Robert Kennedy picked up much support from Negro and civil rights groups as a result of their fight for the amendment. Perhaps so. But political fortunes ought not to be founded on short cuts of doubtful constitutionality—especially when other and better means are available to achieve the desired result.

[From the Washington (D.C.) Post, May 13. 1965]

Senate and the Poll Tax

The 49-to-45 vote by which the Senate rejected the proposed antipoll tax amendment to the civil rights bill is indicative of the strong arguments that were advanced on both sides. Senator Edward Kennedy and those who stood with him are convinced that the poll taxes surviving in four States are nothing but instruments of discrimination and that the current bill should make a clean sweep of any restraint upon Negro voting. Majority Leader Mansfield, Attorney General Katzenbach, and those who stood with them took a different approach because they are concerned about the constitutional right of the States to determine the qualifications of voters in their own elections.

It would be a serious error to interpret the vote of the Senate as a referendum on the poll tax or on devotion to civil rights. Many of those who made up the majority, Republicans and Democrats alike, are firmly opposed to the poll tax as a matter of principle. Only a few years ago Congress voted overwhelmingly for a constitutional amendment to eliminate all poll taxes in Federal elections. We surmise that the sentiment against any tax as a condition for voting is stronger now. But this is not the issue that was before the Senate.

Nor did the Senate vote to uphold or approve any State poll tax that is being used for discriminatory purposes. Rather, the Katzenbach-Mansfield-Dirksen compromise, which the Senate retained, would authorize the Attorney General to seek injunctive relief from any State poll tax law that is incompatible with the 14th and 15th amendments. Mr. Katzenbach insists that this method will eliminate any discrimination in voting by reason of the poll taxes in four States faster than the Kennedy approach to the same problem.

The chief difference between the two methods is that the one preferred by the administration and the Republican leadership in Congress would respect the rights of the States to prescribe the qualifications of voters in their own elections. Spokesmen for the liberal bloc argued that the poll tax is not a "qualification for voting under article I of the Constitution but rather a restriction on voting." They could just as reasonably argue that the 21-year age limit for voters is not a qualification because it restricts admission to the polls. All qualifications are restrictive in some measure, and the nature of those qualifications has been left to the States unless they discriminate against specified constitutional rights of citizens.

What the Senate has rejected is a sweeping ban on any and all poll taxes as a precondition to voting whether or not they are in fact used for discriminatory purposes. The more careful approach which the Senate prefers will have the effect of knocking out all remaining State poll taxes which can be shown, through competent evidence, to violate the 14th and 15th amendments. Since the House Judiciary Committee has approved a poll tax ban similar to the one the Senate rejected, it is especially important that the distinction between the two approaches be clearly understood.

Mr. PROUTY. Mr. President, I yield the floor.

Mr. HART. Mr. President, the effect of the amendment offered by the distinguished Senator from Vermont would be to limit the Attorney General of the United States to the 15th amendment alone in any action that he would undertake with respect to the poll tax.

The substitute offered by the leadership would make available to the Attorney General both the 14th and 15th amendments in actions involving the denial or abridgement of a constitutional right. The substitute measure would include not only discrimination based on race or color—black or white—but also discrimination based on economic position, rich and poor—the equal protection provided in the 14th amendment.

The disability that would attach to this action if the amendment were agreed to is very clearly understood by all of us. Let us assume that the amendment were adopted. The Attorney General would then be in the position of being required to prove that the poll tax had been used to discriminate on the basis of race or color against Negroes in particular areas.

The history of the introduction of the poll tax in many areas suggests clearly that the purpose of the poll tax was discrimination. There is indication that in some cases it has been the application, in fact, of the poll tax. However, there have been many other devices available to some States over the years, by the use of which a person might be deprived of his right to vote because of race or color.

We are moving forthrightly against a cluster of those traditional tests and devices which we, by the substitute, would prohibit being used in a fashion that would deny a person the right to vote.

To oversimplify—though not too much—in order to remove Vermont from a possible suit, this amendment would greatly handicap the Attorney General in the prosecution of this question in Mississippi or Alabama. To be equally specific, it would restrict him to the use of the amendment only.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. HOLLAND. Does the Senator feel that the poll tax provision in the State of Vermont has been used to discriminate against anyone on the basis of race or color?

Mr. HART. I believe that the junior Senator from Massachusetts [Mr. KENNEDY], in the many exchanges that he had with the two Senators from Florida, did not flatly take that position.

Mr. HOLLAND. My question is addressed to the belief of the distinguished Senator from Michigan. Does the Senator from Michigan believe that the Vermont poll tax provision has been used to discriminate against any citizen on account of race or color?

Mr. HART. I am not familiar with the history that produced the poll tax in Vermont. However, I understand that it predates any conflict that was racial in nature. I assume that it is not a reflection of a purpose or design to discriminate because of race or color.

Mr. HOLLAND. Can the Senator believe, in view of the statements made by the junior Senator from Vermont as to the nonapplication of the poll tax requirement in that State to poor people who are unable to pay, that this device has ever been used to prevent people of poor economic standing from voting in town elections?

Mr. HART. I would be in a better position to answer that if I were able to ask what other disabilities, if any, a person in Vermont assumes when he pleads himself to be a pauper. I realize that that is a question that the Senator from Florida may not be able to answer.

Mr. HOLLAND. I am unable to answer that question. I believe that the Senator from Vermont would be able to answer that question. However, I call attention to the fact that, under the case made by the junior Senator from Vermont and also by the senior Senator from Vermont in his presentation the other day, I understood quite clearly that the poll tax provision as used in the State of Vermont is solely applicable to town elections, and in no case came under the 14th or 15th amendments. Perhaps I was mistaken. But both of the distinguished Senators from Vermont are in the Chamber and I should be glad to have them correct me if I am incorrect in my conclusion.

Mr. HART. I believe the Senator from Vermont can answer that question.

Mr. PROUTY. Mr. President, I wish to point out that Vermont was the first State to use the poll tax. The purpose of it was to extend universal suffrage to manhood. It was a very liberal approach, taken before any of the other 13 States took similar action.

Mr. HART. I am told that Vermont extended the franchise by removing property qualifications, and then applied this provision.

Mr. PROUTY. Yes. It in effect encourages people to vote in Vermont, because people without resources, who are 70 years of age or older, who are pocr, many veterans, many on public welfare, do not have to pay a poll tax, and they are eligible to vote. In Vermont this applies only to people elected on the local level. Citizens may vote for members of the State legislature without payment of the tax. Recently the legislature voted down a move to repeal the poll tax by 196 to 34, I believe it was.

Mr. AIKEN. Mr. President, it should be pointed out that the payment of the poll tax is not required in order to vote for members of the State legislature, or for State or county officers.

Mr. HART. I must apologize. I did not hear the Senator.

Mr. AIKEN. I stated that the payment of the poll tax is not a requirement for electing representatives or senators to the State legislature.

Mr. HART. I understood, from the Senator's discussion with the junior Senator from Massachusetts [Mr. KENNEDY], that this tax is a precondition to voting only in town elections.

Mr. PROUTY. Yes.

Mr. AIKEN. I do not think it covers all town offices. The poll tax was applied in Vermont in order to permit nonproperty owners to vote when more reactionary States were permitting only property owners to vote.

Mr. HART. It is very clear that, as a voting prerequisite, the measure is on perfectly solid ground in attacking the hard core of the evil, even though Congress might, by its action, include those about whom the Senator from Vermont has assured us. The hard fact of life we must recognize is that to adopt the amendment would handicap one arm of the Government, the Department of Justice, in any action undertaken with respect to the poll tax. I feel very deeply that by restricting the Attorney General to the 15th amendment only, which is the effect of this amendment, we would not be disarming him completely, but arming him far less effectively than our responsibility under those circumstances suggests that we should.

Mr. PROUTY. Is it not true that the question of whether poll taxes are in violation of the 14th amendment will be determined at the fall session by the Supreme Court, long before any action as a result of what we do in Congress? I refer to Harper against Virginia.

Mr. HART. If we pass the substitute bill without the amendment now proposed, we would expect the Attorney General forthwith to move with respect to the 14th and 15th amendments.

Mr. PROUTY. I am not a lawyer, but it seems to me that considerable time would be required, and that probably the case of Harper against Virginia would be decided before the Attorney General could take any action under the proposed substitute.

Mr. HART. If we could be certain of what the Supreme Court would do, and the time, we would have been able to dispose of most of the questions which have been raised in the attack on this bill.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. AIKEN. I am not sure any finding by the Supreme Court in the Virginia case would be at all applicable to Vermont, because it is almost certain that the lady in whose behalf this case was brought would be exempt from a poll tax in Vermont because she claims to be living on social security alone. I do not believe anyone in the State of Vermont living on social security alone would be expected to pay a poll tax.

Mr. HART. That raises the question again as to whether such a person would be permitted to vote.

Mr. AIKEN. Yes; she would be permitted to vote.

Mr. HART. What are the mechanics, what is the representation, what is the determination with respect to who may be a pauper and not required to pay the tax?

Mr. AIKEN. They are not paupers. They are poor. Paupers are those who live off the town, as we say. We have in the towns, boards of civil authorities composed of three or perhaps selectmen and, including the town clerk or town treasurer. They would determine, from their knowledge of the persons involved, whether certain citizens should pay the poll tax or not. If it were determined, that they are actually poor, then there is a procedure called abating the poll tax. Every year they determine whose poll tax should be abated.

Mr. HART. In view of the deep conviction evidenced by the Senators from Vermont that there is no 14th amendment violation——

Mr. AIKEN. Only such as would have come within the Kennedy amendment.

Mr. PROUTY. Unhappily, that amendment is gone.

Mr. AIKEN. It is still lingering around.

Mr. HART. We are talking about whether we should disable the Attorney General, in his assaults on the poll tax, where the Senator and I would agree there is probability of a 14th amendment violation, in order to protect a State which the Senator says is innocent from 14th amendment violation. That is a penny wise and pound foolish approach, and it is not a responsibility Congress should take in the face of the compelling responsibility that we ought to do everything we can with respect to abolishing the poll tax. If Vermont, as the Senator feels sure, is not violating the 14th amendment with respect to the town poll tax, why would the Senator add an amendment which would turn the advance from a 14th amendment approach into a 15th amendment approach?

Mr. ERVIN. Mr. President, will the Senator yield to me, so that I may answer?

Mr. HART. I yield to the Senator, but with the understanding that I am not bound by his answer.

Mr. ERVIN. To show what a ridiculous bill it is, section 9(a) on page 14 reads:

> In view of evidence presented to the Congress that the constitutional right of citizens of the United States to vote is denied or abridged in some States by the requirement of the payment of a poll tax as a condition of voting in State or local elections and to assure that such right is not denied or abridged in violation of the Constitution, the Attorney General shall forthwith institute in the name of the United States actions for declaratory judgment or injunctive relief against the enforcement of any poll tax—

And I emphasize the word "any"—

> or other tax or payment, which, as a condition of voting in State or local elections, has the purpose or effect of denying or abridging the right to vote.

The Attorney General is required by this bill to bring actions to outlaw any poll tax as a prerequisite to voting, regardless of whether or not he has any evidence in a particular case that a poll tax is being used to discriminate. Therefore, under the bill, he would have to bring suit against Vermont, or a political subdivision of Vermont, even though he did not have a scintilla of evidence that there was any violation of the 15th amendment occurring in Vermont or any of its political subdivisions.

Mr. MANSFIELD. Mr. President——

The PRESIDING OFFICER (Mr. McNAMARA in the chair). The Senator from Montana.

Mr. PROUTY. Mr. President——

Mr. HART. Mr. President, in such action——

I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. COOPER. Mr. President——

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The Senator from Kentucky is recognized.

Mr. COOPER. Mr. President, I do not wish to repeat the argument I made last Tuesday when I gave my reasons for voting against the Kennedy amendment, but I believe the vote on Tuesday by the Senate is an important matter to be considered in connection with the amendment which has been offered by the Senator from Vermont [Mr. PROUTY].

We are not dealing today with an amendment which prescribes any action by Congress. In section 9(a), Congress is not establishing congressional action. The argument made by the distinguished majority and minority leaders, was that if the Kennedy amendment were defeated that section 9 would give to the Court an open field to determine whether the poll tax as a precondition for voting is invalid per se.

I believe that everyone agrees that if the poll tax is used as a mechanism to deny or abridge the right to vote, Congress could prescribe a procedure, as it does with respect to literacy tests to prohibit the collection of the tax. But 9(a) is intended to give a means of determination by the Court upon an action brought by the Attorney General to determine if a poll tax as a precondition for voting is, per se, unconstitutional, under either the 14th or 15th amendments.

The courts have suggested, that under the equal protection clause, if the poll tax as a precondition for voting were so burdensome as to deny equal protection to one class against another, it might be stricken down. I do not know what remedy the Court would provide, but it is my judgment that if the amendment proposed by the Senator from Vermont should be adopted, it would have some effect in removing from the Attorney General a cause of action under the 14th amendment.

I voted against the Kennedy amendment because I did not believe that Congress had the authority to strike down the poll tax completely; but this matter is entirely different. This is a matter in which the Court will make a decision and we should no nothing to inhibit the action of the Attorney General or confuse the intent of the Congress for the Court. I doubt that we could inhibit the judgment of a court, but I agree with the Senator from Michigan that the amendment might inhibit the full play of choice which the Attorney General could make in seeking a declaratory judgment. If Congress is to ask the Attorney General to seek a declaratory judgment, or other relief, I do not see why he should not be able from the standpoint of every possible constitutional provision, the 14th amendment as well as the 15th amendment brings the poll tax before the courts—to determine if it is unconstitutional.

Mr. JAVITS. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield to the Senator from New York.

Mr. JAVITS. We have been discussing the proposition of adding a declaration of finding of fact. It seemed to be generally agreed on the floor of the Senate, by Senators who favor the bill, that there should be a finding of fact as provided for in section 9(a), paraphrasing lines 8 to 10, which would relate to the evidence presented to Congress that the constitutional rights of citizens of the United States to vote is denied or abridged by requirement of the payment of a poll tax.

It seems to me that the views of the Senator as to the fact that this seeks to channel the Court into the area of how it is to decide a case, is emphasized by the fact that no proposal is made, even in the amendment, to include such a thing as a finding of fact. Therefore, we would be making a finding of fact; and if the bill should remain as it was, we would be speaking of evidence upon which we would base a provision which is broader than the area in which we would allow the Court to decide. It seems to me to be such an inconsistency as to make the Court wonder whether we knew what we were doing if we should vote for this amendment.

Mr. HART. Mr. President, the Senator from Kentucky suggested in his argument that we would inhibit and restrict the Attorney General by limiting it to the 15th amendment. It might have the effect of suggesting to the court that the Court, too, is inhibited. I have been hesitant to make the suggestion, but I think it is plausible. I have confidence that a court might—as the Senator from New York has suggested—view us as being foolish in our actions if we were to adopt the pending amendment.

What is wrong with directing the Attorney General to act in protection of constitutional rights and not say "except" that "you shall not," "by implication this is the case," except that we shall not worry about the 14th amendment?

Mr. PROUTY. Is there anything in the language of section 9(a) as presently drafted which would require the Attorney General to take action under the 15th amendment?

Mr. HART. He takes action under any circumstance where it my have the effect of denying a person his constitutional rights in respect to the opportunity to vote.

Mr. PROUTY. He should take action under the 14th amendment; but is he required to take action under the 15th amendment, under the language of the bill as presently written?

Mr. HART. He can do that under the Constitution without having us say to him to forget the 14th amendment. That is why we opposed the pending amendment.

Mr. PROUTY. But he can take action under the 14th amendment, not under the 15th amendment.

Mr. HART. As drafted, we do not inhibit him with regard to how the Court shall act.

Mr. PROUTY. But my amendment would make certain that he will have to take action under the 15th amendment.

Mr. HART. The Senator's amendment would have the effect of turning our direction, which is an instruction to the Attorney General "Make your best case," to an instruction, "Make a case of the 15th amendment, but forget the 14th amendment."

This, we believe, would not be responsible action on the part of Congress.

Mr. PROUTY. It seemed to me that the original purpose of the bill was based upon the 15th amendment, on the basis of race or color.

Mr. PASTORE. Mr. President, will the Senator from Michigan yield?

Mr. HART. I yield.

Mr. PASTORE. If we can reach an understanding on this question, as the bill is now written, the Attorney General is directed to take action in any case where there is a poll tax, under any provision of the Constitution. Is that not so?

Mr. HART. With reference to a tax which operates as a precondition to one's exercising his right to vote.

Mr. PASTORE. Every poll tax represents a precondition of voting. A person cannot vote if he has not paid his poll tax. Is that not correct?

Mr. HART. No. That is true in four States only. There are about 20 States in which what is described as a poll tax actually is not a poll tax and does not prevent a person from voting if he has not paid that tax. It seems rather inaccurate to refer to it as a tax. As the Senator from Rhode Island says, this is a direction to the Attorney General to correct the poll tax situation.

Mr. PASTORE. Under any amendment to the Constitution.

Mr. HART. Yes.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. HOLLAND. Of course I shall support the position taken by the Senators from Vermont, both because I fully believe we have no right to control the action of a State in fixing the qualifications for electors, and because of the further fact that in Vermont, as it used to be true, as I recall, in four other New England States, what the constitutional framers were thinking about when they adopted the provision which they adopted in the Constitution, and which was restated in the 17th amendment, clearly shows that the levying of the poll tax—some people believe the poll tax has reference to voting at the polls, whereas actually it is a head tax—was the most liberal provision known to our country at the time of the framing of the Constitution.

New England was the leader in adopting it. New Hampshire had placed it in its constitution. Some time ago I asked the Library of Congress to prepare a brief on this subject. It showed clearly that at the time of the adoption of the New Hampshire constitution this was regarded as the most progressive and liberal step that could possibly be taken, and as the minimum requirement for any participation in government from the standpoint of a financial contribution that could possibly be required.

Either three or four other New England States had the same provision for participation in town elections. In each case this was regarded as a liberalizing step, as a liberalizing provision to invite all people to participate.

Some other States, as was true in Vermont, had other provisions which provided that if a person actually could not pay the poll tax, upon a proper showing he could be exempted.

Mr. President, this whole debate today puts in much clearer perspective than it has ever been put the real meaning behind the poll tax. I doubt if there is a Senator from any other part of the United States who realizes that at the time in the various Southern States, which were the first to act in eliminating the poll tax, Negroes were not voting in our primary elections, which were the real elections. In Florida the poll tax was eliminated in 1937. The white primary prevailed until 1944, when the Supreme Court of the United States knocked it out.

In North Carolina, the State so ably represented by the distinguished senior Senator from North Carolina [Mr. ERVIN], the same action was taken in 1920, 24 years before the elimination of the white primary.

In Louisiana, it was eliminated in 1927, years before the elimination of the white primary.

We knew we were helping some Negroes to vote, because a few voted in the general election.

I participated in the elimination of the poll tax as a requirement for voting in 1937, when I was a member of the State senate. At that time I knew that it affected some Negroes, but I knew that primarily it led the way to much greater participation in voting by white people and in the white primary.

In our State the largest increase that has ever occurred in the participation in the white primaries occurred in the next election, the election of 1940. I referred to this subject earlier in my remarks—not today, but previously.

There is nothing inherently wrong or inhuman, governmentally or any other way, about the imposition of a poll tax. I glory in the spunk of the Senators from Vermont, in their offering of their amendment. I expect to support them. They did the right thing for liberalizing the meaning of the poll tax. There could not be a clearer illustration of the fact that things have changed in our country than to have people now talking about a poll tax as being an inhuman act, as something that prevents decent people from voting. Apparently they are forgetting what happened when the Constitution was adopted, forgetting what happened when the 17th amendment was adopted, forgetting that the poll tax was the most liberal dealing with this matter, and forgetting that this was not only a Southern question.

In 1933 the last Northern State to eliminate the tax as a requirement for voting, the State of Pennsylvania, amended its constitution to take out of that constitution a provision which had been there a long time, requiring the payment of a tax as a condition for voting.

I believe the debate today puts in much clearer perspective than ever before the actual meaning of the poll tax requirement. I hope the Senators from Vermont will prevail in their amendment.

Mr. HART. Mr. President, I hope the Senate will reject the amendment. I feel that our responsibility is to give the Attorney General the obligation to enforce constitutional rights and not to limit him in discharging that obligation by denying to him the 14th amendment of the Constitution, which is not an insignificant protection.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. HART. I yield.

Mr. AIKEN. I want to make sure that I understand what is going on during this debate, not only today, but in other days as well As I understand, the Senator feels that the adoption of the amendment would influence the Supreme Court in making its decision regarding the poll tax when it comes before the Supreme Court. I understand that the wording of section 9(a), as it reads now, without the amendment offered by my colleague from Vermont, would instruct the Attorney General, who has already said that he believes the requirement of a poll tax to be unconstitutional, to go before the Supreme Court and do his utmost to prove that he was mistaken. Do I correctly understand that to be the case?

Mr. HART. Frankly, I do not understand the question.

Mr. AIKEN. I do not understand what the Senator meant. Would this language instruct the Attorney General to go before the Supreme Court to do the best he could to have the Court find that the poll tax in local or State elections is unconstitutional?

Mr. HART. Yes.

Mr. AIKEN. He has already said that in his opinion, the Kennedy amendment which would have outlawed the poll tax would have been unconstitutional. Is he supposed to take both sides of the issue?

Mr. HART. I deny that the Attorney General said it. He said there was some doubt about congressional ability to act. However, I am sure that the Attorney General of the United States cannot be found at any time to have said that the poll tax is unconstitutional. He indicated his intention to intervene in a poll tax case.

Mr. AIKEN. He is being directed to go before the Supreme Court to prove that there is a constitutional objection to the poll tax; is that correct?

Mr. HART. He will.

Mr. AIKEN. I do not understand why Congress should undertake to influence the decision of the Supreme Court.

Mr. HART. Since I have already voted for the amendment that was rejected, and because I believe it is highly desirable, in the concept of our responsibilty, to identify the areas where the consensus is that something is wrong, to say so.

Mr. AIKEN. There is a difference of opinion.

Mr. HART. Yes.

Mr. AIKEN. I do not believe that Congress should undertake now to tell the Supreme Court what decision to render on something that happened 175 or 185 years ago.

Mr. HART. The Senator from Vermont has been here a good many years. I suspect that he has many times made some findings as a Member of Congress.

Mr. AIKEN. I have made some findings with which lawyers have disagreed. I have yet to find a group of lawyers that would agree among themselves on important sections of the law. That situation is hereditary and traditional, and probably has nothing to do with the bill. I do not know whether it has been made clear for what purpose the poll tax funds in Vermont are used. The proposed legislation would seriously affect Vermont. The $5 poll tax goes to support old-age assistance program. That money goes to the State. The towns must pay it whether they collect it or not. The fund amounts to something in the neighborhood of $1 million a year. That money goes to support those receiving old-age assistance. The remainder of the poll tax goes into the general funds of the towns in which it is levied. The fund probably amounts to about $1¼ million a year. We know that local taxes have now reached the point where they are rather agonizing. The $1¼ million that comes to the towns helps to pay the expenses for the benefit of all people, those who are taxpayers and those who are not taxpayers. I wish to make that point clear.

Mr. HART. I understand, but I believe that if, in fact, the application of the poll tax as a condition, in the event of failure to pay, would result in the denial of the right to vote, while the money would not be available, that result would be agonizing, too. No one would argue against or seek to limit the right of a State or a community to raise revenue.

Mr. AIKEN. By a poll tax.

Mr. HART. But not in a fashion which might have the effect of denying someone a constitutional right. That is our concern.

Mr. AIKEN. People are continually being denied rights. Last year the Supreme Court rendered a decision which is sometimes called the one-person, one-vote decision. Yet there was a filibuster in the Senate which had for its purpose preventing people who had that one vote from exercising the vote. I do not go along with that idea, either.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. PROUTY. We ought to point out two things: First, the Supreme Court will act on the question of poll taxes with respect to the 14th amendment at the fall term of the court; second, my amendment would make certain that no Negroes were denied the right to vote because of the use of poll taxes. I believe the question is as simple as that. I am willing to vote at any time.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HART. I yield the floor.

Mr. JAVITS. Mr. President, I hope that the amendment will not be taken lightly by the Senate. We have just fought a battle which resulted in a close vote of 49 to 45 on the issue of the poll tax. It is not outside the context of congressional history that we fight a great struggle; and then with an amendment which does not look very consequential, all the ground for which we had fought becomes eroded from under those who fought the struggle. That is exactly what would happen if we should be so unwise as to adopt the amendment.

I make that statement for the following reason: We cannot compel the Supreme Court to decide a constitutional question on the ground that we told them to decide it. The Supreme Court is an autonomous body, exercising the powers of the Judiciary, and its authority is as sacred under the Constitution as is ours. If the Supreme Court should proceed to find the poll tax unconstitutional on the grounds of the 14th amendment as well as the 15th amendment, we could not, by the bill, stop them from making that finding.

Should we be so unwise as to adopt the amendment, we would restrict the kind of suit which the Attorney General could bring. Let us remember that the argument here and the effort to defeat the ban of the poll tax is based upon the proposition that we would obtain a generic decision much more quickly if we should let the matter stand as it is—probably with the addition of a finding. That is rather implicit in the whole argument. If we should let the question stand as it is, the Attorney General would move into court. The Attorney General would move into court. He would sue, and in one fell swoop the question would be presented to the court. We would then have a determination as to whether the imposition of a poll tax was or was not unlawful.

If the amendment were adopted, all the Attorney General could do would be to move into a case which involves the 15th amendment, namely, the denial or abridgement of the right to vote on the grounds of race or color. The Attorney General would be required to start not one suit, but many suits, perhaps a suit for each political subdivision, in which the question of fact might be highly controverted. So the efficacy of the remedy which we were promised if we would defeat the ban on the poll tax would be promptly eroded, and would exist no more. For all practical purposes, we would be exactly where we were before the leadership substitute was offered. We would end where we were before if we should adopt the amendment.

Why? To protect one State—an honorable, sovereign, and great State—the State of Vermont. I do not remember the population of Vermont, but let us say it has a population of 1½ million to 2 million.

Mr. AIKEN. It will have in time.

Mr. JAVITS. It will have.

We know the problem that arises in some States from discrimination in voting. The State of Vermont, however, is collecting roughly $1 million or so in taxes based upon the right to vote. That State could very easily levy a capitation tax upon every Vermonter who votes—but not as a condition for voting.

Vermont could collect exactly the same amount of money with little difficulty and without in any way running afoul of what we might deal with here in terms of litigation by the Attorney General.

The pending amendment would distort everything that we are trying to do in the bill in relation to the poll tax. That would be done so that Vermont would not have to amend its law which imposes a capitation tax on individuals, and uses it as a condition on the individual's right to vote. That is really what we are asked to do, and we might as well realize it. I do not believe that is fair to the people of the United States.

We are trying to protect the right to vote. The amendment is shooting at a very small target, which can very adequately be dealt with by the State of Vermont itself, well within the context of the bill, thereby depriving us of a very major weapon in the struggle against the poll tax where it is used in order to deny or abridge the right to vote. That is what I believe the proposal amounts to.

I hope that the Senate will not take the amendment lightly, with the attitude that "the Senators from Vermont [Mr. AIKEN and Mr. PROUTY] are agreeable and distinguished Senators and we love them dearly—and I join in that sentiment—so let us do it for them." That is the way a great many things happen in the Senate, unless other Senators do what the Senator from Michigan [Mr. HART], the Senator from Kentucky [Mr. COOPER], and I have been trying to do.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. AIKEN. The Senator has said that even if the poll tax were outlawed as a basis for voting, the State of Vermont could levy a tax on everyone who votes. Would that not be rather discriminatory in favor of those who had not voted? Would it not be encouragement for people not to vote?

Mr. JAVITS. That is exactly what is done now. All some States are doing is coercing the citizen who desires to vote by requiring him to pay a tax, because otherwise he would be denied the privilege of voting. That is just as discriminatory.

Mr. AIKEN. Oh, no.

Mr. JAVITS. If that is what the Senator is going to base his argument on, what would be the consequence? If a man does not wish to vote, he does not pay the tax.

Mr. AIKEN. I believe that the Senator from New York has been slightly misinformed. The person who dislikes to pay a poll tax is not so much influenced by the fact that he could not vote unless he paid the poll tax as by the fact that he could not get a driver's license until he had paid his poll tax. That is the best tax collector that was ever invented.

Mr. JAVITS. I see nothing whatever that would prevent the State of Vermont from levying a sanction on a person who does not pay a tax. In New York citizens are required to pay a fee in order to obtain a driver's license. Why could not drivers be required to pay x dollars in addition in order to obtain a driver's license?

The tax carries with it the point that if a man has voted, he has incurred a liability for the tax. The process is perhaps a very good way for the State of Vermont to raise revenue. I do not see why Vermont could not obtain its money very effectively and efficiently and in no way come under the inhibitions of the law, if we would leave the language in the bill exactly as it is now written in the bill.

Mr. AIKEN. Mr. President, I do not wish to argue any longer, because I should like to have the amendment come to a vote. I shall make this final statement: Since 1791, Vermont has had, and still has, the most liberal voting laws of any State in the Union.

Mr. PROUTY. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. PROUTY. Perhaps the Senator from New York was not in the Chamber at the time, but I pointed out that there never has been, to my knowledge, any discrimination in Vermont through the use of the poll tax to prevent a person from voting.

I further suggested that in many major metropolitan areas there is more discrimination against whites and Negroes alike because of vote theft and other practices. Such practices are general in many large metropolitan areas. If some of our friends from those areas would concentrate on the elimination of such practices, they would contribute much toward destroying discrimination against the voters in their own districts and States.

Mr. JAVITS. One could concede everything that has been said by both Senators from Vermont and still make the same arguments we are making as they are directed to areas in which the poll tax has been used and, as reported by reliable Government commissions, including the Civil Rights Commission, is prejudicing or denying the right to vote.

All we ask is that the law as we write it may preserve the opportunity to make every provision of the Constitution available to the Attorney General and give every voter the right to appeal to the Attorney General. This can be done without in any way complicating the voting system of the State of Vermont.

Mr. President, I suggest the absence of a quorum.

Mr. MANSFIELD. Mr. President, will the Senator from New York withhold his request and let the Senate proceed to vote on the amendment?

Mr. JAVITS. No. The question should be discussed fully, so that the Senate will understand what we are doing, and not let the amendment slip through. It would be a great mistake on the part of the Senate if the amendment were allowed to slip through.

Mr. PASTORE. Mr. President, will the Senator withhold his request for a moment?

Mr. JAVITS. I withhold my request. I yield to the Senator from Rhode Island.

Mr. PASTORE. I cannot agree with the Senator from New York. I feel that Senators understand the amendment quite thoroughly. We have previously debated this question for days. We have made our point clear. It is a question of where a Senator's judgment stands. The amendment ought not to be kicked around further. The question has been debated thoroughly. We ought to vote on the amendment now.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER** (Mr. TYDINGS in the chair). Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I wish to sum up, for the benefit of Senators who may have been absent from the floor when the matter was first considered and debated, the situation we face with respect to the pending amendment.

The pending amendment would attach to section 9(a)—the section now dealing with the direction to the Attorney General to contest the constitutionality of the poll tax as a precedent to voting in State or local elections—a restriction that he should bring such actions only in cases in which the purpose or effect of the levying of the tax as a condition to voting would be the denial or abridgment of the right to vote on the ground of race or color.

That would restrict the Attorney General to the bringing of such cases only in situations in which he alleges that the 15th amendment is being violated by means of the poll tax.

As a practical matter, we cannot stop the court from ruling that something is unconstitutional on any ground contained in a suit which is properly in court. However, this section deals with the direction which we propose to give to the Attorney General.

It seems to me that we should not restrict the authority of the Attorney General to the bringing of suits in which the poll tax is made a condition to voting. It is possible that the courts may decide that the poll tax represents, on economic grounds, a tax on the right to vote, and therefore, contravenes the equal protection clause of the 14th amendment. The courts may also decide that the poll tax represents a denial or abridgement, as a factual matter under the 15th amendment, of the right to vote on the ground of race or color.

It does not seem to me, as we are attempting to deal with whether poll taxes are constitutional, that we ought to restrict the kind of litigation in which the Attorney General should engage in to test this matter.

This, it seems to me, becomes especially important because of the very vigorous struggle which was waged on the amendment to ban the poll tax. A great many Senators opposed that amendment. They made the argument that if a ban on the poll tax were voted into the bill, it would delay, rather than accelerate, a constitutional test through a suit of the Attorney General.

It was pointed out that the Attorney General, because of the provisions of section 9(a), would then move into court to deal with the poll tax as a condition to voting generically under all sections and all constitutional questions. It was further pointed out that, therefore, a decision would be arrived at with the greatest celerity, whereas a ban of the poll tax would raise individual questions in the individual States or political subdivisions and thereby tend to delay a court test.

If we were to include this amendment in the bill, we would be eroding the very thing upon which we may assume that at least some Senators relied in voting against the poll tax ban. We would be fractionalizing the litigation brought by the Attorney General.

The Attorney General could sue only in cases in which we could specifically demonstrate that the poll tax had the effect of denying or abridging the right to vote on the ground of race or color. That would raise a factual question in every case. It could raise the question county by county, as the report of the U.S. Civil Rights Commission indicates.

We would therefore break down completely whatever validity exists in the argument that through one broad approach to the question, there would be a prompt court decision and the question would be settled.

As I indicated before, and shall repeat for the benefit of Senators who were not present, this is all done, according to the two Senators from Vermont—both of whom we all respect highly—to preserve the exact manner in which the State of Vermont has been levying this tax.

It seems clear to me that the tax can be levied upon those who do vote as a capitation tax. Perhaps other conditions may be set.

One of the Senators from Vermont pointed out that a condition for obtaining an automobile license is the payment of this tax. That is a rather effective way to collect the tax.

If there must be some modest amendment to the law of Vermont, how can that be compared with the serious question raised here?

I believe that in the attempt to obtain one comprehensive decision from the U.S. Supreme Court as to the validity of the poll tax under the applicable provisions of the Constitution—which would include the 14th and 15th amendments—we are aiming at a very small target with a very big gun. We should most respectfully ask our friends from the State of Vermont—which certainly is among the leading States of the country in terms of dealing equitably and justly with the issue of discrimination and segregation—to make a modest change in their statute.

Vermont is one of the great States in the Union. The State of Vermont is not using its law with a view to denying or abridging the right of the Negro to vote. Vermont can make a change in its own statute in order to accommodate a broader purpose.

A fundamental and basic attack upon this issue could be by means of section 9(a), and not by means of this amendment which would cause a proliferation of suits and thus destroy the fundamental purpose sought to be attained, which is one broad determination on a major issue—the constitutionality of the poll tax as a condition to voting.

It is for those reasons that I feel the amendment should be defeated. With all due respect and affection for my colleagues, the Senator proposes to make a very material change which would be deleterious and prejudicial to the objective which we sought to attain and which remains to be attained by the provision in the bill, in the struggle to deal with the anachronism of the poll tax at long last.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. DOMINICK. I have been studying this section pretty carefully. The real force of it seems to come from line 14 down, in which the words appear that the Attorney General shall institute suits for declaratory judgment, and so forth, "against the enforcement of any poll tax, or other tax or payment, which, as a condition of voting in State or local elections, has the purpose or effect of denying or abridging the right to vote."

In Colorado, and I believe in Michigan and Idaho, there are provisions under which school bonds are paid for by ad valorem taxes on property. As a result, there are a number of laws which provide that one must show he has paid his property tax to vote on a school bond issue. It seems to me that unless language is included such as contained in the Prouty amendment, it would require the Attorney General to declare all such laws to be unconstitutional. I can see no reason for that, because I see no discrimination in them.

Mr. JAVITS. I do not know what would be the decision of the Supreme Court on that set of facts under the clause contained in the bill—"has the purpose or effect of denying or abridging the right to vote." I point out that nothing we would write here in connection with the Prouty amendment would in any way stop an individual taxpayer from raising that issue in the U.S. Supreme Court in a suit and having the issue decided on constitutional grounds, without reference to what Congress does in a statute.

What we would do if we took the amendment would be to limit the kind of cases the Attorney General may start. We believe he will deal with cases only when the poll tax is a precondition to voting and is used for the denial or abridgment of the right to vote in areas where it is practiced. We have no concept, and I believe I can say the Attorney General has no concept, of moving in other areas.

Mr. DOMINICK. He could do it under the provisions of the bill.

Mr. JAVITS. I would not say that he would, because we are dealing with a definition of what is meant by a denial or abridgment of the right to vote. It is doubtful that the court or the Attorney General would move in cases of the character mentioned. It is rather doubtful that the Attorney General would move in any case involving Vermont in that connection. If I were the Attorney General, I would not do it.

I do not believe it has any relationship to the basic intention here in passing the bill, but by including the amendment we would be channeling the kind of cases that might be brought, resulting in a proliferation of cases, brought in such a way as to impair reaching the areas where the payment of a poll tax has been used to deny the right to vote.

Notwithstanding the direction of Congress, it is still the Attorney General who must make the case. I do want Congress, in dealing with a specialized situation, which could, at worst, be dealt with by State law to destroy the only thing we have left in the poll tax area which has some fundamental direction to the Attorney General as to the kind of case we want to reach.

For that reason, I hope Senators who favor the bill will vote against the amendment.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Kentucky.

Mr. COOPER. Would the Senator say that there is a distinction between the vote on the Kennedy amendment and the vote on this amendment? In voting on the Kennedy amendment we were dealing with the question whether the Congress had the right to strike down the poll tax completely. In voting on the amendment, we are dealing with the question of whether we shall restrict the authority of the Attorney General to bring any kind of action he desires, under either the 14th or 15th amendment?

Mr. JAVITS. Exactly.

Mr. COOPER. I voted against the amendment chiefly because I believed the court could decide upon, on all grounds, the 14th or 15th amendment, whether the poll tax, as a preconduction of voting can be stricken down. This amendment of the Senator from Vermont could restrict the full choice of the Attorney General in bringing actions on all grounds, the 14th and 15th amendments, and under the Constitution.

I shall vote against it.

Mr. JAVITS. I thank the Senator. That is exactly the ground upon which I based my argument, that we cannot restrict the Court as to its findings. We cannot restrict suits by many people. But we can destroy something that we are trying to do, by dealing with a situation in Vermont, namely, to defeat the poll tax, and in directing the Attorney General to sue. There would be a special appeal to Senators who voted against the ban, on the ground stated by the Senator from Kentucky, to vote against this amendment, and depend on the compromise remaining in the bill.

Mr. PROUTY. Mr. President, some Senators are anxious to vote and would like to leave. We have tried to accommodate our colleagues on various occasions. I believe we understand what we are voting on. I hope we can vote shortly and get it over with.

Mr. JAVITS. I shall do my utmost to accommodate Senators, but I would feel it in derogation of my duty not to lay the argument against the amendment effectively before the Senate, as the proponents have done.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Does the Senator from Michigan yield the floor?

Mr. HART. Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. PROUTY], numbered 177, to the amendment in the nature of a substitute, as amended, numbered 124, offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN]. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Oregon [Mr. MORSE], the Senator from Ohio [Mr. YOUNG], and the Senator from Arkansas [Mr. MCCLELLAN] are absent on official business.

I also announce that the Senator from Navada [Mr. CANNON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Idaho [Mr. CHURCH], the Senator from Alaska [Mr. GRUENING], the Senator from New York [Mr. KENNEDY], the Senator from Wyoming [Mr. MCGEE], the Senator from South Dakota [Mr. MCGOVERN], and the Senator from Ohio [Mr. YOUNG] would each vote "nay."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Oregon would vote "nay."

On this vote, the Senator from Georgia [Mr. Russell] is paired with the Senator from Massachusetts [Mr. Kennedy]. If present and voting, the Senator from Georgia would vote "yea" and the Senator from Massachusetts would vote "nay."

Mr. **KUCHEL**. I announce that the Senator from Iowa [Mr. Miller], the Senator from Kansas [Mr. Pearson] and the Senator from Massachusetts [Mr. Saltonstall] are necessarily absent and, if present and voting, would vote "yea."

The Senator from South Carolina [Mr. Thurmond] is detained on official business, and, if present and voting, would vote "yea."

The result was announced—yeas 34, nays 44, as follows:

[No. 70 Leg.]

YEAS—34

Aiken
Allott
Bennett
Boggs
Byrd, W. Va.
Carlson
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Metcalf
Morton
Mundt
Murphy
Prouty
Robertson
Russell, S.C.
Simpson
Sparkman
Stennis
Talmadge
Tower
Williams, Del.
Young, N. Dak.

NAYS—44

Anderson
Bass
Bayh
Bible
Brewster
Burdick
Case
Clark
Cooper
Dodd
Douglas
Fong
Gore
Harris
Hart
Hartke
Inouye
Jackson
Javits
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McIntyre
McNamara
Mondale
Monroney
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Scott
Smith
Tydings
Williams, N.J.
Yarborough

NOT VOTING—22

Bartlett
Byrd, Va.
Cannon
Church
Fulbright
Gruening
Hayden
Kennedy, Mass.
Kennedy, N.Y.
McClellan
McGee
McGovern
Miller
Montoya
Morse
Pearson
Russell, Ga.
Saltonstall
Smathers
Symington
Thurmond
Young, Ohio

So Mr. Prouty's amendment was rejected.

Mr. **JAVITS**. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. **HART**. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. **ERVIN**. Mr. President, I send an amendment to the desk and ask that it be stated.

The **PRESIDING OFFICER**. The amendment will be stated.

The **Chief Clerk**. On page 7, line 8, change the period to a colon and add this proviso:

Provided, however, That nothing in this subsection or any other provision of this Act, shall be construed to invalidate, impair, or suspend any requirement prescribed by the law of any State which applies equally to citizens of all races, and which merely requires such citizens to demonstrate as a prerequisite to registering or voting, the ability to read and write any section of the constitution of the State or the Constitution of the United States in the English language.

ORDER FOR ADJOURNMENT UNTIL 12 O'CLOCK NOON TOMORROW—UNANIMOUS-CONSENT AGREEMENT TO LIMIT DEBATE ON PENDING AMENDMENT

Mr. **MANSFIELD**. Mr. President, I have discussed the pending amendment with the Senator from North Carolina [Mr. Ervin]. I should like to propound a unanimous-consent request at this time.

First, I ask unanimous consent that when the Senate completes its business this evening, it stand in adjournment until 12 o'clock noon tomorrow.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that at the conclusion of the reading of the Journal tomorrow, there be a period for the transaction of routine morning business, to be concluded not later than 12:30 p.m.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that there be allowed 1 hour of debate on the pending amendment, to be divided evenly between the proponent, the distinguished senior Senator from North Carolina [Mr. Ervin] and the Senator in charge of the bill, the distinguished Senator from Michigan [Mr. Hart].

Mr. **ERVIN**. One hour to each side.

Mr. **MANSFIELD**. The time for debate to be divided equally, and the vote on the pending amendment to be had not later than 2:30 p.m.

The **PRESIDING OFFICER**. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

Unanimous-Consent Agreement

Ordered, That the Senate proceed to vote not later than 2:30 o'clock p.m. Friday, May 14, 1965, on the amendment No. 185, offered by the Senator from North Carolina [Mr. Ervin] to the substitute amendment by Senators Mansfield and Dirksen, No. 124, as amended, for the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Provided, That all time for debate after the transaction of routine morning business on Friday, May 14, 1965, not to exceed 12:30 o'clock p.m., shall be equally divided and controlled by the Senator from North Carolina [Mr. Ervin] and the Senator from Michigan [Mr. Hart].

NOTICE OF NO SESSION ON SATURDAY

Mr. **DIRKSEN**. Mr. President, in view of the fact that a number of Senators feel they must leave, does the majority leader contemplate a session on Saturday?

Mr. **MANSFIELD**. No. I see nothing to be gained by it. I would hope, however, that it would be possible to speed up the disposition of this measure before too long.

Mr. **DIRKSEN**. I agree with the distinguished majority leader.

LAND AND WATER CONSERVATION FUND ACT OF 1965

Mr. **HARRIS**. Mr. President, during the last session of the Congress, and before I was a Member of the Senate, there was enacted into law, Public Law 88–578, called the Land and Water Conservation Fund Act of 1965. The act, which was effective January 1, 1965, provided for the establishment of a separate fund to be used for the acquisition of land, waters or interest in land or waters, and the planning and development thereof, for outdoor recreation.

These funds were to be matched in certain instances by the States for such purposes.

The fund established under the act was to be derived from: first, entrance and user fees on such public land and water; second, previously established taxes on motor fuels and gasoline used in motor boats; and third, the proceeds of the sale of certain types of surplus Federal real and related personal property.

The act stated its purpose as being to assist in preserving, developing, and assuring accessibility for all present and future citizens and visitors of outdoor recreation resources.

Mr. President, I certainly have no quarrel with the general purposes of the act, which are truly laudable, nor with many of the provisions of the act related to the establishment of such a fund, especially from allocated motorboat fuel taxes and proceeds of the sales of surplus property.

I commend those Members of the Senate and of the Congress and those private individuals and organizations which worked in the drafting of and for the passage of this act, because I know that their motivation was of the very highest.

However, Mr. President, I am in stringent disagreement with some of the methodology contained in that act, and apprehensive about the plans now being made for its implementation under Executive Order No. 11200 by the President of the United States, where the various agencies of the Federal Government involved were directed to arrive at and announce fees to be charged.

I am also extremely concerned about the damage done or threatened by the passage of the portion of the act, having to do with entrance and user fees, to the public philosophy, which has long existed in this country, that public lands and waters are public resources which should be fully developed and conserved for the public, and by them freely and fully used.

Therefore, Mr. President, for myself, and my distinguished colleague, the senior Senator from Oklahoma [Mr. Monroney], I now send to the desk a bill to amend the Land and Water Conservation Fund Act of 1965 with respect to entrance, admission, and other recreation user fees and charges authorized thereunder.

I ask unanimous consent, Mr. President, that the bill be printed in full at this point in my remarks.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record as requested by the Senator from Oklahoma.

The bill (S. 1969) to amend the Land and Water Conservation Fund Act of 1965 with respect to entrance, admission, and other recreation user fees and charges authorized thereunder, introduced by Mr. Harris (for himself and Mr. Monroney), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2(a) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460L-5 (a)) is amended —
>
> (1) by striking out "No fee of any kind shall be charged by a Federal agency under any provision of this Act for use of any waters." and inserting in lieu there of "No fee of any kind shall be charged by a Federal agency under any provision of this Act for use of any waters or access thereto."; and
>
> (2) by inserting after the third paragraph a new paragraph as follows:
>
> "No entrance, admission, or other recreation user fee or charge shall be established or collected pursuant to this subsection, and the collection of any such fee previously established shall be suspended, unless and until a report describing such fee or charge has been filed with the President of the Senate and the Speaker of the House of Representatives and following the date of such filing a period of sixty calendar days of continuous session of the Congress has expired without either House of the Congress approving a resolution stating in substance that such House does not favor such fee or charge. For the purpose of this paragraph (1) continuity of session shall be considered as broken only by an adjournment of the Congress sine die, and (2) in the computation of the sixty-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than three days to a day certain."

Mr. HARRIS. Further, Mr. President, I ask unanimous consent that the bill lie at the desk for 2 weeks to give other Senators who may desire to be cosponsors the opportunity to do so.

The PRESIDING OFFICER. Without objection, the bill will remain at the desk as requested by the Senator from Oklahoma.

Mr. HARRIS. The bill amends section 2(a) of the Land and Water Conservation Fund Act of 1965 in two particulars.

First, where the present law would prohibit any charge or fee for use of waters, this bill would add the words: "or access thereto".

Mr. President, I call attention to the fact that this amendment was adopted by the Senate of the United States last session, upon the motion of my distinguished senior colleague from Oklahoma [Mr. Monroney]. My colleague, I am sure, stated the sense of the Senate when he said on the floor of the Senate that the amendment was simply a corrective and clarifying one and was needed to further strengthen the position of the Senate that there was to be no charging of admission fees to publicly built bodies of water.

I want to commend my distinguished senior colleague for his excellent work in securing the adoption of this amendment in the Senate, and I certainly regret that, before the bill was finally passed by the Congress, the Monroney amendment was taken out in Conference.

The Monroney amendment, which is section 1 of the bill I introduce today, is needed in the act for several reasons, not the least among which is the fact that such amendment would permit the continuation of longstanding and established public policy in this country with respect to the use of federally constructed lakes and reservoirs.

As early as the adoption of the Northwest Ordinance in July 1787 and August 1789, the Congress clearly stated:

> The navigable waters leading into the Mississippi and St. Lawrence and the carrying places between the same shall be common highways and forever free, as well to the citizens of the United States and those of any other States that may be admitted into the Confederacy, without any tax, impost, or duty therefor.

Free use of the navigable waters of the United States, of which so many Corps of Engineers projects in this country are a part, has been a policy guaranteed and reaffirmed many times throughout the history of this country.

America's greatest conservationist, Theodore Roosevelt, stated this policy quite clearly when he said:

> Navigation should, of course, be free * * *. The greatest return will come from the increased commerce, growth, and prosperity of our people.

This policy statement by Theodore Roosevelt, which has proved so true down through the years, has been reaffirmed many times by the Congress. In the Flood Control Act of 1944, of 1946, of 1954, and again in the Rivers and Harbors Act of 1962, the Congress has expanded this doctrine when it said:

> The water areas of such projects shall be open to public use generally without charge for boating, swimming, bathing, fishing, and other recreational purposes.

Therefore, it is obvious that, extending the original doctrine of free public access to and use of navigable waters, the Congress since 1944 has said that water areas shall be freely available to the public for recreational purposes as well.

Representative Ed Edmondson, of Oklahoma, who last session led a most vigorous and valiant fight, though unsuccessful, against the passage of the 1965 act, which I now seek to have amended, stated on the floor of the House:

> The Congress has consistently been saying since 1944 to the areas in the country where these reservoirs are built, or authorized to be built, "if you will cooperate with us for the building of these reservoirs, if you will give up your bottom land, and if you will assist us and work with us on the local contribution angles that are necessary for the construction of these reservoirs, we will provide access without charge to the general public."

Section 1 of the bill which I have sent to the desk would make clear the public policy of this country and the sense of the Congress that there must not and shall not be any fee or charge for the use of Federal waters or access thereto.

This clear statement be us will be in the furtherance of the longstanding public policy of this country for free navigation and free recreational use of these great public resources. It will be in furtherance of the clear statement of the Congress, made repeatedly to the general public and particularly to those whose land has been taken by gift or condemnation for the building of such reservoirs, that their use for recreational purposes will be forever free.

Moreover, the adoption of section 1 of the bill I introduce today will accomplish what the Senate intended last session when it adopted this same amendment.

My colleague [Mr. Monroney] stated the need for the amendment very well on the floor of the Senate last session:

> The difficulty which my amendment is designed to avoid is an obvious possibility. Somewhere, somehow, in years to come some bureaucrat might seek to circumvent our purpose by fencing off a body of water in such a way that even though the use of the water itself was free, no one could make use of the water without first paying a toll fee to reach the shoreline. My amendment, adding the words "or access thereto," rules out such a possibility. It will eliminate the need for some court to assume at some future date the responsibility of telling the people of this country what we meant when we said that no fee would be charged for the use of any water. I am sure that all of us would agree that any steps we can take here to make court interpretations of our actions unnecessary in the future will be warmly welcomed by the American people.

The distinguished Senator from Washington, who handled the bill [Mr. Jackson], joined last session in asking that the amendment be adopted and stated:

> Mr. President, I believe the amendment offered by the Senator from Oklahoma and cosponsored by the Senator from South Dakota will be helpful in clarifying what the committee definitely intended to make very clear; namely, the right of accessibility to waters, without charge. Therefore, on behalf of the committee, I accept the amendment.

And the amendment was thereafter adopted by the Senate, only later to be taken out by the conference.

My information as to the charges now planned by the various agencies, for use of waters owned by the Federal Government on and after July 1, 1965, indicates to me that the Senate was quite justified in its fear that congressional intent might not be properly interpreted by the governmental agencies and that the amendment should have been left in the act. The adoption of section 1 of the bill introduced today will make certain that all of the Federal agencies involved, now and in the future, understand clearly the intent of the Congress that there is not to be any fee for use of or access to such waters.

Section 2 of the bill I introduce today seeks to bring back within the jurisdiction of the Congress, where it belongs, a portion of the power over the establishment and charge of entrance and user fees for public lands and waters, which power has been unwisely, and in my view too freely, delegated to the executive department.

The method I have used to retain some of this power in Congress over such fees is a time-honored one. It uses the mechanics and almost the exact language of the Reorganization Act, which allows the President to make orders for reorganizing the executive department, but requires that these changes be filed with both Houses of the Congress and provides that the same cannot go into effect until the expiration of 60 days from the date of such filing, during which there has been no resolution passed by either House of the Congress against the same.

This, it seems to me, was an excellent resolution of the dilemma the Congress faced, concerning executive reorganization, of either: first, granting blank-check authority to the President to reorganize at will; or second, attempt itself to legislate in detail on a highly complex subject, requiring great care, detailed knowledge, and additional planning.

Section 2 of the bill I introduce today adopts this same excellent and ingenious procedure and applies it to the establishment of entrance and user frees on public lands and waters by the executive department.

I recognize that in this complex and complicated subject, involving many types of facilities, some of which had already been charging fees, the Congress was not able to properly legislate in detail and itself establish reasonable fees for particular facilities. But on the other hand, there is a very serious question here of an unwise and too complete delegation of congressional power to the executive department. The resolution of this problem, it seems to me, is to adopt the same procedure established heretofore by the Congress in the Reorganization Act and make it applicable to this present situation.

Under this procedure, if this bill is adopted, the Executive Department would proceed to establish fee schedules and file them with the Congress, and unless either House disapproved the filed schedules within 60 days, the fees would then be effective.

Congress would by this means, however, retain a portion of its proper constitutional duties and powers and would have an opportunity, while no fees were being charged, to review the Executive Department action. It could determine whether the Executive Department had properly interpreted and implemented the intent of the Congress as to types of fees, whether the percentage of the new fees required for the collecting and administration thereof would be disproportionate enough to make the establishment of the fees unwise, and whether or not the fees to be charged were consistent with the services and facilities to be furnished.

In short, Mr. President, the Congress would do its duty to the people by retaining some power in its own hands over this matter, rather than delegating the whole matter to the discretion of the Executive Department.

These two provisions of the bill would place the Congress squarely on record as holding inviolate and of the highest character the long-standing public policy of this country to allow our people the full enjoyment of the natural resources and wonders of our land without undue charge. By passage of this bill the Congress would say: "No tampering with this great public policy should be undertaken without great caution and without careful scrutiny and review by the Congress."

It may be said that I am unduly apprehensive about what actions are planned or may be taken by the Federal agencies under the 1965 act.

First, it should be pointed out that the first fee schedules announced may not be the last, nor the officials now occupying the offices which have the power to set fees the only persons who may so serve in the future. But second, if I am unduly apprehensive, let me say that no harm will be done by reserving in Congress the power to review actions taken under the broadly delegated powers in the act.

Mr. President, there may be nothing wrong with charging a small fee for the use of a bathhouse particularly constructed for that purpose on Federal facilities, so long as the fee is commensurate with the service available and the cost of the collection will not eat up a good portion of the amount collected.

But what about the person who comes onto public land, simply to enjoy the wonders of nature, to walk or sit or lie among them and marvel at the beauties God has built? What about the person who uses no bathhouse or diving board or other facilities especially constructed, but comes onto the land with his wife and children to go swimming, already in bathing suit or changing elsewhere? What about the person who comes in and uses no especially constructed boat dock or boat ramp or other facilities, and boats or fishes on public waters? What about the person who comes out just to see or photograph the wonders of such a public area, its flora and its fauna?

Shall we charge fees of these people in areas where none now are collected? I submit, that if we do, we break faith with the great public policy and traditions of this country and with our obligations to future generations. Congress can guard against this being done, now or in the future, by the passage of this bill.

Furthermore, Mr. President, if we charge fees of such persons and of persons in like or related instances, I think we will violate the spirit of two important programs now being advocated by this administration, the War on Poverty and the program called "See the U.S.A."

Over and over it has been said in this country in recent months that poverty is not only a matter of finances, but that it is a condition of the mind. Over and over it has been said that the little children in poverty are culturally deprived and need, more than anyone else in this country, to have the opportunity to see and commune with nature.

I can think of an installation in my own State, the Wichita Mountains Wildlife Refuge, which is crowded to its outer boundaries on any Saturday or Sunday of the year, winter not excepted. There are no fees for entrance to this refuge, nor for the use of its many lakes. Any Saturday or Sunday will find this area crowded with people who have come to swim or boat or fish or picnic, or simply to walk about on its grassy and wooded slopes, or to view its buffalo or longhorns or elk or prairie dogs. Over the years, I have seen this use grow and swell as our population has grown and their leisure time has increased, conditions which have been duplicated in every area of this nation.

Theodore Roosevelt could well have been speaking of this very area, which he helped to establish, first as a national forest and then as a wildlife refuge, when he said in his first message to Congress in December 1901:

> And hundreds of persons, especially from the immediate neighborhood, come back each year to enjoy the privilege of camping. Some, at least, of our forest reserves should afford perpetual protection to the native fauna and flora, safe havens of refuge for our rapidly diminishing wild animals of the large kind, and free camping grounds for the ever-increasing numbers of the men and women who have learned to find rest, health and recreation in the splendid forests and flower-clad meadows of our mountains. The forest reserves should be set apart forever for the use and benefit of our people as a whole.

I drive among those people enjoying the Wichita Mountains Wildlife Refuge, and I know many of them and their circumstances. I have seen families of Indians and Negroes and whites, who come from homes of such modest means that even the slightest charge for these wondrous facilities would remove them from their present enjoyment and use.

Are we to say to them, Mr. President, that we are going to spend millions of the taxpayers' money to take them out of the state of mind and financial condition called poverty, and say with another program under this act which I seek to amend, that we are going to charge them for the little free enjoyment nature now provides them? I hope we are not going to say that, and, if we pass this bill, we will not say that and we will have another opportunity to assure that it will not be said by any agency of the Federal Government.

There is another fine program which this administration is now sponsoring. It is called "See the U.S.A." It is a great program and one which I heartily endorse. That is the program under which the Secretary of Commerce recently said:

> We are encouraging Americans to see the beauty and majesty of their own country.

He said further:

> You can help by emphasizing the human values as well as the scenic wonders of traveling our great country.

He said:

> It will benefit every citizen to journey forth into our land, see the vast outdoors and interesting cities of America, and visit our historic shrines.

He said:

> We need to rediscover the spirit of America.

I submit that the "spirit of America," rediscovered, will once again be revealed as encouraging the full and free enjoyment of its natural beauties and wonders.

In furtherance of this program, "See the U.S.A.," Congress has passed House Joint Resolution 658, designating the years 1964 and 1965 to encourage "the

American people to explore, use, and enjoy the scenic, historical, and recreational areas and facilities" throughout the country. Will they be met at the gate by the toll collector? When they "see the U.S.A.," will they have to drop some coins in the box every time they turn around?

The passage of the bill I introduce today will leave Congress the right to review the decision on those questions, and when and where fees will be collected, and whether they will be in keeping with the facilities provided, and whether the paying public will pay as much for collection of the fees as for the development of new and existing facilities.

This is not a partisan matter, but I call to memory the words contained in the Democratic platform in 1960, wherein it was stated:

> The new Democratic administration will develop balanced land and forest policies suited to the needs of a growing America. This means intensive forest management, on a multiple-use and sustained yield basis, reforestation of burned-over lands, building public access roads, range reseeding and improvement, intensive work in watershed management, concern for small business operations, and insuring free public access to public lands for recreational purposes.

This was indeed a truly laudable statement of public policy. I hope it will be adopted again, not by political parties, but by Congress, by the passage of the bill which I have introduced.

Henry David Thoreau recognized the public philosophy involved in the full enjoyment of the great outdoors. He said:

> I went to the woods because I wished to live deliberately, to front only the essential facts of life, and see if I could not learn what it had to teach, and not, when I came to die, discover that I had not lived.

Let us retain the public policy of this country, concerning its great natural beauties, wonders, and resources, in the firm grasp of the Congress of the United States, where it belongs.

Mr. McNAMARA. Mr. President, will the Senator from Oklahoma yield?

Mr. HARRIS. I yield.

Mr. McNAMARA. At the outset, I compliment the Senator on his excellent presentation, in which he has expressed strongly his point of view concerning charging the public for the use of Government-owned facilities. Does the Senator's bill in any manner provide funds from the trust fund?

Mr. HARRIS. No; the bill does not affect the trust fund itself. It is in two particulars: First, it adds the Monroney amendment of the last Congress, which provides that fees cannot be charged, not only for the use of waters, but also for access thereto; and second, no entrance or use fees can become effective until they have been filed with Congress, provided that during a period of 60 days neither House has passed a disapproving resolution. It eliminates some fees that now might be charged and which might affect the trust fund.

It does not affect the other portions of the law which have to do with the sale of surplus property and taxes on gasoline and other fuels.

Mr. McNAMARA. I do not have a very clear answer to that. I understood the last part of the remarks of the Senator, which dealt with reserving unto Congress the right to pass upon it.

Mr. HARRIS. The Senator is correct.

Mr. McNAMARA. Now we get into a situation which might be a drain on the so-called trust fund. That already amounts to $5 billion-plus, so far as the roadbuilding fund is concerned.

Mr. HARRIS. It does not involve the roadbuilding fund at all. There is a fund set up under the act, which is called the Water and Soil Conservation Act. This would affect the public law and affect the law to the extent that motorboat fuel and the taxes thereon would go into this fund.

Mr. McNAMARA. This would only affect the fund, because the increased motorboat traffic would be retained in the fund established last year.

Mr. HARRIS. The Senator is correct. That is not affected by my amendment. That is contained in the present law.

I thank the Senator for his comments.

Mr. President, I yield the floor.

THE ASSIGNMENT OF THE U.S. COAST GUARD TO ASSIST THE REPUBLIC OF VIETNAM IN OFFSHORE PATROLS

Mr. PELL. Mr. President, I welcome the assignment of the U.S. Coast Guard to assist the Republic of Vietnam in offshore patrols. This is work for which the Coast Guard is preeminently suited. Moreover, the assignment of white Coast Guard cutters to this kind of task emphasizes that the United States is concerned with bringing peace to this unhappy country; that this is a peacekeeping and law enforcement operation, too. As a Coast Guard officer, I welcome the fact that these vessels will continue proudly to fly the Coast Guard commission pennant.

In this connection, I ask unanimous consent that the attached article by Sevellon Brown of the Providence Journal of May 4, 1965, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Providence (R.I.) Journal, May 4, 1965]

TOPIC FOR TODAY: THE COAST GUARD GOES TO VIETNAM

(By Sevellon Brown)

Units of the U.S. Coast Guard, Washington has announced, are being sent to Vietnam with the specific mission of suppressing smuggling of arms and men to the Vietcong. Thus this ancient and honorable branch of the Government service returns simultaneously to the wars and to its pristine function.

Not many people nowadays, I imagine, think of the Coast Guard as an antismuggling force. Yet that is precisely how it all began.

In the years before the Revolution, smuggling contraband past the British authorities was not only highly profitable, but was considered an eminently patriotic endeavor. Once independence had been won, this aura of social respectability persisted. Men who had earned their living for years by smuggling kept right on with their trade, and the general public tolerated and even applauded the practice.

To the infant American Government, however, smuggling now seemed anything but praiseworthy. Washington needed every cent of revenue it could lay its hands on, and the systematic evasion of tariffs represented a serious drain. The first Secretary of the Treasury, Alexander Hamilton, was especially worried about the problem, and it was he who first proposed an armed force to combat it. This explains the fact, which many people find curious, that to this day, except in time of war, the Coast Guard is an arm of the Treasury Department.

What Hamilton asked for—and got in 1790—was "10 boats of from 36 to 40 feet keel * * * each armed with swivels"—guns that could be aimed in any direction—and carrying plenty of canvas for top speed. The Secretary estimated that "the cost of one of these boats may be computed at $1,000 and assured Congress that they would more than pay for themselves in increased revenues. He proved to be right.

Hamilton apparently guessed, though, that the suppression of smuggling would not be a particularly popular business. He wrote further:

"The utility of an establishment of this nature must depend on the exertion, vigilance and fidelity of those to whom the charge of the boats shall be confided * * * To procure such * * * it will, in the opinion of the Secretary, be advisable that they be commissioned as officers of the Navy. This will not only induce fit men, the more readily to engage, but will attach them to their duty by a nicer sense of honor."

The first "revenue cutter," the *Massachusetts*, was launched at Newburyport in 1791. She measured 50 feet from the Indian figurehead at her prow to her square stern, had a beam of 17 feet, 8 inches, and a displacement of 17½ tons. Her armament consisted of six swivel guns. To sail her, President George Washington named as the first "master of a cutter in the service of the United States for the protection of the revenue" a New Hampshire man with the splendid Yankee name of Hopley Yeaton.

Captain Yeaton was paid $30 a month, and his crew down to $4. Each man's rations included "a half gill of rum, brandy, or whisky." Though that pleasant perquisite has long since disappeared, other hallmarks of the early days have survived. The broad collar at the back of the modern sailor's blouse, for example, was designed originally to catch dripping from pigtails tarred as protection against salt water, and the familiar bell bottom trousers were cut to roll up easily over boots in heavy weather. The 13 buttons that joined blouse and trousers were less utilitarian; they were intended to signalize, rather inconveniently, the number of the Thirteen Original States.

The Revenue Marine, as it was first called, turned out to be a smashing success. In a relatively few years, smuggling was virtually obliterated. The best evidence of the service's achievement was the fact that the usually penny-pinching Congress steadily raised its pay scales.

But much bigger things were in store. The Continental Navy had been blithely dissolved in 1785, and for 8 years until the U.S. Navy was founded in 1798, the Revenue Marine was all the navy we had. Thus it was a matter of sheer necessity that Congress empowered the President to join the cutters to the Regular Navy whenever he considered that necessary. Under this authority, the Coast Guard has fought in every war the United States has ever fought at sea

The record is a proud and varied one. Over the generations, the Coast Guard has chased French privateers, engaged the formidable British fleet in the War of 1812, participated in the first Union victory of the Civil War, helped blockade Cuba in the Spanish-American War, undertaken hazardous convoy and antisubmarine duty in

World War I, manned many a Pacific landing craft in World War II.

In between wars, the Coast Guard may justly claim to have been busier than any other services. It has harried pirates through the Caribbean, combatted the slave trade, performed miracles of rescue work in the Arctic, and fought the rumrunners of prohibition days—the last an activity no more popular than its original mission. It has been estimated that in the 70 years from 1871 to 1941, the Coast Guard saved more than 200,000 lives and close to $2 billion worth of property; the figures today, of course, would be far higher.

Now 17 modern, high-speed cutters are on their way to southeast Asia, once again on an antismuggling mission. It is smuggling of a very different kind, to be sure, but we may imagine that Alexander Hamilton would be proud.

Mr. PELL. Mr. President, the natural followup to the assignment of these Coast Guard cutters is that they should be replaced and for this reason I support the bill introduced by the senior Senator from Washington to this effect. It is a fair and just bill and will mean that the services that have and are being rendered by these Coast Guard cutters in the United States and its waters will continue to be maintained in the future on the same high plane they have always been.

THE PENDING VISIT OF PRESIDENT PARK, OF KOREA

Mr. PELL. Mr. President, Americans have a notoriously short memory—particularly in foreign affairs. In this connection, I have always viewed as unfortunate our diminishing interest in Korean affairs since the signing of the truce. But the arrival for a fortnight's visit of His Excellency Chung Hee Park, President of the Republic of Korea, provides us with an opportunity not only to welcome a steadfast ally, but also to examine the exciting economic and political progress made by his country in recent years.

Changing conditions always come in advance of awareness. Most Americans, when they think of Korea at all, think of a war-devastated landscape, a stagnant economy, a nation with staggering unemployment, vast food shortages, and a shortage of development capital. But the facts show a difference. The industrial production index has risen, in Korea, by 60 percent since 1960.

In 1959 and 1960, over a million dollar's worth of cement were annually imported. In 1965 the Republic of Korea, with five cement plants, was an exporter of cement.

Production of coal since 1960 has doubled.

Some $10 million worth of plywood is exported a year.

Korea is the largest exporter of strategic tungsten in the free world.

Sewing machine production has risen from 22,000 to 150,000 units; bicycles from 38,000 to 155,000 units.

All in all, this significant expansion of the Korean economy has increased its annual export rate from $30 million in 1960 to an estimated $170 million in 1965.

So dramatic has been Korea's ability to create the sinews of a productive nation—electrical energy and coal and oil supplies, that it is now on the verge of a very real economic leap forward. And for this alone, we should thank President Park, for as Korea's economy has expanded so has Korea's dependence on American economic aid decreased. There are, to be sure, remaining substantial problems of economic stabilization and balance of payments. But, the Republic of Korea stands as a model for all those Asian states which are striving to increase their standard of living while advancing the political freedom of their population. They have but to look.

I am sorry to point out, however, that we Americans had our attention drawn elsewhere while these developments were taking place in Korea, and while another development of momentous import was taking place there.

On April 3, a basic agreement between Japan and the Republic of Korea was initialled, paving the way for a peace treaty between those two countries at long last ending World War II. The agreements are of great importance to friends of both Japan and Korea. They settled the troublesome problem of fishing rights. They provide for a total of at least $800 million in reparations, long-term, low-interest loans to Korea, and private loans.

And, of great interest to us in the West, they provide for a "liquidation of the unfortunate past." The agreements declare to be "null and void from the very beginning" all previous Korea-Japanese agreements including the annexation treaty of 1910. Article 3 states:

> It is confirmed that the Government of the Republic of Korea is the only lawful government in Korea.

The agreements in many other areas go far to the creation of conditions that will bring vast economical benefit to both Korea and Japan.

This treaty was negotiated by the government of President Chung Hee Park, despite the disapproval of many Koreans in every walk of life whose memories of a generation of Japanese occupation have led many to oppose any agreement at all, and led others to demand what I believe to be excessively harsh reparations. Indeed, President Park may be said to have taken his political life in his hands by this act of statesmanship.

Finally, the Republic of Korea has been able to contribute over 2,000 troops to our effort to preserve freedom in Vietnam and has even offered to send more. We should not forget when we welcome President Park that Korea's recent economic progress has been made in an atmosphere of political freedom and with the burden of 650,000 men under arms, the fourth largest army in the world.

This is, all told, a proud record for a small nation so recently ravaged by war. America should welcome President Park with a real sense of pride and respect.

ADJOURNMENT

The PRESIDING OFFICER. Under the order previously entered, the Senate will stand in adjournment until 12 o'clock noon tomorrow.

Thereupon (at 5 o'clock and 26 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Friday, May 14, 1965, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 13, 1965

The House met at 12 o'clock noon.

Rabbi David S. Halpern, Flatbush Park Jewish Center, Brooklyn, N.Y., offered the following prayer:

Avinu Malkenu—Our Father—Sovereign of the world, assembled before Thee are the freely elected Representatives of all the American people. These men and women, dedicated and strong, have accepted the awesome burden of promulgating the laws by which our free society lives—and shall live. They have assumed the mantle of leadership in the most perilous times our world has known.

The threat to human security wears many faces—tyranny, armed conflict, religious oppression, racial tension, disease, hunger, and despair.

We seek the solution to these problems. We search for the road that leads to peace, for the path leading to harmonious living, for the means to achieve human dignity.

Guide us all, O Lord, in this quest. Give us of Thy inspiration and Thy wisdom.

Let us always remember that to safeguard our own freedom, we must speak out against oppression wherever it reveals itself—in the free world or behind the Iron Curtain; to enjoy the blessings of our own wealth, we must also provide for the underprivileged and the needy; to be truly strong requires more than strength of arms; it requires strength of spirit.

During this 20th anniversary period marking the end of World War II with its heinous Nazi death camps, the camps that snuffed out 6 million Jewish lives, we pray that man may never again experience such evil. We pray that the destruction, the extermination of man by his fellow, because of religious beliefs or racial origins, will be known no more.

We ask Thy blessing upon these Members of our Congress, the spiritual heirs of those who were so instrumental in bestowing upon the seed of Israel the restoration of their homeland. May that sister democracy, together with all the world, know the blessing of peace.

Protect and safeguard our beloved President and Vice President—standing ever at their side.

We pray in the words of Isaiah: May the spirit of the Lord rest upon us, the spirit of wisdom and understanding, the spirit of counsel and strength, the spirit of knowledge and of the fear of the Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

JOINT COMMITTEE ON ATOMIC ENERGY

Mr. MORRIS. Mr. Speaker, I ask unanimous consent that the Joint Committee on Atomic Energy have until midnight to file a report on the bill H.R. 8122.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

UNWARRANTED ATTACK ON THE CITIZENS OF SOUTH CAROLINA

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, on yesterday, the Member from Pennsylvania [Mr. Nix] inserted in the Record a totally unwarranted and completely unfounded attack upon the citizens of South Carolina.

I can only excuse his remarks on the ground that he spoke from an abundance of ignorance. Probably no State in the Union has better race relations between the two races than does the State of South Carolina.

Mr. Speaker, ill-timed, unsubstantiated statements made by those who know nothing about my State or our people will not improve our problems and those that confront the Nation.

Mr. Speaker, I am sorry that this statement was made and that he saw fit to inject racism into the voting rights bill, a bill which challenges the very foundations of our Constitution.

PERSONAL EXPLANATION

Mr. DOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DOW. Mr. Speaker, I was unavoidably detained on May 5 at the time of rollcall No. 94 that related to the procurement bill for the Armed Forces.

I should like to state, Mr. Speaker, that had I been present on that occasion I would have voted "aye," in favor of the measure.

THE AMERICAN MEDICAL ASSOCIATION

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, I noticed in this morning's paper that the American Medical Association is considering a resolution urging its members not to accept any fees under the medical care for the aged program, but to treat the elderly patients free rather than accept fees. When and if the AMA does this, physicians will require mass surgery of their own because, indeed, they will be biting off their noses to spite their faces.

Mr. KEOGH. Mr. Speaker, will the gentleman yield?

Mr. JOELSON. I am delighted to yield to the gentleman from New York.

Mr. KEOGH. Mr. Speaker, I have implicit confidence in the medical profession of this country. I am certain that those members of the profession realizing the great problem to which the pending legislation addresses itself, will do everything it can to make certain that the people of this country are adequately taken care of, regardless of any official position that their leadership might take.

Mr. JOELSON. I thank the gentleman. I feel that the gentleman is entirely correct and that the membership of the AMA will not be misled into this ill-advised course.

EXECUTIVE ORDER CALLING FOR DISCLOSURE OF FINANCIAL HOLDINGS AND BUSINESS ASSOCIATIONS OF OFFICIALS OF THE EXECUTIVE BRANCH

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, a new Executive order has been issued by the Johnson administration calling on more than 2,000 officials in the executive branch to file with the Civil Service Commission statements of their financial holdings and their business associations.

These statements will be held in confidence, but with the significant exception that the information will be made available to the President.

Why President Johnson and no one else?

When Bobby Baker, as secretary to the majority in the other body, was piling up a fortune through various nefarious practices, there was no public disclosure even though his employer, then Senator Johnson, publicly proclaimed that Baker was the first person he saw in the morning and the last person he saw at night.

If a new Executive order is designed to supplement a code of ethics let the information obtained thereby be spread upon the public record for the benefit of the public.

We have had one solid whitewash and one is enough.

POLICY OF AMERICAN MEDICAL ASSOCIATION IN ITS DEALINGS WITH PATIENTS

Mr. HALL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, apropos of the remarks of the gentleman from New Jersey [Mr. Joelson] in the well of the House a few minutes ago, and joined by the gentleman from New York [Mr. Keogh], a distinguished member of the Committee on Ways and Means, I would like to state categorically as a member of the policymaking body of the American Medical Association that there is no contemplated action nor has it been considered that there would be any resolution to any of the various constituent associations or county society organizations toward the end of withholding service to people which is a doctor's inherent humanitarian desire to care for the people of the United States. Nor, will such be now considered, because it would be extremely ill advised and ill timed before a bill such as H.R. 6675 which passed this House on April 8 was considered as it is now being considered in hearings of the Finance Committee of the other body and, in fact, inked into the law by the President of the United States.

Mr. JOELSON. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from New Jersey.

Mr. JOELSON. If the gentleman will read this morning's New York Times he will see that the Ohio Medical Association has adopted a resolution recommending to the National AMA that a resolution be adopted whereby doctors, rather than to accept fees under the program, would rather work for nothing.

Mr. HALL. I am advised of these resolutions. The gentleman stated that the AMA had recommended this to its members. If he will read his own words back he will find that statement. For the gentleman's information I can name four other States that have taken similar action, which I also think is ill timed.

Mr. JOELSON. I did not say the AMA had recommended it. I said the AMA was considering it.

WEST TEXAS RADIO AND TELEVISION STATIONS OUTSTANDING FOR PUBLIC SERVICE

Mr. WHITE of Texas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WHITE of Texas. Mr. Speaker, the operator of a radio station or television station is the guardian of a precious right, the right to use a tiny fragment of electronic space for the transmission of information to his listeners and viewers. He is licensed by the Federal Communications Commission to use this precious right in "the public interest, convenience, and necessity." If ever the Federal Communications Commission feels that a broadcaster is not fulfilling this public trust, he may be deprived of his license and thereby put out of business.

On August 1 of this year, the licenses of the 6 television stations and 26 radio stations of my west Texas district will be up for renewal before the FCC. I should like to state for the RECORD that all of these stations, according to the best information I am able to obtain, are operating in the service of the public. It has been my experience that they have been scrupulously fair in their handling of political broadcasts and news of a political nature. They are alert to the needs of their audiences, and are seeking new ways of serving them better. I have so advised the Federal Communications Commission, and I trust that their licenses may be renewed without difficulty.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I should like to ask the majority leader if he will advise us as to the program for next week.

Mr. ALBERT. Mr. Speaker, we have completed the legislative program for this week. I shall ask unanimous consent that we go over until next week.

The program for next week is as follows:

Monday is Consent Calendar day. There are 11 suspensions which will be called up, as follows:

H.R. 7969, Tariff Schedules Technical Amendments Act of 1965;

H.R. 7596, removing inequities in the promotion of Air Force officers to the grades of major, lieutenant colonel, and colonel;

H.R. 7484, three-star rank for Surgeons General of the armed services;

H.R. 7031, National Technical Institute for the Deaf Act;

H.R. 3413, certain veterans' benefits provided individuals who incur disability in line of duty;

H.R. 225, Presidential memorial certificate program;

H.R. 2414, land transfer to Roseburg, Oreg.;

H.R. 4421, land transfer to Cheyenne, Wyo.;

H.R. 4525, continuation of use of mobile trade fairs in promoting the foreign commerce of the United States;

H.R. 4526, extension of war risk insurance for an additional 5 years; and

H.R. 6164, permitting transportation of passengers on foreign-flag vessels to attend the Seventh Assembly of the World Convention of Churches of Christ.

These suspensions may not necessarily be called up in the order in which they have been announced.

Tuesday is Private Calendar day. Also H.R. 5269, Federal Water Project Recreation Act, will be called up for consideration.

For Wednesday and the balance of the week, House Resolution 347, approving Reorganization Plan No. 1 of 1965, involving the Bureau of Customs.

This announcement, of course, is made subject to the usual reservation that conference reports may be called up at any time, and any further program may be announced later.

Mr. ARENDS. Does the gentleman see any further program for next week?

Mr. ALBERT. I know of none at this time.

Mr. ARENDS. Looking down the road a little, does the gentleman expect we may have the foreign aid bill the following week?

Mr. ALBERT. Yes, it is expected we will have it early in the following week, probably Monday and Tuesday of the following week.

ADJOURNMENT UNTIL MONDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

REORGANIZATION PLAN NO. 2 OF 1965—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 172)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Government Operations and ordered to be printed:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 2 of 1965, prepared in accordance with the provisions of the Reorganization Act of 1949, as amended, and providing for the reorganization of two major agencies of the Department of Commerce: the Weather Bureau and the Coast and Geodetic Survey.

The reorganization plan consolidates the Coast and Geodetic Survey and the Weather Bureau to form a new agency in the Department of Commerce to be known as the Environmental Science Services Administration. It is the intention of the Secretary of Commerce to transfer the Central Radio Propagation Laboratory of the National Bureau of Standards to the Administration when the reorganization plan takes effect. The new Administration will then provide a single national focus for our efforts to describe, understand, and predict the state of the oceans, the state of the lower and upper atmosphere, and the size and shape of the earth.

Establishment of the Administration will mark a significant step forward in the continual search by the Federal Government for better ways to meet the needs of the Nation for environmental science services. The organizational improvements made possible by the reorganization plan will enhance our ability to develop an adequate warning system for the severe hazards of nature—for hurricanes, tornadoes, floods, earthquakes, and seismic sea waves, which have proved so disastrous to the Nation in recent years. These improvements will permit us to provide better environmental information to vital segments of the Nation's economy—to agriculture, transportation, communications, and industry, which continually require information about the physical environment. They will mean better services to other Federal departments and agencies—to those that are concerned with the national defense, the exploration of outer space, the management of our mineral and water resources, the protection of the public health against environmental pollution, and the preservation of our wilderness and recreation areas.

The new Administration will bring together a number of allied scientific disciplines that are concerned with the physical environment. This integration will better enable us to look at man's physical environment as a scientific whole and to seek to understand the interactions among air, sea, and earth and between the upper and lower atmosphere. It will facilitate the development of programs dealing with the physical environment and will permit better management of these programs. It will enhance our capability to identify and solve important long-range scientific and technological problems associated with the physical environment. The new Administration will, in consequence, promote a fresh sense of scientific dedication, discovery, and challenge, which are essential if we are to attract scientists and engineers of creativity and talent to Federal employment in this field.

The reorganization plan provides for an Administrator at the head of the Administration, and for a Deputy Administrator, each of whom will be appointed by the President by and with the advice and consent of the Senate. As authorized by the civil service and other laws and regulations, subordinate officers of the Administration will be appointed by the Secretary of Commerce or be assigned by him from among a corps of commissioned officers. The Administration will perform such functions as the Secretary of Commerce may delegate or otherwise assign to it and will be under his direction and control.

Commissioned officers of the Coast and Geodetic Survey will become commissioned officers of the Administration and may serve at the discretion of the Secretary of Commerce throughout the Administration. The reorganization plan authorizes the President at his discretion to fill the office of Deputy Administrator by appointment, by and with the advice and consent of the Senate, from the active list of commissioned officers of the Administration.

The reorganization plan transmitted herewith abolishes—and thus excludes from the consolidation mentioned above—the offices of (1) Chief of the Weather Bureau, provided for in the act of October 1, 1890 (15 U.S.C. 312), (2) Director of the Coast and Geodetic Survey, provided for in the acts of June 4, 1920, and February 16, 1929, as amended (33 U.S.C. 852; 852a), and (3) Deputy Director of the Coast and Geodetic Survey, provided for in the act of January 19, 1942, as amended (33 U.S.C. 852b).

After investigation, I have found and hereby declare that each reorganization included in Reorganization Plan No. 2 of 1965 is necessary to accomplish one or more of the purposes set forth in section 2(a) of the Reorganization Act of 1949, as amended. I have also found and hereby declare that by reason of the reorganizations made by the reorganization plan, it is necessary to include in the plan provisions for the appointment and compensation of the officers of the Administration set forth in section 4 of the reorganization plan. The rate of compensation fixed for each of these officers is that which I have found to prevail in respect of comparable officers in the executive branch of the Government.

In addition to permitting more effective management within the Department of Commerce, the new organization will ultimately produce economies. These economies will be of two types. The first, and probably the most significant, is the savings and avoidance of costs which will result from the sharing of complex and expensive facilities such as satellites, computers, communication systems, aircraft, and ships. These economies will increase in significance as developments in science and technology bring into being still more advanced equipment. Second, integration of the existing headquarters and field organizations will permit some efficient utilization of existing administrative staffs and thereby produce future economies. It is, however, impracticable to specify or itemize at this time the reductions of expenditures which it is probable will be brought about by the taking effect of the reorganizations included in the reorganization plan.

I recommend that the Congress allow the accompanying reorganization plan to become effective.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 13, 1965.*

UNITED STATES-SOVIET TRADE

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, propaganda drums of the administration are beating their crescendo in support of plans to subsidize through trade the Communist satellites of Eastern Europe as well as the Soviet Union.

The story of the campaign for United States and Soviet trade is described very effectively in the April 26 report of the American Security Council in an article written by Dr. Lev E. Dobriansky, of Georgetown University, which I insert into the RECORD at this point as a continuation of my remarks:

THE CAMPAIGN FOR UNITED STATES-SOVIET TRADE

(By Dr. Lev E. Dobriansky)

On the eve of World War II tons of American scrap iron were exported to Japan, there to be converted into bombs and bullets and machines of war that were soon to be used with deadly effect against American servicemen in the Far East. Today, despite increased Communist aggression in Vietnam and elsewhere, an intensive campaign is underway for greatly increased U.S. trade with the Communist bloc.

Ostensibly, the campaign began in January when President Johnson, in his state of the Union address, pledged to explore ways to increase peaceful trade with Communist nations. He followed this up by appointing a new committee, headed by Indiana businessman J. Irwin Miller, to study trade relations with Eastern Europe. Now the Senate Foreign Relations Committee headed by Arkansas Senator J. WILLIAM FULBRIGHT has reopened hearings on the issue.

Actually, however, the current drive to step up U.S. participation in the constantly growing East-West trade was started several years ago. On January 8, 1962, the New York Times disclosed that a Presidential task force had recommended the virtual scrapping of the existing embargo on the export of strategic materials to the nations within the bloc. The task force was headed by George W. Ball, now Under Secretary of State, who later refused to turn over the task force report to the Congress.

As a prelude apparently designed to sound out U.S. public reaction to the sweeping proposals in the Ball report, approval was won late in 1963 for the controversial $200 million wheat sale to the Soviet Union. About the same time, a number of Government officials, including former Secretary of Commerce Luther Hodges, joined the swelling chorus calling for relaxed trade controls. Senator FULBRIGHT struck the note which has set the whole present tone of the campaign. "Trade," he said, "can serve as an effective and honorable means for advancing both peace and human welfare."

Important segments of the business community then began to climb aboard the bandwagon. First, the U.S. Chamber of Commerce passed an equivocal resolution supporting greater trade in nonstrategic items, but at the same time calling for tighter controls on products that contribute to the buildup of Communist warmaking potential. Next, the American Bankers Association adopted a resolution favoring increased East-West trade. Then, late in 1964, some 60 American industrialists, bankers, and businessmen journeyed to Moscow to discuss the possibilities of expanded trade in meetings with Soviet Premier Kosygin and other Communist leaders.

On February 1, Senator WARREN MAGNUSON, Washington Democrat and chairman of the Senate Commerce Committee, introduced a resolution on the floor of the Senate calling for creation of a high level permanent council for expanded trade, composed of leaders of the business, labor, and academic communities. He followed this up several weeks later with a speech praising the President's appointment of the Miller committee.

"It is significant," Senator MAGNUSON declared, "that the President announced his action during the throbbing crisis in Vietnam. It should serve as a healthy reminder to those who see East-West trade in unthinking, cold war terms, that our object in expanding trade is not sentimental, but the hard-headed pursuit of our own economic and strategic self-interest."

On the whole, U.S. business has cooperated commendably with the Export Control Act of 1949, which restricted the export of strategic goods to the Communist empire. Now, however, more and more businessmen are being won over to the hardheaded approach voiced by Senator MAGNUSON. In large part, this stems from a growing desire to cash in on the burgeoning trade our allies seem to have profited from for many years.

In the decade ended 1962, Western European trade with the Sino-Soviet bloc totaled well over $32 billion. Roughly half represented exports to the bloc, most of it in critical materials like machine tools, electronic equipment, steel pipe, transport facilities, and chemical plants. During this same period, U.S. exports to the Soviet and its satellites amounted to $765 million, very little of it, strictly speaking, in strategic goods. It is understandable, perhaps, that American business increasingly senses the futility of enforcing the embargo against the bloc.

Thus, businessmen now find themselves the principal targets of a two-pronged propaganda attack: (1) that trade with the Communist bloc will swell their profits, and (2) that it will somehow advance the cause of peace. Unfortunately, both these arguments are riddled with fallacies.

One of the great ironies of this century is the spectacle of the democratic West, including the United States, serving as the economic godfather of the Communist East, which has dedicated itself for nearly a half century to the undermining and ultimate destruction of Western society. Senator THOMAS J. DODD, Connecticut Democrat, phrased it well in his perceptive introduction to a 1964 Senate Internal Security Subcommittee report on "The Many Crises of the Soviet Economy."

"The whole structure and foundation of Communist power, which today threatens the world," said Senator DODD, "would have been impossible without the equipment and technical assistance and direct aid the Kremlin has received from the West during the 4½ decades since the Bolshevik revolution."

With the advent of the cold war, and particularly when it turned hot during the Korean war, U.S. exports to the Communist bloc fell off to a trickle. In 1951, these exports totaled only a little more than $1 million. But by 1960 they had soared to nearly $194 million. Although they dropped somewhat after that under pressures of the recurring crises, particularly over Berlin and Cuba, they have climbed steadily ever since.

Moreover, as a recent study published by the Center for Strategic Studies at Georgetown University correctly asserts, "The United States has exerted little or no pressure on its allies to restrict their trade with the Communists." In large measure, this accounts for the tremendous growth in Western European exports to the Sino-Soviet bloc.

U.S. failure to halt its own trade with Communist nations and to wink at the increased trade of our allies, is a violation of the Mutual Defense Assistance Control Act of 1951, the so-called Battle Act. This law declared an embargo on arms and other strategic goods shipments to "the U.S.S.R. and all nations under its domination." It further stated "that no military, economic, or financial assistance shall be supplied to any nation" unless it applies a similar embargo. Even during the Korean conflict, the United States refused to enforce this latter clause and since then each nation has been left virtually free to decide for itself what constitutes strategic goods.

Now, with Communist China and Russia supporting the Vietcong in its terroristic war against American and Vietnamese forces, Western Europe has greatly stepped up its trade with the Peiping regime. In 1964 this trade shot up an estimated 18 percent, with Britain grabbing $118 million of the total. Russia was still taking the biggest slice of the $3 billion China trade ($455 million last year), but Japan, America's most important ally in the Far East, moved into second place with $289 million and Britain's Hong Kong was third with $228 million. Communist Cuba was probably fourth, with between $150 and $200 million, followed by Australia ($170 million), Canada ($163 million), and Britain's nephew, Malaysia ($110 million).

One argument that has long been used for opening up trade with the Communist East is that the increased flow of Western goods into the Communist empire would eventually wean the satellite nations away from the Soviet Union and even soften Red China's belligerent posture. The fallacy of this view should be apparent to all. Peiping is as obstreperous as ever after 15 years of dealing commercially with the British Commonwealth and other Western nations. And Gomulka's Poland is today more solidly alined with Moscow than ever before after nearly a decade of steadily increasing trade with the West. The same is true of Hungary. Czechoslovakia, and the other Eastern European satellites. Western trade has served only to perpetuate the Communists in power.

It is no coincidence that the Soviet Union and its satellites invariably step up their efforts to expand trade with the West when their internal economic problems, which are chronic, suddenly increase. Despite proud boasts of "catching up with the United States by 1970," the U.S.S.R. is in grave economic difficulties today. According to a 1964 Central Intelligence Agency report, the Soviet's annual growth rate of more than 6 percent during the 1950's (which was undoubtedly exaggerated), has now declined to less than 2.5 percent.

In late March, Soviet Communist Party Chairman Brezhnev admitted that Russian agriculture is in sad shape and urgently needs improvement. Until such improvement is effected, the U.S.S.R., will continue to lean heavily on Canada, Australia and other Western nations for food. For some reason, the West has always refused to see that food shipped to Communist Russia enables Moscow to concentrate on building its industry, including its arms and space plants. Observers now know that the diversion of grain and potatoes to the manufacture of synthetic ethyl alcohol was a factor in the purchase of wheat from the United States in 1963. Ethyl alcohol is used in certain types of rocket fuel propellants.

In addition, any exports to Communist nations enable the U.S.S.R. to maintain its campaign to lure underdeveloped countries into its orbit and to subvert the free industrial nations of the West. As the Soviets have demonstrated—and freely admitted—time and again, they regard trade as primarily a political weapon. The United States must learn to use trade in the same way, at the very least to gain certain concessions from the Soviet whenever we run to their aid. Senator Dodd summed up the problem succintly when he said:

"Let us hope that some future historian will not have to write that, by continuing to share the means of economic power with the Soviets without troubling to pose certain elementary political conditions, the great Western nations made themselves the instruments of their own destruction."

We must recognize, Mr. Speaker, that trade is a cold war instrument which unfortunately is used far more effectively by the Communists than by the United States.

Perhaps if a proper understanding of trade as a cold war weapon would dawn on the administration, a successful foreign policy against world communism could be developed.

A very timely and scholarly article which appeared in the spring volume of the Ukrainian Quarterly, also by Dr. Lev E. Dobriansky, entitled "Red Totalitarian Trade—Another Cold War Instrument," is of special significance at this time and I include it in the Record as a continuation of my remarks:

Red Totalitarian Trade—Another Cold War Instrument

(By Lev E. Dobriansky)

One of the most vital issues before the American people is the question of expanding trade with the European sector of the totalitarian Red empire. Since the wheat sales to the Soviet Union in the fall of 1963, there has been a steady buildup of pressure for a marked liberalization of our trade policy in relation to the U.S.S.R. and its so-called satellites in Central Europe. In his state of the Union message the President provided further stimulus for this campaign when he declared: "In Eastern Europe restless nations are slowly beginning to assert their identity. Your Government, assisted by leaders in labor and business, is exploring ways to increase peaceful trade with these countries and the Soviet Union. I will report our conclusions to the Congress." [1]

There are three points in this declaration deserving of comment. The first is the President's misleading identification of East European states and nations. The captive nations of Eastern Europe, meaning the suppressed people themselves, have always asserted their identity and have never ceased to be restless under the so-called Communist regimes. Even a slight familiarity with the resistance of these peoples to the Red totalitarian governments since World War II is enough for one to appreciate this fundamental fact. What the President is referring to are the states controlled by these governments and their ostensibly growing independence of Moscow's domination. The distinction drawn here is a basic one for any sound evaluation of one of the chief arguments being advanced in behalf of more East-West trade; namely, that it would strengthen their independence more. In the light of this working distinction the independence spoken of appears as a mirage, and further uncontrolled trade would only fortify the Red totalitarians for more intensive cold war operations against us and the free world.

Another interesting point in the President's statement is the evident implication of the administration's decision to increase peaceful trade with that part of the empire. When a year ago the Senate Foreign Relations Committee commenced hearings on the issue, administration representatives assumed an almost academic, noncommittal view of the issue. For example, in reply to Senator Lausche's question about no contemplated change in our trade policy toward the empire, the Secretary of Commerce said "That is right." [2] Evidently, the administration has been emboldened by developments of the past year.

Of these developments perhaps the most striking has been the increasing support given by various business groups to what is really a longstanding desire on the part of the administration to change our trade policy toward the European sector of the Red empire. The U.S. Chamber of Commerce is on record favoring such trade liberalization, and in 1964 some 60 American businessmen organized by Eldridge Hayes, president of Business International Corp., made an unusual trip to Moscow to discuss with Kosygin and others the possibilities of such trade. Many in the group represent companies dealing in metals, machine tools, and heavy equipment. In addition to the peace argument cited above, this and similar groups raise the further essential argument that since our West European allies trade with Eastern Europe, there is no reason for us to be excluded from this market.

As matters stood at the beginning of 1965, labor organizations and leaders appeared to oppose the administration's position for augmented East-West trade. The arguments used are some that will be advanced here. To complete this general picture of pressure and counterpressure, it is noteworthy that a leading so-called Communist writer, Victor Perlo, stated the party's position in the December 1964 issue of New World Review as follows: "During 1964, big holes were torn in the remaining barriers against free trade between Socialist countries and U.S. allies. The volume of such trade spurted forward at an accelerated rate. A further shift in domestic views put a majority of American business in favor of East-West trade." This former New Deal official implicated in a Soviet espionage plot strongly urges such free trade.

FROM PRIMARY TO SECONDARY ARGUMENTS

If the reader were to wade through most of the literature written on this vital subject, he would undoubtedly feel somewhat frustrated by all the complex aspects brought up in connection with it. Yet, the issue is by no means as intricate and complex as some would have us believe. Indeed, much of the seeming complexity stems from the various preconceptions that are brought forward in the examination of the issue. These preconceptions cover a wide field of understanding and misunderstanding of the cold war, the character and composition of the U.S.S.R., the captive nations and their relation to Red totalitarian governments and states, trade as a normalizing agent or a powerful cold war weapon, the significance of economic changes in the totalitarian Red empire, and the very meaning of the empire itself. It is in this area that the issue will ultimately be resolved and not in that of considerable secondary minutia concerning laws, patent rights, copyrights, outstanding indebtedness and the like.

Thus, the primary arguments revolve about the questions of whether more liberal trade with the Eastern European sector of the empire will contribute to peace or to the strengthening of so-called Communist economies for more intense cold war operations, particularly in Asia, Africa, and Latin America; of whether it will further the independence of several captive nations or undermine the aspirations of these nations for freedom by fortifying the economies controlled by their totalitarian oppressors; of whether the increased West European trade with Eastern Europe is cause enough, both morally and politically, for us to imitate it. These are the primary and fundamental points, and with regard to each of them supporting arguments come into play.

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[1] "Text of President Johnson's State of Union Message," the Washington Post, Washington, D.C., Jan. 5, 1965.

[2] Committee on Foreign Relations, U.S. Senate, "East-West Trade," pt. I, 1964, p. 84.

In the secondary tier, implying a resolution of these primary points of contention, are the questions and problems relating to unsettled accounts, patent and copyright agreements, and trade treatment. Obviously, if we believe, for example, that more liberalized trade would contribute to peace, the growing independence of so-called satellites, and a fairer share for American business, then an easy resolution of the secondary problems would take effect, with the Red totalitarian regimes accommodating it in some degree. Even prior to its recognition by us in 1933, the U.S.S.R. repudiated debts to the United States in the amount of about $628 million. During World War II, the U.S.S.R. received approximately $11 billion of lend-lease assistance from the United States. This assistance was not terminated until 1947, and by pillage, reparation, and expropriation Moscow collected over $30 billion worth of property in Germany and elsewhere. All this didn't deter us in 1951–52 to advance a negotiating figure of $800 million for Moscow to settle its debts. It balked and offered instead $300 million.[3]

With this kind of record, it is unlikely that the liberalized trade advocates could be defeated should the primary arguments go their way. Some nominal settlement may be consummated or the Johnson Act, which prohibits the extension of private credit to any state in default of an indebtedness to the United States, may be repealed. As to the lack of an agreement between the United States and the U.S.S.R. on patents and copyrights, this secondary problem also is scarcely insurmountable. In fact, the trade-eager Russians themselves have shown an accommodating interest in making certain changes.[4] Moreover, with the dubious argument of increasing their purchases here, they are also seeking elimination of what they consider a discrimination against their exports to us, our withholding the most-favored-nation treatment to their exports.[5] This would involve granting the same tariff and trade concessions we extend to other trading partners. However, too great a concentration of discussion on these secondary problems tends to becloud the issue, which in essence revolves about the aforementioned primary points of consideration. Not too long ago, on June 21, 1963, Khrushchev told the central committee in Moscow, "We want—not only want but have dug—quite a deep hole, and shall exert efforts to dig this hole deeper and bury the capitalistic system forever."

To gain a broader view and perspective on this extremely important issue, it is necessary to have some inkling of past American trade and aid experience with the Russian totalitarians. Second, a clear conception of the nature of Soviet Russian economic warfare is also indispensable. Third, the Red trade aggression against Western Europe should be properly understood. And lastly, some major outlines of a rational free world trade policy in relation to the totalitarian Red empire deserve careful analysis.

U.S. ECONOMIC CONTRIBUTIONS TO THE SOVIET RUSSIAN EMPIRE

Anastas Mikoyan, the present nominal head of the U.S.S.R., once said, "A modern Communist is one who has the zeal of a Bolshevik and the practicality of a capitalist." If the record of U.S. economic contributions to the development and power of the Soviet Russian Empire is any guide, Mikoyan's modern Communist began operating in the early twenties. There seems to be almost a cyclical pattern in our economic assistance to the growth and protection of Moscow's empire, as well as to the permanent captivity of numerous non-Russian nations in the U.S.S.R. In the 1920's, then the thirties, then in the forties, our efforts worked to the benefit of the regime. Now again in the sixties, many would have this repeated for diverse, intentional and unintentional reasons.

In 1921, when the new Soviet Russian Empire was being formed amidst famine and chaos, the American Relief Administration pursued its good, humanitarian intentions of feeding, clothing, and sheltering the people, but being an unconditional project its expenditures of over $40 million also assisted the entrenchment of the imperio-colonialist Soviet Russian regime.[6] This was the first case of good intentions pursued in a void of political exactions that led to wrong ends. Woodrow Wilson's principle of national self-determination inspired nation after nation in the Czarist Russian Empire to establish its independence; then American economic assistance from 1919 on indirectly helped the Soviet Russian regime to destroy these independent nations.

The second case was the trade and all the contacts, peace, understanding, good will, and profits we pushed at the end of the twenties and in the thirties. By 1928–29, American industrial and electrical equipment, steel, dies, tools, oil refinery facilities, and a host of other essential items poured into the U.S.S.R., along with basic American know-how and supervisory skill.[7] U.S. exports jumped from $62 million in 1926 to $136 million in 1930, then receded slightly in 1931, slumped heavily in 1932–34, and moved steadily upward to about $87 million by 1940.[8] Strong business pressure was exerted in 1932 and 1933 to have the United States recognize the U.S.S.R., arguing that this step would lead to a substantial increase in exports. As we all know, this recognition was given in 1933, and in 1935 we entered into a bilateral commercial agreement with the U.S.S.R., the latter promising to import from us at least $30 million of goods annually.[9]

In his testimony on East-West trade Secretary of State Rusk admits all this. He observes: "Even before we recognized the U.S.S.R. diplomatically, the Soviet trading company, Amtorg, operated widely in the United States, and American engineers and private corporations helped to build industrial plants and installations in the Soviet Union."[10] What the Secretary failed to point out is that this basic economic assistance was extended at a time when the first 5-year plan was launched, when Moscow had embarked on an imperio-colonialist program of crushing the forces of non-Russian nationalism within its empire, when a manmade famine of staggering proportions was already in the making. In this whole period the percentage of U.S. exports going to the U.S.S.R. was never more than 4.3, but of what enormous incremental value it was to Moscow and its empire.

The third case of American contributions to the Soviet Russian Empire doesn't require any elaboration. Under lend-lease, U.S. exports to the U.S.S.R. shot up to $1.3 billion in 1942, or about 17.6 percent of our total exports. As indicated earlier, our assistance totaled some $11 billion for our survival, to be sure, but also without political foresight and acumen. While we were expending parts of this toward the close of the war and even beyond, Moscow was already launching its cold war against the West. When we finally became aware of this, lend-lease was terminated in 1947, and in 1949 the Export Control Act was passed. U.S. exports to Eastern Europe dropped from $120 million in 1948 to $2.6 million in 1951. Since the early fifties, U.S. trade with the U.S.S.R. in what are called nonstrategic items grew at a slow rate, but in 1964 trade between the free world and the empire amounted to over $8 billion, with the United States participating to the tune of only $300 million and our West European allies to that of about $5 billion.

With regard to the unquestioned strengthening of the U.S.S.R., no one has raised the crucial point of such trade and aid contributing to the imperio-colonialist hold of Moscow over the dozen captive non-Russian nations in the Soviet Union. The United States, advocate of the freedom and independence of all nations, can scarcely maintain its historic principles by blindly trading with the U.S.S.R., Soviet Russia's primary empire, in effect reinforcing its imperio-colonialist reins over approximately 120 million non-Russians. Our sad record of the past may be explained away on grounds of ignorance and shortsightedness; today, there is little excuse for ignoring the effects of expanded trade with the U.S.S.R. or the captive nations in the U.S.S.R. This even applies to the U.S. Chamber of Commerce resolution which calls "not only for freer trade with the Communists on non-strategic items but also for tightening free world export controls on products or material contributing the buildup of Communist warmaking potential."[11] Some, however, "want to repeat the massive transfer to them of Western technology which took place in the thirties and early forties."[12]

SOVIET RUSSIAN ECONOMIC WARFARE

In 1955, Khrushchev illumined the essence of Red totalitarian trade when he said, "We value trade least for economic reasons and most for political reasons." It is naive to think, as unfortunately some Americans do, that trade with the totalitarian Red empire is a peace-contributing, normalizing agent. Trade has been and will continue to be a highly important instrument, tool, and weapon in the arsenal of Red economic warfare, and this type of warfare against the free world is an integral part of the empire's cold war operation. Its systematic use is placed in a time dimension, covering even decades, as are other cold war weapons. Red writers and strategists go as far back as 1917 to depict the stages of development in the employment of economic weapons against the "imperialist enemies" of the West, citing particularly (1) the buildup of U.S.S.R. heavy industry in the twenties and thirties, to which we contributed heavily, and also the post-World War II reconstruction of that industry, which our lend-lease facilitated immeasurably; (2) the integration of East European economies and the combined plunge into the penetration of the world market in 1952; and (3) the present Red campaign of liberating underdeveloped countries from politicoeconomic ties with the imperialists. By 1980 the West would become so isolated and with lost markets so disrupted that victory for the socialist camp would be obvious.

Some may smirk at this type of stagistic thought and planning, but one can recall how Western businessmen literally laughed in 1952 when Moscow launched its economic offensive. "It has nothing of worth to export and little to pay for purchases," was the usual retort. Total Red trade has soared over the past 9 years to over $10 billion with the free world in 1964, and Red aid, such as it is, is estimated at about $4 billion. In the process, numerous Western business interests have been squeezed out by nationalization and other schemes in the Middle East, Africa, Asia, and Latin America; the U.S.S.R., Poland, Czechoslovakia and others have penetrated neutral area markets; the U.S.S.R. has made notable oil inroads in Western Europe; and to aid in all of this, as well as to enable the East European sector of the empire to overcome many economic difficulties, the Red combine has managed to purchase volumes of economically strategic goods from Western Europe and other free world areas.

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[3] Committee on Foreign Affairs, "Special Study Mission to Europe, 1964," House of Representatives, 1965, p. 8.

[4] "East-West Trade," p. 101.

[5] "Special Study Mission to Europe," 1964, p. 8.

[6] In this field an excellent, well-written thesis deserving of publication is "The United States Contribution to the Soviet Economy," by Sister Marie Jerome Wilkerson, Marquette University, Milwaukee, Wis.

[7] Bron, S. G., "Soviet Economic Development and American Business," H. Liveright, New York, 1930, p. 48.

[8] U.S. Department of Commerce, Foreign Commerce Yearbook, Washington, D.C., 1931 through 1939.

[9] Gayer, Arthur D., and Schmidt, Carl T., "American Economic Foreign Policy," New York, 1939, p. 242.

[10] "East West Trade," p. 3.

[11] Chamber Backs Red Trade Expansion," the Washington Post, Washington, D.C., Apr. 30, 1964.

[12] "Trade with Soviet Russia," daily CONGRESSIONAL RECORD, May 4, 1964, p. A2227.

When the Red empire was in a severe agricultural crisis in 1963, President Kennedy rationalized the wheat deal in the negative terms that a denial would "convince their leaders that we are either too hostile or too timid to take any further steps toward peace * * * and that the logical course for them is a renewal of the cold war." [13] This statement in itself indicates how little grasp of the meaning of Russian peaceful coexistence and the cold war our late President had. He didn't even realize that the phase of peaceful coexistence—a political shield for Soviet Russian subversion and infiltration throughout the world—is an integral part of the Russian cold war. Two years later, as an argument for the passage of a $3.3 billion foreign aid program, President Johnson warned that Red pledges of economic aid quadrupled in 1964 to a new peak of $1.3 billion as compared with $360 million in 1963 and $325 million in 1962, with about one-half going to Near Eastern and south Asian countries. Though the figure is startling to this writer, the burning question is whether we are to assist the Red empire in this by liberalizing trade with the totalitarian states of Eastern Europe. It would seem so from the President's different statements.

All of these and other activities conducted by the empire, sometimes in calculated zigzag manner, add up to the objective of increasing the economic potential of the empire at the expense of the "imperialist" enemies. Moreover, as one analyst aptly puts it, "In the Kremlin's eyes, the goal of world communism can be achieved by a variety of methods; economic, political, ideological, military, psychological, and other kinds of activities." [14] Actually, the use of one method is accompanied to a greater or lesser extent by others. In the Red totalitarian scheme trade is not a normal concept of free exchanges of products between producers of states for mutual advantage of both. Moscow manipulates it for a variety of immediate or long-run political, propaganda, military, and other objectives, which in turn are subordinate to the consummate objective of world empire. It also manipulates it in a variety of ways, depending on time and circumstance.

When an inventory is taken of these various manipulations and aims, it becomes clear that virtually no good for export to the empire is nonstrategic. The cold war economies of the empire thrive on fertilizers, food, transportational facilities, plastics, clothing, as they would on imported technological data, heavy machinery, and military weapons. As an instrument of the Red state, trade makes up deficiencies of the economy, influences policies of less powerful states, affords channels for vital information, permits industrial espionage, has wide propaganda uses, allows for the penetration of countries and their dependence on the empire without their having to go Communist, and gradually displaces Western influence in the area, primarily through political agitation for socialism, nationalization, and imitation of totalitarian economic plans. Each manipulation here has been applied in the underdeveloped area. In sharp contrast to normal, standard Western practices, the Red trading mechanism embraces all factors.

RED TRADE AGGRESSION

In 1961 the then Senator and now Vice President **Humphrey** accurately described the U.S.S.R.'s economic offensive as "a carefully thought-out plan to disrupt normal commercial cooperation between the industrial nations of the West and the underdeveloped countries which need capital, to snare other nations into becoming economically dependent on the Soviet Union, and to promote friction within the Western alliance. What we are seeing is a form of economic banditry by the Soviet Union, another weapon in its imperialistic scheme." [15] Nothing has changed since then except that the offensive has become even more dangerous behind the facades of peaceful coexistence and the illusory independence of supposedly nationalist satrapies that are fully cooperating in the general economic buildup of the empire.

Moscow and its East European satrapies are not normal traders given to multilateral trade. Instead, in their Red trade aggression they exploit bilateral agreements that are adjusted to plan requirements, are essentially concerned with barter to strengthen the empire rather than with comparative advantage, and constantly seek technologic prototypes in the West with considerable savings on research and development costs. It is hollow rhetoric to air, as one Senator has, that "expanded trade, no matter who our trading partner, serves our economic self-interest." [16] Nor would trade with Red trading agencies lead to bridges of "ideas to the peoples of Eastern Europe." With self-sufficiency as the cardinal principle of the empire, the comparatively small volume of Red trade, being specifically oriented toward multiple values, garners more for them than for us. Western economic progress has little to gain from the Red empire, but the latter has much to gain from the West. Expanded Red trade with the United States would have both psychological and economic value for Moscow and its satrapies, particularly in relation to the underdeveloped countries.

There are many aspects to Red trade aggression, but we shall briefly cite some of the more dominant ones. Trader substitution is a Russian technique where no or little headway can be made by Moscow. Polish and Czechoslovak representatives usually come into play. Contrary to the myth of East European fragmentation and so-called nationalist renaissance, these and other non-Russian satripes serve as excellent means for increased trade to strengthen the empire. In 1964, for example, Czechoslovak agents toured the United States and expressed a desire to purchase data-processing, computer, and chemical equipment for, perhaps, Czech beer and even Skoda machine tool equipment. On organic economic grounds, it would be foolhardy to think that industrial gains reaped by one member of the empire would not redound through intraempire negotiations and trade to the others. Poland, which is held up as an example of pro-Western orientation, serves the same function for Moscow, especially when in its own economic stress the U.S.S.R. cannot adequately deliver wool, cotton, rubber, chemicals, grain, and machinery. Some emphasize Poland's lack of farm collectivization, yet because of general planned activity its private sector cannot produce adequate foodstuffs and U.S. assistance through Public Law 480 fills in the gap. Meanwhile, retrogressive tendencies are noted in Poland,[17] the Polish Deputy Premier Piotr Jaroszewicz calls on the Red Council for Economic Mutual Assistance to achieve a higher level coordination of national plans and for industrial specialization,[18] and, aside from staged storming of U.S. embassies in the empire, including Warsaw, the Polish totalitarians greeted the Vietnam crisis with a trade agreement with North Vietnam, supplying cars, trucks, and electrotechnological equipment to the latter.[19]

An organic view of the Red empire is necessary if the ebbs and flows, the blandishments and threats, the short-run adjustments and long-term designs are to be rationally understood. In sheer power terms, if the U.S.S.R. were to collapse, it would be only a matter of time before all so-called Communist regimes, including Belgrade and Peiping, would be overthrown. The only real satellite of the empire is Yugoslavia, which some uphold as another example of "bridge constructing." Yet Tito, fully aware of his ultimate source of survival, frankly stated before the Supreme Soviet in Moscow, in December 1962, that Yugoslav-Soviet views were identical or nearly so on all issues. The blown-up and distorted case of Rumania also shows misleading gestures of independence concerning Comecon and its disputes with East Germany and Czechoslovakia but not really the U.S.S.R., its Latinized preparation by Moscow for Latin American penetration, and its need for Western equipment which Moscow cannot supply.

The empire's dumping operations of cotton, tin, oil, and excess goods out of plan are an additional aspect. Its aid programs in Asia, Africa, and Latin America also demonstrate the full meaning of economic warfare. Its oil offensive in Western Europe, with crude oil exports increasing sixfold from 1955 to 1960, or 3 to 19 million metric tons, has come to a standstill as Moscow seeks today modern prototype petroleum plants to expand it.[20] As thought is given to these many ramifications of the empire's economic warfare and our policy toward it, it might well be remembered that the U.S.S.R. itself has more than doubled its trade contacts in the past 25 years and, closer to home, has sustained the Castro economy with over $1 billion of goods and arms, a training program for about 3,000 Cubans in the empire, and a recent trade agreement covering $640 million of goods.

OUTLINES OF A SANE FREE WORLD POLICY

"What can we do?" is the usual question raised when these many aspects of Red trade aggression are discussed. To simply take an inventory, as one study does, of arguments and counterarguments on East-West trade can't help much in decisionmaking, though it is useful as a preliminary approach to the subject.[21] The preconceptions and perspectives of knowledge and understanding brought on the subject are more determinative than the logic of many of these arguments. Surely the following dominant facts sell these enterprises to local nationals after a specified number of years. He writes:

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[13] Massie, Robert K., "Should the United States Trade With Enemies?" the Saturday Evening Post, Philadelphia, Pa., Feb. 1, 1964.

[14] Allen, Robert Loring, "Communist Economic Warfare," Committee on Un-American Activities, 1960, p. 14.

[15] "The Soviet Economic Offensive," Congressional Record, vol. 107, pt. 15, pp. 20409–20416.

[16] Magnuson, Warren G., "Establishment of a Council for Expanded Trade," Congressional Record, Feb. 1, 1965, p. 1744.

[17] "Special Study Mission to Europe," 1964, p. 12.

[18] Reuters, Warsaw, Jan. 31, 1965.

[19] Ibid., Feb. 20, 1965.

[20] For an early incisive analysis see Herman, Leon M., "The Soviet Oil Offensive," Congressional Record, vol. 108, pt. 11, pp. 15530–15532.

[21] See Clabaugh, Samuel F. and Allen, Richard V., "East-West Trade," Washington, D.C., 1964, p. 103.

> The profit incentive for American investors would come from the assurance of a reasonably hospitable environment for their investments, a subsidy program under which the U.S. Government would lend a large part, possibly 75 percent, of the required capital without recourse and on easy repayment terms, the final return of capital through sale of the enterprise under a sales-price formula related to profits, and the possibility of a further period of profitability under a royalty arrangement.

The merit of the "build and sell" proposal is essentially twofold. One, it virtually eliminates fears of domination and, two, it lessens U.S. investors' fears of harassment and expropriation. Necessary bilateral national agreements, surrounding the "build and sell" contract, would include guarantees against expropriation and a provision for the orderly transfer prepared in advance.

After the investment has been made in an underdeveloped nation and the enterprise established, the problem of selling the enterprise after a period of years arises. Scheinfeld lists a number of possible buyers:

First. Large international corporations on the lookout for investment opportunities around the globe.

Second. Nationals who could form a corporation which issued shares to the public, thus raising sufficient capital to effect a sale.

Third. Title to property could be passed to a company organized under the laws of the recipient nation whose officers would consist of responsible, even if financially underequipped, business leaders.

Fourth. A responsible national or group of nationals, who might refinance the loan from the financial organization which originally backed the venture.

Fifth. The U.S. company might accept bonds from the foreign company for a large part of the payment, leaving the foreign nationals to build up the value of their equity position by future debt repayments and of profits.

Mr. Scheinfeld's proposal is interesting, and, in my opinion warrants further study. Certainly, we should do all we can to break down the outmoded attitudes of hostility which impede the free flow of private investment capital into developing lands.

Under unanimous consent I include Mr. Scheinfeld's article from the January 1965 Journal of Business in the Record at this point:

A Proposal To Accelerate the Flow of Private Capital Into Underdeveloped Nations

(By Aaron Scheinfeld)

For years the advanced nations of the world have puzzled over the comparatively poor results of their efforts to raise the living standards and industrial capacities of the less-developed areas. In many cases, the best laid plans have been frustrated by emotional and seemingly irrational nationalistic resistance.

It is to the great credit of motivational research that it has made us acutely aware of hidden psychological roadblocks whether in winning elections or in selling products. Many a brilliantly conceived program has foundered on the unseen shoals of emotional resistance. Nothing is a better example of such motivations than the nationalistic pride which spurs a flight of capital away from the country at the very time that it is most sorely needed. In fact, need and economic suffering appear to intensify normal patriotism into a hatred of foreigners, whose prosperous presence comes to stand as a sign of personal as well as national failure.

In the past, we have tended to dismiss or ignore this emotional factor as something that would be gradually outgrown as economic and social progress occurred. We have permitted these motivations to work against and not toward desirable ends.

It is the author's thesis that there are effective methods for resolving what appears to be a contradiction between a desperate need for economic aid and the self-destructive unwillingness to accept such aid if it compromises national pride in any way. It will not be easy, because new methods must be accepted within an improved framework governing economic relations among the governments and business leadership of investor and investee nations.

At present, there are four investment methods used to minimize nationalistic fear of domination and eventual expropriation. Each one applies in special situations. Only one of them, the first, is in wide vogue.

SHARED OWNERSHIP

Shared ownership reduces but does not eliminate the risk of expropriation because, if the American's share is a majority, it has the same effect on the national phychology as if it were 100-percent foreign owned. If the share is a minority, there may be a lack of control needed to assure good management and thus the success of the enterprise.

LOCALLY OWNED SUPPLIERS

A retailer or a final assembler of manufactured products can take the responsibility of guiding the development of independent local suppliers. Sears, Roebuck is an outstanding example of how a powerful distributive organization can inject itself into a foreign economy and, while attracting a broad market, stimulate simultaneously, through capital investments, the formation of locally owned feeder enterprises which supply the distributive firm with the commodities it needs to sell. This is an imaginative economic activity of the type we need in greater abundance, for, by being consumer oriented, it is more convincing proof of the beneficence of foreign investment. Yet this method is not entirely able to escape becoming a focal point for irrational but nonetheless powerful fears of economic domination. Even such an advanced nation as Canada has recently shown itself willing to raise barriers to foreign investment and control at the cost of material well-being.

MANAGEMENT CONTRACT

It is Hilton's policy to build a hotel in a foreign country, sell it at a profit to nationals, and take a management contract, which enables it to earn a continuing income without assuming the risks and burdens of property ownership in a foreign country. Being only a contract, however, between two private parties, it is subject to the uncertainties of such contracts when they span a national boundary. More importantly, it offers no solution to the financial problem of an underdeveloped country because it requires that local funds be available at the start.

FRANCHISE

Let me take the case of my own company, a worldwide service organization specializing in providing short-term services to other businesses. Manpower, Inc., finds franchising an excellent way of jumping rapidly over national boundaries, of dealing directly with foreign nationals, and of helping to set them up in business for themselves with Manpower's guidance and their capital investment.

Franchising can hardly be excelled as a method of obtaining rapid expansion of markets served—wherever it is feasible—at minimum cost to the franchiser company. The relationship between franchiser and franchisee is a natural and healthy one that encourages growth.

However, it has some inherent drawbacks, and even manpower does not employ it uniformly in all foreign countries. One has limited control over the enterprise (sometimes even little knowledge of what is going on) which is important especially during the crucial and formative early years of growth. The franchise is actually the owner of the business, and may not cooperate with a request to view the records and study the local enterprise. This is one reason why franchising has not been too successfully used in manufacturing. Another major drawback for many manufacturing industries is that franchising provides only know-how, not the capital which may also be in short supply in underdeveloped countries.

Useful as each of these approaches may be in the right circumstances, their limitations make it worthwhile to search for even more ways to encourage economic development and circumvent the nationalistic resistance of the underdeveloped countries.

OTHER METHODS

It has long been the author's contention that great value lies in the technique of "build and sell," if it is surrounded by an adequate system of bilateral economic agreements. This approach is beginning to draw interest in the academic community.[1] The concept of build and sell is basically that American investors establish enterprises in developing countries with the explicit undertaking to sell these enterprises to local nationals after a specified number of years. The profit incentive for American investors to expend their talents and energies in establishing enterprises of which they must divest themselves after, say, 25 years would come from the assurance of a reasonably hospitable environment for their investments, a subsidy program under which the U.S. Government would lend a large part, possibly 75 percent, of the required capital without recourse and on easy repayment terms, the final return of capital through sale of the enterprise under a sales-price formula related to profits, and the possibility of a further period of profitability under a royalty arrangement. The investments would be made under the umbrella of treaties between the United States and the governments of foreign countries interested in encouraging the inflow of American capital on these terms.

The merit of the proposal is that it would lessen one of the most significant deterrents to the outflow of American private capital; namely, the fear of harassment and expropriation. A corollary merit is that it would help to dispel apprehensions abroad that American private investment is a form of colonialism.

It would, in effect, formalize and normalize the development of productive facilities in one country by the nationals of another on terms that would "take the wind out of the sails" of those who advocate expropriation; namely, the orderly transfer of ownership to other private owners after an agreed-upon period of time at a price that is satisfactory to the original owners. While the bilateral national agreements would include the usual guarantee against expropriation as a condition of the contract, the real guarantee would be the provision for orderly transfer prepared in advance.

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[1] As indicated in an article by Prof. Raymond Vernon, of the Harvard Business School, in the Harvard Business Review, May–June 1963, pp. 146–161.

Under the traditional method of foreign investment, ownership in perpetuity is usually taken for granted, as it is when private enterprise constructs any facility except as qualified by the possibility of expropriation in one form or another. However, on reflection, it should be equally apparent that the existence of national boundaries may make perpetual ownership not only undesirable (from the other nation's standpoint) but unnecessary (from the standpoint of the private investor). Investment of private capital in underdeveloped nations would be attractive not on the basis of permanent involvement but on the basis of making profit in a rapidly growing economy under conditions of stability that are bilaterally guaranteed by the two governments. Such advantages can more than compensate for the surrender of the right to ownership in perpetuity, which has been, hitherto, a prime obstacle to good relations between the so-called colonial powers and the underdeveloped nations of the world. At the very least, it is my opinion that a pilot test could be made of this concept.

We should, however, also examine the arguments against this procedure, one of which is that a prudent businessman would not want to spend 25 years setting up potential future competitors in his own field in another country, giving them all the benefit of his work, know-how, and risk taking.

One answer to this objection is that prudent businessmen apparently are constantly entering into a variety of arrangements for the sharing of knowledge, the results of past development work, etc. Quite often in advanced countries, the foreign partner is already much more of a competitive threat than the new firms in underdeveloped nations will ever be. One offset to the loss of ownership benefits is the royalty that is payable after the original investor sells out. This is an arrangement similar to that in which any U.S. business operator licenses a foreign firm to produce his product. What he has done, in effect, is show a foreign firm how to make his product and then authorize him to proceed with its sale.

In the long run, a licensor concerned with the possibility of new competition is often well advised to rely on his continued ability to generate new and valuable products and knowledge. At the end of the 25-year initial period, the licensor firm will have developed new and better models or new and different products, keeping several jumps ahead of the foreign licenses. In any event, the licensor can continue to draw royalties from the sale of the original product wherever it is sold—and it does so without any further expense on its part.

The underdeveloped countries offer the farsighted U.S. businessman a rare opportunity to get in on production during the early stages of capital growth of a nation. But he must be willing to accept the challenge on the terms offered by the government of that country. This is no longer 1850 or 1910, when it was possible to move into any new area of the world, set up a business, develop extraordinary natural resources, hire labor at very low cost, and make a killing. Today's terms are different, but, even with the new limitations, the profit potential still is likely to be much greater than the profits that might be gained by manufacturing and selling a product in one of the well-developed areas such as Europe, Australia, Japan, or South Africa.

Once the investment has been made in a foreign underdeveloped country and the enterprise is established, the questions become these: 25 years hence, when time comes for sale to nationals, will there be any nationals—singly or in combination—able to acquire it? Even so, would it be possible to agree on the sale price? And, finally, what set of terms will govern repatriation of the proceeds?

Buyers can come from any of several directions:

1. A responsible national or group of nationals (and they exist in every country in which an American businessman is likely to want to invest) can refinance the loan from the financial organization which originally backed the venture. The new loan can be such as to minimize the need for local equity capital. The existence of a viable enterprise in a country that is generally improving economically represents a good risk for a number of international financing agencies.

Thus, the need for equity capital on the part of the nationals would not be as large as might be supposed, assuming 25 or so years of successful operation.

2. The growth of large international corporations is proceeding at such a pace that 25 years from now they will be on the lookout for investment opportunities around the globe, especially in the less-developed areas where prospects for profit are greater than in areas where competition is more intense. These corporations would also be sources of finance capital for coteries of nationals in the investee country who could reduce their equity to the minimum needed to own, while permitting participation of the financial backers in the management through the board of directors.

3. Nationals can form a corporation that issues shares to the public (national or international), and thus raises sufficient capital to pay the required amount to effect a sale. If the country is small, without a large enough public to raise the capital, the sale of stock can be extended to nationals of friendly neighboring countries, or a sizable block of stock could be acquired by the government of the country to make up the difference, and then resold by the government to the public over an extended period. Or, the safety of the stock can be guaranteed by the government to add to the attractiveness of the venture.

4. If financial capability exists, title to the property can be passed to a company organized under the laws of the recipient nation, whose officers would consist of responsible, though financially underequipped, business leaders. They would, in turn, give a management contract for operating the business to the original U.S. owners which would continue until such time as their services had been compensated out of current earnings, and sufficient funds were available to buy out their interest.

5. The U.S. company might accept bonds from the foreign company for a large part of the payment, leaving the foreign nationals to build up the value of their equity position by future debt repayments out of profits.

It should be borne in mind that we are dealing with a world as it will exist 25 or more years from today—when international investment and trade will be many times higher than it is today. Current predictions by well-known international economists, such as Geoffrey Brown of London, visualize U.S. export trade doubling in the 1960's for example. The mere existence of bilateral economic treaties between a strong nation such as the United States and a less developed nation, such as, say Peru or Kenya, would have the effect of greatly strengthening the confidence of both international lending organizations and international private corporations in the future economic growth and stability of these countries. It would also encourage the growth of international consortia to finance the sale of these properties.

As to the problem of arriving at fair valuations: Admittedly, this is a problem, but no more so than in the sale of any business property in this country or elsewhere. One reason for the establishment of a bilateral commission as part of the build-and-sell plan proposed here is to set up the machinery for appraisal and adjudication of differences of viewpoint. It is my belief that the two sides can agree in advance on a formula, for example, five times annual pretax earnings averaged over the 5-year period before termination, or book value, whichever is higher.

As with the other two interrelated questions of ownership and price, the matter of repatriation of funds to the U.S. investor after he has sold his enterprise is one to be faced in advance. The economic treaty negotiated by the international bilateral commission for each investment should set forth one or more procedures under which the U.S. investor is to receive his payments. The object, once again, is to foresee and resolve differences of opinion before the parties have become locked into an investment. Present devices for assuring U.S. investment of convertibility may be used here, with or without modification. Naturally, as in any capital investment, domestic or foreign, there is and always will be risk, but as political conditions around the world stabilize, the risks will be increasingly confined to the economic sphere. In fact, the very creation of such situation involving trust, if multiplied many times, will, through heightened economic activity, create the very conditions of stability on which it depends, just as, conversely, those who withdraw their funds from a country help bring on the very conditions they fear.

For a parallel, we need only to look at the Government guaranty of bank deposits, or the FHA insurance of home loans, to see this stabilizing and stimulating effect in action. Were the major governments of the free world to underwrite, in effect, the orderly economic growth of the developing nations through the build-and-sell method, they could make a striking contribution to accelerating world economic progress.

It might be said that the build-and-sell program would set a dangerous example to foreign private nationals and their governments, and that there might then result political agitation to force the conversion of existing private foreign investments to this form; or at least all future foreign investments by U.S. (and other free world) entrepreneurs.

At first glance, this seems like a very real objection. However, the problem can be anticipated and eliminated:

1. Clear and explicit provision should be made in the bilateral agreement between the governments that the sell-off provisions of the contract do not in any way now, or in the future, apply to existing investments, nor to any future investments that are made in the conventional manner and made under the agreement.

2. The investor should bear in mind that the lending agency involved has a number of clubs it can always wield to prevent politically inspired efforts to make build-and-sell retroactive: It can review loans it has made in conjunction with other investments in the country; and it can alert other lending institutions to the problem in case they have loans outstanding in the same country; and it can invoke the World Court to safeguard terms of existing agreements. Unless we proceed with confidence in the future, and growing worldwide respect for the sanctity of agreements, we risk slowing down progress toward pervading stability.

3. Each separate bilateral agreement should set forth exactly which industries could be established under terms of a build-and-sell agreement in that particular country.

Like any new idea, this one demands intensive study—this one in particular is different because it envisages a planned and coordinated effort to combine the forces of private initiative and government protection, working together across national boundaries, to achieve the orderly, peaceful, and mutually beneficial development of entire areas of the globe.

The current approach, which stresses foreign aid by government-to-government largesse, favors statism. It is a slow and cumbersome method, even in comparison with monopoly state capitalism as practiced by the Communist bloc, and it favors grandiose and often impractical planning at the expense of urgent consumer needs and national economic growth (as in India, where 10 precious years have been lost in this manner).

It is therefore recommended that a two-nation trial of this program be studied at the earliest possible time. Should the feasibility of this program be proven, it should be framed into legislation giving government the broadest powers to effect similar arrangements with other nations.[2] If this happens, it is the author's prediction that private businessmen everywhere would be drawn into foreign investment at an accelerated pace and at a time when their fullest participation could not have greater strategic value to the economic and political survival of democratic capitalism.

EXCESSES IN CONSUMER CREDIT AND BANK LOANS PORTEND RECESSION

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CURTIS. Mr. Speaker, an article in the Wall Street Journal of May 10, 1965, warns that a rapid growth of consumer credit and loans to banks for commercial and industrial uses generally has preceded recessions in the past and could foreshadow one now.

The article points out:

> Statistically, whenever consumer credit has increased at a rate close to or exceeding 2 percent of disposable income, a decline in the growth of such credit has followed with the ratio of disposable income falling to or below 1 percent. That is new borrowings of this kind have slowed enough so repayments came close to catching up.

In 1950, 1952, 1955, and 1959, the percentages of disposable personal income, as represented by that year's expansion in outstanding consumer debt was 1.98 percent, 2.02 percent, 2.32 percent, and 1.90 percent, respectively. In each case the 2-percent or near 2-percent level was followed by sharp declines. In contrast, the years 1962–64 showed an unusual stability at percentages which, though substantial, are well below the 2-percent level.

In the first quarter of this year, however, the ratio has risen back above 2 percent. The seasonally adjusted increases in consumer credit in the first quarter totaled $2.4 billion or an annual rate of $9.6 billion. This is 2.13 percent of the quarter's estimated annual rate of disposable income—if one assumes it cannot have been much above $450 billion.

The article presents empirical statistical evidence that excesses in the areas of consumer credit and loans by banks for commercial and industrial uses have preceded recessions in the past. At a time when the administration is praising itself on the length of the current expansion and predicting its continuation, the article from the Journal raises some serious questions about the underpinnings of this expansion.

Under unanimous consent I include the article in the RECORD at this point:

APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

(By George Shea)

One of the special and reassuring features of the current business boom, according to many analysts, has been its lack of excesses of any kind. Now, however, what appear by historical standards to be excesses have shown up in two aspects of credit expansion.

Excesses of one kind or another have long been regarded by economists as the clearest causes of business recessions. If inventories of goods are piled up too high, production has to be reduced until the excessive stocks can be worked off. Or if expansion of new production capacity gets going too fast, such spending has to be cut back sharply until the Nation's economic system grows to the point where all or most of the new capacity is needed.

The two excesses which appear to have shown up lately are in the category of borrowings, specifically consumer credit and loans by banks for commercial and industrial uses. Both are showing trends such as have preceded recessions of the past.

Whether consumer credit is rising too fast can be estimated by comparing its monthly and quarterly growth with the level of personal disposable income as reported by the Government. For this calculation consumer credit includes not only installment loans but also charge accounts and other noninstallment borrowings. At the end of March, the latest date available, installment credit outstanding was almost $60 billion and total consumer credit was $76 billion. Disposable income is basically what individuals have coming to them after subtracting the taxes they pay. In 1964 it amounted to $432 billion, in 1963 $402 billion.

In the past whenever consumer credit has increased at a rate close to or exceeding 2 percent of disposable income, a decline in the growth of such credit has followed with the ratio to disposable income falling to or below 1 percent. That is, new borrowings of this kind have slowed enough so repayments came close to catching up.

The record back to 1950 follows. It shows for each year the percentage of disposable personal income represented by that year's expansion in outstanding consumer debt:

	Percent
1950	1.98
1951	.55
1952	2.02
1953	1.53
1954	.42
1955	2.32
1956	1.20
1957	.85
1958	.05
1959	1.90
1960	1.28
1961	.45
1962	1.43
1963	1.65
1964	1.60

As can be seen, the 2 percent or near 2-percent level in 1950, 1952, 1955, and 1959 was followed by sharp declines. In contrast, the 3 years 1962–64 show an unusual stability at percentages which are substantial though well below 2 percent.

However, in the first quarter of this year the ratio has risen back above 2 percent. The seasonally adjusted increases in consumer credit of the first 3 months of 1965 totaled $2.4 billion, an annual rate of $9.6 billion. That's 2.13 percent of the quarter's estimated annual rate of disposable income, which can't have been much more than $450 billion.

One reason for this high first quarter rate of borrowing is undoubtedly the fact that consumers were then buying cars which they might otherwise have bought late last year, when strikes at General Motors and Ford interfered with production and sales. This fact is reassuring because it suggests that, after this early 1965 buying splurge, auto sales and growth in consumer credit may ease back to the reasonable rates of the past 3 years.

But whether or not that's the outcome, we can be pretty sure that neither the car-buying nor the consumer-borrowing rate of those months can be sustained. Some decline seems inevitable.

The real question is how long the early 1965 high rate of consumer borrowing is going to last. The record beginning with 1950 is that when such a high rate has lasted for all or most of a year, the subsequent decline has usually covered not 1 year but 2, and once it went on for 3 years.

In the case of commercial and industrial loans of the Federal Reserve System's member banks—those which report their condition statements weekly—the increases of recent months stand out because they differ from the usual seasonal trend. Normally such loans decline a little or remain about unchanged in the first 4 to 6 months of each year, showing substantial gains in the second half.

This year there was an increase of $2.5 billion in such loans between the end of 1964 and the end of April. This is in sharp contrast with the record of the like period of 1964, when there was a decline of over $700 million; in 1963 and 1962 the changes amounted to less than $20 million in the similar periods.

The last time there was a sharp increase in the first 4 months was 1960. That was the year of the last business recession, which began in June and lasted through February of 1961. The 1960 January–April increase in commercial and industrial loans was almost $500 million.

The previous occasion was the early part of 1957, when the increase in the total of these loans during the first 4 months amounted to $1.1 billion. That year-general business recession started in August and lasted through April of the following year.

What the cause of this year's spectacularly large increase may be is not entirely clear. Usually such increases reflect an accumulation of inventories of goods, for the purchase of which the buyers have had to borrow money. In the present instance, there has been some stocking of steel and steel products in fear of a steel strike, but by all accounts from both steel producers and consumers such stocking has not been as heavy as on some past occasions when steel labor disputes raised the danger of strikes. Nor do available figures on business inventories through March suggest they've risen abnormally high in relation to sales. There has, it is true, been an indication of a speeding up of inventory stockpiling in a report from purchasing agents that in April an unusually high proportion of businesses were adding to stocks on hand.

But regardless of the exact cause, the huge increase in bank lending has the appearance of a trend that cannot last. To the extent that it is contributing to business activity, any decline in the rate of lending presumably would likewise be reflected in slower business.

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[2] Copies of a proposed bill establishing such a program are available upon request from the author. The address is Manpower, Inc., 9 West Washington Street, Chicago, Ill.

ADDITIONAL FUNDS FOR THE SBA DISASTER LOAN FUND

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CURTIS. Mr. Speaker, a series of tornadoes and floods of unprecedented magnitude have recently brought much suffering and destruction to the Middle West. These disasters follow on the footsteps of the massive floods which struck the Pacific Northwest last winter. It has come to my attention that the SBA disaster loan funds have reached near depletion in recent times. Although they have received additional funds this session, there have been times, even this year, when the funds for this specific purpose have been so low that the SBA has been forced to place limits on the amounts of money that can be loaned to any one individual, or they have held up processing application for relief funds. The SBA has even resorted to extraordinary measures such as the sale of loans to banks—so-called "bank participation."

Mr. Speaker, this whole unfortunate situation can be traced back to the time when the business loan, disaster loan, and investment company assistance authorizations of the Small Business Administration were merged into one authorization. Until 3 years ago the authorizations were separate, when the Small Business Administration Act was amended to provide for only one authorization to cover the scope of the SBA activities. The Republican members of the Banking and Currency Committee, including the gentleman from New Jersey, Representative William B. Widnall, now ranking Republican member of that committee, strenuously objected to this merger and was able to have the matter stricken from the House-passed version. The matter was reinstated in the conference report, and its inclusion in that report caused the Republicans to refuse to sign the report. The House passed the bill over the objections that had been raised. A provision was included in the amendment requiring notification of Congress when a stated amount of disaster funds had been committed.

Subsequent events have proved the Republicans to be correct, and even these express provisions of the act requiring notification have not been followed by the SBA. It is for this reason that I am introducing today a bill to establish a separate and distinct authorization for disaster loans under the Small Business Administration Act, as well as authorizing for the disaster loan fund. William B. Widnall, on January 14, 1965, introduced the original bill on this matter, and to date this matter has not been considered by the Banking and Currency Committee; more importantly, no report has yet been received from the SBA on this bill. This indicates to me a gross lack of interest by the SBA in this matter and in the receiving additional funds for assistance at the very point in time when the funds were lowest.

Under the provisions of this bill an authorization of $200 million would be appropriated to bring the funds up to par. Commitments against existing authorization for disaster loans, amounting to $180.7 million as of March 31, 1965, would be charged against the existing authorization and not against this new one. I feel that this procedure would restore vitality to the disaster loan program of the SBA and allow it to make prompt and adequate relief to those stricken by natural disaster. This bill would do this, and I urge speedy consideration of it by the Committee on Banking and Currency.

SUN VALLEY RECEIVES INTERNATIONAL PUBLICITY

The SPEAKER. Under a previous order of the House, the gentleman from Idaho [Mr. Hansen] is recognized for 60 minutes.

Mr. HANSEN of Idaho. Mr. Speaker, world famous Sun Valley, in my congressional district, is mentioned in an advertisement being used this spring in 47 leading national newspapers and magazines in England, France, Germany, Mexico, and Australia/New Zealand by the U.S. Travel Service, Department of Commerce.

I believe, Mr. Speaker, that the U.S. Travel Service has done well to include this rare and beautiful spot in its campaign of "see America." However, I commend Sun Valley to all Americans, as well as to Europeans and those others to whom the ads are directed.

In addition to the recreation and pleasures to be had at Sun Valley, it is just a short distance from Craters of the Moon, unique among all national monuments. It is also a "jumping off" place for the rugged Sawtooth Mountains and Idaho's primitive area.

Mr. Speaker, it is with pleasure that I place this advertisement in the Record. It is also with pleasure that I extend an invitation to all of you to visit with us in Idaho. I know you will like us.

The advertisement follows:

Bronco-Busters and Bach—This Year Enjoy the Rockies and Northwest: Start at Seattle, Wash., and Discover the Spectacular United States—Glaciers, Towering Peaks and Dude Ranches

Dine in the revolving restaurant atop Seattle's 60-story Space Needle, golf at the hilltop Jefferson Park course, cruise beautiful Puget Sound. Plan to be there between June and mid-August during the Seattle Seafair—boat races, water shows and gay parades are all part of the festivities.

At Mount Rainier, drive up through the clouds to walk on a "live glacier"; 5,000 wild elk are an attraction at nearby Olympic National Park. So are the lush "rain forests." Ideal growing conditions produce magnificent flowers and trees—spruce up to 51 feet around.

AMERICA'S LAST FRONTIER—ALASKA

The largest State in the Nation—and still not completely explored. Today, dynamic Anchorage is only a 3-hour side trip from Seattle by air. You'll see Mount McKinley, highest peak in North America. Turn south to the State capital, Juneau. Then enjoy Alaska's spectacular scenery by riding the car-carrying ferries along the Inside Passage to Skagway. You'll be fascinated by the city's reenactment of Alaska's gold rush days—complete with can-can girls, gambling halls, and gun duels.

FLY TO THE CITY OF ROSES

One-way air fare from Seattle to beautiful Portland, Oreg., is £4.13s.2d. If you arrive in June, the famous weeklong Rose Festival (June 4–13) will be a highlight of your Northwest tour.

Rent a car and drive to snowcapped Mount Hood, only 60 miles to the east. Another day, see famous Crater Lake, a giant blue jewel set in the heart of an ancient volcano.

COWBOYS AS TOUGH AS SADDLE LEATHER

Sun Valley, the international sports center in Idaho, should be one of your stops in the Rockies. Then on, higher and higher, to Montana's Glacier National Park—nature's dazzling display of jagged peaks, valleys, lakes, and waterfalls—with 1,000 miles of horse and foot trails.

Now you're in the Big Sky country, where a man can breathe deep and free. Stay at a "dude ranch" and have steak and potatoes for breakfast before riding the range with broncobusting cowboys. Dance under starry western skies. Fish trout-packed waters. And stop at colorful, historic Virginia City, Mont., an authentic old mining town.

Yellowstone National Park in Wyoming is a sightseer's paradise. There are over 200 geysers, and you'll like meeting the huge black bears (from inside your car). And the border of another national park, Grand Teton, is only 10 miles away. A £2.2s.11d. car fee entitles you to tour and camp in all 32 great national parks. Then drive on to join the riproaring fun at Cheyenne's "Frontier Days" (July 27 to August 1)—one of the country's most famous rodeos.

BACH IN THE ROCKIES

Drive south to Colorado and take a day's excursion on the cliff-hugging railroad between Durango and Silverton. It will transport you back to the days of the great silver strikes. Nearby, at Aspen, extensive programs (June 28 to August 30) of classical and modern music, lectures, and forums attract international visitors every year.

ATHLETIC PROFESSIONALISM, THE AIR FORCE ACADEMY CHEATING SCANDAL, AND THE WHITE COMMITTEE REPORT

The SPEAKER. Under a previous order of the House, the gentleman from New York [Mr. Stratton] is recognized for 30 minutes.

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, I take this time today to comment on a subject which I discussed in this Chamber last January; namely, the Air Force Academy cheating scandal and its implications for what I had termed "athletic professionalism," which I said at that time had a direct bearing on this scandal. I want to comment on the recent report on that cheating scandal issued by the distinguished Committee headed by retired Air Force Gen. Thomas D. White, former Chief of Staff of the Air Force, and unanimously supported by the members of his Committee, most of whom, incidentally, were friends and supporters of the Air Force.

I also take this time, Mr. Speaker, in an effort to provide further documentation on this particular issue so that the Record in the House may be clear and so that we may help generate some support for the very remarkable and I believe very splendid conclusions which General White and his Committee have come up with.

To go back into the history of this situation, there appeared in the Washington Post for January 23, 1965, a news report of the Associated Press which said that Air Force Secretary Eugene Zuckert had issued a preliminary report on the cheating scandal at the Air Force Academy. I include the press report at this point:

Zuckert Issues Report on Cheating—30 on Football Squad, 70 Others Under Investigation at Air Academy

Secretary of the Air Force, Eugene M. Zuckert said yesterday that more than 100 cadets at the Air Force Academy in Colorado may be involved in a classroom cheating incident, about 30 of them members of the football squad.

Zuckert issued a statement saying that an investigation indicates the existence "of a well-organized group of 10 or 12 cadets who were stealing examination papers and offering them for sale.

"Some of these cadets have already submitted their resignation for the good of the service," he said.

Twenty-nine cadets at the Academy near Colorado Springs have resigned so far, Zuckert was quick to point out that the "overwhelming majority of the 2,700 cadets are not involved."

Zuckert declared he is satisfied "that the investigation of clear evidence of cheating at the Air Force Academy is being handled fairly and expeditiously and that every consideration is being given to the individuals who are being investigated."

None of the names of the cadets who have resigned nor any of the others who may be involved were made public.

There was no elaboration in the statement on the reference to the 30 football players. Normally about 40 cadets are members of the football squad.

In 1951, the football team of the U.S. Military Academy at West Point was decimated when 43 of the 45-member varsity squad quit after disclosure of cheating. Ninety cadets in all resigned in that incident. Zuckert said further.

"One of the cornerstones upon which the Air Force Academy was established is its cadet honor system, which was instrumental in bringing the cheating to the attention of the Academy superintendent.

"This honor code, simply stated, is 'We will not lie, steal, or cheat or tolerate among us those who do.' "

The Air Force Secretary issued his statement after conferring with Maj. Gen. Robert H. Warren, the Academy Superintendent; Gen. J. P. McConnell, Vice Chief of Staff of the Air Force, and other senior officers.

Subsequently, on January 25, 2 days later, I issued a comment myself on this subject, both as a member of the Armed Services Committee and as one who had spoken out frequently on many occasions previously, on what I felt to be the overemphasis on commercialized or professional athletics taking place at our service academies, and which I felt must also be involved in this new scandal in view of the large percentage of football players who were reported by Secretary Zuckert to have been involved at the Air Force Academy.

I include at this point the following report from the Washington Post of January 25:

Academy Cheating Tied to Service Team Policy

Representative Samuel S. Stratton, Democrat, of New York, said yesterday that the cheating scandal at the Air Force Academy has been caused by athletic professionalism still rampant in all three service academies.

Stratton, a member of the House Armed Services Committee, asked Secretary of Defense Robert S. McNamara to take measures to end a practice that has no proper place in a tax-supported institution.

Stratton made his comments in a statement and in a telegram to McNamara.

He said 30 of the 40 members of the Air Force Academy's varsity football team, are among some 100 reportedly involved in the cheating.

He said this makes it perfectly clear there is more than a coincidental connection between athletics as practiced at the academies and cheating on examinations.

"The fact is," he continued, " in their desperate efforts to recruit topnotch athletes to compete with private colleges that have followed similar standards of professionalism, the service academies have admitted students with marginal academic records.

"Inevitably, many find that cheating is the only way they can continue their athletic career at the taxpayers' expense."

Stratton said he had told McNamara 3 years ago of one case of illegal and dishonest methods in athletic recruiting by West Point, the Army academy.

"So far as I have been able to determine," he said, "no one was ever disciplined as a result of those disclosures and I have discovered little change in recruiting procedures," Stratton said.

Mr. Speaker, I subsequently discussed this subject on the House floor on two occasions and then again in some detail on the 1st of February. This discussion appears in the Record for February 1, beginning on page 1628. I refer to this statement in the Record, Mr. Speaker, because needless to say—and I think it is perhaps fairly obvious—when this charge was made there were many who did not agree with it. Some people said it was nonsense, that athletic professionalism had nothing to do with the Air Force cheating scandal and does in fact exist in the service academies, and anybody who suggested it was doing nothing more than trying to get his name in the papers. Let me refer specifically to comments which appear in the Congressional Record for February 1 on page 1634 by the distinguished gentleman from Louisiana [Mr. Hébert].

May I say, Mr. Speaker, I contacted the gentleman's office this morning to advise him of the fact that these remarks were to be made here today. Unfortunately, he was reported out of Washington headed for his district. All I intend to do, however, Mr. Speaker, is to quote the Record with reference to some of the remarks of the gentleman from Louisiana in response to my earlier charge about athletic professionalism in our service academies.

The gentleman from Louisiana is quoted in the Record as saying, for example, the following:

> Madam Speaker, it is distressing to me, as I am sure it is to many Members of Congress, that before we have been officially informed about the Air Force Academy cheating scandal that Academy football and indeed all service academy football has been indicated as professional, sordid, and the cause of a blight which will plague for years the Air Force Academy as it did its sister Academy, West Point.

Skipping then, the gentleman goes on to say:

> The charge of football professionalism against the service academies is sheer nonsense.
>
> The extra burden to the athlete who carries the same academic course as all cadets leads me to ask who in this body buys the superficial statement that football at the Air Academy is professional and corruptive.

He goes on further to say:

> The breakdown of the Air Force honor code has no genesis whatsoever in Academy sports. It is rather, by the very number of fine young Americans involved—athletes and nonathletes—a failure to accept a system with deep conviction, a system which was borrowed from West Point where it had been badly breeched even though steeped in tradition. I do not excuse any infraction but I do regard the interpretation of all cases as either black or white just as unrealistic as the cavalry charge with fixed bayonets. And to believe otherwise is to condemn a generation of young Americans—as most assuredly the large majority of these involved represents a cross section of our finest and are measured by their home communities as superior young Americans.

In fact, Mr. Speaker, those who joined in trying to repudiate this charge included not only the distinguished gentleman from Louisiana, with whom I had a rather detailed colloquy on the floor at the time, but also the distinguished Secretary of Defense, Mr. McNamara, who, incidentally, is a very distinguished American and a very great Secretary and one whom I have probably defended not only on the floor here but on the Armed Services Committee more than any other member of that committee. Nevertheless, Secretary McNamara joined with those who were repudiating the assertion that there could be anything wrong with our athletic policies at our service academies.

On pages 270 and 271 of the hearings on military posture, before our Armed Services Committee, for the 1st session of the 89th Congress, you will find the Secretary inserting certain figures which in his judgment support the claim that there is nothing to this charge. The Secretary goes on to say:

> We insist that the athletes be admitted and graded and graduated according to the same standards that are applied to all cadets, and we see performance after graduation at least equal to that of the other cadets. If there are any isolated cases in which this is not true, I would be delighted to have them brought to my attention and we will take corrective action.

In other words, Mr. Speaker, the Secretary saw nothing that deserved to be looked into and regarded the charge apparently, as did the gentleman from Louisiana, as complete nonsense. He felt that the situation was entirely proper and needed no correction. In fact, Mr. Speaker, that position is further borne out by a letter which I received in reply to the original telegram I directed to the Secretary, from his deputy, Mr. Cyrus Vance, under date of February 18.

Mr. Speaker, I ask unanimous consent that this be included in the RECORD at this point.

The SPEAKER pro tempore (Mr. RONCALIO). Is there objection to the request of the gentleman from New York?

There was no objection.

THE DEPUTY SECRETARY OF DEFENSE,
Washington, D.C., February 18, 1965.

Hon. SAMUEL S. STRATTON,
House of Representatives,
Washington, D.C.

DEAR MR. STRATTON: This is in further reply to your telegram of January 24, 1965, concerning the athletic programs of the military academies.

The report of the investigation at the U.S. Air Force Academy has only recently been received in Washington and there has not been time for the Secretary of the Air Force to review it. Accordingly, I will address myself only to those remarks in your telegram which apply generally to all three of the service academies. In this connection, one of the subjects which Secretary Zuckert has instructed General White's special advisory committee on the Air Force Academy to consider is "the proper role of intercollegiate athletics in the Academy mission, including the effect of recruiting practices, scheduling of activities, and the treatment of the players themselves." It may be that the report of General White's committee will have significance beyond the Air Force and will influence the views expressed below.

Let me say first that I do not agree with your statement that athletic professionalism is rampant in the military academies. What is normally meant by athletic professionalism is playing for pay or for other special rewards accorded specifically because of athletic ability. In the case of the academies, however, every candidate must meet the same admission standards, and after acceptance for admission, he must complete the same prescribed curriculum, pass the same scholastic examinations, and undergo the same annual physical examinations as his contemporaries.

The issue, as I see it, is therefore not one of athletic professionalism but of whether such emphasis as is placed on athletics by the academies is excessive. It is well known that the academies seek young men of outstanding physical fitness, athletic ability, and scholastic achievement. In certain sports, particularly football, the academies schedule opponents of top-flight caliber. It is a fact, however, that physical ability and leadership potential, as well as academic ability, have proven to be relevant to the individual's subsequent performance as an officer of the Armed Forces. An athletic program can contribute to these qualities and is a legitimate and important part of the overall curriculum. Subject to General White's consideration of the problem, it is my conclusion that in general such emphasis as the academies presently accord their athletic program is not excessive.

In terms of specifics, I am, of course, aware that a proportionately high number of varsity football players were involved in the recent cheating at the Air Force Academy. It does not necessarily follow, however, that football breeds cheating. When the report of investigation has been reviewed and General White's committee has completed its evaluation, we should be in a better position to determine whether the relationship between the football team and the cheating was or was not coincidental.

Your telegram states that the academies have admitted students with marginal academic records and little, if any, real motivation for a service career. I simply do not know whether or not there are individual instances of this kind. Such facts as are available to me, however, indicate that your statement is certainly not true as a generalization. The scores required by the academies in the college entrance examination are well above the national average. Further, in terms of both the percentage graduating and retention rate after graduation, athletes are for practical purposes indistinguishable from their classmates.

Finally, you refer to the episode at West Point in 1962. I was then serving as Secretary of the Army and as a result of the information you brought to my attention the member of the West Point coaching staff who was involved in recruiting improprieties was reprimanded for his conduct. Further, the Superintendent of the Military Academy reaffirmed the role that athletic coaches may properly play in their contacts with prospective candidates, specifically highlighting that appointments are governed by law, that candidates should seek nominations from authorized sources, and that no guarantees of acceptance for admission could be given.

Additionally, the Superintendent issued written instructions to personnel passing upon admissions that their evaluations must be governed by a consideration of the candidates' total qualifications. I have been assured that the Military Academy continues to follow these guidelines.

Sincerely,

CYRUS VANCE.

Mr. STRATTON. Mr. Speaker, I need hardly point out that General White's conclusions do not support Mr. Vance's views. He concluded almost the precise opposite; and it will be interesting now to see just what action Secretary McNamara and Secretary Vance take after having originally dismissed these charges so cavalierly.

I might also point out, Mr. Speaker, that in the New York Times for the 28th of January the distinguished Director of Athletics at the Naval Academy, Capt. William S. Busik, U.S. Navy, who, incidentally, is a friend of mine and a very capable officer, is quoted in an article by Gordon White, Jr., as saying that the comments by Representative STRATTON are incorrect.

The article, in part, is as follows:

BUSIK DEFENDS RECRUITING POLICY—CALLS CRITICS UNFAIR IN BLAMING ATHLETICS FOR CHEATING—CITES HELP SERVICES GIVE BOYS SEEKING DEDICATED CAREERS

(By Gordon S. White, Jr.)

As a high school football player, in the late 1920's, Bill Busik was good enough to attract the attention of those persons recruiting players for the U.S. Naval Academy. As a four-striper and a future squadron commander, Capt. William S. Busik resented it when a Congressman condemned the athletic recruiting programs pursued by the three service academies. Representative SAMUEL S. STRATTON, Democrat, of New York, said Sunday that the cheating scandal at the Air Force Academy was "a direct consequence of the athletic professionalism still rampant in all three service academies." Congressman STRATTON asserted that the recruiting practices pursued by Army, Navy, and the Air Force could lead to an atmosphere in which cheating prevailed.

Captain Busik reacted like a line officer and spent some time Monday trying to convince Representative STRATTON that he was wrong. Whether he did is doubtful. But the captain remained proud of having been an athlete who was recruited by the Academy.

I think it is also fair to say, Mr. Speaker, that not all of the comments that took place in the public prints after this issue was first raised were in opposition. The education editor of the New York Times, Fred M. Hechinger, for example, commented on Sunday, January 31, on the subject of a recently released study of cheating in colleges generally had this to say:

Despite angry denials by coaches and football-minded alumni, the dishonesty ratio among athletes is staggeringly high, largely (in the words of the study) because athletes are often in college "for reasons totally unrelated to their academic abilities." In fairness to the athletes (especially at the military academies where they must meet high entrance requirements) it should be added that they devote much of their time and energies to a college-sponsored enterprise of public entertainment as modern gladiators.

The Washington Daily News for February 3 commented editorially on my charges, as follows:

PROS IN THE COLLEGES

Representative SAMUEL S. STRATTON, of New York, has a good point in demanding an investigation of whether "athletic professionalism" exists at the three national service academies.

The subject needs an airing in the wake of the Air Force Academy cheating scandal. The fact that Air Force Secretary Eugene Zuckert has broadened the cheating probe to include the entire role of athletics at the Academy indicates that, at least in part, Mr. Zuckert agrees.

Professionalism among college athletes is, of course, nothing new. It is not as blatant as it once was. But even today, intensive recruiting, athletic scholarships, easy campus jobs and in many cases soft academic treatment for athletes are standard practices at big-time football schools.

The question raised by Representative STRATTON is whether the service academies have any business trying to be big-time football schools. Many of the great universities are not—Johns Hopkins, MIT, Fordham, Chicago, to name but a few.

In addition, the service schools have a unique function. They exist for the sole purpose of training the Nation's finest young men, at Government expense, for future leadership in national defense. Granting that athletics are a valuable part of that training, does it really matter whether a few members of the varsity play in the big time?

Representative STRATTON cites practices, long tolerated, which he says give the taint of professionalism to the academies. Among them are recruitment of athletes by Academy coaches, pressure on Congressmen to make appointments solely for athletic prowess, "cram" courses to help the athletes pass entrance exams.

Such practices, he says, give the young athletes a natural impression that there's nothing much wrong with academic cheating, if necessary. Pressure to win against the toughest competition, on top of a heavy academic schedule, only increases the temptation, he believes.

Mr. Zuckert's investigators should be given ample time to dig out all the facts in the cheating case before being questioned by Congress. Once they have, however, the challenge will be up to the services to justify big-time athletics at West Point and Annapolis as well as at Colorado Springs.

And many a nonservice school might well consider what kind of example its own athletic practices are setting for the Nation's youth as a whole.

The Chicago Sun-Times also commented favorably on February 3 under an editorial entitled "Air Force Is Wrong." The editorial follows:

AIR FORCE IS WRONG

Representative SAMUEL S. STRATTON, Democrat, of New York, who charged last week that the cheating scandal at the Air Force Academy might have been due to athletic professionalism, is being given the cold shoulder by the Air Force in his effort to find out what is going on.

STRATTON is a member of the House Armed Forces Committee. He has a right to ask questions. But when he asked Secretary of the Air Force Eugene M. Zuckert some questions he was told to submit them in writing. He did so and at last report all his questions had not been answered.

It is quite obvious that some members of the Air Force are trying to protect the image of their service. There has been an effort to put a classified information label on all of the investigation of the cheating scandal. The only information that has come out is a head count on how many cadets have resigned.

The Air Force is wrong in trying to cover this affair up. It is wrong to charge, as has been reported, the resigned students with not telling anything to anyone. Every man has the right to defend himself. By maintaining silence a cadet who resigns is condemning himself, perhaps unjustly.

Furthermore, the Air Force Academy is not the property of the Air Force, no matter what some of its ranking officers might think. It belongs to the taxpayers, who built it and maintain it.

Representative STRATTON wants to know if those dismissed were given honorable discharges with the warning that if they talked about the incident to reporters the discharges would be downgraded. STRATTEN wants to know all about what has gone on and what is going on.

So does the public.

The WTOP radio and television had editorial comments in the same vein on February 1 and 2. And Mr. Edward P. Morgan, a commentator over the American Broadcasting Co., had a similar editorial on January 27. I include these two here:

A WTOP EDITORIAL

(Broadcast on Feb. 1 and 2, 1965, over WTOP radio and television)

This is a WTOP editorial.

Congressman SAMUEL STRATTON, of New York, ninth ranking Democrat on the House Armed Services Committee, is building a fire under the Air Force concerning the cheating scandal at the Air Force Academy.

In a speech on the House floor, STRATTON accuses Air Force officials of—in his words—"trying to give me a snowjob on the Academy situation." He deplores the secrecy surrounding the cheating investigation and has addressed a series of 10 questions to Air Force Secretary Zuckert. Among other things, he wants to know how many cadets are involved (the announced number so far is 102), how and when did the cheating get started, and whether some form of intimidation was involved in the sale of test answers.

Mr. STRATTON is particularly aroused because Air Force spokesmen to whom he has talked have been quite reticent. The cheating probe is operating under a security classification which withholds information from all but the officials actually involved. In addition to the Academy's own investigation, a five-man blue ribbon panel headed by Gen. Thomas White, former Air Force Chief of Staff, has been asked to make a report to Secretary Zuckert.

We can sympathize with Congressman STRATTON's desire to know the facts. As a member of the Armed Services Committee, he deserves to know. But in fairness to the Air Force, it needs a reasonable time to develop its inquiry, without necessarily having to give extensive interim reports. It goes without saying, of course, that Secretary Zuckert has a mandatory obligation to tell the whole story without fear or favor, once the whole story is known. The Air Force Academy scandal is one of the worst in the history of all service academies. The entire country wants to know how and why.

This was a WTOP editorial, Jack Jurey speaking for WTOP.

EDWARD P. MORGAN AND THE NEWS

(Sponsored by the AFL–CIO American Broadcasting Co. radio network)

JANUARY 27, 1965.

Before we reel right off our rocker with sanctimonious condemnation of the foolish flyboys at the Air Force Academy who now won't fly, let's look at the subject of cheating for what it is, a national issue. The embarrassing fact of the matter is that for most Americans, honesty is not always or necessarily the best policy

We are, sad to say, a notion of cribbers, We fudge on our expense accounts, our income taxes, and our wives or husbands. We would rather fix traffic tickets than pay them. Do we need theater tickets for the boss? We pay "ice" to a scalper. Do we want a favored table in Gargoyle's nightclub? We bribe the headwaiter, who does not report it to the Internal Revenue Service.

How ethical is the Nation's business? Industry has been known to cut corners when it can, squeeze out competition by fair means—or foul as long as it can get away with it. Do you recall the finding of some of the giants of electrical equipment manufacturing and the imprisonment of some of their top executives only a few years ago for conspiring to fix bids, prices, and markets? How much of an honest day's work does labor, organized or unorganized, union leaders or rank and file turn in these days? In the field of politics, what an inspiration of integrity is evoked by the Bobby Baker scandal and the Senate's squeamish, arm's-length investigation of same, not to mention the ethical practices of election campaigns.

So why all the furor over the discovery that maybe five score of the Air Force's finest cadets at Colorado Springs have been caught buying and selling exam questions? Come to think of it, there has not been much of a public outcry and that in itself is something to think about. The country, one is tempted to conclude, has been hellbent on one gigantic fix and the fix we're in, morally and ethically speaking, is not exactly the featherbed we thought we were heading for.

I'm not trying to confect a blue-nosed argument to the effect that we have already reached the degree of decadence into which ancient Rome collapsed. But I do suggest in all seriousness that if we are not honest and candid with ourselves on such matters now, we will so hasten the American society's decline that we cannot avoid a real fall. Under such circumstances the scandal in Colorado Springs, reprehensible as it is, is not surprising. The fact that the violation of the Academy code included—it seems—virtually the entire football team revives the ugly question of the commercialized competitiveness of college athletics and whether we're ever going to rouse ourselves to call a halt. Now would be a good time.

The last major scandal involving varsity sports broke in the spring of 1961 when a gambler was nabbed for bribing a number of basketball stars in half a dozen universities and colleges to throw games or shave points so betting syndicates could clean up on the fixes. It was 14 years ago, in 1951, that 90 cadets left West Point in a cribbing scandal, including 43 members of the football squad. One of the latter, Ray Malavasi, now assistant coach of the Denver Broncos of the pro American Football League, told the Denver Post on Monday the code violators at the Military Academy may have run as high as 500 cadets. "The reason so many football players resigned," he said ironically, "was because we told the truth." There has apparently been some effective cleanout of underworld gambling corruption of college sports but there is little or no doubt that the pressures to produce winning—meaning profitable—teams have eroded standards and caused much more cheating in schools across the land than has been brought to light.

In a telegram to Defense Secretary McNamara, Democratic Congressman SAMUEL S. STRATTON, of upstate New York, declared Sunday that the Air Force scandal was a "direct consequence of the athletic professionalism still rampant in all three service academies. * * * The fact is," STRATTON wrote, "that in their desperate efforts to recruit topnotch athletes to compete with private colleges that follow similar standards of professionalism the service academies have admitted students with marginal academic records, and little if any real motivation for a service career.

"Inevitably many find that cheating is the only way that they can continue their athletic careers at the taxpayers' expense."

Maybe so but that shouldn't take the other big football and basketball factories off the hook. The academies can't offer the many and sometimes fabulous extra inducements which scores of civilian colleges and universities dangle before athletes.

More than a year ago, President Louis Perry, of Whitman College out in Walla Walla, Wash., advocated the abolition of commercialized bigtime college football. "In a nation of * * * affluence which puts hardly more than 1 percent of its gross national product into higher education, can part of that 1 percent," Perry asked then, "be legitimately used for doubtful educational purposes?" The question of subsidizing athletes has yet to be answered. As for the anguished Air Force cadets and the country at large for that matter, it might be well for us to remember the wisdom of Ralph Waldo Emerson. "It is," Emerson said, "as impossible for a man to be cheated by any one but himself, as for a thing to be, and not to be, at the same time."

This is Edward P. Morgan, enroute to London, saying good night from Washington.

Also the Armed Forces Management magazine in its issue of February 1965, commented in an editorial entitled "The Bean Counters":

> Boys are encouraged in mid-December to apply for next year's class when, at best, they shouldn't apply after about October 1 just because the paperwork takes at least 3 months to process. By one trick or another (some of them illegal) the academies see that the men who can handle a forward pass get a better-than-even break—even if it costs the military a bright student.

These, Mr. Speaker, are some of the comments that were made on this subject prior to the filing of the report by General White himself. This report was issued on May 5, and Secretary Zuckert, although I must say he was not very happy that I raised this subject, was most generous in making a copy of it available to me before it was released to the press. Without going into some of the other aspects of the White report, let me just read some of the highlights of the report as they bear on this whole problem of athletic professionalism.

But first of all, Mr. Speaker, let me read the terms of reference of the White committee's assignment by Secretary Zuckert insofar as they relate to collegiate athletics.

Secretary Zuckert asked this committee to analyze the basic causes of the cheating episode in terms of the evaluation of the structure and workings of the Academy. More specifically, he requested that we consider among other questions the following:

> What is the proper role of intercollegiate athletics in the Academy mission, including the effect of recruiting practices, scheduling of activities, and the treatment of the players themselves?

Now, Mr. Speaker, at this point I include in my remarks the full text of section VI of this report, responding to this specific question of athletics. It is entitled "The Physical Education and Athletic Program":

SECTION VI. THE PHYSICAL EDUCATION AND ATHLETIC PROGRAM

PURPOSE OF THE ACADEMY'S ATHLETIC PROGRAM

Physical fitness has rightly been elevated, in the recent past, to the level of a national goal. Its fundamental importance in general, and in our colleges and universities in particular, needs no underlining in this report.

Responsive to our terms of reference, this report deals with the proper role of athletics in the context of the Academy's mission, including the subsidiary question of the relevance of intercollegiate athletics, and the relationship between Academy football and the cheating episode.

In assessing the proper role of athletics, we must look once again to the kind of officer the Academy should produce. Any cadet may be assigned, as an officer, to scientific or managerial responsibilities. For such an officer, the demands of the intellect will play a larger role than physical conditioning, although if physically fit and active, he is apt to do a better job. But roughly half of Academy graduates will become military pilots, and the value to a pilot of physical fitness, as well as professional skill, is apparent. Other Air Force assignments also place a premium on physical condition.

Aside from physical fitness as such, qualities of courage, self-discipline, sportsmanship, and teamwork are fostered through an active athletic program. The Academy's well-rounded intramural program, with its stress on contact sports, provides each cadet with a desirable change of activity and an outlet for his energies. Intercollegiate athletics extend the intramural program by permitting more talented athletes to compete at their level, and provide imporant rallying points for the cadet wing as a whole. They serve the Academy well when they act as catalysts for the identification of cadets with the Academy and the Air Force.

We think it fair to say, on the whole, that the Academy athletic program makes a valuable contribution to the preparation for officership, and is of even greater importance to the Academy's curriculum than similar programs are to the curricula of most civilian institutions.

FOOTBALL

Turning to the specific role of football, we find, as with many other fine educational institutions, that this sport probably commands more public interest than any other single activity of the Academy. It is distressing to note that football players were a prominent group in the honor incident, as revealed by the following statistic breakdown:

Categories of cadets involved in cheating

	Total in the group	Number involved in cheating	Percent involved of total in group
Wing	2, 560	105	4. 0
Upper class [1]	1, 725	104	6. 0
Upper class nonathletes	1, 361	60	4. 4
Upper class athletes	364	44	12. 1
Athletes other than football players	284	15	5. 3
Football players	80	29	36. 2

[1] Includes all but freshmen or 4th class.

It is apparent that just over one-third of the upper class football squad was involved. The cheating incidence for upper class other sports was 5.3 percent, not too far from the 4.4-percent rate for upper class nonathletes, and the 4-percent rate for the wing as a whole. The 29 upper class football players, moreover, were directly instrumental in the involvement of at least an equal number of nonfootball players.

Unfortunately even this does not tell the whole story; 44 percent of the 105 cadets involved in the cheating episode were recruited athletes, not all of whom ultimately made varsity squads. Since in our opinion there is no significant difference between the moral standards of athletes and those of other cadets, the inference may be warranted that recruiting itself may on some occasions have distorted the true values of the educational experience in the mind of the sought-for athlete. The matter of recruiting in general is treated subsequently in this section.

THE FOOTBALL PLAYER AS A CADET AND OFFICER

As a background matter, the committee examined the possible relationship between a cadet's participation in football and his subsequent performance as an officer. It finds no significant relationship to exist, either in favor of the football player or adverse to him. Academic qualifications and academic achievements of football players at the Academy are slightly lower than those of the student body at large. Football players are about at par in military performance and participation in extracurricular activities. The officer effectiveness reports of football players of the first three classes (1959, 1960, 1961), who have graduated from the Academy are slightly higher than those of their nonfootball player classmates.

TREATMENT OF THE VARSITY ATHLETE

When recruited athletes arrive at the Academy, they are in a sense, already a group apart from the wing. Thereafter, the demands of a heavy athletic program distinguish the lives of all the players from those of their fellow cadets. One manifestation which the committee noted was the widespread cadet belief that special privileges are offered to football players, including the belief that academic instruction is sometimes scheduled for them alone; that separate tables in the dining hall permit a number of varsity players to eat apart from their squadrons not only during the playing and practice seasons but throughout most of the academic year; that intercollegiate athletes tend to be assigned to particular squadrons.

The committee draws a distinction between steps taken to insure that athletes do not suffer a disadvantage by virtue of their participation in intercollegiate sports, and special privileges which go beyond this test. Football players need a special diet to avoid weight loss during the regular or practice seasons. When travel demands are heavy, they require additional instruction in order to keep up with their classmates. But special privileges, as we use the term, have no valid purpose and tend to set the football player apart. They have a detrimental effect upon the athlete himself, who may come to regard himself as a member of an elite. It is worth noting that this point of view was represented by several of the uninvolved members of the football squad.

SCHEDULING AND FINANCING

The committee is convinced that the pressures for a nationally powerful Academy team must be resisted. Football at the Academy must be brought into line with its fundamental goals as an educational and military institution. The committee is fully aware of the pressures, prevailing in many areas of the Nation, for "bigtime" football glory. Nevertheless, it believes that such pressures, if acceded to, may well affect adversely the environment and distort the true mission of the Academy. The purpose of the Academy is not to produce the finest football team in the Nation, but to educate outstanding officers for an Air Force career. The present football schedules and programs are not entirely consistent with this goal.

While existing firm commitments must be honored, and recognizing the difficulty of making changes, the committee believes that more realistic schedules should be introduced as soon as practicable. Future schedules should be aimed primarily at schools having athletic standards that are roughly equivalent to those of the Academy. The occasional inclusion of a particularly strong team or a "breather" would not be inconsistent with this view. The committee strongly endorses future plans to schedule annual football games with the Military and Naval Academies.

The committee is entirely persuaded that a sound athletic program—both intramural and intercollegiate—is an essential element of the Academy's curriculum. But it regrets that the intercollegiate aspect must rely for its existence on football ticket sales, concessionaire profits, and television revenues, and appreciates the possibility that a less ambitious schedule may earn less money. It is common knowledge that until such time as the profit motive can be taken from American intercollegiate football, every institution engaged in this activity is confronted with the same problem.

The matter cannot, of course, be left there. The Academy's intercollegiate program is not restricted to a handful of stars: well over 700 (364 upperclassmen; 373 freshmen) cadets participate to one degree or another in intercollegiate sports. If there is insufficient income to support other intercollegiate sports, the Academy must look, if necessary, to the use of appropriated funds. If the Congress believes, as does the committee, that intercollegiate athletics are a vital part of the Academy's mission, and that profits should be regarded only as a byproduct of a worthwhile endeavor, it will be likely to pass favorably upon a request to make up the modest deficit which may result.

We might add that the committee is by no means convinced that any sharp decrease in revenues would ensue. Service academy teams have a great attraction to the public and seem to draw substantial crowds even when playing against opponents who are not regarded as football powers.

RECRUITING

In common with other institutions, the Academy seeks actively to attract the best possible candidates, athletes or not. This effort includes nationwide publicity to bring the Air Force and the Academy to the notice of prospective cadets; a nationwide liaison officer program; and a preparatory school program.

The liaison program is the largest Academy recruiting effort. Approximately 900 unpaid volunteer Air Force Reservists are available from time to time to visit secondary schools throughout the country, providing admission counseling and informational service to all potential candidates, parents, and school counselors.

Two independent foundations provide scholarship aid to highly motivated young men who need additional scholastic training to qualify for admission. In the past 3 years, Falcon Foundation funds have supported 67 scholars, of whom only 4 were known to have high potential for varsity level athletic participation. In the same period, the Gertrude Skelly trust has aided 45 scholars, all of whom were sons of career military personnel; the trust does not take athletic ability into account.

The Air Force Preparatory School, on the other hand, is Air Force operated and provides scholastic training for Reserve and Regular enlisted men whose records indicate the highest potential of winning appointment to the Academy. Many enrollees enlist specifically for prep school training and subsequent competition for appointment. In the past 3 years, 559 airmen have been enrolled in the prep school. (Less than one-fourth of these were athletes of recognized talent.)

Of this entire recruiting effort, athletic recruitment is demonstrably but a small part. An examination of the Academy's recruitment practices has revealed no instance where academic standards have been lowered in order to admit a prospective varsity athlete. The qualifying college board entrance scores are set by Academy authorities without regard to this factor.

It is the committee's belief, however, that some recruited athletes have not been sufficiently informed by recruiters of the Academy's purpose and goals. A few have accepted appointments primarily as athletes, rather than as cadets, and have been led to expect special treatment. Even such rare occurrences seriously derogate from the spirit of absolute integrity which must permeate the Academy. It is of utmost importance that prospective athletes understand what will be expected of them as cadets and potential officers in the Air Force.

ANALYSIS OF FOOTBALL SQUAD INVOLVEMENT

We have seen that, proportionately, almost eight times as many upper class football players were involved in the cheating episode as were other upper class athletes.

In keeping with the assumptions underlying this report including, in particular, the premise that each cadet is personally responsible for his own course of conduct, the committee does not seek excuses for those who cheated.

As previously stated, however, we would regard it as grotesque to assume that football players, as such, are less moral than the members of any other group within the Academy. We believe that forces in addition to the lowered morale and other conditions common to the wing were at work within the football squad—heavy scheduling, special treatment, and the like—which contributed to the high incidence of cheating.

In our opinion, those football players who cheated came to the distorted view, for all of the reasons we have discussed, that their primary loyalties were to each other, rather than to the wing. When those misplaced notions of loyalty were challenged by a less personal honor code, the latter gave way in all too many cases. That most football players did not cheat is, of course, hard evidence that the temptations were not irresistible.

Plainly, intercollegiate athletics must be kept in proper perspective. In particular, supervisory personnel at the Academy must guard against granting the intercollegiate athlete special cadet privileges. In more positive terms, athletic staff members, while developing teams which creditably represent the institution, must never lose sight of the Academy's broad goals and the proper contribution which athletics should make to them.

RECOMMENDATIONS

The committee recommends that:

1. Football players and other intercollegiate athletes be distributed as evenly as possible among the squadrons.
2. Athletes dine together only during athletic seasons and practice periods.
3. Discussions be held with the appropriate committees of the Congress on the question of financing the Academy's intercollegiate athletic program in the annual operations and maintenance appropriations to the extent, if any, that football revenues may be insufficient.
4. Academy football teams, within the limits of present firm commitments, be generally scheduled to meet opponents of representative schools with similar athletic standards.
5. Air Force and Academy authorities insure that all recruited cadets, athletes or not, understand that their primary purpose in coming to the Academy is to become cadets and career officers; to this end, the Academy must continuously scrutinize its recruitment program, as well as the indoctrination and control of recruiting personnel.

Mr. HUNGATE. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. Yes, I would be glad to yield to the gentleman from Missouri.

Mr. HUNGATE. Does the gentleman recall that in the previous colloquies on that subject—and I am not certain that the gentleman now speaking in the well made the remarks—the analogy was made in recruiting practices that the same thing might perhaps happen regarding musicians or bandsmen and a comparison was suggested that this might happen.

I wonder if in the gentleman's extensive study of this matter there has been any evidence that participation in this scholastic softness or being beneficiaries of a recruiting policy on behalf of the musicians or bandsmen at the Academy was involved?

Mr. STRATTON. I believe the distinguished gentleman from Missouri raised this question in a previous colloquy and I was not at that time aware of any applicability to bandsmen. No evidence has come to me since to that effect and there is nothing in the White report to that effect.

Mr. HUNGATE. I thank the gentleman.

Mr. STRATTON. Mr. Speaker, I think this final conclusion, No. 5, is a very damaging conclusion. In effect it says to the Academy: "It is about time you tell your athletes they are really at the Academy not to play football, but to become Air Force officers." Apparently they have not been making it too clear up to now.

Mr. Speaker, let me comment briefly on several points raised in this fine, forthright report.

First, the report makes it clear that while physical fitness is desirable, many graduates of the Academy will end up in staff or scientific or management jobs, where their intellectual ability will be much more important than their brawn. This fact should never be forgotten in any of our service academies.

Second, the report also shows that there is little difference in general, either within the Academy or out, in the performance records of athletes as compared with nonathletes. So that except for building championship football teams, there is no reason to set aside special procedures for recruiting top athletes.

Third, the committee recognizes that an athletic program is important, and is even more important in a service academy than in a civilian college. I would agree here too.

Fourth, we must get away immediately from the position of using commercial revenues from football games to finance the balance of the intercollegiate athletic schedule. If a cadet is drawing in the crowds which pay for lacrosse, and tennis, and crew, and swimming programs he certainly is in a class apart and it would be a brave professor indeed who would risk flunking such a moneymaker out of the Academy. Mr. Vance said in his letter he did not know how professional athletics applied to the service academies. Well, here is the answer, right from General White and his colleagues. Let us get the full athletic budget presented and funded up here in Congress, and not depend on the success of our coaching staff in recruiting athletes good enough to bring in top money gates, like a prize fight.

Mr. Speaker, I think this is a tremendous report. I think the White committee is to be congratulated on the splendid job it has done. It is a courageous and forthright statement which fully supports the charges I made, and with which I agree almost in every respect.

What is even more remarkable is the fact that this report and its recommendations with regard to athletic commercialism at the Air Force Academy were issued unanimously by a body largely composed of Air Force friends and supporters, especially in view of all of the pressures that must have been exerted, both at the Academy itself and in the Pentagon, to say nothing of the Congress itself, against any such recommendation.

The important thing now is to see that these fine, reasonable recommendations are carried out, and not just filed and forgotten. That will be up to Secretary Zuckert. I am urging him to give me a full report on his progress.

It is also clear that what General White and his colleagues have found at the Air Force Academy can be found in much the same measure at West Point and Annapolis. The changes recommended for Colorado Springs should also be implemented at the other Academies, and the responsibility for that clearly lies with the Secretary of Defense, who has not so far, I am sorry to say, demonstrated much interest in this problem. I am asking him again to see that this is now looked into and similar corrective action taken where necessary.

I have recently requested information from both the Secretary of the Army and the Secretary of the Navy on athletic recruitment procedures at West Point and Annapolis. So far this information has not been produced. I shall be looking for it with great interest. Now that the White report has been issued, there should be no reason for any further delay on the part of the Air Force in answering the same questions on recruiting procedures which I asked them last March during the posture hearings of the Armed Services Committee, and to which I have not yet had an answer.

Mr. Speaker, I have nothing against athletics or athletes. Quite the contrary. I was a varsity swimmer during my college days, although probably not a very good one, but I did enjoy athletics, and I try to keep active today in many sports.

As I have already indicated, I am in complete agreement with the statement by the White committee that athletes are no less moral than other people and that a vigorous and effective athletic program is not only essential to the training program of all service academies, but is even more an essential part of the program of a service academy than it would be in any civilian college.

But there are three specific ways, Mr. Speaker, in which the longstanding overemphasis on commercialized and professional athletics in all of our service academies has in my judgment, damaged the proper fulfillment of the mission of these academies, and most of these were clearly pinpointed by the White report.

First, there is no need for our service academies to develop championship football or other teams. Everybody likes to see a winning team, but building such teams is, as the White report says, not a proper part of the academy's mission.

Second, all too often the procedures used for recruiting athletes not only encourage the recruited athlete to think of himself as a kind of special breed apart, as the White report says, but also encourage dishonesty and contempt for the standards, rules, and regulations affecting academy admission, as I have documented on the floor of this body on a previous occasion.

Third, the assistance given to recruited athletes for the use of special so-called "preparatory" schools to qualify for academy entrance, when those schools do nothing more than cram students to pass college entrance board examinations, not only degrades the academy's academic entrance requirements, but also places an unusually heavy burden on such applicants to stay in the academy after a cram course has effected their initial admission.

Some recruited personnel, athletes and nonathletes, who are sent to such schools—some of them located in the Washington, D.C., area—spend a whole year being taught nothing more than how to pass the English composition college board or the math college board, so that they can get into the academies, and even at that with the relative modest 500 passing mark on the college board, which the academies require. I just do not believe that is proper. It should not be permitted or encouraged by the academy, either officially or unofficially. We ought to look into the cram schools. Obviously, anyone who has to spend a year to learn how to pass a college board examination will have a good deal of difficulty staying in the academy without the help of the kinds of cheating which was uncovered at the Air Force Academy, and which, incidentally, the White report indicated had been going on for some time.

Mr. Speaker, under further leave to extend my remarks, I include two thoughtful editorials commenting on the White report—one from the New York Times of May 12, and the other from the Washington Post of May 13:

[From the New York Times, May 12, 1965]

Change at the Air Academy

The special review board which scrutinized the Air Force Academy in the wake of the recent cheating scandal has ably identified a number of institutional weaknesses. The misguided military theory that any officer with the required rank is capable of running a service academy led to a rapid turnover of top administrators, including the institution's superintendents. The Academy was thus launched under conditions of confusion in purpose and operations.

The dilemma was aggravated by an extreme competitiveness. Intercollegiate athletics, with their commercialism, were a contributing factor—a fact underlined by the high incidence of cheating among football players. But many other competitive forces were also involved. Clashes between academic faculty and military disciplinarians, plus the excessive stress on competition between cadets as individuals and as members of squadrons, interfered with the progress of a basically strong program in an essentially sound institution.

The review board was well advised in refusing to put the blame on the honor code itself. It found wrong only the ridiculous interpretation of the meaning of honor. If a cadet is required to turn in a classmate for not shining his shoes properly, he is unlikely to take seriously a code that puts on the same plane such genuinely serious moral offenses as stealing or cheating.

The board's recommendations that a more authoritative role be assigned to the academic faculty and the dean are crucial to all reforms. But the Academy and the Air Force would do well also to abandon the puerile one-upmanship in relation to all comers—from Ivy League to West Point. Thus, we disagree with the report's suggestion that the Academy move into production of its own master's degree. The new institution has made a fine start in many areas of the curriculum, but it requires time to settle down and build in depth. Educational goals are different from interservice rivalry and from speed records in the air.

[From the Washington Post, May 13, 1965]

Academy Cheating Report

The 94-page report on the cheating incident at the Air Force Academy which led to the resignation of 109 cadets earlier this year is a remarkable document. Prepared by a 5-man committee with former Air Force Chief of Staff Gen. Thomas D. White as its chairman, the report is thorough, extensive, firm and written in a clear prose too seldom found in official documents that deserve wide readership.

Issues are neither ducked nor brushed over. The committee suggests changes in the Academy's academic program, increased responsibility for faculty members and cadet leaders, less administrative turnover and a revaluation of the athletic program. From the report, it becomes obvious that the relative newness of the Academy—its first graduation was in 1959—was a cause of the atmosphere that led to the cheating. Yet this same newness makes readjustment along the lines suggested by the committee possible.

Amid the conditions at the Air Force Academy that contributed to the cheating, intercollegiate football is clearly in the forefront. Groupings of cadets involved in the scandal show that 44 percent were recruited athletes and 36.2 percent were on the football squad. While upholding the merits of the football players as students and later as officers, the committee pointed out that many cadets, and a few players themselves, regard the football player as possessing special privileges. Both recruiting and Academy practices enforced this attitude.

The committee's solution? Deemphasis. "The pressure for a nationally powerful Academy team must be resisted," the report says. It then goes on to point out that big league football at the Academy should not be justified or continued just because it finances the rest of the sports program. Congress, the report suggests, would be willing to appropriate funds to keep intercollegiate athletics alive if the need arose.

As for the honor code itself, the report indicates the overwhelming majority of cadets interviewed, including those who resigned, feel the code is an important part of the structure of the Air Force Academy. "If the code is to be meaningful, the cadets themselves must believe in it," the report says. Confirming this belief, the committee suggests a reassessment of the code's application to keep it from being substituted where ordinary regulations of academy life should apply.

The phrase cadets "will not tolerate among us" those who lie, steal or cheat caused considerable uproar when the scandal broke. The code, some charged, made cadets turn on their fellows; made them become "squealers" or "informers." Citing the deep sense of personal responsibility individuals must have to a military organization if it is to succeed, the committee answers, "such epithets are rightly applied only to those narrow relations between man and man in which larger interests and commitments are not involved."

Obviously larger interests were involved in this incident. Similarly, the White committee report should be studied in Annapolis, West Point and other centers of learning far from Colorado Springs.

Mr. Speaker, I feel that the scope of the White committee report, and the forcefulness of some of its recommendations, does impose an obligation on those of us here in the Congress, to act not only to see that these recommendations are carried out, but also to examine more fully into the operation of our whole military educational program, which it is certainly our responsibility to supervise. In that connection I was pleased when a special committee was set up by our Armed Services Committee to look into the service academies, as the following report from the New York Times of May 11 indicates:

House Unit To Study Service Academies

Washington, May 10.—A special House Armed Services subcommittee was named today to look into the operation of the service academies. It is to determine whether aptitude tests and high school grades may be barring some potential generals and admirals.

L. Mendel Rivers, Democrat, of South Carolina, who is chairman of the full committee, put the subcommittee in the hands of F. Edward Hébert, Democrat, of Louisiana, and gave it the mission "to determine whether the present laws, policies, and regulations, including test scores, assure a future professional military force truly representative of a cross section of the American people."

"High schools vary throughout the Nation and testing devices cannot determine motivation, dedication, sincerity, nor, in my opinion, potential leaders of men," he said.

Mr. RIVERS said present admission practices might tend to favor large high schools in metropolitan areas.

"The Founding Fathers of the Congress, who set up these academies, did not intend them to compete with nor emulate the Ivy League or Cambridge and Oxford," he declared. "They established these academies to develop combat leaders and professional military men. Certainly we need bright, intelligent military leaders but not all professional men have to be potential Ph. D.'s."

But I am deeply concerned, Mr. Speaker, over the suggestion that we ought to lower the academic standards at these academies. The White committee made no such recommendation. On the contrary, they pointed out the need for scientific and management training in the case of future career service officers. At the very moment when we see this need for officers trained in such specialties as language, diplomacy, nuclear physics, cost accounting, and geopolitical and historical subjects relevant to today's modern world, surely this is not the time to suggest we turn back the clock and regard a well-rounded and well-educated Air Force, Navy, or Army officer as just another superfluous and unnecessary Ph. D. I sincerely hope the subcommittee will not pursue this particular line of inquiry, after the White committee has turned in such a brilliant and helpful job.

THE 17TH ANNIVERSARY OF ISRAEL INDEPENDENCE

The SPEAKER pro tempore (Mr. RONCALIO). Under a previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 15 minutes.

Mr. RYAN. Mr. Speaker, 17 years ago an age-old dream was fulfilled: the recreation of an independent State of Israel.

In the centuries preceding 1000 B.C., the area we know today as the Middle East consisted of innumerable peoples and tribes in competition with one another for the limited amount of fertile land available. Empires rose and fell as different nations expanded, only to be replaced by more vigorous successors. It was at this time that the Israelite tribes first made their appearance on the stage of history. At first tribally organized, they entered the land called Canaan, where they soon established the land of Israel. In time, as the tribes became settled and engaged primarily in agriculture and trading, the governing power passed to judges, kings, and prophets.

After the reign of such men as Saul, David, and Solomon, with whose names we are all familiar, the kingdom was split into the two realms of Judah and Israel. Much larger and more powerful nations of the ancient world, however, were determined to extend their dominion over the whole area: the Assyrian and the Babylonian. The little kingdoms of Judah and Israel could not long hold out against the tremendous armies which these states were able to muster. The Jews were exiled to Babylon, later to be repatriated under the enlightened and tolerant rule of Cyrus the Great, whose Persian Empire replaced the Babylonian. For about 400 years, under a variety of tolerant Persian dynasties, the land of Israel enjoyed considerable autonomy. When a later dynasty attempted to interfere with this self-government, the Jews rose in revolt under the Maccabees and gained full independence.

Unfortunately, this independence was destined to last for only a little over two centuries—that is, until the Roman Empire decided to expand to the east and encompass lands formerly held by the Persians. In a long series of rebellions and minor wars, the Jews sought to resist the expansion of Rome. Again it was a futile effort, for the power of the legions of Rome was at this time nearing its apogee. In the year A.D. 70 the Romans were able to subdue Judea, in the process destroying the second temple All that remained of this temple was a portion of its western wall; for centuries it became a goal of pilgrimage, and was known as the Wailing Wall, for the Jews came there to weep over the destruction of their beloved land.

The history of the land of Israel after the victory of the Romans was marked by successive waves of foreign conquerors: Arabs, Crusaders, Mongols, Turks, and Britons. But, although most of Israel's former inhabitants were driven into exile in all corners of the world, the memories of the ancient heritage never died. The idea of an eventual return to Zion, one of the hills of Jerusalem and synonymous with the land of Israel, was upheld and fortified by the imperishable and myriad ties the Jews of the Diaspora retained. These ideas were deeply ingrained in the religion, in the art and culture, in the literature, and even in the everyday life of the Jews of the world.

During the 19th century, there was once again an increase in the endemic anti-Semitism which has long existed in Russia and Eastern Europe, as well as other regions of the world. As a result, there was a Jewish national revival, and a movement was begun for the restoration of Israel to the Jewish people: Zionism. Thousands of Jews began to return to the region which the Romans had renamed Palestine; they purchased land, began to cultivate the soil, establish industries, as well as construct new towns and villages.

In 1897, the World Zionist Organization was founded in Basel, Switzerland. It was a direct outgrowth of the writings and work of Theodor Herzl, the founder of modern Zionism. In the succeeding years, the movement gathered momentum and the adherence of many prominent personalities. During the First World War, its hopes for an eventual return to the homeland were considerably bolstered by the Balfour Declaration, in which the British Government pledged its support for the "establishment in Palestione of a national home for the Jewish people."

With the conclusion of the war, and the incorporation of the Balfour Declaration in the League of Nations Mandate for Palestine, the return to, and reconstruction of, the ancient land of Israel could and did begin in earnest. Under the aegis of the World Zionist Organization and the Jewish Agency, immigrants from Europe as well as other continents poured in. With the assistance of Jewry in more prosperous countries, the economic, cultural, and social life of Israel began anew after a hiatus of almost 2,000 years.

Unfortunately, the long struggle for an independent Jewish state was not at an end. Irresponsible leadership in the Arab community of Palestine as well as the neighboring states fostered a spirit of xenophobic nationalism which made fruitful cooperation impossible. At the same time, the restrictive policies of the British Mandatory Administration made it necessary for the Jewish community to establish its own organization to protect the lives and property of its members.

The horror of the Nazi holocaust in Europe, which sent 6 million Jews to their death, made it imperative that those who survived have a place which they could, in truth, call "home." The conscience of the civilized world supported the creation of a Jewish state as a haven for the survivors, as well as for those suffering persecution of any sort in any land. The hostility and terrorism of the Arabs, however, made a peaceful settlement impossible, and even the British Administration was no longer able to handle the situation.

The problem of the future of Palestine was referred to the United Nations, where the General Assembly in November of 1947 voted in a historic decision to partition Palestine into independent Jewish and Arab States, to be joined in an economic union. The Jews of Palestine, and the various Jewish organizations accepted this compromise; motivated by the desire for a peaceful settlement of the many serious issues involved, they pledged their full cooperation in implementing the plan. But, it was not to be that easy. Once again, representatives from the Arab States declared their hostility to the decision, and threatened the use of force in order to prevent its terms from being carried out.

And, on May 15, 1948, the day the mandate which the League of Nations had granted Britain over a quarter of a century ealrier came to an end, this threat was carried out. Six Arab States began a concerted armed attack on the newly declared State of Israel. In its birth of fire, however, the "children of Israel" demonstrated their courage and determination. The invading armies were defeated by the Israel forces, and compelled to sign armistice agreements.

Mr. Speaker, the progress which the people of this new state have achieved in the 17 years that have passed since that time is nothing short of miraculous. From less than 800,000 in 1948, the population has soared to approximately 2,500,000. Jews from over 100 countries, representing traditions and trades in an infinite variety have settled and become the stock of a prosperous and happy land.

They have established the only democratic government in the Middle East; the country's multiparty system is both a reminder of the diverse origins of people as well as a tribute to their desire and ability to work with one another for the benefit of all.

The economic progress which this cooperation and dedication has wrought is, and has been, a model of achievement for others. The gross national product has been growing at the almost incredible rate of 10 percent, and per capita income at about 5 percent. Surely this is a record unmatched anywhere. Although over a million immigrants have come to the country, many of them unskilled and penniless, they have been integrated into the country's burgeoning economic life. Social and welfare services, schools, hospitals, and other public institutions have been created with consummate skill. They provide valuable lessons for others, as many underdeveloped countries have learned to their own benefit.

In all fields of human endeavor, from agriculture to industry to education, the astounding progress which this small nation has achieved is truly remarkable.

In the field of agriculture, the cultivated area has doubled, and the irrigated area has quadrupled along with production. Although few of the immigrants to Israel had been farmers, they became dedicated to the challenge of turning arid desert into productive soil. Swamps were drained, dunes were anchored by planting vegetation, the soil was improved, and new sources of water were tapped. Now Israel farmers produce three-fourths of the country's food, growing all local requirements except for cereals, grain fodder, and fats, for the production of which there is simply not enough arable land.

Last year an agreement between the United States and Israel was announced for cooperation in the use of nuclear power to desalinate sea water and generate electricity. The nuclear powerplant to be built will supply 80 to 165 million gallons of fresh water each day and hopefully will be in operation by 1971. This step and other progress in desalination and weather control, such as inducing artificial rainfall, will hopefully allow Israel to develop more of its land than is now possible with the limited supplies of water.

In industry, a mixture of private, state, and cooperative enterprises have succeeded in producing a wide variety of products, including canned foods, electrical apparatus, ceramics, chemicals, and machinery. Extensive geological surveys undertaken in the past 17 years have resulted in the discovery of new mineral resources. Although only potash had been exploited on a wide scale, now the minerals exploited, mostly from the Dead Sea or the Negev, include bromine, magnesium, phosphates, copper, manganese, petroleum, and natural gas. It is one of the few countries which have deposits of both phosphates and potash necessary for use in the three main types of fertilizers.

In construction, the Israel Government has erected over 300,000 permanent housing units since 1948, plus schools, office buildings, hotels, and factories. In addition there has been much private building. Housing the many immigrants has been one of the heaviest burdens on Israel's economy, but the large sums necessary have been spent.

In transportation and communications, similar progress has been made, particularly in sea and air transport which has become particularly important in view of the policies of Israel's Arab neighbors. The merchant fleet has grown from 4 vessels to more than 70 and still more vessels are under construction. The main port of Haifa has been improved and augmented and it can handle 3 million tons of cargo a year. In addition, Tel Aviv and Jaffa have a combined capacity of almost 400,000 tons a year. A second deepwater port is being built 20 miles south of Tel Aviv, at Ashdod, and it will be able to handle a million tons of cargo. In addition, the building of a new harbor has begun at Israel's southernmost port, Eilat, on the Gulf of Aqaba, with the objective of developing it as a gateway for trade to Asia and East Africa.

The development of air transport is even more impressive. In 1948 there were only two civilian planes registered. Today one of the airlines has won an international reputation and there are several internal aviation companies.

The 17 years of independence have also also brought great progress in the educational and cultural spheres. In the school year 1948–49 there were 130,000 students in the country's educational institutions. In 1963 there were about 650,000. These include 48,000 Arab pupils in 327 state schools.

A complete educational network from kindergarten to universities has been built up. Primary education is compulsory between the ages of 5 and 14, and young people from 14 to 18 who have not completed schooling must attend special classes. The Hebrew University, which has grown from 1,000 students in 1948 to over 9,000 in 1963, is one of the finest in the Middle East. There are also several other institutions of higher learning including the Israel Institute of Technology which trains engineers, technologists, and architects, and some 42 colleges for training teachers for kindergartens and elementary schools. Israel scientists and scientific institutions have won wide recognition for the contributions they have made to the utilization of the country's natural resources and the settlement of scientific and technical problems essential for its economic development.

Finally, in the cultural sphere, two generations of educators and scholars have transformed an ancient tongue into the modern, living Hebrew language. Some 2,000 books are being published annually, including some outstanding contemporary works. Plays are being written and produced, and music and art are also flourishing.

Mr. Speaker, the record of Israel in both the past and the present is one of great contributions to the spiritual as well as pragmatic life of man. The future is even brighter. It is appropriate that we pay tribute to the only democracy in the Middle East for its manifold achievements on the 17th anniversary of its rebirth as an independent nation.

PRIVATE PATENTS AND GOVERNMENT-SPONSORED RESEARCH

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. ROUDEBUSH], is recognized for 30 minutes.

Mr. ROUDEBUSH. Mr. Speaker, a most constructive and extremely important step has been taken in the creation of the President's Commission on the Patent System. In undertaking a complete and detailed review of the meaning of patents to this country, and with a view to improving the services they render, the Commission can make a tremendous contribution to the economic well-being of our country and clear up some longstanding and complex problems that hamper the very progress patents are supposed to promote.

The President has been careful, in his Executive order of April 8 creating the Commission, to observe the benefits the United States has realized from the present patent system, noting it "has contributed materially to the development of this country." But he states also that a serious patent applications backlog exists, that costs of patent processing seem to rise endlessly, and that there is increasing concern here and abroad about inadequate protection for industrial property. There has been no material change in our patent system since 1836.

Clearly, the creation of this Commission is long overdue; it is, however, most fitting for its work to begin now, during the 175th anniversary year of our first national patent law.

I have commented before about the need to shore up the patent laws as they apply to protecting our industries against thieves who resell the stolen fruits of American invention and ingenuity to our own Government. I trust this is one corrosive practice which will receive the most careful consideration of the Commission. Out of this review will come, I am confident, a recommendation for legislative remedy. A remedy which I am proud to have authored in the form of H.R. 150, 89th Congress, provides a suitable means to correct this situation.

But there is another problem which the Commission, and this House, will need to pay close attention to, and which, unfortunately, is not a matter receptive to easy solution. This has to do with the disposition of patents that result from research supported by the Federal Government in less than total degree.

As one whose home district is fortunate enough to boast many research-oriented firms, I am aware that this is a most serious problem, and I appreciate the need to approach it with anything but a simplistic attitude.

We are all being made currently well aware of an approach, which I would call simplistic, offered repeatedly to the Senate—an approach which would have all such patents become Government property. No matter if all the physical facilities, supporting personnel and inventor's talent were privately financed, this approach says that if somewhere along the line, even by the most circuitous and contrived construction, Federal money can be said to have been involved, the whole prize goes to the Federal Establishment.

The injustice of this philosophy is to me so patent as to warrant no discussion. Yet it is continually presented as being "in the public interest" and against the private monopolization of what by even the most horrendous logic cannot be made to belong to any other segment of our society.

Perhaps it would be more honest to identify this sort of reasoning as what it really is: An ill-veiled invention the function of which is to crush the patent system by rendering a patent a meaningless scrap of paper. Even setting aside the arguments of plain justice in this situation, one can see the real effect of this argument simply by asking what happens to the patent that is in the name of the Government. What value has a patent that has every citizen as its owner?

Since it is the function and definition of a patent to grant a limited monopoly in return for a revealing of what was formerly a closely guarded secret, a patent should confer some kind of monopoly reward on someone. But since Government's practice is to throw open rights to patents it owns to all comers, one might ask if governments should take title more than rarely. It is well known that frequently rights to an invention that are available for the use of all are in fact used by none—an effect opposite to that intended and effected by privately held patents. To employ a mechanism designed to grant temporary monopoly—when deserved—for the purpose of granting free use whether earned or not seems, at best, a meaningless exercise. If the object is in essence to deny exclusivity of use, then what is the point of issuing a patent?

The objective claimed for these confiscatory patent schemes is, of course, said to be the protection of the public's investment in scientific research. Fortunately for the public, these approaches have, for the most part, not been accepted by the Congress. But they are accepted, and practiced, by the Department of Health, Education, and Welfare, and are practiced with devastating regularity in that Department's involvement in the Nation's broad medical research program. I submit that this fact is of first importance to the Congress, the Presidential Commission, and the American public, for it is interfering with the rapid and equitable progress of the Nation's health research effort.

Since 1962, it has been the practice of the Department of Health, Education, and Welfare to obtain agreements with academic researchers to the effect that any rights to any product that may eventually be discovered by them will reside with the Government. No consideration is allowed for the extent of the involvement of non-Federal money. No matter how large or small the Government's share in supporting the discovery is, its share of the results is, simply, the whole pie. In 1963, this gluttony was extended to cover collaborative work involving academic scientists with private laboratories, such as pharmaceutical houses.

The effect of this dictatorial policy is not too surprising. The university or drug firm that wants title to the fruits of its own labor avoids the Public Health Service or any organization "blessed" by its support. But since PHS, which encompasses the National Institutes of Health, finances such a large and growing portion of our medical research, a policy of avoidance is practically impossible to carry out, unless the institution is willing to brave the sterility of isolation. The university that has no PHS-supported scientists on its staff is nonexistent, and the drug firm that does not need and support scientists who are also PHS-supported is equally rare. Obviously, like it or not, Government, college and drug firm are in a single boat with a single mission. No good, and a great deal of bad, can come from permitting them to be segregated. Rather, means must be created to require each to be decent to the others. Under the present policy, the industrial laboratory that collaborates with the academic institution or Government agency is not made welcome; it is penalized.

Basic to accomplishing a fair solution to this problem is the need for a genuine understanding of the nature of American research. For this purpose, the development of a new drug provides a good case in point.

It frequently starts out as nothing more than a supposition in the mind of an academic or industrial researcher, usually the latter. But if it is academically originated, there may well be early academic-industrial collaboration to confirm the first impressions and expand understanding of the agent. The reason for this is simple: industrial laboratories have the talents and facilities to do advanced studies of candidate compounds, and universities generally do not.

A joint effort may continue throughout the history of a research program, or the company may take up the effort entirely alone. In most cases, the industrial laboratory will assume the burden of conducting controlled animal tests, uncovering methods of economical and pharmaceutical quality production, sponsoring trials in man, preparing appropriate submissions to Government agencies to permit marketing of the drug, making the product's availability and characteristics fully known to physicians throughout the Nation and often the entire world. The company's incentive is, certainly, the prospect of obtaining exclusive rights from the academic owner of the patent to sell under conditions specified, and in return for an agreed royalty.

In this picture, and it is not typical, the Government's presence is hard to find. Since the drug industry finances an exceptional 98 percent of its own research, Government support related to drugs appears mostly in the basic work in the academic institution, through support of the individual scientist, provision of facilities and equipment, or perhaps overall general support of the institution. Not supported by Government in most instances is the capability to perform large-scale animal tests or molecular modification, production research and development, or a dozen other tasks necessary to the introduction of a new agent. In nearly every case, these tasks are performed at great private expense by the pharmaceutical industry and consume no public or academic funds.

Given this context for the development of drugs, and realizing the immense importance of these products to the public health, the question that must be raised is, What incentive is there to drug manufacturers if the patent is confiscated by the Government and emasculated by blind licensing that in truth amounts to burying the patent in Government largesse? Is no value to be placed on the $4.3 million invested to bring a new drug to market by the drug industry?

The result of HEW policies is to discourage progress in pharmaceutical research. There is real and mounting discontent in universities, Government, and industry over the inhibition placed on collaborative efforts.

Dr. Kenneth M. Endicott, Director of the National Cancer Institute, found fault with the practice in 1962, writing of his deep concern over our present patent policy and operating trends:

> One man conceives the idea, another synthesizes the chemical, another proves its structure, and still others prove its utility in the clinic, but the Surgeon General is expected to claim all rights even though Public Health Service support is negligible.

Others note that in some Government departments the patent policies appear to be at odds with PHS: Dr. J. H. Burckhalter, of the American Chemical Society, observes "unwarranted distrust, misunderstanding, emotionalism, and an ingredient of politics have led the Government to favor defense industries over the pharmaceutical." Comments from other leaders in academic research centers call the PHS policy "too stringent." Says one:

> The present policy, which supposedly is for the purpose of protecting the public welfare, will in the long run be detrimental to it.

White House Science and Technology Director Dr. Donald H. Hornig has recently written to Senator HILL pointing out:

> To get industrial companies to commit their best skills and know-how, it may be necessary in some cases for the Government to offer patent incentives.

He has suggested a need for general legislation on Government patent policy, after appropriate consideration by the Congress—a suggestion worth remembering.

But implicit in his statement may be a feeling that special concessions are needed to obtain industrial interest in a given project. I hope that would be necessary in only the rarest cases. Surely, from the public's point of view, it is more reasonable to allocate patent rights in an equitable fashion among those agencies and institutions responsible for the existence of the patented articles, and stop there. Included in such a solution should be just provision for exclusive licensing, in order to preserve the purposes of the patent even when title may be in the Government.

Industry should not ask for special consideration; it is not accustomed to it, and does not need it. It needs and deserves a just share of the rewards it earns through its own efforts, and nothing more.

Certainly the President's Commission can do a great public service by resolving this complex and vital matter and thus removing a wasteful and intolerable obstacle to progress. While it does its work, Congress need not complicate matters with ill-contrived and shortsighted attempts to take for the Government what belongs to others.

The President is to be congratulated for convening this body. Let us hope it fulfills the expectations set for it and thus enhances our patent system's effectiveness and its example for the rest of the world.

ECONOMIC DEVELOPMENT PROGRAM FOR SOUTH VIETNAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. Vivian] is recognized for 5 minutes.

Mr. VIVIAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. VIVIAN. Mr. Speaker, today, the President of the United States made before a national audience a most eloquent presentation of the economic development program which our country has supported in the war-torn land of South Vietnam. I commend the President for a splendid speech.

A week ago, in response to the request from the President for supplemental funds to support the military forces now in Vietnam, I voted, as did most others, to provide the funds requested. But several weeks hence, bills authorizing and appropriating funds for continuing the equally vital economic aid and development programs in Vietnam will also come before this House. In the past, such foreign aid legislation has not fared as well in the House as has military forces legislation. I hope the numerous Members of the House who stood ready to support the President last week, will in the same near-unanimous way vote also for the economic aid.

Mr. Speaker, I would like to turn now to a related question, the question of whether or not U.S. policies in Vietnam are and ought to be subject to unrestrained public discussion and debate.

Mr. Speaker, this coming Saturday, senior officers of the Government are expected to participate as the President's representatives in a public debate here in Washington on our policies and plans for Vietnam. The debate is part of a daylong meeting, called a National Teach-In, sponsored by university professors from our various States. I call the attention of Members of this House to the event so that interested Members can attend. The meeting will be held at the Sheraton Park hotel, from 9 a.m. to 12 midnight. Participants from the very highest echelons of the administration, including the President's special assistant, Mr. McGeorge Bundy, will be there to present the current policies. I frankly doubt, however, that any one of them will be able to surpass, in clarity and eloquence, the President's own message this morning.

Many of the leaders who organized this and earlier similar discussions have come from the faculty of the University of Michigan in my district. These individuals state and I concur in this view, that they believe strongly that vital activities and policies of our democratic Government, such as those in Vietnam, should be thoroughly discussed in public. They are committed to the concept that the benefits of continuous public scrutiny of our policies on critical matters, far outweigh any possible risks. Quite evidently, the President concurs, for he is encouraging able participants from his administration to present his views. I hope the other participants present will recognize his deep commitment, by presenting constructive criticism or meaningful alternatives. Emotional outbursts based on hollow dialectic do not belong in the debate.

Now remarks have been made by some in the public media which would seem to question the essential concept of public scrutiny and also to question the right of individual citizens to dissent vocally from current national policies. I believe no Member of this House, conscious of our Nation's great democratic traditions, would deny this essential concept or this right.

Now, of course, my remarks here today may be construed by some as meaning that I implicitly support all arguments which may be advanced by any critics of the administration policy who may speak at this meeting, or that I am opposed to all aspects of the President's policy. Such most certainly is not the case. I believe strongly that many features of the President's policy today are patently wise and necessary, whether popular or not. But I do respectfully suggest that we Members of this House consider whether or not we ourselves have adequately discussed and reviewed these matters. As our colleague from New York [Mr. Rosenthal], a member of the House Committee on Foreign Relations, has suggested several times, a full, reasoned and unemotional discussion of this policy, public or private, here in the House of Representatives, could provide each individual Member with the basis for a commitment, and should serve to strengthen our and our constituents' resolve, to undergo the difficult sacrifices it may demand.

Mr. Speaker, I append herewith the text of the President's incisive and courageous remarks delivered this morning:

Remarks of the President to the Association of American Editorial Cartoonists in the East Room, May 13, 1965

Good morning ladies and gentlemen, and my friends of the Association of American Editorial Cartoonists. I am very happy that you requested through the press office this opportunity for us to meet together, because after looking at some of the cartoons you have drawn, I thought I'd invite you over to see me in person. After all, I had nothing to lose.

I know that I am talking to the most influential journalists in America. Reporters may write and politicians may talk but what you draw remains in the public memory long after these other words are forgotten. That is why, after I learned that you would be here and we would meet together that I put together some notes to discuss with you while you were in Washington, a very little known side of our activity in one of the most vital places in the world—South Vietnam.

The war in Vietnam has many faces.

There is the face of armed conflict—of terror and gunfire—of bomb-heavy planes and campaign-weary soldiers. In this conflict our only object is to prove that force will meet force, that armed conquest is futile, and that aggression is not only wrong, but it just will not work.

And the Communists in Vietnam are slowly beginning to realize what they once scorned to believe: that we combine unlimited patience with unlimited resources in pursuit of an unwavering purpose.

We will not abandon our commitment to South Vietnam.

The second face of war in Vietnam is the quest for a political solution—the face of diplomacy and politics—of the ambitions and the interests of other nations We know, as our adversaries should also know, that there is no purely military solution in sight for either side. We are ready for unconditional discussions. Most of the non-Communist nations of the world favor such unconditional discussions. And it would clearly be in the interest of North Vietnam to now come to the conference table. For them the continuation of war, without talks, means only damage without conquest. Communist China apparently desires the war to continue whatever the cost to their allies. Their target is not merely South Vietnam, it is Asia. Their objective is not the fulfillment of Vietnamese nationalism. It is to erode and to discredit America's ability to help prevent Chinese domination over all of Asia.

In this domination they shall never succeed. And I am continuing and I am increasing the search for every possible path to peace.

The third face of war in Vietnam is, at once, the most tragic and most hopeful. It is the face of human need. It is the untended sick, the hungry family and the illiterate child. It is men and women, many without shelter, with rags for clothing, struggling for survival in a very rich and a very fertile land.

It is the most important battle of all in which we are engaged. For a nation cannot be built by armed power or by political agreement. It will rest on the expectation by individual men and women that their future will be better than their past.

It is not enough to just fight against something. People must fight for something, and the people of South Vietnam must know that after the long, brutal journey through the dark tunnel of conflict there breaks the light of a happier day. And only if this is so, can they be expected to sustain the enduring will for continued strife. Only in this way can long-run stability and peace come to their land.

And there is another, more profound reason. In Vietnam communism seeks to really impose its will by force of arms. But we would be deeply mistaken to think that this was the only weapon. Here, as other places in the world, they speak to restless people—people rising to shatter the old ways which have imprisoned hope—people fiercely and justly reaching for the material fruits from the tree of modern knowledge.

It is this desire, and not simply lust for conquest, which moves many of the individual fighting men that we must now, sadly, call the enemy.

It is, therefore, our task to show that freedom from the control of other nations offers the surest road to progress, that history and experience testify to this truth. But it is not enough to call upon reason or point to examples. We must show it through action and we must show it through accomplishment, and even were there no war—either hot or cold—we would always be active in humanity's search for progress. This task is commanded to us by the moral values of our civilization, and it rests on the inescapable nature of the world that we have now entered. For in that world, as long as we can foresee, every threat to man's welfare will be a threat to the welfare of our own people. Those who live in the emerging community of nations will ignore the perils of their neighbors at the risk of their own prospects.

This is true not only for Vietnam but for every part of the developing world. This is why, on your behalf, I recently proposed a massive, cooperative development effort for all of southeast Asia. I named the respected leader, Eugene Black, as my personal representative to inaugurate our participation in these programs.

Since that time rapid progress has been made, I am glad to report. Mr. Black has met with the top officials of the United Nations on several occasions. He has talked to other interested parties. He has found increasing enthusiasm. The United Nations is already setting up new mechanisms to help carry forward the work of development.

In addition, the United States is now prepared to participate in, and to support, an Asian development bank, to carry out and help finance the economic progress in that area of the world, and the development that we desire to see in that area of the world.

So this morning I call on every other industrialized nation, including the Soviet Union, to help create a better life for all of the people of southeast Asia. Surely, surely, the works of peace can bring men together in a common effort to abandon forever the works of war.

But, as South Vietnam is the central place of conflict, it is also a principal focus of our work to increase the well-being of people. It is in that effort in South Vietnam which I think we are too little informed and which I want to relate to you this morning.

We began in 1954 when Vietnam became independent. before the war between the north and the south. Since that time we have spent more than $2 billion in economic help for the 16 million people of South Vietnam. And despite the ravages of war we have made steady continuing gains. We have concentrated on food, and health, and education, and housing, and industry.

Like most developing countries, South Vietnam's economy rests on agriculture. Unlike many, it has large uncrowded areas of very rich, and very fertile land. Because of this, it is one of the great rice bowls of the entire world. With our help, since 1954, South Vietnam has already doubled its rice production, providing food for the people, as well as providing a vital export for that nation.

We have put our American farm knowhow to work on other crops. This year, for instance, several hundred million cuttings of a new variety of sweet potato, that promises a sixfold increase in yield, will be distributed to these Vietnamese farmers. Corn output should rise from 25,000 tons in 1962 to 100,000 tons by 1966. Pig production has more than doubled since 1955. Many animal diseases have been eliminated entirely.

Disease and epidemic brood over every Vietnamese village. In a country of more than 16 million people with a life expectancy of only 35 years, there are only 200 civilian doctors. If the Vietnamese had doctors in the same ratio as the United States has doctors, they would have not the 200 that they do have but they would have more than 5,000 doctors.

We have helped vaccinate, already, over 7 million people against cholera, and millions more against other diseases. Hundreds of thousands of Vietnamese can now receive treatment in the more than 12,000 hamlet health stations that America has built and has stocked. New clinics and surgical suites are scattered throughout that entire country; and the medical school that we are now helping to build will graduate as many doctors in a single year as now serve the entire population of South Vietnam.

Education is the keystone of future development in Vietnam. It takes a trained people to man the factories, to conduct the administration, and to form the human foundation for an advancing nation. More than a quarter million young Vietnamese can now learn in more than 4,000 classrooms that America has helped to build in the last 2 years; and 2,000 more schools are going to built by us in the next 12 months. The number of students in vocational schools has gone up four times. Enrollment was 300,000 in 1955, when we first entered there and started helping with our program. Today it is more than 1,500,000. The 8 million textbooks that we have supplied to Vietnamese children will rise to more than 15 million by 1967.

Agriculture is the foundation. Health, education, and housing are the urgent human needs. But industrial development is the great pathway to their future.

When Vietnam was divided, most of the industry was in the north. The south was barren of manufacturing and the foundations for industry. Today, more than 700 new or rehabilitated factories—textile mills and cement plants, electronics and plastics—are changing the entire face of that nation. New roads and communications, railroad equipment, and electric generators, are a spreading base on which this new industry can, and is, growing. All this progress goes on, and it is going to continue to go on, under circumstances of staggering adversity.

Communist terrorists have made aid programs that we administer a very special target of their attack. They fear them. They know they must fear them because agricultural stations are being destroyed and medical centers are being burned. More than 100 Vietnamese malaria fighters are dead. Our own AID officials have been wounded and kidnapped. These are not just the accidents of war. They are a part of a deliberate campaign, in the words of the Communists, "to cut the fingers off the hands of the government." We intend to continue, and we intend to increase our help to Vietnam.

Nor can anyone doubt the determination of the South Vietnamese themselves. They have lost more than 12,000 of their men since I became your President a little over a year ago.

But progress does not come from investment alone, or plans on a desk, or even the directives and the orders that we approve here in Washington. It takes men. Men must take the seed to the farmer. Men must teach the use of fertilizer. Men must help in harvest. Men must build the schools, and men must instruct the students. Men must carry medicine into the jungle and treat the sick, and shelter the homeless. And men—brave, tireless, filled with love for their fellows—are doing this today. They are doing it through the long, hot, danger-filled Vietnamese days and the sultry nights.

The fullest glory must go, also, to those South Vietnamese that are laboring and dying for their own people and their own nation. In hospitals and schools, along the rice fields and the roads, they continue to labor, never knowing when death or terror may strike.

How incredible it is that there are a few who still say that the South Vietnamese do not want to continue the struggle. They are sacrificing and they are dying by the thousands. Their patient valor in the heavy presence of personal, physical danger should be a helpful lesson to those of us who, here in America, only have to read about it, or hear about it on the television or radio.

We have our own heroes who labor at the works of peace in the midst of war. They toil unarmed and out of uniform. They know the humanity of their concern does not exempt them from the horrors of conflict, yet they go on from day to day. They bring food to the hungry over there. They supply the sick with necessary medicine. They help the farmer with his crops, families to find clean water, villages to receive the healing miracles of electricity. These are Americans who have joined our AID program, and we welcome others to their ranks.

For most Americans this is an easy war. Men fight and men suffer and men die, as they always do in war. But the lives of most of us, at least those of us in this room and those listening to me this morning, are untroubled. Prosperity rises, abundance increases, the Nation flourishes.

I will report to the Cabinet when I leave this room that we are in the 51st month of continued prosperity, the longest peacetime prosperity for America since our country was founded. Yet our entire future is at stake.

What a difference it would make if we could only call upon a small fraction of our unmatched private resources—businesses and unions, agricultural groups and builders—if we could call them to the task of peaceful progress in Vietnam. With such a spirit of patriotic sacrifice we might well strike an irresistible blow for freedom there and for freedom throughout the world.

I, therefore, hope that every person within the sound of my voice in this county this morning will look for ways—and those citizens of other nations who believe in humanity as we do, I hope that they will find ways to help progress in South Vietnam.

This, then, is the third face of our struggle in Vietnam. It was there—the illiterate, the hungry, the sick—before this war began. It will be there when peace comes to us—and so will we. Not with soldiers and planes, not with bombs and bullets, but with all the wondrous weapons of peace in the 20th century.

And then, perhaps, together, all of the people of the world can share that gracious task with all the people of Vietnam, north and south alike.

Thank you for coming this morning. Good morning.

COMBATING PORNOGRAPHY

Mr. VIVIAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DANIELS. Mr. Speaker, last month I introduced a bill to establish a Presidential Commission to study ways of combating pornography on all levels of government.

The response to my bill has been very heartening. I have received mail from all parts of the Nation supporting the legislation which I have introduced.

H.R. 7465 is, in my opinion, a bill which every Member should support. Civic leaders and educators from coast to coast are now urging action against the increasing availability of hard core pornography.

In the May 10 edition of the Jersey Journal, a paper with great influence in New Jersey, there is a story about a very distinguished citizen of Jersey City who is vitally concerned with curbing the traffic in smut.

George E. Davis is a Knight of St. Gregory, a high papal honor, and is president of the Newark Archdiocesan Council of Catholic Men. He has served the United States with distinction in World War II and is a successful businessman. He is, in my opinion, typical of the good citizen who wants to see something done about pornography.

I think all Members of this House will find this story about Mr. Davis interesting. He is no little old lady in tennis shoes or puritan fanatic. He is an American father who is concerned with the effect of smut on our youngsters. Furthermore, he is doing something about it.

The article follows:

He's the News—Veteran Fighter Takes on Smut

George E. Davis, Knight of St. Gregory and president of the Newark Archdiocesan Council of Catholic Men has four sons (another died in infancy), "and I intend to see to it that they are not exposed to the filth so easily purchased on too many of our newsstands."

While soft-spoken, Davis, who lives at 630 Bergen Avenue, Jersey City, with his wife, Catherine Walter Davis, and their offspring has a military background which attests to his tough masculinity.

He spent 5 years in the Navy in World War II, 1 year on destroyers, the other 4 in submarines. He saw duty in four theaters ranging from the Atlantic and Mediterranean to the Pacific.

It takes prodding to get him to discuss his decorations but they are worth mentioning: The Silver Star, Bronze Star, personal Presidential Citation; three commendations from Adm. William Halsey, and a personal citation from the late Secretary of the Navy James Forrestal.

Now vice president of Scott Printing Co., Jersey City, Davis has launched a consistent attack on the easy distribution of indecent literature.

"It's bad enough that adults can buy this scum, but irreparable damage can result when teenagers are exposed to it."

He is a much-sought speaker on this subject, his most recent appearance at the annual communion breakfast of the St. Joseph's Holy Name Society.

In his lapel he wears the rosette of a Knight of St. Gregory. He was recommended for this honor by Archbishop Thomas A. Boland and named by the late Pope John XXIII in 1962.

Elected president of the ACCM on April 3, his first function was to represent the archdiocese at the convention of the National Council of Catholic Men in Dallas.

While there a particular experience was meeting Very Rev. Oscar Huber, C.M., who administered the last rites to the assassinated President John F. Kennedy.

"Father Huber," he recalls, "was watching the motorcade on television when the fatal shot was fired. He raced to the hospital where he is chaplain, arriving moments after the President was brought in."

Davis' honors are not the sudden type. He has held a variety of high offices in the Council of Catholic Men, the Knights of Columbus, Holy Name Society, and St. Vincent de Paul Society.

In all of these posts, he has been a working, shirt-sleeve type officer. He has not neglected civic affairs either. Since November 1962 he has been chairman of the Hudson County Planning Board, having served with the board since its inception the previous year.

His education is all local, St. Aloysius Parochial School, St. Peter's Prep, and St. Peters' College where he received his degree in 1939.

FINANCING FOR YOUTH OPPORTUNITY CENTERS

Mr. VIVIAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Joelson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JOELSON. Mr. Speaker, no phase of the Employment Service is more intensified than the expanding youth program, parts of which are already operational and others still in the planning stages. The problems of unemployed youth and particularly those youth from impoverished families, in a time of the highest overall employment in our Nation's history, has prompted the establishment of youth opportunity centers in metropolitan areas throughout the Nation.

It has been recognized that the Employment Service cannot create jobs and that there is a need for additional public expenditure to meet the chronic needs of large numbers of youthful applicants who are not fully employable at this time in the private sector of our economy. Manpower Development and Training Act amendments have already furnished a valuable number of new opportunities for the development of greater employability among youth. The antipoverty bill with its work-training, work-study, and job corps provisions offers important new resources for the preparation of youth for regular employment. The youth opportunity center staff will work closely with these programs in an effort to insure that as many needy youth as possible will be recipients of the benefits of these new programs.

To better cope with the complex problems of youth, and especially disadvantaged youth, the center's staff must be highly skilled and trained. They must be qualified to decide at what point the youth is ready for placement either on a job or in one of the many Federal or State training programs. Special training is required for all persons whether professional counselors, interviewers, youth advisers who are not college trained, or volunteers who offer their services to the center to help youth. The training and development is a continuing process and requires the use of technical consultants in a variety of fields such as psychiatry, psychology, medicine, and social work to keep the center staff current in their knowledge of services which might be of benefit to the applicant.

In addition, the counselor may have to seek technical assistance and advice concerning the youth applicant who presents special problems. Such consultations are costly but often quite essential in order to develop the youth's maximum employability.

Salaries for skilled counseling staff must be competitive in a market in which the supply will probably never meet the demand. In addition to demands for counselors by our growing number of schools, many more public and private agencies and organizations are also in search of qualified counselors. Although the supply of counselors is increasing it cannot keep pace with the growing demand.

Research shows that counseling service, when effective, is often lengthy and time consuming. This would be particularly true in the center where intensive counseling interviews cannot be limited in number or length without a reluctant loss of "rapport" or contact with the counselee. The use of a variety of techniques can be more effective with hard-to-reach applicants and the use of such equipment such as motion pictures and other visual aids is vital to the overall effectiveness of the program.

The minimum requirements for the network of youth opportunity centers now being established must be met in order to provide our needy youth with the skills and tools which are now required and will continue to be required by employers today and in the future.

It should be the policy of this Government to give firm support and endorsement to the purpose and operation of these centers. They are proving to be a unique venture into our expanding efforts to relieve the economic plight of our unemployed youth.

In making this assertion, I speak from firsthand knowledge, for one of these youth opportunity centers will open in my district in the very near future. I can assure you that it will fill a real and immediate need.

I would like to propose that the Congress follow the recommendation of the House Appropriations Committee, of which I am a member, and speedily enact legislation so that available funds can be utilized.

Unless this problem of financing is met and solved, then the entire program of the youth opportunity centers is in grave danger. But even more important, we will have turned an indifferent ear to the hopes of thousands of young Americans who are asking for the chance to prove that they can assume a respected place in our society.

RESOLUTIONS OF THE NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION

Mr. VIVIAN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Haley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HALEY. Mr. Speaker, I have asked permission to place in the Congressional Record the resolutions which were adopted by the 75th Congress of the National Society of the Sons of the American Revolution.

Here is an organization of responsible citizens, men who are the direct descendants of those courageous men and women who founded our Nation and its Government. Its members are dedicated to upholding those fundamental principles from which our constitutional Government developed. I would urge my colleagues to read carefully the official expressions of the Sons of the American Revolution, which follow, and to note those matters which are of concern to them, because they are of concern to many Americans today:

RESOLUTION 1

Resolution to declare the political and economic rights which protect the dignity and freedom of the individual, and what is deemed necessary to implement such rights

Whereas the great message of the American Revolutionists of 1776 to the world was that the state exists for the people, not the people for the state; that the human dignity of the individual means something and always must be fiercely protected by courts and juries from governmental oppression, and from every form of tyranny over the mind of man; and

Whereas to understand and maintain this American way of life, by exemplary conduct, and to pass it intact to succeeding generations, is the responsibility of every true American; and

Whereas the political and economic rights which protect the dignity and freedom of the individual include:

The right to worship God in one's own way;

The right to free speech and press;

The right to petition for redress of grievances;

The right to privacy in our homes;

The right of habeas corpus, and no excessive bail;

The right to trial by jury under the doctrine that everyone is innocent until proven guilty;

The right to move about freely and safely at home and abroad;

The right of all citizens to keep and bear arms;

The right to own private property;

The right to free elections and personal secret ballot;

The right to work in callings and localities of our choice;

The right to bargain with our employers and employees;

The right to go into business to compete and make a profit;

The right to contract about our affairs;

The right to the service of government as a protector and referee; and

The right to freedom from arbitrary government regulation and control; and

Whereas there is in this declaration of rights, for which our ancestors struggled, the greatness of truth; and

Whereas in recent times there has crept in amongst us reactionary medieval ideologies from communistic and other totalitarian states, utterly inconsistent with the political philosophy of our Founding Fathers: Be it, therefore,

Resolved, That we, the members of the National Society of the Sons of the American Revolution, in congress assembled, do hereby reaffirm the declarations of the first American revolutionists, and swear eternal hostility against all forms of governmental oppression, and against every form of tyranny over the mind of man, and to further implement these rights and declarations, we unequivocally support:

1. The voluntary reading of the Holy Bible and the voluntary offering of prayers in our schools;

2. The rights of the States, in the exercise of their sovereign powers not specifically granted to the Federal Government;

3. A strict separation of powers amongst the legislative, judicial and executive branches of the Federal Government, as set out in the Constitution;

4. Adherence to the Monroe Doctrine, in the right and duty of the United States to protect itself, its people, and this hemisphere from invasion, infiltration, and subversion by foreign forces;

5. Endorsement of the admonitions of George Washington, contained in his farewell address to the American peoples; and

6. Appropriate action toward the freeing of American prisoners who are held in Communist jails.

We view with alarm and oppose:

1. The growing dictatorship of the executive branch of the Government, which, to use the words of the Declaration of Independence, is constantly erecting a multitude of new offices and sending out swarms of officers to harass our people and to eat out their sustenance;

2. Any limitation upon man's economic freedom by unwarranted and excessive taxation;

3. Actions of those who would surrender any part of the Government of the United States to any association of governments or to any international government;

4. Proposed legislation on immigration which, if adopted, will destroy the safeguards now provided by the McCarran-Walter Immigration and Nationality Act of 1952, and will increase immigration into the United States, thereby aggravating unemployment and welfare problems now existing;

5. The rapidly mounting increase in crime throughout the United States in all areas under Federal control, including the District of Columbia, which endanger the personal safety of the individual citizen; and we support those who are petitioning the Federal Government to reestablish protective measures to insure the personal safety of the individual citizen in all areas under Federal control, even including the District of Columbia; and

6. The repeal of section 14(b) of the Taft-Hartley Act.

RESOLUTION 2

Resolution to authorize the president-general, in his discretion, to appoint a special committee to investigate the eligibility of the proposed Hall of Fame for Patriots of the Revolution at Edenton, N.C., for endorsement by the National Society, Sons of the American Revolution

Whereas there has been inaugurated a movement which has as its purpose the establishment, in or near Edenton, N.C., of a nonprofit enterprise to be known as the "Hall of Fame for Patriots of the Revolution"; and

Whereas the said project has been unanimously endorsed at a recent annual meeting of the North Carolina Society, Sons of the American Revolution, and has been submitted by said society for endorsement at the national level by this 75th Congress: Be it therefore

Resolved, That it is recommended that the president-general, in his discretion, may appoint a special committee to investigate the said enterprise at Edenton, N.C., of the establishment of the Hall of Fame for Patriots of the Revolution, with a view to ascertaining whether or not the project may deserve endorsement by the National Society, Sons of the American Revolution; such a special committee to report its findings of fact, and conclusions thereon, to the president-general at least 90 days in advance of the convening of the 76th congress in 1966; and be it further

Resolved, That to assure an unbiased appraisal of the project in question, a majority of the members of said special committee, if appointed in the discretion of the president-general, shall be members of societies elsewhere than North Carolina.

RESOLUTION 3

Resolution to direct preparations by all State societies and chapters for the adequate observance, in their respective jurisdictions, of the approaching bicentennial of the signing of the Declaration of Independence, and of the various important battles and other conspicuous events of our War for Independence

Whereas the period of the bicentennial anniversary of the Declaration of Independence, and of the various important battles and other conspicuous events of our War for Independence, is steadily drawing closer; and

Whereas the National Society of the Sons of the American Revolution should rightly be among those organizations foremost both in point of time and of activity, in the recognition of these great historical anniversaries of the Nation; and

Whereas experience in such matters teaches that the preparations for adequate observance of historical anniversaries require much time, forethought, and planning: It is therefore

Resolved, That the incoming administration of this National Society, Sons of the American Revolution, shall appoint a standing committee upon the subject of the bicentennial celebration of said anniversary of the signing of the Declaration of Independence; and each State society and each chapter shall be directed to likewise appoint a standing committee for that purpose, and also for the purpose of the planning of adequate observance of any important battles and other conspicuous events of our War for Independence having occurred within its jurisdiction.

RESOLUTION 4

Resolution urging support of a constitutional amendment recognizing the right of the individual States to apportion one house of bicameral State legislatures on the basis of a factor, or factors, other than population

Whereas the Founding Fathers, in their wisdom, recognized that systems of checks and balances were essential to the republican form of government established under the Federal Constitution; and

Whereas within the said systems of governmental checks and balances, our time-tested and successful pattern of legislative representation, at National and State levels, based on both an area and a population basis, has assured a truly representative form of government with due consideration for local and minority interests; and

Whereas a decision by a divided bench of the Supreme Court of the United States on June 15, 1964, holding that the election to seats in both houses of a bicameral State legislature must be apportioned on a population basis alone, has, in effect, done away with our constitutional system of checks and balances to such extent in State governments, and has endangered the very fabric of a republican form of government in each of the sovereign States of the American Union and created a constitutional crisis in the United States; and

Whereas the South Carolina and Texas societies, both in recent annual meetings assembled, have resolved against the iniquitous results of this unfortunate split decision of the Supreme Court of the United States, and have certified the remedial question for action in this 75th congress of the National Society, Sons of the American Revolution: It is therefore

Resolved, That the National Society, Sons of the American Revolution, does hereby go on record as deploring the aforesaid decision of the Supreme Court of the United States, and does hereby voice strong support of, and does urge all citizens to support, a constitutional amendment to guarantee the authority of the individual States to apportion one house of bicameral State legislatures on the basis of a factor, or factors, other than population; and to deny to the Federal judiciary jurisdiction over any cases involving apportionment of seats in the legislatures of the several States.

Resolution 5

Resolution supporting adequate military action, under existing conditions, in South Vietnam and Laos and opposing any and all suggestions of surrender, or of our withdrawal except on honorable and victorious terms and conditions

Whereas at its annual meeting on February 27, 1965, the Texas society did itself adopt, and did refer to this 75th congress of the National Society, Sons of the American Revolution, for appropriate similar action, a resolution upon the existing situation in South Vietnam and Laos: Be it therefore

Resolved, That the National Society, Sons of the American Revolution, in 75th congress assembled, does hereby express its support, under existing conditions, of resolute, no-nonsense action by the Government of the United States in South Vietnam and Laos; and, conversely, does hereby oppose any and all suggestions of surrender to the Communist enemy in said areas, or of our withdrawal therefrom except on honorable and victorious terms and conditions.

Resolution 6

Resolution deploring and opposing the permitting by any college, university, or other educational institution, whether tax supported or not, of speeches to its student body by known Communist speakers

Whereas the infiltration of American educational institutions is known to be a part of the strategy of the Communist Party: It is hereby

Resolved, That the National Society, Sons of the American Revolution, does unequivocally deplore and oppose the permitting by the authorities of any college, university, or other educational institution, whether tax supported or privately endowed, of speeches, or lectures to its student body by known Communist speakers and propagandists.

Resolution 7

Resolution to suggest legislative investigation of the constitutionality of treaties related to the United Nations, with a view to possible amendment of the Constitution of the United States to override such treaties

Whereas there has been much discussion of the compatibility of the plan of the United Nations with our republican system of sovereign government; and

Whereas the National Society of the Sons of American Revolution has heretofore repeatedly made its policy plain and clear as opposing the supergovernment plan of the United Nations: Be it therefore

Resolved, That in furtherance of said opposition, the suggestion is now respectfully made to the legislatures of the various States that they investigate the constitutionality of treaties, entered into by action of their respective Senators, and related to the formation of the United Nations; such investigations to be conducted with a view toward ultimate consideration of the possible amendment of the Constitution of the United States so as to override and abrogate such treaties, and thus effect the withdrawal of this Nation from said United Nations.

Resolution 8

Resolution to define the policy of the National Society, Sons of the American Revolution, with respect to the continuing effectiveness of resolutions duly adopted at prior congresses

Whereas it is an established principle of statutory construction, in all legislative systems, that prior enactments remain in full force and effect unless and until repealed, rescinded, or qualified: Be it therefore

Resolved, That, merely as an expression of policy, all prior resolutions of the National Society, Sons of the American Revolution, continue effective, without necessity of repetition or express reaffirmation, unless or until repealed, rescinded, or qualified by action of a subsequent congress.

Resolution 9

Resolution, commending Compatriot S. Hubbard Scott for his supervision of the fine and colorful display of National, State, and historical flags at the memorial service in St. John's Episcopal Cathedral of Albuquerque, N. Mex.

Whereas Compatriot S. Hubbard Scott, of Toledo, Ohio, who for years served this organization as the chairman of the committee on Flag Day and respect for the flag, has again rendered outstanding assistance to the National Society, Sons of the American Revolution, in his supervision of the display of National, State, and historical flags at the memorial service in the St. John's Episcopal Cathedral of Albuquerque, N. Mex., on Sunday, April 25, 1965, and at all sessions and functions of the congress: Be it therefore

Resolved, That Compatriot S. Hubbard Scott is especially commended for his performance aforesaid, and for the fine and colorful display thus effected of National, State, and historical flags at said memorial service and at said congress.

Resolution 10

Resolution to express appreciation for assistance rendered to the 75th congress

Whereas the 75th annual congress of the National Society of the Sons of the American Revolution has resulted most successfully in every respect; and

Whereas much of the credit for these fine results is due to many individuals and should be extended to them: Be it therefore

Resolved, That the National Society of the Sons of the American Revolution hereby expresses its grateful appreciation to President General Harry T. Burn and to his charming and devoted wife, Ellen, for the faithful performance by him of the arduous duties of his high office and the gracious giving of their talents to his outstanding administration; and be it further

Resolved, That we also express our grateful appreciation to our executive secretary, Harold L. Putnam, and his staff, and all officers, committee chairmen, and members, and others who prepared and took part in the splendid program of this congress; and be it further

Resolved, That our special commendation and thanks for their services are extended also to the following named:

The Very Reverend Kenneth W. Kadey, Dean, and Canon Williams of St. John's Episcopal Cathedral; its organist, Wesley Selby, and the cathedral choir, for participation in the memorial service;

The Sandia Base color guard, composed of Elijio C. Cavazos (Army), James A. Millsap, Jr. (Air Force), and Isom F. Kilgo and Gwartney Kent (Navy), and members of the ROTC unit of the University of New Mexico, under command of Maj. Robert Haebel;

Staff of the Western Skies Motor Hotel, Howard Hauson, manager; Maxine Cummings, catering; and Ed Morris, sales; and also the employees serving the congress;

George Mason, of the New Mexico Society, Sons of the American Revolution, for his fine publicity work;

Mrs. Clinton M. Roth, organist of the congress, and Jack Wells of the Allen Organ Co., for the loan of the instrument;

The various officers of other organizations, as listed in the program, for bringing us greetings from their groups;

The Albuquerque and Santa Fe Chambers of Commerce;

Public relations department of the Sandia Corp. for tour arrangements;

Guilford Dudley for his address on Tuesday evening on "Self-Reliance or Self-Destruction—the Choice is Ours"; and Max Rafferty for his address on Wednesday evening on the subject of "Lest We Forget";

The Markam Sign Co. for posting six 24-sheet posters: "Keep the USA First"; and

The Albuquerque City Commission for adopting the resolution to make the Sons of the American Revolution Congress Week in its city "Fly the USA Flag Week"; and be it further

Resolved, That the National Society, Sons of the American Revolution, in this 75th annual congress assembled, on conclusion hereby expresses its sincere and lasting appreciation and gratitude to all of those above named (and to all others not expressly named) who together contributed in so many ways to the ultimate success of this congress.

COMMUNISM AND CIVIL RIGHTS

Mr. VIVIAN. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, in a continuing effort to make a part of the public record the undeniable connections and close associations of representatives of the Communist Party and the leaders of the so-called civil rights movement, I insert the following item from the May 18, 1965, issue of National Review magazine.

Items such as this one, of obvious interest to every American, are systematically omitted from the press, but they are. to me. of such importance that they must be preserved so that it can be established in the future that this Communist activity was known to those in authority and they chose to ignore it. The record must show at least this.

The article follows:

A few weeks ago in Washington's Willard Hotel the American Committee on Africa—George Houser, executive director—held one of its ritual celebrations of universal uhuru, this time under the general title of "National Conference on the South African Crisis." It was routine that the meetings should be presided over by Bishop James A. Pike and should feature such delegates as Victor Reuther—Walter's brother, James Farmer—CORE—and James Forman—SNCC. What was a new departure for American organizations in this field was the presence of two official Communist representatives: the Byelorussian and Ukrainian members of the U.N. Special Committee on Africa, no doubt on hand as representing subject nations seeking a few pointers on how to cast off the yoke of imperialism.

WHAT MAKES A CONGRESSMAN RUN?

Mr. VIVIAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RODINO. Mr. Speaker, one of the delightful surprises of the last general election in New Jersey was the election to a seat in this House of the gentleman from Wall Township, N.J. I say "surprise" only because the political pundits and prognosticators conceded him but little chance of taking a seat that had remained in the other party for more than 20 years. As we have daily observed him amongst us, in committee and on the floor, we fully understand the reasons for his success at the polls. Professionally, he is intelligent, diligent, knowledgeable, and eager to learn. Personally, he is at all times a gracious, pleasant, and considerate gentleman.

Those of us who have been in the House a while tend to take for granted the work that is expected of us. Our well-established routines and schedules guarantee an arduous and long session each year, more arduous and longer each year, it seems, as our society grows continually more complex. Many of our constituents understand this—many do not. For this latter group, the gentleman from Wall Township has provided a brief and most informative introduction to life as a Congressman. After he is elected, what does a freshman Congressman do? Where does he go? Whom does he have to see? It is fitting that this former teacher and principal should undertake this bit of public education. We owe him our thanks for doing so, and though most of us may be familiar with his article, which appears in the May edition of Coronet, I would like to insert it at this point in the RECORD so that all who read our journal may enjoy our colleague's observations:

WHAT MAKES A CONGRESSMAN RUN?

(By Representative JAMES J. HOWARD, Democrat, of New Jersey)

Although a former teacher and elementary school principal, not until my recent election to Congress did I discover one of the most unusual "schools" in the United States.

Officially, this nonpartisan "school" in Washington, D.C., is called a "seminar for freshman Congressmen" and was cosponsored this year by a number of veteran Congressmen and the American Political Science Association.

During the 1st week of the 89th Congress, which convened early in January, I joined 85 freshman Congressmen from all parts of the United States in taking this unusual course of instruction. Its sole purpose was to show us how we could be most effective in our jobs as elected representatives of the American people.

The great majority of freshmen who attended this course were young and eager like myself. Perhaps I'm typical of the younger men and women, who are being elected to Congress. I'm 37, a Navy veteran who served during the tail end of World War II, a college graduate, father of three children and relatively new to politics, having become an active worker for the Democratic Party only in 1956. Now I represent the Third Congressional District of New Jersey, which stretches along the eastern shoreline of the State and is basically a resort and residential area. The largest town is Asbury Park.

Unlike many of my colleagues, I was no stranger to the Nation's Capital. I had visited Washington many times with groups of students during my teaching career, leading them on tours of the Capitol and explaining how our Government functions. But until I attended this school for new Congressmen I didn't realize how much I did not know about how Congress operates. In fact, we freshmen were quite surprised at how much we have to know about being a Congressman and how many months it takes to learn.

But at the seminar we learned how to handle some of these new problems. We were told to bone up on the all-important rules of procedure and deportment. Some are formal rules; others are unwritten. In the formal rule book there's a section about our conduct on the floor: "While the Speaker is putting a question or addressing the House, no Member shall walk out of or across the hall, nor, when a Member is speaking, pass between him and the Chair; and during the session of the House no Member shall wear his hat, or remain by the Clerk's desk during call of the roll or counting of ballots, or smoke upon the floor of the House."

This rule harks back to those early years of Congress when men debated heatedly and often fought with fists—or pistols—for their principles. Naturally, we don't carry weapons now nor have I heard recently of fisticuffs on the part of our legislators, no matter what private thoughts a man might have about one of his colleagues.

Courtesy became a tradition and is now a very important rule of both Houses of Congress whether on or off the floor. One of the fundamental rules is that a Congressman never directs personal criticism or invective toward one of his colleagues or a Senator. He never questions motives, character, or honesty because these standards of propriety and courtesy are one of the keys to effectiveness on Capitol Hill.

The unwritten rules—the traditions—are something that we must learn before we can take the floor for the first time to voice an opinion or debate a point.

It's generally understood that Congressmen will not wear sport coats and sport shirts or "loud" or extreme clothing when at work. We learned that Congressmen do not hang their feet over the chair in front of them or read newspapers while on the floor of the House.

"You never know when some of your constituents are in the gallery watching you," one of our veteran colleagues lectured us after relating how one Congressman was spotted chewing gum by a constituent who later complained in a strong letter of censure.

A few years ago a Congressman went up to the gallery where some of his constituents were sitting and proceeded to show them a copy of a bill that was the subject of debate on the floor. He was embarrassed when one of the guards appeared at his side and in no uncertain terms advised the legislator that he was violating a serious tradition by reading in the gallery of the House.

The rules contained in "Jefferson's Manual" consider it improper for a Congressman to use the pronoun "you" in addressing a colleague on the floor or even to refer to him by name. "No Member, in speaking, is to mention a Member then present by his name," our third President wrote more than 150 years ago, "but to describe him by his seat in the House, or who spoke last." A House rule, based on Jefferson's rules of procedure, states that when addressing the House, Congressmen should avoid personality.

Therefore, when we have to acknowledge a colleague who has just spoken, he must properly be referred to as "The gentleman from * * *." and his State. We are told never to refer to Senators by name but as the senior or junior Senator from whatever State he represents. In fact, the Senate is referred to simply as "the other body."

Our female colleagues are also guided by a few specific rules. They, too, are not permitted to wear hats on the floor of the House and they are properly referred to as "gentlewoman" or "gentlelady."

We freshmen were elected because the majority of voters believed us when we told them we could do a better job in Congress than our opponents. On the other hand, as Congressmen we represent all the people of our districts, both those who voted for us as well as those who voted for our opponents. This was emphasized in our "school," as was the fact that the more people we help the better our chance of being returned to office. Quite bluntly we were told, as we already knew in our minds, that as of the day we were elected to the House of Representatives, we were running for reelection. It's true. The problems at hand concern themselves with people in our districts.

In this job our personal problems become secondary. For example, the financial one. I now have two residences: a home in New Jersey and an apartment in Maryland. My salary has increased from $8,500 a year to $30,000 but it remains to be seen if I'll be any better off financially with my congressional income than my smaller income as an educator with lesser social and financial demands and obligations.

This may seem strange, but there are several contributing factors. First, because I am only an hour's flying time away from New Jersey I am expected home for many important functions. This travel expense comes out of my own pocket and it is not unusual for me to fly from Washington to New Jersey, attend a function and fly back several hours later. Also, my wife, Marlene, and I have to entertain as we never did before and although we thoroughly enjoy entertaining it is costly.

Other financial questions are discussed at the seminar because the new Member of Congress also has a business operation to run. Those among us who are businessmen, or have dealt with annual budgets, do not face the same problems as those of us who, for the first time, have thousands of dollars worth of salaries and services thrust on their shoulders.

The public thinks of Congress as a body of 535 Members: 100 Senators and 435 Representatives. Actually, Congress is an establishment that employs nearly 10,000 people at an annual cost of $107 million. A very close tabulation of this money is kept by the Federal Government. I now find that I have to supervise an office staff of eight people and keep an eye on the budget so that we don't exceed our quota of telephone calls, postage stamps and other services which can add up to money out of my pocket if we go overboard.

We also received help from another direction. Our wives also received some special schooling. Theirs was from the women's division of the Democratic National Committee. They learned, for example, that at social functions Congressmen always precede their wives and that senior Congressmen must always be permitted to depart before their junior colleagues. Another tradition, which my wife had to handle on my behalf most of the time, was to "drop" our visiting cards at the homes of appropriate leaders of the Congress and executive branch. According to protocol, she must proceed on her rounds with my card and hers. Mine bears only my name and State; hers bears our local address.

The hours of dropping calling cards are between 3 and 5 p.m. If she is calling on a couple, she must enclose two of my cards and one of hers and the top right hand corner of hers must be bent down. Protocol dictates she leave the card and then depart. Although I am permitted to call upon a man and his wife, she is permitted to call only upon the wife. Nor do we expect to see the people upon whom we call when we leave visiting cards. The invitations to us follow at a later date.

Congress has been likened to a "club"—the most exclusive club in the world. We have all sorts of privileges: our own dining room, barbershop, gym, swimming pool, subway to the Capitol from our offices, special parking on "The Hill" and the daily respect and identification by the guards in our office buildings and the maitre d' in our dining room. I've been too busy to swim, work out in the gym or get a rubdown. Other freshmen have also found that time does not permit them to take advantage of these fringe benefits.

Instead, we've spent our time learning the lessons taught us in "school" and those that experience is teaching us. After my election last November letters from constituents began to flow into my office and home. Many were notes of congratulations; others were of a more serious nature. That old adage "write a letter to your Congressman when everything else fails" is taken seriously by citizens who expect their representative in Washington to work wonders. One letter demanded that I straighten out the "mess" in the United Nations—tomorrow. Other letters dealt with subjects that ranged from the constituent seeking Federal employment to parents who want their young son in uniform transferred closer to home. Not that the youngster desires such a transfer.

"Your mail," we were told by veteran Congressmen, "will cover everything imaginable. Divorcees will write to complain about not receiving alimony and ask what you, as their Congressman, can do about it. You can't ignore letters of this nature. You must sympathize and direct their attention to the proper authorities."

There is so much to be done that I have yet to arrive at my apartment in time for dinner with the children. My briefcase is full of homework and there is usually just time to catch the late news on TV before going to bed.

Saturdays at the office are the rule, not the exception. I also make weekend trips to my New Jersey district twice a month and maintain a hectic schedule consisting of one meeting after another with constituents who have problems. These problems, of course, are my problems just as much as those I receive through the mail at my office.

Many freshmen Congressmen arrived in Washington with preconceived ideas about how they should do their job. The rules and traditions that govern the House of Representatives have been called outmoded by some critics; for instance, seniority. However, as a freshman, I can see why seniority is important; you have to know your trade before you can practice it well. Our textbook at the "school" advised us not to speak too frequently and to know our subject thoroughly; otherwise we run the risk of gaining a poor reputation which is difficult to overcome and also diminishes our effectiveness.

Perhaps the seniority system seems undemocratic to the casual observer. On the other hand, we have learned that our party leadership is always sympathetic to our ideas and their experienced help often prevents us from blundering in our efforts. This is where seniority is an assistance to the newcomer. One of our instructors, a man with many years of service, said during that orientation week, "Freshman Congressmen usually don't like the seniority system, but the longer you are here, the better it will look to you."

But no matter how Congress functions, the caliber of its performance is based upon the caliber of its membership. As the most junior of Congressmen, we freshmen are awed by our new offices and tend to forget party differences in our day-to-day dealings. Moreover, the level of the newly elected Congressmen I have met is admirable. They're young, dedicated, energetic, and firmly believe that changes are made to benefit the people, not the Congress.

As a freshman Congressman and a former teacher, I can see why our "school" is so important. It will enable us to serve better all those people who depend upon us and to enhance our role as a lawmaking body. I like this job and am proud that our own school helps us to perform our duties well.

ECONOMIC STABILITY THROUGH FOREIGN AID

Mr. VIVIAN. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, we all know that the Marshall plan was an outstanding success. There are some, however, who feel that we have not had much success in our foreign aid work since then. Nothing could possibly be further from the truth.

The fact is that we have an impressive record of accomplishments to which all Americans can point with pride, and there is every indication that this record will be continued into the future.

There are now 26 countries where our economic assistance has been brought to an end because of their attainment of economic stability. The list will continue to grow. It now includes not only the countries of Western Europe, but less developed countries as well.

The latest and one of the most notable examples of success is Taiwan. Economic assistance from the United States is ending in the present fiscal year. No funds are being requested for fiscal year 1966.

In our natural preoccupation with the immediate crises that confront us, we should not overlook the remarkable achievement of Taiwan and other countries like it, where the combination of strong self-help measures and major external assistance has brought about rapid and lasting economic progress. Ten years ago, the prospects for stability and growth in Taiwan looked dim. Since then, a strong commitment by the Taiwanese and a crucial margin of U.S. assistance have brought success. Per capita gross national product in Taiwan has risen 45 percent; industrial output and exports have tripled; and Taiwan has joined other former aid recipients as a sizable cash customer for U.S. goods and services.

There is substantial evidence of progress also in countries that have not yet progressed far enough for aid to be ended. In the last 7 years, less developed nations have increased their investment in education by an average of 15 percent per year. They increased the value of their exports from $19 to $29 billion between 1950 and 1962, despite falling world prices for many of their exports.

Since 1950, they have increased industrial output at an average of nearly 8 percent per year. By 1963, roughly half of all the people living in malarious regions in the underdeveloped countries were being reached by malaria eradication programs.

Perhaps most important of all is the growing evidence in many less developed nations of a sustained and substantial commitment to the steady social and economic betterment of their peoples. For every dollar of our bilateral assistance to 20 major recipients of U.S. aid in fiscal year 1965, these nations are committing for development an average of $6 from their own meager resources.

We should not let today's crises or tomorrow's headline obscure the very real advances we have made in the years since World War II. While progress in some countries has been slow and frustrating, in many it has been steady and in some truly outstanding.

This great endeavor will not be completed quickly. It will take patience, foresight, and courage. It will continue to require the understanding and calm judgment of the American people, if this progress is to continue. To have a foreign policy that has continuity, relevance, and direction is a constant test of a free people's ability to govern themselves in the modern world. It would be dangerous for our security and tragic for the future of the world if, out of frustration or fatigue, the United States were to turn back when we have come so far down the road to real success.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RYAN, for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. ROUDEBUSH, for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. VIVIAN, for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. HANSEN of Idaho (at the request of Mr. SCHWEIKER), for 1 hour, on May 17, 1965.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. MOORHEAD.

(The following Member (at the request of Mr. SCHWEIKER) and to include extraneous matter:)

Mr. PELLY.

(The following Members (at the request of Mr. VIVIAN) and to include extraneous matter:)

Mr. IRWIN in two instances.

Mr. BONNER.

Mr. TRIMBLE.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H.R. 66. An act to authorize the Board of Parole of the District of Columbia to discharge a parolee from supervision prior to the expiration of the maximum term or terms for which he was sentenced;

H.R. 3043. An act to amend title 37, United States Code, to authorize payment of special allowances to dependents of members of the uniformed services to offset expenses incident to their evacuation, and for other purposes;

H.R. 4338. An act to authorize the Veterans of Foreign Wars of the United States to rent certain property in the District of Columbia for certain office purposes;

H.R. 7064. An act to amend the Foreign Service Buildings Act of 1926, as amended;

H.R. 7855. An act to authorize appropriations for procurement of small patrol cutters for the Coast Guard; and

H.J. Res. 195. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the American Legion National Convention of 1966, to be held in Washington, D.C.; to authorize the granting of certain permits to the American Legion 1966 Convention Corp. of the District of Columbia on the occasion of such convention; and for other purposes.

ADJOURNMENT

Mr. VIVIAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 54 minutes p.m.), under its previous order, the House adjourned until Monday, May 17, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1094. Under clause 2 of rule XXIV, a letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Watershed Protection and Flood Prevention Act, as amended, was taken from the Speaker's table and referred to the Committee on Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 4526. A bill to extend the provisions of title XII of the Merchant Marine Act, 1936, relating to war risk insurance, for an additional 5 years, ending September 7, 1970; without amendment (Rept. No. 346). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 7484. A bill to amend title 10, United States Code, to provide for the rank of lieutenant general or vice admiral of officers of the Army, Navy, and Air Force while serving as surgeons general; with amendment (Rept. No. 347). Referred to the Committee of the Whole House on the State of the Union.

Mr. HÉBERT: Committee on Armed Services. H.R. 7762. A bill to amend title 10, United States Code, with respect to the Reserve Officers' Training Corps; with amendment (Rept. No. 348). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Joint Committee on Atomic Energy. H.R. 8122. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; without amendment (Rept. No. 349). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 8147. A bill to amend the tariff schedules of the United States to reduce until July 1, 1967, the exemption from duty for returning residents to $50 fair retail value, and for other purposes; to the Committee on Ways and Means.

By Mr. BECKWORTH:

H.R. 8148. A bill to amend the Internal Revenue Code of 1954 to provide that the tax on admissions shall not apply to admission to a motion picture theater; to the Committee on Ways and Means.

By Mr. COOLEY:

H.R. 8149. A bill to extend for 2 years the provisions for cotton equalization payments and domestic acreage allotments with modifications under the Agricultural Adjustment Act of 1938, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. CULVER:

H.R. 8150. A bill to amend the Small Business Act to provide additional assistance for disaster victims; to the Committee on Banking and Currency.

By Mr. CURTIS:

H.R. 8151. A bill to amend the Small Business Act to authorize additional funds to be available exclusively for disaster loans; to the Committee on Banking and Currency.

H.R. 8152. A bill to amend the Internal Revenue Code of 1954 to repeal the manufacturers' excise tax on automotive parts and accessories; to the Committee on Ways and Means.

By Mr. DIGGS:

H.R. 8153. A bill to protect civil rights by providing criminal and civil remedies for unlawful official violence, and for other purposes; to the Committee on the Judiciary.

H.R. 8154. A bill to amend the Social Security Act to provide that the Secretary of Health, Education, and Welfare shall, under certain circumstances, disclose the current addresses of husbands and parents who have deserted their families; to the Committee on Ways and Means.

By Mr. GIAIMO:

H.R. 8155. A bill to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GUBSER:

H.R. 8156. A bill to provide that certain aliens shall be paroled into the United States by the Attorney General for the purpose of performing agricultural labor, and for other purposes; to the Committee on the Judiciary.

By Mr. RANDALL:

H.R. 8157. A bill to amend the Internal Revenue Code of 1954 to repeal the manufacturers' excise tax on automobiles and to reduce the manufacturers' excise tax on trucks and buses to 5 percent; to the Committee on Ways and Means.

By Mr. STRATTON:

H.R. 8158. A bill to amend title 10, United States Code, to authorize the commissioning of male persons in the Regular Army in the Army Nurse Corps and the Army Medical Specialist Corps, and the Regular Air Force with a view to designation as Air Force nurses and medical specialists, and for other purposes; to the Committee on Armed Services.

By Mr. VIVIAN:

H.R. 8159. A bill to amend title 10 of the United States Code to encourage the awarding of procurement contracts thereunder to contractors in all parts of the United States; to the Committee on Armed Services.

By Mr. BONNER:

H.R. 8160. A bill to amend the Merchant Marine Act, 1936, in order to protect and promote the health of seamen on vessels of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CLEVELAND:

H.J. Res. 468. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.J. Res. 469. Joint resolution relating to U.S. diplomatic relations with the Republics of Ukraine and Byelorussia; to the Committee on Foreign Affairs.

By Mr. TALCOTT:

H.J. Res. 470. Joint resolution to provide relief for disastrous losses suffered by producers of fruits and vegetables as a result of grossly erroneous forecasts made by the Secretary of Labor; to the Committee on Agriculture.

By Mr. DENT:

H. Res. 385. Resolution authorizing the printing of additional copies of "Isthmian Canal Policy Questions, Canal Zone—Panama Canal Sovereignty, Panama Canal Modernization, New Canal," a compilation of addresses by Congressman DANIEL J. FLOOD, Pennsylvania; to the Committee on House Administration.

By Mr. MURPHY of New York:

H. Res. 386. Resolution to authorize the Committee on Armed Services to conduct an investigation and study with respect to all aspects of the proposed closing of the New York Naval Shipyard, Brooklyn, N.Y.; to the Committee on Rules.

By Mr. RYAN:

H. Res. 387. Resolution to stop the transfer of the Naval Training Devices Center at Sands Point, N.Y., pending an investigation; to the Committee on Armed Services.

MEMORIALS

Under clause 4 of rule XXII,

253. The SPEAKER presented a memorial of the Legislature of the State of Maryland, requesting Congress to appropriate funds necessary for the planning and construction of an inland waterway between the Delaware Bay and the Chesapeake Bay with an alternate route by way of Pocomoke River, which was referred to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. McGRATH:

H.R. 8161. A bill for the relief of Gennaro Pinto; to the Committee on the Judiciary.

By Mr. MACKAY:

H.R. 8162. A bill for the relief of Mrs. Clara W. Dollar; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 8163. A bill for the relief of Dr. Talaat H. Mohamed; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 8164. A bill for the relief of Bing New Chan; to the Committee on the Judiciary.

By Mr. VIVIAN:

H.R. 8165. A bill for the relief of Evelio Garrido; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

207. By the SPEAKER: Petition of John Jardine and others, Waipahu, Hawaii, expressing opposition to the proposed approximate 33-percent increase in rice prices as proposed in the omnibus farm bill now before Congress; to the Committee on Agriculture.

208. Also, petition of Henry Stoner, Columbus, Ohio, relative to the status of Americans who oppose the current trend of unconstitutional wars; to the Committee on Rules.

EXTENSIONS OF REMARKS

Rural Electrification's Birthday

EXTENSION OF REMARKS

OF

HON. JAMES W. TRIMBLE

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 13, 1965

Mr. TRIMBLE. Mr. Speaker, on the 30th anniversary of the beginning of rural electrification in the United States it gives me pleasure to call attention to the changing pattern in life in rural America made possible by electric power brought to the areas by the programs of Rural Electrification Administration. Today after 30 years of REA loans and technical assistance in rural electrification more than 98 percent of our farms are electrified. Thirty years ago electricity for light and power was available to people living in cities and towns but at the turn of the century the American farmer's way of life had changed little since the first colonies were formed.

In 1935 when President Franklin D. Roosevelt created the Rural Electrification Administration as an emergency relief program 10.9 percent of our farms had central station electric service, but now the lights have been turned on in rural America. In 1964 the average consumer on the lines of REA borrowers used 451 kilowatt hours per month. This is 10 times the early estimates made by REA and cooperative leaders. In the years while the rural consumption of electric power showed such a remarkable increase, the individual farmers' production of farm goods also showed a remarkable increase—300 percent. Soil conservation practices, increased use of fertilizers, insecticides, the tractor, improved breeding methods, new and better roads, and a considerable list of other developments in the practice of farming all share credit for improvement in yield and quality of farm production, but electric power was a significant factor and on this 30th anniversary of REA we acknowledge the accomplishments of the REA, under the Rural Electrification Act passed in 1936, and of the rural electric cooperatives and other borrowers of REA funds for building the lines that carry power to this Nation's farms. Many aspects of farming would be unthinkable without electrification. Three decades ago dairying was confined largely to northern States. Warm temperatures with no cooling process available was just one aspect of the problem. Today many southern States stand high in the production of milk and milk products. The modern, sanitary dairy depends on electric power today and the same advantages of electric power apply to other phases of farming. The industrial revolution of the 19th century transformed life in the cities and rural electrification helped make a revolution in agriculture possible. The fight is being won, day by day, to bring electricity to rural America and bring down the cost of electricity, and on this 30th anniversary of the REA I salute the rural electrification movement and all the farm families and the others, who have brought the blessings of electricity to rural America.

Norwegian Constitution Day for 1965

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 13, 1965

Mr. PELLY. Mr. Speaker, a century and one-half ago, on May 17, 1814, the Norwegian Constitution was signed at Eidsvold Mansion, north of Oslo. The Constitution was the work of a small group of patriots who were concerned lest Norway become the victim of great power intrigues toward the end of the Napoleonic wars. Ever since the end of the 14th century, Norway had been united with Denmark under one sovereign and ruled by Danish officials. In the Kiel Treaty of January 14, 1814, Denmark was forced to cede Norway to Sweden without Norway's consent. Norwegians immediately protested what they regarded as an infringement of their right to decide their own future. Even the Danish Royal Governor in Norway, Prince Christian Frederik, was incensed by the transaction.

Hoping to proclaim Norway an independent kingdom with himself as king, Prince Christian Frederik called a constitutional assembly to draw up a constitution for an independent Norway. In a little over a month, the work of the assembly was completed. The constitution that was proclaimed on May 17, 1814, was one of the most liberal of the time. It reflected the influence of British political traditions, as well as the principles embodied in the U.S. Declaration of Independence and the ideas of the French Revolution. Although Norway was subsequently forced to accept union with Sweden as a separate kingdom under the Swedish crown, the constitution was allowed to stand. Today, that constitution, with its guarantees for the rights and liberties of citizens, still provides the framework for the Government of Norway.

Norwegians are justly proud of the achievements of the men of Eidsvold, and of the content and longevity of their constitution. The 17th of May is a national holiday in Norway. It is celebrated not with displays of armed might as is customary in so many other nations on the occasion of national holidays. It is celebrated with parades composed largely of children dressed in colorful costumes. For Norwegians are a peace-loving people. They place their hopes for the future in their children. They believe that their children should learn to cherish principles and ideals embodied in the Norwegian Constitution.

Norwegian-Americans, descendants of almost a million Norwegians who have come to this country in the past century, also celebrate the 17th of May. And rightly so. For they well see that the principles enshrined in the Norwegian Constitution provide a strong link between their land of origin and their adopted country. A solid respect for fundamental human rights, a continuing concern for the well-being of fellow citizens, and a profound attachment to responsible government, are shared by Norwegians and Americans. It seems only natural that Norwegians and Americans should stand together in many international settings to further mutual goals of peace and progress throughout the world.

Today therefore, I would like not only to salute our Norwegian friends and my fellow citizens of Norwegian descent on a day that they both hold dear, I would also like to pay homage to the principles that are enshrined in both the Norwegian Constitution and the Constitution of the United States of America. I would like to celebrate the friendly relations of more than a century and one-half between Norway and the United States.

Fairfield University's "Dante Festival"

EXTENSION OF REMARKS

OF

HON. DONALD J. IRWIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 13, 1965

Mr. IRWIN. Mr. Speaker, I note with particular pride that Fairfield University will be holding its Dante Festival this Saturday, one of the few campus programs honoring the author of "The Divine Comedy" on the 700th anniversary of his birth.

The celebration of the 700th birthday of Dante Alighieri is an occasion of which Americans of Italian descent can truly be proud. It is also an occasion that has a great deal of meaning for our ages. For Dante in his "Divine Comedy" saw a total vision of mankind.

The poet John Ciardi, in a recent lecture, compared the figures in Dante's 13th century allegory to the "populations of our own nervous system," adding that the current contest for men's minds is probably the reason Dante has such relevance to us.

Of the three sections of the "Divine Comedy," it is the "Inferno" that "overwhelms 20th century readers," Ciardi noted.

He said:

> It is hard for a man of our age to identify with a condition of static bliss such as the "Paradiso." A meditative man can grasp the "Purgatorio" as a highly conceived consideration of becoming * * *. But there is something the darkeness of our age's own mood that responds at great depth to the darkness of hell.
>
> If the "Divine Comedy" ever ceases to be relevant to man's idea of himself, humanity's values will have become meaningless.

And this, to me, is something we should not lose sight of as we celebrate the 700th birthday of Dante—an outstanding figure of any age whose writings seem almost immune to time.

Role of the Merchant Marine in Amphibious Operations

EXTENSION OF REMARKS

OF

HON. HERBERT C. BONNER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 13, 1965

Mr. BONNER. Mr. Speaker, last fall the U.S. Navy, the Marine Corps, and the American merchant marine held a tremendously significant amphibious training exercise off the coast of Spain. Called Operation Steel Pike I, it was the largest peacetime amphibious exercise ever conducted on the shores of the Atlantic Ocean. It was the largest military landing operation conducted by our forces since the Korean war. It provided a major testing ground for the American merchant marine, which contributed 10 large merchant ships to the Naval Fleet Forces that provided the combatant support, and special services ships that made the operation a success.

The Committee on Merchant Marine and Fisheries, with its responsibility for the development, maintenance, and welfare of the American merchant marine, wanted to get a firsthand report on the Operation Steel Pike I. We wanted to hear the views of the top military officers who directed the exercise as they concerned the quality and effectiveness of the role played by the ships and men of the merchant marine. Accordingly, on March 16 and 17 of this year, we held hearings before the full committee to receive a briefing by the military officers in charge of the exercise. Appearing before us were Vice Adm. John S. McCain, Jr., commander, Amphibious Forces, Altantic; Lt. Gen. J. P. Berkeley, commanding general, Fleet Marine Forces, Atlantic; and Vice Adm. Glynn R. Donaho, commander, Military Sea Transportation Service, and other supporting officer witnesses.

The hearings were most interesting, and the military testimony was unstinting in its praise of the performance of the 10 privately owned merchant ships and their crews in Steel Pike I, underscoring the importance of our merchant marine to our national defense posture.

Thus, it was a great disappointment and, I might add something of a shock to read later that the testimony of Vice Adm. Lot Ensey, Deputy Chief of Naval Operations—Logistics—in executive session before the House Subcommittee on the Department of Defense Appropriations on February 19, 1965, was apparently in direct conflict with the testimony presented before our committee at our Steel Pike I hearings, and further seemed to downgrade the value of the American merchant marine as a military or naval auxiliary. A reading of the Defense Appropriations Subcommittee hearings seem to confirm earlier press reports.

Accordingly, I felt it necessary to write Admiral Ensey, call his attention to our hearings and ask for a reply with his comments. I sent copies of my letter, dated April 30, 1965, to the chairman of the Appropriations Committee, Secretary of Defense, Secretary of the Navy, and Secretary of Commerce, the Chief of Naval Operations and the commander, Amphibious Forces Atlantic.

Admiral Ensey replied to my letter by telegram dated May 6, 1965. On May 7, Adm. David L. McDonald, Chief of Naval Operations, wrote in connection with my letter to Admiral Ensey. Their statements go far to eliminate what could otherwise have been a very serious misunderstanding.

Under leave previously granted, at this point I insert in the RECORD the text of my letter of April 30 to Admiral Ensey, Admiral Ensey's reply, Admiral McDonald's letter of May 7, and acknowledgements from the Secretary of Commerce and the Office of the Secretary of Defense. I believe the correspondence is self-explanatory:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON MERCHANT MARINE
AND FISHERIES,
Washington, D.C., April 30, 1965.

VICE ADM. L. ENSEY, U.S. NAVY,
Deputy Chief of Naval Operations (Logistics),
Pentagon Building, Washington, D.C.

DEAR ADMIRAL ENSEY: Press reports have come to my attention concerning your testimony before an executive session of the House Subcommittee on Department of Defense Appropriations on February 19, 1965. I was greatly surprised at your reported position with respect to the value of our merchant marine to our defense posture and, more particularly, with respect to the quality of, and contribution made by 10 privately owned merchant ships which participated in Operation Steel Pike I. Surely, I thought, the press reports must be in error. Yet, when I checked the primary source—the printed hearings before the subcommittee—I was deeply shocked to find the press reports to be completely accurate.

Less than 1 month following your appearance before the subcommittee, Vice Adm. John S. McCain, Jr., U.S. Navy, and Lt. Gen. J. P. Berkeley, U.S. Marine Corps, appeared before the full Committee on Merchant Marine and Fisheries to report on the merchant marine—its ships and its men—and its role in combined operations under emergency conditions and, specifically, about the role of the merchant marine in Steel Pike I. Both Admiral McCain and General Berkeley, who, as you know, are highly respected professional men, spoke in the most glowing terms about the performance of the 10 privately owned merchant ships and their crews in Steel Pike I, underscoring the importance of our merchant marine to our Nation's defense posture. I particularly invite your attention to the following statement made by Admiral McCain in the beginning of his testimony:

"I would like to observe that as commander of the amphibious force of the Atlantic that I cannot execute a major amphibious assault without the merchant marine to augment the gap that would have to be filled in the event of such an emergency."

A copy of our committee's hearings on Steel Pike I is enclosed. Pertinent sections of the testimony have been marked for your ready reference. I would like you to take particular note of the following facts elicited during the course of the hearings:

That, while you testified that the merchantmen in Steel Pike I were World War II ships, 8 of the 10 privately owned merchantmen were of the most recent construction, having been delivered within the past 4 years and are the most modern types in the world;

That General Berkeley testified to his surprise at the speed at which these new merchantmen could unload in the objective area and that unloading went a great deal faster than planned;

That if there had been any limiting factor in the convoy speed, it would have been owing to naval vessels, not the merchantmen; and

That, while better communication is always desired, there was no problem communicating with the merchant ships.

All of the foregoing, of course, is in complete contradiction to your earlier testimony before the subcommittee. These positions are wholly irreconcilable and I would appreciate your comments on the matter.

I am sure that you can appreciate that I, and my colleagues on the committee, are vitally concerned with the well-being of our merchant marine and its historically proven role in times of military emergency. We have had experts testify before us that passenger sealift capacity is not necessary in this air age. Only months later these same experts were scrambling to secure American-flag passenger ships to prepare for the Cuban crisis. Others have opposed our attempts to upgrade the fleet of the Coast Guard, which service is within the committee's jurisdiction. Yet, only yesterday, 17 Coast Guard vessels were ordered to patrol duty in Vietnam for service with the Navy. Our history is replete with the folly of unpreparedness. In all these matters, the committee has a continual and endless battle to gain support for our programs. For these reasons I am greatly alarmed when men of responsible position, such as yourself, take such a misleading and damaging position and, particularly, before such an important congressional committee.

Your early reply to this letter will be appreciated.

Sincerely,

Herbert C. Bonner,
Chairman.

Washington, D.C.

Hon. Herbert C. Bonner,
Chairman, House Committee on Merchant Marine and Fisheries, Longworth House Office Building, Washington, D.C.:

Your letter of April 30, 1965, concerning my testimony before the House Subcommittee on Defense Appropriations has reached me. I appreciate the opportunity to clarify my statement in the light of its unfavorable impact.

The points you have made concerning my testimony in relation to that of Vice Admiral McCain, Lieutenant General Berkeley, and others before your committee are all well taken. However, our testimonies are not inconsistent as further explained. Certainly their appraisal of the Steel Spike I exercise, as on-scene participants, represents, as it should, a more precise and technically comprehensive assessment of the operation, and the role of the merchant marine therein than does my comment before the Appropriations Subcommittee.

As I have advised Mr. Mahon, the overall objective of my testimony in this matter was to make it quite clear that there is no merchant marine capability, old or new, which can be substituted for naval amphibious units, integral to the fleet and especially designed and constructed to meet the particular needs of our Navy-Marine team for the actual landing in the initial combat amphibious assault, repeat, the combat amphibious assault echelon. It is fortunate that I did not first stress the vital and specific role that the merchant marine played in the exercise. A thorough study of the operation plus the testimony before your committee does indeed substantiate that our modern merchant ships contributed in great measure to the success of the exercise.

I do certainly appreciate the concern and responsibility you and your committee share as to the well-being of our merchant marine. In this respect, it would be clearly inappropriate for one in my position to be any less concerned about the welfare of this critical element of our economic and defense posture. It was never my intent to portray the merchant marine in any other light.

I do believe it is fair to suggest that there are differing but complementary roles for Navy-built ships on the one hand, and merchant marine ships on the other, in the complex total amphibious operation. Modern, high-speed cargo ships are quite essential to meet the heavy demands for material supply and resupply of our troops ashore. Furthermore, our plans call for development of a 20-knot amphibious capability in the years ahead just as the merchant marine is gradually increasing its ship's speeds. It was in this context that I endeavored to draw a distinction between those Navy ships which must be designed and constructed for our specific combat assault requirements in the initial assault landings ashore and those merchant ships needed, on the other hand, to augment our Navy capability and to sustain us through successive phases of the overall amphibious operation.

I hope that this clarification of my views will serve to relieve your concern. It has been my intent to do so, and you can be assured of my full support in our mutual efforts toward a healthy U.S. merchant marine.

This telegram also being sent to Congressman Mahon, Congressman Mailliard, Secretary of Defense, Secretary of the Navy, Secretary of Commerce, Admiral McDonald, and Vice Admiral McCain.

Sincerely,

Lot Ensey,
Vice Admiral, U.S. Navy.

Chief of Naval Operations,
May 7, 1965.

Hon. Herbert C. Bonner,
Chairman, Committee on Merchant Marine and Fisheries, U.S. House of Representatives, Washington, D.C.

My Dear Mr. Bonner: By your letter of April 30, 1965, you expressed concern over Vice Admiral Ensey's testimony before the House Subcommittee on Department of Defense appropriations as it pertains to the contribution of the U.S. merchant marine in the recent amphibious exercise, Steel Pike I. In particular, you mentioned an apparent conflict in the record of hearings regarding Admiral McCain and General Berkeley's statements on Steel Pike I as compared to Admiral Ensey's testimony.

After reviewing this matter, I conclude that Vice Admiral Ensey in his testimony desired to make a point for continued construction of specially designed naval amphibious ships. These ships are operated as part of the fleet amphibious force and are used in the over-the-beach combat assault phase of amphibious landings. It was not the intent of Admiral Ensey to downgrade the role of the U.S. merchant marine in Steel Pike I. The 10 U.S. merchant ships in the exercise were an integral and important element which contributed greatly to the overall success of the operation.

I appreciate the fine work being done by you and your colleagues on the Merchant Marine and Fisheries Committee in support of the U.S. merchant marine. The Navy has long relied on American merchant shipping as an auxiliary arm necessary to support military operations. You can be assured of my continued support for the merchant marine in order that it can fulfill its vital role in national emergencies.

Sincerely yours,

David L. McDonald.

The Secretary of Commerce,
Washington, D.C., May 5, 1965.

Hon. Herbert C. Bonner,
Chairman, Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D.C.

Dear Mr. Chairman: I appreciate your thoughtfulness in calling my attention to the testimony of Vice Admiral Ensey before the House Subcommittee on Department of Defense Appropriations, concerning the value of merchant ships in Operation Steel Pike I.

Needless to say, I am earnestly interested in the performance of the merchant marine and its contribution to our national defense. I have, therefore, referred your letter of April 30 to Mr. Nicholas Johnson, our Maritime Administrator.

Best wishes.

Sincerely yours,

John T. Connor,
Secretary of Commerce.

Office of the Secretary of Defense,
Washington, D.C., May 3, 1965.

Hon. Herbert C. Bonner,
Chairman, Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D.C.

Dear Mr. Chairman: Secretary McNamara has asked me to reply to your letter of April 30, 1965, concerning Navy testimony on merchant ships. We appreciate your taking the time to write on this important matter and have forwarded your letter to the Secretary of the Navy so that he will also be informed.

Sincerely,

David E. McGiffert,
Assistant to the Secretary
(Legislative Affairs).

Remarks of Vice President Hubert H. Humphrey at the University of Pittsburgh, May 13, 1965

EXTENSION OF REMARKS

OF

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 13, 1965

Mr. MOORHEAD. Mr. Speaker, the city of Pittsburgh is honored today by the presence of Vice President Hubert H. Humphrey. This evening he will speak at the Jefferson-Jackson Day dinner at the Penn Sheraton Hotel. This afternoon the Vice President addresses a special convocation of some 600 students from western Pennsylvania on the campus of the University of Pittsburgh.

I include at this point in my remarks the excellent address Vice President Humphrey is making this afternoon at the University of Pittsburgh:

Remarks of Vice President Hubert H. Humphrey, University of Pittsburgh, May 13, 1965

My fellow students, my theme today is this: What can we Americans ask of each other in 1965?

Where are we bound in life? What is our place in the world?

It was only 30 years ago that millions of Americans asked of each other: "Brother, can you spare a dime?"

We worried in those days about shelter, clothing, and holding onto work and life.

Thank God those times are past.

But to my generation they will always be fresh and real. And a reminder that our precious democratic society once tottered on the edge.

This Nation 30 years ago was divided, deeply divided: have and have-not, business and labor, North and South, black and white, farm and city, left and right. But in face of disaster and revolution we united—united, I might add, under brilliant leadership—to face our common foes. First, economic crisis at home. Then, totalitarianism and barbarism abroad.

We did not have to be asked what we could do for each other and for our country. We had to fight for survival.

Most of you here today were born after those crises had passed. You have lived in time of prosperity.

But your young generation has not turned inward on itself or satisfied itself with material pleasures.

You have responded to the needs of these times and you have done it in magnificent fashion. You are the volunteer generation.

There are now 10,000 volunteers serving in the Peace Corps with more than 3,000 already returned and another 100,000 waiting for their chance to participate.

When VISTA—the Volunteers in Service to America—was launched, there were 3,000 inquiries on its first day of business.

And I know that in most of the minds here today there is the question: What can I do to serve my country and my fellowman?

President Lyndon Johnson held his first Presidential appointment at 27 and his first political office at 29. As he has said:

"No one knows more than I the fires that burn in the hearts of young men who yearn for the chance to do better what they see their elders not doing well or not doing at all."

Old men dream dreams, but young men see visions. Today in our country there is a vision of a Great Society.

The nature of this vision has much to do with my question here today: What can we Americans ask of each other in 1965?

In this time of prosperity, is the Great Society to be a welfare state? Some may think so. But that is not the vision of President Johnson. Neither is it my vision.

We see the Great Society as a state of opportunity.

No government owes every man a living. But a just government of, by, and for the people does owe every man an opportunity to enjoy the blessings of life.

The Great Society is based on the proposition that every man shall have that opportunity.

If you examine the legislative program in this Congress, if you listen to the words of our President, if you look into your own heart you cannot escape the conclusion that we are succeeding, we are breaking through in our efforts to provide all American men and women with that precious opportunity.

Some, once receiving it, may squander it. But all Americans must have the chance—a chance now denied to many—to make something better of their lives and the lives of their children.

Last month this Congress passed a great bill which is a basic investment toward achieving that equality of opportunity: the Elementary and Secondary Education Act. Thomas Jefferson was right. We cannot be both ignorant and free.

This act in itself is accomplishment enough to satisfy an ordinary Congress. But it will be followed soon by passage of the higher education bill.

These bills together will help build classrooms. They will provide funds for libraries and textbooks and teaching materials. They will provide funds for research in teaching techniques and development of community education centers.

They will above all, I hope give new inspiration to teacher and student alike in the exhilirating experience of gaining and using knowledge. (And may I digress for a moment to say that true education depends more than anything else on the quality of teaching. I may be venturing here into dangerous ground, but I must say that there must thus be an appropriate balance between research and teaching.)

The education bills passed by this Congress will contribute to the long-term, lasting health of this Nation. So will a dozen other bills which will come from this Congress, acting out the will of the American people.

For the American people, in unprecedented peacetime consensus and unity, have made known their purposes.

We today stand united as Americans in agreement:

That all Americans shall have truly equal education.

That all Americans shall have truly equal voting rights.

That we shall provide adequate medical care to our elder generation.

That we shall make our cities better places in which to live and work in safety and health.

That we shall preserve this Nation's beauty, history, and natural resources.

That we shall open our doors again to immigrants who can enrich and lend new vitality to our national life.

That we shall help our urban and rural Americans alike adjust to technological revolution and social change.

That we shall not drop the torch of international leadership.

Let us not be mistaken. The forces of totalitarianism do not plan to blow the world to pieces. They plan to pick it up piece by piece as we progressively tire and withdraw.

But, as President Johnson declared in his historic speech at Johns Hopkins University:

"We will not be defeated.

"We will not grow tired.

"We will not withdraw."

Aggression need not come in the form of all-out atomic war. It can come through propaganda, through terrorism, through subversion, through diplomatic blackmail, through economic pressure. We recognize aggression in its subtler and more refined forms.

And we resist it as we would direct, large-scale military attack.

But at the same time, with equal determination, we will pursue each possibility of lasting and just peace. The pursuit of peace resembles the building of a great cathedral. It is the work of generations. In concept it requires a master architect; in execution, the labors of many. It requires great patience.

Yes, we Americans as people, and we Americans as a force in the world must pursue peace. But what sort of peace shall it be?

Is it to be the peace of domination?

This peace is easy indeed to achieve, for it is based on control of the weak by the strong. It need not be based on any principle higher than that of "might makes right."

Is it to be the peace of permissiveness?

This peace too can be bought most cheaply. For it leaves the outside world to its own devices. It justifies sacrifice of the small and weak. It justifies aggrandizement of the powerful and greedy. It justifies international irresponsibility—all on the premise that affairs not within our own borders are not our affairs.

Is it to be the peace of balance of power?

This peace has existed before. It depends on perpetuation of a delicate power relationship. It depends on the status quo. It has often also meant in the past "dividing up the world" at pleasure of those at each end of the balance.

All of these peaces can and have been achieved, at least temporarily, throughout history. But they have never lasted.

For they have not been based on justice or humanity. They have not responded to the needs of men and women seeking fulfillment for themselves and their children. They have not taken into account the spark that burns in all men and says: "Be free."

Thus I call on you as the generation coming to leadership to be strong and persevering: strong in defense of justice and in opposition to tyranny * * * persevering in seeking a goal of peace for all men.

I am essentially a religious person. I am not ashamed of it. I believe that God created man in His own image. I believe that there is a spark of the divine in every person. And I believe in the meaning of human dignity.

My fellow students, the big struggle in the world—and at home—today is not over the forms of production. The struggle is about man's relationship to man * * * and man's relationship to a higher and nobler force.

I say that what we can ask of each other is this:

To fight poverty because poverty destroys the human spirit and human dignity.

To fight discrimination because it violates the precepts of our democratic society and Judeo-Christian ethic.

To pursue justice because it is basic to our religious and ethical heritage.

To pursue an honorable peace because it is the greatest gift we can give our children.

We can achieve the Great Society. It is within our grasp—perhaps for the first time in history.

Yes, the first step toward these things is the longest journey. And we have made that step. And the second step. And now we take a third.

We are privileged each year, each decade, each generation in our time to take a new step.

How fortunate we are to live in this dramatic and creative period of change, of challenge, of opportunity. How great is our responsibility to achieve excellence of mind and spirit to do the tasks that must be done.

I appeal, therefore, to you the generation of 1965:

Make no little plans. Have no little dreams. Do not set your standards and goals by those of this time.

Challenge the impossible. Do what cannot be done.

Thirty years ago it was "Brother, can you spare a dime?" Today we reach the stars.

I ask of you: Believe in the perfectability of man, make a better life for our people, save the peace, build a Great Society to last for generations beyond us.

Remarks by President Lyndon B. Johnson Before the National Homebuilders Association, May 11, 1965

EXTENSION OF REMARKS

OF

HON. DONALD J. IRWIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 13, 1965

Mr. IRWIN. Mr. Speaker, I wish to bring to the attention of my colleagues President Johnson's remarks on May 11 before the National Homebuilders Association. His remarks follow:

REMARKS BY PRESIDENT LYNDON B. JOHNSON BEFORE THE NATIONAL HOMEBUILDERS ASSOCIATION, MAY 11, 1965

Mr. Willett, ladies, and gentlemen, I thank you very much for your courtesy and your very nice reception. I appreciate Bernie Boutin's invitation to come over here and see the men that he had rather work with than me. Back in November, Bernie was in my office almost every day always telling me about these poor little fellows who need him so badly, to help them out. Well, judging by appearances here tonight, Bernie must have done you a lot of good. And I saw Bernie at the elevator and you have not done so badly by Bernie, either.

I wanted to come by for a brief visit tonight, live, and in person, for at least two reasons. First, I did not want anybody to complain that I had interrupted the Red Skelton hour on television, so we won't miss a single commercial. And, secondly, and far more importantly, I wanted to say a very few words about you and your great industry and this country that you have helped to build.

You have come to your Capitol in a very important month. This month of May 1965, is the 50th month of uninterrupted economic expansion in our country. That is the longest, and that is the strongest peacetime prosperity in American history. That is a very proud record, and each of you can be proud of your share in establishing it.

In these first 4 years of our expansion, you built about 6 million new housing units.

You, and others in the construction industry, helped to create more than a half million new jobs. And you and your associates have helped to hold down business costs and building costs.

Today disposable incomes are rising for all of our families, and they are putting more into the homes they buy. In February 1961, the typical new home had a value of $16,000. Now that sales price is up to $20,400. But building costs over the past year have gone up only 2½ percent.

This expansion, which is benefitting all sections and all segments, must continue, and it will continue if all elements show restraint and show responsibility, as your organization does.

Yes, tonight we can say that these are good times in America but, far more, these are very exciting times. All throughout this land, Americans young and old are taking a new pride in doing what has too long gone undone, in our classrooms and in our cities across our countryside.

My wife left a little after daybreak this morning in two big Trailways buses with 100 people, touring the State of Virginia pointing out the beautiful places. We are going to expect each of you to go back to your homes and your States and carry a message that we not only want a peaceful America, we not only want a prosperous America, we want a beautiful America.

I don't believe that the abundance that we are enjoying is softening America either. We are sharpening our attack upon our problems. We are raising our standards and our sights. We are moving ahead to meet the promise and to fulfill the potential of our age.

Like the old biblical parable, we are, I believe, making wise use of the talents given to us, and I have faith that this will bring blessings upon our children and our children's children, for generations to come.

We hope that in the very next few days we can have one of the best housing bills to ever come out of the Committee that we reported to the House for action.

On the broad front we are strong and we are stable, and we are successful and, above all, we are steady on our course. But for us, as for all who have gone before us in this century, our real test lies in how we meet our responsibilities in this big world in which we live.

Be they friend or be they foe, let none anywhere entertain the needless fear or the futile hope that this Nation will ever falter in meeting all of its responsibilities.

Yes, we have responsibilities to freedom and we shall meet them. We have responsibilities to peace and we shall honor them. We seek accord among all nations and understanding among all peoples.

Our first purpose—America's only purpose—is to work with others for the good of all mankind, but let this be clear: If choice must be made, we would rather that men quarrel with our actions to preserve peace than to curse us through eternity for inaction that might lose both our peace and our freedom.

Thank you and good night.

SENATE

FRIDAY, MAY 14, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, whose love is unfailing, and whose mercies are new every morning: We would quiet our feverish hearts in Thy presence. Here in this cherished Chamber of national deliberations, may some revelation of Thy light fall on our darkness, some guidance from Thy wisdom save us in our bewilderment, some power from Thine infinite resource strengthen us in our need. Acknowledging our oneness with all humanity, we come as patriots, believing that our America has come to the kingdom for such a time as this.

Our Nation's welfare dear to us, grateful for its best traditions, prayerful for its sons who this very hour are fighting in liberty's cause, we come crying for wisdom in our national leaders, that in such perilous times they may contribute worthily to mankind's abiding peace.

Save us from a cynical pessimism, by the radiant belief that this evil time does not spell the end of history, knowing that out of the travail of many a violent age a great birth has come. By Thy providence keep our faith steady, lest for the lack of it we lose what Thou dost intend in this prophetic day.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 13, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States, submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Constitutional Amendments of the Judiciary Committee was authorized to meet during the session of the Senate today.

APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair wishes to announce the appointment of the Senator from Utah [Mr. MOSS] in lieu of the Senator from Montana [Mr. METCALF] to the Eighth Canada-United States Interparliamentary Group at Ottawa and Montreal, Canada, on May 20–24, 1965.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED AMENDMENT TO THE BUDGET, 1966, FOR DISTRICT OF COLUMBIA (S. DOC. NO. 23)

A communication from the President of the United States, transmitting an amendment to the budget for the District of Columbia for the fiscal year 1966, in the amount of $1,879,000 (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on potential savings through procurement of operating supplies from General Services Administration sources by Lockheed Missiles & Space Co., Sunnyvale, Calif., Department of Defense, dated May 1965 (with an accompanying report); to the Committee on Government Operations.

RELIEF OF CERTAIN EMPLOYEES OF THE FOREIGN SERVICE

A letter from the Acting Secretary of State, transmitting a draft of proposed legislation for the relief of certain employees of the Foreign Service of the United States (with an accompanying paper); to the Committee on the Judiciary.

SUPPLEMENTARY REPORT OF THE REGISTER OF COPYRIGHTS ON GENERAL REVISION OF THE U.S. COPYRIGHT LAW

A letter from the Librarian of Congress, transmitting, pursuant to law, a supplementary report of the Register of Copyrights on General Revision of the U.S. Copyright Law (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Finance:

"S.J. RES. 9

"Joint resolution memorializing the Congress of the United States to amend the Kerr-Mills Act, Public Law 86–778

"*Resolved by the senate (the assembly concurring)*, That this legislature respectfully petitions the Congress of the United States to amend the Kerr-Mills Act, Public Law 86–778, to include medical assistance to needy persons who are blind or disabled even though under 65 years of age; be it further

"*Resolved*, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each Member of the Congress from this State.

"Patrick Gluy,
"*President of the Senate.*
"William P. Nugent,
"*Chief Clerk of the Senate.*
"Robert T. Huber,
"*Speaker of the Assembly.*
"James R. Buckley,
"*Chief Clerk of the Assembly.*"

A joint resolution of the Legislature of the State of Maryland; to the Committee on Appropriations:

S.J. Res 23

"Joint resolution requesting the Congress of the United States of America to appropriate funds necessary for the planning and construction of an inland waterway between the Delaware Bay and the Chesapeake Bay with an alternate route by way of Pocomoke River

"Whereas constant competition between the many ports of the United States for the foreign trade of the Nation has resulted in certain extensive waterway projects; and

"Whereas shipping trade and commerce would be greatly stimulated by the creation of an inland waterway between the Delaware Bay and the Chesapeake Bay with an alternate route by way of the Pocomoke River; and

"Whereas Joint Resolution 11 of the Maryland Laws of 1960, copies of which were sent to certain Members of the U.S. Congress, urged the Congress of the United States and the U.S. Army Engineers to cooperate in such a development of a system of inland waterways; and

"Whereas the planning and construction of such a project will require financing by the Federal Government: Now, therefore, be it

"*Resolved*, That the General Assembly of Maryland request the Congress of the United States to appropriate funds necessary for the planning and construction of an inland waterway between the Delaware Bay and the Chesapeake Bay with an alternate route by way of the Pocomoke River; and be it further

"*Resolved*, That copies of this joint resolution be sent to the President of the U.S. Senate, the Speaker of the House of Representatives, each member of the Maryland delegation to the U.S. Congress and to Congressman Thomas N. Downing, of the State of Virginia, and to Congressman Harris B. McDowell, of the State of Delaware, all under the great seal of the State of Maryland."

A resolution adopted at a meeting of American citizens of Polish descent, on April 25, 1965, in Chicago, Ill., relating to the return to Poland of her territories on the Oder-Neisse Rivers; to the Committee on Foreign Relations.

A resolution adopted by the Board of Supervisors of Westchester County, N.Y., favoring the enactment of Senate bill 500, to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

A resolution adopted by the International Typographical Union No. 6, Publishers Printing Co. chapel, of Long Island City, N.Y., favoring the enactment of the bill (S. 1781) to make unlawful the hiring of professional strikebreakers in interstate disputes; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Commerce, without amendment:

S. 1275. A bill to authorize and direct the Secretary of the Treasury to cause the vessel *Elva L.*, owned by Harold Bunker, of Matinicus, Maine, to be documented as a vessel of the United States with coastwise privileges (Rept. No. 189).

By Mr. SPARKMAN, from the Committee on Foreign Relations, with amendments:

S. Con. Res. 17. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion (Rept. No. 190).

By Mr. PASTORE, from the Joint Committee on Atomic Energy, without amendment:

S. 1957. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (Rept. No. 191).

By Mr. MUSKIE, from the Committee on Public Works, with amendments:

S. 306. A bill to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles, to establish a Federal Air Pollution Control Laboratory, and for other purposes (Rept. No. 192).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. SPARKMAN, from the Committee on Foreign Relations:

Anthony M. Solomon, of the District of Columbia, to be an Assistant Secretary of State;

Warren W. Wiggins, of Virginia, to be Deputy Director of the Peace Corps;

Mercer Cook, of Illinois, now Ambassador Extraordinary and Plenipotentiary to the Republic of Senegal, to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary to the Gambia;

George A. Morgan, of the District of Columbia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Ivory Coast; and

Leonard C. Meeker, of New Jersey, to be Legal Adviser to the Department of State.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE:

S. 1972. A bill for the relief of Elinor A. Jean; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 1973. A bill to repeal or reduce certain retailers excise taxes; to the Committee on Finance.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. METCALF (for himself, Mr. Gruening, and Mr. Nelson):

S. 1974. A bill to amend title 23 of the United States Code relating to highways for the purpose of protecting fish and wildlife and recreation resources; to the Committee on Public Works.

(See the remarks of Mr. Metcalf when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S. 1975. A bill to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE (for himself, Mr. Burdick, Mr. Nelson, and Mr. Metcalf):

S. 1976. A bill to repeal the provisions of the Highway Revenue Act of 1956 requiring certain adjustments of apportionments depending upon the amount of funds available in the highway trust fund; to the Committee on Finance.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

By Mr. McCLELLAN:

S.J. Res. 82. Joint resolution extending the duration of copyright protection in certain cases; to the Committee on the Judiciary.

(See the remarks of Mr. McClellan when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

PROPOSAL FOR THE PRESIDENT TO BRING THE BALTIC STATES QUESTION BEFORE THE UNITED NATIONS

Mr. MURPHY submitted the following concurrent resolution (S. Con. Res. 35); which was referred to the Committee on Foreign Relations:

Whereas the greatness of the United States is in large part attributable to its having been able, through democratic process, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious, and ethnic backgrounds; and

Whereas this harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of people everywhere; and

Whereas so many countries under colonial domination have been or are being given the opportunity to establish their own independent states, while, on the other hand, the Baltic nations having a great historical past and having enjoyed the blessings of freedom for centuries are now subjugated to the most brutal colonial oppression; and

Whereas the Communist regime did not come to power in Lithuania, Latvia, and Estonia by legal or democratic process, and in fact took over these countries by force of arms; and

Whereas Lithuanians, Latvians, and Estonians desire, fight, and die for their national independence; and

Whereas the Government of the United States of America maintains diplomatic relations with the Governments of the free Baltic Republics of Lithuania, Latvia, and Estonia and consistently has refused to recognize their seizure and forced "incorporation" into the Soviet Union; and

Whereas the Select Committee of the House of Representatives, created by H. Res. 346 of the Eighty-third Congress to investigate the incorporation of the Baltic States into the Soviet Union, found that the incorporation of Lithuania, Latvia, and Estonia was contrary to established principles of international laws: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the President of the United States bring the Baltic States question before the United Nations and ask the United Nations to request the Soviet Union to do the following: (1) Withdraw all Soviet troops, secret police, agents, colonists, and all controls from Lithuania, Latvia, and Estonia; (2) return to their homes all Baltic exiles and deportees from Siberia, prisons, and slave-labor camps in the Soviet Union; and be it further

Resolved, That the United Nations conduct free elections in Lithuania, Latvia, and Estonia under its supervision and punish all Russian Communists who are guilty of crimes against the people of the Baltic States.

AMENDMENT OF TITLE 23, UNITED STATES CODE, RELATING TO HIGHWAYS FOR THE PURPOSE OF PROTECTING FISH AND WILDLIFE AND RECREATION RESOURCES

Mr. METCALF. Mr. President, when this Nation's ambitious interstate highway program got underway, I immediately became concerned with the possibility of unnecessary damage to our rivers and streams as the result of inadequate highway planning. I was joined by conservationists and others interested in the preservation of this Nation's resources.

In the 87th Congress, I introduced S. 2767, requiring clearance from the Secretary of the Interior of Federal aid highway projects to insure that the plans and surveys for proposed highways were satisfactory in the interests of conserving fish, wildlife, and recreation resources. The 87th Congress adjourned without taking action on what I have termed the SOS bill—save our streams.

I reintroduced the measure in the 88th Congress as S. 468, cosponsored by the junior Senator from Utah [Mr. Moss], the junior Senator from Alaska [Mr. GRUENING], and the junior Senator from Wisconsin [Mr. NELSON].

Following the introduction of my first bill, Federal Highway Administrator Rex Whitton issued an instructional memorandum designed to protect our fish, wildlife and recreation resources adjacent to Federal aid highway construction. It was made a part of my remarks in the CONGRESSIONAL RECORD, volume 109, part 10, page 12846. Shortly after this memorandum was issued, conservationists suggested that it should be broadened to include parks and other outdoor recreational and historical resources. On May 25, 1964, Mr. Whitton followed this suggestion with another memorandum for the Bureau of Public Roads, which I commended as being in the best interests of recreation, fish and wildlife and historic resources, and which will be found in my remarks in the CONGRESSIONAL RECORD, volume 110, part 10, page 13607. Mr. Whitton is to be congratulated on his interest and cooperation in these matters.

However, while the memorandums establish a procedure governing the location and design of highway improvements by the States involving Federal funds when State highway departments prepare the plans, award the contracts and supervise the construction, they do not apply to the construction of highways by the Bureau of Public Roads using public lands funds, forest highways funds and funds made available for construction of forest development roads, and trails and park roads and parkways.

To document this statement, I ask unanimous consent that a letter from Mr. Whitton dated March 24, 1965, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF COMMERCE,
BUREAU OF PUBLIC ROADS,
Washington, D.C., March 24, 1965.

Hon. LEE METCALF,
U.S. Senate,
Washington, D.C.

DEAR SENATOR METCALF: The instructional memorandum and circular memorandum mentioned in your letter of March 15 establish a procedure governing the location and design of highway improvements by the States involving Federal funds. The procedures established govern whether the Federal funds fall into the classification of Federal-aid highway funds or some other classification such as public lands funds, if the State highway departments prepare the plans, award the contracts and supervise the construction.

The procedure governing the construction of the development highways and access roads under the Appalachia program has not been firmly established. We anticipate that these roads will be constructed under the procedures established for the improvement of the routes of the Federal-aid primary system. In that case, the instructional memorandum of June 12, 1963, and the circular memorandum of May 25, 1964, would govern.

The construction of highways by the Bureau of Public Roads using public lands funds, forest highway funds and funds made available for the construction of forest development roads and trails and park roads and parkways, do not fall under the procedure established by the instructional memorandum and the circular memorandum. These roads are constructed on the property of the Forest Service and the Park Service and as such the plans are subject to review of these agencies. You may be assured that these agencies are particularly conscious of the need to preserve fish and wildlife habitat and to conserve and enhance the scenic value of lands through which their highways pass.

The plans for Indian Service roads prepared by the Bureau of Indian Affairs are reviewed by the Bureau of Public Roads to insure the proposed work is in accord with good engineering practice and sound economic principles.

The roads built for the Bureau of Land Management are usually utilitarian roads to provide for the harvesting of timber. Frequently, these roads are abandoned when the timber harvest has been completed. The memorandums do not govern procedures for the construction of these roads, as it is the intent of the Bureau of Land Management to develop the roads with as little cost as possible to conform to the functional objective.

The highway work we perform for other Government agencies is subject to the decisions of those agencies. Accordingly, the procedures established by the directives to which you refer do not apply to work performed for other Government agencies. We know of your interest in the preservation and enhancement of fish and wildlife habitat and wish to assure you of our sincere intent to attain that objective to the maximum extent possible consistent with the proper expenditure of highway funds.

Sincerely yours,
REX M. WHITTON,
Federal Highway Administrator.

Mr. METCALF. Therefore, I am introducing, for myself, the junior Senator from Alaska [Mr. GRUENING], and the junior Senator from Wisconsin [Mr. NELSON], legislation to amend title 23 of the United States Code relating to highways for the purpose of protecting fish and wildlife and recreation resources and to make uniform the sound and wise procedures which have been outlined by Mr. Whitton in his instructions to the Bureau of Public Roads. The bill would require that the Secretary of any other Federal department consult with the Secretary of the Interior to determine that the surveys, plans, specifications and estimates for any project constructed with Federal funds are satisfactory in the interests of conserving fish and wildlife and recreation resources, in the area of the proposed project.

I ask unanimous consent that the bill be printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1974) to amend title 23 of the United States Code relating to highways for the purpose of protecting fish and wildlife and recreation resources, introduced by Mr. METCALF (for himself, Mr. GRUENING, and Mr. NELSON), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 1974

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 23 of the United States Code is amended by inserting at the end thereof a new section as follows:

"§ 321. Conservation

"(a) For the purpose of protecting fish and wildlife and recreation resources, all surveys, plans, specifications, and estimates of any project constructed with or with the aid of Federal funds shall, prior to final approval either by the Secretary or the Secretary of any other Federal department, and to the extent necessary for the purpose of this section, be furnished to the Secretary of the Interior, and the Secretary or the Secretary of such other department shall consult with the Secretary of the Interior for the purpose of determining if such surveys, plans, specifications, and estimates are satisfactory in the interests of conserving fish and wildlife and recreation resources in the area of the project.

"(b) In order to carry out his functions under this section the Secretary of the Interior (1) may conduct such investigations, surveys, and research projects as he deems necessary, and (2) shall, in the case of a project for a Federal-aid highway, consult with and give consideration to the recommendations of the appropriate agencies of the State submitting such project."

SEC. 2. The analysis of chapter 3 of title 23 of the United States Code is amended by inserting at the end thereof the following:

"§ 321. Conservation."

PROVISION OF CERTAIN FACILITIES FOR THE INTERNATIONAL PACIFIC HALIBUT COMMISSION

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill which would amend the Northern Pacific Halibut Act. The purpose of this measure is to authorize the construction of badly needed quarters for the Halibut Commission on or adjacent to the University of Washington campus. I ask unanimous consent that a letter from the Department of State strongly endorsing this proposal be placed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, July 31, 1964.

Hon. WARREN G. MAGNUSON,
U.S. Senate.

DEAR SENATOR MAGNUSON: Thank you for you letter of July 20, 1964, in which you requested the Department of State's position on the problem of new accommodations for the International Pacific Halibut Commission. The Department believes that the association of the International Pacific Halibut Commission with the University of Washington has been highly advantageous and looks favorably upon the proposal for the establishment of new quarters on the university campus. Mr. Herrington's office has been investigating the problem and trying to find ways in which the Department could be of assistance. On February 5, 1963, Dr. R. Van Cleve, dean of the College of Fisheries at the university was informed in a telephone conversation that the Department's Office of Budget was not at that time in a position to consider the proposal.

In the spring of this year, and after the matter had been further studied, the Department reached the conclusion that it had not legal authority to provide such quarters. As you know, the halibut treaty requires divisible expenses. Since Mr. Thieme's proposal must necessarily involve a nondivisible capital investment by the United States, either lump sum or amortized, rather than on a current-rental arrangement as presently in effect, separate legislation apart from the legislation implementing the Halibut Commission would be required.

The Department of State would favor and strongly support such legislation, and would do everything practicable within its authority to promote the plan. For almost 40 years the joint regulation of the halibut fishery has been a most successful experiment in international management of an important source of wealth, employment, and food for the people of the United States as well as of Canada. It appears clear that the situation described by Mr. Thieme now requires that steps should be taken to provide the Halibut Commission with new and adequate quarters.

Please call on us for any assistance that we may be able to provide, if a decision is reached to solve the problem through legislation.

Sincerely yours,

ROBERT E. LEE,
Acting Assistant Secretary for Congressional Relations.

Mr. MAGNUSON. Mr. President, the Halibut Commission has been quartered on the University of Washington campus since 1925; both have benefited from the relationship. The Commission staff, for example, has contributed to the program of the College of Fisheries through participation in seminars and presentation of lectures. On the other hand, the Halibut Commission has benefited from the direct contact it has been able to maintain with the University faculty as well as from the ability of its staff to attend classes and otherwise take advantage of the regular academic work on the campus.

The university is now in the process of designing and constructing a new wing to the fisheries building to house the new Fisheries Research Institute. It is, therefore, both appropriate and urgent that plans be initiated for the construction of new quarters for the Halibut Commission which is currently housed in a wooden structure of 1917 vintage. It should be added at this point that the Commission is international and supported jointly by the United States and Canada; facts indicating the proper role of the Federal Government in providing facilities for the staff. Canada has recognized this and now provides space for the staffs of the International North Pacific Commission—located on the campus of the University of British Columbia—and the International Pacific Salmon Commission. Canada is also willing, I am advised, to provide space in Canada for the Halibut Commission but it should stay where it is now—in the United States and on the university campus.

Mr. President, the State Department, in the letter already inserted in the RECORD, recommends that steps be taken to provide new quarters for the Commission. It is essential that such quarters should continue the mutually beneficial and harmonious relationship with the University of Washington. My hope is, therefore, that there will be early consideration and favorable action on the proposal now introduced.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1975) to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Commerce.

REPEAL OF CERTAIN PROVISIONS OF THE HIGHWAY REVENUE ACT OF 1956

Mr. HARTKE. Mr. President, I introduce a bill to allow a speedier completion of the 41,000-mile Interstate Highway System. This amendment to the Highway Revenue Act of 1956 would repeal section 209(g) of that act, a section popularly known as the Byrd amendment. My bill for repeal is the same as that which I offered in the 88th Congress as S. 1934. The reasons for its adoption are fully as convincing to me as they were nearly 2 years ago. If anything, the passage of time merely demonstrates further, as the benefits of the Interstate System become increasingly apparent, the desirability of an earlier completion date than will otherwise be possible.

Originally the authors of the Highway Revenue Act, in planning for the highway trust fund, provided that it might borrow from the Treasury in times when the authorized expenditures might exceed revenues. The income from the dedicated fund was calculated on a basis which anticipated that within the space of 16 years, by the year 1972, the special highway revenue taxes would produce the full cost of building the system. But the Senate subsequently adopted the Byrd amendment which results in a strict pay-as-you-go requirement. Consequently, rather than an overall revenue-expenditure balance over the life of the program, we have a year-by-year balance of revenues and expenditures. The requirement has slowed the speed of construction, since lack of revenues actually on hand results in curtailment of funds to the States. By repealing this provision, we will make it possible to borrow from the Treasury now and pay back later, the only difference being a relatively small interest payment. But this will be far more than offset by both human values and economic return.

By far the most convincing arguments to me for the earliest possible completion of the Interstate System is the saving we can make in human lives through reduction of traffic fatalities. As I pointed out in introducing my bill to extend the highway system from 41,000 to 60,000 miles on February 24 (S. 1272), the death rate on the safety-engineered Interstate Highway System is far less per million miles than on the roads which presently serve the same intercity traffic. On the latter, the rate is 9.7 deaths per 100 million miles of travel, but on the interstate limited-access system, the rate is less than a third of that amount, 2.8 per 100 million miles of travel. The Bureau of Public Roads has found, by its study of the changes resulting from the opening of existing interstate portions, that relieving the congestion on the present roads which they release has lowered the injury and fatality rate on those roads as well. Instead of 9.7 deaths, the rate dropped to 5.1 after the interstate road became usable.

In fact, studies of actual results show that the savings of lives at first estimated now prove to have been too low. Whereas the earlier estimate was that the completed system would save 5,000 lives a year, studies based on actual experience indicate the figure will be closer to 8,000 lives a year. In addition, there is a huge cost saving with every additional 1,000 miles opened to traffic, both in savings to property through accident reduction and through savings to motorists by the elimination of gasoline usage and vehicle wear on tires, brakes, and so on. It has been estimated that a stop and new start from a 60-mile-an-hour speed costs 2 cents, and of course much more for a truck. The economic benefit of completing the entire 41,000 miles has been estimated as equivalent to the great tax cut of last year, an annual $11 billion.

By allowing the highway trust fund to borrow, then, we will be able to complete the system by consistent rather than sporadic work interrupted by periods of idleness while we are waiting for finances to accumulate. If we can speed up completion of the system by 1970 instead of 1972, we will have accelerated the benefits vastly both in human lives and in economic gain. We are perfectly willing, and properly so, to expend vast sums for the protection of our people from the possible destruction a military attack could inflict. We mobilize a score of vessels from our fleet and spend many thousands of dollars to seek to save the life of one pilot downed in the ocean. Yet, because we have been unwilling to incur debt for the highway fund, we have allowed people to die in traffic whose lives we might save—even though the interest cost would be much less than the economic saving without regard to lives.

I am glad to know that there are others in the Senate who agree with my point of view on this. Even before the opening of this session, Senator BURDICK informed me that he wished to cosponsor this bill should I offer it again. Senator NELSON is also among those who have been waiting for the opportunity to join me in its presentation. And Senator RUSSELL LONG, in a speech before the Southeastern Association of State Highway Officials last November 9, made an excellent speech saying essentially what I have said here and making an even fuller case for support of this measure.

Mr. President, I ask unanimous consent that this bill may lie on the table for 1 week in order that others who desire may join me as cosponsors of this bill. I also ask unanimous consent that at this point the excellent address of Senator LONG to which I have referred may be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Indiana, and the address will be printed in the RECORD.

The bill (S. 1976) to repeal the provisions of the Highway Revenue Act of 1956 requiring certain adjustments of apportionments depending upon the amount of funds available in the highway trust fund, introduced by Mr. HARTKE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

The address of Mr. LONG of Louisiana, presented by Mr. HARTKE, is as follows:

NEW ORLEANS, LA., November 9, 1964.—Following is the text of a speech delivered today by Senator RUSSELL B. LONG, Democrat, of Louisiana, to the Southeastern Association of State Highway Officials meeting in convention in New Orleans:

"Lately I have been various acclaimed or accused for taking either the high road or the low road in the just-completed presidential campaign. Which ever road it was, it was too slow a road insofar as reaching my goal of carrying Louisiana for President Johnson was concerned. So today I thought I would play it safe, take the straight path with you highway folks, and talk exactly what you would expect me to talk—roads—more particularly, the Interstate Highway System.

"Although I am not a member of the Senate committee which has most of the authority in this field, I have had a great deal of interest in the National Interstate and Defense Highway System since its inception in 1956. I was a strong supporter of the program from the start and, unlike others, my big criticism has been that the program is too slow moving and that its completion should be stepped up.

"The Federal-Aid Highway Act of 1956 called for the construction of 41,000 miles of interstate highways throughout the United States over a period of 16 years, from 1956 to 1972, to be financed 90 percent by the Federal Government and 10 percent by the States.

"Sixteen years, even for such an ambitious program as the 1956 Highway Act contemplated, is too long. I think it should be speeded up considerably. I would like to see the 41,000-mile network of interstate highways completed by 1970. Even that would reduce it just 2 years in length. If you think that 14 years is too short a period in which to achieve this goal, let me remind you that the United States is committed to putting a man on the moon in a shorter span of time.

"We did not even get into the space program until after the Russians jolted us with their sputnik in 1957, and we did not enter the moon race until President Kennedy asked Congress for the entry fee in 1961. Thus, in less than 10 years we are supposed to accomplish the near impossible task of leaving this earth and visiting elsewhere.

"Don't misunderstand me. I have supported the space effort, and I feel that it is a worthwhile expenditure to put a man on the moon by the end of the sixties; but, certainly, if we can accomplish that objective in that period of time, we can complete our earth-bound highway program in less than 16 years. If we can spend the billions upon billions of dollars that the space program requires, we can spend a fraction of that amount to finish our Interstate Highway System early. The early completion of the Interstate Highway System will do something that putting a man on the moon can't do; that is, it will save thousands of lives, hundreds of thousands of injuries, and millions of dollars.

"An acceleration of the Interstate Highway System along the lines I contemplate would make possible the opening of over 2,000 miles of superhighways 4 years earlier than is presently called for. And that will save 2,000 lives. Think of that. Two thousand people will be alive by speeding up the highway program that otherwise will die in traffic accidents if we permit the Interstate System to amble along at its present rate.

"And then there are the crippling and disfiguring injuries that will be prevented by an earlier completion of the Interstate System. The National Safety Council estimates that an all-time high of 46,860 persons lost their lives on the Nation's highways during the 12-month period ending September 30, 1964. In addition, about 2½ million people were injured in automobile accidents and about half of them were hurt bad enough to keep them off their jobs.

"The death rate on interstate highways is far less than on regular highways—something like 2.8 deaths per 100 million miles as compared to 9.7 per 100 million miles. The injury rate is likewise far less on the interstates. And so the early completion of the Interstate System will cut sharply the number of persons who would otherwise be injured, perhaps permanently disabled, by 1972. Don't ever tell the parent of a child paralyzed for life by an accident that occurred on a regular 2-lane road, 'I'm sorry we couldn't afford to complete the Interstate System before your child's injury occurred.'

"Finally, there are the economic savings, the savings in damages to automobiles, other personal property, real estate, and, of course, the hospital, medical, and funeral expenses that are saved by reducing the number of automobile accidents. In addition, think of the stops and starts that are eliminated by travel on the limited access Interstate System. Every stop and start you can eliminate when you are traveling 60 miles per hour saves you 2 cents. Savings due to the Interstate Highway System travel were estimated by the Bureau of Public Roads to amount to over $2 billion for passenger cars this year and almost three-quarters of a billion dollars for commercial vehicles. The savings in 1973, the first scheduled year of full mileage operation, is estimated at about $11 billion. That is about the same sum of money that taxpayers save this year as a result of the huge tax cut bill, with which I had a lot to do in the Senate.

"The whole country was aware of that tax cut bill, and it was given strong support and encouragement by all segments of the country's population, as well as by the President and a huge majority in Congress. But that $11-billion savings to the taxpayers did not necessarily bring any savings in lives to the American people. This $11-billion savings through an Interstate Highway System prevents untold misery, grief, and pain. We should have the support for it that we had for the $11 billion tax cut bill. If the interstate highway program were to be speeded along the lines I advocate, highway users would save another $2½ billion on top of that $11 billion.

"With such compelling reasons for a speedy wrap-up of the interstate highway program, why has it not been accelerated? Because it would perhaps cost more than the highway trust fund, which pays the Federal share, might contain at a given time. Right now the fund is solvent. Revenue paid into it by highway users is sufficient to cover the cost of the program on its present schedule. If we were to accelerate the program, we might temporarily run into a deficit, in that expenditures from the highway trust fund would exceed income.

"Under present law, the highway trust fund cannot run a deficit at the close of the fiscal year. It must be solvent every July 1. Because of this provision of the Federal-Aid Highway Act added by my good friend and Finance Committee chairman, HARRY BYRD, the trust fund is unable to borrow enough from general Government revenues to supply the States with sufficient Federal money to accelerate construction of the Interstate System.

"What would have to be done, and what I am seriously thinking of doing, is to introduce legislation which would in effect repeal the Byrd amendment and permit the highway trust fund to borrow from the general fund of the Treasury. Federal aid would then become available to the States when they need it, and this could bring about the necessary acceleration of the program.

"Let it be made clear that by repealing the Byrd amendment the program is not made fiscally irresponsible, nor do we add any cost onto the shoulders of the general taxpayer. The program retains the pay-as-you-go principle, but, instead of having the trust fund balance out at the end of each year, it would merely balance out by the time the program is scheduled to end—1972. By 1972, all of the borrowing by the trust fund would be paid back with interest to the general Treasury fund from the highway user taxes taken into the trust fund. This interest, amounting to little over $250 million, is well within the capability of the highway trust fund.

"Look at it this way: For an investment of about a quarter of a billion dollars, we will receive fivefold return of $2½ billion in economic savings and, even more significant, a bonus of 2,000 lives saved.

"Therefore, I hope that you will lend your efforts to the drive for a full and effective Interstate Highway System in the United States at the earliest possible date. It will achieve not only untold pleasure in being

> able to drive easily and quickly across the length and breadth of this great land of ours, it will bring about not only an expansion in the Nation's economy, an increase in construction and jobs, but, most important, it will drastically diminish the tragedies of death and disability that are too much a part of the highway scene."

EXTENSION OF COPYRIGHT PROTECTION

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, a joint resolution extending the duration of copyright protection in certain cases.

During the 87th Congress there was enacted Public Law 87-668 to temporarily extend the renewal term of copyrights when such renewal term would otherwise expire prior to December 31, 1965. The purpose of this action was to prevent copyrighted works from going into the public domain while the Congress was engaged in the consideration of a general revision of the copyright laws. A major provision of the copyright revision bill would increase the term of copyright protection. Therefore, the Congress concluded that it would be inequitable to permit the owners of copyrights to lose the benefits of the extended term merely because the term of their copyright expired prior to action by the Congress on the general revision bill.

On February 4, at the request of the Copyright Office of the Library of Congress, I introduced S. 1006, the copyright revision bill. The Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary is now engaged in the consideration of this bill. It is apparent, that in view of the extensive hearings that will be required and the complex nature of the bill, it will not be possible to complete action prior to the expiration of Public Law 87-668 on December 31, 1965. Therefore, I am introducing a joint resolution for the purpose of extending the renewal term of copyright subsisting in any work on the date of approval of this resolution, or the term as extended by Public Law 87-668, until December 31, 1967.

I request those who have an interest in this subject to submit any comments on this joint resolution as promptly as possible to the Subcommittee on Patents, Trademarks, and Copyrights.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 82) extending the duration of copyright protection in certain cases, introduced by Mr. McCLELLAN, was received, read twice by its title, and referred to the Committee on the Judiciary.

AUTHORITY FOR COMMITTEE ON PUBLIC WORKS TO FILE A REPORT TODAY

Mr. HART. Mr. President, I ask unanimous consent that the Committee on Public Works have until midnight tonight to file a report on the bill (S. 1648) to provide grants for public works and development facilities, other financial assistance, and the planning and coordination needed to alleviate conditions of substantial and persistent unemployment and underemployment in the economically distressed areas and regions.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Mr. MUSKIE. Mr. President, I ask unanimous consent that, at the next printing of Senate bill 306, the names of the Senator from Delaware [Mr. BOGGS], the Senator from Hawaii [Mr. FONG], and the Senator from California [Mr. MURPHY] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. Mr. President, I ask unanimous consent that at the next printing of the bill (S. 1648) to provide grants for public works and development facilities, other financial assistance, and the planning and coordination needed to alleviate conditions of substantial and persistent unemployment and underemployment in the economically distressed areas and regions, the name of the Senator from Hawaii [Mr. FONG] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, at its next printing, I ask unanimous consent that the name of the Senator from Maryland [Mr. TYDINGS] may be added as a cosponsor of the bill (S. 1807) to provide for an objective, thorough, and nationwide analysis and reevaluation of the extent and means of resolving the critical shortage of qualified manpower in the field of correctional rehabilitation.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF AMENDMENTS

Mr. ERVIN. Mr. President, I ask unanimous consent that the name of the able and distinguished Senator from Mississippi [Mr. STENNIS] be designated as a cosponsor to my amendments Nos. 152 and 159 to the revised substitute to the voting rights bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

> Harold D. Beaton, of Michigan, to be U.S. attorney, western district of Michigan, for a term of 4 years, vice George E. Hill, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Friday, May 21, 1965, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

THE WORKS OF PEACE

Mr. McGOVERN. Mr. President, as one of the critics of our deepening military involvement in Vietnam, I am pleased to applaud the positive, hopeful emphasis in President Johnson's address to the American Editorial Cartoonists yesterday.

While reaffirming our intentions of maintaining military resistance to the antigovernment forces in South Vietnam, President Johnson clearly spelled out his recognition of the fundamental economic and political problems of southeast Asia.

The President asked us to look at three faces of the Vietnamese conflict: the face of armed conflict, the face of the quest for a political solution, and the face which he described as "the most tragic and most hopeful"—the face of human need. It was this third aspect of the southeast Asia crisis that the President emphasized on yesterday.

I think this third face of the challenge in southeast Asia cannot be overemphasized. As the President so dramatically underscored in his speech:

> It is the most important battle of all in which we are engaged. For a nation cannot be built by armed power or by political agreement. It will rest on the expectation by individual men and women that their future will be better than their past. It is not enough to just fight against something. People must fight for something and the people of South Vietnam must know that after the long brutal journey through the dark tunnel of conflict there breaks the light of a happier day.

Mr. President, I have believed for many months that there is no military solution to the political weakness of South Vietnam, and there is certainly no military solution to the crying economic, educational, and medical needs of the South Vietnamese people. That is why I am sure that men of good will everywhere will share the hope expressed by the President yesterday that "the works of peace can bring men together in a common effort to abandon forever the works of war."

I applaud the President's emphasis in his Johns Hopkins University speech of April 7 on his desire for negotiations without preconditions.

I applaud the effort outlined in that speech for regional economic development under U.N. auspices of southeast Asia.

I applaud, too, what I believe to be one of the most significant paragraphs in the President's Johns Hopkins speech when he said:

> We often say how impressive power is, but I do not find it impressive at all. The guns and the bombs, the rockets and the warships, are all symbols of human failure. They are necessary symbols. They protect what we cherish, but they are witness to human folly.

How many times in human history have the weapons of war been substituted for the works of peace, with disastrous consequences to the human race? Yet, in most instances, the bloodshed and carnage of war have been cloaked in the righteousness of a holy crusade. I have just finished reading a fascinating book by Henry Treece on the medieval crusades, in which for a century the people of Western Christendom engaged in a series of bloody struggles against the Moslem world—all of this in the name of God. Yet, the conclusion of Sir Steven Runciman, the distinguished student of this period, was:

> The triumphs of the crusade were the triumphs of faith. But faith without wisdom is a dangerous thing. By the inexorable laws of history the whole world pays for the crimes and follies of each of its citizens. In the long sequence of interaction and fusion between Orient and Occident, out of which our civilization has grown, the crusades were a tragic and destructive episode. The historian, as he gazes across the centuries at their gallant story, must find his admiration overcast by sorrow at the witness that it bears to the limitations of human nature. There was so much courage and so little honor, so much devotion and so little understanding. High ideals were besmirched by cruelty and greed, enterprise and endurance by a blind and narrow self-righteousness; and the holy war itself was nothing more than a long act of intolerance in the name of God, which is the sin against the Holy Ghost.

I am sure that President Johnson, with his understanding of human nature and his practical sense of human affairs, does not intend to lead this Nation into a so-called holy war. He understands that coexistence is possible even with those whose ideology we find at odds with our own. In that spirit, he invited the people of the Soviet Union to join with us in underwriting a program of economic and technical assistance for the people of southeast Asia. I feel confident that if the people of mainland China wish to coexist with the other nations of mankind that we will take steps to make that path easier and more hopeful for them.

I have been most impressed with the suggestion of President Radhakrishnan, of India, that an Afro-Asian peacekeeping force be substituted in southeast Asia for American troops. Doubtless, it will be necessary for a considerable period of time to have an effective peacekeeping force in this uncertain, unstable corner of the globe. I am convinced that a force manned largely by men drawn from Asia and Africa can better carry out this function than American troops operating thousands of miles away from home in a strange land and under conditions unfamiliar to Western powers.

The long history of Western imperialism in southeast Asia has left a residue of resentment and bitterness from which no Western power can fully escape, no matter how pure its motives. I strongly hope that our Government has under active and sympathetic consideration steps that will enable us to substitute the kind of Afro-Asian regional force proposed by Dr. Radhakrishnan rather than a deepening military commitment of American forces on our part.

Mr. President, I hope that the people of the world will realize that the only war the American people really want to fight is the war against human need described so well by President Johnson yesterday.

I ask unanimous consent that the text of the President's address be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of the President to the Association of American Editorial Cartoonists

Good morning ladies and gentlemen, and my friends of the Association of American Editorial Cartoonists. I am very happy that you requested through the press office this opportunity for us to meet together, because after looking at some of the cartoons you have drawn, I thought I'd invite you over to see me in person. After all, I had nothing to lose.

I know that I am talking to the most influential journalists in America. Reporters may write and politicians may talk but what you draw remains in the public memory long after these other words are forgotten. That is why, after I learned that you would be here and we would meet together that I put together some notes to discuss with you while you were in Washington, a very little known side of our activity in one of the most vital places in the world—South Vietnam.

The war in Vietnam has many faces.

There is the face of armed conflict—of terror and gunfire—of bomb-heavy planes and campaign-weary soldiers. In this conflict our only object is to prove that force will meet force—that armed conquest is futile, and that aggression is not only wrong, but it just will not work.

And the Communists in Vietnam are slowly beginning to realize what they once scorned to believe: that we combine unlimited patience with unlimited resources in pursuit of an unwavering purpose.

We will not abandon our commitment to South Vietnam.

The second face of war in Vietnam is the quest for a political solution—the face of diplomacy and politics—of the ambitions and the interests of other nations. We know, as our adversaries should also know, that there is no purely military solution in sight for either side. We are ready for unconditional discussions. Most of the non-Communist nations of the world favor such unconditional discussions. And it would clearly be in the interest of North Vietnam to now come to the conference table. For them the continuation of war, without talks, means only damage without conquest. Communist China apparently desires the war to continue whatever the cost to their allies. Their target is not merely South Vietnam, it is Asia. Their objective is not the fulfillment of Vietnamese nationalism. It is to erode and to discredit America's ability to help prevent Chinese domination over all of Asia. In this domination they shall never succeed.

And I am continuing and I am increasing the search for every possible path to peace.

The third face of war in Vietnam is, at once, the most tragic and most hopeful. It is the face of human need. It is the untended sick, the hungry family, and the illiterate child. It is men and women, many without shelter, with rags for clothing, struggling for survival in a very rich and a very fertile land.

It is the most important battle of all in which we are engaged.

For a nation cannot be built by armed power or by political agreement. It will rest on the expectation by individual men and women that their future will be better than their past.

It is not enough to just fight against something. People must fight for something, and the people of South Vietnam must know that after the long, brutal journey through the dark tunnel of conflict there breaks the light of a happier day. And only if this is so, can they be expected to sustain the enduring will for continued strife. Only in this way can long-run stability and peace come to their land.

And there is another, more profound reason. In Vietnam communism seeks to really impose its will by force of arms. But we would be deeply mistaken to think that this was the only weapon. Here, as other places in the world, they speak to restless people—people rising to shatter the old ways which have imprisoned hope—people fiercely and justly reaching for the material fruits from the tree of modern knowledge.

It is this desire, and not simply lust for conquest, which moves many of the individual fighting men that we must now, sadly, call the enemy.

It is, therefore, our task to show that freedom from the control of other nations offers the surest road to progress, that history and experience testify to this truth. But it is not enough to call upon reason or point to examples. We must show it through action and we must show it through accomplishment, and even were there no war—either hot or cold—we would always be active in humanity's search for progress. This task is commanded to us by the moral values of our civilization, and it rests on the inescapable nature of the world that we have now entered. For in that world, as long as we can foresee, every threat to man's welfare will be a threat to the welfare of our own people. Those who live in the emerging community of nations will ignore the perils of their neighbors at the risk of their own prospects.

This is true not only for Vietnam but for every part of the developing world. This is why, on your behalf, I recently proposed a massive, cooperative development effort for all of southeast Asia. I named the respected leader, Eugene Black, as my personal representative to inaugurate our participation in these programs.

Since that time rapid progress has been made, I am glad to report. Mr. Black has met with the top officials of the United Nations on several occasions. He has talked to other interested parties. He has found increasing enthusiasm. The United Nations is already setting up new mechanisms to help carry forward the work of development.

In addition, the United States is now prepared to participate in, and to support, an Asian Development Bank, to carry out and help finance the economic progress in that area of the world, and the development that we desire to see in that area of the world.

So this morning I call on every other industrialized nation, including the Soviet Union, to help create a better life for all of the people of southeast Asia.

Surely, surely, the works of peace can bring men together in a common effort to abandon forever the works of war.

But, as South Vietnam is the central place of conflict, it is also a principal focus of our work to increase the well-being of people.

It is in that effort in South Vietnam which I think we are too little informed and which I want to relate to you this morning.

We began in 1954 when Vietnam became independent, before the war between the north and south. Since that time we have spent more than $2 billion in economic help for the 16 million people of South Vietnam. And despite the ravages of war we have made steady continuing gains. We have concentrated on food, and health, and education, and housing, and industry.

Like most developing countries, South Vietnam's economy rests on agriculture. Unlike many, it has large uncrowded areas of very rich, and very fertile land. Because of this, it is one of the great rice bowls of the entire world. With our help, since 1954, South Vietnam has already doubled its rice production, providing food for the people, as well as providing a vital export for that nation.

We have put our American farm know-how to work on other crops. This year, for instance, several hundred million cuttings of a new variety of sweet potato, that promises a sixfold increase in yield, will be distributed to these Vietnamese farmers. Corn output should rise from 25,000 tons in 1962 to 100,000 tons by 1966. Pig production has more than doubled since 1955. Many animal diseases have been eliminated entirely.

Disease and epidemic brood over every Vietnamese village. In a country of more than 16 million people with a life expectancy of only 35 years, there are only 200 civilian doctors. If the Vietnamese had doctors in the same ratio as the United States has doctors, they would have not the 200 that they do have but would have more than 5,000 doctors.

We have helped vaccinate, already, over 7 million people against cholera, and millions more against other diseases. Hundreds of thousands of Vietnamese can now receive treatment in the more than 12,000 hamlet health stations that America has built and has stocked. New clinics and surgical suites are scattered throughout that entire country; and the medical school that we are now helping to build will graduate as many doctors in a single year as now serve the entire population of South Vietnam.

Education is the keystone of future development in Vietnam. It takes a trained people to man the factories, to conduct the administration, and to form the human foundation for an advancing nation. More than a quarter million young Vietnamese can now learn in more than 4,000 classrooms that America has helped to build in the last 2 years; and 2,000 more schools are going to be built by us in the next 12 months. The number of students in vocational schools has gone up four times. Enrollment was 300,000 in 1955, when we first entered there and started helping with our program. Today it is more than 1,500,000. The 8 million textbooks that we have supplied to Vietnamese children will rise to more than 15 million by 1967.

Agriculture is the foundation. Health, education, and housing are the urgent human needs. But industrial development is the great pathway to their future.

When Vietnam was divided, most of the industry was in the North. The South was barren of manufacturing and the foundations for industry. Today, more than 700 new or rehabilitated factories—textile mills and cement plants, electronics and plastics—are changing the entire face of that nation. New roads and communications, railroad equipment and electric generators, are a spreading base on which this new industry can, and is, growing.

All this progress goes on, and it is going to continue to go on, under circumstances of staggering adversity.

Communist terrorists have made aid programs that we administer a very special target of their attack. They fear them. They know they must fear them because agricultural stations are being destroyed and medical centers are being burned. More than 100 Vietnamese malaria fighters are dead. Our own AID officials have been wounded and kidnapped. These are not just the accidents of war. They are a part of a deliberate campaign, in the words of the Communists, "to cut the fingers off the hands of the government."

We intend to continue, and we intend to increase our help to Vietnam.

Nor can anyone doubt the determination of the South Vietnamese themselves. They have lost more than 12,000 of their men since I became your President a little over a year ago.

But progress does not come from investment alone, or plans on a desk, or even the directives and the orders that we approve here in Washington. It takes men. Men must take the seed to the farmer. Men must teach the use of fertilizer. Men must help in harvest. Men must build the schools, and men must instruct the students. Men must carry medicine into the jungle and treat the sick, and shelter the homeless. And men—brave, tireless, filled with love for their fellows—are doing this today. They are doing it through the long, hot, danger-filled Vietnamese days and the sultry nights.

The fullest glory must go, also, to those South Vietnamese that are laboring and dying for their own people and their own nation. In hospitals and schools, along the rice fields and the roads, they continue to labor, never knowing when death or terror may strike.

How incredible it is that there are a few who still say that the South Vietnamese do not want to continue the struggle. They are sacrificing and they are dying by the thousands. Their patient valor in the heavy presence of personal, physical danger should be a helpful lesson to those of us who, here in America, only have to read about it, or hear about it on the television or radio.

We have our own heroes who labor at the works of peace in the midst of war. They toil unarmed and out of uniform. They know the humanity of their concern does not exempt them from the horrors of conflict yet they go on from day to day. They bring food to the hungry over there. They supply the sick with necessary medicine. They help the farmer with his crops, families to find clean water, villages to receive the healing miracles of electricity. These are Americans who have joined our AID program, and we welcome others to their ranks.

For most Americans this is an easy war. Men fight and men suffer and men die, as they always do in war. But the lives of most of us, at least those of us in this room and those listening to me this morning, are untroubled. Prosperity rises, abundance increases, the Nation flourishes.

I will report to the Cabinet when I leave this room that we are in the 51st month of continued prosperity, the longest peacetime prosperity for America since our country was founded. Yet our entire future is at stake.

What a difference it would make if we could only call upon a small fraction of our unmatched private resources—businesses and unions, agricultural groups and builders—if we could call them to the task of peaceful progress in Vietnam. With such a spirit of patriotic sacrifice we might well strike an irresistible blow for freedom there and for freedom throughout the world.

I, therefore, hope that every person within the sound of my voice in this country this morning will look for ways—and those citizens of other nations who believe in humanity as we do, I hope that they will find ways to help progress in South Vietnam.

This, then, is the third face of our struggle in Vietnam. It was there—the illiterate, the hungry, the sick—before this war began. It will be there when peace comes to us—and so will we. Not with soldiers and planes, not with bombs and bullets, but with all the wondrous weapons of peace in the 20th century.

And then, perhaps, together all of the people of the world can share that gracious task with all the people of Vietnam, north and south alike.

Thank you for coming this morning. Good morning.

INDICTMENTS RESULTING FROM DIVERSION OF APPROXIMATELY 24 MILLION BUSHELS OF FEED GRAINS

Mr. WILLIAMS of Delaware. Mr. President, on July 16, 1963, as appearing in the permanent CONGRESSIONAL RECORD, volume 109, part 10, pages 12657–12666, I alerted the Senate to the disappearance or illegal diversion of approximately 24 million bushels of feed grains valued at around $32 million.

This grain had been shipped by our Government to Austria under one of our aid programs at a price substantially below the world market. Instead of arriving in Austria, however, it was diverted into other areas of Western Europe and some went behind the Iron Curtain at world prices, resulting in a large windfall profit.

After my remarks the Department of Agriculture issued its typical bureaucratic excuse by belittling the charge and claiming that there was no evidence that the Government had lost any money or that there had been anything improper in the handling of the grain, so why worry? The facts as later developed, however, did not support their complacency.

Yesterday a New York grand jury indicted two of the dealers in this transaction, and the indications are that more indictments will follow as the Justice Department continues its probe in the affair.

At this point I ask unanimous consent to have printed in the RECORD an article by Mr. George F. W. Telfer which appeared in today's issue of the New York Herald Tribune entitled "Two Indicted in Disappearance of $6 Million Surplus Grain."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune, May 14, 1965]

TWO INDICTED IN DISAPPEARANCE OF $6 MILLION SURPLUS GRAIN

(By George F. W. Telfer)

A 2½-year investigation, spanning two continents, into the mysterious disappearance of $6 million worth of surplus feed grains was made public yesterday when a Federal grand jury indicted a New Orleans grain-exporting firm and two of its individual partners for allegedly conspiring to defraud the Government.

Also charged were two Swiss firms and their manager, and an Austrian firm and its manager.

The feed grains, obtained at bargain prices, were supposed to go only to Austria, with payment to be made in strategic materials, including diamonds, antimony, manganese, and other metals.

Instead, the Government claimed, thousands of tons of grain were shipped to eight European countries, including two Communist ones, where it could be sold at just below the higher world price for a fast and neat profit.

Named in the indictment was C. B. Fox Co., and two of its partners, Willoughby B. Fox and Richard B. Fox.

The other defendants were two Swiss firms, Ameropa A. G. and Vigor A. G., and their manager, Felix Zivy; and an Austrian firm, Prochaska & Cie., and its manager, Walter Purkhart.

Suspicions in the case first arose in 1962, after 3 years of grain shipments. Norris Ellertson, U.S. agricultural attaché in Vienna, wondered what 7 million Austrians would do with 40 million bushels of grain.

He notified the Agriculture Department, which informed the State Department. After a search in six countries and a congressional investigation, the two Departments began a joint probe in January 1963. The Department of Justice began its own investigation last year.

Just after the Agriculture Department became suspicious it tightened its controls of commodity exports under the barter program. It now requires certification that the grains actually arrived in a country. Previously, all that was needed was a bill of lading.

Indications are that more indictments could follow yesterday's, as the Justice Department continues its probe into the affair. In 1963 two investigators for the House Appropriations Committee reported to an Agriculture Appropriations Subcommittee that at least 547,920 tons had been diverted from a total shipment to Austria of 1,010,380 tons.

VIETNAM AND SANTO DOMINGO SHOW IT'S HIGH TIME FOR COLLECTIVE SECURITY

Mr. PROXMIRE. Mr. President, as one who supports President Johnson in Vietnam, I am deeply aware, as is he, that the necessity for our military action is tragic.

The President put it brilliantly in his Baltimore speech when he said that use of our vast military power is not impressive, that it is an expression of failure.

The most useful thing Members of the Congress can do in connection with the necessary tragedy in Vietnam is to examine this failure critically, consider what we can do about it, and do our best to act now and in the future to remedy it.

What is the prime cause for the necessity of our heavy and dangerous military involvement in Vietnam? I think it is the failure of the free world to be prepared to use collective security action. We have tried hard to assist South Vietnam in bringing other nations to her aid. We are still trying. We are beginning to succeed a little. But we still are providing the lion's share of the international support South Vietnam is receiving in its struggle to remain independent. This is not yet the kind of collective security action in South Vietnam it should be.

Massive assistance by other free countries would help greatly in winning negotiations in Vietnam. What is more important, effective collective security agreements in the future can prevent aggression of this kind developing, as it could have prevented the Vietnam situation from progressing to its present tragic status.

Even more conspicuously in Santo Domingo, the availability of collective security forces—ready, willing, and able to step in to protect American lives in that chaotic situation and prepared to preserve peace until free elections could be held—would have taken all the poisonous consequences of American intervention out of the Santo Domingo situation.

In Santo Domingo, as in Vietnam, the President acted with the greatest regret and with recognition that such action meant serious adverse consequences for America.

In this morning's New York Times, James Reston writes of the growing necessity that in each continental region of the world the nations set up an international force to help deal with military uprisings in their own area. Reston points out that nations are beginning to realize that they have to contribute more to the solution of war than criticism, that joint commitment to act, with the forces ready and available, may be a way off, but the hopeful stirrings are beginning.

I ask unanimous consent that the column by James Reston in today's New York Times be printed at this point in the Record.

There being no objection, the column was ordered to be printed in the Record, as follows:

Washington: The Stirring of the Nations

(By James Reston)

Washington, May 13.—Some good may come out of the Vietnam and Caribbean crises after all. Here and there in recent days at least a few statesmen have begun to talk more earnestly again about the imperative need to organize international military forces to maintain the peace.

The President of India, Dr. Sarvepalli Radhakrishnan, recently remarked: "We should try our best to check the drift. Cessation of hostilities in both parts of Vietnam, policing at the boundaries so long as the people desire it, may be thought of as the necessary steps for the restoration of peace and stability in this area. We have to think on some such lines."

This is only the vague glimmering of a beginning toward getting other nations to take some responsibility, but it is symbolic of a lot more private talk here about the urgent need for a great new creative effort to restore the principle of collective action.

THE HEMISPHERE

The Organization of American States has been more specific. It does not like President Johnson's marine diplomacy in the hemisphere, but it is now putting together international military units from some of the American Republics to help deal with the troubles in Santo Domingo.

In short, some statesmen are beginning to think that war is too serious a business to be left to the Communists and the Americans and are realizing that they have to contribute more than criticism to the solution.

Prime Minister Lester Pearson of Canada stated the point recently in New York. It was the responsibility, he said of the international community to hold in check these Communist wars of liberation.

"If a single power has to undertake this task," he added, "there arises the danger of widening the struggle into general war. So the nations of the world must be ready to produce an alternative."

This will take a long time, during which American military force will undoubtedly have to hold the line, but if Vietnam and the Dominican Republic finally do force a revival of efforts to create international peacekeeping forces in various regions of the world, they will have made an important contribution to world order.

For the solemn fact behind the American military actions in Vietnam and the Dominican Republic is that the international machinery for dealing with war has broken down.

This may not excuse all the staggering and blundering of the United States in these two areas, but it helps explain why the United States took on the burden by itself. There was no effective collective action by the nations in either region, no effective preventive action to deal with the causes of war, no adequate analysis or response by the non-Communist nations to the new techniques of Communist rebellion and limited war.

COLLAPSED MACHINERY

The result of this collapse of collective security was that the United States felt it was confronted by the unhappy choice of Communist expansion or military intervention. The United Nations, the Organization of American States, the southeast Asia Treaty Organization—all organized to maintain the peace and deal with the outbreak of war—were unprepared for the crises, so Washington intervened.

Since then it has realized that it is easier to get into these military exercises than to get out of them. In fact, it is not likely to get out of them for some time unless the other nations find a way to arrange and police a settlement.

INDIA'S PROPOSAL

Officials here are particularly interested in the suggestion of the Indian President that an Afro-Asian international force might be willing to supervise a Vietnam compromise. It is being studied now in the State Department and it is understood here that Prime Minister Shastri of India, who is now in Moscow, intends to discuss the idea there with Soviet officials.

The hope here in Washington is that in each continental region of the world the nations would set up an international force to help deal with military uprisings in their own area. The United States would be willing to assist in such enterprises, if requested, and it would hope other Western allies would do the same.

For even though the Johnson administration is loudly defending its unilateral interventions in Saigon and Santo Domingo, it does not claim this is the ideal way to deal with the new techniques of aggression. It prefers collective action, but in recent years the action has not been very collective and consequently there has been very little security.

Mr. CLARK. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. CLARK. Did the Senator place in the Record—if he did not, I hope he will—a transcript of the excellent address delivered by the President on Vietnam, which appears in this morning's newspapers?

Mr. PROXMIRE. It is my understanding that the distinguished Senator from South Dakota [Mr. McGovern] placed it in the Record a moment ago.

ANSWER TO CRITICISM OF U.S. POLICIES IN VIETNAM

Mr. PROXMIRE. Mr. President, also in the New York Times this morning, Cy Sulzberger concisely and persuasively answers three of the most frequent criticisms of Vietnam policy. I ask unanimous consent that this excellent article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Foreign Affairs: Strategy for Peace and War

(By C. L. Sulzberger)

Much criticism of U.S. policy in Vietnam focuses on three complaints: That Washington (1) refuses to start peace negotiations; (2) continues to bomb North Vietnam; (3) and gives insufficient attention to southeast Asia's economic requirements. None of these accusations is truly well founded, but the administration has not succeeded in explaining its views.

As made clear in a previous column, Washington would be happy to negotiate, and President Johnson considers himself the one guy in the world who most wants a settlement. But there is a vast gulf between a negotiated settlement and abject collapse. It takes two sides to parley, and, as explained earlier, the Vietcong, Hanoi, and Peiping show no interest in talks. China put pressure on Prince Norodom Sihanouk to spurn the Cambodian conference he had previously urged.

SECRET OFFER

Likewise, Washington secretly offered Hanoi a quid pro quo formula for cessation of our bombings, giving North Vietnam the option to suggest its own quo. The offer was not even acknowledged. It is thus nonsense for people like Norwegian Foreign Minister Lange to claim we are not matching military pressure with diplomatic activity.

Likewise, the United States is taking steps to implement Mr. Johnson's plan for a $1 billion Mekong Valley development plan. The President discussed this at length in his Baltimore speech, but he is not waiting for an end to the Vietnam war to get things moving. On the contrary, he named Eugene Black, former World Bank president, as a special adviser, and Black will go to southeast Asia at the end of next month to see if a beginning cannot now be made.

TOWARD AN ASIAN TVA

Obviously no massive Asian TVA can be launched in the middle of a destructive war. Nevertheless, Black's mission will be to start things off. One idea is to accelerate small developments such as schools, medicine, well digging, and irrigation. But in addition, Black will try to lay the groundwork for a new Asian development bank, probably in Bangkok, and to give initial impetus to the Mekong project.

The Asian bank, a regional organization, would be formed along World Bank lines like the regional inter-American and African development banks. It would study, sponsor, and lend money to economic projects in the area. The stockholders would be members of the U.N. Economic Commission for Asia and the Far East (ECAFE).

ECAFE met early this year in Wellington, New Zealand, to discuss a possible bank, but Washington reserved its position. Since the President's Baltimore offer, we agreed to push the concept. It will be of crucial interest to see whether Russia agrees to participate. Several members of ECAFE are non-Asian, including France, the Netherlands, the Soviet Union, the United Kingdom, and the United States. West Germany and Switzerland participate in a consultative capacity.

Russia never joined the World Bank, because it didn't wish to comply with the rule that members must declare their currency reserves and gold holdings, still regarded as Soviet state secrets. Except for participation in the U.N. Special Projects Fund, which makes preinvestment surveys, the U.S.S.R. has eschewed international aid programs, preferring to work alone.

But the Asian bank would not require fiscal declarations, only capital pledges, and it is conceivable that Moscow might join. Such a decision could have far-reaching implications, for example with respect to the Sino-Soviet quarrel.

Black will also ascertain what has been done by an existing ECAFE body, the Committee for Coordination of Investigations of the Lower Mekong Basin. This includes Thailand, Laos, South Vietnam, and Cambodia, and has continued meeting despite the Vietnamese war and Cambodia's rift with its neighbors. Sihanouk can hope to gain a great deal from any Mekong development. Black will seek to relate committee studies to Johnson's program.

THE STRATEGIES

U.S. military strategy is fairly obvious: to install along the South Vietnamese coast a series of bases easily accessible to our naval-air power and from these strong points to gradually intrude pacification efforts inland.

But diplomatic and economic strategies are not being wholly ignored, as the administration's critics charge. Indeed, they are assuming shape on an initial, short-range basis somewhat similar to the initial, short-range aspects of our military strategy. The long view, the long-term coordination of war and peace aims, is much more in Washington's mind than some people think.

BRILLIANT DEFENSE BY REPRESENTATIVE RACE OF ADMINISTRATION IN VIETNAM

Mr. PROXMIRE. Mr. President, recently Representative JOHN RACE, of Wisconsin, made a brief, cogent speech expressing his support for President Johnson's policies in Vietnam.

Representative RACE was elected to the House in what was the major upset in Wisconsin politics in 1964. He defeated a deeply entrenched Republican in the strongest Republican congressional district in our State.

Since he took office, JOHN RACE has worked diligently and well in Washington. A speech delivered by Representative RACE before a machinists' State council in Port Washington, Wis., reflects the knowledge and understanding that JOHN RACE has developed concerning our international responsibilities. I ask unanimous consent that the speech be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

WHY I SUPPORT THE PRESIDENT ON VIETNAM

(By U.S. Representative JOHN A. RACE, Sixth District, Wisconsin)

I have been studying our position and policy in Vietnam. Maybe some of you are confused over the rightness or wrongness of our actions. Maybe some of you don't think we should be there. Maybe some of you have not thought about Vietnam in terms of a threat to your own peace and freedom in this country.

Let me try to help you understand a little more clearly that Vietnam is important to you—and why.

The latest, reliable census figures for Vietnam place the population at 31,517,000. That is roughly the combined population of Wisconsin, Iowa, Minnesota, Michigan, Illinois, and Indiana. The Vietnamese population is divided with about 16 million persons in North Vietnam and 15 million in South Vietnam.

These 31 million persons live in a country smaller than the combined land area of Wisconsin and Minnesota.

I mention these facts only to dispel a common belief that Vietnam is some little spot of jungle in southeast Asia, populated by a few thousand—or even a couple of million—people living in huts.

North Vietnam shares its border with Communist China. South Vietnam is like a finger stretching into the great, free area of southeast Asia with some 200 million persons not under Communist domination.

Communist success in South Vietnam would gravely threaten the freedom and independence of the rest of southeast Asia, including Laos, Cambodia, Thailand, Burma, Malaysia, Indonesia, India, and the Philippines. And there are more people in those independent nations than in the entire United States.

WHY WE ARE IN VIETNAM

We are in Vietnam for a very simple reason. In 1954 and 1962 the countries involved sought to negotiate the problems of that harassed and unhappy part of the globe. Solemn agreements were entered into. Those agreements have been systematically and continually violated by the Communist regime in North Vietnam virtually since the day they were signed.

The North Vietnamese have been engaged in aggression against the territory and people of South Vietnam for several years. The evidence of this is overwhelming.

The heart of the problem in Vietnam is the infiltration of trained military personnel and war material from North Vietnam into South Vietnam. Over the years, the infiltration has added tens of thousands of trained troops and saboteurs which are the hard core of the so-called Vietcong.

It is true that many people in South Vietnam are terrorized into cooperation or at least passiveness. But there is no case at all to back up the assertion that this is essentially a civil war, or that there is mass support for the Vietcong in South Vietnam except where and when Vietcong terror activities force the local people to cooperate.

TERROR A VIETCONG WEAPON

It is significant that the major type of Vietcong activity has been not armed attacks against the troops of the South Vietnamese Government but terror attacks against South Vietnamese civilians.

In December 1964, for example, there were 96 Vietcong armed attacks as compared to 1,719 acts of terrorism and 318 acts of sabotage.

If the Vietcong effort is, as they claim, a "Vietnamese people's struggle against imperialism," murders and kidnapping of civilian men, women, and children is a hell of a way to carry it out.

Is infiltration aggression?

In June 1950, thousands of North Koreans marched together over the border into South Korea. The world knew this was an invasion, and the free world, acting through the United Nations, reacted against it. The only difference in Vietnam is that instead of thousands of northerners marching south all at once, they have come in smaller groups over a longer time.

Korea proved that Communist aggression cannot succeed by blatant, large-scale military action. Profiting from that mistake, they now seek to make aggression succeed in the form of covert infiltration.

But aggression remains aggression, and our own self-interest as well as our obligation to the people of South Vietnam demand that we aid those who are defending themselves and who have asked for our assistance.

But Vietnam is so far away, we are told. Why bother?

Secretary of State Dean Rusk replied to this argument the other night in Washington and I want to quote him:

"Once again we hear expressed the views which cost the men of my generation a terrible price in World War II. We are told that southeast Asia is far away but so were Manchuria and Ethiopia."

WHAT HISTORY TELLS US

These, of course, were the faraway starting points of aggression which led this country into the Second World War. History indicates that if initial aggression had been met firmly in Ethiopia and Manchuria, World War II never would have occurred. From these failures and from history we have learned a lesson that we can now ignore only at our peril, only at the price of our own destruction.

Remember what President Johnson said in his address to the Nation from Johns Hopkins University:

"The central lesson of our times is that the appetite of aggression is never satisfied. To withdraw from one battlefield means only to prepare for the next."

I am not trying to scare you. I am taking this opportunity to try to aid in the understanding of why I do—and why you should—support President Johnson in his firm, brave stand in South Vietnam.

We are in Vietnam because aggression is taking place. It is part of a perfectly conscious, perfectly open, test by Hanoi and Peiping of America's will to resist this kind of aggression.

In a recent statement, a North Vietnamese Communist army general said, "South Vietnam is the model of the national liberation movement of our time. If the special warfare that the U.S. imperialists are testing in South Vietnam is overcome, then it can be defeated everywhere in the world."

The last time dedicated young men sang about today owning their homeland, tomorrow the entire world, they wore swastikas and followed an insane house painter perilously close to world domination. It took history's most brutal war to stop them.

The harsh reality of Vietnam is that our own country's security is threatened by those who have embarked on a course of aggression whose announced purpose is our own destruction.

Yet, we hear some Senators and Congressmen calling for what amounts to surrender to aggression in southeast Asia. Similar calls for cease-fire have been heard from editorial writers, educational and religious leaders, and thousands of young people picketing in front of the White House.

There surely is room for differences of opinion in this country. I respect the rights of all those persons to disagree and to disagree loudly with President Johnson's firm stand. But I think they are wrong and I hope you do, too.

In the face of history and logic, President Johnson could do no less than to make the price of aggression as painful and costly as possible. And that is the most vital and first reality of Vietnam—that North Vietnam has attacked the independent nation of South Vietnam, with total conquest its objective.

If Vietnam is allowed to fall to aggression, Laos will not be far behind. And then Cambodia, Thailand, Burma, Malaysia, India, and the Philippines. Two hundred million people. This is the price if we fail in South Vietnam.

And this is especially so if it is our nerve that fails. A purely military defeat would be a bad thing. It would encourage our enemies and discourage others. But, in my judgment, a failure of nerve, a loss of will to make the fight would be even more disastrous.

If we lose the will to resist, we can never again ask anyone, anywhere to depend on our word.

THE GOALS SOUGHT

Organized labor, and especially the members of the Machinists Union, have never been wilting violets when it comes to meeting threats to our most precious rights of freedom and liberty.

An end to the fighting, of course, is our immediate goal. The President of the United States has made an offer of unconditional discussions. In his words:

"There may be many ways to this kind of peace—in discussion or negotiation with the governments concerned—in large groups or in small ones—in reaffirmation of old agreements or their strengthening with new ones."

American labor, I am proud to say, has supported the President's hand in this crucial struggle.

THE DEBATE ON VIETNAM

Mr. MUNDT. Mr. President, I invite the attention of Congress and, I would hope, of the White House, to an editorial entitled "Debate on Vietnam," published in the Evening Star of yesterday, May 13, 1965. I should like to make a few comments endorsing its wisdom and validity. The lead paragraph of the editorial states:

> It is almost incredible President Johnson should have given his approval for the participation of McGeorge Bundy in the 12-hour intellectual donnybrook over Vietnam that is being cooked up for Saturday.

The editorial relates to the news that some kind of "teach-in" is to occur on Saturday, in which assorted, self-selected college and university professors are to debate policies with respect to Vietnam. This, I think, is perfectly proper. But the editorial deals with the wisdom of the White House in participating by lending McGeorge Bundy to uphold one position during the course of the series of debates and thus apparently giving encouragement and stature to the councils of dissension. The editorial then reads:

> Until now, Bundy, the President's Special Assistant for National Security Affairs, has wisely declined to be drawn into a verbal confrontation with these crtitics of our policy in Vietnam. He should continue to do so. Because whatever may be said for the virtue of free academic debates they are no place for officials charged with the responsibility for formulating policy in critical areas of the world.

Based upon my own experience as a Member of Congress, I concur in this criticism of a debate in which a thoroughly responsible official will engage in an organized public controversial debate involving national security matters with critics who have no public responsibility whatsoever, either for what they say or for the suggestions they make, and certainly not for their implementation.

I suspect that in the 27 years of my membership in Congress I have engaged in as many public debates as any other Member of Congress, if not more. This has not been because of any unique ability that I have, but it is because, I suppose, I have made myself more readily available. I have had a long record of debates, including quite a series in former years with the distinguished Vice President, who has just vacated the chair. He is the most formidable, articulate, and congenial adversary I have ever encountered. But during the period of these many debates I have established a rule which I think would be good for White House officials to follow. I continue to make myself available for debate when I appear with Members of Congress or responsible members of the Government; but when someone having no authority or responsibility whatsoever wishes to engage in a debate I decline such invitations, except on highly exceptional occasions. I did accept an invitation one time to debate William Z. Foster, when he was head of the Communist Party, over the American Broadcasting Co.'s radio network. However, I did so because he represented a well-known point of view which I was desirous of attacking.

It seems to me, however, that when we array responsible White House Government officials with critics of the type I have mentioned who neither represent established organizations with democratically conceived group viewpoints nor have any responsibility for the possible failure of programs they espouse, we involve the administration in a futile and divisible exercise.

In the first place, there are many things involving our national security which Government officials cannot and should not say publicly for fear that if they say them, they will go overboard in conveying helpful information to our adversary. As a result, the public interest will be injured; our Communist foes will be fortified; and our quest for peace will be less likely to succeed.

If the White House policy now is to encourage public controversy about Vietnam and to have its responsible leaders engage in debate about it—and there are some activities in Vietnam with which I find myself wholly out of sympathy—I have an abundance of criticism that I might decide to articulate concerning its policy of overemphasizing the use of military tactics to achieve what eventually has to be a political decision. I have made such criticisms to Dean Rusk and I have made them to the White House. I expect to have something to say later in the day here in the Senate in this general area. However, I have refrained from public criticism in the main in the interest of maintaining a united front before Communist foes seeking to divide us. I am perfectly willing to participate in this kind of divisive performance, however, if that is what the White House desires, as is now indicated.

Debate on this issue on the floor of the Senate is good. It can be in the national interest. It is good between elements in the private sector. I am glad to see the academic world involved. But I dislike to see the White House involved in debate with individual critics in the private sector on questions involving security data.

I suggest that the President apply to his associates in the White House the formula he wrote out for himself in the last political campaign, when he refused to engage himself in a presidential debate with Senator Goldwater, on the basis that the national security was involved. I thought the excuse was a little thin at the time, but it prevailed and was generally accepted. Certainly if it was good enough for the President in an important national election when voters had a chance for a choice, it should be good for his staff at a time when the voting public has no opportunity to make a direct and meaningful decision. I am afraid the McGeorge Bundy adventure will prove counterproductive.

Mr. President, I ask unanimous consent that the entire editorial published in yesterday's Washington Evening Star be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DEBATE ON VIETNAM

It is almost incredible President Johnson should have given his approval for the participation of McGeorge Bundy in the 12-hour intellectual donnybrook over Vietnam that is being cooked up for Saturday. The performance, sponsored by the Inter-University Committee for a Public Hearing on Vietnam, will turn out to be nothing less than a concerted public attack on policies of the administration that involve the most critical and vital interests of the United States.

No one should be fooled by what the sponsors of this nationwide teach-in express as their deep concern about southeast Asia and their conviction that questions related to peace and war should be open to responsible debate. In the same breath these academic critics accuse the administration of trying to manipulate a consensus on Vietnam without proper public or congressional debate. And the list of high-powered polemicists foregathering for the affair allow no illusions about the line the discussion will take.

Until now, Bundy, the President's Special Assistant for National Security Affairs, has wisely declined to be drawn into a verbal confrontation with these critics of our policy in Vietnam. He should continue to do so. Because whatever may be said for the virtue of free academic debates they are no place for officials charged with the responsibility for formulating policy in critical areas of the world.

Even assuming that Bundy and the rest of the Government team make intellectual mincemeat out of the critics, no useful purpose will be served. Given the present state of emotionalism over Vietnam it is most unlikely that the partisans will be persuaded to change their minds. It is unthinkable that anything will be changed so far as the American commitment in Vietnam is concerned.

Indeed the one entirely predictable result of this debate will be to encourage the impression abroad that the United States is a deeply divided country on the question of Vietnam. And since this impression in terms of both the Congress and the Nation is demonstrably false, it is dangerous folly for the Government to help create it.

CHALLENGE TO NATIONAL LEADERS

Mr. McCLELLAN. Mr. President, the Arkansas Democrat for Thursday, April 22, published an editorial entitled "Challenge to National Leaders." I strongly subscribe to the views and sentiments the editorial conveys. Believing its comments are timely and of general interest to the American people, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Challenge to National Leaders

A challenge faces our Federal leaders. It is street demonstrations instigated by agitators to gain political ends. This is a menacing evil which holds a threat over our free system of government. More demonstrations are promised, if forthcoming drastic civil rights measures aren't promptly enforced.

We have clearly seen the potential of demonstrations for harm. They have cost lives, injured many, and inflicted serious property damage. They were a strong influence to adoption of the new civil rights law, which impairs all individual rights, for whites and Negroes, and is a menace to private enterprise.

Our national Constitution guarantees the right to peaceably assemble or to petition Congress for a redress of grievances. Can you imagine the authors of the charter of our liberties adding to that clause, "* * * or demonstrate, at whatever cost to peace and order, in the streets"?

The language of the provision leaves no place for defiant demonstrations. For the right to peaceably assemble or to petition Congress can be worth guaranteeing only under ordered, law-abiding submission to authority.

Yet our topmost national leaders have accepted, even encouraged, demonstrations which pulled children out of school to march, often to hoot and stone the police, and which time and again turned into riotous brawling.

Cannot our leaders see the danger to our freedom by letting this pressure of mob tumults on legislators and officials become a fixture in our system?

Some elements of white youths have begun to copy this rowdy gesture. It cannot fail, if continued, to breed a growing lack of respect for law and authority.

And that's a historically fatal ill to free governments.

Let our national leaders forget for awhile about making America over and buckle down to saving the great America we have. Demonstrations should be brought under tight control and respect for peace, order, and authority.

To ignore this budding danger to our free system while pressing for a visionary, taxbought, boss-ridden utopia, is doctoring a toothache on a judgment day for our priceless heritage.

U.S. POLICY IN VIETNAM AND THE DOMINICAN REPUBLIC

Mr. McCLELLAN. Mr. President, as Congress conducts a national debate with respect to our policy in Vietnam and the Dominican Republic, I should like to state that while I am distressed and unhappy regarding the situation that prevails, I support the President in the recent actions taken in those two areas.

Frank Conniff's column in the New York Journal-American of May 5 and an editorial in Newsday of April 30 discussed these two critical situations. I believe that both these items make constructive contributions to the national debate on these issues. Consequently, I ask unanimous consent that they be printed in the RECORD, so that Members of Congress may have the opportunity to read them.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the New York Journal-American, May 5, 1965]

Johnson's Policy: Guard the Future

(By Frank Conniff)

WASHINGTON.—In time of war prepare for peace might be the motto animating President Johnson as he acts swiftly in Vietnam and Santo Domingo to forestall dangerous political controversies of the future.

Anyone who remembers the grim and bitter domestic ulcers of the postwar era must know that to stand still on the Dominican Republic or passively accept defeat in Saigon would have fused a nation-wrenching political convulsion within a matter of years.

Memories are so short, however, that too many Americans have forgotten the barren, grinding turmoils on the homefront engendered by the cry: "Who lost China?" But surely it is not too demanding a remembrance of things past to recall the name calling and political slanging stirred by Fidel Castro's Cuban takeover as recently as a few years ago.

The Castro controversy still fosters, as a matter of fact, and would have suppurated anew had President Johnson not moved immediately to squeeze the first sign of the Castro carbuncle in another Caribbean country. To have hesitated out of fear for the opprobrium of "gunboat diplomacy" would have been to miss the point entirely.

The emergence of Fidel Castro as the spearhead of aggressive communism in the Western Hemisphere had rendered the old slogans obsolete. President Johnson knows a new situation nullifies previous conceptions and enforces new if painful decisions—even if the "new" solution does awaken echoes of a long-gone American policy.

There must be those in the parish today who remember with no nostalgia the internal anguish created stateside as partisans leaped into print with glib explanations on how we lost China. Lose it we did, and at this remove it is impossible to single out single events or sequences of events which paved the way for its loss. It is quite conceivable that the Red Chinese would have prevailed no matter what political solution the United States had attempted to impose on a tortuous involvement.

But those who do remember the sterile debate certainly must pray that the United States avoids a duplication in the coming years if it is at all possible. By acting firmly and decisively in southeast Asia, the President is forfending against a repeat performance entitled "Who Lost Vietnam?" and in so doing he is rendering a service to us all, particularly those most vocal in opposing his policy at the present moment.

Had the President accepted the reasoning of those who advocate a scuttle-and-run policy in Vietnam, he would have been setting the stage for future bouts of recrimination certain to far surpass the China imbroglio of the early 1950's.

There is the matter of the nearly 2 million Catholics of South Vietnam, whose allegiance to their faith and their very existence would have been sold down the Mekong River by dishonorable and facesaving "negotiations."

Most American Catholics are still unaware that Vietnam contains that many of their fellow communicants, but they would have soon been made aware of the fact once the destruction of churches and the inevitable persecution of priests and nuns were begun by Communists our Government had helped bring to power.

It is significant, in passing, that none of the barking against the President's policy comes from Senators from States with a large Catholic voting bloc. These voters would naturally like to know a few years hence—if we had abandoned Vietnam to a Communist fate—why some Senators were so anxious to appease the murderous Vietcong at the expense of hundreds of thousands of their fellow communicants. It would have been a tough piece of bread to nuzzle on politically.

President Johnson is doing his utmost to bring about a settlement with honor in keeping with the best American tradition. He is doing the future a favor by forestalling the bitter homefront political battles certain to have been set up by an American surrender to communism, either in Saigon or Santo Domingo.

[From Newsday, Apr. 30, 1965]

The Marines Have Landed

And the situation in the Dominican Republic is reasonably well in hand. The landing (Marines and Army) took place by President Johnson's order to protect and, by degrees, evacuate, some 2,000 Americans, plus the nationals of any other country who wanted similar treatment. The situation within the country has been chaotic—wild shooting, equally wild struggles between Government forces and those seeking to bring about the return of former President Juan Bosch. Offshore stands our Navy to complete the evacuation.

The President was right to order in the troops, just as he was right to order American planes to the Congo, some months back, to evacuate those of varied nationality who faced extermination by rebels. This is simply a matter of protecting human lives—not at all, despite Russian efforts to describe it as such, like our "dollar diplomacy" occupations of several Latin American Republics after World War I.

Having sent in the troops, the job is now to complete the evacuation, to get armed as well as unarmed Americans out as soon as possible, and to let the Dominicans solve their own internal problems. To this, a caveat? The solution of the internal Dominican problem must not, repeat not, permit Fidel Castro to get his sticky hands on the island. If that appears to be happening, he had better be put on notice that the troops, in sufficient numbers, will be right back again to insure that the term "self-determination" does not include a pressured determination to communize another island in the Caribbean.

CONSTITUTIONALITY OF PROPOSALS TO REQUIRE ALL POLLING PLACES TO CLOSE AT THE SAME TIME AND TO PREVENT NEWS MEDIA FROM REPORTING OR PREDICTING ELECTIONS UNTIL THE POLLS ARE CLOSED

Mr. KUCHEL. Mr. President, for the past several months discussion has taken place in Congress and throughout the country of several proposals which have been offered to require the closing of all polling places in Federal elections at a uniform time. Some have also advocated the prohibition of any result, opinion, or prediction by radio or television until the last polling place has closed.

Since several serious questions of constitutionality, as well as public policy, are involved in these measures, I asked the American Law Division of the Library of Congress to analyze them and to prepare a memorandum for me discussing their constitutionality. This memorandum has now been completed by Elizabeth K. Yadlosky who is a legislative attorney for the American Law Division. I have been impressed by Miss Yadlosky's comments. I think my colleagues and all interested citizens will be, too. She discusses the suggestion that voting hours be established in such a manner so that voting throughout the Nation would end at the same time regardless of the differences between time zones. She also considers the proposal to restrain any reporting, projecting, or speculating on election results until all the votes are available countrywide.

After a careful review of the cases dealing with Federal elections and free speech which have been decided by the Supreme Court of the United States, Miss Yadlosky concludes that while legislation providing for the simultaneous closing of the polls appears constitutional, it does present practical problems in view of the span between the opening and closing of the polls throughout our country, which covers an area from Maine to Hawaii. She believes that any restrictions prohibiting comment on election returns, in view of the Supreme Court decisions under the first amendment, would be held unconstitutional. She does think, however, that Congress has the authority to enact a Federal law which would prohibit the election authorities themselves from releasing Federal election results until a time fixed by Federal law.

Mr. President, I ask unanimous consent that the memorandum by Elizabeth K. Yadlosky with two tables pertaining to the present State laws on the closing of the polls and the discussion which has taken place in Congress since last June 17 be printed at this point in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

CONSTITUTIONALITY OF PROPOSALS TO REQUIRE ALL POLLING PLACES TO CLOSE AT SAME TIME AND TO PREVENT NEWS MEDIA FROM REPORTING OR PREDICTING ELECTIONS UNTIL POLLS ARE CLOSED

(Prepared at the request of Hon. THOMAS H. KUCHEL, by Elizabeth K. Yadlosky, legislative attorney, American Law Division, Library of Congress, Apr. 22, 1965)

Because of the differences in the time zones in the United States and the differences in voting hours in various parts of the country (see table A), the polls on the east coast close earlier than do those on the west coast. Thus, New York polls close 4 hours earlier than do those of California, 5 hours earlier than Hawaii, and 6 hours earlier than western Alaska.

It is contended that the western voter who intends to cast his vote late in the day may be discouraged from doing so if he learns that the candidate of his choice has already either clearly won or lost the election on the basis of the actual counts of more easterly votes or the western voter may be swayed by predictions or projections based on eastern voting.

Since it is believed to be in the interests of the country as a whole that the greatest number of voters possible exercise their right to vote, various suggestions have been advanced to remedy this situation. One suggestion is that the voting hours be set in such a way that voting throughout the Nation would be contemporaneous regardless of differences in time zones. Another suggestion is to restrain reporting, projecting and speculating on election results until all the votes are in countrywide. For a list of proposals in the 88th and 89th Congresses see table B.

This memorandum considers the constitutional authority of Congress to enact proposals of this nature in respect to Federal elections.

ELECTIONS FOR U.S. SENATORS AND REPRESENTATIVES

With respect to elections for U.S. Senators and Representatives, the U.S. Constitution provides at article I, section 4, clause 1, that "The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators."

The provision quoted clearly indicates that Congress has the power to regulate the manner of holding elections of its own Members. This power has been recognized by the courts. Thus, the U.S. Supreme Court has held that, "While, in a loose sense, the right to vote for Representatives in Congress is sometimes spoken of as a right derived from the States * * * this statement is true only in the sense that the States are authorized by the Constitution, to legislate on the subject as provided by section 2 of article 1, to the extent that Congress has not restricted State action by the exercise of its powers to regulate elections under section 4 and its more general power under article I, section 8, clause 18, of the Constitution 'to make all laws which shall be necessary and proper for carrying into execution the foregoing powers'" *United States* v. *Classic,* 313 U.S. 299, 315 (1941).

Similarly, in the much earlier case of *Ex parte Yarbrough,* 110 U.S. 651 (1884), the Court had held that "it is not correct to say that the right to vote for a Member of Congress does not depend on the Constitution of the United States.

"The office, if it be properly called an office, is created by that Constitution and by that alone. It also declares how it shall be filled; namely, by election.

"The States in prescribing the qualifications of voters for the most numerous branch of their own legislatures, do not do this with reference to the election for Members of Congress. Nor can they prescribe the qualifications for voters for those eo nomine. They define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for members of Congress in that State. It adopts the qualifications thus furnished as the qualifications of its own electors for Members of Congress.

"It is not true, therefore, that electors for Members of Congress owe their right to vote to the State law in any sense which makes the exercise of the right to depend exclusively on the law of the State" (at pp. 663–664).

It seems apparent that the right of Congress to set the times, places and manner of holding elections should encompass the right to set the times at which the polls should be opened and closed and the time results should be released. Indeed, the Supreme Court has come very close to saying exactly that. In a decision construing the grant to Congress of authority to alter regulations as to the "times, places and manner of holding elections for Senators and Representatives" the Court said that "it cannot be doubted that these comprehensive words embrace authority to provide a complete code for congressional elections, not only as to times and places, but in relation to notices, registration, supervision of voting, protection of voters, prevention of fraud and corrupt practices, counting of votes, duties of inspectors and canvassers, and making and publication of election returns; in short, to enact the numerous requirements as to procedure and safeguards which experience shows are necessary to enforce the fundamental rights involved.

"This view is confirmed by the second clause of article I, section 4, which provides that 'the Congress may at any time by law alter such regulations,' with the single exception stated. The phrase 'such regulations' plainly refers to regulations of the same general character that the legislatures of the State is authorized to prescribe with respect to congressional elections. In exercising this power, the Congress may supplement these State regulations or many substitute its own" (*Smiley* v. *Holm,* 285 U.S. 355, 366–367 (1932)).

Congress has, in the past, enacted regulatory election legislation under this constitutional grant of authority which legislation has withstood judicial scrutiny.

In discussing the extent of the powers conferred on Congress in article I, section 4, clause 1, the Supreme Court observed that "it was not until 1842 that Congress took any action under the powers here conferred, when, conceiving that the system of electing all the Members of the House of Representatives from a State by general ticket, as it was called, that is, every elector voting for as many names as the State was entitled to Representatives in that House, worked injustice to other States which did not adopt that system, and gave undue preponderance of power to the political party which had a majority of votes in the State, however small, enacted that each Member should be elected by a separate district, composed of contiguous territory (5 Stat. 491).

"And to remedy more than one evil arising from the election of Members of Congress occurring at different times in the different States, Congress, by the act of February 2, 1872, 30 years later, required all the elections for such Members to be held on the Tuesday after the first Monday in November in 1876, and on the same day of every second year thereafter.

"The frequent failures of the legislatures of the States to elect Senators at the proper time, by one branch of the legislature voting for one person and the other branch for another person, and refusing in any manner to reconcile their differences, led Congress to pass an act which compelled the two bodies of State legislatures to meet in joint convention, fixed the day when this should be done, and required them so to meet on every day thereafter and vote for a Senator until one was elected.

"In like manner Congress has fixed a day, which is to be the same in all the States, when the electors for President and Vice President shall be appointed.

"Now the day fixed for electing Members of Congress has been established by Congress without regard to the time set for election of State officers in each State, and but for the fact that the State legislatures have, for their own accommodation, required State elections to be held at the same time, these elections would be held for Congressmen alone at the time fixed by the act of Congress.

"Will it be denied that it is within the power of that body to provide laws for the proper conduct of those elections? To provide, if necessary, the officers who shall conduct them and make return of the result? Is it any less important that the election of Members of Congress should be the free choice of all the electors because State officers are to be elected at the same time? (*Ex parte Siebold,* 100 U.S. 371.)

"These questions answer themselves; and it is only because the Congress of the United States, through long habit and long years of forbearance, has, in deference and respect to the States, refrained from the exercise of these powers, that they are now doubted.

"But when, in the pursuance of a new demand for action, that body, as it did in the cases just enumerated, finds it necessary to make additional laws for the free, the pure, and the safe exercise of this right of voting, they stand upon the same ground and are to be upheld for the same reasons" (*Ex parte Yarbrough,* 110 U.S. 651, 660–662 (1884)).

Not only does article I, section 4, authorize Congress to regulate the manner of holding elections, but by article I, section 8, clause 18, Congress is given authority to "make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof." This provision leaves to the Congress the choice of means by which its constitutional powers are to be carried into execution.

The Supreme Court has said: "Let the end be legitimate; let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited but consist with the letter and spirit of the Constitution, are constitutional (*McCulloch* v. *Maryland,* 4 Wheat. (U.S.) 316, 421, 4 L. Ed. 579, 605). That principle has been consistently adhered to and liberally applied, and extends to the congressional power by appropriate legislation to safeguard the right of choice by the people of Representatives in Congress secured by section 2 of article I" (*United States* v. *Classic, supra,* at p. 320).

ELECTIONS FOR PRESIDENT AND VICE PRESIDENT

With respect to the electing of the President and Vice President, the U.S. Constitution provides at article II, section 1, clause 4: "The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States."

This clause testifies as to the national character of the elections for President and Vice President. In upholding the Federal Corrupt Practices Act as being within the power of Congress, the Supreme Court considered, and rejected, the argument that the power of appointment of presidential electors and the manner of their appointment are expressly committed by article II, section 1, of the Constitution to the States, and that the congressional authority is limited to determining "the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States."

The Court held that so narrow a view of the powers of Congress in respect of the matter is without warrant.

"The congressional act under review (Corrupt Practices Act) seeks to preserve the purity of presidential and vice-presidential elections. Neither in purpose nor in effect does it interfere with the power of a State to appoint electors or the manner in which their appointment shall be made. It deals with political committees organized for the purpose of influencing elections in two or more States, and with branches or subsidiaries of national committees, and excludes from its operation State or local committees. Its operation, therefore, is confined to situations which, if not beyond the power of the State to deal with at all, are beyond its power to deal with adequately. It in no sense invades any exclusive State power" (*Burroughs and Cannon* v. *U.S. supra,* pp. 544–545).

And later in the opinion: "The power of Congress to protect the election of President and Vice President from corruption being clear, the choice of means to that end presents a question primarily addressed to the judgment of Congress. It can be seen that the means adopted are really calculated to attain the end, the degree of their necessity, the extent to which they conduce to the end, the closeness of the relationship between the means adopted and the end to be attained, are matters for congressional determination alone" (*Stephenson* v. *Binford,* 287 U.S. 251, 272; *Burroughs and Cannon* v. *U.S. supra,* pp. 547–548).

Thus, the Supreme Court has held that Congress has, even in the absence of specific authorization to regulate the "manner of holding elections," an inherent power, implicit in the constitutional scheme, to enact legislation which will insure the fairness of the presidential electoral process.

Although Mr. Justice Douglas dissented in the Classic case, supra, he agreed with the principles set forth above. He observed that "the important consideration is that the Constitution should be interpreted broadly so as to give to the representatives of a free people abundant power to deal with all the exigencies of the electoral process. It means that the Constitution should be read so as to give Congress an expansive, implied power to place beyond the pale acts which, in their direct or indirect effect, impair the integrity of congressional elections" (p. 330).

Arguments which have been advanced against the right of Congress to enact legislation setting the polling hours and the release of election results are: that there is no precedent for restricting the nonfraudulent dissemination of election material; that the right to vote is obviously not impaired by the early release of election returns; that the inherent-powers theory has never been carried this far and that the Yarbrough and Burroughs cases, supra, both dealt with active misconduct; that analogies to cases involving "diluted vote" (*Reynolds* v. *Sims,* 377 U.S.—(1964)), false count of ballots (*U.S.* v. *Classic,* 313 U.S. 299 (1941)), forged and fictitious ballots (*U.S.* v. *Saylor,* 322 U.S. 385 (1944)), refusal to count ballots from certain areas (*U.S.* v. *Mosley,* 238 U.S. 383 (1955)) are farfetched and are not backed up by judicial holdings; that the western voter should be presumed to be able to exercise some independent judgment and not be so easily swayed by his eastern counterpart; and that every factor that goes into elections results cannot, and should not, be legislated away.

CONSTITUTIONALITY OF PROPOSALS TO RESTRICT NEWS MEDIA FROM REPORTING ELECTION RESULTS AND FROM SPECULATING ON OR PROJECTING RESULTS UNTIL ALL THE POLLS ARE CLOSED

The first amendment to the U.S. Constitution provides that "Congress shall make no law * * * abridging the freedom of speech, or of the press."

The liberty of the press is jealously guarded in this country as being essential to the nature of a free state. In certain very limited instances, the right of free speech and press may be curbed. Thus, utterances which are obscene or libelous have been held to be beyond the scope of first amendment protection but only because they are considered to be utterly without redeeming social value (*Roth* v. *United States,* 354 U.S. 476 (1957); *Chaplinsky* v. *New Hampshire,* 315 U.S. 568 (1942); *Beauharnais* v. *Illinois,* 343 U.S. 250 (1952)).

The reporting of election results obviously does not fall within these limited categories of utterances which are not protected by the first amendment.

Another category of utterance which has been held not to be protected is that which occurs "in such circumstances or have been of such a nature as to create a clear and present danger" that it would bring about "substantive evils" which are within the power of Government to prevent (*Schenck* v. *United States,* 249 U.S. 47 (1919)).

Although some of the earlier cases upheld the restraints on speech in the absence of a finding of such clear and present danger (as the decision upholding legislation making it a crime to teach, advocate, etc., bigamy and polygamy (*Davis* v. *Beason,* 133 U.S. 333 (1890)), it would appear that in today's judicial climate, to sustain legislation restricting comment on election results, it would have to be demonstrated that either the statements fall within the narrow class of nonprotected speech, the obscene and libelous, or that a clear and present danger exists if such speech is allowed to be unchecked.

In this memorandum, the possible clash is between protecting the right of unfettered free speech on the one hand and that of maintaining uninfluenced elections on the other. In a decision, *Bridges* v. *California,* 314 U.S. 252 (1941), involving a clash between free speech and another cherished and invaluable right; namely, the right to a fair court trial, the Supreme Court, in effect, upheld the right of free speech although the Court suggested that it was not actually choosing between the two rights. The Court said, "For free speech and fair trials are two of the most cherished policies of our civilizations, and it would be a trying task to choose between them. But even if such a conflict is not actually raised by the question before us, we are still confronted with the delicate problems entailed in passing upon the deliberations of the highest court of a State * * *. But in deciding whether or not the sweeping constitutional mandate against any law 'abridging the freedom of speech or of the press' forbids it, we are necessarily measuring a power of all American courts, both State and Federal, including this one" (p. 260).

In discussing the "clear and present danger test" the Court described the test as "a working principle that the substantive evil must be extremely serious and the degree of imminence extremely high before utterances can be punished," and went on to hold that "the first amendment does not speak equivocally. It prohibits any law 'abridging freedom of speech, or of the press.' It must be taken as a command of the broadest scope that explicit language, read in the context of a liberty-loving society, will allow" (p. 263).

Four Justices dissented in Bridges, supra, maintaining that "free speech is not so absolute or irrational a conception as to imply paralysis of the means for effective protection of all the freedoms secured by the Bill of Rights. In the cases before us, the claims on behalf of freedom of speech and of the press encounter claims on behalf of liberties no less previous. California asserts her right to do what she has done as a means for safeguarding her system of justice" (p. 282).

The opinion of the Court in the Bridges case, supra, quoted with approval a statement of Mr. Justice Holmes indicating that minds must have some "reasonable fortitude" and should not be expected to be protected from every type of utterance. (See also, *Craig* v. *Harney*, 331 U.S. 367 (1947)—publication while a motion for new trial pending of unfair report of facts in the case accompanied by intemporate criticism of the judge's conduct held protected by first amendment, and *Wood* v. *Georgia*, 370 U.S. 373 (1962) (contempt conviction invalidated arising from criticism of judge's charge to jury).

There is some difference of opinion as to whether freedom of speech and press occupies a "preferred position" in the constitutional hierarchy of values so that legislation restrictive of it is presumptively unconstitutional.

Those maintaining that it does point to Justice Cardozo's statement that "one may say that it is the matrix, the indispensable condition, of nearly every other form of freedom." (*Palko* v. *Connecticut*, 302 U.S. 319, 327 (1937) and to Justice Rutledge's opinion in *Thomas* v. *Collins*, 323 U.S. 516 (1945) where he said: "The case confronts us again with the duty our system places on this Court to say where the individual's freedom ends and the State's power begins. Choice on that border, now as always delicate, is perhaps more so where the usual presumption supporting legislation is balanced by the preferred place given in our scheme to the great, the indispensable democratic freedoms secured by the first amendment. That priority gives these liberties a sanctity and a sanction not permitting dubious intrusions. For these reasons any attempt to restrict those liberties must be justified by clear public interest, threatened not doubtfully or remotely, but by clear and present danger. Accordingly, whatever occasion would restrain orderly discussion and persuasion, at appropriate time and place, must have clear support in the public danger, actual or impending. Only the gravest abuses, endangering paramount interests, give occasion for permissible limitation. It is therefore in our tradition to allow the widest room for discussion, the narrowest range for its restriction" (pp. 529–530).)

Those maintaining that free speech and press do not have a priority over other constitutional rights point to Justice Frankfurter's statement denying the propriety of the phrase preferred position: This is a phrase that has uncritically crept into some recent opinions of this Court. I deem it a mischievous phrase, if it carries the thought, which it may subtly imply, that any law touching communication is infected with presumptive invalidity (*Kovacs* v. *Cooper*, 336 U.S. 77, 90 (1949)).

The argument has been advanced that because the Federal Government regulates radio and TV, it can prohibit the announcing of election results or the speculation of what those results will be. However, radio and TV broadcasts are within the first amendment's guarantees of free speech (*American Broadcasting Co.* v. *United States*, 110 F. Supp. 374, 389 (S.D. N.Y. 1953) aff'd. *FCC* v. *American Broadcasting Co.*, 347 U.S. 284 (1954)). It would appear that as far as content is concerned it would only be the obscene, libelous, or material inciting to clear and present danger which could be prohibited. In *Hannegan* v. *Esquire, Inc.*, 327 U.S. 146 (1946), for example, it was held that the use of the mails at a lower subsidized rate could not be withdrawn because the Government agency (the Post Office) did not approve of the contents.

For a discussion of a contrary conclusion, see a note, "Tom Swift and His Electoral Electorate: Legislation To Restrict Election Coverage," XL Notre Dame Lawyer 191 (February 1965) where at pages 198 and 201 the writer concluded that legislation of the type proposed would withstand first amendment assault. The arguments advanced are generally that:

Congress, through the Federal Communications Commission, may supervise the content of programing (*National Broadcasting Co.* v. *United States*, 319 U.S. 190 (1943)). Congress, in establishing the FCC, directed it to act in the "public interest, convenience, or necessity." The public interest in the Communications Act was intended to be the interest of the listening public. However, section 311 of the act authorizes the Commission to withhold licenses from persons convicted of having violated antitrust laws. This is some precedent for using the act as a vehicle to achieve the objectives of areas of the law other than strictly communication by radio.

In the area of public affairs, the FCC has administered the statutory equal time requirement for political candidates (48 Stat. 1088, as amended, 47 U.S.C. 315(a)) and has supervised the fairness of broadcasting of matters of public controversy. The Supreme Court has upheld the equal-time provision (*Farmers Union* v. *WDAY, Inc.*, 360 U.S. 525, 529 (1959)).

On issues of public importance, section 315 of the Communications Act obliges each licensee to "afford reasonable opportunity for the discussion of conflicting views on issues of public importance" (73 Stat. 557 (1959); 47 U.S.C. 315(2)).

However, these arguments do not appear to be persuasive in the view of the strong protection given to utterances by the Court.

For further discussion see "Tom Swift and His Electoral Electorate: Legislation To Restrict Election Coverage," XL Notre Dame Lawyer, 191 (Feb. 1965); "In Defense of 'Fairness': A First Amendment Rationale for Broadcasting's 'Fairness Doctrine,'" 37 U. Cal. L. Rev. 31 (fall 1964); "Regulation of Program Content by the FCC," 77 Harv. L. Rev. 701 (Feb. 1964).

CONCLUSIONS

Although Congress has the power to regulate the time and manner of conducting Federal elections, the two types of proposals which have been advanced thus far, the one which would require all polling places to close simultaneously, and the other which would limit reporting of election results, may be argued to be unsatisfactory solutions to the problem, but for different reasons.

The first type of proposal, that of closing the polls simultaneously, appears to be constitutional but presents practical problems in view of the span between the opening and closing of the polls throughout the country while the second proposal, that of limiting comment on election returns may be held to be unconstitutional for the reasons already stated.

However, there appears to be authority to support yet another proposal; namely, the enactment of a Federal law which would prohibit election authorities from releasing Federal election results until a time fixed by Federal law. Such a time could be set with regard to the differences in time zones across the country. If it were made a Federal crime for election officials to release this information before the time designated, such a law could be practical and might well be held to be constitutional. Although the election officials are appointed by the State, they also serve a Federal function when acting in Federal elections, and are thus properly subject to Federal control. The Supreme Court so held in *Ex parte Siebold*, 100 U.S. 371 (1879), which has been referred to earlier in this report.

In the Siebold case, supra, six State election officials were seeking discharge from prison to which they had been sentenced by the Federal courts under a Federal law enacted in 1870 (16 Stat. 140) entitled "An act to enforce the right of citizens of the United States to vote in the several States of this Union, and for other purposes." That law, among other things, made it a penal offense against the United States for any officer at an election for Representative in Congress to neglect to perform, or to violate, any duty with respect to such election, whether required by the law of a State or of the United States.

Counsel for the petitioners conceded that Congress may, if it chooses, assume the entire regulation of the election of Representatives, but they contended that Congress has no constitutional power to make partial regulations intended to be carried out in conjunction with regulations made by the States. The Court rejected this all-or-nothing argument, saying that the grant to Congress of the "right to make or alter" regulations prescribed by the States as to the times, places, and manner of holding elections for Members of Congress embraces the right to make only partial regulations, leaving, as manifest convenience requires, the general organization of the polls to the State, there results a necessary cooperation of the two governments in regulating the subject. But no repugnance in the system of regulations can arise thence; for the power of Congress over the subject is paramount. It may be exercised as and when Congress sees fit to exercise it. When exercised, the action of Congress, so far as it extends and conflicts with the regulations of the State, necessarily supersedes them. This is implied in the power to make or alter (p. 384). And further in the opinion, "While the State will retain the power of enforcing such of its own regulations as are not superseded by those adopted by Congress it cannot be disputed that if Congress has power to make regulations it must have the power to enforce them, not only by punishing the delinquency of officers appointed by the United States, but by restraining and punishing those who attempt to interfere with them in the performance of their duties" (p. 387).

In answer to the argument that Congress was acting beyond its power in punishing State election officials, the Court said: "It is objected that Congress has no power to enforce State laws or to punish State officers, and especially no power to punish them for violating the laws of their own State. As a general proposition this is undoubtedly true; but when, in the performance of their functions, State officials are called upon to fulfill duties which they owe to the United States as well as to the State, has the former no means of compelling such fulfillment?" And then, the Court answers its question in the affirmative. "Those duties are owed as well to the United States as to the State. This necessarily follows from the mixed character of the transaction, State and National" (p. 389).

In the later case of *Smiley* v. *Holm*, 285 U.S. 355 (1932), also referred to earlier in this memorandum, the Court reiterated its holding that elections for Representatives in Congress are properly a matter for congressional regulation and in the opinion, as dictim (previously quoted herein) the Court, as illustration of the type of regulation which Congress may make, included the "making and publication of election returns" (p. 366).

TABLE A.—*General elections*

State	Polls (local time)		Remarks
	Open	Close	
Alabama (Code of 1940 (1958 Recomp.), T. 17, § 111).	8 a.m.	6 p.m.	If voting machines are not used and in counties less than 400,000.
	8 a.m.	7 p.m.	If voting machines are used and in counties of 400,000 or more.
Alaska (Alaska Stats. (Michie's), § 15.15.080).	8 a.m.	8 p.m.	
Arizona (Rev. Stats. Ann., 1956 (1964 Pocket Supp.), § 16-864).	6 a.m.	7 p. m.	
Arkansas (Stats. Ann., (956 Replacement), § 3-908).	8 a.m.	6:30 p.m.	
California (Election Code, §§ 14206, 14206.5, 14207.5).	7 a.m.	7 p.m.	In counties of less than 300,000 and those using voting machines.
	7 a.m.	8 p.m.	Counties with population of 300,000 or more and those using machine voting.
Colorado (Election Code of 1963, art. 9, § 115).	7 a.m.	7 p.m.	
Connecticut (Gen. Stats. (Rev. of 1963), § 9-174).	6 a.m.	7 p.m.	Any municipality may, by vote taken under provisions of § 7-148, provide that the polls may be open for shorter or longer time, but not later than 8 p.m. and not less than 8 consecutive hours between 6 a.m. and 6 p.m.
Delaware (Code Ann., 1953, T. 15, §§ 4931, 4954).	7 a.m.	8 p.m.	
District of Columbia (Code (1961 ed.), § 1-1110(a)(1)).	8 a.m.	8 p.m.	For elections for President and Vice President.
Florida (Stats. Ann., 1960, § 100.011)	7 a.m.	7 p.m.	
Georgia (Election Code of 1964, § 34-1304).	7 a.m.	7 p.m.	
Hawaii (Election L. (1962 Rev.), § 11-46).	7 a.m.	5:30 p.m.	
Idaho (Code of 1948, § 34-1002)	8 a.m.	8 p.m.	
Illinois (Smith-Hurd Ann. Stats., ch. 46, § 17-1).	6 a.m.	6 p.m.	
Indiana (Burns Ann. Stats. (1949 Rev.), § 29-5030).	6 a.m.	6 p.m.	
Iowa (Code Ann. (1949 ed.), §§ 43.37, 49.73).	7 a.m.	8 p.m.	In cities where registration is required.
	8 a.m.	8 p.m.	All other precincts.
Kansas (Gen. Stats. Ann., 1949, § 25-106).	8 a.m.	6 p.m.	All places except cities of 1st and 2d class.
	6 a.m.	7 p.m.	Cities of 1st and 2d class.
Kentucky (Rev. Stats., 1962, § 118.040)	6 a.m.	5 p.m.	
Louisiana (West's Stats. Ann. of 1950, § 18:1181).	6 a.m.	8 p.m.	
Maine (Rev. Stat. (1964 Rev.), § T. 21, § 741).	Between 6 a.m. and 10 a.m.	7 p.m.	The municipal officers of each municipality shall determine the time of opening the polls between the times given.
	do	Between 5 p.m. and 7 p.m.	In a municipality of 300 or less.
	do	8 p.m.	In municipalities using voting machines.
Maryland (Ann. Code (Michie), art. 33, § 102).	6 a.m.	7 p.m.	Baltimore City.
	7 a.m.	7 p.m.	In counties.
Massachusetts (Gen. Laws, ch. 54, § 64)	May open as early as 5:45 a.m., must be opened by 10 a.m.	8 p.m.	In cities, the polls may be opened as early as 5:45 a.m. and must be opened by 10 a.m. and shall be kept open at least 10 hours.
Michigan (Stats. Ann., 1956, § 6.1720)	7 a.m.	8 p.m.	
Minnesota (Stats. Ann., § 204.03)	7 a.m.	8 p.m.	
Mississippi (Code, 1942 (1962 Supp.), § 3267).	7 a.m.	6 p.m.	
Missouri (Vernon's Ann. Stats. (1962 ed.), §§ 111.370, 117.520.	6 a.m.	7 p.m. or sunset, whichever later.	The polls shall be open at 6 a.m. and continued open until 7 p.m. unless the sun shall set after 7 p.m., when the polls shall be kept open until sunset except in cities of 25,000 or more, when the polls shall be kept open from 6 a.m. to 7 p.m.
Montana (Rev. Code, 1947 (1955 Replacement), § 23-1202.	8 a.m.	8 p.m.	In precincts of more than 100 registered voters.
	Not later than 1 p.m.	8 p.m. or earlier when all registered in precinct have voted.	In precincts of less than 100 registered voters.
Nebraska (Rev. Stats. § 32-445)	8 a.m.	8 p.m.	
Nevada (Rev. Stats. § 293.273)	8 a.m.	6 p.m	Counties having more than 25,000 registered voters.
	7 a.m.	7 p.m.	
New Hampshire (Rev. Stats. Ann., § 59: 41, 59: 42).	Varies from town to town	Varies from town to town	§ 59: 59: 41, small towns: At all biennial elections in towns of less than 700 population the polls shall be open not less than 5 consecutive hours, or so much longer as is necessary to afford every present voter an opportunity to vote. On written request of 7 registered voters the polls shall be kept open until 6 p.m. In towns of less than 100 population, the polls shall close if all on the checklist have voted. Other towns: Polls shall open not later than 10 a.m. and close not earlier than 6 p.m. On written request of 10 registered voters the polls shall be kept open until 7 p.m. § 59:42, cities: Polls open not less than 4 hours and may open not earlier than 6 a.m. nor later than 8 p.m.
New Jersey (Stats. Ann., 1940, § 19: 15-2).	7 a.m.	8 p.m.	
New Mexico (Stats. Ann., § 3-3-27)	8 a.m.	7 p.m.	
New York (Election Law (McKinney's), § 191.2).	6 a.m.	9 p.m.	
North Carolina (Gen. Stats. (1952 Recomp.), § 163-179).	6:30 a.m.	6:30 p.m.	
	6:30 a.m.	7:30 p.m.	In voting precincts where voting machines are used board of elections of county may permit closing at 7:30.
North Dakota (Century Code, § 16-01-02).	Between 7 a.m. and 9 a.m.	Between 7 p.m. and 8 p.m.	Polls shall be opened at 9 a.m. or at such earlier hour, but not earlier than 7 a.m., that may be designated for any precinct by resolution of the governing body of the city, village, or township in which the precinct is located. They shall remain open continuously until 7 p.m. or such later hour not exceeding 8 p.m. as may be designated for any precinct by resolution of the governing body of the city, village, or township in which the precinct is located.
Ohio (Page's Rev. Code Ann. (1960 Replacement, § 3501.32)).	6:30 a.m.	6:30 p.m.	
Oklahoma (Stats. Ann., § 251)	7 a.m.	7 p.m.	In cities of 1st class and in precincts surrounding, bounding, and adjoining these cities.
	8 a.m.	6 p.m.	All others unless electors make written request that the polls open at 6 a.m.
Oregon (Rev. Stats. § 250.340)	8 a.m.	8 p.m.	
Pennsylvania (Purdon's Stats. Ann., T. 25, § 3045).	7 a.m.	8 p.m.	
Rhode Island (Gen. Laws, §§ 17-18-10; 17-18-11).	Polling hours vary in different towns and cities		§ 17-18-10 gives the times the polls open in various cities; ranges between 6:30 and 10 a.m. § 17-18-11 gives the times the polls close in various cities; ranges between 7 and 9 p.m.
South Carolina (Code of Laws, 1962, § 23-342).	8 a.m.	6 p.m.	
South Dakota (Code of 1939, § 16.1201)	8 a.m.	7 p.m.	
Tennessee (Code, § 2-1301)	9 a.m.	4 p.m.	
	9 a.m.	7 p.m.	In cities having a population of 15,000 or more and in heavily populated suburban precincts.

Table A.—*General elections*—Continued

State	Polls (local time)		Remarks
	Open	Close	
Texas (Vernon's Ann. Rev. Civil Stats., Election Code, art. 2.01).	7 a.m.	7 p.m.	
	8 a.m.		In county having less than 100,000 the polls may be opened at 8 a.m.
	6 a.m.		In a county having 1,000,000.
Utah (Code, § 20-1-13)	7 a.m.	8 p.m.	
Vermont (Stats., T. 17, § 1048)	Not earlier than 6 a.m.	No later than 7 p.m.	Polls shall be opened and closed at the time designated by the legislative branch of each municipality but not earlier than 6 a.m. nor later than 7 p.m.
Virginia (Code (Michie) § 24-182)	6 a.m.	7 p.m.	
Washington (§ 29.13.080)	8 a.m.	8 p.m.	
West Virginia (Election Code of 1963, § 65).	6:30 a.m.	7:30 p.m.	
Wisconsin (Stats., § 6.35)	Varies from place to place	Varies from place to place	In all cities of 10,000 and more, except in 1st class cities the polls shall open at 6 a.m. and close at 8 p.m., except in any city of the 2d or 3d class the time may be set between 6 a.m. and 7 a.m. and closed between 7 p.m. and 8 p.m.
	7 a.m.	8 p.m.	Cities of 1st class.
	9 a.m.	5:30 p.m.	Cities of 4th class and villages. These hours may be extended but not beyond 6 a.m. and 8 p.m. Same true of towns.
Wyoming (Stats., § 22-118.92)	9 a.m.	7 p.m.	

Table B.—*References to Congressional Record, 88th Congress, 2d session*

[Page numbers from Congressional Record]

JUNE 17, 1964

H.R. 11648, introduced by Mr. Gubser, volume 110; part 11, page 14108.

JUNE 19, 1964

Remarks in Senate

Mr. Mundt: "Undesirability of Advance Broadcast of Election Results," volume 110, part 11, pages 14410-14411.

S. 2927, introduced by Mr. Mundt, page 13911.

AUGUST 12, 1964

Remarks in Senate

Mr. Salinger: "Election Forecast of Election Results" (S. Con. Res. 94 urging networks to withhold all projections until all polling places closed), volume 110, part 14, page 19084.

Mr. Mundt: "Computers, Predictions, and Voters," volume 110, part 14, pages 19088-19090.

Mr. Prouty: "Prohibition of Release of Certain Information Prior to a Prescribed Time," volume 110, part 14, page 19081.

S. 3115, introduced by Mr. Prouty, volume 110, part 14, page 19080.

Senate Concurrent Resolution 94, introduced by Mr. Salinger and others, volume 110, part 14, page 19080.

AUGUST 14, 1964

Remarks in Senate

Mr. Javits: "Uniform Closing Time for Polling Places in Certain Federal Elections," volume 110, part 15, page 19515.

S. 3118, introduced by Mr. Javits, volume 110, part 15, page 19515.

SEPTEMBER 10, 1964

Remarks in Senate

Mr. Javits: "Time of Publication of Results of Impending National Election," volume 110, part 17, page 21919.

SEPTEMBER 16, 1964

Remarks in Senate

Mr. Salinger: "Election Returns," volume 110, part 17, page 22222.

BILLS AND RESOLUTIONS INTRODUCED

Eighty-eighth Congress

S. 2927, Mr. Mundt, June 19, 1964 (Commerce): Amends Communication Act of 1934 to prohibit the radio or television broadcast of the result, opinion, or prediction of any Federal election until the latest closing time for any polling place in all States.

S. 3115, Mr. Prouty, August 12, 1964 (Judiciary): Amends title 18, United States Code, to make it a Federal crime to release or publish information concerning election of the President, Vice President, or Members of Congress prior to a prescribed time (closing of all polling places).

S. 3118, Mr. Javits, August 14, 1964 (Rules and Administration): Sets a uniform election closing time for all polling places in Federal elections.

Senate Concurrent Resolution 94, Mr. Salinger and others, August 12, 1964 (Commerce): Expresses the sense of Congress on calling for a moratorium on election predictions by computers during the 1964 election.

H.R. 11648, Mr. Gubser, June 17, 1964 (Interstate and Foreign Commerce): Amends Communications Act of 1934 to prohibit the broadcasting of predictions of election results before all polling places in the continental United States are closed during Federal elections.

Eighty-ninth Congress

H.R. 408, Mr. Baldwin, January 4, 1965 (Interstate and Foreign Commerce): Amends Communications Act of 1934 to prohibit the broadcasting of predictions of elections until all polling places at which votes may be cast in such elections are closed.

AUTHORIZATION FOR SECRETARY OF COMMERCE TO APPORTION SUM AUTHORIZED FOR FISCAL YEAR ENDING JUNE 30, 1967, FOR THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 174, Senate Joint Resolution 81. This measure has been cleared on both sides.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The Legislative Clerk. A resolution (S.J. Res. 81) to authorize the Secretary of Commerce to apportion the sum authorized for the fiscal year ending June 30, 1967, for the National System of Interstate and Defense Highways.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (S.J. Res. 81) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is authorized to make the apportionment for the fiscal year ending June 30, 1967, of the sum authorized to be appropriated for such year for expenditures on the National System of Interstate and Defense Highways, using the apportionment factors contained in table 5 of House Document Numbered 42, Eighty-ninth Congress, but the Congress reserves the right to disapprove the cost estimate for completion of such National System submitted by the Secretary on January 11, 1965, and contained in such document.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 187), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

On January 11, 1965, the Secretary of Commerce transmitted to the Congress a report on the estimated cost of completion of the National System of Interstate and Defense Highways, recommended factors for apportioning funds authorized for the system for the fiscal years ending June 30, 1967, 1968, and 1969, and individual analyses of the estimated costs of completion for each of the individual States. The report was transmitted pursuant to the requirements of section 104(b)5, title 23, United States Code, as amended by the Federal-Aid Highway Amendments Act of 1963.

The relevant section of the act, as amended, requires that:

"The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System, after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1965. Upon the approval of such estimate by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1967; June 30, 1968; and June 30, 1969."

Because the committee has, for the present, withheld approval of the 1965 cost estimates of completion of the Interstate System, it reports a joint resolution rather than the concurrent resolution required by the act.

GENERAL STATEMENT

The 1965 estimate of the total cost of preliminary engineering rights-of-way, and construction, for the 40,886 miles on which the report is based, is $44,744 million. The cost for a comparable mileage in the 1961 estimate was reported at $39,136 million—a difference of $5.6 billion. This increase results from changes in unit prices between 1959 and 1963, the latter figure being the base on which the 1965 estimate was computed; changes in construction quantities reflecting more developed design plans, additional lanes, interchanges, and other factors to accommodate the increase in traffic forecast for system segments; the increase in rights-of-way values, particularly in the growing urban areas; the change in design year from 1975 to 20 years subsequent to the date of approval of a project; and the increase in cost resulting from additions and adjustments to the Interstate System which were made during the period between the 1961 estimate and the 1965 estimate.

The $5.6 billion increase over the 1961 estimate is composed as follows: $41 million increase due to system additions and significant system adjustments during the period between estimates; $342 million increase due to the change in the applicable design year; $693 million increase in right-of-way costs; $161 million increase in preliminary engineering; and $3,472 million increase in construction costs other than those reported in the first two categories. The increase in construction costs includes $289 million due to additional interchanges and separation structures over those included in the 1961 estimate; $397 million due to added traffic lanes required to accommodate traffic on sections being designed for the year 1975; $78 million due to increased bridge widths; $367 million due to added design requirements for highway pavements structure; and $1,135 million attributable to the change in unit prices between the respective base years of 1959 and 1963. The cost increase resulting from changes in roadway excavation and embankment quantities, roadway drainage structures, utility adjustments, roadside improvements, signs, and other items not directly identified under the five categories cited above totals $1,207 million. The 1961 estimate was based on 158,449 lane-miles of highway; the 1965 estimate provides for 163,429 lane-miles.

There is an additional increase of $200 million in the 1965 estimate over that of the 1961 estimate—bringing the total increase to $5.8 billion—due to the increase in State highway planning and research, and Bureau of Public Roads administration and research, both of which are a direct percentage of the total Federal share of the estimate.

The estimated total cost for the Interstate System as developed from the estimate submitted in January 1961 was $41 billion, of which $37 billion was the estimated Federal share. The 1965 total estimate is $46.8 billion, of which $42 billion is the estimated Federal share.

Of the $5.8 billion increase, the Federal share is thus $5 billion. It is authoritatively estimated that users taxes, at the present rate of taxation, will, during the lifetime of the highway trust fund, supply $1.9 billion in revenue in excess of previous estimates. Thus, with reference to the 1965 estimates, there will be an anticipated deficit, at the present rate of financing and construction, of approximately $3 billion.

However, it was noted in the hearings that the 1965 estimate does not purport to give the final cost of completion of the System. Representatives of the American Association of State Highway Officials noted that the estimate was based on 1963 unit prices, and that if the past general curve of the cost index is maintained, unit costs will increase in the magnitude of $2.5 billion.

Furthermore, the 1965 estimate does not include the cost of the President's proposed highway beautification program, which has been announced but not yet submitted to the Congress. Authoritative estimates of the cost of this program have not yet been presented to the Congress, although the committee has calculated that full implementation of one feature of the program, the use of 3 percent of apportioned funds for landscaping, would increase the cost of completing the system by approximately $600 million. This, of course, does not include the cost of the proposed control of outdoor advertising or the elimination of junkyards.

The committee thus infers that the final cost of completing the Interstate and Defense Highway System will be in excess of the 1965 estimate by approximately $3 billion. The committee has, therefore, withheld judgment on approval of the 1965 cost estimate for the present, and reports a joint resolution approving the apportionment factors for the fiscal year ending June 30, 1967.

The apportionment factors are the percentages of the total annual authorization which each State is to receive, based on the individual analyses of the costs of completion supplied by each State to the Secretary of Commerce and to the Congress. For the purposes of

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VINDICATION OF THE SENIOR SENATOR FROM CALIFORNIA

Mr. JAVITS. Mr. President, I call attention to a significant editorial published in the New York Times of May 10, 1965, entitled, "Mr. Kuchel's Vindication."

This editorial pays tribute to the minority whip for not taking the abuse, calumny, and outright slander of the rightwing extremists—from which he has suffered so terribly—and for setting such a fine example of faith in the good sense and judgment of his country and the American people by allowing the most scurrilous charge any man could face—far worse than criminal charges—to be aired in order to see that justice is done. And justice is in the process of being done in this particular case.

The fine example set by the senior Senator from California is a model to all legislators in any legislature, to anyone in public life, and to the people of the Nation.

I honor and salute the Senator from California for showing once again great courage and fidelity to the highest principles.

Mr. President, I ask unanimous consent that the editorial published in the New York Times of May 10, 1965, entitled, "Mr. Kuchel's Vindication" be printed at this point in the Record.

Mr. KUCHEL. I thank the Senator very much.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Mr. Kuchel's Vindication

The courage displayed by Senator Thomas H. Kuchel of California in insisting on the fullest public investigation into the nightmarish charges made against him by rightwing extremists has now brought a confession by his chief accuser that the charges were totally false. A former policeman whose affidavit had been the basis for a nationwide campaign of defamation against the liberal Republican pleaded guilty in Los Angeles to using the Senator's name "willfully and wrongfully" in a manner calculated to hold him up to contempt.

The Kuchel ordeal is not yet over, for three other defendants in the conspiracy case that grew out of his exposure of the smear campaign await trial next month. But his wisdom in demanding an airing of the accusations of drunkenness and homosexuality that were being circulated in conspiratorial fashion by self-styled patriots has been vindicated.

It is too much to expect that the zealots who demonstrate their fealty to American principles by using police-state tactics of character assassination will abandon their clandestine assaults on the good name of all with whom they disagree. But Mr. Kuchel's sound example should encourage more of their targets to put their trust in the good sense as well as in the spirit of justice of the American community.

THE ARAB SITUATION

Mr. JAVITS. Mr. President, I call attention to the recognition by the German Federal Republic of Israel on diplomatic terms and the pending exchange of diplomatic representatives. I ask unanimous consent that various news items be printed at this point in the Record. These articles are: First, an editorial from the New York Times of May 14, 1965, entitled "The Arabs Split Again"; second, an article published in the New York Herald Tribune of May 14, 1965, entitled "After 17 Years, a German Envoy Will Live in Israel"; third, an article entitled "Erhard and Eshkol Letters," published in the New York Times of May 14, 1965; and fourth, an article entitled "Bonn and Israel Establish Relations; Arabs Cutting Ties," published in the New York Times of Friday, May 14, 1965.

There being no objection, the editorial and articles were ordered to be printed in the Record, as follows:

[From the New York (N.Y.) Times, May 14, 1965]

The Arabs Split Again

West Germany formally announced the establishment of diplomatic relations with Israel yesterday, whereupon the United Arab Republic, Syria, Iraq, Saudi Arabia, Jordan, Algeria, and Yemen broke relations with Bonn. Lebanon will do so today and Kuwait, which was going to establish relations with Bonn, has changed its mind.

This leaves Tunisia, Libya, and Morocco as dissidents that presumably will continue to recognize West Germany. The split in the Arab bloc, which is a serious one, echoes the division last March when 10 of the 13 nations announced that they would break relations if Chancellor Erhard went ahead with his intentions of recognizing Israel.

The pettiness of those who are breaking with Bonn is equal to the folly of the gesture. If Israel can reconcile herself to civilized, diplomatic relations with Germany only 20 years after the Nazis completed the slaughter of 6 million Jews, how much easier it should be for the Arabs to at least accept a development of this sort. It is true that most of the Arab countries still consider themselves at war with Israel. But this is a fiction since, fortunately, there is no war.

The Germans, however, are in no position to argue that the Arabs haven't the right to tell them whom they should recognize. The Hallstein doctrine, which West Germany tries to enforce holds that only Bonn represents Germany and that if anybody should recognize East Germany, West Germany will break relations with the offenders. This policy is proving unworkable and may be changed after the German elections.

In the case of Israel, it was Tel Aviv that held back. The recognition should now have contributed to peace and commerce in the Middle East, but the Arabs do not want it that way.

[From the New York (N.Y.) Herald Tribune, May 14, 1965]

After 17 Years, a German Envoy Will Live in Israel

Bonn.—In an act filled with historic import and political portent, Israel and West Germany yesterday announced the establishment of formal diplomatic relations.

The move, coming 20 years after the collapse of the Nazi regime which killed 6 million Jews, means that for the first time in 17 years Germany will have an official representative on Jewish soil where many survivors of Hitler's holocaust make their homes.

The Arab world, which still considers itself at war with Israel since it failed to crush the Jewish state in fighting in 1948, reacted angrily.

Egypt, Iraq, Syria, Lebanon, Yemen, Jordan, and Saudi Arabia broke relations with Bonn, and Algeria and Sudan have indicated they will do so. Oil-rich Kuwait called off its efforts to establish relations with West Germany. And Egypt and Yemen were reported considering recognition of Communist East Germany.

THREE REMAIN

Of the 13 Arab States, only Tunisia—whose President Habit Bourguiba has proposed peaceful coexistence with Israel—Morocco and Libya have indicated they will continue relations with West Germany.

Actually, official relations between Israel and West Germany were established Wednesday when Chancellor Erhard and Prime Minister Levi Eshkol exchanged letters expressing hopes for a happy relationship between the two countries, West Germany spokesman Karl Guenther von Hase told a news conference.

The joint communique issued yesterday said only: "The Government of the Federal Republic of Germany, on authorization from the Federal President, and the Israel Government have agreed on the establishment of diplomatic relations between their two countries."

The official announcement, accompanied by a personal letter from Dr. Erhard, also was conveyed via West German Ambassadors to the Arab nations. The letters explained Bonn's viewpoint and said: "The German hand remains outstretched in the Arab realm."

In his letter to Mr. Eshkol, Dr. Erhard noted that the attitude of the German Government in the past "has proved that we are aware of the special German position toward the Jewish people all over the world."

West Germany has paid Israel nearly all of $862 million it agreed to pay in restitution and reparation, has furnished arms to Israel, has extended the statute of limitations on Nazi war criminals, and says it has been trying to persuade German scientists working for Egypt to return home. Dr. Erhard referred to two of those points in his letter.

He said remaining deliveries due on the arms shipment—about $15 million worth out of an original $80 million—had been transformed into economic goods. Future economic aid to Israel will be the subject of further negotiations within the next 2 or 3 months, he said.

ARMS PACT

It was Dr. Erhard's cancellation of the arms agreement last February that paved the way for the establishment of relations between the two countries. West Germany had hoped that cancellation of the agreement would lead Egyptian President Nasser to call off an invitation to Communist East Germany's Chief of State, Walter Ulbricht. When Mr. Nasser gave Mr. Ulbricht a full-blown welcome, Dr. Erhard moved to create the ties with Israel.

Dr. Erhard also told Mr. Eshkol that many of the West German scientists outside NATO countries already have returned, that his Government "has reason to assume" many others will do so soon, and that his Government is moving speedily to prevent the illegal enticing of German military sphere in foreign countries.

[From the New York (N.Y.) Times, May 14, 1965]

Erhard and Eshkol Letters

(Note.—Bonn, Germany, May 13.—Following is the official translation of letters, published today, between Chancellor Ludwig Erhard and Premier Levi Eshkol concerning the establishment of diplomatic relations between West Germany and Israel:)

BY DR. ERHARD

The attitude of the Federal Republic of Germany in the past proves that it is aware of the peculiar position of Germans in relation to Jews all over the world, including those in Israel. It fills me with gratification that our two countries have been able to reach agreement on the exchange of full diplomatic relations.

I also express my satisfaction over the fact that it has been possible to reach agreement on the conversion of the deliveries of weapons still outstanding from earlier agreements.

The Federal Government is prepared to enter into discussions with the Israel Government in 2 or 3 months' time on future economic aid.

In recent months, many of the German scientists, technicians, and experts who were working on military projects in countries outside NATO have returned to Germany. The Federal Government has reason to assume that some of the experts who remained abroad, particularly those engaged in rocket construction, also intend to return to Germany in the near future. The German authorities take legal action against any person or persons who, without permission, seek to entice German nationals to take up scientific, technical, or expert activities in the military field abroad.

I hope that the decision of our two Governments to establish full diplomatic relations will pave the way for a happier future relationship between our two nations.

BY MR. ESHKOL

I thank you for your letter of May 12 recapitulating the negotiations conducted over recent weeks. You have already been informed of the decision of the Israel Government to accept your offer of March 8, 1965, conveyed to us by your special envoy, Dr. Kurt Birrenbach, to establish full diplomatic relations between our two countries. The decision of our two Governments has been taken against a somber historcial background and a stormy political one. I share your hope that our common decision will prove to be an important step toward a better future.

I share your opinion about the importance of having found a soltuion to the outstanding matters mentioned in your letter.

With regard to the question of scientists, I note the passage in your letter concerning this subject and express the hope that the attitude and intentions set out in your letter which are in accordance with former statements made by you will speedily dispose of this affair.

You are certainly aware from our previous correspondence of the importance which I always attached to the question of the cancellation of the statute of limitation. This problem will understandably remain a matter of deep concern to us.

I am conscious of the fact, dear Mr. Chancellor, that it is due to your personal initiative and determination that a satisfactory solution has been found at this significant juncture in the relations between our two countries.

[From the New York (N.Y.) Times, May 14, 1965]

Bonn and Israelis Establish Relations; Arabs Cutting Ties

Bonn, May 13.—West Germany and Israel, partners for years in a close but informal relationship, announced today the beginning of full diplomatic relations.

The announcement, made after months of negotiating, was contained in a joint one-sentence communiqué dated May 12. This was 4 days after the 20th anniversary of the German surrender in World War II, during which the Nazis killed about 6 million European Jews.

In a separate statement, the West German Government said that Israel had already received economic compensation for Bonn's arms aid commitment canceled under Arab pressure last February.

[Arab States began to sever relations with West Germany. The first to act were Iraq, the United Arab Republic, Jordan, Syria, Saudi Arabia, Yemen, and Algeria. Others are expected to follow suit. Kuwait abrogated a tentative agreement on the establishment of relations, the Associated Press said. Tunisia, Libya, and Morocco have indicated that they will not take reprisal action.]

The Government in Bonn published the texts of letters Chancellor Ludwig Erhard and Premier Levi Eshkol exchanged yesterday. The two heads of government confirmed their decision to exchange ambassadors—"A decision taken against a somber historical background and a stormy political one," Mr. Eshkol wrote in his reply to the Chancellor.

The exchange will take place "in a few weeks," the chief Government spokesman, Karl Günther von Hase, said at a news conference.

Both Mr. Eshkol and Dr. Erhard expressed gratification at finding a formula acceptable to both sides for dealing with arms deliveries still outstanding from Bonn's $80 million military assistance program. However, neither the text of the letters nor a separate West German Government statement disclosed the precise nature of the compensation for more than $15 million worth of promised weapons and military equipment.

The Government suspended the arms aid in the vain hope that this would induce the Egyptians not to go through with an official reception in Cairo for Walter Ulbricht, head of the Communist regime in East Germany.

After the Ulbricht visit, Bonn canceled its economic aid program in the United Arab Republic and, shortly afterward, announced that it was seeking official relations with Israel. For 14 years West Germany had shied away from official ties, fearing that the Arabs might retaliate by recognizing East Germany.

ECONOMIC AID FORESEEN

In his letter to Mr. Eshkol, Dr. Erhard said that West Germany would be ready to start negotiations within 2 or 3 months on economic aid to Israel. The economic aid is to be a sequel to West German restitution payments to Israel, which end next March 31. By then Bonn will have paid $870 million to Israel.

The Chancellor also wrote that a large number of German rocket specialists working "abroad" had returned home and that he had reason to believe that the rest would do so soon. Israel has frequently protested the employment of West German rocket specialists by the United Arab Republic.

Mr. von Hase, deploring the reprisals by Arab States, expressed hope that consular relations would not be affected and that, after some time, the Arabs would revise their decision. He noted that Arab countries had put up with recognition of Israel by 87 countries.

"The German hand remains outstretched toward the Arab world," he added.

The Cologne police announced that the Cologne synagogue and the headquarters of the Israel purchasing mission, turned into an embassy today, were put under police protection. The police said the measure was taken in anticipation of demonstrations by Arab students against the establishment of diplomatic relations.

[From the New York Times, May 14, 1965]

ASSESSMENT IN ISRAEL

(By W. Granger Blair)

JERUSALEM (ISRAEL SECTOR), May 13.—The notes accompanying the announcement today of the establishment of Israel-West German relations aroused interest here for what each said and did not say.

The Israel note recalled the historical background of German-Israel relations and the "stormy present" situation.

Premier Eshkol also pointed out, unlike his West German counterpart, that the initiative for establishing relations had come from Bonn. This point was made for moral and internal political reasons since Israel had always insisted that the Germans make the initial gesture.

The Israeli note, unlike the German one, did not go into the arms question. The Israel Government has insisted that it would accept no compensation in lieu of aid that remained undelivered.

Israel sources would not amplify Chancellor Erhard's remarks other than to say that "politically we have emerged strengthened, and as for our security, we have certainly not been hurt or discriminated against."

Other quarters indicated that third-party arrangements would assure that Israel would be no worse off militarily than if the arms agreement had not been suspended and further West German arms deliveries to "areas of tension" had not been cut off. The United States is understood to figure prominently in the new arrangements.

GENEROUS AID EXPECTED

On the question of economic aid, Israel sources noted that this aid "could be expected to be generous" in view of the special relationship between the two peoples. Expanded aid was a main subject of the protracted negotiations.

The importance attached here to the question of German scientists in the United Arab Republic was reflected in Mr. Eshkol's observation that Israel expected that the "attitude and intentions" shown by Dr. Erhard would "speedily dispose of this affair."

Premier Eshkol but not Chancellor Erhard mentioned the question of the West German statute of limitations on Nazi crimes. Sources here said Mr. Eshkol's observations were intended to show that Israel was not satisfied with the recent German decision to extend the statute by four and a half years.

In several weeks Israel is expected to name her Ambassador to Bonn. The candidates most frequently mentioned are Ehud Avriel, an Assistant Director General of the Foreign Ministry; Asher Ben Nathan, former Director General of the Defense Ministry, and Chaim Yahil, former Director General of the Foreign Ministry.

[From the New York (N.Y.) Times, May 14, 1965]

CAIRO ACTS AGAINST BONN

CAIRO, May 13.—The United Arab Republic broke diplomatic relations with West Germany today as a reprisal for its recognition of Israel but did not recognize East Germany, as President Gamal Abdel Nasser once threatened to do.

Informed sources said Egyptian authorities planned to establish a consulate general in East Berlin in the next few days, but the official statement announcing the break made no mention of this.

Five other of the 13 Arab States that have broken relations are Iraq, Jordan, Kuwait, Syria, and Saudi Arabia. The Sudan ordered members of her Embassy staff in Bonn to liquidate their affairs. Lebanon announced she would inform the West German Ambassador of a formal break in relations tomorrow.

West German diplomats were relieved that the Egyptian statement would allow Bonn to retain its consular, economic, and cultural relations with Cairo and to keep a considerable portion of its Embassy staff here. They considered the Egyptian reaction milder than had been expected.

The United Arab Republic will be represented in Bonn by Afghanistan.

ALGIERS SEVERS RELATIONS

ALGIERS, May 13.—The Government-run radio announced tonight that Algeria had broken off diplomatic relations with West Germany.

Mr. JAVITS. Mr. President, several factors are apparent in this situation. First, there is the remarkable genuineness of Chancellor Erhard in announcing that Germany and its people, notwithstanding the fact that this is 25 years after the Nazi holocaust reached its greatest intensity, still feel that a public debt is owed to the Jewish people, who were decimated by one-third of their number in the Nazi terror.

Germany knows that it is not a matter of merely wiping the slate clean and forgetting about it. They know that it is a matter of remembering what happened and letting the remembrance be useful to the people of the world in the world campaign against genocide—in which campaign, I am greatly disheartened that we do not join by way of action in the genocide treaty.

The action of Germany in this instance is an important indication of what should be the American policy with respect to the Arab States which continue to make war on Israel. War is waged when a nation tries to drive the people of another nation into the sea and endanger their vital water sources illegally, just as much as war is waged when armed forces are sent.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may be permitted to continue for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, the German Federal Republic under Chancellor Erhard has given us an example to indicate how we should proceed.

Germany proclaims, "We shall do what is right with Israel. We are going to exchange diplomatic representatives and hold out the hand of friendship. The Germany hand remains outstretched. The Arabs will not cooperate. However, we will not be intimidated, but will do what is right."

The Arabs say, "The price of our friendship is that you must do what is wrong." And they say the same thing for the United States.

Of the Arab bloc, only Tunisia, Morocco, and Libya have indicated at this time that they will continue relations with West Germany.

It is to the eternal credit of the German Federal Republic that they will not yield or knuckle under because of this pressure. I wish I could say the same thing about our conduct in respect to aid to Nasser and the giving of counsel, as is now being done, with respect to a boycott of companies which continue to do business with Israel, as pointed out in an article in the New York Herald Tribune of May 14, 1965, entitled "After 17 Years, A German Envoy Will Live in Israel."

I hope very much that the action of the German Federal Republic will represent two things to the world.

One is the new German spirit typified by Chancellor Erhard, a spirit of understanding, self determination, and atonement. The other is an example of courage in diplomatic relations which can be studied by our Nation with great profit.

One final observation, Mr. President, the new relationship between the German Federal Republic and Israel was negotiated by Dr. Kurt Birrenbach, managing director of the Thiessen Foundation and one of the enlightened leaders of the business community of the new Germany, a member of the Bundestag and my longtime associate in the work of the NATO Conference Economic Committee. I pay herewith a most well deserved tribute to this German business-leader statesman.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL SPONSOR OF CORRECTIONAL PROFESSIONS LEGISLATION

Mr. CLARK. Mr. President, I ask unanimous consent that when S. 1807, the correctional professions bill is next printed, the name of the junior Senator from Maryland [Mr. TYDINGS] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

PLANNING FOR PEACE—ADDRESS BY SENATOR TYDINGS

Mr. CLARK. Mr. President, I ask unanimous consent that an excellent address delivered by the junior Senator from Maryland [Mr. TYDINGS] in support of my planning-for-peace resolution (S. Con. Res. 32) may be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS PREPARED FOR DELIVERY BY SENATOR TYDINGS BEFORE THE FOREIGN RELATIONS COMMITTEE HEARING OF TUESDAY, MAY 11

Mr. Chairman, I am here today to express my strong support for Senator JOSEPH

Clark's planning-for-peace resolution, Senate Concurrent Resolution 32.

International cooperation for peace, President Johnson said recently, is the "assignment of the century." The President was addressing nearly 300 prominent Americans from government, industry, citizens groups, the arts, sciences, and professions. He concluded his remarks by signing a proclamation designating 1965 as International Cooperation Year in the United States. This proclamation rededicates the U.S. Government to the principle of international cooperation, directs the executive branch to examine what additional steps can be taken, and calls upon national citizens' organizations to undertake education programs and to consider further steps toward international cooperation.

President Johnson in signing the U.S. proclamation on October 2, 1964, emphasized that international cooperation is a clear necessity to our survival. Calling it a "fact of life" he noted that "our challenge is not to debate the theory or the concept, but our challenge is to improve and to perfect and to strengthen the organizations that already exist."

Secretary of State Rusk, in countersigning the proclamation, summed up the reasons for its issuance. "Peace and freedom," he said, "are not free. Both will require diligent work. Both will require our highest intelligence. Both will require the most dedicated commitments. And that is what this year of international cooperation is all about."

Is there anyone in this room that would disagree with these eloquent statements by our President and our Secretary of State? I do not think so. Yet to many people today these words have a hollow ring when measured against the current headlines: India and Pakistan appear to be on a collision course, without recourse to the United Nations; Indonesia has withdrawn from the world organization and threatens Malaysia; an uneasy truce prevails in Cyprus, on the Israeli borders and in the Congo; Red China beats the propaganda drums and shows no signs of becoming a mature member of the world community; the U.S. Government has seized the initiative in the war going on in Vietnam and within recent days has unilaterally dispatched marines to the Dominican Republic.

We must do everything we can to reverse this dangerous and ominous trend. We must return to our avowed purpose of waging peace and promoting international cooperation.

I agree that we must keep our defenses strong in a world threatened by Messianic communism. I agree that we cannot allow weak nations to fall prey to Communist expansion, either by direct military aggression, as in Korea, or by subverting and exploiting indigenous social and political revolutions around the globe. I agree that there are times when we should use our power to prevent totalitarian regimes, of the right or left, from gaining power by undemocratic means, and thus threaten to end true self-determinism.

In this day and age, we cannot go it alone, nor can we hope to achieve a lasting peace by the use of force. In Vietnam and in the Dominican Republic, it is argued, we had to assume leadership because there was no other nation or group of nations willing or able to act.

This may be true, but that grim fact testifies to the reality that we have not acted boldly enough or imaginatively enough in concert with our allies and with the other nations of the world to develop the international machinery needed to maintain peace in the world today and to protect the freedoms of all peoples and their right to self-determination.

The United States can no longer rely for its security on its arsenal of nuclear weapons or on its ability to act independently. We cannot by ourselves police all of the nations of the world and protect them from communism or other forms of totalitarianism. It is probably safe to assume that the pace of Communist activity is increasing, that there will be more and more efforts on the part of Communists—from Peiping or from Russia or even home grown—to create disorder and to exploit social and political discontents in Asia, in South America, and in Africa. If this indeed is what we are facing then we will need more, not less, cooperation with our allies. If this indeed is what we are facing then more than ever we need to work with other nations of the world to promote the objectives so clearly stated in the Charter of the United Nations. Article 55 declares the need to work toward:

(a) Higher standards of living, full employment, and conditions of economic and social progress and development.

(b) Universal respect for, and observance of, human rights and fundamental freedoms for all.

The idea of international order may sound utopian, but the prospects for success may not be as dim as the present disordered state of the world would lead one to suppose. When armed conflict seems certain to lead to mutual nuclear obliteration, the nations of the world may very well accept an impractical idea as the price of survival in the nuclear age.

Last week I had occasion to speak on the floor of the Senate about the need for a permanent United Nations peacekeeping force.

The Charter of the United Nations calls upon its members "to maintain international peace and security, and to that end, to take effective collective measures for the prevention and removal of threats to the peace." The United Nations Charter also provides for regional groups or agencies which shall "make every effort to achieve pacific settlement of local disputes through regional arrangements."

There can be little doubt that such peacekeeping machinery is sorely needed both at the world level and on this hemisphere. Our present position on the Dominican Republic would be far more tenable, both legally and politically, if we had been able to send our troops as part of an Organization of American States peacekeeping force. I feel we would have been wiser to have consulted the OAS before moving in the marines.

Last year, when the United Nations forces went to the island of Cyprus, the United Nations was for the 13th time answering the need for peacekeeping forces. However it took two weeks for the first troops to arrive, after the Security Council had decided to establish the Cyprus force. Another week passed before the United Nations force was inaugurated.

Afterward, the U.S. Ambassador to the United Nations, Adlai Stevenson, observed: "Cyprus has vividly exposed the frailties of the existing machinery."

His prescription: a standby United Nations peace force composed of national military units.

Such a peace force is certainly practical. To date, Denmark, Sweden, Norway, Finland, New Zealand, Iran, Canada, and the Netherlands have offered to select military units which they might make available, upon request, to the United Nations. In late February of this year, Great Britain joined in supporting this concept, by offering to commit itself to provide logistical support to six infantry battalions of a United Nations peace force. Until called in to service by the United Nations, these units would be financed and controlled by their own governments.

In view of this evidence of considerable world support it seems clear that the possibilities for a peacekeeping force deserve the closest, most intensive consideration by the President and Congress. I am aware that some thinking and discussion on this matter is now going on in the State Department. That is indeed welcome. But we must do more than talk. We should be taking the lead among the nations of the world in findings ways to keep the peace. We should be as well prepared to wage peace as we are prepared to wage war.

Finding answers to peace will not be easy. The obstacles to agreement are great. But so is the desire to survive. Therefore, let us persevere. Let us seek solutions that are not so bold as to be utopian yet are bold enough to be practical, bold enough to meet the requirements of our nuclear age, bold enough to deal with aggression that relies on subversion and infiltration rather than overt and direct armed attack. As Senator Clark's resolution suggests, let us consider seriously, and in detail: (1) an international disarmament organization; (2) a permanent world peace force; (3) world tribunals for the peaceful settlement of all international disputes not settled by negotiations; (4) other international institutions necessary for the enforcement of world peace under the rule of law; (5) appropriate and reliable financial arrangements for the support of such peacekeeping machinery.

Congressional support of Senator Clark's resolution would make it clear to the President and to the rest of the world that we in the Congress are firmly and sincerely committed to the principle and objectives of American foreign policy so oft and so eloquently expressed.

There is in Senate Joint Resolution 32 a sense of urgency. It calls for the formulation as speedily as possible of specific and detailed proposals. And this sense of urgency I believe is deserving of our support.

Let us remember, that the present world situation is unique in history. Up to now mankind has always enjoyed the privilege of being able to learn from experience. We have always had a second chance because no past mistake has ever spelled extinction. This time history offers us no second chance. If we wait to experience full-fledged nuclear conflict before we learn to abolish war, there will be few, if any, survivors to be the wiser. This time, if mankind is to survive, it will have to take effective measures to prevent nuclear conflict prior to experiencing it.

In closing, I would like to quote the eloquent words of President Johnson when he spoke last month at Johns Hopkins University on the Vietnam crisis:

"We often say how impressive power is. But I do not find it impressive at all. The guns and bombs, the rockets and warships are all symbols of human failure. They are necessary symbols. They protect what we cherish. But they are witness to human folly."

It is time, Mr. Chairman, to get on to the business of finding solutions to our folly. Senate Concurrent Resolution 32 is a step in the direction of sanity and rationality.

STANDARDS OF ETHICAL CONDUCT FOR GOVERNMENT OFFICERS AND EMPLOYEES

Mr. CLARK. Mr. President, the question of conflict of interest has been very much in the public eye recently. The President has recently issued an Executive order in this respect, which I ask unanimous consent to have printed at this point in the Record.

There being no objection, the Executive order was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE.

EXECUTIVE ORDER PRESCRIBING STANDARDS OF ETHICAL CONDUCT FOR GOVERNMENT OFFICERS AND EMPLOYEES

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

PART I—POLICY

Section 101: Where government is based on the consent of the governed, every citizen is entitled to have complete confidence in the integrity of his government. Each individual officer, employee, or adviser of government must help to earn and must honor that trust by his own integrity and conduct in all official actions.

PART II—STANDARDS OF CONDUCT

Section 201: (a) Except in accordance with regulations issued pursuant to subsection (b) of this section, no employee shall solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from any person, corporation, or group which—

(1) has, or is seeking to obtain, contractual or other business or financial relationships with his agency;

(2) conducts operations or activities which are regulated by his agency; or

(3) has interests which may be substantially affected by the performance or nonperformance of his official duty.

(b) Agency heads are authorized to issue regulations, coordinated and approved by the Civil Service Commission, implementing the provisions of subsection (a) of this section and to provide for such exceptions therein as may be necessary and appropriate in view of the nature of their agency's work and the duties and responsibilities of their employees. For example, it may be appropriate to provide exceptions (1) governing obvious family or personal relationships where the circumstances make it clear that it is those relationships rather than the business of the persons concerned which are the motivating factors—the clearest illustration being the parents, children or spouses of federal employees; (2) permitting acceptance of food and refreshments available in the ordinary course of a luncheon or dinner or other meeting or on inspection tours where an employee may properly be in attendance; or (3) permitting acceptance of loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans. This section shall be effective upon issuance of such regulations.

(c) It is the intent of this section that employees avoid any action, whether or not specifically prohibited by subsection (a), which might result in, or create the appearance of—

(1) using public office for private gain;

(2) giving preferential treatment to any organization or person;

(3) impeding Government efficiency or economy;

(4) losing complete independence or impartiality of action;

(5) making a Government decision outside official channels; or

(6) affecting adversely the confidence of the public in the integrity of the Government.

Section 202: An employee shall not engage in any outside employment, including teaching, lecturing, or writing, which might result in a conflict, or an apparent conflict, between the private interests of the employee and his official Government duties and responsibilities, although such teaching, lecturing, and writing by employees are generally to be encouraged so long as the laws, the provisions of this order, and Civil Service Commission and agency regulations covering conflict of interest and outside employment are observed.

Section 203: Employees may not (a) have direct or indirect financial interests that conflict substantially, or appear to conflict substantially, with their responsibilities and duties as Federal employees, or (b) engage in, directly or indirectly, financial transactions as a result of, or primarily relying upon, information obtained through their employment. Aside from these restrictions, employees are free to engage in lawful financial transactions to the same extent as private citizens. Agencies may, however, further restrict such transactions in the light of the special circumstances of their individual missions.

Section 204: An employee shall not use Federal property of any kind for other than officially approved activities. He must protect and conserve all Federal property, including equipment and supplies, entrusted or issued to him.

Section 205: An employee shall not directly or indirectly make use of, or permit others to make use of, for the purpose of furthering a private interest, official information not made available to the general public.

Section 206: An employee is expected to meet all just financial obligations, especially those—such as Federal, State, or local taxes—which are imposed by law.

PART III—STANDARDS OF ETHICAL CONDUCT FOR SPECIAL GOVERNMENT EMPLOYEES

Section 301: This part applies to all "special Government employees" as defined in section 202 of title 18 of the United States Code, who are employed in the executive branch.

Section 302: A consultant, adviser, or other special Government employee must refrain from any use of his public office which is motivated by, or gives the appearance of being motivated by, the desire for private gain for himself or other persons, including particularly those with whom he has family, business, or financial ties.

Section 303: A consultant, adviser, or other special Government employee shall not use any inside information obtained as a result of his Government service for private personal gain, either by direct action on his part or by counsel, recommendations or suggestions to others, including particularly those with whom he has family, business, or financial ties.

Section 304: An adviser, consultant, or other special Government employee shall not use his position in any way to coerce, or give the appearance of coercing, another person to provide any financial benefit to him or persons with whom he has family, business, or financial ties.

Section 305: An adviser, consultant, or other special Government employee shall not receive or solicit from persons having business with his agency anything of value as a gift, gratuity, loan or favor for himself or persons with whom he has family, business, or financial ties while employed by the Government or in connection with his work with the Government.

Section 306: Each agency shall, at the time of employment of a consultant, adviser, or other special Government employee require him to supply it with a statement of all other employment. The statement shall list the names of all the corporations, companies, firms, State or local government organizations, research organizations and educational or other institutions in which he is serving as employee, officer, member, owner, director, trustee, adviser, or consultant. In addition, it shall list such other financial information as the appointing department or agency shall decide is relevant in the light of the duties the appointee is to perform. The appointee may, but need not, be required to reveal precise amounts of investments. The statement shall be kept current throughout the period during which the employee is on the Government rolls.

PART IV—REPORTING OF FINANCIAL INTERESTS

Section 401. (a) Not later than 90 days after the date of his order, the head of each agency, each Presidential appointee in the Executive Office of the President who is not subordinate to the head of an agency in that Office, and each full-time member of a committee, board, or commission appointed by the President, shall submit to the Chairman of the Civil Service Commission a statement containing the following:

1. A list of the names of all corporations, companies, firms, or other business enterprises, partnerships, nonprofit organizations, and educational or other institutions—

(a) with which he is connected as an employee, officer, owner, director, trustee, partner, adviser, or consultant; or

(b) in which he has any continuing financial interests, through a pension or retirement plan, shared income, or otherwise, as a result of any current or prior employment or business or professional association; or

(c) in which he has any financial interest through the ownership of stocks, bonds, or other securities.

2. A list of the names of his creditors, other than those to whom he may be indebted by reason of a mortgage on property which he occupies as a personal residence or to whom he may be indebted for current and ordinary household and living expenses.

3. A list of his interests in real property or rights in lands, other than property which he occupies as a personal residence.

(b) Each person who enters upon duty after the date of this order in an office or position as to which a statement is required by this section shall submit such statement not later than 30 days after the date of his entrance on duty.

(c) Each statement required by this section shall be kept up to date by submission of amended statements of any changes in, or additions to, the information required to be included in the original statement, on a quarterly basis.

Section 402. The Civil Service Commission shall prescribe regulations, not inconsistent with this part, to require the submission of statements of financial interests by such employees, subordinate to the heads of agencies, as the Commission may designate. The Commission shall prescribe the form and content of such statements and the time or times and places for such submission.

Section 403. (a) The interest of a spouse, minor child, or other member of his immediate household shall be considered to be an interest of a person required to submit a statement by or pursuant to this part.

(b) In the event any information required to be included in a statement required by or pursuant to this part is not known to the person required to submit such statement but is known to other persons, the person concerned shall request such other persons to submit the required information on his behalf.

(c) This part shall not be construed to require the submission of any information relating to any person's connection with, or interest in, any professional society or any charitable, religious, social, fraternal, educational, recreational, public service, civic, or political organization of any similar organization not conducted as a business enterprise and which is not engaged in the ownership or conduct of a business enterprise.

Section 404: The Chairman of the Civil Service Commission shall report to the President any information contained in statements required by section 401 of this part which may indicate a conflict between the financial interests of the official concerned and the performance of his services for the Government. The Commission shall report, or by regulation require reporting, to the head of the agency concerned any information contained in statements submitted pursuant to regulations issued under section 402 of this part which may indicate a conflict between the financial interests of the officer or employee concerned and the performance of his services for the Government.

Section 405: The statements and amended statements required by or pursuant to this part shall be held in confidence, and no information as to the contents thereof shall be disclosed except as the Chairman of the Civil Service Commission or the head of the agency concerned may determine for good cause shown.

Section 406: The statements and amended statements required by or pursuant to this part shall be in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, regulation, or order. The submission of a statement or amended statements required by or pursuant to this part shall not be deemed to permit any person to participate in any matter in which his participation is prohibited by law, regulation, or order.

PART V—DELEGATING AUTHORITY OF THE PRESIDENT UNDER SECTIONS 205 AND 208 OF TITLE 18 OF THE UNITED STATES CODE RELATING TO CONFLICTS OF INTEREST

Section 501: As used in this part, "department" means an executive department, "agency" means an independent agency or establishment or a Government corporation, and "head of an agency" means, in the case of an agency headed by more than one person, the chairman or comparable member of such agency.

Section 502. There is delegated, in accordance with and to the extent prescribed in sections 503 and 504 of this part, the authority of the President under sections 205 and 208(b) of title 18, United States Code, to permit certain actions by an officer or employee of the Government, including a special Government employee, for appointment to whose position the President is responsible.

Section 503: Insofar as the authority of the President referred to in section 502, extends to any appointee of the President subordinate to or subject to the chairmanship of the head of a department or agency, it is delegated to such department or agency head.

Section 504: Insofar as the authority of the President referred to in section 502 extends to an appointee of the President who is within or attached to a department or agency for purposes of administration, it is delegated to the head of such department or agency.

Section 505: Notwithstanding any provision of the preceding sections of this part to the contrary, this part does not include a delegation of the authority of the President referred to in section 502 insofar as it extends to:

(a) The head of any department or agency in the executive branch;

(b) Presidential appointees in the Executive Office of the President who are not subordinate to the head of an agency in that Office; and

(c) Presidential appointees to committees, boards, commissions, or similar groups established by the President.

PART VI—PROVIDING FOR THE PERFORMANCE BY THE CIVIL SERVICE COMMISSION OF CERTAIN AUTHORITY VESTED IN THE PRESIDENT BY SECTION 1753 OF THE REVISED STATUTES

Section 601: The Civil Service Commission is designated and empowered to perform, without the approval, ratification, or other action of the President, so much of the authority vested in the President by section 1753 of the Revised Statutes of the United States (5 U.S.C. 631) as relates to establishing regulations for the conduct of persons in the civil service.

Section 602: Regulations issued under the authority of Section 601 shall be consistent with the standards of ethical conduct provided elsewhere in this order.

PART VII—GENERAL PROVISIONS

Section 701: The Civil Service Commission is authorized and directed, in addition to responsibilities assigned elsewhere in this order:

(a) To issue appropriate regulations and instructions implementing parts II, III, and IV of this order;

(b) To review agency regulations from time to time for conformance with this order; and

(c) To recommend to the President from time to time such revisions in this order as may appear necessary to insure the maintenance of high ethical standards within the executive branch.

Section 702: Each agency head is hereby directed to supplement the standards provided by law, by this order, and by regulations of the Civil Service Commission with regulations of special applicability to the particular functions and activities of his agency. Each agency head is also directed to assure (1) the widest possible distribution of regulations issued pursuant to this section, and (2) the availability of counseling for those employees who request advice or interpretation.

Section 703: The following are hereby revoked:

(a) Executive Order No. 10939 of May 5, 1961.

(b) Executive Order No. 11125 of October 29, 1963.

(c) Section 2(a) of Executive Order No. 10530 of May 10, 1954.

(d) White House memorandum of July 20, 1961, on "Standards of Conduct for Civilian Employees."

(e) The President's memorandum on May 2, 1963, "Preventing Conflicts of Interest on the Part of Special Government Employees." The effective date of this revocation shall be the date of issuance by the Civil Service Commission of regulations under section 701(a) of this order.

Section 704: All actions heretofore taken by the President or by his delegates in respect of the matters affected by this order and in force at the time of the issuance of his order, including any regulations prescribed or approved by the President or by his delegates in respect of such matters, shall, except as they may be inconsistent with the provisions of this order or terminate by operation of law, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this order.

Section 705: As used in this order, and except as otherwise specifically provided herein, the term "agency" means any executive department, or any independent agency, or any Government corporation; and the term "employee" means any officer or employee of an agency.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 8, 1965.*

Mr. CLARK. Mr. President, a very excellent editorial was published in the Philadelphia Inquirer on May 11, 1965. The editorial is entitled, "To Avert Conflicts of Interests." The editorial commends the President for issuing his Executive order.

I ask unanimous consent that this editorial may be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Philadelphia (Pa.) Inquirer, May 11, 1965]

TO AVERT CONFLICTS OF INTERESTS

President Johnson's Executive order requiring a number of Federal officials to file personal financial statements is a commendable move to combate the ever-present dangers of conflicting interests.

Taxpayers have a right to expect and demand of all Government personnel, especially those who participate in the formulation of policy or the making of decisions, that they be free of any private connections which might impair their ability to act fairly and impartially in transacting public business.

It would be unrealistic to believe that the President's order will end all conflicts of interests but it is a helpful step. The regulations he prescribes concern only persons in the executive branch of the Federal Government. It has no effect on Members or employees of Congress, nor does it apply to anyone in the judiciary.

The Johnson directive establishes a procedure whereby Cabinet officers and other high-ranking officials will submit their financial statements to the Chairman of the Civil Service Commission. Any questions about possible conflicts of interests that cannot be resolved by the Commission will be reported directly to the President.

Although the Presidential order strengthens existing rules of ethics for all executive branch employees, a big problem remains; namely, how to decide in specific cases precisely what does and does not constitute a conflict of interest. Enforcing the rules often boils down to a matter of exercising sound judgment.

The best rule to follow, it seems to us, is to play it safe by diligently eliminating every potential source of conflict in which any elements of question or doubt may arise.

PROPOSED RULE CHANGE TO REQUIRE DISCLOSURE OF FINANCIAL INTERESTS

Mr. CLARK. Mr. President, for many years I have been of the view that Senators should make a complete disclosure of their finances. I have submitted proposed rules which would effect changes in the rules.

I ask unanimous consent that the proposed rule XLVII, dealing with the disclosures of financial interest may be printed at this point in the RECORD.

There being no objection, the proposed rule was ordered to be printed in the RECORD, as follows:

RULE XLVII. DISCLOSURE OF FINANCIAL INTERESTS

1. Each individual who at any time during any calendar year serves as a Member of the Senate, or as an officer or employee of the Senate, compensated at a gross rate in excess of $10,000 per annum, shall file with the Secretary of the Senate for that calendar year a written report containing the following information:

(a) The fair market value of each asset having a fair market value of $5,000 or more held by him or by his spouse or by him and his spouse jointly, exclusive of any dwelling occupied as a residence by him or by members of his immediate family, at the end of that calendar year;

(b) The amount of each liability in excess of $5,000 owed by him or by his spouse, or by him and his spouse jointly at the end of that calendar year;

(c) The total amount of all capital gains realized, and the source and amount of each capital gain realized in any amount exceeding $5,000, during that calendar year by him or by his spouse, by him and his spouse jointly, or by any person acting on behalf or pursuant to the direction of him or his spouse, or him and his spouse jointly, as a result of any transaction or series of related transactions in securities or commodities, or any purchase or sale of real property or any interest therein other than a dwelling occupied as a residence by him or by members of his immediate family;

(d) The source and amount of each item of income, each item of reimbursement for any expenditure, and each gift or aggregate of gifts from one source (other than gifts received from any relative or his spouse) received by or accruing to him, his spouse, or from him and his spouse jointly from any source other than the United States during that calendar year, which exceeds $100 in amount or value; including any fee or other honorarium received by him for or in connection with the preparation or delivery of any speech or address, attendance at any convention or other assembly of individuals, or the preparation of any article or other composition for publication, and the monetary value of subsistence, entertainment, travel, or other facilities received by him in kind;

(e) The name and address of any professional firm which engages in practice before any department, agency or instrumentality of the United States in which he has a financial interest; and the name, address, and a brief description of the principal business of any client of such firm for whom any services involving representation before any department, agency or instrumentality of the United States which were performed during that calendar year, together with a brief description of the services performed, and the total fees received or receivable by the firm as compensation for such services;

(f) The name, address, and nature of the principal business or activity of each business or financial entity or enterprise with which he was associated at any time during that calendar year as an officer, director, or partner, or in any other managerial capacity.

2. Each asset consisting of an interest in a business or financial entity or enterprise which is subject to disclosure under paragraph 1 shall be identified in each report made pursuant to that paragraph by a statement of the name of such entity or enterprise, the location of its principal office, and the nature of the business or activity in which it is principally engaged or with which it is principally concerned, except that an asset which is a security traded on any securities exchange subject to supervision by the Securities and Exchange Commission of the United States may be identified by a full and complete description of the security and the name of the issuer thereof. Each liability which is subject to disclosure under paragraph 1 shall be identified in such report made pursuant to that paragraph by a statement of the name and the address of the creditor to whom the obligation of such liability is owed.

3. Except as otherwise hereinafter provided, each individual who is required by paragraph 1 to file a report for any calendar year shall file such report with the Secretary of the Senate not later than January 31 of the next following calendar year. No such report shall be required to be made for any calendar year beginning before January 1, 1964. The requirements of this rule shall apply only with respect to individuals who are Members of the Senate or officers or employees of the Senate on or after the date of adoption of this rule. Any individual who ceases to serve as a Member of the Senate or as an officer or employee of the Senate, before the close of any calendar year shall file such report on the last day of such service, or on such date not more than 3 months thereafter as the Secretary of the Senate may prescribe, and the report so made shall be made for that portion of that calendar year during which such individual so served. Whenever there is on file with the Secretary of the Senate a report made by any individual in compliance with paragraph 1 for any calendar year, the Secretary may accept from that individual for any succeeding calendar year, in lieu of the report required by paragraph 1, a certificate containing an accurate recitation of the changes in such report which are required for compliance with the provisions of paragraph 1 for that succeeding calendar year, or a statement to the effect that no change in such report is required for compliance with the provisions of paragraph 1 for that succeeding calendar year.

4. Reports and certificates filed under this rule shall be made upon forms which shall be prepared and provided by the Secretary of the Senate and shall be made in such manner and detail as he shall prescribe. The Secretary may provide for the grouping within such reports and certificate of items which are required by paragraph 1 to be disclosed whenever he determines that separate itemization thereof is not feasible or is not required for accurate disclosure with respect to such items. Reports and certificates filed under this rule shall be retained by the Secretary as public records for not less than 6 years after the close of the calendar year for which they are made, and while so retained shall be available for inspection by members of the public under such reasonable regulations as the Secretary shall prescribe.

5. As used in this rule—

(a) The term "asset" includes any beneficial interest held or possessed directly or indirectly in any business or financial entity or enterprise, or in any security or evidence of indebtednes, but does not include any interest in any organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501(a) of such Code;

(b) The term "liability" includes any liability of any trust in which a beneficial interest is held or possessed directly or indirectly;

(c) The term "income" means gross income as defined by section 61 of the Internal Revenue Code of 1954.

(d) The term "security" means any security as defined by section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b).

(e) The term "commodity" means any commodity as defined by section 2 of the Commodity Exchange Act, as amended (7 U.S.C. 2).

(f) The term "dealing in securities or commodities" means any acquisition, transfer, disposition, or other transaction involving any security or commodity.

(g) The term "officer or employee of the Senate" means (1) an elected officer of the Senate who is not a Member of the Senate, (2) an employee of the Senate or any committee or subcommittee of the Senate, (3) the Legislative Counsel of the Senate and employees of his office, (4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties, (5) a member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate, (6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate, (7) an employee of a Member of the Senate if such employee's compensation is disbursed by the Secretary of the Senate, and (8) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate.

Mr. CLARK. Mr. President, in accordance with the rule, I offer a complete disclosure of my own financial interests:

Disclosure of Financial Interests of Senator Joseph S. Clark, Democrat, of Pennsylvania

(a) The fair market value of each asset owned by me or my spouse, jointly or severally, as at December 31, 1964, was:

138 shares Jewel Tea Co	$7,831.50
82 shares National Dairy Products	7,093.00
296 shares General Motors	28,971.00
600 shares Smith Kline & French	43,200.00
534 shares American Telephone & Telegraph	36,445.50
170 shares General Electric	15,852.51
200 shares Sterling Drug	6,050.00
300 shares Standard Oil of California	22,012.50
184 shares International Paper	6,026.00
300 shares Texas Gulf Sulphur	15,337.50
200 shares Philadelphia Electric	7,125.00
800 shares Avery Island Inc., capital stock	32,000.00
100 shares American Bakeries, convertible preferred	10,600.00
400 shares Armstrong Cork	24,800.00
433 shares Vulcan Material Co	7,361.00
73 shares International Business Machines	29,857.00
110 shares Rohm & Haas	17,490.00
490 shares 1st Pennsylvania Banking & Trust Co	14,700.00
200 shares Pepsi Cola Co	12,000.00
150 shares Insurance Co., North America	13,800.00
43 shares Allied Chemical & Dye	2,219.87
15,000 Dayton Rubber 5½-percent bonds of 1980	15,150.00
5,000 James Talcott convertible preferred 5-percent, Dec. 1, 1979, capital notes	5,500.00
20,000 Allegheny County, Pa., 3⅝ percent due July 1, 1969	20,600.00
15,000 Cumberland County, Pa., 3¼ percent, Nov. 1, 1986, K	15,300.00
10,000 Lebanon, Pa., 3.30 percent, due June 1, 1973	10,200.00
15,000 New Kinsington, Pa., 3.05 percent, Apr. 1, 1965, S.C	13,650.00
10,000 Pennsylvania State Highway & Bridge, 3½ percent, due Feb. 15, 1977	10,500.00
25,000 Pennsylvania Turnpike, 3.10, due June 1, 1993	24,500.00
25,000 Pennsylvania State Public Schools, 3¼ percent, due Nov. 1, 1986	24,750.00
10,000 Philadelphia, Pa., 3¼ percent, due July 1, 1987	10,100.00
25,000 Philadelphia, Pa., 3½ percent, due Jan. 1, 1982	25,500.00
5,000 Philadelphia, Pa., 3 percent, due Jan. 1, 1966	5,000.00
5,000 City of Bethlehem, Pa., 2.70 percent improvement series of 1957, due Apr. 1, 1972	5,000.00
Penn Mutual Life Insurance Co., paid-up policy	15,000.00
Provident Mutual Life Insurance Co., 2 paid-up policies	55,951.69
Bayhil & Co., investment in limted partnership, 1 Chase Manhattan Plaza, New York City	31,861.16
Share of mineral rights under royalty lease with Humble Oil & Refining Co., at Avery Island, La	[1]302,256.88
Savings account	18,683.31
Cash in checking accounts	60,089.49

[1] Because of depletion of the field, market value is computed at 3½ times annual income.

(b) Neither my wife nor I owes liabilities, jointly or severally, in excess of $5,000.

(c) Neither my wife nor I, jointly or severally, realized total net capital gains exceeding $5,000 in 1964, nor did any person acting on our behalf.

(d) The source and amount of items of income received or accrued to me or my wife, jointly or severally, from sources other than the United States, which exceed $100 in amount or value were:

American Telephone & Telegraph	$1,426.10
Armstrong Cork	500.00
Avery Island, Inc	3,200.00
First Pennsylvania Banking & Trust Co	588.00
Insurance Co. of North America	200.00
International Business Machines	358.13
Johns Manville	300.00
J. Ray McDermott & Co	400.00
Newmont Mining Co	600.00
Oxford Paper Co	369.00
Pepsi-Cola Co	210.00
Rohm & Haas	162.00
Vulcan Materials	360.00
Jewel Tea Co	220.80
National Dairy Products	196.80
General Motors	1,317.20
Smith Kline & French	930.00
General Electric	374.00
Sterling Drug	412.50
Standard Oil of California	990.00
International Paper	222.03
Texas Gulf Surphur	120.00
Philadelphia Electric	264.00
Bayhil & Co	739.10
Thelma Spencer Trust, residual income	111.60
Humble Oil & Refining Co., oil and gas royalties, lease and rent	[1] 86,359.11
Allegheny County, bonds	643.75
City of Lebanon, bonds	330.00
City of Philadelphia, 3 percent bonds	821.25
City of Philadelphia, 3¼ percent bonds	325.00
City of Philadelphia, 3¼ percent bonds	875.00
Commission of Pennsylvania Turnpike, 3.10 percent bonds	775.00
Cumberland County Institute, 3¼ percent bonds	487.50
Pennsylvania State Public School, 3¼ percent bonds	812.50
State Highway & Bridge Authority, 3½ percent bonds	350.00
City of Bethlehem, Pa., 2.70 percent bonds	135.00

[1] Income from this source will gradually decline as the field was brought in in 1945 and is being depleted.

I was reimbursed for various expenditures incurred in connection with trips made by me during the year to various meetings at institutions and elsewhere where I had been invited to speak. My spouse received no such reimbursement.

The only reimbursement I received which exceeded $100 was plane fare to California, where I spoke at the American Assembly at Palm Springs under the auspices of Occidental College on "Congress and the Modern World," in the amount of $341.36. I also received food and lodging for the 3 days I was there.

Net fees or other honoraria received by me during the year were as follows:

Harvard University Divinity School, Cambridge, Mass., honorarium for speech	$250.00
Yale University, New Haven, Conn., Chubb Fellowship	500.00
Gallaudet College, Washington, D.C., lecture	200.00
Occidental College, Los Angeles, Calif., Regional American Assembly, honorarium	650.00
Temple University, Philadelphia, Pa., lectures	500.00
Saturday Review, 380 Madison Ave., New York, article, "The Case for Democratic Liberalism"	500.00
Robert D. Kline, 120 East 87th St., New York, TV show, "Firing Line"	$500.00
Harper's magazine, 49 East 33d St., New York, article, "A New Kind of National Election"	350.00
New Republic, 1244 19th St., NW., Washington, D.C., article, "With All Deliberate Delay"	200.00
Harper & Row, 49 East 33d St., New York, net royalties on book, "Congress: The Sapless Branch"	311.87
Hill & Wang, Inc., 141 5th Ave., New York, net royalties on book, "The Establishment"	43.17

(e) I am not connected with any professional firm engaged in practicing before any instrumentality of the United States.

(f) I am neither an officer, director, nor partner of any business or financial entity other than: Avery Island, Inc., a family corporation, whose principal place of business is at Avery Island, La., which is engaged in collecting rents and royalties, paying the expenses of upkeep of its property and distributing the balance in dividends to its shareholders, of whom I am one; and Bayhil & Co. (see a above).

(g) Neither my wife nor I received gifts valued at more than $100 from any individual or corporation.

MERCHANT MARINE WEEK

Mrs. SMITH. Mr. President, Merchant Marine Week will be next week—the week of May 16—and the spotlight will be on Maine in Washington with the Maine Maritime Academy cast in the starring role.

A summary of the events and significance of this week would not do justice to the program planned. Rather than attempt a summary, I ask unanimous consent that press releases of the Maine Maritime Academy for May 13, 14, and 16, 1965, be placed in the Record at this point and I invite attention to them.

There being no objection, the press releases were ordered to be printed in the Record, as follows:

Maine Maritime Academy,
Castine, Maine, May 13, 1965.

Washington.—A rowing race of a type never before witnessed in Washington will take place Saturday, May 22, off Hains Point, when cadets from five Merchant Marine academies match lifeboat oars in a 1-mile test for a collection of handsome trophies and medals.

The race will involve nine-man crews from U.S. Merchant Marine Academy, Maine Maritime Academy, New York State Maritime College, Massachusetts Maritime Academy, and Texas Maritime Academy.

The event marks observance of Merchant Marine Week, National Maritime Day, and the 15th anniversary of the U.S. Maritime Administration, host to the boat crews.

Top-ranking governmental officials will make awards to the athletes, and the Maine Maritime Academy Band will provide music during the afternoon.

Activities get underway at 12:30 p.m. with a yacht parade sponsored by the U.S. Power Squadrons and yacht clubs of the Washington area.

There are excellent facilities for spectators at Hains Point, with an unobstructed view of the race course from any vantage point.

Oarsmen will use 26-foot, wooden Monomoy lifeboats, weighing 1,900 pounds. Crews consist of eight oarsmen and a coxswain, the former employing 12-foot blades.

It is a unique sport, whose origins are lost in antiquity.

Maine Maritime Academy,
Castine, Maine, May 14, 1965.

Washington.—Businessmen of the Pine Tree State will seek to give Maine's industrial, agricultural and tourist industries a shot in the arm when the Maine Maritime Academy training vessel *State of Maine* arrives in the Nation's Capital Monday for observance of Merchant Marine Week, World Trade Week, National Maritime Day, and the 15th anniversary of the U.S. Maritime Administration.

Their effort is called the Maine Products Show Afloat, an industrial-agricultural exhibit containing over 40 displays of goods made down east. Overall sponsor is the Maine World Trade Council, a private organization, with assistance from the Maine Department of Economic Development, Maine Department of Agriculture, Maine Maritime Academy, and representative business concerns.

The public is invited to visit the *State of Maine* and Maine products show at the Naval Gun Factory from 1:15 to 4:30 each afternoon, Tuesday through Saturday.

A series of evening buffets, featuring Maine food specialties, will be served for invited businessmen and Government officials, with the Maine congressional delegation in attendance.

The Maine products show, though new to Washington, has been a feature on the training vessel for several years. It began when Maine Maritime Academy trustees sensed that the annual winter cruise to foreign ports could become valuable to the State's promotional program. Trips to South America, the Caribbean, the Mediterranean, and Europe have produced significant results in the export field.

A west coast voyage in 1963 was equally rewarding, according to World Trade Council officials.

An enthusiastic endorsement of the Washington venture was voiced by Maine Gov. John H. Reed: "Maine is proud that the U.S. Maritime Administration has invited our Maritime Academy training ship to Washington," he said, "to highlight the State's progress and its economic goals."

Maine Maritime Academy,
Castine, Maine, May 16, 1965.

Washington.—A famous command ship of World War II will return to national prominence this week when the Maine Maritime Academy training vessel *State of Maine*, largest ship ever to sail the Potomac, arrives in Washington, Monday, for observance of Merchant Marine Week, National Maritime Day, and the 15th anniversary of the U.S. Maritime Administration.

The *State of Maine*, 493 feet long and 14,000 tons displacement, is the former SS *Ancon*, built in 1939 for the U.S.-owned Panama Line. She is the "Mighty A" of a score of bloody naval engagements in both the Atlantic and Pacific theaters of World War II .

The *Maine*, commanded by Capt. Albion F. Coffin, will be crewed by 300 Maine Maritime Academy cadets and a smaller number from U.S. Merchant Marine Academy, New York State Maritime College, Massachusetts Maritime Academy, and Texas Maritime Academy.

The training vessel will be open to public inspection at the U.S. Naval Gun Factory, Washington, each afternoon from 1:15 to 4:30 Tuesday through Saturday. Cadet guides will escort visitors about the ship, explaining the training program for Merchant Marine officer candidates.

An added attraction aboard ship is the Maine products show afloat, an industrial-agricultural exhibit designed to acquaint the public with business opportunities and tourist attractions of the Pine Tree State. Sponsors of the products show are the Maine World Trade Council, Maine Department of

Economic Development, Maine Department of Agriculture, and some 40 State agencies and industrial firms.

Governmental and business officials will be invited aboard the *State of Maine* for a series of buffet suppers, with members of the Maine Congressional delegation in attendance.

For cadets, aged 18 to 22, there will be a busy week of official appearances in Washington, educational tours and social events, culminating in an on-board dance Saturday evening.

The Maine Academy Band and U.S. Merchant Marine Academy Glee Club have scheduled appearances in the Senate Rotunda, Commerce Department Auditorium, at Maritime Administration headquarters, and at a gala rowing race Saturday afternoon at Hains Point.

Alumni associations of the five academies are cooperating as sponsors of tours and social activities. Chairman of this group is Nathaniel Choate, Springfield, Va., a Maine alumnus.

It will be a delicate operation navigating the big ship up the Potomac River to her berth at the Naval Gun Factory on Monday morning. Captain Coffin will welcome the assistance of veteran Washington pilots. The *State of Maine* is scheduled to reach her berth between 10 and 11 a.m.

The *State of Maine,* nee *Ancon,* was born a socialite, in 1939, designed for a glamorous life of cruise service between New York City and the Panama Canal Zone. But she had a civilian career of only 4 years.

In 1942, U.S. Navy crews moved aboard and began turning her into a man-of-war.

Gun mounts appeared on her shuffleboard courts; her swimming pool was drained and filled with storage batteries; and radar and communications equipment replaced the smart furniture in her public rooms. Her wartime mission: command.

A roster of the "Mighty A's" ship's company reads like a Who's Who of World War II; virtually every top military figure served on board on various missions.

The *Ancon's* baptism of fire took place November 8, 1942 at Fedala, French Morocco, where she served as the flagship of Transport Division 9, Amphibious Force, U.S. Atlantic Fleet. She had a narrow escape as six transports alongside were torpedoed and sunk. But she was able to escape to the open sea and safety.

The *Ancon* then became a communications ship and spent weeks under attack in the campaign off Italy and Sicily. She led a charmed life. Ships by the dozen were lost, but the *Ancon* suffered only minor damage and relatively few casualties.

Then came Normandy, with the *Ancon*—now a command ship—in the center of the action. Again she survived.

With victory won in Europe, the "Mighty A" was overhauled for Pacific duty and the 1945 campaigns of Saipan and Okinawa. Here, in 3 weeks of general quarters, heavy bombardment and kamikaze attacks, it appeared certain that her lucky streak was over.

But the "A" lived on, kept vital communications lines open, and performed countless rescue missions as fellow ships went down.

Tokyo was the fitting climax to her brave career. On her decks were assembled newsmen and broadcasters from all over the world to record the surrender of Japan. Then the *Ancon* set her course for peace and home.

Returning to civilian service in 1946, the *Ancon* sailed a regular schedule until 1961 when she was turned over to the Maritime Administration. Formal transfer to Maine Maritime Academy took place in June of 1962, when she was renamed *State of Maine* by Mrs. John H. Reed, first lady of Maine.

The *Maine* now makes an annual winter cruise to South America, the Caribbean or Europe, giving cadets an opportunity to put into practice the theories of the classroom. The youths perform every job aboard ship, from bridge to engineroom, getting a highly specialized, knuckle-busting, practical kind of training that will stand them in good stead when they receive their coveted Merchant Marine licenses as third officers.

It's long hours of hard work, watch standing in all kinds of weather—and study assignments in between—on the *State of Maine*. As they learn, under guidance of 30 officer instructors, cadets take on more and more responsibility, until, as seniors, they operate the twin-turbine engineering plant, developing 9,000 horsepower, and take over navigation and piloting duties on the bridge.

Though there is time for a daily sunbath and an evening movie on the *Maine,* most recreation comes when the ship reaches port. Last winter her cadets enjoyed shore leave in seven Mediterranean and European cities.

Tours of military and historic points are arranged, dancing parties are scheduled, the basketball squad issues challenges to local teams, and all hands set about making new friends in exotic lands.

After the annual cruise is over, the *State of Maine* becomes a "floating laboratory" at home port of Castine, Maine, away down east in Penobscot Bay, 40 miles from Bangor.

Some 200 cadets stay aboard as others tote their sea bags "up the hill" to campus dormitories.

But all hands continue their work projects on the ship, for proper maintenance is never finished. Machinery must be overhauled, decks refurbished, living quarters spruced up, and chipping hammers play a daily symphony.

The 4-year academy program earns youths not only third-officer licenses in the merchant marine, but bachelor of science degrees, and, where qualified, U.S. Naval Reserve commissions as ensigns.

The opportunity for the *State of Maine* to play a feature role in Merchant Marine Week was the result of an invitation from Nicholas Johnson, Maritime Administrator.

The expanded observance of Merchant Marine Week, Maritime Day, and the Maritime Administration anniversary is intended to focus public attention on the importance of the American merchant marine to the peacetime trade and commerce of the Nation, and as an auxiliary to the Armed Forces in time of emergency.

Maritime Day, May 22, marks the sailing in 1819 of the SS *Savannah* from Savannah, Ga., to Liverpool, England. She was the first steamship to cross any ocean.

NOMINATION OF CHARLES S. MURPHY TO BE CHAIRMAN OF THE CIVIL AERONAUTICS BOARD

Mr. HARTKE. Mr. President, the nomination of Under Secretary of Agriculture Charles S. Murphy to assume the chairmanship of the Civil Aeronautics Board has been transmitted by President Lyndon Johnson to the Senate. This is, indeed, in keeping with President Johnson's announced intention to keep and utilize highly qualified men in Government.

Under Secretary Murphy has served in exemplary manner with the Department of Agriculture during 4 long and arduous years, coping daily with multiple and diverse problems relative to this vital segment of our economy. It has been my privilege to work with Under Secretary Murphy on numerous occasions. As a public servant, he is fair, impartial, and objective.

As I pointed out on March 25, American agriculture is a complex, ever-changing, and highly controversial economic segment. It is buffeted by inner conflict, surfeited by a babble of voices, and criticized from without. In spite of its monumental problems, however, this segment has contributed, and continues to contribute, greatly to the economy and to the national welfare. Under Secretary Murphy is entitled to no small part of the credit for the fact that successful commodity programs have resulted in higher farm income and less costs to the Government.

Under Secretary Murphy also served for 11 years as Assistant Legislative Counsel to the Senate and as Special Assistant to President Harry S. Truman. Mr. Murphy not only knows the labyrinths of government, but he also has performed with high distinction in all his responsibilities. I commend him for his superlative performance of duty with the Department of Agriculture. I know that, in his new assignment, he will continue to contribute greatly to the national interests.

HIGHER EDUCATION'S DILEMMA

Mr. BAYH. Mr. President, Dr. Robert D. Seltzer, professor of political science at Indiana State University, Terre Haute, Ind., has written a very important article on the present dilemma of higher education. It deals with one of the most significant problems which will confront our colleges and universities during the next decade—that is, how to maintain high academic standards and a sufficient number of trained faculty, in the face of continually increasing enrollments. Dr. Seltzer concludes that graduate training of qualified instructors must be greatly expanded if the demands for properly prepared college teachers are to be met; and he raises some serious doubts about the lack of progress made toward achieving that essential goal.

Dr. Seltzer brings to this analysis a wealth of educational background and experience. He earned his B.A. and M.A. degrees at the University of Pennsylvania, and received his Ph. D. degree from Indiana University. He has taught at the University of Pennsylvania and Michigan State University, and for over 16 years has been on the faculty of Indiana State University.

Because of the contribution his article makes to alerting the Nation to this vital problem, I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HIGHER EDUCATION'S DILEMMA

(By Robert D. Seltzer, A.B., M.S., Ph. D., professor of political and social science, Indiana State University, Terre Haute)

Higher education has succeeded in the American public's eye. The colleges will have to resolve the dilemma of maintaining high academic standards while training sufficient faculty to educate the doubled college enrollment if the colleges are to retain such public confidence. Present faculty are under pressure to continue high-level instruction for undergraduates who are increasing annually at a rate of more than one third of a million, and at the same time to produce graduate students capable of maintaining academic standards upon assuming faculty positions.

Public attention has been focused recently on the need for expanded building programs with the passage of the Higher Educational Facilities Act of 1963. Estimates from research indicate that the Nation may need to spend between $18 and $23 billion for libraries, laboratories, and classrooms to educate more than 7 million students each year by the seventies. Unfortunately, these are only total estimates of materiel, not specific subject matter fields of the number of faculty needed to educate such a large increase in the number of students.

In a democracy it is much more difficult to prepare and supply additional faculty members than it is to estimate the future college building needs and new hardware, libraries, and laboratories. The general public recognizes the increased number of college dormitories and buildings, but is not conscious of the need for faculties that must accompany the college student boom.

Colleges and universities supplied the information on the number of their matriculates and graduates to the U.S. Office of Education for its annual report which also included the total number of faculty members, but the colleges did not keep very detailed reports on the job placement of their graduates nor did they stress a statistical treatment of their faculty, their academic preparation nor the number of new faculty members entering the profession. In 1959, the Research Division of the National Education Association began the assembly of such vital statistics, particularly on the academic preparation of new faculty personnel. Their supplementary data has helped to point out faculty shortages that exist in certain college subject matter fields. Only recently has there been an attempt to tally the number of academicians retiring from the classroom and also the number of faculty on sabbaticals or leaves of absence for continued professional preparation.

In spite of the increase in research by both private and public educational institutions, there are still no manning tables available showing the number of faculty needed in the new building facilities that will be constructed, nor an overall general and specific breakdown of future faculty needs. It is impossible to guide the orderly growth and development of the college faculty without some basic data which at present is incomplete and unavailable. The demise and decline of higher education, rather than its continued development, may result unless the institution itself makes an honest attempt to relieve current shortages in faculty and plan for the future college administrators and faculty. Many of the present suggestions for relief and mass educational techniques may deprive higher education of its present status and role in supplying an educated citizenry which is most necessary in a democracy.

The preparation of qualified faculty cannot be accomplished as quickly as college building programs. The academic ladder is difficult to climb and the learning based on study is a constant and continuing process while building construction is terminal. The preparation of professors has been left to each academic discipline. The completion of a doctor's degree—Ph. D. or Ed. D.—has been the criterion for faculty status with adequate performance expected in the academic arena of teaching, research, and publication. Originally, the persons most interested in a Ph. D. were those who intended to teach on a college faculty, but today over half of the doctor's degrees awarded are employed in industry, business, and government.

Colleges must compete for faculty, which makes it doubly difficult to predict the number who will be available to teach. Our real concern is whether there will be enough faculty to instruct graduate students, and undergraduate students who may become graduate students and eventually faculty members upon the completion of their advanced degrees. Weak undergraduate instruction may mean poor graduate students and later marginal faculty instructors. Faulty or weak preparation on any level of instruction affects society and becomes a vicious circle. Many occupations today require 5 and even 6 years of college study before the individual can qualify for entry into special fields of work, thus thrusting a larger number of students in course work on the graduate level, increasing the number of specialized courses to be taught, which in turn increases the need for additional faculty on both the undergraduate and graduate faculties.

In a special message to Congress and the people, the late President John F. Kennedy pointed out a possible shortage of 90,000 college instructors by the seventies. Research conducted by independent and Government agencies showed that less than 2 percent of an entering college class students would complete the doctor's degree. Advisory committee of our National Government predicted shortages of 7,500 Ph. D.'s each year in the fields of science, mathematics, and engineering.

These studies indicated that in the three areas of science, mathematics, and engineering, there is a need for 2½ times as many Ph. D.'s as are earned at the present time. There are additional studies needed in other fields but at least these preliminary studies did point out the need for more college instructors and undoubtedly had some influence over Congress in its approval of the National Defense Education Act, the National Science Foundation support, and the Higher Educational Facilities Act.

The present college enrollment of five and a third million will continue to increase and reach over 7 million undergraduates by the 1970's according to the U.S. Office of Education projections. Opinion surveys show that as high as 80 percent of the U.S. parents contemplate sending their children to college. Other studies show that 50 percent of the high school graduates have the ability to pursue college studies. Soon the number of students receiving college degrees will equal the number who graduated from high school in June 1964. The population explosion and other economic factors make continued college enrollments assured, but the same rapid expansion of college faculty is not evident.

In spite of higher tuition, fees, and living costs, the number entering college continues to soar, particularly in the public tax supported institutions where the number of matriculates is not predetermined, as in private colleges whose board can determine where to hold the line on admissions. Financially, students find a way to attend college with all kinds of borrowing, especially available after their freshman year—if their grades are strong, thus indicating the student is a good investment. In short, capital is available for good students, with less risks than business ventures. Under the higher education bill 1965, there are additional devices for private borrowing guaranteed by Government funds.

The largest single growth is in the community and/or junior college where the student gets an opportunity to attend college for 2 years, save the heavy living costs by commuting and living at home; see how he gets along in college liberal arts courses or terminal technical courses; and then decide about finishing his last 2 years away from home on a college campus. The junior college movement has aggravated the college faculty shortage.

The number and percentage of undergraduate degrees increases noticeably each year while the number of doctor's degrees increases less than 1,000 each academic year. Although there were 22,197 doctor's degrees awarded in the academic years 1960–61, over 1,000 collegiate institutions reported to the National Education Association that in 1960 alone, they employed 11,184 new instructors. But only one-quarter of them possessed a doctor's degree.

The shortage of fully educated college instructors is already here. As early as 1959–60 academic year, for example, there were 1,275 unfilled permanent faculty chairs. The number of vacancies vary considerably dependent on the subject to be taught. The colleges report that over 80,000 part-time instructors, or 20 percent of their faculty, are not in full-time instruction. This is far from an ideal of teaching condition for both students and the faculty person involved. In such a situation the instructor is not devoting full-time to his students nor full energy to his subject matter area. The disturbing factor is that there are no personnel accounting records on the amount nor the degree of academic preparation of these part-time instructors, except in the office files of each higher education institution. These are reviewed by accrediting teams when they visit the colleges to review their status.

The shortage of college classroom teachers meant that in 1962 about 15 percent of the new instructors had less than a master's degree, another 40 percent with a master's degree, and 20 percent with at least 1 year's graduate work beyond a master's degree. Only one-quarter of the new instructors had completed their doctorates.

A review of the recent doctoral placements showed 4,000 returned to their former nonacademic posts; 2,000 entered some type of educational endeavor not in the classroom; and an additional 3,500 entered noneducational occupations. Forty-eight hundred former college instructors returned to their own educational institutions, and 4,500 entered college teaching for the first time. In essence, less than one-half of coveted degree earners chose college teaching as their professional career.

My chief concern is for the college students who are being taught by instructors with minimum subject matter preparation, and with little teaching methods or experience. Students in science classes have teachers with the least background because the better prepared science instructors have been siphoned off into better paying positions. This competition for persons with advanced degrees causes grave concern among college administrators who must rigidly adhere to a salary schedule based on earned degrees and years of college teaching experience. Budget limitations make it difficult to attract and keep faculty.

The universities have an advantage in recruiting potential faculty because graduate students can continue part-time graduate study and can also teach some undergraduate courses. This means that the university can have the advantage of new virile instructors who can combine their study and latest information for the benefit of the students. At times, the university may use instructors for all of its beginning courses for freshmen discussion sections and have a professor do the lecturing. This works satisfactorily in institutions where there has been a highly selective admission procedure and the students have a high intelligence quotient. The university instructors, upon completion of their doctor's degree, have the benefit in placement because of having teaching as well as research experience. This is also a device for making it financially possible for many graduate students to complete their degree before accepting full-time faculty responsibility on a college faculty.

It is evident that our problem, in reality today, is to make it possible for those who have started college teaching with a master's degree or less, to complete their advanced degrees. Colleges have the problem of planning a sabbatical leave policy for those faculty members who have completed all their requirements but the thesis.

Unless there are some plans to make it possible for the faculty to continue graduate study they become stagnant in their professionalization. Some institutions are rotating their young promising faculty members each semester between classroom and university full-time graduate study. Others are using retired emeritus professors from other colleges to fill the breach for their faculty members who are on leave of absence or sabbatical. The retired professors are very flexible, can usually fit into any situation with ease, and appeal to the students because of their mature teaching experience. Their use is only a stopgap measure but many of them enjoy the opportunity to move annually and are really too young in intellectual capacity for academe to permit them to retire from their life work. Some want to enjoy a new type of life, while others resent an "arbitrary" ruling of public statutes and governing boards to withdraw from the institutions of higher learning because of chronological age. In short, the emeritus professor can fill a real need while the supply of faculty is so short and also make it economically possible for a college or university to persuade them to teach. Most of them have some pension which helps the colleges to release one of their faculty members to write his doctoral thesis.

Many faculty members have had to spend 3 months of each summer on a university campus to continue work on their degree. This is not a very satisfactory means of completing their graduate work. It is almost impossible to do any course work while teaching a full load and at the same time to do a professional teaching job. Today a faculty member has much more than classroom responsibility. There are committee meetings, counseling of students, curriculum revisions, talks to alumni groups, public affairs programs with TV-radio appearances, and often the sponsorship of some college group such as an honorary society. All of this is in addition to a 12–15 hour load of classes that they may include preparation for four different courses each quarter or semester especially in the small colleges. Either teaching or the graduate work suffer if the faculty member has to do it this hard way of trying to teach a full load and carry on graduate work at the same time.

In the past, students entered graduate study immediately upon the completion of their undergraduate degree, spent 3 years of full-time graduate study and wrote a thesis without earning a master's degree. But today only one-half of the men and one-third of the women graduate students are full-time students. Again this results in a dilution of their academic achievement and lengthens the calendar years to finish an advanced degree. Many of them are forced to take full-time employment and become part-time graduate students unless they have a National Defense Education Act fellowship. The part-time graduate student may never finish his degree for many reasons such as family, economic pressures, or lack of motivation. Such individuals could only be used as part-time teachers while they make the bulk of their income in some unrelated position. Persons with all but their thesis completed are a potential faculty source for community or junior college.

The college figures last compiled indicated that about 30 percent of recent graduates apply for a master's degree study and 5 percent continue toward a doctor's degree. Of related importance is the fact that about 45 percent of the men students and 70 percent of the women graduate students are married. Naturally a high percentage of these work. The result, of course, is that the time to complete their graduate work is extended, interrupted, and often never finished. The conclusion can be reached that the best supply risk will be in creating conditions which return the original ideal of three consecutive years of full-time graduate study for those who plan to go into college teaching or research.

It is hoped that current fellowship and scholarship programs will alleviate some faculty shortages and also supply faculty that are needed for new subject matter areas. Leadership in these areas are included in many additional awards by both governmental and private groups. Some of them have forced colleges to reevaluate existing college policies, in order to help increase the supply of potential college instructors.

A review of the 5,500 fellowships granted under title IV of the National Defense Act. Students have been endorsed in 144 colleges and universities under 810 programs. There were 678 of these programs approved for doctoral study. Questionnaires mailed to the selectees in these programs revealed that about one-half of the students are considering college teaching after completing their graduate work. Most of the fellows holding National Defense Education Act grants have been able to complete their Ph. D degrees in 3 calendar years. It is encouraging to note that only 12 percent have resigned their grants. Also, the programs approved were frequently in geographical locations that made it economically possible for graduate students to attend. Earlier studies showed that universities on both coasts had a very large proportion of grants for graduate study. Many universities in the Central States and South had the faculty ready to explore and present new programs but they lacked financial support to make them a reality until Federal aid to higher education materialized.

A limited number of educational institutions have been experimenting with a three-semester system within each calendar year. This means, in some instances, that classes are in session 48 weeks instead of the traditional 36 weeks, three 15-week sessions, or four 12-week terms. This device has been used to stretch existing faculty further, reduce the overload of undergraduates, who then can finish in 3 calendar years, and help reduce by 1 year the time to enter graduate school. There are several variations to the trimester plan which is an adaptation of the old four-quarter 48-week system. The danger to various types is that faculty members will not have the time to carry on independent research, writing, reading, or give real supervision to graduate students. Faculty members forced to teach three semesters or four quarters will have no opportunity to complete their graduate work. This is robbing Peter to pay Paul.

Colleges have been criticized for not employing more women on their academic staffs. One-third of the holders of bachelor's and master's degrees are women, but only 1 out of 10 women have been granted a doctorate. Approximately one-third of their advanced degrees are in professional education where college faculty placement has been high. There is a demand and a willingness to employ women faculty in physical sciences, foreign languages, and mathematics, but there are few women who have received their doctorates in these fields. Women are not being employed in increasing proportions for the ratio on faculties remains constant at a ratio of 1 woman to each 4 men. In the future, it is expected that women will be used on a part-time basis while continuing to raise their families but they will not significantly reduce shortages, whether full-time or part-time instructors.

The present source of college instructors is indicative of future trends. Almost one-half of new college teachers come direct from graduate schools, the second largest percentage came from high school positions (13 percent), and the third largest from business. A hardship is created for secondary schools when we scale the educational ladder this way. We take from the high schools the cream of their teaching crop and at the same time also run the risk of reducing the academic preparation of our future college students. These former high school instructors make excellent college teachers because of their ability to combine methodology, experience, and subject matter. In the past, the universities stressed research and publication more than excellency of instruction for freshmen and sophomores. The fact that a higher percentage of high school students enter college makes good teaching a prerequisite for their retention in the first year of college where the dropout rate has been high. College salaries can now compete for all three groups where previously a high school teacher could not economically switch to college teaching, even though there is only 2 months difference between a June high school graduate and college.

Increased enrollments in college have made it necessary to increase the number of administrative positions. Faculty members are often used in a dual capacity of classroom instructor and administrator. Each time a college instructor moves into administration there is a partial vacancy left in the classroom, which has to be filled. This condition causes additional shortages, but there is a prevailing philosophy that the best administrators are those who retain their academic status even if only part time and that it is better to bring someone into the administrative post who has had long contact within the college rather than bring someone in from another campus. Larger enrollment often means the administrator becomes a full time dean etc. and thus lost to classroom instruction. On the other hand, colleges are employing nonacademic personnel in administrative positions to prevent depletion of their faculty and course offerings. Budget officers, dormitory directors are examples of this trend. Food service, for example, is now often handled by a national catering service. The company supplying mass data processing equipment assigns one of its experts to accompany its machine, to record grades, compute student averages, etc. as an adjunct to the registrar.

Doubled enrollments demand modifications in teaching methods. Most colleges with increased student loads are expanding their audiovisual material, experimenting with the use of closed circuit television, team teaching, batteries of objective (short answer) tests to be machine scored, and interdisciplinary curricular rather than traditional liberal arts courses. Changes come slowly in the college world because each one of them has to be examined from its effect on learning and education of students. Originally, closed circuit television was supposed to reduce the need for additional faculty so that the present faculty could reach more students. Current research has not proved that this is the case. The costs of some equipment becomes practically prohibitive for many colleges. The end objective of a better student has not materialized with changes, but often the teaching has improved by individual faculty members selected for these innovations. Many questions regarding mass education have not been explored nor satisfactorily answered for the basic fear exists of reduction of academic standards, or of automated out of the classroom pattern.

Any and all devices for instructional aid can help the faculty member do a better job. All of them make demands on faculty time because so many other staff and faculty members become involved. If, for example, it is an educational television course for either off-campus students, the faculty member must make up a tentative script, write instructions to the cameramen, prepare visual materials such as flannel board, charts, graphs, etc., print study guides and exercises for the students, prepare objective tests, train the discussion leaders who meet with small groups of students, arrange details on classroom, rolls, attendance, and even have what amounts to as time for a rehearsal. The end result is more, not less, faculty and staff are needed.

The individual student cannot be lost in the mystic maze of the changes in higher education, experienced professors will need to encourage students to pursue a Ph. D. and help orient the new young faculty members, college boards will need to plan for sabbaticals and leaves of absence for their faculty, faculty committees will need to objectively evaluate new learning mechanical devices such as closed circuit television, inservice training may be instituted for college interns to encourage able students to prepare for college teaching as a career, and establish strong graduate programs with separate faculties.

The present problems of higher education are so pressing that immediate solutions may only be temporary expedients as illustrated by the high proportion of instructors employed with a master's degree or less. Unless high caliber college instructors are developed it will be difficult to maintain academic standards. A profession dedicated to helping society survive may not have to take time to apply scientific method for the solution of its dilemma.

DEBATE NEEDED ON FOREIGN POLICY

Mr. CHURCH. Mr. President, freedom of speech is the most vital ingredient of a free society. It must never be practiced on selected issues only, or confined to domestic matters, or limited to questions of secondary importance. Where the fate of a nation is concerned, where war or peace hangs in the balance, freedom of speech counts for the most.

The need for open and vigorous debate on our foreign policy was well argued in an editorial published in the May 11 issue of the Christian Science Monitor. I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, May 11, 1965]

THE DEBATE DEBATE

There is a debate over the debate.

American policy is the topic. The question is whether discussion of it is being inhibited.

Columnist Doris Fleeson has gone so far as to say that a "new McCarthyism" has appeared in "ugly accusations of appeasement being hurled with gathering intensity by self-styled hard-liners against those who urge alternative policies."

From high places there have been charges of ignorance, gullibility, or faintheartedness against some who disagree with the American policy in Vietnam.

Yet not all the professors at all the teach-ins can be accused of ignorance or worse. "Appeasement" cannot rightly be charged to all those who see a tragic irony in a President offering unconditional discussion at the same time he orders the bombing to continue. When U.S. troops in the Dominican Republic are added to the stepping up of war in Vietnam, a challenge to the role of international policeman can stem from motives as patriotic as those of citizens who go along with everything Mr. Johnson does.

To the President's credit, he has gone on record in favor of honest discussion of the issues. We agree. The fact that Communists, pro-Communists or rightwing extremists also may oppose administration policies should not be used to smear those who loyally protest. The threat to American freedom is less from letting all have their say than from suppressing the loyal citizen along with the subversive.

To those in the rest of the world who are alarmed about administration decisions, free debate reinforces the basic American aim of protecting freedom. And it shows that not all Americans favor military steps of the present kind.

Thus it is encouraging to hear that an internationally circulated lampooner of administration policy is hopeful about the conditions for debate. He is Jules Feiffer, whose satire is not tethered to any narrow political position.

On educational television the other night he said that the national debate on Vietnam suggests that the possibilities for such debate are better now in the United States than at any other time since the cold war began.

Though press and public may receive less information from the Government than they would like, they have certainly spoken their minds. Despite the mushy air of consensus, criticism on domestic programs increases. And the debate on foreign policy so far has not been diminished by the "attempts to swamp debate" seen by Miss Fleeson.

Freedom must still be secure in a country where, at the height of military occupation of the Dominican Republic, a television program pictures a sad aftermath of American intervention in another Latin American country, Guatemala. And when the pro-administration, Joseph Alsop attacks the critic, Hans Morgenthau, the latter is given space to reply. We suggest that neither is an ignorant man.

This newspaper has taken the view that threats to freedom in both Vietnam and the Dominican Republic have warranted military action with a view to the quickest possible recognition of law and the will of the people. Yet we know that even the best policies need the challenge and often the tempering that would be missing without free and open debate.

OPPOSITION TO PROPOSED CLOSING OF VETERANS' ADMINISTRATION HOSPITAL AT TUPPER LAKE, N.Y.—RESOLUTION OF TOWN BOARD OF INDIAN LAKE

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution of the Town Board of Indian Lake, N.Y., in opposition to the proposed closing of the Veterans' Administration Hospital at Tupper Lake, N.Y.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF TOWN BOARD OF INDIAN LAKE, N.Y., APRIL 5, 1965

The following resolution was offered by LeRoy Spring, who moved its adoption:

"Whereas the town board has been advised and verily believes that the Veterans' Administration Hospital at Tupper Lake, N.Y., is to be closed, and the medical care, treatment, and services heretofore rendered to our military veterans is to be terminated; and

"Whereas in the opinion of the town board this will constitute an undo and severe hardship on the veterans and their families due to the great distance between this area and any other veterans' hospital; and

"Whereas the closing of said hospital will have a very serious adverse economical impact, and also will result in a loss of medical service to a very large area surrounding the location of the hospital; and

"Whereas the hospital is in an excellent state of repair, and in the opinion of the town board cannot feasibly be put to any more worthwhile or useful purpose: Now, therefore be it

"*Resolved,* That Hon. John Burgess, supervisor of the town of Indian Lake, be and he hereby is authorized and directed to contact in writing, any and all Federal employees and agencies for the purpose of opposing closing of said hospital; and be it further

"*Resolved,* That Dora Parker, town clerk, of the town of Indian Lake, be and she hereby is authorized and directed to forward a copy of this resolution to Congressman CARLTON J. KING and Senator ROBERT F. KENNEDY."

The adoption of the foregoing resolution is seconded by Franklin Mitchell and duly put to a vote on rollcall, which resulted as follows:

Ayes: Franklin Mitchell, Ivan Virgil, LeRoy Spring, and Emery Savage.

Noes: None.

The resolution was declared adopted.

"ECONOMIC TASK FORCE" APPOINTMENTS PRAISED

Mr. HARTKE. Mr. President, in an article entitled "Untangling the U.S. Fiscal Reins," the Los Angeles Times of April 25 welcomed the President's action in building his economic task force with such eminently qualified men as John T. Connor, Henry Fowler, Charles Schultze, Joseph Barr, and others.

We, of Indiana, are particularly proud of the appointment of Joseph Barr, a former Hoosier Congressman, to be Under Secretary of the Treasury. We feel that Mr. Barr is representative of the high caliber evident in the President's appointments.

I ask unanimous consent that the article from the Los Angeles Times be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Los Angeles (Calif.) Times, April 25, 1965]

UNTANGLING THE U.S. FISCAL REINS

With the exception of one or two peripheral jobs to be filled, President Johnson seems pretty well to have picked his economic task force.

The toughest choices were Secretaries of Commerce and of the Treasury. But once Mr. Johnson selected John T. Connor and Henry H. Fowler, the rest fell quickly in place. Both the promptness and the timber of the President's selections are welcome.

His transfer of Joseph W. Barr from Chairman of the Federal Deposit Insurance Corporation to Under Secretary of Treasury and the promotion of K. A. Randall, Republican member of the three-man FDIC, to succeed Barr are good appointments.

Designation of Charles L. Schultze as Director of the Budget (he takes over from Kermit Gordon on June 1) rounds out the Great Society economic high command, although it's a bit early to appraise Schultze, who will occupy one of the most crucial spots in the executive branch. An economist and Ph. D., he has been around Washington since 1952.

The Budget Director, the Secretary of the Treasury and Gardner Ackley, the chairman of the Council of Economic Advisers, are the generals in the White House war-on-poverty command room. But the Under Secretaries in Treasury—Barr and Frederick L. Deming, who is the new Under Secretary for Monetary Affairs—are the line officers.

Barr, a former Indiana Congressman served as Treasury liaison with the Hill under Douglas Dillon, was the ramrod behind both the 1962 and 1964 tax bills. Since January 1964, his diplomacy with firmness at FDIC was a major plus in a period when our banking system has been suffering growth pains—and several all-too-well publicized embarrassments.

Randall is known to follow the Barr concept of running FDIC. He's a westerner (from Utah) and, incidentally, a sometime member of the Los Angeles banking community.

These two appointments inevitably are causing speculation that the man in the White House is moving to untangle the snarled reins between our private institutions and the Federal regulatory agencies.

In the aftermath of the San Francisco National Bank collapse and similar irregularities found elsewhere, it's high time, too.

BLUE-COLLAR SCHOLARS

Mr. BAYH. Mr. President, a unique educational program for labor union members has been operating for the past 2 years at Indiana University, Bloomington, Ind. This is a resident program for selected union members who are designated Indiana fellows or, more colloquially, "blue collar scholars."

Recently, the periodical Steel Labor, published by the United Steelworkers of America, described this special on-campus program in a very interesting article. The Indiana fellows undertake a core course curriculum in labor studies, and, in addition, receive training in various social sciences, literature, and communications. Because of the success of this Indiana University program, other universities have been contemplating establishing similar labor schools.

I ask unanimous consent that the article describing this noteworthy educational experiment be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Steel Labor, May 1965]

INDIANA UNIVERSITY LABOR SCHOOL PRODUCING BLUE-COLLAR SCHOLARS

Honorary degrees, distinguished alumni awards, and special service citations are cherished prizes rendered by Indiana University, at Bloomington, but among Midwest labor groups, still another designation is growing in popularity—blue-collar scholar.

Formally titled Indiana fellow, the label refers to those chosen from the ranks of labor to attend IU's 12-week resident labor education program.

The 2-year-old campus program has been limited in its initial experimental period to steelworkers in this region, but interest is growing beyond the boundaries of the Midwest as designers of the unique labor school begin thinking in terms of nationwide representation from all American unions.

Held during the first 2 years as part of the university's regular fall semester, the third year has been rescheduled for the spring semester, 1965–66, because of the fewer housing conflicts during the second semester.

The labor school is conducted by the IU Labor Education and Research Center as part of its year-round program in research and instructional short courses, and is directed by Dale G. Brickner, member of the center's staff.

The core course of the program, involving labor studies, seeks to emphasize:

1. The industrial, occupational, and related characteristics of the U.S. labor force;
2. The history of labor unionism;
3. The structure and government of contemporary unions;
4. Issues and problems in labor-management relations;
5. Labor law, particularly the Taft-Hartley and Landrum-Griffin laws; and
6. Economic problems of the working classes, particularly economic stability, automation, and income distribution.

"In addition to labor fundamentals, exposure of the Indiana fellows to economics, sociology, political science, and related subjects focuses attention on principal issues of society," Brickner said.

"The training in literature and communications not only encourages thoughtful reading habits," he explained, "but also improves the ability of the blue-collar scholars to read, write, and speak effectively."

The highlight of each week's program is a special seminar where participants exchange ideas with prominent men in government, business, labor, and the professions.

Donald B. Evans, a 30-year-old Louisville, Ky., steelworker, said of his training in the 1963 resident labor education program: "I've been reading ever since I came home: economics, literature * * * as part of a lifetime reading course a professor started me on."

Success of the Indiana program has prompted consideration of similar programs at the Universities of California, Wisconsin, and Tennessee, and Rutgers University.

Steelworker members from anywhere in the United States or Canada as well as trade unionists from other international unions are eligible for attendance at the next session of the program.

IDAHO'S FIRST NATIONAL PARK

Mr. CHURCH. Mr. President, as the highly able managing editor of the Lewiston Morning Tribune, William F. Johnston has long been one of the outstanding journalistic figures in the western United States. Bill Johnston has made great contributions, not only to the quality of journalism in our area, but also to various worthy projects and programs of benefit to his region and State. In the area of development of river resources, in the field of civil rights, and in his efforts to protect the scenic and historical sites of our State, he has rendered unparalleled service.

On May 5, the Lewiston Morning Tribune published a fine editorial by Bill Johnston. The editorial is entitled "The First National Park for Idaho." In the editorial, he explained the meaning of the Nez Perce National Historical Park, the first national park entirely within Idaho's borders. In the editorial he praised Under Secretary of the Interior John A. Carver, Jr., Senator JACKSON, Senator BIBLE, Representative ASPINALL, and Representative RIVERS, among others. All these men are deserving of the highest commendation for their work; and they have the gratitude of the people of Idaho. But one man who played a very major role in the creation of the Nez Perce National Historical Park is unmentioned in the editorial. His fitting modesty prevented him from listing his own name; but certainly no man worked harder or longer for the Nez Perce National Park than did Bill Johnston. Idahoans are deeply indebted to Bill Johnston for his long record of productive public service.

I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Lewiston (Idaho) Morning Tribune, May 5, 1965]

THE FIRST NATIONAL PARK FOR IDAHO

The U.S. House of Representatives decided Monday that the Nez Perce National Historical Park will be the first national park entirely within Idaho's borders. The decision will be the keystone in this region's efforts to preserve and interpret its historic heritage in an era of rapid change.

The House Interior Committee made some minor, technical amendments in the legislation authorizing the park. Thus, the House bill varies slightly from the measure adopted earlier by the Senate. Conferees of the House and Senate will have to iron out these differences before congressional action is fully completed. However, the technicalities are not important. In effect, Congress has authorized a new national park in north-central Idaho, and the National Park Service soon can begin its development.

Support for the park has been almost unanimous in this region and throughout Idaho. The overwhelming endorsement of the project by witnesses at a Senate hearing here last October was one of the major factors in the unusually rapid authorization of the project. Still, many residents of Idaho are only vaguely familiar with the proposal. A bill pending in Congress does not attract the public attention of a bill just passed by Congress.

Much hard work must be done by the National Park Service and others before the park becomes a reality, of course. But the main benefits which it can bring to this region and the Nation already are easy to visualize.

The National Park Service itself will construct and operate three visitor centers—the administrative headquarters center at Spalding, a smaller center at the Whitebird battlefield, and a third center at the legendary Heart of the Monster rock formation in East Kamiah. Congress has stipulated that the Service may spend no more than $630,000 for land acquisition and no more than $1,337,000 for construction, restoration work, and other improvements at these centers.

In addition, 19 other important historical sites widely scattered through north central Idaho are listed for preservation and limited interpretation by a variety of Federal, State, and community agencies. For example, the U.S. Forest Service has just announced additional projects to interpret history, in cooperation with the park project, along the Lolo Trail and the Lochsa River. The Idaho State Highway Department is considering improvement of the famous Lewis and Clark canoe camp roadside park adjoining Orofino. Other key historical sites await development by other agencies and individuals under cooperative agreements to be negotiated by the National Park Service.

The concept of a decentralized national park, commemorating widely scattered historical sites through the cooperation of many agencies and groups, is a new one in the Nation. The National Parks Advisory Board called this approach an imaginative new concept in national park planning. However, the approach has its hazards as well as its promise.

Obviously, this region would not support, nor would Congress ever approve, a traditional national park encompassing in one area all the major historical sites in north central Idaho. Such a project in effect would turn most of the Lewis-Clark empire into one huge national park. The strength of the proposal Congress has just endorsed is that the key sites where history was made in this region could be preserved and interpreted through National Park Service acquisition of not more than 1,500 acres of land, with scenic easement rights on not more than another 1,500 acres. This rapidly changing region can continue to develop its resources under this concept without tying up vast acreages in a national park.

However, this major advantage of the plan also involves potential disadvantages. If the key historical sites outside the three visitor center areas are to be preserved and interpreted adequately, many other agencies and many individuals in the region will have to work steadily and cooperatively to protect them from obliteration.

If the citizens of this region support their new national park in this manner, it can become in the years ahead a central attraction to the tourists beginning to throng into this area and to the region's residents, now and in the future. If determined and continuous support of the broad plan is not forthcoming then many of the region's key historical sites could vanish in the years to come and an imaginative new concept could become little more than three National Park Service visitor centers.

The region naturally has strong incentives to turn the concept into a reality. This generation is beginning to appreciate the sites, formerly taken largely for granted, which symbolize the dramatic history of the Lewis and Clark expedition, fur trade, gold rushes, pioneer missions and the fabulous Nez Perce Indian war of 1877. Some residents who have little interest in the region's heritage presumably will be interested, at least, in tourist dollars. So the chances seem good that the necessary work will be done to preserve and interpret the region's history while time remains to do it.

The credit for winning congressional authorization of Idaho's first national park must be shared by literally thousands of citizens. However, special recognition for leadership certainly is in order to John A. Carver, Jr., Under Secretary of the Department of the Interior; all members of Idaho's congressional delegation; Senator Henry M. Jackson, Democrat, of Washington, and Senator Alan Bible, Democrat, of Nevada, who guided the bill through the Senate Interior Committee; Representative Wayne Aspinall, Democrat, of Colorado, chairman, and Representative Ralph Rivers, National Parks Subcommittee chairman, of the House Interior Committee; Gov. Robert E. Smylie, Historical Society Director H. J. Swinney and other leaders of Idaho State government; the National Parks Advisory Board and many professionals of the National Park Service; Mr. and Mrs. Alvin M. Josephy, Jr., of Greenwich, Conn., who rallied important national supporters to the cause; and the directors and members of the Nez Perce National Historical Park Association.

Long hard labor by these leaders and many others have given this region an opportunity to preserve and interpret its historic heritage in an area of coming industrialization and expansion. Whether the opportunity will be fully realized—or even fully understood—remains to be seen. Congress has given the Lewis-Clark empire the tools to make a proud achievement out of an imaginative new concept. The rest is largely up to the region.—B.J.

TRIBUTE TO SENATOR MURPHY

Mr. MORTON. Mr. President, I ask unanimous consent to have printed in the Record a tribute to Senator Murphy, published in the May 14 issue of Life magazine.

There being no objection, the tribute was ordered to be printed in the Record, as follows:

Murphy Joins the Club

Only a few faces on Capitol Hill are so immediately recognizable that they attract instant crowds: the Kennedys, Humphrey, Dirksen, and introducing a new member of the club, **George Murphy**. The veteran Hollywood actor, now junior Republican Senator from California, is 62, but he still looks very much like that nice young man dancing with Shirley Temple. The Senator's favorite Washington joke is about the fan who rushed up and asked, "Say didn't you used to be George Murphy?"

"Murph," as he's known to close friends, is a master of the one-line gag ("I'm so low in seniority I didn't get the executive flu until 2 weeks ago"), but he can turn serious when he wants to. At a recent banquet other Senators who had carefully rehearsed their quips, watched expectantly as Murphy rose to speak. He didn't try to top them. That was the day floods were ravaging northern California. "I didn't think the people would appreciate any humor from me," he confided later.

In 5 months Murphy has made a favorable impression on colleagues. Playing the role of Senate freshman like an old pro, he has ventured onto the floor four times to talk about a subject of special concern back home: letting migrant foreign farm workers into the United States. He has showed up at some important parties but has generally avoided the cocktail circuit ("I don't want to be a social lion, just a Senator"). He has done his homework, even to reading the 294-page medicare bill cover to cover.

Murphy can't resist juxtaposing Washington and Hollywood. Lyndon Johnson reminds him of John Wayne: "They both have the same big lumbering manner, and they're both forceful, very definite men." He has an old Hollywood hand's appreciation for professional performance. "I've been watching Morse, who's pretty good," he says. "Dirksen's a master; Mundt is great."

Murphy is something of a tactician himself. Because he needs more space for his staff, he is scavenging—not for himself right away but for Senator Robert Kennedy. "Bobby says he'll give me two of his rooms in the old Senate Office Building if I can wrangle one for him in the new building. If that happens, it'll be the first time Bobby's ever been outtraded."

HIGHER INTEREST RATES ABROAD ATTRACT PRIVATE CAPITAL

Mr. JAVITS. Mr. President, an article written by M. J. Rossant, and published recently in the New York Times, points out that the administration's program of voluntary curbs on capital outflows is having the "paradoxical effect of widening the already wide gap" between the relatively low interest rates prevailing here and the relatively high rates that are the rule in Western Europe.

In complying with the President's request, American corporations and banks must do more of their borrowing in Europe; and, since European demand for credit is already heavy, American requests inevitably drive up rates further.

With an easy money policy at home, there is every likelihood that private capital will continue to seek the higher rates offered abroad. As one European central banker expressed it:

> Cheap money is not a matter of sound reasoning in the United States. It is an article of faith.

Low interest rates at home, together with voluntary restrictions on the outflow of capital, are creating additional pressures on American businessmen to place their funds in foreign markets.

I ask unanimous consent that Mr. Rossant's article, from the May 12, 1965, issue of the New York Times, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Europe and Payments—Continent Bids United States End Its Deficit by Closing the Gap in Interest Rates

(By M. J. Rossant)

Brussels.—The Europeans have a cure for it. All it takes to eliminate the U.S. deficit in its international payments, they say, is to close the gap between the relatively low interest rates prevailing in New York and the relatively high rates that are the rule in the Common Market countries.

There is no denying that a closing of the interest-rate gap would limit disruptive movements of funds. But it is easier said than done. Until there are marked shifts in economic and psychological factors that are responsible for the existence of the gap, a closing or even a narrowing is unlikely.

The Johnson administration's new program of voluntary curbs on capital outflows is not bringing the desired change. In fact, it is having the paradoxical effect of widening the already wide gap.

Officials in the European Economic Community acknowledge that Washington has made a commendable effort to raise short-term interest rates as a means of preventing an outflow to higher yielding markets abroad. But they assert that the differential has failed to narrow appreciably because rates in Europe have been held up to combat inflationary wage and price rises.

RENEWED PRESSURE EXPECTED

Now the Europeans expect renewed upward pressure on their rates as American corporations and banks, complying with the President's request to hold down the outflow of dollars to Europe, step up their borrowing locally. Because European demand is heavy, banks are bound to raise rates in meeting American requests for credit.

Monetary experts on both sides of the Atlantic are distressed by the extent of the gap. But they disagree over which side should do most of the adjusting.

Robert V. Rossa, former Under Secretary of the Treasury for Monetary Affairs, has suggested that Europe come more than halfway toward the American pattern. But Robert Marjolin, vice chairman of the Common Market's executive commission, thinks that it is up to the United States to approach European levels.

Europeans criticize the Johnson administration for making a fetish of low-interest rates. According to one European central banker, "Cheap money is not a matter of sound reasoning in the United States. It is an article of faith."

AN ARTICLE OF FAITH

Yet dear money is partly an article of faith in Europe. Europeans are not only prepared to pay high costs for credit but they feel positively virtuous in doing so.

The different attitudes of Americans and Eurpeans, though, are based mainly on different economic circumstances. The American economy, which has substantial unemployment and excess industrial capacity, has enjoyed stable prices; Europe, which is close to the limits of resources, has been combating inflation.

The gap, moreover, is reinforced by contrasting market conditions. The United States, with its competitive capital markets, has developed extremely advanced and effective mechanisms for channeling the savings of investors to borrowers at low cost. Europe, whose markets are fragmented and rigid by comparison, cannot cope with the demands made by prospective borrowers.

American concerns now doing business with European banks are discovering just how wide the gap can be. In Belgium, France, and Germany, they are paying at least 20 percent more in interest costs than they would if they were borrowing in the United States.

Europeans maintain that a rise in American rates would be more consistent with a free-market philosophy than voluntary or involuntary controls. They think of their high rates as natural, and American rates as artificial. But it can be argued that if the Federal Reserve set rates at European levels, and American businesses had to pay 7 percent or 8 percent for credit, it would mean artificially high rates domestically, putting a brake on economic activity and creating a fresh rise in unemployment.

High-interest rates are hardly a cure-all. Britain, where short-term lending rates are better than 8 percent, has not succeeded in relieving pressure on the pound. And if the United States did decide to take Europe's medicine and raise its interest rates high enough to erase the deficit, the probable result would be a full scale escalation in rates. In self-defense, Europe would be forced to increase its rate so high that even the most rate-conscious Europeans might balk.

The gap may narrow when Europe broadens its markets and attracts more savings from investors. But this is a long-term process. Over the short term, Washington may be able to avoid a new increase in rates. But so long as the deficit persists, it will not be able to take the risk of a substantial lowering in rates that might widen the present gap and enlarge the deficit.

PRAISE FOR FULBRIGHT

Mr. CHURCH. Mr. President, the Senator from Arkansas [Mr. FULBRIGHT], the distinguished chairman of the Foreign Relations Committee, recently made the suggestion that the United States stop bombing North Vietnam, so as to increase the possibility for negotiations.

For this suggestion, Senator FULBRIGHT received much undeserved criticism; but his suggestion also received much support throughout the country. Indicative of such support is an editorial published on April 20 in the Detroit Free Press. The editorial begins as follows:

> The constructive criticism that U.S. foreign policy needs to prevent it from becoming rigid and unimaginative has once more been provided by Senator J. W. FULBRIGHT.

I ask unanimous consent that the editorial be printed in the RECORD, along with editorials on the same subject from the San Francisco Chronicle and the Des Moines Register.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Detroit (Mich.) Free Press, Apr. 20, 1965]

THEY GOT THE MESSAGE, SO NOW LET THEM THINK

The constructive criticism that U.S. foreign policy needs to prevent it from becoming rigid and unimaginative has once more been provided by Senator J. W. FULBRIGHT.

Why not, suggests FULBRIGHT, suspend bombings in North Vietnam temporarily.

The proposal doesn't strike at the heart of U.S. policy in southeast Asia—a policy the Arkansas Democrat has supported. He suggests a change in tactics, not of strategy.

It could, nevertheless, be an extremely significant tactical move—one which deserves more than the out-of-hand rejection apparently given by Secretary of State Dean Rusk and now by Senate Republican Leader EVERETT M. DIRKSEN.

If there was ever any justification for bombing raids on North Vietnam, it was to make the point, restated during the weekend by President Johnson, that we were not going to quit the fight.

The only purpose we can see in making this point is to bring the enemy to the bargaining table.

All wars end in talks except, possibly, the next nuclear one which won't leave anyone around for the conversation. The South Vietnam Government and the United States until the bombings started, couldn't have emerged from talks with anything but a disguised surrender. The Vietcong was winning and had no reason to talk, or for that matter, to let our side save face by masking its defeat through negotiations.

To reverse this tide, the United States undertook a limited escalation of the war by bombing North Vietnam targets.

This view, it should be added, gives U.S. policy the benefit of the doubt.

If this is our goal, it calls for the extremely careful and flexible use of force. The military pressure must be enough to convince the Vietcong and North Vietnam that we mean business.

It must not be, as we warned Saturday, so great that we destroy the possibility of talks. "The daily bombings are inclined to keep the atmosphere very tense, and I think, perhaps to make the North Vietnamese dig in," FULBRIGHT said.

The reports from the battleground, such as relayed on this page by columnist Joseph Alsop, indicate the bombings are having a significant impact. The Vietcong apparently is regrouping, the government troops regaining the offensive. North Vietnam targets are harder to find.

The danger apparently is not that we won't use enough force to get their attention, but that we'll use so much we'll arouse an even more desperate and determined Vietcong effort with stronger ties to North Vietnam, Russia and Red China.

Senator FULBRIGHT's suggestion would change the pace, give all sides a moment to think about the direction of the war, provide a time when North Vietnam could be more willing to negotiate without appearing to do so under fire.

We've proved our determination. Now it is time to prove we're also imaginative.

[From the San Francisco (Calif.), Chronicle, Apr. 21, 1965]

FULBRIGHT'S STOP-BOMB PLAN

Senator FULBRIGHT had an idea that seemed something less than hidebound when he suggested the other day that, to discover what effect our air strikes were having on North Vietnam, we should stop them temporarily and see whether that might promote some response.

U.S. planes have been bombing the north for 9 weeks, heightening the tension day by day, as Senator FULBRIGHT noted, and increasing thereby the general apprehension of the world that the Vietnam war might spread.

If the bombings have had a drastic enough effect on the North Vietnamese to make them want negotiations, no indications have been received to that end. We know that bombing has not promoted a favorable response, and what the chairman of the Senate Foreign Relations Committee is blandly proposing is that we try to find out if nonbombing would promote one. If it did not, he said, we could resume bombing at any time.

This is how the Fulbright proposal stood over the weekend when Secretary McNamara issued the rather puzzling statement that "we have no indication that a cessation of bombing would move the North Vietnamese to discussions leading to a termination of their aggression against the south."

It will be observed that this statement was not accompanied by the equally valid observation that "we have no indication that bombing will move them to discussions, either."

We do not know what importance McNamara may attach to Senator FULBRIGHT's unstereotyped suggestion. It probably would not be easy to convince the President, having once taken the brunt of beginning these north-of-the-border bombing strikes, to halt them for a period of soundings, and risk taking the double brunt of resuming them again.

But clearly if in war one course is not working, you try another. Especially if your aim is, not unconditional surrender of the enemy, but "unconditional discussions" with him.

[From the Des Moines (Iowa) Register, Apr. 21, 1965]

FULBRIGHT SUGGESTS A PAUSE

Senator J. WILLIAM FULBRIGHT, Democrat, of Arkansas, chairman of the Senate Foreign Relations Committee, believes a temporary halt in bombing North Vietnam might expedite peace negotiations. He said the air strikes keep the atmosphere tense and help to make the North Vietnamese dig in.

The administration responded with statements opposing a cessation of bombing and asserting that the air blows would continue. Secretary of State Rusk said a temporary lull in bombing would "encourage the aggressor and dishearten our friends who bear the brunt of battle." Defense Secretary McNamara said there were no indications that a cessation in bombing would move the North Vietnamese toward discussions.

Rusk and McNamara were supported by Senate Republican leader EVERETT DIRKSEN who said, "I think we have to hold their feet to the fire. If we let up on them now, we will lose face."

Despite the administration opposition to suspension of the air raids, it would not be surprising if at some later time the bombing were called off. President Johnson is keeping open his offer of unconditional discussions, and if the administration should come to the view that halting the bombs would encourage negotiations, it would halt them.

The bomb attacks were undertaken to (1) retaliate for Communist assaults on U.S. bases and (2) demonstrate to the Communists (and to the South Vietnamese) that the United States intended to live up to its commitments to South Vietnam. The objective always has been to bring about an end to the war, to induce the Communists to call off their aggression and reach an agreement. The United States does not want to conquer North Vietnam and does not insist on everthrowing the Red regime there.

The escalation was a calculated risk. So far it has paid off. South Vietnamese morale has improved. The Chinese and Russians have not moved in to step up the war, although they have threatened to and the Soviet Union has begun to prepare antiaircraft missile sites in North Vietnam.

But continued bombing on a bigger and bigger scale could lead to Chinese entry with ground troops and, conceivably, could force the reluctant Russians to provide more aid in order to maintain their prestige in the Communist world. The Peiping Government on Tuesday issued the most specific threat yet to send troops if the United States continues to escalate the war and if the North Vietnamese ask for help.

Each side is pressing the other to back down, which is dangerous business. The farther each goes, the more difficult it is to retire without serious loss of face.

The FULBRIGHT suggestion, as we understand it, is to present the opportunity to the Communists of halting the escalation of the war. It would show U.S. willingness to quit the bombing if serious discussions could begin. If a favorable reaction from the other side did not occur, the bombing could be resumed. It would give the Communists an opportunity to respond to a withdrawal of force, rather than confronting them with the choice of backing down under fire or stepping up the war.

At the present stage of the war, the United States is in a position to offer this easier choice without appearing to back down out of weakness. If the escalation goes on and the Chinese come in, that choice will no longer be open.

THE ECONOMY HAS "GOOD NEWS"

Mr. HARTKE. Mr. President, I call the attention of Senators to an editorial, entitled "President's Good News," which was published in the Milwaukee Journal of April 29.

"Good news" is the continuance of our economy to break all records for peacetime expansion, while at the same time climbing tax revenues are reducing the anticipated budget deficit by nearly $1 billion.

The flexible fiscal policy of the administration, supported by congressional action, has in no small measure been responsible for this rapid growth. Lifting part of the tax burden on businesses and consumers has been the core of the new impetus.

The continuing success of the 1964 tax cut provides, I believe, cogent reason for continuing to lift this burden by repealing, during this session of Congress, the excise taxes that were developed in order to meet the exigencies of World War II.

I ask unanimous consent that the editorial be printed in the CONGRESSIONAL RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PRESIDENT'S GOOD NEWS

The best news from the President's Tuesday press conference was that the national economy continues surging ahead, breaking all records for a peacetime expansion. Government analysts may have to revise earlier projections of a slowdown in the fall.

The President reported that because of the continuing high level of business activity Federal tax revenues will be about $500 million higher than expected. This, coupled with an additional $500 million squeezed out of the spending side, means that the Federal budget deficit this year will be at least $1 billion less than the $6.3 billion forecast in January.

Credit must go, partially, to sustained business confidence, an essential ingredient for a robust economy. Underlying all this is the fact that orderly growth has been brought about by deliberate use of a fiscal policy to sustain an advance rather than fight a recession. This represents a triumph for the 1964 Federal tax cut legislation. The results so far of that action provide a strong argument for continuing to rely on an active, flexible fiscal policy to keep the economy strong.

HAWAII'S FIRST SENIOR CITIZENS ACTION CONGRESS

Mr. FONG. Mr. President, as a member of the Senate Special Committee on Aging, it is my pleasure to call attention to the fact that next Tuesday, May 18, Hawaii's first senior citizens action congress will be convened in Honolulu. As far as is known, this will be the first congress of its kind not only in Hawaii but across the Nation. It is the outgrowth of a suggestion made at the Third State Conference on Aging held in Honolulu earlier this year and is being convened by the Hawaii State Commission on Aging.

This Congress of, by, and for Hawaii's senior citizens will be composed of two delegates each from organized senior citizens' groups, whether retirement residences, recreation and activity centers, or otherwise, and recognized as such by the State commission on aging. It will function much like the State legislature or the National Congress except that it will be a unicameral body bearing the same relationship to the chairman of the commission on aging and his appointed body as the National Congress bears to the President and his Cabinet. It will elect its own officers and appoint standing committees to deal with matters relevant to its interests.

This month of May was selected for the congress in consonance with the President's proclamation designating May as Senior Citizens Month nationally.

It is a matter of great pride that the senior citizens of Hawaii have taken a leadership role in coming together as a congress for more effective action in dealing with their special interests and problems. The crux of any program involving the elderly belongs in their home community, and it is at the State and local level that the heaviest responsibility lies.

Aided and encouraged at the national level, through the work of the Senate Special Committee on Aging, on which I am privileged to serve, and other legislative and executive bodies, the senior citizens can do much for themselves that no one else can.

I congratulate all those associated with Hawaii's first senior citizens action congress and commend them for their splendid leadership on behalf of our senior citizens.

BANK MERGER ACT

Mr. ROBERTSON. Mr. President, I am glad to say that my bill, S. 1698, to amend the Bank Merger Act so as to eliminate the confusion and controversy surrounding this subject, has received much favorable attention. I have recently received advice that the National Association of Supervisors of State Banks and the Financial Public Relations Association have expressed their support of this bill. Since the views of these two important associations will be of interest to the Members of the Senate and the readers of the RECORD, I ask unanimous consent that their letters be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF
SUPERVISORS OF STATE BANKS,
Washington, D.C., May 7, 1965.

Hon. A. WILLIS ROBERTSON,
Chairman, Senate Banking and Currency Committee, New Senate Office Building, Washington, D.C.

DEAR SENATOR ROBERTSON: The executive committee of the National Association of Supervisors of State Banks has authorized me to advise you that NASSB strongly supports S. 1698, the bill you have introduced in the Senate which would exempt bank mergers approved under the Bank Merger Act of 1960 from the Sherman Antitrust Act and section 7 of the Clayton Act.

We endorse your position when you say that the Bank Merger Act "was intended to be the antitrust law applicable to the field of bank mergers, providing for a balanced judgment including due consideration of banking factors, public convenience and necessity, and competitive factors including tendencies toward monopoly."

Our association will stand ready to be of every possible assistance to you in the enactment of this legislation.

Cordially,

HOLLIS W. BURT,
Executive Vice President.

FINANCIAL PUBLIC RELATIONS
ASSOCIATION,
Chicago, Ill., May 3, 1965.

Hon. A. WILLIS ROBERTSON,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR ROBERTSON: At the semiannual meeting of the board of directors of the Financial Public Relations Association, Senate bill 1698 was discussed in considerable detail. At that time the following resolution was adopted, which we thought would be of interest to you:

"Whereas a situation exists regarding the regulation of bank mergers which has caused confusion and an adverse public impression of banks and bankers who are seeking approval of mergers and those which have been operating under tentative merger approval; and

"Whereas the situation has had a damaging effect on the public image of banking; and

"Whereas there has been introduced in the Senate of the United States, Senate bill 1698, which will amend the Bank Merger Act and will relieve the existing confusion in this area of bank regulation and be of great benefit to banking: Now, therefore, be it

"*Resolved*, That the directors of the Financial Public Relations Association go on record in support of Senate bill 1698 and ask that at the appropriate time, its members aid the passage of this legislation."

It goes without saying that we have a vital concern in this because of the application of the bill to banking's image, and we all heartily applaud what you are doing to adjust a very sensitive situation.

With highest personal regards, I am,

Sincerely yours,

CHARLES H. HOEFLICH,
President.

COMMISSION TO UPDATE U.S. ANTITRUST LAWS

Mr. JAVITS. Mr. President, on March 1, I introduced, together with Senators COOPER, BREWSTER, and HARTKE, a bill (S. 1305) to establish a Federal commission to review our antitrust laws. Our antitrust laws were originally drafted in the 1880's, and have not been comprehensively reviewed in 20 years. It is my belief that in certain of their applications, the antitrust laws are having a stifling effect upon our domestic productivity, on long-range economic growth, on trade and foreign investment, and on foreign economic policy generally.

The antitrust laws of the United States, as they operate abroad today, materially prejudice the ability of U.S. concerns to deal across national boundaries. It is well recognized that in order to meet our balance-of-payments problems, we must keep our exports at the highest possible level. To do this, our exporters must have a fair competitive status in relation to their competitors abroad. At home, many of our businesses seek an expression of the Nation's antitrust philosophy and goals. Some legal experts have stated that the existing laws have contributed to rigid domestic price structures and have prevented the innovation of better marketing techniques.

The development of business organizations along the lines of the Communications Satellite Corp., including the possibility of wide-scale joint cooperative efforts by Government and industry in partially public, partially private, corporations to undertake vast ventures in the realm of space and atomic technology, is a subject requiring the most careful study. The size and complexity of the subject matter and the public interest involved in such undertakings may make wholly private ownership unfeasible; and the productive capacity of private ownership and the technological risks involved may make wholly public ownership unsatisfactory. Numerous other potential applications of this novel and very hopeful technique make a thorough review of antitrust implications particularly important.

It is my deep conviction that revision of the antitrust laws in accordance with the recommendations of such a broad-based commission should be of high priority in the program to improve the rate of the Nation's economic growth.

The recommendations of the minority of the Joint Economic Committee, in its 1965 report on the Economic Report of the President, include support of the establishment of such a commission.

I ask unanimous consent to have printed in the RECORD, a thoughtful and detailed letter sent to me concerning the establishment of a commission on the revision of our antitrust laws from David R. MacDonald, of Chicago—a distinguished member of the Illinois bar.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 31, 1965.

Re S. 1305
The Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: Senate bill 1305, relating to the establishment of a Commission on the Revision of the U.S. antitrust laws, deserves enactment by Congress.

This country prides itself on its competitive free enterprise system and the function that it performs in providing an automatic flow of goods and services to the greatest number of people at the lowest possible price. The U.S. antitrust laws, when applied with due regard for economic realities, have operated as a useful adjunct to our free enterprise system. They have helped to remove obstructions to the shift of capital investment to satisfy the ever-changing patterns of consumer demand. Nevertheless, no rules of competition designed in 1890 could hope to meet the needs of today without the periodic reexamination envisaged by S. 1305. This bill has been drafted with the necessary breadth of scope to insure that the proposed Commission will not be frustrated in carrying out the bill's objective, yet with sufficiently particularized policy goals to guide the proposed Commission in its duties.

One of the most important contributions of the Commission, in my opinion, can be made in its investigation of the international application of our antitrust laws, and the relationship between these laws and other foreign policy objectives of the United States. For the purpose of illustrating how great is the need for the proposed Commission, I would like to pinpoint certain problem areas in the U.S. antitrust laws and policy vis a vis foreign commerce.

1. U.S. POLICY OF ENCOURAGING FOREIGN ANTITRUST LAWS

Immediately after World War II, this country donned the robes of antitrust missionary and encouraged the enactment of national antitrust laws throughout the economically developed world. In Germany and Japan, we were responsible for the enactment of these laws by military fiat. Elsewhere, we attempted to convince other countries that the passage of such laws was a necessary tool to foster productive efficiency and, thus, prosperity.[1] In 1954, our policy was codified in the Thye amendment to the Mutual Security Act, which declared the policy of the United States to be "to encourage the efforts of other free nations * * * to foster private initiative and competition" and "to discourage monopolistic practices."[2] By 1964, numerous foreign countries had enacted antitrust laws of varying scope and emphasis.[3]

Despite the commendable ideal underlying our antitrust germination policy, its results have allegedly been responsible for some of the dilemmas facing American business abroad today. It is generally conceded that this policy has enjoyed some success in one area—the elemination of industrywide, worldwide cartels, designed to prevent competition and divide markets in an entire industry to the detriment of the global consuming public. Convincing other countries that the elimination or control of international price-fixing cartels is to their advantage has not required extensive persuasion, since arrangements of this sort, left unfettered, are clearly injurious to the consumers of every country. Most developed countries, with varying degrees of enthusiasm, have made efforts to control these cartels.

Nevertheless, some authorities think our policy has backfired insofar as it has been aimed at causing other nations to enforce any substantial competition among their own nationals engaged in exporting or in extraterritorial manufacturing. These authorities assert that, while our own antitrust laws have been vigorously enforced against firms which export from the United States, or have manufacturing operations abroad, other countries have granted broad antitrust exemptions for export trade and foreign operations of their own companies.[4] Indeed, it is alleged that foreign antitrust laws are sometimes used as tools to encourage powerful combinations of local interests operating in foreign markets to the detriment of U.S. competitors.[5]

The Commission might well examine whether U.S. export trade may have been injured by our policy of fostering foreign antitrust laws and make recommendations concerning the desirability of continuing this policy.

2. OUR POLICY TOWARD COOPERATION BY AMERICAN BUSINESS WITH FOREIGN FIRMS OPERATING LOCALLY ABROAD

Some foreign countries, instead of breaking up cartels which serve their consuming public, have chosen to regulate those cartels as to price and other terms of supply. These countries have, in fact, granted recognition to the legitimacy of cartels in their domestic affairs.[6] U.S. enterprises which join such arrangements, however, face prosecution under our antitrust laws if a domestic competitor alleges that it has been excluded from the foreign market by the Government-recognized cartel. The enforcement of the U.S. antitrust laws in this situation has been alleged to have kept American firms out of foreign markets. Whether this has in fact occurred, and whether it is in our interest to continue antitrust enforcement if it has, are vital questions for the Commission to consider.

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[1] Testimony of Thorsten V. Kalijarvi before the Antitrust and Monopoly Subcommittee of the Senate Judiciary Committee, Sept. 15, 1955. 33 Department of State Bulletin 538 (1955).

[2] Public Law 665, 83d Cong. This provision is now embodied in 22 U.S.C. 2351.

[3] Including Argentina, Austria, Belgium, Switzerland, Spain, United Kingdom, Germany, Denmark, Ireland, France, Norway, Netherlands, Sweden, European Coal and Steel Community, European Economic Community, Japan, Australia, and Brazil.

[4] Congress has also recognized, in the Webb-Pomerene Act, the necessity of exempting our exporters who combine in associations to compete in world markets, under the auspices of the Federal Trade Commission. The Webb-Pomerene exemption, however, has scarcely been utilized by U.S. firms. The reason for this is generally considered to stem from restrictive interpretations placed upon the exemption by the courts. A reexamination of the policy behind the Webb-Pomerene Act, as well as its application to export operations today, is long overdue.

[5] The case of *Water Tube Boiler Makers' Agreement*, 1 United Kingdom Restrictive Trade Practices Reports 285, 346 (1959), has been cited as an example of the use of foreign antitrust laws to bolster foreign export combinations. The Restrictive Practice Court of the United Kingdom there ruled that a domestic price-fixing agreement was legal, even though it might have the effect of raising prices to United Kingdom consumers. The reason, according to the court, was that "the detriment to the public" resulting from the price-fixing agreement was not sufficient to outweigh "the national benefit resulting from the maintenance of exports which we anticipate if the scheme (i.e., the combination of Boilermakers in the United Kingdom to obtain export business) continues." In effect, the court ruled that the monopolistic profits obtained from a domestic conspiracy might legally be used to subsidize the efforts of the industry to obtain export business at the expense of foreign (including American) competitors.

[6] Austria is one of the countries which approves price fixing within its borders, when notified to the Government, but regulates the prices which are charged.

3. ACCOMMODATION OF OUR OVERSEA ANTITRUST ENFORCEMENT POLICIES WITH EXPRESSED POLICIES OF FOREIGN STATES

The formulation of a modus operandi for coordinating our antitrust policies with that of foreign governments should be one of the prime problems faced by the Commission. The paramount purpose of our antitrust laws, of course, is to protect the consuming public. When the United States attempts to control competitive activities of its exporters, however, it is imposing its will in an area where the only consumers are those located in a foreign country. In this case, the interest of this country would appear to be at best ancillary to the interest of the foreign country whose consumers are affected. If the officials of that country, recognizing the effect on their own people, choose a different solution to the problem than we would, the United States should not force its ideals upon them. When it does so, and is unsuccessful, it merely injures its domestic enterprises and defeats the national interest in promoting exports. If it is successful, the United States may expect the just criticism that it is guilty of "regulatory imperialism".[7] In fact, conflict between the U.S. interest in competition among exporters and foreign interest in controlling its own marketing conditions has been recognized to some extent in our Treaties of Friendship, Commerce and Navigation. For example, the FCN Treaty between the United States and Italy provides that:

"The two high contracting parties agree that business practices which restrain competition, limit access to markets or foster monopolistic control, and which are engaged in * * * by one or more private or public commercial enterprises or by combination * * * among public or private commercial enterprises may have harmful effects upon the commerce between their respective territories. Accordingly, each high contracting party agrees upon the request of the other high contracting party to take such measures as it deems appropriate with a view to eliminating such harmful effects".[8]

Whether the prescribed procedures outlined in these treaties have ameliorated this problem, and, if not, the formulation of a more effective means of coordinating policies and defining areas of "primary responsibility" for prosecution of antitrust offenses, would certainly be an appropriate task of the Commission.

4. CLARIFICATION OF ANTITRUST POLICIES TOWARD LICENSING ARRANGEMENTS ABROAD

Licenses of patents, trademarks, and know-how granted by U.S. firms to foreign licensees have resulted in a substantial flow of payments to this country with little corresponding foreign investment to derogate from this flow. To my knowledge, however, the Justice Department, has never taken a position on the legality of provisions in license agreements which restrict the export to the United States of the products made from the licensed industrial property. As a result, American firms, particularly of small and medium size, have been apprehensive over entering into license arrangements abroad which may result in the creation of a foreign competitor in the United States to their permanent injury, and to the injury of our balance of payments. The undetermined validity of ancillary territorial restraints was deemed by U.S. firms to be the primary antitrust impediment to foreign trade in 1953.[9] Now, over 10 years later, the legality of the same arrangement remains unanswered. The Commission, hopefully, will turn its attention to this problem and propose a solution which is both in this country's economic interest and does not do violence to the objectives which our antitrust laws were designed to attain.

5. COORDINATION OF U.S. ANTITRUST POLICY TO U.S. FOREIGN POLICY GENERALLY

As can be seen from the previous questions raised, there are factors affecting the application of our antitrust laws to overseas trade which are absent in the case of domestic antitrust prosecutions. Foreign relations, defense, balance of payments and other considerations all may be important in determining the advisability of antitrust prosecutions which involve foreign trade. While sincere attempts have in the past been made to accommodate these considerations on an ad hoc basis, there is still lacking any means of synthesizing the views of the various departments concerned, or of formulating guidelines for the benefit of U.S. business. In addition, our antitrust enforcement authorities have apparently on occasion miscalculated the reaction abroad to our antitrust policies. One such occurrence was the Canadian Radio Patents litigation.[10] The prosecution of this case against several parents of Canadian companies engendered deep and widespread resentment among Canadian officials and the Canadian public, who found it difficult to understand why the United States would indirectly prosecute Canadian corporations (through their American and Dutch parents) for Canadian conduct involving only Canadian industrial property rights and alleged injury to the Canadian public. The complaint of the Canadians was particularly severe, since the Canadian Government had itself previously investigated the companies involved and had determined that no antitrust action should be taken. This litigation illustrates the breadth of the determinants which may affect foreign antitrust prosecutions and the need for formalized coordination among the departments involved, as well as between the United States and such foreign countries as may have an interest in the outcome of our antitrust prosecutions. The Commission may well be able to formulate such a mean of overall policy coordination.

6. REEXAMINATION OF ANTITRUST PENALTIES AGAINST FIRMS OPERATING ABROAD

The effects of our antitrust laws as applied to foreign commerce must be considered in the light of the penalties and sanctions available against enterprises operating abroad. There can be no gainsaying that the vagueness of the antitrust laws is compounded by uncertainties in the foreign commerce area. Nevertheless, if U.S. business errs in its interpretations of these laws, it can be faced with criminal prosecution, civil injunctive suits costing tens or hundreds of thousands of dollars to defend, and by treble damage suits from private persons who deem themselves injured. The Commission may well wish to examine whether equally effective enforcement methods are available which do not expose U.S. business to such severe penalties.

I hope the above discussion is of some assistance.

Very truly yours,

DAVID R. MACDONALD.

DETROIT RIVER POLLUTION STUDY

Mr. HART. Mr. President, while John B. Swainson was Governor of Michigan, he had the courage—over very considerable objection—to invite the Public Health Service, of the Department of Health, Education, and Welfare, to make a study of pollution in the Detroit River.

This 3-year study, carried on with utmost precision and thoroughness, has now been completed. We are presented with a body of facts and a set of recommendations. I applaud the Public Health Service and those in Michigan who cooperated with it for a scientific job well-done.

As we move ahead to implement the recommendations, we shall be encouraged by support from the community, such as the May 12, 1965, editorial published in the Detroit News, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DETROIT RIVER POLLUTION CRISIS?—NOT YET MAYBE, BUT:

In a simpler and happier time (meaning a long time ago), men could not imagine how waters so vast as the Great Lakes could ever be fouled by anything mere man might do.

We know better now what mere man can do when he tries.

A Federal pollution survey of the Detroit River, 3 years in the making, tells us statistically what eyes and noses have long testified, that 1.6 billion gallons of waste water per day degrade its quality and render its lower reaches unpleasant or worse for man or beast.

It tells us again that Lake Erie, broad and wide and deep as it seems from the shore, is a dying lake, on its way toward unusability for many normal lake purposes, because of the load of wastes daily dumped into it.

These waters are probably our greatest single natural resource. Whatever the cost of restoring them to decent condition, it is undoubtedly less than the cost of letting them deteriorate further. It might appear, then, that what we must do and how we must do it is as crystal clear as the water once was.

In the abstract it may be. In real life it is not.

We must start from the less-than-comfortable premise that the river cannot be the sparkling stream it was for the Indians. Three million people and hundreds of factories will produce a huge volume of wastes of all kinds, much of which can go no other place but the river.

But those wastes can be treated and handled in ways which do not put more of a load on the river than its natural processes can safely absorb. Wastes which the river cannot handle at all can be kept out. The problem then, is not the quixotic one of keeping every last drop of pollutants out, but to determine what load the river can safely handle and to do what is required to keep the load within those limits.

It is not enough to say as does Detroit Water Department chief Gerald Remus, that Detroit has spent $300 million to improve its sewer system, that the Detroit River is better by far than most similar streams, that it is in better shape now than it was a few years ago.

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[7] See Legal Conflict and Resentment: Antitrust, Law and U.S. Business in Canada, Canadian-American Committee, 1960, pp. 15-22.

[8] Friendship, Commerce and Navigation Treaty between the United States and Italy.

[9] Pt. II. Factors Limiting American Investment Abroad, U.S. Department of Commerce, June 1954.

[10] *United States* v. *General Electric, et al.*, (S.D., N.Y.), Civ. No. 140-157, filed Nov. 24, 1958.

All these things are true, but they are probably not enough to preserve the river as the resource it is now, much less to restore it to what it might be.

But it is not enough, either, simply to cite a source of pollution and decree a particular treatment without regard to its cost, or to its probable effectiveness in relation to cost. Technology has some of the answers, but by no means does it have all. If every recommendation of the Federal report were put into effect, some of the problem would still remain.

To say this is not to say that there's no point in doing anything. Some glaring pollution sins are readily correctible now, given the determination. The slight gains we have made in recent years did not come from doing nothing. But the effort must be accelerated just to keep up, as population and industrial activity continue to grow. And if improvement is to be seen, as it surely must, the cleanup effort must grow by leaps and bounds.

The job is to sort out the prescriptions, develop priorities according to urgency and probable accomplishment, and find ways to pay for it.

The area starts out with a plus: The river is in better shape than it might be; in fact much of the Federal survey's import lies less in its findings of how things are than in what they will be if we don't do better.

This ground can quickly be lost if the magnitude of the task induces paralysis. The river is not yet in a state of crisis, but the way to keep it from reaching that stage is for someone to start screaming now. That is precisely the service the Federal folks have rendered us.

COURT DECISIONS AND ACTIONS DEPRECATING RELIGION AND PATRIOTISM IN THE UNITED STATES

Mr. THURMOND. Mr. President, a very disturbing article, published in the Los Angeles Times, has come to my attention. The article reports that a California judge has ruled the recitation of the Pledge of Allegiance to the flag out of the city schools of Santa Barbara, Calif.

The article, published in the May 1, 1965, issue of the Los Angeles Times, is entitled "Flag Pledge Up to Pupil, Judge Rules: 'Conscience' Wins Exemption in Santa Barbara." I ask unanimous consent that the article be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, this court decision marks another in a series of actions which have the effect of deprecating religion and patriotism in America. I warned on June 28, 1962, 3 days after the U.S. Supreme Court banished prayers from the schoolrooms, that there would be other such official actions to follow, striking at the fundamental principles which have been primarily responsible for the greatness our Nation has attained in such a relatively short period of time. One year later, the Supreme Court found the Lord's Prayer and Bible-reading to be unconstitutional, by wiring together the 1st and the 14th amendments to the Constitution.

Since these decisions were handed down, the singing or recitation of the fourth stanza of the song "America," which makes reference to God, has been denied to students in New York. The saying of the simple grace, "God is great, God is good, and we thank Him for our food," has been stopped in Sacramento, Calif., schools. Baccalaureate services have been canceled in some schools, including one in the District of Columbia. Christmas carols and Christmas trees have been thrown out of some New England schools.

Now under attack, either in the courts or through public criticism, are the fourth stanza of "The National Anthem," our national motto—"In God We Trust," and the use of chaplains in the armed services and in Congress.

Mr. President, if these actions are to be curbed and reversed, it is imperative that Congress put itself on record as deploring actions which tend to downgrade patriotism and our national acknowledgment of God. In 1954, Congress wrote into the Pledge of Allegiance the words "under God." Now, in part, because Congress has not taken action—not even a resolution of concern—over recent Supreme Court antiprayer decisions, even the Pledge of Allegiance has been ruled out in Santa Barbara schools. The reason given is that some student puts his conscience above loyalty to his nation. Mr. President, if the loyalty of school students or their parents is so thin that the recitation of the Pledge of Allegiance constitutes an infringement on their consciences, then perhaps they need to find another national home to which they may be able to pledge their allegiance. It is, indeed, a sad day in America when the Pledge of Allegiance to the flag in a school is ruled unconstitutional.

I also call to the attention of Senators an article which points to another case on the way to the U.S. Supreme Court for a possible landmark decision. This case is being brought by a group of atheists who challenge the tax-exempt status of churches and religious organizations and their properties. This case likewise points up the progress being made by those who, regardless of their motivations, are striking at the foundation stones of our American Republic.

I ask unanimous consent, Mr. President, to have this article from the Columbia Record of May 12, 1965, printed in the RECORD at the conclusion of my remarks. The article is entitled "Exemption May Be Removed: Athiests May Force Churches To Pay Taxes by Court Act."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Columbia (S.C.) Record, May 12, 1965]

EXEMPTION MAY BE REMOVED—ATHEISTS MAY FORCE CHURCHES TO PAY TAXES BY COURT ACT

(By J. F. Ter Horst)

WASHINGTON.—What could become another landmark case in the touchy area of church-state relations is now quietly working its way toward the U.S. Supreme Court.

This one involves the constitutionality of tax exemptions for church properties and enterprises, with millions of dollars at stake.

It is being pushed by the same atheist groups whose long legal campaign resulted in last year's Supreme Court decision against prayer reciting and Bible reading in public schools.

But there are a couple of ironies.

The tax case is coming up when, thanks to the administration's $1.3 billion education bill, church schools are eligible for certain Federal benefits for the first time in history.

And while the tax suits have been started by atheists in Baltimore, many prominent religious leaders are inclined to think they may be partly right.

FERMENT

Church deliberations on the tax question is more than mere resignation to the fact that recent Supreme Court rulings have tended to widen the wall between church and state.

There is a ferment among many leading Protestant denominations that the religious role of the church suffers when it accepts tax favors from government.

And there is equally a growing conviction that financially hard-pressed communities and States, needing tax dollars more than ever before, has a right to expect churches to pay taxes on some of their lucrative holdings and businesses.

The Constitution doesn't say anything specifically about exempting churches from taxation, but the courts generally have held that churches are quasi-public institutions and not taxable. About the only exceptions have been business activities not related to religious functions or church-owned property leased to profitmaking.

But the Federal income tax generally exempts all church income. Many religious bodies have gone into businesses like food production, publishing, and property rental. Others have invested church funds in business enterprises in order to make money for their churches.

YANKEE STADIUM

For example, the Knights of Columbus in 1953 bought the land under Yankees Stadium in New York and leased it back to the original owner for 24 years, providing a tax break to the KC and to the renters.

Three Protestant churches in Bloomington, Ill., entered into a deal of this type with the Hilton Hotel Corp., in 1952. The Texas Baptist Foundation reportedly gained about $500,000 in 1962 in returns on lease-back properties.

The year book of American churches last year gave an interesting measurement of church and church-related income. Reports from 47 Protestant and Eastern Orthodox churches showed $2.5 billion in contributions for 1961, a figure considerably higher now, with 80 percent earmarked for local expenses. Church construction has been running about $1 billion annually since 1960.

One of the biggest property owners in the United States, as well as the world, is the Roman Catholic Church. The Reverend Richard Ginder wrote in a church publication in 1960 that the Catholic church "must be the biggest corporation in the United States * * * our assets and real estate holdings must exceed those of Standard Oil, A.T. & T. and United States Steel combined * * *."

Some churches deliberately avoid tax exemption. On business enterprises, the Seventh-day Adventists and the Mormon church are two which prefer to pay taxes than seek special favors.

Church leaders in the Presbyterian and Baptist denominations now tend toward the view that churches should stay out of business enterprises unrelated to their religious mission, because this makes them unfair competition to private businesses not eligible for tax exemption.

JEOPARDY

The National Council of Churches, at a special tax study conference last year, took the same position. However, it said tax exemption for religious bodies is desirable because they perform useful community work and because Government "should not place the existence of such institutions in jeopardy through taxation."

The Baltimore suits attack the Federal income tax exemption of church revenues from business enterprises as well as the exemption of church real estate for Baltimore property taxes. They may be before the Supreme Court in the coming year. In the meantime, the churches are preparing for an eventual change in their tax status.

The National Conference of Christians and Jews, for example, retained Andrew D. Tanner, a Nashville tax attorney, to review the entire tax scene. His advice is that churches should bring up the tax question themselves, without waiting for the courts to act.

Tanner favors a law that would continue tax exemptions only for houses of worship and property used for religious instruction and administration.

EXHIBIT 1

[From the Los Angeles Times, May 1, 1965]

FLAG PLEDGE UP TO PUPIL, JUDGE RULES; "CONSCIENCE" WINS EXEMPTION IN SANTA BARBARA

SANTA BARBARA.—The city board of education will be prevented from forcing 15,000 students to recite the daily Pledge of Allegiance to the flag under a writ of mandate ordered issued here Friday.

Superior Judge W. Preston Butcher said he was compelled by the U.S. Constitution's "guarantee of freedom of conscience" to rule in favor of 18-year-old Charles Ames, a professor's son who filed suit after the school board refused to excuse him from the daily recitation.

American Civil Liberties Union attorney A. L. Wirin, who brought the action for Ames, was jubilant over the ruling, saying:

"This decision is the first by any court in the land acknowledging freedom of conscience as distinguished from formal religious belief as adequate constitutional ground to secure exemption from compulsory participation in the oath of allegiance ceremony."

AGREES TO STAND

Young Ames, whose father is a Purdue University economics professor, said during the hearings he does not object to standing at attention while the pledge is being recited, but that to be forced to repeat it each day violates his "sacred conscience."

The Santa Barbara High School senior, who lives here with an uncle, was suspended by his principal last November for refusing to recite the pledge. He was reinstated by the board of education when he agreed to recite under protest. He then filed the suit.

He had the backing of several high school and Santa Barbara City College instructors as well as 23 men and women who identified themselves as Catholics in a petition to the court.

NO RELIGIOUS ISSUE

The religious aspect was laid aside by Judge Butcher in his ruling:

"I grant the petitioner his definition of freedom of conscience as his own, and will not try to force upon him the burden of protesting on purely religious grounds, which would release him from reciting the pledge.

"That some may think him odd or even sacrilegious has no bearing at all on this court. He may pledge the way he desires, so long as his way does not interfere with the belief of others * * *"

School board attorney Robert J. Curiel said the board may decide to appeal.

THE BENNETT PLACE COMMEMORATION

Mr. ERVIN. Mr. President, on April 25, 1965, the good people of my State and many distinguished guests, including the Vice President of the United States and Governor Moore, joined to honor those who, 100 years ago, attempted to preserve a nation torn by a long and costly war. It was a conflict which pitted brother against brother and State against State; it was a bitter struggle in which valiant and dedicated men sought to do what each considered right. It was a war in which there could be no real victory. It was here that the hostilities ceased, and it was here that two men of good will, one from the North and one from the South, sought peace.

This distinguished gathering was held at the Bennett House, where the man in gray and the man in blue were commanders of opposing armies. General Sherman and General Johnston had faced and fought each other for over 4 years, but they met in a spirit of amity, to search for the attainment of peace with honor.

The peace they sought looked far to the future—a peace that would bring to the entire Nation a new era of industry, commerce, learning, and achievement in the arts.

Let us listen to General Sherman, himself. On April 22 he said he hoped the truce that then existed would quickly ripen into a definite peace. Then he added:

> And we will accept it and be the friends of the farmers and working people of North Carolina, as well as the actual patrons of churches, colleges, and all institutions of learning and charity.

The terms of the initial peace plan provided that upon the surrender of the Confederate Armies, and the taking of the Oath of Allegiance to the Constitution of the United States, the Confederate States would resume their function and rightful place in the Union.

Unfortunately, the peace Johnston and Sherman sought was frustrated. The assassination of President Lincoln disrupted that plan; and, instead of a peace with honor, the South fell victim to the reconstructionism of the radical Republicans, which yoked her to understandable bitterness and disappointment.

That Mr. R. O. Everett should have sensed, 43 years ago, that men would memorialize a place sanctified by that noble quest of man—the pursuit of unity—does honor to his perceptiveness. He saw the vision that Sherman and Johnston saw; and, in the years that have passed, he has kept that vision before us. When we ponder the Bennett Place today, let us do so with a new spirit of dedication to, and appreciation of, the many thousands of our citizens who throughout our long history have spent their lives in the quest for unity and justice, for it is here that men lived the role of peacemaker; it is here that they sought a unity to transcend the moment.

In this spring of a new century, Mr. President, I call upon all Americans to live their lives in the spirit of unity symbolized by the Bennett House, for it is a spirit that has served us so well throughout our history. With this faith in unity, we shall never falter as we meet the challenges of the centuries yet unborn.

Mr. President, the Bennett House ceremony, commemorating the 100th anniversary of the end of the Civil War, included many fine speeches, and prompted a large number of fine articles and other documents. Accordingly, I ask unanimous consent that articles, speeches, and related documents be printed in the RECORD, at this point in my remarks.

There being no objection, the speeches and documents were ordered to be printed in the RECORD, as follows:

ADDRESS BY VICE PRESIDENT HUBERT H. HUMPHREY, BENNETT PLACE COMMEMORATION, DURHAM, N.C., APRIL 25, 1965

April is an historic month for our country It is the month when we commemorate the deaths of Abraham Lincoln and Franklin Roosevelt. It is also the month when we commemorate the end of the costliest war this Nation has ever fought.

For the past several years the American people have been observing Civil War centennial events. But I must say I have often been disturbed by some of these observances. For too often the reenactment of historic battles tends to make war seem romantic.

War is not romantic. War is ugly, cruel and senseless.

We are not gathered today to commemorate a war—nor are we gathered to commemorate the end of a war.

We are here to pay tribute to the valiant men of the North and the South who met 100 years ago here at Bennett Place to seek peace.

The man in gray—General Johnston—and the man in blue—General Sherman—were two of the finest soldiers this Nation ever produced. They had fought each other for more than 4 years. Their profession was war. Their goal was victory. But when they met here at Bennett Place they searched for peace with honor.

They sought a goal that would make worthwhile the supreme sacrifices of more than 600,000 Confederate and Union soldiers. This goal was unity.

The promise of America, a growing, mighty America, was but a distant dream when these men met as spring came to a tortured nation. But these men had the courage and vision to place their trust in the strength of an ideal.

That ideal was unity.

The terms of the peace plan set forth by General Sherman were similar to the lines of conciliation agreed upon by Grant and Lee at Appomattox—a policy that had been outlined by President Lincoln.

But, unfortunately, the efforts of Johnston and Sherman were frustrated. Secretary of War Stanton repudiated the terms offered by General Sherman.

Secretary Stanton said:

"I am distressed beyond measure at the terms. They are inadmissible. There should now be literally no terms granted. We should not only brand the leading rebels with infamy, but the whole rebellion should bear the badge of the penitentiary."

What a shame it was that all of our country at that trying time could not have agreed with the words of Robert E. Lee at Appomattox:

"We have fought this fight as long as, and as well as, we know how. For us, there is but one course to pursue. We must accept the situation, and proceed to build up our country on a new basis."

All this is now history. It is behind us. But we can learn from it. From the vantage point of 100 years later, we know that the Reconstruction period was a distressing chapter in the history of America. We have learned the bitter lesson that the spirit of regional vindictiveness and political opportunism contribute nothing to the general welfare of our country.

Indeed, all this demented spirit can contribute is a heritage of rancor and bitterness and hatred.

We should always remember this lesson from the past. For the radicalism that dominated the Reconstruction era is a vivid example of the mindless, vengeful kind of extremism that even today, if left unchecked, could bring our great democracy to its knees.

I believe the American people have learned this lesson. And now our great Nation, under the leadership of President Johnson, is beginning a new era of unity.

Men learn from history. But men also make history. And today, President Johnson and the Congress, having learned their history, are building a lasting, long-term base of national unity upon which we can create our own future.

I believe that we are approaching that point in our history when the senseless struggle of class against class, region against region, and race against race will be ended.

I believe we are reaching the goal set forth by President Johnson when he said:

"Someday we will see an America that knows no north or south, no east or west; an America undivided by creed or color, untorn by suspicion or strife."

I might add that only such an undivided America will be able to carry the burden of freedom in the world—a burden we must carry if we are to preserve democracy in the future.

We are now, in unity, fully developing our most important resources: our human resources.

President Johnson has proposed, and your Congress is passing, legislation which will help create the freedom and security we seek.

Programs to provide adequate medical care, to better educate our children, to eradicate poverty, to give each man and woman in this country truly equal opportunity. These investments carry a price tag.

But the cost of national problems like illiteracy, school dropouts, poverty, delinquency, and yes, discrimination, is far greater than the cost of our efforts to overcome these things.

We spend $450 a year per child in our public schools. But we spend $1,800 a year to keep a delinquent in a detention home, $2,500 a year for a family on relief, and $3,500 a year for an inmate in State prison.

We must make the investments necessary so that all in our society may be productive. Poor and uneducated people are poor consumers. They are a drain on our economy. They are wasted resources.

I believe the South will help lead the way during this new era of national unity.

I believe the people of the South will help us lead the way as we bring an end to obstruction and paralysis and liberate the energies of a mighty people.

I believe the people of the South will help us lead the way as we fight to overcome the ancient enemies of man—ignorance, disease, poverty, and injustice.

Already we have seen evidence that the new South is pointing the way as America's No. 1 economic miracle. It is forging ahead with a pace of economic development that is the wonder and the envy of every section of the country.

The South no longer is an economy of low incomes, cheap labor, and a single crop. The South now produces 40 percent of our Nation's forest products, half of our Nation's minerals, 53 percent of our petroleum, 75 percent of our natural gas, and 100 percent of our sulfur and bauxite.

The new South is an economy of diversification, an economy of working people who are building fine homes, an economy of farmers who are earning higher incomes, an economy of new industry that serves all America.

I am confident the South will continue to move forward with a powerful thrust, not only ecnoomically, but also socially and politically.

Our country draws strength from its present-day unity. For it is a unity based not on force or compulsion, but on mutual respect and a common belief in the dignity of man.

The real struggle in the world today is over man's dignity. The real difference between the totalitarian and the free world is in the understanding of the worth of man.

Here in America we really believe that God created man in His own image, that there is a spark of the divine in every human being. And because we believe that man was created by a divine force, we also believe that no other man has the right to govern or rule him without his consent.

This is the basic commitment of our great country. Our children state it every day in school when they recite the Pledge of Allegiance:

"I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

We preserved this one Nation out of a terrible war. Now our task is to work together, in unity, to build the America begun but never completed.

The 100th Anniversary of the End of the Civil War and the Beginning of Peace Under the Auspices of the Bennett Place Memorial Commission, Bennett Place Grounds, Durham, N.C., April 25, 1965

BENNETT PLACE CENTENNIAL COMMITTEE

Gov. Dan K. Moore, honorary chairman; R. O. Everett, chairman; Robinson O. Everett, vice chairman; R. W. Grabarek, treasurer.

Merle T. Adkins, Frank L. Ashmore, Judge Oscar G. Barker, Wililam A. Blount, H. C. Bradshaw, Mrs. Bernard Bressler, Paul Bryan, J. Claiborn Byrd, Maj. W. E. Cheatham, John Clayton, Mrs. R. B. Cooke, William Creech, C. C. Crittenden, Claude Currie.

Wyatt T. Dixon, W. C. Dula, Gen. Daniel K. Edwards, E. J. Evans, Floyd Fletcher, Roy E. Fullen, Edmund C. Gass, A. H. Graham, Mrs. Irving E. Gray, Clyde Green, Paul Green, Mrs. Dillard Griffin, Carl R. Harris.

Mary Henderson, George R. Herbert, George Watts Hill, Sr., Mrs. Bille Jean Jennings, Bob Jones, Thomas Kenan, John T. Kerr, Douglas M. Knight, Mrs. John W. Labouisse, Norman Larson, Hugh T. Lefleer, E. M. Lynch, Samuel P. Massie, Ned May.

T. M. Patrick, C. H. Pattishall, Jon Phelps, Judge L. J. Phipps, Mrs. W. M. Piatt, Leon Rooke, R. W. Sawyer, Mrs. James H. Semans, Richard Vance, John H. Wheeler, John B. Wilson, Mrs. W. H. Woods.

The Bennett Place Centennial Committee expresses its sincere appreciation to the many patrons who have contributed to this commemoration occasion.

On the Bennett Place grounds is a marble monument with the word "Unity" on the entablature which connects two Corinthian columns, one facing north and one south. On the west side of the monument is the following inscription:

"One hundred feet east of this spot in the Bennett House, Gen. Joseph E. Johnston and Maj. Gen. William T. Sherman met at noon, April 17, 1865 to discuss terms of a proposed surrender. They met in this house again on April 18 and wrote and signed a 'Basis of agreement' under the terms of which General Johnston agreed to surrender all the Confederate Armies then in the fiield.

"President Andrew Johnson rejected the terms agreed upon, sent orders to General Sherman on April 24 'To give 48 hours' notice and resume hostilities at the end of that time,' and ordered General Grant to go to Raleigh to 'direct military movements.' General Grant arrived in Raleigh on April 24, but out of consideration for General Sherman he did not assume command.

"On the evening of April 25, General Johnston 'asked another interview' with General Sherman 'to renew negotiations,' and on the 26th at 2 p.m. the generals met a third time in the Bennett House and signed the terms of 'a military convention,' under which 36,817 Confederate soldiers in North Carolina and 52,453 in Georgia and Florida laid down their arms.

"This monument thus marks the spot where the military force of the United States of America finally triumphed and established as inviolate the principle of an indissoluble union; it marks also the spot of the last stand of the Confederacy in maintaining its ideal of indestructible States—an ideal which preserved to the American Union by virtue of the heroic fight grows in strength from year to year."

The Bennett Place was originally a small farm located on the Hillsboro Road west of Durham Station, and was the home of James Bennett. It was at the Bennett house where Gen. Joseph E. Johnston's Confederate Army surrendered to Gen. William T. Sherman on April 26, 1865, and where organized civil existence of the Confederate government ended. Johnston at the Bennett Place surrendered all Confederate forces in the Carolinas, Georgia and Florida—by far the largest share of the Confederate troops still in the field at war's end and more than Lee and the others combined.

Following the surrender, the Bennett Place changed hands several times and the house finally fell into disuse and burned in 1921.

Realizing the historic significance of the Bennett Place, R. O. Everett, in 1921 while a member of the North Carolina General Assembly, introduced a bill providing for the State to appoint a committee to acquire and preserve the site. This bill was passed and a committee appointed. Meantime the family of the late Samuel Tate Morgan purchased the Bennett tract of land and later gave it, together with funds for a monument to be erected on the site, to the State. The State of North Carolina in 1923 established the Bennett Place Memorial Commission, composed of Bennehan Cameron, Julian S. Carr, R. D. W. Connor, Frank C. Brown, W. T. Bost, R. O. Everett, and D. H. Hill, to administer the Bennett Place, and on October 12, 1923 the site, together with the monument, were accepted on behalf of the State by the Bennett Place Memorial Commission. Since 1925 R. O. Everett, of Durham, has been chairman of the commission, and each year on the Sunday in April nearest to April 26 has arranged appropriate ceremonies at the Bennett Place to keep its meaning of unity before the public.

Numerous donations have been made to the Bennett Place. In addition to the land and monument given in 1923 by the Morgan family, T. M. Davis donated a small piece of land adjoining, Mrs. B. N. Duke gave the stone wall, R. O. Everett the stone pavilion, Van Lindley Nursery plants and shrubbery, and Mrs. Sarah Thompson Morgan left a bequest from which the stone bench was purchased. In 1958 Mrs. Magruder Dent, granddaughter of the late Durham industrialist, Frederick Lang Baily, made a substantial gift which, with use of lumber given by Frank Kenan from an old house of approximately the same age and size as the Bennett farmhouse, made possible the restoration of the house, using the original chimney which was still standing. Other sizable donations from Blanche Morgan Gourmajenko, Maude Morgan Cabell, and Samuel Tate Morgan, Jr., aided by some old lumber contributed by Dr. Lenox Baker and by countless hours given by C. H. Pattishall in supervising the rebuilding, resulted in the reconstruction of the kitchen on the original foundation in 1960. James Freeland of Hillsboro gave the smokehouse and wooden fences around the buildings. The Bennett

Place chapter, UDC, contributed the flagpole and flags, and the Julian S. Carr chapter and numerous individuals made contributions of furniture of the period for the house and kitchen. Children of the sixth grade of one of Asheville's schools, upon reading a feature story in the newspapers about the Bennett Place, made it their special project for a month, and contributed around $75 to the commission. In 1964, Mr. Samuel T. Morgan, Jr., made another sizable donation for use by the commission. The State of North Carolina since 1923 has made a small annual contribution to keep up the grounds, and in 1961 made the Bennett Place a State historic site. It is hoped that later a museum can be erected on the grounds.

EIGHTY-NINTH CONGRESS, FIRST SESSION, JOINT RESOLUTION

Whereas a profound spirit of unity among Americans underlies this Nation's greatness; and

Whereas a striking and memorable example of that spirit of unity pervaded the negotiations between Gen. William T. Sherman and Gen. Joseph E. Johnston when those opposing commanders in their search for peace met at the Bennett House, near the city of Durham, N.C., in April of 1865; and

Whereas through the diligent and unselfish labors of the Bennett Place Memorial Commission over long years, the Bennett House, together with its grounds and appurtenant buildings, has been carefully preserved and now comprises an official State historic site, administered by the State of North Carolina, so that the Bennett Place today stands as a permanent symbol of the Nation's unity; and

Whereas the people of North Carolina, imbued with the same sense of unity and concord that characterized the Johnston-Sherman Bennett Place conference a century ago, and wishing to commemorate the centennial of those conferences, will hold appropriate ceremonies at the Bennett Place, near the city of Durham, on April 25, 1965; and

Whereas the Governor of the State of North Carolina, the city of Durham, and Bennett Place Memorial Commission, have invited the people of the United States to attend those ceremonies: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation, on or before April 1, 1965, reminding the American people of the spirit of national unity that is symbolized by the Bennett Place, near the city of Durham, N.C., and urging those who can do so to attend the commemorative ceremonies to be held by the people of North Carolina at the Bennett Place on April 25, 1965.

SEC. 2. Departments and agencies of the Government of the United States, including the Civil War Centennial Commission, are hereby requested to cooperate with the Governor of the State of North Carolina, with other public officers, and with governmental agencies of said State, and with the city of Durham, and the Bennett Place Memorial Commission in planning and carrying out the aforementioned commemorative ceremonies.

(This resolution was passed by the Senate on Mar. 15, 1965, and later passed by the House of Representatives.)

THE WHITE HOUSE BENNETT PLACE COMMEMORATION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA, A PROCLAMATION

The true unity of our Nation is more than a union of States. It is a unity of spirit, of human hearts, and aspirations and hopes. It is not static but is ever growing, for its work is never done.

The true spirit of American unity is one of challenge, of new goals to be sought and won. It is the spirit of ceaseless striving by all of us—by Americans of every generation—to attain those great common purposes that spring from our rich and marvelous diversity and yet transcend it.

A moving and poignant example of this spirit occurred nearly 100 years ago in the peace negotiations between Gen. William T. Sherman and Gen. Joseph E. Johnston, held at the Bennett Place, near the city of Durham, N.C. Those opposing generals sought more than a mere cessation of hostilities, more than a reunion of States. They looked to the future. They sought a peace for a reunited people, a peace that would be nationwide in scope, permanent in duration, and based on mutual understanding, fraternal affection, and concord of purpose.

By a joint resolution approved March 29, 1965, the Congress of the United States has requested the President to issue a proclamation reminding the American people of the spirit of national unity that is symbolized by the Bennett Place, near the city of Durham, N.C., and of commemorative ceremonies to be held there by the Governor and people of the State of North Carolina on April 25, 1965.

Now, therefore, I, Lyndon B. Johnson, President of the United States of America, hereby call upon the American people to remember and to reflect upon that spirit of national unity; and I urge those who can do so to attend the centennial ceremonies to be held at the Bennett Place, near the city of Durham, N.C., on April 25, 1965, pursuant to the cordial invitation of the Governor and people of that State.

In witness whereof, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

Done at the city of Washington this 29th day of March in the year of our Lord nineteen hundred and sixty-five, and of the Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON.

By the President.

DEAN RUSK,
Secretary of State.

THE BENNETT PLACE CENTENNIAL COMMEMORATIVE PROGRAM

2 p.m.—Concert: Presented by the 82d Airborne Division Band, Fort Bragg, Chief Warrant Officer Ralph Liebchen, bandmaster; the Cardinals, North Carolina College, Constance Allen, conducting.

3 p.m.—Ceremony: Robinson O. Everett, vice chairman, Bennett Place Memorial Commission, presiding.

The National Anthem, Mrs. Charles S. Sullivan, accompanied by band.

Presentation of colors, Combined Services Color Guard.

The invocation, the Reverend William C. Bennett.

Welcome, R. O. Everett, chairman of Bennett Place Memorial Commission.

Greetings, Morgan A. Reynolds, representative of the Samuel Tate Morgan family.

Recognition of distinguished guests.

Greetings, the Honorable HORACE KORNEGAY, Member of the House of Representatives.

Greetings, the Honorable SAM J. ERVIN, U.S. Senator.

Greetings, the Honorable B. EVERETT JORDAN, U.S. Senator.

Music, "The Blue and the Gray," the band.

Introduction of the speaker, the Governor of North Carolina, Dan K. Moore.

Address, the Vice President of the United States, HUBERT H. HUMPHREY.

Music: America, by assembly, led by Mrs. Charles S. Sullivan.

Benediction, the Reverend Albert A. Nelius.

Musical postlude, the band.

UNITY AT THE BENNETT PLACE

(Arranged from a television documentary prepared for the Bennett Place Centennial Committee by Leon Rooke)

This is the Bennett Place. It stands not as a memorial to war but to peace. It is not a memorial to the 700,000 men who died for their convictions but to the Nation, united, that survived and became great almost in spite of the 4 years death and destruction that those convictions precipitated.

It was here in 1865 that Maj. Gen. William T. Sherman of the North and Gen. Joseph E. Johnston of the South, each with a vision 4 years of war had not shattered, sought to bind a nation back together that had been torn apart as a result of an ingrained sectionalism that lingers on today, 100 years later.

One hundred years ago the Bennett Place looked not significantly different from the way you see it now—it was not unlike others of the day, smaller than many, larger than most. There were no slaves. The buildings were simple and sturdy, the land sufficiently fertile to provide a living for Lucy Bennett and her children who occupied this house, and with what help she could get, worked these fields. In 1865 there was no man to keep these fields—he, James Bennett, was at war.

"War," Sherman is reported to have said, "is hell." Hell ended finally, 4 years of it, on the 26th of April 1865, here at this place. No men died at the Bennett Place. It is all the more to be honored because of that.

Sherman's philosophy was one of total war or total peace. Since the 11 seceding States of the Confederacy had chosen war, he had no desire to make that war a matter of sweet remembrance or fond recall. Where his armies marched they served to prove that war indeed was hell. They marched through Georgia, they marched to the sea, they turned northward and marched into the Carolinas. March 1865, found him on Tar Heel soil, with an army of 90,000 men. For much of that march, his chief adversary had been the army of Joseph E. Johnston.

In March 1865, with a battered army not half his opponent's size, Johnston stood before him once more. Johnston called Sherman "the genius of the Federal army" and meant it. Sherman was not far behind in his respect for Johnston and there were reasons why he should have thought so. Except in battle, they had never met. They would meet once more in battle, at Bentonville, before finally they would meet in peace at the Bennett Place.

Four years before Sherman had been superintendent of the Seminary of Learning and Military Academy in Louisiana, a friend of the South. He still thought of himself as the same. In March 1865, he was a Union general, considered little more than a monster by the South, considered a great hero by the North. A month from now he would be considered neither.

In March 1865, Lincoln was inaugurated for a second term. A month from then he would be dead. In Washington that month the smell of Union victory was in the air. To Lincoln victory meant peace, a nation united once more. With visions of the wasted dead and the starving South before him, he appealed to the Nation to forget vengeance.

"With malice toward none; with charity for all * * * let us strive on to finish the work we are in; to bind up the Nation's wounds * * * to do all which may achieve a just and lasting peace."

Symbolic of the unity of which he spoke, a southerner stood beside him. A month from now he would be President. His name: Andrew Johnson, now Vice President. He was born in Raleigh, N.C. Not 30 miles from the place of his birth, at the Bennett Place, negotiations to end 4 years of war, in a month would take place, and overtures to a permanent unity for North and South be enjoyed.

For the moment, not much more than 30 miles from his birthplace, but in the opposite direction, at Bentonville, the Federal army dozed. Sunday, March 19, dawned clear and warm. For the unsuspecting Union troops everything pointed to a day of peace and quiet. Letters home. Stories to tell. A chance to rest swollen feet, to smoke and sleep.

But Johnston had decided on what turned out to be one last major stand. His army, hurriedly assembled, ragged, without shoes, long without pay or sufficient rations, fighting off the stench of 4 years war—had not yet caught either the smell of victory or accepted the taste of defeat. Inside of a few hours that Sunday morning the sky was choked with smoke and the earth rich with blood. For 3 days it stayed that way.

When the smoke cleared, killed, wounded, captured or missing were 4,000 men—4,000 more to add to the more than 600,000 already dead. Sherman's men had pushed back Johnston's army, but far from crushed them. Once again the armies marched. Johnston's to Raleigh, Sherman's to Goldsboro.

In Raleigh Johnston corresponded with Lee, entrenched for 9 long months at Petersburg and Richmond, and learned that he, too, was preparing for what, for him as well, would turn out to be one last Confederate stand. Appomattox, the Bennett Place, the war's end, these were nearing with each day.

Three days after the Battle of Bentonville, Sherman left for City Point, Va., Grant's headquarters. Lincoln was there, on board a steamer, the "River Queen." What happened at this meeting was to have a vital bearing on Sherman's actions a month later at the Bennett Place.

Lincoln expressed the fear that Lee would escape Petersburg and join his forces with those of Johnston. Grant assured him that this would not occur. Sherman agreed. Lincoln was satisfied. Each felt that the only question now was time. The talk turned to thoughts of peace. Lincoln told them that he contemplated neither revenge nor harsh measures for the South. He impressed Sherman with the thought that his primary concern was to reunite the country as quickly as possible with as little hardship as possible. It was a view Sherman had held throughout the war: that as soon as the Confederate armies laid down their arms, they would be guaranteed all their rights as citizens, and State governments then in existence recognized. Sherman asked the President if he wished to capture Jeff Davis or let him escape. Lincoln indicated that his escape would not greatly hurt the country.

Davis at that time was not far away—in Richmond. The decision to abandon Richmond had already been made, and flight from the doomed city was under preparation.

On the 1st of April, Lee made his last assault. He was defeated. Grant requested his surrender, and on the 9th of April at Appomattox, Lee's army was surrendered. But this was only one army—the war wasn't over yet.

It was April 12, in Smithfield, that Sherman learned of Lee's surrender at Appomattox. His army, waiting to march on Raleigh, rejoiced. He wired Grant: "I hardly know how to express my feelings, but you can imagine them. The terms you have given Lee are magnanimous and liberal. Should Johnston follow Lee's example, I shall, of course, grant the same."

But Johnston who had received unofficial reports of Lee's surrender, had more on his mind than the surrender of his army. At midnight, by train, he left Raleigh for Greensboro and a meeting with Jeff Davis. The trip took 8 hours; during that time he reviewed alternatives—he could surrender his army to Sherman, or allow them to disperse into guerrilla bands for a rendezvous later in the West. He knew he had it in his power to indefinitely prolong the war, the suffering, the death, the destruction. He could do as Lee had done: surrender one army and thereby damage, but not wreck, the southern cause. Perhaps he could do more. He made up his mind and prepared himself for the difficult meeting with Jefferson Davis, whom, he knew, was obsessed with the desire to continue the war at all costs.

Davis had arrived in Greensboro the previous day. No welcoming party had greeted him. But even if the citizens of Greensboro were indifferent to their president, he would not yield. Although Virginia was lost, the Confederate cause was not. Johnston yet occupied North Carolina with 37,000 men, troops under Dabney Maury stood ready in Alabama, Dick Taylor's army was in Mississippi, and in Texas yet another army was rallying behind Kirby Smith. There was no cause for surrender. But the two generals who liked him least—Johnston and Beauregard—were not to be convinced. And later in the day when official word was received of Lee's surrender, Johnston was more certain than ever of the futility of continuing.

Davis, however, was adamant. Reunion, he claimed, was no basis for negotiation. He asked Johnston to give his advice. The general was precise. "My views, sir, are that our people are tired of the war, that it is folly to continue. The only power left to you, Mr. President, is that of terminating the war. This power should be exercised without delay."

Efforts toward a final peace between the North and the South were now in motion. In five days Sherman and Johnston would be at the Bennett Place. General Johnston telegraphed General Sherman on April 13, 1865:

"I am induced to address you in this form the inquiry whether, to stop the further effusion of blood and devastation of property, you are willing to make a temporary suspension of active operations, and to communicate to Lieutenant-General Grant, commanding the armies of the United States, the request that he will take like action in regard to other armies, the object being to permit the civil authorities to enter into the needful arrangements to terminate the existing war.

"J. E. JOHNSTON,
Commanding."

Sherman was jubilant. Since leaving Louisiana 4 years before, while his army marched and created havoc throughout four States, he had sung one song: lay down your arms, rejoin the Union, and we will take up where we left off, we will be brothers once more. To him, peace and reconstruction were simple as that.

In the meantime, throughout the day, the day before, the days following, the remnant of Lee's army were going home. They passed through Raleigh, and the girls of St. Mary's and of Peace College came out to give them food, a smile. They stopped at farmhouses and begged for bread; they moved in parties and alone; they foraged; they cried and laughed and drifted through the campfires of Johnston's men and exchanged their tales and went on through the countryside over the roads and paths to their homes. For them the war was over; it was back to crops, home, family, the pursuits of peace. The men of Johnston's army, and Sherman's, saw them pass, and hungered for a similar reward.

On the morning of the 17th of April Sherman left his headquarters and went to the Raleigh depot to board a special train that would take him to Durham Station for his meeting with Johnston at the Bennett Place. As the train moved out, an urgent coded message was being received which was to drastically alter proceedings at the Bennett Place. The train was held up while Sherman decoded the wire.

It read: "Last night at 10 o'clock, Lincoln was murdered."

In the area in and around Durham Station men of Johnston's army and those of Sherman's cavalry division relaxed and mingled under an uneasy truce. Rumors circulated. "Sherman's meeting the Reb," they said. "The Yankee devil wants to talk peace," they said. They embraced the rumors, enlarged upon them and tried to believe them. "No," they said, "we just holed up here for supplies. We're just waiting for Grant's army to come down and join up with ours. I hope they're doing more than talking," they said; "I hope it ends." They did as soldiers do in every army: they waited. And while they waited, they swore and drank, and remembered and hoped. And this time, too, more than usual, they smoked. Men of the two armies had discovered, in the small warehouses and in the notions store, a tobacco new to them. They would take it away with them and write back later for more of that good bright leaf tobacco. And Durham Station would never be the same again.

It was noon when Sherman and Johnston met on the Hillsboro Road, 3½ miles out of Durham Station. For Sherman, the march that had begun 13 months before out of Chattanooga had come to an end—here at the Bennett Place. The war, as wars do, had come the long way around.

Lucy Bennett answered the knock on the door. She was ready for them. The Confederate General Hampton the previous day had made arrangements so that the conference might take place at this house midway between the two armies. Lucy Bennett was probably nervous and a little afraid. She was no doubt awed. She gathered her children and retired with them to the kitchen. There she waited.

The escort parties waited, too.

Alone inside the Bennett house, Sherman gave Johnston the telegram he had received from Secretary of War Stanton. Lincoln—dead. It is likely that the death of Lincoln aroused in the two military men an even greater determination to bring the war to an end. In any case, neither hid behind false propositions or strayed from the task they had accepted for themselves. Johnston suggested that instead of a partial suspension of hostilities such as had been the case with Lee's surrender at Appomattox, they arranged terms of a permanent peace which would include the surrender of all southern armies in the field. Sherman welcomed the thought: one sweeping act that would unify the divided land. But he was wary; he wanted to know if Johnston had authority for such a peace. Johnston did.

In Washington there was pandemonium and sorrow * * * there was recoil from Lincoln's death. The one southern Senator to support the Union 4 years before now stood as its President, and the task, now, of reuniting North and South was his. Sharing the sentiments of the man from Illinois who had preceded him, he accepted the burden and set to work. But there were those in his Cabinet and in Congress who cried for vengeance. They would win, but the Nation would, once more, lose because of it.

In North Carolina the next day Sherman and Johnston came a second time to the Bennett Place and this time wrote out the plan of surrender. All Confederate Armies still in the field were to deposit their arms in State arsenals and disband. State governments were to be recognized upon taking the oath of allegiance. Political and civil rights were to be restored to the people.

Outside the Bennett farm, at Durham Station and elsewhere, soldiers of the two armies mixed: their affairs took on a civilian flavor. It looked to them like the fighting finally was over: they waited.

Davis by then was in Charlotte. In Charlotte he learned three things: that the citizens of that village were unconcerned about him and tired of the war; that Lincoln had been assassinated; that Johnston had come to liberal terms with Sherman. The third, the terms, was good news; he wired Johnston his approval. It was the last good news he would get.

Elsewhere throughout the land news of that surrender passed. In Washington Andrew Johnson was fighting a losing battle. Suspicious that Jefferson Davis was responsible for Lincoln's death, enraged at the South, the capital was in no mood for generosity. Recognize State governments? Indeed. Under the cloak of mourning, their bitterness mounted. Pressed, Johnson was forced to reject Sherman's terms. Sherman, a hero to the northern press prior to this, was now himself being branded a traitor. Sherman, newspapers told their readers, could not have surprised his country more if he had surrendered his own army to Johnston. Secretary of War Stanton thought so, too: he ordered Grant to Raleigh; he ordered Sherman to resume hostilities in 48 hours.

Davis acted too, ordering Johnston to disband his infantry with instructions to meet at some appointed place for continuing resistance against the North. Davis and his cabinet then hurriedly began their escape.

Johnston got that order on April 25. He read it and thought about it but he did not obey it. Instead, he came again to the Bennett Place for a third meeting with Sherman. Out of respect for his ally, Grant stayed behind in Raleigh.

The soldiers, uneasy now, faced with the resumption of battle, waited. Through the afternoon, on toward evening, they waited. Would the war go on, or would it end? Life and death—their own—hung in the balance. They waited.

Elsewhere they waited too, but not idly. In Washington the Radical Republicans in Congress were gathering forces to defeat the plan for reconstruction inherited by Johnson. The forces of disunity were at work anew.

At the Bennett Place, Johnston and Sherman could not agree. Johnston objected to the terms being based solely on those given to Lee. He, after all, held the authority to surrender not only his own army, but those in South Carolina, Georgia, and Florida as well.

But there was chaos in Washington, Sherman said. They would approve only such terms. Johnston thought of his men: Lee's army, he noted, had been disbanded without sufficient provisions, or means for getting home. To get there they had had to feed upon the land through which they passed. To beg, borrow, or steal from those who had nothing left to give or lose.

It was an uncomfortable position for both. Each knew where the other stood, and why the other hesitated. Neither wanted the North and the South to fight again. Late in the day a solution finally was advanced. The Union Army would provide transportation home for the Confederate troops; it would provide rations to see them there—250,000 rations—and wagons to haul them there.

Under terms signed that day, Johnston surrendered 36,817 Confederate soldiers in North Carolina, and another 52,453 in South Carolina, Georgia, and Florida laid down their arms. The date: April 26, 9 days since negotiations had opened, 17 days since Lee's surrender, but with a significance outreaching his. Johnston's surrender marked the official capitulation of the Confederate Civil authority. The Civil War, all but the shouting, was over.

But although the Civil War was over the roots of its causes were not. The Bennett Place exists today as a landmark representing the best that war of 100 years ago has to offer us today for it is the place where that war between the States ended and only as a result of which the new United States could begin again.

The two generals of warring armies met here, and parted here, as friends. It is only in that same spirit that the Nation moves ahead.

Address by Hon. R. O. Everett, of Durham, N.C.

Mr. Vice President, Your Excellency Governor Moore, Mr. Chairman, distinguished guests, ladies and gentlemen, 100 years ago our ancestors, through their representatives, met in the small, restored log house yonder to discuss terms of peace after 4 years of war.

After 9 days negotiating, General Sherman and General Johnston reached an agreement not only ending the war but looking toward reuniting the war-torn States.

The mingling of soldiers during the negotiations, the feeding by Sherman of hungry soldiers for the mustering out, and the attitude of Sherman and Johnston had a profoundly unifying effect on this whole armistice area. This unifying feeling, through the contacts of our business organizations and universities, and wafted by the soothing aroma of our tobacco products radiated to the utmost limits of the State and the far reaches of the Nation.

Thus, in sequence of events and in pursuance of a joint resolution of Congress, it was fit and proper for the President of the United States, in a proclamation, to invite you and all other Americans, whether from the North or the South, the East or the West, to join in this centennial of peace celebration by remembering and reflecting upon the spirit of unity, symbolized by the Bennett Place.

After a century of peace, our people, through their descendants, are here again, not alone to review the past century, most of which I witnessed, but to envisage the world, under American leadership and example, striving for a permanent peace.

It is now my privilege, as chairman of the Bennett Place Memorial Commission, to invite each of you to participate in this ceremony marking the end of the Civil War and the beginning of a century of peace, and to welcome you in that spirit of friendship and fellowship exemplified in the conduct of, and by the events that occurred here.

I thank you, Mr. Vice President, and other distinguished guests, for being here today, making this meeting potentially as important for the coming century as the earlier one was for the last century.

[From the Durham Sun, Apr. 26, 1965]

Centennial Celebration a Success

Sunday's events marking the Bennett Place centennial observance were both colorful and successful.

It was a busy weekend for Durham, but her citizens took the heavy schedule of activities in stride. Confusion was at a minimum, and even the weather cooperated—to the extent that it did not rain during yesterday's "main event" at the Bennett Place.

Vice President Hubert Humphrey, in fine oratorical fettle, made a couple of speeches in a forceful, telling manner. In his talk at the North Carolina Young Democrats rally Saturday night in the Duke indoor gymnasium, he called for a united front in support of this country's role in the current conflict in Vietnam.

In his address at Bennett Place yesterday, the Vice President told an enthusiastic audience that there was a lesson to be learned from the Bennett Place—the "lesson of unity" and the rejection of hate, "the poison and toxin that destroys."

We agree with that, Mr. Vice President.

Many people worked hard and planned diligently to make the Bennett Place Centennial observance a success.

Much of the credit must go, however, to R. O. Everett, the man who foresaw the need for the rightness of the celebration in the first place. A determination that refused to be balked by disappointments, frustrations brought success for his plans.

Duke University, which gave freely of its facilities and then climaxed its generosity with a gala luncheon for distinguished visitors and a large throng of area residents yesterday, also deserves much credit and commendation for its major contributions to the overall success of a distinguished—and distinguishing—weekend for Durham.

[From the Raleigh News and Observer, Apr. 26, 1965]

Veep Says Americans Must Reject "Vengeful Radicals"

(By Bill Goodwin)

Durham.—Vice President Hubert H. Humphrey said Sunday that Americans must reject "vengeful radicals" and join the Johnson administration in a united Great Society.

Humphrey spoke at Bennett Place near Durham where an estimated 4,000 persons attended the 100th anniversary of the last major Confederate surrender.

He said that the radicalism that followed the surrender "is a vivid example of the senseless, vengeful kind of extremism that even today, if left unchecked, could bring our great democracy to its knees.

"We must never permit the spirit of radicalism and hate to poison the minds and the hearts of the American people, " Humphrey said. "This is the real lesson we can learn from the Bennett Place."

The Vice President was referring to the Reconstruction period when radical Congressmen tried to punish the South for the Civil War by imposing military rule.

"President Johnson and Congress have learned their history and are building a long-term base of national unity," Humphrey said of the President's plans for the "Great Society."

"I believe we are approaching that point in our history when the struggle of class against class, region against region, race against race will be ended."

Humphrey, making his second speech in Durham area within 24 hours, was accompanied to Bennett Place by Gov. Dan K. Moore, Senator B. Everett Jordan, Representative Horace Kornegay and officials of the North Carolinia Confederate Centennial Commission.

A chilly, overcast day kept the crowd far below the original predictions of 20,000 or more. Governor Moore donned a raincoat and Mrs. Moore and Senator Jordan spread a blanket across their legs while Humphrey was speaking.

Heavy security measures were in force at the site. They included highway patrolmen, North Carolina National Guard military policemen, Naval ROTC midshipmen from Duke University, and a heavy sprinkling of Secret Service men.

Nevertheless, Humphrey and the other politicians present got in a round of handshaking on their way to the speaker's platform.

Presiding over the ceremonies was Robinson O. Everett, Jr., of Durham whose father was chairman of the Bennett Place Memorial Commission for 43 years.

The senior Everett was singled out for praise and the Vice President presented him with a "Kentucky colonel" commission sent by the Kentucky Governor.

The theme of the day's remarks was unity, and Humphrey's speech followed through.

He said, "I believe we are reaching the goal set forth by President Johnson when he said, 'Someday we will see an America that knows no North or South, no East or West.'

"I might add that only such an undivided America will be able to carry the burden of freedom in the world—a burden we must carry if we are to preserve democracy in the future."

HUMPHREY said President Johnson's programs to provide medical care and aid to education and to fight poverty are designed "to give each man and woman in America an equal opportunity. This is the least we can expect of one another."

"North Carolina is not known as a progressive State by accident," the Vice President said. "I believe the people of the entire South will help us lead the way as we fight to overcome the ancient enemies of man—ignorance, disease, poverty, and injustice."

Noting that the Civil War was the costliest this Nation has ever fought. HUMPHREY said, "Too often the reenactment of historic battles tend to make war romantic.

"War is not romantic. War is ugly, cruel, and senseless. We are not gathered here today to commemorate the end of a war. We are here to pay tribute to the valient men of the North and South who met 100 years ago here at Bennett Place to seek an honorable peace with justice."

It was at Bennett Place on April 26, 1865, that Southern Gen. Joseph E. Johnston surrendered the last major Confederate Army to Union Gen. William T. Sherman.

[From the Durham (N.C.) Herald, Apr. 26, 1965]

HUMPHREY ASSERTS EXTREMISM HAS NO PLACE IN AMERICA; VP SPEAKS AT BENNETT PLACE RITE

(By Steve Huntley, Herald staff writer)

Vice President HUBERT HUMPHREY said Sunday that the spirit of extremism should never be permitted to poison the minds and the hearts of the American people.

Speaking at the Bennett Place Commemoration, he said: "For the radicalism that dominated the Reconstruction era is a vivid example of the senseless, vengeful kind of extremism that even today, if let unchecked, could bring our great democracy to its knees."

Chopping at the air with his hand, he told the estimated 4,500 people attending the commemoration, "I believe we are reaching that point in our history when the senseless struggle of class against class—region against region—and race against race will be ended."

His 35-minute speech was interrupted approximately 10 times by applause from the thousands who had turned out for the event in spite of cool temperatures and threatening skies.

Sunday's activities commemorated the final major surrender of the War Between the States 100 years ago.

HUMPHREY added that only "an undivided America will be able to carry the burden of freedom in the world—and a burden we must carry if we are to preserve democracy now and in the future."

Stressing the theme of the observance, unity, he said: "We are now, in unity, fully developing our most important resources—our human resources."

He said the Government is proposing and passing legislation to help create freedom and security for the human resources and cited bills for medical care, education, antipoverty measures, and equal opportunity.

"Freedom is not free" nor does opportunity come at bargain prices, he added. "But the cost of national problems like illiteracy, school dropouts, poverty, delinquency, and yes—ugly discrimination—is far greater than the cost of our efforts to overcome these things."

The Vice President had some laurels for the South.

"Already we have seen evidence that the new South is pointing the way as America's No. 1 economic miracle. It is forging ahead with a pace of economic development that is the wonder and the envy of every section of the country."

And he also tossed a few to North Carolina. The Vice President repeated the statement he made Saturday night at Duke University when he commented that good government is a habit in this State, and added praise for the State's Governors.

In speaking of legislation aimed at illiteracy, poverty, and the like, he said North Carolina knows that poor and uneducated people are "wasted resources."

They are poor consumers and a drain on the economy, he explained.

Humphrey said: "We must make the investment necessary so that all [underlined in the text] in our society may be productive."

"The real struggle in the world today is over man's dignity." He explained that the difference between the totalitarian and the free world is in the "understanding of the worth of man."

Noting that there had been a number of Civil War centennial events over the past several years, he said: "But I must say I have on some occasions been somewhat disturbed by some of these observances. For too often the reenactment of historic battles tends to make war seem romantic.

"War is not romantic. Was is ugly, cruel, and senseless," he concluded.

Commenting on the Bennett Place observance, he explained, "We are not gathered today to commemorate a war—nor are we gathered to commemorate the end of a war."

The reason for Sunday's gathering, he said, was to pay tribute to the "valiant men of the North and the South" who met at the Bennett Place a century ago seeking peace.

He said that there was a lesson to be learned from the Bennett Place and that it was the "lesson of unity" and the rejection of hate, "The poison and toxin that destroys."

"There is no room in America for hate."

The Vice President was introduced by Gov. Dan Moore. Both before and after his speech he received a standing ovation from the audience.

[From the Greensboro (N.C.) Daily News, Apr. 26, 1965]

HUMPHREY IS HOPEFUL OF NATIONAL UNITY; CIVIL WAR EVENTS NOTED

(By Arthur Johnsey)

DURHAM.—The shattered hopes of Bennett Place, where field commanders worked for reconciliation, will come to life completely in a new era of national unity that will reject the radicalism of Reconstruction days.

Vice President HUBERT H. HUMPHREY Sunday voiced this prediction to a crowd estimated at over 4,000 assembled for centennial ceremonies that marked a pact by which the military forces of North and South had sought a way to peace with honor for the South.

Instead there ensued the Reconstruction. Drawing on the lessons of that period, HUMPHREY declared: "We must never permit vengeful radicals, haters, to dominate the American scene. We must never permit the spirit of radicalism and hate to poison the minds * * * of the American people. This is the real lesson we can learn from Bennett Place.

"There is no room in America for hate. Bennett Place is a lesson in reconciliation and unity and in rejection of hate—the toxin that destroys.

NEW ERA OF UNITY

"I believe the American people have learned this lesson. And now our great Nation—under the leadership of President Johnson—is beginning a new era of unity."

The Vice President spoke, in his second address of a weekend in the Durham area, from a platform erected near the restored farmhouse where Gen. William T. Sherman and Gen. Joseph E. Johnston drew a pact to peace in 1865. It would have paved the way for a peace with honor for the South but its rejection by Secretary of War Stanton forced the Southern States to a surrender without terms.

HUMPHREY told the crowd: "We are here to pay tribute to the valiant men of the North and the South who met 100 years ago here at Bennett Place to seek peace not victory or vengeance, but peace. The man in gray—General Johnston—and the man in blue—General Sherman—were two of the finest soldiers this Nation ever produced. They were much more kind to each other than were the civilians of their time. Their profession was war, but when they met here at Bennett Place they searched for peace with honor. They searched for an understanding."

Efforts of Johnston and Sherman were frustrated, HUMPHREY recalled, when Stanton repudiated the terms with this statement "they (the terms) are inadmissible. There should not be literally no terms granted. We should not only brand the leading rebels with infamy but the whole rebellion should bear the badge of the penitentiary."

These said HUMPHREY, are "not the words of conciliation, they are the words of vengeance."

Now, after a century, HUMPHREY said the Nation is building upon a "long-term base of national unity upon which we can create our own future."

"I believe we are reaching that point in our history when the senseless struggle of class against class, region against region, and race against race will be ended. * * * There are still those who profit from rancor and intolerance, but thank God they are the few and not the many. * * *"

Only in an undivided America, he declared, "will we be able to carry the burden of freedom in the world—a buffer we must carry if we are to preserve democracy in the future."

In the new national unity, the Vice President said, "I believe the South will help lead the way, as we bring an end to obstruction and paralysis and liberate the energies of a mighty people."

The South already was forging ahead to accomplish an "economic miracle," that is the "wonder and envy" of every other section of the Nation.

"Our country," he said, "draws its strength from its present day unity—for we do have it—a unity based not on force or compulsion, but on mutual respect and a common belief in the dignity of man."

Out of a terrible war, he continued, "the Nation was preserved. It ended here 100 years ago. Now our task is to bind the wounds, and to it in unity, to build the America begun but never completed."

HUMPHREY was introduced to the audience by Gov. Dan K. Moore following ceremonies in which Representative HORACE KORNEGAY, of Greensboro, extended greetings.

JORDAN SPEAKS

Senator EVERETT JORDAN spoke briefly, telling the crowd the Vice President is interested in North Carolina's Research Triangle area as a suitable place for advancing the research programs of the Federal Government.

William A. Creech, of Smithfield, representing Senator SAM J. ERVIN, said the Senator had asked him to say he was disappointed.

"He told me," said Creech, "he wanted me to extend a personal, warm welcome to one he holds in the highest esteem, his former colleague in the Senate, the Vice President.

Samuel T. Morgan, whose grandfather gave the Bennett Place property to the public for a historic shrine, spoke on behalf of the family asking for "the development of a spirit of unity, without differences of birth or creed."

Morgan came from the Bahamas to speak of the Bennett Place preservation as "the fulfillment of a dream of my grandfather."

R. O. Everett, chairman of the Bennett Place Centennial Commission, said the agreement at Bennett Place has come to symbolize a spirit of unity, without differences to make the occasion as meaningful for the coming century as the last occasion, a century ago."

The Vice President predicted the South will help lead the way in the fight to overcome ignorance, disease, poverty, and injustice.

He said the South "is forging ahead with a pace of economic developments that is the wonder and the envy of every section of the country."

Noting that the Civil War was the costliest this Nation has ever fought. HUMPHREY said "too often the reenactment of historic battles tend to make war romantic.

"War is not romantic. War is ugly, cruel, and senseless. We are not gathered here today to commemorate a war—nor are we gathered here to commemorate the end of a war. We are here to pay tribute to the valiant men of the North and the South who met 100 years ago at Bennett Place to seek peace."

The Vice President told the crowd, "what a shame it was that all of our country at that trying time could not have agreed with the words of Robert E. Lee at Appomattox: 'We have fought this fight as long and as well as we know how * * * for us * * * there is but one course to pursue. We must accept the situation * * * and proceed to build up our country on a new basis.'"

[From the Durham Sun, Apr. 26, 1965]

"GRATEFUL," SAYS EVERETT OF HELP

"I'm very pleased. We made it a national event."

This comment was made today by R. O. Everett, chairman of the Bennett Place Memorial Commission, as he looked back on yesterday's centennial program at the historic homestead.

The silver-haired Everett, who has served as a member of the Bennett Place Commission since it was created in 1921 and as its chairman since 1925, was visibly tired.

He had spent a busy day with Vice President and Mrs. Hubert H. Humphrey, who delivered the principal address at the ceremonies commemorating the final surrender of the South in the Civil War at Bennett Place.

Nevertheless, his pride at having been a part of the ceremony, which had received national attention, was still apparent.

Everett, the man many regard as the primary force behind Bennett Place's emergence as a site of national historic significance, sat in the cushioned rocker in his office and tossed bouquets to those who "contributed" to the success of the centennial.

"I'm very grateful to the city, to the centennial committee, to the donors, to those who made the facilities available for the program and all those who've helped (the Bennett Place Memorial Commission) over the years," he said.

He also expressed his gratitude to Gov. Dan Moore for entertaining "our guest" during the weekend and to Duke University for its luncheon honoring the Vice President prior to the centennial ceremony.

"That luncheon was a magnificent contribution," he said.

C. H. Pattishall, who directed arrangements for the ceremonies, was singled out by Everett for his contributions.

The 86-year-old attorney praised the "devoted efforts of individuals," saying "I just couldn't attempt to mention them all because I'd be afraid I'd leave someone out."

However, he did manage to cite his wife and son, Robinson Everett, for their work on the centennial.

Commenting on the centennial program and its significance, Everett said, "I think we have established the historic fact that the Civil War ended at Bennett Place and made it public knowledge. I just hope the occasion justified itself in the minds of the public."

He said the events should make the historic homestead "of ever-increasing interest to tourists."

Concerning the future plans for Bennett Place, he mentioned the possibility of establishing a museum at the site.

However, he added, "I don't think I'll undertake that myself. There's enough momentum now that the public can take it over and make into a State or national park."

[From the Durham (N.C.) Herald, Apr. 26, 1965]

HIS THEME WAS UNITY; HIS CHARM, UNIVERSAL

(By Paul Fogleman, Herald city editor)

The man in the uniform of a Confederate officer pushed his way through the crowds to extend his hand to Vice President HUBERT H. HUMPHREY.

Both exchanged greetings.

The Vice President pushed on through the crowds to the speaker's stand about 125 feet from the reconstructed Bennett Place farmhouse. And the man in the Confederate uniform, known to have been an officer in the Durham Ku Klux Klan, was wearing a wide smile.

Some 30 minutes later HUMPHREY was stressing unity and warning against the senseless, vengeful kind of extremism. The crowd of some 4,500, gathered for the 100th anniversary of the Bennett Place surrender, broke into spontaneous applause.

It was at the Bennett Place, a small farm about 4 miles west of Durham, that Gen. Joseph E. Johnson, surrendered the last large contingent of Confederate troops to U.S. Gen. William T. Sherman.

During his tour of the Bennett Place grounds, Vice President HUMPHREY chatted with E. C. Gunter, Sr., of Durham.

"My daddy was right here * * * he laid down his arms right here," Gunter told the Vice President. "He was enlisted in Johnston's cavalry," Gunter continued.

"Did you hear that, Governor?" HUMPHREY exclaimed, turning to Gov. Dan Moore. "Here's a man who says his father was here for the surrender."

"That's really something," Governor Moore acknowledged and reached forward to shake Gunter's hand.

With Mr. and Mrs. R. O. Everett, of Durham, as official guides, Vice President and Mrs. Humphrey, Governor and Mrs. Moore, U.S. Senator and Mrs. B. Everett Jordan, and other members of the party toured the Bennett farmhouse, kitchen, and smokehouse.

"There's no ham in the smokehouse," Mrs. Moore joked.

HUMPHREY stopped to read every word of every marker. And at several intervals he appeared to lapse into a somber pensive mood with very few words.

Everett, who served as chairman of the Bennett Place Committee for 43 years, spoke briefly before the major address by HUMPHREY. His words and those of the Vice President ran in parallel lines.

Everett stressed that the event commemorated 100 years of peace. He said the event was not intended to recall war.

HUMPHREY, too, spoke in this mood. "War is not romantic. War is ugly, cruel, and senseless," he said.

"We are not gathered today to commemorate a war—nor are we gathered to commemorate the end of a war. We are here to pay tribute to the valiant men of the North and the South who met 100 years ago here at Bennett Place to seek peace."

As a climax to the event—one which had been planned and promoted with boundless energy by the silver-haired Everett—came a special ceremony at a hastily called press conference.

The Vice President presented Everett with a commission, signed by Kentucky Gov. Edward T. Breathitt, naming Everett as a Kentucky colonel.

After the brief ceremony and words of appreciation to the press, HUMPHREY and Governor Moore turned to leave. But enthusiastic mobs of young and old handshakers surged forward and encircled the Vice President to the chagrin of Secret Service agents.

Finally, with the Ft. Bragg Post band blaring marches, the Vice President eventually made his way to No. 1 limousine and was accompanied by Governor and Mrs. Moore to the Raleigh-Durham Airport where the jet was waiting for the return trip to Washington.

"It's been quite a weekend," the Vice President commented. He waved at the crowd, took one prolonged look at the small farmhouse and monuments and took his seat beside the Governor.

Soon the Bennett Place was quiet again.

[From the Charlotte (N.C.) Observer, Apr. 25, 1965]

BENNETT PLACE—TWO GENERALS MADE HISTORY IN NORTH CAROLINA HOME; JOHNSTON SURRENDERED TO SHERMAN IN CIVIL WAR 100 YEARS AGO

(By A. C. Dunn, Observer staff writer)

DURHAM.—A few decades ago the late unpleasantness was the cornerstone of recorded southern history.

Yankees cynically mimicked reverent southern mention of "the Wo'."

To southerners, Gen. Joseph E. Johnston was Joe and Maj. Gen. William T. Sherman was blank blank.

The Bennett House near Durham where the North Carolina surrender was signed, doubtless enjoyed almost as much widespread historical recognition as the U.S.S. *Missouri* does today.

For most southerners now, the war conjures only memories of grandfather's sword "somewhere in the attic" or of grandmother, who wouldn't carry a Lincoln penny in her purse; or of some dim ancestor who never officially surrendered until he was in his 80's, and did so then only because he wanted to vote.

"Dixie" still brings a southerner to his feet, sometimes a lump to his throat, and the Stars and Bars are familiar. But the rest of the relics are vague in the minds of all but experts.

Not many people see the Bennett house unless they go looking for it in the country near Durham, and though its significance is carefully explained on bronze plaques, the emotion of the place has generally gone cold.

IT WASN'T DRAMATIC

It is not a dramatic place. It was not a dramatic surrender.

At Appomattox Courthouse there was a final parade, the ritual of stacking arms, Lee's farewell address to his troops, lots of emotion.

At the Bennett house Johnston sat with Sherman in a sparsely furnished farmer's room, and after considerable discussion they signed an agreement. The Bennett children and their mother waited, wide eyed, in a log outbuilding, and a few Confederate and Union officers and orderlies mingled quietly outside under a big white oak tree by a well. No fanfare.

The original Bennett house burned on October 12, 1921, and was not restored until 1960. Now three unpainted buildings, the dwelling, the kitchen, and the smokehouse, stand in the open at the corner of a large park about 5 miles west of the center of Durham. The old Hillsboro Road runs around the corner, past a stone wall. One small gate leads through the stone wall, and the buildings are surrounded by a rail fence.

A monument, two pillars supporting a stone with "Unity" carved on it, stands outside the fence. Bronze plaques explain what happened there, and inside the house are pictures of Sherman and Johnston, maps, antique furniture, the usual somebody-stopped-here trappings.

MEMORIES REMAIN

The clapboard walls of the house, the sawed notches of the kitchen's logs, the cement between the logs, the brass locks on the doors, the huge stone chimneys, the round-ended shingles, all look not exactly new, but at least recently weathered.

Across a little stretch of old gravel road a pavilion stands under trees near the site of the old Bennett well. The white oak and the well are gone. People thirsting instead for immortality have carved on the pavilion timbers: "Don Hockaday loves Ramona," "Otis and Sybil." A couple of rusty oil drums hold picnickers' leavings and trash. On the bronze plaque beneath the "Unity" stone someone has scratched in commas where the syntax of the description of the surrender is unclear. The commas help.

The place is open only on weekends. The lower window panes of the house are smeared from the foreheads of weekday visitors peering into the dim rooms.

On U.S. 70 several hundred yards north a small sign points to Bennett Place, but from a distance the innocent passerby would never dream that in the house 100 years ago tomorrow two generals, one tall and distinguished looking and the other red-haired and untidy, agreed to end all "acts of war."

WORST OF TIMES

Unlike Dickens' description of the French revolution, April 1865, in North Carolina was the worst of times, and that was all. Bentonville had been fought. Sherman's army was camped around Smithfield. Most of the remnants of Johnston's army were near chaos in Greensboro, and soldiers were deserting by the thousands. Jefferson Davis was headed southwest, trying to avoid capture, forlornly hoping the South would rise again.

Johnston didn't want to fight because he was vastly outnumbered, and he knew the war was lost. Sherman didn't want to fight because he and his officers dreaded the long pursuit march they knew would result from forcing Johnston into battle.

Lee surrendered to Grant. Jefferson Davis was finally persuaded to let Johnston negotiate with Sherman for peace. The morning of April 17 Johnston set out from Hillsboro on horseback, Sherman from Raleigh by train. At Durham Station Sherman switched to horse and started toward Hillsboro escorted by a detachment of cavalry.

More was on his mind than the surrender: he had just received shocking news, and had sworn the Raleigh telegraph operator to secrecy, afraid that his troops would destroy Raleigh in revenge if the news leaked out about Lincoln's assassination, 3 days earlier.

GENERALS CONFER

The two parties met near Durham, and "a small farmhouse" a short distance back toward Hillsboro was agreed on as a meeting place. Lucy Bennett let the two generals use the main room of the house.

They talked all afternoon, while their escorts passed time congenially in the shade beside the well. No conclusion was reached, but they met again the next day and drew up an agreement.

President Andrew Johnson subsequently rejected Sherman's proposed surrender terms, insisting that Johnston be given the same terms Grant had given Lee. At his third meeting with Sherman in the Bennett house on April 26, Johnston objected to this: Lee's soldiers had been sent home without arms, food or money, and consequently had been a menace to civilians along their way. Johnston did not want his soldiers pillaging and stealing as Lee's had done.

But a bargain was struck. Johnston's soldiers were provided with rations, were allowed to keep some of their arms, and also were allowed to keep their own horses and to use what military horses and mules remained (deserters had been stealing them). Sherman later took steps to help civilians, particularly farmers, get back on their feet.

Johnston actually surrendered 36,817 troops in North Carolina, and 52,453 troops in Gerogia and Florida. Some small units and many individuals did not surrender for years, and Confederate troops in Texas did not surrender with Johnston, but to all intents and purposes the war ended in the South at the Bennett house.

THE WAR WE ARE UNPREPARED TO WIN

Mr. MUNDT. Mr. President, in recent weeks I have addressed the Senate in a series of statements in which I have drawn from items currently appearing in the press, to illustrate the need in the United States for establishment of an institution for research and training, similar to what is proposed in the freedom academy bill. In this connection, I refer to pages 4165, 4882–4884, 5436–5440, 6613–6617, 7866–7870, and 8806–8812 of the Congressional Record.

This bill, S. 1232, is cosponsored by a diversely based group of Senators representatives of the whole United States. The sponsors, besides myself, are Senators Case, Dodd, Douglas, Fong, Hickenlooper, Lausche, Miller, Prouty, Proxmire, Scott, Smathers, Murphy, and, newly joining us, Fannin.

The bill proposes the establishment of intensive research into the new discipline of nonmilitary warfare. Concurrently offered would be extensive training of three distinct groups of persons—American Government employees whose work concerns international relations; citizens of foreign countries which may be targeted by the new-type aggressor powers for nonmilitary aggression, and who desperately need sophistication in this little known, but highly effective, technique of aggression, in order to defend their own societies from outwardly stimulated collapse; and persons from our own private sector—Americans who, although not employed by the Government, are employed abroad in work which is closely associated with the conduct of international relations.

Of the three groups, if forced to select the one most critically needing careful training in this discipline, but who cannot obtain it outside the Communist bloc, I would designate the foreign nationals as the priority group. These are persons who will preserve their own countries' sovereignties if they are to be preserved. Besides mounting their own countries' defenses against nonmilitary aggression, these persons provide some of our own defense. It is in our own interest to help preserve their countries' national sovereignties as entities which are not hostile to us. We have intense mutual interest.

Establishment of a freedom academy was urged more than a decade ago for priority attention. The driving individual behind the idea was a Florida attorney who had interested himself in psychological warfare during World War II. He is Alan Grant, of Orlando, Fla. After organizing a study and drafting committee, he had the concept formulated, and then presented it to high national security officials in Washington in 1954—11 years ago. Weeks later, he wrote as follows to the Operations Coordinating Board, to inquire about progress:

> Nearly 4 weeks have passed since the OCB conference * * * and we have not yet received a decision. Nearly 5 months have passed since the plan was initially sent * * *.
>
> In our planning, we are ever conscious of the Communist timetable. Our estimate of the situation (in 1954) fills us with urgency.
>
> One of our group has been a student of partisan or guerrilla warfare for a number of years. He believes, and we believe, that Mao's concept of revolutionary warfare based on the village is the most important military-political concept of our times. We are witnessing (in 1954) an expert application of Mao's theories in Indochina, and they will be repeated in the near future in Thailand (it has already begun near the Malaya border), Burma, India, and other underdeveloped areas where the village is important. The only possible way that a Mao-type war can be won by the free world in a backward area is by winning the villages ideologically and organizationally first—with superior cadres. Such cadres can best be developed by a leadership group of the type we propose to train at the academy. Such work can only be carried on by convinced, dedicated men and women who have acquired many special skills * * *. In a Mao-type war, material superiority is of secondary importance (as demonstrated by American bombs dropping all too often on empty jungles with little effect other than frightening the animals in this latest year of 1965). The primary ingredient is guts and operational know-how of a new type. We feel that many of us are refusing to face the hard realities of a Mao-type war, and lack the conviction and staying power to wage the battle for the villages. Then none of us have had the advantage of academy training.
>
> This is one of the many reasons why we believe that our plan should be acted on at once.

That was 11 years ago. Since then, "Mao-type wars" have commonly occurred in Africa; they are occurring in Latin America; and they are conducted so successfully in southeast Asia that many Americans advise the President to order withdrawal of American forces, since the indigenous governments appear unable to rule, and seem to be unrepresentative of the people.

We still have done virtually nothing, however, to provide the political education needed by leaders of these target societies. We are not certain about exactly what is going on. This is because we face antagonists who benefit from a generation of intensive study in the new discipline of nonmilitary aggression, while we have preferred to deny it substantial attention.

Our Government does acknowledge more readily now than in earlier years the existence of the discipline. Recurrences of revolutionary patterns are recognized to some degree. But our attention is superficial and, unfortunately, somewhat haphazard in the selection and utilization of trainees.

In December, the New York Times described the main effort in our Government to provide political training for its own employees. William E. Burrows was the author of the article concerning a 4-week course conducted at the Foreign Service Institute, in Arlington, Va. He wrote:

> In a 4-week course, called the National Interdepartmental Seminar, senior civilian officers from at least four U.S. agencies engaged in activities abroad, are taught about political, economic, and internal defense problems in new nations. * * *
>
> A spokesman for the seminar explained the purpose as the training of oversea personnel to be more acute observers of the countries they are sent to, and to be able to spot problems there and take preventive action by coordinating their efforts. * * *
>
> Six seminars are given a year, each with 50 to 80 selected students.

So, Mr. President, each year since 1962 we have been providing between 300 and 480 Government officers with barely minimal training in nonmilitary warfare. That is a small number when compared with the State Department officer personnel roster alone. The State Department recruits nearly that many new junior Foreign Service officers each year; and it is a pitifully small number, compared with the tens of thousands of Americans in uniform who now are trying to pick up the pieces and to provide a defense against communism in Vietnam.

But worse is the necessary superficiality of a month-long course in a whole academic discipline. A Latin American, as I shall indicate presently, can obtain thorough training in any of several Communist-bloc countries. Their courses ran up to 3 years, for senior cadres. That is 3 years spent in training for the offense, while our senior officials—limited to our own Government, alone—spend 1 month in training for defense. In this game of nonmilitary warfare, as with most other games, defense is the more difficult job.

Mr. Burrows continued, in discussing the breadth of the 4-week course.

> The course work covers practically the entire range of problems arising in new nations. Some representative lectures include: "The Rise of Insurgency," "Communist Techniques of Infiltration and Subversion", "The Role of Youth in Developing Societies," "Public Opinion and Political Power," "The Requirements and Limitations of Force in Countering Insurgency," "The Role of the Police in Developing Areas," and "Radio in Developing Areas."

The course is divided into parts. One part, called the Threat—

> is an examination of the theories and methods used by the Communists and other revolutionary groups to undermine established authority.
>
> Students read the theories of national liberation wars by Mao Tse-tung * * * and other Communist tacticians of guerrilla warfare.
>
> The last part, the U.S. Response, ends the course by examining ways in which the various U.S. agencies can act to thwart insurgents who use subversion, sabotage, and open warfare to threaten young nations. The accent is on interagency cooperation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MUNDT. I ask unanimous consent that I may have additional time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUNDT. Mr. President, I do not intend to deprecate this effort. I commend it. But I call attention to its utter inadequacy. It is decidedly a minor league effort to win a big league contest.

I ask unanimous consent that the article entitled "U.S. Aids Study Tactics of Reds," written by William E. Burrows, and published in the New York Times of December 20, 1964, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. AIDS STUDY TACTICS OF REDS; SENIOR OFFICIALS ATTEND A SEMINAR IN ARLINGTON

(By William E. Burrows)

ARLINGTON, VA.—The lower floors of a modern apartment building here, once intended to accommodate two nightclubs, have been turned into a school where high-ranking U.S. Government personnel are taught how to counter subversion and guerrilla warfare in developing nations.

A guard is posted where a doorman would have stood if the rooms had fulfilled their original purpose. Students and faculty members must pick up identity tags at the entrance where a hatcheck concession might have been.

Photographs of revolutionaires such as Fidel Castro, Chou En-lai, Patrice Lumumba, and Gamal Abdel Nasser line corridors that were designed to lead into lavish rooms for dining and dancing.

Works on guerrilla warfare, subversion, and Communist tactics by Karl Marx, Mao Tse-tung, Maj. Ernesto Che Guevara, and other Communists, as well as those by Western specialists, fill shelves in a room that might have housed a bar if the planners of the building had not found out that Virginia outlaws serving liquor in public places.

In a 4-week course, called the National Interdepartmental Seminar, senior civilian officers from at least four U.S. agencies engaged in activities abroad, are taught about political, economic, and internal defense problems in new nations.

The students represent such Federal departments as the Foreign Service, Department of Defense, U.S. Information Agency, and the Agency for International Development.

A spokesman for the seminar explained the purpose as the training of oversea personnel to be more acute observers of the countries they are sent to, and to be able to spot problems there and take preventive action by coordinating their efforts. The seminar was started 2 years ago by order of President Kennedy.

Six seminars are given a year, each with 50 to 80 selected students. These are senior Government officers, such as chiefs of mission, consuls, military attachés, ambassadors, and information service and foreign aid directors stationed in developing nations in Africa, Asia, the Middle East, and Latin America.

HIGH-PAID FACULTY

The faculty is the highest paid in the world, according to the spokesman. Lecturers include university professors specializing in area studies, generals, ambassadors on home leave, and even Assistant Secretaries of State, such as Walt W. Rostow, the Chairman of the State Department's Policy Planning Staff.

Mr. Rostow lectures on the coordinating function of the State Department in U.S. missions abroad. When possible, the seminar brings in any lecturer the students wish.

The course work covers practically the entire range of problems arising in new nations. Some representative lectures include: "The Rise of Insurgency"; "Communist Techniques of Infiltration and Subversion"; "The Role of Youth in Developing Societies"; "Public Opinion and Political Power"; "The Requirements and Limitations of Force in Countering Insurgency"; "The Role of the Police in Developing Areas"; and "Radio in Developing Areas."

The seminar is divided roughly into three parts. The first, called the Development Process, deals mainly with the traditional societies in developing nations, and how those societies have been affected since World War II.

Area specialists from universities and Government officers lecture on the roles of various groups within these nations, such as the youth, military, businessmen, and intellectuals. The purpose here is to give the students a general understanding of these nations and problems caused by westernization.

THREAT IS ANALYZED

The second part, called the Threat, is an examination of the theories and methods used by the Communists and other revolutionary groups to undermine established authority.

Students read the theories of national liberation wars by Mao Tse-tung, Ernesto Che Guevara, Gen. Vo Nguyen Giap, the North Vietnam Defense Minister, and other Communist tacticians of guerrilla warfare.

The last part, the U.S. Response, ends the course by examining ways in which the various U.S. agencies can act to thwart insurgents who use subversion, sabotage, and open warfare to threaten young nations. The accent is on interagency cooperation.

The students are organized into groups called "country teams," which are the counterparts of real ones overseas. A country team is made up of the senior officers of each U.S. agency in a country. It usually includes the Ambassador, chief military attaché, information service and agency directors, and the heads of any other agencies present.

The country team concept was started in an effort to promote greater cooperation in information gathering and policy implementation.

Country teams meet at regular intervals to exchange information and combine to formulate unified ways of carrying out policy. This is supposed to cut down on duplication of information gathering and often contradictory or uncoordinated policy implementation.

PROBLEMS SIMULATED

Country teams in the seminars are given problems simulating real ones, and are expected to use what they learn in the seminar to make policy and plan ways to carry out that policy.

Since each member represents a different agency, heavy accent is placed on cooperation. Cases dealing with trouble spots such as the Congo, Cyprus, and South Vietnam are sometimes hypothetical, but usually are taken from actual situations.

There is also a practical side to the seminar. During the middle of the course, the class goes on short field trips to the U.S. Army Special Forces School at Fort Bragg, N.C., and the Special Warfare School at Eglin Air Force Base in Florida. At Fort Bragg they are briefed on antiguerrilla fighting by "green beret soldiers," many of whom are veterans of the war in South Vietnam.

South Vietnam is regarded as an unsuccessful example of the type of situation the seminar is set up to develop. The gains made by the Vietcong among the civilians through terror and propaganda point up the dichotomy between what is learned in a seminar room and what may be put into practice under field conditions. This is partly why Vietnam is given slightly more emphasis than any other country studied in the seminar.

"The war in Vietnam," a seminar official explained, "will go one way or the other on any given day, depending on how the average peasant feels when he gets up in the morning. We are, therefore, trying to get through to these people."

"The greatest threat to the independence of developing nations is the lack of communication between the governments and the people," he said. "That is caused by illiteracy, and for that reason the transistor radio is potentially our best weapon."

The staff member explained how complex the overall picture is citing a small example of the type of problem U.S. oversea personnel try to solve.

"The Bolivian Army has more doctors per individual than does the rest of the population. But by and large, soldiers are the healthiest people around, so why not send some of the army doctors out among the civilians?" he asked.

That kind of a solution would be the product of a military man and an Agency for International Development specialist working together, perhaps as part of a country team. The accent is on cooperation, and in theory it has been found to work.

In practice, the first results of the seminar effort seem to be mixed, but as in all long-range social and political experiments, time will be the ultimate test.

Mr. MUNDT. Mr. President, a more recent item published in the New York Times indicates that we are perhaps too late in becoming more mindful of our obligation, as the greatest non-Communist power in the world, to train foreign nationals in political sophistication. This is an unsigned Associated Press dispatch from South Vietnam, published on April 25:

> The men closest to the war in South Vietnam still believe it must be won from the ground. * * * The immediate danger is still the Vietcong team in the hamlet a few hundred yards down the canal.
>
> For more than 6 years, Government forces have been battling the Vietcong, but control of much of the nation has slipped into enemy hands. A major part of the problem is psychological, many top officials now believe. Vietcong * * * political forces have generally been closer to the people.
>
> Vietcong political warfare techniques have been so successful that a handful of South Vietnamese and U.S. officials have started experimenting with them.
>
> In 12-day cycles, specially selected trainees from the South Vietnamese Government militia are going through a course openly modeled on Communist teaching methods. Concentrating on political warfare, it is taught in the home hamlets.
>
> "We must not steal, we must not damage homes and crops, we must not rape their women, and above all, we must be just in everything we do."
>
> All this sounds like Communist guerrilla doctrine, and the instructor himself may be a former member of the Vietcong.
>
> Skilled Vietnamese political instructors have been hard to get, and the Americans have done most of the recruiting.

I ask unanimous consent that the Associated Press dispatch entitled "Saigon Men Study Vietcong Tactics," published in the New York Times of April 25, 1965, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SAIGON MEN STUDY VIETCONG TACTICS: POLITICAL WARFARE TAUGHT TO MILITIA IN 12-MAN "CELLS"

XABINHTIEN, SOUTH VIETNAM, May 1.—Blazing tropical sunlight slanted through palm fronds this week on a seated circle of heavily armed men listening to a cell leader.

Cell meetings like this are nothing new in Vietnam. The Vietcong have made them a key part of their training program.

But these are government militiamen, and the cell lecturer was picked by the Saigon government, not by North Vietnam.

The men closest to the war in South Vietnam still believe it must be won on the ground. While bombing of the North may be helpful in the long run, the immediate danger is still the Vietcong team in the hamlet a few hundred yards down the canal.

For more than 6 years, government forces have been battling the Vietcong, but control of much of the nation has slipped into enemy hands. A major part of the problem is psychological, many top officials now believe.

Vietcong troops are often more dedicated and better disciplined than government men. Vietcong military and political forces have generally been closer to the people.

Vietcong political warfare techniques have been so successful that a handful of South Vietnamese and U.S. officials have started experimenting with them. Sometimes these officials seek to adopt Vietcong methods of controlled terror, including the assassination of Communist officials by special death squads.

Other experiments, including the one being carried out here in the Mekong Delta, are aimed at stiffening the combatants' psychological spine.

In 12-day cycles, specially selected trainees from the South Vietnamese Government militia are going through a course openly modeled on Communist teaching methods. Concentrating on political warfare, it is taught in the home hamlets.

Each group of 38 men is called a "loyal model platoon." Each platoon is broken down into three cells of 12 or 13 men each. The leaders of these double as military squad leaders and political cell leaders.

"The soldier must live, eat, and work with the people," the instructor says.

"We cannot survive without good intelligence from the people.

"We must not steal, we must not damage homes and crops, we must not rape their women, and above all, we must be just in everything we do."

All this sounds like Communist guerrilla doctrine, and the instructor himself may be a former member of the Vietcong.

These political instructors get "6 months of the best kind of training," an American official said.

EXPERIMENT RUN BY FIVE

The ultimate object is to put all 160,000 militiamen in the country through some kind of political course. These militiamen make up nearly one-third of South Vietnam's fighting forces.

The experiment so far has been run almost entirely by four U.S. Army captains and a U.S. Information Service official.

The captains are Jock Modica of Keyport, N.J., who won a Bronze Star recently for an action he fought last December; James MacGill of Fayetteville, N.C., Philip Werbisky of Chicago and James Drinkwater of Newburyport, Mass.

The Information Service official, 26-year-old Frank W. Scotton, of Needham, Mass., is an old hand at this kind of work. He has lived in Vietnam for 3 years.

The five are among the few Americans in the country who eat and live constantly with the Vietnamese farmer.

Many South Vietnamese officers are suspicious of the project. Some particularly dislike the use of former Vietcong political commissars.

Skilled Vietnamese political instructors have been hard to get, and the Americans have done most of the recruiting.

Project officers insist on honesty in their teaching, and believe the troops should be told about the 1945–54 period when the Communist-led Vietminh fought and defeated the French.

Project teams seek to teach that many Vietnamese patriots joined the Vietminh to fight for independence, but that now South Vietnam is free and the Communists themselves are the "imperialist aggressors."

Mr. MUNDT. Mr. President, if we had established something like the freedom academy in 1960, when the Senate passed our bill, we would today have in Vietnam a more adequate and dependable staff of knowledgeable instructors. The sponsors of the bill do not envision an academy where adoption of terrorist techniques would be recommended; but we assert that since such techniques are utilized against our interests, our people should understand them and know how to cope most effectively with them in nonmilitary techniques and tactics.

Now I turn to recent affairs in Latin America.

Jack Vaughn, Assistant Secretary of State for Inter-American Affairs, recently offered sobering testimony before a subcommittee of the House Committee on Foreign Affairs. In testimony appearing on page 91 of the hearings record entitled "Communism in Latin America," Mr. Vaughn said:

> I understand that there has been something of a slackening in the rate of Latin Americans going to Cuba for specialized training of all kinds.

I observe that this slackening is probably due to the completion of training and the placement of most cadres in a position to proceed with their exercises in nonmilitary warfare.

Mr. Vaughn continued:

> This training today represents the most serious threat to democracy and non-Communist regimes, in Latin America.
>
> We know of cases where the individuals of a given country who have been trained in Cuba during the past 5 years, return by the hundreds. And they are still being trained. (Security deletion.)
>
> These people from a cadre of guerrilla units, would-be guerrilla units, and the larger the number, the greater the threat, ultimately, that they will make a move.

But the United States, on the other hand, has offered no political training in defense against nonmilitary aggression, to offset such intensive efforts by professional revolutionaries. We have preferred to structure our defense on the efforts of well-intentioned amateurs, both in foreign governments and in our own.

Mr. Vaughn himself is recorded on page 90 as saying:

> We are up against full-time Communist professionals when we have part-time, to a large extent, amateurs, combatting communism.

It is like fielding a YMCA football team against the Green Bay Packers.

The columnist Marquis Childs recently afforded his readers insight into this professional revolutionary operation. In his column published in the Washington Post on May 3, 1965, Mr. Childs wrote:

> While Nikita Khrushchev was abruptly shoved off the stage into obscurity, the doctrine he proclaimed still prevails. For harrassed American policymakers with a second war on their hands that doctrine is a warning sign on the road into a troubled future.
>
> Two conflicts—

Vietnam and the Dominican Republic—

> seem to fall roughly into the formula of "wars of liberation" prescribed by Khrushchev in a speech that has been combed over, studied, analyzed, and interpreted more than any Communist utterance since the end of the war.
>
> The Khrushchev declaration on January 6, 1961, followed a meeting in Moscow of delegates of 81 Communist parties.
>
> It defined "wars of national liberation" as "sacred" wars, with Khrushchev pledging aid to all peoples "striving for their independence."
>
> Khrushchev cited Latin America as "one more front of active struggle against American imperialism." No longer, he said, is Latin America "an appendage of the United States * * * the whole world has heard the thunder of the heroic Cuban revolution," he went on. "Solidarity with revolutionary Cuba" was not only "the duty" of Latin Americans but also the "duty of the Socialist countries, of the entire international Communist movement, the proletariat of all areas of the world."

Mr. Childs posed a warning:

> What has been happening in Vietnam and now in the Dominican Republic can occur at a dozen other points * * *. The question of American military resources, present and future, is acute.
>
> The theme of the Khrushchev speech was communism's inevitable triumph by peaceful means if possible and by civil wars of liberation if the "imperialists" resisted. But in the present confrontation the striking fact is that so far as is known not a single Russian soldier is in combat while 35,000 Americans are already at the shooting stage. That is the painful dilemma for American policymakers.

Mr. Childs' article was published May 3. Today, the dilemma is greater, since we now have about 65,000 Americans at the shooting stage.

I ask unanimous consent that the article written by Marquis Childs, entitled "New Red Tactics Creating Dilemma," and published in the Washington Post of May 3, 1965, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 3, 1965]

NEW RED TACTICS CREATING DILEMMA

(By Marquis Childs)

While Nikita Khrushchev was abruptly shoved off the stage into obscurity, the doctrine he proclaimed still prevails. For harassed American policymakers with a second war on their hands that doctrine is a warning sign on the road into a troubled future.

The landing of the marines in the Dominican Republic is not comparable as yet with the ever-increasing American military effort in Vietnam. But the two conflicts seem to fall roughly into the formula of "wars of liberation" prescribed by Khrushchev in a speech that has been combed over, studied, analyzed and interpreted more than any Communist utterance since the end of the war.

The Khrushchev declaration of January 6, 1961, followed a meeting in Moscow of delegates of 81 Communist parties. It was the first authoritative definition of the reasons for the split between Red China and the Soviet Union. Khrushchev declared for "peaceful coexistence," since a nuclear war would destroy all civilization. China was contending for war as an instrument to impose communism, with the risk of a nuclear holocaust accepted.

But the speech was much more than that. It defined "wars of national liberation" as "sacred" wars, with Khrushchev pledging aid to all peoples "striving for their independence." In Moscow's interpretation the war waged in South Vietnam by the National Liberation Front fits this description to a tee.

American policy is based on the conviction that the Vietnamese war is fomented and largely supported by North Vietnam with help from China. If this is a "war of national liberation" it must be resisted no matter what the cost. Failure would mean more such wars wherever supposedly soft spots exist.

The Pentagon is now preparing to double at least the number of American ground troops in South Vietnam. Whether this will be sufficient to hold the line is widely debated within the top military command, an influential view being that 60,000 to 70,000 American troops can hardly be more than a token in terms of need. But this illustrates how grave is the commitment to resist such wars.

The explosion in the Dominican Republic illustrates still another difficulty in assessing and restraining wars that may or may not have Communist aid and encouragement. The troubled effort at self-government, following 30 years of a cruel and ruthless dictatorship, has ended in virtually anarchy. How many infiltrators from Cuba have helped to create this anarchy no one can say with accuracy.

In his famous 1961 speech Khrushchev cited Latin America as "one more front of active struggle against American imperialism." No longer, he said, is Latin America "an appendage of the United States * * * the whole world has heard the thunder of the heroic Cuban revolution," he went on. "Solidarity with revolutionary Cuba" was not only the duty of Latin Americans but also the "duty of the Socialist countries, of the entire international Communist movement, the proletariat of all areas of the world."

What has been happening in Vietnam and now in the Dominican Republic can occur at a dozen other points. This is a gage of how broad the American commitment is if the definition runs to every spot where trouble breaks out in a "war of liberation." The question of American military resources, present and future, is acute.

Currently the United States has 14 heavy and 2 airborne divisions in being, trained and ready. Six of the heavy divisions are committed in Germany. If two of the available eight—the 25th Division in Hawaii is the subject of rumor out of Saigon—are sent to Vietnam this would leave six.

Little arithmetic is needed to see how this trained and ready force in being can be chewed up in subsequent wars of liberation in Asia, Latin America, or Africa. Reserves would have to be called back and the draft inevitably expanded. That is the next phase in contingency planning.

According to the Khrushchev doctrine, Communists opposed the "export of revolution." But they also opposed the "imperialist exports of counterrevolution." Kremlinologists interpreted this as a reference to the uprising in Hungary, which was brutally suppressed by Soviet tanks.

The theme of the Khrushchev speech was communism's inevitable triumph by peaceful means if possible and by civil wars of liberation if the imperialists resisted. But in the present confrontation the striking fact is that so far as is known not a single Russian soldier is in combat while 35,000 Americans are already at the shooting stage. That is the painful dilemma for American policymakers.

Mr. MUNDT. Mr. President, the press has allowed for closer inspection of the causes of the Dominican crisis.

On May 2, President Johnson advised the world that Communist nonmilitary aggressors had taken control of the Dominican revolt. On May 3, the New York Times recorded these remarks by the President:

> The evidence that we have of the revolutionary movement indicates that it took a very tragic turn. Communist leaders, many of them trained in Cuba, seeing a chance to increase disorder, and to gain a foothold, joined the revolution.
>
> They took increasing control. What began as a popular democratic revolution that was committed to democracy and social justice moved into the hands of a band of Communist conspirators.
>
> The American nations cannot, must not, and will not permit the establishment of another Communist government in the Western Hemisphere.

The Washington Post of May 6, 1965, published a list of several of these known trained revolutionaries, identifying some of them by specialty. I ask unanimous consent that the list be printed at this point in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, May 6, 1965]

LIST OF REBELS LINKED TO REDS

Here are the names and backgrounds of 18 Dominican Republic rebels who have had Cuban training as made public by U.S. sources:

1. Luis Felipe Valentino Giro Alcantara. PSPD member, fanatical type who "loves" using Molotov cocktails. Received guerrilla warfare training in Cuba in 1963.

2. Manuel Gonzalez Gonzalez. Spanish Communist who has been in the Dominican Republic since 1940 and is now a PSPD member; probable military leader in current insurrection. Has knowledge of military tactics. Reported Cuban G–2 agent.

3. Miguel Angel Deschamps Erickson. MPD member; received guerrilla warfare training and explosives course in Cuba in 1962. Carried instructions from Cuba to Dominican Republic for MPD in 1963.

4. Lisandro Macarrulla Reyes. PSPD leader; 6-month course in Marxism-Leninism in Cuba.

5. Hector Florentino Olivares. Actively recruiting Communists and leftists for insurrection. Highly skilled and indoctrinated for this role. Visitor to Soviet bloc and China and ardent admirer of Mao Tse-tung.

6. Juan Miguel Roman Diaz. High-level member of APCJ. Was key man in guerrilla activities in Dominican Republic in late 1963; subsequently deported and went to Cuba in June 1964; appeared in Algeria, November 1964 on APCJ mission.

7. Manuel Escobar Alfonseca. PSPD member; spent considerable time in Prague in 1963.

8. Jose Rodriguez Acosta. High-level PSPD member; reportedly received guerrilla warfare training in Cuba in 1962; has also been in Czechoslovakia and the Soviet Union.

9. Fidelio Despradel Roques. APCJ leader; received guerrilla training in Cuba in 1963. Presently involved in one of the rebel garrisons.

10. Cayetano Rodriguez del Prado. MPD leader; hard-core Communist revolutionary; received training in Cuba; has trained in Soviet bloc and China. Involved in Cuban intelligence service operation in 1963 to infiltrate himself, two others, arms and equipment into the country.

11. Nicolas Quirico Valdez Conde. High-level PSPD member; has lived in Moscow and speaks Russian fluently; was Russian interpreter for Fidel Castro in Cuba.

12. Ramond Agustin Pinedo Mejia. MPD leader, was involved in 1963 guerrilla movement.

13. Jaime Capell Bello. APCJ leader; also involved with MPD. Traveled in Cuba, Soviet Union, and Czechoslovakia from August 1961 to April 1962.

14. Josefina (Piqui) Lora Iglesies. Female with medical training. APCJ leader, was involved in APCJ guerrilla movement, 1963, had political indoctrination course in Cuba late 1964.

15. Rafael de la Altagracia (Baby) Mejia Lluberes. APCJ leader, long-time Communist revolutionary, was involved in 1963 attempt to overthrow President Romulo Betancourt of Venezuela; had guerrilla training and political indoctrination course in Cuba 1963.

16. Norge Williams Botello Fernandez. APCJ militant activist, had intensive military training in Cuba 1963–64.

17. Hector Homero Hernandez Vargas. APCJ leader, took part in student riots 1961, had training in Cuba 1964, visited China same year.

18. Luis Bernardo Genao. APCJ leader, involved in 1963 guerrilla activities, was in Cuba 1962.

Here are the names of 40 Dominican Republic rebels known as leftist activists, as made public by U.S. sources:

1. Carlos Dore C. PSPD member; official of pro-Communist student federation. Preparing Molotov cocktails.

2. Fidelio Despradel Roques. APCJ leader; received guerrilla training in Cuba in 1963. Presently involved in one of the rebel garrisons.

3. Asdrubal Dominguez Guerrero. PSPD leader and a student leader armed for action.

4. Emma Tavarez Justo. APCJ leader, agitating for Dominicans to join in the insurrection.

5. Pedro Julio Evangelista. Pro-PSPD labor leader, exhorting workers to support rebel government.

6. Manuel Escobar Alfonseca. PSPD member; in charge of PSPD garrison in downtown Santo Domingo.

7. Edmundo "Mundo" Garcia Castillo. PSPD member, distributing PSPD flysheets.

8. Porfirio "Naboche" Garcia. PSPD member making Molotov cocktails.

9. Facundo Gomez. PSPD member and former member of PRD. Part owner of boat which landed arms, ammunition, and three top MPD leaders in Dominician Republic from Cuba in late 1963, during guerrilla activities.

10. Eduardo "Piti" Houellemont. PSPD member or sympathizer fighting in streets with arms.

11. Antonio Isa Conde. PSPD member distributing PSPD flysheets calling on people to fight.

12. Narciso Isa Conde. PSPD member or sympathizer fighting in the streets with firearms.

13. Alejandro Lajara. APCJ member, named deputy chief of intelligence under his father. Record of arson back to Balaguer tenure.

14. Juan Ducoudray Mansfield. A long-time leader of the Dominican Communist Party who has extensive contact with foreign Communists. Now in hiding, he has been involved in the direction of the current insurrection.

15. Felix Servio Ducoudray Mansfield Jr. Probably a leader of the Dominican Communist Party. Has lived in the Soviet Union and in Cuba, and has received indoctrination. Has made numerous trips between the Dominican Republic and Cuba. He is the Prensa Latina representative in the Dominican Republic.

16. Buenaventura Johnson Pimentel. PSPD member with machineguns.

17. Marcos de Vargas. Pro-Communist labor leader, exhorting workers to support rebels.

18. Ariesto Soso Valerio. PSPD member preparing Molotov cocktails.

19. Ubaldo Roa del Rosario. PSPD sympathizer; armed for action.

20. Luis Reyes. Pro-Castro student leader.

21. Ramon Augusto Pinedo Mejia. MPD leader, ordering MPD to demonstrate.

22. Milvio Perez Perez. PSPD leader distributing arms.

23. Ignacio Perez Mencia. PSPD member preparing Molotov cocktails.

24. Daniel Ozuna Hernandez. APCJ leader, urging people toward rebellion.

25. Manuel Ortiz Desangles. PSPD member, preparing Molotov cocktails.

26. Luis Montas Gonzalez. APCJ leader and FED representative to PSPD Central Committee. Carrying firearms.

27. Diomedes Mercedes Batista. PSPD member; armed.

28. Arsenio Ortiz de Ferran. French-born Dominican, uses Cuban passport, in 1962 was in contact with Cuban ambassador at Paris.

29. Silvano Lora Vicente. PSPD member, "intellectual Fidelista," had training Cuba 1963–64, in 1964 traveled to Algeria and Moscow.

30. Franklin Franco Pichardo. PSPD member, trained in Soviet Union, also made another recent trip to Moscow and Prague.

31. Antonio Isa Conde. PSPD member, had training in Cuba 1963, went from there to U.S.S.R., was in Prague at time of APCJ guerrilla movement in 1963.

32. Ramon Andres Avelino Garcia. Was in Cuba 1963.

33. Delta Bohemia Soto Grullon. PSPD member, wife of Rafael Villalona who is now in Soviet Union.

34. Eduardo Houellemont Roques. Was in Cuba 1963, activities as Fidelista student agitator since 1961.

35. Dato Pagan Perdomo. Thoroughly schooled Communist intellectual, was in Cuba-launched invasion of Dominican Republic 1959.

36. Wilson del Orde. PSPD member, trained in Cuba 1963.

37. Abelarde Vicioso Gonzalez. PSPD member, who has lived in Cuba, has been in Moscow and Prague and had indoctrinations both places.

38. Pedro Julio Mir Valention. Important PSPD member, reputedly close personal friend of Fidel Castro. Communist activities, including travel to Communist countries, go back to 1947; had broadcast to Dominican Republic on Radio Havana.

39. Juan Jose Matos Rivera. APCJ youth secretary, has been in Cuba, returned to country clandestinely in early 1965. Is possible Cuban intelligence agent.

40. Tomas Parmenio Erickson Alvarez. Long-time Communist, high-level MPD member, ardently anti-United States, had training in Cuba early 1960's.

Mr. MUNDT. Mr. President, the professional preparation of many others—not of their number, but apparently supporting those listed—had been dealt with 3 days earlier in a Seymour Freidin dispatch from London, published in the New York Herald Tribune:

> A group of about 20 Dominicans mainly in their late twenties left Czechoslovakia last week with Santo Domingo as their planned port of arrival.
>
> If conditions are stabilized, namely, if the revolt is crushed—the Dominicans are supposed to go underground and await further instructions.
>
> Carrying a variety of papers and passports—Dominican, Cuban, and Haitian, as well as from East European nations—last week's travelers had virtually all, as far as could be learned, been housed and subsidized in Czechoslovakia for the last 2 years.
>
> Some have been known to talk of their experience in Cuba. At least two of them boasted of seeing a little revolutionary action in Zanzibar with a group of Cubans at the time of the early 1964 revolt on the island.
>
> It is difficult to assess the number of Dominicans in Eastern Europe. A sizable group, claiming Dominican citizenship also is resident in the Soviet Union as students.
>
> Others have been encountered in Poland and a handful in Bulgaria.
>
> Latin American "revolutionary" students have been given more specialized treatment than most others from abroad. Outside the usual courses in ideology, they have gone through paramilitary training. The most militant also went through the trickier routine in sabotage and in training sabotage units under highly primitive conditions.
>
> The vanguard that started toward Santo Domingo last week also was well heeled. They carried wads of Yankee dollars supplied by their faculty advisers.

I ask unanimous consent that the article entitled "En Route From Prague—Red-Trained Dominicans," written by Seymour Freidin, and published in the New York Herald Tribune of May 3, 1965, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Herald Tribune, May 3, 1965]

En Route From Prague—Red-Trained Dominicans

(By Seymour Freidin)

London.—A group of about 20 Dominicans mainly in their late twenties, left Czechoslovakia last week with Santo Domingo as their planned port of arrival.

They are distinct from the 53 Communists specifically singled out Friday by the White House for their training abroad and subsequent role in the Dominican Republic upheaval.

If conditions are stabilized, namely, if the revolt is crushed—the Dominicans are supposed to go underground in the Caribbean and await further instructions. Reports on their moves and objections have come from an assortment of sources, some of whom are still in the Latin-American section of Charles University in Prague.

Carrying a variety of papers and passports—Dominican, Cuban, and Haitian as well as from East European nations—last week's travelers set out on several airlines for Santo Domingo. They had virtually all, as far as could be learned, been housed and subsidized in Czechoslovakia for the last 2 years.

Ancient Charles University, a mighty citadel of European learning until a Communist regime took the nation over, today has special faculties for Latin American, African, Asian, and Arab students. They are regarded as revolutionaries until proved otherwise, as when African students were manhandled and battled their persecutors on the campus and the main streets.

None of the Latin Americans has been known to get into any wrangle with authority. They are predominantly from Cuba, but are usually assigned with other Latins to the same classes. Some of those who left last week have been known to talk of their experience in Cuba. At least two of them boasted of seeing a little revolutionary action in Zanzibar with a group of Cubans at the time of the early 1964 revolt on the island.

Some educated guessing is in progress on where the new spearhead from Prague may go underground. Port-au-Prince, capital of Haiti where Dr. Francois (Papa Doc) Duvalier is considered a political pariah by the United States as a savage dictator, may well be a haven. One part of the island of Hispaniola is occupied by Haiti; the other by the Dominican Republic.

It is difficult to assess the number of Dominicans in Eastern Europe. A sizable group, claiming Dominican citizenship, also is resident in the Soviet Union as students. There, they have generally been integrated with Cubans brought in for military, technological and agricultural training.

There also have been Dominicans, who settled quietly for a while in Spain. Then, they slipped away to Central Europe, winding up in Prague. Others have been encountered in Poland and a handful in Bulgaria.

Since most men—only a very few women are known in these Dominican groups—carry Cuban papers in Eastern Europe, it is on their own say-so that their Dominican origin is accepted. Marriage betweeen these exiled Latins and East European women is supposedly rare.

Latin American "revolutionary" students have been given more specialized treatment than most others from abroad. Outside the usual courses in ideology, they have gone through paramilitary training. The most militant also went through the trickier routine in sabotage and in training sabotage units under highly primitive conditions.

These experiences are known and have been discussed by the trainees, themselves, with other comrades at school after they vanished and reappeared a couple of months later in class. The vanguard that started toward Santo Domingo last week also was well heeled. They carried wads of Yankee dollars supplied by their faculty advisers.

Mr. MUNDT. Mr. President, on May 1, there had already been published in the Washington Post an analysis of the Dominican crisis, interpreted as a Communist coup. It appeared a day before the President's statement, to which I have referred. This article, written by Al Burt of the Chicago Daily News Service, contained a now-familiar statement:

> The Dominican Republic rebellion developed in a classic Communist pattern.

Strikingly similar words were filed earlier this year from Brazzaville, the Congo Republic: "a classic Communist-style takeover." For this, I refer Senators to page 4883 of the Congressional Record. From Khartoum, Sudan, came the statement: "A textbook case of an attempted Communist takeover." In this connection, I refer to page 7868 of the Congressional Record.

These methods are identifiable and fully subject to interpretation, comprehension, and effective resistance—if only we have the will to do it.

Mr. Burt continued:

> Communists played on the emotions of a troubled nation during an election year. Under the guise of advocating constitutional government, they talked legitimate political elements into a united popular front.
>
> This precipitated chaos, during which no side had control. In this disorder, known Communists played leadership roles in fomenting anarchy and influencing street mobs.
>
> Exiled members of the three Communist or pro-Communist parties kicked out of the country more than a year ago had been returning recently. There were indications that some had received training in subversion in Communist countries—unconfirmed reports said Cuba and Czechoslovakia.
>
> The exiles had slipped in while the attention of the government was devoted to internal problems.
>
> In traditional style the Communists passed out weapons indiscriminately. This led to armed street mobs, shooting and confusion, upon which they could further capitalize.
>
> There were reports of firing squad executions and shouts of "Paredon" (to the wall).
>
> No one accuses Bosch of being Communist, but Communists created the chaos. Only they were organized for that and only they are benefiting.

I ask unanimous consent that the article entitled "Dominican Crisis Seen as Red Plan," written by Al Burt, and published in the Washington Post of May 1, 1965, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, May 1, 1965]

Dominican Crisis Seen as Red Plan

(By Al Burt)

Miami, April 30.—The Dominican Republic rebellion developed in a classic Communist pattern.

Here is what apparently happened:

Communists played on the emotions of a troubled nation during an election year. Under the guise of advocating constitutional government, they talked legitimate political elements into a united popular front.

This precipitated chaos, during which no side had control. In this disorder, known Communists played leadership roles in fomenting anarchy and influencing street mobs.

Dominican sources so far have identified these men:

Manuel Gonzalez, central committee member of the Popular Socialist Party (PSP); Carlos Dore, PSP member and an officer in the Dominician Student Federation; Manuel Escobar Alfonseca, PSP member; Hector Florentino Olivares, member of the Fragua, Communist student organization; Lusi Montas Gonzalez, June 14 Party; Daniel Ozuma, June 14 Party.

TWO RED PARTIES

There are two Communist Parties in the Dominican Republic, both illegal.

The PSP is considered the best disciplined, oriented toward Moscow. The other, the Dominican Popular Movement (MPD), is Chinese-oriented.

The June 14 Party originated in 1959 as a nationalist movement. It fell into the hands of Communist leadership and now is illegal and an open advocate of Fidel Castro.

The background of the situation is this:

Juan Bosch's party, the Dominican Revolutionary Party (PRD), had been out of power for some 19 months. There were no public demonstrations in his behalf at the time of his ouster from the Presidency in September 1963.

The PRD had rejected the idea of September elections and said Bosch should be reinstated as President without them.

The PSP, MPDP, and June 14 Party also adopted that approach but added that the movement should be a united popular front to oppose the "government of force." This is considered a traditional tactic.

EXILES RETURN

Exiled members of the three parties kicked out of the country more than a year ago had been returning recently. There were indications that some had received training in subversion in Communist countries—unconfirmed reports said Cuba and Czechoslovakia.

The exiles had slipped in while the attention of the Government was devoted to internal problems. Some simply walked in off a plane at the airport. Some landed from small boats along the country's 1,000-mile coastline.

The PRD, apparently believing it could control the situation, was swept into the popular front.

Directing the operations of the PRD in Santo Domingo was Angel Mielan, who had shared the leadership of the party with Bosch when he won the Presidency. Later, after the 1963 coup, Bosch and Mielan split. Mielan was arrested in Puerto Rico with Communist literature in his baggage.

The PRD approached some of the younger military officers and the keyman proved to be Col. Francisco Caamano Deno. When the revolt came, the colonel carried some of the military units with him.

The popular front put demonstrators into the street, and these more than once saved the rebellion from defeat.

STREET MOBS FORM

In traditional style the Communists passed out weapons indiscriminately. This led to armed street mobs, shooting, and confusion, upon which they could further capitalize.

Some of those with weapons were children from 12 to 16. Homes were looted and one bank was reported broken into. Embassy sanctuary was violated. There were reports of firing squad executions, and shouts of "paredon" (to the wall).

In this atmosphere, because the PSP was the better disciplined and trained, it gradually assumed a dominant role although the PRD apparently did still command the loyalty of Colonel Caamano.

Observers doubt that a true grassroots movement to restore Bosch to the Presidency would have waited 19 months after his ouster to express itself.

No one accuses Bosch of being Communist, but Communists created the chaos. Only they were organized for that and only they are benefiting.

Mr. MUNDT. Mr. President, I wish to refer to one other article. The author is Tad Szluc, and the article was published in the New York Times. In the article, he reported from Santo Domingo, as follows:

> Many Americans here, both official and private, believe that while the United States has displayed impressive efficiency in establishing its Military Establishment in the Dominican Republic, it does not match it with equivalent political action.

Improving our capability for effective political action, Mr. President, is precisely what the sponsors of the freedom academy bill propose. We advocate correction of a critical deficiency in our current defense posture.

I ask unanimous consent that the article entitled "U.S. Troops Split Dominican Rebels," written by Tad Szluc, and published in the New York Times of May 4, 1965, be printed in the Record, along with four editorials. They are entitled "Freedom Academy Called Vital," from the Madison, Ind., Courier of January 18, 1965; "The Red Hand in Riots," from the Billings, Mont., Gazette of January 4,

1965; "Freedom Academy Need Is Urgent," from the Jefferson City, Mo., Post Tribune of January 4, 1965; and "Critical African Situation Calls for Review of American Aid, Idea, Policies," from the Huron, S. Dak., Daily Plainsmen of May 2, 1965.

There being no objection, the article and the editorials were ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, May 4, 1965]

U.S. TROOPS SPLIT DOMINICAN REBELS: GI'S CUT CAPITAL IN TWO—ANOTHER MARINE KILLED—LONG OCCUPATION SEEN

(By Tad Szulc)

SANTO DOMINGO, DOMINICAN REPUBLIC, May 3.—U.S. forces opened a corridor today through rebel-held territory in this capital, cutting the city in two.

This move came as United States, in effect, acknowledged that it expected to maintain troops in the Dominican Republic for an indefinite time, at least until Dominicans find a democratic solution for the civil war, which has raged for the last 10 days.

While advancing early today, the paratroopers had several engagements with the rebels, killing two of them, according to reports.

Another marine was killed at dawn by a rebel sniper at the northeast corner of the expanded international zone perimeter. He was shot through the head.

TASK MAY TAKE MONTHS

This brought to three the number of marines killed since U.S. troops moved into Santo Domingo last Thursday. A paratrooper died at the San Isidro base this afternoon when a grenade exploded in his hands accidentally.

The decision to control the small Caribbean country militarily until a viable government can be established—a task that under the present conditions may take many months—results from the conclusion reached by the Johnson administration in the last 48 hours that the rebel movement has fallen under the domination of Communist forces.

This, however, is a controversial point. The rebels deny it and some competent Americans privately take exception to so sweeping a view of the situation.

The United States thinking, according to these sources, does not exclude the possibility of asking the Organization of American States to establish a form of temporary trusteeship over the Dominican Republic.

An OAS factfinding mission and José A. Mora, Secretary General of the Organization, are now in Santo Domingo. They are expected to report later in the week to the ministerial meeting of the Inter-American Organization convened in Washington.

The OAS group met today with the rebel command, and yesterday some of its members flew to cities in the provinces to check on the situation.

The corridor across Santo Domingo, opening direct communications between the international zone in the west and the San Isidro Air Force Base on the east bank of the Ozama River, was secured just after midnight when paratroopers of the 82d Airborne Division broke through the perimeter around the Duarte Bridge over the Ozama River.

They then linked up with the marines, who advanced three blocks east from the international area, which is under their control.

TROOPS ADVANCE 3 MILES

The paratroopers advanced nearly 3 miles across most of the rebel territory to achieve the linkup and to open the corridor that runs along a west-east line.

The one-street-wide corridor cuts Santo Domingo into southern and northern sections.

The marines reported no fighting in their advance, but late this morning the paratroopers came under fire near the point of their junction with the marines.

This dawn attack, near the U.S. Embassy, was one of the three against the main American compound. There were no other significant military actions in the last 24 hours except for skirmishes in the corridor and sniper fire at various points.

The command of the American forces is situated next to the Embassy in a house once owned by the former dictator Rafael Leonidas Trujillo Molina. The house serves as headquarters for Lt. Gen. Bruce Palmer, who commands the ground forces of Joint Task Force 122, made up of about 14,000 paratroops and marines.

The U.S. military buildup continued despite a tenuous truce negotiated last Friday by the Papal Nuncio and notwithstanding the new talks conducted by the OAS and American diplomats.

The apparent intent of the United States to keep its troops in the Dominican Republic for an extended time was emphasized by an American spokesman, who said one of the missions of the American troops was to "help Dominicans to find a democratic solution of their problems."

LEAFLETS EXPLAIN AIM

Leaflets dropped on Santo Domingo by U.S. aircraft and helicoptors also stressed that one of the American missions was to secure such a "democratic solution."

But just how the United States proposed to go about helping the Dominicans find such a solution no one seemed to know.

John Bartlow Martin, former Ambassador to the Dominican Republic, reported to President Johnson last night that the rebel movement had fallen under the control of "Castro communism."

Mr. Martin, sent here last Saturday as the President's personal envoy, is known to have concluded after talks—including a long conference Saturday afternoon with the rebel command—that nothing further could be salvaged from the movement, which was initially designed to bring back former President Juan Bosch to power.

Mr. Bosch was overthrown by a military coup in September 1963, and the insurrection to bring him back to office was led by a group of army officers and leaders of the Dominican Revolutionist Party, headed by the former President.

However, the movement got out of hand early last week and extreme leftist factions tried to dominate it.

Mr. Martin's judgment is that the pro-Bosch democratic elements have been destroyed in the civil war, which may have cost as many as 2,000 lives, and that Communists are in control of the situation.

However, this conclusion is not shared by all observers here. Some feel that it would be an error for the United States to convince itself that Communists have the upper hand and that consequently no further political efforts should be made.

Many Americans here, both official and private, believe that while the United States has displayed impressive efficiency in establishing its military establishment in the Dominican Republic, it does not match it with equivalent political action.

Until Mr. Martin's arrival, no representative of the U.S. Government had established permanent contact with the rebel command. The contacts with the rebels were broken last Tuesday when it appeared that the pro-Bosch movement had failed.

It is impossible to tell whether, at this late stage, Mr. Bosch is still in a position to help salvage the democratic features of the revolution launched in his name. Many Americans believe it should at least be tried, especially in the light of his wide popularity.

It was reported that Mr. Martin, a friend of Mr. Bosch, might fly to San Juan to confer with the former President, provided the meeting was authorized by President Johnson.

At the rebel headquarters in the Plaza Independencia area, rebel spokesmen steadfastly denied that they were part of the Communist movement.

Col. Francisco Caamano Deno, military head of the rebellion, said in a telephone interview, "We do not have a Communist problem."

He said the rebellion was still intended to bring back Mr. Bosch, but it was not clear that the Communist elements in the rebel leadership necessarily shared that view.

A number of Mr. Bosch's party members continued to hold important positions in the rebel command, and they, too, insisted that "our movement is not Communist."

"It is 1 minute to midnight, and if we do not act at once in the political field the movement will really become Communist and we shall have to maintain a permanent military occupation in this country," an American official said.

[From the Madison (Ind.) Courier, Jan. 18, 1965]

FREEDOM ACADEMY CALLED VITAL

From time to time congressmen and private citizens have called for creation of a freedom academy. This academy would teach Americans and foreigners to fight communism, by revealing Communist techniques and by reinforcing democratic ideals and organization.

A freedom academy seems more urgently needed than ever, according to facts revealed in a January Reader's Digest article, "How the Reds Make a Riot." Written by Eugene Methvin of the magazine's Washington staff and based on 4 years of research, the article discloses that so-called "spontaneous demonstrations" in many parts of the world are in fact carefully staged by Communists and their dupes.

These riots have become a deadly weapon in the cold war, says Methvin. He cites as instances of organized violence, "bloody street fights between Buddhists and Catholics in Vietnam, food marches in India, chaos in the Congo, and mass executions by a riot-installed Red regime in Zanzibar."

There are a number of techniques used in staging such violent demonstrations. Included are infiltration, where a few militant Reds invade an organization and turn it to their own nefarious uses; mixing of such respectable terms as "peace" and "freedom" with class warfare terminology such as "imperialism" and "exploitation"; and the hiring of mobs to set off demonstrations. One example of this latter technique was shown in Brazil, when pro-Red demonstrators questioned at random admitted they knew nothing about the issues involved in the demonstration; they had been paid to come out, they said.

Most despicable of the Communist techniques is that of creating a martyr, since it often involves murdering an innocent person. For example, when Vice President Nixon was attacked by a mob in Caracas, U.S. Secret Service men saw small children being shoved in front of his car. The Red hope was to create a martyr and thereby increase the agitation.

Methvin suggests several ways to deal with these Communist schemes. But what stands out most clearly is the need to understand Red methods. Many of the tragic events mentioned in the article might have been avoided or minimized with greater understanding of how the Communists were operating.

[From the Billings (Mont.) Gazette, Jan. 4, 1965]

THE RED HAND IN RIOTS

Often suspected but not always proved is the Communist influence in riots and demonstrations in this country and elsewhere. But enough evidence to alert all non-Communist nations has accumulated in recent years, and a member of the Readers Digest Washington staff, Eugene H. Methvin, has wrapped it up in an enlightening report of how this weapon of the cold war works.

The methods include infiltration of an organization to turn it to nefarious uses, capitalizing on prejudice against such terms as "imperialism" and "exploitation," creating a martyr which often involves murdering an innocent person, and maneuvering into positions to exhort crowds into action against a government.

Methvin advocates establishment of a freedom academy to teach both Americans and foreigners how to fight communism. This would make a valuable addition to other preparedness efforts initiated in recent years. These include the International Police Academy in Washington to train foreign police in on the spot handling of Red insurgency, and the American Institute of Free Labor Development founded by business and labor leaders and with U.S. Government support is training thousands of Latin American trade unionists in democratic organization and anti-Communist action.

[From the Jefferson City (Mo.) Post Tribune, Jan. 4, 1965]

FREEDOM ACADEMY NEED IS URGENT

One of the most essential pieces of legislation the 1965 Congress could enact would be the creation of a freedom academy.

Such an academy would be aimed at teaching Americans, including high U.S. officials and Congressmen, and foreigners to fight communism, by revealing Communist techniques and reinforcing our freedoms and organization needed to achieve these ends.

An article in the January Reader's Digest advances another reason why the creation of a freedom academy is an urgent order of business for the new Congress and President Johnson. Written by Eugene Methvin of the magazine's Washington staff, the article entitled "How the Reds Make a Riot" is based on 4 years of research. It discloses that many so-called spontaneous demonstrations in many parts of the world, including the United States are in fact carefully staged by Communists and their dupes.

These riots have become a deadly weapon in the cold war, says Mr. Methvin. He cites instances of organized violence, bloody street fights between Buddhists and Catholics in Vietnam, food marches in India, chaos in the Congo, and mass executions by a riot-installed Red regime in Zanzibar.

As he notes there are a number of techniques used in staging such violent demonstrations. Included are infiltration, where a few militant Reds invade an organization and turn it to their own nefarious uses, mixing of such respectable terms as "peace" and "freedom" with class-warfare terminology such as "imperialism" and "exploitation," and the hiring of mobs to set off demonstrations.

One example of the latter technique was shown in Brazil, where pro-Red demonstrators questioned at random admitted they knew nothing about the issues involved in the demonstration. They frankly said they had been paid to participate.

Most despicable of the Communist techniques is that of creating a martyr, Mr. Methvin says, since it often involves murder in an innocent person. For example, when Vice President Nixon was attacked by a mob in Caracas, U.S. Secret Service men saw small children being shoved in front of his car. The Red hope, Mr. Methvin adds, was to create a martyr and thereby increase the agitation.

The author suggests several ways to deal with these Communist schemes. But what stands out most clearly is the need to understand Red methods. Many of the tragic events mentioned in the article might have been avoided or minimized with greater understanding of how the Communists were operating.

A freedom academy, of course, would be highly beneficial in exposing other Communist techniques, tricks and treachery.

Congressmen and private citizens, as Mr. Methvin notes in his articles, have from time to time called for the creation of a Freedom Academy. The concept was originated back in 1950 by the Orlando, Fla., committee, a patriotic group.

A Senate bill, which calls for the establishment of a Freedom Academy, has bipartisan support, including Democratic Senators DODD, LAUSCHE, PROXMIRE, and SMATHERS and Republican Senators HICKENLOOPER and MUNDT. Barry Goldwater also was a strong supporter of the bill.

There is also a House bill, which is a slight variation of the Senate proposal. Under it, a Freedom Commission would consist of six members and a chairman to be appointed by the President.

Missouri's Eighth District Congressman RICHARD ICHORD earlier this year urged the Missouri Junior Chamber of Commerce to support the House bill, pending in the House Un-American Activities Committee of which Mr. ICHORD is a member.

In his appeal, Mr. ICHORD declared: "* * * We have waited too long already. Every day opportunities are slipping away, some to be lost forever." There remains, he warned the Jaycees and other Americans "in the world an evil, well organized, hard-hitting, determined and unrelenting force which in its own words is out to bury you as an American and your way of life. This is a fact of life. All the wishful thinking in the world will not make it go away * * *."

Senator DODD's warning delivered earlier in 1964 carried the same urgency: "If we wait very many more Panamas and Zanzibars (his address came shortly after Red activities in these two countries) before we wake up to the realization that such (the present) a training program is not adequate, it may prove too late to save what is left of the free world."

The Freedom Academy, under both bills, would be an institution where Americans and citizens of other free countries would receive concentrated training in Communist techniques and operations. In addition, they would receive training in tactics and methods designed to frustrate the Reds at every operational level, from elections for the control of trade unions and student organizations, street riots, to attempted insurrections.

And, as Senator DODD suggests, it is not enough to teach our Foreign Service personnel the history and language of the country to which they will be assigned. It is not enough to teach them the details or protocol and etiquette of diplomacy. Nor is it enough to give them academic instruction on Communist philosophy and history.

The foggy bottom State Department reportedly is opposed to creation of a Freedom Academy.

Mr. Methvin's article in the Reader's Digest is a most timely one.

It deserves the strong and persistent support of all thinking Americans, who would do well to write their Congressmen and Senators voicing such backing. If and when such a Freedom Academy is created (1965 must be the year), there will be ample opportunity to demand that the Freedom Commission and Academy are headed and staffed by vigorous anti-Communists.

[From the Huron (S. Dak.) Daily Plainsman, May 2, 1965]

CRITICAL AFRICAN SITUATION CALLS FOR REVIEW OF AMERICAN AID, IDEA POLICIES

There is a very real danger that communism will emerge as the dominant political philosophy in Africa.

Africa, considered a rich prize in the ideological battle for leadership between Russia and Red China, is being subjected to a concentrated effort by both countries as each seeks to sell its own brand of communism to the people of the emerging nations of the once-dark continent.

This battle between the two giants of communism, subjects the African people to great doses of economic aid, training programs, red-carpet tours, and anticolonialism propaganda barrages. So far, it looks like Red China is ahead, even though Russia is spending more money in the race between the two Red nations.

But African leaders, not wanting to go down with the loser, accept the aids without offering any political allegiance in return. Because of this nonalliance, the United States and other nations of the free world have a golden opportunity to capitalize on the intra-Communist rift and guide the new nations along the path toward freedom and democracy as their new governments become more stable.

The United States is in the battle in Africa. Peace Corpsmen are working in the villages and towns, American aid is offered the new nations, and our own Voice of America blares in rebuttal to the powerful voice of Red China.

But this is not enough, declares Senator KARL MUNDT, of South Dakota. He again proposes a Freedom Academy for training of oversea nationals and Government and private industry personnel to work with citizens of other countries in our "friendship corps." This would be a logical expansion of our present efforts, the Senator says, citing the African situation as an illustration of the present world conditions.

A Freedom Academy, which Senator MUNDT has been urging for a number of years, could be part of an expanded American effort, and his proposal should be considered in a reexamination of our aid and influence programs. The critical African situation illustrates the need for a continual study of the American effort and the need to adapt foreign-aid programs and policies to changing conditions in the ideological effort which is the quiet, at times unnoticed, war.

RESTORATION OF OUR MERCHANT MARINE

Mr. DODD. Mr. President, the decline of America's merchant marine is becoming more grave, each year.

At the end of World War II, the United States had by far the greatest merchant fleet in the world. Today, it ranks only fifth, or perhaps sixth; and it seems certain that this downward trend will continue, unless some immediate action is taken.

In recent years, the Soviet Union has been making significant strides in building up her merchant fleet, and will soon match or exceed our world rank. The Soviets have also been increasing the percentage of their trade carried on Soviet ships. Presently, 42 percent of the Soviet Union's waterborne trade is carried by her own ships.

It concerns me to note that more than 91 percent of America's maritime trade is handled by foreign-flag vessels.

It further concerns me to note that the "flag of convenience" countries of Liberia, Panama, and Honduras list more U.S.-owned ship tonnage than does the United States itself.

In the event of war the implications of a weak merchant marine could be calamitous.

In addition to the threat from the Soviet Union, a weak merchant marine in peacetime permits many millions of dollars, in the form of taxes and wages, to drain out of our economy. Considering our current international-payments problem, this factor deserves greater attention than it has heretofore received.

In this connection, Mr. President, I ask unanimous consent to have printed in the RECORD, following my statement, a reprint of an article entitled "Merchant Marine: To Control the High Seas?" which was published in the March 1965 issue of Soviet Life. This reprint includes the comments of Joseph Curran, president of the National Maritime Union of America, AFL–CIO.

I particularly wish to bring to the attention of Senators, Mr. Curran's concluding remarks, as follows:

> We are a nation with some 11,000 miles of seacoast, on every side of us. We are the greatest producer of goods in the world, with our production increasingly dependent on raw materials brought in from overseas. We are the leader of the free world in a period of grave international tensions which show no sign of easing.
>
> Yet ours is no better than fifth, and probably sixth, among the merchant marines of the world. We have fewer ships in action today than we had in 1939, despite the tremendous increase in our foreign commerce and our international responsibilities since that time.
>
> It is not fear of the Soviets that should impel us to restore our American-flag merchant marine. We should do so out of a sense of positive national purpose, decent self-interest and national pride. And we had better do it fast.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MERCHANT MARINE: TO CONTROL THE HIGH SEAS?

PLYING THE HIGH SEAS

(The growth of the Soviet merchant marine in recent years has stirred interest and speculation in the foreign press. Our correspondent Yuri Andreyev asked Victor Bakayev, U.S.S.R. Minister of the Merchant Marine, to give our readers a picture of the trends and developments in Soviet shipping. He provided us with facts and figures, and invited Deputy Minister Dmitri Zotov, Department Chiefs Nikolai Bykov and Nikolai Malakhov, and the head of V/O Sovfrakht, Alexander Savelyev, to discuss their specific divisions.)

(Victor Bakayev, U.S.S.R. Minister of the Merchant Marine)

Question. The Western press has said on several occasions lately that our merchant marine is being expanded in order to control the high seas. Will you please comment on the statement?

Answer. It is true that the Western press has been paying a good deal of attention to our merchant marine recently. There has been much talk in the press and in speeches about our expansion, about our attempts to "invade" the world shipping market, about our "crafty objectives."

Edwin M. Hood, president of the Shipbuilders Council of America, voiced the opinion that as a result of the extensive Soviet shipbuilding program, we may exert an unusual, surprising, and very significant effect on shipping and traditional patterns of transportation. The conclusion is correct and shows foresight, and we cannot help agreeing with Mr. Hood. We can also understand his regret that the rate of growth of the Soviet merchant marine is faster than that of the United States. But we are surprised, to say the least, when he goes on to say that the expansion of our shipping is aimed at control of the high seas.

We are inclined to think that perhaps some of the people who follow the progress of our merchant marine from abroad have a private ax to grind. They are inclined to regard us as a rival. To be sure, for some decades now the Soviet Union has chartered hundreds of vessels to transport its goods, for which it has paid out hundreds of thousands of dollars. Some people have begun to think of this as a kind of Christmas present that is due them. And as soon as the Soviet Union began to build up its own fleet for transporting its own goods, the accusations of expansion became loud and numerous.

If we turn to the most accurate and objective language of facts and figures, then it becomes obvious that there are no grounds for such accusations. In the past 10 years the turnover of Soviet foreign trade increased 2.7 times, while the tonnage of the Soviet merchant marine increased by two and a half times. The Soviet Union has moved to fifth place in the world for trade turnover, and it is only reasonable that we should be taking steps to build up our merchant marine to keep pace with world shipping.

Simply, we are expanding our fleet to freight our goods because we wish to develop our trade in every way possible.

Question. How much of the country's trade is handled by the merchant marine?

Answer. The Soviet Union has trade relations with 91 countries, 13 of them Socialist, 51 developing, and 27 capitalist. Our ships call at the ports of these or neighboring countries to deliver goods. In 1964 they sailed a total of 44 million nautical miles or, figuratively speaking, they spanned the earth 2,000 times along the equator, weighing anchor 11,000 times at 600 ports of call. Ships flying the Soviet flag sail all the seas and oceans of the world from the Arctic Ocean to the Antarctic.

First of all, I would like to say a few words about our shipping with the Socialist countries. Their rapid economic growth and socialist division of labor have resulted in an increased exchange of commodities among these countries and consequently in the rapid development of shipping. At present approximately a third of the overall turnover of exports and imports carried by Soviet shipping goes to and from the countries of the Socialist community.

A good deal of merchandise is shipped to the developing countries, including foreign trade goods and consignments of economic aid. The U.S.S.R. is helping the newly independent states to build about 500 industrial and other projects. More than 700,000 tons of various goods were delivered from Soviet ports by sea to Bhilai (India) alone for the largest iron and steel plant in Asia. We also ship to India farm implements and equipment for its machine-building industry; lathes and instruments; mine equipment; and everything necessary for the oil installations, power stations, and other projects it is building with Soviet aid.

Considerable shipping is done to Indonesia, where the Soviet Union is providing technical assistance in building plants and roads.

Large cargoes of equipment and building materials go to the United Arab Republic. The Aswan high dam alone accounted for more than 200,000 tons of equipment and building materials. Many items are shipped to the United Arab Republic for the metallurgical, machine building, chemical and textile plants being built with Soviet assistance.

More and more freighters leave the U.S.S.R. for Ghana, Guinea, Morocco, Somalia, and other African States, as well as for several of the Latin American countries.

They return from the developing Afro-Asian and Latin American countries with their holds filled with such items as rubber, wool, cotton, sugar, coffee, cocoa beans, tea, fruit, oil-bearing seeds, spices, food, and light industry goods.

In recent years Soviet shipping to capitalist countries has grown markedly. Ten years ago it amounted to 3.8 million tons, but by 1964 the figure had risen to 52.7 million. Soviet ships handle 21.6 million tons of these cargoes, and 31.1 million tons are delivered by foreign vessels. As you see, foreign shipowners can hardly complain that their ships handle too small a share of Soviet freight.

Speaking of the increased turnover of seaborne cargoes, I should note that the items carried have changed greatly in recent years. Not too long ago the bulk of our export cargoes comprised raw materials, whereas today we carry a great deal of technical equipment, plants and factories ready for assembling, machines of various kinds, metal structures, lathes and precision instruments. We now ship more than 5 million tons of machines, equipment, metals and metal goods a year.

Question. The Soviet merchant marine plays a very considerable role in the country's distribution system, I take it.

Answer. Very considerable. In the overall freight turnover of domestic deliveries the merchant marine holds second place, and its share is growing. The importance of domestic deliveries made by ship is not shown merely by the bulk of cargo. Bear in mind that our coastline is more than double the length of the country's land borders. The shores of the Soviet Union are washed by the waters of 2 oceans and 14 seas, so it is quite obvious what shipping means to Soviet coastal areas. Last year alone our coastal freighters delivered more than 30 million tons of dry cargo and as much liquid cargo.

Our merchant marine is especially important to the people and industries of the northern and far eastern coastal regions. Seafaring vessels in these areas are practically the only means for transporting bulky cargoes. Industry, agriculture, and the general welfare of the population in many parts of the maritime territory, the shores of the Okhotsk Sea, and the regions around them, in many parts of Sakhalin, Kamchatka, Chukotka, and the far north depend on shipping.

The volume of shipping to the Arctic regions is growing by leaps and bounds. Powerful new icebreakers like the *Lenin*, the world's first nuclear-powered surface vessel, keep the sea lanes of the north polar route open in the coldest weather, thus prolonging the period of Arctic navigation. This route has now become a regular seaway along which hundreds of ships make their passage every year. Within a few years we will need a larger fleet of icebreakers, including nuclear-powered vessels built at Soviet shipyards, the way traffic along the northern route is growing.

Question. Vessels with modern technical equipment, including nuclear installations, must require highly qualified seamen. How do you train them?

Answer. For training you need free time and good working conditions. Our merchant seamen, like all Soviet citizens, work a 7-hour day, 41-hour week. This gives them ample time for study and recreation. More than 30 percent of all personnel on our merchant ships study free of charge by correspondence at secondary and higher schools. Teachers are often sent on board ships, and at large ports we have consultation centers. The seamen are given time off with pay to prepare for and take examinations. Our system of correspondence and regular school training for the merchant marine specialties gives us qualified personnel in large numbers. Every fourth Soviet seaman has either a specialized secondary school or higher education.

In conclusion, I would like to emphasize that in building up a modern merchant marine, we not only promote our own interests and those of the other Socialist countries, but we help to develop world shipping and trade as well.

The policy of our merchant marine is shaped by the country's general economic policy and fair and friendly economic competition with capitalist countries. Its purpose is to meet the country's increasing demand for shipping. Its purpose is not to seize control of international shipping. Any such accusation is absurd, to put it mildly. The single aim and purpose of the merchant marine of the U.S.S.R. is to promote economic prosperity on the basis of mutually profitable international trade.

FIFTY-SIX REGULAR ROUTES

(By Dimitri Zotov, Deputy Minister of the U.S.S.R. merchant marine)

To stabilize goods traffic within the country and with foreign countries, we run our merchant marine ships on regular freight shipping routes by a timetable. The advantages of regular runs which are profitable to both the shipowner and the shipper are perfectly obvious.

At present Soviet ships on these regular runs carry up to 6.5 million tons of dry cargo a year. Of this amount only 2.5 million tons are freighted by the 29 shipping lines with routes abroad. This is obviously too little, and we are sparing no effort to double and even triple the volume of traffic.

Soviet vessels sail 11 regular routes jointly with the shipping companies of Britain, France, Belgium, the Netherlands, the German Democratic Republic, the Federal Republic of Germany, India, Ceylon, the United Arab Republic, Bulgaria, and Japan. Most of the lines have been in regular operation for several years, have a good reputation, and give us high returns. Our merchant marine transports up to 1.1 million tons of general cargo on these year-round routes.

Besides this, the Soviet Union maintains 18 lines on its own to foreign countries. Soviet Baltic ports have regular traffic with ports in Britain, Poland, Norway, Denmark, and other European countries and in west Africa. The Black Sea ports are in regular contact with the ports of Italy, Iraq, east Africa, Indonesia, Vietnam; and the ports on the Danube, with those on the Red Sea, in north Africa, and the Near East.

The ships on these runs carry more than 1.4 million tons of cargo a year, mostly of a general type. During the 1964 navigation year we made the first regular runs from our northern ports to Britain, Belgium, and Norway, delivering timber on schedule.

So you see, the geographical scope of our regular shipping is quite large. In the near future we intend to make it even larger.

To speed the loading and unloading of ships on these regular runs we provide special moorage with highly efficient equipment. This is much more of a problem in some foreign ports than in our own, and we may go so far as to rent wharves and warehouses in some ports of the Afro-Asian countries to speed up service.

In principle our regular shipping lines, like our merchant marine, in general, serve to meet the demands of Soviet foreign trade, but in cases where it is mutually profitable for the shipper and ourselves, we are prepared to freight cargoes for foreign shippers as well.

WE CHARTER AS WELL AS CHARTER OUT

(By Alexander Savelyev, head of V/O Sovfrakht)

V/O Sovfrakht expanded operations very considerably in recent years because of the increase in trade turnover and the resulting demand for shipping. This is the only Soviet organization to charter foreign ships for the transportation of Soviet cargoes.

At present V/O Sovfrakht does business with more than 3,000 foreign shipowners and brokers. In 1963 it chartered foreign cargo vessels for 3,000 voyages, paying out millions of rubles to foreign shipowners. The volume of transactions last year was even greater, one and a half times more than in 1963. Besides chartering vessels for separate voyages, V/O Sovfrakht books tonnage on time charter. Its business relations have proved to be mutually profitable.

Due to the growth of the Soviet merchant marine, V/O Sovfrakht has been beset with new problems in recent years—chartering out ships and freighting cargoes of foreign owners on Soviet ships that otherwise would carry ballast.

I should note that Soviet ships are speedy, have well-trained crews and absolutely reliable technical equipment, and always meet their contract stipulations. In a relatively short period of time the Soviet merchant marine has won the esteem of shippers in many countries.

Representatives of Soviet shipping are often asked when the Soviet Union will stop chartering foreign ships for Soviet cargoes. The answer is never. Every businessman knows that even with a very large fleet it is often more profitable to charter other ships. Chartering a ship for cargo space is often cheaper than sailing your own vessel to a port with ballast. There are many other circumstances and conditions which make it more profitable to charter a ship on the spot.

The best reply to this question is the large future we see for Soviet trade. By very modest estimates our foreign trade turnover will increase fourfold by 1980. Such a growth in trade, and therefore in shipping, will sustain the Soviet Union's interest in chartering foreign vessels.

The main direction of V/O Sovfrakht's activity today and in the foreseeable future can be summed up in the phrase: "We charter as well as charter out."

LUXURY CRUISE LINERS

(By Nikolai Malakhov, chief of the Passenger Fleet Division, Ministry of Merchant Marine)

The Soviet passenger fleet has 50 liners for travel abroad and hundreds of ships for domestic use. Thus far the largest liner in our fleet is *Sovetsky Soyuz* (30,000 tons), which can accommodate 1,250 passengers. *Sovetsky Soyuz* makes regular cruises on the Vladivostok to Petropavlovsk-Kamchatsky run. The fleet has a score of sister ships modeled after the *Mikhail Kalinin* with accommodations for 330 passengers each. These vessels, built in the German Democratic Republic, have seven regular routes from ports on the Black Sea to Marseilles, Naples, Genoa, Piraeus, Istanbul, Alexandria, Beirut, and Famagusta; from ports on the Baltic to Havana, London, Le Havre, Copenhagen, Goteborg, Stockholm, and Helsinki; and from our Far Eastern port of Nakhodka to Yokohama. This last route is gaining in popularity because the cheapest, safest, and fastest travel from Europe to Japan is through the U.S.S.R. Many tourists now take a plane from some European country to Moscow. Then they take off on a superb 170-passenger jetliner which covers the distance to the Far East in 8 hours. A comfortable Soviet diesel ship picks them up in Nakhodka and sails to Yokohama in a matter of 52 hours.

Recently a new passenger liner, the *Ivan Franko* (after the Ukrainian poet), joined the Soviet fleet. Its Soviet designers worked with German workers in the German Democratic Republic shipyard. It has a sleek, streamlined body and features beautifully decorated lounges, decks for strolling, bars, restaurants and cafes, a movie theater, a sports deck and swimming pools—everything that makes for an enjoyable cruise.

We plan to use the *Ivan Franko* as a luxury ship for cruises to Soviet Black Sea ports as well as for trips to foreign countries. In 1965 there will be added to our fleet a sister ship of this class, to be christened the *Alexander Pushkin*.

There are many vessels of other types in the Soviet passenger fleet carrying passengers on domestic routes on the waters of eight seas. Among them are hydrofoils for 90 to 300 passengers that do more than 40 miles an hour. As many as 10 million people a year book passage on our Black Sea lines.

Annually our ships carry tourists from Britain, France, and other countries on European cruises, to the shores of Africa, and from West European to Soviet ports. In 1964 our ships carried more than 60,000 of these tourists.

SOVIET SHIPS BUILT AT HOME AND ABROAD

(By Nikolai Bykov, Chief of the Contracting Department, Ministry of the Merchant Marine)

I would say that our general policy, in brief, is to build as quickly as possible a large, fast and economical merchant fleet fitted to load and unload quickly and efficiently. We want our ships built on a high engineering level, with sailing and loading operations automated wherever possible. The general purpose of increasing the freight-carrying capacity of our tanker fleet and dry-cargo ships is, of course, to cut shipping costs, particularly on long ocean voyages. Research centers determine the main trends in the current and long-term development of our merchant marine.

Our marine engineers are busy designing increasingly more powerful and efficient diesel engines and gas- and steam-turbine installations for speedier craft. Their greater carrying capacity will reduce shipping costs.

More of our vessels are being built in Soviet shipyards. Production of merchant vessels on a large scale has made it possible to cut expenses, standardize marine machinery and equipment, and do a better job of supplying our ships with spare parts.

The largest of our dry-cargo vessels are the turbine-powered ocean liners of the *Leninsky Komsomol* class. Quality production of this class of ship was started in 1959 at the shipyards in Nikolayev and Kherson, on the Black Sea. Newly designed ocean liners of the *Poltava* class have been in production since 1962.

We have orders placed with foreign shipbuilders: the Japanese firm Hitachi, for several double-decked ships with a dead weight of 13,000 to 16,000 tons (*Omsk* class); the Wartsila Koncern of Finland (*Krasnograd* class); the Gdansk shipyards in Poland (*Murom* class); in Warnemünde, the German Democratic Republic (*Vyborg* class); and in Yugoslavia, with the Ulyanik shipyards at Pula (*Pula* class). These vessels will be powered by Burmeister-Wain and Zultzer-Mann diesels with a capacity of 8,000 to 12,000 horsepower and have a speed of 16.5 to 18 knots.

A large series of dry-cargo, double-decked ships with a dead weight of approximately 4,300 tons is under construction at the Neptune shipyards in Rostok (German Democratic Republic). Soviet shipyards are building icebreaker-freighters and several series of lumber vessels. Poland and Finland are filling large Soviet orders for lumber freighters, and the Hungarian People's Republic is building us single-decked dry-cargo ships of the *Tartu* class with 1,200-ton carrying capacity.

The Soviet merchant marine already has a large tanker fleet as well as 12,000-ton deadweight ships of its own make in multiserial production. In 1959 Leningrad shipyards began to build turbine-powered tankers with a deadweight of about 30,000 tons. Still larger tankers of the *Sofia* class are currently under construction.

Orders for tankers with a deadweight ranging from 18,000 to 50,000 tons have been placed in Japan, Italy, and Yugoslavia.

Besides large tankers, Soviet and foreign shipyards are building tankers with a deadweight of 4,200 tons and smaller tankers with a deadweight of about 1,600 tons.

All ships on order for the Soviet merchant marine have excellent working, living, and recreational facilities. The crew is housed in one- or two-man, air-conditioned cabins provided with hot and cold water. The larger ships have swimming pools and sports decks. There are libraries and projection rooms for daily movie showings on all ships.

In the near future the Soviet merchant marine will be getting new ships of the following basic types:

Dry-cargo, double-decked ocean ships (deadweight of 10,000 to 16,000 tons) mainly for general cargoes;

Dry-cargo, double-decked motorships (deadweight of some 5,000 tons) for freighting general cargoes in coastal waters and for short voyages abroad;

Icebreaker-transport ships, double-decked, diesel-powered (deadweight of up to 9,000 tons) capable of sailing in Arctic waters without icebreaker escort;

Universal single-decked motorships (deadweight of some 6,000 tons) designed for freighting lumber and generally bulky cargoes under any navigational conditions;

Lumber vessels (deadweight of from 1,000 to 3,500 tons) designed for delivering lumber to ports mainly in Europe and the Far East;

Dry-cargo, single-decked motorships (deadweight of 1,000 to 2,000 tons) for freighting various cargoes along the coast and between seaports with shallow waters;

Motor ships for freighting ore and coal (dead weight of from 10,000 to 23,000 tons) for coastal navigation and ports abroad;

Tankers of 15,000 to 50,000 tons, powered by steam turbines and diesel engines for service on ocean lines and between European and Far Eastern ports;

Diesel-powered tankers (dead weight of from 1,500 to 4,500 tons) for coastal navigation and short voyages abroad;

Refrigerator ships of medium tonnage for freighting perishable cargoes under all kinds of navigational conditions;

Freight and passenger motor ships of large capacity designed for long-distance domestic and foreign travel;

Ships of the same type but of smaller capacity for local shipping lines in the Black Sea, the Caspian Sea, the North and the Far East; and

High-speed passenger hydrofoils for coastal runs, accommodating 100 to 300 passengers.

DATA ON THE DEVELOPMENT OF THE SOVIET MERCHANT MARINE

Foreign trade turnover

[In million rubles]

1938	475
1950	2, 925
1952	4, 776
1958	7, 783
1959	9, 463
1960	10, 071
1961	10, 643
1962	12, 134
1963	12, 898

Structure of exports

[In percent]

	Manufactured goods	Raw materials
1913	36. 0	64. 0
1952	59. 7	40. 3
1962	63. 6	36. 4
1963	64. 9	35. 1

Seventy percent of the Soviet merchant ships are less than 10 years old.

In the 7-year period from 1959 to 1965 the tonnage of the merchant marine will be increased 2.6 times.

In 1959 only 7.4 percent of the fleet could do better than 14 knots; by 1966 the percentage will be 47 percent. Vessels with a speed of from 10 to 14 knots will make up 48 percent of the total, and only 5.4 percent will do less than 10 knots.

In 1958 the percentage of ships with steam engines was 45.6. In 1965 they will constitute only 14 percent of the total, and only 0.6 percent will run on coal.

By the end of the present 7-year-plan period 86 percent of the ships will be equipped with steam turbines and internal combustion engines.

The average speed of Soviet vessels increased by 34 percent in 10 years. The increase in speed in the current 7-year period will be 21 percent.

Marine shipping turnover

[In percent]

	General turnover	Turnover of ships sailing abroad
1958	100	100
1959	109	110
1960	124	130
1961	150	166
1962	163	184
1963	212	256
1964	276	350
1965	348	455

In 1964 the Soviet merchant marine freighted about 100 million tons of cargo.

The trade turnover of Soviet shipping abroad increased approximately tenfold in the past 10 years.

Arrival and departure of foreign trade cargo in Soviet ports increased sevenfold in the 10-year period.

More than 13,000 foreign vessels now call at Soviet ports every year, compared with 2,482 vessels in 1953.

Productivity of labor compared with marine shipping costs

(In percent)

	Productivity of labor	Shipping costs
1958	100	100
1959	107	94
1960	115	91
1961	130	89
1962	136	86
1963	166	82
1964	194	74
1965	221	68

PERTINENT COMMENTS BY JOSEPH CURRAN, PRESIDENT, NATIONAL MARITIME UNION OF AMERICA, AFL–CIO

The National Maritime Union has reprinted this Soviet article in the hope that it will cause responsible Americans to consider the condition of our own merchant marine and the abuse and indifference which have brought our merchant marine to its present sad state.

It is unfortunate that we should have to point to the Soviets for this purpose. Concern for our merchant marine should develop out of America's own sense of national purpose and pride. But this has not been the case. Far from it.

Just 20 years ago, the United States had the greatest fleet of merchant ships on the seas. Today, the United States has dropped to fifth or sixth place among the world's merchant marine fleets, behind Great Britain, Liberia, Norway, and Japan, according to the official figures.

These figures show the United States still slightly ahead of the Soviet Union. Actually, we may already be behind them, too. If not now, we soon will be, if we continue on our present course. Soviet shipyards and those of their satellites are busily turning out ships of every description—tankers, freighters, passenger liners—to sail under the Soviet flag in world trade. The United States is retiring, transferring, or scrapping more ships than it builds.

The Soviets have proclaimed the goal of having over 20 million tons of merchant shipping by 1970; over 27 million tons by 1975—and they are well on their way. America's active fleet today totals 9.8 million tons, barely 900 vessels—and we have no plans for expansion. On the contrary, the clear indications at this time are that we will continue the decline which has been underway for the last 20 years except for the period of the Korean emergency.

Note what the Soviet Minister of Merchant Marine says about the share of Soviet foreign commerce which is carried in Soviet-flag ships. Out of a total of 52.7 million tons of cargo imported and exported by the Soviets in trade with the capitalist countries, 21.6 million tons were carried in Soviet ships while 31.1 million tons were carried in foreign vessels.

Mr. Bakayev's comment on the fact that only 42 percent of this Soviet commerce is carried in Soviet ships, is: "As you see, foreign shipowners can hardly complain that their ships handled too small a share of Soviet freight."

Do you know what share of U.S. foreign commerce is carried in U.S.-flag ships? Barely 9 percent. Foreign flags carry more than 91 percent of America's waterborne imports and exports.

Yet here, representatives of foreign governments and shipowners constantly complain that they carry too small a share of U.S. foreign commerce. And these complaints get a sympathetic ear from our Government officials and from most of the press.

Not only do they get sympathy, they get action. Our agencies frequently grant waivers of the few flimsy safeguards we have established for our ships in response to the selfish protests of foreign representatives.

There are some safeguards in our laws, such as those to assure that U.S.-flag ships get a part of Government aid cargoes to foreign countries. Without these safeguards, U.S. ships would have to fight to get even 5 percent of U.S. foreign commerce.

But even these minimum safeguards are administered apologetically, half-heartedly—and often evaded. Our Government agencies—the State Department, and Agriculture Department in particular—are constantly seeking to provide loopholes in our laws in favor of foreign flag vessel operators.

These agencies often put obstacles in the way of participation by American-flag vessels in Government programs which involve large shipments for the relief of foreign countries.

Only last year, the unions of seamen and longshoremen here had to protest on the picket lines in order to remind our Government of its commitment that 50 percent—only half, mind you—of the huge grain shipments to the Soviet Union would be shipped on our own ships.

Up to that time, every excuse, every sly maneuver had been used to block the fulfillment of that commitment. Representatives of U.S. Government agencies, foreign shipowners, U.S. grain interests, and the Soviets themselves all cooperated to keep cargoes for U.S. ships at a minimum.

Why should it be so difficult to carry out a straightforward Presidential commitment on giving to U.S. ships a fair share of U.S. cargoes. Is it a lack of patriotism on the part of the people involved? We doubt it. It is simply that the U.S. merchant marine is a stepchild—except in time of emergency.

For this we have paid heavily in the past—not only in billions of dollars but in thousands of lives. And it is not only in war that we pay the price of our indifference to the meaning of a strong U.S. merchant marine. We pay every day in many ways.

You will note in the foregoing article that the Soviets are keenly aware of what a strong merchant marine can mean to them in terms of income, a favorable trade balance, international prestige and preparedness. Such awareness and concern are sadly lacking among most of our own Government officials and the majority of our own people. Which is our reason for reprinting this article.

Let me cite just one more item to demonstrate the shortcomings of our national attitude and what this leads us into:

There is more U.S.-owned ship tonnage operating under Liberian, Panamanian, and Honduran flags than there is under our own flag.

These are what we call runaway-flag ships. They are also known as flag of convenience ships. And note this: The U.S. Government has given its blessing to this kind of runaway operation, through something officially known as the effective control policy. American seamen have another couple of words for it.

According to the effective control policy, ships under Liberian, Panamanian, Honduran, and certain other foreign flags, can be regarded as part of the U.S. merchant marine for defense purposes, provided only that the American owners sign a piece of paper stating that their ships will be available to the Government when requested.

Anyone who knows ships and history knows how phony a position this is. It is ridiculous for our great Nation to have a policy of relying for an important part of our national maritime strength on ships sailing under foreign flags in foreign waters and manned by seamen of other countries who owe no loyalty to the United States—simply because the owners, sitting at their desks, have signed a piece of paper stating that they will be available.

The effective control theory is a fraud which will put us on the verge of disaster if it is ever tested. It is a fraud from which nobody profits except the owners of the runaway flag vessels, who include some of our richest and most illustrious corporations—the largest oil companies, steel and aluminum producers, and others.

The owners profit from runaway flag operation because they are free from any direct taxes on their vessel operation, they are free from U.S. labor standards and can pick up the cheapest available crews anywhere in the world without security controls of any kind, they are free from many other cost items that go with operation under U.S. flag.

The owners gain hundreds of millions of dollars through this operation. The United States loses that and much more—lost taxes, lost wages of American seamen and other maritime workers, lost income for the industries which support U.S.-flag shipping, and further damage to our international balance of payments.

There is also a loss of national dignity and stature in these ships—which should be showing proudly the Stars and Stripes—slinking around under false colors with abused and exploited crews.

Why does the United States encourage this kind of operation? The most common explanation given by Government spokesmen and the runaway shipowners is that, unless these ships are operated under foreign flags, our Government would have to subsidize them.

It is difficult to see how these corporations could make a case for Government subsidies for the vessels which serve their gigantic enterprises. But even if they could, no conceivable subsidy could match what our country now loses, in terms of dollars and cents alone, through the operation of their vessels under foreign flags. And far more important, is the loss to our country in terms of security and prestige.

A strange thing about the foregoing article is that the Soviets apparently meant it for the purpose of allaying whatever concern has been shown here over the rapid building of their merchant fleet. They want us not to worry. Their belief that such an article would serve that purpose, is an indication of how confident the Soviet officials are that Americans will continue to be indifferent to their own national self-interest and pride where the merchant marine is concerned.

Their approach in this is strangely like the propaganda which has been put out here by the American Committee for Flags of Necessity, which is the powerful lobbying and pubic relations machine set up by the biggest owners of runaway flag ships.

In the slickness of the publication (the Soviet article was published in full color) and in the lack of respect for American intelligence, the technique of the Soviets and the "Flags of Necessity" people is remarkably alike.

The Russian officials blithely give assurances to Americans that they have no desire to invade the world shipping market and have no crafty objectives. And they expect Americans to overlook the obvious power and drive of their merchant marine program, which goes far beyond any normal requirements of their foreign commerce.

In the same way, in their publications, the Americans who make up the Flags of Necessity Committee blithely assure their fellow Americans that the giant fleet which they operate under runaway flags for greater profits, actually is a national asset. And they expect Americans to overlook the obvious loss to our own economy, prestige, and security in having American ships sailing under runaway flags, manned by exploited crews, carrying materials which are the lifeblood of American industry.

The runaway operators blithely state our Government has effective control over their ships. And they expect Americans to take their word for it. The fact is our control over these foreign vessels can be counted on to about the same degree as we can control any other foreign vessels—including the Soviet.

Nobody can blame the Soviets for seeking to promote their economic and political interests by launching more and more passenger ships, bulk carriers, and freighters to serve their purposes in all parts of the world.

Rather, Americans should look to our merchant marine and recognize how it should serve to promote our own economic and political interests and is failing to do so because there is so much negative and destructive thinking about our merchant marine among Americans.

We are a nation with some 11,000 miles of seacoast, on every side of us. We are the greatest producer of goods in the world, with our production increasingly dependent on raw materials brought in from overseas. We are the leader of the free world in a period of grave international tensions which show no sign of easing.

Yet ours is no better than fifth, and probably sixth, among the merchant marines of the world. We have fewer ships in action today than we had in 1939, despite the tremendous increase in our foreign commerce and our international responsibilities since that time.

It is not fear of the Soviets that should impel us to act to restore our American-flag merchant marine. We should do so out of a sense of positive national purpose, decent self-interest and national pride. And we had better do it fast.

SUMMARY OF MEDICARE TESTIMONY, MAY 14

Mr. HARTKE. In the course of its progress through the list of 81 scheduled witnesses testifying before the Finance Committee on the medicare bill, today's session heard five more representatives of interested organizations. I ask unanimous consent that an unofficial summary of that testimony may appear in the CONGRESSIONAL RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

(SUMMARY OF TESTIMONY)

AMERICAN ASSOCIATION OF RETIRED PERSONS AND NATIONAL RETIRED TEACHERS ASSOCIATION

(William C. Fitch, executive director)

The combined membership of the associations totals almost 1 million individuals 55 years of age and older.

1. Support the bill as meeting most of long-term aims of these associations.
2. Urge choice of carriers and plans under supplementary benefits, similar to that of the civil service retired employees.
3. The section on medical expense deduction should eliminate the 3-percent limitation, which is giving with one hand and taking away with the other.
4. The bill should provide benefits for all over 72, rather than requiring three-quarters of coverage at that age. Many have had no opportunity to qualify. This (the 1964 Byrnes proposal) is actuarily feasible and has precedent in the 1935 Railroad Retirement Act.
5. Since the last adjustment in 1958, living costs have risen 9 percent and medical care costs 20 percent. The 7-percent general increase with $4 minimum should be increased to 10 percent with $6 minimum.
6. Earnings up to $1,500 should be permitted without reduction in benefits.
7. Amendment should enable the aged divorced woman or aged widow to continue to receive benefits based upon her former husband's earning record even though she remarries, if the result is loss in her income.

AMERICAN PUBLIC WELFARE ASSOCIATION

(Charles I. Schottland, dean, social welfare graduate school, Brandeis University; former HEW Commissioner of Social Security; member, association's committee on public welfare policy)

1. Express our general agreement with the major features. Has long supported the social security approach.
2. Oppose deductibles as a barrier to early hospitalization.
3. Charges for the services of radiologists, anesthesiologists, pathologists, and physiatrists should be included under the hospital insurance plan.
4. Strongly support the proposed unification of all medical assistance under the new title XIX as a far-reaching improvement.
5. States should be given the option of including coverage in their plans for medically needy persons who do not happen to meet the special requirements for classification under any of the public assistance categories * * * who do not have the tie-in with a category, but who meet the same test of need.
6. Method of State financing for public assistance medical programs should not include prohibition against local financial participation; in any case, it should not be mandatory until 1970 because it will require in some States a great deal of internal rearranging.
7. Federal participation should be provided at 75 percent for training personnel needed for effective administration of medical assistance program.

8. Strongly endorse increased grant authorization to States for material, child health and crippled children's services as proposed. Authorization for child welfare services should be in equal amount as for these two.

9. Recommend improvement of Federal participation in welfare programs for Puerto Rico, Virgin Islands, and Guam, above that provided.

10. Support a further upward adjustment in level of benefits under OASDI.

AMERICAN FOUNDATION FOR THE BLIND

(Irvin P. Schloss, legislative analyst, representing also American Association of Workers for the Blind)

1. Disability beneficiaries should be included for health care benefits; need is as acute as for the aged.

2. Propose three amendments to improve services for crippled children, including change of program name to meet present broader scope description. Program for children's eye care service by physicians should be expanded.

3. States should have privilege of designating administrative structure without Federal restriction, to suit their own conditions best.

4. Disability insurance program should incorporate S. 1787 provisions, to spur rehabilitation of the blind, by providing disability benefits for six quarters of covered employment.

AMERICAN OPTOMETRIC ASSOCIATION

(W. Judd Chapman, O.D., Tallahassee, Fla., immediate past president, comprised of State associations representing most of the country's 17,000 practicing optometrists)

1. Bill is not consistent, specifically providing for optometrists in some sections but not clearly in others. Offers an amendment providing that where the bill authorizes payment for services an optometrist is licensed to perform, beneficiary may choose either a physician skilled in diseases of the eye or an optometrist. This amendment adds nothing to the program nor does it take from it. It simply recognizes the * * * concept of an individual's freedom.

2. Proposes amendment of section 532 to make possible grants to schools of optometry equally with schools of medicine and dentistry.

AMERICAN PARENTS' COMMITTEE, INC.

(Barbara D. McGarry, executive director)

Specifically supports title IV increase in aid for dependent children; title II, increase in maternal and child health services; increase in crippled children's services; training of professional personnel for crippled children; payment for inpatient hospital services (sec. 204); special project grants for health of school and preschool children; implementation of mental retardation planning.

VOTING RIGHTS ACT OF 1965

The PRESIDING OFFICER. The hour of 12:30 having arrived, under the unanimous consent agreement, the Chair lays before the Senate the unfinished business, which will be read by title.

The LEGISLATIVE CLERK. A bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

The Senate resumed the consideration of the bill.

Mr. MANSFIELD. Mr. President, I yield myself 1 minute.

I suggest the absence of a quorum, on my time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to withdraw the order for the quorum call.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I yield 2 minutes to the distinguished Senator from Idaho.

L.B.J. ON VIETNAM

Mr. CHURCH. Mr. President, yesterday, President Johnson gave an excellent speech on Vietnam to the Association of American Editorial Cartoonists. In this speech he stressed the fact that the United States would remain firm in its commitment to the Saigon Government, in which I strongly support him.

Second, he emphasized the need for a political settlement, saying:

> The second face of war in Vietnam is the quest for a political solution—the face of diplomacy and politics, of the ambitions and interests of other nations.
>
> We know, as our adversaries should also know, that there is no purely military solution in sight for either side. We are ready for unconditional discussions.

In regard to this position, for a year now, I have continually spoken up for a recognition that no military decision can be reached on either side in Vietnam, and that a political settlement of the struggle would serve the best interests of this country and the other countries concerned.

Third, President Johnson reaffirmed his prior offer to help in the development of southeast Asia, including the creation of an Asian development bank. In this wise concentration on the need for economic development, I again strongly commend the President of the United States.

President Johnson correctly pointed out in his speech that the only country which has anything to gain by a continuation of the war in Vietnam is Communist China. Neither North Vietnam, nor South Vietnam, nor the United States, stands to benefit from a continuing war in southeast Asia.

I ask unanimous consent to have a congratulatory editorial on the President's speech from the May 14 issue of the New York Times inserted at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TO H.C.M. FROM L.B.J.

President Johnson's speech on Vietnam yesterday could not have been more clearly addressed to Hanoi if it had been marked "attention Ho Chi Minh." It was an effort worth making even if it remains unanswered at present. For the mere attempt to talk intelligently at, if unfortunately not to, the adversary forces the formulation of ideas in a new and useful way.

In an administration that has generally emphasized the military approach, it is important that the President is now stressing—as many critics of administration policies have long insisted—that there is no purely military solution in sight for either side. In his remarks yesterday, there was no unrealistic talk of victory or winning the war as there often has been in the words of his advisers.

The purpose to which he intends devoting unlimited resources, Mr. Johnson indicates, is that of denying victory to the other side while seeking a negotiated settlement. This is a policy that is welcome and needs even more explicit clarification at a time when—after denials that any such decision had been made—additional American troops in large numbers are being sent to South Vietnam. At 46,500, the number of American troops there now is well over three times the pre-Johnson level.

The President yesterday drew a useful distinction between Hanoi and the Vietcong guerrillas, which seek the fulfillment of Vietnamese nationalism, and Communist China, which seeks domination over all of Asia including, he implied, Vietnam. And, in a tone new to Washington, Mr. Johnson observed that many of the individual fighting men we must now, sadly, call the enemy, are trying to shatter the old ways which have imprisoned hope and to reach for the material fruits from the tree of modern knowledge. He urged Hanoi to pursue its own interests by coming to the conference table, freeing itself from the control of a China that wants to continue the war irrespective of the cost to China's allies.

It is in this context that the President has now indicated for the first time that once peace is restored, all forms of American aid—not just the fruits of a projected Mekong Valley development that might not touch North Vietnam directly—will be available to all the people of Vietnam, north and south alike. The wise decision to help found an Asian Development Bank with, it is hoped, the backing of all industrialized nations including the Soviet Union, has evidently been taken on the recommendation of Eugene Black. It should open the way for the kinds of soft loans and long-term multilateral development aid needed in Asia's special circumstances, with which present American and United Nations machinery is unable to cope.

The President wields the country's vast influence most effectively when he voices, as he did yesterday, its desire to explore every possible path to peace. If he will but continue now to pursue honorable negotiations with the vigor and persistence he has applied to military measures, he will be on the road that is most likely to lead to the honorable settlement he and the American people clearly want.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, out of my time.

The PRESIDING OFFICER. Out of the Senator's time.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Without objection, it is so ordered.

REPEAL OF EXCISE TAXES

Mr. JAVITS. Mr. President, will the Senator from North Carolina yield for 30 seconds so that I may introduce a bill out of order?

Mr. ERVIN. I am glad to yield 30 seconds to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 30 seconds.

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to repeal excise taxes on jewelry, furs, toilet preparations, luggage, and handbags.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1973) to repeal or reduce certain retailers excise taxes, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Finance.

Mr. JAVITS. I thank the Senator from North Carolina for yielding to me.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

AMENDMENT NO. 185

Mr. ERVIN. Mr. President, I yield myself 30 minutes.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 30 minutes.

Mr. ERVIN. Mr. President, one of the finest gentlemen and greatest lawyers I have ever been privileged to know, Charles J. Bloch, of Macon, Ga., is the author of a book entitled "States Rights, the Law of the Land."

By way of dedication in his book, Mr. Bloch said this:

> To my grandsons. For them and those of their age my hope is that constitutional government may survive.

Mr. President, I offer my amendment No. 185 and urge its adoption in the hope that I may do something as a Member of the Senate to assist in the survival of constitutional government.

Unfortunately, the Constitution cannot vote. At the same time, those who are willing to destroy constitutional government, in order that they might attain temporary ends speedily, can vote.

Despite my optimism on most subjects, I sometimes find myself in the pessimistic state of believing that constitutional government is about to be destroyed in America by the very individuals who have taken an oath to uphold and support the Constitution.

One of my most serious objections to the pending measure is that it undertakes to nullify or suspend the constitutional power of seven States—namely, Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Virginia—to establish and use a literacy test as a qualification for voting. This is made plain by section 4(a) of the pending substitute. Insofar as it is germane to my present purposes, the section declares that the fundamental purpose of the bill is to make it plain that no citizen shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with a literacy or other test or device in any State with respect to which the determinations have been made under subsection 4(b), or in any political subdivisions with respect to which such determinations have been made.

I pass from section 4(a) to subsection 4(c) which appears on page 7 of the substitute bill. It reads as follows:

> (c) The phrase "test or device" shall mean any requirement that a person as a prerequisite for voting or registration for voting (1) demonstrate the ability to read, write, understand, or interpret any matter, (2) demonstrate any education achievement or his knowledge of any particular subject, (3) possess good moral character, or (4) prove his qualifications by the voucher of registered voters or members of any other class.

My amendment would add this proviso to subsection 4(c):

> *Provided, however,* That nothing in this subsection or any other provision of this Act, shall be construed to invalidate, impair, or suspend any requirement prescribed by the law of any State which applies equally to citizens of all races, and which merely requires such citizens to demonstrate as a prerequisite to registering or voting, the ability to read and write any section of the Constitution of the State or the Constitution of the United States in the English language.

Mr. President, I am not gifted with prophetic power. For this reason, I shall not undertake to say what the Supreme Court of the United States may hold in respect of any matter in the future. But I will make a statement which I challenge the Attorney General of the United States, and every one of the 600 attorneys in the Department of Justice, to show to be erroneous. My statement is that the provisions of the substitute, which attempt to suspend the right of the States, including my State of North Carolina, to establish literacy tests as prerequisites to voting, is inconsistent with every word in the Constitution of the United States on the subject, and is likewise inconsistent with every decision the Supreme Court of the United States has ever made in interpreting what the Constitution provides on the subject.

Under the Constitution of the United States, a State has the right to prescribe the qualifications for voters, both in Federal elections and in State elections; and the power of the States to prescribe qualifications for voting embraces the power to require that a prospective voter shall demonstrate that he is able to read and write the English language.

I invite the attention of the Senate to section 2, article I, of the Constitution, which all Senators are bound by solemn oath or affirmation to support. I read:

> The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

I do not believe that the Founding Fathers could have found simpler language with which to express the constitutional provision that representatives in the National Congress are to be elected by the same people who are eligible, under the laws of the State, to vote for members of the most numerous branch of the State legislature.

One of the simplest interpretations of this constitutional provision appears in the opinion of the Supreme Court in the case of *Wiley* v. *Sinkler*, 179 U.S. 58. I read from pages 63 to 64 of the opinion in that case:

> They—

That is, the States—

> define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State. It adopts the qualification thus furnished as a qualification of its own electors for Members of Congress.

When the Congress and the States decided to abolish the provision of the original Constitution making Members of the U.S. Senate elective by State legislatures, and to make them elective by the people, they wrote into the Constitution the 17th amendment. That amendment borrowed and used the language of section 2 of article I to describe the persons who should be eligible to vote for Members of the Senate. It said, with respect to electors of Senators:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

The bill undertakes to deal with the election of Senators and Members of the House of Representatives and presidential electors by provisions which are absolutely inconsistent with what the Constitution of the United States says on those matters. The same observation is true of presidential electors.

I invite attention to the first section of article II of the Constitution, which prescribes:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress.

I have read to the Senate the three provisions of the Constitution which have reference to the qualifications for voting for presidential electors, Senators, and Representatives.

These provisions of the Constitution have been uniformly interpreted throughout our history to vest in the States the power to prescribe qualifications for voting in Federal elections and to permit the States to require proof of literacy, that is, the ability to read and write the English language, as one of those qualifications.

The only power which the Congress has in respect to Federal elections is that set forth in section 4 of article I of the Constitution, which provides:

> The Times, Places, and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators.

The courts have held that section 4 of article I of the Constitution does not give the Congress the power to prescribe any qualifications for voting, but that the power of Congress under that section is restricted to altering the laws of the State legislatures in respect to the times, places, and the manner of conducting elections.

The 10th amendment to the Constitution of the United States reads as follows:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

Under that constitutional provision, the power to prescribe qualifications for voting in State elections and local elections is reserved to the States. The Congress of the United States has no power to legislate in respect to such elections, except on the basis of the provisions of the 15th amendment, which prohibits discrimination in voting requirements on the basis of race or color, and the 19th amendment, which prohibits discrimination in voting requirements on the basis of sex.

The Supreme Court of the United States and the lower Federal courts have held this to be true on many occasions. Perhaps the most notable decisions of the Supreme Court of the United States on this point are *United States* v. *Reese*, 92 U.S. 214, *United States* v. *Cruikshank*, 92 U.S. 542, and *Pope* v. *Williams*, 193 U.S. 621.

The most notable of the decisions of the lower courts and, in some respects, the clearest of all decisions on this subject is that of the Court of Appeals of the Sixth Circuit in the case of *Karem* v. *U.S.*, 121 Fed. 250.

I would add that the opinion in the Karem case was written by Justice Lurton, one of the ablest men who ever sat upon the bench of the Supreme Court of the United States, while he was a circuit judge.

Under the decisions of the U.S. Supreme Court and under the words of the 15th amendment, the only legislation appropriate to enforce the 15th amendment is legislation to enforce the prohibition against State action denying or abridging the right of qualified citizens to vote on account of their race or color.

That proposition has been sustained in many decisions of the Supreme Court. Undoubtedly the leading decisions on the point are the cases of *United States* v. *Reese*, 92 U.S. 214, *U.S.* v. *Harris*, 106 U.S. 629, the *Civil Rights Cases of 1883*, 109 U.S. 3, and *James* v. *Bowman*, 190 U.S. 3.

A moment ago I stated that, perhaps, the clearest decision dealing with the legislative power of Congress under the 15th amendment is the Karem case, which is reported in 121 Federal 250. I wish to read the statement of Judge Lurton, which appears on page 255, and which, in a nutshell, is a statement of the power of Congress to legislate for the enforcement of the 15th amendment:

> There are various obvious limitations upon the power of Congress to legislate for the enforcement of this article. First, legislation authorized by the amendment must be addressed to State action in some form or through some agency; second, it must be limited to dealings with discrimination on account of race, color, or condition.

I wish to read a portion of the decision in the Reese case. In that case, the Court said:

> This leads us to inquire whether the act now under consideration is appropriate legislation for that purpose—

That is, to enforce the 15th amendment. Continuing—

> The power of Congress to legislate at all upon the subject of voting at State elections rests upon this amendment. The effect of article I, section 4, of the Constitution in respect to elections for Senators and Representatives is not now under consideration. It has not been contended, nor can it be, that the amendment confers authority to impose penalties for every wrongful refusal to receive the vote of a qualified elector at State elections. It is only when the wrongful refusal at such an election is because of race, color, or previous condition of servitude that Congress can interfere and provide for its punishment. If, therefore, the third and fourth sections of the act (that is, the act being construed) are beyond that limit, they are unauthorized.

The Supreme Court went on to hold in the Reese case that the act under construction in that case was not appropriate legislation under the second section of the 15th amendment, because it was not confined in its operation to the denial or abridgement of the right to vote on the basis of race, color, or previous condition of servitude. The correctness of these decisions is made manifest by the simple language of the 15th amendment itself. The 15th amendment provides, in section 1:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

The 2d section of the 15th amendment provides:

> The Congress shall have power to enforce this article by appropriate legislation.

What is "appropriate legislation" under the 2d section of the 15th amendment? The decisions I have cited and quoted make the answer to this question as clear as the noonday sun to anyone who is willing to read either the words of the amendment or the language of the decisions.

The measure before the Senate is not appropriate legislation. It undertakes to permit people to vote when they are unable to pass a literacy test.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The 30 minutes yielded to himself by the Senator from North Carolina have expired.

Mr. ERVIN. Mr. President, I yield myself 15 additional minutes.

The measure is not limited to the denial or abridgment of the rights of nonwhites to vote on account of their race or color; on the contrary, it undertakes to outlaw the denial or abridgment of the right of nonwhites to vote when the denial or abridgment is based upon their illiteracy. This being so, the substitute amendment, if enacted, would not constitute appropriate legislation under the 2d section of the 15th amendment.

I have invited the attention of the Senate to the words of the amendment and to the decisions of the Supreme Court of the United States, and the decision of the Circuit Court for the Sixth Circuit in the Karem case, which make it manifest that Congress cannot go beyond enactments prohibiting the denial or the abridgment of the right to vote on account of race or color in any legislation under the 2d section of the 15th amendment.

The exact meaning of the 15th amendment on this point is nowhere better described by any judicial decision than it is by that of John H. Baker, U.S. district judge for the district of Indiana, in the case of *United States* v. *Miller*, 107 Federal 913. In that decision, the district judge was dealing with section 5507 of the Federal statutes. This is what he said, in words so plain that he who runs may read and not err when so doing. I quote from pages 915 and 916:

> But section 5507 is not limited to the deprivation of the right of the colored man to vote on account of race, color, or previous condition of servitude. It makes it an offense to deprive any colored man of his right to vote, even when such deprivation does not occur on account of race, color, or previous condition of servitude.

I digress from my reading for the purpose of observing that that is exactly what the pending substitute amendment attempts to do. It attempts to outlaw the denial or the abridgment of the right of nonwhites in specially selected areas of the country to vote on account of their illiteracy or on account of their failure to pay a poll tax. Judge Baker proceeds further:

> But it seems to me to be clear that Congress is not granted power to make such deprivation criminal except in the single instance of a discrimination on account of race, color, or previous condition of servitude. If the right of the colored man to vote is interfered with on any other ground, the State alone can punish the violator of that right. The Congress can go no further than to protect him against discrimination where such discrimination occurs on account of race, color, or previous condition of servitude. The power of Congress to enact this section is bottomed solely upon this amendment. The effect of article I, section 4, of the Constitution in respect to the election of Senators and Representatives is not here involved. Nor can it be invoked to support the validity of the section in question. As we have said, this section is bottomed solely on the 15th amendment. It cannot be successfully contended that the amendment confers authority to impose penalties for every conceivable wrongful deprivation of the colored man's right to vote. It is only when the wrongful deprivation is on account of race, color, or previous condition of servitude that Congress may interfere and provide for its punishment. If, therefore, the section in question goes beyond that limit, it is unauthorized by the amendment. That the section does go beyond that limit is plainly evident, because it makes every deprivation of the colored man's right to vote penal, whether such deprivation is or is not on account of race, color, or previous condition of servitude.

That ends the passage I wish to read from Judge Baker's opinion in the Miller case. Judge Baker in that case made it crystal clear that the pending amendment in the nature of a substitute is not legislation which Congress is authorized to enact under the 2d section of the 15th amendment.

This is true because the bill attempts to deal with the deprivation of the right to vote, not on the basis of race or color, but on the basis of illiteracy, and, to a more limited degree, on the basis of a failure to pay a poll tax.

I am unable to understand why the proponents of this bill object to my amendment. I do not know why the proponents of the bill want to provide that illiterate people can vote in 34 North Carolina counties, in 35 Virginia counties, and in the States of Alabama, Georgia, Louisiana, Mississippi, and South Carolina, but cannot vote in the State of New York or in 13 other States of the Nation which have literacy tests.

If the bill is truly designed to prevent nonwhites in these selected areas of the country from being denied the right to vote on account of their race or color, and has no other purpose in view, I submit that my amendment ought to be accepted by the proponents of the bill.

All that my amendment would do would be to provide that, after the States and political subdivisions are condemned by the triggering process in this bill, and after the Attorney General of the United States, in the exercise of the omnipotent power which the bill would confer upon him, calls upon the Civil Service Commission to appoint Federal examiners to pass upon qualifications for voters, such Federal examiners shall determine the qualifications of such voters on the basis of State law, and especially on the basis of State law which merely requires them to demonstrate their capacity to read and write the English language by reading and writing a section of the constitution of the State in which they live, or a section of the Constitution of the United States.

Certainly the Federal examiners which the Civil Service Commission would bring into play could administer this test fairly and impartially, and determine by fair and impartial means whether a person can read or write the English language by reading and writing a section in the State constitution or the Constitution of the United States.

Is it the purpose of the proponents of the bill to give the franchise to illiterate people in 5 States and parts of 2 other States and, at the same time, refuse to give the franchise to illiterate persons in 14 other States, including the State of New York? I wish that someone would tell me some good reason why the State of New York and 13 other States should be permitted to deny the right to vote on account of illiteracy in the English language, while North Carolina and 6 other States would be denied the right to do so. Under the Constitution, the United States is supposed to be a Union of States of equal dignity and power.

Mr. RUSSELL of South Carolina. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. RUSSELL of South Carolina. Mr. President, as I understand the amendment of the Senator, it would merely provide that the Federal examiners who have been appointed by the Civil Service Commission under the triggering provision of the proposed bill must, as they register voters, observe the State literacy statute, if that statute is phrased in a nondiscriminatory way and requires no more than the ability to read and write the English language.

Mr. ERVIN. That is what my amendment would do.

Mr. RUSSELL of South Carolina. And that would only occur if the State law is to that effect.

Mr. ERVIN. The Senator is correct. I drew this amendment in the language of the North Carolina literacy test, and added the alternative provision concerning the Constitution of the United States, to take care of States which require as their literacy test the reading and writing of a part of the Constitution of the United States rather than a part of the State constitution. This amendment would require the examiner to use the literacy test which the Supreme Court of the United States declared to be constitutional in the Lassiter case in a unanimous opinion in 1959.

Mr. RUSSELL of South Carolina. The federally appointed examiner would be required to insure that there would be a fair and impartial registration of a person, irrespective of race or color.

Mr. ERVIN. The Senator is correct. The bill goes so far as to outlaw the literacy test of the five States and the parts of two other States condemned by the triggering process.

My amendment would merely provide that the literacy test could be enforced in these States and subdivisions by State election officials in the event the Attorney General did not see fit to deprive the State election officials of the power to act. In the event that he did see fit so to do, then the literacy test would be observed by Federal examiners appointed by the Civil Service Commission at the instance of the Attorney General.

Mr. RUSSELL of South Carolina. If the amendment of the Senator is not adopted, could it by implication be argued that in so doing the Senate had provided that the examiners and the Attorney General had complete authority to prescribe their own rules?

Mr. ERVIN. There is absolutely no question about that. The bill provides, without substantial limitation, that regulations shall be prescribed by the Civil Service Commission.

Mr. RUSSELL of South Carolina. The examiner would be taking over legislative functions that the Constitution provides should be exercised by the State.

Mr. ERVIN. The Senator is correct.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. TALMADGE. To put it another way, the amendment of the Senator merely restates article I, section 2 of the Constitution of the United States.

Mr. ERVIN. The Senator is correct. That is a correct statement, so far as Federal elections are concerned, and it upholds the 10th amendment so far as State elections are concerned.

Mr. TALMADGE. If a Senator wished to vote to uphold the Constitution of the United States, he would vote for the amendment of the Senator.

Mr. ERVIN. He should.

Mr. TALMADGE. If he wanted to tear down the Constitution of the United States, he would vote against the amendment of the Senator.

Mr. ERVIN. That may well be said. This is true because the Constitution of the United States makes one thing plain above everything else, and that is that States have the right to prescribe a literacy test as a prerequisite for voting not only for State and local elections, but also for Federal elections, which are elections for presidential electors, U.S. Senators, and Members of the National House of Representatives.

Mr. TALMADGE. And no Federal court at any time, under any circumstances, has ever held to the contrary?

Mr. ERVIN. Such has been the uniform ruling of the Federal courts. For example, the U.S. Supreme Court held this to be true in the case of *Williams* v. *Mississippi*, 170 U.S. 213, in which they upheld the literacy test, and also in——

The PRESIDING OFFICER. The 15 minutes of the Senator have expired.

Mr. ERVIN. I yield myself 10 additional minutes.

And also in Guinn against United States. In fact, the Court stated in substance in Guinn against United States, which is reported in 238 U.S., at page 347, that nobody questioned the power of the States to prescribe literacy tests. Incidentally, I may say to the distinguished Senator now presiding [Mr. HARRIS] that the Guinn case arose in the State of Oklahoma.

I should like to read from the Lassiter case again. I read part of it several days ago. It is a case involving the validity of the provision of the North Carolina constitution which establishes as a literacy test that any prospective voter must be able to read and write any section of the constitution of North Carolina in the English language.

The Supreme Court handed down a unanimous opinion in that case, which is reported in 360 U.S., at page 45, and which was written for the Court by Mr. Justice Douglas. In upholding the constitutional validity of the North Carolina test, Justice Douglas had this to say on page 51 and following pages:

> The ability to read and write likewise has some relation to standards designed to promote intelligent use of the ballot.

Is there anybody in the Senate who would deny the accuracy of this proposition—that the ability to read and write has some relation to standards designed to promote intelligent use of the ballot? The accuracy of that statement is obvious.

If a person cannot read, the only substantial way he has of obtaining information is through the use of his capacity to hear. Illiterate people are readily susceptible to deception because they have no real way to determine what the truth is except by what they hear. Since they cannot read, they cannot ascertain truth by reading.

It is somewhat ironical that Congress appropriates billions of dollars to educate people, and then some Members of Congress propose legislation which would prohibit requiring people to read as a prerequisite for voting in areas which evidently they consider to be the most benighted areas of the country.

It would seem to me that if there is any place on earth where Congress ought to encourage reading and writing, it ought to be in those areas of the country where some of its Members think the people are not worthy of having a trial before they are condemned, or are not worthy of having access to courthouses for the redress of grievances, and are not worthy of enjoying rights guaranteed by the Constitution to the worst criminals known to mankind.

Mr. TALMADGE. Mr. President, will the Senator yield at that point?

Mr. ERVIN. I am glad to yield.

Mr. TALMADGE. Mr. President, is it not a fact that the Federal statutes themselves require the ability to read and write and speak and understand the English language to serve on the Federal jury?

Mr. ERVIN. That is true.

Mr. TALMADGE. Will the Senator yield to me so that I may read the statute in that regard? I quote from title 28 of the United States Code, section 1861:

> Any citizen of the United States who has attained the age of 21 years and who has resided for a period of 1 year within the judicial district is competent to serve as a grand or petit juror unless he is unable to read, write, speak, and understand the English language.

Does not the able Senator think that the exercise of a ballot, from the Office of the President of the United States right on down to the most humble office of the land, requires as much intelligence and degree of integrity as it does to sit as a petit juror in a bootleg case in North Carolina or Georgia?

Mr. ERVIN. I do. Furthermore, I do not know how he would mark his ballot if he could not read it.

Mr. TALMADGE. He would have to have someone mark it for him.

Mr. ERVIN. He would have to have someone mark it for him, and he would not know whether he was voting as he wished or not.

Mr. TALMADGE. Is it not true that in order to become a naturalized citizen of the United States one is required not only to understand the English language, but also the history, principles, and the form of government of the United States?

Mr. ERVIN. That is true. That is what Congress requires of persons who want to become American citizens by the naturalization process; but the bill before us says five States and parts of two other States cannot require anybody to understand anything whatever as a condition precedent to the right to vote.

Mr. TALMADGE. In other words, Congress wants to authorize illiterates to vote, while persons must be able to understand the English language and read and write to serve as jurors, and even understand our form of government to become naturalized citizens. Is that not correct?

Mr. ERVIN. That is correct. As the Senator well knows, this proposed statute is not to be a law for the whole United States. It is a statute that is to be applied only to seven States which are to be denied rights which persons charged with treason are guaranteed.

Mr. TALMADGE. Nobody has suggested this for any conquered territory; has he?

Mr. ERVIN. No; as a matter of fact, this country has always gone to the help and support of its enemies. As Paul Harvey said the other day, the United States has forgiven every area it has ever fought except the South.

Mr. TALMADGE. They are still at war with us.

Mr. ERVIN. They are still at war with us 100 years after Appomattox.

I resume reading from the Lassiter case:

> The ability to read and write likewise has some relation to standards designed to promote intelligent use of the ballot. Literacy and illiteracy are neutral on race, creed, color, and sex, as reports around the world show. Literacy and intelligence are obviously not synonymous. Illiterate people may be intelligent voters. Yet in our society where newspapers, periodicals, books, and other printed matter canvass and debate campaign issues, a State might conclude that only those who are literate should exercise the franchise * * *. It was said last century in Massachusetts that a literacy test was designed to insure an "independent and intelligent" exercise of the right of suffrage * * *.
>
> North Carolina agrees. We do not sit in judgment on the wisdom of that policy. We cannot say, however, that it is not an allowable one measured by constitutional standards.
>
> * * * * *
>
> The present requirement, applicable to members of all races, is that the prospective voter "be able to read and write any section of the constitution of North Carolina in the English language." That seems to us to be one fair way of determining whether a person is literate, not a calculated scheme to lay springes for the citizen. Certainly we cannot condemn it on its face as a device unrelated to the desire of North Carolina to raise the standards for people of all races who cast the ballot.

That is what the Supreme Court said in sustaining the literacy test which I am asking, by my amendment, to have remain in full force and effect after the passing of the bill and to be administered in an impartial manner regardless of whether the provisions of the bill are administered by State election officials or Federal examiners appointed by the Civil Service Commission at the demand of the Attorney General.

I submit that all of the decisions make it manifest that Congress has no authority to nullify or suspend the power of the States to establish and use literacy tests.

The PRESIDING OFFICER. The Senator's 10 minutes have expired.

Mr. ERVIN. Mr. President, I believe I have 5 minutes more.

The PRESIDING OFFICER. The Senator has 5 additional minutes out of the total allotted to him.

Mr. MANSFIELD. Mr. President, if the Senator will yield, he can get a good deal of additional time if he desires it.

Mr. ERVIN. I thank the Senator. I have nothing on my side but the right. I am afraid that the Senator from Montana has the votes on his side; but I appreciate his great courtesy.

Mr. President, in closing, I ask the question: Why did our Founding Fathers draft and ratify a Constitution? The answer to that question has been given by the Supreme Court in the greatest opinion ever written by it; namely, Ex parte Milligan, which is reported in 4 Wallace 2. I read from page 120:

> Time has proven the discernment of our ancestors; for even these provisions, expressed in such plain English words, that it would seem the ingenuity of man could not evade them, are now, after a lapse of more than 70 years, sought to be avoided. Those great and good men foresaw that troublous times would arise, when rulers and people would become restive under restraint and seek by sharp and decisive measures to accomplish ends deemed just and proper; and that the principles of constitutional liberty would be in peril, unless established by irrepealable law. The history of the world had taught them that what was done in the past might be attempted in the future. The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances.

This great decision declares that the Constitution is a law for the rulers of the United States—the Congress, the President, and the Federal courts—as well as for the people.

The bill is utterly repugnant to this principle. The bill is based on the astounding doctrine that Congress—the creature—is superior to its creator—the Constitution, and that Congress—the creature—can suspend provisions of the instrument which brought it into being and gave it the only authority it possesses.

Ex parte Milligan declares that the Constitution is irrepealable law which defines and limits the powers of the Federal Government and forbids it to exceed such powers, even in troublous times when Government and people become restive under restraint.

We are in troublous times today when demonstrators make unconstitutional demands on public men, and public men all too often show a tendency to succumb to such demands, no matter how inconsistent with the Constitution they may be.

But the times in which we live cannot compare with those of the judges who decided Ex parte Milligan. That case was handed down in the aftermath of the days when the country was torn apart by civil conflict. Notwithstanding the courage and vision which such act on their part required, the Judges of the Supreme Court declared in the Milligan case that the provisions of the Constitution could not be suspended, even to bring speedy punishment to one charged with treason against the Union.

The PRESIDING OFFICER. All time of the Senator from North Carolina has now expired.

Mr. ERVIN. Mr. President, I should like to ask for 2 additional minutes.

Mr. HART. Mr. President, I am glad to yield 2 additional minutes to the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 2 additional minutes.

Mr. ERVIN. I thank my good friend, the Senator from Michigan. Mr. President, history is now repeating itself. The pending bill would undertake to suspend the constitutional powers of seven States which secure to such States the right to

establish and use literacy tests as prerequisites for voting.

Let us read and ponder once again in our hour of trial what Ex parte Milligan had to say concerning the power of the Federal Government to suspend a constitutional provision:

> No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false; for the Government, within the Constitution, has all the powers granted to it, which are necessary to preserve its existence; as has been happily proved by the result of the great effort to throw off its just authority.

The pending bill illustrates why this doctrine is pernicious, and how it leads directly to despotism.

We have before us a bill under the terms of which seven States would be condemned by a congressional declaration without a trial and without evidence. They would be denied access to courts to secure justice. This is an illustration of the despotism feared by the Founding Fathers when they wrote the Constitution in such a way as to prevent despotism from being practiced not only upon the whole of the people of the United States but also upon the people of Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Virginia.

Mr. President, I ask for nothing by my amendment except the recognition and preservation of the constitutional powers of all the States to require an applicant for registration to vote to demonstrate by an exceedingly simple literacy test that he can read and write the English language, regardless of whether the test is to be administered by State officials or by Federal examiners.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

AMENDMENT OF ARMS CONTROL AND DISARMAMENT ACT—CONFERENCE REPORT

Mr. MANSFIELD. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2998) to amend the Arms Control and Disarmament Act, as amended, in order to increase the authorization for appropriations. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2998), to amend the Arms Control and Disarmament Act, as amended, in order to increase the authorization for appropriations, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:
>
> That the House recede from its disagreement to the amendment of the Senate to the text of the House bill and agree to the same with an amendment as follows:
>
> In lieu of the matter proposed to be inserted by the Senate amendment insert the following: ", and for the three fiscal years 1966 through 1968, the sum of $30,000,000"; and the Senate agree to the same.
>
> That the House recede from its disagreement to the amendment of the Senate to the title of the House bill and agree to the same.
>
> J. W. FULBRIGHT,
> JOHN SPARKMAN,
> MIKE MANSFIELD,
> By J. W. FULBRIGHT,
> *Managers on the Part of the Senate.*
> THOMAS E. MORGAN,
> CLEMENT J. ZABLOCKI,
> EDNA F. KELLY,
> WAYNE L. HAYS,
> E. ROSS ADAIR,
> W. S. MAILLIARD,
> E. Y. BERRY,
> *Managers on the Part of the House.*

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

PERSECUTION OF CERTAIN PERSONS BY SOVIET RUSSIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent, and I believe I have cleared this all the way around, that Senate Concurrent Resolution 17, which was reported unanimously by the Committee on Foreign Relations, be made the pending business immediately at the conclusion of the vote on the pending amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none and, without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, this is a Senate concurrent resolution which expresses the sense of Congress against the persecution of persons by Soviet Russia because of their religion.

Mr. President, on this concurrent resolution I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I have been requested by the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], that he be listed as a cosponsor of this resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I thank the Senator from Michigan for yielding to me.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. ERVIN. Mr. President, I wonder whether the majority leader will yield to me for a moment, in order to thank him and the able and distinguished Senator from Michigan [Mr. HART] for the very gracious attitude they have taken toward me in respect to my amendment.

Mr. MANSFIELD. This is like against like. The Senator from North Carolina is always so gracious and considerate to all Senators that I am delighted to have an opportunity to pay him back for his unfailing courtesy and consideration.

THE MIRACLE OF SOUTH KOREA'S RESURGENCE

Mr. HART. Mr. President, I yield 15 minutes to the Senator from Connecticut [Mr. DODD].

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 15 minutes.

Mr. DODD. Mr. President, I ask unanimous consent that I may waive the rule of germaneness and that I may be permitted to speak on another subject.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, on Monday and Tuesday of this coming week, President Park Chung Hee of Korea will be with us in Washington on a state visit at the invitation of President Johnson.

I feel that this is a most timely and fortunate visit.

I am confident that it will serve to strengthen the strong bonds of friendship that already exist between our two nations.

I am confident, too, that President Park's visit will serve to give Congress and the American people a sounder appreciation of the impact of American policy on the Far East.

Finally, I feel that the visit will constitute a richly deserved honor to a great modern statesman, a man under whose administration Korea has been blessed with political stability and with an almost miraculous degree of social and economic progress.

It was my privilege to visit Korea during the first part of April and to have several talks with President Park while I was in Seoul. I found President Park one of the most impressive of the many national leaders I was able to meet in the course of my travels through the Far East.

Although I have tried to follow the Far East carefully in my reading of the daily and periodical press, my visit to Korea made me realize how little I really knew about Korea, about her leaders, and about the basic problems confronting the country.

Knowing that few Members of Congress have had an opportunity to visit Korea, I therefore feel it a duty to try to convey to you something of what I saw and learned in Korea and something of my conversations with President Park.

There has been a tendency in this country to look upon Korea as a hopelessly impoverished and backward nation, as a foreign aid millstone which we shall have to carry around our necks for many years to come.

So prevalent was this impression, indeed, that members of our Foreign Service who were newly assigned to Korea would invariably receive the condolences of their friends.

Sometimes, too, they would feel sorry for themselves when they learned of their new assignment. But when they got to Korea and saw something of the progress that was going on there and got to know the Korean people, their attitude invariably changed to one of dedication and enthusiasm. Without exception, the Embassy personnel and American military personnel who have spent some time in Korea have come to love the country and its people. And, after visiting Korea, I have no difficulty in understanding why.

The Koreans are a remarkably able people, intelligent, artistic, energetic, and avid for learning and progress. They are warm and open in their attitude and generous to a fault. And, as can be attested from both history and personal experience, they are exceedingly loyal friends and allies.

Their country is terribly poor by Western standards—the per capita income is only $80 per year. But there is no starvation in Korea and, by and large, the people appear well fed and happy. I think it deserving of note, too, that, despite the comparative poverty of their country, the Koreans have one of the highest literacy rates to be found in the Far East.

There were many people who felt until recently that South Korea could never become an economically viable state. But, under the Park administration, the country has managed to pick itself up by its bootstraps, and all the economic and social indexes are now pointing upward in Korea.

The output of electricity has been doubled in the last 2 years.

The fertilizer industry has been expanded at a rate which will make Korea self-sufficient in fertilizers 2 years hence.

A new oil refinery has recently been built.

And foreign investments are now coming to Korea in increasing volume.

Korea's exports, which were running only $20 million per annum a few years ago, last year totaled $120 million and this year are expected to rise to $175 million.

A large part of the credit for the miracle of South Korea must go to the government of President Park Chung Hee, who is coming here to visit us next week.

President Park—then General Park—was the leader of the military coup which overthrew the inept and corrupt Chang government in May 1961.

After taking power, the Korean military junta did something that few military juntas have ever done: They decided on a return to constitutional rule and they submitted their candidates, in free elections, to the will of the Korean electorate.

President Park's party won 108 of the 173 seats—which is a very solid indication that the Korean people thought well of his previous rule.

The economic miracle that is now emerging under President Park's leadership is remarkable for a number of reasons.

It is remarkable in the first instance because of the almost insuperable economic difficulties imposed on South Korea through the artificial political division of the country.

At the Cairo and Yalta Conferences during World War II, the allies had agreed on the restoration of independence to Korea as a united country, with the understanding that, pending the establishment of a national government, the 38th parallel would serve as a temporary military demarcation line between the Soviet and American occupation forces.

In 1948, the United Nations passed a resolution calling for free elections in Korea and a U.N. commission was set up to supervise the organization and holding of these elections. The Soviets, however, refused admission to the U.N. commission—and what had been intended as a purely temporary military demarcation line became a rigid political frontier, patterned after the Iron Curtain the Communists have erected wherever they rule.

North Korea started off with a tremendous initial advantage over South Korea. In the north were concentrated virtually all of Korea's industry, all of its hydroelectric power system, all of its mineral resources. Because it was cut off from all of these resources, the question has repeatedly been asked: Can South Korea survive?

The economic miracle of South Korea is remarkable, in the second place, because of the terrible suffering and devastation inflicted by the Korean war and because South Korea had to make room for 5 million refugees from North Korea—5 million out of a total population of 12 million—who fled to the south to escape Communist rule. I believe it was the largest migration in history.

While I was in Korea I saw many photographs of the hordes of refugees who crowded all the roads to the south, fleeing before the Communist armies—hunger, fear, and anguish engraved on their faces. To those who say that perhaps the people of Vietnam or the people of other Asian countries may prefer communism to freedom, I would recommend that they restudy the history of this period and that they look at some of the photographs of the refugee exodus from North Korea—the most massive exodus of its kind in recorded history.

Finally, the economic miracle that is being wrought under the Park administration is all the more remarkable because of the heavy price the South Korean Government has had to pay to maintain armed forces totaling almost 600,000 men against the threat of renewed Communist aggression.

The Korean economy is off and running, and there is every reason to be sanguine about the future.

The economic expansion that is now taking place is bound to be accelerated by the recently negotiated treaty normalizing relations with Japan. This treaty, which is now awaiting final signature, will serve to overcome the differences and the bitterness of the past, and, let us hope, pave the way for normal and friendly relations between the Korean and Japanese peoples.

Nothing could do more for the people of Japan, for the people of Korea, and for the stability and freedom of this entire critical area.

The administration of President Park deserves a world of credit for the statesmanship and courage it has manifested in concluding the treaty with Japan despite the operation of noisy, chauvinistic minorities.

The legacy of the past is never easy to overcome. But France and Germany have overcome the legacy of an equally embittered past. Let us hope that the free peoples of Korea and Japan will, in their future relations, emulate the example that has been given to the world by these two ancient and powerful European nations.

Another important initiative for which President Park deserves credit is the establishment in Seoul of the Freedom Center of the Asian People's Anti-Communist League.

This is a most remarkable institution. I wish every Member of the Senate could see it. It is a research and training center set up for the purpose of studying Communist strategy and tactics, devising more effective countermeasures, and instructing cadres in the use of these countermeasures. In this sense, the conception closely resembles that of the Freedom Academy, which has been of interest to so many Senators, particularly the senior Senator from South Dakota [Mr. MUNDT], who has been pressing for it in the Senate. It has been the subject of legislation pending before Congress for more than 6 years.

The Korean Freedom Center is a sizable building, and the Korean Government has made a substantial investment in it. I was able to visit the Freedom Center while I was in Seoul and I found it a truly inspiring experience.

This cold war research and training center will be operated jointly by the five national committees of the Asian People's Anti-Communist League, which include Nationalist China, the Philippines, Thailand, South Vietnam, and the Republic of Korea.

Our Asian friends have understood the need for having trained cadres to oppose the trained Communist professionals who have been making trouble for us in every part of the world; and they have set an example for us in establishing this pioneering free world institution, designed to put an end to the unequal situation in which free world amateurs are pitted against hardened Communist professionals, sometimes with years of training in the many special institutes which the Communists maintain for this purpose.

I think it worthy of note that President Park, in his speech at the dedication ceremonies for the Freedom Center, emphasized its positive aspects. He hailed the center as "a symbol of freedom and peace," and he said it "should play an inspiring role in realizing democratic ideals and building the welfare society in which mankind can preserve everlasting freedom and peace."

I think it appropriate to remind my colleagues, too, of the immediate and generous response of the Park government to the requests for military assistance which it has received from its sister Asian Republic of South Vietnam.

The first request, which was for medical assistance, was received in mid-July, 1964. Two months later a ROK Army mobile surgical unit, numbering 130 men, landed in Saigon. In January of this year, the Korean Government announced the further dispatch of a 2,000-man expeditionary force to Vietnam, made up of army and marine engineering and transportation units, and a self-defense security outfit.

In announcing the dispatch of these new troops, President Park said:

> We cannot afford to remain idle spectators to the increasing threat of aggression by Communist China and its followers * * * because such Communist aggression against anti-Communist free world allies is directly connected with the security of our nation.

A commitment of 2,130 men by Korea is equivalent, on a per capita basis, to a commitment of almost 28,000 men by the United States. This is just about where our forces in South Vietnam stood only a few months ago.

From my conversations with President Park and other members of his government, I feel confident, however, that they will not count their commitment in percentage points or per capita ratings. I feel confident that if the Government of Vietnam wants their assistance, the Korean Government would be prepared to send much more substantial forces to South Vietnam.

In closing my remarks, I want to say a few more words about the man we shall be honoring during his state visit to Washington.

President Park is a man who combines remarkable energy with wisdom and scholarship, charity, and dignity. They say of him that he sleeps only 5 hours a day. And from the grasp of detail on many subjects he displayed in the course of our conversations, I can believe this of him.

There is another story about President Park which tells worlds about the man. His administrative motto is "seeing is believing." In line with this motto, he has traveled through every part of the country in the course of his personal inspection tours.

While touring the country in 1964, a county chief briefed him on the anti-drought measures that had been taken in his area. President Park, noticing the untanned arms of the county chief, scolded him harshly.

> I saw water flowing in a brook while the paddies were cracking under the sun—

He said:

> It seems that you rely too much on your subordinates' reports without checking yourself.

Himself a scholar and now a successful politician, President Park does not overestimate his accomplishments in these realms. He has said:

> We need philosophy and politics. But most of all, we need workers who can construct highways, improve farming techniques, and develop factories.

In the Korean people, we have a brave, stanch, and deserving ally.

In welcoming President Park we honor a visitor whose accomplishments and statesmanship profoundly merit our honors.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. DODD. I am glad to yield to the Senator from Colorado.

Mr. DOMINICK. I have been extremely interested in listening to the very important speech the Senator has been making in reporting on his recent trips.

One of the most important things is the emphasis the Senator has given to the Korean troops which are in South Vietnam. Constantly we hear reports that we should get more aid and assistance from our allies. The general impression is that we are doing it all by ourselves. Unfortunately, I did not hear the Senator's entire speech. I should like to ask him whether he stated to the Senate figures in relation to the additional aid we are getting from Nationalist China, the Philippines, and Thailand.

Mr. DODD. I do not think we are getting any aid at the present time from Nationalist China—none that I know of. There are about 2,000 Korean transportation engineering troops there. There are a couple hundred medical troops, if that is the proper way to describe them. I was told that the Philippines are willing to send some help. I believe that there will be help from other countries in southeast Asia as well. I am confident that the Koreans are prepared to send substantially more help if they are asked to do so by the Government of South Vietnam.

I am glad that the Senator from Colorado is interested, because it is so often said that Asian peoples are not willing to fight to preserve their freedom from communism. I found those statements to be completely untrue.

Mr. DOMINICK. Yes. I point out to the Senator from Connecticut that my information would indicate that the Republic of China also has men in Vietnam who are being of assistance in many different ways. They are not there in any great numbers, because the Republic of China has not been asked for them, but they are present in smaller numbers and in many different units.

Mr. DODD. That is possible. I had not been aware of it. The government of free China, Nationalist China, has a very good army. Our military people tell me that it is one of the best in the world. It is in good condition, alert, and I believe ready if need for its use should arise.

Mr. DOMINICK. I am delighted that the Senator from Connecticut has delivered his speech. It is important.

Mr. DODD. I thank the Senator from Colorado.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DODD. Yes, I am happy to yield to the Senator from Florida.

Mr. HOLLAND. I have been under the impression that the Philippine Government sent some medical military personnel to South Vietnam.

Mr. DODD. Yes.

Mr. HOLLAND. Can the Senator from Connecticut tell us whether that information is correct?

Mr. DODD. I am sure that is true. Those personnel are not only in South Vietnam, but also in Laos. I visited two of their installations. They are really very impressive installations. They are hospitals manned by Filipino medical units. They are doing an outstanding piece of work.

Mr. HOLLAND. Am I also correct in my understanding that the Government of Australia is sending a battalion of infantry?

Mr. DODD. I so understand.

Mr. HOLLAND. It may or may not have arrived at the present date. I do not have the dates in mind. But the commitment was made a week or more ago.

Mr. DODD. Yes. I am sure that is so. That is what is intended. I do not know whether it has arrived, but I understand that it is being sent. I think they will do even more. The people of southeast Asia whom I had the privilege to visit were very much aware of this hazardous situation. They wish to help, and they will help. I am certain we can expect help from them.

I yield the floor.

Mr. HART subsequently said: Mr. President, earlier today, the Senate heard the distinguished Senator from Colorado [Mr. DOMINICK] in a most interesting discussion of the growth of South Korea and the contribution that the public of South Korea is making to those of us who avow the cause of freedom, which is involved importantly in the contest in Vietnam. I should like to add a word to the discussion.

Once some area of the world has been removed from the critical list, it tends to be gently expunged from the public mind as new crises arise and are dealt with.

The Republic of South Korea for some years now has enjoyed peace and a growing prosperity but these subjects—despite their importance—somehow make dull reading in a world of conflicts and tensions.

On Sunday, Korean President Chung Hee Park will arrive in the United States for a state visit in Washington, to be followed by a cross-country tour.

Hopefully, this visit will spotlight some of the remarkable progress his country has made since hostilities ended.

The war with the Communists of the north left South Korea badly battered, physically and economically. But a number of impressive gains have been made and American aid to the country is now on a declining scale.

Since 1960, that nation's production index has risen 60 percent. Its exports have gone from $25 million in 1960 to $125 million in 1964. At the present rate, the country will likely achieve a favorable trade balance by 1969.

Truly remarkable gains have been made in the production of power, coal, cement, plywood, and machinery.

Progress will be further encouraged with the signing of a peace treaty with Japan. Some segments of the Korean population are understandably reluctant to sign such a treaty, not because the terms are unfair but because of continued deep resentment of Japanese domination and repression during World War II.

The treaty settles the troublesome problem of fishing rights. It calls for the return of art treasures taken during the war. It provides that Japan give Korea $300 million in grants and $500 million in low-interest loans—figures not very impressive in Washington, but very significant in an undercapitalized nation.

The treaty is now scheduled for ratification by the Korean Parliament in June and, hopefully, it will be acted on swiftly.

Korea is one country that is not likely to get much attention from the critics of foreign aid. We have given that nation a great deal of help, but the results have been dramatic.

And as President Park arrives in this country, we should also remember that Korea is among our stanchest Asian friends. The nation is so strong a friend that Korean troops are in the field at our latest battleground—South Vietnam.

Mr. President, I take this means of welcoming to our country the distinguished President of the Republic of South Korea.

Mr. DODD. Mr. President, I thank the Senator from Michigan [Mr. Hart] for his kindness and generosity in permitting me to make my statement.

Mr. HART. I am very glad to yield.

TRIBUTE TO SENATOR MURPHY

Mr. HOLLAND. Mr. President, will the Senator yield to me?

Mr. HART. I yield 1 minute to the Senator from Florida.

Mr. HOLLAND. Mr. President, I have had called to my attention two very fine newspaper articles, one from the Herald Examiner of Los Angeles and the other from the Oakland Tribune, Oakland, Calif., relative to our esteemed colleague the junior Senator from California [Mr. Murphy] and to the valiant fight which he has been putting up against the very inadequate handling of the agriculture labor problem, which unfortunately we have had at the hands of the Secretary of Labor and the Department of Labor.

I ask unanimous consent that the two articles to which I referred be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Los Angeles (Calif.) Herald Examiner, May 10, 1965]

Murphy Continues Push for Braceros

(By Ruth Montgomery)

Washington.—GOP Senator George Murphy charges that Labor Secretary Willard Wirtz is endangering the "entire economy of California by acting like a one-man czar."

The famed actor turned Senator says that vast fields of strawberries and asparagus are rotting while Wirtz arbitrarily bars Mexican braceros from their customary agricultural role.

"My telephone rings at all hours of the day and night with calls from farmers who are being wiped out because of Wirtz," the handsome solon complains. "These hundreds of little farmers are under contract to packinghouses, but have no one to pick their strawberries or plant tomatoes.

"Agriculture is our biggest industry in California—$13.5 billion a year—and we're liable to lose half of it because of Wirtz. You can't suddenly take 80,000 to 100,000 workers off the farms and not expect disaster. It's the worst mess I've ever seen—simply unbelievable."

Murphy was referring to the bracero program under which Mexicans have been admitted each year during the crop season to work in 29 States ranging from Florida and California to Michigan and Oregon.

"The bracero program was the most successful international economic agreement we ever had," Murphy laments. "We had a somewhat similar arrangement with Japan, whose Government screened young agricultural workers and sent 200 a year to California for 2-year stints. The Japanese Ambassador tells me it was the most successful program his country ever entered into with us, but not until last week did Wirtz even permit those who were already here to go to work. They had to sit idle while millions of strawberries were rotting in the fields outside their windows."

Murphy says he has repeatedly written President Johnson about the impending agriculture "disaster," but receives only politely noncommittal letters from his aides.

Unless the President or Wirtz acts promptly, according to the California Senator, the new poverty program will be swamped "because our bigger farmers are moving to Mexico and creating unemployment in their wake."

Murphy has nothing but praise for President Johnson on the international front. He says L.B.J.'s action in Vietnam is "excellent," and that if we had taken an equally firm stand on Communist subversion "5 or 8 years ago, 90 percent of our troubles would have disappeared." He believes the President also did "absolutely the right thing" by moving so promptly during the Dominican crisis.

Although the man who defeated former White House Press Secretary Pierre Salinger has had no luck gaining the ear of the President on the farm crisis, he is nonetheless preparing a series of recommendations to him for improving our American image abroad.

A former adviser to President Eisenhower, Murphy served on the Film Conservation Committee during the war and was in charge of all entertainment for offshore hospital installations in the immediate postwar years. Convinced that motion pictures are our most effective propaganda instrument, he says:

"We proved this during World War II. We should be widely utilizing motion pictures to rebuild our image overseas. No one trusts Uncle Sam anymore, because we don't make our policies clear. Let us do it with propaganda movies."

[From the Oakland (Calif.) Tribune, Apr. 20, 1965]

Senator Murphy Impresses

Senator George Murphy continues to impress his Senate colleagues. He is doing so by keeping abreast of the issues, both foreign and domestic, as well as those of California. In other words, he is doing his homework.

And instead of sitting back and allowing the political scene to pass before him, which has been the role delegated to many freshmen lawmakers, Senator Murphy is taking his turn on the floor of the Senate to have his say. And what he is saying is making good sense.

It is reported that Murphy was on the job recently when the President's aid to education bill was to be discussed by the Senate. But the Senator used the occasion to "educate Secretary of Labor Willard Wirtz," according to reports. From Washington it was reported:

"The freshman Senator from California finally got the floor after a 'wait in the wings.'

"Murphy, dapper and handsome, looked pretty citified but his speech quickly disclosed that he'd done his homework as staggering statistics regarding the acreage of California tomatoes threatened with loss if not promptly picked, stories of strawberry crops already damaged and a scathing personal attack on Wirtz' decision to keep bracero labor out of the State.

"Murphy's attack stirred up others. Senator Spessard Holland, Democrat, of Florida, in almost unbelievable Florida-California reciprocity, urged help for western growers. Venerable Senator Aiken, of Vermont, who knows a thing or two about agriculture, pointed out the silly notion of the Labor Secretary that farmworkers be paid by the hour rather than by the bushel.

"In any event the Senators present were impressed, as was the big gallery crowd."

The people of California are getting their money's worth out of their freshman Senator. The dividends are coming early.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. HART. Mr. President, I yield 10 minutes to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 10 minutes.

Mr. STENNIS. Mr. President, a vote against the pending amendment will constitute an admission that this bill is not limited to enforcing the guarantee of the 15th amendment. It will be an admission that, notwithstanding the clear and unequivocal provisions of the Constitution and the interpretations thereof by the Supreme Court, the States affected by section 4 of the bill will be denied their admitted right to establish nondiscriminatory literacy tests as a prerequisite to registering or voting. In short, the result of the vote on this amendment will be the acid test of this body's devotion to the Constitution.

I make these statements advisedly, Mr. President, and with deference to the proponents of this bill, but with every confidence that in so doing I am fulfilling my responsibility as a Member of this body. I make these statements because this amendment so clearly presents to the Senate the choice of following, or ignoring, the unquestioned constitutional principle that the States may require all voters to pass a literacy test and that the 15th amendment does not prohibit such a test which applies equally to citizens of all races. This is the law of the land, Mr. President, and I challenge anyone to show otherwise. As now written, however, S. 1564 violates these principles because it would deny to certain States the right of prescribing any type of literacy test, both fair on its face and fairly administered.

Just what does the Ervin amendment provide? First, it merely states that nothing in this act shall be construed to prohibit a State from prescribing a literacy test which applies equally to citizens of all races. The inclusion of this language in the bill certainly could not limit its effectiveness in enforcing the guarantee of the 15th amendment. Indeed, the only meaning of this language is to limit the coverage of section 4 to prohibiting that action declared unlawful by the 15th amendment; namely, a denial or abridgment of the right to vote on account of race or color. This is the only meaning of the 15th amendment, and the Supreme Court clearly held in *United States* v. *Reese*, 92 U.S. 214 (1875), that any enforcing statute is void if it goes beyond this limit. Section 4 of S. 1564 goes beyond prohibiting denials on account of race or color because, in the affected States, it would prohibit the application of a literacy test to anyone, regardless of whether there was any question of racial discrimination. The Ervin amendment would cure this fatal defect by assuring that section 4 will apply only to cases where a State attempts to apply different registration or voting prerequisites to citizens of different races.

The second provision of the pending amendment would permit the use of literacy tests, applied equally to all races, if such test merely requires the voter to be able to read and write in the English language. Certainly it cannot be contended that this is an unreasonable requirement; to the contrary, the requirement that all voters be able to read and write is simply an effort to improve the standards of the electorate. In a modern and complex society such as we enjoy in this Nation, I fail to see how anyone could question the need to have an informed electorate. If those who vote are not capable of being enlightened, at least to the extent of being able to read the various news media, how can we expect those voters to exercise in a responsible manner the privilege of suffrage. I submit that we cannot have enlightened government, Mr. President, in the absence of an enlightened and informed electorate.

The Supreme Court has not only upheld the right of the States to require a literacy test but it has, in fact, commended the efforts of the States to improve the standards of voters. In the case of *Lassiter* v. *Northampton Election Board*, 360 U.S. 45 (1959), the Court interpreted the provisions of the North Carolina election laws which required that all prospective voters be able to read and write any section of the North Carolina constitution in the English language. It should be noted, of course, that this is the identical requirement which would be permitted under the Ervin amendment. The Supreme Court upheld the use of such a test in the Lassiter case and clearly stated:

> That seems to us to be one fair way of determining whether a person is literate, not a calculated scheme to lay springs for the citizen. Certainly we cannot condone it on its face as a device unrelated to the desire of North Carolina to raise the standards for people of all races who case the ballot (360 U.S. 45, 53).

Thomas Jefferson once said that a nation cannot be both ignorant and free, Mr. President. I believe it is a corollary to that statement to say that a nation of ignorant voters cannot long remain free.

In conclusion, Mr. President, I stated again that the vote on this amendment will reflect whether or not the Senate will follow the Constitution. A vote against the amendment can only mean two things: First, that the 15th amendment applies to cases other than those of racial discrimination in voting; and second, that the States have no right to establish a literacy test as a prerequisite to registering or voting. It is admitted by all that these are not valid statements of the law, but I challenge anyone to show how a vote against the amendment will not have these effects.

To the contrary, a vote for the amendment will be an announcement to the world that ours is a nation of law and not of men—that we will follow the rule of law, not the rule of necessity. If the amendment is adopted, the States will be permitted to continue using nondiscriminatory tests of a prospective voter's ability to read and write. The rejection of the amendment will deny this right.

Mr. President, I yield back the remainder of my time, and I thank the Senator.

Mr. HART. Mr. President, how much time remains?

The PRESIDING OFFICER. Twenty minutes remain.

Mr. HART. Mr. President, the amendment of the Senator from North Carolina [Mr. ERVIN] provides:

> That nothing in this subsection or any other provision of this Act, shall be construed to invalidate, impair, or suspend any requirement prescribed by the law of any State which applies equally to citizens of all races, and which merely requires such citizens to demonstrate as a prerequisite to registering or voting, the ability to read and write any section of the constitution of the State or the Constitution of the United States in the English language.

No matter how fairly that requirement might be applied—and the amendment, I should add, provides that it be applied equally to all—in certain areas, it would work, unfairness on the Negro. No matter how simple on its face the test, the test has been applied in many areas in the past, not as a test of literacy, but rather as a means of excluding Negroes from the rolls. The record before the Committee on the Judiciary discloses instance after instance in which a test comparable to the one referred to in the amendment has, over the years, been applied to the Negro; and the Negro, sometimes, having rather substantial education, has been rejected. At the same time, whites not literate have been enrolled.

The record of the Committee on the Judiciary in its report, pages 15 and 16, discusses rather fully what is at root involved in the amendment before the Senate. An interesting commentary, which is not included in the report of the committee, but which has come to our attention more recently, relates to action which has occurred recently in Louisiana.

Mr. DOMINICK. Mr. President, will the Senator yield for a question?

Mr. HART. I am glad to yield.

Mr. DOMINICK. I wish to be perfectly clear about the amendment. Is the Senator claiming that section 4 as it is now worded automatically outlaws literacy tests established by the States?

Mr. HART. Section 4, as proposed in the substitute amendment, prohibits the application of tests of the character there defined as a precondition for voting or as a means of denying one the right to vote.

Mr. DOMINICK. Even though such a test is not used in a manner to deny or prejudice the right to vote and even if it operates evenly among all people?

Mr. HART. If the tests are in effect in a State, and if the trigger of section 4 is fired because less than 50 percent of the persons have been registered and have voted, and more than 20 percent of the population of that State or political subdivision are nonwhite, the effect of the section the Senator inquires about is to suspend such tests across the board. If a State or political subdivision takes the position that the test has not been applied in a discriminatory fashion, on a declaratory judgment supporting that position, the tests may be resumed.

Mr. DOMINICK. As I understand, the trigger acts as a legislative presumption that there has been discrimination in the right to vote within certain States.

Mr. HART. That is correct.

Mr. DOMINICK. If there are literacy tests in States which do not come within the triggering action—my own State of Colorado, for example, would not come within the triggering action—literacy tests would not be outlawed, would they?

Mr. HART. The Senator is correct. Relevant to the whole discussion, however, even in a State which is not within the triggering device, the substitute provides for suspension of any test or device if there has in fact been discrimination in the use of such test or device for so long as the court requires.

There is no suspension of a test or device in Colorado or any other State; section 4 applies only in cases where the trigger formula does not identify.

Mr. DOMINICK. I thank the Senator.

Mr. HART. I thank the Senator from Colorado.

Mr. ERVIN. Mr. President, will the Senator from Michigan yield to me for an observation on that point?

Mr. HART. Certainly.

Mr. ERVIN. That is one of the unconstitutional things about the measure. Twenty-one States have literacy tests. The bill outlaws literacy tests in 7 States but permits them to remain in effect in the other 14 States. It does so under a Constitution which has been interpreted by the Supreme Court on many occasions to provide that all States of the Union are equal in dignity and power.

How can it be said that all of the States in the Union are equal in power when 7 of them are denied the right to use literacy tests and 14 States are allowed the right to use literacy tests.

Mr. HART. Mr. President, I agree that no State, whether 1, 21, or 50, has ever had any right to apply its laws in any fashion which would deny to an individual the protection of the 15th amendment.

We have repeatedly discussed our disagreement of this point during the course of these many days of debate.

To return now to the experience in Louisiana, in Louisiana, as originally adopted in 1921, article VIII contained two separate constitutional interpretation tests. Section 1(c) provided that persons able to read and write "shall also be able to read any clause in this constitution or the Constitution of the

United States, and give a reasonable interpretation thereof." Section 1(d) provided that illiterates might register if "able to understand and give a reasonable interpretation of any section of either Constitution when read to him by the registrar." In 1960, the interpretation test in section 1(c) was deleted entirely, and the opening phrase of section 1(d), which had restricted its application to illiterates, was dropped. See act 613 of 1960, adopted November 8, 1960. The result is that the test originally designed for illiterates is now the test applicable to every applicant.

Significantly, however, section 1(f) of article VIII of the Louisiana constitution provides:

> Notwithstanding any provision in this section to the contrary, the inability of any person to read or write for any reason, who is registered to vote as of November 8, 1960, shall not be grounds for removal of such person from the registration rolls, by the registrar, by challenge, of other persons, or by any action of court. (Added Acts 1960, No. 613, adopted Nov. 8, 1960.)

The above demonstrates that in Louisiana no one is really concerned whether or not illiterates vote. This further demonstrates that the purpose of literacy tests has not been to keep from voting persons unable to read and write but has been to bar the franchise to Negro Americans.

Any test no matter how seemingly simple will of its nature work unfairly against Negroes, since tests or devices have been applied unfairly in the past with the result that most whites, whether or not qualified under State law, are now registered, while most Negroes even if qualified under State law, are not registered.

The amendment would enable a State to grant unlimited discretion to a registrar to choose any sentence in the State or Federal constitution, no matter how long or involved. One of the principal reasons why Negroes are not now registered is that a like discretion exists today—in, for example, the choice of a section of the Mississippi constitution which an applicant for registration must interpret. This discretion has been flagrantly abused, and the only means of insuring that the discrimination of the past will not be continued is to divest the registrars of that discretion.

Absent a reregistration, it is contrary to law to apply a test or device to Negroes when whites have not been subjected to such a test in the past. *Louisiana* v. *United States,* 85 S. Ct. 817 (1965). Since the proposed amendment does not require a reregistration, it is contrary to existing law insofar as it requires Negroes to pass tests which whites have not been required to pass.

We feel very strongly that agreeing to the amendment of the Senator from North Carolina would open a gap, the closing of which is a primary purpose of this bill, and would create a very great danger. We feel very strongly that the amendment should be rejected.

Mr. President, I yield back the remainder of my time.

Mr. ERVIN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time on the amendment has been yielded back. The question is on agreeing to the amendment (No. 86) offered by the Senator from North Carolina [Mr. Ervin] to the amendment in the nature of a substitute, as amended (No. 124), offered by the Senator from Montana [Mr. Mansfield] and the Senator from Illinois [Mr. Dirksen].

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. Bartlett], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Alaska [Mr. Gruening], the Senator from New Mexico [Mr. Montoya], the Senator from Oregon [Mr. Morse], the Senator from Oregon [Mrs. Neuberger], the Senator from Rhode Island [Mr. Pastore], the Senator from West Virginia [Mr. Randolph], the Senator from New Jersey [Mr. Williams], the Senator from Texas [Mr. Yarborough], and the Senator from Ohio [Mr. Young] are absent on official business.

I also announce that the Senator from Virginia [Mr. Byrd], the Senator from West Virginia [Mr. Byrd], the Senator from Nevada [Mr. Cannon], the Senator from Massachusetts [Mr. Kennedy], the Senator from New York [Mr. Kennedy], the Senator from Wisconsin [Mr. Nelson], the Senator from Rhode Island [Mr. Pell], the Senator from Georgia [Mr. Russell], the Senator from Florida [Mr. Smathers], and the Senator from Missouri [Mr. Symington] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from New Mexico [Mr. Montoya], the Senator from Alaska [Mr. Gruening], the Senator from Wisconsin [Mr. Nelson], the Senator from Rhode Island [Mr. Pastore], the Senator from Rhode Island [Mr. Pell], the Senator from New Jersey [Mr. Williams], and the Senator from Ohio [Mr. Young] would each vote "nay."

On this vote, the Senator from Virginia [Mr. Byrd] is paired with the Senator from Massachusetts [Mr. Kennedy]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Massachusetts would vote "nay."

On this vote, the Senator from Mississippi [Mr. Eastland] is paired with the Senator from Oregon [Mr. Morse]. If present and voting, the Senator from Mississippi would vote "yea" and the Senator from Oregon would vote "nay."

On this vote, the Senator from West Virginia [Mr. Byrd] is paired with the Senator from New York [Mr. Kennedy]. If present and voting, the Senator from West Virginia would vote "yea" and the Senator from New York would vote "nay."

On this vote, the Senator from Georgia [Mr. Russell] is paired with the Senator from West Virginia [Mr. Randolph]. If present and voting, the Senator from Georgia would vote "yea" and the Senator from West Virginia would vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. Bennett], the Senator from Kansas [Mr. Carlson], the Senator from Illinois [Mr. Dirksen], the Senator from Nebraska [Mr. Hruska], the Senator from Iowa [Mr. Miller], the Senator from Massachusetts [Mr. Saltonstall], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from New Hampshire [Mr. Cotton], the Senator from Nebraska [Mr. Curtis], and the Senator from Arizona [Mr. Fannin] are absent on official business.

If present and voting, the Senator from Illinois [Mr. Dirksen], the Senator from Utah, [Mr. Bennett], the Senator from Kansas [Mr. Carlson], the Senators from Nebraska [Mr. Curtis and Mr. Hruska], the Senator from Arizona [Mr. Fannin], and the Senator from Massachusetts [Mr. Saltonstall] would each vote "nay."

On this vote, the Senator from Texas [Mr. Tower] is paired with the Senator from Iowa [Mr. Miller]. If present and voting, the Senator from Texas would vote "yea" and the Senator from Iowa would vote "nay."

The result was announced—yeas 14, nays 53, as follows:

[No. 71 Leg.]

YEAS—14

Ellender
Ervin
Harris
Hill
Holland
Jordan, N.C.
McClellan
Robertson
Russell, S.C.
Simpson
Sparkman
Stennis
Talmadge
Thurmond

NAYS—53

Aiken
Allott
Anderson
Bass
Bayh
Bible
Boggs
Brewster
Burdick
Case
Church
Clark
Cooper
Dodd
Dominick
Douglas
Fong
Hart
Hartke
Hayden
Hickenlooper
Inouye
Jackson
Javits
Jordan, Idaho
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Morton
Moss
Mundt
Murphy
Muskie
Pearson
Prouty
Proxmire
Ribicoff
Scott
Smith
Tydings
Williams, Del.
Young, N. Dak.

NOT VOTING—33

Bartlett
Bennett
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cotton
Curtis
Dirksen
Eastland
Fannin
Fulbright
Gore
Gruening
Hruska
Kennedy, Mass.
Kennedy, N.Y.
Miller
Montoya
Morse
Nelson
Neuberger
Pastore
Pell
Randolph
Russell, Ga.
Saltonstall
Smathers
Symington
Tower
Williams, N.J.
Yarborough
Young, Ohio

So the amendment offered by Mr. Ervin to the amendment in the nature of a substitute, as amended (No. 124), offered by Mr. Mansfield and Mr. Dirksen was rejected.

Mr. HART. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

PERSECUTION OF CERTAIN PERSONS BY SOVIET RUSSIA

The PRESIDING OFFICER. The Chair lays before the Senate the pending business, under the unanimous consent agreement, which the clerk will state.

The LEGISLATIVE CLERK. A concurrent resolution (S. Con. Res. 17) to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion.

The PRESIDING OFFICER. Is there objection to the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution, which had been reported from the Committee on Foreign Relations, with amendments, On page 2, line 5, after the word "humanity", to insert "be urged to"; in line 6, after the word "and", to strike out "fully" and insert "to"; and in the same line, after the word "permit", to insert "fully"; so as to make the concurrent resolution read:

> *Resolved by the Senate (the House of Representatives concurring)*, That it is the sense of the Congress that persecution of any persons because of their religion by the Soviet Union be condemned, and that the Soviet Union in the name of decency and humanity be urged to cease executing persons for alleged economic offenses, and to permit fully the free exercise of religion and the pursuit of culture by Jews and all others within its borders.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

Mr. RIBICOFF. Mr. President, I first rose in the U.S. Senate on September 23, 1963, to speak out about a great injustice: the Soviet persecution of the Jewish people. I asked the U.S. Senate to assume its solemn responsibility of voicing the national conscience in behalf of human rights.

I accused the Soviet Government of pursuing a systematic policy of attrition against its 3 million Jewish citizens.

I accused the Soviet Government of depriving Soviet Jews of their cultural rights.

I accused the Soviet Government of depriving Jewish citizens of their religious rights.

I accused the Soviet Government of pursuing a virulent anti-Jewish propaganda campaign.

I accused the Soviet Government of using Jews as scapegoats for their economic ills of the nation.

I accused the Soviet Government of discriminating against Jews in education and employment.

I accused the Soviet Government—having denied Jews their rights at home—of then cruelly refusing them the right to emigrate and seek homes in freer lands.

All this, I said, adds up to a policy of reducing Jews to second-class citizenship in the Soviet Union—of breaking their spirit and crushing their pride. It aims to shatter, pulverize and gradually eliminate Jewish historical consciousness and Jewish identity.

It was at this time that I introduced S. 204 in the Senate protesting the persecution of Soviet Jewry. Armed with the facts about the situation, and sympathetic to the humane cause of a persecuted people, the Senate of the United States spoke out in September 1964, and voted 60 to 1 for my resolution condemning Soviet persecution of the Jews. But because the resolution had to go to conference as an amendment to the foreign aid bill—and because of the basic opposition of our State Department—it was not possible to keep the strong expression of the Senate intact. That is why I again introduced a concurrent resolution—Senate Concurrent Resolution 17—to express both the sentiment of the Senate and the other body. This resolution condemning the policy of the Soviet Government in persecuting the Jews now has 70 cosponsors in the Senate, and 114 in the House.

This policy works itself out as a whole. Let me give you a few examples of how it reaps its ill effects. The 3 million Jews of the U.S.S.R. are officially recognized as a nationality. Although they constitute only 1.09 percent of the total Soviet population, they rank 11th numerically among the more than 100 diverse Soviet nationalities.

Soviet ideology, Communist Party directives, the Soviet Constitution and law, and historic Soviet practice all recognize the inherent right of every Soviet nationality to maintain and perpetuate its own cultural identity, through its own cultural institutions in its own language.

But the Jews are the only nationality which is deprived of the basic cultural rights accorded to all the others.

Until 1940, they were permitted a large network of schools—elementary, middle and higher schools—in the Yiddish language.

Then in 1948, this whole vast array of institutions was forcibly closed down and liquidated. Hundreds of Jewish writers, artists and intellectuals were imprisoned or banished.

Jews are forbidden schools of their own. They are forbidden classes in Yiddish or Hebrew in the general schools. They are even forbidden classes in the Russian language on Jewish history and culture.

The Jews then have a status as a nationality, but they are also thought of as a religious group. Yet they have none of the prerogatives of the other major religious groups in the U.S.S.R.

Unlike all the other denominations, Jewish rabbis and congregations are not permitted to maintain nationwide federations or other central organizations for formal affiliation or contact with organizations of coreligionists abroad. Synagogues have been forcibly closed down in many cities. Although a small number of prayer books was published in 1955, there is an extreme shortage, and no Hebrew Bible has been published since 1917. The only rabbinical seminary—opened in Moscow in 1957—was virtually closed down in 1962 when about a dozen students went to the Caucasus to vote in elections and to celebrate Passover with their families. Authorities forbade their return—supposedly because of a housing shortage.

The cultural and religious repression of Jews takes place within an atmosphere charged with a hateful press and propaganda campaign against Judaism. Jews are represented in traditional anti-Semitic ways—as unscrupulous, cunning, sly, or mean. Judaism as a religion is vilified.

And there are other ways of encouraging endemic anti-Semitism.

Alongside of the anti-Jewish propaganda, there has been a notable pattern of hostility against the Jews in the massive national campaign waged against economic offenses. Beginning in 1961, a series of decrees called for capital punishment for such crimes as embezzlement, currency speculation, and bribery. Of the 195 people sentenced to death for such crimes, at least 100—and possibly as many as 106—have been Jews. So the Soviet Government seems to consider the tiny community of Jews—just over 1 percent of the population—responsible for over half, and in some places 80 to 90 percent, of the economic crimes warranting capital punishment. And the publicity accompanying the trials consistently represents Jews as "slaves of gold," "money worshipers," and so forth.

What of other—less dramatic, but equally telling—forms of discrimination? The proportion of Jews in higher education—science and the professions in the Soviet Union has been declining for many years. There is a quota in many universities and advanced institutions. In 1935, 13.5 percent of all students in higher education were Jewish—today only 3.1 percent are Jewish. This despite the fact that the highly urbanized Jew aspires no less toward an education, for himself and his children.

A few Jews are still found in top positions in various walks of life. But Jews have disappeared from the diplomatic service—and with rare exceptions from responsible jobs in the armed forces. They are found in the middle ranks of economic, industrial, technical, and engineering work; even here they cannot hope to achieve leading positions.

Worst of all, thousands of Jews, denied their rights in the Soviet Union, wish desperately to leave.

Reunion with the remnants of their broken families—families which have created a new life on new soil, in the United States, in Israel, or elsewhere—this is their overwhelming hope. The Soviet Government denies them this hope. Recognizing in principle their right to leave, it will not honor this right in practice.

While the Congress is considering this resolution we vote upon today, across the land a great cry of protest is heard. Responsive to the action of the Senate, groups have sprung up in many cities and towns. Rallies—meetings—in traditional American fashion, the American people have registered their repulsion at this new anti-Semitism.

Can such pressure and action have any impact on Soviet policy? Have they had any real effect in the last few years? Is there evidence of Soviet sensitivity to this world sentiment? Is there reason to believe that the specific condemnation I ask today can help to bring about a basic reversal of Soviet policy with regard to the Jews?

The skeptics ask these questions and they have the right to ask. They also have the right to be answered; and this

I will do. First, though, let me say, that—regardless of the practical effect—there is a moral imperative involved here. We must speak out. History tells us that the silent onlooker becomes the moral accomplice to the crime.

Mr. President, already—in a mere matter of months—we have been heard by the Soviet authorities. We have concrete evidence of Soviet sensitivity to the voice of world conscience that has been expressed thus far. Look with me at some examples:

First. The Soviet English-language magazine distributed in the United States—Soviet Life—has during the past year run feature after feature denying the existence of Soviet anti-Semitism and of a Jewish problem in the Soviet Union. This monthly journal—modeled on Life magazine—has begun to portray Jewish life in rosy hues. According to Soviet Life's articles, picture spreads, news items, and letters-to-the-editor answers, the Jew in Soviet Russia enjoys a life which is a cross between that in "I Love Lucy" and the "Real McCoys."

Second. Equally strenuous efforts have been made by Soviet propaganda organs in Europe. Soviet Weekly in England, for instance, has joined the campaign to paint Jewish existence in Soviet Russia in glowing tones.

Third. Radio Moscow and the Novosti Press Agency—the chief Soviet propaganda agencies—have been carrying material day after day which attempts to counter rising public opinion and protests wherever there is public opinion against persecution of Soviet Jewry—in Europe—in the United States and Latin America.

For instance, about a year ago, Novosti rounded up several groups of Soviet Jewish citizens and got them to sign letters protesting the American Jewish Conference on Soviet Jewry of last April.

Again, Novosti has several so-called staff Jewish experts who are constantly writing articles on various facets of Soviet Jewish life, which are then sent to publications in the West. Most of these articles are placed in Communist—or fellow traveler type publications—though some reach non-Communist audiences.

Mr. President, it really does seem as though the Soviet Union doth protest too much. In October, 1963, a Conference on the Status of Soviet Jews met in New York under the auspices of such distinguished Americans as Justice William O. Douglas, Bishop James A. Pike, Rev. Martin Luther King, Jr., and Walter Reuther. About a hundred literary, religious, academic, and governmental leaders attended.

A featured speaker was Dramatist Arthur Miller. As Mr. Miller himself told the group, the Soviet Embassy in Washington was so concerned about the impact of his appearance that it sent a high official to his home in an effort to dissuade him from attending and speaking.

Fourth. In my list of Soviet responses to public protest: Soviet Embassies in Washington, Ottawa, London, Mexico City, Canberra and elsewhere regularly issue lengthy denials of the charges brought against their country on the Jewish question.

In 1963, former Chairman Nikita Khrushchev found it necessary to reply personally to a letter of protest sent him by Bertrand Russell. Needless to say, the Chairman's reply was an unqualified denial. But that is not what is important. The significant fact is that Khrushchev himself actually replied, and that he deemed it advisable to publish the exchange in both Pravda and Izvestia.

Moreover, Lord Russell wrote to Aron Vergelis, editor of the Soviet Jewish literary periodical, Sovietish Heimland, about several aspects of the problem. Again, Vergelis found it necessary to reply and to publish the reply in his magazine.

Fifth. Last week, Alexander I. Zinchuk, counselor of the Russian Embassy here, went to the State Department to lodge a protest against "attempts to interfere in the domestic affairs of the U.S.S.R." by State Department support of my resolution in the Senate.

All of this indicates that the Soviet Union is extremely sensitive to this sort of criticism, just as it is sensitive to criticism about racial discrimination against African students. This hurts. So far, the efforts to allay this criticism have been largely confined to propaganda responses. Eventually, if we keep up the pressure, the Soviet Union will learn the only way to allay criticism of the civilized world is to discontinue the persecution which inspires it.

But, though the Soviet Union is indeed sensitive to world opinion, we have as yet seen no fundamental change in Soviet policy. There have been a number of small marginal changes—token changes, if you will. They do not reflect a major change in policy, but they are—again—concrete responses to the mobilization of liberal, humanitarian public opinion, and are therefore important. Some token changes which may be straws in the international winds:

First. Consider the Kichko case. In February 1964, we learned in New York that a viciously anti-Semitic book, "Judaism Without Embellishment," had been published in October 1963, in Kiev under the auspices of the Ukrainian Academy of Science. The author was T. F. Kichko, and he wrote his work in the Ukrainian language.

Very rapidly the Jewish Communist press—in New York, Israel, Paris, Canada and elsewhere—picked up the news and condemned the book mercilessly. Soon official Communist papers around the world had to pick up the condemnation or face scorn in major cities everywhere.

The Soviet reaction was unprecedented. As a consequence of the worldwide storm provoked by the publication of the book, the Soviets took these steps:

Published a critique in a Ukrainian paper.

Convened a special session of the Ideological Commission of the Communist Party of the Soviet Union, and the Commission issued a sharp critique of the book which Pravda and Izvestia and other papers picked up. The book was withdrawn from circulation.

This sort of thing was previously unheard of in Soviet affairs. Certainly it was a dramatic reflection of Soviet sensitivity on this question in general—and especially to pressures from the Communist movement whose reaction was generated by the need to maintain relations with the non-Communist world.

Second. The baking of matzoh—which is necessary for the celebration of Passover—was allowed until 1957. Then there was a campaign to restrict matzoh, which began in outlying cities and finally reached a climax in Moscow during 1962. Last year there was no official baking of matzoh. As a result, for months now—as many of you have probably noticed—there has been an intensive press campaign in Western papers concerning the matzoh supply for Passover, 1965. It was partially effective. We have just learned that there was an adequate supply in two cities—Moscow and Leningrad—and the requirements of several other cities were partially filled. This is far from satisfactory, but it represents a marked improvement over the previous year's record.

Third. The general propaganda campaign against economic offenses, in which a negative stereotype of the Jew is projected, continues. However, far fewer death sentences have been recorded during this past year. This is a change, and one for which we can be grateful. The expression of public opinion on this question has been at least partially responsible.

Fourth. Sovietish Heimland, the lone Yiddish literary periodical published in Russia, began in 1961 as a bimonthly and was transformed into a monthly, beginning in January 1965. This magazine, though edited by an apologist for the Soviet policy of forced assimilation of Jewish culture, has nevertheless published literary materials of some intrinsic interest and value to Jews. More importantly, some of the ideological articles have indicated an acceptance of the fact that there is a Jewish people, and what is more, Jewish history, Yiddish and Hebrew literature. Recent issues of the magazine have contained progressively more news items of literary and cultural activities in Jewish circles outside the U.S.S.R.

Fifth. Fifteen thousand copies of a Yiddish book, entitled "This Is How We Live," were published recently. Primarily an anthology of articles that appeared earlier in Sovietish Heimland, the book was mainly intended for export, as shown by its title and contents. Yet, it is a Yiddish book and therefore a welcome venture.

On April 28 of this year, it was reported from Moscow that a book of Yiddish poetry entitled "Horizonten" had been put on sale in the Kirov Street Bookshop. Five thousand copies were published at the equivalent of $1 apiece. This book includes poems written by 50 authors. Publication was announced over 6 months ago in the Communist press in the West, and reporters tell us that the Jewish population of Moscow queued up for hours to get copies.

These lonely ventures do not even approach the rehabilitation of Jewish culture in the Soviet Union. As far as the publication of books is concerned, this would mean the establishment of a Jewish publishing house—the steady publication in Yiddish of both classic and contemporary Yiddish and Hebrew literary works—the publication of books on Jewish history and cultural heritage in Yiddish and Russian.

After all, in 1940, the last full year before the vicious Nazi attack on Russia, 359 Yiddish books appeared in the Soviet Union. Despite the deprivations caused by war, the immense toll in lives and property, Jewish book publication resumed after the war and slowly began to grow. By 1948, the last year before present persecution began, 60 Yiddish books were published.

All signs point to the fact that the Soviet authorities consider—and respond to world public opinion—as well as to the opinion of the world Communist movement and that of the Soviet intelligentsia itself.

We will know that the Soviets have caught up to the basic principles of enlightenment which began to illuminate the West as far back as the 18th century when they oppose oppression—not just because they are concerned about world opinion—but because they really believe in brotherhood and equality. That day may be far off. But until it comes, we have no alternative but to keep up the pressure—to bring the shocking facts and devastating indictments—so embarrassing to the Soviet Union—to the attention of men of conscience throughout the world.

Very well then, Mr. President, let us keep up the pressure. Let the conscience of our citizens be heard. Let the Congress of the United States—speaking as the duly elected Representatives of a free people—go on record once and for all with a strong protest against the persecution of the Soviet Jews. Let us do this because it is right and just, and oppression is wrong and vicious—for this is what we believe.

Mr. JAVITS. Mr. President, it is ironic that during the very month that we are commemorating the 20th anniversary of the fall of nazism and the 20th anniversary of the liberation of concentration camps we also find ourselves considering a resolution condemning anti-Jewish acts in the U.S.S.R.

Even the resolution before us is, in a way, an inadequate expression of our feelings, not because it is too strongly worded or goes too far, as some critics have suggested—but rather that we Americans who are so concerned with what is transpiring in the Soviet Union today find that voicing our honest protest represents very close to the limit of what we can do effectively. We cannot send packages of needed foods or religious articles—the Soviets bar their delivery. We cannot provide a refuge either here or in Israel for the oppressed—the Soviets refuse exit permits. We cannot send teachers or rabbis to provide the warmth of extensive human contact—the Soviets bar the way. This resolution is the voice of protest of the people of the United States sounded through their elected Representatives and for it there is no effective alternative at this time which can serve the purpose we seek.

The facts of Soviet anti-Jewish actions are clear. They are denied religious rights guaranteed them by Soviet law, rights which are not denied other religious groups in the U.S.S.R. Jews are cut off from cultural rights—such as study of Yiddish—which are also guaranteed them by Soviet law, rights which other cultural groups enjoy without similar hindrance. These facts have been fully spread up the record, in House and Senate reports, by the United States in the United Nations, by State Department reports and by responsible private sources.

In spite of Soviet claims of religious and cultural freedom, there is ample and grim evidence that the U.S.S.R. is singling out Jews as a group for discriminatory restrictions and extreme punishment. Jews and the Jewish faith suffer greater limitations and prohibitions in the U.S.S.R. than any other religious group in the Soviet Union. Synagogue buildings and seminaries have been padlocked, Jewish cemeteries have been arbitrarily shut down and ritual supplies needed for religious worship cannot be obtained. Hebrew bibles and prayer books are irreplaceable. The sale of kosher food, including matzohs for the Passover, has been curbed. Means for training rabbis and community workers are inadequate or nonexistent and, unlike other religious groups, Jews are not permitted to establish national organizations and are restricted in their contacts with their coreligionists outside the U.S.S.R. Jewish cultural life has been stifled and the once flourishing Yiddish literature in books, theater, periodicals, and newspapers is but a flickering shadow of its former vigorous self.

Last year two vicious anti-Semitic tracts published on Soviet Government presses were brought to light, "Jews Without Embellishment," by T. F. Cochoko and "Contemporary Judaism and Zionism," by F. S. Mayatsky. These publications were reminiscent of the anti-Jewish trash published by Streicher and the Nazis during the heyday of the Hitler regime.

This year, another item has been brought to light, an article, "The Shadow of the Synagogue," published in Minsk in the leading Byelorrussian-language daily newspaper in that capital city of the Byelorussian Republic. This article applies the traditional anti-Semitic stereotypes to modern Soviet life. It utilizes the old clichés, accusing the Jews of participating along with American capitalists in an international conspiracy of money and power; it labels Judaism as anti-Soviet; maligns the Bible; and brands the synagogue as a center of immorality and evil. And, like so much other anti-Semitic propaganda, it reaches for the ludicrous—Rockefeller and Harriman are accused of being "at the head of the American Judaism organizations" along with Guggenheim and Morgenthau.

It is incredible that in this first decade of the space age, a major world power such as the Soviet Union should seemingly in this respect be so petty and impose cruel and repressive official harassment on a peaceful minority which represents but 1.1 percent of its population.

In a recent letter, Assistant Secretary of State for Congressional Relations Douglas MacArthur II indicated that the U.S.S.R. is "sensitive to world opinion." This sensitivity to public opinion has been evidenced in the past when from time to time the Soviets would relieve to a small degree the pressures on their Jewish citizens and make concessions following public outcry. This incontrovertible fact has moved all the major Jewish organizations in this country, along with non-Jewish bodies, to launch major public campaigns on behalf of Soviet Jewry, recruiting such world personalities as Bertrand Russell and the Queen of Belgium.

The Soviets are sensitive to world public opinion. This resolution will serve to further move that opinion and will, I am sure, have a salutary effect.

I wish to emphasize that the protest contemplated in this resolution is in the very finest of American traditions. In the past, our country has repeatedly protested the persecution of oppressed minorities by foreign governments, justified in these protests because they were in the cause of humanity. No policy is more firmly fixed in the conduct of U.S. foreign affairs than this moral imperative to come to the aid of oppressed peoples. The diplomatic and the historical record is complete and honorable and one that should make every American hold his head high.

Since 1840, the United States while recognizing the principle of nonintervention in the internal affairs of another state, nevertheless has protested the persecution of oppressed minorities by foreign governments. This policy has remained valid to this day. The United States has protested alone and it has protested in concert with other nations. Our country has never been silent in the face of persecution.

We have lodged protests and registered our disapproval in a variety of ways, among them, by direct communication to the governments concerned, by recalling the U.S. diplomatic representative for consultation, by the President through direct reference in his annual message to Congress, by the termination of a commercial treaty, and indirectly, by joining in multilateral acts of disapproval as a means of protest.

The list of U.S. protests against the persecution of Jews is long and honorable. In 1840 the U.S. consul in Constantinople joined with consuls from other powers to protest to the Ottoman Empire the conviction and execution of a Jew for blasphemy.

In 1870, Secretary of State Fish instructed the U.S. Minister to Turkey to urge the Turkish Government to stop the extensive murders of Jews in Rumania, then a Turkish possession.

In 1877, the United States granted protection to Russian Jews living in Jerusalem and Assistant Secretary of

State F. W. Seward emphasized that the "sympathy of the United States for all oppressed peoples in foreign countries has been freely manifested in all cases where it could be done in accordance with the spirit of international courtesy and diplomatic usage."

In 1880 President Rutherford B. Hayes in his annual message to Congress reported that our consul in Tangier had been instructed to express to the Emperor of Morocco the concern of the United States over the persecutions of Jews in Morocco and to urge him to end such actions.

In 1880, 1881, and 1882, the United States protested to czarist Russia the persecution of Jews in response to appeals by American Jewish organizations. In 1892 the platforms of the Democratic and Republican Parties both contained planks protesting the continued outbreaks against Jews in Russia.

These and other protests were supported by the American people and by resolutions of the Congress. They culminated in 1911 in the action by President William Howard Taft terminating the treaty of commerce with Russia which had been in effect since 1832. American public opinion was so outraged by Russian pogroms that President Taft took his action over the advice of the Department of State, which had warned of the serious commercial consequences of such abrogation as well as the larger political considerations.

Although Russia has been historically a major target of American protests, the United States has on other occasions denounced persecution of Jews by Rumania, the Austro-Hungarian Empire, Italy, and Poland. In the 1930's U.S. protests to the Nazi government were frequent and vigorous. Secretary of State Cordell Hull wrote in his "Memoirs" that "I found myself calling in the German Ambassador time after time to protest against violations of the rights of our citizens, against persecution of the Jews, and against mistreatment of Americans by Nazi bullies."

Secretary Hull's "Memoirs" were published in 1948 and in the second volume he made the following general comment:

> Palestine was but one facet of the unremitting effort of the State Department for over a decade to assist the Jews caught by the unspeakable Nazi persecution. In the 1930's we had made innumerable representations to the Germans and taken concrete steps to evince our condemnation of this persecution and to induce the Nazis to desist. We had likewise brought every possible influence to bear on countries adjacent to Germany to receive, feed, and clothe the Jews of Germany, and on other countries to afford them refuge.

And, more recently, the 1964 platforms of both the Republican and Democratic parties contained clear denouncements of Soviet anti-Semitism. The Democratic platform stated: "We deplore Communist oppression of Jews and other minorities." The Republicans stated: "We condemn the persecution of minorities, such as the Jews, within Communist borders." The pending resolution offers the opportunity to give voice to these platform declarations of our two great parties.

This resolution, too, will demonstrate that the United States and its people hold firm to the humanitarian tradition that has long been a jewel of our history.

And, finally, the resolution will tell those who still suffer under the hand of the oppressor that we, a decade after the events of May 1945, have not forgotten.

The **PRESIDING OFFICER.** The yeas and nays have been ordered on the concurrent resolution, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from Virginia [Mr. BYRD], the Senator from West Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Wisconsin [Mr. NELSON], the Senator from New York [Mr. KENNEDY], the Senator from Rhode Island [Mr. PELL], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Virginia [Mr. BYRD], the Senator from West Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Alaska [Mr. GRUENING], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Wisconsin [Mr. NELSON], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PASTORE], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Rhode Island [Mr. PELL], the Senator from Florida [Mr. SMATHERS], the Senator from Missouri [Mr. SYMINGTON], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Ohio [Mr. YOUNG], would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Kansas [Mr. CARLSON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Nebraska [Mr. HRUSKA], the Senator from Iowa [Mr. MILLER], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from New Hampshire [Mr. COTTON], the Senator from Nebraska [Mr. CURTIS], and the Senator from Arizona [Mr. FANNIN] are absent on official business.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Kansas [Mr. CARLSON], the Senator from New Hampshire [Mr. COTTON], the Senator from Nebraska [Mr. CURTIS], the Senator from Illinois [Mr. DIRKSEN], the Senator from Arizona [Mr. FANNIN], the Senator from Nebraska [Mr. HRUSKA], the Senator from Iowa [Mr. MILLER], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 68, nays 0, as follows:

[No. 72 Leg.]

YEAS—68

Aiken
Allott
Anderson
Bass
Bayh
Bible
Boggs
Brewster
Burdick
Case
Church
Clark
Cooper
Dodd
Dominick
Douglas
Ellender
Ervin
Fong
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Morton
Moss
Mundt
Murphy
Muskie
Pearson
Prouty
Proxmire
Ribicoff
Robertson
Russell, S.C.
Scott
Simpson
Smith
Sparkman
Stennis
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Young, N. Dak.

NAYS—0

NOT VOTING—32

Bartlett
Bennett
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cotton
Curtis
Dirksen
Eastland
Fannin
Fulbright
Gore
Gruening
Hruska
Kennedy, Mass.
Kennedy, N.Y.
Miller
Montoya
Morse
Nelson
Neuberger
Pastore
Pell
Randolph
Russell, Ga.
Saltonstall
Smathers
Symington
Tower
Yarborough
Young, Ohio

So the concurrent resolution (S. Con. Res. 17), as amended, was agreed to.

The preamble, as amended, was agreed to, as follows:

> Whereas the Congress of the United States deeply believes in freedom of religion for all people and is opposed to infringement of this freedom anywhere in the world; and
>
> Whereas abundant evidence has made clear that the Government of the Soviet Union is persecuting, in varying degrees of intensity, elements of its Christian, Jewish, and Muslim citizens; and
>
> Whereas there is also abundant evidence that Jewish citizens have been singled out for extreme punishment for alleged economic offenses, by confiscating synagogues, by closing Jewish cemeteries, by arresting rabbis and lay religious leaders, by curtailing religious observances, by discriminating against Jews in cultural activities and access to higher education, by imposing restrictions that prevent the reuniting of Jews with their families in other lands, and by other acts that oppress Jews in the free exercise of their faith; and
>
> Whereas the Soviet Union has a clear opportunity to match the words of its constitutional guarantees of freedom of religion with specific actions so that the world may know whether there is a genuine hope for a new day of better understanding among all people: Now, therefore, be it

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all Senators may be allowed to insert statements relative to the concurrent resolution which has just been agreed to. I also overlooked the fact that the Senator from Vermont [Mr. PROUTY] asked to be put on the list as a cosponsor of the resolution and I ask unanimous consent that that be done.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, I am very pleased that the Foreign Relations Committee, on which I serve, has unanimously reported the resolution condemning the terrible persecution of the Jewish religion by the Soviet Government.

All religions and all minorities are persecuted in the Soviet Union and this persecution merits the condemnation of honorable men everywhere.

The amended resolution reflects this by including Christian and Muslim citizens as well as Jews.

But I continue to firmly believe there are a number of reasons which justify a separate resolution condemning the persecution of the Jews by the Soviet Government.

First of all, there is the evidence that the Soviet regime, like the czarist regime before it, exploits the Jew as a scapegoat—as a convenient object for popular resentment which might otherwise be directed against the regime. Secondly, the persecution of the Jews and of the Jewish religion in the Soviet Union has been even more severe than that suffered by other religious groups.

Physically, the persecution of the Jews has been on a par with that of the Ukrainians. Culturally, their persecution is total. While all religion is persecuted and regulated, the Jewish religion is persecuted with particular ruthlessness. There are some major Soviet cities where not a single synagogue today survives. The single Jewish theological seminary permitted to exist is limited to enrollment of some dozen students. The graduates cannot begin to replace the rabbis who are now dying off from old age in increasing numbers. Indeed, it is no exaggeration to state that the Soviet authorities have been moving in a direction which could mean the total obliteration of the Jewish religion within the coming decade.

So even though persecution affects many different peoples, I think Soviet policy is unusually harsh toward the Jews.

It is for this reason that I was honored to join with my distinguished colleague, the Senator from Connecticut [Mr. RIBICOFF], in cosponsoring this resolution when he introduced it in February.

Although the resolution has been broadened somewhat by the committee, I think it is still primarily directed toward persecution of the Jewish religion.

I am most gratified by the unanimous Senate vote just taken.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

AMENDMENTS NOS. 152 AND 159

Mr. TALMADGE. Mr. President——

The PRESIDING OFFICER (Mr. BASS in the chair). The Senator from Georgia is recognized.

Mr. TALMADGE. I call up my amendments 152 and 159 which are now at the desk.

The PRESIDING OFFICER. The amendments offered by the Senator from Georgia will be stated.

The LEGISLATIVE CLERK. On page 7, lines 18 to 25, both inclusive, and page 8, lines 1 to 19, both inclusive, strike out section 5 in its entirety. Renumber sections 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 as sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, respectively.

On page 3, lines 7 to 25, both inclusive, and page 4, lines 1 to 6, both inclusive, strike out subsection (c) of section 3 in its entirety.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. PROXMIRE. Mr. President, will the Senator from Georgia yield?

Mr. TALMADGE. Mr. President, I ask unanimous consent that I may yield to the Senator from Wisconsin [Mr. PROXMIRE] without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. I thank the Senator from Georgia.

SENATOR PROXMIRE'S RESPONSE TO SENATOR MUNDT ON BUNDY PARTICIPATION IN VIETNAM DISCUSSION

Mr. PROXMIRE. Mr. President, I have notified the Senator from South Dakota [Mr. MUNDT] that I would reply at this time to a statement he made earlier today, in which he criticized the President for permitting one of his top foreign policy advisers, Mr. McGeorge Bundy, to engage in a highly controversial all-day discussion of the Vietnam situation in Washington tomorrow.

Mr. President, tomorrow's Vietnam discussion has been called a top level teach-in, a knock-down, drag-out donnybrook and other things. The participation of Mr. Bundy in the discussion has been criticized, as the Senator from South Dakota pointed out, by a great newspaper, the Washington Evening Star.

I rise to defend Mr. Bundy's participation, and I do so enthusiastically.

Frankly, I cannot think of any contribution the President might make tomorrow to a better, deeper understanding of the rightness of our cause in South Vietnam than to send Mr. Bundy in to do verbal battle with some of the Nation's top domestic critics of our Vietnam program.

The Senator from South Dakota asked if the President of the United States should encourage controversy about our role in South Vietnam. I say emphatically yes.

I ask: Is there any subject facing the Nation today more important than its involvement in Vietnam? Is there any subject on which public enlightenment—including enlightenment by the intellectual leaders of our country—is more important?

Since when has this Nation been so feeble that discussion as critical and probing as possible of our biggest international problems by competent, responsible officials can do us significant harm?

If the Presidential position on South Vietnam—which I enthusiastically support—is so weak that it cannot stand vigorous challenge, then the President should change it.

In my judgment, Mr. Bundy will acquit his administration and the policies of his President nobly. The logic of his position is so strong, the alternatives to the course the President is pursuing in South Vietnam are so impossible, that I am convinced the highly distinguished academicians who will attend the discussion cannot fail to be impressed, and on some points—to some degree—persuaded.

At the same time, what in the world is wrong with listening respectfully to our critics on this matter? On some points they could be right. If they are right, our policies can only be strengthened by recognizing valid criticism and adjusting our policies accordingly.

Mr. President, it is a platitude to say that this kind of discussion could never take place in Russia, China, or North Vietnam. Critical, open discussion is not only our glory, Mr. President, it is also our strength.

In one of the greatest essays ever written on political science, Walter Begehot in his remarkable book, "Physics and Politics," examines the strengths and weaknesses of democracies. He concludes that discussion, debate, and difference is the real source of democratic strength.

Why? Because that kind of dissent is exactly what enables a democracy to refine and improve, to change and adjust its policies.

I am convinced that what this country needs, and needs badly, is not less dissent and discussion over Vietnam but more, much more. I say this as a supporter of the President—not a "yes—but" supporter, but a supporter—period. It is exactly because I believe so deeply in these policies that I am convinced discussion will strengthen the hand of the President, not weaken it.

In the past 2 or 3 weeks, the State Department has wisely sent a team of experts to college campuses to explain the administration's Vietnam policies. At the University of Wisconsin campus in my own State, they were greeted with catcalls and boos, in a display that did more to discredit the forces that had been critical of the administration's Vietnam policies in Wisconsin than any argument had been able to do.

But in Milwaukee and elsewhere, the State Department experts were heard. Their arguments were listened to. They were questioned probingly. Everything I have heard from Wisconsin since their visit has been favorable to a deeper, broader, and more sympathetic understanding of the President's policies. These discussions have been a success for one paramount reason: because our cause in South Vietnam, tragic as is its necessity, is a right cause, that is reserved as right when the facts are fully and competently explained.

Mr. President, the Senator from South Dakota said that Mr. Bundy should not speak because he represents the White House, that he is privy to classified information and would therefore be under restraint in replying to critics, or might be goaded into saying something that would be damaging to the national interest.

All of this boils down to whether we have faith in Mr. Bundy. I do have. He is thoroughly competent. He is as well informed on the administration's position as any man in government today. He is an able, in fact a brilliant man. What is wrong with sending the most competent available man, this former dean of Harvard College into this academic battle to plead a cause we believe is right?

Senator MUNDT also referred to President Johnson's wise and proper refusal to debate Senator Goldwater in last year's presidential campaign.

What kind of a comparison is this? Mr. Bundy is an able adviser. He is not President of the United States. He talks with the President. He advises the President; but what he says cannot be considered by anyone to have the force of real executive authority or power.

He is an adviser, a staff man. His advice is accepted sometimes, rejected sometimes. Not one American, not one foreigner will consider that he speaks with the force or significance of the President.

One final word, there have been some supporters of the administration on Vietnam who have criticized Senators and others who have spoken out against the administration's policies in Vietnam. Frankly, I couldn't disagree more with this support or shut-up view.

While I vehemently disagree with much of what the Senator from Oregon has said on this subject and wholly oppose his denunciation of our position in Vietnam, I think he has served his country and this Senate well—not just well but brilliantly—by his constant, long time criticism of our position in Vietnam. Any enemy of this country who may feel comfort in such criticism must have been long ago aware that the Senator from Oregon is not President, and that his able speeches do no represent the view of the U.S. Senate.

Mr. President, Prof. Lindsay Rogers of Columbia University said some years ago that the U.S. Senate is probably the last forum in this Nation where the great national issues can be hammered out in debate before a nationally attentive audience.

The right of a U.S. Senator to stand on his feet as long as he is physically able to speak his mind before an onlooking nation means very little if the muzzle is on when the big controversial issues like Vietnam come along.

Historically, in times of international crisis, Senate criticism has always caused American Presidents pain and concern. Before World War I, that group of great Senators led by the man who occupied the Senate seat I now hold, old Bob La Follette, were characterized by President Wilson as a little band of willful men.

Senate criticism of Franklin Roosevelt's international policies before World War II was similarly resented. These were times of the greatest peril for this country, certainly far greater than what we face, at least until now, in Vietnam. And yet I do not know of a single competent historian who contends that, in World War I, La Follette or Norris, or in World War II, Wheeler or Nye, significantly damaged America's cause by criticizing the war policies of the President.

The value of criticism in this democracy has been its true strength. Its price has been small.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. LONG of Louisiana. I compliment the Senator on his very fine statement. The logic of his position is irrefutable. He is correct in saying that Mr. Bundy should appear at the meeting. What is wrong with having someone appear at the meeting who is well informed and can set forth the position of the administration? I believe the Senator's case is incontrovertible.

Mr. PROXMIRE. I thank the Senator from Louisiana. I feel, too, that this is a logical decision. I would not have risen if there had not been criticism of the President from another Senator for sending Mr. Bundy to the conference tomorrow.

I say hail to the senior Senator from Oregon, hail to the academic promoters who conceived and executed this massive teach-in, obviously for the purpose of a critical examination of the most important problem this Nation faces.

Debate on the Senate floor and in the Washington forum in which Mr. Bundy will be engaged tomorrow will increase public understanding of this cruel, costly, risky duty on which we are involved. And although I support their policies I think this dissent may also improve and refine them.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. TALMADGE. Mr. President, inasmuch as both of my amendments strike at the provisions in the bill which would limit or prohibit the right of sovereign State legislatures to pass laws without the approval of the Attorney General and the District Court for the District of Columbia, I ask unanimous consent that they be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL NOON ON MONDAY—UNANIMOUS-CONSENT AGREEMENT LIMITING DEBATE ON PENDING AMENDMENTS

Mr. MANSFIELD. Mr. President, I wonder if the distinguished Senator from Georgia would consider the possibility of a time limitation on the pending amendments?

Mr. TALMADGE. Yes, indeed. I have talked with Senators who are interested in the amendments. They have stated to me that some of them, at least, desire to speak on the amendments. I am prepared to enter into a unanimous-consent agreement to vote on the amendments at 2 o'clock on Monday afternoon.

Mr. MANSFIELD. That is very reasonable. I thank the Senator. Would it be the Senator's suggestion that the time limitation be not applied this afternoon, but that the time limitation be applied on Monday after the transaction of morning business?

Mr. TALMADGE. I think that is agreeable. That would follow to some extent the pattern of what was done today. In other words, 30 minutes would be allowed for the transaction of routine morning business, and then there would be about an hour and a half for debate on the amendments, to be equally divided between the floor manager of the bill, the Senator from Michigan [Mr. HART], and myself, or someone acting in my behalf.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the business of the Senate today, it stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. And that when the Senate convenes on Monday next, at 12 o'clock noon, time be allowed for the transaction of routine morning business not to exceed in time 12:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. That the time from 12:30 to 2 o'clock be divided equally between the distinguished Senator from Georgia [Mr. TALMADGE] and the distinguished Senator from Michigan [Mr. HART].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. And that a vote be had at any time, up to 2 o'clock, that the debate is concluded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TALMADGE. Mr. President, I ask for the yeas and nays on the amendments.

The yeas and nays were ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That the Senate proceed to vote not later than 2 o'clock p.m., on Monday, May 17, 1965, on amendments numbered 152 and 159, en bloc, called up by the Senator from Georgia [Mr. TALMADGE] to the substitute amendment by Senators MANSFIELD and DIRKSEN, No. 124, as amended, for the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Provided, That all time for debate after the transaction of routine morning business on Monday, May 17, 1965, not to exceed 12:30 o'clock p.m., shall be equally divided and controlled by the Senator from Georgia [Mr. TALMADGE] and the Senator from Michigan [Mr. HART].

Mr. TALMADGE. Mr. President, amendment No. 152 would strike section 3(c) from the amendment in the nature of a substitute, as amended (No. 124), offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN] beginning in line 7, page 3, and ending at the end of line 6 on page 4. I ask unanimous consent that that portion of the substitute be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> (c) If in any proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that violations of the fifteenth amendment justifying equitable relief have occurred within the territory of such State or political subdivision, the court, in addition to such relief as it may grant, shall retain jurisdiction for such period as it may deem appropriate and shall order that during such period any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect at the time the proceeding was commenced shall be submitted to the Attorney General. If the Attorney General files objection with the court within sixty days after such qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to him, such qualification, prerequisite, standard, practice, or procedure shall not be enforced unless and until the court finds that it does not have the purpose or will not have the effect of denying or abridging the right to vote on account of race or color; except that neither the court's finding nor the Attorney General's failure to object shall bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the portion of the amendment in the nature of a substitute which would be stricken by amendment No. 159 beginning with line 18 on page 7 and ending with the end of line 19 on page 8 be printed in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> SEC. 5. Whenever a State or political subdivision with respect to which the prohibitions set forth in section 4(a) are in effect shall enact or seek to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1964, such State or subdivision may institute an action in the United States District Court for the District of Columbia for a declaratory judgment that such qualification, prerequisite, standard, practice, or procedure does not have the purpose or will not have the effect of denying or abridging the right to vote on account of race or color, and unless and until the court enters such judgment no person shall be denied the right to vote for failure to comply with such qualification, prerequisite, standard, practice, or procedure unless such qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such submission. Neither the Attorney General's failure to object nor a declaratory judgment entered under this section shall bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure. Such an action shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court.

Mr. TALMADGE. Mr. President, perhaps never in the annals of the American Republic has any bill been submitted to the Congress that was so patently and clearly unconstitutional in virtually every one of its various sections. If one had to determine which are the most pernicious and obviously unconstitutional provisions of the bill, it would be difficult indeed. But one would be hard pressed to find provisions of the bill so blatantly unconstitutional and un-American and striking at the very foundation stones of our system of government as the two sections that my amendments seek to strike.

Those provisions provide that a sovereign State cannot, by action of its elected legislature, even repeal or change its laws by the elected representatives of the sovereign State without the approval of the Attorney General of the United States of America and the District Court for the District of Columbia in Washington, D.C. I doubt whether anyone has ever before proposed that a selected political appointee in the Cabinet of the United States should have and exercise veto power over the sovereign legislatures of our 50 States. I doubt also that it has ever been seriously proposed in the history of our Republic that the District Court for the District of Columbia should have veto power over the actions of the sovereign legislative bodies of our 50 States.

Yet strangely enough, that is the language that I seek to strike from the bill. It is so obviously and patently unconstitutional. Under section 5, laws affecting voter qualifications or procedures different from those existing on November 1, 1964, and which are enacted by States, for which a determination has been made under section 4, cannot become effective until adjudged valid in a declaratory judgment suit by the District Court in the District of Columbia.

This is probably the most drastic law ever proposed. It purports to give the Federal judiciary a veto power over State legislation, thereby constituting the Federal courts in the District of Columbia a part of the State's lawmaking power.

In *United States* v. *Cruikshank*, 92 U.S. 542, the Court said:

> The Government of the United States is one of delegated powers alone. Its authority is defined and limited by the Constitution. All powers not granted by the instrument are reserved to the States or to the people. No rights can be acquired under the Constitution or laws of the United States except such as the Government of the United States has the authority to grant or secure. All that cannot be so granted or secured are left under the protection of the States.

Mr. President, the provisions of the bill would make it impossible for any of the States, selected by this mathematically contrived formula and caught in this trap, to enact any legislation changing the date of an election, changing the qualifications of voters in any respect, or affecting their elections in any manner whatsoever, without first securing the approval of the Attorney General as well as the approval of the Federal District Court in the District of Columbia, a court that has been selected by the Attorney General and the President of the United States.

Mr. President, when our Founding Fathers created our Republic, they never conceived that the actions of State legislatures would be subject to veto power by the Attorney General or circuit judges. Certainly all States are bound by the Constitution of the United States of America. But that is the only limitation upon their power. They do not have to ask the Attorney General of the United States if they can enact a law. The Constitution makes no requirement that States submit any act that has been enacted to the Attorney General for his approval or to the District Court in the District of Columbia.

Mr. President, if that provision is left in the bill, it will absolutely nullify the power of the target States to preserve their independence, their sovereignty, and their integrity.

Under the Constitution, article III, section 2, it is only the "judicial power" that extends to the States. Section 5 of the substitute amendment does not constitute an application of judicial power.

In *McChord* v. *L & N Railroad Company*, 193 U.S. 483, 496, it was declared:

> The courts cannot in one case forbid the passage of a law nor in the other the passage of a resolution, order, or ordinance. If by either body, the legislature or the board of supervisors, an unconstitutional act be passed, its enforcement may be arrested. The parties seeking to execute the invalid act can be reached by the courts, while the legislative body of the State or of the municipality, in the exercise of its legislative discretion, is beyond their jurisdiction.

Also, in *Prentiss* v. *Atlantic Coast Line Company*, 211 U.S. 210, 53 Law Edition, it was held that "litigation cannot arise until the moment of legislation is passed."

Yet the substitute amendment goes far beyond that. It not only provides that litigation arises before the legislation is passed, but that even the courts themselves become a third branch of the legislature for the approval or rejection of that particular legislation.

To declare that a State statute shall not become effective until approved by a Federal court is to make that court exercise something other than judicial powers. This fact is absolutely recognized by the draftsman of the substitute amendment, for they limit its authority to the U.S. District Court for the District of Columbia. The Federal districts in the States, being constitutional, or article III, courts, cannot exercise nonjudicial powers, such as rendering advisory opinions. That was held in the case of *Muskrat* v. *United States*, 219 U.S. 346; *Chicago & Southern Airlines* v. *Waterman Steamship Corp.*, 333 U.S. 103; also *United Public Workers* v. *Mitchell*, 330 U.S. 75.

Any attempt to confer "nonjudicial" jurisdiction on such a court is void. *Glidden Company* v. *Zdanok*, 370 U.S. 530.

The courts of the District of Columbia, although held to be article III courts, are also held to have power to "perform any of the local functions elsewhere performed by State courts." However, these nonjudicial powers exercisable by the District of Columbia courts obviously relate to matters arising within the geographical limits of the District. Therefore, insofar as the article III or "judicial power" of the district courts is concerned, section 5 is not sustainable for it does not involve a judicial function. So far as the nonjudicial powers of the District of Columbia courts are concerned, section 5 does not come within the same, as the subject matter in no wise involves any matters having any situs, connection, or nexus with the District. Consequently, there being no delegation of power in the Constitution to support it, section 5 cannot constitutionally stand.

The right to produce witnesses in the U.S. District Court for the District of Columbia is limited to 100 miles. This shows that the District of Columbia Federal Court deals with local matters and local problems. Yet the amendment in the nature of a substitute would authorize the U.S. District Court for the District of Columbia to act as a third branch of these seven States with power, either to approve or to forbid legislation affecting elections in those particular States.

I am shocked when I read the far-reaching provisions of this measure. Every time I read it again, I become more and more shocked that Congress could seriously consider something that would break down the fundamental fabric of our system of government and its constitutional provisions in such a manner.

Our country was founded by its sovereign States, and the powers of the Federal Government were limited. The powers not granted to the Federal Government were reserved to the several States and to the people. But under the substitute amendment, the provisions are so far reaching that not even in the days of Thaddeus Stevens were they seriously proposed.

I hope that before it is too late, Members of Congress will realize that when they tear the constitutional fabric asunder in one area of the country, the fabric is weakened in all areas of the country. I am sure that the overwhelming majority of the people of the country still believe in a system of government of sovereign States, and believe that the Constitution of the United States is the document which protects and defends the liberties of the people, minorities and majorities alike. When this fabric is torn asunder at one particular area, it can be torn asunder in all areas.

The Constitution is the bulwark and guardian of the liberties of the people. If it is to be ripped to shreds in Louisiana, Alabama, Mississippi, Georgia, South Carolina, North Carolina, and Virginia, it can be ripped to shreds as it relates to the citizens of Minnesota or those of any other sovereign State of the Union.

What the proposal purports to do, by a carefully contrived mathematical formula, without any evidence, without any judicial proceeding, without any hearing of any kind, is to say to those seven States: "You are morally and politically bankrupt. Congress has declared you to be morally and politically bankrupt. We deny to you the right of a trial, because we adjudge you by our votes to be guilty. Being guilty, you are denied the right to exercise the constitutional power that will be exercised by the other 43 States of the Union. We will deny to you the right to provide literacy standards for your voters. We will go into your States and prescribe those standards ourselves. We will suspend the standard of ability to read or write the English language. We will suspend the requirement for good moral character. We will let the people in those 7 States vote, while we leave to every other State in the Union—the other 43—the right to prescribe standards for their elections.

"The amendment in the nature of a substitute also provides that we will fire your legally constituted local officials—your voter registrars—in those 7 States; but that in the other 43 States of the Union the voter registrars will continue to be selected by the State authorities in accordance with State law."

If the Constitution of the United States can be suspended in 7 States, it can be suspended in 50 States. If voter registrars can be discharged by an act of Congress in 7 States, by the same token, in 43 other States, if Congress saw fit to do so, the Governors of those States could be fired and supplanted by Federal officials.

If voting registrars can be supplanted in 7 States, the legislatures in the other 43 States could be supplanted, if Congress were determined to close its mind to the law, logic, the Constitution, wisdom, and reason, and take that step.

Mr. President, never before in the history of our Republic has something so far-reaching been sought to be done. I have said that damage to the constitutional fabric of governments often results from the name of a worthy cause.

I would be the last to stand on the floor of the Senate to defend voter discrimination. I would be the last to deny that perhaps it has existed at some time in the past and that perhaps it still exists now. I am proud to tell the Congress that it does not exist in my own State. By no stretch of the imagination is there any justification for the State of Georgia to be so perversely treated. There are some 300,000 registered Negroes in my State. They have been elected for a number of years to a multiplicity of State offices. I believe Georgia has more Negro members of its legislature than any other State in the Union. At the next session of the legislature, it will have minimum of eight and perhaps nine members of the Georgia General Assembly who are Negroes. Also, there are officials of the Negro race in various counties and cities in my State.

We have a very simple law relating to qualifications of voters in Georgia. We permit citizens to vote at 18 years of age. They may register at 17½ years of age if they will be 18 years of age by the next general election. All they have to do to qualify is to be able to read and write a provision of the Constitution in the English language.

We have one of the most liberal voting laws of any State in the Union. We encourage our citizens to vote, and they have been voting in ever increasing numbers in recent years. Georgia practices no discrimination, and should not be placed in moral and political bankruptcy under the terms of the bill. It should not be drummed out of the Union and from the protection of the Constitution without notice, without hearing, without trial, without witnesses, and without evidence, as the pending bill purports to do.

Mr. President, I hope that Members of Congress will start to study the far reaching implications of the bill. We have been talking to empty desks in the Senate Chamber. A large number of Members of the Senate have not taken the trouble to read the CONGRESSIONAL RECORD. I know that the news media of our country have given those of us who have attempted to point out the far reaching implication of the bill the silent treatment. They usually do when emotional issues of this kind arise.

Mr. President, every time a republic has been destroyed, in all human history, it was destroyed in the name of some worthy cause. Adolf Hitler was clever enough to burn the Reichstag building, or to try to do so, and then the Parliament of Germany met in Bonn. In one fell swoop it gave him the power to levy taxes and make expenditures as he saw fit, to amend the German Constitution as he saw fit, and the power to make treaties with foreign countries as he saw fit—all in one act.

Then Hitler's dictatorship started. The whole world was engulfed in flame in the effort to regain the liberty that the German Parliament had lost in that enabling act.

We are trying to point out the danger of saying that the Constitution can be suspended in 7 States and not suspended in the 43 other States.

Mr. President, the Federal courts have held time after time that the Constitution of the United States cannot be suspended in any part, in any manner, or at any time, even in time of war. One of the most famous decisions that our courts have ever handed down is Ex parte Milligan. In that case the court held that the writ of habeas corpus could not even be suspended in wartime. Yet we are asked to suspend the right of due process, to suspend the right to be heard, to suspend the right to a fair trial, to suspend the right of notice of hearing, the production of witnesses, and to pronounce, by legislative decree and legislative decision alone, these selected areas guilty. We shall be told, "We have pronounced you guilty. We know you are guilty. We will not give you a right to be heard because we know you are guilty."

Mr. President, that has been the cry of the lynch mob throughout all human history when those in power desired to deny the right of trial and the right of due process. They have called in a mob to lynch the subject and have said, "Courts are dilatory. They require proof." That is what the Senate is trying to do to seven States of the Union today, Mr. President.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield to my able and distinguished friend from Louisiana.

Mr. ELLENDER. I am certain that my good friend the Senator from Georgia is familiar with the charges that our forefathers made against King George when they tried to gain their independence.

Mr. TALMADGE. I certainly am.

Mr. ELLENDER. I wish to read some of the charges made by the people of this country before independence came and ask my friend to try to draw a parallel.

Mr. TALMADGE. I yield for that purpose.

Mr. ELLENDER. The charges made were as follows:

> For suspending our own Legislatures——

Mr. TALMADGE. The bill would do that.

Mr. ELLENDER. Continuing—

> and declaring themselves invested with power to legislate for us in all cases whatsoever.
>
> He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.
>
> He has made judges dependent on his Will alone.
>
> He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained.
>
> For depriving us in many cases, of the benefits of trial by jury:
>
> For transporting us beyond seas to be tried for pretended offences.

Does the Senator see any parallel between the language I have just read when charges were made that led to our independence, and what would be the case in the six Southern States if the bill were enacted as now written?

Mr. TALMADGE. I do. The parallel is so striking that we could strike out the name of Thomas Jefferson, author of the Declaration of Independence, who framed the charges against King George III of Great Britain, and sign Senators' names and date them today, and virtually every one of them would be valid charges.

As the Senator knows, King George III created special courts, courts of admiralty, to try the colonists. In this bill we are creating in our day a special court, the Federal District Court in the District of Columbia. In King George's day colonists were transported to Great Britain to be tried. In our day, people would be dragged from the States of Louisiana, Mississippi, Alabama, Georgia, South Carolina, North Carolina, and Virginia, to the District of Columbia, the seat of the Federal Government.

Mr. ELLENDER. To a selected court.

Mr. TALMADGE. Yes, a court which the Attorney General had selected, a court to which we could not compel witnesses to come, because it is more than 100 miles.

A further parallel is denial of trial by jury. A further parallel is that it prohibits the rights of the legislative bodies to enact their own laws.

I addressed myself a moment ago to the fact that portions of the bill I am trying to strike out by the amendments would not permit the legislature of Georgia pass an act changing the election time of Bogart, Ga., without approval of the Attorney General or the Federal District Court in the District of Columbia. It creates that threat to the sovereign legislative body of the State of Georgia.

Mr. ELLENDER. That is suspending the acts of those legislatures.

Mr. TALMADGE. Of course, it is.

Mr. ELLENDER. It runs parallel to the language I have just read from, and it would put the six States of the South in the same condition that existed prior to American independence insofar as the Federal Government is concerned.

The Federal Government will be in effect suspending the State legislatures in those few States affected by this section on legislation. State officials will be required to come to Washington to be tried for the conduct of their State offices by alien judges. These State officials will not have the benefit of trial by jury, nor will other individuals who are prosecuted for violations of this act be granted jury trials. The State officials will be hailed before these unfamiliar judges in Washington—"a place unusual, uncomfortable, and distant from the depository of their public records."

Mr. TALMADGE. The Senator is entirely correct.

I am deeply grateful for the contribution he has made to the debate, first by inserting certain material into the RECORD, and second by his introducing it in the remarks we are making today in our colloquy. I hope the debate will be widely read. I hope it will alert the people of America, particularly the Members of the Senate, to the grave danger to our country of this piece of legislation.

If we destroy the right of the sovereign legislatures to make laws, we destroy the integrity of those States and make them captives and wards of the Federal Government. Our Founding Fathers never conceived that that would be done.

We cannot make a Federal court or the Attorney General a part of the legislative process under our system of government. Our Government was created as three separate, distinct, coordinate branches of government—the executive to enforce and administer the law, the legislative to make the laws, and the courts to interpret the laws. The Attorney General was never granted power to serve as a veto agent over the duly elected members of the legislative bodies of the 50 sovereign States.

It will be a tragic day in the history of our country if the Congress sets a pattern by which we can suspend any part of the Constitution at any time in any area of this Republic.

I would hope that the news media of America would, before it is too late, awaken the people of our country to the facts. If the people became familiar with the facts of this bill, I am convinced they would let their Representatives and Senators hear from them in no uncertain terms and, before it is too late, perhaps have some action to stave off the passage of legislation as pernicious as this is.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield?

Mr. TALMADGE. I am glad to yield to the Senator from North Carolina.

Mr. JORDAN of North Carolina. While listening to the able and distinguished Senator from Georgia, a man who has been the Governor of his State, a man who is an eminent lawyer, I was wondering if this same provision which is included in the bill, which applies to the seven States mentioned, were applied uniformly and equally to all the States of the Union, whether he believes the bill would pass in the Senate.

Mr. TALMADGE. If the pernicious features of the bill applied to all 50 States, I doubt that it would receive 5 votes in the Senate.

Mr. JORDAN of North Carolina. I wondered how any Senator could vote against some of the amendments and tell the people of his State that he was not willing to vote to retain in the States the right to fix literacy tests in the English language, to read and copy from some piece of paper in the English language.

Mr. TALMADGE. We would have the ridiculous condition of some 14 States having literacy tests and 7 States could not. In North Carolina, for example, in the areas to which the bill would apply if passed, criminals, felons, and illiterates could vote, but they could not vote in any other part of the country.

Mr. JORDAN of North Carolina. They could take the registration books to the penitentiary and register them there.

Mr. TALMADGE. That is correct.

Mr. JORDAN of North Carolina. They could go to the insane asylum. Perhaps the inmate could not identify himself, but they could ask what he is known as. He might be known as King. He could be registered under the terms of the bill.

To me, that is a trifle ridiculous. Senators ought to think hard before they vote on some of these amendments, which seem to be reasonable from every standpoint, and not provide for something they would not want to pass on to their own States.

Mr. TALMADGE. I do not think they should.

Mr. JORDAN of North Carolina. I do not think they should. I thank the Senator for yielding to me.

Mr. TALMADGE. I thank the Senator for the contribution he has made to this colloquy. I would hope, as the Senator suggests, before it is too late, that Members of the House and of the Senate would seriously consider the implication of the bill. If we are to tear our Constitution asunder, there is nothing to prevent dictatorship in any area of the country. It is the only instrument we have that protects the weak and the strong, the rich and the poor. The Constitution is designed primarily to protect minorities. It is designed to protect the weak from the strong. If we were to strike down that protection, it could place a sword in the hands of Americans to strike down those who are weaker than the possessor of the sword. If Senators strike down seven States that are the targets of this bill, they will not be able to come on the floor and urge the protection of the same instrument that they themselves have torn asunder.

HUMANE TREATMENT OF RESEARCH ANIMALS

Mr. CLARK. Mr. President, public support is mobilizing behind S. 1071, a bill to require humane treatment of animals used in experiments and tests by the Federal Government and by institutions receiving grants from the Government.

I ask unanimous consent that a series of editorials supporting this measure may be printed in the RECORD at this point in my remarks. These editorials appeared in the Washington Post, the Bethesda-Chevy Chase, Md., Tribune, the Fresno Bee and the Sacramento Bee; the Erie Morning News, from Erie, Pa.; the Ann Arbor News, of Ann Arbor, Mich.; the Camden, N.J., Courier-Post; the Southern Pines, N.C., Pilot; the Mount Kisco, N.Y., Patent Trader; the Louisville Courier-Journal; the Christian Science Monitor; the Albany, N.Y., Times Union; the Tacoma, Wash., News Tribune; and the Denver Post.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Apr. 26, 1965]

FOR HUMANITY'S SAKE

It is for the sake of humanity that vivisection and other forms of painful experimentation on living animals are undertaken—and quite justifiably so, in our opinion. Much valuable information for the protection and prolongation of human life has been gleaned from such experimentation. But by exactly the same token—that is, for the sake of humanity—the research animals ought to be spared needless suffering or wanton cruelty. Callous or careless infliction of pain on living creatures amounts to a degradation of humanity.

This is what lies behind the bill introduced by Senator CLARK to provide for the humane treatment of animals by the Federal Government and by institutions receiving grants from the Federal Government. It is similar to legislation proposed by Senator CLARK in past Congresses. And it is a testimonial to the reasonableness of the proposals that Senator CLARK has been joined in sponsorship of them this time by such diverse colleagues as Senators BARTLETT, MUSKIE, YOUNG of Ohio, and BYRD of Virginia. None of these men wants to impede medical research in any way; none of them is an antivivisectionist. They seek simply to minimize cruelty which serves no human purpose.

The bill would impose some paperwork on researchers; but it would by no means forbid their research. It would, in brief, require decent care of research animals prior to their use in experiments; anesthetization of animals used in any experiment which would result in pain, except to the extent that the use of anesthetics would frustrate the object of the experiment; and painless killing of the animal when the experiment is completed. We see nothing in this which would interfere with real research. We see in it simply a healthy effort to impose civilized standards on procedures undertaken in the name of civilization.

[From the Bethesda-Chevy Chase (Md.) Tribune, Feb. 19, 1965]

NIH ANIMAL LABORATORY INSPECTIONS ARE SOUGHT—BILL REQUIRES HUMANE TREATMENT IN EXPERIMENTS

Should animal experimentation laboratories at Bethesda's National Institutes of Health be subjected to "unannounced inspection"?

Should all scientists desiring to use live, vertebrate animals be licensed by the Government (and licenses removed from persons responsible for inhumane treatment)?

Should humane care and housing, including normal exercise, comfortable resting places, and adequate food and water for all animals be required?

Senator JOSEPH CLARK, Pennsylvania Democrat, says "Yes" and has been joined in sponsoring a bill on this by Senators "BOB" BARTLETT, HARRY BYRD and STEPHEN YOUNG.

Miss Marguerite Jones, 11012 West Avenue, Kensington, legislative chairman of Montgomery County's Humane Society, says "Yes," too and heartily endorses Senate bill 1071, which requires humane treatment of animals used in experiments and tests by the Federal Government and by institutions receiving grants from the Federal Government.

Besides the first three items listed in this story, the Clark bill includes provisions that:

Student work, as distinct from research conducted by qualified scientists, must be painless.

Animals suffering severe, enduring pain must be painlessly killed instead of being allowed to linger in agony or being used over again.

(Failure to comply with the above would give the inspector the right to destroy the animal painlessly himself.)

Records must be kept which include a brief statement of what is to be done on the animal and why, identification of animals and eventual disposition, and a brief annual report.

Miss Jones said that one organization fighting hard for passage of the bill was the Society for Animal Protective Legislation, which has headquarters in New York City and which, in literature mailed out this week, took NIH to task on several points.

They noted that the filthy barn of Zoologicals Worldwide (remember when all the publicity about this Virginia installation appeared in the metropolitan press about a year ago?) was inspected and approved by NIH as a source of experimental dogs.

And, the society continued, "NIH received its last order of dogs from this place only 10 days prior to its closing on cruelty charges, including such desperate thirst that the dogs fought like wild things when given water."

"The National Institutes of Health will receive over $1 billion of taxpayers money this year," the New York Society literature continued, "but it has had a free hand in facilitating negligence and callousness throughout the Nation's laboratories."

Senator CLARK's bill is based on successful British legislation which has been in effect for almost 90 years.

Prof. P. B. Medawar, 1960 Nobel Prize winner and director of the National Institute for Medical Research, states that the British legislation insures "that experiments which may give rise to pain or discomfort are not lightly or hastily undertaken * * * and the fact that there are forms to fill in and an inspectorate to satisfy brings it home to the beginner in research that doing experiments on living animals is a serious business."

The Pennsylvania Senator stressed that he would not introduce or support any measures to outlaw or curtail research which is responsibly and humanely conducted.

"But," he added, "I believe that there is no need for a country as rich in resources as the United States to condone the suffering which great numbers of these animals undergo before they die.

"On the contrary, research performed on unhealthy animals accompanied by unnecessary pain, contributes to scientific error, misleading data, wasted funds, confusions in scientific literature, and demoralization of laboratory personnel."

Although opponents of legislation like the Clark bill try to claim that mistreatment of experimental animals is rare, the Society for Protective Animal Legislation says that "humane and honest physicians and scientists who have worked in various institutions take an opposite view." (And quotes several in their literature.)

Senator CLARK stated that opposition "is conducted under the pretense of protecting legitimate research from redtape and government bureaucracy and comes largely from organizations which prey upon helpless animals for profit made by selling the animals to laboratories for research experiments."

Miss Jones phrased her thoughts on the opposition even more concisely:

"If some of these lab people aren't afraid inspectors will find something wrong, why are they objecting to legislation of this sort?"

She could certainly see, she added, that "having throngs of people tramping in and out of laboratories to take a look" would be a nuisance. But impartial government veterinarian inspectors, she added, is something else again.

Senator CLARK's bill is "a good bill," the humane society legislative chairman added, and she hoped citizens of the county would write their own Senators urging support.

[From the Fresno Bee and the Sacramento Bee, Mar. 13, 1965]

SYMPATHY, PLEASE

U.S. Senator JOSEPH S. CLARK, of Pennsylvania, again has introduced legislation to protect animals submitted for laboratory experiments from needless, inhumane treatment. And again he is hopeful Congress will act.

This is legislation which has been postponed too long. For want of concern, or for lack of facts, Congress time and again has let similar proposals die. It should not again turn an inattentive ear.

Senator CLARK, speaking for his bill, summed up the argument best when he said on the floor of the Senate:

"This is not a liberal or a conservative, a rightwing or a leftwing measure. It has broad ideological support. It has the support of all men, both liberal and conservative, who are concerned about the kind of record our civilization is making in caring for helpless, speechless, voteless animals who can form no pressure or lobby of their own but must rely entirely on the compassion of those who can speak out and can vote."

It is Senator CLARK's reference to the "speechless, voteless" and to the fact the animals rely entirely on man's compassion to speak for them—it is this which touches the heart of the need.

Is it showing compassion when laboratories are permitted to use cruel, barbaric means to determine just how much pain the animal body can stand before dying? Is it compassionate to keep these animals in unsanitary pens, without proper feeding, before and after their cruel use? The least society should do is to demand consideration for the dumb. This legislation should be supported.

[From the Erie (Pa.) Morning News, Feb. 22, 1965]

HUMANE TREATMENT ASKED

Senator JOSEPH CLARK has introduced a bill (S. 1071) to require humane treatment of animals used in experiments and tests by the Federal Government and by institutions receiving grants from the Government.

Emphasizing that the bill is not an antivivisection measure, Senator Clark cites the British experience with similar legislation which has been in effect for almost 90 years.

The proposed legislation should have the support of all men, liberal and conservative, who are concerned about the kind of record our civilization is making in caring for helpless, speechless, voteless animals who can form no pressure group or lobby of their own.

Senator Clark points out that this bill must rely entirely on the compassion of those who can speak out and vote, humane Americans.

Research in the biological sciences have given millions of Americans added years of life. But needless suffering by dumb animals must not be condoned.

[From the Ann Arbor (Mich.) News, Mar. 6, 1965]

Belated Aid for Animals

A minor phenomenon worthy of encouragement is taking place in the U.S. Senate.

Senators Joseph S. Clark, Democrat, of Pennsylvania, and Harry F. Byrd, Democrat, of Virginia—who seldom agree on political matters—have joined as cosponsors of a bill.

S. 1071, introduced by Senator Clark, February 9, is modeled on British law dating back to 1876, requiring humane treatment of vertebrate animals used in scientific research.

This is not an antivivisection bill. "I would not introduce or support any measure to outlaw or curtail research which is responsibly and humanely conducted," Senator Clark comments.

His bill, while recognizing that research involving animals cannot be made entirely painless, would set up commonsense rules for laboratories receiving Federal funds.

Scientists intending to use live animals in research would receive individual licenses which could be withdrawn from anyone responsible for inhumane treatment;

There would be periodic, unannounced inspections by qualified persons with access to animal quarters, laboratory facilities and records;

Adequately sized cages, periodic removal for exercise and cleaning, and proper feeding, would be required for animals held for research purposes.

Animals suffering lasting pain following experiments would have to be put out of their agony instead of being used repeatedly for experiments.

Senator Clark himself provides the best summary of why Federal legislation on this subject is desirable.

"There is no need for a country as idealistic as the United States to condone the suffering which great numbers of these animals undergo before they die. This needless suffering does nothing to advance science or human welfare * * *. Research performed on unhealthy animals accompanied by unnecessary pain contributes to scientific error, wasted funds, confusion in scientific literature * * *.

"Research in the biological sciences now receives more support from the U.S. Government than from any other source. It is our responsibility no longer to condone needless suffering."

Senator Clark's bill is now in the Senate Labor and Public Welfare Committee, of which Senator Lister Hill, Democrat, of Alabama, is chairman.

Last year, a similar bill died in committee because animal dealers who favor the status quo demonstrated more interest than those who would like the bill passed. The fate of such proposals is one guideline by which American civilization can be judged.

[From the Camden (N.J.) Courier-Post, Feb. 27, 1965]

For Humane Treatment of Animals

Both Senator Byrd of Virginia and Senator Clark, of Pennsylvania, are Democrats, but beyond that point their political ideologies sharply diverge. Hence it is interesting, and somewhat impressive, to find them cosponsors of a piece of legislation.

Last year Clark sponsored a bill to require humane treatment of laboratory animals by institutions receiving grants from the Federal Government. With Byrd and several other Senators he has reintroduced the bill this year.

This legislation would not prohibit vivisection. It would not outlaw or curtail scientific research which is responsibly and humanely conducted. Its sponsors say that State legislation on the subject is inadequate. They say that a Federal law is needed to end the suffering which many experimental animals undergo at present. As explained by the Washington Post, "It aims to do no more than to minimize needless, wanton suffering. It has been carefully drafted to avoid any impediment to rational scientific study; it is in no sense an antivivisection bill. It provides machinery for reporting and inspection designed to assure decent care of animals awaiting experimental treatment, anesthetization when this would not interefere with an experiment, and prompt dispatch of a dying animal to avoid unnecessary agony when the experiment has been completed."

Surely no one can quarrel with those objectives. Clark's bill, S. 1071, is modeled after similar legislation in England which he says has been "an unqualified success for almost 90 years." Certainly, as he asks, public hearings should be held on this bill at this session of Congress and if they show it to be as meritorious as its sponsors believe, it should be enacted into law.

[From the Southern Pines (N.C.) Pilot, Mar. 4, 1965]

They Have No Lobby of Their Own

That great out-of-sight, out-of-mind issue—the humane treatment of experimental animals—is before Congress again with the introduction of a bill (S. 1071) in the Senate by Senator Joseph S. Clark, of Pennsylvania, with three other Senators as cosponsors.

The bill would require humane treatment of animals used in experiments and tests by the Federal Government and by institutions receiving grants from the Federal Government. Though this seems limited, it is not so limited as might appear, as most universities, hospitals, and other such institutions receive Federal aid in one form or another.

The proposed law in no way prevents or forbids experiments with animals. It simply calls for the curtailing of unnecessary suffering—suffering which investigation has proved to be widespread, ranging from cruel neglect of animals on whom experiments have been completed to needlessly uncomfortable conditions under which experimental animals are forced to live before and after they are used.

England has had such a law for nearly 90 years and there is no evidence that it has hampered research in any way. It is disgraceful that the United States, a nation famed for its humanitarian concerns, has allowed this gap in its laws to remain unclosed.

As Senator Clark notes, animals can't speak for themselves. That is why all interested persons should write their own and other Senators and Representatives in support of S. 1071.

[From the Mount Kisco (N.Y.) Patent Trader, Feb. 28, 1965]

Protecting Laboratory Animals

As a nation, we know much more about what is right than we manage to put into practice. One of the fields where the gap between knowledge and observance is most glaring is laboratory experimentation with animals.

Under the guise of humanity to man, inhumanity to helpless animals is widely practiced. The need to try new remedies or techniques on animals before using them on human beings is not disputed here, but the omission of simple precautions to prevent unnecessary pain should not be tolerated.

Efforts to secure enactment of an effective animal protection law have so far failed, possibly because the voice of the humanitarians has been drowned by those of the medical lobbies. Such a measure has been introduced in Congress again this year by Senator Joseph Clark, of Pennsylvania. Readers concerned with prevention of unnecessary suffering in our laboratories are urged to write to Senators Javits and Kennedy, asking their support of S. 1071.

[From the Courier-Journal, Apr. 12, 1965]

A Protective Bill for the Animals in Laboratories

One of the marks of a civilized human being is a decent concern for the suffering of dumb animals. Carried to extremes, such an interest may become obsessive and hysterical. But callous disregard for the plight of dumb creatures put man himself in the category of the more savage beasts.

Some very practical people are lined up behind a bill in Congress which would regulate the treatment of laboratory animals. The measure is designated as S. 1071 in the Senate, H.R. 5647 in the House.

Its Senate sponsors include Senators Clark, of Pennsylvania, Byrd, of Virginia, Muskie, of Maine, and Young, of Ohio. This is a varied group politically. It demonstrates the accuracy of Senator Clark's description of the bill: "This is not a liberal or a conservative, a right- or left-wing measure. It has broad ideological support."

The bill is being promoted by the Society for Animal Protective Legislation. This organization, led by a group of determined and devoted women, won the long fight that resulted in the humane slaughter bill. The direct consequences were predicted if that measure passed. It has now been on the books for several years without any observable adverse effects. The commercial slaughterhouses have learned to live with it. They are reported, in fact, to be operating more efficiently and profitably under its terms than under the old cruel system.

The humane slaughter bill was falsely assailed as antivivisection legislation. The same cry will be raised just as inaccurately, and even more strongly, against the laboratory bill.

THE TARGET: UNNECESSARY PAIN

The sponsors of this measure are in no way opposed to vivisection, under proper conditions. They are fully aware of the value of animal experimentation, which has often resulted in knowledge that saves human lives.

What the sponsors do demand is that laboratories which receive funds from the Federal Government submit to unannounced inspections; that they maintain decent conditions in animal cages and pens; and that they avoid unnecessary pain in their work with animals.

Hearings will probably take place soon on this measure. The interested public will want to read the testimony of experts in laboratory work. They may have suggestions which could make the bill more easily workable, without lessening its humane effect. The public should avoid being misled, however, by a hue and cry which has little relevance to the provisions in the bill itself, but which might stall it for years, as happened in the case of the humane slaughter bill.

[From the Christian Science Monitor, Apr. 1, 1965]

The Time Is Now

After an inexcusably long delay, it now seems hopefully possible that Congress will act on one or more of the laboratory animal bills that have been introduced in session after session over a 5-year period and have, so far, perished in committee.

The argument for these bills is not antivivisection. It is whether animals used for medical and other experimentation shall have legal protection against wanton and unnecessary cruelty. Such cruelty is a matter of congressional record, brought out in House hearings in September 1962. There have been no further hearings and no action. While Congress has delayed and the public has been too quiescent, laboratory animals have been subjected to unthinkably shocking treatment, which many physicians and surgeons themselves condemn as unnecessary and cruel to the point of atrocity.

Unfortunately there are, among the current bills, several weak ones which would be literally worse than nothing. There are, however, three adequate bills which deserve public support and favorable congressional action. They are S. 1071, introduced by Senator **Joseph S. Clark**, of Pennsylvania, and cosponsored by Senator E. L. **Bartlett**, of Alaska, Senator **Harry F. Byrd**, of Virginia, Senator **Stephen M. Young**, of Ohio, and Senator **Edmund S. Muskie**, of Maine; H.R. 5647, introduced by Representative **James C. Cleveland**, of New Hampshire, and identical with S. 1071; and H.R. 3036, introduced by Representative **Claude Pepper**, of Florida.

Any one of these bills would form a reasonable and sound basis for urgently needed regulation.

Delay in this matter does no credit to Congress, to the committees in charge of hearings, or to the public, who, in the last analysis, is responsible. Now is the time for citizens (many of whose tax dollars, whether they like it or not, are channeled into animal experimentation partially financed by the Government) to demand of their lawmakers and executives that an adequate regulatory bill be passed by this Congress.

[From the Albany (N.Y.) Times Union, Mar. 31, 1965]

An Important Step

So many people have haggled for so long over so many theories on abolishing laboratory brutality to animals that no fully effective legislation has emerged. It is long overdue.

The greatest hope lies in the Clark bill, now in U.S. Senate committee. But it is a forlorn hope unless men and women, of conscience and compassion, act to keep it from dying there.

Here is a fundamentally realistic proposal which should appeal to all factions of the issue, either as a solution to the problem or an important step toward broader objectives.

This is not an antivivisection bill. It is no "bleeding heart" plea for an end to genuine research in which animals pave the way for human progress. But it does demand standards to spare these creatures avoidable pain, stress, and neglect, to which many are still subjected through carelessness or callousness.

Passage of the Clark bill would establish a law similar to that which has met with unqualified success in England for nearly 90 years. It would also pave the way for strengthening legislation by individual States.

[From the Denver (Colo.) Post, Apr. 16, 1965]

Research Animal Use Needs Controls

A long, stubbornly waged campaign to get legislation that would prevent cruelty to animals used in U.S. research laboratories, medical schools, and industrial plants once again has been slowed to a stop in a congressional committee.

Testimony heard in other committees over the past few years indicates that animals used in experiments are abused and subjected to unnecessary suffering in many laboratories throughout the United States. There are virtually no controls at present over the use of animals in research and teaching.

Senator **Joseph S. Clark**, Democrat, of Pennsylvania, has introduced legislation that would provide for humane treatment of animals used in experiments and tests. He introduced similar legislation in the two previous Congresses.

The present bill has languished in the Senate Committee on Labor and Public Welfare since early February. Senator **Lister Hill**, Democrat, of Alabama, the committee chairman, shows no inclination to schedule hearings.

Senator **Clark** and the bill's cosponsors, Senators **Bartlett**, of Alaska and **Byrd**, of Virginia, suggest that committee members fear such hearings might invite "overly excited testimony" from people who have strong feelings about defenseless dumb animals.

We suggest that it's time for excitement. A review of previous testimony and realization that nothing at all has been done about the conditions it revealed convinces us that excitement might be just what the situation calls for.

Until recent years the protest about lack of adequate controls over the use of experimental animals has been vigorous but unorganized. There has been a tendency on the part of many to remain deaf and blind to this cruel oversight because "scientific progress" is a far more attractive cause. Medical spokesmen have argued effectively that controls might impede such progress.

Also, pleas for more humane treatment of research animals historically have tended to become associated with avowed antivivisectionists and stereotyped do-gooders of women's clubs and societies.

But there has been considerable testimony, some of it from outstanding doctors and scientists, that control legislation would actually improve medical research and even save large sums of money now going into unnecessary experimentation.

As for the antivivisectionists, Senator **Clark** is careful to point out his bill is not such a measure. It provides for licensing of laboratories which receive grants from Government agencies and for inspection of these labs to insure humane care and housing of the animals used in them, as well as for painless killing of animals which cannot be saved and which might otherwise suffer for a time after an experiment.

Medical and scientific research must continue unimpeded for man's health and benefit. But human carelessness and cruelty to animals apparently is frequently present in many areas of this research. We believe it is unnecessary.

Members of Congress and their constituents might easily overlook legislation like this in the presence of international crises and pressing domestic issues. But no matter involving the public conscience is unimportant, even relatively, and the use of experimental animals is certainly a matter of public conscience.

Senator **Clark**'s bill should get favorable action without further delay.

[From the Tacoma (Wash.) News Tribune, Mar. 4, 1965]

Speak for Our Animals

The animals which live among us, our pets and livestock, cannot send a lobby to Olympia and the National Capital to speak up for their rights. They have to depend on us. As U.S. Senator **Joseph S. Clark**, of Pennsylvania, has said, they rely on the compassion of those men and women "who are concerned about the kind of record our civilization is making in caring for helpless, speechless, voteless animals who can form no pressure group or lobby of their own."

There are bills in both Congress and the Washington Legislature presently for legislation sorely needed on behalf of our animal friends. The one in Congress, S. 1071, requires humane treatment of animals penned up and used in scientific experiments calculated to prolong man's life on earth. The one at Olympia, Senate bill 230, calls for humane slaughter of animals used for food.

No one working for the congressional bill wants to impede the progress of science. But scientists have not all given adequate consideration to experimental animals, with the result that many are caged in cramped quarters and some suffer unnecessary pain before they are allowed to die. The bill would end this, and would not hurt the experiments.

There is a good national humane slaughter bill already. It applies, however, only to packing plants selling meat to the Federal Government. The senate bill at Olympia would put teeth in the present State law regulating all slaughterers in the State. It is based on a uniform State code proposed for all the States.

There must be many who would ask for support of this legislation. Those who care to do so might write Senator **Clark**, Senator E. L. **Bartlett** of Alaska, or Senator **Stephen M. Young** of Ohio. At Olympia the men to write, besides one's district senators, are Senator Dewey C. Donohue, chairman of the senate agricultural committee, and Senator Reuben Knoblauch, senate rules committee.

(At this point Mr. **Burdick** took the chair as Presiding Officer.)

Mr. CLARK. Mr. President, I hope very much that hearings can be held on the bill before the Committee on Labor and Public Welfare, of which I am a member, before this session adjourns.

The bill moves into a field allied with that covered by the humane slaughter bill which was passed under the strong urgings of an overwhelming majority of American citizens a good many years ago.

As the facts become known, showing the miserable treatment given to poor dogs and cats, and even rats, I am sure that public sentiment will rally in support of the measure, just as it did when the facts were made known with respect to methods of slaughtering cattle and sheep for human consumption.

THE WAR IN VIETNAM

Mr. CLARK. Mr. President, last week, during debate on Vietnam, I tried to put our position in that country in proper perspective with our overall foreign policy. I indicated my own view that our foreign policy was obsolete because we were indulging in a series of myths and ignoring a series of harsh realities.

At that time, I suggested that to assist the President in finding a path toward a peaceful settlement, I would suggest the extension of his offer of unconditional discussions made in his Johns Hopkins speech, which I endorsed.

The President has now come part way along the line which a number of Senators have recommended from time to time on the floor of the Senate. His excellent address of yesterday to the

Association of American Editorial Cartoonists has already been placed in the RECORD earlier today by the able Senator from South Dakota [Mr. McGOVERN].

The distinguished Senator from Wisconsin [Mr. PROXMIRE] also commented on the subject, and I should like to add my praise to theirs.

I am particularly happy to see the President comment that there is no purely military solution in sight for either side in South Vietnam.

We have been given an entirely too optimistic report by both military intelligence and USIA in South Vietnam. These unduly optimistic reports have led us to believe for the past several years that we were winning the war over there, that if we only persisted a little longer the Vietcong would be crushed and the North Vietnamese goverment with its capital at Hanoi would cease its efforts to assist the Vietcong, and we could at long last bring peace and the beginnings of prosperity to that unhappy land which has been in the grip of one war or another for more than 10 years.

Recent reports filed by reputable newsmen in South Vietnam make it clear, indeed, that we are not winning the war. In fact, we are slowly but surely losing it.

At the present time, our Vietnamese allies and American forces are very much on the defensive. We are attempting to prevent the Vietcong, with the assistance of their allies in Hanoi, from overrunning the entire country. There is very little territory outside the major cities of South Vietnam which face the sea which has not at one time or another during the day been under the control of the Vietcong.

Probably the principal reason why the Vietcong and Hanoi have been unwilling to negotiate up to this point is that they expect—foolishly, in my opinion—to win an overwhelming military victory over our forces and the forces of South Vietnam, just as they won an overwhelming military victory over the French troops at Dienbienphu.

They will not achieve that objective. I have gradually come to the reluctant conclusion that we must not permit them to attain that objective.

I have always agreed with President Franklin Delano Roosevelt, President Dwight D. Eisenhower, and Gen. Douglas MacArthur that the United States never had any business going into Indochina. It is too far from our base of operations. It is too close to the natural sphere of influence of the Chinese. It is a country which has never known free government. It is a country which in the last 15 years has shown itself to be incapable of organizing and maintaining a strong government of its own. It is a country which is apparently incapable of protecting itself from the guerrilla warfare of fellow Vietnamese, many from the south and a great many from the north.

But, nevertheless, we are there.

While I do not like to believe that Americans have the same sense of "face" as the Chinese, I do know that to withdraw now on a unilateral basis would be most damaging to the prestige of our country and would probably advance the cause of world communism.

As I have stated, I reluctantly conclude that for the time being, at least, we must stand and fight. We must protect the remaining areas of South Vietnam which are held by our allies the South Vietnamese. We must do what we can to minimize, if not eliminate, the frightening effects of the constant guerrilla warfare waged by the Vietcong, with the support of Hanoi.

The coming months in South Vietnam will be difficult, for the monsoon will be arriving. The weather will worsen. Guerrilla warfare will have an extra advantage. Our helicopters will be grounded. Our bombers will have difficulty finding their targets, and perhaps even have difficulty in landing. Therefore, we must pull in our belts and be prepared to show by force of arms that we are not going to be pushed out of South Vietnam.

I come to this conclusion with the greatest of reluctance. However, having come to it, I believe that we should intensify our efforts to get to the conference table.

The President said last night that there is no purely military solution in sight for either side. If we cannot persuade the North Vietnamese, the Vietcong, and the Chinese Communists on this point through the normal course of diplomacy, we shall have to do it, temporarily at least, by force of arms.

The President in his speech yesterday was eloquent, indeed, in enunciating once more his keen desire to achieve a peaceful solution, to get our present enemies around the conference table where we can deliberate and come to a sensible solution to this apparently never-ending war which is bringing great harm to all who are engaging in it.

It is to be hoped that through the many open channels for initiating negotiations we shall be able to come into contact with our enemies there and work out an arrangement whereby the two Vietnams can come to their own solution of the dispute between them.

One of the great difficulties which confront us is the instability of many of the governments in South Vietnam. It now appears that the present leader of that country. Premier Quat has a greater degree of popular support than some of his predecessors. He seems to be making progress in bringing together the many complex elements in that country.

We tend to oversimplify the situation in South Vietnam. This is an intensely complicated area of the world, where many currents and cross currents of different political views clash with each other, where the attempt to find a consensus is difficult indeed, where a Christian minority is charged with persecuting a Buddhist majority, where the various sects and the different kinds of religious orders and civilian orders and secret societies give no indication of unity being feasible.

Nevertheless, I am confident that under the supervision of the major powers these two elements—these two governments, if we wish to call them such—in Vietnam can be brought together.

I say again what I said last week, that we should make it clear, in the course of our continuing search for a basis for negotiation and for peace, first, that we are willing to negotiate with Hanoi directly, or with any representative Hanoi may suggest. This inevitably means representatives of the Vietcong, without whose acquiescence no peaceful settlement in my opinion is possible.

The President once said he would not negotiate with the Vietcong. I urge him to reconsider that view. An easy way to bring this about would be to say to Hanoi, "When you come to the conference table, when you are ready to discuss unconditionally the bringing of peace in Vietnam, bring with you anyone you wish to bring." In that case we can be sure that representatives of the Vietcong would be at the conference table.

Second. We should indicate in advance our willingness to support free elections in all of Vietnam and our insistence that the elections in North Vietnam shall be free and under international supervision. These elections should be held for the purpose of determining whether or not either South or North Vietnam desires to unite in one country or whether they prefer to remain independent of each other divided by the 17th parallel.

If they should decide to come together in one government, the election should provide for a constitutional convention to draft and to have ratified by popular vote a constitution for a united Vietnam. We should be prepared, in that case, to support the results of those elections, no matter how they go. We should not attempt to dictate what kind of government two Vietnams or one Vietnam should have after the people have expressed their choice.

Third. And finally, in order to make it more likely that we can get to the negotiating table, when we turn over to the North and South Vietnamese the task of coming to an agreement with each other or agreeing to disagree on agreed terms, we should gradually decrease the bombing attacks on North Vietnam, and for a time at least they should be terminated. The predictable effect of the raids has been to harden the resolve of the North Vietnamese without impairing their fighting ability. It is forcing the Soviet Union into a more hostile role in southeast Asia. It is alienating our friends and aiding our enemies in Asia, Europe, Africa, and Latin America. It is probably a major force in preventing a solution of the Vietnamese problem around the conference table.

Again, Mr. President, I congratulate the President of the United States on his earnest efforts to seek peace. The speech he made last night represents a distinct advance on the road to peace. I hope that that advance will be met with some signal or sign from the other side.

I ask unanimous consent that an editorial which appeared in this morning's New York Times entitled "To H.C.M. from L.B.J." be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the New York Times, May 14, 1965]

To H.C.M. From L.B.J.

President Johnson's speech on Vietnam yesterday could not have been more clearly addressed to Hanoi if it had been marked "attention Ho Chi Minh." It was an effort worth making even if it remains unanswered at present. For the mere attempt to talk intelligently at, if unfortunately not to, the adversary forces the formulation of ideas in a new and useful way.

In an administration that has generally emphasized the military approach, it is important that the President is now stressing—as many critics of administration policies have long insisted—that "there is no purely military solution in sight for either side." In his remarks yesterday, there was no unrealistic talk of "victory" or "winning the war" as there often has been in the words of his advisers.

The purpose to which he intends devoting "unlimited resources," Mr. Johnson indicates, is that of denying victory to the other side while seeking a negotiated settlement. This is a policy that is welcome and needs even more explicit clarification at a time when—after denials that any such decision had been made—additional American troops in large numbers are being sent to South Vietnam. At 46,500, the number of American troops there now is well over three times the pre-Johnson level.

The President yesterday drew a useful distinction between Hanoi and the Vietcong guerrillas, which seek "the fulfillment of Vietnamese nationalism," and Communist China, which seeks "domination over all of Asia" including, he implied, Vietnam. And in a tone new to Washington, Mr. Johnson observed that many of the "individual fighting men we must now, sadly, call the enemy," are trying "to shatter the old ways which have imprisoned hope" and to reach for "the material fruits from the tree of modern knowledge." He urged Hanoi to pursue its own interests by coming to the conference table, freeing itself from the control of a China that wants to continue the war irrespective of the cost of China's allies.

It is in this context that the President has now indicated for the first time that once peace is restored, all forms of American aid—not just the fruits of a projected Mekong Valley development that might not touch North Vietnam directly—will be available to all the people of Vietnam, "north and south alike." The wise decision to help found an Asian Development Bank with, it is hoped, the backing of all industrialized nations including the Soviet Union, has evidently been taken on the recommedation of Eugene Black. It should open the way for the kinds of soft loans and long-term multilateral development aid needed in Asia's special circumstances, with which present American and United Nations machinery is unable to cope.

The President wields the country's vast influence most effectively when he voices, as he did yesterday, its desire to explore "every possible path" to peace. If he will but continue now to pursue honorable negotiations with the vigor and persistence he has applied to military measures, he will be on the road that is most likely to lead to the honorable settlement he and the American people clearly want.

Mr. CLARK. Mr. President, I note in particular the comment in the editorial that the President has now indicated for the first time that once peace is restored, all forms of American aid—not merely the fruits of a projected Mekong Valley development that might not touch North Vietnam directly—will be available to all the people of Vietnam, north and south alike.

Mr. President, the enormous sums of money which we have spent during the past number of years to ameliorate the conditions of the people of South Vietnam should be taken note of by not only Americans, but by everyone interested in the southeast Asian dilemma. That great amount of money appears to have been to a substantial extent wasted, because of the condition of warfare in that country. Yet we do know, as the President has told us, that there are more schools, better health measures, better transportation arrangements, and a better rice crop. We also realize that conditions in Vietnam should come to the point where we would know that a people could live in peace and look forward to some prosperity.

I commend the President for his humanitarian and idealistic views as to the future of that part of the world. I hope and pray that he will be able to get us into negotiations for a settlement of the carnage, the death, the torture, and the warfare in that country within the very near future.

THE SITUATION IN THE DOMINICAN REPUBLIC

Mr. CLARK. Mr. President, first I should like to offer for the Record a recent editorial published in the New York Times entitled "Government by Crisis." I ask that it be printed in the Record at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Government by Crisis

The Dominican and Vietnam troubles disclose a serious weakness in this country's management of its foreign affairs. This weakness has been a long time developing and it will not easily be set right, but its many-sided nature and its implications deserve exploration.

The weakness is simply stated. Congress' control of the warmaking power has been eroded almost to the point of invisibility. This development is readily understandable insofar as the waging of thermonuclear war is concerned. If the President learns that hostile atomic missiles have been launched against the United States, he has no time and no choice except to act in his unique capacity as Commander in Chief.

But it is guerrilla wars, undeclared wars, civil wars, and wars by subversion that now plague the world and are likely to continue as the chief difficulties in the years ahead. It is in this area of policymaking that the people's elected representatives in Congress have largely abdicated their constitutional responsibilities.

Speed is not the overriding consideration in making policy in these diverse difficulties. The war in Vietnam, for example, has been dragging on for several years and U.S. activity there has been intensifying for 9 months. Yet Congress has not conducted a full, serious debate on American participation.

It is true, of course, that Congress has gone on record not once but twice. President Johnson has seen to that. Last August, after a now almost forgotten retaliatory air strike in the Gulf of Tonkin, and again last week, Congress dutifully countersigned what came close to being a blank check. In the case of the August resolution and of last week's $700 million appropriation bill, there was a suddenly announced television speech by the President. Then came the submission of a hastily drafted proposal which the relevant committees of Congress approved with the flimsiest of hearings and which both Houses approved with no real deliberation.

From initiation to Presidential signature, each of these maneuvers took only 3 days. That is not constitutional procedure; it is a caricature of such procedure.

The Dominican trouble exemplifies congressional default in a different form. In October 1963, after a military junta overthrew President Juan Bosch in the Dominican Republic, Senators Jacob Javits of New York and Wayne Morse of Oregon, introducted a resolution intended to set forth the sense of Congress on Latin-American dictatorships.

No action was ever taken on this resolution. Nor did the relevant House and Senate committees develop any congressional judgment on American policy in the event of future revolutions and coups in Latin America. When civil war erupted in the Dominican Republic, President Johnson acted in a vacuum, one partly of Congress' own making.

The problem long predates Mr. Johnson's Presidency. It first became evident in the failure of Congress to clarify its own responsibility for the waging of war in Korea, where war was never actually declared.

There are many present contributing influences to the diminution of congressional authority in policymaking, quite apart from Mr. Johnson's forceful assertion of leadership. One is Senator Dirksen's extension of responsible bipartisanship into something that often approaches coalition government. Another is the reluctance of Senator Fulbright to follow his independent ideas by asserting his full authority as chairman of the Foreign Relations Committee.

But beyond these transient personal factors, there has been an institutional failure on the part of Congress to develop the new procedures and tradition necessary to protect its role in the making of foreign policy in a new age of international political warfare.

The nature of the cold war, the speed with which minor engagements can escalate, the extent to which secret information must help shape vital decisions—all these and many other factors have made the development of new procedures and practices difficult. But they have also made them essential if there is not to be a total erosion of Congress' authority in this field and an atrophy of democratic debate.

Mr. CLARK. Mr. President, the editorial points out that both the Dominican and the Vietnamese troubles disclose a serious weakness in this country's management of its foreign affairs.

The editorial points out:

> The weakness is simply stated. Congress' control of the warmaking power has been eroded almost to the point of invisibility.

The editorial continues:

> There has been an institutional failure on the part of Congress to develop the new procedures and tradition necessary to protect its role in the making of foreign policy in a new age of international political warfare.

I am in complete accord with that statement in the editorial. I do not believe we have done our job in Congress. I believe we should resume an active interest in terms of our historic power of advice and consent in determining the course of our foreign policy. The day-to-day conduct of foreign policy is, of course, in the hands of the President of the United States. I support him in his efforts to restore and maintain peace.

However, Congress has an obligation which I believe we have been slow and perhaps loath to fulfill.

I hope that we will be more active in fulfilling that constitutional responsibility.

Another excellent editorial recently appeared in the New York Times. It is entitled "The Dominican Morass." I ask unanimous consent that it may be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE DOMINICAN MORASS

The United States is getting more and more deeply involved inside the Dominican Republic, politically as well as militarily. What began as an uprising has become a civil war in a state of suspended animation. Whether there was or was not a genuine threat of a Communist coup—and U.S. correspondents are emphatic in casting doubt on Washington's assertions that there was—it is clear that Dominican and Latin American communism has been strengthened in reaction against the American intervention.

What may have seemed to the American public to be a simple operation when President Johnson first sent in marines on April 28 has become a complicated, confused, and potentially explosive act of force majeure, with profound effects on the whole inter-American system. Some of the United States best friends in Latin America are included among the anti-Communist governments and peoples whom American intervention has alienated. The man in whose name the rebellion was started, the strongly anti-Communist Juan Bosch, may yet prove correct in his bitter comment that the United States, by its intervention, will create far more Communist sympathizers in the Dominican Republic and Latin America than were on hand—whatever their number—when the revolt began.

The Dominican situation is proving that the best intentions mean little or nothing in the face of contrary realities. No one could doubt the sincerity of Under Secretary Mann when he stated in an interview with the Times that the United States does not want to dictate the kind of government the Dominicans choose. But the fact is that the U.S. intervention bolstered a rightwing military group against a movement that, while it had some Communists within it, was for the most part democratic in spirit and intention. The idea of supporting the Bosch elements against the Communist minority in the rebel ranks was apparently never even entertained.

When it became clear that the military junta's first leader, Gen. Wessin y Wessin, was adamantly opposed in the Dominican Republic and throughout Latin America, Washington came up with another—but equally unpopular and rightwing—protege. American correspondents on the spot agree that General Imbert, now head of the junta, was chosen, groomed, and put in by the Americans and is being kept in power by Americans.

U.S. representatives refused even to talk with the rebel group headed by Lieutenant Colonel Caamaño until yesterday although Colonel Caamaño clearly has a considerable following throughout the Dominican Republic. In his enclave in Santo Domingo, surrounded by American troops, he has thousands of fanatically dedicated and well-armed followers.

In present circumstances the stalemate can be broken in only two ways. One is a cleanup by the American troops of the rebel enclave in Santo Domingo, with inevitable slaughter and destruction. The other is continued negotiation with the Caamaño-Bosch group. Of the two methods, it is a peaceful settlement that holds the best hope—we believe the only hope—of controlling ultimately the Dominican Communists.

In the long run, even if the marines once again stay on for years, it is the Dominicans and not the Americans who are going to decide the fate of the Dominican Republic.

Mr. CLARK. Mr. President, the editorial points out—and I share the view—that there is very grave question as to whether or not there is now or ever was a genuine threat of a Communist coup in the Dominican Republic. It points out that the U.S. correspondents on the scene are emphatic in casting doubt on Washington's assertions that there were. It is clear, as the editorial points out, that "Dominican and Latin-American communism has been strengthened in the reaction against the American intervention." It has certainly not been weakened.

In my opinion, for every Communist in the Dominican Republic that we rout out or kill or capture or scare back to Cuba, we make 100 and perhaps 1,000 other Communists by the ruthless methods of our intervention in the Dominican Republic, in violation of our treaty commitments.

In this connection I should like to make a few comments. In my opinion, the greatest contribution that we in the Senate can make to the day-to-day course of events in the Dominican Republic is to urge that the United States maintain a strictly neutral posture between the so-called rebel government, which is actually the only government with a surety of constitutional authority behind it, in the Dominican Republic, and the various military generals and juntas with whom, in my opinion, our Armed Forces have become entirely too friendly.

Note should be taken of the fact that it was a high ranking naval officer and not a representative of the State Department who first made the announcement on the scene in the Dominican Republic that our purpose in sending the marines, and later Army troops, into the Dominican Republic was not only to protect American lives—and let it be noted parenthetically that not one single American civilian has received as much as one scratch either before or after our troops went in—but also, as this high ranking anonymous naval officer was quoted as saying, to prevent a Communist government from taking over in the Dominican Republic.

I am concerned that day-to-day military operations are overtaking diplomacy in the Dominican Republic. I am concerned that our Ambassador has apparently been panicked into believing that we were faced with an overriding emergency under which a takeover by a Communist government in the Dominican Republic was imminent. I am distressed that he felt that he should rely to the extent that he did on the "Dominican Joe McCarthy," General Wessin y Wessin, and the assassinator of Trujillo, the former civilian Imbert, who, in reward for his assassination, was made a general.

One difficulty with the situation in the Dominican Republic is that as a result of 30 years of tyranny, torture, death, and assassination, most of the brains and most of the ability in the civilian population in the Dominican Republic has been murdered or chased out of the island by Trujillo and his minions. It would be a great tragedy if we were to aid and abet the military junta in resuming power in that country.

I am happy indeed that the President was so quick to call in the Organization of American States. I note with pleasure that he has taken as his advisers a select group of very able Latin Americans who are friendly to our country—individuals such as former President Betancourt of Venezuela, former President Jose Figueres of Costa Rica, and other high officials who happen to be American citizens, such as former Assistant Secretary of State Morales, who is now working with the OAC, and that magnificent colonial administrator, former Governor Muñoz-Marín of Puerto Rico. I hope that advice of those people will be listened to with great interest and followed in the White House, and I have every hope that it will.

I should like to make another suggestion in connection with the situation in the Dominican Republic. The sooner we can get our troops out of there, the better. The sooner we can turn the military situation over to contingents from the other countries which are members of the Organization of American States, the sooner we shall prove to the people of Latin America, whose friendship and respect we so desperately want, that our action is not a return to gunboat diplomacy, and that our intervention was merely to protect lives and to prevent chaos.

I wonder what justification we can give for housing as many as 22,000 troops in the Dominican Republic in the environs of Santo Domingo? It should also be noted for the record that there has been no uprising of any sort in that country. Outside Santo Domingo everything is quiet. So I would hope that we would be able in short order to bring back the majority, if not all, of our troops in order to reestablish our belief in the rule of law, our belief in collective action, and our repudiation of that gunboat diplomacy—that dollar diplomacy—which got us into so much trouble with our neighbors in the early days of the present century.

I should like to make one final suggestion in that regard. The unrest in the Dominican Republic is not entirely political. A great deal of it is economic. In a country with perhaps no more than 3 million people there are at least 500,000 who are totally unemployed. Perhaps the most effective gesture we could make to restore and pacify the country, to take people's minds off of political issues, and place them in a situation where they would be thankful for American intervention instead of antagonistic would be to organize a program of needed public works which could give employment to vast numbers of the unemployed in the Dominican Republic.

I believe we ought to look pretty carefully in the Senate—certainly in the executive arm—to the charge which has been widely repeated that the real force behind the counterrevolution which threw out the constitutionally elected President Juan Bosch, and which is now attempting to crush the rebellion headed by his deputy Caamano, are economic interests, American and Dominican alike, and particularly sugar interests, which are concerned lest a liberal government come into office with power to enforce a badly and long needed land reform, to see that adequate taxes are collected from the very rich who are making money out of agriculture and industrial operations in the Dominican Republic, and to assure that in due course we can have a Government which is not controlled by a military junta, but by a Government which has substantial support from the civilian population in the Government.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Our Dominican Objective," published in the Washington Evening Star, issue of May 4.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OUR DOMINICAN OBJECTIVE

Among a mass of falsehoods, there was one grain of truth or near truth, in Nikolai Fedorenko's remarks to the Security Council. The United States, the Russian representative declared, is determined to use its Armed Forces to suppress Communist-supported national liberation movements not only in Latin America, but in Asia and other parts of the world as well.

Had he said Communist dominated, this would have been substantially true. Certainly we are fully committed to use our Armed Forces to prevent the forceful emergence of another Communist regime in this hemisphere. And in certain situations in Asia, where we have treaty or other commitments, as in Vietnam, we also will use our Armed Forces to cope with these so-called wars of national liberation.

The true nature of these wars should be understood. No one, except in the last extremity, intends to fight an all-out nuclear war. The cost would be prohibitive. It also seems doubtful that there will be another large-scale conventional war. There's too much danger that it might escalate into a nuclear war. Hence, the war of liberation. The Communists can foment this kind of war at small cost and little risk to themselves. And where an indigenous revolutionary movement, as in Vietnam, can be encouraged and eventually taken over, a war of liberation can be a very difficult thing to deal with. But Mr. Fedorenko is right in saying that the United States will resist them to the best of its ability. If we don't, who will?

The principal effort in the Dominican Republic at this time, however, is on the attempt to find a formula for peace, not on war. Our troops are not fighting the rebels in any meaningful sense. Instead, they are "containing" them while the OAS commission presses its search for acceptable terms.

Obviously, this search may be quite difficult. One must hope, however, that it will succeed. The President has repeated that we will pull out our forces as soon as a peace plan is developed which offers some hope of stability of government. The inference, of course, is that the troops will stay where they are until some such peace plan emerges. Hence, the sooner an agreement is reached the better it will be for all concerned.

THE OUTRAGE IN MEXICO

Mr. LONG of Louisiana. Mr. President——

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized.

Mr. LONG of Louisiana. Mr. President, with the crisis which arose in the Dominican Republic, it may very well be that many of my colleagues and other American citizens may have overlooked the recent action taken by another Latin American neighbor, Mexico, respecting American sulfur interests. Under what appears to be the pretext of protecting its natural resources in the form of sulfur reserves, the Mexican Government has announced that it will limit exports under a formula which very well may prevent the two American companies operating in Mexico—Gulf Sulphur Corp. and Pan American Sulphur Co.—from exporting sulfur produced there. This action on the part of the Mexican Government is tantamount to expropriation since Mexico is unable to consume sulfur in quantities nearly sufficient to make it financially feasible for Pan American and Gulf Sulphur to continue their mining operations.

This being the case, the only alternative would be for these American-owned companies to make some arrangement to sell or otherwise dispose of their investment in Mexico. Since American investors certainly would not risk putting dollars into an industry which has been deprived of its basic markets, the only alternative would seem to be a forced sale to the Mexican Government or to local nationals selected by Mexico. Although the Mexican Government probably will argue that they have not taken over the sulfur industry, the fact remains that what they are doing will have that result, the only difference being that it will be shrouded in a veil of respectability under the name of conservation. Instead of directly taking over the American sulfur interests, Mexico is simply forcing them out of business.

As has been advocated in the Senate before, it is high time that the American Government take some steps toward preventing the loss of American dollars abroad through expropriation, especially in the case of those countries to whom we give great sums in economic aid. Mexico is one of those countries. Why should we, as a country, support the economic program of a nation which in turn imposes economic sanctions against our citizens? In the case of the American sulfur industry in Mexico, we are not talking about so-called robber barons who have exploited for huge profits the resources and people of an underprivileged or economically depressed nation. If this were the situation there might be some merit, or at least an excuse, for forcing out American industry. However, let us look at the facts with respect to one of the companies which may stand to lose its entire investment in Mexico. Gulf Sulphur Corp. is a relatively small company which completed construction of mine facilities early in 1956 at a cost of $10 million and began operations in May of that year. The company employs 500 people, only 17 of whom are U.S. citizens. Most of these employees work in Salinas, which is a town of 3,500 people, located in the semitropical State of Vera Cruz. Before the sulfur company came to Salinas, the people depended upon river water in its unpurified state for drinking and cooking, but they are now receiving potable water from the mining operations. The nearest hospital was an hour and a half away by boat, but the mining company now maintains a well-equipped hospital with two doctors and four nurses who treat the villagers. The company gave to the union to which its employees belong a school that the town theretofore had been unable to afford. Four years ago only 45 pupils were enrolled in the school's 6 grades, while today there are 375 attending a modern 10-classroom school, well staffed with qualified teachers. In addition, its students who wish to continue their education through high school at a distant town are provided transportation expenses and through a full scholarship program some students will go on to one of Mexico's colleges or universities. Gulf Sulphur Corp. also has a project underway for building 118 houses and a large community building in Salinas, which will cost approximately $260,000. This project, of course, will have to be abandoned in the event that it must give up its operations due to the action of the Mexican Government.

What I have outlined here clearly shows that this company, rather than trying to exploit the citizens of Mexico, has given to them benefits far and above those which could be provided by their own government. This is not a case of an American company reaping the riches of a depressed country by using low labor costs to extract its natural resources solely for the personal gain of its investors. Since 1956, expenditures by Gulf Sulphur Corp. in Mexico, in the form of royalties, taxes, salaries, wages, profitsharing, medical, and social benefits to employees, and other expenses have totaled approximately 600 million pesos. Currently 80 percent of each peso generated from sulfur sales is being left in Mexico. The balance, or 20 percent of each peso, has been used to pay freight on sulfur shipments from Mexico, construct liquid sulfur terminals in the United States, service debt created in the United States, and for general and administrative costs. To date, the stockholders of the company have not been paid dividends.

The tragedy of this irresponsible action of the Mexican Government, therefore, lies not only with the loss of investment by American citizens, but also by the loss of jobs and benefits to the Mexican citizens, as well as the destruction of advantages accruing to the Mexican nation itself.

It may also be asked: Just who are these American investors who stand to lose their money. In the case of Gulf Sulphur Corp., there are about 5,000 stockholders, all of whom are U.S. citizens with the exception of 18 who are Mexican nationals, and most of whom can ill afford such a loss. Actually, these shareholders have already suffered a substantial decrease in their stock's value as a result of the announcement by the Government of Mexico of its intent to limit exports of sulfur. On April 25, 1965, when Mexico made its announcement, Gulf Sulphur stock was selling on the American Stock Exchange at $12.50 a share, and it is presently selling for around $7. It takes no economic expert to see that a great deal of harm has already been done.

It is, of course, not within the power of the Congress of the United States to prevent the Government of Mexico from taking such action as it may desire with respect to its internal affairs, but it is within our power to see that any government which by means of expropriation of American property or economic sanctions having the same effect, is not subsidized by us in these efforts. That is exactly what we do when we send millions of dollars to these countries in an attempt to help build up their economy and they in turn confiscate U.S. investments, undermining the Alliance for Progress, and scaring American capital away from all of Latin America. When we help friendly governments to improve the conditions of their people, we should make it law that our help stops the moment their officials start robbing us.

Several years ago I was successful in persuading the Foreign Relations Committee to accept an amendment forbidding foreign aid to nations that confiscate American investments. Subsequently the Senator from Iowa [Mr. HICKENLOOPER] perfected my proposal to make it apply to schemes of this nature which are, in fact, a subtle form of confiscation, although the prompter of the steal pretends otherwise. The perfected legislation has come to be known as the Hickenlooper amendment.

I am, therefore, inquiring of the State Department whether the neoconfiscation to which I have referred comes within the Hickenlooper amendment. If not, then I intend to offer an amendment to the foreign aid bill to see that foreign aid is denied to perpetrators of this sort of steal.

It was the efforts of the junior Senator from Louisiana which were responsible for amending the language in the Sugar Act, to make certain that the United States would not pay a bonus for sugar to companies which are in the process of confiscating American investments. The amendment to that act does not have the refinements of the Hickenlooper amendment, so that act may need an additional amendment. As the Senator who managed the sugar bill in the Senate some years ago, and who has been a constant advocate of sugar legislation for the benefit of both our own sugar producers and our friends abroad, I intend to exert my best efforts to perfect the language I insisted on when the amendment to the Sugar Act was before us, to make certain that nations that confiscate our investments will not sell us sugar at premium prices. If I have anything to say about it, they will not sell us any sugar.

It is only by demonstrating to people who have this kind of scheme in mind that their nations will suffer by such actions that we shall be able to make certain that Americans who in good faith invest their money, on the encouragement both of their own Government and the recipient nation, will have an opportunity to develop resources on a basis which will be good both for us and for those who receive benefits from the investments, without having the investments stolen from them after a company has made a success of them.

Mr. President, along this line, and in support of my argument, I ask unanimous consent to have printed in the RECORD an article entitled "Robbing the Gringo; the Outrage in Mexican Sulphur Turns Back the Clock," published in Barron's National Business & Financial Weekly for May 3, 1965.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ROBBING THE GRINGO—THE OUTRAGE IN MEXICAN SULFUR TURNS BACK THE CLOCK

Successful investing, as the financial community will cheerfully attest, requires hard work, judgment and nerve. Now and then, however, luck takes a hand in the game. In "Reminiscences of a Stock Operator," a fascinating account of Wall Street 50 years ago, the author tells of dropping into his broker's office one Friday morning in the spring of 1906, and, merely on a hunch, selling short several thousand shares of Union Pacific Railroad. Over the weekend came word of the San Francisco earthquake. On the other side of the ledger, brokers still shudder at the fate of their ill-starred colleague who, shortly before the collapse of the fats and oil empire of Tino De Angelis, became a partner in the doomed firm of Ira Haupt & Co. Ten days ago one of the ablest investment advisers in the business fell afoul of fortune. When Pan American Sulfur Co. common, which sold as high as 59 in early April, recently declined to 50, this old pro viewed the move as an "exceptional buying opportunity." Thus he took his position in the stock—and told the world about it—just before the bottom dropped out.

In his misery over Pan Am Sulfur (or Pasco, as it is known), the unlucky expert today has plenty of company. Except in a major bear market, few securities have suffered so drastic or abrupt a decline: since reaching the high less than a month ago, the shares have lost more than 40 percent of their value. Hence the plunge caught a good many knowledgeable Wall Streeters long. Several brokerage firms and advisory services recently recommended the stock. Chartists projected a clear-cut uptrend. Institutional investors at latest reckoning owned over 400,000 shares, or roughly one-fifth of the total equity.

Their confidence rested on apparently solid ground; until mid-April, Pan American Sulfur had all the earmarks of a growth company in a resurgent industry. Virtually overnight, however, its glowing prospects have dimmed. For the Government of Mexico (where its properties lie) arbitrarily has imposed export restrictions which have hampered its day-to-day operations and will halt its long-term expansion. The new decrees are designed to conserve Mexico's supply of a vital raw material. They will have other, less palatable results. For one thing, they are likely to create a new privileged class of local entrepreneur with close, and doubtless mutually profitable, connections with officialdom. What is worse, the episode is bound to jeopardize the inflow of foreign capital. For a quarter-century Mexico has sought, with considerable success of late, to live down its ill-advised expropriation of United States and British oil interests. Last month the Government suddenly acted like a reformed bandit who cannot give up his old tricks. Robbing the gringo, as everyone south of the Rio Grande should have learned by now, is no way to get rich.

In Mexico, as in other parts of the world, highway robbery today may go cloaked in legality. As the Pan American Sulfur Co. carefully noted in its listing application, its operations are subject to inspection, study and regulation by the Mexican Government; production and exports are subject to limitation, and, in order to export sulfur from Mexico, a permit from the Mexican Government is required * * *. After years of bureaucratic routine, the authorities last month suddenly invoked their powers. Without explanation or warning, they held up one of Pasco's shipments. After several days of painful uncertainty, they finally disclosed their purpose. Mexico has imposed export quotas on Pan American Sulfur and a smaller competitor, Gulf Sulfur. Under the new conditions, both U.S.-owned producers this year may ship without hindrance half of last year's volume; the other half, as well as all future quotas, will hinge on their discovery of fresh reserves (10 percent of which may be exported). In no event may either company exceed last year's total sales abroad.

The new restrictions, so the Secretary of the National Patrimony has averred, aim to protect Mexico's supply of sulfur, which otherwise soon might run out. The quaintly named official surely knows better. While traces of the mineral turned up a half-century ago, Mexico for all practical purposes had no reserves until a handful of daring U.S. promoters, financed by American capital, launched programs of exploration and development after World War II. Ten years ago the country produced less than 100,000 tons; last year, in striking contrast, output approached 2 million. Since the Government estimates current proven reserves at nearly 16 million tons—a figure which other sources regard as far too low—fears of future shortage, even at the recent recordbreaking rate of shipment, hardly can account for the abrupt flexing of bureaucratic muscle. A likelier explanation, in our own jaundiced view, is the striking shift in the marketplace, which has transformed sulfur, after years of oversupply, into a relatively scarce, highly profitable commodity, a prize which local interests have grown greedy to share. Heads we win, the Mexicans have told the U.S. producers in legal language, tails you lose.

The new rules faithfully embody what might be called the looter's code. For they bestow valuable privileges on one group (seven prospective entries, all of which boast majority control by local interests, already have applied for sulfur concessions) at the expense of another; i.e., the industry's pioneers. Both Pan American and Gulf, as the stock market belatedly has realized, will suffer in various ways. Much sulfur is sold on long-term contracts, which, in view of the massive uncertainties surrounding exports after January 1, henceforth will be hard to come by. Any business enterprise must plan for the future; in the case of both Pan American and Gulf, however, production and sales schedules apparently will hinge on the unpredictable discovery and proof of fresh reserves. Perhaps the worst of all, by making last year's results the ceiling, the authorities have slapped a lid on further growth.

To one of the most inspiring pages in the annals of postwar capitalism, the dead hand of Government thus threatens a sorry end. On the industrial map of the world, the

Isthmus of Tehuantepec represents quite an achievement. To put it there, men took enormous financial risks. Despite the backing of the Export-Import Bank, one venture, the Mexican Gulf Sulfur Co., went broke when its reserves petered out; Gulf Sulfur in its early years piled up a staggering deficit. Once in operation, the fledgling producers plunged into competition with such powerful rivals as Texas Gulf Sulfur and Freeport, thereby shattering one of the most lucrative and longest-lived cartels in history. (Shares of both concerns, which will benefit from Mexico's folly, shot up last week.) Far from exploiting the hapless natives, finally, the two producers have made a major contribution to the nation's economic life. Mexico collects a 15-percent royalty on every ton of sulfur mined, as well as nearly half the producer's pretax profits. Pasco last year accounted for $21 million of the gross national product; all told, since it was organized, the company has bought and paid for nearly $150 million worth of local goods and services. Against such a record of achievement, official concern over the "national patrimony" adds insult to injury.

On the latter score, thanks to the Mexican authorities, U.S. investors are out-of-pocket over $50 million. In the end, however, Mexico is apt to be the biggest loser. Nearly 30 years ago President Cardenas, with a stroke of the pen, destroyed his country's credit and set back its development. Those who refuse to learn from history are doomed to repeat it.

ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, I move under the previous order, that the Senate stand in adjournment until noon on Monday.

The motion was agreed to; and (at 4 o'clock and 20 minutes p.m.) the Senate adjourned, under the previous order, until Monday, May 17, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 14, 1965:

General Services Administration

Lawson B. Knott, Jr., of Virginia, to be Administrator of General Services.

U.S. Patent Office

Arthur H. Behrens, of Washington, to be an Examiner in Chief, U.S. Patent Office, vice Charles S. Duncombe.

U.S. Attorney

James B. Brennan, of Wisconsin, to be U.S. attorney for the eastern district of Wisconsin for the term of 4 years. He is now serving in this office under an appointment which expired May 8, 1965.

Joseph F. Radigan, of Vermont, to be U.S. attorney for the district of Vermont for the term of 4 years. He is now serving in this office under an appointment which expires May 15, 1965.

Postmasters

The following-named persons to be postmasters:

ALABAMA

Charles T. Farrow, Eclectic, Ala., in place of N. C. Phillips, retired.

ALASKA

Ramona D. Kookesh, Angoon, Alaska, in place of A. A. Hamburg, retired.

ARIZONA

Luis O. Acosta, Superior, Ariz., in place of B. J. Irwin, resigned.

ARKANSAS

Waymon G. Villines, Jasper, Ark., in place of D. C. Jones, transferred.

CALIFORNIA

Warren F. Leedom, Albion, Calif., in place of E. E. Thompson, retired.

Dale F. Smith, Beverly Hills, Calif., in place of T. J. Lawlor, retired.

Donald D. Lawton, Ferndale, Calif., in place of J. A. Givins, retired.

Carroll E. Nix, Pittsburg, Calif., in place of W. C. Whitman, deceased.

William C. Miller, Santa Clara, Calif., in place of C. D. South, Jr., retired.

CONNECTICUT

Albert F. Gereg, Jr., South Kent, Conn., in place of R. J. Boyd, retired.

Ursula H. McCafferty, West Cornwall, Conn., in place of L. S. Mallinson, deceased.

DELAWARE

Maynard T. Boulden, Claymont, Del., in place of O. W. Layton, retired.

FLORIDA

Joseph W. Brenner, DeBary, Fla., in place of Walter Hanl, deceased.

Gerald E. Ward, Mandarin, Fla., in place of A. G. Jones, retired.

GEORGIA

Robert K. Carpenter, Richmond Hill, Ga., in place of E. R. Gregory, retired.

Harley R. Drew, Waynesboro, Ga., in place of S. A. Gray, retired.

IDAHO

Clare G. Zimmerman, Emmett, Idaho, in place of Vance Joines, retired.

ILLINOIS

Evelyn W. Kramer, Orland Park, Ill., in place of J. C. Davidson, removed.

INDIANA

Herbert D. Barnes, Burnettsville, Ind., in place of Virden Graham, retired.

Garland F. Stickler, Columbia City, Ind., in place of H. G. Bollinger, retired.

Helen R. Yates, Decker, Ind., in place of R. M. Cornett, retired.

Eugene R. Ruley, Lowell, Ind., in place of F. V. Hayden, resigned.

Willis E. Fouts, Macy, Ind., in place of P. H. Miller, transferred.

Clifford H. Shanahan, North Manchester, Ind., in place of R. W. Wright, retired.

IOWA

F. Francis Fickess, Gravity, Iowa, in place of Gertrude Becherer, retired.

Robert E. Delk, Hudson, Iowa, in place of R. V. Johnson, deceased.

Ellis O. Bailey, Middletown, Iowa, in place of E. M. Wehrle, retired.

Donald E. Havenhill, Wapello, Iowa, in place of F. M. Bucher, retired.

KANSAS

Emily E. McCoy, Hamlin, Kans., in place of Mattie Shum, retired.

Kenneth H. Anderson, Johnson, Kans., in place of D. E. Daniels, resigned.

James G. Beedle, Matfield Green, Kans., in place of W. M. Talkington, transferred.

KENTUCKY

Richard M. Young, Jr., Allensville, Ky., in place of A. R. Young, retired.

Joseph N. Orem, Campbellsburg, Ky., in place of H. W. Stewart, retired.

Morris Uzzle, Graham, Ky., in place of L. N. Coombs, retired.

LOUISIANA

Fabius J. Normand, Cottonport, La., in place of Theophilus Lemoine, retired.

John E. Davis, Jr., Rosepine, La., in place of E. M. Brooks, retired.

MAINE

Raymond A. Banks, Liberty, Maine, in place of A. A. Sprague, retired.

MARYLAND

Charles F. Carlin, Adamstown, Md., in place of E. N. Yingling, retired.

MASSACHUSETTS

John C. Nowick, Maynard, Mass., in place of F. C. Sheridan, retired.

Jane M. Kane, Rochdale, Mass., in place of M. R. Mullin, retired.

Henry K. Johnson, Townsend, Mass., in place of J. G. Kelly, retired.

Stanley V. Skamarycz, Westminister, Mass., in place of A. M. Shay, retired.

MICHIGAN

Dan W. Geneit, Charlevoix, Mich., in place of P. H. Timmer, deceased.

Jack E. Blacklock, Elberta, Mich., in place of F. W. Jewell, retired.

MINNESOTA

Gerald E. Struss, Akeley, Minn., in place of D. E. Matteson, resigned.

Lenard M. Olsen, Elgin, Minn., in place of E. R. Siem, retired.

Gerald D. O'Reilly, Goodhue, Minn., in place of O. C. Drenckhahn, retired.

Erwin M. Johnson, Hawley, Minn., in place of S. A. Torgerson, retired.

H. Earl Berg, Milaca, Minn., in place of R. R. Waterfield, retired.

Francis W. Wuetherich, Norwood, Minn., in place of E. A. Baumhefner, retired.

Catherine C. Bloom, Okabena, Minn., in place of H. G. Bayerkohler, retired.

MISSISSIPPI

Homer F. Hunter, Decatur, Miss., in place of J. M. Thames, retired.

Will O. McCallum, Newhebron, Miss., in place of J. W. Jones, resigned.

MISSOURI

Theon L. Schlosser, Illmo, Mo., in place of P. A. Davidson, transferred.

Kathleen F. Dwiggins, Westalton, Mo., in place of B. J. Mitchell, retired.

Frank D. Hicks, Willow Springs, Mo., in place of J. C. Ferguson, retired.

NEBRASKA

Arthur E. Pavey, Giltner, Nebr., in place of S. R. Wheeler, retired.

Arthur W. Bestol, Hyannis, Nebr., in place of A. W. Metcalf, resigned.

William Witt, Jr., Kenesaw, Nebr., in place of O. T. Brown, deceased.

NEW HAMPSHIRE

Robert W. Gingras, Georges Mills, N.H., in place of R. H. Almeder, retired.

John M. Gendron, Marlow, N.H., in place of E. W. Cushing, resigned.

NEW JERSEY

Geraldine B. Nyce, Califon, N.J., in place of M. H. Pill, retired.

Philip J. Leary, Sr., Egg Harbor City, N.J., in place of M. R. Stone, deceased.

Thomas F. Flynn, Emerson, N.J., in place of W. J. Pricolo, removed.

Geraldine B. Grois, Franklin Park, N.J., in place of Edna Bowen, resigned.

Andrew Dudas, Jr., Menlo Park, N.J., in place of J. W. Comiskey, retired.

Donald H. J. Donovan, Moorestown, N.J., in place of R. G. Shreve, deceased.

Frank V. Lancetta, Winslow, N.J., in place of F. A. Aqueno, resigned.

NEW MEXICO

Mary Mascarenas, Hanover, N. Mex., in place of A. I. Truelove, resigned.

Carmelita R. Shoemake, Lake Arthur, N. Mex., in place of J. D. Lane, retired.

NEW YORK

Nicholas P. Bier, Jr., Acra, N.Y., in place of N. C. Van Orden, retired.

Harry J. Tabler, Brocton, N.Y., in place of J. C. Fox, retired.

John R. Sutter, Jr., Cairo, N.Y., in place of J. A. Bonesteel, retired.

Joseph D. Zint, Highland Falls, N.Y., in place of F. J. Mahoney, resigned.

Lachlan Thomson, Pawling, N.Y., in place of F. J. Clum, retired.

Earl E. Gordon, Pomona, N.Y., in place of M. N. Lynch, retired.

R. Felix Hendrix, Jr., Roscoe, N.Y., in place of Herbert Zahorik, retired.

Thomas B. O'Driscoll, Theresa, N.Y., in place of M. D. Proctor, retired.

Claude S. Mount, Three Mile Bay, N.Y., in place of C. W. Mount, retired.

Edwin B. Hinzmann, Wappingers Falls, N.Y., in place of R. M. Hunter, retired.

Daniel B. Stone, Watkins Glen, N.Y., in place of J. M. Gurnett, retired.

NORTH CAROLINA

Ralph E. Sorrell, Cary, N.C., in place of P. D. Gray, retired.

Howard C. Steele, Hickory, N.C., in place of J. H. Hill, retired.

Lawrence W. Bryant, Patterson, N.C., in place of M. E. Curtis, retired.

Hazel J. Thompson, Plumtree, N.C., in place of F. M. Todd, retired.

Wesley B. Draper, Weldon, N.C., in place of P. E. Merchant, deceased.

NORTH DAKOTA

Marilyn B. Peters, Hampden, N. Dak., in place of J. B. McMillen, retired.

Robert B. Bjerke, Starkweather, N. Dak., in place of O. L. Svidal, retired.

OHIO

Woodrow W. Little, Bluffton, Ohio, in place of R. T. Stearns, retired.

R. Reed Stoner, Fayette, Ohio, in place of G. L. Whaley, deceased.

Theodore R. Boring, McArthur, Ohio, in place of J. E. Rosser, deceased.

Richard J. Marlowe, Mineral Ridge, Ohio, in place of W. M. Bancroft, retired.

Francis E. Bisson, Ravenna, Ohio, in place of C. H. Caris, retired.

William W. Clow, Jr., Sherrodsville, Ohio, in place of L. L. Stearns, transferred.

OKLAHOMA

Ben R. Karnes, Caddo, Okla., in place of J. C. Petty, retired.

Raymond L. Reiswig, Kingfisher, Okla., in place of J. C. Taylor, retired.

Cecil L. Brandly, Oakwood, Okla., in place of C. A. Shaw, retired.

Gordon L. Eisener, Tipton, Okla., in place of C. A. Holding, deceased.

OREGON

Fred M. Reeves, Hermiston, Oreg., in place of W. E. Logan, retired.

Thomas L. Holland, Toledo, Oreg., in place of R. L. Jenkins, retired.

PENNSYLVANIA

Warren S. Whipple, Hughesville, Pa., in place of E. W. Montague, retired.

Glenda T. Cramer, Newburg, Pa., in place of B. J. Miller, retired.

Joseph F. Sama, Westfield, Pa., in place of A. V. Gridley, retired.

Kenneth J. Bryan, West Sunbury, Pa., in place of T. M. Hayden, Jr., retired.

Vernon E. Oberdorff, Sr., Windsor, Pa., in place of E. A. Hartman, retired.

PUERTO RICO

Jesus Perez, Arecibo, P.R., in place of V. M. Monrouzeau, retired.

Nestor Velez Rivera, Corozal, P.R., in place of A. M. Bou, retired.

TENNESSEE

William O. Gambill, Gallatin, Tenn., in place of L. M. Cook, retired.

Herman W. Powers, Tellico Plains, Tenn., in place of Flossie Gardner, retired.

TEXAS

Grace Cullender, Hartley, Tex., in place of E. E. Horning, retired.

Percy W. Adams, Ravenna, Tex., in place of V. R. Laycock, retired.

Frank D. Sutton, Stratford, Tex., in place of S. V. McAdams, retired.

UTAH

Garr B. Ashby, Holden, Utah, in place of H. A. Wood, deceased.

Richard E. Allgood, Tooele, Utah, in place of J. T. Adams, retired.

VIRGINIA

George M. Crumpler, Abingdon, Va., in place of J. T. Phipps, retired.

Dorothy D. Crowgey, Emory, Va., in place of C. F. Crowgey, deceased.

Gertrude B. Hurst, Port Haywood, Va., in place of W. T. Hudgins, retired.

WEST VIRGINIA

Richard W. Goodwin, Beaver, W. Va., in place of L. E. Green, retired.

WISCONSIN

Dell V. Anderson, Cable, Wis., in place of O. R. Parent, retired.

Leland James Meylink, Cedar Grove, Wis., in place of C. B. Hesslink, transferred.

Anthony F. Pickart, Mount Calvary, Wis., in place of Nicholas Abler, retired.

Clifton R. Barber, Plum City, Wis., in place of G. M. Suter, retired.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 17, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used these words of Scripture: John 16: 13: *The spirit of truth will guide you into all truth.*

O Thou who art the God of the intellect and heart, draw us nearer to Thyself that we may know the blessings of Thy divine love and truth.

Grant that our life and labors may be baptized with Thy spirit, that dynamo which cometh from above and without which we shall falter and fail.

May we commit and trust ourselves, humbly and heroically, to Thy leading if we are ever to find a way out of the confusion of our time.

Help us to believe that the inspiration for a new world community and the struggle for universal peace is the very spirit of God moving upon the minds of men.

Show us that the finer social feeling and the thought of human solidarity, with its sense of pity and justice among men, are the very promptings of Thy holy spirit.

In Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, May 13, 1965, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on May 15, 1965, the President approved and signed a bill of the House of the following title:

H.R. 5702. An act to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a joint resolution and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S.J. Res. 81. Joint resolution to authorize the Secretary of Commerce to apportion the sum authorized for the fiscal year ending June 30, 1967, for the National System of Interstate and Defense Highways.

S. Con. Res. 17. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 701. An act to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2998) entitled "An act to amend the Arms Control and Disarmament Act, as amended, in order to increase the authorization for appropriations."

The message also announced that the Vice President, pursuant to section 1, Public Law 86-42, had appointed Mr. McNAMARA to be a member of the U.S. group of the Canada-United States Interparliamentary Group at a meeting to be held in Ottawa-Montreal, Canada, May 20 to 24, 1965, vice Mr. YOUNG of Ohio, resigned.

The message also announced that the Vice President, pursuant to section 1, Public Law 86-42, had appointed Mr. MOSS to be a member of the U.S. group of the Canada-United States Interparliamentary Group at a meeting to be held in Ottawa-Montreal, Canada, May 20 to 24, 1965, vice Mr. METCALF, resigned.

PERSONAL EXPLANATION

Mr. CHAMBERLAIN. Mr. Speaker, it was necessary for me to be absent during rollcall No. 90, on H.R. 2985, on May 4, 1965. However, I would like to have the RECORD show that had I been present I would have voted "yea."

PROPOSED EXCISE TAX REDUCTION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 173)

The SPEAKER laid before the House the following message from the President of the United States; which was read; and, together with accompanying papers, referred to the Committee on Ways and Means, and ordered to be printed:

To the Congress of the United States:

Fourteen months ago, I signed the Revenue Act of 1964, which reduced the income taxes of the American people by $14 billion. That action had a profound impact on the American economy:

Consumer buying rose $28 billion.

Business investment in plant and equipment rose $6½ billion.

Almost 2 million new jobs were created, and unemployment fell to the lowest level in 7 years.

Meanwhile, the stability of our prices—unmatched in the world today—held firm, and our foreign trade surplus set new records.

I am proud of the success of the 1964 tax cut. It proves that taxes do much more than raise revenue to finance Government—they also affect the health and strength of the Nation's economy.

Unwise tax policy can—

Unduly restrict private purchasing power;

Hold back economic growth;

Stifle incentives;

Distort decisions by consumers and producers;

Enlarge rather than shrink budget deficits.

On the other hand, wise tax policy can—

Raise the purchasing power of private citizens;

Expand production and create jobs;

Stimulate initiative and improve efficiency;

Reduce budget deficits by expanding the tax base and increasing tax revenues.

We used tax policy last year to achieve those goals. As a result, this month we passed a milestone in economic history; more than 50 months of unbroken peacetime expansion.

But we cannot stand still. We must continually adjust our tax system to assure that it makes a maximum contribution to our economic growth.

For that reason I am recommending reductions in excise taxes as well as increases in user charges.

EXCISE TAXES

I recommend an excise tax reduction of $3.5 billion in two equal stages effective July 1, 1965 and January 1, 1966.

I also recommend further reductions on January 1 of each year from 1967 through 1969 totaling $464 million.

Many of our existing excises were born of depression and war. Many were designed to restrain civilian demand in wartime and thereby free resources for military use. They need to be reexamined to assure that they do not hold back an expanding peacetime economy.

The proposed program of excise tax cuts and revisions will spur growth and move us closer to full employment by removing an unnecessary drag on consumer and business purchasing power. It will also—

Lower prices to consumers;

Lessen the burden of regressive taxes on low-income families;

Raise business profits by expanding sales and cutting costs of tax compliance;

Cut the Government's costs of tax collection and enforcement;

End an unfair burden on many businesses and workers who produce the commodities singled out for excise taxation;

Free consumers from the distorting effects of these taxes on their market choices.

THE PROGRAM OF EXCISE TAX REDUCTION

In the budget for fiscal year 1966 I proposed an excise tax reduction of $1.75 billion effective July 1, 1965 and an increase in user charges of $300 million.

Our improving fiscal position, together with our developing economic situation, now makes it possible and desirable to double the recommended excise tax cut.

Responding strongly to an expanding economy, revenues for both fiscal years 1965 and 1966 are now estimated substantially higher than our conservative January estimates:

For fiscal 1965, we now expect revenues to be $1.4 billion above the January figure of $91.2 billion.

For fiscal 1966, we now anticipate—given the tax program as proposed in January—that revenues would be about $1.6 billion above the January estimate of $94.4 billion.

We can make the recommended tax cuts and still realize total revenues well above—and a deficit well below—our earlier estimates for fiscal 1966.

Because the progress of the U.S. economy in 1965 is living up to our expectations, the January proposal for a $1.75 billion reduction this July continues to be appropriate.

But as we look ahead to 1966, we must be alert to the possibility that our taxes will take too much buying power out of the private economy. To foster continued strong expansion of the economy in 1966, I am recommending an additional $1.75 billion reduction of excise taxes, effective January 1, 1966.

The revenue impact on the fiscal 1966 budget of the additional reduction—which will affect only the last half of the fiscal year—will be about $600 million. This will leave a substantial portion of the anticipated increase in revenues above the January budget estimate to reduce the estimated budget deficit.

The reductions I am recommending will accomplish, prudently and responsibly, a major reform of the excise tax structure. We will—

Eliminate most of our present excise taxes on July 1, 1965, and even more on January 1, 1966;

Eliminate the tax on telephone service, in several steps, by January 1, 1969;

Gradually reduce the automobile excise tax from 10 percent now to 5 percent by January 1, 1967;

Leave only, in addition, the excises on alcoholic beverages, tobacco, gasoline, tires, trucks, air transportation (and a few other user-charge and special excises) which should remain a part of our tax system.

EXCISE TAX REDUCTION, DEFENSE, AND THE NATION'S ECONOMY

In proposing these reductions, I am fully aware of our present and prospective commitments for the defense of the free world. It is impossible to predict precisely what expenditures these may involve in the future. There is, however, no present indication that expenditures will increase to an extent that would make these excise tax reductions inadvisable.

Indeed, our international responsibilities require that we redouble our efforts to assure the continued healthy growth of our economy. Barring some sudden change in the present world situation, I am sure that these excise tax reductions will be a sound and profitable investment in that growth.

A careful evaluation of our labor supply and industrial capacity—and of the prospective rapid growth of both—indicates that—

The carefully timed stimulus of the excise tax cuts will help us achieve fuller use of the American economy's great and growing potential without creating pressures that might threaten our fine record of price stability.

Removal of excise taxes will, in fact, cut the prices of many items to consumers and thereby tend to ease pressures on our cost of living.

To insure that the excise tax reductions make the maximum contribution to continued price stability and balanced prosperity, I call on American business to translate lower excise taxes promptly into lower retail prices for consumers.

Business will share fully in the benefits of excise tax cuts through the larger sales volume they will generate. Rising volume will boost profits and create more jobs.

These advances will extend beyond the industries whose taxes are removed or reduced. Consumers and businesses will use some of their gains to enlarge their purchases of other products and services. Demand will be strengthened throughout the economy. And for products bought by businesses, the tax reductions will lower costs.

In these ways excise tax cuts, like income tax cuts, will stimulate total demand in the economy and serve to increase production and incomes by far greater amounts than the cost of the tax reduction itself.

And again, Federal revenues will grow—not shrink—as the final result of tax reduction.

Effective July 1, 1965, I recommend the following:

Retail taxes: The complete repeal of the existing retail excise taxes on handbags and luggage, toilet articles, jewelry, and furs.

Manufacturers taxes: The complete repeal of the manufacturers excise taxes on business machines, sporting goods (other than fishing equipment), radios, television sets, phonographs, phonograph records, musical instruments, cameras, film and other photographic equipment, refrigerators, freezers, air conditioners, electric, gas and oil appliances, fountain pens, ballpoint pens, mechanical pencils, lighters, matches, and playing cards.

Automobile tax: A reduction of the manufacturers excise tax on passenger automobiles from 10 to 7 percent.

Miscellaneous taxes: The complete repeal of the excise taxes on safe deposit boxes, coin-operated amusement devices, bowling alleys, and pool tables.

Refunds: To avoid deferral of purchases, the July 1 tax reductions on automobiles and air conditioners to be made retroactive to apply to all consumer purchases after May 14, 1965. Refunds would be made to the manufacturer on presentation of evidence that the final customer had been reimbursed.

I further recommend the following later excise tax reductions:

Local and long-distance telephone service tax: Effective January 1, 1966, a reduction from 10 to 3 percent of the tax on local and long-distance telephone service, including teletypewriter service. A further reduction of 1 percentage point effective each January 1 through January 1, 1969, when the tax will be completely repealed.

Admissions taxes: Effective January 1, 1966, the complete repeal of the excise taxes on admissions, including the tax on general admissions which applies to certain movies, theater performances, concerts, athletic events and racing, the tax on cabarets, and the tax on club dues.

Other manufacturers taxes: Effective January 1, 1966, the complete repeal of the manufacturers taxes on lubricating oil and electric light bulbs, and repeal of the tax on automobile parts and accessories except as it applies to those parts and accessories which are primarily for use only on trucks.

Automobile tax: Effective January 1, 1966, a further reduction to 6 percent in the tax on new passenger automobiles and effective January 1, 1967, a final reduction to 5 percent. I recommend that the excise tax on new automobiles be retained as a continuing revenue source at the 5-percent rate. It is not regressive. It is an important source of Federal revenues. Its compliance and collection costs are exceptionally low.

Documentary stamp taxes: Effective January 1, 1966, the complete repeal of the documentary stamp taxes on the issuance and transfer of stocks and bonds and on deeds of conveyance.

Other communications taxes: Effective January 1, 1966, revision of the tax on local and long-distance telephone service so that it will no longer apply to amounts paid for private communications systems even where the private system is linked with the general telephone network. This service is almost exclusively a business cost item and competes with nontaxable business communication services. Charges for service on the general telephone network originating or terminating in the private system would be taxable until the telephone tax is completely repealed. I also recommend complete repeal of the tax on telegraph and wire and equipment service.

In the foregoing program, customer refunds are recommended for purchases after May 14 only in the case of—

Air conditioners, which are unique in their seasonal purchase pattern;

Automobiles, which are unique in the large dollar amount of tax per unit.

I am informed that other business groups affected by the proposed tax cuts have concluded that the advantages of possible refunds are outweighed by the cost and complexity of the paperwork they would involve.

Floor-stock refunds are appropriate for most manufacturers taxes and are so provided in the recommended program.

One further important change concerns the annual automatic reductions in the so-called Korean rates. To avoid the costly and time-consuming process of nullifying these reductions each year, I recommend removal of the automatic reduction dates for the present excise taxes on distilled spirits, wines, beer, and cigarettes.

The Committee on Ways and Means has already held extensive public hearings on excise tax reduction. Further, the recommended program calls for repeal of the great majority of excises, thereby minimizing the controversy and hard choices that might otherwise have delayed action. Therefore, it is my hope and expectation that the Congress will enact these changes without undue delay.

USER CHARGES

The reductions in excise taxes which I am recommending will contribute to greater economic efficiency and equity in our society.

Pursuit of these very same goals of efficiency and equity demands that we increase certain other excise taxes or impose new ones.

This special class of excise taxes is better described as "user charges." They are taxes paid by those who benefit from special services provided by the Government. These user charges serve several purposes:

They assess the costs of special services and facilities against those who reap the benefits, instead of imposing unwarranted burdens on the general taxpayer.

They restrain the demands of special groups for expanded services by establishing the principle that the beneficiaries pay at least part of the costs.

In the case of transportation, they help to eliminate the economic distortions which result when competing modes of transportation rely in varying degrees on facilities or services provided by the Government.

Every President since Harry Truman has reaffirmed the principle of user charges and has proposed extension of their use.

President Eisenhower said:

> Many services performed and privileges granted by the Government in the public interest also convey a special, added benefit to individuals or groups who can afford to pay for them. In some cases, the fees are substantially below the costs of providing the services. Thus, the general taxpayer is required to subsidize operations which should be self-supporting. The scope and cost of these hidden subsidies have grown considerably during the past decades. I firmly believe in the principle that Government services which give a special benefit to users should be financed by adequate charges paid by the users.

Substantial constructive action has been taken by the Congress to reaffirm and extend the principle of user charges, particularly in the field of transportation. But user charges have not been applied with an even hand. I would consider it a serious abdication of responsibility if I were to propose a substantial reduction in excise taxes without at the same time moving to correct serious inequities that exist in the field of user charges.

Users of highways come closer to reimbursing the Federal Government for its transportation investment than any other group. But inequities remain among the various classes of highway users.

The airlines and their passengers make substantial—but still insufficient—contributions toward the development and operation of the Federal airways. The airlines operate about 2,000 planes. The private, business, and pleasure aircraft which make up the general aviation sector number some 86,000. Yet general aviation, which receives a large share of the benefits of the Federal airways system, contributes very little toward the cost of the airways.

Users of the inland waterways pay nothing toward the cost either of the initial improvements or of the operation and maintenance of the waterways.

The absence of a fair system of user charges strongly affects the ability of various segments of the transportation industry to compete and obscures the inherent advantages of some modes of transportation. As a result, it unnecessarily increases the cost of transportation to the economy.

I therefore recommend new and additional transportation user charges. These proposals are designed to—

Move toward the elimination of inequities among the several modes of transportation.

Recover a larger part of the outlays by the Federal Government for services and facilities which mainly benefit special groups.

HIGHWAYS

New cost estimates already submitted to the Congress show that the Interstate System will cost $5.6 billion more to complete than previously estimated. The added funds are needed because of increased construction costs, additional design features, and the requirement that highway capacity be based on estimated traffic 20 years in the future rather than on the traffic anticipated by calendar year 1975. Of this cost increase, $5 billion represents the Federal share.

I recommend that Congress approve this revised cost estimate, as required by law, and authorize the additional necessary appropriations so that the Interstate System can be completed.

Existing user taxes will provide almost $2 billion of the increased costs. This leaves approximately $3 billion to be raised by extending these taxes beyond the present expiration date, or by increasing some of these taxes—or both.

In the interest of advancing this program at an orderly pace, part of this requirement should be met by a short extension of the completion date for the Interstate System and of the existing user charges. I recommend, therefore, that the date for reduction of the taxes earmarked for the highway trust fund be extended from September 30, 1972, to February 28, 1973.

Extending the completion date and the existing user tax program will meet most of the increased costs of the Interstate System. But unless we enact some increase in current revenues to the highway trust fund, a number of States will be required to cut back sharply on their construction programs.

For this reason, I recommend immediate additional user taxes on heavy trucks estimated to yield about $200 million annually until 1973.

Specifically, I recommend—

That the excise tax on highway diesel fuel be raised from 4 cents to 7 cents per gallon;

That the present truck use tax be increased from $3 to $5 per thousand pounds on trucks having a taxable gross weight of more than 26,000 pounds; and

That the tax on tread rubber, largely affecting heavy trucks, be increased from 5 cents to 10 cents per pound.

In its extensive study of highway costs and cost responsibilities—submitted to the Congress in preliminary form in 1961 and in final form this year—the Bureau of Public Roads has carefully allocated cost responsibilities among the various classes of highway users. The Bureau's studies clearly show that heavy trucks are not paying fully for the additional cost of heavier pavement and other design features needed to carry them.

The increases I am proposing will provide the added revenues required to complete the Interstate System. They will also achieve a fairer sharing of costs among the users of the highways.

I have carefully considered proposals for an increase in the limits on sizes and weights of trucks that may legally operate on the Interstate System. As I have noted, substantial undertaxation of heavy trucks now exists. This inequity would be further aggravated if increases in size and weight limits were to be made without imposing the additional user charges. I should not and must not approve legislation to relax these limits for vehicles on the Interstate System unless the Congress imposes these additional user charges. I will promptly recommend that the size and weight limits on trucks using the Interstate System be raised as soon as just and appropriate user charges are enacted.

AVIATION

In 1961 the Congress took a major step forward in the area of aviation user charges. At that time it dropped the general excise tax of 10 percent on the transportation of persons. But it retained a 5-percent tax on the transportation of persons by air to serve as a user charge. I recommend:

That this tax now be made permanent;

That commercial aviation bear a larger share of its appropriate cost responsibilities through the enactment of a new user tax of 2 cents per gallon on jet fuels and by continuing the existing user tax of 2 cents per gallon on aviation gasoline;

That a user tax of 2 percent be levied on air freight waybills so that shippers by air as well as air travelers will bear some part of the cost of maintaining the Federal airways.

At the present time general aviation contributes less than 4 percent of its fair share of the cost of developing and maintaining the Federal airways. To replace the present 2-cent tax on aviation gasoline used by general aviation, I recommend a modest user charge of 4 cents per gallon on all fuels used by general aviation. Under this proposal, general aviation would pay 9 percent of its share of total costs.

All of these taxes should be made permanent, and aviation gasoline taxes now transferred to the highway trust fund should be retained in the general fund.

Over the years the Federal Aviation Agency has provided the Congress with careful studies of the appropriate allocation of airways costs among military, commercial, and general aviation users. These studies show that even with these new user charges, the various classes of civil users will still be paying less than their full share of airways costs.

INLAND WATERWAYS

No user charge of any kind is presently in effect on the use of the inland waterways. This is unfair to the taxpayers and to competing modes of transportation. We are currently spending more than $50 million a year for operating and maintaining the inland waterways, and over $200 million a year for new investment. In view of these large and increasing public expenditures, equity requires that users of the inland waterways begin to contribute to the cost of providing their transport network. Accordingly, I recommend a tax of 2 cents per gallon on all fuel used on the inland waterways. The proposed tax will recover a very small fraction of the operating and maintenance costs of the waterways.

DRAFT LEGISLATION AND REVENUE IMPACT

I am transmitting herewith draft legislation to carry out my recommendations.

The attached tables provide the detailed revenue figures associated with my recommendations.

CONCLUSION

I know that the Congress and the country will join me in recognizing our good fortune in being able to declare a new fiscal dividend of nearly $4 billion in excise tax cuts out of the bounty of a prosperous and growing economy—a dividend that will help keep it prosperous and growing.

This is not our first tax cut. It will not be our last. But in consolidating our prosperity and advancing the cause of fairness and balance in our tax system, it will surely rank as one of the most important.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 17, 1965.*

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

BENEFITS FOR DISABILITY IN LINE OF DUTY

The Clerk called the bill (H.R. 3413) to amend section 106 of title 38 of the United States Code to provide that individuals who incur a disability in line of duty during certain service shall be entitled to certain veterans' benefits.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, this bill is scheduled for consideration today under suspension of the rules.

In view of that fact, I ask unanimous consent that the bill be passed over without prejudice as it now appears on the Consent Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

COMMEMORATION OF CERTAIN HISTORICAL EVENTS IN THE STATE OF KANSAS

The Clerk called the bill (H.R. 7181) to provide for the commemoration of certain historical events in the State of Kansas, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 7181

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to take appropriate action in accordance with section 2, subsection (g), of the Act of August 21, 1935 (49 Stat. 666, 16 U.S.C. 462), and as hereinafter provided, to commemorate and to mark the sites of certain historical events and the strife that occurred in the State of Kansas prior to and during the period May 30, 1854, to April 12, 1861, and during the Civil War.

SEC. 2. The sites to be marked pursuant to the first section of this Act are particularly those of major historical events in the struggle, commonly termed "Bleeding Kansas", which was significant in leading to the start of the Civil War and of major events in that war. These sites include, without being limited to:

(1) Fort Scott, in the city of Fort Scott, Bourbon County;

(2) sites associated with John Brown in Osawatomie, Miami County;

(3) the Mine Creek Battlefield, in Linn County;

(4) the Marais des Cygnes massacre in Linn County; and

(5) the site of Quantrell's raid at Baxter Springs, in Cherokee County.

The Secretary is further authorized to provide such information and services respecting the sites that are so marked and the events that are so commemorated as will enhance public understanding of their significance and of their relations to each other and to the history of the Nation. Before any site is marked, the owner of the property in question shall have executed an agreement, satisfactory in form and content to the Secretary, on behalf of himself and his successors in interest, to maintain the marker in suitable condition and to allow reasonable public access to the site so marked.

SEC. 3. In order further to commemorate Fort Scott and to promote its preservation as a site of national historic significance, the Secretary is also authorized to render the city of Fort Scott such assistance, in the form of technical advice, grants of funds for land acquisition and development, and other help necessary to display the fort to the public in appropriate fashion: *Provided,* That before any such assistance is rendered by the Secretary, the city of Fort Scott shall have agreed that the site will be operated and maintained as a public historic site.

SEC. 4. There are hereby authorized to be appropriated such sums, but not more than $805,700, as may be necessary for land acquisition, land site rehabilitation and development, and the marking of historic sites pursuant to the provisions of this Act.

Mr. SKUBITZ. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SKUBITZ. Mr. Speaker, the purpose of this bill is to authorize the Secretary of the Interior to provide suitable markers at the sites of major events which took place in Kansas preceding and during the Civil War. These sites are located in Bourbon, Cherokee, Linn, and Miami Counties in Kansas.

The focus of attention, however, is Fort Scott, which was first established as an Indian outpost in 1842 and during the Civil War served as a funnel through which supplies passed to the Army of the Frontier. The bill will authorize grants of technical and financial assistance for the acquisition and development of certain historical properties thereon.

The citizens of Kansas have already begun this task. The city of Fort Scott has already acquired approximately 10 acres of land with an estimated value of $265,000. It is upon this land that most of the old buildings are located. The State of Kansas has routed one of its major highways through the area of Mine Creek and purchased a tract of land where a roadside park has been developed. The State of Kansas owns the land where the Marais des Cygnes massacres occurred.

This bill authorizes that not more than $805,000 be appropriated in order to acquire land and do the necessary rehabilitation work.

Mr. Speaker, 104 years ago Kansas became a State in the Union. Before achieving statehood on January 29, 1861, Kansas passed through a period of violence so vicious and brutal that historians, writing of the part Kansas played in the Civil War, referred to her as "Bleeding Kansas."

The passage of the Kansas-Nebraska Act of May 30, 1854, gave to Kansas the right to determine the question of slavery for itself. At the close of the Senate debate, on this measure Senator Seward arose and said:

> Gentlemen of the slave States, since there is no escaping your challenge, I accept it in behalf of freedom. We will engage in competition for the virgin soil of Kansas, and God give the victory to the side that is the stronger in members as it is in right.

Following Senator Seward's remarks, Senator Douglas took the floor and said:

> I accept your challenge, raise your black flag, call up your forces, preach your war on the Constitution as you have threatened it here. We will be ready to meet you and all your allied forces.

Mr. Speaker, meet they did. In the spring of 1854, the Nation saw launched two irrepressible movements which were certain to produce serious collision in Kansas. From the north and from the east came the "free Staters" and from the south came those who favored slavery.

Senator Douglas accused combinations in New England of shipping rowdies and vagabonds to Kansas with Bibles in one hand and rifles in the other to shoot down the friends of self-government.

In retaliation, Missouri formed aid societies called the Blue Lodges and Sons of the South to take possession of Kansas. Some said that border maneuvers to seize Kansas had been planned as early as 1850 in Washington, D.C. General Smith, February 3, 1857, addressed a letter to President Buchanan in which he said:

> A plan was organized in Washington to force Kansas to be a slave State, but if the efforts to do it fail, it should at least produce a civil war ending in prompt dissolution of the Union.

Through the summer and fall of 1855, feeling ran high on both sides in Kansas and finally erupted into open warfare of the type which now confronts our boys in Vietnam—ambush, massacre, and outright murder.

That the eyes of the Nation were upon Kansas during the 1850's there can be no argument. Prof. Allen Nevins in volume I of his book "The Emergence of Lincoln" says:

> The unsolved Kansas problem haunted the pillow of all thoughtful Americans and demanded Buchanan's immediate attention. The President and Cabinet took office to find a new crisis convulsing the long-racked Territory. A vicious war rumbling on those western plains which made ground tremble even in Washington.

In March 1856 Senator Douglas introduced a bill for the admission of Kansas to the Union. In the course of the debate on this legislation, Charles Sumner gave his historic speech in the Senate of the United States, "The Crime Against Kansas," which nearly cost him his life.

Just as the tragic death of Reverend Reeb, and the Selma affair, focused national attention on civil rights today, so did the Marais des Cygnes massacre and the poem of Whittier focus national attention on "Bleeding Kansas" and the slavery issue during the 1850's.

The Marais des Cygnes massacre in May of 1858 was an event which caused John Greenleaf Whittier to compose his famous poem "Le Marais des Cygnes:"

> A blush as of roses
> Where rose never grew
> Great dew drops on the bunch-grass,
> But not of the dew.
> A taint in the sweet air
> for wild bees to shun.
> A stain that shall never
> Bleach out the sun.
> On the lintels of Kansas
> That blood shall never dry.
> Henceforth the Bad Angel
> Shall harmless go by.
> Henceforth to the sunset,
> Unchecked on her way,
> Shall liberty follow
> That march of the day.

Mr. Speaker, the Battle of Mine Creek, which took place 12 miles from Fort Scott—a battle in which 25,000 men participated—was a battle that was important to the South because Fort Scott was the very hub through which supplies were funneled to the Army of the Frontier.

Historical evidence has been found which states that the Cherokee Indians were a slave holding tribe. Confederate Gen. Strand Watie, and 800 of his warriors captured a single wagon train leaving Fort Scott carrying sufficient supplies to clothe and equip 2,000 Confederate soldiers. Yes, the Indian also participated in the Civil War in Kansas.

Col. Samuel J. Crawford, later elected Governor of Kansas, recorded in his memoirs:

> To reach and capture Fort Scott was the ambition of Confederate Gen. Sterling Price.

Through Fort Scott passed troops from Iowa, Wisconsin, and the hill towns of Colorado.

In Kansas the first Negro soldiers of the Civil War were enrolled. On the basis of "muster in dates" the first "Kansas Colored" was the fourth Negro regiment to enter the Union Army. Fort Scott is the home of the 1st and 2d Kansas Colored Infantry. It was the first Negro organization in the Union Army to see actual combat against Confederate troops.

The first national military cemetery was not established at Arlington or Gettysburg, but in Kansas. By an act passed by the Congress in 1862, 12 cemeteries were created in this country, and Fort Scott is listed as No. 1. The Department of the Army, addressing itself to the Fort Scott Cemetery says:

> The establishment and development of the Fort Scott National Cemetery which has been a direct adjunct of the surroundings and the times, serves as a mirror to reflect the face of American history.
>
> Some of the graves of the old garrison's military personnel date back as far as 1851. Here too are the graves of 13 Confederate soldiers who died while prisoners of war at the fort, and a number of Indian guides who died in the service of the Union Army—among them, Private Stick-out-Belly and Chief Deer-in-Water.

The Department of the Army in appraising the importance of Fort Scott and the part it played in the Civil War stated:

> The outbreak of the Civil War caused Fort Scott to again assume military importance, and the fort was reestablished becoming a concentration center for troops as well as the storage place for large quantities of supplies intended for the use of troops stationed as far south as the Red River.

Mr. Speaker, by any standard you may care to establish, Fort Scott should be declared a national historic site.

Several years ago the National Park Advisory Board recommended that the structures located at Fort Scott should be preserved, because these structures embodied architectural characteristics of exceptional value.

Last year Fort Scott was given a certificate and bronze plaque designating Fort Scott as a registered national historic landmark because, and I quote from the news release:

> Fort Scott was found to possess exceptional value in commemorating and illustrating the history of the United States.

More pages have been written about the Civil War than any other conflict in our Nation's history.

More property was destroyed, more lives were taken, more bitterness and enmities resulted. But travel if you will in the North and South, and you will find evidence of national recognition marking or commemorating important events of that struggle. And yet, in Kansas, blood flowed freely and people were dying nearly 7 years before the fall of Fort Sumter on April 12, 1861, and one single tablet has been erected in that State and that one only last year in Fort Scott.

Mr. Speaker, I urge the passage of H.R. 7181.

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I rise in support of H.R. 7181, a bill to provide for the commemoration of certain historical events in the State of Kansas and for other purposes.

The principal purpose of this bill is to authorize the Secretary of the Interior to assist the city of Fort Scott, Kans., in the reconstruction and development of historic Fort Scott and to provide the necessary interpretive material so that this complex of buildings and grounds will attract the interest of tourists from all over our country.

I should like to call attention specifically to the importance of Fort Scott as the base of operations for two of the Negro units that played such an admirable role in the Civil War.

As the gentleman from Kansas [Mr. SKUBITZ] pointed out in his testimony before the Subcommittee on National Parks and Recreation, Fort Scott was "the home of the 1st and 2d Kansas Colored Infantry." According to Prof. Dudley T. Cornish, of Kansas State College, the 1st Kansas Colored Volunteers were composed of the first Negroes recruited into the Union Army and "enjoyed the distinction of having been the first Union Negroes to meet the Confederates in the field."

Another witness, Mr. Dale Crown, of Fort Scott, Kans., testified as follows:

> I would like to mention this, that in the State of Kansas, two-thirds of the men from the ages 18 to 45 were members of the Armed Forces in the Civil War. The percent of casualties among the Kansas volunteers was the highest of any State in the Union.
>
> The rather unusual factor involved in this is that the 1st Kansas Regiment, the colored regiment, had the highest percentage of casualties of any of the units in the State of Kansas. This indicated that these Negroes who were fighting for their freedom at this time were sincere in their efforts to obtain this freedom and I think that recent events have brought to light their continued efforts to achieve this freedom. But I think it is rather noteworthy that the effort to achieve this freedom actually began right at Fort Scott with these Negroes who were mustered into the forces of the Union Army and who were engaged in the first conflict for their freedom.

I am glad to have had this opportunity to call attention to one aspect of the history of the Negro people in America and of their great contributions to that history, and I am hopeful that, when this legislation is enacted, Fort Scott will serve as an appropriate physical monument to that history and those contributions.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSITION OF JUDGMENT FUNDS ON DEPOSIT TO THE CREDIT OF THE SKOKOMISH TRIBE OF INDIANS

The Clerk called the bill (H.R. 3596) to provide for the disposition of judgment funds on deposit to the credit of the Skokomish Tribe of Indians.

There being no objection, the Clerk read the bill, as follows:

H.R. 3596

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Skokomish Tribe of Indians that were appropriated by the Act of January 6, 1964 (77 Stat. 857), to pay a judgment granted by the Indian Claims Commission in docket numbered 296 and the interest thereon, less litigation expenses, may be advanced or expended for any purpose that is authorized by the Skokomish tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed to the members of the tribe shall not be subject to the Federal or State income tax.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. HALEY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HALEY. Mr. Speaker, like the bill on which we just completed consideration, H.R. 2983, this piece of legislation concerns a tribe of Indians in the congressional district of our colleague, the gentlewoman from Washington [Mrs. HANSEN].

Under the provisions of H.R. 3596, an award of $373,142.40, plus interest, but less attorney fees and other legitimate costs, will be disposed of to the benefit of the Skokomish Tribe of Indians. The judgment in docket 296 was rendered by the Indian Claims Commission in 1958 and the funds to pay the award were appropriated during the 88th Congress. Enactment of H.R. 3596 is required in order to permit the tribe to obtain use of the money.

In recommending introduction of the bill, the Bureau of Indian Affairs noted that the Skokomish Tribe has very few members, 100 or so, and fewer resources—16 acres of tribal land and 2,900 acres of allotted lands. There is no approved tribal membership roll. Membership in the tribe is restricted to persons whose parents resided on the reservation at the time of the children's birth. The Bureau of Indian Affairs will supervise and assist in preparing a roll.

The tribal council has discussed means of using the funds but none has yet been approved by the Secretary of the Interior. Since the reservation is so lacking in resources that could be developed, it is likely that many enrollees will justifiably ask for per capita distribution. The bill provides that such distribution will not be subject to State or Federal income tax.

Like the preceding bill, these Indians have waited a long time for the judgment and for legislation which authorizes its distribution. I am anxious to get the money out of the U.S. Treasury where it is accruing 4 percent interest and into the hands of the Indians who can certainly make use of it. Rather than costing the Federal Government anything, this will save the accumulation of the interest. I hope we pass H.R. 3596 without delay.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSITION OF JUDGMENT FUNDS ON DEPOSIT TO THE CREDIT OF THE QUINAULT TRIBE OF INDIANS

The Clerk called the bill (H.R. 2983) to provide for the disposition of judgment funds on deposit to the credit of the Quinault Tribe of Indians.

There being no objection, the Clerk read the bill, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Quinault Tribe of Indians that were appropriated by the Act of January 6, 1964 (77 Stat. 857), to pay a judgment by the Indian Claims Commission in docket numbered 242, and the interest thereon, less litigation expenses, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior, except that no portion of the funds may be distributed as per capita payments to the members of the tribe.

With the following committee amendments:

> Page 1, strike out all of lines 11 and 12 and insert "Interior."
>
> Page 1, after line 12, add the following sentence: "Any part of such funds that may be distributed to the members of the tribe shall not be subject to the Federal or State income tax."

The committee amendments were agreed to.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Haley] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HALEY. Mr. Speaker, the House of Representatives has before it two bills, H.R. 2983 and H.R. 3596, each introduced by our colleague, the gentlewoman from Washington [Mrs. HANSEN], and each providing for the distribution of judgment funds to Indians residing in her congressional district. Both are good bills and should be given favorable consideration by the House.

Let me explain H.R. 2983. Over 100 years ago, the Quinault and Queets Tribes ceded a portion of their land to the United States at a token rate of value. Some 90 years later, the Indians realized the cession had been made at an unconscionably low figure and consequently filed a claim—docket 242—against the United States in the Indian Claims Commission, a body that was created in 1946 for precisely such cases.

Eventually the Indian Claims Commission rendered a judgment in the amount of $205,142.40 and ruled that the Quinault Tribe was the successor in interest to the Quinault and Queets Tribes as they existed in 1859. Because of the scattered location of many of the descendants of the original tribes, it is going to be very difficult to construct a roll of eligible recipients of the judgment funds. Court and attorney fees and other litigation costs will amount to about 10 percent of the judgment. Funds to pay the tribes were appropriated during the 88th Congress and are now accumulating interest for the tribes at a 4-percent rate in the Federal Treasury. It will not be known how many Indians will share in the award until the roll is complete, but it is believed that some 1,200 or 1,300 may be found. The most recent census listed about 600 living on the 140,000-acre reservation.

The Quinault General Council has proposed tribal programs, in consultation with the Bureau of Indian Affairs, for the use of the judgment funds. Many of the off-reservation enrollees will want per capita payments and rightfully so. For years the Bureau has taken little interest in the Quinault or the Queets Indians and their reservation. Only within the past 3 or 4 years, with a favorable Indian Claims Commission in sight, has the Bureau shown concern for the reservation and now the general council is being encouraged to plan for the expenditure of the funds. Projects to be initiated include the establishment of community facilities, the improvement of fisheries resources, and the development of tourism and reservation potential.

Two committee amendments were added. The first deleted a provision which would have prevented any per capita distribution. The committee recognizes that often times per capita payments are justifiable and desirable for Indians who have left their reservations and are trying to establish themselves in a new environment. The second amendment provides that funds distributed to members of the tribe shall not be subject to Federal or State income tax. This is a provision that is customarily incorporated into such Indian judgment fund legislation.

Mr. Speaker, although this bill is minor in nature and involves less than $200,000, it means a lot to the Indians who have patiently waited for years for the Indian Claims Commission to render its judgment. The money to pay the award has been appropriated. I hope for favorable consideration of H.R. 2983.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill S. 702 to provide for the disposition of judgment funds on deposit to the credit of the Quinaielt Tribe of Indians, a similar bill to the one just passed by the House.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Quinaielt Tribe of Indians that were appropriated by the Act of January 6, 1964 (77 Stat. 857), to pay a judgment by the Indian Claims Commission in docket numbered 242, and the interest thereon, less litigation expenses, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any portion of such funds that may be distributed as per capita payments to the members of the tribe shall not be subject to Federal or State income tax.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H.R. 2983) was laid on the table.

A motion to reconsider was laid on the table.

AMENDMENT OF SECTION 753(b) OF TITLE 28, UNITED STATES CODE, CONCERNING RECORDING OF PROCEEDINGS IN U.S. DISTRICT COURTS

The Clerk called the bill (H.R. 3997) to amend section 753(b) of title 28, United States Code, to provide for the recording of proceedings in the U.S. district courts by means of electronic sound recording as well as by shorthand or mechanical means.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to ask a question of the sponsor of the bill.

I notice in reading the bill over, these electronic tapes would be furnished by the court reporters. My question is, Who owns those tapes after the court reporter pays for them? Is he required to donate them to the Government, or are they his tapes?

Mr. ASHMORE. Mr. Speaker, it is made a part of the record. They belong to the Government, and are filed as part of the record. The reporter would have no further control over them.

Mr. JOHNSON of Pennsylvania. Is it the intention of this legislation that these tapes will unequivocally belong to the U.S. Government, and to the court records, and will not belong to the court reporter?

Mr. ASHMORE. That is correct. It is a part of the record for any use that may be necessary.

Mr. JOHNSON of Pennsylvania. Will this bill, if enacted into law, require large sums of money to be spent wiring courtrooms all over the Nation to permit the use of these electronic devices for the recording of testimony?

Mr. ASHMORE. No. We do not anticipate any large sum of money being spent for that purpose. I might say that court reporters were present at one of the hearings, and testified. They are in full agreement with the bill. It will assist them as well as assist the judge, the clerk, and the entire personnel of the court.

Mr. JOHNSON of Pennsylvania. As I understand it, these electronic devices will be bought and paid for and furnished by the court reporter?

Mr. ASHMORE. That is correct, and they must be of such type or design or nature as recommended by the court.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 3997

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first three paragraphs of subsection (b) of section 753 of title 28, United States Code, are amended to read as follows:

"One of the reporters appointed for each such court shall attend at each session of the court and at every other proceeding designated by rule or order of the court or by one of the judges, and shall record verbatim by shorthand, by mechanical means or by electronic sound recording subject to regulations promulgated by the Judicial Conference: (1) all proceedings in criminal cases had in open court; (2) all proceedings in other cases had in open court unless the parties with the approval of the judge shall agree specifically to the contrary; and (3) such other proceedings as a judge of the court may direct or as may be required by rule or order of court or as may be requested by any party to the proceeding. The Judicial Conference may prescribe the types of mechanical and electronic sound recording means which shall be used by the reporters for recording court proceedings.

"The reporter shall attach his official certificate to the original shorthand notes or other original records so taken and promptly file them with the clerk who shall preserve them in the public records of the court for not less than ten years.

"Upon the request of any party to any proceedings which has been so recorded who has agreed to pay the fee therefor, or of a judge of the court, the reporter shall promptly transcribe the original records or the requested parts of the proceedings and attach to the transcript his official certificate, and deliver the same to the party or judge making the request. He shall also transcribe and certify all arraignments, pleas, and proceedings in connection with the imposition of sentence in criminal cases unless they have been recorded by electronic sound recording as provided in this subsection and the original records so taken have been certified by him and filed with the clerk as hereinabove provided in this subsection. He shall also transcribe and certify such other parts of the records of proceedings as may be required by rule or order of court."

With the following committee amendments:

Page 1, line 9, strike "shorthand," and insert "shorthand or".

Page 2, line 1, strike "or" and insert "which may be augmented".

Page 2, line 9, strike "may" and insert "shall".

Page 2, lines 9 and 10, strike "mechanical and".

Page 2, line 10, strike "shall" and insert "may".

Page 2, line 11, strike "for recording court proceedings".

Page 2, line 16, after "years.", insert "An electronic sound recording of proceedings on arraignment, plea, and sentence in a criminal case, when properly certified by the court reporter, shall be admissible evidence to establish the record of that part of the proceeding.".

Pages 2 and 3, strike the language in lines 17 through 25 of page 2 and lines 1 through 6 of page 3 and insert:

"The reporter shall transcribe and certify all arraignments, pleas, and proceedings in connection with the imposition of sentence in criminal cases unless they have been recorded by electronic sound recording as provided in this subsection and the original records so taken have been certified by him and filed with the clerk as hereinabove provided in this subsection. He shall also transscribe and certify such other parts of the record of proceedings as may be required by rule or order of court. Upon the request of any party to any proceeding which has been so recorded who has agreed to pay the fee therefor, or of a judge of the court, the reporter shall promptly transcribe the original records of the requested parts of the proceedings and attach to the transcript his official certificate, and deliver the same to the party or judge making the request."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRESIDENTIAL MEMORIAL CERTIFICATE PROGRAM

The Clerk called the bill (H.R. 225) to amend chapter 1 of title 38, United States Code, and incorporate therein specific statutory authority for the Presidential memorial certificate program.

Mr. HALL. Mr. Speaker, inasmuch as this bill is scheduled to be considered under suspension of the rules today, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LAND TRANSFERS TO ROSEBURG, OREG.

The Clerk called the bill (H.R. 2414) to authorize the Administrator of Veterans' Affairs to convey certain lands situated in the State of Oregon to the city of Roseburg, Oreg.

Mr. HALL. Mr. Speaker, since this bill is scheduled to be considered under suspension of the rules today, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LAND TRANSFER TO CHEYENNE, WYO.

The Clerk called the bill (H.R. 4421) authorizing the Administrator of Veterans' Affairs to convey certain property to the city of Cheyenne, Wyo.

Mr. HALL. Mr. Speaker, since this bill is also scheduled to be considered under suspension of the rules today, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MUSCATINE BRIDGE COMMISSION

The Clerk called the bill (H.R. 3976) to amend the act of July 26, 1956, to authorize the Muscatine Bridge Commission to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill.

There being no objection, the Clerk read the bill, as follows:

H.R. 3976

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act creating the Muscatine Bridge Commission and authorizing said Commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Illinois", approved July 26, 1956 (70 Stat. 669; Public Law 811, Eighty-fourth Congress), as amended by the Act of April 27, 1962 (76 Stat. 59; Public Law 87–441), is amended by inserting immediately after section 14 the following new section:

"SEC. 15. The Commission and its successors and assigns are authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Illinois, subject to the provisions of this Act; except that the authority granted by this section shall cease and be null and void unless the actual construction of such bridge is commenced within three years and completed within five years from the date of enactment of this section."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING TITLE 28, ENTITLED "JUDICIARY AND JUDICIAL PROCEDURE," OF THE UNITED STATES CODE TO CONFER JURISDICTION UPON THE COURT OF CLAIMS TO HEAR, DETERMINE, AND RENDER JUDGMENT IN SPECIAL JURISDICTIONAL CASES, AND FOR OTHER PURPOSES

The Clerk called the bill (H.R. 1665) to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment in special jurisdictional cases, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder if the objections of the Justice Department with respect to this bill have been met?

Mr. ASHMORE. The Justice Department still objects.

Mr. GROSS. The Justice Department still objects to this bill?

Mr. ASHMORE. Yes. However, the Judicial Conference recommends it and approves of the bill in its entirety. I believe it can be said that the Justice Department objects primarily on the basis that from a strictly legal standpoint they cannot approve it because it does not meet legal requirements in every respect. I am sure my friend, the gentleman from Iowa, understands that most of these cases that come up in this manner are claims based primarily on equity, or facts which are morally and equitably right. The Justice Department, of course, could not approve of the bill in view of its well established philosophy and principles.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 1665

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1492 of title 28, United States Code, is amended to read as follows:

"§ 1492. Special jurisdiction

"The Court of Claims shall have jurisdiction, whenever any claim, except one for a pension, is referred to the court by resolution of either House of Congress to determine the amount, if any, legally or equitably due from the United States to the claimant and to render judgment thereon. This section shall apply to any claim referred by resolution of either House of Congress after June 25, 1962."

SEC. 2. Section 2509 of title 28, United States Code, is amended to read as follows:

"§ 2509. Special jurisdictional cases

"Whenever any claim, except for a pension, is referred to the Court of Claims by either House of Congress, such court shall proceed with the same in accordance with its rules and subject to the limitations of section 2501 of this title, to determine whether the demand is a legal or an equitable claim against the United States and the amount, if any, legally or equitably due from the United States to the claimant, and shall render judgment on such claim."

SEC. 3. The chapter analysis of chapter 91 of title 28, United States Code, is amended by striking

"1492. Congressional reference cases."

and inserting in lieu thereof

"1492. Special jurisdiction."

and the chapter analysis of chapter 165 of title 28, United States Code, is amended by striking

"2509. Congressional reference cases."

and inserting in lieu thereof

"2509. Special jurisdictional cases."

With the following committee amendments:

Page 1, line 6, after "jurisdiction" insert ", notwithstanding any statute of limitations,".

Page 2, lines 10 and 11, strike "and subject to the limitations of section 2501 of this title" and insert ", notwithstanding the limitations of section 2501 of this title,".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REMOVING INEQUITIES IN THE PROMOTION OF AIR FORCE OFFICERS TO THE GRADES OF MAJOR, LIEUTENANT COLONEL, AND COLONEL

The Clerk called the bill (H.R. 7596) to amend title 10, United States Code, to remove inequities in the active duty promotion opportunity of certain Air Force officers.

Mr. GROSS. Mr. Speaker, since this bill is scheduled for consideration under suspension of the rules, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDMENT OF TEXTILE FIBER PRODUCTS IDENTIFICATION ACT

The Clerk called the bill (H.R. 806) to amend the Textile Fiber Products Identification Act to permit the listing on labels of certain fibers constituting less than 5 percent of a textile fiber product.

There being no objection, the Clerk read the bill, as follows:

H.R. 806

A bill to amend the Textile Fiber Products Identification Act to permit the listing on labels of certain fibers constituting less than 5 per centum of a textile fiber product

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of subsection (b) of section 4 of the Textile Fiber Products Identification Act (15 U.S.C. 7b(b)(1)) is amended by inserting immediately before the period at the end thereof the following: ", but nothing in this section shall be construed as prohibiting the disclosure of any fiber present in a textile fiber product which has a clearly established and definite functional significance where present in the amount contained in such product".

SEC. 2. Paragraph (2) of subsection (b) of section 4 of the Textile Fiber Products Identification Act is amended by inserting immediately before ": *Provided further*" the following: ", but nothing in this section shall be construed as prohibiting the disclosure of any fiber present in a textile fiber product which has a clearly established and definite functional significance where present in the amount stated".

With the following committee amendment:

On the first page, line 5, strike out "7b" and insert "70B".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, in January of this year, President Johnson—in his economic message to the Congress—said, and I quote:

> It is important that regulatory policies be adopted to changing needs and conditions. Economic and technological progress may lead to changes in the desirable scope and method of regulation.

H.R. 806, a bill to amend the Textile Fiber Products Identification Act, meets the January recommendation of the President by updating an anachronistic law.

The Textile Fiber Products Identification Act has served to set reasonable ground rules for manufacturers and for those involved in the distribution of textile products, thereby protecting customers from the questionable and deceptive practices of the few.

Today, however, just a few short years after enactment of this law, the act as it now stands prevents the public from being properly informed.

Perhaps, Mr. Speaker, this statement calls for explanation. By way of background, let me explain that in the summer of 1964, I was informed by representatives of the textile industry within and without my district—an area containing one of the heaviest concentrations of textile firms in the world—that an inequity presently exists in the Textile Fiber Products Identification Act, and that it should be remedied.

The act prohibits mention on labels or in advertising of any fiber present in a textile product in amounts of 5 percent or less. In 1957 and 1958, when this legislation was being considered, there was general agreement among responsible members of the textile industry that none of the properties commonly associated with any fiber could be imparted to a fabric or a product if the fabric contained 5 percent or less of such fiber. The feeling of the industry at that time was summed up in the statement to the House committee by the act's sponsor, Frank E. Smith, of Mississippi:

> The reason for this (the 5-percent rule) is that such small amounts of fiber do not contribute usefully to the quality of performance of a fabric, and their disclosure by name can only be a misleading form of promotion. (Hearings before Subcommittee on Interstate and Foreign Commerce, House of Representatives, April 1957, p. 29.)

This statement was eminently correct at the time it was made. It is still true of all of the fibers with which there had been commercial experience at the time the Textile Act was passed. It is not true today, however, of such fibers as the spandex type, a fiber that was just emerging from the experimental stage at the time the legislation was enacted.

Originally the 5-percent restriction seemed entirely reasonable. It had the result of limiting a meaningless enumeration of additional fibers, usually natural fibers, which added little or nothing of significance to a fabric.

But, no one foresaw the speed of the emerging fiber technology which would produce revolutionary new fibers and which would create entirely new end products. Spandex is such a manmade textile fiber.

The spandex fiber is one of the most remarkable developments in the textile industry in many years. Produced by a number of fiber manufacturers, spandex has elastic properties superior to rubber in most textile end uses and also has approximately 10 times the abrasion resistance of natural or synthetic rubber.

When the Textile Fiber Identification Act was passed, this fiber was in the experimental stage and it was thought that its principal utility would be in foundation garments and other control end-uses in which substantial amounts of the fiber would be used in the fabric construction. Thus, the 5-percent prohibition raised no concern.

Since then, due to concerted research and development activities of fiber producers and the textile industry, it has been discovered that this fiber has remarkable utility in imparting stretch and recovery characteristics to ordinary broad woven and knitted outerwear fabrics—in addition to a host of other textile end products. While elastic yarns are used in substantial quantities in foundation garments for control purposes, they are used in outerwear fabrics to give stretch for comfort—not control—and this is achieved in most instances with percentages at or considerably below 5 percent.

Spandex opened up a new area of textile products. People now lead more active lives and to meet this increased activity, they seek more ease and comfort in wearing apparel. Thus, stretch became a positive factor in fabric. Stretch adds an element of improvement to the fit—as well as providing more comfort, more ease to the wearer. Spandex can be used in production of textiles of any weight, light or heavy, plain or fancy. Clearly, spandex and stretch has a place—an important place—in the fabric picture for today and tomorrow.

Spandex is used in a wide variety of textile end products—from socks and hosiery, through foundation garments and intimate wear, to swimwear, sportswear, dress wear and suitings.

Desirable stretch functions and characteristics may be imparted to fabrics and garments with fiber amounts below 5 percent—even as low as 1 percent.

Often, the mills construct fabrics with spandex fibers in amounts exceeding 5 percent merely to take advantage of the advertising benefits, sometimes to the detriment of the fabric's utility. Approaching this problem realistically, we must conclude that the ultimate consumer is the loser, since in many instances, the most desirable fabrics are not being produced by the mills. Being forced to fabricate spandex fibers in amounts above 5 percent has in a few instances worked well, but in most cases it has had a limiting effect on fabric development.

If H.R. 806 is passed and the present Textile Act is amended—making it possible to identify fabrics having less than 5-percent spandex content—it will release development work which almost certainly will produce new and desirable types of stretch fabrics.

As new products are introduced, it is necessary for the manufacturers and distributors to educate the consumer to the advantages inherent in the products and to encourage consumers to experience their benefits. As it stands today, it is difficult and awkward for textile manufacturers to carry out this function in the presence of this 5-percent provision. As a result, consumers are not fully benefiting from the advantages of the new spandex fiber—to name but one.

Because of the present labeling and advertising restrictions, the consumer more often than not is not permitted to know the content of the product being purchased. He is not free to select "a better buy" with full knowledge of the product.

I, therefore, commend this bill to you, my colleagues of the House because it is reasonable and just. Its passage will be the creation of new uses, new products, more comfort and better fit for many different types of garments containing different types of fibers.

H.R. 806 would amend the act to permit manufacturers to disclose that textile products contained fibers less than 5 percent of the total weight volume, but only if the small percentage of fibers disclosed contributes "a clearly established and definite functional significance."

Consumers of all ages stand to benefit from so simple a change.

AMENDING SECTION 5(10) OF THE INTERSTATE COMMERCE ACT REGARDING MOTOR CARRIER MERGERS

The Clerk called the bill (H.R. 5242) to amend paragraph (10) of section 5 of the Interstate Commerce Act so as to change the basis for determining whether a proposed unification or acquisition of control comes within the exemption provided for by such paragraph.

There being no objection, the Clerk read the bill, as follows:

H.R. 5242

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first subparagraph of paragraph (10) of section 5 of the Interstate Commerce Act (49 U.S.C. 5(10)) is amended to read as follows:

"(10) Nothing in this section shall be construed to require the approval or authorization of the Commission in the case of a transaction within the scope of paragraph (2) where the only parties to the transaction are motor carriers subject to part II (but not including a motor carrier controlled by or affiliated with a carrier as defined in section 1(3)), and where the aggregate gross operating revenues of such carriers have not exceeded $300,000 for a period of twelve consecutive months ending not more than six months preceding the date of the agreement of the parties covering the transaction."

SEC. 2. The amendment made by the first section of this Act shall apply only with respect to agreements entered into on or after the sixtieth day after the date of enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AMENDING SECTIONS 20a AND 214 OF THE INTERSTATE COMMERCE ACT RE ISSUANCE OF SECURITIES

The Clerk called the bill (H.R. 5246) to amend sections 20a and 214 of the Interstate Commerce Act.

There being no objection, the clerk read the bill, as follows:

H.R. 5246

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (2) of section 20a of the Interstate Commerce Act is amended by striking the period at the end and inserting in lieu thereof a colon and the following: "*Provided,* That nothing in this section is to be construed as applying to securities issued or obligations or liabilities assumed by the United States or any instrumentality thereof, or by the District of Columbia or any instrumentality thereof, or by any State of the United States, or by any political subdivision or municipal corporation of any State, or by any instrumentality of one or more States, political subdivisions thereof, or municipal corporations.".

SEC. 2. Section 214 of the Interstate Commerce Act is amended by striking out the period at the end and inserting in lieu thereof a colon and the following: "*And provided further,* That the provisions of this section shall not apply to the United States or any instrumentality thereof, the District of Columbia, or any instrumentality thereof, any State of the United States or political subdivision or municipal corporation thereof, or any instrumentality of one or more States, political subdivisions thereof, or municipal corporations."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EQUALIZING CERTAIN PENALTIES IN THE INTERCOASTAL SHIPPING ACT, 1933

The Clerk called the bill (H.R. 3415) to equalize certain penalties in the Intercoastal Shipping Act, 1933.

There being no objection, the Clerk read the bill, as follows:

H.R. 3415

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph of section 2 of the Intercoastal Shipping Act, 1933 (46 U.S.C. 844), is hereby amended to read as follows:

"Whoever violates any provision of this section shall be liable to a penalty of not more than $1,000 for each day such violation continues, to be recovered by the United States in a civil action."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMITTING TRANSPORTATION OF PASSENGERS ON FOREIGN-FLAG VESSELS TO ATTEND THE SEVENTH ASSEMBLY OF THE WORLD CONVENTION OF CHURCHES OF CHRIST

The Clerk called the bill (H.R. 6164) to authorize the Secretary of the Treasury to permit foreign-flag vessels to transport passengers between the United States and Puerto Rico to attend the Seventh Assembly of the World Convention of Churches of Christ.

Mr. GROSS. Mr. Speaker, in view of the fact that this bill is scheduled under suspension of the rules, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

PROVIDING THAT COMMISSIONERS OF THE FEDERAL MARITIME COMMISSION SHALL HEREAFTER BE APPOINTED FOR A TERM OF 5 YEARS

The Clerk called the bill (H.R. 5988) to provide that Commissioners of the Federal Maritime Commission shall hereafter be appointed for a term of 5 years, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 5988

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Commissioners of the Federal Maritime Commission, provided for by section 102 of Reorganization Plan Numbered 7 of 1961 (75 Stat. 840), shall hereafter be appointed for a term of five years except that one of the two terms which commence July 1, 1965, shall initially be for four years and thereafter shall be for five years: *Provided, however,* That a person chosen to fill a vacancy shall be appointed only for the unexpired term of the Commissioner whom he succeeds: *Provided, further,* That upon the expiration of his term of office a Commissioner shall continue to serve until his successor shall have been appointed and shall have qualified.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MANN CREEK FEDERAL RECLAMATION PROJECT, IDAHO

The Clerk called the bill (H.R. 6032) to amend the act authorizing the Mann Creek Federal reclamation project, Idaho, in order to increase the amount authorized to be appropriated for such project (act of Aug. 16, 1962; 76 Stat. 388).

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I should like to make inquiry of the sponsor of the amendment to the bill.

Will the amendment increase the amount stated in the original bill?

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Colorado.

Mr. ASPINALL. If the gentleman is referring to H.R. 6032, I suggest that the total amount of the increase is $690,000. The reason for this is that the Committee on Interior and Insular Affairs decided it was necessary for this project to have this additional amount of money. We would not permit the beginning of construction until the Bureau came through and got an authorization.

Mr. HALL. I thank the distinguished chairman of the Committee on Interior and Insular Affairs. I understood about the $690,000 increase. I find no objection to that, in view of the work of the committee and the report made.

My question was, Does the amendment further increase that amount by any number of dollars?

Mr. ASPINALL. It does not.

Mr. HALL. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 6032

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act entitled "An Act to authorize the Secretary of the Interior to construct, operate, and maintain the Mann Creek Federal reclamation project, Idaho, and for other purposes", approved August 16, 1962 (76 Stat. 338; 43 U.S.C. 371, note), is amended by striking out "$3,490,000 (April 1961 prices)" and inserting in lieu thereof "$4,060,000 (January 1965 prices), plus or minus such amounts, if any, as may be required by reasons of changes in the cost of construction work of the types involved therein as shown by engineering cost indexes."

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That section 4 of the Act entitled 'An Act to authorize the Secretary of the Interior to construct, operate, and maintain the Mann Creek Federal reclamation project, Idaho, and for other purposes,' approved August 16, 1962 (76 Stat. 388; 43 U.S.C. 616j), is amended by striking out '$3,490,000 (April 1961 prices)' and inserting in lieu thereof '$4,180,000 (January 1965 prices) including $120,000 heretofore appropriated for preauthorization investigations, plus or minus such amounts, if any, as may be required by reasons of changes in the cost of construction work of the types involved therein as shown by engineering cost indexes.' "

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 27, MERCHANT MARINE ACT OF 1920

The Clerk called the bill (H.R. 5989) to amend section 27, Merchant Marine Act of 1920, as amended (46 U.S.C. 883).

There being no objection, the Clerk read the bill, as follows:

H.R. 5989

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 27, Merchant Marine Act of 1920, as amended (46 U.S.C. 883), is further amended by striking out the period at the end thereof and inserting in lieu a colon and the following proviso: "*Provided further,* That upon such terms and conditions as the Secretary of the Treasury by regulation may prescribe, and, if the transporting vessel is of foreign registry, upon a finding by the Secretary of the Treasury, pursuant to information obtained and furnished by the Secretary of State, that the government of the nation of registry extends reciprocal privileges to vessels of the United States, this section shall not apply to the transportation of empty cargo vans, empty lift vans, and empty shipping tanks by vessels of the United States not qualified to engage in the coastwise trade, or by vessels of foreign registry, so long as such vans or tanks are owned or leased by the owner or operator of the transporting vessels."

With the following committee amendment:

On page 2, line 7, delete the period and quote, and insert in lieu thereof the following: "and are being transported for use in the carriage of cargo in foreign trade.".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the eligible bills on the Consent Calendar.

FRANCES PERKINS—A TRIBUTE

Mr. McCORMACK. Mr. Speaker, there is no place in the world where the death the other day of Frances Perkins can be more poignantly felt than right here in the House of Representatives. For hers was the voice in the days of the New Deal that helped enormously and strategically to reshape the basic structure of our labor laws. This was worked out for the benefit of our country as a whole, and in the interests of the public weal. It happens to be perhaps my proudest boast that I was a humble member of that company of progressioners who clung with such devotion and rectitude to the tenets of the Constitution of the United States, and sought needed change within its sacred structure. And from a special vantage point I was able to observe closely—even scrutinizingly—this remarkable lady who was under Franklin Delano Roosevelt, the first woman member of a Presidential Cabinet.

Here was the faith that moves mountains and the energy and drive and greatness of purpose that can transform a whole society. She pitched into the battle on the combat front and took, with a gallantry that elicited the admiration of all of us, the criticisms and the snide commentaries of the enemies of justice, fairplay and reform.

She never surrendered. She was the Labor Secretary from 1933 to 1945 and she met head on with the then unheard of and critical new phase in labor relations and protest—the sitdown strike. Here was a striking and a wholly revolutionary phenomenon which she did so much to resolve without bayonets, without machineguns, without force and with a labor statesmanship and a personal aplomb that has made her forever one of the most historic figures of the New Deal.

The heart of her success, I sincerely believe, rested in her moral philosophy and her sense of identity with the cause of labor and progress from a wholly humanitarian and emotionally compassionate motivation. She combined with this a remarkable gift for articulate propaganda and integrity and a capacity for indignation against injustice that made her a part of the very inner spirit of the tremendous political ferment of her time. She may not always have been right and her quarrels even may have been many. But she never ceased to be valiant with a devotion to her causes that was bereft of any feelings of self-interest.

She was so marvelously effective because she was sincere and selfless and this communicated itself to her audiences—not only the audiences in the great halls and assemblies where she spoke, but before such small and particular audiences as one finds in the Cabinet room of the White House and at the negotiation tables of the great and the mighty both in industry and labor, and of course always in Government.

As a Bostonian, I view with satisfaction the small statistical fact that she was born in Boston. I view with satisfaction also the fact that her early education was strengthened with a strong admixture of religion and that after her graduation from Mount Holyoke College at 16, she found her niche in social work with the Episcopal Church. From that and her association with the late Jane Addams in Chicago's Hull House the rest of her career moved naturally as her remarkable qualities and leadership became more and more apparent. Rarely does an individual so ideally fit her time as Madame Perkins matched the turbulent and challenging decades of the era of Franklin Delano Roosevelt. The monument of her contribution to our time will be found in the history books of our country for generations yet to come.

Mrs. KELLY. Mr. Speaker, as the national committeewoman from the State of New York, as a Member of Congress, and as a friend, I wish to take this time to pay tribute to a noble and valiant woman, the late Frances Perkins. Many of you who served in this House at that time know the magnificent work that she undertook as the Secretary of Labor under the late Franklin D. Roosevelt. Those years covered the period from 1933 to 1945 and encompassed one of the most turbulent periods in American labor history.

She, as all of you know, was the first woman member of the Cabinet. To her I pay tribute for accomplishments over those years, which included the passage of social security insurance, unemployment compensation, maximum hour, and minimum wage legislation, and child labor regulations. Her record proved her integrity and ability, and upon her retirement, a testimonial dinner was given for her by the unions who had opposed her appointment.

The entire labor force of our country owes Miss Perkins a great debt of gratitude and I join with my colleagues in expressing my condolences to her family.

GENERAL LEAVE TO EXTEND

Mrs. KELLY. Mr. Speaker, I ask unanimous consent that all Members be allowed to insert their remarks at this point in the RECORD in tribute to the Honorable Frances Perkins.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

TARIFF SCHEDULES TECHNICAL AMENDMENTS ACT OF 1965

Mr. MILLS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7969) to correct certain errors in the Tariff Schedules of the United States as amended.

The Clerk read as follows:

H.R. 7969

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the "Tariff Schedules Technical Amendments Act of 1965".

(b) AMENDMENT OF SCHEDULES.—Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, an item or other provision, the reference shall be considered to be made to an item or other provision of the Tariff Schedules of the United States (28 F.R., part II, Aug. 17, 1963; 77A Stat.; 19 U.S.C., sec. 1202). Each page reference "(p. —)" in this Act refers to the page on which the item or provision referred to appears both in part II of the Federal Register for August 17, 1963, and in volume 77A of the United States Statutes at Large.

(c) CITATION OF SCHEDULES.—Title I of the Tariff Act of 1930, as in effect on or after August 31, 1963, may be cited as the "Tariff Schedules of the United States".

SEC. 2. EFFECTIVE DATE.

(a) The amendments and repeals made by this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the 60th day after the date of the enactment of this Act.

(b) Upon request therefor filed with the collector of customs concerned on or before the 120th day after the date of the enactment of this Act, the entry or withdrawal of any article—

(1) which was made after August 30, 1963, and before the 61st day after the date of the enactment of this Act, and

(2) with respect to which the amount of duty would be smaller if the amendments and repeals made by this Act applied to such entry or withdrawal, shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entry or withdrawal has been made on the 61st day after the date of the enactment of this Act.

SEC. 3. STATUS OF CERTAIN CHANGES IN TARIFF SCHEDULES.

(a) For purposes of applying paragraphs (4) and (5) of section 256 (19 U.S.C., sec. 1886) and section 351(b) (19 U.S.C, sec. 1981 (b)) of the Trade Expansion Act of 1962 and section 350(c) (2) (A) of the Tariff Act of 1930 (19 U.S.C., sec. 1351 (c) (2) (A))—

(1) The rates of duty in rate column numbered 1 of the Tariff Schedules of the United States as changed by this Act shall be treated as the rates of duty existing on July 1, 1962.

(2) The rates of duty in rate column numbered 2 of such Schedules as changed by this Act shall be treated as the rates of duty existing on July 1, 1934.

(b) The rates of duty in rate column numbered 1 of the Tariff Schedules of the United States as changed by this Act which are lower than the rates of duty in rate column numbered 2 of such Schedules for the corresponding items shall be treated—

(1) as not having the status of statutory provisions enacted by the Congress, but

(2) as having been proclaimed by the President as being required or appropriate to carry out foreign trade agreements to which the United States is a party.

(c) The changes in part 2 of the Appendix to the Tariff Schedules of the United States made by section 25 of this Act shall be treated—

(1) as not having the status of statutory provisions enacted by the Congress, but

(2) as having been proclaimed by the President pursuant to paragraph (2) of section 102 of the Tariff Classification Act of 1962 (19 U.S.C., sec. 1202 note).

(d) The changes in part 3 of the Appendix to the Tariff Schedules of the United States made by section 74 of this Act shall be treated—

(1) as not having the status of statutory provisions enacted by the Congress, but

(2) as having been proclaimed by the President pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C., sec. 624).

SEC. 4. CONTAINERS NOT IMPORTED EMPTY.

The first sentence of subparagraph (i) of general headnote 6(b) (p. 12) is amended to read as follows: "The usual or ordinary types of shipping or transportation containers or holders, if not designed for, or capable of, reuse, and containers of usual types ordinarily sold at retail with their contents, are not subject to treatment as imported articles."

SEC. 5. GRAPE JUICE.

Item 165.40 (p. 64) is amended by striking out "9¢ per gal." and inserting in lieu thereof "50¢ per gal.", and by striking out "70¢ per gal," and inserting in lieu thereof "$1 per gal.".

SEC. 6. SEAWEEDS.

Item 192.05 (p. 83) is amended by striking out "Carrageen," and inserting in lieu thereof "Seaweeds,".

SEC. 7. FLORIST ARTICLES.

Item 192.20 (p. 84) is amended to read as follows:

"	192. 20	Cut flowers, fresh; bouquets, wreaths, sprays, or similar articles made from such flowers or other fresh plant parts	10% ad val.	40% ad val.	"

SEC. 8. HARVESTING CONTAINERS AND AGRICULTURAL SPRAYERS.

(a) HARVESTING CONTAINERS.—Schedule 2, part 1, subpart D is amended by inserting after item 204.25 (p. 91) the following:

"	204. 27	Containers designed for use in the harvesting of fruits and vegetables	Free	Free	"

(b) SPRAYERS.—The article description for item 662.45 (p. 312) is amended by striking out ", self-contained, having a capacity over 5 gallons," and inserting in lieu thereof "(except sprayers, self-contained, having a capacity not over 5 gallons)".

SEC. 9. CERTAIN BOXES AND CASES COVERED OR LINED WITH TEXTILE FABRICS.—

(a) JEWELRY BOXES, ETC., OF WOOD.—Item 204.50 (p. 91) is amended by striking out "8.5% ad val." and inserting in lieu thereof "5% ad val.".

(b) BOXES OF PAPER, ETC.—Item 256.50 (p. 106) is repealed and item 256.48 is amended—

(1) by striking out "but not" and inserting in lieu thereof "or", and

(2) by striking out "4% ad val." and inserting in lieu thereof "5% ad val.".

SEC. 10. GASKETING MATERIALS OF GROUND OR PULVERIZED CORK.—

Schedule 2, part 2, subpart A is amended by inserting after item 220.20 (p. 93) the following new item:

"	220. 25	Slabs and sheets comprised primarily of ground or pulverized cork bonded with rubber or plastics	10% ad val.	25% ad val.	"

SEC. 11. WOOD PARTICLE BOARD.

Item 245.50 (p. 98) is amended by striking out "12% ad val." and inserting in lieu thereof "20% ad val.".

SEC. 12. SHOEBOARD.

Item 251.49 (p. 103) is amended by striking out "Leatherboard" and inserting in lieu thereof "Shoeboard".

SEC. 13. TEXTILE FABRICS, COATED OR FILLED, OR LAMINATED, WITH RUBBER OR PLASTICS; ARTICLES MADE FROM SUCH FABRICS.

(a) CLASSIFICATION OF CERTAIN ARTICLES WHOLLY OR IN PART OF FABRICS COATED OR FILLED, OR LAMINATED, WITH RUBBER OR PLASTICS.—The headnotes for schedule 3 are amended—

(1) by inserting "except as provided by headnote 5," before "articles" at the beginning of subparagraph (vi) of headnote 2(a) (p. 114), and

(2) by adding after headnote 4 (p. 115) the following new headnote:

"5. For the purposes of parts 5, 6, and 7 of this schedule and parts 1 (except subpart A), 4, and 12 of schedule 7, in determining the classification of any article which is wholly or in part of a fabric coated or filled, or laminated, with nontransparent rubber or plastics (which fabric is provided for in part 4C of this schedule), the fabric shall be regarded not as a textile material but as being wholly of rubber or plastics to the extent that (as used in the article) the nontransparent rubber or plastics forms either the outer surface of such article or the only exposed surface of such fabric."

(b) DETERMINATION OF COMPONENT FIBERS OF CHIEF VALUE IN COATED OR FILLED FABRICS, ETC.—Headnote 3 for schedule 3, part 4, subpart C (p. 145) is repealed, and headnote 4 for schedule 3 (p. 115) is amended to read as follows:

"4. For the purposes of the tariff schedules—

"(a) Except as specifically provided otherwise, in determining the yarn count of fabrics, the warp and filling yarns, whether plied or not, shall be counted as they occur in the fabric.

"(b) In determining the component fibers of chief value in coated or filled, or laminated, fabrics and articles wholly or in part thereof, the coating or filling, or the nontextile laminating substances, shall be disregarded in the absence of context to the contrary."

(c) WOVEN OR NET FABRICS COATED OR FILLED.—

(1) Schedule 3, part 4, subpart C, headnote 2 (p. 145) is amended by striking out "and" at the end of paragraph (a), by striking out the period at the end of paragraph (b) and inserting in lieu thereof "; and", and by adding at the end thereof the following new paragraph:

"(c) the provisions in this subpart for fabrics, coated or filled with rubber or plastics material, or laminated with sheet rubber or plastics (items 355.65–.85), cover products weighing not over 44 ounces per square yard without regard to the relative quantities of the textile fibers and the rubber or plastics material, but do not cover products weighing over 44 ounces per square yard unless they contain more than 50 percent by weight of textile fibers."

(2) The article description preceding item 355.65 (p. 146) is amended by striking out ", except foam or sponge sheet".

(3) Item 355.80 (p. 146) is repealed and there is inserted in lieu thereof the following:

"		Of man-made fibers:			
	355. 81	Over 70 percent by weight of rubber or plastics	12.5% ad val.	25% ad val.	
	355. 82	Other	25¢ per lb.+ 30% ad val.	45¢ per lb.+ 65% ad val.	"

(d) RAINWEAR AND SIMILAR GARMENTS.—Items 376.50, 376.54, and 376.58, and the article description preceding item 376.50 (p. 159) are repealed and there is inserted in lieu thereof the following:

"	Garments designed for rainwear, hunting, fishing, or similar uses wholly or almost wholly of fabrics which are coated or filled, or laminated, with rubber or plastics, which (after applying headnote 5 of schedule 3) are regarded as textile materials		
376.54	Of cotton	15% ad val.	37.5% ad val.
376.56	Other	30% ad val.	65% ad val. "

(e) CERTAIN UNSUPPORTED FILM.—The article description preceding item 771.40 (p. 393) is amended by striking out "and unsupported".

(f) CERTAIN INFLATABLE ARTICLES.—Item 772.75 (p. 394) is repealed, and schedule 7, part 13, subpart A is amended by inserting after item 790.37 (p. 397) the following new item:

" 790.39	Pneumatic matresses and other inflatable articles not specially provided for	12.5% ad val.	25% ad val. "

SEC. 14. MEASURE OF CERTAIN YARNS; CERTAIN WOVEN FABRICS CONTAINING MAN-MADE FIBERS OR WOOL.

(a) MEASURE OF CERTAIN YARNS.—The article description for item 305.14 (p. 121) is amended to read as follows: "Measuring over 270 yards but not over 18,000 yards per pound".

(b) CERTAIN WOVEN FABRICS CONTAINING MAN-MADE FIBERS OR WOOL.—Schedule 3, part 3, subpart B is amended by inserting after item 335.50 (p. 138) the following new items:

" 335.55	Containing over 17 percent of wool by weight	30¢ per lb. + 45% ad val.	40¢ per lb. + 55% ad val.
335.60	Fabrics, other than the foregoing, containing over 50 percent by weight of yarns which yarns are composed wholly or almost wholly of fibers not exceeding 5 inches in length and contain not less than 50 percent by weight of manmade fibers	25¢ per lb. + 22.5% ad val.	45¢ per lb. + 70% ad val. "

SEC. 15. ORNAMENTED FABRICS; FABRICS WITH TUCKS.

(a) ORNAMENTED FABRICS.—Item 353.50 (p. 144) is amended—

(1) by striking out "42.5% ad val." and inserting in lieu thereof "42.5% ad val., but in the case of ornamented fabrics not less than the rate which would apply to such fabrics if not ornamented"; and

(2) by striking out "90% ad val." and inserting in lieu thereof "90% ad val., but in the case of ornamented fabrics not less than the rate which would apply to such fabrics if not ornamented".

(b) TEXTILE FABRICS WITH TUCKS.—Item 357.60 (p. 147) is amended—

(1) by striking out "42.5% ad val." and inserting in lieu thereof "42.5% ad val., but not less than the rate which would apply to such fabrics without tucks"; and

(2) by striking out "90% ad val." and inserting in lieu thereof "90% ad val., but not less than the rate which would apply to such fabrics without tucks".

SEC. 16. BELTING AND BELTS FOR MACHINERY.

(a) IN GENERAL.—Items 358.05 and 358.10 (p. 147) and the article descriptions preceding such items are repealed and there is inserted in lieu thereof the following:

"	Belting and belts, for machinery, of textile fibers or of such fibers and rubber or plastics:		
358.02	V-belts	12% ad val.	30% ad val.
	Other:		
	Of vegetable fibers, or of such fibers and rubber or plastics:		
358.05	Not in part of rubber or plastics	12% ad val.	30% ad val.
358.06	In part of rubber or plastics	16% ad val.	30% ad val.
	Of wool:		
358.08	Woven	37.5¢ per lb.+ 15% ad val.	50¢ per lb.+ 60% ad val.
358.09	Other	32% ad val.	50% ad val.
358.11	Of silk	27.5% ad val.	65% ad val.
358.14	Of man-made fibers	25¢ per lb.+ 30% ad val.	45¢ per lb.+ 65% ad val.
358.16	Other	12.5% ad val.	25% ad val. "

(b) MACHINERY BELTS NOT CONTAINING TEXTILE FIBERS.—Item 773.35 (p. 395) is amended by striking out "vegetable fibers" and inserting in lieu thereof "textile fibers".

SEC. 17. SWISS-TYPE CURTAINS AND DRAPES.

Schedule 3, part 5, subpart C is amended—

(1) by striking out items 365.55, 365.60, and 365.65 and the article descriptions preceding item 365.55 (p. 152), and

(2) by striking out item 365.78 and the article description preceding such item (p. 153) and inserting in lieu thereof the following:

"	Net furnishings made on a lace, net, or knitting machine, whether or not ornamented; and other furnishings, ornamented:		
	Of cotton:		
365.77	Curtains and drapes, including panels and valances, all the foregoing if machine embroidered but not otherwise ornamented	30% ad val.	90% ad val.
365.78	Other	50% ad val.	90% ad val. "

SEC. 18. LABELS OF MANMADE FIBERS.

Item 385.61 (p. 163) is amended by striking out "30% ad val." and inserting in lieu thereof "19% ad val.".

SEC. 19. LACTIC ACID.

Item 425.82 (p. 186) is amended by striking out "12.5% ad val." and inserting in lieu thereof "16% ad val.", and by striking out "25% ad val." and inserting in lieu thereof "35% ad val.".

SEC. 20. ESTERS OF MONOHYDRIC ALCOHOLS.

The article description preceding item 428.50 (p. 188) is amended to read as follows: "Esters of monohydric alcohols and organic or inorganic acids (except hydrogen sulfide and hydrogen halide acids):".

SEC. 21. CELLULOSE COMPOUNDS; SURFACE-ACTIVE AGENTS.

(a) CELLULOSE COMPOUNDS.—Item 429.80 (p. 189) is repealed.

(b) CARBOXYMETHYL CELLULOSE SALTS.—Schedule 4, part 8, subpart A is amended by inserting after item 465.85 (p. 204) the following new item:

" 465.87	Carboxymethyl cellulose salts	16¢ per lb.	45¢ per lb. "

(c) LIGNIN SULFONIC ACID AND ITS SALTS.—Schedule 4, part 8, subpart A is amended by inserting after item 465.90 (p. 204) the following new item:

" 465.92	Lignin sulfonic acid and its salts	10% ad val.	20% ad val. "

(d) CELLULOSE COMPOUNDS, NOT SPECIALLY PROVIDED FOR.—Schedule 4, part 13, subpart B is amended by inserting after item 493.16 (p. 221) the following new item:

" 493.18	Cellulose compounds, not specially provided for	16¢ per lb.	45¢ per lb. "

(e) SURFACE-ACTIVE AGENTS.—The headnote for part 8 of schedule 4 (p. 203) is amended by inserting after the first sentence a new sentence as follows: "This part also covers certain specified products which may or may not be surface-active agents."

SEC. 22. SYNTHETIC RESINS AND PLASTIC MATERIALS.

The headnotes for schedule 4, part 4, subpart A (p. 195) are amended—

(1) by striking out in headnote 1 "a plasticizer, filler, color, or extender" and inserting in lieu thereof "an antioxidant, color, dispersing agent, emulsifier, extender, filler, pesticide, plasticizer, or stabilizer"; and

(2) by striking out in headnote 2 "plasticizers, fillers, colors, or extenders" and inserting in lieu thereof "an antioxidant, color, dispersing agent, emulsifier, extender, filler, pesticide, plasticizer, or stabilizer".

SEC. 23. CONCRETE.

Schedule 5, part 1, subpart A, headnote 1 (p. 225) is amended by striking out paragraph (b) and inserting in lieu thereof the following:

"(b) the term 'concrete' means a composite of cementing materials of mineral origin with added mineral aggregate such as sand, crushed stone, or gravel; and".

SEC. 24. SUBPORCELAIN REFRACTORY ARTICLES.

Item 531.37 (p. 236) is amended by striking out "Porcelain refractory articles" and inserting in lieu thereof "Porcelain and subporcelain refractory articles".

SEC. 25. CERTAIN COLORED OR SPECIAL GLASS.

Items 542.75 and 542.77 (p. 246) and items 923.75 and 923.77 (p. 437) are each amended by striking out "90 united inches" and inserting in each place in lieu thereof "100 united inches".

SEC. 26 CERTAIN SEMIMANUFACTURED PLATINUM.

Item 605.07 (p. 261) is amended by striking out "Bars, plates, and sheets, all the foregoing not under 0.125 inch in thickness," and inserting in lieu thereof "Products having no dimension under 0.125 inch,".

SEC. 27. ROUND WIRE.

Schedule 6, part 2 is amended by striking out items 609.40 and 609.42 and the article descriptions preceding item 609.40 (p. 271) and inserting in lieu thereof the following:

“	Round wire:		
	Other than alloy iron or steel:		
609.40	Under 0.060 inch in diameter	8.5% ad val.	25% ad val.
	0.060 inch or more in diameter:		
609.41	Containing not over 0.25 percent by weight of carbon	0.3¢ per lb.	1.25¢ per lb.
609.43	Containing over 0.25 percent by weight of carbon	8.5% ad val.	25% ad val. ”

SEC. 28. TABLEWARE AND OTHER HOUSEHOLD UTENSILS.

The headnotes for schedule 6, part 3, subpart E (p. 299) are amended by striking out headnote 4 and by redesignating headnotes 5 and 6 as headnotes 4 and 5, respectively; and the headnotes for schedule 6, part 3 (p. 291) are amended by adding at the end thereof the following new headnote:

"2. The provisions in this part which specifically refer to kitchen or table ware, or to table, kitchen, or household utensils and articles, include articles of types which are used outdoors as well as those which are used indoors."

SEC. 29. CERTAIN GALVANIZED WIRE.

(a) FENCING.—Item 642.35 (p. 293) is amended by striking out "not under 0.08 inch in diameter" and inserting in lieu thereof "not under 0.075 inch in diameter".

(b) CERTAIN WOVEN WIRE.—The article description preceding item 642.45 (p. 293) is amended by striking out "under 0.08 inch" and inserting in lieu thereof "under 0.075 inch".

(c) MILLINERS' WIRE.—Item 642.96 (p. 294) is amended by striking out "not under 0.08 inch in diameter" and inserting in lieu thereof "not under 0.075 inch in diameter".

SEC. 30. AUTOMOBILE, ETC., PARTS.

(a) HINGES AND FITTINGS, ETC.—Item 647.00 (p. 298) is repealed and there is inserted in lieu thereof the following:

“	Of iron or steel, of aluminum, or of zinc:		
647.01	Hinges, fittings, and mountings, designed for motor vehicles	8.5% ad val.	25% ad val.
647.03	Other	19% ad val.	45% ad val. ”

(b) HAIRSPRINGS.—Schedule 6, part 3, subpart F is amended by inserting after item 652.85 (p. 306) the following new item:

“ 652.86	Hairsprings	10% ad val.	65% ad val. ”

(c) PUMPS FOR LIQUIDS.—Item 660.90 (p. 310) is repealed and there is inserted in lieu thereof the following:

“	Pumps for liquids whether or not fitted with measuring devices; liquid elevators of bucket, chain, screw, band, and similar types; all the foregoing whether operated by hand or by any kind of power unit, and parts thereof:		
660.92	Fuel injection pumps for compression-ignition engines, and parts thereof	6% ad val.	35% ad val.
660.94	Other	10% ad val.	35% ad val. ”

(d) BALL BEARINGS WITH INTEGRAL SHAFTS.—Item 680.35 (p. 319) is repealed and there is inserted in lieu thereof the following:

“	Ball or roller bearings, including such bearings with integral shafts, and parts thereof:		
680.34	Ball bearings with integral shafts	12% ad val.	35% ad val.
680.35	Other	3.4¢ per lb. +15% ad val.	10¢ per lb. +45% ad val. ”

(e) REPAIR KITS.—Schedule 6, part 4, subpart J is amended by inserting after item 680.57 (p. 319) the following:

“ 680.59	Kits, each containing three or more replacement parts however provided for elsewhere in the schedules, put up and packaged for the repair of hydraulic-brake master or wheel cylinders or for the repair of internal-combustion engine pumps or carburetors	10% ad val.	35% ad val. ”

(f) PARTS OF ELECTRICAL ARTICLES.—

(1) Subparagraph (vi) of headnote 1 (p. 321) for schedule 6, part 5, is amended to read as follows:

"(vi) electrical instruments and apparatus provided for in schedule 7.".

(2) The article description preceding item 682.70 (p. 321) is amended by inserting "; all the foregoing and parts thereof" after "electro-magnetic lifting heads".

(3) The article description for item 682.80 (p. 321) is amended by inserting "and parts thereof" after "holders".

(g) PERMANENT MAGNETS.—Item 682.70 (p. 321) is amended by striking out "18% ad val." and inserting in lieu thereof "16% ad val.".

(h) LIGHTING EQUIPMENT DESIGNED FOR MOTOR VEHICLES.—Schedule 6, part 5, is amended by inserting after item 683.60 (p. 322) the following new item:

“ 683.65	Electric lighting equipment designed for motor vehicles, and parts thereof	8.5% ad val.	25% ad val. ”

(i) AUTOMATIC VOLTAGE-CURRENT REGULATORS.—Item 686.20 (p. 323) is repealed and there is inserted in lieu thereof the following:

“	Automatic voltage and voltage-current regulators, with or without cut-out relays, and parts thereof:		
686.22	Designed for use in a 6-volt, 12-volt, or 24-volt system	8.5% ad val.	25% ad val.
686.24	Other	15% ad val.	35% ad val. ”

(j) IGNITION WIRING SETS, ETC.—Schedule 6, part 5 is amended by inserting after item 688.10 (p. 324) the following:

“ 688.12	Ignition wiring sets and wiring sets designed for use in motor vehicles and craft provided for in part 6 of schedule 6	10% ad val.	30% ad val. ”

(k) SPEEDOMETERS AND TACHOMETERS.—

(1) The headnotes for schedule 7, part 2, subpart D (p. 344) are amended by striking out "711.99" in headnote 1 and inserting in lieu thereof "711.88", and by striking out "711.99, inclusive (except magnetic speedometers)," in headnote 2(a) and inserting in lieu thereof "711.88, inclusive,".

(2) Schedule 7, part 2, subpart D is amended by striking out items 711.90 to 711.98, inclusive, and the article descriptions for such items (p. 346) and inserting in lieu thereof the following:

“	Revolution counters, production counters, taximeters, odometers, pedometers, counters similar to the foregoing articles, speedometers and tachometers, all the foregoing not provided for in subpart C of this part; parts of the foregoing:		
711.90	Taximeters and parts	42.5% ad val.	85% ad val.
711.91	Bicycle speedometers and parts thereof	55% ad val.	110% ad val.
711.98	Other	10% ad val.	35% ad val. ”

(3) Item 712.25 (p. 346) and the article description preceding such item are each amended by striking out "Tachometers and anemometers" and inserting in lieu thereof "Anemometers".

(l) FURNITURE DESIGNED FOR MOTOR VEHICLE USE.—Schedule 7, part 4, subpart A is amended by inserting after item 727.04 (p. 364) the following:

“ 727.06	Furniture designed for motor-vehicle use, and parts thereof	8.5% ad val.	25% ad val. ”

SEC. 31. PICKS AND MATTOCKS.

Item 648.53 (p. 300) is amended by striking out "19 per centum ad val." and inserting in lieu thereof "7.5 per centum ad val.".

SEC. 32. FILES AND RASPS.

Items 649.05 and 649.07 (p. 300) are each amended by striking out "7 inches" and inserting in lieu thereof "6.75 inches".

SEC. 33. PENCIL SHARPENERS AND LEAD AND CRAYON POINTERS.

Schedule 6, part 3, subpart E, is amended by inserting after item 651.31 (p. 304) the following:

“ 651.33	Pencil sharpeners and lead and crayon pointers, and parts thereof	17% ad val.	40% ad val. ”

SEC. 34. TREATMENT OF CERTAIN SETS.

(a) CERTAIN CAMPING AND PICNIC SETS.—Schedule 6, part 3, subpart E is amended by inserting after item 651.13 (p. 304) the following new item:

“ 651.15	Camping and picnic sets each comprised of a knife, fork, and spoon, wholly of metal, and with each of the three pieces specially designed so as to permit their being compactly joined and held together when not in use	25% ad val.	60% ad val. ”

(b) DISSECTING TOOLS FITTED INTO CASES CONTAINING MICROSCOPES.—The headnotes for schedule 7, part 2, subpart A are amended by adding at the end thereof (p. 340) the following new headnote:

"4. Sets comprised of tools, implements, and other articles fitted into and imported with cases containing microscopes provided for in item 708.71, and ordinarily sold at retail, and used, in conjunction with such microscopes, are classifiable therewith."

(c) Conforming Amendments.—The article description for item 651.75 (p. 304) is amended by striking out "(except sewing sets, pedicure or manicure sets, and combinations thereof)" and inserting in lieu thereof "(except sets specially provided for)".

Sec. 35. Hand Tools.

The article description preceding item 651.39 (p. 304) is amended by inserting ", and parts thereof" after "Other hand tools".

Sec. 36. Chain and Chains, and Parts Thereof.

Schedule 6, part 3, subpart F (p. 305) is amended—

(1) by striking out "Chains used for the transmission of power" in the article descriptions preceding item 652.12 and inserting in lieu thereof "Chain or chains used for the transmission of power".

(2) by inserting "or chains" after "chain" in the article description for item 652.21, and

(3) by striking out the article description preceding item 652.24 and inserting in lieu thereof "Chain or chains (except the foregoing) the links of which are of stock essentially round in cross section, and parts thereof:", and by inserting after item 652.33 the following new item:

“

652.35	Other, including parts	19% ad val.	45% ad val.

”

Sec. 37. Horse Shoes.

Schedule 6, part 3, subpart F is amended by striking out item 652.40 (p. 305) and inserting in lieu thereof the following:

“

	Horse and mule shoes of base metal:		
652.41	Of iron or steel	0.25¢ per lb.	0.25¢ per lb.
652.42	Other	19% ad val.	45% ad val.

”

Sec. 38. Miscellaneous Metal Products.

The article description preceding item 653.85 (p. 307) is amended by striking out "Not enameled:" and inserting in lieu thereof "Not enameled or glazed with vitreous glasses:", and item 653.97 is amended by striking out "Enameled" and inserting in lieu thereof "Enameled or glazed with vitreous glasses".

Sec. 39. Certain Shoe Machinery; Shoe Machinery Molds.

(a) Certain Shoe Machinery.—The article description preceding item 661.65 (p. 311) is amended by inserting "shoe machinery," after "sugar machinery,".

(b) Shoe Machinery Molds.—Schedule 6, part 4, subpart J is amended by striking out item 680.10 (p. 318) and inserting in lieu thereof the following:

“

	Molds used for rubber or plastics materials:		
680.11	Shoe machinery molds	Free	Free
680.12	Other	11.5% ad val.	35% ad val.

”

Sec. 40. Rough Iron Castings.

Schedule 6, part 4, subpart A is amended by striking out item 661.95 (p. 311) and inserting in lieu thereof the following:

“

	Other:		
661.92	Cast-iron (except malleable cast-iron) parts, not alloyed and not advanced beyond cleaning, and machined only for the removal of fins, gates, sprues, and risers or to permit location in finishing machinery	3% ad val.	10% ad val.
661.95	Other	11.5% ad val.	35%13 ad val.

”

Sec. 41. Agricultural and Horticultural Machinery and Implements, and Parts Thereof.

(a) Amendment of Headnote.—Schedule 6, part 4, subpart C, headnote 1 (p. 313) is amended by striking out "part 5," and inserting in lieu thereof "part 5 (except item 688.40),".

(b) Milking Machines, Etc.—The article description for item 666.00 (p. 313) is amended by inserting after "farm wagons and carts," the following: "milking machines, on-farm equipment for the handling or drying of agricultural or horticultural products,".

Sec. 42. Jacquard Cards; Parts of Taps, Valves, Etc.

(a) Jacquard Cards.—Schedule 6, part 4, headnote 1 (p. 309) is amended by striking out "(iv) jacquard cards;" and by redesignating subparagraphs (v) and (vi) as subparagraphs (iv) and (v), respectively.

(b) Parts of Taps, Valves, Etc.—The article description preceding item 680.20 (p. 319) is amended by striking out "check:" and inserting in lieu thereof "check, and parts thereof:".

Sec. 43. Certain Speed Changers.

Item 680.45 (p. 319) is amended by inserting "multiple ratio speed changers each ratio of which is selected by manual manipulation," after "Fixed ratio speed changers,".

Sec. 44. Synchronous Motors; Commutators.

(a) Synchronous Motors.—The article description for item 682.20 (p. 321) is amended by inserting ", valued not over $4 each" after "Synchronous".

(b) Commutators.—Schedule 6, part 5 is amended by inserting after item 682.50 (p. 321) the following:

“

682.52	Commutators	10% ad val.	35% ad val.

,

Sec. 45. Television Picture Tubes.

Items 687.50 and 687.60 (p. 324) and the article description preceding such items are amended to read as follows:

“

	Electronic tubes (except X-ray tubes); photocells; transistors and other related electronic crystal components; mounted piezoelectric crystals; all the foregoing and parts thereof:		
687.50	Television picture tubes.	30% ad val.	60% ad val.
687.60	Other	12.5% ad val.	35% ad val.

”

Sec. 46. Insulated Conductors Without Fittings.

Item 688.05 (p. 324) is repealed and there is inserted in lieu thereof the following:

“

	Without fittings:		
688.04	Containing (exclusive of insulation and sheathing) over 10 percent by weight of the metal copper	17% ad val.	40% ad val.
688.06	Other	15% ad val.	35% ad val.

”

Sec. 47. Brake Regulators.

Item 690.35 (p. 325) is amended by inserting ", except brake regulators" after "provided for in item 690.15".

Sec. 48. Headwear of Pandan.

Item 702.35 (p. 333) is amended by inserting "or of pandan" after "Of palm leaf".

Sec. 49. Headwear of Fur Not on the Skin.

The article description preceding item 703–20 (p. 334) is amended by striking out "of fur felt" and inserting in lieu thereof "of fur not on the skin".

Sec. 50. Anesthetic Apparatus; Stethoscopes.

(a) Anesthetic Apparatus.—Schedule 7, part 2, subpart B is amended by inserting between item 709.07 and the article description preceding it (p. 342) the following new item:

“

709.06	Anesthetic apparatus and instruments (except syringes)	19% ad val.	45% ad val.

”

(b) Stethoscopes.—Item 709.10 (p. 342) is amended by inserting "and stethoscopes" after "Percussion hammers".

Sec. 51. Surveying Compasses and Parts Thereof.

Item 710.12 (p. 343) is amended by striking out "11.5% ad val." and inserting in lieu thereof "28% ad val.".

Sec. 52. Comparators.

Item 710.88 (p. 344) is amended by striking out "Comparators, comparator benches" and inserting in lieu thereof "Comparator benches".

Sec. 53. Combination Articles Containing Watch or Clock Movements.

(a) In General.—Schedule 7, part 2, subpart E is amended by inserting after headnote 4 (p. 349) the following new headnote:

"5. Combination Articles Containing Watch or Clock Movements.—A watch or clock movement (and its dial, if any) in a combination article is classifiable under the provision applicable to such combination article, but, in determining the duties on the combination article, the movement (and its dial, if any) shall be constructively separated therefrom and assessed with the same rate as would have applied if it had been imported separately. In such circumstances, the movement and its dial shall also be subject to the same marking requirements provided for in headnote 4 of this subpart. However, such separate assessment and special marking shall not be applicable to movements which, when imported, are installed as the usual equipment of vehicles or craft provided for in part 6 of schedule 6 or as integral and essential parts of laboratory, industrial, or commercial apparatus or equipment."

(b) Conforming Amendment.—Items 711.65 and 711.70 and the article description preceding such items (p. 345) are repealed and there is inserted in lieu thereof the following new item:

“

711.67	Other	14% ad val.	50% ad val.

”

Sec. 54. Editors and Combination Editor-Splicers for Motion-Picture Films.

Item 722.52 (p. 356) is amended—

(1) by striking out "11.5% ad val." and inserting in lieu thereof "35% ad val.", and

(2) by striking out "35% ad val." and inserting in lieu thereof "45% ad val."

Sec. 55. Half-tone Screens Made Photographically on Plastics Materials.

Schedule 7, part 2, subpart F is amended by striking out item 722.84 (p. 357) and inserting in lieu thereof the following:

“

	Half-tone screens designed for use in engraving or photographic processes:		
722.83	Made photographically on plastics material	8.5% ad val.	25% ad val.
722.85	Other	27.5% ad val.	55% ad val.

”

Sec. 56. Heat-Sensitive Papers.

Item 723.35 (p. 357) is amended by striking out "15% ad val." and inserting in lieu thereof "7.5% ad val.".

Sec. 57. Recordings on Magnetic Tape, Etc.

Item 724.40 (p. 358) is amended—

(1) by striking out "0.25¢ per sq. in." and inserting in lieu thereof "2¢ per sq. ft.", and

(2) by striking out "1¢ per sq. in." and inserting in lieu thereof "8¢ per sq. ft.".

Sec. 58. Electronic Musical Instruments.

Schedule 7, part 3, subpart A is amended by striking out item 725.45 (p. 360) and inserting in lieu thereof the following:

“

	Electronic musical instruments:		
725.46	Fretted stringed instruments	34% ad val.	40% ad val.
725.47	Other	17% ad val.	40% ad val.

”

Sec. 59. Playing Cards.

Item 734.25 (p. 371) is amended by striking out "5% ad val." and inserting in lieu thereof "4% ad val.".

Sec. 60. Costume Jewelry; Jewelry Materials.

(a) Costume Jewelry.—Schedule 7, part 6, subpart A is amended by striking out items 740.35 and 740.37 (p. 376) and inserting in lieu thereof the following:

“

	Valued over 20 cents per dozen pieces or parts:		
740.35	Watch bracelets valued over $5 per dozen	35% ad val.	110% ad val.
740.37	Other	55% ad val.	110% ad val.

”

(b) Jewelry Materials.—The article description preceding item 740.70 (p. 376) is amended by striking out "not over 0.5 inch in any cross-sectional dimension,".

Sec. 61. Buckles and Buckle Slides.

Schedule 7, part 7, subpart A is amended by striking out items 745.45 and 745.47 and the article description preceding item 745.45 (p. 380) and inserting in lieu thereof the following:

“

745.45	Buckles and buckle slides	19% ad val.	45% ad val.

”

Sec. 62. Clasps, Certain Frames Incorporating Clasps, Snap Fasteners, and Parts.

Schedule 7, part 7, subpart A is amended by striking out the article descriptions preceding item 745.63 and by striking out items 745.63, 745.65, and 745.67 (p. 380) and inserting in lieu thereof the following:

“

	Clasps, handbag and similar frames incorporating clasps, and snap fasteners; all the foregoing and parts thereof:		
	Valued not over 20 cents per dozen pieces or parts:		
745.63	Sew-on fasteners, and parts thereof	55% ad val.	60% ad val.
745.65	Other	27.5% ad val.	60% ad val.
	Valued over 20 cents per dozen pieces or parts:		
	For jewelry and other objects of personal adornment:		
745.66	Of precious metal except silver (including rolled precious metal except silver)	24% ad val.	80% ad val.
745.67	Other	55% ad val.	110% ad val.
745.68	Other	17.5% ad val.	65% ad val.

”

Sec. 63. Slide Fastener Parts.

The article description preceding item 745.70 (p. 380) is amended by striking out "Slide fasteners, and parts thereof:" and inserting in lieu thereof "Slide fasteners, and parts thereof including tapes in continuous lengths but not including tapes wholly of textile fibers:".

Sec. 64. Dried Wreaths, Etc.

Schedule 7, part 7, subpart B is amended by striking out item 748.35 (p. 381) and inserting in lieu thereof the following:

“

	Bouquets, boutonnieres, corsages, wreaths, and similar ornamental articles, all the foregoing made of articles described in item 748.30 or item 748.32:		
748.34	Wholly or almost wholly of articles described in item 748.30	10% ad val.	20% ad val.
748.36	Other	25.5% ad val.	75% ad val.

”

Sec. 65. Electric Toothbrushes.

Subparagraph (i) of headnote 1 for schedule 7, part 8, subpart A (p. 383) is amended to read as follows:

"(i) mechanical combs, brooms, or brushes which are toilet articles), or combs, brooms, or brushes which are parts of articles (other than toilet articles);".

Sec. 66. Fireworks.

Item 755.15 (p. 385) is amended by striking out "32% ad val." in column 1 and "42% ad val." in column 2 and by inserting in lieu thereof in each column "12¢ per lb., including the weight of all coverings, packing material, and wrappings".

Sec. 67. Rubber and Plastic Film, Strips, Sheets, and Plates.

The headnotes for schedule 7, part 12, subpart B (p. 392) are amended—

(1) by striking out "21 inches" in headnotes 1(b) and 2(iv)(B) and inserting in lieu thereof "15 inches", and

(2) by striking out "51 inches" in headnotes 1(b) and 2(iv)(C) and inserting in lieu thereof "18 inches".

Sec. 68. Colostomy Bags.

Item 772.42 (p. 394) is amended by inserting "colostomy bags," after "enema bags,".

Sec. 69. Fly Ribbons.

Schedule 7, part 13, subpart A is amended by inserting after item 790.10 (p. 397) the following new item:

“

790.15	Fly ribbons (ribbon fly catchers)	14% ad val.	35% ad val.

”

Sec. 70. Sausage Casings.

Item 790.45 (p. 397) is amended by striking out "16% ad val." and inserting in lieu thereof "12.5% ad val.".

Sec. 71. Articles of Hair not Specially Provided for.

Schedule 7, part 13, subpart C is amended by adding after item 792.70 (p. 399) the following new item:

“

792.75	Of hair	14% ad val.	35% ad val.

”

Sec. 72. Articles Assembled Abroad.

The article description for item 807.00 (p. 408) is amended to read as follows: "Articles assembled abroad in whole or in part of fabricated components, the product of the United States, which (a) were exported, in condition ready for assembly without further fabrication, for the purpose of such assembly and return to the United States, (b) have not lost their physical identity in such articles by change in form, shape, or otherwise, and (c) have not been advanced in value or improved in condition abroad except by being assembled and except by operations incidental to the assembly process such as cleaning, lubricating, and painting."

Sec. 73. Coconut, Palm-kernel, and Palm Oils, Sulfonated or Sulfated.

Item 907.77 (p. 433) is amended by striking out "17.5% ad val." and inserting in lieu thereof "14% ad val.".

Sec. 74. Import Restrictions Proclaimed Pursuant to Section 22 of Agricultural Adjustment Act.

Headnote 2 (p. 441) for part 3 of the appendix to the Tariff Schedules is amended—

(1) by striking out "or for the personal use of the importer;" at the end of paragraph (b) and inserting in lieu thereof "for the personal use of the importer, or for research;", and

(2) by striking out "articles not exceeding 100 pounds in aggregate weight in any shipment, if entered for exhibition, display, or sampling at a Trade Fair, or for research, and if" at the beginning of paragraph (c) and inserting in lieu thereof "articles entered for exhibition, display, or sampling at a Trade Fair or for research, but only if".

The SPEAKER. Is a second demanded?

Mr. BYRNES of Wisconsin. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Arkansas [Mr. Mills] is recognized for 20 minutes.

Mr. MILLS. Mr. Speaker, I yield myself about 5 minutes.

Mr. Speaker, I ask unanimous consent to include with the remarks I will make on the bill a tabulation showing the nature of each change which is provided in the bill section by section.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, the bill H.R. 7969, which was unanimously reported by the Committee on Ways and Means, or at least unanimously by those who were in attendance, and we had more than a quorum present, is to correct certain errors in the tariff schedules of the United States which were put into effect on August 1, 1963, by Presidential proclamation in accordance with authority given the President by the Tariff Classification Act of 1962.

Mr. Speaker, as you will recall, a bill similar to this passed the House in the last Congress and it also passed the Senate, but during the consideration of the bill by the Senate an amendment was adopted, not in the Finance Committee, as I recall it, but on the floor of the Senate, amending the Sugar Act, a matter extraneous to the jurisdiction of the Committee on Ways and Means. This happened in the closing days of the last session of Congress. We were unable to go to conference on the matter. We never had the opportunity of going to conference.

The tariff schedules which are now in effect constitute a comprehensive revision and consolidation of prior provisions of the customs laws under which imported articles were classified for tariff purposes. These schedules were prepared by the Tariff Commission under title I of the Customs Simplification Act of 1954, which directed the Commission to make a comprehensive study of prior tariff laws and to compile a revision and consolidation which would be logical, adapted to the changes which had occurred since 1930 in import trade, eliminate anomalies, and simplify tariff classifications.

In the course of making its study, the Tariff Commission conducted numerous public hearings, and its staff held countless informal conferences with interested parties. In November 1960 the Commission transmitted to the Congress proposed new tariff schedules which were published by the Committee on Ways and Means along with the Commission's report.

In August 1961 the Committee on Ways and Means invited interested parties to submit comments on the provisions of the proposed new schedules and also on proposed implementing legislation. Suggestions made in response to this invitation were carefully considered by the committee prior to reporting the bill which became the Tariff Classification Act of 1962.

The Tariff Commission, acting under authority contained in the Tariff Classification Act of 1962, continued the tariff study and conducted further public hearings in connection with changes in the revised tariff schedules, which were included in supplemental reports to the Congress and to the President, as provided for in the 1962 act.

The import trade of the United States is diversified and involves literally hundreds of thousands of different foreign products. Due to the enormity of the task of revision, the Committee on Ways and Means was aware of the fact that the actual administration of the new tariff schedules very probably would bring to light unintended rate changes and other inadvertencies or oversights which would require corrective legislation. Shortly after the new schedules were placed in effect on August 31, 1963, the committee's attention was directed to several such instances. In an effort to treat with such matters on a comprehensive basis, the Ways and Means Committee, on December 13, 1963, invited all interested parties to make suggestions limited to those provisions of the tariff schedules wherein it appears that through oversight, inadvertencies, or lack of information, errors have been made or clarifying language may be necessary.

In this announcement, the committee expressly stated that it did not intend to entertain and consider matters that had been previously presented to the Tariff Commission and to the committee during the period of several years when the new schedules were being formulated, unless such matters came within the limited criteria of the announcement. In other words, the committee directed its attention only to the correction of provisions in the new tariff schedules which clearly involved errors arising from oversight, inadvertence or lack of information or which required clarification.

Interested parties submitted numerous suggested changes in the provisions of the new schedules. Many of these submissions were cumulative in nature and involved the same subject matter. During the 88th Congress, the Committee on Ways and Means carefully considered these submissions and, with the assistance of consultants from the Tariff Commission and other interested departments worked out the changes in the new tariff schedules which were incorporated in the committee's bill, H.R. 12253.

H.R. 12253 was passed by the House of Representatives and the Senate, but the Congress adjourned before final action on the bill could be taken. In this session of the Congress your committee took up the matter of preparing a new tariff schedules technical-amendments bill within the framework of the criteria which governed the preparation of H.R. 12253. The present bill, H.R. 7969, incorporates the amendments that were included in H.R. 12253 with certain changes, as well as certain additional amendments which met the criteria, the need for which was brought to light as the result of further study.

I want to emphasize that the amendments provided in this bill have been limited to those provisions in the schedules wherein it is clear that errors were made through oversight or inadvertence or lack of information at the time the schedules were formulated, or in which clarifying language is necessary.

Certain of the changes that would be effected by the bill will result in duty increases, others will bring about decreases in duty, and others will result in no change in duty at all. But I want to make it crystal clear that none of the changes involve new tariffmaking. On the contrary, the increases or decreases in duty rates provided for in H.R. 7969 are for the purpose of eliminating those instances of tariffmaking that inadvertently crept into the new tariff schedules.

The following table shows the nature of the changes:

Tabulation showing nature of changes

Section	Article	TSUS provision	Nature of change					
			Purpose	+	−	±	0	Amount
4	Usual containers, filled	General headnote 6(b)	Clarify				X	
5	Grape juice	165.40	Rate	X				9 to 50 cents per gallon.
6	Seaweeds prepared as animal feed	184.75; 192.05	do		X			10 percent to free.
7	Florist articles	192.20	Clarify				X	
8(a)	Wooden harvesting containers	204.30	New provision (204.27)		X			16⅔ percent to free.
8(b)	Agricultural sprayers	662.45	Clarify; rate		X			10 percent to free.
9	Wooden cases covered or lined with cloth	204.50; 256.48–256.50	do			X		8.5 to 5 percent; 4 to 5 percent.
10	Gasketing material of ground cork and rubber	Various	New provision (220.25)		X			17 percent and 12.5 to 10 percent.
11	Wood particle board	245.50	Rate	X				12 to 20 percent.
12	Shoeboard	251.49	Clarify; rate	X				4.75 to 6.75 percent.
13	Rubber- or plastic-covered fabrics; articles of such covered fabrics:	355.65–355.85	Clarify; rate					
	Manmade fabrics	355.80	New provision (355.81)		X			25 cents per pound plus 30 to 12.5 percent.
	Headwear	703.72			X			Various to 12.5 percent.
	Gloves	705.84–705.86			X			Various.
	Luggage	706.24; 706.60			X			40 to 20 percent.
14(a)	Measure of yarns	305.14	Clarify				X	
14(b)	Certain vegetable fiber fabrics containing wool or manmade fibers.	335.80–335.90; 336.50; 338.30	New provisions (335.55, 335.60) to correct avoidance of higher rates.	X				6.5 and 10 percent to 30 cents per pound plus 45 percent (containing wool) and to 25 cents per pound plus 22.5 percent (containing manmade fibers).
15	Ornamented fabrics; fabrics with tucks	353.50; 357.60	Clarify to correct possible avoidance of higher rates.	X				Various to 42.5 percent.
16	Belting and belts for machinery:							
	V-belts	358.05–358.10	Clarify; rate		X			16 to 12 percent.
	Other	358.30–358.60	Clarify				X	
17	Swiss-type curtains and drapes	365.55–365.65; 365.78	Clarify; rate		X			50 to 30 percent.
18	Labels of manmade fibers	385.61	Court ruling		X			30 to 19 percent.
19	Lactic acid	425.82	Reaveraging rates	X				12.5 to 16 percent.
20	Esters of monohydric alcohols	428.50–428.72	Clarify				X	
21	Cellulose compounds; lignin	Various	Clarify; rate	X				Various to 16 cents per pound.
	Sulfonic acid and its salts	do	Clarify				X	
22	Non-coal-tar synthetic resins and plastic materials	Pt. 4–A, schedule 4	do		X			Various.
23	Concrete	Pt. 1–A, schedule 5	do				X	
24	Subporcelain refractory articles	531.37	Rate	X				15 to 45 percent.
25	Certain colored or special glass	542.75–542.77; 923.75–923.77	Consistency with ordinary glass.		X			1.4 cents per pound to 1.1 cents per pound; 2.4 cents per pound to 1.9 cents per pound.

Tabulation showing nature of changes—Continued

Section	Article	TSUS provision	Nature of change					
			Purpose	+	−	±	0	Amount
26	Certain manufactured platinum	605.07	Clarify rate		X			40 percent to free.
27	Round wire	609.42	New provision (609.43) to avoid rate decrease.	X				0.3 cent per pound to 8.5 percent.
28	Tableware and other household utensils	Pts. 3-E and 3-F, schedule 6	Clarify			X		Minimal changes.
29	Certain galvanized wire fencing and wire	642.35; 642.45-642.47; 642.96	Court ruling		X			Various.
30(a)	Motor vehicle hinges and fittings	647.00	Rate		X			19 to 8.5 percent.
30(b)	Hairsprings	652.87	New provision (652.86); rate		X			19 to 10 percent.
30(c)	Pumps for liquids	660.90	Reaveraged rates (subdivided).	X				12 to 6 percent.
30(d)	Ball bearings with integral shafts	660.90; 680.35	Clarify				X	12 to 10 percent.
30(e)	Repair kits	Various	Ease administration		X			Various to 10 percent.
30(f)	Parts of electrical articles	Pt. 5, schedule 6	Clarify; rate			X		Various.
30(g)	Permanent magnets	682.70	Reaverage rate		X			18 to 16 percent.
30(h)	Motor vehicle lighting equipment	653.40	New provision (653.37); rate		X			19 to 8.5 percent.
30(i)	Motor vehicle automatic voltage-current regulators	686.20	Rate		X			15 to 8.5 percent.
30(j)	Ignition and certain other wiring sets	688.15	New provision (688.12); rate		X			17 to 10 percent.
30(k)	Speedometers and tachometers	711.90-.98	Rate		X			Various.
30(l)	Motor vehicle furniture	Pt. 4-A, schedule 7	do		X			Various to 8.5 percent.
31	Picks and mattocks	648.53	Reaverage rate		X			19 to 7.5 percent.
32	Files and rasps	649.05-649.07	Clarify (7-inch only)		X			28 cents per dozen to 17.5 cents per dozen.
33	Pencil sharpeners and lead and crayon pointers	651.47; 651.55	Clarify				X	
34(a)	Knife-fork-spoon picnic set	Various	New provision (651.15); rate		X			Various to 25 percent.
34(b)	Microscope with dissecting kit	651.75	Clarify; rate		X			Do.
35	Handtool parts	651.39-651.55	Clarify			X		
36	Chain and chains	652.12-652.38	do				X	
37	Aluminum horseshoes	652.40	New provision (652.42); rate	X				0.25 cent per pound to 19 percent.
38	Miscellaneous metal products	653.85-653.97	Clarify				X	
39(a)	Certain shoe machinery	678.10; 661.70	Rate		X			12.5 percent to free.
39(b)	Shoe machinery molds	678.10; 680.10	New provision (680.11); rate		X			11.5 percent to free.
40	Rough iron castings	661.95	New provision (661.92); rate		X			11.5 percent to 3 percent.
41(a)	Certain agricultural implements and parts	666.00; 688.40	Rate		X			11.5 percent to free.
41(b)	Certain agricultural implements and parts	666.00	Clarify				X	
42(a)	Jacquard cards	670.56	do				X	
42(b)	Parts of taps, valves, etc	680.20-680.22	Rate	X				Various.
43	Certain speed changers	680.45-.47	do		X			$2.25 each plus 35 to 9 percent.
44(a)	Synchronous motors valued over $4 each	682.20	do		X			50 to 12.5 percent.
44(b)	Commutators	682.60	New provision (682.52); rate		X			15 to 10 percent.
45	Television picture tubes	687.50	New provision (687.50); rate	X				12 to 30 percent.
46	Insulated conductors of copper	688.05	New provision (688.04); rate	X				15 to 17 percent.
47	Brake regulators for railway cars	690.35	Rate		X			18 to 11.5 percent.
48	Headwear of pandan	702.37	do		X			10 to 6.25 percent.
49	Headwear of fur not on the skin	703.20-703.55	Clarify				X	
50	Anesthetic apparatus; stethoscopes	709.27	New provision (709.06); court rulings.		X			36 to 19 percent.
51	Surveying compasses	710.12	Rate	X				11.5 to 28 percent.
52	Comparators	710.88	Clarify				X	
53	Combination articles containing watch or clock movements.	Various	New provision to correct possible avoidance of higher rates.	X				Various.
54	Motion-picture editors	722.52	Bureau ruling	X				11.5 to 35 percent.
55	Halftone screens made photographically on plastics	722.84	New provision (722.83); rate		X			27.5 to 8.5 percent.
56	Heat-sensitive papers	723.35	Reaverage rates		X			15 to 7.5 percent.
57	Recordings on magnetic tape	724.40	do		X			0.25 cent per square inch to 2 cents per square foot.
58	Electronic musical instruments	725.45	New provision (725.46); rate	X				17 to 34 percent.
59	Playing cards	734.25	Rate		X			5 to 4 percent.
60(a)	Costume jewelry valued over $5 per dozen	740.35-740.37	do	X				35 to 55 percent.
60(b)	Jewelry chain, etc	740.70-740.80, various	Clarify			X		Various.
61	Buckles and buckle slides	745.45-745.47	Rate		X		X	55 to 24 and 17.5 percent.
62	Clasps; frames incorporating clasps; snap fasteners.	745.67	New provisions (745.66-745.68); rate.		X			55 to 24 percent.
63	Slide fastener parts	745.74	Clarify; rate		X			50 to 20 percent.
64	Dried wreaths, etc	748.35	New provision (748.34); rate		X			25.5 to 10 percent.
65	Electric toothbrushes	683.32; 750.40	Rate	X				12 to 0.8 cents each plus 17 percent.
66	Fireworks	755.15	do		X			32 to 12 cents per pound.
67	Rubber and plastic film, strips, sheets, and plates:							
	Acrylic plastics	Pts 12-B and 12-D, schedule 7.	Redefinition to avoid rate changes.	X				17 percent to 17 cents per pound.
	Other	do	do		X			Various.
68	Colostomy bags	772.42; 774.25; 744.60	Rate		X			17 to 12.5 percent.
69	Fly ribbons	256.90	New provisions (790.15); rate		X			17.5 to 14 percent.
70	Sausage casings	790.45	Reaverage rates; court ruling		X			16 to 12.5 percent.
71	Articles of hair not specially provided for	Pt. 14, schedule 7	Clarify			X		Various.
72	Articles assembled abroad	807.00	do				X	
73	Coconut, palm-kernel, and palm oils, sulfonated or sulfated.	907.77	Rate		X			17.5 to 14 percent.
74	Import restrictions under sec. 22 of Agricultural Adjustment Act, exceptions.	Pt. 3, appendix to TSUS	Eliminate administrative burdens.				X	

This morning the minority leader of the House called my attention to a situation that had just developed within the last few days. We were unable to consider it in time to bring about the inclusion of the idea within this bill, so we are not through with the job, apparently, of finding errors within this Classification Act by the Tariff Commission. We are sorry we could not take care of the situation of the gentleman from Michigan to which he called my attention this morning. We did discuss it today within our committee. There was a question about the development of language on short notice and just where within the tariff classification program that language should fall. But we have asked Mr. Kaplowitz of our staff to pursue this matter and try to develop language to carry out the gentleman's suggestion when this matter is considered on the Senate side.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I deeply appreciate the consideration given to this matter that I discussed with the chairman this morning. I fully appreciate that time was short. I am certain that given time, and when the bill goes to the other body, we will have the opportunity to bring about some readjustment or revision in the bill.

Mr. MILLS. In the meantime the gentleman may be assured that Mr. Kaplowitz of our staff and appropriate personnel within the Tariff Commission will pursue the matter in the effort to develop something along the lines of the gentleman's suggestion.

Mr. GERALD R. FORD. Mr. Speaker, I thank the gentleman.

Mr. MILLS. Mr. Speaker, I would not take time within this limited period to discuss each of these items separately. I can assure the House that the bill largely contains matters that passed the House last year. We have added some new items that we have been able to develop since we had the legislation on the floor last year. But all of these items are within the general category of the committee's original announcement that the bill would be limited to those situations wherein error was made.

I know that some Members have received requests for other items to be included. Frankly, members of the Committee on Ways and Means have had such requests but they were not in the category of errors. They were matters that the committee would have to consider at a different time and under different legislation.

Mr. LENNON. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from North Carolina.

Mr. LENNON. Mr. Speaker, I should appreciate from the chairman of the Committee on Ways and Means an explanation of section 27 designated "Round Wire." The furniture industry of North Carolina is very much concerned that this proposed increase would move from approximately three-tenths of a cent per pound on this round wire used in the furniture industry to what would be approximately $8 per ton.

It just so happens, I will say to my distinguished friend from Arkansas, that approximately 2,000 tons of this wire used exclusively in the furniture industry comes through just one of the ports, and they have been advised by the furniture industry that if this perceptible increase is made it will diminish, dilute and finally destroy the importation of that round wire.

I wonder if we could have an explanation of that situation?

Mr. MILLS. Yes. This was an error when it was classified at 3 cents per pound. Actually, what we have done here is to classify round wire at 8½ percent. That provision, 609.43 voids a rate decrease as a result of the Tariff Classification Act, but what we are trying to do is to restore the rate to what it was prior to this reclassification action by the Tariff Commission.

This is just another error that was made when the rate was set at 3 cents per pound instead of 8½ percent.

Mr. LENNON. Mr. Speaker, would the gentleman yield for a question at one other point in the bill?

Mr. MILLS. Yes.

Mr. LENNON. As I understand it, if this round wire contained less than 0.25 percent of carbon it meets the old rate, which as the gentleman knows is about three-tenths of 1 percent per pound.

Mr. MILLS. That is right.

Mr. LENNON. But if it goes over 0.25 percent in carbon weight then it immediately moves up to 8.5 percent ad valorem rate?

Mr. MILLS. That is right. It was just an error arising from the averaging of rates under the old tariff schedules that resulted in inadvertent reduction in the rate on wire containing over 0.25 percent by weight of carbon.

Mr. LENNON. Mr. Speaker, will the gentleman yield further?

Mr. MILLS. Yes.

Mr. LENNON. I will say to my distinguished friend that on the other side of the coin there is a protest on the decrease.

Mr. MILLS. That is right.

Mr. LENNON. That is, as to the importation rate, and I refer now to the section of the bill known as section 63, the "slide fasteners and parts thereof."

Mr. MILLS. Yes.

Mr. LENNON. Will the gentleman explain for the Record the increase in the tariff on that category of slide fasteners and parts thereof?

Mr. MILLS. Slide fasteners and parts thereof?

Mr. LENNON. Yes.

Mr. MILLS. This actually is for purposes of clarification to insure that slide fastener chain in long lengths would be classified as parts of slide fasteners at 50 percent and to restore the rate of 20 percent to certain cotton tape, because the 50-percent rate of duty held to be applicable under the new tariff schedules upped the rate from 20 percent, and it was done through error and not through any intended action. It was an error.

Mr. LENNON. If the gentleman will yield further, does the gentleman believe that the manufacturer, Talon, Inc., which has plants located in Pennsylvania, North Carolina, and South Carolina is correct when it makes the assertion that the decrease in this tariff rate substantially affects the employment at its mills located in Pennsylvania, South Carolina, and North Carolina?

Mr. MILLS. I do not know about the allocation. All that I do know is that the 20-percent rate was in effect before the Classification Act of 1962. The Classification Act, by error, raised the rate to 50 percent and the Tariff Commission had no authority under the initial authorization by Congress to raise rates of duty in such a manner. It is strictly an error.

Naturally, an industry, a domestic industry, that has benefited from an error of that magnitude I would assume would like to have the error perpetuated. But we are restoring the rate of duty to what it was prior to the enactment of the act of 1962.

Mr. LENNON. Yes. However, I have some interest, I say to the gentlemen from Arkansas, on both sides of the issue.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman has been speaking of errors.

Mr. MILLS. That is right.

Mr. GROSS. Let us turn back to the section cited by the gentleman from North Carolina [Mr. Lennon]. In that case who committed the error? How did the error come about?

Mr. MILLS. The error was committed by the Tariff Commission to whom the responsibility was given by the act of 1954 to go through the act of 1930 and bring about revision and codification of the tariff classification provisions of that act, and submit it to the Congress. The Congress enacted that recommended change in the Classification Act of 1962. So the Tariff Commission actually made the error, and the Congress enacted that error into law.

Since then we have had a number of these situations called to our attention. In the last Congress we passed this same type of bill to correct those errors that had come to our attention.

Mr. GROSS. On page 22, section 30, with respect to automobiles and parts, will this in any way cut down on the importation of automobiles from Canada?

Mr. MILLS. No; this would not, in my opinion, have that effect. It would not. I would urge the House to adopt the bill, as it did last year under suspension of the rules.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, it might be advisable to review the history of this legislation and how it happens to be before us today.

In 1954 we enacted the Customs Simplification Act in an effort to bring our tariff laws and the administration, or the application of these tariffs to specific products, into a more logical and understandable form. In doing this, it was recognized that the classification tables, namely, the schedules where items are described, and then the duty listed after them, need revision. It was extremely complicated and illogical. We therefore as a part of that act ordered the Tariff Commission to begin a study, looking toward the simplification of the classifications, so that we could make them more understandable, and more reasonable, in terms—not of the duties involved—but so that those importing an item could ascertain what the duty would be and in what classification it would fall and how much they would have to pay to the customs collector.

It was a massive job. I want to say that the Tariff Commission did a monumental piece of work in consolidating and simplifying and making more rational and reasonable the basic classification act that we had. It spent over 5 years in that study.

The Tariff Commission then submitted its study to the Committee on Ways and Means. The Committee on Ways and Means at that time—in 1961—invited comments from any interested person who was affected in one way or another by the changes that were made in the classification. We asked them to advise the committee with respect to any particular item or items that were of concern to them and for which they had a particular knowledge. As a result of this, we made some changes in the schedules proposed by the Tariff Commission. We discovered some errors and some oversights, which is perfectly understandable in such a monumental job. Then in 1962 we submitted to the Congress for congressional action this new codification, as it were, of our tariff classifications table, which was adopted by the Congress.

In 1963 the new Classification Act, with the rates that were involved, was proclaimed by the President. But even after the study that we made back in 1961 and the early part of 1962, it was fully realized that not until the new schedules became operative, would some of the practical problems in their application become known. Omissions, oversights, and possible errors would be brought to our attention either by the Tariff Commission, the Bureau of Customs, or the individual importers. Now we have had called to our attention a number of items where it is perfectly clear, as a result of the practical application of the new schedules, that there was an oversight or an error. So the committee again, recognizing that these errors could occur and that these oversights could occur, invited those people who had complaints directed to an oversight, again to advise the committee and to advise the Tariff Commission. We had about 150 items in question. Those items were studied. The Tariff Commission studied them and the Committee on Ways and Means studied them. We discovered there were oversights and there were unintended results in some instances. When one realizes that there are thousands of individual items and specifications making up the classification table, this was not surprising. There were still some unintended results that were not contemplated when we passed the simplification act. Results that went beyond the simplification act. So what did we do? Last year we reported out a bill to you and it was passed by this House. It corrected those matters that had been brought to our attention where it was perfectly clear so far as we were concerned that it was an oversight and it was unintended. That bill, I believe, passed this House unanimously. I believe it passed under suspension of the rules last year.

As so often happens, and I might say too often, the corrective bill which we passed last year, was used for other purposes by the other body, and they tacked on an amendment—an item of considerable controversy—that had nothing to do with the Classificaton Act. As a result, the whole issue died. That bill died even though there was general agreement in the Senate to almost everything that the House of Representatives had done in its bill.

Now really what we are doing today is redoing and repeating the process that we went through last year. In the meanwhile, we had found a few more items, two or three, that we had overlooked, and we pointed out to the House last year when the bill was up for consideration that there probably would be other items and that when they did come to the forefront, we would consider them but at least we wanted to get this package out of the way because these were things that we thought should be corrected.

As I say, we did discover two or three additional items that needed correction. Those items also are in this bill.

Fundamentally, the bill is the same as the bill which passed the House last year. It will make no change in the President's authority to negotiate trade agreements. It will not affect any of our basic trade policy. The bill is merely an attempt to carry out the Customs Simplification Act of 1954, which was to simplify our tariff classification procedures.

The bill will not change rates. The bill merely changes and simplifies the schedules—and they are very voluminous—that one uses when he tries to find out what the product is, where it is, and what duty it comes in under.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Iowa.

Mr. GROSS. Was any administrative mistake made in the business of loading the country up with Australian beef? Is that situation to be corrected in any way?

Mr. BYRNES of Wisconsin. That involves the basic Tariff Act and not the Classification Act. As I say, this bill does not deal with the problem of whether the rate of duty on automobiles, on paper, on beef, or on some other product is at a proper level. This bill does not deal with that. It deals with how one describes various commodities and where they fall in the general classification, so that at least a person can take the big volume of schedules and try to make some sense out of it, whereas prior to 1954 one had to be more than a Philadelphia lawyer to find what was at a given time so far as the importing of some goods was concerned.

Mr. GROSS. So automobiles will continue to roll in from Canada, taking over a market for labor and materials in this country?

Mr. BYRNES of Wisconsin. I say to the gentleman that we have another piece of legislation to deal with that subject. That subject has nothing to do with the Classification Act as such. That has to do with the Tariff Act and the rates applied.

Mr. Speaker, I hope the bill will be unanimously adopted.

Mr. POFF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, the bill under debate fails to deal with the so-called "button blank" problem. This, I am assured, is not because the committee has any lack of sympathy with the problem but only because of certain procedural difficulties.

The button blank problem is easily stated. Because of the loophole in the law, polyester buttons, fully finished except for the holes, enter this country from abroad as button blanks at a duty of 36 percent ad valorem, escaping the 140 percent ad valorem equivalent of finished buttons.

This scheme, which the Tariff Commission has called a "rate avoidance device," threatens irreparable harm to the American button industry. In 1962, only 289,000 gross button blanks entered the United States. In 1964, the figure was 6,670,000 gross. Of this number, 4,320,000 gross were virtually finished buttons—buttons without holes. In 1947, 10,500 Americans were employed by 125 button and button blank manufacturers in this country. By 1963, there were only 50 companies employing only 5,500. In 1964, another nine companies, including some in Virginia, went out of business, while two more cut production by 50 percent.

To state the problem is to justify the solution. The American industry asks as a remedy not a change in the duty rates. It asks only that the definition of button blanks be clarified to thwart those who are now exploiting the loophole. Since this could not be done in this bill, I hope the committee will give prompt attention to the ad hoc bills on this subject which have recently been introduced.

Mr. MILLS. Mr. Speaker, does the gentleman from Wisconsin have any further requests for time?

Mr. BYRNES of Wisconsin. Yes. I yield 5 minutes to the gentleman from Missouri [Mr. Curtis].

Mr. CURTIS. Mr. Speaker, I wish to support what has been said by the chairman of the committee and by the gentleman from Wisconsin [Mr. Byrnes], the ranking minority member of the committee, in respect to the bill.

I did want to add one thing. This is in respect to whatever impact there may be on our trade negotiations, presently going on at Geneva. I wish to emphasize that in theory there should be no impact. That is as the chairman and Mr. Byrnes described it.

This is a technical act, merely correcting errors because of the process of matching the hundreds of thousands of items with the tremendous innovations going on in the articles which are being sold to the public which are in international trade. We are trying to keep the technical language up to date with innovation.

There is only one point I should like to make. The chairman referred to the table he is going to put in the Record. This table will show the items, as a result of getting the language technically correct, which have gone up, or had increased duty, and those which have gone down. Actually, there are more which have gone up in numbers than those which have gone down.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Arkansas.

Mr. MILLS. I believe the gentleman unintentionaly misspoke himself. It is the reverse.

Mr. CURTIS. That is correct. More went down in numbers than went up.

As near as I can figure it, the total net effect—and it is a very difficult thing to determine—probably is slightly up. Am I correct on that?

Mr. MILLS. The gentleman has in mind the amount of trade involved. In that respect he is possibly correct.

Mr. CURTIS. Yes.

The point I am trying to get at, and one can see it from the table, is that there was no attempt to do protecting or not protecting. It has solely to do with conforming to the tehnical wording in relation to the new products which come in. Incidentally, that is where probably most corrections have come about. Something new is invented. How does it fit with the language describing something in general terms, in respect to a product no one had ever thought of before?

I join Mr. BYRNES of Wisconsin in his commendation for the great work that our Tariff Commission people and others, who have dealt with this matter, have done.

This is an amazingly good job and, far from pointing up the errors that occurred, I think our emphasis should be on the fact that there were so few technical errors that grew up. So I would join the committee in urging that we adopt this bill.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

There are two words used quite frequently around here. They are "on balance." I am still at sea in the gentleman's colloquy with the chairman of the Committee on Ways and Means as to whether "on balance" applies and, if these two words apply, does this mean a lowering or an increasing of the tariffs?

Mr. CURTIS. I would respond to the gentleman by saying this first and then ask the chairman of the committee to respond. The very fact that we cannot tell you demonstrates one thing, namely, that that was not the issue. In order to be sure, though, we asked our staff to prepare a table showing those items which went up and those which went down. Incidentally, the gentleman will notice in reading the report, in going through these innumerable technical details you can see the technical aspects of those that were changed. We asked in this chart, just for curiosity's sake, as much as anything else, to see those that actually increased the duty and those that decreased and to see what happens in anything as far as volume is concerned. The advice we are giving you is that it is really a washout item.

Mr. GROSS. I was looking through the report trying to find the word "coffee" in it, but I did not find that.

Mr. CURTIS. The things you would not find in it are controversial issues such as the gentleman is pointing out, namely, automobiles shipped on the part of Canada, or coffee. You will not find the real controversial issues in here. There are others, not included, such as button blanks, because this is a different kind of problem. The bill contains only the things that came about as a result of the language employed to describe our tariff schedule.

Mr. BYRNES of Wisconsin. Mr. Speaker, I have no further requests for time.

Mr. MILLS. Mr. Speaker, I have no further requests for time.

I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore [Mr. ALBERT]. The question is on the motion of the gentleman from Arkansas that the House suspend the rules and pass the bill, H.R. 7969.

The question was taken, and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. KEITH. Mr. Speaker, as I did last year when similar legislation was before the House, I urge that H.R. 7969 be passed and sent to the other body for immediate action. The House did pass this bill last year, but the addition of certain amendments by the other body precluded its final passage in the final days of the 88th Congress.

As you know, Mr. Speaker, it was at the direction of the Congress that the U.S. Tariff Commission spent a number of years in a study of the modernization of the tariff schedules in the Tariff Act of 1930. On the basis of their recommendations, the Congress enacted the Tariff Classification Act of 1962. The revised schedules were promulgated by the President and became effective on September 1, 1963. Considering that the tariff schedules contain many thousands of individual items, it was inevitable that some errors, oversights, and inadvertences would occur.

The Ways and Means Committee has given in this bill, careful study to the various situations that have been brought to its attention. This legislation is limited to correcting provisions in the schedules where it has been shown that clarifying language is necessary in order to make the earlier intent of Congress clear.

It is possible that injustices can be done if these errors are left uncorrected. This bill contains only "technical" amendments. I hope that it will be passed without delay—thereby correcting and preventing further injustice to the affected products and their manufacturers.

Mr. MARSH. Mr. Speaker, the Committee on Ways and Means has done a painstaking job in the complicated area of the tariff schedules of the United States in bringing before us this legislation to provide for certain technical amendments. As I understood the criteria established by the committee in drafting the legislation, the bill was limited to errors in previous enactments chargeable to oversight, inadvertence, or lack of information.

While it had been my hope that a problem involving certain textured yarns could have been resolved in this bill, I respect the judgment of the committee that this matter was of a nature requiring separate consideration. I am hopeful, now that H.R. 7969 has been moved forward, that the committee will have opportunity to consider including in the schedules by separate legislation, after appropriate hearing and due consideration, a classification of textured yarns which will bring about a fair treatment of the essential differences between textured yarns made from conventional yarns and the unprocessed conventional yarns.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks at this point in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

REMOVING INEQUITIES IN PROMOTION OF AIR FORCE OFFICERS

Mr. RIVERS of South Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7596) to amend title 10, United States Code, to remove inequities in the active duty promotion opportunity of certain Air Force officers, as amended.

The clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the period July 1, 1965, through June 30, 1966, the table in section 8202(a) of title 10, United States Code, is amended as follows:

(1) The column headed "For lieutenant colonels" is amended by striking out the figures therein and inserting "12.35 percent of the actual strength" in place thereof.

(2) The column headed "For colonels" is amended by striking out the figures therein and inserting "5.30 percent of the actual strength" in place thereof.

The SPEAKER pro tempore. Is a second demanded?

Mr. BATES. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, in 1947, the U.S. Air Force, having proved itself in the fiery crucible of World War II, was established as a separate military department, coequal with the Departments of the Army and the Navy. At that time, the officer corps of the new air arm was composed, for the most part, of World War II veterans whose service had begun in the period 1942 to 1945.

We were indeed fortunate to have this high percentage of young but experienced and combat-tested veterans to spark the new independent Air Force—and to hold in its capable hands the promise of leadership for the future.

At the same time, however, due to the shortage of officers with long service, the immediate requirement for colonel and lieutenant colonel authorizations was relatively light.

In 1953, for example, a scant 18 percent of all Air Force officers could claim more than 12 years of service.

Today, that percentage has doubled, but we are still essentially working with the Officer Grade Limitation Act of 1954.

When that legislation was enacted, the restrictive limitations on the grades of colonel and lieutenant colonel naturally fell most heavily upon the Air Force.

Both the Army and the Navy possessed higher percentages of officers who were senior in terms of active commissioned service; their authorizations for the higher field grades were, therefore, correspondingly higher.

In the context of 1954, the Officer Grade Limitation Act served its purpose, and was just. But it was recognized even then, by the Armed Services Committee and others, that as its officer force matured, the Air Force limitations would have to be increased accordingly.

As expected, then, by 1959 the act was beginning to show its obsolescence. The promotions of captains to major began to present a critical problem. To meet the problem, the Department of Defense supported temporary legislation to raise the ceiling on majors by 3,000 spaces. This was the first of a series of temporary measures, which continue to this day.

During the committee hearings that year, the inadequacies of the Air Force grade tables were recognized.

At the same time, the Defense Department promised to conduct a study of officer personnel legislation and forward to the Congress recommendations for revision.

As a result of those 1959 hearings, the Defense Secretary did, indeed, convene a committee of distinguished senior general and flag officers, representing all the military departments. This Bolte committee made a comprehensive study of officer career management—its multiple phases and numerous problem areas—and submitted recommendations which were subsequently incorporated into a legislative proposal.

In the interim, of course, the Air Force worked under the temporary relief of the 1959 legislation.

By 1961, the DOD study had not yet been completed, and the focus of the Air Force problem had inevitably shifted to the lieutenant colonel level.

So, the Congress enacted further temporary relief, adding 4,000 lieutenant colonel authorizations to the 1954 provisions. The number was still below corresponding percentage authorizations applying to the other military departments, but this measure did permit the Air Force promotion program to continue for another 2 years.

Before this second temporary law expired, the Bolte study was completed.

It contained recommendations for a comprehensive revision of officer personnel laws—including a single uniform field grade table. The great breadth and depth of the package foreshadowed the necessity for extensive hearings, so—in 1963—an extension of the temporary 1961 authority was granted.

Now, for the fourth time, further temporary authority is required.

The present authority to exceed permanent limitations to the extent of 4,000 lieutenant colonels will expire on June 30 of this year.

On March 12 of this year, the DOD proposal based on the Bolte committee recommendations was transmitted to the 89th Congress.

It does not appear likely, however, that the Congress could possibly initiate and complete hearings on the proposal before the expiration of the temporary authority. Nor, indeed, is there any clear-cut hope that they will be completed during this session. However, the Armed Services Committee is fully prepared to consider the Department of Defense proposal pertaining to officer career management whenever we have some indication that the other body is prepared to do likewise.

The bill under consideration, H.R. 7596, was sponsored by me because it is essential to the continuance of the Air Force promotion program. It has been modified slightly to conform to recommendations of the Department of Defense and has the full support of the administration.

While H.R. 7596 is in no sense a complete substitute for the permanent legislation which is now long past due, it is nonetheless a matter requiring immediate and urgent attention. Without its provisions, the Air Force, by June 30 of this year, will face six related situations, any one of which is untenable. In the aggregate, they would prove intolerable.

These are the six situations:

First. There can be no active-duty—temporary—promotion program for officers eligible for the three field grades during fiscal year 1966;

Second. The Air Force will not be able to promote approximately 1,730 officers who were already selected for promotion during fiscal year 1965;

Third. The Air Force will be forced to reduce its commissioned officer strength by 4,000 lieutenant colonels during the next fiscal year;

Fourth. This reduction will force the demotion or early separation of between 1,500 and 2,000 lieutenant colonels;

Fifth. No Reserve officers will be able to be promoted to the active-duty grades of major, lieutenant colonel, or colonel; and

Sixth. The unfavorable gulf in officer promotion opportunity between the Air Force and the other armed forces will yawn even wider. Today, the Air Force promotes its officers as much as 3 years later than the other services; unless this bill is enacted, the disparity will widen to 4 years.

To solve this, the bill increases the number of authorized lieutenant colonels by 5,080 and the number of colonels by 1,495. It will expire June 30, 1966.

Mr. Speaker, I will not labor the obvious point of what we expect—what we demand—of all our military people at this critical juncture in man's history.

Nor should it be necessary to emphasize the steadfastness with which these demands are being answered. It must be more than obvious that the incentives impelling men to give so much for so little have to transcend material considerations.

Otherwise, we could never have retained the superb and dedicated forces which are at this moment defending us and our cherished freedom throughout the world.

But there simply has to be some limit beyond which a breach of their implicit faith in us, to see that simple justice is done, cannot be pushed. I should not think that any Member of this House would want to find out where that limit is.

Today's Air Force leadership—and, even more vitally, the leadership for the tremendously difficult tomorrows—depends inevitably upon what we do now.

A permanent solution for the officer imbalance problem must be found. And, more urgently, this temporary relief must be granted without delay.

Mr. BATES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 7596 and heartily second the remarks of the gentleman from South Carolina, the able and distinguished chairman of the House Armed Services Committee.

It has always seemed completely clear to me that, if we must for any reason abridge the rights of any group to the slightest degree, our obligation to that group becomes correspondingly more profound. I learned in 9 years of service with the Navy—as anyone must learn who wears the uniform of his country—that those who guard the freedom of the Nation must necessarily give up a portion of their own freedom in so doing.

This is the nature, and the compelling necessity, of military service—and every serviceman is fully aware of that fact when he undertakes this great duty of citizenship.

Who is there, then, to protect the rights of those who protect our total society—if not we who prescribe the laws by which they are governed?

As the distinguished chairman has said, it cannot be money alone that draws men to the service of the Nation—and keeps them there—because the monetary rewards are negligible in proportion to what they purchase. Yet, we cannot expect that devotion to duty to be a substitute for the needed funds to raise a family. We cannot ask that much of our dedicated military personnel.

The requirements levied upon our soldiers, sailors and airmen are extreme. And it is just the hard-won skills they must have, in this age of complex management and technological explosion, that are in the greatest demand in the industrial world. We must do what we can to retain these people in the Armed Forces.

It has been clearly established that reasonable promotion opportunity is a major factor influencing an officer to stay in the service. With the maturing Air Force officer corps, current officer grade limitations do not, by any stretch of the imagination, provide that reasonable opportunity. Air Force officers simply do not have promotion opportunities comparable to those enjoyed by officers in the other services.

Chairman RIVERS has explained why the Air Force's officer career progression has been slower than those of the Army and the Navy during the 1950's. And he showed that there was, in those days, some justification for that circumstance. But that justification has long since ceased to exist.

Today's Air Force officers are, on the average, older, more experienced, have more active commissioned service, and are in every conceivable respect qualified for promotion at earlier career service points. Yet, during the last fiscal year, only 48 percent of the captains who were considered for promotion were selected.

We have been assured that the records of many of the officers who failed of selection were excellent. It was not they who were found wanting in any respect—but the system of limited authorizations that has been long since outmoded. Furthermore, those exceptionally fortunate ones who were selected were promoted as much as 3 full years later than their contemporaries in the Army and the Navy.

Now I submit, Mr. Speaker:

If you give a dedicated officer far less in the way of pay than he could be earning for his family as a civilian;

If you provide him inadequate housing;

If you would have him work long hours each week under constant tension; and

If you then force him to watch his classmates in the Army and Navy advance far more rapidly than he has any hope of doing;

Then I submit, Mr. Speaker, that you are putting a tremendous strain on his dedication.

I will say with our chairman that we cannot afford to find out how long and to what extent this strain can be tolerated. Clear evidence from all the military services would indicate that we have already come too close to the breaking point.

There are many things we can—and should—do to ease the strain. One of the simplest and least costly, surely, must be to afford temporary relief to the Air Force with the passage of this bill. This is the absolute minimum that will bridge the gap between June 30, 1965, and the enactment of sorely needed permanent legislation.

The number of grades recommended by the Defense Department is slightly lower at the colonel level than may prove to be desirable over a long period. Nonetheless, the revised bill will enable the Air Force to make substantial progress in solving this critical problem for the coming fiscal year. With the authorizations it contains, the Air Force will be able to provide the desired percentage opportunities, and promote at the desired career service points to these two grades.

The most critical problem, as you have heard, is the promotion to major. The Air Force presently promotes qualified officers to this grade in their 13th year of commissioned service. The goal is promotion in the 11th year, more nearly approximating Army and Navy promotion phase points. This bill, with these additional authorizations, will enable the Air Force to lower the promotion service point to the 12th year. This represents, at least, a 50-percent achievement of the desired goal.

At the same time, the percentage opportunity affecting the captains who compete can be substantially improved. Air Force goals can be fully achieved by 1969 if this temporary legislation is enacted, and if the proposed permanent legislation is adopted. Both actions are essential.

Enactment of this temporary measure will provide a more uniform officer grade distribution among the services, and will authorize Air Force distribution more nearly in line with the proposals of the Bolte committee.

Its passage will avert the termination of the Air Force promotion program for the coming year, and obviate the necessity for the Air Force to resort to a demotion or early release program. It will improve the career opportunities of thousands of Air Force officers, and remove the many promotion inequities which exert such a negative impact on the Air Force officer career management program.

To neglect this simple remedy would not only be shortsighted in the face of the extreme tension abroad in today's world, it would be simply and absolutely without any basis in reason.

I therefore join with my distinguished chairman in urging your full support for H.R. 7596.

The **SPEAKER** pro tempore (Mr. Albert). The question is on the motion of the gentleman from South Carolina [Mr. Rivers] that the House suspend the rules and pass the bill H.R. 7596.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PROVIDING RANK OF LIEUTENANT GENERAL OR VICE ADMIRAL OF OFFICERS OF THE ARMY, NAVY, AND AIR FORCE WHILE SERVING AS SURGEONS GENERAL

Mr. **RIVERS** of South Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7484) to amend title 10, United States Code, to provide for the rank of lieutenant general or vice admiral of officers of the Army, Navy, and Air Force while serving as Surgeons General.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3036(b) of title 10, United States Code, is amended by striking out the second sentence and inserting in place thereof the following sentences: "Each officer covered by the preceding sentence, except the Surgeon General, shall be appointed in the regular grade of major general. The Surgeon General, while so serving, has the grade of lieutenant general, but is not counted as a lieutenant general against any strength prescribed by, or under, law."

Sec. 2. Section 3962(a) of title 10, United States Code, is amended to read as follows:

"(a) Upon retirement, a commissioned officer of the Regular Army who has served (1) as Chief of Staff to the President, (2) as Chief of Staff of the Army, (3) as a senior member of the Military Staff Committee of the United Nations, (4) in a position of importance and responsibility designated by the President to carry the grade of general or lieutenant general under section 3066 of this title, or (5) as Surgeon General of the Army in the grade of lieutenant general may, in the discretion of the President, be retired, by and with the advice and consent of the Senate, in the highest grade held by him at any time on the active list."

Sec. 3. Section 5133(b) of title 10, United States Code, is amended to read as follows:

"(b) Except for an officer who is serving or has served in the grade of vice admiral under section 5137(a) of this title, an officer who is retired while serving as a chief of bureau, or who, after serving at least two and one-half years as a chief of bureau, is retired after completion of that service while serving in a lower rank or grade, may, in the discretion of the President, be retired with the grade of rear admiral or major general, as appropriate, and with retired pay based on that grade. If he is retired with the grade of rear admiral, he is entitled to the retired pay of a rear admiral in the upper half of that grade. An officer who is serving or has served in the grade of vice admiral under section 5137(a) of this title may, upon retirement, be appointed by the President, by and with the advice and consent of the Senate, at the highest grade held by him while on the active list and with retired pay based on that grade."

Sec. 4. Section 5137(a) of title 10, United States Code, is amended by adding the following sentence: The Surgeon General, while so serving, has the grade of vice admiral, but is not counted as a vice admiral against any strength prescribed by, or under, law."

Sec. 5. (a) Chapter 805 of title 10, United States Code, is amended by adding the following section:

"§ 8036. Surgeon General: grade

"The officer who is designated as a medical officer under section 8067(a) of this title and who is serving as Surgeon General of the Air Force has, while so serving, the grade of lieutenant general. He is not counted as a lieutenant general against any strength, prescribed by, or under, law."

(b) The analysis of chapter 805 of title 10, United States Code, is amended by inserting the following item:

"8036. Surgeon General: grade."

Sec. 6. Section 8962(a) of title 10, United States Code, is amended to read as follows:

"(a) Upon retirement, a commissioned officer of the Regular Air Force who has served (1) as Chief of Staff to the President, (2) as Chief of Staff of the Air Force, (3) as a senior member of the Military Staff Committee of the United Nations, (4) in a position of importance and responsibility designated by the President to carry the grade of general or lieutenant general under section 8066 of this title, or (5) as Surgeon General of the Air Force in the grade of lieutenant general may, in the discretion of the President, be retired, by and with the advice and consent of the Senate, in the highest grade held by him at any time on the active list."

The **SPEAKER** pro tempore (Mr. Albert). Is a second demanded?

Mr. **BATES**. Mr. Speaker, I demand a second.

Mr. **RIVERS** of South Carolina. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. **RIVERS** of South Carolina. Mr. Speaker, this is a bill to amend title 10, United States Code, to provide for the rank of lieutenant general or vice admiral of officers of the Army, Navy, and Air Force while serving as Surgeons General.

PURPOSE OF THE BILL

The purpose of the bill is to amend existing law so as to provide, by statute, that officers of the Army, Navy, and Air Force while serving as Surgeons General will hold the rank of lieutenant general or vice admiral—three-star rank—and be entitled to the pay and allowances of such grade while so serving.

The bill also would provide for retirement in three-star grade for such officers subject to Senate confirmation.

BACKGROUND

The basic objective of this legislative proposal is to enhance the professional and military stature of the Surgeons General of each of the military departments. It would also have the advantage of providing additional opportunities for flag or general officer rank in the Medical Corps of each of the military departments and thus supply an important incentive toward the retention of career-motivated medical personnel.

The importance of medical care to our Armed Forces needs no elaboration. Yet, with the exception of Vice Admiral Berkley, Medical Corps of the Navy, who is presently attached to the White House, and Lieutenant General Heaton, Medical Corps of the Army, presently Surgeon General of the Army, all surgeons general of the respective military departments serve in the grade of rear admiral or major general—a two-star grade.

Under existing law, medical officers in the Army and Navy who are designated as the Surgeon General of their respective military service, are appointed in the grade of major general or the rank of rear admiral, upper half, respectively—sections 3036 and 5133 of title 10, United States Code.

Although there is no similar specific statutory provision for the grade of Surgeon General of the Air Force, the officer assigned to that position is normally a major general.

Both Lieutenant General Heaton and Vice Admiral Berkley hold their present rank and grade by virtue of authority vested in the President to designate certain positions of importance as warranting such grade for the incumbents—Sections 3066, 5231, and 8066 of title 10, United States Code.

As a consequence of this authority vested in the President, we have an anomolous situation in which the chief medical officer of one of the military departments is in fact junior in rank and grade to one of the officers normally under his command.

I believe that a medical officer serving as the private physician to the President of the United States should properly hold three-star rank. On the other hand, I also believe that the Surgeons General of each of the military departments who have the vast responsibility for the worldwide medical care of millions of military personnel and their dependents should similarly be given official recognition of this tremendous responsibility by being provided three-star rank.

The Surgeons General of the three services are responsible for all of the health personnel and their training; the medical staffing of hospitals, dispensaries, field units, and ships; and the provision of trained personnel in the military medical missions of aviation, space, submarine, and atomic medicine, and medical planning and logistics.

The Surgeons General of our military services also represent our medical services in consultation and meetings with foreign nations and yet are often junior to Surgeons General or chief medical officers of high rank of other countries with smaller military organizations. Unfortunately, this discrepancy in rank in connection with the national and international meetings held by our Surgeons General with their contemporaries inevitably results in unnecessary embarrassment and creates problems of protocol that could easily be avoided by providing these officers with three-star rank.

It is unthinkable that this disgraceful condition would not be corrected.

At the present time, the Navy with some 3,700 medical officers, has only 13 flag officers—excluding the White House and Capitol physicians; the Army, with about 4,800 medical officers, has 18 general officers; and the Air Force, with about 3,700 medical officers, has 17 general officers. The Veterans' Administration, on the other hand, with about 4,300 physicians, plus noncareer residents, has nearly 300 in super grades—GS-16 and above—whose salaries are comparable or greater than officers of the flag rank—$18,935 to $24,500.

The Public Health Service has a total of 2,254 medical officers, including 24 flag rank officers equally divided between the upper and lower half.

I cite these figures to reflect the fact that the opportunity for medical officers to achieve flag rank or the equivalent in the military departments is demonstrably less than the opportunity to achieve comparable status in other Federal employment and in private practice.

For example, based on the total number of officers in the Navy in the grade of lieutenant and above in the Medical Corps, we find that the percentage of officers in the Medical Corps holding flag rank is 0.36 percent as compared to the nonrestricted line percentage of more than 0.84 percent. Thus, the opportunity for flag rank in the line of the Navy is almost twice as great as it is for officers in the Medical Corps of the Navy. A comparable situation is found in the Army and Air Force as well.

We are today, in one manner or another, drafting almost 50 percent of each year's medical schools graduating group under the doctors' special draft law. At the present time, in the general draft, only some 100,000 to 160,000 men are drafted per year out of the new eligibility pool of potential inductees of about 1,600,000. Thus, under the general draft law we are drafting approximately 10 percent of those eligible, whereas under the doctors' draft law we are, in effect, drafting almost 50 percent of the total eligible. Thus, it is evident that this special group of professional personnel are being required to share an inordinate proportion of the country's requirement for military service.

I know, and you know, that the special doctors' draft, although discriminatory, is essential. However, it is also proving inadequate to maintain a career medical corps. Without the special doctors' draft, the Medical Corps of the armed services would collapse, and even today, it is deteriorating despite the draft.

The bill before us today would attempt, in an admittedly minor way, to attack these various problems by singling out this group for special attention and providing the services with some additional promotion opportunity resulting from the establishment of a three-star rank in each of the Medical Corps of our military departments.

FISCAL ASPECTS

Enactment of this legislation would have no appreciable effect on the Department of Defense budget since it merely results in less than a $200 monthly increase in basic pay for each of the three officers who would be so designated, an increase in basic pay from $1,455.60 to $1,614.20 per month.

SUMMARY

The military departments and the Department of Defense will say there is no need for this legislation since the President presently has the authority to designate the Surgeons General as three-star officers. But, I firmly believe that these distinguished gentlemen appointed as our Surgeons General should serve in these billets in three-star grades under a law passed by the Congress and not at the whim of a President. I hope you will share my conviction in this regard.

AMERICAN MEDICAL ASSOCIATION,
Chicago, Ill., May 14, 1965.

Hon. L. MENDEL RIVERS,
Chairman, Committee on Armed Services,
House of Representatives, Washington, D.C.

DEAR MR. RIVERS: It is the understanding of the American Medical Association that your committee has under active consideration H.R. 7484, a bill which would provide for the rank of lieutenant general or vice admiral for officers of the Army, Navy, and Air Force while serving as Surgeons General.

The American Medical Association has long been interested in the health of our servicemen, and, in this regard, has worked closely with the military departments in maintaining high standards of health. The American Medical Association has also recognized that the offices of the Surgeons General of the Army, Navy, and Air Force carry with them responsibility for the worldwide health care of members of the Armed Forces. This heavy responsibility warrants, in our opinion, the commensurate rank provided in this bill.

The association also recognizes the problems that have been encountered in retaining qualified career medical officers. We believe that the recognition provided by H.R. 7484 will have a beneficial effect on the morale of military medical officers.

Accordingly, the American Medical Association strongly supports the enactment of H.R. 7484.

I will appreciate your arranging for this letter to be included in the record of hearings on this bill.

Sincerely yours,
F. J. L. BLASINGAME, M.D.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Iowa.

Mr. GROSS. I agree with the gentleman. In at least one department of this Government we ought to look to our own dignity rather than that of the foreigners. It seems most of the time we are doing something to elevate the dignity of foreigners and downgrading ourselves. Especially is this true in the matter of foreign aid and all that goes with it.

Do I understand that the physician to the President, if he be military, holds a three-star rank permanently?

Mr. RIVERS of South Carolina. No, it is not permanent.

Mr. GROSS. It is temporary?

Mr. RIVERS of South Carolina. Yes. As Commander in Chief, he may do it. President Eisenhower designated his physician, General Heaton, as a three star. President Johnson designated his physician as a three star. It is his decision. He has the right under the law to do so, and I think he should have that right. Then thereafter General Heaton became Surgeon General. Now as Surgeon General he continues to hold three stars, but he does so as a result of the President's action and not by a specific law. Now the Navy has the two-star Surgeon General as provided by law. In the Air Force it is not even created by law. They give him two stars and there he is and he has tremendous responsibility for aerospace medium and everything else. I have been trying for years to do this and I only recently got in the position where I could do it.

Mr. GROSS. Now with the passage of this bill, each of the Surgeons General would hold permanent three-star rank?

Mr. RIVERS of South Carolina. They would be authorized to retire at the three-star rank and hold the three-star rank by law.

Mr. GROSS. They would be of permanent three-star rank and not just for the purposes of retirement?

Mr. RIVERS of South Carolina. It requires confirmation when they retire, too.

Mr. GROSS. When they retire? Then it is not actually permanent?

Mr. RIVERS of South Carolina. Yes, sir, this is positively permanent law.

Mr. GROSS. If elevated to the permanent rank of lieutenant general and confirmed in that rank, why then would they again be confirmed on retirement?

Mr. RIVERS of South Carolina. I am sorry I misunderstood your question. While serving as Surgeon General, they are of three-star rank—and this would be provided in permanent law. However, the promotion itself is temporary, therefore, when they retire they have to be so designated by the other body.

Mr. GROSS. I thank the gentleman.

Mr. EVERETT. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman.

Mr. EVERETT. I wish to associate myself with our colleague, the distinguished gentleman from South Carolina. I am personally acquainted with the outstanding record of the Surgeon General of the Navy, Admiral Brown. I think he has contributed greatly to the medical service of the Navy. I certainly want to commend the gentleman and thank him for yielding.

Mr. RIVERS of South Carolina. I thank the gentleman very much.

Mr. BATES. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I rise in support of H.R. 7484 and urge the House to pass this bill without a dissenting vote.

I fully concur in the statements made by my distinguished chairman, the gentleman from South Carolina, the Honorable Mendel Rivers. Mr. Rivers has given the Members of this body a very precise and complete justification for enactment of this legislation.

Our Surgeons General have a vast and terrifying responsibility—the health and medical care of almost 7 million military personnel and their dependents. Military: 2,645,964; dependents: 4,009,487; total: 6,655,451.

This responsibility is awesome in itself, but when viewed with the awareness that a failure to adequately maintain the health of our military personnel and their dependents would inevitably directly detract from the combat readiness of our military forces, we begin to genuinely appreciate the importance of their managerial and scientific efforts.

Unfortunately, the medical services of our military departments continue to rely heavily upon the draft for medical personnel. I understand that our respective medical corps have only approximately one-third of their personnel in a career status. As a consequence, we have a tremendous turnover in medical personnel, which inevitably compounds the managerial problem confronting our Surgeons General.

It is important to note that our Surgeons General must of necessity come from among the career officers in each of the military departments. We cannot go out into the marketplace and select outstanding professional medical practitioners for this immensely important responsibility—we must find them from among our career medical corps personnel—personnel with the military and scientific professional background which qualifies them for this position.

Fortunately, we have been blessed with sufficient numbers of these dedicated medical personnel so as to provide the services with genuine selectivity in designating our various Surgeons General. However, we will not be able to rely forever on this continued good fortune. We must, therefore, take action to insure the retention of these personnel in adequate numbers so as to provide a continuation of a genuine career medical corps in each of the departments.

Providing three-star rank to each of these Surgeons General will be a small step in that direction. Therefore, I am wholeheartedly in support of this legislation. However, I wish to take this opportunity to emphasize to the Members of this body the importance of taking other steps to not only insure the retention of medical officers in the military departments, but all other equally dedicated military personnel.

I, for one, am looking forward to early hearings by the Committee on Armed Services on the subject of a military pay raise. Every Member of the Congress is acutely aware of the need for an adjustment upward in military compensation.

The Presidential Panel has also recommended an increase in military pay. Although the increase recommended by the Presidential Panel is disappointingly small, it does nevertheless reflect unanimity of opinion among all parties concerned that an adjustment upward in military pay is urgently required.

I am certain that the Committee on Armed Services will give this requirement prompt attention and will report a bill to the floor which will provide for a realistic adjustment in military pay. The Members of the House can then work their will in respect to its merits.

I trust that the House will, as it has in the past, accept the recommendations of the Committee on Armed Services in respect to the requirement for an increase in military pay.

Now, let us take this action today to provide, by statute, that our Surgeons General will have the professional dignity and stature that accompanies three-star rank. I earnestly request your support of this bill.

Mr. RIVERS of South Carolina. Mr. Speaker, I yield myself 1 minute, to say that this bill has the backing of the American Medical Association as well as the American Dental Association.

Mr. BATES. Mr. Speaker, I yield to the gentleman from Missouri [Mr. Hall], who was a surgeon in the U.S. Army and who is well qualified to speak on this measure.

Mr. HALL. I thank the gentleman for yielding.

Mr. Speaker, I served as an assistant to the Surgeon General of the Army for military and civilian personnel during World War II. I am in strong support of this bill, for many of the reasons already stated.

I should like to add, for the benefit of the House, that at one time the Surgeon General of the Army controlled over 1.2 million civilian and military personnel during the height of the mobilization for that war effort.

This will certainly enhance the status of consultation with the Surgeons General not only by the White House but also, I hope, by the Department of Defense, in matters as to which they are particularly expert, as well as leaven existing inequalities between the departments of the executive branch and the White House.

We are now sending through the State Department—rather than the military departments—the so-called Ascom, or aid teams, for teaching and training as well as medical care in South Vietnam, whereas that could well or perhaps better be done with regular military—Air Force, Navy, or Army—hospital units as teaching units. This would be done if the function of coordination in command were brought about. I believe the higher rank, which has long been deserved—in fact, since the time of the War Between the States—will help to give proper credit and status.

I strongly support the bill.

GENERAL LEAVE

Mr. BATES. Mr. Speaker, I ask unanimous consent that all Members may have 2 legislative days in which to revise and extend their remarks on this bill.

The SPEAKER pro tempore (Mr. Albert). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER pro tempore. The question is on the motion of the gentleman from South Carolina that the House suspend the rules and pass the bill H.R. 7484, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF ACT

Mr. THOMPSON of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7031) to provide for the establishment and operation of a National Technical Institute for the Deaf, as amended.

The Clerk read as follows:

H.R. 7031

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Technical Institute for the Deaf Act".

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. For the purpose of providing a residential facility for postsecondary technical training and education for persons who are deaf in order to prepare them for successful employment, there are authorized to be appropriated for each fiscal year such sums as may be necessary for the establishment and operation, including construction and equipment, of a National Technical Institute for the Deaf, including sums necessary for the acquisition of property, both real and personal, and for the construction of buildings and other facilities for such Institute.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(b) The term "institution of higher education" means an educational institution in any State or in the District of Columbia which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized within such State (or in the District of Columbia) to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree, (4) includes one or more professional or graduate schools, (5) is a public or nonprofit private institution, and (6) is accredited by a nationally recognized accrediting agency or association. For purposes of this subsection, the Commissioner of Education shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(c) The term "construction" includes construction and initial equipment of new buildings, expansion, remodeling, and alteration of existing buildings and equipment thereof, and acquisition of land; including architect's services, but excluding off-site improvements.

PROPOSALS

SEC. 4. Any institution of higher education which desires to enter into an agreement with the Secretary to establish and operate a National Technical Institute for the Deaf shall submit a proposal therefor at such time, in such manner, and containing such information as may be prescribed by the Secretary.

AGREEMENT TO ESTABLISH INSTITUTE

SEC. 5 (a) The Secretary, after consultation with the National Advisory Board created by section 6, is authorized to enter into an agreement with an institution of higher education for the establishment and operation, including construction and equipment, of a National Technical Institute for the Deaf. The Secretary, in considering proposals from institutions of higher education to enter into an agreement under this Act, shall give preference to institutions which are located in metropolitan industrial areas.

(b) The agreement shall—

(1) provide that Federal funds appropriated for the benefit of the Institute will be used only for the purposes for which paid and in accordance with the applicable provisions of this Act and the agreement made pursuant thereto;

(2) provide that the Board of Trustees or other governing body of the institution, subject to the approval of the Secretary, will appoint an advisory group to advise the Director of the Institute in formulating and carrying out the basic policies governing its establishment and operation, which group shall include persons who are professionally concerned with education and technical training at the postsecondary school level, persons who are professionally concerned with activities relating to education and training of the deaf, and members of the public familiar with the need for services provided by the Institute;

(3) provide that the Board of Trustees or other governing body of the institution will make an annual report to the Secretary. The Secretary shall transmit the report of the institution to the Congress with such comments and recommendations as he may deem appropriate;

(4) includes such other conditions as the Secretary, after consultation with the National Advisory Board, deems necessary to carry out the purposes of this Act; and

(5) provide that any laborer or mechanic employed by any contractor or subcontractor in the performance of work on any construction aided by Federal funds appropriated for the benefit of the Institute will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and the Secretary of Labor shall have, with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

(c) If within twenty years after the completion of any construction (except minor remodeling or alteration) for which such funds have been paid—

(A) the facility ceases to be used for the purposes for which it was constructed or the agreement is terminated, unless the Secretary determines that there is good cause for releasing the institution from its obligation, or

(B) the institution ceases to be the owner of the facility,

the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

NATIONAL ADVISORY BOARD ON ESTABLISHMENT OF THE NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

SEC. 6. (a) There is hereby established a National Advisory Board on Establishment of the National Technical Institute for the Deaf, which shall consist of twelve persons, not regular full-time employees of the United States, appointed by the Secretary without regard to the civil service laws. The Secretary shall appoint one of the members to serve as Chairman. The appointed members shall be selected from among leaders in fields related to education and training of the deaf and other fields of education, and from members of the public familiar with the need for services provided by the Institute. The Commissioner of Education and the Commissioner of Vocational Rehabilitation shall be ex officio members of the Board.

(b) Members of the Board, while serving on business of the Board, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including traveltime, and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittenly.

(c) It shall be the function of the Board (1) to review proposals from institutions of higher education which offer to enter into an agreement with the Secretary for the construction and operation of a National Technical Institute for the Deaf, (2) to make recommendations to the Secretary with respect to such proposals, and (3) to make such other recommendations to the Secretary concerning the establishment and operation of the National Technical Institute as may be appropriate.

(d) After the Secretary enters into an agreement under this Act, the Board shall cease to exist.

The SPEAKER pro tempore. Is a second demanded?

Mr. GRIFFIN. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from New Jersey [Mr. THOMPSON] will be recognized for 20 minutes, and the gentleman from Michigan [Mr. GRIFFIN] will be recognized for 20 minutes. The Chair recognizes the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it has been estimated that there are 37,000 seriously hearing-impaired children in the country, of whom some 6,000 are receiving little or no special education help. Legislative activities in recent years that include stimulation for the training of teachers and other professional personnel, research, and demonstration, captioned films and other acts are beginning to improve the educational opportunities for these children.

There is a continual flow of some 3,000 students who finish or leave school each year. Very little to date has been done to improve the opportunities for education and training of this group that lead to adequate employment.

These capable young adults, with a valuable potential for contributing to society, are given little or no opportunity to develop this potential. In our modern society the demands for much more technical training is increasing. Provisions must be made to allow the special talents of this group to emerge. If they are trained in technical skills, they will be able to increase their self-esteem and their worth to society.

A National Technical Institute for the Deaf will give these deserving young adults the opportunity they need to increase their worth in their own eyes and in the eyes of their fellow man.

I might point out that their problems are particularly acute and particularly pathetic.

We held comprehensive hearings in the subcommitte on this subject. The bill was reported unanimously by both the subcommittee and the full committee. It is something which is really an absolute essential.

I believe that the Members of this body will be proud to learn that, of all the nations in the world, ours is the only nation where a higher education is available for deaf youngsters, in Gallaudet College.

It is the only institution of its type in the world. Its facilities are overcrowded. It has the type of curriculum and method of operation which will not take care of many thousands of young adult deaf persons whose talents lie in another direction; namely, that of the vocational type of education. Gallaudet College is a liberal arts institution as distinguished from the orientation that the deaf person would get from this new proposed institution.

Our colleague, the gentleman from New York [Mr. CAREY], has done a magnificent job, as usual, in handling this legislation, and he will address himself to it later on.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. Yes. I will be glad to yield to my friend from Iowa.

Mr. GROSS. I thank the gentleman. I understand this bill provides for a commission or a national advisory board or something of that nature.

Mr. THOMPSON of New Jersey. It does.

Mr. GROSS. For the establishment of the institution.

Mr. THOMPSON of New Jersey. A 12-member National Advisory Board.

Mr. GROSS. Do they report back to Congress, or to whom do they report?

Mr. THOMPSON of New Jersey. They report to the Secretary.

Mr. GROSS. To the Secretary of HEW?

Mr. THOMPSON of New Jersey. Yes. And when their job is done, that is, the study with relation to the establishment of the institution, they will cease to exist.

Mr. GROSS. They make a recommendation and the recommendation goes to the Secretary of the HEW and not to Congress?

Mr. THOMPSON of New Jersey. That is correct. Technically, yes.

Mr. GROSS. In other words, will we have no opportunity, as Members of Congress, to pass upon the location of this institution?

Mr. THOMPSON of New Jersey. No, we will not, except, of course, in the appropriations process.

Mr. CAREY. Mr. Speaker, will my colleague yield at that point?

Mr. THOMPSON of New Jersey. Yes. I yield to the gentleman from New York.

Mr. CAREY. This is exactly how Gallaudet College, which has been in existence for 101 years, is operating now. Their appropriation comes up every year and is reviewed by the distinguished Committee on Appropriations. A budget is submitted and the funds are voted up or down depending on the needs described. In this particular bill, as the gentleman from Iowa probably knows, we provide there will be public members on the board of the institution once this board is constituted, just as we do on the Gallaudet College Board.

It is indicated there would be Members of Congress serving on that board. So the conduct and the administration of the institution would be under constant surveillance by Members of this body.

Mr. GROSS. Mr. Speaker, will the gentleman from New Jersey yield to me in order that I might ask the gentleman from New York a question?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Iowa.

Mr. GROSS. Is it the idea of the gentleman, who is the sponsor of this bill, that Gallaudet College should be merged with a new institution or that it should be continued in the work it is doing?

Mr. CAREY. I am pleased to answer my colleague from Iowa. The experts testified in depth before our subcommittee indicating that a merger with Gallaudet would neither be logical nor ideal. They are already up to the saturation point in terms of their present facility. It is not ideally situated in the District as an academic institution, but it would certainly not be practical to suggest a movement at this time of Gallaudet.

Mr. GROSS. I agree with the gentleman that Gallaudet is not ideally situated. I would hope in the establishment of such a new institution it would not be an expansion, with all due respect to the fine work they are doing in Gallaudet College. It should not be an expansion of that institution in its present location.

Mr. THOMPSON of New Jersey. As a matter of fact, I can say to my colleague, the president of Gallaudet College and the dean testified in favor of this legislation and said specifically that Gallaudet is a liberal arts institution primarily and it would not do for this purpose at all. The criteria for the new institution are set forth in the report accompanying the bill. It is clear that Gallaudet does not meet these specifications:

H.R. 7031

A bill to provide for the establishment and operation of a National Technical Institute for the Deaf

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Technical Institute for the Deaf Act".

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. For the purpose of providing a residential facility for post secondary technical training and education for persons who are deaf in order to prepare them for successful employment, there are authorized to be appropriated for each fiscal year such sums as may be necessary for the establishment and operation, including construction and equipment, of a National Technical Institute for the Deaf, including sums necessary for the acquisition of property, both real and personal, and for the construction of buildings and other facilities for such Institute.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(b) The term "institution of higher education" means an educational institution in any State or in the District of Columbia which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized within such State (or in the District of Columbia) to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree, (4) includes one or more professional or graduate schools, (5) is a public or nonprofit private institution, and (6) is accredited by a nationally recognized accrediting agency or association. For purposes of this subsection, the Commissioner of Education shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(c) The term "construction" includes construction and initial equipment of new buildings, expansion, remodeling, and alteration of existing buildings and equipment thereof, and acquisition of land; including architect's services, but excluding off-site improvements.

PROPOSALS

SEC. 4. Any institution of highed education which desires to enter into an agreement with the Secretary to establish and operate a National Technical Institute for the Deaf shall submit a proposal therefor at such time, in such manner, and containing such information as may be prescribed by the Secretary.

AGREEMENT TO ESTABLISH INSTITUTE

SEC. 5. (a) The Secretary, after consultation with the National Advisory Board created by section 6, is authorized to enter into an agreement with an institution of higher education for the establishment and operation, including construction and equipment, of a National Technical Institute for the Deaf. The Secretary, in considering proposals from institutions of higher education to enter into an agreement under this Act, shall give preference to institutions which are located in metropolitan industrial areas.

(b) The agreement shall—

(1) provide that Federal funds appropriated for the benefit of the Institute will be used only for the purposes for which paid and in accordance with the applicable provisions of this Act and the agreement made pursuant thereto;

(2) provide that the Board of Trustees or other governing body of the institution, subject to the approval of the Secretary, will appoint an advisory group to advise the Director of the Institute in formulating and carrying out the basic policies governing its establishment and operation, which group shall include persons who are professionally concerned with education and technical training at the postsecondary school level, persons who are professionally concerned with activities relating to education and training of the deaf, and members of the public familiar with the need for services provided by the Institute;

(3) provide that the Board of Trustees or other governing body of the institution will make an annual report to the Secretary. The Secretary shall transmit the report of the institution to the Congress with such comments and recommendations as he may deem appropriate;

(4) include such other conditions as the Secretary, after consultation with the National Advisory Board, deems necessary to carry out the purposes of this Act; and

(5) provide that any laborer or mechanic employed by any contractor or subcontractor in the performance of work on any construction aided by Federal funds appropriated for the benefit of the Institute will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and the Secretary of Labor shall have, with respect to the labor

standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

(c) If within twenty years after the completion of any construction (except minor remodeling or alteration) for which such funds have been paid—

(A) the facility ceases to be used for the purposes for which it was constructed or the agreement is terminated, unless the Secretary determines that there is good cause for releasing the institution from its obligation, or

(B) the institution ceases to be the owner of the facility,

the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

NATIONAL ADVISORY BOARD ON ESTABLISHMENT OF THE NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

SEC. 6. (a) There is hereby established a National Advisory Board on Establishment of the National Technical Institute for the Deaf, which shall consist of twelve persons, not regular full-time employees of the United States, appointed by the Secretary without regard to the civil service laws. The Secretary shall appoint one of the members to serve as Chairman. The appointed members shall be selected from among leaders in fields related to education and training of the deaf and other fields of education, and from members of the public familiar with the need for services provided by the Institute. The Commissioner of Education and the Commissioner of Vocational Rehabilitation shall be ex officio members of the Board.

(b) Members of the Board, while serving on business of the Board, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including traveltime, and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittedly.

(c) It shall be the function of the Board (1) to review proposals from institutions of higher education which offer to enter into an agreement with the Secretary for the construction and operation of a National Technical Institute for the Deaf, (2) to make recommendations to the Secretary with respect to such proposals, and (3) to make such other recommendations to the Secretary concerning the establishment and operation of the National Technical Institute as may be appropriate.

(d) After the Secretary enters into an agreement under this Act, the Board shall cease to exist.

REPORT OF NATIONAL TECHNICAL INSTITUTE FOR THE DEAF ACT

The Committee on Education and Labor, to whom was referred the bill (H.R. 7031) to provide for the establishment and operation of a National Technical Institute for the Deaf, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Page 1, line 8, before the comma, insert "in order to prepare them for successful employment".

Page 3, line 22, strike out "provide that".

Page 3, line 23, insert "provide that" after "(1)".

Page 4, line 3, strike out "the Board of Trustees" and insert "provide that the Board of Trustees or other governing body".

Page 4, line 14, insert "provide that" after "(3)", and after the word "Trustees" insert "or other governing body".

Page 4, line 19, insert "include" after "(4)".

Page 4, line 22, insert "provide that" after "(5)".

Page 6, lines 18 and 19, strike out "Council" wherever it appears and insert in lieu thereof "Board".

SUMMARY OF THE BILL

The Secretary of Health, Education, and Welfare would be authorized to enter into an agreement with an institution of higher education for the establishment, construction, equipping, and operation of a National Technical Institute for the Deaf for the purpose of providing a residential facility for postsecondary technical training and education for persons who are deaf. A 12-member National Advisory Board on the Establishment of a National Technical Institute for the Deaf would be appointed by the Secretary to review proposals from institutions of higher education which desire such an institute and to make recommendations to the Secretary on entering into a contract for the establishment and operation of such an institute. The Commissioners of Education and of Vocational Rehabilitation would be ex officio members of the Board.

NEED FOR THE LEGISLATION

There are approximately 3,000 deaf students between the ages of 16 and 20 who leave or graduate from State and local schools and classes for the deaf each year. A large number have indicated their intense interest and desire for further educational opportunities. Dr. Leonard M. Elstad, president of Gallaudet College, the only institution for higher education for the deaf in the world, in his testimony reported that over 600 student applications were received and reviewed this year. He reported that 275 of these students will be admitted in September 1965.

The other 325 students who could not meet the entrance requirements of the college, by the very act of submitting an application expressed their desire for further education. This number coupled with some 75 to 100 annual withdrawals from the college at various levels from freshmen to seniors, in addition to numerous other deaf persons among the unemployed or underemployed who desire further training, indicates that well over 400 students each year would be eligible for a program that could be offered in a National Technical Institute for the Deaf.

The recent report on the "Education of the Deaf" prepared by the National Advisory Committee on Education of the Deaf in 1964, appointed by the Secretary of Health, Education, and Welfare, stated that "five-sixths of our deaf adults work in manual jobs as contrasted to only one-half of our hearing population." If the door to further educational opportunity is not opened for the group who could not be admitted to Gallaudet College, including other qualified students, they have almost no other alternative than to join the ranks of the nonskilled labor force.

Population and enrollment

The Office of Education estimates that there are 37,000 school-age seriously hearing-impaired children in our country. According to the American Annals of the Deaf (January issue, 1965), 83 public and private residential schools are attended by approximately 18,800 deaf students. About 13,200 attend 355 public and private special day schools and classes for the deaf. It is estimated that 5,000 additional students not accounted for by the American Annals of the Deaf are either in public school classes that do not provide necessary special education services for these children or they are not in school at all.

Special problems in education of the deaf

Dr. S. Richard Silverman, director of the Central Institute for the Deaf and professor of audiology at Washington University Medical School in St. Louis, in his testimony described the educational problems brought about by severe hearing impairment. A portion of his statement was as follows:

"For the persons we are here concerned with, the essential and primary channel for receiving the acoustic symbols we call speech is either absent or severely restricted. All the skills of communication that depend on learning over this channel are adversely affected. From infancy to early school age, the chief mode of communication for the normal hearing child is auditory. The child hears and learns to talk from what he hears. Furthermore, he not only learns how to communicate; he also learns what to communicate.

"For a child who does not have the daily experience of listening to language, its acquisition is indeed difficult, if not impossible for some, even with instruction. * * * the teacher is confronted with the task of communicating language to a child in the absence of the sensory system considered to be essential for its acquisition.

"The educator, therefore, must seek ways to manipulate information so that it can be transmitted over whatever sensory system or combination of systems—vision, touch, residual hearing. At the same time, we are concerned about the content of what we communicate—language and subject matter, as it is influenced by the demands of society and the child himself."

A young child who has a substantial or total hearing loss, acquired at birth or before the normal age for learning language through hearing, has a serious educational handicap. Our schools and special classes for deaf children have done an unquestionably outstanding job over the past 150 years in providing these children with a basic elementary school education. These schools have been performing their task under extremely difficult conditions which include lack of funds, weak or token public support, poor facilities, and a lack of adequately trained professional personnel.

Every attempt has been made by educators of the deaf to accelerate the acquisition of reading, language, and communication skills by deaf children. For the most part, the objective has been to teach the tool skills well enough at the elementary level so that these children could go on with their education or further vocational training in our colleges, universities, and vocational training facilities for normal hearing students.

Philosophically, this goal would appear to be a reasonable one. Many educators have been convinced that this kind of preparation is the best way for the deaf child to become a full participant socially and economically in a hearing world. Numerous individual success stories can be and have been produced to support this theory. However, the facts reveal that for the general deaf population this has not been achieved.

Full use of the intellectual potential of the deaf child is seriously hampered by deafness. Only through the use of every visual educational device and technique together with all we have to offer by way of modern electronic acoustic technology can this potential be utilized more fully.

Most residential schools for the deaf offer programs that provide for the equivalent of an eighth grade education. Very few of the specialized day school programs go beyond this level. Students desiring more than this are expected to enroll in regular high school and other vocational schools for the hearing. This is a commendable objective and its practice should be encouraged wherever and whenever possible. However, because of the serious communication problem involved little more than 1 percent of these children can really communicate well enough to do this.

Considerable pressure is being brought upon Gallaudet College in Washington to accommodate a greater number of students than ever before in its history. Those who apply for admission indicate by this effort, their desire for further knowledge and training beyond what they have been able to secure in their own community or State. Since Gallaudet College is the only facility available that can provide such an opportunity (and this opportunity is restricted to a liberal arts program), a rejection for admission virtually closes the door to any possible further education for them unless they are in the small minority who can successfully attend a technical-vocational school or an institution of higher education for the hearing.

Because the occupational outlook of society is changing, there exists the danger that a substantial portion of these deaf individuals will no longer be needed in the labor market. Vocational education programs for the deaf in our residential schools in the past have trained the deaf for positions at mechanical and operative levels. Present and future modern technology is now and will be requiring far more sophisticated occupational training and education for those seeking employment. Now more than ever before, the deaf should have equal access to the full range of postsecondary education and training opportunities that are presently available to the general population.

A NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

The establishment of a National Technical Institute for the Deaf would, by providing a broad flexible curriculum, be able to meet the many and varied special needs of able young deaf adults who seek the opportunity for further education and training. Adequately trained staff members who are resourceful, flexible, and imaginative would be required for the successful operation of a residential, educational, and technical training program.

Size of the Institute

Since the estimates that have been made regarding the number of students who would be able to profit from a specialized program indicate that at least 400 students each year could qualify for enrollment, provision should be made initially to enroll at least 200 students each year. The special needs of individual students for program planning purposes would be determined following complete physical, psychological, audiological evaluations, and a program of orientation and guidance counseling. The goals established for some students could be accomplished in 1 year. The objectives for others might require 2, 3, or even 4 years to complete. A facility built to accommodate at least 600 students and adults above the age of 17 properly equipped and staffed should be able to completely process, counsel, educate, train, and place at least 200 students each year. Each student would complete his or her own special program or course of study at the end of 1 or more years depending upon individual needs and the training undertaken.

Program objectives

The principal objectives of the educational program should be employment upon completion of a prescribed training program. The environment of the school, the curriculum, and general living conditions, along with health and recreational services, should be designed to help the student achieve a high degree of personal development and a sense of social responsibility. The educational and training program should be supplemented by varied civic and social group activities to provide the proper environment for developing concepts of responsible citizenship and social competence.

The focus of effort of the entire faculty on behalf of the students attending the Institute should be directed toward the goals of successful employment and preparation for full participation in community living.

Location

The National Technical Institute for the Deaf should be located in a large metropolitan industrial area so that it could be designed to serve the special needs of deaf youth from any community in the Nation. The Institute should be affiliated with a major university for the administration of its program. This would facilitate securing the medical, audiological, psychological, and psychiatric services needed to supplement appropriate guidance and counseling services provided by the staff of the Institute.

The community where the Institute is located should be able to offer a variety of opportunities for training and experience in a wide range of modern industrial settings. The community should be one that would generally be receptive to a program of this nature and be sympathetic with training needs of the handicapped.

The Institute should be located in a community that has a wide variety of nationally representative types of industrial activities in order to make it possible for the student to return to his home for eventual employment.

Curriculum

The curriculum of the Institute should be very flexible so as to permit a variety of adaptations to meet the needs of individual students without the absolute necessity to conform to traditional accreditation standards, such as course credits, fixed period scheduling, and other curriculum, restrictions. A special course of study should be tailor made to meet the very specific needs of each student attending the Institute. Upon successful completion of a prescribed curriculum, each student should receive a certificate or other formal recognition that would attest to what has been accomplished. The standards and quality of training offered in all areas would have to be high enough to meet the usual requirements as recommended by labor, industry, and professional associations, including certifying and licensing agencies.

The program offered should be broad enough to include a basic or preparatory curriculum of a remedial nature in such subjects as English, reading, science, and mathematics. The basic program should be designed specifically to prepare students for the academic courses of study that would be offered to support the postsecondary technical training. A supplementary curriculum including such courses as humanities, government, history, and economics should be offered to properly prepare students for living in a modern urban society. A comprehensive supporting curriculum in such subject areas as physics, chemistry, biology, and higher mathematics, should be offered where required as prerequisites for training in technical areas.

The course work offered in preparatory, support, and supplemental curriculums should follow a logical sequence in preparing students for training and experience in a wide variety of technologies. The following suggested technological programs are illustrative of some of the kinds of training opportunities that should be made available to deaf students:

Automotive technology: mechanics and body repair, shop service operations, automotive refrigeration, internal combustion engines, and diesel engine technology.

Aviation technology: mechanics and engine repair, unit assembly work, and drafting.

Building and construction: carpentry, plumbing, equipment repair, and architectural drawing.

Paramedical and chemical technology: chemistry, microbiology, anatomy and physiology, quantitative analysis, dental prosthetics, optical instruments, and embalming.

Engineering technology: engineering graphics, technical math, physics, chemistry, general metals, technical drafting, engineering fundamentals, surveying, water-sanitary technology, and technical report writing.

Business: accounting, business machines, typing, office management, data processing, computer operation, and programing.

Commercial art: basic design, basic drawing, advertising, and dress design.

Electronic engineering technology: electronics fundamentals, technical math and physics, radio and television repair, industrial electronics, and technical drafting.

Technical graphic arts: lithography, engineering graphics, technical drafting, offset, and equipment maintenance and repair.

Mechanical and metals technology: machine shop, welding, air conditioning, sheet metalwork, refrigeration, tool and die, and ornamental metalwork.

An enrichment curriculum should be made available to those students who have the ability and desire to pursue further professional training in other institutions of higher learning. Such courses as literature, history, psychology, sociology, foreign language philosophy, and political sciences could be offered in the Institute itself or arrangements for study in these areas could be made for the students in other regular university programs.

Essential to the overall program would be the opportunity for continued instruction in communication skills. These would include work toward improving speech and speech reading skills in addition to a continuing support program of auditory training.

Administration

The Institute should be directed by a person who has had professional training and experience as an educator of the deaf. He should be qualified to organize a competent staff that would be able to pull together all the resources of a community and other institutions of higher education in order that the needs of students to be enrolled could be served. All staff members, including counseling, placement, psychological, and instruction specialists, should be adequately trained to deal with deaf students from all types of schools and educational backgrounds. These personnel should know and understand deaf students thoroughly, including their special education and social problems.

Under the provisions of the bill, the governing body of the institution of higher education, subject to the approval of the Secretary, would appoint an advisory group to advise the Director of the Institute in formulating and carrying out the basic policies governing its establishment and operation. Because of the Federal support for the National Technical Institute for the Deaf, it would be anticipated that congressional representation would be included in the membership of the advisory group among those who are designated as members of the public familiar with the needs of educational services for the deaf.

Placement officers on the staff of the Institute should provide for initial placement and followup services through appropriate liaison with community vocational rehabilitation agencies throughout the Nation.

As a byproduct, in providing this kind of expert service, the Institute could serve as a practice teaching center for the training of special guidance and rehabilitation counselors for the deaf.

One of the responsibilities of the placement guidance and counseling staff should be to maintain continuous liaison with personnel in all schools and classes for the deaf, vocational rehabilitation agencies, and industry in order to keep these individuals informed and up to date on all pertinent activities of the Institute.

Standards for admission

Students should be considered for enrollment in the Institute without having to take formal entrance or qualifying examinations. Admission to the program should be based on a complete comprehensive evaluation of each student's potential for successfully completing a course of study which would provide him with an employable skill. The information needed for this purpose as a part of the application process should include a review of medical, psychological, and audiological records; acadamic achievement and school progress reports; and recommendations from teachers, school principal, and others who are acquainted with the student. Wherever possible, personal interviews with potential students at the Institute, at home, or in school should be made by the appropriate staff members of the Institute.

A period of orientation, evaluation, and counseling at the Institute in order to properly prepare the new student for full participation in the program, should be available to those who need it.

Research

In addition to serving as a practice teaching center for the training of teachers, instructors, and rehabilitation counselors the Institute should serve as a research facility for the study of educational problems of the deaf. The Institute would be an excellent proving ground for the development of new and better educational teaching techniques. Such information would be useful to all programs where deaf children are taught.

Physical facilities

The Institute should have a sufficient number of flexible classroom accommodations to handle at least 50 groups or classes simultaneously; dormitories for 600 residential students equipped with recreation room, social center, reading and study areas; laboratory and shop facilities for all technological and occupational programs; a special library and instructional media center; group auditory training equipment available in all classroom and other meeting or assembly areas; a recreation and general student social center designed purely for recreation and physical fitness programs; an auditorium with a seating capacity for about 800 to accommodate the entire student body and staff at one seating; a completely equipped guidance and counseling and a psychological services center; and a cafeteria.

Comprehensive study of the education for the deaf

One of the important factors leading to the proposal for a program of technical education of the deaf, has been the report on the "Education of the Deaf," which was undertaken by authorization of the 1965 appropriation of the Department of Health, Education, and Welfare.

It would be most appropriate that no later than 1970 a comprehensive study of the education of the deaf be undertaken to evaluate the progress made under the program authorized in this legislation, as well as education effort for the deaf developed on the elementary and secondary level through Federal assistance under the Vocational Education Amendment of 1963, the Elementary and Secondary Education Act of 1965, as well as other Federal legislation.

SECTION-BY-SECTION ANALYSIS OF PROPOSED NATIONAL TECHNICAL INSTITUTE FOR THE DEAF ACT (H.R. 7031)

Section 1: This section provides that the legislation may be cited as the "National Technical Institute for the Deaf Act."

Section 2: This section authorizes the appropriation of such sums as may be necessary for the establishment and operation, including construction and equipment, of a National Technical Institute for the Deaf as a residential facility for postsecondary technical training and education for persons who are deaf in order to prepare them for employment.

Section 3: This section defines, for purposes of the legislation, the term "Secretary" to mean the Secretary of Health, Education, and Welfare. The term "institution of higher education" is defined to mean an educational institution in any State or the District of Columbia which admits as regular students only graduates of secondary schools or the equivalent, is legally authorized to provide postsecondary education, provides an educational program leading to a bachelor's degree, includes one or more professional or graduate schools, is a public or nonprofit private institution, and is accredited by a nationally recognized accrediting agency or association approved by the Commissioner of Education. The term "construction" includes construction and initial equipment of new buildings, expansion, remodeling, and alteration of existing buildings and equipment thereof, and acquisition of land, and includes architect's fees but not off-site improvements.

Section 4: This section provides that any institution of higher education may submit a proposal for an agreement to establish and operate a National Technical Institute for the Deaf in accordance with procedures prescribed by the Secretary.

Section 5: Subsection (a) of this section authorizes the Secretary, after consulting the National Advisory Board on Establishment of the National Technical Institute for the Deaf created by section 6 of the legislation, to enter into an agreement with an institution of higher education for the establishment and operation of such National Technical Institute for the Deaf, giving preference to institutions in metropolitan industrial areas. Subsection (b) requires that the agreement contain certain provisions, including prevailing wage assurances and that the Board of Trustees or other governing body of the institution, subject to the approval of the Secretary, appoint an advisory group to advise the Director of the Institute with respect to basic policies for its establishment and operation. The subsection also provides that the governing body of the institution of higher education shall make an annual report to the Secretary. The committee would expect that under the terms of the agreement the report should contain such information as may be requested by the Secretary. Subsection (c) provides for recapture of Federal payments if any facility aided by Federal funds under this legislation ceases to be used for the purposes for which it was constructed within 20 years after it is completed.

Section 6: This section provides for the establishment of a National Advisory Board on Establishment of the National Technical Institute for the Deaf, to consist of 12 persons selected by the Secretary from among leaders in fields related to education and training of the deaf and other fields of education and from members of the public familiar with the need for services provided by the Institute. The Commissioner of Education and the Commissioner of Vocational Rehabilitation would be ex officio members of the Board. The Board would review and make recommendations to the Secretary with respect to proposals from institutions of higher education which offer to enter into an agreement for the construction and operation of a National Technical Institute for the Deaf, and make such other recommendations to the Secretary concerning the establishment and operation of the Institute as may be appropriate. The Board would cease to exist after the Secretary enters into the agreement.

Mr. GRIFFIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I take the floor merely to indicate that the bill, as the gentleman from New Jersey has said, was the subject of rather extensive hearings. The minority, both on the subcommittee and the full committee, did support the bill in the form that it comes before the House here today. In view of the relatively small number of deaf children in the population of the Nation as a whole, and in view of the fact that it would be difficult for each State to have a separate educational program that would be adequate, it seems obvious this is an area which is appropriate for Federal concern.

The establishment by this bill of an additional institution of higher education to handle those deaf children who are not qualified for the particular training and limited educational opportunities available at Gallaudet College seems to me to be commendable. Certainly there are many deaf children who need and would require additional training at higher educational levels whose interests and aptitudes would not be in the liberal arts field.

Overall I believe this is good legislation and that it should have the support of the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman from Iowa.

Mr. GROSS. Why could not this be made a part of the National Institutes of Health?

Mr. GRIFFIN. I suppose it might have been, but let me yield to the gentleman from New York [Mr. CAREY] the sponsor of the bill. Perhaps he has a better answer than I could give.

Mr. CAREY. If I may suggest to my colleague from Iowa, those who are most expert in the field of the education of the deaf want to disassociate this from the general field of a health problem. This is not a health problem. These are educable people, but they lack means of communication. They need people who are trained properly to advance their knowledge and intellects as other people can advance theirs. This is not a question of health deficiency. I suggest that the National Institutes of Health have a great program in many fields that are identified with physical handicaps and where health is the key concept. But that is not the case here. This is not a health field; this is an education field. These are educable people who are losing out on education for lack of a facility to keep up with their own intellects. Therefore we would not identify their need as a health problem.

There may be associated health problems that would need attention, and that is why we suggest in the report that the institute that finally agrees to found this school should have as part of its complex a medical school, an engineering school, a school of education, and so forth. But we certainly would not want to indicate that what we have here is a health deficiency, a mental deficiency, or any kind of such handicap except this key handicap of deafness which basically is one of communication and education.

The SPEAKER pro tempore. The question, will the House suspend the rules and pass the bill H.R. 7031 as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that all Members have 2 legislative days in which to revise and extend their remarks on the bill just passed, at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SICKLES. Mr. Speaker, Gallaudet College is the only college in the world for the deaf. There are no other post-secondary academic or technical schools available for this group in the United States.

Of approximately 3,000 young deaf adults above the age of 16 leaving or graduating from schools or classes for the deaf each year, little more than 200 are admitted to Gallaudet. What happens to the rest of these young people when they have nowhere else to turn for further training? The only thing available for most is nonskilled labor or unemployment. Five-sixths of our deaf adults are already working in manual jobs as compared with one-half of the hearing population.

A National Technical Institute for the Deaf would certainly help to rectify this situation for a most deserving segment of our society.

Mr. POWELL. Every attempt has been made by educators of the deaf to accelerate the learning of reading, language, and communication skills by deaf children. For the most part, the objective has been to teach the tool skills well enough at the elementary level so that these children could go on with their education or further vocational training in our colleges, universities, and vocational training facilities for normally hearing students.

Philosophically, this goal would appear to be a reasonable one and these ultimate goals for as many as possible should be continued. Many educators have been convinced that this kind of preparation is the best way for the deaf child to become a full participant socially and economically in a hearing world. On the other hand, facts revealed in the recent report of the National Advisory Committee on Education of the Deaf, appointed by the Secretary of Health, Education, and Welfare to study this field, indicate that for the general deaf population this has not been achieved.

To deny a substantial segment of this particular population of handicapped individuals the opportunity for continuing education would be to foreclose the mortgage that we hold as an investment in the future of these individuals.

The establishment of a National Technical Institution for the Deaf, in serving these worthy young and ambitious individuals, would have as goals—adequate employment upon completion of a prescribed training program and preparation for responsible, economically independent citizenship.

Mr. CAREY. Mr. Speaker, there are many young deaf people who are bright and able but because of their deafness have not been able to learn to communicate well enough to be able to enter high schools, vocational or technical schools for normal hearing students. This legislation is addressed to this group which consists of well over 400 individuals each year.

Federal legislation has provided much in recent years to assure the proper upgrading of educational opportunities for all our citizens. The deaf who have the talent and potential, however, are left out of this picture. The establishment of a National Technical Institute for the Deaf for this group would give them the same opportunities we have so generously provided for others.

Severe deafness that originates early in the life of a child or when present at birth is a serious handicapping condition. The reason, of course, is because communication with persons who have normal hearing becomes much more difficult. Without proper education and training the hurdle of communication with others in a hearing world can never be overcome. Underdevelopment of the person who is deaf as he approaches adulthood eventually leads to underemployment, or unemployment and total dependency on the community.

A national technical school designed to meet the special problems of this group would give them the opportunity to receive the training they need and deserve.

The report accompanying the bill is comprehensive, and reflects the very excellent testimony which we heard.

Briefly, the bill authorizes a National Technical Institute for the Deaf. It is expected that 4 years would be required before the Institute would be fully completed, but it would begin a limited instruction program much earlier.

The Secretary of Health, Education, and Welfare is authorized to enter into an agreement with an institution of higher education to build and operate a technical institute for the deaf. Any such institution may submit a proposal, but, under the terms of the bill, the Secretary should give preference to institutions located in metropolitan industrial areas. Before entering into such an agreement, the Secretary must consult with a National Advisory Board which shall consist of 12 persons selected by the Secretary. These board members shall be selected from among leaders in fields related to education and training of the deaf and other fields of education, and from the public.

In advance of proposals submitted by the various institutions of higher education, it is difficult to determine the cost of establishing such a technical institute, but the funding for the first 4 years probably would run between $12 and $13 million. Thereafter the operation cost would be about $2 million.

Deaf students would pay tuition, plus room and board, for this will be a residential school. Obviously there will be a deficit. Students would come from every State in the Union. Perhaps Members are not aware of this fact, but no school for the deaf provides a full 12 grade course. Most of them run through the 8th, 9th, and 10th grades. For a deaf student to obtain a high school diploma, he must attend a hearing school.

Gallaudet College, here in the District, is not only the only school in the United States providing postsecondary education for the deaf, it is the only such school in the world. One hundred and one years after the foundation of Gallaudet it is high time something more is to be done.

The Technical Institute for the Deaf authorized in this legislation, will give the deaf students one other school in which to obtain their training.

Because no one State has sufficient numbers of deaf children to merit the operation of such an institution, this is one area where we can all agree there is a Federal responsibility.

As the author of this bill I can conceive of no more timely and needful measure in this sector of the handicapped and I urge my colleagues to give favorable consideration to this legislation.

Mr. O'HARA of Michigan. Mr. Speaker, most residential schools for the deaf offer programs that provide for the equivalent of an eighth-grade education. Few day schools go beyond this level.

Fewer and fewer technical institutes, trade and vocational schools will accept deaf students because of long waiting lists of hearing applicants. The special communication problems of the deaf tend to create additional barriers for admission in these programs.

The deaf student who wishes further education has a slim chance of receiving it. A National Technical Institute for the Deaf could give him the training he needs to become a more useful, productive member of society.

Mr. MACHEN. Mr. Speaker, the passage of H.R. 7031, known as the National Technological Institute for the Deaf Act, is being hailed by those of us who are deaf as being almost as significant as the invention of the hearing aid. I want to take this opportunity to offer my gratitude to Representative CAREY, who introduced the act, and to the House Committee on Education and Labor for reporting it favorably and managing it on the floor.

The committee report cites the approximately 3,000 deaf students between 16 and 20 years old who leave or graduate State and local schools for the deaf every year. This is where a major discrepancy occurs because, although some of them may want desperately to further their education or training, they are unable to for a number of reasons. It is my sincere hope and that of the thousands of us who, although deaf, are able to participate actively in all walks of life, that this gap will be filled through this legislation.

BENEFITS FOR DISABILITY IN LINE OF DUTY

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3413) to amend section 106 of title 38 of the United States Code to provide that individuals who incur a disability in line of duty during certain service shall be entitled to certain veterans' benefits.

The Clerk read as follows:

H.R. 3413

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 106 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"(e) Each person who has incurred a disability as a result of an injury or disease described in subsection (b) shall be entitled to the same rights, privileges, and benefits under the Act of June 27, 1944 (58 Stat. 387-391), as a person described in section 2(1) of such Act"

The SPEAKER pro tempore. Is a second demanded?

Mr. AYRES. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, this bill permits an individual who is injured on the way to report for induction into one of the branches of the armed services to enjoy benefits of the Veterans' Preference Act providing for preference in Federal employment.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Is this retroactive?

Mr. TEAGUE of Texas. Yes, sir.

Mr. GROSS. To what date?

Mr. TEAGUE of Texas. There is no date in the bill.

Mr. GROSS. Then it is indefinite—it goes back indefinitely?

Mr. HARRIS. Mr. Speaker, will the gentleman yield to me?

Mr. TEAGUE of Texas. I yield.

Mr. HARRIS. I might be able to help out on this. For all practical purposes in this instance it would be retroactive to April 24.

Mr. GROSS. In this instance; but there is no limitation as to retroactivity?

Mr. TEAGUE of Texas. I would say to the gentleman that so far as I know this applies to only one individual. This man was on his way to be inducted into service.

Mr. GROSS. I believe it was explained previously and I do not want to take the time of the House to go over it again.

Mr. TEAGUE of Texas. Correct.

Mr. GROSS. But I did not know about this one point of retroactivity. However, with the assurance of the gentleman that it is limited to one case and one case only, I shall not pursue the matter further. However, I would not want to see a bill passed that could go back on an unlimited basis retroactively.

Mr. TEAGUE of Texas. So far as I know there is only one individual that is involved.

Mr. GROSS. I thank the gentleman from Texas.

Mr. AYRES. Mr. Speaker, I have no requests for time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill H.R. 3413.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PRESIDENTIAL MEMORIAL CERTIFICATE PROGRAM

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 225) to amend chapter 1 of title 38, United States Code, and incorporate therein specific statutory authority for the Presidential memorial certificate program.

The Clerk read as follows:

H.R. 225

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 1 of title 38, United States Code, is amended by adding at the end thereof the following:

"§ 112. Presidential memorial certificate program

"(a) At the request of the President the Administrator may conduct a program for honoring the memory of deceased veterans, discharged under honorable conditions, by preparing and sending to eligible recipients a certificate bearing the signature of the President and expressing the country's grateful recognition of the veteran's service in the Armed Forces. The award of a certificate to one eligible recipient will not preclude authorization of another certificate if a request is received from some other eligible recipient.

"(b) For the purpose of this section an 'eligible recipient' means the next of kin, a relative or friend upon request, or an authorized service representative acting on behalf of such relative or friend"

(b) The table of sections at the head of such chapter 1 is amended by adding:

"112. Presidential memorial certificate program."

The SPEAKER pro tempore. Is there a second demanded?

Mr. AYRES. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in 1962 at the request of one of the veterans' organizations President Kennedy instituted a practice of mailing out a Presidential memorial certificate to the next of kin of deceased veterans.

Mr. Speaker, I hold one of those certificates in my hand. This certificate says:

> The United States of America honors the memory of John Doe. This certificate is awarded by a grateful Nation in recognition of devoted and unselfish consecration to the service of our country in the Armed Forces of the United States.

Signed by the President of the United States.

Mr. Speaker, one Member of Congress asked the General Accounting Office to check the authority to send out these certificates. The General Accounting Office ruled there was no enabling legislation and that the certificate should not have been sent out.

Mr. Speaker, the Disabled Veterans, the American Legion and the VFW all support this legislation.

Mr. AYRES. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas [Mr. DOLE].

Mr. DOLE. Mr. Speaker, I take this time to ask some questions about this program and, second, to point out to the Members on the floor that I questioned the legality of this program when it was started in 1962 by Presidential order.

I would also point out, Mr. Speaker, that the projected cost of this program is somewhere around $4.5 million. So it is no small program when we review all the talk recently about economy and closing veterans' hospitals and regional offices. There could be enough saved by eliminating this one program to operate the 17 regional offices which may be closed for a year and a half.

I would suggest Members might want to consider this aspect of the matter recognizing that the bill before us covers a sensitive area. Some may even question my patriotism for asking questions.

First, I would point out this program is not limited to next of kin. The bill states very clearly that relatives or friends can also receive certificates. I know of nothing in the legislation that precludes me from writing the Veterans' Administrator and getting a certificate for service rendered by General Grant or Gen. Robert E. Lee, and I know of nothing in the legislation that would prevent my obtaining 100 of these certificates.

The point, Mr. Speaker, is that there is no limitation on this program. It is wide open.

I would submit that in fiscal 1963 there were 28 VA employees devoting full time to this program at the very time there was much talk about economy.

Mr. Speaker, I would remind the membership the motto of the Veterans of Foreign Wars, which is, "Honor the dead by serving the living."

Mr. Speaker, I frankly consider this as nothing but a political gimmick and I think it should be stated as such.

The gentleman from Texas has displayed a certificate to the Members indicating they contain the signature of the President. When I wrote the Comptroller General's office and asked how many of these certificates were actually signed by the President, I was advised only a few hundred are actually signed by the President. The others bear facsimile signatures. There can be no possible feeling between the sender and the one who receives the certificate under these circumstances.

I would like to ask the gentleman from Texas [Mr. TEAGUE] with reference to H.R. 225 the following question:

Is it not correct that these certificates will go to anyone, not only next of kin?

Mr. TEAGUE of Texas. Of course, what the gentleman is saying is true. We have that kind of situation where mothers and fathers are separated, where there have been divorces and remarriages, and foster children. Those people would be eligible to a certificate.

This law does not make it mandatory. The Administrator of Veterans' Affairs will issue a set of regulations. Also the bill will cost less than $5 million to the year 2000 if 22 million certificates are issued. The VA estimates this will cost $35,000 a year. If you take all the veterans coming in the future, you can put the cost at $4 or $5 million, perhaps.

Mr. DOLE. The point is the cost estimate, goes to the year 2110, and is on the basis of one certificate per family. If we expand this program there are no limits. The bill says:

> Eligible recipient means next of kin, a relative or friend upon request, or an authorized service representative acting on behalf of such relative or friend.

That is not my interpretation, it is here in black and white that next of kin, relatives, and friends are entitled to memorial certificates. I am wondering why it must have such an open end on it. Why should friends be entitled to certificates?

Mr. TEAGUE of Texas. It is up to the Administrator to define "eligible recipients." There has been a wonderful response to this program. There have been some people who do not want them and threw them away. That is true of many other things we do in government but, on the whole, this program has been greatly appreciated by the people who have received these certificates.

Mr. DOLE. I have a letter here from a lady in New York. Her first husband died some 19 years ago, and she had remarried in the meantime. She got a certificate with reference to the death of her first husband. She states:

> Why, pray (and I mean for God's sake why), should I want a corny statement signed by Lyndon B. Johnson? My husband died over 19 years ago in a Japanese prison camp. All proper and dignified communications as to his death and service were sent to me by the Navy Department, including the Silver Star and citation awarded him.
>
> I deeply resent this cheap emotional appeal to bereaved widows and families and question the use of the franking privilege for such an obvious electioneering gimmick. May I ask under what authorization and with what funds this "President Johnson's program" is being conducted?

There is no limit as to when one dies. This may go back to the first war, or to the Revolutionary War. If someone wants to get a certificate for a relative or a long-lost friend, he can apply for a certificate without regard to time or relationship.

Mr. TEAGUE of Texas. When the program began they were sending certificates to the relatives of people who died in a particular year. Then they got requests for certificates on people who died in World War II. So the program was changed to include World War II. You have letters from such as the lady in New York, but we have hundreds of them who approve. So that cannot altogether be a criterion.

Mr. DOLE. Is it not true that the President signs personally very few of these certificates?

Mr. TEAGUE of Texas. I do not know. I cannot answer the question.

Mr. DEVINE. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Ohio.

Mr. DEVINE. I may say to the gentleman this legislation is of such major importance that it should not be on the Consent Calendar, and it should not be considered under suspension of the rules. Obviously there is a certain amount of money involved. We cannot offer any amendments or discuss the situation. I received a letter, also, nearly 2 years ago, from the Comptroller General, in connection with this program. After he received the inquiry he received letters from widows of World War I veterans. They disliked having this emotion aroused for a person laid away many years ago. In response to my inquiry the Comptroller General, under the broad eligibility requirements established by the Veterans' Administration designated the next of kin, a relative or friend of the deceased individual may obtain memorial certificates. It seems to me we should be in a position to consider this bill other than under suspension of the rules, so that we could amend and remedy or remove certain features of this.

The Comptroller General went on to say that as this program was initiated about 434,000 were sent out in 11 States. The original cost was 33½ cents apiece, but as the volume increased, it was reduced down to 22 cents. They predict about 19 million veterans dying between now and 2010.

That is assuming the program will continue until the end of the fiscal year 2010, and that memorial certificates will be issued. It will cost about $4.2 million to be expended in honoring these war veterans. It seems to me that legislation of this nature should not be considered under suspension of the rules but should be debated on the merits and where it would be subject to amendment.

Mr. CURTIS. Mr. Speaker, will the gentleman yield for a question?

Mr. DOLE. I am glad to yield to the gentleman.

Mr. CURTIS. I have some complaints registered from constituents of mine who are receiving these and apparently they were unsolicited. I understand from just checking here that that practice has changed. Does the bill say anything about that? Are these to be sent out unsolicited or only to be sent out when somebody asks for them?

Mr. TEAGUE of Texas. They are sent out to the next of kin or an eligible recipient as authorized in the bill.

Mr. CURTIS. In other words, unsolicited?

Mr. TEAGUE of Texas. That is correct.

Mr. CURTIS. That seems to me to be probably why the gentleman from Kansas was making the point that this was possibly a political maneuver, and I could see where it was. At least the people who complained to me raised the very point that their deceased loved ones had been gone for many years and then out of sort of a bolt out of the blue, they received this certificate. I would think that you would have them confined to requests. I can see where people would like them and many people would. I can see where they are very fine, but I think it would be on the basis of a request.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman.

Mr. TEAGUE of Texas. I think when the program started, it should not have gone back that far. But that has been done. If there have been some complaints, and I am sure there have been because I have seen some, on the whole this has been very well received and this bill pertains only to the future.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Iowa.

Mr. GROSS. I do not know what is going on in this administration, but this year, as under President Kennedy, with my dividend check on my war risk insurance, I received a slip of paper indicating on that slip of paper that this was paid out of the goodness of their hearts, both President Kennedy and President Johnson, and that was the first time I ever received a slip of paper along with the check. Now I just wonder what is going on anyway? Are they going to milk everything that comes along for some kind of mileage, political or otherwise? I do not know what this is all about. I wish somebody would enlighten me as to why a slip of paper goes in along with the check? I paid for this insurance long before Lyndon Johnson ever got himself on the scene, and I do not know any reason why there should be any attribution to him that something is being given to me out of the goodness of his heart—I do not believe it.

Mr. DOLE. I am sorry I cannot enlighten the gentleman further. I do not know what is going on either, which is the reason I have taken this time. Under the certificate programs those who received benefit checks through the mail, at one time received a post card already addressed to send on to the President at the White House to his personal attention. On the back of it you would fill in your name and where to mail your certificate. This was done in accordance with an order to the Veterans' Administration centers from the Washington office. I checked with the Comptroller General in November 1963, in an effort to tie down the program, and as the gentleman from Missouri stated, perhaps in many respects it might be well received. I checked with the Comptroller to find out, first of all, if there was any legal authority for the program. There was not, but it had already been carried on for 2 years. Today, I checked for the hearings on H.R. 225 and found that there were none. So, apparently, there was very little consideration given to this by anyone.

This program apparently originated with a veterans' group in the State of Minnesota. They contacted then Senator HUMPHREY who, in turn, contacted the President and in a matter of a few weeks they had a program implemented. I would quote now from the report to the Congress by the Comptroller General issued last May. It is stated:

> There is no limit on the number of certificates which may be made available to the next of kin, relatives, or friends of deceased

veterans. Our estimate of $4.2 million as the cost of the program from fiscal year 1965 through fiscal year 2010 is based on the assumption that one certificate will be issued for each deceased veteran until that time.

When we open up this program and make it available to friends or to anyone else who writes in for a certificate, we are going far afield.

I ask the gentleman from Texas whether it is his intention, if the bill passes, that this should be limited to the next of kin?

Mr. TEAGUE of Texas. I would expect that the Administrator of Veterans' Affairs, whoever he may be, to handle this in a proper way. If someone not a next of kin really were entitled to one of these certificates, no doubt he would give one to him.

Mr. DOLE. Is there anyone not entitled to one of these certificates? That probably is a better question?

Mr. TEAGUE of Texas. The Administrator will draw up regulations, to say who should receive them. I can visualize a situation in which he would want to give a friend a certificate. I would not think there would be many.

Mr. DOLE. How could he establish which friend should receive a certificate and which should not?

Mr. TEAGUE of Texas. I trust his judgment. I believe he is an honest, reasonable, conscientious person. I would trust your judgment. But one cannot spell this out in language. It is not possible to describe every situation.

Mr. DOLE. Does the gentleman believe this is a proper expenditure of Federal funds?

Mr. TEAGUE of Texas. I would be glad to pay my taxes for it.

Mr. DOLE. At the same time, we are talking about reducing the costs of veterans hospitals and regional offices. We hear "economy" all over the Capitol.

I point out to the gentleman that the $60,000 expended on this program in 1963, for example, would have provided educational benefits for 1 year to 45 children of veterans killed in action. That might be a better use. It would have provided hospitalization for 73 veterans for a period of 30 days. It would have provided nursing care and other types of aid for 18 veterans for a period of 6 months.

It is fine to take care of disabled veterans and, as a veteran, I share the gentleman's interest in providing a program for disabled veterans.

There is another group now, the World War I group. They have been appealing for more and more assistance. Does the gentleman believe perhaps it is better to spend money for this type of program than to increase benefits for World War I veterans?

Mr. TEAGUE of Texas. We enacted a liberalized pension law last year, Public Law 88-664. It applied to World War I veterans and veterans of other wars, and it was supported by the Veterans of World War I, Inc.

I have about as good an economy record vote as the gentleman from Kansas. This is one vote which is not going to be on the basis of economy, for me.

Mr. DOLE. I do not know whether there is economy involved or not but it is **$4½ million.**

Mr. TEAGUE of Texas. Will the gentleman yield for a question?

Mr. DOLE. I yield.

Mr. TEAGUE of Texas. I am sure the gentleman knows, from his experience, that we give flags to the next of kin or friends when a veteran dies. Has the gentleman ever received a complaint about a flag going to someone who was not entitled to it?

Mr. DOLE. The only complaint I have received about that was at the time they inaugurated this certificate plan; they reduced the size of the flag. Some people felt they may have cut off a little of the flag to pay for this program. They reduced the size of the flag to be draped over a casket. The length was reduced about 1 foot and the width about 1 foot. Shortly afterward, as I recall, the certificate plan was inaugurated.

Mr. TEAGUE of Texas. I have received complaints concerning the size of the flag, but I have never received a complaint that somebody was given a flag who was not entitled to it. I assume the same thing will be true in regard to the certificates.

Mr. DOLE. I do not believe we have gone back 100 years to give flags to the next of kin, or to a lady whose husband has been deceased 19 years, or to relatives and friends.

I believe the gentleman will agree that at the outset the program was wide open and not properly administered. Embarrassment was caused to many people, whether there was politics in it or not.

I consider it unfortunate that a next of kin, friend, or other relatives of veterans killed in action, in a car wreck or from falling off a building, should receive a certificate without regard to when the death occurred. It might be understandable shortly after death, but years later, after remarriage or other change, it is unfortunate to be subjected to a reminder of such a tragic event.

I call this to the attention of the Members of the House, as we have every obligation to support the veterans and veterans programs, but I doubt there is any obligation to support this type of program. I cannot see that it helps anyone.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Ohio.

Mr. AYRES. I can appreciate the feelings of the gentleman from Kansas. However, as a member of the Committee on Veterans' Affairs, I have no objection to the passage of the bill. I would inform the gentleman that the bill was reported unanimously by our committee.

We are dealing with a very delicate field. I recall that when I first came to Congress I was advised by one or two, who thought it well to help keep fresh the memory of beloved ones, that it might be nice to write a letter to the next of kin, expressing sympathy, getting the names of deceased constituents from the obituary columns of local newspapers. I did this but a short time when I received a letter back from a widow to whom I had written. My letter said, "I notice your husband has passed on. I would like to extend my deepest sympathy." She wrote back and said, "Had you known him as well as I did, you would not have expressed sympathy."

Oftentimes when we are sending out notices of this type, it can be a delicate situation. On the one hand, if these certificates are not being appreciated, I do not think it is going to reflect on the party that the gentleman is a member of. On the other hand, we do not know how much some of these are being appreciated. If it is a decision of the administration to send them out, then I do not think we as Members of Congress should object. We receive an allocation of baby books. Frankly, I try to find out where the new babies are and send books to the mothers. In some cases they are quite helpful. I also try to send cookbooks to the newlyweds. Of course, you can get in difficulty if your list gets mixed up and you send the baby books to the newlyweds. So whenever you are attempting a mass mailing of this nature you can get in trouble. However, I have no objection to the administration sending out these certificates.

Mr. DOLE. I thank the gentleman for his comments. I understand that we are in a sensitive area. No one wants to be on record as opposing veterans. We are dealing here with a bill, though, under suspension of the rules, and are not permitted to offer amendments or to tie down the program. I would agree many people are probably very moved by these certificates. However, they are not signed by the President or very few are, if any. It is a mass-mailing type of program.

Mr. Speaker, I submit that while some Members of Congress may send out condolence cards they do so at their own expense and not at Government expense or by Government appropriation. I agree again with the motto of the Veterans of Foreign Wars, "Honor the dead by serving the living." This is the point. If we have $4.5 million to spend for veterans' benefits, that is fine. However, let us spend it on living veterans. The best memorial to the deceased veteran is to take care of those who are disabled and the widows and children of the disabled and deceased veterans, not an expenditure of this type.

Under unanimous consent, I include a statement from the Comptroller General, dated May 19, 1964:

WASHINGTON, D. C.,
May 19, 1964.

To the Speaker of the House of Representatives and the President pro tempore of the Senate:

Our review of selected operations of the memorial certificate program, made at the request of the Honorable BOB DOLE, Member of Congress, showed that the cost of carrying out the program has been financed from Veterans' Administration appropriations for general operating expenses although the appropriations do not contain specific authority for the expenditures. Furthermore, we could find no statutory authority for conducting the program. Under the program, which was initiated early in 1962, certificates honoring the memory of deceased members of the Armed Forces are issued to their next of kin and, in some instances, to other relatives and to friends.

Because the Veterans' Administration's payment for expenses of the memorial certificate program does not appear to be either directly or indirectly authorized by law, we believe that such expenses are not proper for treatment as necessary operating expenses for which the appropriation for general operating expenses is available.

We brought this matter to the attention of the Deputy Administrator of Veterans' Affairs for corrective action in the form of either obtaining specific statutory authority for the use of the appropriations for the program or discontinuing the use of Veterans' Administration appropriations for such purpose. The Deputy Administrator advised us that he did not agree with our interpretation of the law but that, if we adopted the legal position previously brought to his attention, the Veterans' Administration would seek congressional authority for the expenditures in question.

While we express no opinion on the merits of the program, we still conclude that there is no statutory authority for use of Veterans' Administration funds for conduct of the program. We are, therefore, reiterating the necessity for either obtaining statutory authority or discontinuing the program.

Copies of this report are being sent to the President of the United States and the Administrator of Veterans' Affairs.

JOSEPH CAMPBELL,
Comptroller General of the United States.

REPORT ON MEMORIAL CERTIFICATE PROGRAM ESTABLISHED WITHOUT LEGAL AUTHORITY—VETERANS' ADMINISTRATION

INTRODUCTION

Pursuant to a request dated November 19, 1963, from the Honorable BOB DOLE, Member of Congress, the General Accounting Office made a review of selected operations of the memorial certificate program administered by the Veterans' Administration (VA). Our review, which was made at the VA central office in Washington, D.C., was primarily directed to determining how the program was inaugurated, the cost of carrying out the program, and the propriety of the method of financing the cost of the program. Information developed in response to Congressman DOLE's request is shown in appendix II to this report.

A list of the principal VA officials responsible for the operations of the memorial certificate program is contained in appendix III to this report.

INAUGURATION OF THE MEMORIAL CERTIFICATE PROGRAM

We have been informed by the VA that the memorial certificate program was initiated early in 1962 at the request of the President of the United States. We noted that a representative of a veterans service organization made a suggestion for such a program at about the same time. As part of its implementation of the program, the VA designed a suitable certificate to honor the memory of deceased veterans which was approved by the President of the United States. Memorial certificates are provided to the next of kin of deceased veterans who were discharged from the Armed Forces under honorable conditions. Such certificates are also issued to other relatives and to friends of deceased veterans upon request.

The operations of the memorial certificate program are carried out under the direction of the Manager of Administrative Services in the VA central office. The first certificates were issued in March 1962 to honor the memory of those veterans whose deaths were reported to the VA in March 1962. Since April 1962, the VA procedures have provided for certificates to be automatically issued to eligible next of kin upon receipt of notification of the death of a veteran. Such a notification is normally received in the VA regional office where the next of kin are identified from the veteran's record and notice is forwarded to the VA central office.

In April 1963, the program was expanded to include veterans of World War I, World War II, the Korean conflict, and peacetime veterans, who died prior to March 1962. The VA arranged to notify the next of kin of their eligibility to receive a certificate by having the Treasury Department insert an appropriate letter of explanation and an application for a certificate with the compensation and pension checks mailed to dependents of deceased veterans. The VA plans to complete by June 30, 1964, that phase of its operations involving the issuance of certificates to the next of kin of veterans who died prior to March 1962.

WORKLOAD AND COST OF OPERATIONS

From March 1962, through September 1963, the VA issued about 478,000 certificates at an average cost of 33.5 cents, or a total cost of about $160,000. Since the number of individuals who will serve in the Armed Forces in the future is not known, the total number of memorial certificates that will be issued cannot be determined. However, on the basis of the number of veterans who have served in the Armed Forces during wartime, the VA predicted about 19.6 million veteran deaths from March 1962 through fiscal year 2010. The VA also estimated that there were 665,000 veterans who died prior to March 1962 whose next of kin will receive memorial certificates. We estimate that expenditures totaling about $4.5 million will be made in honoring these 20.2 million veterans. Our estimate is based on the average historical cost of 33.5 cents for certificates issued between March 1962 and September 1963, and the current average cost of 22 cents for certificates issued thereafter. The average costs on which our estimates were based were developed from information supplied by the VA and do not include certain other costs which are not readily determinable, such as applicable salaries of high-level agency personnel and the cost of office space, searching the veterans' records for next-of-kin information, and certain processing involving automatic data processing equipment.

SOURCE OF FUNDS

No specific appropriations have been made to defray the cost of the memorial certificate program. Expenditures to carry out this program are being made from funds appropriated by the Congress to the VA for general operating expenses. The purpose of the general operating expenses appropriation is to provide funds for executive direction of the VA and for expenses involved in administering the several direct benefit programs. Most of this appropriation is used to pay the salaries of VA personnel. The remainder is used for other administrative expenses such as travel, rent, transportation, printing and reproduction, office supplies, and equipment.

Mr. TEAGUE of Texas. Mr. Speaker, I yield such time as he may use to the gentleman from Ohio [Mr. SECREST].

Mr. SECREST. Mr. Speaker, there is nothing political in this bill. The President who is now in the White House will some day complete his tenure and for decades this program will continue under other Presidents. I think this is a recognition given to a mother, or to someone close to the veteran, of that veteran's service. Everyone in America should write when a veteran dies, but that is impossible. To have the President speak for all of the people of this country in gratitude for that veteran's service, to me, is not wrong. There has been no politics in the Committee on Veterans' Affairs. I have been a member of that committee or its predecessor committee since far back into the early thirties. This is considered solely as a humanitarian measure and something which the veterans of this country deserve. Three veterans organizations have endorsed it. In fact, all of them have, so far as I know.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. SECREST. I yield to the gentleman.

Mr. DOLE. How do you know they all endorsed it? You did not have any hearings on the bill?

Mr. SECREST. Because the chairman of our committee told me so, and I assume he has letters from them on it.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. SECREST. I yield to the chairman.

Mr. TEAGUE of Texas. I have these documents in my hand and I will place them in the RECORD at this point if that is agreeable.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The documents follow:

MAY 21, 1964.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D.C.:

The Disabled American Veterans National Executive Committee has unanimously endorsed H.R. 225, which will authorize by legislation the continuation of the Presidential memorial certificates issued to widows of deceased veterans.

CHARLES L. HUBER,
National Director of Legislation.

RESOLUTION NO. 68 OF THE AMERICAN LEGION NATIONAL EXECUTIVE COMMITTEE, APRIL 30–MAY 1, 1964

Resolution seeking enabling legislation for Presidential memorial certificate

Whereas in 1962 there was authorized a Presidential memorial certificate honoring deceased veterans; and

Whereas the Presidential memorial certificate expresses the gratitude of the Nation for honorable service in the Armed Forces; and

Whereas it has come to the attention of the American Legion that legislation by the Congress may be necessary to enable the Veterans' Administration to continue to send these certificates to the survivors of veterans; and

Whereas the American Legion approves of the sending of the Presidential memorial certificates: Now, therefore, be it

Resolved by the National Executive Committee of the American Legion in regular meeting assembled in Indianapolis, Ind., April 30–May 1, 1964, That the American Legion seeks enabling legislation to insure that the Veterans' Administration will continue to be authorized to issue Presidential memorial certificates to the next of kin of deceased members of the Armed Forces.

MAY 21, 1964.

The delegates to the VFW national convention have never expressed any position with respect to the issuing of Presidential memorial certificates to the widows of deceased veterans.

The VFW has no objection to the authorization of additional funds to continue this program, which has been so favorably received by the surviving widows.

FRANCIS W. STOVER,
Director, National Legislative Service, Veterans of Foreign Wars of the U.S.A.

Mr. SECREST. Furthermore, the point has been made as to who signs these certificates and are they signed personally. It is not an important question to me. My youngest brother was killed at Cape Gloucester when he was serving in the Marines under the command of General MacArthur. My wife's youngest brother was shot down in a plane when he was under the command of General MacArthur. General MacArthur sent to my mother and to the mother of my wife a letter of appreciation for all they had done, reciting their gallantry in battle. I cannot conceive that General MacArthur, with all of the thousands of men being killed who were under his command, sat down and signed every one of those letters.

But my mother died never knowing the difference and it was one of her proudest possessions. It seems to me ridiculous to raise a question about a certificate from the President to veterans who served this country being signed personally in each case by the President. That is not of any importance whatsoever. It is the expression in that certificate on behalf of all of the people of this country that counts. I cannot conceive of anyone's objecting to this bill. There is no politics in it. This will continue long after Lyndon Johnson has ceased to be President.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill H.R. 225?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

LAND TRANSFER TO ROSEBURG, OREG.

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2414) to authorize the Administrator of Veterans' Affairs to convey certain lands situated in the State of Oregon to the city of Roseburg, Oreg.

The Clerk read as follows:

H.R. 2414

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of section 2 of this Act, the Administrator of Veterans' Affairs shall convey by quitclaim deed, without consideration, to the city of Roseburg, Oregon, all right, title, and interest of the United States in and to two parcels of land, containing approximately forty-seven acres, more or less, which were heretofore conveyed by such city to the United States without consideration. The exact legal description of the land to be conveyed shall be determined by the Administrator of Veterans' Affairs, and in the event a survey is required in order to make such determination, the city of Roseburg shall bear the expense thereof.

SEC. 2. The conveyance authorized by the first section of this Act shall be made subject to (1) the condition that the city of Roseburg, Oregon, erect a chain link fence on the north side of parcel numbered 2 along the property line which would divide the portion of the remaining Veterans' Administration reservation and the land transferred to such city; (2) the condition that the tee and green of the golf course falling into parcel numbered 2 be relocated by the city of Roseburg to a location to be selected by the hospital director; (3) the condition that the city of Roseburg provide all necessary materials for a greenhouse and small horticultural clinic to be built in a new location by the Veterans' Administration hospital to serve the same purpose as the existing greenhouse and clinic building; (4) the condition that the Veterans' Administration retain riparian rights to irrigation water from the Umpqua River and the river pump on its north side and that the city of Roseburg furnish the Veterans' Administration water for irrigating the veterans' cemetery adjacent to parcel numbered 1 as long as the pump on the south side of the Umpqua River (existing on the date of the enactment of this Act) is operated by such city; (5) the condition that the bridge over the Umpqua River be included in the property conveyed to the city of Roseburg pursuant to this Act and that said bridge be maintained by said city; and (6) such other terms and conditions as the Administrator of the Veterans' Administration may determine necessary to protect the interest of the United States.

The SPEAKER. Is a second demanded?

Mr. AYRES. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, I yield such time as he may use to the gentleman from Oregon [Mr. DUNCAN].

Mr. DUNCAN of Oregon. Mr. Speaker, this is a simple bill and I hope noncontroversial. In 1932 the city of Roseburg donated without cost to the Federal Government a tract of land of 413.7 acres on which was subsequently constructed a neuropsychiatric facility which is still in operation in the city of Roseburg.

The Veterans' Administration has approximately 47 acres of land which is surplus to their need which the city of Roseburg wants to have back in order to add to its parks system.

As far as I know, and based upon a report from the Veterans' Administration, they have no objection to this transfer. The bill provides that it be transferred without cost to the city of Roseburg in view of the fact that the original transfer of land to the Federal Government was without cost to the Federal Government. The Veterans' Administration has asked that some five requirements be approved by the city of Roseburg including the taking over of the maintenance and operation of a bridge which is presently being maintained at the expense of the Federal Government. The city of Roseburg is willing to conform to all of these requirements. There is an additional provision in the bill which will make the conveyance subject to whatever terms and conditions the Veterans' Administration head deems necessary in order to protect the interests of the United States.

If anyone has any questions I will be glad to try to answer them. Otherwise I hope the bill will have the unanimous support of this body.

The SPEAKER. The question is, will the House suspend the rules and pass the bill H.R. 2414.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

LAND TRANSFER TO CHEYENNE, WYO.

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4421), authorizing the Administrator of Veterans' Affairs to convey certain property to the city of Cheyenne, Wyo.

The Clerk read as follows:

H.R. 4421

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized to convey, without monetary consideration, to the city of Cheyenne, Wyoming, for park and recreational purposes, all right, title, and interest of the United States in and to a tract of twenty-seven acres of land, more or less, constituting a portion of the reservation of the Veterans' Administration Center, Cheyenne, Wyoming. The exact legal description of the tract shall be determined by the Administrator of Veterans' Affairs, and if a survey is required in order to make such determination, the city of Cheyenne, Wyoming, shall bear the expense thereof.

SEC. 2. Any deed of conveyance made pursuant to this Act shall—

(a) provide that the land conveyed shall be used for park and recreational purposes and in a manner that will not, in the judgment of the Administrator of Veterans' Affairs, or his designee, interfere with the care and treatment of patients in the Veterans' Administration Center, Cheyenne, Wyoming;

(b) contain such additional terms, conditions, reservations, easements, and restrictions as may be determined by the Administrator of Veterans' Affairs to be necessary to protect the interest of the United States;

(c) provide that if the city of Cheyenne, Wyoming, violates any provision of the deed of conveyance or alienates or attempts to alienate all or any part of the parcel so conveyed, title thereto shall revert to the United States; and that a determination by the Administrator of Veterans' Affairs of any such violation or alienation or attempted alienation shall be final and conclusive; and

(d) provide that in the event of such reversion, all improvements made by the city of Cheyenne, Wyoming, during its occupancy shall vest in the United States without payment of compensation therefor.

The SPEAKER. Is a second demanded?

Mr. AYRES. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, I yield such time as he may use to the gentleman from Wyoming [Mr. RONCALIO].

Mr. RONCALIO. Mr. Speaker, the facts in the case of this conveyance are substantially identical to those in the Roseburg, Oreg., matter. The reason for not establishing a fair market value in this case is that this is not a conveyance of land in fee simple on which you can determine a fair market value for commercial purposes. These lands are to be used only for recreation and park purposes. If this covenant is broken, title will revert to the United States of America. The responsibility of maintaining the trees on these lands will be on the city of Cheyenne, and the park to be established is to be enjoyed by the citizens of Cheyenne as well as by the occupants of the veterans hospital.

It is my hope that all Members of the House will concur in the recommendation that this bill pass the House under suspension of the rules.

The SPEAKER. The question is, will the House suspend the rules and pass the bill H.R. 4421.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended, and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND ON VETERANS' BILLS PASSED UNDER SUSPENSION OF THE RULES

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members have 3 legislative days in which to extend their remarks on the veterans' bills which have been passed today.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF WAR RISK INSURANCE

Mr. GARMATZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4526) to extend the provisions of title XII of the Merchant Marine Act, 1936, relating to war risk insurance, for an additional 5 years, ending September 7, 1970.

The Clerk read as follows:

H.R. 4526

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1214 of title XII of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1294), is amended by striking out "fifteen years" and inserting in lieu thereof "twenty years".

The SPEAKER. Is a second demanded?

Mr. MAILLIARD. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. GARMATZ. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the purpose of this bill is to extend for an additional period of 5 years existing authority in the Secretary of Commerce under title XII of the Merchant Marine Act, 1936, as amended, to provide war risk and certain marine liability insurance for protection of vessels, cargoes, and crew life and personal effects, when commercial insurance cannot be obtained on reasonable terms and conditions.

The original legislation was enacted in 1950 as title XII of the Merchant Marine Act of 1936, and provided for war risk coverage for a period of 10 years. This was extended for another 5 years, which period expires on September 7, 1965, and this present bill provides for a further 5-year extension.

There is a commercial marine war risk insurance market, and merchant vessels, their cargoes and crews are normally covered by such insurance. The commercial coverage is limited, however, and commercial policies are subject to automatic termination clauses effective upon the outbreak of war. These clauses can become effective while many of the ships engaged in essential activities are far from their own ports, exposed to war risks but suddenly deprived of commercial coverage. Thus, when commercial underwriters feel that the marine war risks reach such a magnitude that they will be unable to meet potential losses, it then becomes necessary for the Government to assume the risks in order to enable merchant ships to carry out their missions in the national interest. Under the law which this bill would extend, Government insurance attaches upon the termination of commercial insurance.

The war risk coverage is basically without cost to the Government since at the time of origin of insurance a binder is issued for which the shipowner pays a premium. Subsequently, when the insurance attaches on the outbreak of war, premiums are fixed which are sufficient to cover the payments made by the Government on account of losses.

The Department of Commerce, through the Maritime Administration which administers the program, recommended favorable consideration. The Department of the Navy likewise supported its enactment.

A special report from the General Counsel of the Treasury stated that the Department does not object to further extension of this program. The Treasury report pointed out that war risk insurance "should be subject to the condition that in the event of a general war involving a significant nuclear attack upon the United States benefits would be payable only to the extent that they are consistent with overall national emergency needs, available resources and national policy on the equitable sharing of war risks."

While this point does not affect the legislation, the committee urged the Secretary of Commerce and the Secretary of the Treasury to take this important point into account in writing Government war risk insurance.

There was no objection from any source.

Mr. MAILLIARD. Mr. Speaker, I support what the gentleman from Maryland has said. I would like to emphasize the rather interesting point raised by the Secretary of the Treasury in his letter, regarding the time-honored policy of providing special Government protection for ships and aircraft, and I may say there is a similar provision of law that does give special war risk insurance to our aircraft based on the theory these two industries have a special risk in that their valuable property, the ships and planes, are at various places around the world where there is liable to be war risk. In this sense we differentiate between this group and domestic industries which do not have similar risks.

As the Secretary of the Treasury points out, this policy never envisaged the possible consequences of a nuclear attack on the United States. That raised the question, and I think it is a very proper one, as to whether this priority claims our national resources which is now given to these two industries ought to be given in a situation where domestic industry would be assuming a comparable risk.

I hope, as the committee has recommended in the report, the Secretary of Commerce and the Secretary of the Treasury will confer and come up with appropriate language that ought to become a part of the insurance binder that is offered under this act.

I should also point out, Mr. Speaker, this special treatment of ships and aircraft is not one that is followed just by the United States, but by most other major nations of the world.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman from Iowa.

Mr. GROSS. So there is this latitude in the law as it exists today. This is an extension of the law. There is this latitude by which they can issue regulations covering the subject of nuclear war?

Mr. MAILLIARD. They can determine the terms of the insurance policies they issue.

Mr. GROSS. One other question: Is there any contingency in the law as to declared and undeclared war?

Mr. MAILLIARD. No. Again, these questions are decided by the language of the policy that is issued. There have been some changes in this from time to time. One of the proposals that was made here with regard to nuclear attack, I think the word suggested was "substantial" nuclear attack against the United States, not maybe just one nuclear bomb going off. The same is true as to when a state of war exists. This would depend on the wording of the actual insurance policy that might be issued.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

CONTINUATION OF USE OF MOBILE TRADE FAIRS

Mr. GARMATZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4525) to amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs.

The Clerk read as follows:

H.R. 4525

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subsection (c) of section 212(B) of title II of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1122b(c)), is amended by striking out "three" and "June 30, 1965" and inserting in lieu thereof "six" and "June 30, 1968" respectively.

The SPEAKER. Is a second demanded?

Mr. MAILLIARD. Mr. Speaker, I demand a second.

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GARMATZ. Mr. Speaker, by Public Law 87–839, approved October 18, 1962, the Secretary of Commerce was authorized to encourage and promote the development and use of mobile trade fairs designed to show and sell the products of U.S. business and agriculture at foreign ports and at other commercial centers throughout the world, where the operator or operators of mobile trade fairs exclusively use U.S.-flag vessels and aircraft in the transportation of their exhibits. The act had the double purpose of promoting the development of the American-flag carriers and export expansion in the foreign commerce of the United States.

Since no funds were appropriated for the mobile trade fair program until midway through the second of the 3 fiscal years covered by the original authority, actual operating experience has been necessarily limited. Nevertheless, the Department of Commerce has been highly pleased with participation in and response to the program by business interests and the carriers involved. In addition, the Foreign Services of the United States has reported the favorable reception of mobile trade fair activities where they have been carried out under the program overseas.

The purpose of this bill is to extend the expiration date of the mobile trade fair program authorized by Public Law 87–839 to June 30, 1968, to give a fair opportunity to make a full evaluation of the effectiveness of this promising concept as a means of developing American-flag carriers and promoting our export expansion program.

Experience has been gained with these mobile trade fair projects, involving three slightly different systems.

Mobile Trade Fairs, Inc., is the most ambitious. Under their plan American merchant ships carry exhibits of American products in portable containers which are taken overseas and set up in foreign commercial centers where they may be displayed most effectively.

Another involves an airborne presentation.

And still another involves exhibits set up on board ship where potential customers may view them during the ship's stay in foreign ports.

Although experience has been limited due to delays in getting the program underway, all participants are optimistic as to prospects.

The Government's contribution—covering certain overseas expenses—is limited and is only a fraction of the cost borne by the carriers and the exhibitors.

Mr. MAILLIARD. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I believe this bill was reported unanimously by the subcommittee and the full committee. I think we frankly have to admit to the House that this program is still in a somewhat experimental stage. The amount of Federal participation is limited. It is a very minor part of the total expense of these fairs. I think on the basis of the rather limited information we have available at this stage of the game, it is proper to predict that trade will be generated by the further development of this program which will repay to the Treasury of the United States several times over the rather modest governmental expenses that would be authorized under this legislation.

I might also say that we have had a lot of conversation here on the floor of the House in recent months about the balance of payments and to the extent that this program is successful, it will have a very beneficial effect on the balance of payments in foreign trade of the United States.

Mr. Speaker, I recommend that this bill be passed.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PERMITTING TRANSPORTATION OF PASSENGERS ON FOREIGN-FLAG VESSELS TO ATTEND THE SEVENTH ASSEMBLY OF THE WORLD CONVENTION OF CHURCHES OF CHRIST

Mr. ASHLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6164) to authorize the Secretary of the Treasury to permit foreign-flag vessels to transport passengers between the United States and Puerto Rico to attend the Seventh Assembly of the World Convention of Churches of Christ, with amendments.

The Clerk read as follows:

H.R. 6164

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury, under such conditions as he may prescribe, may permit one or more passenger vessels of the United States not entitled to engage in the coastwise trade, or one or more passenger vessels of foreign registry in compliance with the Safety of Life at Sea Convention of 1948 or the Safety of Life at Sea Convention of 1960 and in possession of a valid Coast Guard "Certificate of Examination" to transport passengers, who are bona fide members of the Churches of Christ, and their families, and their baggage, directly between a port or ports in the United States and the Commonwealth of Puerto Rico, notwithstanding the provisions of section 4132 of the Revised Statutes, as amended (46 U.S.C. 11) or of the Act of June 19, 1886, as amended (46 U.S.C. 289), or any other applicable provision of law, in connection with attendance of such passengers at the Seventh Assembly of the World Convention of Churches of Christ, to be held in San Juan, Puerto Rico, from August 9 to August 15, 1965, inclusive, and to return directly to the port or ports of embarkation: *Provided,* That the Secretary of Commerce first finds that no vessel entitled to transport passengers between ports or places in the United States is available for the purpose: *Provided further,* That no vessel of foreign registry shall be so employed except upon the further finding by the Secretary of Commerce that no vessel of the United States not entitled to engage in the coastwise trade is available for the purpose: *Provided further,* That the Secretary of the Treasury shall not permit any passenger vessel to transport passengers as provided herein if the owner or operator of said vessel has any financial interest in vessels being used in trade with Cuba (except United States installations in Cuba) or North Vietnam: *Provided further,* That any such voyage shall commence not more than twenty days before the date of opening of such convention and shall terminate not more than thirty days following the date of conclusion of such convention.

The SPEAKER. Is a second demanded?

Mr. MAILLIARD. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ASHLEY. Mr. Speaker, the purpose of this bill is very simple. It is to waive the coastwise trading laws so as to permit, on a single occasion, either foreign-flag passenger ships or American-flag passenger ships to transport to Puerto Rico some 350 or 400, or perhaps as many as 500, Americans who are anxious to attend the Seventh Assembly of the World Convention of the Churches of Christ, which is to be held in Puerto Rico from August 9 to August 15.

Mr. Speaker, the important point is, that at the present time there is no water-borne commerce offering passenger service between the United States and Puerto Rico. This is because the coastwise laws presently prohibit any foreign vessel from transporting passengers between ports or places in the United States either directly or by way of a foreign port, under a penalty of some $200 for each passenger so transported and landed. Under other provisions of law, American-flag vessels are prohibited from engaging in the coastwise trade.

For these reasons this legislation has been introduced. Full hearings were held. The departmental reports indicate no objection on the part of the Treasury Department or the Department of Commerce.

I hope there will be no objection to this legislation and that it will be passed.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASHLEY. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. Is Puerto Rico construed to be in the coastwise trade?

Mr. ASHLEY. It is.

Mr. GROSS. Did the gentleman say there are a total of 500 Americans who wish to attend this meeting?

Mr. ASHLEY. Yes. There may be more than that, as a matter of fact. In the testimony received by the committee it was indicated that there might be as many as between 350 and 500 Americans who would be either unwilling or unable to fly to Puerto Rico. A good many people who are anxious to attend this convention or convocation feel strongly about flying.

Mr. GROSS. What are the designated points of departure from this country?

Mr. ASHLEY. I am pleased the gentleman asked that. The bill has been amended to limit the use of the vessel or vessels making this trip, if the legislation passes, to a direct voyage from the United States to Puerto Rico and then back to the United States.

Mr. GROSS. From designated points to and from; is that correct?

Mr. ASHLEY. Yes.

Mr. GROSS. I am a little surprised that there are no charter vessels of the United States which can be used.

Mr. ASHLEY. This came as a surprise to the members of the committee, also, I might say to my friend from Iowa. The record shows very clearly that the group in question made every effort to find available passage and was unable to do so.

Mr. GROSS. Have there been any other organizations granted this type of exception, to the knowledge of the gentleman?

Mr. ASHLEY. No.

On the previous point, I might say that the commercial shipping interests as well as maritime labor attended the hearings and participated in them. They also were most interested in the question of whether there actually were available American vessels for this purpose. They agreed, under questioning, that such was not the case.

Mr. GROSS. This does in fact set a precedent, then?

Mr. ASHLEY. Yes. The circumstances are quite unusual in that respect.

Mr. GROSS. I thank the gentleman.

Mr. MAILLIARD. Mr. Speaker, I must confess that I view this bill with some misgivings. I suppose that no matter how many times we might say this is not intended to create a precedent, the fact that we pass the measure will create a precedent whether we like it or not.

The bill as originally introduced both by the gentlewoman from Oregon [Mrs. GREEN] and the gentleman from Missouri [Mr. BOLLING] I would have felt bound to oppose vigorously. However, with the new text which we wrote in committee, the restrictions are quite severe. We guarantee that any ship which is put into this domestic trade for this particular voyage will comply with basic safety requirements and that the passengers will be bona fide members of this group and their families, and this will not be opened up to commercial groups of passengers, so I am not constrained to object.

I do hope that we are not going to be put in the position of having other worthy groups come along with a similar proposal where some of their members either do not like to fly or their health will not permit them to so they should have sea transportation. I, for one, would hate to decide an assembly of the World Convention of Churches of Christ had some special right that some other equally worthy group might not enjoy. Yet it is going to be a very embarrassing position for the committee to be in if we are required to deal with this type of legislation on any frequent basis. It may be that out of this could come some good. They have pointed up the fact that we have no service available and in what ought to be, I should think, a very fine domestic trade that might support U.S. passenger vessels designed for this purpose. Perhaps if other groups are interested in it, it might stimulate the investment of American capital in providing such a service to the profit of everyone.

I hope that that might be the case, although the facts presented to the committee do not give me too much basis for being optimistic in that regard.

Mr. ASHLEY. Mr. Speaker, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman.

Mr. ASHLEY. I think the gentleman from California has very thoughtfully pointed up the fact that the committee considered this legislation very definitely and specifically as an exception and really a one-time exception. It is only because of the peculiarities of the circumstances that it has acted as it has. By no stretch of the imagination should this legislation be interpreted or construed as an invitation or an encouragement to other groups to seek the same remedy.

Mr. MAILLIARD. I am happy to have the gentleman make that statement, because I have some misgivings that it might be otherwise construed.

The SPEAKER. The question is on the motion of the gentleman from Ohio that the House suspend the rules and pass the bill H.R. 6164 with an amendment.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended, and the bill was passed.

The title was amended so as to read: "A bill to authorize the Secretary of the Treasury to permit vessels other than vessels of the United States entitled to engage in the coastwise trade to transport passengers between the United States and the Commonwealth of Puerto Rico to attend the Seventh Assembly of the World Convention of Churches of Christ."

A motion to reconsider was laid on the table.

NORWEGIAN CONSTITUTION DAY

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, today marks the 151st anniversary of the signature of the Norwegian Constitution at Eidsvoll, near Oslo. Although the Constitution has since been amended and some of its articles substantially altered, the basic principles of the Constitution of 1814 remain the fundamental law of the land, thus placing the Norwegian Constitution among the oldest in the world.

The Norwegian Constitution of 1814 drew heavily both on Norwegian legal traditions and on the 18th century liberalism which produced the American Declaration of Independence and Constitution, the French Revolution, and the expansion of democracy in Britain. Much of the language of the Constitution followed that of the old Norwegian laws. Thus, Parliament, for example, was named the Storting after a quasi-democratic body which in the 9th and 10th centuries had been an important instrument of royal power.

The structure of the government provided for in the 1814 Constitution, on the other hand, found its pattern in 18th century European liberalism, in the theory of the separation of powers developed by Montesquieu in France and also adopted as the basis of our own American system of government. The Constitution provided that power would be divided among the executive—the King in council—the legislative—Parliament—and the courts. In addition to this separation of powers, other basic principles of the Constitution were national independence, popular sovereignty, and the inviolable rights of the individual versus the state.

These basic principles have now been Norway's fundamental law of the land for more than 150 years. The fact that Norway's democratic institutions have continued to develop and the role of the people in government has continued to expand attest to the flexibility of the document and to the foresight of its framers. Without any change in the Constitution, parliamentarianism was introduced in Norway in 1884 when the King agreed to appoint a council which had the confidence of the Storting. Among the most important amendments to the Constitution has been the extension of universal suffrage, first to men in 1898 and then to women in 1913.

Mr. Speaker, Norwegians are justifiably proud of the democratic system of government they have built on the Constitution of 1814. Today Norway is one of the most prosperous countries of the world, a stable and thriving democracy offering equal opportunity to all its citizens. On this important anniversary we in the U.S. Congress join with all Norwegians and Norwegian-Americans in celebrating the important step taken by Norway on May 17, 1814.

DYNAMIC NEW AFRICAN PROGRAM

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I was pleased to read in the Washington Post of May 14, 1965, a dispatch by Roscoe Drummond from Nairobi, Kenya, stating that the African image of Uncle Sam has greatly improved. This statement by such an experienced observer and conscientious reporter as Mr. Drummond verifies the reports that have been reaching me as chairman of the African

Subcommittee of the Committee on Foreign Affairs.

For some months following the November election there was speculation that the administration of the Honorable Mennen Williams as Assistant Secretary of State for Africa was near a close. I never took the slightest stock in the many rumors and loud whisperings that were circulated. The fact was that Mennen Williams had done a terrific job in Africa and was immensely popular with Africans of all ranks and all stations.

When the President asked Secretary Williams to remain on, thus ending a long period of groundless rumors, the favorable reaction in Africa was unmistakable. This was greatly heightened by the news that President Johnson, clearly showing a deep personal interest in Africa and concern for the future welfare of the African countries, instructed Secretary Williams to head a high-level task force, exploring the possibilities of and planning the foundations of a dynamic new African program.

I can only say, Mr. Speaker, that the members of the African subcommittee were thrilled by Secretary Williams' sketching of the undertaking of this task force and the possibilities promised by it of a new era of brilliant African development and, of deepened African-American partnership in friendship and in joint ventures.

The article in the Washington Post by Mr. Drummond follows:

United States and Africa—Our Image Improves

(By Roscoe Drummond)

Nairobi, Kenya.—At three critical points the image of the United States in much of Africa is greatly improved over what it was a few months ago.

Because political equality for the American Negro is moving visibly forward.

Because of President Johnson's offer of "unconditional discussions" to bring the war in Vietnam to the peace table.

Because United States and Belgian forces did not remain in the Congo after the rescue of the rebel-held white hostages and because Premier Moise Tshombe is gaining prestige among his neighboring political leaders.

This does not mean that the newly independent African governments are going to aline themselves with the United States. It does not mean that African leaders like the dispatch of American Marines to the Dominican Republic. They don't. It does mean that U.S. actions are beginning to make more sense to more Africans and that there will be less temptation to be drawn into the Communist camp, either Chinese or Soviet.

Here is the trend of African opinion on these matters as I have found it:

On the American Negro's struggle for freedom—the many years of painful discrimination which the American Negro has suffered have long sullied the U.S. image in Africa. While Americans have seen the slow but now accelerated progress toward racial justice, Africans have been more aware of the struggle than of the progress. When Alabama or Mississippi denies Negroes the right to vote, to Africans this means the American Government is using its power against Negroes. Most Africans were dismayed and frightened by Senator Goldwater. Last fall Malcolm X toured Africa predicting a Goldwater victory.

Three events have helped to repair these views:

The massive majority by which President Johnson won.

Mr. Johnson's incandescent speech before Congress introducing the new Federal voting rights bill.

The speed with which the voting rights bill is going forward in Congress.

U.S. Ambassador William Attwood sent, with a personal note, a text of the Johnson voting rights speech to every member of the Kenya cabinet. I am sure other U.S. Ambassadors acted similarly. It made a tremendous impact here. It cleared away much of the miasmic feeling toward what was happening in the United States on racial discrimination. President Jomo Kenyatta wrote President Johnson a personal letter of appreciation.

On the war in Vietnam—until President Johnson's offer to negotiate a peaceful settlement on the war in Vietnam "with any government, anywhere, any time," most African leaders felt it was the United States that preferred fighting to talking. But the refusal of the Communists to respond and their flat rejection of any peace talks changed feeling in Africa a great deal.

Now Peiping has changed it more by branding the appeal of the nonalined nations for a Vietnam peace conference as making them "tools of the imperialists." The Kenya foreign office, for example, described this article in the Peiping People's Daily as "an incredibly vicious attack on Kenya and the other nonalined nations." The hope was expressed that "such groundless insults, which are completely inadmissible, would not be repeated."

On the Congo—Premier Tshombe is winning wider respect among his African colleagues. He has impressed them with his ability and force as they have become personally acquainted with him. If Tshombe can free himself from the onus of using white mercenaries, he will enhance his standing and be enabled to become a source of strength to the cause of African unity. And U.S. support of Tshombe will no longer be an embarrassment to Washington.

For all of these reasons, the United States is winning somewhat more understanding in nonalined Africa. We are not asking for nonalined support.

FOREIGN AID HONORS OUR COMMITMENT IN VIETNAM

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, whether we like it or not, we have a commitment in Vietnam.

It is a commitment first made by President Eisenhower, and reaffirmed by Presidents Kennedy and Johnson.

It is a commitment to help the millions of people in this embattled land to resist military aggression from the north.

But more than that, it is a commitment to the free world—a promise that we will do all we can to preserve the freedom of choice for all of southeast Asia. For—let us make no mistake about it—if South Vietnam falls, the great arc of free world defense between Korea and Pakistan will be in grave danger.

In reaffirming our intention to continue to honor our commitment in Vietnam, President Johnson recently put it this way:

> The real goal of all of us in southeast Asia must be the peaceful progress of the people of that area. They have the right to live side by side in peace and independence. And if this little country does not have that right then the question is what will happen to the other 100 little countries who want to preserve that right.

The outcome in Vietnam is still uncertain. But our foreign aid program in South Vietnam is still keeping the embers of hope afire. It is still making sheer survival possible.

Our foreign aid program in Vietnam is providing the advisers and the hardware needed in the continuing struggle against the Vietcong.

Our economic assistance program in Vietnam has two broad objectives:

First. To strike at the root causes of insurgency; and second, to help keep Vietnam's economy afloat and avoid disastrous inflation.

The first objective, the attack on the root causes of insurgency, involves the heaviest concentration of AID-financed contract and direct-hire American technicians in any country today: more than 800 advisers and helpers—doctors, health workers, educators, administrators, engineers, agriculturists, police experts, and the like, working side by side with the Vietnamese in every one of the country's 45 Provinces.

General economic support accounts for about two-thirds of the estimated $210 million in AID funds budgeted for Vietnam during the current fiscal year. Economic support includes the financing of such essential imports as oil, steel, medicine, and machinery, and managing the flow of U.S. surplus farm products that make up for Vietnam's shortage of certain foods and fibers.

Because the immediate issue in Vietnam is survival, AID technical and capital assistance concentrates on activities with an immediate impact on a lot of people. But a portion of current assistance will have long-term results. In broader support of the counterinsurgency program, AID-supplied materials have been used to repair 594 highway bridges sabotaged between December 1961 and December 1964; another 44 reinforced concrete bridges and culverts have been completed on major routes. With AID assistance, more than 700 medium and small factories have been established in Vietnam for the manufacture of cement, pharmaceuticals, rubber, jute, ceramics, paint, paper, and plastics. Negotiations are now underway to bring in an oil refinery financed by private capital under an AID investment guarantee. AID-financed teams from Michigan State University helped to develop one of the key institutions in Vietnam today, the National Institute of Administration in Saigon. It has become Vietnam's major source of professionally trained Government officials for both the central and the provincial governments.

These are just some of the things we have been doing to honor our commitment in Vietnam.

The AID program in Vietnam in fiscal year 1966 will continue to place great emphasis on relief and development in the rural areas where the brunt of the war is borne. It will also give increased attention to improving the numbers, training and effectiveness of the national police, to the needs of Vietnam's urban population, to the encouragement of domestic private industry, to assisting in the training of more crucially needed government officials, to financing commercial imports essential to sustain the economy, and to providing technical advisers and training to help the local government further develop its self-reliance and ability to govern effectively.

Mr. Speaker, I urge full support of the President's foreign aid program so that we can continue to honor our commitment for freedom and progress in Vietnam.

PRESS BECOMES AWARE OF CRIME SITUATION IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, I am sure that Members of the House have noticed that all of the newspapers in Washington have suddenly seen fit to run a series of articles or special reports on the crime situation in the city of Washington. These press stories have restated many of the facts which have long been known to Members of the House but which are seemingly for the first time being given acknowledgment by the press.

The House District Committee held hearings for approximately 2 years in an effort to find out why crime continued to increase in the Nation's Capital. We did this without the support of the press or news media in the Nation's Capital and were successful in having the Members of the House of Representatives support the omnibus crime bill on 2 occasions during the past 2 years by a vote of approximately 250 for to 130 against. These bills have been pending before the other body; however, after hearing crime experts from all over the Nation, chiefs of police from all of the larger cities, as well as our own Chief of police, and also the senior Federal judge in Washington and the present and past District Attorneys, we feel that if the proposed legislation were enacted into law, it would not be necessary to employ additional policemen. I personally can see no reason to add to the present police force, as long as the police are handcuffed and cannot question a criminal or arrest a suspect without being insulted.

I was delighted to read in the Washington Star on Sunday, May 16, where Senator ROBERT BYRD had spoken out on this subject. I am certain Senator BYRD is well aware of the conditions existing in the District of Columbia, and I hope everyone will take time to read his remarks, as I am having them inserted in the RECORD at this point:

BYRD CHARGES "SOFT" RULINGS AID CRIMINALS

(By Sam Eastman)

> A series of "soft hearted" court rulings have given the lawbreaker a powerful weapon in the crime war, Senator ROBERT C. BYRD, Democrat, of West Virginia, charged yesterday.
>
> BYRD, chairman of a Senate Appropriations subcommittee, said at a hearing on crime-fighting proposals for Washington:
>
> "The courts have absolutely handcuffed the Police Department—there's just too much of this."
>
> The major proposal before BYRD's subcommittee is to beef up protection in crime-ridden neighborhoods by allowing policemen to work extra days.
>
> "Such moves," BYRD said, "are counterbalanced by court decisions that favor the criminal.
>
> "It seems to me that the real culprit * * * is going unnoticed," the Senator said.
>
> After commenting that nothing ever seems to be done about the vicious crimes committed in the Capital, BYRD asked Police Chief John B. Layton:
>
> "When was the last execution?"
>
> "Not for a number of years," Layton replied.
>
> (The last electrocution in the District took place in April 1957, when a man died for the slaying of a Washington policeman.)
>
> The District Commissioners are asking Congress for nearly $1.9 million for the emergency crime-fighting measures.
>
> Under the key proposal, policemen would volunteer to work extra days for straight-time pay. The move would, in effect, add 235 men to street patrol duty.
>
> The volunteers would work in five areas plagued with high crime rates. Layton said this saturation technique would be tried for a 9-month period, beginning July 1.
>
> If the trial worked well, he said the city would ask Congress for funds for more policemen to continue this attack.
>
> Layton noted in his testimony that the Department's authorized strength now is 3,000, and that the House-passed appropriations bill for the District includes money to add 100 men. The Department, however, actually has 2,878 men at last count—122 below the authorized level.
>
> BYRD said he was concerned over the added strain and danger involved in the 6-day workweek proposal.
>
> The real answer, he said, is for the city to solve its recruitment problems.
>
> The Police Chief said that the recruitment procedures had been streamlined a few months ago. The changes, he said, have produced good results so far.
>
> "Not good enough," the Senator commented.
>
> BYRD's position that the Department should make every effort to fill the jobs already approved by Congress is in line with that taken by Representative WILLIAM NATCHER, Democrat, of Kentucky, chairman of the House Appropriations Subcommittee for the District.
>
> Last March, NATCHER and BYRD approved a Police Department request to allow volunteers to work a sixth day, but only until the end of June.
>
> This has produced the equivalent of 113 additional policemen, and the Department hopes to raise this figure to 313 next month.
>
> The extra police strength then would drop to the 235 figure for the 9-month experimental period.
>
> Layton assured BYRD that the Department expects to reach the authorized 3,000-man level by July 1. The money requested for the additional 100 policemen covers only the last half of the fiscal year. This would give the Department 6 months to recruit the 100 men, Layton explained.
>
> Layton reported that he will ask the Commissioners to lift the maximum age for police recruits from 29 to 30.
>
> In his comments, Layton noted that the city's police requests were "encouraged" by President Johnson. BYRD said he is "happy" that the city and the President finally have become aroused over the problem. The city's crime rate, the Senator pointed out, has risen for 35 straight months over the monthly figures the year before.

Mr. Speaker, one significant omission in these press reports is any reference to the fact that the House of Representatives during the past three Congresses has devoted continuing study to the crime problem and in each of the last three Congresses has approved by heavy majorities anticrime legislation designed to deal with the crime problem.

The failure of the press to make full and objective reports becomes obvious when people in the District of Columbia, aroused by such articles as "Crisis in Crime" call members of the House Committee on the District of Columbia or the committee wanting to know what the House of Representatives is doing about crime in Washington. The failure to report in such press stories the facts regarding the efforts of the House Committee on the District of Columbia and the House of Representatives leaves the impression in the mind of the public that the House of Representatives has been derelict in its obligations to the people of Washington and to the people of the States who visit the Nation's Capital. At the very least, the local press might have advised the public that the House of Representatives has been reasonably diligent in meeting its obligations in this respect.

Whether the local press feels that the House of Representatives is entitled to any credit for its efforts, the press might at least state in its crime reporting that the House of Representatives has acknowledged the serious crime problem and has taken action toward dealing with it.

A TRIBUTE TO THE STARS OF THE ENTERTAINMENT WORLD

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, for the past 5 years it has been my good fortune and privilege to act in the role of general chairman for the Villa Scalabrini Development Fund—Italian Old Peoples Home. The chief purpose of my committee has been to raise the necessary funds in order to expand the present home which houses 100 "golden agers." The Villa Scalabrini Italian Old Peoples Home is located in the beautiful town of North Lake, Ill., adjacent to Chicago.

Just last December ground was broken for phase two of the home which will include a much needed infirmary and will increase the capacity of the villa to accommodate 200 "golden" agers. Our committee raised $1 million for this worthwhile project and we borrowed another $1 million from the Chicago archdiocese. The interest alone on the money is close to $50,000 a year.

In order for our committee to pay out this loan and the interest, we prevailed upon our dear friend, the beloved Jimmy Durante, who has appeared on two previous occasions at fund-raising dinners in behalf of the villa, to help us obtain the services of other top stars in the entertainment world. With the aid of Jimmy Durante, as honorary chairman, and Enzo Stuarti, as honorary cochairman, we have organized a very ambitious program for Saturday, June 5, in Chicago's 5,000-seat Arie Crown Theater at McCormick Place.

I should like to pay tribute to the outstanding personalities of the entertainment world who will appear on this night and who are paying their own expenses, paying for their own transportation, their room and board, and are contributing their talents in order for our home to net from the show on this night over $200,000 which will be used to pay out the principal and the interest on the loan. These great entertainers, in the best of American traditions, are helping to create a private home for the aged solely by their own efforts and without depending on public funds. They are to be hailed and congratulated, not only by all the Members of Congress, but by the people of America, for their generosity and public-spirited interest in helping to build an institution that will eventually have over 350 golden agers spending the last days of their lives in the tranquillity of this house of God.

Thank you, Jimmy Durante, Enzo Stuarti, Dean Martin, Connie Francis, Louis Prima with Sam Butera and The Witnesses, Vic Damone, Rocky Marciano, Ford and Mercer, Anna Marie, Jimmy Roma, The Salvinos, Jimmy Faro, and Lou Breese. My heart is full of joy—full of profound gratitude—to each and every one of these performers for their gracious contribution to Villa Scalabrini.

Too often we have heard that movie stars and entertainers show no interest in their communities and in the affairs of those less fortunate. Yet, this is a concrete example of the generous contributions that these great stars of radio, television, and the movies are making, day in and day out, to the American way of life. Throughout America, stars of all races, colors and creeds are contributing daily of their time and talents to benefit institutions which are trying to raise private funds to alleviate the suffering and the miseries of the poor. They are doing a tremendous job in helping to raise funds to combat juvenile delinquency, to aid the mentally retarded, to aid in the fight against cancer, to aid in the fight against heart disease, and countless other worthwhile causes.

How can we ever forget the contributions they made during World War I and World War II and the Korean war? How can we forget the programs they provided for our soldiers and the job they are still doing today entertaining our soldiers both at home and abroad?

We in America can be proud of the patriotism and the good will that these stars are showing toward their fellow man and their fellow Americans.

A REFERENDUM IN THE DOMINICAN REPUBLIC

Mr. FRASER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FRASER. Mr. Speaker, the United States is keeping marines in the Dominican Republic for the announced purpose of maintaining law and order while a political settlement is worked out through the Organization of American States.

Our deeds, however, do not fully correspond with this policy. From daily press reports it appears that U.S. military forces have been working with the military junta. Whether or not this one-sided cooperation is inadvertent or even inevitable under the circumstances, our impartiality and good faith are brought into question. This apparent lack of impartiality is given further credence by some of our actions in the U.N., the OAS, and in the character of negotiations with the rebel group. Moreover, the mere passage of time tends to shift the relative balance of power between the two sides. This inevitably intensifies the anti-American feeling which is developing rapidly on that island.

Of the utmost importance, therefore, is the posture of the United States in reaching a political settlement. When the United States intervened, two forces were struggling for control of the Dominican Republic. Lives were being lost. Intervention could be justified on the grounds that the citizens of that nation should not be forced to accept a government which could muster the greater military power rather than the allegiance of the larger number of citizens.

We have sought a political settlement through the formation of a coalition government. Whether or not a coalition is being blocked by extremists on either side is uncertain, but delay in finding other political solutions will lead to further aggravation of this conflict. Moreover, even if a coalition government were formed, that such an uneasy coalition could successfully sponsor fair elections in the near future is open to serious question.

Therefore, it seems to me, Mr. Speaker, that the United States should announce its support of a plan to permit the people of the Dominican Republic to choose one of the contending factions to serve as an interim government until regular elections can be held later. This referendum should be conducted—not just supervised—by the OAS or the U.N. The mode of carrying out such a referendum should be determined by the OAS or the U.N. in consultation with all sides, but should be carried out whether or not agreement is obtained from all sides. If necessary, mass media facilities should be imported and operated under international control to assure equal access by all sides. The United States should announce its support in advance for the victor at such a referendum.

We need to recognize that such a referendum might bring to power persons with whom we are in disagreement. It may bring to power persons who fail to recognize the antidemocratic character of the Communist movement or who choose to temporize with that movement. It may also bring to power persons who have shown little devotion to democratic procedures. It may be appropriate for the OAS or the U.N. to require that any faction represented on the referendum ballot make a commitment to sponsor free elections within a stated time.

Mr. Speaker, the course I recommend carries risks, but the risks are less than those we incur with other courses of action.

We have a bearcat by the tail. The OAS nations appear reluctant to come to our aid in solving the problems of the Dominican Republic. If we could announce our intentions now—and make them explicit—OAS nations should not hesitate to intervene more actively in support of these goals, but when our intentions are obscured as they largely are when we seek to manipulate the junta government to make it more attractive, lack of enthusiasm on the part of many OAS members is understandable.

Mr. Speaker, the U.S. national interest will become increasingly jeopardized as we are drawn more deeply into the internal dispute in the Dominican Republic. We urgently need to proclaim now that our intervention continues for but one purpose: to give effect to the principle of national self-determination. Action needs to follow this proclamation. With this action we would stand proudly before the world community of nations as the defender of the right of people everywhere to choose their own government.

HON. BASIL L. WHITENER, DOCTOR OF LAWS

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, our distinguished colleague, the gentleman from North Carolina, Hon. BASIL L. WHITENER, is at Pfeiffer College, Misenheimer, N.C., today taking part in the commencement exercises of that outstanding institution. I am happy to say that the trustees of Pfeiffer College, recognizing the great contributions that our colleague has made to his State and Nation, are conferring upon him the degree of honorary doctor of laws.

I know of no one who more richly deserves to be honored today at Pfeiffer College than BASIL WHITENER. I am pleased that the college has recognized his outstanding record of public service and is conferring upon him the degree of honorary doctor of laws.

Mr. Speaker, Pfeiffer College is a splendid senior institution of higher learning located in the south central Piedmont section of North Carolina. Under the dynamic leadership of Dr. Lemuel Stokes the college has witnessed rapid growth in recent years. Pfeiffer College has an outstanding faculty, and the school is fulfilling a vital role in the field of higher education in North Carolina.

Our distinguished colleague who is being honored today at Pfeiffer College has always been interested in education. At an early date he developed an appreciation of the role that higher education has in the life of our Nation. Basil Whitener has always supported public and private efforts in behalf of education.

He was educated in the public schools of Gaston County, N.C.; Rutherford College; the University of South Carolina; and Duke University. Basil has a sister who is a schoolteacher, and he, himself, was an instructor in commercial law in Belmont Abbey College, Belmont, N.C., in 1939, 1940, and 1941.

Belmont Abbey College is a fine Benedictine senior college, and Basil Whitener has always been interested in the welfare of the school. In 1960 Belmont Abbey College bestowed the degree of honorary doctor of laws on Basil Whitener in recognition of the work he had done in promoting the expansion of the college and for his continued interest in the welfare of its students.

Mr. Speaker, I have known Basil Whitener for many years, and I have worked with him in junior chamber of commerce activities, Young Democratic Club programs, and as a fellow prosecuting attorney in North Carolina. I have observed his devotion to duty, great concern for others, and profound interest in education.

Basil Whitener was an outstanding prosecuting attorney in North Carolina, and he was instrumental in improving the administration of justice in our State. He was a member of the Commission To Study the Improvement of the Administration of Justice in North Carolina from 1947 to 1949.

Basil has also had a fine record of service to his country as a member of its Armed Forces. In 1941 he was a member of the General Assembly of North Carolina and was renominated in 1942. He resigned, however, to enter the U.S. Navy and to serve with distinction until November 1945.

All of us have had occasion to observe Basil's outstanding record of service in the Congress. He has represented the people of North Carolina with a high sense of devotion to duty. He is an outstanding Member of this House.

Whenever one of our colleagues is honored for civic achievement it reflects great credit upon the House of Representatives and the State which our colleague represents. It has always been gratifying to me to observe one of our colleagues being honored by an institution of higher learning. I feel that this is the highest and most distinguished type of recognition that one can receive.

Mr. Speaker, in receiving an honorary doctor of laws degree today from Pfeiffer College, Basil Whitener is bringing honor and distinction to the people he represents and to this great House. We are indeed pleased, therefore, to join with his constituents in extending our best wishes to him on the outstanding recognition he is receiving today.

AIR FORCE ACADEMY HONOR VIOLATION

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HÉBERT. Mr. Speaker, I wish to supplement my remarks of February 1 on the Air Force Academy honor violation as a result of the report to the Secretary and Chief of Staff of the Air Force by the Special Advisory Committee on the U.S. Air Force Academy Academy.

If we are to assume that Secretary Zuckert's public statement, stating "we owe a debt of gratitude to the committee," is in effect an endorsement of the report, then now is the proper time for me to reorient my thinking about the service academies. Perhaps, I, too, owe a debt of gratitude to this committee, but for a far different reason.

It is not my purpose to challenge in detail the conclusions drawn by the committee other than to state that I am astounded at the lack of emphasis given to major contributing conditions which are greatly in need of overhaul at the Air Academy.

It disturbs me as a friend of the academies when I recall that during the past 15 years there have been three major cheating scandals involving hundreds of cadets and the most we get out of this report is a reaffirmation that all is well with the system.

Why, I wonder, did West Point go from the years 1900 to 1950, a half century, with no cheating problems and then in the fifties have a deplorable breakdown of the system? Certainly it had bigtime football as far back as the twenties.

Why, for example, should the Air Force Academy's honor system patterned precisely after that of West Point turn up such a sorry scandal in a little more than 10 years of existence?

When are we to expect another breakdown of a system which has cracked so badly in the last 15 years?

While good families suffer the consequences and fine young Americans run afoul of the system the report barely challenges the causes. But it did as usual get out the old perennial culprit, football, and from the press accounts we are led to believe that bigtime football ambitions and recruiting debauched the wing.

The report states:

> It is distressing to note that football players were a prominent group in the honor incident * * * that pressures for a nationally powerful team must be resisted * * * football at the Academy must be brought into line with its fundamental goals as an educational and military institution * * * that pressures, if acceded to, may well affect adversely the environment and distort the true mission of the Academy * * * the present football schedule and programs are not entirely consistent with the purpose of the Academy.

For 25 years, ever since coming to Congress, I have been a stanch friend and advocate of the service academies. This has included guiding needed legislation, serving on Boards of Visitors and being ever watchful and sympathetic to their athletic programs. From time to time I have been assured that their extensive recruiting efforts both in and out of Congress had the blessing of Academy authority, their respective Chief of Staff and Secretary.

Now I am disturbed over the section of this report on football. There is no evidence to support that any one or more football players were directly responsible for the breakdown in the honor system. By inference, however, the football player is indicted and the impression given to the American public is that "bigtime" football plagues the Air Academy.

At one moment the report states it would be grotesque to assume that football players, as such, are less moral than members of any other group, but it opened the section on the specific role of football by stating:

> It is distressing to note that football players were a prominent group in the honor incident.

It further found, as a cadet, no significant relationship to exist either in favor of the football player or against him, but later states the officer effectiveness reports of football players are slightly higher than those of the nonfootball player classmates. So the football player is a bland cadet, but upon graduation is more effective than the nonplayer. Since the press failed to comprehend anything favorable to the football player, the question is asked what is the mission of the Air Academy—to make supercadets or good officers?

The matter of special privileges given to the football player is confusingly suggested. It appears as a major problem, but the report indicates that football players eating together is the only special privilege accorded the squad. Certainly such a trite privilege, if it were indefensible, could have been rectified by the several generals in command.

For many years it has been my sincere belief, perhaps erroneous, if we accept the conclusions of the report, that strong football teams have been good for the service academies. Further, that any statement of a tendency to go "bigtime" at these institutions in the light of their rigid admission and academic requirements fails to understand the high standard which all cadets, including football players, live by.

I have also observed that the pressure to win comes far more from high command than it does from within the Academies. For example, why did West Point authority abrogate a written contract with one football coach and at the same time seek a replacement whom they knew was required to break his contract with a university? It was pressure—pressure for a Navy victory that forced such questionable ethical action—action hardly consonant with the spirit of the cadet honor code.

Perhaps it is well then that the academies downgrade football to the playing of schools, as the report ambiguously states, "having athletic standards that are roughly equivalent to those of the Academy."

Obviously the solution to this problem is quite simple. If the report becomes the official bible of the Air Academy, then as a Member of Congress I shall no longer be a party to any recruiting effort which might distort the true mission of the Academy.

Nor will I, for one, encourage any hypocritical approach that would endorse the report and at the same time open a rear door for the recruited athlete.

The Air Academy as well as all service academies should forthrightly accept the recruitment of athletes as proper and desirable. There is nothing wrong with this practice. It is both honorable and proper and I do not apologize for my support of such activities.

A cause which they are not willing openly to support does not have my endorsement. I am not so naive as to believe that a restricted recruiting program would be followed. Further, I am not about to turn over the selection of my candidates to the academies who may have the misguided belief that they can select better than Congressmen.

Therefore, until the Superintendents make defensible their policy on varsity football, I want no part of any athletic program which purportedly distorts in any way the mission of any service academy.

I am tired of the football program and the qualified athlete being made the "whipping boy" on every occasion. An individual should be allowed to use muscle and brawn as a means of educating himself and serving his country as an individual with excess brains and long hair.

I want the well-rounded typical American boy to become our military leader of tomorrow and I do not want any special consideration or privileges given to any one group of qualified candidates.

I do not deprecate brains and genius. We need every talent we can get and utilize in this space age of sophisticated weapons. We need equally as much the extraordinary physical reflexes and leadership quality which results from contact and competitive sports.

I belong to that school which has subscribed to the Duke of Wellington's observation that the Battle of Waterloo was won on the playing fields of Eton and Gen. Douglas MacArthur's endorsement with the opinion that World War II was won on the plains of West Point.

There is a place in the sun for boys of all types, ability, and inclination in the defense of our country, and to tear one group down at the expense of the other is a disservice to our country.

I will have no part of it.

THE NATIONAL TEACH-IN

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, on Saturday, the Nation witnessed a great exercise in democracy. The national teach-in in which faculty members and students participated was stimulating, instructive, and in the highest tradition of free inquiry. For the benefit of those who did not have the opportunity to participate or observe the teach-in, I ask unanimous consent to insert at this point in the RECORD the New York Times summary of the proceedings which was published today, May 17.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXCERPTS FROM NATIONAL TEACH-IN ON VIETNAM POLICY AND TEXT OF BUNDY STATEMENT

Moderator ERNEST NAGEL, professor of philosophy at Columbia University. Ladies and gentlemen, I have a very important announcement to read. I've been requested to read to you a text of a statement by Mr. McGeorge Bundy, Special Assistant to President Johnson:

"I greatly regret that it is impossible for me to take part in the discussion this afternoon of our policy in Vietnam.

"I have looked forward to this meeting and I hate to miss it. When I accepted your invitation, I did so with a warning that I might be unable to attend because of other duties. It gives me no pleasure that this warning has come true.

"I regret my absence the more because I wholly disagree with those who have argued that it is inappropriate for a Government official to take part in a discussion of this kind.

"It may be true, although I have no firsthand knowledge, that some of your meetings on Vietnam have failed to meet the standards appropriate to university and college discussions. It may also be true, and I have thought so once or twice myself, that a few of those who feel strongly about the situation in Vietnam have been more interested in pressure upon the administration than in fair discussion with its representatives.

"But the preliminary arrangements for this particular meeting, so far as I have knowledge of them, have been fair to a fault. I'm confident the discussion this afternoon will be a model of its kind.

"SHARE DEEP INTEREST

"Members of the academic community and members of the administration share a deep interest in the encouragement of such fair and open discussion. It has been argued that debate of this kind should be avoided because it can give encouragement to the adversaries of our country. There is some ground for this argument, since it is true that Communists have little understanding of the meaning of debate in a free society. The Chinese will continue to pretend, and perhaps in part to believe, that American policy is weaker because 700 faculty members have made a protest against our policy in Vietnam.

"The American people, whatever their opinions, know better. They know that those who are protesting are only a minority, indeed a small minority, of American teachers and students. They know also that even within that minority the great majority accept and respect the rights and duty of the American administration to meet its constitutional responsibilities for the conduct of our foreign affairs.

"The American people know that the real day of danger will come when we are afraid of any unpopular minority or unwilling to reply to its voices. They understand what Communists cannot understand at all: That open discussion between our citizens and their Government is the central nervous system of our free society. We cannot let the propaganda of totalitarians divert us from our necessary arguments with one another, any more than we should let them be misled by such debates if we can help it.

"I will not take your time in this brief message for a rehearsal of the policy of this administration on Vietnam. Let me take only a word to speak of our purpose here—our purpose there. That purpose is peace for the people of Vietnam, the people of southeast Asia and the people of the United States.

"We evidently differ on the choice of ways and means to peace, in what we all must recognize to be a complex, ugly and demanding situation. Those differences may go deep to the nature of the politics of Asia, to the legitimacy of the force in the face of armed attack and to the true prospects and purposes of the people of Vietnam themselves.

"NO EASY GOALS

"But my own assessment is that what divides us is less than what unites us. None of us wants the war to be enlarged. All of us want a decent settlement. None of us wants other men to be forced under a totalitarian political authority. All of us seek a solution in which American troops can be honorably withdrawn. None of us, I hope, believes that these are easy goals. All of us, I trust, are prepared to be steadfast in the pursuit of our purposes.

"I recognize the entire sincerity of the great majority of those who now disagree with our policy in Vietnam. I think many of these critics have been wrong in earlier moments of stress and danger and I think many of them misunderstand the hard realities of this dangerous world. But their good faith and good intent are not in question, and on other issues at other times their efforts have been of great service to the country.

"Having said this much, perhaps I can ask you in return that these critics should recognize that the administration, which now bears responsibility for the conduct of our foreign affairs, does not admire force for its own sake, or brinkmanship of any sort. The purpose of its foreign policy in Vietnam as elsewhere is that diplomacy and power and progress and hope shall be held together in the service of the freedom of us all.

"So I trust that the discussion this afternoon will not turn upon charge and countercharge against the motives of those with whom we disagree.

"Let it turn, instead, upon analysis of the situation as it is, and of choices for the future which can serve the purposes we share.

"I repeat my apologies for my forced absence; and I take comfort in the thought that I shall miss the meeting more than you will miss me."

RULES TO GOVERN PROCEEDINGS

NAGEL. In view of this statement from Mr. Bundy some changes will have to be made in the program for this afternoon and I will mention that presently.

My role as moderator imposes upon me the obligation to say only what is essential and to say it briefly. I will therefore limit the introductory remarks to stating what I believe to be the objective of this meeting and to mentioning the simple rules that will govern these proceedings.

This meeting has come into being because of widespread doubt in many academic communities as well as elsewhere concerning the wisdom of current U.S. policy in Vietnam. It needs to be emphasized, however, that the meeting has been sponsored by university teachers throughout the country and organized by the interuniversity committee for a public hearing on Vietnam on the basis of two assumptions:

The first is that whether or not those doubts are well-founded, there has been insufficient responsible debate in public of the great issues raised by our actions in southeast Asia.

The second assumption is that since a thorough airing of these issues by competent students is a condition for an enlightened public opinion on them, in a liberal democracy such as ours in which governmental policies require the assent of its citizens, students who possess knowledge pertinent to those issues have a special duty to discuss them openly and critically.

Aim is stated

In short, the primary aim of this meeting—an aim that surely merits the strong endorsement of all who are committed to the ideals of liberal democracy—is to contribute to the public enlightenment through responsible discussion of a serious problem confronting all of us.

It is possible that a precedent is being set for the development in the academic community of a generally recognized but vigorous and informed opposition to those entrusted with political power, in the best sense of opposition in the great traditions of political democracy.

Let me explain the format of the discussion this afternoon. There are two principal speakers: Dr. George M. Kahin, professor of political science, Cornell University, and Dr. Robert Scalapino, professor of political science, University of California at Berkeley.

Dr. Scalapino has graciously agreed at the last meeting to replace the speech that Mr. Bundy had promised to give.

Associated with each of the principal speakers, there's a supporting panel. Because of the lateness of the word received from the White House about the unavailability of Mr. Bundy, Mr. Kahin's supporting panel consists of four members; while Mr. Scalapino's only three, since he was originally one of that group.

Dr. Kahin is associated with Hans J. Morgenthau, professor of political science and modern history at the University of Chicago; Dr. Mary Wright, professor of history, Yale University; Dr. Stanley Millet, professor of history and political science in Briarcliffe College; Dr. William A. Williams, professor of history, University of Wisconsin.

With Dr. Scalapino is associated a group consisting of Dr. Zbygriew Brzezinski, professor of government, Columbia University; Dr. Wesley Fishel, professor of political science, Michigan State University, and Dr. Michael Lindsay, professor of government, American University.

The principal speakers will have a half-hour each to present their views; and then share an additional 5 to 10 minutes to discuss what has been said by them. This exchange will be followed by comments or questions from the panelists, each with 6 minutes at his or her disposal, and beginning with Dr. Morgenthau in an order alternating between the supporting groups.

Three minutes will be available to the principal speakers to respond to questions put to them by panelists; or if the speaker prefers to delegate the response, to some member of his supporting panel.

The final portion of these proceedings, which we hope will begin not later than 4:30, because of commitments to various broadcasting systems, will be a general discussion of issues in which principal speakers and panelists will participate.

The meeting will conclude with summations by Drs. Kahin and Scalapino.

The first principal speaker this afternoon is Dr. Kahin.

GRAVE ERRORS IN POLICY FOUND

Mr. Kahin. Mr. Nagel, ladies and gentlemen, I am indeed very sorry to learn that Mr. Bundy finds it impossible to be with us this afternoon. I see no reason, therefore, for altering in any significant way the remarks I'd planned to make. I will perhaps have a few additional things to say in closing concerning his absence.

Since the end of the last war, American officials have made such grave errors in policy toward southeast Asia that we have every right to be skeptical about their ability to respond intelligently to the present situation in Vietnam. Their most consistent failure has been an inability both to appreciate the importance of Asian nationalism and to work with rather than against this powerful force. This is a major reason why Burma, Cambodia, Indonesia have become so distrustful of the United States, and why they have either broken or come close to breaking their relations with us.

Moreover the obsession of American policymakers with what they still see as monolithic communism has blinded them to the fact that communism in Asia has adapted itself to nationalism. And they have confused the broad but nationally differentiated force and potential of communism with the threat of specifically Chinese power.

Despite the immense information-gathering facilities of the Government, serious policy mistakes have been made because decisions have been taken on the basis of inappropriate criteria, wrong analyses, and a disregard for the relevant facts. At the same time essential information has been withheld from the American public and crucial policy decisions concerning southeast Asia have been made before the public has even been aware that a problem exists. And once taken, these decisions have set in motion events which severely circumscribed any moderating influence which an informed public opinion might bring to bear.

Moreover, in recent months the tendency has increased to dismiss even thoughtful criticism of Government policy as irresponsible meddling.

Illusory hope seen

In Vietnam, American policy has been wrong from the outset. In the decade following World War II, because of our illusory hope that we could induce France to become the keystone in an American-designed European military organization, we temporized with our commitment to national self-determination and backed France in her efforts to reestablish control over Vietnam.

By supporting her attempt to establish a Vietnamese regime which lacked nationalist support, we helped insure that Vietnamese patriots would have no real alternative but to rally to the banner of Ho Chi Minh. France's humiliating defeat at Dienbienphu in 1954 was a military defeat but it was made inevitable by the political failure that preceded it.

Then came the Geneva agreements clearly specifying that Vietnam was one country. They stipulated that the 17th parallel was a temporary demarcation line, not in any way to be interpreted—and here I'm using the text of the agreement—not in any way to be interpreted as constituting a political or territorial boundary.

The United States in its own unilateral declaration at Geneva spoke only of one Vietnam, not of a South, and not of a North, and with respect to the conference's provision for national elections, the United States also stated—again in its own unilateral declaration—that it would continue to seek to achieve unity through free elections supervised by the United Nations.

Nevertheless the United States soon thereafter set out to build up a separate state in the south. And again we made the mistake of thinking we could establish a viable government on an inadequate nationalist base. The United States supported Ngo Dinh Diem giving him, as you know, massive amounts of—economic initially and later—military assistance.

But American aid was no substitute for nationalist support, something Diem's regime never really acquired, despite what our officials told Congress and the American people.

Diem himself had said in 1953—repeatedly, I might add—that Ho Chi Minh—and I'm quoting him—"gained in popularity as a leader of the resistance, not as a Communist," and that the vast majority of his followers were nationalists and in no way pro-Communist.

What the United States failed to recognize was that in these conditions Ho Chi Minh, who for at least 9 years had been the acknowledged head of the Vietnamese nationalist movement, could not be replaced as the leader of the Vietnamese people by a man supported from the outside, a man little known and who had spent the critical years—nearly all of them—of the independence struggle abroad.

America's failure, of course, to build up an effective government under Diem is now well known, but this was not immediately apparent, for after Geneva his regime enjoyed several years of grace during which Ho Chi Minh's followers left it pretty much alone.

Essentially this was due to the fact that the Geneva agreements had promised nationwide elections for 1956 and it was primarily because of this provision and because the agreements also stipulated that France would be responsible for carrying out the accords—carrying out the accords south of the 17th parallel—and that France would remain there until the elections were held—primarily because of those reasons that the Vietminh withdrew its armies from the south and for a considerable period suspended revolutionary activity there.

But with American encouragement Diem refused to permit the elections in 1956 and France washed her hands of the responsibilities which she had assumed at Geneva.

Reneging is charged

Regardless of what sophistry has been employed to demonstrate otherwise, by encouraging Diem to defy this central provision of the Geneva agreements, the United States reneged on the position it had taken there in its own unilateral declaration.

Civil war in Vietnam became inevitable, for when a military struggle for power ends on the agreed condition that the competition will be transferred to the political level, can the side which violates the agreed conditions legitimately expect that the military struggle will not be resumed?

Despite the initial period of insulation from Vietminh militancy and despite unstinted American economic and political backing, Diem failed to develop a real base of popular support. Programs urged by the United States for social and economic reform, and for winning the allegiance of the non-Vietnamese hill-dwelling people, were never effectively carried out.

The Saigon regime remained all too isolated from the Vietnamese peasantry. As a result, it was unable to compete with the Vietcong guerrillas when, from 1958 on, these guerrillas adopted increasingly militant policies.

And in the 19 months since the assassination of Diem, the situation has continued to deteriorate and the shifting combinations of army officers and bureaucrats controlling the Government have remained just as isolated from the villagers of Vietnam.

Faced with this decline in political cohesion, and the evident inability of the

South Vietnamese military to stave off the Vietcong, the present administration has enlarged the war in Vietnam by bombing the North and increasing American military activity in the South.

Power called the reply

It has endeavored to compensate for the continuing erosion of Saigon's political and military base by introducing more American troops, more American airpower.

It has justified this in terms of our pledge to support Vietnam, a commitment which, as you know, the administration regards as a test case.

And here I think it might be appropriate to recall the caveat of Secretary Acheson in 1950 when he stated that America could not by itself create politically stable states in Asia.

KENNEDY REMARK OF 1963 QUOTED

President Kennedy also recognized these limitations when, in September of 1963, he said of the South Vietnamese, "In the final analysis it's their war—the're the ones who have to win it or lose it. We can help them, give them equipment. We can send our men out there as advisers, but they have to win it."

In the context of these cautions, does an unconditional American military pledge to a weak and factious regime which lacks popular backing—does that make commonsense? Is our pledge of support completely unqualified? Does it not demand a minimum degree of performance and cooperation from Saigon—political as well as military? Is our pledge automatically to any military or civilian group which happens to control Saigon? What happens if our current policy of brinkmanship induces Hanoi to send its 300,000-man army into South Vietnam?

Because this it may very well do if the damage inflicted by the United States becomes so great that the north has little to lose by undertaking a retaliatory attack and little to save through compromise and negotiation.

The well-known military analyst, Hanson Baldwin, has estimated that to cope effectively with such a force the United States might have to use as many as a million men.

The United States, of course, does not have these forces immediately available and even to send in a small proportion would use up our entire strategic reserve.

This same trend toward a rapprochement with Russia started by President Eisenhower, continued by President Kennedy, that trend has already been seriously affected by our policy in Vietnam and it will be further undermined if we continue on our present course.

Among Communist parties throughout Asia as well as among the nonalined states generally, China's scornful derision of Russia's policy of peaceful coexistence has been gaining ever wider approval.

The possibility of cooperation between the United States and Russia to contain China's power—China's power and influence in southeast Asia—is becoming ever more remote. Our major aim in Asia is to contain China and thus to provide the opportunity for the states of south and southeast Asia to develop free from Peiping's dominating influence.

And it is this consideration which should govern American policy toward Vietnam. No matter how much military power we pour into Vietnam, the present American policy of trying to sustain a separate state in the south may very well fail because the local political factors necessary to insure success are simply not there.

If we are going to salvage anything in Vietnam, we will achieve more through a cease-fire and a negotiated political settlement than through the futile infusion of more and more American military power.

The United States must recognize that the historic Vietnam fear of—fear of and antagonism toward—China continues—continues despite the common adherence to Communist ideology. And inasmuch as the character of Vietnamese communism is inseparable from Vietnamese nationalism, Vietnamese power, will not necessarily be exerted in concert with Chinese power.

Defining interest

This is likely to depend upon whether such actions conform with Vietnamese national interest as the Vietnamese people define that interest.

Those who still are impressed by the simplistic domino theory must realize that non-Communist governments of southeast Asia will not automatically collapse if the Communists should come to control all of Vietnam. So long as southeast Asian governments are in harmony with their nation's nationalism, so long as they are wise enough to meet the most pressing economic and social demands of their people, they are not likely to succumb to communism.

Nationalism and the demand for social and economic progress are the dominant forces in southeast Asia today. If we can work with these forces, if we can work with them we will make a major contribution to maintaining the territorial integrity of the states of southeast Asia and provide them with a better opportunity to develop along non-Communist lines.

The first step in that direction must be to negotiate a settlement in Vietnam.

What has our position been thus far? I think you know it well. The administration tells us that it is prepared to negotiate unconditionally but in effect on condition that the Vietcong cease all operations immediately and on condition that the state of South Vietnam—and this is the most important condition, I would say—on condition that the state of South Vietnam continue its separate existence in permanent violation of the Geneva Agreements.

Furthermore, we have made clear that the Vietcong and its political arm, the National Liberation Front, cannot be party to such negotiations. Not only is that one more condition, but it flies squarely in the face of reality—political reality.

It is, I think, widely acknowledged that at least half of the south is today under the control of the Vietcong. Is it not utopian to assume that Hanoi is in a position to insist upon the Vietcong's yielding up the position it has won there?

In 1954, the Vietminh could induce its numerous supporters in the south to accept Vietnam's partition and to abandon their gains south of the 17th parallel, because partition was regarded as a temporary measure to last only until elections.

But we cannot assume that once again the insurgents in the south will give up what they have won through long and difficult campaigns.

Over the last 5 years, the doctrine of uncompromising struggle and a real expectation of victory have been assiduously nurtured among the Vietcong. While there is undoubtedly a considerable congruence of interest between Hanoi and the Vietcong, under these circumstances we cannot assume that Hanoi can abruptly call off the southerners' resistance.

And whatever influence Hanoi can exert over the Vietcong, we cannot expect it to exert this so long as we continue bombing the north.

The morale of the North Vietnamese is, of course, no more likely to be broken by bombs than was that of the British or the Russians in the last war. Indeed their will is likely to be stiffened. President Johnson said after our Embassy in Saigon had been bombed that outrages like this will only reinforce the determination of the American people and Government. What is true for Americans is true for the Vietnamese.

Halting our bombardment of the north would be our first genuine indications of an interest in negotiations. Our quite cavalier dismissal of the United Nations Secretary General's efforts hardly constituted a serious American interest in negotiations. I submit that we should give him an unequivocal mandate to pursue negotiations and that we should make clear that we want not just discussions but serious negotiations.

Support of others urged

And I would suggest that concurrently we should give much more encouragement than we have to those nonalined Asian and African States which wish to help promote a peaceful settlement in Vietnam.

And finally, for those many Americans who still regard full public discussion of vitally important national issues as essential to our brand of democracy, there is a particularly disquieting domestic aspect of this situation:

Realizing as they do that an informed public discussion requires access to the relevant facts, these Americans can only be deeply disturbed when a spokesman for the newspaper editors of this country feels compelled to state as he did last month that the American press in Vietnam faces stronger restrictions than it ever has in wartime and that we are getting contradictions, double-talk and half-truths from the Government concerning the situation in Vietnam.

And surely Americans have grounds for concern when the New York Times can editorialize, as it did shortly after this, less than 3 weeks ago, that high-ranking representatives of Government in Washington and in Saigon have so obscured, confused, or distorted news from Vietnam or have made such fatuously erroneous evaluations about the course of the war that the credibility of the U.S. Government has been sacrificed.

When the American public faces the prospect of war it has the right to full and honest answers.

I had indeed hoped that Mr. Bundy's appearance would be an indication of a change in the administration's attitude as to the value of informed public discussion. I can only hope that his indispensability in meeting some major crisis of policymaking is really of greater importance than the contribution he might have made this afternoon toward our better understanding of the administration's aims and to that kind of enlightened public discussion which is so essential to the wisest conduct of foreign policy.

IS VIETCONG AN INDIGENOUS FORCE?

Mr. NAGEL. The second principal speaker is Professor Scalapino.

Professor SCALAPINO. Mr. Moderator, ladies and gentlemen of the panel, ladies and gentleman of the audience, both here and unseen:

First, it should be perfectly clear that I am not here as a spokesman for the Government. I did not know—I do not know—what Mr. Bundy would have said. As the moderator has made clear, we knew about this on both sides of this panel only about 12:30 and consequently my remarks will be strictly those of myself as prepared rather hastily after that time.

Now it seems to me that in beginning I would not start my remarks with a historical background as did Professor Kahin. I would rather prefer to work those into some of the critical questions to which I would like to address myself.

The first of these questions, which is, I think, critical, is as follows:

Is the Vietcong a truly indigenous force in South Vietnam and has it achieved its strength for its support such as it is through promoting socioeconomic reform?

To me, the answer to this question, while complicated, is, on balance, "No."

Let me cite, to begin, an editorial from the Peiping Daily Worker of April 15 of this year and reproduced in the Peiping Review on April 23. Said Peiping: "The Vietnamese people's anti-U.S. struggle for national salvation is a just, revolutionary struggle against aggression. It is certain to win, because there is the wise leadership of the Marxist-Leninist Worker Party of Vietnam, because there is the unity of the 30 million Vietnamese people, and because there is sympathy and support from people the world over."

I call to your attention the first phrase in that statement: Because there is the wise leadership of the Marxist-Leninist Workers Party of Vietnam. I think that there is little question that the Vietcong is a carbon copy of the Vietminh which preceded it. This is certainly not to say that it does not have indigenous support and leadership in nominal terms at least. Clearly most of the leaders of the National Liberation Front originated from the south as the front is now structured. And whatever the bewildering differences in figures, I am prepared to say that a significant segment of the National Liberation Front is still southern in origin.

Critical factors

But what are the truly critical factors? These factors, it seems to me, are as follows:

First, who does know the leadership of the National Liberation Front? Individuals like Nguyen Wuc Ngo. How many either in or out of Vietnam really subscribe to their leadership? The real leaders of the Vietcong are, and have always been, those in small hardcore elements that are also members of the Communist Party—and that party has Hanoi as its headquarters now as in the past.

The South Vietnamese Revolutionary Party numbers no more than 500 or so. It could not possibly be expected to dominate the 500,000-man party of the north. Not only is the leadership of this movement shadowy indeed, but take a look at its basic principles. I urge you to read them carefully, because I suggest that though there may have been differences in tactics between the South National Liberation Front and the North Workers Party, or Laodong group, there have been no differences up to date on the question of basic policies or of fundamental programs.

This is not an unusual movement. The Vietminh also had innumerable non-Communist elements. The Vietminh also until it came to power claimed to be a multiclass, multifront organization dedicated to national liberation of Vietnam. But it ended up as you well know under the domination of the Communist Party and opponents were either liquidated, silenced, or reformed.

Thus it seems to me what is critical here is that we do indeed face a complicated situation in which borrowing heavily from Chinese revolutionary tactics of the past a five-stage development toward revolution is involved.

The first stage is always to build a tightly disciplined, carefully controlled Communist Party that is not susceptible to penetration from the outside.

The second stage is to develop a united front movement, and in this stage of course one solicits the support if one can obtain it of the peasantry, of the intelligentsia, of the petit bourgeois, using such socioeconomic issues and nationalist issues as can be used.

The third stage is that when the united front is built one moves into guerrilla warfare.

The fourth stage that if guerrilla warfare is basically successful and the cities can be surrounded one moves into positional warfare.

And thence to victory, and the establishment of a people's democracy in which the real opponents of the regime are at that point out.

For I know of no significant opposition in North Vietnam today that survived this five-stage development and could remain in true opposition to the leaders of the Laodong Party.

I think it is important to understand this development, because it is neither unique to Vietnam, nor for that matter of fact, to China, whence it came earlier; nor, in certain respects, to North Korea.

It is a phenomenon that involves a combination of civil war and international aid and assistance. And unless both ingredients are given their approximate weight and role. I think one misunderstands the complexity of the problem, and the difficulty of the solution.

Let me raise another question: Does the Vietcong really command the support and allegiance of the people of South Vietnam?

Answer must be "no"

I think again, though the answer is complicated, the answer on balance must be no.

What is a true phenomenon is that though the Diem Government made many mistakes, and I am not here in any sense to defend it, although the Diem Government made many mistakes, one of the interesting things is that very few, if any, significant anti-Diem leaders in the South joined the Vietcong. One of the significant things is that today still, the great popular elements of South Vietnam are not a part of the Vietcong, nor have they ever been.

I refer to the Buddhists. And the Buddhist solution for this problem, neutralist as it is, does not involve the movement of the Vietcong into power. The latest Buddhist proposal that I've seen urges that all Vietcong elements go; North Americans go out, and some kind of international force come in.

Now, secondly: What about the Cao Dai and the Hoa-Hao.

There are groups that command in some degree the allegiance of millions of Vietnamese. The Cao Dai alone has some two million in its reported membership. Have these leaders joined the Vietcong? Have they supported this so-called national liberation movement?

There have been some exceptions. One is always able to pick up in united-front activities 5 Catholics, 3 Hoa-Hao, 10 Buddhists. But en masse, the leadership that represents the central strength of the really important functional elements of South Vietnam are not, and have never been, a part of this Communist-dominated National Liberation Front.

It is not to say that they support the present Government necessarily.

But what I think is more important is to say that through the stresses, the travails, the uncertainties of months and years of civil war, they did not join the Communist movement.

And I think it is also significant, quite frankly, to point out that the successes of the Vietcong are neither attributable alone to the appeals which they have been able to make on social, economic or nationalist grounds.

I would not depreciate those appeals, or their success in some quarters. But what I would emphasize and re-emphasize is the fact that Communist strength in South Vietnam, as in many other areas, is also heavily attributable to organizational skill.

A powerful weapon

If one takes hold of a movement politically and can organize it, mobilize it, and utilize all of the organizational technique, then one has, indeed, a powerful weapon—particularly when one works in a truly diverse, heterogeneous, nonorganized society.

THREE BROAD ALTERNATIVES SEEN

It does not necessarily mean, however, that because one has organizational control, one has public support. I think anyone familiar with American big city politics must know that.

The fact is that organization is critical to Communist success in Asia, and elsewhere, and very frequently coercion as much as persuasion is involved. How many village officials, good, bad and indifferent, have been killed by the Vietcong in recent years?

Some estimates are 6,000. I have no doubt that some of them were bad, many of them indifferent, some of them good, but the only question that was really asked was. "Do they support the Government or don't they?"

And if they do, then they're finished. For to root out the willful bases of power that critical in the development of a moment like this, and it has little to do quite frankly with the appeal of issues, socioeconomic, or others.

Now I make these points because I think that if the true allegiance of the people of South Vietnam could really be tested, it is very doubtful that they would vote for the Vietcong. And this question of elections, in Geneva, or after the Geneva agreements or elsewhere, troubles me greatly.

For I do not know, frankly, of any state that has been controlled by the Communists which could afford to allow free elections. And, quite frankly, in recent announcements coming out of Hanoi, I have seen nothing to indicate that Hanoi is interested in elections in the north.

Mass media system

I have seen nothing to indicate that they would really relinquish the mass media communications system for purposes of a true dialog, that they would allow the establishment of class-enemy parties.

I have seen nothing to indicate that the formula of free elections which is meaningful in the democratic context can be meaningful in a Communist context. And if that is true, then was the Geneva agreement always a fraudulent one? Then, was it clearly fraudulent from the beginning to assume that you could have free elections in a society dominated by men who regard class enemies as susceptible to control through whatever means possible?

Now, I think that when it comes to the basic issues that confront us today, they were outlined in broad terms very well this morning by Professor Schlesinger. We are confronted, at least theoretically, with three broad alternatives: Withdrawal, negotiation, or escalation.

It seems to me clear that the arguments against withdrawal are so powerful and so strong that at least as yet they have not been answered.

It is not merely that withdrawal would reduce American credibility with her allies and neutrals around the world, but it is also that it would be a green light to the new national liberation movements which are even now getting underway. I do not need to remind you that Peiping has broadcast repeatedly its intent to support the Thai national liberation movement and has already launched the first propaganda with this matter in hand.

If socioeconomic interests are the critical question, we would have some curious new kinds of analyses to make. We cannot ignore the ingredient of power. And central to this, it seem to me, is the fact that for more than 5 years, Peiping and Moscow have been arguing vigorously about the way in which to handle American imperialism. That argument, which has gone down to this present month, is roughly speaking as follows, and I think you know it well:

American imperialism, argues Peiping, is a paper tiger. Push and attack—it will retreat. It is not to be taken as a nuclear blackmail threat. The problem with the Russians, argues Peiping, is that they have been too sensitive to American power, too willing to compromise, too unwilling to push the revolutionary movement forward.

It seems to me that, above all, withdrawal—withdrawal would prove that Peiping was right and make it virtually impossible for moderation to prevail inside the world Communist movement. For if the strategy of pushing American power and forcing it into a unilateral retreat works—if it works in Vietnam, it will work elsewhere and be tried everywhere.

Domingo view altered

I do not subscribe to the domino theory precisely. I think it should be more applicable to checkers theory. For, Peiping will jump over—not only states which she can neutralize, but perhaps even continents. She will jump to those areas where she can build the ingredients for this kind of formula. And, indeed, as long as she has the combination of privileged sanctuaries within her own territory and that of her allies; as long as she had the ingredients, her mobilizing manpower and equipment for their support and training; as long as she had these ingredients, then, I think, she had a strategy that was well-nigh foolproof.

Let me then move to this question of negotiation: I suspect the overwhelming majority of people in this room, and listening to us, favor negotiation. And I suspect that the critical issues, therefore, to come is: who is willing to negotiate and on what terms.

Up to date, and we can certainly hope that this will change, the Chinese have indicated very little willingness to negotiate. They have refused U Thant's proposed visit to Peiping, a visit which, incidentally, had our support. They have also declined to accept the overtures of the English and the French, either privately or publicly, to move toward any kind of negotiation.

Their comments upon the recent proposal of the Indians can be summed up in one word: "ridiculous," they said concerning an Afro-Asian international force.

Their sabotage, or attempted sabotage, of the Cambodian conference is well known to everyone. In short, it seems to me that on the record whatever they have been, the qualms of the United States toward coming to the conference table, we have explored and we have allowed our allies to explore every combination of public and private opportunity that seemed promising.

And we are still hoping that at least Hanoi will come forward and break its tie, now more than 2 years old, with Peiping and move into a new orbit of independence.

The whole history of Vietnam indicates that while there has always been a stout resistance to China on the one hand there has always been a strong element willing to cooperate and collaborate with China on the other. And this brings to me—I think—the focus, of this problem; namely, the question of the containment of China.

May I say that I agree very much with Professor Kahin when he talks about the importance of aligning ourselves openly with Asian nationalists. I think this is critical.

May I suggest also that I think that there may be some slight discrepancy in his thesis that on the one hand the nationalist movement and the Communist movement are antithetical, which I think he suggested at one point, and on the other that they can be united.

In my opinion both are possible. They can be united sometimes, for purposes that are perhaps limited in time and space, but they can also be antithetical.

But what I would urge you to look at here is to see how clearly was communism in Asia truly the product of nationalism and the nationalist capture.

In part it was, but only in part. North Korean communism was implanted as a result of Soviet power. And I suggest that the pressures which Communist China is putting upon the small neutralist countries today—unless they are counteracted by some balance of power in this region—will be antinationalist and increasingly satellite in character.

These are small states, the survival of which depends upon some balance of power—a balance of power, I say, that must be a combination of both Western and Asian power, that must represent a fusion, for today it is critical that we come into line with such major societies in Asia as Japan and India, and I would hope some day, Indonesia. For these are societies with whom we can work in forwarding the social, economic, and nationalist revolutions that the last 2 or 3 years are indications that Communist power unchecked will ultimately impose its own version of socioeconomic revolution and will ultimately impose its own sense of national interest.

I say that this policy, in conclusion, can run along these lines:

First, our broad objective should be a neutral, nonalined Asia that is truly neutral and nonalined, not the Communist version of the Vietcong.

Secondly, we should, of course, negotiate. But we should make it clear that we are not negotiating just with labels, that we are negotiating with men representing forces. We should negotiate with the Communists in South Vietnam as Communists, and we should negotiate with the other elements in terms of whatever representation they truly represent. It must be remembered that the Buddhists are the largest functional group in South Vietnam and they certainly dwarf the Vietcong in numbers and supporters.

And lastly, I would say this, that I think that as long as we maintain two open channels not only for the neutrals but for the Communists, one in which we urge social, economic, cultural exchange, one in which we urge peaceful coexistence, one in which we desire the exchange of scholars, journalists and economic development—yes, with China, as with others. And the other channel in which we say we will not surrender unconditionally, we will not be driven out by a philosophy that regards compromise as evil as long as it takes that stand, as long as we keep these channels open and operative in an imaginative sense, I do not see how we can fail in the long run to reach a solution to our problems.

STUDY OF HANOI ELECTION RECORD

Professor KAHIN. With regard to the attitude of Hanoi Government to elections, if you—I'm sure you have studied the election records there—but for years after Geneva that Government did remind the South of its desire for elections, it did remind the cochairman of the Geneva conference for several years repeatedly thereafter even after the date of in 1956 had gone by that it still wanted the elections, and if Hanoi says today it wants to go back to the Geneva agreements in their entirety, I submit that it wants to go back to elections conducted under international auspices as well.

I've been looking at the record, as I suppose you have, of Hanoi broadcasts during the last month and I haven't seen any indication to suggest that it does not want elections. I would ask Professor Scalapino why it is, because I think that this is germane, that the United States continues to press for elections uniting Germany and Korea that has in no case I know of in recent years indicated any willingness to do so in Vietnam and where it did before attach conditions.

I hope you won't mind my saying, Bob, but your analysis of the internal political balance in Hanoi was given with more self assurance than I've ever heard anyone give before, and I think that insofar that one can scrutinize this, he is impressed with consistent zigs and zags of policy as between Russia and Communist China.

Statement at seminar

With regard to the matter of nationalism, may I go back to 1953 when I quoted Diem before he was at a seminar we had at Cornell and he made these same statements afterward. His most poignant concern at that time was that the vast majority of real nationalists as he put it had either made their political usefulness much the less by having been attentive—in other words opportunistic politically as he saw it during the previous years—or had in fact already gone over to the Vietminh. A major proportion of them, as he said at that time, had gone over to the Vietminh and he added the words the most courageous of them.

I'd also suggest that when a nationalist movement is frustrated in its efforts to win independence that it can very easily spill over into Communist-controlled channels, particularly in a country like Vietnam, where there was a very particular history.

The French were very hard on Nationalists and well before the war the Vietnamese Communist party had gone underground and had developed a capacity to operate effectively underground that no other nationalist party had.

And during the Japanese occupation, as you recall, there was an arrangement between the Japanese and the Vichy French—the Vichy French worked with the Japanese—and both of them made it very difficult for the Communists to operate anywhere else except underground and this was true for nationalists in general.

Nationalists elsewhere in southeast Asia were often given some opportunity to organize and develop by the Japanese occupation authorities. Not so in Indochina. They had to work. Non-Communist nationalists had to work underground and in working underground they naturally gravitated toward the only well-organized underground that was in existence.

Professor SCALAPINO. First, let me talk to the question of Hanoi's allegiances. I want to admit that this is a very complicated matter and one still, I think, in very great dispute within the Laodong Party of North Vietnam. However, having followed rather closely both Hoktob and Nandan for the last 3 years in translation, I have come to the conclusion, and I think most other scholars on North Vietnam have come to the conclusion, that there is a very obvious, and decided, and total swing in that period.

Now it may, as I say, be swinging back, because I think that our bombing in the North had a political impact upon that party, and a very decisive one. But let me quote you, just so that I won't be saying something that you have to take on my faith, let me quote you two items, the first one from September 25, 1963, "Peace or Violence," the name of the article, September 1963, Hoktob, which talks about the modern revisionists and rightists; "Opportunists are doing their utmost to peddle pacificism and misrepresent the Marxist-Leninist theory on the role of violence in history."

Let me quote you an article from one of the leading North Vietnamese generals, Pham No Mal, which appeared in the March 11 People's Army newspaper in Hanoi of this year: "All over the world the struggle movement for peace, independence, democracy and socialism is developing and is winning real victories. The flag of Marxism-Leninism is being waved more and more in all the five continents. Modern revisionism is being defeated, but it has not yet been completely eliminated, and the struggle between the two paths is continuing."

Question of nationalism

Now with respect to this question of nationalism, let me reiterate, and this is all I can do, George, one of the points that I tried to make in my unprepared remarks; namely, that it seems to me that the issue of how communism treats nationalism both in ideological terms and in policy terms is entirely derivative from certain other considerations, that is, I have the strongest feeling that most of the leaders of the Vietcong in the south are—owe their primary allegiance to Hanoi and its policy formation, and that how the Hanoi party goes will determine the future of the south and that, in turn, the general situation in Asia will determine whether Asian nationalism for small states is viable. But it seems to me we have seen increasingly that unless we can establish some balance of power in Asia, nationalism is going to go under in societies like Cambodia, it's going to go under in societies like Burma.

The inexorable pressure of the big states that are just emerging now, of which China is one but not the only one, is going to submerge indigenous Asian nationalism in its own concept of its own ideological interest and its own self-interest from a national standpoint. And I think the evidence is already piling up on this score. If a Prince Sihanouk has to call off the Cambodian Conference, if the Burmese have to worry about whether the Communists are going to come into their Government or not because of pressures, if on all sides one has to ask, What does Peiping think and say? then it seems to me nationalism is under assault.

And it is up to us, and I think we are the largest power in the world that truly does not have serious economic and political interests that lie in this form of neocolonialism in Asia. I think we are the power that can aline ourselves with the true nationalist movements of this area and, I repeat, that it seems to me that the evidence thus far shows that most of the true South Vietnamese anti-Communist or non-Communist leaders do not regard the Vietcong as a nationalist movement.

The main—the key Buddhists have not joined it; the key Catholics have not joined it; the key Hoa-Hao and Cao Dai groups have not joined it. There are some exceptions. But by and large, that's a shadowy movement without the kind of leadership that really speaks to the issue of nationalism.

And in closing, I would like to have Professor Kahin speak to really two themes. I would like to have him discuss whether or not he believes that the Vietcong is similar or identical to the Vietminh and that, in all probability, it is or is not Communist controlled—what its other components.

I would like to have him pursue this, then, by suggesting what he thinks would happen if we withdrew from South Vietnam unilaterally.

Second, I would like to ask him what he proposes to do if the Chinese and through them, other elements of the Communist movement, continue to remain adamant on the question of negotiations—something that we hope, very much, will not happen.

But suppose they continue to denounce the 17 nonalined nation approach, the Indian approach, all other approaches to negotiations as ridiculous, a plot to show China up. Then what is our next move?

SOME OBSERVATIONS AND QUESTIONS

Mr. **Nagel**. I regret I cannot give Mr. Kahin the opportunity to reply at this point. But there will be, hopefully, the chance to do so in the final part of the proceedings.

We now come to observations and questions by the various commentators. I would like to remind both them and you that each will have not more than 6 minutes, to be followed by any response that the principal speaker may wish to make.

I will—because of the distribution of mikes, I think it'll be best if each of the commentators remains and talks into the mike in front of him. And since not everybody is visible from every fixed point, I think, perhaps, the best way of telling you when your time is nearly up if I rise 1 minute before and so indicate.

The first commentator is Prof. Hans Morgenthau.

Professor **Morgenthau**. Let me suppose that Professor Scalapino's analysis of the facts in southeast Asia is correct in every particular—a mere hypothetical assumption on my part.

What would the consequences for American policy be?

Professor Scalapino speaks very softly about the establishment of a balance of power. I speak very crudely about war against China.

For I see here one of the basic inner contradictions of our official policy which makes, as speakers have reminded us this morning and this afternoon, those problems so terribly complicated.

It is because we set ourselves goals in Asia and we have done so, I should say in parting, for half a century, which cannot be achieved with the means we are willing to employ.

And as it is in philosophy and in pure logic, if you pose a wrong question you find it extremely complex to give a simple and correct answer.

Something basically wrong

And the uneasiness in the country of which this assembly is an impressive manifestation, I think stems from this instinctive recognition that there's something basically wrong in the modes of thought and action of our Government, that there is an essential contradiction or a number of contradictions between what we profess to want and the policies we want to employ and the risks which we want to take.

And I submit again, as I have done this morning, and have done before in lectures many times, that if you really want to achieve in Asia what the spokesmen for our Government say they want to achieve, you must be ready to go to war with China, with all that that implies.

I would also say a word—I'm getting nervous—about negotiations. Much has been made of our willingness to negotiate. There is, of course, no doubt, and Mr. McGeorge Bundy didn't need to emphasize it, that our Government wants a peaceful solution. No decent government which isn't out of its mind would want anything else.

But this is not the point. The point is not what you intend, but the point is what you do regardless of your intentions. The history of the world is full of instances where well-meaning, high-principled people have brought unspeakable misery upon their own nation in spite of their good intentions, because it used the wrong policies.

Let me turn to the problem of negotiations. Of course we want a negotiated settlement, and I'm sure there are people in our Government who pray for a negotiated settlement, if only the other side would make a move.

But those people cannot see that the implicit conditions which we have made—the unspoken conditions—make a negotiated settlement at the moment impossible.

For, first of all, we refuse to negotiate with the Vietcong.

Second, we make it an implicit condition that we remain—at least for the time being—in South Vietnam—that is to say, as long as no stable government is established there, while will take a very long time.

Now the other side is fully aware of the blind alley in which we find ourselves in South Vietnam. We don't have the courage to retreat and we don't dare to advance too far.

And so obviously from the point of view of Peiping, which hasn't lost a single man in that conflict and has only lost, as far as we can tell, one gun, which Mr. McNamara showed the other day in a press conference.

Of course from the point of view of Peiping, nothing better could happen than the United States waging a war in Vietnam which it is not able to win and which it cannot afford to lose.

Why should Peiping under such circumstances recommend negotiations?

Negotiations are possible only under the conditions such as when one recognizes the inevitable facts of life in Asia which, as I have said before, can only be changed by war.

Mr. **Brzezinski**. Mr. Chairman, ladies and gentlemen. It seems to me that the basic issue that we are facing here today involves the fact that we're living in an age of very rapid change with many countries and several continents undergoing many revolutions rolled into one. Out of that condition arises two basic questions: What will be the nature of the change which these societies are going to experience and are experiencing, and what role can the United States play in these changes?

It seems to me that in Asia we have demonstrated not perfection but a positive commitment to social change—in Japan, where we have helped the reconstruction of a country ravaged by war and social reform. We are doing the same in India, in Pakistan, in Thailand, in Taiwan. We have maintained our economic presence and assistance because we have been able to maintain our political presence.

And our political presence will be denied if the United States and those associated with it permit themselves to be expelled militarily. And yet that in many respects is the issue today in southeast Asia: The nature of change, of social reform, whether it will be by evolution or by more rapid, coercive, indeed violent means, and whether the United States will be associated with it.

International politics

There are those who argue the revolution in South Vietnam is purely indigenous and nationalistic. Now I'm not an expert on southeast Asia. I'm interested in international politics. I can only judge on the basis of what I read. And I'd like to read to you two passages written by men who are not known as apologists for the administration and both associated with a newspaper which has been highly critical of the administration, particularly editorially.

The first comment is by Robert Kleiman in the New York Times, an editorial writer. He states that after years—5 years—the so-called war of national liberation in South Vietnam still retains its original characteristics as an armed conspiracy. The Vietcong has scored military successes and entrenched itself politically in many rural areas. But there has never been any sign of a mass uprising. And then he goes on to discuss the relative absence of popular support for the Vietcong.

Peter Grose, writing in the Times magazine, states clearly and explicitly that the South Vietnamese Vietcong operation is controlled from the North, directed from the North, supported from the North and, indeed, even cites North Vietnamese admission to that effect.

HOPE FOR EVOLUTION TO EFFECT CHANGE

Now I cite that because the basic issue here seems to me to lie in the fact that we are not trying to overthrow the North Vietnamese Government. We are not trying to change an existing political situation. And, as in Europe, we hope to rely on the passage of time and evolution to effect change, a condition which I hasten to add the Soviet leadership accepted after Cuba when it desisted from the use of force to change the situation in Europe and itself is banking on evolutionary change, on the peaceful transition to socialism to attain its objectives. Now that condition is yet to be attained in Asia.

There are those who say that it can never be, for China is the predominant power in the region. Let us assume for a second that it is. So was Japan in 1940. Does that mean we should not have taken the course we did? So was Germany in Europe in 1940. So was the Soviet Union in Europe in 1945–46. Yet this did not justify the conclusions that one should therefore disengage and in a self-fulfilling prophecy make right the assertion—make right the assertion that China is the predominant power and prove it by disengaging.

We may or may not have been remiss in the past, but the fact is that in a number of societies we have shown that we can relate ourselves positively to their development. And today we are trying to negotiate over the issue of Vietnam.

We have made a number of proposals. These proposals have been accompanied by proposals from the 17 nations, from India, from U Thant, and the United Nations, and none of these proposals have been accepted because at the present time the other side makes a demand which involves a qualitative change in the political status quo. That demand, it seems to me, is ahistorical and dangerous in the nuclear age.

It is imperative that both sides, both sides, all major powers, learn that in the nuclear age the existing political status quo cannot be changed by force. And I repeat—it is not us who are trying to overthrow the North Vietnamese Government. It is the South Vietnamese Government which is being tested from the North.

Professor **Scalapino**. If I may risk a simplification of Professor Morgenthau's thesis: It seems to me that he is coming pretty close to saying that either war or withdrawal from Asia is inevitable for the United States—that we must either get out or we must go to war with China.

I may be misinterpreting him, but that's the way I read his remarks and he'll have a chance to rebut this if I'm wrong.

Now, I would just like to reiterate what's been said by other people here. I don't believe in historical inevitability. But if I did, I would put this in precisely the opposite framework. I would say that withdrawal at this point will mean war. Because I think it will inevitably settle, at least for the time being, the issue of how to meet American imperialism, as the Communists put it.

I think it will inevitably cause the launching not of a thousand ships, but a thousand revolts not just in Asia, but wherever this movement can get underway. And I think that that means war. Under what conditions, I cannot predict, nor can you.

The critical issue

Now it seems to me that that's the critical issue.

We are engaged—we are engaged in the hard, difficult, complex task of trying again to build a containment policy, if you will, but one that is more broadly gaged than the past. And I would simply end my answer to Mr. Morgenthau's comment by suggesting that if you take the last 10 years, I think that the United States itself a late-developing society in terms of world leadership, has learned a great deal; has moved a great distance.

Ten years ago we were still saying—some of us, not I, but some—that neutralism was immoral. Today, we are prepared—and I think this is true of both of our major parties—to work with and underwrite when we can, neutral and nonalined states.

We have people—and this point ought to be underlined and reemphasized—who are not reactionary; who are not committed to the past, and who have found that between us and the Communists they'd rather take their chances on socioeconomic reform and development with us.

And I maintain that in some of the areas where the American commitment has been heaviest in Asia, the standard of living is going up most rapidly.

This is important, not because I want to whitewash American policy, I think we've made many mistakes in the past, we're still making some—I've been a frequent critic of American policy myself—but I think the time has come, both to face up to alternatives and at the same time to point out again and again that, if we can't do something to preserve a certain openness in these societies, then, it seems to me, the balance of power will be abruptly changed and global war will shortly ensue.

UNITED STATES SAID TO CREATE SITUATION

Professor **Kahin**. Well, there are just two points that I'd like to make. One, I was pleased at his reliance upon the New York Times. I would hope that his reading is a little wider and that he reads some of the other views in the Times. One healthy thing about the Times is, it seems to me, the variety of viewpoints—and there are others expressed.

The other point that he made that I would like to take issue with is this: that in Vietnam we are not trying to change an existing situation. And I say this is true in a basic sense. And the reason is because the situation that exists is one which we created, beginning in 1956, and which we are simply trying to maintain. No, we're not trying to change it basically. The trouble is its an artificial situation and it's one that can't be shored up militarily. It lacks basic political ingredients.

Mary Wright. My differences with Professor Salapino and his analysis of the situation are very deep and very profound and we are talking about a very serious matter here. It's a good deal more serious than I expected it to be when we came onto this platform today.

I agree with him, with his very curious and earnest statement, that I, too, will fight for American soil. But when he makes that plea for Asia—We will not be moved out of Asia. We will not give up unilaterally. I am absolutely dumfounded, because he links it to a policy of getting into alinement with nations like India and Japan.

He surely is as well aware as I am and all of you are of what our policy and the kind of policy he poses, the kind of tensions that this has placed on our sound relation with Japan and India.

We are risking our relations with Japan and India.

It's a very serious thing.

I am in favor of attempting to provide multiple outlets for nationalism for the new nations, but only when we are wanted.

Professor Scalapino would like Asia a certain way. I agree with Professor Morgenthau that to have the Asia that he has outlined is not only impossible within the means which we are willing to use, it is impossible within the means at our command.

Because we sit here with an Asia projected of how we would want it. We are trying to disavow the Communist revolution in China. We pretend it doesn't exist there. We talk against the advice of our best friends of Europe, against our best allies as far as Asia goes. We upset the nonalined countries. We bring in far more military aid than the opposition is bringing in as far as that goes.

We've got some lessons of history here to learn and Mr. Brzezinski's parallels are those very dangerous intellectual exercises—faulty parallels—to the position of Hitler's Germany or Imperial Japan. Because this is not the first time that a great power has gone to war to try to save—use military force to try to save Asia from commmunism.

I find myself in very profound opposition to my friends and colleagues on the panel and on the other side.

It appears to me that the Communist revolution has been won in China; as Mr. Brzezinski says, a great deal has happened in the last 20 years. The one place it's not happened is in Chinese-American relations.

We've either got to accept the fact of the existence of Communist China and agree—and if you ask some Japanese and Indians, who, of course, will tell you at once that Communist China is the preponderant power in Asia—and try to come to deal with it as best we can, extricate ourselves where we are clearly not wanted militarily with what dignity we can muster, not because it's easy for a great power to retreat, but because it's almost the last moment to retreat in Vietnam and salvage something.

Professor **Scalapino**. Mr. Chairman, I'd like to respond to that now.

I think it's better for me to respond now than after another speaker. Though I certainly respect the judgment of the Chair on these matters:

Firstly, we do indeed differ, Professor Wright and I, both in interpretation and in fact. Because I regard about 60 percent of what she said as nonfact and it would take me a long time to go over this.

Sometimes, nonfact comes in nonspoken statements, incidentally. For example, the question of our relations with Japan and India and the other non-Communist countries. I do not want for a moment to obscure the fact that there is opposition to our policy in Asia, as there is opposition to our policy here in the United States.

But I want to ask this question: Does the Government of India, does the Government of Japan, do most of the non-Communist governments of Asia really want us out of Asia as she suggests? They do not. They do not.

Professor **Williams**. Mr. Chairman, ladies and gentlemen, I would like to suggest that our difficulty arises not so much from a particular complexity but from a general misconception. I would like to say in addition in the context of the news of the last few days and Mr. Bundy's absence that given enough attention to their critics and enough rational collaboration from their opponents, our leaders may end the Vietnam war short of disaster.

But sophisticated salvage operations are not enough. Our rivals being human beings may some day become irrational under such stress. And our own imagination is being contained and stunted within the limits of the past.

Our difficulty, it seems to me, is more subtle and more pervasive than even the resort to complexity we all acknowledge. We have not recognized and adapted to the triumph of an outlook and a policy formulated 70 years ago. The success of that policy as has been pointed out changed the reality upon which it was based. The success of that policy having changed the reality needs to be reconsidered, and I suggest that we need a new outlook and a new policy appropriate to the changed conditions, instead of struggles to operate successfully within the old framework.

"OPENNESS TO" PROBLEMS FAVORED

Professor **Scalapino**. It's question of how you integrate a meaningful social, economic, political, and military program from the standpoint of maximizing the fundamental interests which you and the non-Communist world hold in common. I don't think it's an either-or basis.

I think that the Communists themselves have shown us that it isn't, because their approach is not an either-or basis, and never has been. And this is the kind of problem—how do you develop the socioeconomic, political military integration that provides a base for political support, for economic development, and for some openness?

And I maintain that that's the most critical problem that we face, because it seems to me that we've done it successfully in some areas. Japan is a marvelous example of where the application of American and Japanese aid interrelated was successful.

There are areas where political stability has interacted with socioeconomic gains. And I think that these areas must be preserved and expanded in company with our allies and our potential allies.

When the President of India, for example, says that an Afro-Asian force might make some sense in the area of Vietnam and we say we're interested, and Peiping says it's ridiculous, it seems to me this is a kind of openness with which we should approach more and more of our problems.

I favor bringing the Asian and the African states into discussion of how peace can be developed and maintained and economic and social growth developed.

But I don't think ours is an adamant position. I don't think we've ever said or thought you could rely upon force alone. I don't think that that's the position that any thinking American today, however he may differ on the question of precisely of what we should do in Vietnam now.

Professor LINDSAY. I think this is a very valuable kind of meeting, and I think that a great many of the failures in both British and American policy have come from the Government failing to realize that a democratic country can only pursue an effective policy on the basis of an informed public opinion. And I think a great many mistakes have arisen from failure to produce one.

Then I think on that what it does seem to me that a lot of this trouble has come from failure to discuss the issues involved very much sooner. That if I look, I think, at most of the remarks of the speakers on the other side, it seems to me they all depend on a complete refusal to face what is a basically fairly new problem—how does one deal with the Leninist technique of spreading totalitarian control? I mean you had it in some extent actually with German infiltration in the Balkans in the 1930's.

But I think you do have to say what you do with the problem when you have a small determined minority who are perfectly prepared to use force and terrorism to get themselves in power. And it does seem to me that the American political scientists have far too much thought in terms of the kind of society in which things work through elections where it's one man, one vote, and haven't nearly enough thought about the problem of how you deal with a kind of society where your great majority are comparatively uninterested in politics and where a determination, where a small determined and forceful minority has a power completely out of proportion to their numbers.

Now the other point I think they've refused to face. This actually was put by one of the Austrian Social Democrats a long time ago when he said "if you're playing chess all right you keep to the rules as long as your opponent does, but if you know perfectly well that once your opponent starts to lose he will just knock over the table, then you have to think out new rules."

So it does seem to me that you have to begin by thinking of how do you deal with this kind of problem, and I might just cite, I think, a very clear case is the case of Malaya. Here again you had a determined minority and I think if you go back and look at the papers as of about 1950 you will find people saying very much the same as this is right just now, now here is a popular movement which it is wrong to oppose. But I think it was perfectly clear after the event this power depended on terrorism. Once you had the organization which broke that terrorism, Malaya has become in fact one of the more successful Asian countries with a government which does in fact have a fair amount of support.

And so I feel perhaps the basic failure in American policy has been failure to develop the ideas of the Declaration of Independence, of governments owing their just powers to the consent of the governed. And to go on to say that a government which relies to maintain its power on terrorism, on keeping—on prevention of discussion, on keeping its people from any access to information, thereby proves that it does not represent the people.

TRUTH FOR VIETNAMESE PEOPLE

Professor MILLET. This a serious moment. And we're here in search of truth. And much has been said about many truths—one has been left out of account. I should like to say a little about that.

Behind all these high issues of international politics and hegemony of great States and international balance of power, there lies the Vietnamese truth. The truth for Vietnam; which for the Vienamese people is a very bitter truth indeed.

Scalapino has said Communists do not ask for elections. Let us not forget it was the Vietminh who expected elections in 1956. And I wish merely to read from the program of the National Liberation Front of 1960, second article:

"Abolish the present Constitution set up by the servile dictatorial Vietminh administration, carry out universal suffrage to elect a new national assembly." That was the NLF position in 1960. It has not changed.

Professor SCALAPINO. I'm surprised that someone would say here that terror on our side accounts for all that happens in Vietnam.

And beyond that—on that particular point—I cannot comment more, except to say that as I tried to make clear at the outset, I think this is an enormously complicated problem. There has been terrorism on both sides. There have been many unjustices, many killings on both sides.

To try to establish where the balance of terror lies, would, I think, be exceedingly difficult, but it seems to me clear that every observer of the Vietcong region has referred to a variety to techniques that range from persuasion to coercion. He has referred to the taking of young men for military service with or without their leave, and the government has done the same thing.

This is not a situation in which you can demark the good guys from the bad guys in these absolutist terms. And I think it's fairly clear that when I talked about Vietnam elections what the question I really raised was this: How can you have meaningful free elections unless opponents have full access to mass media or at least sufficient access to get their position expressed?

Professor FISHEL. Mr. Chairman, colleagues, Professor Kahin and Professor Scalapino began this discussion on a high and responsible level with able and solidly grounded analyses. I see my role as a panelist as the only member of this panel who has lived and worked extensively in Vietnam, to try to set forth a few facts with respect to the country whose continuing agony is our reason for assembling here today.

I think we should keep in mind that there are very few blacks or whites in the Vietnamese situation. There are many shades of gray. We, as scholars, should strive for accuracy and wherever it is possible, for precision. I don't think we should succumb to the very natural inclination to over-simplify and thereby reduce to the absurd what is a very difficult and complex problem area.

REPEAL OF 14(b) OF TAFT-HARTLEY ACT

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, the issue involved in the passage of H.R. 77 is simple. The repeal of provision 14(b) of the Taft Hartley Act will restore the right to vote to workers throughout the country. They will regain the freedom to determine whether or not their interests would best be served by a union security clause in their contract. At present their right to vote on this issue is restricted by the so-called right-to-work laws in 19 States.

There has been an extended test of this provision of the Taft-Hartley Act in the years since its original passage. There is no evidence of harm to the public interest in those States which do not infringe the rights of the employees to negotiate for a union shop. Why should we continue to restrict employees freedom in 19 States?

Despite the simplicity of the issue there are a number of deceptive arguments on behalf of 14(b) and the right-to-work laws which have accumulated in the last 18 years. Because they are overlapping it would be difficult to deal with all the variations in one brief speech. Since they will be exhumed in the current debate over H.R. 77 I will mention some of the more common ones and their more obvious flaws.

First is the claim that the existence of 14(b) permits States to enact right-to-work laws. These laws, which actually restrict the employees' right to vote to negotiate for a union shop are improperly named. They restrict rather than enlarge the employee's rights, and do not guarantee any right to work. The name is deceptive and misleading. It has been held illegal in at least one State—*Idaho State Federation of Labor, in Re (Robert E. Smylie)*, 26 LC Par 68, 541, 75 Ida. 367, 272 P. 2d 707.

The proponents of the so-called right-to-work laws use the time worn technique of using two definitions—one for attack and one for defense. In ads and pamphlets they attempt to define the right to work as a fundamental right equal to the freedom of speech, freedom of religion, and other basic civil rights. They paint in somber hues the dire consequences of limiting this fundamental American right to earn a livelihood.

When it is pointed out that right-to-work laws do not create any right to work, or even guarantee a chance to work, they recoil in horror that anyone would suspect them of advocating such alien ideas. This kind of right to work, they say, is found only in socialist countries. The only right they want to protect is, "the right of an individual to work at his job without being compelled to belong or not to belong to a labor union." It is interesting to substitute this definition in some of the more flamboyant propaganda sent out by right-to-work groups and the mass mail which comes into our offices.

It is obvious that in States which do not prohibit union security contracts that the right to work without joining a union exists. The overwhelming majority of nonagricultural employees are not union members. In the most strongly unionized State, Illinois, almost two-thirds of the employees do not belong to a union. Their "right to work" without joining a union exists without restricting the right to vote of those who do want a union shop. The following table shows the percentage of union members in each State. Notice the number who have the right to work without joining a union:

AFL–CIO membership as percentage of nonagricultural employment, by States, 1962

	Employees in nonagricultural establishments	AFL–CIO membership	AFL–CIO members as percent of employment
	Thousands	*Thousands*	*Percent*
Alabama	791.8	185	23.4
Alaska	58.9	20	34.0
Arizona	364.8	76	20.8
Arkansas	396.8	72	18.1
California	5,218.4	1,400	26.8
Colorado	550.5	108	19.6
Connecticut	949.8	185	19.5
Delaware	155.4	16	10.3
Florida	1,387.8	150	10.5
Georgia	1,101.1	120.0	10.9
Hawaii	195.2	(1)	(1)
Idaho	164.6	14.0	.5
Illinois	3,551.8	1,250.0	35.2
Indiana	1,461.3	350.0	24.0
Iowa	686.4	100.0	14.6
Kansas	572.1	85.0	14.9
Kentucky	674.4	135.0	20.0
Louisiana	794.9	130.0	16.4
Maine	279.0	58	20.8
Maryland-District of Columbia	1,516.0	275	18.1
Massachusetts	1,958.0	525	26.8
Michigan	2,335.5	750	32.1
Minnesota	984.2	300	30.5
Mississippi	425.7	45	10.6
Missouri	1,357.5	400	29.5
Montana	171.7	30	17.5
Nebraska	393.4	50	12.7
Nevada	126.6	18	14.2
New Hampshire	204.6	50.0	24.4
New Jersey	2,086.3	500.0	24.0
New Mexico	242.6	35.0	14.4
New York	6,266.2	2,000.0	31.9
North Carolina	1,258.5	80.0	6.4
North Dakota	129.5	15.0	11.6
Ohio	3,099.2	1,000.0	32.2
Oklahoma	601.6	65.0	10.8
Oregon	528.0	140.0	26.5
Pennsylvania	3,698.7	1,250.0	33.8
Rhode Island	298.3	60.0	20.1
South Carolina	609.3	40.0	6.6
South Dakota	151.8	17.0	11.2
Tennessee	966.4	150.0	15.5
Texas	2,624.8	350.0	13.3
Utah	287.3	45.0	15.7
Vermont	109.3	9.5	8.7
Virginia	1,081.8	100.0	9.2
Washington	856.6	250.0	29.2
West Virginia	447.5	95.0	21.2
Wisconsin	1,207.9	264.0	+21.9
Wyoming	95.5	17.0	17.8

[1] Not available.

Source: U.S. Department of Labor (Manpower, report of the President, March 1965 and Directory of National and International Labor Unions in the United States, 1963).

The deception in the use of the term "right to work" has been pointed out by many eminent Americans. Here are only a few statements:

Mrs. Eleanor Roosevelt: "I am opposed to this legislation because it does not guarantee the right to work, but gives the employer the right to exploit labor. While it is true that a great deal of labor is not unionized, much of it benefits from unionized labor's gains. If the 'right to work laws' were passed, unionized labor would be so weakened that it could make no gains for any of its members or for those who are not members."

The Methodist Church Board of Social and Economic Relations: "Such laws are miscalled 'right to work laws' since they do not oblige anyone to give any individual a job. Their real menace lies, however, in denying by law the possibility of increasing the quality of individual freedom."

Rabbinical Council of America: "Recognizes the right to work legislation as a misnomer and beholds such legislation as a camouflage and a gimmick to weaken and undermine responsible, democratic unionism."

Bishop G. Bromley Oxnam (late president, Council of Bishops of Methodist Church): "Americans believe in the right to work. They resent the parasite, and such worthy terms as 'peace,' 'democracy,' and 'justice,' so too, clever, crafty, and highly paid public relations experts have designed these efforts to weaken labor as 'right to work' laws.

"Actually, a sanctimonious subterfuge is being foisted upon the public. The most significant progress has been made in industrial relations where the workers belong to the union and the union, through its representatives, meets the management, through its representatives, and together they think out the problems that should not be fought out." (Address to Baltimore Conference of the Methodist Church, June 1958.)

Former Secretary of Labor James Mitchell: "They call these right-to-work laws, but that is not what they really are. In the first place, they do not create any jobs at all. In the second place, they result in undesirable and unnecessary limitations upon the freedom of working men and women and their employers to bargain collectively and agree upon conditions of work. I oppose such laws categorically."

Rev. William J. Kelley O.M.I., L.L.D.: "The right to work bills don't guarantee the individual any right at all. They provide him with an opportunity to work alone, to work at less than union wages."

Mr. Speaker, a related argument by those who support right-to-work laws is that they are necessary to protect fundamental individual freedoms. It is strange that the proponents of 14b wish to protect the employee from himself by restricting his freedom—his right to vote to determine whether or not he wishes to make a union security agreement a goal of collective bargaining. This is paradoxical. In those States which do not have a right-to-work law an employee may work in a union shop, either as a member or as an employee who tenders dues and fees for services rendered but is not an active member. He may also work in an open shop, or he may work where there is no union. In a right-to-work State an employee, even if he wants to, cannot have the protection of a union shop. He must be in a compulsory open shop. Which one has the greater freedom of choice?

The repeal of 14b does not create a compulsory union shop. It merely puts the power of decision where it should be, with the employee. Remember that in every State a minority of employees are union members. Why should the right to vote on this issue be denied to this minority? To hold that restoring the right to vote to the minority endangers the right to work of the majority is obviously false. The repeal of 14b only restores to this minority the freedom of choice which has been denied to them in 19 States. This restoration of freedom of contract is desirable.

A third common argument is that the union shop is unnecessary. This has two parts. First, it is held that the union will survive if its services are of value for members will retain their membership and new employees will be glad to join. This overlooks the fact that both can get something for nothing by staying out of the union; namely, the benefits that the members win for them. Unfortunately there are still corporations whose management is antilabor, and which engage in union busting activities. In these the employees need the protection of a union shop. Also, in many cases the union shop works to the benefit of both labor and management by increasing the effectiveness of the work force, and by stimulating harmony and understanding in labor-management relations.

Second, it is argued that right-to-work laws have not stopped the growth of voluntary unionism. Those in favor of retention of 14b normally use a base period which has a small number of union members. Thus even a small numerical increase appears as a large percentage increase. This way they can talk about the rapid percentage growth of unions in right-to-work States. The preceding table presents a more accurate picture of the strength of unionism in right-to-work States.

Even this acknowledgement of union growth must be considered as grudging tribute to the value of the union movement if unionism can advance under the most adverse circumstances. In many cases the benefits accounting for the growth of unions in States which restrict union security agreements could be achieved more effectively within such contracts. Who is in better position to determine the need for such a contract than the employees? If they feel that a union security contract would be beneficial let them have the right to vote to decide. Let us end the deceptive protection which limits their right to choose.

A fourth argument is that compulsory membership clause is a perversion of democracy which infringes on minority rights. First, is the term compulsory membership accurate? No, it is not. The worker is free to work elsewhere. Remember, in the 31 States which allow a union shop the great majority of employees are not union members. The individual is obviously not compelled to join a union. Second, the rights of the minority in a democratic system are retained and are guaranteed by law. The government of the union is conducted by democratic means and the minority retains the right to protest and to vote against the leadership. There have been violations of democratic procedure within some unions, but these are not due to the union shop. The existence of these violations of democratic procedure is no reason to argue against the democratic process.

Related to this is the thesis that right to work laws protect the public from the abuses of unions which have grown too powerful. This overlooks the many other legal protections in the Taft-Hartley and other labor acts. In those instances in which abuses occur they are caused by human nature, not the union shop. It is possible to point to similar abuses in other sections of the economy. Price fixing in certain major industries is an illustration. I would not recommend abolishing the corporation to cure these. Decapitation is not the proper remedy for a headache.

A fifth major argument is that the union member in a union shop is a captive rider. This is an attempt to refute the fact that in an open shop the nonunion member is a free rider who does not pay for the services rendered by the union. It is a strange thing to hear so many who fear the effects of "something for nothing" in government arguing the merits of something for nothing in labor management relations. In a shop which has a union a nonunion worker is employed, by law, on precisely the same terms as is the union member. His refusal to join a union does not prevent him from getting all the union benefits gained by collective bargaining and arbitration. He takes these benefits without paying for them.

The unions properly feel that the worker should pay for the services rendered by the union in collective bargaining and its other representative functions. It should be pointed out that in a union shop the worker need not become a member of the union. His sole obligation is limited to the tender of dues and fees. It does not require association with the union or becoming a member.

The Wyoming Supreme Court said in Electrical Workers IBEW, Local 415 against Hansen, and others, that:

> Thus, it is apparent, in the light of the relationship itself, that a labor union could not act as bargaining agent for all employees without going to all employees (union and nonunion) for instructions and advice. Who else, except all employees, can tell the union what wages to demand; what working hours and general working conditions are acceptable; and when the employees would rather strike than accept wages and working conditions which are offered them?
>
> We visualize these things happening at mass meetings of all employees—where the principal (all employees) meets with the agent (the union) in order to settle questions of importance which have to be settled before negotiations can begin. Also, during that period of time while negotiations are underway, it is apparent that no progress could be made unless the negotiating agent could check back frequently with its principal.
>
> Connections and relationships between the labor organization which negotiates and nonunion employees, in our opinion, cannot be avoided either during contract negotiations or grievance negotiations. The latter may be just as important as the first.
>
> If a contract, negotiated for all employees by a labor union, is violated and a nonunion employee has a complaint, it would surely be the duty of the union as agent and negotiator to present the grievance. Here again, a connection between the union and the employee is unavoidable, if the union is to be the exclusive bargaining representative for all employees, as the Federal law contemplates and allows.

Mr. Speaker, a sixth argument which is presented by opponents of repeal is that right-to-work laws facilitate rapid economic growth by providing a favorable climate for industry. This argument in itself is a comment on their basic antiunion attitude. In the States which have abolished the union shop there has been economic growth and an an increase in the average income, but the gap between the wages and the disposable personal income in these States and those which permit the union shop has actually increased. In 1953 the hourly wage gap was 20 cents. In 1962 it was 59 cents. In 1953 weekly wage gap was $7.97. In 1962 it was $8.53. In 1953 the disposable income per capita gap was $322. In 1962 it was $349. The employee has prospered more in States which permit the union shop. The increase in the right-to-work State has been a part of national growth, rather than purely local growth.

A map of the right-to-work States will, with the exception of those which have received a great deal of defense money, outline poverty in the United States. It is apparent that despite the lure which low salaries presents; despite the false promise of good labor relations resulting from right-to-work laws that these laws have not proven a decisive factor in building the economy of these States.

These laws have, however, endangered good labor-management relations in the industrial States. Companies, lured by right-to-work propaganda, have gone to these States to exploit the poverty and lower wage scale which are protected by these laws. It is in some way exploitation reminiscent of the late 1800's in which low wages and the lack of employee protection are presented as positive inducements to business developments. This reveals a basic misunderstanding of the importance of the employee as a consumer. A stable and prosperous working class is vital to the prosperity of our economy. The illusion that a sanctuary of exploitation can work to the benefits of a State economy is not only injurious to our national economy, but it does not benefit the State economy. It is time that we again follow the clear intent of our national labor laws and consider our economy and interstate commerce as a matter of national policy, and do away with these sanctuaries of antiunionism.

When these arguments have been examined the reasons for the repeal of 14 (b) are obvious and simple. Repeal would restore to the employees in 19 States the right to vote to determine whether or not they believe a union shop is to their best interest. Who, other than those most affected, should have this freedom of choice? Repeal would end the deceptive and decisive right-to-work sloganeering of the antiunion forces. Repeal would not establish a compulsory union shop. Repeal would allow the employees in all States to determine whether they wanted a union shop or an open shop instead of ramroding the compulsory open shop down their throats. Repeal would allow those who believe they need the protection of union security provisions to have that protection. Repeal would not affect the freedoms of the minority guaranteed by other laws. Repeal would not affect other laws which control union activities. Repeal would enable unions to be compensated for the services they render to all employees. Repeal would not affect the basic factors which determine economic growth. Repeal would help eliminate the sanctuaries of exploitation which encourage harmful raids on industry in States in which the employee is protected. Repeal would again establish a uniform national labor policy.

All of the effects of repeal are to the point. But the basic reason is still that repeal is right. It is right that the employees should have the right to vote to determine whether or not they want to negotiate for a union security clause in their contract. Who else should have this right?

SHASTA DAISY AS THE NATIONAL FLOWER

Mr. YOUNGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. YOUNGER. Mr. Speaker, it gives me a great deal of pleasure to announce that Mrs. Esther B. Macdonald, chairman and town clerk of Lancaster, Mass., has announced the organization of a Massachusetts citizens committee for the promotion of the Shasta daisy as our national flower. This organization has the endorsement of the Governor, John A. Volpe, and the Lieutenant Governor, Elliot L. Richardson.

The original promotion for the Shasta daisy as the national flower was started by the pupils of the Baywood Elementary School in California. We sincerely hope that other States will get behind this movement for the adoption of a flower that is grown nationwide but has not been adopted by any State or nation as an emblem. We hope that the Library and Memorials Subcommittee of which the gentleman from Missouri, Congressman Paul C. Jones, is chairman will hold early hearings for the purpose of recommending a national flower.

The news release from the National Citizens Committee for the Shasta Daisy follows:

News Release by National Citizen's Committee for the Shasta Daisy

> Formation of a statewide Massachusetts Citizen's Committee for the Shasta Daisy for the National Flower was announced today by Mrs. Esther B. Macdonald, chairman and town clerk of Lancaster, Mass.
>
> At the same is was announced that Massachusetts Gov. John A. Volpe and Lt. Gov. Elliot L. Richardson have now officially given their endorsement to the drive for the Shasta daisy's selection.
>
> In addition, the Shasta daisy now has the backing of Congressman Philip Philbin, of Massachusetts, and Congressmen J. Arthur Younger, Harold T. Johnson, and Donald Clausen, of California.
>
> The national campaign for the Shasta daisy originated 6 years ago with schoolchildren at Baywood Elementary School, San Mateo, Calif., in an effort to give national honor to renowned horticulturist Luther Burbank. The Shasta daisy, Burbank's favorite, was 1 of over 3,000 plant and flower varieties he created in his lifetime.
>
> "With the growing nationwide interest in the campaign for the Shasta daisy," Mrs. Macdonald points out, "and with increasing interest in Congress, we feel sure that this congressional session will bring about a successful solution to the question of a national floral emblem under discussion now for so many years."
>
> The new Shasta daisy committee consists of some 27 members from numerous Massachusetts communities, and is a chapter of the National Citizen's Committee for the Shasta Daisy which formed last year and is headquartered in San Francisco, Calif.

Membership on the executive board of the new committee, in addition to Mrs. Macdonald, includes Mr. Herbert H. Hosmer, school chairman; Mrs. John E. MacLaughlin and Mrs. Ernest E. Downing, publicity chairmen; Francis MacGrory, secretary; Miss Cornelia C. Parker, community relations; and Mrs. Robert Scally, membership chairman.

General membership includes: Mrs. Herman N. Amelotte, Mrs. E. F. W. Barton, Rev. Frederic K. Brown, Mrs. Arthur G. Chickering, Mrs. Mildred B. Fallon, Lee P. Farnsworth, Mrs. Harold S. Follansbee, Robert S. Follansbee, Judge Morris N. Gould, Dr. Richard Hale, Rev. Alexander St. Ivanyi, Mrs. Esther Johnson, Mrs. Walton G. Kilbourn, Mrs. Clyde B. Kimball, Frank H. Mitchell, Chris G. Patrinos, Mr. James A. Roberts, Mrs. Marion A. Robinson, Mrs. Charles K. Smith, and Mr. Jay Smith.

FEDERAL CONTROL FOLLOWS AID TO EDUCATION

Mr. MARTIN of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MARTIN of Alabama. Mr. Speaker, another step which may spell the end of local control of educational systems has been taken by the U.S. Commissioner of Education, Francis Keppel. The administration seems determined to wrest control of teaching, curriculum, and even thought from local educators.

An order from Mr. Keppel has been sent to educators in Alabama and other Southern States to the effect that they must immediately sign integration compliance orders or else receive no Federal money for education. This is out and out dictatorship at its very worst.

Facing this dilemma, school officials know they are in a real squeeze. Those of us who opposed the Federal aid to education bill, which made Mr. Keppel's ultimatum possible, advise the strongest protest to his office over this ill-conceived piece of political sham. It appears that for political expediency the Commissioner would throw turmoil into our entire educational system in Alabama.

Americans everywhere should be alarmed over the unrestrained power of our present administration, for this is one example of it.

REPEAL OF TEMPORARY WARTIME EXCISE TAX ON AUTOMOBILES

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, the very first bill I introduced after coming to the House, back in the 85th Congress, was to repeal the temporary wartime excise tax on automobiles.

For the past 8 years I have registered my protests as we have extended these temporary taxes from year to year.

I tried to be realistic about this annual ritual and took comfort in knowing that this discrimination simply could not be compounded in perpetuity, that the day would come when something would have to be done.

In the meantime I talked with my colleagues about the tax and was encouraged intermittently when I found others in agreement with my views. You may be sure that I was pleased to have assistance from any quarter and was ready always to welcome any offered help. I see no reason for changing my approach just because I now find I have the President of the United States on my side.

It is with enthusiasm that I greet the news of the President's weekend press conference wherein he stated he would recommend that the tax be cut from 10 to 7 percent effective as of May 15 and that he favored a further reduction to 5 percent by 1967.

Although I have not yet reviewed the details of the President's recommendations, I am eagerly awaiting to see what plans if any, he may have for eliminating the remaining 5 percent of this tax which I still feel is a bad tax.

Nonetheless, Mr. Speaker, as a practical man, I will take what I can get. As I say, I am delighted the President is on my side for now I am sure there will be some action. From my observation he generally gets his way.

I am satisfied that the recommended reduction of this tax is sound and will provide a surging force to sustain the continued growth of our expanding economy. It is my hope that the Congress will act promptly and favorably in support of the President's recommendations.

INTERPARLIAMENTARY UNION SPRING CONFERENCE, DUBLIN, IRELAND

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. PIRNIE] is recognized for 60 minutes.

Mr. PIRNIE. Mr. Speaker, I had the honor and privilege of serving as chairman of the U.S. delegation to the Interparliamentary Union Spring Conference held in Dublin, Ireland, from April 18 to 25, 1965. As vice president of the U.S. group during the 89th Congress, I served as head of our delegation in the absence of the president, Senator HERMAN E. TALMADGE, who was unable to attend the meeting.

The spring meeting of the IPU is responsible for planning the agenda of the plenary session which is held in the fall of the year. The international legislative process, at this stage, may be compared to that part of our congressional workload in which committees consider proposals which are to be reported to the House and Senate, respectively. Imagine six committees meeting simultaneously, with members drawn from many countries speaking different languages, operating under the necessity of coming to agreement during a week's time, and you will have some idea of the nature of our task and the pressure of affairs at this IPU agenda-planning session. There were approximately 440 delegates from 50 countries whose flags were raised outside Leinster House, the Irish Parliament Building where the Interparliamentary Union convened.

The committee assignments of the U.S. delegation were as follows:

Political and Disarmament Committee: Representatives ALEXANDER PIRNIE and EMILIO Q. DADDARIO, and Senator BOURKE B. HICKENLOOPER.

Economic and Social Committee: Senator RALPH YARBOROUGH and Representatives PAUL C. JONES and THOMAS N. DOWNING.

Parliamentary and Juridical Committee: Senator HUGH SCOTT and Representative E. ROSS ADAIR.

Committee on Nonself-Governing Territories: Representatives EDWARD J. DERWINSKI and OTIS G. PIKE.

Cultural Committee: Representatives ROBERT McCLORY and JOHN S. MONAGAN.

Interparliamentary Council: Representatives ALEXANDER PIRNIE and EDWARD J. DERWINSKI.

We were ably assisted by Hon. Katharine St. George, former Member of Congress from New York and recent past President of the U.S. group of the Interparliamentary Union, who was elected by our group in January 1965 as an honorary member and as secretary. I am happy to report that Mrs. St. George's status as an honorary member of the Interparliamentary Union was also voted upon favorably by the Council of this international organization. In addition to her knowledge of substantive matters, Mrs. St. George is invaluable at an international conference because she is bilingual in French and English.

The delegation was assisted by Dr. George B. Galloway, Permanent Executive Secretary, who had worked on advance preparation for the conference by coordinating briefing papers on each of the subjects on the agenda, supplemented by staff workbooks of pertinent documents. Mr. Darrell St. Claire served ably as fiscal officer, and Mr. Elmore Jackson of the Department of State was available as a staff adviser. Dr. Charles J. Zinn attended the Association of Secretaries General.

The general theme of the conference was "The United Nations: Instrument of International Cooperation for Peace, Economic Progress, and the Defense of Human Rights." This subject was chosen because 1965 is the 20th anniversary of the organization of the United Nations, and for this reason also, 1965 is designated by the U.N. as "International Cooperation Year."

At the formal opening of the spring meeting, the Irish Prime Minister, Sean F. Lemass, welcomed the delegates and said that the paramount problem before the world is international peace and stability. The Taoiseach—as the Prime Minister is called—said that the obstacles to peace must be overcome by "courage, persistence, and statesmanship of the highest order." He stated that—

> It is fitting also that this worldwide union of parliamentarians should discuss the grievous economic and social problems facing the world community, which are second in importance only to the critical problems of peace and survival.

A message from United Nations Secretary General, U Thant, was read by Mr. William Epstein, Chief of the Disarmament Affairs Group of the Department of Political and Security Council Affairs, commenting on the fruitful relations between the U.N. and the IPU, and stating that—

> The success of the work of the U.N. must ultimately depend not merely on the support of the governments of the world, but also in very great measure on the active interest of the peoples of the world. As representatives of the peoples of your countries in your national parliaments, you are in a particularly favorable position to sustain and nourish public support for the activities and aims of the U.N.

The President of the IPU, Mr. Ranieri Mazzilli, of Brazil, remarked on the amazing growth of the organization during the past 15 years, and commented on the benefits derived from the IPU as a forum of parliamentary opinion representing political trends from all countries of the world.

The schedule for the committee meetings follows:

Timetable: Spring Meetings 1965, Dublin, April 19–25

MONDAY, APRIL 19

At 10 a.m. and 3 p.m.: 134th Session of the Executive Committee.

TUESDAY, APRIL 20

At 10 a.m.: Opening meeting.

At 11 a.m:

Political and Disarmament Committee:

1. Ways toward disarmament: (a) Measures to reduce the risk of war by accident, miscalculation, or surprise attack; (b) nondissemination of nuclear weapons; (c) reduction of military budgets.

Economic and Social Committee: (1) The demographic problem and the forthcoming United Nations conference on world population.

At 3 p.m.:

Political and Disarmament Committee:

1. Ways toward disarmament: (a) Measures to reduce the risk of war by accident, miscalculation, or surprise attack; (b) nondissemination of nuclear weapons; (c) reduction of military budgets.

Economic and Social Committee:

2. New prospects for international economic relations: (a) Implementation of the principles of international economic cooperation, as adopted by the United Nations conference on trade and development; (b) United Nations technical and financial assistance for the industrialization of developing countries; (c) present problem of economic planning in developing countries.

At 4:30 p.m.:

2. Strengthening international peace: (a) Security through alliances within the framework of the United Nations Charter and the conclusion of nonaggression pacts between opposing groups; (b) the contribution of regional organizations to the work of the United Nations for the maintenance of peace.

WEDNESDAY, APRIL 21

At 10 a.m.:

Political and Disarmament Committee:

2. Strengthening international peace: (c) the establishment of principles of international law concerning friendly relations and cooperation among states in accordance with the United Nations Charter.

Economic and Social Committee:

2. New prospects for international economic relations: (a) Implementation of the principles of international economic cooperation, as adopted by the United Nations Conference on Trade and Development; (b) United Nations technical and financial assistance for the industrialization of developing countries; (c) present problems of economic planning in developing countries.

At 3 p.m.:

Parliamentary and Juridical Committee: Parliament in one-party and multiparty regimes: (a) Means of strengthening the effectiveness of parliamentary institutions and the control exercised by them over governmental action in the face of increasing state intervention in the different sectors of national life.

Culture Committee: The Inter-Parliamentary Union and UNESCO: (a) Implementation, both nationally and internationally, of the resolution adopted by the 53d Conference on the Problem of Education and the Struggle Against Illiteracy; (b) the use of television and other modern technical media for the education of children and adults in a spirit of peace and international friendship.

THURSDAY, APRIL 22

At 10 a.m.:

Parliamentary and Juridical Committee: Parliament in one-party and multiparty regimes: (b) Means of information required by Parliamentarians to carry out their duties effectively; (c) local democracy and parliament.

Cultural Committee: The Inter-Parliamentary Union and UNESCO: (c) The application of science in the service of economic development.

At 3 p.m.:

Committee on Non-Self-Governing Territories: The problem of apartheid in the light of the universal declaration of human rights and the United Nations Charter.

Economic and Social Committee: Establishment and approval of the committee's report. Elections.

FRIDAY, APRIL 23

At 10 a.m.:

Committee on Non-Self-Governing Territories: The problem of apartheid in the light of the universal declaration of human rights and the United Nations Charter.

Cultural Committee: Establishment and approval of the committee's report. Elections.

At 12 noon:

Political and Disarmament Committee: Establishment and approval of the committee's report. Elections.

At 3 p.m.:

Political and Disarmament Committee (continuation): Establishment and approval of the committee's report. Elections.

Parliamentry and Juridical Committee: Establishment and approval of the committee's report. Elections.

At 4 p.m.:

Committee on Non-Self-Governing Territories: Establishment and approval of the committee's report. Elections.

SATURDAY, APRIL 24

At 10 a.m.: 96th session of the Inter-Parliamentary Council.

At 3 p.m.: 96th session of the Inter-Parliamentary Council (continuation).

SUNDAY, APRIL 25

At 9 a.m.: 96th session of the Inter-Parliamentary Council (conclusion).

Considerable advance work had been done by the U.S. delegation which was very active in introducing draft resolutions for consideration by the various committees. Draft resolutions were introduced on ways toward disarmament; strengthening international peace; the demographic problem and the forthcoming United Nations Conference on World Population; new prospects for international economic relations concerning first, U.N. technical and financial assistance for the industrialization of the developing countries; and, second, present problems of economic planning in developing countries; and the Interparliamentary Union and UNESCO. In the Parliamentary and Juridical Committee, the United States supported a draft resolution submitted by the Israel group on parliament in one-party and multiparty regimes. A comprehensive report of the proceedings is planned as a document which will shortly be ready for publication, but meanwhile I wish particularly to report on our participation in the Political and Disarmament Committee of which I had the honor to be reelected Vice Chairman.

When the Political and Disarmament Committee convened, the IPU Secretary General suggested that in view of the financial and constitutional crisis facing the U.N., the first day's discussion should be devoted to a consideration of the general crisis in the world organization. The debate focused on the need for a prompt resolution of the U.N. crisis so that the General Assembly could resume its responsibilities, particularly for the preservation of peace. Generally speaking, the parliamentarians from the nonalined countries took the position that the work of the General Assembly had been disrupted by the "big powers." Parliamentarians from Communist countries thought the General Assembly should resume its work irrespective of any settlement of the question of arrearage of funds. Approximately half the delegates called for the admission of Communist China to the United Nations, but no move developed for a committee resolution of this question.

As Chairman of our delegation, I voiced the opposition of the United States to the membership of Communist China in the United Nations as long as it continued its present policies on Korea, southeast Asia, the use of force in the Formosa Straits, and general support of subversion and guerrilla warfare.

The United States was attacked for its policies toward, and actions in, South Vietnam by all the "eastern parliamentarians" who spoke. They were reminded by the Committee Chairman that this item was not on the agenda of the Political Committee but would be considered at the IPU Council meeting at the end of the week. After speaking of the U.N. crisis, I replied to the Soviet attack of U.S. policies in Vietnam, supporting our objectives in southeast Asia and explaining that toxic gases had not been used. I brought out the fact that President Johnson and Secretary of State Rusk had stated that U.S. bombings of North Vietnam would cease the moment North Vietnam ceased infiltration and support of subversion in South Vietnam. Congressman Daddario also supported the position of the United States on Vietnam.

At the close of the general debate, the Political Committee agreed to the appointment of a Drafting Committee to prepare an appeal for a resolution on the U.N. crisis. Those appointed to serve were Senator Hickenlooper, United States; Joza Vilfan, Yugoslavia; John Hall, United Kingdom; Shri Shymanandan Mishra, India; Mohamed Belhouceine, Morocco; and Aymar Achille-Fould, France, Chairman.

This drafting committee agreed on the wording of a resolution which was adopted unanimously by the Committee and referred to the IPU Executive Council. All governments and parliaments were urged to do everything possible to enable the 19th session of the General Assembly to resume its work without delay.

The Political Committee then turned to the 12 resolutions which had been submitted in connection with items 1 and 2 of its agenda. It was decided, following a general debate on the disarmament question, that the resolutions would not be considered but would be referred back to the sponsoring national groups, with the thought that these groups might wish to review the resolutions further before the September plenary session of the IPU in Ottawa. Meanwhile, the U.N. Disarmament Commission, and possibly the Eighteen Nation Disarmament Committee will have met. It was decided to appoint three rapporteurs to open the discussion on disarmament at the Ottawa meeting. The following nominations by the Secretary General were approved by the committee: Mr. Mishra, India; Congressman DADDARIO, United States; and Mr. Kriegel, Czechoslovakia.

The Executive Council met all day Saturday, April 24, and from 9 a.m. until 1 o'clock on Sunday the 25th. The main subject which engaged our attention was the introduction of a resolution by the Soviet Union group attacking the United States for its position in South Vietnam. Following a spirited debate the resolution introduced by the U.S.S.R. was rejected and language acceptable to our delegation adopted.

All the committees which met in Dublin reported on their particular subjects and wished them to be considered at the forthcoming plenary session in Ottawa. In order to insure thorough discussion, however, the IPU Council chose to limit the agenda for the September meeting in Canada to three subjects: the United Nations, economic development, and strengthening parliamentary institutions. The standing study committees will resume their meetings during the fall session and discuss the subjects favorably reported on at Dublin.

Special recognition was accorded several members of our delegation at the spring meeting of the Interparliamentary Union. The Chairman of the delegation was reelected Vice Chairman of the Political and Disarmament Committee; Congressman MCCLORY was reelected rapporteur of the Cultural Committee; and Congressman DADDARIO was chosen to open the discussion on disarmament at the plenary session which will take place in Ottawa, Canada, from September 8 to 17 inclusive.

I know that all members of the delegation join with me in thanking our Irish hosts for the many courtesies extended to us during our stay in Dublin. Not only did they turn over to the conference the use of their Parliament building, Leinster House, but they also entertained the delegates at official receptions where we were able to extend our friendships to elected representatives who came to Dublin from 50 nations throughout the world.

In conclusion, I would like to commend the members of the delegation for their diligence and cooperation. They were faithful in attendance at the sessions and effectively represented our country, not only in general debate, but in the all-important conferences with individual delegates. These contacts are of great value in developing international understanding.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. PIRNIE. Yes, I would be glad to yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Speaker, I would like to commend the gentleman from New York [Mr. PIRNIE] for the excellent report which he has made here in the House today and also to compliment the gentleman on this service as chairman of our U.S. delegation at the Interparliamentary Union's spring conference held in Dublin, Ireland.

Mr. Speaker, I cannot help but feel that the representation of the United States in the Interparliamentary Union is extremely significant. For one thing, we are dealing here with an organization which has a great history and which is in fact the oldest so far as international organizations are concerned, having been formed back in 1889. Also, it is an organization which is composed of representatives of a great many parliaments of the world and where parliamentarians may meet together and have this opportunity to communicate with each other and to exchange views.

Mr. Speaker, the spring conference of the IPA afforded our Nation an opportunity to communicate with a great many other legislators or parliamentarians from a great many other nations which are friendly to the United States, as well as providing us with an opportunity to communicate our views to many who oppose our system and those with whom we have great difficulty in communicating.

In the case of the Political Committee on which our chairman, the gentleman from New York [Mr. PIRNIE], served, I feel that the American people should be particularly grateful for the outstanding job which he and our other colleagues on this committee did in behalf of this Nation. Certainly, when we faced the prospect of this spring conference, we recognized that there was a serious threat to our prestige and reputation and a tremendous opportunity for a propaganda play on the part of the Soviet Union and the Soviet bloc nations. Yet, there was no other alternative but to meet the issue and to defend our vital interests as they exist in the world today.

I particularly want to commend these gentlemen who fended off the propaganda moves of the Soviet bloc nations and succeeded in having the Soviet sponsored resolution and amendments to the draft resolution of the Committee rejected with the result that there was no reflection on or disparagement of the United States of America.

I would like to commend in that respect also the chairman who served as a member of the Interparliamentary Council as well as the gentleman from Illinois [Mr. DERWINSKI], who likewise served on that Council and who together debated this subject in the final hours of the Conference to see that this issue was resolved favorably to the United States and as to the position of the United States in the world.

I would also like to comment briefly on the work of my own Committee, the Cultural and Educational Committee. We had particular success in the work of that Committee. Of the four draft resolutions which we submitted, three were recommended by the Committee. One was adopted without debate. Another resolution was adopted substantially in the form we presented it and is on the agenda of the plenary session which will take place in Ottawa in September.

I would like to express my appreciation to my colleague on the Cultural and Educational Committee, the gentleman from Connecticut [Mr. MONAGAN] who cooperated and worked with me very ably on this matter. I cannot help but feel the work of the Cultural and Educational Committee is extremely significant in that it affords an opportunity for our Nation to work cooperatively in an area which can only lead to peaceful ends in helping to reduce illiteracy in the underdeveloped nations of the world and in helping to promote understanding through cultural exchanges and through other educational and cultural events that are useful in promoting peace and understanding in the world.

I suppose one additional comment might be appropriate and that is that this Conference as well as all meetings of the IPU afford a great opportunity for us in the Congress to promote the institution of the parliament, the legislative branch of government, which is being challenged today. It is my firm belief that parliamentary form of government and the legislative branch of government represent the great strength and the great vitality of free people wherever freedom is enjoyed.

So these Interparliamentary Union meetings do provide an opportunity for us in the legislative branch to promote our distinct and individual branch of government and to encourage other nations to develop a governmental system whereby the people freely elect their own representatives to serve them in those governments.

This session, while a very trying one, was in my opinion distinctly advantageous to the United States, under all the circumstances involved. The leadership which we continue to provide on various committees of the Interparliamentary Union is further evidence of our careful preparation and our active participation in this extremely important work.

I commend the gentleman in the well, the chairman of our group, as well as all the Members who served as delegates and the staff and others to whom the gentleman made reference, for their contributions in helping to make this session so extremely successful.

Mr. PIRNIE. I thank the gentleman from Illinois [Mr. MCCLORY]. I should like to make the observation that I have had an opportunity to note the seriousness and the thoroughness with which the gentleman has accepted his assignment on the Cultural Committee and the many contacts he has made with the representatives of other nations. The fact that he has been reelected rapporteur does in itself indicate the degree of confidence in which he is held by the other members of the committee.

The gentleman's observations with respect to the possibilities to be achieved at these sessions are very sound. So long as we accept the opportunities I am certain we can continue to do something of real value to the Nation we are privileged to represent.

I particularly wish to thank the gentleman for his faithfulness throughout all the sessions. I know he did not overlook any opportunity to make the program more effective. This was most helpful and reflected credit on the work of our group.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. PIRNIE. I am happy to yield to my friend from Missouri, who is also a very valued member of this delegation.

Mr. JONES of Missouri. Mr. Speaker, I want to thank the gentleman from New York for giving us this fine report of the spring meeting of the Interparliamentary Union which was held last month at Dublin, Ireland.

I also want to congratulate our colleague [Mr. PIRNIE] on the excellent manner, in which he, as acting chairman of our group, directed the activities of the delegates from our Congress, and the distinguished manner in which he represented the United States at this international gathering of parliamentarians from more than 50 nations. He rendered a most valuable service, and brought distinction not only to himself but to our group.

Mr. Speaker, I know that many Members, who are not familiar with the history and operation of the IPU, do not appreciate the value of this organization, and the services it has rendered throughout the years. As one who has had the honor and privilege of attending many of the conferences, I can say without hesitation that the attendance of the delegates from the U.S. Congress, has given them opportunities not only to know personally some of the leading legislators from nations all over the world, but more important has given us an opportunity to understand more intimately the philosophies and the motivations of the representatives of many other nations with whom this Nation is compelled to compete and privileged to cooperate in our endeavors to bring about universal understanding and world peace.

I think through the interchange of ideas during the personal conversations which are possible during such a conference, and through the expressions and interpretations of national policies, which are brought out in the debates and during the committee sessions, we are able to better appraise the value, as well as the shortcomings, of many of the programs in which we are engaged.

I regret that I cannot say that I made a great contribution to the resolutions which were adopted by the committee on which I served at the recent conference, but at the same time there was an opportunity for me to express not only my personal views but those of many of my colleagues here in the House, who do feel that there should be certain obligations and responsibilities accepted by those nations which are recipients of our bountiful abundance, particularly of our agricultural production. I would remind my colleagues that there is an ever-increasing number of nations, particularly those that are classified as emerging, underdeveloped and developing, who not only envy the prosperity of the United States, but are convinced that we have an obligation to share this abundance "with no strings attached." They seem to feel that by achieving the status of an industrialized nation that all of their problems can be solved overnight. They need to be reminded occasionally of the evolutionary processes which have occurred in this Nation over the past 190 years. They need to be impressed with the basic fact, as set forth in one of the resolutions which was adopted at the recent conference, that "If any nation's population rises faster than its wealth, its standard of living must inevitably fall and, therefore, it follows that control of population, by whatever means acceptable, is as important as the increase of the national wealth"—this being one of the precepts with which I agree.

As I am certain all of my colleagues are aware, nothing done at these conferences is binding upon the nations represented by the delegates of the respective nations, but at the same time it does provide an international forum at which can be discussed those problems which are important and of vital interest to all of us, and does give an opportunity for a better understanding of these problems.

While the committee to which I was assigned at this particular time did not make a particularly valuable contribution, I believe we at least were awakened to some of the things which are threatening the stability not only of the United Nations but also of the Interparliamentary Union. I believe it very important that we should continue to be represented in this organization, where we have an opportunity to expound our philosophies and also to become better acquainted with some of the motives and the operations of some of the countries which seek to destroy the things we are trying to strengthen.

Mr. PIRNIE. I thank the gentleman from Missouri. The gentleman has been too modest, when he described his contribution. Those of us who were present were fully aware that PAUL JONES, with his usual firmness, defined the position of the United States in these vital fields with a clarity which was invaluable.

He speaks from a long background of experience. May I also just observe that he was another member of our delegation who used private conversations to deal with vital subjects where the attitudes of the United States could better be interpreted to individuals who were interested in these controversial areas. We are grateful to him for his very faithful effort at this important conference.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. PIRNIE. I will be happy to yield to the gentleman from Illinois, who also served so faithfully at that long meeting of the Council.

Mr. DERWINSKI. Mr. Speaker, I wish to commend the gentleman from New York, who was our Chairman at this spring conference. Especially I want to commend him for the very thorough and precise manner in which he has reported on the conference here this afternoon. I think it is most important that the other Members of the House realize the significance of these meetings as well as the peculiar problems we face as a U.S. Congress. Especially I commend the gentleman and direct his remarks to the attention of the Members of the House when he speaks of the recurring discussions we have had on the means of maintaining effective parliamentary government as well as the very necessary discussions we had on the subject of parliamentary government in one-party States, which presents a most unusual challenge to parliamentary procedure, as well as raises the question as to whether or not you can have a legitimate parliament in a one-party State.

I also emphasize to the Members the practicality of reviewing the detailed report the gentleman presented and the types of issues raised by members of the Soviet bloc of a propaganda nature and the attempt to embarrass the United States. Since interparliamentary conferences do receive considerable attention in the countries behind the Iron Curtain and some of the developing countries, as a result the propaganda value is significant. The fact that under the leadership of the gentleman from New York we were able to reject the obvious propaganda type of resolution and make specific and progressive contributions in the field of resolutions I think is a tribute to the leadership that the gentleman gave our delegation.

Mr. PIRNIE. I thank the gentleman. I can only say that no one could have asked more courteous and faithful cooperation than was accorded by the Members of the delegation. I sincerely hope that by rejecting this propoganda approach, as you have described we did contribute toward placing in proper perspective the purposes of our Nation; namely, to develop an atmosphere throughout the world in which free men can live in dignity and security.

AN ANALYSIS OF THE VOTING RIGHTS CONTROVERSY

The SPEAKER pro tempore (Mr. MATSUNAGA). Under previous order of the House, the gentleman from Idaho [Mr. HANSEN] is recognized for 60 minutes.

Mr. HANSEN of Idaho. Mr. Speaker, the honored and respected Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, has recently made some remarks about civil disorders and civil disobedience—and zealots and bigots and racists—that we might well heed as we approach a decision on voting rights legislation.

In the December 1964 FBI Law Enforcement Bulletin, distributed to all law enforcement officials, Mr. Hoover said, in part:

> Our society today is in a great state of unrest. Many citizens are confused and troubled. For the first time, some are confronted with issues and decisions relating to the rights and dignity of their fellow countrymen, problems which heretofore they had skirted or ignored.
>
> We have in our midst hatemongers, bigots, and riotous agitators, many of whom are at opposite poles philosophically but who spew similar doctrines of prejudice and intolerance. They exploit hate and fear for personal gain and self-aggrandizement. They distort facts, spread rumors, and pit one element of our people against another. Theirs is a dogma of intimidation and terror.

In a speech delivered in New York on December 12, 1964, on crime and subversion in the United States—and referring to some of the persons and groups involved—Mr. Hoover said:

> And I include the false liberals of the extreme left, such as the Communist Party, as well as the counterfeit patriots at the fanatic limits of the far right, such as the Ku Klux Klan, who not only take the law into their own hands on occasion, but who would use the Constitution and laws of the United States to defeat the very purpose for which they were drafted—liberty and justice for all.

Also, in the words of Mr. Hoover in testimony on January 29, 1964, before a House Appropriations subcommittee:

> Turning to the subject of Communist interest in Negro activities, the approximate 20 million Negroes in the United States today constitute the largest and most important racial target of the Communist Party, U.S.A. The infiltration, exploitation, and control of the Negro population has long been a party goal and is one of the principal goals today.

After stating that the Communist has no honest desire to better the status or condition of the Negro, Mr. Hoover said:

> Communists capitalize on the adverse propaganda effect that reports of discrimination and oppression in the United States can produce in the eyes of the rest of the world, particularly among the African and Asian peoples; that is, the idea that this country is against equal rights for all races.

As to the number of Negroes who have joined the Communist Party, Mr. Hoover had this to say:

> The number of Communist Party recruits which may be attracted from the large Negro racial group in this Nation is not the important thing. The old Communist principle still holds, "communism must be built with non-Communist hands."
>
> We do know that Communist influence does exist in the Negro movement and it is this influence which is vitally important. It can be the means through which large masses are caused to lose perspective on the issues involved and, without realizing it, succumb to the party's propaganda lures.

This, Mr. Speaker, I believe to be a significant part of the current controversy over civil rights and voting rights. Unquestionably, the vast majority of those involved in the disputes are sincere, honest, and dedicated persons. However, on both sides there are those who masquerade behind ill-founded social, moral, political, and religious concern to practice intolerance, provocation, intimidation, and even downright lawlessness which all too often plays into the hands of our international enemies. Racial bigots and human flotsam only serve to detract from legitimate causes and, by their actions, cloud the real issues at stake. And it is the actions of these minorities within the two camps which make a difficult situation almost impossible.

The trouble is compounded by the presence of Communists who, though not necessarily the originators of demonstrations, at times push them to extremes. Dr. James M. Nabrit, Jr., president of Howard University, one of our country's leading Negro colleges, has said he has seen known Communists in a student picket line. Of the infiltration of Communists into civil rights groups, Dr. Nabrit said:

> They are people who cloak themselves in the mantle of civil righters and plot and plan in secret to disrupt our fight for justice and full citizenship. They must be unmasked for the frauds they are. They must be fought in every arena, and they must not be allowed to prevail.

Some Negro leaders, unlike Dr. Nabrit who clearly recognizes the peril of Communist infiltration of the civil rights movement, have admitted that Communists do exist within the organizations, but say they have no influence. Unfortunately, the tactics and techniques of the Communists are not always apparent to these leaders, thus enabling the Red agents to carry on their nefarious work undetected.

The average person, in attempting to evaluate the racial situation and pinpoint the real problems, is frequently frustrated and puzzled by contradictory contentions and overstatements. It is obvious that critics of civil rights demonstrations are prone to minimize any good elements in the movements, and emphasize only the sordid and ugly. On the other hand, supporters tend just as strongly to overlook the undignified and disgraceful actions of some of the civil rights groups and emphasize only the altruistic and philosophic goals they themselves have set.

Those supporting civil rights groups often tend to play to the hilt any acts of violence which occur, while, conversely, such violence has often been played down and even condoned by those opposing these movements and the perpetrators let off with a slap on the wrist by juries of their peers.

To me, these positions appear to be untenable. It is difficult for me to see the compatibility between civil disobedience—which is advertised as nonviolent, but which is certainly provocative of violence—and the winning of the Nobel Peace Prize. It is equally difficult for me to see the compatibility between pleas for the sovereignty of local government and the unpunished bombing of churches and the midnight rifle shot on a lonely road.

Neither side, Mr. Speaker, is in a position to criticize the other for violations of the law. How can the one criticize the other for terrorist tactics when it, itself, decides which laws are good and which are bad and then obeys only the good laws? And how can the other side criticize this course when some of its members apparently feel that laws against murder are not valid and need not be obeyed when such laws interfere with what they consider to be their rights?

Ours is a process of law—of law and order. This process in America has never been both mother and stepchild of hysteria, which too often allows the rabble of contending sides to predominate in killings, intimidations, immoral conduct, and the like.

The Government of the United States, through its many years of growth from a small group of colonies to the greatest Nation the world has ever known, has always placed the impartiality of law above the whims of man. That law has always contained processes for meeting and correcting social injustices; including the right of petition, the enactment of legislation, and access to the courts.

Contrary to the belief held by some, the United States is not merely a democracy, it is a constitutional republic. It is important to note that political philosophers over the centuries have held that a pure democracy is the worst possible form of government, leading to impulsive and precipitous action by a sometimes hysterical majority, or mob, triggered by emotional circumstances.

Our constitutional Republic, with its various checks and balances, provides the processes that help protect us from the worst in ourselves. At times these processes may seem unduly slow and cumbersome—it may even seem that they are roadblocks preventing progress. But it is these roadblocks, lacking in a pure democracy, which gives our constitutional Republic its strength and stability and provide for lasting solutions to our problems.

No one can deny, Mr. Speaker, that great strides have been made in the eradication of social injustices in the United States in recent years. Some of the actions which have attempted to give to all our citizens the rights and responsibilities inherent in our Constitution have come voluntarily from the private sector of our social order; some have been accomplished through legislation; some by directives of the executive branch; and some by the various levels of our courts.

We are moving forward, but I believe there is still a long way to go. I also believe that, when we speak of civil rights and the equality of all men, we too often confine our thoughts to the Negro and the problems he faces, and disregard the many injustices heaped upon the American Indian and foreign nationality groups concentrated in the slums and ghettos of our larger cities. These groups, lacking the potent political potential of the Negro, are often left to suffer and shift for themselves.

By the same token, when we refer to voting rights we are prone to think only of practices which deprive a man of his vote. Abhorrent as this practice is, equally as abhorrent, and almost as prevalent, is the practice of negating a man's vote through fraudulent voting, ballot box stuffing, and other illegal election practices. While untold numbers, particularly in the South, are denied the right to vote, there is also substantial evidence that untold numbers, particularly in large cities, have their votes canceled by fictitious names and tombstones.

Mr. Speaker, it is my firm belief that adequate machinery does now exist under present laws and under the 14th and 15th amendments to the Constitution—if properly implemented by conscientious officials—to correct voting injustices and to attain the goals which some are trying to accomplish through demonstrations involving civil disobedience which, no matter how well intended, subvert the very rule of law itself.

In this connection, I am convinced that any administration, political party, group, or individual exploiting civil disobedience for self-aggrandizement is toying with a very explosive and possibly destructive force.

This course of action makes us vulnerable to the designs of the cunning Communist who, by infiltration, deceit, and the perpetration of any crime in the name of Communist triumph, has subjugated more than half the people of the world. The Communists have perfected the technique of "divide and conquer" to a point never envisaged by another recent group who employed this method—the Nazis. Communist imperialistic designs and subversive activities have set Chinese against Chinese, Korean against Korean, Cuban against Cuban, Vietnamese against Vietnamese, and now are attempting to set American against American at every opportunity.

Now, as stated previously, we already have the laws necessary for the eradication of social injustice. Prolonged apathy by various departments of the Federal Government in seeing that these laws are applied is largely responsible for current controversies and the resultant demand for drastic Federal action—action which I deem to be unnecessary and, in some cases, unconstitutional.

As an example, article I, section 2 of the Constitution and the 17th amendment give to the States the right to determine voter qualifications, and the 10th amendment prohibits the Federal Government from doing so. By the same token, the 14th and 15th amendments provide that no discrimination shall occur.

Hence, to me it is basic that the States can legally prescribe any tests or requirements for voting, consistent with the Federal Constitution, which the electorate of that State will approve. Then, and to me this is also basic, it is up to each of us, beginning with the lower subdivisions of Government, to see that these tests are applied without prejudice or discrimination. If violations occur at the local and county levels, then the State should exercise its authority. Only if the State refuses to do this—and obviously there are cases where this is so—should the Federal Government have the right and duty to step in.

Emphatically, I believe that we, as citizens, should do everything legally possible at all levels of Government to overcome existing inequities. Had more concerted action been previously taken, we would not now be undergoing great emotional disturbances such as the current civil rights demonstrations.

Hasty, poorly conceived legislation designed to bridge the gap created by poor enforcement of existing laws, holds out false hope to those concerned. Rather than passing arbitrary legislation and resorting to unconstitutional processes in an attempt to cure the evils which beset us, I believe the more valid answer lies in proper enforcement of existing laws and adequate education.

Under our system, Mr. Speaker, to enjoy full privileges, a person must assume responsibility. And education, which leads to acceptance of the responsibilities of first-class citizenship and the enjoyment of all of its privileges, has been badly neglected in some areas of our country. This has been true among both Negroes and whites, although the whites, as a race, have generally more clearly recognized the benefits of education and have generally compelled their children to attend school longer than have the Negroes. This, particularly in States where one must pass a literacy test as a prerequisite to voting, has led to a disproportionate number of whites being eligible to vote, even without discriminatory tactics.

It is unfortunate that this situation continues to exist. The whites, who should have given guidance and leadership to the Negroes, so that the Negroes, in turn, would be able to give guidance and leadership to others, did not do so. And many Negroes, even when given the opportunity to participate in the responsibilities of citizenship, did not do so. Thus, although the position of the American Negro now is far better than even a decade or two ago, his cause in this country could have been more greatly advanced had it not been for this handicap of past apathy.

I submit, Mr. Speaker, that the solution lies in overcoming our apathy, not in passing additional legislation when we already have laws that would be effective if properly enforced. Success in this would bring increased educational opportunities for all minority groups, and increased acceptance of these opportunities. With increased education among all segments of our population would come increased acceptance of civic responsibilities. With increased acceptance of civic responsibilities would come the elimination of the influence of undesirable elements on our affairs. Only when this flotsam on both sides and those who would use it have lost all opportunity for the exploitation of our people will our Nation again be able to present an untarnished picture to the world of an America where each man can find his place as a person regardless of his race, color, or creed.

Mr. Speaker, I started these remarks by quoting Mr. J. Edgar Hoover. Let me conclude by another quotation from this great man. Again, in the FBI Law Enforcement Bulletin of December 1964, Mr. Hoover said:

> As Americans, we have in our grasp the ideals which were but visions to our Founding Fathers—freedom under God with liberty and justice for all. We must not be satisfied merely to have these ideals exist. We must assure that they flourish, generation after generation, so all the world will know that America stands for brotherhood among all men.

WHEAT AND FEED GRAIN SURPLUSES OWNED BY THE COMMODITY CREDIT CORPORATION

The SPEAKER pro tempore (Mr. MATSUNAGA). Under previous order of the House, the gentleman from Minnesota [Mr. QUIE] is recognized for 60 minutes.

Mr. QUIE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. QUIE. Mr. Speaker, I believe that the resale formula on wheat and feed grain surpluses owned by the Commodity Credit Corporation—CCC—should be increased. I personally believe that the greatest possible freedom of market operation should be restored. In order to accomplish this, the resale formula on CCC stocks should be raised to 120 percent. I believe that this is a fair and equitable formula, designed to help promote a fair and just farm income and would correct the market control power exercised at present by the Secretary of Agriculture.

There are others who believe that the same goal can be accomplished with a new resale formula of 115 percent or 125 percent. The exact formula is a matter of judgment. Any increase would be better than the current 105-percent formula, which allows the Secretary of Agriculture to use his authority to hold down farm prices by dumping the CCC-owned surpluses on the market, but I believe the increase must be at least 115 percent of the support price. Anything less will not do the job.

I think it is interesting to note that such diverse groups as the National Farmers Union, the National Farm Bureau Federation, the Farmers Union Grain Terminal Association, the National Grain Trades Council, the National Federation of Grain Cooperatives and the Grain and Feed Dealer's Association, are all in support of some rise in the resale formula so that there can again be a fairer and more just market operation.

These various organizations represent millions of farmers and thousands of grain dealers and processors. The men who represent these associations and who have appeared before the combined Wheat and the Livestock and Feed Grains Subcommittees are experts in their fields. As the ranking minority member of the Livestock and Feed Grains Subcommittee I think it is significant that, while these experts represent associations with varying points of view and often oppose each other on specific legislation, that they are all agreed that the resale formula must be raised on wheat and most agree on increasing feed grain release prices.

Then the question must be asked: Why do these varying organizations join in support of this specific legislative proposal?

The question was clearly and succinctly answered by Mr. Dwayne Andreas, of the Farmers Union Grain Terminal Association. He testified that:

> My growers are selling their wheat to the Government day in and day out for just one reason—because they cannot sell it to the miller or to the exporter in competition with yours (the Government's CCC surplus). Therefore, you are getting the wheat. That is why you own it.

Mr. Robert L. Searles of Orono, Minn., who is president of the Minneapolis Grain Exchange and chairman of the National Grain Trades Council, testified in a prepared statement delivered before the combined subcommittees:

> Consider the choices facing a farmer when he can earn somewhat better than 1 cent a month by storing the grain on his farm rather than selling in the marketplace. He sees the prospect of 14 cents a bushel additional income by storing it for a year versus a possible market gain of 7½ cents. No wonder the President's farm message refers to getting improved income in the marketplace. The market today is prohibited from performing this function by current policy.

Mr. Speaker, I might add at this point that Mr. Ben Radcliffe, a member of the South Dakota Farmers Union and a member of the Executive Committee and Board of Directors of Farmers Union, testified in substance that, while strict control programs are less expensive to administer, voluntary programs with a fairer market are vital to the survival of a family-farm system. Mr. Radcliffe testified in favor of raising the wheat resale formula to 120 percent of price support.

As quoted in the April 6, 1965, edition of the Washington Post, Mr. James G. Patton, president of the National Farmers Union, agreed. He said of the administration farm proposals:

> The bill does not measure up. The major deficiency is the failure of the bill to provide the income that farm families and rural Americans need if they are to survive.

Mr. Speaker, these gentlemen conclude that the market today is prohibited from performing by current policy.

Mr. Charles B. Shuman, president of the National Farm Bureau Federation, clearly spelled out the problem in his prepared statement. He said:

> The Secretary of Agriculture can use the authority provided in his proposed legislation to continue his policy to place a ceiling over the price of grain, to the detriment of the farmers' income. Apparently, the Department desires to retain its authorities for unlimited sales of grain in order to punish noncooperators.
>
> This legislation will not enable the vitality of the free market to be used to improve farmers' return. The private segment of the grain trade will not be encouraged to carry stocks of grain because the proposed legislation continually threatens the market with heavy price depressing sales.
>
> The present punitive price policy also has the following undesirable effects:
>
> (1) Heavy sales by CCC keep the price structure so close to the loan that it forces current production under the loan program. The grain is then acquired by the CCC. Thus CCC acquires far more grain than it would if normal competitive forces were permitted to function. This is costly to the farmer and the taxpayer.
>
> (2) CCC sells wheat directly to the processors, thereby reducing the demand in the free market. It enables the milling industry and others to shift the cost of carrying inventory to the Government.
>
> (3) Continued heavy feed grain sales have stimulated livestock production with unfavorable price effects on livestock producers. As a result, in 1964 livestock prices were so low that the USDA was forced to step into the market to purchase several hundred million dollars worth of beef and other livestock products.
>
> (4) A policy of using Government stocks to prevent natural market price increases penalizes both cooperators and noncooperators, especially in poor crop years when producers need higher prices to make up for reduced output.
>
> By raising the CCC selling price and hence the ceiling price of these commodities, farm income will be increased.
>
> Therefore, we herewith petition the Congress to raise the minimum CCC resale price on wheat and feed grains to not less than 125 percent of the loan, plus reasonable carrying charges.

Mr. Speaker, why is the market being prevented from performing by current policy?

I believe that the testimony of Secretary of Agriculture Orville L. Freeman, testifying before the subcommittees, is enlightening beyond the shadow of a doubt.

The Secretary testified that the CCC has dumped some 500 million bushels or 8.3 million tons of wheat and 30 million tons of feed grains on the market and that this tended to "keep prices below supports—to make the program effective."

It was certainly discouraging to learn that the agriculture programs are being administered not to benefit the farmer—but to promote the extension of costly bureaucratic machinery.

Mr. Speaker, it is interesting to note that the Democratic national platform of 1960 promised 90 percent of parity and that the Secretary of Agriculture, after taking office in 1961, promised that his administration would carry out this plank of the Democratic platform. However, the parity ratio has never reached 90 percent of parity since the Secretary took office and today has fallen to 75 percent. In fact, the Secretary disclosed in his testimony that only 400,000 of our 3½ million farmers even come close to parity of income. It is also interesting that the Democratic platform of 1964 skirted this issue.

Now, the Secretary of Agriculture tells us that we must keep prices below supports to make the program effective. In other words, we are to continue to deprive the American family farmer of the income which the Democratic national platform of 1960 and the Secretary of Agriculture promised, but have been unable to provide in more than 4 years and which there is no indication they can, or will, provide in the future.

The Secretary of Agriculture expresses concern about the workability of his programs. Will these programs benefit the farmer and especially the family farmer? Or will the administration's farm proposals benefit the bureaucratic operation of the Department of Agriculture?

This is the question at the heart of the matter. It is a simple matter of regulation versus market freedom. As in the wheat referendum of 1963, the administration favors strict controls while the farmer himself seeks a fairer and more just market, with greater risks, perhaps, but also greater opportunity and certainly fewer Federal strings attached.

Mr. Speaker, in the following minutes I shall show that the Secretary of Agriculture is seriously in error and that, moreover, his position is in direct opposition to the well-being of the American farmer. In addition, I shall show that, while seemingly contradictory statements have been made by leading figures of the present administration, the Secretary's position in opposing an increase in the resale formula seems to be part of a general plan to isolate the smaller, family farmer from the rest of agriculture, thus bringing him even more under the mercy of Federal regulation and control and leading eventually to his departure from the American agricultural picture. And I shall show how raising the resale formula will tend to help the farmer, while holding down Federal administrative costs and raising the farm income.

Do the farmers favor a fairer and more just market, such as would be provided if the resale formula were raised? The answer is, overwhelmingly, yes.

The question has been amply answered by representatives of many organizations before our subcommittees. A poll conducted the week of February 15, 1965, by Farm Journal magazine shows that a majority of the Nation's farmers oppose present Government programs and lean in the direction of a market with greater latitude.

I believe that this poll tends to reaffirm the position against strict, mandatory controls so amply affirmed by the 1963 national wheat referendum. Though we now have theoretically "voluntary" programs, we have seen how the Secretary of Agriculture has used surpluses in an attempt to force compliance.

I have already quoted Mr. Radcliffe of the National Farmers Union in his contention that a more equitable market is essential to the survival of the family farm. I have quoted the statement of Mr. Shuman of the American Farm Bureau, who said that raising the CCC selling price and hence the ceiling price of these commodities will increase farm income. Mr. Searles of the National Grain Trade Council, whom I have quoted in another context, also testified that:

> [Present] administrative freedom to alter CCC resale policy puts shackles on the market. No one, from the farmer to the ultimate processor, can compete with the Government in the marketplace.

Mr. Roy F. Henrickson, executive secretary of the National Federation of Grain Cooperatives, speaking of the actions of the Department of Agriculture, testified:

> There was a reluctance last year to follow the market up that made farm market price advances seem to be regarded as sinful. This was hard to understand for a person who saw the preamble to the 1933 Farm Act written, that set parity as the goal.

Later, he said:

> Is there a mistrust of the philosophy of a free marketing system, despite the honeyed words?

In conclusion, Mr. Henrickson testified:

> I cannot imagine any experiment involving less risk or more fully expressing the President's purpose than increasing the resale price for wheat from 105 to 115 percent. At the very least, it would be construed as a small token of faith in the direction of a somewhat freer marketing system.

Mr. Speaker, we shall hear more of "the President's purpose" of which Mr. Henrickson speaks.

Mr. Speaker, there are three points which should be in mind throughout this total discussion.

First. It should be stressed that resale on feed grains is now 100 percent of loan plus carrying charges, not 105 percent at all, because the feed grains program is financed by payments in kind. Thus, in receiving payment for compliance with the program, the complier receives income only at the loan rate and not at the resale rate.

Second. This program would have a beneficial effect on the incomes of both the complier and noncomplier, because it raises the real market price if there is demand. Thus, the overall farm income picture is brightened and it is extra "frosting on the cake" for the complier and a more reasonable and equitable return for his labors to the noncomplier.

Third. The Secretary has argued that if the resale formula is raised, that participation in the programs will decline. Today, in the feed grains program, we have 47 percent of the farms in compliance and 66 percent of the base acres and in wheat 52 percent of the farmers in compliance and 84 percent of the allotment acres. The idea that this figure would drop is invalid, since any increase in market price will benefit complier and noncomplier alike just as the loan level benefits both alike. It would not in any way reduce the special benefits to compliers.

Finally, even if compliance dropped, the cost to the Government would not be materially affected. If more farmers participate, all will receive diversion payments, price support payments and other benefits of the program. If fewer participate, none of these Government payments will be made to those not participating.

It is obvious that the Secretary of Agriculture bases his entire argument on the question of compliance versus noncompliance with the program. This is, apparently, the goal of the program—to obtain compliance.

I contend that the goal of any farm program must be to obtain a fairer, more just and equitable income for the farmer. The present program works to some extent toward this end and coupled with an increase in the resale formula, would be even more effective in achieving this goal.

Some may well ask what the plight of the farmer is today. After all, he has long been receiving the benefits of Federal farm programs, such as the one we now seek to improve by raising the resale formula. During the past 4½ years he has been operating under informally declared rules of stricter control and of a pari-mandatory system enforced through dumping of surpluses. Where does he stand as he seeks a fairer market?

My distinguished colleague, the gentleman from Minnesota [Mr. Nelsen], recently put the problem in a nutshell. He said:

> Too few Americans realize that farm income per person is $913 a year less than the average wage of individual nonfarmers. Too few know that the family farmer teeters on the brink of disaster, with his production costs the highest in history, his farm debt burden up 50 percent in 4 years and his parity of income at a puny 75 percent, lowest since the great depression.

Mr. Speaker, this is a problem that we seek to solve, in part by raising the resale formula on CCC surpluses. The farmers are all caught in the squeeze. What farmers need is the opportunity to solve the problems when possible through the market, and this means of making it more difficult for the Department of Agriculture to hold down farm prices by dumping surpluses will enable farmers to do this. What then, does the administration seek?

That is a question which we may wait some time to have fully answered. The statements now coming out of the administration are contradictory and vague. It was, however, encouraging when the President, in his state of the Union message, said:

> Our objective must be for the farmer to get improved farm income out of the marketplace, with less cost to the Government. To do this, I am asking the Secretary of Agriculture to so utilize the Commodity Credit Corporation so as to make the free market system work more effectively for the farmer. We must encourage the private segment of our economy to carry its own inventories, bought from the farmers, rather than depending on the Government as the source of supply. We must urge the private sector to perform as many services as possible now performed by Government agencies.

Mr. Speaker, we have heard the testimony of recognized farm experts contend that the President's avowed purpose would be achieved in part by raising the wheat and feed grains resale formula. Compare the President's statement with the testimony of the Secretary of Agriculture, when he said:

> We must not yield to the temptation to make prices so high the programs become unworkable.

Mr. Speaker, as we have seen, the views of the President and the Secretary of Agriculture seem to be diametrically opposed. Perhaps this is why, when the Secretary's testimony was widely publicized, many high administration officials were quick to criticize—not the testimony—but the reports of it.

The Farmers Union Grain Terminal Association prepares a daily radio broadcast which is widely listened to and quoted in the agricultural world. On May 5, 1965, in rebuttal to criticism of its earlier report on the Secretary's testimony, it broadcast the following program:

> On April 19 of this year we had a commentary on this GTA radio broadcast that has been very widely quoted. It has also been questioned and criticized by the very highest officials in the U.S. Department of Agriculture. The content of that broadcast apparently is disturbing to them.
>
> In that broadcast, we reported that the Secretary of Agriculture, Mr. Freeman, made some statements in testimony before the House Agriculture Committee that may prove very disturbing to grain farmers. The evidence now indicates that farmers are disturbed by Mr. Freeman's testimony.
>
> We also reported in that April 19 broadcast that Representative Quie of Minnesota stated on the floor of Congress that Mr. Freeman had "made an unprecedented and rare admission that he manipulated farm prices by dumping Commodity Credit Corporation surpluses on the market over the past 4 years to hold down farm prices."
>
> The Congressional Record of April 8 also reported Representative Quie as saying in Congress that "I almost fell off my chair when the Secretary testified to this before the House Agriculture Committee." Mr. Quie is a member of that committee. Other congressional references to Mr. Freeman's testimony on dumping to control farm prices were made by Representative Andrews of North Dakota, Ancher Nelsen of Minnesota, and Senator Karl Mundt of South Dakota.
>
> Let's look at the exact testimony the Secretary gave before the House Farm Committee on April 6, and repeated in a speech before the National Federation of Grain Cooperatives in Washington on April 7.
>
> Mr. Freeman told the House committee this: "Commodity Credit Corporation did sell nearly 50 million bushels of wheat for unrestricted use from July to October last year to meet the needs of the milling industry." There is little need to remind farmers that July to October is the harvest season.
>
> A few paragraphs later in his House Farm Committee testimony, Mr. Freeman said this in regard to feed grains: "We must remember that in 1961 and 1962 heavy sales of feed grains by Commodity Credit Corporation were an integral part of the program. Congress intended and Congress directed CCC to sell corn to keep the prices below supports to make the program effective.

Mr. Speaker, I shall continue presenting the GTA broadcast in a moment, but let me comment at this point that I am a member of the House Agriculture Committee and I do not recall that Congress ever "intended" or "directed" the Secretary to dump surpluses to keep prices down. In fact, I recall that in 1961 we took some of his authority to dump surplus feed grain in title 3 of that bill away from him and even more in 1962. Continuing with the GTA broadcast, still quoting the Secretary:

> "As a result CCC sold 975 million bushels of corn in 1961–62 and acquired 637 million bushels. In 1962–63 we sold 736 million bushels and acquired 480 million bushels.
>
> "This year sales are expected to be in the range of 300 to 350 million bushels, and acquisitions will be around 50 million bushels.
>
> "We must not yield to the temptation to make prices so high the programs become unworkable."
>
> That is the actual testimony. Those sales were made at 105 percent of loan, establishing a ceiling price on grains. All that so many farmers and their cooperatives, and other grain people, are requesting is that

> the ceiling be raised a reasonable amount—to 115 percent of loan value. That would give farmers a limited price leeway and divert quantities of grain from CCC into regular marketing channels. This is exactly what President Johnson called for in his farm message to Congress February 4.
>
> "Our objectives must be for the farmer to get improved income out of the marketplace, with less cost to the Government. To do this I am asking the Secretary of Agriculture to so utilize the Commodity Credit Corporation as to make the free market system work more effectively for the farmer. We must encourage the private segment of our economy to carry its own inventories, bought from farmers, rather than depending on the Government as a source of supply. We must urge the private sector to perform as many services as possible now performed by Government agencies."
>
> That is the President's statement, and we at GTA are in complete accord with it. Yet, there is not one part of the new farm bill that will fulfill these objectives. Some parts of that farm bill, in fact, appear to be foreign to the objectives stated in President Johnson's farm message.
>
> That's why many Members of Congress are determined to improve the farm bill to meet the requirements outlined by the President in his farm message to Congress.

Mr. Speaker, the optimism generated by the President's remarks seem to have come to nothing, as the GTA radio broadcast points out. When the administration farm bill came before Congress, there was no provision for raising the resale formula. It allows the Secretary to continue his "dumping" authority. It prompted Mr. Andreas, of GTA, to testify:

> You have been in eastern Europe, Russia. They have a system there which is very similar to what is being tried here, to force farmers to sell their produce to the state with a firm ceiling price. They go about it a little differently, but the result is the same. You can see how it works there. I do not see why we have to experiment with it here.

Mr. Speaker, I refer your attention to an address by Assistant Secretary of Agriculture George L. Mehren before the annual Agricultural Leader's Forum at Cornell University, Ithaca, N.Y., on March 25, 1965. He said:

> One of the functions of the Department that I believe is little known to the general public is regulation. The Department administers more regulatory laws than any other agency of government. In the area of food marketing, the major regulatory laws include the Packers and Stockyards Act and the Perishable Commodities Act—laws which are designed to assure fair, open, and honest competition in the marketing of the products for which the consumer spends the greatest proportion of his food budget.

Mr. Speaker, if "fair, open, and honest competition" are good for the food marketing industry, why not for the food producers? In this statement Mr. Mehren seems to accept the theory that any control exercised by the Department of Agriculture—and he admits that the regulations are greater than in any other area of government and I do not debate that—should be designed to assure "fair, open, and honest competition." I agree. That is exactly what I seek in urging the increase of the resale formula on wheat and feed grains.

Mr. Speaker, how does the optimistic statement of the President concerning more return to the farmer through a fairer market and the statement of Mr. Mehren to the effect that the Department's vast regulatory powers should be used to promote a fair and just market, conform with the statement of the Secretary of Agriculture that "we must not yield to the temptation to make prices so high the program becomes unworkable," or his statement that dumping 8.3 million tons of wheat and 30 million tons of feed grains tended to "keep prices below supports—to make the program effective"? Or, for that matter, how do they conform with the Secretary's blunt rejection, before the subcommittee, of any proposal to create a fairer, more just and equitable market by increasing the surplus resale formula?

Perhaps some clue is found in an article published in the January 5, 1965, Minneapolis Tribune, under the byline of the Tribune's distinguished Washington correspondent, Mr. Charles W. Bailey, who has so often predicted the future position of the present administration. Mr. Bailey wrote:

> WASHINGTON, D.C.—A single paragraph in President Johnson's state of the Union message Tuesday foreshadowed the farm policy struggle in the new administration.
>
> The paragraph contained the President's only reference to agriculture—a reference which in both tone and brevity indicated the coming struggle.
>
> He said: "Our economy owes much to the efficiency of the farmer.
>
> "We must continue to assure them the opportunity to earn a fair reward. I have instructed the Secretary of Agriculture to lead a major effort to find new approaches to reduce the heavy cost of our farm programs and to direct more of our effort to the small farmer who needs help most."
>
> There was no mention of parity of income, the slogan of the new Democratic administration 4 years ago. There was no talk of new or extended commodity programs, no reference to the family farm, no talk of raising farm prices or income, no echo of Mr. Johnson's campaign statements on farming.

Mr. Speaker, Mr. Bailey's article becomes even more interesting and I shall momentarily continue with it, but first let us note Mr. Bailey's preceding phrase—that there was no "echo of Mr. Johnson's campaign statements on farming."

I am reminded that the October 1964, issue of Farm Journal magazine printed responses to questions submitted by that publication to the two presidential candidates.

Mr. Johnson was quoted as replying:

> Farm price supports must protect farm incomes. This has been their role and it should continue for those commodities which require price supports to avoid disastrously low prices.

He said nothing about using the programs to "keep prices down—to make the programs work."

Mr. Speaker, I will now continue with the article by Mr. Bailey from the January 5, 1965, edition of the Minneapolis Tribune:

> Instead, the President spoke almost negatively—of the high cost of existing programs and of the need to find ways to help farmers who do not benefit from the present subsidies.
>
> The words could hardly have been chosen by Agriculture Secretary Orville Freeman, who only last month had to fight a last-ditch battle to head off a drop in feed grain price supports. Rather the prose sounded like something that might have been drafted by Budget Director Kermit Gordon, who with Freeman personifies the developing debate over farm topics.
>
> The tone of the President's words, in fact, sounded remarkably like that struck by Gordon in a current article that is part of a special economic symposium in the current issue of the Saturday Review.
>
> Writing on "How Much Should Government Do?" Gordon says that new demands on the budget "make it doubly necessary that we look carefully at the programs that have already found a place in the Federal budget."
>
> Using farm programs as an example, he notes that current spending for farm commodity programs is between $3.5 billion and $4 billion per year.
>
> He writes:
>
> "The rationale for these farm income supports has changed drastically over the years. In the 1930's, farm income supports were basically a relief measure designed to prevent the literal collapse of the farm economy.
>
> "During the Second World War, and to a lesser extent during the Korean War, income supports were a stimulus for needed production increases.
>
> "Since then, supports have been used primarily to counteract the price-and-income-depressing effects of the increase in farm productivity."
>
> Gordon goes on to argue that commodity programs—crop loans and payments—benefit primarily the 1 million farmers who produce about 80 percent of national farm output.
>
> He says: "Most [of these million farms] are successful business firms. Their continued success is not independent of Government commodity programs, whose elimination would cause a sharp fall in the income of all farmers. But these programs are no longer a means of distributing income to the neediest groups in our population; they are not welfare programs."
>
> He adds:
>
> "From a welfare standpoint, the chief claimants to assistance are the 2,500,000 farmers who do not now and cannot in the future be expected to operate a successful commerical farm. Yet their needs cannot be met through farm commodity programs. Rather, they require assistance in the painful transition to nonfarm jobs, to which most of them or their children will certainly have to move."
>
> Then, in language remarkably like that of the President's speech on Monday, Gordon concludes:
>
> "This is an area in which our current programs are and attitudes are, at least in part, based upon conditions which no longer exist.
>
> "In the interest of both the farmer and the Nation at large, we need to reexamine the hidden premises of our current policies and shaped them anew, in closer correspondence to the facts of today's world."
>
> Such a "reexamination" is apparently going to occur, in the form of Mr. Johnson's "instructions" to Freeman for a "major effort to find new approaches."
>
> Thus, the debate, opened in the case of feed grains last month, will continue. The President's near obsession with budget cutting will cast a long shadow over the more complex arguments about proper policies for the Nation's agriculture and for those who live on farms.

Mr. Speaker, is it not interesting to note that the very programs the Secretary of Agriculture wants everyone to be participating in and which he seeks to force compliance with, are the very programs which Mr. Gordon labels as helping the most successful farmer to the greatest extent? And is it not interesting that Mr. Gordon's solution is not to revise the program by raising the surplus resale formula or in any other way, but is rather to displace 2.5 million farm families—10 million people? He never once suggests a fairer and more equitable market.

Mr. Bailey was even more specific in another article, published February 14, 1965, in the Minneapolis Tribune, immediately after the President's farm message came to Congress. He wrote:

> WASHINGTON, D.C.—President Johnson hopes to have ready before the end of 1965 a set of long-range farm proposals that would break new ground in Federal agricultural policy.
>
> The Chief Executive, it can be reported on the highest authority, expects the blue-ribbon study commission he set up recently to come up with plans to end the decades-old reliance on production controls and at the same time to cut Federal farm spending substantially.
>
> He deliberately avoided, in his farm message a fortnight ago, any long-range proposals.

The reasons were twofold:

> It would have been difficult to formulate them in time.
>
> There would have been no chance to obtain the kind of broad support he regards as vital.
>
> The President appears to be seeking, in this area as he has in other political fields, a consensus.
>
> He is particularly aware that he must win the backing of the American Farm Bureau Federation, until now a major opponent of Democratic farm programs, because of its lobbying strength.
>
> Mr. Johnson hopes that the interim proposals he has sent to Congress—which would continue existing feed grain, wheat, and other commodity programs with only relatively minor changes—will give him time to develop new programs and build the broad backing needed to get them enacted into law.
>
> He has told recent visitors he has several ideas of his own for new farm program approaches. But he declines to discuss them, even in private, saying he does not wish to be forced to defend them before they are fully considered.
>
> He will, of course, make sure that the study panel—a broadened version of the 12-year-old National Agricultural Advisory Commission, weighs his ideas.
>
> That group will also study any and all proposals that come to it from Agriculture Secretary Orville Freeman's planning staff and from farm groups, Members of Congress, and others.
>
> Although the President is not yet ready to talk in specific terms about his ideas, some of his general guidelines come through clearly in his discussion on the subject. They are:
>
> 1. He wants Federal farm efforts to make a clear distinction between the million or so commercial farmers who can earn a decent living in agriculture alone and the 2 to 3 million others who cannot succeed without other income.
>
> 2. Mr. Johnson emphasized that he does not propose to forget the successful farmer. But he suggests that his current problems may be helped more by expanding markets than by trying to hold down production.
>
> For the smaller, more marginal farmers, the President thinks a variety of rural dedevelopment steps will be of more help than the kind of production-control, price-support systems now in effect.

Mr. Speaker, departing for a moment from the text of Mr. Bailey's second article, I think that it might be wise to weigh the idea of rural development steps against the actual operation of the so-called war on poverty. As reported in the Washington Post of March 7, the war on poverty in the rural areas has fallen far behind. The administration claims 50 percent of the Nation's poverty is in the rural areas. The war on poverty is designed to do exactly what the President, according to Mr. Bailey's article, proposes—to develop "rural development steps." At least, that is what is claimed for the war on poverty. Yet on March 7, 1965, the Secretary of Agriculture was quoted in the Washington Post as saying that rural America has qualified for less than 5 percent of the Federal funds "allocated to programs that require local initiative and organization."

Mr. Freeman is quoted as saying:

> Sargent Shriver may be able to launch the war on poverty in a city of 1 million people with a single phone call to the mayor. But nobody can launch the war on poverty among a million rural people with one phone call, or a dozen phone calls, or even a hundred. Let's face it. We who speak for rural America have to compete with those who speak for urban America and we are badly outorganized.

Mr. Speaker, that is a frank and I believe correct statement on the part of the Secretary of Agriculture. So how does the President propose to take those "rural development steps" when they are not working under his own much-publicized war on poverty and the Secretary of Agriculture says it cannot be done?

Returning to Mr. Bailey's article, we read:

> 2. While denying he has ordered budget cutting as the prime requisite for new programs, the President makes it clear that he wants cost-saving to be a major factor in any new programs.
>
> He is emphatic in saying he wants to get all the money he can moved out of the programs that are found obsolete or inefficient so that it can be channeled into "new things we need to do."
>
> It is apparent that the President believes money can be saved by dealing separately with the problems of large and small farmers, so that Federal aid can be more tightly focused on specific ailments rather than being scattered to those who don't need it as well as those who do.
>
> While determined to cut farm spending, the President does not see any immediate threat of congressional revolt against continued substantial outlays.
>
> There may be a lot of noise about it, he believes, but so long as subsidies continue for airlines, highways, merchant marine, and other segments of the economy, he sees no reason to forecast a cutoff of farm spending.
>
> 3. He wants to put on the strongest possible push to boost American farm exports—particularly meat—which he believes can find a widening market in the wealthy European nations.
>
> Broadening the export market for meat, he argues, would help solve the problems of American overproduction of feed grains by raising the total demand for the livestock products that are fed on corn.
>
> 4. He tends to view the current problem of farmers as one of distribution rather than production. There are hungry people here and abroad; there are rising demands for better diets in wealthier nations.
>
> 5. Mr. Johnson is prepared to go outside the usual channels to find new farm program ideas. He seeks and obtains advice from friends in Congress—including some like Representative GEORGE MAHON of Texas, chairman of the House Appropriations Committee—who are not generally considered farm experts.
>
> He intends to make full use of Vice President HUBERT H. HUMPHREY in developing his new farm program.
>
> He regards HUMPHREY as one who understands the problems and the farmers well, and as an excellent reporter of farm conditions and problems.
>
> There is no explicit evidence in this process of going outside usual channels that the President is dissatisfied with Freeman.
>
> But some visitors, after listening to Mr. Johnson's discussions of agriculture, come away with the strong impression that Freeman's stature with the White House is somewhat less than preeminent at this moment.

Mr. Speaker, suddenly the Secretary of Agriculture is "somewhat less than preeminent" in matters relating to Agriculture and we find new "nonexperts" such as the Director of the Budget, the Vice President and certain Members of Congress who do not even serve on the Agriculture Committee, filling the void.

It suddenly brings to mind, for instance, the fact that it was Secretary of Labor Willard Wirtz who has been visiting in California, where garden crops are rotting on the ground due to a lack of labor, brought about by administration legislation of last year. The Secretary of Labor is interested, I am sure, in the laborers, or lack of them, but should not the Secretary of Agriculture take an equally active role, seeing that crops are rotting in the fields? It also brings to mind the fact that the Agriculture Secretary and the Interior Secretary have been appearing together with considerable frequency. As some have termed it, "the problems of Agriculture are about to become the problems of Interior," after 10 million people leave the land.

We find that there is to be only a "hold the line" policy this year, so that things can get bad enough to set the President's long-range plans into action. And who is behind these plans? At least, we are assured that it is not the Secretary of Agriculture.

This new group of agricultural nonexperts does include the Vice President, who has formerly enjoyed considerable good will among farm groups, although his background lies in pharmacy. Before the farm bill was released from its White House sanctuary, Mr. HUMPHREY spoke for the 16th straight year at the GTA annual meeting. The GTA radio broadcast quoted Mr. HUMPHREY as rejecting "any solution to the farm problem that would through economic attrition force the small farmer off his land."

Mr. HUMPHREY said:

> Many of these small farmers do not want to leave the land, nor should we want them to.

But how does that statement conform with the President's "long-range plan" or with the views of fellow nonexpert, Kermit Gordon?

In an article of February 22, 1965, in the St. Paul Pioneer-Press, under the byline of Mr. Frank G. Porter, of the Washington Post news service, appeared these details:

> Gordon, reputed to be among President Johnson's most trusted advisers, believes

> commodity support and income maintenance programs largely benefit those who need them least—the big farmers. He would cut these programs and divert the savings to help the rural poor, mainly by moving them off the farm and rehabilitating them in other occupations. The million larger farmers can fill the Nation's food and fiber needs, rendering the 2.5 million smaller farmers unnecessary, Gordon suggests.

A glimmer of Gordon's ideas appeared in the President's state of the Union message—

> They were spelled out in greater detail in a passage reportedly cut out of the farm message after a number of farm organization officials and legislators intervened at the White House.
>
> These ideas are now understood to be in limbo but subject to revival any time the administration feels the climate is more propitious, possibly after this year's flood of farm legislation is out of the way.
>
> Most farm leaders would like to knock them down once and for all.

Mr. Speaker, Mr. Gordon has decided 2.5 million farmers are not needed on the land. The rural-to-urban movement is a trend which has been going on for a long time and it will apparently continue. If this is a natural trend, I do not object and past history shows that the rural-to-urban migration is a fact of our national life. However, I do not favor intentionally holding farm prices down to hasten the trend. Not only is it, if accelerated in this manner, what Mr. Gordon speaks of as a "painful" transition for the farm families involved, but it also puts a severe stress on the small businessmen of main streets all over America. It has been pointed out that the Budget Director proposes that two of every three American farm families are not needed on the farm. What would happen to our small communities? They would dry up and their residents, too, would head for urban centers.

And the urban centers themselves, what of them? They are already faced with severely difficult problems concerning public facilities, recreation areas, streets and highways, educational facilities, crime, and a hundred other similar items. These problems would be made even more acute. In some communities of medium size, such as many in my district, these identical problems would be created where they have not been serious before.

And what of jobs for these new urban dwellers? Retraining is a long and difficult procedure, desirable as it is. But simply transferring people and retraining them does not guarantee jobs, when our unemployment rate is nearly 5 percent of the total working population and when it has been shown that lack of mobility and not lack of retraining alone is a serious handicap of the unemployed.

Mr. Speaker, in addition, Mr. Richard Wilson, chief of the Minneapolis Tribune Washington bureau, speaks in the February 1, 1965, edition of that newspaper of the President's views. He writes:

> Until now, the views which the President outlined could be attributed solely to his Budget Director, Kermit Gordon. Now it must be accepted that these views are Mr. Johnson's views.

Mr. Speaker, it is interesting to note that Mr. Gordon's most extensive statement concerning his farm "program" appears basically in two publications. One was his prediction in the budget report that 2.5 million American farm families can no longer gain livelihood from agriculture. The second was an expansion on this theme, which appeared, improbably enough, in the Saturday Review. As Minnesota State Representative Martin McGowan, who is publisher of the Appleton, Minn., Press, noted in his editorial column, it is interesting to find farm policy outlined in the Saturday Review, which is supposed to be a literary magazine.

In retrospect, we find that the leading agricultural experts of the Nation feel many problems of the family farm can be relieved by such solutions as raising the resale formula on CCC-owned surpluses to prevent Federal market manipulation through dumping, thus allowing farmers more opportunity in the marketplace. We find the President, the Vice President, and others giving lipservice to the concept of a fairer and more just market operation. But we also discover that, waiting in the darkened wings of the Great Society is a "long-range solution" which would mean 2.5 million fewer family farms.

So, we find Secretary Freeman testifying on April 6 before the subcommittees that savings in the agriculture programs, presumably including those already made by the President this year—those that make farm program expenditures about equal with the moon shot—are going to be used to free funds for "other things we need to do."

When all the planning is done, we are presumably going to have a mass exodus of 2.5 million farm families—10 million persons—from the land. They will require the President's farm program savings in the poverty program, because their present means of livelihood is destroyed. They will abandon their present educational facilities and housing and so funds must be available for other educational facilities and housing.

Perhaps they might stay in the country? Perhaps the programs could come to them? That is a good idea, except that we have heard the Secretary of Agriculture's admission that the rural poor cannot be reached with the present poverty program.

Mr. Speaker, here we have, out of all the conflicting statements and honeyed words coming out of the Great Society administration, what the psychiatrists call a syndrome. It is a gathering together of many symptoms which are related and which make a diagnosis possible.

Mr. Richard Wilson reaches the diagnosis as he ends his article of February 1:

> In the end, the outlook is not too encouraging for the general taxpayer. It will cost a lot to ease the shift of 10 million people out of agriculture and holding down the amazing productive capacity of the 1 million best farms will continue to be a major problem.

Mr. Speaker, what would it be like if 2.5 million farm families were forced off the land? That question is convincingly answered by the Farmers Union Grain Terminal Association in another of its daily radio broadcasts. This one was broadcast on March 26, 1965:

> Some of the Nation's foremost citizens are serious when they talk about getting rid of 2½ million of this country's 3½ million farmers.
>
> But as one Member of Congress asked his colleagues: 'Would the American public then be at the mercy of a few giant producers who would control the supply and prices of food?"
>
> A national magazine took up that question and answered it this way: "If a few farmers in the past decade had been able to keep their prices rising at the same rate as the prices of other wholesale commodities, housewives now would have to spend an additional $4 billion a year for food. That would be $4 billion that now is going for care and clothes and homes and furnishings and appliances."
>
> As you remember, it was Budget Director Kermit Gordon who stirred up a big storm with his talk about eliminating 2½ million farmers. That brought thousands of letters to Washington from farmers and other rural people. Many of them were from businessmen who told Washington that grocery stores, clothing stores, furniture stores, auto agencies and other businesses would be wiped out by the thousands. The small town would wither.
>
> A rural banker wrote that "Every time we lose 10 or 12 farmers, we lose the people who would spend the money to sustain one average-sized business, a matter of roughly $100,000."
>
> Just what would it mean if 2½ million more farmers were forced off the land? The Southern States would be hardest hit. They would lose more than 1 milllion small farmers, 79 percent of those now farming in those States. The Midwest States would lose 65 percent of present farmers, about 860,000 small producers. The Northeast States would lose 2 out of 3 farmers, about 150,000 total. The Western States would lose 210,000 farmers, or 66 percent of those they now have. It is estimated that many ranchers with as much as 2,000 to 3,000 acres would be eliminated in the West.
>
> Of course, the land would still be there. It would just be divided up among the 1 to 1½ million remaining farms. These would all be big farms. The land might be farmed harder than ever. The big operators would, it is believed, skip right over the small towns to buy their supplies at wholesale in the larger distribution centers. They would be in a position to organize and name the price when buying or selling.
>
> But among the million remaining farmers some would not be as big as others. And soon it would be their turn to be pushed out.
>
> This is what GTA's M. W. Thatcher meant when he said, "Farming is going to continue. The question is, Will it be carried on by the farm families of this country, the cultural and social base of our democracy? Or is it going to be done by big plantation owners, barons of the soil, feudalistic overlords, who will not be concerned about the towns and villages and the people?"

Mr. Speaker, it is obvious that administration, if it is to put its "long range solution" into effect, must oppose any program that would raise farm incomes at this time, such as my proposal to raise the resale formula of CCC-owned surpluses. If they were to give anything more than lipservice to a fairer and more just and equitable marketing system and if the system worked, as so many agricultural experts testify it would, it might not be necessary to "hold prices down—to make the programs work."

We have seen that the farmers are in favor of improving the resale formula. We have seen that the Great Society administration, while giving lipservice to the concept of a fairer market, is in fact holding out for the day when it seems more politically propitious to put its real program into action. That is the program of Budget Director Kermit Gordon—the program to remove 2.5 million farm families, 10 million people, off the land. We have seen how disastrous such a program could be, not only to the farmer but also to the small towns and villages and the urban areas as well. What would be the effect of raising the resale formula, as so many of us propose?

I believe that this is adequately illustrated in the testimony of many witnesses before the Wheat and the Livestock and Feed Grains Subcommittees, many of whom I have just quoted. We have simply to refer to the hearings and the statements of the many farm experts who appeared in favor of this increase.

Throughout the hearings they affirmed the fact that an increase in resale formula would, first, prevent CCC dumping to manipulate prices; second, create a fairer, more just and equitable market with more opportunity for the farmer in the marketplace; third, not unduly hamper the CCC operations to deplete its surpluses, for a number of reasons, including the world wheat shortage and the availability of CCC surplus wheat for the world market. Mr. Andreas has amply testified to that. He said:

> I think that there is one very important factor here. So long as you have the 105 percent sales policy, of course, private capital does not seek to own any wheat. The Government now owns more than 75 percent of all of the wheat in the Nation. And sometime during the year the Government will own over 90 percent. So effectively you are nationalizing the wheat business. That is the effect of the 105 percent selling price.
>
> In the process of getting export orders someone has to own wheat, move it to the seaboard, put it aboard the ship. They sometimes ship a load of wheat to Europe half sold or three-quarters sold. Someone has to own something and have it at the right moment, at the right time, in the right quality and the right grade to get the order. It takes experts to do this in order for a cooperative or a private firm to put this money into wheat and then invest in freight and the cost of moving it to seaboard when all of the time the Government might sell to your customer an hour later at a considerably less lower price than you can sell for and get your money out and a reasonable profit.

Mr. Speaker, in other words, the extent of CCC holdings is actually hampering the export market, although there is a worldwide wheat shortage. If the CCC's price-depressing factor were removed, stocks might follow cooperatives and other segments of the industry into world markets.

Finally, we have seen that, fourth, the increase in resale formula would tend to increase the price paid the farmer.

On the other hand, we have seen the action of the present administration as it attempts to hold down farm prices until such time as it is politically propitious to set in motion its vast program of relocation of the family farmer.

We have seen that creation of a fairer market by means of raising the resale formula would help increase farm prices, while in no way damaging the domestic or export trade. It would raise farm prices.

Mr. Speaker, as I neared completion of my work for this speech, the Department of Agriculture released its May crop report. That report shows that the wheat crop this year may be 100 million bushels or so below expected domestic and export requirements.

The report was released across the Nation on May 12, 1965, by the Associated Press, in a dispatch written by Ovid A. Martin, Associated Press farm writer. He wrote, in part:

> WASHINGTON.—The wheat crop this year may be 100 million bushels or so below expected domestic and export requirements.
>
> This prospect was indicated by the Agriculture Department's May crop report which told of winter wheat losses in drought-plagued areas of the Great Plains.
>
> But this does not mean that there would be a shortage of wheat. The Department predicts that on July 1, the beginning of the 1965 crop statistical year, there will be a reserve and surplus of 905 million bushels accumulated from past crops.

The indicated production would permit a reduction in the excess supply, but grower incomes could be adversely affected.

> The winter wheat crop was indicated at 978 million bushels, down 6 percent from the official April forecast and 5 percent from last year. With a possible spring wheat crop of 262 million bushels, the total production would be about 1.24 billion bushels compared with 1.29 billion last year.
>
> Demands from the 1965 wheat crop supply have been forecast at 1.35 billion bushels.

Mr. Speaker, I believe that it is not necessary that grower incomes be adversely affected. Because the demand will be well over the supply, the CCC will be able to sell substantially from its surplus stocks this year. By raising the resale formula, the law of supply and demand will increase farm prices because of the wheat shortage. Following the farmer into the market, the CCC can obtain a better price for its surpluses.

I ask a very modest thing. I do not ask the abolishment of farm programs. I ask only one improvement, endorsed by most of the Nation's leading agricultural experts. Therefore, I urge my colleagues to support and vote in favor of raising the resale formula of CCC-owned wheat and feed grains when the issue come before you in this Congress. It will raise prices to the farmer. It will aid our smaller towns and villages. It will avoid further rapid multiplication of urban problems. I believe that the increase should be to 120 percent, but it is obvious from the evidence that any increase from 115 percent up would be helpful to the total rural economy of America and thus to the Nation as a whole.

HOW TAXES HAVE INCREASED IN SANGAMON COUNTY, ILL.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FINDLEY. Mr. Speaker, last week's mail brought a disturbing report from Miss Jessie T. Pursell, Rural Route, New Berlin, Ill., who identifies herself as "farm girl, 95."

With her letter, Miss Pursell enclosed the original receipt given her father for real estate taxes on 80 acres of land in Sangamon County in 1856. The tax bill came to $3.64. Miss Pursell reports that this year's taxes were $10 an acre or $800. Quite a jump from $3.64 to $800.

Miss Pursell said:

> I think it [the tax recipt] should be put in the Capitol where officials can see where taxes are taking us—to Government control. Farmers cannot survive. Government will soon own farms through taxes we pay.

Although disturbed about taxes, Miss Pursell—95 years young—describes farm life in Illinois as "the best free life for anyone" and signs the letter "from a farmerette."

GOLDWATER WARNS OF ATLANTIC ALLIANCE DISARRAY

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the Los Angeles Times, under date of May 5 with a Paris dateline, quoted former Senator Barry Goldwater as follows:

BARRY GOLDWATER

> As we become more involved in Vietnam and elsewhere in southeast Asia, we must remember that the Russians are entirely capable of heating the cold war in Berlin or some other area where the military advantages are in their favor.
>
> We would be in deep trouble should this happen at a time of disarray in the Atlantic alliance.
>
> The importance of this appears to be lost in the Johnson administration. The attitude of the United States, as viewed by many Europeans, is one of vast indifference to the problems on this side of the Atlantic. It is more or less taken for granted in some circles that America is now embarked on a policy of isolation with regard to European affairs.
>
> It might be said that some European nations (Britain and Italy are notable exceptions) are repaying our indifference toward their problems with a responding indifference over our problems in Vietnam. At least some of the coolness on this side of the Atlantic toward American actions in Asia can be traced to a lack of consultation with our allies prior to our decision to bomb North Vietnam.
>
> It seems on the whole that our policy in Europe today is largely nonexistent so far as a meaningful contribution to the future of the Atlantic alliance is concerned. This is as dangerous as it is unfortunate. It should be corrected at the earliest possible moment.

Mr. Speaker, Mr. Goldwater renders a great public service in calling attention to the present disarray of the NATO alliance and the need for greater consultation with our European neighbors. More and more we seem to be shifting into a go-it-alone position in our foreign policy.

THE CONDITIONS FOR ECONOMIC GROWTH AND DEVELOPMENT: THEIR RELATIVE IMPORTANCE AND TIMING

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. YOUNGER. Mr. Speaker, last year Prof. Karl Brandt, retired director of the Food Research Institute at Stanford, delivered a paper at the 22d Annual Institute on World Affairs at San Diego State College.

Since it dealt in such detail with the economy of underdeveloped countries, it seems to me that it is most meaningful at a time when the House is considering another foreign aid appropriation.

His paper follows:

THE CONDITIONS FOR ECONOMIC GROWTH AND DEVELOPMENT: THEIR RELATIVE IMPORTANCE AND TIMING[1]

(By Karl Brandt)

My topic is anything but new. In fact it has been the main concern of leaders in civic affairs, statesmen, philosophers, and clergymen since antiquity. Yet, if anything is certain about the future of world affairs it is the prospect that this topic will retain its challenge to constructive thinking so long as people live consciously as a civilized society, determined not only to survive but to improve man's lot on this earth.

In my view the scope of what is relevant to this enormous range of human action that we designate as economic pursuits does not primarily involve econometric techniques. Indeed I doubt that any analytical quantifying procedures or the application of their results in the form of prescriptions belong on the docket of serious discussion so long as the much broader problems of ends and the permissible means and taboos have not been fully explored. In other words, before the crew of the Ship of State may lift anchor, the skipper, the other officers, and the whole complement of sailors must know where they are going and have the navigator and the maps aboard.

Our academic procedures, originating with the French philosopher Descartes, from his "Discours de la Methode," consist of analysis within the compartment of one academic discipline. So we have special compartments of economics, political science, sociology, anthropology, and others. However, in the actual life of a person, a family, or a nation there is only one consolidated entity. Compartmentalization of foreign or domestic policies is therefore doomed to failure.

Perhaps in times when ideas of optimal economic progress were discussed only in a few leading Western countries there was less need to inquire what conditions are essential for economic progress to occur. In those times there was not only unanimous agreement on the political and social foundations of economic progress, but in a monistic society with its accepted values and its culture there were no alternative political, social, and moral philosophies that deserved consideration.

Today the situation is decidedly different. Since the end of World War II the political map of the world has undergone a most radical revision, and this process is not yet at an end. The industrially advanced countries of Europe as well as Japan have ceased to administer large dependent oversea areas. The people in those areas have obtained political independence. This applies to over 800 million people. Their share in the world's political geography amounts to over 50 new countries. One speaks even of that many new "nations." It is in many instances most doubtful whether the boundary line of former colonial administrative jurisdiction necessarily makes what can legitimately be called a "nation." This is true particularly where no common language exists and the people have to use the foreign language of the former colonial power for communication in their parliament. An enormously wide range of differences characterizes those newly independent and a large number of other countries that have in common only that their industrial development is retarded and therefore agricultural or mining activities occupy the majority of their population. Some of these countries have populations of European origin, adhering to one religious creed, others have multiracial populations with multiple religious orientations, and still others have a homogeneous single-race colored population. Some of the less-developed countries belong to the world's oldest civilizations, others to ancient but stagnant primitive cultures, either still in or just out of tribal coherence. And politically some are extremely well-organized, advanced political democracies while others have unconcealed and unmitigated autocratic dictatorial rule by powerful demagogs or military strongmen. In fact, in some countries patriotic military leaders are the only temporary preservers of peace until civilian executives can function. Economically, too, extreme diversity prevails from very high to very low average per capita incomes.

Bearing in mind this kaleidoscopic panorama of contrast and diversity in change in the developing countries, we must consider with similar care the fact that the leading industrial countries have also undergone significant change. Nearly all of them are in the process of becoming pluralistic societies, although in most of them the harmonious set of values inherited from a monistic culture still exerts its unifying influence.

If widely held theories about cause and effect in economic history had any element of truth in them the end of colonial empire, with its system of expanding economic development from highly advanced industrial centers toward the most distant outlying parts of the world via the medium of trade, should mark the beginning of the golden age of newly independent countries. Marxians, Neo-Marxians, and those more moderate liberals among economists who basically adhere to the doctrine of colonial exploitation by imperialist powers have always taken it for granted that the main cause of rapid growth was—aside from paying an unfair return to labor at home—the illicit transfer of wealth from colonies to the industrial center of empire. Of course, it was always a mystery how, without doing anything for them, one could take away such bonanzas from countries which were, according to the judgment of anticolonialists, so utterly poor that no wealth existed at all. But now, since this has stopped, the other even greater mystery must be explained: why, with the cessation of the asserted plunder, economic growth in the industrial countries does not decline and why the economy of the former colonial areas does not advance much faster than in industrial countries.

I mention this because the entire process of former colonial expansion is so generally misunderstood, particularly in the United States, where anticolonialism reaches an almost religious fervor. This derives from a totally defective analogy—as well as the most charitable emotions to be found anywhere, but simultaneously from unrealistic and erroneous assumptions about economic processes.

In the newly created turbulent, revolutionary, and emotionally charged international atmosphere, two features are outstanding:

(a) The advanced industrial countries of Western Europe, North America, and the Pacific Northwest with their well-developed and socially responsible system of competitive private enterprise and sovereignty of the consumer have gained extraordinary strength and dynamic growth far beyond keenest expectations. These countries have discovered and developed unlimited sources of energy and have opened with it entirely new frontiers in lowering costs of transportation.

These countries have even succeeded in rapidly expanding their agricultural output of food, feed, and fibers per capita.

(b) In most of the less industrialized still primarily rural countries the most pressing social and political problem and the requirement for some sort of stability and domestic peace is to improve the per capita income of the broad mass of rural people at the village level. Whether there will be chaos, bloodshed, disease and pestilence, despair and revolution followed by dictatorial rule under martial law or some continuity of sane progress in lifting the social pyramid at the base depends entirely upon whether or not healthy and continuous economic progress can be attained. Unfortunately a large number of these countries have wasted substantial quantities of capital (which in part had been expropriated from former owners and investors and in part received as grants or loans from governments of industrial countries). Such deplorable mismanagement of their own domestic and foreign economic policies has approached the point of insolvency and spoliation of their status as reliable debtors. Yet, such default in some of the most populous as well as the most scantily populated countries is in contrast to dynamic and sound development in other developing countries.

Since the welfare of advanced industrial exporting countries and the welfare of the developing, primarily raw materials exporting countries are mutually interdependent, it is mandatory for both type of countries to recognize and deal with the causes of the ominous, disturbing, and potentially calamitous drift into decline, insolvency, and political and social chaos occurring in so many underdeveloped countries.

The fact that there have been prolonged boom conditions in the phase of business expansion on both sides of the North Atlantic and in Japan may make the end of such prosperity phase even more painful if, in the wake of such contraction in industrial countries, the underdeveloped countries run into a real crisis. The possibility of cumulative recessive effects is far from being purely academic.

Unfortunately the enormously complex task of overcoming the combination of depressive factors in many of those countries defies any attempt to correct their effect simply by magnanimous further transfer of capital from the leading industrial countries. In fact, such hasty emergency transfer of capital is bound to delay in many instances the cure of the multiple conditions causing the disastrous drift inside those countries and thus can only contribute to more permanent waste of existing assets and resources.

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[1] Paper presented at the 22d Annual Institute on World Affairs, San Diego State College, on Aug. 12, 1964.

We may remind ourselves at this point that even in this wealthiest of all countries of ours, capital happens still to be a scarce resource that demands good husbandry. What is needed in those emergency cases, of which there are uncomfortably many, is the courage of the industrially advanced nations to diagnose in a candid, fearless, and helpful fashion the causes which undermine sound and stable economic growth, even at the risk of some delay in a resumption of a greater pace of development.

Before we can enumerate the major conditions favorable to economic development we must clarify a few conceptual caveats in order to avoid unnecessary confusion, particularly in this age of total ideological warfare and the concealed guerrilla weapons of a sort of judo-semantics. This is the most powerful secret weapon of our times.

When we agree that the main goal must be to get in the industrially retarded countries more purchasing power into the pockets of the average consumer, which will give him the opportunity to obtain better food, clothing, shelter, and such services as transportation, medical care, and some social security, we must be cautious not to fall into the trap of unconditional surrender to such goals. Even this end does not justify all and every means to achieve it. There must be assurance of the limiting condition that the choice of means is guided at all times by the overall rule of a minimum of coercion, respect for an optimum of freedom and civil liberties. In other words, the goal is not a purely materialistic one of say x units of goods and services per capita irrespective of what they cost in terms of human dignity and the pursuit of happiness in a humane society. On the contrary, any planning for economic progress which treats suffering and loss of freedom and human dignity as outside the equations should be considered as a plot to enslave the people.

When we come next to the question of an equitable remuneration for hired work we must carefully realize that nobody has ever invented or devised a method of determining by an objective formula the equitable setting of an hourly wage for the least desirable as well as the most convenient or attractive types of work, say garbage removal, watch repairing, milking cows in a split shift, surgery, playing in an orchestra, or academic teaching. The only equitable device to set wage rates objectively is the bidding by employers in a competitive free labor market. The wage rate is being adapted to the effective supply of labor and the effective demand in the free labor market. In other words, the wage rate for garbage removal is being raised more and more up to the point at which the needed workers are available. This may set the rate much higher than what is to be paid for much more refined types of work with higher educational requirements.

The humane society's economy rests on the right to say goodby—namely, the right of a worker to say goodby to an employer and to work for another one. Similarly, the employer must have the right to say goodby to a worker if he does not perform according to expectations. Of course this does not mean that either side can just break a contract while it is in force, but if and when the contract comes to an end. The humane society's economy works with reward and penalty, not by coercion. Since free people are far more productive and creative in their work than are slaves, particularly in the specialized modern economy, the humane society can afford to grant freedom to loaf and say goodby, but it cannot afford the coercion of the state-operated "economic dirgée."

This brings us to the question of the resources that are needed in a developing economy, or, at that, in any economy. Unfortunately, the public, even in the most advanced countries, has many erroneous ideas about the concept of resources. A number of people—including many who ought to know better and many who are responsible for the public regulation of resource use—believe that resources as such are identical with wealth that by itself yields a physical output of valuable products or even a flow of income. This is a grievous error. Another popular but equally erroneous idea is that the potentiality of a part of the natural environment to be a natural resource is static and unchanging. In reality the importance, utility, and value of such resources is a function of the changing specific needs and wants of the people at a certain time, a function of the technology, skills, and equipment at the command of a society at that time, and finally a function of alternative sources of supply. What is crude oil? In 1850 it was a nuisance to American Indians and white farmers. In 1870 it was a source of kerosene for lamps, but explosive gasoline was dumped in rivers. By 1900 gasoline was valuable and kerosene less so, but natural gas was a nuisance. By 1940 diesel oil, fuel oil, asphalt lubricants, and natural gas were all precious materials. Yet, to a Berber tribesman in the Sahara all of it is still a nuisance.

Resources are factors required in the production of wealth in the form of a flow of goods and services and, in the exchange economy, in income. Most economic processes require a cooperation of several resources. We distinguish three types of resources:

A. Human resources—means the capacity of people to utilize their physical, intellectual, and moral initiative and ability to render service individually or in cooperation with others to create wealth. This sort of resource is ultimately the only genuine prime moving factor in an economy. This resource has an unlimited range of potential growth and its capacity determines first and last of all what a nation can achieve and what level of consumption, living, leisure, and security it can afford at the price of how much sweat and toil.

Among the physical conditions which have a decisive impact on the capacity of this resource are the state of health, the average diet, the stamina, and endurance of members of the labor force of both sexes and different ages. But even the best fed strong healthy physical specimens of the human race do not necessarily constitute an effective labor force. Innumerable variables are at play and they are far more important in their influence than training of body, hand, and mind and application of knowledge through education—despite the extraordinary opportunities these afford to increase the utility of a labor force. Such variables are attitudes toward work and leisure, sense of obligation and duty to make a contribution, self-discipline and pride of fending for oneself, motivation for any action or choice, response to different kinds of incentives, tenacity and persistence of effort, resistance to addiction to narcotics or alcohol, work and living morale, and ethical concepts. Any one of these variables may enhance the effects of others or may invalidate them. All these attitudes and traits in a labor force result from the performance of the nuclear cell of any society, the family. But they are also formed by formal education or apprenticeship and by religious groups.

As important in the intellectual and moral equipment which entrants into the labor market bring with them is the interplay between people with different gifts and talents, such as the capacity for leadership in the few and the tendency in the many to respond to it. This ability to influence people, to organize, to inspire, and to manage is uniquely important and a demonstrably different quality from the capacity to work by taking orders. Yet while some of it can be developed by training, a critical ingredient is the temperamental disposition, a genetic rather than environmental factor. While decisionmaking is an art that can be developed by training, the talent for it probably has strong temperamental roots. Hence there is good reason for offering the greatest opportunity for this talent to prove itself and to recruit the optimal number of the work force from this managerial pool.

B. Next to man's creative mind and spirit as the resource No. 1 are the so-called natural or environmental resources. They are:

1. Land in all its environmental qualities—climatic conditions, topography, soil, subsoil, underground. The uses of land comprise first, those for agriculture in its broadest sense, i.e., for, the production of food, feed, and fibers, second, those of industrial sites, third, transportation, fourth, defense, fifth, residential use, and sixth, educational, religious, and recreational use.

2. Water in all qualities, from salt water to brackish, and to fresh water, or from drinking water to sewerage, and in all forms from ocean to lakes, or from stagnant pools to currents—arroyos, rivers, creeks.

The creative use of water resources ranges from use as drinking water for men and beast, to irrigation, transportation, power generation, and industrial use.

3. Radiation, movement of wind, power of tides. All these are sources of energy.

4. Energy-bearing mineral deposits like coal, lignite, oil, natural gas, uranium.

5. Ores of metals and other chemicals.

This list may seem redundant and pedantic. Yet most pertinent to our discussion is the fact that all these resources by themselves constitute no value and yield nothing. Only in relation to man's specific needs and wants and only by the purposeful and intelligent application of management and labor do these environmental resources yield any goods or services, and only insofar as they yield a greater value than that of the input applied to them do they contribute to income. This holds particularly for agricultural use which involves mining of carbon from the air and takes only minute replenishable ingredients out of the soil. These natural resources are opportunities to apply man's ingenuity, inventiveness, skill, and decisionmaking. In general, their utilization requires, in addition to management and labor, the application of the third type of resources: capital.

The entire worldwide discussion of land reform or agrarian reform suffers from the immensely popular but grievous misconception that land as such is yielding income per se and that it thus has an autonomous quality of bestowing wealth on the occupant or owner. This is the sort of logic that reverses the sequence: "It has rained—hence the street is wet" by concluding: "The street is wet, therefore it must have rained." Some people own land and earn a good income. Hence if we give poor people land they will earn a good income.

C. The third type are manmade resources, i.e., capital in the form of work and livestock, stocks of raw materials or manufactured products, means of transportation, machinery and tools, improvements on and to land, such as agricultural, industrial, or residential buildings, field inventories, drainage, and irrigation, pavements, bridges, wells, fences, or consumer goods, and producer or investment goods.

To summarize this analysis of the necessary combination of human, natural, and manmade resources, we may say that the degree of economic development that will actually take place in a particular part of the world depends far more on the attitude, behavior, and achievements of individuals and families in their organized national society than on the natural endowment of what is so glibly called natural resources. Beyond this, the achievement that can be attained depends again far more on manmade and man-controlled conditions to be discussed than on any fixed set of geographic, ethnic, or other ratios of quantifiable factors of production. It is furthermore untrue that the economic performance of a nation is a function of a specifically definable rate of population growth. In other words, if the population did not grow in numbers at all this would be no assurance of economic growth. On the contrary.

These are, at least, gleanings from my travels and studies in many distant lands.

What pervades the history of Western civilization and its proud achievement in conquering the scourges of mankind—famine, pestilence, and poverty—and making large formerly uninhabitable parts of the earth habitable is the basic faith in the fundamental gift of intelligence of man, irrespective of his genetic, geographic, social, or environmental origin. The typical pioneering spirit of the West has its orientation and its optimism in this faith in the ability of man everywhere to act intelligently as economic man by responding with decisions of his own choice to various incentives of reward and penalties, or to take the risk of choosing opportunity instead of security.

In other words, the noncoercive arrangement of optimal decentralization of willpower and decisionmaking as the driving force of economic development relies ultimately on the belief that the people as consumers are—despite all their potential faults and errors in judgment—still the best adjudicators of what is good for them in the context of their preferences. This is the essence of political democracy and the economy that is compatible with it. All "highfalutin" scientific planned economy systems, which subordinate the consumer to the state, are designed by men who know exactly—and for my taste far too well—what is good for other people. In all such systems the apparatchiks in the planning tower coerce all the consumers, except themselves, to obey orders from above. The planners begin by rejecting the principle by which a free humane society exists; namely, that the consumer must be sovereign in allocating resources according to his preference by the freedom to spend his earned income the way he wants.

However, having said that and thereby laying myself open to the outraged protest that what I have in mind is laisse faire at its profiteering worst—I shall disappoint my critics in many ways. First of all, I do not believe that there has ever been at any time in history an economic system in which no legal framework existed for the economy and where everything was left to libertinism and license for everybody to behave at his very selfish worst to the point of ruining himself and everybody else.

To give man in any country the chance to live and work in a social and political environment that grants and secures an optimal degree of freedom implies a number of basic general requirements or conditions.

Among them I would rate highest the requirement that the majority of the people are reasonable and realistic in their expectations as to timing and degree of what can be achieved in terms of economic betterment. If they are unreasonable, stubborn, and truculent in expecting and demanding in 1 year progress that may be attained at best in 10 years they create a political crisis. Democracy presupposes citizens who act rationally. In the absence of such minimum of reasonableness only force can prevent chaos. In any nation the rational force is aided by the civic influence of people of more mature age and of housewives, who due to more experience tend to have more rationally balanced views than youth with its greater vigor, more radical emotions and more impatient tendencies. People must in their majority and in their actions as the body politic possess themselves and demand of others a certain minimum of self-discipline, a desire for peaceful and orderly economic conduct, which allows all those able and willing to work to make their contribution. In the absence of this attitude life can be preserved only by martial law and military rule. This begins with the abrogation of civil liberty, which interrupts sound economic procedures. Yet, even in a society in which the majority of adults display those necessary sober attitudes there is the priority need of effective public administration. This is discussed least, if at all, in most learned conferences on economic growth and its acceleration, although the greatest defects in development in many countries begin because of the absence of effective and decent public administration at the local level.

1. Needed is a firm, law abiding, and patriotic police force that enforces basic criminal law, and protects life, civil rights and property, not only in some preferred parts of a big city but in villages, on roads and in the countryside. The police force must be incorruptible by bribery. It must be reliable, which means that its members must be willing to give their lives in defense of a prisoner rather than to surrender him to a mob of lynchers.

2. The same force must protect and regulate the free and equitable access to traffic and transportation and thus shield the movement of people, animals, and goods on land, water, and in the air against theft, piracy, kidnaping, and injury. This does not safeguard the availability of transport services which must be rendered to the public by the enterprises that specialize in them.

3. Public health administration must enforce sanitation, protection against contagious diseases, and pests. Safety of air, water for drinking and domestic use, control of rats, mice, rodents, birds, snakes, and beasts of prey are essential conditions for a sound performance of the economy.

4. There must be an alert properly organized service for fire protection and service units for natural disasters and emergencies.

5. For normal times as well as emergencies, maintenance of health calls for accessible medical care and hospital service.

6. Public administration must protect private communication facilities and services or provide them as public utilities.

7. In order to develop human resources, facilities and regulations for the broadest public and private education and extension are needed for children, young people, adolescents and adults, and education must be geared to the specific needs of economic progress. It must not be perfectionist in isolation from the actual situation. And it cannot have absolute priority in terms of appropriations of funds or rank of urgency. If no security of life, traffic, transportation, or health exists, parents will not send children to school. If at the same time higher education leads merely to an academic proletariat that fights with radicalism for its selfish interests, it is the opposite of a force that aids economic development.

I feel assured that this catalog of necessary conditions will be considered by many advocates of acceleration of economic growth by capital aid as irrelevant or redundant observations. Yet, it is my considered opinion that what under otherwise equal circumstances makes the difference between economic prosperity and growth in one country and stagnation or deterioration in the other is often primarily the presence or absence of reliable and effective public administration performance.

Where life, health, physical fitness, the possession of goods or money, or the safety of capital in any form are subjected to daily and nightly hazards economic processes are inevitably jeopardized, interrupted, and unpredictable. Where all land and water is perennially polluted and infested by human feces and urine and a good deal of all food is infected by parasites or pathogenic bacteria, where most of the farm animals are disease-infested, sweeps of epidemics, pests and plagues act as powerful deterrents to economic progress. Unfortunately the transition from colonial to independent status has in many areas revived these hazards almost to pre-colonial state.

Economic development requires persistent strenuous effort for many years in all individual enterprises particularly in agriculture, forestry, mining, and in the auxiliary transport, processing ,and storage facilities. The more uncertainty, hazard, and risk of losses accumulate the more any operator of a farm any manager of a business must by necessity act on the shortest term with the least investment and the greatest liquidity and mobility of his means.

For all these reasons the most essential condition for economic progress is a legal institutional frame for the national economy which provides a system of reward and penalty, and of clearly defined opportunity as well as security for all activities. This legislative foundation of private property and capital, of contracts, of security of loans, bequeathing estates, exchange, and many other economic transactions should offer a maximum incentive for economic initiative of all parties concerned by assuring reward for successful performance. Here again the emphasis must be on continuity and stability. This is largely ignored by planners who have ingenious devices designed to correct all defects and imperfections of performance of capital owners, bankers, enterprisers, and workers.

In this connection I mention what is happening in so-called land reform or agrarian reform. The asserted aim of the reformers is in most cases a redistribution of land among operators, usually with sharp antagonism toward large-scale operators. If agrarian reformers had the proper respect for the vital need of certainty in the rules for economic development they would choose improvement in longest term mortgage credit and short-term production credit to smaller operators, easier facilities for the subdivision of large tracts of private land, and an equitable land and farm income-tax style in order to achieve better land distribution. Or they would see to it that the government would permit settlers to bid for land out of the public domain. All this would not create a crisis of confidence in the stability of economic conditions.

However, agrarian reformers nearly everywhere are on the road to expropriation, if not plain confiscation, of land from large-scale operators and transfer of title to small farmers, or farm laborers, or any claimants at cutrate prices or on subsidized easy credit terms or both. This, of course, is not reform but revolution. Worst of all, it is invariably years in the making, first in laws, then in administrative execution of such laws. The effect of this stage of many years of threatening expropriation or impending measures on an agricultural system is equivalent to sabotage of economic progress. While it whets the appetite of potential beneficiaries of such revolutionary schemes and thus is a device for political demagoguery it also forces every interested party in agriculture to live from hand to mouth and to behave like a farm tenant whose lease is expiring in a year with no provision for compensation for unexhausted improvements. He liquidates his investment.

While the farm population and the rural population in general in most of the developing countries should get a better chance to earn a better income and while this calls for the use of more capital on farms, the threat of expropriation under agrarian reform creates such insecurity that the flow of capital into agriculture not only comes to a halt but is reversed. Typically in all countries that are playing the political game of promising agrarian reform, indigenous capital is withdrawn from agriculture and takes refuge in metropolitan real estate or in foreign countries.

This is an absurd situation which leads to a weakening of even the most ideal endowment with agricultural assets, as, e.g., in Argentine, Brazil, Colombia, to mention only a few countries.

To claim that this drift must be reversed by capital transfer from governments of industrial countries to governments of developing countries makes no sense. There is no question that the underdeveloped countries need investment capital for better development and that there must be a gradual movement of farm real estate into the hands of the ablest users of this resource. Part of this capital must necessarily be formed by savings of individuals and profits of enterprises in those countries. Additional funds must come from abroad. The free flow of both springs of capital requires first and last of all a favorable political and economic climate in which business can flourish.

To create this political-economic climate requires the fulfillment of one other vital condition by the authority of the government and with the endorsement of the people, a condition which most powerfully affects the economic action and behavior of all the people in a country and all its foreign economic relations. Yet this condition is most difficult to fulfil in a democracy.

Every country needs—if it is to have rational economic behavior by its people in the market—a medium of exchange and a generally accepted measure of value in the form of a national currency. If the currency is to serve all purposes well it must be freely convertible, be endorsed by ample reserves, and thus in a strong unassailable condition, and it must be safeguarded against deterioration of its purchasing power. The methods by which a government can maintain the purchasing power of the national currency are fiscal, monetary, and banking policies. Unfortunately many countries, particularly many of the developing group, are plagued by rapid inflation. Inflation arises from irresponsible fiscal policies. When governments spend far more than they earn in revenues they print money and inflate. But the people, particularly when organized in pressure groups can force inflation by wage demands that raise costs of production and distribution and by price demands that diminish consumer purchasing power. Cost push and price pull inflation usually are driving the same cost of living spiral.

Once this inflation is on its way it is not only hard to stop but it creates chaos in a hideous fashion. Capital no longer moves to spots where it earns the highest reward, but to safety, even if it should for some while earn no interest or yield no income at all. If an economy could function by decisions which would all be valid for only a week or at most 1 month, inflation would still leave a trail of wreckage because of uncertainty about the pace of further loss of purchasing power and because everybody would try to get rid of money as fast as possible and to hedge in goods. But, of course, no economy can even physically function by such shortest term of decisions and obligations. Therefore the most damage is done by what inflation does to long-term obligations. It simply turns them into a fraud. Somebody owns a building, or a factory, or a farm. When he bought it he borrowed say 40 percent of its value against a mortgage. After 10 years the mortgage is due. If the currency lost in the meantime 70 percent of its purchasing power the creditor loses that much. If most of the people own life insurance so that they may be able to stop working at 65 years of age, inflation, even of more moderate degree will repay them in shrunken units of the currency. So they cannot retire, and take a job away from entrants into the labor force. Some people succeed in making big gains by inflation; the majority of them are the losers. This not only disorganizes an economy to the point of stagnation or worse but it convinces the people that there is neither equity nor justice in the economy. Hence political unrest brings radicals and conspirators to the fore.

Most Latin American countries have had a serious case of this virulent disease. It perverts a market economy by enforcing through the courts the formula that irrespective of its purchasing power one unit of the currency today is legally the equivalent of a unit 10 years ago. Even 2 years ago the cost-of-living index compared with 1953 was in Bolivia 33 times, in Chile 12 times, in Argentina 6 times, in Brazil 4 times higher. Since 1962 Brazil has had a wild spurt, and Chile is in the throes of more inflation.

When there is inflation, saving ends. Hand to mouth living prevails.

With this sad review I want to close my account of the conditions required for economic growth and stability. To stop inflation is the responsibility of national governments. They can get advice and some assistance from the International Monetary Fund. But ultimately it is the national government that has to balance the budget, to stop financing by monetary policy reckless cost-push and price-pull that ends in inflation and a faster growth of public and private indebtedness than real growth of gross national product.

Confiscation of capital invested by foreigners is never more than a brief stopgap which does not reduce the causes of inflation and cannot avoid discouraging additional capital to enter such countries. Only simpletons use the sledgehammer approach of confiscating bona fide investment capital.

In conclusion, I want to emphasize that there are many reasons why with the new era of national independence of more than 50 countries the age-old axiom that economic development and expansion is much faster in advanced industrial nations than in industrially retarded countries still holds. The causes of lagging development lie largely in the conditions I have reviewed. I anticipate that this will become apparent through bitter experience gradually gained in quite a number of those countries which are suffering from a combination of too many evil effects of unfulfilled conditions for economic growth.

So long as these conditions are not improved in those countries by their governments, it is a waste of scarce resources and an even more costly delay of reform and improvement to try to accelerate development by pumping capital into those countries from the outside, particularly from government to government. However, when and where those conditions I have enumerated are fulfilled, the attraction for investment of domestic and foreign capital will be so great that it will be difficult to put the brakes on economic development. It will grow from the grassroots up by decentralized initiative of farmers, craftsmen, industrialists, and business in general. Why is it that capital flows into Malaysia and out of Indonesia?

Economic affairs among industrially more advanced and less advanced nations are, to be sure, first and last of all affairs of a political economy. While it is perfectly obvious that all parties concerned would be best off with the freest mobility of goods, services, capital, technical knowledge, and skilled personnel, it is also obvious that demonic forces in the present day course of political events persuade too many political leaders to gamble on getting something for nothing, or something at half price by using collective bargaining or coercion by majority vote. The much-needed successor organization to the League of Nations which carries the bold and challenging name of "United Nations" has left incredible disorder in the richly endowed and formerly well-developing area of the Congo, with its 14 or 15 million people. This debacle can only give us some wholesome respect for all that is involved in the development of industrially retarded countries.

To my mind the cause of peace and diminution of poverty can be advanced most by the closest possible cooperation among the leading industrial countries which are committed to upholding the cause of freedom and human dignity under government by law. Such cooperation should concentrate on fulfillment of the conditions I have discussed.

Professor Generales has chosen the Leitmotiv for this conference: "Freedom: Hope and dilemma." I have been dealing primarily with the aggravating dilemma. I did this because to maintain the long-term hope for freedom one can hardly do enough by merely worrying about the dilemma in the short run. I also hope I made it clear that as a social scientist I do not believe in the solution of social problems. Engineers solve problems when they build a bridge or a tower. Totalitarian rulers solve problems because their image of society is one of a machine in which people are just part. The humane society with its social conscience never solves social, economic, or political problems. We try to understand them, tackle them, struggle to our best ability and in the light of historical experience—and we alleviate grievances. But the problem shifts and changes as we have some success. Freedom is an achievement—not an institution.

EXCITING NEW ERA OF POLITICS

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MORSE. Mr. Speaker, early this month the Republican Party conducted a 2-day meeting for student leaders from all over the country. In small discussion groups, plenary sessions, and other meetings the students discussed contemporary political problems with party leaders and with other interested Republicans.

One of the speakers was Dr. John S. Saloma III, president of the Ripon Society of Cambridge, Mass., and a professor of political science at Massachusetts Institute of Technology. Dr. Saloma spoke of the new directions in American politics, the challenges of the future and the predictable changes in the U.S. electorate in the years to come. Perhaps more than almost any other speaker, he came to grips with the problems which concern young people today.

Julius Duscha, of the Washington Post, and David K. Willis, of the Christian Science Monitor, later wrote articles about Dr. Saloma's talk and his comments on the conference.

In my judgment, every thinking Republican should give consideration to the kinds of issues Dr. Saloma discussed at the conference and I want to bring his remarks to the attention of my colleagues by inserting the two newspaper articles in the CONGRESSIONAL RECORD following my remarks.

The articles follow:

[From the Washington Post, May 8, 1965]

PROFESSOR URGES GOP TO ENTER EXCITING NEW ERA OF POLITICS

(By Julius Duscha)

A young political science professor cut through a crust of cliches covering the Republican Party yesterday to lay bare what he called "the raw materials of an exciting new era of politics."

The professor, Jack Saloma of the Massachusetts Institute of Technology, succeeded in lifting a Republican-sponsored conference of student leaders at the Sheraton Park Hotel out of the morass of platitudes with which GOP leaders had surrounded it.

Republican Senators and Representatives had paraded before the 150 students with dreary speeches about precinct organization, good candidates and unity, unity, unity.

But Saloma, who is the founder of the liberal Republican Ripon Society, forcefully reminded the students of the new political issues that he said "no one has ever begun to explore."

POPULATION DENSITY

The issues, he noted, revolve around the increasing proportion of the American population that is young and the concentration of people in cities and their suburbs.

"Government," he added, "is largely a problem of population density."

Saloma said that the emerging problems of the new politics largely concern civil rights, education and the new relationships between the Federal Government and State and local governments.

Looking ahead several years, Saloma saw "the administrative problems and the political costs of the Great Society" as the most important issues of the 1970's.

Saloma advised Republicans that the great changes he sees coming in politics are occurring outside the South, where the party is concentrating so much of its activities.

He pointed out that the South has few large centers of population but that it is in the large population centers where the new politics of America is developing around the issues of city-and-suburban living, education, and civil rights.

SENSE OF INTEREST

Saloma also said that studies made with the aid of computers at MIT confirm the results of the 1964 elections—that few Americans will vote for a candidate for ideological reasons.

"But," Saloma added, "while there are few ideologues among us, most voters have a sense of where their own interest lies in elections."

Other speakers at yesterday's sessions included Gov. George Romney of Michigan and Senator JACOB JAVITS, Republican, of New York.

The 3-day meeting ends today with Representative GERALD R. FORD, of Michigan, the Republican leader in the House, as the principal speaker.

[From the Christian Science Monitor, May 10, 1965]

GOP WOOS CAMPUS LEADERS

(By David K. Willis)

The serious young people, all leaders of their colleges, began leaving the chandeliered meeting room, and John S. Saloma III watched them go.

They were extremely intelligent and alert, he said. The trouble was that few of them, or others like them, took an active interest in politics. Why?

Mr. Saloma is a professor at Massachusetts Institute of Technology and president of the Ripon Society, the Republican research organization in Boston. He had just talked to the youngsters for 30 minutes as part of a Republican National Student Leadership Conference here.

Now, sitting in a back-row chair, reflecting, he was worried.

Young people just did not identify with either the Democratic or the Republican parties, he went on. Neither had any attraction for the inquiring intellectual thought.

President Johnson was not, he felt, the type of man to reach it. As yet there was no dominant Republican in a position to impress it—though several GOP leaders around the country had the potential.

The United States was changing. A great surge of young people was engulfing the Nation. By the 1970's, half the population would be under 25. A huge challenge awaited the Republicans.

PROJECTS HINTED

The Democrats already had their majority. But the Republicans had begun to move after last November's disaster. How to reach the college leaders, and students in general? That was the question.

Mr. Saloma said he thought groups like the Ripon Society might help by involving students in research work and broadening their political contacts and outlook.

Outside in the hotel lobby, Reuben R. McCornack threw himself on to a leather sofa and into wholehearted agreement with these ideas.

Mr. McCornack had organized the leadership conference. He and three other young Republicans from Kansas are doing this work to try to win over young people across the country to the GOP.

They feel that college students simply have no political vehicle they can call their own. And the GOP, unlike the Democrats, badly needs new life, new support.

"Look," said Mr. McCornack, a former student body president at the University of Kansas, "John Kennedy was the man who really fired up the students."

APPEAL ANALYZED

"He was everything a college student wants to be. He was young, did the things a young, active man does—sailing, and so on. Not that boats and touch football games are so important in themselves—but they help to build up that all-important image of vitality," Mr. McCornack said. President Kennedy, he added, caught the imagination. He and his family had glamor. And he had more—he liked and respected intellectuals. He fitted into the campus way of thinking like a hand into a glove.

No one matched him. Certainly Mr. Johnson was respected as a man who got things done. But he didn't have the flair. He didn't really interest young people, Mr. McCornack continued.

Among Republicans, Gov. Mark O. Hatfield, of Oregon, had campus following. So did Gov. George Romney of Michigan. But no single man dominated.

LEADERS SPOKE

For 3 days, the 200 young people at the leadership conference milled about the hotel, listening to GOP leaders like Senator JACOB K. JAVITS, of New York, and Representative GERALD R. FORD, of Michigan, and Governor Romney.

They sat in seminars, asked questions.

"The point is that they aren't all Republicans," said Mr. McCornack. "We wrote to the deans of 350 colleges, asking for the names of campus leaders. Then we wrote to the leaders, without knowing what their politics were."

Most of those attending were, naturally, Republicans, but some Democrats came as well.

They came from California, New York, and Illinois. "If they go home with a better understanding of what the GOP leadership is doing, that's fine with us," Mr. McCornack said.

The meeting was sponsored by the GOP National Committee.

STATEMENT ON THAILAND AND SEATO CONFERENCE

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MORSE. Mr. Speaker, practically every day we see in the newspapers reports of fresh challenges to the integrity of the Government of Thailand. Just this morning, for example, the New York Times cited stepped-up guerrilla activity and infiltration in the rural areas.

Prior to the recent meeting of SEATO Foreign Ministers, 20 Republican Members of the House of Representatives issued a statement urging the United States to press for a renewed commitment to Thailand at the London conference. We were pleased to see that paragraph 16 of the communique issued after the meeting said:

> The Council noted with concern evidence of increasing Communist subversion from outside the country against Thailand, notably in the northeastern part of the country. I noted the announcement by a clandestine radio of the establishment of a Thai independence movement which urges the overthrow of the Government of Thailand and endorsement of the movement by Radio Peiping and Radio Hanoi. The Council also noted the statement of the Communist Chinese Foreign Minister that Thailand would be the next target and that there might be a guerrilla war going on in Thailand before the year is out. The Council members expressed their determination to do whatever is necessary to assist their ally to meet this threat.

In our view this is a hopeful sign that the problems to which we alluded in our statement are being recognized at the highest levels.

Under unanimous consent, I insert in the CONGRESSIONAL RECORD following my remarks the full text of the statement issued on May 2 by 20 Members of Congress and the editorial of the Washington Evening Star on May 11 commenting on the particular need for concern over Thailand:

STATEMENT ON THAILAND AND SEATO CONFERENCE

We urge the administration to seek a new public multilateral pledge of support to the Government of Thailand at the forthcoming SEATO ministerial conference on May 3, 4, and 5.

The conference should of course seek common allied policies on the Vietnamese crisis. But it must not neglect the increased threat of Communist Chinese and North Vietnamese aggression in Thailand. Recently Chinese Foreign Minister Chen Yi publicly declared Thailand to be the next target of Communist imperialism and boldly proclaimed: "We may have a guerrilla war going in Thailand before the year is out."

The purposes served would be many. First, through concerted allied action now before their aggression has become intense the Communist leaders may be deterred from expanding their efforts. Second, a strong and unequivocal allied pledge to defend the integrity of Thailand will underscore American purpose in Vietnam and throughout Asia. Third, firm action by the ministers conference will help dispel any doubts over the capacity of SEATO to act decisively. (In this context, the French decision to send only an observer to the conference may actually enable the formal participants to act boldly to preserve the strength and purpose of SEATO). Fourth, a renewed SEATO pledge to the integrity of Thailand may be a means for securing more active participation of the other member governments in the defense against Communist imperialism throughout southeast Asia. And fifth, clear evidence of allied support can give the Government and people of Thailand new courage in the face of the impending attack.

The threat to Thailand is real and immediate in the northeast region, which borders on Laos and until recently has been remote from Bangkok. The area is populated largely with Lao people, whose loyalties to Thailand are not firm. There are also 30,000 North Vietnamese who settled in the area in the 1950's. Obviously the region is susceptible to Communist subversion and infiltration, and recent press accounts indicate that the Communist effort is being stepped up.

Peiping has formed a new national liberation front for Thailand.

Radio Peiping and Radio Hanoi beam broadcasts to the northeast in Thai, and propaganda leaflets are distributed throughout the region.

Chinese training schools are putting new emphasis on the Thai language.

Chinese agents have been buying large amounts of Thai currency in Hong Kong.

Stored arms have been discovered in the remote areas of the northeast and even parachute drops have been reported.

Political assassinations in the villages are increasing and terrorist activities have made the new Friendship Highway between Bangkok and northeast unsafe.

In the four most southern provinces of Thailand there is an additional problem. Communist terrorist leaders from Malaysia have taken refuge in southern Thailand and, while apparently not acting to extend their control over the area, they nonetheless have used typical protectionist devices against local village populations to afford them the means for survival. Thailand and Malaysia have recently signed a frontier defense agreement in order to deal with this problem.

The reasons for the U.S. commitment to Thailand go far beyond the moral and legal obligations of the SEATO treaty. Strategically, the country of Thailand blocks Communist expansion to the west toward India and to the south toward Malysia, Indonesia, and Australia. Historically, United States-Thai friendship and cooperation have been enormous:

Thailand was the first Asian country to establish diplomatic and cultural relations with the United States. The Thai King was born in Massachusetts. Thousands of Thai students have been educated here.

U.S. personnel are stationed throughout Thailand. At American air bases in the northeast and elsewhere there are over 5,000 U.S. troops in the country. A broad USIA program flourishes, and the Peace Corps has representatives in each of the 71 provinces.

Thailand has been considered a showcase of effective U.S. military and economic aid. U.S. aid built the vital Friendship Highway between Bangkok and the northeast. And it has helped train the Thai army in counterinsurgency skills. (Recent reports that a secret Administration study has shown the aid to be inefficiently administered by the United States are extremely distressing.)

In the face of Communist guerrilla warfare, Thailand has many advantages over South Vietnam. First, except for the remote areas of the northeast the country has a real sense of nationhood—and therefore loyalty to the government. Second, compared to its neighbors in southeast Asia, the Thai Government is stable. Third, the Thai army of 130,000 is one of the strongest in Asia. Fourth, in general the Thai people share little of the common Asian distrust of the white man, thereby maximizing the possibility of effective aid from its SEATO allies.

These advantages, however, will mean nothing unless the Government has complete confidence in the commitment of its allies. While the Thai people are fiercely proud of their long history of independence, they have upon occasions in past history maintained their national identity only through acquiescence to the temporary rule of aggressor nations—as during Japanese occupation in the Second World War. Thus Thailand's firm alliance with the West through SEATO is a departure from her past flexibility in foreign policy. Any real or apparent modification of the American or SEATO commitment to her defense might easily convince the Thai Government to seek domestic independence through a foreign policy of benevolent neutrality toward China.

The administration must initiate proposals to give renewed meaning to the SEATO alliance and renewed confidence to the people of Thailand.

From the office of Congressmen:

Ross Adair, of Indiana; Alphonzo Bell, of California; William Broomfield, of Michigan; James Cleveland, of New Hampshire; Robert Ellsworth, of Kansas; Peter Frelinghuysen, of New Jersey; Frank Horton, of New York.

Robert Griffin, of Michigan; John Lindsay, of New York; Clark MacGregor, of Minnesota; William Mailliard, of California; Charles McC. Mathias, of Maryland; F. Bradford Morse, of Massachusetts; Charles Mosher, of Ohio.

Albert Quie, of Minnesota; Ogden Reid, of New York; Howard Robison, of New York; Garner Shriver, of Kansas; Robert Stafford, of Vermont; Stanley Tupper, of Maine.

SEATO Versus the Reds

Despite France's huffy abstention and Pakistan's ambiguous reservations, the London meeting of the Southeast Asia Treaty Organization has wound up its deliberations with a communique forceful and specific enough to merit the respect of the Communist world. Never before, in fact, has the alliance spoken out more strongly against the threat of Red subversion and aggression.

Thus, regardless of French alooftness and Pakistani double talk, SEATO's six other members—Thailand, the Philippines, Australia, New Zealand, Britain, and the United States—have joined in declaring, without qualification, that communism is a real and present danger. More than that, the communique has made these persuasive points, among others: (1) There is reason for "grave concern" over the way in which the Red North Vietnamese—supported by Peiping and Moscow—have "organized, directed, supplied, and supported" the bloody Viet Cong guerrilla warfare against the free south. (2) "History shows that the tolerance of aggression" and subversion of this type "increases the danger to free societies everywhere." And (3) "defeat of this Communist campaign is essential not only to the security of the Republic of Vietnam, but to that of southeast Asia."

There is nothing weasel-worded about this. It is a good, forthright statement that should have some sobering effect on the Reds. And another point in it is significant: It warmly supports President Johnson's call for "unconditional" peace talks and a Mekong River developmental program aimed at "enriching the hopes and existence of more than 100 million people by a program of economic and social assistance." As to that, perhaps the most worthy participant would be Thailand, which has long been one of freedom's most courageous allies in Asia. This explains why Red China's foreign minister, in a brutally frank moment, has revealed that the Thais are the next target of Red turmoil and destruction.

It is good in these circumstances that a committee of 20 Republican Members of the House of Representatives has called upon SEATO to be particularly empathic in assuring the Thais that they will not be alone if and when trouble comes. No people could be more deserving of such a guarantee.

U.S. AID AND SPECIAL FAVORS DO NOT STOP COMMUNISM

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LANGEN. Mr. Speaker, millions of dollars in U.S. aid and special favors to Dominican sugar interests failed to stop the onward march of communism in that small republic. United States dollars do not buy friends or guarantee stable governments.

I certainly supported the administration stand on sending American troops to the Dominican Republic to protect American life and property. However, the basic mistakes were made over a period of years. These were mistakes that started at the Bay of Pigs and were compounded by mistakenly aimed foreign aid and economic trade concessions ever since. We never got at the basic cause of Communist subversion emanating from Castro's Cuba, and now we are forced to join together in actions that should have been foreseen and prevented.

While we purchased $265 million worth of sugar from the Dominican Republic over the past 3 years, the United States also spent over $280 for every family on that island. U.S. direct aid in grants and loans has totaled approximately $140 million since we again granted diplomatic recognition to that country in early 1962 when the last remnants of the Trujillo regime were ousted. While we poured money and Peace Corps volunteers into the country, the Communists concentrated on undermining the few gains that had been made.

I would also like to point out the unwise policies that were used in allotting a sugar quota to the Dominican Republic and how those policies added to the load carried by U.S. consumers and taxpayers in supporting that unstable Dominican Government. It is interesting to note that the average imports of Dominican sugar over the past 3 years is over 2,000 percent greater than it was 10 years ago, while our domestic sugarbeet growers are being asked to take a 6-percent reduction in acreage this year. The American farmer and taxpayer are paying the bill for the misguided effort to make the Dominican Republic the showplace of the Caribbean. Not only did it not become a showplace, except in U.S. mistakes, but the American farmer who deserved and cried for increased sugar acreage found himself further mired at the bottom of the U.S. economic ladder.

Sugar and the Dominican Republic constitutes only one of the many examples to be noted in our misdirected foreign policy. The extent to which highly paid lobbyists have effectively promoted foreign commodities in the Halls of Congress has been identified in the U.S. Senate Foreign Relations Committee hearings of 2 years ago. I severely question the results of such transactions and pressurings when our efforts fail to halt subversion and succeed only in hurting American business and agriculture at the expense of the Nation's consumers and taxpayers.

I recall my warnings of almost 3 years ago during debate in the House of Representatives over the increase in the Dominican sugar quota. It was called the Honeybee bill, but our prediction of that day has been tragically proven that the only honey was for lobbyists and foreign interests, with nothing but the sting left for the United States.

SYTTENDE MAI

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LANGEN. Mr. Speaker, 151 years ago today the Norwegian Constitution was adopted. It, like the Constitution of the United States, was destined to live through years of stress and strain only to survive stronger than ever as a representative of the free people. The similarity does not stop there. The proud Norwegians also fly a flag of red, white, and blue.

Known to those of us with some Norwegian ancestral ties as "syttende mai"—Independence Day in Norway claims the same significance as our own Fourth of July. The only difference, perhaps, is that the Norwegians still celebrate it in a somewhat more revered way.

While it is a celebration of fun and merriment, it starts soberly in church. Norwegians are a religious people and many of us in this country received our firm religious background from those rigid traditions.

The prayers for this day are of thankfulness for deliverance from the evils that have threatened, but never conquered, these people. We recall the history of world turmoil that has seen Norway assaulted in the 1930's and who struggled throughout World War II displaying unmatched courage in combat, working with the free underground. The determined people of this comparatively small country struggled to reconstruct their homeland and emerged triumphant once more. That banner of red, white, and blue waves this very day on the border of the Communist empire as an emblem of courage and determination.

We in Minnesota, where a great number of Americans of Norwegian ancestry live, have an even greater tie with Norway in our history. It is believed that a mass defection from the Norse colonies in Greenland to the North American mainland in 1342 caused an expedition to be formed to search for the lost colonists. At least part of this expedition is known to have explored Hudson Bay, and a party of men were reported to have made their way from Hudson Bay to Minnesota by the direct and relatively easy route along the Nelson River, Lake Winnipeg, and the Red River of the North. The now-famous Kensington Runestone was discovered near Alexandria, Minn., and tells the story of a visit to the area in 1362 by a party of 22 Norwegians and 8 Goths. We, indeed, share pages in history with the Norwegians.

Mr. Speaker, today we salute Norway on their Independence Day—a proud day for Norwegians and a proud day for the entire free world.

AMENDING THE FEDERAL POWER ACT

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LANGEN. Mr. Speaker, I am today introducing a bill to amend the Federal Power Act in respect to the jurisdiction of the Federal Power Commission over nonprofit cooperatives.

When Congress established the Rural Electrification Administration, it gave the REA Administrator, as the legislative history shows, broad discretion to administer the REA program, unhampered by review or second guessing by another Federal agency.

However, we have seen attempts in recent years for the Federal Power Commission to move into this field, even though it seems clear that they have absolutely no jurisdiction. Apparently the FPC merely wants to expand its own sphere of influence.

This was vividly brought to our attention in 1963 when the Commission issued an order against Dairyland Power Cooperative, Minnkota Power Cooperative, and South Central Rural Electric Cooperative to show cause why they should not comply with the Commission's regulations on rate schedule filing, accounting, and reporting.

The fuss we generated at that time apparently resulted in FPC pulling in its horns somewhat. However, we understand there are still too many instances of harassment by the FPC. This bill would reemphasize the already clear position that the Federal Power Commission does not have jurisdiction over rural electric cooperatives.

FPC regulation not only is completely uncalled for, but it is also unnecessary as a protection for the investors and the consumers, as in the case of REA cooperatives, the investor is the United States whose interests are well protected by the Administrator. And the consumers are the owners of the cooperatives, who control the cooperative's operations including its rates and service conditions. They would have no motive to overcharge themselves and if the rates they set produced more than cost of service, the same consumers ultimately recover these margins as owners.

Mr. Speaker, I respectfully urge that this bill to limit the FPC jurisdiction over nonprofit cooperatives be given early consideration and approval.

A GREAT PRAIRIE PARKWAY FOR THE GREAT STATE OF KANSAS

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Mize] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MIZE. Mr. Speaker, today I have introduced legislation to provide for the establishment and administration of the Great Prairie Parkway in the State of Kansas. Companion bills are also being introduced by my colleagues from Kansas, the Representative from the Fourth District, and the Representative from the Fifth District. Similar legislation has been introduced in the other body by both the senior and junior Senators from Kansas.

Through the adoption of this legislation, we hope to present and interpret for the benefit, education, and enjoyment of the people of this country, what remains of the tall prairie lands of the Plains States, particularly in Kansas; whet their interest in the great frontier experiences incident to the settlement of this Nation; and to display ranching and agriculture in their productive contributions to the Nation's well-being and its economy.

The route in Kansas would run from Hanover, site of a pony express station, south past Tuttle Creek, through Council Grove, to El Dorado, Eureka, and Sedan, coming close to the Fall River State Park.

It would run North and South across the State and tie together points of historic and geographic interest in Kansas, Oklahoma, Nebraska, and the Dakotas. By utilizing existing roads or highways presently in the State and county systems, and with only relatively minor acquisitions to depart from these established highways or roads where they do not offer significant scenic or historic impact, it is thought that the parkway project can be undertaken with a minimum of new road construction, with the exception of trails or paths the National Park Service might see fit to construct for use in connection with its fee lands for specific presentation or preservation areas.

We feel that we have the blessing of officials of the National Park Service who are interested in some form of preservation of the true prairie. We hope that the Congress will see fit to follow through on this proposal to add this parkway to the great scenic attractions in this country.

SGT. ROGER McALLISTER

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, on May 9, Army Sgt. Roger McAllister, Jr., of Milford, N.H., was ambushed and killed by enemy forces in Vietnam. To his community, his death has brought a new awareness of the stakes involved in our battle for the freedom of South Vietnam. I offer for the Record an editorial from last Thursday's edition of the Milford Cabinet and an appreciation of Sergeant McAllister's death by Mr. Gerald Styles of Milford published in the same newspaper. They speak eloquently for themselves and I think for all communities in the country who have lost young men in the defense of freedom.

Sgt. Roger McAllister

Sgt. Roger McAllister, the Army paratrooper who died of a gunshot wound last week, became the first Milford casualty of the fighting in Vietnam. His death suddenly brought the war in that far corner of the world very close to home.

It is easy, sometimes too easy, to think of battle casualties in terms of statistics. Sometimes it takes a tragedy like the McAllister death to make the rest of us remember that war is a deadly business, and its cost must be measured not only in money and supplies, but in the lives and suffering of young men in the prime of life.

Roger McAllister meant a little more to many of us because of a story carried by the Associated Press a few weeks ago which described the bitter, deadly jungle fighting and its effect on the paratrooper from Milford. The AP dispatch showed McAllister dashing from a helicopter as the battle began. It showed McAllister being evacuated, prostrate with heat and exhaustion, rousing himself to remember that there was snow in New Hampshire. It gave Milford people a better understanding of what that young man and his companions were enduring in Vietnam.

We hope that Sergeant McAllister's family is aware of the sympathy felt by the community, and can take comfort in the knowledge that Roger McAllister has taken his place in a noble company of heroes who have lost their lives in the line of duty in distant parts of the world.

Tribute to a Soldier: Sgt. Roger McAllister Died To Keep Vietcong Out of Milford

(By Gerry Styles)

Soon, the body of Sgt. Roger McAllister will be returned to the town that he died to keep on the map. Last week, and 10,000 miles away in a steaming, sweaty, godforsaken jungle, Sergeant McAllister died, mercifully we hope, to keep the Vietcong out of Milford, New Hampshire.

Sound ridiculous? All right then laugh a little, but when you've shut your mouth, try using your head. Just what do you figure he died for? Sure as hell not for the fun of it. The life ran out of Sergeant McAllister and down into the soggy Vietnamese ground because he and a handful of other Americans have taken it upon themselves to see that the cancerous scourge of communism stops right where it is.

He died so that you could continue to live in relative peace right where you are; * * * he died so that you could move away if you feel like it; he died so that you could buy another sweepstakes ticket; so you could go down to the VFW tonight, or sit in your own backyard with a cold beer and listen to a steak sizzling on an outdoor broiler. He died so that you could complain about taxes, the price of cigarettes, or the amount of barking done by your neighbor's dog; so you could yell at the kids to stay off the lawn; so that you could continue to take daily life for granted. Well, that's OK, it's as it should be. One of the beauties of the American system is that you have a right and privilege to take certain freedoms for granted.

But let's not make the ungodly mistake of taking the death of Sergeant McAllister for granted. He died in a dirty, unpopular little war that hasn't even got the moral support of all American people. There are undoubtedly a few people in Milford that believe our Vietnam policy is overly harsh, that believe the United States should pull out and negotiate (with what, or whom?). Well, the sergeant died so that you can continue to feel that way. In fact, Sergeant McAllister gave his life so that when election time comes around again, you can cast your vote for the candidate who would be more than happy to turn over that entire section of the world to the Communists. Incidentally, this would logically also eventually include the Philippines, Okinawa, Japan, Formosa, New Guinea, Australia, Guam, Saipan, where would it stop? Sergeant McAllister died to stop it in Vietnam.

When you're moved to comment on Sergeant McAllister's death, say what you wish, but don't say his life was wasted. He may not have been the town's greatest scholar; he may not have been looked upon as one of the area's outstanding young citizens; but believe this, friend, a few days ago in an unbearably hot, humid jungle, with a cloud of insects biting at his grimy, unshaven face; with rivers of salty, stinging sweat coursing down the inside of a hot fatigue uniform; with his web belt, heavy with pistol, canteen, ammo pouch, and first aid kit slowly but surely rubbing a painful raw spot on his hip bone. Sgt. Roger McAllister, only 24, achieved a degree of greatness that the rest of us are highly unlikely to equal in a full life span.

It's undoubtedly true that the sergeant wasn't thinking of we, the people, when he fell. Man's mind rarely runs in a patriotic vein when in combat. Sergeant McAllister was a professional soldier, and he was in Vietnam on business, the business of seeing that this country stays the way it is and that we are allowed to live the best way we can. No matter what personal thoughts and motivations may have been his in those final seconds, that's why he was there, and we best not forget it.

Every country needs a hero—America is blessed with a multitude of them—and now Milford has one. Remember that on Memorial Day. Remember that when the various veterans organizations respectfully make their way through the parks and cemeteries around town laying wreaths at the shrines of Milford's war dead. Somebody lay a wreath for Sgt. Roger McAllister, of Milford, N.H., and pause a couple of extra seconds before moving on, pause for the man that died to keep the Vietcong out of Saigon, out of Manila, Tokyo, Honolulu, San Francisco, Chicago, Boston, and Milford.

This writer never knew the sergeant, to be honest, never even heard of him until a few weeks ago. But this I know, my life, and the lives of my family, and the lives of everyone reading these words, has been made a little more secure and a little more peaceful by the untimely passing of one Sgt. Roger McAllister, age 24, of Milford, N.H.

SOIL CONSERVATION CUTS PROTESTED BY SULLIVAN COUNTY LEGISLATORS

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, at a recent meeting of the Sullivan County delegation to the New Hampshire General Court, a resolution, offered by Representative Stanley H. Williamson, of Goshen, was adopted unanimously expressing the delegation's opposition to the proposed cuts in funds for the Soil Conservation Service. I submit a copy of this resolution for the Record as additional evidence of the grassroots opposition to these unfair proposals.

These proposals threaten a traditional service of long-standing, proven merit and great value. The principal beneficiaries are small landowners and farmers. I refer Members to the Record of March 22, pages 5604–5605, at which point I submitted a detailed analysis of the soil conservation program in my district and State and projected the damage that would be wrought by the Johnson administration's proposal.

These proposals stand in sharp contrast to the increases recently enacted for the favored Appalachian area to carry out the same kind of program. Indeed, the amount of money allocated for soil conservation work in Appalachia, is nearly as much as the sum which the administration proposes to cut from the Soil Conservation Service. So, our people would not only lose substantial benefits from the Soil Conservation Service, they would be taxed to pay for the cost of giving such service to the favored Appalachian region.

The Sullivan County legislators represent an area that is close to the situation. The soil conservation district in Sullivan County is an especially effective one. These representatives know what they are talking about and their resolution accurately sums up the feelings of their constituents. It coincides precisely with my own findings and my own feelings.

I offer the resolution for the Record as a concrete indication of the feeling in the country against these proposals by the Johnson administration. I urge this House to reject these proposals and to ensure that the national Soil Conservation Service can proceed with its invaluable work:

STATE OF NEW HAMPSHIRE,
HOUSE OF REPRESENTATIVES,
Concord, May 1, 1965.

Hon. JAMES CLEVELAND,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN CLEVELAND: The following resolution, introduced by Representative Stanley H. Williamson of Goshen, was unanimously adopted by members of the Sullivan County delegation at a meeting last week. We hope you will continue your good work in this cause.

Sincerely,

RUTH HAMILTON,
Representative, Ward III, Claremont, Clerk of the Delegation.

RESOLUTION

Whereas the Soil Conservation Service over the past three decades has proven of inestimable value not only to the rural areas of Sullivan County but also to urban areas, school districts and private industries, and

Whereas the employees of said Sullivan County Soil Conservation District have donated generously of their own time and moneys for the completion of projects, especially during the recent years of water shortages, and

Whereas said Sullivan County Soil Conservation District has several times been honored as the leading district in the State, and

Whereas said program of Soil Conservation is threatened with sharp curtailment of funds while at the same time similar districts in the so-called poverty areas of the country are being sharply expanded,

Therefore, we, the members of the Sullivan County Delegation to the General Court of the State of New Hampshire, do hereby urge our elected Members to the Congress of the United States of America to protest the discrimination shown and to protest the threatened harm to our local program and to work for the maintaining of available funds at at least the level of recent years.

The clerk of the delegation is hereby instructed to send a copy of this resolution to each of our Representatives and Senators in Washington.

Approved unanimously on April 29, 1965, at the State House in Concord.

CLEVELAND ENDORSES INCREASED ANNUITIES FOR RETIRED CIVIL SERVICE EMPLOYEES

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I rise to urge favorable consideration by the House of legislation raising the annuities of retired Federal employees, for which purpose a number of bills have been introduced and are now pending before the Post Office and Civil Service Committee. Although I am not the author of one of these bills, I am fully in accord with their general purpose, which is to offer to retired Federal employees and their survivors a share in the benefits of our expanding economy.

We are familiar with the liberalized pay policy of the Federal Government which has been effected in recent years. To demonstrate the extent of this liberalized policy, I would like to cite a few examples comparing the per annum rates of pay of Federal employees 10 years ago with those of today. These figures all apply to employees in the first step of the General Schedule of the Classification Act. For example, a GS–1 10 years ago received an annual rate of pay of $2,500. Today he receives $3,385. The pay of a GS–5 has gone up from $3,410 to $5,000; that of a GS–10 from $5,500 to $7,900; a GS–15 from $10,800 to $16,460; and a GS–18 from $14,800 to $24,500.

I do not quarrel with the need for the numerous pay-increase laws of the last 10 years that have brought about these raises, although I strongly opposed raises voted to Members of Congress. I do feel, however, that the Federal worker who retired too early to benefit from them has been shortchanged.

I recognize, also, that a number of laws increasing civil service annuities have been enacted over the years, including Public Law 87–793 with its permanent cost-of-living increase provisions. I feel, however, that we are not doing full justice to retired Federal employees by looking only to cost-of-living figures in determining their annuity needs. By doing this, we are ignoring the increase in "real wages" that the American workers have enjoyed, and as the figures I quoted indicate, the Federal employee has enjoyed an unusually large increase in real wages during the past decade.

Under the "high-5-year" rule for computing civil sevrice retirement benefits, those employees who retired 5, 10, or 20 years ago are receiving much smaller annuities than employees in the same positions who are retiring today or who will retire in the future. In addition, as you know, those employees who retired prior to October 1, 1956, had their annuities computed under a less favorable formula than those who have retired since that time.

Some of the bills before you provide for annuity increases of around 10 percent for those already retired, with reductions in the percentage increase for those retiring in the future. This mechanism, which is similar to the one used in previous annuity increase legislation, helps to guarantee that the greatest increases will be passed on to those who need them the most, with proportionately smaller increases to those who will obtain greater benefits from recent pay increases.

I have expressed these views to the committee and take this opportunity to express them to the whole House.

A BILL TO AMEND THE SHERMAN ANTITRUST ACT

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROBISON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROBISON. Mr. Speaker, I have today introduced legislation which would amend the Sherman Antitrust Act to provide that exclusive territorial franchises, under specific limited circumstances, shall not be considered to be a restraint of trade or commerce or a monopoly.

Among the wholesalers who distribute the amazing, surprising, and seemingly unlimited assortment of advertised and nonadvertised products to the miriad retail outlets from which we make our purchases, are many "franchised distributors." Because these franchised distributors often operate under strict territorial limitations, there is sometimes an aura of suspicion that their methods are in restraint of trade.

The bill I have introduced will clear the air and allow the continuance of those agreements which in no way inhibit free and open competition.

SYNANON MOVEMENT

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LINDSAY. Mr. Speaker, the New York Times Magazine devoted its cover story last Sunday to the work of a remarkable movement known as Synanon. Synanon is a voluntary, loose organization modeled after Alcoholics Anonymous. In many instances, it has achieved what our prisons and even our hospitals have not: The restoration of narcotics addicts to drug-free, worthwhile places in society.

Since its founding in 1958, almost 1,200 addicts have entered Synanon houses for drugless treatment consisting chiefly of intensive group therapy. To effect a permanent cure, the Synanon program usually requires between 2 and 2½ years. About 40 percent of those who have started the program have dropped out and returned to drugs. A good number, however, have returned to Synanon. Almost 550 persons are now in Synanon houses, of whom about 300 are from New York City.

I have a direct interest in the problem of narcotics addiction, for almost half the addicts in the United States are in New York City. Also, the National Council for Synanon, under the chairmanship of James R. Frankenberry, maintains an information office in my congressional district in Manhattan.

The New York Times report by Gertrude Samuels is a frank, incisive portrayal of an unorthodox, no-nonsense organization. The article quotes a San

Francisco superior court judge as saying of the Synanon treatment:

> It not only gets people off drugs, but it makes real human beings out of them again.

Chuck Dederich, the founder of Synanon, is quoted as follows:

> We could improve our holding power if we have more decent places to live. What is the alternative to Synanon? The hospitals? The jails? With the proper understanding and financial help, we could turn this population of 500 people living without bars, without shooting dope, improving each day, into 5,000 people and 5,000 into 50,000. The country would like to forget our people, to sweep them under the rug. Society always wants to take a kid from the slums and put him in a penitentiary to "cure him." Then it sends him back to the slums to straighten out.

The figure of 40 persons cured of drug addiction may not appear very impressive. It should be noted, however, that the Federal hospital for narcotics addicts at Lexington, Ky., reports that fewer than 10 percent of the addicts treated there stay off drugs permanently. Synanon, by contrast, reports that more than 90 percent of its graduates do not return to drugs.

The Synanon council is now seeking the aid of the National Institute of Mental Health for a definitive research project on Synanon. I believe, Mr. Speaker, that Members should be familiar with the work of this organization, and I accordingly submit the slightly abridged article on Synanon for inclusion in the RECORD.

[From the New York Times Magazine]

WHERE JUNKIES LEARN TO HANG TOUGH

(By Gertrude Samuels)

LOS ANGELES.—"Hang tough." With pure grit, through mutual help and in truth-telling sessions that are often savage inquisitions into their private lives, a group of former drug addicts are learning slowly to "hang tough"—to stay with it and not give up—in their struggle to make a clean break with their past on "the street." The slogan is boldly lettered on life preservers which decorate their communal houses. It is at the core of a unique social movement which, for more than 7 years, has been trying to restructure the lives of addicts—the movement called Synanon (pronounced SIN-a-non).

At the parent house in Santa Monica, a nondescript three-story, red brick building on a Pacific bay, one senses the impact of the slogan on a new member. It is Saturday night, the weekly open house to which the community is invited. A tall, 18-year-old boy, scrubbed and neatly dressed, stands on a small balcony overlooking the sea. He had been shooting dope since he was 13 when his probation officer back in Orange, N.J., told him to "try Synanon." Just 2 months ago, he arrived here, in torn and dirty clothes, sick with anxiety and withdrawal pain.

The boy, "clean" now, stares out at sand and sea, and says with a twisted smile: "I've had bad moments, doing without the dope. It's tough adjusting to the rules here." He struggles to frame a thought honestly. "I could split—like leave—any time. I've thought of it."

He gives a short laugh. "But no one's been able to help me—out there. I think * * * I'll be all right now."

What the boy is really saying is that though members are expected to "hang tough," the door to Synanon swings both ways. This is a private foundation, and its people come in voluntarily. They are addicts, but they have not been committed—as to a prison or a hospital. They are free to leave at any time.

Since 1958, 1,180 drug addicts have come voluntarily to Synanon. Of these, 40 individuals have graduated—i.e., gone back into the outside world with Synanon's approval to make new lives for themselves. Some 40 percent have split—as the boy said—i.e., because they were unable to take the Spartan, drug-free life. Most of these have gone back to "the street" and drugs. Some have returned to Synanon. As of this writing, there are 537 persons—men and women, boys and girls, aged 17 to 61—enrolled in the movement.

Synanon maintains six establishments—all in the West, except for a small house at Westport, Conn. (There is also an information center in Manhattan.) Of the members, about half have come from New York. More than three-quarters have been whites; the remainder Negroes, Puerto Ricans, and Mexican-Americans.

The present racial imbalance has an economic explanation. In the early days, Synanon took addicts as they came—off the streets and out of prisons, without a penny. It still accepts a number this way. But, faced with the problem of finding new houses for its growing population, Synanon increasingly has been asking addicts—or their families—to pay their own transportation and to contribute according to their means—usually a donation of $100 to $500. Many addicts have told Synanon bluntly: "If I had that kind of money, I'd use it for dope."

To the "square" (outside) society, Synanon's accomplishments may seem small, but they are impressive to anyone who knows how difficult it is for professionals and law enforcers to help even one drug addict to lead a normal, productive life.

New York City, with the country's biggest drug problem—50,000 to 60,000 addicts—has no Synanon live-in facility. This writer came to the west coast to study the movement.

Synanon had its start in a seedy Ocean Park, Calif., flat and a $33 unemployment check. The flat and the check belonged to Charles E. (Chuck) Dederich, a one-time business executive. To understand Synanon, one must first understand Chuck—for he created Synanon out of his own grinding need.

Chuck is a massively built man with a massive ego. Until 8 years ago, he was a disordered person and an alcoholic. Now he is father-figure and teacher to his "family of addicts," for that, he says, is what he has created: "An autocratic family structure similar in some areas to a primitive tribal structure that demands that members perform tasks as part of the group."

He looks and acts the part of a patriarch. His powerful 5-foot-10-inch, 220-pound frame is topped by short, stiffly upright hair. His face, craggy and pockmarked, thrusts up aggressively and seems quizzical because of a slight facial spasm. He rarely smiles and is rarely silent. His intense, erratic moods, when he hurls ridicule and abuse, can shake friend and foe alike.

In casual clothes, slipping his bare feet in and out of his loafers, Chuck can be loud and arrogant, and sometimes gentle and patient, as he puts direct questions and insists on direct answers—whether he is dealing with legislators and judges or a bottom-of-the-barrel junkie. His wry humor flashes, though: "A lot of people have to listen to me now when I talk—and I talk most of the time."

Chuck was born 51 years ago in Toledo, Ohio, the oldest of three sons of a Roman Catholic family. He was 4 when his father, an alcoholic, was killed in an automobile accident, 8 when a brother died, 12 when his mother, whom he adored, married a man whom he hated—all of which helped to make Chuck a hell-raiser early in life. He drank heavily before he graduated from high school, and dropped out of Notre Dame after 18 months because of poor grades. In the next years, he lost good jobs through his drinking, and wrecked his two marriages. At 43, he joined Alcoholics Anonymous.

In Alcoholic Anonymous he tried to find himself, by involving himself deeply with others in similar trouble. The torrents of his ideas and words seem to help. He turned his Ocean Park flat into a sanctuary for alcoholics.

Since his student days, Chuck had been stimulated by a large body of philosophy—Freud, Emerson, Thoreau, Buddhism, Lao-tse. In particular, he believed in a concept of Lao-tse: "By enabling man to go right, disabling him to go wrong." Intuitively, he began to search for a way to put his ideas to some purpose. He discarded Alcoholics Anonymous' emphasis on religion, and, as he counseled other men, began to create his own methodology.

Soon addicts began to show up for his meetings, Chuck gave them vicious "haircuts" (tongue lashings) for their "stupid behavior," and, in crude seminars, encouraged them to "let go" their hostilities. Even a subculture has ideas of caste, however, and the alcoholics dropped off as the addicts came in.

Chuck has never been on drugs and did not know much about addiction, but he came to believe that "narcos" probably knew more about their illness than the establishment—the law enforcers, psychiatrists, judges and doctors who could punish or detoxify them, but who could not make them want to stay clean.

It seemed to him that dope fiends—as they frankly called themselves—needed a tough, disciplined, drug-free environment with a dash of T.L.C. ("tender loving care"). He decided to devote himself to one group under one roof.

With the flair for invention that characterizes all his techniques, Chuck called his group Synanon, after an illiterate junkie stumbled over such square words as "seminar" and "symposium," gave up and called them "synanon." On September 15, 1958, Synanon was incorporated as a nonprofit California foundation, with 40 members.

They first rented a storefront building, then chipped in enough money to lease their present headquarters: an old armory, once a beach club, in Santa Monica.

From those dubious beginnings, through trial and error, Chuck and a nucleus of Synanon officials developed their approach to addicts. Synanon's theory is this:

The addicted person is not an adult, and it is futile to try to cure him with adult procedures. He is, emotionally, a compulsive, inadequate, stupid child, whose character disorder has made him completely dependent on drugs. With heroin, he has been able to escape the painful realities of life. He may appear to be a mature person, standing 6 feet tall and with a deep, resonant voice, but, in Synanon argot, "there is a little baby kicking around in his gut, dictating every move that he makes." Or, as Chuck puts it:

"Crime is stupid, delinquency is stupid, and the use of narcotics is stupid. What Synanon is dealing with is addiction to stupidity."

To treat this character disorder, Chuck has created a therapeutic community. In it, he demands allegiance to the family and right conduct in place of allegiance to the fix. At daily seminars, members sharpen their desire for learning on any subject. Every member in Synanon has a job.

Essential to the treatment is a variation of psychotherapy called attack therapy. Three times each week, Synanon members meet in small groups for violently outspoken discussions that they call games or synanons. In the games, they release pentup hostilities and attack the thoughts and deeds of themselves and others that they feel have broken them down all their lives.

Synanon believes that the only persons who can help the addict child to mature are ex-addicts. They understand the addictive personality as psychiatrists, social workers, and law enforcers never can.

No one can "con" another in this "family." Nor is there any talking down to one another in the "we-they" attitude of professionals toward dope fiends, which seldom works. The newcomer has the living examples of clean ex-addicts before him every day, showing what he can aspire to, including the jobs they hold.

What motivates addicts to come? There is no single explanation. Some come with the idea of getting far away from home, for what is sometimes called the geographical cure. Some come because they have a friend in Synanon or have read about it.[1]

The most important reason is that every addict, at one time or another—usually when his habit is so great ($30 to $50 a day) that he is tired of stealing, hustling, cop harassment—simply wants to get off the street. He is not thinking in terms of whether Synanon will work. He just wants to stop running for a while.

New addicts usually arrive with all their jailhouse attitudes. They resent Synanon for, they feel, taking their dope away from them. They are skeptical about the abstaining dope fiends they see around them, and secretly try to figure what the gimmick is: "Who's got the dope?"

They are expected to arrive "clean"—that is, free of drugs. But many arrive experiencing withdrawal pains. No pain reliever except aspirin is given here, but the "cold-turkey" withdrawal is far less painful than in a jail cell. The withdrawal is supportive, on a couch in the living room, where ex-addicts provide food, eggnogs and, above all, empathy.

Now the newcomer is initiated into rigid rules of right conduct: no drugs, either on or off the premises (for the first few months he is accompanied by a senior member); no violence; no foul language, except in the Synanons to release hostilities as part of therapy; no promiscuity or homosexuality. Whoever breaks the rules is tossed out.

Everyone in Synanon has a job. To help the new arrival adjust to the rules, there is an initial "honeymoon period"—2 or 3 months of bland acceptance by the rest of the house. He gets menial tasks in the kitchen or office and learns to mouth the jargon to help his adjustment: to "go through the motions" (behaving decently, though he may feel rotten), to "stay loose" (be prepared to change his ways), to accept a "haircut" if he misbehaves.

In the second stage, if he is making progress, he is promoted to such jobs as canvassing the community for contributions—usually of food, clothing, or other goods—or working in the group's warehouses or the small workshops that Synanon has set up.

In the third stage, after 18 months to 2 years, members who are mature enough can move into managerial work. They run the organization, help with expansion plans, and fill hundreds of speaking engagements at colleges, professional and business organizations, and churches. No fees are charged. No salaries are paid at Synanon. All that members receive is $1 to $5 a week of pocket money—which goes largely for cigarettes.

In the parent house at Santa Monica, where 180 are in residence, one can observe the theories and techniques in action.

Inside, the walls are plastered with cuttings and photos from the national press. Offices and a small auditorium for seminars, or town meetings, are on the ground floor.

Upstairs is a large dining and living room area, which is used also for seminars and entertainment. Chuck's private suite is here. (He has now married for a third time. His wife, Bettye, is an ex-addict and colored; they have adopted a colored child). The suite, which doubles as Chuck's office, has the same unsettling charm as the rest of the house: Nothing matches; sofas, chairs, carpets, and tables, contributed by the community, are serviceable, but the impression is Chaos Colonial.

On the third floor is an open, comfortable dormitory for men. Adjoining the main building, on the beach front, are cottages with separate quarters for men and women. Nearby, on a modest residential street, is a house for married couples. There have been 28 Synanon marriages, performed by ministers who support the movement. Several babies have been born in Synanon (an addict's baby is often born addicted; these children were born clean).

Some 7,000 donors in the community help support this house—with everything from flints for cigarette lighters to truckloads of meat, milk, and canned goods, and the trucks for making pickups.

The other afternoon a seminar was led by John Maher, 22, who has become an example—a "role model"—for many other members as he has climbed in the Synanon hierachy. Little more than 2 years ago, John was the terror of West 84th Street, known to every cop on the beat as Whitey the Priest.

A gang boy since he was 14, John has been in practically every institution, reformatory and prison in New York State; he has tried the Government's Public Health Service hospital in Lexington, Ky. He was always back on drugs within the hour of reaching the street again.

He had heard about Synanon while doing time for robbery on Rikers Island, and agreed to try it. He came straight from jail.

Today, John, babyfaced and wiry, is a "wizard." Each Synanon house has a wizard—really an extension of Chuck—whose job is to counsel members when they get "sewed up tight" (deeply troubled). John has attended Santa Monica City College and, last fall, went back to New York for a television and speaking tour.

Everyone in the seminar has a past that competes with the wizard's. Here is Florrie, 46, from the West Seventies in New York—but chiefly from penitentiaries, mental hospitals, Lexington, and city jails. Twenty years on drugs, a hardened prostitute, tough and verbose, she has been in Synanon only 2 weeks. She came straight from Women's Prison in Manhattan, with the help of Synanon's legal adviser, John Ciampa, who had received a pleading letter from her while in prison.

"Say there's a certain X here—an unknown, whatever it is," she told me, "that they want to achieve in a person. I'm selfish and I'm tired. I want it, more than anything else in the world right now."

Here is Gary, a fair-haired, married young man of 22, raised on a ranch north of San Francisco. "You don't have to be from the cities to get hooked," he says quietly. Gary has been here 3 months, and says: "The way I see it, there must be something here for me—with so many people who stay clean."

The focal point of life here is the Synanon. Groups of 7 to 10 meet 3 evenings a week for this leaderless type of psychotherapy. One or two staff leaders, called Synanists, dominate a meeting to move it along, but the attack therapy is used by everyone in the "game."

This is a sort of emotional dumping ground where the Synanists lean on their own experience—what Chuck calls "gut-level insights"—to force out of the others the truth about themselves. Members ridicule, exaggerate, rant and curse—at one another, at themselves, at society—to effect a catharsis of their emotions.

In a basement room, one synanon comprised two former street-gang members from New York; four women from New York, Chicago, Los Angeles, and Bridgeport, Conn.; and two Synanists, Lee and Jerry.

One gang boy had split and come back in. Synanon makes "splitees" really plead to be taken back, and uses devices to humiliate them for a period (shaving off a man's hair, putting a stocking cap on a girl). This boy hates the menial job he has been demoted to, and says bitterly: "I'm not a follower, I'm a leader."

Lee yells: "You've still got one foot out the door, man—because you haven't decided yet to give up the stuff."

"Yeah, you're right, OK, OK," the boy says, "but I just want to start moving again in Synanon. I feel this waiting around."

Jerry sneers. "You only know one thing, man, the things you did before you came to Synanon: how to hit a man with a pipe; how to shoot up. You're a leader in that, man, but that's the image you've got to let go."

The third degree goes on for some minutes. Then, as the strategy calls for, Lee's tone softens, and he builds the boy up before they turn to another member: "Don't you think if you talked to the people you work with, you could get to know them, just as you have to get to know your fears?"

The verbal attacks—on pride, on lies, on resistance to the program—are transferred to each one in turn, tearing at their defenses in the language of the street to get them to "stand naked," figuratively, and see for themselves why they are at the bottom.

It all seems to have been a prelude to the savage attack that opens on Virginia. Her "honeymoon period" is just over. A tall, slender blond in a white jersey, plaid slacks and loafers, she has been sitting, chain-smoking, silent, and fearful during the encounters.

"Virginia, you going to sit through every Synanon and not say anything?" Silence.

"Virginia, when was the last time you got mad at someone?"

"Well, Saturday * * *." She gives a genteel cough. She speaks in educated, well-modulated tones. She tries to stare down her attackers.

"Where you at, Virginia?" * * * "You think you're smarter, better than we are?" * * * "You're always 'up tight,' trying to impress everybody. You're a phony." "What are you, Virginia?" Silence.

"Why you so goddam superior? How do you feel about someone like Sandy—feel superior?" (Sandy has been a prostitute.)

"No, because in my own mind * * *"—she struggles to be honest—"what I was doing to myself was a little bit worse."

"Come on, now," Jerry says roughly, "level with us. We've all been prostitutes, pimps, thieves, hookers. You're right in the middle of it."

"I feel I am being honest. I don't feel one has to scream, to throw things * * *." She stops, white faced.

The boy gangster who had been originally attacked opens on her: "You've been a dope fiend. You got your drugs from the doctor. You were living with this man, yes? So this was your old man and you were shacking up with him."

She sits silent, trying to smoke, trying not to break, as the inquisition mounts. They will not let her be silent. Haltingly, she lets down some defenses. They force out that she has had two husbands and two children; that she used barbiturates and morphine before heroin. Just before coming to Synanon, she had tried to kill her mother—by throwing a bottle at her.

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[1] There are two books on Synanon: "So Fair a House," by Dr. Daniel Casriel, and "The Tunnel Back: Synanon," by Lewis Yablonsky.

"Ever since that day, Virginia," Sandy says, "those feelings are buried deep in you. You know that. Until you let go and scream and carry on in these Synanons, you'll be storing up all these feelings until you maybe take it out on someone here. Are you ashamed?"

Virginia is shaking, but she seems amazed that, though they know her story, they do not reject her.

"You can't really feel ashamed," she says, "when it's someone you hate."

They still pursue her. The boy gangster says sarcastically: "You're very well composed. You act the lady. You can drop the pose. You were being kept by the doctor. You were selling your body to him for the stuff. That's the truth?"

The girl stares at him. She crumbles at last.

"Yes."

Except for the San Diego house, which has the warm support of the mayor and the courts, every Synanon facility has had its troubles with the community. In Westport, Santa Monica, and San Francisco, court battles have raged over zoning ordinances and the like, largely induced by homeowners who fear having a "horde of junkies" on their doorsteps. In 1961, Chuck spent 25 days in Santa Monica jail—the only time he has ever been imprisoned—accused of running "a hospital" without a zoning permit. But the Saturday night open houses are attended by college students and professors, lawyers, doctors, psychiatrists, journalists, businessmen and housewives; they bring their children. A dozen doctors and dentists have donated their services to Synanon. Why do they care?

Dr. Jack D. Wax, whose offices are in the Melrose Medical Arts Center in Hollywood, says warmly: "Because I think we're beginning to see a form of solution to this problem that had no solution before—certainly not at Lexington."

Among the donors, or "Synanon Sponsors," are the Arnold Siegels. He heads the Kohler Automotive Co. of Los Angeles, and has guaranteed all the liabilities that Synanon may incur from a gas station that 12 members run in Santa Monica. His wife, who has been a psychiatric social worker, says:

"In all my former work, we were never able to help a drug addict. Here I see a society in which there is a feeling to one another that's missing outside: protective in the beginning; then supportive, as it helps people find, perhaps for the first time, a family environment in which they are free, at last, to find themselves and grow up."

In San Francisco, near the docks, Synanon has leased and revamped an immense, 100-year-old warehouse called Seawall. Unions provided workers and materials, without cost, to put on a roof and make it habitable. The 85 ex-addicts who live and work there—many are artists and musicians—hope to make it a National Art Center.

The potential of this center is described by its best-known "square"—Joe Zirker, artist and sculptor, a university lecturer whose work has been shown in a dozen museums. He turned down an offer from Stanford University to move with his wife into Seawall, bringing with him all his equipment—lithographic press, stones, inks and handmade papers. He will train apprentices in the art of lithography, and hopes to attract other artists.

A short, mild precise man, Zirker told me: "Synanon suits my artistic needs. Every artist has a dream of space and time to do his work, and an environment that does not put pressure on him. I have this freedom at Synanon. And I find I am in tune with this very moral society of people who are striving to rebuild their lives."

An hour's drive from Seawall into a lovely Rivieralike setting brings ones to the only property that Synanon owns—a large, rambling house with annexes on Tomales Bay. Here Chuck envisions a Synanon City of 900 acres—a community for 5,000 drug addicts, with resident complexes, buildings for seminars, art studios and shops, meeting halls, a theater, an administration building, a library. It would cost $3.5 million.

"I dream of a Synanon house in New York, where the biggest addiction problem is," says Chuck, "similar to that in Santa Monica. And, a short distance from New York, another Tomales Bay-type of community for thousands of addicts. I would populate it with non-New Yorkers. One obvious reason is that if you put a little real estate between a person and his problems, he's not apt to run home to mama so fast.

"There are schools for lawyers, journalists, dentists, carpenters," he went on, "but there doesn't seem to be any school for basic character, for learning how to live."

There is no set date that tells a member when he is well, strong enough to live on the outside again. After a long haul, usually lasting into the 3d year, he may develop confidence and self-respect to such a degree that he will think he is ready to "graduate." Quite often, the group will discourage him from leaving. Sometimes it is because the others do not feel he is ready for the "square" world; more often, it is because Synanon is frankly making a concerted effort to hold on to members who have grown up in the movement.

This is a building period for Synanon. Officials point out that it takes years of intensive effort to train administrators and organizers, whom they will need for their expansion plans.

Thus, there are many like 22-year-old Merv Weinstein of Brooklyn, who has been here for 2 years and expects to stay on and work in Synanon. "I'm no longer concerned with cure or noncure," he reflects. "That's all past history now. I think in terms of completing myself as a human being. Synanon is so much a part of me now that wherever I am, in one sense, I'll never leave. This is my home."

Synanon and many experts say that its methods are workable. But there are professionals and community leaders who oppose its approach. To them, the fact that there have been but 40 graduates means that this is the limit to which Synanon can rehabilitate. A therapeutic community, they say, should aim at reintegration with the larger society. Otherwise, all that is happening is that one sort of dependency (on Synanon) is being substituted for another sort of dependency (on drugs).

On the law-enforcement side, the California State Department of Correction and certain judges and legislators say that "criminals" and "patients" cannot become their own therapists and doctors. Many courts have refused to recommend parole of addict-prisoners to Synanon, and contend that Synanon is frustrating their efforts to maintain control over parolees.

Yet, no Synanon house has been closed by the authorities. And, say the movement's supporters, in money terms the savings to society are impressive: Synanon costs about $3 a day per person; jail, $15; hospitals, $20 to $25. But Synanon is more than statistics.

Senator THOMAS J. DODD, of Connecticut, chairman of the Senate Subcommittee To Investigate Juveline Delinquency, has said: "There is indeed a miracle on the beach at Santa Monica, a manmade miracle that I feel can benefit thousands of drug addicts."

Judge Leland Lazarus, the senior judge of San Francisco's superior court, who lived for many days at Synanon "to see that things were not being misrepresented," told me: "It not only gets people off drugs, but it makes real human beings out of them again."

Vincent A. Starace, deputy borough president of the Bronx, who also lived at Synanon to see for himself, told Mayor Wagner last fall: "The transformation [of former addicts] was marvelous, hard to believe unless you saw it."

Chuck Dederich is aware of the flaws in Synanon. He is particularly concerned with the 40 percent who split—for them, since they go back to the street and drugs, clearly some humane approach must be found.

"We could improve our holding power," he says, "if we had more decent places to live. What is the alternative to Synanon? The hospitals? The jails? With the proper understanding and financial help, we could turn this population of 500 people living without bars, without shooting dope, improving each day, into 5,000 people, and 5,000 into 50,000.

"The country would like to forget our people, to sweep them under the rug. Society always wants to take a kid from the slums and put him in a penitentiary to cure him. Then it sends him back to the slums to straighten out.

"Well, I would feel that nothing had happened to a member, that I had failed, if after living here, he went back to live in a slum. Synanon is the only real slum clearance in the country."

INVASION OF PRIVACY THROUGH PSYCHOLOGICAL TESTING—A MATTER OF CONCERN TO ALL AMERICANS

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, the House Committee on Government Operations has been conducting investigations for several months now into the problem of invasion of privacy by Federal agencies. One of the matters under current inquiry is the use of psychological questionnaires or personality tests on Federal workers and job applicants.

Rank-and-file members of our public service have been asked to answer such questions as whether they are contented with their sex lives, how they get along with members of their families, what religious ideas they have and a lot of other intrusive things that are no business of anyone, what is more, the Federal Government. The alleged purpose of these so-called tests is to pinpoint persons with real or potential mental problems.

It is my firm conviction that the Government does not have the constitutional or moral right to require the Federal employees to undergo written examinations which dig deeply into the intimate details of their sex lives, family situations, childhood and religious views, regardless of the purpose.

It is tragedy that in the interest of protecting Government service from possible psychological misfits, we have sometimes adopted methods commonly found in totalitarian countries. These psychological tests are a condition of employment. They are compulsory, not voluntary. Unfortunately, when the Federal Government requires such tests, they spread quickly to private industry also. As a result, our whole society can be infected with a cancer that threatens to destroy liberty.

One must consider each of these instances as part of a larger picture which includes lie detector tests, mail checks and seizures, peepholes, trash snooping, and electronic snooping. The Government utilizes all of these. So an apparatus does exist which could lead to dictatorship if evil men came to power.

I believe the Government should do everything possible to protect the right to privacy. I do not believe we surrender that right simply by applying for Government employment. Frankly, I find it hard to believe that a person must undergo this sort of thing to serve his country. Surely, the investigation into an applicant's employment and school records plus other information gained from those who know him best in his own community are sufficient to determine whether he should be accepted. He is also interviewed personally and watched carefully during his probationary period on the job.

The question of the validity and reliability of psychological tests also is a matter of great controversy within the medical profession itself. The Department of State confirmed this when it called in a group of experts to evaluate its testing program. The net result was that it discontinued the policy. The Export-Import Bank issued an order April 20 prohibiting the use of psychological tests on its employees and job applicants.

The U.S. Civil Service Commission has had a policy for years against the use of such tests in personnel selection. The Commission tries to discourage Federal agencies from using them but they are given anyway. The list includes the Labor Department, the Peace Corps, the Interior Department, and the Defense Department.

It is my hope that all Federal agencies will discontinue such tests and adopt clear prohibitions on their use. It may well be that some person will slip by and become a psychological problem in the Federal service. But at least the Government will have guarded a sacred individual right guaranteed under the fourth amendment to the Constitution.

Psychological testing places the Federal Government in a much more insidious form of search than going into someone's home or through his personal papers. We are now searching minds, trying to pry out the most hidden and intimate thoughts.

We do not ask our fighting men in Vietnam to take such tests and yet they face a challenge more demanding than the average civil servant. I would like to think we put just as much faith and confidence in the latter as we do in the former.

SELF-HELP A CONDITION TO OUR FOREIGN AID

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BINGHAM. Mr. Speaker, as we approach consideration of this year's foreign aid bill, we can expect to hear once again the charge that we are engaged in a giveaway program.

There are a number of reasons why this is an unwarranted charge. Today I would like to stress just one of these reasons—that is, the requirement that our help will go only to countries which are willing to help themselves. This is known as the self-help doctrine.

In providing equipment, materials or exports from the United States, we expect the recipient countries to share the costs of development projects. We expect them to take steps to use their own resources better through improved administration, sound fiscal policies, fairer tax laws and the like. And, we expect the people of the recipient countries to be willing to work shoulder-to-shoulder with American technicians in getting a job done.

The idea of self-help was an essential part of President Truman's point 4 program, with which I had the honor to be associated. In the Foreign Assistance Act of 1961, self-help was formally made a criterion for aid. It is my impression that the U.S. Government has led the way among free world donors in relating assistance to sound self-help measures.

Even in those countries where our aid is substantial, the receiving country is carrying the biggest share of its own development costs. For every dollar of U.S. aid, for example, I am informed that the 20 major U.S. recipients in Asia, Africa, and Latin America are allocating an average of $7 for development from their own limited resources.

Many self-help community development projects around the world have been strengthened by our food-for-wages program. Under this program, some 700,000 laborers in 22 countries are earning food as part payment of wages for working on roads, school construction and other community development projects. Including their families, the total number of recipients of food under this program exceeds 4 million people.

In some instances, assistance agreements are entered into which contain specific provisions as to what the aid recipient will or will not do. Here are some examples:

First. Disbursement of a large program loan to a Latin American country was explicitly tied to action on measures to slow a sharp rise in living costs, including specific limits on Government surpluses, reform of foreign exchange rate policy and fixed limits to the expansion of bank credit. The conditions were met and the loan was disbursed on schedule.

Second. In an Asian country an increased commodity loan to finance essential U.S. imports for the private sector was linked to elimination of controls that slowed the import of needed raw materials, stifled private sector growth, and invited corruption. The country removed import licensing requirements, introduced an excise tax to discourage speculation, and the loan was authorized.

Third. The U.S. assistance program for another Latin American country was tied to performance on a stated series of reforms including reduction of the Government's cash deficit, tax reform, tighter money control and the adoption of measures to eliminate operating deficits in public enterprises. U.S. assistance was to be released in stages, based on performance. In this case, the bulk of the assistance was withheld because performance on the reforms was inadequate.

In measuring self-help, AID is concerned with performance that directly affects economic growth and social development. Assistance is not tied to political conformity or the way a country chooses to vote in the United Nations.

But when countries divert their scarce resources into arms in order to mount political adventures against their neighbors, they waste substance badly needed for the welfare of their own people.

The United States cannot afford to provide major assistance to countries that choose to make their own development a minor concern.

The administration's request for aid funds for the next fiscal year is, as I understand it, based on the policy that no funds will be used to meet costs that aid-receiving countries are able to carry themselves.

Mr. Speaker, our foreign aid program is not a giveaway. It is a series of partnership operations. What we are trying to do in the developing countries of Asia, Africa, and Latin America is to help them get started on an upward spiral of rising production, incomes, and living standards which will enable them, once started, to go ahead on their own, without outside help from us or from anyone else. And we want to see them achieve this condition—what economists call self-sustaining economic growth—as we did in the United States, in a free and open society.

We want to help the recipient countries—through their own self-help—to improve their lot both economically and socially so that they will be able to stand on their own two feet and to take their rightful place in a world of free and independent nations.

I consider this the main objective of our foreign aid program, an objective that deserves our continued support.

DISCLOSURE OF HOLDINGS

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. FRASER. Mr Speaker, on February 3, 1964, I submitted a statement of my holdings in the Conrgessional Record, believing that such disclosure is in the public interest.

I am submitting an up-to-date statement of the assets held in my name and in my wife's name:

In addition to residential property in Minneapolis and Washington, D.C., and property on the St. Croix River, life insurance, automobiles, household furniture, and a liquidated sum due from the law firm from which I have resigned, we have the following additional interests:

One school district bond of Bloomington, Minn., School District No. 271; nine shares common stock, U.S. Fidelity & Guaranty Co.; 83 shares, Scudder, Stevens & Clark common stock fund; 153 shares, General Securities, Inc.; and two shares, Planned Communities, Inc., Philadelphia, Pa. The foregoing is subject to various loans and mortgages.

VICE PRESIDENT HUMPHREY ADDRESSES INTERNATIONAL LADIES' GARMENT WORKERS' UNION

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PEPPER. Mr. Speaker, I am very much honored that our distinguished Vice President has just spoken in my district to one of the finest organizations of this country, the International Ladies' Garment Workers' Union and I know my colleagues and my fellow countrymen will welcome an opportunity to read in this Record his able and eloquent speech—for the Vice President not only speaks from his exalted position of Vice President but out of one of the richest and deepest experiences of any man in public life today; for surely he is one of the most knowledgeable of our fellow citizens, and I am therefore proud, Mr. Speaker, to submit the Vice President's address and ask for its inclusion in the body of the Record:

Remarks of Vice President Hubert H. Humphrey to the International Ladies' Garment Workers' Union, Miami, Fla., May 14, 1965

Yesterday one of my friends asked me—in light of this administration's support from business—whether I still intended to come to the ILGWU convention.

I told him I still had some way to go before businessmen treated me as warmly as they do David Dubinsky. To be prounion—and I hope this audience does not have to be told that I am proud of that label—is not inconsistent with being probusiness.

I know of no better example of successful management-labor cooperation than that in the ladies' garment industries. This cooperation has been good for industry and for labor. It has been good for America.

Progress did not come easily. You sacrificed a great deal to reach this stage of maturity and of security.

Your struggle was for a system to guarantee peace, opportunity, understanding, and justice.

Today I salute this great union because it has never limited its concern to its own members. You have fought the good fight for people everywhere: for others in the labor movement, for others throughout America who needed help, and for people seeking freedom and justice elsewhere in the world.

I want to talk to you today about another great effort which the ILGWU has already thrown itself into—the effort to eliminate poverty from this rich land.

The President has asked me to serve as general coordinator of the war against poverty. I share that responsibility with Sargent Shriver. Mr. Shriver has assembled a team in Washington and throughout the country which includes a number of associates with outstanding labor experience; men like Jack Conway and Hyman Bookbinder. And he has created a Labor Advisory Council, with representatives from the labor movement.

The economic opportunity program is now only 7 months old. During the past few weeks, that program has undergone a searching inquiry by the Congress as it prepares to renew and, hopefully, double its program for next year.

I have made a searching inquiry too. And I am happy to tell you today that the war against poverty is off the ground and off to a great start. Don't let some of the headlines about minor issues mislead you. Here is a report on progress already underway:

1. America's communities have accepted the challenge.

In accordance with the law, more than a thousand communities have already started the process of organizing community action program. Several hundred have already received their first grants from Washington. Community action means that all resources of the community must be mobilized for a coordinated attack on the causes of poverty.

2. Every segment of American life is participating.

Tens of thousands of Americans are serving, without compensation, on the governing bodies of these community action agencies. There are bankers and labor leaders; there are social workers and clergymen, there are educators and doctors. For the first time, in many cases, a truly representative group of community leaders is engaged in planning and implementing programs for a great cause.

3. The poor themselves are helping to work out their own salvation.

The law requires, and the Office of Economic Opportunity insists, that the poor themselves shall be involved in the development and the execution of local programs. For too many years we have been satisfied to do things for the poor and to the poor.

This involvement of the poor adds up to nothing less than a social revolution—the best kind of social revolution. It tells the poor that we have confidence in them—that their poverty does not necessarily deprive them of the potential for leadership and for self-help. No more, my friends, than poverty or lack of formal education kept David Dubinsky and Philip Murray and Phil Randolph and Sidney Hillman and George Meany from becoming great leaders.

There has been some criticism on this issue. But the record for the Nation is impressive. Let me cite some figures:

In the first 145 community action agencies receiving grants from the Office of Economic Opportunity, there are about 3,800 members of government boards.

Of these, 1,236—about one-third—are representatives from the ranks of the poor themselves. In addition, there are almost 20,000 local people in the poor neighborhoods serving on the many neighborhood councils created under the program. Moreover, there are more than 5,000 paid staff positions that have been created for the poor themselves.

4. The Job Corps is operating and its need has been demonstrated.

This program for young men and women between the ages of 16 and 21 provides full-time living and learning and working experience. It is based on a proposal I made back in 1956, and I am proud today to see it a reality.

In the first 3 months of this year, more than 250,000 young people signed up for this program. These people want a second chance and they are willing to work for it.

5. We have started the domestic Peace Corps—Volunteers in Service to America.

Already, more than 18,000 Americans—from age 18 to 82—have asked to be VISTA volunteers. They are ready to give up a year of their lives—without pay—to go wherever we send them to live and work with the poor. And already, VISTA volunteers are working with migrant labor families, on Indian reservations, in Harlem slums, in Appalachia.

6. Half a million children will be helped this summer as they start their education.

To break the cycle of poverty for the children of the poor, we must reach them early.

Most of them start school life seriously handicapped. This summer we will reach, through Project Headstart, more than 500,000 poor children entering school for the first time this fall. More than 2,000 communities are participating. There will be hundreds of thousands of volunteers helping the many thousands of professional workers in this program. These children will be given a headstart out of poverty.

These are some of the things that have happened so far. There are otehrs, too. Tens of thousands of youngsters are now employed in neighborhood youth corps projects, working part time to keep in school, or working full time if they have already dropped out and need some work experience.

Additional thousands, from poor families, are being given a chance to attend college through part-time work-study jobs.

Thousands of our poorest farm families and our smaller businessmen are being helped through Government loans.

Thousands of hard-core unemployed are being given counseling and training and work experience.

And there are special adult literacy programs, migrant labor programs, research and demonstration programs.

Yes, the economic opportunity program is on its way. Of course there have been problems, there have been delays, there have been conflicts. But the important thing is that we are on our way.

I remember the words of Franklin Roosevelt at the time of the enactment of the Fair Labor Standards Act—an act in which this great union has played such a vital role. He said:

"The test of our progress is not whether we add more to the abundance of those who already have much. It is whether we do enough for those who have too little."

The economic opportunity program is important—but it is not the only weapon in the war against poverty. Poverty is not a simple thing. It is not caused by a single problem—and it will not be solved by a single program.

We must continue to reduce unemployment.

We are pleased with the steady improvement for over 50 months—but we consider the present levels still intolerable. The tax reduction helped, and further reduction will help more. The new Appalachia and Area Redevelopment programs will create jobs. Whatever more will be needed will be done.

We must provide better and broader education. The new Education Act is a breakthrough. Its special emphasis on the poor will be a major weapon in the war against poverty.

We must provide better medical care. The poverty of many of our older citizens is directly related to their health needs and their health costs. I am happy to tell you that medicare will be law this year, in no small part because of your work.

We must provide better housing and enrich life in the city. The President's housing and urban development proposals are directly related to the antipoverty program.

They contain grants for neighborhood services for the poor, grants for renovation for poor homeowners, new public housing authority for large families, loans for low-income rural families, and rent supplements for low-income families.

And there will be action on unemployment insurance, on minimum wages, and on child health care.

The war on poverty is off to a good start. But we are not satisfied and relaxed. I promise you that President Johnson is determined to see that this war is adequately financed, that it is effectively administered, and that it is changed and expanded as necessary to do the job that needs to be done.

We welcome criticism. We will discard programs that don't work. We will expand those that do.

Fifty years ago, textile strikers carried picket signs that said: "We want bread—and roses, too."

Those words were immortalized in the song you know so well: "Our lives shall not be sweated from birth until life closes; hearts starve as well as bodies; give us bread, but give us roses."

The efforts of this Nation are now being bent to fulfill that dream. I ask your help. I ask your full commitment.

MORE SILVER DOLLARS

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. FASCELL. Mr. Speaker, the U.S. Mint has just been given the go-ahead to start turning out 45 million silver dollars. The Congress had authorized these dollars to be minted in July 1964 but they have not been coined because the facilities of the mint were being used in a crash program to produce other coins to relieve the coin shortage.

In its studies of the coin shortage and the silver situation, the Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations, of which I am chairman, inquired into what effects coinage of the silver dollars would likely have on U.S. coin and silver supplies.

In the coinage of 45 million silver dollars, almost 35 million ounces of silver will be consumed. This represents a whole year's U.S. production of the metal. The entire stock of Treasury silver is only about 1.025 billion ounces. At present rates of silver coinage, excluding the silver dollars, this is only a 3- or 4-year supply of silver. Defense and industrial users must also rely on the Treasury's supply and domestic production for their silver needs.

By early 1964 the Treasury had virtually run out of its supply of silver dollars. Practically none are in circulation. They are collectors' items, selling at two, three, and more times their face value. The subcommittee's studies disclosed that many bankers and other knowledgeable persons are sure that if 45 million silver dollars were to be coined they, too, would not remain in circulation, but would be taken up by coin collectors. In fact, advertisements have appeared in the press offering the silver dollars at high premiums, on a "when issued" basis.

The only U.S. coin for which there is a ready substitute is the silver dollar. Paper money generally takes the place of dollars. To that extent there is no shortage of dollars. There are, however, real shortages in the Nation's subsidiary coins, that is, the dimes, quarters, and halves. Using our available silver to make subsidiary coins instead of silver dollars makes that silver stretch farther, because there is 7 percent less silver in those coins than there is in their equivalent values in silver dollars.

Manufacture of the 45 million silver dollars would add to the coin shortage, both because it will tie up facilities which are now used for the manufacture of other coins, and because it would use up a large quantity of silver which could be used for the manufacture of other coins for which there is a genuine need.

The subcommittee's views were contained in its report on the coin shortage—House Report No. 194, 89th Congress, 1st session—as of late summer of last year. Again, in March 1965, in the second report—House Report No. 195, 89th Congress, 1st session—on the coin shortage, the coinage of the 45 million silver dollars was considered. Contemporaneously, the Treasury Department was engaged in a study of coin alloys which it would recommend to the Congress for minting, in view of the diminishing supply of Treasury silver. The subcommittee recommended to the Treasury that it delay minting the silver dollars until the Congress had received the Treasury's report and had opportunity to decide what the new alloys for subsidiary coins should be.

The Treasury has not yet reported to the Congress the results of its silver study nor made recommendations for new coin alloys. In the circumstances I believe the Congress should again take a hard look at the necessity or the advisability of minting silver dollars at this time.

NORWEGIAN INDEPENDENCE DAY

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CAREY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CAREY. Mr. Speaker, on May 16, I had the great honor of delivering the principal address at the commemoration of Norwegian Constitution Day as the guest of the Norwegian-American 17th of May Committee of Greater New York.

Together with the district chairman of this outstanding committee, Mr. L. Kaare Johansen, and such distinguished guests as the Consul General from Norway to New York, Mr. August Fleischer, I reviewed the largest and most colorful Norwegian-American parade ever held in New York City—or for that matter, in the United States.

The occasion was marked most significantly by the award to Mr. Johansen of the King Olav V Medal in recognition of his great contribution to the preservation of Norwegian-American culture through the activities of his committee.

The hospitality and warmth of my Norwegian-American neighbors on this and so many other occasions is a source of tremendous gratification to me as their Representative in Congress.

The message I delivered to these outstanding Americans from many communities in the East was best received when I called for unstinting and unswerving support of the policies of President Johnson and his administration in the defense of freedom in southeast Asia and other parts of the world, for as Norwegians who have known the experiment and extension of freedom in their own country for over 150 years, they know all too well that there can be no compromise nor retreat when freedom itself hangs in the balance.

Mr. Speaker, I am pleased to submit my remarks on this occasion for inclusion in the RECORD:

A BIRTHDAY SALUTE TO THE NORWEGIAN CONSTITUTION

This day we celebrate is, above all, a birthday. Because it is a birthday it is a day for children—for children from 1 to 100—the children of God who live in liberty and enjoy freedom under law.

This day we celebrate is marked therefore by parades of children in many places. In Oslo 30,000 flag-waving children will march and mark the birthday of freedom at Eidsvoll.

Freedom's offspring—the children of Norwegian America—parade today in Brooklyn, N.Y., and Brooklyn, Wis., in the Dakotas and in Butte, Mont. Syttondee Mat is a specifically happy day in Minnesota where the children will be reviewed by a Norwegian-American, Gov. Karl Rolvaag.

You know, Governor Rolvaag had a very close election with a good Swede by the name of Andersen. Someone asked Senator HUMPHREY, when he was in the Senate, "What is the difference between a Swede and a Norwegian." Senator HUMPHREY answered: "91 votes—and Rolvaag won."

Yes, this birthday of a charter of freedom is a cause for happiness 151 years later, because the freedom of a great and good people was secured for their children and future generations, without battle and without bloodshed.

On this very platform a distinguished world statesman, Trygve Lie, most eloquently bespoke the spirit of this day when he said in 1962:

"It is in harmony with the spirit of the Norwegian democracy that our constitution is celebrated without any military demonstrations. Our May 17 commemorates no battle, no armed revolution, no military victory. The strength that we demonstrate on the 17th of May lies in another field. Our children, as we see it are our true strength."

This parade demonstrates the kind of strength which every democracy must first develop and then protect, by every means at its command. This day then is children's day.

There is a deep significance in the way our constitution day does not only mark historic memorial day—it also brings a message about the future.

Our faith in the future, our hopes for the future are most adequately expressed just through the children—they who are full of hope, faith, and dreams.

The future of freedom then truly depends on how well we place it in the hands and hearts and minds of our children. An understanding of their duties and rights, responsibilities and opportunities as heirs of freedom.

There are many ways to give witness, to teach, to preach the message of freedom to the children of this world. Among the ways I believe the most effective, the best remembered, the most dynamic is by giving identity to the human figures of history as our late President Kennedy did in "Profiles of Courage." Others have done this using the towering courage, the powerful figures of Norwegian Americans.

I speak of works like that of Ole Rolvaag, great author and father of the Minnesota Governor, whose book "Giants of the Earth" tell how the dauntless and indefatigable sons of Norway literally freed the land from the forests and turned the face of the soil to the sun to make us the best-fed nation in the world and the only hope of starving millions in all corners of the earth.

A similar history of the Western pioneer is Hannibal Hamlin Garland's "A Son of the Middle Border," which speaks of the Norwegian settlers of the West.

Think of the saga—a million souls who braved the seas and tempests to land on these shores, many of whom saw the first landfall of America in this very harbor. They forced their way inland fording streams, crossing mountains, blazing trails and building America.

But these were frontiersmen of yesterday. Where can we pioneer today? Where are the bold ventures of tomorrow?

I say to the children of freedom in this generation, the call to greatness is everywhere for those who will hear the call to come and face the challenge of tomorrow.

We need not look to the heroes of yesteryear for the men to follow and the figures of greatness. We need only look to the things the world needs for peace and freedom and note the men who are meeting these needs today.

Who has made a greater contribution to world understanding among nations than the great, former Secretary of the United Nations, Trygve Lie. He knew that the United Nations was not perfect because it was an instrument of man, but he resolved to do his best to make it work. He knew that Norway, in her wisdom, was one of the first 24 nations to sign the United Nations Charter, and he knew the value that Norwegians place upon the rule of law.

The very introduction to Norway's ancient code of laws reads: "With law shall we build our land, and with lawlessness lay it waste."

Let us then in the spirit of Trygve Lie look upon international law, in the developing and evolving concept of the United Nations, as a freedom-loving world's best hope of reaching our aim of peace on earth.

This means that we are not ready to abandon the United Nations to oppressor nations to be used as they would be by Soviet or Chinese oppressors, or any other totalitarian forces on earth.

It also means that in the interest of the preservation of the United Nations we must insist upon all nations, large or small, living up to their obligations of membership—and this includes the payment of dues and just obligations without delay or abatement.

In the language of children, let it also be said that the rule of law, live and let live, which governs all international affairs is that any and all nations must abide by covenants and agreements and desist from acts of terror and anarchy.

This means that if Mr. Sukarno of Indonesia, and Mr. Nasser of Egypt persist in the burning of libraries given in friendship and the bombing of embassies placed for good will, then they must learn to live without our aid and without our friendship.

There is an end to American patience with anarchy just as there is no end to American faith in firm and friendly alliances.

Of these alliances, the Great Atlantic Community, as we know it in the NATO is cause to speak of the great contribution of other figures on the horizon of the world who are Norwegian.

The first, of course, is Prime Minister Einar Gerhardsen, who only this week reaffirmed the faith and enduring confidence of the Norwegian people in the United Nations.

The second is the man who is looked upon as a chief architect of the NATO alliance, the great Foreign Minister of Norway, Halvard Lange, who has done more than any man to preserve and perfect this great alliance as a barrier against aggression and a bulwark for the peace of Europe.

It is fitting also to note that the entire existence of NATO, one of its most able leaders and distinguished commanders has been Gen. Lauris Norstad, a courageous Norwegian-American from Minnesota.

I point to the work of these men, not because they owe their ancestry to Norway, but because their work truly represents the four great principles which underlie the Norwegian Constitution.

These four concepts are, of course:

1. National independence.
2. Sovereignty of the people.
3. A division of power.
4. The inviolable rights of the individual versus the state.

It is this last key concept which becomes more important day by day—the inviolable right of the individual. This we must communicate to our children in all its significance.

It is the supreme worth of the individual as a creature of God which we must identify, dramatize, and teach our children to appreciate in their time.

The supreme worth of the individual, the dignity of the human person, is a meaningful difference between the world of freedom, the world of America, of Norway, of all free nations, and the world behind the walls, the Berlin wall, the wall of China, the wall of Cuba. In the world of freedom, for our children.

We believe that dignity means at least these things.

Dignity demands freedom for all men to worship God and pray at will—and our children enjoy that right now and forever.

Dignity demands equality of opportunity to learn and to know in any school according to the desire of the parent. This means schools of equal quality, and we recognize this right and obligation because at all levels of government, local, State, and Federal, we will not rest until all children participate in the growth of knowledge to the limit of their capacity. We took a long first step toward that goal when President Lyndon Johnson signed the great Education Act of 1965 on April 11 of this year. I want to pay tribute to the part which Vice President Humphrey played in the preparation and passage of this act. I want to thank you for sending me to Congress to contribute what I could to this vital legislation.

Further dignity demands freedom from the threat of deadly illness and crippling disease for want of care and want of cure. We mean to respond to that in our time. I say here and now that our children must not grow up to learn that our land lags behind Norway and other countries in the care of our elders and the winning of the war against heart disease, stroke, and cancer—the scourge of man.

Dignity demands freedom from the oppression of poverty, want, and the indignity of the dole, for too many Americans need the kind of self-help that has made the land of Norway a haven of full enjoyment.

We must put into practice in this country through improvement in education and economic growth what Norway has had in her Constitution since 1954 when the storthing approved this paragraph:

"The authorities are instructed to adjust things so that any fit human being can make himself a living by his work."

How simply stated—but how rich in meaning. Here is the great test of our system today. We must seek again for the benefit of our children to so develop our great enterprise system so that it can call upon all its resources and Government services as well—to adjust things—so that recession and depression are only memories and never prospects.

Norway has done it, and with a little Norwegian ingenuity, we can do it over here.

Finally, dignity demands that we live up to our covenant with all our fellow men on earth who seek to live with us in freedom and to resist oppression and enslavement.

Freedom cannot mean one thing at Eidsvoll in 1814 and another thing in Saigon or Santa Domingo in 1965.

In our time, as in that time, the call is for courage, for unity, for determination, and for understanding.

I say here and now that President Johnson, as leader of the free world and President of the greatest freedom-loving Nation in all of history, is giving us that leadership.

Of all your qualities, my Norwegian-American neighbors, your most characteristic trait is indomitable and fearless calm in the face of danger.

Leif Ericson, explorer of North America, faced all the ravages of weather and tempest, but he prevailed.

In his image and in our time Norwegians and Norwegian-American seamen were called upon to risk their lives in the treacherous sealanes of the Atlantic and the North Sea, and they prevailed in the cause of victory.

At Trondheim and Bereen, all the Nazi might could not smother the resistance of the Norwegians and they refused to bow to tyranny until they prevailed in 1944. Now the time has come to test this generation.

As the late President Kennedy said, "To few generations is given the opportunity of defending freedom in its hour of challenge—that challenge has come to this generation, and we do not shrink from it."

If we would have peace in their time and for all time for our children and their children, then we cannot compromise with aggression.

Let aggression halt and we will talk peace, and food for the hungry and growth for the small nations and help for suffering humanity.

Let aggression persist and I pray and hope that you, my beloved Norwegian-American neighbors, will write to our President and let him know that in this hour of tribulation we are one and indivisible, because we are all free and freedom is not divisible.

What a fitting remembrance of this day it would be if you would take the time to write to your President on this Constitution Day—Children's Day—and say to him and to Vice President Humphrey, and, yes, to Senator Dirksen, too:

We unite with you. Whatever the price of preservation of freedom may be, we are determined to resist aggression in southeast Asia and in America. We, the Norwegian-Americans who love liberty, cherish dignity, and despise tyranny, pray that our foes will fail, but we shall not falter in defense of freedom.

To you, the sons of Norway, my neighbors, Norwegian-Americans, today I would close with a quotation from the great Norwegian novelist, Arne Gabore, who wrote of his people:

"They are a stormy, stubborn folk who dig their way through a life of brooding and care, putter with the soil and search the stars, force a little corn from the earth and hopes from their dreams—put their faith in the penny and trust in God."

Today your hopes and my hopes, your dreams and my dreams, your faith and my faith, for together as children we trust in God.

BANK MERGERS

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. WOLFF. Mr. Speaker, the Congress enacted the Bank Merger Act in 1960 with the intention that the control of bank mergers should be regulated by those Federal agencies who had specialized knowledge in this field—the Federal banking supervisory agencies.

This intention of the Congress has been thwarted by recent judicial decisions. The effect of these decisions is to place the final decision on bank mergers with the Justice Department. Under the present system, there have been repeated incidents where a bank merger has been approved by all the necessary Federal bank supervisory agencies only to be subject to litigation by the Justice Department. This lack of consistency and guidelines cannot be considered an aid to banking stability in this country.

In one recent case the Justice Department attacked a merger that had existed 3½ years before final court decision declared it invalid. Coherent bank merger policy is, therefore, becoming nonexistent.

I am submitting a bill which asks for regulation of banks. And that we determine once and for all that the intention of the Bank Merger Act be complied with—that we leave regulation to the agencies who have expertise in this area—the Federal banking agencies.

DOMINICAN REPUBLIC CRISIS

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. POOL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. POOL. Mr. Speaker, many Americans may be puzzled by the rush of events recently in the Dominican Republic. Why, they may wonder, are U.S. paratroopers and marines on guard in a tiny land whose people are our friends, not our enemies?

But there are enemies there: Enemies which threaten not only our friends in the Dominican Republic and Latin America, but our own national security.

They are subversion, totalitarian doctrine, and the insidious work of Castro-type Communists in Latin America.

Fortunately, President Johnson has seen this threat and acted courageously to combat the real enemies of the people of the Dominican Republic and the free countries of our hemisphere. And fortunately, an overwhelming majority of Americans support his actions.

Mr. Speaker, I submit for the RECORD three competent and informative editorials on this matter; they appeared in the May 8 Burlington Free Press; the Portland Oregonian of May 4, and the Houston Post of April 30:

[From the Burlington Free Press, May 8, 1965]

JOHNSON DOCTRINE DEFENDS FREEDOM

President Johnson's modern version of the Monroe Doctrine proclaims that the United States will not tolerate the establishment of another Communist regime in the Western Hemisphere. This is called the Johnson doctrine, and it is being proclaimed with a minimum regard for world opinion and a maximum regard for American freedom and security.

We strongly approve of the Johnson doctrine. Our only regret is that such a doctrine was not proclaimed by President Eisenhower or President Kennedy. If it had been, Castro's Red totalitarianism would not be a threat to hemispheric democracy today.

The power of the United States is the only major deterrence to Communist enslavement of the entire world. The United States must not hesitate to use that power whenever necessary to discourage Communist aggression. Power which is claimed, but not used, is not much of a deterrence. Totalitarians respect power when they know it exists; they pay little attention to vacant threats.

This is not to say that the United States should use its power nervously in response to every Communist probe. But it should use its power convincingly in the defense of vital interests—and the security of this hemisphere from Communist totalitarianism is a vital interest.

The Johnson doctrine promises to spare the world a lot of grief. It should have been proclaimed sooner.

[From the Portland (Oreg.) Oregonian, May 4, 1965]

NO SECOND CUBA

The American people should support President Johnson's decision to use military force as well as diplomatic negotiations to prevent the establishment of another Communist government in the Western Hemisphere.

Fidel Castro, who brought Communist rule to Cuba, has been infiltrating "14th of June" revolutionaries into the Dominican Republic for years. President Johnson sent marines and paratroopers to Santo Domingo initially to evacuate Americans and other nationals. But U.S. forces were increased, and engaged the rebels, when the President became convinced that the revolt initially intended to return exiled President Juan Bosch to power had been taken over by Castro Communists.

The United States fell into Castro's trap in Cuba, initially welcoming his defeat of the Batista dictatorship, then recoiling in the face of the bloodbath Castro gave the Cubans to establish his own dictatorship, finally realizing that Castro was a Communist and fully intended to communize the nation.

President John F. Kennedy's historic mistake was the withdrawal of U.S. air and sea support for the Cuban exile army slaughtered at the Bay of Pigs. This led to the placement of Soviet missiles with nuclear warheads in Cuba and the U.S. blockade and threat of invasion which forced Nikita Khrushchev to withdraw the missiles.

To allow Castro communism to take over the Dominican Republic would be to repeat our Cuban errors and to meekly sanction the spread of aggressive communism to other Latin American areas. The security of the United States is directly at stake, if President Johnson's premise is correct—i.e., that the Castro Communists have seized control of the revolt in Santo Domingo. So is the security of every other nation in the hemisphere.

What needs now to be explained to the people in both North and South America is the factual evidence on which President Johnson based his action and his statement that the United States "cannot, must not, and will not" permit establishment of another Communist regime in the Western Hemisphere.

Juan Bosch, the Dominican Republic's elected President who was displaced by an Army revolt and a civilian-military junta, bitterly rejects President Johnson's premise. Other Latin American leaders have spoken out against U.S. troops in the Dominican Republic as an "invasion." The Organization of American States has a five-man team in Santo Domingo, but it is almost certain that it cannot deal with the revolutionists.

In every Latin American nation there is a pro-Communist, pro-Castro force awaiting its chance to seize power. Furthermore, Latin Americans generally are fearful of U.S. imperialism and intervention. Some leaders who secretly support U.S. action in the Dominican Republic are afraid to say so publicly. They, too, need strong evidence of Castro-Communist control of the revolt to give them courage.

And if the heavily armed civilians in Santo Domingo can be forced to disarm, there must be early fulfillment of President Johnson's pledge of democratic elections. Can Mr. Johnson guarantee that? One doubts it, but every effort must be made to bring the OAS into command of the situation, reluctant as these governments may be to appear to be on the side of the United States, the Dominican military chiefs, and the feudal landholders who survived the Trujillo dictatorship and the Bosch reform regime.

[From the Houston (Tex.) Post, Apr. 30, 1965]

MARINE LANDING BLOCKS CASTRO

Despite denials that the possibility of a Castro-Communist takeover was the real reason for President Johnson's sudden decision to land U.S. marines in the Dominican Republic, some things are so obvious that they do not need to be stated publicly or officially.

If the danger of Cuban-Soviet intervention was not a factor in the decision, it certainly should have been, and the President would have been less than alert to the possibilities.

The situation was made to order for a Castro enterprise. In fact, it was an invitation that the bearded Cuban leader and his Moscow masters could hardly resist, if indeed they did not have something to do with instigating the military uprising which produced the chaos, confusion, and a temporary vacuum. They would have been drawn to it as flies to honey.

At the same time, because of the sensitivity of all Latin Americans to any kind of U.S. action that even appears to be intervention in the affairs of another country of the hemisphere, it was only prudent and good sense for the President and his spokesmen to be very careful not even to mention Castro or Cuba in their public statements.

Two Members of Congress who attended the White House meeting prior to the President's announcement have been quoted as saying that William F. Raborn, who had been sworn in only a few hours before as the new Director of the Central Intelligence Agency, emphasized at the meeting the danger of Cuban-Communist action if the United States did not act to forestall it.

The report later was denied at the White House, where it was said that the President's public statement of the reason for the landing, protection of American and other foreign nationals, was the only reason given the legislators.

The Cuban-Communist danger, however, was so obvious that there really was no need for it to be stated.

The fact is that the public had been wondering all along if Castro and his Moscow backers had not had some hand in launching the rebellion by young army officers, who said they wanted to restore ousted President Juan Bosch to office.

There were reports that some of the rebel leaders were sympathetic to Castro if not actually his agents and that there had been some movement into the country recently of Dominican Communists trained in Cuba and Czechoslovakia.

In any case, there was danger that, if quick and decisive action was not taken, the Dominican rebellion would degenerate into a civil war in which Castro and his backers certainly would become involved. By landing marines, the United States served notice that it would not stand by and let this happen. Castro was blocked, whether this was a consideration or not.

If further foreign intervention is necessary, however, it is preferable that it be by the Organization of American States, and the promptness of that body in reacting to the Dominican situation gives hope that it will be effective in restoring order and keeping the Communists out.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MATHIAS (at the request of Mr. GERALD R. FORD), for the balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 30 minutes, on Thursday, May 20; to revise and extend his remarks and include extraneous matter.

Mr. QUIE (at the request of Mr. JOHNSON of Pennsylvania), for 60 minutes today; to revise and extend his remarks and include extraneous matter.

Mr. VANIK (at the request of Mr. FARNSLEY), for 10 minutes on May 18.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. ROGERS of Texas and to include extraneous matter.

(The following Members (at the request of Mr. FARNSLEY) and to include extraneous matter:)

Mr. OTTINGER.
Mr. GRABOWSKI.
Mr. FRASER.
Mr. MARSH.
Mr. REDLIN.
Mr. SICKLES.
Mr. WOLFF.
Mrs. KELLY.
Mr. CALLAN.

(The following Members (at the request of Mr. JOHNSON of Pennsylvania) and to include extraneous matter:)

Mr. MCCLORY.
Mr. TUPPER.
Mr. REINECKE.
Mr. BERRY.

SENATE JOINT RESOLUTION AND CONCURRENT RESOLUTION REFERRED

A joint resolution and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 81. Joint resolution to authorize the Secretary of Commerce to apportion the sum authorized for the fiscal year ending June 30, 1967, for the National System of Interstate and Defense Highways; to the Committee on Public Works.

S. Con. Res. 17. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee of Foreign Affairs.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 701. An act to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962, and for other purposes.

ADJOURNMENT

Mr. FARNSLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 21 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 18, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1095. A communication from the President of the United States, transmitting the joint annual report on Federal statutory pay systems, pursuant to the Federal Salary Reform Act of 1962 (H. Doc. No. 174); to the Committee on Post Office and Civil Service, and ordered printed with illustrations.

1096. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 9, 1965, submitting a report, together with accompanying papers and illustrations, on a review of the reports on the Neuse River, N.C., requested by a resolution of the Committee on Public Works, U.S. Senate, adopted April 13, 1950, resolutions of the Committee on Public Works, House of Representatives, adopted April 21, 1950, and June 13, 1956, and a resolution of the Committee on Flood Control, House of Representatives, adopted March 1, 1946 (H. Doc. No. 175); to the Committee on Public Works and ordered to be printed with 12 illustrations.

1097. A letter from the Assistant Secretary for Administration, Treasury Department, transmitting a list of the negotiated procurements, U.S. Coast Guard, since April 19, 1964, pursuant to section 2304e of title 10, United States Code; to the Committee on Armed Services.

1098. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to provide certain authorities relating to the administration of the Reserve components of the Army and Air Force, and for other purposes; to the Committee on Armed Services.

1099. A letter from the Chairman, National Labor Relations Board, transmitting the 29th Annual Report of the National Labor Relations Board for Fiscal Year 1964, pursuant to section 3(c) of the Labor Management Relations Act of 1947; to the Committee on Education and Labor.

1100. A letter from the Comptroller General of the United States, transmitting a report of excess cost and inequities due to furnishing flight meals without charge to certain personnel of the military services, Department of Defense; to the Committee on Government Operations.

1101. A letter from the Comptroller General of the United States, transmitting a report of potential savings through procurement of operating supplies from General Services Administration sources by Lockheed Missiles & Space Co., Sunnyvale, Calif., Department of Defense; to the Committee on Government Operations.

1102. A letter from the Librarian of Congress, transmitting a supplementary report of the Register of Copyrights on the general revision of the U.S. copyright law, 1965 revision bill; to the Committee on the Judiciary.

1103. A letter from the secretary-treasurer, Congressional Medal of Honor Society, United States of America, transmitting the annual report of the Congressional Medal of Honor Society of the United States for calendar year 1964, pursuant to Public Law 249, 77th Congress; to the Committee on the Judiciary.

1104. A letter from the Acting Secretary of State, transmitting a draft of proposed legislation for the relief of the successors in interest of Cooper Blyth and Grace Johnston Blyth otherwise Grace McCloy Blyth; to the Committee on the Judiciary.

1105. A letter from the Acting Secretary of State, transmitting a draft of proposed legislation for the relief of certain employees of the Foreign Service of the United States; to the Committee on the Judiciary.

1106. A letter from the Administrator, Federal Aviation Agency, transmitting a draft of proposed legislation for the relief of Clarence L. Aiu and others; to the Committee on the Judiciary.

1107. A letter from the Acting Secretary of State, transmitting a draft of proposed legislation to amend the provisions of the Oil Pollution Act, 1961 (33 U.S.C. 1001–1015), to implement the provisions of the International Convention for the Prevention of the Pollution of the Sea by Oil, 1954, as amended;

and for other purposes; to the Committee on Merchant Marine and Fisheries.

1108. A letter from the Acting Secretary of Commerce, transmitting a report of the activities under title XII, Merchant Marine Act, 1936, as amended, as of March 31, 1965; to the Committee on Merchant Marine and Fisheries.

1109. A letter from the Acting Secretary of State, transmitting a draft of proposed legislation to amend the act of Congress approved August 7, 1935 (Public Law 253), as amended, concerning U.S. contributions to the International Council of Scientific Unions and certain Associated Unions; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DANIELS: Committee on Post Office and Civil Service. H.R. 6686. A bill to amend the Civil Service Retirement Act in order to correct an inequity in the application of such act with respect to the U.S. Botanic Garden, and for other purposes; without amendment (Rept. No. 350). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BECKWORTH:

H.R. 8166. A bill to amend title 10 of the United States Code to provide that disability severance pay shall not be set-off against compensation for service-connected disabilities payable by the Veterans' Administration; to the Committee on Armed Services.

By Mr. BURTON of California:

H.R. 8167. A bill to repeal the retailers' excise taxes on toilet preparations, jewelry and related items, ladies' handbags, luggage, and the like; to the Committee on Ways and Means.

By Mr. CALLAN:

H.R. 8168. A bill to make dairy products available for domestic and foreign programs; to the Committee on Agriculture.

H.R. 8169. A bill to amend the National School Lunch Act, and for other purposes; to the Committee on Education and Labor.

H.R. 8170. A bill to strengthen intergovernmental relations by improving cooperation and the coordination of federally aided activities between the Federal, State, and local levels of government, and for other purposes; to the Committee on Government Operations.

H.R. 8171. A bill to amend part 1 of the Interstate Commerce Act, with respect to the right of carriers to discontinue operations or services of trains or ferries; to the Committee on Interstate and Foreign Commerce.

By Mr. FARBSTEIN:

H.R. 8172. A bill to amend chapter 115 of title 28, United States Code, to provide that courts of the United States shall not take judicial notice of arrests of persons engaged in peaceful activities in furtherance of rights under the Constitution of the United States; to the Committee on the Judiciary.

H.R. 8173. A bill to provide that arrests of persons engaged in peaceful activities in furtherance of their rights or the rights of other persons under the Constitution of the United States shall not be a bar to their employment by the Federal Government; to the Committee on Post Office and Civil Service.

By Mr. GIBBONS:

H.R. 8174. A bill to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964; to the Committee on Education and Labor.

By Mr. HUNGATE:

H.R. 8175. A bill to make dairy products available for domestic and foreign programs; to the Committee on Agriculture.

By Mr. JOHNSON of California:

H.R. 8176. A bill to provide for family winter recreational use of a portion of the San Gorgonio Wilderness Area, San Bernardino National Forest, Calif., without reducing the area set aside for wilderness preservation within such forest, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LANGEN:

H.R. 8177. A bill to amend the Federal Power Act, as amended, in respect to the jurisdiction of the Federal Power Commission over nonprofit cooperatives; to the Committee on Interstate and Foreign Commerce.

By Mr. McDOWELL:

H.R. 8178. A bill to provide for the preservation of the historic buildings and area of the Washington Navy Yard in the Nation's Capital, and the development of the area for the exhibition of ships and weapons consistent with a comprehensive plan prepared and carried out in consultation with the Secretary of Defense; to the Committee on Armed Services.

By Mr. MIZE:

H.R. 8179. A bill to provide for the establishment and administration of the Great Prairie Parkway in the State of Kansas; to the Committee on Interior and Insular Affairs.

By Mr. O'HARA of Illinois:

H.R. 8180. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 8181. A bill to authorize certain modifications of the project for Calumet Harbor and River, Ill. and Ind.; to the Committee on Public Works.

By Mr. POOL:

H.R. 8182. A bill to amend the Civil Service Retirement Act to authorize the payment of an annuity to a secretary of a justice or judge of the United States on the same basis as an annuity to a congressional employee or former congressional employee; to the Committee on Post Office and Civil Service.

By Mr. QUIE:

H.R. 8183. A bill to make dairy products available for domestic and foreign programs; to the Committee on Agriculture.

H.R. 8184. A bill to amend the National School Lunch Act, and for other purposes; to the Committee on Education and Labor.

By Mr. REINECKE:

H.R. 8185. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. STEED:

H.R. 8186. A bill to establish in the U.S. Capitol an educational center whose sole purpose will be the fostering of greater knowledge, interest, understanding and inspiration of the significance and meaning of American history that was made in the Capitol of the United States; to the Committee on House Administration.

By Mr. WILLIS:

H.R. 8187. A bill declaring a portion of Bayou Lafourche, La., nonnavigable waterway of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. BETTS:

H.R. 8188. A bill relating to the deduction for income tax purposes of contributions to certain organizations for judicial reform; to the Committee on Ways and Means.

By Mr. DOW:

H.R. 8189. A bill providing for a nationwide marketing order for table eggs; to the Committee on Agriculture.

By Mr. FULTON of Tennessee:

H.R. 8190. A bill relating to the tax treatment of transfers of rights to copyrights and literary, musical, and artistic compositions; to the Committee on Ways and Means.

H.R. 8191. A bill to amend the Internal Revenue Code of 1954 to repeal the excise tax on phonograph records; to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 8192. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

By Mrs. GREEN of Oregon:

H.R. 8193. A bill to amend the act providing books for the adult blind so as to make books also available to quadriplegics and the near blind; to the Committee on House Administration.

By Mr. HUNGATE:

H.R. 8194. A bill to amend the National School Lunch Act, and for other purposes; to the Committee on Education and Labor.

By Mr. JOHNSON of Pennsylvania:

H.R. 8195. A bill prohibiting use in the commission of certain crimes of firearms transported in interstate commerce; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 8196. A bill to amend title 38 of the United States Code to provide a 15-percent increase in the rates of disability compensation payable to disabled veterans, and to increase the amounts payable to certain of such disabled veterans on account of their dependents; to the Committee on Veterans' Affairs.

By Mrs. MAY:

H.R. 8197. A bill to authorize the Secretary of the Interior to construct, operate, and maintain a third powerplant at the Grand Coulee Dam, Columbia Basin project, Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MURPHY of Illinois:

H.R. 8198. A bill to authorize certain modifications of the project for Calumet Harbor and River, Ill., and Ind.; to the Committee on Public Works.

By Mr. PATMAN:

H.R. 8199. A bill to permit Federal savings and loan associations and Federal credit unions to afford checking account services to their patrons by accepting demand deposits on a 100-percent reserve basis, and for other purposes; to the Committee on Banking and Currency.

By Mr. PERKINS:

H.R. 8200. A bill to provide for the establishment and administration of the Allegheny Parkway in the States of West Virginia, Virginia, Kentucky, and Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROBISON:

H.R. 8201. A bill to amend the Sherman Antitrust Act (15 U.S.C. 1 et seq.) to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize, and for other purposes; to the Committee on the Judiciary.

H.R. 8202. A bill to authorize the Secretary of the Army to cooperate in planning for the development, utilization, and conservation of drainage basins in New York State; to the Committee on Public Works.

By Mr. SCHWEIKER:

H.R. 8203. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.R. 8204. A bill to provide for the establishment and administration of the Great Prairie Parkway in the State of Kansas; to the Committee on Interior and Insular Affairs.

By Mr. SICKLES:

H.R. 8205. A bill to amend the act of July 11, 1947, to include members of the District of Columbia Fire Department, in the Metropolitan Police Department band, and for other purposes; to the Committee on the District of Columbia.

By Mr. UDALL:

H.R. 8206. A bill to provide for the conveyance of certain real property of the United States situated in the State of Arizona; to the Committee on Agriculture.

H.R. 8207. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WOLFF:

H.R. 8208. A bill to amend the Bank Merger Act so as to provide that bank mergers, whether accomplished by the acquisition of stock or assets or in any other way, are subject exclusively to the provisions of the Bank Merger Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. WYATT:

H.R. 8209. A bill prohibiting use in the commission of certain crimes of firearms transported in interstate commerce; to the Committee on the Judiciary.

By Mr. MILLER:

H.R. 8210. A bill to amend the International Organizations Immunities Act; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 8211. A bill to amend title 37 of the United States Code to provide that a family separation allowance shall be paid to any member of a uniformed service assigned to Government quarters providing he is otherwise entitled to such separation allowance; to the Committee on Armed Services.

By Mr. HUNGATE:

H.J. Res. 471. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

254. By Mr. FRASER: Memorial of the Legislature of the State of Minnesota to the Congress of the United States to provide for development of the Wild Rice River watershed and construction of a dam on the Wild Rice River; to the Committee on Public Works.

255. By Mr. PEPPER: Memorial of the Florida Legislature (House Memorial No. 751) requesting Congress to provide for the continuance of technical assistance to soil and water conservation districts in Florida; to the Committee on Agriculture.

256. By the SPEAKER: Memorial of the Legislature of the State of Florida, relative to the continuation and expansion of the program providing technical assistance to soil and water conservation districts and their cooperating landowners free of cost; to the Committee on Agriculture.

257. Also, memorial of the Legislature of the State of California, relative to authorizing a feasibility study of the proposed Lake Tahoe National Parkway; to the Committee on Interior and Insular Affairs.

258. Also, memorial of the Legislature of the State of Hawaii, relative to providing for Federal regulation of automobile design and to support the research necessary to establish effective design standards; to the Committee on Interstate and Foreign Commerce.

259. Also, memorial of the Legislature of the State of Hawaii, relative to extending GI educational and training benefits to all veterans who entered, or who enter, military service from and after February 1, 1955; to the Committee on Veterans' Affairs.

260. Also, memorial of the Legislature of the State of Nevada, relative to the enactment of legislation reducing but not eliminating the silver content of U.S. coinage; to the Committee on Banking and Currency.

261. Also, memorial of the Legislature of the State of Washington, relative to requesting appropriate action to design, print, and publish a suitable postage stamp commemorating the Peace Arch on the Canadian-American border; to the Committee on Post Office and Civil Service.

262. Also, memorial of the Legislature of the State of Wisconsin, relative to amending the Kerr-Mills Act to include medical assistance to needy persons who are blind or disabled even though under 65 years of age; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOULTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHMORE:

H.R. 8212. A bill for the relief of Kent A. Herath; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 8213. A bill for the relief of Caterina Casablanca; to the Committee on the Judiciary.

H.R. 8214. A bill for the relief of Francesca Frisiana; to the Committee on the Judiciary.

H.R. 8215. A bill for the relief of Giuseppe Di Grazia; to the Committee on the Judiciary.

By Mr. GIBBONS:

H.R. 8216. A bill to permit the validation, for social security purposes, for certain earnings erroneously reported for employees of Centro-Asturiano Hospital, Tampa, Fla.; to the Committee on the Judiciary.

By Mr. GURNEY:

H.R. 8217. A bill for the relief of Maria Z. Bollman; to the Committee on the Judiciary.

By Mr. HUNGATE:

H.R. 8218. A bill for the relief of Walter K. Willis; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 8219. A bill for the relief of Cho Myung Soon and Cho Myung Hee; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 8220. A bill for the relief of Victor Bekithema Shange; to the Committee on the Judiciary.

H.R. 8221. A bill for the relief of Obed Mabalane Dira; to the Committee on the Judiciary.

H.R. 8222. A bill for the relief of Ernest T. Mohlomi; to the Committee on the Judiciary.

H.R. 8223. A bill for the relief of Herbert M. Manana; to the Committee on the Judiciary.

H.R. 8224. A bill for the relief of Paul Makgoba; to the Committee on the Judiciary.

H.R. 8225. A bill for the relief of Stefano Carollo; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 8226. A bill for the relief of Ruben Gutierrez Sitson; to the Committee on the Judiciary.

H.R. 8227. A bill for the relief of Dr. Harry Charles Ruche; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 8228. A bill for the relief of Anna Maria; Giuseppe, and Tommaso Santamaria; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 8229. A bill for the relief of Kyung Soo Cha; the Committee on the Judiciary.

By Mr. RYAN:

H.R. 8230. A bill for the relief of Aedwyn John Darroll; to the Committee on the Judiciary.

H.R. 8231. A bill for the relief of Abdul Kadir Hassoon; to the Committee on the Judiciary.

By Mr. STEED:

H.R. 8232. A bill to provide for the free entry of one mass spectrometer-gas cromatograph for the use of Oklahoma State University, Stillwater, Okla., to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 8233. A bill for the relief of John R. Kenny; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

209. By the SPEAKER: Petition of president, Hui O Na Wahine (Officers' Wives Club), Schofield Barracks, Hawaii; relative to adequate pay to support an up-to-date military force; to the Committee on Armed Services.

210. Also, petition of commander, Thomas Lau Suedhoff Post No. 9500, Veterans of Foreign Wars of the United States, relative to the merger of the Army Reserve and the National Guard; to the Committee on Armed Services.

211. Also, petition of county of San Joaquin, Calif., relative to suggested legislation regarding Federal-State conflict over water rights; to the Committee on Interior and Insular Affairs.

212. Also, petition of Chairman, Columbia Basin Commission, relative to a report entitled "The Million Acre Program for the Columbia Basin Irrigation Project"; to the Committee on Interior and Insular Affairs.

213. Also, petition of city clerk, city of Chicago, Ill., relative to enactment of pending legislation for updating immigration laws; to the Committee on the Judiciary.

214. Also, petition of Massachusetts State Automobile Dealers Association, Inc., relative to elimination of Federal excise tax on passenger cars; to the Committee on Ways and Means.

SENATE

MONDAY, MAY 17, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, our Father, in this temple of freedom, we bow at the altar of prayer which our fathers set up at the Nation's birth. We would here be reminded that the very justice and social welfare we are commissioned as public servants to preserve, promote, and protect, are rooted and grounded in Thy sovereignty and in the verities of Thy eternal kingdom.

In the global contest against the enslaving system which, instead of altars of prayer, rears prisons of the mind and heart, we have pledged our moral and material might.

In this battle between light and darkness, make us increasingly the kind of nation and make us as individuals the kind of persons which Thou canst use as the instruments of Thy benevolent purpose for all mankind.

Grant to those here entrusted with the stewardship of the Nation's weal, a clearer vision of Thy way and Thy will, and renewed courage to follow the gleam of truth in this confusing hour, with so many false lights along the shore.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 14, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on May 15, 1965, the President had approved and signed the act (S. 60) to authorize the Secretary of the Interior to designate the Nez Perce National Historical Park in the State of Idaho, and for other purposes.

REDUCTION OF EXCISE TAXES—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 173)

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States on excise taxes. Without objection, the message will be printed in the RECORD, without being read, and appropriately referred.

There being no objection, the message was referred to the Committee on Finance, as follows:

To the Congress of the United States:

Fourteen months ago, I signed the Revenue Act of 1964, which reduced the income taxes of the American people by $14 billion.

That action had a profound impact on the American economy:

Consumer buying rose $28 billion.

Business investment in plant and equipment rose $6½ billion.

Almost 2 million new jobs were created, and unemployment fell to the lowest level in 7 years.

Meanwhile, the stability of our prices—unmatched in the world today—held firm, and our foreign trade surplus set new records.

I am proud of the success of the 1964 tax cut. It proves that taxes do much more than raise revenue to finance Government—they also affect the health and strength of the Nation's economy.

Unwise tax policy can:

Unduly restrict private purchasing power;

Hold back economic growth;

Stifle incentives;

Distort decisions by consumers and producers;

Enlarge rather than shrink budget deficits.

On the other hand, wise tax policy can:

Raise the purchasing power of private citizens;

Expand production and create jobs;

Stimulate initiative and improve efficiency;

Reduce budget deficits by expanding the tax base and increasing tax revenues.

We used tax policy last year to achieve those goals.

As a result, this month we passed a milestone in economic history: more than 50 months of unbroken peacetime expansion.

But we cannot stand still. We must continually adjust our tax system to assure that it makes a maximum contribution to our economic growth.

For that reason I am recommending reductions in excise taxes as well as increases in user charges.

EXCISE TAXES

I recommend an excise tax reduction of $3.5 billion in two equal stages effective July 1, 1965, and January 1, 1966.

I also recommend further reductions on January 1 of each year from 1967 through 1969 totaling $464 million.

Many of our existing excises were born of depression and war. Many were designed to restrain civilian demand in wartime and thereby free resources for military use. They need to be reexamined to assure that they do not hold back an expanding peacetime economy.

The proposed program of excise tax cuts and revisions will spur growth and move us closer to full employment by removing an unnecessary drag on consumer and business purchasing power. It will also:

Lower prices to consumers;

Lessen the burden of regressive taxes on low-income families;

Raise business profits by expanding sales and cutting costs of tax compliance;

Cut the Government's costs of tax collection and enforcement;

End an unfair burden on many businesses and workers who produce the commodities singled out for excise taxation;

Free consumers from the distorting effects of these taxes on their market choices.

THE PROGRAM OF EXCISE TAX REDUCTION

In the budget for fiscal year 1966 I proposed an excise tax reduction of $1.75 billion effective July 1, 1965, and an increase in user charges of $300 million.

Our improving fiscal position, together with our developing economic situation, now makes it possible and desirable to double the recommended excise tax cut.

Responding strongly to an expanding economy, revenues for both fiscal years 1965 and 1966 are now estimated substantially higher than our conservative January estimates:

For fiscal 1965, we now expect revenues to be $1.4 billion above the January figure of $91.2 billion.

For fiscal 1966, we now anticipate—given the tax program as proposed in January—that revenues would be about $1.6 billion above the January estimate of $94.4 billion.

We can make the recommended tax cuts and still realize total revenues well above—and a deficit well below—our earlier estimates for fiscal 1966.

Because the progress of the U.S. economy in 1965 is living up to our expectations, the January proposal for a $1.75 billion reduction this July continues to be appropriate.

But as we look ahead to 1966, we must be alert to the possibility that our taxes will take too much buying power out of the private economy. To foster continued strong expansion of the economy in 1966, I am recommending an additional $1.75 billion reduction of excise taxes, effective January 1, 1966.

The revenue impact on the fiscal 1966 budget of the additional reduction—which will effect only the last half of the fiscal year—will be about $600 million. This will leave a substantial portion of the anticipated increase in revenues above the January budget estimate to reduce the estimated budget deficit.

The reductions I am recommending will accomplish, prudently and responsibly, a major reform of the excise tax structure. We will:

Eliminate most of our present excise taxes on July 1, 1965, and even more on January 1, 1966;

Eliminate the tax on telephone service, in several steps, by January 1, 1969;

Gradually reduce the automobile excise tax from 10 percent now to 5 percent by January 1, 1967;

Leave only, in addition, the excises on alcoholic beverages, tobacco, gasoline, tires, trucks, air transportation—and a few other user-charge and special excises—which should remain a part of our tax system.

EXCISE TAX REDUCTION, DEFENSE, AND THE NATION'S ECONOMY

In proposing these reductions, I am fully aware of our present and prospective commitments for the defense of the free world. It is impossible to predict precisely what expenditures these may involve in the future. There is, however, no present indication that expenditures will increase to an extent that would make these excise tax reductions inadvisable.

Indeed, our international responsibilities require that we redouble our efforts to assure the continued healthy growth of our economy. Barring some sudden change in the present world situation, I am sure that these excise tax reductions will be a sound and profitable investment in that growth.

A careful evaluation of our labor supply and industrial capacity—and of the prospective rapid growth of both—indicates that—

The carefully timed stimulus of the excise tax cuts will help us achieve fuller use of the American economy's great and growing potential without creating pressures that might threaten our fine record of price stability.

Removal of excise taxes will, in fact, cut the prices of many items to consumers and thereby tend to ease pressures on our cost of living.

To insure that the excise tax reductions make the maximum contribution to continued price stability and balanced prosperity, I call on American business to translate lower excise taxes promptly into lower retail prices for consumers.

Business will share fully in the benefits of excise tax cuts through the larger sales volume they will generate. Rising volume will boost profits and create more jobs.

These advances will extend beyond the industries whose taxes are removed or reduced. Consumers and businesses will use some of their gains to enlarge their purchases of other products and services. Demand will be strengthened throughout the economy. And for products bought by businesses, the tax reductions will lower costs.

In these ways excise tax cuts, like income tax cuts, will stimulate total demand in the economy and serve to increase production and incomes by far greater amounts than the cost of the tax reduction itself.

And again, Federal revenues will grow—not shrink—as the final result of tax reduction.

Effective July 1, 1965, I recommend the following:

Retail taxes: The complete repeal of the existing retail excise taxes on handbags and luggage, toilet articles, jewelry, and furs.

Manufacturers taxes: The complete repeal of the manufacturers excise taxes on business machines, sporting goods—other than fishing equipment—radios, television sets, phonographs, phonograph records, musical instruments, cameras, film and other photographic equipment, refrigerators, freezers, air conditioners, electric, gas, and oil appliances, fountain pens, ballpoint pens, mechanical pencils, lighters, matches, and playing cards.

Automobile tax: A reduction of the manufacturers excise tax on passenger automobiles from 10 percent to 7 percent.

Miscellaneous taxes: The complete repeal of the excise taxes on safe deposit boxes, coin-operated amusement devices, bowling alleys, and pool tables.

Refunds: To avoid deferral of purchases, the July 1 tax reductions on automobiles and air conditioners to be made retroactive to apply to all consumer purchases after May 14, 1965. Refunds would be made to the manufacturer on presentation of evidence that the final customer had been reimbursed.

I further recommend the following later excise tax reductions:

Local and long distance telephone service tax: Effective January 1, 1966, a reduction from 10 to 3 percent of the tax on local and long-distance telephone service, including teletypewriter service. A further reduction of 1 percentage point effective each January 1 through January 1, 1969, when the tax will be completely repealed.

Admissions taxes: Effective January 1, 1966, the complete repeal of the excise taxes on admissions, including the tax on general admissions which applies to certain movies, theater performances, concerts, athletic events and racing, the tax on cabarets, and the tax on club dues.

Other manufacturers taxes: Effective January 1, 1966, the complete repeal of the manufacturers taxes on lubricating oil and electric light bulbs, and repeal of the tax on automobile parts and accessories except as it applies to those parts and accessories which are primarily for use only on trucks.

Automobile tax: Effective January 1, 1966, a further reduction to 6 percent in the tax on new passenger automobiles and effective January 1, 1967, a final reduction to 5 percent. I recommend that the excise tax on new automobiles be retained as a continuing revenue source at the 5-percent rate. It is not regressive. It is an important source of Federal revenues. Its compliance and collection costs are exceptionally low.

Documentary stamp taxes: Effective January 1, 1966, the complete repeal of the documentary stamp taxes on the issuance and transfer of stocks and bonds and on deeds of conveyance.

Other communications taxes: Effective January 1, 1966, revision of the tax on local and long-distance telephone service so that it will no longer apply to amounts paid for private communications systems, even where the private system is linked with the general telephone network. This service is almost exclusively a business cost item and competes with nontaxable business communication services. Charges for service on the general telephone network originating or terminating in the private system would be taxable until the telephone tax is completely repealed. I also recommend complete repeal of the tax on telegraph and wire and equipment service.

In the foregoing program, customer refunds are recommended for purchases after May 14 only in the case of—

Air conditioners, which are unique in their seasonal purchase pattern.

Automobiles, which are unique in the large dollar amount of tax per unit.

I am informed that other business groups affected by the proposed tax cuts have concluded that the advantages of possible refunds are outweighed by the cost and complexity of the paperwork they would involve.

Floor-stock refunds are appropriate for most manufacturers taxes and are so provided in the recommended program.

One further important change concerns the annual automatic reductions in the so-called Korean rates. To avoid the costly and time-consuming process of nullifying these reductions each year, I recommend removal of the automatic reduction dates for the present excise taxes on distilled spirits, wines, beer, and cigarettes.

The Committee on Ways and Means has already held extensive public hearings on excise-tax reduction. Further, the recommended program calls for repeal of the great majority of excises, thereby minimizing the controversy and hard choices that might otherwise have delayed action. Therefore, it is my hope and expectation that the Congress will enact these changes without undue delay.

USER CHARGES

The reductions in excise taxes which I am recommending will contribute to greater economic efficiency and equity in our society.

Pursuit of these very same goals of efficiency and equity demands that we increase certain other excise taxes or impose new ones.

This special class of excise taxes is better described as "user charges." They are taxes paid by those who benefit from special services provided by the Government. These user charges serve several purposes:

They assess the costs of special services and facilities against those who reap the benefits, instead of imposing unwarranted burdens on the general taxpayer.

They restrain the demands of special groups for expanded services by establishing the principle that the beneficiaries pay at least part of the costs.

In the case of transportation, they help to eliminate the economic distortions which result when competing modes of transportation rely in varying degrees on facilities or services provided by the Government.

Every President since Harry Truman has reaffirmed the principle of user charges and has proposed extension of their use.

President Eisenhower said: "Many services performed and privileges granted by the Government in the public interest also convey a special, added benefit to individuals or groups who can afford to pay for them. In some cases, the fees are substantially below the costs of providing the services. Thus, the general taxpayer is required to subsidize operations which should be self-supporting. The scope and cost of these hidden subsidies have grown considerably during the past decades. I firmly believe in the principle that Government services which give a special benefit to users should be financed by adequate charges paid by the users."

Substantial constructive action has been taken by the Congress to reaffirm and extend the principle of user charges, particularly in the field of transportation. But user charges have not been applied with an even hand. I would consider it a serious abdication of responsibility if I were to propose a substantial reduction in excise taxes without at the same time moving to correct serious inequities that exist in the field of user charges.

Users of highways come closer to reimbursing the Federal Government for its transportation investment than any other group. But inequities remain among the various classes of highway users.

The airlines and their passengers make substantial—but still insufficient—contributions toward the development and operation of the Federal airways. The airlines operate about 2,000 planes. The private, business, and pleasure aircraft which make up the general aviation sector number some 86,000. Yet general aviation, which receives a large share of the benefits of the Federal airways system, contributes very little toward the cost of the airways.

Users of the inland waterways pay nothing toward the cost either of the initial improvements or of the operation and maintenance of the waterways.

The absence of a fair system of user charges strongly affects the ability of various segments of the transportation industry to compete and obscures the inherent advantages of some modes of transportation. As a result, it unnecessarily increases the cost of transportation to the economy.

I therefore recommend new and additional transportation user charges. These proposals are designed to—

Move toward the elimination of inequities among the several modes of transportation;

Recover a larger part of the outlays by the Federal Government for services and facilities which mainly benefit special groups.

HIGHWAYS

New cost estimates already submitted to the Congress show that the Interstate System will cost $5.6 billion more to complete than previously estimated. The added funds are needed because of increased construction costs, additional design features, and the requirement that highway capacity be based on estimated traffic 20 years in the future rather than on the traffic anticipated by calendar year 1975. Of this cost increase, $5 billion represents the Federal share.

I recommend that Congress approve this revised cost estimate, as required by law, and authorize the additional necessary appropriations so that the Interstate System can be completed.

Existing user taxes will provide almost $2 billion of the increased costs. This leaves approximately $3 billion to be raised by extending these taxes beyond the present expiration date, or by increasing some of these taxes—or both.

In the interest of advancing this program at an orderly pace, part of this requirement should be met by a short extension of the completion date for the Interstate System and of the existing user charges. I recommend, therefore, that the date for reduction of the taxes earmarked for the highway trust fund be extended from September 30, 1972, to February 28, 1973.

Extending the completion date and the existing user tax program will meet most of the increased costs of the Interstate System. But unless we enact some increase in current revenues to the highway trust fund, a number of States will be required to cut back sharply on their construction programs.

For this reason, I recommend immediate additional user taxes on heavy trucks estimated to yield about $200 million annually until 1973.

Specifically, I recommend—

That the excise tax on highway diesel fuel be raised from 4 cents to 7 cents per gallon;

That the present truck use tax be increased from $3 to $5 per thousand pounds on trucks having a taxable gross weight of more than 26,000 pounds; and

That the tax on tread rubber, largely affecting heavy trucks, be increased from 5 cents to 10 cents per pound.

In its extensive study of highway costs and cost responsibilities—submitted to the Congress in preliminary form in 1961 and in final form this year—the Bureau of Public Roads has carefully allocated cost responsibilities among the various classes of highway users. The Bureau's studies clearly show that heavy trucks are not paying fully for the additional cost of heavier pavement and other design features needed to carry them.

The increases I am proposing will provide the added revenues required to complete the Interstate System. They will also achieve a fairer sharing of costs among the users of the highways.

I have carefully considered proposals for an increase in the limits on sizes and weights of trucks that may legally operate on the Interstate System. As I have noted, substantial undertaxation of heavy trucks now exists. This inequity would be further aggravated if increases in size and weight limits were to be made without imposing the additional user charges. I should not and must not approve legislation to relax these limits for vehicles on the Interstate System unless the Congress imposes these additional user charges. I will promptly recommend that the size and weight limits on trucks using the Interstate System be raised as soon as just and appropriate user charges are enacted.

AVIATION

In 1961 the Congress took a major step forward in the area of aviation user charges. At that time it dropped the general excise tax of 10 percent on the transportation of persons. But it retained a 5-percent tax on the transportation of persons by air to serve as a user charge. I recommend:

That this tax now be made permanent;

That commercial aviation bear a larger share of its appropriate cost responsibilities through the enactment of a new user tax of 2 cents per gallon on jet fuels and by continuing the existing user tax of 2 cents per gallon on aviation gasoline;

That a user tax of 2 percent to levied on air freight waybills so that shippers by air as well as air travelers will bear some part of the cost of maintaining the Federal airways.

At the present time general aviation contributes less than 4 percent of its fair share of the cost of developing and maintaining the Federal airways. To replace the present 2 cent tax on aviation gasoline used by general aviation, I recommend a modest user charge of 4 cents per gallon on all fuels used by general aviation. Under this proposal, general aviation would pay 9 percent of its share of total costs.

All of these taxes should be made permanent, and aviation gasoline taxes now transferred to the highway trust fund should be retained in the general fund.

Over the years the Federal Aviation Agency has provided the Congress with careful studies of the appropriate allocation of airways costs among military, commercial, and general aviation users. These studies show that even with these new user charges, the various classes of civil users will still be paying less than their full share of airways costs.

INLAND WATERWAYS

No user charge of any kind is presently in effect on the use of the inland waterways. This is unfair to the taxpayers and to competing modes of transportation. We are currently spending more than $50 million a year for operating and maintaining the inland waterways, and over $200 million a year for new investment. In view of these large and increasing public expenditures, equity requires that users of the inland waterways begin to contribute to the cost of providing their transport network. Accordingly, I recommend a tax of 2 cents per gallon on all fuel used on the inland waterways. The proposed tax will recover a very small fraction of the operating and maintenance costs of the waterways.

DRAFT LEGISLATION AND REVENUE IMPACT

I am transmitting herewith draft legislation to carry out my recommendations.

The attached tables provide the detailed revenue figures associated with my recommendations.

CONCLUSION

I know that the Congress and the country will join me in recognizing our good fortune in being able to declare a new fiscal dividend of nearly $4 billion in excise tax cuts out of the bounty of a prosperous and growing economy—a dividend that will help keep it prosperous and growing.

This is not our first tax cut. It will not be our last. But in consolidating our prosperity and advancing the cause of fairness and balance in our tax system, it will surely rank as one of the most important.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 17, 1965*.

TABLE 1.—*Excise tax program to be enacted in 1965 covering 1966–69*

[Millions of dollars]

	Full year revenue effect (fiscal year 1966 level)
I. Reductions to take effect July 1, 1965:	
1. Repeal retail excises on jewelry, furs, toilet preparations, and luggage and handbags	550
2. Repeal following manufacturers taxes:	
Business machines	75
Sporting goods, except fishing equipment	25
Musical instruments	27
Phonograph records	30
Television sets	135
Radios and phonographs	90
Cameras, film, and other photographic equipment	40
Refrigerators	34
Freezers	7
Air conditioners [1]	34
Electric, gas, and oil appliances	85
Pens	8
Lighters	3
Matches	4
Playing cards	11
Total	608
3. Other repeals:	
Coin-operated amusement devices	6
Bowling alleys and pool tables	7
Safe deposit boxes	7
Total	20

TABLE 1.—*Excise tax program to be enacted in 1965 covering 1966–69*—Continued

[Millions of dollars]

	Full year revenue effect (fiscal year 1966 level)
4. Rate reductions: Passenger automobiles—3 points [1]	570
Total reductions	1,748
II. Reductions to take effect Jan. 1, 1966:	
1. Repeal taxes in admissions group:	
General admissions	55
Cabarets	47
Club dues	85
Total	187
2. Communications taxes:	
Reduce general and long-distance telephone (including teletypewriter service)—7 points	730
Expand exemption from telephone tax for private line service	39
Repeal telegraph tax	17
Repeal wire and equipment service tax	15
Total	801
3. Repeal of other taxes:	
Automobile parts and accessories except certain truck parts	230
Lubricating oil	78
Electric light bulbs	45
Documentary stamps (except foreign insurance policies)	195
Total	548
4. Other rate reductions:	
Passenger automobile tax—1 point	190
Total reductions	1,726
Total fiscal year 1966 program	3,474
III. Reductions to take effect Jan. 1, 1967 [2]	
Reduce telephone tax, general and long distance (including teletypewriter service)—1 point	91
Reduce passenger automobile tax—1 point	190
Total reductions	281
IV. Reductions to take effect Jan. 1, 1968 and 1969 [2]	
Reduce telephone tax, general and long distance (including teletypewriter service)—1 point	91

[1] Refunds as to sales after May 14, 1965.

[2] Figures based on 1966 levels of business.

MAY 14, 1965.

TABLE 2.—*Expected revenues from user charge proposals*

[In millions]

	Full year revenue 1966 levels
Highways:	
Increase diesel fuel from 4 cents to 7 cents a gallon	$112
Increase use tax on heavy trucks from $3 to $5 per 1,000 pounds	70
Increase tax on tread rubber from 5 cents to 10 cents a pound	24
Additional highway user charges	206
Airways:	
Transportation of persons, continue at 5 percent	$140
Tax on air freight	5
Tax fuel used in general aviation 4 cents a gallon	13
Tax fuel used in commercial aviation 2 cents a gallon	82
Total proposed airway user charges	240
Less existing taxes on airway users:	
Tax on transportation of persons by air	140
Tax on aviation gasoline	14
Additional airway user charges	86
Inland waterways: Fuel, 2 cents	8
Total increased revenues from user charge program	300

MAY 14, 1965.

TABLE 3.—*Excise taxes remaining after current and phased reductions*

[Millions of dollars, fiscal year 1966 levels]

	Fiscal year 1966 revenue
Group I—General taxes:	
Passenger automobiles—5 percent	950
Certain truck parts	20
Total general taxes	970
Group II—Alcohol and tobacco taxes:	
Alcohol	3,882
Tobacco	2,159
Total alcohol and tobacco taxes	6,041
Group III—Regulatory taxes: Regulatory taxes [1]	33
Group IV—Dedicated taxes and user charges:	
Highway trust fund	[2] 3,959
Other dedicated taxes and user charges [3]	373
Total dedicated taxes and user charges	4,332
Adjustment for unapplied collections and miscellaneous refunds	−57
Total	11,319

[1] Includes such items as: narcotics, wagering, coin-operated gaming devices, white phosphorus matches, manufacture and transfer of certain firearms. Also includes the manufacturers tax on pistols and revolvers.

[2] After refunds.

[3] Sugar; firearms, shells, and cartridges; fishing equipment; taxes on aviation.

MAY 14, 1965.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of May 14, 1965, the following report of a committee was submitted on May 14, 1965:

By Mr. McNAMARA, from the Committee on Public Works, with amendments:

S. 1648. A bill to provide grants for public works and development facilities, other financial assistance and the planning and coordination needed to alleviate conditions of substantial and persistent unemployment and underemployment in economically distressed areas and regions (Rept. No. 193).

ORDER DISPENSING WITH CALL OF THE LEGISLATIVE CALENDAR UNDER RULE VIII

On request of Mr. MANSFIELD, and by unanimous consent, the call of the legislative calendar under rule VIII was dispensed with.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements during the transaction of routine morning business be limited to 3 minutes. I anticipate that the distinguished dean of the Republicans in this body may have some remarks to make on the question of the water bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILL (S. 1766)

Mr. AIKEN. Mr. President, as additional cosponsors of S. 1766, a bill to amend the Consolidated Farmers Home Administration Act of 1961, to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply and water systems serving rural areas and to make grants to aid in rural community development and planning and in connection with the construction of such community facilities, to increase the annual aggregate of insurance loans thereunder, and for other purposes, I ask unanimous consent that the names of the Senator from North Carolina [Mr. JORDAN], the Senator from Minnesota [Mr. MONDALE], the Senator from Colorado [Mr. ALLOTT], the Senator from North Dakota [Mr. BURDICK], the Senator from New Mexico [Mr. ANDERSON], the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DIRKSEN], the Senator from Ohio [Mr. LAUSCHE], the Senator from Nevada [Mr. BIBLE], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from Idaho [Mr. CHURCH] be added.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. AIKEN subsequently said: Mr. President, earlier today I submitted several names to be added as cosponsors of the bill S. 1766, which would amend the Farm Home Administration Act. I now wish to add the names of two additional Senators to that list. They are the Senators from Washington [Mr. MAGNUSON and Mr. JACKSON].

Mr. ELLENDER. Mr. President, I know that it will be very pleasing to my friend the Senator from Vermont if I should ask him to permit my name to be added as a cosponsor also.

Mr. AIKEN. It certainly is. That is what I have been waiting for. I should like to add the name of the Senator from Louisiana, who is the very distinguished chairman of the Committee on Agriculture and Forestry. I cannot tell the Senator from Louisiana how happy I am to hear his request.

Mr. ELLENDER. I thought that the Senator would. That is why I made the announcement.

Mr. AIKEN. Mr. President, I ask unanimous consent that those three names be added as cosponsors of Senate bill 1766.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Commerce be authorized to meet during the session of the Senate today.

Mr. KUCHEL. Mr. President, reserving the right to object—and, by request, I shall object—let the RECORD show that the minority will now take the position that during the present prolonged debate on the proposed legislation related to voting rights, it is the view of the minority that no more committee meetings should be held while the Senate is in session. Therefore, by request, I object.

Mr. ELLENDER. Does that statement apply to appropriations?

Mr. MANSFIELD. No.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business.

The ACTING PRESIDENT pro tempore. Is there objection to the request by the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

AGREEMENT WITH CANADA ON ESTABLISHMENT OF AN INTERNATIONAL ARBITRAL TRIBUNAL TO DISPOSE OF CERTAIN CLAIMS—REMOVAL OF INJUNCTION OF SECRECY

Mr. AIKEN. Mr. President, I ask unanimous consent that the injunction of secrecy be removed from Executive C, 89th Congress, 1st session, the agreement between the Government of the United States of America and the Government of Canada concerning the establishment of an International Arbitral Tribunal to dispose of U.S. claims relating to Gut Dam, signed at Ottawa March 25, 1965, and that the agreement, together with the President's message be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The message from the President was referred to the Committee on Foreign Relations, as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the agreement between the Government of the United States of America and the Government of Canada concerning the establishment of an International Arbitral Tribunal to dispose of U.S. claims relating to Gut Dam, signed at Ottawa, March 25, 1965.

I transmit also, for the information of the Senate, the report by the Secretary of State with respect to the agreement.

This agreement is an outstanding example of the close and friendly cooperation between us and our good neighbor to the north.

Claims have been made by many nationals of the United States that their properties on the shores of Lake Ontario have suffered damage or detriment as a result of high water caused by the construction and maintenance by Canada of Gut Dam in the St. Lawrence River.

Those claims total approximately $9 million and have been the subject of discussions and negotiations between the United States and Canada for many years. The present agreement is the result of those negotiations.

The agreement provides for the establishment of a three-member international arbitral tribunal with authority to receive, determine, and make awards on claims of U.S. nationals. The tribunal will determine whether Gut Dam was the cause of the damage, the nature and extent of the damage, the existence of any legal liability to pay compensation, and what amount of compensation should be paid and by whom. The Canadian Government agrees to pay all compensation for which it is found liable under the agreement.

I recommend that the Senate give early and favorable consideration to this agreement and to its ratification.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 17, 1965*.

Enclosures: (1) Report of the Secretary of State; and (2) agreement between the Government of the United States of America and the Government of Canada concerning the establishment of an International Arbitral Tribunal to dispose of U.S. claims relating to Gut Dam, signed at Ottawa, March 25, 1965.

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF STATE

The Chief Clerk proceeded to read sundry nominations in the Department of State.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

PEACE CORPS

The Chief Clerk read the nomination of Warren W. Wiggins, of Virginia, to be Deputy Director of the Peace Corps.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

The ACTING PRESIDENT pro tempore. Is there further morning business?

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communications and letters, which were referred as indicated:

PROPOSED AMENDMENT TO THE BUDGET, 1966, FOR THE TREASURY DEPARTMENT (S. DOC. NO. 24)

A communication from the President of the United States, transmitting an amendment to the request for appropriations for the fiscal year 1966, in the amount of $6,260,000, for the Treasury Department (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

REPORT ON FEDERAL SALARY RATES

A communication from the President of the United States, transmitting, pursuant to law, a report, prepared by the Director of the Bureau of the Budget and the Chairman of the Civil Service Commission, comparing Federal statutory salary rates with the salary rates paid in private enterprise for the same work levels, as reported in November 1964, by the Bureau of Labor Statistics (with an accompanying report); to the Committee on Post Office and Civil Service.

AMENDMENT OF OIL POLLUTION ACT, 1961

A letter from the Acting Secretary of State, transmitting a draft of proposed legislation to amend the provisions of the Oil Pollution Act, 1961 (33 U.S.C. 1001–1015), to implement the provisions of the International Convention for the Prevention of the Pollution of the Sea by Oil, 1954, as amended, and for other purposes (with accompanying papers); to the Committee on Commerce.

REPORT ON PROVISION OF WAR RISK INSURANCE AND CERTAIN MARINE AND LIABILITY INSURANCE FOR THE AMERICAN PUBLIC

A letter from the Acting Secretary of Commerce, transmitting, pursuant to law, a report on the provision of war risk insurance and certain marine and liability insurance for the American public, as of March 31, 1965 (with an accompanying report); to the Committee on Commerce.

REPORT ON NEGOTIATED PROCUREMENT, U.S. COAST GUARD

A letter from the Assistant Secretary for Administration, Treasury Department, transmitting, pursuant to law, a report on negotiated procurements, U.S. Coast Guard (with an accompanying report); to the Committee on Commerce.

Amendment of Act Relating to U.S. Contributions to the International Council of Scientific Unions

A letter from the Acting Secretary of State, transmitting a draft of proposed legislation to amend the Act of Congress approved August 7, 1935 (Public Law 253), as amended, concerning U.S. contributions to the International Council of Scientific Unions and certain Associated Unions (with accompanying papers); to the Committee on Foreign Relations.

Successors in Interest of Cooper Blyth and Grace Johnston Blyth

A letter from the Acting Secretary of State, transmitting a draft of proposed legislation for the relief of the successors in interest of Cooper Blyth and Grace Johnston Blyth otherwise Grace McCloy Blyth (with an accompanying paper); to the Committee on the Judiciary.

Clarence L. Aiu and Others

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting a draft of proposed legislation for the relief of Clarence L. Aiu and others (with an accompanying paper); to the Committee on the Judiciary.

Report of National Labor Relations Board

A letter from the Chairman, National Labor Relations Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the fiscal year ended June 30, 1964 (with an accompanying report); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Alabama; to the Committee on the Judiciary:

"House Joint Resolution 84

"Resolution petitioning Congress to enact legislation to protect U.S. patent rights in commodity purchases

"Whereas antibiotics and other drugs produced by certain foreign companies and manufactured from stolen drug cultures and process secrets of U.S. firms are finding their way into the United States and other parts of the world; and

"Whereas the Federal Government's policy of purchasing drugs from unlicensed foreign sources circumvents patent laws, results in loss of tax revenues and customs receipts and has adverse effects on the Nation's monetary trade balance; and

"Whereas such practices affect the future of U.S. industrial research, of jobs on the production lines and the rights of physicians and their patients to be certain of the source of medicines used to fight disease: Now, therefore, be it

"Resolved by the House of Representatives of the Legislature of Alabama (the Senate concurring), That we respectfully memorialize and petition the Congress of the United States to enact appropriate legislation making it illegal for the United States to purchase a commodity covered by a valid U.S. patent from any source other than the patent owner or the holder of a manufacturing license granted by the patent owner except when the Secretary of Defense determines that national security requires it; be it further

"Resolved, That a copy of this resolution be sent by the clerk of the house to each member of the Alabama delegation in Congress, the Secretary of the U.S. Senate and the Clerk of the House of Representatives of the United States.

"Adopted by the house of representatives, April 14, 1965.

"Concurred in and adopted by the senate, April 30, 1965.

"Approved by the Governor, May 5, 1965."

A joint resolution of the Legislature of the State of North Carolina; to the Committee on the Judiciary:

"Resolution 60

"Joint resolution memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to the apportionment of State legislatures

"Whereas the Supreme Court of the United States has ruled that membership in both houses of a bicameral State legislature must be apportioned according to population and has thus asserted Federal judicial authority over the basic structure of government in the various States; and

"Whereas this rule denies to the people of the respective States the right to establish their legislatures upon the same pattern of representation deemed advantageous for the Congress of the United States and provided by the Federal Constitution; and

"Whereas this action of the Supreme Court goes so far as to restrict the ability of the citizens of the respective States to designate the manner in which they shall be represented in their respective legislatures thereby depriving the people of their right to determine how they shall be governed: Now, therefore, be it

"Resolved by the house of representatives the senate concurring):

"Section 1. That application is hereby made to the Congress of the United States, pursuant to article V of the Constitution of the United States, to call a convention for the sole purpose of proposing an amendment to the U.S. Constitution which would provide that (1) any State which has a bicameral legislature may utilize factors other than population in apportioning one house of its legislature if the plan of apportionment is specifically approved by vote of the electorate of the State and (2) any State may determine how governing bodies of its subordinate units shall be apportioned; and

"Sec. 2. That the legislatures of the several States be urged to take immediate and uniform action, in accordance with article V of the Constitution of the United States, to apply to the Congress to convene a constitutional convention for the purpose of proposing an amendment to the Constitution as herein set forth.

"Sec. 3. The secretary of state is hereby directed to transmit certified copies of this resolution to the Senate and House of Representatives of the Congress, to all Members of the Congress, to the President of the United States, and to the presiding officers of the legislatures of the other 49 States.

"Sec. 4. This resolution shall become effective upon its adoption.

"In the general assembly read three times and ratified, this the 12th day of May 1965.

"Robert W. Scott,
"President of the Senate.
"H. P. Taylor, Jr.,
"Speaker of the House of Representatives."

A resolution of the Legislature of the State of Minnesota; to the Committee on the Judiciary:

"Resolution 5

"Resolution memorializing the Congress of the United States to call a convention to propose an amendment to the U.S. Constitution relating to apportionment of State legislatures

"It is hereby resolved by the Legislature of the State of Minnesota, That the Congress of the United States is requested to call a convention for the single purpose of proposing the following article as an amendment to the Constitution of the United States:

"'Article —

"'Section 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

"'Sec. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

"'Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress.'

"Be it further resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to June 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

"Resolved, That the secretary of state transmit copies of this resolution to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from the State of Minnesota.

"L. L. Duxbury,
"Speaker of the House of Representatives.
"A. M. Keith,
"President of the Senate.

"Approved May 13, 1965.

"Karl F. Rolvaag,
"Governor of the State of Minnesota.

"Filed May 13, 1965.

"Joseph L. Donovan,
"Secretary of the State of Minnesota."

A joint resolution of the Legislature of the State of Maryland; to the Committee on Public Works:

"House Joint Resolution 25

"Joint resolution urging the U.S. Senators and Congressmen from Maryland to use their good offices and concerted effort so that no high dam will ever be built at Seneca

"Whereas the Corps of Engineers recommended plan for development of the Potomac River Basin proposes the construction of a high dam on the main stem of the Potomac at Seneca which would inundate an area of 58,100 acres of high-value residential and agricultural land creating adverse effects because of families displaced, immediate tax losses to both Montgomery County and the State of Maryland and the preclusion of the reconstruction and development of the historic C. & O. Canal in the flooded area; and,

"Whereas the Maryland Water Resources Commission is inclined to support a plan that would afford the greatest amount of benefits with the least number of sacrifices with emphasis on complete sewage and waste treatment facilities for quality water control; and,

"Whereas the Department of Forests and Parks in Maryland reports that the Seneca Dam project would have a definite effect on Seneca Creek State Park leaving much of this area as mudflat during the summer months; and,

"Whereas the Maryland Game and Inland Fish Commission recommends that the impoundment at Seneca be eliminated from the plan due to the high loss of wildlife on approximately 20,000 acres; and,

"Whereas the Maryland Department of Geological Survey, Johns Hopkins University, agrees with the recommendation of the Board of Engineers for Rivers and Harbors 'that prior to the construction stage for the Seneca project detailed analysis be made of the complex water quality and tidal phenomena of the Potomac estuary, to determine whether the project is the best overall means of fulfilling all of the water resources needs; and,

"Whereas the soil conservation district board of supervisors for the districts in the Potomac River Basin favor the upstream storage of water in reservoirs or small headwater structures and do not recommend large reservoirs to control siltation; and,

"Whereas the Montgomery County Council has passed a resolution opposing any high-level dam project in the area of the Potomac River which would affect Montgomery County for the reason that the proposed Seneca Dam will cause to be inundated 8,300 acres of property in Montgomery County, not including Government-owned, at an assessed value exceeding $856,000; and for the further reason that the estimated costs to reconstruct and/or relocate Montgomery County roads inundated by this proposal would exceed $2,500,000: Now, therefore, be it

"*Resolved by the General Assembly of Maryland,* That it is respectfully requested that the President of the United States, the Secretary of the Interior, and the U.S. Senators and Congressmen from Maryland resist all attempts to construct a large reservoir and high dam on the main stem of the Potomac River at Seneca; and be it further

"*Resolved,* That copies of this resolution be sent to the President of the United States, the Secretary of the Interior, and Members of Congress from Maryland by the secretary of state under the great seal of the State of Maryland."

A resolution of the Legislature of the State of Florida; to the Committee on Appropriations:

"HOUSE MEMORIAL 751

"Memorial to the Congress of the United States to continue to provide technical assistance to soil and water conservation districts and their cooperating landowners and operators without cost in accordance with a long-established policy, and to increase technical assistance requested by the soil and water conservation districts in Florida and throughout the Nation needed by landowners and operators to accelerate the planning and application of conservation measures on their privately owned land

"Whereas the Bureau of the Budget has proposed that the Soil Conservation Service appropriation for assisting locally managed soil and water conservation districts be reduced by $20 million and that soil and water conservation districts and cooperating farmers, ranchers, and other landowners shall pay the Federal Government up to 50 percent of the cost of technical assistance furnished in the design, layout, and installation of planned soil and water conservation practices on their lands; and

"Whereas the Federal Government has, for some 30 years, provided technical assistance to owners and operators of privately owned lands believing that it is in the total public interest, and one of the most urgent national needs to protect and improve the soil and water resources of this Nation; and

"Whereas over 90 percent of Florida's privately owned land is included in its 59 soil conservation districts, and nearly one-third of Florida's farmers and ranchers are annually using the technical assistance in the design, layout, and installation of planned soil and water conservation measures on their lands; and

"Whereas the supervisors of such districts have continuously requested additional technical assistance to meet the needs of farmers and ranchers to accelerate the application of conservation practices; and

"Whereas statewide storms and floods of disastrous proportions have resulted in heavy erosion and loss of valuable topsoil in heavy sediment deposits in our lakes, streams, and rivers which also have spread over valuable bottomlands, and other flood damage to both public and private property together with destruction or severe damage to thousands of water control and use structures, requiring greater rather than reduced efforts in the application of soil and water conservation practices; and

"Whereas if this proposal is adopted it would break faith with the Legislature of Florida which has been providing State funds for soil and water conservation with the understanding that the local-State-Federal team effort would be maintained as a team effort for the universal good of the Nation and all its people; and

"Whereas such assessments of payments to the Federal Government will discourage and seriously curtail the application of soil and water conservation measures on lands so vital to the strength and welfare of the State of Florida and the Nation and will seriously affect the harvest on family farms and the holdings of small operators; and

"Whereas this proposed additional burden added to the costs of farmers and ranchers already in a depressed economic condition would limit the ability of these people to participate in the existing soil and water conservation district programs and similar programs which have in the past contributed substantially to conservation development, and prudent use of these soil and water resources: Now, therefore, be it

"*Resolved by the Legislature of the State of Florida,* That the Legislature of the State of Florida respectfully makes application to the Congress of the United States to continue the long-established policy of providing technical assistance to soil and water conservation districts and their cooperating landowners and operators without requiring them to pay the Federal Government any portion of cost of such technical assistance; be it further

"*Resolved,* That the Congress provide the increases in technical assistance requested by the soil and water conservation districts in Florida and throughout the Nation to meet the needs of landowners and operators to accelerate the planning and application of conservation measures on their privately owned lands; be it further

"*Resolved,* That copies of this resolution be transmitted to the Honorable Lyndon B. Johnson, President of the United States, the President of the Senate and the Speaker of the House of Representatives, the Administrator of the Soil Conservation Service, and to each Senator and Representative in Congress from the State of Florida.

"Approved by the Governor, May 10, 1965.

"Filed in office of secretary of state, May 11, 1965."

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on Commerce:

"HOUSE CONCURRENT RESOLUTION 8

"Whereas the tragic toll of death and crippling injury which accompanies today's use of the automobile is appalling to heart and mind; and

"Whereas the continual rise in number of injuries and now the increasing rise in number of deaths due to motor vehicle accidents constitute a disheartening testimony to the limited success of past traffic safety efforts and an ill-harbinger of tragedies yet to come; and

"Whereas of the three major elements in a traffic accident—the driver, the road, and the vehicle—the most difficult of these to control and improve are the driver and the road, yet these have been the subject of our traffic safety efforts while little effective attention has been paid to either the accident-producing or injury-producing characteristics of the automobile; and

"Whereas the Congress of the United States, in a pioneer effort to secure safer automobiles, has directed the General Services Administration to develop and promulgate commercial safety standards applicable to passenger-carrying motor vehicles purchased by the U.S. Government; and

"Whereas the design and production of safer automobiles is a nationwide problem requiring the participation of the Federal Government which, it should be noted, has been and is now participating in the regulation of the design of other transportation vehicles: Now, therefore be it

"*Resolved by the House of Representatives of the Third Legislature of the State of Hawaii, regular session of 1965 (the Senate concurring)*, That the Congress of the United States be, and it hereby is, requested to provide for Federal regulation of automobile design and to support the research necessary to establish effective design standards; and be it further

"*Resolved,* That certified copies of this concurrent resolution be transmitted to the Honorable HUBERT H. HUMPHREY, President of the Senate of the United States, the Honorable JOHN W. MCCORMACK, Speaker of the House of Representatives of the United States, and to the Members of Hawaii's delegation to Congress."

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on Labor and Public Welfare:

"HOUSE CONCURRENT RESOLUTION 21

"Whereas millions of veterans of World War II and of the Korean conflict have been trained and educated under the provisions of the veterans education program established by the Federal Government; and

"Whereas the education of said veterans has contributed to an increase in the educational level of this Nation and has produced a major national asset which has contributed much to the economy and strength of this Nation; and

"Whereas reliable statistics have proved that increased income to veterans arising out of their higher educational level will more than reimburse the Treasury of the of the entire cost of the GI training program by 1970; and

"Whereas the President of the United States, by Executive order on January 31, 1955, stopped the educational benefits for persons serving in the Armed Forces of the United States after February 1, 1955; and

"Whereas such Executive order has deprived millions of Americans, including at least 13,000 citizens of Hawaii serving in the Armed Forces, of the educational benefits previously extended to veterans; and

"Whereas it is believed that as long as the draft is continued that all persons serving in the Armed Forces should be extended the educational opportunities enjoyed by veterans serving prior to February 1, 1955: Now, therefore, be it

"*Resolved by the Third Legislature of the State of Hawaii, general session of 1965,* That the Congress of the United States be and is hereby requested to extend GI educational and training benefits to all veterans who entered, or who enter, military service from and after February 1, 1955, and that such educational benefits be extended so long as the provisions of the draft law exists; and be it further

"*Resolved,* That authenticated copies of this concurrent resolution be forwarded to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each Member of the congressional delegation from Hawaii."

A joint resolution of the Legislature of the State of Washington; to the Committee on Armed Services:

"HOUSE JOINT MEMORIAL 17

"To the Honorable Lyndon B. Johnson, President of the United States, to the Senate and House of Representatives of the United States, in Congress Assembled, and to the Secretary of the Army:

"We, your memorialists, the Senate and House of Representatives of the State of Washington in legislative session assembled, most respectfully represent and petition as follows:

"Whereas Seattle School District No. 1 is contemplating the establishment of a community college; and

"Whereas a building site for this facility will be needed; and

"Whereas the property currently occupied by Fort Lawton would provide an excellent site for said community college; and

"Whereas the establishment of said community college is expected to take place in the very near future: Now, therefore, be it

"Resolved, That your memorialists urge that it would be of great benefit to the city of Seattle if a portion of the present Fort Lawton area were made available as a site for a Seattle community college. This site would be ideal not only because it would greatly reduce the expense of beginning such a college, but because the central location and natural scenic beauty of this area would so very well adapt itself to a campus site; and be it further

"Resolved, That your memorialists respectfully pray that Seattle School District No. 1 be granted first priority to acquire from the Federal Government the southeast 180 acres of the Fort Lawton site for the purposes set forth above; and be it further

"Resolved, That copies of this memorial be transmitted to the Honorable Lyndon B. Johnson, President of the United States; to the President of the U.S. Senate; to the Speaker of the House of Representatives; to each Member of Congress from the State of Washington; and specifically to the following: The Honorable Stephen Ailes, Secretary of the Army; the Honorable Pual R. Ignatius, Assistant Secretary of Defense for Installations and Logistics; and the Honorable Daniel M. Ruebano, Assistant Secretary of the Army of Installations and Logistics.

"Passed the house April 20, 1965.

"ROBERT M. SCHAEFER,
"Speaker of the House.

"Passed the senate April 21, 1965.

"JOHN A. CHERBERG,
"President of the Senate."

A joint resolution of the Legislature of the State of Washington; to the Committee on Commerce:

"HOUSE JOINT MEMORIAL 33

"To the Honorable Lyndon B. Johnson, President of the United States, to the U.S. Secretary of the Interior, to the Assistant Secretary of the Interior for Fish and Wildlife, and to the Senate and House of Representatives of the United States of America, in Congress Assembled:

"We, your memorialists, the House of Representatives and Senate of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

"Whereas this legislature has been alerted to the fact that the U.S. Fish and Wildlife Service intends to relinquish jurisdiction of the Little Pend Oreille National Wildlife Refuge; and

"Whereas this legislature herewith proclaims the significance the area has for the State of Washington, economically, for recreational and conservational purposes, and for potential military use; and

"Whereas the Washington State Department of Game has expressed its desire to assume management of this area of the Little Pend Oreille National Wildlife Refuge, recognizing the importance of continuing the concept of multiple use for the area including a sustained yield timber production and permissible grazing utilization thereon in line with the conservation program as to wildlife thereon; and

"Whereas local government in the area concerned will derive much benefit from the transfer to the department of game, since the lands included therein will be subject to support by the department equal to that otherwise paid through general tax levels: Now, therefore,

"We, your memorialists, respectfully petition the Honorable Stewart L. Udall, the Secretary of the Interior, with the concurrence of the Honorable Lyndon B. Johnson, President of the United States, and the necessary enabling legislation of the Congress, if any be needed, to take the necessary steps to transfer the management, jurisdiction, and control of that area now known as the Little Pend Oreille National Wildlife Refuge to the Department of Game of the State of Washington so that the same may be utilized for the greatest multiple use for both the citizens of the State of Washington and the Nation; and be in further

"Resolved, That copies of this memorial be transmitted by the secretary of state to the President of the United States, to the Secretary of the Interior and the Assistant Secretary of the Interior for Fish and Wildlife, to the Speaker of the House of Representatives and President of the Senate of the United States, and to each Member of Congress from the State of Washington.

"Passed the house April 13, 1965.

"ROBERT M. SCHAEFER,
"Speaker of the House.

"Passed the senate April 14, 1965.

"JOHN A. CHERBERG,
"President of the Senate."

A joint resolution of the Legislature of the State of Washington; to the Committee on Interior and Insular Affairs:

"HOUSE JOINT MEMORIAL 32

"To the Honorable Lyndon B. Johnson, President of the United States, the U.S. Secretary of the Interior, the President of the Senate and Speaker of the House of Representatives, and to the Senate and House of Representatives of the United States in Congress Assembled:

"We, your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

"Whereas the Department of the Interior has completed a market study for high-purity industrial carbon products refined from coal; and

"Whereas a process to produce this high-purity industrial carbor product has been developed on a laboratory scale, under a contract with the Office of Coal Research, Department of the Interior; and

"Whereas Washington mines could furnish sufficient coal to supply a commercial plant using this process; and

"Whereas establishment of such a new plant would stabilize the economy of the State, the region and the Nation and add new vigor to the historic coal mining industry of Washington: Now, therefore, be it

"Resolved, That we, your memorialists, the Washington State Senate and House of Representatives, respectfully petition and urge the Secretary of the Interior to favorably consider the special market report of the Washington Department of Commerce and Economic Development, demonstrating a much larger regional and foreign export market for this high-purity industrial carbon product than initially indicated to the Department of the Interior; and be it further

"Resolved, That the Department of the Interior allocate funds for the construction and operation of a pilot plant in Washington State to prove the feasibility of later large-scale commercial operation of this new industry; and be it further

"Resolved, That copies of this memorial be sent by the secretary of state to the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate, and Speaker of the House of Representatives of the United States, to each Member of Congress from the State of Washington, and to the Secretary of the Department of the Interior.

"Passed the house April 9, 1965.

"ROBERT M. SCHAEFER,
"Speaker of the House.

"Passed the senate April 12, 1965.

"JOHN A. CHERBERG,
"President of the Senate."

A joint resolution of the Legislature of the State of Washington; to the Committee on Post Office and Civil Service:

"HOUSE JOINT MEMORIAL 10

"To the Honorable Lyndon B. Johnson, President of the United States, the President of the Senate and Speaker of the House of Representatives, and to the Senate and House of Representatives of the United States, in Congress Assembled:

"We, your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, most respectfully represent and petition as follows:

"Whereas for many years the United States and Canada have had a common borderline at Blaine, Wash., a port of entry from the United States to Canada and a port of entry from Canada to the United States and no border obstruction or barrier of any kind has ever existed; and

"Whereas many years ago a Peace Arch was erected on this unguarded borderline as a monument to the good will of these nations, bearing among evidences of friendship and community of interest, the inscription "Children of a Common Mother"; and

"Whereas the President of the United States and the Prime Minister of Canada in recognition of the international friendship and mutual respect which the Peace Arch so magnificently symbolizes, chose this place as the location for signing the Columbia River Treaty; and

"Whereas the message of peace, good will, and international cooperation which is embodied by the Peace Arch might best be further expressed and widely disseminated through the printing and publication of a commemorative U.S. postage stamp: Now, therefore,

"Your memorialists respectfully pray that the Congress and Executive Department of the United States take appropriate action to design, print and publish a suitable postage stamp commemorating the Peace Arch; and be it further

"Resolved, That copies of this memorial be immediately transmitted by the secretary of state to the Honorable Lyndon B. Johnson, President of the United States, the President of the United States Senate and the Speaker of the House of Representatives, the Postmaster General, and to each Senator and Representative in Congress from the State of Washington.

"Passed the house March 29, 1965.

"ROBERT M. SCHAEFER,
"Speaker of the House.

"Passed the senate April 13, 1965.

"JOHN A. CHERBERG,
"President of the Senate."

A joint resolution of the Legislature of the State of Nevada; to the Committee on Banking and Currency:

"Senate Joint Resolution 14

"Joint resolution memorializing the Congress to enact legislation reducing but not eliminating the silver content of U.S. coinage

"Whereas coinage having an intrinsic value is compatible with the prestige and dignity of the United States; and

"Whereas the demand for and the decreasing supply of silver is increasing the price of silver to a point where it may have a damaging effect upon the current supply of coins; and

"Whereas the elimination of silver from coinage would cause untold disruption in the operation of vending machines and other coin-operated devices which use silver conductivity to reject counterfeit coins; and

"Whereas the elimination of silver from coinage would also have catastrophic effects in the silver mining industry which has historically contributed importantly to the economy of the Western United States; and

"Whereas a substantial reduction in the silver content of coinage would greatly extend the time for which the present supply of silver at the mint will last and would reduce the demand for silver while permitting an orderly transition to coinage with a lesser silver content; and

"Whereas reduced silver content of coins and the accompanying reduced demand for silver would permit the establishment of a monetary price above the cost of production and allow the supply and demand for silver to reach a balance at a price at some point below the elevated monetary price; and

"Whereas a clear indication from the Congress that silver in coinage shall be retained would strengthen the confidence of all people in the money of the United States: Now, therefore, be it

"*Resolved by the Senate and the Assembly of the State of Nevada (jointly)*, That the Congress of the United States is hereby memorialized to enact legislation which will reduce but not eliminate the silver content of U.S. coinage; and be it further

"*Resolved,* That certified copies of this resolution be prepared and transmitted forthwith by the legislative counsel to the President of the Senate and the Speaker of the House of Representatives and to each member of the Nevada congressional delegation.

"Passed by the Senate, March 26, 1965.

"Paul Lasalt,
"President of the Senate.
"Leola H. Armstrong,
"Secretary of the Senate.

"Passed by the assembly, April 2, 1965.

"Wm. D. Swackhamer,
"Speaker of the Assembly.
"Nathan T. Hurst,
"Chief Clerk of the Assembly.
"Grant Sawyer,
"Governor of the State of Nevada."

A resolution of the Legislature of the State of Minnesota; ordered to lie on the table:

"Resolution 4

"Resolution in support of Waseca Chamber of Commerce invitation to the President of the United States, Lyndon B. Johnson, requesting his presence at the National Plow Matches

"Whereas the State and National Plow Matches will be held at Waseca, Minn., September 17 and 18, 1965; and

"Whereas the National Plow Matches are considered one of the outstanding national agricultural events of the year; and

"Whereas the popularity of the National Plow Matches will focus a great deal of favorable attention upon the State of Minnesota; and

"Whereas the Waseca Chamber of Commerce has extended an invitation to the President of the United States, Mr. Lyndon B. Johnson, to speak sometime during the matches on Saturday, September 18, 1965; and

"Whereas the presence of the President of the United States would add a great deal of prestige to the event: Now, therefore, be it

"*Resolved by the Legislature of the State of Minnesota,* That the legislature does hereby approve, support, concur and join in the invitation extended, and respectfully request the President, Mr. Lyndon B. Johnson, to give favorable consideration to accepting the invitation and honor the people of Minnesota with his presence during the National Plow Matches; be it further

"*Resolved,* That the secretary of state of the State of Minnesota send copies of this resolution to the President, Mr. Lyndon B. Johnson; Mr. Hubert H. Humphrey, Vice President; Mr. Orville Freeman, Secretary of Agriculture; and the Minnesota delegation in the Congress of the United States.

"A. M. Keith,
"President of the Senate.
"L. L. Duxbury,
"Speaker of the House of Representatives.

"Approved May 11, 1965.

"Karl F. Rolvaag,
"Governor of the State of Minnesota."

A resolution adopted by the City Council of the City of Chicago, Ill., favoring the enactment of Senate bill 500, to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TALMADGE:

S. 1977. A bill to amend the Bacon-Davis Act to provide minimum wage rates for persons employed under contracts for furnishing protection to Government property; to the Committee on Labor and Public Welfare.

By Mr. DOMINICK (for himself and Mr. Prouty):

S. 1978. A bill to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Dominick when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S. 1979. A bill for the relief of Dr. Ali A. Hakim; to the Committee on the Judiciary.

By Mr. HART:

S. 1980. A bill for the relief of Charles L. Powers; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 1981. A bill to repeal the manufacturers excise tax on radio and television sets, phonographs, and records; and

S. 1982. A bill to repeal the manufacturers excise taxes on household refrigeration equipment and electric, gas, and oil appliances; to the Committee on Finance.

(See the remarks of Mr. Hartke when he introduced the above bills, which appear under a separate heading.)

By Mr. ERVIN (for himself and Mr. Jordan of North Carolina):

S. 1983. A bill to insert a new section in Internal Revenue Code 4243(c); to the Committee on Finance.

(See the remarks of Mr. Ervin when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG:

S. 1984. A bill for the relief of Judy Jieh-Hua Hsiung; to the Committee on the Judiciary.

AMENDMENT OF RAILROAD RETIREMENT ACT TO ELIMINATE CERTAIN PROVISIONS WHICH REDUCE ANNUITIES

Mr. DOMINICK. Mr. President, on behalf of myself, and the Senator from Vermont [Mr. Prouty], I introduce, for appropriate reference, a bill to amend the Railroad Retirement Act of 1937. My bill would permit the spouse of a railroad employee to receive a spouse's annuity concurrently with the receipt of social security benefits earned in her own right and benefits earned in her own right as a railroad employee without any reduction in her spouse's benefits.

If the wife of a retired rail worker qualifies for old age social security benefits or a railroad retirement annuity, it came about through the performance of work and the payment of taxes by her and her employer. All other restrictions of this kind have been eliminated. A restriction barring employees from receiving social security as well as railroad retirement annuities was repealed in 1954. Another restriction requiring that the railroad retirement annuity of a widow be reduced by the amount of any social security benefit she might be entitled to receive was repealed in 1955. My bill will remove the third, and last, restriction on benefits remaining in the Railroad Retirement Act.

The cost of removing this inequity is not great. It would raise the deficit in the financing of the railroad retirement system from about 0.44 percent of taxable payroll to about 0.75 percent of taxable payroll; or, from about $19.5 million a year to about $33 million a year on a level basis. As recently as 1963 the deficit was $77 million or 1.79 percent of payroll, and deficits have been as high as $213 million. Therefore, the present financing of the railroad retirement system appears to be relatively sound and capable of bearing the increase in benefits proposed by my bill. Furthermore, the payroll tax was recently increased by 26.1 percent, which should help to reduce any deficit in the system.

There are more than 40,000 women presently receiving reduced benefits because of the discriminatory language of the Railroad Retirement Act. No other persons receiving benefits under the act are singled out for such treatment. My bill will erase this discrimination, and I hope that it will receive prompt and favorable action.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1978) to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits, introduced by Mr. Dominick (for himself and Mr. Prouty), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

REPEAL OF CERTAIN EXCISE TAXES

Mr. HARTKE. It is most gratifying to me personally, as I am sure it is to many other Senators, that President Johnson has made outstanding and bold recommendations for excise tax cuts as are contained in his message. As a member of the Finance Committee, I have long supported excise tax reform, not only in the committee but by testimony last year before the House Ways and Means Committee and before the Democratic national platform committee. I am particularly pleased that the President has given his unequivocal support to repeal of the taxes on cosmetics, handbags, jewelry, and furs, for which I offered S. 725 early in the session, and for the repeal of the manufacturers' tax on musical instruments, which is included in the same bill.

Some weeks ago I had two further bills prepared by the Office of the Legislative Counsel dealing with excise tax repeal. I offer them today, with the confident expectation that in the light of the President's message and the general sentiment of the Congress, these will also receive favorable action. One is a bill to repeal the manufacturers' excise tax on radio and television sets, phonographs, and records; the other is to repeal the tax on refrigeration equipment and electric, gas, and oil appliances. In both of these bills, which contain a portion providing for floor stock refunds, I am glad to know that the President agreed when he said:

> Floor stock refunds are appropriate for most manufacturers taxes and are so provided in the recommended program.

The ACTING PRESIDENT pro tempore. The bills will be received and appropriately referred.

The bills, introduced by Mr. HARTKE, were received, read twice by their titles, and referred to the Committee on Finance, as follows:

S. 1981. A bill to repeal the manufacturers excise tax on radio and television sets, phonographs, and records; and

S.1982. A bill to repeal the manufacturers excise taxes on household refrigeration equipment and electric, gas, and oil appliances.

PROPOSAL TO AMEND INTERNAL REVENUE CODE TO ELIMINATE EXCISE TAX ON COLLEGE AND UNIVERSITY FACULTY CLUB DUES

Mr. ERVIN. Mr. President, in furtherance of President Johnson's proposal to cut Federal excise taxes some $4 billion, I am today introducing, in behalf of my colleague, the junior Senator from North Carolina [Mr. JORDAN], and myself, a bill to eliminate excise taxes on dues and fees paid by faculty and staff members of a college or university to a faculty club. This legislation would clarify an ambiguous area of the law. Presently the courts have construed the existing law to both cover and exempt faculty clubs.

In *Tidwell* v. *Anderson*, 72 F. 2d 684 (1934), the Circuit Court of Appeals for the Second Circuit held that the men's faculty club of Columbia University was not a social club. The court stated that—

> The test of taxability is not whether a club has any social features at all, but whether or not such activities viewed, of course, in the light of all the circumstances of its existence including the declared purpose of the organization as shown by its constitution and bylaws, if their provisions are enforced, are what in fact provide the real reason for its existence and enable it to secure members and retain them. Another way to put the problem is "whether the social features of the club involved are merely incidental or whether, on the other hand, they are a material purpose of the organization." *Union League Club of Chicago* v. *United States*, supra.

However, an earlier case, Faculty Club of the University of California against United States, Court of Claims No. H426; (1928); 65 Ct. Cl. 754, (1928), held that the Faculty Club of the University of California was a "social club" and therefore subject to the excise tax on initiation fees and dues of such club. However, in that case, a wide range of persons were eligible to join the club.

This proposal which my colleague and I introduce today will specifically exempt faculty clubs and overcome any doubts regarding the intent of Congress.

Eliminating a tax on faculty clubs would be a small but worthwhile reduction of the excise tax. The purpose of faculty clubs is to provide a place for faculty members to meet for association and the exchange of ideas which will enhance their educational effectiveness. This bill would only exempt dues to organizations which are composed entirely of the faculty and staff of a college or university. The identifying characteristic of the members is the education of the students at the institution.

Our colleges and universities must now compete more than ever before with business and industry in order to obtain the best teachers available. The existence of a faculty club not only enables a teacher to be more effective, it also makes teaching more attractive. The faculty club may be considered a "fringe benefit" to the institution's bargaining package—even though the club may be supported mainly by faculty members' own dues and contributions.

Section 4243(a) currently provides an exemption for fraternal societies, orders, and organizations among the students of a college or university. It seems entirely equitable that faculty clubs be accorded the same tax treatment as student organizations. In fact, faculty clubs invariably are more educational in nature than student fraternities, orders, and organizations. For example, in addition to a wide range of professional meetings, the faculty club at North Carolina State University at Raleigh holds a seminar for faculty members each Friday night.

Due to the large and increasing size of the faculties and staffs of representative institutions, such a faculty meeting place is rapidly becoming a necessity if adequate interchange and communication among the professors in the various departments of the institution is to occur. The problem is especially acute in the lack of communication between the administrative and the academic personnel of the institutions. This problem will continue and increase with the rapid rise in enrollments which is projected over future years. The growth of faculty clubs and organizations should be encouraged as one step to provide the necessary communication and exchange of ideas.

I am of the opinion that the total revenue collected from faculty club dues is inconsequential when compared to the importance of encouraging these educational facilities. It is certainly significant that by exempting faculty clubs from excise taxes, the educational institution's efforts to acquire better faculty and staff members are enhanced and, thereby, improves the quality of the education offered.

This measure is in accord with the Administration's laudatory goals of providing greater assistance to institutions of higher education, and reducing excise taxes.

Mr. President, I ask unanimous consent that this legislative proposal be inserted into the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1983) to insert a new section in Internal Revenue Code 4243(c), introduced by Mr. ERVIN (for himself and Mr. JORDAN of North Carolina), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1983

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be exempted from the provisions of section 4241 all amounts paid as dues and fees to a club or organization composed of faculty and staff members of a college or university.

VOTING RIGHTS ACT OF 1965—AMENDMENT (AMENDMENT NO. 187)

Mr. MANSFIELD (for himself and Mr. DIRKSEN) submitted an amendment, intended to be proposed by them, jointly, to the Mansfield-Dirksen substitute amendment (No. 124) proposed to the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States, which was ordered to lie on the table and to be printed.

(Subsequently, the above amendment was proposed and is now pending.)

NOTICE OF PUBLIC HEARING ON GOVERNMENT PATENT POLICY

Mr. McCLELLAN. Mr. President, as chairman of the standing Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary, I wish to announce that the subcommittee has scheduled a public hearing on S. 789, S. 1809, and S. 1899, bills to establish a uniform Government patent policy, and S. 1047, a bill to amend section 1498 of title 28, United States Code, relating to the use by or for the United States of any invention covered by a patent of the United States. The hearings will be held on Tuesday, June 1, and Wednesday, June 2, commencing at 10 a.m. in room 3302, New Senate Office Building.

Anyone who wishes to testify or file a statement for the record should communicate immediately with the office of the subcommittee, room 349-A, Senate Office Building, Washington, D.C., telephone 225-2268.

The subcommittee consists of the Senator from Michigan [Mr. HART], the Senator from North Dakota [Mr. BURDICK], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Hawaii [Mr. FONG], and myself.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 702) to provide for the disposition of judgment funds on deposit to the credit of the Quinaielt Tribe of Indians.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 701) to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962, and for other purposes.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DOCUMENTATION OF THE VESSEL "ELVA L.," WITH FULL COASTWISE PRIVILEGES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 176, S. 1275.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1275) to authorize and direct the Secretary of the Treasury to cause the vessel *Elva L.*, owned by Harold Bunker, of Matinicus, Maine, to be documented as a vessel of the United States with coastwise privileges.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. ELLENDER. Mr. President, may we have an explanation of the bill?

Mr. MANSFIELD. Mr. President, the bill directs the Secretary of the Treasury to document as a vessel of the United States with coastwise privileges the *Elva L.*, a fishing vessel under 10 net tons. The *Elva L.*, was constructed in Canada in 1948 and is therefore ineligible to be documented for operation in the coastwise trade under section 27 of the Merchant Marine Act, 1920, and under section 4132 of the Revised Statutes.

A similar bill was passed last year, and at that time a detailed explanation of its purposes was placed in the RECORD.

Mr. ELLENDER. That is what I was about to ask. Was there not another ship in the same category?

Mr. MANSFIELD. Mr. President, I ask that the bill be withdrawn from consideration at this time.

The ACTING PRESIDENT pro tempore. Without objection, the bill is withdrawn from consideration.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate again proceed to the consideration of Calendar No. 176, S. 1275.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1275) to authorize and direct the Secretary of the Treasury to cause the vessel *Elva L.*, owned by Harold Bunker, of Matinicus, Maine, to be documented as a vessel of the United States with coastwise privileges.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 1275) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1275

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 4132 of the Revised Statutes of the United States, as amended (46 U.S.C. 11), the Secretary of the Treasury shall cause the vessel Elva L., owned by Harold Bunker, of Matinicus, Maine, to be documented as a vessel of the United States, upon compliance with the usual requirements, with the privilege of engaging in the coastwise trade so long as such vessel is owned by a citizen of the United States.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be printed at the appropriate place in the RECORD a statement of the purpose of the bill, as contained in the report (No. 189) of the committee.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The bill directs the Secertary of the Treasury to document as a vessel of the United States with coastwise privileges the *Elva L.*, a fishing vessel under 10 net tons constructed in Canada.

The *Elva L.*, is a fishing vessel constructed in Canada in 1948. The vessel is therefore ineligible to be documented for operation in the coastwise trade under section 27 of the Merchant Marine Act, 1920, and under section 4132 of the Revised Statutes (46 U.S.C. 11).

The purpose of restricting documentation with coastwise privileges to vessels built in American shipyards is to encourage ship construction in the United States. It has been the policy of the United States since 1789 to reserve the coastwise trade to vessels constructed in U.S. shipyards. However, from time to time and under special circumstances, Congress has passed legislation authorizing the documentation of vessels for use in the domestic trades although the vessel was built in a foreign country or otherwise lost its documentation because of a transfer to foreign registry. The committee considers each proposal for such documentation on its own merits.

This vessel is owned by Harold Bunker of Matinicus, Maine. Mr. Bunker is a citizen of the United States and plans to use the 43-foot vessel in his work both as a lobsterman and an independent lobster dealer. The committee understands that Mr. Bunker uses the vessel to transport lobsters and bait owned by him between Rockland and Matinicus, Maine. The vessel was purchased with the belief and understanding that this limited use of a foreign-built vessel was not prohibited by law. The Bureau of Customs has advised Mr. Bunker otherwise.

Legislation authorizing the documentation of the same vessel was introduced last Congress. The committee received favorable reports from the Department of the Treasury and the Department of Commerce recommending enactment of the legislation. No opposition was communicated to the committee. With a favorable report from the committee, the Senate passed the legislation on August 13, 1964. The House of Representatives took no final action on the bill.

Mr. ELLENDER. Mr. President, I had no objection to the passage of the bill; I was merely trying to ascertain what had become of a similar bill, which authorized the use of a vessel coastwise between Alaska and California.

Mr. MANSFIELD. The Senator is correct; there was a similar bill.

The ACTING PRESIDENT pro tempore. Is there further morning business?

Mr. MANSFIELD. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DASTARDLY ACTION OF RIGHT-WING EXTREMIST GROUP

Mr. YOUNG of Ohio. Mr. President, recently on the front page of the Washington Evening Star there appeared an almost unbelievable feature news story. To me it was shocking.

Mr. President, I ask unanimous consent that the article appearing recently in the Washington Evening Star entitled "Firm, Facing Boycott, Drops Rumania Deal," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, May 8, 1965]

UNITED STATES EMBARRASSED: FIRM, FACING BOYCOTT, DROPS RUMANIA DEAL

(By Bernard Gwertzman)

Faced with the threat of a boycott campaign by a conservative organization, the Firestone Tire & Rubber Co. recently halted negotiations to sell Communist Rumania a $50 million synthetic rubber plant even though the deal had the official approval of the U.S. Government and the personal blessing of President Johnson.

Because Firestone ended the talks only a few weeks before the final contract was to be signed, it was a blow to Rumania's planned economy, and a severe embarrassment to the State Department.

The aborted deal and the boycott threat have received little public attention because none of the interested parties—Firestone, Rumania, or the State Department—has wanted to say much about it.

However, from information on the public record and from confidential disclosures by diplomatic and rubber industry sources, it was learned that the conservative Young Americans for Freedom, almost singlehandedly caused giant Firestone, the Nation's second largest rubber manufacturer, to drop the deal.

The incident demonstrates anew that trade with Communist countries is a major political problem for many U.S. firms, even when such deals have the encouragement and approval of the U.S. Government.

It also points up why President Johnson's special committee on East-West trade said yesterday in urging more such trade, that the U.S. Government "should act to remove any stigma from trade with Communist countries where such trade is determined to be in the national interest."

The Firestone story began on June 1 last year when the United States and Rumania signed a joint communique to improve relations between the two countries. The talks were initiated because the administration's experts believed that Rumania, although an ally of Russia, was charting a more independent course in foreign affairs, part of which was an increased trade with the West.

COMMUNIQUE PAVED WAY

The communique paved the way for Rumania to purchase a synthetic rubber plant from any American company that would sell to it.

For years, Rumania had sought to buy such an industrial plant. A major oil producer, Rumania knew that synthetic rubber is a convenient and profitable byproduct of petroleum. Rumanian officials, as long ago as 1960, had offered to spend more than $100 million to buy such plants in this country.

For a long time, the Defense Department argued against selling the Rumanians such an advanced technology, but finally, because such technologies are now widely available in Europe, and because Rumania was no longer a close ally of Russia, the Pentagon agreed with the State and Commerce Departments that such a sale would be in the national interest.

It was argued that the sale would encourage Rumania to go further in its independent course.

RUMANIAN EXPERTS VISIT

Soon afterward, top Rumanian experts toured many American firms, including Goodyear, the Nation's biggest rubber manufacturer, and Firestone.

In late November, Rumania and Firestone entered into final negotiations for a $50 million plant.

Both Rumania and Firestone claim experts from Bucharest chose the Firestone process, and that Goodyear, in addition, had certain legal problems involving its process that made it almost impossible to sell to the Rumanians.

Goodyear, however, said it was offered the Rumanian contract, but rejected it as not in the U.S. national interest.

On December 3, in fact, the "Wingfoot Clan," Goodyear's house organ, published an editorial saying that "even to a dedicated profitmaking organization, some things are more important than dollars. Take the best interests of the United States and the free world, for example. You can't put a price tag on freedom."

LISTED SEVERAL REASONS

The editorial went on to list several reasons why Goodyear turned down the Rumanian contract. It said that Goodyear "stood firmly on the side of freedom, as a foe of aggression * * * even though the company stood to lose financially."

Some conservative organs began contrasting Goodyear's "patriotic" refusal to sell, with Firestone's obvious willingness. They did not mention that last summer President Johnson determined it was in the national interest of the United States to sell the plant, and authorized the Export-Import Bank to grant normal 5-year credit guarantees for industrial sales to Rumania.

The conservative criticisms began to pick up in February, after the escalation of the Vietnam war. It was the Young Americans for Freedom, a college-age conservative organization which claims 25,000 members, that led the anti-Firestone campaign.

OUTLETS PICKETED

David R. Jones, the national director of the YAF, which has its headquarters at 514 C Street NE., said his group became involved when local chapters in Philadelphia, Brooklyn and Providence began picketing Firestone outsets.

The YAF people handed out flyers which said:

"In South Vietnam, Americans are being killed daily by Communist bullets. It would be disastrous for American companies to supply the atheistic Communist governments with valuable materials, especially rubber, which the Reds must have to wage their war on free nations.

"In the past month, Communist Rumania shipped 500 heavy-duty trucks of military value to Red China, the principal supplier of the North Vietnam Communists.

"The synthetic rubber plant which Firestone plans to build in Communist Rumania parallels the steel which the United States sold to Japan prior to World War II. America got that steel back—at Pearl Harbor. No nation can wage war without large quantities of synthetic rubber."

QUOTES GOODYEAR ORGAN

After quoting Goodyear's house organ, the flyer said "Firestone's plans to build a synthetic rubber plant in Communist Rumania can only strengthen the Communists and throw away American jobs."

It urged people to protest to Firestone in Akron, Ohio.

The chairman of the Bay Ridge, Brooklyn, chapter of YAF, Thomas F. Harrison, was quoted in the organization organ as saying that a petition drive to get signatures to stop the Firestone deal "is an opportunity for everyone to do something positive in support of an anti-Communist policy; Goodyear deserves the praise and encouragement of all freedom-loving Americans."

The campaign apparently caught Firestone officials off guard. Many franchised dealers whose concern is strictly with selling tires asked Firestone to get the conservatives off their back, since they were losing business to Goodyear.

Firestone sent its Eastern region public relations man, Bernard Frazier, to speak to YAF leaders in different cities. Frazier was described by those who listened to him as a sincere individual who believed Firestone was acting in the national interest by "building bridges" to Eastern Europe, as President Johnson has urged.

Firestone also spread the word that some Rumanian trucks and tractors, photographed in Red China had Goodyear tires on them, and that Goodyear, with Commerce Department approval, had been selling synthetic rubber (but not plants) to Rumania.

Goodyear has denied it knowingly sold such tires to Red China, and says Peiping might have purchased them somewhere on the black market.

The Firestone publicity campaign, deliberately handled in a low key, failed to sway YAF. Even appeals by Firestone to certain conservative Senators and Representatives failed to halt the YAF activity.

Jones says it is very possible Firestone decided to call off the deal with the Rumanians when it learned of the YAF's plans to set up a "Committee Against Slave Labor" office in Indianapolis the week before the Memorial Day, Indianapolis 500 auto race.

YAF planned to mount a massive publicly campaign urging a boycott of Firestone tires which it was hoped would ruin Firestone's normal promotional activities at that time.

Jones says plans were made to hire airplanes to fly over the track with streamers against Firestone.

"A top Firestone executive heard about this on April 18," Jones said. "Two days later the deal was off."

All Firestone said publicly was the following:

"The Firestone Tire & Rubber Co. has terminated negotiations for a contract to design and equip a synthetic rubber plant in Rumania."

UNITED STATES INFORMED EARLIER

The State Department was told about the collapse of the negotiations about 2 days before it was publicly announced. This was about the same time Rumania heard about it.

On April 19, Under Secretary of State George W. Ball called in Rumanian Ambassador Petre Balaceanu to repeat that the U.S. Government still approved sale of the synthetic rubber plant, and had nothing to do with Firestone's decision.

Because of great State Department sensitivity over the issue, Ball's meeting with Balaceanu was not announced to the press. The State Department did not want to appear as having a direct interest in the Firestone-Rumania deal, since it already had been attacked by conservative groups for "ordering" Firestone to sell to the Communists.

Originally organized 4 years ago, YAF worked on behalf of defeated Republican presidential candidate Barry Goldwater.

Recently, YAF members picketed the White House in support of Johnson's Vietnam policies—one of the few student groups in favor of the escalation of the war.

Mr. YOUNG of Ohio. Mr. President, negotiations on the contract referred to in this article were dropped by officials of the Firestone Tire & Rubber Co. because leaders of an extreme rightwing organization, Young Americans for Freedom, so called, threatened to mount a massive publicity campaign and had already made arrangements to spend large sums of money on urging a boycott against the purchase of Firestone tires. Here is a dastardly wrong perpetrated by narrowminded, bigoted, self-appointed vigilantes who consider themselves super-duper patriots. They did a disservice to their Nation. Their action not only injured the Firestone Tire & Rubber Co. but was to the prejudice of every businessman and of every working man and woman in the great Akron area.

Under Secretary of State Ball will repeat his statement that our Government approves the sale of the synthetic rubber plant to Rumania and had nothing to do with the Firestone action withdrawing from the contract. At the NATO conference in London Tuesday, Under Secretary of State Ball said publicly, "Red China is the greatest menace to world peace." Our officials regret that Rumania is now negotiating with West German and English plants for this same contract which would have brought additional employment to Akron workers and additional money deposited in Akron banks.

Who are these so-called Young Americans for Freedom? This extremist, radical, rightwing fringe group was organized in 1960. Five members of the John Birch Society serve on its national advisory board. We know that one of its first directors was an editor of the John Birch Society magazine. We know it is closely associated with other radical rightwing organizations and parrots the lunatic extremist fringe line. It seems unbelievable and unconscionable that a group playing God with other people's patriotism can intimidate and browbeat officials of a nationally known and respected company with threats of a boycott. No wonder that our distinguished colleague, Senator TOM KUCHEL, of California, an outstanding American, terms these witch hunters "Birchsaps" and "sons of birches." America comes last with these rightwing radical leaders of Young Americans for Freedom, so called, who, by this sort of action, undermine our national policy and help deny employment to worthy and industrious working men and women and diminish the prosperity of an entire community. It is most unfortunate that this $50 million contract will be enjoyed by some English or West German firm.

These vigilantes of the extreme radical right, beating their breasts proclaiming their own patriotism, would do better to devote their efforts to provide steady employment and economic security for their fellow Americans. Communism thrives on unemployment, misery, and hunger.

FBI Director J. Edgar Hoover, who should know, said:

> The Communist Party in the United States has lost 90 percent of its membership since reaching its numerical strength peak in 1944.

Instead of 80,000 Communists, he estimates there are 8,000. Of these 8,000, I suspect a large number are FBI agents posing as Communists. Yet, these rightwing extremists talk about Communists in the State Department, in our universities, and in the Protestant clergy. Not one of these extremists could name one Communist in our State Department, on the faculty of any of our universities, or in the ministry. Former President Eisenhower said of them:

> They take extreme positions, make radical statements, attack people of good repute. I don't think the United States needs superpatriots.

These people are self-defeating. These Young Americans for Freedom, so called, overlook altogether the threat of Communist aggression from behind the Iron Curtain, but let out their Birch barks against fellow Americans, even going so far as to falsely assail officials of a corporation with a great history and tradition such as the Firestone Tire & Rubber Co. They proposed to set up a "Committee Against Slave Labor" office in Indianapolis urging a boycott of Firestone tires hoping to damage that company by ruining its normal promotional activities at the time of the Indianapolis auto races.

Behind the Iron Curtain there are 700 million Chinese and 300 million other people living under Communist rule in the Soviet Union and other countries. These billion people will not simply cease to exist. It is for us to seek coexistence or we will likely meet coannihilation. These radical rightwingers term their poison as conservatism. It is contaminated conservatism that would conserve nothing but might destroy basic institutions of our Nation, founded by men and women in search of religious and political liberty.

Our President has urged increased trade with the Soviet-bloc nations. His policy has been affirmed by industrial leaders throughout our Nation, not the least of whom is the newly elected president of the U.S. Chamber of Commerce.

If we are to achieve lasting peace in our modern world, it is likely to be achieved through experiments in cooperation on specific joint ventures between the nations of the free world and those of the Communist bloc. Cooperation in limited areas is the policy I propose.

For example, this Nation and the Soviet Union might work together on some development projects we both favor to help an impoverished country such as India. There should be joint cooperation in the exploration of outer space for peaceful purposes, just as satisfying agreements have already been made between our Nation and the Soviet Union to neutralize the vast Antarctic area.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may be permitted to continue for an additional 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, the Senator is recognized for an additional 3 minutes.

Mr. YOUNG of Ohio. Mr. President, having in mind the welfare of the family farmers of Ohio and of the Nation and the welfare of men and women who work in factories producing goods needed the world over, I urge as a means of easing international tension and at the same time bringing added prosperity to the people of our country that we proceed without delay to establish normal trade relations with Red China and the Soviet Union in nonstrategic goods, selling at the outset to those nations whatever we produce that the Russians and Chinese may eat, drink, smoke, and wear and buying from those nations products which we need and can use and of which we are lacking in this country.

Furthermore, I propose that such trade be made at world prices for cash on the barrelhead and without any special favors or special discrimination. This would bring in needed gold and help end our chronic deficit caused by the outflow of gold by actions of De Gaulle and other allies and by our necessary maintenance of our Armed Forces and thousands of their dependents overseas.

Why should we Americans stand at the sidelines while Canada, Great Britain, Australia, West Germany, and other of our allies trade on a huge scale with the Soviet Union and Red China? Last year West Germany exported more than $1 billion in goods and capital equipment to Eastern Europe. One-third of France's exports of capital goods according to plans will go to the Soviet Union during the next 5 years. England and other of our allies are not only selling nonstrategic materials in tremendous quantities to Communist countries but are exporting to Cuba and behind the Iron Curtain buses, and other goods termed strategic products.

Ohio industrialists have come to their U.S. Senators seeking assistance in cases where they have lost contracts with Iron Curtain countries for nonstrategic materials to West German, English, French, and Italian competitors. On top of this now come these witch hunters, threatening a ruinous boycott.

It is unconscionable that West Germany, France, and Italy attain full employment and enjoy unparalleled prosperity in large part as a result of their trade, while we, their ally and protector, are depriving our businessmen and workers of the opportunity to engage in this trade and are losing markets which in the near future may be of much greater value.

APPROVAL OF GOVERNMENT ACTION IN DOMINICAN REPUBLIC

Mr. YOUNG of North Dakota. Mr. President, I approve of the action taken by President Johnson in sending troops to the Dominican Republic. It was necessary to take this action to preserve the present and future security of the United States. However, it is regrettably true that the lives of our boys who are being killed in this conflict are no different than those that are lost in a great world war. They, too, have but the one life to give for their country.

Mr. President, a rather touching article dealing with this subject was published in the Washington Evening Star of May 15. The article, written by Arthur Hoppe, is entitled "Encouragingly

Light Casualties." I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, May 15, 1965]

ENCOURAGINGLY LIGHT CASUALTIES

(By Arthur Hoppe)

The photograph in the news magazine showed the body of a marine lying in the back of a truck, his combat boots hanging limply over the tailgate. The caption said merely: "One of 13 American dead."

There may be a few more by now. But on the whole our casualties in the Dominican Republic have been, as one military spokesman put it, "encouragingly light."

Yet you couldn't help wondering briefly who this dead marine was. And, if you had an idle moment, perhaps where he came from. And whether his parents were still living. And if he had a girl friend. Or a wife. Or even children. And how they had taken the news. And who killed him?

But it was good to know our casualties have been encouragingly light.

The photograph didn't show his face. But the odds are he was young. Maybe he grew up in a small town with long, hot summers and a dusty main street. Or maybe on the hard sidewalks of a big city. He must have played one-o'-cat in a schoolyard somewhere and teased girls and blown candles out on a birthday cake. Most boys do. And he was probably killed by a rebel sniper.

Most of our casualties have been from rebel snipers, though they've been encouragingly light.

But you can't blame the rebel sniper. Not really. He thought he was fighting for liberty. Or maybe communism. Or possibly just to save his own life. And anyway, he must have been acting on orders from his sergeant or his captain. But you can't blame the captain. It was a tactical problem. If he placed his snipers here and the marines came this way * * *. Perhaps some marine officer failed to see the trap. But they haven't made many such errors. For our casualties have been encouragingly light.

You certainly can't blame the Dominican generals on either side. They are engaged in a civil war, a power struggle to crush each other—each doing his duty to save his country from the other at all costs. We are fortunate our casualties have been encouragingly light.

Some may blame the Communist leaders—Kosygin, Castro, or Mao—for trying to take over the rebel cause. But, even if true, they were concerned only with the strategic problem. If they could seize control of this square on the chessboard, thus putting pressure on us here, thereby causing us to * * *. Killing a few marines would do them little good. And our casualties have been encouragingly light.

Some may blame President Johnson for sending the marines to intervene. Yet it is a vital square, deep within our "sphere of influence." And in the game of global strategy such a square is worth great risk. And look what a victory we've won. For our casualties have been encouragingly light.

So no one's to blame. Not really. And now we will bring him home. And now we will bury him in flag-draped coffin with a fusillade of rifle shots, just as we always do. For whoever he was, he is now a dead hero.

No, no one's to blame. And yet as you glance idly at the photograph of his sprawled out body, you can't help wondering, however briefly, who this dead hero once was. And what he wanted to be.

TRIBUTE TO THE LATE FRANCES PERKINS

Mrs. SMITH. Mr. President, one of the greatest women in the history of the world passed away on May 14, 1965—Hon. Frances Perkins. She was the first woman Cabinet member. She served with great distinction as Secretary of Labor and brought great pride to women everywhere. She proved the potential of women as executives and Government officials.

I was personally very proud of Frances Perkins. I was proud of her because she lived in Maine and counted Maine as one of her homes. I was proud of her because she was my personal friend. We were of different political parties but she always gave me great support.

I was very proud of Frances Perkins as a woman. Her achievements and her career were a source of inspiration and challenge to me.

But I was proud of, and grateful for, Frances Perkins most for the very warm human being that she was and for the dedication of her life for the betterment of all human beings, especially the working people. She truly made this a better world to live in.

I ask unanimous consent to place in the RECORD at this point an editorial in today's Washington Post.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FRANCES PERKINS

Frances Perkins provided the most concise summary of the turbulent years in which she served so ably as Secretary of Labor. "Almost the entire period of the Roosevelt administration," she wrote, "was marked by difficulties in normal relationships between workers and employers. It must be remembered that from 1933 to 1945 we were always in a crisis."

Coming to Washington at the pinnacle of a distinguished career in the State government of New York, Frances Perkins was plunged into seething controversy. There were times when it appeared that labor and management could cooperate only in venting their spleen upon the Secretary of Labor. But Madame Perkins, who wore simple black dresses and tricornered hats, could not be easily intimidated. In a self-effacing style, not always emulated by her fellow Cabinet officers, she worked ceaselessly and effectively to establish a foundation for peaceful labor relations.

Long before her death, the tower of social legislation that Frances Perkins worked so hard to build became just another profile in the skyline of this industrial democracy. The building blocks include old-age and survivors' insurance, unemployment compensation, minimum-wage and maximum-hours legislation and the Federal regulation of child labor. They are monuments to a splendid lady.

MERCHANT MARINE WEEK; WORLD TRADE WEEK; NATIONAL MARITIME DAY; 15TH ANNIVERSARY OF U.S. MARITIME ADMINISTRATION

Mrs. SMITH. Mr. President, it is my pleasure to draw the attention of my colleagues to the forthcoming observance, May 17–24, 1965, in Washington, D.C., of Merchant Marine Week, World Trade Week, National Maritime Day and the 15th anniversary of the U.S. Maritime Administration.

I take special pride because a feature role in this program will be taken by an institution close to my heart, the Maine Maritime Academy, one of the Nation's finest institutions of merchant marine officer training. The academy's training vessel, the *State of Maine*, largest ship ever to navigate the Potomac, will be in Washington throughout the week.

Also on board the *Maine* will be cadets from the U.S. Merchant Marine Academy, New York State Maritime College, Massachusetts Maritime Academy, and the Texas Maritime Academy. In addition, alumni from these five academies have joined together in arranging a splendid program of social and educational activities while the *Maine's* 300 cadets are in Washington. It is a heartwarming display of interacademy cooperation which bodes well for the future in our expanded efforts to foster a resurgence of the American merchant marine.

The *State of Maine* will be open to public inspection at the U.S. Naval Gun Factory each afternoon, Monday through Saturday, from 1:15 to 4:30 p.m. and I urge you to take this opportunity for a firsthand look at our merchant marine officer training program.

While you are aboard the *Maine*, I suggest that you also inspect the Maine products show afloat, an industrial-agricultural exhibit containing goods from downeast forests, farms, and factories. Overall sponsor of the Maine products show is the Maine World Trade Council, a private organization, with assistance of the Maine Department of Agriculture, the Maine Department of Economic Development, the Maine Maritime Academy, and scores of our fine Maine business firms.

The Maine products show, though new to Washington, has been a feature on the training vessel for several years. It began when the Maine Maritime Academy trustees sensed that the annual winter cruise to foreign ports had become valuable to the State's promotional program. Trips to South America, Caribbean, the Mediterranean, and Europe have produced significant results in the export field.

Governor John H. Reed, of Maine, has said:

> Maine is proud that the U.S. Maritime Administration has invited our Maritime Academy training ship to Washington to highlight this State's progress and its economic goals.

Merchant Marine Week will officially open Tuesday morning when Maritime Administrator Nicholas Johnson dedicates a new merchant marine exhibit in the General Accounting Office Building. The same morning Vice President HUBERT HUMPHREY will present a $500 award to the winner of a national high school poster contest commemorating National

Maritime Week—the poster now appearing on mailtrucks throughout the country. Our fine Maine Maritime Academy band will play at this ceremony.

On Wednesday the Maine Band and the U.S. Merchant Marine Academy Glee Club will perform on the steps of the Senate; that afternoon our Maine group will appear at the annual Maritime Recreational Association picnic at Rock Creek Park. Thursday evening our Maine musicians will play at the Sheraton Park Hotel at which time Mr. Nicholas Johnson, Maritime Administrator, will address the Propeller Club of the United States.

Saturday, Maritime Day, will mark another first in Washington, as crews from all five maritime academies compete in an old-fashioned lifeboat rowing race on the Potomac River, off Hains Point. The race is scheduled for 2 p.m., and I recommend it to you. There are excellent facilities for spectators.

Evenings during the week, the *State of Maine* will be the scene of a series of social events, culminating with a gala dancing party for cadets on Saturday evening.

This unprecedented salute to the merchant marine came about through efforts of Maritime Administrator Johnson, the U.S. Department of Commerce, and reflects our administration's concern with the problems of the maritime industry.

We from Maine are most pleased that our Maritime Academy was able to solve the many problems involved in bringing the training vessel to Washington. We are ever mindful of our historic kinship with the sea, and are proud to be members of a growing team whose objective is a merchant marine second to none.

THE PRESIDENT'S MESSAGE ON EXCISE TAXES

Mr. DODD. Mr. President, I am confident that each of us who has spoken, worked and voted for the repeal of the various excise taxes welcomes the President's ambitious yet realistic proposal to cut about $4 billion worth of these pernicious taxes from our tax system.

The regressive nature of excise taxes, in that their burden falls most heavily and most unfairly on persons of low and moderate income, has long demanded that as a matter of simple justice these taxes be repealed.

Now, after many years and after many strong but ultimately futile efforts, we are assured success in our fight against excise taxes because the President has joined with us.

We have ample time to consider and approve the President's recommendations before July 1, so the changes can go into effect at that time.

I hope, indeed I am sure, that Congress will take full advantage of this golden opportunity to abolish these so-called temporary taxes.

VISIT TO WASHINGTON BY PRESIDENT OF THE REPUBLIC OF KOREA

Mr. MONDALE. Mr. President, today Washington will be honored by a visit from the President of the Republic of Korea, the Honorable Chung Hee Park. He arrives with good news for the United States: South Korea seems at last to have turned the corner of recovery, on the road to economic independence. Since 1960, its production index is up 60 percent; and its exports are up fourfold—from $30 million to $125 million. They are expected to continue upward to $170 million in 1965, and to equalize at $300 million by 1967.

Korea is now self-sufficient in cement and electric production and in plywood and refined oil, and is almost self-sufficient in chemical fertilizers. Coal production has doubled in 5 years. Consumer production is way up.

I know that President Park's welcome here will be a warm one; and I ask unanimous consent that an editorial published this morning in the Washington Post be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, May 17, 1965]

WELCOME VISITOR

President Chung Hee Park of the Republic of Korea, who arrives here today for a state visit, represents a country and a people who deserve more from history than it has accorded them.

Korea, with a long cultural tradition, has been successively occupied and ravished by its two big neighbors, China and Japan. Today, because of the world conflict between communism and anticommunism, Korea is divided in two on the map, many Korean families are divided in two, both physically and emotionally, and the country's economy is pitifully held back because most of the industry and power sources are in the Communist north while most of the food growing is in the non-Communist south.

President Park's South Korea, a land where even tree growth is denied on the barren, forbidding mountainsides, has suffered from the additional handicap of bitter struggles for political power. The latest coup attempt occurred within the past 10 days.

President Park, who as a general headed a military coup himself 4 years ago, resigned his commission and stood for popular election in October 1963. His civilian administration since then has been torn between trying to permit the opposition characteristic of a democracy without letting this opposition get so out of hand that government becomes impossible.

Lately, the President has taken two bold steps in the international field which have been very pleasing to his host, President Johnson: He has pressed for a normalization of Korea's relations with its old Japanese enemy in order to give Korea a badly needed economic booster; and he has dispatched 2,000 troops to South Vietnam in order to assist the Vietnamese-American effort there.

In coming here, President Park will doubtless want renewed assurance that the U.S. aid program will not be tapered off too abruptly. He also reportedly will want to see faster progress on obtaining a status-of-forces agreement from the United States. Such an agreement would enable his country to establish its sovereign authority over civilian crimes that may be committed by the 50,000 U.S. troops now stationed in Korea.

Fortunately President Johnson, although canceling last month the scheduled visits of Indian Prime Minister Shastri and Pakistan President Ayub, allowed President Park to come on. No doubt the President was persuaded that as hard-plugging an ally as President Park and the Republic of Korea deserved priority treatment.

IDENTIFICATION OF IMPORTED MEAT AND MEAT PRODUCTS—RESOLUTION OF MINNESOTA HOUSE OF REPRESENTATIVES

Mr. MONDALE. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution—adopted by the Minnesota House of Representatives—requesting Congress to enact legislation which will cause imported meat and meat products to be identified as such to the ultimate consumer of such products.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION REQUESTING CONGRESS TO ENACT LEGISLATION WHICH WILL CAUSE IMPORTED MEAT AND MEAT PRODUCTS TO BE IDENTIFIED AS SUCH TO THE ULTIMATE CONSUMER OF SUCH PRODUCTS

Whereas there has been much concern by the Congress and by the various States in regard to honesty in labeling; and

Whereas the American housewife may have a preference in meat produced domestically, whether for reasons of taste or from a desire to assist in the economic betterment of the domestic producer; and

Whereas these housewives or any other consumer should be entitled to know the origin of any meat or meat product she purchases; and

Whereas it appears that attempts by States to identify these products is inconsistent with sound marketing procedures as well as U.S. trade policies: Now, therefore, be it

Resolved by the House of Representatives of the State of Minnesota, That the Congress of the United States be urged to enact legislation which would cause all meat and meat products imported into the United States to be identified as such to the ultimate consumer of those products so that they may be compared to domestic products by the consumer on a fair and equitable basis; be it further

Resolved, That the chief clerk of the house of representatives send copies of this resolution to all members of the Minnesota congressional delegation and to the U.S. Secretary of Agriculture.

Adopted by the house of representatives this 5th day of May 1965.

L. L. DUXBURY, Jr.,
Speaker of the House of Representatives.
G. H. LEAHY,
Chief Clerk, House of Representatives.

THE YOUNGER GENERATION

Mr. MUNDT. Mr. President, most of us have read, at one time or another, articles and stories indicating that today's younger generation of teenagers is heading pellmell toward destruction, or to use a description of an earlier day, "going to the dogs."

Riots on a Florida beach make big news, for example. But I would submit that a beach riot—or worse, attacks by gangs of young hoodlums upon innocent citizens—are far from typical of today's younger generation who tomorrow will be our community and national leaders.

For every wild youngster causing trouble in an Easter weekend riot, there are a hundred like him in church on that same Sunday, some attending services, others participating in the teaching of Sunday school, for example.

For every punk wielding a knife in a subway, or running with a gang on the city streets, we have dozens of dedicated young men wearing the uniform of our country defending freedom in Vietnam or some other remote area of the world.

When the floods hit the Mississippi River valley, a major share of the burden of providing dike protection came from youngsters, who despite their contributions and their tremendous effort, are still only schoolchildren and a good long way from the maturity of adulthood, although certainly they accepted the responsibilities of adulthood in most admirable fashion.

While there is rightful concern over dealing with the problems of our young people, I submit there is also a cause for comfort in the attitudes and responsiveness of a vast majority of our youngsters as they prepare themselves for their future.

An example is contained in a recent article written by Mr. Walter T. Ridder, of the Ridder Newspapers, and published in the Aberdeen, S. Dak., American-News. Mr. Ridder recently visited South Dakota, and during the course of his visit in Aberdeen spent some time with the high school youngsters of that city. His report of that visit with these students is a happy documentation of the fact that our youngsters are—as they always have been—the hope of the future. Mr. President, I ask unanimous consent that Mr. Ridder's article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Aberdeen (S. Dak.) American-News, May 13, 1965]

Washington Observations

(By Walter T. Ridder)

Washington.—A lot of introspective stuff has recently been written by Americans about the state of their youth, particularly teenagers. As many teenagers have themselves pointed out many of those studies deal with the untypical or atypical teenager and doesn't give an accurate reflection of what the average boy and girl think and do and desire. The kids may well be right.

These thoughts are stimulated by a recent trip into the heart of the Midwest where this reporter found himself addressing the student body of Central High School in Aberdeen, S. Dak. The subject of the talk was world affairs and after the formal part of the program had been completed the session was opened to questions.

This correspondent was amazed and pleased at the quantity and the quality of the questions which came booming at him from all parts of the auditorium. There wasn't a silly question in the lot—something which often cannot be said of similar adult groups. The trouble with adult groups of that kind is that generally one of them has a hobbyhorse of one sort or another to ride and more often than not he seizes the opportunity to take the floor and make a speech rather than ask a question.

Not so the kids. They asked questions which had meaning, were pertinent to the matters at hand and were obviously asked with a real desire to learn or to hear the opinions of others.

The high standard and the variety of the questions posed by the high school students was pleasing and surprising. They asked intelligently about the obvious problems such as Vietnam and Dominicia. They also allowed their imaginations to roam and wondered about the world in which they would find themselves 20 or 25 years from now. What would then be the relations between Russia and Red China? What effect would Red Chinese possession of nuclear weapons have upon the world's balance of power? How much reality has President de Gaulle's vision of a Europe extending from the Atlantic to the Urals? What was the current state of American prestige abroad? What was it like to have seen the Hungarian revolution? Some of those questions were answerable; others answerable only by guess and by conjecture.

Yet it was clear the kids were not spending all their time necking or in the bowling alleys or dragstrip racing or learning how to take dope. Somewhere, somehow they had accumulated enough knowledge about current affairs to ask questions which may well have been more stimulating to the speaker than his answers were to them. The queries were knowledgeable and were obviously based upon a pretty fair idea of what is going on in the troubled world of ours.

On the basis of the performance of those South Dakota kids, American news media can be pardoned if they take a bow. I do not profess to know from where they got their information. At a guess, they probably got it from their daily newspaper, from radio and TV news programs, from magazines and probably from what in the days when I went to school used to be known as "bull sessions." Whatever the source of their knowledge, they are being fed good information and on the whole appear to be absorbing it with heartening interest.

The interest of the young in the affairs of state is being reflected in the turbulence which has recently overtaken many of our institutions of higher learning. That turbulence has in some cases gotten out of hand and has been perverted to themes other than international affairs or to themes somewhat beyond the realms of what used to be known as decency. Nonetheless, it is incontrovertible that the college and high school kids of today are keenly and vividly aware of what's going on in the world around them. In a democracy that is, of course, essential, but it is nice to know that what is essential is actually happening.

If the students at the Aberdeen High School are typical of all America, there's no need yet to start beating the drums of despair.

"THE CITIZEN'S ROLE IN FORMULATING REGIONAL GOALS"—ADDRESS BY SENATOR MUSKIE

Mr. HART. Mr. President, our Detroit newspapers described the dramatic arrival, last Tuesday, in Detroit, of the junior Senator from Maine [Mr. Muskie], to the accompaniment of screeching police sirens. Having delayed his departure from Washington in conscientious fashion, in order to be able to vote on the poll-tax amendment offered by the Senator from Massachusetts [Mr. Kennedy], Senator Muskie arrived in Detroit barely in time to make his speech.

I have received word that Senator Muskie's remarks on that occasion were very well received. I agree that they were thoughtful and informative. This will not surprise any of us, in light of the leadership Senator Muskie has given Congress and the country in developing and improving intergovernmental relations, in response to the urban crisis. His services in this area attract less attention than certain other of our activities do; but I am certain that historians will note, and will thank Senator Muskie for, his recognition of this subject as one of the highest priority, and for giving to it his exceptional talents and energy.

I ask unanimous consent that his May 11 speech, entitled "The Citizen's Role in Formulating Regional Goals," delivered to the Forum for Detroit Area Metropolitan Goals, be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

The Citizen's Role in Formulating Regional Goals

(Address by Senator Edmund S. Muskie before the Conference for Transportation and Regional Development sponsored by the Forum for Detroit Area Metropolitan Goals, Detroit, Mich., May 11, 1965)

Two years ago, I had the privilege of joining many of you in commemorating "Metropolitan Community Day." As a result of that communitywide conference, your Forum for Detroit Area Metropolitan Goals was established. This, in turn, led to today's Conference on Goals for Transportation and Regional Development.

Senatorial modesty, of course, prevents me from assuming that my participation in the earlier conclave had anything to do with these subsequent salutary events. It is flattering enough that you invited me to return. So I am delighted to be back in Detroit and I commend your constructive efforts to create a metropolitan community.

In keeping with one of the basic themes of this conference, I shall undertake to examine "the citizen's role in formulating regional goals." In a democratic system, such as ours, the choice of governmental personnel is deliberately made in an open process. This is done so that many elements in our population can have their own spokesmen in the inner circles of Government. The process is premised on the fact that the people who select the Government thereby intermine the character of public policies and programs.

Everyone concerned at all with politics is likely, at one time or another, to make an effort to see that positions in government and party are filled by the men who will do what they want done. As a result, nominations and elections, as well as appointments and removals, are accompanied by the maneuvering of several forces.

Under our Federal system, the contestant who fails to influence the selection of officials at one level may always turn to another, to find a sympathetic ear in the legislature or Congress, even if he does not have a friend in city hall.

If his candidates lose elections at every governmental level, the citizen still has many ways of impressing his views on the decisionmaking process. He may work for causes and issues instead of party. He may seek bipartisan or nonpartisan support. Office doors are usually open to our citizens, especially to citizen groups; and civic leaders are heard. It is through this system that we probe our problems and overcome our crises. It is through this system that the citizen carves out a role in formulating governmental goals.

We confront a critical period of American life. We must choose our course for the years ahead. We must choose now between national greatness and national mediocrity, and this choice involves both our international posture and our domestic policies. Our decisions at home are fully as significant as those abroad; we cannot impress the world with our ideas, our technology, and our ideals if we stagnate, if we permit ourselves to drift at home.

The crisis created by the emergence of a metropolitan America constitutes the most important domestic problem facing us today. It is the most difficult series of human, economic, and political problems that we have ever faced. It is the greatest threat to our traditional Federal-State-local relations.

Yet this same crisis provides us with the best opportunity to implement President Johnson's ideal of a creative federalism, for it opens up to groups like your own the broadest opportunity to exercise civic leadership.

Do citizens' groups like your own really have a place in today's world or politics? Some would say "No." Yet our record reveals to me that if we are willing to tackle decisive issues, to face and to resolve the real urban problems, then the answer must be an emphatic "Yes."

I do not have to burden this audience with an extensive explanation of all of the dimensions of this urban crisis.

You are aware of the problems that go with overlapping and competing jurisdictions of the local government.

You are aware of the disparities between the costs and the benefits of governmental services among local governments in urban areas.

You are aware of the imperfect performance of such major governmental functions as urban transportation, water supply, sewage disposal, and air pollution control, due to the spread of a metropolitan population beyond the jurisdiction of individual governmental units.

You are aware of the restrictive State constitutional provisions that inhibit the easy adaptation of local government to meet present and prospective needs.

And I am sure you are aware of the lack of coordination among the more than 50 Federal programs that directly affect urban areas.

Yet, awareness itself is not enough—as you so well know.

Central to all of these problems is the fact that the metropolitan area has become, in effect, a new kind of community. Many of its citizens, however, have little or no sense of belonging.

Further, while the metropolitan community is still only an infant, and new to its new civic life, it threatens to deprive some of the old units of their former significance. Loyalties to these old units may be lost, without being transferred to the new and more effective regional communities.

The urban regional problem, then, is the problem of restructuring the level of government which serves directly the most populated parts of America. Local governments in metropolitan areas must achieve the capacity to cope with today's nearly unmanageable problems. The adaptation of local governments in metropolitan areas is a prerequisite for renewed vitality for urban America.

This is a job of constitution making in the classical sense. Jefferson and John Stuart Mill viewed local government as the schoolhouses of a democratic citizenry. But our preoccupation with the National Government and with the legal concept of State sovereignity has led, unfortunately, to an easy acceptance of the idea that local government is artificial.

Moreover, few citizens find in local government the sense of achievement necessary to attract and hold their attention, much less to capture their imagination. Some, who despair, are reminded of Byron's stanza:

> "I live not in myself, but I become a
> Portion of that around me: and to me
> High mountains are a feeling, but the hum
> Of human cities, torture."

Even at the turn of the century, Lord Bryce was complaining of the lack of talent in urban public life. If it was difficult even then to attract and hold first-class leadership, the fragmented maze of today's emerging metropolitan areas makes the tasks of recruiting, training, and holding top-flight leadership all the more difficult. Yet this is one of our greatest national needs, and this must be one of your primary responsibilities.

I, for one, agree with Jefferson that live local democracies are essential to the health of a national democracy and your presence here indicates that you share this view.

You, in the Detroit metropolitan region, have shown that you have foreseen the federalism of the future.

The traditional concept of intergovernmental relations has two dimensions.

First, as a horizontal proposition, it presupposes three levels of government—Federal, State, and local—with separate powers and personnel, with independent constituencies and decisionmaking processes.

Second, as a vertical proposition, it assumes that there are many shared governmental activities that involve all levels in significant and continuing responsibilities.

Most politicians and many academicians tend to accept one or the other of these views. Yet the record reveals that both of these views are accurate descriptions of the remarkable history of American federalism. As we face the urban crisis, however, it seems to me that we must expand the horizontal concept of intergovernmental relations by establishing a new decisionmaking process at the metropolitan level. We must also add a new perspective to the vertical relationships by gearing more of our joint-action programs to the growing needs of metropolitan areas as a whole. The development of this new design of federalism will require courage, creativeness, and concern from civic leaders at all levels.

I stated earlier that the problem of restructuring the local governments in metropolitan areas is a job of constitution making in the classical sense. The development of this new design for the federalism of the future is merely another dimension of the same problem. The would-be metropolitan constitution maker, therefore, would do well to follow the example of the Founding Fathers and recognize the three types of constitution Aristotle analyzed in his famous treatise on politics.

There is the social and economic constitution, that provides the community's ethnic and social structure and determines what is politically possible.

There is the ethical constitution, that embodies a community's way of life and gives it a sense of shared purposes and ideals.

And finally, there is the legal constitution with its ordering of offices and powers, which institutionalizes the principle of justice implied in a community's way of life and which is made possible by the economic and social system.

If an enduring constitution for a community is to be created, each of these must be related to the others and to the individual citizen's needs as a political, social, and moral being.

In classical terms, then, the search for the bases of a metropolitan community is the search for:

1. Potential regional leaders;
2. Responsive and responsible institutions and procedures through which they can function; and
3. A set of ideal goals that reflect the permanent interests of the area's entire citizenry.

What is being done at the Federal, State, and local levels to give recognition to these first principles and to facilitate the emergence of effective metropolitan communities? The balancing of old local loyalty against a new regional responsibility is always difficult. And the harmonizing of local demands for independence with the need for coordinating and planning programs of metropolitan significance is not easy. Yet you have achieved considerable success in performing these difficult feats.

You have grasped the intergovernmental implications of your projected 44-percent growth during the next decade and a half. You have pioneered in developing the voluntary regional council, as a dynamic but practical compromise between the extremes of regional inaction and drastic reform.

The supervisors intercounty committee, the Detroit Metropolitan Area Regional Planning Commission, and your forum, both singly and collectively, constitute an institutional expression of the fact that yours is an emerging regional community.

The Supervisors' Intercounty Committee serves as the important political leadership arm of this triumvirate. The committee is authorized by law to study the common problems of your six-county area and to make recommendations to member counties. Yet the committee has never forgotten that there must be a political impetus if its recommendations are to gain local acceptance.

The close ties that exist informally between the committee members and the other regional bodies on the one hand, and the county officials on the other, help to explain why the supervisors' committee has become an outstanding example of interlevel collaboration.

The Detroit Metropolitan Area Regional Planning Commission is the professional planning member of the triumvirate. It is responsible for guiding the current physical development of your metropolitan area and planning for its future needs. It is also responsible for making available any data on the economic, social, and physical aspects of your six-county area.

The Metropolitan Fund and this Forum for Detroit Area Metropolitan Goals perform a vital function that is frequently ignored in other urban areas. As private groups, you are in the unique position of stimulating the interest of citizens and public officials alike in long-range regional goals.

Because you are the only metropolitanwide vehicle for this kind of public discussion, you are uniquely equipped to inform the public of the area's future needs, to encourage public discussion and debate of regional problems, and to formulate—with the effective participation of both citizens and public officials—the new goals that will implement your search for the good society here in Metropolitan Detroit.

Every citizen must be helped to understand the relationship of specific proposed improvements to the overall theme of orderly growth. But understanding is not, by itself, an adequate goal.

Every citizen must also be convinced that his own best interests warrant active participation to convert these proposals into realities.

You give the citizens a grasp of what the other members of the regional triumvirate are concerned with.

You have involved many elements of your diverse metropolitan community in a continuing program of face-to-face discussions.

You have recognized that the real menace of the metropolis is not so much in the technical need to provide better public services, but the far greater practical and political problem of citizen participation and control over important affairs at the metropolitan level.

Your efforts have provided the Detroit metropolitan area with its equivalent of an institution that still functions well in my State, Maine, for you have at work here the regional equivalent of the New England town meeting.

The State and Federal Governments must also join in building the foundations of effective metropolitan communities. Both have tended to react to the challenge in a haphazard fashion.

Michigan's response, however, has been better than that of many other States. Your new State constitution contains a section which allows local governments to join in a variety of ways to achieve a common solution of their common problems.

Interlocal contracting, for example, is authorized, and the use of multipurpose metropolitan districts is encouraged.

Further, the legislature's authority to deal with urban area problems is fully protected.

These provisions, however, should be regarded as only beginnings, for there is a clear need for more adequate State leadership and attention with respect to your metropolitan problems. The State, after all, is the depository for most of the legal power to act in urban affairs, and it must come to accept a genuine role in the field.

I'm still enough of a Hamiltonian, however, to believe the Federal Government also has a special role to play in helping civic institutions adapt to their new regional environment.

The national character of many metropolitan questions makes this mandatory. More than 50 Federal programs are now operating in our urban areas, and most of them have been enacted since 1950. The future is not likely to reverse this trend.

Authority and effort are needed in Washington—as well as in the urban areas—to assure that each of these programs contributes not only to its more limited program goal, but also to the general goals of our emerging metropolitan communities. Three current case studies indicate that Washington is responding to this challenge.

The proposed Intergovernmental Cooperation Act of 1965 (which I introduced this year and which 39 Senators cosponsored), is of paramount importance to you here and to all other metropolitan regions in the country. Last month, we held a week of hearings on this measure.

Title IV of bill merits your special consideration, since it establishes a national urban assistance policy. Under it, each Federal executive administering urban programs is obliged to coordinate his actions with those of other Federal agencies and his plans must be part of or consistent with local and areawide planning efforts.

Another section of this title stipulates that applications for grants and loans under certain urban programs would be reviewed and commented upon—but not vetoed—by a regional planning body composed of elected officials from the general units of local government. This section is designed to strengthen areawide planning and to assist Federal agencies in their evaluation of grant applications.

It will not create undue delays. But it will protect the integrity of regional planning objectives from subversion by a fragmented and uncoordinated Federal approach to urban development. Equally important, it helps to implement one of the basic goals of this conference and of your forum.

A second case study of Federal responses to urban problems is covered in the proposed Water Quality Act of 1965, which I was privileged to introduce in this session. The bill has now passed both Houses of Congress. It increases grants for the construction of municipal sewage treatment works and provides financial assistance to municipalities and other bodies for the separation of combined sewers. Of special concern to you is the provision that the grants may be increased by 10 percent for projects which are part of a comprehensive regional plan. This incentive approach has worked well in the "open space" program. It will strengthen our attempt to curb water pollution. And I am convinced that this device should be extended to other Federal programs.

A third proposal would create a broad instrument for dealing with the urban crisis at both the national and the grassroots levels. I have cosponsored President Johnson's bill to establish a Department of Housing and Urban Development.

I believe this legislation is needed to improve the administration and coordination of the principal Federal programs which provide assistance for the housing and the development of the Nation's urban communities.

I am convinced that it will help promote interstate, regional and metropolitan collaboration.

I am certain that such a department will provide better technical assistance and information—including a clearinghouse service—to these units of local and State government.

No one of these three national proposals alone will solve the urban crisis, nor will State and local efforts alone suffice. But when combined, they offer meaningful ways of implementing the concept of "creative federalism" and of giving local officials a better than even chance of establishing the foundations of a vital metropolitan community.

The town was once the place where many public decisions were made and carried out. Then it was the city. Now it is the region, with its combination of cities and towns. These developments have not been sudden—for as Vachel Lindsay wrote of Springfield, Ill.:

"Record it for the grandsons of your son—
 A city is not builded in a day:
A little town cannot complete her soul
 Till countless generation pass away."

VIETNAM DEBATE: DEMOCRACY AT WORK

Mr. PROXMIRE. Mr. President, the debate over our policies in Vietnam reached a crescendo on Saturday here in Washington. For many, many hours some of the most vigorous critics of our Asian policies disputed with some eminent academic defenders of the administration course.

Perhaps the show ran a little too long. Some of the presentations were uninformed, some intemperate; but a surprising number were incisive and penetrating.

Obviously all of this causes pain to those who would like to see this Nation united 1,000 percent behind the President on Vietnam. But, let us face it, there is a serious division in America on this immensely perplexing and complex issue, as there is bound to be in a big, thinking, working democracy.

The importance of this teach-in is that the processes of democracy were constructively at work on this troublesome problem. In view of the radio and educational television audience of hundreds of thousands, and since millions of Americans must have read newspaper reports of this discussion, our democracy has been more deeply informed.

Although McGeorge Bundy—who was to have been the administration's No. 1 defender was necessarily on assignment in Santo Domingo, the administration's case was vigorously and competently expressed. In my judgment the administration position was significantly strengthened by this discussion.

I ask unanimous consent that a report of the debate in Sunday's New York Times, together with identification of the principal participants be printed in the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, May 16, 1965]

VIETNAM DEBATE HEARD ON 100 CAMPUSES—BUNDY IS UNABLE TO APPEAR BECAUSE OF "OTHER DUTIES"

(By Max Frankel)

WASHINGTON, May 15.—The great debate lost its star performer in midcourse today when Government business kept McGeorge Bundy at the White House and away from a national audience watching a teach-in on Vietnam policy.

Mr. Bundy, special assistant to President Johnson for national security affairs and one of the principal architects of American foreign policy, announced his withdrawal at the start of the main debate of the all-day program.

An audience of about 5,000 persons had assembled here from many parts of the country to witness the confrontation between Mr. Bundy and some of his best known critics in the academic world. More than 100,000 other persons gathered at more than 100 campuses to hear the debate by way of special radio hookups.

Word of the cancellation came in the 2-hour lunch recess. When the meeting gathered again for the major debate session, much of the audience was still unaware that Mr. Bundy would not speak.

The announcement was greeted by a few scattered boos and hisses, mixed with desultory applause. There was also some laughter, but the statement as a whole brought a round of gentle applause at its conclusion.

There was no explanation from the White House for Mr. Bundy's absence. The sponsors of the debate withheld comment. They were told informally that the reasons for his absence would become clear in 2 or 3 days.

There were no overt signs of crisis around the Government. President Johnson issued a brief statement offering aid to a coalition government in the Dominican Republic, read another statement on excise tax policy, and planned to spend the weekend at the nearby presidential retreat at Camp David, Md.

Senior officials of the administration said that they had strict orders not even to hint at the reason for Mr. Bundy's cancellation. They said they were uncomfortable with the need for silence and expressed hope that developments today or tomorrow would demonstrate the need for the sudden cancellation.

Prof. Robert Scalapino of the University of California at Berkeley, a member of the panel that supported Mr. Bundy, took his place as the main debater in defense of administration policy.

Mr. Bundy's statement said that "other duties," which he did not specify, had forced him to miss a meeting that he had looked forward to. He said he disagreed wholly with those who believed it inappropriate for a Government official to face his critics.

"I take comfort in the thought that I shall miss the meeting more than you will miss me," he added.

But he was missed. The academic sponsors had said from the start that Mr. Bundy's submission to questioning and criticism had "made the event."

He was also missed because he had been counted upon to provide authoritative and official interpretations of Government actions and policies that have been the target of scholarly attack in the dozens of teach-ins that led to the debate today.

He had warned the sponsors of the teach-in that he might not be able to take part. The sponsors confirmed this.

In Mr. Bundy's absence, the burden of debate fell to some of the leading scholars and analysts of foreign affairs who had assembled to interrogate and help him.

Their discussion was often sharp, but never unruly. It was accompanied by many appeals for courtesy and respect and many statements that the problem of Vietnam was so complex as to permit serious differences among thoughtful and honest men.

Prof. George McT. Kahin, who was to have been Mr. Bundy's principal opponent, asserted the theme of the teach-ins—that the American public was entitled to "full and honest answers"—and questioned the administration's readiness to supply those answers at all times.

URGES TIE TO NATIONALISM

But Mr. Kahin's principal target was policy. He bemoaned the U.S. "consistent failure" and "inability both to appreciate the importance of Asian nationalism and to work with, rather than against, that powerful force."

A leading American student of southeast Asia, Professor Kahin said that Western policies had driven nationalists throughout Asia toward the Communist camp because the Communists had recognized the nationalists' aspiration. He argued that, for this reason, no military victory was possible in Vietnam, no independent nation of South Vietnam was ever likely to achieve popularity and viability, and the American effort to contain the expansion of Communist China was misdirected against North Vietnam.

He also argued against the so-called "domino theory," which holds that the loss of all Vietnam to communism would cause the loss of other nations as well.

"So long as southeast Asia governments are in harmony with their countries' nationalism, and so long as they are wise enough to meet the most pressing economic and social demands of their peoples, they are not likely to succumb to communism," he said.

He said that the administration, although it had offered "unconditional" discussions, was in fact demanding that the Vietcong rebels immediately cease all operations and that South Vietnam continue its separate existence "in permanent violation" of the Geneva accord of 1954, and was also refusing to deal with the Vietcong's political arm, the National Liberation Front.

The bombing of North Vietnam is more likely to stiffen that Government's resistance than persuade it to undertake negotiations, Professor Kahin said.

BACKED BY AUDIENCE

Mr. Kahin spoke deliberately and without fire. Although his views plainly had the support of most of the audience, he drew his first applause at the very end of his prepared text, when he said:

"When the American public faces the prospect of war, it has the right to full and honest answers."

He was applauded a second time when he appended a statement that he had hoped "Mr. Bundy's appearance would be an indication of a change in the administration's attitude as to the value of informed public opinion."

"I can only hope that his indispensability in meeting some major crisis of policy making is really of greater importance than the contribution he might have made this afternoon," he said.

Following Mr. Kahin, Professor Scalapino said that the Vietcong were unquestionably not an indigenous force. He cited statements in the Peiping press attributing the success of the Vietcong to the Marxist-Leninist leadership of a Marxist-Leninist force.

DIFFER OVER TACTICS

While there have been differences between Hanoi and the leaders of the National Liberation Front in South Vietnam, these are differences over tactics and not over basic policy, Dr. Scalapino said.

The strength of the Vietcong is primarily due to organizational skills that do not necessarily mean it has public support, he went on. He said he was confident that the people of South Vietnam, if they were able to express themselves in free elections, would not vote for the National Liberation Front.

Peiping has steadily contended that "U.S. imperialism is a paper tiger" that would collapse when pushed, he said. "If Peiping is able to demonstrate this works in South Vietnam, it will work elsewhere," Dr. Scalapino declared.

The speaker said this did not mean that he subscribed to the so-called domino theory. Rather, he said he would use the word "checkers"—because the Communists would "jump to those areas which they can neutralize."

If the United States is to negotiate with Hanoi and the Vietcong, he said, it should regard them as Communists and should not operate under the illusion that it is dealing with Asian nationalism.

Mr. Bundy made a brief contribution to the debate by sending "only a word" about the administration's purpose in Vietnam.

"That purpose is peace," he said, "for the people of Vietnam, the people of southeast Asia and the people of the United States.

"We evidently differ on the choice of ways and means to peace, in what we all must recognize to be a complex, ugly and demanding situation. Those differences may go deep to the nature of the politics of Asia, to the legitimacy of force in the face of armed attack and to the true prospects and purposes of the people of Vietnam themselves."

But Mr. Bundy suggested that "what divides us is less than what unites us."

ALL SEEK "DECENT" ACCORD

"None of us wants the war to be enlarged," he said. "All of us want a decent settlement. None of us wants other men to be forced under a totalitarian political authority. All of us seek a solution in which American troops can be honorably withdrawn. None of us—I hope—believes that these are easy goals."

Mr. Bundy praised the arrangements for the debate as "fair to a fault" and said the American people knew that the real day of danger would come when the Nation was afraid of any unpopular minority or unwilling to reply to its voices.

He said there was some ground for arguing that such debate would encourage the Nation's adversaries. The Chinese Communists will continue to pretend, he said, that the protest of 700 faculty members weakens American policy. However, Americans know that the protests come only from a "small minority" of teachers and students, he said.

A greater tribute to the protest movement was expressed by Arthur Schlesinger, Jr., former Harvard professor and White House aid. He had been billed as a defender of administration policy in Vietnam and did praise what he said were President Johnson's efforts to reach a peaceful settlement.

But he brought some discomfort to both sides.

He said it was "moving and impressive" to see the deep national concern that had produced the meeting today. And he deplored "a certain selfrighteousness" that he felt had crept into utterances on all sides of the discussion.

Mr. Schlesinger was particularly severe with Secretary of State Dean Rusk for a comment that some educators suffered from "gullibility." He said that, after reading the administration's white paper on Vietnam, he had been tempted to reflect upon the gullibility of Secretaries of State.

But he also deplored the use of slogans and bright phrases in the academic world in dealing with a complicated problem.

CALLS FOR NEGOTIATION

Mr. Schlesinger argued that, although the commitment to defend South Vietnam in 1954 was probably a mistake, policymakers today could not withdraw from that commitment without undermining other Asian nations, abandoning loyal supporters in South Vietnam and giving comfort to Peiping in its conflict with Moscow.

Negotiation is the only answer, he said, adding that he understood the administration was trying to force North Vietnam to the conference table.

He did not agree, he said, with the heavy emphasis upon military solutions, particularly the bombing of North Vietnam. He said that Washington's commitment to South Vietnam and its desire to demonstrate that the Vietcong could not win the guerrilla war could be better achieved through a limited increase in American ground forces there and a more attractive political program.

"If we took the marines we now have in the Dominican Republic and sent them to South Vietnam, we'd be a good deal better off in both countries," he said.

Mr. Schlesinger appeared on a morning program of speeches with Prof. Hans J. Morgenthau of the University of Chicago and Isaac Deutscher, the writer on Marxism.

PRINCIPAL PARTICIPANTS IN THE DEBATE

WASHINGTON, May 15—These were the principal participants in today's national teach-in about United States policy in Vietnam:

MORNING SPEECHES

Arthur Schlesinger, Jr., on the Government position.

Hans J. Morgenthau, a critique of the administration.

Isaac Deutscher on the policy and the cold war.

Eric Wolf, moderator, on the history of the teach-in.

AFTERNOON POLICY CONFRONTATION

Speakers

George McT. Kahin, professor of government and director of the southeast Asia program, Cornell University.

Interrogators

On behalf of U.S. policy:

Zbygniew Brzezinski, professor of public law and government and director, Research Institute for Communist Affairs, Columbia University.

Wesley R. Fishel, professor of political science, Michigan State University.

Robert A. Scalapino, professor of political science, University of California, Berkeley.

Michael F. M. Lindsay, professor of Far Eastern studies, American University.

Against U.S. policy:

Hans J. Morgenthau, professor of political science and director, Center and Study of American Foreign Policy, University of Chicago.

Stanley Millet, professor of government, Briarcliff College.

Mary Wright, professor of history, Yale University.

William A. Williams, professor of history, University of Wisconsin.

Moderator

Ernest Nagel, professor of philosophy, Columbia University.

EVENING PANEL DISCUSSIONS

The realities of North Vietnam

For U.S. policy:

P. J. Honey, British scholar on Vietnamese affairs.

Paul Kattenberg, policy planning staff, State Department.

Against U.S. policy:

Bernard Fall, Howard University.

The issue of Chinese expansion

For U.S. policy:

Benjamin Schwartz, Harvard.

Michael Lindsey, American University.

Lindsay Grant, Far East Division, State Department.

Against U.S. policy:

Felix Greene, Palo Alto.

Mary Wright, Yale.

The domino theory in southeast Asia

For U.S. policy:

Robert Scalapino, University of California, Berkeley.

Herbert Spivack, Examination Board, U.S. Foreign Service.

Against U.S. policy:

Oliver Clubb, Jr., Syracuse.

Daniel Lev, Cornell.

The U.S. record in South Vietnam

For U.S. policy:

Wesley Fishel, Michigan State.

Thomas Conlon, Far East Affairs, State Department.

Against U.S. policy:

Nicholas Wahl, Princeton.

Stanley Millet, Briarcliff.

The civil war and aggression from the North

For U.S. policy:

Robert Scigliano, Michigan State.

William J. Jorden, Public Affairs Division, State Department.

Against U.S. policy:

Robert Browne, Farleigh Dickinson.

Robert Scheer, Center for Study of Democratic Institutions.

U.S. military policy

For U.S. policy:

Leo Cherne, International Rescue Committee.

John Huizinga, policy planning council, State Department.

Against U.S. policy:

Seymour Melman, Columbia.

Anatol Rappaport, Michigan.

Can the war be won?

For U.S. policy:

Col. Amos Jordan, U.S. Military Academy, West Point.

Daniel Ellsberg, State Department.

Against U.S. policy:

Jason Finkle, University of Southern California.

Walter Goldstein, Brooklyn College.

Political and moral effects of U.S. policy

For U.S. policy:

Zbygniew Brzezinski, Columbia, and Joseph J. Sisco, International Organization Affairs, State Department.

Against U.S. policy:

Isaac Deutscher.

Staughton Lynd, Yale.

The making of U.S. policy

For U.S. policy:

Walt W. Rostow, chairman, Policy Planning Council, State Department.

Paul Seabury, University of California, Berkeley.

Samuel Huntington, Harvard.

Against U.S. policy:

D. F. Fleming, California State College.

Mark Raskin, Institute for Policy Studies.

Stanley Hoffman, Harvard.

Hans Morgenthau.

Mr. PROXMIRE. Mr. President, Mr. James Reston, of the New York Times, has made a characteristically thoughtful analysis of this debate, calling it useful and adding that it "may have set an important precedent for the future." I ask that this Reston analysis be printed in the RECORD at this point.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, May 16, 1965]

WASHINGTON: AN ENTERPRISING DEBATE

(By James Reston)

WASHINGTON, May 15.—Something new and enterprising has happened in the National Capital this weekend. The political and intellectual communities of the Nation have come together and engaged in a serious and responsible debate on the policy of the United States in Vietnam.

President Johnson was originally against this erudite confrontation. He took the opposition on the campuses of the country to his Vietnam policy as another act of highbrow hostility to him personally. Finally, he agreed to let his principal White House adviser on foreign policy, W. McGeorge Bundy, former dean of the Harvard faculty, address the visiting professors and students; but, in the end, Mr. Bundy didn't show.

BUNDY SCRATCHED

Nevertheless, despite Mr. Bundy's regrettable and unexplained absence, the exchange of ideas in the meeting was useful and may have set an important precedent for the future.

This was not merely a protest by the students and professors about what is happening there—though their previous protests brought it about—but an inquiry, an honest search for answers to the moral, political and military dilemmas that confront the country in southeast Asia.

Most important, it was a model of what can be accomplished in a vast, democratic continental society, when modern instruments of communication are used to discuss fundamental questions of public policy.

It was not only that hundreds of students and professors gathered here to express their concern about the Johnson administration's policy in Vietnam, or that representatives of the administration explained at last what the Government was doing there, but that the whole discussion was carried by radio to university communities in 35 States and thus enabled the students to continue the discussion in the coming days and weeks.

NO RESOLUTION

This is something quite new and different from the struggles between governments and universities in other countries. The energy and zeal of university students elsewhere are usually directed either against the Government, as in many Latin-American countries, or as an instrument of government propaganda in many Communist and newly developed countries, but the interuniversity meeting here in Washington this weekend provided an opportunity to find the truth between the policies of the Government and the conflicting views of its critics.

Nothing was really resolved in the process, but an important technique of serious discussion was discovered.

Presidential talks in the past have not produced objective national discussion of political realities. The press and radio and television have merely dramatized the differences of opinion over policy. The political debates in Congress have only encouraged partisan and subjective conclusions about how to proceed. And, until this weekend, the demonstrations on the American campuses have provoked more heat than light.

BALANCED DEBATE

The debate here in Washington this weekend, however, has been more balanced and realistic. The Administration, which at first was aloof, full of resentment and self-pity, finally participated in the discussion and helped itself and its critics to deal with realities in the process.

Even so, this debate between the intellectual and political communities of the country is still unsatisfactory. It is still dealing primarily with the effects of the disorder of the world and not with the causes. Vietnam, which was the main subject of this weekend's discussion, is not a cause but merely one effect of the problem.

The cause is the poverty, misery, and resentment of most of the human race and the exploitation of these things by the cunning techniques of Communist subversion. Another cause is the failure of the Western World to devise effective means of dealing with these facts.

China is now the central problem. It has a grievance, an atomic bomb, a religious ideology and a staggering surplus of people. In Asia it is the arsenal of rebellion, and the problem is how to deal with this astounding fact.

China is using the scientific achievements of the West to defy the West—as it did this past week with its explosion of another atomic device. The most dangerous thing in the world today is that the West has found no means to deal with this rising problem and the university professors and students are quite right in recognizing that no government has come up with the answer.

DISCUSSING REALITIES

The importance of this weekend's debate in Washington is that at least a means has been found to discuss these realities, to move from protest against the effects of world disorder to analysis of causes and a choice of hard options.

The interuniversity committee, which was responsible for the Washington teach-in, should be continued and supported financially. It started at the University of Michigan as a protesting movement against the Government's Vietnamese policy, threatening an academic strike, and has now developed into a forum of national debate which could be of fundamental importance to the Nation.

Mr. PROXMIRE. Mr. President, on Monday, the New York Times carried substantial excerpts from this national teach-in and I ask unanimous consent that these excerpts be printed in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

[From the New York Times, May 17, 1965]

EXCERPTS FROM NATIONAL TEACH-IN ON VIETNAM POLICY AND TEXT OF BUNDY STATEMENT

(NOTE.—Following are excerpts from the transcript of the national teach-in on Vietnam in Washington Saturday as recorded by the New York Times.)

(Moderator Ernest Nagel, professor of philosophy at Columbia University.)

Ladies and gentlemen, I have a very important announcement to read. I've been requested to read to you a text of a statement by Mr. McGeorge Bundy (Special Assistant to President Johnson):

I greatly regret that it is impossible for me to take part in the discussion this afternoon of our policy in Vietnam.

I have looked forward to this meeting and I hate to miss it. When I accepted your invitation, I did so with a warning that I might be unable to attend because of other duties. It gives me no pleasure that this warning has come true.

I regret my absence the more because I wholly disagree with those who have argued that it is inappropriate for a Government official to take part in a discussion of this kind.

It may be true, although I have no firsthand knowledge that some of your meetings on Vietnam have failed to meet the standards appropriate to university and college discussions. It may also be true, and I have thought so once or twice myself that a few of those who feel strongly about the situation in Vietnam have been more interested in pressure upon the administration than in fair discussion with its representatives.

But the preliminary arrangements for this particular meeting, so far as I have knowledge of them, have been fair to a fault. I'm confident the discussion this afternoon will be a model of its kind.

Share deep interest

Members of the academic community and members of the administration share a deep interest in the encouragement of such fair and open discussion. It has been argued that debate of this kind should be avoided because it can give encouragement to the adversaries of our country. There is some ground for this argument, since it is true that Communists have little understanding of the meaning of debate in a free society. The Chinese will continue to pretend, and perhaps in part to believe, that American policy is weaker because 700 faculty members have made a protest against our policy in Vietnam.

The American people, whatever their opinions, know better. They know that those who are protesting are only a minority, indeed a small minority, of American teachers and students. They know also that even within that minority the great majority accept and respect the rights and duty of the American administration to meet its constitutional responsibilities for the conduct of our foreign affairs.

The American people know that the real day of danger will come when we are afraid of any unpopular minority or unwilling to reply to its voices. They understand what Communists cannot understand at all: That open discussion between our citizens and their Government is the central nervous system of our free society. We cannot let the propaganda of totalitarians divert us from our necessary arguments with one another, any more than we should let them be misled by such debates if we can help it.

I will not take your time in this brief message for a rehearsal of the policy of this administration on Vietnam. Let me take only a word to speak of our purpose here—our purpose there. That purpose is peace for the people of Vietnam, the people of southeast Asia, and the people of the United States.

We evidently differ on the choice of ways and means to peace, in what we all must recognize to be a complex, ugly, and demanding situation. Those differences may go deep to the nature of the politics of Asia, to the legitimacy of the force in the face of armed attack and to the true prospects and purposes of the people of Vietnam themselves.

No easy goals

But my own assessment is that what divides us is less than what unites us. None of us wants the war to be enlarged. All of us want a decent settlement. None of us wants other men to be forced under a totalitarian political authority. All of us seek a solution in which American troops can be honorably withdrawn. None of us, I hope, believes that these are easy goals. All of us, I trust, are prepared to be steadfast in the pursuit of our purposes.

I recognize the entire sincerity of the great majority of those who now disagree with our policy in Vietnam. I think many of these critics have been wrong in earlier moments of stress and danger and I think many of them misunderstand the hard realities of this dangerous world. But their good faith and good intent are not in question, and on other issues at other times their efforts have been of great service to the country.

Having said this much, perhaps I can ask you in return that these critics should recognize that the administration, which now bears responsibility for the conduct of our foreign affairs, does not admire force for its own sake, or brinkmanship of any sort. The purpose of its foreign policy in Vietnam as elsewhere is that diplomacy and power and progress and hope shall be held together in the service of the freedom of us all.

So I trust that the discussion this afternoon will not turn upon charge and countercharge against the motives of those with whom we disagree.

Let it turn, instead, upon analysis of the situation as it is, and of choices for the future which can serve the purposes we share.

I repeat my apologies for my forced absence; and I take comfort in the thought that I shall miss the meeting more than you will miss me.

RULES TO GOVERN PROCEEDINGS

Mr. NAGEL. In view of this statement from Mr. Bundy some changes will have to be made in the program for this afternoon and I will mention that presently.

My role as moderator imposes upon me the obligation to say only what is essential and to say it briefly. I will therefore limit the introductory remarks to stating what I believe to be the objective of this meeting and to mentioning the simple rules that will govern these proceedings.

This meeting has come into being because of widespread doubt in many academic communities as well as elsewhere concerning the wisdom of current United States policy in Vietnam. It needs to be emphasized, however, that the meeting has been sponsored by university teachers throughout the country and organized by the Inter-University Committee for a Public Hearing on Vietnam on the basis of two assumptions:

The first is that whether or not those doubts are wellfounded, there has been insufficient responsible debate in public of the great issues raised by our actions in southeast Asia.

The second assumption is that since a thorough airing of these issues by competent students is a condition for an enlightened public opinion on them, in a liberal democracy such as ours in which governmental policies require the assent of its citizens, students who possess knowledge pertinent to those issues have a special duty to discuss them openly and critically.

Aim is stated

In short, the primary aim of this meeting—an aim that surely merits the strong endorsement of all who are committed to the ideals of liberal democracy—is to contribute to the public enlightenment through responsible discussion of a serious problem confronting all of us.

It is possible that a precedent is being set for the development in the academic community of a generally recognized but vigorous and informed opposition to those entrusted with political power, in the best sense of opposition in the great traditions of political democracy.

Let me explain the format of the discussion this afternoon. There are two principal speakers: Dr. George M. Kahin, professor of political science, Cornell University, and Dr. Robert Scalapino, professor of political science, University of California at Berkeley.

Dr. Scalapino has graciously agreed at the last minute to replace the speech that Mr. Bundy had promised to give.

Associated with each of the principal speakers, there's a supporting panel. Because of the lateness of the word received from the White House about the unavailability of Mr. Bundy, Mr. Kahin's supporting panel consists of four members, while Mr. Scalapino's only three, since he was originally one of that group.

Dr. Kahin is associated with Hans J. Morgenthau, professor of political science and modern history at the University of Chicago; Dr. Mary Wright, professor of history, Yale University; Dr. Stanley Millet, professor of history and political science in Briarcliffe College; Dr. William A. Williams, professor of history, University of Wisconsin.

With Dr. Scalapino is associated a group consisting of Dr. Zbygriew Brzezinski, professor of government, Columbia University; Dr. Wesley Fishel, professor of political science, Michigan State University, and Dr. Michael Lindsey, professor of government, American University.

The principal speakers will have a half-hour each to present their views; and then share an additional 5 to 10 minutes to discuss what has been said by them. This exchange will be followed by comments or questions from the panelist, each with 6 minutes at his or her disposal, and beginning with Dr. Morgenthau in an order alternating between the supporting groups.

Three minutes will be available to the principal speakers to respond to questions put to them by panelists; or if the speaker prefers to delegate the response, to some member of his supporting panel.

The final portion of these proceedings, which we hope will begin not later than 4:30, because of commitments to various broadcasting systems, will be a general discussion of issues in which principal speakers and panelists will participate.

The meeting will conclude with summations by Drs. Kahin and Scalapino.

The first principal speaker this afternoon is Dr. Kahin.

GRAVE ERRORS IN POLICY FOUND

Mr. KAHIN. Mr. Nagel, ladies and gentlemen, I am indeed very sorry to learn that Mr. Bundy finds it impossible to be with us this afternoon. I see no reason therefore for altering in any significant way the remarks I'd planned to make. I will perhaps have a few additional things to say in closing concerning his absence.

Since the end of the last war, American officials have made such grave errors in policy toward southeast Asia that we have every right to be skeptical about their ability to respond intelligently to the present situation in Vietnam. Their most consistent failure has been an inability both to appreciate the importance of Asian nationalism and to work with rather than against this powerful force. This is a major reason why Burma, Cambodia, Indonesia have become so distrustful of the United States, and why they have either broken or come close to breaking their relations with us.

Moreover the obsession of American policy makers with what they still see as monolithic communism has blinded them to the fact that communism in Asia has adapted itself to nationalism. And they have confused the broad but nationally differentiated force and potential of communism with the threat of specifically Chinese power.

Despite the immense information gathering facilities of the Government, serious policy mistakes have been made because decisions have been taken on the basis of inappropriate criteria, wrong analyses and a disregard for the relevant facts. At the same time essential information has been withheld from the American public and crucial policy decisions concerning southeast Asia have been made before the public has even been aware that a problem exists. And once taken, these decisions have set in motion events which severely circumscribed any moderating influence which an informed public opinion might bring to bear.

Moreover in recent months the tendency has increased to dismiss even thoughtful criticism of Government policy as irresponsible meddling.

Illusory hope seen

In Vietnam, American policy has been wrong from the outset. In the decade following World War II, because of our illusory hope that we could induce France to become the keystone in an American-designed European military organization, we temporized with our commitment to national self-determination and backed France in her efforts to reestablish control over Vietnam.

By supporting her attempt to establish a Vietnamese regime which lacked nationalist support, we helped insure that Vietnamese patriots would have no real alternative but to rally to the banner of Ho Chi Minh. France's humiliating defeat at Dienbienphu in 1954 was a military defeat but it was made inevitable by the political failure that preceded it.

Then came the Geneva Agreements clearly specifying that Vietnam was one country. They stipulated that the 17th parallel was a temporary demarcation line, not in any way to be interpreted—and here I'm using the text of the agreement—not in any way to be interpreted as constituting a political or territorial boundary.

The United States in its own unilateral declaration at Geneva spoke only of one Vietnam, not of a South, and not of a North, and with respect to the conference's provision for national elections, the United States also stated—again in its own unilateral declaration—that it would continue to seek to achieve unity through free elections supervised by the United Nations.

Nevertheless the United States soon thereafter set out to build up a separate state in the South. And again we made the mistake of thinking we could establish a viable government on an inadequate nationalist base. The United States supported Ngo Dinh Diem giving him, as you know, massive amounts of—economic initially and later—military assistance.

But American aid was no substitute for nationalist support, something Diem's regime never really acquired, despite what our officials told Congress and the American people.

Diem himself had said in 1953—repeatedly, I might add—that Ho Chi Minh—and I'm quoting him—"gained in popularity as a leader of the resistance, not as a Communist," and that the vast majority of his followers were nationalist and in no way pro-Communist.

What the United States failed to recognize was that in these conditions Ho Chi Minh, who for at least 9 years had been the acknowledged head of the Vietnamese nationalist movement, could not be replaced as the leader of the Vietnamese people by a man supported from the outside, a man little known and who had spent the critical years—nearly all of them—of the independence struggle abroad.

America's failure, of course, to build up an effective government under Diem is now well known, but this was not immediately apparent, for after Geneva his regime enjoyed several years of grace during which Ho Chi Minh's followers left it pretty much alone.

Essentially this was due to the fact that the Geneva agreements had promised nationwide elections for 1956 and it was primarily because of this provision and because the agreements also stipulated that France would be responsible for carrying out the accords—carrying out the accords south of the 17th parallel—and that France would remain there until the elections were held—primarily because of those reasons that the Vietminh withdrew its armies from the south and for a considerable period suspended revolutionary activity there.

But with American encouragement Diem refused to permit the elections in 1956 and France washed her hands of the responsibilities which she had assumed at Geneva.

Reneging is charged

Regardless of what sophistry has been employed to demonstrate otherwise, by encouraging Diem to defy this central provision of the Geneva agreements, the United States reneged on the position it had taken there in its own unilateral declaration.

Civil war in Vietnam became inevitable, for when a military struggle for power ends on the agreed condition that the competition will be transferred to the political level, can the side which violates the agreed conditions legitimately expect that the military struggle will not be resumed?

Despite the initial period of insulation from Vietminh militancy and despite unstinted American economic and political backing, Diem failed to develop a real base of popular support. Programs urged by the United States for social and economic reform, and for winning the allegiance of the non-Vietnamese hill-dwelling people, were never effectively carried out.

The Saigon regime remained all too isolated from the Vietnamese peasantry. As a result, it was unable to compete with the Vietcong guerrillas when, from 1958 on, these guerrillas adopted increasingly militant policies.

And in the 19 months since the assassination of Diem, the situation has continued to deteriorate and the shifting combinations of army officers and bureaucrats controlling the Government have remained just as isolated from the villagers of Vietnam.

Faced with this decline in political cohesion, and the evident inability of the South Vietnamese military to stave off the Vietcong, the present administration has enlarged the war in Vietnam by bombing the north and increasing American military activity in the south.

Power called the reply

It has endeavored to compensate for the continuing erosion of Saigon's political and military base by introducing more American troops, more American air power.

It has justified this in terms of our pledge to support Vietnam, a commitment which, as you know, the administration regards as a test case.

And here I think it might be appropriate to recall the caveat of Secretary Acheson in 1950 when he stated that America could not by itself create politically stable states in Asia.

KENNEDY REMARK OF 1963 QUOTED

President Kennedy also recognized these limitations when, in September of 1963, he said of the South Vietnamese, "In the final analysis it's their war—they're the ones who have to win it or lose it. We can help them, give them equipment. We can send our men out there as advisers, but they have to win it."

In the context of these cautions, does an unconditional American military pledge to a weak and factious regime which lacks popular backing—does that make commonsense? Is our pledge of support completely unqualified? Does it not demand a minimum degree of performance and cooperation from Saigon—political as well as military? Is our pledge automatically to any military or civilian group which happens to control Saigon? What happens if our current policy of brinkmanship induces Hanoi to send its 300,000-man army into South Vietnam?

Because this it may very well do if the damage inflicted by the United States becomes so great that the North has little to lose by undertaking a retaliatory attack and little to save through compromise and negotiation.

The well-known military analyst, Hanson Baldwin, has estimated that to cope effectively with such a force the United States might have to use as many as a million men.

The United States, of course, does not have these forces immediately available and even to send in a small proportion would use up our entire strategic reserve.

This same trend toward a rapprochement with Russia started by President Eisenhower, continued by President Kennedy, that trend has already been seriously affected by our policy in Vietnam and it will be further undermined if we continue on our present course.

Among Communist Parties throughout Asia as well as among the nonalined states generally, China's scornful derision of Russia's policy of peaceful coexistence has been gaining ever-wider approval.

The possibility of cooperation between the United States and Russia to contain China's power—China's power and influence in southeast Asia—is becoming evermore remote. Our major aim in Asia is to contain China and thus to provide the opportunity for the states of south and southeast Asia to develop free from Peiping's dominating influence.

And it is this consideration which should govern American policy toward Vietnam. No matter how much military power we pour into Vietnam, the present American policy of trying to sustain a separate state in the south may very well fail because the local political factors necessary to insure success are simply not there.

If we are going to salvage anything in Vietnam, we will achieve more through a cease-fire and a negotiated political settlement than through the futile infusion of more and more American military power.

The United States must recognize that the historic Vietnam fear of—fear of and antagonism toward—China continues—continues despite the common adherence to Communist ideology. And inasmuch as the character of Vietnamese communism is inseparable from Vietnamese nationalism, Vietnamese power will not necessarily be exerted in concert with Chinese power.

DEFINING INTEREST

This is likely to depend upon whether such actions conform with Vietnamese national interest as the Vietnamese people define that interest.

Those who still are impressed by the simplistic domino theory must realize that non-Communist governments of southeast Asia will not automatically collapse if the Communists should come to control all of Vietnam. So long as southeast Asian governments are in harmony with their nation's nationalism, so long as they are wise enough to meet the most pressing economic and social demands of their people, they are not likely to succumb to communism.

Nationalism and the demand for social and economic progress are the dominant forces in southeast Asia today. If we can work with these forces, if we can work with them we will make a major contribution to maintaining the territorial integrity of the states of southeast Asia and provide them with a better opportunity to develop along non-Communist lines.

The first step in that direction must be to negotiate a settlement in Vietnam.

What has our position been thus far? I think you know it well. The administration tells us that it is prepared to negotiate unconditionally but in effect on condition that the Vietcong cease all operations immediately and on condition that the state of South Vietnam—and this is the most important condition, I would say—on condition that the state of South Vietnam continue its separate existence in permanent violation of the Geneva agreements.

Furthermore, we have made clear that the Vietcong and its political arm, the National Liberation Front, cannot be party to such negotiations. Not only is that one more condition, but it flies squarely in the face of reality—political reality.

It is, I think, widely acknowledged that at least half of the South is today under the control of the Vietcong. Is it not utopian to assume that Hanoi is in a position to insist upon the Vietcong's yielding up the position it has won there?

In 1954, the Vietminh could induce its numerous supporters in the South to accept Vietnam's partition and to abandon their gains south of the 17th parallel, because partition was regarded as a temporary measure to last only until elections.

But we cannot assume that once again the insurgents in the South will give up what they have won through long and difficult campaigns.

Over the last 5 years, the doctrine of uncompromising struggle and a real expectation of victory had been assiduously nurtured among the Vietcong. While there is undoubtedly a considerable congruence of interest between Hanoi and the Vietcong, under these circumstances we cannot assume that Hanoi can abruptly call off the southerners' resistance.

And whatever influence Hanoi can exert over the Vietcong, we cannot expect it to exert this so long as we continue bombing the north.

The morale of the North Vietnamese is, of course, no more likely to be broken by bombs than was that of the British or the Russians in the last war. Indeed their will is likely to be stiffened. President Johnson said after our Embassy in Saigon had been bombed that outrages like this will only reinforce the determination of the American people and Government. What is true for Americans is true for the Vietnamese.

Halting our bombardment of the north would be our first genuine indication of an interest in negotiations. Our quite cavalier dismissal of the United Nations Secretary General's efforts hardly constituted a serious American interest in negotiations. I submit that we should give him an unequivocal mandate to pursue negotiations and that we should make clear that we want not just discussions but serious negotiations.

Support of others urged

And I would suggest that concurrently we should give much more encouragement than we have to those nonalined Asian and African states which wish to help promote a peaceful settlement in Vietnam.

And finally, for those many Americans who still regard full public discussion of vitally important national issues as essential to our brand of democracy, there is a particularly disquieting domestic aspect of this situation:

Realizing as they do that an informed public discussion requires access to the relevant facts, these Americans can only be deeply disturbed when a spokesman for the newspaper editors of this country feels compelled to state as he did last month that the American press in Vietnam faces stronger restrictions than it ever has in wartime and that we are getting contradictions, doubletalk and half-truths from the Government concerning the situation in Vietnam.

And surely Americans have grounds for concern when the New York Times can editorialize, as it did shortly after this, less than 3 weeks ago, that high-ranking representatives of Government in Washington and in Saigon have so obscured, confused, or distorted news from Vietnam or have made such fatuously erroneous evaluations about the course of the war that the credibility of the U.S. Government has been sacrificed.

When the American public faces the prospect of war it has the right to full and honest answers.

I had indeed hoped that Mr. Bundy's appearance would be an indication of a change in the administration's attitude as to the value of informed public discussion. I can only hope that his indispensability in meeting some major crisis of policymaking is really of greater importance than the contribution he might have made this afternoon toward our better understanding of the administration's aims and to that kind of enlightened public discussion which is so essential to the wisest conduct of foreign policy.

IS VIETCONG AN INDIGENOUS FORCE?

Mr. NAGEL. The second principal speaker is Professor Scalapino.

Professor SCALAPINO. Mr. Moderator, ladies and gentlemen of the panel, ladies and gentlemen of the audience, both here and unseen:

First, it should be perfectly clear that I am not here as a spokesman for the Government. I did not know—I do not know—what Mr. Bundy would have said. As the moderator has made clear, we knew about this on both sides of this panel only about 12:30 and consequently my remarks will be strictly those of myself as prepared rather hastily after that time.

Now it seems to me that in beginning I would not start my remarks with an historical background as did Professor Kahin. I would rather prefer to work those into some of the critical questions to which I would like to address myself.

The first of these questions, which is, I think, critical, is as follows:

Is the Vietcong a truly indigenous force in South Vietnam and has it achieved its strength for its support such as it is through promoting socioeconomic reform?

To me, the answer to this question, while complicated, is, on balance, no.

Let me site, to begin, an editorial from the Peiping Daily Worker of April 15 of this year and reproduced in the Peiping Review on April 23. Said Peiping: The Vietnamese people's anti-U.S. struggle for national salvation is a just revolutionary struggle against aggression. It is certain to win, because there is the wise leadership of the Marxist-Leninist Workers Party of Vietnam, because there is the unity of the 30 million Vietnamese people, and because there is sympathy and support from people the world over."

I call to your attention the first phrase in that statement: "Because there is the wise leadership of the Marxist-Leninist Workers Party of Vietnam." I think that there is little question that the Vietcong is a carbon copy of the Vietminh which preceded it. This is certainly not to say that it does not have indigenous support and leadership in nominal terms at least. Clearly most of the leaders of the National Liberation Front originated from the south as that front is now structured. And whatever the bewildering differences in figures, I am prepared to say that a significant segment of the National Liberation Front is still southern in origin.

CRITICAL FACTORS

But what are the truly critical factors? These factors, it seems to me, are as follows:

First, who does know the leadership of the National Liberation Front? Individuals like Nguyen Wuc Ngo. How many either in or out of Vietnam really subscribe to their leadership? The real leaders of the Vietcong are, and have always been, those in small hard-core elements that are also members of the Communist Party—and that party has Hanoi as its headquarters now as in the past.

The South Vietnamese Revolutionary Party numbers no more than 500 or so. It could not possibly be expected to dominate the 500,000-man party of the north. Not only is the leadership of this movement shadowy indeed, but take a look at its basic principles. I urge you to read them carefully, because I suggest that though there may have been differences in tactics between the South National Liberation Front and the North Workers Party, or Laodong group, there have been no differences up to date on the question of basic policies or of fundamental programs.

This is not an unusual movement. The Vietminh also had innumerable non-Communist elements. The Vietminh also until it came to power claimed to be a multiclass, multifront organization dedicated to national liberation of Vietnam. But it ended up as you well know under the domination of the Communist Party and opponents were either liquidated, silenced, or reformed.

Thus it seems to me what is critical here is that we do indeed face a complicated situation in which borrowing heavily from Chinese revolutionary tactics of the past a five-stage development toward revolution is involved.

The first stage is always to build a tightly disciplined, carefully controlled Communist Party that is not susceptible to penetration from the outside.

The second stage is to develop a united-front movement, and in this stage of course one solicits the support if one can obtain it of the peasantry, of the intelligentsia, of the petit bourgeois, using such socioeconomic issues and nationalist issues as can be used.

The third stage is that when this united front is built one moves into guerrilla warfare.

The fourth stage is that if guerrilla warfare is basically successful and the cities can be surrounded one moves into positional warfare.

And thence to victory, and the establishment of a people's democracy in which the real opponents of the regime are at that point out.

For I know of no significant opposition in North Vietnam today that survived this five-stage development and could remain in true opposition to the leaders of the Laodong party.

I think it is important to understand this development, because it is neither unique to Vietnam, nor for that matter of fact, to China, whence it came earlier; nor, in certain respects, to North Korea.

It is a phenomenon that involves a combination of civil war and international aid and assistance. And unless both ingredients are given their approximate weight and role, I think one misunderstands the complexity of the problem, and the difficulty of the solution.

Let me raise another question: Does the Vietcong really command the support and allegiance of the people of South Vietnam?

Answer must be "No"

I think again, though the answer is complicated, the answer on balance must be no.

What is a true phenomenon is that though the Diem government made many mistakes, and I am not here in any sense to defend it, although the Diem government made many mistakes, one of the interesting things is that very few, if any, significant anti-Diem leaders in the south joined the Vietcong. One of the significant things is that today still, the great popular elements of South Vietnam are not a part of the Vietcong, nor have they ever been.

I refer to the Buddhists. And the Buddhist solution for this problem, neutralist as it is, does not involve the movement of the Vietcong into power. The latest Buddhist proposal that I've seen urges that all Vietcong elements go North, Americans go out, and some kind of international force come in.

Now, second: What about the Cao Dai and the Hoa-Hao.

There are groups that command in some degree the allegiance of millions of Vietnamese. The Cao Dai alone has some 2 million in its reported membership. Have these leaders joined the Vietcong? Have they supported this so-called national liberation movement?

There have been some exceptions. One is always able to pick up in united-front activities 5 Catholics, 3 Hoa-Hao, 10 Buddhists. But en masse, the leadership that represents the central strength of the really important functional elements of South Vietnam are not, and have never been, a part of this Communist-dominated National Liberation Front.

It is not to say that they support the present Government necessarily.

But what I think is more important is to say that through the stresses, the travails, the uncertainties of months and years of civil war, they did not join the Communist movement.

And I think it is also significant, quite frankly, to point out that the successes of the Vietcong are neither attributable alone to the appeals which they have been able to make on social, economic or nationalist grounds.

I would not depreciate those appeals, or their success in some quarters. But what I would emphasize and reemphasize is the fact that Communist strength in South Vietnam, as in many other areas, is also heavily attributable to organizational skill.

"A powerful weapon"

If one takes hold of a movement politically and can organize it, mobilize it, and utilize all of the organizational technique, then one has, indeed, a powerful weapon—particularly when one works in a truly diverse, heterogeneous, nonorganized society.

THREE BROAD ALTERNATIVES SEEN

It does not necessarily mean, however, that because one has organizational control, one has public support. I think anyone familiar with American big-city politics must know that.

The fact is that organization is critical to Communist success in Asia and elsewhere and very frequently coercion as much as persuasion is involved. How many village officials, good, bad and indifferent, have been killed by the Vietcong in recent years?

Some estimates are 6,000. I have no doubt that some of them were bad, many of them indifferent, some of them good, but the only question that was really asked was, do they support the Government or don't they?

And if they do, then they're finished. For to root out the willful bases of power that critical in the development of a moment like this, and it has little to do quite frankly with the appeal of issues, socioeconomic or others.

Now I make these points because I think that if the true allegiance of the people of South Vietnam could really be tested, it is very doubtful that they would vote for the Vietcong. And this question of elections, in Geneva or after the Geneva agreements or elsewhere, troubles me greatly.

For I do not know, frankly, of any state that has been controlled by the Communists which could afford to allow free elections. And quite frankly in recent announcements coming out of Hanoi, I have seen nothing to indicate that Hanoi is interested in elections in the north.

Mass media system

I have seen nothing to indicate that they would really relinquish the mass media communications system for purposes of a true dialog, that they would allow the establishment of class enemy parties.

I have seen nothing to indicate that the formula of free elections which is meaningful in the democratic context can be meaningful in a Communist context. And if that is true, then was the Geneva agreement always a fraudulent one? Then was it clearly fraudulent from the beginning to assume that you could have free elections in a society dominated by men who regard class enemies as susceptible to control through whatever means possible?

Now, I think that when it comes to the basic issues that confront us today, they were outlined in broad terms very well this morning by Professor Schlesinger. We are confronted, at least theoretically, with three broad alternatives: Withdrawal. Negotiations. Or escalation.

It seems to me clear that the arguments against withdrawal are so powerful and so strong that at least as yet they have not been answered.

It is not merely that withdrawal would reduce American credibility with her allies and neutrals round the world, but it is also that it would a "green light" to the new national liberation movements which are even now getting underway. I do not need to remind you that Peiping has broadcast repeatedly its intent to support the Thai national liberation movement and has already launched the first propaganda with this matter in hand.

If socioeconomic interests are the critical question, we would have some curious new kinds of analyses to make. We cannot ignore the ingredient of power. And central to this, it seems to me, is the fact that for more than 5 years, Peiping and Moscow have been arguing vigorously about the way in which to handle American imperialism. That argument, which has gone down to this present month, is roughly speaking as follows, and I think you know it well:

American imperialism, argues Peiping, is a "paper tiger." Push and attack—it will retreat. It is not to be taken as a nuclear blackmail threat. The problem with the Russians, argues Peiping, is that they have been too sensitive to American power, too willing to compromise, too unwilling to push the revolutionary movement forward.

It seems to me that, above all, withdrawal—withdrawal would prove that Peiping was right and make it virtually impossible for moderation to prevail inside the world Communist movement. For if the strategy of pushing American power and forcing it into a unilateral retreat works—if it works in Vietnam, it will work elsewhere and be tried everywhere.

Domino view altered

I do not subscribe to the domino theory precisely. I think it should be more applicable to checkers theory. For, Peiping will jump over—not only states which she can neutralize, but perhaps even continents. She will jump to those areas where she can build the ingredients for this kind of formula. And, indeed, as long as she has the combination of privileged sanctuaries within her own territory and that of her allies; as long as she had the ingredients, her mobilizing manpower and equipment for their support and training, as long as she had these ingredients, then, I think, she had a strategy that was well-nigh foolproof.

Let me then move to this question of negotiation: I suspect the overwhelming majority of people in this room, and listening to us, favor negotiation. And I suspect that the critical issues, therefore, to come is: Who is willing to negotiate and on what terms.

Up to date—and we can certainly hope that this will change—the Chinese have indicated very little willingness to negotiate. They have refused U Thant's proposed visit to Peiping, a visit which, incidentally, had our support. They have also declined to accept the overtures of the English and the French either privately or publicly, to move toward any kind of negotiation.

Their comments upon the recent proposal of the Indians can be summed up in one word: "Ridiculous," they said concerning an Afro-Asian international force.

Their sabotage, or attempted sabotage, of the Cambodian conference is well known to everyone. In short, it seems to me that on the record whatever they have been, the qualms of the United States toward coming to the conference table, we have explored and we have allowed our allies to explore every combination of public and private opportunity that seemed promising.

And we are still hoping that at least Hanoi will come forward and break its tie, now more than 2 years old, with Peiping and move into a new orbit of independence.

The whole history of Vietnam indicates that while there has always been a stout resistance to China on the one hand there has always been a strong element willing to cooperate and collaborate with China on the other. And this brings to me—I think—the focus of this problem; namely, the question of the containment of China.

May I say that I agree very much with Professor Kahin when he talks about the importance of alining ourselves openly with Asian nationalists. I think this is critical.

May I suggest also that I think that there may be some slight discrepancy in his thesis that on the one hand the nationalist movement and the Communist movement are antithetical, which I think he suggested at one point, and on the other that they can be united.

In my opinion both are possible. They can be united sometimes, for purposes that are perhaps limited in time and space, but they can also be antithetical.

But what I would urge you to look at here is to see how clearly was communism in Asia truly the product of nationalism and the nationalist capture.

In part it was, but only in part. North Korean communism was implanted as a result of Soviet power. And I suggest that the pressures which Communist China is putting upon the small neutralist countries today—unless they are counteracted by some balance of power in this region—will be antinationalist and increasingly satellite in character.

These are small states, the survival of which depends upon some balance of power—a balance of power, I say, that must be a combination of both Western and Asian power, that must represent a fusion, for today it is critical that we come into line with such major societies in Asia as Japan and India, and I would hope some day, Indonesia. For these are societies with whom we can work in forwarding the social, economic, and nationalist revolutions that the last 2 or 3 years are indications that Communist power unchecked will ultimately impose its own version of socioeconomic revolution and will ultimately impose its own sense of national interest.

I say that this policy, in conclusion, can run along these lines:

First, our broad objective should be a neutral, nonalined Asia that is truly neutral and nonalined, not the Communist version of the Vietcong.

Secondly we should, of course, negotiate. But we should make it clear that we are not negotiating just with labels, that we are negotiating with men representing forces. We should negotiate with the Communists in South Vietnam as Communists, and we should negotiate with the other elements in terms of whatever representation they truly represent. It must be remembered that the Buddhists are the largest functional group in South Vietnam and they certainly dwarf the Vietcong in numbers and supporters.

And lastly, I would say this, that I think that as long as we maintain two open channels not only for the neutrals but for the Communists, one in which we urge social, economic, cultural exchange, one in which we urge peace coexistence, one in which we desire the exchange of scholars, journalists, and economic development—yes, with China, as with others. And the other channel in which we say we will not surrender unconditionally, we will not be driven out by a philosophy that regards compromise as evil as long as it takes that stand, as long as we keep these channels open and operative in an imaginative sense, I do not see how we can fail in the long run to reach a solution to our problems.

STUDY OF HANOI ELECTION RECORD

Professor **Kahin**. With regard to the attitude of Hanoi government to elections, if you—I'm sure you have studied the election records there—but for years after Geneva that government did remind the South of its desire for elections, it did remind the cochairman of the Geneva Conference for several years repeatedly thereafter even after the date of 1956 had gone by that it still wanted the elections, and if Hanoi says today it wants to go back to the Geneva agreements in their entirety, I submit that it wants to go back to elections conducted under international auspices as well.

I've been looking at the record, as I suppose you have, of Hanoi broadcasts during the last month and I haven't seen any indication to suggest that it does not want elections. I would ask Professor Scalapino why it is, because I think that this is germane, that the United States continues to press for elections uniting Germany and Korea that has in no case I know of in recent years indicated any willingness to do so in Vietnam and where it did before attach conditions.

I hope you won't mind my saying, Bob, but your analysis of the internal political balance in Hanoi was given with more self-assurance than I've ever heard anyone give before, and I think that insofar that one can scrutinize this, he is impressed with consistent zigs and zags of policy as between Russia and Communist China.

Statement at seminar

With regard to the matter of nationalism, may I go back to 1953 when I quoted Diem before he was at a seminar we had at Cornell and he made these same statements afterward. His most poignant concern at that time was that the vast majority of real nationalists as he put it had either made their political usefulness much the less by having been attentive—in other words opportunistic politically as he saw it during the previous years—or had in fact already gone over to the Vietminh. A major proportion of them, as he said at that time, had gone over to the Vietminh and he added the words the most courageous of them.

I'd also suggest that when a nationalist movement is frustrated in its efforts to win independence that it can very easily spill over into Communist-controlled channels, particularly in a country like Vietnam, where there was a very particular history.

The French were very hard on nationalists and well before the war the Vietnamese Communist Party had gone underground and had developed a capacity to operate effectively underground that no other nationalist party had.

And during the Japanese occupation, as you recall, there was an arrangement between the Japanese and the Vichy French—the Vichy French worked with the Japanese—and both of them made it very difficult for the Communists to operate anywhere else except underground and this was true for nationalists in general.

Nationalists elsewhere in southeast Asia were often given some opportunity to organize and develop by the Japanese occupation authorities. Not so in Indochina. They had to work. Non-Communist nationalists had to work underground and in working underground they naturally gravitated toward the only well-organized underground that was in existence.

Professor **Scalapino**. First, let me talk to the question of Hanoi's allegiances. I want to admit that this is a very complicated matter and one still, I think, in very great dispute within the Laodong Party of North Vietnam. However, having followed rather closely both Hoktob and Nandan for the last 3 years in translation, I have come to the conclusion, and I think most other scholars on North Vietnam have come to the conclusion, that there is a very obvious, and decided, and total swing in that period.

Now it may, as I say, be swinging back, because I think that our bombing in the North had a political impact upon that party, and a very decisive one. But let me quote you, just so that I won't be saying something that you have to take on my faith, let me quote you two items, the first one from September 25, 1963, "Peace or Violence," the name of the article, September, 1963, Hoktob, which talks about the modern revisionists and rightists; "Opportunists are doing their utmost to peddle pacifism and misrepresent the Marxist-Leninst theory on the role of violence in history."

Let me quote you an article from one of the leading North Vietnamese generals, Pham No Mal, which appeared in the March 11 People's Army newspaper in Hanoi of this year: "All over the world the struggle movement for peace, independence, democracy and socialism is developing and is winning real victories. The flag of Marxism-Leninism is being waved more and more in all the five continents. Modern revisionism is being defeated, but it has not yet been completely eliminated, and the struggle between the two paths is continuing."

Question of nationalism

Now with respect to this question of nationalism, let me reiterate, and this is all I can do, George, one of the point that I tried to make in my unprepared remarks, namely, that it seems to me that the issue of how communism treats nationalism both in ideological terms and in policy terms is entirely derivative from certain other considerations, that is, I have the strongest feeling that most of the leaders of the Vietcong in the South are—owe their primary allegiance to Hanoi and its policy formation, and that how the Hanoi party goes will determine the future of the South and that, in turn, the general situation in Asia will determine whether Asian nationalism for small states is viable. But it seems to me we have seen increasingly that unless we can establish some balance of power in Asia, nationalism is going to go under in societies like Cambodia, it's going to go under in societies like Burma.

The inexorable pressure of the big states that are just emerging now, of which China is one but not the only one, is going to submerge indigenous Asian nationalism in its own concept of its own ideological interest and its own self-interest from a national standpoint. And I think the evidence is already piling up on this score. If a Prince Sihanouk has to call off the Cambodian Conference, if the Burmese have to worry about whether the Communists are going to come into their Government or not because of pressures, if on all sides one has to ask, "What does Peiping think and say?"; then it seems to me nationalism is under assault.

And it is up to us, and I think we are the largest power in the world that truly does not have serious economic and political interests that lie in this form of neocolonialism in Asia. I think we are the power that can aline ourselves with the true nationalist movements of this area and, I repeat, that it seems to me that the evidence thus far shows that most of the true South Vietnamese anti-Communist or non-Communist leaders do not regard the Vietcong as a nationalist movement.

The main—the key Buddhists have not joined it; the key Catholics have not joined it; the key Hoa Hoa and Cao Dai groups have not joined it. There are some exceptions. But by and large, that's a shadowy movement without the kind of leadership that really speaks to the issue of nationalism.

And in closing, I would like to have Professor Kahin speak to really two themes. I would like to have him discuss whether or not he believes that the Vietcong is similar or identical to the Vietminh and that, in all probability, it is or is not Communist controlled—what are its other components.

I would like to have him pursue this, then, by suggesting what he thinks would happen if we withdrew from South Vietnam unilaterally.

Second, I would like to ask him what he proposes to do if the Chinese and through them, other elements of the Communist movement, continue to remain adamant on the question of negotiations—something that we hope, very much, will not happen.

But suppose they continue to denounce the 17-nonalined-nation approach, the Indian approach, all other approaches to negotiations as ridiculous, a plot to show China up. Then what is our next move?

SOME OBSERVATIONS AND QUESTIONS

Mr. **Nagel**. I regret I cannot give Mr. Kahin the opportunity to reply at this point. But there will be, hopefully, the chance to do so in the final part of the proceedings.

We now come to observations and questions by the various commentators. I would like to remind both them and you that each will have not more than 6 minutes, to be followed by any response that the principal speaker may wish to make.

I will—because of the distribution of mikes, I think it'll be best if each of the commentators remains and talks into the mike in front of him. And since not everybody is visible from every fixed point, I think, perhaps, the best way of telling you when your time is nearly up if I rise 1 minute before and so indicate.

The first commentator is Prof. Hans Morgenthau.

Professor **Morgenthau**. Let me suppose that Professor Scalapino's analysis of the facts in southeast Asia is correct in every particular—a mere hypothetical assumption on my part.

What would the consequences for American policy be?

Professor Scalapino speaks very softly about the establishment of a balance of power. I speak very crudely about war against China.

For I see here one of the basic inner contradictions of our official policy which makes, as speakers have reminded us this morning and this afternoon, those problems so terribly complicated.

It is because we set ourselves goals in Asia and we have done so, I should say in parting, for half a century, which cannot be achieved with the means we are willing to employ.

And as it is in philosophy and in pure logic, if you pose a wrong question you find it extremely complex to give a simple and correct answer.

Something basically wrong

And the uneasiness in the country of which this assembly is an impressive manifestation, I think stems from this instinctive recognition that there's something basically wrong in the modes of thought and action of our Government, that there is an essential contradiction or a number of contradictions between what we profess to want and the policies we want to employ and the risks which we want to take.

And I submit again, as I have done this morning, and have done before in lectures many times, that if you really want to achieve in Asia what the spokesmen for our Government say they want to achieve, you must be ready to go to war with China, with all that that implies.

I would also say a word—I'm getting nervous—about negotiations. Much has been made of our willingness to negotiate. There is, of course, no doubt, and Mr. McGeorge Bundy didn't need to emphasize it, that our Government wants a peaceful solution. No decent government which isn't out of its mind would want anything else.

But this is not the point. The point is not what you intend, but the point is what you do regardless of your intentions. The history of the world is full of instances where well-meaning, high-principled people have brought unspeakable misery upon their own nation in spite of their good intentions, because it used the wrong policies.

Let me turn to the problem of negotiations. Of course we want a negotiated settlement, and I'm sure there are people in our Government who pray for a negotiated settlement, if only the other side would make a move.

But those people cannot see that the implicit conditions which we have made—the unspoken conditions—make a negotiated settlement at the moment impossible.

For, first of all, we refuse to negotiate with the Vietcong.

Second, we make it an implicit condition that we remain—at least for the time being—in South Vietnam—that is to say, as long as no stable government is established there, which will take a very long time.

Now the other side is fully aware of the blind alley in which we find ourselves in South Vietnam. We don't have the courage to retreat and we don't dare to advance too far.

And so obviously from the point of view of Peiping, which hasn't lost a single man in that conflict and has only lost, as far as we can tell, one gun, which Mr. McNamara showed the other day in a press conference.

Of course from the point of view of Peiping, nothing better could happen than the United States waging a war in Vietnam which it is not able to win and which it cannot afford to lose.

Why should Peiping under such circumstances recommend negotiations?

Negotiations are possible only under the conditions such as when one recognizes the inevitable facts of life in Asia which, as I have said before, can only be changed by war.

Mr. BRZEZINSKI. Mr. Chairman, ladies, and gentlemen. It seems to me that the basic issue that we are facing here today involves the fact that we're living in an age of very rapid change with many countries and several continents undergoing many revolutions rolled into one. Out of that condition arises two basic questions: What will be the nature of the change which these societies are going to experience and are experiencing, and what role can the United States play in these changes?

It seems to me that in Asia we have demonstrated not perfection but a positive commitment to social change—in Japan, where we have helped the reconstruction of a country ravaged by war and social reform. We are doing the same in India, in Pakistan, in Thailand, in Taiwan. We have maintained our economic presence and assistance because we have been able to maintain our political presence.

And our political presence will be denied if the United States and those associated with it permit themselves to be expelled militarily. And yet that in many respects is the issue today in southeast Asia: The nature of change, of social reform, whether it will be by evolution or by more rapid, coercive, indeed violent means, and whether the United States will be associated with it.

International politics

There are those who argue the revolution in South Vietnam is purely indigenous and nationalistic. Now I'm not an expert on southeast Asia, I'm interested in international politics. I can only judge on the basis of what I read. And I'd like to read to you two passages written by men who are not known as apologists for the administration and both associated with a newspaper which has been highly critical of the administration, particularly editorially.

The first comment is by Robert Kleiman in the New York Times, an editorial writer. He states that after years—5 years—the so-called war of national liberation in South Vietnam still retains its original characteristics as an armed conspiracy. The Vietcong has scored military successes and entrenched itself politically in many rural areas. But there has never been any sign of a mass uprising. And then he goes on to discuss the relative absence of popular support for the Vietcong.

Peter Grose, writing in the Times Magazine, states clearly and explicitly that the South Vietnamese Vietcong operation is controlled from the north, directed from the north, supported from the north, and, indeed, even cites North Vietnamese admission to that effect.

HOPE FOR EVOLUTION TO EFFECT CHANGE

Now I cite that because the basic issue here seems to me to lie in the fact that we are not trying to overthrow the North Vietnamese Government. We are not trying to change an existing political situation. And, as in Europe, we hope to rely on the passage of time and evolution to effect change, a condition which I hasten to add the Soviet leadership accepted after Cuba when it desisted from the use of force to change the situation in Europe and itself is banking on evolutionary change, on the peaceful transition to socialism to attain its objectives. Now that condition is yet to be attained in Asia.

There are those who say that it can never be, for China is the predominant power in the region. Let us assume for a second that it is. So was Japan in 1940. Does that mean we should not have taken the course we did? So was Germany in Europe in 1940. So was the Soviet Union in Europe in 1945–46. Yet this did not justify the conclusion that one should therefore disengage and in a self-fulfilling prophesy make right the assertion—make right the assertion that China is the predominant power and prove it by disengaging.

We may or may not have been remiss in the past, but the fact is that in a number of societies we have shown that we can relate ourselves positively to their development. And today we are trying to negotiate over the issue of Vietnam.

We have made a number of proposals. These proposals have been accompanied by proposals from the 17 nations, from India, from U Thant and the United Nations, and none of these proposals have been accepted because at the present time the other side makes a demand which involves a qualitative change in the political status quo. That demand, it seems to me, is ahistorical and dangerous in the nuclear age.

It is imperative that both sides—both sides, all major powers, learn that in the nuclear age the existing political status quo cannot be changed by force. And I repeat—it is not us who are trying to overthrow the North Vietnamese Government. It is the South Vietnamese Government which is being tested from the North.

Professor SCALAPINO. If I may risk a simplification of Professor Morgenthau's thesis: It seems to me that he is coming pretty close to saying that either war or withdrawal from Asia is inevitable for the United States—that we must either get out or we must go to war with China.

I may be misinterpreting him, but that's the way I read his remarks and he'll have a chance to rebut this if I'm wrong.

Now, I would just like to reiterate what's been said by other people here. I don't believe in historical inevitability. But if I did, I would put this in precisely the opposite framework. I would say that withdrawal at this point will mean war. Because I think it will inevitably settle, at least for the time being, the issue of how to meet American imperialism, as the Communists put it.

I think it will inevitably cause the launching not of a thousand ships, but a thousand revolts—not just in Asia, but wherever this movement can get underway. And I think that that means war. Under what conditions, I cannot predict, nor can you.

The critical issue

Now it seems to me that that's the critical issue.

We are engaged—we are engaged in the hard, difficult, complex task of trying again to build a containment policy, if you will, but one that is more broadly gaged than the past. And I would simply end my answer to Mr. Morgenthau's comment by suggesting that if you take the last 10 years, I think that the United States, itself a late-developing society in terms of world leadership, has learned a great deal; has moved a great distance.

Ten years ago we were still saying—some of us, not I, but some—that neutralism was immoral. Today, we are prepared—and I think this is true of both of our major parties—to work with and underwrite, when we can, neutral and nonalined states.

We have people—and this point ought to be underlined and reemphasized—who are not reactionary; who are not committed to the past, and who have found that between us and the Communists they'd rather take their chances on socioeconomic reform and development with us.

And I maintain that in some of the areas where the American commitment has been heaviest in Asia, the standard of living is going up most rapidly.

This is important, not because I want to whitewash American policy, I think we've made many mistakes in the past, we're still making some—I've been a frequent critic of American policy myself—but I think the time has come, both to face up to alternatives and at the same time to point out again and again that, if we can't do something to preserve a certain openness in these societies, then, it seems to me, the balance of power will be abruptly changed and global war will shortly ensue.

UNITED STATE SAID TO CREATE SITUATION

Professor KAHIN. Well, there are just two points that I'd like to make. One, I was pleased at his reliance upon the New York Times. I would hope that his reading is a little wider and that he reads some of the other views in the Times. One healthy thing about the Times is, it seems to me, the variety of viewpoints—and there are others expressed.

The other point that he made that I would like to take issue with is this: that in Vietnam we are not trying to change an existing situation. And I say this is true in a basic sense. And the reason is because the situation that exists is one which we created, beginning in 1956, and which we are simply trying to maintain. No, we're not trying to change it basically. The trouble is it's an artificial situation and it's one that can't be shored up militarily. It lacks basic political ingredients.

MARY WRIGHT. My differences with Professor Scalapino and his analysis of the situation are very deep and very profound and we are talking about a very serious matter here. It's a good deal more serious than I expected it to be when we came into this platform today.

I agree with him, with his very curious and earnest statement, that I, too, will fight for American soil. But when he makes that plea for Asia. We will not be moved out of Asia. We will not give up unilaterally. I am absolutely dumbfounded, because he links it to a policy of getting into alinement with nations like India and Japan.

He surely is as well aware as I am and all of you are of what our policy and the kind of policy he poses, the kind of tensions that this has placed on our sound relation with Japan and India.

We are risking our relations with Japan and India.

It's a very serious thing.

I am in favor of attempting to provide multiple outlets for nationalism for the new nations, but only when we are wanted.

Professor Scalapino would like Asia a certain way. I agree with Professor Morgenthau that to have the Asia that he has outlined is not only impossible within the means which we are willing to use, it is impossible within the means at our command.

Because we sit here with an Asia projected of how we would want it. We are trying to disavow the Communist revolution in China. We pretend it doesn't exist there. We talk against the advice of our best friends of Europe, against our best allies as far as Asia goes. We upset the nonalined countries. We bring in far more military aid than the opposition is bringing in as far as that goes.

We've got some lessons of history here to learn and Mr. Brzezinski's parallels are those very dangerous intellectual exercises—faulty parallels—to the position of Hitler's Germany or Imperial Japan. Because this is not the first time that a great power has gone to war to try to save—use military force to try to save Asia from communism.

I find myself in very profound opposition to my friends and colleagues on the panel and on the other side.

It appears to me that the Communist revolution has been won in China; as Mr. Brzezinski says, a great deal has happened in the last 20 years. The one place its not happened is in Chinese-American relations.

We've either got to accept the fact of the existence of Communist China and agree—and if you ask some Japanese and Indians, who, of course, will tell you at once that Communist China is the preponderant power in Asia—and try to come to deal with it as best we can, extricate ourselves where we are clearly not wanted militarily with what dignity we can muster, not because it's easy for a great power to retreat, but because it's almost the last moment to retreat in Vietnam and salvage something.

Professor SCALAPINO. Mr. Chairman, I'd like to respond to that now.

I think it's better for me to respond now than after another speaker. Though I certainly respect the judgment of the Chair on these matters:

Firstly, we do indeed differ, Professor Wright and I, both in interpretation and in fact. Because I regard about 60 percent of what she said as nonfact and it would take me a long time to go over this.

Sometimes, nonfact comes in nonspoken statements, incidentally. For example, the question of our relations with Japan and India and the other non-Communist countries. I do not want for a moment to obscure the fact that there is opposition to our policy in Asia, as there is opposition to our policy here in the United States.

But I want to ask this question: Does the Government of India, does the Government of Japan, do most of the non-Communist governments of Asia really want us out of Asia as he suggests? They do not. They do not.

Professor WILLIAMS. Mr. Chairman, ladies and gentlemen, I would like to suggest that our difficulty arises not so much from a particular complexity but from a general misconception. I would like to say in addition in the context of the news of the last few days and Mr. Bundy's absence that given enough attention to their critics and enough rational collaboration from their opponents, our leaders may end the Vietnam war short of disaster.

But sophisticated salvage operations are not enough. Our rivals being human beings may some day become irrational under such stress. And our own imagination is being contained and stunted within the limits of the past.

Our difficulty, it seems to me, is more subtle and more pervasive than even the resort to complexity we all acknowledge. We have not recognized and adapted to the triumph of an outlook and a policy formulated 70 years ago. The success of that policy as has been pointed out changed the reality upon which it was based. The success of that policy having changed the reality needs to be reconsidered, and I suggest that we need a new outlook and a new policy appropriate to the changed conditions, instead of struggles to operate successfully within the the old framework.

OPENNESS TO PROBLEMS FAVORED

Professor SCALAPINO. It's a question of how you integrate a meaningful social, economic, political, and military program from the standpoint of maximizing the fundamental interests which you and the non-Communist world hold in common. I don't think it's an either or basis.

I think that the Communists themselves have shown us that it isn't, because their approach is not an either or basis, and never has been. And this is the kind of problem—how do you develop the socioeconomic, political military integration that provides a base for political support, for economic development, and for some openness?

And I maintain that that's the most critical problem that we face, because it seems to me that we've done it successfully in some areas. Japan is a marvelous example of where the application of American and Japanese aid interrelated was successful.

There are areas where political stability has interacted with socioeconomic gains. And I think that these areas must be preserved and expanded in company with our allies and our potential allies.

When the President of India, for example, says that an Afro-Asian force might make some sense in the area of Vietnam and we say we're interested, and Peiping says it's ridiculous, it seems to me this is a kind of openness with which we should approach more and more of our problems.

I favor bringing the Asian and the African states into discussions of how peace can be developed and maintained and economic and social growth developed.

But I don't think ours is an adamant position. I don't think we've ever said or thought you could rely upon force alone. I don't think that that's the position that any thinking American today, however he may differ on the question of precisely of what we should do in Vietnam now.

Professor LINDSAY. I think this is a very valuable kind of meeting, and I think that a great many of the failures in both British and American policy have come from the Government failing to realize that a democratic country can only pursue an effective policy on the basis of an informed public opinion. And I think a great many mistakes have arisen from failure to produce one.

Then I think on that what it does seem to me that a lot of this trouble has come from failure to discuss the issues involved very much sooner. That if I look, I think, at most of the remarks of the speakers on the other side, it seems to me they all depend on a complete refusal to face what is a basically fairly new problem—how does one deal with the Leninist technique of spreading totalitarian control? I mean you had it in some extent actually with German infiltration in the Balkans in the 1930's.

But I think you do have to say what you do with the problem when you have a small determined minority who are perfectly prepared to use force and terrorism to get themselves in power. And it does seem to me that the American political scientists have far too much thought in terms of the kind of society in which things work through elections where it's one man, one vote, and haven't nearly enough thought about the problem of how you deal with a kind of society where your great majority are comparatively uninterested in politics and where a determination, where a small determined and forceful minority has a power completely out of proportion to their numbers.

Now the other point I think they've refused to face. This actually was put by one of the Austrian Social Democrats a long time ago when he said if you're playing chess all right you keep to the rules as long as your opponent does, but if you know perfectly well that once your opponent starts to lose he will just knock over the table, then you have to think out new rules.

So it does seem to me that you have to begin by thinking of how do you deal with this kind of problem, and I might just cite, I think, a very clear case is the case of Malaya. Here you again you had a determined minority and I think if you go back and look at the papers as of about 1950 you will find people saying very much the same as this is right just now, now here is a popular movement which it is wrong to oppose. But I think it was perfectly clear after the event this power depended on terrorism. Once you had the organization which broke that terrorism, Malaya has become in fact one of the more successful Asian countries with a government which does in fact have a fair amount of support.

And so I feel perhaps the basic failure in American policy has been failure to develop the ideas of the Declaration of Independence, of governments owing their just powers to the consent of the governed. And to go on to say that a government which relies to maintain its power on terrorism, on keeping—on prevention of discussion, on keeping its people from any access to information, thereby proves that it does not represent the people.

TRUTH FOR VIETNAMESE PEOPLE

Professor MILLET. This is a serious moment. And we're here in search of truth. And much has been said about many truths—one has been left out of account. I should like to say a little about that.

Behind all these high issues of international politics and hegemony of great states and international balance of power, there lies the Vietnamese truth. The truth for Vietnam; which for the Vietnamese people is a very bitter truth indeed.

Scalapino has said Communists do not ask for elections. Let us not forget it was the Vietminh who expected elections in 1956. And I wish merely to read from the program of the National Liberation Front of 1960, second article:

"Abolish the present constitution set up by the servile dictatorial Vietminh administration, carry out universal suffrage to elect a new national assembly." That was the N.L.F. position in 1960. It has not changed.

Professor SCALAPINO. I'm surprised that someone would say here that terror on our side accounts for all that happens in Vietnam.

And beyond that—on that particular point—I cannot comment more, except to say that as I tried to make clear at the outset, I think this is an enormously complicated problem. There has been terrorism on both sides. There have been many injustices, many killings on both sides.

To try to establish where the balance of terror lies, would, I think, be exceedingly difficult, but it seems to me clear that every observer of the Vietcong region has referred to a variety of techniques that range from persuasion to coercion. He has referred to the taking of young men for military service with or without their leave, and the government has done the same thing.

This is not a situation in which you can demark the good guys from the bad guys in these absolutist terms. And I think it's fairly clear that when I talked about Vietnam elections what the question I really raised was this: How can you have meaningful free elections unless opponents have full access to mass media or at least sufficient access to get their position expressed?

Professor FISHEL. Mr. Chairman, colleagues. Professor Kahin and Professor Scalapino began this discussion on a high and responsible level with able and solidly grounded analyses. I see my role as a panelist as the only member of this panel who has lived and worked extensively in Vietnam, to try to set forth a few facts with respect to the country whose continuing agony is our reason for assembling here today.

I think we should keep in mind that there are very few blacks or whites in the Vietnamese situation. There are many shades of gray. We, as scholars, should strive for accuracy and wherever it is possible, for precision. I don't think we should succumb to the very natural inclination to oversimplify and thereby reduce to the absurd what is a very difficult and complex problem area.

Mr. PROXMIRE. Finally, Mr. President, on Monday, the New York Times carried a short article by Max Frankel discussing the future of meetings on the Vietnam issue, and what form such meetings should take. I ask unanimous consent that this article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FUTURE OF THE TEACH-IN—MEETING ON VIETNAM RAISES QUESTION: WHAT FORM SHOULD SUCH PROTEST TAKE?

(By Max Frankel)

WASHINGTON, May 16.—The teach-in attained tenure here this weekend. It became repectable, accountable, and probably permanent.

What began as an academic roadshow at the University of Michigan 8 weeks ago suddenly blossemed into a bigtime production of scholars and officials debating Vietnam policy a mile from the White House and before a huge radio and television audience.

There is a lively little controversy here about whether the all-night campus debates and protests had forced the Johnson administration to show concern instead of contempt for its academic critics. Some of the teach-in sponsors believe that they not only provoked recognition but also nudged the policymakers toward a greater interest in negotiations.

But one of the many paradoxes about the event is that McGeorge Bundy, Walt W. Rostow, and a few other intellectuals in Government were chiefly responsible for its success and public notice.

Mr. Bundy, the President's Special Adviser for National Security Affairs and a former Harvard dean, had been telling friends that he simply had to take on the scholars because "these are my people." Even in disappointing the crowd by withdrawing at the last minute for a secret trip to the Dominican Republic, he paid tribute to the teach-in and undertook for the Government an obligation to participate.

A PROPAGANDA BARGAIN

Thus it was only with the blessing of the administration they condemn for secrecy that the teachers and scholars were suddenly thrust before a national audience and given the decade's greatest propaganda bargain—national impact for an investment of $20,000 to $30,000.

Probably not since Nikita Khrushchev took on Soviet painters and poets have a group of intellectuals been hurtled so swiftly into the political arena. The difference, of course, is that here the critics have been encouraged to organize and they left Washington tonight determined to keep the institution alive.

This has raised the question of whether yesterday's breakfast-to-midnight talkfest generated more heat or light, and, indeed, whether teach-ins to come should be sober sessions of scholarly inquiry or long and loud protest rallies. The issue remains unsettled.

In conferring respectability upon the teach-in, the administration also demanded responsibility, a fair balance of points of view with scholars as well as officials on its side, to avoid the appearance of a Government at war with academe.

In practice, this balance had the effect of blunting the criticisms. Probably more words were uttered against the administration than for it, and it seemed doubtful that any significant number of participants or listeners altered their points of view.

But the debate no doubt demonstrated to many emotional critics that the issues in Vietnam were extremely complex and that honest disagreement about them was inevitable. It probably supplied all sides with new ammunition and left a record of interesting controversy that could stimulate such additional and less hectic discussion.

The day sponsors of the teach-in, howcontend that any all day or all night assembly, by its very occurrence, is an expression of disquiet and protest, not just of curiosity. They say they do not know whether they represent a majority of those on campus, but insist that the administration does not know, either.

The desire for debate, for officials to defend their assumptions and actions in Vietnam, and to respond to intelligent criticism, they maintain, is widespread. And that desire, they contend, springs from many shades of discontent and will make the teach-in a political instrument.

To observers here, most of the organizers and audiences appeared to be motivated by much more than the subtleties of Vietnam policy.

A DISTRUST IS SEEN

In many remarks and questions there lurked distrust and hostility toward the Government itself. Mr. Bundy was the preferred official spokesman because others from the campus seemed really to want to ask, "Et tu, Brute?" They were uneasy about the use of force in international affairs, suspicious of the administration's claims of noble and peaceful purpose. Few were willing to await the explanation for Mr. Bundy's withdrawal before imputing dishonorable motives to him.

There was evidence of a still wider gulf between the Capital and the campus. The administration's critics plainly doubted that any intelligence and imagination was at work on foreign policies here.

The same liberal forces that once clamored for firm Presidential leadership now feared it and pleaded for Congress to give voice and shape to an opposition.

And there may have appeared a gulf between generations. Increasingly, administration supporters found themselves recalling the dangers of American inaction before World War II and the successful resistance to Soviet expansion after the war, while many of the younger critics could not or would not remember or accept the analogies of the 1930's and 1950's for the 1960's.

If this distance of time and attitude can be narrowed, then the teach-in movement will justify itself even if it does not solve the crisis in Vietnam from which it sprang.

WEST VIRGINIA UNIVERSITY DIVISION OF FORESTRY

Mr. BYRD of West Virginia. Mr. President, on May 8, I was the guest speaker at the annual banquet of the West Virginia University School of Forestry at Morgantown. I spoke to the approximately 250 prospective forestry graduates and faculty members on forestry research as a tool needed in the development of industries using wood as a primary raw material.

Also present was Dr. W. C. Percival, director of forestry, College of Agriculture, Forestry, and Home Economics, Division of Forestry, West Virginia University, to present a brief summary of the forestry school highpoints for 1964–65. Dr. Percival's realization of the tremendous importance of timber as one of our Nation's basic raw materials makes him a sincerely dedicated advocate of forestry research and qualifies him well for his duties as an educator and as a member of the West Virginia State Board of Registration for Foresters. The State board acts to license and register foresters in the State.

Dr. Percival also serves as a member of the Governor's Committee on Wood Utilization, which was created to further the development of the forest industry in West Virginia.

I ask unanimous consent to have printed in the RECORD at this point Dr. Percival's remarks on the evening of May 8.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

FORESTRY SCHOOL HIGH POINTS FOR 1964–65

In the development of any growing enterprise, there are so many difficulties, and disappointments, and failures that it is worth while to take a moment occasionally to look for any signs of progress and success. When we started to do this 2 years ago, we were so pleasantly surprised that the attempt has been repeated.

Surely the most spectacular accomplishment of the year has been the construction of the new forestry building on the Evansdale campus. This building will provide the West Virginia's forestry school with excellent facilities for education and research in hardwoods. The climate and soils of our State produce the best hardwoods in America for the building, beautification, and furnishing of homes. Therefore the new building has been designed for education and research in the production and use of Appalachian hardwoods for home construction, beautification, and furniture.

West Virginia's beautiful forests, mountains and rivers and our State's location in the midst of this densely populated East makes it particularly useful and available for recreational purposes. Such use of West Virginia's forest resources may be developed concurrently and in harmony with their industrial development. Such usage is often called multiple use of forests and is a well established principle of forest management. Our new building was designed with this principle of multiple use in mind. Undergraduate, graduate and research facilities are being finished now for forest recreation, forest wildlife, and mountain stream fisheries which are considered of equal importance with industrial forestry in this development of West Virginia's natural resources.

An aspect of the construction of this building which is a high point of interest is the contribution of paneling lumber by West Virginia's hardwood manufacturers. They have provided various kinds and grades of hardwood panel stock sufficient for more than 40 rooms. This will not only beautify the classrooms and offices; it will furnish a continuous exhibit of West Virginia woods for beautification of interiors.

This expression of interest and friendship by West Virginia's hardwood mill operators is deeply appreciated.

Last fall the registration of the largest entering class in our history boosted our undergraduate enrollment to the new high of 283. This makes this school the ninth in size of student body among the 45 schools of forestry in America. Only New York, Michigan, Minnesota, and North Carolina have larger forestry schools east of the Rocky Mountains.

The number of students in our new graduate program is also increasing. There are 14 which have been accepted for specialized study in silviculture, forest mensuration, wood science and technology, wildlife management, and forest economics.

During the past year our faculty has been enlarged by the addition of Dr. John R. Hamilton, wood anatomist; Mr. David Groom, specialist in wood machining and finishing; Dr. David E. White, forestry economist; and Mr. William Kidd, extension specialist in forest management.

Among the more notable developments in the school has been its new curriculums. Because the new forestry building will give opportunities for research and graduate studies, curriculums leading to these studies have been developed. A wood science curriculum stressing mathematical studies was developed for the preparation of capable students for graduate work in wood technology also for direct transfer into graduate programs in the engineering fields. Our wood industries curriculum also provides for direct transfer of graduates into graduate school in the college of commerce. A forest science curriculum has been developed and approved which stresses biological studies and prepares for graduate work in many fields such as silviculture, forest physiology, forest pathology, etc.

A most important development to provide for this expansion has been the increase in funds. Increases in teaching funds have been helpful. Of great importance has been the creation of a State forestry research fund without which the above developments in research and graduate work would have been impossible. A Federal fund for forestry research, resulting from the McIntire-Stennis Act has been of tremendous assistance. For all the help received from many friends we owe a large debt of gratitude.

Now to cap this year's achievements the forestry club's woodsmen's teams brought back the trophy ax after facing the stiffest competition from New York and Penn State. This makes it a good year.

W. C. Percival.

NEO-ISOLATIONISM OR ENLIGHTENED INTERNATIONALISM

Mr. McGOVERN. Mr. President, in yesterday's New York Times magazine, there was an article entitled "Isolationism Again—With a Difference," written by Prof. Henry F. Graff, of Columbia University. The author asserts that sweeping the United States is a new wave of isolationism, exemplified by the writings of Walter Lippmann and the utterances of such Members of Congress as Senators Fulbright, Mansfield, Church, Aiken, Jackson, Morse, Gruening, and myself.

I find the thesis of this article preposterous. It seems to me that Professor Graff has labeled as isolationists, some of the most internationally minded Members of the Senate and one of the Nation's most internationally minded and highly respected columnists.

I have replied to Mr. Graff's article in a letter to the editor of the New York Times magazine. I ask unanimous consent that both Mr. Graff's article and my answer be printed at this point in the Record.

There being no objection, the article and the letter were ordered to be printed in the Record, as follows:

ISOLATIONISM AGAIN—WITH A DIFFERENCE

(By Henry F. Graff)

Even as American commitments expand in Vietnam and the Dominican Republic, the Nation is hearing an insistent call to withdraw from full involvement in the military and political processes of the world. The unadorned truth is that isolationism is reviving in our midst. Its advocates are going by the name of neoisolationists—to distinguish them from, but associate them with, their fellows of the 1930's and early 1940's.

The word "isolationist" has somewhat the sound of an epithet, like the word "appeaser" or "monarchist." The connotation results from the history of the 1930's, when to be an isolationist was to seem to say that it made no difference to this country whether or not the Facist dictators, and especially Hitler, had their way. Moreover, isolationists, like appeasers and monarchists, turned out to be bucking the tide of history—often a cause for an adverse judgment by posterity.

The advocates of neoisolationism are suggesting that the day of globalism ought to be done, that the cold war cannot be waged everywhere in the world, and that coexistence with communism must be accepted with equanimity. A few years ago such sentiments might have sounded impractical to the point of being unpatriotic. Yet today they are being expressed by some of the most respected and well-informed public leaders.

One of these is Walter Lippmann, indisputably the doyen of newspaper columnists, who clearly is blowing the pitch pipe. He recently wrote:

"We have since the end of the Second World War been committed far beyond our primary vital interests and far beyond our military and political reach.

"If it is said that this is isolationism, I would say yes. It is isolationism if the study of our own vital interests and a realization of the limitations of our power is isolationism. It is isolationism as compared with the globalism which became fashionable after the Second World War."

Sentiment akin to this is also present on Capitol Hill. J. W. Fulbright, the chairman of the august Senate Foreign Relations Committee, began the discussion almost a year ago in a now-celebrated speech called "Old Myths and New Realities." In it he urged the country "to start thinking some unthinkable thoughts." Among the shibboleths he assailed were these: that "the Communist bloc is a monolith"; that the hostility of Red China is permanent; that Fidel Castro is more than a passing nuisance.

Fulbright was doing nothing less than calling into question the axioms on which the widespread dispersal of U.S. military power has been predicated.

At the time Fulbright was uttering his words, he seemed to be hankering for a debate on the relationship between our power and our policy. But if he generated none, he has not been without sympathetic company among colleagues. Senator George Aiken, Republican, of Vermont, for instance, puts his feelings in a general lament: "We're trying to police the world, and we can't do it." The latest evidence of this comes from the Senate Subcommittee on National Security, under the chairmanship of Henry Jackson, Democrat, of Washington. In a caustic memorandum it reproaches public officials who "verbally commit the Nation to policies and programs far beyond our capabilities."

The conjunction of the stepped-up war in Vietnam and the intervention in the Dominican Republic is helping to focus sharply the arguments for retrenchment in our worldwide commitments. Senator George McGovern, Democrat, of South Dakota, for instance, wants the United States to go to the conference table with the North Vietnamese, even without waiting until the military situation is more favorable to us. He is supported in varying degrees by other Senators, including Democrats Wayne Morse, of Oregon, Ernest Gruening, of Alaska, and Frank Church, Idaho. Even Mike Mansfield, of Montana, the majority leader, expresses criticism of U.S. policy in Vietnam.

The landing of troops in the Caribbean is generally, though not unanimoulsy, supported. On the Senate floor, for example, Morse asked in obvious perturbation: "Have we lost our minds? * * * Have we become militarily power drunk?"

What has happened that men like these, who only recently were advocates of U.S. involvement in the world, should now seem to shrink from its full implications? And is it a turnabout that Everett McKinley Dirksen, the minority leader, who was once prominently identified with the isolationist wing of the Republican Party, is now saying that talk of negotiations under pressure in southeast Asia is "simply a proposal to run up the white flag"?

It may be too early to say that a debate on isolationism versus interventionism is at last shaping up. But a cast of characters is waiting in the wings. Their arguments, for the moment, bear chiefly on Vietnam. Nevertheless, the points they make are adaptable, and can be applied elsewhere—as no doubt they will be when the crisis there is finally over.

The neoisolationists represent an illustrious historical heritage, but their line of descent is not direct or pure. In the 1930's isolationism meant to many simply letting the rest of the world go hang or, more politely, it bespoke a go-it-alone policy for the United States. It was deeply rooted in a revulsion from war, which found expression independently of the Nation's security needs. Senator Robert A. Taft, a leading isolationist, said in 1940 that for this country to become involved in the fighting would be "even worse than a German victory." And Senator Burton K. Wheeler, of Montana, another strident voice of isolationism, was saying: "I will never vote to send a single boy to fight upon foreign soil unless this Nation is attacked."

The neoisolationists are not guided by such an impractical though laudable fear of war. They know what their predecessors learned at great cost: That wars cannot be prevented or avoided unilaterally. They prefer to think that if we must fight we ought to fight on our terms—at a place and time of our choosing. The war in Vietnam is not the right war; it does not affect our vital interests.

Nevertheless, there is running away from hostilities as such. As Lippmann writes: "Our people have shown in three wars that they can take it if they have to." When they do not have to, they ought not to edge closer to it.

Second, the isolationism of the thirties was notably and implacably anti-Communist. Taft declared unequivocally in 1941: "The victory of communism in the world would be far more dangerous to the United States than a victory of fascism."

The neoisolationists' response to communism is less intractable and more complex. Today Senator FULBRIGHT is stating: "The attribution of an unalterable will and constancy to Soviet policy has been a serious handicap to our own policy. * * * We have overestimated the ability of the Soviets to pursue malevolent aims without regard to time or circumstances and, in so doing, we have underestimated our own ability to influence Soviet behavior."

Another difference between the old isolationists and the new is the attitude toward the shape and quality of American power. Senator Wheeler was, like other isolationists of his day, hostile to peacetime conscription. The selective service bill was a principal whipping boy. Its enactment, Wheeler declared in a nationwide radio address in 1940, would constitute a menace to American liberties.

"If this bill passes," he shouted, "it will slit the throat of the last democracy still living, it will accord Hitler his greatest and cheapest victory. On the headstone of American democracy he will inscribe 'Here lies the foremost victim of the war of nerves.'"

The neoisolationists see no such threat to our institutions in the growth of American military power today. They are not even calling for significant reductions in our armed strength. They argue instead that despite our overwhelming might we are endangered. Senator MCGOVERN states: "We have to recognize the limits of our power. We have to recognize the limits of our influence. We have to recognize that we are not omnipotent."

In the thirties the argument only on rare occasions revolved around whether we were strong enough to set the world straight. Senator Gerold P. Nye, of North Dakota, another of the past generation of isolationists, used to say that the United States did not have power enough "to make itself the guardian of international virtue." But for the most part the earlier isolationists did not ask whether we had the power; they merely asked whether we ought to have the will to use it. Their own reply was "No."

In the 1930's a central question—if not the central question—was whether the United States should participate in collective security measures to help keep the peace. For the isolationists, this answer was also clear. It came in Jefferson's words pledging "entangling alliances with none."

In practical terms this meant continued opposition to U.S. participation in any kind of joint undertaking against warmakers. Arthur Vandenberg of Michigan, later the Senate's archspokesman for isolationism (only to become, later still, an articulate internationalist), stated the classic case against collective security when he demanded "the preservation of our absolute and untrammeled right of self-decision" in international politics.

The neoisolationists, on the other hand, are men wedded to the idea of collective security. They believe it provides protection against the peacebreakers. They express their conviction that the United States must work through the United Nations and other international organizations. In part, they hold this view because they are aware of the value of public international forums as safety valves for nationalistic anger.

The older isolationists had no doubt that Congress, rather than the Executive, was qualified to keep us out of war. That man in the White House was the enemy of peace incarnate. Roosevelt drew the lightning, it sometimes seemed, because of a resentment among some isolationists that his patrician manner was too European.

Senator Nye saw as the only protection for the people appropriate neutrality legislation limiting presidential power. "If America really means to stay out of foreign war," he said, "she needs to remember how easy it is to get in * * *. We need restraint upon a President."

The latter-day isolationists are not finding scapegoats for our predicament in southeast Asia, Presidential or otherwise—although at the extreme left end of the political spectrum there are deep suspicions of the Secretary of Defense and references to the fighting in Vietnam as "McNamara's war." President Johnson is recognized to be the inheritor, in large measure, of the policies he is following. When he is criticized at all it is chiefly because he is not communicative enough to satisfy everybody. Of course, neoisolationism has not yet become an issue in a political campaign, and so far the Johnson taciturnity has not been explained as conspiratorial. Possibly, though, Senator MORSE sounded the tocsin when he recently predicted that Mr. Johnson's policies in Vietnam would send him "out of office the most discredited President in the history of this Nation."

Restraining the Executive through neutrality laws—once a chief hope of isolationists—does not even have an echo today. The former blind faith in such legislation was based on a mistaken notion that by forbidding the shipment of arms to belligerents, controlling the travel of our citizens in war zones and limiting war loans, we could avoid active embroilment in foreign shooting. Isolationists thought they had learned from the history of our entry into the First World War the simple steps to take in order to stay out of the Second.

The neoisolationists also invoke history. They remind us about the bloody experience in Korea, which they hope will never be repeated. But they are also aware that history is being used to argue against them. Senator GALE MCGEE, of Wyoming, for instance, holder of a Ph. D. in history, chides them for not appreciating that "there is one common denominator in Czechoslovakia and in Munich and Saigon and South Vietnam"—namely, naked aggression against a peaceful neighbor.

Senator MCGOVERN'S answer as a neoisolationist is that today's situation cannot be compared with that of 1938–39. The present struggle in southeast Asia, he declares, "does not lend itself to a military solution. The more we try to solve it in that fashion, the more * * * that area is out of control."

The isolationists of the Roosevelt era often were sincerely antiwar. But they were usually only antiwar in Europe. They refrained generally from disapproving the strong stand of the administration vis-a-vis Japan. In fact, they were often called Asia-firsters. They were soft in Europe, but hard in Asia. (Senator DIRKSEN'S present position seems consistent with old attitudes.)

One reason for the pull to the East was that the old isolationism contained a good measure of anti-British sentiment. Charles A. Lindbergh, still another prominent isolationist of other days, in 1941 referred typically to World War II as "the war that England declared in Europe." A fuller involvement of the United States in the Orient would tend to offset Great Britain's power and pretensions there. Many isolationists, incidentally, even avoided the phrase "the Far East" because they regarded it as British usage.

The neoisolationists see the world the other way around from the Asia-firsters. They are hard in Europe and soft in Asia. They recognize our "vital interest" to lie across the Atlantic, not across the Pacific too.

With respect to the Western Hemisphere both the old and the new brand of isolationists find a powerful point of agreement. Brig. Gen. Robert E. Wood, head of the American First Committee, the leading isolationist organization of the Roosevelt era, said bluntly in 1940: "* * * I think we should * * * make it clearly understood that no government in Mexico, Central America and the Caribbean South American countries will be tolerated unless it is friendly to the United States and that, if necessary, we are prepared to use force to attain that object."

To this the neoisolationists say a hearty amen. In the Americas, they declare unhesitatingly, the United States has a "vital interest." In pressing this point, ironically, they seem to strengthen their argument for withdrawing from Vietnam. Vietnam, they say, falls outside our orbit; it is, as it were, China's "Dominican Republic."

Moreover, besides believing that we go beyond our power in getting committed on the Asian mainland, the neoisolationists are sensitive to elements of race relations involved in our exercising force in that part of the world. Lippmann warns that "we should not involve ourselves in a war in Asia where Americans, and as a matter of fact Americans only, fight Asians."

In the thirties isolationism was intertwined with racism—which took the form of more than a little anti-Semitism. Hitler's monstrous acts—against the Jewish people especially—revealed to millions the evil that nazism was. Lindbergh seemed, at the very least, morally obtuse when he said: "An agreement between us, the United States and Germany, could maintain peace and civilization throughout the world as far into the future as we can see."

Neoisolationists are affronting no identifiable segment of the American people. This may be explained partially by the differences in their background from those of the old brand of isolationists.

The isolationists of the thirties, Samuel Lubell and Eric Goldman have shown, tended to stem from communities in which a significant portion of the population was of German origin. One implication of this analysis is that it becomes wrong to think of isolation as being synonymous with neutrality; it was, rather, a significant expression of pro-German sentiment.

Wayne S. Cole has pointed out also the importance of the agrarian outlook in creating, among the farming population, a general suspicion of foreigners, especially but not exclusively in the Middle West. A conclusion that may be drawn from Cole's analysis is that isolationism was one way of giving expression to antiurban fears and hostilities.

Isolationism, in any event, had a broad appeal. Many businessmen and industrialists, possibly sensitive to the charge that their kind had helped bring about U.S. participation in World War I, were isolationists. General Wood, for example, was chairman of Sears & Roebuck. Another important member of America First was Henry Ford.

The American hierarchy of the Roman Catholic Church was divided. Among Catholics of Irish extraction, however, there was a marked tendency to be isolationist, presumably because it was a way of being anti-British. Many were followers of the fiery radio priest, Father Charles E. Coughlin of Royal Oak, Mich., who effectively joined isolationism and anti-Semitism.

In those years it usually was not easy to correlate American opinion on domestic issues with opinion on international affairs. There were many like Senator William Langer of North Dakota who supported the New Deal ardently but remained inflexibly isolationist. (Langer served long enough to cast one of the two Senate votes against our entry into the United Nations.)

On the other hand, many who opposed Roosevelt's New Deal, heart and soul, like William Allen White, editor of the Emporia

Gazette, took a leading hand in battling against isolation. White, in fact, became head of the best known interventionist organization, the Committee To Defend America by Aiding the Allies.

It is not difficult to discern some of the reasons for the rise of neoisolationism. Unquestionably a fear of nuclear war is fundamental. The cost of such a holocaust would be so great that neoisolationists are able to say we should not risk it except for the ultimate stake itself—survival. They also shudder at the thought of a land war in Asia which, they say, we must avoid because they are sure we cannot win it. The "hordes of the East" are much in their minds.

Neoisolationism is also another way of expressing fatigue with the burdens of the cold war. It appeals to people who simply want out, or at least a rest from the trials of leading the free world. Young people—members of the cool generation—seem especially ready to have done with the fighting on foreign shores. From the beginning, of course, it may have been ordained that we could not sustain indefinitely the zeal for crusading, which wars on the Asian mainland, or elsewhere far from home, inevitably entail.

Reducing our responsibilities in the world finds favor also with Americans who have been numbered or desensitized to the defense of freedom by the numerous calls for this service they have heard almost as far back as they can remember. Moreover, our pledge to support freedom loving people everywhere was jolted by our failure to act—for whatever reasons—in the cases of Hungary and Tibet. These episodes engendered a feeling of cynicism about our purpose and capacity.

Shortening the length of our reach into the world, as the neoisolationists recommend, meshes also with emerging new attitudes toward race. It may be instructive that advocating an end to the killing of North Vietnamese by Americans fits well with the idea that people of color must no longer be abused by white people.

The question of which side is right, the globalists or the neoisolationists, cannot be answered in the abstract. An answer depends ultimately on how we are willing to be related to the rest of the world at this juncture in our history. One thing seems clear: despite the counterefforts now being made by the administration the neoisolationist argument is gaining ground. It has on its side the tremendous advantage of being the most comfortable answer to our terrible difficulties.

Nevertheless, neoisolationism may only appear to be the best answer. When all the pros and all the cons are totaled up, the fall of another area to Communist control, which would certainly follow our withdrawal from South Vietnam, would be a defeat for the United States. The effects would reverberate around the world.

It is to be hoped that in fighting Communist aggression, we are not defending a dying cause; that neither ennui nor cynicism is overwhelming us before it overwhelms our sworn enemies, too; that we continue to feel a moral obligation not to abandon those who have battled on our side in Asia—or wherever—for so long; that we learned from the isolationism of the Roosevelt days that our challengers will not invite us to name the site for our duel and the weapons we prefer.

Finally, the rational weighing of dangers, in which the neoisolationists are now engaged, has not always resulted in infallible guides to action. Is there a more illuminating picture than that of Senator Nye explaining to an America First rally on December 7, 1941, how the British were the cause of our woes, at the very moment that Japanese bombs were being rained on Pearl Harbor?

MAY 17, 1965.

The EDITOR,
The New York Times Magazine,
New York, N.Y.

DEAR SIR: Prof. Henry F. Graff's article, "Isolationism Again—With a Difference," attempts to label the Senate's most internationally minded Members as "neoisolationists." I disagree completely with virtually every line of interpretation in the article.

To argue that such Senators as FULBRIGHT, MANSFIELD, and CHURCH are the Nation's new isolationists is so incredible that one wonders how a serious scholar could advance such nonsense. By Professor Graff's measurements, former Senator Barry Goldwater emerges as the Nation's leading internationalist.

According to Mr. Graff's reasoning, anyone who questions such articles of faith as the monolithic character of world communism, or America's deepening military involvement in Vietnam, is an isolationist. Again, those who prefer collective action through the United Nations rather than freewheeling unilateralism, are guilty of reviving isolationism.

I am one of those labeled a "neoisolationist" by Professor Graff. That will come as welcome but startling news to some of my constituents. But how can one be placed under the banner of isolationism who holds the following convictions:

1. I believe that America has a worldwide responsibility to share its economic and technical assets with the developing peoples of Asia, Africa, and Latin America.

2. As the Nation's former Food for Peace Director, I am the author of a book calling for a doubling of our current efforts to use our agricultural know-how to wipe out human hunger and especially in Asia where the problem is most severe.

3. I am an advocate of greater East-West trade and broader contacts with the people of Asia, including mainland China.

4. I am a firm believer in the United Nations and favor fuller use of such multilateral agencies as the World Bank in the administration of foreign aid.

5. I do not believe that America should intervene unilaterally in such areas as the Dominican Republic or South Vietnam. If such troubled areas cannot resolve their conflicts internally, then it is the responsibility of the United Nations or such regional forces as the OAS to intervene.

6. I believe that America must maintain its powerful military defense, but that we should also lead the way in such useful arms control arrangements as the limited nuclear test ban treaty.

If this is the creed of an isolationist, let Mr. Graff make the most of it. I regard it as enlightened internationalism. I have a hunch that a rather interesting thesis could be written contending that Mr. Graff's apparent preference for the United States to go it alone in Vietnam, the Dominican Republic, and elsewhere is a kind of "neoisolationism."

Sincerely,

GEORGE MCGOVERN,
U.S. Senator, South Dakota.

SAFEGUARDS NEEDED ON MAIL COVERS

Mr. YARBOROUGH. Mr. President, the limitations placed on the use of mail covers by Postmaster General Gronouski certainly constitute a progressive step, and should be commended as a blow for the citizen's right to privacy.

However, as was pointed out in a recent article entitled "A Partial Clamp on 'Mail Covers,'" written by James J. Kilpatrick, and published in the Dallas Times Herald of May 13, 1965, this is only a short step, and our constitutional guarantees cannot be protected fully until we entrust this power to the proper hands, so as to provide the necessary safeguards against abuse.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Dallas (Tex.) Times Herald, May 13, 1965]

BLOW FOR LIBERTY: A PARTIAL CLAMP ON MAIL COVERS

(By James J. Kilpatrick)

Postmaster General Gronouski struck a blow for progress last week when he placed new limitations upon the use of mail covers, but he stopped short of recommending the one approach that should be pursued if the people's valid right to privacy is to be made secure.

The investigative device of the "mail check" or "mail cover" dates back to 1893. In the beginning, it was a system used only by the Post Office itself, as a useful source of evidence in cases of obscenity and fraud. Local postmasters were asked to have carriers make a memorandum of the return addresses, postmarks and other identifying material on mail addressed to certain suspects. This information, turned over to postal inspectors, provided leads that in turn led to evidence which could be used in court.

In time, other agencies of the Federal Government—and local police departments as well—discovered the usefulness of this surreptitious procedure. The public at large knew nothing of such "mail covers" until the system was disclosed at the time of the famous McCarthy hearings. Then it developed, with red faces all around, that a Senate committee had secretly arranged to have a check made on Senator McCarthy's mail, in an effort to find out who was leaking information to him. In the hail of denunciations that followed this disclosure, the Post Office Department abruptly revised its regulations to limit mail surveillance to investigations (other than postal cases) that would "aid in the apprehension of fugitives from justice."

TWELVE THOUSAND TWO HUNDRED COVERS IN YEAR

The reform proved only temporary. In hearings before a Senate committee last month, Mr. Gronouski acknowledged that the Post Office Department had cooperated agreeably with requests for mail covers from the Food and Drug Administration, Internal Revenue Service, Department of Justice, and other agencies. Under hard pressing by Senator RALPH YARBOROUGH, of Texas, the Postmaster General admitted that 12,200 persons had been subjected to mail covers last year, 9,500 as a result of postal investigations and 2,700 on request of other agencies.

Mr. Gronouski noted defensively that two Federal circuits have upheld the practice. In May of 1958, the second circuit found nothing wrong with a cover placed on the mail of Frank Costello by the Internal Revenue Service, in an effort to get evidence of net worth in a tax-evasion case. In October of 1960, the third circuit approved the system in rejecting the appeal of one Sam Schwartz from a mail fraud conviction.

Neither of these opinions, however, considered constitutional points. In the Costello case, one contention was that a mail cover violates the law against retarding delivery of mail; the court said Costello's mail wasn't retarded long enough to matter. Another contention was that the practice violates a law against taking any letters "out of any post office with design to pry into the business or secrets of another." The court observed that Costello's mail hadn't been taken out of any post office; it had been examined right there. Neither court searched its conscience to determine whether a mail check violates "the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures."

TIGHTENED PROCEDURE

That is the point that ultimately must be weighed. Mr. Gronouski's tighter regulations will prevent local postmasters from authorizing mail covers under any circumstances. In practice, only the 15 chief postal inspectors will be able to approve use of the system. "We're going to make darned sure they're not used frivolously or carelessly," Mr. Gronouski said.

Well and good. The difficulty is that mail checks, properly supervised, are excellent weapons not only in the capture of fugitives but in other criminal investigations as well. We ought to get it out of our heads that crime in America is some sort of game between the cops and the robbers, in which the criminal is entitled to a couple of sporting free throws from the foul line. The police need all the lawful tools they reasonably can use.

The answer to this situation is to place the authorizing power in constitutional hands, which is to say, in the courts. Just as it takes a warrant for law-enforcement officers to tap a wire, so it should require a warrant to put a cover on a citizen's mail. With that prudent safeguard, the weapon against crime and criminals should be retained for appropriate use.

INEQUITABLE DRAFT WOULD BE ALLEVIATED BY GI BILL

Mr. YARBOROUGH. Mr. President, in a recent article, written by James Reston, on the inequities of the draft, he points out the blatant discrimination against those who cannot afford to pay for their education In discussing this point Mr. Reston states:

> Though it is clearly in the national interest to defer college students in good standing, this often means that those who can afford the increasingly high tuition fees have a distinct advantage over those who cannot.

One of the advantages of the cold war GI bill is that it would give to our returning veterans a chance to help make up the education they could not previously afford, and which their counterparts in civilian life have already received.

I request unanimous consent that this article, entitled "Fighting Points Up Inequities of Draft," from the May 13, 1965, issue of the Atlanta Constitution, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Atlanta (Ga.) Constitution, May 13, 1965]

FIGHTING POINTS UP INEQUITIES OF DRAFT

(By James Reston)

WASHINGTON.—The increasing military comments in southeast Asia and the Caribbean are dramatizing once more the shortcomings and inequities of the Pentagon's current manpower policies.

There is no shortage of men, but there is apparently a shortage of specialists for the new kinds of limited warfare now facing the country.

The burden of military service is not being fairly shared either among the Allied Nations or among the youth of the United States. Many of the latter are not serving at all, many more are not trained in counterguerrilla warfare, while those who are trained, many of them volunteers, are being asked to do double duty.

Fortunately, Secretary of Defense McNamara called for a review of the whole military manpower problem about a year ago, and voluminous studies are now being sent to him.

The inequities in the present system are obvious enough. Though it is clearly in the national interest to defer college students in good standing, this often means that those who can afford the increasingly high tuition fees have a distinct advantage over those who cannot.

Sectional differences also produce criticism of the present system. Since each draft board has some independence of choice, a young man may be drafted in one area while another of the same standing may be deferred in another.

Many of these inequities are unavoidable. There will be 1,880,000 American males aged 18 by the end of this year, though the draft has been taking only about 150,000 a year. Thus since many young Americans never serve at all, many more see nothing wrong in trying to stay out.

To deal with the inequity of the present draft, some observers here would like to revive the old idea of a comprehensive form of national service in which more men could meet their obligation to the Nation in the armed services or in useful civil occupations.

Thus, a young man might not be able to meet the physical standards for military combat, but might meet his obligation in the Job-Training Corps, the Peace Corps, in social work in the city or rural slums, or even as auxiliary policemen in some of the urban jungles.

SUMMARY OF MEDICARE TESTIMONY, MAY 17

Mr. HARTKE. Seven witnesses appeared today before the Senate Finance Committee as it moved forward in the hearings on H.R. 6675. My staff has again prepared an unofficial summary of their testimony, in the hope that this running account will be useful to members and other readers of the CONGRESSIONAL RECORD. I ask unanimous consent that it may appear as a continuation of the similar daily summaries previously printed.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

NATIONAL FEDERATION OF THE BLIND

John F. Nagle, chief of the Washington office:

1. Approve reduction of quarters required for retirement coverage in section 309.

2. Liberalization should also be provided in quarters required for disability coverage, with special reference to the blind. Recommended 6 quarters instead of the present 20 quarters, as provided in S. 1787. Adoption of this amendment would (a) incorporate standard definition of "blind" for disability purposes; (b) would encourage work by the visually impaired in covered employment to qualify for the benefits, which would provide a floor.

3. Hospital care should be extended to disability insurance beneficiaries as well as the aged.

4. Support provision of Federal matching funds for public assistance recipients and the medically indigent.

5. Urge amendment requiring States "to increase the monthly grant of aid to every recipient by an amount equal to the Federal increase" (section 405).

6. Supports provision for general increase (section 301).

AMERICAN INSURANCE ASSOCIATION

J. Dewey Dorsett, president, 190 stock insurance company members:

1. Oppose change in definition of disability (section 303) because it will cause greatly increased overlap between social security disability benefits and workmen's compensation. Until 1958 existence of "offset" deductions prevented the problem from arising.

2. Under the bill "every workmen's compensation case where total disability lasts 6 months or more will receive duplicate payments under social security."

3. Estimate the result will be 42,000 to 47,000 new overlap cases per year, involving $250 to $300 million in workmen's compensation.

4. Average combined social security disability benefits and workmen's compensation (tables offered) "equal or exceed take-home pay in all but one State." Such benefits reduce rehabilitation incentive. It also "destroys the incentive to increase State workmen's compensation benefits."

5. A further result would be to impair incentive for effective safety work, a major effect of workmen's compensation laws.

NEW YORK SHIPPING ASSOCIATION, INC.

James A. Flynn, legal counsel, representing 145 member steamship lines, steamship agents, contracting stevedores, and other maritime employers:

1. Opposes section 303 as a further extension of overlapping and duplication of disability insurance and workmen's compensation benefits.

2. Actual cases demonstrate: (1) an employee disabled for past 13 months under new proposal would be able to receive combined payments exceeding his last 12-month net income by about $1,000; (2) a second case cited would bring $1,700 above take-home wage in a year.

3. Cost of this provision is foreseen as "about one-half billion dollars per year."

4. Experience rating for workmen's compensation insurance results in efforts at safety. This incentive is not contained in the social security proposal.

5. This section "represents a broad expansion of the Federal Government into an area that for many years has been adequately handled by the States."

COMMITTEE ON SOCIAL SECURITY FOR PHYSICIANS

Ira Leo Schamberg, chairman, Elkins Park, Pa.:

1. Urges retaining coverage of self-employed physicians as passed by House.

2. Statewide polls have shown that 62.5 percent of physicians voting favor coverage. The AMA has not taken a national poll.

3. The 1965 report to the President by the Advisory Council on Social Security recommends coverage for the 170,000 self-employed physicians.

4. Many doctors now gain an advantage by serving in a part-time salaried position in order to qualify for retirement benefits, with "a disproportionate and unfairly large return in relation to" his social security contribution.

MRS. ADOLF S. ROST

Orange, N.J., wife and mother of physicians:

1. There is need among doctors for social security protection; all are vulnerable to the hazards of life.

2. Existence of such organizations as the New Jersey Society for Relief of the Widows and Orphans of Medical Men; Physicians' Home of New York; Aid Association of the County Medical Society, testify to need. Cases cited include 98-year-old physician; 35-year-old widow and children; 83-year-old widow; college student who lost doctor father.

3. Provisions should be made retroactive, as asked by Dr. Schamberg.

ILLINOIS STATE CHAMBER OF COMMERCE

James A. Mann, Harvey, Ill., chairman social security committee, and member of committee since 1952:

1. Costs of proposal "will jeopardize the social security program." Support Kerr-Mills provisions; medical and hospital care for needy aged should be on Federal-State cooperative basis.

2. Oppose section 303, disability insurance change, because of overlap with workmen's compensation.

3. Expansion of public assistance programs should be made "without further increases in Federal matching formulas." But if done:

(a) Amendment should be made in section 401 and 405 to avoid penalty of States like Illinois making high payments presently under Kerr-Mills.

(b) "Responsible relatives" should include not only spouse of recipient and parents of children under 21, but brothers and sisters living in the same home.

(c) Oppose prohibition of a lien on recipient's property.

(d) Oppose prohibition of durational residence requirement, support 1-year requirement.

4. Costs will discourage employer-employee contracts for health insurance. New tax for medicare "is an additional unnecessary cost to our company and to our employees."

INTERNATIONAL UNION OF HOTEL AND RESTAURANT EMPLOYEES AND BARTENDERS

Cyrus T. Anderson:

1. Union supports inclusion of tips as income for social security purposes.

2. Would cooperate fully with working out administrative problems.

3. Hotel and restaurant owners contradict their own position by arguing inclusion of tips for minimum wage purposes, exclusion for social security purposes.

4. Argument that many in the industry are "casual" employees is refuted by evidence that among 1,575,667 only 45,000 "casual."

SECRETARY FOWLER ON THE BUREAU OF CUSTOMS REORGANIZATION

Mr. HARTKE. Mr. President, the Bureau of Customs is a part of the Department of the Treasury. The Senate Subcommittee on Executive Reorganization, as an arm of the Government Operations Committee, has been considering the proposals of the administration in Reorganziation Plan No. 1 of 1965 for changes within the 175-year-old Bureau.

Because of his position of responsibility for the Bureau of Customs, the testimony of the Secretary of the Treasury is of particular importance in connection with the reorganization proposal. I ask unanimous consent that Secretary Fowler's testimony before the subcommittee on last Wednesday, May 12, may appear in the CONGRESSIONAL RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

Statement of the Honorable Henry H. Fowler, Secretary of the Treasury, Before the Subcommittee on Executive Reorganization of the Senate Committee on Government Operations on Reorganization Plan No. 1 of 1965, Providing for Reorganization in the Bureau of Customs of the Department of the Treasury, 10 a.m., May 12, 1965

INTRODUCTION

Mr. Chairman and members of the committee, I welcome this opportunity to appear before your committee in support of Reorganization Plan No. 1 of 1965 providing for reorganization in the Bureau of Customs. This plan is an essential element in the general program now underway for the modernization and improvement of the 175-year-old Bureau of Customs and of the administration of its functions.

As the President said in his message transmitting the plan to the Congress: "All that we do to serve the people of this land must be done, as has been my insistent pledge, with the least cost and the most effectiveness."

We cannot afford organizational arrangements such as those in the Bureau of Customs which have become obsolete and do not meet effectively the requirements of our times. We need a Government structure which is modern, streamlined, and capable of meeting current requirements with maximum efficiency and minimum costs.

We believe that the proposed reorganization plan and the administrative reorganization which it will facilitate are responsive to the purposes of Congress as set forth in the Reorganization Act.

We particularly cite for your attention the following purposes as set forth in the Reorganization Act:

"(1) to promote the better execution of the laws, the more effective management of the executive branch of the Government and of its agencies and functions, and the expeditious administration of the public business;

"(2) to reduce expenditures and promote economy, to the fullest extent consistent with the efficient operation of the Government;

"(3) to increase the efficiency of the operations of the Government to the fullest extent practicable."

If Reorganization Plan No. 1 is permitted to become effective, all Bureau of Customs officials and employees will henceforth be appointed under the civil service laws. It will allow the Bureau to administer the customs laws more effectively and swiftly and pave the way for an administrative reshaping of the Customs organizational structure and some legislative modification that will permit annual savings to the taxpayer of some $9 million—more than 10 percent of the Bureau's annual budget. The importing, exporting, traveling, and tax paying public is entitled to be served by the most efficient, effective, and economical Customs organization we can devise.

BACKGROUND OF PROPOSAL

When my distinguished predecessor, Secretary Dillon, appeared before the House Appropriations Committee 3 months ago, he stated: "It is my judgment that, except for the special case of the Secret Service, the Bureau of Customs is far and away the most seriously understaffed of any bureau in Treasury."

Formal merchandise entries filed increased more than 5 percent last fiscal year and are continuing their steady climb in fiscal year 1965. More than 174 million people entered our country in fiscal year 1964, most of them as passengers on nearly 51 million automobiles, vessels, aircraft, or other carriers. It now appears that by 1966 these numbers will approximate 188 million people and 55 million carriers. The growth of Customs' work seems never ending, and, of course, it is generated from sources entirely outside of our control. In the past 10 years there has been a 70-percent increase in imported mechandise and a 50-percent increase in international travel. Increases in Customs personnel during the corresponding period to handle this tremendously increased flow of business have been less than 9 percent.

It is against this background that Secretary Dillon called 2 years ago for a thoroughgoing evaluation of the mission, organization, and management of the Bureau of Customs. The survey group which carried out this study issued a 642-page report, a copy of which has been sent to each of the members of this committee.

STATUS OF SURVEY GROUP REPORT RECOMMENDATIONS

The survey group report contains 230 recommendations for an overall Customs modernization program. Only 5 of these 230 recommendations deal directly with changes that would be accomplished by Reorganization Plan No. 1. This plan, upon becoming effective, would place the Customs Service on a career basis.

I emphasize this, Mr. Chairman, because there is apparently considerable confusion on this point. Your committee is not being requested either to approve or disapprove, directly or indirectly, any of the recommendations of the survey group report. The only question before this committee is the action to be taken on Senate Resolution 102 expressing the disfavor of the Senate with respect to the President's Reorganization Plan No. 1 of 1965. Plan No. 1 proposes the elimination of 53 Bureau of Customs positions now filled by Presidential appointment. That is its only purpose. I hope, Mr. Chairman, that this committee will recommend that the Senate oppose Senate Resolution 102.

I have been struck by the fact that since March 25 when the President transmitted Reorganization Plan No. 1 of 1965 to the Congress, most of the comments which have been received, relate not to plan No. 1 now under consideration by Congress, but rather to certain recommendations of the survey group report. Desiring on one ground or another to oppose one or more of the recommendations in the survey group report, some persons have taken the position that, in the absence of a Treasury commitment not to implement a particular recommendation to which they take exception, they will oppose Reorganization Plan No. 1 of 1965.

I hope this committee will, in its report, do everything it can to discourage this tendency, Mr. Chairman.

Here is where we stand on the 230 recommendations:

Five relate directly to the reorganization plan now before you.

Fifty-two mainly dealing with headquarters operation in Washington, have been adopted. These have been noncontroversial, and they already show promise of improved operations.

Thirty-one are dependent on legislation. They cannot, therefore, be adopted unless this be the will of Congress.

The remaining 142 are recommendations that can be put into effect by administrative action. Some of these furnish a potential area of controversy.

With respect to these 142 recommendations I assure this committee that none will be acted upon until interested parties have had a full opportunity to express their opinions and until these opinions have been given full, openminded, consideration in the Department of the Treasury. I shall have more to say on this subject later.

DESCRIPTION OF PRESENT CUSTOMS ORGANIZATION

The basic structure of the Bureau of Customs has changed little since its creation in 1789. Its present organizational fabric reflects in large part historical circumstances rather than sound concepts of modern management of Federal establishments. As new territories opened and trade patterns evolved, Congress established many collection districts with a view to meeting immediate needs. Thus, the growth of the Customs Service took place without particular relation to overall organization and management requirements.

As I said earlier, we have 53 positions to which appointments are required to be made by the President by and with the advice and consent of the Senate. Some incumbents of these offices have been known to take the view that they are responsible to one person, and one only; namely, the President of the United States. It is obviously impossible to run an organization properly if the situation is such that a senior official can feel that he does not have a responsibility to the head of the organization, in this case the Commissioner of Customs.

Nor is this the only difficulty. The man to whom 45 of the Presidential appointees who are collectors of customs are organizationally required to report, is himself an appointee of the Secretary of the Treasury. Though the Commissioner has the superior responsibility, the collectors have the superior status. It is as though generals were required to report to a colonel.

The present organizational arrangement creates problems even when the Presidential appointees choose, as most do, to cooperate with the Commissioner. Forty-five Presidentially appointed collectors of customs report to the Commissioner. In addition, eight other Customs officials, two in the field and six in Washington, report to the Commissioner. Certainly no national business and few National Government organizations that I know of have any remotely similar setup. The general rule, in business and in Government alike, is to limit strictly the number of persons who report to any one top official. All of us have from time to time seen this rule broken; we know harried executives with lines of vice presidents and special assistants trying to get the final word from the boss. But 53 to 1—that is beyond the realm of effective supervision and management.

With the present field structure it is impossible to exclude situations where a collector in one port rules one way in a given circumstance, whereas a collector in another port rules differently on an identical set of facts. The overworked Commissioner of Customs and his staff find it impossible to provide to the collectors the type of guidance required to eliminate such inconsistencies. Persons dealing with Customs have a right to expect substantially equal treatment.

Back in the last century, when communications were far different from what they are today it undoubtedly made sense to appoint to customs field posts persons who had considerable independent political authority. It was not possible at that time to maintain constant touch with Washington by telephone, teletype, overnight mail service and frequent face-to-face meetings.

However, the role of the persons in charge of the customs field offices is quite different today from what it was then. Now what is needed are individuals who can combine several qualifications in one.

First, and foremost, our field office chiefs must be knowledgeable with respect to the intricacies and technicalities of customs administration. They must also be skilled in government administration and management. Finally, they must have good public relations sense in dealing with local problems.

The more successful of the political appointees in the customs service possess some of these skills, but not many have all three qualifications. The first two, particularly, are gained primarily through experience. It is understandable that persons who are appointed to statutory 4-year terms cannot become customs experts in that time. Our customs career officials are, generally speaking, people who entered the service at the bottom of the ladder, and who have by dint of hard work and attention to their jobs, gone up the ladder.

The collectors, appraisers and other customs field office heads are constantly called upon to hand down decisions and rulings based on general guidance provided by the Bureau of Customs from Washington. Because of the many technicalities in the customs field, we have found it necessary to back up the political appointees with an assistant who possesses the general technical background in customs administration which the normal political appointee cannot be expected to have. These assistants, generally speaking, are senior people in the customs service who are in a position to act for and on behalf of the political appointees whenever this becomes necessary. This is obviously wasteful duplication.

REORGANIZATION PLAN NO. 1

Reorganization Plan No. 1, upon becoming effective, would eliminate this duplication by putting the customs service on a career basis, and all Bureau officials and employees would henceforth be appointed under the civil service laws. About $1 million will be saved annually by abolition of the political appointee positions.

I trust you will agree with President Johnson, who gave the subject painstaking consideration before transmitting his message to the Congress, that the proposal is essential to good Government administration and economy.

MODERNIZATION OF CUSTOMS SERVICE

Quite obviously, in addition to the simple proposition contained in Reorganization Plan No. 1, there is more that should be done in connection with modernization and improvement of the customs service. Some improvements will require legislation, which will be submitted to Congress for its approval at a later date. Other improvements can be accomplished by administration action. In this category, one of the most significant is a proposal to regionalize the customs service.

A regionalized organization would permit the Bureau of Customs to realine and consolidate 113 independent field activities presently reporting directly to Washington. In its press release of March 22 the Treasury announced its intention to establish 6 regional Customs offices supervising approximately 25 district offices. At the headquarters level, four new offices have already been established to replace seven divisions. Further, a new position of Special Assistant to the Commissioner would be created and charged with responsibility for insuring that all Customs employees conduct themselves in strict compliance with all applicable laws and regulations.

By virtue of existing authority, the Secretary of the Treasury is empowered to establish the Customs regional and district offices and the new headquarters offices.

COMPLAINTS RECEIVED

The testimony before the House Subcommittee on Executive and Legislative Reorganization indicated some strong dissents from certain aspects of this proposed regionalized organization, particularly the location of some of the contemplated regional headquarters sites. There was also some criticism of other recommendations in the survey group report.

As you know, Mr. Chairman, when I assumed my present post, Secretary Dillon had already announced his intention to establish a regional Customs organization, and he had further announced the headquarters sites for six proposed Customs regions. In view of this and in light of the information presented to the Treasury since that time, I think it would be helpful to describe the procedure I plan to follow in proceeding with the broad program of Customs modernization.

REVIEW OF TENTATIVE DECISIONS ON REGIONS AND REGIONAL HEADQUARTERS

With respect to the establishment of a regional customs organization, I have asked that a further study be made as to whether the six regions and the headquarters offices originally announced by the Treasury Department are the number and locations best designed to meet the actual needs of shippers, importers, and others in the most efficient manner. I wish to emphasize that, pending completion of that study, no specific number of regions or regional headquarters locations will be finally approved. Meanwhile I have designated Assistant Secretary Reed, who has supervisory responsibility for the Bureau of Customs, to received any additional information and views which may be submitted concerning the regions and regional headquarters sites. Before a final decision is reached, I shall, of course, review the matter with Mr. Reed.

REVIEW OF RECOMMENDATIONS FOR ADMINISTRATIVE ACTION

With respect to the other recommendations for administrative action contained in the survey group report—and these, as I have already pointed out, comprise the great bulk of such recommendations—the following procedure will be adopted.

The Acting Commissioner of Customs has established a coordinating committee to consider these recommendations thoroughly. Persons desiring to express their views should submit them to the Commissioner of Customs for consideration by his coordinating committee and by him. Where there is controversy concerning recommendations requiring implementation by administrative action, the Commissioner of Customs has been instructed to submit his considered views to Assistant Secretary Reed. Where substantial controversy still persists following Mr. Reed's review, I shall myself make the final review.

PROPOSED REGIONALIZATION PROGRAM

To understand the degree to which regionalization would simplify the management and administration of the Customs Service, it is necessary to compare the proposed program with the present customs organization. The 113 independent field activities currently in operation break down as follows: 25 major collection districts, 22 smaller collection districts, 42 appraisement districts, 7 enforcement regions, 7 comptroller districts, 9 laboratory districts, and the Customs Information Exchange in New York City.

A regional organization of the customs service would make possible a net reduction of more than 50 principal field offices, by concentrating administrative and supervisory responsibilities in fewer officials in charge of regional and district activities. These moves would enable the Bureau of Customs to cut costs, eliminate much duplication of effort and strengthen the supervision of its many activities, while at the same time maintaining all essential services in a more integrated organization. For example, separate collector and appraiser offices at each location would be combined in a single office, but both services would continue to be provided.

The proposed schedule provides for initiating the regionalization program with establishment of the first region in September 1965. The final region would be created in the late spring or summer of 1966. This schedule would allow time for evaluation of the experience gained in the first region before the remainder of the regions are created.

In selecting regional headquarters locations the Treasury-Customs officials concerned weighed a variety of factors: for example, the geographic location of the proposed headquarters within the region; convenience of transportation facilities from the headquarters to the various customs offices within the region; communications facilities in the port contemplated as the headquarters location; concentrations of existing customs personnel and installations within the region; the volume, types, and complexity of importations handled by the port under consideration as a headquarters site; the extent to which selection of a particular port would necessitate relocations of personnel and facilities; the availability of office space in the proposed regional headquarters location; and whether the problems handled at the proposed location are fairly representative of those encountered at other ports in the region.

A regionalized Customs Service would be able to take full advantage of modern management concepts without, however, losing the benefits gained from the existing orientation of customs field officers to local problems. For example, some administrative matters, such as those involving budget, audit, space and personnel, and others involving operations such as accounting, drawback and liquidation of change entries would be handled on a consolidated basis at a regional level. At the same time it would be planned to maintain at the district level, and at the larger ports within a district, a sufficient number of well-trained, knowledgeable employees to resolve problems relative to liquidation of all entries, including drawback, submitted by importers, and to answer questions relating thereto. Thus the establishment of a regional organization would not result in any reduction of services now provided to shippers, importers, and travelers at the district port offices.

The bulk of decisions now made locally by customs officials would continue to be made locally in a regionalized organization. I wish to emphasize this point because I consider it most important. Local customs officials would continue to make the broad range of decisions essential for providing efficient and effective service to the public.

The major difference under a regionalized organization would take place with respect to those decisions which at present are not, and cannot, be made locally because of the intricate technical or policy questions that are involved. Under existing procedure questions such as these are referred to the Bureau in Washington for decision. Because of the tremendous flow of requests from the 113 separate field activities to the Bureau for decisions, rulings and interpretations, such requests cannot be handled as efficiently or expeditiously as we would like and as the public has a right to expect.

Under a regionalized customs service, questions such as these would, where necessary, be referred by the District Directors to the Regional Commissioner for decision. Since the latter would, by the nature of his responsibilities, be oriented to the particular problems of his region and at the same time would be familiar with the policies of the Bureau and the Treasury Department, all but the most intricate and difficult questions would be resolved at the regional level. Problems requiring personal attention of Bureau officials in Washington could then be handled more expeditiously than under the current procedures, since the Washington officials would no longer be flooded with requests from numerous independent field activities all over the United States.

We intend to delegate important authority from Washington to the regional level. This would reduce significantly the number of appeals taken to Washington and the time presently required in the decisionmaking process. All should benefit from this—local customs officials, the importing public, and the harassed Bureau officials in Washington.

Mr. Chairman, attached to my statement is a detailed analysis of the kinds of decisions that we contemplate would be made at the regional, district, and port offices when the proposed program of customs modernization has been complete. This is extremely important, because a key objective of regionalization would be to achieve faster action taken closer to the ports where problems arise. Attainment of this objective is possible only if there is clear-cut delegation from Washington to the regions. The analysis in the attached statement sets forth the types of delegation we have in mind.

APPOINTMENTS TO KEY POSITION

In his announcement of Reorganization Plan No. 1 the President stressed that the 52 persons then holding presidential appointments in the customs field organization would be given consideration for suitable employment in the customs service under the civil service laws in any position for which they may be qualified.

The abolition of the offices held by political appointees would occur on a time-phased basis and would take place as the new regions are established. The following steps are envisaged in the program presently under review:

There would be a number of senior positions in the regionalized custom service. It is contemplated that in each of the regional offices there would be a regional commissioner of customs assisted by a regional counsel and not more than four assistant regional commissioners, each of whom would be in charge of one of the major segments of customs activity. These officials would have overall supervisory responsibility in the districts comprising their regions.

At each of the new district headquarters there would be a district director responsible not only for the functions of the present collectors, but for those of the appraisers of merchandise as well.

At other important ports not administratively designated as district headquarters, there would be port directors, who, like the district directors, would be responsible for both collection and appraisement functions at their ports.

SAVINGS TO BE ACHIEVED

The application of modern management concepts to the customs service would bring about substantial savings for the taxpayer which in a few years would total approximately $9 million annually—more than 10 percent of the present annual budget of the Bureau of Customs. These savings are broken down in a memorandum which is attached to this statement. With your permission, therefore, Mr. Chairman, I shall not read it in detail. I have been assured that these savings figures represent conservative estimates.

I do not mean to imply that these savings will effect a $9 million reduction in customs appropriations. The constant rise in the flow of customs business makes this impossible. What I have in mind is rather that the increased costs of handling a steadily growing volume of customs activity would be reduced in future years to the extent of $9 million annually.

EFFECT OF MODERNIZATION PROGRAM UPON EMPLOYEES AND GENERAL PUBLIC

There are certain additional observations that I should like to make, Mr. Chairman.

Although the modernization program I have described would, of necessity, involve some internal realinement and might in some cases necessitate retraining of personnel, I do not anticipate any losses in grade, or abolishing of positions other than those of the presidential appointees. In view of Customs constantly increasing workload, there would not be an overall reduction in employment.

There is nothing in the modernization program which would affect the basic compensation or right to payment for overtime services of any customs employee. No action will be taken by the department in this regard without full consultation with the recognized employee organizations.

Involuntary transfers would be rare. Indeed, we do not expect any at all. If necessary, involuntary transfers would be carried out with minimum inconvenience to the employees concerned.

The Regional Commissioner's offices would be staffed from present Customs personnel to the extent possible.

As the President has already stated in his transmittal message, the modernization measures which are to be put into effect will in no way prejudice any right of any person affected by the laws administered by the Bureau of Customs. To emphasize that this will be so, the following section has been incorporated into Reorganization Plan No. 1:

"PRESERVATION OF REMEDIES.—The abolition of offices herein shall not prejudice any right to protest or to appeal to the United States Customs Court any action taken in the administration of the Customs laws."

Further, all essential services to the importing, exporting, and traveling public will continue to be performed. Indeed, after the initial shakedown period, I look to a significant improvement in Customs service to the public.

CONCLUSION

Mr. Chairman, in order to effect a proper reorganization of the Customs service, the President requires the authority of Reorganization Plan No. 1 to eliminate the offices of the presidential appointees. I strongly urge that he be given that authority and that the Congress allow Reorganization Plan No. 1 of 1965 to become effective.

As for the broader features of the Customs moderization program I have outlined to you this morning, which the Secretary of the Treasury already has authority to put into effect, I promise that before action is taken, interested persons will have a full opportunity to make their views known, and we shall hear them with an open mind.

Thank you, Mr. Chairman.

TREASURY DEPARTMENT: DELETION OF FUNCTIONS

This is in three parts.

Part I outlines the many functions which under the program for regionalization would be delegated from Washington down to the regional headquarters.

Part II outlines the few housekeeping functions which under this program would

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PART I

Functions and activities considered for transfer to proposed offices from the central office

There follows a list of some of the activities and functions now performed at the Bureau headquarters which it is contemplated would be transferred to the regional level. These matters are under continuing study and no firm commitment can be made at this time to implement all of these transfers, nor is this intended to exclude other transfers of functions which study may prove to be desirable.

Item

1. Complete control of the operations of bonded warehouses and foreign trade zones.

2. General decisionmaking authority on questions relative to tariff classification of imported merchandise which will commit the Bureau to classify imported articles in particular classification categories whenever the Bureau has already issued a precedent for such classification.

3. Control of vessel measurement operations to avoid duplication of effort when sister ships are being built in different districts, and dissemination of information as to tonnages of vessels admeasured.

4. Delegate to regional Commissioners certain of the authority presently delegated to the Commissioner of Customs relating to penalties not exceeding $25,000.

be transferred from the port or district level up to the regional headquarters.

Part III outlines the functions (those not included in part II), which would continue to be performed at the port or district level.

Part I (the list here given of functions and activities which are considered for transfer from Washington to regional offices) contains a number which can directly concern individuals and corporations financially. Examples are items 2 (tariff classification), 3 (vessel measurement), 4 (penalties), 11 (questions as to overtime laws, etc.), 12 (cartage contracts), 14 (disposition of merchandise), 21 (procurement of contracts), 23 (space and rental), 24 (property management). Others concern employees—examples are 5 (hours of service), 13 (time and leave questions), 15 (disposition of claims), 19 (authority to appoint certifying officers), 27 (position classification), 30 (disciplinary actions).

The descriptions given indicate the extent of the particular delegations which are envisaged. Item 2 is, it is clear, a narrow delegation, due to the nature of the particular subject matter where unity of interpretation is essential. Items 14, 15, 24, 27, and 30 are generally described in terms indicating that "most" decisions would be made at the regional level. This means that the most intricate and difficult cases only would go to Washington. Other delegations are described without limitation, and it is expected these would without exception be finally decided at the regional level.

Part II shows housekeeping and administrative activities now performed at the district level which would, instead, be transferred to the regional offices. With respect to liquidation of change and drawback entries explanation is given of the reasons for the change as well as an outline of the plan to maintain employees at the district level to resolve problems presented by importers.

The extent of the list of functions under part III gives assurance that the establishment of regional offices would not result in reduction of services now provided to shippers, importers, and travelers at the district and port offices and it gives examples, in this connection, of the functions which would thus remain at these offices.

PART I—continued

Functions and activities considered for transfer to proposed offices from the central office—Continued

There follows a list of some of the activities and functions now performed at the Bureau headquarters which it is contemplated would be transferred to the regional level. These matters are under continuing study and no firm commitment can be made at this time to implement all of these transfers, nor is this intended to exclude other transfers of functions which study may prove to be desirable.

Remarks
2. This would substantially reduce the number of requests for decisions now being received at the Bureau headquarters.
4. Generally the Commissioner's authority to decide penalty matters is limited to cases involving less than $100,000 except for a number of clearly defined types of cases for which he has complete authority. Additional delegation to regional Commissioners would provide more expeditious treatment of

PART I—continued

***Functions and activities considered for transfer to proposed offices from the central office*—Continued**

There follows a list of some of the activities and functions now performed at the Bureau headquarters which it is contemplated would be transferred to the regional level. These matters are under continuing study and no firm commitment can be made at this time to implement all of these transfers, nor is this intended to exclude other transfers of functions which study may prove to be desirable.

Item	Remarks
	penalties. A study is presently being made as to the type of cases that would be delegated to regional Commissioners.
5. Hours of service.	5. Authority to establish or change hours of service at ports of entry would be delegated by the Bureau to the regional levels relieving the Bureau of a function that can better be handled at or near the locations when changes in hours of service are proposed.
6. Liaison inspections.	6. Systematic evaluations of field operations would be provided by liaison officers at the regional levels. Bureau liaison inspections for the most part would be restricted to the more complex problems and inspections cutting across regional lines.
7. Responsibility for budgetary functions including responsibility and authority to transfer funds between financial plans in the region.	7. A single allotment would be made to each regional office. This would place total financial responsibility in the region and permit greater flexibility and maxium utilization of available funds. It would also reduce the workload burden at the Washington level by decreasing from 47 to 6 the number of offices supervised.
8. Field-level management analysis studies of planning, staffing, organizational, and procedural matters.	8. This effort would support the Bureau-wide management analysis program. The regional staff would identify new or emerging problems peculiar to the region and bring these matters to attention with recommendations for solution.
9. Maintenance of detailed general ledger accounts.	9. Because of wide dispersal and inadequate staffing general ledger accounts are not now maintained in the field offices. The maintenance of these accounts at regional level would substantially reduce the detailed accounting at the Washington level.
10. Summary collection and appropriation accounts.	10. The Bureau headquarters would receive a consolidated collection and a consolidated appropriation account from each region rather than from 47 separate offices.
11. Questions from importers and the public pertaining to the various overtime laws and fiscal procedural matters.	11. It would no longer be necessary to forward to Washington most questions of this nature.
12. Approval of cartage contracts.	
13. Time and leave questions now submitted to the Bureau headquarters.	
14. Disposition of unclaimed, abandoned, and seized merchandise.	14. Most cases would be closed at regional level.
15. Disposition of claims (overtime claims filed by employees, death claims filed by survivors, etc.)	15. Most claims would be settled at regional level without referral to Washington.
16. Issuance of travel authority in regions.	16. Now performed in Bureau except for travel entirely within a collection district.
17. Authority to make cash advances for change-making purposes.	
18. Authority to establish imprest funds for small purchases.	
19. Authority to appoint certifying officers in the regions.	
20. Disposal of fiscal records.	20. Subject to standard disposal instructions.
21. Matters pertaining to procurement contracts.	21. Subject to established contract appeal procedures.
22. Utilization of surplus and excess property.	
23. Procurement of space and rentals—including regional negotiations with the General Services Administration.	23. Regional offices would establish long-range plans for replacing furniture and equipment, which plans would be consolidated into an overall plan by the Bureau. At present each district has primary responsibility for space and facilities in his jurisdiction. The division of responsibilities in the Bureau does not provde a centralized authority for facilities management and planning.
24. Decisions pertaining to property management.	24. Not including final decisions on such matters as selection of sites for Customs houses.
25. Control and use of Government vehicles, including regional negotiations con-	

PART I—continued

Functions and activities considered for transfer to proposed offices from the central office—Continued

There follows a list of some of the activities and functions now performed at the Bureau headquarters which it is contemplated would be transferred to the regional level. These matters are under continuing study and no firm commitment can be made at this time to implement all of these transfers, nor is this intended to exclude other transfers of functions which study may prove to be desirable.

Item	Remarks
cerning General Services Administration motor pools, etc.	
26. Procurement and use of customs seals.	
27. Position classification.	27. Probably some upper grade limit would be fixed and, likely, key positions would be excepted from this delegation.
28. Regional training program.	28. This would be largely a new responsibility rather than a transfer of a function from the Bureau headquarters. It would improve the efficiency of the field service.
29. Recruitment, selection, inservice placement, and promotion at all levels except executive and middle-management positions.	
30. Authority to take disciplinary actions.	30. This would reduce the number of cases coming to Washington but would not diminish right to appeal to higher authority.
31. Authority to grant recognition to employee organizations under Executive Order No. 10988, except exclusive recognition.	31. Appellant procedures to remain unchanged.

PART II

There follows a list of some of the activities and functions presently performed at the district level which it is contemplated would be transferred to the proposed regional offices. For the most part, these are housekeeping and administrative tasks which could be performed more uniformly and more economically at regional offices. Consolidation of these services would permit the establishment and full utilization of an adequate administrative staff. Also, relieved of these service-type functions, district personnel could devote full effort to the day-to-day operational problems at the various ports and stations. This concentration of attention on operational matters would result in faster and better service to importers, exporters, and the traveling public.

Item	Remarks
1. Liquidation of change and drawback entries (see remarks for variance from recommendation).	1. This function could be performed most efficiently in centralized offices where adequate training could be given, the flow of work would permit full manpower utilization, optimum supervisor-employee ratios could be maintained, and the quality of the work better controlled. However, it is planned to maintain at the district level and at the larger ports within a district a sufficient number of well trained, knowledgeable employees to resolve problems relative to liquidation of all entries including drawback submitted by importers and answer questions relating thereto. This liquidation assistance service to importers at the district level was not a part of the recommendation of the study group.
2. Personnel work now being performed at the district level.	2. Normal personnel management responsibilities would continue to be performed at the district and port levels.
3. Fiscal.—Most of the work now being performed at the district level, except collecting, classifying by account number, and depositing payments received (cashier functions).	3. This contemplates that when fully implemented the Bureau headquarters office would concentrate on developing plans, policies, and procedures for overall financial management operations; most of the detailed fiscal and accounting work would be performed at the regional level; and the district office would be free to give full attention to better serving shippers, importers and travelers.

PART III

With the establishment of regional offices and the transfer of the functions listed above certain basic objectives of good organization, not now possible to achieve, could be obtained. Among these are: (1) A realistic span of control at Bureau, regional, and district level, (2) unity and uniformity of command not possible with the present fragmentation of authority, and (3) a larger portion of the direction and authority over functions and activities of the Bureau of Customs lodged outside Washington and nearer the operating level.

The establishment of regional offices would not result in any reduction of services now provided to shippers, importers, and travelers at the district and port offices. Relieved of most administrative duties, local officers would be better able to cope with day-to-day operating problems. All of the normal customs functions would remain at the district and port offices. These functions would include, but not necessarily be limited to, the following:

Direct administrative supervision.

Acceptance of all types of Customs entries covering merchandise for consumption, warehouse, temporary importation, exhibition, transportation under bond, etc.

Acceptance of various types of bonds relative to production of missing documents, redelivery of merchandise, exportation of merchandise, payment of amounts due, etc.

Furnishing information in person, by telephone, and by mail, concerning all types of importations such as those covering quota merchandise, narcotics, gold, arms and ammunition, etc.

Examination and appraisement of merchandise.

Inspection and release of imported cargo.

Clearing passengers arriving by all types of carriers.

Discharge, examination, and delivery of passengers' baggage.

Registration of foreign articles taken out of the United States.

Acceptance of estimated duties and/or taxes paid at the time of entry.

Acceptance of additional amounts found to be due upon liquidation.

Acceptance of protests to classification decisions.

Acceptance of appeals to reappraisements.

Acceptance of drawback claims.

Boarding of vessels and other carriers.

Entrance and clearance of vessels and aircraft in international trade.

Assessment of tonnage taxes.

Issuance of permits to lade and unlade.

Acceptance and approval of requests for overtime services.

Assignment of personnel as needed.

Admeasurement of vessels.

Marine documentation.

Renewal of licenses, change of masters, recording bills of sale, preferred mortgages, etc.

Authenticating, verifying, and filing shippers export declarations.

Examination and inspection of export shipments.

Direct supervision and control of merchandise in bonded warehouses.

Direct supervision of operations of foreign trade zones.

Enforcement and investigative functions.

Port patrol functions.

Maintenance of records of liquidated entries.

Consultations with importers with a view to answering questions and resolving problems relative to liquidation of import and drawback entries.

Organization and administration of customs sales of unclaimed, abandoned, and seized merchandise.

STATEMENT OF PROBABLE SAVINGS RESULTING FROM THE REORGANIZATION OF THE BUREAU OF CUSTOMS

The application of modern management concepts to the Customs Service will bring about substantial savings for the taxpayer which in a few years will total approximately $9 million annually, more than 10 percent of the present annual budget of the Bureau of Customs. These savings are broken down as follows:

Economies dependent on abolition of offices of 53 Presidential appointee positions, $1,248,000.

Economies dependent on new legislation authorizing a number of technical innovations which would permit savings here and there without sacrificing the basic objectives of the tariff act. For example, it is estimated that $200,000 would be saved if the value limitation for formal entries were changed from the present ceiling of $250 to $500. This change would permit importers to file informal entries rather than formal customs entries in more than 200,000 instances each year. The unit cost to process on informal entry is at least $1 less than the unit cost of processing a formal entry, $2,135,000.[1]

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[1] This is the estimate made by the survey group on the basis of fiscal 1964 figures. Use of fiscal 1966 figures would increase it to $2,385,000.

Economies resulting from the transfer from the district level to the six regional offices, of responsibility for activities such as administering change entry liquidations, drawback claims, and fiscal operations. This saving would be realized from better manpower utilization. Centralization of the liquidating and fiscal operations would make possible a more favorable ratio of supervisory personnel to working employees than can be achieved in many small offices. For example: We would establish a ratio of 1 supervisor for each 12 Customs liquidator positions, in lieu of our present nationwide ratio of 1 to 3.9 position. Also, in the larger offices it would be possible for liquidation and fiscal employees to specialize or concentrate on fewer phases of these complicated tasks, much as merchandise examiners now do in our larger appraisement offices. This eventually would increase production by at least 20 percent, $1,600,000.

Economies resulting from the substitution of appropriate spot checks for the present policy of 100 percent examination of passenger baggage, $1,661,000.[3] I should point out that this particular saving would accrue to the benefit of the Department of Agriculture rather than the Treasury budget since that Department reimburses Treasury on the theory that Customs controls provide an important safeguard against the importation of dangerous plant pests into the United States.

At the present time it is often a practical impossibility, particularly during peak workload periods, to open every bag arriving with the millions of passengers. Eliminating the emphasis on examining all baggage would permit the concentration of attention on the belongings of would-be smugglers. The objective will be a generally accepted program of voluntary compliance by the traveling public, combined with an effective enforcement program.

I might also add that substitution of spot checks for the present 100 percent baggage examination policy would be instituted only after full advance consultation with the Department of Agriculture.

Economies resulting from development on a port-to-port basis of more efficient staffing patterns, $1 million. This contemplates a careful appraisal of the conditions at each port of entry after which work measurement standards would be developed and applied. The estimate of savings assumes a 5-percent increase in the effectiveness of the customs inspection activity, which presently costs approximately $20 million annually.

Economies resulting from various other administrative actions intended to streamline Customs procedures, $3,400,000. Illustrative of what we have in mind under this category, it is estimated that $160,000 would be saved if the value requirement for reporting initial shipments to the Customs Information Exchange were raised from $250 to at least $500. Another $300,000 could be saved by integrating collection and appraisement activities relating to the determination of rates of duty, on and value of, imports. This combination of activities would eliminate the need for Customs liquidators to classify merchandise previously advisorily classified by Customs appraisers. It is estimated that 24 man-years of liquidating time plus additional administrative and clerical time would be saved by this concentration of activities.

In addition, under the proposed organization it would be possible to combine many of the present entry division functions with the classification and value activities. These functions would then operate jointly with the appraisement procedures. This combination would make possible optimum supervisory and staffing ratios, eliminate duplication of effort, and result in an estimated saving of $250,000.

The above savings would total approximately $11 million. From this, however, it would be necessary to subtract about $2 million for new staffing requirements of the Customs modernization program. This will leave an ultimate net annual saving of approximately $9 million.

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[3] This is the estimate made by the survey group on the basis of fiscal 1964 figures. Use of fiscal 1966 figures would increase it to $2 million.

SECRETARY FOWLER'S NEWS CONFERENCE

Mr. HARTKE. Mr. President, at a news conference last Thursday Secretary of the Treasury Fowler made a statement concerning the gold position of the Treasury and the prospects for the future in the effort to meet our balance-of-payments problem. I ask unanimous consent that the remarks of Secretary Fowler may be included in the CONGRESSIONAL RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY THE HONORABLE HENRY H. FOWLER, SECRETARY OF THE TREASURY, AT A NEWS CONFERENCE, THURSDAY, MAY 13, 1965, 2 P.M.

The weekly gold figures which the New York Federal Reserve Bank will announce later this afternoon show a $60 million reduction in the Treasury gold stock, bringing the gold loss this year to $1.035 billion.

The most important single reason our gold outflow this year has been high is precisely because it was so low last year—$125 million—despite the fact that our balance-of-payments deficit ran over $3 billion.

Much of the gold loss so far in 1965, therefore, represents conversions of dollars accumulated by foreigners last year. Another factor, only partly related, is the decision by the French Government to make substantial gold purchases from the United States—purchases which represent more than half of our gold loss so far this year. But, as I have said before, we can certainly expect significant gold losses so long as our balance of payments stays in deficit.

Thanks in part to the President's program to reduce capital outflows through the voluntary cooperation of the banking and business community, the deficit in our international payments was cut substantially during the first quarter of this year. We will show a surplus in March and hopefully also in April. Details will be issued by the Commerce Department shortly, but I can say that the first quarter of this year will show a seasonally adjusted deficit of somewhat over $750 million on regular types of transactions. This is just about one-half of the deficit in the fourth quarter of last year.

We expect that the voluntary program will continue to be effective, but let me caution you vigorously against interpreting these results as indicating that the battle has been won.

We must avoid undue optimism that can arise from reports that do not take into account all the factors affecting the balance of our international payments. The voluntary program, which is of the utmost importance, nevertheless concerns only certain specified transactions on which business firms were asked to report. It does not take into account other highly important factors affecting the balance of our payments, such as imports and tourist expenditures, or even military expenditures abroad during 1965.

Even when all factors are considered, we must avoid undue optimism based upon no more than one or two favorable quarters.

Our balance-of-payments deficit did not develop overnight and we don't expect to be able to solve it overnight. We have made substantial progress during the last few years. We expect to make more progress in the immediate future. Despite the rough sledding that we are sure to encounter, I have every confidence that the United States has the will and ability to reduce and eventually eliminate its payments deficit and I intend to see that every effort is made to achieve that goal just as soon as possible.

EXTENDING HIGHWAY TRUST FUND FINANCING

Mr. HARTKE. Mr. President, Consolidated Freightways is the Nation's largest motor carrier. In the current April–May issue of its house organ, the Freighter, the president of Consolidated Freightways has written an article concerning the problem of financing the added costs of the Interstate Highway System to which President Johnson referred in his excise tax message to the Congress today. It is worth noting that in that article, speaking for the industry, Mr. William White has, before the recommendation of the President was known, taken the position which we are now asked to adopt: extension of the present highway trust fund taxes for a few months beyond the present expiration date.

I ask unanimous consent that the article to which I refer may appear in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PRESIDENT TALKS ABOUT HIGHWAY PROBLEMS AND PROGRESS

The Nation is enjoying encreasing benefits now in travel time and convenience as the Interstate Highway System passes the halfway mark toward its scheduled completion in 1972. Almost 25,000 of the planned 41,000 miles of modern multilane roads are now open to traffic or under construction.

The Interstate System will have the public's attention in coming months for another reason, too. It is now evident that it will cost considerably more than estimated in 1961, when Congress last acted on the highway network's finances.

When both costs and highway trust fund tax yields are considered—both of which will exceed original expectations—the net deficit comes to about $3.1 billion.

These added costs will involve certain gains for the highway users. Federal Highway Administrator Rex Whitton has stated that more than 60 percent of the cost increase can be accounted for by "improvements incorporated into the system to provide increased service, safety, and longer highway life."

These improvements, he said, were brought about by changes in the law, in traffic data, and better knowledge of highway design, with only about a third of the new total attributable to increases in land acquisition, engineering, and construction prices occurring since the 1961 estimate, and projected to the 1972 Interstate completion date.

Where to get the added $3.1 billion, however, is the question now facing Congress.

Several possibilities are being considered. One (which I personally favor) would extend the tax collection period for 9 months. This would more than produce the needed additional funds.

Another proposal would transfer to the trust fund some of the other automotive taxes now going into the general fund for nonhighway purposes, while a third possibility would be a combination of extended tax collections and an increase in some highway user taxes, these to be directed primarily at commercial users, including trucks.

Our industry will advocate a solution to this problem which does not involve a tax increase, for several reasons:

First, highway users—cars, trucks, and buses—have paid the entire cost of the Federal highway program, both the interstate and the $1 billion which annually goes for State primary and secondary roads and city streets—as well as most of the States' highway funds. This comes to about $3½ billion per year, and will total nearly $55 billion during the Interstate program.

Through nondedicated automotive taxes, highway users already pay more than $2¼ billion annually into the general fund for nonhighway purposes. And although a thorough Bureau of Public Roads study in 1961 assigned 8 percent of highway cost responsibility to nonuser beneficiaries, representing benefits from streets and roads enjoyed by the general public and the government, excluding national defense, no general fund money goes into the Federal-aid highway program.

Noteworthy, too, is the fact that truck taxes have accounted for 38.6 percent of all Federal highway user taxes going into the highway program since the trust fund was created. This amounted to almost $8 billion through 1963, will be well over twice that amount for the full 16-year period. Trucks have also paid an extra $1½ billion into the general fund since 1956, and are paying a third of all State highway user taxes as well. Federal and State highway use taxes paid by Consolidated Freightways alone amounted to over $7,450,000 in 1964.

Our industry was among the first to give firm support to the Federal Interstate Highway construction program prior to its enactment in 1956, although it involved payment of vastly increased Federal truck taxes for 10 years before the roads themselves would offer any substantial benefits.

In 1961, when the original interstate cost estimate of $28 billion was increased to $41 billion, we accepted heavy increases in these Federal highway taxes to keep the program on schedule.

This $3.1 billion deficit can best be met by simply extending existing taxes for a 9-month period. Increased taxes would be unfair, and are not necessary to solve this problem.

This will be your industry's position as Congress considers this matter in the months to come. We feel it will be helpful to you to know the basis for it.

BILL WHITE.

JUVENILE CRIME

Mr. TYDINGS. Mr. President, every day for the last 2 weeks the Washington Post has printed a series of articles on juvenile crime. The material for the series was gathered by a team of reporters: John J. Carmody, Bart Barnes, Dorothy Gilliam, Jesse W. Lewis, Jr., and Dan Morgan. In this excellent 12-part series, the authors have examined the minority of your young people who are involved in crime. The reporters, who obviously have spent a great deal of time and effort in studying these situations before writing about them, deserve much credit.

Mr. President, most of us in this Chamber are concerned with the problems of juvenile delinquency; and I highly recommend these articles to all Senators.

I ask unanimous consent that all 12 of the articles be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

In Suburbs and Slums, 50,000 Youngsters Live "on the Fringe"—Children and Society: Partners in Crime?—Part I

(Note.—Juvenile crime, one of the major problems of our time, is no respecter of background. The young people involved live in rich suburbs as well as city slums. Their fathers are professional men as well as laborers. Their race is white as well as Negro. This 12-part series examines that minority of America's young people that is involved in crime. It focuses on those on the fringe who are about to choose between lives of respectability and lives of crime.

(The material about these youths, their problems and their chances was gathered by a team of Washington Post reporters—John J. Carmody, Bart Barnes, Dorothy Gilliam, Jesse W. Lewis, Jr., and Dan Morgan. They spent weeks talking with parents, teachers, policemen, psychiatrists, social workers, ministers, judges and, above all, the young people themselves. The incidents mentioned in these articles have happened. Names have been changed to protect those who spoke frankly; but the stories of these young people are true.)

MEET THE COLONELS; BLACK-JACKET PUNKS AMID FANCY HOMES

(By John J. Carmody)

It is a fine spring afternoon in a certain northern Virginia suburb. A little too early for the children to be home from school. A little too nice to stay indoors.

So your wife takes the station wagon and drives out past the $60,000 homes under the heavy old trees, out to the shopping center. She stops in front of the drugstore, and standing there joking around are six hoodlums.

They are wearing their too-tight pants and their Fabian hairdos, and across the back of their black leather motorcycle jackets is the word "Colonel" stenciled in white.

They are standing at the heart of a suburban community whose main reason for existence is to provide a well-mannered escape from city crime for families with money and foresight.

When you get home from the office that evening your wife asks you why they are there. You, of course, have never seen or heard of the Colonels.

So you ask around and you discover that here in Mr. Novak country—where 8 out of 10 youngsters in high school automatically go on to college—the Colonels have been raging for more than 3 years. The local policeman shakes his head and tells you the Colonels are "vicious and sadistic."

You find out, too, that the Colonels are not invaders from a city slum. They are part of your own suburbia.

BLOOD AND REVENGE

You go to your high school daughter or son and you listen to some of the awful details about the Colonels.

Several months ago, five Colonels seized a hard-working young scholar at a high school dance, took him out to the parking lot and beat him senseless. Then they dragged him across the lot by his hair until it was pulled bloody from his head.

When an English teacher flunked one Colonel, the gang roamed into a distant suburb and, armed with tire wrenches, systematically destroyed the teacher's automobile on the street where it stood. The teacher soon resigned and left the Washington area.

At a neighboring high school dance last fall, a group of Colonels suddenly strode onto the bandstand during intermission. Using the hand microphone as a weapon, a Colonel mercilessly beat one of the teenage musicians while hundreds of young dancers stood by in fear.

When the Colonels recently held what law officials called a "wild party" at the home of a girl whose wealthy parents were out of town for the night, neighbors called authorities to complain about girls screaming. The lone police officer who answered the call was beaten up and driven off by the Colonels.

All this in your handsome suburb where the spanking new high schools are filled with a sense of bright tomorrow and the school parking lots are filled with students' sports cars.

All this in your handsome suburb where the official 1964 crime statistics state that only one child in a thousand is ever arrested for a crime of violence against a person.

Just who are these Colonels, these hoodlums who thrive in a suburb where the American dream suggests their kind should not even exist?

Do these middle-class terrorists really differ in kind or quality or chance for rehabilitation from their poverty-stricken brothers-in-crime living deep in the broken heart of downtown Washington?

Do unloving or troubled parents spawn the criminal rich as well as the criminal poor?

Is the cry for attention and the means of making that cry heard the same from the troubled suburban youngster as from the impoverished city youth?

Is adolescent crime—the act itself—as violent in the suburb as it is in the slum?

Is the usual juvenile crime as empty and profitless in Mr. Novak country as it so often is in the ghetto?

And most importantly, perhaps, does the complex, cold culture of downtown Washington offer as much chance of rehabilitating its criminal young as does the closely knit, attentive society of the middle-class suburbs?

These are some of the questions this series will explore.

The youngsters in the series are real. And they are typical of the frightening total of 50,000 Washington area youngsters who already have some kind of police record.

Statistics foretell the relentless trend: 10,000 of those youngsters are doomed to join the hard core of repeaters, with all the frightening chances of escalating their crimes towards the ultimate violence—murder.

And there are 25,000 more youngsters waiting every year to enter this crime "pipeline."

In Mr. Novak's antiseptic television suburb, the answers to all this come a little easier than they do in the city. In any middle-class suburb, there is a sort of conspiracy of kindness to save its youngsters.

But if the answers come easier in the suburbs, the dilemma is more acute. Side by side with the suburbs desire to discipline its criminal young is a tendency to let them off easily or, as in the Colonels' case, with no punishment at all—a tendency, thus, to foster and harbor young crime.

This dilemma was nurtured in a thousand colleges a generation ago, when today's suburban parents took half-forgotten courses that taught them the causes of social disorder and gave them the capacity to understand and sympathize with its victims.

The dilemma is sustained daily by a vast machinery for softening the blow—in the well-mannered offices where suburban fathers are "allowed to resign," in the suburban block where the family of a child in trouble lives next door to a good lawyer, in the lodges and community services where the suburbs' entire law establishment—policeman, probation officer, social worker, juvenile judge—is knitted in friendship, in the schools where student, teacher, and administrator are all oriented toward "success" of the student.

In the slums, the fight for attention is as simple as a pair of $40 shoes or a right to the jaw of somebody who has the $40.

In the suburbs, the fight for attention is within a whole community that already has good shoes. So the Colonels buy black leather jackets, a lonely status symbol in a whole world of status symbols.

The machinery of young crime is tragically different in quality and quantity, in love and indifference, in motives and drives, in the suburbs and in the broken heart of the city.

This series will examine both of these breeding grounds for the unwitting partnership of young crime and the community.

[From the Washington (D.C.) Post, May 4, 1965]

Leroy the Mugger: He Finds Status in $40 Pair of Shoes—Children and Society: Partners in Crime?—Part II

(By John J. Carmody)

It is such a unlikely shrine for young criminals.

It is one of the places that signal success in America, paneled in dark woods and hushed with rich carpets and clerks' whispers.

It is the shoe department in one of the best men's stores in downtown Washington.

This is Gentleman's Quarterly country. Some of the most important men in Washington buy their shoes here.

Leroy and Solo are knockout men. They roam the night streets of Washington and one of them, Leroy or Solo, steps in front of an old woman with a purse, or a bum with the price of a wine bottle, and hits his victum on the head while two other youngster—the lookouts—keep an eye out for the cops.

They hit people on the head to get the money to buy kicks—shoes.

THE ONLY SYMBOL

On the narrow street where Leroy lives, where children use empty beer cans for toys, shoes are the only status symbol some youngsters will ever have.

That and the act of violence it may take to get the shoes.

Out where Leroy and Solo live, the poverty of the imagination can match the poverty of the dirty streets. In a world where you have nothing, the policy runner's Cadillac is everything. And the $40 pair of shoes is the juvenile criminal's Cadillac.

A psychiatrist even finds a psychic kinship between the $4,000 car and the $40 shoes.

"They are a sign of mobility, a way of getting around," says the psychiatrist. "Shoes are a sign of escape to a youngster trapped deep within a neighborhood and a life from which he is convinced he can never really escape."

And they are a sign—a password—among the impoverished that this youngster, the one in the good shoes, has arrived.

Down where Leroy and Solo live, they look at the new shoes and tell each other: "That Leroy, he's saying something."

CRIME FOR CRIME'S SAKE

The psychiatrist stresses over and over the "useless" aspect of juvenile crime, the nonutilitarian nature of vandalism, and the wasteful ways in which the young criminal spends his stolen money.

Out in the suburbs, almost all juvenile crime seems to be meaningless, to be crime for crime's sake.

Down where Leroy and Solo live, there's a fine line between crime for crime's sake and the crime to put food in your mouth and shoes on your feet. But even that line begins to fade when the one pair of shoes that a young boy owns is a $40 pair of shoes purchased in the very best store in the city.

The manager of the shoe store will tell you where Leroy and Solo fit in the economy of the fine-men's-wear world.

At his particular store—and the pattern is the same at a half-dozen like it—more than half the shoe department's customers are youngsters under 19 and most of these are Negroes. A disturbing percentage are otherwise clad in little more than hand-me-downs.

"They're awfully nervous and self-concious sitting there getting their $40 pair of shoes," the manager says.

LOOK FOR THE SHOES

One of the clerks acknowledges he is sometimes suspicious.

"Yes," he says, "I see one of these kids order two pairs of $37 shoes and he peels off five $20 bills and I do get the feeling that he's gotten the money someway he probably shouldn't have."

A detective spells it out:

"It's one way we have of solving a purse snatch or a roll job if we have a pretty good idea who the knockout man was.

"We stroll around the neighborhood a day or two later and you can spot that new pair of real good shoes, and if you're lucky you can get him to tell you about it."

But you press the robbery detective and he will say no, they "don't make it a policy" to question shoe salesmen on a regular basis.

"These fellows are working on commission," he says. "It would be fatal for their business if all their customers began to lose confidence in them because the clerks 'stool' on them."

Shoes. Kicks. Status for the poverty-stricken young.

TWELVE LEFT SHOES

And there are the sad variations on this theme in the broken heart of Washington.

The youngster who does not steal, who hasn't got the "bread" for the rich shoes, buys a $10 pair in his own neighborhood and then rides downtown to the same hushed shoe department where Leroy goes.

He pays 25 cents for an empty shoe box with a fancy label on it, then goes back to his neighborhood and walks around a little with the box for all to see before he puts on the new shoes.

And in that richly carpeted shoe store, the manager sighs and tells you he is stuck with 12 expensive left shoes. The boys help themselves to the displays when a clerk isn't looking—and at that store they only display shoes for the right foot.

Leroy and Solo are youngsters who may quite literally go to prison for the shoes on their feet.

These are tragic youngsters who see status in shoes but see no loss of status in going to prison.

Out in the suburbs, a gang called the Colonels affects the clothing of the poor—the blue jeans, the leather jacket, the Beatle boot—as a status symbol, an attention-getter in a world of good clothes.

Down in the broken heart of Washington, Leroy and Solo affect the clothing of the wealthy as a status symbol in a world of no status.

And our community feeds the hungers of Leroy and Solo in a hundred daily shiny advertisements and a thousand television commercials.

In the suburbs—where the Colonels have gotten away with violence for 3 years just for the dilettante's hell of it—the community marshals its kindly defenses to wean the bad boys away from their cruelty.

But deep in the broken heart of the city where there aren't so many kindly, well-intentioned parents, the community squares its impersonal defenses to wean Leroy and Solo away from their hungers. But it never stops titillating their appetites.

[From the Washington (D.C.) Post, May 5, 1965]

"I Give Up on You," Says Your Mother, So You Steal a Car—Children and Society: Partners in Crime?—Part III

(By John J. Carmody)

Out in this rich Northern Virginia suburb is this kid Tommy. Part punk, part FBI statistic, part just so lonely he'll steal a $5,000 automobile so he can listen to a car radio on a springtime night.

Out in the suburb where Tommy lives, the whole place is a kind of status symbol. So the teenager's fight for attention often takes a cheap or a sensational turn—the $150 motorcycle in a world of sports cars—for the wry pleasure of hearing Mother and Dad ask: "What are the neighbors going to think?"

That is what Tommy's mother says every time Tommy gets into trouble.

Tommy's mother has even started saying, "I've given up on him." She tells it to anybody who'll listen—the school principal, the probation officer, the policemen.

That way, she is joining the other side right at the start, getting on the bandwagon, shaking her head along with the neighbors. Tommy understands. He knows.

THE HARD WAY

At Tommy's high school, 80 percent of the students are going on to college. Tommy calls them skinheads. They call Tommy a grease.

Tommy is one of the 20 percent with no college in his future. His principal figures that is because there is no college in Tommy's past.

"Tommy's father is an electrician, a good one," says the principal.

"But he made his nice, neat, red brick home out in the suburbs the hard way, with a working wife at his side, and he has thought right from the first day that Tommy should make his the hard way too."

But at a high school like Tommy's, there aren't any good woodworking shops or metal shops for greases to make grades in.

So the teacher hands Tommy a copy of "The Bridge of San Luis Rey" and some "History of the United States" and a physics book on "Earth, Sun and Space" and tells him to pay attention there in the back of the room.

And pretty soon Tommy or some other grease starts acting up in class out of sheer, minute-by-dull-minute boredom, maybe unzipping his pants in front of a woman teacher. And the next thing you know, he's up in the principal's office.

A FORGED NOTE

Out in Mr. Novak country, the school administration is pretty good about letting the students smoke, and it understands about the beer drinking when they are 16, too.

Doesn't condone it, mind you, but understands that in homes where the first thing Dad does when he gets home from the office is mix a highball and light up a cigarette so his son is naturally going to do the same thing.

So if you are a grease and your mother is a little square and doesn't even want you smoking around the house where all the hard-earned expensive things can burn, you forge a parents' note for smoking when you are 16 and then smoke out in the school hallways, instead of the assigned smoking area, just to make your point.

Out in Mr. Novak country, the skinheads mostly wear ties and goodlooking shoes and get a crewcut. So if you're a grease you wear too-tight blue jeans and Beatle boots and keep your hair up in one of those wild Fabian cuts and maybe pull your shirttail out for the hell of it. That can get you into the principal's office for a chat, too.

JUST A JAB

Then one day Tommy sneaked a knife into school and cut another student with it.

The next thing you know, the principal calls the police and Tommy gets charged with assault and his mother comes up to the school and says: "I believe you, Mr. Principal. I can believe this Tommy will do anything" and takes him home and whales him and won't let him out of the house for a month.

But then the skinhead's parents ask the principal to drop the charges, and nothing really happens to Tommy at all.

THE OLD MAN—ZERO

Tommy thinks his mother is an old bitch. But the old man, he's a zero. A nothing.

His parents drive away from the house every morning at 7:30 for their Government jobs in Washington and they get back at 5:30 that night, and you think Tommy ever hears a word from the old man?

Oh, a couple of times he's gotten that No. 1 speech about how the old man made it the hard way and you can damned well try making it the hard way too, and then the old man stamps out to his garage and his lathe and his saw and his furniture that nobody can sit on after he makes it.

But Tommy's mother makes up for the old man's silence. She's always whining about how hard she works and nagging at Tommy just for being there in the house.

Down in the impoverished heart of Washington, the mother is all too often powerless in a family that has no father, or a father who has let his poverty break him. So the slum mother must watch helpless, too burdened herself, unable to shield her youngster from the neighborhood that is nothing more than a factory for crime.

Out in the suburbs, the mother has that power. But the neighborhood all too often will not give her the time to use it. Golf clubs beckon, and good paying middle-class jobs call.

And so Tommy's mother and father become passive partners in his growing acquaintanceship with crime.

THE SYNDROME

Out in the suburbs, the troubled youngster comes from a troubled home as surely as does his counterpart in the worst slum.

Surburban social workers even have a phrase for it—"the lieutenant colonel syndrome"—to stand for the broken home and the factors that break it.

Fathers who reach a certain plateau of success in a world that they think is measuring a man too closely suddenly start to drink or seek reassurance in outside love affairs. The resulting heartbreak at home shakes the stability of the teenage son.

Or the bored housewife-mother begins to play around.

Or the too-busy parents try to buy their children's love with an absentee permissiveness.

Or, like Tommy's mother and father, they forget their child almost entirely in the day-to-day fight to pay for a new car and put something away against a rainy day. And they poison any outsider's interest in their wayward young with a worried "What will the neighbors think?"

PASSPORT TO CRIME

So the young men like Tommy come home to their empty middle-class houses from the high school where they are taught what they don't want to learn, looking for something to do in a suburb where there is nothing left to buy that they don't have already.

And one day Tommy takes his nagging teenaged loneliness down to the shopping center, this mock Williamsburg where the Colonels hang out in their black leather motorcycle jackets.

His passport is his being there in the afternoon sun when everybody else is in school. His credentials are suspension for illegally smoking in school and his surly knowledge of the local policeman.

Tommy is a crime statistic about to happen. There are cars with ignition keys left in them in the shopping center lot, and the Colonels like to drive them.

Down in the slums of Washington, you go next door for trouble. Out in Mr. Novak's country, you have to look a little harder, that's all. And maybe go a little farther for your illegal beer.

[From the Washington (D.C.) Post, May 6, 1965]

LEROY BEAT UP THE HALFWIT FOR $25? DAD SHRUGS AND RETURNS TO HIS WINE—CHILDREN AND SOCIETY: PARTNERS IN CRIME?—PART IV

(By John J. Carmody)

Leroy is a handsome, broody youngster with an athlete's shoulders, a thin mustache, an amiable ghost for a mother and a two-bottles-of-wine-a-day father.

At 16, Leroy is a bundle of contempt in a $40 pair of shoes, with an escalating history of violence and an anger that stares out of his eyes whenever he feels he has been crossed.

And this afternoon, down in the gloomy basement apartment where Leroy lives, Leroy's buddies are feeding that anger by talk about killing the halfwit runnner for the local liquor store.

The feeble old man had been a source of walking-around money for Leroy for a long time. Leroy would wait in the alley next to the liquor store around 9 on nights he needed cash, knock the old man on the head and take the sure-thing $25.

Of course, the old man knew Leroy. He had been taking wine to Leroy's daddy long as he could remember. But 2 weeks ago, when Leroy hit him and the store owner got real mad about losing the delivery money again and threatened his job, the old man finally caved in and told the police who it was that had been using him for a punching bag for so long.

Poor old halfwit. Now he's become a stoolie. He's broken the code down where Leroy lives. You break the code where Leroy lives, and he gets that look in his eyes.

So this afternoon these kids are talking about killing that old man. Just talk mind you, because this time the Juvenile Court probation officer is leaning pretty hard on Leroy.

This time, it looks like Leroy is heading for "a summer camp," meaning Cedar Knoll, the District of Columbia's institution for youngsters 15 years and older out in the Maryland woods. When you live in the slums, Cedar Knoll really can seem like a summer camp, with its TV cartoons and its three meals a day.

But now this probation officer has been nosing around Leroy's basement apartment, talking to his mother and father, and reluctantly coming to the same contemptuous conclusions about them that Leroy has held for so long.

The probation officer has to come pretty early in the morning to get any sense out of Leroy's father.

He works at one of the big new hotels in town, pushing a broom around a ballroom to earn his wine money. The broom job is from 8 in the morning until 5 in the afternoon. The wine starts in the morning.

Leroy's father has a gentle, care-worn, bewildered look that he may have brought with him from the South Carolina hills 40 years ago.

He never has struck his son. After work he sits for long hours at the kitchen table, never saying a word to his wife except sometimes nodding and mumbling "yes" to some easy question that penetrates his numbed mind.

Leroy speaks acidly about his father for spending so much of his $75 weekly check on his daily two bottles of red wine.

But if one of the guys hanging around the parlor makes a smart remark when the old man shuffles in and goes through the elaborate alcoholic courtesy of shaking everybody's hand, Leroy's eyes turn to ice. Sometime soon he will get the guy who made the crack, you can be sure of that.

When the probation officer told Leroy's father that his son had assaulted the old man at the liquor store who had brought him so much wine, Leroy's father said, "Is that a fact?" and looked sad. That is all he said.

Leroy's mother works part time as a domestic in some of the near-downtown white apartment houses. She is a neat, happy-countenanced woman who slips almost unnoticed through the narrow halls of her home.

She never has struck Leroy, either, according to the probation officer. The only time you hear her voice raised is when Leroy's record player is so loud the neighbors start pounding on the upstairs floor.

She is faintly proud of Leroy. And when the guys—the five youngsters who have been real close to Leroy since childhood—are sitting around the apartment thumbing through a new Gentlemen's Quarterly, picking out some new shoes or sportswear to buy with the $25 taken from the old man in the alley, Leroy's mother will even look over their shoulders and tell her son the clothes she thinks are nicest.

No questions from mother about where the $25 comes from. No suggestions from mother about where the $25 could be spent as they sit in the basement apartment with "Hell is for heroes" scrawled in black crayon on the fading green wallpaper.

No reprimand from mother on that day 2 years ago when Leroy came home from high school after a fist fight with a teacher and turned his truancy into a full-time career. Nothing.

On a narrow street where the little children play with empty beer cans for toys and the teenagers vie for attention with violence and stories of violence and wear rich shoes to bolster their recitals, mother sits in the kitchen.

In a household where the father has abdicated in favor of fortified wine, her silence stands for approval.

Out in the suburbs, the troubled youngster probably comes from a home that has been broken by the good life, where mothers are too busy to care and fathers too indulgent to punish.

Down in the slums, the young criminal probably has never known what a real father is. The same factors that have broken the old man in society work to break him as a father, too.

This is not to say, of course, that an impoverished father is a bad father. America is filled with too many proofs that love and trust can thrive without a bank account.

But sometimes the father's failure in society can taint the air of his home and weaken his control over his kids and goad him into drink. The results are the Leroys of the slums, carrying their contempt for their fathers outside to hit the world with.

In Leroy's house, Leroy and his five slum buddies gather in his basement apartment every afternoon to listen to his records, read his fashion magazines, admire his ill-gotten clothes and accept his plans for a random walk on the night streets.

This is a tragic huddle of youngsters and old people, feeding over and over the social failures that brought them together in the first place.

You look at the five youngsters in Leroy's parlor—Solo and Punchy and Martin and Basil and Comanche—and they have this in common. They have punched the same teachers or swung at the same policemen at one time or another, or at least they say they have.

Their $40 pairs of shoes and their vertical-stripped sports shirts and their handsome raincoats were all bought at the same rich downtown men's stores.

They earn their money in the same ways: with their fists in dark streets, or in calculated shoplifting raids in downtown department stores, or in the pockets of the commuters crowded at a downtown bus stop at 5 p.m.

And their homes are Leroy's home, where the father doesn't count and the mother cannot cope, and neither really cares.

SLUM KIDS' LIES OF ANTISOCIAL DEEDS BECOME TRUTHS AS THEY GROW OLDER—CHILDREN AND SOCIETY: PARTNERS IN CRIME?—PART V

(By John J. Carmody)

Listening on a spring morning, down on the street where Leroy lives, hearing the thudding beat of his record player coming up out of his basement apartment, you get the feeling—the feeling the whole block has—that Leroy down there is really living.

But go down into that gloomy, low-ceilinged parlor crammed with a broken television set and the stereo speakers and Leroy and two of his 16-year-old friends lounging on beach chairs, and you get the impression that they are all hiding from something.

Out on the street, the unattended little children are using empty beer cans for toys and the jobless men stand on the corner by the liquor store doing nothing.

THE STREET

Leroy's street is where the domestics live, the care-worn women who make beds in hotels and hospitals for little pay and less praise. It's where the men, if they do work, are out pushing brooms or moving furniture or stacking lumber or cutting the branches off some suburban tree for 80 cents an hour.

Leroy's street is where the men come from who stand on a busy downtown corner at 6 a.m., waiting for a building contractor to drive up and offer them a day's work at $1 an hour; his contract for the job has a $2.50-an-hour labor cost written into his estimate.

Leroy's street is where long hours of unfair work beg for a brief, uneasy respite with cheap alcohol.

Outside Leroy's basement apartment is a rowhouse with a big blue neon sign that reads "Tourist," on a street no tourist would ever find by himself, but which caters instead to the quick vice of the night streets, where $2 buys an hour in an old bed.

THE LIES THAT HIDE

Leroy and his friends are hiding from the brutal truth of their street. They are hiding, too, from the high school that might help them escape from that brutality.

And there is a great deal of hiding from themselves, of telling lies and half-truths about themselves. These are the slums lies that everybody there has to believe about themselves; they are also the lies that may push them over the precipice into crime and keep them there, the lies that may become truths.

With Leroy and his friends, the lies are about the intolerability of their schools, about teacher brutality, about how they take care of the teachers, and they use the lies to justify their truancy from an institution that in truth simply overwhelms them.

THE FIRST REAL MAN

Their attitude toward school and teachers is born in their homes, and in lack of discipline that rises out of a working mother's long hours away from home or a father's desperate withdrawal into alcohol.

And it is sustained in the matriarchy of the elementary school system, where 92 percent of the teachers are women.

But when kids like Leroy move up to junior high school, they are abruptly confronted with a system in which one of every three teachers is a man—an adult with a will and the physical ability to enforce that will.

As one weary official put it:

"The first time you tell one of these youngsters to sit up in his seat it just very well may be the first time a man in authority has really tried to mend his manners."

Leroy's school pretends there's no real problem. One out of three graduating students moves on to college, and an official emphasizes that "80 percent of our youngsters have never been in trouble with the law."

The official also says that only one teacher has been assaulted in school during the last year, and even that assault came not from a student but from one of the dozens of older men and dropouts who "pop out of the sidewalk around the school at 10 minutes to 3 every afternoon, looking either for a girl or a pal—or for trouble."

DON'T TAKE TOO MUCH

But dig a little deeper and you discover that two male teachers in this District high school carry clubs in class and wherever they go in the hallways.

Press the school official again on the number of skirmishes between students and teachers and he will admit that "you don't take too much from some of these kids who don't know how to behave."

You talk to another school official who claims that some Negro teachers, proud of overcoming their own impoverished starts, are especially harsh with poor Negro youngster who misbehave. They do it not merely because the kids are troublemakers, they are also Negroes, and their behavior reflects on the status the teacher has worked so hard to achieve.

So down in Leroy's basement, with the record player thudding, the youngsters are recounting their tales about Mr. A, down at Leroy's junior high school.

Leroy says that 2 years ago he hit Mr. A with a chair, but when they took him down to juvenile court there were four other youngsters from the same school charged with hitting Mr. A in that same month. And so, Leroy says, he was let off with a warning.

You check with a probation officer and he tells you, yes, there was a youngster who hit Mr. A with a chair and, yes, he was let off because there were four others up for assaulting the same beleaguered man that same month.

But he says it wasn't Leroy who hit the teacher with the chair.

It was a boy we'll call George, and George continued on to bigger things, like stepping from a car on a summer's evening and holding up and shooting dead a young man named Newell Ellison, Jr., who was walking his dog on a fine Washington street—a young man about to begin a college teaching career.

George, of course, didn't realize he was shooting a teacher, but the irony was not lost down in Leroy's basement.

And so the boys talked about George's exploit and embroidered their own, until finally lies became reality. About a year ago, in a school hallway, Leroy really did return a teacher's jostling with an explosive attack on the teacher. Even more real, they threw Leroy out of school for a while.

Officially the high school says no one got punched, teacher or student.

Unofficially, the high school admits that hoodlums sometimes gather on the sidewalk at 10 minutes to 3 and wander the halls and rifle the teachers' desks and look for fights and find them, among the staff, among the men who carry the clubs.

And the stories spread down in the slums, many untrue in the telling, but nonetheless nagging at you.

Leroy is not so terribly different from Tommy, his crime counterpart in the suburbs.

Tommy, too, tells untruths and becomes a believer. He claims he stole nine cars; he was charged with two, and may not have stolen even those.

Tommy, too, has a mother and father who can spare little time or attention for their son. So Tommy, like Leroy, constantly pushes against authority, against discipline, perhaps in search of both.

And down in Leroy's basement, the half-truths draw the hiding boys together as they listen to the records and wait in the gloom for something to happen, while the whole block listens to that thudding beat and thinks that Leroy down there is really living.

[From the Washington (D.C.) Post, May 8, 1965]

TWENTY PERCENT OF SLUM CHILDREN FIND STATUS IN THIEVERY—CHILDREN AND SOCIETY: PARTNERS IN CRIME?—PART VI

(By John J. Carmody)

Down on the street in northeast Washington, the fight—the daily fight—somehow helps make life bearable.

This is a street where men and women stand on corners and lean from windows and sit on rowhouse stoops for hours, waiting for the single flash of excitement—a neighbor's new dress or a sudden shouted argument—that can make a whole day memorable.

This is a street where many children live in homes poisoned with contempt or barely warmed by parents' love. So these youngsters go out on the streets for attention or affection or just plain something to do.

Eighty percent of the youngsters who live on these streets seek and find their love and their status in their homes and schools and jobs. The 80 percent concentrate on the bigger battle to escape the streets, or at least to endure them.

But the 20 percent who make the headlines have never had wise counsel at home. They have never known the counsel that can be had at school. And they fear authority so deeply that they will attack its representative—the policeman, the teacher—before their counsel can find voice.

So in the absence of any wise counsel, this 20 percent will go out on the street.

Like proud Solo, who struts in $40 shoes, basking in the street's knowledge that he stole to get the money for them.

Or like the 11-year-old boy who wore 9 pairs of socks to school to stand as tall as his classmates, then yoked a 10-year-old newsboy in the afternoon for a pittance to celebrate his new-found stature.

Or the 14-year-old girl who spends long afternoons at home with two other young dropouts, poring over newspaper advertisements, carefully selecting a wardrobe which one of the three will just as carefully shoplift the next day. She wants to be well dressed when she street-walks on weekend nights and sells herself to find the attention she never gets at home.

Or the 17-year-old youth who has fathered a child by a 17-year-old girl and faithfully maintains an apartment for them as she lies expecting another baby. He walks the downtown streets on Thursday nights looking for yoke victims because Friday morning is grocery-shopping day for his little family.

FULL OF HATE

Or the 15-year-old girl who became a truant because she was being raped daily by a drug addict's vicious gang as she walked to school. The addict finally was shot dead in a gunfight and the gang stopped bothering her. The gang escaped punishment but the girl has been left pregnant and full of hate for her unborn child, for men and for her nagging mother.

Otto, who earned $28 a week for two nights' work as a car hop to make restitution on a housebreaking—until his restaurant employer asked Otto to bring him a police clearance, saw the youth's record, and fired him on the spot.

Or the 14-year-old girl whose need for affection led her to a gang of boys whose prerequisite for membership was that every new member's girl must be made pregnant. Desperate to belong there—anywhere—the girl entered into a gentle conspiracy with one of the boys and began adding a T-shirt a month to her girth to convince the other club members that he and she had met the test.

And the 16-year-old shoplifter and pickpocket whose pious grandmother takes in his loot and tells him encouragingly that "the good Lord provides even though the Devil brings it home."

THE MATTER OF RACE

Or the four young men who took jobs in a new downtown hotel and lasted for just a month of abuse from a white foreman.

Or the 12-year-old boy who became bored with stealing lunchtime potato chips at the delicatessen across from his school and recently tapped the till for $99 because, he says, "I wish I was a little older."

Or the 13-year-old girl who carries a knife and is quick to use it but careful never to really hurt with it. She says first that using the knife is "just something to do." But in confidence this girl will admit that the knife is to make her popular with her boy friends, who also carry knives.

This is the twisted ghetto where Solo saunters in his $40 shoes.

And down the street, the school has a gross obscenity written at its entrance, and a 9-year-old girl wanders the halls smiling her schizophrenic smile because for a few hours she is away from the beatings at home.

Out in the playgrounds the old drunks stagger by and the young dropouts stand ready with a hundred sorry blandishments for the pupils.

The wonder down in the ghetto is not that 20 percent of the youngsters turn out so bad but that 80 percent turn out so well.

This is a neighborhood where the only aspirations many children ever have are from television programs—those myopic visions of rich apartments and big cars and bountiful hair and heroes who kill when necessary.

This is a neighborhood where the whole notion of attracting attention or finding affection can be brutalized by the unattainable vision seen on that television set. There is only one way, it seems sometimes, to get that beautiful woman or dress like that handsome, tough man.

And yet 80 percent of those youngsters turn out well. They do not rob for attention or sell their bodies.

They do not resent school or the teacher who may be the first man ever to enforce his adult will on them. They do not fight a policeman just to gain a place in a shadowy pantheon of pseudoheroes.

They do not attack the elderly for purse money or steal a $5,000 car and pretend it is theirs.

This 80 percent are children who find life bearable down in the slums.

These children walk these streets and see them as a place to escape, at least to endure. In the fight to make life bearable in those streets, they have won.

But Solo has not. He wanders, despite the efforts of many persons to give his life meaning.

[From the Washington (D.C.) Post, May 10, 1965]

A LIFETIME OF "NO" DRIVES TOMMY TO A STOLEN RIDE ON A WILD NIGHT—CHILDREN AND SOCIETY: PARTNERS IN CRIME?—PART VII

(By John L. Carmody)

Sixteen-year-old Tommy kept hearing "no" so often out in the big rich suburb where he lived that he finally just had to say "yes" when one of the Colonels asked him along for a ride in a stolen car.

The Colonels are a gang of young hoodlums riding high out in northern Virginia, a wolfpack of high school dropouts who find trouble in shopping center parking lots and high school dances and who burn and rob and beat almost at will.

One springtime Friday night, all the rejections, all the no's, all the phoniness and all the stories that Tommy had to tell himself got tangled at a dark crossroad in Tommy's mind and came out looking for trouble.

NO—NOTHING BUT NO

There was that big no, for instance, the knowledge that no, you're not going to college—and this at a high school where four out of five do go to college.

And the no, you haven't got an automobile—in a town where the automobile tells how rich you are or who you belong to or how far you can travel alone.

Or the no, you won't be invited to the skinheads' house party—because you dress funny in your Beatle boots and your too-tight pants, and you aren't going to college.

And the no, you won't be invited into the secret high school fraternities—because you are a grease, and you make trouble in the halls and you have had trouble with the law.

And the no, there is no good metal shop at your college-oriented high school—no place to show your affection for an automobile engine turning over smoothly, all that power and motion and reliability in a throbbing metal jacket.

And the agonizing no of the empty house in the afternoon—with both your parents working. And when they do get home, your questions are answered with a weary shrug, to show how hard they labor.

AN ANTISUBURB

And the abrupt no of the middle-aged waitresses in the afternoon restaurants—who don't seem to understand that when you nurse a 10-cent Coke during the 4 hours between school and dinnertime, you are locked in a desperate fight with boredom and you're almost winning.

And the mocking no of the local delicatessen owner who won't sell you beer on a Saturday night, and who instead sends you down to Georgetown to bribe an old man in the streets to buy it.

And the "No" of the chaperone at the school gymnasium door because you haven't got a date—but then you don't know how to dance anyway.

When you're Tommy and all you hear is "No," you start fashioning this antisuburb in your mind. You rearrange facts as they are into the facts as they ought to be to change a town where you don't belong into a place where you don't even want to be.

DO SOMETHING

So you look up to those dozen Colonels on their high-rise Harley Davidsons and their BSA 500 Gold Star motorcycles that roar and backfire and race through the night around the quiet residential streets.

And you can imagine all those middle-aged rich cats calling the cops at midnight and screaming out of fear, "For God's sake do something."

And you look at yourself and the dozen or so other greases at your high school standing on street corners in your Beatle boots and your too-tight pants and your wild Fabian hairdos with your shirttails out. And pretty soon you think you are infuriating all the parents who drive by and see you, making them call the PTA and the principal and shout, "Do something."

You listen to the principal when he tells you how the greases are the most interesting kids in school; individuals, he says, in a whole school full of machines going to college.

But before you can swallow that one, he tells you he is forced to send you home for a week because you were smoking out in a hallway—where your forged school smoking permit doesn't quite cover you.

THE PHONY FUGITIVE

When you're Tommy and you start insulating yourself with tricks that fool nobody and stories to fool yourself, you start to believe that the whole world is phony.

Even "The Fugitive," that TV show, is phony, when Tommy comes to think of it.

Tommy has this friend, the son of a naval officer who just transferred into school from California. Out in California, Tommy's friend says, "they've already shown the last episode of 'The Fugitive.'

"You know who killed the 'Fugitive's' wife? Lieutenant Girard, the cop who's been chasing poor old innocent Dr. Kimble all this time, that's who."

Down in the slums, they know about Dr. Kimble, too. They cite a dog-eared book that makes the rounds of Cedar Knoll's inmates. They claim it was the basis for "The Fugitive." That book ends with Girard as the murderer, too.

Up at the American Broadcasting Co., in New York, they tell you that, one, they've never even considered an ending for "The Fugitive," and two, they did not get the idea from any book.

But you couldn't convince Tommy or the slum kids of that. They know something about being a fugitive, and they know about lousy cops. Lieutenant Girard is the one, and you'd better believe it.

ZEKE'S TV WORLD

You talk about television with Tommy and he'll start telling you about this guy he knows named Zeke.

Zeke was going to this same high school, so Tommy and his friends say, this big rich sunny place out where Tommy lives where everybody drives sports cars and is headed for the big money. But one day Zeke just walked out of class and went home and walked upstairs and turned on the television set and he hasn't been out of the house since.

"This was 2 years ago," Tommy says. Ever since, Zeke has been frozen in front of that fool TV set, coming down to have dinner with that pathologically patient family of his and then going up to watch until "The Star-Spangled Banner" comes on after the benediction.

TELLING THEIR LIES

Tommy likes to sit with five or six of the gang after school over in the drug store booths, telling these stories about Zeke and laughing.

They'll spend 3, 4 hours—until it's time to go home and meet the folks who have been working downtown in Washington all day, and eat another glum lousy dinner with Mom whining that she works too hard—telling these amiable lies, reinforcing this vision of a suburb where everything is slightly out of focus for Tommy and the other greases.

For Leroy down in the slums, home is a haven, away from the drunks and the danger of the streets and the disappointments of life in the ghetto. And Mom and Dad say yes—they don't know how to say no.

But for Tommy, home is hell. It's all "no" there. Mother whines about her own problems and Dad gives the No. 1 speech about how Tommy should work hard. There's nothing at home for Tommy.

THE PILGRIMAGE

The drugstore is in a shopping center. But there are lots of other places just like it along the junky highway that cuts through sunny suburbia.

Tommy and the gang make this melancholy pilgrimage almost every afternoon, down past the pretty homes, past the fading motels and used car lots, past the gas stations and hardware stores to some shabby drive-in restaurant.

On the soft spring afternoons, Tommy and his gang have these drive-ins pretty much to themselves.

But at night, along about 9, they start filling up with the skinheads, on their way to a dance or a show or beering up in the front seat for a party at one of the fine homes where Tommy doesn't get asked. The skinheads' chicks sit close, and someone shouts plans for the night to someone else in another car.

THE BACK SEAT

Tommy goes to drive-ins because there is no place else, no home, no party, no television to believe, no books to study on automobile engines.

When Tommy goes to the drive-in, he is the one squeezed into the back seat of somebody's else's bomb; the guy who came along and brought the beer and laughs the loudest and stares the hardest and gets the drunkest. This is Tommy's country, he tells himself, this ugly drive-in where the springtime air is filled with the smell of grease and the sound of the jukebox and racing engines, on an ugly strip of suburban highway.

An amiable lie, belonging here, to this place, amid all the rich and happy young people—and the Colonels.

THE DELICIOUS MOMENT

For this is Colonels' country too, this drive-in. They zoom up late, their names painted on the backs of their black jackets, snaking between the cars of the young men going to college, cracking the night with their mufflers.

This is where the Colonels recruit, just like the skinheads, shouting their plans for a wild party at a nameless house, swaggering among the car hops, telling this malicious wonderful lie for Tommy to hear in the back seat of his buddies' car.

So Tommy transfers to the Colonels' car. It's delicious—the slide into the front seat, the looks from the skinhead cars, the pulling away from the ugly drive-in down past the dark used-car lots and the slumbering real estate shacks looking great on a drunken Friday night. And Tommy buys that final awful notion from the Colonel at his side—that the hoodlum himself owns the stolen car in which they ride.

[From the Washington (D.C.) Post, May 11, 1965]

THE PRINCIPAL: OFTEN SUBURBIA'S LAST CHANCE FOR SAVING TOMMY—CHILDREN AND SOCIETYS PARTNERS IN CRIME?—PART VIII

(By John J. Carmody)

The principal at the suburban high school where troubled Tommy swaggers in the halls is a very important man in the rich community's defenses against juvenile crime.

He must make up for the parents who fail, for the classmates who unwittingly offend, for the suburb that rejects, and for the friends who mislead.

It is a subtle and a difficult role—and one the principal is not often called upon to play in a high school where four of every five students are headed for college.

It is subtle because the principal must acknowledge to Tommy what Tommy already guesses—that the teenager's fight for attention in a middle-class suburb can often point to weaknesses in the values the boy rebels against.

The principal sees Tommy out in the hall—in his Beatle boots, his untamed hairdo, his too-tight pants—and he has to admit that Tommy stands out as an individual in a school full of well-scrubbed success-seekers.

THE UNANSWERED WHY

The principal is a middle-class man administering middle-class teachers who teach middle-class values to the children of middle-class parents.

Of course, few of the children are told why they're supposed to get those straight-A grades, why they have to be successful. Mom and Dad push their kids through high school and toward college and toward some ever-hovering goal, never explaining why.

But Tommy questions why, because college is not in his future and he isn't sure what that means. The conflict between what he is and what all of his schoolmates are fighting for may be what troubles Tommy.

The principal has his dilemma, too, in being both the community's representative and a reluctant admirer of Tommy's nerve in daring to be different in a world of sameness.

The principal is a troubled man. He tells you in all frankness that he doesn't think the parents of many of his pupils live up to their middle-class values.

TOO MUCH OF THE PARENTS

"There is too much looking out the picture window and seeing a new car in the Jones' driveway and coming home with a new one yourself that same evening," he says.

"There is too much of the parent in this incessant drive for college and not enough of the child. Out here they even require me to issue an interim report card on the kids' progress during the semester just to be sure sonny is doing as well as sonny should be in following their master plan for his success.

"And then they brag about their income tax shortcuts and the kid sits around wondering if that is all he is really headed for, in the long run."

Tommy's principal doesn't think all his teachers live up to middle-class values, either.

"They teach too rigidly out here. They're too much caught up in the thirst for 'success' themselves.

"They give tests in which everything comes out yes or no, right or wrong. The pupil who thinks there is another possible answer just isn't going to do well on his college boards. Some of the teachers are worse than the parents."

And he has his doubts about the college-oriented, success-thrusting children who swirl around Tommy out in the hallways, too.

"These youngsters know they can't get into college without grades," he says. "So they start out aiming right at the teacher, doing what the teacher wants, asking only the right questions and writing down only what they think the teacher wants to read."

"What are they driving for?" I keep wondering what they are going to think of me and their parents when they wake up after college and realize how phony some of these success goals can be.

"Tommy is a kid who wants some attention," he says. "But he's a 'mechanical'—a kid who likes machines and not much else—and so he's out of place in school where everybody is headed for college.

"He started dressing the way he does about 4 years ago, as far as I can learn. Sure the clothes are a little outrageous among the kids who wear ties and crewcuts. But he's neat and clean, and at least he's being himself in a funny way.

"Tommy has this kid he worships out here," the principal says. "Let's call him Sam.

"Sam is another mechanical. But he has a job in a garage after school and puts his money into a motorcycle and never misses work. Sam gets his grades, even though he has to work hard for them. He is standing on his own two feet.

"But Tommy worships all the wrong things about Sam."

"Sam is tough, for instance. He has taken on a couple members of the Colonels gang in a parking lot and beat hell out of them.

"But when Sam rides the motorcycle it's not a sign of revolt as Tommy thinks. It's simply that Sam can't afford a big shiny automobile.

"Sam is really saying there is another way of making it in the middle-class world out here in the suburb. He has integrity. And of course that's the point that Tommy misses about Sam."

Of course, out in the suburb where Tommy lives, the richer youngsters get into trouble, too.

The youngster with absolutely everything—including a fur-lined future, needs some sense of attention, some status, too. Amid all these success-oriented children fighting for grades the colleges will accept.

This is the kid who will break up the glassware at a girl friend's house during a Friday night party.

Or enter the family Mercedes Benz SL–300 in a drag race out on River Road and cap it with a long chase through the spring night, a patrol car wailing behind him.

This is the youngster who will seek attention with a 1965 stolen car, driving it to school until the police finally pull up next to him in a drive-in some night.

Or until he is chased by some night patrolling officer, who dies in a flaming 100-mile-an-hour crash. And then the youngster finds himself facing manslaughter charges and the dumb-struck look of grieved survivors.

This is the wealthy 16-year-old whose birthday gift sports car needs a new part and who will enlist some friends to drive him into Georgetown to prowl a garage, or a slumbering street, to pirate the part. This is a kind of status in a world where breaking out of the pattern is a form of status itself.

This is a kind of perversion of middle-class values. These richest youngsters take the material gifts their parents can afford and use them as tools for a kind of dilettante delinquency—crime for the hell of it.

This is the kind of attention getting that Tommy hears about, too, down in the school cafeteria or at the drive-in on a spring evening.

And this is the place where the principal must step in. He is a sort of court of last resort to win Tommy off the police blotter and back to some kind of goal seeking that the community will permit.

[From the Washington (D.C.) Post, May 12, 1965]

HOW EXPERTS EXPLAIN MAKING OF A CRIMINAL—CHILDREN AND SOCIETY: PARTNERS IN CRIME?—PART IX

(By John J. Carmody, Washington Post staff writer)

"I was young at the time and I wanted to get a rep. That's actually why I did it, to get a rep."

The speaker: Solo, a young criminal whose milieu has been examined in the first eight chapters of this series on young people and crime.

"You know why I got into trouble?" asks Leroy, another youth in the ghetto. "All my friends used to go steal and wouldn't let me go with them. They were the only friends I had then * * *. So they let me go once and I got busted (arrested) * * *."

These boys' own explanations of their beginnings into crime might be heard all through their ghetto.

You ask a psychiatrist who specializes in adolescents' problems and he might point out how Solo and Leroy need attention from their friends, how they strive for it, from buying $40 shoes to bashing someone over the head to get the money for those shoes.

Down where Leroy and Solo live, status is a big thing. After, all, there aren't big cars for them to own or much money to go around. Nor are there many jobs or much education.

And so how does a youth, say 15 or 16 years of age and a Negro who has dropped out of school, get attention?

Some of them get it by flights into crime.

In their world, say the psychiatrists, violence may even be the norm. When a Leroy or a Solo steps out into the street and when one of them smashes the face of a passerby, the behavior isn't all that abnormal. Some sociologists even say it's quite normal behavior, under the circumstances.

"It's a warm night and nothing else to do. There's never nothing else to do. You're just walking down the street and you see a car with the keys in it. So you take it."

The speaker now is Tommy, the suburban counterpart of Solo and Leroy in our series. His milieu is different, certainly.

He, too, seeks status and attention, says the psychiatrist. But Tommy can't copy the college-bound boys at his suburban high school, so he tries to stand out by abnormal behavior.

A U.S. Children's Bureau report on youth crime points out that, indeed, some delinquency is normal. It's a logical identification youngsters make with their group or neighborhood.

WEAK HOME LIVES

In the case of Leroy and Solo and Tommy, the people who think about social problems and children might also point up the similarities of their weak home lives.

One settlement house worker in central Washington, for instance, points out that most children in trouble seem to have an unsatisfactory home life.

Says a District employee who specializes in youth:

"I've been impressed by the similarity of the city and the suburban delinquent. I don't believe the only kind of deprivation is economic or material.

"For example, you find the successful father who is away 16 hours a day. You have the same situation in the city with the absent, alcoholic father.

"With wealthy parents who have a governess and maids, often the children are in fact abandoned by those parents. By the same token, however, the attentive mother on welfare in the slums may well do a good job."

A judge emphasizes, however, that the size and solutions to the problems in the city and suburbs are widely disparate.

The suburbs possess the machinery to win back the relatively rare wandering youth, while the cities' crime-fighting apparatus is clogged to saturation.

This, he contends, is why an antipoverty program is so urgently needed, to nudge the cities back from their points of crisis.

NO BORN DELINQUENT

And a juvenile judge points out: "No child is born a delinquent. The earlier you can provide a decent environment at home, the better. The last place some of these kids want to go at 1 in the morning is back to a home that is unhappy."

And in the suburbs, the Children's Bureau points out, "The family is weakened as a means of social control by the freedom of adolescents, their mobility, and the preoccupation of parents in their own social and job success."

One lingering tragedy of weak home life is the emotional deprivation that ensues. Says another psychiatrist:

"This can result in a low grade rage that can last a lifetime. Mother is too busy or dad is too drunk and the primary result of this deprivation is a mistrust of everybody."

A psychiatrist at Laurel Youth Center points out that the Tommy's and Leroy's "want to do something valuable but there is seldom the old-fashioned business of working on projects as a family for these troubled children."

And a consultant at Johns Hopkins University goes even farther and laments: "The family is working least well of all of today's institutions. In the last 20 years the role of the family in respect to the child has been diminishing.

"Adults as well as children are now associating by age group rather than by family—the family has abdicated responsibility."

DRIVE FOR RESPONSIBILITY

Psychiatrists also note there is an important gap between childhood and adulthood.

The children's bureau report paints this picture:

Youngsters don't adjust gradually from childhood to adulthood. It's a sharp break, for which they get no preparation though many hunger for it. For some of them, delinquency fills the gap by introducing them to the adult world where they have to be responsible for their actions. This is true when they get caught. It may be the first time they've ever had to be responsible.

This drive to accept responsibility is often evident in the juvenile court. One judge reports that youths on probation to the court sometimes violate their parole just before their probationary time is over.

"He uses his probation officer as a prop," says the judge.

But another judge adds another factor here: "The probation officer may be the only one who'll speak kindly to these youngsters."

In both unhappy slum homes and unhappy suburban homes, the television set often sits in for the parent.

It may serve to remind a Leroy, the Children's Bureau points out, that his family, even if loving, is a disadvantaged family. He sees the programs with all their slick heart sides and he can't help finding flaws in those around him and in their values.

As the director of a college criminology department points out, the TV set gives Leroy aspirations that he can't possibly realize and at the same time heightens his frustrations and resentments and feelings of rejections.

The settlement house worker, seeing the unhappiness at home, says the youngster "needs somebody to latch onto that he can't find in his family. He finds he has to go outside into the strange environment of the streets and find it primarily among his own peers."

Out in the streets, the youngsters find their gangs.

"In the suburbs as well as the city," says a legal psychiatrist here, "there are groups of youngsters who hang around together and there is a group culture with members under pressure to conform to behavior."

This is where the fight for teenage status turns into a group movement, whether it's in the suburbs with Tommy and the Colonels, or down in the slums with Leroy and his friends.

"In these group activities," says a psychiatrist, "the vast majority join only to save their own necks. They actually feel they would get hurt by their own kind if they didn't. Most of these hangers-on are innocent, good kids, basically."

The experts stress that the Leroys and Tommys need a strong, guiding hand, and that the schools should be one place to help lend that hand to build respect.

Instead, as a leading juvenile judge points out, "truancy from school seems to be the first step in the delinquent career."

Out in the suburbs, truancy is rare. For instance, occasionally a child drops out because of imagined or real family pressure to succeed.

Down in the slums the very ease of the act of truancy helps.

The tragedy, says one of Washington's probation officers, is that "many of the kids drift into trouble in plain view of the establishment—the social workers, police, schoolteachers. Yet no one intervenes to provide the helping hand at the crucial moment."

An official of the National Council on Crime and Delinquency adds: "All the studies about predictability are saying that children who withdraw in class or cause trouble at home are waving their own red flag. Now we identify kids as heading for trouble, but that's all.

"Then when they get into serious difficulty we look for a legal way to expel them from school and put them away."

THEORIES IN PLENTY

One crime expert says that a weak homelife or truancy or poverty are only a few factors amid a myriad of them.

"As long as the police and the city fathers wink at numbers games and bookies," he says, "how are the values of troubled children ever going to change?"

Whatever the theories, and there are hundreds, the problems exist. They most harshly affect the man or woman who is maimed by a wayward youth on a darkened street, and the troubled youths themselves. In time those youths, too, will have children, and these children too, the odds will say, might easily fall into the same distressful condition.

For the District of Columbia, three studies—two ordered by the President of the United States and one proposed by the Congress—will try to dig into the roots we have discussed here, and into the failures of our society. This will be the subject of Thursday's installment.

[From the Washington Post, May 13, 1965]

SLUGGISH SCHOOLS ERODE PUPILS' HOPES AND MINDS—CHILDREN AND SOCIETY: PARTNERS IN CRIME?—PART X

(By Dan Morgan)

Every evening at 5, Mr. Suburban Dweller leaves his downtown office and drives home to Maryland.

He drives through a labyrinth of grimy slum streets, never really noticing who lives in the dingy buildings.

Rarely does he notice or care about the hulking 19th-century brick structures on the street corners, with the names carved in headstones over the entrance doors.

They are the slum schools of our city. Some authorities say those schools are the key to the youth crime problem, because they do nothing to lessen the gnawing problems of their neighborhood.

How they are failing is expressed by a young principal of a Washington junior high school, who says:

"Every child who walks in the door of our schools has the desire to learn.

"When they first come we test them and find they're bright, normal children. Three years later they're found to be a grade below average. By the time they hit 9th grade, many are 'dull'."

What happens in our schools, where a bright child is turned into a dull one?

The U.S. Commissioner of Education, Francis Keppel, tells us the schools have "failed miserably" in educating the poor and deprived.

The figures coldly catalog the ills. They describe a system with 184 schools, but only 31 counselors, a system in which only 8 of the elementary schools have libraries.

When asked why they are no better, the school administration points out that a congressional committee cut $1.2 million for 129 teachers, counselors and library aids from next year's budget, then slashed millions more which were meant to replace the cramped, crumbling buildings where some children are "educated."

Commissioner Keppel calls the slum schools "fortresses, not lighthouses."

UNABLE TO HELP

What happens in school to the 13-year-old whose hostility should be a red flag of potential delinquency to his teachers, principal, and overworked guidance counselor?

Too often these people stand paralyzed, able to recognize, but unable to prevent, that student's headlong plunge toward crime.

Within a few years, he might be the Leroy of this series, who finally kicks a teacher instead of a classmate and finds himself bounced from school to do whatever a youngster can do when he's a Negro, relatively unskilled, with a police record and no job.

In this slum, one out of five youngsters has trouble with the police. In the suburb where our downtown officeworker lives, the figure is lower, and a youngster can outgrow his problems in the benevolent institutions of the suburb.

But in the slums, the institutions—such as the schools with their "homogenous groupings" and "social adjustment classes"—are geared to separating the troublesome youngsters from the others, more or less relegating them to a position of uniformity or rejection.

The young principal will tell a visitor of his need for good teachers who not only can teach but who are interested in helping the slum students in particular.

A little bitterly, he will tell you how, instead of sending the best teachers, the administration sent a young teacher from the hill country whose dialect the students can hardly understand.

Was Francis Keppel talking about this school when he bemoaned the "inflexibility of the schools * * * which stand against the changes that have overtaken our society?"

The school system, this great sluggish institution, the best place for catching youth crime before it explodes into something uncontrollable, needs to shake itself, the principal says.

It must somehow reach out to these children, not just sit back and run like a clock.

Take the District of Columbia school principal who locks the playgrounds every day at 3:30 p.m., because nobody ever asked him to keep them open—until the neighborhood youngsters cut a hole in the fence to get in and play basketball. Do the schools often seem to be doing things from habit?

The poverty program, with its emphasis on experimentation, is a promise of change, of improvision, but still an unfulfilled one. Meanwhile, hundreds of potential explosions are simmering in the city and the suburb.

And so, what Keppel said before the District's model Cardozo school system became a reality, still seems to be true:

"We have failed to make the indispensable extra effort to reach and teach these children * * *. Far too often, they are regarded as not merely difficult to teach, but as virtually unteachable * * *.

"The overriding difficulty * * * is the persistence of teaching methods that have not worked and will not work. A vast number of these children will reject traditional text and curriculums even with good teachers and good buildings. Above all, we need teachers who are trained and gifted in teaching these children."

NEEDED: SENSITIVITY

Some authorities question whether our teacher qualifications have been too narrow.

Peace Corpsmen who have spent 2 years teaching abroad have been told, they lack the credentials to teach American students, even though the problems of working with children in undeveloped countries are similar to those of working with children in undeveloped parts of America.

What the young slum principal would like to see is more sensitive teachers, not just more of them.

Hyman H. Frankel, deputy director of the United Planning Organization, which coordinates the city poverty program, will tell you:

"The schools don't know how to handle these children * * *. The teachers are middle-class oriented. During the first week the teacher picks out these kids—the ones who dress well and can talk—but the kid who is inattentive or slumps down in his seat, she's got him pegged as a troublemaker and slow learner."

TRIUMPH AT CARDOZO

Can our school systems somehow meet the needs of society that is changing faster than they are? Or is the pervasive defeatism justified?

At Cardozo High School, administrators once doubted that a child from that neighborhood's social and educational background could qualify for an honors curriculum. But now there is indeed a successful honors curriculum, and it is expected to produce outstanding college-bound graduates.

In other schools, children in the basic, slow-learner curriculums are studying Shakespeare and Greek tragedies at the same time as the honor students. Their teacher gets these poor readers interested by reading them passages which seem to relate to their own lives. Now some are reading paperbacks at home.

Untested as it is, the poverty program is breaking the dry crust of the school system.

It is trying, at least, to tell the children—often for the first time—what education can offer them, and it is smarter to learn than to steal candy from the grocer.

In the suburb parents often fail to explain to their children why they should succeed in school. In the slum, the children often fail to see the sense in even going to school, much less succeeding at it.

In both city and suburb, some children are virtually illiterate. They tell you school never interested them much. These are the kids who hang around the sandwich shops and carryouts in countryclub country and ghetto alike.

So the schools test them and catalog them as "dull-normal" and sign them up for a remedial reading program, if there is one.

What are this youth's chances in a world that uses words to tell you how to grease a car or take a job test.

Out in the suburb we find the Tommy of our series perking up in history class only when a teacher talks about the invention of the internal combustion engine arousing the mechanical interests which he cannot explore in a school where four out of five students proceed to college.

The suburban dweller heading home, of course, sees only the outward shell of a school system that is moving too slowly, too inflexibly, to cope with the hundreds of potential delinquency explosions all around.

He has solved most of the problem for his own family by moving out.

He does not see the city school administration, too bent on administering. He does not see the many good, struggling teachers and principals who make little jokes about the school bureaucracy, as much in despair as in jest.

He does not see the principal who is beginning to lose his enthusiam and looking ahead more and more to the double martini at home at day's end.

In the lowering dusk of the spring evening, the suburban dweller rolls out into the country. The city, with all its complex, desperate, wearying problems, is left behind.

[From the Washington Post, May 14, 1965]

HOW DOES ONE BREAK THAT VICIOUS CIRCLE?—CHILDREN AND SOCIETY: PARTNERS IN CRIME—PART XI

(By Jesse W. Lewis, Jr.)

Otto was standing on the front steps of police headquarters with his arrest record in his hand when I first met him. I told him about the series of articles on youth crime and said: "Say, my man," to him, because this is the way to say hello in the street language that Otto speaks.

Otto was going to walk some 45 blocks to a new apartment building to present his record to a prospective employer. He didn't have the price of a bus ride.

He was dressed in a $125 dark gray tweed overcoat from a leading downtown haberdashery. He had on a pair of $42 morocco and sealskin shoes.

Otto had spent 2 years at Cedar Knoll for truancy. His arrest record showed a disorderly conduct charge and unauthorized use of an automobile.

He is caught in the vicious circle of school dropout, poor job training, police record, and all the fears that go with these things.

If you are convinced that there is no job for you, in a society where every youth is constantly reminded that he needs school to hold any job, why bother to go to school at all?

Nor does the prospect of college—one of the strong motivations for a high-school education today—seem very real to a youth in the slums.

I treated him to lunch and then took him to the faraway apartment house where he gave his record to the manager. We then went to a downtown office building where he was going to apply for a janitor or messenger's job.

In this coldly efficient office very real fears started to grip the self-assured Otto.

They begin with the personnel officer's interview in which the man explained what jobs Otto might qualify for and the required written test.

While Otto was filling out the application he said: "I'm scared of them white people, 'cause they don't seem to want to help you get nowhere."

The application procedure was unfamiliar and plainly made Otto uncomfortable.

He complained that the questions on the test—a routine one all over the Nation, incidentally—were "too close together." He kept repeating that he was certain he would fail, despite my assurances that the test wasn't one you passed or failed, like the kind in school. He attempted 26 of the 50 general aptitude questions. He got eight right—just enough to qualify him as a porter or janitor.

A look at the test showed that it was geared to an educated, middle-class youngster. It seemed to have no validity when placed before a Negro dropout: it was not a test that could bring out the best qualities of Otto.

Later in the day, over beers, Otto admitted that when he's out of work he will "do a little boosting" (shoplifting) or take part in yoke robberies to pay the rent and feed his girl friend and their 2-year-old son.

"I'm used as the knockout man 'cause I hit hard," he said. His shoulders and arms looked it.

Later that afternoon, I met his girl Jane and the little boy.

When asked what she thought about Otto's stealing and robbing, she shrugged her shoulders and said:

"I don't think it's wrong. It's the only way we can eat. And we have to eat."

And Otto said he was looking hard for a job because he figured he would get caught eventually, boosting or yoking, and if he went to jail there would be no one to feed and clothe his girl and his son.

So Otto is in the same position as our series' Leroy and Solo. With no job future, why go to the trouble of going to school in order to get a job? One problem compounds the other.

"I don't think there's any question that the biggest single factor that would reduce crime would be jobs for the people who are committing crimes," says Fred Hetzel, director of the Washington office of the U.S. Employment Service.

The youths themselves and experts gave these reasons for youth unemployment in Washington:

Most of the District's jobless youths are Negroes and face racial discrimination.

A police record often blocks employment with the Government and, because of bonding company requirements, with some private firms.

Some simply obey that universal impulse against work—and beg off.

The youths lack the skills in demand here.

Personnel officers complain that many youths cannot read and write well enough to fill out application forms. Others flunk oral interviews because of poor speech.

Many youths are unfamiliar with job opportunities and don't know how to go about getting a job. They don't know, for instance, what to wear, what documents and information they will need and how to conduct themselves—how to sit or stand—during an interview.

And these youths are so accustomed to hearing "no"—said bluntly or softly—that when they apply for a job they simply don't bother to make out full, complete, good, neat applications. They meet their expectations of a turndown more than halfway. It is a kind of face saving in a harsh work world.

The advertent and inadvertent racial bias that has grown out of long custom. The personnel officer at a bank, for instance, who automatically sees a janitor in a Negro applicant because it has never occurred to his firm that a Negro might make a good teller.

The racial bias, unwitting or planned, built into the job hiring system in this area has been cited by school, welfare and USES officials as a chief cause of youth unemployment in Washington.

Labor Department statistics of registered unemployed show there are about 3,500 jobless in Washington between the ages of 16 and 21.

Of that 3,500, more than 2,600 are Negroes.

"But we have no conception of how many young people are not registered and unemployed," says Victor R. Daly, USES Deputy Director.

Although the exact number is not known, "youths in that age range, while only about 9 percent of the District's population, account for more than 20 percent of the city's 16,700 unemployed.

"Sure, one barrier is racial. But it also is because they're poor," said Robert G. Williamson, professor of psychology at the District of Columbia Teachers College.

"They don't speak well. They don't write well, and they don't read well. What kinds of jobs are open to them?—a gas station attendant? a porter? Those aren't jobs you buy your cars or TV's with," Williamson said.

"A child here (inner city) must learn English as a second language. If they speak school English on the street they will get beat up."

But these youngsters must be reached.

A woman worker at a youth employment agency recalls:

"How do you reach them?

"Let me give you an example. One day a kid came in looking for help. He told me he had a record and was unable to get a job. His attitude was hostile and belligerent. He had served 3 years for assault. When he told me he had shot his teacher, I laughed.

"He had never seen anybody react to him that way. He said he had cursed his teacher and the teacher smacked him on the back of the neck and told him to go home and bring his father to school. 'I don't have any father,' he said, 'so I went home and got a gun and shot him.'

"When I expressed only amusement at his story—and not surprised indignation or horror—he fell for me. Now that kid is working, his employer knows his record—in fact, the kid told him himself.

School for that particular youth may not be the answer. "Education cannot reach the kids we're talking about," says Hyman H. Frankel, deputy director of United Planning Organization. "Learning for what? It's useless to go through the ritual of education if he can't connect it with a job."

"Who out there is looking for somebody to conjugate French verbs," asked a Labor Department official.

One very hopeful solution for breaking the vicious cycle of dropout-police record-joblessness is already being tested at Cardozo High School in several ways with excellent results.

In one program, the selected youths are permitted to work for half a day and go to school half a day on jobs found by school authorities. The overwhelming evidence has been that the student in this program actively seeks more education as he becomes more aware each day how schooling would help him advance on the job he already has.

Dr. James B. Conant cites this concept of "distributive education" as a solution, saying that "in a heavily urbanized and industrialized free society the educational experiences of youth should fit their subsequent employment."

The system also works against a youth who has a police record.

Albert A. Menaker, personnel director of the Hecht Co., said all his employees must be bonded, and bonding companies, which are ultimately responsible for the risks, have the absolute right to refuse to bond an employee.

"It's so important to have a clean record," he said.

Menaker said all applicants must have the ability to read, perform simple arithmetic, and write a legible sale slip. "A customer buys two $2.99 items. They must be added and a tax computed. It takes a basic skill," he said.

Even porters must be able to read and write. "A man may be asked to move a hamper of goods to another department. He must be able to read the tag."

Dropout. No job. Police record acquired in a youth's period of unemployment. This is the vicious circle that leads to a fourth factor—the lack of ambition that finally creeps into the young man's bones and reinforces his intention to stay with easy crime.

This is the circle that Dr. Conant says "must be broken both by upgrading the educational and vocational aspirations of slum youth, and even more important, by finding employment opportunity for them."

But in Washington, where are these jobs going to come from? And who will spark the employer-education program to convince a potential boss that a boy with a record can still be a good worker?

[From the Washington (D.C.) Post, May 15, 1965]

CURES FOR DELINQUENCY NEGLECTED—CHILDREN AND SOCIETY: PARTNERS IN CRIME?—PART XII

(NOTE.—This is the last article of a 12-part series on that minority of our young people involved in crime. The material for the series was gathered by a team of reporters—John J. Carmody, Bart Barnes, Dorothy Gilliam, Jesse W. Lewis, Jr., and Dan Morgan.)

Youth crime will never be eliminated.

The difficult maturation process will always produce emotional and social casualties, no matter how closely a loving family or a concerned community may keep watch.

But if youth crime cannot be totally eliminated—it can be curtailed.

The first 11 parts of this series have told a tale of neglect, of rejection, of frustration. They have told a story of how boys and girls have been abandoned—in both city and suburbs—to be allowed to fall into antisocial behavior.

The story of Leroy, the city boy, and the story of Tommy, the suburban boy, are stories of mothers and fathers, of teachers and probation officers, of the entire community, failing to love, care or treat these boys in a way to avoid delinquency.

Solutions to the youth crime problem do not come quickly and easily. But there are steps the community can take to reduce the problem, if it cares enough to let children in trouble know it cares.

The recommendations for action here are distillations from the observations of the five-man reporting team that reported and wrote this series and from the ideas of the dozens of experts they consulted.

The major area of society's neglect appears to be schools and jobs. Both the Leroy and the Tommy of our series have no incentives in school—and both have cloudy job futures.

There is much that can be done in the schools. They can easily care about the noncollege-bound-student much as they care about the straight-A honors pupil.

Suburban parents and school administrators must realize that not all youngsters are oriented toward a college career. Those schools must make an effort to reach the nonacademic child as well as the academic one.

And parents in the suburbs can be just as guilty as the city dweller of abandoning their children and, in effect, allowing them to wander into the world of antisocial behavior.

But the suburban problem, difficult as it is, has not yet reached the proportions of the problem in the city. The machinery for rehabilitation of youthful offenders there is not as swamped as is in the city.

In the city the school is the one institution that reaches all children—at least for a while.

The District—and a constantly budget-conscious Congress must move quickly to help stop what Senator WAYNE MORSE, Democrat, of Oregon, calls educational mayhem committed against children in the District of Columbia schools.

The physical plants must be made at least better than the rat-ridden places which some of the children call home. A massive building program should be instituted.

The school system has grown large and unwieldy—and perhaps unresponsive. Authorities might well consider decentralizing the system, as St. Louis has done, and as New York City is considering.

Under decentralization, area superintendents could assume prime responsibility for their individual units and know something about the condition of their neighborhoods.

Not only would the schools become more responsive to the educational needs of a particular area, but more citizen involvement with the schools might develop.

The need for curriculum experimentation is obvious, and would be far easier to obtain with a decentralized system.

The city should step up its vocational education programs, and more programs should be developed for the student who can find satisfaction in a job at a garage.

Specifically, teachers must accept every child as a valuable human being, with basic needs to learn. Teachers, when they need to turn quickly for help, should have available trained specialists—counselors, speech therapists, remedial reading teachers, psychiatrists. They have some of them now but not nearly enough.

A new look might be taken at teacher qualifications and more sociology and less methodology might be required. Teachers should be trained not just to teach, but to handle individuals. And, as they do so, teachers should be regarded by school administrators as individuals with personal strengths that can be exploited and weaknesses that can be overcome. And, as seems always true, more teachers are needed.

The problem, obviously, does not end with schools. Learning is closely tied with jobs.

Without a job in his future why should a Leroy or a Tommy bother going to school?

Or, conversely, if a Leroy or Tommy cannot read, why should anybody hire him?

To fill the absence of any other effective machinery, the schools should establish facilities to follow students until they reach the age of 21, as former Harvard President James B. Conant has recommended.

If the schools are so closely entwined with the job situation, and if they are training youths for jobs, why cannot they share a responsibility in finding those jobs and placing their students in them? Why, instead, should a youth drop out or graduate from school and wander without direction in search of a job?

Work-study programs, started here at Cardozo High School and elsewhere across the country, could be expanded.

In these programs, students work part time as school custodians or at outside jobs and attend school part time. So far results have been outstanding. Students have sought more education—either to do better in their jobs or get better ones.

The U.S. Employment Service should seek and get more funds to train boys and girls in jobs that need filling and should work with the poverty program in concentrating on the untrained or out-of-school youths.

The USES and the schools should emphasize to employers that they must not abandon the youth with poor training and/or a police record.

There is an economic factor here: eventual costs of the crimes these children might commit would far outreach expenditures made now to train them for useful work and citizenship.

Schools and jobs are perhaps the most important steps the community can make toward these forgotten youths.

There are other ways the community can reach out to these neglected people.

The neighborhood house concept, generations old, is a hopeful device.

If it starts with a well-baby clinic and a nursery school, it can reach children at the very beginning.

Children in deepest trouble are usually those getting the least help from their parents. The neighborhood house, properly led, brings adults into contact with children who need attention and affection from stable, competent adults.

Campaigns against youth crime are too big to be left solely to professional social workers—there are simply not enough of them. The solid citizens of crisis areas must help, for they know the ways of the neighborhoods and can reach children that a professional, middle-class social worker might not.

The neighborhood house should not be limited to the city. The preceding articles spoke of Tommy, left out at school because he was not of the college-going set. In Tommy's community there must be interested and successful men who share Tommy's passion for things mechanical and even businesses with an interest in developing skilled mechanics. A neighborhood house might bring them together.

Another hope is the roving leader program. In the city there are 17 roving leaders. They are primarily to work with youngsters who have had some early contact with the law. There are 28,000 such youngsters in Washington.

This means only one roving leader for about every 1,600 troubled youngsters.

These few already have demonstrated capacity for leading the strength and direction—and caring—that slum youngsters need and may not find at home.

These are substitute big brothers and fathers and school teachers and mature friends. Their advice is invaluable on streets where knowledge is all too often only the gutter type.

As well as expanding the number of roving leaders the program might be altered to include some of the troubled youngsters themselves as aids. A brush with crime need not be a bar to maturity and a chance for responsibility—it may even enhance it.

The churches could have a larger role, too, in neglected city streets.

Although the churches are a source of ethical and moral values for a large segment of the population, sorrowfully enough, they seem almost meaningless to many slum children.

Sociologists say these youths may try religion as an answer to their problems, but if they don't find that answer quickly, they reject it as they reject the Government program that never quite reached them.

Some churches have involved themselves enthusiastically, bringing compassion and understanding of the slum way of life, but this effort has not been large enough as yet to reach a significant number of persons.

If religion lets some of these people down, the welfare practices of the community drop the bottom out from under them. The punitive approach of welfare apparatus, with its repeated investigations, its constant suspicions, and its mechanism for stopping welfare at the very moment it may be needed most, add to the neglect of these young people and foster their distrust of the community.

The city's neglect of them can also be shown in the lack of playground facilities. At the very least, installing playgrounds in areas where there are none now would indicate the community's interest.

If all else fails, and the youth finds himself in trouble, the rehabilitative services of the District, existing only on grudging funds, totter along with insufficient staff.

The police chief pleads for more men on the street. The court begs for more probation workers. It is a cry for help, more money, more staff, to hold out to the troubled youngsters some hope of a new future—and to hold out to the community more protection against violence.

The police badly need more men—to solve crime and to help prevent it. There are promising steps here.

Moving three specialists in delinquency to the 13th precinct is a start. These officers spot potentially troubled youngsters and direct them to the United Planning Organization.

But here again, neglect of staff rears its head.

There is but one UPO officer available to play big brother to the youths directed to him by police or by others.

The courts, too, are hamstrung. The young offender must sometimes wait half a year to learn his fate. Why should a youth behave if, 6 months later, he is to be sent to "jail?" In the meantime, what happens to the community?

And the probation officer's role is murky. The punitive aspect of the juvenile treatment is perhaps overemphasized in the brevity of the probationary contacts and in the final swiftness of the sentencing process.

The correctional institution for boys sent from court is also in a staff crisis situation. Under a juvenile system dedicated to rehabilitation and not punishment per se, youngsters should not merely be locked up at night to keep them out of trouble, just because there is but 1 instructor for every 50 inmates at Cedar Knoll.

Short of sending a youth to Cedar Knoll, the city has little choice. It is finally setting up halfway houses, where it can send youth to adjust to society when they leave Cedar Knoll, or where it can send youths who do not need the confinement of Cedar Knoll but whose home environment poisons their chances for normal growth.

But the halfway houses can handle only 20 such youths at a time, instead of hundreds.

And so it goes. It is a massive, dark cave of a problem, but some light may be visible at the end.

Perhaps the massive poverty program can overcome the redtape and bureaucracy. Perhaps it can draw on all the institutions, inspiring them as it goes, to induce people from all fields of knowledge into an active force to break the pattern of ignorance, frustration, rejection, neglect, and their offspring—crime.

These are mostly problems of the city. The suburbs have far different problems. Their schools, their courts, their rehabilitative services have staff. Their neighborhood churches are concerned about their middle-class problems.

What is lacking in suburbia is the realization that not all children fit into that standard middle-class pattern. What is needed is the expenditure of the same energy and skill to prevent a child from going awry as is spent once this has happened.

For the poor child in the suburbs, the problem may be as severe as for the child in the slum.

There is no giant mechanism that can overnight destroy the slums in the District and put in their stead a brick and cement utopia.

The list of steps the community could take is appalling in its length. But youth crime is a deep-seated problem, and the community must begin somewhere if it is to solve it.

Washington and its suburbs have the resources to reach out and help Tommy and Leroy become useful, law-abiding citizens. It can start on any of these numerous paths if it cares enough to make the effort.

PRIVATE PATENT MONOPOLIES

Mr. LONG of Louisiana. Mr. President, I have stated on many occasions on the floor of the Senate that granting private patent monopolies to the results of research paid for by the public is concentrating economic and political power in the hands of a few, is retarding our economic growth, and is stifling our capacity to protect ourselves. This is bad enough. But when the desire to make monopoly profits at the public's expense can adversely affect the health of our children, it is time to call a halt to this immoral and evil practice.

Today, I would like to present a case study which should be of great interest not only to the Congress but also to the American people.

Phenylketonuria, or PKU, is a physical condition that leads to mental retardation. It is a chemical imbalance in the blood that causes permanent brain damage if it is not detected during the first month of a baby's life. If PKU is caught in time, the damage can be prevented by altering the child's diet.

In 1962, the U.S. Public Health Service began using a simple blood test developed with public funds by Dr. Robert Guthrie at the University of Buffalo that could be given 3 days after birth to detect the presence of PKU. Thus an afflicted infant can be put on the special diet before brain damage occurs. We know now that the need for such tests is even greater than is realized, for the Guthrie test has shown that PKU is twice as common as was thought.

Louisiana, Massachusetts, New York, Rhode Island, and recently other States have made the Guthrie test mandatory for all babies born in those States within 28 days after birth. Other State health departments have made the PKU test available to their people without cost through all hospitals that provide maternal and infant care.

The Guthrie test was developed largely by governmental funds: The Public Health Service granted $251,700 and the Children's Bureau granted approximately $492,000. Total support from the Department of Health, Education, and Welfare was about three-quarters of a million dollars. Certain States have also spent considerable sums.

Information secured from the Department of Health, Education, and Welfare indicates that Dr. Guthrie did not voluntarily submit to the Public Health Service an invention report as required by the Public Health Service grant requirements.

A formal invention report was requested of Dr. Guthrie on January 10, 1962. After four followup letters and innumerable telephone conversations, an invention report was received from him on December 14, 1962, almost a year later. During this period, but 4 months after the first Public Health Service request, a patent application, serial No. 187,707, relating to this invention, was filed in Dr. Guthrie's name. This indicates that the invention had been made when the Public Health Service made its first request in January 1962. The patent was filed 7 months prior to the actual submission of the invention report. The formal invention report was held up for almost a whole year so that a patent could be filed.

But this is not all, for shortly after Dr. Guthrie filed for a patent, he entered into an exclusive licensing agreement for the life of the patent with Miles Laboratories. This agreement was supported by the Children's Hospital in Buffalo and was approved by two voluntary health associations which had contributed a total of $50,000, but was not approved, I am glad to say, by the Public Health Service. The justification for giving Miles Laboratories a monopoly was the usual one: to induce the company to bring the product to a commercial stage and to assure the widest and most effective utilization.

The hospitals in Massachusetts and in other States were producing a kit for testing 500 infants, including all costs, for $6. The granting of a license to Miles would prevent the manufacture of such kits by anyone except Miles Laboratories. And Miles Laboratories, price was $262, over 40 times the cost to Massachusetts, Louisiana, and other States.

The Chief of the Children's Bureau protested the issuance of the exclusive license as contrary to the public interest. A number of States were contemplating setting up the Guthrie tests on a routine basis and were planning to produce their own materials. Financially they could not carry out a statewide program unless they manufactured the necessary materials themselves. If Miles secured the monopoly and was able to force the States to pay through the nose, this would prevent many States from carrying out their plans. None of these States could afford to institute a program if they had to purchase the kits from the Ames Division of Miles Laboratories at the price demanded or if they had to pay royalties on the materials they would manufacture themselves.

The exorbitance of the Miles' price is magnified by the fact that the Guthrie test kit had already been developed, promoted and tried. A charge which is 40 times what it cost Dr. Guthrie to produce the kits for the field trials, especially when all of the basic development and promotion had already been done, is, in my judgment, an outrage.

Further investigation by the Public Health Service disclosed that at least five companies were interested in obtaining a license and producing the kits at a cost similar to Dr. Guthrie's.

Accordingly, the Public Health Service determined that ownership to the invention belonged to the United States and the proper action was taken. Credit for this action on behalf of the public must be given to Dr. Luther Terry, the Surgeon General, Dr. David E. Price and all those staff people connected with this action. Dr. Guthrie himself was appalled by the price Miles wanted to charge.

This case, Mr. President, illustrates several points:

First. Allowing private patents on Government-financed research will inevitably result in delaying disclosure of new knowledge, inventions, and discoveries, at least for as long as it takes to prepare patent applications and file them. In most cases the delay will be much longer. I have already pointed out that firms in the aerospace industry withheld information for as long as 5 years. In the field of health a delay is especially reprehensible.

Second. Allowing universities, hospitals, and nonprofit institutions to control and administer patents resulting from publicly financed research is contrary to the public interest. This activity is a Government function and must not be delegated to any nongovernmental institution. In the Guthrie case which I have just described, neither the university nor the Children's Hospital at Buffalo had the knowledge, the background, or the sophistication to know what is or is not in the public interest. It was also disclosed that Dr. Guthrie's application was filed by a patent attorney who was hired by the State university system of New York for this purpose, but who was actually a patent attorney for Miles Laboratories.

Educational institutions are not sacrosanct. They have withheld information from the public; they have also violated the antitrust laws. A well-known case is the development of vitamin D at the University of Wisconsin with Government funds. The patent was assigned to the Alumni Foundation, against which the Department of Justice brought an antitrust suit and won. The Comptroller General of the United States revealed a few years ago how this same university—after having received almost $3 million from the Government, the American Cancer Society, and other nonprofit organizations—assigned patent rights on 5–FU, a cancer drug, to a company which, in turn, charged exorbitant prices even to the Government. The Department of Health, Education, and Welfare in this case, also, had to intervene and reclaim the patent on behalf of the public.

With the Government paying for construction, equipment, and other facilities to universities and giving them grants for all kinds of research programs, there is no reason to give them patent rights, also.

I cannot see why we should set them up in the business of patent licensing. If they are educational institutions and wish to take advantage of that status, they should stay out of business.

Third. The third point is the falsity of the reason given for granting a monopoly. Further development was unnecessary. Creation of a new market was unnecessary. No unusual risks were involved. Other companies were willing to produce the Guthrie kits for testing of 500 infants for $6; and they would still be making a profit.

Fourth. The case also illustrates what happens when a private company gets a monopoly. In this case its price was so exorbitant that many States would have had to curtail their programs with the ultimate sufferers being innocent, mentally retarded children, who could have been saved.

Dr. Guthrie and the hospitals in Louisiana, Massachusetts, and other States could produce kits for testing 500 infants, including all costs, for $6. Miles Laboratories wanted $262 for the same thing. If this is not blood money, extracted at the expense of the taxpayer, I should like to know what is.

Mr. President, it is very important for the American people to know about these governmental activities. Therefore, I ask unanimous consent that some of the documents concerning the subject which I have discussed be printed at this point in the RECORD.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

U.S. GOVERNMENT MEMORANDUM

NOVEMBER 5, 1963.

To: Mr. Herschel Clesner, Inventions Coordinator, Office of the Surgeon General, PHS.

From: Katherine B. Oettinger, Chief, Children's Bureau.

Subject: Miles Laboratory request for exclusive commercial arrangement to develop Guthrie PKU kit.

We have considered the above request in the Children's Bureau and at this point would strongly recommend to the Surgeon General that such exclusive commercial rights not be granted to Miles Laboratories. In making this recommendation, we have taken into account the following factors:

1. Expenditure of public funds in the development, promotion, and distribution and trial of this kit. In addition to funds expended by the Public Health Service for the development of the assay which is utilized in these kits, the Children's Bureau has invested a total of $242,792.27 since fiscal 1962 in the actual development of the kit, in the promotion of field trials to test the efficiency of this screening method, and in the manufacture and distribution of sufficient kits to screen 550,000 newborn infants as a part of these field trials. These field trials are currently underway with over 300,000 babies already screened (32 babies detected and confirmed as having phenylketonuria). They involve 33 States and approximately 600 hospitals. In order to carry out the field trials, we estimate that the participating States will have spent an additional $250,000 of maternal and child health funds to collect the blood samples, to actually run the assays in the laboratories, and to run confirmatory tests on the presumptive positives which the screening procedure turns up. From our point of view therefore, approximately $492,000 of public funds will have been utilized in order to develop, promote, distribute, and try out these kits when the field trials are completed.

2. Current plans of the States. While the field trials have not as yet been completed, a number of States have already made a decision that from their point of view and regardless of the overall outcome, this screening procedure is worth while and should be developed within the State as a routine screening for all newborns. As you know, the State of Massachusetts instituted this some time ago, and at present all babies born in the State are screened for PKU with this procedure. In doing this, Massachusetts is manufacturing its own materials used for this screening. A number of other States contemplating setting up this type of screening on a routine basis have indicated that they too would manufacture their own materials. Financially they feel that they could not carry out a statewide program unless they manufactured the necessary materials themselves. It seems to us that the granting of exclusive commercial rights to the Miles Laboratories would prevent Massachusetts and some of the large States now contemplating setting up this screening as a routine, from carrying out their plans. None of these States could afford to institute a program if they had to purchase the kits commercially at the contemplated price, or if they had to pay royalties on the materials they would manufacture themselves.

3. The suggested sale price at which Miles would make these kits available appears somewhat exorbitant in view of the fact that these kits have already been developed, promoted, and tried. A charge which is 40 times what it cost Dr. Guthrie to produce these kits for the field trials seems to us to be out of line when all of the basic development and promotion has already been done.

While we feel strongly that, particularly for some of the smaller States, a commercially available source of these kits is essential if these States are to develop a screening program, it does not seem that an exclusive arrangement with Miles Laboratories would result in such commercial availability at a reasonable cost. There are indications that a number of laboratories would be willing to manufacture these kits with adequate quality control at a reasonable cost if Miles were not granted an exclusive commercial arrangement.

It is our feeling that the rights to this screening kit should be retained by the Government in view of the investment of public funds. Retention of such rights at this time would, we feel, allow a number of States to proceed with the manufacture of their own materials for statewide programs and would allow other commercial laboratories to produce the kits for some of the smaller States at a more reasonable price.

STATE UNIVERSITY OF NEW YORK AT
BUFFALO, SCHOOL OF MEDICINE,
DEPARTMENT OF PEDIATRICS, CHILDREN'S HOSPITAL,
Buffalo, N.Y., December 4, 1963.

RUDOLPH HORMUTH,
Specialist in Services for Mentally Retarded Children, Division of Health Services, Department of Health, Education, and Welfare, Washington, D.C.

DEAR RUDY: With reference to your letter of November 21, 1963, here are the answers to your questions to the best of my knowledge:

1. Our cost to produce a kit for the testing of 500 infants, including estimates of all costs (labor, materials, rental and maintenance of space, etc.), and not including materials for collecting blood spots or urine impregnated paper in the hospitals, $6.

2. During my visit to Miles Laboratory last June I was told that their price for the same kit to test 500 infants would be $262. This was explained to me as only 50 cents per test.

3. Other companies who have indicated their interest in producing kits are: Fischer Scientific, Pittsburgh, Pa.; Baltimore Biological Laboratories; Difco Laboratories; Sylvana Co., New Jersey; Dade Laboratories, Miami, Fla.

I think this answers all your questions; if not, please feel free to call on me.

Very truly yours,
ROBERT GUTHRIE, Ph. D., M.D.

THE COMMONWEALTH OF MASSACHUSETTS, DEPARTMENT OF PUBLIC
HEALTH, DIAGNOSTIC LABORATORY,
December 13, 1963.

HERSCHEL F. CLESNER,
Inventions Coordinator, PHS, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. CLESNER: Your letter to Dr. Edsall, which is concerned with a proposal that a certain company be granted a license for the exclusive marketing rights for the Guthrie PKU kits, has been referred to me. Since, as you state in your letter, the Commonwealth of Massachusetts does require the PKU test by law and we do make up our own kits in this laboratory for the assaying procedure here, we are appreciative of your courtesy in inviting our comments.

First, I would have some reservations about parts of the sentence you quote in the first paragraph in your letter which reads, "That such time and expenditure is warranted and justified in order to have the company produce the product under the most exacting conditions of quality control in order to insure a high order of quality and consistency of reproducibility from batch to batch, also the company will have to continue development research on the product to the point of developing modifications or even substitution in order to provide a better diagnostic aid and that it will have to conduct an extensive educational and promotional effort to obtain the widest possible distribution and usage of the product." Actually, we have not found it particularly difficult to purchase and set up the various ingredients which go into the media used, nor the other supplies to complete the testing kits. We would feel that any properly qualified and reasonably resourceful laboratory would be able to adjust and standardize the reagents used and quite economically, as they perform the tests according to the published directions of Dr. Guthrie. Furthermore, a considerable educational and promotional effort has already taken place in one way or another resulting in more than half the States now trying out the test, although of course a much wider use of the screening test is greatly to be desired.

Since the test is now mandatory and performed on a practically 100 percent basis in Massachusetts, we continue to find it most efficient and economical to make up our own kits in our laboratory here. We would be very strongly opposed, and I think with good justification, to the granting of any license which in any way prevented or curtailed our making up the ingredients and supplies into laboratory assaying kits. Our present system of preparing from available commercial sources the finished materials for doing the testing is working superbly well, and quite inexpensively. Indeed, our entire cost of running the PKU tests, including professional, subprofessional, and clerk salaries and the costs of making up both the laboratory kits and the hospital collecting kits we estimate as about 50 cents per baby tested. Of this total cost only a quite small portion goes into the laboratory assay kits. Dr. Guthrie, for instance, has told me that his costs have been $6 for producing kits to do 500 tests in the laboratories, i.e., 1.2 cents per test and our costs would be roughly comparable.

In our opinion, it would not be in the public interest for any patent or license to in any way prevent or curtail our laboratory or any qualified laboratory in the manufacturing of PKU kits for its own use. Further, since we have a number of ethical, competing firms that produce a variety of excellent biological products and media, the problems and complexities many of which are as great or greater than for PKU kits, I would seriously question granting exclusive rights to any one firm. By so doing, it seems to me, we arbitrarily keep out of the market other firms that might conceivably produce a better product at a lower cost.

Yours sincerely,
ROBERT A. MACCREADY, M.D.
Director, Diagnostic Laboratories.

THE COMMONWEALTH OF MASSACHUSETTS,
December 23, 1963.

Mr. HERSCHEL F. CLESNER,
Public Health Service, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. CLESNER: On returning last week from an overseas trip I found at hand your letter to me of November 27 and Dr. MacCready's reply. I completely agree with everything Dr. MacCready has said, but I feel that an even stronger statement could be added. In my considered opinion the proposal to grant a license for the PKU kit to a private commercial firm,[1] with exclusive marketing rights for 5 years, would be against the public interest and would be contrary to the existing principles regarding patents and similar "exclusive rights" provisions.

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[1] Your letter says "Miles" but it has been my understanding that the Ames Co. was scheduled to be granted the exclusive rights in this care. They already have a "kit" on the market.

The proposal is against the public interest because it could furnish the basis for a costly monopoly on an essential public health supply item, and because, I am certain, the granting of such exclusive rights for a device developed with the support of an NIH research grant would be contrary to the spirit—if not the letter—of the unwritten rules that govern the use of such public money.

The proposal would, in my opinion, be unallowable because the device and the procedure in question have been in the public domain for well over a year, hence the granting of exclusive rights to any one firm would violate the spirit, if not the letter, of the laws governing such arrangements.

My legal references and opinions may be subject to legal question since I am not a lawyer. However, I believe that the views I express are shared by the majority of scientists, health workers, and educators, and I imagine that most lay persons would take the same position as regards public policy and the public interest.

Sincerely yours,

GEOFFREY EDSALL, M.D.,
Superintendent, Institute of Laboratories.

U.S. GOVERNMENT MEMORANDUM

MARCH 25, 1964.

Case No.: N-G116-62.
Grants B-1960 and B-3935.

To: Mr. Herschel Clesner, Inventions Coordinator, PHS.

From: Miss Katharine A. Parent, special assistant for extramural patents, DRG.

Subject: 'Grantee invention—Guthrie, Children's Hospital, Buffalo, Bacteriologic testing method ('inhibition assay') for estimating the level of phenylalanine in blood":

Attached is a determintaion on the subject invention. The invention report was not subjected to independent scientific review because of the involvement of the Children's Bureau and the National Institute of Neurological Diseases and Blindness. Also, the question of patenting was not an issue, since patent application had been filed before submission of the invention report.

Support background is as follows:

PHS support:	
B-1960: Jan. 1, 1959-Dec. 31, 1963	$152,375
B-3935: Dec. 1, 1961-Nov. 30, 1963	99,325
Committed support	None
Other support:	
NARC: Sept. 1, 1958-Aug. 31, 1963	25,000
AACC: Sept. 1, 1958-Aug. 31, 1963	25,000
Commercial Solvents Corp.: Mar. 1, 1962-Feb. 28, 1963	15,000
National Foundation: Jan. 1, 1962-June 30, 1963	20,672
Playtex Foundation: Oct. 1, 1958-Sept. 30, 1060	15,000
Children's Bureau: Indeterminate amount of funds allocated to State programs for field trial of the kits.	

Comments: It should be noted that we requested a formal report of invention from Dr. Guthrie on January 10, 1962. We did not, however, receive the report until December 14, 1962, after four followup letters and telephone conversations. Please also note that the patent application was filed by their attorney on April 16, 1962, 4 months following the first request for a formal invention report and 7 months prior to submission of the report.

MARCH 30, 1964.

Miss KATHARINE A. PARENT,
Division of Research Grants, NIH, Through: Dr. Eugene Confrey, Chief, DRG, NIH, and Norman J. Latker, Patent Adviser, OD, NIH:

Grantee invention—Guthrie, Children's Hospital, Buffalo: "Bacteriologic testing method (inhibition assay) for estimating the level of phenylalanine in blood."

Your determination on the disposition of invention rights for this major breakthrough indicates that the grantee's request for a period of exclusive patent rights has been subjected to a thorough evaluation and is denied. Your determination further indicates that U.S. patent application, serial No. 187,707 should be assigned to the U.S. Government.

There is nothing in the file indicating upon what your evaluation and determination is based. Further, there is no indication as to the disposition of foreign patent rights which are equally as important as the domestic rights. Has Miles Laboratories filed in foreign countries?

What are your intentions as to reimbursing Miles Laboratories for their cost of patent preparation? This is a cost that the Government would obviously had to have incurred if Miles had not filed. (This is exactly the same situation ignored in the McKean case.)

Has Miles incurred expenses for a new drug application? If so, have you investigated our obligation for reimbursing them? This, again, is an expense that the Government would have had to incur if Miles had not.

Your determination in essence destroys an investment by Miles Laboratory that is in the thousands of dollars, yet you provide not a word justifying the Government's position (your position).

APRIL 1, 1964.

Re N-G116-62.

To: Norman J. Latker, Patent Adviser, OD, NIH.

From: Miss Katharine A. Parent, Special Assistant for Extramural Patents, DRG, NIH.

Subject: Grantee invention—Guthrie, Children's Hospital, Buffalo: "Bacteriologic testing method (inhibition assay) for estimating the level of phenylalanine in blood."

In view of your memorandum of March 30, 1964, regarding the determination made on the Guthrie case, Children's Hospital, Buffalo, the determination is being sent direct to Mr. Clesner along with a copy of your memorandum, since the questions raised were answered many months ago; in fact many months before you joined the National Institutes of Health.

I should like to make the following comments: (1) There is no mutuality between the Public Health Service and Miles Laboratories. We made no arrangement with them to file patent application. We were not a party to any agreement between the grantee institution, the investigator, and Miles Laboratories. This whole arrangement was a fait accompli when we finally got our invention report. I do not believe, therefore, that we are under any obligation to reimburse Miles Laboratories for anything. (2) There is, in my opinion, absolutely no analogy between the Guthrie case and the McKean case. (3) The State of Massachusetts has been manufacturing and distributing their kits to hospitals in the State for many months. This type of screening is mandatory in Massachusetts hospitals. The New York State Legislature has just passed a bill making such tests mandatory in New York hospitals. A number of other States are contemplating setting up this type of screening. (4) No further development needs to be done by Miles or any other one commercial firm to market the kits. It has been completed; hence the terminology in the determination. (5) Miles intended to charge an exhorbitant price for their kits—40 times what it cost Dr. Guthrie to produce the kits for the field trials. Under the circumstances, there appears to be no justification for an exclusive license to Miles.

MAY 25, 1964.

Case No. N-G116-62.
Dr. MOIR F. TANNER,
Director, The Children's Hospital,
Buffalo, N.Y.

DEAR DR. TANNER: Reference is made to the report of invention titled "Bacteriologic testing method (inhibition assay) for estimating the level of phenylalanine in blood," developed by Dr. Robert Guthrie during the course of work under Public Health Service research grant B-1960.

It is my understanding that patent application, serial No. 187,707, was filed on April 16, 1962, 7 months prior to submission of the formal report of invention. The Service was notified of this filing on October 23, 1962. It is also my understanding that an agreement was made between Dr. Guthrie and Miles Laboratories, Inc., dated June 11, 1962, relating to the tests for estimating the level of phenylalanine in blood. Copies of the patent application and the agreement have been made available to the Public Health Service.

The agreement under which funds were made available for the support of the research from which this invention arose provides that the applicant will refer to the Surgeon General, for determination, the question of whether such invention should be patented and the manner of obtaining and disposing of the proposed patent in the public interest. This responsibility is exercised in accordance with general policy directives included in the enclosed patent regulations of the Department of Health, Education, and Welfare.

Section 3.2(b) of the regulations provides that an invention may be assigned to a competent organization for development and administration, if it is determined that the invention thereby will be more adequately and quickly developed for widest use and that there are satisfactory safeguards against unreasonable royalties and repressive practices. Consideration of such a determination by the Surgeon General requires the submission of an acceptable proposal laying a factual basis for assignment of an invention to a grantee institution for administration. The proposal submitted in your letter of August 12, 1963, has been subjected to a thorough evaluation. As a result of this evaluation, I have concluded that the proposal does not meet the criteria of section 3.2(b) and that the best interests of the public will not be served by granting an exclusive license to a single manufacturer; rather, the invention should be offered to any qualified manufacturer, health service, or laboratory interested in carrying out the program necessary to manufacture or distribute the PKU kit for the market.

In the light of the foregoing conclusions and consistent with section 8.2(d) of the Department regulations, it is my determination that insofar as the invention may be patentable, the equitable ownership of all rights, both domestic and foreign, shall be in the United States, and that assignment of rights in U.S. patent application, serial No. 187,707 filed on April 16, 1962, shall accordingly be obtained. The form of assignment to be executed by the inventor is enclosed. It is my further determination that based on the possible public health significance of this invention, patent protection is in the best interest of the public. The Public Health Service will arrange for the necessary prosecution of U.S. patent application, serial No. 187,707.

Pursuant to this assignment and in accordance with the patent policy of the Department of Health, Education, and Welfare, licenses under the patent application or any patent which may issue thereon will be granted by the Department to all applicants on a nonexclusive, revocable, royalty-free basis, subject only to such controls as to condition of manufacture and quality of the product as may appear needed to protect the public interest.

You are requested to acknowledge receipt of this determination by signing and returning one copy to the Special Assistant for Extramural Patents, Division of Research Grants, National Institutes of Health, Bethesda, Md., 20014. Please include with the signed determination (1) an original and three copies of the duly executed assignment to the Government, (2) a substitute power of attorney to our patent attorneys on the attached form to be signed by your patent attorney, and (3) copies of all actions taken thus far on U.S. patent application, serial No. 187,707.

Sincerely yours,

David E. Price,
Acting Surgeon General.

U.S. Government Memorandum
October 9, 1964.

To: Files.
From: Mr. Clesner.
Subject: Guthrie.

Many have urged obligatory PKU blood tests for newly born babies.

The test is the Guthrie bacteriologic test (inhibition assay) for estimating the level of phenylalanine in blood.

The test is extremely important as a diagnostic aid for the detection of the condition of phenylketonuria, which mental disease, while having a low incidence rate, has serious consequences both to the individual concerned and to society in general. The mental retardation caused by this disease can be completely prevented by use of a low phenylalanine diet which has been available in the United States and abroad for several years. However, to be completely effective the diet must be started within the first 1 to 3 months of life. It is this early diagnosis which is the purpose of the mass screening of newborn infants before leaving the hospital nursery, a procedure made possible for the first time by the "inhibition assay" procedure for blood phenylalanine. The test has application both in this country and foreign countries, since the gene for phenylketonuria has worldwide distribution.

The test was developed with the following support background as indicated by official NIH grant files.

Public Health Service:	
Grant No. B–1960 (National Institute of Neurological Diseases and Blindness) Jan. 1, 1959–Dec. 31, 1963	$152,375
Grant No. B–3935 (National Institute of Neurological Diseases and Blindness) Dec. 1, 1961–Nov. 30, 1963	99,325
Total	251,700
Other support:	
National Association for Retarded Children Inc. (NARC) Sept. 1, 1958–Aug. 31, 1963	25,000
Association for the Aid of Crippled Children (AACC) Sept. 1, 1958–Aug. 31, 1963	25,000
Other possible support:	
Commercial Solvents Corp., Mar. 1, 1962–Feb. 28, 1963	15,000
National Foundation, Jan. 1, 1962–June 30, 1963	20,672
Playtex Foundation, Oct. 1, 1968–Sept. 30, 1960	15,000

Children's Bureau up to November 1963. Not disclosed in NIH records.

Approximately $492,000 has been utilized in order to develop, promote, distribute, and try out these kits when the field trials, involving 33 States and approximately 600 hospitals, are completed.

Dr. Guthrie did not voluntarily forward to the Public Health Service an invention report as required by PHS grant agreements B–1960 and B–3935. A formal invention report was requested of Dr. Guthrie on January 10, 1962. After four followup letters and innumerable telephone conversations an invention report was received from him on December 14, 1962. In the interim, patent application serial No. 187,707 relating to this invention was filed in Dr. Guthrie's name on April 16, 1962. This was 4 months following the initial request for a formal invention report and 7 months prior to the actual submission of the invention report. Shortly thereafter Dr. Robert Guthrie entered into an exclusive licensing agreement for the life of the patent with Miles Laboratories which was approved by two voluntary health associations involved, but not by the Public Health Service. The agreement called for royalty proceeds (a small percentage of net sales) that may result from the license agreement to be assigned to one or more of the sponsoring charitable organizations. Dr. Guthrie and Children's Hospital of Buffalo petitioned the Public Health Service to leave exclusive rights to Miles. No reference was made of the massive Children's Bureau contribution. Study disclosed that Ames Division of Miles Laboratories intended to sell the test kit for 40 times the price that Guthrie and Children's Hospital of Buffalo, N.Y.; Massachusetts State Public Health Biological Laboratories; and other contractors were charging the Children's Bureau. Therefore, if such a patent issued with such an exclusive license, Miles Laboratories could have excluded all others, including the Massachusetts State Public Health Biological Laboratories, from manufacturing, distributing and using the test kits or force all others to pay substantial royalties to Miles.

The States of Massachusetts and New York presently require this PKU blood test to be given to all infants newly born in the respective States. The Massachusetts State Public Health Biological Laboratories provides these kits for use of Massachusetts hospitals and doctors. Upon disclosure of the amounts that Miles intended to charge for the test kit, Dr. Guthrie became helpful in attempting to destroy his existing, though non-Public Health Service ratified, agreement with Miles.

He further orally disclosed that the patent application was filed by a patent attorney who was hired by the State university system of New York for this purpose but who actually was Miles' outside patent attorney. He and the children's hospital also orally refuted their petition to the Public Health Service that Miles be given an exclusive license. He also disclosed that three or more companies were interested in obtaining a license and producing the kits at cost similar to his own. Accordingly, the Public Health Service (Deputy Surgeon General) determined that ownership to the invention belonged to the United States and an assignment to the patent application has been since received and recorded.

The patent advisor, NIH, objected to this determination stating that there is nothing in the file (without reading the file) to indicate the basis of the evaluation and determination, nothing to indicate the disposition of the foreign rights, even though the publications present in the grant file and referred to in the determination file were sufficient to bar filing in most foreign countries. He indicated that the Government should reimburse Miles for the cost of patent preparation even though there is nothing of record to indicate that Miles paid such costs or was a party in interest to such filing. He also raised the question whether Miles had incurred expenses for a new drug application and, if so, has the PHS investigated our obligation to reimburse them stating "This, again, is an expense that the Government would have had to incur if Miles had not."

"Your determination in essence destroys an investment by Miles Laboratories that is in the thousands of dollars, yet you provide not a word justifying the Government's position."

In answer to these objections the Special Assistant to the Chief, DRG, NIH, pointed out:

"(1) There is no mutuality between the Public Health Service and Miles Laboratories. We made no arrangement with them to file patent application. We were not a party to any agreement between the grantee institution, the investigator, and Miles Laboratories. This whole arrangement was a fait accompli when we finally got our invention report. I do not believe, therefore, that we are under any obligation to reimburse Miles Laboratories for anything. (2) There is, in my opinion, absolutely no analogy between the Guthrie case and the McKean case. (3) The State of Massachusetts has been manufacturing and distributing their kits to hospitals in the State for many months. This type of screening is mandatory in Massachusetts hospitals. The New York State Legislature has just passed a bill making such tests mandatory in New York hospitals. A number of other States are contemplating setting up this type of screening. (4) No further development needs to be done by Miles or any other one commercial firm to market the kits. It has been completed; hence the terminology in the determination. (5) Miles intended to charge an exhorbitant price for their kits—40 times what it cost Dr. Guthrie to produce the kits for field trials. Under the circumstances, there appears to be no justification for an exclusive license to Miles."

March 25, 1965.

Mr. Manuel B. Hiller,
Department Patents Officer
Herschel F. Clesner,
Inventions Coordinator, PHS:

Inventions derived from cosponsored PHS and other DHEW research support.

This will confirm our recent telephone conversations in which you were advised that there are examples of inventions derived from cosponsored "PHS and other DHEW agencies" where the other DHEW agency did not utilize a patent clause, whereas PHS did.

This is difficult to explain to the institution and the grantee investigator when they ask why. This also makes it difficult to require reporting of such inventions.

You asked for actual examples. The best and most readily available example is the Guthrie case. There are at least four inventions involved: (1) the Guthrie inhibition assay test for phenylketonuria, (2) the Guthrie inhibition assay test for maple sirup disease, (3) the Guthrie inhibition assay test for galactosemia, and (4) the Guthrie inhibition assay test for histidimemia.

The background support for Dr. Guthrie is as follows:

Public Health Service support:	
B–1960; January 1, 1959–Dec. 31, 1963	$152,375
B–3935; Dec. 1, 1961–Nov. 30, 1963	99,325
No known committed support after Dec. 31, 1963.	
Total Public Health Service support	251,700
Other DHEW support, Children's Bureau, approximately	492,000
Total DHEW support	743,700

Other support:	
NARC, Sept. 1, 1958–Aug. 31, 1963	$25,000
AACC, Sept. 1, 1958–Aug. 31, 1963	25,000
Commercial Solvents Corp., Mar. 1, 1962–Feb. 28, 1963	15,000
National Foundation, Jan. 1, 1962–June 30, 1963	20,672
Playtex Foundation, Oct. 8, 1958–Sept. 30, 1959	15,000
Total other than DHEW support	100,672

Initially, Dr. Guthrie did not submit a formal report of invention. A formal report of invention was requested from Dr. Guthrie on January 10, 1962, by the Division of Research Grants, NIH. The report was received on December 14, 1962, after four followup letters and telephone conversations. The patent application was filed by the patent attorney associated with Miles Laboratories, on April 16, 1962, 4 months following the first request for a formal invention report and 7 months prior to the submission of the report.

Although Dr. Guthrie has orally informed us that he has also conceived and reduced to practice assay tests for maple sirup disease, galactosemia and histidimenia, the Public Health Service has never received invention reports concerning these tests. The Childrens Bureau issued the following report "A Report on Childrens Bureau Health Service Activity under the 1963 Amendments to the Social Security Act." This publication discloses the referred to tests on page 9. The bibliography or reference list on pages 18 and 19 indicates publication or immediate publication for these tests. The tests for maple sirup disease and galactosemia are already being conducted as of August 19, 1964, on newborn infants in Massachusetts in connection with the Massachusetts phenylketonuria detection program. As the Public Health Service support expired as of December 31, 1963, it is possible that the latter three inhibition tests were conceived and reduced to practice under Childrens Bureau support rather than the PHS support.

All the tests relate to the inborn errors of metabolism which may cause early death or mental retardation among survivors. If detected early, these conditions can be prevented by early treatment. It should be expected that all the tests, if found to be as practical or reliable as the phenylketonuria test, would find widespread use both in domestic and foreign programs. At present, the phenylketonuria test is required either mandatorily or permissibly by approximately 10 States or areas.

Under all the circumstances it appears that the Public Health Service and other Department of Health, Education, and Welfare policies and practices ought to be as consistent as possible with one another and that cooperation should exist in order to carry out DHEW responsibilities.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

VOTING RIGHTS ACT OF 1965

The ACTING PRESIDENT pro tempore. The hour of 12:30 p.m. having arrived, under the unanimous-consent agreement the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1564) to enforce the 15th amendment of the Constitution of the United States.

The Senate resumed the consideration of the bill.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendments, en bloc, numbered 152 and 159, offered by the Senator from Georgia [Mr. TALMADGE] for himself, the Senator from North Carolina [Mr. ERVIN], and the Senator from Mississippi [Mr. STENNIS] to the amendment in the nature of a substitute, as amended (numbered 124), offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN].

Mr. TALMADGE. Mr. President, I yield 10 minutes to the distinguished senior Senator from Louisiana [Mr. ELLENDER].

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized for 10 minutes.

Mr. ELLENDER. Mr. President, the pending amendments are very simple. I am very hopeful that Senators read over and studied the speech that was made on these amendments the other day by the distinguished Senator from Georgia [Mr. TALMADGE].

It appears in Friday's RECORD. He makes it very plain that the amendments would, in a measure, restore some of the constitutional rights that the bill seeks to take away from the States.

I wish, in a measure, to emphasize what the Senator from Georgia stated—that this is one of the most far reaching and most pernicious bills that has ever been presented to the Senate. It constitutes a greater assault against constitutional government than any bill that has been introduced in this body during my 28 years of service.

It has been argued by the proponents of the bill that the Attorney General has taken his cue from a case that was recently decided, in which the State of Louisiana was involved. It is alleged that in the decision of Louisiana et al., Appellants, against United States, decided on March 8 of this year, the Supreme Court suspended the laws in the State of Louisiana.

Mr. President, I deny that. I have a copy of the decision, which I propose to place in the RECORD following my remarks. The Supreme Court merely affirmed a decision of the lower court, wherein there was an abundance of evidence—admitted evidence, as I understand—that the registration laws were used to discriminate against some persons on account of race. This occurred in 21 of the 64 parishes in my State.

Briefly, the facts were that Louisiana did have a literacy test which required an interpretation of the Constitution. Before the case came to trial the Louisiana Legislature abolished the old test and instituted a new and objective test, which in no way left the outcome to the caprice of a local official. The lower court found the old test unconstitutional because of its subjective nature, but did not pass upon the merits of the new test. The Court did hold, however, that since 21 parishes had been found guilty of discriminating against Negroes under the old test, these parishes were enjoined from using the new objective test unless a new registration was called. It believed that some white persons were registered who could perhaps not qualify under the new law and thus perpetuate the situation.

The Supreme Court affirmed this injunction and did not itself go into the new objective test, as there was no evidence in the record on which to judge this literacy law.

The position taken by the Court was that in some cases as many as 75 to 80 percent of the registered voters did not have to comply as rigidly with the laws of the State as did some other applicants. Therefore, in order to put all applicants on the same basis, the Court said that all voters who applied should be permitted to vote without the application of the literacy test or a re-registration of all voters under the new law so that a discriminatory situation would not be perpetuated.

This was done after a hearing in the court. It was done apparently and only after evidence was introduced that there was discrimination. In order to treat alike all persons of age who applied, the Court affirmed the decision of the lower court that one of two things would be required: Either there was to be a new registration, or all applicants who desired to register should be allowed to register and vote without having to go through the existing testing device.

The Court held in effect that the State had the right to fix the qualifications of voters, but the Court also said that, although the State has this right, the qualifications must be applied to all equally and without discrimination.

Of course, I am for that. It is my belief that voting laws in any State should be applied to all applicants without discrimination.

The higher Court went a little further and said that it may be that the qualifications provided by the State were a little stringent and were probably used as a basis to deny the vote to the colored, and even to some whites.

If the pending bill were enacted the State Legislature of Louisiana would be incapable of revising the voting laws unless the legislature first obtained permission from the Attorney General and the District Court in the District of Columbia—something unheard of. The legislature could not go ahead under the court's decision and require a re-registration. It could not use a literacy test in any of the 64 parishes.

As the Senator from Georgia stated, there is absolutely no language in the Constitution which provides that the Attorney General or the Congress has a right to suspend any laws of the States. And yet, if this amendment is not adopted and the bill goes through as proposed by the leadership and by the administration, it will mean that if a State desires to change its laws with respect to registration, it cannot do so without consent of the Attorney General and the District Court in the District of Columbia.

I hope that the pending amendments will be adopted.

I wish to tell my good friend the majority leader, as well as the minority leader, that I was in hope the Senate would adopt some of our amendments which have been offered to make the bill constitutional, so we could have a vote soon; but so far we have presented quite a few amendments and none of them has been adopted. I do not expect any to be adopted. The bill, if passed, will be purely sectional in scope and punitive in purpose.

Therefore, Mr. President, at this point I ask unanimous consent to have printed in the Record the decision upon which the Attorney General relies in his recommendation that Congress pass a law to suspend State laws.

There being no objection, the decision was ordered to be printed in the Record, as follows:

Appeal From the United States District Court for the Eastern District of Louisiana

Louisiana v. *United States*.

Syllabus, *Louisiana et al.* v. *United States*.

No. 67. Argued January 26–27, 1965.—Decided March 8, 1965

"Pursuant to 42 U.S.C. § 1971 (c) the Attorney General brought this action against appellants, the State of Louisiana, the three members of the State Registration Board, and the Board's Director-Secretary, charging a long-standing plan to deprive Louisiana Negroes of voting rights in violation of § 1971 (a) and the Fourteenth and Fifteenth Amendments. The complaint alleged and the District Court held that the discriminatory scheme began with the adoption of a "grandfather clause" in the Louisiana Constitution of 1898, when about 44% of the State's registered voters were Negroes. Upon this Court's invalidation of a similar clause, Louisiana in 1921 substituted a new "interpretation test," which required an applicant to interpret a section of the State or Federal Constitution to the satisfaction of the registrar. From that time to 1944 the proportion of registered voters who were Negroes did not exceed 1%, mainly because the white primary system kept Negroes from participating in the Democratic primary, the only politically significant election in the State. When after this Court in 1944 invalidated racial discrimination in primary elections and many registrars still failed to apply the interpretation test, the percentage of voters who were Negroes increased to 15%, a situation which, along with increased segregationist sentiment following this Court's school desegregation decision, led the legislature to create a "Segregation Committee." That committee cooperated with Citizens Councils to instruct registrars to promote white political control and to begin wholesale purges of Negroes from the voting rolls. At least 21 parishes in the mid-1950's began applying the interpretation test, to which was added in 1960 a comprehension requirement, applicable to all persons, which the State Registration Board ordered rigidly enforced. The District Court, in view of the virtually unlimited discretion given voting registrars by the Louisiana laws and because the 21 parish registrars had used the interpretation test to keep Negroes from voting, held that test on its face and as applied invalid under the Fourteenth and Fifteenth Amendments and 42 U.S.C. § 1971 (a) and enjoined its future use in the State; with respect to the 21 parishes where the test was found to have been applied, it also enjoined use of a new "citizenship" test absent a reregistration of voters so that a new test will apply to all or none, and required monthly registration reports to be made for those parishes. Held:

"1. The Attorney General has power to sue a State and its officials to protect Negroes' voting rights guaranteed by 42 U.S.C. § 1971 (a) and the Fourteenth and Fifteenth Amendments. *United States* v. *Mississippi*, *ante*, p. 128, followed. P. 151.

"2. The evidence amply supported the District Court's findings that Louisiana's interpretation test, as written and applied so as to give registrars unbridled discretion without any objective standards to determine voting qualifications, was part of a successful plan unlawfully to deprive Louisiana Negroes of their voting rights. *Schnell* v. *Davis*, 336 U.S. 933, affirming 81 F. Supp. 872 (D.C. S.D. Ala.), followed. Pp. 151–153.

"3. The decree was well within the District Court's discretion to eliminate past voting discrimination against Negroes in Louisiana and to bar like discrimination in the future. Pp. 154–156.

"(a) The decree properly enjoned further use of the interpretation test. P. 154.

"(b) Since a large proportion of Negroes in the 21 parishes had been kept from registering by the discriminatory interpretation test, under which virtually all white applicants were allowed to register, the decree properly barred application of the new "citizenship" test, which the State claims is objective, absent a complete reregistration of all voters in those parishes. Pp. 154–155.

"(c) The requirement for monthly registration reports for the 21 parishes was proper to inform the court as to whether the old discriminatory practices had been eliminated. Pp. 155–156."

225 F. Supp. 353, affirmed.

Harry J. Kran, Jr., Assistant Attorney General of Louisiana, argued the case for appellants. With him on the brief were Jack P. F. Gremillion, Attorney General of Louisiana, and Carroll Buck, First Assistant Attorney General.

Louis F. Claiborne argued the cause for the United States. With him on the brief were Solicitor General Cox, Assistant Attorney General Marshall, Harold H. Greene and David Rubin.

Mr. Justice Black delivered the opinion of the Court.

Pursuant to authority granted in 42 U.S.C. § 1971 (c) (1958 ed., Supp. V), the Attorney General brought this action on behalf of the United States in the United States District Court for the Eastern District of Louisiana against the State of Louisiana, the three members of the State Board of Registration, and the Director-Secretary of the Board. The complaint charged that the defendants by following and enforcing unconstitutional State laws had been denying and unless restrained by the court would continue to deny Negro citizens of Louisiana the right to vote, in violation of 42 U.S.C. § 1971 (a) (1958 ed.) [1] and the Fourteenth and Fifteenth Amendments to the United States Constitution. The case was tried and after submission of evidence,[2] the three-judge District Court, convened pursuant to 28 U.S.C. § 2281 (1958 ed.), gave judgment for the United States. 225 F. Supp. 353. The State and the other defendants appealed, and we noted probable jurisdiction, 377 U.S. 987.

The complaint alleged, and the District Court found, that beginning with the adoption of the Louisiana Constitution of 1898, when approximately 44% of all the registered voters in the State were Negroes, the State had put into effect a successful policy of denying Negro citizens the right to vote because of their race. The 1898 constitution adopted what was known as a "grandfather clause," which imposed burdensome requirements for registration thereafter but exempted from these future requirements any person who had been entitled to vote before January 1, 1867, or who was the son or grandson of such a person.[3] Such a transparent expedient for disfranchising Negroes, whose ancestors had been slaves until 1863 and not entitled to vote in Louisiana before 1867,[4] was held unconstitutional in 1915 as a violation of the Fifteenth Amendment, in a case involving a similar Oklahoma constitutional provision. *Guinn* v. *United States*, 238 U.S. 347. Soon after that decision Louisiana, in 1921, adopted a new constitution replacing the repudiated "grandfather clause" with what the complaint calls an "interpretation test," which required that an applicant for registration be able to "give a reasonable interpretation" of any clause in the Louisiana Constitution or the Constitution of the United States.[5] From the adoption of the 1921 interpretation test until 1944, the District Court's opinion stated, the percentage of registered voters in Louisiana who were Negroes never exceeded one percent. Prior to 1944 Negro interest in voting in Louisiana had been slight, largely because the State's white primary law kept Negroes from voting in the Democratic Party primary election, the only election that mattered in the political climate of that State. In 1944, however, this Court invalidated the substantially identical white primary law of Texas,[6] and with the explicit statutory bar to their voting in the primary removed and because of a generally heightened political interest, Negroes in increasing numbers began to register in Louisiana. The white primary system had been so effective in barring Negroes from voting that the "interpretation test" as a disfranchising device had been ignored over the years. Many registrars continued to ignore it after 1944, and in the next dozen years the proportion of registered voters who were Negroes rose from two-tenths of one percent to approximately 15% by March 1956. This fact, coupled with this Court's 1954 invalidation of laws requiring school segregation,[7] prompted the State to try new devices to keep the white citizens in control. The Louisiana Legislature created a committee which became known as the "Segregation Committee" to seek means of accomplishing this goal. The chairman of this committee also helped to organize a semiprivate group called the Association of Citizens Councils, which thereafter acted in close cooperation with the legislative committee to preserve white supremacy. The legislative committee and the Citizens Councils set up programs, which parish voting registrars were required to attend, to instruct the registrars on how to promote white political control. The committee and the Citizens Councils also began a wholesale challenging of Negro names already on the voting rolls, with the result that thousands of Negroes, but virtually no whites, were purged from the rolls of voters. Beginning in the middle 1950's registrars of at least 21 parishes began to apply the interpretation test. In 1960 the State Constitution was amended to require every applicant thereafter to "be able to understand" as well as "give a reasonable interpretation" of any section of the State or Federal Constitution "when read to him by the registrar."[8] The State Board of Registration in cooperation with the Segregation Committee issued orders that all parish registrars must strictly comply with the new provisions.

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[1] "All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding." 16 Stat. 140, 42 U.S.C. § 1971(a) (1958 ed.).

[2] The appellants did not present any evidence. By stipulation all the Government's evidence was presented in written form.

[3] La. Const. 1898, Art. 197, § 5. See generally Eaton, The Suffrage Clause in the New Constitution of Louisiana, 13 Harv. L. Rev. 279.

[4] The Louisiana Constitution of 1868 for the first time permitted Negroes to vote. La. Const. 1868, Art. 98.

[5] La. Const. 1921, Art. VIII, §§ 1(c), 1(d).

[6] *Smith* v. *Allwright*, 321 U.S. 649.

[7] *Brown* v. *Board of Education*, 347 U.S. 483.

The interpretation test, the court found, vested in the voting registrars a virtually uncontrolled discretion as to who should vote and who should not. Under the State's statutes and constitutional provisions the registrars, without any objective standard to guide them, determine the manner in which the interpretation test is to be given, whether it is to be oral or written, the length and complexity of the sections of the State or Federal Constitution to be understood and interpreted, and what interpretation is to be considered correct. There was ample evidence to support the District Court's finding that registrars in the 21 parishes where the test was found to have been used had exercised their broad powers to deprive otherwise qualified Negro citizens of their right to vote; and that the existence of the test as a hurdle to voter qualification has in itself deterred and will continue to deter Negroes from attempting to register in Louisiana.

Because of the virtually unlimited discretion vested by the Louisiana laws in the registrars of voters, and because in the 21 parishes where the interpretation test was applied that discretion had been exercised to keep Negroes from voting because of their race, the District Court held the interpretation test invalid on its face and as applied, as a violation of the Fourteenth and Fifteenth Amendments to the United States Constitution and of 42 U.S.C. § 1971(a).[9] The District Court enjoined future use of the test in the State, and with respect to the 21 parishes where the invalid interpretation test was found to have been applied, the District Court also enjoined use of a newly enacted "citizenship" test, which did not repeal the interpretation test and the validity of which was not challenged in this suit, unless a reregistration of all voters in those parishes is ordered, so that there would be no voters in those parishes who had not passed the same test.

I

We have held this day in *United States* v. *Mississippi, ante,* p. 128, that the Attorney General has power to bring suit against a State and its officials to protect the voting rights of Negroes guaranteed by 42 U.S.C. § 1971(a) and the Fourteenth and Fifteenth Amendments.[10] There can be no doubt from the evidence in this case that the District Court was amply justified in finding that Louisiana's interpretation test, as written and as applied, was part of a successful plan to deprive Louisiana Negroes of their right to vote. This device for accomplishing unconstitutional discrimination has been little if any less successful than was the "grandfather clause" invalidated by this Court's decision in *Guinn* v. *United States, supra,* 50 years ago, which when that clause was adopted in 1898 had seemed to the leaders of Louisiana a much preferable way of assuring white political supremacy. The Governor of Louisiana stated in 1898 that he believed that the "grandfather clause" solved the problem of keeping Negroes from voting "in a much more upright and manly fashion"[11] than the method adopted previously by the States of Mississippi and South Carolina, which left the qualification of applicants to vote "largely to the arbitrary discretion of the officers administering the law."[12] A delegate to the 1898 Louisiana Constitutional Convention also criticized an interpretation test because the "arbitrary power, lodged with the registration officer, practically places his decision beyond the pale of judicial review; and he can enfranchise or disfranchise voters at his own sweet will and pleasure without let or hindrance."[13]

But Louisianans of a later generation did place just such arbitrary power in the hands of election officers who have used it with phenomenal success to keep Negroes from voting in the State. The State admits that the statutes and provisions of the state constitution establishing the interpretation test "vest discretion in the registrars of voters to determine the qualifications of applicants for registration" while imposing "no definite and objective standards upon registrars of voters for the administration of the interpretation test." And the District Court found that "Louisiana . . . provides no effective method whereby arbitrary and capricious action by registrars of voters may be prevented or redressed."[14] The applicant facing a registrar in Louisiana thus has been compelled to leave his voting fate to that official's uncontrolled power to determine whether the applicant's understanding of the Federal or State Constitution is satisfactory. As the evidence showed, colored people, even some with the most advanced education and scholarship, were declared by voting registrars with less education to have an unsatisfactory understanding of the Constitution of Louisiana or of the United States. This is not a test but a trap, sufficient to stop even the most brilliant man on his way to the voting booth. The cherished right of people in a country like ours to vote cannot be obliterated by the use of laws like this, which leave the voting fate of a citizen to the passing whim or impulse of an individual registrar. Many of our cases have pointed out the invalidity of laws so completely devoid of standards and restrains. See, *e.g., United States* v. *L. Cohen Grocery Co.,* 255 U.S. 81. Squarely in point is *Schnell* v. *Davis,* 336 U.S. 933, affirming 81 F. Supp. 872 (D.C.S.D. Ala.), in which we affirmed a district court judgment striking down as a violation of the Fourteenth and Fifteenth Amendments an Alabama constitutional provision restricting the right to vote in that State to persons who could "understand and explain any article of the Constitution of the United States" to the satisfaction of voting registrars. We likewise affirm here the District Court's holding that the provisions of the Louisiana Constitution and statutes which require voters to satisfy registrars of their ability to "understand and give a reasonable interpretation of any section" of the Federal or Louisiana Constitution violate the Constitution. And we agree with the District Court that it specifically conflicts with the prohibitions against discrimination in voting because of race found both in the Fifteenth Amendment and 42 U.S.C. § 1971(a) to subject citizens to such an arbitrary power as Louisiana has given its registrars under these laws.

II

This leaves for consideration the District Court's decree. We bear in mind that the court has not merely the power but the duty to render a decree which will so far as possible eliminate the discriminatory effects of the past as well as bar like discrimination in the future. Little if any objection is raised to the propriety of the injunction against further use of the interpretation test as it stood at the time this action was begun, and without further discussion we affirm that part of the decree.

Appellants' chief argument against the decree concerns the effect which should be given the new voter-qualification test adopted by the Board of Registration in August 1962, pursuant to statute[15] and subsequent constitutional amendment[16] after this suit had been filed. The new test, says the State, is a uniform, objective, standardized "citizenship" test administered to all prospective voters alike. Under it, according to the State, an applicant is "required to indiscriminately draw one of ten cards. Each card has six multiple choice questions, four of which the applicant must answer correctly." Confining itself to the allegations of the complaint, the District Court did not pass upon the validity of the new test, but did take it into consideration in formulating the decree.[17] The court found that past discrimination against Negro applicants in the

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[8] La. Acts 1960, No. 613, amending La. Const. Art. VIII, § 1(d), previously implemented in La. Rev. Stat. § 18: 36. Under the 1921 constitution the requirement that an applicant be able "to understand" a section "read to him by the registrar" applied only to illiterates. La. Const. 1921, Art VIII, § 1(d); compare *id.,* § 1(c).

[9] "Although the vote-abridging purpose and effect of the [interpretation] test render it per se invalid under the Fifteenth Amendment, it is also per se invalid under the Fourteenth Amendment. The vices cannot be cured by an injunction enjoining its unfair application." 225 F. Supp., at 391–392.

[10] It is argued that the members of the State Board of Registration were not properly made defendants because they were "mere conduits," without authority to enforce State registration requirements. The Board has the power and duty to supervise administration of the interpretation test and prescribe rules and regulations for the registrars to follow in applying it. La. Rev. Stat. § 18:191A; La. Const. Art. VIII, § 18. The Board also is by statute directed to fashion and administer the new "citizenship" test. La. Rev. Stat. § 18:191A; La. Const. Art. VIII, § 18. And the Board has the power to remove any registrar from office "at will." La. Const. Art VIII, § 18. In these circumstances the Board members were properly made defendants. Compare *United States* v. *Mississippi, ante,* at 141–142.

There is also no merit in the argument that the registrars, who were not defendants in this suit, were indispensable parties. The registrars have no personal interest in the outcome of this case and are bound to follow the directions of the State Board of Registration.

[11] Louisiana Senate Journal, 1898, p. 33.

[12] Ibid.

[13] Kernan, The Constitutional Convention of 1898 and its Work, Proceedings of the Louisiana Bar Association for 1898–1899, pp. 59–60.

[14] 225 F. Supp., at 384.

[15] La. Acts 1962, No. 62, amending La. Rev. Stat. 18:191A.

[16] La. Acts 1962, No. 539, amending La. Const. Art. VIII, § 18.

[17] Like the District Court, we express no opinion as to the constitutionality of the new "citizenship" test. Any question as to that point is specifically reserved. That test was never challenged in the complaint or any other pleading. The District Court said "we repeat that this decision does not touch upon the constitutionality of the citizenship test as a state qualification for voting." 225 F. Supp., at 397. The Solicitor General did not challenge the validity of the new test in this Court either in briefs or in oral argument, but instead recognized specifically that that issue was not before us in this case. And at oral argument in this Court the attorney for the United States stated that the Government has pending in a lower court a new suit challenging registration procedures in Louisiana "under the new regime," *i.e.,* employed subsequent to the invalidation of the interpretation test in this case. The new "citizenship" test, he said, "is simply not an issue in this proceeding and was not invalidated in the lower court and we are not here challenging it."

21 parishes where the interpretation test had been applied had greatly reduced the proportion of potential Negro voters who were registered as compared with the proportion of whites. Most if not all of those white voters had been permitted to register on far less rigorous terms than colored applicants whose applications were rejected. Since the new "citizenship" test does not provide for a reregistration of voters already accepted by the registrars, it would affect only applicants not already registered, and would not disturb the eligibility of the white voters who had been allowed to register while discriminatory practices kept Negroes from doing so. In these 21 parishes, while the registration of white persons was increasing, the number of Negroes registered decreased from 25,361 to 10,351. Under these circumstances we think that the court was quite right to decree that, as to persons who met age and residence requirements during the years in which the interpretation test was used, use of the new "citizenship" test should be postponed in those 21 parishes where registrars used the old interpretation test until those parishes have ordered a complete reregistration of voters, so that the new test will apply alike to all or to none. Cf. *United States* v. *Duke*, 332 F. 2d 759, 769–770 (C.A. 5th Cir.).

It also was certainly an appropriate exercise of the district court's discretion to order reports to be made every month concerning the registration of voters in these 21 parishes, in order that the court might be informed as to whether the old discriminatory practices really had been abandoned in good faith. The need to eradicate past evil effects and to prevent the continuation or repetition in the future of the discriminatory practices shown to be so deeply engrained in the laws, policies, and traditions of the State of Louisiana, completely justified the district court in entering the decree it did and in retaining jurisdiction of the entire case to hear any evidence of discrimination in other parishes and to enter such orders as justice from time to time might require.

Affirmed.

Mr. Justice Harlan considers that the constitutional conclusions reached in this opinion can properly be based only on the provisions of the 15th amendment. In all other respects, he fully subscribes to this opinion.

The ACTING PRESIDENT pro tempore. The time of the Senator from Louisiana has expired.

Mr. TALMADGE. Mr. President——

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized.

Mr. MANSFIELD. Mr. President, will the Senator from Georgia yield, that I may suggest the absence of a quorum?

Mr. TALMADGE. Mr. President, I ask unanimous consent that the Senator from Montana may suggest the absence of a quorum without the time being charged to either side.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, would the Senator from Maryland [Mr. TYDINGS] yield me 2 minutes?

Mr. TYDINGS. Mr. President, I yield 2 minutes to the distinguished majority leader.

The ACTING PRESIDENT pro tempore. The Senator from Montana is recognized for 2 minutes.

Mr. MANSFIELD. I thank the Senator from Maryland.

Mr. President, the minority leader and I have consulted in recent days, have reviewed debate on the Senate floor, and have agreed that some modifications of the language of our jointly sponsored substitute would be desirable to more clearly state what we originally intended and still intend the bill to do.

Mr. President, I send to the desk two amendments to the Dirksen-Mansfield substitute and ask that they be incorporated as a part of the substitute.

Mr. ELLENDER. Is the Senator from Montana asking for unanimous consent?

Mr. MANSFIELD. I am asking for unanimous consent.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. ELLENDER. Mr. President, reserving the right to object——

The ACTING PRESIDENT pro tempore. The Senator from Louisiana reserves the right to object.

Mr. ELLENDER. As I understand it, what is being sought now by the majority leader is merely to modify the amendment which was proposed by him and the Senator from Illinois and others; is that not correct?

The ACTING PRESIDENT pro tempore. That is the understanding.

Mr. ELLENDER. It is now pending.

The ACTING PRESIDENT pro tempore. That is the understanding of the Chair.

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana will state it.

Mr. ELLENDER. As I understand, if the unanimous consent request is not agreed to, the majority leader and others would, of course, have the right to send up these proposals as amendments to the second substitute; is that not correct?

The ACTING PRESIDENT pro tempore. The Senator has correctly stated the situation. But at the proper time.

Mr. ELLENDER. I understand. If that determination were to be followed, these amendments would not be subject to an amendment, in that they would be in the second degree; is that not correct?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. ELLENDER. I thank the Chair.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous consent request?

Mr. ERVIN. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina will state it.

Mr. ERVIN. It is my understanding, however, that any other portions of the substitute, other than those which may have heretofore been amended, would be subject to amendment; is that not correct?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. ERVIN. I thank the Chair.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous consent request to modify the amendment? The Chair hears none, and it is so ordered.

The amendments are as follows:

On page 15 after line 3, insert a new subsection as follows:

"(c) During the pendency of such actions, and thereafter if the courts declare the requirement of the payment of a poll tax to be constitutional, no citizen of the United States who is a resident of a State or political subdivision with respect to which determinations have been made under subsection 4(b) and a declaratory judgment has not been entered under subsection 4(a), during the first year he becomes otherwise entitled to vote by reason of registration by State or local officials or listing by an examiner, shall be denied the right to vote for failure to pay a poll tax if he tenders payment of such tax for the current year to an examiner at least forty-five days prior to election, whether or not such tender would be timely or adequate under State law. An examiner shall have authority to accept such payment from any person authorized by this Act to make an application for listing, and shall issue a receipt for such payment. The examiner shall transmit promptly any such poll tax payment to the office of the State or local official authorized to receive such payment under State law, together with the name and address of the applicant."

On page 10, line 13, strike out everything after "allegations" through line 20 and insert in lieu thereof the following: "that the applicant is not registered to vote, and such additional allegations, including an allegation that within ninety days preceding his application the applicant has been denied under color of law the opportunity to register or to vote or has been found not qualified to vote by a person acting under color of law, as the Attorney General may require."

AMENDMENT NO. 187

Mr. MANSFIELD. Mr. President, I send to the desk and ask unanimous consent to have printed in the RECORD and also read at this time another amendment which will be considered on its own merits.

The ACTING PRESIDENT pro tempore. Without objection the amendment will be printed in the RECORD and the clerk will read the amendment for the information of the Senate, on the time of the Senator from Montana.

The LEGISLATIVE CLERK. On page 14, line 8, strike out "SEC. 9(a)" and insert in lieu thereof the following:

SEC. 9(a). In view of the evidence presented to the Congress that the constitutional right of citizens of the United States to vote is denied or abridged in certain States by the requirement of the payment of a poll tax as a condition of voting, Congress declares that the constitutional right of citizens of the United States to vote is denied or abridged in such States by the requirement of the payment of a poll tax as a condition of voting. To assure that such right is not denied or abridged in violation of the Constitution, the Attorney General shall forthwith institute in such States in the name of the United States actions for declaratory judgment or injunctive relief against the enforcement of any poll tax, or substitute therefor enacted after November 1, 1964, which, as a condition of voting, has the purpose or effect of denying or abridging the right to vote.

Mr. DOMINICK. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. Mr. President, before I yield to the Senator from Colorado, I ask unanimous consent that the two modifications already agreed to under the unanimous-consent request be printed as a part of the Dirksen-Mansfield substitute at the next printing.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. If the Senator from Maryland will yield me further time, I shall be glad to yield to the Senator from Colorado.

Mr. TYDINGS. How much time does the Senator require?

Mr. DOMINICK. Only enough time to propound a parliamentary inquiry.

Mr. TYDINGS. Mr. President, I yield 2 minutes to the Senator from Colorado.

The ACTING PRESIDENT pro tempore. The Senator from Colorado is recognized for 2 minutes.

Mr. DOMINICK. I thank the Senator from Maryland.

Mr. President, is my understanding of the poll tax amendment correct, that it is a separate amendment, to be called up in proper order, and not as a part of the substitute?

Mr. MANSFIELD. The Senator is correct.

Mr. DOMINICK. This amendment, therefore, would not be subject to amendment, is that not correct?

Mr. MANSFIELD. That is correct.

Mr. DOMINICK. So if any Senator should feel that the wording of the amendment is inaccurate, even though he may wish to go along with the theory of the amendment, the only way to have any changes made would be to vote down the amendment and offer a new one; is that not correct?

Mr. MANSFIELD. The Senator is correct.

Mr. DOMINICK. I thank the Senator from Montana.

Mr. MANSFIELD. Mr. President, is it the ruling of the Chair that I made correct answers to the Senator from Colorado?

The ACTING PRESIDENT pro tempore. The Chair believes that the majority leader is accurately stating the situation. It is an amendment in the second degree.

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana will state it.

Mr. ELLENDER. Do I correctly understand that a change could be made by unanimous consent?

Mr. MANSFIELD. Yes.

The ACTING PRESIDENT pro tempore. Yes, by unanimous consent.

Mr. ELLENDER. I thank the Senator.

The ACTING PRESIDENT pro tempore. The time of the Senator from Montana has expired.

Mr. TALMADGE. Mr. President——

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized.

Mr. TALMADGE. Mr. President, a Senator rising to attack the constitutionality of the so-called Voting Rights Act finds himself in a veritable quandary. He does not know where to begin.

It is rare, indeed, for legislation so obviously unconstitutional to be seriously introduced and considered in the Senate of the United States. This bill is an affront to the intelligence and the integrity of the Members of this body. It is a sham being perpetrated upon the American people who have been emotionally deceived into believing that this bill is justified and necessary to protect the right to vote, which in fact already is the most protected right in the United States today.

If ever there is justification for flouting and suspending the Constitution as it applies to selected States in the Union, then someday the people may be told that there is justification for suspending the Constitution as it applies to all of our 50 sovereign States.

If suspending certain sections of the Constitution in some States today can be justified, then certain sections of this sacred document can someday be suspended in all of the States.

Mr. President, I submit that there is absolutely no justification at any time or under any circumstances for suspending the Constitution of the United States or for violating any of its provisions.

Whenever the American people allow themselves to be seduced into believing that any such justification exists, then their lives, their liberty, and their property stand in grave jeopardy.

Whenever any President, whenever any political power, whenever any court, or whenever the Congress can push aside the Constitution and refuse to adhere to its requirements and prohibitions, then the survival of this great Nation is severely threatened. This will mark the beginning of the end of our republican form of government. Tyranny cannot be far behind when anyone or any authority, regardless of how powerful or whatever the motives may be, is allowed to govern the people outside the Constitution and to act according to whim, caprice, or for personal or political gain.

Such is the threat that we face today in this country, Mr. President. Such is the nature of the pending legislation. It violates the Constitution. It suspends the Constitution. It makes a mockery of the Constitution and the rulings of Federal courts, including the U.S. Supreme Court, for almost the past 100 years, up to the present time.

Presented at another time, when the country was not on an emotional binge, legislation such as this would be the subject of ridicule and scorn, if not total disbelief.

Mr. President, I yield to the distinguished senior Senator from North Carolina.

Mr. ERVIN. Mr. President, does not the Senator from Georgia agree with the Senator from North Carolina that the Constitution of the United States contemplates that the States shall be just as supreme in the field of legislation assigned to the States as Congress is in the field of legislation assigned to the Federal Government?

Mr. TALMADGE. The Senator is eminently correct.

Mr. ERVIN. Does not the Senator from Georgia agree with the Senator from North Carolina that the Constitution of the United States makes it obvious that the States have the power to prescribe qualifications for voting?

Mr. TALMADGE. That is clear to anyone who has the slightest acquaintance with the Constitution.

Mr. ERVIN. Does not the second section of article I of the Constitution state in substance, in the plainest words to be found in the English language, that the States shall prescribe the qualifications of those who vote for the National House of Representatives?

Mr. TALMADGE. The Senator is entirely correct. This fact was reestablished in the 17th amendment to the Constitution.

Mr. ERVIN. I should like to ask the Senator if the second article of the Constitution does not provide in simple and understandable English words that the presidential and vice presidential electors shall be selected in such manner as the legislatures of the States shall direct?

Mr. TALMADGE. The Senator is entirely correct.

Mr. ERVIN. As the Senator from Georgia has stated, when Congress submitted to the States the 17th amendment, and the States ratified the 17th amendment, it was stated in that amendment, borrowing the words of the second section of article I of the Constitution, that the States shall determine the qualifications of those who are to be eligible to vote for Senators of the United States. Is that correct?

Mr. TALMADGE. The Senator is eminently correct.

Mr. ERVIN. Does it not provide in the 10th amendment that all power not granted to Congress or forbidden to the States is reserved to the States respectively, or to the people?

Mr. TALMADGE. That is true.

Mr. ERVIN. Is it not correct to say that the Constitution, in four separate provisions, makes it as plain as the noonday sun that the power to legislate with respect to qualifications for voting belongs to the States, and not to the Federal Government?

Mr. TALMADGE. That is true. Every Supreme Court decision has so held.

Mr. ERVIN. Does not the pending bill attempt to nullify or suspend a power of the States which the Constitution of the United States declares four times belongs to the States, rather than to the Federal Government?

Mr. TALMADGE. That is true.

Mr. ERVIN. Is it not correct to say that the fourth section of the first amendment to the Constitution provides that the States shall have the power to prescribe procedures for voting, subject to the right of Congress to alter the laws established in such procedures?

Mr. TALMADGE. Yes.

Mr. ERVIN. The bill represents an effort on the part of Congress to suspend State powers which are so clearly spelled out in the Constitution that anyone spending a half hour studying the

Constitution could understand it correctly; is that correct?

Mr. TALMADGE. The Senator is entirely correct.

Mr. ERVIN. Does not the Senator from Georgia agree with the Senator from North Carolina that the really great problem which confronts this country today is the problem of crime, or disobedience to the law?

Mr. TALMADGE. Yes.

Mr. ERVIN. Does the Senator from Georgia agree with the Senator from North Carolina that the commission of crime is encouraged when the President of the United States and Members of Congress support a bill which is manifestly an affront to provisions of the Constitution?

Mr. TALMADGE. I agree with the Senator.

Mr. ERVIN. Does not the Senator from Georgia agree with the Senator from North Carolina that it is a tragic example to be setting to the country for the Chief Executive of the country and a substantial number of Members of Congress to show their impatience with the Constitution and their unwillingness to abide by it?

Mr. TALMADGE. I share that view.

It would be regarded as incredible to propose that the Congress enact a bill which would permit the Attorney General, an appointed Federal official, to take over State and local election machinery in our sovereign States.

Yet, that is what the bill would do.

It would be termed ridiculous, to say the least, to propose that States be adjudged guilty of violating the Constitution simply on the basis of arbitrary statistics and percentages.

Yet, this is what this bill does.

It would be considered beyond all reason to condemn carefully selected target States, to declare them guilty and then demand that if they want to be absolved of their guilt, they must come all the way to Washington, D.C., and attempt to prove themselves innocent.

Yet, this bill would do just that.

In another time, this bill would be shouted down as the unjust and unconstitutional legislation that it is.

Unfortunately, the Congress today has been coerced into such a state of mind that it does not object to bending the Constitution just a little, just this once. This bill does more than bend the Constitution; it tears it asunder, and history shows that in instances such as this, once the precedent has been established, oppression never stops with "just a little, just this once."

If the Congress can ignore the Constitution today, it can do so tomorrow.

If provisions of the Constitution pertaining to the qualifications of voters can be suspended today, then tomorrow other provisions of the Constitution, in any other area regarding the rights of the States or the liberties of the people can likewise be suspended.

This is the dangerous ground upon which we are treading today. We had best alert ourselves to this danger before we have gone too far and it is too late to turn back.

Mr. President, the pending legislation offends both the letter and the spirit of the Constitution in so many instances, that this bill should be struck down in its entirety. In reality, it should not be amended, modified, or improved upon. It should be relegated to the same trash heap as that unconstitutional and punitive legislation which was courageously vetoed by President Andrew Johnson shortly after the War Between the States, when Senators and Congressmen wanted to punish the South and make it an occupied territory under the heel of the Federal Government in Washington.

This bill smacks through and through of Reconstruction legislation. It singles out several of the same States victimized during that tragic era in American history and proposes to drum them out of the Union by denying them constitutional rights guaranteed all the other States. In 43 States, the Constitution would remain in full force, although admittedly I cannot say for how long this will be, while in 7 States it is nullified.

The historical parallels go back even further in history than Reconstruction. As the able Senator from Louisiana pointed out last Friday in the Senate, many of the charges made by American colonists against King George III can be applied with equal applicability to this legislation.

Just as King George told the colonists, the Federal Government today tells these selected States:

You have no rights. We will determine what rights you may have, and those which are to be taken from you.

Your people have no courts. If we determine that you have violated the law that we have forced upon you, we will drag you into our court, not just to answer to charges, but to prove yourself innocent, if you can, for it has already been decided that you are guilty.

Because this burden of guilt is hung around your neck, your rights and liberties must be drastically curtailed. For instance, other States may continue to assert their constitutional right to determine the qualifications of the electorate, but you may not. Other States may require the ability to read and write, but you may not. Other States may require good moral character of its voters, but you may not.

You may elect a legislature to represent the people of your State, but it cannot enact laws without the approval of our court and our Attorney General. For the time being, we will decide what laws you may enact relating to elections. Perhaps later, if your Governor or your legislature displeases us more, we will take over even more of your lawmaking processes.

This is the edict of the Federal Government against my State of Georgia, and against the other target States. It is appalling indeed, it is shocking to think that the Congress of the United States would treat sovereign States of this free Republic in such a perverse and heavy-handed fashion.

Mr. President, although we are well aware of the fact that we cannot make a silk purse out of a sow's ear, we are compelled to endeavor to strike some of the more pernicious and unconstitutional provisions from this bill.

Amendments Nos. 152 and 159, which I have called up, would strike from the bill the unheard-of, and unprecedented, and blatantly unconstitutional proposition that the U.S. Attorney General, a political appointee, and the Federal District Court in the District of Columbia exercise veto powers over sovereign State legislatures.

The provisions of the bill which I seek to remove would prevent legislatures in the target States from enacting or enforcing laws pertaining to elections without securing the approval of the Attorney General or the District Court in Washington in an action for a declaratory judgment.

This is probably the most drastic proposal ever made. To my knowledge, never before in the annals of history has it been suggested that State legislatures submit laws to the Federal Government for approval before they can be enacted. It rips the Constitution to a mere shred. It is contrary to every concept of jurisprudence we have ever known. Our Founding Fathers, or anyone who came after them, never contemplated that the Federal court in the District of Columbia or the Attorney General should have veto power over the actions of sovereign legislative bodies of our 50 States. It is unthinkable to suggest that any court or any department of the Federal Government in Washington should become a part of a State's lawmaking power.

As shocking as it is, this is precisely the effect of this legislation.

In the celebrated case of *United States v. Cruikshank*, 92 U.S. 542, the Supreme Court declared:

> The Government of the United States is one of delegated powers alone. Its authority is defined and limited by the Constitution. All powers not granted by the instrument are reserved to the States or to the people. No rights can be acquired under the Constitution or laws of the United States except such as the Government of the United States has the authority to grant or secure. All that cannot be so granted or secured are left under the protection of the States.

It has long been held that the courts may exercise no prior restraint on the enactment of laws by legislative bodies. Certainly, it is inconceivable to propose that the Federal Government be given such far-reaching power over the actions of duly elected representatives of the people of the several States.

Mr. President, this provision would make it impossible for any of the target States to enact legislation changing the date of an election, changing the qualifications of voters, altering any election procedure, or affecting State or local elections in any manner whatsoever without clearing such legislation with the Attorney General and the district court in the District of Columbia.

If this provision is left in the bill, the States caught in the clutches of a cunningly contrived mathematical formula would be divested of their legislative power.

States do not have to have the approval of the Attorney General before their legislatures can enact laws affecting their people. States do not have to secure such approval of any court.

Said the Supreme Court in *McChord* v. *L. & N. Railroad Co.*, 183 U.S. 483, 496, 46 L.Ed. 289 (1902):

> The courts cannot in one case forbid the passage of a law nor in the other the passage of the resolution, order, or ordinance. If by either body, the legislature or the board of supervisors, an unconstitutional act be passed, its enforcement may be arrested. The parties seeking to execute the invalid act can be reached by the courts, while the legislative body of the State or of the municipality, in the exercise of its legislative discretion, is beyond their jurisdiction.

As it was succinctly stated by the court in *Prentis* v. *Atlantic Coast Line Co.*, 211 U.S. 210, 228, 53 L. Ed. 150 (1908):

> Litigation cannot arise until the moment of legislation is passed.

The Wall Street Journal in an excellent analysis of this bill had the following to say about this particular provision:

> A requirement that a State or local government whose voter-qualification law is nullified by the new Federal act must obtain prior Federal court approval before trying to enforce any new law. Johnson administration experts and constitutional authorities at universities agree that no previous law has ever required that local governing bodies submit their work for advance Federal approval. That section "seems to stand our constitutional system of judicial review on its head, albeit for a worthy end," said Prof. Robert G. Dixon, Jr., of the George Washington University Law School here.
>
> Given the liberal hue of the present Supreme Court, most constitutional authorities are confident the use of Federal registrars would be upheld under the 15th amendment, on the ground it specifically instructs Congress to legislate against discrimination in voting. Some of these authorities are less ready, however, to predict that the Court would allow the prior-approval provision to stand, because of the precedent it could set for other kinds of legislation.
>
> The prior-approval provision is toughened even more by requiring that the reviewing court consist of three judges in the District of Columbia; all Federal judges outside the District of Columbia would be specifically forbidden to consider cases arising from this section.

Mr. ERVIN. Mr. President, will the Senator from Georgia yield for a question?

Mr. TALMADGE. I am delighted to yield to my friend.

Mr. ERVIN. I ask the Senator from Georgia if he has ever read any other provision of law which undertook to give an executive officer the right to make judicial decisions with respect to the constitutionality of State statutes?

Mr. TALMADGE. I never have.

Mr. ERVIN. I invite the attention of the Senator from Georgia to the following statement found in volume 16(a) section 621 of Corpus Juris Secundum, under the subject of "Constitutional Law":

> Statutes making written instruments conclusive evidence of facts stated therein, or making proof of certain facts conclusive evidence of other facts, operate to deny a hearing on the facts in issue and thus violate the guarantees of due process of law.

I ask the Senator from Georgia if he agrees with the Senator from North Carolina that that is a correct statement of law.

Mr. TALMADGE. I do.

Mr. ERVIN. Does not the bill provide that the certificates and determinations of the Attorney General of the United States shall be conclusive of the facts they recite?

Mr. TALMADGE. It does; and it is completely violative of the due process clause, as the able Senator knows.

Mr. ERVIN. Would not the bill give the Attorney General what can be described only as omnipotent power over the States?

Mr. TALMADGE. That is correct. It would make him a co-Governor of every State in the Union.

Mr. ERVIN. Although a State has power under the Constitution to prescribe qualifications for voters and to prescribe procedures for elections, the bill provides that seven States could not change their laws on these subjects without first obtaining permission of the Attorney General of the United States, or coming anywhere from 250 to 1,000 miles to the District Court for the District of Columbia if the Attorney General should refuse to give them permission to change their laws.

Mr. TALMADGE. The Senator is eminently correct. If a State tries to change the date of an election in Raleigh, N.C., or in Atlanta, Ga., it must come to the District of Columbia and say, "Mr. Attorney General, will you please let us do that?"

If the State of Alabama wishes to repeal the poll tax law in Alabama, its representatives must come up here and say, "Mr. Attorney General, please can we do this?" It is an unheard of delegation of power.

Mr. ERVIN. Does not the measure also provide that the Attorney General, for any reason which he may pluck out of the recesses of his mind, may have examiners appointed to exercise functions that are vested in the State by the Constitution?

Mr. TALMADGE. That is true.

Mr. ERVIN. After the Attorney General has inflicted those vast powers upon a State, does not the measure provide that the Attorney General may permit or refuse to permit States to resume the registration of their own voters?

Mr. TALMADGE. That is correct.

Mr. ERVIN. Does not the Senator from Georgia agree with the Senator from North Carolina that a tragic state will have been reached in the history of the country when sovereign States must come to Washington and, with hat in hand, make obeisance to the Attorney General, who is not elected by anybody to do anything, and who is responsible to only one person on the face of the earth, namely, the President, and humbly beg the Attorney General for permission to exercise powers which are vested by the Constitution in the States themselves?

Mr. TALMADGE. I fully share the Senator's view.

Mr. ERVIN. Does not the Senator from Georgia feel, as does the Senator from North Carolina, that demonstrators and those in public office who are willing to accede to the unconstitutional demands of demonstrators are about to destroy constitutional government in the United States?

Mr. TALMADGE. If they succeed in having the bill passed, constitutional government will be destroyed.

Mr. President, there is absolutely no authority in the Constitution for conferring such power upon the Federal Government to the derogation of the rights of States.

It is my earnest hope that the people of the United States and the Members of Congress will awaken themselves and come to realize that if the Constitution can be torn asunder in one part of America, it can likewise be torn asunder in other parts. If the Constitution be suspended and weakened today, it can be totally destroyed tomorrow.

Mr. President, I reserve the remainder of my time.

Mr. TYDINGS. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER (Mr. BURDICK in the chair). The Senator is recognized for 10 minutes.

Mr. TYDINGS. Mr. President, amendment No. 152, offered by the distinguished Senator from North Carolina, on which we shall be voting, together with amendment No. 159, at 2 o'clock, would delete from S. 1564, the Mansfield-Dirksen substitute, subsection 3(c) in its entirety.

This subsection authorizes a court which has already found violations of the 15th amendment which justify equitable relief in a proceeding instituted by the Attorney General to retain jurisdiction for the length of time which the court hearing the initial case deems to be appropriate.

During this time the court would order any voting qualification, prerequisite, standard, practice, or procedure different from that which was in effect at the time the proceeding was brought, to be submitted to the Attorney General, who may, within 60 days, file an objection to it with the court.

Filing this objection would prohibit enforcement by the State of any such new voting qualification, prerequisite, standard, practice, or procedure until the court which had jurisdiction finds that the new procedure does not have the purpose or the effect of denying or abridging the right to vote on account of race or color.

This provision is essential. In the past it has been found that soon after a court enjoins the enforcement of one discriminatory device, some of our States enact another more engenious measure to take its place. Some method must be available to deal with such a situation.

Furthermore, some States have made it a common practice to enact qualifications for voting designed to limit exercise of the franchise in an effort to freeze the present Negro-white registration disparity created by past violations of the 15th amendment. Courts should be authorized to deal with such a situation if the effects of past discrimination are to be eradicated.

Mr. President, this provision would merely give the court continuing jurisdiction over a situation in which the court has already found that discriminatory procedures are being used.

The other amendment on which we are to vote, No. 159, offered by the distinguished Senator from North Carolina, would delete section 5 from the voting rights bill in its entirety. This section is very similar to subsection(3)(c).

This section would provide for judicial scrutiny of new or altered voting requirements in order to insure against the erection of new discriminatory voting barriers by States or political subdivisions. It is designed to prevent the substitution of new means of discrimination in place of old ones which have been struck down or were about to succumb to federal law.

For example, when Congress was considering title III of the 1960 Civil Rights Act, which authorized the inspection of voting records, Mississippi immediately passed a statute repealing its historic practice of preserving registration and voting records and authorized their destruction. Effective investigation of voting discrimination, of course, depends upon the preservation of records.

Without records, we would have nothing to investigate and no evidence to bring to court.

Again, in 1962, when an injunction was issued forbidding the registrar of Forrest County, Miss., from engaging in racial discrimination, Mississippi enacted a new package of laws requiring applicants to pass more onerous tests and requiring newspaper publication of applicants' names for an extended period before they could be registered to vote. The latter provision, obviously, materially assists those who desire to intimidate Negro applicants.

Similarly, Alabama has recently put into effect new and more difficult literacy test requirements applicable only prospectively, thus exempting the bulk of white persons who were already registered. And Louisiana has done the same thing. Even in counties where court orders had been obtained, registrars have put these new requirements into effect, necessitating supplementary proceedings by the Attorney General in each county to strike them down.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. TYDINGS. I have only one or two more sentences to complete my statement. Does the Senator wish me to yield now, or does he wish me to complete the statement?

Mr. ERVIN. The Senator may complete his statement.

Mr. TYDINGS. Unless such new laws can be scrutinized in advance of their implementation, there is no effective way to put an end to this game of cat and mouse which the State legislatures have played for so long.

I think the provisions are vital to implement the voting rights bill.

I am glad to yield now to the Senator from North Carolina.

Mr. ERVIN. Mr. President, I ask the Senator from Maryland how the actions of State legislatures in Mississippi and Alabama justify depriving the legislature of North Carolina of its power to legislate under the Constitution while allowing the State of Maryland and 42 other States to retain their constitutional powers to legislate under the Constitution.

Mr. TYDINGS. In answer to the distinguished Senator from North Carolina, the distinguished Senator's question is based on his statements to us on the floor and to the Judiciary Committee that there is no discrimination in any of the counties of North Carolina, but some of them could come under the automatic suspension of the principle-of-protection provisions of the bill if that were so. If they did, and if the facts are such as the Senator from North Carolina has related them, such counties would automatically be taken out of the effects of the bill by a mere letter or piece of paper filed with the three-judge court in the District of Columbia, together with a statement by the Attorney General that no such discrimination exists.

Let me go one step further. The reason for the inclusion of these provisions in the bill is that since the latter part of the 19th century, beginning around 1890, State after State in the South, and even my own State of Maryland at that time, adopted various statutes to deprive Negroes of the right of the franchise. In some States they used the grandfather clause. Then the white primaries were put into effect. When those laws were struck down by the court, ingenious State legislatures came up with another statute. Time after time when the courts struck down one barrier, the legislatures came up with another.

The purpose of this section is to permit the courts to retain jurisdiction to deal with new efforts to perpetuate the same type of disenfranchisement which the proposed legislation seeks to avoid.

Mr. ERVIN. I ask the Senator from Maryland if he was not present and sitting as a member of the Judiciary Committee when the Attorney General testified before the committee that the Department of Justice had no evidence that any North Carolina counties were engaged in violating the 15th amendment.

Mr. TYDINGS. It is my recollection that the Attorney General said he had no facts at his immediate disposal, but my recollection is that he did not make a categorical statement that there was none. He said he had no evidence.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. TYDINGS. Mr. President, I yield myself 5 minutes for the purpose of permitting the Senator from North Carolina to ask me questions.

Mr. ERVIN. The Attorney General said the Department of Justice had no evidence that any counties in North Carolina were using the literacy test to keep nonwhites from registering.

I ask the Senator from Maryland what justice there is in asking that the State of North Carolina be denied its constitutional power to legislate when the Department of Justice itself admits that North Carolina is not violating the 15th amendment. What justice is there in that?

Mr. TYDINGS. In answer to the question of the distinguished Senator from North Carolina, the Senator's question goes really to section 4(b) of the proposed substitute, which provides that if certain conditions exist in a State or political subdivision, automatically the provisions of the Voting Rights Act shall take effect, and certain devices shall be automatically suspended—literacy tests, constitutional interpretation tests, and the basic devices that are applied.

Section 4(b) provides what occurs if there is a situation in which the Director of the Census determines that less than 50 percent of the persons, other than aliens and persons in active military service and their dependents, of voting age residing therein, were registered on November 1, 1964, or less than 50 percent of such persons voting in the presidential election of November 1964, and that according to the 1960 census more than 20 percent of the persons of voting age were nonwhite, or, in the alternative, notwithstanding these situations, the Director of the Census determines, by a survey made upon the request of the Attorney General that the total number of persons of any race or color who are registered to vote in any State or political subdivision is less than 25 percent of the total number of all persons of such race or color of voting age residing in such State or political subdivision. If this situation existed, we feel, on the facts presented to our committee, and on the basis of the evidence before our committee, that there is a tremendous likelihood that discrimination has been used in voting and that persons have been denied the right to vote because of discrimination. We suspend those devices or tests that have the historical effect, and are really used for the sole purpose, of denying a person the right to vote because of race.

I point out that these devices were universally adopted after the adoption of the 15th amendment. They were not adopted because of interest by the States to raise the standards of the voters. They were adopted after the 15th amendment to deprive persons of the right to vote because of color.

Time after time these devices are not administered uniformly. When a white person comes to register, in county after county the registrar answers the questions in his own handwriting and registers him. But a Negro can be a college professor, and if he cannot answer questions on constitutional interpretation properly, he cannot register.

The reason for the formula is that the evidence before Congress shows that the tests or devices are used to discriminate. We specifically amended and put into the bill the procedure whereby, if, as the Senator from North Carolina indicates, a State or subdivision might happen to fall under this set of circumstances, but, in effect, it is not using this device to discriminate, all that is necessary is for the county or subdivision to file a petition with the district court. All the Attorney General of the United States has to do is to agree to it and sign the statement, as the Attorney General does in suits involving the United States. If the Attorney General does not protest, he can so state. We amended the bill to take care of the State or subdivision which comes under the situation which concerns the Senator from North Carolina.

Mr. ERVIN. The only provision I see in the bill under which the Attorney General could enter a consent judgment appears on page 5, beginning on line 21 of the bill; it reads:

> If the Attorney General determines that he has no reason to believe that any such test or device has been used during the five years preceding the filing of the action for the purpose of denying or abridging the right to vote on account of race or color, he shall consent to the entry of such judgment.

In other words, there must be a determination that there has not been a violation of the 15th amendment at any time in the preceding 5 years. If there had not been for 4 years, 11 months, and 29 days, the Attorney General would not be authorized to consent to a judgment in favor of a nonoffending State or county.

Mr. TYDINGS. He would have to wait 1 more day.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. TYDINGS. Mr. President, I yield myself 5 additional minutes.

The PRESIDING OFFICER. The Senator from Maryland is recognized for 5 additional minutes.

Mr. ERVIN. Does not the Senator from Maryland agree with me that the fact that a State has a literacy test, which merely requires one to establish his ability to read and write, does not prove that such State is violating the 15th amendment?

Mr. TYDINGS. The mere fact of possession of a law having to do with a literacy test, as the Senator indicates, would not necessarily be an attempt to discriminate. However, if the record showed that the law had been adopted for that purpose, and was having difficulty over the years, indicating perhaps not complete elimination but substantial discouragement of the registration of Negro applicants, then I should say that there would be different reasons——

Mr. ERVIN. The Senator is not answering my question. The question is, does the mere fact that a State has a literacy test, standing by itself, prove anything on the question of discrimination.

Mr. TYDINGS. A literacy test in a vacuum proves nothing. The circumstances surrounding it, the history and use of the literacy test, however, may indicate the need for legislation.

Mr. ERVIN. I ask the Senator from Maryland if he does not agree with me that the mere fact that more than 25 percent of the population of voting age of a State or county may be nonwhite proves nothing on the question of discrimination.

Mr. TYDINGS. Not unless there are less than 50 percent of the total adult population in the county registered to vote. Then we find the norm is so completely out of line with the rest of the country that it begins to raise certain presumptions in one's mind.

Mr. ERVIN. If the fact that more than 25 percent of the residents of a State or county are nonwhite proves nothing, the addition of the mere fact that less than 50 percent of the total adult population is not registered, likewise proves nothing, does it?

Mr. TYDINGS. I do not quite follow the Senator's last question.

Mr. ERVIN. Does the Senator claim that the mere fact that over 25 percent of a county's adult population is nonwhite proves that the county is using the literacy test to discriminate against nonwhites in voting?

Mr. TYDINGS. My position is that if there are less than 25 percent of the members of one race in a county who are not registered to vote, there is something wrong in that county.

Mr. ERVIN. I was asking a question about population——

Mr. TYDINGS. Something is not right. The voting procedure has not been fairly administered.

Mr. ERVIN. I was asking a question about population. Does not the Senator agree with me that the fact that more than 25 percent of persons of voting age in a State or county are nonwhite does not show anything at all, standing alone.

Mr. TYDINGS. Standing in a vacuum, it shows nothing.

Mr. ERVIN. Very well. Does not the Senator agree with me that the fact that less than 50 percent of the people of voting age in a particular State or county are not registered, no disclosure being made as to the color of those registered, also proves nothing?

Mr. TYDINGS. I should say that when less than 50 percent of the persons of a State are registered, unless it is a new State or has a mobile population, or something else is out of the ordinary, the State having less than 50 percent of its adult population not registered, standing alone, would indicate that they did not have a strong possibility of——

Mr. ERVIN. It would indicate the same probability of discrimination against whites as against nonwhites, would it not?

Mr. TYDINGS. That is correct.

Mr. ERVIN. Yes.

Mr. TYDINGS. That is why we tied in——

The PRESIDING OFFICER. The time of the Senator from Maryland has expired.

Mr. TYDINGS. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from Maryland is recognized for 2 additional minutes.

Mr. ERVIN. The Senator from Maryland seems to agree with me that the triggering process consists of three conditions which prove nothing; nevertheless, when the proponents of the bill add up the three nothings, they reach the strange conclusion that these three nothings are sufficient to condemn 7 specially selected States and to exempt the other 43 States.

I thank the Senator from Maryland for yielding to me.

Mr. TYDINGS. Mr. President, I thank the distinguished Senator. I am not certain that I——

Mr. ERVIN. I understood the Senator to agree with me.

Mr. TYDINGS. I am not certain that I understood the Senator's last question.

Mr. ERVIN. I understood the Senator to be in agreement with me on the proposition that the mere fact that a State has a literacy test amounts to nothing on the question of a State discriminating.

Mr. TYDINGS. In a vacuum, that would be correct.

Mr. ERVIN. Also that the mere fact that a State or county has a nonwhite population amounting to more than 25 percent of its total adult population, standing by itself, amounts to nothing. Also the mere fact that less than 50 percent of the adults are registered in a given State, standing by itself, amounts to nothing.

Mr. President, when I went to school and studied arithmetic, I was told that we could add up any number of nothings and the ultimate answer would still be nothing. That is good arithmetic. It should be good law as well. But, Senators who support the pending bill take three zeroes and add them up and arrive at the queer affirmative answers that seven States can be justifiably deprived by the three zeroes of the right to pass laws without consent of the Attorney General, can be justifiably required by the three zeroes to have their courthouse doors nailed shut in their faces, can justifiably be presumed by the three zeroes to be guilty of violating the 15th amendment, and can be justifiably forbidden by the three zeroes to exercise their constitutional rights unless they travel—from 250 miles to 1,000 miles to the District Court of the District of Columbia—and there establish the truth that the sum total of the three zeroes is actually nothing so far as their assumed guilt is concerned.

Mr. TYDINGS. I thank the distinguished Senator from North Carolina, who is indeed an eloquent spokesman.

However, the three sets of circumstances which he brought up, standing alone, are not what we are concerned about. We are concerned about the facts, the total picture which exists in areas of our Nation where citizens are discriminated against because of their color. As I indicated to him, whenever we have a situation in which less than 50 percent of the persons of a State are registered to vote—unless there are situations in which the population is mobile, or something like that—that fact would indicate that there were problems when we tie them in with the present formula, and we tie the facts together, the bill would act to suspend the voter qualifications in the particular areas where it is needed most. The Senator well knows, from the testimony before the committee, the areas to which the bill pertains, and the situation which exists there.

Mr. ERVIN. Consider a State like North Carolina, with 76 or 77 percent of its total adult population registered. While there was a great deal of supposed testimony put in after the hearing had closed, the only testimony I heard before the committee which was adverse to the States and counties covered by the bill was that of the Attorney General. The Attorney General said that the Department of Justice had no evidence that the 34 North Carolina counties were violating the 15th amendment; and yet they are to be condemned by adding three zeros and getting an affirmative answer.

Mr. TYDINGS. As I stated before, if the facts in North Carolina are as the distinguished Senator has stated them, why are these two pieces of paper and a petition in the courts?

Mr. ERVIN. The North Carolina counties must have lawyers. The lawyers must appear in the District Court of the District of Columbia. They must draw up complaints and file them in such court, and be prepared to carry the burden of proof on the issue whether a presumption of guilt can be based on the sum total of three zeros.

Mr. TYDINGS. I know of no finer legal talent in the State of North Carolina—nor, indeed, in the United States—than that of the distinguished Senator from North Carolina.

Mr. ERVIN. I thank the Senator for his fulsome compliment. I am trying to keep bad laws from being enacted. I am not trying to prove that the innocent are not guilty—or to make a case.

Mr. TYDINGS. Mr. President, I yield back the remainder of my time in order that the distinguished Senator from Georgia [Mr. TALMADGE] may complete his statement.

Mr. TALMADGE. Mr. President——

Mr. McCLELLAN. Mr. President, will the Senator from Georgia yield?

Mr. TALMADGE. Does the Senator wish time for an insertion in the RECORD?

Mr. TYDINGS. Mr. President, I yield to the Senator from Georgia.

Mr. TALMADGE. Mr. President, we are operating under limited time. I have 2 minutes remaining. Does the Senator from Arkansas wish me to yield?

The PRESIDING OFFICER. The Senator from Georgia has 10 minutes. The Senator from Maryland has 2 minutes remaining.

Mr. TALMADGE. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Georgia may proceed.

Mr. TALMADGE. The language which I seek to strike from the bill would require each of the seven States, every municipality within the affected area, and every county government which would be affected by the mathematical formula, not to make any changes whatever in their election laws except with the permission of the Attorney General of the United States and the District Court of the District of Columbia.

The language in the pending bill is so phrased that it would relate to any voting qualifications or prerequsite to voting, standard practice or procedure. No matter what kind of legislation, might be involved, whether it be from a city council, a resolution of the county commissioners, or an act of the legislature of the States affected, they would have to come to Washington, D.C. and beg the Attorney General to allow them to implement their own legislation and then, with his approval, would have to go before the District Court and beg once more that their constitutional powers to legislate be operative.

Mr. President, this particular language in the bill not only would make the Attorney General a co-Governor of each of the seven States affected, but it would likewise make the Attorney General a third branch of the legislative body in each of the affected States. The Attorney General of the United States and the District Court for the District of Columbia have no legislative power whatever.

I doubt that it has ever been proposed in all the history of our Republic that sovereign State legislatures shall not enact laws until they have been approved by the Attorney General and the District Court for the District of Columbia.

The bill would go even further, because it affects all of the political subdivisions of the affected areas. If the officials of the town of McDonough, which is the county seat of Henry County, Ga., where I reside, decided to change the date on which to hold a mayor's election, they would have to come to Washington to obtain the Attorney General's permission and the approval of the District Court of the District of Columbia. If a municipality in Georgia desired to hold an election relating to sewage bonds, it would have to come all the way to Washington, D.C., to obtain the approval of the Attorney General and of the District Court for the District of Columbia.

How ridiculous can we become to even consider legislation of this kind?

I do not believe it can be seriously proposed that the Attorney General should exercise the functions of a city council in McDonough, Ga. I do not believe that the District Court for the District of Columbia ought to exercise those functions. However, the bill would say to the legislative bodies of the seven States affected that they cannot even pass a law changing an election day for the issuance of sewage revenue bonds or water revenue bonds without the approval of the Attorney General in the District Court for the District of Columbia, or that it is not possible to change entry fees for candidates for the legislature in the State of Georgia or in the other affected States without the approval of the Attorney General and the District Court for the District of Columbia.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield to the distinguished Senator from Florida.

Mr. HOLLAND. Mr. President, I wonder if the Senator's mind turns back almost a hundred years to note a similarity between the present situation and what happened under the Reconstruction Act, when his State and my State not only had to draw up new constitutions but had to bring them to Washington as suppliants to have them passed upon or turned down by Congress before our States could again seat our Senators and Representatives in Congress to represent our States?

Mr. TALMADGE. The Senator is correct. At that time, as the Senator knows, the people were herded around at the point of bayonets and told to pass certain constitutional amendments. This time we are herded about and told that our county commissioners and members of our legislative bodies cannot enact laws on this subject without the approval of the Attorney General and the District Court for the District of Columbia.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. TALMADGE. I yield.

Mr. HOLLAND. It so happened that one of the three constitutions adopted by Florida, as the people were herded about by General Meade, was approved here. I wonder if the distinguished Senator remembers that the new constitution framed by his own State was turned down by Congress because approval was not given to the homestead provision in the new Georgia constitution, which had nothing whatever to do with any Federal question. Does the Senator remember that?

Mr. TALMADGE. Yes.

Mr. HOLLAND. Is there a better example of what happens to a sovereign State when the Federal Government arrogates to itself the right to have the final say as to what is to be done on the local or State scene than that particular incident in the Reconstruction days, which we are all trying to forget?

Mr. TALMADGE. I know of no better illustration whatever. This is so farfetched that if the city of Atlanta wished to hold a referendum to determine whether it would have a mayor-type city government or a city manager city government, and it enacted a law in its council and petitioned the general assembly to that effect, before it could go into effect, it would have to come to Washington to obtain the approval of the Attorney General and the District Court of the District of Columbia before it could implement it. I do not know of anything that is so destructive of local government and so completely in conflict with the Constitution of the United States.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield.

Mr. ERVIN. When Congress passed the Reconstruction Acts it provided for the trial of cases in the localities affected, either in the civil or military courts. Is that correct?

Mr. TALMADGE. Yes. This time they drag us to the District Court for the District of Columbia.

Mr. ERVIN. I ask the Senator from Georgia if he will join me in soliciting some of the proponents of the bill to vote for an amendment which would provide that after the case is brought in the District Court for the District of Columbia that court shall move the case to the U.S. district court for the district in which the capital city of the State is located, or in which the political subdivision of the State affected is located if it is found that such action would facilitate the ends of justice.

Mr. TALMADGE. I agree with the able Senator. I was utterly amazed when I saw voted down his amendment, which would have assigned the trial of cases to the district court in the State affected.

The Senator has pointed out that one of the reasons why we petitioned for relief from King George III of England was that he had carried us to remote areas for trial in courts that he himself had created. There is an interesting parallel in this particular case. I hope Senators will exercise reason in connection with these amendments. If Senators wish to make the Attorney General as a co-Governor of the seven States, they should vote down the amendments. If they wish to make the Attorney General and the District Court for the District of Columbia the city council to affect every election relating to the issuance of bonds or revenue certificates or the terms of office of mayors, or whether a city shall have a city manager form of government or some other type of government, they should vote against the amendments.

If Senators think municipalities can handle their own problems and that sovereign States can legislate and pass laws without the approval of the Attorney General, they should vote for the amendments.

I pointed out that the Supreme Court of the United States has held that a judicial issue cannot arise before there is legislation. The bill would enjoin legislatures from acting without the approval of the Attorney General.

The PRESIDING OFFICER. The time of the Senator has expired. The Senator from Maryland has 2 minutes remaining.

Mr. TYDINGS. I yield back my remaining 2 minutes.

The PRESIDING OFFICER. All time for debate has expired.

The question is on agreeing to the amendments, en bloc (numbered 152 and 159), offered by the Senator from Georgia [Mr. TALMADGE], for himself, the Senator from North Carolina [Mr. ERVIN], and the Senator from Mississippi [Mr. STENNIS], to the amendment in the nature of a substitute, as amended (No. 124), offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN].

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Tennessee [Mr. GORE], the Senator from Virginia [Mr. BYRD], the Senator from Alaska [Mr. GRUENING], the Senator from Wyoming [Mr. MCGEE], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Connecticut [Mr. RIBICOFF] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Maryland [Mr. BREWSTER], the Senator from New York [Mr. KENNEDY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Wisconsin [Mr. NELSON], the Senator from Rhode Island [Mr. PELL], the Senator from Georgia [Mr. RUSSELL], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Maryland [Mr. BREWSTER]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Maryland would vote "nay."

On this vote, the Senator from Georgia [Mr. RUSSELL] is paired with the Senator from Alaska [Mr. GRUENING]. If present and voting, the Senator from Georgia would vote "yea" and the Senator from Alaska would vote "nay."

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from New York [Mr. KENNEDY], the Senator from Wyoming [Mr. MCGEE], the Senator from New Mexico [Mr. MONTOYA], the Senator Wisconsin [Mr. NELSON], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], and the Senator from Connecticut [Mr. RIBICOFF] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Illinois [Mr. DIRKSEN], the Senator from Arizona [Mr. FANNIN], the Senator from Idaho [Mr. JORDAN], and the Senator from Wyoming [Mr. SIMPSON] are absent on official business.

The Senator from Kentucky [Mr. MORTON] is necessarily absent.

The Senator from New York [Mr. JAVITS] is absent on official business as a member of Status Commission on Puerto Rico.

If present and voting, the Senator from Illinois [Mr. DIRKSEN], the Senator from New York [Mr. JAVITS], the Senator from Idaho [Mr. JORDAN], and the Senator from Kentucky [Mr. MORTON] would each vote "nay."

On this vote, the Senator from Arizona [Mr. FANNIN] is paired with the Senator from Wyoming [Mr. SIMPSON]. If present and voting, the Senator from Arizona would vote "yea," and the Senator from Wyoming would vote "nay."

The result was announced—yeas 19, nays 60, as follows:

[No. 73 Leg.]

YEAS—19

Byrd, W. Va.
Eastland
Ellender
Ervin
Fulbright
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Long, La.
McClellan
Robertson
Russell, S.C.
Smathers
Stennis
Talmadge
Thurmond
Tower

NAYS—60

Aiken
Allott
Anderson
Bass
Bayh
Bennett
Bible
Boggs
Burdick
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dodd
Dominick
Douglas
Fong
Harris
Hart
Hartke
Hayden
Inouye
Jackson
Kennedy, Mass.
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McCarthy
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Morse
Moss
Mundt
Murphy
Muskie
Neuberger
Pearson
Prouty
Proxmire
Randolph
Saltonstall
Scott
Smith
Symington
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—21

Bartlett
Brewster
Byrd, Va.
Church
Dirksen
Fannin
Gore
Gruening
Javits
Jordan, Idaho
Kennedy, N.Y.
McGee
Montoya
Morton
Nelson
Pastore
Pell
Ribicoff
Russell, Ga.
Simpson
Sparkman

So the amendments Nos. 152 and 159, en bloc, offered by Mr. TALMADGE for himself, Mr. ERVIN and Mr. STENNIS, to the amendment in the nature of a substitute, as amended (No. 124) offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN], was rejected.

Mr. KUCHEL. Mr. President, I move that the Senate reconsider the vote by which the amendments were rejected.

Mr. MOSS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

INVESTIGATION OF ROBERT G. BAKER BY COMMITTEE ON RULES AND ADMINISTRATION—ANNOUNCEMENT OF STATEMENT OF PERSONAL PRIVILEGE

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Inside Report—The Baker Report," written by Rowland Evans and Robert Novak and published in the Washington Post of May 13, 1965.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE BAKER REPORT

(By Rowland Evans and Robert Novak)

The still secret final report of the Senate Rules Committee on the Bobby Baker investigation is barely glanced at before one sentence affronts the reader with this eye-opening phrase:

"At this point, it is to be reiterated that contrary to stories appearing in the press and statements by Senator JOHN WILLIAMS * * *." "This point" is on page 1 of the report.

Here is precedent-shattering language, indeed, a Senate committee flatly contradicting the veracity of a fellow Senator. Yet, this is only the beginning. For some 100 pages of tortured, meandering prose, the report goes on as if it were a brief in a libel case with Republican WILLIAMS, the puritanical tenacious sin-seeker from Delaware, as defendant.

This secret report almost certainly will provoke one of the Rules Committee's typically uproarious closed door sessions (scheduled for Friday if a quorum can be summoned that close to the weekend). Republicans will indignantly protest the attack on colleague WILLIAMS. But after the shouting, the report will be approved on a partisan vote—an unsavory conclusion to an unsavory chapter in the history of the U.S. Senate.

The deficiency of the final report parallels the deficiency of the investigation itself. The underlying atmosphere of the Senate that led Bobby Baker, then Senate majority secretary, into blatant conflict of interest is ignored. Instead, the emphasis is on day-to-day partisan squabbles.

The committee's first report issued last summer sidestepped larger ethical questions and concentrated on Baker's transgressions. This second report on the renewed investigation is even further off the mark.

Maj. L. P. McLendon, the 74-year-old North Carolina trial lawyer who is the committee's counsel for the investigation, has drafted a report with an inspiring goal: to absolve the committee's Democratic majority of any charge of whitewash.

This means, first, to destroy the creditability of Don B. Reynolds, the Washington insurance broker who was the chief informer for committee Republicans. But it also means shattering precedents of senatorial courtesy by a frontal assault on Senator WILLIAMS, who dug up the new evidence that forced a renewal of the investigation and who has been feuding bitterly with McLendon for 6 months.

To be sure, Reynolds is not the most uncontroversial witness and WILLIAMS is not the most gentle sleuth. But even some Democrats wonder at the propriety of aiming these darts at WILLIAMS in an official Senate report that includes no new recommendations for ethical standards in the Senate.

As for ethical standards, McLendon has bowed to the will of Committee Chairman EVERETT JORDAN, the retired North Carolina businessman who faithfully reflects the views of senior southern Senators.

Although McLendon personally inclines toward badly needed rules requiring disclosure of outside income by Senators and Senate employees, the new report makes no such recommendations. Rather, it says only that the committee reiterates its milquetoast recommendations of 1964—which vaguely talk about "some form" of public disclosure of outside income.

Compounding the inadequacy of the report is the partisan manner in which it has been drafted. Although it has been circulated privately among Democrats, the committee's Republican members haven't been given a glimpse of it. Nor had WILLIAMS been notified of the indictment against him as this was written. Thus, the Republicans are to be handed a fait accompli at the scheduled Friday meeting.

In fairness, neither Senator JORDAN nor the other committee Democrats are fully to blame. They have been under heavy unremitting White House pressure to dampen certain aspects of the probe. For their part, Republicans have been outrageously partisan in trying to divert the investigation into anti-L.B.J. channels.

The result: a serious breakdown of the vital Senate investigative process. Little has been learned as a result of the Senate Rules Committee's work. Neither Republicans nor Democrats have tried seriously to come to grips with conflict-of-interest puzzles. Accordingly, conditions which spawned the Baker case remain basically unchanged.

Mr. WILLIAMS of Delaware. Mr. President, on May 13, 1965, the Washington Evening Star published an article entitled "McLendon Report Hits Reynolds in Baker Quiz," written by Paul Hope. I quote one paragraph from the article:

> McLendon also attempted to discredit Senator JOHN J. WILLIAMS, the Delaware Republican who initiated the Baker inquiry.

By way of explanation for those who do not know Mr. McLendon, he is a staff member of the Committee on Rules and Administration.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MCLENDON REPORT HITS REYNOLDS IN BAKER QUIZ

(By Paul Hope)

Senate Rules Committee Counsel L. P. McLendon has drafted a secret report which contains a scathing denunciation of Don B. Reynolds, chief witness in the Bobby Baker case.

McLendon also attempted to discredit Senator JOHN J. WILLIAMS, the Delaware Republican who initiated the Baker inquiry.

In the report of more than 100 pages, McLendon also made these points:

1. The allegation of a payoff on the District of Columbia Stadium boils down to a question of whether to believe Reynolds or Builder Matthew H. McCloskey, Jr., and McLendon would rather believe McCloskey.
2. There is no evidence of collusion in the awarding of the stadium contract.
3. Reynolds' testimony in the Baker case may have been politically inspired.
4. There is no evidence of use of influence in the awarding of a contract for a water desalting experiment to a group that has been closely associated with Baker.
5. It can be inferred that Baker received payment for assistance given a lobbyist interested in legislation.
6. It can be inferred that Baker received part of a $5,000 payment given another lobbyist hired to help get a California bank charter.
7. The statements made by Walter W. Jenkins, former White House aid, to questions submitted to him in writing substantially confirm what Jenkins said in an earlier affidavit that produced considerable controversy.

McLendon said the report, a copy of which was obtained by the Star, was his first draft and that a lot of revisions have been made. He said it was submitted to all Democratic and Republican members of the committee.

McLendon said he probably will have a second draft completed today and that even that "May not be the final draft."

The report was drafted as a final report from the Rules Committee to the Senate on the latest investigation of the Baker case. It would have to be approved by the committee before submission to the Senate.

The report is certain to be attacked by the three Republicans on the nine-member committee, who have consistently accused the Democratic majority of trying to cover up the Baker scandal.

The Republicans, and perhaps some Democrats in the Senate, will resent highly McLendon's innuendoes against Senator WILLIAMS.

McLendon already has questioned WILLIAMS' truthfulness publicly. At a hearing of the Rules Committee last year, WILLIAMS, who has been the driving force behind the investigation, walked out and said that since the committee appeared no longer to want his cooperation he would leave it to its own devices.

WILLIAMS has said, however, that he still has 6 years to pursue the Baker case on his own. He won reelection last November.

Apparently wary of the possibility that some more of Baker's activities may pop up publicly, McLendon left the door open for further investigation if necessary.

After the Democrats closed the inquiry last July, over Republican protests, WILLIAMS came up with new evidence that forced it to be reopened.

McLendon mentioned specifically two items which may demand further investigation. These involve influence peddling on legislation and irregularities in campaign contributions.

McLendon said both are being investigated by the Justice Department and he didn't see the need for the committee to go into the matters at this time. A Federal grand jury here also is investigating the Baker case.

RUMORS OF PAYOFF

There have been rumors of a huge payoff on legislation that has not been investigated by the committee and McLendon apparently doesn't want the committee to get caught with its door closed again in case the matter springs up in public.

The committee has information that one of the Nation's largest companies allowed its employees to write off campaign contributions on expense accounts, but the committee decided not to go into the matter.

If there is any one thing that stands out in McLendon's lengthy report, it is his attempt to discredit Reynolds, the Silver Spring insurance man who has been the key witness against Baker.

STADIUM DEAL CLAIMED

A signed affidavit by Reynolds about a payoff on the District of Columbia Stadium set off the latest flurry of investigation. Senator WILLIAMS took to the floor of the Senate last summer the Reynolds affidavit which claimed McCloskey made a $35,000 overpayment on a performance bond and that $25,000 of the money was to go to Baker for transfer to the Democratic campaign in 1960.

Reynolds claimed he was the bagman in the deal and that he got $10,000.

McCloskey heatedly denied the charge. He said the extra $35,000 was for other insurance Reynolds was supposed to supply but didn't. He called it a "goof" on the part of the McCloskey Co.

WROTE PERFORMANCE BOND

McCloskey admitted he allowed Reynolds to write the performance bond because Baker, who was in business with Reynolds, asked him to.

"While one may raise his eyebrows about McCloskey's explanation of the 'goof' made by his people, it cannot be said to be either impossible or improbable," McLendon said. "It comes to a choice between a weird, unreasonable, and unsupported story by Reynolds on one hand, and an unusual but corroborated story by people of good character on the other hand."

McLendon said there was a question of whether McCloskey committed any impropriety by giving the business on a government contract to Reyonlds and Baker, who was then secretary to the Senate Democratic majority, but McLendon added that "at least his [McCloskey's] explanation was candid."

HINTS TAX EVASION

McLendon said he could only conclude that Reyonlds "was prompted to tell his strange story in an alleged deal with McCloskey in an effort to explain away the large amount of money which he had received from McCloskey and had not reported for income tax purposes." He said that if Reynolds could "get away with his story" he might escape prosecution for tax evasion.

McLendon referred to Reynolds' first testimony in January 1964 in which he did not mention the $35,000 payment.

"No amount of doubletalk by Reynolds can conceal or minimize the fact that Reynolds did not tell the committee the truth when he first testified under oath," McLendon said.

"In the light of Reynolds' conduct throughout this investigation, perhaps the most charitable thing that can be said about him is that his behavior is replete with symptoms compellingly suggestive of a paranoid personality," McLendon said.

JABS AT WILLIAMS

Among McLendon's several swipes at Senator WILLIAMS was an implication that WILLIAMS held back information from the committee.

WILLIAMS has said several times that he has suggested the committee should more fully investigate certain areas when he himself did not have documented evidence that something was wrong.

He said he took the McCloskey payment to the floor after he had been able to obtain a copy of the check which showed McCloskey's firm paid $35,000 more than the cost of the performance bond.

McLendon suggested that Reynolds may have been trying to do in the Democrats.

"Perhaps it is just a happenstance that all of the public officials accused by Reynolds at any time are Democrats," McLendon said.

TRIED TO BE FAIR

McLendon claimed the committee "has done its best to be fair to Reynolds and has perhaps been more than fair to him."

Republicans on the committee have maintained that the major effort of the Democrats has been to try to discredit Reynolds rather than to uncover Baker's affairs.

Portions of the report dealt with some of the new matters that came up during the last round of hearings on the Baker case.

McLendon said these further served to "illustrate the gross improprieties inherent in Baker's business and financial transactions while occupying the office of secretary of the majority."

He noted that Baker was given a $5,000 check by Myron Weiner, a representative of an ocean freight forwarding group, after legislation favorable to the group was passed.

TOOK PAY, COUNSEL SAYS

"It is almost impossible not to draw the inference that Baker was paid for assistance given Weiner in this regard," McLendon said.

He said this instance "adds to the long list of Baker's transactions showing how he prostituted his office in the Nation's Capital to his personal financial gain."

Investigation also disclosed that Wayne Bromley, a lobbyist, was paid $5,000 by the Redwood National Bank of San Rafael, Calif., to help get a Federal charter. The check was delivered to Bromley through Baker and was indorsed by both Bromley and Baker and cashed at the Senate disbursing office.

McLendon said it is "a fair inference that Baker did participate in the proceeds from the check."

On the water desalting contract, McLendon said there was no evidence that Representative Emanuel Celler, Democrat, of New York, or his New York law firm had anything to do with a contract obtained from the Government.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed at this point in the Record an article entitled "McLendon Raps Williams in Report on Baker Probe," published in the Evening Journal of Wilmington, Del., May 15, 1965.

There being no objection, the article was ordered to be printed in the Record, as follows:

McLendon Raps Williams in Report on Baker Probe

Washington.—Senator John J. Williams, Republican, of Delaware, is severely criticized in a report drafted by counsel for the Senate committee which investigated Robert G. (Bobby) Baker, it is reported.

The Washington Evening Star yesterday said the 100-page report, which Senate Rules Committee Special Counsel Lennox P. McLendon called a first draft, also criticized the reliability and motive of key witness Don B. Reynolds. According to the Star, Williams was scored for allegedly withholding information from the committee.

The Star said the report has been distributed to the six Democrats and three Republicans who looked into the business affairs of Baker, former secretary to the Senate majority.

In the report, the Star said, McLendon said Reynolds' "behavior is replete with symptoms compellingly suggestive of a paranoid personality. And he suggested that the accusations of the Silver Spring, Md., insurance man may have been politically inspired.

Williams walked out of the committee at a hearing late last year after exchanging sharp words with McLendon, and said that since the committee no longer appeared to want his cooperation he would make his own independent inquiry.

(Williams could not be reached for comment.)

The committee, which began an investigation of Baker shortly after he resigned his Senate position under fire in October 1963, reopened its hearing when Williams produced an affidavit from Reynolds that builder Matthew H. McCloskey made an overpayment of $35,000 in a performance bond and that $25,000 of it was to go to Baker for the 1960 Democratic campaign. The bond was on construction of the District of Columbia Stadium.

Reynolds said he was the "bag man" in the deal and got $10,000.

McCloskey, a former Democratic National Committee treasurer, denied there was any plan for a hidden, illegal political contribution. He said the $35,000 overpayment was a "goof" by someone in his company.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous concent to have printed at this point in the Record an article entitled "Case Blasts Report on Baker Case for Rap at Williams," written by Robert Walters, and published in the Washington Evening Star of Friday, May 14, 1965.

There being no objection, the article was ordered to be printed in the Record, as follows:

Case Blasts Report on Baker Case for Rap at Williams

(By Robert Walters)

Senator Clifford P. Case, Republican, of New Jersey, today denounced as "outrageous and unprecedented" the criticisim of Senator John J. Williams, Republican, of Delaware, in the draft report on the Bobby Baker case being circulated to members of the Senate Rules Committee.

Referring to reports that the draft challenged the veracity of Williams' statements in its opening page, Case said, "It is an outrageous and unprecedented way of dealing with another Senator, particularly one of the standing and integrity of Senator Williams."

Case went on to describe Williams as being "almost single-handedly responsible for forcing the committee to make some attempt, halfhearted and feeble though it was, to uncover the facts.

"Without his prodding, the committee majority would have long since buried the inquiry," the New Jersey Senator added.

NEW DRAFT CIRCULATED

Case's comments came as a second draft of the report was circulated to committee members, for their consideration at a closed meeting scheduled for next Wednesday.

The initial 100-page draft report, secretly circulated to the nine-man committee, was written by Committee Counsel Lennox P. McLendon.

The testimony of Don B. Reynolds, the insurance man responsible for many of the allegations against Baker, is sharply questioned throughout the report and at one point McLendon suggested Reynolds may have been politically motivated.

At the same time, the report said there was no evidence of collusion in the awarding of a contract for the construction of the District of Columbia Stadium.

Reynolds testified there had been a payoff on the stadium contract, but McLendon's report noted that builder, Matthew H. McCloskey, Jr., had denied the allegation and said McCloskey was to be believed rather than Reynolds.

BAKER CRITICIZED

Baker is criticized at several points in the report, including one reference to the "long list of Baker's transactions showing how he prostituted his office in the Nation's Capitol to his personal financial gain."

McLendon's report suggests that Reynolds' behavior "is replete with symptoms compellingly suggestive of a paranoid personality" and at another point notes that "perhaps it is just a happenstance that all of the public officials accused by Reynolds at any time are Democrats."

The comment that drew Case's fire was in the fourth paragraph of the lengthy report, which said:

"At this point it is to be noted that contrary to stories appearing in the public press and statements by Senator John J. Williams and others, the committee's decision to terminate hearings for taking testimony and to make its first report to the Senate was made upon the condition that the committee could still hear pertinent evidence, if any, thereafter discovered."

Williams declined to comment "until I have seen the report."

McLendon said the second draft corrected typographical errors in the initial version and also contained "some rewriting of certain parts," but he declined to specify what sections had been changed.

CLOSED MEETING

"I'm sure there will be further modifications before the final report is adopted," McLendon added, announcing that next Wednesday's closed committee had been called to discuss both "routine committee business" and the "current investigation" into Baker's affairs.

In the report McLendon also made these points:

1. There is no evidence of use of influence in the awarding of a contract for a water desalting experiment to a group that has been closely associated with Baker.

2. It can be inferred that Baker received payment for assistance given a lobbyist interested in legislation.

3. It can be inferred that Baker received part of a $5,000 payment given another lobbyist hired to help get a California bank charter.

4. The statements made by Walter W. Jenkins, former White House aid, to questions submitted to him in writing substantially confirm what Jenkins said in an earlier affidavit that produced considerable controversy.

The three Republicans on the nine-member committee have consistently accused the Democratic majority of trying to cover up the Baker scandal.

McLendon already has questioned William's truthfulness publicly. At a hearing of the Rules Committee last year, Williams walked out and said that since the committee appeared no longer to want his cooperation he would leave it to its own devices.

DOOR LEFT OPEN

Apparently wary of the possibility that some more of Baker's activities may pop up publicly, McLendon left the door open for further investigation if necessary.

McLendon mentioned specifically influence peddling on legislation and irregularities in campaign contributions.

McLendon said both are being investigated by the Justice Department and he didn't see the need for the committee to go into the matters at this time. A Federal grand jury here also is investigating the Baker case.

McLendon claimed the committee "has done its best to be fair to Reynolds and has perhaps been more than fair to him."

Republicans on the committee have maintained that the major effort of the Democrats has been to try to discredit Reynolds rather than to uncover Baker's affairs.

Portions of the report dealt with some of the new matters that came up during the last round of hearings on the Baker case.

McLendon said these further served to "illustrate the gross improprieties inherent in Baker's business and financial transactions while occupying the office of secretary of the majority."

He noted that Baker was given a $5,000 check by Myron Weiner, a representative of an ocean freight forwarding group, after legislation favorable to the group was passed.

"It is almost impossible not to draw the inference that Baker was paid for assistance given Weiner in this regard," McLendon said.

He said this instance "adds to the long list of Baker's transactions showing how he prostituted his office in the Nation's Capitol to his personal financial gain."

Investigation also disclosed that Wayne Bromley, a lobbyist, was paid $5,000 by the Redwood National Bank of San Rafael, Calif., to help get a Federal charter. The check was delivered to Bromley through Baker and was indorsed by both Bromley and Baker and cashed at the Senate disbursing office.

McLendon said it is "a fair inference that Baker did participate in the proceeds from the check."

On the water desalting contract, McLendon said there was no evidence that Representative Emanuel Celler, Democrat, of New York, or his New York law firm had anything to do with a contract obtained from the Government.

Testimony showed that the Murchison interests of Texas which have been involved with Baker in other business dealings, controlled the Sweet Water Development Co., which got the contract to test a desalting process.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed at this point in the Record an editorial entitled "Same Old Whitewash," published in the Washington Sunday Star of May 16, 1965.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Same Old Whitewash

The various draft reports of the Senate Rules Committee's so-called investigation of the Bobby Baker case add up to an easily predictable result: More whitewash.

The first draft must be for laughs. It says that the committee "has done its best to be fair to Don R. Reynolds and has perhaps been more than fair to him." The fact is that the report and the essence of the committee's proceedings amount to a savage attack on the Silver Spring insurance man. One might readily conclude that the Democratic majority on the committee, aided by leaks of supposedly confidential information, had set out to destroy Reynolds because he initially made the documented charges which forced an inquiry into the malodorous operations of Bobby Baker. If this was not the deliberate purpose, it certainly is the principal result. In our opinion, it will be a long time before any other citizen risks the ruinous penalties which can follow an attempt to expose corruption at the higher political levels.

Reynolds is not the only one to suffer the slings and arrows of the committee's prospective report. The draft also undertakes to discredit Senator John J. Williams, Delaware Republican, who single-handedly forced the committee to dig deeper into smelly aspects of the Baker case after the Democratic majority, not wishing to pursue the matter, had hopefully voted last July to end its investigation. Of this, New Jersey's Senator Case has made the appropriate comment: The criticism of Senator Williams, he said, is "outrageous and unprecedented," especially in view of the fact that it was the Delaware Senator who forced "the committee to make some attempt, half-hearted and feeble though it was, to uncover the facts."

If the committee majority is now determined to clamp on the lid, there is no way to stop them. But they will not sleep well at nights for a while. Senator Williams is not a man who can be intimidated, and he may yet be able to come forward with proof of wrongdoing which will reveal the phony character of this investigation. In any event the Democrats must accept responsibility for the impairment of public confidence in the Senate as an institution—a loss of confidence which will continue long after the Rules Committee has washed its hands of the whole business and gladly called it a day.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that immediately following the conclusion of routine morning business tomorrow, I be recognized on a matter of personal privilege; that during my remarks tomorrow the rule of germaneness be waived; and that I be permitted to yield to any Member of the Senate either for questions or for comments without losing my right to the floor.

The PRESIDING OFFICER. Is there objection?

Mr. ELLENDER. Mr. President, reserving the right to object, at what time does the Senator desire to speak?

Mr. WILLIAMS of Delaware. Immediately following the conclusion of morning business.

Mr. ELLENDER. For how long?

Mr. WILLIAMS of Delaware. Long enough; that is all I can tell the Senator.

Mr. ELLENDER. Does not the Senator know whether he will require 2 hours or 5 hours?

Mr. WILLIAMS of Delaware. I have no idea.

Mr. ELLENDER. I object.

Mr. WILLIAMS of Delaware. Mr. President, I am making this request as a matter of personal privilege.

Mr. ELLENDER. Mr. President, I withdraw the objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Delaware? The Chair hears none, and it is so ordered.

Mr. WILLIAMS of Delaware. I thank the Chair.

Mr. President, I now request both the majority leader and the minority leader to notify the members of the Commitee on Rules and Administration that they are invited to be present when I speak in the Senate tomorrow.

The newspaper articles which I have placed in the Record refer to charges made by a man who represents himself as the "spokesman" for the majority members of the Senate Rules Committee. Upon obtaining recognition tomorrow I shall promptly yield to members of the Rules Committee, beginning with the chairman of the committee, and thereby give to each member an opportunity either to repudiate this self-described "spokesman" or to repeat in my presence and in the presence of the full Senate any charges or criticisms that they care to make in connection with the part which I have taken in trying to obtain a full and complete disclosure of any improprieties involving either employees or Members of the U.S. Senate.

As one who has tried, notwithstanding numerous rebuffs and insults, to cooperate with this committee and to keep this investigation on the proper track I do not intend that these charges by innuendo go unchallenged.

In conclusion, I assure each member of the Rules Committee that as I yield to them tomorrow I shall do so without any interruption and without any limitation as to time that they may desire to outline fully any charges they wish to make, following which they will be answered—and I can assure them they will be answered.

Mr. KUCHEL. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. KUCHEL. The distinguished minority leader [Mr. Dirksen] is necessarily absent at the moment, but I believe I have every right to say, on behalf of the Senator's colleagues who sit on this side of the aisle, that I shall officially notify the minority members of the Committee on Rules and Administration of the able Senator's comments, and of his voiced hope that the membership of the committee, in its entirety, be present in the Chamber tomorrow. I shall urge, I have no doubt with complete success, that they be here.

Before I take my seat, I should like to say that I have had high respect for the senior Senator from Delaware ever since I first came to this Chamber. The senior Senator from Delaware has performed an abundance of fine, patriotic, difficult services, not only to the Senate, but to the American people, as well. In this instance, he is about to add more luster to his name. I myself look forward to being present tomorrow when he speaks.

I am glad to reecho the hope voiced by the able Senator from Delaware that members of the Committee on Rules and Administration will be in the Chamber tomorrow to listen to his remarks.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. SCOTT. Mr. President, I expect to be present tomorrow. Unless it shall have been sooner withdrawn, I intend at the meeting of the Committee on Rules and Administration on Wednesday to move formally to strike from the committee's report all derogatory references to the senior Senator from Delaware, all matter which seems to reflect on his integrity, and all matter which is in violation of the customs and rules of the Senate in this unprecedented attempt by the so-called spokesman for the Committee on Rules and Administration to persecute the prosecutor, although I know that such an attempt is about the most unlikely to succeed project in my experience.

I have the highest respect for the senior Senator from Delaware. I am not at all in sympathy with the efforts of the Committee on Rules and Administration to avoid its responsibility with regard to Bobby Baker and his associates and to seek to impugn the testimony of one witness and to so frighten him as to cause him to remain beyond the borders of the United States.

I am sure that when the Senator from Delaware speaks tomorrow, what he has to say will be heard with approval by Senators on both sides of the aisle. I hope that when the Senator has finished speaking, the majority members of the

Committee on Rules and Administration will undertake, of their own motion, to withdraw their shameful and disgraceful attack upon the senior Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I thank both the Senator from Pennsylvania and the Senator from California. I shall defer any comment on what these supposed charges are until after I hear them tomorrow.

As yet I have not been furnished with a copy, nor has anyone connected with the Committee on Rules and Administration approached me, either directly or indirectly, with the substance of the material contained in the report.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

The PRESIDING OFFICER (Mr. HARRIS in the chair.) The Senator from Kentucky is recognized.

Mr. COOPER. Mr. President, I am sure the Senator knows, but I believe it might be worthwhile to state that the report to which the distinguished Senator from Delaware has referred is not a report of the Committee on Rules and Administration. It is a draft which was prepared by the majority members of the committee.

Several weeks ago this draft was circulated to committee members. Someone evidently leaked the text of the draft, because the substance of the draft appeared in several newspapers. At that time, a second draft was circulated to committee members.

Now that at least the substance of this draft has been disclosed, I believe that it should be said that, in substance, what the senior Senator from Delaware has told the Senate is correct. In this draft, derogatory remarks are made about the senior Senator from Delaware.

If it were not so sad, it would be ludicrous. It is well known that the senior Senator from Delaware produced the facts which initiated the investigation. It is also well known that after the investigation had been closed by the majority members of the Committee on Rules and Administration, the matter was pursued further by the senior Senator from Delaware and the evidence produced by the senior Senator from Delaware caused the investigation to be reopened.

The truth of the matter is that it has been the work and effort of the senior Senator from Delaware which kept the investigation fairly alive throughout several months. I can only say that we have not discussed the draft in the committee, and it certainly does not represent the thinking, in my view, of the minority members. However, whatever happens, I do not believe that the senior Senator from Delaware should be concerned about his reputation in the Senate or in the United States.

Mr. WILLIAMS of Delaware. I thank the Senator from Kentucky. I am always concerned about my reputation. I feel that if there are those who underwrite and support these charges as outlined by Mr. McLendon they should have a full opportunity to present them. Therefore, all I am asking them to do is to state the charges in my presence on the floor of the Senate.

If this is only the opinion of a staff member let them so state on tomorrow. I shall wait until tomorrow to find out. I thank the Senator.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Mr. President, I regret very much the report in the newspapers concerning the content of the draft of the committee report.

I have stated before, without the senior Senator from Delaware, this investigation would never have left its base. It would have been today where it started. It was only through the conscience of the Senator from Delaware and his presenting information to the committee that the investigation was continued.

I cannot help feeling bad because the Senator from Delaware is now being subjected to the treatment that is frequently given to an honest witness on the stand who is sought to be made the culprit while the true culprit is allowed to go free.

I shall be on the floor of the Senate tomorrow to give every bit of moral support that I can to the Senator from Delaware for the distinguished service that he has rendered this country in the particular subject that is before Congress.

There is some talk about hiring 3,000 additional policemen in the District of Columbia in order to eliminate crime. We had better quit talking about that and begin demeaning ourselves in a manner that will set an example for decent citizens so that they will remain ethical and law abiding, and thus eliminate the need for policemen, judges, and prosecutors.

What can the ordinary citizen think when he knows that the Senator from Delaware has had only one objective in mind—the maintenance of honor for the Senate of the United States? The compensation rendered for this service is now revealed to be the sufferance of an indictment that he is the culprit and that the others who were involved are persons of decency. I cannot subscribe to that procedure.

I commend the Senator for his statement about what he contemplates doing tomorrow.

Mr. WILLIAMS of Delaware. I thank the Senator.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. THURMOND. Mr. President, I have not had an opportunity to read the draft of the majority report of the committee. However, I have never known a man who has impressed me more as being a man of character, a man of integrity, a man of high ideals, and a man who will not be swayed by pressures than the Senator from Delaware [Mr. WILLIAMS].

I commend the Senator from Delaware for the stands which he has taken in the Senate over years past in trying to expose corruption and to bring the truth to the people of America.

I hope that the Senator pursues not only this investigation but also the investigation of any other matter in the future without trepidation, as he has in the past.

I am sure that every Senator knows in his heart that the Senator from Delaware is right and is following the line of truth. It is my hope that ultimately this truth will prevail.

Mr. WILLIAMS of Delaware. Mr. President, I thank the Senator. I also thank the majority and minority leaders for their cooperation in giving me consent to speak tomorrow.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. YOUNG of North Dakota. Mr. President, I join in the well-deserved commendation of the senior Senator from Delaware for the work he has been carrying on for the past 18 years to preserve honesty and integrity in the Senate.

It is an odd state of affairs when a hired committee employee writes a report that is critical of a Senator who has done more than any other Senator to keep the Senate and the entire Government structure honest. I have never heard of such a thing before.

I think it is time action was taken by the Senate so that it will not happen again.

Mr. SALTONSTALL. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. SALTONSTALL. I join the Senator from South Carolina and the Senator from North Dakota in what they have said. Whether we agree on particular policies of Government or not, we certainly agree with the Senator in his efforts to end corruption in the governmental service. The Senator has had a record of integrity in this effort.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

AMENDMENT NO. 187

Mr. MANSFIELD. Mr. President, I call up amendment No. 187.

The PRESIDING OFFICER. The amendment offered by the Senator from Montana, for himself and the Senator from Illinois [Mr. DIRKSEN] will be stated.

The legislative clerk read as follows: On page 14, line 8, strike out all down through line 19, and insert in lieu thereof the following:

SEC. 9(a). In view of the evidence presented to the Congress that the constitutional right of citizens of the United States to vote is denied or abridged in certain States by the requirement of the payment of a poll tax as a condition of voting, Congress declares that the constitutional right of citizens of the United States to vote is denied or abridged in such States by the requirement of the payment of a poll tax as a condition of voting. To assure that such right is not denied or abridged in violation of the Constitution, the Attorney General shall forthwith institute in such States in the name of the United States actions for declaratory judgment or injunctive relief against the enforcement of any poll tax, or substitute therefor enacted after November 1, 1964, which, as a condition of voting, has the purpose or effect of denying or abridging the right to vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment (No. 187) offered by the Senator from Montana [Mr. MANSFIELD], for himself and the Senator from Illinois [Mr. DIRKSEN] to the amendment in the nature of a substitute, as amended and modified (No. 124) offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN].

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ELLENDER. What is the amendment before the Senate at the moment?

The PRESIDING OFFICER. Amendment No. 187.

Mr. ELLENDER. Is that the one that was just read?

The PRESIDING OFFICER. Yes.

Mr. ELLENDER. Mr. President, I am glad to note that the proponents of this measure have apparently agreed, after quite some time, on the poll tax issue. As I understand, the amendment that is now before us, and which has just been read, is not subject to amendment.

Mr. President, am I correct in that understanding?

The PRESIDING OFFICER. The amendment is an amendment in the second degree, and therefore is not open to amendment.

Mr. ELLENDER. Except by unanimous consent?

The PRESIDING OFFICER. Except by unanimous consent; that is correct.

Mr. ELLENDER. For more than 3 weeks the opponents of this measure have been making every effort to put amendments in the bill which we thought were reasonable, but, as I stated to the majority leader, so long as the bill remains in its present state, and without any amendments adopted that would bring it within the Constitution, speaking at least for myself, and more than a majority of southern Senators who are opposed to this bill, we cannot enter into an agreement to vote at this time.

I suggested to the leadership that it might be agreeable for us to enter into a limitation of debate on the amendments to the bill in the hope that we might be able to obtain sufficient support from Senators, which would at least remove the constitutional objections that we have been urging since the bill has been up for debate.

Mr. President, this debate has lingered along without too much time taken by the opponents of the bill; but it seems to me that more time is spent by the proponents in an effort to obtain a meeting of the minds as to what ought to be included in the bill.

With the new modification that was suggested this afternoon and the proposed amendment, I am merely judging that it is evident that the proponents have ostensibly come together once again on the issue that gave them the most trouble. That was with respect to the poll tax.

I have not been able to understand why the poll tax should have given so much trouble to the proponents of the bill.

Mr. MANSFIELD. Mr. President, will the Senator yield to me, without losing his right to the floor?

Mr. ELLENDER. Under those conditions I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Without objection, it is so ordered.

APPOINTMENT BY THE VICE PRESIDENT TO CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Chair wishes to announce, on behalf of the Vice President, the appointment of the Senator from Iowa [Mr. HICKENLOOPER] as a member to the Eighth Canada-United States Interparliamentary Group, at Ottawa, Montreal, May 20–24, 1965, in lieu of the Senator from Wyoming [Mr. SIMPSON].

EXCISE TAX ON PASSENGER AUTOMOBILES

Mr. McNAMARA. Mr. President, it was most pleasing to me to learn that President Johnson is asking the Congress to reduce the Federal excise tax on passenger cars from 10 to 5 percent over a 3-year period.

Reform of the entire excise tax structure is long overdue, and it is heartening to note that the President proposes a complete revision.

On January 6, 1965, I introduced S. 255, a bill to reduce the Federal excise tax on passenger cars from 10 to 5 percent, over a 3-year period, beginning July 1, 1965.

At that time, I said that it would be unconscionable for any reform of our excise tax system not to include a reduction of the onerous 10 percent tax on new passenger cars, which is the only major excise tax that has not been changed since the Korean war.

It is most gratifying to me that the President, in his message to the Congress today, is following the three-stage excise tax reduction first proposed in S. 255.

I hope the Congress will act quickly and favorably on this recommendation, which should save the buyer of a new car about $75 on the purchase price. The fact that the proposed excise reduction would be retroactive means that it should not have a depressing effect on car sales while Congress is considering the matter. The auto industry has promised to pass on any reductions to the car-buyer.

On only one point do I find myself in disagreement with the President. In his message, he recommends that the auto excise tax remain at 5 percent once that level is achieved.

It has long been my position that this restrictive tax should be repealed and I will continue to work for that goal.

SITUATION IN THE DOMINICAN REPUBLIC

Mr. SMATHERS. Mr. President, nearly 3 weeks ago the cauldron of discontent in the Dominican Republic boiled over.

I am convinced more and more each day that only the United States prompt response to the new crisis on that bloody soil could have provided the basis for what we all hope and expect to be a meaningful peace through the auspices of the Organization of American States.

The mercurial events on the island of Hispaniola continue to present problems of vast magnitude—but they can be solved if all of the nations of the OAS give more than lip service to the responsibilities of an interdependent hemisphere.

It has been said that nothing can stop an idea whose time has come. I respectfully suggest that the time has come to implement an idea which I have advocated consistently since 1955—the establishment of a permanent inter-American police force.

The concept of interdependency is one which we have long accepted in Europe. British Prime Minister Harold Wilson only recently acknowledged the importance of NATO and the political-military solidarity of our allies in Europe.

NATO has had its problems but it is a working, living force. In Asia, SEATO has been less viable but it cannot be dismissed.

Even in South Vietnam, where at times we seem to have been carrying on a lonely if honorable campaign to save a nation from communism, we have recently been joined by our friends in Australia, South Korea, and the Philippines who recognize that democracy is not a closed shop.

It was on January 21, 1955, that I first advocated the establishment of an inter-American police force to assure peace and stability in Latin America.

This was long before Fidel Castro betrayed the Cuban dream. Only a year before, however, Guatemala had undergone turmoil and upheaval and it had become clear that laissez faire in the Americas was no longer possible.

For it was evident that communism, like nature, abhors a vacuum.

In my 16 years in the Senate, Mr. President, I have made more than 300 speeches on Latin America. Time and time again, I have emphasized that a commonality of responsibility required the establishment of a hemispheric patrol to police this part of the world so that people of the Americas could pursue their own destinies free from international conspiracy.

Of course, the nations of this hemisphere had agreed in the Rio Treaty of

1947 that "an armed attack by any state against an American state shall be considered as an attack against all the American states," and each of our countries pledged to "assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations."

That treaty attested to the integrity of the inter-American system.

This was bolstered in 1948 by the act of Bogotá, when 21 nations chartered the Organization of American States; in 1954, by the Caracas resolution—which prohibited Communist intervention in this hemisphere—by the Declaration of Punta del Este in 1962 and other acts.

But most of these solemn and meaningful pacts called for consultative actions.

None had yet created the "ready room" atmosphere that an international peace patrol could provide.

Article 6 of the Rio Treaty, for instance, recognized that there could be an aggression without armed attack—yet called not for a standby emergency force but said only:

> The Organ of Consultation shall meet immediately in order to agree on the measures which must be taken.

The Organization of American States Charter also called for consultation. Similarly, the Caracas agreement specified a "meeting of consultation to consider adoption of appropriate action.

In truth, each of these agreements gave an intellectual nod to the concept of subversion, but in reality organized to meet that threat largely on a parliamentary plane—the kind of basis which accommodates itself to the measured tramp of armies but not to the hidden terrorist.

The OAS did provide a stable forum for the discussion of hemispheric policies. It continued to be the organization which, in the long run, will carry out the noble intentions of its members. But to do so requires implementation.

In the Dominican crisis, the OAS—acting as swiftly as circumstances would allow—nevertheless took exactly 1 week to reach agreement on what to do in this situation. It has dispatched a peace commission and is making every effort within its present capabilities to restore domestic tranquillity.

That is exactly what the United States of America wants the OAS to do, and what our allies of the hemisphere desire.

Vice President HUBERT H. HUMPHREY, whom Latin Americans know to be simpatico, said in a May 5 speech that the OAS must develop and maintain international peace-keeping machinery, and warned that the days of "luxury and ease" for the OAS are gone.

Again, Secretary of State Dean Rusk said in a May 8 interview with the Associated Press that it has become imperative that the OAS consider establishing a standby military force in order to be able to cope with contingencies that arise with speed and which present massive threats to the entire corpus of the hemisphere.

In that regard, I would respectfully point out that some years ago I suggested an inter-American police force working under the Organization of American States would put an end to military takeovers that continue to raise the unpleasant specter of tyranny.

In a speech on April 7, 1960, I pointed out that establishment of an inter-American security force would permit Latin American countries with tremendous internal problems of employment, housing and sanitation to spend less for national armies and more for badly needed social welfare programs.

In turn, the establishment of domestic progress would mitigate against military juntas and in favor of true popular government.

In 1960, when I again advocated the international security force, I had just returned from a tour of 10 nations in Latin America.

I reported to the Senate Commerce Committee, of which I was then a member, that in the Caribbean, Panama was seething with unrest, Cuba was in the "grip of a bloody-handed leftist dictatorship" and the people of the Dominican Republic, after 30 years of despotic rule, still lacked at that time the most elementary aspects of political freedoms. Haiti was also struggling with abysmal poverty and a repressive government.

"Clearly the fuse is burning very close to the bomb," I reported.

At that time, there came the first indication that the State Department was studying the feasibility of an inter-American security force.

Even then, the Dominican Republic looked to Fidel Castro like fertile ground for the export of communism. The adjoining nation, after all, had gone through 22 revolutions in 70 years and had long been under the thumb of Rafael Trujillo.

Among Castro's earliest acts was an attempt in 1959 to invade the Dominican Republic with an expeditionary force.

But our national attention turned from the Dominican Republic to Cuba itself as Castro's link with Soviet communism became more and more obvious and threatening.

During this period, the Organization of American States met many times. There were solemn discussions, agreements, resolutions, and sanctions invoked.

How many of us here recall that it was in July of 1960 that Russian Premier Khrushchev was blatant enough to say that he considered the Monroe Doctrine had "outlived its time, had died, so to say, a natural death."

Thus managed from Moscow, Castro began to churn the Caribbean. From a point 90 miles off U.S. shores, within a few minutes air time from Santo Domingo, Castro began his attempt to subvert the hemisphere.

Even then, however, there was purist sentiment for upholding to the letter article 15 of the OAS Charter—which prohibits intervention by any state in the internal or external affairs of another.

The Caracas agreement notwithstanding, there were those within the hemisphere who deemed a hands-off policy to be the highest order of political enlightenment.

Yet the Cuban threat magnified, repression grew, the link with Russia became more blatent.

Mr. President, no man ever respected the integrity of the Americas more than our late President, John F. Kennedy. No man wanted more to work closely with the Organization of American States than he.

Yet President Kennedy also knew the limitations of the OAS—and the burdens of the United States. He was well aware of article 15 of the OAS Charter.

And yet he was also attuned to the magnitude of the Castro threat and determined that the United States would not, could not, allow it to remain.

Because our President, agonized over the right and proper course for the friends of freedom, acting by rule of law, circumstances led us to the unfortunate Bay of Pigs invasion of 1961.

It failed, and, afterward, President Kennedy stated:

> Let the record show that our restraint is not inexhaustible. Should it ever appear that the inter-American doctrine of noninterference merely conceals or excuses a policy of nonaction—if the nations of this hemisphere should fail to meet their commitments against outside Communist penetration—then I want it clearly understood that this Government will not hesitate in meeting its primary obligations, which are to the security of our Nation. Should that time ever come, we do not intend to be lectured on intervention by those whose character was stamped for all time on the bloody streets of Budapest.

There came, in the ensuing months, the Declaration of Punta del Este and, it may be remembered, the congressional resolution of September 26, 1962, in which the Senate voted 86 to 1 to prevent "by whatever means may be necessary, including use of arms" the extension of the Marxist-Leninist regime in Cuba to any part of the hemisphere.

But it was in the missile showdown of October 1962 that President Kennedy demonstrated that U.S. patience indeed had limits, and he acted with firmness and resolution and success.

It was true that he consulted with the OAS, but, in the final analysis, it was the United States—with its great military force—which was acting as policeman for the hemisphere in the Cuban missile crisis.

Today, once more, we stand in the Dominican Republic as a policeman—if that be intervention then I would recall the words of former Panamanian President Roberto Chiari, who observed that if nonintervention is carried to its most extreme interpretation it can condemn to continual and incurable oppression those peoples deprived by force of their legitimate quest for self-determination.

But let us look at the timetable of events in the Dominican Republic to see exactly what the United States did.

On April 24, a group of young Army officers and civilians seized two radio stations and announced intention to topple the U.S.-supported junta of Donald Reid Cabral and restore Juan Bosch to power.

By April 25, forces loyal to General Wessin y Wessin were resisting the rebels.

The situation rapidly deteriorated. Arms were distributed by the rebels to the general populace. The streets became bloody lanes and effective government disappeared.

As armed bands roamed the streets, there was looting and burning. U.S. Ambassador W. Tapley Bennett tried in vain to restore peace, but by April 28, the situation was so critical that he cabled President Johnson:

> You must land troops immediately.

Lives of more than 1,000 U.S. citizens in Santo Domingo were clearly threatened when, on the evening of April 28, President Johnson ordered 400 marines ashore.

The President called in the leaders of Congress and he informed the Nation by television. The OAS was summoned together the next day and—it is interesting to note—declined to send a mission to the Dominican Republic but instead cabled the Papal Nuncio at Santo Domingo and asked him to seek a cease fire.

Subsequent events have indicated the U.S. action came when it was absolutely necessary to prevent an irreversible situation.

We acted—because there was danger to our citizens, because there was substantial evidence of Communists converting the rebellion to their own purposes—and because, in the final analysis, there was no one else to defend the integrity of the hemisphere at that time and at that moment.

As the President himself said to the National Association of Home Builders on May 11:

> We would rather that men quarrel with our actions to insure peace than curse us through all eternity for inaction that might lose us both our peace and freedom.

Many of our Latin American allies have voiced criticism of our action in the Dominican Republic—yet agree privately that it was a wise decision, consistent with hemispheric goals.

I was in Panama 1 week ago, and my conversations there lead me to believe that there is broad individual support for the U.S. role in the Dominican Republic.

Hindsight, however, tells us that had we established the permanent international security force even 4 years ago, the technical question of intervention would not arise at this point—for each of the partners in this hemisphere would have been carrying his share of the responsibility.

There is no better time than now to give the Organization of American States the power—which the United Nations already has—to muster cooperative international forces to keep the peace.

I firmly believe such a force for the Americas must be permanent, that it must have the flexibility to respond to emergencies and to function as long as it is necessary to asure peace and stability consistent with the goals of self-determination.

To paraphrase Santayana, those who do not remember history are condemned to relive it.

Mr. President, there have been a number of editorial comments on the Dominican Republic crisis that I believe are particularly cogent. I ask unanimous consent to have printed in the RECORD, a column writen by the noted commentator Eric Sevareid, which was published in the Washington Evening Star, for May 11, and excerpts from recent editorials in papers around the country.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE MONROE DOCTRINE, 20TH CENTURY

(By Eric Sevareid)

President Johnson has enlarged the war in southeast Asia by bombing the territory of a foreign government with which we are not legally at war and he has invaded the territory of a Latin American country without benefit of an invitation or even the prior approval of other hemisphere governments in the Organization of American States.

Domestic critics have said that he has made an ex post facto rationalization of the bombing by emphasizing that North Vietnam is the vital source spring of the fighting in South Vietnam. Domestic critics now argue that he similarly rationalizes the Dominican intervention by emphasizing what evidence there is that Communists were taking over the people's uprising.

There are surface similarities between the two actions, but they remain on the surface. They need not and ought not be lumped together by the President's detractors or by his supporters. Critics of his Asian policy may well turn out to be wrong in the end, but there are much stronger grounds for this criticism than for criticism of his action in the Dominican Republic. Vietnam lies very far away from the United States and very close to a major power that just might enter that war. The Dominican Republic lies very close to us, very far from any other great power and carries no danger of international war.

What deeply puzzles those who are dubious of our Vietnam policies is how we are to make a "victory" there work over the long haul, how that area, riven by tribal and sectarian rivalries, with almost no national consciousness, is to be kept stable and in one piece. The Dominican Republic is far more able to usefully employ economic asassistance and does have a strong national sense, however bitter its class enmities. Our aims there have much more chance of realization.

The OAS is a useful entity; we ought to consult it before we act if circumstances make it safe to do so. In the Dominican situation affairs were moving much too rapidly, as, in 1950, the North Koreans were moving much too rapidly for President Truman to throw out the question of American intervention for congressional debate. It would be very nice, indeed, if we could always act by the book. But we cannot always do so in this new era of the quick Communist coup. We cannot because no Latin American government is politically or militarily able to act quickly in concert with us. If it is not too strong a word, that is the hypocrisy built into the Organization of American States. Its other members can share its protection; they will not, because they cannot, share the ultimate responsibility of action.

The New York Times, which President Johnson privately refers to as a "yes—but" newspaper, seems to be sad that because of his quick intervention we will never know whether or not the Dominican uprising was falling into the hands of the Communists or not. There are worse sorrows, as Castro has demonstrated to us.

The Dominican Republic is not going to be the last of our dramatic difficulties in this hemisphere, even though the President has used it as an example of what to expect, for the benefit of Latin Communists. And we will save ourselves a great deal of moral and intellectual agony as the future unfolds if only we can clear from our minds certain bits of debris:

1. The notion that the development work of the "Alianza" is the true alternative to physical action to stop communism. In the long, long haul—perhaps several decades—this is probably correct, but Communists in those countries are lighting very short fuses.

2. The notion that all military regimes in Latin America are equally bad. The truth is that in some Latin countries educated, modern military leaders are quite as enlightened and responsible as their political opposite numbers. We simply cannot equate the military now trying to put order into Brazil or the military who took over Peru and produced the free election they had pledged with military characters like a Trujillo or a Batista. Progress without stability is an impossibility and the bitter truth is that in some Latin countries there are times when the sole element of stability is the military.

3. The notion that the United States is reverting to the "big stick," gunboat diplomacy that characterized the earlier third of this century. We are not. There is nothing in Latin America that we want to conquer or possess; and we no longer swing our weight for any pleasureable sensations of fancied moral or racial superiority. Times have changed in another respect: we are now up against an international conspiracy that seeks to unravel from within societies that do not possess the social glue that comes from a long tradition of functioning democracy.

It is a fearful commitment the President has made. We shall prevent, by force if necessary, the establishment of another Communist regime in this hemisphere. It is the Monroe Doctrine, 20th century edition, harder to fulfill than the original version, but even more relevant to the realities.

Boston Globe: "The Soviet Union's attack on the United States in the U.N. Security Council will presumably center on the charge that our intervention in the Dominican civil war was only a pretext for establishing a rightist dictatorship there.

"This of course is not true. Sending in the marines was a necessary act of humanitarianism, as the harrowing stories of these evacuated attest.

"It is undoubted that Castroite Communists are seeking to take over the revolution."

Atlanta Constitution: "The use of U.S. military forces in Dominica was a grave move. It required careful and deliberate courage to make that decision. Mr. Johnson made it and in so doing demonstrated prudent leadership—the kind of leadership we need in today's world."

Boston Traveler: "The United States need make no apology for sending troops into Santo Domingo to protect American lives when local authority broke down there."

New York Post: "President Johnson's address last night on the U.S. role in the Dominican crisis exhibited a sensitive concern for the decent opinion of mankind.

"Franklin Delano Roosevelt faced a similar Caribbean challenge in the first days of his Presidency when the Machado dictorship was overthrown in Cuba. He surrounded the island with warships and mobilized the marines but he knew the day of single-handed intervention was over. Instead of landing the marines he moved toward a policy that made hemispheric peace and security the joint concern of the whole continent. A similar challenge and opportunity still confront Mr. Johnson."

Daily Oklahoman: "The U.S. intervention in the Dominican Republic rebellion suddenly has become a key test in the entire cold war.

"The policy upon which we have embarked is to say that there will be no more Castro-type takeovers. Our justification can be that if our intervention is a mistake, that can be rectified later, whereas a Red takeover precludes any later change by peaceful means."

Dallas News: "In President Johnson's recent report to the Nation on the situation in the Dominican Republic he laid it on the line. To the Communists he gave notice that this hemisphere in general and this country in particular do not intend to see another neighbor nation enslaved by the Red colonialists.

"To the many demagogs around the world who have gained political capital by inciting violence against American lives and property he gave clear warning that such activities can no longer be launched in the certainty that the U.S. Government will not protect its own.

"Lyndon Baines Johnson is no great orator but he is a very effective speaker because his word are blueprints for action. We know it and the world is learning."

Philadelphia Inquirer: "Joint action by nations of the Western Hemisphere, utilizing the administrative and diplomatic machinery of the Organization of American States, offers the best hope of resolving the crisis in the Dominican Republic.

"As President Johnson said in his televised report to the American people Sunday night, 'We have acted to summon the resources of this entire hemisphere to this task.' He defended his decision to send U.S. troops to the Dominican Republic, without waiting for OAS action, on humanitarian grounds. 'I knew there was no time to talk, to consult or to delay,' the President emphasized. To have hesitated would have been to condemn countless men and women to 'die in the streets.'

"The peril in the Dominican Republic is precisely the kind of crisis in which the Organization of American States is solemnly pledged to respond. Such response should have solid support from the United States and other OAS members and should be sufficiently firm to assure both peace and freedom for the Dominican people within a framework of self-government free of foreign dictation from any quarters."

Memphis Commercial Appeal: "Use of American troops in the Dominican Republic, and President Johnson's words giving justifications to that act, will make history.

"More than that they will provide guidelines for U.S. policy for untold years to come.

"Lyndon B. Johnson has enunciated what must inevitably become known as the Johnson doctrine. While the immediate purpose of this doctrine is to prevent Communist encroachment, the broad terms are amazingly consistent with the Monroe Doctrine of 1823.

"The Johnson doctrine, like its precedent, is not aggressive. It does not infringe on the independence or sovereignty of any other American state. It does not make protectorates of them. It invites change—even revolution—if the impetus for change is internal.

"But Mr. Johnson identified communism for what it is—an outside force aimed at dictatorship. And the Johnson doctrine is very plainly an enforcement of U.S. and hemispheric interests against a real and present danger to hemispheric peace and security."

Houston Post: "That trained Communist leaders moved in and took control of what started as a pro-Boche revolution in the Dominican Republic, the suspicion confirmed by President Johnson Sunday night, should have surprised nobody.

"Consistent Communist policy and strategy required that they do this. So did the logic of the current international situation. In any case, it was too good an opportunity for them to pass up.

"President Truman met his test in Europe and Korea. President Eisenhower met his principally in the Formosa Straits and the Middle East. President Kennedy met his in Cuba and in southeast Asia, and when he showed he was willing to risk a nuclear holocaust the Communists again paused.

"President Johnson is now undergoing his test, and in some ways the assault upon him is more virulent, more intense, and more savage than that against his predecessors in office. Any show of weakness, irresolution or indecisiveness would, of course, be exploited by the Communists to the maximum. How long it will take to convince the Communist leadership that he is just as tough, firm and resolute as his predecessors in office remains to be seen.

"In the Dominican Republic no less than in Vietnam and Laos, President Johnson has met the Communist test or challenge with firm, positive and unflinching action. If the Communists have not by now got the answer to their question of what they can hope to get away with while he is in the White House, they are really rather dense."

Portland Oregonian: "The American people should support President Johnson's decision to use military force as well as diplomatic negotiations to prevent the establishment of another Communist government in the Western Hemisphere."

Mr. SMATHERS. Mr. President, recently, the able and distinguished Senator from Oklahoma [Mr. HARRIS] made an enlightening and informative speech at the State convention of the Oklahoma Junior Chamber of Commerce at Tulsa, Okla., on the Dominican Republic crisis in support of the position of our President on the action he has taken to contain communism in this hemisphere.

I am certainly in accord with the views which the Senator from Oklahoma has expressed, and believe that he has made a great contribution toward enlightening the American people on the existing situation.

The speech is one which I believe should receive the full attention of every Member of Congress, and I therefore ask unanimous consent that the speech delivered by the Senator from Oklahoma be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH OF U.S. SENATOR FRED R. HARRIS TO OKLAHOMA JUNIOR CHAMBER OF COMMERCE, AT THEIR STATE CONVENTION, SATURDAY, MAY 8, TULSA, OKLA.

The Dominican Republic occupies a part of a small Caribbean island near our shores. It is a country of only 3½ million people with an area comparable to the little State of Connecticut.

Yet, today, the situation in that tiny country and the actions our Government has taken there have great impact on all our lives, and, perhaps, the future peace and security of this hemisphere.

The prompt action of President Johnson in sending troops into the Dominican Republic to protect the lives of American nationals, and, particularly, to prevent the establishment of another Communist country in this hemisphere establishes, in effect, a new policy doctrine.

So far, only one critic, the representative of Uruguay to the Security Council of the United Nations, has given that new policy a name. Last Tuesday in a speech before the Security Council, calling for the removal of American troops from the Dominican Republic, the representative of Uruguay called the new policy "the Johnson doctrine."

I believe it will come to be called that, admiringly, by those who are in agreement with the policy. It will come to be recognized as an important elaboration and extension of the Monroe Doctrine.

I supported the action of President Johnson in sending troops to the Dominican Republic to protect the lives of our citizens and to prevent Communist takeover of that country.

In the age of the ICBM and the communications satellite, it can truly be said that every part of the world is of immediate and vital strategic interest to the United States.

Yet it is as true today as it has ever been that there are some areas in which this Nation has a deeper inherent concern than it may have in other parts of the world. Such an area is our own immediate neighborhood—the Western Hemisphere. We are linked to the people of this hemisphere by many bonds. Like us, their nations are relative newcomers to the world scene. Like us, they have fought, and fought hard and long, to secure, and then to maintain their national independence, although they have faced difficulties in marshaling their total resources to the task of raising the standards of living of their peoples.

It is the tragedy of this hemisphere—a tragedy which we feel, and in which we have not been entirely blameless—that the hopes of this proud and freedom-loving people have not been fully realized, even to this day. In past years, this Nation has, too often, looked upon Latin America as an area in which our basic interests gave us the right to intervene in their internal affairs in order that they might be arranged to suit our convenience or transient wishes.

That era is behind us, now. It is behind us forever. The day has gone when the United States, with all its power and might, can casually or for light reasons, attempt to dictate its will to the people of this hemisphere. We are no longer—if ever we were—the landlord of the Western Hemisphere. We are, and we hope to remain, the partner of a group of sovereign nations—a group whose objectives, I hope and believe, will usually be in accord with ours—but a group whose friendship we will have earned and whose cooperation will come freely from the uncoerced recognition of a community of interest.

In the early years of this century, the United States thought itself free to occupy the Dominican Republic, to order events there in line with our own ideas—and free to leave when our objectives were achieved, without giving much thought to the aftermath.

The aftermath of that American occupation was one which stands forever to the discredit of the United States, and one which we cannot lightly dismiss from our conscience. I refer, of course, to the bloody and incredibly repressive dictatorship of Rafael Trujillo—a dictatorship which made the Dominican Republic a prison for its people and an affront to the hopes and aspirations of Americans of all of the American republics.

Today American troops are again in the Dominican Republic. But today they are there with a far different mission, and we stand obligated to see that the results of our necessary intervention are of a totally different order than was the case 30 years ago. In the words of President Johnson: "It is our mutual responsibility to help the people of the Dominican Republic toward the day when they can freely choose the path of liberty and justice and progress. This is required of us by the agreements that we are party to and that we have signed. This is required of us by the values which bind us together."

The choices which suddenly confronted the Government of the United States less than 2 weeks ago, were agonizing ones. There were no easy alternatives, and few simple black-and-white conclusions. The democratic government which the Dominican people had established after the death of Trujillo had long since vanished, a victim partly of its own inadequacies, partly of some of the tragic legacies of the Republic's long night of dictatorship. An effort to overthrow the military junta that had replaced Juan Bosch had begun, and between the many groups that sought to direct this revolution and the efforts of others to prevent it, effective government collapsed in the streets of Santo Domingo.

For several days, the United States and other American governments watched the events in the Dominican Republic with great care. No one in our Government viewed lightly the possibility of American intervention. If the Dominican people had been able to order their own affairs, to secure and safeguard the free, democratic constitutional government which they sought, we would, in my judgment not have intervened. But the people of the Dominican Republic were not to be allowed to have that simple choice.

Trained, dedicated Communist leaders—a number of whom have now been clearly identified—sought to take advantage of the situation and to turn the legitimate desires of the Dominican people to the service of the purposes of those who would establish a Communist dictatorship on that island.

Our Ambassador had made a complete report concerning the facts of the new direction in the revolution brought about by Communist leaders moving into positions of rebel strength and influence.

Among the rebel forces, and playing an important role in organizing the mobs, are 55 identified, prominent Communists and Castroist leaders. They include 18 persons known, or reliably reported, to have been trained in subversive and paramilitary tactics by the Cuban Intelligence Service or other similar Communist organizations. The balance of the Communist leaders there have been reliably and clearly identified over the past years as Communist and Castroist subversives.

It became probable, and was so reported, that if the rebels were successful in taking over the government, the Dominican Republic would shortly become a Communist state.

This Government, and all the free governments of the Americas, have learned the hard, dangerous way, that we cannot suffer the establishment of another Communist dictatorship in this hemisphere. We have learned that as contrary to the spirit of the American Republics as military juntas may be, they represent a danger less immediate, less mortal, than allowing another beachhead for the Communist movement in this part of the world.

In 1958 and 1959 and 1960, we allowed one such beachhead to be established in Cuba and become a source of mortal peril for all of us. The world was brought, in October 1962, closer to the brink of the ultimate war by that fact than we ever hope to come again.

As the efforts of the junta and the revolutionaries to seize power in the Dominican Republic teetered back and forth, order vanished. On Wednesday, April 28, the chief of police in Santo Domingo advised the American Ambassador that he could no longer guarantee the safety of the Embassy or of the thousands of Americans and other foreigners present on the island. At that critical juncture, the President of the United States, alone in the awesome responsibility which that office imposes upon its incumbent, had to make a decision. As he has himself said, delay itself would have been a decision—"a decision to risk and to lose the lives of thousands of Americans and thousands of innocent people from all lands." His decision was unavoidable, and his promptness in making it may have been the reason that thousands of American homes are not today mourning the death of a loved one.

He ordered American forces into this chaotic situation in order to save American lives. This they have done. And they have succeeded magnificently.

It was, indeed, unfortunate, as our Ambassador to the Organization of American States made clear, that there was not in being some peacekeeping force under the authority of the Organization of American States which could have been sent in to the Dominican Republic instead of U.S. forces alone.

The responsibilities in the situation, therefore, became apparent for the United States. Having taken action, we notified the Organization of American States as rapidly as possible and asked them to take responsibility for the peacekeeping operation. Our suggestion has now been approved.

In early morning hours of last Friday, after lengthy debate, by a vote of 14 to 5, with 1 abstention, the Organization of American States decided to take responsibility for keeping the peace in the Dominican Republic and to send in troops from the member nations for this purpose. It is hoped that when the military situation has been stabilized and peace restored, the Organization of American States within a year will be able to supervise free and open elections for the reestablishment of a democratic, responsible government in that troubled island.

As a member of the Senate Subcommittee on National Security and International Operations, I believe the action of the Organization of American States setting up for the first time a peacekeeping force to fill a power vacuum in a Latin American country, to bring about stability and peace and to prevent a Communist takeover is, in itself, a real advance in Latin American affairs. Hopefully, this collective action will set a pattern for the future of working together to insure the security and independence of Latin American countries.

America's action in the Dominican Republic has brought sharp criticism from many areas throughout Latin America and may have given some additional impetus for the moment to Castro's anti-American offensive wherein he has most recently joined with others in calling our actions "gunboat diplomacy."

This was the risk our Government had to take, because the other alternative was much worse. In the long run, allowing the establishment of a new Communist country in Latin America would have given far more impetus to communism and Castro, and the critics of the hour would have been far outweighed by the criticisms of history.

It is not the policy of this Government to dictate to the Dominican people the kind of a government they shall have. It is most emphatically not the purpose of the United States to shape the future of the Dominican Republic. And it is not the policy of this Government to allow agents of the Communist conspiracy to deny to the Dominican people their liberties and their hopes for progress and stability.

Most of the beginning revolutionaries, as newspaper accounts have made quite clear, and as our Government is fully aware, were not Communists or Communist sympathizers. On the contrary, most were motivated by hopes for a constitutional and democratic system under which their country could follow the quest for justice and progress—under which their fellow citizens could be free to hold and to voice their free judgments about their country's government.

Most of them were probably as bitterly opposed to a dictatorship of the left as they are to a dictatorship of the right—more bitterly opposed because a dictatorship of the Communist stripe would have the international support of other Communist countries.

Many of the more moderate revolutionaries soon recognized the increasing danger of a Communist takeover of the revolution and took refuge in foreign embassies. It was to protect them, as well as to protect Americans and other foreigners, that American troops are in the Dominican Republic.

But having gone in—having moved to prevent the betrayal of the Dominican revolution into the hands of the Communists—the United States and the other Republics of the hemisphere have a continuing responsibility there. We cannot now wash our hands of the Dominican Republic, and leave their liberties in the streets for the first opportunist to pick up.

President Johnson has stated our long-range hopes for this freedom-loving people most eloquently. Let me quote from him: "The road is open to you to share in building a Dominican democracy and we in America are ready and anxious and willing to help you. Your courage and your dedication are qualities which your country and all the hemisphere need for the future. You are needed to help shape that future. And neither we nor any other nation in this hemisphere can or should take upon itself to ever interfere with the affairs of your country or any other country. We believe that change comes and we are glad it does and it should come through peaceful process. But revolution in any country is a matter for that country to deal with. It becomes a matter calling for hemisphere action only—repeat only—when the object is the establishment of a Communist dictatorship."

This latter statement is, I believe, the announcement of a new policy, or doctrine, which this country, hopefully with the aid of the Organization of American States, must firmly follow in the future as firmly as it has been announced.

We seek only peace and self-determination for the peoples of the Dominican Republic and of Latin America. We do not seek domination or dominion. Again, the President has made this clear. He said:

"The form and the nature of the free Dominican Government is, I assure you, solely a matter for the Dominican people, but we do know what kind of government we hope to see in the Dominican Republic. For that is carefully spelled out in the treaties and the agreements which make up the fabric of the inter-American system. It is expressed, time and time again, in the words of our statesmen and the values and hopes which bind us all together.

"We hope to see a government freely chosen by the will of all the people.

"We hope to see a government dedicated to social justice for every citizen.

"We hope to see a government working, every hour of every day, to feeding the hungry, to educating the ignorant, to healing the sick—a government whose only concern is the progress and the elevation and the welfare of all the people."

In these words of the President of the United States there is a prescription, not for the discredited techniques of so-called gunboat diplomacy, not for the condescension and proprietary attitude which once tarnished our country's image in this, our immediate neighborhood, but for a policy in which the combined power of all the Americas—military power where necessary, economic power, and above all, moral power, will be utilized to preserve freedom and to encourage progress, and to seek justice for all Americans and for all the Americas.

Mr. HARRIS. Mr. President, will the Senator from Florida yield?

The PRESIDING OFFICER (Mr. HART in the chair). Does the Senator from Florida yield to the Senator from Oklahoma?

Mr. SMATHERS. I yield.

Mr. HARRIS. I am pleased that I was in the Chamber to hear the remarks made by the distinguished Senator from Florida on the situation in the Dominican Republic, as I was a few weeks ago when he spoke so lucidly on the same subject in a speech which was partly the inspiration for the one I made in Tulsa, Okla., which the Senator has been so kind as to have printed in the Record.

I compliment the Senator from Florida on his statement today, and for the statements he has made concerning the situation in Latin America, and particularly in the Dominican Republic.

Mr. SMATHERS. I am grateful to the Senator for his statements.

SENATOR CHURCH'S VIEWS ON VIETNAM

Mr. CLARK. Mr. President, Senator Church has been one of the most outspoken public figures in advocating thoughtful consideration and debate about American objectives in Vietnam. On April 22, I inserted an article by the Senator from Idaho [Mr. Church], entitled "We Should Negotiate a Settlement in Vietnam," in the Congressional Record. Several editorials have appeared recently commending Senator Church for speaking out on Vietnam. I ask unanimous consent to have two of these editorials inserted at this point in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Idaho Observer, Apr. 15, 1965]

President "Goes to Church" in Vietnam

President Johnson's diplomatic "escalation" of the war in Vietnam has brightened the prospect of a political solution short of the full-scale ground war toward which the United States was headed a few short weeks ago, and it has thereby placed the United States on stronger ground in southeast Asia. But it may not be enough to avert a debacle.

In stating for the first time that the United States attaches no preconditions to negotiation with Hanoi or Peiping, the President moved the Vietnamese dispute toward the conference table, where we have some chance of improving our position, and away from the battlefield, where our prospects are slim indeed. The question now is whether the Communists will choose to risk at the conference table the advantage we have given them in the field.

In holding forth his offer of economic aid to develop all of southeast Asia, the President put our policy in perspective once again, reminding the world, and perhaps also his countrymen, of the constructive purpose which, after all, underlies our presence in Vietnam. Our military ventures in recent weeks have all but obscured that purpose and at times have seemed to replace it. Whether or not the Communists may elect to join us in this enterprise, the President's plan offers the only sound route toward the political stability and independence which should be our objective in southeast Asia.

The President has turned in the right direction, but he may not have gone far enough.

The conference door has been opened, but the Communists are unlikely to enter so long as the U.S. bombings of North Vietnam continue to vindicate the Communist cause, to cement their inner antagonisms and to goad them toward a massive military response with which we would be hard put to deal.

The economic door has been opened, but little will come of that until the United States begins to put its full weight into the long, hard, and expensive undertaking.

The political door has been opened, but the U.S. public, still largely deluded by the vain quest for a final military answer, must yet learn to live with compromise and accommodation. U.S. policymakers still must grope their way toward a workable and enforceable political arrangement which will safeguard our interests, as well as the interests of others, in southeast Asia. This will be no easy task.

But a start has been made. Perhaps he did so too late, but the President at last has put his seal of approval on a policy which makes sense. It is essentially the same policy for which others, including Idaho's Senator Frank Church, have been denounced as heretics because they had the foresight to grasp it earlier and the courage to speak up for it.

S.H.D.

[From the Emmett (Idaho) Messenger-Index, Apr. 15, 1965]

Voice of Dissent

One measure of democracy's strength is the freedom of its citizens to speak out—to dissent from the popular view.

So says a footnote to the Saturday Evening Post's biweekly feature, "Speaking Out," and it is a truism that can never be overemphasized in a society where conformity is at once its strength and its greatest weakness.

In the April 24 issue of the Post, Idaho's senior Senator Frank Church pursues his conviction that "we should negotiate a settlement in Vietnam." He marshals powerful logic to support the view that our deepening involvement in the Vietnam war will have the ultimate effect of extending Communist China's influence through southeast Asia.

The Senator contends that steadily increasing strikes to the north can only drive North Vietnam into Peiping's arms, which it now loathes, and may eventually bring Chinese armies in a Korea-type war involving tens or hundreds of thousands of casualties instead of hundreds.

He says only the South Vietnam people themselves can win or lose what essentially is a civil war, and that although we have invested some prestige there, the struggle by no stretch of the imagination can threaten the life of our country.

The article merits thoughtful and careful reading.

In the Vietnam matter, Senator Church has no illusions about his being the voice of dissent. He knows that the popular view does not now support his deeply held convictions, and rumor has if that his speaking out has brought down on his head the wrath of the President.

History may never record with certainty whether Senator Church is right or wrong, for the sweep of events, in whatever direction they take, invariably find their own rationalization and their own justification. The schoolboy can find no indictment in the history books. If American policy ever has been misguided or shortsighted, the lone voices that rose in timely dissent have long since been muted and lost to all but the careful scholar.

But this is not to say that timely dissent is without influence. It often speaks with greater power than the bland voice of popular conformity, for it speaks from the deep force of conviction that conformity often finds missing.

It already has become apparent that Senator Church's voice of dissent has exerted powerful influence over national policy. In his recent "unconditional discussions" speech, the President has adopted a position advocated by Senator Church all along, whether or not L.B.J. is willing to concede any credit to F.C.

It is likely, indeed, that in his courage to speak out strongly with a minority view, Frank Church has done more than any man in the United States, including the President, to clarify our perspective of the complex entanglement in Vietnam.

If because of this the President is displeased with Senator Church, it is a discredit to the President and not to the senior Senator from Idaho.

A man whose integrity clings to fully considered convictions in the face of majority opposition is a man of great courage. If at the same time he speaks out in reasoned dissent, he influences the headlong and sometimes heedless rush of history.

Senator Church's dissent already is vindicated. Time might well prove that his lone voice has been a critical factor in turning America away from disaster.

And time also might show that if the Senator remains steadfast, the Presidential displeasure will be transformed into greater respect and admiration.

Mr. CLARK. My own view is that the Senator from Idaho has had a very real influence in the modification of our foreign policy in Vietnam. I commend him for his earnest efforts in the cause of peace.

HENRY J. TASCA NAMED AS AMBASSADOR TO MOROCCO

Mr. CLARK. Mr. President, I am happy to call to the attention of the Senate the fact that President Johnson has appointed Henry J. Tasca, of Philadelphia, to be our Ambassador to Morocco.

Mr. Tasca is a loyal alumnus of South Philadelphia High School, and attended Temple University, the University of Pennsylvania, and the London School of Economics.

It is greatly to Mr. Tasca's credit to note that this 11th of 11 children is the son of an immigrant tailor who came to Philadelphia from the Umbrian region of Italy many years ago.

I am happy indeed to note the fine career of this distinguished Philadelphian; and I ask unanimous consent that an article published in the Philadelphia Sunday Bulletin for April 25, 1965, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

New Envoy to Morocco Is Loyal South Philadelphia Graduate

(By Anthony Day, Bulletin Washington bureau)

Washington, April 24.—The career diplomat President Johnson has chosen to be his new Ambassador to Morocco is a passionately loyal alumnus of South Philadelphia High School.

It was at the school (class of 1930) that the President's nominee, Henry J. Tasca, the 11th of an immigrant tailor's 11 children, learned 3 elements of a diplomat's education: Languages, chess, and democracy.

He later studied economics at Temple University, the University of Pennsylvania and the London School of Economics. Add to this acquired knowledge a natural talent for persuasive reasoning, a vigorous constitution, imposing looks and a gentle manner, and you have the formula that made a succesful diplomat of a poor boy from South Philadelphia.

TRIBUTE TO AMERICA

Tasca, 52, is unabashedly proud of his rise from an obscure origin to a high rank in the foreign service of the United States. He is now Deputy Assistant Secretary of State for African Affairs. He expects to go to Rabat, Morocco, in about 6 weeks, after the Senate confirms his appointment as Ambassador.

"It is a great tribute to America that the son of an immigrant can go as an Ambassador to an important country," he said yesterday.

Tasca was born in Providence, R.I. His father, Julius, and his mother, Philomena, came to the United States in the 1880's from the Adriatic coast of Italy across the peninsula from Rome.

LIVED ON SOUTH 17TH STREET

Julius Tasca brought his family to Philadelphia when Henry Tasca was 7. They settled in a house at 1820 South 17th Street, and lived there during most of the Tasca's boyhood. Several brothers and sisters still live in the Philadelphia area.

The father died when Henry Tasca was 11. The boy went to Vare Junior High School, then to South Philadelphia High. Summers he worked, part of the time he cut cloth at a clothing factory near 7th and Arch Streets.

At the big high school—it was the old building—Tasca excelled in Latin, winning a gold medal for his excellence in the language. (Now he is fluent in German, French, and Italian.)

As for chess—"I think chess is a great thing for any diplomat," he said. "Just as in chess, there is much in diplomacy that demands a very clear notion of consequences. You have to look ahead."

SOUTH PHILLY DEMOCRACY

The South Philadelphia variety of democracy has Tasca's total allegiance. "It was a great time, a wonderful time," he said as he recalled how the student body was a harmonious mixture of many nationalities.

"We Americans are made in our junior high schools and high schools," he said. "Other people do not understand us until they understand that. We learn in our schools that we've got to be fair. We learn to live together."

After obtaining advanced degrees—and publishing two books on international trade—Tasca spent the war years in the Navy as an economic specialist in U.S. military government. He played an important part in establishing European monetary policies in the early days of the Marshall plan and later went to Korea as President Eisenhower's special representative for economic affairs.

By now he had become a member of the Foreign Service, America's corps of professional diplomats, and in 1956 he was named Minister and economic counselor in the U.S. Embassy in West Germany.

Tasca moved into the State Department's African Bureau in 1960, when the emergence of Africa into new importance caught the State Department short of African experts. Tasca didn't know much about Africa but he says he had to learn fast.

He intends to study Arabic when he and his family move to Morocco, His wife is the former Lina Federici, who was a practicing architect in Rome before they were married in 1949. He expects their two daughters, Ann, 14, and Eileen, 11, to attend a boarding school in London run by the sisters of the Sacred Heart. His 7-year-old son, Elia Henry, will go to an American school in Rabat. Their fourth child, John Julius, is only 1.

In addition to taking up Arabic, Tasca—who habitually works a 12-hour day—fully expects to continue his various hobbies of chess, painting (he favors abstracts), swimming, and tennis.

He is convinced that the United States is a successful nation because Americans generally have "tremendous vitality."

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. ELLENDER. Mr. President, as I was saying before I consented to yield to my good friend from Montana, the majority leader, I was addressing myself to the poll tax issue. I stated that I was glad to know that the proponents of the pending measure have evidently come to a conclusion as to what the bill should contain in respect to the poll tax issue.

I cannot understand how the minds of the proponents of the measure work. Some of them contend that it would be unconstitutional for us to write a provision into the bill as originally presented in the first substitute, because there an effort was made to have Congress declare whether or not the payment of poll tax should be imposed for the right to vote.

Those who contended that Congress does not have such a right doubtless had in mind the recent action taken by Congress in presenting to the States of the Union the 24th amendment, which provided that no poll tax should be imposed in Federal elections by any State of the Union.

The reason why Congress did that was that those who voted for the amendment knew that Congress did not have the right to do away with the poll tax. As is well known, the poll tax was used in the past by the States as part of the qualifications their voters should have.

As Senators well know, the Constitution might never have been adopted except for the fact that the States of the Union retained the power to fix the qualifications of their voters. Many States of the Union, particularly those of the North, had not only a poll tax requirement, but also a property requirement, providing that no citizen could participate as a voter unless he owned property of a certain value. Some States set the value at $100, some at $250, and others at a greater sum. It was evident that this exercise by the States of the right to fix qualifications of voters was a right retained by the States. The proponents of the bill evidently have taken note of that, since they have agreed to strike from the bill the language which would in effect dispose of the payment of a poll tax in any State election by an act of Congress.

Congress had a similar problem when the question of women's suffrage was at issue. As is well known to all Senators, the women of our country fought valiantly for many years before the 19th amendment was adopted, which gave to them the right to vote.

Who had objected to women voting? The States. Most of the States had enacted laws providing that only male citizens could vote in any election. It was after a long and valiant fight that the women of our Nation were able to persuade Congress to approve the 19th amendment, which gave to them the right to vote.

Mr. President, as I have indicated, that right was in the States. The constitutional right to fix and collect poll tax is in the States. It is contained in article I, section 2, of the Constitution, and is reaffirmed in the 17th amendment, which provides for the election of Senators by direct vote instead of by legislatures. The very same language that was incorporated in article I, section 2, of the Constitution was repeated only a few years ago, indicating that the right to vote was absolutely and positively a right or privilege to be controlled by the States.

As I have pointed out on many occasions, and as has been pointed out by various other southern Senators who are opposed to the bill, the Congress is now seeking to take away from the States that right, on the ground that the 15th amendment authorizes such action. It is claimed that some language contained in the 15th amendment gives to the Congress the right to fix voter qualifications.

I propose to show the conditions under which the 15th amendment was adopted. I propose to show that during the debate on the 15th amendment efforts were made in the House of Representatives, as well as in the Senate of the 40th Congress, to have Congress spell out what the qualifications for voters should be. The very Congress that voted to submit the 15th amendment to the people for ratification refused absolutely to insert anything in the 15th amendment which would give the Congress the right to fix voter qualifications.

The 89th Congress is now attempting to do what the 40th Congress refused to do, indicating without any "ifs," "ands," or "wherefores" that the 15th amendment at no time was intended by its sponsors to give to the Congress the right to fix voter qualifications.

Prior to the enactment of the resolution which was the forerunner of the 15th amendment by the 40th Congress, efforts were made by the radicals in Congress on many occasions to limit the right of Negroes to vote in Southern States only. The Northern States would then retain the right to fix whatever voter qualifications they desired. They favored Negro suffrage only in the South, principally for political control.

I shall later show that, at that time more than 17 of the Northern States denied to the Negro the right to vote. Those States specifically wrote provisions in their constitutions and their election laws which denied to Negroes the right to vote. At that time the Republicans incorporated in their party platform a statement to the effect that the Congress should not enact a law which would run contrary to the constitutions of the Northern States which refused to permit Negroes to vote. What they desired was to permit themselves to be at liberty and free to decide who would vote. But they also desired the Congress to enact laws which would force only upon the Southern States Negro suffrage. Naturally these new voters would be Republicans.

We have a parallel in the amendment in the nature of a substitute which is before the Senate, in that it would not apply to all the States. It would apply to only 6 States and 34 counties in the State of North Carolina.

I repeat that in the bill we have a parallel to what happened in the 40th Congress back in 1868 and 1869. The proponents of the bill seek to permit the States of the North, the Middle West, and the West to retain the right to fix qualifications, but to impose their own qualifications on at least six of the Southern States.

In time I shall insert in the RECORD the debates that occurred in the House of Representatives and in the Senate when the 15th amendment was before those bodies for consideration.

I was elected to the Senate in 1936. I took the oath of office on January 3, 1937. For four successive terms I have taken the same oath of office to defend and to uphold the Constitution. I have sworn to uphold it. After 28 years as a Member of the Senate, I am not prepared to violate my oath to protect our Constitution.

I have said on several occasions that every Representative and every Senator who votes for the bill will, in my opinion, violate his oath of office.

A worse assault upon constitutional government could never have been conceived. If the bill is passed as written, it will mean that a greater and greater amount of power will be concentrated in Washington. It is well known to all of us that our forefathers did not want that to happen. They believed in dual sovereignty. They believed that the States should have the right to enact laws peculiar to the conditions in the respective States. There is no doubt about that. Except for the fact that the States were able to retain local self-government by and through the election of their own officers, our great Constitution would never have been adopted by the Thirteen Original States. It was only after an assurance that the States would have the right and the power to control their local affairs that the Constitution was ratified. To do that they must have the right to determine voter standards.

It will also be well remembered that the Bill of Rights was promised by George Washington. Except for the fact that that promise was made by him to the States that ratified the Constitution, the chances are that we would not have the Constitution today. The States insisted that restraints upon the Federal Government be spelled out. That is what the first nine amendments do. The 10th left no doubt that all powers not delegated were reserved to the States. That has been said many times. Almost any schoolboy knows that, but it bears repetition.

The Federal Constitution was ratified by the States, and all powers to be exercised by Congress were delegated in that sacred document. All other powers not included in the Constitution were retained by the States or the people. So as the years passed and the country expanded under our dual sovereignty plan, the Nation prospered; new States were developed; and the power of the central government in the city of Washington was retained and exercised in accordance with the Constitution. This was done without in any manner affecting the rights of the States to enact laws peculiar to their own environment, among which is the right to fix the qualifications of voters and to elect their own officials, from Governor down to constable. It is this dual sovereignty exercised by the States and the Federal Government that, in my opinion, has caused the United States to make such outstanding progress in world affairs and to retain local freedom and individual liberty. Notwithstanding all the success that has been ours in the past under dual sovereignty, an attempt is now made to take away from six sovereign States rights which were reserved for them when the Constitution was adopted many years ago.

To the best of my ability, I have tried to act in accordance with the oath I took to uphold the Constitution.

No one can say that I as a public official—as a Senator from Louisiana for 28 years and as a member of the State legislature of my State for 12 years—ever objected to anyone voting, be he white or Negro, if he were qualified. But that qualification had to be established by the State. As I said earlier, there is no doubt that there has been some discrimination and that there is still some discrimination. But it is my belief that in time all of the discrimination will be wiped out, particularly when those who are now seeking recognition have become better educated, have become better citizens, have improved their morals, and, above all, have assumed responsibility in government.

The voting rights bill is unconstitutional on its face. This bill, which is the Senate's pending business, is of such questionable legality that even the newspapers of this city have denounced it. All three of Washington's leading newspapers have editorially attacked the bill.

The Washington Evening Star was kind enough to cite my earlier speech on this subject and agreed with me that the bill is completely without logic.

In an editorial published on April 18 the Washington Post declared:

> Congress recently passed and the States ratified a constitutional amendment outlawing poll taxes in national elections. The amendment was very specifically limited so that it would not apply to State elections.
>
> After many years of debate Congress proposed a constitutional amendment because of a belief that it did not have authority to abolish poll taxes by statute. And if it could not abolish poll taxes in national elections by statute, how could it be supposed to have authority to abolish such taxes reserved solely to State and local elections? * * * we do not think that the civil rights bill should be confused * * * by an attempt to exercise power that Congress does not have.

Mr. President, the question of poll taxes is still in the bill. An amendment is now pending to modify the original presentation made by the Committee on the Judiciary. Let us not forget that the House of Representatives has included in its bill an obnoxious provision which would attempt to make it possible for Congress to abolish poll taxes in State and local elections.

The Washington Daily News, in its lead editorial of April 3, declared:

> It [voting rights bill] should apply with even-handed justice in every locality—South-side Chicago, the delta counties of Arkansas, Texas, as well as Alabama and Mississippi. It should admit the truth—that discrimination has no home locality.

Mr. President, to me the laughable part of this situation is that we are trying to do away with discrimination by getting into the act of discriminating among States, as the editorial suggested. There is no question that it is discrimination. The formula that was cooked up in the original bill, modified in the first substitute, again modified in the second substitute, and again modified in the amendment offered today, to my way of thinking amply demonstrates what the proponents of this measure are trying to do—that is discriminate against the South.

As this editorial has stated—and it bears repeating—the bill is not applicable to all States, but only to the States that have been mentioned on the floor on many occasions—and all such States happen to be in the South.

I am still hopeful. There are quite a few other amendments that might make the bill less objectionable. However, we are somehow unable to awaken a sense of reason in the minds of Senators. I have often said that whenever politics enters into any arguable proposal, those dealing with the issue seem to lose their sense of reason.

Mr. President, this is a classic case. We have tried to soften the bill. We have tried to make it possible to bring the bill within the purview of the Constitution, realizing that there is discrimination.

I said, before the 1964 civil rights bill was signed by the President, that it is the law of the land, and that the people of Louisiana and the South should, by all means, try to comply with it and do the best they could. However, they would not be given that opportunity.

Only one lawsuit has been brought under the act of 1964. I do not believe that the Attorney General is attempting to use the Civil Rights Act of 1964, or the act of 1960, which gives him and his corps of attorneys ample authority to bring not one party to court, or two parties, but as many parties as the Attorney General deems proper whenever he finds a pattern of discrimination in any area. In addition, the present law gives the Attorney General the right to select the court before which the issues shall be adjudicated. The law also provides for an immediate appeal to the highest court of the land, so that no time shall be lost. This assures that those who claim to have been harmed can receive relief immediately.

I do not see what more can be done pursuant to the Constitution. I am truly sorry to note that the President of the United States has fallen into a trap that was set by a few demagogs such as Martin Luther King and others. They have deliberately aroused the people to such an extent that the President himself is using the power of his great office to have the bill enacted.

It does not seem to matter whether the laws on the statute book—which the President assisted in having enacted—or whether the Constitution, which he himself has sworn to obey, is violated.

Mr. President, bypassing the Constitution and taking shortcuts will, in turn, if continued, result in anarchy.

I digress here to point out in connection with the sentiments expressed by the Daily News that one of the strongest threads running throughout the history of efforts to secure Negro suffrage has been the corresponding effort on the part of its sponsors to limit such suffrage to certain States. This is abundantly clear in all the debates leading toward the adoption of both the 14th and 15th amendments, as I shall show to Senators in the course of this debate. Particularly as to the 15th amendment, which is primarily involved here, many efforts were made to decide on language which would affect only the Southern States and leave their northern counterparts untouched. Indeed, prior to the adoption of the 15th amendment, Congress sought by simple statute to accomplish just this end. It was only under the realization that these measures were, on the one hand, in danger of being struck down by the Supreme Court as unconstitutional, and on the other hand, the fear that these pernicious statutes would be repealed when the Democrats once again regained control of Congress that the 15th amendment was ever approved by the radical Congress of 1869 and submitted to the States. In my humble judgment, this bill as drafted, with all its odd formulas and illogical deviations, is merely a continuation of that same effort.

It is indeed difficult to understand how the Government of the United States can, in the words of one writer, bow to the new extremists. The most powerful nation on earth trembles at every street demonstration provoked by racial demagogs. We see the sorry spectacle of the President of the United States being blackmailed into hurried and ill-advised action by these new extremists. One of the so-called civil rights leaders went so far as to say the demonstrations will continue until the voting rights bill is passed in order to "keep him honest"—a reference to President Johnson.

The Government's agents in the Department of Justice hastily drafted a voting rights bill which was submitted to the Congress—a bill so maliciously conceived and partisan in application that one of the leading newspapers in the United States has termed it as an "immoral law" and a "question of perversion."

The constitutional base upon which the Attorney General rests this bill is so gossamer thin that it practically falls of its own weight. In his testimony before the Senate Judiciary Committee, the Attorney General stated that it was not the purpose of this bill to nullify State laws, which he admits are valid, in setting and determining voting qualifications. He said that this bill would merely suspend State laws. Now then, where in the Constitution of the United States is any power granted to the Congress to suspend laws duly enacted by the States in accordance with specific constitutional provisions? Of course, the constitutional provision is article I, section 2, and its reaffirmation in the 17th amendment.

Mr. Katzenbach, in saying that Congress has the right to suspend State laws borrowed a section of the judgment rendered in United States against Louisiana, which was delivered in March of this year. In that case, the Supreme Court upheld a lower court's judgment suspending literacy tests in 21 north Louisiana parishes on the ground that the literacy tests had not been fairly and equally administered in the past. The court held that this provision would be in effect until presumably there was a reregistration. Now the Attorney General claims that Congress can, on its own motion, without the production of any evidence in any court of law, suspend State laws in the Southern States on the basis of some absurd formula which was concocted to entrap these Southern States.

As I stated earlier this afternoon in respect to the case of Louisiana against the United States, which was decided on March 8, 1965, when this case was tried evidence was produced which showed discrimination. What the Court did was to affirm the State's right to fix qualifications. The Supreme Court affirmed a decision of the lower court to this effect: That since in 21 parishes from as many as 65 to 85 percent of the men and women of voting age who could register had not registered, there was discrimination, and if the parishes involved affected a new registration, whereby all applicants would be treated equally under the State law as written, it would come within the purview of the right of the State to do that. But so long as only those already registered remained registered, any test that was applied previously would be enjoined because it would perpetuate the discrimination.

It is on the basis of this decision that Mr. Katzenbach relies for his contention that Congress can suspend State laws. The Court, in the Louisiana case, enjoined the enforcement of a law under certain conditions.

It is one thing for a duly constituted court of law to enjoin a State law which in its judgment is discriminatory and is not fairly administered. But it is another thing for the Congress of the United States to attempt to achieve the same results by usurping judiciary powers and without even the most fundamental machinery for the exercise of such powers. The determinations to be made under this bill as to its automatic application will be made by the Attorney General based on statistics furnished to him by the Bureau of the Census. Now, the most odious part of this section of the bill is that there is no requirement of any showing of discrimination. The formula is self-executed purely on the basis of statistical data and circumstances.

A detailed examination of this voting rights bill would hardly reflect that it had its genesis in the 15th amendment. That amendment says:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color or previous condition of servitude.

The key words in this amendment are "on account of—race, color or previous condition of servitude." Undoubtedly, there is a constitutional right of every American citizen to vote, provided that he is qualified by State law, and which State law does not operate discriminatorily against him. Nowhere in the 15th amendment does it provide that everyone may register and vote on the basis of some statistical formula or under such qualifications as may be prescribed by Congress. The provision of the 15th amendment is injunctive. It is written in the same way that the decalog is—States cannot prohibit citizens from voting on account of race.

Before I turn to a more detailed discussion of the pending bill, I should like briefly to discuss the reasons for its existence. The bill was not conceived in the streets of Selma, as has been charged. Its effects were conceived in the minds of the so-called civil rights leaders who knew that if they were to take charge of the political institutions of the South they would have to do so by overwhelming the duly constituted local governments by registering and voting masses of unqualified and semiliterate citizens. Negro agitators and demagogs herded huge groups of the unfortunate and uninformed through the streets of Selma for the specific purpose of tearing down law and order in that community. Week after week, they stormed the bastions of decency and responsibility, and finally achieved their goal of securing political leverage upon the Federal Government which is to do the sordid bidding. They will never be satisfied until they have turned a law-abiding community—which no one ever heard of—into a jungle where anarchy becomes the order of the day. To manufacture an artificial crisis in an unsuspecting community, and to that add the unfortunate deaths of some misguided persons, is the stock in trade of these demagogs. What is it all for? The purpose of these demagogs is to appropriate the political processes by mob action. Can anyone witness the chanting demands for "freedom now," and like statements, and not identify them as mere slogans of the demagogs? Is the Senate to respond, as did the Chamber of Deputies, by throwing constitutional government to the howling mob?

The senseless march from Selma to Montgomery accomplished nothing of value. It was begun in violation of a Federal court order. King stated that the order was being violated because "we did not think it was legal." Have we arrived at the point where these new extremists may obey the laws of their choice and flout the rest?

I have stated repeatedly that I am not against anyone—white or Negro—voting if he is qualified according to State law, fairly and impartially administered. If there is in fact discrimination against a person because of his race, the case should be immediately taken to Federal court and adjudicated on the basis of facts. There are many laws on the statute books today—and I can think of at least seven offhand—which protect every person in the United States in his right to register and vote. If the Attorney General of the United States would enforce existing Federal law, instead of succumbing to the mob, there would not be one instance of a person claiming that he has been denied his constitutional rights.

All my life I have opposed unreasonable barriers to voting. In 1935, when I was speaker of the Louisiana House of Representatives, I worked for and supported an act of the legislature which abolished poll taxes in my State. I have always supported reasonable qualification tests such as a determination of literacy as a prerequisite to voting. No candidate need fear an educated electorate, but I do have grave misgivings about enfranchising those who cannot determine the issues for themselves unaided.

I do not believe that any informed person seriously questions the right of the States to prescribe voting qualifications so long as those qualifications are administered fairly and impartially—which means without discrimination as to color, race, or previous condition of servitude. The Attorney General of the United States readily conceded this fact in his testimony before the Senate Judiciary Committee when it held hearings on this bill.

In an earlier speech on this subject, I cited the Supreme Court case of Carrington against Rash, decided March 1, 1965, in which Justice Stewart said:

> There can be no doubt either of the historic function of the States to establish, on a nondiscriminatory basis, and in accordance with the Constitution, other qualifications for the exercise of the franchise. "Indeed, the States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised." (*Lassiter* v. *Northampton Election Board*, 360 U.S. 45.)

The Court in its opinion cited with approval the case of *Pope* v. *Williams*, 193 U.S. 621, in which it was said:

> The privilege of voting in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as to it may seem proper.

And so, Mr. President, there should be no controversy regarding the right of the States to fix voter qualifications, and neither should there be any disagreement about the fact that the Federal Government has no constitutional power to fix such qualifications.

It is claimed on behalf of the Government that this bill does not have the effect of fixing qualifications. I cannot think of any argument more untenable. The right to set aside, or suspend, or to nullify State laws fixing qualifications is in itself the establishment of qualifications.

Section 3 of the bill was added in the Senate Judiciary Committee which would extend its scope to include counties in which the Attorney General files a suit under any statute to enforce the 15th amendment. In such cases, the court would authorize the appointment of examiners if it had made a judgment that discrimination existed. This provision of the bill was undoubtedly included to relieve the conscience of some of the committee members, but the striking feature of this provision is that it is for a duly constituted court of law to determine that discrimination has in fact taken place and it is upon that determination that the judge is authorized to have examiners appointed. This is a far cry from the other section of the bill which automatically condemns certain States and counties as guilty without any judicial determination. Under this section, the court can also suspend the application of any literacy test if it finds that the test has been used to discriminate against persons on account of their color.

With the addition of the right to appoint registrars or examiners, this provision is essentially the same as the result reached in Louisiana against United States, which I previously discussed.

Section 4 of the bill provides that no citizen shall be denied the right to vote because of his failure to pass a literacy test.

These provisions are applied in any State or in any subdivision of a State where the Attorney General determines that such units maintained on November 1, 1964, any test in which less than 50 percent of voting age persons were registered or voted in the presidential election of 1964, and where more than 20 percent of the persons of voting age were nonwhite, or where less than 25 percent of any race voted in that election.

Undoubtedly this is the most nefarious piece of legislation ever to be introduced in the Congress. The proponents of this bill claim that its purpose is to end racial discrimination, but by the very terms of the bill itself, it would discriminate against those States where less than 50 percent of the people voted. According to the figures published by the Civil Rights Commission, 47.3 percent of all persons of voting age in Louisiana actually voted in the 1964 election. At the time of the last presidential election, there were 1,202,056 registered voters in Louisiana. This number constitutes 63.5 percent of all the eligible voters. The Attorney General will apply this bill to the entire State of Louisiana and then shift the burden of proof upon the local parish to extricate itself from these provisions. I do not envision a vindictive District of Columbia Federal court letting anyone from Louisiana out from under this spiteful legislation.

Section 5 of the bill provides that no State covered by this law can enact any new qualifications without first getting a declaratory judgment from the District of Columbia court showing that they will not be discriminatory. This obnoxious provision prevents a sovereign State of this Union from exercising its constitutional right of enacting and applying qualifying tests for the purpose of registration. In all of these cases the jurisdiction lies with the District of Columbia Federal court. The authors of this bill have no faith in the judges of the U.S. courts throughout the country. The right of State officials to be judged in their local community and by their fellow citizens is denied. The spectacle of the U.S. Government choosing the forum for these trials is disgusting. The authors of this bill indicate that they have not only no faith in State officials, but equally they have no faith in the duly selected judges of the U.S. courts.

Section 6 provides that when the Attorney General certifies to the Civil Service Commission that a court has authorized the appointment of examiners, or that the State or a subdivision is covered by this act and that he has received complaints from 20 or more residents alleging they have been denied the right to vote and in his judgment the appointment of examiners is necessary, the Commission will appoint as many examiners as it sees fit. The Attorney General's judgment is the sole criterion upon which examiners are appointed in States and counties covered by this bill. The complaint of 20 persons is sufficient to supersede the laws of a State by Federal examiners. Is majority rule no longer applicable in parts of the United States? These two provisions are shameful. It is bad enough to register and vote incompetents, which this bill would do, but it is indefensible that only 20 people are required to change and supersede the law.

Section 7 provides that the Civil Service Commission will draw up applications for the registration of voters and no qualifications are required whatever and presumably anyone who can make an "X" on the printed form would be eligible to register and vote. This person is then put on a list of eligible voters and is given a certificate of eligibility.

Section 8 concerns the mechanics of administering this act.

Section 9 declares that Congress has evidence that the poll tax is being used to deny the right to vote to persons on account of race and authorizes the Attorney General to institute suit for a declaratory judgment or injunction to prohibit its use.

What does section 9 of the substitute bill accomplish? Absolutely nothing. The courts have the power to strike down any State action which deprives a citizen of the equal protection of the laws under the 14th amendment. As you know, the Supreme Court applied the 14th amendment to elections for the first time in the reapportionment case of *Reynolds* v. *Sims*, 377 U.S. 533 (1964) and reaffirmed in *Carrington* v. *Rash*, 380 U.S. 65 (Mar. 1, 1965). Of course, I do not agree that elections can be properly brought under the 14th amendment. I believe that only the 15th amendment is applicable, but, be that as it may, the Supreme Court has decided that it can determine election questions under the equal protection clause. The whole voting rights bill is constitutionally indefensible, and I do not believe the Supreme Court needs any prodding from Congress to extend the equal protection clause. Perhaps through some strange "logic" the Court will be able to say that prior violations of the 14th amendment somehow expand the 15th.

My State does not have a poll tax, as I said before, and I do not personally favor such a tax. However, the right of States to maintain such a qualification for voting in State elections is constitutionally recognized.

Section 10 of the bill provides for court enforcement of placing the listed persons on official voting lists.

The remaining sections deal principally with criminal provisions of the act and mechanics for its application.

Mr. President, I should now like to proceed to a discussion of the 15th amendment by reading from the Congressional Globe, which carried all the debates of Congress at the time of the 15th amendment's consideration. During the debate Representative Bingham spoke on this issue. Let us remember that the resolution then before the House was Joint Resolution 8, which was afterward passed by both bodies and then submitted to the States for ratification. In his statement Mr. Bingham said this:

> The House, I have no doubt, will concur with me in saying that the only limitation that the amendment imposes upon the original powers now in the several States of this Union is the limitation that they shall not restrict the elective franchise in the persons of citizens by reason of race, color, or previous condition of slavery. Those three terms are the only terms of limitation in it, and hence it is manifestly true that this power remaining in the States, in no other manner fettered by the proposed amendment, may be exercised to the end that an aristocracy of property may be established, an aristocracy of intellect may be established, an aristocracy of sect may be established; in short, what has been done in New Hampshire in regard to official qualifications may be done in every State in this Union in regard both to the qualifications of electors and the qualifications of officers; that is to say, the States may set up a religious test, and pronounce at once that all who are not of the Protestant faith shall be disqualified either to vote or to hold office, and add thereto a property qualification and an educational qualification.

He was speaking about Joint Resolution 8 as it was proposed.

Then there followed a proposal to amend the proposition which had been offered by the Representative from Massachusetts, Mr. Boutwell, so that it would read as follows:

> SEC. 1. No State shall make or enforce any law which shall abridge or deny to any male citizen of the United States of sound mind and twenty-one years of age or upward the equal exercise of the elective franchise, subject to such registration laws as the State may establish, at all elections in the State wherein he shall have actually resided for a period of one year next preceding such election, except such of said citizens as shall hereafter engage in rebellion or insurrection, or who may have been or shall be duly convicted of treason or other infamous crime.

Mr. President, I ask unanimous consent to place in the RECORD certain excerpts from these debates. I do not wish to take up the time of the Senate to read all of this material. I shall have the excerpts marked so that they may be placed in the RECORD in connection with my statement.

There being no objection, the excerpts were ordered to be printed in the RECORD, from the Congressional Globe of January 29, 1869, at pages 722 through 724, and pages 1426 and 1427 of the Globe of February 20, 1869, as follows:

> Mr. BINGHAM. Mr. Speaker, I fully concur with my colleague (Mr. Shellabarger) in all that he has said touching the objectionable features of the amendment as presented by the gentleman from Massachusetts (Mr. Boutwell). The House, I have no doubt, will concur with me in saying that the only limitation that the amendment imposes upon the original powers now in the several States of this Union is the limitation that they shall not restrict the elective franchise in the persons of citizens by reason of race, color, or previous condition of slavery. Those three terms are the only terms of limitation in it, and hence it is manifestly true that this power remaining in the States, in no other manner fettered by the proposed amendment, may be exercised to the end that an aristocracy of property may be established, an aristocracy of intellect may be established, an aristocracy of sect may be established; in short, what has been done in New Hampshire in regard to official qualifications may be done in every State in this Union in regard both to the qualifications of electors and the qualifications of officers; That is to say, the States may set up a religious test, and pronounce at once that all who are not of the Protestant faith shall be disqualified either to vote or to hold office, and add thereto a property qualification and an educational qualification.
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> Hence, I believe, if we are going to touch this question by amendment we ought so to amend the proposition of the gentleman from Massachusetts (Mr. Boutwell) that the amendment presented to the people for their approval will inform them that upon its adoption these abuses by States will hereafter be impossible. To that end I have offered an amendment which, in substance, is the same as that proposed by my colleague (Mr. Shellabarger) with a single exception. I propose to amend the proposition of the gentleman from Massachusetts (Mr. Boutwell) so that it will read as follows:
>
> "SEC. 1. No State shall make or enforce any law which shall abridge or deny to any male citizen of the United States of sound mind and 21 years of age or upward the equal exercise of the elective franchise, subject to such registration laws as the State may establish, at all elections in the State wherein he shall have actually resided for a period of 1 year next preceding such election, except such of said citizens as shall hereafter engage in rebellion or insurrection, or who may have been or shall be duly convicted of treason or other infamous crime."
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> I desire to give in passing one reason that controls me in presenting this amendment in this form, as to the term of residence required—1 year next preceding the election in the State in which he shall offer to vote—that reason is this: Each year there are landed upon our shores hundreds of thousands of adult persons who are aliens of—by the modern invention of forged naturalization papers, the Government of the United States is not protected against the pollution of the ballot box by thousands who are not entitled to vote, and yet control the elections of the people.
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> I have something further to say of the additional limitations proposed in the short time within which this debate is limited, and then I shall have done. My colleague, Mr. Shellabarger, I regret to say, has deemed it is his duty, in addition to what I have offered here, to offer a further exception; allowing the several States of this Union to exclude from the ballot, for all time to come, all who may have participated in the late rebellion. The gentleman—in addition to the provision that all who may hereafter participate in any rebellion, which is my own amendment, and is intended to protect the Government in the future—would make this constitutional provision have a retrospective operation, thus presenting, by our consent, to the eyes of the civilized world a constitutional provision for disenfranchising in some of the States a majority of its male adults because they have participated in the rebellion, while you enfranchise by name the whole body of male adult citizens of sound mind, without distinction of race or color, who heretofore have been deprived of suffrage. The proposition of my colleague to except "all who have engaged in rebellion" would include all the victims of a cruel conscription, a conscription which entered the homes of hundreds and thousands of people of the Southern States and forced them to bear arms in the rebellion against the Constitution and laws of their country.
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> Sir, it is the common law of the civilized world that no man is criminal in that which he does by coercion; and for myself, while reason holds a place in my brain, I never will support a proposition which holds such persons criminal because, in my judgment, it outrages the enlightened conscience and commonsense of mankind. I know the answer is that we do not by this amendment say the States shall do this. My reply is that if we so amend the proposition the States may do this. I submit, sir, that it is not right to affirm to the States the power to do it. We have no more right to disqualify from the ballot the male citizen of sound mind, who by force of conscription bore arms in support of the rebellion, than we have to disqualify you, Mr. Speaker, or to disqualify my honorable colleague.
>
> I wish to remark further, when we were exercising the transcendent powers of this Nation, the power of self-defense in presence of the late rebellion, when all the limitations of the Constitution were silent, we never dared to put upon the statute book any such provision as the amendment of my colleague contemplates; that the great mass of the men who participated in the rebellion should not vote in the preliminary work of reorganization. On the contrary, by our statutes we did not disqualify 1 out of 20 of the adult males of the South who participated in the rebellion. Why? Because the Congress of the United States had no thought of setting up in any of the States an oligarchy by operation of statute law. The Congress while providing by the 13th and 14th articles of amendment to make all men free avoided any proposition by way of amendment to deny the ballot to any citizen. Let it not be forgotten that when it was proposed to insert in the 14th article of amendment the provision that until 1870 those who had participated in rebellion should not vote for Members of Congress or for presidential electors it was struck out by every vote of the Senate save one. Now we are to ask the Senators who thus voted, and whose votes stand thus recorded to so amend the Constitution as to allow the ballot to be denied to all who have participated in rebellion not for a limited period of a year, but for life.
>
> Mr. Speaker, I am opposed for another reason to this proposition of my colleague. The interests of this great country demand that we shall so frame the fundamental law of the country that we will take not vengeance for the past, but security for the future. We should so amend our Constitution as to summon back to the standard of the country, and to the support of its Government the whole multitude of men who but yesterday were in arms against us. We should so amend the Constitution as that by this work of generous deliverance, by the will of a brave and victorious people, we shall hasten that hour for which all good men pray, when we shall again be one people, with one Constitution and one country. We should frame this amendment so as to carry out the humble

petition of the great man whom but yesterday the people lifted by their ballot to the highest office in their gift. "Let us have peace," says Grant. "Let us have peace." We shall have it when we so amend the Constitution as to clothe the whole body of the people with the elective franchise, and say that no State shall deprive them of it, leaving the disabilities as to the holding of office standing as they stand in the text of the Constitution today. Was it not the people's judgment solemnly recorded by the ratification of the 14th article of amendment that the only political disability which they would sanction in organized States by reason of and for participation in the late rebellion was that those who violated an official oath to support the Constitution by engaging in the rebellion, or giving aid and comfort to the enemies of the Constitution, should be disqualified for office, civil and military, State and National, until Congress should remove the disability. That was their judgment, and by that judgment we should abide. They intended that there should be neither political nor servile slaves in any State. Let us stand by that judgment and not consent that any of the several States may disfranchise a majority of the male citizens resident therein by reason of the late rebellion.

Having done that, sir, our action will be consistent with our past record. Having done that we shall hasten the time when we shall have peace. Those words, "Let us have peace" ought to be written in the heart and mind of every one of us when we come to deliberate upon this question. "Let us have peace" ought to be written on the archways of your Capitol, and, if it were possible, ought to be written upon the azure arch which bends above us like the arms of beneficence to which weary men look up for hope and consolation. "Let us have peace" by an act of peace, that we may restore the broken fabric of American empire. "Let us have peace" by the works of peace and the arts of peace, that the land which but yesterday was stained with fraternal blood may grow green and beautiful under the hand of honest toil. "Let us have peace" that we may perfect the holy temple of our liberties until it shall lift its headstone of beauty above the towers of watch and war, filling the whole earth with its glory, and drawing all nations unto it. "Let us have peace," that by our sublime example we may teach the whole world "how good and how pleasant a thing it is for brethren to dwell together in unity."

Mr. Boutwell obtained the floor, and yielded 10 minutes to Mr. Jones, of Kentucky.

Mr. JONES, of Kentucky. Mr. Speaker, I do not propose to make an argument upon the important questions involved in this bill, not being allowed time for any such purpose, but merely to indicate the reasons which will control my vote upon it. While the gentleman from Massachusetts (Mr. Boutwell) was addressing the House the other day in defense of this bill, I asked him the question if he contended that the power to regulate suffrage within the States was delegated by the Constitution to the United States or prohibited by it to the States; if not, how he construed the 10th article of the amendments to the Constitution, which reads as follows:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people?"

The gentleman made no satisfactory reply, but said that the 10th article had nothing to do with the question. Sir, it has everything to do with the question. Such a reply comes with bad grace from any man who assumes to represent the Commonwealth of Massachusetts, supposing indeed that Massachusetts bears any resemblance to her former self. Sir, does the gentleman know that it was the people of that State who were the first or among the first to require this very amendment? No State was so tenacious of the rights of the people or so jealous of Federal power at the dawn of our national existence as was Massachusetts. When her delegates assembled in convention to ratify the Constitution of the United States they solemnly declared thus:

"And as it is the opinion of this convention that certain amendments and alterations in the said Constitution would remove the fears and quiet the apprehensions of many of the good people of this Commonwealth, and more effectually guard against an undue administration of the Federal Government, the convention do therefore recommend that the following alterations and provisions be introduced into the said Constitution: first, that it be explicitly declared that all powers not expressly delegated by the aforesaid Constitution are reserved to the several States, to be by them exercised."

And to show, sir, that when they made this declaration and express reservation they were considering the very question of suffrage and regulating elections, they also declared:

"That Congress do not exercise the power vested in them by the fourth section of the first article, but in cases where a State shall neglect or refuse to make the regulations therein mentioned, or shall make regulations subversive of the rights of the people to a free and equal representation in Congress, agreeably to the Constitution."

Now, what says the fourth section of the first article alluded to?

"The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but Congress may at any time, by law, make or alter such regulations, except as to the places of choosing Senators."

This section gives to Congress the power simply to make or alter the regulations as to the times and manner of such elections, and for obvious reasons to meet other requirements in the Constitution as to Senators and Representatives, but not affecting in the least the power of the States to make and fix the qualifications of its own electors. But so jealous were the delegates of the Massachusetts convention even of this little power in the Congress that they declared against its exercise except in cases which were never likely to occur. The people of a State would not be apt to subvert their own rights or to deny themselves free and equal representation. Well, sir, after suggesting some other restrictions upon Federal power, to make their opinions more emphatic the delegates in the Massachusetts convention concluded thus:

"And the convention do, in the name and in behalf of the people of this Commonwealth, enjoin it upon their representatives in Congress at all times, until the alterations and provisions aforesaid have been considered agreeably to the fifth article of the said Constitution, to exert all their influence and use all reasonable and legal methods to obtain a ratification of the said alterations and provisions in such manner as is provided in the said article."

Thus spoke John Hancock, Samuel Adams, James Bowdoin, Francis Dana, and others of her first-born sons, and thus spoke Massachusetts herself, lately emerged from the baptismal fires of the Revolution, with her robes of sovereignty fresh and bright upon her, a bride at the altar celebrating the nuptials of the Union. Alas. Alas. Mr. Speaker, her injunctions are buried with her great men, and her degenerate sons would barter away her sovereignty to pamper this Federal power which she so much dreaded, this political mastodon which is gormandizing on the vitals of constitutional liberty.

And now, sir, what does this bill and this constitutional amendment propose to do? I cannot go into a discussion of the provisions of either, as there is no time for it, and as they have been amply discussed by others in this debate. The proposition is simply to divest the States or the people of the right to regulate suffrage and elections within their own borders and vest it in the Congress of the United States.

I might, if time were allowed, go into an examination of the opinions of the framers of the Constitution, and quote, as is too often done without effect in this House, the authority of Madison and Hamilton, of Franklin, Rutledge, and Pinckney, and cite from the decisions of Marshall and Story and Kent and Taney, or refer to the lucid expositions of Webster and Calhoun, to show that the regulation of suffrage was intended to be confined to the States, to be exercised exclusively by them, and to be maintained as the chief element in their liberties. It was not only a reserved right, but vested in the States by the Constitution itself; and it is only necessary to glance at its provisions on that subject to settle the question in the mind of any sensible man, however captious he may be. "He who runs may read" and understand if he will.

The second section of article one provides:

"The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature."

The same section then goes on to prescribe certain qualifications for members of Congress, but never in the remotest degree assuming the right to fix the qualification of electors. That right was inherent in the people, as expressed in the Declaration of Independence, "That governments are instituted among men deriving their just powers from the consent of the governed." Section three of the same article carries out the same principle:

"The Senate of the United States shall be composed of two Senators from each State chosen by the Legislature thereof, for six years, and each Senator shall have one vote."

This is the power of the people one degree removed. They elect the Legislature; the Legislature elects the Senators; the source of power being with the people, to be regulated and administered by its own chosen agents. Had not this been intended and understood the Government would have been antirepublican at its inception and a monarchy or oligarchy established as the result of our revolutionary struggle, or, indeed, Mr. Speaker, our fathers would have instituted a delusive phantom to deceive and cheat mankind.

Another provision of the Constitution distinctly fixes the right of choosing electors for President; even with the States.

"Each State shall appoint in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in Congress," etc.

Can any honest man doubt for a moment the meaning and intent of these provisions? And strange to say, sir, these startling changes are to be made in our system of government under the specious plea of section four of article four of the Constitution, namely:

"The United States shall guaranty to every State in this Union a republican form of government," etc.

Shame, sir, that these revolutionists should seize that as their shibboleth in this contest. It, sir, is the most potent argument and shield against them. That clause was inserted in the great instrument as a protection of the States, and against the very power and despotism they would now impose upon them. Erase that from the Constitution and you strike down one of the firmest bastions in our republican form of government; indeed, you destroy the Government itself. Let us beware, fellow Representatives, of these monstrous innovations, and while we, in fidelity to our oaths, cherish the Union and maintain the general Government in its whole constitutional vigor, let us also, I pray you, guard with unceasing vigilance as the vestal flame of our liberties the reserved rights of the States and of the people.

Mr. BOUTWELL. I yield 10 minutes to the gentleman from New York (Mr. Ward).

Mr. WARD. Mr. Speaker, the course of the gentleman from Massachusetts (Mr. Boutwell), who has the charge of this subject, in asking that there be no action at present upon the bill which has been reported by him from the Committee on the Judiciary, with reference to this all-important question of suffrage renders it unnecessary for me to say at this time what I desired to say upon that bill. In the short time allotted to me I will endeavor to speak briefly upon the various projects now before the House for the amendment of the Constitution.

It will be observed that the Committee on the Judiciary have reported an amendment which, in substance, prohibits the States from discriminating in regard to the elective franchise against any man of the age of 21 years on account of color or race. An amendment has been proposed by the distinguished gentleman from Ohio (Mr. Bingham), and while it does not come from a committee it comes almost with as much authority as if it emanated from a committee. That amendment proposes to secure this franchise of suffrage to every man in the Republic, no matter whether he has been loyal and faithful to it or not. There is a further amendment proposed by the gentleman from Ohio (Mr. Shellabarger), and this comes nearer to my judgment of what the House should pass. It in substance secures suffrage to every male citizen of the age of 21 years, unconvicted of crime and of sound mind and memory, provided he has not been or may not be disfranchised for participation in rebellion. The amendment which I have had the honor to submit is similar in substance to that to which I have just referred, and further provides that no man shall vote unless he has been a citizen for 3 months, and that nothing in this amendment shall be construed to prevent the States from passing such naturalization and registration laws as the interests of the country or the proper protection of the elective franchise may demand.

Now, I have no question about our power to pass any amendment which comes within the range of a republican government or free institutions. The fathers of the Republic left a great power in the hands of Congress and three-fourths of the States when they said, "You can amend the Federal Constitution in any respect whenever Congress by a two-thirds vote and three-fourths of the States insist on such amendment." Has the time come when further amendment to the Constitution is demanded? Sir, we have 4 million people who have become free by the act of war, who are now citizens of the Republic, who now pay taxes, and from whom we demand military service. In several of the States those citizens are guaranteed the right of suffrage, and the representative portion of these people, under the reconstruction acts, in many of the States exercise the right of suffrage. But today in the border States, in Maryland, Kentucky, Tennessee, Missouri, Delaware, and in many of the northern States, there are 250,000 loyal male citizens, unconvicted of crime, untainted with treason, who are paying taxes, and who are subject to military duty, who are deprived now of any voice in the Government which they seek to uphold, deprived of all right of suffrage. There are in other States of the Union 600,000 male citizens whose right to that depends upon the volition of the States; and whenever rebel legislators, and whenever rebel instrumentalities, get the control of those State organizations, you will find that those men will be deprived of that right of suffrage. So that the question involved in this constitutional amendment is this: will you secure in your fundamental law the right to 1 million men nearly in this country to vote in future, men who are loyal citizens, and who are willing to discharge their duties to the Government?

Mr. Speaker, I think that nothing is more apparent than that this Congress should hand over to the people this proposition to amend the Constitution. It will be the capstone in the great temple of American freedom. It will be the consummation of our great work. It will secure to us the fruits of the war. It will settle the controversies between the races. It will stop the contests between white men and black men. It will stop the controversies of the North and the South on that subject. It will bring the country back to peace, which all the interests of the country demand. I hope, therefore, the House will not hesitate about passing this amendment.

But the gentleman from Ohio tells us that we should extend universal amnesty. He tells us, in substance, that we shall hand suffrage over to every rebel and every traitor disqualified by the laws of those States from the right of suffrage. I am opposed to that. I am willing to be merciful; I am willing to be just; I am willing to give these men in the South their lives, liberty, and property; but I am not willing to banish from the statute book the last punishment for treason; for the moment you admit them to suffrage you must admit them to office, and when you admit them to office Mr. Breckinridge comes in triumph from Kentucky and takes his seat in the Senate, Mr. Toombs comes in triumph from Georgia and takes the seat in the Senate which he dishonored, Jefferson Davis returns from his triumphal tour in Europe and takes his seat, and we shall have those spirits back here who defiled these Halls with treason, who went into rebellion and brought all the blood and sacrifice of the rebellion upon the country. It has occurred to me that the quality of mercy might be strained; that we might be too magnanimous. We have been too magnanimous already. There is now a member of this House who was a brigadier general of the Confederate Army, who was educated at West Point, and who has come here booted and spurred, from the rebel service to make laws for the widows and orphans he has helped to make. He was not admitted, however, with my consent.

Let us see how much the recent conduct of the rebels entitles them to "universal amnesty." Look at the violent overthrow of the loyal Legislature of Georgia under the leadership of Robert Toombs. It was but the other day that we performed our last sad duty to a Member of this House from Arkansas who was murdered in cold blood by rebels of that State, with 20 other prominent Union men.

I hold in my hand what is called the final summary of the report of the committee of the Legislature of Louisiana on the conduct of the late elections in that State. The summary shows that the following number of Union men in that State were killed, wounded, and maltreated: 1,887, of which more than a thousand were killed outright. This is the fruit of the "loyalty" of these former rebels in a single State. Clemency to such men is crime; it is unjust to the dead who fell in our cause, and to the living who survive the contest, bearing its marks upon them, and it will be dangerous as a precedent in the future. I hope we shall not insult the loyal sense of this Nation by restoring all these murderous villains to political power. I am weary of this sickly sentimentalism which strikes hands with traitors and criminals at the expense of justice and the public safety.

I have no fears, Mr. Speaker, of giving suffrage to the black man. The Nation in its march of greatness and to the accomplishment of its high destiny will confer it upon him. Let us have no timidity, no faltering. Let us shake not the counsels of the weak, but go on and do justice, and from that will come safety, security, and peace.

Mr. BOUTWELL. I now yield for 5 minutes to my colleague.

Mr. BUTLER of Massachusetts. I suppose, sir, I need not say that I am in favor of the principle of the amendment as reported by the committee of equal rights to all men. I wish, however, to call the attention of the House for a few moments to the two amendments which have been proposed by the gentlemen from Ohio (Mr. Bingham and Mr. Shellabarger), and to see whether they do not accomplish more than and different from what it is desired they should do. The proposition of the gentleman from Ohio (Mr. Bingham) means apparently to supplement the proposed constitutional amendment of the committee by allowing any who have been heretofore engaged in the rebellion to have the right of suffrage unrestrained by any State law. His colleague (Mr. Shellabarger) to this adds an amendment which provides that no man who has heretofore engaged in rebellion shall have the right of suffrage. The amendment of the former (Mr. Bingham) proposes to prevent any State from denying the right of suffrage to any man for past rebellion, while his colleague (Mr. Shellabarger) proposes that the right of suffrage shall be denied to those who have heretofore engaged in the rebellion.

Mr. SHELLABARGER. My proposition is not that that amendment shall deprive any person engaged in the past rebellion from being disfranchised, but in favor of refusing to wrest from a State the power of disfranchisement, thus leaving that matter where it is now, in the hands of the States.

Mr. BUTLER of Massachusetts. I so understand it, and I think I have so stated. Notwithstanding that, I proposed to call attention to the fact that both these amendments go further than that. Both amendments provide that no State shall make or enforce any law which shall deny or abridge to any male citizen of the United States of the age of 21 years or over, and who is of sound mind, an equal vote at all elections in the State in which he shall have such actual residence as shall be prescribed by law. Now I wish to call the attention of both of these gentlemen, and the attention of the House, to the fact that these amendments propose to take away—at least that the effect will be, in my judgment, to take away from the State any power whatever to make any educational or other test. In addition, the proposition, whether intended or not, is to take away the power in a State of making any registration law.

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Mr. BINGHAM. I now move my amendment, to strike out in line 3 the words "by the United States or," and to insert in line 4 the words "nativity, property, creed"; so that it will read as follows:

"The right of citizens of the United States to vote and hold office shall not be denied or abridged by any State on account of race, color, nativity, property, creed, or previous condition of servitude."

Mr. BOUTWELL. I yield 10 minutes to the gentleman from Ohio.

Mr. BINGHAM. I can hardly hope in 10 minutes to state all I ought to say in connection with this matter. I desire to appeal to my colleague (Mr. Shellabarger) by making this statement: That in the form in which the Senate has presented this amendment, whatever of power there is in the several States in this Union under the Constitution to deprive men by class of the privilege of the elective franchise on account of participation in rebellion and decide by judges of election whether they have participated in rebellion is reserved, and therefore I hope that the gentleman will not adhere to his form of amendment, and thereby raise unnecessarily another question under our institutions of government.

I beg leave to say further to my colleague that it would be difficult for him to find a written constitution in any country, Christian or pagan, in which it was ever affirmatively admitted, as he proposes to do here today, that a municipality of a common nationality and within its general jurisdiction can by a general law pronounce upon citizens in gross the ostracism. There is a word in your Constitution that forbids. That tremendous power belong exclusively to the Nation. That power does not belong to the States. Three States have been trying to assert this power, with what success remains to be seen in the near-coming future. The great majority of the States have refused to even entertain it. Sir, in your Constitution are these words, that—

"The citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States of this Union."

Put such an affirmative proposition into your Constitution as that suggested by my colleague, and what is there to restrain Ohio, after that act, from saying to Michigan, "Inasmuch as all your citizens are under the ban of our suspicion they shall not vote without challenge in the State of Ohio, and until they have been tried for crime before a board of election judges." Sir, there is nothing in our history to justify this proceeding.

I know very well that in the 14th article of the amendments there are the words—and I know something of their origin—"except on account of participation in rebellion or other crimes," but there are no other words following, as my colleague proposes, "or who shall have been convited of other crimes," thereby leaving the Constitution open to a fair interpretation that men are not to be convicted of crimes without a trial under the limitations of the Constitution of our common country. But if there be merit in my colleague's proposition I ask the gentleman to consider that it is saved by the Senate amendment. That is enough. If it can stand the ordeal of the Constitution let it stand. But I ask the gentleman not to undertake an experiment of this kind in this day and in this hour of the Republic.

As to the proposition of the gentleman from Illinois (Mr. Logan), and the suggestion of the gentleman from Massachusetts (Mr. Butler), I agree with both of them. If you will so amend the Senate amendment as I have proposed you will extend equal protection to the great body of American citizens, native born and naturalized, black and white. The proposition of the gentleman from Illinois is eminently proper, wise, and just if the amendment be extended to all classes of citizens, as I propose, and I shall vote for it. The suggestion of the gentleman from Massachusetts in the event that the proposition shall be so amended as to include all classes of citizens, has great significance, one that the great body of the people will take care of, that electors, subject only to the limitations now imposed by the national and by State constitutions as to age and residence, shall have equal right, in the exact words of the gentleman from Massachusetts, "to be elected to the several offices."

I am favorable to the proposition of the gentleman from Illinois for another reason, that this amendment of the Senate "or hold office," together with the other words of limitation "by the United States, or," which I propose to strike out, seems to intimate for the first time by the action of the Congress that the Constitution of the United States has heretofore discriminated among natural-born citizens as to their eligibility to the office of President, and among other citizens as to their eligibility to other offices under the Constitution of the United States.

Mr. Speaker, I undertake to say that there is in our past history no authoritative utterance of any man whose opinions are entitled to consideration to the effect that the Constitution of the United States ever did discriminate among natural-born citizens having attained the prescribed age as to their eligibility to the office of President of the United States, and if there be any man within the hearing of my voice who ever read a page of the history of the Republic in conflict with this utterance I will be under special obligations to him if he will point it out. Why, equality of the law is the very rock of American institutions, and the reason why I desire to amend this proposition of the Senate is that as it stands it sweeps away that rock of defense by providing only against State usurpation in favor of colored citizens, to the neglect of equal protection of white citizens. While colored citizens are equal in rights with every other class of citizens before the majesty of American law, as that law stands written this day, I am unwilling to set them above every other class of citizens in America by amending the Constitution exclusively in their interest. The import of my amendment is to protect all classes alike, and I ask a vote upon it.

I ask the attention of the House to the amendment I have offered. I leave the word "color" as it stands in the Senate amendment. I leave the words "or previous condition of servitude" as they stand in the Senate amendment. I leave the word "race" as it stands in the Senate amendment. All those words are applicable to colored citizens of the United States. But that all citizens, native-born and naturalized, black and white, may be equal, so far as political rights are concerned, under the operation of the Federal Constitution, I ask leave of this House to insert the additional words "nativity, property, creed." By the Senate amendment as it now stands you will strike down the constitution of Ohio and the constitutions of 20 other States, in that they unjustly and wrongfully discriminate among citizens on account of color. If my amendment shall be adopted you will strike down as well the constitutions of other States, as for example, the State of Rhode Island, which wrongfully and unjustly discriminates this day by property qualifications against naturalized citizens of the United States as compared with native-born citizens, and I use the words of her constitution. I would have inserted the other word "education, but I know that the general sense of the American people is so much for education, that chief defense of nations, that if they will not take care of that interest they will take care of nothing.

[Here the hammer fell.]

Mr. Lawrence of Ohio. Will the gentleman from Massachusetts (Mr. Boutwell) allow me to offer an amendment?

Mr. Boutwell. I will allow the amendment to be read.

Mr. Lawrence of Ohio. I desire to move the following as a substitute for the proposition of the Senate:

"ARTICLE —.

"No State shall make or enforce any law which shall deny or abridge to any male citizen of the United States of the age of twenty-one years or over, and who is of sound mind, and who has resided in such State one year, and has complied with such regulations equally applicable to all electors as to registration and local residence, not greater than one year, as may be prescribed by law, an equal right to vote by ballot at all elections in such State, except only to such as have aided or participated in, or may aid or participate in, insurrection or rebellion against the United States, or any State, or to such as shall be duly convicted of treason, felony, or infamous crime."

Mr. Boutwell. I cannot yield to allow that amendment to be offered. I now yield for 10 minutes to the gentleman from Pennsylvania (Mr. Woodward).

Mr. Woodward addressed the House. [See Appendix.]

Mr. Randall. I move that the whole subject be laid on the table.

The Speaker. That is not in order, the gentleman from Massachusetts holding the floor.

Mr. Randall. From that decision I take an appeal, and on that motion demand the yeas and nays.

The yeas and nays were not ordered.

The House sustained the decision of the Chair.

Mr. Boutwell. I desire very much that this question shall be closed tonight. Unless some arrangement is made the House will take a recess at half past four, and if then undisposed of this question will go over. I therefore move the following resolution:

"*Resolved,* That the rules be suspended and the evening session for today be dispensed with, and the House proceed immediately to vote on the pending amendments to the Senate joint resolution without dilatory motions."

Mr. Chandler. That does not suspend the right to have the yeas and nays on the amendments?

The Speaker. It does not, that being provided for in the Constitution.

Mr. Knott. Is it in order to move to adjourn?

The Speaker. Pending the motion to suspend the rules one motion to adjourn is in order.

Mr. Knott moved that the House adjourn, and on that motion demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 29, nays 144, not voting 49; as follows:

Yeas—Messrs. Archer, Axtell, Beck, Boyer, Burr, Chanler, Fox, Getz, Golladay, Grover, Haight, Holman, Hotchkiss, Humphrey, Johnson, Thomas L. Jones, Knott, Marshall, McCormick, McCullough, Mungen, Niblack, Nicholson, Randall, Robinson, Ross, Stone, Van Trump, and Woodward—29.

Nays—Messrs. Allison, Ames, Delos R. Ashley, James M. Ashley, Baker, Baldwin, Banks, Beaman, Beatty, Benjamin, Benton, Bingham, Blaine, Blair, Boutwell, Boyden, Bromwell, Bromall, Buckley, Roderick R. Butler, Cake, Callis, Churchill, Reader W. Clarke, Sidney Clarke, Clift, Cobb, Cook, Corley, Covode, Cullom, Dawes, Deweese, Dickey, Dockery, Dodge, Donnelly, Driggs, Eckley, Edwards, Eggleston, Ela, Thomas D. Eliot, James T. Elliott, Farnsworth, Ferriss, Fields French, Garfield, Goss, Gove, Gravely, Griswold, Halsey, Hamilton, Haughey, Hawkins, Heaton, Higby, Hill, Hooper, Hopkins, Chester D. Hubbard, Hulburd, Hunter, Ingersoll, Alexander H. Jones, Judd, Julian, Kelley, Kellogg, Kelsey, Ketcham, Kitchen, Koontz, Laflin, Lash, George V. Lawrence, William Lawrence, Logan, Loughridge, Lynch, Mallory, Marvin, Maynard, McKee, Mercur, Miller, Moore, Moorhead, Morrell, Myers, Newcomb, Nunn, O'Neill, Orth, Paine, Perham, Peters, Pettis, Pike, Pile, Plants, Poland, Pomeroy, Prince, Raum, Robertson, Roots, Sawyer, Schenck, Scofield, Selye, Shanks, Shellabarger, Smith, Spalding, Starkweather, Stevens, Stokes, Stover, Sypher, Taber, Taffe, Taylor, Thomas, John Trimble, Trowbridge, Twichell, Upson, Van Aernam, Burt Van Horn, Robert T. Van Horn, Ward, Cadwalader C. Washburn, William B. Washburn, Welker, Whittemore, Thomas Williams, William Williams, James F. Wilson, Stephen F. Wilson, Windom, and Woodbridge—144.

Not Voting—Messrs. Adams, Anderson, Arnell, Bailey, Barnes, Barnum, Blackburn, Boles, Bowen, Brooks, Buckland, Benjamin F. Butler, Cary, Coburn, Cornell, Delano, Dixon, Eldridge, Ferry, Glossbrenner, Harding, Asahel W. Hubbard, Richard D. Hubbard, Jenckes, Kerr, Lincoln, Loan, McCarthy, Morrissey, Mullins, Newsham, Norris, Phelps, Pierce, Polsley, Price, Pruyn, Sitgreaves, Stewart, Tift, Lawrence S. Trimble, Van Auken, Van Wyck, Vidal, Elihu B. Washburne, Henry D. Washburn, John T. Wilson, Wood, and Young—49.

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From the Congressional Globe of Februrary 17, 1869, at pages 1300 through 1305, as follows:

The President pro tempore. The question recurs on the motion of the Senator from Nevada.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the point resolution (S.R. No. 8) proposing an amendment to the Constitution of the United States.

Mr. Howard. Let the resolution be read.

The Chief Clerk. The resolution when last up was amended to read as follows:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (*two-thirds of both Houses concurring*), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as part of the Constitution, namely:

"ARTICLE XV.

"The right of citizens of the United States to vote and hold office shall not be denied or abridged by the United States or any State on account of race, color, or previous condition of servitude.

"The Congress shall have power to enforce this article by appropriate legislation."

Mr. Stewart. I move to insert the word "by" before the words "any State;" so as to read, "shall not be denied or abridged by the United States or by any State."

The amendment was agreed to.

Mr. Nye. I hope this resolution will not pass, and I hope the Senate will not spend much time in its discussion. Here, after 4 or 5 days of the time of the Senate have been occupied in the discussion of a similar question, when the House of Representatives presents to us a constitutional amendment providing that Negroes shall have the right to vote, I am surprised to see gentlemen who have labored for 20 years to get that provision into the Constitution, upon which more eloqeunce has been expended and more zeal displayed than upon all other questions that they have discussed, voting with the enemies of the proposition upon principle, for the mere purpose of gratifying their own whim. I am opposed to the further discussion of a measure upon which there is no possibility of agreeing; and I now give due notice that whatever proposition of this kind comes up hereafter will meet with my little opposition. I will not vote for anything that proposes to tamper with this subject. The back of this poor old Constitution is as raw as a galled horse. [Laughter.] We ride it here regularly through Congress, session after session, and when we get the very thing we want, because it is not exactly what my honorable friend from Massachusetts [Mr. Sumner] wants he votes "no" very loud. My honorable friend from Kansas [Mr. Pomeroy], who has grown old and bald in this fight, says "no," and all those, or almost all, who have come here recently from the Southern States say "No."

Mr. Kellogg. Not all.

Mr. Nye. I say almost all, therefore I think it lost time to have any further discussion of this question. There are important practical measures that require the attention of the Senate, and to those measures I insist the Senate shall devote itself for the remnant of this session; for I have no sort of belief that if we sat here until the 4th day of March at 12 o'clock there would be any constitutional amendment voted on that would be agreed upon by both Houses of Congress. If you adopt this proposition and send it to the House of Representatives they will send it back, and the two Houses will be playing shuttlecock with the Constitution and its amendment, which is doomed to death in the end. I hope, therefore, that the question will be stopped here, and that we shall take a vote at once and let the Constitution alone.

Mr. Welch. I most distinctly hope that this proposition will pass, and what is further, I hope that adequate time will be taken for its discussion. It has been charged here by the honorable Senator from Nevada (Mr. Nye) that the gentlemen recently from the Southern States have voted with their political enemies against the proposition of the House of Representatives. We are ready to give a reason for the faith that is in us. We did not cast that vote from mere caprice. We so voted because we believe that the Negro should have full and impartial justice, and because the proposed amendment that was voted down when the Senate refused to concur does not give complete and impartial justice. By implication it deprives him of the right to hold office, and puts the Senate in the absurd position, contrary to all true philosophy, that a man cannot hold office in this Republic, not because of what is in him, but because he belongs to a certain race, because he has a skin not colored like our own. I believe that men should vote and hold office because they have the capacity to vote and to hold office, and that every such question should be decided upon some general principles that will be justified by their general intelligence or general virtue, not because of their forefathers, and not because their forefathers have or have not made inventions. The Negroes have the right to vote by the State constitutions in the reconstructed States; but in all those States they have not the right to hold office. The difficulty in Georgia is precisely that difficulty; and the enemies of the Negro would seize upon the amendment to the Constitution proposed by the House of Representatives as a justification for taking away from him the right to hold office. These are the grounds for our voting as we have done; and I believe they are tenable ones.

The President pro tempore. The joint resolution is in Committee of the Whole, and open to amendment.

Mr. Conkling. Are there any amendments pending?

Mr. Stewart. The amendments have been adopted. We had it up before.

Mr. Conkling. Let me understand it from the Chair. Are there any amendments now pending?

The President pro tempore. There are no amendments pending. This is a new proposition, as the Chair is informed.

Mr. Stewart. No, sir; it is the proposition that was before the Senate before.

Mr. Howard. I ask for the reading of the article.

Mr. Stewart. Let it be read as it now stands.

Mr. Doolittle. Is this its second reading? It has been read once.

The President pro tempore. It has been read twice.

Mr. Hendricks. When was it read twice?

The President pro tempore. It is a resolution that has been considered by the Senate before, and amendments have been made to it.

Mr. Howard. I hope it will be read for the information of the Senate.

The Chief Clerk. The resolution, as amended, reads:

"Resolved, etc. (*two-thirds of both Houses concurring*), That the following article be proposed to the leigslatures of the several States as an amendment to the Constitution of the United States; which, when ratified by three-fourths of said legislatures, shall be valid as part of the Constitution, namely:

"ARTICLE XV

"The right of citizens of the United States to vote and hold office shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

"The Congress shall have power to enforce this article by appropriate legislation."

Mr. Howard. Senators are mistaken if they expect to hurry this article through the Senate without discussion. That idea may as well be given up now. I cannot support this amendment of the Constitution, and I propose to take my time to discuss it.

Mr. Hendricks. Will the Senator yield to a motion to take a recess for 2 hours? It is monstrous to compel us to stay here without food. Will the Senator yield to that motion?

Mr. Howard. Yes, sir.

Mr. Hendricks. Then I move that the Senate take a recess for 2 hours.

Mr. Drake. That motion can only be entertained by unanimous consent, and I object to it.

The President pro tempore. Objection being made, it cannot be entertained.

Mr. Hendricks. I reckon I might make a motion to adjourn, if it would not be offensive to the Senator from Missouri.

Mr. Drake. It will not be at all offensive to the Senator from Missouri.

Mr. Hendricks. Then I move that the Senate adjourn.

Mr. Stewart. I hope not.

Mr. Freylinghuysen, Mr. Drake and others called for the yeas and nays, and they were ordered; and being taken, resulted—yeas 18, nays 31; as follows:

Yeas—Messrs, Bayard, Buckalew, Davis, Dixon, Doolittle, Fowler, Hendricks, Howard, McCreery, Norton, Patterson of Tennessee, Pool, Robertson, Saulsbury, Van Winkle, Vickers, Whyte, and Williams—18.

Nays—Messrs. Abbott, Cameron, Cattell, Cole, Cragin, Drake, Edmunds, Ferry, Frelinghuysen, Grimes, Harlan, Harris, Howe, McDonald, Morgan, Morrill of Vermont, Morton, Nye, Osborn, Pomeroy, Rice, Sawyer, Spencer, Stewart, Sumner, Thayer, Wade, Warner, Welch, Wilson, and Yates—31.

Absent—Messrs. Anthony, Chandler, Conkling, Conness, Corbett, Fessenden, Henderson, Kellogg, Morrill of Maine, Patterson of New Hampshire, Ramsey, Ross, Sherman, Sprague, Tipton, Trumbull, and Willey—17.

So the Senate refused to adjourn.

The joint resolution was reported to the Senate as amended.

The President pro tempore. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. Howard. Mr. President, I cannot vote for that amendment of the Constitution, and I propose to state, with all becoming brevity, the reasons which induce me to vote against it. It proposes, in the first place, to confer upon Congress, in what I regard as very plain terms, the power to prescribe the qualifications of voters and holders of office in the U.S. Government and in State governments on all subjects for any reasons except those which are stated in the terms of the resolution. Now, at the present time and under the present Constitution the Congress of the United States is not invested with any such authority. The authority has never been given to Congress at all either to prescribe the qualifications of voters or the qualifications of holders of office. This is a most serious innovation upon the Constitution. It opens the door to congressional legislation in the future which may be very objectionable to the people. It goes the whole extent of repealing, in my judgment, that clause of the Constitution which declares that—

"No religious test shall ever be required as a qualification to any office or public trust under the United States."

Mr. Hendricks. If the Senator will yield, I will move to take a recess for 2 hours.

Mr. Howard. I will agree to that.

Mr. Frelinghuysen. A great many Senators have left the Chamber, not knowing of any such recess.

Mr. Pomeroy. I think we had better take a recess.

Mr. Frelinghuysen. I think a recess is worse than an adjournment.

Mr. Hendricks. Perhaps we had better adjourn.

Several Senators. Let us adjourn.

Mr. Hendricks (at 6 o'clock p.m.). I move, then, that the Senate adjourn.

Mr. Morton. I hope not.

Mr. Hendricks. I hope we shall.

Mr. Morton. Those who are very hungry can get something to eat downstairs, and the discussion can go on in the meantime. If we stay here for an hour or two we can complete this discussion. I have no fear of a long discussion.

Mr. Drake. I call for the yeas and nays on the motion to adjourn.

The yeas and nays were ordered; and being taken, resulted—yeas 14, nays 28; as follows:

Yeas—Messrs. Buckalew, Davis, Fowler, Hendricks, Howard, McCreery, Norton, Patterson of Tennessee, Pool, Saulsbury, Van Winkle, Vickers, Whyte, and Williams—14.

Nays—Messrs. Abbott, Cameron, Cole, Cragin, Drake, Edmunds, Fessenden, Frelinghuysen, Grimes, Harlan, Harris, Kellogg, McDonald, Morrill of Vermont, Morton, Nye, Osborn, Pomeroy, Rice, Sawyer, Spencer, Stewart, Thayer, Wade, Warner, Welch, Wilson, and Yates—28.

Absent—Messrs. Anthony, Bayard, Cattell, Chandler, Conkling, Conness, Corbett, Dixon, Doolittle, Ferry, Henderson, Howe, Morgan, Merrill of Maine, Patterson of New Hampshire, Ramsey, Robertson, Ross, Sherman, Sprague, Sumner, Tipton, Trumbull, and Willey—24.

So the Senate refused to adjourn.

Mr. Howard. Mr. President, I was remarking that this proposed amendment to the Constitution will operate as a repeal, as an annulment of that clause of the sixth article of the present Constitution which declares that "no religious test shall ever be required as a qualification to any office or public trust under the United States." The article which is proposed to us declares that no State shall pass any law and that the United States shall pass no law which shall abridge or deny the right of voting and holding office to any citizen of the United States on account of race, color, or previous condition of slavery. The implication is perfectly irresistible in the mind of every instructed lawyer who has had any practice, at the bar that, with the exception of race, color, and previous condition of servitude, even the United States may impose whatever qualifications Congress may see fit to impose, both upon the voter and the holder of office in the States and in the United States, and that by an act of Congress we may here, sitting in our seats, prescribe a rule which shall exclude in the States from the right of voting and holding office every person who shall not be of a particular religious creed, every person who shall not be of a certain age, every person who shall not have been born in some particular locality.

But, sir, the great objection to it is that it gives to Congress absolute authority, by this legal implication, to say that nobody but members of some particular religious sect shall have the right to hold office in the States and in the Government of the United States. Do not doubt it, sir; look at it with the eye of a lawyer, of a person accustomed to explain and interpret statutes, and you can come to no other conclusion. The right of prescribing any qualifications except such as are expressly mentioned in the article is plainly, by an irresistible implication, given to the Congress of the United States. Are Senators prepared to disregard the old inhibition contained in the Constitution in reference to religious tests? Are they prepared to give to Congress authority to say what persons shall and what shall not hold office in the various States, in the various territories, and in the administration of the laws of the United States?

Sir, I can conceive of no alteration of the Constitution which would be more odious in the eyes of the people of the United States than the one which is now before us; and I tell you, sir, although you may hasten and rush it through this body, and under the strain of the previous question in the House obtain the concurrence of the House of Representatives, I predict here and now that it will not receive the ratification of the Legislature of one of the States of the United States, and your work will all be vain and worse than vain, because it will fasten upon the Republican party represented in Congress the odium of giving to Congress a power which our fathers were careful to exclude from among the powers of Congress.

Now, sir, I am not in such hot haste to amend the Constitution of the United States as to commit an act of this kind. I think we go far enough when we say to the black man, North and South, "You shall have the same right to vote as is possessed by the white man." There is no danger that in the densely populated regions of the South, where the black population is so numerous, they will be deprived of the right of holding office though they may be voters. That is an unnatural consequence to deduce from it. If a person is allowed the use of the ballot it is but one step, and that a very short one, to his enjoyment of the right to hold office; and I look upon it as certain that if the black population of the South or of the North are elevated to the condition of voters, if they are allowed in this way to participate in the enactment of laws and the regulation of the affairs of the State, they must necessarily, as an irresistible consequence, be allowed the privilege of holding office if they are fit for it in other respects.

But my great objection to this, Mr. President, is that it runs the plowshare through the old Constitution, and takes out of it one of its most precious and valuable safeguards. I refer to the prohibition which I have already read. Sir, I would not part with that great security for human liberty, religious freedom, for any consideration that could be addressed to me; and the article which is now offered, misnamed an amendment to the Constitution, does repeal and set aside that most sacred and invaluable provision. I hope, Mr. President, that this miscalled amendment to the Constitution will receive that treatment which it justly deserves by this body.

Mr. Drake. I move an amendment to strike out all after the words "article 15" and insert:

"No citizen of the United States shall, on account of race, color, or previous condition of servitude, be by the United States or any State denied the right to vote or to hold office."

Mr. Stewart. I do not think that is any better.

Mr. Conkling. What is the difference between that and the proposition pending?

Mr. Drake. There is a very great difference, which I will take leave to explain. The other sets out with the postulate, as I think, that every man has a right to vote and hold office; that the right to hold office inheres in him, and that the right to vote inheres in him. It says that the right of the citizens of the United States to vote and hold office shall not be denied, starting out with the assertion apparently of the right of every citizen to vote and hold office. I do not know whether, when the honorable Senator from New York calls upon me for an explanation of the difference, he gives any attention to my statement of the difference.

Mr. Conkling. Most certainly I do.

Mr. Drake. There is a very great difference. It is not the right of any man to vote or hold office at all until the law gives him that right. No citizen of the United States has by the mere fact of his being a citizen a right to hold office; no citizen of the United States has by the mere fact of being a citizen of the United States the right to vote; and yet that is the implication which can be drawn from the amendment of the Constitution as it is now framed, and from the hands of the committee. The amendment I have offered proceeds on the correct principle, not that a citizen of the United States has a right to vote and hold office, but that his way to the ballotbox and to official service shall not be barred against him or denied to him on account of his race or color or previous condition of servitude; and therein is where I think this form of words is very much better than that which the committee reported.

But, sir, I am free to say that I do not expect it is to be adopted. Why? Because there seems to be some glamour about Senators' minds, in connection with that which has been reported by a committee, as if all the wisdom of the world abided in a committee of the Senate of the United States, as if there were no man on earth that could put words together to express an idea unless he happened in doing so to be acting as a member of a committee of the Senate of the United States.

Now, sir, if I understand the honorable Senator from Michigan correctly, this amendment would obviate the objections he makes to the other. I would like to know whether I am correct in this.

Mr. Howard. I have not read the amendment offered by the honorable Senator from Missouri with any attention, and therefore am not able just now to answer his question.

Mr. Drake. I can repeat it. It is that no citizen of the United States shall on account of race, color, or previous condition of servitude be by the United States or by any State denied the right to vote and hold office. If I am not mistaken, that form of words gets rid entirely of the objections of the Senator from Michigan. It does not assert any right in the citizen; it confines it down to the very proposition that we desire to adopt here, to wit, that you shall not bar a man from voting and holding office because of his race, or his color, or his previous condition; does not assert the right in the United States to define his rights as a voter except simply to guard him from a deprivation of the right to vote and hold office through the matter of his race, color, or previous condition.

Mr. President, if we really do desire to do a thing here which shall be complete in itself, I think it would be well to adopt that form of language; and lest anybody should suppose that I am desirous to have the credit of it, I am perfectly willing that it shall be considered as having been written out for me and handed in here by me as the work of any other Senator on this floor who will assume the paternity of it. The thing that I want to get at is to express what the Senate desires to express, and what the other House desires to express. The thing that I want to get at is that this Congress shall not adjourn without having accomplished the great object of laying this question before the people of the United States, that we shall not be crossfiring here and killing the whole measure. If one form of words will not do let us adopt another.

Mr. McCreery (at 6 o'clock and 20 minutes p.m.). I move that the Senate do now adjourn.

Mr. Drake. I call for the yeas and nays on that motion.

The yeas and nays were ordered.

The Secretary proceeded to call the roll; and on the conclusion of the call a quorum had not voted.

Mr. Morrill of Vermont. The Senator from Kentucky does not seem to care much about this motion, as he has not voted. [Laughter.] I move that the announcement of the vote on this question be postponed until tomorrow.

Mr. McCreery. That is not in order.

The President pro tempore. It cannot be postponed.

Mr. Hendricks. I move that this question be postponed until tomorrow.

The President pro tempore. Everything is out of order until the vote is announced.

Mr. Hendricks. Then let the vote be announced.

The Chief Clerk proceeded to read the list of yeas and nays.

Mr. Stewart. I should like to have the names of Senators called who have come in since the call commenced. Let the names of the absentees be called.

Mr. Hendricks. That is rather sharp.

The result was announced—yeas 8, nays 24; as follows:

Yeas—Messrs. Bayard, Buckalew, Cole, Dixon, Howard, Trumbull, Van Winkle, and Williams—8.

Nays—Messrs. Abbott, Cattell, Cragin, Drake, Edmunds, Frelinghuysen, Grimes, Kellogg, McDonald, Morrill of Vermont, Morton, Nye, Osborn, Pomeroy, Rice, Sawyer, Spencer, Stewart, Wade, Warner, Welch, Willey, Wilson, and Yates—24.

Absent—Messrs. Anthony, Cameron, Chandler, Conkling, Conness, Corbett, Davis, Doolittle, Ferry, Fessenden, Fowler, Harlan, Harris, Henderson, Hendricks, Howe, McCreery, Morgan, Morrill of Maine, Norton, Patterson of New Hampshire, Patterson of Tennessee, Pool, Ramsey, Robertson, Ross, Saulsbury, Sherman, Sprague, Sumner, Thayer, Tipton, Vickers, and Whyte—34.

The President pro tempore. The Senate refuses to adjourn; but there is not a quorum voting.

Mr. Howard. I move that the Senate adjourn.

Mr. Drake and Mr. Edmunds. That is not in order now.

Mr. Hendricks. Nothing else is in order.

Mr. Drake. No legislative business has been transacted since the last motion to adjourn.

Mr. Conkling. It is always in order to adjourn when there is no quorum.

Mr. Pomeroy. There is nothing else in order but to adjourn or send for the absentees.

Mr. Conkling. Is there not a motion to adjourn pending?

The President pro tempore. It is moved that the Sergeant at Arms request the absentees to be present.

Mr. Conkling. What has become of the motion to adjourn?

Mr. Howard. I moved to adjourn.

Mr. Hendricks. I move that the Senate adjourn.

The President pro tempore. The question is on adjourning.

Mr. Stewart called for the yeas and nays; and they were ordered.

The Secretary proceeded to call the roll on the motion to adjourn.

Mr. Nye. There are Senators enough in the cloakrooms, if they are called in, to make a quorum.

Mr. Edmunds. I call for the reading of the 16th rule.

The Presiding Officer (Mr. Pomeroy in the chair.) The vote has not yet been announced.

Mr. Edmunds. I ask for the reading of the 16th rule, which requires every Senator when his name is called to answer.

The Presiding Officer. The rule will be read.

The Chief Clerk read rule 16, as follows:

"When the yeas and nays shall be called for by one-fifth of the Senators present each Senator called upon shall, unless for special reasons he be excused by the Senate, declare openly and without debate his assent or dissent to the question."

Mr. McCreery. I beg to be excused from casting my vote on this question. [Laughter.]

Mr. Drake. For what special reason? That request cannot be entertained unless the Senator assigns a special reason for which he wishes to be excused.

The Presiding Officer. No debate is in order at this time.

Mr. McCreery. I have no reason to assign except my desire not to vote on this question. [Laughter.]

Mr. Fessenden. I move that the Senator from Kentucky be called.

Mr. Edmunds. It is the duty of the Chair to call him.

Mr. McCreery. What is the motion of the Senator from Maine?

Mr. Fessenden. That the name of the Senator from Kentucky be again called. He is present.

The Presiding Officer. It is in order to call the roll again if the Senate so decides.

Mr. Morton and others. Call the names of absentees.

Mr. Drake. There are other Senators present who have not answered.

Mr. Edmunds. One at a time.

The Presiding Officer. The clerk will call the roll of those who have not responded to their names, some of whom may have come in since the call commenced.

The call having been concluded, the result was announced—yeas 12, nays 25; as follows:

Yeas—Messrs. Abbott, Bayard, Cole, Conkling, Dixon, Fowler, Howard, McCreery, Ramsey, Trumbull, Van Winkle, and Vickers—12.

Nays—Messrs. Cattell, Cragin, Drake, Edmunds, Fessenden, Frelinghuysen, Grimes, Kellogg, McDonald, Morrill of Vermont, Morton, Nye, Osborn, Pomeroy, Pool, Rice, Sawyer, Spencer, Stewart, Wade, Warner, Welch, Willey, Wilson, and Yates—25.

Absent—Messrs. Anthony, Buckalew, Cameron, Chandler, Conness, Corbett, Davis, Doolittle, Ferry, Harlan, Harris, Henderson, Hendricks, Howe, Morgan, Morrill of Maine, Norton, Patterson of New Hampshire, Patterson of Tennessee, Robertson, Ross, Saulsbury, Sherman, Sprague, Sumner, Thayer, Tipton, Whyte, and Williams—29.

So the Senate refused to adjourn.

Mr. Fowler. What is the question now before the Senate?

The Presiding Officer. The Chair understands the question to be on the amendment of the Senator from Missouri (Mr. Drake) to the amendment made as in Committee of the Whole.

Mr. Hendricks. I should like to hear it read.

The Chief Clerk read the amendment to the amendment.

Mr. Hendricks. Is not that the same one we have had up?

Mr. Drake. No, sir; it is a very different one from the one we have had up this evening.

Mr. Fowler. Mr. President, I believe there is no difference between this amendment and that reported by the Judiciary Committee. If I recollect the report of the Judiciary Committee, it is that the right of no citizen shall be denied, and this is that no citizen shall be denied the right. That is the only difference, but it is simply in words. I agree with the Senator from Missouri candidly and earnestly in the belief that the report of a committee has a great influence on the Senate generally, entirely too much. I do not prefer the report of the committee to the Senator's amendment, but I contend that so far as the expression is concerned they are substantially the same. For instance, the report of the committee is that the right of no citizen——

Mr. Drake. No, that is not the report of the committee, if the honorable Senator will allow me. "The right of citizens" is the report of the committee.

Mr. Fowler. The point I wish to make is this: "the right of citizens," is the report of the committee, and that presupposes, as the Senator from Missouri justly says, that the right inheres in the citizen and the mode of expression sets forth very clearly that the right to vote is inherent in the citizen. If I understand the amendment of the Senator from Missouri it is precisely the same. It alleges a right of something which it says shall not be denied. A right of what? The right as it is there expressed must inhere in something. It must certainly have some substratum, some substantial basis in which it inheres; and that right necessarily is in his proposition the citizen, and no explanation, no criticism of language, can divest the citizen of that right even in his own proposition. So they are substantially the same, although there is a transposition in the terms of the proposition.

Now, every objection that has been urged by the Senator from Michigan I think is quite as applicable to the proposition of the Senator from Missouri as to the proposition of the Judiciary Committee. But that is not my main objection. Sir, I do not think that the Constitution of the United States should be amended without the gravest reasons for it, and then the amendment should be enunciated in such terms as cannot be doubted, that all persons may understand it distinctly. I do not believe that either of the propositions now before the Senate is perfected to such a degree that it will or ought to receive the approbation of three-fourths of the legislatures of the several States, or of the American people.

I have another objection. This reformation, as it is supposed to be, which has been inaugurated by the rebellion, does not go as far as it ought. If we have arrived at the conclusion that the citizens of the United States are and of right ought to be equal before the law, if we have arrived at the point of declaring that there are no distinctions whatever so far as citizens are concerned, that we no longer legislate for black men or white men or red men, but legislate for the citizens of the country, for the people alone, then I want such an amendment as will assert the right to vote and hold office in the citizen and base it upon the principle of his manhood, and give it to him by virtue of the fact that his Creator has given him manhood.

It may be asserted here that it is not a natural right. Well, sir, let us see how that is. Society is the natural condition of man. Governments are made by men as naturally as bees make honey; and government is as much an element of nature, it is as much a natural thing as man himself. It is made, according to our theory, by the man. It is the simple projection of his own ideas into civil institutions. If he, then, is a unit of the society or a unit of the Government, it is his right, unquestionably, to have that unit of force expressed in the Government.

Then, sir, let us make an amendment to the Constitution such as I proposed; that is, an amendment that shall set forth the fact that this right does inhere in the citizen; and let the Government protect him in the exercise of the right. I am of opinion that any amendment to the Constitution which does not do this falls far short of the requirements of the age; it cannot receive my approbation, because long since I supposed that the public opinion of this country had gone beyond the point of these pending propositions, and that it was no longer hesitating about race or color, so far as citizenship was concerned.

There is another point to which I want to direct the attention of the Senate just now, and it is the fact that the propositions before us ignore the rights of all the white men of the country who are now divested of this great right. When this measure is adopted they will remain divested of the right by the States and by the Government of the United States. Why not rise up to the point that you will give to your own race a privilege or a right which you guaranty to another and an inferior race? Why not meet that responsibility, not only in regard to white men, but to white women also? But, as I said before, I do not expect that amendment to be ingrafted on the Constitution of the United States at the present time. I contend that any amendment of the Constitution that does ignore the rights of the white man who are disfranchised throughout the United States is an amendment unworthy of the age and it is an amendment unworthy of a white citizen of the United States or of any citizen of the United States. Carry the proposition to the colored men in the southern country and they will vote today to give this right to the disfranchised whites. They would spit upon such a proposition as this—a proposition in which their own rights are attempted to be secured, while it tramples down the rights of their own white fellow citizens, the men with whom they are to live and whose good will and whose affections they are to cultivate. They are to be made the instruments of subjugating them and trampling them in the dust and putting them in a position inferior to themselves. There is not a decent black man in all the Southern States who would not scorn such a proposition as this; and yet we are told here in the Senate of the United States, at this late day of the world, that nobody's rights are to be guarded except those who are marked by race, color, or previous condition of servitude, because these are specific qualities that are named and our attention is directed to them, and to them alone. For all other reasons a State may divest a man of his right to vote; for all other causes he may be deprived of this right; but for these alone, qualities that inhere only in a particular race, no discrimination is to be made, but the power is to be left to strike down the rights of other individuals who are deprived of their right to vote for other reasons.

Now, sir, I say this is unworthy of the Senate of the United States or the Congress of the United States, because these people pay taxes; they discharge all the duties that the citizen ought to discharge; they are loyal to the Government of the United States; they love it as well as you do, sir; they will fight for it as readily; they will follow it as far. Their ancestors did as much to achieve and maintain our independence as those of any other class of men, and why now, when you attempt to secure the rights of one set of men, do you not secure the rights of all men? Such a proposition shall meet my cordial, hearty approbation; but the other, the partial principle, will meet my opposition always.

Mr. Hendricks. I wish to inquire whether this proposition will not be the order of the day at the meeting tomorrow after the morning hour if we now adjourn, and if it will not take precedence of other business?

The Presiding Officer (Mr. Pomeroy in the chair). This would be the unfinished business if the Senate should now adjourn.

Mr. Hendricks. Then I wish to inquire if the amendment proposed by the Senator from Missouri will be printed in the meantime, so that we can examine it, without any order to that effect? If an order to that effect is necessary I move that it be printed.

Mr. Edmunds. That is not in order at this time.

Mr. Hendricks. I think it is rather unreasonable to ask us to stay here now. There is evidently no quorum present, and I should think Senators, by common consent, would adjourn and let us dispose of this resolution tomorrow. If it were necessary to stay here we could do so; but it is not, and therefore I move to adjourn.

The Presiding Officer. The Senator from Indiana moves that the Senate do now adjourn.

The question being put, the ayes were 15.

Mr. Stewart. I call for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 14, nays 23; as follows:

Yeas—Messrs. Bayard, Buckalew, Cole, Davis, Dixon, Doolittle, Fowler, Hendricks, Howard, Norton, Pool, Ramsey, Saulsbury, and Trumbull—14.

Nays—Messrs. Abbott, Cattell, Cragin, Drake, Edmunds, Ferry, Fessenden, Frelinghuysen, Kellogg, McDonald, Morrill of Vermont, Morton, Nye, Osborn, Pomeroy, Rice, Spencer, Stewart, Wade, Warner, Welch, Willey, and Wilson—23.

Absent—Messrs. Anthony, Cameron, Chandler, Conkling, Conness, Corbett, Grimes, Harlin, Harris, Henderson, Howe, McCreery, Morgan, Morrill of Maine, Patterson of New Hampshire, Patterson of Tennessee, Robertson, Ross, Sawyer, Sherman, Sprague, Sumner, Thayer, Tipton, Van Winkle, Vickers, Whyte, Williams, and Yates—29.

So the Senate refused to adjourn.

Mr. Bayard. Mr. President, I think this scene affords the most striking illustration of the tyranny of party that has ever been witnessed in this country. After an exhausting session of nearly 7 hours, the Senate of the United States now persists in a determination to force through an amendment to the Constitution, the substance of which it has receded from in the last 3 or 4 hours, after full debate. That is the legislation of a free country, by exhaustion, possessing a three-fourths majority in the Chamber, to endeavor to force through an amendment of this kind after you have receded from it within so short a period of time. The object is very plain, Mr. President. The intent is, and the sole intent, to maintain the dominance of the present party by means of the degradation of the suffrage. They will fail in that. It is not that I fear; but failing as a party they will also ruin their country. But what cares party spirit for that? If gentlemen would only take the trouble to read the Farewell Address of General Washington, and take note of his warning as to the peculiar dangers that assail a republic from the perverted spirit of party, I think they might pause a little in their career. They will find that their object will be defeated, because, if you attempt to impose upon the people of this country a suffrage of that kind against their consent through the mere medium of party legislatures, you will find that your party will utterly fail in being sustained by them. It may lead to revolution; it may lead to the destruction of the institutions of the country; it cannot lead to good; and the very mode by which it is now attempted to be carried out evidences what the honorable Senator from Indiana [Mr. Morton] chose to apply to a very different proposition, "the desperation of party." It is indeed the desperation of party. The men who now advocate this will find further, if they will look at the past history of parties in this or any other representative government, that wherever they attain too great strength they always perish from their own internal struggles. Personal ambition, new questions arising, the division into different cliques founded on personal motives, will destroy any party where a formidable opposition no longer exists to it. That has been the past experience of this country.

After the Democratic Party had by an almost unanimous vote elected Mr. Monroe a second time as a candidate for the Presidency, at the succeeding election all the candidates were Democrats and the division was purely personal, and it led to the defeat of the democracy. Such will be the fate of the Republican Party. But, sir, the precedent will remain of the tyranny now exercised, and the institutions of your country will ultimately fail in order that the men of the hour for their mere personal purposes shall carry out their own ascendancy for a brief period. It will be the same story over again. Mr. President, that took place in the French Directory and the French Convention. You may succeed for a time; one man will fall in conflict with another; it may be that you will not result to the scaffold or the guillotine here as they did in France; but there will be Dantons and Marats and Robespierres in the United States under this utter disregard of the constitutional restrictions and civil liberty, as is evidenced now by the dominant party in the Senate of the United States.

Mr. Drake. Mr. President, I merely desire to say that in my opinion if this country and its Constitution could stand up successfully against a democratic rebellion to perpetuate slavery its institutions can probably stand a Republican effort to perpetuate freedom and the rights of man.

The President pro tempore. The question is on the amendment of the Senator from Missouri to the amendment of the committee.

The amendment to the amendment was rejected.

The President pro tempore. The question now is on concurring in the amendment made as in Committee of the Whole.

Mr. Drake. What was the amendment of the Committee of the Whole?

Mr. Edmunds. That reported from the Judiciary Committee.

Mr. Bayard. I desire to move an amendment to the amendment of the committee. I move to strike out the words "vote and" in the second line; so as to leave the restriction imposed on the power of the States to apply only to the right to hold office. I think the evil far less if the people of a State choose to elect any of their pets to the Congress or as their State officers, or if the Governors of States or any other appointing authority choose to appoint them—I do not think that evil is comparable nor half as dangerous to the country as the attempt to give the suffrage to an inferior race. I move, for this reason, to strike out the words "vote and;" and I ask the yeas and nays on the adoption of the amendment.

The question being taken by yeas and nays, resulted—yeas 6, nays 29; as follows:

Yeas—Messrs. Bayard, Buckalew, Davis, Hendricks, Vickers, and White—6.

Nays—Messrs. Abbott, Cattell, Cole, Drake, Edmunds, Ferry, Fessenden, Frelinghuysen, Howard, Kellogg, McDonald, Morton, Nye, Osborn, Patterson of New Hampshire, Pomeroy, Ramsey, Rice, Ross, Sawyer, Spencer, Stewart, Trumbull, Van Winkle, Wade, Warner, Willey, Wilson, and Yates—29.

Absent—Messrs. Anthony, Cameron, Chandler, Conkling, Conness, Corbett, Cragin, Dixon, Doolittle, Fowler, Grimes, Harlan, Harris, Henderson, Howe, McCreery, Morgan, Morrill of Maine, Morrill of Vermont, Norton, Patterson of Tennessee, Pool, Robertson, Saulsbury, Sherman, Sprague, Sumner, Thayer, Tipton, Welch, and Williams—31.

So the amendment to the amendment was rejected.

Mr. Davis. In the fourth line, after the word "States," I move to insert the words "hereafter to be chosen," so as to submit this amendment to legislatures hereafter to be chosen.

The Presiding Officer. The Chair understands that the question before the Senate is on concurring in the amendment made as in Committee of the Whole, and the amendment of the Senator from Kentucky will not be in order until that amendment shall have been disposed of.

Mr. HOWARD. If it be in order, I move to strike out in line 13 the words "by the United States or;" so as to make the proposition read:

"The right of citizens of the United States to vote and hold office shall not be denied or abridged by any State on account of race, color, or previous condition of servitude."

On this amendment I ask for the yeas and nays. I wish a distinct vote on the question.

The yeas and nays were ordered.

Mr. TRUMBULL. I do not see any propriety in having those words "by the United States" in. It seems to me they may be omitted without impairing at all the effect of the amendment, and it should be as concise as possible. Unless something is to be accomplished by retaining those words I think they had better be stricken out. According to my view, and the view I think of the Senate, the U.S. Government has no right to regulate suffrage at present.

Mr. STEWART. It has in the territories and in the District of Columbia.

Mr. TRUMBULL. That is true; but I was referring to the States.

Mr. HOWARD. But that clause, as it stands, applies to all the States.

Mr. TRUMBULL. If it is intended by this amendment to give to the United States the regulation of suffrage, that is one thing; but that was not my understanding.

Mr. EDMUNDS. It is intended to deny it.

Mr. TRUMBULL. My understanding of the amendment was that its object was to prohibit the States from denying the right of suffrage or the right to hold office to any person on account of race or color. Now we have in it—and I confess my attention was not particularly drawn to the effect of it until it was done by the Senator from Michigan—the words that this right shall not be abridged by the United States or any State. The United States has nothing to do with it except in the territories, as suggested, and over those we have plenary jurisdiction. It is not necessary to put those words in in order to give the United States authority to control suffrage in the territories. We have that authority and always have exercised it just as we do in the District of Columbia. The Constitution needs no amendment in that respect to confer ample power on the Federal Government and believing as I do that the United States has no authority to interfere with suffrage in the States, I think these words had better be stricken out.

Mr. EDMUNDS. My friend from Illinois on this subject, it seems to me, to use a homely phrase, has put the cart before the horse. He says that the United States have plenary jurisdiction over the subject of suffrage in the Territories and in the District of Columbia. That is true on his view of the Constitution; and so have the States plenary jurisdiction within their limits, on his view. The object of this amendment is not to confer jurisdiction, but to deny to the United States and the States the right to exercise that jurisdiction in the way of limitation and exclusion. Therefore, while under the Constitution as it now stands on the view of my friend, we have the power to exclude colored persons from voting in the District of Columbia and in the Territories, it is one of the objects of this provision to deny to us or to any political majority in Congress the right to make that exclusion. If this amendment was conferring power instead of denying it what my friend says would be true; but, inasmuch as it is exactly the reverse, as it is a limitation on the power of Congress and on the power of the States to make unjust exclusions on the grounds of color, these words ought to stay in. I submit that to the consideration of my friend.

Mr. HOWARD. The Senator from Vermont seems to overlook what I regard as the true construction of this clause. It is in the most general and comprehensive language possible. It declares that the right of citizens of the United States to vote and to hold office shall not be denied or abridged by the United States or any State on account of race, etc. A citizen of the United States and residing in Vermont has the right to vote and to hold office. That of course will be conceded. This clause applies as clearly by its terms to the citizen of Vermont, and his right to vote and to hold office is as clearly subject to the language of this clause as is the right of any person residing in a Territory or in the District of Columbia; and the denial is applicable alike to the citizens of a State and to the citizens or inhabitants of a Territory or to the citizens of the District of Columbia. The generality of the language embraces citizens everywhere, whether in States, Territories, or the District of Columbia; and the United States is prohibited from denying the right to vote and hold office to all these citizens wherever they may reside, whether in State, Territory, or District. There is no escape from this. It is plainly, irresistibly expressed by the general terms employed, and there is no possibility of excepting out of those general terms the citizens of a Territory or of the District.

Now, sir, if the United States by these express terms is refused the power of regulating suffrage and office holding, in one place for certain reasons, does it not follow irresistibly, according to legal logic and construction, that the United States may impose restrictions and qualifications based upon any other ground not embraced in the exceptions in the languages of this article? Inclusio unius est exclusio alterius is an ancient maxim of the law; and if we deny thus specifically to the United States the power to impose restrictions in respect to color or race, I say it is an irresistible inference from the very language we use, that in respect to all other qualifications the power is given to Congress to restrict voting and office holding. They may in any test that is not prohibited by this article; Congress may establish a religious test, an educational test, a property test, that shall take effect not merely in the District of Columbia or in the territories, but in any and all of the United States.

This inference is perfectly sweeping and universal. The power of Congress would go so far as to regulate the qualifications of officeholders in a village, in a city, in a county. Congress might prescribe the qualifications of the sheriff of a county or of the trustee of a public fund, and so of all other public offices which might exist under State authority. Sir, I am not prepared to go so far as this; but the Senator from Vermont sees no difficulty. I do. We happen to differ in that respect; and in enacting an amendment to the Constitution, the first requisite that ought to be observed in our legislation is plainness, distinctness, certainty, and perfect perspicuity in the language which we employ, so as not, to set a trap in which litigants may be caught, so as not to encourage litigation and squabbling in courts of justice, so as not to bring the matter in discussion before the public upon every stump and every platform where a demagogue or a popular expounder of the Constitution—and we have an almost countless number of them—may see fit to exercise his talents.

But my great objection to this, and one which with me is utterly insuperable, is that it gives the National Government power by single enactment to repeal that clause of the Constitution which declares that no religious test shall be applied to officeholders in the United States. There is the difficulty which I see in it. The other difficulties are of great importance; but to me that is by far the greatest. I would not even by implication raise the question of the perfect freedom of an American citizen, whatever may be his religious belief, to enjoy the right of voting and holding office under the Government of which he is a common member. Sir, this clause does repeal that provision of the Constitution to which I have referred; and pass this amendment in this form, let it be discussed deliberately in the legislatures of the States where there will not be such a hurry and bustle as exists at this time in this Chamber, and I predict you will not get the ratification by one State of such an article as this. That is my opinion. I may be mistaken.

Mr. EDMUNDS. I respectfully suggest to my friend that there does not seem to be hurry or bustle in this Chamber at the present time, and I do not intend to make any myself, or to occupy any time, but simply to say one word in reply to my friend.

He is altogether wrong in his philosophy in supposing that the negation of one proposition is the affirmation of another. The affirmation of one proposition is sometimes the negation of another; but to say that because it is provided that the United States shall not deny to anybody the rights of voting and of being voted for for a particular reason it is implied that they may and shall deny it for all other reasons would be equivalent in criminal law to saying that a statute which forbade murder and said that no man should commit murder implied that every man might commit adultery. It is a perfectly preposterous proposition. There is no such thing in law or logic—if my friend will pardon me for speaking somewhat firmly upon the proposition—to be found in any book which undertakes to declare that because you prohibit one thing you thereby grant authority to do another. You leave it on other points exactly where the law stood before.

Mr. HENDRICKS. Allow me to ask a question.

Mr. EDMUNDS. With the greatest pleasure.

Mr. HENDRICKS. Does not the prohibition involve the idea that in its absence the power existed?

Mr. EDMUNDS. No, sir; it does not. It involves simply the idea that what you prohibit is prohibited, and what you do not prohibit stands exactly where the law and the Constitution left it before. That is what it implies.

Mr. HENDRICKS. Then I will ask the Senator if, in construing laws, the rule is to be adopted that the legislature has done an idle thing and has prohibited that which was prohibited before? If these things are prohibited do not the entire class they belong to stand without prohibition when you prohibit these?

Mr. EDMUNDS. Why, Mr. President, what we think it proper to prohibit we do prohibit; what we think it proper to leave where the Constitution and the frame of the Government leaves without prohibition we leave there. Now, if Senators are right in supposing that the right to regulate suffrage and hold office is now with the States, then when we prohibit that regulation being made effective upon certain points named in this amendment we leave all the rest of it just where it was before. If the right to regulate suffrage in any respect belongs to Congress, as in the Territories it does, and in the District of Columbia, then when we prohibit Congress from exercising that right on a particular ground we leave its other powers unimpaired, exactly as they stood before. We do not give it any other powers, but we simply leave these other powers, if they exist, just where they were.

Now, look at it in the other point of view for a moment. Suppose we were to strike these words out and say that no State should impose these unjust discriminations, what then? We have a vast territory in which new States are to be framed and are to grow up; and thus to reserve to the whims of a political majority in the two Houses of Congress the power of fixing the future character of a State, by making regulations of suffrage which are not founded in any reason and which are based on principles that we deny to the States, would be a singular position to occupy.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Michigan to the amendment of the committee, on which the yeas and nays have been ordered.

The question being taken by yeas and nays, resulted—yeas 18, nays 22; as follows:

Yeas—Messrs. Buckalew, Conkling, Cragin, Davis, Dixon, Doolittle, Ferry, Fowler, Hendricks, Howard, Norton, Patterson of New Hampshire, Robertson, Saulsbury, Trumbull, Van Winkle, Vickers, and Whyte—18.

Nays—Messrs. Abbott, Cattell, Cole, Drake, Edmunds, Fessenden, Frelinghuysen, Harris, Kellogg, McDonald, Morrill of Vermont, Morton, Pomeroy, Ramsey, Rice, Sawyer, Stewart, Wade, Warner, Willey, Wilson, and Yates—22.

Absent—Messrs. Anthony, Bayard, Cameron, Chandler, Conness, Corbett, Grimes, Harlan, Henderson, Howe, McCreery, Morgan, Morrill of Maine, Nye, Osborn, Patterson of Tennessee, Pool, Ross, Sherman, Spencer, Sprague, Sumner, Thayer, Tipton, Welch, and Williams—26.

So the amendment to the amendment was rejected.

Mr. DOOLITTLE. I now move, as an amendment to the amendment, to insert after the word "servitude," at the end of the article, the following:

"Nor shall any citizen be so denied, by reason of any alleged crime, unless duly convicted thereof by the verdict of an impartial jury."

So that it will read:

"The right of citizens of the United States to vote and hold office shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude; nor shall any citizen be so denied, by reason of any alleged crime, unless duly convicted thereof by the verdict of an impartial jury."

Mr. President, it seems to me that the time has come in the United States and in all the States when all this machinery——

Mr. BUCKALEW. Before the Senator goes on I suggest to him, instead of saying "duly convicted thereof by an impartial jury," to say "duly convicted thereof according to law," or "duly convicted thereof by due process of law."

Mr. DOOLITTLE. I accept that modification in the language of my amendment.

The PRESIDING OFFICER (Mr. Pomeroy). That modification will be made.

Mr. DOOLITTLE. Mr. President, it seems to me that if this work of fixing the suffrage in the States is to be entered upon by the Federal Government, and the doctrine of universal suffrage is to be extended to all races of men without any distinction whatever, the time has come to do away with all those proceedings in the several States which are so abhorrent to all the nations of freemen, by which men are disfranchised and excluded from the rights of citizenship who refuse to take certain test oaths—things which are in themselves perfectly odious, and have been ever since the great struggles of our ancestors in England, and unbecoming a free people. The idea of disfranchising men for alleged offenses of which they are not convicted is monstrous. We know—it is a notorious fact—that in the State of Missouri, and some of the other States, large numbers of intelligent citizens of the United States are excluded from the right of franchise by this machinery of test oaths without any conviction of crime, without any conviction whatever, and without any trial.

When the Civil War was raging, and excitement was prevailing throughout the land, men might perhaps seek to justify themselves for a resort to measures of this kind; but when the war is over, when peace has come, and when you propose to extend universal suffrage to the lowest races of men, certainly the time has come when universal amnesty should come with it. If there is anything in the famous declaration of General Grant at the conclusion of his letter of acceptance, if there is deep significance in those words "let us have peace," certainly the first prerequisite to peace in the States of the South must be the repeal of these test oaths and of the disfranchising clauses of the constitutions of those States; for, sir, disguise it as you may, though no blood may be shed, it is a state of war when the Constitution and the law disfranchise great masses of the most intelligent of the citizens of a State without trial and without conviction of any offense. It is in violation of the whole spirit of our Constitution; it is in violation of Magna Carta; it is in violation of the Declaration of Independence; it is in violation of all the great principles for which our forefathers struggled, and for which our ancestors in Great Britain struggled for 500 years.

Now, sir, you are about to force upon the country Negro suffrage and Chinese suffrage, too; for you have only to strike out the word "white" out of your naturalization laws—and the honorable Senator from Massachusetts (Mr. Sumner) has a bill already pending for that purpose—and Chinese suffrage must have its way in California and Oregon and on all the Pacific slope. Chinese suffrage in those States will be as potent as Negro suffrage in the States of the South, perhaps more so; for while the Negro population of the South will be diminishing, in all human probability, the Chinese, as we open new channels of commerce across the Pacific, as we shall on the completion of the railroad, will be pouring in upon our western shores by hundreds of thousands. They come from the hive of nations in Asia, where the great mass of the human population is congregated, and where millions can be spared and not missed at all. They are comparatively enterprising, comparatively intelligent, by the side of the African race in its normal condition; and they will come to the shores of the West. As you are about to enter upon this policy of extending political power in this Government to the inferior races among us, certainly you ought not to stand for the disfranchisement and the exclusion of members of the superior race, unless they are convicted of crime. I hope the Senate will give me a vote on this question; and upon it I respectfully ask for the yeas and nays, that we may have the sense of the Senate upon it.

The yeas and nays were ordered.

Mr. SAWYER. Let the amendment be read.

The PRESIDING OFFICER. It will be read as modified.

The CHIEF CLERK. The amendment, as modified, is to insert after the word "servitude," at the end of the proposed article, the following words:

"Nor shall any citizen be so denied, by reason of any alleged crime, unless duly convicted thereof according to law."

The question being taken by yeas and nays, resulted—yeas 13, nays 30; as follows:

Yeas—Messrs. Buckalew, Davis, Dixon, Doolittle, Ferry, Fowler, Hendricks, McCreery, Norton, Saulsbury, Vickers, Whyte, and Wilson—13.

Nays—Messrs. Abott, Cattell, Cole, Conkling, Cragin, Drake, Edmunds, Fessenden, Frelinghuysen, Harris, Howard, McDonald, Morrill of Vermont, Morton, Nye, Patterson of New Hampshire, Pomeroy, Ramsey, Rice, Robertson, Sawyer, Spencer, Stewart, Trumbull, Wade, Warner, Welch, Willey, Williams, and Yates—30.

Absent—Messrs. Anthony, Bayard, Cameron, Chandler, Conness, Corbett, Grimes, Harlan, Henderson, Howe, Kellogg, Morgan, Morrill of Maine, Osborn, Patterson of Tennessee, Pool, Ross, Sherman, Sprague, Sumner, Thayer, Tipton, and Van Winkle—23.

So the amendment to the amendment was rejected.

Mr. ELLENDER. Mr. President, let us turn now to congressional debates of 1869 to attempt to discover the intent of Congress as to whether the 15th amendment can be said to affect the rights of the States by striking down any voting laws except those relating to race, color, or previous condition of servitude. I submit that the intent cannot be found, although, as I have said, many efforts were made to do just that. The 15th amendment began as Senate Joint Resolution 8 of the 40th Congress. Senate Joint Resolution 8, as it took form, represents the distillation of many years of debate concerning the question of Negro suffrage. It also represents, as the debate clearly shows, a strange turning in the political processes. The question of Negro suffrage was first recognized, and in a very oblique manner at that, by the Republican Party Convention of the spring of 1868. Bear in mind the fact that 17 Northern States restricted the right of suffrage to whites only. The convention met in Chicago and adopted the following platform:

> The guarantee by the Congress of equal suffrage to all loyal men of the South was demanded by every consideration of public safety, of gratitude, and of justice, and must be maintained. While the question of suffrage in all of the loyal States properly belongs to the people of those States.

Mr. President, I am quoting from the Republican convention held in 1868. The idea was that all Northern States would retain their right to fix the qualifications of all voters, but the Congress would fix them for the Southern States. That was their desire.

Almost 100 years later Congress is now trying to do the very thing which was advocated in 1868. The bill would permit the Northern States and the Western States to retain their present method of deciding who shall and who shall not vote. But the Congress seeks to fix that decision for the six States of the South. In other words, today an effort is being made to do what the 40th Congress, which was in session during 1868 and 1869, refused to do.

There was the one standard for the Northern States, and they were assured that the right of suffrage would be left in their hands—and in their hands alone—and there was to be another standard for the Southern States which were to lose control of suffrage. The anomaly of this platform statement was to rise up time and time again to plague the radicals. One of the first to point it out in connection with Senate Joint Resolution 8 was Senator James Dixon, of Connecticut. Dixon was elected as a Republican to the Senate in 1856, reelected in 1863 and served from March 4, 1857, to March 3, 1869. Apparently the company of the radicals was more than he could stomach, for the record indicates that Mr. Dixon was an unsuccessful candidate for the Senate in 1868 on the

Democratic side. As I read over the debates it is very easy to understand why Senator Dixon felt it necessary to change his party. He was obviously a man of integrity. In reference to the duplicity of the platform statement above mentioned, he stated as follows, on June 29, 1869, in answer to an argument by the chief proponent of the 15th amendment:

> Why, sir, if he [Mr. Stewart, of Nevada] will look at this resolution for a single moment, he will see it makes a distinction which the proposed amendment to the Constitution does not make and cannot make between the several States. There was to be one mode of action as to the Southern States and one mode as to the Northern States.

In other words, as Mr. Dixon pointed out, "Congress was to interfere as to the one, the people of the Northern States were to regulate as to the other."

In his argument, Senator Dixon contends that the language of this platform statement as it was interpreted for the people by party candidates was one of the prime reasons for the Republican victory in 1868. He points out that the explanations made by candidates in the election did not stress the point that constitutional amendments could not be written so as to apply to some States and not apply in others. He attributes the success of the party, in great part, to this argument. Because of it, he says, the Republicans controlled enough State legislatures to insure ratification of the 15th amendment. Senator Dixon points this out clearly and I would like to quote from one portion of his speech which I find quite interesting as it bears on the 15th amendment:

> How was it [the party platform] understood in point of fact? I did not share very largely in the discussions during the last canvass, although I had very firm and decided convictions with regard to what ought to be done. In the discussions before the people in all the Northern States the ground was taken by all the orators of the Republican Party, almost without exception, that the question of suffrage was to be left to the States for their separate action. The honorable Senator from Ohio (Mr. Sherman), who had the kindness to send me his able speech; the honorable Senator from Missouri (Mr. Henderson), who did me the same favor; and other Senators, with the exception of the honorable Senator from Massachusetts (Mr. Sumner)—every one of their great orators before the people in that exciting canvass took the ground that this question was to be left to the States in their separate State action, and if any constitutional amendment was to be made it was to be an amendment to the State constitutions made by the people of the respective States. I have some indistinct recollection that my colleague took the same ground. At any rate it was never claimed anywhere, in any newspaper from the New York Tribune down to the humblest organ of the party, that the intent and meaning of the resolution to which I have referred was that Congress at this session should propose a constitutional amendment to legislatures chosen in November last. Why, sir, if it had been so your legislatures would have been of a very different character, in my humble judgment.

It can safely be said that Mr. Dixon was not an advocate of Senate Joint Resolution 8. Let us turn now to the words of one of the principal spokesmen in favor of it.

Senator Joseph Fowler was from Tennessee, and his biography indicates that he "took an active part in the reconstruction of the State government." He was the first Senator sent to Congress from Tennessee upon the readmission of that State to representation in the Union. On February 17, 1869, Senator Fowler spoke on the 15th amendment which was then pending in the Senate. He spoke of broadening its provisions substantially and said that he believed in the principle that every American citizen by virtue of his manhood is entitled to all the rights of a citizen, and that no limitations could be placed on these rights except those necessary to carry out the spirit of individual liberty. He said:

> Now, how is it with the present amendment. His right to vote is only guaranteed to him to the extent that he shall not be debarred from its exercise on account of his race, color, or previous condition of servitude. Those alone are protected by the amendment who are of an inferior race and have been in servitude. All the other rights or attributes of his manhood are left naked and exposed to the tyranny of either the State legislatures or the National Legislature.

Later in that address Senator Fowler stated as follows:

> Again I wish to call attention simply to the fact that the limitations in this amendment as to race, color, or previous condition of servitude do not cover all the rights of the individual and that the Government of the United States may limit his right to vote on all other grounds.

Senator Orris Ferry, of Connecticut, was another strong advocate of the principle advocated in the 15th amendment but he, too, was unwilling to go further than necessary to correct the abuses at which it was aimed. From his biography we come to the conclusion that he was a man well thought of by his colleagues.

Speaking in the Senate on February 16, 1869, Senator Ferry made the following statement on the 15th amendment:

> I voted for this proposition the other day because I deemed it to be exactly adapted to remedy the evil for which we are now legislating. We are not proposing an ordinary act of legislation, but a change in the very organic law of the Republic. No such change should take place unless some great evil exists requiring the change. We of the majority here believe that such an evil does exist, for we believe that as the law now stands 700,000 of the adult male citizens of the United States may be deprived by State action of their inherent rights as citizens of the Republic; and we know that hundreds of thousands of them actually are today deprived by State action of those rights. That is the evil. It can only be remedied by a change in the organic law; and that change, in my judgment, should go no further than the evil which requires correction. It is only wise and safe to change constitutions according to the exigencies which arise demanding a change. We propose simply to place citizens of African descent upon the same footing with other citizens as regards political rights.

Later in that same day's debate, an interesting colloquy occurred between Mr. George Edmunds from Vermont and Mr. Jacob Howard from Michigan, both in favor of the Senate resolution then under discussion. From his biography it is well evident that Senator Howard was a man high in the councils of his party, State, and Nation. He was one of those who drew up the first platform ever held by the Republican Party and the record shows that he christened that party in 1854. He was a member of the first Republican informal convention held at Pittsburgh, Pa., on February 22, 1856, for the purpose of "perfecting the national organization and to provide for a national delegate convention at some subsequent date."

The colloquy between Senator Howard and his colleague revolved around the question of a proposed amendment to the language of Senate Joint Resolution 8, and the effect it would have on the voters of Rhode Island. Rhode Island at that time placed all aliens in a separate category and required a property qualification for aliens to register to vote which did not apply to white native-born citizens. Senator Howard spoke as follows:

> Mr. Howard. I wish to say very briefly that the Senator from Vermont is under an entire misapprehension as to the mode of applying the amendment (which would have inserted the words "citizens of African descent" into the language of S.J. Res. 8) which is now under consideration. The effect of it, if Senators will look at it carefully, is simply to subject the African race to the same restrictions and qualifications that prevail as to every other class of citizens within the State. Of course they would be subjected to an additional qualification if the State saw fit to make one, or to a property qualification, or any other qualification the State might see fit to apply, except the qualification of race or color.

I ask, How much clearer could language be written than to indicate what the effect of the 15th amendment was? I continue to read:

> Mr. Edmunds. They would be put with the aliens of Rhode Island, then.
>
> Mr. Howard. They would be put with the aliens if they were aliens; but if they were not aliens they would not be put with the aliens.

Senate Joint Resolution 8 was adopted by the Senate on February 17, 1869, in the following form:

> ARTICLE XV
>
> Section 1. The right of citizens of the United States to vote and hold office shall not be denied or abridged by the United States or any State on account of race, color, or previous condition of servitude.
>
> Sec. 2. The Congress, by appropriate legislation, may enforce the provisions of this article.

It was taken up in the House on February 20. During the course of the House debate, an amendment was brought forward by Representative John Bingham from Ohio. That was the amendment to which I referred a while ago. The Bingham amendment, which was subsequently adopted by the House, altered the text of Senate Joint Resolution 8 to read as follows:

> The right of citizens of the United States to vote and hold office shall not be denied or abridged by any State on account of race, color, nativity, property, creed, or previous condition of servitude.

I point out here, Mr. President, that the language of this amendment would strike down every State qualification save those in regard to education or literacy. Efforts had been made to include education or literacy provisions but were defeated in the Congress by substantial majorities.

Representative Bingham, who had been appointed by the House to conduct the impeachment proceedings against Andrew Johnson in 1868, stated that he did not include the word "education" in his amendment because:

> I know that the general sense of the American people is so much for education, that chief defense of nations, that if they will not take care of that interest, they will take care of nothing.

In other words, Mr. President, he was leaving the door open to the States to protect the ballot box against illiterate voters if they saw fit and thus insure the chance of his amendment passing the House and Senate and being ratified by the States.

At this point, I would like to quote a portion of Representative Bingham's argument in favor of his amendment to include nativity, property, and creed as among those voter discriminations prohibited by the 15th amendment:

> I ask the attention of the House to the amendment I have offered. I leave the word "color" as it stands in the Senate amendment. I leave the words "or previous condition of servitude" as they stand in the Senate amendment. I leave the word "race" as it stands in the Senate amendment. All those words are applicable to colored citizens of the United States. But that all citizens, native born and naturalized, black and white, may be equal so far as political rights are concerned, under the operation of the Federal Constitution, I ask leave of this House to insert the additional words "nativity," "property," "creed." By the Senate amendment as it now stands you will strike down the constitution of Ohio and the constitutions of 20 other States, in that they unjustly and wrongfully discriminate among citizens on account of color. If my amendment shall be adopted you will strike down as well the constitutions of other States as, for example, the State of Rhode Island, which wrongfully and unjustly discriminates this day by property qualifications against naturalized citizens of the United States as compared with native-born citizens, and I use the words of her constitution. I would have inserted the other word "education," but I know that the general sense of the American people is so much for education, that chief defense of nations, that if they will not take care of that interest they will take care of nothing.

Senate Joint Resolution 8 passed the House on February 20, 1869, and was sent to a conference to resolve the differences in the adopted language. The subsequent action of the conference committee became the subject of much criticism, particularly in the Senate. For although the committee had dropped the words added by the House as to "nativity, property and creed," the committee had also deleted the words "to hold office" added by the Senate. It was the contention of many Senators in favor of the measure that, because the words "to hold office" had been approved by both Houses of Congress, it was not a point of difference between the Houses and that the conference committee went beyond its prerogatives in deleting the language.

Because of this action, one of the managers on the part of the Senate, Mr. Edmunds, to whom I have referred earlier, refused to sign the report. The two Senators who did sign the report, Mr. Stewart from Nevada, the principal manager of the amendment, and Senator Roscoe Conkling, took the position that the words "to hold office" were part and parcel with the language added by the House as to nativity, property and creed.

Be that as it may, the version of the 15th amendment reported by the conference committee was the subject of much unhappiness in the Senate. Many Senators expressed dissatisfaction, first because of the deletion of the words "to hold office," and second because the amendment language did not go as far as they desired. Many took offense because the amendment was not, in the words of one advocate, "comprehensive"; that it did not prohibit distinctions in voter qualification laws based on property or education as an earlier Senate version would have done.

The truth of the matter is, of course, that the House had refused to accept such "comprehensive" language as advocated by the Senate. Indicative of this situation are the words of Senator Henry Wilson, who went on to become Vice President of the United States under President Grant. On February 26, Vice President, then Senator, Wilson made the following remarks:

> Mr. President, for nearly 33 years I have at all times and on all occasions, by word and by vote, done what I could against slavery and everything relating to it and connected with it. I have asked always for what was right, and taken on all occasions what I could get. I have acted upon the idea that one step taken in the right direction made the next step easier to be taken. I suppose, sir, I must act upon that idea now; and I do so with more sincere regret than ever and with some degree of mortification. In the early part of this session, before the month of December passed away, I had hoped that the majority in Congress would seize the great occasion which was presented, when the hearts, minds, and souls of the people, after having passed through a great struggle, were deeply imbued with the love of liberty and the sense of justice, and we had 25 State legislatures in the hands of our friends, and take the responsibility of submitting to the legislatures a proposition to amend the Constitution so as to secure to the colored citizens of this country the right to vote and be voted for. But day after day, week after week, month after month passed away without action.
>
> Then, sir, came the proposition, I think a very lame and halting one, providing that colored men should have the right to vote, but silent about the right to hold office. The Senate amended that proposition by a comprehensive amendment, an amendment that covered more than the black man, for it covered the white man and prohibited distinctions on account of nativity, property, education or creed. Sir, I have no doubt that if that amendment could have reached the people it would have been the strongest amendment ever submitted to the American people. Outside of a few localities in New England and on the Pacific coast there could have been no resistance to it. In the great Central States and in the West, and especially in the West, there is not a square mile on which men could have stood and made opposition to it.
>
> Sir, it would have swept away any formation that dared to stand against it; but it was rejected in the other House; it was met by opposition from quarters from which I did not, I confess, expect it in Congress and out of Congress. It received, I think, very narrow criticisms, inspired more by notions and theories than by a sense of absolute right and justice.

I call special attention to his feelings on the principle embodied in the 15th amendment in general and to his desire to broaden it to include the language prohibiting property or education qualification tests. I believe his comments are particularly pertinent to the point at hand.

Mr. President, the proposition to which Senator Wilson referred as having been rejected in the other House after having been adopted by the Senate reads as follows:

> No discrimination shall be made among citizens of the United States in the exercise of the elected franchise or in the right to hold office in any State on account of race, color, nativity, property, education, or creed.

As an indication of the difficulties the advocates of a much more comprehensive amendment experienced in trying to get their version adopted, I shall quote a final section from the remarks of Senator Oliver Morton, a strong exponent of the amendment language which would have struck down virtually all control of individual States of suffrage. Senator Morton, a Union Republican and former Governor of Indiana, describes these difficulties as he traces the history of the 15th amendment as it passed back and forth between the two Houses of Congress. In referring to the conference report which was soon to be adopted by the Senate, Senator Morton states as follows:

> The first proposition sent over by the House of Representatives was in substance that which the committee of conference have agreed upon, that the right to vote should not be denied by the United States or by any State on account of race, color, or previous condition of servitude. We rejected that, and we sent to the House of Representatives in lieu of it a proposition declaring that there should be no discriminations in any State among the citizens of the United States in the exercise of the elective franchise or in the right to hold office in any State on account of race, color, nativity, education, or creed.
>
> The House of Representatives rejected that and sent us back substantially their first proposition. We took a vote upon that, and we rejected it by a vote of 31 to 27, after very full discussion. That was the second time it had been done in substance. We then sent back to the House the following proposition:
>
> "The right of citizens of the United States to vote and hold office shall not be denied or abridged by the United States or any State on account of race, color, or previous condition of servitude."
>
> The House refused to receive that in part, but sent it back with the following alterations:
>
> "Strike out the words 'United States' and insert after the word 'color' the words 'nativity, property, or creed.'"
>
> The House had come exactly to our first proposition which we had sent to them, with the single exception of the word "education," and the House had agreed with us fully on the proposition that the right to vote or to hold office shall not be denied by any State on account of race, color, or previous condition of servitude.

Mr. President, I feel that the rather lengthy quotations I have included from the debates of both the House and Senate leading up to final adoption of the 15th amendment should be considered by those who so vociferously advocate passage of the pending bill. They prove conclusively that no language can be found in that amendment for the Federal establishment of voter qualifications beyond the prohibition of qualifications based on race, color, or previous condition of servitude. The debates I have just read indicate that time after time attempts were made to broaden the 15th amendment draft to prohibit qualification based on such factors as property, religion, or creed, nativity and, most important of all—education. All these attempts failed of passage. It seems eminently clear that the framers of that constitutional amendment did not intend to include that which they did not include. They did not intend to strike down that which they did not strike down. They did not intend to prohibit that which is not today prohibited by the terms of the 15th amendment.

Mr. ERVIN. Mr. President, will the Senator yield for a question apropos what he has just been discussing?

Mr. ELLENDER. I yield.

Mr. ERVIN. I ask the Senator from Louisiana if this bill is not based upon the theory that when the 15th amendment is read in conjunction with the other provisions of the Constitution, it means that no one of the seven States covered by the bill can deny or abridge the right of any person to vote on account of race or color, or on account of illiteracy.

Mr. ELLENDER. That is correct.

Mr. ERVIN. Is there anything in the Constitution that would justify putting that kind of interpretation on the 15th amendment when read in conjunction with the other provisions of the Constitution?

Mr. ELLENDER. No, indeed. I think I made that clear from the debate.

Mr. ERVIN. As I understand through the very fine presentation which the Senator from Louisiana has been making, when it was proposed that the amendment should be drawn beyond the mere prohibition of denial or abridgement of the right to vote on account of race or color, the effort was promptly repudiated by the Congress.

Mr. ELLENDER. That is correct. As I pointed out, there were 17 States of the North that prohibited in their constitutions the right of Negroes to vote. Of course, the idea was to make it possible for them to vote. As to qualifications, however, it was left to the States to retain that right, as contained in article I, section 2 of the Constitution.

Mr. ERVIN. I thank the Senator; and I commend him for the excellent argument he is making, which, in my judgment, is unanswerable.

Mr. ELLENDER. I thank my friend.

In short, Mr. President, it must be inferred, and no other valid inference can be drawn, that the framers and drafters even in that radical 40th Congress did not intend for the 15th amendment to go beyond the right to vote. They did not intend to go beyond striking down qualifications based on race which were then found, as I have stated, in 17 States outside of the South. They did not intend that it be used to allow the Federal Government to intervene in the registration process in the States. It was not intended that the 15th amendment would one day be used to strike down qualifications based on property or literacy as this bill now attempts to do. I think the evidence to that effect is incontrovertible and, if the pending legislation is enacted into law, it will be not only a violation of article I, section 2, of our Constitution but of the 15th amendment as well, on which we are told it is based.

I wish to discuss briefly other efforts made by Congress when proposals were made under the Reconstruction Acts and to show how those acts were declared unconstitutional. Although they were directed at the South, they resulted in fraud in the administration of the act. Where? In the States of the South? No; in the great State of New York.

Hearings were held, and because of the showing made before a duly appointed committee of the House, some of the laws were repealed.

I shall not repeat all those arguments at this time, but during the debate several years ago I pointed out on this floor how obnoxious those laws were, and that in most cases when the acts were presented to the Supreme Court they were declared unconstitutional. It was held that the right to fix qualifications was left in the hands of the States under the Constitution.

(At this point, Mr. Russell of South Carolina took the chair as Presiding Officer.)

Mr. ELLENDER. Mr. President, in preparing this statement dealing with the historical background of the 15th amendment, I naturally came upon the section beginning on page 3 of Report No. 162, part 3, filed by the Senate Judiciary Committee to accompany S. 1564, the voting rights legislation now under discussion. That section is headed "The 15th Amendment and Related Legislation," and begins as follows:

> The 15th amendment, ratified nearly a century ago, provides that neither the Federal Government nor any State shall deny or abridge the right to vote on account of race, color, or previous condition of servitude, and specifically authorizes the Congress to enforce its provisions by appropriate legislation.
>
> In May 1870, immediately after ratification, a sweeping statute to enforce the right to vote was enacted, act of May 31, 1870, 16 Stat. 140. This act declared the right of all citizens to vote without distinction of race, color, or previous condition of servitude; subjected to criminal penalties State officials who failed to give all citizens equal opportunity to qualify to vote; and punished violence, intimidation, and conspiracies to interfere with registration or voting. U.S. attorneys, marshals, and commissioners were charged with arresting and prosecuting persons who violated the act and interference with these Federal officers was made punishable as a crime.
>
> Another statute was passed the following year providing for a system of Federal supervisors of elections, act of February 28, 1871, 16 Stat. 4313. Among the duties of these supervisors were inspection of registration books and supervision of registration, poll watching on election day, counting ballots cast, and certifying the results of elections.
>
> While these measures were sweeping, their enforcement was ultimately ineffective, and by 1894 most of them had been repealed.

I invite special attention to the final statement that—

> While these measures were sweeping, their enforcement was ultimately ineffective, and by 1894 most of them had been repealed.

I am correct in my contention, Mr. President, that history has not shown any wisdom in the enactment of legislation by the Congress designed to circumscribe the right of the States to maintain and establish their own voter qualifications.

As a matter of fact, of the two major bills passed by earlier Congresses, and which are noted in part 3 of the committee report, only a thin residue of the substance remains in force. These laws have been tried in the balance of history and history has found them wanting. Although the earlier radical Congresses of the Reconstruction era attempted, by every means possible, to undercut the granite of our system of justice their efforts largely met with failure.

Prior to the passage of these two laws to which I have just referred, the first civil rights legislation in our history—the Civil Rights Act of 1866—was enacted. Much of the language of that bill was reenacted or incorporated into the Civil Rights Act of 1870 which was entered in the statute books on May 1 of that year. The early radical lawmakers of that time, however, were not satisfied to lift whole sections of the early civil rights law and incorporate them into this new law only 4 years later. To make certain that their earlier action would remain on the books and be given weight they specifically reenacted the entire bill of 1866 as section 18 of the so-called Civil Rights Act of 1870, 16th Statutes at Large, pages 140–146. Their efforts went for naught. Only a small portion of the act of 1866 has remained on our statute books. The most important of these is section 242 of 18 United States Code which contained the penal provisions of the 1866 act. Section 242, however, as the proponents of more and more civil rights legislation are constantly reminding us, has been paid very little attention by the Justice Department over the years. Most of the other provisions were repealed by 54th Statutes at Large, page 1172; 36th Statutes at Large, page 1168; 35th Statutes at Large, page 1153.

The proponents of this measure in the statement I earlier alluded to state that, by 1894, most of the earlier voting legislation had been repealed. I invite attention to the fact, Mr. President, that these statutes had not only been repealed by subsequent and more enlightened Congresses but substantial provisions of them had been declared unconstitutional by the Supreme Court.

Turning to the voting legislation passed in 1870, it contained originally 23 sections, most of which were repugnant to the republican form of government and repulsive to the State officials brought under its control. Section 1 of the act of 1870 read as follows:

> That all citizens of the United States who are or shall be otherwise qualified by law to

> vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding.

Section 2 of the Civil Rights Act of 1870 was repealed by 28th Statutes at Large, page 36, 1894. Section 3 was repealed by the same statute in 1894 after the Supreme Court had held it to be "unauthorized" and "beyond the limit of the 15th amendment," in *U.S.* v. *Reese*, 92 U.S. 241 (1875). The Court held that the operation of section 3 was not confined to unlawful discrimination on account of race, color, or previous condition of servitude and was thus outside the scope of the amendment on which it was supposedly based. Section 4 was repealed in 1894 after being held completely unconstitutional in the abovementioned Reese case. Sections 5, 6, and 7 were repealed by the Congress in 1909, as were sections 11, 15, and 17. Sections 8 and 14 were repealed by the Congress in 1948. Sections 9, 10, 12, and 16 now are covered by title 42 of the United States Code. Once again they make up that portion of the Code which never seems to be used by the Justice Department although they are constantly trying to have us believe that more legislation is needed. Section 13 was repealed by the Congress in 1957. The five last sections of the so-called Civil Rights Act of 1870 were repealed by the Congress in 1894.

It is apparent, Mr. President, that this onslaught by the radical Republicans seeking to change the form and shape of our Government was repulsed when reasonable men once again took control of our Government.

So far I have limited my remarks to the first statute enumerated by members of the Judiciary Committee as having been repealed or declared unconstitutional. I once again make note of the fact that although it is true that portions of both these laws were repealed, it is also true that other important portions were declared unconstitutional. In my opinion, that element of unconstitutionality has reared its head again in subsequent and more recent legislation. It is found in the bill under discussion, and this bill should be rejected on constitutional grounds alone.

The second law mentioned in part 3 of the Judiciary Committee's report is the act of February 28, 1871, 16th Statutes at Large, page 4313. This law was passed by the radical Reconstruction Congress for the supposed purpose of protecting, once again, "voting rights." The law established a system of Federal supervisors of elections, and as the report states:

> Among the duties of these supervisors were inspection of registration books and supervision of registration, poll watching on election day, counting ballots cast, and certifying the results of elections.

Where have we heard such language before? Why, Mr. President, it is found in the bill presently before us. The 53d Congress in 1893 saw that these provisions, traveling under the misnomer of protections for voting rights, were in actuality nothing more than a blatant attempt by the radical Republicans to control the election process and shore up their tottering empire. Naturally enough, this law gave rise to a great deal of election fraud and dissension throughout our land. An investigation by a House committee found that the law was much abused by the party lately in power, not in the South, mind you, but of all places, New York City.

Mr. ERVIN. Mr. President, will the Senator yield for some questions?

Mr. ELLENDER. I yield.

Mr. ERVIN. The Senator has pointed out that a part of the civil rights law of 1870 was repealed because of the abuse of that law in New York State. Does the Senator from Louisiana suspect, as does the Senator from North Carolina, that that is the reason why the proponents of the pending bill took great pains to make the bill applicable to only seven States, so that they would not have to take the same medicine they would prescribe for others?

Mr. ELLENDER. I have no doubt about that. Some of those who favor the proposed law were satisfied with it after their State was excluded from it. As the Senator knows, we had quite a discussion of this matter last year in connection with the 1964 Civil Rights Act, not so much with respect to voting rights, but as to other provisions in that act. As the Senator knows, certain amendments were adopted which had the effect of excluding certain northern States from the act and because of that exclusion, some Senators found the bill acceptable. This was particularly true in the busing of children in New York and Illinois, and in other places; and when that situation was taken care of, of course there was more or less unanimity in support of the bill among our northern friends.

Mr. ERVIN. When that bill was presented, those who were great advocates of desegregation in the South took particular pains to add an amendment which would prevent desegregation in the big cities of the North. Is that correct?

Mr. ELLENDER. Yes. As the Senator remembers, another amendment was adopted which provided that if any State in the Union had laws on its statute books similar to what Congress was enacting, it would be exempt.

Those laws were misnamed, as the Senator knows. They were never enforced. The amendment which excluded them from the Federal statute, of course, made it possible for some Senators to bow down and vote for the bill, because the intention, as I saw it, was that once their areas were excluded and once the proposal was attached to the South, it was all right for them to vote for it.

Mr. ERVIN. In other words, the doctor was willing to prescribe distasteful medicine for his patients, but was unwilling to take the medicine himself. Is that correct?

Mr. ELLENDER. That is exactly correct.

Mr. ERVIN. The Senator discussed the Reese case and other decisions of the Supreme Court of the United States. I ask the Senator whether every provision in the Civil Rights Act of 1870, which professed to be based on the 15th amendment, and which was adjudged to be unconstitutional, was adjudged unconstitutional because it did not confine its operation to the denial or abridgement of the right to vote on account of race or color.

Mr. ELLENDER. The Senator is exactly correct.

Mr. ERVIN. Is that not the principal constitutional infirmity of the pending bill, in that the bill, instead of being limited in its application to the denial of that right on the basis of race or color, goes far beyond that prohibition and undertakes to legislate with respect to the denial or abridgement of the right to vote on the ground of illiteracy or nonpayment of a poll tax?

Mr. ELLENDER. The Senator is absolutely correct. As I have said, the pending bill, which would apply to only 6 of the Southern States and, I believe, 26——

Mr. ERVIN. Thirty-four counties in my State.

Mr. ELLENDER. It would apply to only 6 of the Southern States and to 34 counties in North Carolina, and would not be applicable anywhere else. It may also be applicable in some other counties, but there the judicial process would be invoked.

As to the 6 States and the 34 counties in North Carolina, Congress makes a finding based on statistics that are furnished to the Attorney General by the Bureau of the Census as to the number of people voting in 1964, that this is discrimination.

If less than 50 percent have not voted or are not registered, it is claimed that that in itself would indicate that there was discrimination and those States are not allowed the right through the courts to have the question of discrimination determined. That is to be done by the Attorney General from the statistics which are furnished him. Of course, Congress is writing into the bill a presumption that there is discrimination.

Mr. ERVIN. I should like to ask the Senator some questions with respect to the presumption which the bill would create. Does the Senator from Louisiana agree with the Senator from North Carolina that the mere fact that a State establishes and uses a literacy test proves nothing except that the State desires to have literate voters?

Mr. ELLENDER. The Senator is correct.

Mr. ERVIN. Therefore, is there any justification for inferring, from the fact that the State requires literacy of its citizens as a prerequisite for voting, that the State is desirous of discriminating against anyone?

Mr. ELLENDER. Of course not.

Mr. ERVIN. I should like to proceed to the next qualification. Does the fact that a State or county has a nonwhite population which amounts to more than 25 percent of its adult population show anything except the fact that it has a 25-percent population that is nonwhite?

Mr. ELLENDER. The Senator is correct.

Mr. ERVIN. Is there any relationship between that fact and discrimination on the basis of race or color?

Mr. ELLENDER. There is none whatever.

Mr. ERVIN. I ask the Senator if the fact that less than 50 percent of a State's adult population or political subdivision is not registered shows anything except that 50 percent of the State's population is not registered?

Mr. ELLENDER. The Senator is correct.

Mr. ERVIN. Is not the same thing true with respect to the provision about less than 50 percent of the adult population voting in the presidential election of 1964?

Mr. ELLENDER. It does not even touch on discrimination.

Mr. ERVIN. Therefore, we have in the triggering mechanism nothing except zeros?

Mr. ELLENDER. Yes.

Mr. ERVIN. I ask the Senator from Louisiana if he was taught in school that it is not possible to add any number of zeros and get a sum total that is anything but a zero?

Mr. ELLENDER. The Senator is correct.

Mr. ERVIN. Does the Senator believe that Congress can take a series of legal zeros and add them together and come up with a positive, affirmative answer which would survive the ruling of a court that a presumption is unconstitutional unless the facts proved bear a reasonable relationship to the facts assumed?

Mr. ELLENDER. The proponents of the bill seek to have Congress make a finding without any evidence of discrimination, but merely on the statement that so many voters did not vote. I cannot see why prominent lawyers in this body do not see that point. As I said earlier today, it seems that the command is out, "I want this bill. Let us pass it quickly." That is what is happening.

Mr. ERVIN. Has it not always been considered, up to the present moment, that the question of whether or not a person or a political subdivision is violating the law or a constitutional provision is a judicial question, and not a legislative question?

Mr. ELLENDER. The Senator is eminently correct. It has never happened before. I do not know of any portion of our Constitution which would give that right to any agency or individual except the courts. Let the courts pass upon the question. As I interpret the amendment in the nature of a substitute, Congress would really enter into the judicial field.

Mr. ERVIN. Exactly. Congress would have exactly the same power in passing the pending bill as it would have in passing a bill which would select an individual and say that he is guilty of some crime, specify what he is guilty of, and provide for his punishment without evidence and without a trial.

Mr. ELLENDER. The Senator is correct. They would have a right to do that if this bill is passed as now written. If that is correct, they could do anything.

Mr. ERVIN. Operating on that basis, and going to the ultimate extreme, they could treat the rest of the States as they are treating the seven selected Southern States. The courthouses could be closed because there would be no need for the courts, for Congress would undertake to determine who is guilty and who is not guilty.

Mr. ELLENDER. I predict that Representatives and Senators who vote for the bill will rue the day that they did so. We all believe in constitutional government. Our Government has become great because of our dual sovereignty. An effort is now being made to bypass the Constitution and take shortcuts.

I wonder what will happen when the FEPC title of the 1964 law becomes effective. I wonder whether any efforts will be made, such as those which are now being made in relation to voting rights, to try to enforce the obnoxious provisions in that law.

As the Senator knows, Negroes have said, "Because of my color, I am denied the right to work."

Mr. President, I remember that two Negroes applied to be electrical engineers in the Capitol. They were refused because of lack of qualification. They contended that because of their color they were denied work as electrical engineers. The Civil Service Commission went into the question at the request of the Committee on Post Office and Civil Service, and it learned that those two men did not know any more about electricity than I know about diamond mines. Yet they were contending that they were denied the right to work because of their color.

We shall soon have many cases of that nature, I predict, when the new FEPC Commission, which will be headed by F.D.R., Jr., I believe, will try to enforce that section of the law. Senators will mark what I have said. We shall have a great deal of trouble because many people will apply for work for which they are not suited. Invariably, the contention will be made, "I am being denied the job because of my color." I hope that it does not happen, but I have had a little experience since I have been here in the past 28 years, and I have had some experience in Louisiana in these matters.

I hope that the Negroes will be afforded a fair opportunity. I have always thought and acted in that direction. They ought to have a fair opportunity to obtain good jobs, provided they are capable of performing them. If they are, I believe that a good deal of the trouble which is now taking place, particularly in the city of Washington, might cease. We might succeed in wiping out much of the crime that has been going on if we could get jobs for all people who want them. But somehow it is not done. I am hopeful that in my State we can continue, as we have done in the past, to give employment to all comers, whether white or black, provided they are capable of doing the work. I could cite many instances in which there is no discrimination whatever as between whites and blacks. I am sure the same condition exists in North Carolina. Few applicants, whether Negroes or whites, are refused a job if they are capable of performing it.

I expect to have the opportunity to read some of these reports and investigations later in this debate. I believe they will prove very interesting to the Senate, for many provisions of these old laws are exactly similar to the present legislation before us. The Senator from North Carolina has pointed out some of them.

I believe there is a great deal of truth in the old saying that by the past ye shall know the future. I suspect that this legislation, if enacted, will also prove the wisdom of the statement that those who do not know the lessons of history are doomed to repeat them.

Mr. President, the laws referred to in part 3 of the Judiciary Committee's report, and which I have had under discussion up to now in my remarks, were struck down by the Supreme Court and past Congresses on the grounds that they infringed upon the rights of the States to establish and administer the States control of suffrage. These laws were a direct violation of article I, section 2, of our Constitution.

The legislation now under consideration is also in violation of our Constitution, although some of those who advocate passage of the measure contend that it is not. They say that it is based on the 15th amendment entirely and because of this is not in violation of article I, section 2, because State laws will only be abridged where it is alleged that they have been used to deny the right to vote.

In a moment, Mr. President, I wish to show that the 15th amendment was in no way designed to give the Federal Government control over suffrage regulations, except those denying the right to vote on the basis of race, color, or previous condition of servitude. Many strong efforts were made by the 40th Congress to expand control over suffrage to include such areas as property, educational, or religious qualifications; but these efforts uniformly met with defeat. Even those radicals who controlled the 40th Congress, by much more than a two-thirds working majority, were unable to go against the will of the States and of the people to such a degree.

Why was this, Mr. President? Why did the most radical of Congresses, which had as its avowed purpose the continuation of the controlling party in power, with the subsequent degradation of the Southern whites, fail to include in the 15th amendment prohibitions against the use of other qualifying tests? After all, the radical Republicans had 25 State legislatures under their control, many more than the three-fourths necessary to ratify a constitutional amendment. Let us examine the voting qualifications contained in the State laws and State constitutions at that time.

An examination of the State jurisprudence in effect when the 15th amendment was submitted to the States for ratification shows that no less than 17 States denied the elective franchise on the basis of race or color. Seventeen States, Mr. President, extended the right to vote to only white males. Every one of these lay outside the South.

Among these 17 was California, whose legislature, by the way, refused to ratify the 15th amendment and submitted a strong recommendation as to why this amendment was unworthy of ratification. Connecticut was another State which reserved to whites the right to vote. Delaware was another. Illinois and Indiana denied Negroes the right to participate in their government, as did Kansas, Kentucky, and Maryland. Michigan, Missouri, Nebraska, and Nevada also restricted the franchise on a racial basis, as did Oregon, Pennsylvania, Rhode Island, West Virginia, and Wisconsin.

In short, the 15th amendment, which amended the U.S. Constitution, also at one stroke amended the constitutions or voting laws of 17 States—all of them, Mr. President, outside the South. Many of these States did not take kindly to this at all, as I may be forced to show in subsequent debates, and the fact is that efforts to further circumscribe the States control over voter qualifications and suffrage were simply too much for the people in the various State legislatures to swallow. The House of Representatives saw this more clearly than the Senate of the 40th Congress and refused to approve language in the 15th amendment which would have denied the right of the States to control suffrage on the grounds of property or literacy qualifications.

Eight States restricted the franchise on property qualifications in 1869, and those were Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and West Virginia. I might point out here that New York State had a particularly odd requirement for voting in that "men of color" were required to own $250 worth of property. This qualification did not apply to other citizens.

Only two States had literacy qualifications in effect at the time the 15th amendment was submitted to them, these two being Connecticut and Massachusetts. And the only State which required a showing of good moral character before one became eligible to vote was Connecticut.

So, Mr. President, it is plain to see that attempts to further expand the language of the 15th amendment went down to failure because the Members of the 40th Congress well knew that the people of the States and the State legislatures would take only so much and no more. Particularly was this sentiment felt in the House of Representatives, much to the chagrin of the Senate which on several occasions attempted to broaden the language to be submitted to the States. On each occasion. the efforts of the Senate were rebuffed by the House, and as the time approached for final action by the Congress on the 15th amendment language continual reference is found in the Senate debates to the fact that the Senate considered the language finally approved as being "half a loaf."

Mr. President, I wish to cite a few of the leading cases. A number of Senators have submitted them in debate, but in order to round out my presentation I thought that in addition to the debates in the 40th Congress, when the 15th amendment was adopted, I should present at this time a few cases indicating what the courts thought of the 15th amendment and what was envisioned by the proponents of the 15th amendment.

I start with the case of *United States* v. *Reese,* 92 U.S. 214, October, 1875.

The United States, under one of the Reconstruction Acts, prosecuted two inspectors of a municipal election in the State of Kentucky for refusing to receive and count the vote of a Negro citizen.

In interpreting the 15th amendment, the Supreme Court held that the particular statute did not come within the limits of the 15th amendment. In this very important case, the Court gave its interpretation of the amendment.

Mr. President, I shall not take time to read the entire decision, but I ask unanimous consent that excerpts from it be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

> The 15th amendment does not confer the right of suffrage upon any one. It prevents the States, or the United States, however, from giving preference, in this particular, to one citizen of the United States over another on account of race, color, or previous condition of servitude. Before its adoption, this could be done. It was as much within the power of a State to exclude citizens of the United States from voting on account of race, etc., as it was on account of age, property, or education. Now it is not. If citizens of one race having certain qualifications are permitted by law to vote, those of another having the same qualifications must be. Previous to this amendment, there was no constitutional guaranty against this discrimination: now there is. It follows that the amendment has invested the citizens of the United States with a new constitutional right which is within the protecting power of Congress. That right is exemption from discrimination in the exercise of the elective franchise on account of race, color, or previous condition of servitude. This, under the express provisions of the second section of the amendment, Congress may enforce by appropriate legislation.
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> This leads us to inquire whether the act now under consideration is "appropriate legislation" for that purpose. The power of Congress to legislate at all upon the subject of voting at State elections rests upon this amendment. The effect of article 1, section 4, of the Constitution, in respect to elections for Senators and Representatives, is not now under consideration. It has not been contended, nor can it be, that the amendment confers authority to impose penalties for every wrongful refusal to receive the vote of a qualified elector at State elections. It is only when the wrongful refusal at such an election is because of race, color, or previous condition of servitude, that Congress can interfere, and provide for its punishment. If, therefore, the third and fourth sections of the act are beyond that limit, they are unauthorized.
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> The third section does not in express terms limit the offense of an inspector of elections, for which the punishment is provided, to a wrongful discrimination on account of race, etc. This is conceded; but it is urged, that when this section is construed with those which precede it, and to which, as is claimed, it refers, it is so limited. The argument is that the only wrongful act on the part of the officer whose duty it is to receive or permit the requisite qualification which can dispense with actual qualification under the State laws, and substitute the prescribed affidavit therefor, is that mentioned and prohibited in section 2, to wit, discrimination on account of race, etc.; and that, consequently, section 3 is confined in its operation to the same wrongful discrimination.
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> This is a penal statute, and must be construed strictly; not so strictly, indeed, as to defeat the clear intention of Congress, but the words employed must be understood in the sense they were obviously used. *United States* v. *Wiltberger,* 5 Wheat. 85. If, taking the whole statute together, it is apparent that it was not the intention of Congress thus to limit the operation of the act, we cannot give it that effect.
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> The statute contemplates a most important change in the election laws. Previous to its adoption, the States, as a general rule, regulated in their own way all the details of all elections. They prescribed the qualifications of voters, and the manner in which those offering to vote at an election should make known their qualifications to the officers in charge. This act interferes with this practice, and prescribes rules not provided by the laws of the States. It substitutes, under certain circumstances, performance wrongfully prevented for performance itself. If the elector makes and presents his affidavit in the form and to the effect prescribed, the inspectors are to treat this as the equivalent of the specified requirement of the State law. This is a radical change in the practice, and the statute which creates it should be explicit in its terms. Nothing should be left to construction, if it can be avoided. The law ought not to be in such a condition that the elector may act upon one idea of its meaning, and the inspector upon another.
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> The elector, under the provisions of the statute, is only required to state in his affidavit that he has been wrongfully prevented by the officer from qualifying. There are no words of limitation in this part of the section. In a case like this, if an affidavit is in the language of the statute, it ought to be sufficient both for the voter and the inspector. Laws which prohibit the doing of things, and provide a punishment for their violation, should have no double meaning. A citizen should not unnecessarily be placed where, by an honest error in the construction of a penal statute, he may be subjected to a prosecution for a false oath; and an inspector of elections should not be put in jeopardy because he, with equal honesty, entertains an opposite opinion. If this statute limits the wrongful act which will justify the affidavit to discrimination on account of race, etc., then a citizen who makes an affidavit that he has been wrongfully prevented by the officer, which is true in the ordinary sense of that term, subjects himself to indictment and trial, if not to conviction, because it is not true that he has been prevented by such a wrongful act as the statute contemplated; and if there is no such limitation, but any wrongful act of exclusion will justify the affidavit, and give the right to vote without the actual performance of the prerequisite, then the inspector who rejects the vote because he reads the law in its limited sense, and thinks it is confined to a wrongful discrimination on account of race, etc., subjects himself to prosecution, if not to punishment, because he has misconstrued the law. Penal statutes ought not to be expressed in language so uncertain. If the legislature undertakes to define by statute a new offense, and provide for its punishment, it should express its will in language that need not deceive the common mind. Every man should be able to know with certainty when he is committing a crime.
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> But when we go beyond the third section, and read the fourth, we find there no words of limitation, or reference even, that can be construed as manifesting any intention to confine its provisions to the terms of the 15th amendment. That section has for its object the punishment of all persons, who, by force, bribery, etc., hinder, delay, etc.,

any person from qualifying or voting. In view of all these facts, we feel compelled to say, that, in our opinion, the language of the third and fourth sections does not confine their operation to unlawful discriminations on account of race, etc. If Congress had the power to provide generally for the punishment of those who unlawfully interfere to prevent the exercise of the elective franchise without regard to such discrimination, the language of these sections would be broad enough for that purpose.

It remains now to consider whether a statute, so general as this in its provisions, can be made available for the punishment of those who may be guilty of unlawful discrimination against citizens of the United States, while exercising the elective franchise, on account of their race, etc.

There is no attempt in the sections now under consideration to provide specifically for such an offense. If the case is provided for at all, it is because it comes under the general prohibition against any wrongful act or unlawful obstruction in this particular. We are, therefore, directly called upon to decide whether a penal statute enacted by Congress, with its limited powers, which is in general language broad enough to cover wrongful acts without as well as within the constitutional jurisdiction, can be limited by judicial construction so as to make it operate only on that which Congress may rightfully prohibit and punish. For this purpose, we must take these sections of the statute as they are. We are not able to reject a part which is unconstitutional, and retain the remainder, because it is not possible to separate that which is unconstitutional, if there be any such, from that which is not. The proposed effect is not to be attained by striking out or disregarding words that are in the section, but by inserting those that are not now there. Each of the sections must stand as a whole, or fall altogether. The language is plain. There is no room for construction, unless it be as to the effect of the Constitution. The question, then, to be determined, is, whether we can introduce words of limitation into a penal statute so as to make it specific, when, as expressed, it is general only.

It would certainly be dangerous if the legislature could set a net large enough to catch all possible offenders, and leave it, to the courts to step inside and say who could be rightfully detained, and who should be set at large. This would, to some extent, substitute the judicial for the legislative department of the Government. The courts enforce the legislative will when ascertained, if within the constitutional grant of power. Within its legitimate sphere, Congress is supreme, and beyond the control of the courts; but if it steps outside of its constitutional limitations, and attempts that which is beyond its reach, the courts are authorized to, and when called upon in due course of legal proceedings must, annul its encroachments upon the reserved power of the States and the people.

To limit this statute in the manner now asked for would be to make a new law, not to enforce an old one. This is no part of our duty.

We must, therefore, decide that Congress has not as yet provided by "appropriate legislation" for the punishment of the offense charged in the indictment; and that the circuit court properly sustained the demurrers, and gave judgment for the defendants.

This makes it unnecessary to answer any of the other questions certified. Since the law which gives the presiding judge the casting vote in cases of division, and authorizes a judgment in accordance with his opinion (Rev. Stat., sec. 650), if we find that the judgment as rendered is correct, we need not do more than affirm. If, however, we reverse, all questions certified, which may be considered in the final determination of the case according to the opinion we express, should be answered.

Mr. ELLENDER. Mr. President, the case of ***Ex parte Yarbrough,*** 110 U.S. 651, decided March 3, 1884, dealt with the power of the United States to punish by criminal statute defendants who conspired to intimidate Negro citizens in the exercise of their right to vote for Members of Congress. The statute was based on the 15th amendment.

The Supreme Court upheld the right of Congress to punish persons who interferred with another's right to vote because of his race, and this case if of particular value because it explains in some detail the power which Congress has, not only under the 15th amendment, but also the power derived from article I, section 4 of the Constitution, which gives Congress the right to regulate the times, places, and manner for holding elections. This provision is often cited as authority for Congress to enact voter qualifications.

Mr. President, I ask unanimous consent that excerpts from this decision be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

So, also, has the Congress been slow to exercise the powers expressly conferred upon it in relation to elections by the fourth section of the first article of the Constitution.

This section declares that (art. I, sec. 4):

"The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators."

It was not until 1942 that Congress took any action under the power here conferred, when conceiving that the system of electing all the Members of the House of Representatives from a State by general ticket, as it was called, that is, every elector voting for as many names as the State was entitled to Representatives in that House, worked injustice to other States which did not adopt that system, and gave an undue preponderance of power to the political party which had a majority of votes in the State, however small, enacted that each Member should be elected by a separate district, composed of contiguous territory, (5 Stat. 491).

And to remedy more than one evil arising from the election of Members of Congress occurring at different times in the different States, Congress, by the act of February 2, 1872, 30 years later, required all the elections for such Members to be held on the Tuesday after the first Monday in November in 1876, and on the same day of every second year thereafter.

The frequent failures of the legislatures of the States to elect Senators at the proper time, by one branch of the legislature voting for one person and the other branch for another person, and refusing in any manner to reconcile their differences, led Congress to pass an act which compelled the two bodies to meet in joint convention, and fixing the day when this should be done, and requiring them so to meet on every day thereafter and vote for a Senator until one was elected.

In like manner Congress has fixed a day, which is to be the same in all States, when the electors for President and Vice President shall be appointed.

Now the day fixed for electing Members of Congress has been established by Congress without regard to the time set for election of State officers in each State, and but for the fact that the State legislatures have, for their own accommodation, required State elections to be held at the same time, these elections would be held for Congressmen alone at the time fixed by the act of Congress.

Will it be denied that it is in the power of that body to provide laws for the proper conduct of those elections? To provide, if necessary, the officers who shall conduct them and make return of the result? And especially to provide, in an election held under its own authority, for security of life and limb to the voter while in the exercise of this function? Can it be doubted that Congress can by law protect the act of voting, the place where it is done, and the man who votes, from personal violence or intimidation and the election itself from corruption and fraud?

If this be so, and it is not doubted, are such powers annulled because an election for State officers is held at the same time and place? Is it any less important that the election of Members of Congress should be the free choice of all the electors because State officers are to be elected at the same time? *Ex parte Siebold,* 100 U.S. 371.

These questions answer themselves; and it is only because the Congress of the United States, through long habit and long years of forbearance, has, in deference and respect to the States, refrained from the exercise of these powers, that they are now doubted.

But when, in the pursuance of a new demand for action, that body, as it did in the cases just enumerated, finds it necessary to make additional laws for the free, the pure, and the safe exercise of this right of voting, they stand upon the same ground and are to be upheld for the same reasons.

It is said that the parties assaulted in these cases are not officers of the United States, and their protection in exercising the right to vote by Congress does not stand on the same ground.

But the distinction is not well taken. The power in either case arises out of the circumstance that the function in which the party is engaged or the right which he is about to exercise is dependent on the laws of the United States.

In both cases it is the duty of that Government to see that he may exercise this right freely, and to protect him from violence while so doing, or on account of so doing. This duty does not arise solely from the interest of the party concerned, but from the necessity of the Government itself, that its service shall be free from the adverse influence of force and fraud practiced on its agents, and that the votes by which its Members of Congress and its President are elected shall be the free votes of the electors, and the officers thus chosen the free and uncorrupted choice of those who have the right to take part in that choice.

This proposition answers also another objection to the constitutionality of the laws under consideration; namely, that the right to vote for a Member of Congress is not dependent upon the Constitution or laws of the United States, but is governed by the law of each State respectively.

If this were conceded, the importance to the General Government of having the actual election—the voting for those Members—free from force and fraud is not diminished by the circumstance that the qualification of the voter is determined by the law of the State where he votes. It equally affects the Government, it is as indispensable to the proper discharge of the great function of legislating for that Government, that those who are to control this legislation shall not owe their election to bribery or violence, whether the class of persons who shall vote is determined by the law of the State, or by law of the United States, or by their united result.

But it is not correct to say that the right to vote for a Member of Congress does not depend on the Constitution of the United States.

The office, if it be properly called an office, is created by that Constitution and by that alone. It also declares how it shall be filled; namely, by election.

Its language is:

"The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature." Article I, section 2.

The States in prescribing the qualifications of voters for the most numerous branch of their own legislatures, do not do this with reference to the election for Members of Congress. Nor can they prescribe the qualification for voters for those eo nomine. They define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State. It adopts the qualification thus furnished as the qualification of its own electors for Members of Congress.

It is not true, therefore, that electors for Members of Congress owe their right to vote to the State law in any sense which makes the exercise of the right to depend exclusively on the law of the State.

Counsel for petitioners, seizing upon the expression found in the opinion of the Court in the case of *Minor* v. *Happersett,* 21 Wall. 162, that "the Constitution of the United States does not confer the right of suffrage upon anyone," without reference to the connection in which it is used, insists that the voters in this case do not owe their right to vote in any sense to that instrument.

But the Court was combating the argument that this right was conferred on all citizens, and therefore upon women as well as men.

In opposition to that idea, it was said the Constitution adopts as the qualification for voters of Members of Congress that which prevails in the State where the voting is to be done; therefore, said the opinion, the right is not definitely conferred on any person or class of persons by the Constitution alone, because you have to look to the law of the State for the description of the class. But the Court did not intend to say that when the class or the person is thus ascertained, his right to vote for a Member of Congress was not fundamentally based upon the Constitution, which created the office of Member of Congress, and declared it should be elective, and pointed to the means of ascertaining who should be electors.

The 15th amendment of the Constitution, by its limitation on the power of the States in the exercise of their right to prescribe the qualifications of voters in their own elections, and by its limitation of the power of the United States over that subject, clearly shows that the right of suffrage was considered to be of supreme importance to the National Government, and was not intended to be left within the exclusive control of the States. It is in the following language:

"SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude—

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation."

While it is quite true, as was said by this Court in *United States* v. *Reese,* 92 U.S. 214, that this article gives no affirmative right to the colored man to vote, and is designed primarily to prevent discrimination against him whenever the right to vote may be granted to others, it is easy to see that under some circumstances it may operate as the immediate source of a right to vote. In all cases where the former slave-holding States had not removed from their constitutions the words "white man" as a qualification for voting, this provision did, in effect, confer on him the right to vote, because, being paramount to the State law, and a part of the State law, it annulled the discriminating word white, and thus left him in the enjoyment of the same right as white persons. And such would be the effect of any future constitutional provision of a State which should give the right of voting exclusively to white people, whether they be men or women. *Neal* v. *Delaware,* 103 U.S. 370.

In such cases, this 15th article of amendment does, proprio vigore, substantially confer on the Negro the right to vote, and Congress has the power to protect and enforce that right.

In the case of *United States* v. *Reese,* so much relied on by counsel, this Court said in regard to the 15th amendment, that "it has invested the citizens of the United States with a new constitutional right which is within the protecting power of Congress. That right is an exemption from discrimination in the exercise of the elective franchise on account of race, color, or previous condition of servitude." This new constitutional right was mainly designed for citizens of African descent. The principle, however, that the protection of the exercise of this right is within the power of Congress, is as necessary to the right of other citizens to vote as to the colored citizen, and to the right to vote in general as to the right to be protected against discrimination.

The exercise of the right in both instances is guaranteed by the Constitution, and should be kept free and pure by congressional enactments whenever that is necessary.

The reference to cases in this Court in which the power of Congress under the 1st section of the 14th amendment has been held to relate alone to acts done under State authority, can afford petitioners no aid in the present case. For, while it may be true that acts which are mere invasions of private rights, which acts have no sanction in the statutes of a State, or which are not committed by any one exercising its authority, are not within the scope of that amendment, it is quite a different matter when Congress undertakes to protect the citizen in the exercise of rights conferred by the Constitution of the United States essential to the healthy organization of the Government itself.

But is a waste of time to seek for specific sources of the power to pass these laws. Chancellor Kent, in the opening words of that part of his commentaries which treats of the Government and constitutional jurisprudence of the United States, says:

"The Government of the United States was created by the free voice and joint will of the people of America for their common defense and general welfare. Its powers apply to those great interests which relate to this country in its national capacity, and which depend for their protection on the consolidation of the Union. It is clothed with the principal attributes of political sovereignty, and it is justly deemed the guardian of our best rights, the source of our highest civil and political duties, and the sure means of national greatness" (1 Kent's Com. 201).

It is as essential to the successful working of this Government that the great organisms of its executive and legislative branches should be the free choice of the people as that the original form of it should be so. In absolute governments, where the monarch is the source of all power, it is still held to be important that the exercise of that power shall be free from the influence of extraneous violence and internal corruption.

In a Republican Government, like ours, where political power is reposed in representatives of the entire body of the people, chosen at short intervals by popular elections, the temptations to control these elections by violence and by corruption is a constant source of danger.

Such has been the history of all republics, and, though ours has been comparatively free from both these evils in the past, no lover of his country can shut his eyes to the fear of future danger from both sources.

If the recurrence of such acts as these prisoners stand convicted of are too common in one quarter of the country, and give omen of danger from lawless violence, the free use of money in elections, arising from the vast growth of recent wealth in other quarters, presents equal cause for anxiety.

If the Government of the United States has within its constitutional domain no authority to provide against these evils, if the very sources of power may be poisoned by corruption or controlled by violence and outrage, without legal restraint, then, indeed, is the country in danger, and its best powers, its highest purposes, the hopes which it inspires, and the love which enshrines it, are at the mercy of the combinations of those who respect no right but brute force, on the one hand, and unprincipled corruptionists on the other.

Mr. ELLENDER. Mr. President, the case of *Pope* v. *Williams,* 193 U.S. 621, was decided April 4, 1904.

The State of Maryland enacted a law which required every person coming into the State with the intent of becoming a resident and citizen of Maryland to register his name in a suitable record book to be maintained by the clerk of court.

The statute further provided that no person shall be entitled to register and vote until 1 year after his intention to become a citizen has been recorded in the clerk's record book.

The Supreme Court upheld this Maryland law.

Mr. President, I ask unanimous consent that extracts from the decision in the case of Pope against Williams be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS OF POPE *v.* WILLIAMS

The privilege to vote in any State is not given by the Federal Constitution, or by any of its amendments. It is not a privilege springing from citizenship of the United States. *Minor* v. *Happersett,* 21 Wall. 162. It may not be refused on account of race, color or previous condition of servitude, but it does not follow from mere citizenship of the United States. In other words, the privilege to vote in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as to it may seem proper, provided, of course, no discrimination is made between individuals in violation of the Federal Constitution. The State might provide that persons of foreign birth could vote without being naturalized, and, as stated by Mr. Chief Justice Waite in *Minor* v. *Happersett, supra,* such persons were allowed to vote in several of the States upon having declared their intentions to become citizens of the United States. Some States permit women to vote; others refuse them that privilege. A State, so far as the Federal Constitution is concerned, might provide by its own constitution and laws that none but native-born citizens should be permitted to vote, as the Federal Constitution does not confer the right of suffrage upon any one, and the conditions under which that right is to be exercised are matters for the States alone to prescribe, subject to the conditions of the Federal Constitution, already stated; although it may be observed that the right to vote for the Member of Congress is not derived exclusively from the State law. See Federal Constitution (art. I, sec. 2); *Wiley* v. *Sinkler,* 179 U.S. 58. But the elector must be one entitled to vote under the State statute. (Id., Id.) See also *Swafford* v. *Templeton,* 185 U.S. 487, 491. In this case no question arises as to the right to vote for electors of President and Vice President, and no decision is made thereon. The question whether the conditions prescribed by the State might be regarded by others as reasonable or unreasonable is not a Federal one. We do not wish to be understood, however, as intimating that the condition in this statute is unreasonable or in any way improper.

We are unable to see any violation of the Federal Constitution in the provision of the State statute for the declaration of the intent of a person coming into the State before he can claim the right to be registered as a voter. The statute, so far as it provides conditions precedent to the exercise of the elective franchise within the State, by persons coming therein to reside (and that is as far as it is necessary to consider it in this case), is neither an unlawful discrimination against anyone in the situation of the plaintiff in error nor does it deny to him the equal protection of the laws, nor is it repugnant to any fundamental or inalienable rights of citizens of the United States, nor a violation of any implied guarantees of the Federal Constitution. The right of a State to legislate upon the subject of the elective franchise as to it may seem good, subject to the conditions already stated, being, as we believe, unassailable, we think it plain that the statute in question violates no right protected by the Federal Constitution.

The reasons which may have impelled the State legislature to enact the statute in question were matters entirely for its consideration, and this court has no concern with them.

It is unnecessary in this case to assert that under no conceivable state of facts could a State statute in regard to voting be regarded as an infringement upon or a discrimination against the individual rights of a citizen of the United States removing into the State and excluded from voting therein by State legislation. The question might arise if an exclusion from the privilege of voting were founded upon the particular State from which the person came, excluding from that privilege, for instance, a citizen of the United States coming from Georgia and allowing it to a citizen of the United States coming from New York or any other State. In such case an argument might be urged that, under the 14th amendment of the Federal Constitution, the citizen from Georgia was by the State statute deprived of the equal protection of the laws. Other extreme cases might be suggested. We neither assert nor deny that in the case supposed the claim would be well founded that a Federal right of a citizen of the United States was violated by such legislation, for the question does not arise herein. We do, however, hold that there is nothing in the statute in question which violates the Federal rights of the plaintiff in error by virtue of the provision for making a declaration of his intention to become a citizen before he can have the right to be registered as a voter and to vote in the State.

The plaintiff in error has no ground for complaint in regard to the decision of the courts below, and the judgment of the Court of Appeals of Maryland, is therefore, affirmed.

Mr. ELLENDER. Mr. President, in the case that has been so often cited, *Guinn* v. *United States,* 238 U.S. 347, the State of Oklahoma had adopted a constitutional amendment which provided for the so-called grandfather clause. This grandfather clause permitted the permanent registration of voters who were descendants of voters. Of course, most Negroes would thus be disqualified because their ancestors were slaves. Many illiterate whites were already registered, and illiterate Negroes were denied the right to register.

Although the Supreme Court declared the provision of the Oklahoma constitution to be contrary to the 15th amendment, the Court did say that the 15th amendment does not take away the State's power over suffrage.

Mr. President, I ask unanimous consent that certain marked passages from the opinion in the Guinn case be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPT OF GUINN *v.* UNITED STATES

[15th Amendment]

"SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude—

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation."

(a) Beyond doubt the amendment does not take away from the State governments in a general sense the power over suffrage which has belonged to those governments from the beginning and without the possession of which power the whole fabric upon which the division of State and National authority under the Constitution and the organization of both governments rest would be without support and both the authority of the Nation and the State would fall to the ground. In fact, the very command of the amendment recognizes the possession of the general power by the State, since the amendment seeks to regulate its exercise as to the particular subject with which it deals.

(b) But it is equally beyond the possibility of question that the amendment in express terms restricts the power of the United States or the States to abridge or deny the right of a citizen of the United States to vote on account of race, color or previous condition of servitude. The restriction is coincident with the power and prevents its exertion in disregard of the command of the amendment. But while this is true, it is true also that the amendment does not change, modify or deprive the States of their full power as to suffrage except of course as to the subject with which the amendment deals and to the extent that obedience to its command is necessary. Thus the authority over suffrage which the States possess and the limitation which the amendment imposes are coordinate and one may not destroy the other without bringing about the destruction of both.

(c) While in the true sense, therefore, the amendment gives no right of suffrage, it was long ago recognized that in operation its prohibition might measurably have that effect; that is to say, that as the command of the amendment was self-executing and reached without legislative action the conditions of discrimination against which it was aimed, the result might arise that as a consequence of the striking down of a discriminating clause a right of suffrage would be enjoyed by reason of the generic character of the provision which would remain after the discrimination was stricken out. *Ex parte Yarbrough,* 110 U.S. 651; *Neal* v. *Delaware,* 103 U.S. 370. A familiar illustration of this doctrine resulted from the effect of the adoption of the amendment on State constitutions in which at the time of the adoption of the amendment the right of suffrage was conferred on all white male citizens, since by the inherent power of the amendment the word white disappeared and therefore all male citizens without discrimination on account of race, color, or previous condition of servitude came under the generic grant of suffrage made by the State.

With these principles before us how can there be room for any serious dispute concerning the repugnancy of the standard based upon January 1, 1866 (a date which preceded the adoption of the 15th amendment), if the suffrage provision fixing that standard is susceptible of the significance which the Government attributes to it? Indeed, there seems no escape from the conclusion that to hold that there was even possibility for dispute on the subject would be but to declare that the 15th amendment not only had not the self-executing power which it has been recognized to have from the beginning, but that its provisions were wholly inoperative because susceptible of being rendered inapplicable by mere forms of expression embodying no exercise of judgment and resting upon no discernible reason other than the purpose to disregard the prohibitions of the amendment by creating a standard of voting which on its face was in substance but a revitalization of conditions which when they prevailed in the past had been destroyed by the self-operative force of the amendment.

2. THE STANDARD OF JANUARY 1, 1866, FIXED IN THE SUFFRAGE AMENDMENT AND ITS SIGNIFICANCE

The inquiry of course here is: Does the amendment as to the particular standard which this heading embraces involve the mere refusal to comply with the commands of the 15th amendment as previously stated? This leads us for the purpose of the analysis to recur to the text of the suffrage amendment. Its opening sentence fixes the literacy standard which is all-inclusive since it is general in its expression and contains no word of discrimination on account of race or color or any other reason. This however is immediately followed by the provisions creating the standard based upon the condition existing on January 1, 1866, and carving out those coming under that standard from the inclusion in the literacy test which would have controlled them but for the exclusion thus expressly provided for. The provision is this:

"But no person who was, on January 1, 1866, or at any time prior thereto, entitled to vote under any form of government, or who at that time resided in some foreign nation, and no lineal descendant of such person, shall be denied the right to register and vote because of his inability to so read and write sections of such constitution."

We have difficulty in finding words to more clearly demonstrate the conviction we entertain that this standard has the characteristics which the Government attributes to it than does the mere statement of the text. It is true it contains no express words of an exclusion from the standard which it establishes of any person on account of race, color, or previous condition of servitude prohibited by the 15th amendment, but the standard itself inherently brings that result into existence since it is based purely upon a period of time before the enactment of the 15th amendment and makes that period the controlling and dominant test of the right of suffrage. In other words, we seek in vain for any ground which would sustain any other interpretation but that the provision, recurring to the conditions existing before the 15th amendment was adopted and the continuance of which the 15th amendment prohibited, proposed by in substance and effect lifting those conditions over to a period of time after the amendment to make them the basis of the right to suffrage conferred in direct and positive disregard of the 15th amendment. And the same result, we are of opinion, is demonstrated by considering whether it is possible to discover any basis of reason for the standard thus fixed other than the purpose above stated. We say this because we are unable to discover how, unless the prohibitions of the 15th amendment were considered, the slightest reason was afforded for basing the classification upon a period of time prior to the 15th amendment. Certainly it cannot be said that there was any particular necromancy in the time named which engendered attributes affecting the qualification to vote which would not exist at another and different period unless the 15th amendment was in view.

While these considerations establish that the standard fixed on the basis of the 1866 test is void, they do not enable us to rely even to the first question asked by the court below, since to do so we must consider the literacy standard established by the suffrage amendment and the possibility of its surviving the determination of the fact that the 1866 standard never took life since it was void from the beginning because of the operation upon it of the prohibitions of the 15th amendment. And this brings us to the last heading:

3. THE DETERMINATION OF THE VALIDITY OF THE LITERACY TEST AND THE POSSIBILITY OF ITS SURVIVING THE DISAPPEARANCE OF THE 1866 STANDARD WITH WHICH IT IS ASSOCIATED IN THE SUFFRAGE AMENDMENT

No time need be spent on the question of the validity of the literacy test considered alone since as we have seen its establishment was but the exercise by a State of a lawful power vested in it not subject to our supervision, and indeed, its validity is admitted. Whether this test is so connected with the other one relating to the situation on January 1, 1866, that the invalidity of the latter requires the rejection of the former is really a question of State law, but in the absence of any decision on the subject by the supreme court of the State, we must determine it for ourselves. We are of opinion that neither forms of classification nor methods of enumeration should be made the basis of striking down a provision which was independently legal and therefore was lawfully enacted because of the removal of an illegal provision with which the legal provision or provisions may have been associated. We state what we hold to be the rule thus strongly because we are of opinion that on a subject like the one under consideration involving the establishment of a right whose exercise lies at the very basis of government a much more exacting standard is required than would ordinarily obtain where the influence of the declared unconstitutionality of one provision of a statute upon another and constitutional provision is required to be fixed. Of course, rigorous as is this rule and imperative as is the duty not to violate it, it does not mean that it applies in a case where it expressly appears that a contrary conclusion must be reached if the plain letter and necessary intendment of the provision under consideration so compels, or where such a result is rendered necessary because to follow the contrary course would give rise to such an extreme and anomalous situation as would cause it to be impossible to conclude that it could have been upon any hypothesis whatever within the mind of the lawmaking power.

Does the general rule here govern or is the case controlled by one or the other of the exceptional conditions which we have just stated, is then the remaining question to be decided. Coming to solve it we are of opinion that by a consideration of the text of the suffrage amendment insofar as it deals with the literacy test and to the extent that it creates the standard based upon conditions existing on January 1, 1866, the case is taken out of the general rule and brought under the first of the exceptions stated. We say this because in our opinion the very language of the suffrage amendment expresses, not by implication nor by forms of classification nor by the order in which they are made, but by direct and positive language the command that the persons embraced in the 1866 standard should not be under any conditions subjected to the literacy test, a command which would be virtually set at naught if on the obliteration of the one standard by the force of the 15th amendment the other standard should be held to continue in force.

The reasons previously stated dispose of the case and make it plain that it is our duty to answer the first question, "No," and the second, "Yes"; but before we direct the entry of an order to that effect we come briefly to dispose of an issue the consideration of which we have hitherto postponed from a desire not to break the continuity of discussion as to the general and important subject before us.

In various forms of statement not challenging the instructions given by the trial court concretely considered concerning the liability of the election officers for their official conduct, it is insisted that as in connection with the instructions the jury was charged that the suffrage amendment was unconstitutional because of its repugnancy to the 15th amendment, therefore taken as a whole the charge was erroneous. But we are of opinion that this contention is without merit, especially in view of the doctrine long since settled concerning the self-executing power of the 15th amendment and of what we have held to be the nature and character of the suffrage amendment in question. The contention concerning the inapplicability of section 5508, Rev. Stat., now section 19 of the Penal Code, or of its repeal by implication, is fully answered by the ruling this day made in *United States* v. *Mosley*, No. 180, post, p. 383.

We answer the first question, "No," and the second question "Yes."

Mr. ELLENDER. Mr. President, in the case of *Lassiter* v. *Northampton Board of Elections*, 360 U.S. 45, a Negro citizen of North Carolina sued to have the literacy test prescribed by that State for voters declared unconstitutional and void. The U.S. Supreme Court upheld the right of States to enact laws calling for literacy tests. Therefore, we again have an example in which, in spite of the 15th amendment, the right of the State of North Carolina to prescribe a literacy test was upheld. This indicated that the States have that power and that the 15th amendment did in no manner take that power away from them.

Mr. President, I ask unanimous consent that certain marked passages from the Lassiter case be printed in this point in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Excerpts of Lassiter *v.* Northampton Board of Education

We come then to the question whether a State may consistently with the 14th and 17th amendments apply a literacy test to all voters irrespective of race or color. The Court in *Guinn* v. *United States*, *supra*, at 366, disposed of the question in a few words, "No time need be spent on the question of the validity of the literacy test considered alone since as we have seen its establishment was but the exercise by the State of a lawful power vested in it not subject to our supervision, and indeed, its validity is admitted."

The States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised, *Pope* v. *Williams*, 193 U.S. 621, 633; *Mason* v. *Missouri*, 179 U.S. 328, 335, absent, of course, the discrimination which the Constitution condemns. Article I section 2, of the Constitution, in its provision for the election of Members of the House of Representatives and the 17th amendment, in its provision for the election of Senators, provide that officials will be chosen by the people. Each provision goes on to state that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." So while the right of suffrage is established and guaranteed by the Constitution (*Ex parte Yarbrough*, 110 U.S. 651, 663–665; *Smith* v. *Allwright*, 321 U.S. 649, 661–662) it is subject to the imposition of State standards which are not discriminatory and which do not contravene any restriction that Congress, acting pursuant to its constitutional powers, has imposed. See *United States* v. *Classic*, 313 U.S. 299, 315. While section 2 of the 14th amendment, which provides for apportionment of Representatives among the States according to their respective numbers counting the whole number of persons in each State (except Indians not taxed), speaks of "the right to vote," the right protected "refers to the right to vote as established by the laws and constitution of the State." *McPherson* v. *Blacker*, 146 U.S. 1, 39.

Two States require that the voter be able to read and write English. N.Y. Election Code § 150; Ore. Rev. Stat. § 247.131. Wyoming (Wyo. Comp. Stat. Ann. § 31–113) and Connecticut (Conn. Gen. Stat. § 9–12) require that the voter read a constitutional provision in English, while Virginia (Va. Code § 24–68) requires that the voting application be written in the applicant's hand before the registrar and without aid, suggestion or memoranda. Washington (Wash. Rev. Code § 29.07.070) has the requirement that the voter be able to read and speak the English language.

Georgia requires that the voter read intelligibly and write legibly a section of the State or Federal Constitution. If he is physically unable to do so, he may qualify if he can give a reasonable interpretation of a section read to him. An alternative means of qualifying is provided: if one has good character and understands the duties and obligations of citizenship under a republican government, and he can answer correctly 20 of 30 questions listed in the statute (e.g., How does the Constitution of Georgia provide that a county site may be changed? What is treason against the State of Georgia? Who are the solicitor general and the judge of the State Judicial Circuit in which you live?) he is eligible to vote. Geo. Code Ann. §§ 34–117, 43–120.

In Louisiana one qualifies if he can read and write English or his mother tongue, is of good character, and understands the duties and obligations of citizenship under a republican form of government. If he cannot read and write, he can qualify if he can give a reasonable interpretation of a section of the State or Federal Constitution when read to him, and if he is attached to the principles of the Federal and State Constitutions. La. Rev. Stat., Tit. 18, § 31.

In Mississippi the applicant must be able to read and write a section of the State Constitution and give a reasonable interpretation of it. He must also demonstrate to the registrar a reasonable understanding of the duties and obligations of citizenship under a constitutional form of government. Miss. Code Ann. § 3213.

We do not suggest that any standards which a State desires to adopt may be required of voters. But there is wide scope for exercise of its jurisdiction. Residence requirements, age, previous criminal record (*Davis* v. *Beason*, 133 U.S. 333, 345–347) are obvious examples indicating factors which a State may take into consideration in determining the qualifications of voters. The ability to read and write likewise has some relation to standards designed to promote intelligent use of the ballot. Literacy and illiteracy are neutral on race, creed, color, and sex, as reports around the world show.[6] Literacy and intelligence are obviously not synonymous. Illiterate people may be intelligent voters. Yet in our society where newspapers, periodicals, books, and other printed matter canvass and debate campaign issues, a State might conclude that only those who are literate should exercise the franchise. Cf. *Franklin* v. *Harper*, 205 Ga. 779, 55 S.E. 2d 221, appeal dismissed 339 U.S. 946. It was said last century in Massachusetts that a literacy test was designed to insure an "independent and intelligent" exercise of the right of suffrage.[7] *Stone* v. *Smith*, 159 Mass. 413-414, 34 N.E. 521. North Carolina agrees. We do not sit in judgment on the wisdom of that policy. We cannot say, however, that it is not an allowable one measured by constitutional standards.

Of course a literacy test, fair on its face, may be employed to perpetuate that discrimination which the 15th amendment was designed to uproot. No such influence is charged here. On the other hand, a literacy test may be unconstitutional on its face. In *Davis* v. *Schnell*, 81 F. Supp. 872, aff'd 336 U.S. 933, the test was the citizen's ability to "understand and explain" an article of the Federal Constitution. The legislative setting of that provision and the great discretion it vested in the registrar made clear that a literacy requirement was merely a device to make racial discrimination easy. We cannot make the same inference here. The present requirement, applicable to members of all races, is that the prospective voter "be able to read and write any section of the Constitution of North Carolina in the English language." That seems to us to be one fair way of determining whether a person is literate, not a calculated scheme to lay springes for the citizen. Certainly we cannot condemn it on its face as a device unrelated to the desire of North Carolina to raise the standards for people of all races who cast the ballot.

Mr. ELLENDER. Mr. President, in the case of *Carrington* v. *Rash*, 380 U.S. 65, Carrington had moved to the State of Texas while a member of the armed services and established his domicile in that State with the intent to make his permanent residence there.

A provision of the Texas constitution prohibited servicemen from voting except in the place of his residence at the time he entered the service.

The Supreme Court held that a State can impose reasonable residence requirements, but that under the equal protection clause of the 14th amendment, Texas could not prevent a man from registering merely because he was in the Armed Forces. The Court discussed a State's power under the Constitution to provide qualifications for voting.

Mr. President, I ask unanimous consent that an excerpt from the opinion of the Court in the Carrington case be printed at this point in the Record.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Excerpt From Carrington *v.* Rash

Texas has unquestioned power to impose reasonable residence restrictions on the availability of the ballot. *Pope* v. *Williams*, 193 U.S. 621. There can be no doubt either of the historic function of the States to establish, on a nondiscriminatory basis, and in accordance with the Constitution, other qualifications for the exercise of the franchise. Indeed, "[t]he States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised." *Lassiter* v. *Northampton Election Bd.*, 360 U.S. 45, 50. Compare *United States* v. *Classic*, 313 U.S. 299; *Ex parte Yarbrough*, 110 U.S. 651. "In other words, the privilege to vote in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as to it may seem proper, provided, of course, no discrimination is made between individuals in violation of the Federal Constitution." *Pope* v. *Williams*, *supra* at 632.

Mr. ELLENDER. Mr. President, I hope, before the debate is over, that Senators will make an effort to read and study some of the amendments that will be offered by opponents of the bill.

As stated earlier, we from the South will attempt to propose amendments in an effort to bring the bill within the purview of the Constitution. I feel confident that if we are successful in doing so—and, as a matter of fact, if we had been successful in adopting the amendment offered by the disinguished Senator from Georgia [Mr. Talmadge] today, and the amendment offered several days ago by the distinguished Senator from North Carolina [Mr. Ervin], we from the South would not be holding up a vote on this measure. However, insofar as I am concerned, and I believe that I speak for the majority of Senators who oppose the bill, so long as the bill remains in its present form, we do not propose to vote on the measure.

We are hopeful that in the near future we shall be able to propose further amendments to the end that Senators may see the light.

I have no doubt that Senators would see the light if only we could set aside the politics which are involved in the measure. There is no doubt in my mind that whenever issues of this kind become involved in politics, the individuals dealing with those issues seem to lose their sense of reason.

There are many good lawyers in the Senate. If only a study of the amendments that we propose were made in the light of the Constitution, I have no doubt that individual Senators would vote for those amendments. If that were to happen, I have no doubt that debate on the measure could be completed in a short period of time.

Mr. President, I have spoken longer than I anticipated speaking. I believe my good friend, the Senator from Vermont [Mr. Prouty] desires to speak. I told the Senator that I would speak for probably 2 hours. However, I have been speaking now for almost 3 hours. If I have inconvenienced the Senator, I apologize.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

THE ADMINISTRATION'S EFFORTS TO INHIBIT FULL DISCUSSION OF THE SITUATION IN VIETNAM

Mr. PROUTY. Mr. President, it is always a pleasure to listen to the Senator from Louisiana.

Last Saturday, at the Sheraton Park Hotel in Washington, a group entitled, "The Inter-University Committee for Public Hearings on Vietnam" sponsored what it called a "National Teach-in on the Vietnam War." This program resulted from the labors of a preparatory committee based at the University of Michigan, and the sponsors included some of the foremost scholars of our Nation.

The purposes of this program were announced as these: To focus the attention of the American people upon our involvement in Vietnam; to examine the process of decisionmaking in foreign affairs to reevaluate the assumptions and goals underlying our foreign policy; and to explore and examine critically the various policy choices facing the President in his conduct of foreign affairs.

The main event of this meeting was to have been a debate between a panel headed by President Johnson's chief adviser on foreign policy, Mr. McGeorge Bundy, and a panel of critics of the present administration's policy.

From what I have been reading in the papers, some earlier teach-ins of this sort held around the country departed radically from the standards of intellectual discourse which we have a right to expect from those who have the responsibility of educating America's young men and women. Perhaps in order to avoid the deficiencies of these earlier meetings—many of which reportedly degenerated into emotional and ill informed outbursts against President Johnson's actions in southeast Asia—meticulous care was shown by the organizing committee on guaranteeing that Saturday's program would be a full, fair, and free discussion conducted on the highest and most responsible level of academic inquiry. I have been told that in negotiating the format of Mr. Bundy's announced appearance, the sponsoring committee made 30 different changes in their suggested program. This was done to satisfy Mr. Bundy's desire for absolutely fair treatment for critics and supporters alike. This Mr. Bundy acknowledged when he said in a statement Saturday:

> The preliminary arrangements for this particular meeting, so far as I have knowledge of them, have been fair to a fault.

With the prospect of a truly informative high level clash of opinion on our

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[6] World Illiteracy at Mid-Century, Unesco (1957).

[7] Nineteen States, including North Carolina, have some sort of literacy requirement as a prerequisite to eligibility for voting. Five require that the voter be able to read a section of the State or Federal Constitution and write his own name. Arizona Rev. Stat. § 16-101; Cal. Election Code § 220; Del. Code Ann., Tit. 15, § 1701; Me. Rev. Stat., c. 3, § 2; Mass. Gen. L. Ann., c. 51, § 1. Five require that the elector be able to read and write a section of the Federal or State Constitution. Ala. Code, 1940, Tit. 17, § 32; N.H. Rev. Stat. Ann. §§ 55:10-55:12; N.C. Gen. Stat. § 163-28; Okla. Stat. Ann., Tit. 26, § 61; S.C. Code § 23-62. Alabama also requires that the voter be of "good character" and "embrace the duties and obligations of citizenship" under the Federal and State Constitutions. Ala. Code, Tit. 17, § 32 (1955 Supp.).

Vietnam policy, over 2,000 people were present in the Sheraton ballroom at 2 o'clock Saturday afternoon. National radio and television was on hand. A telephone linkage system was set up to pipe the debate to over 140 colleges and organizations across the country.

What these people did not know, according to the Sunday Star, was that at 10 Saturday morning, two of the program's sponsors had been called to the White House. There they were handed a statement to be read at 2 p.m., which said that Mr. Bundy would not be present due to unspecified "other duties."

The White House would not let this information be released until the opening of the program—after more than 2,000 people had paid $2 apiece to get into the hall.

Nor, apparently, did Mr. Bundy arrange to send a substitute. Could it have been, Mr. President, that such a momentous crisis was brewing Saturday afternoon that the White House, the Department of State, and the Defense Department could not produce even one spokesman to defend their policies in Vietnam to an audience, live and hooked-in, of tens of thousands of persons? If it was such an overwhelming crisis, Mr. President, I regret to observe that the leaders of Congress were not notified of it, nor were they invited to the White House for a top-secret session. If it was not a great crisis, I believe the administration owes these thousands of people, and indeed the millions of Americans who were eager to read the accounts in their daily papers and hear and see the proceedings on their radio and television sets, an honest explanation.

The administration may have erred when it permitted Mr. Bundy to accept the professors' invitation—and I am inclined to believe that it did. But once Mr. Bundy agreed to appear, regardless of his professed qualifications regarding emergency duties, he should have made every possible effort to be present. When this became impossible, he should have arranged for a substitute spokesman to take the Government's position. Barring that, he should have made the prospective absence of any administration spokesman known to the public as soon as it became known to him—at 10 Saturday morning instead of 2 in the afternoon. And even if he did not do all these things, he should at least have sent to the sponsoring committee a courteous note of apology.

I say a courteous note of apology, Mr. President, because I have read the actual statement released by Mr. Bundy and I for one find it in very poor taste. Once having agreed to appear, wisely or unwisely, Mr. Bundy made a commitment to his hosts. The least he could have done, when pressing and legitimate duties prevented his fulfilling that commitment, would have been to express sincere regrets. For this he could have been reasonably excused.

But the statement Mr. Bundy chose to place in the hands of the sponsors for reading at the meeting cannot, Mr. President, be termed a courteous note of apology. In that note, following the expression of regrets, Mr. Bundy offers the following gratuitous observations:

> 1. It may be true—although I have no firsthand knowledge—that some of your meetings on Vietnam have failed to meet the standards appropriate to university and college discussion.
>
> 2. It may also be true—and I have thought so once or twice myself—that a few of those who feel strongly about the situation in Vietnam have been more interested in pressure upon the administration than in fair discussion with its representatives.
>
> 3. The American people know that those who are protesting are only a small minority—indeed a small minority—of American teachers and students.
>
> 4. I recognize the entire sincerity of the great majority of those who now disagree with our policy in Vietnam.
>
> 5. I trust that the discussion this afternoon will not turn upon charge and countercharge against the motives of those with whom we disagree.

Now, Mr. President, let us look at these statements a little more closely.

In the first place, Mr. Bundy links the defects of earlier meetings with the sponsors of the Saturday meeting, thus tending to bring them into an unfavorable light—this, though he admits that the arrangements committee had been "fair to a fault," and though, so I am told, he himself approved the panelists, both pro and con, in advance.

In the second place, Mr. Bundy attempts to imply that some of those engaged in the program could be expected to disregard the standards of fair discussion.

In the third place, Mr. Bundy attempts to minimize the importance of the views of the sponsoring committee by suggesting that the great majority of American teachers and students believe otherwise—a sort of truth-by-numbers proposition. I frankly hope, and believe, that the great majority of the American people do not share the views of the professors who organized this committee. But I do not like to see minority views assailed merely because they are views of a minority. To espouse such a doctrine would certainly not aid the cause of the Republican Party to which I belong, currently a minority in Congress.

In the fourth place, Mr. Bundy, while recognizing the sincerity of most of his critics, slyly implies that many critics—perhaps the ones he is addressing—are not sincerely motivated.

And in the fifth place he voices his hope that the panelists of the day would not question the motives of those with whom they disagreed—in my opinion a most gratuitous comment.

I wish to make it very clear, Mr. President, that I am in no way associated with this national teach-in program. I have never had any dealings with its sponsors. From what I have read of their opinions, I am sure I would take strong exception to many of their suggestions on Vietnam policy. Three years ago, I cast the only vote against the President's Cuban crisis resolution on the ground that it is weak and mealy-mouthed. A week ago Thursday, with the President's request for $700 million in additional funds pending before this body, I stood on this floor and called for a permanent, continuing declaration of American will to counter the aggressive designs of communism. "When the cause is just, the threat clear, and the implications of irresolution ominous," I said on that occasion, "our adversaries must be left with no shred of doubt that the American people stand behind their Government in a swift, effective defense of freedom." I have long felt that the forces of the free world should have been permitted to press to victory in Korea, and not forced to accept the moral defeat of stalemate against aggression. When Communist elements maneuver to seize control of a revolution, such as the present one in the Dominican Republic, the President of the United States will find me backing his decision to commit U.S. power to halt the spread of communism.

No, Mr. President, I am sure that my views on American policy toward Communist aggression would find few if any supporters among the committee of professors responsible for this teach-in meeting. I do not rise to defend theirs. But I am alarmed at what I perceive as an attempt by this administration to confound and discredit sincere opponents of administration policy by such recent actions and statements as those of Mr. Bundy.

Fundamental to the conduct of foreign affairs in a democracy is the right of the people to know—to know the facts of the situation, insofar as those facts can be revealed without endangering legitimate national security, to know the policy their government is following, and to know the true reasons for that policy.

The President of the United States must take the lead in foreign policy—on that we all agree. On occasion he will have to make a decision that is politically unpopular—a precedent established by President Washington in his acceptance of the Jay Treaty. But if the executive branch has certain prerogatives in the field of foreign policy, it also has the solemn responsibility to make available to the American people the essential information on which rational discussion can be based. To abdicate this responsibility is not the way of a democracy, Mr. President, it is the way of autocracy.

Should anyone desire an example, Mr. President, I need only point to Soviet Russia; or to the more extreme practices of Red China. Americans of all shades of opinion rightfully deplore the governments of those lands for their rigid suppression of the facts of international relations, for their twisted distortions of world politics, for their vigilant efforts to keep the truth from their people. When the day comes and we must all hope it will, that the professors of Russia can stage a national "teach-in" in the shadow of the Kremlin, then the prospects for a genuine peace in the world will be much brighter than they are today.

Today, Mr. President, there is widespread belief that this administration is deliberately concealing the hard truth from the American people. The platform of the Republican Party, adopted at San Francisco last July, reflected much sentiment at that time when it said:

> This administration has adopted the policies of news management and unjustifiable secrecy, in the guise of guarding the Nation's security; it has shown a contempt of the people to know the truth.

In my opinion, Mr. President, the performance of McGeorge Bundy and the administration last Saturday reflects that same contempt of the people to know the truth.

Is our policy in southeast Asia so indefensible that no one in Mr. Bundy's absence could meet the attacks of earnest critics? Is the administration so unsure of itself and of the basic soundness of its Vietnam policy, that it must, through one of its most senior spokesmen, attempt to cast discredit and impute insincerity to the sponsoring committee of this great nationwide debate on Vietnam?

During his remarks criticizing present Vietnam policy, Prof. George Kahin, of Cornell University, said Saturday:

> Finally, for those many Americans who still regard full public discussion of vitally important national issues as essential to our brand of democracy, there is a particularly disquieting aspect of this situation. Realizing as they do that an informed public discussion requires access to all the relevant facts, they can only be deeply disturbed when a spokesman for the newspaper editors of this country feels compelled to state, as he did last month, that the American "press in Vietnam faces stronger restrictions than it ever has in wartime" and that we are getting "contradictions, doubletalk, and half-truths" from the Government concerning the situation in Vietnam. And surely Americans have grounds for concern when the New York Times can editorialize as it did not long afterwards, that "high ranking representatives of Government in Washington and in Saigon 'have so' obscured, confused, or distorted news from Vietnam" or have made such "fatuously erroneous evaluations about the course of the war" that the credibility of the U.S. Government has been sacrificed.

Regardless of his personal views on Vietnam policy, Professor Kahin has touched an exceedingly sore point. A growing number of Americans, including many very respectable and influential persons, are beginning to lose faith in the credibility of the U.S. Government.

Let me quote, too, from a perceptive article published in the spring 1965 issue of Columbia University Forum. It was written by Arnold Beichman, a special correspondent for the New York Herald Tribune. Mr. Beichman says:

> On the afternoon of July 14, 1964, a press conference was convened at U.S. military headquarters in Saigon, known as MAC-V. The spokesman was an American general who still cannot be identified. I was there; so were a dozen other reporters. Purpose of the briefing, not immediately apparent: to confuse the reporters, the folks back home, Congress, the Republicans convening at the Cow Palace. The Vietnamese were saying that there was a good deal of Communist infiltration from North Vietnam. True or not? To confirm meant a corollary question—what did the United States intend to do about it? To deny meant an entirely different question—were our Vietnamese allies lying and if so why? Result:
>
> Associated Press, Saigon, July 14: "A ranking U.S. military spokesman denied Tuesday that there were indications regular North Vietnamese Army units were moving into South Vietnam."
>
> United Press International, Saigon, July 14: "The headquarters of the U.S. military here announced tonight that Communist North Vietnam had accelerated its infiltration into the south and that the stepped-up Communist activity has introduced a certain amount of danger in the four provinces nearest North Vietnam."
>
> Outright contradiction of this sort is rare; it is even rarer, however, to discover the truth so soon after the untruth. When, last February 28, the State Department released a white paper detailing North Vietnamese incursions south of the 17th parallel, it cited as evidence the very source of Vietnamese intelligence that the U.S. military spokesman was pooh-poohing at the July 14 press conference.

I recall, too, Mr. President, a number of euphoric statements by American generals in Vietnam, Secretary McNamara, and others, to the effect that American troops in Vietnam would be reduced by the end of 1965, that the war was swiftly turning in favor of the Government of South Vietnam, and so on. I cannot believe that men as well traveled and observant as these top administration spokesmen could seriously entertain such enthusiastically optimistic views about what has consistently appeared to be a deteriorating situation. Such statements are not a contribution but a disservice to the building of public support for American policy here at home.

I, for one, Mr. President, have always advocated stiff resistance to Communist aggression, whether in Cuba, Berlin, Vietnam, Korea, or elsewhere. I am not one of those who have issued bitter attacks on President Johnson's actions in Vietnam—although I do not wish to be interpreted as endorsing each and every move he has made.

But even if I stood in enthusiastic 100 percent agreement with the President on Vietnam, I could not but be seriously concerned about this growing belief—foolishly magnified by the administration—that the U.S. Government is no longer a credible source of information for the American people.

Let us make no mistake about it, Mr. President, the American people have a right to know.

They have a right to hear our national policies attacked and defended.

They have a right to evaluate various courses of action, and to express their preferences. If it ever becomes otherwise, Mr. President, God save America.

It is the people of America, and not Mr. Johnson or Mr. Bundy or Mr. McNamara or Mr. Rusk, who must pay the bills of war. It is the people of America who must provide the dollars and the sweat and the blood when our fighting men go into battle. It is the mothers and fathers of America who must face the prospect of that heartbreaking telegram from the Defense Department, which begins "We regret to inform you."

The people of America are not sheep, to be shorn of their wool and carved up into lamb chops at the decree of our top policymakers. They must have a voice, they must have the facts, they must have the opportunity to play their proper part in the crucial decisions that face our Nation. By confusing the press, distorting some facts and ignoring others, by subtle efforts to discredit its critics, this administration has come perilously close to losing the confidence of the American people at a time when that confidence is most sorely needed.

Whatever may have been said about Senator Goldwater in the election campaign last fall, in my heart I know one thing: as President, he would not have been afraid to level with the American people who elected him. Today, I can only say that I sincerely fear that President Johnson does not appear to have the courage to lay all the facts on the line.

What is the danger, Mr. President? The danger is that an administration which loses the confidence of the American people will have extreme difficulty obtaining support for its policies—even if those policies, seen in full perspective, are wise and appropriate. When an administration loses the confidence of the people, the cries of its critics gain credence. In this case, the impassioned pleas of those who would have us retreat and withdraw before the Communist threat in Vietnam may well gain new adherents—not for the intrinsic validity of their views, which in my opinion is low, but from a revulsion against a distrusted administration that has embraced, however cautiously, an opposite policy of firmness and strength.

I believe, Mr. President, that an intellectually sound and cogent case may be made for a hard, tough, U.S. stance in southeast Asia. Were I a top policymaker in the executive branch, I should have no fear of taking such a policy to the people of the United States and appealing for their support. But under no circumstances, Mr. President, would I conceal the truth, confuse the facts, and assault the motives of those who opposed my views. To do so would be only to destroy, in the long run, the public support without which no policy, however sound, can survive.

I recognize well that in a group as large and diverse as the Inter-University Committee for Public Hearings on Vietnam there will be some whose support of and loyalty to the United States is open to question. But that is not of prime importance. What is important is that the American people have the opportunity to hear a calm, reasonable dialog on fundamental foreign policy decisions, decisions which they may ultimately be assessed for in tax dollars and blood. With only an occasional unfortunate exception, Saturday's teach-in program was a calm, rational debate on the future of American policy, a debate which I believe is a desirable and healthy thing in a democracy.

I can only hope, Mr. President, that the administration takes close note of the criticisms brought against its policy of limited news and limited debate on Vietnam—criticisms originating among the press, the academic community, and Congress, but now spreading to a larger segment of the public—and that it rededicates itself to a full, fair, free, and honest debate on a matter of such consequence to the people of our Nation.

Mr. President, I ask unanimous consent that the full text of Mr. Bundy's statement to the professors on Saturday be printed at this point in the Record, along with an article from the Washington Sunday Star of May 16, 1965, by Mary McGrory, entitled "Ex-Dean Becomes Dropout," and an editorial from today's New York Times entitled "Lesson in Democracy."

There being no objection, the material was ordered to be printed in the Record, as follows:

Text of Statement by McGeorge Bundy, to the Inter-University Committee for a Public Hearing on Vietnam, May 15, 1965

I greatly regret that it is impossible for me to take part in the discussion this afternoon of our policy in Vietnam. I have looked forward to this meeting, and I hate to miss it. When I accepted your invitation, I did so with the warning that I might be unable to attend because of other duties. It gives me no pleasure that this warning has come true.

I regret my absence the more because I wholly disagree with those who have argued that it is inappropriate for a Government official to take part in a discussion of this kind. It may be true—although I have no firsthand knowledge—that some of your meetings on Vietnam have failed to meet the standards appropriate to university and college discussion. It may also be true—and I have thought so once or twice myself—that a few of those who feel strongly about the situation in Vietnam have been more interested in pressure upon the administration than in fair discussion with its representatives. But the preliminary arrangements for this particular meeting, so far as I have knowledge of them, have been fair to a fault. I am confident that the discussion this afternoon under the chairmanship of Professor Nagel will be a model of its kind. Members of the academic community and members of the administration share a deep interest in the encouragement of such fair and open discussion.

It has been argued that debate of this kind should be avoided because it can give encouragement to the adversaries of our country. There is some ground for this argument, since it is true that Communists have little understanding of the meaning of debate in a free society. The Chinese will continue to pretend—and perhaps in part to believe—that American policy is weaker because 700 faculty members have made a protest against our policy in Vietnam. The American people—whatever their opinion—know better. They know that those who are protesting are only a minority—indeed a small minority—of American teachers and students. They know also that even within that minority the great majority accept and respect the right and duty of the American administration to meet its constitutional responsibilities for the conduct of our foreign affairs.

The American people know that the real day of danger will come when we are afraid of any unpopular minority, or unwilling to reply to its voices. They understand what Communists cannot understand at all—that open discussion between our citizens and their Government is the central nervous system of our free society. We cannot let the propaganda of totalitarians divert us from our necessary arguments with one another—any more than we should let them be misled by such debates if we can help it.

I will not take your time in this brief message for a rehearsal of the policy of this administration on Vietnam. Let me take only a word to speak of our purpose there. That purpose is peace—for the people of Vietnam, the people of southeast Asia, and the people of the United States. We evidently differ on the choice of ways and means to peace, in what we all must recognize to be a complex, ugly and demanding situation. Those differences may go deep to the nature of the politics of Asia, to the legitimacy of force in the face of armed attack and to the true prospects and purposes of the people of Vietnam themselves.

But my own assessment is that what divides us is less than what unites us. None of us wants the war to be enlarged. All of us want a decent settlement. None of us wants other men to be forced under a totalitarian political authority. All of us seek a solution in which American troops can be honorably withdrawn. None of us—I hope—believes that these are easy goals. All of us—I trust—are prepared to be steadfast in the pursuit of our purposes.

I recognize the entire sincerity of the great majority of those who now disagree with our policy in Vietnam. I think many of these critics have been wrong in earlier moments of stress and danger, and I think many of them misunderstand the hard realities of this dangerous world. But their good faith and good intent are not in question—and on other issues at other times their efforts have been of great service to their country.

Having said this much, perhaps I can ask in return that these critics should recognize that the administration which now bears responsibility for the conduct of our foreign affairs does not admire force for its own sake, or "brinkmanship" of any sort. The purpose of its foreign policy—in Vietnam as elsewhere—is that diplomacy and power and progress and hope shall be held together in the service of the freedom of us all. So I trust that the discussion this afternoon will not turn upon charge and countercharge against the motives of those with whom we disagree. Let it turn instead upon analysis of the situation as it is and of choices for the future which can serve the purposes we share.

I repeat my apologies for my enforced absence, and I take comfort in the thought that I shall miss the meeting more than you will miss me.

[From the Washington (D.C.) Sunday Star, May 16, 1965]

Ex-Dean Becomes Dropout—Bundy Conspicuous by Absence at Vietnam Teach-In

(By Mary McGrory)

McGeorge Bundy, President Johnson's foreign policy expert, has become the Nation's No. 1 dropout.

It's a curious fate for a former dean of Harvard, and his old colleagues at the national teach-in on the Vietnam war could not conceal their disappointment or their disapproval.

The general reaction in the Sheraton Park ballroom was akin to that which greets an opera manager's announcement just before curtain time that Maria Callas will not be singing "Carmen" after all.

Some of the students responded with a mild but unmistakable chorus of hisses and boos throughout the Bundy statement read by the session's moderator. Bundy's line, "I hate to miss it," drew mocking laughter from the crowd.

Throughout the afternoon, speculation ran around the hall. Not since Vice President Hubert Humphrey failed to go to Winston Churchill's funeral last winter has their been such a buzz about absenteeism.

Where was Bundy?

The White House would not say.

The Inter-University Committee for Public Hearings on Vietnam did not know.

Had the President needed him more at the White House? Was there a new crisis brewing?

"He said he had important business but did not say what it is," said a Russian professor from Sarah Lawrence. "I'm very sorry he did it."

"If he had shown up," said a bearded spectator, who is himself a dropout, "he would have been badly trounced."

One of the principal Johnson critics, George Kahin of Cornell University, where roving Ambassador Averell Harriman was booed last week when he tried to explain the Johnson line, said he would have something to say about Bundy's failure to appear, in 3 hours of discussion, however, he had not.

Bundy's place was taken manfully by a somewhat flustered administration proponent, Robert Scalapino, of the University of California. He purged himself with the audience by saying he had no idea what Bundy would have said. He obviously had done his homework, though, even if Dr. Kahin complained he had heard it all before.

On the fringes of the hall, it was suggested that perhaps the President had watched the morning proceeding on the educational television network and, becoming either bored or alarmed, had ordered his Special Assistant on National Security Affairs to cut class.

All in all, the teach-in boded no good for the possibility of negotiation between the administration and the universities.

President Johnson was represented at morning session by Historian Arthur M. Schlesinger, Jr., a former Harvard professor, and a staff member of the Kennedy administration. At the behest of Bundy, Schlesinger took time off from writing his biography of President Kennedy to reason with the professors.

He proved to be a dubious advocate, and if it had not been for the honor of the thing, President Johnson might have been just as glad if Schlesinger had not defended him.

For while Schlesinger approved in general of the course of U.S. action in South Vietnam, he slipped in so many barbs that his reservations intrigued the professors more than his endorsement.

They were, for instance, ecstatic about his reprise on the celebrated and rankling line of Secretary of State Dean Rusk about "the gullibility of educated men."

"What about the gullibility of Secretaries of State?" asked Schlesinger, and there was a burst of applause.

Nor could the President have appreciated Schlesinger's left-handed pat on the head for his speech last Thursday on extending the larger life to the people of Vietnam. Schlesinger saw this as an answer to the Senate speech of his good friend, Senator Robert F. Kennedy, of New York.

The President and Bundy may have had matters of much greater moment on their minds. If so, they had better enlighten the intellectuals, who did not, to borrow the inflammatory phrase from the famous Bundy letter to Washington University faculty members, "give them a very good mark."

[From the New York Times, May 17, 1965]

Lesson in Democracy

The academic community has given the American people—and their Government—a badly needed reminder that democratic discussion is both important and useful for the defense of democracy. Professors and students in all parts of the country spent most of Saturday listening in—by radio, television, and special telephone—on what was surely the most comprehensive and civilized public debate on the Vietnamese war in all the decade since the United States became involved in the conflict there.

The emergency trip to Santo Domingo which obliged McGeorge Bundy to cancel his talk deprived the White House of any spokesman with the prestige and intimate knowledge necessary for a full explanation of the administration's position. But the academicians on both sides conducted themselves with a dignity and respect for fact that contrasted favorably with the emotionalism that too often passes for discussion in foreign affairs among champions and critics of Government policy alike.

All that was lacking for a truly magnificent exhibition of how a democracy exchanges views was a spontaneous decision by that old schoolteacher, Lyndon B. Johnson, to pinch-hit for his absent aid. The President, speaking in the vein of his Johns Hopkins speech, would have done well for himself and his cause.

Nevertheless, it was refreshing after the sour remarks Secretary Rusk and other administration leaders had made about prior teach-ins on Vietnam to find Mr. Bundy saying in his message of regret that "open discussion between our citizens and their Government is the central nervous system of our free society."

Whether any large number of minds—young or old—were changed by the hundreds of thousands of words the debaters exchanged is less consequential than this reaffirmation of the right of all citizens in a democracy to participate in shaping official policy through the full and unhampered interchange of ideas. Nothing could do more to erase the distinction between our system and totalitarianism than the notion that the Government has a monopoly of wisdom and any questioning or criticism is subversive. The teach-ins have helped to keep that crucial distinction alive.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR LIMITED TIME FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that tomorrow there be time for the transaction of routine morning business, and that the time not exceed the hour of 12:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF SENATOR WILLIAMS OF DELAWARE TOMORROW

Mr. MANSFIELD. Mr. President, it is my understanding that at the conclusion of the transaction of routine morning business tomorrow, the distinguished Senator from Delaware [Mr. WILLIAMS] will have the floor.

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, in accordance with the previous order, I move that the Senate stand in adjournment.

The motion was agreed to; and (at 5 o'clock and 52 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Tuesday, May 18, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 17, 1965:

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The following-named persons to be members of the Equal Employment Opportunity Commission:

Eileen Hernandez, of California, for the term expiring July 1, 1965.

Richard Graham, of Wisconsin, for the term expiring July 1, 1966.

Franklin D. Roosevelt, Jr., of New York, for the term expiring July 1, 1967.

Samuel C. Jackson, of Kansas, for the term expiring July 1, 1968.

Rev. Luther Holcomb, of Texas, for the term expiring July 1, 1969.

Eileen Hernandez, of California, for the term of 5 years expiring July 1, 1970. (Reappointment.)

IN THE ARMY

The following-named officer under the provisions of title 10, United State Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

Maj. Gen. Marshall Sylvester Carter, O18359, U.S. Army, in the grade of lieutenant general.

The following-named officer under the provisions of title 10, United State Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

Maj. Gen. George Robinson Mather, O18696, U.S. Army, in the grade of lieutenant general.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 17, 1965:

DEPARTMENT OF STATE

Anthony M. Solomon, of the District of Columbia, to be an Assistant Secretary of State.

Leonard C. Meeker, of New Jersey, to be Legal Adviser of the Department of State.

George A. Morgan, of the District of Columbia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ivory Coast.

Mercer Cook, of Illinois, now Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Senegal, to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to The Gambia.

PEACE CORPS

Warren W. Wiggins, of Virginia, to be Deputy Director of the Peace Corps.

EXTENSIONS OF REMARKS

Traffic Safety Week

EXTENSION OF REMARKS

OF

HON. CARLTON R. SICKLES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1965

Mr. SICKLES. Mr. Speaker, I would like to call attention to a recent proclamation issued by the Board of Commissioners of the District of Columbia which established May 23 to May 31, 1965, as Traffic Safety Week. A respected District of Columbia newspaper editor, Mr. Calvin W. Rolark, has been named cochairman of the Safety Week steering committee, along with Mrs. Sara Honesty, also of the District.

The Safety Week committee has named their activities operation survival, and members hope to involve area churches, the District of Columbia government, schools and business associations, citizens associations, public transportation groups, and communications media in their activities to dramatize the District's safety needs.

When the proclamation was issued, Chairman Walter N. Tobriner pointed out that traffic accidents on the District of Columbia streets last year saw 115 persons killed and nearly 11,000 persons injured.

The efforts of the operation survival group during Traffic Safety Week should have the full support and cooperation of all of us who live or work in the District. I hope that we can all participate in the effort, as Chairman Tobriner so graphically put it, "to do what we can personally to make the District's streets and highways arteries of life, rather than avenues to death and destruction."

Baltic Peoples Freedom Day

EXTENSION OF REMARKS

OF

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1965

Mrs. KELLY. Mr. Speaker, World War II brought misery and misfortune to all peoples in Europe, but to the three Baltic republics it was disastrous and tragic. The intrepid peoples of Estonia, Latvia, and Lithuania, who had regained their freedom at the end of the First World War, were robbed of their national independence at the beginning of the last war. They were deported by the hundreds of thousands to distant regions of the Soviet Union by Soviet authorities, and their homelands made part of the

Soviet empire. That was the legacy of the war to these unfortunate peoples.

Toward the end of the war the Baltic peoples hoped that after all the sacrifices and suffering they had endured, they would be allowed to live in peace and to undertake the reconstruction of their devastated homelands. But they were sadly disappointed in their expectations when, instead of regaining their freedom, the Soviet Union imposed upon them Communist totalitarian regimes. To this day they are held down by these alien rulers in their native land. On this 25th year of their enslavement by Soviet tyrants, we hope and pray for their freedom and independence.

The Subcommittee on Europe of the House Committee on Foreign Affairs is presently holding hearings on the persecution of the peoples within the Baltic countries. It is significant that a continuation of these hearings opened on this day, May 17. I have learned that the colonization and Russification of Latvia, Estonia, and Lithuania is increasing through deportations, denial of cultural freedoms, and Russian control of the political life and government. I see great need for the United States and the members of the free world to rekindle their determination that these countries will again be free. I trust that the free world will unite in instigating resolutions in the United Nations to demand the withdrawal of Russia not only from the Baltic States but from the Balkan States. This they guaranteed to the nations of the free world, an agreement on which they reneged after World War II.

Anniversary Celebrations at St. Paul's Church, Eastchester, N.Y., a National Historic Site

EXTENSION OF REMARKS

OF

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1965

Mr. OTTINGER. Mr. Speaker, a considerable amount of hard work recently has been accomplished, primarily by a group of high school students, in preparing St. Paul's Church in Eastchester, N.Y., for its anniversary celebration.

Actually, there will be a double celebration this year as the church has reached both 200-year and 300-year milestones.

Three hundred years ago, in 1665, the original parish was founded. One hundred years later, 1765, this church was rebuilt on its present site in Eastchester after the original edifice had been destroyed. The church is believed to be the oldest Episcopal church in the entire New York metropolitan area.

In 1943, Congress designated the church as the national site of the Bill of Rights. It has the distinction of being Westchester County's only national historic site.

Although its congregation has been dwindling, it has not been forgotten by the local citizenry who have been taking an active part in the preparations for the celebration. The Eastchester Historical Society has placed on exhibit at the church a display of letters of Aaron Burr, who once tried cases there, as well as items of John Peter Zenger whose famous freedom-of-the-press trial emanated from his writings about elections at the site of St. Paul's.

This old and distinguished church has made significant contributions to our Nation's heritage. It is with great pleasure that I take this opportunity to join with my fellow citizens of Westchester County in honoring St. Paul's Church.

Israel Independence Day

EXTENSION OF REMARKS

OF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1965

Mr. WOLFF. Mr. Speaker, it gives me great pleasure to add my congratulatory message to those of other Members on this 17th anniversary of the re-creation of the State of Israel. The struggle of a people for nearly two milennia to reestablish their country on the site where their forefathers generations ago lived and worshiped is a stirring story of determination and courage. Even today, as the archeologists of the modern State of Israel undertake their excavations of such fortresses as Massada, the evidence accumulates to testify to the brave tenacity of the Israelites of old in defending their homeland against the occupation and destruction of their temple by the troops of Imperial Rome.

For many centuries the story remained the same. As Judea and Canaan changed hands innumerable times—from Roman to Arab to Turkish to British domination—most of the former residents of ancient Israel were driven into the Diaspora, the Dispersion. Within the literature, the oral and written tradition, as well as the culture and religion of the world's Jews, however, the goal of once again returning to their ancient land remained an important element.

The endemic anti-Semitism which has long existed in Eastern Europe and Russia, as well as new pogroms during the 19th century, occasioned a rebirth of national consciousness. Under the intellectual leadership of Theodor Herzl, an international organization was created which had as its goal the regaining of a national homeland. The movement called itself Zionism, after one of the small hills in Jerusalem which has become synonymous with the city itself, as well as the ancient land of Israel.

It was not until the First World War had come to a close, however, that the work of reconstructing and rebuilding could begin. As a result of the Balfour Declaration, according to the terms of which the British Government committed itself to the "establishment of a national home for the Jews" in Palestine, Jewish refugees from the war in Europe, as well as other countries of the world, were permitted to settle there. They established thriving farms, new industries, and generally began to build their life anew.

Additional hundreds of thousands of refugees strove to enter the "promised land" as a result of the Nazi holocaust in Europe and the Second World War. Nevertheless, the struggle for independence was still not over: irresponsible Arab leadership as well as the opposition of the British authorities to increased immigration still had to be contended with.

The historic resolution of the United Nations in 1947 which provided for an economically unified Palestine, divided into a Jewish and an Arab state, was the next to last step in the long process of once again achieving independence. When the Arab States refused to acknowledge the existence of the newly proclaimed State of Israel in May 1948, the modern Israelites once again had to defend their homeland. This time they were successful, and they have gone on from there to build one of the most progressive and successful of the new states.

I take this occasion to congratulate them on the nearly incredible achievements of these past 17 years—a modern economy, a thriving agriculture, and the successful assimilation of hundreds of thousands of refugees from a tremendous variety of backgrounds. The Israelis deserve our compliments, and our best wishes for the future.

Great Plains Conservation Program

EXTENSION OF REMARKS

OF

HON. CLAIR CALLAN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1965

Mr. CALLAN. Mr. Speaker, conservation has meant much to Nebraska. The dust does not blow on Nebraska's plains as it once did. Farmers and ranchers have turned in increasing numbers to the Great Plains conservation program, established in 1956. The program is administered by the Soil Conservation Service of the U.S. Department of Agriculture. This program supplements, in designated counties, the good work that has been going on for years in soil conservation districts.

In Nebraska, the Great Plains conservation program operates the same way as elsewhere in the vast region where it applies. The program is based on individual long-term contracts between the farmer or rancher and the Federal Government, but it is also a regional program that embraces the 10 Great Plains States which contain 37 percent of the Nation's land area and 40 percent of the cropland. The region, with 17 million people, normally produces 60 percent of the country's wheat and 35 percent of its cattle. The overall importance of the program lies in its broad regional benefits derived from the participation of more than 17,000 farmers and ranchers.

Voluntary participants receive technical assistance in developing soil and water conservation plans for their entire farm or ranch. Federal help ends when the plan is completed and the farmer or rancher is better able to cope with the drought and other climatic conditions.

More than 2,300 Nebraska farms and ranches are operated under Great Plains conservation program contracts. These farms and ranches embrace about 3 million acres.

Some 140,000 acres of cropland will be converted to grass, an estimated 90 percent of which is being planted to native grasses and is not likely to be plowed in the future. All this means that some of our richest topsoil will be preserved for the function it best serves and will be available for generations to come and not be blown away.

Results of Questionnaire, 12th Congressional District of Illinois

EXTENSION OF REMARKS

OF

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1965

Mr. McCLORY. Mr. Speaker, recently I circulated a public opinion questionnaire to more than 127,000 households in the 12th District of Illinois—comprising Lake, McHenry, and Boone Counties. It is gratifying to report that over 17,000 questionnaires were returned, many with additional comments and suggestions.

It has been most helpful to me in my work to review these questionnaires and to read the numerous individual opinions expressed by the well-informed and vitally interested citizens of our 12th Congressional District. I am pleased to include the compiled results of this poll in the CONGRESSIONAL RECORD, as follows:

THE 1965 QUESTIONNAIRE—FINAL RESULTS

1. Because the Nation's growing need for coins cannot be met by the two existing U.S. mints at Philadelphia and Denver, I introduced H.R. 39 to construct a third U.S. mint in our area to serve the Midwest. Do you favor passage of this measure?

	Percent
Yes	83.6
No	16.4

2. Congress will review our immigration law this year. What factors do you consider basic in allowing an individual from another nation to emigrate to the United States?

	Percent
(a) Having a skill needed in the United States	34.3
(b) Being born in a certain country	2.4
(c) Closely related to U.S. resident	18.7
(d) Having educational attainments	22.5
(e) Being of a certain race	1.6
(f) Persecuted by another country	15.5

3. Do you favor repealing section 14(b) of the Taft-Hartley labor law (the section which now allows a State to outlaw the union shop clause in labor contracts)?

	Percent
Yes	28.3
No	71.7

4. In solving the persistent problem of agricultural overproduction and mounting surpluses, which approach do you prefer?

	Percent
(a) Continuing the present farm program with price supports and production controls	12.0
(b) Making a gradual transition toward a free agricultural market	88.0

5. The metric system applies to most scientific work (centimeters, kilograms, etc.). However, our use of feet and inches as units of linear measure, and ounces and pounds as units of weight (avoirdupois system), are examples which are out of step with the metric system. I have introduced H.R. 38 to study official adoption by the United States of the metric system. Are you in favor of this action?

	Percent
Yes	67.2
No	32.8

6. It appears that some medicare legislation will be passed at this session to provide hospital care for the aged. Which method do you prefer:

	Percent
(a) Hospitalization administered by Federal Government financed by increased social security taxes	16.3
(b) Expansion of Kerr-Mills program to provide medical care for the needy aged only	37.8
(c) Giving tax credit or premium payment credit for individuals who purchase private health insurance	45.9

7. The President has expressed interest in more American trade with the Soviet Union and Communist bloc countries. What is your opinion?

	Percent
(a) No trade whatsoever	35.7
(b) More trade but not strategic materials	57.7
(c) Trade with no restrictions	6.6

8. Do you think congressional action is needed to protect the housewife and other consumers from certain marketing practices by granting the Federal Food and Drug Administration authority as follows:

	Percent
(a) Limit food packages only to permissible weights and sizes	26.6
(b) Require food manufacturers to obtain permission before changing the recipe for a standard food	23.3
(c) Restrict the use of advertising and sales messages on food packages	23.6
(d) No action needed	26.5

Operation Deathtrap

EXTENSION OF REMARKS

OF

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1965

Mr. REINECKE. Mr. Speaker, I wish to call to the attention of my colleagues a public service program which has gained wide attention, and praise, in the 27th District of California.

It is called Operation Deathtrap and it was born nearly 15 years ago as a result of appalling and recurring press reports concerning numerous deaths by suffocation of small youngsters who found themselves trapped while playing inside carelessly abandoned refrigerators or iceboxes.

Operation Deathtrap is a voluntary roundup of such carelessly stored chests-of-death performed free of charge by a civic-minded trade league, the San Fernando Valley Refuse Removal Association. The program has now become an around-the-clock, around-the-calendar collection of these lethal boxes performed at the expense of the refuse collectors themselves as their contribution to the health, welfare, and safety of their community.

Since the program was started hundreds of thousands of persons have moved to the San Fernando Valley. Current population figures have topped the million mark, and if the Valley had status as a city, it would be the seventh largest in our Nation. Despite this great population growth, not one valley child has lost his life in this way during the lifetime of Operation Deathtrap. It is my sincere prayer and trust that no valley child will lose his life in such a manner. If we are granted this good fortune, it will be in large measure due to the unselfish and civic-minded effort on the part of these fine men who are members of the association.

Operation Deathtrap was conceived by Will Chappel, San Fernando Valley civic leader and a public relations counsel, supported by Chief of Police William H. Parker and his valley command, and activated by the refuse removal operators. Working as a team, they have effected the removal of close to 1,000 of these derelict contraptions from garages, backyards, vacant lots, and other unguarded areas used by small children as playgrounds.

Their combined efforts have brought much favorable publicity to the city of Los Angeles and particularly to the San Fernando Valley. But, more important, I commend these citizens to you because of the safety legislation their efforts have inspired on the Federal, State, and city levels regulating and enforcing installations of safety devices in the manufacture of refrigerators, such as snap locks which can be opened from the inside of such appliances.

Mr. Speaker, I feel deeply and conscientiously that such a dedicated effort in my congressional district cannot go unacclaimed for long, and I respectfully submit it to you and my colleagues in this House for the recognition it so richly deserves.

Runnymede

EXTENSION OF REMARKS

OF

HON. BERNARD F. GRABOWSKI

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1965

Mr. GRABOWSKI. Mr. Speaker, the tribute paid to our late President, John

F. Kennedy, by the British people when they set aside an acre of land in historic Runnymede Meadow, is the highest they can bestow.

Runnymede, where the Magna Carta was signed in 1215, was the site of the formal beginning of government by law. And the Magna Carta has influenced the world in every century succeeding.

I wish to add my thanks to those already expressed by others for this gift from the English peoples.

One of the finest expressions of our appreciation on this side of the Atlantic was the speech by Secretary of State Dean Rusk in accepting this acre of land.

With permission, I would like his speech to be inserted in the RECORD at this point:

SECRETARY RUSK'S STATEMENT AT RUNNYMEDE, MAY 14, 1965

Your presence here, Your Majesty, Your Royal Highness, this nation, Mr. Prime Minister, which has nurtured freedom for so many in so many parts of the world, the British people, Mr. Macmillan, Lord Harlech, who have generously joined their affection and their resources to give life to the Kennedy Memorial Trust.

This quiet and lovely Runnymede, the field of the Great Charter which began to lay the hand of "the law of the land" upon the exercise of power.

The extraordinary, incandescent man, Mrs. Kennedy, whom we honor here today, all these make this an unforgettable moment for us and for those we represent.

President Johnson has asked me to exercise personally, on his and our Nation's behalf, my statutory privilege of accepting this acre of land. I do so with the joy, and the sadness, which shall forever mark those of us who served with John Fitzgerald Kennedy.

When the American people learned about this tribute to our beloved late President, we were deeply moved—not only because you decided to share with us this Runnymede which is a common and precious symbol, but also because what you have done reflects so sensitive an understanding of John F. Kennedy himself.

No one of us more than he searched out the best of our past as a guide to present commitment and to future action. He would have been the first to recall:

That his own Massachusetts, in 1641, adopted a "Body of Liberties" in response to a need for what John Winthrop called a fundamental law "in resemblance to a Magna Carta."

That the lineage of our common liberties runs through the Petition of Rights, the Habeas Corpus Act, your Bill of Rights of 1689, and our own Bill of Rights in the Federal Constitution.

And that there is unfinished business in the endless struggle for human dignity and freedom, at home and abroad.

No one of us more than he was concerned for the future. You have generously provided fellowship opportunities for young men and women to enlarge their capacity to build that decent future which was his passionate concern.

The words you have inscribed on this tablet express not only the deepest resolve of John F. Kennedy but the abiding commitment of the American people: "Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend or oppose any foe in order to assure the survival and success of liberty."

We know, because you have proved it on many crucial occasions, that this is also the abiding commitment of the British people.

On behalf of President Johnson and the American people, I thank Your Majesty, your Government, and your people. We shall cherish this memorial to a President who shall be forever young. "At the going down of the sun and in the morning" we shall remember him. And we draw strength and confidence from the knowledge that all who pass this way shall be reminded of the common dedication of the British and American peoples to the cause of human liberty—a reminder which has its roots here in seven and a half centuries and its promise through all time to come.

Thank you, Your Majesty, Mrs. Kennedy.

Tribute to the People of Norway

EXTENSION OF REMARKS

OF

HON. ROLLAND REDLIN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1965

Mr. REDLIN. Mr. Speaker, today, May 17, is an appropriate time to pay tribute to the people of Norway, for 151 years ago on this date the Norwegian Constitution was signed, creating a new nation oriented toward liberty and democracy.

In many parts of the United States—and particularly in my State of North Dakota—Americans of Norwegian extraction will commemorate this anniversary. They have reason to be proud, because the Norwegian Constitution was rooted in traditions of liberty and rule by law dating back eight centuries.

Independence for Norway came after a series of unions with Denmark and Sweden in which either one or the other of these nations held the upper hand. In the early part of the 19th century, the Norwegians reluctantly entered the Napoleonic wars on the side of Denmark, with Sweden on the opposite side. As hostilities came to an end, Denmark was forced to sign the Treaty of Kiel on January 14, 1814, ceding Norway to Sweden.

Not only were the Norwegian people unhappy about being used as a pawn in international politics, but so was Prince Christian Frederik, Danish Governor General in Norway, who felt that his hereditary rights to Norway had been signed away.

Upon the call of Prince Christian Frederik, a constituent assembly convened at Eidsvoll near Oslo on April 10, 1814, to draft a Constitution. Fifty-nine government officials, 37 farmers and 16 businessmen drafted the Constitution in 6 weeks, and it was approved and signed on May 17.

Unfortunately, Norway's sovereignty was short lived. When the assembly elected Prince Christian Frederik to be King of Norway, Sweden launched a military attack. After brief hostilities, the Convention of Moss was negotiated, establishing Norway and Sweden as separate kingdoms under one monarch, King Carl Johan, of Sweden. Not until 1905 did Norway become a completely independent nation.

Nevertheless, King Carl Johan recognized Norway's Constitution and it remained in force during the entire period. Today, although two-thirds of the articles have been amended, the chief features of the Constitution remain intact as the fundamental law of Norway.

Mr. Speaker, the development of democratic thought in Norway, although rooted in ancient national traditions, was also influenced by the U.S. Constitution and by thousands of letters from the steady stream of Norwegian emigrants to the United States.

I am proud that thousands of these emigrants came to my State of North Dakota. Census reports show there are more than 50,000 persons of Norwegian extraction in my State.

Norway and the United States have many common ideals, based on a belief in the dignity of the individual. It is a pleasure to take note of Norwegian Constitution Day.

Tabulation of a Public Opinion Poll, Second District of South Dakota

EXTENSION OF REMARKS

OF

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1965

Mr. BERRY. Mr. Speaker, the final tabulations have recently been completed on the questionnaire which I sent to nearly 90,000 residents of my district in South Dakota. This year, because of the additional area of 20 counties being added to the Second Congressional District, I sent two types of questionnaires, the one on a postcard to all boxholders living in the former district, and the other on a letter-type sheet which was sent to all persons listed in telephone directories in the 20 counties east of the Missouri River.

The response to the questionnaire was large, and the results are most interesting. In the following report, which was mailed to the same people who received the questionnaire, the results were published giving both the results from the former district and the new area.

Under leave granted I include the report in the RECORD:

REPORT FROM HON. E. Y. BERRY, SECOND DISTRICT, SOUTH DAKOTA

APRIL 1965.

DEAR FRIEND: Let me again express my appreciation to you for taking the time to complete and return my 1965 questionnaire. This year, because of the additional interriver area being added to the Second Congressional District, I sent two types of questionnaires, the one on a postcard to all boxholders living west of the Missouri River, the other on a letter-type sheet which was sent to all persons listed in telephone directories in the 20 counties east of the Missouri River.

The response to the questionnaire was large, and the results are most interesting. In this report, I shall refer to the tabulation from the west Missouri River returns and the tabulation from the east Missouri River returns separately. While there is some variation, the results are, however, surprisingly similar.

Medical care for the aged: The first question dealt with medical care for the aged and was divided in two parts, the first part asking, "Do you favor medical care for the aged through medicare, hospital and nursing care under social security?" The second part of the question was, "Do you favor medical care through eldercare, State-administered health insurance program with aid to needy?" The results of the returns from west of the Missouri River were 83 percent against medicare and 84 percent for eldercare. In the east-river counties, 74 percent opposed medicare and 75 percent favored eldercare.

Interestingly enough, medicare came to the House floor for action about the time most of the returns from the questionnaire were in. It came under what is termed a "closed rule," meaning that no amendments could be offered to the bill. The only opportunity to express your will was through a motion to recommit the bill with instructions to report it back with the medicare provisions stricken.

It was a complicated 300-page bill. The medicare section is compulsory for all employers, employees and self-employed requiring increased payroll taxes for hospital benefits available at 65. The social security base is increased from the present $4,800 to $5,600 next January and will go to $6,600 in 1971. An employee earning the full amount of the covered wage will have his tax increased from $198 to $243.60 in 1966, and to $353.10 by 1973. The farmer, the small businessman, and all self-employed will have the present tax of $297.60 per year increased to $355.60 in 1966, and to $498.30 in 1973. A 21-year-old self-employed person can expect to contribute about $19,000 during his productive years, which payments, if banked at 3½-percent interest, would net him $45,000 at retirement time. It completely ignores need and ability to pay; everyone must pay who earns $1 or more. The Associated Press reported on April 22 that administration economists are becoming jittery about the possible depressive impact on the economy next year of this heavy tax which will take about $5 billion out of circulation. Last year they hailed the $11 billion tax cut as an economic "shot in the arm." Little wonder they now worry about a new $5 or $6 billion regressive tax which bludgeons every low-income citizen.

The second part of the bill is a revision of eldercare. It is voluntary for all persons over 65. It provides for a $3 deduction from the monthly social security payment to be matched by a like amount from the Federal Government. This payment is used to purchase insurance which would cover 80 percent of the cost of physicians' services, home health services, drugs, and other medical needs exceeding $50 per year, which benefits are not covered by the compulsory medicare section.

The third part is direct aid. It is designed to help the elderly poor who are self-supporting and who would be made charity cases by any major health problem. This part of the bill is a liberalization of the Kerr-Mills program which operates in our State. Under it, the Federal Government matches State funds to aid this class of patients.

Because you in both the old and new portions of the Second Congressional District very emphatically told me you wanted me to vote for eldercare and against medicare, I first voted to recommit the bill to the committee with instructions to bring it back forthwith without the compulsory social security medicare provisions. Failing to eliminate medicare, I cast your vote as 83 percent of you west of the river and 74 percent of you east of the river directed and that was against social security financed medicare.

Education: The second question was on Federal aid to education. West of the river 67 percent opposed, and east of the river 54 percent opposed. Here again, I cast your vote as you directed. The bill recently enacted and signed into law by the President in a one-room school in Texas, authorizes $1.3 billion in education benefits beginning July 1, and is directed primarily toward pupils from low-income families. More than $1 billion will be used in a 3-year program of Federal grants to States. It provides 5-year programs of grants for the purchase of books and library materials, establishment of federally financed supplementary education centers, and research. It extended for 2 years the federally impacted area laws.

This measure is the opening wedge for Federal aid and subsequent control of grade and high school education systems which have traditionally been operated locally and responsible to local needs. Significant strides have been made under local school boards to improve educational standards, as evidenced by the fact that classroom construction has substantially exceeded increases in pupil enrollment and the number of students per classroom has decreased in the past decade.

General: In the west river area 67 percent favored providing parents of college students with a tax credit for part of the student's expense. In the east river counties 72 percent favored it. With regard to the removal of $3 billion worth of excise taxes on furs, luggage, etc., 61 percent in both areas were opposed. On the question of relaxing restrictions on immigration by gradually abolishing the quota system based on national origin, in the west river 79 percent said no, in the east river 72 percent said no.

On the question of prohibiting States from having right-to-work laws, west river 82 percent said States should not be prohibited, east river 74 percent voted to permit States to have right-to-work laws. To the question, "Do you favor creation of a Cabinet level post of Department of Housing and Urban Affairs," west river 78 percent said no, east river 72 percent said no. In the east river questionnaire, as a subhead to this question we asked whether or not they favored rent subsidies for moderate income families as recommended by the administration and 73 percent said no. The question of authorizing reapportionment of the State senate on other than population basis brought an interesting answer. In the west river 38 percent said yes while 53 percent said no. In the east river 42 percent said no, while 45 percent said yes.

Under agriculture the question was, "Do you favor the President's proposal to purchase 50 million cropland acres and encourage farmers to divert their land to nonagricultural uses?" West of the river 84 percent said no. East of the river 74 percent said no. On the question, "Do you favor stopping funds to nations friendly to Communists," West of the river 80 percent said yes. East of the river 84 percent said yes. On the subject of war on poverty, the question was, "Do you favor doubling funds to approximately $2 billion annually?" West of the river 68 percent said no. East of the river 63 percent said no.

The answers on social security were interesting. The question was, "Do you favor increasing benefits by 7 percent with accompanying tax increase?" West of the river 64 percent said "No." East of the river 62 percent said no. This, of course, was influenced in the medicare bill as it passed the House. The answers on spending were almost a deadheat on each side of the Missouri River. The question was, "Do you favor increasing spending authority by $6 billion as the President requested?" West of the river 84 percent said no. East of the river 82 percent said no.

Because a group of 10 Senators have asked the President to eliminate the export provision requiring that 50 percent of all grains sold to Iron Curtain countries must be shipped on American-flag vessels, the question of trading with Iron Curtain countries was especially interesting. West of the river 70 percent voted against trade with Iron Curtain countries, while east of the river 59 percent opposed trading with the enemy. Then on the last question, "Do you favor Federal aid to meet transportation problems in cities," the west river voted 81 percent in opposition while the east river voted 74 percent against.

I want again to express my appreciation to you for giving me the benefit of your thinking on these many troublesome problems that face us as a nation, that face you as a taxpayer and citizen, and face me as a legislator casting your vote for you.

Agriculture: Received an interesting letter over the signature of the Secretary of Agriculture telling of the wonderful work the Soil Conservation Service was doing in South Dakota and specifying several districts that had done especially outstanding jobs. I wrote back to thank him and asked why, if he is so pleased with this work, was he demanding the emasculation of the program by a 50-percent cut in the SCS budget. The House Agriculture Committee has indicated they will hear testimony in support of my wheat bill which would retain export certificates at the present level but support domestically consumed wheat at $3 per bushel. This would give the producer 90 percent of parity on all wheat produced. It will do two things: First, it will return wheat to a price from which it should never have been reduced last year, and secondly, it will point up the fact that it is actually the consumer who is being subsidized by cheap food prices—the farmer simply collects the check. The wool program which I cosponsored some 11 years ago will be extended for another 2 years. No effective changes can be expected in the Sugar Act. Today 65 percent of all domestically consumed sugar is imported while American farmers are begging for an opportunity to raise sugarbeets or cane on their land idled by imports.

With kind regards, I am,
Sincerely yours,

E. Y. BERRY.

Maine Maritime Academy's Participation in Merchant Marine Week

EXTENSION OF REMARKS

OF

HON. STANLEY R. TUPPER

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1965

Mr. TUPPER. Mr. Speaker, on behalf of myself and my esteemed colleague from Maine, Representative HATHAWAY, I draw to the attention of the House the forthcoming observance, May 17–24, 1965, in Washington, D.C., of Merchant Marine Week, World Trade Week, National Maritime Day, and the 15th anniversary of the U.S. Maritime Administration.

We take special pride because a feature role in this program will be taken by the Maine Maritime Academy, one of the Nation's finest institutions of merchant marine officer training. The academy's training vessel, the *State of Maine*, largest ship ever to navigate the Potomac, will be in Washington throughout the week.

Also on board the *Maine* will be cadets from the U.S. Merchant Marine Academy, New York State Maritime College, Massachusetts Maritime Academy, and the Texas Maritime Academy. In addition, alumni from these five academies have joined together in arranging a splendid program of social and educational activities while the *Maine*'s 300 cadets are in Washington. It is a heartwarming display of interacademy cooperation which bodes well for the future in our expanded efforts to foster a resurgence of the American merchant marine.

The *State of Maine* will be open to public inspection at the U.S. naval gun factory each afternoon, Monday through Saturday, from 1:15 to 4:30 p.m. and Members are urged to take this opportunity for a firsthand look at our merchant marine officer training program.

While you are aboard the *Maine*, it is suggested that you also inspect the Maine Products Show Afloat, an industrial-agricultural exhibit containing goods from Down East forests, farms, and factories. Overall sponsor of the Maine Products Show is the Maine World Trade Council, a private organization, with assistance of the Maine Department of Agriculture, the Maine Department of Economic Development, the Maine Maritime Academy, and scores of our fine Maine business firms.

The Maine Products Show, though new to Washington, has been a feature on the training vessel for several years. It began when the Maine Maritime Academy trustees sensed that the annual winter cruise to foreign ports had become valuable to the State's promotional program. Trips to South America, the Caribbean, the Mediterranean, and Europe have produced significant results in the export field.

Gov. John R. Reed, of Maine, has said:

> Maine is proud that the U.S. Maritime Administration has invited our maritime academy training ship to Washington to highlight this State's progress and its economic goals.

Merchant Marine Week will officially open Tuesday morning when Maritime Administrator Nicholas Johnson dedicates a new merchant marine exhibit in the General Accounting Office Building. The same morning Vice President HUBERT HUMPHREY will present a $500 award to the winner of a national high school poster contest commemorating National Maritime Week—the poster now appearing on mail trucks throughout the country. Our fine Maine Maritime Academy Band will play at this ceremony.

On Wednesday the *Maine* Band and the U.S. Merchant Marine Academy Glee Club will perform on the steps of the Senate; that afternoon our *Maine* group will appear at the annual Maritime Recreational Association picnic at Rock Creek Park. Thursday evening our *Maine* musicians will play at the Sheraton Park Hotel at which time Mr. Nicholas Johnson, Maritime Administrator, will address the Propeller Club of the United States.

Saturday, Maritime Day, will mark another "first" in Washington, as crews from all five maritime academies compete in an old-fashioned lifeboat rowing race on the Potomac River, off Hains Point. The race is scheduled for 2 p.m. There will be excellent facilities for spectators.

Evenings during the week, the *State of Maine* will be the scene of a series of social events, culminating with a gala dancing party for cadets on Saturday evening.

This unprecedented salute to the merchant marine came about through efforts of Maritime Administrator Johnson, the U.S. Department of Commerce, and reflects the administration's concern with the problems of the maritime industry.

We from Maine are most pleased that our maritime academy was able to solve the many problems involved in bringing the training vessel to Washington. We are ever mindful of our historic kinship with the sea, and are proud to be members of a growing team whose objective is a merchant marine second to none.

Proposed Skip-Row Rule Change Threatens Ruin for Thousands of American Cottongrowers

EXTENSION OF REMARKS

OF

HON. WALTER ROGERS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1965

Mr. ROGERS of Texas. Mr. Speaker, thousands of American cotton farmers will suffer a severe, and in some cases disastrous, economic blow if the Department of Agriculture places in effect its proposed rule change affecting cotton planted in skip-row patterns. The rule not only would result in reduced net income to cotton farmers but would bring the end to proven, sound conservation practices followed by a generation of Texas Panhandle and South Plains cotton farmers, as well as growers in many other areas of the Nation.

In addition, the new rule would disrupt current farming practices followed by grain sorghum producers in our Panhandle-Plains region, would serve to offset Government efforts to keep grain stocks in check, and would destroy the faith our farmers have in the wisdom of current farm policy objectives.

We are told that one of the objectives of current Agriculture Department policy is to provide opportunity for efficient family farmers to earn parity of income, that the Department seeks parity of income for all rural people, including new opportunity for small farmers. I find it impossible to reconcile these announced goals with the Department's proposed rule change affecting cotton when planted in skip-row patterns.

We are told that USDA officials feel that increased yields due to skip-row plantings have, in the words of a Department press release, "contributed substantially to the increase in cotton production." The Department does not state the obvious truth that other modern-day farming practices—including irrigation, improved fertilizers, and insecticides—also contribute to the increased productivity of the American cottongrower. But only skip-row planting practices are the target of the rulemaking authority the Department of Agriculture seeks to exercise.

What is proposed in the rule is a fundamental change in farming practices followed by thousands of farmers. For more than 30 years, since long before the Government first established a cotton program, planting cotton by skipping rows has been an established practice in the Texas Panhandle and South Plains, as well as other areas.

Skip-row planting has been a good and common practice in our part of the country because it is a practice that makes the best use of available moisture. The roots of the cotton plants are able to reach out to benefit from the moisture in adjacent skipped rows.

It is a good and common farming practice because it permits sunlight to reach the sides of the plants, cutting down on boll rot and improving the quality of the fiber.

It is a good and common practice because it enables our farmers to prevent damaging wind erosion, which threatens in late winter and early spring. Farmers are able to plant rows of grain sorghum in the skipped rows and thus check the wind by rows of standing sorghum stalks. This is a practice strongly endorsed by the Soil Conservation Service.

It is a good and common practice because it permits so-called interplanting, by which a farmer on irrigated land may plant alternate four-row strips of cotton and grain sorghum to the benefit of the quality of both crops. Estimates are that this practice adds from $6 to $12 per bale in the quality of cotton lint and seed. The sorghum strips, by holding the heat, permit the cotton to mature earlier at higher grade.

It has also been tied closely to the Government grain sorghum program, enabling the farmer to count as diverted acres under the grain sorghum program the fallow four-row strips between four cotton rows. The effect of the proposed new rule, with its system of measurement, would force present four-four skip-row patterns into an impossible pattern of four rows of cotton and five of fallow—in order for the fallow to count as diverted grain sorghum land. Present four- and eight-row farm equipment is obviously not built to accommodate such a scheme. Grain people are convinced that the effect of the skip-row proposal would be to encourage increased production of grain sorghum by farmers who now work that crop in conjunction with cotton.

The Department must give extremely careful consideration to this potential consequence.

The skip-row rule constitutes another damaging blow to an already depressed segment of American agriculture. Cotton supports have declined in 3 years to bring a reduction, in effect, of 30 to 40 percent of cotton farmers' net income after production expenses. The so-called cost-price squeeze has a very real meaning for the American cotton farmer, who now must face one more threat to his survival. The new rules are also causing considerable consternation, as they should, in local communities whose economies are dependent upon the fate of cotton farmers. The Commissioners Court of Childress County, Tex., for example, estimates that the imposition of the proposed rules would result in a $1 million drop in income within the county.

By proposing rules such as this one, the Agriculture Department is seeking to attain the goal of a workable balance between supply and demand at the expense of thousands upon thousands of bankrupt cotton farmers and depressed economies in the communities which have served them. The full impact of trying to attain this balance is being visited upon that segment least able to absorb it.

In formulating the new rules, the Department of Agriculture is following a practice I find altogether too common in the departments and agencies of our Government. Instead of seeking a correction of what are viewed as problems by coming to the Congress to ask for new legislation, the departments seek first—in too many instances—to exercise their authority to make rules and regulations. They, in effect, are legislating, and by doing so are invading the ground granted to Congress by the Constitution. When rules are imposed, citizens by the millions are affected by regulations which their duly elected representatives had absolutely no part in formulating. In our system of Government, rulemaking authority should not be used to circumvent the expressed will of the Congress or to avoid the more time-consuming process of enacting legislation. When rulemaking authority is abused, the people can justifiably complain of rule by fiat, of power improperly exercised by unfeeling bureaucratic administrators. But action by the Congress, through legislation enacted into law, has the great strength of having been supported by majorities of representatives elected by the people.

In seeking the objective claimed for the proposed skip-row rule change, the Department has the alternative of coming to Congress for new cotton program legislation. The Department has as yet offered no proposals to the Congress affecting cotton, but when it does so it could very well incorporate into its request provisions that would make unnecessary any change in the skip-row planting rules.

The Department could, for example, make a strong case before the Congress for increasing the per-pound support payment on the domestic allotment for each farm, now placed at 4.35 cents per pound, to further encourage the voluntary cutback of cotton production. I am convinced that an increase of a cent a pound or more in this phase of the cotton program would result in a substantially higher degree of grower participation. This would have the effect of lowering Government cotton stocks, thereby cutting the cost of the cotton program.

I am convinced also that progress can be made, under renewed and more aggressive effort by the Department, to improve the cotton export picture.

All aspects of the matter deserve thorough and careful review, not only in the Department but also in the Congress. In this connection, I have joined with the distinguished chairman of the House Appropriations Committee, the gentleman from Texas, the Honorable GEORGE H. MAHON, to ask that the House Committee on Agriculture hold a public hearing to permit cotton growers to appear and protest the proposed action of the Department of Agriculture. With Congressman MAHON, I would join growers in appearing before the committee.

If the Department should follow through with the skip-row proposal and place the rule in effect, Congress must act to correct the situation. The proposed rule in punitive, defies sound agricultural practices, would destroy morale and confidence among farmers and rural people generally, and would threaten economic ruin for thousands and thousands of our farm families.

Virginia Military Institute Honors Hon. Harry F. Byrd

EXTENSION OF REMARKS

OF

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1965

Mr. MARSH. Mr. Speaker, on Saturday, May 15, in impressive ceremonies at Lexington, Va., marking the 101st anniversary of the Battle of New Market, in which the Cadet Corps of VMI was moved into the battleline and distinguished itself with uncommon gallantry, Virginia's senior Senator, the Honorable HARRY F. BYRD was awarded the third annual New Market Medal.

Although not a graduate, Senator BYRD has numerous family ties to the institute, and the award was made as a testimonial to his four decades of selfless public service in the spirit of the institute.

In this connection, Mr. Speaker, I should like to include, under leave to extend my remarks in the RECORD, a message delivered by Senator BYRD in accepting the award, together with two accounts of the ceremonies—one by a correspondent of the Richmond, Va., Times-Dispatch and the other a dispatch of the Associated Press as it appeared in the News of Lynchburg, Va.:

SPEECH PREPARED FOR DELIVERY BY SENATOR HARRY F. BYRD, OF VIRGINIA, ACCEPTING THE NEW MARKET AWARD BY VIRGINIA MILITARY INSTITUTE, LEXINGTON, VA.

The first time I was invited to speak at Virginia Military Institute I asked my brother Dick (the late Admiral Bryd) what kind of a speech I should make. He gave me a one word answer. The word was "Short."

I'll try to follow that advice again today. I have been told that a good speech is one with a short beginning, and a short ending—close together.

But, if I manage brevity in these remarks, I want you to know how deeply pleased I am to be here, and how profoundly grateful I am for the honor you have bestowed upon me.

I am always pleased to come to VMI. There are many reasons for the satisfaction I find in coming back here. Family associations are among these reasons.

My grandfather was in the VMI class of 1849. My great-uncle was a New Market cadet. My father-in-law was in the class of 1879. My brother-in-law was in the class of 1907. My brother Dick was in the class of 1908. My eldest son was in the class of 1935.

While I was Governor of Virginia, I took pride in my responsibilities as commander in chief of the Virginia Militia—which includes the corps and officers of VMI.

As Governor, I signed the diplomas for the graduates of VMI. And, believe it or not, I enjoyed the job. VMI diplomas were the only ones signed by the Governor at that time.

Some of you here may recall also that, while I was Governor, a commission appointed by the general assembly recommended that VMI be made coed. My brother Dick heard about it in the Pacific, and cabled that he would never speak to me again if I approved that recommendation. I rejected it.

Your contributions to our State and Nation are unique. And the tradition of VMI—and the events, and the lives of men who have shaped it—is inspiring.

General Shell has paid eloquent, and richly deserved, tribute to Gen. Francis Smith and his monumental achievements at VMI. I am proud to be among those who revere him at this dedication today.

And President Walter Taylor Revely, of Hampden-Sidney—by reminding us of General Smith's work in that fine neighboring college—has underscored the enduring products of his talent.

The thrill of the Virginia Military Institute's corps of cadets on parade quickens the patriotic pulse of us all. It is a magnificent body of men. It always impresses me as young American manhood at its best.

And this, I think, has been the impression it has made since its baptism of fire at New Market where, 101 years ago today, it fought as a corps and acquitted itself in immortal glory.

You honored me with an invitation to be here last year on the centennial of the Battle of New Market, when, as today, we called the honor roll of cadets who gave their lives in the cause for which they fought.

We pay homage each year to the men of New Market by calling the names on this roll of valor and cadets who follow in their tradition respond: "Died on the field of honor, sir."

We hold this solemn report to be the greatest tribute we can pay those young men who died in defense of principles in which so many great men believed. But no tribute can exceed the merit of those young men.

Men of Virginia Military Institute have distinguished themselves as military leaders in every armed conflict of this country since the Mexican War. As a military college it has earned world renown.

But in its grand tradition, from the beginning, and to the great credit of General Smith, VMI has trained men to be leaders in peace as well as war.

General of the Army George C. Marshall is a more recent example of the VMI men who achieved greatness in both war and peace, and last year he was awarded the second New Market Medal.

I was privileged to be present when Mrs. Marshall accepted the medal in behalf of her late, illustrious husband—at the time when your research library was dedicated in his memory.

Before General Marshall, the New Market Medal had been awarded only to Gen. Charles E. Kilbourne, my highly respected and esteemed friend—the sixth superintendent of VMI.

It did not occur to me a year ago that today I should find myself at Virginia Military Institute in company with General Marshall and General Kilbourne who previously have been honored as I am now.

I know that your board of visitors authorized this medal to be awarded only to Americans deemed to reflect in their own lives the qualities displayed by the cadets at New Market.

Words at my command are inadequate for this occasion. But, as I look at the words engraved on the New Market Medal, I know why I am stirred by what I regard as the spirit of VMI.

I know you have a rousing song by that name. I, too, have been excited by it. But the spirit of VMI which affects me most deeply is etched in the words on the medal: Duty, honor, devotion, leadership.

There are no finer words in the English language. In his farewell to West Point, Gen. Douglas MacArthur said such words as these were hallowed.

Duty is the requirement to be useful according to our powers. It is our principle of action. It is the basis for our dignity. It upholds civilization. Robert E. Lee said it was the sublimest word of all.

Honor establishes the right to respect. It is the product of man's conscience and integrity, his virtue and reliability, and his justness and straightforwardness. It is the nobility of man.

Devotion is the inspired inclination which binds men together without selfish motive. Here at VMI, we see it as the combination of loyalty, allegiance, fervor, and zeal—in dedication to a common cause.

Leadership at its best inspires man's finest efforts—at personal sacrifice if necessary. It arises in men of honor, devotion, and fidelity—in men of dignity who are masters of themselves.

Duty, honor, devotion, leadership in my interpretation, are the exalting qualities of the spirit of VMI. Intangible as they may be, they are the substance of superb character.

They are, of course, qualities basic to military eminence. They are equally essential to transcendent civilian distinction. Both civilian and military excellence are the objectives of training at VMI.

How well VMI's dedication to this dual purpose succeeded a century ago is documented by the record of the cadets at New Market and their civilian achievements after the war.

Even Union commanders praised their precision and gallantry in victorious combat. In the economic and political confusion after the war their civilian contributions were beyond measure.

In all the years since, the military service of the men of VMI has been peerless, and their reputation for sound attainment in civil pursuits attests their training for responsible citizenship.

As of today we have troops stationed around the world. Our naval units patrol all of the major seas. There is actual fighting in both the Atlantic and the Pacific. There is a Communist base in Cuba.

At home the Federal Government has worked itself into fiscal and monetary difficulties which are exceedingly serious. Dangerous centralization in our Government has never been greater, and it is increasing.

Jefferson counseled us to "make the States one as to everything connected with foreign relations; but to keep them the several States as to everything purely domestic."

The rights of States principle for which the cadets fought at New Market has been virtually destroyed by the Federal Government. I come here today to rededicate myself to the cause for which they fought.

As we look at the state of our Government at home, and the conditions around the world where our responsibilities are tremendous, I think the need for men trained to the standards of VMI seldom has been greater.

We are in a new era of atomic energy, rockets, and space. We have the capacity and know-how for development. We are a God-fearing people who have demonstrated our courage and capabilities.

With responsible citizenship, responsible government, fiscal soundness, and adherence to the principles of our system, there should be no fear for the future.

Without these, there will be neither solid progress nor security with military preparedness. I want the life of this Nation to be the longest and best in history.

The mission of Virginia Military Institute is clear. You have never failed to meet the requirements made of you. You will not fail now. I am forever grateful to you.

Godspeed.

[From the Lynchburg (Va.) News, May 16, 1965]

Senator Honored at VMI

Lexington.—Virginia's Senator Harry F. Byrd called Saturday for a revival of the spirit which guided the cadets who fought and died at the Battle of New Market 101 years ago.

"The rights of States principle for which the cadets fought at New Market has been virtually destroyed by the Federal Government," Byrd said at the Virginia Military Institute after receiving its third annual New Market Medal.

"I come here today to rededicate myself to the cause for which they fought."

Each year since 10 VMI cadets died in the Civil War battle May 15, 1864, the institute has set the day aside for commemoration. Byrd is the third recipient of the medal given by VMI in recognition of the qualities of duty, honor, and devotion exemplified by the fallen cadets.

Byrd received the medal from Elmon T. Gray of Waverly, president of the VMI board of visitors. Afterwards, he spoke at ceremonies dedicating the institute's new administration building, Francis H. Smith Hall.

The building is named for the first superintendent of VMI, Gen. Francis H. Smith, who left Hampden-Sydney College in 1839 to command the institute for 50 years.

In accepting the medal, Byrd said the "exalting qualities of the spirit of VMI" are duty, honor, devotion, and leadership—qualities called "hallowed" by the late General of the Army Douglas MacArthur.

"As we look at the state of our Government at home, and the conditions around the world where our responsibilities are tremendous, I think the need for men trained to the standards of VMI seldom has been greater," Byrd said.

"At home the Federal Government has worked itself into fiscal and monetary difficulties which are exceedingly serious. Dangerous centralization in our Government has never been greater, and it is increasing. * * *

"With responsible citizenship, responsible government, fiscal soundness, and adherence to the principles of our system, there should be no fear for the future."

[From the Richmond (Va.) Times-Dispatch, May 16, 1965]

VMI Honors Byrd, Smith, 1864 Cadets

(By Dallas Kersey, Times-Dispatch News Bureau)

Lexington, May 15.—Virginia Military Institute, markings its 125th year, paid tribute Saturday to a triumvirate who played key parts in the development and maturity of Virginia and the institute.

Center of attention during the hot day before some 2,000 persons was Senator Harry F. Byrd, who was awarded the New Market Medal. The gold disk is given each year on May 15 in honor of the VMI cadets who fought and died at the Battle of New Market in 1864.

The medal, presented by Elmon T. Gray, of Waverly, president of the VMI board of visitors, was given to Senator Byrd for his "outstanding leadership in Virginia for nearly 40 years and whose very name has come to be synonymous with fiscal responsibility and conservation in governmental affairs * * *."

Also honored Saturday were Gen. Francis H. Smith, the institute's first superintendent, who died in 1890, and the VMI students who fought in the Civil War. VMI's new administration building, which has been in use since last June, is named for General Smith.

Several of General Smith's descendants were in the audience.

On the 101st anniversary of the Battle of New Market, the cadet corps gave a full-scale parade and passed in review by the famed statue, Virginia Mourning Her Dead, to honor 247 of their comrades who fought for the South in the Civil War battle several miles north of here in the Shenandoah Valley. Ten cadets were killed and 47 wounded in the battle.

GREATEST HONOR

At the Smith Building dedication, Senator Byrd remarked to the persons gathered, "I've been in public service 50 years in Virginia in various capacities, and this is the greatest honor to come to me.

"I would rather have this medal given to me than any other thing," Byrd said. In the audience was his son, State Senator Harry F. Byrd, Jr.

This is the third presentation of the medal. It was given in 1962 to Lt. Gen. Charles E. Kilbourne, superintendent emeritus of VMI at the time, and last year was awarded posthumously to General of the Army George C. Marshall. His widow accepted the medal then.

After the dedication program, an open house was held in Smith Hall followed by a luncheon for cadets and invited guests.

REDEDICATE MYSELF

In his remarks, Senator Byrd recalled that his grandfather was in the VMI class of 1849, his great uncle was a New Market cadet, his father-in-law was in the class of 1879, his brother-in-law in the class of 1907, his brother Richard was a 1908 graduate, and his eldest son, Harry, Jr., in the 1935 class.

What has come to be known as the "spirit of VMI" grew out of the cadets' participation in the Battle of New Market. Senator Byrd said he also regards as the spirit of VMI, "which affects me most deeply," four words etched on the back of the medal: Duty, honor, devotion, leadership. "Intangible as they may be, they are the substance of superb character," he said.

"The rights of States principle for which the cadets fought at New Market has been virtually destroyed by the Federal Government," Senator Byrd said. "I come here today to rededicate myself to the cause for which they fought."

MATHEMATICS PROFESSOR

Smith Hall stands at the opposite end of the parade field from the VMI barracks. It is the second building at VMI to honor Smith's memory. An academic building, which was built in 1899, was the first to bear his name. This building later gave way to an addition to the barracks.

General Smith was a mathematics professor at Hampden-Sydney College when he was asked to assume leadership of the fledgling military school at Lexington. He was one of two faculty members when VMI opened in 1839, and he continued to guide and lead the institute for 50 years.

It was only the persistent efforts of General Smith, a graduate of the U.S. Military Academy at West Point, that brought about the reopening of VMI after Gen. David Hunter's raid virtually destroyed the institute in June 1864.

General Smith, whose first title had been principal, continued to lead the institute until he relinquished the post in December 1889. He died just 3 months later.

The Three Faces of Vietnam

EXTENSION OF REMARKS

OF

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1965

Mr. FRASER. Mr. Speaker, President Johnson's speech last Thursday to the Association of American Editorial Cartoonists is a moving account of what the United States is attempting through our foreign aid program.

The war in Vietnam, the President said, has three faces—armed conflict, the quest for a political solution, and human need. With the compassion which has marked his career, the President described this third face, "the untended sick, the hungry family, and the illiterate child. It is men and women, many without shelter, with rags for clothing, struggling for survival in a very rich and a very fertile land."

This he said is the most important battle in which we are engaged.

Our help to these people is the most crucial because, in his words:

> A nation cannot be built by armed power or by political agreement. It will rest upon the expectation by individual men and women that their future will be better than the past.

I commend the President's sensitive remarks to my colleagues:

REMARKS OF THE PRESIDENT TO THE ASSOCIATION OF AMERICAN EDITORIAL CARTOONISTS IN THE EAST ROOM

Good morning ladies and gentlemen, and my friends of the Association of American Editorial Cartoonists. I am very happy that you requested through the press office this opportunity for us to meet together, because after looking at some of the cartoons you have drawn, I thought I'd invite you over to see me in person. After all, I had nothing to lose.

I know that I am talking to the most influential journalists in America. Reporters may write and politicians may talk but what you draw remains in the public memory long after these other words are forgotten. That is why, after I learned that you would be here and we would meet together that I put together some notes to discuss with you while you were in Washington, a very little-known side of our activity in one of the most vital places in the world—South Vietnam.

The war in Vietnam has many faces.

There is the face of armed conflict—of terror and gunfire—of bomb-heavy planes and campaign-weary soldiers. In this conflict our only object is to prove that force will meet force—that armed conquest is futile, and that aggression is not only wrong, but it just will not work.

And the Communists in Vietnam are slowly beginning to realize what they once scorned to believe: that we combine unlimited patience with unlimited resources in pursuit of an unwavering purpose.

We will not abandon our commitment to South Vietnam.

The second face of war in Vietnam is the quest for a political solution—the face of diplomacy and politics—of the ambitions and the interests of other nations. We know, as our adversaries should also know, that there is no purely military solution in sight for either side. We are ready for unconditional discussions. Most of the non-Communist nations of the world favor such unconditional discussions. And it would clearly be in the interest of North Vietnam to now come to the conference table. For them the continuation of war, without talks, means only damage without conquest. Communist China apparently desires the war to continue whatever the cost to their allies. Their target is not merely South Vietnam, it is Asia. Their objective is not the fulfillment of Vietnamese nationalism. It is to erode and to discredit America's ability to help prevent Chinese domination over all of Asia.

In this domination they shall never succeed.

And I am continuing and I am increasing the search for every possible path to peace.

The third face of war in Vietnam is, at once, the most tragic and most hopeful. It is the face of human need. It is the untended sick, the hungry family and the illiterate child. It is men and women, many without shelter, with rags for clothing, struggling for survival in a very rich and a very fertile land.

It is the most important battle of all in which we are engaged.

For a nation cannot be built by armed power or by political agreement. It will rest on the expectation by individual men and women that their future will be better than their past.

It is not enough to just fight against something. People must fight for something, and the people of South Vietnam must know that after the long, brutal journey through the dark tunnel of conflict there breaks the light of a happier day. And only if this is so, can they be expected to sustain the enduring will for continued strife. Only in this way can longrun stability and peace come to their land.

And there is another, more profound reason. In Vietnam communism seeks to really impose its will by force of arms. But we would be deeply mistaken to think that this was the only weapon. Here, as other places in the world, they speak to restless people—people rising to shatter the old ways which have imprisoned hope—people fiercely and justly reaching for the material fruits from the tree of modern knowledge.

It is this desire, and not simply lust for conquest, which moves many of the individual fighting men that we must now, sadly, call the enemy.

It is, therefore, our task to show that freedom from the control of other nations offers the surest road to progress, that history and experience testify to this truth. But it is not enough to call upon reason or point to examples. We must show it through action and we must show it through accomplishment, and even were there no war—either hot or cold—we would always be active in humanity's search for progress. This task is commanded to us by the moral values of our civilization, and it rests on the inescapable nature of the world that we have now entered. For in that world, as long as we can foresee, every threat to man's welfare will be a threat to the welfare of our own people. Those who live in the emerging community of nations will ignore the perils of their neighbors at the risk of their own prospects.

This is true not only for Vietnam but for every part of the developing world. This is why, on your behalf, I recently proposed a massive, cooperative development effort for all of southeast Asia. I named the respected leader, Eugene Black, as my personal representative to inaugurate our participation in these programs.

Since that time rapid progress has been made, I am glad to report. Mr. Black has met with the top officials of the United Nations on several occasions. He has talked to other interested parties. He has found increasing enthusiasm. The United Nations is already setting up new mechanisms to help carry forward the work of development.

In addition, the United States is now prepared to participate in, and to support, an Asian Development Bank, to carry out and help finance the economic progress in that area of the world, and the development that we desire to see in that area of the world.

So this morning I call on every other industrialized nation, including the Soviet Union, to help create a better life for all of the people of southeast Asia.

Surely, surely, the works of peace can bring men together in a common effort to abandon forever the works of war.

But, as South Vietnam is the central place of conflict, it is also a principal focus of our work to increase the well-being of people.

It is in that effort in South Vietnam which I think we are too little informed and which I want to relate to you this morning.

We began in 1954 when Vietnam became independent, before the war between the North and the South. Since that time we have spent more than $2 billion in economic help for the 16 million people of South Vietnam. And despite the ravages of war we have made steady continuing gains. We have concentrated on food, and health, and education, and housing, and industry.

Like most developing countries, South Vietnam's economy rests on agriculture. Unlike many, it has large uncrowded areas of very rich, and very fertile land. Because of this, it is one of the great rice bowls of the entire world. With our help, since 1954, South Vietnam has already doubled its rice production, providing food for the people, as well as providing a vital export for that nation.

We have put our American farm know-how to work on other crops. This year, for instance, several hundred million cuttings of a new variety of sweet potato, that promises a sixfold increase in yield, will be distributed to these Vietnamese farmers. Corn output should rise from 25,000 tons in 1962 to 100,000 tons by 1966. Pig production has more than doubled since 1955. Many animal diseases have been eliminated entirely.

Disease and epidemic brood over every Vietnamese village. In a country of more than 16 million people with a life expectancy of only 35 years, there are only 200 civilian doctors. If the Vietnamese had doctors in the same ratio as the United States has doctors, they would have not the 200 that they do have but they would have more than 5,000 doctors.

We have helped vaccinate, already, over 7 million people against cholera, and millions more against other diseases. Hundreds of thousands of Vietnamese can now receive treatment in the more than 12,000 hamlet health stations that America has built and has stocked. New clinics and surgical suites are scattered throughout that entire country; and the medical school that we are now helping to build will graduate as many doctors in a single year as now serve the entire population of South Vietnam.

Education is the keystone of future development in Vietnam. It takes a trained people to man the factories, to conduct the administration, and to form the human foundation for an advancing nation. More than a quarter million young Vietnamese can now learn in more than 4,000 classrooms that America has helped to build in the last 2 years; and 2,000 more schools are going to be built by us in the next 12 months. The number of students in vocational schools has gone up four times. Enrollment was 300,000 in 1955, when we first entered there and started helping with our program. Today it is more than 1,500,000. The 8 million textbooks that we have supplied to Vietnamese children will rise to more than 15 million by 1967.

Agriculture is the foundation. Health, education and housing are the urgent human needs. But industrial development is the great pathway to their future.

When Vietnam was divided most of the industry was in the north. The south was barren of manufacturing and the foundations for industry. Today, more than 700 new or rehabilitated factories—textile mills and cement plants, electronics and plastics—are changing the entire face of that nation. New roads and communications, railroad equipment and electric generators, are a spreading base on which this new industry can, and is, growing.

All this progress goes on, and it is going to continue to go on, under circumstances of staggering adversity.

Communist terrorists have made aid programs that we administer a very special target of their attack. They fear them. They know they must fear them because agricultural stations are being destroyed and medical centers are being burned. More than 100 Vietnamese malaria fighters are dead. Our own AID officials have been wounded and kidnapped. These are not just the accidents of war. They are a part of a deliberate campaign, in the words of the Communists, "to cut the fingers off the hands of the Government."

We intend to continue, and we intend to increase our help to Vietnam.

Nor can anyone doubt the determination of the South Vietnamese themselves. They have lost more than 12,000 of their men since I became your President a little over a year ago.

But progress does not come from investment alone, or plans on a desk, or even the directives and the orders that we approve here in Washington. It takes men. Men must take the seed to the farmer. Men must teach the use of fertilizer. Men must help in harvest. Men must build the schools, and men must instruct the students. Men must carry medicine into the jungle and treat the sick, and shelter the homeless. And men—brave, tireless, filled with love for their fellows—are doing this today. They are doing it through the long, hot, danger-filled Vietnamese days and the sultry nights.

The fullest glory must go, also, to those South Vietnamese that are laboring and dying for their own people and their own nation. In hospitals and schools, along the rice fields and the roads, they continue to labor, never knowing when death or terror may strike.

How incredible it is that there are a few who still say that the South Vietnamese do not want to continue the struggle. They are sacrificing and they are dying by the thousands. Their patient valor in the heavy presence of personal, physical danger should be a helpful lesson to those of us who, here in America, only have to read about it, or hear about it on the television or radio.

We have our own heroes who labor at the works of peace in the midst of war. They toil unarmed and out of uniform. They know the humanity of their concern does not exempt them from the horrors of conflict, yet they go on from day to day. They bring food to the hungry over there. They supply the sick with necessary medicine. They help the farmer with his crops, families to find clean water, villages to receive the healing miracles of electricity. These are Americans who have joined our AID program, and we welcome others to their ranks.

For most Americans this is an easy war. Men fight and men suffer and men die, as they always do in war. But the lives of most of us, at least those of us in this room and those listening to me this morning, are untroubled. Prosperity rises, abundance increases, the nation flourishes.

I will report to the Cabinet when I leave this room that we are in the 51st month of continued prosperity, the longest peacetime prosperity for America since our country was founded. Yet our entire future is at stake.

What a difference it would make if we could only call upon a small fraction of our unmatched private resources—businesses and unions, agricultural groups and builders—if we could call them to the task of peaceful progress in Vietnam. With such a spirit of patriotic sacrifice we might well strike an irresistible blow for freedom there and for freedom throughout the world.

I, therefore, hope that every person within the sound of my voice in this country this morning will look for ways—and those citizens of other nations who believe in humanity as we do, I hope that they will find ways to help progress in South Vietnam.

This, then, is the third face of our struggle in Vietnam. It was there—the illiterate, the hungry, the sick—before this war began. It will be there when peace comes to us—and so will we. Not with soldiers and planes, not with bombs and bullets, but with all the wondrous weapons of peace in the 20th century.

And then, perhaps, together, all of the people of the world can share that gracious task with all the people of Vietnam, north and south alike.

Thank you for coming this morning. Good morning.

SENATE

TUESDAY, MAY 18, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, whose most searching words to us are heard in the silences of the soul, we come at noontide, conscious of the lofty and eternal verities that outlast the strident noises of any day. May the fret and fever of our own spirits not add to the confusion of a confused age, instead of helping and healing. Forgive the petulance of our impatience, our hasty judgments, and our childish outbursts.

Give us a faith that will not shrink, though pressed by every foe. Be Thou the shining presence in every fear-shadowed area of today's life. Take to Thyself our warriors who, in the fiery hurricane of battle, under eastern skies, are giving their lives, that freedom may live. Save us from presumptuous pride that feigns an understanding that it does not possess. If secretly we rejoice in the failure of others, if inwardly we give hospitality to thoughts that debase and degrade, if we have judged our fellows on flimsy and perhaps false reports, if in any human relationships we have been untrue, unfair, or unbrotherly, O Thou who takest away the sin of the world, forgive us, cleanse us, renew us, restore our souls, and lead us in the paths of righteousness, for Thy name's sake. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, May 17, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

AMENDMENT OF THE FAIR LABOR STANDARDS ACT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 176)

The VICE PRESIDENT. The Chair lays before the Senate a message from the President of the United States on fair labor standards. Without objection, the message will be printed in the RECORD, without being read, and appropriately referred.

The message was referred to the Committee on Labor and Public Welfare, as follows:

To the Congress of the United States:

The last 30 years have seen unprecedented economic development in this country and unparalleled improvement in the general standard of living of the working men and women of America.

Most of this has been accomplished privately. These are the fruits of free enterprise.

This process of economic and human growth has been helped by wise legislative enactment, much of it beginning in the decade of the 1930's.

But progress is never complete. Experience under various existing laws suggests changes which will make them serve even better their purpose, the Nation's workers, and the economy.

I am accordingly urging early action to:

First. Amend the Fair Labor Standards Act to extend its protection to an additional 4½ million workers; and restrict excessive overtime work through the payment of double time.

Second. Strengthen the unemployment insurance program by providing a permanent program of Federal extended benefits for long-term unemployed with substantial work histories.

Third. Insure uniform application of our national labor relations policy by the repeal of section 14(b) of the National Labor Relations Act.

I am transmitting herewith draft bills on the first two proposals. Bills embodying the third have already been introduced in Congress.

FAIR LABOR STANDARDS ACT

More than a generation of Americans have entered the labor force since we committed ourselves as a Nation to the policy of improving the substandard living conditions of millions of our workers.

That policy proposed to eliminate conditions which are "detrimental to the maintenance of the minimum standard of living necessary for health, efficiency and general well-being of workers" in industries engaged in interstate commerce.

Many American workers whose employment is clearly within the reach of this law have never enjoyed its benefits. Unfortunately, these workers are generally in the lowest wage groups and most in need of wage and hour protection. We must extend minimum wage and overtime protection to them.

It is also essential to amend the overtime provisions of the act to help achieve a fairer and more effective distribution of employment.

A significant increase in employment can be obtained by distributing to new employees work which is presently performed through excessive overtime. This can be done without impairment of operating efficiency.

The proposed bill will encourage hiring of additional workers by requiring double-time pay for certain overtime workers.

It has been urged that the minimum wage level be increased. The present $1.25 hourly rate results in annual earnings, assuming full-time work throughout the year, of only $2,500. As average wages rise, the minimum wage level should be increased periodically.

The question is not whether the minimum wage should be increased but when and by how much. The Congress should consider carefully the effects of higher minimum wage rates on the incomes of those employed, and also on costs and prices, and on job opportunities—particularly for the flood of teenagers now entering our labor force.

It has also been urged that consideration be given to a reduction in the statutory workweek—the weekly period after which overtime premiums or penalties must be paid.

The developing pattern of collective bargaining reflects changes which are taking place in the practices regarding the length of work periods—daily, weekly, annually, and in terms of the individual's work life.

I do not think the time for change in the law has come, except with respect to excessive overtime. Careful attention to these developments is nevertheless appropriate and desirable. I am accordingly requesting the National Commission on Technology, Automation, and Economic Progress to include on its agenda full consideration of the matter of "work periods."

UNEMPLOYMENT INSURANCE SYSTEM

Improvements in our unemployment compensation system are essential if the program is to exert a stronger stabilizing effect on the economy and provide people with adequate income when out of work. The system has not kept pace with the times. No major improvements have been made since its original enactment 30 years ago.

There are still many workers who are not protected by unemployment compensation. Other workers, through no fault of their own, experience excessively long periods of uncompensated unemployment.

The plight of the long-term unemployed results primarily from economic factors such as automation, other technological changes, and relocation of industry. Their unemployment is a phenomenon of normal as well as recession periods. It can be dealt with effectively only through a nationally coordinated program.

Even in nonrecession periods of recent years, the number of long-term unemployed has remained high. Among unemployment insurance beneficiaries, those unemployed 26 or more weeks represented 15 percent of the total in 1956, 29 percent in 1961, and about 20 percent in 1962 and 1964.

The wider coverage, extended benefit periods, and increased benefit amounts provided in the bill will lessen the hardship and suffering that accompany unemployment and, at the same time, provide stimulus to the economy when it is most needed.

Now, when unemployment is lower than it has been for years, is the appropriate time to modernize the system so that it will better meet the needs of workers, the community, and the Nation.

Today, weekly benefits are often too low in amount and too short in duration in relation to lost wages to enable the workers to meet basic and nondeferrable expenses. Ceilings on compensation all too often fail to yield the original goal of 50 percent of past wages. This is particularly true for workers who have the highest income levels, and these workers are generally heads of family. The bill therefore assures adequate payments for a fixed duration for most regular workers.

The burden of excessively high unemployment costs that exist in several States must be relieved and the financial soundness of the system strengthened. This will be achieved by increasing the amount of wages subject to taxation—the first increase in the history of the program—as well as by increasing the amount of tax and recognizing the Federal responsibility through provision for contributions from general revenues, with matching grants for high-cost States.

It is essential that this system be administered with both justice and firmness. We know some workers have been denied benefits when justice required payment. We also know some workers have been granted benefits when firmness required their denial. For this reason, the proposed legislation calls for steps which will help assure that benefits are paid only to those who are entitled to them and that unreasonable disqualifications are eliminated.

SECTION 14(b) OF THE NATIONAL LABOR RELATIONS ACT

Finally, with the hope of reducing conflicts in our national labor policy that for several years have divided Americans in various States, I recommend the repeal of section 14(b) of the Taft-Hartley Act with such other technical changes as are made necessary by this action.

I urge that early and favorable consideration be given to the enactment of these three legislative proposals.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 18, 1965.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

The VICE PRESIDENT. Morning business is in order.

Mr. McGOVERN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

AMENDMENT OF THE CLEAN AIR ACT AND ESTABLISHMENT OF THE FEDERAL AIR POLLUTION CONTROL LABORATORY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 178, S. 306.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 306) to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles, to establish a Federal Air Pollution Control Laboratory, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works with an amendment to strike out all after the enacting clause and insert:

TITLE I—AMENDMENTS TO CLEAN AIR ACT

SEC. 101. The Clean Air Act is amended (1) by inserting immediately above the heading of section 1: "TITLE I—AIR POLLUTION PREVENTION AND CONTROL"; (2) by changing the words "this Act" wherever they appear in sections 1 through 7 to "this title"; (3) by redesignating sections 1 through 7 and references thereto as sections 101 through 107: (4) by redesignating sections 8 through 14 and references thereto as sections 301 through 307; (5) by inserting immediately above the heading of the so redesignated section 301: "TITLE III—GENERAL"; (6) by striking out subsection (a) of the so redesignated section 306 and striking out the letter (b) at the beginning of subsection (b) in the so redesignated section 306; (7) by striking out "this Act" in the so redesignated section 306 and inserting in lieu thereof "title I"; and (8) by inserting after the so redesignated section 107 and before the heading of such title III the following new title:

"TITLE II—CONTROL OF AIR POLLUTION FROM MOTOR VEHICLES

"Short title

"SEC. 201. This title may be cited as the 'Motor Vehicle Air Pollution Control Act'.

"Establishment of standards

"SEC. 202. (a) The Secretary shall by regulation, giving appropriate consideration to technological feasibility and economic costs, prescribe standards, requirements, or limitations applicable to the emission of any kind of substance, from any class or classes of new motor vehicles or new motor vehicle engines, which in his judgment cause or contribute to, or are likely to cause or contribute to, air pollution which endangers the health or welfare of any persons.

"(b) Regulations initially prescribed under this section shall, as soon as practicable, be promulgated by the Secretary, to become effective no later than September 1, 1967.

"(c) The Secretary is authorized to amend such regulations promulgated under this section, to become effective on the date specified in the order promulgating the amendments thereto.

"Diesel criteria

"SEC. 203. The Secretary shall, as soon as practicable, develop standards for allowable emissions from diesel powered vehicles manufactured and introduced into interstate commerce or imported into the United States. The Secretary shall make recommendations to the Congress for additional legislation to regulate the discharge of pollutants from diesel powered vehicles by January 31, 1967.

"Prohibited acts

"SEC. 204. (a) The following acts and the causing thereof are prohibited—

"(1) in the case of a manufacturer of new motor vehicles or new motor vehicle engines for distribution in commerce, the manufacture for sale, the sale, or the offering for sale, or the introduction or delivery for introduction into commerce, or the importation into the United States for sale or resale of any new motor vehicle or new motor vehicle engine, manufactured after the effective date of regulations under this title which are applicable to such vehicle or engine unless it is in conformity with such regulations (except as provided in subsection (b));

"(2) for any person to fail or refuse to permit entry or inspection pursuant to section 207, or to permit access to records pursuant to section 207, or to fail to make reports required under section 208; or

"(3) for any person to remove or render inoperative any device or element of design installed on or in a motor vehicle or motor vehicle engine in compliance with regulations under this title prior to its sale and delivery to the ultimate purchaser.

"(b)(1) The Secretary may exempt any new motor vehicle or new motor vehicle engine, or class thereof, from subsection (a), upon such terms and conditions as he may find necessary to protect the public health or welfare, for the purpose of research, investigations, studies, demonstrations, or training, or for reasons of national security.

"(2) A new motor vehicle or new motor vehicle engine offered for importation by a manufacturer in violation of subsection (a) shall be refused admission into the United States, but the Secretary of the Treasury and the Secretary of Health, Education, and Welfare may, by joint regulation, provide for authorizing the importation of such a motor vehicle upon such terms and conditions (including the furnishing of a bond) as may appear to them appropriate to insure that any such motor vehicle will be brought into conformity with the standards, requirements, and limitations applicable to it under this title.

"(3) A new motor vehicle or motor vehicle engine intended solely for export, and so labeled or tagged on the outside of the container and on the vehicle or engine itself, shall not be subject to the provisions of subsection (a) if it is shown that the failure so to comply would not be in conflict with any standard, requirement, or limitation imposed by the country of designation and such compliance would make the vehicle unacceptable to the purchaser or consignee.

"Injunction proceedings

"SEC. 205. (a) The district courts of the United States shall have jurisdiction to restrain violations of paragraph (1), (2), or (3) of section 204(a).

"(b) Actions to restrain such violations shall be brought by and in the name of the United States. In any such action, subpenas for witnesses who are required to attend a district court in any district may run into any other district.

"Penalties

"SEC. 206. Any person who violates paragraph (1), (2), or (3) of section 204(a) shall be subject to a fine of not more than $1,000. Such violations with respect to section 204 (a)(1) and 204(a)(3) shall constitute a separate offense with respect to each new motor vehicle or new motor vehicle engine.

"Inspections

"SEC. 207. For purposes of enforcement of this title, officers and employees designated by the Secretary, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are authorized to enter, at reasonable times, any factory, warehouse, or other business establishment or premises where new motor vehicles or new motor vehicle engines are manufactured, assembled, or held prior to their sale or delivery to the ultimate consumer, or are being worked on after such sale or delivery, and to make a reasonable inspection of such vehicles or engines to determine compliance with this title and regulations thereunder.

"Records and reports

"SEC. 208. (a) Every manufacturer shall establish and maintain such records, make such reports, and provide such information as the Secretary may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this title and regulations thereunder.

"(b) All information reported shall be considered confidential for the purpose of section 1905 of title 18 of the United States Code, except where such information is related to other officers or employees concerned with carrying out this Act or when relevant in any proceeding under this Act.

"Definitions for title II

"SEC. 209. As used in this title—

"(a) The term 'manufacturer' means any person engaged in the manufacturing or assembling of new motor vehicles or motor vehicle engines, or importing such vehicles or engines for resale, or who acts for and is under the control of any such person in connection with the distribution of new motor vehicles or motor vehicle engines, but shall not include any dealer with respect to new motor vehicles or motor vehicle engines received by him in commerce.

"(b) The term 'motor vehicle' means any gasoline powered self-propelled vehicle designed for transporting persons or property on a street or highway.

"(c) The term 'new motor vehicle' means a motor vehicle the equitable or legal title to which has never been transferred by a manufacturer, distributor, or dealer to an ultimate purchaser.

"(d) The term 'dealer' means any person resident or located in any State who is engaged in the sale or the distribution of new motor vehicles or new motor vehicle engines to the ultimate purchaser.

"(e) The term 'ultimate purchaser' means, with respect to any new motor vehicle or new motor vehicle engine, the first person, other than a dealer purchasing in his capacity as a dealer, who in good faith purchases such new motor vehicle or new engine for purposes other than resale.

"(f) The term 'commerce' means (1) commerce between any place in any State and any place outside thereof; and (2) commerce wholly within the District of Columbia."

SEC. 102. (a) Paragraph (1) of subsection (c) of redesignated section 105 of the Clean Air Act (which relates to abatement of air pollution) is amended by adding at the end thereof the following new subparagraph:

"(D) Whenever the Secretary, upon receipt of reports, surveys, or studies from any duly constituted international agency, has reason to believe that any pollution referred to in subsection (a) which endangers the health or welfare of persons in a foreign country is occurring, or whenever the Secretary of State resquest him to do so with respect to such pollution which the Secretary of States alleges is of such a nature, the Secretary of Health, Education, and Welfare shall give formal notification thereof to the air pollution control agency of the municipality where such discharge or discharges originate, to the air pollution control agency of the State in which such municipality is located, and to the interstate air pollution control agency, if any, in the jurisdictional area of which such municipality is located, and shall call promptly a conference of such agency or agencies. The Secretary shall invite the foreign country which may be adversely affected by the pollution to attend and participate in the conference, and the representative of such country shall, for the purpose of the conference and any further proceeding resulting from such conference, have all the rights of a State air pollution control agency."

(b) So much of subsection (f) of such redesignated section 105 as precedes clause (2) of such subsection is amended to read as follows:

"(f) If action reasonably calculated to secure abatement of the pollution within the time specified in the notice following the public hearing is not taken, the Secretary—

"(1) in the case of pollution of air which is endangering the health or welfare of persons (A) in a State other than that in which the discharge or discharges (causing or contributing to such pollution) originate, or (B) in a foreign country, may request the Attorney General to bring a suit on behalf of the United States to secure abatement of the pollution, and".

SEC. 103. Redesignate section 103 of the Clean Air Act (which relates to research, investigations, and training) is amended—

(1) By striking out the word "and" at the end of paragraphs (1), (2), and (3) of subsection (a) thereof;

(2) by striking out the period at the end of paragraph (4) of subsection (a) thereof and inserting in lieu thereof "; and";

(3) by adding after paragraph (4) of subsection (a) thereof the following new paragraph (5):

"(5) conduct and accelerate research programs (A) relating to the means of controlling hydrocarbon emissions resulting from the evaporation of gasoline in carburetors and fuel tanks, and the means of controlling emissions of oxides of nitrogen and aldehydes from gasoline-powered or diesel-powered vehicles, and to carry out such research the Secretary shall consult with the technical committee established under section 106 of this Act, and for research concerning diesel-powered vehicles he may add to such committee such representatives from the diesel-powered vehicle industry as he deems appropriate; and (B) directed toward the development of improved low-cost techniques designed to reduce emissions of oxides of sulfur produced by the combustion of sulfur-containing fuels." and

(4) by adding at the end of such section the following new subsection:

"(d) The Secretary is authorized to construct a Federal Air Pollution Control Laboratory and shall staff and equip such laboratory as necessary to conduct such phases of the national research and development program for the prevention and control of air pollution as he deems appropriate."

SEC. 104. Redesignated section 106 of the Clean Air Act is amended by inserting at the end thereof a new subsection as follows:

"(c) The technical committee appointed pursuant to subsection (a) shall recommend standards for the allowable exhaust emissions of pollutants from new motor vehicles and new motor vehicle engines to the Secretary not later than January 31, 1966."

TITLE II—SOLID WASTE DISPOSAL

Short title

SEC. 201. This title (hereinafter referred to as "this Act") may be cited as the "Solid Waste Disposal Act".

Purposes

SEC. 202. The purposes of this Act are—

(1) to initiate and accelerate a national research and development program for new and improved methods of proper and economic solid waste disposal, including studies directed toward the conservation of natural resources by reducing the amount of waste and unsalvageable materials and by recovery and utilization of potential resources in solid wastes; and

(2) to provide technical and financial assistance to State and local governments and interstate agencies in the planning, development, establishment, and conduct of solid waste disposal programs.

Definitions

SEC. 203. When used in this Act—

(a) The term "Secretary" means the Secretary of Health, Education, and Welfare; except that such term means the Secretary of the Interior with respect to problems of solid waste resulting from the extraction, processing, or utilization of minerals or fossil fuels where the generation, production, or reuse of such waste is or may be controlled within the extraction, processing, or utilization facility or facilities and where such control is a feature of the technology or economy of the operation of such facility or facilities.

(b) The term "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(c) The term "interstate agency" means an agency of two or more municipalities in different States, or an agency established by two or more States, with authority to provide for the disposal of solid wastes and serving two or more municipalities located in different States.

(d) The term "solid waste" means garbage, refuse, and other discarded solid materials, including solid-waste materials resulting from industrial, commercial, and agricultural operations, and from community activities.

(e) The term "solid-waste disposal" means the collection, storage, treatment, utilization, processing, or final disposal of solid waste.

(f) The term "construction", with respect to any project of construction under this Act, means (1) the erection or building of new structures and acquisition of lands or interests therein, or the acquisition, replacement, expansion, remodeling, alteration, modernization, or extension of existing structures, and (2) the acquisition and installation of initial equipment of, or required in connection with, new or newly acquired structures or the expanded, remodeled, altered, modernized or extended part of existing structures (including trucks and other motor vehicles, and tractors, cranes, and other machinery) necessary for the proper utilization and operation of the facility after completion of the project; and includes preliminary planning to determine the economic and engineering feasibility and the public health and safety aspects of the project, the engineering, architectural, legal, fiscal, and economic investigations and studies, and any surveys, designs, plans, working drawings, specifications, and other action necessary for the carrying out of the project, and the inspection and supervision of the process of carrying out the project to completion.

Research, demonstrations, training, and other activities

SEC. 204. (a) The Secretary shall conduct, and encourage, cooperate with, and render financial and other assistance to appropriate public (whether Federal, State, interstate, or local) authorites, agencies, and institutions, private agencies and institutions, and individuals in the conduct of, and promote the coordination of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to the operation and financing of solid-waste disposal programs, the development and application of new and improved methods of solid-waste disposal (including devices and facilities therefor), and the reduction of the amount of such waste and unsalvageable waste materials.

(b) In carrying out the provisions of the preceding subsection, the Secretary is authorized to—

(1) collect and make available, through publications and other appropriate means, the results of, and other information pertaining to, such research and other activities, including appropriate recommendations in connection therewith;

(2) cooperate with public and private agencies, institutions, and organizations, and with any industries involved, in the preparation and the conduct of such research and other activities; and

(3) make grants-in-aid to, or contract with, public or private agencies and institutions and individuals for research and training projects; and such contracts for research may be made in accordance with and subject to the limitations provided with respect to research contracts of the military departments in title 10, United States Code, section 2353, except that the determination, approval, and certification required thereby shall be made by the Secretary; except that not to exceed 25 per centum of the total amount appropriated pursuant to the authorization in this Act for any fiscal year may be obligated for the purposes of this paragraph during such fiscal year.

(4) make grants to any State, municipality, or intermunicipal, or interstate agency for the purpose of assisting in the development (including the construction of facilities) of any project which will demonstrate a new or improved method of disposing of solid wastes, except that (A) not more than two-thirds of the cost of any project approved by the Secretary may be paid from the appropriations made pursuant to this Act, (B) not more than 12½ per centum of the appropriations made pursuant to the Act and expended under this paragraph may be expended in any one State, (C) no grant shall be made under this subsection to any municipality that has not enacted or is not subject to a law, ordinance or other regulation prohibiting open burning of solid wastes and containing enforcement procedures insuring that disposal facilities will have a beneficial effect on reducing air pollution, (D) no grant shall be made for any facility under this subsection until the applicant has made provision satisfactory to the Secretary to assure the proper and efficient operation and maintenance of the facility after completion of the construction thereof, and (E) no grant shall be made under this pargraph until the Secretary has consulted with the appropriate official as designated by the Governor or Governors of the States affected.

(c) (1) No part of any appropriated funds may be expended pursuant to authorization given by this Act involving any scientific or technological research or development activity unless such expenditure is conditioned upon provisions effective to insure that all information, copyrights, uses, processes, patents, and other developments resulting from that activity will be made freely available to the general public. Nothing contained in this subsection shall deprive the owner of any background patent relating to any such activity, without his consent, of any right which that owner may have under that patent.

(2) Whenever any information, copyright, use, process, patent, or development resulting from any such research or development activity conducted in whole or in part with appropriated funds expended under authorization of this Act is withheld or disposed of by any person, organization, or agency in contravention of the provisions of subsection (c) (1), the Attorney General shall institute, upon his own motion or upon request made by any person having knowledge of pertinent facts, an action for the enforcement of the provisions of such subsection in the district court of the United States for any judicial district in which any defendant resides, is found, or has a place of business. Such court shall have jurisdiction to hear and determine such action, and to enter therein such orders and decrees as it shall determine to be required to carry into effect fully the provisions of this subsection. Process of the district court for any judicial district in any action instituted under this subsection may be served in any other judicial district of the United States by the United States marshal thereof. Whenever it appears to the court in which any such action is pending that other parties should be brought before the court in such action, the court may cause such other parties to be summoned from any judicial district of the United States.

Interstate and interlocal cooperation

SEC. 205. The Secretary shall encourage cooperative activities by the States and local governments in connection with solid-waste disposal programs; encourage, where practicable, interstate, interlocal, and regional planning for, and the conduct of, interstate, interlocal, and regional solid-waste disposal programs; and encourage the enactment of improved and, so far as practicable, uniform State and local laws governing solid-waste disposal.

SEC. 206. Section 104 of the Clean Air Act is amended by inserting at the end thereof a new subsection (d) as follows:

"(d) not to exceed 10 per centum of amounts appropriated pursuant to section 210 of the Solid Waste Disposal Act for any fiscal year may be used by the Secretary to make grants to State or interstate air pollution control agencies in an amount up to two-thirds of the cost of making or arranging for surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies, and of developing solid waste disposal plans for such areas. The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid-waste disposal will be coordinated, so far as practicable, with other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954."

Labor standards

SEC. 207. No grant for a project of construction under this Act shall be made unless the Secretary finds that the application contains or is supported by reasonable assurance that all laborers and mechanics employed by contractors or subcontractors on projects of the type covered by the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5), will be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with that Act; and the Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

Other authority not affected

SEC. 208. This Act shall not be construed as superseding or limiting the authorities and responsibilities, under any other provisions of law, of the Secretary, the Secretary of the Interior, or any other Federal officer, department, or agency.

Payments

SEC. 209. Payments under this Act may be made (after necessary adjustment on account of previously made underpayments or overpayments) in advance or by way of reimbursement, and in such installments and one such conditions as the Secretary may determine.

Appropriations

SEC. 210. There are hereby authorized to be appropriated for the purposes of carrying out this Act, and section 104(d) of the Clean Air Act, $20,000,000 for each of the fiscal years ending June 30, 1966, and June 30, 1967. Sums so appropriated shall remain available until expended.

Mr. MUSKIE. Mr. President, on December 17, 1963, President Johnson signed into law the Clean Air Act which replaced previous Federal legislation in the air pollution field and provided the groundwork for the initiation of a comprehensive national program for the prevention and control of air pollution.

We recognized at the time that the Clean Air Act provided an excellent vehicle for our efforts to control and abate air pollution. We also recognized that further legislative action would probably be necessary to bolster certain portions of the act.

The additional legislative needs were brought into focus during our field and technical hearings which were conducted during the first part of 1964. I believe our subcommittee report, "Steps Toward Clean Air," provides an excellent justification for the legislative proposals contained in S. 306, which is before us today.

On January 7, 1965, 21 Senators introduced S. 306, which was designed to implement the recommendations contained in the subcommittee report. We held hearings in Washington, D.C., on April 6, 8, and 9, and in Detroit, Mich., on April 7. While in Detroit we inspected the research and testing facilities of the major automotive manufacturers to determine the progress being made in the development of techniques to control harmful emissions from gasoline-powered motor vehicles.

On May 14, 1965, S. 306, now sponsored by 24 Senators, was reported with the unanimous approval of the Senate Committee on Public Works. The committee amended the legislation to reflect the findings of the subcommittee in the course of its hearings and field investigation.

We believe S. 306 represents a substantial advance in our efforts to improve the quality of our air. We believe the bill, as reported by the Committee on Public Works, is substantially improved over the version as introduced. It is an effective bill and it is a reasonable bill. We urge its passage by the Senate.

S. 306 represents a broad attack on the problems of air pollution. Its principal objectives are as follows:

The purpose of title I of S. 306 is to:

First. Provide for recommended motor vehicle exhaust emission standards by the Automotive Vehicle and Fuel Pollution Technical Committee and, by regulations, for the establishment of standards, requirements, or limitations on emissions from new motor vehicles or new motor vehicle engines and devices or motor vehicle design not later than September 1, 1967. Such regulations may be amended and become effective on date to be specified. "Motor vehicle" is defined as any gasoline-powered, self-propelled vehicle designed for transporting persons or property on a street or highway. "New motor vehicle" is defined as a motor vehicle, the equitable or legal title to which has never been transferred by a manufacturer, distributor, or dealer to an ultimate purchaser.

Second. Provide for the prohibition of distribution in commerce the manufacture for sale, the sale, or the offering for sale, introduction, or delivery for introduction into commerce, or the importation into the United States for sale or resale, of any new motor vehicle or new motor vehicle engine manufactured after the effective date of regulation unless it is in conformity with such regulations. It is also required that such vehicles or engines offered for importation must meet prescribed regulations. A procedure is prescribed for inspection of plant and facilities and for records and reports to be maintained by manufacturers. Certain new motor vehicles or new motor vehicle engines may be exempt from prohibitions.

Third. Provide for the development of standards for allowable emissions from diesel-powered vehicles, and for recommendations to be made to Congress by January 31, 1967, for possible legislation to regulate discharge of pollutants.

Fourth. Provide for enforcement procedures for the abatement of air pollution adversely affecting a foreign country.

Fifth. Authorize the conduct and acceleration of research programs relating to means of controlling hydrocarbon emissions resulting from the evaporation of gasoline in carburetors and fuel tanks, and the means of controlling emissions of oxides of nitrogen and aldehydes from gasoline-powered or diesel-powered vehicles and low cost means of reducing sulfur oxide emissions from the burning of fossil fuels. Add representatives of diesel-powered industry to Automotive Vehicle and Fuel Pollution Committee of the Clean Air Act.

Sixth. Authorize the construction of a Federal Air Pollution Control Laboratory.

The purpose of title II of S. 306 is to:

First. Authorize the initiation and acceleration of a national research and development program for new and improved methods of proper and economic solid waste disposal, reducing the amount of waste and unsalvageable materials, and recovering and utilizing potential sources of solid waste, and provide technical and financial assistance to State and local governments, and interstate agencies in planning, developing, construction, and conduct of solid waste disposal programs.

Second. Provide that not to exceed 25 percent of funds appropriated for this purpose may be made for grants-in-aid, or to contract with, public or private agencies and institutions, and to individuals for research and training.

Third. Authorize grants to State, municipality, or intermunicipal, or interstate agency for the purpose of assisting in the development of any project which will demonstrate a new or improved method of disposing of solid waste. Up to two-thirds of the cost of any project approved may be paid from funds appropriated. No more than 12½ percent of appropriations authorized and amended for projects may be made in any one State. Grantee must have appropriate ordinances or regulations prohibiting open burning of solid wastes and provide for enforcement action to insure that beneficial results will occur. Also, assurances must be given that proper and efficient operation and maintenance of facility for which funds have been provided. All of the information, copyrights, uses, processes, patents, and other developments resulting from activity financed with Federal funds will be made available to the general public.

Fourth. Encourage cooperative activities by States and local governments in connection with solid waste disposal programs, encourage planning, and encourage the enactment of improved, and, so far as practicable, uniform State and local laws governing solid waste disposal.

Fifth. Authorize up to 10 percent of funds available for the solid waste disposal program to be used in connection with the grants for support of air pollution control programs of the Clean Air Act. Grants would be made in an amount of up to two-thirds of the cost of making surveys of solid waste disposal practices and problems within the jurisdictional areas of appropriate agencies, and development of solid waste disposal plans. Assurances must be given that the planning of solid waste disposal will be coordinated with other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954.

Sixth. Insure compliance with provisions of the Davis-Bacon Act for a project constructed under this act.

Seventh. Authorize to be appropriated $20 million for fiscal year ending June 30, 1966, and fiscal year ending June 30, 1967, for the solid waste disposal program and section 104(d) of the Clean Air Act.

I want to emphasize the importance of the automotive pollution exhaust control provisions of the bill. In all our hearings and investigations of this problem we have been confronted by the fact that 50 percent of our national air pollution problem is attributable to the 84 million automobiles, trucks, and buses on our highways. Each day these vehicles discharge into the air an estimated 250,000 tons of carbon monoxide, 16,500 to 33,000 tons of hydrocarbons and 4,000 to 12,000 tons of nitrogen oxides. We cannot afford to allow this rate of pollution to continue.

There is a demonstrated need for nationwide controls on exhaust emissions. The automotive industry has advised us that they can meet the California standards for nationwide distribution by the fall of 1967 and that the cost of the necessary engine and exhaust system modifications is modest.

The committee considers the problem of diesel exhausts a serious one, but it is clear from the information available to us that it would be imposisble for us to establish diesel exhaust emission controls with existing technological knowledge. The legislation directs the Secretary of Health, Education, and Welfare to develop diesel exhaust criteria as a preliminary step to possible controls on these emissions.

Another area where action must be deferred is that involving exhaust emission inspections for private vehicles. The Secretary is directed to report to the Congress on the development of simple and effective test devices which would be adaptable to a State-operated inspection program.

The committee is very much concerned with the magnitude of the solid waste disposal problem. Each day our Nation must dispose of 520 million pounds of refuse which must be removed or disposed of either through burning, burial, or conversion into forms of organic matter for final disposition, or put to useful purposes. The modest research and development program included in S. 306 will enable us to find economic and effective ways of dealing with these byproducts of our society.

Mr. President, we recognize that we are just beginning in our attack on air pollution. But we can take some comfort that we are moving earlier on this problem than we did on water pollution. I have been encouraged by response to our efforts. I have been pleased by the constructive attitude shown by industrialists. I think Americans are responding to President Johnson's call for an improvement in the quality of American life.

At this time, Mr. President, I want to express my appreciation to the chairman of the Public Works Committee [Mr. McNamara] for his leadership and understanding and to the members of the Subcommittee on Air and Water Pollution and the full committee for their cooperation and assistance. I think we have done a constructive job for the Senate and for the Nation. I urge the passage of S. 306.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 192) explaining the purposes of the bill. I understand that the bill was reported by the committee unanimously.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of title I of S. 306 is to—

(1) Provide for recommended motor vehicle exhaust emission standards by the Automotive Vehicle and Fuel Pollution Technical Committee and, by regulations, for the establishment of standards, requirements, or limitations on emissions from new motor vehicles or new motor vehicle engines and devices or motor vehicle design not later than September 1, 1967. Such regulations may be amended and become effective on date to be specified. "Motor vehicle" is defined as any gasoline-powered, self-propelled vehicle designed for transporting persons or property on a street or highway. "New motor vehicle" is defined as a motor vehicle, the equitable or legal title to which has never been transferred by a manufacturer, distributor, or dealer to an ultimate purchaser.

(2) Provide for the prohibition of distribution in commerce, the manufacture for sale, the sale, or the offering for sale, introduction, or delivery for introduction into commerce, or the importation into the United States for sale or resale, of any new motor vehicle or new motor vehicle engine manufactured after the effective date of regulation unless it is in conformity with such regulations. It is also required that such vehicles or engines offered for importation must meet prescribed regulations. A procedure is prescribed for inspection of plant and facilities and for records and reports to be maintained by manufacturers. Certain new motor vehicles or new motor vehicle engines may be exempt from prohibitions.

(3) Provide for the development of standards for allowable emissions from diesel-powered vehicles, and for recommendations to be made to Congress by January 31, 1967, for possible legislation to regulate discharge of pollutants.

(4) Provide for enforcement procedures for the abatement of air pollution adversely affecting a foreign country.

(5) Authorize the conduct and acceleration of research programs relating to means of controlling hydrocarbon emissions resulting from the evaporation of gasoline in carburetors and fuel tanks, and the means of controlling emissions of oxides of nitrogen and aldehydes from gasoline-powered or diesel-powered vehicles and low cost means of reducing sulfur oxide emissions from the burning of fossil fuels. Add representatives of diesel-powered industry to Automotive Vehicle and Fuel Pollution Committee of the Clean Air Act.

(6) Authorize the construction of a Federal Air Pollution Control Laboratory.

The purpose of title II of S. 306 is to—

1. Authorize the initiation and acceleration of a national research and development program for new and improved methods of proper and economic solid waste disposal, reducing the amount of waste and unsalvageable material and recovering and utilizing potential sources of solid waste, and provide technical and financial assistance to State and local governments and interstate agencies in planning, developing, construction, and conduct of solid waste disposal programs.

2. Provide that not to exceed 25 percent of funds appropriated for this purpose may be made for grants-in-aid, or to contract with, public or private agencies and institutions and to individuals for research and training.

3. Authorize grants to State, municipality, or intermunicipal or interstate agency for the purpose of assisting in the development of any project which will demonstrate a new or improved method of disposing of solid waste. Up to two-thirds of the cost of any project approved may be paid from funds appropriated. No more than 12½ percent of appropriations authorized and amended for projects may be made in any one State. Grantee must have appropriate ordinances or regulations prohibiting open burning of solid wastes and provide for enforcement action to insure that beneficial results will occur. Also, assurances must be given that proper and efficient operation and maintenance of facility for which funds have been provided. All of the information, copyrights, uses, processes, patents, and other developments resulting from activity financed with Federal funds will be made available to the general public.

(4) Encourage cooperative activities by States and local governments in connection with solid waste disposal programs, encourage planning, and encourage the enactment of improved, and, so far as practicable, uniform State and local laws governing solid waste disposal.

5. Authorize up to 10 percent of funds available for the solid waste disposal program to be used in connection with the grants for support of air pollution control programs of the Clean Air Act. Grants would be made in an amount of up to two-thirds of the cost of making surveys of solid waste disposal practices and problems within the jurisdictional areas of appropriate agencies, and development of solid waste disposal plans. Assurances must be given that the planning of solid waste disposal will be coordinated with other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954.

6. Insure compliance with provisions of the Davis-Bacon Act for a project constructed under this act.

7. Authorize to be appropriated $20 million for fiscal year ending June 30, 1966, and fiscal year ending June 30, 1967, for the solid waste disposal program and section 104(d) of the Clean Air Act.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. BOGGS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PRINTING OF SUPPLEMENTAL VIEWS IN REPORT NO. 193

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the supplemental views of Senators Bennett, Tower, Thurmond, and Hickenlooper, which are filed on the bill (S. 1648), the Public Works and Economic Development Act of 1965, be printed as part of Report No. 193.

The VICE PRESIDENT. Without objection, it is so ordered.

ENROLLED BILL SIGNED

The VICE PRESIDENT announced that on today, May 18, 1965, he signed the enrolled bill (S. 701) to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Administration of Reserve Components of the Army and Air Force

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to provide certain authorities relating to the administration of the Reserve components of the Army and Air Force, and for other purposes (with accompanying papers); to the Committee on Armed Services.

Cash Awards for Certain Achievements by Members of the Armed Forces

A letter from the Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 10, United States Code, to provide for the establishment of a program of cash awards for suggestions, inventions, or scientific achievements by members of the Armed Forces which contribute to the efficiency, economy, or other improvement of Government operations (with an accompanying paper); to the Committee on Armed Services.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on excess cost and inequities due to furnishing flight meals without charge to certain personnel of the military services, Department of Defense, dated May 1965 (with an accompanying report); to the Committee on Government Operations.

Report on Southern Nevada Water Supply Project, Nevada

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on the southern Nevada water supply project, Nevada (with accompanying papers); to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"S.J. Res. 30

"Joint resolution relative to the Tahoe Basin National Parkway

"Whereas the rapid urbanization of the Lake Tahoe basin threatens the outstanding scenic qualities of this world-famous lake and its surrounding environment; and

"Whereas the Tahoe Regional Planning Commission of California and Nevada has prepared a general plan for the conservation and enhancement of the Lake Tahoe region; and

"Whereas that plan indicates the need and approximate location for a parkway loop system around the lake which would afford an excellent recreation experience for the traveling public, as well as preserving for future generations the unparalleled beauty of the adjacent mountain slopes; and

"Whereas the nature and use of the proposed parkway merits consideration by the National Park Service for application of its excellent criteria, planning, and designs incorporated in existing national parkways, and justifies such development for inclusion in the national parkway system; and

"Whereas the time remaining for action to preserve and properly develop any portion of the Lake Tahoe region for the recreational benefit of this and future generations is rapidly growing shorter; and

"Whereas the proposed California-Nevada Lake Tahoe Parkway is under active consideration by the President's Recreation Advisory Council: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the Legislature of the State of California respectfully memorializes the Congress of the United States to afford favorable consideration to any measure introduced in Congress authorizing a feasibility study of the proposed Lake Tahoe National Parkway; and be it further

"Resolved, That the secretary of the senate is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California and Nevada in the Congress of the United States."

A resolution adopted by the North Las Vegas, Nev., Chamber of Commerce, favoring the enactment of legislation to establish a Great Basin National Park; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Columbia Basin Development League, of Moses Lake, Wash., favoring the enactment of legislation to authorize the third powerhouse at Grand Coulee Dam; to the Committee on Public Works.

A resolution adopted by the Officers' Wives Club, of Schofield Barracks, Hawaii, favoring the enactment of legislation to provide adequate pay to support an up-to-date military force; to the Committee on Armed Services.

A resolution adopted by the National District Attorneys' Association, of California, urging the enactment of legislation to clarify the relationship of interests of the United States and of the States in the use of the waters of certain streams; to the Committee on Interior and Insular Affairs.

A letter in the nature of a petition from the Columbia Basin Commission, State of Washington, signed by Roy Mundy, chairman, transmitting a report entitled "The Million Acre Program for the Columbia Basin Irrigation Project"; to the Committee on Interior and Insular Affairs.

CONCURRENT RESOLUTIONS OF KANSAS LEGISLATURE

Mr. CARLSON. Mr. President, the Kansas Legislature recently concluded its biennial session, at which time it adopted several concurrent resolutions memorializing Congress to take action on certain legislation, as follows:

A concurrrent resolution requesting the Interstate Commerce Commission of the United States to eliminate rate discrimination in the marketing of grain and grain products; a concurrent resolution memorializing Congress to continue to provide sufficient funds for our present soil and water conservation programs; a concurrent resolution requesting members of Congress to adopt legislation outlawing discrimination in employment based on age; a concurrent resolution urging the creation of a Federal evapotranspiration research center in Kansas, and a concurrent resolution petitioning the Congress of the United States to enact legislation in cooperation with the Kansas Legislature to assist those citizens residing in certain Federal areas within the State in qualifying to exercise the right to vote.

I ask unanimous consent that these resolutions be received and appropriately referred.

The VICE PRESIDENT. The concurrent resolutions will be received and appropriately referred; and, under the rule, will be printed in the Record.

The concurrent resolutions were referred, as follows:

To the Committee on Appropriations:

"S. Con. Res. 32

"Concurrent resolution memorializing the Congress of the United States to continue to provide technical assistance and cost-sharing in soil and water conservation and resource development on privately owned lands

"Whereas there are indications that the Congress of the United States may be asked to reduce the budget for Federal participation in soil and water conservation and resource development on the privately owned lands of the United States; and

"Whereas the present program of providing technical assistance in soil and water conservation on privately owned lands through locally organized and locally administered soil conservation districts has proven to be effective partnership between Federal, State, and local governments in resource development; and

"Whereas the Federal Government has for some 30 years provided technical assistance to privately owned lands believing that it is in the public interest, and one of the most urgent national needs, to protect and improve soil and water resources on privately owned lands; and

"Whereas Federal participation in cost-sharing with landowners for the installation of soil conservation practices through the agricultural conservation program has been an important part of the total soil and water conservation program; and

"Whereas the conservation of soil and water in the State of Kansas continues to be a most desirable investment in the national economy: Now, therefore, be it

"Resolved by the Senate of the State of Kansas (the House of Representatives concurring therein), That the Legislature of the State of Kansas urges Congress to continue to provide technical assistance and cost-sharing assistance in soil and water conservation and resource development on privately owned lands on the same basis as heretofore, and to recognize that any curtailment in this policy would seriously hamper this important work; and be it further

"Resolved, That a copy of this resolution be forwarded to each of the members of the Kansas delegation in the Congress of the United States.

"I hereby certify that the above concurrent resolution originated in the senate, and was adopted by that body April 2, 1965.

"John Crutcher,
"President of the Senate.
"Ralph E. Zarker,
"Secretary of the Senate.

"Adopted by the house April 14, 1965.

"J. C. Johnston,
"Speaker of the House.
"L. D. Hazen,
"Chief Clerk of the House."

To the Committee on Commerce:

"S. Con. Res. 9

"Concurrent resolution memorializing the Interstate Commerce Commission of the United States in regard to rate disparity on wheat and flour

"Whereas certain carriers have substantially lowered the rates on wheat and disrupted the uniform patterns of equality of rates on wheat and flour; and

“Whereas it is recognized and attention is directed to the extreme importance of the wheat flour milling industry to the Kansas economy and as a preferred market for Kansas wheat producers, providing a ready market for half the wheat grown in Kansas each year; and

“Whereas Kansas produces more wheat and wheat flour than any other State in the Nation; and more than 1,200 country elevators and 24 flour milling companies contribute materially to the economy of their localities and the State of Kansas; and

“Whereas it is evident that a discriminatory differential in wheat and flour rates threatens Kansas with the loss and relocation of the flour milling industry related thereto; and such changes would be disruptive of a simplified rate structure adapted to the best interests of producers, consumers, carriers and millers; and

“Whereas the Governor of Kansas has recognized the threat to industry in Kansas and the Great Plains area, and has appointed Dr. James A. McCain, president of Kansas State University, as chairman of a 10-State committee to promote rate relationship on grain and grain products, and thereby help preserve the flour milling industry in Kansas; and

“Whereas that committee has adopted as its purpose: “To promote the establishment of transportation rates from this 10-State region that will protect the grain producers and encourage the retention and development of milling and other processing industries urgently needed to maintain a competitive position in the production, processing, and marketing of grain and grain products”: Now, therefore, be it

“*Resolved by the Senate of the State of Kansas (the House of Representatives concurring therein)*, That we respectfully submit that the effects of the present rate disparity between wheat and flour and the chaos which is resulting from this present situation is causing a serious dislocation of industry from the Great Plains area and irreparable harm to the economy of our State; and that we respectfully urge and request the Interstate Commerce Commission of the United States to eliminate such rate discrimination and to provide for the fair, equitable, and equal regulation of all modes of transportation; and be it further

“*Resolved*, That the secretary of state be directed to transmit an enrolled copy of this resolution to the Interstate Commerce Commission of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the United States, the Secretary of Agriculture of the United States, the Secretary of Commerce of the United States, the chairman of the Committee on Interstate and Foreign Commerce in the House of Representatives of the United States, the chairman of the Committee on Agriculture and the chairman of the Committee on Commerce in the Senate of the United States, the Governors of Minnesota, North Dakota, Montana, Wyoming, South Dakota, Nebraska, Colorado, Missouri, Oklahoma, and Texas, and to each member of the Kansas delegation in the Congress of the United States.

“I hereby certify that the above concurrent resolution originated in the senate, and was adopted by that body March 2, 1965.

“———— ————,
“*President of the Senate.*
“Ralph E. Zarker,
“*Secretary of the Senate.*

“Adopted by the house April 13, 1965.

“Clyde Hill,
“*Speaker of the House.*
“L. D. Hazen,
“*Chief Clerk of the House.*”

The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of the State of Kansas, identical with the foregoing, which was referred to the Committee on Commerce.

H. Con. Res. 533

Concurrent resolution memorializing the U.S. Congress to give immediate attention to creation of a Federal evapotranspiration research center in Kansas

Whereas water supply is one of the most important factors limiting the economic development of the Great Plains; and

Whereas the evapotranspiration process expends up to 98 percent of the precipitation in the Plains; and

Whereas preliminary research conducted by Kansas State University indicates that this loss of water can be reduced significantly; and

Whereas a Federal evapotranspiration research center has been proposed (see S. Doc. 59, “Facility Needs—Soil and Water Conservation Research”) and given a priority (hearings before the Subcommittee on Appropriations, U.S. Senate, 86th Cong., 2d sess. on H.R. 12117); and

Whereas Kansas has special capability in this area of agricultural research at Kansas State University with its 5 branch experiment stations and 12 experimental fields located throughout the State, representing a wide range in soils, in rainfall and in farming practices; and

Whereas the State of Kansas will furnish the land required for such an evapotranspiration laboratory, plus the use of its branch stations, and experimental fields for field testing; and

Whereas the State of Kansas will maintain one full-time professional position to work in liaison between Kansas State University and the Federal laboratory: Now, therefore, be it

Resolved by the House of Representatives of the State of Kansas (the Senate concurring therein), That the Kansas Legislature respectfully urges the U.S. Congress to give immediate attention to the matter of creating a Federal research center in Kansas to study soil-plant-water relations and to experiment with techniques for evapotranspiration control, with special emphasis on problems in the Great Plains; Be it further

Resolved, That the secretary of state is directed to transmit enrolled copies of this resolution to the President of the U.S. Senate, and the Speaker of the U.S. House of Representatives, the chairman of the U.S. Senate and House Agricultural Committees, and to each of the members of the Kansas congressional delegation.

I hereby certify that the above concurrent resolution originated in the house, and was adopted by that body April 13, 1965.

Clyde Hill,
Speaker of the House.
L. D. Hazen,
Chief Clerk of the House.

Adopted by the senate April 14, 1965.

———— ————,
President of the Senate.
Ralph E. Zarker,
Secretary of the Senate.

The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of the State of Kansas, identical with the foregoing, which was referred to the Committee on Commerce.

To the Committee on the Judiciary:

“H. Con. Res. 525

“Concurrent resolution petitioning the Congress of the United States to enact legislation in cooperation with the Kansas Legislature to assist those citizens residing in certain Federal areas within the State in qualifying to exercise their right to vote

“Whereas article 5, section 1, of the Kansas constitution requires citizens of the United States to reside in Kansas for 6 months preceding any election as one of the qualifications for voting; and

“Whereas certain citizens of the United States reside in Federal areas within Kansas, such as Fort Leavenworth, Kans., Veterans’ Administration Center, Wadsworth, Kans., and U.S. penitentiary, Leavenworth, Kans.; and

“Whereas exclusive jurisdiction over such Federal areas was ceded by the State of Kansas to the Federal Government; and

“Whereas the effect of such ceding has been to prevent the citizens residing on such Federal areas from qualifying as residents of Kansas, and therefore they cannot qualify to vote in Kansas at any election for any office; and

“Whereas this unfortunate situation denies to many responsible citizens of the United States their right to vote at a time when the Federal and State governments are actively concerned with the denial of such right: Now, therefore, be it

“*Resolved by the House of Representatives of the State of Kansas (the Senate concurring therein)*. That we respectfully petition the Congress of the United States to enact legislation in cooperation with the Kansas Legislature which will permit such citizens to be lawfully considered residents of Kansas so that they can exercise their right to vote; be it further

“*Resolved*, That the secretary of state be directed to transmit an enrolled copy of this resolution to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the United States and to each Member of the Congress from this State.

“I hereby certify that the above concurrent resolution originated in the house, and was adopted by that body April April 13, 1965.

“Clyde Hill,
“*Speaker of the House*
“L. D. Hazen,
“*Chief Clerk of the House.*

“Adopted by the senate April 14, 1965.

“John Crutcher,
“*President of the Senate.*
“Ralph E. Zarker,
“*Secretary of the Senate.*”

The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of the State of Kansas, identical with the foregoing, which was referred to the Committee on the Judiciary.

To the Committee on Labor and Public Welfare:

“H. Con. Res. 516

“Concurrent resolution requesting Members of Congress to adopt legislation outlawing discrimination in employment based on age (40 to 65)

“Whereas job barriers against older workers in industry are cruel, wasteful and unsound and deprive the economy of much valuable skill and experience; and

“Whereas the most neglected man in the employment picture today is the physically able man between 40 and 65, who is too young to retire on social security but too old to find a job; and

“Whereas by 1975, one-third of all Americans will be between the ages of 40 and 65 and considered unemployable by a majority of employers; and

“Whereas discrimination in employment based on age deprives persons in the prime of life of the earnings they need to provide a decent standard of living for themselves and their families and causes persons from 40 to 65 to live under the shadow of constant fear that, if they lose their job, they will be unable to find another; and

“Whereas it is irrational for a society to do with one hand everything possible to extend the life of man while, with the other hand, writes him off as useless because of the date of his birth; and

"Whereas in 1964 Congress adopted Public Law 88–352 which makes it an unlawful employment practice for an employer with 25 or more employees, and engaged in an industry affecting interstate commerce, to discriminate against employees or applicants for employment because of their race, color, religion, sex or national origin; and

"Whereas section 715 of Public Law 88–352 provides that the Secretary of Labor shall make a study of discrimination in employment because of age and shall report the results of such study to Congress not later than June 30, 1965, 'and shall include in such report such recommendations for legislation to prevent arbitrary discrimination in employment because of age as he determines advisable': Now, therefore, be it

"*Resolved by the House of Representatives of the State of Kansas (the Senate concurring therein)*, That the Members of the Congress of the United States be requested to enact at their present session legislation which will make it an unlawful employment practice for employers to discriminate against employees or applicants for employment because of their age being between 40 and 65; be it further

"*Resolved,* That the secretary of state be directed to transmit a copy of this resolution to the members of the Kansas congressional delegation.

"I hereby certify that the above concurrent resolution originated in the house, and was adopted by that body April 13, 1965.

"Clyde Hill,
"*Speaker of the House.*
"L. D. Hazen,
"*Chief Clerk of the House.*

"Adopted by the senate April 14, 1965.

"——— ———,
"*President of the Senate.*
"Ralph E. Zarker,
"*Secretary of the Senate.*"

RESOLUTION OF BOARD OF SUPERVISORS OF SULLIVAN COUNTY, N.Y.

Mr. JAVITS. Mr. President, I present, for appropriate reference, and ask unanimous consent to have printed in the Record, a resolution adopted by the Board of Supervisors of Sullivan County, Monticello, N.Y., favoring the enactment of House bill 6991, to provide grants for public works and development facilities, other financial assistance, and the planning and coordination needed to alleviate conditions of substantial and persistent unemployment and underemployment in economically distressed areas and regions.

There being no objection, the resolution was referred to the Committee on Public Works, as follows:

Resolution 63

Resolved, That the Sullivan County Board of Supervisors does hereby endorse bill H.R. 6991, as introduced in the U.S. House of Representatives which bill provides grants for public works and development facilities, other financial assistance, and the planning and coordination needed to alleviate conditions of substantial and persistent unemployment and underemployment in economically distressed areas and regions; and be it further

Resolved, That this board urges the Members of the U.S. Senate from the State of New York, and Hon. John G. Dow, Member of Congress, to vote favorably for this bill.

Moved by Mr. Pearson, seconded by Mr. Stetka, and adopted on motion April 12, 1965.

Attest:

Eugene M. Pano,
Clerk.

EXECUTIVE REPORT OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. BIBLE, from the Committee on the District of Columbia:

Walter J. McCarter, of Illinois, to be Administrator of the National Capital Transportation Agency.

By Mr. MAGNUSON, from the Committee on Commerce:

Carl E. Bagge, of Illinois, to be a member of the Federal Power Commission.

By Mr. HART, from the Committee on Commerce:

Stanley A. Cain, of Michigan, to be Assistant Secretary of the Interior for Fish and Wildlife.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DOMINICK:

S. 1985. A bill to authorize hearings and judicial review in connection with applications for certificates to commence business by associations organized under the national banking laws, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Dominick when he introduced the above bill, which appear under a separate heading.)

By Mr. McNAMARA:

S. 1986. A bill to amend the Fair Labor Standards Act to extend its protection to additional employees, to improve its maximum hours standards, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. McNamara when he introduced the above bill, which appear under a separate heading.)

By Mr. McCARTHY:

S. 1987. A bill for the relief of Rollo Oskey; to the Committee on the Judiciary.

By Mr. TYDINGS (for himself and Mr. Brewster):

S. 1988. A bill to provide for the conveyance of certain real property of the United States to the State of Maryland; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. COTTON:

S. 1989. A bill to provide for the designation, under the provisions of section 1109(b) of the Federal Aviation Act of 1958, of the Berlin Municipal Airport, Berlin, N.H., as a port of entry for civil aircraft; to the Committee on Commerce.

By Mr. McCARTHY:

S. 1990. A bill to provide that in determining the amount of retired pay, retirement pay, or retainer pay payable to any enlisted man, all service shall be counted which would have been counted for the same purposes if he were a commissioned officer; to the Committee on Armed Services.

S. 1991. A bill to provide for the establishment of a program of Federal unemployment adjustment benefits, to provide for matching grants for excess benefit costs, to extend coverage, to establish Federal requirements with respect to unemployment compensation, to increase the rate of the Federal unemployment tax and to provide for a Federal contribution, to establish a Federal adjustment account in the unemployment trust fund, to change the annual certification date under the Federal Unemployment Tax Act, to provide for a research program and for a Special Advisory Commission, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. McCarthy when he introduced the last above-mentioned bill, which appear under a separate heading.)

PUBLIC HEARINGS AND JUDICIAL REVIEW IN CONNECTION WITH APPLICATIONS FOR NATIONAL BANK CHARTERS

Mr. DOMINICK. Mr. President, I introduce, for appropriate reference, a bill to authorize public hearings and judicial review in connection with applications for national bank charters. I ask unanimous consent that a copy of the bill may be inserted at this point in the Record, and that it lie on the desk for 1 week for the addition of cosponsors.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record and held at the desk, as requested by the Senator from Colorado.

The bill (S. 1985) to authorize hearings and judicial review in connection with applications for certificates to commence business by associations organized under the national banking laws, and for other purposes, introduced by Mr. Dominick, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 1985

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5169 of the Revised Statutes of the United States (12 U.S.C. 27) is amended to read as follows:

"Sec. 5169. (a) After receiving a certificate and statement of facts from an association, as provided in section 5168, the Comptroller shall (1), within ten days after the receipt of such statement, give written notice thereof to the appropriate authority exercising supervisory functions over State banks in the State in which such association seeks to commence business as a national banking association, and (2) if within thirty days after the giving of such notice, request is made therefor by such authority, association, or other interested person, provide for a public hearing to be held in that part of such State which the Comptroller determines would be most directly affected by the issuance to such association of a certificate to commence business.

"(b)(1) Any hearing with respect to the issuance to any association of a certificate to commence business, as provided in subsection (a), shall be commenced not less than thirty nor more than sixty days after request therefor is made to the Comptroller. The length of such hearing shall be determined by the Comptroller, but all interested persons shall be afforded a reasonable opportunity to appear and testify. At such hearing, the Comptroller shall determine whether (A) such association is lawfully entitled to commence the business of banking, (B) has fully complied with all applicable provisions of law requisite to the commencement of the business of banking as a national banking association, and (C) the sole purpose contemplated by the shareholders of such association in forming the same is to accomplish the legitimate objects contemplated by this chapter. At the conclusion of such hearing, the Comptroller shall, upon the basis of the record made therein, by order grant or deny a certificate to such association authorizing it to commence the business of banking.

"(2) Any order issued by the Comptroller under paragraph (1) shall be final and conclusive unless within thirty days after the issuance thereof an appeal is taken to the United States court of appeals for the circuit in which the association seeks to carry on banking operations by filing with the clerk of such court a petition praying that the Comptroller's order be set aside or modified in the manner stated in the petition. Such appeal may be taken by such association, by the authority exercising supervisory functions over State banks in the State in which such association seeks to commence business, or by any interested person who is a party to the proceeding. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Comptroller, and thereupon the Comptroller shall file in the court the record upon which the order complained of was entered, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition such court shall have jurisdiction, which upon the filing of the record shall be exclusive, to affirm, set aside, or modify in whole or in part the order of the Comptroller. No objection to such order shall be considered by the court unless the objection was urged before the Comptroller, or unless there were reasonable grounds for failure to do so. The findings of the Comptroller as to the facts, if supported by substantial evidence, shall be conclusive. If application is made to the court for leave to adduce additional evidence, and it is shown to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the proceeding before the Comptroller, the court may order such additional evidence to be taken before the Comptroller and to be adduced upon the hearing in such manner and upon such terms as the court deems proper. The Comptroller may modify its findings as to the facts by reason of the additional evidence so taken, and it shall file with the court such modified or new findings, which, if supported by substantial evidence, shall be conclusive, and its recommendations, if any, for the modification or setting aside of the original order. The judgment of the court affirming, setting aside, or modifying in whole or in part any order of the Comptroller shall be final, subject to review by the Supreme Court of the United States upon certification or certiorari as provided in section 1254 of title 28, United States Code.

"(c) If a hearing is not requested, as provided in subsection (a), with respect to the issuance of a certificate to commence business to any association, the Comptroller, upon determining that (A) such association is lawfully entitled to commence the business of banking, (B) such association has fully complied with all applicable provisions of law requisite to the commencement of the business of banking as a national banking association, and (C) the sole purpose contemplated by the shareholders of such association in forming the same is to accomplish the legitimate objects contemplated by this chapter, shall give to such association a certificate, under his hand and official seal, authorizing it to commence the business of banking. In making his determinations with respect to any association the Comptroller shall carefully examine the certificate and statement of facts transmitted to him, together with any other relevant facts which may come to his attention, whether by means of a special commission appointed by him for the purpose of inquiring into the condition of such association, or otherwise.

"(d) As used in this section, the term 'interested person' means, in the case of any association, any individual, firm, or corporation, which resides or is doing business in the area determined by the Comptroller to be the competitive area of such association in the event a certificate to commence business is issued to it."

Sec. 2. In providing the bank supervisory authorities of the several States with information concerning applications by associations for certificates to commence business as national banking associations, as provided in section 5169 of the Revised Statutes, as amended by section 1 of this Act, the Comptroller of the Currency shall request such supervisory authorities to provide him, on a reciprocal basis, with comparable information with respect to applications received by such authorities from associations seeking permission to operate as State banking institutions.

Mr. **DOMINICK**. Mr. President, this bill would amend our national banking laws in several respects.

First, it would provide for a public hearing on any national bank charter application if proper request is made. Such request could come from the applicants, opponents, or any other interested person within the competitive area of the proposed bank. The hearing would be held in that part of a particular State which would be most directly affected by the charter.

Second, it would require the Comptroller to issue an order granting or denying the application based upon the record of the public hearing plus other investigations. He would also be required to make certain findings. Appeal could then be available by any party to the proceeding to the U.S. court of appeals.

Third, it would encourage State bank supervisory authorities to provide the Comptroller with State charter information similar to the information which the Comptroller must now furnish to them.

Mr. President, this is not hastily conceived legislation. I have had it under study for several years. As a member of the Senate Banking and Currency Committee, I explored the concept of this bill with various Treasury and bank supervisory witnesses and with members of the banking community as well.

During the time that I have been a Member of Congress, I have been contacted by a number of people who were proposing or opposing a national bank charter. I have always declined to take sides in these applications since I believe that the granting or denying of a national bank charter is an economic and business decision—not a political decision. When people have contacted me in this connection, I have always been careful to point this out. At the same time, I have urged the Comptroller to extend very courtesy and give every consideration to the views of opponents and proponents alike. Many of them wanted to have a hearing. When I contacted the Comptroller about the possibility of such hearings, he replied—and I am quoting his exact words:

> The decision to hold public hearings on any application submitted to this Office is within my sole discretion.

If the Comptroller did decide to even consult with those intrested in a charter application, they had to make a trip back to Washington, D.C., in order to do so.

The granting of a national bank charter is usually of extreme interest to a community. The business people, community leaders, and other interested local citizens should be able to express themselves on such an issue and the logical place to afford them this opportunity is in the community itself. They should be able to explore their local needs on the local level.

During recent hearings before the Senate Permanent Investigations Subcommittee on the Brighton National Bank, the subject of hearings on national bank charters was explored at some length. Under questioning by the Senator from South Dakota [Mr. Mundt], the Comptroller's Office admitted that public hearings had been held only 12 times in the granting of 434 national bank charters during Mr. Saxon's tenure as Comptroller. In a recent interview with the Denver Post, I made mention of this fact and was promptly charged by Mr. Steve McNichols, Democratic national committeeman for Colorado and himself president of a national bank, with being uninformed. To quote Mr. McNichols:

> Mr. Peter Dominick is obviously uninformed on the procedures involved in the granting of charters for national banks. As far as I know, Mr. Saxon has always granted hearings for the applicants as well as for those opposing new charters.

If the granting of public hearings in less than 3 percent of the applications is what Mr. McNichols has reference to, then I suggest that he is the one who is misinformed. Mr. McNichols really should know better.

I ask unanimous consent to have the entire article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Slap at McNichols: Dominick Hints Bank Charter Influence Sale

(By Bob Whearley, Denver Post staff writer)

Washington, D.C.—Senator Peter Dominick, Republican, of Colorado, Wednesday suggested influence peddling in the issuance of national bank charters.

The statement was interpreted as a slap at former Colorado Governor, Steve McNichols, who now is president of 17th Street National Bank of Denver, and the State's Democratic national committeeman.

Dominick said James Saxon, U.S. Comptroller of the Currency, too long has been "the sole arbiter" of who should and should not receive a national bank charter.

He said that "in many cases Mr. Saxon denied the application, but later granted it when different representation was made."

Dominick made it clear he was referring to legal representation. He declined to elaborate on this.

McNichols, who went into private practice of law when he left the governorship in

January 1963, has represented several Colorado national bank applicants.

(In Denver, McNichols said, "Mr. PETER DOMINICK is obviously uninformed on the procedures involved in the granting of charters for national banks. As far as I know, Mr. Saxon has always granted hearings for the applicants as well as for those opposing new charters.")

PUBLIC HEARINGS URGED

McNichols and Saxon are longtime friends. In recent months, Saxon has been under fire for what DOMINICK called "giving out bank charters like popcorn."

DOMINICK proposed legislation to require a public hearing upon the request of a competitor of any national bank charter applicant.

He said it was "probable" he would introduce such a bill in the near future. The bill, which already has been drafted, also would provide for appeal to the Federal courts in any bank charter contest.

"The way it stands now, there is no review of a charter ruling by Mr. Saxon," DOMINICK said.

The Dominick proposal came as the Senate MCCLELLAN Investigations Subcommittee went into the second day of closed-door hearings on Colorado bank manipulations. The hearings are expected to be opened to the public later this week or early next week.

BRIGHTON PROBE DUE

The secret sessions were ordered on request of Colorado banking officials, who fear disclosure of certain facts might damage the banks being discussed.

The open hearings will center around the Brighton National Bank, which was closed by Federal authorities January 22 after it was learned the bank had been milked and mismanaged.

Many of the principals involved in the Brighton operation have been implicated in the activities of the banks being discussed by the subcommittee in executive session.

DOMINICK said he first became convinced of the need for bank chartering reform in 1963, shortly after he took a seat in the U.S. Senate.

He said that at first Saxon gave him "no satisfaction at all" in response to his queries about specific cases, but later demonstrated "a little bit of cooperation." Because of this cooperation, he said, he put off introduction of this bill.

Now, according to DOMINICK, he has again become concerned because of the present Colorado banking scandal.

Mr. DOMINICK. Mr. President, the hearings also brought out some interesting statistics on the location of some of these new national charters. For instance, 237 of the 434 charters handed out by Mr. Saxon were in six nonbranch banking States—Illinois, Missouri, Wyoming, Florida, Texas, and Colorado. Now he has declared a moratorium on new national charters in many of these areas. This has happened since the time that the San Francisco and Brighton National Banks were closed. This has created real confusion in the minds of many in the banking community. The flood of new national charters is also a serious threat to the dual banking system. I am not convinced that it is a mere coincidence that Mr. Saxon has issued over 50 percent of these new charters in a few States whose laws do not allow banks to have branches.

Mr. President, I have also found that the Comptroller does not normally issue a written opinion or even a memorandum upon the granting or denying of a charter. Because of this, it is often difficult to determine the justification for the decision, and presently there is no avenue of appeal from the Comptroller's decision. After he once makes the decision, it is final and that is it. I think that the right of appeal to a Federal Court would be most useful. I have seen several instances in my own State where an application for a national charter was denied and then, after the expiration of a few weeks, the application is reconsidered and granted—all without the benefit of any kind of written justification by the Comptroller or a hearing. In my estimation, this is a rather haphazard way to run a banking supervisory agency. The Comptroller needs a better method of procedure, free from doubts and possible political influence. In the final analysis, the decision must be based on economics.

Mr. President, the bill would also seek to encourage further exchange of information between the Comptroller and State banking supervisory authorities. The Comptroller is required by present law to provide the State authorities with national charter information. The policy statement in the bill seeks to encourage State banking supervisory authorities to reciprocate. I have seen instances where both a national and State charter application were pending in the same small community, and it developed into a race to see which authority would grant a charter first. With better exchange of information and cooperation between State and national banking authorities, perhaps this type of situation can be avoided.

Mr. President, we are all aware of the hearings and investigations now being conducted by the Permanent Subcommittee on Investigations. One case being investigated is that of the Brighton National Bank, located in Brighton, Colo. The applicants were granted a charter without a public hearing, invested only $12,000 in hard cash instead of the $425,000 promised, and obtained the balance from another newly chartered national bank some 10 days after the latter opened. Everyone now admits that the Brighton National was a milking operation from beginning to end and tainted with false promises, forged securities and directors with criminal records. Surely some of the scheme would have been discovered had there been hearings and an adequate investigation. There were just too many shady characters and peculiar circumstances to suppose otherwise.

Mr. President, the Rocky Mountain News and the Denver Post have been reporting accurately and fully on the unsavory situation involving the Brighton National Bank and its connections, and I ask unanimous consent to have printed in the RECORD the fine articles written by Jack Steele, of Scripps-Howard, and Bob Whearley, of the Denver Post, as well as various other AP news dispatches.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Denver (Colo.) Post, Mar. 16, 1965]

BANK ELECTS MCNICHOLS AS CHIEF OFFICER

Former Gov. Steve McNichols Monday was elected president and chairman of the board of directors of the 17th Street National Bank. McNichols was named by unanimous vote of the bank's directors.

Vice president of the bank since its opening in July 1963, as well as partner in the law firm of McNichols, Nevans, Wallace, Nigro & Kramer, McNichols said he now will devote his major efforts to the operation of the bank.

McNichols succeeds Earl Kramer, who resigned to devote more time to his other business interests, according to a bank statement. The new president said he has asked Kramer to remain in an advisory capacity for the bank.

Earl Kramer is no relation to the Floyd Kramer of the law firm.

Kramer's resignation came in the midst of Federal investigations of the January collapse of the Brighton National Bank, to which the 17th Street National Bank had granted a loan in 1964 of approximately $400,000, with controlling stock in the Brighton bank as collateral.

The 17th Street bank filed money claims against the five former directors of the Brighton institution for alleged default on promissory notes after the bank was declared insolvent.

A default judgment for $87,824 was obtained in early February against one of the directors, and four other suits are pending. The four Brighton directors have contested the suits on the grounds that the 17th Street foreclosed on the Brighton National stock, making them no longer liable.

In testimony before the Senate investigating subcommittee March 10 in Washington, D.C., Comptroller of the Currency James J. Saxon stated that the Brighton bank was "completely milked" by unscrupulous operators.

LOAN REVIEWED

Further testimony at the same hearing, called to investigate the Brighton bank and other bank failures around the country, concerned the 17th Street National's loan to the defunct Brighton bank.

Justin T. Watson, Deputy Comptroller of the Currency, told subcommittee members, "I presume the 17th Street, having stock in the Brighton National Bank—and at that time their assets were intact—they felt they probably had a pretty good loan."

Watson was speaking of the 1964 loan of about $400,000.

Senator HENRY JACKSON, Democrat, of Washington, suggested that the 17th Street should have done a little checking on James Egan, who gained control of the bank 60 days after its charter was granted, before making the loan.

"In retrospect," Watson said, "they certainly should have."

Saxon added, "It was a large loan for a new bank * * * excessive, really, in the matter of sound banking practice.

"My judgment," he continued, "is that the 17th Street National was not prudent in extending a loan of this size to a new bank."

McNichols, who is Colorado's Democratic national committeeman, said Monday that, in devoting his major efforts to the bank, he is anxious to continue to build the 17th Street National to a bank "second to none in Colorado."

[From the Denver Post, Mar. 11, 1965]

BRIGHTON PROBE TESTIMONY: BANK CLOSING LINKED TO MOB

(By Barnet Nover, chief, Post Washington bureau)

WASHINGTON.—The Brighton, Colo., National Bank was completely milked by unscrupulous operators who went so far as to use counterfeit securities to underwrite their far-flung operations.

This was the conclusion stated by Comptroller of the Currency James J. Saxon in testimony before the Senate Investigating Subcommittee headed by Senator JOHN J. McCLELLAN, Democrat, of Arkansas, Wednesday.

OTHERS IN COUNTRY

The subcommittee is looking into operations of the Brighton bank and several others around the country that have failed recently.

Saxon testified that within 60 days after the Brighton National Bank had been chartered April 3, 1963, James W. Egan, of 10565 Glennon Drive, Jefferson County, had acquired control of the bank.

Justin T. Watson, Deputy Comptroller of the Currency, told the subcommittee that when the change in ownership control at the Brighton National Bank occurred, John T. Thomas, regional comptroller at Denver, immediately advised Washington of this situation.

BACKGROUND VAGUE

"He informed us," Watson said, "that the information he had on Egan's background at that time was vague. However, it was not believed he was financially responsible and there was some indication that perhaps Egan was acting as a front for gangster elements."

At that time, it appears, the Comptroller of the Currency's office was unaware, Watson said, that Egan's takeover of the bank followed a secret agreement entered into during the period that the application for the Brighton National Bank was being considered.

The agreement was entered into by Egan and Hugh Best, the proposed president of the bank. Other participants were Carl Erickson and a man named Leroy Blisterfield.

IN OTHER WORDS

"In other words," Senator McCLELLAN commented, "they had the front man out front all the way."

To which Saxon replied: "All the way."

How did Egan acquire the money needed to buy control of the Brighton National Bank?

Funds were supplied by the 17th Street National Bank of Denver, which made a group of four or five loans, Watson said. These loans were secured by stock of the Brighton National Bank, Watson declared.

The acquisition of the Brighton Bank by Egan apparently set warning bells ringing in the Comptroller's Office.

Watson said that the very next day after he had become aware of the change of ownership on June 25 he telephoned.

He was interrupted at this point by Saxon who indicated that further revelations might involve matters which the FBI and the Justice Department are looking into.

At this point Saxon mentioned Felix A. ("Milwaukee Phil") Alderisio, a reputed member of Murder, Inc., against whom Egan testified in an extortion trial. How he was related, if at all, to Egan was not brought out by Saxon. But it did lead McCLELLAN to asking Saxon:

"Is there some indication that a racketeer was behind all of it as a controller or director or manipulator? Is that correct?"

To this Saxon replied: "Yes, sir."

[From the Denver Post, Mar. 11, 1965]

DEPUTY U.S. COMPTROLLER TESTIFIES: ACTS LEADING TO FAILURE OF BRIGHTON BANK OUTLINED

WASHINGTON.—The financial operations that led to the Brighton, Colo., National Bank failure were outlined Wednesday before a Senate subcommittee by Justin T. Watson, Deputy Comptroller of the Currency.

Watson told the Southern Acceptance Corp., which he called "a shell corporation" which was organized by James W. Egan, of 10565 Glennon Drive, Jefferson County, and his associates and whose principal assets were the 75,000-odd shares of Group Securities, Inc., a mutual fund.

LEARNED LATER

But the securities of Group Securities, Inc., were the Comptroller's Office later learned, counterfeit securities.

"The way that the Group Securities, Inc., came into the picture at Brighton National Bank," Watson related to the subcommittee, "was Egan and his associates, through the bank, created approximately $360,000 in funds. The way they did that was they just established a deposit on the books in the amount of $350,000 and to offset it they debited loan suspense, I believe they called it."

They took this $350,000, he explained, and transferred it through the Federal Reserve System to acquire controlling interest of a bank in Butler, Mo.

NOTES PLACED

Three or four days later, Watson said, after these funds had been transferred, four notes were placed in the Brighton National Bank, which totaled $350,000 plus to take up this loan suspense account. One note was a note of Southern Acceptance Corp. for $110,000.

Another note was to the Thunderbird Investment Corp., also owned by Egan and his associates. There was a note to somebody named L. L. Stroud and a fourth to someone whose name Watson could not recall.

As collateral for these four notes the bank accepted 280 shares of the capital stock of the First National at Butler. The other 40 shares of the 330 shares which Egan had bought to acquire control of the Missouri bank were distributed among five individuals, presumably, said Watson, "for purposes of qualifying director shares."

In addition to putting up the bank stock as collateral, the Southern Acceptance Corp., Watson testified, executed a guarantee of the four loans and in addition pledged the 75,000 shares of Group Securities, Inc., as additional collateral for these loans.

When the Brighton bank failed, Watson said in reply to a question by the subcommittee chairman Senator JOHN J. McCLELLAN, Democrat, of Arkansas, "it had been completely milked."

"After we learned about the transaction," Watson said, "we subsequently learned that there was a series of forged notes in the bank. There were other types of loans where apparently, and I am just guessing now, these people went out and maybe gave a person $1,000 to sign a $40,000 note that was placed in the bank."

"People that were irresponsible, financially?" McCLELLAN asked.

Watson replied in the affirmative.

Instead of being a bona fide operation, the Brighton National was, said James J. Saxon, Comptroller of Currency, "a manipulated affair from the outset." And Watson said that, in his opinion, it was also a conspiracy.

In reply to a question by Senator HENRY JACKSON, Democrat, of Washington, as to what kind of a check the 17th Street National Bank of Denver had made in connection with their financing of Egan's purchase of the Brighton National Bank, Watson said that Egan had dealt with a bank which Earl Kramer, president of the 17th Street Bank, had previously been associated with.

"All indications to Mr. Kramer," said Watson, "was that their experience with Egan in this particular bank was satisfactory. In addition, I presume, the 17th Street, having stock in the Brighton National Bank—and at that time their assets were intact—they felt they had probably had a pretty good loan."

The loan, said Watson in reply to a question, was in the neighborhood of $400,000.

JACKSON suggested that the 17th Street should have done a little checking on Egan before making the loan.

"In retrospect," said Watson, "they certainly should have."

Saxon added his comment that "it was a large loan for a new bank * * * excessive, really, in the matter of sound banking practice."

JACKSON said he was raising the question whether the 17th Street bank had exercised prudence in the making of the loan it made to Brighton National.

"My judgment, Senator," Saxon replied, "is that the 17th Street National was not prudent in extending a loan of this size to a new bank and, secondly, was not prudent—maybe this is wrongful criticism of them in light of the developing circumstances—not prudent in replying on the borrowers."

NEW POLICY

Saxon announced he was sending out announcements of a new policy requiring publication in the local newspapers of any changes in management or control of local banks, in addition to the existing rule requiring that his office be notified.

He said the hometown people are entitled to know of any changes in control.

McCLELLAN instructed Saxon to give some thought as to whether his office should seek authority to step in if it sees persons of questionable integrity or competence entering the ownership of a bank. He said Saxon could submit the answer later.

[From the Washington Daily News, Feb. 15, 1965]

LOTS OF CHARTERS: DEMOCRATS GOT BANKING PLUMS

(By Jack Steele)

A number of Democratic politicians have plucked potential financial "plums" as organizers, stockholders, and directors of new national banks recently chartered by Currency Comptroller James J. Saxon.

Other prominent Democrats, acting as lawyers for organizers of new banks, seem to have had unusual success in getting Mr. Saxon to grant national charters to their clients—in some cases after he had rejected earlier applications from the same groups.

Investigations by Scripps-Howard newspapers have turned up nearly a score of newly chartered national banks in which Democratic politicians—and sometimes their aids, associates or clients—have major interests.

Many are present or former Members of Congress.

Mr. Saxon, in a recent interview with Scripps-Howard Reporter Robert Dietsch, denied he had shown any "political bias" in approving nearly 600 new bank charters in the last 3 years in a well-advertised move to expand banking services and competition.

But the record indicates Democratic politicians have swarmed to get new bank charters with much the same zeal that other political figures displayed in seeking TV licenses from the Federal Communications Commission after World War II.

And Mr. Saxon, who makes the final decision on issuing new national bank charters, apparently hasn't impeded their quest.

LIST

Here is a brief rundown on some of the politicians involved in new national bank chartering:

The Neches National Bank at Silsbee, Tex., received a national charter a year ago after Representative JACK BROOKS, Democrat, of Texas, acquired its majority stock for more than $200,000. Mr. Saxon had turned down a previous application for the same bank.

Former Representative Albert Rains, of Alabama, who was second-ranking Democrat on the House Banking and Currency Committee until he retired from Congress last year, is a director and acting chairman of the City National Bank of Gadsden, Ala., which opened for business last week. Representative Rains says he did not buy his stock in the bank until he left Congress.

Representative DAVID S. KING, Democrat, of Utah, acted as attorney for three Utah banks which received national charters during the 2-year stretch he was out of Congress. Representative KING was reelected last November.

Former Democratic Gov. Stephen L. R. McNichols, of Colorado, is a stockholder, director and officer of two newly chartered banks in his State, the 17th Street National Bank of Denver and the Platte National Bank in LaSalle. His law firm also helped two other Colorado banks get charters after Mr. Saxon had rejected their first applications. The 17th Street National Bank had to foreclose last fall on the majority stock in the Brighton National Bank, which Mr. Saxon closed as insolvent on January 22.

Representative TENO RONCALIO, Democrat of Wyoming, is a director or stockholder of three recently chartered national banks in his State. A former Democratic State chairman, he was drawing a $20,000 a year Federal salary as chairman of the United States-Canadian Joint International Commission when Mr. Saxon approved the charters for two of the banks.

Former aids or associates of Vice President HUBERT H. HUMPHREY are key figures in three national banks chartered by Mr. Saxon. Max Kampelman, a former HUMPHREY aid was an organizer of the District of Columbia National Bank which figured in the Bobby Baker case. Dr. Dwayne Andreas, a HUMPHREY friend and farm adviser, is a director of the newly chartered National City Bank of Minneapolis. And William C. Simms, former administrative assistant to Mr. HUMPHREY and one of his campaign aids last fall, is president of the New Guardian National Bank, Springfield, Va.

Frank Smathers, Jr., brother of Senator GEORGE SMATHERS, Democrat, of Florida, is president of the United National Bank which opened last fall in Miami.

Mr. Saxon recently named several other newly chartered national banks which he said were organized by Republicans.

However, most of these—following a longstanding tradition—included both prominent Republicans and Democrats among their organizers, presumably to help attract local support. They include:

San Franicsco's Commonwealth National Bank of which former GOP Mayor George Christopher is president but whose organizers include Ben Swig and local Democrats.

The Century National Bank & Trust Co., in New York City's garment district. Its chairman is New York County GOP Chairman Vincent Albano. But one of its directors is Bernard Ruggieri, former legislative representative of Democratic Mayor Robert F. Wagner.

[From the Denver (Colo.) Rocky Mountain News, Jan. 26, 1965]

FDIC TO PAY BRIGHTON CLAIMS

(By Warren Lowe, Rocky Mountain News financial columnist)

The Federal Deposit Insurance Corporation (FDIC) will begin paying claims of depositors in the closed Brighton National Bank on Thursday, K. A. Randall, Washington, D.C., a member of the three-man FDIC Board of Directors, said in Brighton Monday.

In the meantime, Randall said the other Brighton bank, the First State Bank of Brighton, had offered to handle any "hardship cases" where depositors of the closed bank could obtain cash immediately to meet any emergency.

Randall, who has been at the Brighton National since noon Sunday, said a team of 18 FDIC employees had been brought to Brighton from Washington, D.C., Texas, Illinois and from throughout the FDIC's 10th district, headquartered in Kansas City, to handle the liquidation of the bank.

He said also that before the week was up the team would number about 30 employees.

SPACE RENTED

As the Brighton National's quarters—a trailer and a converted residence—are not large enough to handle such a large work force, additional office space has been rented in Brighton, Randall said.

He said further it now appears "virtually all of the accounts of individual depositors" in the Brighton National are protected under the FDIC's $10,000 insurance limit on each separate account.

The failure of the Brighton National is the first bank failure in Colorado since the Bank Holiday of March 1933, thus making it the first under which depositors have been protected by FDIC insurance.

As of last Wednesday, total deposits in the Brighton National were listed as $2,243,000.

However, it was said Monday that almost $2 million of the total were in "time certificates of deposits," known in banking circles as "time CD's."

A time certificate of deposit is issued for a specific period of time and in even amounts of money, normally in units of $1,000 or more.

MORE THAN ALLOWED

When a Texas bank failed last summer, the FDIC declined to pay insurance on certain of the time CD's it held, maintaining the money represented by the certificates actually amounted to loans to the bank and not deposits.

This stand, Randall said, resulted from the bank paying more for the certificates than was allowed under regulations of the Federal Reserve System.

This was brought about by the bank paying the legal limit in interest, plus a fee to the broker who placed the certificates with the Texas bank. This case now is in the courts and has not been resolved.

When asked if any of the certificates of deposits in the Brighton National showed evidence of brokerage fees in addition to the legal interest rate, Randall said:

"Never in any of the banks the FDIC has liquidated under my direction have I seen such a blatant use of time CD's."

Randall hastened to add that not all of the certificates of deposit in the Brighton National had been brokered and those of individual depositors undoubtedly would fall under the terms of the FDIC insurance.

When asked if he or other members of the FDIC team of liquidators had been in touch with Lawrence M. Henry, U.S. district attorney at Denver, Randall said "only indirectly, through agents of the FBI."

He declined to go into details of the involvement of the FBI in the closing of the bank.

LEFT DENVER

Randall left Denver Monday night for San Francisco where he will assist in the liquidation of the San Francisco National Bank, which was ordered closed at the same time as the Brighton National.

Joseph W. Barr, FDIC chairman, was in San Francisco Monday and was quoted in press dispatches as saying the closed San Francisco bank had $15 million in certificates of deposit among its total deposits of $37.6 million.

"If we can see that fees have been paid to bring certificates of deposit into the bank, we classify this as borrowing and do not insure it," Barr said.

In the case of the Brighton National, Randall said the FDIC is concerned first with paying insurance to depositors and then with liquidating the bank's assets.

Secured notes in the bank's loan portfolio will be offered to other banks, first to banks in the immediate vicinity.

After all other creditors received payment in full from the liquidation of a failed bank's assets, the bank's stockholders receive what, if anything, is left.

The majority stock in the Brighton National passed to the 17th Street National Bank of Denver last September in accord with a Denver district court stipulation, growing out of the failure of five directors and/or officers of the Brighton National to meet overdue notes.

Court records show at that time the stock "represented an investment of about $400,000."

M'NICHOLS FIRM

The 17th Street National is represented by the Denver law firm of McNichols, Wallace, Nigro & Kramer.

McNichols is former Gov. Steve McNichols, executive vice president of the 17th Street National.

On January 12 of this year, the annual stockholders' meeting of the Brighton National was held and it was disclosed the majority stockholder in the Brighton National was the Brighton Investment Co.

Records in the office of State Secretary Byron A. Anderson show the incorporation papers for Brighton Investment Corp. were filed on November 24, 1964.

The directors are listed as Robert C. Meyers and Robert C. Meyers, Jr., both of 1895 South Niagara Street, and M. J. Mullen, whose address was listed as 2100 East Colfax Avenue.

The two Meyers are associated with the Consumer Credit Corp., with offices at 1653 Lawrence Street—in the 17th Street National Bank Building.

The incorporation papers were notarized by E. L. Kramer. Kramer is president of the 17th Street National and a neighbor of the Meyers.

Meyers, Junior, referred all questions to his father. His father, however, was not available by telephone Monday.

The Brighton Investment Corp. is reported to hold 23,900 shares of the 25,000 shares outstanding in the Brighton National. The remainder is divided among six residents of Denver, Aurora, Brighton, and Fort Lupton.

Included among these individual stockholders are some of the organizers and original directors of the bank, which opened for business on May 1, 1963.

Most of them, however, resigned as directors several months ago.

At the stockholders' meeting earlier this month they were requested to again become directors, but they refused.

Holding the majority stock in the Brighton National at the time it was opened was James W. Egan, 10565 Glennon Drive, Jefferson County.

Egan later became a major stockholder of the Valley State Bank of Lamar and also the First National Bank of Butler, Mo.

[From the Denver (Colo.) Rocky Mountain News, Jan. 26, 1965]

BRIGHTON BANK FAILURE PUTS FOCUS ON MCNICHOLS' INTERESTS

(By Jack Steele, Scripps-Howard staff writer)

WASHINGTON, January 25.—The failure of a national bank in Brighton, Colo., focused attention Monday on the interests of Stephen L. R. McNichols, former Democratic Governor of Colorado, in this and two other recently chartered national banks in the State.

McNichols is senior vice president and a director of the 17th Street National Bank of Denver, which last year acquired nearly 90 percent of the stock in the Brighton National Bank as security for loans.

The 17th Street bank's interest in the Brighton bank, as well as other loans and involved transactions of the latter bank, are under investigation by the Federal Deposit Insurance Corporation (FDIC), which insures all deposits up to $10,000 in national banks.

Comptroller of the Currency James J. Saxon, in announcing Friday that the Brighton bank was insolvent, named the FDIC as receiver.

Officials of FDIC said both the FBI and the U.S. district attorney's office in Denver had been asked to assist in the investigation.

But McNichols said the 17th Street bank did not stand to "lose a cent" as a result of loans of $400,000 it made to the Brighton bank's five directors, who put up their bank stock as collateral.

McNichols also is board chairman of a third Colorado bank—the South Platte Valley National Bank at LaSalle, a town nearly 50 miles north of Denver. It apparently is not involved in any way with the Brighton bank.

All three of these banks were chartered by Saxon within the last 2 years.

Saxon, in a proclaimed effort to increase banking competition, has chartered a flock of new national banks since becoming comptroller around the first of 1962.

Scripps-Howard Newspapers has revealed in recent weeks that prominent Democrats are officers or major stockholders in a number of these Saxon-chartered banks.

OK'D BY SAXON

McNichols did not appear as an organizer, officer, or stockholder in any of the three Colorado banks when they were granted charters by Saxon.

But he told Scripps-Howard Newspapers in an interview before the Brighton Bank's failure that his entry into all three had been OK'd by Saxon's office.

"Everything you do has to be approved by the Comptroller," he noted.

The 17th Street National Bank, with deposits of nearly $5 million, is the major bank in the McNichols network.

The application for its charter was filed in Denver on November 20, 1962—only 14 days after McNichols was defeated for reelection by John A. Love, Colorado's present Republican Governor.

INACTIVE PARTNER

The application was filed by Edward E. Nevans, Jr., a partner in the Denver law firm of McNichols, Nevans, Wallace, Nigro & Kramer. McNichols was an inactive partner while serving as Governor.

Among the organizers was Robert A. Hart, a brother-in-law of McNichols and sales manager for Time-Life Broadcasting Co. in Denver.

The charter application was sent to Washington on January 28, 1963—a few weeks after McNichols' term as Governor expired—and was approved by Saxon on February 9, only 12 days later.

The connection of McNichols with the bank was not disclosed publicly until an announcement of its opening on April 15.

McNichols said he had not become one of the bank's organizers because he was still serving as Governor when the charter application was filed.

"I had nothing to do with getting the charter. I just bought into the bank," he said.

McNichols said he had moved into the South Platte Valley Bank when its largest stockholder became ill shortly after its charter was approved by Saxon on August 13, 1963.

Earl L. Kramer, president of the 17th Street bank, also is president of the South Platte Valley Bank, having moved into it along with McNichols.

McNichols said officials of the Comptroller's Office had "urged" him to take over the South Platte Valley Bank to help get it started. The bank opened its doors on March 3, 1964. Both McNichols and Kramer are stockholders.

The 17th Street bank foreclosed on the loans it made to the Brighton bank's directors last November. But Saxon and other Federal banking officials apparently did not question the bank's solvency at the time.

The 17th Street bank then organized the Brighton Investment Corp., to take over the majority stock it held in the Brighton bank.

[From the Denver (Colo.) Rocky Mountain News, Mar. 2, 1965]

BANKING INTERESTS OF EX-CON IN DENVER AREA UNDER STUDY

(By Jack Steele, Scripps-Howard staff writer)

WASHINGTON, March 1.—Federal investigators are looking into the activities of a San Francisco playboy who, after serving a term in San Quentin Prison for grand theft, turned up under an assumed name in Denver in 1963. The group he was associated with acquired control of a string of small Colorado and Missouri banks.

Police and Justice Department records list the 43-year-old playboy's name as Edward Jay Leven, although he sometimes also spelled it "Levin" and "Lewis."

Last month he legally changed it to William Murphy Horton, the name he had used for nearly 2 years while living in suburban Cherry Hills as a banker.

Investigators for several Federal agencies said Monday there was no question that "Horton" and "Leven" were the same man.

ALL BANKS SOLVENT

The American Banker, daily trade publication, reported last week after an exhaustive inquiry that Horton and a group of associates had set up a maze of investment firms through which they had acquired ownership of three Colorado and four Missouri banks.

The publication said Horton had disposed of his interests in the banks last year—apparently after Federal and State bank examiners ordered the banks to call unsecured loans they had made to Horton and his associates. All of the banks are operating and solvent.

No charges of any kind have been made against Horton in connection with his plunge into banking.

BASIC QUESTIONS

But investigators for the Justice Department, the Comptroller of the Currency, and congressional committees are seeking to determine whether:

Horton was associated with James W. Egan, the Denver promoter who once held the controlling stock in the Brighton (Colo.) National Bank which failed on January 22. Stock in one of the banks Horton formerly controlled has since turned up among the assets of the Brighton bank, which was holding it as collateral for a loan.

Horton also had any dealings with the San Francisco National Bank, which was closed as insolvent by Comptroller James J. Saxon on January 22. San Francisco newspapers have disclosed that Horton, using the name Levin, tried last year to collect a "finder's fee" for arranging deposits of so-called hot money in this bank. The deposits were not accepted.

Horton, under the name of Leven, has a police record in California going back to 1951.

GRAND THEFT

He pleaded guilty in 1957 to grand theft in San Francisco Superior Court in a case in which he allegedly forged documents in connection with the sale of a Nob Hill apartment house.

He was first sentenced to only 30 days, but the sentence later was increased to 6 months to 10 years.

Released from San Quentin in 1959 after serving 30 months, he was sent back to prison as a parole violator in 1962 on charges of having used an assumed name to apply for a liquor license in San Jose, Calif.

He was again released from San Quentin in April 1963. A few months later he turned up in Denver under the name of Horton and acquired, with associates, his first interest in a Colorado bank.

TRAFFIC CONVICTION

His dual identity came to light last April when he was arrested for a traffic violation in Littleton, Colo. He was charged with unlawful use of a driver's license made out in the name of Horton and fined $250.

The American Banker said a full report on Horton's banking activities is being prepared for the Justice Department by Comptroller Saxon. Horton and his associates owned stock in both national and State banks.

Although he acquired ownership of these banks through investment firms, Horton apparently did not become an officer or director of any of them. Federal banking laws bar ex-convicts from holding bank posts, but not from owning bank stocks.

[From the Denver (Colo.) Rocky Mountain News, Mar. 10, 1965]

COMPTROLLER CITES REASONS FOR BRIGHTON BANK FAILURE

(By Jack Steele, Scripps-Howard staff writer)

WASHINGTON, March 9.—The San Francisco National Bank was in almost continuous trouble for the 3 years it operated before Comptroller of the Currency James J. Saxon finally closed it as insolvent last January 22.

By then the bank had acquired more than $40 million in deposits.

This was disclosed as the Senate opened its hearings Monday on the recent wave of bank failures.

Saxon told the subcommittee that dishonesty and criminal conduct were major factors in the failures of both the San Francisco National Bank and the Brighton (Colo.) National Bank, which he closed the same day. He mentioned no names of those responsible.

NO INDICTMENTS

Despite Saxon's charges, no official of either the San Francisco or Brighton banks has been indicted. Nor has any Federal grand jury investigation of the failure of these banks been disclosed.

Saxon offered no clear explanation of why the San Francisco and Brighton banks had been kept open so long if dishonesty had been detected in their operations.

He said it was difficult to detect dishonesty in advance and stop it in time and noted that dishonest bankers were ingenious and able to keep one step ahead of the police.

The Comptroller said he had tried desperately to keep the San Francisco National Bank open—despite repeated reports from bank examiners that it was in unsatisfactory condition—as long as he thought there was any chance to save it.

WAIT TOO LONG?

"Would you say you waited too long (to close it)?" Senator JACOB JAVITS, Republican, of New York asked.

"No, sir," Saxon replied.

JAVITS revealed that the first examination of San Francisco National 7 months after it opened in May 1962 showed it to be in unsatisfactory condition.

JAVITS said a second examination in May 1963 showed continuing deterioration in its condition. Both reports were called to the attention of its directors, he said.

Saxon said the true seriousness of the San Francisco bank's condition was apparent by May 1964—7 months before he closed it.

When this was called to the bank directors' attention, Saxon reported, they still expressed complete confidence in its president, Don C. Silverthorne, although he was removed from this post a few months later.

Saxon said that despite the San Francisco bank's troubles, the only question in his mind was whether he should have named a conservator to try to keep it going instead of closing it.

DECLARED INSOLVENT

He finally declared it insolvent on Friday, January 22. He said the bank would have had a $100,000 "deficit" if it had opened the following Monday morning—despite a $1.5 million loan from the Federal Reserve System.

All the bank's funds and the $1.5 million from the Federal Reserve were needed to pay off big certificates of deposit to savings and loan associations which fell due the day it failed, he related.

Saxon said he was "not happy" to report that other banks in San Francisco and elsewhere had refused to try to help the San Francisco National Bank out of its troubles. He said he had tried unsuccessfully to merge the failing bank with three or four others.

The Comptroller denied that his "liberal" policy in handing out new bank charters had anything to do with recent bank failures. He blamed "gross misconduct" or "gross dishonesty" for all recent national bank failures.

NEW REGULATIONS

Saxon said he was drafting new regulations to prevent racketeers and manipulators from taking over control of banks. The new rules will require banks to publish locally, reports of changes of ownership which now must be made only to the Comptroller's office.

He conceded this would not solve the problem of determining who actually controls some banks.

Saxon opposed proposals to give Federal agencies power to block "unsavory" new owners from taking control of a bank—even though his office now investigates the sponsors of a new bank before granting it a charter.

He warned that more Federal regulation might "communize and socialize banks," but said he would suggest new legislation to close some loopholes in present banking laws.

[From the Denver (Colo.) Post, Mar. 19, 1965]

SENATE PROBER STUDIES BRIGHTON NATIONAL BANK

BRIGHTON, COLO.—An investigator for the McClellan Senate subcommittee which is probing the failures of several banks, including the Brighton National Bank, has been in Adams County for 3 weeks, the Denver Post learned Friday.

The man is Robert Loyd, Federal Deposit Insurance Corporation (FDIC) examiner from Atlanta, Ga., who is on loan to the subcommittee.

UNDER WRAPS

Although rumors have existed that an investigator was on location in Adams County, Loyd's presence has been kept under wraps. Several Brighton businessmen said Friday they had been contacted by Loyd.

Joseph McEvoy, head liquidator for the FDIC, who has been in charge of the Brighton National Bank liquidation since the bank was closed January 22, 1965, Friday confirmed that Loyd is in Adams County. McEvoy said Loyd talked Thursday with Hugh Best, former president of the Brighton Bank.

Loyd also reportedly has conferred with James W. Egan, a former director of the bank who was accused in subcommittee testimony last week of having had possible ties with gangsters. Egan has denied those charges.

NO CONTACT

Egan of 10565 Glennon Drive in Jefferson County, also denied Friday that Loyd has contacted him.

"Apparently they don't want to talk with me," Egan said. "I could contribute to the truth on this matter, but I can't if they don't want to hear what I have to say."

Egan added he has not been asked to testify before the subcommittee.

[From the Denver (Colo.) Post, Mar. 16, 1965]

PROBERS TOLD: COMPTROLLER HELD DATA BACK

WASHINGTON.—Federal Reserve Board officials testified Tuesday the Comptroller of the Currency held back from them information of possible wrongdoing by an officer of the now closed San Francisco National Bank.

The testimony came from Reserve Board Chairman William McChesney Martin and Abram E. Merritt, vice president of the Federal Reserve Bank of San Franciso, at hearings before the Senate investigations subcommittee.

HEAVY LOANS

They said the Reserve System was making heavy loans to the San Francisco bank at the time.

"It (the information) should not have been withheld," Martin declared. He agreed with the subcommittee's chairman Senator JOHN L. MCCLELLAN, Democrat, or Arkansas, that such information "might have had some impact" on the Reserve officials' decisions.

Another subcommittee member, Senator JACOB K. JAVITS, Republican, of New York, suggested that top Federal and State banking officials meet to discuss means of heading off underworld control of banks.

"There hasn't been as much effort as there ought to be" to arrange such a session, Martin said, "but we are working on it now."

Martin told of policy disagreements with Comptroller of the Currency James J. Saxon. He said the matter of full Reserve Board access to the reports of bank examiners of the Federal Reserve System was among these.

PERSONAL ACCOUNT

MCCLELLAN unveiled a portion of a report by one of Saxon's bank examiners which charged that $272,471.01 had been credited to the personal account of Don C. Silverthorne, president of San Francisco National.

The report said this represented "proceeds on loans" the bank had made to various of its borrowers to finance the purchase of stock in that bank.

Merritt said he had never received this portion of the report from Saxon's office, and that it "would be evidence of wrongdoing" had he known of it.

[From the Denver (Colo.) Rocky Mountain News, Mar. 11, 1965]

U.S. OFFICIALS REVEAL TO SENATE: BRIGHTON BANK MILKED BY MYSTERY CON MEN

(By Jack Steele, Scripps-Howard staff writer)

WASHINGTON, D.C., March 10.—Officials of the Comptroller of the Currency office charged Wednesday that "racketeers and con men" had "completely milked" the Brighton National Bank before it was closed last January 23.

Testifying before the Senate Investigations Subcommittee, Deputy Comptroller J. P. Watson, attributed the "milking" chiefly to James W. Egan, a Denver "mystery man" who secretly took over control of the Brighton bank before it even opened its doors on May 1, 1963.

Watson said there were indications Egan might be "a front for gangster elements."

Comptroller James J. Saxon temporarily cut short the subcommittee's inquiry in the Brighton case when he noted that his office had filed a "criminal report" on the failure of the bank with the Justice Department and Federal Bureau of Investigation (FBI).

Saxon said the Justice Department "had a problem" with the case since Egan had been used as a Government witness last year in the extortion trial of Felix (Milwaukee Phil) Alderisio, Chicago underworld leader. Alderisio was acquitted.

Saxon also testified that, as far as his office had been able to discover, Alderisio was not directly involved in the Brighton bank's failure.

In 5 hours of testimony, Saxon and his assistants explained that many kinds of fraud and deception—many of them "probably unlawful"—were used in one or more of three banks before they were finally closed as insolvent.

In addition to the Brighton National, the others were:

The San Francisco National Bank.

The Marlin (Tex.) National Bank.

Saxon testified that he had submitted "criminal reports" on all three banks to the FBI and Justice Department for possible prosecution of their owners or officials.

MORE HEARINGS

Chairman JOHN L. MCCLELLAN, Democrat, of Arkansas, said the subcommittee will hold additional hearings later on the Brighton bank's failure.

Saxon and Watson both related some of the details of the bank's problem before the hearing was terminated.

Saxon told the subcommittee that, in his judgment, Denver's 17th Street National Bank was "not prudent" in making a $400,000 loan to Egan and associates to buy the controlling stock in the Brighton bank.

The comptroller made this charge in answer to a query by Senator HENRY M. JACKSON, Democrat, of Washington, as to whether the 17th Street bank had shown "prudence" in making such loan. The Brighton bank's stock was put up as collateral for the loan.

The executive vice president of the 17th Street bank is Steve McNichols, former Colorado Governor.

Last fall, the 17th Street bank had to foreclose on the loans. Thereafter, McNichols' law firm represented the Brighton bank.

Watson told the subcommittee the 17th Street bank had made the loan to Egan because its president, Earl L. Kramer, previously had "satisfactory" dealings with Egan while Kramer was president of another bank.

FORGED SECURITIES

Watson also said that $1 million worth of "counterfeit" or "forged" securities were placed in the Brighton bank as part of the support for a loan it made to Egan and his associates.

He said the fake stock was the property of Southern Acceptance Corp., which he described as a "shell corporation" controlled by Egan.

Watson said Egan had obtained $350,000 from the Brighton bank through what he termed "a loan suspend" to buy the controlling stock in the First National Bank of Butler, Mo. The comptroller's office blocked Egan and his associates from gaining control of the Butler bank.

The deputy comptroller said the money was used to buy 330 shares of the Butler bank's stock, but only 280 shares had been returned to the Brighton bank as security for the funds.

The other 50 shares, Watson said, were distributed to five Egan associates so they could qualify as directors of the Butler bank.

"We can't find that stock," he testified.

BETTER TOOLS

Watson said the comptroller's office did not uncover the secret agreement by which Egan obtained control of the Brighton bank until November of 1964—2 months before the bank was closed.

And Saxon conceded the comptroller's office needed better tools to discover and prevent the secret control of banks by "racketeers and manipulators."

As Saxon and his aid explained the failures of the three banks, two figures emerged in the Marlin National Bank activities:

Joseph Morris and Bernard Garrett, both Negroes, secretly obtained control of this bank through a "front man" and promptly paid themselves $189,186 in commissions for selling mortgages of dubious value to the bank. Garrett had a previous criminal record and the Comptroller's Office warned bank officials not to allow Morris and Garrett to have any dealings with the bank they owned.

Saxon offered no clear explanation of why his office did not close down the banks until months after it knew or suspected such activities.

At the same time Saxon told the subcommittee that Don C. Silverthorne, 60-year-old president of the San Francisco National Bank, which failed in January, was involved in the gambling operation, according to UPI dispatches.

He said Silverthorne took commissions on loans made by the bank and used some of the money to finance his gambling in Las Vegas.

"He became involved quite heavily as a gambler in Las Vegas," Saxon said.

The Comptroller added there was no estimate on how much Silverthorne made on fees and commissions on loans but reported one commission totaled $100,000. Substantial fees obtained from borrowers went into the bank president's personal accounts, Saxon charges.

"There can be no question that Mr. Silverthorne was engaged in improper and highly questionable, if not unlawful, banking practices," he said. "It is a case of grossest misconduct and grossest deception."

Mr. DOMINICK. Mr. President, I do not contend that this bill will correct all of those practices which are the subject of those hearings. But I do believe that this bill, if enacted, could be quite useful in keeping our community, large and small, in closer touch with their banking services. Our banking community does a fine job and the enactment of this bill would help them to do an even better job.

AMENDMENT AND EXTENSION OF THE FAIR LABOR STANDARDS ACT

Mr. McNAMARA. Mr. President, I send to the desk a bill and ask that it be appropriately referred.

This bill is the administration proposal to extend coverage and improve the maximum hours standards of the Fair Labor Standards Act.

I ask unanimous consent that an explanation of the bill be printed in the RECORD at the conclusion of my remarks.

A second proposal contained in the President's message on labor legislation today urges repeal of section 14(b) of the National Labor Relations Act.

This proposal was not accompanied by new draft legislation.

However, for the information of the Senate, on January 6, 1965, I introduced S. 256, which would accomplish this purpose.

The third proposal in the President's message—the strengthening of the unemployment insurance program—does not come within the legislative jurisdiction of the Senate Labor and Public Welfare Committee.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the explanation will be printed in the RECORD.

The bill (S. 1986) to amend the Fair Labor Standards Act to extend its protection to additional employees, to improve its maximum hours standards, and for other purposes, introduced by Mr. McNAMARA, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The explanation presented by Mr. McNAMARA is as follows:

EXPLANATION OF PROPOSAL TO EXTEND COVERAGE, AND IMPROVE THE MAXIMUM HOURS STANDARDS OF THE FAIR LABOR STANDARDS ACT

INTRODUCTION

The draft bill will amend the coverage and exemption provisions of the Fair Labor Standards Act of 1938, as amended, to—

1. Extend minimum wage and overtime protection to about 4.6 million workers in retail, laundry, hotel, motel, motion picture theater, restaurant, taxicab, hospital, construction and other enterprises and in logging operations;

2. Consolidate and clarify the act's present exemptions for the handling and processing of farm commodities;

3. Apply the overtime pay standards of the act to employees of transit companies and gasoline service stations;

4. Remove inequities in the computation of overtime pay for salaried workers;

5. Extend the act to employees in the Eniwetok and Kwajalein atolls and Johnston Island; and

6. Lengthen to 3 years the act's present 2-year statute of limitations for instituting actions to recover wages due.

Employees who are brought under the act by this proposal will be given the same minimum wage and overtime protection provided for other workers subject to the act; i.e., a minimum wage of $1.25 an hour and overtime pay after 40 hours a week.

The bill will also require the payment of double time for hours worked in excess of 48 a week, decreasing to hours in excess of 45 a week over a 3-year period for employees who received overtime protection prior to enactment of the 1965 Fair Labor Standards Act Amendments.

A. EXTENSION OF COVERAGE

How it is accomplished

The bill will extend the minimum wage and overtime protections of the Fair Labor Standards Act to 4.6 million additional workers by (1) amending the definition of an "enterprise engaged in commerce or the production of goods for commerce" to include all such enterprises which have employees engaged in those activities and which have an annual gross volume of sales of not less than $250,000, and (2) by removing a number of exemptions. Under the act's present provisions there is a lack of uniformity regarding the sales tests applied to determine whether an enterprise is covered. A retail enterprise, for example, is covered only if the entire enterprise has annual sales of $1 million or more and it has an inflow of goods which move or have moved across State lines in total annual volume of $250,000. On the other hand, a gasoline service station (which, in fact, is also a retail establishment) now qualifies for coverage if it simply has annual sales of $250,000 or more. The draft bill will remove these inconsistencies in applying the enterprise basis for coverage and substitute a uniform standard which is fairer to all concerned.

In revising the act's provisions regarding these interstate enterprises, the amendments in no way affect the existing exclusion of so-called mom and pop stores which are operated by their owners or immediate families, and individual establishments will continue to be exempt if their annual sales are less than $250,000.

Specific coverage provided by the amendments

The additional coverage provided by this bill will be accomplished by amending the definition of interstate enterprises in section 3(s) and by removing certain exemptions in sections 7 and 13, some of which now exclude employees in these enterprises.

Specific categories of employment affected by this proposal are as follows:

1. Retail trade: The broadening of the definition of an enterprise "engaged in commerce or the production of goods for commerce" contained in section 3(s) of the act and repeal of certain exemptions will result in the extension of minimum wage and overtime protection to an additional 1.5 million employees in the retail trade.

The bill provides for the repeal of the section 13(a)(19) exemption for employees of establishments primarily engaged in the business of selling automobiles, trucks, or farm implements and the section 13(a)(20) exemption for food service employees in large retail establishments.

2. Laundries and drycleaning establishments: The bill amends section 13(a)(3) of the act so as to extend coverage to 175,000 employees in laundering and cleaning establishments which have gross annual sales of $250,000 or more and which are part of an enterprise with annual sales of such amount.

The exemption will also be amended to provide coverage for workers in laundry and drycleaning establishments which make more than 25 percent of their sales to other than home customers.

3. Hotels and motels: The proposal will delete the minimum wage and overtime exemption in section 13(a)(2) for employees of hotels and motels. This will extend minimum wage and overtime protection to 275,000 additional employees employed in establishments doing an annual business of at least $250,000.

With regard to tipped employees, the bill provides that the term "wage" shall include the value of tips or gratuities accounted for or turned over by the employee to the employer, and authorizes the Secretary of Labor to determine their fair value. Of course, only those tips or gratuities actually apportioned among employees or otherwise returned to them by the employer would be counted in determining whether the employer has met the requirements of the act.

4. Restaurants and other food service establishments: The bill will amend section 13(a)(2) of the act to extend minimum wage and overtime protection to 425,000 employees of restaurants or food service establishments which have an annual gross volume of sales of not less than $250,000.

5. Hospitals and institutions for the sick and aged: Employees of hospitals, nursing homes, and homes for the aged are presently exempted from the act under section 13(a)(2)(iii). The bill will remove this exemption and extend coverage to employees of such establishments which have an annual gross sales volume of $250,000. It will provide minimum wage and overtime protection for approximately 890,000 employees of nongovernment hospitals, nursing homes, and homes for the aged.

6. Employees of logging contractors: The proposal will repeal section 13(a)(15) of the act, which exempts from the minimum wage and overtime provisions logging operations involving not more that 12 employees. Approximately 87,000 additional employees will thus be provided the act's protection.

7. Motion-picture theaters: The exemption in section 13(a)(2) for motion picture theaters will be repealed. This will result in the extension of minimum wage and overtime protection to 75,000 additional employees.

8. Taxicab companies: Employees of taxicab companies will be brought under the act by repeal of the existing exemption in section 13(a)(12). The proposal will thus provide minimum wage and overtime protection to an additional 100,000 employees.

9. Construction and other industries: The broadening of the section 3(s) definition of an enterprise "engaged in commerce or the production of goods for commerce" will provide minimum wage and overtime protection for an additional 250,000 employees in the construction industry and 650,000 in other industries which individually employ relatively few employees.

10. Clarification and consolidation of exemptions relating to handling and processing of farm products: The bill will remove the minimum wage and overtime exemption in section 13(a)(10) and the overtime exemption in section 7(c). Two other minimum wage and overtime exemption provisions closely related to section 13(a)(10) (secs. 13(a)(17)—grain elevators—and 13(a)(18)—cotton ginning) will also be repealed.

Section 7(b)(3) will provide a 14-week overtime exemption, limited to 10 hours a day and 48 hours a week, for employment in industries found by the Secretary of Labor to be of a seasonal nature. As amended, it will also provide a similar exemption for handling and processing operations covered by the deleted provisions, except livestock slaughtering, if the Secretary finds the industry to be "characterized by marked annually recurring seasonal peaks of operation."

11. Extension of overtime protection to certain gasoline station employees and transit employees: The bill repeals the overtime exemption in section 13(b)(8) for "any employee of a gasoline service station." Approximately 86,000 employees would thus receive maximum hours protection.

It will extend overtime protection to 103,000 local transit employees by repealing the overtime exemption in section 13(b)(7) for employees of street, suburban or interurban electric railways, or local trolley or motorbus carriers.

12. Extension of geographical application of act and computation of overtime: Section 13(f) will be amended to extend the act to the Eniwetok and Kwajalein Atolls and Johnston Island.

The bill will also amend section 7(e) so that, except in cases where an employee works necessarily irregular hours and is employed pursuant to an individual contract or a collective bargaining agreement providing for premium pay, the "regular rate" will be computed by dividing the fixed salary by not more than the maximum workweek of 40 hours.

13. Statute of limitations and effective date: The bill will lengthen to 3 years the present 2-year statute of limitations for instituting action to recover wages due.

The amendments made by the bill will take effect 120 days after enactment, except that the authority to promulgate necessary rules, regulations, or orders with regard to such amendments could be exercised by the Secretary of Labor on and after the date of enactment.

Need for the legislation

At the present time almost half of the Nation's wage and salary workers are outside the Fair Labor Standards Act. The proposal would provide minimum wage and overtime protection to approximately 4½ million of the neediest of these workers. They constitute a group which as a whole has been denied a living wage in the midst of an unparalleled national prosperity.

The wages of exempt workers generally do not rise with increases in the cost of living, and as a result they suffer a continuing decline in real earnings. These workers who are denied the modest benefits of the FLSA comprise a chronically depressed class.

Thirty-one percent of the workers who would be extended minimum wage protection by the bill now receive less than $1.25 an hour. Their plight is evident when one considers that even at this wage, if a worker were employed steadily—40 hours a week for an entire year—his annual income would amount to only $2,500. Although poverty has been defined in many ways, a family income of less than $3,000 is generally regarded as falling below the line marking the poverty level. While the assurance of a wage of $1.25 an hour to workers now receiving less than that amount would still fall short of this dividing line, it would provide some measure of improvement in the unhealthful and dispiriting conditions to which they are now subjected by their intolerably low wages.

The broader application of the act's overtime standards provided by the bill will help to discourage excessively long hours of work for those workers to whom this protection is extended. It will also tend to spread employment opportunities in several categories of jobs in which the relatively unskilled can qualify for employment. Since chronic and persistent unemployment among unskilled workers is disproportionately high, this aspect of the proposed legislation is particularly important.

In extending the act's protection to the categories of workers dealt with in this bill, a selective approach is followed so that those needing it the most will be benefited.

For example, laundry workers have long been among the lowest paid in the country. Earnings data published by the Bureau of Labor Statistics indicate that the spread between wages in laundries and wages in low-wage manufacturing industries steadily widened between 1947 and 1960. A comparison of wages in laundries and in the fertilizer industry (which is a low-wage industry but is covered by the act) illustrates this fact. Average hourly earnings in the fertilizer industry were about 15 cents higher than those in the laundry industry in 1947. By 1960, the spread between the two industries had increased to 63 cents. Today, 41 percent of the laundry workers who would be covered by this bill receive less than $1.25 an hour.

Similarly, average hourly earnings in the fertilizer industry were 28 cents higher in 1947 than the average hourly wage in year-round hotels. By 1960, this differential had increased to 63 cents. It is estimated that 36 percent of the hotel and motel workers who would be extended the act's protection under this bill now receive less than $1.25 an hour in cash wages plus tips.

The estimated number of other categories of workers who will be extended the act's protection, now receiving less than $1.25 an hour, is as follows:

	Percent
Retail trade (secs. 3(s) and 13(a)(2))	30
Agricultural processing within the area of production (sec. 13(a)(10))	64
Local transit (sec. 3(s))	10
Cotton ginning (sec. 13(a)(18))	67
Taxicabs (sec. 13(a)(12))	25
Small logging (sec. 13(a)(15))	6
Motion picture theaters (secs. 3(s) and 13(a)(2))	60
Construction (sec. 3(s))	6
Restaurants (secs. 3(s) and 13(a)(2))	29
All other industries (sec. 3(s))	28

The proposed clarification and consolidation of provisions in the act relating to the handling and processing of farm products is long past due. The exemptions covering these agricultural operations have proved over the years to be complex, overlapping, and difficult to apply. In enacting the 1961 Fair Labor Standards Act Amendments, Congress directed the Secretary of Labor to "study the complicated system of exemptions now available for the handling and processing of agricultural products under the act and particularly sections 7(b), 7(c), and 13(a)(10)." The Department made a detailed study of these exemptions, and the amendments in the attached bill reflect the information compiled in this study.

The provision extending the geographical application of the Fair Labor Standards Act to the Eniwetok and Kwajalein Atolls and Johnston Island accords the same protection to employees in these trust territories as is accorded to employees in other areas under our jurisdiction, such as the Canal Zone. The bill does provide, however, with respect to these newly covered territories, that the Secretary may issue rules and regulations allowing reasonable variations and tolerances from the act's requirements if, after hearing, he finds that economic conditions warrant such action.

The revision in section 7(e) of the act relating to the computation of overtime for employees (except where their work necessitates irregular hours) eliminates an inequitable situation in which the rate on which overtime pay is computed decreases as the number of hours worked in a workweek increases. Thus, the longer an employee works, the less are his earnings per hour.

The lengthening of the statute of limitations to 3 years will allow workers more time to familiarize themselves with their legal right to back wages and thus improve enforcement of the act. The short statute of limitations gives competitive advantage to violators and penalizes many workers in the collection of wages legally due. The Federal criminal statute runs for 5 years and many other statutes run for 3 years or more. The existing 2-year period under the Fair Labor Standards Act is also shorter than that allowed creditors of employees to collect money owed for food and rent bills.

B. MAXIMUM HOURS STANDARDS

Under the proposal an employee to whom the act's 40-hour workweek standard applied prior to the 1965 amendments will be entitled to receive double time compensation for all hours worked in excess of 48 hours in a workweek. The number of hours worked beyond which such compensation is required will be gradually reduced until the employee is entitled to receive double time pay for all hours worked in excess of 45 in a workweek. Specifically, the payment of double time compensation would be required for a workweek longer than (1) 48 hours during the first year after the effective date of the amendment, (2) 47 hours during the second year, (3) 46 hours during the third year, (4) 45 hours after the expiration of the third year.

The time and one-half overtime rate would continue to apply to work in excess of 40 hours in a workweek up to the number of hours at which the double time rate becomes applicable. This rate will also apply in periods of extraordinary emergency, including a national emergency, or where other compelling reasons exist.

Need for this legislation

A basic aim of the Fair Labor Standards Act of 1938 was to discourage excessive overtime work and to create additional employment opportunities. However, in recent years it has become apparent that the act's time and one-half overtime pay requirement is no longer adequate for this purpose.

When the Fair Labor Standards Act first became operative, the hourly cash wages of employees (on which overtime pay is generally computed) constituted the greater part of the earnings of most workers. Employer payments for social security and fringe benefits then amounted to only about 5 percent of the hourly wage rates of such workers. Since that time, employer payments for supplementary benefits have increased tremendously and today probably average about 20 percent of such wage rates.

As a result of the decrease in the relative importance of cash wages as a compensation factor, the effectiveness of the time and a half penalty rate as a deterrent to long workweeks has been reduced by 40 to 50 percent.

Employers frequently find that it is cheaper to schedule overtime work at time and a half than to hire additional workers for whom additional payments for fringe benefits would be required. No longer is overtime work scheduled principally in emergency situations, but on a day-to-day basis. As a consequence, overtime is now an integral part of the wage-hour structure, and the 40-hour workweek rather than being an accepted workweek goal is merely a base for the computation of overtime pay.

CONCLUSION

The proposed legislation would not eliminate all overtime work or create jobs for all the unemployed. However, its provision for an increase in the Fair Labor Standards Act's premium pay rate for overtime is certain to lead to a reduction in such overtime and the creation of additional job opportunities. In accomplishing this objective, this proposal would apply the higher overtime pay rate on a gradual and reasonable basis, thus minimizing any problems of adjustment which employers might encounter.

AUTHORITY FOR UNIVERSITY OF MARYLAND TO ACQUIRE CERTAIN ACREAGE

Mr. TYDINGS. Mr. President, for myself and on behalf of my distinguished colleague from Maryland [Mr. BREWSTER], I introduce, for appropriate reference, a bill to provide the University of Maryland and the State of Maryland with the right to acquire certain acreage belonging to the Department of Commerce which is located in the center of the University of Maryland campus. This land was deeded many years ago by the State of Maryland to the Federal Government, when our university was a small institution, serving several hundred students. Today, with a student enrollment in excess of 25,000, the university has a tremendous need for breathing space and for additional room.

Senator BREWSTER and I have been able to reach an agreement with the Secretary of the Interior and the Director of the Bureau of the Budget for the University of Maryland to acquire this piece of land at fair market value. The purpose of this bill is to provide for the conveyance of the land.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1988) to provide for the conveyance of certain real property of the United States to the State of Maryland, introduced by Mr. TYDINGS (for himself and Mr. BREWSTER), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

EMPLOYMENT SECURITY AMENDMENTS OF 1965

Mr. McCARTHY. Mr. President, I introduce, for appropriate reference, a bill to amend the Social Security Act to provide for the establishment of a program of Federal unemployment adjustment benefits, to provide for matching grants for excess benefit costs, to extend coverage, to establish Federal requirements with respect to unemployment compensation, to increase the wage base for the Federal unemployment tax, to increase the rate of the Federal unemployment tax and to provide for a Federal contribution, to establish a Federal adjustment account in the unemployment trust fund, to change the annual certification date under the Federal Unemployment Tax Act, to provide for a research program and for a special advisory commission, and for other purposes.

Legislation to upgrade and improve the unemployment compensation system is long overdue. In 1958 I introduced in the House of Representatives, and the then Senator John F. Kennedy introduced in the Senate, a bill to revise the system. In 1960 the Senate Special Committee on Unemployment Problems, of which I was the chairman, made revision of the unemployment insurance system one of its major recommendations. In the 87th and the 88th Congresses I introduced the administration bills to provide for revision of the system. I regret that during this 7-year period there has been extensive discussion but no action on legislation.

I am pleased to introduce the administration bill again this year, and I am hopeful that in the 89th Congress we can secure enactment of the much needed adjustments to provide more adequate protection for the unemployed and to bring the unemployment insurance system in line with the realities of the economy.

The bill in general follows the major provisions in the proposal in 1963, although it differs in some details. Briefly, it would extend coverage to certain groups not now protected. It would set standards for the amount of benefits and the duration of benefits. It adjusts the wage base on which the unemployment tax is paid, in line with the pending OASDI base. It also provides for a Federal responsibility for the long-term unemployed, by establishing a new title XX of the Social Security Act. This title would provide unemployment benefits to qualified workers who have no current or potential State benefit rights and who have been unemployed at least 26 weeks. This is a recognition that the problem of some of the unemployed goes beyond the reasonable obligation of employers and reasonable expectancy of the States to provide assistance. This group includes those whose skills are outmoded as a result of automation and those in distressed areas. Their unemployment is characteristically a result of conditions which are national in scope and for which there is some degree of national responsibility.

I ask unanimous consent that the bill remain at the desk until the close of the session on Wednesday, May 26, to allow an opportunity for other Senators to join as sponsors of the measure.

I also ask unanimous consent that the bill and a summary of the bill prepared by the Department of Labor be printed in the RECORD at this point.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the RECORD, and the bill will be held at the desk, as requested by the Senator from Minnesota.

The bill (S. 1991) to provide for the establishment of a program of Federal unemployment adjustment benefits, to provide for matching grants for excess benefit costs, to extend coverage to establish Federal requirements with respect to unemployment compensation, to increase the rate of the Federal unemployment tax and to provide for a Federal contribution, to establish a Federal adjustment account in the Unemployment Trust Fund, to change the annual certification date under the Federal Unemployment Tax Act, to provide for a research program and for a Special Advisory Commission, and for other purposes, introduced by Mr. McCARTHY, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1991

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Employment Security Amendments of 1965."

TITLE I—AMENDMENTS TO THE SOCIAL SECURITY ACT

SEC. 101. The Social Security Act is amended by adding after title XIX thereof the following new title:

"TITLE XX—FEDERAL UNEMPLOYMENT ADJUSTMENT BENEFITS PROGRAM

"SEC. 2001. Federal unemployment adjustment benefits shall be payable for any week of unemployment which begins after June 30, 1966 and after the date of enactment of this title to any individual who meets the requirements of sections 2002, 2003, and 2004 in the amount specified in section 2005.

"Eligibility for benefits

"SEC. 2002. An individual shall be eligible for Federal unemployment adjustment benefits if he

"(a) establishes a Federal benefit period;

"(b) has had not less than 26 weeks of unemployment after December 31, 1965, and after the beginning of his Federal benefit period;

"(c) (1) has been employed in covered employment for not less than 78 weeks in the Federal qualifying period and for not less than 26 weeks in the base period when the applicable State law bases eligibility on weeks of employment; or

"(2) has been employed in covered employment in 6 calendar quarters in the Federal qualifying period and in such qualifying period was paid at least five times his high-quarter wages, and was paid at least one and two-thirds times such high-quarter wages in the base period, when the applicable State law bases eligibility on high-quarter wages paid in the base period; or

"(3) has a work history substantially equivalent, under regulations issued by the Secretary, to that required under subsections (1) and (2), when the applicable State law bases eligibility on other criteria or when the applicable State law bases eligibility as provided by subsection (1) or (2) but data with respect to his work history required by such subsections are not available.

"Payment of benefits

"SEC. 2003. Federal unemployment adjustment benefits shall be payable for a week of unemployment (as defined in section 2014) to an eligible individual

"(a) who files a claim for such benefits;

"(b) who has no present or potential rights to unemployment compensation with respect to such week under any State or other Federal unemployment compensation law and is not receiving compensation under the unemployment compensation law of the Virgin Islands or Canada;

"(c) who meets the terms and conditions for the receipt of unemployment compensation of the applicable State law or title XV except as specified in section 2004.

"Additional terms and conditions

"Sec. 2004.

"(a)(1) An individual shall be denied benefits under this title by reason of a State disqualification (other than a disqualification for fraud, for unemployment due to a labor dispute or for conviction of a crime arising out of his work) only for the week in which the disqualifying act occurred and the succeeding 6 weeks.

"(2) Any individual who makes a false statement or representation of a material fact knowing it to be false or knowingly fails to disclose a material fact in order to obtain or increase for himself or another any payment under this title shall be disqualified, according to the gravity of the offense, for a period of 4 to 52 otherwise compensable weeks beginning with the date the determination is made and ending no later than 36 months from that date.

"(3) Benefits under this title shall be denied to any individual for any week in which he would be disqualified under the labor dispute disqualification provision of the applicable State law.

"(4) Benefits under this title shall be denied to any individual for a period not to exceed 52 weeks, according to the gravity of the offense, beginning with the date of his conviction of a crime arising in connection with his work.

"(b) Federal unemployment adjustment benefits shall not be denied to an otherwise eligible individual for any week because he is in training with the approval of the Secretary; and such individual in training shall not be deemed to be not otherwise eligible for any such week by reason of any availability or active search for work requirement of a State law or by reason of his having refused to accept work.

"(c)(1) If, without good cause, an individual refuses to take training to which he is referred by the Secretary or leaves training to which he has been referred, or if he is terminated with cause, he shall be disqualified from receiving benefits under this title for a period of 6 weeks from the date of refusal, leaving or termination, as the case may be.

"(2) If without good cause an individual fails to attend training to which he has been referred by the Secretary, he shall be disqualified from receiving benefits for any period during which he fails to attend such training.

"(d) For any week in which an individual is entitled to a training allowance under the Manpower Development and Training Act of 1962, as amended, he shall receive the allowance under such act in lieu of the Federal unemployment adjustment benefits, but receipt of such allowances shall not reduce his maximum aggregate Federal unemployment adjustment benefits.

"(e)(1) No individual shall receive benefits under this title for any week with respect to which he receives a trade readjustment allowance under title III, Chapter 3 of the Trade Expansion Act of 1962, or related provisions.

"(2) For any week with respect to which an individual receives a trade readjustment allowance under title II, chapter 3 of the Trade Expansion Act of 1962, or related provisions, an amount equal to his weekly benefit amount computed under section 2005(a) shall be deducted from his maximum aggregate amount.

"Amount and duration of benefits

"Sec. 2005. (a) Except as provided in subsection (c), the Federal unemployment adjustment benefit payable to an individual under this title for a week of total unemployment shall be his weekly benefit amount under the applicable State law or title XV. The Federal unemployment adjustment benefit payable to an individual for a week of less than total unemployment shall be computed in the manner prescribed by the applicable State law.

"(b) The maximum aggregate amount of Federal unemployment adjustment benefits payable in a single Federal benefit period shall be determined at the time an individual files his first claim for that period by multiplying the individual's weekly benefit amount by 26. In the case of an individual who received State or title XV compensation for more than 26 weeks of total unemployment (or the equivalent thereof in weeks of less than total unemployment) for a single benefit year, his maximum aggregate amount of Federal unemployment benefits shall be reduced by the amount of compensation received for weeks in excess of 26.

"(c) If the State law is not certified under the provisions of section 3309 of the Internal Revenue Code of 1954 on October 31, 1967 or any October 31 thereafter, the Federal unemployment adjustment benefit shall be determined, under regulations issued by the Secretary, in accordance with the requirements of that section, and the maximum aggregate amount of benefits payable to any individual affected thereby shall be appropriately adjusted.

"(d) The Secretary, under regulations prescribed by him, shall from time to time certify to the Secretary of the Treasury for payment from the Federal adjustment account to a State for credit to its account in the Unemployment Trust Fund an amount equal to the total reductions made under subsection (b) on account of compensation paid by such State pursuant to State law.

"Waiver, release, transfer, or assignment of benefit rights

"Sec. 2006(a). Any agreement by an individual to waive, release, or commute his rights to benefits or any other rights under this Act shall be void. Any agreement by an individual performing service for an employer to pay all or any portion of any contributions required under this Act from such employer shall be void. No employer shall directly or indirectly make or require or accept any deduction from wages to finance the contributions required from him, require or accept any waiver of any right hereunder by any individual in his employ, discriminate in regard to the hiring or tenure of work or any term or condition of work of any individual on account of his claiming benefits under this Act, or in any manner obstruct or impede the claiming of benefits.

"(b) The right of any individual to any future payment under this title shall not be transferable or assignable, at law or in equity, and none of the moneys paid or payable or rights existing under this title shall be subject to execution, levy, attachment, garnishment, or other legal process, or the operation of any bankruptcy or insolvency law.

"Agreements with States

"Sec. 2007(a). The Secretary is authorized on behalf of the United States to enter into an agreement with a State, or with the agency administering the State law, under which such State agency will make, as agent of the United States, payments of Federal unemployment adjustment benefits in accordance with this title and will otherwise cooperate with the Secretary and with other State agencies in making payments of such benefits.

"(b) To assure the prompt adjustment of the long-term unemployed and to minimize reliance on the Federal unemployment adjustment benefits program, such agreement shall provide that the State agency shall review the claimant's job qualifications and employment prospects upon the filing of a first claim for benefits under this title, unless such review has been made within the preceding 10-week period. The State agency shall make every effort to afford appropriate testing and counseling to workers who have been unemployed 16 weeks or more and who have not previously had testing and counseling. Further review and counseling of each claimant shall be conducted by the State agency at reasonable intervals thereafter. The State agency shall certify to the Secretary under such circumstances and in such manner as the Secretary may by regulation prescribe that appropriate review, testing, and counseling has been given to claimants. No omission or failure to certify that review and counseling have been given shall be grounds for denial or suspension of benefits to an individual.

"Amendment, suspension, or termination of agreement

"(c) Each agreement under this title shall provide the terms and conditions upon which the agreement may be amended, suspended, or terminated.

"Review

"(d)(1) Any determination by a State agency with respect to entitlement to Federal unemployment adjustment benefits pursuant to an agreement under this title shall be subject to review in the same manner and to the same extent as determinations under State law, and only in such manner and to such extent.

"(2) Written notice of any determination by a State agency with respect to entitlement to Federal unemployment adjustment benefits shall be furnished promptly to each claimant and such notice shall include a statement as to whether the claimant is eligible for Federal unemployment adjustment benefits, his Federal benefit period, his weekly benefit amount, and the maximum aggregate amount of Federal benefits payable during such benefit period and notice of his rights of appeal. For a worker who is determined to be not eligible, the notice shall include the reason for and the qualifying period covered by such determination, and notice of his rights of appeal. If he is determined to be ineligible by reason of his failure to meet the requirements of section 2002(c), the notice shall include, as appropriate, a statement of his weeks of employment and the employers for whom he worked or his wages for insured work by each employer, or both, during such qualifying period.

"Federal unemployment adjustment benefits in absence of State agreement

"In General

"Sec. 2008. (a) If an individual files a claim for Federal unemployment adjustment benefits in a State with which there is no agreement under section 2007 which applies to the weeks of unemployment concerned, or in the Virgin Islands or in Canada, the Secretary, in accordance with regulations prescribed by him, shall make payments to the individual from the Federal adjustment account in accordance with the provisions of this title.

"Utilization of other agencies

"(b) For the purpose of providing Federal unemployment adjustment benefits to individuals in a State described in subsection (a), the Secretary may utilize the personnel and facilities of such Federal and State agencies as may be appropriate, and for the purposes of providing Federal unemployment adjustment benefits to individuals in the Virgin Islands, the Secretary may utilize the personnel and facilities of the agency in the Virgin Islands cooperating with the United States Employment Service under the Act of June 6, 1933 (29 U.S.C. 49 et seq.), or in the case of Canada, the agency administering the Canadian Unemployment Insurance Act. Except in case of Canada, the Secretary may delegate to the agencies described in this subsection any authority granted to him by this title whenever he determines such delegation to be necessary in carrying out the purpose of this title.

"Review

"(c)(1) Any individual referred to in subsection (a) whose claim for Federal unemployment adjustment benefits has been denied shall be entitled to a fair hearing and review as provided in section 1503(c).

"(2) Written notice of any determination by any agency with respect to entitlement to Federal unemployment adjustment benefits shall be furnished promptly to each claimant and such notice shall include a statement as to whether the claimant is eligible for Federal unemployment adjustment benefits, and the determination as to his Federal benefit period, his weekly benefit amount, and the maximum aggregate amount of Federal benefits payable to him during such benefit period and notice of his rights of appeal. For a worker who is determined to be not eligible, the notice shall include the reason for and the qualifying period covered by such determination, and notice of his rights of appeal. If he is determined to be ineligible by reason of his failure to meet the requirements of section 2002(c), the notice shall include, as appropriate, a statement of his weeks of employment and the employers for whom he worked or his wages for insured work by each employer, or both, during such qualifying period.

"Penalties

"False Statements, and So Forth

"SEC. 2009. (a) Whoever makes a false statement or representation of a material fact knowing it to be false or knowingly fails to disclose a material fact to obtain or increase for himself or for any other individual any payment under this title shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

"(b) Any employer, or officer or agent of any employer, who directly or indirectly makes or requires or accepts any deduction from wages to finance the contributions required by him, or requires or accepts any waiver of any right hereunder by any individual in his employ, or discriminates in regard to the hiring or tenure of work or any term or condition of work of any individual on account of his claiming benefits under this title, or in any manner obstructs or impedes the claiming of benefits shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

"(c) Nothing in this section shall be construed to impair or diminish the authority of any State to enact or enforce any law with respect to false statements or misrepresentations or nondisclosure of material facts made to a representative of the State to obtain or increase payments to any individual under this or any State or Federal unemployment compensation law.

"Recovery of overpayments

"SEC. 2010. (a)(1) If a State agency or the Secretary, as the case may be, or a court of competent jurisdiction finds that any person—

"(A) has made, or has caused to be made by another, a false statement or representation of a material fact knowing it to be false, or has knowingly failed, or caused another to fail, to disclose a material fact, and

"(B) as a result of such action has received any payment under this title to which he was not entitled, such person shall be liable to repay such amount to the State agency or the Secretary, as the case may be, in lieu of requiring the repayment of any amount under this paragraph, the State agency or the Secretary, as the case may be, may recover such amount by deductions from any benefits payable to such person under this title. Any person affected by any such finding by a State agency or the Secretary, as the case may be, must be given an opportunity for a fair hearing, subject to such further review as may be appropriate under section 2008(c).

"(2) Any amount repaid to a State agency under paragraph (1) shall be deposited into the fund from which payment was made. Any amount repaid to the Secretary under paragraph (1) shall be returned to the Treasury and credited to the current applicable appropriation, fund, or account from which payment was made.

"(b) (1) If a State agency or the Secretary finds that any person has received payment under this title for a period in which he was entitled to receive compensation under any State law or title XV, or has received payment under State law or title XV for a period in which he was entitled to Federal unemployment adjustment benefits, the State agency shall make appropriate adjustments in the Federal adjustment account and the State fund or account, provided that, in any case where the amount of Federal unemployment adjustment benefits paid an individual exceeds the amount such individual would have received under State law or title XV, the Secretary may, in the absence of gross negligence or intent to defraud the United States, waive the repayment by the individual of the amount of such excess benefit payment.

"(2) The State agency shall, in cases arising under subsection (b)(1) above, make appropriate adjustments in the individual's entitlement to benefits under State law or title XV and this title.

"Information

"SEC. 2011. The State agency shall furnish to the Secretary such information as he may find necessary or appropriate in carrying out the provisions of this title.

"Payments to States

"SEC. 2012. (a) There shall be paid to each State which has an agreement under this title, either in advance or by way of reimbursement, as may be determined by the Secretary, such sum as the Secretary estimates the State will be entitled to receive under this title for each calendar month, reduced or increased, as the case may be, by any sum by which the Secretary finds that his estimates for any prior calendar months were greater or less than the amounts which should have been paid to the State. Such estimates may be made upon the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency.

"Certification

"(b) The Secretary shall from time to time certify to the Secretary of Treasury for payment to each State which has an agreement under this title sums payable to such State under subsection (a). The Secretary of the Treasury, prior to audit or settlement by the General Accounting Office, shall make payment to the State in accordance with such certification, from the Federal adjustment account.

"Money to be used only for purposes for which paid

"(c) All money paid a State under this title shall be used solely for the purposes for which it is paid; and any amount so paid which is not used for such purposes shall be returned, at the time specified in the agreement under this title, to the Treasury and credited to current applicable appropriations, funds, or accounts from which payments to States under this title may be made.

"Surety bonds

"(d) An agreement under this title may require any officer or employee of the State certifying payments or disbursing funds pursuant to the agreement, or otherwise participating in its performance, to give a surety bond to the United States in such amount as the Secretary may deem necessary, and may provide for the payment of the cost of such bond from funds for carrying out the purposes of this title.

"Liability of certifying officers

"(e) No person designated by the Secretary or designated pursuant to an agreement under this title as a certifying officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to the payment of any Federal unemployment adjustment benefits certified by him under this title.

"Liability of disbursing officers

"(f) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this title if it was based upon a voucher signed by a certifying officer designated as provided in subsection (e) of this section.

"Cost of administration

"(g) For the purpose of payments made to a State under title III of the Social Security Act (but not for the purpose of the limitation specified in section 901(c) of such Act) administration by the State agency of such State pursuant to an agreement under this title shall be deemed to be a part of the administration of the State law.

"Regulations

"SEC. 2013. The Secretary is hereby authorized to make such rules and regulations as may be necessary to carry out the provisions of this title. The Secretary shall insofar as practicable consult with representatives of the State unemployment compensation agencies before prescribing any rules or regulations which may affect the performance by such agencies of functions pursuant to agreements under this title.

"Definitions

"SEC. 2014. For purposes of this title—

"(1) 'Federal unemployment adjustment benefit' means the cash benefit payable under this title.

"(2) 'Benefit year' means the benefit year as defined in the applicable State law, except that if an individual is prevented from establishing a benefit year by a disqualification under State law the term 'benefit year' shall mean the benefit year that would have been established if a disqualification had not been imposed.

"(3) 'Base period' means the base period as determined under applicable State law for the benefit year.

"(4) 'Federal benefit period' means the three-year period beginning with the first day of an individual's benefit year except that no Federal benefit period shall be established for an individual until he has filed a first claim, nor shall a Federal benefit period be established beginning with a benefit year which started before the end of a previously established Federal benefit period.

"(5) 'Covered employment' means employment covered under any State law and Federal service as defined in title XV.

"(6) 'First claim' means the first claim for determination of an individual's right to Federal unemployment adjustment benefits with respect to a Federal benefit period if it is determined that he has been employed in covered employment to the extent specified in section 2002(c), whether or not any Federal unemployment adjustment benefit is paid.

"(7) 'High-quarter wages' means the wages paid in the calendar quarter of an individual's base period in which his total wages were highest.

"(8) 'Weekly benefit amount' means the amount of compensation, including dependents' allowances, payable for a week of total unemployment under the applicable State law or title XV with respect to an individual's benefit year with which his Federal benefit period began but if more than one weekly rate was payable in such benefit year, then the last weekly rate payable for a week of total unemployment under such law.

"(9) 'Secretary' means the Secretary of Labor of the United States.

"(10) 'State' includes the District of Columbia and the Commonwealth of Puerto Rico.

"(11) 'State agency' means the agency of the State that administers its State unemployment compensation law.

"(12) 'Applicable State law' means the unemployment compensation law of the State, approved by the Secretary under section 3304 of the Federal Unemployment Tax Act, under which at the time of an individual's first claim—

"(i) he has a current benefit year; or

"(ii) if he has no current benefit year, he had his most recent benefit year within the Federal benefit period.

"(13) 'Title XV' means title XV of the Social Security Act.

"(14) 'Week of employment' means a week of employment as defined in the applicable State law.

"(15) 'Week of unemployment' means a week—

"(i) for which an individual received compensation under State law or title XV; or

"(ii) in which an otherwise eligible individual performed no work and received no wages (or if an individual received some wages, a week shall be as defined in the applicable State law), except that for an otherwise eligible individual who did not receive unemployment compensation under State law or title XV by reason of a State disqualification (other than a disqualification for fraud, for unemployment due to a labor dispute, or for conviction of a crime arising out of his work) a week of unemployment shall not include a week of disqualification beginning earlier than the seventh week following the week in which the disqualifying act occurred. With respect to a disqualification for fraud, for unemployment due to a labor dispute, or for conviction of a crime arising out of his work, no week of disqualification shall be a week of unemployment.

"(16) 'Federal qualifying period' means for an individual his base period and the immediately preceding one hundred and four weeks or eight quarters, as appropriate under the applicable State law."

SEC. 102. The Social Security Act is amended by adding after title XX thereof (added by section 101 of this Act), the following new title:

"TITLE XXI—MATCHING GRANTS FOR EXCESS COSTS

"Qualifications and conditions

"SEC. 2101. Matching grants shall be made to a State with respect to any calendar year after 1965 as provided in this section if—

"(a) the State law has been certified on October 31 of such calendar year by the Secretary under section 3304(c) of the Internal Revenue Code; and

"(b) after 1966, the State law has been certified on October 31 of such calendar year by the Secretary under section 3309(a) of the Internal Revenue Code; and

"(c) the head of the State agency (or the Governor of the State) applies therefor prior to June 1 of the year following the calendar year for which the grant is requested, and the Secretary determines that the cost of unemployment compensation paid under the State law during the calendar year for which the grant is requested, excluding any amount that is reimbursable by the Federal Government, exceeded 2 per centum of total wages in covered employment for such calendar year as reported to the State agency before May 1 of the following year.

"Amount of grants

"SEC. 2102. The matching grant to a State with respect to a calendar year shall equal two-thirds of the amount by which the unemployment compensation paid in the State in the calendar year, excluding any amount that is reimbursable by the Federal government, exceeded 2 per centum of total wages in covered employment in such calendar year. The amount of such grant shall be rounded to the nearest dollar.

"Certification

"SEC. 2103. (a) The Secretary shall certify to the Secretary of the Treasury, no later than the June 30 following the calendar year with respect to which the matching grant is to be made, the amount determined under section 2102. The Secretary of the Treasury shall, prior to audit or settlement by the General Accounting Office, transfer from the Federal adjustment account to the account of the State in the unemployment trust fund the amount certified under this subsection by the Secretary.

"Money To Be Used Only for Purposes Paid

"(b) Amounts transferred to the account of a State pursuant to subsection (a) shall be used only for the payment of compensation to individuals with respect to their unemployment, exclusive of expenses of administration."

SEC. 103. Title IX of the Social Security Act is amended by—

(a) inserting a comma and the numeral "VII" after the numeral "III" in section 901(c)(1)(B)(i);

(b) adding the words "or section 3309" after the words "under section 3304" in section 903(b)(1)(B); and,

(c) adding the following new sections at the end of the title:

"Federal adjustment account

"Establishment of Account

"SEC. 906. (a) There is hereby established in the Unemployment Trust Fund a Federal adjustment account. For the purposes provided for in section 904(e), such account shall be maintained as a separate book account. Any moneys to the credit of the Federal adjustment account are hereby made available for the payment of Federal unemployment adjustment benefits provided by title XX, the payments to States provided by section 2005(d) and the matching grants authorized by title XXI. There are hereby authorized to be appropriated, without fiscal year limitations, such amounts as are necessary (as repayable advances) for the payment of Federal unemployment adjustment benefits provided by title XX, the payments to States provided by section 2005(d) and the matching grants authorized by title XXI. The amounts so appropriated shall be transferred from time to time to the Federal adjustment account on the basis of estimates by the Secretary of the Treasury, after consultation with the Secretary of Labor of the amounts required to make such payments. Amounts transferred as repayable advances shall be repaid, without interest, by transfers from the Federal adjustment account to the general fund of the Treasury, at such times as the amount in the Federal adjustment account is determined by the Secretary of the Treasury, in consultation with the Secretary of Labor to be adequate for such purpose.

"Transfer From Employment Security Administration Account

"(b)(1) Beginning on January 1, 1968, the Secretary of the Treasury shall transfer as of the close of each month from the employment security administration account to the Federal adjustment account an amount determined by him to equal three-elevenths (except that when the Federal unemployent rate has been reduced in accordance with section 3301(b) of the Internal Revenue Code of 1954 the portion shall be one-fifth) of the amount by which—

"(A) transfers to the employment security administration account pursuant to subsection (b)(2) of section 901 during such month, exceed

"(B) payments during such month from the employment security administration account pursuant to subsections (b)(3) and (d) of section 901.

If for any such month the payments referred to in paragraph (B) exceed the transfers referred to in paragraph (A), proper adjustments shall be made in the amounts subsequently transferred.

"(2) Beginning on January 1, 1967 the Secretary shall transfer from the employment security administration account to the Federal adjustment account an amount determined by a formula comparable to that provided in paragraph (1) applied to the increase in credits to the employment security administration account resulting from the enactment of section 3301(a)(2) of the Internal Revenue Code of 1954.

"Authorization of appropriation

"(c) Beginning on January 1, 1967, there is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, an amount equal to the amount determined under subsection (b) above. Such appropriations shall remain available until expended and they shall be transferred each month from this appropriation into the Federal adjustment account in the Unemployment Trust Fund in an amount equal to one-half of the amount of payments made from the Federal adjustment account under titles XX and XXI during that month and preceding months with respect to which transfers under this subsection have not previously been made.

"(d) (1) The Secretary of the Treasury shall determine on September 30 of any fiscal year the balance in the Federal adjustment account; which balance shall include not only the cash balance but also any amount appropriated under subsection (c) above and not transferred to the account.

"(2) Whenever the Secretary of the Treasury determines that the balance in the Federal adjustment account equals or exceeds the higher of (a) $850 million or (b) 0.35 percent of the total wages subject to contributions under all State unemployment compensation laws for the immediately preceding calendar year, the excise tax imposed by section 3301(a) of the Internal Revenue Code of 1954 shall be reduced for that tax year as provided in section 3301(b) of the Internal Revenue Code of 1954.

"Duties of the Secretary of Labor

"SEC. 910. The Secretary of Labor shall perform the duties imposed upon him by this Act and shall also have the duty of studying and making recommendations as to the most effective methods of providing economic security through unemployment compensation and as to legislation and matters of administrative policy concerning unemployment compensation and accident compensation, and related subjects.

"*Unemployment compensation research program*

"SEC. 911. (a) The Secretary of Labor shall—

"(1) establish a continuing and comprehensive program of research to evaluate the unemployment compensation system. Such research shall include, but not be limited to, a program of factual studies covering the role of unemployment compensation under varying patterns of unemployment, the relationship between the unemployment compensation and other social insurance programs, the effect of State eligibility and disqualification provisions, the personal characteristics, family situations, employment background and experience of claimants, with the results of such studies to be made public;

"(2) establish a program of research to develop, as soon as possible, plans respecting coverage of all excluded groups, with first attention to agricultural workers, particularly migratory workers, and domestic workers in private households, and develop a program of information, encouragement and inducement to promote coverage of employees of States and their political subdivisions.

"*Authorization of appropriations*

"(b) To assist in the establishment and provide for the continuation of the comprehensive research program relating to the unemployment compensation system, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1966, the sum of $5,000,000, and for each fiscal year thereafter such sums as may be necessary to carry out the purposes of this title. From the sums herein authorized to be appropriated the Secretary may provide for the conduct of such research through grants or contracts.

"*Training grants for unemployment compensation personnel*

"SEC. 912. (a) In order to assist in increasing the effectiveness and efficiency of administration of the unemployment compensation program by increasing the number of adequately trained personnel, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1966, the sum of $1,000,000, and for each fiscal year thereafter such sums as may be necessary for training such personnel.

"(b) (1) From the sums appropriated in subsection (a) the Secretary shall provide (A) directly or through grants to or contracts with public or nonprofit private institutions of higher learning for training personnel who are employed or preparing for employment in the administration of the unemployment compensation program, including claims determinations and adjudication and (B) directly or through grants to or contracts with public or nonprofit private agencies or institutions, for special courses of study or seminars of short duration (not in excess of one year) for training of such personnel, and (C) directly or through grants to or contracts with public or nonprofit private institutions of higher learning, for establishing and maintaining fellowships or traineeships for such personnel at such institutions, with such stipends and allowances as may be permitted by the Secretary.

"(2) The Secretary may, to the extent he finds such action to be necessary, prescribe requirements to assure that any individual will repay the amounts of his fellowship or traineeship received under this subsection to the extent such individual fails to serve, for the period prescribed by the Secretary, with a State agency or with the Federal Government, in connection with administration of any State employment security program. The Secretary may relieve any individual of his obligation to so repay, in whole or in part, whenever and to the extent that requirement of such repayment would, in his judgment, be inequitable or would be contrary to the purposes of any of the programs established by this Act."

TITLE II—AMENDMENTS TO THE FEDERAL UNEMPLOYMENT TAX ACT IN THE INTERNAL REVENUE CODE OF 1954

Employers of one or more workers

SEC. 201. Section 3306 of the Internal Revenue Code of 1954 is amended by striking out subsection (a).

Increased tax on employers

SEC. 202. Effective July 1, 1966, section 3301 of the Internal Revenue Code of 1954 is amended to read as follows:

"SEC. 3301(a) (1). There is hereby imposed on every employer for the calendar year 1967 and for each calendar year thereafter an excise tax, with respect to having individuals in his employ, equal to 3.25 percent of the total wages (as defined in section 3306(b)) paid by him during the calendar year with respect to employment (as defined in section 3306(c)) after December 31, 1938.

"(2). There is hereby imposed on every employer for the calendar year 1966 an excise tax with respect to having individuals in his employ equal to 3.1 percent of the total wages (as defined in section 3306(b)) paid by him during the first six months of such calendar year with respect to employment (as defined in section 3306(c)) and 3.25 percent of the portion of such wages paid during the second six months of such calendar year.

"(b) For any year in which the Secretary of the Treasury determines that the balance in the Federal adjustment account equals or exceeds the limits provided by subsection (d) (1) of section 906 of the Social Security Act, the tax imposed by this section shall be 3.20 percent of the total wages (as defined in section 3306(b)) paid by him during such year."

Nonprofit organizations

SEC. 203. (a) Paragraph (8) of section 3306(c) of the Internal Revenue Code of 1954 is amended to read as follows:

"(8) (A) service performed by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order; or

"(B) service performed in a sheltered workshop owned or operated by an organization described in section 501(c) (3) which is exempt from income tax under section 501 (a), other than service performed by instructors, foremen, or other regular staff of the workshop. As used in this subparagraph the term 'sheltered workshop' means a facility conducted for the purpose (i) of carrying out a program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, or (ii) of providing remunerative work for individuals who because of their impaired physical or mental capacity cannot be readily absorbed in the competitive labor market; or

"(C) service performed on a part-time basis for a religious organization, if the remuneration for such service is at a rate of pay less than $15 per week; or

"(D) service performed for an organization described in section 501(c) (3) which is exempt from income tax under section 501(a) as part of an unemployment work-relief or work-training program assisted or financed in whole or in part by any Federal agency or an agency of a State or political subdivision thereof."

Definition of contributions for nonprofit organizations

(b) Section 3306(g) of the Internal Revenue Code of 1954 is amended by deleting the period at the end thereof, substituting a comma, and adding:

"and in the case of an organization described in section 501(c) (3) which is exempt from income tax under section 501(a) and services for which are covered by a State unemployment compensation law, 'contributions' means any payment required by a State law to be made by such organization into an unemployment fund, to the extent that such payments are made by it without being deducted or deductible from the remuneration of individuals in its employ."

Financing for nonprofit organizations

(c) Section 3303(a) of the Internal Revenue Code of 1954 is amended by adding at the end thereof:

"Without regard to the limitations of this section, the State law may provide for special methods for determining the contributions payable by organizations described in section 501(c) (3) which are exempt from income tax under section 501(a) or for special methods for financing, if it also provides for the payment of unemployment compensation on the basis of service performed for such organizations in the same amount, on the same terms, and subject to the same conditions as unemployment compensation on the basis of service performed for other employers under the State unemployment compensation law."

Employee

SEC. 204. Section 3306(i) of the Internal Revenue Code of 1954 is amended to read as follows:

"For purposes of this chapter the term 'employee' means employee as defined in subsection 3121(d)."

Agricultural labor

SEC. 205. Section 3306 of the Internal Revenue Code of 1954 is amended by—

(a) deleting subsection (k),

(b) amending paragraph (1) of subsection (c) to read as follows:

"(1) agricultural labor (as defined in subsection 3121(g)) unless performed for an employer who during any one of the calendar quarters of a taxable year used 300 or more man-days of hired farm labor as defined in subsection (o) of this section."

(c) adding at the end of the section new subsections (o) and (p) as follows:

"(o) for purposes of this chapter, 'man-day' means any day in which an employee performs agricultural labor (as defined in subsection 3121(g)) and 'hired farm labor' includes the services of any employee performing agricultural labor for an employer, except services performed by his spouse, parents, or children under 21 years of age, and services as defined in section 3121(b) (16)."

"(p) The provisions of section 3121(o) shall be applicable to this section."

Maritime employers

SEC. 206. (a) Subsection (a) (1) of section 3302 of the Internal Revenue Code of 1954 is amended by striking "The" and inserting the following clause at the beginning of the first sentence:

"(1) Except as provided in subsection (f) of section 3305, the"

(b) Subsection (f) of section 3305 of the Internal Revenue Code of 1954 is amended by changing the period at the end thereof to a colon and adding thereafter the following: "*Provided*, That such person shall not be entitled to the credit permitted by section 3302 against the tax imposed by section 3301 with respect to the amount of contributions paid by him into the unemployment fund maintained under the unemployment compensation law of a State if on October 31 of any taxable year after 1966, the Secretary of Labor certifies to the Secretary his finding, after reasonable notice and opportunity for hearing to the State agency, that the unemployment compensation law of such State is inconsistent with any one or more of the conditions set forth in this subsection or that the State has failed substantially to comply with any such condition or conditions with respect to the taxable year."

Definition of wages

SEC. 207. Section 3306(b) of the Internal Revenue Code of 1954 is amended by inserting after the amount "$3,000" wherever it appears the following:

"for calendar years through 1966, $5,600 for calendar years 1967 through 1970, and $6,600 for calendar years thereafter"

Experience rating for pooled funds

SEC. 208. (a) Subsection (a)(1) of section 3303 of the Internal Revenue Code of 1954 is amended to read as follows:

"(1) a reduced rate of contributions is permitted to a pooled fund;"

(b) Subsection (a) of section 3303 of the Internal Revenue Code of 1954 is amended to delete "(1)," and the comma after "(2)" from the phrase preceding the first comma of the last paragraph thereof.

(c) Subsection (c) of section 3303 of the Internal Revenue Code of 1954 is amended by deleting paragraph (3) and amending paragraph (8) to read as follows:

"(8) Reduced Rate—The term 'reduced rate' means a rate of contributions lower than 2.7%."

Benefit requirements

SEC. 209. The Internal Revenue Code of 1954 is hereby amended by renumbering present section 3309 as section 3310 and inserting a new section 3309 as follows:

"Section 3309. (a) Certification—On October 31, 1967, and October 31 of each calendar year thereafter, the Secretary of Labor shall certify to the Secretary each State whose law he finds is in accord with the requirements of subsection (c) and has been in accord with such requirements for substantially all of the twelve-month period ending on such October 31 (except that for 1967, it shall be the four-month period ending on October 31) and that there has been substantial compliance with such State law requirements during such period. The Secretary of Labor shall not withhold his certification to the Secretary unless, after reasonable notice and opportunity for hearing to the State agency, he finds that the State law is not in accord with the requirements of subsection (c) or has not been in accord with such requirements for substantially all of the twelve-month period ending on such October 31 (except that for 1967, it shall be the four-month period ending on October 31) or that there has been a failure to comply substantially with such State law requirements during such period. For any State which is not certified under this subsection on any October 31, the Secretary of Labor shall within ten days thereafter notify the Secretary of the reduction in the credit allowable to taxpayers subject to the unemployment compensation law of such State pursuant to section 3302(c)(4).

"(b) Notice to Governor of Noncertification—

"If at any time the Secretary of Labor has reason to believe that a State may not be certified under subsection (a) he shall promptly notify the Governor of such State.

"(c) Requirements—

"(1) With respect to benefit years beginning on or after July 1, 1967—

"(A) the State law shall not require that an individual have more than twenty weeks of employment (or the equivalent as provided in subsection (4) in the base period to qualify for unemployment compensation;

"(B) the State law shall provide that the weekly benefit amount of any eligible individual for a week of total unemployment shall be (i) an amount (exclusive of allowances with respect to dependents) equal to at least one-half of such individual's average weekly wage as determined by the State agency, or (ii) the State maximum weekly benefit amount payable with respect to such week under such law, whichever is the lesser;

"(C) the State law shall provide for an individual with 20 weeks of employment (or the equivalent) in the base period, benefits in a benefit year equal to at least 26 times his weekly benefit amount.

"Any weekly benefit amount payable under a State law may be rounded to an even dollar amount in accordance with such State law.

"(2) The State maximum weekly benefit amount shall be no less than 66⅔ percent of the Statewide average weekly wage most recently computed before the beginning of any benefit year, except that, for benefit years beginning between July 1, 1967, and June 30, 1969, such amount shall be no less than 50 percent of such Statewide average weekly wage, and for benefit years beginning between July 1, 1969, and June 30, 1971, such amount shall be no less than 60 percent of such Statewide average weekly wage.

"(3) In determining whether an individual has 20 weeks of employment, there must be counted as a week, any week in which the individual earned at least 25 percent of the Statewide average weekly wage.

"(4) For the purpose of subsections (c)(1) (A) and (C), the equivalent of 20 weeks of employment in a State which uses high-quarter wages is total base period wages equal to 5 times the Statewide average weekly wage, and either one and one-half times the individual's high-quarter earnings or 40 times his weekly benefit amount, whichever is appropriate under State law.

"(d) Definitions—

"(1) 'Benefit year' means a period as defined in State law except that it shall not exceed one year beginning subsequent to the end of an individual's base period.

"(2) 'Base period' means a period as defined in State law but it shall be 52 consecutive weeks, one year, or 4 consecutive calendar quarters ending not earlier than 6 months prior to the beginning of an individual's benefit year.

"(3) 'High-quarter wages' means the amount of wages for services performed in employment covered under the State law paid to an individual in that quarter of his base period in which such wages were highest, irrespective of the limitation on the amount of wages subject to contributions under such State law.

"(4) 'Individual's average weekly wage' means an amount computed equal to (A) one-thirteenth of an individual's high-quarter wages, in a State which bases eligibility on high-quarter wages paid in the base period or (B) in any other State, the amount obtained by dividing the total amount of wages (irrespective of the limitation on the amount of wages subject to contributions under the State law) paid to such individual during his base period by the number of weeks in which he performed services in employment covered under such law during such period.

"(5) 'Statewide average weekly wage' means the amount computed by the State agency at least once each year on the basis of the aggregate amount of wages, irrespective of the limitation on the amount of wages subject to contributions under such State law, reported by employers as paid for services covered under such State law during the first four of the last six completed calendar quarters prior to the effective date of the computation, divided by a figure representing fifty-two times the twelve-month average of the number of employees in the pay period ending nearest the fifteenth day of each month during the same four calendar quarters, as reported by such employers."

Limitation on credit against tax

SEC. 210. (a) Section 3302 of the Internal Revenue Code of 1954 is amended by adding at the end of subsection (c) thereof a new paragraph (4) as follows:

"(4) If the unemployment compensation law of a State has not been certified for a twelve-month period ending on October 31 pursuant to section 3309(a), then the total credits (after applying subsections (a) and (b) and paragraphs (1), (2), and (3) of this subsection) otherwise allowable under this section for the taxable year in which such October 31 occurs in the case of a taxpayer subject to the unemployment compensation law of such State shall be reduced by the amount by which 2.7 percent exceeds the four-year benefit cost rate applicable to such State for such taxable year in accordance with the notification of the Secretary of Labor pursuant to section 3309(a)."

(b) Subsection (c)(3)(C)(i) of section 3302 is amended by substituting the term "4-year" for the term "5-year."

(c) The heading for paragraph (5) of subsection (d) of section 3302 is revised to read "**4-YEAR BENEFIT COST RATE**", and the paragraph is amended to read:

"For purposes of subsection (c)(4) and subparagraph (C) of subsection (c)(3), the four-year benefit cost rate applicable to any State for any taxable year is that percentage obtained by dividing—

"(A) One-fourth of the total compensation paid under the State unemployment compensation law during the four-year period ending at the close of the first calendar year preceding such taxable year, by

"(B) The total of the remuneration subject to contributions under the State unemployment compensation law with respect to the first calendar year preceding such taxable year. 'Remuneration' for the purpose of this subparagraph shall include the amount of wages for services covered under the State law irrespective of the limitation of the amount of wages subject to contributions under such State law paid to an individual by an employer during any calendar year beginning with 1966 up to $5,600, and beginning with 1971, up to $6,600; for States for which it is necessary, the Secretary of Labor shall estimate the remuneration with respect to the calendar year preceding the taxable year."

Additional terms and conditions

SEC. 211. Section 3304(a) of the Internal Revenue Code of 1954 is amended by adding after paragraph (6) the following new paragraphs:

"(7) compensation may not be denied in such State to any otherwise eligible individual for a period in excess of the week in which the disqualifying act occurred and the succeeding six weeks by reason of a State disqualification except that—

"(i) compensation may be denied in accordance with the fraud disqualification of the applicable State law but no such disqualification for fraud may exceed a period of 36 months beginning with the discovery of the fraud;

"(ii) compensation may be denied for unemployment due to a labor dispute in accordance with the applicable State law; and

"(iii) compensation may be denied for a period not to exceed 52 weeks beginning with the date of conviction of a crime arising in connection with his work;

"(8) an individual is required to have had some work, whether or not in covered employment, since the beginning of a benefit year as defined in section 3309(d)(1) in order to qualify for unemployment compensation in his next benefit year;

"(9) compensation shall not be denied to any otherwise eligible individual for any week of unemployment during his benefit year by reason of cancellation or reduction of his wage credits or benefit rights;

"(10) compensation shall not be denied in such State to an otherwise eligible individual for any week because he is in training with the approval of the State agency and such individual shall not be deemed to be not otherwise eligible for any such for any such week by reason of the availability or active search for work requirements of the State law or by reason of his having refused to accept work;

"(11) compensation shall not be denied or reduced in such State to an otherwise eligible individual solely because he files a claim in another State or in Canada or because he resides in another State or in Canada at the time he files a claim for unemployment compensation."

Change in certification date

SEC. 212. (a) Section 3302(a) (1) of the Internal Revenue Code of 1954 is amended by—

(1) deleting the phrase "for the taxable year" following the word "certified";

(2) deleting the period at the end thereof and adding the following: "for the 12-month period ending on October 31 of such year."

(b) Section 3302(b) of such Code is amended by—

(1) deleting the phrase "for the taxable year" following the word "certified";

(2) inserting after the words "section 3303" the following: "for the 12-month period ending on October 31 of such year";

(3) deleting the phrase "throughout the taxable year" following the words "required to pay if" and substituting therefor "in such 12-month period".

(c) Section 3303(b)(1) of such Code is amended to read as follows:

"(1) On October 31 of each calendar year, the Secretary of Labor shall certify to the Secretary the law of each State (certified by the Secretary of Labor as provided in section 3304 for the 12-month period on such October 31) with respect to which he finds that reduced rates of contributions were allowable with respect to such 12-month period only in accordance with the provisions of subsection (a)."

(d) Section 3303(b)(2) of such Code is amended by—

(1) deleting the phrase "taxable year" where it first appears and substituting therefor "12-month period ending on October 31";

(2) deleting the phrase "on December 31 of such taxable year" following the words "the Secretary of Labor shall" and substituting therefor "on such October 31";

(3) deleting the words "taxable year" following the phrase "contributions were allowable with respect to such" and substituting therefor "12-month period".

(e) Section 3303(b)(3) of such Code is amended by—

(1) deleting the phrase "taxable year" where it first appears and substituting therefor "12-month period ending on October 31";

(2) deleting the phrase "taxable year" where it next appears and substituting therefor "12-month period".

(f) Section 3304(c) of such code is amended by—

(1) deleting the initial phrase "On December 31 of each taxable year" and substituting therefor "On October 31 of each calendar year";

(2) deleting the phrase "such taxable year" in the first sentence and substituting therefor "the 12-month period ending on such October 31".

(g) Section 3304(d) of such code is amended by deleting the initial phrase "If, at any time during the taxable year," and substituting therefor "If at any time".

TITLE III—MISCELLANEOUS

Appointment of special advisory commission

SEC. 301. (a) The Secretary shall, three years after the date of enactment of this Act, appoint a Special Advisory Commission on Unemployment Compensation for the purpose of reviewing the Federal-State program of unemployment compensation and making recommendations for improvement of the system, with particular reference to the changes made by this Act, including the financing of the Federal unemployment adjustment benefits program established by this Act, the graduated increase in the maximum weekly benefit amount provided by section 209 of this Act, the wage and employment qualifying requirements for unemployment compensation under State laws, and making recommendations with respect to the relationship between unemployment compensation and other social insurance programs, and any other matters bearing on the Federal-State unemployment compensation program.

(b) The Commission shall be appointed by the Secretary without regard to the civil service laws and shall consist of twelve persons who shall be representatives of employers and employees in equal number, representatives of State and Federal agencies concerned with the administration of the unemployment compensation program, other persons with special knowledge, experience, or qualifications with respect to such a program, and members of the public.

(c) The Commission is authorized to engage such technical assistance as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Commission such secretarial, clerical and other assistance, and such pertinent data prepared by the Department of Labor as it may require to carry out such functions.

(d) The Commission shall make a report of its findings and recommendations (including recommendations for changes in the provisions of the Social Security Act and the Federal Unemployment Tax Act) to the Secretary, such report to be submitted not later than two years after it commences its review, after which date such Commission shall cease to exist.

(e) Members of the Commission who are not regular full-time employees of the United States shall, while serving on business of the Commission, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 4 of the Administrative Expenses Act of 1946 (5 U.S.C. 736–2) for persons in Government service employed intermittently.

Effective dates

SEC. 302. The amendments made by sections 201, 203(a), 204, and 205 of this Act shall apply with respect to remuneration paid after December 31, 1966 for services performed after that date. The amendments made by section 203 (b) and (c) and by section 208 shall be effective January 1, 1965. The amendments made by section 211 shall be effective July 1, 1967. The amendments made by section 212 shall be effective January 1, 1966.

The summary presented by Mr. McCARTHY is as follows:

SUMMARY OF EMPLOYMENT SECURITY AMENDMENTS OF 1965

The bill consists of three titles. Title I contains amendments to the Social Security Act, title II, amendments to the Internal Revenue Code of 1954, and title III, miscellaneous provisions.

1. Federal unemployment adjustment benefits (FUAB):

A new title XX of the Social Security Act would provide Federal unemployment adjustment benefits for unemployment after June 30, 1966.

(a) Eligibility:

Pays Federal benefits to unemployed workers who:

1. Have no current or potential State benefit rights;

2. Have been unemployed at least 26 weeks;

3. Have had—

(a) Twenty-six weeks employment in State base period and 78 weeks in 156-week Federal qualifying period, if State UI bases eligibility on weeks of employment; or

(b) Wages of 1⅔ times high quarter wages in the State base period, with employment in 6 of the 12 quarters of the Federal qualifying period and wages totaling 5 times high quarter wages, if the State UI law bases eligibility on high quarter wages; or

(c) Work history substantially equivalent for States using other criteria and situations where data needed are not available.

(b) Weekly benefit amount: The weekly amount, including dependents' allowances, if any, payable in the State benefit year which begins the Federal benefit period.

(c) Total benefits: Total FUAB payable in a Federal benefit period of 3 years equals 26 times the weekly benefit amount, equivalent to benefits for 26 weeks of total unemployment.

(d) Payment of benefits: Paid in accordance with State terms and conditions, except—

1. Benefits shall be paid to otherwise eligible individual taking approved training;

2. in case of State disqualifications for causes other than fraud, labor dispute, or conviction of a crime arising in connection with his work, FUAB postponed for 6 weeks;

3. Federal disqualification for fraud of 4 to 52 weeks, according to gravity of offense;

4. Federal disqualification for conviction of a crime arising in connection with work of up to 52 weeks, according to gravity of offense;

5. Federal disqualification of 6 weeks for refusal of training without good cause or termination with cause;

6. special certification required by State agency that a thorough review has been made of claimant's qualifications and prospects and appropriate counseling given.

2. Financing:

(a) Matching grants for excess benefit costs: Provides annual Federal grants to States of two-thirds of State benefit costs in excess of 2 percent of total wages, beginning for calendar year 1966.

(b) Additional financing: To pay the estimated costs for FUAB and matching grants for excess benefit costs:

1. increases employer tax by 0.15 percent, beginning with July 1, 1966.

2. Provides for Government contribution equal to 0.15 percent of taxable wages.

3. When fund reaches specified level, tax and Government contribution each reduced to 0.10 percent.

(c) Wage base: Increases taxable wage base to $5,600 for calendar years 1967 through 1970 and $6,600 for calendar year 1971 and thereafter (same as pending change of OASDI base except for delay in effective date to permit State action).

(d) Experience rating: Revises Federal conditions for additional credit allowance to give full credit for reduced rates (i.e., rates of less than 2.7 percent) to be pooled funds (only type of experience rating currently being used) no matter how the State law provides for reducing rates.

3. Coverage: Almost 5 million additional workers would be brought within the scope of the unemployment insurance system by broadening the coverage of the FUTA. Specifically, coverage would be extended to:

(a) Employees of employers of one or more workers at any time.

(b) Employees of nonprofit religious, charitable and educational organizations, except handicapped workers in sheltered workshops, workers in work-training or work-relief projects assisted by Government, ministers, members of religious orders, part-time religious workers receiving less than $15 a week, certain students, and workers receiving less than $50 a quarter. There would also be provisions permitting a State to finance the benefits for this group in any way determined by the legislature.

(c) Agricultural workers on farms using 300 man-days of hired farm labor in any quarter of the year.

(d) Certain workers in agricultural processing and other activities essentially industrial in nature, including those engaged in off-the-farm activities in raising or harvesting mushrooms and hatching poultry, in irrigation work for profit, and in handling, planting, drying, packing, processing, freezing, grading, storing or delivering to storage or market agricultural products if done for someone other than the farm operator who produced more than half the product.

(e) Certain workers not now covered because they are not employees under the common-law master-servant test. These would include those employed as agent or commission drivers distributing meat, vegetable, fruit and bakery products, beverages other than milk, and laundry or drycleaning services, traveling or city salesmen working full time in soliciting, on behalf of a principal, of orders from wholesalers, retailers, hotels, restaurants and others for merchandise for resale or supplies for use in business operations.

4. Benefit standards:

(a) Requires as a condition of receiving full tax credit, after July 1, 1967, that States provide benefits as follows:

(1) No worker may be required to have more than 20 weeks of employment (or equivalent, as provided in the bill) in his base period to qualify for benefits.

(2) All claimants eligible under State law must be entitled to receive 50 percent of individual average weekly wage up to State maximum weekly benefit amount. The maximum WBA must be at least 50 percent of statewide average weekly wage effective July 1, 1967, at least 60 percent effective July 1, 1969, and at least 66⅔ percent effective July 1, 1971, and thereafter.

(3) Any worker who has 20 weeks of employment (or equivalent) shall be entitled to not less than 26 weeks of benefits.

For States which do not meet above requirements, limits Federal tax credit to State's 4-year average benefit cost rate or 2.7 percent, whichever is lower.

(b) Requires as conditions of receiving any tax credit after July 1, 1967, that States meet the following additional requirements:

(1) Benefits of an otherwise eligible individual may not be denied or reduced by a State solely because he files a claim in or resides in another State or Canada;

(2) Benefits of an otherwise eligible individual may not be denied because he is taking approved training;

(3) Period of disqualification, for all causes except fraud, labor dispute, and conviction of a crime arising in connection with work, must be limited to 6 weeks' postponement, with no cancellation or reduction of rights;

(4) Benefits must be denied to workers who have not had some work since the beginning of their previous benefit year.

(c) Amends FUTA to deny tax credit after 1966 to maritime employers for contributions to States which do not meet requirement for equal treatment of maritime workers.

5. Other provisions:

(a) Staff training: Amends the Social Security Act to provide appropriations for training State staff and potential staff in order to increase the effectiveness and efficiency of the unemployment compensation program administration.

(b) Research: Amends Social Security Act to add authority for a continuing and comprehensive research program in the field of unemployment compensation, with results of studies to be made generally available, and authorizes appropriations therefor.

(c) Special Advisory Commission on Unemployment Compensation: Creates Special Advisory Commission to review, commencing 3 years after enactment, the operations of the program, with particular reference to changes made, and report to Secretary 2 years after its review commences.

(d) Certification date: Changes the date of certification of State laws for tax credit purposes from December 31 to October 31, effective with 1966.

PROPOSED SUBSTITUTE FOR TWO HEALTH CARE PLANS—AMENDMENT—(AMENDMENT NO. 188)

Mr. LONG of Louisiana. Mr. President, today I introduce a substitute for the two health care plans contained in H.R. 6675, the House-passed Social Security Amendments for 1965.

The two most telling criticisms of the health insurance envisioned by H.R. 6675 are that first, it fails to allow for the difference between individuals who need assistance and those who can, without hardship, meet their own needs, and second, it does not protect against the ravages of a long-sustained and financially exhausting illness. The amendment I am introducing meets these objections using the same sound, imaginative, and progressive system which is contained in H.R. 6675.

Some people seem to look upon the fact that health benefits under H.R. 6675 will go to people who do not really need them as a virtue. They point to the few people involved and cite precedents in past social security legislation. As I see it, however, every one of our scarce health dollars should go to meet a distinct need. We have a duty to see that these scarce medical care resources are distributed in a rational manner.

Thus, I am suggesting a program which would not only expand benefits in both duration and scope, but also would couple with a system of income-related deductibles. This approach would see to it that the portion of the health cost aged individuals cannot afford would be met through social insurance mechanisms. For the lowest income individual there would be a deductible which in some cases is less than that under H.R. 6675. For individuals at higher income levels, on the other hand, the deductible would be much higher. When the deductible amount is reached, however, the plan will give meaningful protection against the haunting fear of destitution because of truly catastrophic health expense.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may proceed for 4 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Louisiana is recognized for 4 additional minutes.

Mr. LONG of Louisiana. I have long believed that, if you take out insurance, you should take it out against the risk you cannot afford, such as those medical bills which can run into thousands of dollars and really bankrupt a family. My substitute provides a single and much broader system than the two plans of the House-passed bill and takes careful aim at covering catastrophic costs. My proposal incorporates all the benefits contained in the two-part health insurance plan in the House bill, but it goes much further in removing the limits in the House bill on the number of days of care for hospital, nursing home, and home health care.

The system I propose retains with the individual the responsibility of meeting the expenses he can afford from his own resources or from private insurance. He could, of course, insure privately at small cost for the deductible amount and also for the coinsurance, with the social insurance under my proposal taking over the costs of catastrophic illness. For public assistance recipients the new medical assistance plan in the House-passed bill could be used to meet the cost of the deductibles and the coinsurance. And for anyone needing it, there would be available a Government loan to pay the deductible and coinsurance.

To those who are fearful of socialized medicine, I say that my plan, if extended to groups other than the aged, would bring the Government into play much less than would the House-passed bill if it were to become available to those under 65. This is true because the Government shoulders the burden of medical bills under my plan mainly for those with small income. The incidence of those with small income over age 65 is high, but below 65, where most people are still wage earners, the individual would still take care of his usual medical expenses. However, if the program were extended to those below 65, when a person's medical expense became more than he should have to bear, then the Government would step in and relieve him.

My plan would also utilize, to a greater extent, general revenue financing. This is in recognition of the fact that workers who will enter the labor force in the future—and their employers—would have to pay at least 40 percent more in payroll taxes than would be necessary to finance their own costs if the benefits of the presently retired and current workers were paid for wholly under the payroll system. This social cost of establishing the system, I believe, is more appropriately borne by general revenue.

Costwise, the plan I am proposing is not a great deal more than the House-passed bill. The social security tax increase is identical to that proposed in H.R. 6675 and about $230 million a year extra from general revenues would be necessary to make my more extensive schedule of benefits available to everyone 65 and over. Aged persons would be relieved, however, of the $36 per year charge for Government supplemental insurance, thus saving them over $600 million each year which they can ill afford to pay.

Mr. President, I ask unanimous consent that a further summary of the plan be printed in the RECORD at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

PERSONS PROTECTED

The proposal would cover all persons aged 65 and over who are social security beneficiaries and all other persons who are citizens or permanent residents of at least 10 years' duration. All noninsured persons would be covered in all future years (unlike the transitional provision in the House bill); their cost would be paid from general revenues.

BENEFIT PROVISIONS

The institutional medical-care costs for which protection would be furnished would be the same as in the House bill, except that there would be no durational maximums on inpatient hospital care or on posthospital extended care (in skilled nursing homes where intensive medical treatment is being furnished). Under this proposal an individual would still be covered after the 60 days of hospitalization and 20 days of posthospital extended care provided under H.R. 6675 had run out. The same high standards of physician certification and review of utilization that are contained in H.R. 6675 would be applicable. Moreover, the provision of a 10-percent coinsurance would similarly discourage unnecessary hospitalization.

Outpatient diagnostic services and home health services would be supplied. Both these benefits provide meaningful alternatives to hospitalization, particularly because, unlike the House bill, there is no deductible on the outpatient diagnostic services and no prior hospitalization required nor limit on the number of home health visits.

Physicians' services would be given in just the same manner as in the House bill. This would also be the case for the various other medical and health services covered under the supplementary health insurance benefits plan of the House bill.

In a manner similar to the House bill, services furnished by institutions would be reimbursed on a "reasonable cost" basis, while physicians' services and similar items would be reimbursed on a "reasonable charges" basis.

The reimbursement would be subject to a deductible that would vary by annual income. The minimum deductible would be $40 a year while the maximum would be $1,000 a year. The deductible would be determined for the total income of the previous year (such income being gross income from all sources including social security benefits, private pensions, rents, royalties, dividends for tax-exempt bonds, public assistance, etc., but deducting therefrom Federal income tax paid), and with the income of married couples being combined and then divided in half for each spouse separately. The deductible would be 10 percent of the first $1,000 of income, 15 percent of the next $4,000, and 20 percent of the next $1,500, which brings the deductible to the maximum of $1,000 per year. Thus, the deductible for certain selected cases would be as follows:

Annual income:	*Deductible per Year*
$400 or less	$40
$500	50
$1,000	100
$1,500	175
$2,000	250
$2,500	325
$3,000	400
$4,000	550
$5,000	700
$6,500 or more	1,000

In addition to the deductible, there would be a uniform coinsurance of 10 percent that the individual would pay. However, as an overriding provision, no person would have to pay more in the deductible and the coinsurance than 50 percent of his income. Such a limitation would have no effect in a great majority of the cases, but would be of great value in the few catastrophic cases where this small but continual strain of coinsurance might be the straw that breaks the camel's back.

Persons receiving public assistance would have their deductibles and coinsurance paid by the medical assistance program. Other persons who are not able to meet the expense of the deductibles and the coinsurance would be able to obtain non-interest-bearing loans which would be repayable from social security benefits.

FINANCING

The benefits and administrative expenses for all persons—both social security beneficiaries and noninsured eligibles (the latter being a relatively small group)—would be financed by payroll taxes and by appropriations from general revenues. The payroll taxes would be at the same rate and on the same earnings bases as provided in the hospital insurance plan in the House bill. The appropriation from general revenues would be 40 percent of the receipts from the payroll taxes, thus creating tripartite financing with portions being borne by the employer, employees, and Federal general revenues. The cost of benefits for noninsured persons would be financed separately out of general revenue, as is done under the House bill.

These moneys would be deposited in a separate health insurance trust fund, and benefit payments and administrative expenses would be paid therefrom. This trust fund would be managed in exactly the same way as the present social security trust funds.

ADMINISTRATION OF HEALTH BENEFITS

There would be a single, unified program of health insurance benefits, with a single set of deductible and coinsurance provisions. The benefits under this proposal would be administered in the same general way as those under the House bill. In other words, the tranactions with institutional suppliers would generally be handled through fiscal intermediaries, while insurance carriers would deal directly with individual suppliers of medical care, such as doctors.

COST OF AMENDMENT

The cost of this proposal for a full year of benefits (1967) would be about $560 million dollars more to the Federal Government out of general revenues than under the House bill. (The payroll tax cost would be the same as the House bill.) This amount could be offset by about a $330 million savings in the public assistance medical care programs. Of course, it should be remembered that under this proposal individuals will not have to contribute the $3 a month under the supplementary plan and this amounts to a savings to them of about $600 million a year. There would also be a savings to the Federal Government for its retired employees.

These estimates are made on the same conservative cost assumptions which are used in H.R. 6675.

ILLUSTRATIVE EXAMPLES

The attached table gives illustrative examples of how the proposal would operate, as compared with the House bill, for several assumptions as to medical expenses (a moderate nonhospital case, a short-duration hospital case, an average-duration hospital case, and a very-long-duration hospital case).

Illustrative examples of how House bill and proposal of health insurance benefits would operate in a year

Case	Annual income	Medical expenses				Paid by individual	
		Hospital	Doctor	Drugs	Total	House bill [1]	Proposal
1	$500		$75	$25	$100	$116	$60
2	500	$600	200	50	850	206	130
3	500	1,200	300	75	1,575	251	203
4	500	[2] 3,000	500	200	3,700	1,016	250
5	1,200		75	25	100	116	100
6	1,200	600	200	50	850	206	202
7	1,200	1,200	300	75	1,575	251	274
8	1,200	[2] 3,000	500	200	3,700	1,016	487
9	2,500		75	25	100	116	100
10	2,500	600	200	50	850	206	377
11	2,500	1,200	300	75	1,575	251	450
12	2,500	[2] 3,000	500	200	3,700	1,016	662
13	5,000		75	25	100	116	100
14	5,000	500	200	50	850	206	715
15	5,000	1,200	300	75	1,575	251	787
16	5,000	[2] 3,000	500	200	3,700	1,016	1,000
17	10,000		75	25	100	116	100
18	10,000	600	200	50	850	206	850
19	10,000	1,200	300	75	1,575	251	1,057
20	10,000	[2] 3,000	500	200	3,700	1,016	1,270

[1] Including $36 premium charge under supplementary health insurance benefit plan.

[2] Of this amount, $600 is with respect to days of hospitalization after the 60th day.

Mr. LONG of Louisiana. Mr. President, I send to the desk an amendment for appropriate reference.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and appropriately referred.

The amendment (No. 188) was referred to the Committee on Finance.

AMENDMENTS NOS. 189 AND 190

Mr. RIBICOFF. Mr. President, I submit, for appropriate reference, two amendments to H.R. 6675, the Social Security Amendments of 1965 now before the Finance Committee.

The first amendment extends equal treatment under the bill to the dentists of the Nation. As written, the bill would deny the right of a patient to select an oral surgeon to perform oral surgical procedures that would be covered if performed by a physician or an osteopath.

Now, many dentists who have completed internships and residencies in oral surgery regularly remove oral tumors, take biopsies, reduce jaw fractures, and perform other services not involving what might be described as routine dental work. Throughout the country, there are hundreds of dentists admitted to hospital practice. Nearly 40 percent of the Nation's hospitals have formalized dental services and virtually all hospitals permit dentists to admit patients for oral surgical services. All contracts under the Federal Employees Health Benefits Act recognize the rights of dentists in this regard as do other private insurance plans.

It is only simple equity to allow patients to have their oral surgery performed by qualified oral surgeons, and that is what this amendment would accomplish.

The second amendment relates to dental care for needy children under part 2 of title I, grants to States for medical assistance.

In its present form, the bill requires State plans to include five kinds of services for persons eligible for medical assistance in order to qualify for Federal participation. Dental care is not one of these five services. I believe strongly that in the case of needy children it should be.

Not too long ago the Director of the poverty program described the care received by a youngster from one of the great cities of this Nation who joined the Job Corps. During the first days he was there, the boy simply refused to eat. The officials of the center were, naturally, concerned and did their best to find out what caused the boy to act in this way. They believed, I suppose, as most of us would have, that the boy was apprehensive or lonely or confused by the changes that had taken place in his life. The explanation was simpler than that—simpler but in many ways more tragic. The boy would not eat because it hurt him to eat. His mouth was so diseased, his teeth so riddled with cavities that it pained him to eat nourishing food.

What a sad story. Even sadder, I believe, are the studies which show that this boy's problem is shared by many others. Just a few statistics document this. For example, 60 percent of the children between the ages of 5 and 14 who are members of families whose income is below $2,000 a year have never seen a dentist. Even if you go up the income scale as high as $4,000 a year, there are still 40 percent of the children who have never received dental care.

And irrespective of income, 24 percent of urban children between the ages of 5 and 14 have never seen a dentist; nor have 29 percent of the same age group in rural nonfarm families or 42 percent of those in rural farm areas.

Think of the huge sums spent on dentifrice advertising. Yet hundreds of thousands of our children are without dental care. A society that can afford toothpaste ads can afford a dental care program for needy children.

The need for including dental care as one of the required benefits for needy children is clear. In his health message of January 7, President Johnson asked Congress to adapt the Kerr-Mills program "to permit specific Federal participation in paying costs of medical and dental care for children in medically needy families." I believe we should honor the President's recommendation and the amendment I am submitting would do so.

I ask unanimous consent that the amendments be printed at this point in the RECORD.

The ACTING PRESIDENT pro tempore. The amendments will be received, printed, and appropriately referred; and, without objection, the amendments will be printed in the RECORD.

The amendments were referred to the Committee on Finance, as follows:

AMENDMENT NO. 189

On page 127, line 17, after "State plan" insert "(except to the extent required by Clause (A)(ii) of paragraph (13))".

On page 129, line 7, strike out "clauses (1) through (5)" and insert in lieu thereof "(i) clauses (1) through (5), and (ii) in the case of dependent children, clause (10)".

AMENDMENT NO. 190

On page 64, line 18, strike out "Association" and insert in lieu thereof "Association, or, in the case of an intern or resident-in-training in the field of dentistry, approved by the Council on Dental Education of the American Dental Association".

On page 82, line 2, immediately after the period insert "Such term, when applied to professional services performed by a dentist, shall be limited to dental services and oral surgery of the following types: (A) prompt repair of accidental injury to natural teeth, (B) reduction of fractures of the jaw or facial bones, (C) removal of stones from salivary ducts, (D) excision of oral cysts or tumors, torus platinus, and leukoplakia, and (E) other cutting surgery on tissues of the mouth, other than gums, when not performed in connection with the extraction of teeth."

On page 82, line 6, after "surgery" insert ", or dentistry,".

On page 83, line 5, after "(6)" insert "(A)".

On page 83, line 7, strike out "and".

On page 83, between lines 7 and 8, insert the following:

"(B) dental prosthetic devices, but only under circumstances when such devices are required for the prompt repair of accidental injury; and".

On page 88, line 21, strike out "or".

On page 88, line 24, strike out the period and insert in lieu thereof a semicolon followed by the word "or".

On page 88, between lines 24 and 25, insert the following:

"(12) where such expenses are for dental services other than those described in the second sentence of section 1861 (q)."

VOTING RIGHTS ACT OF 1965—AMENDMENTS (AMENDMENT NO. 191)

Mr. ERVIN submitted amendments, intended to be proposed by him, to the Mansfield-Dirksen amendment, in the nature of a substitute (No. 124), proposed to the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States, which was ordered to lie on the table and to be printed.

AUTHORITY FOR COMMITTEE ON COMMERCE TO FILE REPORTS UNTIL MIDNIGHT TONIGHT

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Commerce Committee be permitted until midnight tonight to file reports.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF HEARINGS—SUBCOMMITTEE ON CONSTITUTIONAL AMENDMENTS

Mr. BAYH. Mr. President, the members of the Subcommittee on Constitutional Amendments had agreed that last Friday, May 14, 1965, would be the last day of hearings on the amendments relating to the reapportionment of State legislatures. However, at the personal request of several Senators, I have agreed to hear some additional witnesses who are of special interest to those Senators and who will substantially contribute to the hearing record.

Therefore, I announce that on Thursday and Friday mornings, May 20 and 21, at 10 a.m. in room 2228 of the New Senate Office Building, we shall hear those witnesses and thereby conclude our hearings on this subject.

NOTICE CONCERNING H.R. 4465, A BILL TO ENACT PART III OF THE DISTRICT OF COLUMBIA CODE, ENTITLED "DECEDENTS' ESTATES AND FIDUCIARY RELATIONS"

Mr. ERVIN. Mr. President, on behalf of the Standing Subcommittee on Revision and Codification of the Committee on the Judiciary, I desire to give notice that the subcommittee now has under consideration H.R. 4465, 89th Congress, 1st session, and the accompanying report thereon, House Report No. 235, regarding revision and codification of part III of the District of Columbia Code, entitled "Decedents' Estates and Fiduciary Relations."

The purpose of this notice is to advise any and all interested parties of the consideration of this legislation by the subcommittee and that the subcommittee desires to have any statements or comments relating to the proposed legislation. The statements or comments requested are for the purpose of allowing any and all persons to express their views as to such legislation.

It is requested that such statements or comments be forwarded to the Subcommittee on Revision and Codification of the Committee on the Judiciary, room 341, Old Senate Office Building, on or before July 1, 1965.

The subcommittee consists of the Senator from Michigan [Mr. HART], the Senator from Pennsylvania [Mr. SCOTT], and myself, as chairman.

NOTICE OF HEARINGS—CONSTITUTIONAL RIGHTS SUBCOMMITTEE HEARINGS ON LEGISLATION TO PROTECT THE CONSTITUTIONAL RIGHTS OF THE AMERICAN INDIAN

Mr. ERVIN. Mr. President, I wish to announce that the Constitutional Rights Subcommittee has scheduled hearings on

June 22, 23, 24, and 29 at 10:30 a.m., in room 2228 of the new Senate Office Building on Senate Joint Resolution 40 and S. 961 to S. 968—legislation designed to protect the constitutional rights of the American Indian.

This legislation was developed by the subcommittee after an extensive 3-year investigation into the constitutional rights of the American Indian, which began in 1961. This was the first such study ever undertaken by Congress.

The witness list will include a broad cross section of those knowledgeable in Indian affairs, including tribal leaders, such as tribal councilmen, tribal governors, tribal council members, and other tribal spokesmen; judges of tribal courts and the courts of Indian offenses; attorneys representing Indian tribes; area directors and superintendents of the Bureau of Indian Affairs; private and church groups interested in Indian affairs; historians; U.S. attorneys, State attorneys general, and prosecuting attorneys; local law-enforcement officials; and other Federal and State officials concerned with Indian matters.

At the present time, Senators BAYH, FONG, and HRUSKA, have joined me in cosponsoring some or all of these measures. I hope that additional Senators are made aware, by these hearings, of the serious constitutional problems that the American Indians face.

The enactment of these legislative measures is exceedingly important if we are to provide to our Indian citizens the same rights and protections conferred upon other American citizens. This legislation constitutes a long overdue first step in providing constitutional justice to our first Americans.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, May 18, 1965, he presented to the President of the United States the following enrolled bills:

S. 701. An act to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962, and for other purposes; and

S. 702. An act to provide for the disposition of judgment funds on deposit to the credit of the Quinaielt Tribe of Indians.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. YOUNG of North Dakota:

Article on the efforts of Senator MUNDT to obtain funds for the preservation of rare and endangered species of wildlife, published in Modern Game Breeding for April 1965.

INTER-AMERICAN DEVELOPMENT BANK—SIXTH ANNUAL MEETING, ASUNCIÓN, PARAGUAY

Mr. FULBRIGHT. Mr. President, in the short space of 5 years, the Inter-American Development Bank has established a solid and well-deserved international reputation as a constructive force not only for stimulating economic growth in Latin America but also for promoting the social goals of the Alliance for Progress and for encouraging the movement toward economic integration.

The Governors of the Bank held their sixth annual meeting in Asunción, Paraguay, the week of April 26. I ask unanimous consent that there be printed in the RECORD at this point the address made on that occasion by Mr. Felipe Herrera, the distinguished President of the Bank, as well as the address made by Mr. David E. Bell, the Alternate Governor for the United States and the head of our delegation.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

ADDRESS BY THE PRESIDENT OF THE INTER-AMERICAN DEVELOPMENT BANK, MR. FELIPE HERRERA, AT THE SIXTH ANNUAL MEETING OF THE BOARD OF GOVERNORS IN ASUNCIÓN, ON APRIL 27, 1965

Distinguished Governors: We open the sixth annual meeting of this Board of Governors inspired by this beautiful land of Paraguay, where the efforts of a hard-working and dynamic people are steadily forging the way to progress, and inspired as well by its blue skies which, in the works of the poet, "reflect the peace that reigns below."

Here in Asunción we are marking the close of the first stage in our work and entering upon a new period. Five years of hard work have borne ample fruit.

During this time, the scope of Latin America's growth and change may perhaps have beggared its statistics. We are coming into our own right as participants in the international decisions that affect our destiny. From a dissonant and dissenting chorus, the voice of Latin America has evolved into the ever clearer unanimous and solidary expression of shared aspirations and views aimed at rapid establishment of the foundations for modern societies, in which modern technology can be harmoniously blended with social justice.

Regional integration is being achieved in Central America at a rapid pace, and the conviction is growing among the member countries of the Latin American Free Trade Association that urgent steps must be taken for the adoption of top-level decisions that will infuse the integration of their economies with the true political meaning embodied in the aims of the association. Integration is gradually acquiring the value of a collective mystique for a thoroughgoing approach to the problems of progress in its broadest context.

The increasing acceptance of planning, as a method for organizing development on a national scale has led to the conviction that the economies must also be organized on a regional scale if they are to attain the full momentum required in order to meet the demands of an explosively expanding population in its drive for prosperity.

The Act of Bogotá in 1960 and the Charter of Punta del Este in 1961, the foundation of the Alliance for Progress, are milestones marking new departures of regional scope in the effort to overcome economic backwardness and to distribute the benefits of progress more equitably. On the eve of the Geneva Conference in 1964, the Charter of Alta Gracia stated the position of Latin America vis-a-vis international trade and the vital relationship of such trade to our region's economic and social development problems.

Since that time, the Inter-American Bank, whose foundation coincided with a new, multilateral approach to international cooperation, has devoted its unflagging efforts to fulfilling the aspirations of our countries.

In rendering an account of the Bank's work during the past year, we will examine in some detail the full scope of its activities. We will not, to be sure, attempt to be exhaustive, since you have already received copies of our annual report and of the report on the Social Progress Trust Fund.

This new meeting, like earlier ones, will provide a forum for a free exchange of ideas, during which the management can learn from the Governors the views of their respective countries on the Bank's work and the concerns and needs that may be inherent in the problems of their economic development and process of transformation.

In this connection, I have said on more than one occasion, the Inter-American Bank is more than just a banking institution. Its activities have not been restricted to financing; its attention has been directed to the full gamut of economic and social life in Latin America. The work of the Bank has served to bring into realistic focus problems of institutional reform, development programing, economic integration, foreign trade financing, external creditworthiness, domestic resource mobilization and training of human resources.

On the basis of our 5 years of experience and thanks to the outstanding support provided by all our member countries to this, their regional financing institution we can plan a highly constructive program for the future. The Governors themselves have been the prime movers in securing such support. For this reason, I cannot refrain from mentioning at this point our regret that for the first time a great friend of the Inter-American Bank, a man of high intelligence and integrity, is missing from the roster of our annual meeting. I refer to Douglas Dillon, who until recently served as the Governor for the United States in his capacity as Secretary of the Treasury of that country. Our Bank is greatly indebted to Mr. Dillon for his contribution to its early formation, its initial consolidation and its subsequent expansion. He has a deep and abiding faith in this financial venture of the inter-American system, and has been its tireless proponent both in the United States and on the international scene.

I owe a signal vote of thanks to the Executive Directors for their tireless zeal and their intelligent and effective cooperation, as well as to the institution's professional and administrative staff, who deserve our special recognition for the devotion and loyalty with which they have consistently shouldered the international responsibilities entrusted to them.

OUTSTANDING ASPECTS OF 1964 ACTIVITIES

In the following pages we will refer to those accomplishments in 1964 which we deem fundamental and which express the orientation of our institution in discharging the mandate of its member countries.

1. Expansion of credit activity: During the past year, the Bank stepped up its operations by granting 69 loans aggregating $299.3 million. It may be recalled that 56 projects were financed for a total of $258.9 million in 1963.

As of the date of this meeting, the Bank has contributed to the launching of 278 projects by committing $1,260.6 million from its resources which, through the mobilization of other funds, represents a total of $3,640 million in going investments. In other words, for each dollar of our loans, almost another $2 have actually been mobilized from Latin America or other financing sources.

During its 4 years as an operating bank, the IDB has been able to maintain an average annual lending rate of $300 million in

65 projects, which has meant that, in the area of international public financing during those 4 years, we have provided approximately 30 percent of the financing for the region's long-term development.

Over the past year, we have endeavored to maintain a reasonable balance among loans for economic and for social projects, in keeping with the nature of our available funds. Thus, 45 percent of all resources committed in 1964 were channeled into manufacturing, mining, electric power, and transport. Financing for agriculture, for both economic and social purposes, accounted for a total of 23.3 percent; financing for preponderantly social investments, such as potable water supply and sanitation, housing and education, totaled 28 percent. The balance consisted of credit operations for exports and technical assistance.

2. Fields of activity: During its 4 years of operations, the Bank has channeled its funds chiefly into the following fields of activities: manufacturing (23.2 percent), agriculture (24.5 percent), potable water and sanitation (17.6 percent), housing (17.2 percent), and power and transport (10.9 percent). The balance consists of financing commitments lesser in volume but nonetheless significant in such areas as higher education, preinvestment and financing for exports of capital goods. These credits have been drawn from the three chief resources available to us: the ordinary capital of the Bank, its Fund for Special Operations, and the Social Progress Trust Fund which we administer on behalf of the U.S. Government.

Major attention has been maintained during 1964 on these fundamental fields, which have the additional merit of eliminating duplication or competition with other sources of international financing.

As in earlier periods, our industrial and agricultural financing last year was channeled substantially through public and private development agencies. We authorized 10 loans aggregating $82.6 million from ordinary capital and the Fund for Special Operations to national development agencies in Argentina, Brazil, Chile, Nicaragua, Panama, Paraguay, and Venezuela and to the Central American Bank for Economic Integration.

We also authorized a total of $14.2 million in direct financing to private enterprise for seven projects in Argentina, Brazil, Chile, Colombia, and Peru. The fields in which these credits were extended were the paper and cellulose industry in Argentina, Brazil, and Chile; refractory materials in Brazil; cultivation of the African palm in Colombia, and irrigation in Peru. By the close of 1964, we had totaled more than $90 million in direct financing to 40 private projects.

Agricultural financing was provided from our various funds to 14 projects during 1964, aggregating $70 million. The beneficiary countries were Argentina, for agricultural mechanization; Brazil, for supervised credit in the Northeast; Chile, Mexico, and Peru for irrigation projects; Colombia, for a diversification program in the coffee-growing districts and replacement of imported foodstuffs and raw materials; Costa Rica, for feeder roads and supervised credit in rural settlement areas, and to Nicaragua, for livestock development, agricultural diversification, and irrigation.

Also from the three various funds, we approved 15 loans for $44 million in water supply and sewerage projects in Argentina, Brazil, Chile, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Peru, and Venezuela.

In the housing field, we approved 6 operations aggregating more than $27 million for five countries (Chile, Colombia, Costa Rica, Nicaragua, and Paraguay), financed exclusively by the Social Progress Trust Fund.

One of the sectors which received a major share of our attention during 1964 was higher education and advanced training. We authorized 8 operations totaling slightly over $13 million for Bolivia, Brazil, Chile, Colombia, the Dominican Republic, and Peru, raising to 18 our loans to date in this field, aggregating $31 million.

In 1964, the Bank launched its activities in the new field of medium term financing for exports of capital goods. The purpose of this new mechanism, approved by the Board of Governors, is to help strengthen intraregional trade. Eleven million dollars have so far been committed in Argentina, Brazil, Chile, and Mexico from an overall authorization of $30 million. These operations were only recently set in motion; the efficient participation of the national agencies through which we are channeling these funds justifies our expectation that the committed resources will be rapidly absorbed in the immediate future.

To complete this report on our financing activities, I am pleased to be able to state that we have approved 17 new loans totaling $95 million since the first of this year. These figures represent new global development loans to Argentina, the Dominican Republic, El Salvador, Panama and Peru; sizable financing for a private petrochemical enterprise in Argentina; investments in ports, power and highways in Brazil, Colombia and Honduras; contributions to housing and water supply projects in Bolivia, Chile, Colombia, the Dominican Republic, El Salvador, Mexico and Venezuela, and lastly, a financing operation for the National University of Asunción.

3. Technical assistance activities: During the past year, the Bank continued to expand its technical assistance activities for the specific purpose of helping to prepare its member countries for a more effective absorption of external financial resources and for a maximum return on matching funds in local currency. During our 5-year existence, the United Nations Special Fund and our Bank have been the two agencies which, in view of the number and value of our preinvestment and technical assistance operations, have been most important and influential in this field in Latin America. It is worth recalling that as of today we have appropriated about $35 million, in reimbursable and nonreimbursable funds, for these purposes.

In 1964, 92 technical assistance operations aggregating more than $10 million were authorized from our various funds. Many of these operations were designed to finance the preparation of projects for agriculture, industy, mining, economic, and social infrastructure, technical support activities, institutional improvement and the training of personnel from development banks and agencies responsible for agrarian, housing and sanitation policy.

Noteworthy among preinvestment loans have been those granted for technical and economic feasibility studies on iron ore deposits in Argentina and Brazil; credits to the National Economic Development Bank in Brazil for the preparation of specific projects and assistance in the organization of industrial enterprises, to the Government of Honduras for studies of a new pulp and paper mill and to the Venezuelan Development Corporation for technical and economical feasibility studies in industry and agriculture; loans to the Government of Guatemala, the National Water Supply and Sanitation Service of Costa Rica and the municipality of Guayaquil for the preparation of feasibility studies relating to improvement of water supply and sewerage services, and the credits extended for the improvement and expansion of the National Engineering University of Peru and to the Government of the same country for the planning of construction of supplementary irrigation installations and feeder roads in the Peruvian sierra.

During 1964, the Bank continued its training programs for experts engaged in the programing and administration of development financing, conducted directly and in participation with other institutions, under which to date 2,000 Latin Americans have received instructions in these fields. The most important of these programs are the periodic courses offered at IDB headquarters, our continuing joint program with the Center for Latin American Monetary Studies, support of the Latin American Institute for Economic and Social Planning, and various courses which we sponsor for the training of experts in farm credit and in housing and sanitation policies. Mention should also be made of the special courses in the field organized last year by the IDB, particularly in Costa Rica, El Salvador, and Paraguay. Along the same lines, we provide assistance for a planning course in Central America and instruction for agrarian reform in Peru.

4. New spheres of activity: As a result of the increase in resources of the Fund for Special Operations and the proposed merger of its functions with those of the Social Progress Trust Fund, the Board of Governors at its meeting in Panama urged the Bank to continue financing, through the enlarged Fund for Special Operations, those economic and social development projects previously financed from these sources.

Our Board of Executive Directors has recently discussed the possibility of broadening some of these activities along the following lines:

(a) Preinvestment and project preparation: Although the Bank has done pioneer work in this field, we think the time has come to expand this particular activity. Our decision is based on widespread Latin American experience, indicating that the preparatory stage of global programs has not been followed by an equally dynamic preparation of specific projects leading to effective fulfillment of program goals. There is no point in pausing to analyze this anomaly here; we wish merely to stress in this connection the need for creating the system and machinery that can achieve organized and expert elaboration of investment projects for development.

The Bank is prepared to support, through its loans, the sound operation of public, semipublic or private agencies which, in keeping with the priorities of development programs, can become centers for the preparation of specific projects. We are equally prepared to finance general studies on natural resources, manpower supply, markets, and other aspects which must be clarified if productive resources are to be efficiently mobilized. It is only logical that this course of action should also include possible financing for engineering studies and other technical analyses in connection with infrastructure projects, the establishment and expansion of new industries, rural development and land settlement, diversification in certain areas traditionally producing basic commodities, etc. We also believe that we can serve a useful purpose with respect to projects that are multinational in scope or related to the general economic integration process.

We have been considerably encouraged in our definition of these tasks by the work of the CIAP and by our interchange of experiences with the Latin American Institute for Economic and Social Planning and other agencies.

(b) Rural development: The achievements of our institution in the field of international financing of agriculture can be supplemented by other undertakings which have not yet received funds from abroad. Careful consideration has been given to the possibilities of broader financing for rural electrification, for systems to improve farm marketing, investments to combat foot-and-mouth disease, etc.

Thought has also been given, at the executive level, to the advisability of extending current mechanisms of agricultural financing in specific fields to cover integrated community development through overall consideration of the investments required to improve the productivity and well-being of farm communities. The Bank is now actively studying projects along these lines presented by the Governments of Peru and Chile.

With reference to community development, may I point out that, despite the keen interest of our institution in assisting projects of this type and despite some important technological progress on a regional and national scale toward a better understanding of the problem, we are still only beginning to acquire the institutional machinery and personnel essential for the management of these programs.

(c) Urban development: We also propose to broaden our approach, which has thus far been concentrated on important specific proposals, to include housing and sanitation policies based on a criterion of integrated urban development. A team of experts which has been collaborating with us on this matter has made useful recommendations in this respect. We propose to help achieve balanced urban development based on sound area planning and on administration designed to satisfy the housing, education, sanitation, and other needs of community living.

Along these same lines, the Bank has assigned great importance to the initiation of a joint undertaking with the Inter-American Municipal Organization. It is obvious that the municipalities if properly assisted can meet community welfare requirements more effectively than they have in the past. As a means of endowing small and intermediate municipalities with investment funds for these purposes, consideration has been given to the establishment or strengthening of suitable development and credit systems in whose activities our cooperation could be useful. In conjunction with that Organization, we have called a meeting in Washington next December for an exchange of views and experiences on this subject.

(d) Technical and vocational education: The Bank's Board of Executive Directors believes, in the light of our experience, that it is time to extend our work to a field which, while not properly included under the heading of higher education, does bear on technical and applied training, a sector that is becoming increasingly essential. The forms such financing might take will undoubtedly differ in accordance with the educational system of the several countries; in general, however, we will promote undertakings designed to train experts and professionals at the intermediate level, which calls for support of what is generally termed technical or vocational education.

We are also prepared to continue our efforts to extend financing in the field of higher education to the various areas of public health and, in general, to undertake activities which influence the approach of the governments to social and cultural problems, within the framework of a flexible and unified concept of the mission of the Latin American University.

The roundtables scheduled for this meeting on "Higher Education and Latin American Development" will provide valuable data for the furtherance of our interesting and inspiring role as the "Bank of the Latin American University." For this reason, I particularly appreciate the participation in these discussions of the distinguished intellectuals and university leaders who have identified themselves with our aims by offering to share their very worthwhile experiences on the international level or in their own countries.

5. Utilization of IDB funds: One of the most significant developments during 1964 was the progressively higher rate at which beneficiaries of the Bank's operations are making use of the funds placed at their disposal and the translation of this increased absorption into tangible achievements.

Our fourth year of operations has, consequently, confronted us with the need to expand and to improve the effectiveness of our services associated with loan disbursements and with technical supervision of projects. It was inevitable that, in the early period, the activities of the Bank should have concentrated on credit negotiations, defining the conditions under which our funds would be mobilized to support national endeavors. We may say that, during the past 18 months, this concern has been accompanied by an equally vigorous effort on the part of our management to put committed funds to work as productively and as rapidly as possible, without sacrificing the natural financial and technical safeguards which a credit agency such as ours must consistently maintain.

We take great satisfaction in stating that there are no defaults outstanding among the Bank's borrowers in the payment of either principal or interest. The great majority of the programs we have approved are in execution, and only in exceptional cases have we encountered difficulties that might be regarded as serious threats to their full implementation. In such special cases, the Bank provides its cooperation—a new form of our technical assistance activities—in resolving these difficulties jointly with the loan beneficiaries.

It should be stressed that disbursements reached almost $200 million in 1964, a figure which represents almost the entire amount of loan funds utilized during the 3 previous years. Disbursements today total $470 million, comparing very favorably with the total volume of funds committed, with the inherent characteristics of development financing, and with the experience of other national and international sources of long-term development credits.

The rate of material execution of projects indicates a rising trend at present. For example, power installations now underway in several member countries will increase their generating capacity by 1,740,000 kilowatts; 8,300 kilometers of transmission and subtransmission lines are being laid, and distribution systems are being installed or extended in more than 90 localities.

Also in an advanced state of execution are various projects calling for the construction of 300 kilometers of main highways; a similar extension of feeder roads has been opened for service in various rural areas.

At the close of the first quarter of this year, 15 new industrial plants had already been started up and work had been completed on the expansion of productive capacity for 4 other plants; 7 new plants were under construction and another 14 were being expanded. In addition, with the resources provided under 38 lines of credit extended to development institutions, 1,500 subloans had been granted for industrial and mining purposes.

In agriculture, close to 93,000 subloans had been granted by the same date to intermediate and small-scale farm producers under overall credits approved by the Bank.

More than 1,400,000 hectares are being brought under cultivation or increasing their yields as a result of irrigation, drainage works, and other practices designed to improve land use. In this connection, we may single out the irrigation projects being financed by the Bank in Argentina, Chile, Mexico, and Peru, where we are contributing to 14 intermediate and large-scale irrigation projects covering almost 500,000 hectares; 8 of these projects have already been completed, and work is progressing rapidly on the others. Mexico has allocated 73 percent of its total financing from the Bank to projects of this type.

In the housing field, as of March 31, the Bank had approved 30 loans totaling almost $200 million for the construction of approximately 231,000 housing units; 64,000 units had been completed on that date and an equal number were in various stages of construction.

Progress has continued in the execution of water supply and sewerage projects in communities ranging from rural hamlets of less than 1,000 inhabitants to such great cities with a population of millions as Rio de Janeiro, Buenos Aires, and Santiago. To date, 306 water and 70 sewer systems have been completed, and 356 water and 37 sewer systems are under construction. Once all these projects, covering 2,050 systems and 1,820 towns and cities, have been completed, more than 23,600,000 persons will benefit from these basic services.

To understand the many ramifications of the use of our funds, it is not enough to view the process solely from the standpoint of our Bank; the difficulties encountered by the member countries in absorbing external resources must be visualized as well. Possibilities of international public financing have, unquestionably, expanded apace in recent years, as indicated by the fact that long-term foreign loans authorized to Latin American countries climbed from an average of $300 million a year during the 1950's to almost $1 billion a year between 1961 and 1964. If these augmented resources have not yet been able to produce their full benefits within our current economic framework, this has been due to some of the following causes, among others.

Since international public credit has so far been regarded as supplementary to the prospective mobilization of domestic resources, it is obvious that problems affecting the existence or mobilization of these resources must also affect the entire process of capital formation based on foreign assistance. It is often incorrectly assumed that, if external financing is available, its local counterpart will be readily found.

The fact is, however, that powerful factors conspire to restrict the supply of local financing on the requisite conditions. One of these, of course, is inflation which makes it impossible to maintain the true value committed in Latin American currencies for the execution of given projects. This applies equally to the public and private sectors. Many projects have been abandoned or seriously delayed by the difficulties encountered by borrowers in securing supplementary funds to enable them to reestablish the real values on which the investment was originally based.

The Latin American experience has shown that inflation not only conspires against the formation of domestic savings but also heavily handicaps the absorption of international resources and the proper servicing of contracted obligations. Nor should we forget that inflationary pressures drastically distort the financing of private enterprises and the fiscal system designed to finance public commitments.

Shortcomings in fiscal, budget, and treasury systems are further obstacles to external financing. Inadequate administrative systems prevent the payment of government contributions as scheduled or, if the funds are forthcoming, they cannot be used for their intended purpose as originally planned. Many public agencies dependent on budgetary appropriations fall far behind in essential investment contributions, thereby delaying the disbursement of external financing or creating irregular situations in which the part of the project financed from abroad is executed but not the part financed with local funds.

I have mentioned the lack of projects even in countries which already have experience in the planning process. This dearth often results from the lack of a public administration capable of fulfilling its function of channeling national investment.

This shortcoming is also apparent in connection with financing contracted or under negotiation. Only recently have a number of our countries begun to amend their administrative and financial legislation to facilitate the negotiation of external financing. In many cases, serious failings and delays are caused by protracted legislative processing or by resolutions and rulings handed down by authorities keyed to slower pace than that demanded by contemporary development.

6. Programing and institutional reforms: Important progress was made during 1964 by the Latin American countries in their efforts to fulfill the tasks mutually agreed upon in the Charter of Punta del Este, particularly with regard to economic and social development programing and to modernization of their institutional systems in keeping with such development. As the Administrator of the Social Progress Trust Fund, the Inter-American Bank only a few weeks ago presented a special report on this subject, which includes a full outline of our role in those endeavors.

The establishment of the Inter-American Committee on the Alliance for Progress as an effective general staff for coordination of the various undertakings embodying inter-American economic and social policy, and the initiation of its work during the past year, have been important factors in individual and collective efforts by the member countries of the system.

The joint activities of the OAS, the Economic Commission for Latin America, the Latin American Institute for Economic and Social Planning and the Bank are now beginning to yield valuable results in the preparation of development programs in Uruguay, Paraguay, and Central America.

In addition to our active participation in several of the national plans that have been drafted by most of our countries—Venezuela, Colombia, Chile, Bolivia, Panama, and Honduras—we have begun intensive preparations for the establishment of an advisory financing group to provide adequate external resources for Ecuador's development program. This group will be formally constituted within the next few weeks; the principal capital-exporting countries and international credit organizations will be represented in its membership. It should be pointed out that, in this undertaking, for the first time technical contributions have also been sought from other Latin American countries which, owing to their broader experience in certain fields, can insure more effective implementation of the Ecuadorian program by supplying expert services and other forms of technical assistance.

It must be acknowledged that the comparative evaluation of experiences in development planning has also led to constructive criticism to the effect that efficient plan preparation alone is insufficient and that it must be accompanied by an adjustment of public institutional mechanisms to the proposed goals. There is also an evident need for closer coordination between the responsibilities of the public sector and the initiatives of the private sector.

Our credit activity has enabled us to collaborate in the work of readjusting and setting up institutional machinery in many of our member countries; in a number of cases the Bank has actually served as a catalyst. In our Social Progress Trust Fund Report for 1964, we have provided a detailed account of this function of the IDB in the four specific fields entrusted to us under the act of Bogota: rural development, low-income housing, water supply and sanitation, and higher education.

We might cite, by way of example, the reorganization of the Paraguayan Housing Institute, the reorganization of the Ecuadorian Housing Bank and the continuing reinforcement of savings and loan systems in several Latin American countries. In regard to agrarian reform and rural development, enactment of the agrarian reform laws in Brazil, Ecuador, and Peru, and establishment of the institutional mechanisms for their implementation deserve mention. In the field of water supply and sanitary works, we may refer to the drafting of the integral sanitary works plan in Argentina for 1965–69; the establishment of the Sanitary Works Institute in Ecuador, the Autonomous Metropolitan Water Authority of Haiti and the National Rural Water Supply Service in the Dominican Republic, as well as to the reorganization of the Sanitary Works Corporation of Asuncion and the preparation of the national water supply plan.

Our efforts to bring about changes in institutional, administrative, legal, and accounting systems have been financed by loans from both the Trust Fund and the Bank's own resources. In this connection, it is useful to mention our technical assistance operations with the Latin American development banks, which are aimed at increasing their operating efficiency, establishing criteria for project selection and evaluation, improving their institutional and accounting organization, training their personnel, etc.

We had an exceptional opportunity to reexamine experiences and compare views with 150 public and private Latin American development agencies early last December when the Bank held the first meeting of Latin American development financing institutions. This assembly not only provided indisputable evidence of the special importance acquired by these investment institutions in recent years but also served to pool valuable knowledge of mutual benefit. It was a source of satisfaction for the Inter-American Bank to learn on that occasion the extent to which it had become truly a "central bank" serving the Latin American development agencies. Our Board of Executive Directors and our management intend to increase this role of the Bank, which represents not only an intelligent approach to the expansion of our credit activities in Latin America, but also a means of strengthening the national financing systems in each of our member countries.

Again, during the last FAO regional meeting, the Bank sponsored the first seminar on Latin American agricultural financing only a few weeks ago at Viña del Mar, Chile. This meeting, attended by more than 241 farm credit experts, also supplied valuable information and useful suggestions for greater effectiveness in our vital work of helping to finance rural development in our countries.

7. Increase in resources: The past year and the first part of this year should be considered as the most important period to date in the Bank's history in connection with efforts aimed at supplementation and expansion of our funds.

When the agreement establishing the Inter-American Bank entered into force at the end of 1959, plans called for an institution with resources of less than $1 billion. This represented a little under $530 million in actual contributions by the member countries to the ordinary capital resources and the Fund for Special Operations. The balance, consisting of obligations for callable capital based primarily on the U.S. commitment of $200 million, must be viewed in the light of the experience of other international financing agencies. As you will recall, additional funds amounting to $394 million were made available in 1961 on the basis of our administration of the Social Progress Trust Fund.

Since 1964, the following progress has been made:

(a) An increase of 50 percent in the resources of the Fund for Special Operations, representing slightly more than $73 million in contributions fully paid in by April of last year;

(b) The approval by 19 of our member countries of a billion-dollar increase in our callable capital, with over $400 million of that amount to be subscribed by the U.S. Government;

(c) An additional contribution in February of last year by our principal shareholder of $131 million to the Social Progress Trust Fund;

(d) Ratification of your resolution proposed at the Panama meeting in April 1964, to merge the operations of the Social Progress Trust Fund in the future with those of the Fund for Special Operations and to augment the latter by $900 million for 1965, 1966, and 1967, by the legislative and executive branches in 19 of our 20 member countries; the first installment of almost $300 million of the increase is expected to be fully paid in by the end of June of this year.

The foregoing permits us to state that our institution has now, when counting our own funds and those we administer, in current resources and commitments to 1967, a financial structure of more than $2.6 billion. This amount includes the U.S. subscription of $611 million to our callable capital, of which almost one-half has already been committed.

The active support provided by our member countries in the form of direct contributions, trust resources, and subscriptions to additional quotas and to increased callable capital has served to finance loans totaling $1,260.6 million to date. This support also ensures our prospects for maintaining the present pace of operations over the next 3 years and for projecting a reasonable increase in the annual volume of operations.

It should also be noted that the normal process of amortization, particularly on loans chargeable to the Bank's own resources, is gradually expanding our available resources. It is interesting to note that capital repayment received in our three "windows" aggregates $13.2 million. By the end of 1967, considering only those loans authorized by the close of 1964, cumulative amortizations will exceed $115 million.

We do not mean to imply that the Bank will be self-financing at the end of this 3-year period, since it must maintain the same or a progressively higher rate of operations. To this end, the Bank management, interpreting your wish to continue this dynamic pace, will propose the measures it believes best suited to provide for future requirements.

8. Placement of issues: We need to describe in more specific terms the Bank's far-ranging efforts to attract resources in various markets through the mechanism of marketing IDB bonds. Two new issues totaling $150 million were floated in the United States in 1964, while one issue each in Germany and England, the first in each country, aggregated $23.4 million. The conditions governing these transactions are comparable to those of other international financing agencies, as indicated by the AAA rating consistently assigned to our issues by top New York financial analysts.

It should also be noted that the technique of selling participations in our ordinary loans continued to be employed throughout the past year: 23 participations were sold, without our guarantee in accordance with our regular practice, for an aggregate of $5,297,124. This brings our sales to 231 participations for a total of $22.2 million to date, distributed among 44 U.S. commercial banks, 12

European banks and 2 Canadian banks, in addition to the United Nations Special Fund.

The accumulation of a sound portfolio and the firm support received from the member countries, together with our institutional and administrative consolidation, have ensured the success of those procedures for obtaining additional resources on the international capital markets. The IDB management will continue to employ these techniques as dictated by our requirements. The restrictions imposed by many of the capital-exporting countries on their financial markets, especially with reference to bond issues, should be kept in mind. These limitations often make it impossible to offer international financing agencies like the Bank full assurance of recovery on their resources. Nevertheless, in view of the understanding of this situation demonstrated to date by the governments of the developed countries and of their repeated intention of collaborating in the development of Latin America, we can be reasonably certain that the Inter-American Bank will be able to continue supplementing its ordinary capital by means of such transactions.

In this connection, the Geneva conference recommended, with the unanimous approval of the participating delegations, that "measures consistent with the requirements of the various development programs should be adopted by both industrialized and developing countries to promote the flow of capital into developing countries. Such measures should include the opening of capital markets to the developing countries, either directly or through national or multilateral institutions—including regional development banks."

9. Financing operations with nonmember countries: One of the topics for discussion on the agenda of this meeting will be consideration of the report by the IDB Board of Executive Directors on financial contributions by nonmember countries employing our multilateral organization.

The report aims at presenting a systematic, documented picture of our institution's recently initiated activities in this area. We hope to receive observations from the member countries during this meeting or at some later date, which will serve to heighten the effectiveness of these initiatives that have been a persisting source of primary concern for those countries.

The report shows that during the past 3 years the Bank has not only made use of the limited facilities offered by capital markets outside the United States but has also benefited from other agreements; Canada and Spain deserve particular mention in this regard.

In December of last year, we signed an agreement with the Canadian Minister of Foreign Affairs for the administration of 10 million Canadian dollars contributed by that country for soft loans, to be utilized primarily for preinvestment purposes and for social and educational infrastructure, on terms of up to 50 years and interest of three-quarters of 1 percent. Only a few days ago, we completed arrangements with that country for parallel use of up to $15 million of our ordinary resources for productive economic development projects on suitable terms and interest rates.

Special mention should also be made of the contract recently signed with Spain. That country has loaned us the amount of $12.5 million for 12 years at 4¾-percent interest, which can be expanded by an additional $7.5 million in participations for credits under which our borrowers have placed orders, within the system of international competition, in that country.

The interest evinced by two other nations is also important. In June of last year, the British Government officially announced its intention of committing up to the equivalent of $20 million in pounds sterling to be channeled through the Bank. Our English bond issue mentioned above, for the equivalent of $8.4 million was charged to this fund, and negotiations are underway for utilization of the $11.6 million remainder.

The Netherlands has also manifested its willingness to channel up to $10 million through our operating mechanisms over a period of 2 years; this proposal is now being considered by both sides.

The Bank has been prepared to explore and consider various mechanisms for utilization of financial resources from nonmember countries as described in the report of the Board of Executive Directors cited. Undoubtedly, the best system from our standpoint is prospective bond issues, direct government loans, or participation sales permitting free use of additional contributions to our ordinary capital.

The fact that a large share of the orders placed by borrowers of the Bank's own resources abroad represent purchases in Western Europe is an important justification of our application for access to those capital markets. As a matter of fact, by the end of 1964, over $171 million in disbursements and letters of credit in foreign exchange were earmarked for imports. Western Europe received 51 percent of this amount, the United States 44 percent, Latin America 25 percent, and other countries, particularly Canada and Japan, the remainder.

We realize that many capital-exporting countries are prevented, for various reasons, from offering what we consider to be optimum terms; this circumstance has been taken into account in negotiating for utilization of funds, which are occasionally tied to purchases in those countries. In this connection, our criterion has been a willingness to consider such offers, provided they employ the Bank's system for making funds available to the member countries on more favorable terms than they could secure directly. We have made it clear that the Bank's role in these transactions is not that of an instrument designed to promote exports by the developed countries, but essentially that of a financing agency for Latin American development.

The report cited, the valuable suggestions we will receive from the Governors, the experience acquired in this area and the conclusion of pending negotiations will provide us with a complete picture of achievements and prospects. The steps we have taken have been extremely useful, considering that since our first transaction in Europe 3 years ago we have been able or expect shortly to mobilize, in one form or another, funds from nonmember countries estimated at more than $120 million.

10. Results of the fiscal period: Proper use of our resources, through long-term loan operations and short-term investment during the intermediate periods preceding utilization of the funds, is reflected in the results of the fiscal period presented for consideration at this meeting.

The ordinary capital shows an increase in gross receipts of a little over 41 percent as compared to 1963, from $13.3 million to $18.9 million. It is interesting to note that, for the first time, almost one-half of this gross income represents returns on our portfolio; the balance is derived from our short-term investments.

Net profits increased from $3.9 million in 1963 to $4.8 million in 1964, a gain of 23 percent. Our reserves (statutory and general) rose by almost 80 percent, from $7,738,000 at the end of 1963 to $13,841,400 as of December 31, 1964.

The Fund for Special Operations shows the same upward trend during the fiscal year. Gross receipts increased from $2.7 million in 1963 to $3.9 million in 1964. Net returns on this Fund rose from $940,000 in 1963 to $2.3 million in 1964. These receipts are used to finance nonreimbursable technical assistance commitments, which amounted to $1,155,000 last year, with the remainder allocated for reserves.

Administration of the Social Progress Trust Fund, which occupies a special position in view of the very low interest charged on its loans, also showed, for the first time, a small surplus, amounting to $358,000, prior to deduction of technical assistance costs and exchange adjustments.

11. The Bank's role in economic integration: Since the last meeting of the Board of Governors, our institution has strengthened and expanded its work and image as the "Bank of Latin American Integration." In this connection, we have endeavored both to follow the specific guidelines suggested by our member governments and to serve as interpreter in the area of our specific functions for the cohesive movement of dynamic forces that are promoting regional growth.

Within the past few days, the President of the Bank was called upon to help draft an important document for presentation to the Latin American chief executives which proposes measures designed to establish a broad common market for our community of nations. Although our opinion, together with those of Messrs. Prebisch, Mayobre and Sanz de Santamaría, reflects personal views, it is obvious that these have been formed by the wealth of experience gained in direct contacts with our countries. A year ago in Panama we emphasized the need for accelerating the integration process at the political level, as follows:

"It is obvious that Latin America has recently taken very significant steps toward regional integration. However, we believe it necessary to speed up this process and to project our experiences toward the successful evolution of new phases. The progress achieved through the systems of LAFTA and the Central American Common Market should serve as a basis for developing a General Treaty of Latin American Economic Integration associating the two existing systems and also incorporating countries not now participating. This treaty should not only establish formulas for free trade but also lay the groundwork for the formulation of policies and the creation of instruments in the fields of hemispheric economic planning, collective action in relation to trade policies—the first step in this area was the Declaration of Alta Gracia—coordination of monetary policies with a view to establishing a single monetary system, and, finally, regional financing. These measures should be accompanied by action to bolster the institutional framework of regional integration and our technical, cultural, and scientific ties."

The establishment of the Institute for Latin American Integration, under the sponsorship of the Bank, has become a reality in recent months owing to active participation by all our member countries. The Governors will recall that this proposal, put forth at the last meeting, was warmly supported, and that the Argentine Government offered a substantial contribution for the installation of Institute headquarters in Buenos Aires. The work of this offshoot of the Bank, which will be guided by an advisory council composed of top-level, highly experienced Latin Americans, will be initiated within the next few weeks.

The fundamental task of the Institute will be to train personnel for Latin American public agencies and private enterprises relating to the integration process. This educational undertaking will be supplemented by research and analysis of the complex technical and institutional questions involved in the process. The Institute plans to work closely with the other regional agencies engaged in this field; as this agency is consolidated, the Bank will also be able to assign it advisory, promotional and technical assistance activities benefiting the member countries.

In 1964 we also began to promote the integration of border zones. Symbolically, this work was launched at historic Villa del Rosario in Cúcuta, Colombia, very close to the Venezuelan line, in a ceremonial presentation of the report on a border-zone development program for those two countries. Under this program, we have already financed an electric power development project in the Colombian Department of Santander del Norte, which will also benefit the State of Táchira in Venezuela.

A similar study is now underway for integrated development of the Colombian-Ecuadorian border area, in addition to technical and preinvestment studies in other areas, particularly on the proposed Bolivarian Highway that will connect Bolivia, Peru, Ecuador, and Colombia. The highway study, prepared by a reputable consulting firm, was submitted a few days ago to the governments concerned; the Peruvian Government has already set in motion several investment plans designed to further this ambitious project.

We have also continued our support to the signal integration movement going forward in Central America, particularly by supplying additional funds to the Central American Bank for Economic Integration and by sharing the costs of the Tripartite Group (OAS–IDB–ECLA), which is actively engaged in preparing an integral development program for the five countries of the isthmus.

12. Regional cooperation and foreign trade: In 1964, Bank representatives attended the Geneva Conference on Trade and Development and the Latin American gatherings that preceded it. Much progress was made toward a better definition of the close relationship between problems of foreign trade and financing. The ideas and proposals originating at the Geneva Conference will directly serve to place the potential of an agency such as ours within a broader framework.

It is interesting to note how the multilateral approach to regional financing was strengthened by that conference. In fact, it was recommended that financial cooperation by the industrialized countries "should encourage the channeling of external resources, whenever possible and appropriate, through multilateral institutions—including regional development institutions." And with more specific reference to our Bank, it was urged "that a proportion of assistance be provided to developing countries, where possible and appropriate, through or in association with regional bodies such as the Inter-American Development Bank and the African Development Bank."

Mention should be made of the special interest with which other regional groups have not only studied the experience of our Bank, but also requested our cooperation in setting up similar machinery. In the course of last year, the African countries succeeded in establishing the African Economic Development Bank, an undertaking in which we collaborated closely in the preparatory stages. I would like to take the opportunity to wish this companion organization the best success in the difficult task ahead. IDB technical personnel has also been invited by the United Nations to explore the possibilities of setting up a financing agency for regional development in the Far East.

As we have noted, development financing policies are closely identified with prevailing trends in foreign trade. It is becoming increasingly apparent that, until Latin American exports are able to generate sufficient foreign currency earnings to cover import requirements particularly for capital goods, the region will have to supplement its own savings through contributions of public and private funds from abroad.

It is no coincidence that during periods of weakness in our foreign sector we have had to resort to international borrowing, often on unfavorable terms and conditions. This has been the source of many of the problems currently besetting some of our countries.

During the past year, the Inter-American Committee on the Alliance for Progress, after a thorough review of country-by-country estimates, concluded that regional balance-of-payments deficits on current account in 1965 and 1966 would amount to $1.1 billion and $1.4 billion, respectively. If to these figures we add the value of service on the foreign public debt and compulsory minor increases in international monetary reserves, our gross foreign financing requirements would climb to $3.2 billion for 1965 and to $2.9 billion for 1966.

These requirements should be met by additional public investment, direct private investment and suppliers' credits. However, although disbursements on loans already contracted are estimated for 1965, for example, at $1.3 billion, in addition to an annual private investment of $200 million and substantial refinancing of short-term indebtedness in several countries, the gap remaining in our foreign financing points up the need for further broad expansion of public and private financing from abroad.

It can be fairly argued that though the injection of new funds, particularly in the form of credits, may in itself afford an immediate solution, it also tends to prolong imbalances into the future, with the concurrent disadvantages now being experienced by some of our countries. All of these factors confirm the criterion maintained by this Board of Governors and by the Bank's Board of Executive Directors during the last few years: not only does Latin America need foreign credit, but such financing must be provided on conditions that will not excessively burden the balance of payments over a reasonable period. This is why an organization such as ours, if it is to function properly, must have funds that can be loaned on soft or flexible conditions in reference to term or to the currency of payment for principal and interest. It was for us a source of great satisfaction to learn that similar concepts were incorporated into a recent study published by the U.S. Agency for International Development (AID).

A few figures will suffice to support these views. Between 1956 and 1966, the region's foreign public debt payable in hard currencies at terms of more than 1 year increased 147 percent, from $4.3 billion to $10.6 billion. During the same period, payments of principal and interest virtually tripled, from $445 million to $1.36 billion a year. The foreign debt servicing burden rose from 5.5 percent of balance-of-payments receipts on current account in 1956 to 15.4 percent in 1964. In the latter year, this level stood at more than 20 percent for four Latin American countries, with amortization accounting for 75 percent of service. More than 50 percent of current foreign indebtedness will have to be repaid within the next 5 years, while only 28 percent will mature beyond 10 years.

Latin America is in a position to deal with this problem. But we must have cooperation, on the international level, to prevent a deterioration in our terms of trade, which have held firmer in the last 2 years as compared to the previous period, recording a gain of approximately 8 percent in index level between 1961 and mid-1964. We must secure an understanding approach by the capital-exporting countries to the problem of service on past obligations and the need for an adequate flow of resources into the region. It is imperative that our countries assert the need for sound domestic financial policies which, without restricting economic growth, can prevent the inflationary pressures that conspire to unbalance our foreign sector. We must strengthen the process of regional economic integration and supplementation as a tool for the promotion of industrial and agricultural growth, which, by expanding exports and replacing imports, can help to create the requisite climate for greater progress and stability.

Although our organization cannot shoulder this task alone, I believe that we have effectively contributed, particularly through our sound administration of available soft resources, to creating the internal conditions required for growth without excessively burdening balances of payments in our member countries. Actually, more than 50 percent of our loans are repayable in local currency. This aim has also been furthered by the increase in the Fund for Special Operations and by the assurance of a flexible criterion for its administration.

THE BANK'S ACTIVITIES IN PARAGUAY

The foregoing considerations should be projected in terms of a specific experience in which our policies have become a tangible reality, as in the case of the Bank's collaboration with Paraguay's drive for progress.

In connection with my first official visit to Paraguay in mid-1960, I characterized it as one of the countries with the strongest faith in the ultimate benefits of IDB assistance. A year later, at the second meeting of the Board of Governors, in Rio de Janeiro, I added:

"Paraguay is one of the member countries which has made a great effort in recent years to achieve monetary and financial stability, without successfully generating an increased growth rate. The reasons are similar to those of other countries: low national savings derived from limited income and a very low foreign debt capacity, which is also symptomatic of underdevelopment. Nevertheless, Paraguay is endowed with abundant and diverse natural resources, particularly in agriculture and forestry, with a low density of population and with efficient and enterprising management and labor. Foreign financial aid is already showing how this country's outlook can be transformed with limited funds.

"The Asunción-Paraná River Highway and the international bridge at Presidente Stroessner show how the proper use of funds can open and expand economic horizons in a country."

Since the Bank commenced operation, Paraguay has actually been one of the countries receiving, in absolute and relative terms, our fullest financial and technical cooperation. Furthermore, we have been the most dynamic source of foreign financing for this country: our loans total more than all other international development credits combined.

To date, we have approved 11 loan operations aggregating more than $33 million from the IDB's various resources, in the following fields.

(a) Electric power has been the Bank's major concern in connection with Paraguayan development. We must remember that this is still one of the lowest ranking countries of Latin America in per capita generation and consumption of electric power (one-fifth of average installed capacity and one-sixth of average consumption). The lack of an adequate supply of such power at reasonable cost has been one of the main determining factors in Paraguay's failure to achieve more rapid economic growth.

Consequently, the Government of Paraguay assigned high priority to a study of the hydroelectric potential of the Acaray River. In 1952, the Sanitary Works Department of Brazil initiated assistance on basic research and preliminary designs for the project, which was presented in January 1961.

The Bank's first step was to grant two technical assistance loans totaling $400,000 for final studies, designs, and specifications on the Acaray hydroelectric works and related installations. As a result of those studies, the Bank agreed to undertake partial financing of the installations and to seek parallel partial financing of the electromechanical equipment from the industrialized countries.

To this end, a contract was signed on August 14, 1964, in which the Bank granted the National Electric Power Administration (ANDE) a 25-year loan equivalent to $14,150,000 from its Funds for Special Operations with interest at 4 percent per annum and a grace period of 5½ years. The loan will help to finance the cost of the civil works, part of the electromechanical equipment and certain local expenditures. The balance of total project cost, amounting to slightly over $30 million, will be financed by parallel credits and funds put up by the borrower agency itself. This project calls for the construction of a hydroelectric power station on the Acaray River, installation of 315 kilometers of transmission line to Asunción, and improvement and extension of the distribution network in the capital. The startup of this power station, scheduled for late 1968, will save the country more than $1.5 million in current outlays for imported fuels.

The supply of abundant electric power at reasonable prices is expected to attract industry to the area served by the new installations and to permit the expansion of established industry. The project will also facilitate electrification of the eastern region of Paraguay, inasmuch as the transmission line will traverse the fertile lands of the Alto Parana, where large-scale land settlement projects are under way or scheduled. On the regional scale, the contribution of the project to national agricultural and industrial growth is expected to augment Paraguay's flow of processed and semiprocessed farm commodities to the market of the Latin American Free Trade Association.

(b) As part of our share in reorganization of the National Development Bank, we have channeled three loans totaling about $10 million from the Fund for Special Operations and the Social Progress Trust Fund to help finance agriculture and industry. These development loans, whose disbursements aggregate 43 percent, are supporting programs to which Paraguay has contributed an average of 45 percent of costs. Their most important benefits have been the improvement and expansion of many small industrial enterprises and the introduction of improved cultivation methods and proper tools, selected seed, insecticides and fertilizers on small farms. In the stock-raising sector, the loans have contributed to the expansion and improvement of pastures, the construction of ponds and basins for watering stock, disease control and the improved care and management of herds.

(c) The Bank has also assisted the Paraguayan industrialization drive by granting loans totaling $2.75 million to two large private companies. One loan of $2.2 million to Manufacturars de Pilar has enabled that firm to expand its textile output. The Compañía Algodonera Paraguaya (CAPSA) has utilized the entire proceeds of a loan of $550,000 to expand its processing facilities for tobacco, cotton, and vegetable oils.

(d) Since Paraguay possesses vast fertile tracts of virgin land, the Bank has financed a land settlement pilot plan at Colonia Presidente Stroessner in the amount of $250,000. The results include settlement of 700 families of small farmers, construction of roughly 140 kilometers of feeder roads and property lines, clearing and cultivation of hundreds of plots, and installation of a sawmill.

We have also approved another loan of $800,000 to finance preinvestment studies and preparation of a complete project for the settlement of 100,000 hectares in the Alto Paraná region north of the Monday River. The Rural Welfare Institute was organized as a preliminary step.

(e) A loan of $3.4 million has been approved from the Social Progress Trust Fund to finance a low-cost housing construction program. Plans call for approximately 3,800 new housing units for low-income families in the capital and in provincial towns and rural areas. The program will be executed by the Paraguayan Institute of Housing and Urban Development, which was reorganized for the purpose.

(f) A few days ago, the Bank authorized a loan of $1.5 million from the Social Progress Trust Fund for a program designed to modernize and expand the National University of Asunción.

Our agency has undertaken a technical cooperation program of great significance to our countries. Nonreimbursable funds allocated by the Bank for this purpose in recent years total $862,533. To date, we have granted Paraguay a total of $2.2 million in reimbursable and nonreimbursable technical assistance, which means that Paraguay has received, in per capita terms, the major share of the Bank's aid in this field.

Part of these funds represent the Inter-American Bank's contribution to the Tripartite Mission, in which it participates jointly with the OAS and ECLA; the Mission is currently collaborating with the Government on preparation of a national development plan. As a preliminary step, the Mission assisted in the establishment of the Technical Planning Secretariat in 1962, and subsequently helped to review available statistical material and to prepare several studies on national economic conditions and potential. These efforts culminated in the preparation of a national plan for 1965–66, with projections to 1970.

Distinguished Governors, in concluding my remarks, I would like to outline the tasks that lie ahead, through which the Inter-American Development Bank expects to strengthen its organization and to insure the continuation of optimum service to all the member countries and to the cause of inter-American cooperation.

First. The Bank must step up its efforts to help attain higher rates of economic growth in the Latin American countries on the national and regional levels. Our activities must be more fully governed by the principle that national development and regional growth are two dynamic forces whose interaction will directly benefit all of our peoples. Therefore, as we prepare to forge the next links in the economic unity of the Latin American countries, we must not only continue our task of financing projects with high national priority, but adapt this financing to reflect the mission and mandate of the "Bank of Integration."

Our role in this complex undertaking calls for imagination, audacity, realism, and tractability, if we are to respond in kind to the rising expectations that are directing Latin America into the progressive mainstream of civilization in these final decades of our century.

Second. We must strengthen our approach, our functions and our structure on the multilateral level. We must bring the more advanced members of our system into clear association with those who aspire to overcome their backwardness; this aim of the Bank reflects the true meaning of the Alliance for Progress.

Our multilateralism is important not only on the continental level, but also vis-a-vis other groups of capital-exporting countries, which are interested in the growth and stability of Latin America in terms of their own trade expansion and of the opportunity for sharing their culture and technology with the developing world.

The Bank must stress the extension of its growing ties with other new areas of the world. The experience of our regional agency can undoubtedly continue to serve as an example to countries which seek, through their own economic integration, to overcome the obstacles to progress.

Third. Although we have become more than a simple banking institution, this was our initial goal, and we have patiently and laboriously evolved a financing agency that has earned the respect of the Western Hemisphere and other parts of the world by its sound administration of resources to serve the efforts of its member countries.

As prospects for augmenting our lending capacity arise, the Bank must continue to expand its loans progressively and wisely. This growth will conform primarily to the lines of activity endorsed by our countries, while at the same time its breadth and flexibility will be dictated by our experience. It will be our duty to place increasing emphasis on the concept of a development balanced between economic and social investments, between intrastructure and secondary activities, between agriculture and industry, between sounder balance-of-payments positions and more intensive and effective internal growth, between an efficient, well-managed public sector and dynamic, productive private enterprise.

The requisite pace of our activities will continue to demand greater resources. We can confidently expect that for the next 3 or 4 years these needs will be met. However, in times of plenty it behooves a good banker to make proper provisions for times of want. The Bank's executive management plans to continue its ceaseless quest for support from member and nonmember countries to insure a steady, rising flow of funds to Latin America at this stage in our development.

Fourth. As disbursements have mounted and projects have gone forward, our institution has inevitably entered upon a new phase. Its primary concern is no longer confined to committing funds, but has extended to safeguarding the proper execution and administration of investments. This second task is no less difficult than the first, but it has already become a part of our duties, to which our organization and policies will be oriented as required.

Fifth. We must also continue to help our countries to make the necessary adjustments in their financial machinery, to evaluate their financing priorities, and to train their management cadres. Let us remember that Latin America is still a developing continent, that we do not have the fund of experience garnered by other, older nations, and that these prerequisite factors for dynamic growth are inevitably immature, requiring pondered experience as well as initiative for their development. We ask for understanding from those who expect miracles while forgetting that the comforts they enjoy today were reaped from long and painful historical experiences based on trial and error.

The emblem of the Inter-American Bank shows a mighty sun with a ray for each of our member countries extending across the tropics into the northernmost reaches of the hemisphere from this southern heartland which is regarded as the underdeveloped half of our modern world. Here in Paraguay, this green and generous jewel of the Southern Hemisphere, let us affirm our faith in a future where that sun will radiate its bounty into every corner of the Americas.

Remarks of the Honorable David E. Bell, Administrator, Agency for International Development, and Alternate Governor for the United States, Inter-American Development Bank, Annual Meeting IDB Board of Governors, April 26–30, 1965, Asuncion, Paraguay

May I begin by expressing to the Government and people of Paraguay the appreciation and thanks of my delegation for their traditionally warm and generous hospitality and for the excellent arrangements which have been made for this annual meeting. Several of us, including myself, have not previously had the opportunity to visit Paraguay. We have found our visit most interesting and valuable in giving us some understanding of the problems and promise of this pleasant land.

As many of you know, President Johnson recently appointed the new Secretary of the Treasury, Henry H. Fowler, as Governor for the United States of this institution. Secretary Fowler has asked that I convey the following message to you:

"I regret very much that in the press of duties related to assuming a new office—which I am sure you have all experienced—I was unable in so short a time to schedule travel away from Washington in order to join my fellow Governors in their sixth annual meeting. I know that the meeting will be another successful one, further advancing the progress of the Bank and its members toward the goals of improving the economic and social well-being of the peoples of the Americas. I look forward with enthusiasm to my new association with this great effort and to joining with you personally in the future."

May I also take note of the very kind words spoken yesterday by our President concerning former Secretary Douglas Dillon. We in the U.S. delegation associate ourselves most heartily with the President's comments on the strong and creative role played by Secretary Dillon within the U.S. Government in supporting the Inter-American Development Bank. Secretary Dillon was indeed a principal architect of the Bank, and those of us now in the U.S. Government have learned from him and expect to carry on in the same tradition.

Speaking on behalf of Secretary Fowler, and of my Government, I take pleasure in congratulating our distinguished President, Dr. Felipe Herrera, and his colleagues in the Bank management, on another highly successful year. Besides the fine roster of new loans both for economic and for social projects, I would ask my fellow Governors to note especially the Bank's impressive record of disbursements, which reached $198 million. The figure is especially heartening because it represents work accomplished and not simply work started. There will, of course, be steady improvement in future Bank accomplishments, as the many programs and projects underway yield their results.

We have not come to this meeting only to congratulate ourselves and the Bank management on a successful year. We have also come here so that we may consider together some of the issues that face the Bank in pursuing its fundamental objective of economic and social progress in Latin America. I would like, if I may, to comment on two or three of these issues this morning.

I

The first several years of the Bank's existence have coincided with an evolution in the understanding of all of us on the question of how development financing agencies can best contribute to economic and social progress, in Latin America as well as in the rest of the world.

It has been clear from the beginning, of course, that development agencies like this Bank should finance only projects which are economically justified, well designed, appropriate to the conditions of the country concerned, and capable of being maintained and operated successfully when completed. These are strict standards. To meet them will require substantial further expansion and improvement in our systems for preparing sound projects.

But it is not enough simply to look at the individual project, or even at appropriate groups or programs of related projects. It has been clear for some time—and here the Bank has been a notable pioneer—that one must think also of institutional reform and change. Thus the Bank, like other major development financing organizations, has helped achieve institutional reform in such fields as education, housing, and land use. There are great difficulties in working in these areas, but they must be faced if there is to be substantial progress toward more dynamic and more equitable societies. It would do no good to lend money, for example, for additional school buildings unless there is simultaneously a strong effort to modernize teacher training, curriculum content, and educational administration. We in the U.S. delegation strongly support the Bank's efforts on behalf of such institutional reform and urge redoubled vigor for the future.

Nor are sound individual projects and institutional change enough. We have learned that to reach the objectives we all seek requires a broad and coordinated set of measures covering such areas as the raising of resources through internal taxation and the mobilization of savings, fiscal and monetary and balance-of-payments policies, the application of sound priorities in the use of investment funds whether obtained domestically or from abroad, and the encouragement of private enterprise and initiative in agriculture, industry, and other fields. We have learned, in short, that a full-scale development program is necessary if real and lasting progress is to be made and that development financing agencies like the Bank must participate—as it has done—in helping to produce development plans, and in relating lending activities to the strength and soundness of the development efforts undertaken by borrowing countries.

This is why it has been valuable for the Bank, as our President pointed out yesterday, to participate in the evolving machinery for coordination which has been established around the Inter-American Committee for the Alliance for Progress (CIAP). The Bank, like the U.S. Government, is an independent body which must and will make its own decisions on the use of the resources available to it. But the activities of the CIAP, and particularly the reviews of each individual country's economic and social development programs, are invaluable to the Bank and other external assistance agencies.

These reviews, in which representatives of the Bank participate regularly, sharpen and deepen our common understanding of each country's needs, and of the relationship between the country's own policies and actions and the nature and amount of external resources it can effectively absorb. As all of us learn to use these new arrangements more effectively, I expect we will see more and more the development of what amounts to a consensus of views among all concerned as to what policies and actions, both internal and external, are required to bring about maximum progress for each Latin American country. And I would expect that the Bank, having participated in the development of such a consensus, would take that consensus into account in making its lending decisions. This is exactly what we expect will happen with respect to our own decisions in the U.S. assistance program as a result of our participation in CIAP.

II

In its first 5 years the Bank has been an indispensible participant in the solid progress which has been made by the alliance in building social justice and economies capable of growth. At the same time it has developed its own capacity for further growth and for making even greater contributions to Latin American progress.

All the Bank's capacities will be needed, for formidable problems remain. They were listed with admirable succinctness by CIAP in a portion of the policy statement on the Alliance for Progress issued at its second meeting last October. Their statement was as follows:

"The Alliance for Progress stands at an interval of momentum and of hope, but enormous problems confront the Latin American nations and those committed to assist them, in modernizing rural life; in bringing and keeping inflation under control; in the improvement of planning; in accelerating the development and execution of projects; in finding an enlarged and stable role for domestic and foreign private enterprise; in enlarging the capacity of Latin America to pay its way through export earnings; in promoting higher levels of education, health, and housing; and in overcoming the short-term debt problem and preventing its recurrence, in those critically important countries where it now exists."

The scope of these problems reflects the complexity of the needs of the peoples of Latin America. Accepted definitions and traditional habits of thought and practice may not lead to the best solutions. We hope that the Bank in administering and allocating its resources will continue to explore new approaches to the accommodation of emerging and changing needs. In this connection, we welcome the interest expressed yesterday by President Herrera in community development projects, in comprehensive urban planning and in rural development as the proper framework for attacking housing shortages, high rates of disease, and the migration of population in cities.

Broadening the Bank's educational activities to embrace technical and vocational training would likewise be very significant and timely. No obstacle to development is more critical than the shortage of professional, managerial, and technical personnel capable of planning and carrying out public and private action that will transform economies and societies. The interest of the Bank in higher education is manifested not only by its assistance to countries in improving their institutions but also by the roundtable on advanced education prepared for this meeting. We associate ourselves strongly with that interest.

The Bank's future activities in the social fields will build on noble beginnings. As we consider the record of the Bank's accomplishments set forth in the annual report and in the report of the Social Progress Trust Fund we can realize perhaps better than when all this started just how audacious an innovation it was for an international bank to use its resources for both social and economic purposes. My Government is happy to have played a part in these endeavors and will continue to support them. Of the more than $1.3 billion authorized by the U.S. Congress in the past 16 months for financing the Bank, $750 million was voted in accordance with our support of the resolution on augmenting the Fund for Special Operations passed by the Governors at last year's meeting. As those funds, together with other resources of the Bank, are applied to economic and social development, the result will be a steadily more effective contribution to the welfare of the people of Latin America.

While dedicating ourselves to fulfilling economic and social needs through public action, we must not neglect the contribution to development which is made by a healthy and growing private sector. Certainly the Bank has not been guilty of neglect. Channeling internationally provided funds into private uses under conditions in developing countries poses difficult challenges. It is a tribute to the Bank that well over one-half of all approvals from the Bank's own resources have been so directed.

So there will be no misunderstanding on a related matter, let me point out that despite its balance-of-payments difficulties it remains the policy of the United States to continue to encourage the flow of private investment capital to the developing countries.

III

In his opening statement, President Herrera stressed the necessity of fiscal and monetary discipline, and controlling the inflationary forces which have plagued so many of our member countries. The Bank as a lending institution has a vital, direct interest in the financial stability of the member countries. In the first place, financial disorder and inflation will adversely affect the repayment capacity of the Bank's borrowers. Secondly, to the extent that the Bank's ordinary capital portfolio consists of loans to countries which have not achieved financial stability, the credit rating of the Bank of the world's capital markets, and consequently its ability to raise funds in those markets on reasonable terms, will be prejudiced. Finally, and this was the point particularly stressed by President Herrera, the distortions which universally accompany prolonged or serious inflation make it impossible for the Bank's borrowers to employ resources with maximum effect.

As a lender the Bank is justifiably concerned with the general credit of its borrowers. That credit is affected not only by uncontrolled inflation, but also by the assumption of debt burdens which are excessive in relation to a country's foreign exchange earning power.

The rapidly increasing debt burden of the Latin American countries calls for constant vigilance. As responsible financial officials we would all agree, I am sure, that while a number of countries have now undertaken programs to prevent undue accumulations of short-term obligations, there remains a need for each country to be alert and to take preventive action when necessary. The Bank, the other international financing agencies, and the creditor nations also must use their influence to deal with this problem.

I know that the management of the Bank has had this problem very much in mind in seeking to obtain additional resources from nonmember countries. If such resources are to make a maximum contribution to the process of development in Latin America, it is important that they be obtained on concessional terms and on terms which will allow the borrowing countries the greatest possible flexibility in their use.

The expansion of the Fund for Special Operations will permit the Bank to increase the volume of its lending on liberal terms. However, its lending policies should be discriminatingly tempered by the realization that the foreign exchange earnings and reserve positions of some countries should make it possible for them, earlier than the rest, to assume normal terms of borrowing, even on loans for social projects.

External debt is of course but one aspect of our countries' international financing and economic relations, all of which will be affected by the progress made by Latin America as a whole toward broadening markets, increasing intraregional trade, expanding exports, and rationalizing investment on a regionwide basis. The position of the United States with respect to economic integration of Latin America has been stated many times. We have received with interest the joint memorandum on Latin American economic integration composed by the leaders of four intra-American organizations, Sres. Sanz de Santamaria, Mayobre, Prebisch and our own Felipe Herrera. On April 14, Pan American Day, Vice President HUMPHREY declared:

"We support effective economic integration because it is essential to development under the Alliance for Progress; we support it because the modern Latin America which can emerge from effective integration will be a more effective partner in all the great common world tasks which confront those who share the common values of Western civilization; we support it because, as our postwar experience demonstrates, our most fruitful and mutually advantageous trade and financial relations are with industrialized and diversified areas, and finally, we support it because economic integration is a fundamental part of the Alliance for Progress program to which we committed ourselves at Punta del Este."

IV

In completing this review of the accomplishments and performance of the Bank, I would like to comment favorably on the establishment, during this past year, of a special program staff in the Office of the President. This office provides the means for coordinating planning and evaluation efforts within the Bank and with the other economic and financial organizations in Washington. This is a vital part of the Bank's structure, and we look forward to its increased effectiveness.

While we are now focusing attention on program planning and the role it must play in the successful accomplishment of objectives, we also strongly support the interest of the Bank management and Board of Directors in executing Bank projects and programs rapidly and efficiently.

The growth in the Bank's lending has been paralleled by a commendable rise in disbursements and also by keen interest on the part of management in operational efficiency and effectiveness. On the strength of resources now available or in sight, the tempo of commitments will quicken, requiring the Bank to continue and intensify the improvement of its methods for executing approved projects, at headquarters and in the field.

CONCLUSION

Now, may I turn in closing to my fellow Governors and to the directors and officers of the Bank. Leadership, I should like to say to them, should continue to be the theme of the Bank's future. As the Bank of the Alliance, as the financial institution uniquely of and for Latin America, the Bank is in a very special position. The handsome annual report which has just been presented to us and the latest report on the Social Progress Trust Fund demonstrate 5 years of pathbreaking by the Bank in the effort to raise the standard of living of the people of a whole continent to a level worthy of the dignity of man in an era when scientific technology points the way toward the eventual liberation of the human species from economic want. We look forward to even more inspired pioneering.

Committed as it is to the Alliance for Progress, my Government stands back of the Bank as it plays its role in this epochal drama. As President Johnson said recently when reporting to the U.S. Congress: "The war on poverty in Latin America is underway. We in the United States are proud of the way our good neighbors to the south are meeting the challenge of development. We are proud, too, of the role the United States is playing in this great effort and pledge our steadily enlarged support."

DEATH OF MRS. MARY BRECKINRIDGE, OF KENTUCKY, FOUNDER OF FRONTIER NURSING SERVICE

Mr. COOPER. Mr. President, the State of Kentucky and the country as a whole have lost a most distinguished citizen in the death of Mrs. Mary Breckinridge last Sunday.

In 1925, Mrs. Breckinridge founded the Frontier Nursing Service in Leslie County, Ky., in an area, which at that time was isolated. The work of the Frontier Nursing Service has attracted the attention and the admiration of people not only in this country but, indeed, throughout the world. Many devoted women come from all sections of the United States and from England to serve as practical nurses, as couriers, and in clerical capacities, to serve the people.

Mrs. Breckinridge lived to see the Frontier Nursing Service grow until it had served 10,000 families in Leslie, Clay, and Perry Counties, in eastern Kentucky. Hospitals and nursing outposts were established, and contributed, of course, to the general health of the people of that area.

In 1955, the Metropolitan Life Insurance Co. analyzed the records of the first 10,000 births attended by those who had volunteered to work in the Frontier Nursing Service. The company found a remarkable record. It found that in this isolated area of Kentucky, a maternal death rate of 9.1 per 10,000 live births, as compared, in the same period, to a rate of 34 per 10,000 births throughout the country.

Mrs. Breckinridge was a descendant of the distinguished Breckinridge family of our State. She grew up in wealth; but she determined to dedicate her life and her funds to healing, particularly to the healing of women. She became known as the "Angel of the Frontier Nursing Service." She died at Wendover, Leslie County, where she had come years before to begin her work. I am sure that the work of the Frontier Nursing Service will go on, and that hundreds of women will continue to serve humanity, as they have volunteered to do in the past. Mrs. Breckinridge will not be forgotten. Her work will continue, and she will be remembered by thousands for her good works, and for her great heart.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Nurse and Angel of Frontier Dies," written by Allan M. Trout, and published in the Louisville Courier-Journal of Monday, May 17, 1965.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NURSE AND ANGEL OF FRONTIER DIES

(By Allan M. Trout)

HYDEN, KY.—Mrs. Mary Breckinridge, distinguished founder and guardian angel of Frontier Nursing Service, died yesterday at her home in nearby Wendover. She was 84.

The funeral will be at 9:30 a.m. Tuesday at Hyden High School and at 3 p.m. at Christ Church, Episcopal, in Lexington. Burial will be in Lexington Cemetery.

She had retired from active duty October 17, 1959, becoming on that date director emeritus of FNS. She was succeeded by Miss Helen E. Browne, for many years the associate director.

Mrs. Breckinridge probably was the most illustrious Kentucky woman of all time, certainly of her own time. In her were combined the tender healing arts of a dedicated nurse, the hardheaded acumen of a practical businessman, and the rich charm of a wise and cultured personality.

NURTURED GRIT, NERVE

With her own funds she underwrote the world-famous Frontier Nursing Service in 1925. Her primary objective was to help mountain women through childbirth. General health of the people was her secondary aim.

Mrs. Breckinridge nurtured her grit and nerve into a humanitarian institution that staggers the imagination. She lived to see FNS cover 700 square miles in the rugged back country of Leslie, Clay, and Perry Counties, the home of 10,000 prolific families.

Endowment of FNS is well past $1 million. Total income since 1925 rounds out at about $6 million. Value of the physical plant is nearly $500,000. The staff numbers nearly 100.

Mrs. Breckinridge started FNS on a mountainside at Wendover, 5 miles from Hyden. Wendover continued as her home and headquarters throughout the years of expansion that included:

A modern hospital at Hyden with 27 beds, 12 bassinets, and 2 incubators; the Frontier Graduate School of Midwifery, perhaps the most notable of its kind in the world; the districts of Hyden and Wendover, and outposts, each serving about 70 square miles under supervision of a registered nurse-midwife, at Beech Fork, Brutus, Red Bird, Confluence, Flat Creek, and Wendover.

An outpost at Bowlingtown was erased by Buckhorn Dam and replaced with a new center on Wolf Creek.

She was the driving force that created the lowest loss of mothers in the Nation. In the first 12,262 births attended by FNS, only 11 mothers died. And two of those were not connected with the pregnancies.

Metropolitan Life Insurance Co. analyzed the first 10,000 births attended by FNS, in the period 1925–55. It found a maternal death rate of 9.1 per 10,000 live births. For white women in the United States, in the same period, the death rate was 34 per 10,000 live births.

Moreover, in the same period that FNS was delivering 12,262 babies, it registered 53,096 patients of all ages with all ailments; inoculated 213,906 adults and children, and treated 20,611 for 165,157 patient-days at the Hyden hospital.

STARTED ON HORSEBACK

To achieve these herculean tasks, Mrs. Breckinridge and her dedicated staff of nurse-midwives started on horseback and graduated to jeeps; they forded rivers, traveled on creek beds, and endured primitive hardships in a mountain society isolated from the amenities of civilization.

To finance them, Mrs. Breckinridge enlisted the interest of philanthropists, not only in Kentucky, but in wealthy circles of the North and East.

Mrs. Breckinridge never once solicited the gift of a dollar. She simply told the story of FNS, a story that tugged at the heart before it opened the purse. The humanity of her story yielded more than $5 million to the dream of her life that Mrs. Breckinridge lived to see come true.

The drama of her story drew hundreds of volunteers to her service, just for the sheer exhilaration of being a part of the great adventure. Through the years, FNS couriers on horseback and in jeep have been debutantes from the North and East, many following earlier examples set by their socialite mothers.

MANY CAME TO SEE

Professional aims—and achievements—drew the unstinted cooperation of medical societies and nursing associations of the United States and England, in general, and Hazard, Lexington, Louisville, and Cincinnati in particular. The unique combination she wrought from medicine and sociology drew doctors, nurses, and social workers from all over the world to study her techniques.

She was bent and stooped, but indomitable; she carried a board to sleep on in pullman berths, but was able to electrify wealthy audiences upon arrival; in her later years as FNS director she worked mostly abed, yet her whisper of direction was the boom of inspired authority to her devoted staff.

Mrs. Breckinridge already had lived a storybook of a life on two continents when, at 44, she started FNS. But her inheritance hardly augured otherwise, for she was a Kentucky Breckinridge through and through.

(She was twice married; widowed in 1906, divorced in 1920 and resumed her maiden name. Her public writing mentions the name of neither husband. She was the mother of two, Breckie and Polly.)

Her father was Clifton Rodes Breckinridge, six terms a Congressman from Arkansas, and minister to Russia under President Grover Cleveland, 1894–97.

Her grandfather was the gallant, handsome John C. Breckinridge, Vice President of the United States, 1856–60; secretary of war and major general of the Confederacy; nominee for president in 1860, defeated by President Abraham Lincoln.

Her great-grandfather was Joseph C. Breckinridge, speaker of the Kentucky House of Representatives, and Secretary of State, before his death in 1823 at 35.

Her great-great-grandfather was John Breckinridge, founder of the line in Kentucky in 1793; U.S. Senator from Kentucky, and Attorney General in the Cabinet of President Thomas Jefferson.

BORN IN MEMPHIS

Mrs. Breckinridge was born February 17, 1881, at Memphis, Tenn., but merely because her mother went there, to her own mother's home, for the event.

She was 13 when the family moved to Russia. Until then, her life had been a whirl of childish adventure between Pine Bluff, Ark., their home; Washington, where her father sat in Congress; Ontario, Canada, where he went summers to fish; Oasis Plantation in Mississippi, the ancestral seat of her maternal grandfather; and Hazelwood, the fabulous estate of her great-aunt in New York.

After 2 years of girlhood gaiety as the U.S. Minister's vivacious daughter at the St. Petersburg and Moscow courts of Czar Nicholas II, she was sent to school in Switzerland. Back home again, she resumed the active life of a Breckinridge—riding, hunting, fishing, reading, writing, romance and marriage.

"I WAS NOT FITTED"

But she could think, too. In her words, she thought: "Upon reflection, I realized I was not fitted to be of service to anyone." And so, as a young widow of one year, she entered the School of Nursing at St. Luke's Hospital, New York City.

Except for one interlude, life from then on found Mrs. Breckinridge not only "fitted," but with the iron will to apply it to the "service" of others. The one exception was her brief return to domesticity, her second marriage, and the birth and death of Breckie and Polly.

She continued her professional education in England, Scotland, and the Continent, specializing in midwifery. She was head nurse (with a staff of five) during the 1918 influenza epidemic at Washington, an epidemic that struck down 40,000 there at its peak. After World War I, she was associated with Myron T. Herrick and Miss Anne Morgan in a massive relief program in devastated France.

In 1923, on a visit to Kentucky kinfolks, Mrs. Breckinridge spent the summer in the mountains, riding 13 horses and 3 mules. FNS was born in what she saw and heard. She spent 1924 studying the services and systems of midwifery in Scotland and England.

Nucleus of FNS was created May 28, 1925, at the first meeting of the Kentucky Committee for Mothers and Babies, held at the Capital Hotel, Frankfort. The money at hand consisted of $100 from one of Mrs. Breckinridge's aunts, $50 from a friend in France, and $1,000 that she secretly supplied in the name of her grandmother.

Basic support, however, was her pledge to underwrite the venture for 3 years.

Perhaps no man or woman ever lived with a deeper ethnic knowledge of the Kentucky mountains. Mrs. Breckinridge understood the mountaineer and his family to the core.

In turn, she was accepted to the full depths of the mountain heart and mind. She knew the culture, the idiom, the strength, and the weakness of the proud people upon whom she lavished her enlightened beneficence.

But with all her attainments, Mrs. Breckinridge loathed personal publicity.

Mrs. Breckinridge was highly educated, not only from experience, but in the academic sense. She was trained by governesses, and at Rosemont-Dezacey, Lusanne, Switzerland; Low and Heywood School, Stamford, Conn., and Columbia University.

EDUCATED IN LONDON

Professionally, she was educated at St. Luke's Hospital, New York, and British Hospital for Mothers and Babies, London.

She was awarded honorary degrees by University of Louisville, University of Rochester, University of Kentucky and Berea College. United Kingdom awarded her the Sullivan Medal for distinguished service in 1935. Gov. A. B. Chandler awarded her the Governor's Medallion for distinguished service in 1959.

Kentucky Press Association honored her as Kentuckian of the year in 1952.

That was the year she wrote "Wide Neighborhoods," published by Harper's. It was the story of Frontier Nursing Service, with as much of her own life as shed light on her grand undertaking. Characteristically, she deeded all fees and royalties from the book to FNS.

In 1961, Mrs. Breckinridge received the National League for Nursing's highest honor, the M. Adelaide Nutting Award for distinguished service.

A day is held in her honor at Hyden each fall and a monument to her work has been erected at the Leslie County Courthouse.

GEN. HANFORD MACNIDER, LEGENDARY FIGURE OF IOWA

Mr. MILLER. Mr. President, one of the legendary figures in the annals of Iowa is Gen. Hanford MacNider, of Mason City. To chronicle his life completely would take many volumes.

He was a hero of two World Wars; Assistant Secretary of War under President Coolidge; the Minister to Canada under President Hoover; a banker and industrialist; a philanthropist; and former national commander of the American Legion.

General MacNider laid the groundwork for a treaty with Canada which eventually resulted in the development of the St. Lawrence Waterway and opened up new markets for the Midwest.

Such was his fame that he was nominated for the Vice-Presidency at the 1928 and 1932 Republican National Conventions and for the Presidency in 1940.

The story of this great Iowan is well told in the spring issue of the Iowan. It was nearly 7 years in the making, because of the complexity and paradoxes of his life.

I ask unanimous consent that appropriate extracts from the article be printed in the RECORD.

There being no objection, the extracts were ordered to be printed in the RECORD, as follows:

THE MANY LIVES OF HANFORD MACNIDER

Last fall the subject of pheasant hunting cropped up at a lunch Gen. Hanford MacNider was having with a few friends. A disturbed look crossed the general's face as he remarked that he had just been reminded of a picture in the previous evening's paper. The newspaper photograph had been of a rare Reeves pheasant which had been shot near Mason City. From the caption the general gathered that it might have been taken on one of his farms. When chided jokingly by a relative stranger that the general might have wished to have shot the bird himself, MacNider bristled ever so slightly and informed the questioner that he had never allowed a gun on any land in his possession. Noting the obviously surprised reaction, he hastened to explain, "I never want to see any more killing."

Afterward, one of the friends present remarked that the incident told as much about General MacNider as anything he could recall. "He is a magnificent paradox," he explained and then continued. "The difficulty in describing the general lies in cutting through his careers to find the very purposeful, but very kind and delightful man that made them."

Any account of the general's life would quickly sound pretentious if it were not tempered with an appreciation of his own self-depreciating humor. Showing a visitor around "Indianhead," his impressive estate, the general will comment frankly on the expensive details that added greatly to the considerable basic cost. Then he will bury the subject by observing, "Of course, the whole place is really a matter of luck, I sold stockholdings to build it in 1928, just when the market was at a peak. Shortly after we moved in those stocks were nearly valueless, so in a way it cost us nothing."

Hanford MacNider has had essentially two careers, one as a businessman and one as a soldier and public servant. Into both of them are meshed a third role, that of heir to the institutions built by his banker-father, a fortune Hanford MacNider has wisely utilized. By adroit financial maneuvers, he was able to consolidate his inheritance after the death of his father and to demonstrate his own acumen as a businessman. In his public role, MacNider was able to assume the independent posture wealth allowed, which may account for much of the color and flavor of his life as a soldier and public servant.

The life of few cities has been so fully predicated on a single family as that of Mason City. The MacNider name is associated intimately with the largest industry, the largest hotel, the largest bank. It is the largest landholder and the largest farmer. It is the largest public benefactor. It reaches into every facet of the community.

Characteristically, the general explains the reason for all this as simply because "we didn't have the money to get out of town." Going back nearly a century this is literally true.

The general's paternal grandfather, Thomas B. MacNider, came to Iowa in the 1850's from Canada with an Irish bride. For a time he operated a mill at Bellevue and then after a long illness took to contracting bridges for the old Iowa Central Railroad as it laid its tracks across the State. Being of a too trusting nature, he found himself in financial difficulties while in Mason City in 1871 and was forced to sell his mules, wagons, timbers, and other construction materials. The family settled to become permanent residents of the small community. Thomas MacNider first ran a feed store in the community and later was the proprietor of a grocery store. Eventually, he became night marshal and Hanford MacNider still remembers his appointment as one of the proudest moments of his life, "even if he didn't have a uniform."

Thomas MacNider's father, William, had died when he was only 1 year of age and his mother had remarried a man named McDonald. To simplify his youth, he had been allowed to change the spelling of his name to the same prefix as that of his stepfather. Years later on a trip to Canada, Charles MacNider, his son and Hanford's father, discovered that the true spelling included an "a." On his return the full story of the change came out for the first time. The elder MacNider then ordered his son to return to the old family's form, even though he himself was unable to do so because by then his name was on innumerable official documents.

Charles H. MacNider began to help the family finances at the age of 12 by herding cattle around the countryside to pay for his board at home. The General points out the land he worked to visitors. It is the site of a new high school on Highway 18 between his home and Mason City.

At the age of 15 Charles MacNider took a job as messenger boy, janitor, and night watchman of the one small bank in the community at a salary of $8 per month and a place to sleep.

Just 9 years later he became a junior officer in that bank and was able to marry May C. Hanford in 1884 whose family had come west from New York State. Their only child, Hanford, was born on October 2, 1889.

Many of Hanford's childhood memories center around Clear Lake where he sailed and fished for 3 or 4 months every summer. The hero of his youth was the family stableman, Lynn Lafferty, who became a dazzling figure to the boy when he left for the Spanish-American War. The idea of becoming a soldier was implanted in the mind of the young MacNider.

In 1903, just before his 14th birthday, Hanford left home to attend Milton Academy in Massachusetts. Used to being on the defensive with other kids because his father was the village banker, he found it difficult to adjust to the new role of being the boy from the other side of the tracks, Iowa in this case, and first developed his state chauvinism.

After 4 years at Milton, MacNider enrolled at Harvard where he played freshman football, managed the hockey team, helped edit "The Harvard Crimson" and took courses that suited him because of their hours—"not on Saturday or afternoons." Nevertheless, he graduated in 3 years, although he stayed on for part of the following year becoming officially a member of the class of 1911.

During his sophomore summer at Harvard, Hanford took a tour of Europe on a motor bike seeing, as he says, "only the center of the road because we tried to cover too much territory." Two years later, during the summer of 1911, he was on a round-the-world trip which found him broke and wiring for money from Cairo, Bombay, and Tokyo.

On his return home he was, as MacNider says, "promptly dropped into the bank" as an apprentice bookkeeper. For the next 5 years MacNider fought to leave his position and try to make a living on his own.

Then came the big break. World War I, which had started 2 years earlier, began closing in on American people in 1916 with the sinking of the *Lusitania*.

Hanford MacNider tried to join the French army as an ambulance driver, but a family illness interceded. Instead he put his full heart into a committee that was soliciting funds for a new armory in order that Mason City would not lose its infantry company. After the money was raised Company "A" elected him second lieutenant, a custom in the militia of those days.

In June of 1916, company "A" was called into Federal service, President Wilson had called out the National Guard, presumably to save the State of Texas from Villa and the Mexicans, but actually to give the National Guard training for America's entry into the international conflict. MacNider was finally able to shake off his duties in the bank.

For the Iowa troops, the border assignment was a military holiday of the first order. Despite the heavy conditioning schedules and full-scale maneuvers, the border service was not too onerous for the young troops and every night after retreat there was a wholesale descent upon the frontierlike institutions of the wide-open town of Brownsville.

The Second Iowa was mustered out of the Federal service at Fort Des Moines in March 1917. MacNider, now a first lieutenant, had had command of his company for the greater part of its Texas stay and it had taken top honors at Brownsville.

Jack MacNider also took personal honors for his driving exploits. On the Mexican border in 1916, a company was lucky to have a team and wagon. MacNider's outfit was the only one to have a motorized vehicle. It was an open model with all the trimmings removed. A large wooden box was fastened to the rear trunk rack to hold groceries. Company A's military insignia had been conspicuously painted on both sides of the hood and body, making it look very official.

When anyone saw a cloud of dust coming down the road he would call out, "Here comes MacNider." Then the others would yell in response, "There goes MacNider."

MacNider would be crouched over the steering wheel, pushing the accelerator to the floorboard. The mess sergeant and cook would be hanging onto the rear seat for dear life.

Other outfits on the border wondered how Company A acquired an automobile, there being some speculation about the Brownsville dice games. Years later the facts came out. MacNider tells: "My father had given me a new Mercer sports car and had it sent down to camp. The only way I could use it was to make it look official. I stripped it down and painted our company's insigna on it. We got by because no one questioned it."

The stories of MacNider's driving prowess have followed him all over the world, from the mud of France to the mountains of New Guinea where he was termed the "wildest jeep driver" ever to come off the island alive.

No sooner had the 2d Iowa been mustered out than America entered World War I. Anxious for oversea service, MacNider enlisted at once in the regular establishment, which automatically canceled his National Guard commission. Reporting to Fort Snelling, he was placed in the first officers training camp and by August was a provisional second lieutenant, having graduated first in his class.

Within days MacNider was on a transport to France with the 9th U.S. Infantry. The 9th had been decimated before departure to provide cadres for other regiments and its ranks were filled with volunteers from the lower East Side of New York. Most of them were of foreign birth and few spoke English. MacNider remembers his shame at the time to be commanding such a nondescript bunch and his pride 2 years later when he marched up Fifth Avenue with the few survivors on their return from France.

The first night ashore the regimental commander, who had been peaceful enough on the voyage, suddenly developed into a tough disciplinarian. He caught an enlisted man in some minor infraction and promptly placed MacNider, as officer of the guard and responsible in the premises, under garrison arrest. He was never removed from the arrest during his service overseas, although the colonel's early removal made it an academic matter.

The troops were shipped like so many cattle in the little "40 Hommes & 8 Chevaux" boxcars up into the Vosges mountains where the damp and cold French winter closed down on them. Their new station was not far south of Verdun where shortly the half army, half marine 2d Division was formed. The famed 2d eventually took more kilometers, more guns, more prisoners, got more casualties and more decorations than any other American division.

To his displeasure, MacNider himself was soon given the honor of instructing at the first Army candidates school at Langres. The second class was halfway through when

MacNider decided to go "over the hill" to join his old command.

MacNider tells of his controversial action: "I had the feeble excuse that the War Department orders read that I was assigned to the 9th Infantry and that no one had the right to separate me from it for any other duty.

"When, after several days of wandering back of the French front I finally found my old regiment, I reported without orders, pretty well scared by this time over the infraction of all army rules and regulations. The regiment, however, was sorely short of officers, and even a stray second lieutenant was welcome. I got what was presumed to be a temporary assignment as regimental adjutant after protesting in vain that I knew nothing about army paperwork.

"I eventually became the adjutant of a proud, old regular regiment and was never able, until I received the necessary promotions to become a field officer, to separate myself from the adjutant's duties which, in that day and age, also included those of regimental operations office.

"The day after I rejoined the regiment, it marched down the road to Chateau-Thierry to help stop the last desperate drive of the Germans toward Paris. There the Marine brigade made itself famous at Belleau Woods and the 3d Brigade of the 9th and the 23d Infantry straddled the Chateau-Thierry-Paris road under German fire to share the eventual credit for having saved Paris from invasion.

"For some strange reason which no one can explain, there are always happy outfits in any army and the 9th, despite its polygot makeup, promptly began to earn that designation. They seemed born for conflict and the division, of more or less similar character, went rollicking through the rest of the war and ended up proud as punch of itself and with a grin on its collective face, despite the heaviest casualties in the whole AEF."

MacNider himself was slightly wounded at St. Mihiel. He had more action than he personally would indicate. An independent appraisal of his role points out that while he never had an official command, he had a habit of taking over troops at crucial times. On September 12, 1918, one of these special occasions arose when he was carrying instructions to the front lines. He found the sector he was concerned with disorganized and under heavy fire. Running forward into machinegun fire. MacNider captured a German gun nest and then proceeded to reorganize the line at that point.

In November of the same year, the 9th was ordered to establish a bridgehead across the Meuse. MacNider knew that the armistice had been signed and refused to send the two battalions totaling 2,000 men into battle knowing they certainly would be wiped out. Within hours the war had ended. When brought before the commanding officer to confess his insubordination, the general said, "This doesn't make sense, but I seem to be glad you did it." And he sent MacNider on to Paris to celebrate the armistice.

During this period, MacNider was apprehensive over his earlier flaunting of regulations, his AWOL status. He knew that the charges of desertion would eventually reach the division. As it happened, when the formidable document arrived, as thick as a family Bible, MacNider was acting as regimental commander and the whole file was promptly destroyed, its remnants buried somewhere in a German dugout near the redoubtable bastion of Blanc Mont.

"This required no particular amount of courage," MacNider says, "because by the time everyone was aware that it took at least 6 months for the ponderous machinery of GHQ to follow through and get anything of a personnel nature down to any line command."

Long after the armistice, when the regimental headquarters were billeted in a schoolhouse at Heddesdorf, the former stronghold of the Princes of Weid, an amended and more ponderous dossier arrived with instructions to the division commander to return Second Lieutenant MacNider to the headquarters of the SOS for trial as a deserter.

Now a lieutenant colonel with the fighting over, MacNider had been made division adjutant so the documents were delivered directly to him. A pot-bellied stove in the schoolhouse served as a fiery bier for the second bundle of official papers.

Six years later, as Acting Secretary of War, MacNider asked to see his personal and confidential 201 file. The Army Chief of Staff promptly told him no affected individual could be allowed to see his file. Eventually, despite much general staff muttering, it was delivered into MacNider's hands. All copies of the charges were carefully removed, reducing the file from a 6-inch thickness to a fractional size. They were ceremoniously burned in a fireplace in the venerable State, War, and Navy building, much to the distress of the adjutant general.

MacNider found a hero's welcome on his return to the United States after 9 months of occupation duty, and with good reason. With two Distinguished Service Crosses, three Silver Stars, the Purple Heart, and numerous foreign medals, he was called one of "the most decorated men in America except for General Pershing" by the Boston Post.

The legends of Jack MacNider's exploits became so enlarged that they included a myth that he and some friends tried to capture Germany's Kaiser Wilhelm after he had received asylum in neutral Netherlands after the war so that he could be tried as a war criminal. MacNider says that acquaintances of his did try, but he wasn't even in France at the time.

Back in Mason City, he was elected first commander of the newly organized post of the American Legion despite his objections. He soon found himself also named State vice commander under Col. Matt Tinley, whom he had nominated to be the first Iowa Legion head.

Since Colonel Tinley was anxious to resume his old medical practice, the job of solidifying the activities of the some 600 posts which had sprung up simultaneously in nearly every Iowa community fell to MacNider. For the next year he devoted practically all his time to the task, traveling from one end of the State to the other. That fall he was elected State or department commander and the same work went on under increasing pressure. A year later, the Iowa delegation to the national convention in Kansas City saw him named as national commander of the growing organization.

The American public, not without some misgivings, was watching the mushrooming of this largest of veteran movements and its every move was front-page news all over the Nation.

The Kansas City convention allowed MacNider to meet the General of the Armies Pershing for the first time. His only previous brush with the general was when a locomobile Pershing was riding in splattered mud over MacNider in France as he was standing at attention for the passing general. He said that it gave his troops their first real laugh in 6 months.

French Marechal Ferdinand Foch was also a convention guest and afterwards a special train carried the former wartime commander of the allies on a triumphal 3-month tour throughout the United States.

MacNider, who accompanied the French hero on his trip, spent only 5 days in Mason City that year, one of them when Foch visited his hometown. During the arduous year MacNider averaged better than three appearances on public platforms a day. His mail reached such a volume that four secretaries were needed to handle it. To his great annoyance it contained a substantial number of love letters from all over the country.

A great deal of MacNider's time was spent in Washington where the legion put through the first comprehensive veterans' legislation in the form of a rehabilitation program for the disabled.

The legion and MacNider ran into a buzz saw, however, with a proposal for adjusted compensation for veterans in the form of paid-up insurance to help them through the depression era. It was promptly labeled a cash bonus (because of certain minor features) and a raid on the Treasury by conservative groups. MacNider found himself in a position that seems rather strange today—of fighting the National Association of Manufacturers and the U.S. Chamber of Commerce.

While the bill passed Congress, it was vetoed by President Warren Harding, although he had declared in favor of the exact bill during his campaign for election. When MacNider confronted him with his earlier statement, Harding raged at him, then confessed that financial backers had pressured him into backing down, and finally pleaded that he not be quoted in public.

Shortly after this incident, Governor Nate Kendall of Iowa tendered MacNider an appointment to the U.S. Senate to fill the vacancy caused by the resignation of William S. Kenyon to accept a Federal judgeship. Although his father and many of his best friends urged him to accept, the 32-year-old commander felt it would be letting the Legion down. Critics would claim that it was a vehicle for personal political ambitions. The surprised American press applauded his decision.

Home again in late 1922, MacNider became the executive officer of an investment affiliate to the family bank. During the next 2 years he also took an active role in the Republican Party, serving as chairman of the Republican Service League which endeavored to attract the veteran's vote.

On February 20, 1925, he married Margaret Elizabeth McAuley, also a native of Mason City. That fall, President Coolidge asked him to come to Washington as the Assistant Secretary of War to help organize the industrial mobilization plans which the Legion backed so strongly during his term as commander.

Although his family, and particularly his father, wanted him to refuse the appointment, the old urge for service with the military was too strong and the newly married couple moved to Washington in October. His agreement was to serve only 1 year, but the President persuaded him to stay on until early in 1928.

During these Washington years, he served as Acting Secretary of War a great part of the time. Cabinet meetings were not devised for people like MacNider, however, and it was later reported that he would sometimes celebrate the end of a conference by leaping over a chair or turning handsprings. MacNider found inspecting Army installations and making talks on national defense more to his interest. By this time he had developed into one of the country's most accomplished public speakers and was noted for his lucid and forceful delivery.

MacNider came to know many rising young public figures during this period. Dwight D. Eisenhower, then a major, served as an assistant executive officer in his office as did Leonard Gerow and Mark Clark, who were to become army commanders under Eisenhower in World War II.

While in Washington MacNider was given an honorary degree of Master of Military Science by Norwich University, served on the commission to plan and erect the tomb of the Unknown Soldier at Arlington National Monument, and was a member of the Washington Bicentennial Commission.

In the meantime, Mrs. MacNider had proved to have been made out of the same fiber as her husband. Just after the family had left Washington, "Maggie" MacNider was introduced to Frank Kent of the Baltimore Sun outside of a Chicago club. She jabbed him in the seat of his pants with a hatpin right on Michigan Avenue for saying that Coolidge had kicked MacNider out for urging larger munitions expenditures, when he had been trying to leave for 2 years.

In the summer of 1928 MacNider was home in Iowa again after a short European vacation and took up his investment banking interests again. The couple now had three sons, Tom, born in 1926 and Jack, born in 1927. A third son, Angus, had arrived shortly before they moved back to Mason City. A larger home to accommodate the family was under construction on a farm east of Mason City. Then suddenly on October 30, 1928, Charles H. MacNider died.

In addition to his banking and cement interests the elder MacNider had been a director of the Federal Reserve Bank of Chicago, Western Grocery Co., United Light & Power Co., the Milwaukee Railroad, and numerous other concerns. The settling of his estate became a long and complicated task. There were many equity and partnership holdings in land, country banks, and local industries. The First National Bank, of which he had owned control, called for special attention. Hanford MacNider, who took over as chairman of the its board, welcomed an opportunity to join with the Northwestern National Bank of Minneapolis to form the Northwest Bancorporation, a holding company which was soon expanded to take over a hundred banks in Minnesota, Iowa, Wisconsin, the Dakotas, and Montana. As vice president and director, MacNider put considerable effort into its organization and management.

The following year, 1929, which called for the final settlement of his father's estate, was a crucial one for MacNider. It established for once and always that he had as much acumen in the business field as he did in military and public life. He describes his role that year in this way: "The upset national economy called for strenuous efforts not only to help guide the new big banking enterprise, but to hold together at home many local situations caught in the backlash of a sinking market, not only for capital investments, but for land equities which had always been one of the mainstays of Iowa's economy and most of its inhabitants.

"On my father's death, the original promoters of the Northwestern States Portland Cement Co., of which he had been president, returned to take over the management with almost immediate unhappy results to both the property and its stockholders. To save the concern as an asset to the community it became necessary to obtain the necessary financial backing to buy them out and assume the presidency myself, which I did late in 1929."

In the midst of these trying days, President Herbert Hoover called Hanford MacNider to Washington and asked him to undertake a mission to Canada to negotiate a treaty for the development of the St. Lawrence Waterway. Hoover believed that the waterway would open new markets for the Midwest and thus strengthen the national economy. He proposed to name MacNider Minister to Canada. Thinking of his own affairs, MacNider demurred. The months went by but the word from Washington was that the search for another appointee was getting nowhere. Finally, MacNider agreed that he would attempt the assignment if it would last no longer than 6 months. Because his father's family had come from Canada, he would have ordinarily welcomed the assignment.

When the President sent the nomination to the Senate, Senator Brookhart, of Iowa, who had not been consulted, went into action to prevent the Senate's necessary approval. It was a bitter and personal fight. MacNider still calls the Senator "an ardent, rabble-rousing Socialist." Brookhart and the elder MacNider had quarreled for many years and young MacNider had earned his animosity by his strenuous efforts to elect Daniel Steck of Ottumwa, a conservative Democrat, to his seat in 1928. While Brookhart denounced MacNider as personally objectionable, Hoover showed his support by having him as a weekend guest. In due course, the Senate approved his appointment and in June 1930, MacNider and his family moved to Ottawa.

Contrary to President Hoover's understanding with the Canadian Government headed by the Liberal Party's Mackenzie King, the newly elected Conservative, R. B. Bennett and his Tory Party not only showed no interest in the St. Lawrence proposal, but no inclination even to discuss the matter.

This put an unexpected light on the diplomatic mission and offered a challenge MacNider could not ignore. It was 2 years later before the Canadian Government finally agreed that if the United States would approve the necessary treaty, that it would go along. Syracuse University recognized his efforts in Canada with an honorary degree and he received full credit for his efforts but the treaty became bogged down in Congress. It was not until 1953 that it was fully approved.

Mrs. MacNider was particularly popular in Canada. The family treasures the many pieces of silver given to her by both King and Bennett while in Ottawa. She is still as forthright as ever, nevertheless. At a White House dinner during this period, President Hoover explained to the MacNiders that he had managed to kill a proposed referendum on liquor, prohibition, of course, then being in effect. As the General tells is, "Maggie put her finger right in his face and said, even though she has never taken a drink in her life, 'You're making one great big mistake.'"

Home again, MacNider resumed his duties as president and general manager of the cement company, chairman of the board of the bank, and officer and director of the Bancorporation and other industrial and financial organizations.

MacNider had been a delegate at large to the 1928 Republican National Convention and was nominated for the Vice-Presidency at Kansas City. In 1932, the Iowa delegation, through Jay N. "Ding" Darling, placed his name in nomination again for Vice President although he refused to take part in the effort. He received 178 votes from Iowa and 25 other States, but withdrew when President Hoover asked the renomination of incumbent Vice President Charles Curtis.

In 1940, the Republican State convention in Des Moines endorsed MacNider for the presidential nomination and that summer his name was placed in nomination by Verne Marshall, of Cedar Rapids. After Wendell Willkie finally won the nomination, MacNider remembers being approached by his backers as to whether he would accept second place on the ticket. MacNider declined to be considered.

In the year that followed MacNider became involved in one of the most controversial aspects of his career. He became a leader in the "America First" movement, an action he still vigorously defends.

In reference to this period, he likes simply to refer to a Saturday Evening Post editorial written November 1, 1941, which reads:

"A TEXT FOR LOYALTY

"Lest it be lost or forgotten, we wish to leave in the pages of the Saturday Evening Post the record of a fine and courageous utterance. At the recent convention of the American Legion in Milwaukee, Hanford MacNider, a former national commander, represented the lost and unpopular cause of nonintervention. For that and for his active association with the America First Committee, he was booed by his comrades when he took the platform to speak on a resolution supporting the foreign policy of the President. Yet he knew where he stood and was sure of it, because he had resolved in the right way the question that has tortured millions of Americans.

"'I have nothing but commendation for that sort of resolution being presented to this convention,' he said. * * * 'But I want this convention to have the guts to say what it means. If this is our war, let's go in; if it isn't our war, let's stay out. I hope I never hear again that we are cringing behind the British Navy while somebody else fights the war. * * * The President should ask Congress for a declaration of war. Then, if Congress thinks that the proper course, it can declare war, * * * and then you and I will march out again to lick the enemies of our country.'

"Such is loyalty without price, loyalty to one's country at any sacrifice of personal conviction. No government in its senses could ask more of a citizen, and we think that if the administration, instead of smearing the noninterventionist, had assumed their loyalty and patriotism from the beginning, the cause of unity would have been well served."

Once America was at war, however, MacNider immediately applied for active service as an Army reservist. Rebuffed as politically undesirable, his persistence was finally rewarded in January 1942 by assignment to the southwest Pacific theater.

The MacNider legend in the Pacific became nearly as great as the MacNider legend of World War I France, but is somewhat better documented by press accounts.

He was particularly noted for ranging far and wide ahead of his troops. Once he drove his jeep to a small town in Batangas Province in southern Luzon, turned to his aide and asked:

"Do you know what town this is?"

The aide didn't know.

"Well," said MacNider, "you are in Cuenca. Our infantry attacks here tomorrow."

The infantry attacked on schedule the next morning capturing a 12 CM howitzer and killing 83 Japanese.

MacNider's attitude toward danger was a cause of concern to other officers. One time he entered the town of Lemery ahead of his troops, had coffee with the mayor and greeted the leading infantry elements, arriving later.

They tell how, on Lingayan front MacNider was irked when the men dashed for foxholes during a bombardment and left a whining dog in his headquarters building.

"Someone come and get this dog," he called to the men. "I can't sleep with him howling in here."

MacNider arrived in Australia in 1942 even before Gen. Douglas MacArthur came from Corregidor to forge a new fighting force. He was immediately given the task of directing the reception of shipping, even though he claimed to be "just an Iowa farmer who didn't know one end of a ship from the other." With MacArthur's arrival, he was promoted to brigadier general.

In September, 1942, General MacNider was transferred to Port Moresby, New Guinea, to lead the 32d Division's 128th Regiment attack against Buna. The operation was designed to protect the land approach to the Air Force installations around Port Moresby.

The infantrymen were flown across the Owen Stanley Mountains and started a grueling 2-month march up the coast toward Buna.

"It was a terrible ordeal," he recalled later, "resembling nothing so much as a 'battle in the dark insides of a wet mattress.' It was the rainy season. We had to wade swamps and streams. The men were never dry. We had to be supplied by luggers running along the coast. Ofttimes we only had enough for the next meal.

"We had only what weapons we could carry on our backs. The Japanese were digging in while we had to wait for the other troops to cross the mountains. All we had for artillery were two mortars."

On the third day of actual fighting, November 23, MacNider was trying to reestablish a wavering line. He was talking to a soldier huddled in a slit trench when a Japanese grenade killed the soldier and severely wounded the general. MacNider caught some 11 fragments, the first American general officer to be wounded in combat in World War II. Abdominal wounds raised fears for his life. A tiny fragment in his left eye was considered minor at the time, but caused trouble for the next year and a half.

MacNider was evacuated to Australia and received a second cluster for the Distinguished Service Cross. After 3 months' hospitalization, he returned to administrative posts and went to the Admiralties with the 1st Cavalry Division to direct the job of building roads, airstrips and docks.

Finally, in June 1944, he was flown to New York for a successful series of eye operations. By September he was back in the Pacific and was given command of the 158th Regimental Combat Team and the 503d Paratroop Regiment who were still securing Noemfoor Island off Dutch New Guiena. The island was soon developed into a large supply base for the Air Force.

MacNider was able to participate for the first time in an assault landing from the sea when the 158th landed at Lingayen a day after the initial assault and while heavy fighting was still in progress. Then his outfit, augmented by two additional regiments, was assigned to clear the mountainous country inland to secure the west Luzon coast. The Bushmasters, as they were designated because of the basic infantry regiment's Panamanian experience, were then shifted to the operation to capture Batangas, the second largest Philippine fort.

During this time, "Happy," as his GI's labeled MacNider, was in his element. The men in his outfit were largely composed of former members of the Arizona and New Mexico National Guard units and they had found their man in MacNider. A reporter in the Philippines quotes one enlisted man's opinion of the General: "He can outclimb, outwalk, outalk, and probably outfight any man in the outfit."

He could also still outdrive anyone, as numerous stories recall. One driver assigned to the general in the Philippines complained that he was never allowed in the driver's seat.

With the Bushmaster's mission in southern Luzon completed, the troops were taken by ship to Legaspi, the third most important Luzon port, for an assault landing which started on Easter morning 1945. Although reinforced by many new units, the attackers soon found that the Japanese were too deeply entrenched in the jungle hills behind the big port to overwhelm immediately. While these positions were being reduced, scattered garrisons were taken all along the 250-mile-long, mountainous peninsula and civil government was restored to the Bicol provinces. The 5th Cavalry was assigned to the MacNider force for the final reduction of the Japanese naval garrisons.

When V-J Day came MacNider was flown to Japan to make arrangements for the newly assigned occupation area for his troops close to the great shrine of Nikko. With the end of the war he asked for transfer to the States for discharge. His son Jack, who had fought on Iwo Jima with the Marines and was then stationed at Sasebo, Japan, accompanied him home.

The first MacNider family reunion in Mason City saw all branches of the service represented as Tom MacNider had served in the Air Corps and Angus MacNider had joined the Navy. After the war Tom and Jack were to go on to Harvard and Angus entered the University of Arizona and later transferred to Iowa State College at Ames. Earlier, all three had attended Milton Academy.

Today both Jack and Tom are active in the management of Northwestern States Portland, Jack as president and Tom as executive vice president. Angus died after a serious accident in the spring of 1953. Jack and his wife Margaret have one son, Charles. Tom, who is now divorced, has two daughters.

The general still remains active in the cement company as chairman of the board. After World War II he dropped his prewar banking and business connections outside of Mason City except for a trusteeship of the Equitable Life Insurance Co. of Iowa which he kept until 1957. Jack is now an Equitable trustee.

Among the widespread interests MacNider returned to after the war were the farms under his management. At one time the general owned nearly 10,000 acres around Mason City split into 26 farm units. MacNider says that a great deal of this land has been sold in recent years. The land was largely acquired as a result of the sale of the First National Bank to the Northwest Bancorporation. Through a series of transactions from 1928 to 1932, MacNider took the land in payment of his bank holdings. He recently pointed out that at the time cash would have been far more welcome, but it worked out for the best.

Another object of attention has been the Hotel Hanford. Original plans for the hotel, built as a community project immediately after World War I, called for naming it the "Colonel Jack" in honor of the local hero. MacNider objected strenuously and his mother's maiden name was selected instead. When the hotel ran into difficulties the MacNider family took over and have what is described as a "major position" in it today. Part of the top floor is occupied by the warmly decorated rooms of the Euchre and Cycle Club. In the last few years the hotel has been thoroughly modernized and a Hanford Motor Lodge has been built on the highway to Clear Lake.

In the spring of 1946 General MacNider, who was earlier a Grinnell trustee from 1929 to 1934, was elected an overseer at Harvard College and during the next 6 years he served as chairman of its military affairs, visiting committees and with other groups. At the same time, General MacNider and Jack MacNider have been leaders in the Iowa College Foundation which raises funds for Iowa's private colleges.

In the postwar years, the general was frequently called to Washington to serve on various Army policy boards. He also agreed to take over command of the 103d Reserve Infantry Division assigned to the States of Iowa and Minnesota. He was promoted to major general and he retired from this post in 1952. In 1956 he was advanced to lieutenant general by an act of Congress.

Local philanthropies have continued to occupy the general and his family. The MacNiders have given the city six parks with nearly 200 acres. Just last August they gave the city $35,000 in securities for an art museum. The gift has been used to purchase one of the old Mason City mansions. Local citizens are now raising funds to renovate the building and start an art collection. The city has agreed to maintain the property and hire an art director.

The general's mother, May H. McNider, died in 1954 at the age of 90. She was busy to the end with many club, gardening, and conservation activities. The principal interest of Mrs. McNider, however, was the Mason City Public Library. She served over 60 years as a trustee and for a long period as head of the board. Together with her son she gave the people of Mason City the downtown acreage upon which the new library was erected in 1939. She took particular delight in the development of the gardens and grounds, which to a large degree she personally financed. The library contains a fine collection of autographs of famous authors donated by the MacNider family.

Her son recalls that the only pride she ever expressed in his public activities was when an article over his name was published in the Atlantic Monthly. Across the years there had been many similar contributions published in various magazines and newspapers, but they were of little consequence compared to recognition in the venerable Atlantic which had always been for her the bible of current American literature.

Since Mrs. McNider's death the family have allowed the Cerro Gordo County Red Cross to use her former home as a headquarters.

Many stories about the general have been passed down among thousands of inches written about him. One recalls how while at Harvard he and two friends returned to Milton Academy, broke into a laboratory, stole a skeleton, draped a fur coat around it, and drove around with their new acquaintance. It was later returned intact, but not before considerable Boston agitation.

During his collegiate travels Hanford once traveled on a cattle boat. While en route he slept in the hay. One night a steer got loose in the hold. MacNider got calmly up from the bed, bulldogged him, and then retired again.

Visiting MacNider today at his Indianhead estate, perched on a glacial knoll just east of Mason City, one overlooks 1,000 acres of his choice Iowa land. Because of the general's health, he and his wife have withdrawn to the first floor, converting its former living room into two large bedrooms plus an access hall, there is still a baronial amount of room.

Indianhead's stables which once provided enough horses so that the entire family could ride together each morning are no longer maintained, but the grounds are still kept in top trim even though the general no longer devotes as much time to weed and dandelion digging as he was once famous for.

Appropriately, the general's main interests are his library and his map collection. The large library contains beautifully bound complete sets of numerous classic American and English authors along with letter autographs of the authors. MacNider is said to have read nearly every book in the library.

For many years MacNider collected rare maps and old prints before his wife insisted he call a halt, giving lack of space as the reason. He still loves to examine those in his collection.

The general and Mrs. MacNider share a love of fine antiques. They have filled their home with museum-quality English and American antique furniture, old silver, and fine china.

Indianhead has been the site of many events, often to entertain visiting dignitaries among their extensive number of prominent friends. Two large parties are given every year now—one for company oldtimers and one for company customers.

The MacNiders spend 3 winter months at Siesta Key, Fla.

During his career MacNider has been the center of many controversies. One furor was raised when Colonel MacNider appeared in military uniform when presenting himself as Minister to Canada. MacNider felt he was doing honor to Canadians as allies in World War I, but the Washington Daily News editorialized that "there should be no place for a man so lacking in good taste."

The press soon changed its mind, however. By 1932, the Buffalo Evening news was hailing MacNider as a "new type of diplomat" who had won the hearts of the Canadian people. The article described his "twinkling eyes," "forceful chin," "smile that won't come off," "capacity for work," "quality of shrewdness," and "bluff and hearty manner." It also quoted his fast friend Premier Richard B. Bennett on another MacNider trait: "He is profane. Exceedingly so, but his profanity is not shocking. Rather it is picturesque, or even funny. He makes his Canadian friends feel they are the finest people on earth."

Another profile of MacNider at a later date describes him as "a man of quick temper, salty language, and qualities of leadership that let him size up a situation at a glance and then take over." In writing of the general another newsman called him "Impeccable in manner," "loyal to a fault," "impulsive," and "more cautious than might be supposed"—all in the same article.

If MacNider were the kind to frame quotations, an appraisal from World War II should deserve the place of esteem. In 1943, the Minneapolis Star Journal on the occasion of MacNider's receiving the Legion of Merit from MacArthur called him "one of the greatest civilian fighting men, if not the greatest, in this generation of Americans."

Even today at 75, MacNider exhibits the same drive which took him through so many careers. His ramrod posture and his bright eyes are every inch the general and the leader. But he has lost none of the humor or humaneness. It is hard to think of him as a living legend and harder yet to judge his role in history. One assessment can be fairly given to him now, however. As a friend remarked recently, "At the very least, he has been a good shepherd of his resources."

Lt. Gen. Hanford MacNider's Decorations and Awards, World War I and II

DECORATIONS (28)

Distinguished Service Cross with 2 clusters.
Distinguished Service Medal.
Silver Star with 2 clusters.
Legion of Merit.
Bronze Star with cluster.
Air Medal.
Purple Heart with cluster.
Bronze Arrowhead.
Distinguished Unit Badge with cluster.
Commander, Legion of Honor, France.
Croix de Guerre with 2 palms, gold star, and silver star, France.
Croix de Guerre Fourragere, France.
War Cross, Italy.
Commander, Legion of Honor, Philippines.
Liberation with star, Philippines.
Presidential Unit Badge, Philippines.

SERVICE AWARDS (18)

Mexican Border Medal.
Victory Medal with 5 bars.
German Occupation Medal.
Asiatic-Pacific Campaign Medal with 6 stars.
American Campaign Medal.
World War II Victory Medal.
Japanese Occupation Medal.

PROPOSED EXCISE TAX REDUCTIONS

Mr. PASTORE. Mr. President, I applaud the statesmanship of President Lyndon B. Johnson and the sound fiscal policy evident in his proposed excise tax reductions.

President Johnson's message can only indicate and fortell all enhancement of the expanding prosperity our country has enjoyed through these past 50 months. His wise tax policies have contributed vastly to this upward movement.

The excise tax reductions now proposed bring a special satisfaction to those of us who on this Senate floor have fought for a repeal of these burdens on the small businessman and ultimately on the consumer.

In my State of Rhode Island the jewelry industry, in particular, with its myriad of small enterprises as well as large, has suffered from the inequity of wartime taxes indefinitely extended in peace.

Our senatorial efforts have not been in vain. Victory may have been postponed for a time—but we won recognition for the justice and soundness of our cause in the promises of election platforms.

This administration has lived up to its promises—and those promises are based on the sound premise of encouraging our prosperous and growing economy.

Indeed, the forecast in the President's budget message of excise tax cuts to come has been doubled. The promise then of $1.75 billion has become a $3 5 billion cut. This has been warranted by our experience with the response to President Johnson's tax cut of 1964.

In various speeches throughout the country I have had occasion to emphasize that $14 billion cut in income taxes with the consequent investment by industry of billions of dollars, the creation of 2 million new jobs and the vigor of an unparalleled economy in which we all have shared.

I look for a similar effect from this new step. I see it through the eyes of the individual who gets his share, for instance, from the $550 million reduction of retail excise taxes on jewelry, handbags, luggage, furs, and cosmetics.

Then I am sure the manufacturer will pass on to the consumer some of the $608 million to be reduced on refrigerators, TV's, radios, phonographs, records, cameras, and the like.

Admission taxes, telephone, and similar levies amounting to $801 million, automobiles and related items come in for another $738 reduction by New Years' with hundreds of other millions of reductions in due time.

On the other hand, the retroactive feature of some of the items indicates the thoroughness of the thinking behind this measure.

All this means greater consumer purchasing power, a stimulation of all business activity, the creation of many new jobs, a further push upward in the prosperity scale.

It will pay every American—businessman and consumer—to read every word of President Johnson's message.

It is a documentary of good government and sound fiscal policy. It will give you a better idea of our stronger America.

It is an invitation to an even finer America, to the Great Society which means to keep America materially strong so that its moral strength may prevail in a troubled world.

WHO SPEAKS FOR CREATION?

Mr. MUNDT. Mr. President, I have long been interested in conservation and I have served on commissions and other public bodies whose main concern has been cleaner streams, better soil, and a more wholesome environment.

During my tenure in Congress, I have sponsored clean-water legislation and other bills which carry out the long-term goal of preserving our resources. During that time I have heard many eloquent arguments in favor of conservation programs. However, I have never heard or read a more thoughtful presentation on the subject than an article prepared by the Reverend Jaroslav Pelikan, a noted Lutheran theologian and professor of church history at Yale University. This article was called to my attention by a friend, Francis O'Donnell, of Morristown, S. Dak., who shares my interest in water conservation. I believe this article by Reverend Pelikan should be read by thoughtful persons claiming a common interest in preserving the nature of the world as it was presented to mankind. I ask unanimous consent to have this article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Ecumenical Perspective: Who Speaks for Creation?

(By Jaroslav Pelikan, Lutheran theologian and professor of church history at Yale University)

During most of the history of man, nature has been his enemy. The farmer had to wrest his crops from the grasp of a stingy nature, the shepherd had to defend his flocks against a hostile conspiracy, the father had to protect his family from drought and famine. The hidden and unknown forces of a capricious nature were the sworn enemies of man's life and work.

Our attitudes toward nature have, therefore, been determined by this primordial struggle. We still react with self-protective devices when we are threatened by these hidden forces: The hands perspire, the adrenalin flows, the hair bristles. One of the consequences of our knowledge that man's history on earth is far longer than had been thought is the recognition that these techniques of self-defense, appropriate to the jungle but pathetically unsuited to the realities of urban existence, belong to the agelong heritage of the race and cannot be abolished by a simple fiat either of rational morality or of religious obedience.

Religious obedience has, in fact, often emphasized the conflict of man with nature. Much of what Christians have said and written about the relation between man and the rest of the creation has been inspired by the command of the Creator, described in the Book of Genesis, to "have dominion over the earth" and over the fish, the fowl, and all the other beings that populate it. This command has supplied the divine sanction for scientific research into the ways of the natural world and has declared that man's investigations of these ways are appropriate to his place as the crown of the creation and the vice-gerent of God in the natural order.

But the same command has also supplied a sanction for the exploitation of nature which, in the 19th and 20th centuries, has assumed the proportions of an international scandal. For the first time in human history, modern technology has placed into man's hands the capacity to alter permanently the very character of his natural environment. Streams that have supported fish for millennia are now so choked by filth that nothing can live in them or on them. The forests and the plains have been denuded of their vegetation, leached out and eroded and stripped by the relentless winds. The very air surrounding all of us on earth has been poisoned.

Thus the creation in which its Maker takes His delight has become a stench in the nostrils of God. Our own period of human history has compounded the felony by spewing forth into the atmosphere the noxious dusts of its atomic weapons, whose final results will not be known until future generations. The effects of all this on man is becoming evident. His "natural resources," his recreation, his sources of food have all been damaged or impaired, and farsighted men everywhere recognize that such pollution simply cannot go on.

But they recognize this largely because of the way all these atrocities affect man. Yet man is not alone on this earth. The rest of the creation needs to be defended, too. It has no great lobby in the various capitals of the world, but it ought to have a defender and friend in the Christian believers of the world, whose reverence for the Creator ought to make them fiercely indignant over the atrocities of man's inhumanity to nature. The creation is mute, although it does speak in accents that are pleasing to the ears of God. Who will speak in its behalf? Those who believe in the Creator must.

LETTERS FROM CONNECTICUT SERVICEMEN IN VIETNAM

Mr. DODD. Mr. President, during my recent visit to Vietnam I was able to meet with General Westmoreland and the senior members of his staff; with at least a dozen American officers serving as advisers in the field, including 4 officers from my home State of Connecticut; and with some 50 or 60 enlisted members of our Armed Forces, the majority of them from Connecticut.

I was tremendously impressed by the morale of our Armed Forces at every level.

There are no faint hearts among the Americans in Vietnam, no voices clamoring for withdrawal because the going is rough and the perils are great.

On the contrary, every single member of the Armed Forces I met, every single member of our Embassy staff, every single member of the AID team, was determined that the war must be won and convinced that it could be won.

I ask unanimous consent to insert into the Record a letter which I received from an American serviceman in Vietnam, A1c Willard Stevane and four statements I received from officers serving as advisers in the field, all of whom come from my home State of Connecticut, and whom I had the pleasure of meeting while I was in Vietnam.

I would call the attention of my colleagues in particular to the concluding words of Lt. (jg.) Edward R. Spitzner of Orange, Conn., whose duties have enabled him to see the war in Vietnam in many areas:

> What the war does not need are those people who constantly sit back and criticize, but fail to view the total picture. If the energy that was devoted to and generated by this criticism were used as a weapon against the Vietcong, there would probably be few of the enemy still remaining in the Republic of Vietnam.

I would also call the attention of my colleagues to the closing words of Airman Stevane's letter:

> Fight for us so we may fight for you in keeping freedom here and always in the United States.

Finally, I wish to call attention to the statement I received from Capt. Nelson J. Sprague, of Manchester, Conn.:

> The character of the American as typified in Vietnam is one which makes everyone proud to be part of the force. The devotion to duty exhibited by the American fighting man is phenomenal. Twelve to 16 hours a day, for week after week without the slightest decay in morale or dedication, depicts the normal scene. All efforts are being concerted into the primary objective; assisting the Vietnamese in defeating the onslaught of the Communist doctrine.

These statements are, I believe, completely characteristic of the attitude and the morale of our servicemen in Vietnam.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Statement of Lt. (jg.) Edward R. Spitzner, U.S. Naval Advisory Group, Saigon, Vietnam

(Home, 362 Drummond Road, Orange, Conn.)

As my arrival in the Republic of Vietnam (February 1, 1964) was preceded by a coup and followed by Buddhist demonstrations and the Kinh Do Theater bombing, I was naturally quite pessimistic about the situation here. This pessimism was further bolstered by ensuing coups and several large battles in which the Republic of Vietnam's Armed Forces, with their American advisers, sustained heavy casualties. This same opinion is readily expressed by personnel whose tour of duty in Vietnam is limited to the Saigon area.

It was not until I had the chance to travel, both north and south of Saigon, as translation group officer for headquarters support activity, Saigon, that this attitude changed. My job takes me to those areas which request an American interpreter/translator or testing facilities for the promotion of Vietnamese civilian interpreter/translators. In this capacity I have had the chance to see much of Vietnam over the past 15 months of duty and have grown to appreciate the people and their love of freedom. Above all, these travels have painted a true picture of the war in Vietnam; not just a picture of single battles with high losses on both sides. It seems to me that many people consider the war here a huge tally sheet, and only count the number of people killed. These people are making a terrible mistake, yet in some cases, it is the only thing from which they have to formulate an opinion.

In my opinion, the real war, which never appears in newspapers or on tally sheets, is being won in the remote, isolated villages and hamlets of Vietnam. Here, the American advisers and their counterparts are using all available means to improve the security conditions and the social and economic wellbeing of the people. The results of such projects can be seen by the many smiles one receives when touring such a village. Although this is the one aspect of the war which has impressed me the most, I feel that we cannot forget the many sacrifices made by those units which daily engage the Vietcong in battle. This is not a single, large war, but a war which is composed of many smaller wars which, in their entirety, form the Vietnam picture.

The effective work of the advisers, coupled with a sound psywar and "Chieu Hoi" policy—i.e., an open-arms policy which encourages the Vietcong to defect—should bring more positive and far-reaching results in the future. Now, when morale is high, due to the recent attacks on North Vietnam, is the time to push harder and harder and to drive the Vietcong from South Vietnam. What the war does not need are those people who constantly sit back and criticize, but fail to view the total picture. If the energy that was devoted to and generated by this criticism were used as a weapon against the Vietcong, there would probably be few of the enemy still remaining in the Republic of Vietnam.

There has been a tremendous improvement in the overall war effort in the last 6 months. If we can maintain this status throughout the upcoming rainy season, the Vietcong will be on the run, and running fast at that.

Statement of Capt. Nelson J. Sprague, U.S. Air Force

(Home, 19 Ann Street, Manchester, Conn.)

I am presently assigned in southeast Asia at Tan Son Nhut Airbase, Saigon, Vietnam, as a pilot for the Embassy aircraft located here.

The character of the American as typified in Vietnam is one which makes everyone proud to be part of the force. The devotion to duty exhibited by the American fighting man is phenomenal. Twelve to sixteen hours a day, for week after week without the slightest decay in morale or dedication depicts the normal scene. All efforts are being concerted into the primary objective; assisting the Vietnamese in defeating the onslaught of the Communist docrtine.

It is extremely gratifying to witness, personally, the vast buildup of American air, ground, and sea power. It is truly one of the greatest deterrent forces ever amassed in a limited war effort.

It is, I believe, still early to record any decided changes in Vietcong tactics resulting from our continuous destructive air strikes in the North. The impact on Vietcong supplies, manpower and morale obviously is devastating, but presently is being well concealed in their diversified activity.

The next few months will represent a turning point in southeast Asia, revealing not only our actual progress in the fight against the spread of communism, but also the true intent of Communist China and the Soviet Union in southeast Asia.

I firmly believe that our efforts in southeast Asia must be intensified and expanded in order to insure the victory that we and the free peoples of the world need to preserve a free and democratic society.

Statement of Capt. Richard J. Tersech, IV Corps Adviser

(Home, 98 Cedar Ridge Road, Newington, Conn.)

I have been in Vietnam for about 8 months, first as a rifle battalion adviser in the 7th Division tactical area about 50 miles south of Saigon in the Mekong Delta. After 6 months with the rifle battalion I was made operations and training adviser in Dinh Tuong sector with headquarters at My Tho which is also the headquarters of the 7th Division. The following are my personal observations on the war as I have seen it:

The Vietnamese military personnel I have dealt with as an adviser to the 1st Battalion, 12th Regiment, 7th Infantry Division, are professional soldiers who love their country and who will continue to fight until they see it free. The professional ability of the officers is high and the courage of the individual soldier is unquestionable. Looking back on my 6 months with the rifle battalion I can see improvement in the locations our battalion occupied. These improvements include a marked increase in the number of people living in the area because of the security the battalion offered. With the increase in people there followed an improvement in the economic well-being of the community because of increased trade and improved roads.

The second part of my tour in Vietnam has been as the operations and training adviser of Dinh Tuong sector. This job has given me a look at the paramilitary and civil aspects of the war here. Again the Vietnamese working at the sector and district level are, for the most part, dedicated and capable men who are slowly convincing the population that the Government will help them and that the Vietcong are, in fact, Communists who wish to exploit them for their own use. This "winning the hearts and minds of the people" is slow work, but again, I can see improvement in conditions over what they were when I arrived in Dinh Tuong sector.

Statement of Capt. Howard E. Belinsky, IV Corps Adviser

(Home, Seymour, Conn.)

I arrived in Vietnam on September 5, 1964. For my first 6 months I was assigned as the operations and training adviser, Kien Hoa Province. Kien Hoa is approximately 65 miles south of Saigon in the 7th Infantry Division tactical area. After 6 months at province level I was assigned as the battalion adviser, 1st Battalion, 12th Regiment, which operates throughout the division tactical area. Upon my assignment to the Mekong Delta region of Vietnam I found an area of fertile soil cultivated by thousands of hardworking Vietnamese farmers. It is an area which has an overabundance of rice, bananas, coconuts, pineapples, and dozens of other native Vietnamese fruits and vegetables. It is the Vietnamese farmers who till the land who are the victims of this Communist guerrilla war. In those areas of Vietcong domination it is these farmers who live in small villages and hamlets who are exploited to provide new recruits, food, revenue through taxation, and a base of operation. Left alone these people have no other choice but to unwillingly provide support for the Vietcong effort. Right now many inhabitants of these Vietcong dominated areas are becoming demoralized because of high Vietcong taxation, a constant flow of Vietcong propaganda and promises which have fallen flat. In those areas where the government of Vietnam has control now and is working to reestablish control, the people willingly support the national government. Given the necessary economic aid and assistance these once Vietcong dominated villages again prosper and regain their high rates of productivity. At the village and hamlet level what is needed right now is the necessary aid and assistance to support the pacification program and to build roads, bridges, schools, dispensaries, and other community facilities.

Box 121, San Francisco, Calif.,
APO 96337.

Hon. Thomas H. Dodd: Not long ago I wrote you a letter while stationed in the States giving my opinion to stay in Vietnam. Last week I arrived here at DaNang Air Base, Vietnam. The morale of the troops that I associate with is high. We want to win this fight for freedom. Each of us has to work at least 12 hours a day and there is no complaint even when it is Sunday. The food is not the greatest and neither are the recreation facilities. They are a lot better than I had anticipated. Fight for us so we may fight for you in keeping freedom here and always in the United States.

I remain,
Respectfully,
Willard Stevane,
AF11360060, 23d CAM.

RECORDS AND THE INVASION OF PRIVACY BY FEDERAL AGENCIES

Mr. LONG of Missouri. Mr. President, the Subcommittee on Administrative Practice and Procedure of the Committee on the Judiciary, over which I preside, has been conducting an investigation of invasions of privacy by Federal agencies. The investigation has uncovered quite a few violations of this basic human right. Indeed, the further we dig, the dirtier it gets.

Judging from the mail, there are many citizens aware and concerned about the threat to their privacy. I have recently received a letter from a doctor of political science at Oklahoma City University. In addition to expressing his concern over our loss of privacy, the doctor enclosed a reprint of an article he wrote for the Social Science magazine. In the article, he discusses another method of invading the individual's right to be left alone. The article is short and I request that it be reprinted at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Records and the Invasion of Privacy

(By Stanley P. Wagner, chairman, Department of Political Science, Oklahoma City University)

(Dr. Stanley P. Wagner, chairman of the department of political science at Oklahoma City University since 1962, studied at the University of North Carolina and Shrivenham American University in England, and has his B.A., M.A., and Ph. D. degrees from the University of Pittsburgh. He has been coordinator of the interdisciplinary course in social science at Allegheny College and, while at Meadville, had also served as a commissioner of the public housing.)

There is a new social control mechanism in our industrial society. This is the result of the accumulation of personal information on individuals. These data, collected on each one of us, expose people to potential public approval, disapproval, and manipulation. In the past, this caused us little concern, since there were few records on the ordinary person. But today such information is quite extensive. This paper explores the threat generated by the existence of our past records.

There is a growing concern in our society over what is usually referred to as "the invasions of privacy." The nature of such invasions and the areas invaded are generally described as an increase of interruptions and demands on our time which impose themselves on the solitude of our thoughts and personal activities. There is no longer even a place for privacy. The home, once considered sacrosanct and the last refuge, is now invaded by the salesman, the social worker, the pollsters, and the PTA organizers either directly or through our telephones and television sets. Besides that, the story goes, Americans have cultivated an insatiable inquisitorial habit which makes them overly concerned with the affairs of other people. European observers on the American scene are amazed at the familiarity the American citizen is willing to assume toward our noted and famous people. There is an increasing surveillance by our government of previous areas of privacy. Extension of congressional investigating facilities, community redevelopment groups, "Get out the vote campaigns," the extended form of the national census, community industrial drives, and so forth, challenge us with increasing intrusion. There was recently in New York City a dispute over music piped into Grand Central Station, where the commuter was exposed en masse. Fortunately, some felt, it was challenged successfully as an infringement on a person's private solace. These types of intrusion are evoking a fear from a serious and sensitive public that our traditional respect for privacy is in danger of being corrupted or slowly eroded entirely.

A brief examination of our popular and scholarly journals reveals in some detail the specific nature of the above concern. The American Scholar has, in the past few years, published four essays on the subject. These have attempted to define the sphere of privacy, its protection by law, its invasion through technology and the mob, and the reforms necessary to win back and preserve man's private domain.[1]

The major portion of the February 10, 1955, issue of Reporter magazine was devoted to a description of the increased activity of private investigators in this country, whom these investigators were watching, and why. Harper's magazine of July 1955 carried an article by one of America's great novelists, William Faulkner, on the erosion of our privacy. Mr. Faulkner expressed grave reservations over the ways in which the American press or representatives of an organized group investigate what the novelist called the personal life of a man. H. B. White, writing in Social Research in June 1951, spoke of a "right of man to be let alone, a right against the world," which is disappearing and which the author deemed valuable for the world.[2]

Harold Lasswell has an article in Conflict of Loyalties entitled "The Threat to Privacy." In addition to the dangers already cited, he points out how these threats are reinforced through technological developments, such as ultrared photography which enables a record to be made without a flash bulb, one-way glass for observing people, and the telephone tap. His concern appears to be greatest, however, over the demands of executives making requests for psychiatric appraisals of their prospective high-echelon employees.[3]

The field of fiction has explored in a tangential way some of the recent invasions of privacy and their possible effects through such notable works as Orwell's 1984 and Vonnegut's Utopia 14. Both works attempt to show the potential loss of privacy and the corresponding loss of human dignity, if we persist in our present direction.

The two most serious and extensive works devoted to this area primarily from a theoretical point of view are E. A. Shils, "The Torment of Secrecy" and Hannah Arendt, "The Human Condition." Both of these are excellent works, especially in describing this tendency in the United States. Both authors use the concept of equilibrium as a basis for judging the present invasions of privacy. Arendt's work shows how the ancient Greeks had this appropriate balance between public and private, while Shils demonstrates the same concerning the British of today. Both authors agree that Americans today do not have such a balance, but hope to achieve it through a modification of our expectations.[4]

This concern for privacy today, which exceeds our national boundaries, is probably best indicated by the fact that it was included in the Universal Declaration of Human Rights:

"No one shall be subjected to arbitrary interference with his privacy, family, home, or correspondence, nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks."[5]

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[1] Richard Rovere, "The Invasion of Privacy," American Scholar, Autumn 1958, pp. 413–421; August Heckscher, "The Reshaping of Privacy," ibid., Winter 1958–1959, pp. 11–20; Granville Hicks, "The Limits of Privacy," ibid., spring 1959, pp. 185–193; Gerald Johnson, "The Invasion of Privacy," ibid., autumn 1959, pp. 447–457.

[2] Howard B. White, "The Right to Privacy," Social Research, June 1951, p. 191.

[3] R. M. MacIver, editor, "Conflict of Loyalties," New York: Harper, 1952, pp. 125–127.

[4] Edward A. Shils, "The Torment of Secrecy," Glencoe, Ill.: The Free Press, 1956, Pt. I, 1 and 2; Hannah Arendt, "The Human Condition," Chicago: The University of Chicago Press, 1958, sec. V, p. 27.

In order to bring into sharp focus this new and more dangerous invasion of privacy one should examine the history of this problem in America. To begin with, there are no articles or books in the English language on this subject before 1890. The first relevant article was written by Samuel D. Warren and Louis D. Brandeis for the Harvard Law Review in 1890. It seems, then, that the public concern over privacy is a 20th century phenomenon. None of the important political and social theorists of the 17th, 18th, and 19th centuries referred to a need or right of privacy or any threats to it. There were persecutions of writers and inventors from the earliest recorded history, but one must remember that these were almost inevitably inspired by the writer or inventor himself when he chose to make his creation public. The importance of a type of privacy was implicit in the laissez-faire philosophy of the 19th century, but this was aimed primarily at keeping the government out of certain areas, especially business. There was no implication that nongovernmental organizations were to be limited in their activities regarding human surveillance.

The question, then, is: What explanation is there for this absence of a fear of the invasion of privacy before the 20th century, and what new conditions account for this new phenomenon? The authors already mentioned give one of the following three reasons, some combination of them, or all three as the sources of such invasion: (1) crowded communities; (2) new techniques and facilities for spying on people; and (3) a new ethic which accepts surveillance and intrusion.

All three of these conditions have put us under increased surveillance. But while these are annoying, they are still human and manageable. We might have to resort to some evasion and lies to escape being spied upon, but we can still manage. Now, however, a new specter is haunting our lives. For the first time in history, we have a new type of public which is invading the old type of privacy. This new public consists of the records that are now being made and kept on us.[6] Such records are becoming increasingly more available to make judgments on people. Consequently, the thesis of this paper is that a new and greater danger to privacy today is being caused by the increased recording of our behavior. The significance of these records, the way in which they invade privacy, and their potential consequences will be now examined.

Two points are essential in appreciating this thesis: the specific nature of the records and their significance in our industrial society. The records examined here are only those made on individuals alive today and not those dealing with past history or with other than individual behavior. This is done arbitrarily in order to develop the argument.

The following illustration should aid in identifying the nature of the records under consideration. One is the number of records that colleges and universities obtain from applicants. There are V scores and IQ scores, scores of place in class, grades, recommendations, and so forth on the prospective student. Colleges are increasingly making their choices in terms of such records. A student, then, might be very concerned as to what will go on the "record." This type of document may be referred to as a rather immediate and consciously built one.

There is also the type of record that many people are making without being aware of it. This deals with past performances which have been preserved and are increasingly available through improved filing systems. We became conscious of this category especially during the investigations on un-American activities. Records taken out of their time milieu are ones that public figures, especially political public figures, are finding an important area of information that they must increasingly contend with. It is interesting to add that the American Council on Education's Cumulative Record Folder for College Students has places for 99 entries on a student. These include such items as: name, date and place of birth, sex, color, marital status, religion, age, high school record, college social fraternity, high school rank, achievement tests and school marks, place for photograph, college courses taken, interests, physical or mental disabilities, social adjustment and health condition, personality ratings, parents' background, and many others.

This accumulation of records is perhaps one of the most pervasive social facts of the 20th century. Information reduced to formulas on standardized IBM cards has reached a geometric rate of progression. Like the machine with interchangeable parts, facts on the individual American can be transferred in minutes from the credit bureaus to the bank, to the new charge account, to the tax office, to the police station, to the researcher, and so forth. Our dossiers expand and multiply.

This recording is not the result of any sinister plan to spy on people, deprive them of their privacy, or satisfy some morbid human curiosity; and this is why our awareness of its significance may be limited. The accumulation of records is a product of our level of industrialization and mechanization of production. Such documents are important in economizing resources, in facilitating activity in a highly mobile social system. The complex network of this information draws together the activity of millions of people into some order for production, distribution, and allocation of goods and values. Without this network, a large nation would end in chaos in a relatively short period of time.

Primitive societies were able to carry on their activity for livelihood without records. But they were forced to limit their social organization to an order which grew out of face-to-face relationships and were doomed to remain at that level as long as they failed to use records. A claim to a piece of property in a primitive society could not extend beyond the physical possession of it, while in an industrial nation it is not unusual to own property without ever seeing it. Most of the activity of industrial countries is bound up in its objective records. This is probably more true in the United States than any other country because of its size and degree of industrialization.

One is then faced with the question of the uniqueness of this new condition. Did people not possess records in the past? Certainly there were records in ancient Greece and Rome, as well as in the intervening years since. There were government records of taxes, church records, and military records. All of these combined were still a meager source of information on the behavior of individuals. There were a few exceptions. These were the records on individuals who were kings, princes, and great military leaders. Their actions were often reported in minute detail. And their lives, whether they realized it or not, were to a certain extent circumscribed by these records. The lives of the great majority, however, were never significant enough to be available for public record. But today the treatment of extensive recording that was once reserved for kings is regular practice for all people.

The government of an industrial nation is one of the main collectors and depositories of individual records. Through birth certificates and passports, a government establishes membership in the nation. There are extensive sets of records in industrial countries on all types of material wealth. Real estate, automobiles, airplanes, animals, and so forth, are registered with the government. Through tax policies, and especially the income tax, a substantial amount of the rest of an individual's wealth is recorded. Police and court records will indicate the activity of those who have come into conflict over property and personal relations. A further profile of an individual's relationship to the social order can be obtained from public educational facilities, public welfare records, health and fire department records, and the like. The above list by no means exhaust the types of official recording.

A second vital source of record deposition would be in the nonofficial category. This is far more important in the United States than in countries where the government is more actively involved in the nation's business. Newspaper offices are virtual treasuries of vital information on people. The information from these files is often accessible to the general public. Business establishments are in the forefront of the activity of recording transfers of wealth, and have national bureaus that can, in minutes, give an indication of an individual's credit rating. Hospitals, doctors, lawyers, and countless other professional categories have vital information which permits that delicate web of interrelationships to function in the complex industrial society. This nonofficial area of recordkeeping is more difficult to locate and assess, but, through standardized forms and methods, it is becoming susceptible to rapid information interchange.

A third source of records, those gathered by the professional and "disinterested" researcher, merit special consideration. They could be put in the above category, but the motivation of this group is different. The researcher claims from science his authority to examine and make records. His interest is to provide studies for analysis, comparison, and generalization of the findings. In doing this, the researcher cannot avoid coming across vital personal information. E. A. Shils deals with the ethics of this group in his essay "Social Inquiry and the Autonomy of the Individual."[7] An indication of the personal information which can be published is found in "Men at the Top," by Elliott Osborn[8] Comparative analysis, sparked by curiosity in the name of science, is an explanation for a considerable amount of research in this area. Robert Wernick, in his book "They've Got Your Number," indicates the continual availability of certain studies on specific individuals. He cites one case in Minnesota where a study had been made a generation earlier on scores of infants. This study was later followed up on this same group when they were adults.[9]

The value to social science of such studies is easily defended. Yet, it is apparent that an increase of this type of research tends to make more extensive information available on people's lives. The social science researcher is probably, in most cases, concerned with the ethics of the way in which such information is secured and made available, but there is no agreed code on this subject, even though there would be certain legal restrictions on publication. Once again, it is not the certain use of these records which is being examined, but the very existence of them, their potential, and their number.

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[5] Art. 12.

[6] Record here is defined as "evidence left which is subject to interpretation by someone who has not seen, or participated in, the specific activity from which the record was left."

[7] Daniel Lerner, editor, "The Human Meaning of the Social Sciences," New York: Meridian Books, 1959, pp. 114–157.

[8] Elliott Osborn, "Men at the Top," New York: Harper, 1959.

[9] Robert Wernick, "They've Got Your Number," New York: W. W. Norton Co., 1956, p. 111.

Records are being drawn together from many sources and correlated. The police, of course, especially the FBI, have used and developed such methods to expedite their duties, but the FBI is usually limited to certain categories of people, whereas the social scientist examines the whole gamut, and is perhaps more interested in the normal than the abnormal. The conclusion from this category is that there is a conscious effort at drawing together this information without any intent of influencing the recordee's behavior, although it is actually influenced. Since our society, due to its size and mobility and the desire for efficiency, is learning to rely more on the record than on a personal interview, the social scientist with his skill and ability is there to provide this efficiency. It is conceivable that a standardized cumulative record file on individuals will be the basis on which employment and membership in social organizations will depend. The record will be in the possession of some official agency. And it will all begin as it has already begun through voluntary commitment and unconcerned objective accumulation. (Our future applications will be, "Please forward my file to X.") [10]

The work of the social scientists is especially affecting to a greater degree the standardization of such information which can enhance their studies in the name of science, so that while initially records were the result of a desire to keep track of and permit more complex human interrelationships, they are now in turn, through their multiplication and efficiency, becoming a determinant of our behavior. Our next action must be planned in such a way that our past recorded behavior will not affect it detrimentally.

There can be no absolute guarantee that any recorded information will not be used. For as long as a record is made and kept, there must be someone with access to this information, so that the mere existence of a record has a potential effect. As people become conscious of this, there will be an increase in behavior "for the record" or what may be called consequential behavior; i.e., proceeding in logical sequence from the record and in terms of the record. Correspondingly, there will be less nonconsequential or traditional private behavior. A few further words to distinguish these two types of behavior might convey the meaning more strongly.

The terms consequential behavior and acting for the record are here used interchangeably. They involve not only the control of forethought to our behavior, but also mean that one should act so that things must appear on the record in a limited way. One puts to oneself not only the admonition that "I had better be careful: this may go on record," but also the question as to how will it look and be interpreted by those who are not immediately involved in this activity and will judge it from its appearance to them. Nonconsequential activity, not for the record, "private," is an action in which the actor is under the impression that he will in no way leave a record. The activity is performed more spontaneously in terms of itself. The actor says, "I am doing this because of what the situation is now." He is unconcerned about the past or future.

Thus, the technical demand for more personal information to be recorded and a conscious public concerned with keeping the record straight lie at the root of the new invasion of privacy. It is a deprivation of privacy that cannot be legislated against nor moralized against. It is a source of social control which necessitates new techniques and a pervading inquiry into our social, economic, and political actions and our motivations for them. It is an invasion which most people willingly accept, since they have not known other conditions and are happy to be publicly significant to someone.[11] Each poll, from Gallup to Kinsey to Harris, is a record for further correlation. And, as the depth studies on voting indicate, the retesting of the same people at different times prior to an election has much more to offer for analysis than does the anonymous one-shot poll.[12] This, then, is a new condition which has created a more extensive concern for privacy. The concern, furthermore, is primarily located in the highly sensitive part of the public, the small group which has a strong awareness of history.

The thesis that records on individuals and groups are decreasing the area of nonconsequential behavior opens up a new area of research before unknown. This is the area of studying the way in which people are and can be manipulated by records.[13]

But what is lost when the traditional private behavior is reduced? Insofar as records are the new invaders of privacy, there apparently has been a great deal of traditional privacy until the last 60 years. This, in part, is explained by the absence of facilities or need for extensive recording until we have a highly mobile society with very fluid property. It is also evident in the origin of the word privacy, which came from the Latin privare: to deprive. As pointed out earlier, relatively few people have been deprived of record privacy in the history of mankind. A better way of putting this is to say that the lives of few people were publicly significant enough to have their behavior recorded. More information is now available on record regarding the small-town mayor than was on Shakespeare or George Washington during their lives.

Privacy, or unguarded activity, now that we realize a certain scarcity of it, is important to a social system and to the individual, for three reasons. One, it is essential to social and technical progress. Privacy provides for a kind of willingness or freedom to experiment and create. This is especially true if the experiment is contrary to accepted modes of behavior. Even if the experiment were not such, there would still be a likelihood, according to R. M. MacIver,[14] of a certain degree of restraint on the part of the experimenter, since the process itself may be subject to ridicule in its early and clumsy stages, especially if these were to be made public through records.

To the extent, then, that a social system considers technical progress desirable and necessary, will it be imperative to provide a condition of nonrecording. This does not mean absolute isolation and absence of any observation by other human beings. But it does mean an absence of a record which can be used to manipulate the experimeter.

Second, each social system, of course, is interested in promoting its survival but, at the same time, ignorance of certain alternatives may be detrimental. Howard White points out in his analysis of privacy that it is essential in the operation of any political system which expects to promote the "study, discovery, and teaching of the political good." [15] It is thus necessary to question the present practices and to inquire into possible alternatives which may be contrary to the status quo. These alternatives might be very essential to survival under certain conditions, or, at least, in the traditional sense of John Stewart Mills liberalism, they are essential as a challenge to the status quo to prevent its becoming too rigid and complacent.

Third, privacy provides a challenge for each individual by exposing to him his insignificance, the meaninglessness and futility of his actions. On the surface, this might not appear to be such a benefit. But the defenders of this condition, Lasswell and Arendt, contend that such a personal encounter with futility is the very anvil on which a meaningful personality can be hammered out.[16] There is no reason to question this, since history is replete with heroic figures from Moses through Thoreau who vindicate such a condition of privacy. The retreat into anonymity has often been the basis for a true rebirth.

How can we protect ourselves against this dangerous and insidious invasion of our privacy? The traditional recourse to social legislation or a national popular movement against the increasing use of records would be doomed to failure, because we have no intention of giving up our industrial society. It must be an organization of the few and by the few who would also have the courage to accept anonymity as their reward.

People should be encouraged in taking retreats from all activity that is for the record or public. This would mean cutting themselves off from all previously related or meaningful contact and spending some time in totally meaningless activities, especially those that cannot benefit them in terms of what has previously been beneficial. This does not necessarily mean a Thoreau-like retreat into the woods, although that is very realistic, but one can retreat into the crowds of the city without a trace, equally as well. This encounter with futility and irrationality in terms of previous behavior is the only really sobering and creativity preserving route open in our Orwellian world.

Last, but not least, we ought to cultivate and cherish in others some contradictions of the record previously made. For the weaker, the consistent record may be the only thing they can live with. They certainly will be more praised and advanced by the technocratic system. But for the truly individualistic and creative souls, the false starts are something that they personally and privately should cherish. For it is in man's fallibility that we testify to true human dignity and not in the eventual perfectibility of either man or state.

Mr. LONG of Missouri. The author pinpoints the danger that is posed by the phenomenon of recordkeeping by both Government and private concerns. In Dr. Wagner's view, this recordkeeping could stifle the creative life and progress of the individual and ultimately of the Nation. The Doctor warns of the creation of a world in which man will be unable to act or react normally to any given situation; rather, man will be forced to "act for the record." Actions will be studied due to the concern of how they may be interpreted by someone in the future reviewing his record. Such a limitation on normal responses to everyday occurrences enslaves a man—worse it enslaves him to an unknown and unknowable master.

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[10] There is an extensive use of the polygraph today, more popularly known as the lie detector. These devices are used on employees in certain large firms to check on their honesty. Lilian Pompian, "Business Turns to the Lie Detector," Kiwanis, January 1963, p. 59, mentions an employer who feels that his best employees are those that have been caught lying once by the polygraph, because "They can't afford to be caught again."

[11] Elton Mayo, "The Human Problem of an Industrial Civilization," New York: Macmillan, 1933.

[12] Eugene Burdick and Arthur J. Brodbeck, editors, "American Voting Behavior," Glencoe, Ill.: The Free Press, 1959, p. 49.

[13] Peter Blau, "Dynamics of Bureaucracy," Chicago: The University of Chicago Press, 1955.

[14] MacIver, op. cit., p. 139.

[15] White, op. cit., p. 196.

[16] MacIver, op. cit., pp. 132–133; Arendt, op. cit., p. 64.

Consider the records that the U.S. Government keeps. There is the Census Bureau, the Civil Service Commission, the FBI, and the Social Security Administration, the Veterans' Administration, the Internal Revenue Service. There are many more. The need for these records is easily established. But as Dr. Wagner points out, the danger lies not in the need or the retention of these records; it lies in the use of such records for purposes other than the purpose for which they were compiled.

Until recently, I, like the majority of citizens, believed that the tax returns we file every year were kept secret. Actually, they are available to State and Federal agencies for all sorts of uses and purposes. Indeed, in the light of these circumstances, it has been suggested that a taxpayer with the bravado of a Don Quixote could refuse to file a tax return on grounds that it would violate his constitutional guarantees against self-incrimination. In my view, such an action would be foolhardy, if not illegal, but the suggestion does point up the harmful way in which tax returns are made available to every Tom, Dick, and Harry in the law enforcement field. After all, tax returns do show the organizations to which you contribute, the status of your married life, your expenses, your business activities and many other personal facts.

Keeping these personal facts private are necessary for the continued progress of the social, technical, and political life of this great Nation. Equally important, personal privacy is essential for the inner development and dignity of the individual. If man is denied any retreat, how can he search for his true self, his purpose, his God?

I wish to thank Dr. Wagner for sending this brief but learned article to me. He has alerted us to yet another encroachment on the vanishing right of privacy, and pointed out its necessary existence to the continued growth of the vital elements of our national life.

VICE PRESIDENT'S STATEMENT BEFORE THE NATIONAL ASSOCIATION OF MANUFACTURERS

Mr. PROXMIRE. Mr. President, it is with a great deal of pleasure that I arise today to insert in the Congressional Record some remarks made by Vice President Humphrey before the board of directors of the National Association of Manufacturers. Although I have reservations about the Vice President's estimate of the economic impact of last year's tax cut, there is no doubt that the administration has worked with remarkable success with the business community, as Vice President Humphrey indicates in his statement, to bring about sound and continuing economic redevelopment in the United States.

I especially direct the Senate's attention to the Vice President's statement that as a result of President Johnson's deep interest in efficient Government "our Government has never known a more effective campaign against waste." There is no doubt in my mind that the President has, indeed, taken a deep and searching interest in eliminating wasteful Government spending. This naturally arouses some antagonisms here in Congress. On balance, however, it means more value per tax dollar.

I ask unanimous consent that the Vice President's remarks be printed at this point in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks by Vice President Hubert H. Humphrey, Before the Board of Directors, National Association of Manufacturers, May 11, 1965

The last time I had the pleasure of talking with my friends of the National Association of Manufacturers was in 1955.

In those 10 years the world has seen changes that once would have taken centuries.

In the past 10 years our responsibilities of leadership have grown far heavier than any of us could have imagined. In the field of foreign relations, for example, the roster of the United Nations has risen by 60 countries.

We have been drawn into the troubles of the Congo and of southeast Asia. And in the Cuban missile crisis we surmounted the greatest challenge to our security in the postwar period. As the world has shrunk, we have found ourselves involved deeply in places that were remote to us 10 years ago.

More than ever, the burden of world leadership has been thrust upon us. We have not asked for it, but we have accepted it.

Our success in meeting the challenge of world responsibility depends in large part on our success in building the Great Society at home—a society of economic strength and abundance, but also of social justice and opportunity.

Basic to our domestic well-being is a strong and flourishing economy.

Ten days ago we reached an economic milestone in America. On the first of this month, our economy entered its 51st consecutive month of expansion, making it the longest peacetime expansion in our history.

That expansion did not simply happen. It is the result of a creative partnership for prosperity of private initiative and Government economic policy.

Let me review a few of the results:

In the 5 years prior to 1961, we had an average annual growth rate of only 2.3 percent in constant prices. Yet over the 5-year period from 1960 to 1965, our annual growth of real gross national product has averaged 4.2 percent, and, measured from the recession low in early 1961, it has averaged 5.1 percent. At the same time we have achieved a record price stability unexcelled by any other major nation.

Profits have reached new highs each year since 1961, for a total gain from first-quarter 1961 to fourth-quarter 1964 of over 60 percent in profits after taxes. In the fourth quarter of 1960, the after-tax profit per dollar of sales of U.S. manufacturing concerns was 4 percent. By the fourth quarter of last year, it had grown to 5.4 percent, a rise of one-third.

President Johnson reported last week that corporate after-tax profits for the first quarter of this year are estimated to be $36 billion at a seasonally adjusted annual rate, $4 billion above the rate in the last quarter, and more than $4.8 billion above the rate in the first quarter of last year.

Business investment in new plant and equipment is now more buoyant than during the fifties. This year's planned expenditures for plant and equipment, according to the latest McGraw-Hill survey, show a 15 percent increase over last year's. In manufacturing alone, the planned increase is 21 percent. The total $51.7 billion planned for this year is almost double the level of 10 years ago.

Unemployment is down from an average 6.8 percent in the first quarter of 1961 to an average 4.8 percent for the first quarter of this year, and for married men, unemployment averaged only 2.6 percent for this quarter.

Particularly significant is the gain of employment in the manufacturing industry—600,000 jobs from March 1964 to March 1965. This means we have succeeded in bringing total manufacturing employment back around the peak level of 17½ million established in 1953, despite the tremendous technological advances that we have made during that time in labor-saving devices.

Almost every indicator is up. The latest figures show industrial production, retail sales, construction, and profits all moving up.

These gains are primarily due to private initiative. But we in Government, during these past 4 years, have done what we can to help.

Our economic policy has, in fact, pursued different, even disparate, goals at the same time—to pursue strong and stable economic growth at home and progress in our balance of payments; to move ever closer toward full employment in our labor force and toward balance in our budget.

The distinguishing feature of Government policies has been their heavy reliance upon fiscal policy—particularly tax policy—as a means of stimulating the private economy.

Our first step was to increase the incentives for greater investment in new plant and equipment.

The investment credit and depreciation reform of 1962, together with the cut in the corporate tax rate in the Revenue Act of 1964 have raised the profitability of a typical investment in new equipment by more than one-third.

That boost to private investment was supplemented by a personal tax cut of more than $11 billion—at current income levels—providing a massive increase in consumer demand.

I want to say a word about budget control. You know the importance of a no fat, well-managed budget, and let me assure you, so does President Johnson. Government expenditures are under the most stringent controls. In the administrative budget for fiscal 1965 and 1966, total expenditure increases averaged only $1 billion, compared to an average $3 billion over the previous 10 years.

Just 2 weeks ago, President Johnson reported to the Nation that, as a result of rising Federal revenues and reduced Federal expenditures, the actual budget deficit for fiscal 1965 would be at least $1 billion below the $6.3 billion estimated in January.

Our Government has never known a more effective campaign against waste, or a more effective search for efficiency, than the one which President Johnson has been personally conducting since the day he assumed office.

By its policies over the past 4 years and more, this administration has demonstrated its faith in the vigor and viability of our free enterprise system—and our faith in you who bear such great responsibility for the success of that system. And we will continue to demonstrate that faith.

We see an example of that faith in President Johnson's call for a voluntary program of self-restraint on the part of business and banking to help curb excessive outflow of private capital abroad.

When these outflows sent our balance-of-payments deficit soaring in the last quarter of 1964, there were some who urged the President to institute direct Government controls over these outflows. He was determined to avoid direct intrusion into the free market process.

Instead, he sought and he received and he followed the advice of bankers and businessmen themselves, relying on their judgment, their initiative, and their patriotism to meet a pressing national problem.

We will demonstrate that same faith in our profit system by the excise tax reductions scheduled to take effect in July of this year. These reductions will stimulate the private economy and furnish strong incentives for price reduction.

In this climate, I know your initiative and imagination will move our economy to new heights.

I know, too, that such initiative and ingenuity will be applied to greater investment in our human as well as our material resources. For, even in economic terms, investment in human resources is the most profitable we can make.

For as we spend, whether publicly or privately, to enlarge opportunity for our citizens, we also enlarge their ability to pay taxes and contribute to an expanding economy. We need fewer taxeaters and more taxpayers.

The war on poverty is designed to help the 35 million Americans, 1 out of every 5 of our people, who live below the poverty line.

Those people have only $17 billion in total annual income—including welfare payments—to get along on.

One thing is certain. Bigger and bigger welfare programs will not solve the problems of the poor. We must invest instead in programs which aim at making more of our citizens productive in our society. Those who produce can also consume. We seek to give all our citizens opportunity to do both.

That is what the war on poverty, our education program, our manpower retraining program, and other related programs are designed to do.

You in private industry have invested enormous amounts of time and money in developing human resources and you are continually enlarging those investments.

Across the country you are setting up business leadership advisory councils to work with our anti-poverty programs.

The American Bankers Association has set up a bankers council on economic opportunity to help in the war on poverty.

In these and other ways, private industry is taking the same initiative and energy that have created the most productive economy in the history of the world and are applying it to the task of developing more productive people.

Together, Government and the private sector can continue in their partnership to more fully develop our Nation's resources—both material and human resources. As we do, we create an America which can be strong and prosperous at home, strong and capable of leadership in the world.

MARINES SHOW INTEREST IN ENACTMENT OF COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, the veterans of cold war military service in behalf of this great Nation and in defense of freedom throughout the world are being forgotten by Congress. These capable young men and women must be educated to the full limit of their abilities, if the future intellectual and cultural strength of America is to be maintained. Prompt enactment of the cold war GI bill by this Congress will insure an opportunity for thousands of young men and young women to become economic assets to the community and to the Nation.

I ask unanimous consent that an article concerning the cold war GI bill, written by Charles F. Duchein, national vice president and national chairman of the Marine Corps Affairs Committee, which is published in the May 1965 issue of Navy magazine, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

With the Marines

(By Charles F. Duchein, national vice president and national chairman, Marine Corps Affairs Committee)

A year before the close of World War II, the 78th Congress enacted the most sweeping and farseeing veterans' legislation in history. Significantly, the benefits offered by the Veterans' Readjustment Assistance Act of 1944 were not intended primarily as a reward for service in defense of our country. They were, rather, an acknowledgment that the call to war had severely disrupted the education and careers of millions of young Americans. To the sponsors of that bill, it was immensely important that veterans of World War II be afforded adequate means of competing in the civilian world to which they would soon return.

The wisdom of this program has been emphatically borne out. Before its provisions expired, the GI bill had raised the average educational level of veterans by a full three grades—from the second year of high school to the freshman year of college. In all, more than 8 million veterans of World War II took part in the bill's educational and training programs, which ultimately produced more than 175,000 doctors, 113,000 physical and research scientists, 450,000 civil engineers, 36,000 clergymen, and 710,000 skilled mechanics.

THEY PAY TAXES

The knowledge and abilities acquired by these veterans—and the 3 million others who benefited similarly from the Korean war GI bill—have had a significant impact on the productivity of our economy and on the earning capacity of the veterans themselves. It is conservatively estimated that these increased earnings currently yield $1 billion a year in additional taxes to the Federal Government and that, by 1970, these revenues will have repaid the total costs of the bill. From then on, the wartime GI readjustment program may well be regarded as one of the Government's few profitmaking ventures of recent times.

More than a year after the fighting had stopped in Korea, President Eisenhower designated January 31, 1955, as the termination date for eligibility under the Korean GI bill.

We may, therefore, conclude that our Government considers veterans' readjustment programs applicable only to those who have served during major conflicts; whether they have ever confronted an enemy in combat appears to be an immaterial consideration. On the other hand, the 500,000 young men now entering service each year are obviously regarded as potential peacetime veterans to whom military service is no real inconvenience.

In support of this contention we are told that fewer than 20 percent of today's recruits are drafted, and that all the rest—about 400,000 annually—are volunteers. How many of these would willingly join the Armed Forces were it not for the specter of the draft? Be assured that the great majority volunteer primarily to escape the uncertainties of induction.

THE DRAFT IS VITAL

Hence, despite the small numbers inducted, the compulsory draft is vital to all of the military services. It is inconceivable that we could meet our worldwide commitments without the enlistment incentive it provides.

There are in the Congress today many legislators who feel that as long as American fighting men are being conscripted to serve—and sometimes die—we are not really at peace. Looking back to the successful GI bills, they suggest that some similar readjustment program may well be in the national interest.

Senator Ralph W. Yarborough of Texas has introduced a cold war GI bill (S. 9) which would provide educational and economic assistance to those veterans who have served honorably on active duty between January 31, 1955, and the ultimate termination of the compulsory draft law. The bill authorizes educational and training assistance for periods not to exceed 36 months, with 1½ days of training allowed for each day served on active duty. For full-time college training, monthly allowances would be: no dependents, $110; one dependent, $135; more than one dependent, $160. From these amounts, veterans would be expected to pay all tuition and other school expenses, as well as maintain themselves and their dependents. In most cases, it would be manifestly necessary for the veteran to borrow supplemental funds, or for his wife to be employed.

BIGGER PROBLEM NOW?

The other feature of the proposed bill concerns Government-guaranteed loans for the purchase of homes (60 percent, up to $7,500) and farmland (50 percent, up to $4,000), at a maximum interest rate of 5¼ percent.

In defense of the proposed legislation, which is cosponsored by 39 of his colleagues, Senator Yarborough contends that the readjustment problems of the cold war veteran are even more pronounced than those of the GI of 1945. Then practically everyone was in the same boat, and job opportunities abounded. Today's veteran finds himself from 2 to 4 years behind the 65 percent of his contemporaries who missed military service, and entering a highly competitive labor market where the emphasis is increasingly centered upon scientific and technical capabilities.

Similar bills in the past have enjoyed considerable interest and support, but none has successfully completed the entire legislative process. Senator Yarborough attributes this mainly to resolute opposition from the Department of Defense, which holds that the educational incentives offered will have an adverse effect on service reenlistments.

Whatever your present thoughts concerning a readjustment program for cold war veterans, Senate bill 9 is an important item of veterans' legislation which should be studied and appraised by all members of the Navy League. It is through the voicing of our individual and collective opinions in such matters that we perform our most valuable service to the Navy, the Marine Corps, and the Nation.

NEW YORK STATE'S PROGRAM AGAINST AGE DISCRIMINATION

Mr. JAVITS. Mr. President, New York State is 1 of 13 States which presently seek to combat arbitrary age discrimination by statute. The successful pilot work done in the States emphasizes the desirability of Federal legislation barring such discrimination throughout our national economy. Such a measure is Senate bill 1752, which I have introduced together with the distinguished Senator from California [Mr. Murphy]. A recent article describing the New York State experience under its statute demonstrates how such a process can work to keep productive the very valuable pool of older, experienced workers who are capable of working and want to do so. I ask unanimous consent to have printed at this point in the Record pertinent excerpts from the article.

There being no objection, the excerpts from the article were ordered to be printed in the Record, as follows:

Equal Employment Opportunities for the Older Worker

The opportunity to continue to work at his full potential and in accordance with his individual merit is of particular importance to the middle-aged and older worker. It is important not only for self-support and independence, but also for healthful living and self-respect during these middle years. It has the further significance that the maintenance of income during the middle years obviously relates directly and most immediately to the economic base which will determine how the aging will, upon partial or total retirement, be able to spend the "added years" of their lives.

An important step toward achieving the goal of such employment opportunities for the older worker was provided in 1958, upon the recommendation of the joint legislative committee on problems of the aging, by the enactment of amendments to the law against discrimination. These amendments prohibited discriminatory employment practices based, arbitrarily, on chronological age. In approving strengthening amendments to this law in 1961, Governor Rockefeller noted that employers and employment agencies have become aware through the educational and enforcement efforts of the State commission for human rights "that merit and fitness for the job, instead of chronological age, are the only legally accepted standards for the hiring, promotion and compensation of workers," and the Governor called for intensification and broadening of the commission's programs, emphasizing that "we cannot afford the waste of valuable human resources."

In carrying out the State's programs under the strengthened statute, Chairman George H. Fowler, of the State commission for human rights, has repeatedly called attention to the fact that the commission's experience and research have shown that one of the central problems is to get industry to reexamine the various policies and assumptions with which it has been operating in regard to the employment of older workers; and that too often older people have more trouble finding jobs than younger ones only because of an automatic negative reaction to a particular chronological age range. On the positive side, however, Chairman Fowler has been able to report that the commission is also convinced that there has been very real and very substantial progress in overcoming this reflex; further, that the commission has demonstrated the constructive role of the law to set a standard and provide one of the working tools for progress in this field.

The particular functions and programs by which the commission has achieved these results may be summarized as follows:

REGULATION

The commission is charged with the power and duty to enforce a group of specific statutory provisions which form part of the New York law against discrimination. Under these provisions, the commission is authorized and directed to receive, investigate, and pass upon complaints by persons up to age 65 which allege discrimination in employment because of age. Under the procedure provided by the statute, any person claiming to be aggrieved may file such a complaint within 90 days of its occurrence. The commission has regional offices throughout the State (Albany, Bronx, Buffalo, Brooklyn, Long Island, Queens, Rochester, Syracuse, Upper Manhattan, White Plains) and its staff is available to answer inquiries and to provide assistance to persons who believe they may have the basis for such a complaint.

The main points detailed by the law are that an employer may not refuse to hire and may not discharge a person solely because of age. Also prohibited are discrimination in promotion, compensation, or conditions of employment. The law covers not only employers but employment agencies, labor organizations, and licensing agencies. In addition, there are limitations in the use of application forms, statements, or advertisements that inquire as to age or specify age limits. The statute empowers the commission to prevent as well as to eliminate employment discrimination. The regulatory procedure may culminate in a commission order which is enforceable in the courts. Such an order may include provisions for affirmative action such as employment of the complainant or an award of pay or both.

PROGRAMS

In addition to the handling of formal verified complaints and informal investigations and inquiries the commission carries out a series of general programs relating to the statute and concerned primarily with persons in the age bracket 40 to 65. These are based on the judgment that initial priority goals have been and shall continue to be: (1) To provide a firm administrative and legal foundation for the purposes of the law, (2) gain acceptance of the concept that a law is a useful tool in this field, and (3) provide some leadership models. The commission, accordingly, continues to emphasize four general programs:

1. State and local civil service: With the cooperation of the State department of civil service, the State's employment practices have provided a leadership example in connection with maximum age specifications for initial hiring.

2. Public and private employment agencies: The commission has established a procedure and a program under which an employment agency, public or private, but only if acting in good faith, may accept and work on a job order with an age specification on an employer's responsibility under the bona fide occupational qualifications provisions of the law. * * *

3. Employers: The focus of the commission's general program with employers is to have employers (particularly large entities with well organized personnel systems) make a self-evaluating initial review followed by voluntary elimination of maximum age qualifications for employment. * * *

4. Newspaper advertising: The commission's essential program with respect to newspaper advertising has been to obtain the cooperation of newspapers throughout the State to eliminate the use of age specifications (i.e., specific age limitations such as "wanted—man under 40" and such usage as "young woman") in order to assure to applicants the opportunity for presenting their individual qualifications to the hiring officer and avoiding threshold disqualifications without interview. * * *

PROJECTED PROGRAMS

1. Bona fide occupational qualifications: The law authorizes and directs the commission to give consideration to age as a "bona fide occupational qualification" where the circumstances may so warrant. The commission has established a procedure by which employers may claim such warrant for "exceptions" under the bona fide occupational qualification clause of the law. * * *

2. Relationship between fringe benefits and maximum age specifications for initial hiring by private employers: The law includes a proviso that there may be "a varying of insurance coverages according to an employee's age." There may therefore be what amounts to lawful discrimination in the terms, conditions, and privileges of employment with respect to what are sometimes referred to as "fringe benefits," such as life insurance plans. The setting of standards and guides for this type of situation is one of the programs which the commission is now beginning as specific instances are presented.

An important consideration in this program is to avoid the possibility that a prospective employee will be denied employment, even though he can do the job, simply because his chronological age has a particular effect upon some ancillary benefit such as participation in a pension system. * * *

SIX-AND-ONE-HALF YEARS EXPERIENCE IN "AGE" CASES

Totals and trends

* * * * *

Number: During the 6½-year period from July 1, 1958, through December 31, 1964, the commission has received 605 "age" complaints. This represents about 14 percent of the total number of employment cases presented to the commission. In the year 1964, the number of age complaints filed was 77. This was about 1 in 8 (12.6 percent) of all employment complaints filed in 1964.

Geographic location: New York City was the site of 65 percent of all age complaints filed in 1964, an increase from the 58 percent in 1963. The trend toward an increase in the proportion of Buffalo cases noted in 1962, when this figure rose to 22 percent of the total, was halted in 1963 when the percentage for this region receded to 8 percent. It rose, however, a year later to 12 percent.

Occupation of complainant: In 1964, somewhat more than half of the complaints (54.5 percent) were submitted by people seeking employment in professional, clerical, and sales positions. Approximately 12 percent were craftsmen or persons in the skilled trades and 34 percent represented semiskilled, unskilled, and service positions. The percentage of complainants in white-collar jobs during the entire 6½-year period is 59 percent.

Age and sex of complainants: About 7 out of 10 complainants in the "age" cases (71 percent), during 1964, were men. This is very close to the 73 percent share of complaints filed by men since 1958. The median age of complainants in 1964 was 55 years and the age bracket in which were found the greatest number of complainants was 55–59, with a total of 21. This can be contrasted with the aggregate record since 1958, during which period the median age of all complainants has been 53 and the largest number of complainants were between 50 and 54 years of age.

Respondents: Eighty-three percent of the age complaints received in 1964 represented charges against employers. Within the ranks of employers, the transportation, communication, and public utility industries accounted for 23 percent of the total. Labor unions were respondents in 4 percent of the cases and employment agencies figured in 10 percent of the complaints. For the entire 6½-year period, 79 percent of all complaints involved employers, while labor unions and employment agencies were the respondents in 5 percent and 15 percent of the complaints, respectively. With respect to all employers, the three leading industries were manufacturing, durable goods (20 percent), manufacturing, nondurable goods (16 percent) and transportation, communication, and public utilities (12 percent).

Acts of alleged discrimination; findings: Refusal to hire was alleged to be the discriminatory action in 57 percent of the cases filed during 1964. Dismissal from employment was specified in 17 percent of the cases. Another 10 percent pointed to a refusal to refer on the part of an employment agency, 9 percent concerned terms and conditions of employment, and 4 percent charged labor unions with violations relating to admission to membership or conditions of membership. The comparable percentages pertaining to the entire period from July 1, 1958 to December 31, 1964, are: refusal to hire, 53 percent; dismissal, 20 percent; employment agency refusal to refer, 15 percent; terms and conditions of employment, 5 percent; labor union action, 5 percent. The Commission found and adjusted some unlawful practice or pattern relating to age discrimination in 30 percent of the age cases settled in 1964. The proportion prevailing during the entire 6½ years since July 1, 1958, was somewhat higher, representing 39 percent of the total number of age cases settled.

Placements of persons in the age group 40 to 65

As noted in prior reports, the Johnson-Conklin amendments to the age provisions of the law in 1962 emphasized the legislature's particular concern with the age group 40 to 65 and directed the Commission's attention to such 40 to 65 group in the formulation of Commission programs relating to the older worker.

As part of the cooperative arrangement between the Commission and the New York State Employment Service, a special study of placements of applicants over 40 years of age was initiated during 1962.

A NEW SUMMER EXCHANGE PROGRAM

Mr. McGOVERN. Mr. President, a new kind of summer exchange program has been developed on the Rosebud Reservation in my home State of South Dakota. Young boys and girls from the Rosebud Sioux Reservation spend a part of the summer with families in Chicago, and in turn, Chicago young people go out to Rosebud to live with an Indian family.

This program makes possible an interesting and exciting summer both for the Indian and city youth. What is more important, it will doubtless develop and enrich their understanding of brotherhood and human values.

The summer exchange idea was developed by Harold Schunk, superintendent of the Rosebud agency, and David Gray, a Chicago television director. Thus far, the program has been a great success.

There is an interesting article about this exchange program in the May issue of Twelve-Fifteen, a Methodist publication, and I ask unanimous consent to have it printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INDIANS FOR A SUMMER

(By Willard and Elma Waltner)

"There's a letter for you on the hall table, Dean," his mother called from the kitchen where she was busy getting supper.

Dean Manke hurried to the hall, picked up the letter, slipped his finger under the flap, and ripped it open. He slipped the sheet from the envelope and began to read. His eyes raced down the page with mounting excitement.

"Ya-hoo. Hey, Mom, just listen to this," he shouted, making a dash for the kitchen.

"I heard about it on television and I thought of you right away," his cousin had written. "The announcer told about an exchange program where Indian boys and girls from the Sioux Tribe on the Rosebud, S. Dak., Reservation go to live with families in Chicago for about 6 weeks, and young people from Chicago go out to the reservation to live with Indian families. They get to ride horses, and go to pow-wows and everything, just like the Indians. You've always said you would like to see for yourself if the Indians really are like the ones we see on television. This is your chance."

"Boy, do you s'pose I could go, Mom? Just think, living with an Indian family and really being an Indian for 6 weeks!"

"Well, I don't know. We'll just have to see about it," his mother replied. She knew of his desire to learn about Indian life firsthand, though she did not wholeheartedly share his enthusiasm. South Dakota seemed so far away, and living with Indians—she just didn't know.

After looking into the matter, though, it was decided to give it a try. Virgil Hauff, an Indian boy from the Rosebud Reservation, came to live with Dean and his family for several weeks. Then Dean returned the visit. The exchange was pronounced a success by all concerned.

The idea for having white families in Chicago and Indian families on the Rosebud Reservation exchange children for a time during summer vacation was developed by Harold Schunk, superintendent of the Rosebud Agency, who is himself part Indian, and David Gray, a Chicago television director. It is a sort of exchange program similar to the foreign student exchange. Mr. Schunk believes that the exchange may help to erase some misunderstandings.

"There are no people on earth about whom most Americans know less than the American Indian," Mr. Schunk says, and he believes this is largely due to the "image" of the Indian which is shown in movies and on television. By now, after the second year of the exchange program, there are quite a group of Chicago people who know that Indian life is much different than they had supposed and not at all like movies and television portray it.

Many of the Indians on the Rosebud Reservation are ranchers, so there is plenty of opportunity for horseback riding when the city youngsters are in South Dakota. They are taught to ride "Indian stye"—that is, first bareback, and then graduate to a saddle. The Indians say it is easier to learn the fundamentals of correct riding this way.

Candace Madden, of Wilmette, Ill., really loved horseback riding and spent a lot of time at it while living at the Robert Whipple ranch near Parmalee.

"She was a good 'Indian rider' and learned fast," Mr. Whipple said. "It was after she began using a saddle that she got into trouble. A cinch came loose, and she fell and broke her arm. She cried. Not because her arm was broken but because she was afraid it would mean she'd have to go home. She was having so much fun she didn't want to go before the 6 weeks were up."

The Indian ranchers were greatly surprised and pleased at how quickly and how well the city "palefaces" learned the lessons of horsemanship. Charles Annen, 16, who had lived all his life in the heavily populated suburb of Arlington Heights and was well accustomed to finding his way through the concrete canyons of Chicago, gave a good account of himself in the wooded canyons of South Dakota as he rode his horse through them in search of stray cattle.

He was determined not to miss out on any opportunities during his stay on the reservation, so, when he attended the Todd County Youth Rodeo with his Indian hosts, he entered all of the events except barrel racing and calf roping. Charles' reaction to South Dakota Indian ranch life was typical of that of most of the young people from the city.

"You can relax out here," he said. "In the city everything is all tensed up."

Larry Swallow, who was staying on another ranch, added, "Things are sure different out here. Back home in Dalton I used to sleep until 10 o'clock during summer vacation. Here I get up at 5, eat breakfast, and milk cows. It's nice here in the early morning."

Though more Chicago young folks have tried Indian life than Indian children have gone to the city, the Indians who did go enjoyed their taste of city life, too. It is very different from that to which they are accustomed. Howard Bad Hand, a 14-year-old Indian orphan boy, was the first to go to Chicago. He lived with the family of David Gray (the television producer) while David Gray, Jr., lived on the reservation.

Chicago was a brand new experience for Howard—and he was an equally new experience for Chicago. Everywhere he went he found himself quickly surrounded by interested people. He likes people, so he was willing to answer their questions and to do Indian dances whenever he was asked. He liked city life so much he hopes he can go back again.

In 1963, Tom Peterson had stayed with the Alex K. Whipple family on their ranch near Rosebud. The next summer Gary Whipple returned the visit and stayed with Tom and his folks, the Dr. L. W. Petersons, in Chicago. Gary had just returned home when we visited Rosebud. He was much too busy practicing baseball with his friends to take time to tell us more than that he "had fun" and "liked everything about the city."

That evening, when we attended the ranchers' calf roping session—which is held several times a week for fun, much as city people play golf—we saw Gary again. He was helping other Indian boys and girls to drive the calves out of the chutes so that his dad and the other ranchers could practice their roping and bulldogging. Again, he was far too busy to be bothered with talking to strange grown-ups. His charming, black-haired mother wasn't, though. She was happy to tell us about Tom's stay as an "adopted son" in her home the past summer, and about Gary's visit to Chicago.

"It was Gary's first time away from home. When he returned and I asked him if he'd been homesick, he said 'I missed you and Dad and the kids, but I wasn't homesick.' I guess the Petersons kept him too busy. They took him to the planetarium, the aquarium, and the amusement park. He got to see the Ringling Brothers Circus and a big league ball game. When he wrote home about all the things he was doing that he'd never done before, I decided they were just trying to amuse him, which wasn't the purpose of the visit at all. I wrote and told them not to try to entertain him, but to just let him live with them and do the things they do.

"Gary wants to be a doctor some day. Dr. Peterson took him to the hospital, put a gown and mask on him, and let him watch several operations. Now he's surer than ever that he'd like to be a doctor."

Then she began talking about Tom Peterson's visit the summer before and how much they had all enjoyed him and how he seemed like one of the family.

"He rode and roped and helped bale hay and 'got brown as an Indian.' Every morning and evening he helped Gary and his brothers do their chores of caring for the calves. My children are all taught to work and Tom pitched right in, too. He went with us to rodeos, pows-wows, and other Indian events which we attended, but we didn't try to entertain him. He just lived with us."

Probably that is the reason why Chicago boys and girls enjoy ranch life so much and go back home with a newer and truer picture of what Indians are really like today. They have had a chance to be an Indian for a summer, so they know.

LAWSON B. KNOTT, JR., PROMOTED TO GENERAL SERVICES ADMINISTRATOR

Mr. ERVIN. Mr. President, on May 12, President Johnson announced his intention to designate Lawson B. Knott, Jr., a native of Wendell, N.C., as his appointee as Administrator of General Services. In making this decision, the

President continued his practice of utilizing the talents of outstanding career public servants, when filling vacancies at the policy level of the Federal Government.

Mr. Knott began working for the Government 30 years ago. During his years of Federal service, he has risen from clerk to Acting Administrator of General Services Administration. He had held the latter post since the resignation of Bernard Boutin on December 1, 1964.

I know Mr. Knott to be a man of impeccable character, an imaginative administrator, and dedicated to public service. In 1960, Mr. Knott received the GSA's Distinguished Service Award for his contribution to the property management programs of this agency.

During his many years of public service, Mr. Knott has served in a number of very important posts. From 1961 until he assumed the duties of Administrator, he was Deputy Administrator of the General Services Administration. From 1959 to 1961, he was Deputy Commissioner in Charge of the Public Buildings Service, a major division of the General Services Administration. He was the Assistant Commissioner for Acquisition and Disposal for the Public Buildings Service from 1956 to 1959.

Prior to Mr. Knott's transfer to the GSA, he had served many years in various administrative positions with the Department of Agriculture, and as General Attorney for the Office of the Chief of Engineers, in the Department of the Army. During World War II, Mr. Knott served as a captain in the Army Corps of Engineers.

He is a graduate of Duke University, and earned a degree in law from George Washington University Law School. Mr. Knott is a member of the American, Federal, and Virginia State Bar Associations, and presently resides in Arlington, Va.

I commend the President's action in making this nomination, and urge the Senate to give speedy approval of the nomination of Lawson B. Knott to be Administrator of the General Services Administration.

THIRTY-SECOND ANNIVERSARY OF TENNESSEE VALLEY AUTHORITY ACT

Mr. HILL. Mr. President, every year, May 18 is a special anniversary for me. For on that day in 1933, standing with a group of my colleagues at the White House, I witnessed the President's signing of the act creating the TVA. I was the author of the legislation in the House. The late great Senator George W. Norris, of Nebraska, was its sponsor in the Senate. He was the valiant initiator of this new concept in resource development, and its tireless champion over the years.

The work of the TVA is a continuing memorial to his life of public service. In recognition of the agency which upholds and carries forward his ideals, and as a reminder of the origin of TVA, I believe it appropriate that I ask unanimous consent to have printed in the RECORD the remarks I made in 1961 at a meeting convened in Washington to honor the memory of Senator Norris in the centennial year of his birth.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

AS I REMEMBER GEORGE W. NORRIS

(An address by LISTER HILL, U.S. Senator, from Alabama, delivered at ceremonies honoring the centennial year of the birth of George W. Norris, Washington, D.C., May 16, 1961)

It is a solemn occasion when men and women meet to honor a friend whose life is ended. It is a time of remembrance, of recognition, of rededication. For some of us this is a lonely time. We meet in this, the centennial year of his birth, to commemorate the long and fruitful life of a great American. But to those of us who knew George Norris, this day revives the first sharp sense of loss we suffered when he died. Our sense of loss is undiminished by the years. We loved him, drew strength from his courage, gained wisdom from his patience, learned tolerance from his compassion.

The story of his life is known to all of us. In this assembly his contributions to the public welfare will be surveyed. Their range is broad, for his interests spread as wide as the far horizons of the prairies he called home. From those plains he brought to Washington, and he never lost, his deep awareness that there is no place for men to hide. For him responsibility was limitless and it was complete. His commitment to his fellow men was total, with no reservation. George Norris wanted a better life for all people. That was his single goal. Throughout his life he worked to achieve it.

All the talents with which he was endowed, all the skills he acquired, these were every day invested in the never-ending task to which he was committed. This is the durable inheritance he has bequeathed to us who are gathered here to do honor to his memory. He did not leave us a project to promote, or a program to foster in his name. He left us a yardstick, a standard of service by which each one of us can test our own objectives, appraise our methods, and measure our accomplishments.

High on the list of George Norris' achievements stands the creation of TVA, and my memories of George Norris are deeply rooted in his sponsorship of this great enterprise. When I first came to Washington to take my seat in Congress he had already accepted as his own the long and arduous fight to save for public use the war surplus properties at Muscle Shoals in my home State of Alabama. This was the beginning of TVA. A dam half built across the river and a chemical facility constructed to produce munitions, these were the assets regarded as surplus to the Nation's need when World War I was ended.

TVA exists today because some auspicious fate decreed that George Norris should be chairman of the committee of the Senate to which bills for the disposal of these properties were referred. There is no better illustration of the simple way this noble man accepted the consequences of his complete dedication to public service. Evasion of responsibility would have been easy for a politician with a normal instinct for self-preservation. The issue was bound to be controversial and the properties were not located in his own State. But for George Norris there could be no hiding place, for him no peace in noninvolvement. He was obliged to act in behalf of the people—the people of my State, the people of adjacent States—far from the State he represented.

I like to think that TVA will forever bear the mark of his rare and selfless spirit. I believe, in some mysterious fashion, it makes a difference that the enterprise was not born of parochial concern, or in response to local political pressure, and that no man's ambition was advanced by its creation. Its lineage is pure. TVA was established because each day George Norris asked himself the timeless question, lately cheered but rarely answered, "What can I do for my country?" This was his response: He could undertake to save for public use the properties constructed by the Government at Muscle Shoals in Alabama.

It was a titanic job he undertook. To those who would continue on the trail he blazed, this is a truth to remember. George Norris never asked what was feasible. He asked what was right. He never asked how long and hard the road ahead would be. He saw a distant goal and knew he had to start without delay.

For more than 10 long years he labored. I remember how tirelessly he worked. He read reports, consulted experts, conducted long and exhausting hearings. Alone he journeyed in search of facts, north to Ontario, west to the Pacific, south to Muscle Shoals. Again and again he spoke on the floor of the Senate. Every parliamentary skill he possessed was at the people's service. The Senate's tradition of unlimited debate was employed in their behalf. Like a patient schoolmaster to reluctant pupils, he made his points over and over again, sharing with his colleagues all that he had so deeply learned. He mastered engineering data, probed the mysteries of power accounting and finance, studied chemical operations. But he talked about the back-breaking toil of the people to whose increased well-being he was determined the properties at Muscle Shoals should be dedicated.

He affirmed a high moral principle, the principle that all the people, not just a few, have a right to share the fruits of scientific progress. But he talked about the ill-lit country schoolroom, the dim lamp in the parlor, the pump in the yard, the bucket and the wood-burning stove in the kitchen. Into the record he introduced maternal and infant mortality statistics, the poignant story of the brief life span in rural areas, where life was more harsh, labor more pitiless than it needed to be, because the people were denied the boon of electric energy.

George Norris fought that the farmer and the housewife might participate in the modern world. He spoke for the poor, the lonely, and the overburdened. He saw the power from Wilson Dam as a tool to use to make life easier for the farmer and the housewife, to release their energies for greater productivity, to expand their opportunities. This was his dream. Muscle Shoals was a place to start. Public ownership and operation was a means to the end. It was as simple as that to George Norris.

Little by little, man by man, the circle of support for his proposals began to widen. Plans to sell the properties were defeated and abandoned in the face of his relentless exposure. Twice his measures providing for public utilization were adopted by the Congress only to fail of Executive approval.

George Norris was no stranger to discouragement in those years. He walked with sorrow often, but his determination never faltered. I remember this. And I remember something else of great significance. I wonder at it now, and I am humble in the recognition of a triumph. Successive bills were not diluted to make approval easy. Each bill was better than the last, broader in its vision, wiser in its provisions. More men contributed their talents. As George Norris taught, he learned, until in 1933 when we met together in the Committee of Conference to determine the final provisions of the statute, a Government corporation was established with responsibilities much broader than a mandate to devote to public use the properties owned by the Government at Muscle Shoals. These facilities were basic to the program. They formed the strong foundation. But the act went further.

TVA was finally created to demonstrate what could be accomplished when the job of developing a region's resources is seen as a whole, when administration is decentralized, when management and politics are sternly separated, when a conscious effort is made to enlist the assets and the energies of local governments in promotion of a total program. A brilliant administrative innovation was achieved. A pilot plant for progress throughout the world was created.

Many men had worked together over the years, but let us here remember that it was the patience and the dedication of George Norris that welded all of us together. He was our leader. It was his decision to thwart disposal of the properties at Muscle Shoals that held a beachhead where the rest of us could find a place to fight. Through the years he was the one who kept the purpose of all our efforts clear. Like a watermark on every page of the statute the stamp of George Norris stands out.

It stands out in the sections where TVA is directed to make energy available for rural and domestic use at the lowest possible rates but at the same time to achieve revenues to cover the costs of power production. George Norris wrote these objectives in the law. There is no uncertainty about their meaning, no qualification on the responsibility of those entrusted with administration. Their job is to endeavor ceaselessly to decrease power costs, to increase its use by consumers.

When TVA austerely resists pressure to construct uneconomic projects, no matter how attractive they may appear to local sponsors, when it refuses to locate plants at sites which would increase production costs, no matter how appealing the solicitations, these are the provisions of the statute it is honoring. This was the injunction of George Norris. When TVA engineers determine that larger and more efficient units will lower power costs, larger and more efficient units must be designed and must be fabricated. When it is clear that the costs of electrical equipment are not restrained by the check of honest competition. TVA is obliged to act. The statute requires it. Foreign bids must be solicited. Collusive bidding must be exposed. This is the way power rates are held down. This is the yardstick of George Norris.

Today, when the highest domestic use of electricity and the lowest rates in the United States are reported from the region served by TVA, I read the list of appliances the people use with a reminiscent satisfaction—electric feed grinders, haydriers, milking machines and freezers on the farms; refrigerators, ranges, water heaters, washing machines and dryers, air-conditioning units in the home. These appliances are in use today because the cost of electricity to the domestic consumer has been reduced from 6 cents to less than a penny a kilowatt-hour as average use has risen from 600 to more than 9,000 kilowatt-hours a year. These appliances are in use on farms and in homes today because George Norris devoted his life to his fellow men.

Because of him, over 98 percent of the farms in the region have electric service and 75 percent have pressure running water systems. All-electric schools flourish in the valley; electric house heating is spreading. When I see these changes, this surging progress, I remember his deep conviction that it could be done. This is what he meant.

I remember how he used to smile, his whole face would be alight, as he described what an abundant supply of electricity could do to change the lives of people. I think he would not be astonished to discover that this power system his faith created is now the largest in the United States, that the demands of the people for electric energy have outstripped the capacity of the river to supply it, and that coal, another gift of nature, is releasing its long-hoarded energy to promote their well-being. I know he would not be surprised to see that the rates of private power companies adjoining TVA have been reduced, that use on their systems has increased while their profits have risen. He knew the yardstick would work. His faith was boundless.

Today, from Burma and Brazil, Tunisia and Iran, from Norway and from the British Isles, from every continent of the earth men come to visit TVA. They come as pilgrims visit shrines, seeking nourishment for their hopes and their aspirations. They visit a modern laboratory where new types of fertilizers are being developed, a plant where they are produced and farms where products are tested. They watch huge barges move in long tows on the tranquil river. They visit nurseries where seedlings are made ready for planting in a great program of reforestation. They see how electricity is used in the homes, on the region's small farms, and in its new industries where the people find employment. These things they see bear testimony to a great man's vision and to his work.

But above all I think these visitors sense the spirit of total public service. On massive dams and on giant steam plants they read the bare inscription—"Built for the people of the United States"—each one a silent tribute to the living spirit of George Norris. Over and over the simple affirmation is repeated. This program, these projects, are committed to the cause of all the people, as George Norris was committed. There is no other beneficiary, no other purpose served.

The truth about George Norris was never obscured. Some years ago I attended a dinner here in Washington where George Norris was an honored guest. Fine words and moving phrases described his public service. But I remember best a tribute paid by a veteran member of the Senate Press Gallery. He said something like this: "If I were ever elected to the Senate I would be grateful that the alphabet would cause my name to come after the name of Norris. For if I entered the Chamber when a rollcall was in progress, and my name was next, I would simply ask how Norris voted. If I voted as he did, then I could be sure that I had served my country well."

In the scrambled alphabet of time all our names come after that of George Norris. When our commitment to the people is as complete as his, when in our several ways we work as hard and as courageously as he worked, when we are as generous in victory as he was and as steadfast in defeat, then of each of us it can be truly said that we have "served our country well." Then we shall have entered fully into possession of the heritage he bequeathed us. Then shall the ageless spirit of George W. Norris be fulfilled.

MYSTERY OF RISING WELFARE COSTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD at this point an article entitled "The Mystery of Rising Welfare Costs," which appeared in the March 8, 1965, issue of U.S. News & World Report.

There being no objection, the article was ordered to be printed as follows:

THE MYSTERY OF RISING RELIEF COSTS

(NOTE.—Prosperity is widespread, jobs often go begging—and still the relief rolls rise.

(What explains this paradox? Who are "welfare babies"? How many are there now? Why can't their parents support them? Is United States getting some kind of "subsociety" that will live permanently on the dole?

(In this report: a look at the costs and implications of welfare trends that are worrying officials and taxpayers in many States.)

At a time of record-high U.S. prosperity, a nagging mystery persists:

Why are welfare rolls growing and relief costs soaring despite decreasing unemployment and the biggest boom in history?

Direct costs of helping the poor have nearly doubled in the last 10 years. They now cost taxpayers more than $5 billion a year. The Federal Government provides about half of all welfare funds, States and local communities pay the rest.

In most areas, the trend of welfare spending continues upward. And, in years ahead, President Johnson's "war on poverty" and other programs geared to the Great Society will add to the welfare outlay.

Thirty years ago, when social security began, officials said it would end the need for relief. Social security pensions do support millions of retired people who would otherwise need help, and the number of aged on relief is dropping. Yet total relief costs keep climbing.

WHAT A SURVEY SHOWS

Staff members of U.S. News & World Report dug into the relief problem. Welfare officials and other experts were interviewed in areas from coast to coast. Among the findings:

1. Vast expansion of programs that support needy children and their mothers is the main cause of soaring relief expenditures.

Aid to dependent children has increased by more than 2 million persons—104 percent—since 1954. People on ADC—more than 4 million of them—outnumber the combined total of all others on relief, such as the old, the blind and the disabled.

2. A large percentage of those getting aid to dependent children are Negroes. This reflects the mass migrations of unskilled Negroes from the South to Northern cities. In the present era of rapid technological advances, job opportunities have become scarcer and scarcer for the unskilled Negroes, throwing them on relief.

3. Aid to dependent children proliferates because jobless men lacking skills required to get new jobs are found, in growing numbers, to be deserting their families. Many of these men, welfare officials say, are drifters who father illegitimate children. Deserted wives, sometimes turning to any man who comes along, add to the high rate of illegitimacy in the self-perpetuating "breeding grounds" of city slums.

Result of all this is a growing "welfare society." Unless some answer is found, this "subsociety" is destined to increase in size, dollar costs, and indirect costs—because, sociologists say, it is certain to breed more criminals, more mental defectives, more unemployables of almost every type.

Around the country, most cities report an unchecked rise in relief costs. Some, however, report a downturn. One such city is Chicago, where there has been a tapering off in the influx of Negroes. Another is Detroit, where the boom in auto production and a tough attitude on the part of welfare officials have cut relief rolls.

In Washington, D.C., a downward trend that began after a crackdown on "chislers" in 1961 has been reversed and relief rolls are on the rise again.

The crackdown resulted from an investigation sparked by Senator ROBERT C. BYRD, Democrat, of West Virginia, chairman of a Senate subcommittee that approves funds for the District of Columbia.

The investigation—which prompted Senator BYRD to label ADC in the Nation's Capital a "racket"—indicated that at least 55 percent of those receiving ADC payments were ineligible.

Nationwide, relief experts say that chiseling is not a major factor. The big problem, as these officials see it, is the massively growing number of "welfare babies," for each of whom the mother receives a monthly support payment. The on-the-scene reports that follow describe aspects of the relief problem in five big cities across the United States.

NEW YORK CITY

Here, in the biggest city of the United States, relief rolls have spiraled from about 280,000 persons in 1954 to more than 450,000. The present rate of increase is about 6,000 persons a month.

In the same period, welfare-department expenditures have risen from $182 million a year to $500 million.

Rising costs of welfare in New York City are reflected in the recordbreaking State budget of $3.5 billion submitted to the legislature by Governor Nelson A. Rockefeller.

Along with the Federal Government, the State helps to shoulder New York City's welfare burden. A whole range of new taxes, including the first Statewide sales tax for New Yorkers, will be needed, the Governor announced.

A survey shows that almost three-fourths of all relief recipients in New York City are in the aid-to-dependent children group. Almost all of these are in families which do not have a male breadwinner.

Departure of whites

Welfare officials say that a population shift is chiefly responsible for zooming relief costs.

In the last 15 years, about 1 million white people have moved away from the city. They have been replaced by Negroes and Puerto Ricans, who, on the average, are much poorer than the whites who have moved to the suburbs.

City records show that the unemployment rate of the Negro and Puerto Rican population is far above that of the white population. The proportion of family breakups and deserting fathers is higher, the rate of illegitimate births much greater.

About 20 percent of New York City's Negroes and Puerto Ricans are on relief, compared with 5.8 percent of the city's total population.

One explanation of the high percentage of Negroes and Puerto Ricans on relief: As automation has come into wider use, jobs not requiring special skills are becoming harder and harder to find. Such jobs, in the past, have been a major source of employment for nonwhites.

A study made recently for Welfare Commissioner James R. Dumpson showed that 72.3 percent of the new applicants for relief were either Negroes or Puerto Ricans and that 75 percent of these applicants were unskilled.

Says Mr. Dumpson: "The principal reason for the increase in relief rolls is the increase in family breakups, desertions, and separations. This finding in New York City coordinates with findings of the Federal Government.

"Another factor is the decrease in the number of unskilled jobs and the slowness in retraining persons who become unemployed because of the decreases in such jobs."

Another comment from the commissioner: "Responsibility for the rising cost of relief rests in the failure of all of us to shift our sights to a whole new set of social and economic factors present in the fifties and sixties, and likely to be even more present in the seventies."

Deterioration of moral standards and a spreading acceptance of the idea that the dole can be a way of life are part of the pattern, as Mr. Dumpson sees it.

CHICAGO

Both volume and cost of public aid in the Nation's second largest city have been declining in the last 2 years.

Relief in Cook County—Chicago—reached a peak in May 1962, when 290,000 persons were on the rolls, receiving $17.3 million a month. By contrast, 266,000 were on relief late in 1964, getting $15.3 million a month.

Raymond Hilliard, director of public aid for Cook County, credits an education and training program sponsored by his department with helping to ease the welfare load.

Last year, 15,500 persons who received basic education and training for jobs were put on payrolls. Examples of the jobs found: spot welding, sewing, packaging, typing, cabdriving, gasoline station work.

The biggest increase in relief has come in the aid-to-dependent-children program. In November 1954, there were 50,912 persons on ADC; last November, the number was 184,823.

About 85 percent of all persons on relief in Chicago are Negroes.

For years, Negroes from the South flocked here and found jobs in such major industries as railroads and meatpacking. But more automation for the railroads, fewer slaughterhouses and the mechanization of many businesses eliminated jobs the untrained were able to handle.

Chicago no longer is a magnet for unskilled Negroes. The influx has virtually stopped. But thousands who came here were trapped in slums when they lost jobs and failed to find others.

As men lost their jobs, Mr. Hilliard observed, they began deserting their wives and children. With no income, these families went on ADC relief. The problem was compounded when the deserted women began having illegitimate children. Mr. Hilliard estimates that 40 to 45 percent of the children on ADC in Chicago are illegitimate.

A comment by Mr. Hilliard:

"The typical ADC mother in Chicago is a poor Negro—the girl left behind to raise illegitimate children.

"She is insecure, uneducated, unsophisticated, frightened. She lives in a hovel and has no social or recreational outlet. She craves security and is vulnerable to men.

"This is the new breeding ground. This is why ADC has risen."

As for fathers of illegitimate children. Mr. Hilliard says: "Preachers can preach all they want and we can moralize all we please, but the guy with no job is still going to run around to different women. And a girl is going to see some hope for a husband in any man who will visit her."

Mr. Hilliard sees two steps as essential if relief costs are to be cut:

Adults on relief must be trained so they can get jobs. Many are illiterate and must receive basic education as a preliminary to job training.

Slum children need preschool training so they can start to school on an equal footing with other children. Otherwise, they may be so far behind that they never can catch up and will head into delinquency and perhaps a lifetime on relief rolls.

Birth control, Mr. Hilliard believes, is certain to be used more extensively in welfare programs of the future. But his main concern now is to train jobless adults for gainful employment and to help children get a better start.

SAN FRANCISCO

Welfare costs in San Francisco County have nearly doubled in the last 5 years. Relief spending is up from $26 million in 1960 to more than $50 million this year. In the same period, welfare expenditures in California—by the State, counties and the Federal Government—has soared from $466.5 to $853.9 million.

The State's share of welfare costs, it now is indicated will push $16 million over the budget estimate of $367 for the present year. More than two-thirds of the extra money is for the aid-to-dependent-children program.

Gov. Edmund G. Brown commented recently: "The cost of aid to needy children is up 18 percent. It is up because there are more broken homes, more unemployed people, more illegitimate children, more dislocated families than ever before."

Here in San Francisco, a shift in the population pattern is seen as a reason for rising relief costs. Says Ronald Born, San Francisco welfare director:

"Newcomers from rural areas and immigrants from abroad are replacing our young, middle-income families, which have moved to the suburbs. We've had an increase in the population over age 65. We've had an increase in the Negro population."

One study showed that, in three out of every five San Francisco Bay area families receiving aid to needy children, the mothers were Negro or Mexican-American.

Concern over the mounting costs of welfare is expressed in suburban areas as well as in San Francisco. Says Newton Holcomb, welfare director of nearby Santa Clara County:

"The number of families on welfare is increasing, partly because we have many Mexican-Americans. They are largely unskilled, uneducated, from farm-labor backgrounds. They represent 12 percent of Santa Clara County's total population, but account for 45 percent of our family-assistance program."

DETROIT

The boom in auto production has made a big dent in Detroit's relief rolls.

As this year began, about 107,000 persons here were receiving some kind of public assistance. More than half—68,500—were on the aid-to-dependent children roster.

Detroit's present total of reliefers compares with 114,000 a year ago and almost 122,000 2 years ago.

Says Daniel Ryan, welfare director: "When the auto plants are running strong, everything else picks up and jobs are available."

Of those receiving direct welfare aid in Detroit, 80 percent are Negroes.

Costs of direct relief have declined from $19,207,398 in 1963 to an estimated $8,673,000 for the present year. Direct welfare is only one of five types of aid here. Others are aid to dependent children, old-age assistance, aid to the blind and aid to the disabled. In those categories, costs are rising. Example, ADC family benefits averaged $146.45 a month last September, up from $137.24 in September of 1963.

Direct aid is administered by the city; the other programs are financed by the State and Federal Governments and administered by Wayne County.

Mr. Ryan believes that vocational training is vital if relief costs are to be held down.

The welfare director said that of men now receiving direct public aid, one-third of those who are physically able to work are functionally illiterate. In a group given job-aptitude tests recently, Mr. Ryan said, only half could get a passing grade in 1 or more of 23 tests.

"The only answer here is training," the welfare official said. "We hope that President Johnson's new antipoverty program will provide that."

Detroit gives short shrift to "relief loafers." Whenever possible, able-bodied men are put on work projects. They are paid the going rate of $2.03½ cents an hour for totally unskilled labor, but they never see the money. Instead, they receive a receipt to be applied against their welfare accounts.

"Work programs," says Mr. Ryan, "help maintain any work habits the men may have and are an incentive to find private employment.

"The malingerer, who thought he was going to get something for nothing, is likely to say, 'If I have to go work here, I might as well go somewhere else and find a job of my own.'"

HOUSTON

Even though Houston has the lowest unemployment rate in its history, welfare costs continue to be a problem.

In 1957, the first year that Harris County—which includes Houston—took over local welfare programs, the relief budget was $928,793. Last year, it was $1,192,301.

Officials estimate that 60 to 65 percent of those on relief here are Negroes.

Asked why, with so little unemployment, it is necessary to spend over $1 million a year on public assistance, a welfare official said:

"Even in times of great prosperity, those who can work only with their hands and backs are finding it difficult to get jobs. Look at the want ads: They don't want unskilled labor. Automation is a factor, and it is going to have even more effect in the future."

Another Houston official said he doubted that many families receiving aid to dependent children were on ADC rolls out of choice. This official remarked: "Certainly, we have some misrepresentations. And we have some people who want to live on charity. But you'll have to admit that the average family payment of $83 a month, with a ceiling of $115, is hardly living high on the hog."

Apparently Houston is in no mood to spend more tax money on welfare. Voters recently rejected a proposal to increase residential taxes slightly in order to finance better hospital facilities for charity patients.

WHAT'S PROPOSED

Can the relief dilemma be solved? Most experts say this: Not for years—and not until a broad, new approach has been implemented.

Steps toward solution have been urged by welfare officials and others familiar with the problem, such as Senator ABRAHAM A. RIBICOFF, Democrat, of Connecticut, former Secretary of Health, Education, and Welfare, and West Virginia's Senator BYRD. Among suggestions made:

Much more emphasis on training facilities to teach the skills needed for jobs in today's industrial society.

Better training for social workers. As HEW Secretary, Mr. RIBICOFF estimated that only 4 percent of the people in welfare work were properly trained.

Crackdowns on subsidized illegitimacy to make it harder for ADC mothers to go on having welfare babies.

A more realistic attitude toward dissemination of birth control information to relief clients.

Foster care or institutional care that would take children away from slum homes in which welfare babies grow up to become delinquents.

Tougher handling of able-bodied idlers—both men and women—on welfare rolls.

New incentives for those on relief to seek jobs.

Some of those measures are called for in the President's Great Society program. Others are being put into effect in some areas.

But, experts say, the welfare army has grown so big that, even with all suggested reforms in operation, it is unlikely that the Nation's relief bill can be cut sharply for a long time to come.

"Welfare babies" and their parents now outnumber all others on relief

	1954	1964	Change from 10 years ago	
			Number	Percent
Children and parents in families receiving ADC (aid to dependent children)	1,984,000	4,056,000	+2,072,000	+104
All others on relief	3,522,000	3,748,000	+226,000	+6
Needy aged	2,589,000	[1] 2,351,000	−238,000	−9
Needy blind	100,000	98,000	−2,000	−2
Disabled persons receiving disability aid	197,000	483,000	+286,000	+145
People receiving aid in general welfare cases	636,000	816,000	+180,000	+28

[1] Includes aged persons receiving medical aid under a program started in 1960.

NOTE.—Growth of ADC families—getting aid-to-dependent-children allowances each month—has accounted for 90 percent of the rise in relief rolls in the past decade. Relief rolls increased by a total of 2,300,000 persons between 1954 and 1964, and the ADC program accounted for 2,100,000 of the increase.

SUMMARY OF MEDICARE TESTIMONY, MAY 18

Mr. HARTKE. As the public hearings on the social security amendments bill, H.R. 6675, draws near its close, Mr. President, I ask unanimous consent that a concise summary of highlights from today's testimony may appear in the RECORD. I might note that tomorrow will be the last day of scheduled hearings, completing the testimony of 81 witnesses.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

OLD ORDER AMISH

Hiram R. Hershey, Harleysville, Pa., speaking on behalf of a resolution signed by 62 members of the Old Order Amish at Burton, Ohio, on August 27, 1964:

1. Supports provision (sec. 319(h)) to exempt those conscientiously opposed to social security participation as members of religious organizations holding such tenets.

2. "We feel obliged to the Government to pay all our due taxes, but the old age and survivors insurance is not a tax. We have no licensed insurance. Liability insurance is not tolerated in most Amish communities."

NATIONAL LEAGUE OF SENIOR CITIZENS

George McLain, chairman, Los Angeles:

1. Endorses the bill, but suggests amendments.

2. Urges across-the-board $7 increase as approved by Senate last year, with minimum raised from $40 to $47.

3. The three quarters under coverage employment for those 72 and over should be eliminated, with "proof of age being the only requirement."

4. Approves lowering applicable age for widows to 60, asks that the age for public assistance for widows be likewise 60.

5. HEW should be authorized to establish a "floor" designating what constitutes a needy person for public assistance purposes.

6. A single State agency should be designated to administer the plan.

7. Section 406 should be made mandatory rather than permissive to assure States' disregard of retroactive payments in determining need.

8. Five-year residence requirement for public assistant should be scaled downward "during the next few years" to 1 year.

9. Public assistance increase should be effective October 1965, rather than January 1966.

10. All States should receive 55 percent Federal matching in public assistance; ceilings on Federal matching should be eliminated.

11. Provisions on relative responsibility and property lien should be extended to money payments as well as the medical assistance program.

12. Urge deletion of judicial review (sec. 404).

13. Recommend amendment to assure assistance is for "meeting [his] individual needs, and is not for the benefit of any other person," and to make possible direct rent payments to assure its receipt by landlords.

AMERICAN HOTEL AND MOTEL ASSOCIATION

Arthur J. Packard, Mount Vernon, Ohio, chairman governmental affairs committee:

1. Opposed to inclusion of tips for social security tax purposes (sec. 313).

2. Tips are paid by patrons, not employers; bill is unfair in declaring tips "deemed to be paid to the employee by the employer."

3. Provision is unworkable; requires acceptance of employees statement, but makes employer liable for accuracy. Recordkeeping would be tremendously burdensome. Casual employees create additional problems.

4. If a tax is to be imposed, it should be considered that tips are self-employment income. Employer should not be made a middleman for a matter between "a hostile tip employee and his Government."

NATIONAL RESTAURANT ASSOCIATION

Leslie W. Scott, president of Fred Harvey, Inc., past chairman association's Government Affairs Committee. Association represents 100,000 restaurants:

1. Tips are not really wages. Tip employee is in effect a concessionaire. Tips should count for social security, but as self-employment income.

Treating tips as wages would create many problems and cause many hardships to restaurant employers. Morale would suffer; bookkeeping costs would be exhorbitant; employers could not control or correct false reporting by employees; many employees themselves do not want the provision.

NEW YORK HOTEL AND MOTEL TRADES COUNCIL

Julia Algase, legislative counsel and assistant to president. Represents 35,000 employees under collective bargaining agreement with hotel association:

1. Tipworkers are not self-employed, must be treated as employees.

2. Have had bargaining agreement effective June 1, 1963, with employers, deeming tipworkers to earn at least $70 a week in cash wages and tips and so paid by both parties, with social security and Internal Revenue approval.

3. Support inclusion of radiologists, anesthesiologists, etc., in basic hospital coverage.

SECOND REVIEW OF SMALL BUSINESS COMMITTEE EFFORTS TO REDUCE BARRIERS AND EXPAND BEEF EXPORTS

Mr. SPARKMAN. Mr. President, on March 15, following the Small Business Committee's hearings on ocean freight rate and other barriers to U.S. beef exports, I presented the first review of our activities in this area. At that time, we announced that U.S. steamship lines and international conferences, during February and March, reduced ocean freight rates by 20 to 25 percent on most categories of beef and beef products moving by sea to Western Europe.

It now becomes my pleasant duty as committee chairman to issue a second report on progress in beef exports.

FIRST QUARTER INCREASES IN BEEF, VEAL, AND CATTLE EXPORTS

Through the cooperation of the Department of Agriculture, which has been working overtime to develop the statistics for the committee, I am happy to announce that American exports of beef and veal for the first quarter of 1965 more than doubled compared to the first quarter of 1964. The exact percentage increase was 101.2 percent. Live cattle exports rose 68.6 percent above last year's first quarter.

For the month of March 1965, the new levels were 195.4 percent—for beef and veal—and 11.5 percent—for live cattle—above the comparable totals of last March.

There surely are factors other than ocean freight rate reductions which influenced these developments. However, I believe it is fair to say that the rate reductions made a major contribution—both materially and psychologically. The progression of increases, with the sharpest gains coming in March, appears to bear this out.

From the record of our hearings, as well as consultation with those familiar with our efforts to develop foreign markets, it seems clear that these increases reflect the most significant development in beef exports in the past four or five decades.

The advances are made more remarkable by the presence of countervailing factors which ordinarily would have tended to depress beef exports during this period. The publication "Foreign Agricultural Trade of the United States" for March–April 1965, reports that export totals for several agricultural commodities "toward the close of 1964—in anticipation of the longshoremen's strike—was larger than expected." Following this was the actual closure of ports in the Northeast until well into February and at some gulf ports into March. In fact, this reduced the combined level of all types of meat exports substantially below the level of the year before.

The breakthrough figures for beef and cattle exports were thus compiled under generally unfavorable conditions. A tabulation follows:

U.S. exports of beef and livestock products

[In thousands of pounds product weight]

	1st quarter, 1964	1st quarter, 1965	Percent change
Beef and veal	[1] 7,986	[1] 16,068	+101.2
Total red meat	[1] 65,183	[1] 32,398	−49.5
Variety meats	[1] 51,539	[1] 47.828	−7.2
Live cattle	[2] 6,528	[2] 10,985	+68.6

[1] Thousand pounds product weight.

[2] Number of head.

The Small Business Committee is, of course, going into these matters in some detail in its forthcoming interim report on this subject.

I feel it is appropriate, however, to make several comments at this time. Some of these will be general and others are, perhaps, impelled by a more regional pride.

SIGNIFICANCE OF BEEF EXPORT EXPANSION

Mr. President, we are all aware of the importance of developing export markets for American farmers, ranchers, livestock producers, finishers, and meatpackers. Most of these are small family enterprises and independent businesses in the best sense of the word.

Sales of beef and cattle account for fully one-fourth of the annual income of our farm community, and agricultural exports constitute one-fourth of all American exports.

Our committee had found, however, that beef and veal products were a notable exception to our success in agricultural exports. Though we have produced about 40 percent of the world's beef, we ranked 12th among meat exporting nations in 1963, sending only three-tenths of 1 percent of our beef production abroad.

From the beginning of our inquiry into these matters, the committee has hoped that its activity would be constructive for all. We hoped to benefit both the beef industry, which has the products to export, and the American-flag steamship industry, which has the means to carry them. The committee has said that the effectiveness of ocean freight rate reductions, market development programs, and its own efforts should be judged by the factual standard of whether sales of U.S. beef products could be increased in Western Europe and in other export areas.

Now some of the cold, impersonal figures are beginning to come back from marketplaces around the world. They bring us several important messages:

That consumers desire to purchase American beef in increasing quantities.

That our confidence in these high quality products is thus justified.

That our beef industry is efficient enough to compete in world markets, especially when artificial barriers are minimized.

Furthermore, they show what the American economy can accomplish when statesmanship in business is joined with concern in Government, and all are working together in a common cause.

BENEFIT TO ALL AND HARM TO NONE

These figures also tell a story of benefit to all and harm to none. Our trading partners benefit in several ways. Their consumers are able to satisfy their desires by more and finer beef and their economies are more efficient because of the lower costs of food.

The United States profits from increased earnings in our balance of payments, and the world benefits from a stronger U.S. financial position.

It is particularly gratifying that the benefits of this expansion will be felt across the States of the South which are represented on our committee—Louisiana, Florida, New Mexico, Oklahoma, and my own State of Alabama.

PARTICULAR IMPORTANCE TO THE SOUTH

The committee has previously pointed out that beef and cattle are cash crops in nearly every State of the Union and that half of the States border on the seacoasts and seaways. Every part of the country is thus in a position to benefit from increased beef exports. Southern States, such as Alabama, are in a particularly favorable position to win a major share of widening export markets. A generation ago, cotton was the prime crop in Alabama, and cotton is still important. But today, I believe livestock—including beef and dairy cattle—is the largest cash-earning industry in the State, and poultry, which is another export industry, is third. Furthermore, the beef industry in Alabama and the South is on the verge of what has been called "a tremendous expansion."

The April 23, 1965, Kiplinger Agricultural Letter made this prediction about southern agriculture and the beef industry in particular:

> Ahead is a sure boom for the South. Lower grain rates already in effect may well be the biggest single factor in development of new agriculture in Southern States—touching off what looks like a tremendous expansion.
>
> And it will come in cattle and hogs. Because of special climate, economists for years have anticipated a major livestock boom in the South. Slow in coming, but now one major drawback, expensive food, is licked.

A BREAKTHROUGH IN LIVESTOCK PRODUCTION

The size of the potential offered to the southern livestock industry stretches a conservative imagination. The newsletter continues:

> What is the potential for livestock production in the South?
>
> A $3 to $4 billion increase over current level of income, USDA and college studies indicate. That much more from hogs and cattle.
>
> To feed the people in the South, about 1 billion pounds of beef are imported annually, 1.3 billion pounds of pork. This huge deficit, economists say, can be produced by southern farmers, not midwestern.
>
> Add certain population growth, and the potential gets bigger.

This authority attributes the coming agricultural revolution to reductions in domestic freight rates within the past month. These domestic freight rates hold as strategic a position in the scheme of the South's economic development as do the newly reduced ocean freight rates.

I would like to call attention to the recent list of domestic freight rate reductions which were announced by Mobile Port Traffic Manager E. C. Ash, in the following categories:

First. Feed or feed ingredients in carload lots, from points in Minnesota, Iowa, and Nebraska and other northern points, to gulf ports, effective May 24.

Second. Feed grains and ingredients, animals or poultry, from Minnesota to gulf ports, effective May 12.

Third. Dressed poultry, frozen, in carload lots from points in Missouri to gulf ports, effective May 24.

Fourth. Fresh and frozen meat in carload lots from Nebraska, for export, effective May 12.

Mr. Ash has stated that these actions "give Mobile a parity with other gulf ports."

I would like to add that these parallel reductions in domestic and oversea freight rates coming within a space of 3 months, can open a new golden era in the economic life of the State of Alabama and the South.

The Kiplinger Newsletter states, I am glad to say, that "little farmers" will share in the forthcoming beef boom, as well as the larger commercial farmer. It goes on to spell out further practical consequences:

> As for businessmen, it means more meat-packing houses needed, more processing plants, more storage facilities, more bank loans, etc.
>
> And aside from grain and livestock, fruits and vegetables, too. Production will go up and eventually lower freight rates are bound to draw processing plants, freezers, etc. into the South, near output areas.

ALABAMA IN A MOST FORTUNATE POSITION

The citizens of Alabama had a prelude of this when, in February, 1,873 head of Alabama cattle, the largest shipment of live animals ever to leave the United States, sailed from Mobile to Italy aboard the SS *Salamat*. We now have a report from the U.S. agricultural attaché in Genoa on the arrival of this vessel. Although the ship was delayed on the high seas for 6 days because of bad weather:

> To the pleasant surprise of at least a hundred spectators including buyers, observers, the newly arrived American Consul General Egert of Genoa, and others, all were greatly impressed with the condition of the cattle. Several cattle experts claimed the feeder stock cattle were unquestionably the best Italy has thus far imported from the United States.
>
> In addition, a Max Grun of Euler 9, Dusseldorf, Germany, purposely came to Genoa to inspect the cattle. He was very much interested in purchasing feeder cattle from the United States.

I think this accolade—"unquestionably the best"—by the attaché and by the beef industry of Europe would make an apt slogan for our Alabama and U.S. beef industries in the current expansion effort.

From my conversations with European officials, I know that Europeans are becoming aware of the quantity of what they call Kansas City beef. I think they should be getting acquainted with Alabama beef and becoming used to the idea that it is unquestionably the best.

A further confirmation of these developments came on May 1, when the meat-packing firm of Armour & Co. announced that it was replacing its 50-year-old facility in Mobile—which is now marked for demolition in connection with urban renewal—with a brandnew 21,000-square-foot plant. The new facility will incorporate the most modern developments in engineering, refrigeration, and palletization. It will thus be fully equipped to handle and distribute beef, pork, and poultry for both domestic consumption and export. The potential for export markets which was explored at our committee hearings has been discussed with Armour, and I believe the company found the subject to be interesting and will give it due consideration.

As we look to the future, I believe that the people of Alabama can be heartened by the words of industry leaders such as Jay Taylor, the chairman of last year's Presidential beef mission to Europe, who gave the following testimony before our committee:

> I think that there is an opportunity for small business to take advantage of this trading in live cattle and also dressed beef.
>
> And when you think about the great possibilities that you have in your native State of Alabama, where I went and saw this shipment of cattle (aboard the *Salamat*) I think (the committee) is doing a great service to your State of Alabama in helping to promote the shipment of live cattle, because you certainly have the cattle down there, and you have the facilities, if we can get the freight rates right.

Mr. Taylor testified he had been buying Alabama cattle for years and shipping them to California, "and that is almost as far as from Mobile to Genoa."

Even more encouraging was the personal appraisal given by the President of the American Farm Bureau Federation, Charles Shuman, who last month expressed the opinion to me that the cattle industry in Alabama was in a most fortunate position. He said that whichever way the trade developed, whether in live cattle, hanging chilled beef, or frozen boxed products, that Alabama industry had the facilities to participate fully in widening export markets.

STAGE SET FOR MAJOR ECONOMIC DEVELOPMENT

Thus, with beef exports expanding, and domestic and foreign freight rates being reduced, the future is bright with promise for the South and for Alabama. For it will bring not only direct prosperity to beef industry, its suppliers and bankers; whole communities and areas will benefit from new plants, new jobs, and new construction. Export expansion is a mighty engine of overall economic development. A World Bank Publication said in 1960:

> In the long run, the expansion of exports is one of the most effective of all stimuli to economic development, and the rising incomes which it brings provide the best incentive for the growth of local industries. In other words, economic development takes place most easily in the context of rising international trade.

These are the causes of the future, to which the leadership of the committee and its chairman are dedicated. It is hoped that these early increases in beef exports for the first quarter of 1965 will be just one of many steps in this direction.

I ask unanimous consent that an article from the Mobile Press Register describing reductions in domestic freight rates be placed in the RECORD following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Mobile Register, May 10, 1965]

MOBILE BUSINESS REVIEW: LIST OF REDUCED FREIGHT RATES SET TO GIVE PARITY TO PORT OF MOBILE

Summary of adjustments affecting Mobile which, through the cooperation of the transportation lines serving Mobile have been satisfactorily disposed since the April report was announced today by E. C. Ash, traffic manager for the Mobile Port Traffic Bureau. They are:

Refractories and related articles, carload, from Manistee, Mich., to gulf ports, for export. Reduced rates giving Mobile a parity with the other gulf ports, have been published effective April 24, 1965.

Furfural, in tank cars, from Omaha, Nebr., to gulf ports, for export. Reduced rate giving Mobile a parity with the other gulf ports, has been published effective May 15.

Furfural alcohol, in tank cars, from Omaha, Nebr., to gulf ports, for export. Reduced rate giving Mobile a parity with the other gulf ports, has been published effective May 15.

Ramie cloth, carload, imported, from gulf ports to St. Louis, Mo. Reduced rates giving Mobile a parity with the other gulf ports, have been published effective May 12.

Paper, printing and wrapping, carload, from Mobile and other southern producing points to Kansas City, Mo., and points in Kansas. Reduced rates giving Mobile rates properly related to other southern producing points, have been published effective May 12.

Rubber, truckload, imported, from gulf ports to Freeport, Ill. Reduced rate giving Mobile a parity with the other gulf ports, has been published effective April 30.

Sugar, carload, from Mobile and other gulf shipping points to Gadsden, Ala. Reduced rate giving Mobile a parity with the other gulf shipping points, has been published effective May 22.

Sugar, carload, from Mobile and other gulf shipping points to Andalusia, Geneva, and Opp, Ala. Reduced rates giving Mobile differential under the other gulf shipping points, have been published effective May 22.

Demurrage charge on cars detained account of strike, on export grain, soybean, or flaxseed after expiration of free time allowance, at Mobile and other gulf ports. Reduced charge giving Mobile a parity with the other gulf ports, has been published effective May 22.

Firebrick and mortar, carload, from Missouri origins to gulf ports, for export to India and the east coast of South America. Reduced rates giving Mobile a parity with the other gulf ports, have been published effective May 24.

Dressed poultry, frozen, carload, from Anderson, Neosho, and Noel, Mo., to gulf ports, for export. Reduced rates giving Mobile a parity with the other gulf ports, have been published effective May 24.

Sugar, carload, from Mobile and other gulf shipping points to Newport, Tenn. Reduced rate giving Mobile a parity with the other gulf shipping points, has been published effective May 22.

Agricultural implements, carload, from Hesston, Kans., to gulf ports, for export. Reduced rates giving Mobile a parity with the other gulf ports, have been published effective May 2.

Butts, handle bolts, heading bolts, logs, stave bolts, or tree stumps, carload, from Crawfordsville, Lafayette, and Michigan City, Ind., to gulf ports, for export. Reduced rates giving Mobile a parity with the other gulf ports, have been published effective May 24.

Fruits, dried, viz: Figs and fig paste, carload, imported, from gulf ports to Zion, Ill. Reduced rates giving Mobile a parity with the other gulf ports, have been published effective May 12.

Grading and roadmaking implements, viz: Backhoes, mounted on crawlers, tractors or trucks or unmounted, loose, carload, from northern points to gulf ports, for export. Reduced rates giving Mobile a parity with the other gulf ports, have been published effective May 24.

Iron and steel articles, carload, from Alabama City and Birmingham, Ala., and group, to Mobile, Ala. Reduced rates placing Mobile on a competitive basis with other Southern consuming points, have been published effective May 27.

Ore and concentrates, vanadium, carload, from Kalunite, Utah, to gulf ports, for export. Reduced rates giving Mobile a parity with the other gulf ports, have been published effective May 12.

Newsprint paper, carload, from Mobile and other southern producing points to Decatur, Ala. Reduced rates giving Mobile rates properly related to the other southern producing points, have been published effective May 17.

Plastic materials, liquid or other than liquid, in trailer-on-flatcar service, from Louisville, Ky., to gulf ports, for export. Reduced rates giving Mobile a parity with the other gulf ports, have been published effective May 12.

Rubber, synthetic or latex, in trailer-on-flatcar service, from Louisville, Ky., to gulf ports, for export. Reduced rates giving Mobile a parity with the other gulf ports, have been published effective May 12.

Sugar, carload, from Mobile and other gulf shipping points to Memphis, Tenn. Reduced rate giving Mobile a parity with the other gulf shipping points, has been published effective May 22.

Wheat middlings, in cubes or pellet form, in bulk, carload, from Decatur, Ala., to gulf ports, for export. Reduced rates giving Mobile a differential under the other gulf ports, have been published effective April 27.

Residual yeast, carload, from Golden, Colo., to gulf ports, for export. Reduced rate giving Mobile a parity with the other gulf ports, has been published effective May 3.

Aluminum plate or sheet and pipe, carload, from Bedford, Ind., to gulf ports, for export. Reduced rates giving Mobile a parity with the other gulf ports, have been published effective May 24.

Compounds, industrial process water treating, liquid, in barrels or boxes, truckload, from Memphis, Tenn., to gulf ports, for export. Reduced rate giving Mobile a parity with the other gulf ports, has been published effective May 19.

Feed or feed ingredients, carload, from Austin, Minn., Fort Dodge, Iowa, and Fremont, Nebr., to gulf ports, for export. Reduced rates giving Mobile a parity with the other gulf ports, have been published effective May 24.

Feed or feed ingredients, viz: Blood, bonemeal, feather meal, scraps, tankage, carload, from northern points to gulf ports, for export. Reduced rates giving Mobile a parity with the other gulf ports, have been published effective May 24.

Feed or feed ingredients, animal or poultry, carload, from Willmar, Minn., to gulf ports, for export. Reduced rates giving Mobile a parity with the other gulf ports, have been published effective May 12.

Meats, fresh, frozen, carload, from Grand Island, Nebr., to gulf ports, for export. Reduced rates giving Mobile a parity with the other gulf ports, have been published effective May 12.

Mr. McGOVERN. Mr. President, I wish to emphasize the very fine and very important report which the Senator from Alabama [Mr. SPARKMAN] has just made for the Select Committee on Small Business, which he heads. It reflects a sharp increase in our beef exports in spite of unfavorable conditions. The committee, in no small part as a result of efforts on their part to remove some of the barriers on the export of beef, has been able to report an increase in the first quarter of this year of more than 100 percent in beef sales abroad. All of us who are interested in the beef and cattle industry in the United States are grateful for the work done by the Senator from Alabama and his committee in looking into the problems and opportunities to increase our beef exports, resulting in the removal of barriers and stimulation of this new trade.

Although the volume of meat moving overseas is still less than imports, it is quite clear that the trend is favorable and most encouraging. Our exports are on the increase—a sharp increase—and I look for more hopeful developments in that direction. The March increase of 195 percent over the same month in 1964 indicates a very rapid upward trend.

I take this opportunity to express appreciation to the distinguished junior Senator from Alabama [Mr. SPARKMAN] for the initiative he has taken in this matter and for the leadership that he and his committee have provided.

Mr. MANSFIELD. Mr. President, I wish to aline myself with the remarks of the distinguished Senator from South Dakota. The accomplishment which he has described is, indeed, a most noteworthy one and should be of great benefit to the beef and cattle industry of the country as a whole.

I commend the distinguished Senator from Alabama [Mr. SPARKMAN] and the distinguished Senator from South Dakota [Mr. McGOVERN] for their efforts in this respect.

Mr. COOPER. Mr. President, I wish to join in the statements made by the distinguished majority leader and the distinguished Senator from South Dakota. In the past 2 years, many discussions have taken place with respect to cattle prices and imports and exports of beef. The Senator from South Dakota and the Senator from Montana have made many valuable suggestions in this respect.

I know farmers in Kentucky and other States were hurt when the price of choice steers and other beef cattle fell last year to such a low level. I remember pointing out at that time, with others, the possibilities of developing larger markets abroad for American beef and the importance of taking steps to increase our exports to Europe of beef and beef cattle.

I join in commending the Senator from Alabama [Mr. SPARKMAN] and the members of the Select Committee on Small Business for their work in defining and recommending action to remove the barriers to exports. The results of the committee's work, of which I am glad to be a member, has been very helpful. I hope the efforts will be continued and that our exports of beef will continue to increase.

Mr. MANSFIELD. We appreciate the remarks of the distinguished Senator from Kentucky.

Mr. MONTOYA. Mr. President, it is a distinct honor to join the distinguished Senator from Alabama [Mr. SPARKMAN] in a progress report, today, on the successful effort our Small Business Committee has made to increase American exports of beef and veal.

Although he was too modest to say so, it was largely due to the leadership of the Senator from Alabama that our committee was able to produce a result which, I feel safe in stating, was successful beyond our fondest hopes.

Figures prepared by the Department of Agriculture show that live cattle exports rose 68.6 percent and beef and veal exports increased by 101.2 percent in the first quarter of 1965, as compared to such exports in the first quarter of last year.

Judging from the latest figures available, the trend is continuing steadily upward. In March of this year, beef and veal exports reached 195.4 percent of those in March 1964, and the figure for live cattle was 111.5 percent.

As Senator SPARKMAN has said, there are factors other than the work of the Small Business Committee to account for this remarkable increase in a vital American export. But I say with equal emphasis that the Small Business Committee, of which Senator SPARKMAN is chairman, was the catalyst which activated the other elements.

Like Senator SPARKMAN, I come from a beef-producing State; and any increase in beef exports reflects directly on the welfare of our constituents.

But we must not forget the other, larger benefits which export increases produce. The effects are contagious, if I may use that word. Rail shippers benefit; stevedores benefit; ocean shippers benefit; our foreign relations benefit. Increasing our foreign trade increases our friends abroad.

These are big results from the Small Business Committee. Mr. President, it is a pleasure to serve under a chairman who gets the kind of results that Senator SPARKMAN has demonstrated in this instance.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. Mr. President, as I understand, the Senator from Delaware [Mr. WILLIAMS] now has the floor. If he will yield for the purpose of permitting me to suggest the absence of a quorum, I should like to make that request, and ask that the quorum be live.

The ACTING PRESIDENT pro tempore. Under the unanimous-consent agreement previously entered, the Senator from Delaware [Mr. WILLIAMS] has the floor. The Senator from Montana [Mr. MANSFIELD] has suggested the absence of a quorum. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 74 Leg.]

Aiken
Allott
Anderson
Bartlett
Bass
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Carlson
Case
Cooper
Cotton
Curtis
Dodd
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCartny
McClellan
McGovern
McIntyre
McNamara
Metcalf
Miller

Mondale
Monroney
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Pearson
Prouty
Proxmire
Ribicoff
Robertson
Russell, S.C.
Saltonstall
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Tennessee [Mr. Gore], the Senator from Alaska [Mr. Gruening], and the Senator from Wyoming [Mr. McGee] are absent on official business.

I also announce that the Senator from West Virginia [Mr. Byrd], the Senator from Nevada [Mr. Cannon], the Senator from North Carolina [Mr. Jordan], the Senator from New Mexico [Mr. Montoya], the Senator from Rhode Island [Mr. Pell], the Senator from West Virginia [Mr. Randolph], and the Senator from Georgia [Mr. Russell] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Illinois [Mr. Dirksen] is necessarily absent.

The Senator from Idaho [Mr. Jordan] and the Senator from Wyoming [Mr. Simpson] are absent on official business.

The ACTING PRESIDENT pro tempore. A quorum is present.

The Senator from Delaware.

INVESTIGATION OF ROBERT G. BAKER BY COMMITTEE ON RULES AND ADMINISTRATION—PERSONAL STATEMENT BY SENATOR WILLIAMS OF DELAWARE

Mr. WILLIAMS of Delaware. Mr. President, yesterday I asked unanimous consent to be recognized following the morning hour to speak on a matter of personal privilege. I requested members of the Committee on Rules and Administration to be present. I note that the majority members of the Rules Committee are not present. Therefore, I ask unanimous consent to have another quorum call in order that they may again be notified.

Mr. LONG of Louisiana. Mr. President, I object.

Mr. WILLIAMS of Delaware. I suggest the absence of a quorum without unanimous consent. I ask for it because I believe the members of the Rules Committee should be notified again to allow them an opportunity to be present. I am only trying to be fair to my colleagues.

Mr. LONG of Louisiana. Mr. President, the Senator has alerted the members of the Rules Committee so they could be present. It is up to the members of the committee whether they want to be here or not. I expect to listen to the distinguished Senator.

Mr. WILLIAMS of Delaware. I am not trying to force anyone to listen. I merely want to give them an opportunity to be present. I do not know why they are not present. They were notified yesterday. I wish to extend them the courtesy of giving them another chance.

Mr. LONG of Louisiana. Mr. President, I will take responsibility for having the majority members of the Rules Committee alerted. No one expects to ignore the Senator. It is my impression that if they do not agree with the Senator from Delaware, they will plan to speak in reply.

Mr. WILLIAMS of Delaware. I understand that. I appreciate the opinion of the Senator from Louisiana.

Mr. LONG of Louisiana. The Senator knows that sometimes we proceed in this way. The members of the committee were notified that the Senator from Delaware is about to speak concerning a Rules Committee matter.

Mr. WILLIAMS of Delaware. The Senators had an opportunity to be present. Why are they not here?

The ACTING PRESIDENT pro tempore. Objection is heard to the unanimous-consent request.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from New York.

ELEVENTH ANNIVERSARY OF THE BROWN DECISION ON EQUAL EDUCATIONAL OPPORTUNITY TO AMERICA'S CHILDREN

Mr. JAVITS. Mr. President, yesterday marked the anniversary of a significant event in the history of our Nation, and in the struggle to insure equal opportunity to all Americans. It was the 11th anniversary of the landmark decision in the case of Brown against Board of Education, an opinion which opened the school doors of the Nation to Negro children, abolished the doctrine of "separate but equal," and initiated a constitutional social revolution in this land.

We have come a long way during those 11 years. The law has been tested and upheld from Little Rock to Oxford, Miss., and while complete integration has not yet been achieved, considerable progress has been made. The passage, last year, of civil rights legislation designed to speed up integration by conditional Federal aid to education on compliance with the law has proved effective. Forty-six States have filed plans in compliance with title VI of the Civil Rights Act of 1964 and—in spite of Governor Wallace's wornout outbursts in defiance of the law—some progress in the process is being made throughout the South. While today only 3 percent of the Negro children in the Deep South are in classrooms with whites, enforcement of title VI should result in a marked increase in the next few years.

In New York, we have never had segregated schools, but last year, the board of education took steps to rezone certain schools and to pair others in an effort to achieve more complete racial representation in them. I ask unanimous consent that a table showing the old and new racial composition of these schools be printed at this point in the Record, and point out that this plan is now being studied with a view toward implementing it on a broader scale throughout the city.

I also ask unanimous consent that an article from the New York Times describing plans of the NAACP legal defense fund be printed in the Record. The fund, together with other civil rights advocates acknowledges that there is much to be done if full equality of educational opportunity for all American children is to be achieved, and chose this 11th anniversary to announce their plans to accelerate school desegregation. The fund, which played such an important role in the Brown decision is to be commended for their steadfast, brilliant, and patient efforts in this area throughout the years. I join them in the hope that on the later anniversaries of the Brown decision we will celebrate greater progress and indeed elimination of segregation on the basis of race or color among children in education throughout the land.

There being no objection, the table and article were ordered to be printed in the Record, as follows:

Composition of Classes

The following table shows the registers and ethnic composition of the eight paired elementary schools, before and after rezoning. The term "others," as used in the table is the board of education's designation for pupils who are not Negroes or Puerto Ricans:

School	Before pairing		After pairing	
	Register	Percent others	Register	Percent others
P.S. 7, Brooklyn	476	3.6	274	23.3
P.S. 8, Brooklyn	466	77.3	593	46.3
P.S. 111, Queens	1,040	22.1	747	47.5
P.S. 112, Queens	858	83.4	598	46.8
P.S. 92, Queens	497	.4	468	42.5
P.S. 149, Queens	1,057	87.0	825	74.4
P.S. 127, Queens	754	6.0	907	41.4
P.S. 148, Queens	1,201	87.3	711	64.1

[From the New York Times, May 17, 1965]

Rights Unit Maps New Legal Moves—NAACP Fund To Broaden Attack on Discrimination

(By Will Lissner)

The chief legal agency in the civil rights field is developing a new program of statewide suits in the South and elsewhere to bring about compliance with the equal rights laws.

On the 11th anniversary of the Supreme Court's historic school desegregation decision, the NAACP Legal Defense & Educational Fund, Inc., is adopting campaigns to compel State officers to enforce the law. It will seek to have Federal and State funds cut off from noncomplying systems and will try to end discrimination in employment and housing by action in the Federal courts.

It was on May 17, 1954, that the Court declared public school segregation unconstitutional. In the years since, the fund has been combating discrimination on city and county levels. Now it plans action at higher levels.

MEETINGS IN TWO HOTELS

The fund, an independent offshoot of the National Association for the Advancement of Colored People, will hold a strategy conference today of 500 civil rights lawyers and crusaders at the Americana and New York Hilton Hotels.

Jack Greenberg, director and counsel to the fund, said the agency currently was pressing school suits arising from resistance to and evasion of the law in more than 120 southern cities and counties.

"Such massive action was not envisioned in 1954," Mr. Greenberg said.

The fund plans the following actions in addition to suits involving the disbursement of school funds:

Surveys of southern school systems to ascertain those that are taking no action on desegregation.

Federal suits against industries and local governments to establish a theory that industries receiving State and local development assistance are subject to the restrictions of the 14th amendment, which establishes the equal rights and privileges of citizens.

Suits seeking to apply the Sherman Antitrust Act to combinations practicing racial discrimination, such as local real estate boards and organizations of real estate brokers.

The survey of southern school systems will be conducted by a committee of educators. The membership consists of:

Dr. John H. Fischer, president of Teachers College at Columbia University; Dr. Allan M. West of the National Education Association; Dr. Robert H. Seitzer, superintendent of schools, East Orange, N.J.; Dr. Maynard Bemis, executive secretary, Phi Delta Kappa education fraternity.

Also Dr. David Salten, superintendent of schools, New Rochelle; Dr. Roger W. Bardwell, superintendent of schools, District 59, Elk Grove Village, Ill.; Dr. Myron Lieberman, Rhode Island College; Dr. Harry Passow, Teachers College, Columbia; Dr. John W. Davis, former president, West Virginia State College.

Other educators will be added to the committee. The committee will also give fund attorneys a list of 100 specialists in school administration and in education to serve as expert witnesses throughout the South, and it will seek to educate the public on the need for quality as well as nonsegregated education.

The fund played a leading role in the litigation leading to the 1954 school decision. Since then, Mr. Greenberg said, fund action has led every Southern State to take some steps to integrate its schools.

NEED FOR PRESSURE

"Yet today, only 3 percent of the Negro children in the Deep South are in classrooms with whites," he said. "The statistics speak eloquently of the need for increased legal pressure."

Ralph Bunche, United Nations Under Secretary, will be chairman of today's strategy conference.

The NAACP released a report showing that during this school year its campaign to eliminate de facto school segregation had been extended to more than 100 school systems in 24 States.

Thirteen systems in the North and West took steps to achieve greater desegregation, according to the NAACP. This brought to 41 the systems that have taken effective action.

THE PRESIDENT'S MESSAGE ON LABOR

Mr. JAVITS. Mr. President, the President's labor message, which has come to Congress today, is a good step in the right direction, but it is far from adequate to deal with the problems which the President himself has stated require "early action."

The President has called for repeal of section 14(b) of the Taft-Hartley Act "with the hope of reducing conflicts in our national labor policy." I have already announced that I expect to be able to support repeal of 14(b) and for that very reason: that we have one national labor policy and we should not have 50 different versions of it; also, that enhanced union authority will call for correlative responsibility. But the President has neglected other areas of fragmentation in our national labor policy of equal importance. To name just one: the enforcement of labor agreements has been made a matter of national labor policy by section 301 of the Taft-Hartley Act, but because of an oversight in neglecting to make no-strike and no-lockout clauses enforcible in Federal courts, we now have 50 different State laws on the subject, some permitting enforcement, others prohibiting enforcement, and each attaching special conditions or restrictions. Surely, if our Federal labor policy is to encourage collective bargaining, then we at least ought to have a uniform policy providing for enforcement of the bargain once it is made.

The President also calls for increased coverage under the Fair Labor Standards Act—to which I have shown my devotion—but not for raising the minimum wage. I have introduced a bill, S. 1770, which would raise the minimum wage to $1.50. He hesitates to call for a raise in the minimum wage because he says that he is not sure what the effects would be "on the incomes of those employed, and also on costs and prices, and on job opportunities." My own view is that of course we ought to know with a reasonably high degree of probability what the effects of legislation would be before we enact it, but a doubletime for overtime bill—which the President does recommend—is much more of an unknown quantity than a raise in the minimum wage. We have no real evidence at all as to what the impact on the economy would be as the result of doubletime for overtime. I find it hard to believe that employers who are paying a time and one-half penalty now would do so if they could economically avoid it. In short, it seems to me that the President has overlooked the obviously justified need for raising the minimum wage in favor of a provision whose impact is utterly unpredictable and may well be detrimental to the economy as it now stands.

Finally, the President has called for improvements in unemployment compensation to meet the impact of extended unemployment due to automation and other technological changes. I am with him in principle here, but I will have to study the proposed legislation. I have also been drafting legislation in this area, to provide for interim compensation during the period between technological unemployment and retirement under social security for those who are over 60 and technologically or regionally unemployable. Those are people who really need help desperately, and I would hope that the President will have provided for them in his bill.

All in all, I think the President has taken a step in the right direction with this labor message. But it is only one step, and the Congress should not be timid and refuse to keep moving now that the President has indicated a worthwhile direction and given us only a few examples of what we might properly do along the way.

I thank the Senator from Delaware for yielding to me.

INVESTIGATION OF ROBERT G. BAKER BY COMMITTEE ON RULES AND ADMINISTRATION—PERSONAL STATEMENT BY SENATOR WILLIAMS OF DELAWARE

Mr. WILLIAMS of Delaware. Mr. President, now that the unanimous-consent business has been transacted, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll; and the following Senators answered to their names:

[No. 75 Leg.]

Aiken
Allott
Anderson
Bartlett
Bass
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Cooper
Cotton
Curtis
Dodd
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Ribicoff
Robertson
Russell, S.C.
Saltonstall
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The ACTING PRESIDENT pro tempore. A quorum is present.

The Senator from Delaware [Mr. WILLIAMS] is recognized.

Mr. WILLIAMS of Delaware. Mr. President, in the past few days there have been some rather serious allegations appearing in the press allegedly from a report which is being prepared by the majority members of the Committee on Rules and Administration of the Senate, and leaks of that report have been published in the press; all of these charges are attributed to one of its staff members of the committee. But I have a right to know whether he is being used as a hatchet man or whether the members agree with these charges. They are grown men—let them speak for themselves.

I feel that in all fairness, I have a right to an answer. I expected the chairman of the committee to be present. I was about to say that I would withhold my remarks until he came; however, I notice that one of the majority members of the committee has just come in. I can either proceed or wait until it suits the convenience of the chairman of the committee to come to the floor. Under all rules of decency he should be present or send word why he is not here. In view of the fact that he has not seen fit to be present, I believe it would be just as well to wait until such time as he comes into the Chamber.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CURTIS. I call the attention of the Senate to paragraph 1 of rule V, which reads:

> No Senator shall absent himself from the service of the Senate without leave.

I should like to make a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. CURTIS. What Senators have been granted leave from the session today?

The ACTING PRESIDENT pro tempore. The Journal does not show that any Senator has been granted leave.

Mr. CURTIS. I thank the Chair.

Mr. WILLIAMS of Delaware. Mr. President, I was hoping that the majority members of the Committee on Rules and Administration would be present and either repudiate or repeat these allegations which have been attributed to them by a staff member of the committee who describes himself as the spokesman for the majority members of the committee. Surely they are men enough either to repudiate or to repeat them as their own on the floor. I believe that is a reasonable request. Where I come from, if a man cannot stand up to another man and tell him something to his face it is said that he does not believe in what he is saying. I have tried to follow that rule.

I regret that the majority members of the committee are not here. Perhaps they have other duties to perform. But why are they not here? I have seen the allegations in the newspapers. The members of the majority thus far have not seen fit either to repudiate or to repeat the allegations. All I ask is whether the chairman or the other members of the committee repudiate or support the allegations that have been made. Do they have the guts to stand up and support them? I hope that they have a reasonable excuse for not being present. They should be here. They draw their pay, just as every other Senator does.

I always wondered what would happen if Edgar Bergen had been elected and had not been allowed to have Mortimer Snerd make a speech for him.

Mr. President, I yield the floor.

Mr. LAUSCHE. Mr. President, I merely wish to state, after the brief remarks made by the Senator from Delaware, that my faith in him has been strengthened. I feel rather low to observe the need of his standing on the floor of the Senate defending his integrity. I have been here for 8 years, and I have never observed an act on his part that was not predicated on truth and the purpose to serve his people and his Nation. It is a tragic situation that when he tries to pursue truth, justice, and fairness, he is eventually sought to be made a defendant and culprit in the eyes of the public. From my standpoint—and I am practically assured that I speak for all the people of Ohio—JOHN WILLIAMS, of Delaware, occupies a high position of trust, truthfulness, and devoted service to his country.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. MANSFIELD. Mr. President, unfortunately I was called out of the Chamber and was not present to hear the opening remarks of the distinguished senior Senator from Delaware. However, I believe that I should state for the RECORD that two members of the Committee on Rules and Administration answered to their names twice when the roll was called today, and both those Senators are at the present time having lunch with their Governors. That is perfectly understandable. They will be back on the floor as soon as they are through with that commitment, which any one of us would wish to keep if our Governor came here. I am sure that the Senator from Delaware would also.

So far as I am concerned, the Senator from Delaware is a man of great integrity. He has made many contributions to bettering the operations of the Senate; and when he looks into matters he does so conscientiously and in great detail. But I believe that the reasons why two of the Members are absent should be stated. It is a legitimate reason which any Member of this body would, I think, adhere to in the same circumstances.

Mr. PELL. Mr. President, I am a member of the Committee on Rules and Administration. I came here in answer to a quorum call. I am a little at a loss to understand what is happening, except from what I have read in the newspapers this morning. I understand that the Senator from Delaware has cast some aspersions on the committee. I am not aware of what it is all about. I gather it has to do with some statements made in the press, which I have not followed. I do not indicate that I am not a coward because I came here, but I did come here.

Mr. MANSFIELD. Mr. President, it has come to my attention that another member of the committee, a Senator from Pennsylvania, is participating in a primary election in that State. If that is true, it means that perhaps other members of the committee are likely to be necessarily absent.

Mr. WILLIAMS of Delaware. I will tell the Senator from Rhode Island what this is all about. Serious criticism of my work has appeared in newspaper reports in the past few days which have been attributed, as I said yesterday to members of the Senate Rules Committee. These reports were released by a man who projected himself as the spokesman for the majority members of the committee.

I thought in fairness that I had a right to ask the members of the Committee on Rules and Administration to be present here today and to say whether he was speaking for them and if they supported his statements. I wish to read some of the reports to the Senator from Rhode Island.

I hope that the other members of the committee who are not present today will have a good excuse for not being here.

This is one quotation which appeared last Thursday in the Washington Post. It refers to the so-called committee report, a copy of which the chairman did not make available to me. It reads:

> This means, first, to destroy the creditability of Don B. Reynolds, the Washington insurance broker who was the chief informer for committee Republicans. But it also means shattering precedents of senatorial courtesy by a frontal assault on Senator WILLIAMS, who dug up the new evidence that forced a renewal of the investigation and who has been feuding bitterly with McLendon for 6 months.

I again quote, this time from the Washington Evening Star, of the same day:

> Senate Rules Committee Counsel L. P. McLendon has drafted a secret report which contains a scathing denunciation of Don B. Reynolds, chief witness in the Bobby Baker case.
>
> McLendon also attempted to discredit Senator JOHN J. WILLIAMS, the Delaware Republican who initiated the Baker inquiry.

In the Evening Journal of Wilmington, Del., of May 15, there appears this statement:

> WASHINGTON.—Senator JOHN J. WILLIAMS, Republican, of Delaware, is severely criticized in a report drafted by counsel for the Senate committee which investigated Robert G. (Bobby) Baker, it is reported.
>
> The Washington Evening Star yesterday said the 100-page report, which Senate Rules Committee Special Counsel Lennox P. McLendon called a first draft, also criticized the reliability and motive of key witness Don B. Reynolds. According to the Star, WILLIAMS was scored for allegedly withholding information from the committee.

Again in the Washington Evening Star, of May 14, Friday, there appeared this quotation from the fourth paragraph of the report, which was not made available to me:

> At this point it is to be noted that contrary to stories appearing in the public press and statements by Senator JOHN J. WILLIAMS and others, the committee's decision to terminate hearings for taking testimony and to make its first report to the Senate was made upon the condition that the committee could still hear pertinent evidence, if any, thereafter discovered.

They go on and say, "WILLIAMS declined to comment until he has seen the report." How could I comment? What is this all about?

Mr. President, in the past few days I have been put in an embarrassing position. Members of the press have inquired of me, "What do you have to say about this report?" All I could say was, "I have not seen it. No one has made it available to me."

How can one comment on something he has not seen, and why should I get in an argument with a staff member of the committee?

I do not desire to become engaged in a controversy with a member of the staff of the Committee on Rules and Administration. If members of the Committee on Rules and Administration have any such statements to make they should make them in their own names. I am sure the Senator from Rhode Island will agree with that. Then I could answer the statement and we could discuss it man to man. That is all I ask. Do the members of the Committee on Rules and Administration agree with the allegations that have recently appeared in the press? If they do not and wish to repudiate them I shall accept the repudiation. Then, as far as I am concerned, it will be over.

In all fairness, let them speak for themselves. I believe that the Senator from Rhode Island would feel likewise if this were happening to him through some staff member who supposedly was speaking for a majority of the members of a committee. He would feel that he should be entitled to exactly what I ask for today; that is, to be confronted by those members of the committee who felt they had any criticism or charges to make concerning me.

I should like to direct a question right now to the Senator from Rhode Island. Does the Senator agree with the allegations or alleged statements concerning me which are supposedly in the report?

Mr. PELL. I have read the report, but I have not read the newspaper stories. In general, I believe that within our own committee we have our own ideas on how the report should be drafted. I do not believe that there are any aspersions in the draft of the report, according to my recollection, that would reflect on the honor or integrity of the Senator from Delaware.

Copies of the report have been in the hands of the minority members of the committee for several weeks, and I congratulate them on the security they have shown in not making the report available to the Senator from Delaware.

Mr. WILLIAMS of Delaware. In all fairness to the minority members of the committee I believe the Senator from Kentucky [Mr. COOPER] said yesterday, "I have a copy of the report if you wish to read it."

I said that I felt if the chairman of the committee and the majority members of the committee wished to criticize me they at least owed me the courtesy of giving me a copy of the report themselves and that I was not required to get it through minority members of the committee, who had been pledged to secrecy.

I regret that was not done.

To get the record clear, I believe I understand the Senator from Rhode Island. Forgetting about what was going to be in the next report or what is in the report, does the Senator from Rhode Island as a member of the committee have any criticism of the cooperation that I gave the Senate Rules Committee or the lack of cooperation or anything else so far as the committee is concerned? If so, I would appreciate it being said at the present time.

Mr. PELL. Correct. I am only one member of the committee.

Mr. WILLIAMS of Delaware. I am asking the Senator to speak only for himself.

Mr. PELL. I am not sure that we all agree on the draft of the report. That must be worked out in the next couple of days. Some members of the committee believe it should be toned down; some believe it ought to be toned up. It depends on how members feel. So far as I am concerned, I see no lack of integrity on the part of the Senator from Delaware.

I had the feeling that some of the information was a little long in coming. That was the only point.

Mr. WILLIAMS of Delaware. One of the points that was made in the allegations was that I withheld information; now what was it?

Mr. PELL. I do not like the word "withheld." I said that I had the feeling that it was a little long in coming.

Mr. WILLIAMS of Delaware. Either way, it is the same. I am not bickering about the language. The point I should like to make is that if I deliberately withheld information from the committee I was wrong, because I told the committee that as long as it was working on the question I would cooperate with the committee. If I withheld information from the committee deliberately I was wrong. Therefore, since that point is in the mind of the Senator from Rhode Island let us have it out. The Senator must have something specific in mind. What did I withhold from the Senator too long and in what instance was I too long in obtaining that information? It must be based on something. Spell it out.

Mr. PELL. It is purely an impression. If the Senator gives me his word that he did not, I accept his word and I wipe the impression from my mind.

Mr. WILLIAMS of Delaware. To me this is far too important in respect to denying something that has not been said. In all fairness, I believe that if the Senator from Rhode Island had the impression which he stated it must have been based upon some specific instance, not merely generalities. In what specific case did I withhold? If I did I should like to discuss that case. I assure the Senator I did not, but I am willing to accept the judgment of the Senate. When I did not, I do not want it to be said that I was withholding information.

Mr. PELL. I accept the Senator's word that he did not.

Mr. WILLIAMS of Delaware. Can the Senator name any instances which would even remotely indicate that I had withheld information?

Mr. PELL. The impression I had—which on the Senator's word I have wiped out—is that there was some delay in getting in touch at one point with Mr. Reynolds. I do not have the facts. As I said, I came on to the floor of the Senate because there was a quorum call. That was the only impression I had. If the Senator gives his assurance that that is not so, that is all there is to it so far as I am concerned.

Mr. WILLIAMS of Delaware. Mr. President, I am puzzled. How could I have delayed the committee in getting in touch with Mr. Reynolds? In what way would I be responsible for that? The Senate voted the committee $250,000 and gave the committee subpena power. I had no subpena power. By the way, I paid my own expenses on all the work that I did which could not be done by the staff. I do not complain. I was glad to do it. Much of the information which I gave to the committee—and I did give the committee some—was obtained voluntarily, or if it cost me anything to get it, it was paid for by myself. But I am puzzled. After the committee had been voted about one-quarter of a million dollars, did the committee expect me to continue the investigation and to do the spadework for it? Was that the something that I did not deliver?

When I went before the Committee on Rules and Administration in October I gave to the committee much of the information which Mr. Reynolds had. I appeared before the committee on October 29, and I appeared before the committee later upon my request. I wrote the committee again on November 12 or 13. I asked for an opportunity to appear again, and I appeared before the committee on the 14th of November. I directed a letter to the chairman of the committee on November 13, which stated—

> DEAR SENATOR JORDAN: Since my appearance on October 29, 1963, before your committee, I have received additional information pertaining to this subject which I think should be furnished to your committee promptly. I would appreciate, therefore, an opportunity to present this at the earliest date. I do not expect to be in town Friday, and if this could be arranged for tomorrow, it would be appreciated.

I received a reply from the chairman of the committee that he would make the arrangements for the following day. I went before the committee on the following day and gave them many of the documents concerning Mr. Reynolds' records. That appears in Report No. 21, if the Senator wishes to read my testimony on that date. I stated that the reason I asked for an opportunity to come before the committee was—and this statement appears in the report—that I was fearful that there would be some pressure or persuasion on Mr. Reynolds that would cause him not to be as willing a witness as we had hoped. He had come by my office with many of the papers and documents, and I asked for and obtained his permission to photostat them. These statements appear in my testimony. I had photostated them with his knowledge. He left them overnight with the promise that if he called for them and all my copies thereof, I would be morally obligated to give them to him. However, if in the meantime I had presented copies to the committee, it would be too late to recall them. I immediately consulted the chairman of the committee and asked for an opportunity to come before the committee and present them to the committee officially so that they would be in its possession in the event that they were recalled from my possession.

I do not know how I could have done any more.

Mr. PELL. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island has the floor.

Mr. PELL. I accept the word of the Senator from Delaware, so far as I am concerned, that he did not withhold information. I was under the impression which I stated; I cannot recall the instance, but I was under the impression that there was a delay. The Senator says he did not delay. That does not require a long explanation. The Senator knows whether he did or did not delay.

Mr. WILLIAMS of Delaware. If I did, I should like to know so that I might check. I am human. Perhaps I withheld something and did not know about it.

May we then have it understood that, so far as the Senator from Rhode Island is concerned, he has no criticism or anything else in his mind which would raise any question or criticism so far as I am concerned?

Mr. PELL. Not without refreshing my recollection. That is correct.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island has the floor. Does the Senator from Rhode Island yield the floor?

Mr. WILLIAMS of Delaware. Mr. President, I have the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island had the floor.

Mr. PELL. Mr. President, I yield the floor.

Mr. WILLIAMS of Delaware. Mr. President, under the unanimous-consent agreement entered into yesterday, I was to have the floor, and I obtained permission to yield to other Senators.

The ACTING PRESIDENT pro tempore. The Senator from Delaware had yielded the floor, and the Chair had recognized the Senator from Rhode Island [Mr. PELL]. The Senator from Delaware was addressing questions to the Senator from Rhode Island, which is only a privilege that can be exercised by a Senator who has been yielded to for that purpose. The Senator from Delaware had yielded the floor. The Chair again recognizes the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, let us read the unanimous-consent agreement which was entered into.

The ACTING PRESIDENT pro tempore. The Senator from Delaware had yielded the floor. The Senator from Delaware is now again recognized.

Mr. WILLIAMS of Delaware. I yield to the Senator from Nebraska [Mr. CURTIS].

Mr. CURTIS. I do not believe that the distinguished and fearless Senator from Delaware should have to come to the floor of the Senate and state his sorrow and regret about anything; about telling somebody else that if there was a delay, he is sorry. Fine gentleman that he is, he went the extra mile. Actually, the committee did not use all the information he gave it.

The committee, working under the direction of Mr. McLendon, limited its investigation to things that they knew somebody else would find out about. There has been a shameful and deliberate coverup from the very start.

The people of the country—those who have concern about our national honor and character—are well aware of the great service that JOHN WILLIAMS has rendered. Taxpayers who are concerned about the shenanigans going on under the dome of the Capitol are grateful to JOHN WILLIAMS because of his character, his integrity, and his courage. The whole investigation has been a shame and a blot upon the Senate.

I do not doubt that this character, McLendon, who wrote the report, has a reputation for being a good lawyer in North Carolina; but he has totally failed to grasp what his job was here. This is not the first time that that has happened. This is the treatment that Senator WILLIAMS has received at the hands of the Senate: I read from the official hearings of December 3, 1964. Senator WILLIAMS had made a statement.

> Mr. McLENDON. I deny every word of that as emphatically as I can. You never made any such statement to me.
>
> Senator WILLIAMS. I am sorry. I am making it here now, and if you don't want to, it is OK. You can accept it, but I merely state here that I do have the file and that I will make it available to Mr. CURTIS, and I interpreted again that you are not interested, and I will say this to you, you will not be bothered with me again in your Rules Committee.

Then Mr. McLendon, an employee of the Senate, speaking to a Senator, said this:

> You ought to at least tell the truth.

Mr. President, at that very moment, McLendon disqualified himself to conduct this investigation, and he went without being reprimanded by the majority. Why? Because if JOHN WILLIAMS had kept driving ahead, there would have been a real investigation, and the committee would not have been content merely to sacrifice to the public individuals in that involvement who they knew some way get out anyhow.

I shall continue to read from the record; but first, Mr. President, JOHN WILLIAMS, being the long-suffering gentleman that he is, turned down an offer of mine at that very time to start a proceeding on the floor of the Senate to censure Mr. McLendon—and it should have been done. Either this Government is entitled to respect, or it is not. Mr. McLendon has none for it. In an open meeting, he said to a Senator:

> You ought to at least tell the truth.
>
> Senator CURTIS. Now, just a minute.
>
> Mr. McLENDON. That statement you made is absolutely untrue.

That was the second time he hurled a vile charge against Senator WILLIAMS:

> Senator CURTIS. Now, listen; this is the first time in my life that an employee of a Senate committee in a public hearing has accused a Senator of an untruth.
>
> Senator PELL. But both men are honorable men, presumably, and a man can speak for himself; and just because a man is a Senator does not make him a god.
>
> Senator CURTIS. That is true, that is true; but Mr. McLendon had no business making such a statement. I hope that he withdraws.
>
> Mr. McLENDON. I had the same business making that statement as Senator WILLIAMS had in making his.

Imagine that. Is it any wonder that a scurrilous document like this has been circulated, coming from the mind of a man who says, as an employee, that he has a right equal to that of a Senator? I say that not because Senators as individuals are better than anybody else. They are not. But I say that any government body, be it a court or a legislative body, betrays its trust if it tolerates such insolence and disrespect.

After Mr. McLendon said, "I had the same business making that statement as Senator WILLIAMS had in making his," the following occurred:

> Senator CURTIS. You have not.
>
> Mr. McLENDON. You mean as a Senator he is absolutely beyond criticism when he makes an accusation against me?
>
> Senator CURTIS. Not at all. But you are an employee of this committee.

Mr. President, McLendon no doubt has had a long and enviable record as a trial attorney. But he did not come here to undertake to find all the facts. He did not come here to undertake to ascertain the rules of the Senate and proceed accordingly.

Early in the investigation the plot was revealed. The distinguished Senator from Pennsylvania asked a witness a question. The witness did not avail himself of any legal, constitutional, or statutory ground for not replying, but he objected to replying, and the record shows that it was McLendon who got into the record, and instead of supporting the Senator in his right to ask a question, started the smothering job at that point.

This investigation would be embarrassing without turning down the accusations of JOHN WILLIAMS and without attempting to destroy the testimony of Don Reynolds.

I shall read from Don Reynolds' affidavit concerning what happened in connection with the staff. The affidavit is dated August 8, 1964. It is found in the hearings of December 1, 1964. Referring to that matter, he said this:

> I had hoped that the Senate Rules Committee would have provided this cooperation and assistance. It had been my intention to call this to their attention and ask their assistance in getting certain documents; however, after my official interview with Major McLendon and the ex-FBI agent who tried to intimidate me in his questioning I decided otherwise. For example, when he asked me who discussed the purchase of television advertising space with me and I stated that Walter Jenkins and Walter Jenkins alone had, he, the interrogator, thereupon threw a book on the floor and in a boisterous manner informed me that I did not discuss this with Walter Jenkins, that I had discussed it with Bobby Baker. At this point I became somewhat reluctant to discuss openly anything further, knowing that his attitude was more toward defending certain people than toward ascertaining the real facts of the case. At two subsequent appearances before the Rules Committee I soon learned that the majority of that committee was more interested in discrediting me as a person and as a witness than it was in developing the actual facts of the case.

Mr. President, that has never been denied to this day. The investigator has been present in the committee room all the time. The taxpayers have been paying him day after day. The committee has had open sessions. The committee has had executive sessions. The investigator has had plenty of opportunity to deny that statement. As a part of the plan to impress upon witnesses that they must not come in and testify against the politically powerful, that fit of anger was shown. A book was thrown on the floor. The witness was told:

> No. It is not as you say it is. It was otherwise. It was Bobby Baker.

Bobby Baker had already been thrown to the wolves.

Mr. President, I could go on and on concerning the lack of investigation. However, I shall merely go into one other matter. As to this document prepared by the majority staff, I say here and now that I repudiate every word of it. I would not approve of it at all. Instead of JOHN WILLIAMS withholding facts, it has been the other way. The facts have been withheld by his accusers.

We had an accounting of how the performance bond on the Stadium which was being built was not only arranged for under the dome of the Capitol, and an employee of the Senate shared in the commission, but it was through the diligent work of the senior Senator from Delaware [Mr. Williams] that it was disclosed that the bill was padded by some $35,000. Just where that money went, I do not know.

Mr. Reynolds said he got some of it. He believes that perhaps Bobby Baker got some of it. He thinks that the political campaign committee got some of the money. However, I do know that Mr. McLendon skirted around the facts.

I shall read from a report of the hearings. This is a transcript of the hearings and concerns an interrogation of McQuaid by Mr. McLendon. It reads as follows:

Mr. McLendon. Mr. McQuaid, were you in the employment of McCloskey Co., in the year 1960?

Mr. McQuaid. Yes, sir; I was.

Mr. McLendon. When did you terminate your employment?

Mr. McQuaid. December 31, 1961.

Mr. McLendon. How long prior to December 1961 had you been in the employ of the company?

Mr. McQuaid. A little over 4 years.

Mr. McLendon. In what capacity were you employed?

Mr. McQuaid. Controller.

Mr. McLendon. Controller?

Mr. McQuaid. Yes, sir.

Mr. McLendon. What were your duties, generally?

Mr. McQuaid. I was in charge of the accounting department.

Mr. McLendon. Did you have overall supervision of the entire accounting department during that time?

Mr. McQuaid. Yes, sir.

Mr. McLendon. Exhibit 18, appearing on page 156, part 2, containing the testimony of Don B. Reynolds, on December 1, 1964. It is in evidence, Mr. McQuaid, that the document was received by McCloskey & Co. and approved by Mr. William Stewart, who has testified in person, and then a stamp was placed on it, which you see there on the exhibit, giving the contract number and charge—I guess that is a code number, isn't it?

Mr. McQuaid. That is a charge account code number, sir.

Mr. McLendon. Charge account code number, with the word "approved." It also bears a date—stamped date—October 17, 1960, isn't it?

Mr. McQuaid. I suppose it should be 1960. It is a little——

Mr. McLendon. A little blurred.

Mr. McQuaid. Blurred; yes.

Mr. McLendon. Do you have any recollection that this particular document ever came to your personal attention as controller?

Mr. McQuaid. No, sir; I have no present recollection of ever having seen this document personally.

Mr. McLendon. In connection with that, the record also shows exhibit 20, which appears at page 171 of the printed record you have before you. It was a check of McCloskey & Co., signed by T. D. McCloskey, dated October 17, 1960, in exactly the same amount as the invoice which was marked "Exhibit 18"—$109,205.60. Do you have any recollection that that check ever came to your personal attention?

Mr. McQuaid. No, sir I do not.

Mr. McLendon. If the invoice and the check, as appear in this record, had come to your attention with a stamp on the bill and the information that Mr. Stewart had approved it, what would have been the method of processing it through your records?

Mr. McQuaid. I am sorry—what would what?

Mr. McLendon. I say if this invoice had come to your attention, bearing the stamp of approval, and the information that Mr. Stewart had approved it, and then you found the check which corresponded to the bill, what would have been the process by which these documents would have been handled in your accounting?

Mr. McQuaid. Well, I would say just about the way they apparently had been handled here. They would have been processed and charged into the particular job, which is this 403, the District of Columbia Stadium, and set up for payment at the appropriate time. The bill is stamped "Paid, October 17, 1960," and that is the date of the check that paid it. It seems to be all in order.

Mr. McLendon. If anyone had called your attention to the fact at that time, or raised a question—whether it was a fact or not—that maybe this bill for insurance would be paid twice, what would you have done then?

Mr. McQuaid. That it would be paid twice?

Mr. McLendon. Yes.

Mr. McQuaid. I would do what I could——

Mr. McLendon. That this check would be a duplicate payment—would constitute a duplicate payment. What would you have done?

Mr. McQuaid. I would try to stop it.

Mr. McLendon. Sir?

Mr. McQuaid. I would have tried to stop the duplicate payment.

Mr. McLendon. You would have stopped it, wouldn't you?

Mr. McQuaid. I could not stop the payment, because I did not initiate the payment. But I would try to stop it by bringing it to the attention of those who would pay it.

Mr. McLendon. I am not trying to be facetious. What I mean is that as controller you would not have stood by and see it paid twice, without doing something about it.

Mr. McQuaid. Not deliberately; no, sir.

Mr. McLendon. But it appeared to be perfectly regular. Is it true it was processed in all your records?

Mr. McQuaid. Yes.

Mr. McLendon. And would finally be treated as an expense item in computation of income tax?

Mr. McQuaid. It wound up in the proper slot in accordance with this coding, in our records.

Mr. McLendon. I believe that is all.

Mr. President, he ended his interrogation. That is all the committee would have had except that I proceeded to ask the following questions:

The Chairman. Senator Curtis?

Senator Curtis. Yes, Mr. Chairman. You made reference to the coding. What does that code show on this bill shown on page 156?

Mr. McQuaid. It shows C-403, which indicates the contract number assigned to the District of Columbia Stadium job, and a subcoding, 32.

Senator Curtis. What does the 32 mean?

Mr. McQuaid. Which indicates the bond costs on that job.

Senator Curtis. The bond costs?

Mr. McQuaid. Yes.

Senator Curtis. Was the whole amount charged to bond costs?

Mr. McQuaid. Yes, sir.

Senator Curtis. Why?

Mr. McQuaid. Because that is the coding on it.

Senator Curtis. Who put that coding on it?

Mr. McQuaid. The accounts payable clerk, I would assume.

Senator Curtis. Who did?

Mr. McQuaid. Well, the handwriting is familiar to me, but I would only be guessing.

Senator Curtis. Whose handwriting is it?

Mr. McQuaid. It looks like the accounts payable clerk.

Senator Curtis. His name?

Mr. McQuaid. It was a she.

Senator Curtis. What was her name?

Mr. McQuaid. Miss McCloskey.

Senator Curtis. Miss McCloskey?

Mr. McQuaid. Miss Agnes McCloskey.

Senator Curtis. Who is she?

Mr. McQuaid. The accounts payable clerk.

Senator Curtis. Is she related to the management of the company?

Mr. McQuaid. I believe so.

Senator Curtis. Do you know?

Mr. McQuaid. I think so, but I don't know just by what degree of relationship.

Senator Curtis. And her code directed that to be charged as all performance bond?

Mr. McQuaid. Yes, sir. The code of account for that job——

Senator Curtis. What was the term there, "general liability," on the bill for?

Mr. McQuaid. I beg your pardon?

Senator Curtis. What does the term "general liability" mean there?

Mr. McQuaid. I don't know.

Senator Curtis. Now, accompanied with that, up above it, is a letter to Mr. McCloskey from Don Reynolds that says, "Enclosed is invoice as agreed." Were you present when Mr. Reynolds testified?

Mr. McQuaid. No, sir.

Senator Curtis. Have you read his testimony?

Mr. McQuaid. No, sir.

Senator Curtis. Well, he has testified that he made out this bill as directed by the McCloskey Co.

Mr. McLendon. No.

Senator Curtis. I think that is his testimony. It may be disputed, but I think that is his testimony.

Mr. McLendon. I think he made it out according to the instructions of Baker.

Senator Curtis. Yes. I beg your pardon. But, at any rate, he got instructions, and Miss Agnes McCloskey put a code on there that it was all to be charged to bond.

Mr. McQuaid. That is right.

Mr. President, I am sorry to have taken so long to read this, but the point is this:

Some writings were submitted to indicate that the money was to be charged for some general liability insurance, when the facts showed that it was charged to the bond. It was an overpayment of the bond. I did not learn until after the hearings that Mr. McLendon had prior thereto had the McCloskey witnesses in the room, including Agnes McCloskey, and none of that was brought out.

Mr. WILLIAMS of Delaware. I thank the Senator from Nebraska for his comments.

Mr. President, I am glad to see that the chairman of the committee, the Senator from North Carolina, [Mr. Jordan], is now present. I want to yield to him before proceeding with this discussion, then I shall yield to any other Senator. I would like him to have an opportunity to comment on it.

Mr. President, I ask unanimous consent, in line with the previous unanimous-consent agreement, that I may be permitted to yield to Senators or that I may resume this discussion without losing my right to the floor.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. I direct my remarks to the chairman of the committee, if I can have his attention for a moment.

I direct an inquiry to the Senator from North Carolina [Mr. JORDAN] who is now in attendance at this session today. I want him to tell me now what the specific charges or criticisms he may have about me as the Senator from Delaware as far as his committee is concerned. What criticisms or charges has he made or wish to make? Does he support or repudiate the so-called McLendon report?

In line with the unanimous-consent agreement I yield to the Senator from North Carolina for any observations or for any criticisms or charges he may wish to make. As I stated yesterday, it may be that these charges or proposed charges by the counsel are not in agreement with his thoughts, and in that event he can repudiate them; or if they are not repudiated the chairman can repeat and substantiate them on the floor of the Senate. All I ask is that if he has any criticism of my part in this investigation he speak out in my presence here today.

Mr. LONG of Louisiana. Mr. President, a point of order. The Senator can yield only for a Senator to ask a question.

Mr. WILLIAMS of Delaware. Mr. President, I am only trying to expedite this discussion. I say to the majority Members and the majority whip that I realize how a steamroller can operate. Sometimes, though, where I come from, a little monkey wrench thrown into this steamroller oftimes causes it to take a much longer time. I am not in the mood today to be run over. I am trying to conduct this operation properly, but I am determined to get answers, and if there are charges which are to be made they should be made in my presence and in the presence of the other Members of the Senate.

I do not want to be put in the position of reading newspapers and articles about so-called reports questioning my character while the charges are attributed to a staff member. If the chairman agrees with this report he can say so as spokesman for the majority. If this staff member is spokesman for a majority of the committee why not say so. If he is not then the report should be repudiated. I have served on committees with the Senator from Louisiana, and he recognizes the propriety of this action. In all fairness, the Senator from North Carolina should be given an opportunity to state whether this alleged report represents his conclusions, and if they are his conclusions he should state that in my presence so that other Members of the Senate and I may know what the trouble is.

Why does not the Senator from North Carolina, the chairman of the committee, speak up and either defend or repudiate his own committee report.

Can it be that he is afraid to make these charges in his own name?

Mr. SCOTT. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. Does the Senator from Delaware yield for a parliamentary inquiry?

Mr. WILLIAMS of Delaware. I will yield in a moment. The Senator from North Carolina [Mr. JORDAN] is in the Chamber; I want to hear from him first. I had unanimous consent to yield to him for either a question or any statement he might wish to make.

I ask the Senator from North Carolina this question—Does he repudiate or reject these allegations? I am only carrying out the request I made yesterday wherein I promised to yield to him for a comment or statement without interruption.

The chairman of the committee has had 24-hours notice. The report has been in his possession for 4 weeks. Why does he not rise and speak? Let him either repudiate or defend the allegations in his own name.

Mr. LONG of Louisiana. Mr. President, a point of order. Does the Senator have a right to interrogate a Senator?

The ACTING PRESIDENT pro tempore. A Senator does not have a right to interrogate another Senator.

Mr. WILLIAMS of Delaware. No, but I can yield to him for an answer under the unanimous consent agreement. Of course if the Senator from North Carolina does not wish to say anything I cannot force him. I will say this. I will draw my own conclusion from his failure to speak. If there were any member of the staff of one of my committees who made any statement attributing them to me, I would either repudiate or accept them. I would not dodge the issue.

Mr. SCOTT. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. WILLIAMS of Delaware. I yield without losing my right to the floor.

Mr. SCOTT. Mr. President, I rise for protection of the rights of Members of the Senate, and particularly for protection of the rights of the senior Senator from Delaware.

Mr. WILLIAMS of Delaware. I do not think I need that protection. I can take care of myself.

Mr. SCOTT. I would like to make a parliamentary inquiry of the Chair. It is my understanding the Senator asked and received today unanimous consent, again in line with permission he received yesterday, which he assumed earlier today, and that permission was granted to him—namely, that he might yield to any other Senator either for questions or statements, without losing his right to the floor.

There seems to be some sort of moving force which might affect the right of the Senator to continue to hold the floor without regard to the unanimous-consent agreement.

In order that it may be clear, I ask the Chair whether it is or is not a fact that the Senator from Delaware, without losing his right to the floor, may yield for either a question or statement.

The ACTING PRESIDENT pro tempore. The Senator is correct. The Senator from Delaware propounded a unanimous-consent request that he might yield for a statement or questions, and that unanimous-consent request was granted.

Mr. SCOTT. May I ask a further question? If the Senator from Delaware addresses a statement which any other Member of the Senate is free to answer, whether the other Senator either refuses to answer or answers, in either event does the Senator from Delaware lose his right to the floor?

The ACTING PRESIDENT pro tempore. The Senator does not lose his right to the floor. The Senator has no right to interrogate or propound an inquiry to another Senator who has not the floor except by unanimous consent to do it, and the Senator from Delaware has not received unanimous consent to do that.

Mr. WILLIAMS of Delaware. I do not ask it and I do not want it. My request is very clear. I read that request made yesterday. I said, "I ask unanimous consent——"

The ACTING PRESIDENT pro tempore. The Senator is not speaking on the unanimous consent he obtained yesterday. The Senator yielded the floor on that request. He was recognized today and requested unanimous consent to yield.

Mr. WILLIAMS of Delaware. I appreciate that, but the consent for today is the same as the consent I had yesterday. It was a request to yield to other Members of the Senate either for questions or comments without losing my right to the floor.

I asked that yesterday and repeat it today. I made this statement yesterday also which is the reason I expected the Senator from North Carolina [Mr. JORDAN] to answer or reject the report. Yesterday's statement was as follows:

> Mr. President, I now request both the majority leader and the minority leader to notify the members of the Committee on Rules and Administration that they are invited to be present when I speak in the Senate tomorrow.
>
> The newspaper articles which I have placed in the RECORD refer to charges made by a man who represents himself as the "spokesman" for the majority members of the Senate Rules Committee. Upon obtaining recognition tomorrow I shall promptly yield to members of the Rules Committee, beginning with the chairman of the committee, and thereby give to each member an opportunity either to repudiate this self-described "spokesman" or to repeat in my presence and in the presence of the full Senate any charges or criticisms that they care to make in connection with the part which I have taken in trying to obtain a full and complete disclosure of any improprieties involving either employees or Members of the U.S. Senate.
>
> As one who has tried, notwithstanding numerous rebuffs and insults, to cooperate with this committee and to keep this investigation on the proper track I do not intend that these charges by innuendo go unchallenged.
>
> In conclusion, I assure each member of the Rules Committee that as I yield to them tomorrow I shall do so without any interruption and without any limitation as to time that they may desire to outline fully any charges they wish to make, following which they will be answered—and I can assure them they will be answered.

Mr. President, I again assure the Senate that they will be answered. That is why I am here today.

As I said yesterday, I wish to know: Is the self-proclaimed spokesman speaking for the chairman of the committee?

Are those his views?

If they are his views upon what does he base the charges? That is all I am asking.

If they are his views I should like to hear the chairman say so. If they are not I should like to hear him repudiate them.

I offer again to yield to the Senator from North Carolina. I recognize that he does not have to speak if he does not wish to do so. That is his right. I realize that very well, but I can offer to yield to him if he wishes to make any charges. I hope that he will tell the Senate that either these are not his views or if they are his views, to outline where I have done wrong. I believe that he should explain why I should be condemned in the eyes not only of the Senate but also of the country if this alleged report does represent his personal views. If the staff member has no such authority then he should repudiate the allegations. He should be a man and speak up.

All I am asking is to find out just what the so-called criticism is and if this is criticism by the committee.

I notice that the chairman has just risen from his seat. I appreciate the fact that he might wish to repudiate the charges or to outline them.

I am now glad to yield to the Senator from North Carolina under the same unanimous consent agreement.

Mr. JORDAN of North Carolina. Mr. President, at the proper time, when I obtain the floor in my own right, I shall speak. Until that time, I shall not be able to engage in further colloquy.

Mr. WILLIAMS of Delaware. Is that all the Senator from North Carolina has to say at this time?

Is he not man enough to retract the charges or else repeat them in my presence?

Mr. COOPER. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I should be glad to yield the floor because to me silence from the Senator from North Carolina speaks louder than words.

However, I am glad to yield to the Senator from Kentucky, but before I yield the floor or yield to other Senators first I announce that I will not proceed with my intended remarks beyond yielding to views other Senators may wish to express.

I came here ready for a real discussion, but the opposition disappeared.

Mr. President, now I have nothing to defend; no one makes any charges.

I have often wondered what would have happened if Edgar Bergen had been elected to the Senate.

This is not intended as any reflection on Mr. Bergen for whom I have a great respect, but somehow this afternoon I keep thinking of him.

I am now glad to yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, it is rather difficult to discuss the allegations which have been made in the draft report——

Mr. WILLIAMS of Delaware. That is because I have not been able to see a copy of the report.

Mr. COOPER. It is rather difficult to discuss the details of statements which have been made in the draft report until it is released. The draft report prepared by the majority staff was circulated to the members of the committee several weeks ago. A copy was sent to me, and I have read it. Rowland Evans and Robert Novak, in their column, and Paul Hope in his article in the Washington Evening Star, and perhaps others, have commented on the report, inviting attention to the allegations made in the report about the distinguished Senator from Delaware [Mr. WILLIAMS].

The report has not been considered by the Rules Committee, and I assume the committee will take it up tomorrow. It does not represent my judgment, and I am certain that it does not represent the judgment of the minority. I do not wish to read the statements which have been made about the Senator from Delaware, and I have not given anyone my copy of the report. Yesterday, after the Senator from Delaware had made his statement I told him that he could read what the report said about him and I would take that responsibility, inasmuch as some in the press had been able to secure the report. However, he did not wish to see it. He said that he would wait until it had been made public.

It is my judgment, from reading the report, that it is critical of the Senator from Delaware.

He is not charged directly with any wrongdoing, but anyone reading the entire report would infer that the Senator had made charges which were either erroneous or loosely drawn.

In the same way it implies that the Senator withheld from the committee information about Mr. McCloskey. Of course, that is not correct. The Senator from Delaware stood on the floor of the Senate on July 27 of last year and invited the committee's attention to certain information, and later added to that information by placing in the RECORD copies of the documents which were a part of that transaction.

He stated at the time that he did not have the information when the first report of the committee was filed with the Senate.

It also implies that, as other witnesses—Reynolds and others—would bring information to him, but would not come before the committee, that if the Senator had urged them to testify they would have done so.

So I must say that from reading the whole report, I believe that the Senator is correct in saying that it reflects upon him.

I do not have to defend the Senator from Delaware. He needs no defense. The record of the investigation shows that it was bottomed upon his work.

The chronology of the investigation indicates that on every critical point it was the Senator from Delaware who took effective action.

On October 1, 1963, the Senator from Delaware introduced the resolution which initiated the investigation.

October 29, 1963, he came before the committee and laid the background, by his testimony, for the first work of the committee.

Later, it was his evidence brought before the Senate which caused the committee and the Senate to reverse its prior action in closing the investigation and to initiate the investigation once more.

I was present on the day when the Senator from Delaware [Mr. WILLIAMS] came before the committee, on December 3, when the argument occurred between him and counsel regarding a conversation which, as I remember, had been held in Mr. McLendon's office.

The report states that all the correspondence of the Senator from Delaware with the committee was placed into the committee's records. He has done everything possible to help. If the draft report should be adopted—I do not know whether it will be, and it certainly will not be adopted with my vote—it will reflect upon the Senator from Delaware, and unfairly. I hope that the committee will not adopt this course of action.

Mr. WILLIAMS of Delaware. I thank the Senator. My comments will be brief. I notice that the Senator from Nevada [Mr. CANNON] is now in the Chamber. He is another member of the Committee on Rules and Administration. I would like, therefore, to extend him the same opportunity that I extended to other members of the committee. I should like to know whether he is in agreement with counsel for the committee on the allegations in this report. If he is he has a responsibility to say so and to spell out his charges. I want to ask him this question, and I have a right to an answer. I therefore ask him the same question that I asked the other members of the committee. I want to know if the Senator from Nevada agrees with this criticism. If so, he should stand up and present his complaints. Let us get the argument in the open and find out what it is all about. That is all I am asking. I do not like this backhanded criticism from someone who claims to be a spokesman for the committee and then see the members of the committee all run away when challenged.

The Senator from Kentucky [Mr. COOPER] made one statement which was not exactly correct, although I can understand how he thinks it is correct. He has a right to believe that all the correspondence, information, and suggestions that I made available to the committee were printed as a part of the official document of the committee. At the time I was walking out of the committee room I made that request, and it was agreed to. However, all the correspondence was not printed, and some of the omissions are significant. If the Senator from Kentucky is interested—and I know he is—I shall be glad to show him some of that which was not printed. Who withheld that information? It may have been an accident, and it is possible that some of it was lost. However, not all of the correspondence was printed.

I now offer again, in the most courteous terms, to the Senator from Nevada [Mr. CANNON], a member of the committee, an opportunity to make any charges or criticism that he wishes to make. I yield him all the time he needs for that purpose. I would like to know whether he supports those charges. Does he believe the charges and criticisms that were made? I yield him all the time he needs to make his reply. Let us bring this issue out into the open. I promise him there will be no interruptions.

Mr. CANNON. Mr. President, I thank the Senator for yielding to me on a voluntary basis, not at my request. It seems to me that it would be entirely inappropriate for me to comment on press accounts. The Senator refers to press accounts, not to the official action of the committee. The Senator well knows that the Committee on Rules and Administration has not considered this matter officially. It has set a meeting tomorrow for that purpose. Therefore I would deem it entirely inappropriate to comment on something that might never take place or that might not be considered in full by the committee.

Mr. WILLIAMS of Delaware. This report has been in the hands of the majority members of the committee for at least 4 weeks. Surely the Senator from Nevada, being the student he is, has read it. Not only has the report been quoted in the press, but the Senator from Nebraska and the Senator from Kentucky have confirmed that the suggested report carries charges that I have been negligent in making matters available to the committee, or that I have perhaps withheld information, or have made untruthful statements, or have been uncooperative.

Without repeating these statements in the report the Senator from Nevada can state whether he has any charges to make against the Senator from Delaware or any criticism to make against him. I am not asking him to comment on the report but to comment only, as a member of the committee, based on his own knowledge, on the question of whether he has any complaint to make about me. All I am asking him is to stand on the floor and make his statement.

Mr. CANNON. I say again that I believe it would be entirely inappropriate to comment on allegations supposedly made in a contemplated report before the matter has been considered by the committee.

Mr. WILLIAMS of Delaware. Mr. President, do I understand that the Senator from Nevada has delegated to someone in the committee the right to make up his own mind. It would seem to me that he should know himself. In the absence of any comment by him I can only say that such actions speak louder than words. I have always said that where I come from, whenever a man has any charges to make against anyone, if he is confronted by that man he either repeats those charges to the man's face or it is agreed they have very little substance. Is the Senator making any charges? I would at least like to know—and in all fairness I have a right to know—how he feels in his own mind. Such charges have been made in his name. Can he back them up, or does he reject them?

Mr. CANNON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CANNON. I assure the Senator from Delaware that if the Senator from Nevada has any charges to make, they certainly will not be made in secret, and that the Senator from Delaware will be well aware of them.

Mr. WILLIAMS of Delaware. I hope so, and I would hope that the Senator from Nevada would make these charges in my presence. Hearings have been going on for a year, and it seems to me that Senators would be making up their minds as to whether there is any criticism or not. Does the Senator know of a single instance in which I have improperly withheld information from the committee. If that is the charge, it should be stated. I have said before—and I will say it again—that I regret the fact that I have not been able to develop information fast enough for the committee. I do not have any committee staff. Except for one young lady and what help I had from other members of my staff, I did the work alone. I have had to pay other expenses out of my own pocket. I suppose that I should have been able to do better, knowing how little the committee was doing. I will accept criticism on that ground. I do not blame anyone for criticizing me on that point although the criticism does seem in poor taste coming from members of a committee that had a quarter of a million dollars to finance their investigation. I was spending my own money on the investigations. Perhaps I should have done better, I know, but I hope Senators will not be too harsh in their criticism of me, especially after examining the results of the whitewash attempt by the Senate Rules Committee.

I now yield to the Senator from Pennsylvania, a member of the committee.

Mr. SCOTT. Mr. President, I thank the Senator for yielding. The Senate and the country are now observing on the Senate floor the kind of treatment which the minority has been enduring within the confines of the Senate Committee on Rules and Administration.

Committee counsel and the majority members of the committee had many suggestions made to them by the minority as to the continuance of the investigation, as to the calling of needed witnesses, and as to following up certain leads.

At times the majority or its counsel were good enough to deign to make some comment or to disagree. On other occasions we at least felt there was happening in committee what has happened on the floor, and that our efforts to get at the truth were simply treated with dignified silence or generalities.

I find it difficult to disagree entirely with counsel for the committee, when he has exhibited over a period of time considerable resentment and testiness at the appearances of the Senator from Delaware. Counsel, according to reports in the press, wears another hat, that of spokesman for the committee, even though he is no spokesman of mine.

He was the person who advised the committee that all the evidence which could be had was had, that it was not necessary to call any other witnesses, and that the committee could finish its report. The committee handed in what may be laughingly referred to as its first final report.

Subsequently, the senior Senator from Delaware embarrassed counsel and perhaps others by bringing in additional evidence, which evidence was equally available to the $250,000 expense account and salary list of the committee.

Naturally the committee's counsel did resent—and in the committee showed considerable resentment—what I am afraid he regards as the interference of the senior Senator from Delaware. The colloquy to which the Senator from Nebraska [Mr. CURTIS] has referred did take place.

VOTING RIGHTS ACT OF 1965

The ACTING PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Montana [Mr. MANSFIELD] for himself and the Senator from Illinois [Mr DIRKSEN] to the amendment in the nature of a substitute, as amended (No. 124), offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN].

INVESTIGATION OF ROBERT G. BAKER BY THE COMMITTEE ON RULES AND ADMINISTRATION—PERSONAL STATEMENT BY SENATOR WILLIAMS OF DELAWARE

Mr. SCOTT. Mr. President, I have some unfinished business with which I wish to proceed, if I can recollect my scattered thoughts.

About a month ago the committee once again presented what was laughingly regarded as a final report, in the drafting of which the minority members of the committee had no part. There had been general discussion of what the report would contain. I preserved the security of that report; it has not been shown. I have not shown either the first final or the second final—no, this is not the first—the second or third final draft—I am wrong again. I become a little confused. The first and second so-called final drafts of the committee's now final report have remained in my office. Their contents have not been given to anyone else, and they have not been made available. I am assured by the other two members of the minority that that is the situation.

Nevertheless, the first of the two final drafts of the new final report was leaked to the press, and a newspaperman called me and asked me to comment on it. I refused to do so. He said that he had the entire report before him.

That report was followed by a press release of substantial portions of the report. Every Senator has had an opportunity to read the derogatory comment or comments against the senior Senator from Delaware. The senior Senator from Delaware is trying in every way he knows how to appeal to the Members of the majority to do what he feels is the natural thing. They should either accept or disavow the report which they prepared or their counsel and staff prepared, which they know all about and which the minority knows all about. If I am not mistaken, that report will be submitted to us tomorrow, and we shall be given the usual opportunity to vote on it. The vote will probabl ybe 6-to-3, as usual. I believe that is a safe prediction. The majority members of the committee know that tomorrow they will have to continue to impugn what the staff has started to impugn, which is the integrity of the senior Senator from Delaware, by saying in effect that he has not told the truth, but more, in effect, by saying that information they have is contrary to information in the possession of the senior Senator from Delaware or information which the senior Senator has given to the press. They have the right to deny that inference today. They have the right to say to the senior Senator from Delaware, "We do not impugn your motive. We will strike out of the draft this character assassination, whoever prepared the report."

I shall give them the opportunity again, since it has not been accepted on the floor of the Senate. I shall move to strike that language from the draft of the report, unless the majority, with belated wisdom or strong advice from other quarters, decides to excise those charges, which I personally regard as a disgraceful thing to utter in a report.

Everyone knows they are now in the report. The report has been released without permission of anyone that I know of. If the language is still in the report tomorrow, I shall move to strike it out. Then, following that session, I shall state how the vote went. I shall state whether or not the majority of the committee votes to stike out this dastardly assault on one of the most distinguished and honored Members of the Senate, or whether it chooses to ride roughshod over the minority, over the Senate, over the country, and leave in there, by another 6-to-3 vote, a statement of which it should be thoroughly ashamed. I shall again give them an opportunity, either on the floor of the Senate or in committee tomorrow, to rectify the wrong which they have done, because no attack on the Senator from Delaware will hold water.

The committee is again planning to try Reynolds, whom they have gone so far as to accuse of mental instability merely because they do not like his testimony. It was unpleasant, it was contradictory, but it does not warrant a charge of mental instability. Therefore they have expressed a dislike and disapproval of the senior Senator from Delaware.

Tomorrow they can do justice to the Senate and to themselves by striking out that reference, or they can refuse to strike it out. Then I promise to bring the matter again to the floor of the Senate, and we shall see if we can obtain justice here.

I thank the chairman for yielding to me.

Mr. WILLIAMS of Delaware. I thank the Senator from Pennsylvania.

Mr. President, if no other members of the Committee on Rules and Administration wish to have anything to say I shall say again that one can interpret their silence as speaking louder than words. Yesterday members of the committee were notified to be present today. I wished to clear up the question beyond any shadow of a doubt as to what criticism they care to make. It has disturbed me considerably.

Before I close—and I see no reason to pursue the subject further—I should like to say that with the majority members of the committee backing down there is nothing to defend. No one has dared make any allegations.

I thank the leaders, both the majority leader and the minority leader, for their cooperation yesterday and again today in making it possible for me to bring the question to a showdown. It is not their fault that certain members of the committee failed to appear.

I wish also to thank the Senator from Rhode Island [Mr. PELL] for standing on the floor of the Senate today and at least stating that so far as he as one member of the majority is concerned, he has no charges. I appreciate that statement. I wish that other members of the committee had been men enough to do the same thing or if they had charges or criticisms, to stand up and make them. I regretted very much the necessity of delaying the Senate business today to discuss what is a matter of a personal nature, but the subject was very important to me personally.

Mr. President, back home where I come from a man's word and his honor are considered to be all that he has. If his word is no good we consider that man untrustworthy in all other matters.

I remember that my father said, "Never be concerned about a thief. A thief can steal your worldly goods. But you can insure them or work to recover them. But you cannot recover your honor once your honor and reputation are lost."

It was for that reason that I called for a showdown here today. If they felt I had done something wrong or that I had deliberately withheld from the committee information which was in my possession it was their responsibility to speak.

It is true that the charges were not attributed to any individual member of the commitee, but they appeared as given by a man who claimed to be their spokesman. That is the reason I asked committee members to be present today and to speak for themselves. A statement was made by a man who referred to himself as a spokesman for the committee. Had I been a member of the committee I would have either accepted that statement or I would have repudiated it; I would not have run away. The chairman of the committee and some other members of the committee have failed to stand up. I would have had more respect for them had they repeated the charges in my presence. Had it been in reverse I would not have waited for this day but would have either repudiated the charge or accepted it long ago. We at least have a right to expect a Senator to be a man.

Mr. President, I came to the Senate Chamber today to give these men a chance to present their charges or to criticize me personally or else to retract them. Some were not men enough even to put in an appearance; others dodged the questions and remained silent.

It is not necessary for me to say to Senators that in coming here under these circumstances today I am not embarrassed. Certainly it is embarrassing for a Senator to have to come to the floor of the Senate and ask for an opportunity to defend his own record and his own honor, especially when loose charges are made by men who run when challenged. I say again that sometimes silence speaks louder than words. The question may be asked, Why do more Members on this side of the aisle not speak up today in my defense? The reason is that I asked Members of the Senate on my side of the aisle not to make the issue a partisan issue, but I do appreciate their being here in such large numbers and their willingness to support me. But let me fight this out with the men who were supposed to have made the charges.

Many times I have said on the floor of the Senate that I do not believe that all good men are on one side of the aisle. There are Senators on the other side of the aisle, members of the Democratic Party, for whom I have as high regard as I have for any man on the Republican side. This is not a partisan issue before us here this afternoon.

My father was a Democrat, and I was proud of his political affiliation. If the Democratic Party had not drifted so far to the left perhaps I, too, would have been a Democrat. But that is beside the point. We are not discussing political philosophies here today.

We must always remember, when we discuss questions of wrongdoing, that there have been instances of wrongdoing in both political parties. I am not unmindful of the fact that the Teapot Dome Scandal took place under a Republican administration. As a member of the Republican Party I regret that. But I would resent anyone trying to use that as a political indictment against the character and reputation of all other members of the Republican Party.

There have been other instances in which I have criticized activities in the Republican as well as the Democratic Party. I was the first member of the Republican Party to criticize on the floor of the Senate some of the instances of wrongdoing that took place in the Eisenhower administration.

We should not approach these questions from a partisan angle. I have said before that there are many Senators on both sides of the aisle who have criticized in a nonpartisan manner.

There is no Member of the Senate for whom I hold a higher regard than the leader who sits on the other side of the aisle.

About a year and a half ago, as he will recall, I first went to his office to discuss certain rumors concerning Mr. Baker's activities. It was on the 3d day of October 1963. This was at the time the first suggestion of Mr. Baker's wrongdoings came to our attention. That developed from a suit that had been filed in the District of Columbia by a man named Mr. Hill who had charged that he had been paying Mr. Baker $650 a month in cash for Baker's assistance in helping to get a vending contract in a Government plant. He charged that the payoff had been raised by Bobby Baker to $1,000 a month and that when he refused to meet the ante he lost the contract and then filed suit.

This in itself was a serious charge, but soon other charges began to appear.

This action precipitated the disclosure of information about other instances of wrongdoing.

Prior to that time, as one member of the Senate working with Mr. Baker, I had no idea what was taking place. I accept my responsibility as a Member of the Senate for not knowing what was going on. While Mr. Baker was Secretary to the majority he was elected by a vote of the Senate. I could have opposed his election, but I saw no reason to do so. I know now that my confidence was misplaced. I know that others feel as I do.

Nevertheless, the information about the lawsuit, as well as other activities, came to my attention. I did not come to the floor of the Senate with my information, as I would have had a right to do. I went to the majority leader's office and asked for an opportunity to discuss the situation with him. This took place on Thursday, October 3, 1963. At that time, the majority leader had scheduled another appointment. I do not know whether it was at the White House or elsewhere. But we set a time for a meeting on the following afternoon, Friday, in his office around 1:30 or 2 o'clock. That was agreeable to me.

In the meantime the suggestion was made that we get in touch with the minority leader and have both leaders attend the meeting. I took it upon myself to call the minority leader. I learned that he was out of the city; as I recall he was speaking in Vermont. He said that he would return. I informed the majority leader of this, and on Friday about 2 o'clock I was at the majority leader's office.

In the meantime, either at the request of the majority leader or at my suggestion—I forget which—I took upon myself the responsibility of contacting Mr. Baker and inviting him to be present at the meeting. At the same time I was to outline to him in advance some of the allegations that were being made so that he could be prepared to answer them.

Again, Senators will not find one statement anywhere in the press to the effect that I was remotely interested in the situation. I reported to the majority leader's office that Friday afternoon around 1:30 or 2 o'clock. Present at the meeting were the majority leader, the minority leader [Mr. DIRKSEN]; the senior Senator from Georgia [Mr. RUSSELL], and also the former Senator from Minnesota, Mr. HUMPHREY, who is now the Vice President of the United States, a man for whom we have high respect.

When I arrived I stated that I had made at least 12 or 15 telephone calls during the 24-hour period but had been unable to locate Mr. Baker. I said I had left word that I wanted to get in touch with him, but I had been unable to reach him. He did not call back. I was not in a position to say for sure he knew about the meeting, although I had reasonable grounds to believe that he knew about it.

So the suggestion was made that we might just as well recess the meeting, and the majority leader said that he would take it upon himself to try to locate Mr. Baker. While we were seated there he instructed his secretary to see if she could locate Mr. Baker. She reported that she, too, was unable to locate him

The meeting was adjourned, and I went home to Delaware. It was agreed by all, at my suggestion, that we make no reference to the meeting in the press and that we should try not to let the press learn about it. We believed that it would be unfair to Mr. Baker to let word go out that we had tried to call him on the carpet at a meeting of the leadership when we were not sure that any of us could personally say that he knew of the meeting. While we thought he knew we wanted to be fair to him.

When I reached home in Delaware that night, between 7:30 and 8 o'clock, I received a telephone call from the majority leader, as he will recall, I am sure. He said that in the meantime he had located Mr. Baker and had advised him of the request for an interview and that a meeting was set for the following Monday at 3 o'clock.

The majority leader said that it was not necessary for me to return, that we could be away on Saturday.

The meeting had been set for 3 o'clock on Monday in the majority leader's office. A few articles critical of the majority leader appeared in the press because he had given the impression that there had not been a Friday meeting. He was correct; there had been no meeting with Mr. Baker. Technically, we had had a meeting for that purpose, but I accept equal responsibility for that impression. I respect the majority leader even more for taking that criticism upon himself rather than letting word go out which could have resulted in unfair criticism of an employee of the Senate before he had been given an opportunity to defend himself. In fact, I, too, told the press that there had been no meeting with Baker, which was true.

On Monday at 3 o'clock, the time at which the meeting was scheduled, I went to Senator DIRKSEN's office as I had been advised. Shortly after, we received a call from the majority leader that he might be delayed for a few minutes. Later when he arrived, as I recall, he was accompanied by the Senator from New Mexico [Mr. ANDERSON]. He said that Mr. Baker had tendered his resignation rather than meet with us. The majority leader issued a statement to that effect.

I know that the majority leader was hurt by this. He, too, thought something of Baker. I respect him for it. I deeply regretted what had happened. It is not pleasant to see such a thing happen to any man, I do not care who or where he is. Anyway, we recognized the seriousness of what had occurred and agreed that something would have to be done, but we said, "Let us think it over." Again, I made no statement to the press. I did not come to the floor of the Senate with the documents that I had at that time. I could have done so.

A few days later we drafted Senate Resolution 212, which I submitted, supported by the majority leader and the minority leader and unanimously agreed to by the Senate. I pay my respects to Senators on both sides of the aisle for recognizing the problem and proceeding accordingly.

I shall not discuss what happened later. I would have discussed the situation in greater detail and had intended to, because without being conceited I am proud of the contribution that I have made in supplying information to the committee. Perhaps my success is what is embarrassing them. In any event they have accepted this information with about the same enthusiasm and appreciation as a little boy does castor oil.

I was surprised though when it came out in the press that they were critical of my not getting more information for them. But when asked to come here today and outline their criticism they ran out.

The newspaper account gave the impression that the informant was a spokesman for the majority members of the committee, and what were alleged to be excerpts from the report revealed that charges were specifically made that I had deliberately and willfully—perhaps those exact words were not used—withheld information from the committee, or that I had not told the committee the truth in some instances; or that I had in other ways not cooperated as they had a right to expect; or that I had misled the committee.

At that time I did not know what was contained in the report. Most of those statements were inferences. As the distinguished Senator from Kentucky [Mr. COOPER] has stated, they were not specific charges.

Taken alone, they did not exactly make such a charge, but one would draw the impression that such was intended.

Certainly I resent such a cowardly attack. I was placed in the position when the press asked "Do you want to comment?" of being obliged to say, "How can one comment on something which I have not seen."

Not one word had I heard from the committee—and not only that but when challenged to be here today and either retract or back up these charges they ran away. I accept their silence as a complete surrender.

But before I conclude, I want to leave this warning. Do not ever let this happen again.

I had asked the committee members and the chairman of the Committee on Rules and Administration to be present today either repudiate the allegations or make them in person. I regret very much that the chairman of the committee did not see fit either to repudiate them or to make them in person.

I was prepared to discuss the entire history of the Baker case from the beginning to what they hope is the end. However, I shall not take the time of the Senate now. I have plenty of time—I shall still be here—and I am not about to be intimidated. In fact, my curiosity grows as the resistance intensifies. Who knows—someone may yet find out where that $100,000 in cash came from.

Before I conclude, I notice that the chairman of the committee is again present. Perhaps he has had a change of heart and is ready to speak out. I offer to yield to him again if he wishes to present any charge or make any remarks of any nature. Surely he can express his own views.

I assure the Senator from North Carolina that there will be no interruption. Unlimited time will be given, and I will guarantee him a detailed reply to whatever criticism he dares to make. I shall even go so far as to ask unanimous consent, if the chairman cares to present any charges, that the rules of the Senate be waived and that the Senator be permitted to say what he pleases.

I should like to know if there is any criticism that the committee chairman or any member of the committee desires to make or, as far as I am concerned, that any Senator desires to make.

The Senator from North Carolina is present in the Chamber. He retains his seat and rejects the challenge. Apparently he does not wish to speak. Silence speaks louder than words.

Mr. MANSFIELD. Mr. President, I should like, in my own time, to make a few remarks about the situation which has developed here today.

I have seen the reports in the press. I do not know where the reports came from. From making some inquiry this morning, it is my understanding that copies of the proposed report draft had been given to all nine members of the committee.

I say as 1 Senator—and I am sure I can speak for 98 other Senators in this body—that in my opinion the distinguished senior Senator from Delaware is a man of integrity and honesty. Certainly no Member of this body would disparage him in any way.

It is my further understanding that there will be a meeting of the full committee tomorrow, at which time the drafts, which I have not seen, will be brought before the committee for consideration.

Personally, I feel absolutely certain in my own mind that no member of the committee, Republican or Democrat, released the proposed draft which was given to him, as I understand, on a confidential basis. I thought I ought to rise at this time and say to the senior Senator from Delaware that it is my hard and fast opinion that no Senator looks on him with disrespect, and no Senator has accused him of doing anything unethical or unworthy.

Mr. WILLIAMS of Delaware. I thank the Senator from Montana.

The PRESIDING OFFICER (Mr. NELSON in the chair). The Senator from North Carolina is recognized.

Mr. JORDAN of North Carolina. Mr. President, it is very important that the RECORD show that the Committee on Rules and Administration has not met or taken any other action whatever concerning a report of its activities under Senate Resolution 367, agreed to September 10, 1964.

On March 18, 1965, a staff draft of a suggested report was distributed to each member of the committee in a sealed envelope marked "Personal and confidential." This was done exactly 2 months ago today, and, as in the case with all working drafts, suggestions and comments were invited from all members of the committee. On May 13, 1965, a second version of the working draft—including a number of suggestions and corrections—was distributed to each member of the committee.

To my knowledge, no caucus has been held by either the Democrats or the Republicans on the committee to discuss or consider either draft.

Tomorrow, the committee is scheduled to meet and begin going over the working draft line by line and page by page. We plan to follow the same practice and procedure on this report as we follow on all the reports we consider.

It would be highly out of order for me to engage in a discussion of the contents of the working draft until the committee has met and acted. Throughout the investigation I have declined to discuss such matters until after the committee has acted.

I do not intend to begin at this point discussing what the committee will do, or weighing the pros and cons of newspaper interpretations of what the committee may or may not do. The committee will report on its activities. The report will speak for itself, and anyone will be free—and I am sure this freedom will be fully exercised—to put any interpretation he chooses on the report.

The draft that has been referred to as a release has never been released by the committee. It is a galley proof. The second draft of a report is galley proof. It has never been considered by the committee, or any segment of the committee. It will be taken up tomorrow, and at that time a report will be made available, after it has been passed on by the committee.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JORDAN of North Carolina. I yield.

Mr. MANSFIELD. Mr. President, I would not be fair to myself if I did not say that, in my opinion, the distinguished Senator from North Carolina is one of the most capable Members of the Senate. He is a man whose integrity and honesty are absolutely unquestioned. I know that he and his committee have had a very embarrassing situation to contend with for a year and a half.

I also know that the Senator and his committee are trying to do a decent and honest job. I am sure that will be the result when the final report is issued by the committee which the Senator from North Carolina honors by being chairman.

Mr. JORDAN of North Carolina. I thank the Senator.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The question is on agreeing to the amendment, No. 187, offered by the Senator from Montana [Mr. MANSFIELD] for himself and the Senator from Illinois [Mr. DIRKSEN], to the amendment in the nature of a substitute, as amended and modified (No. 124), offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN].

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, there will be a considerable amount of discussion on this amendment and the bill this afternoon by various Senators.

I should like at this time to ask unanimous consent that, when the Senate concludes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour tomorrow extending from 12 noon to 12:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. And I ask unanimous consent that the time between 12:30 and 3 o'clock p.m. be divided between the majority leader, or whomever he may designate, and the distinguished Senator from Mississippi [Mr. STENNIS], for the purpose of arriving at a vote on the pending amendment by 3 o'clock tomorrow afternoon.

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. That leaves 2½ hours on the amendment, one and a quarter hours on a side, without any limitation on the debate today.

The PRESIDING OFFICER. Is there objection?

Mr. DOMINICK. Mr. President, reserving the right to object, I gather the vote is to be at 3 o'clock but I wish to state to the distinguished Senator from Montana that I am doing some research on problems raised by this amendment right now. I do not have an answer on some of it. It is entirely possible, if the research turns up what I fear it may, that the discussion might have to be very "plain." I gather, in the condition of the present amendment, that it cannot be amended. Is that correct?

The PRESIDING OFFICER. That is correct. The amendment is in the second degree.

Mr. DOMINICK. And that no substitute can be offered for it.

The PRESIDING OFFICER. That is correct.

Mr. DOMINICK. So if something were wrong in the amendment, the only thing we could do would be to vote it down and offer another amendment.

Mr. MANSFIELD. That is correct. The Senator raised that point yesterday.

Mr. DOMINICK. Then I withdraw my objection.

The PRESIDING OFFICER. Is there objection to the unanimous consent request? Without objection, it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

Unanimous-Consent Agreement

Ordered, That the Senate proceed to vote not later than 3 o'clock p.m. on Wednesday, May 19, 1965, on amendment numbered 187 offered by the Senators from Montana and Illinois [Mr. Mansfield and Mr. Dirksen], relative to poll tax, to the substitute amendment by Senators Mansfield and Dirksen, No. 124, as amended, for the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States;

Provided, That all time for debate after the transaction of routine morning business on Wednesday, May 19, 1965, not to exceed 12:30 o'clock p.m., shall be equally divided and controlled by the Senator from Montana [Mr. Mansfield] or whomever he may designate, and the Senator from Mississippi [Mr. Stennis].

COMBAT TROOPS TO VIETNAM

Mr. JAVITS. Mr. President, reports are current today in the New York Times from Saigon that American commanders in South Vietnam are preparing to send American combat troops into battle "anywhere in Vietnam."

I ask unanimous consent that that news story may be printed in the Record at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Full Combat Role for GI's Is Likely in Vietnam Soon—U.S. Commanders Prepare To Send Troops To Counter Expected Red Offensive

(By Jack Langguth)

Saigon, May 17.—U.S. political and military officers here agree that any meaningful talks with North Vietnam on the war will not be possible until the Vietcong's expected summer offensive is halted.

They believe that North Vietnamese military leaders will be persuaded to enter negotiations only if they have been shown that the major offensive has failed.

For that reason little optimism has been heard here that the pause in air strikes against the north, now in its fifth day, would lead to any change in Hanoi's policy.

Some Western analysts here have noted recently a slight shift toward the positions of the Soviet Union in the published statements of North Vietnam. But they do not interpret the change as a sign that Hanoi is prepared to relinquish its efforts in South Vietnam.

U.S. TROOPS READY

To meet the expected Communist military offensive in the south, American commanders here are preparing to send American combat troops, now on guard duty at three air bases, into battle anywhere in Vietnam.

This full participation is expected to begin shortly.

The public reaction that this expanded use of American troops is likely to have both in Vietnam and the United States is being weighed.

Their use has been dictated by the serious shortage of Vietnamese Government reserve forces. A program has been underway for months to raise 100,000 or more additional regular and paramilitary soldiers. But the date for completion of the buildup has been advanced to the middle of next year.

PREPARE FOR MORE MEN

As much as possible the American military strategists want to keep the U.S. paratroopers and marines out of areas heavily populated with Vietnamese civilians.

There is also the likelihood that the first use of Americans in the expanded combat role would come during a crisis in which Vietnamese troops were pinned down by superior numbers of Vietcong. The Americans would then be dispatched as relief troops, a role that critics would be hard put to protest.

The American logistics team now operating in South Vietnam is laying the groundwork for quick and efficient reception of many more American troops if the need arises during the Communist offensive.

The precautions have been made more necessary by new intelligence reports that thousands of North Vietnamese soldiers have massed on the Laotian border near South Vietnam's central highlands.

The whole of the 325th Division of the North Vietnamese Army is known to be on the border with some units already having crossed into South Vietnam. More recent reports suggest that elements of the 304th Division have also taken up border positions.

American strategists here believe that the action last week at Songbe was designed to pull the South Vietnamese Government's ready reserve troops out of the central highlands, to pave the way for attacks by the regular North Vietnamese units.

They note that if this was the Communist goal, the tactic failed. American airpower helped drive the Communists out of Songbe without drawing on the reserve troops.

But American commanders expect the maneuver to be attempted again.

At Bienhoa, where an accident Sunday took more American lives than any Vietcong attack or terrorist incident, the toll seemed likely to reach 27 Americans dead.

Five of the 10 undetonated bombs left near the airbase runway yesterday have now exploded, 1 from its own delayed-action fuse and 4 from the efforts of demolition teams.

As the bodies are identified, the United States is declaring the men dead. For that reason, the total today was changed to 5 killed and 22 missing with little expectation that the missing would be found alive.

In the series of explosions of bombs loaded onto B–57 Canberra jets for an attack on the Vietcong, 103 American servicemen were injured, 2 severely.

An investigation team from the Defense Department arrived here tonight to study the incident.

United States Declines To Comment

Washington, May 17.—Defense Department officials declined today to confirm or deny reports that American troops in South Vietnam might be sent into combat to support Vietnamese troops.

The possibility of such an expanded role for the American troops has been implicit in administration actions in recent weeks in building up the strength of American forces in South Vietnam.

Mr. JAVITS. Mr. President, this full combat participation of U.S. troops is expected to begin shortly.

This story, appearing as it does during a lull or a suspension—we do not know which—of the bombing raids in North Vietnam, amid reports that the United States has just made further proposals to North Vietnam for negotiations of the settlement of the struggle there, may have been designed to demonstrate once again U.S. determination not to be pushed out of South Vietnam. With that I agree. On the other hand, it may be the precurser of the President's actually preparing to send large numbers of American troops to do combat in the ground struggle, not particularly connected with the security of the military bases which we have there.

I have said on a number of previous occasions—and I repeat, in the face of this intelligence—that I expected the administration to consult the Congress if the United States planned to effect a major change in the character of the struggle in Vietnam by the use of substantial numbers of U.S. combat forces on the ground. By that I mean not just by calling up congressional leaders to the White House, but by coming to Congress as a whole for a resolution like the resolution adopted in August of 1964, specifically supporting the President in the new course, the new plateau, of the action in Vietnam, which he proposes to pursue.

In my judgment, the President has the power as Commander in Chief to commit elements of U.S. ground forces to action in Vietnam, but I hope he will not do so until he has the support of the Congress and the support of the country. I said exactly this when we were authorizing for the President what seemed to some to be a blank check mandate in respect to the $700 million resolution 2 weeks ago. I repeat again—the United States should not sneak up on ground force commitments in southeast Asia, if such a course is contemplated, until Congress and the American people are given an opportunity to approve or disapprove, before it is too late to draw back. Withholding of congressional approval might mean we would have to draw back at some point, and that is not necessarily good for the country.

I wish to say that if the President were to make this his advised recommendation, I would probably support it. I have done so before. But that is no excuse for not asking for congressional support.

If the greatest strength of our society lies, as I think it does, in the fact that people articulately are made aware of the great danger and the risk which the Government undertakes, I am confident that if the President has reasons good enough to be persuasive to him, the reasons will be just as persuasive to the country. But that is no substitute for coming back to the people and to the Congress for a resolution approving of such action, which is what was done in August 1964.

If we are to run this grave risk in Asia—and we may run that risk—it is even more important that we have the support of the Congress and the people of the United States, advisedly given and advisedly taken.

The President listened to some of us before making his Baltimore speech, and after hearing us said, "I have said it 40 times, but I do not mind saying it again." When he made that speech, he received the approval of the free world for it. So although it can very well be that the President thinks it is not necessary in this instance, I hope he will listen again to some of us who feel that if we are to commit our combat forces to a ground effort, or war, if you will, in Asia, he should speak out on the subject. I hope if the President makes any such decision, it will be in consonance with and in concert with the wishes of Congress and the American people.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 225. An act to amend chapter 1 of title 38, United States Code, and incorporate therein specific statutory authority for the Presidential memorial certificate program;

H.R. 806. An act to amend the Textile Fiber Products Identification Act to permit the listing on labels of certain fibers constituting less than 5 percent of a textile fiber product;

H.R. 1665. An act to amend title 23, entitled "Judiciary and Judicial Procedure," of the United States Code to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment in special jurisdictional cases, and for other purposes;

H.R. 2414. An act to authorize the Administrator of Veterans' Affairs to convey certain lands situated in the State of Oregon to the city of Roseburg, Oreg.;

H.R. 3413. An act to amend section 106 of title 38 of the United States Code to provide that individuals who incur a disability in line of duty during certain service shall be entitled to certain veterans benefits;

H.R. 3415. An act to equalize certain penalties in the Intercoastal Shipping Act, 1933;

H.R 3596. An act to provide for the disposition of judgment funds on deposit to the credit of the Skokomish Tribe of Indians;

H.R. 3976. An act to amend the act of July 26, 1956, to authorize the Muscatine Bridge Commission to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill.;

H.R. 3997. An act to amend section 753(b) of title 28, United States Code, to provide for the recording of proceedings in the U.S. district courts by means of electronic sound recording as well as by shorthand or mechanical means;

H.R. 4421. An act authorizing the Administrator of Veterans' Affairs to convey certain property to the city of Cheyenne, Wyo.;

H.R. 4525. An act to amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs;

H.R. 4526. An act to extend the provisions of title XII of the Merchant Marine Act, 1936, relating to war risk insurance, for an additional 5 years, ending September 7, 1970;

H.R. 5242. An act to amend paragraph (10) of section 5 of the Interstate Commerce Act so as to change the basis for determining whether a proposed unification or acquisition of control comes within the exemption provided for by such paragraph;

H.R. 5246. An act to amend sections 20a and 214 of the Interstate Commerce Act;

H.R. 5988. An act to provide that Commissioners of the Federal Maritime Commission shall hereafter be appointed for a term of 5 years, and for other purposes;

H.R. 5989. An act to amend section 27, Merchant Marine Act of 1920, as amended (46 U.S.C. 883);

H.R. 6032. An act to amend the act authorizing the Mann Creek Federal reclamation project, Idaho, in order to increase the amount authorized to be appropriated for such project (act of August 16, 1962; 76 Stat. 388);

H.R. 6164. An act to authorize the Secretary of the Treasury to permit vessels other than vessels of the United States entitled to engage in the coastwise trade to transport passengers between the United States and the Commonwealth of Puerto Rico to attend the Seventh Assembly of the World Convention of Churches of Christ;

H.R. 7031. An act to provide for the establishment and operation of a National Technical Institute for the Deaf;

H.R. 7181. An act to provide for the commemoration of certain historical events in the State of Kansas, and for other purposes;

H.R. 7484. An act to amend title 10, United States Code, to provide for the rank of lieutenant general or vice admiral of officers of the Army, Navy, and Air Force while serving as Surgeons General;

H.R. 7596. An act to amend title 10, United States Code, to remove inequities in the active duty promotion opportunity of certain Air Force officers; and

H.R. 7969. An act to correct certain errors in the Tariff Schedules of the United States.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 702. An act to provide for the disposition of judgment funds on deposit to the credit of the Quinaielt Tribe of Indians; and

H.R. 2998. An act to amend the Arms Control and Disarmament Act, as amended, in order to continue the authorization for appropriations.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 225. An act to amend chapter 1 of title 38, United States Code, and incorporate therein specific statutory authroity for the Presidential memorial certificate program;

H.R. 3413. An act to amend section 106 of title 38 of the United States Code to provide that individuals who incur a disability in line of duty during certain service shall be entitled to certain veterans' benefits; and

H.R. 7969. An act to correct certain errors in the Tariff Schedules of the United States; to the Committee on Finance.

H.R. 806. An act to amend the Textile Fiber Products Identification Act to permit the listing on labels of certain fibers constituting less than 5 percent of a textile fiber product;

H.R. 3415. An act to equalize certain penalties in the Intercoastal Shipping Act, 1933;

H.R. 4525. An act to amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs;

H.R. 4526. An act to extend the provisions of title XII of the Merchant Marine Act, 1936, relating to war risk insurance, for an additional 5 years, ending September 7, 1970;

H.R. 5242. An act to amend paragraph (10) of section 5 of the Interstate Commerce Act so as to change the basis for determining whether a proposed unification or acquisition of control comes within the exemption provided for by such paragraph;

H.R. 5246. An act to amend sections 20a and 214 of the Interstate Commerce Act;

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H.R. 5989. An act to amend section 27, Merchant Marine Act of 1920, as amended (46 U.S.C. 883); and

H.R. 6164. An act to authorize the Secretary of the Treasury to permit vessels other than vessels of the United States entitled to engage in the coastwise trade to transport passengers between the United States and the Commonwealth of Puerto Rico to attend the Seventh Assembly of the World Convention of Churches of Christ; to the Committee on Commerce.

H.R. 1665. An act to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment in special jurisdictional cases, and for other purposes; and

H.R. 3997. An act to amend section 753 (b) of title 28, United States Code, to provide for the recording of proceedings in the U.S. district courts by means of electronic sound recording as well as by shorthand or mechanical means; to the Committee on the Judiciary.

H.R. 2414. An act to authorize the Administrator of Veterans' Affairs to convey certain lands situated in the State of Oregon to the city of Roseburg, Oreg.;

H.R. 4421. An act authorizing the Administrator of Veterans' Affairs to convey certain property to the city of Cheyenne, Wyo.; and

H.R. 7031. An act to provide for the establishment and operation of a National Technical Institute for the Deaf; to the Committee on Labor and Public Welfare.

H.R. 3596. An act to provide for the disposition of judgment funds on deposit to the credit of the Skokomish Tribe of Indians;

H.R. 6032. An act to amend the act authorizing the Mann Creek Federal reclamation project, Idaho, in order to increase the amount authorized to be appropriated for such project (act of August 16, 1962; 76 Stat. 388); and

H.R. 7181. An act to provide for the commemoration of certain historical events in the State of Kansas, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3976. An act to amend the act of July 26, 1956, to authorize the Muscatine Bridge

Commission to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill., to the Committee on Public Works.

H.R. 7484. An act to amend title 10, United States Code, to provide for the rank of lieutenant general or vice admiral of officers of the Army, Navy, and Air Force while serving as Surgeons General;

H.R. 7596. An act to amend title 10, United States Code, to remove inequities in the active duty promotion opportunity of certain Air Force officers; to the Committee on Armed Services.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. EASTLAND. Mr. President, the pending substitute amendment reads as follows:

> SEC. 9. (a) In view of the evidence presented to the Congress that the constitutional right of citizens of the United States to vote is denied or abridged in certain States by the requirement of the payment of a poll tax as a condition of voting, Congress declares that the constitutional right of citizens of the United States to vote is denied or abridged in such States by the requirement of the payment of a poll tax as a condition of voting.

Mr. President, I was present at all of the hearings on the pending bill. There has been no testimony of a substantial nature in either the House or Senate that the poll tax has been used to discriminate against citizens who desire to register and vote. Time and again the Attorney General of the United States, both in the House and Senate, repudiated that argument. There has not been a witness before the Senate committee or the House committee who has presented any such evidence.

The nearest to it is that the Attorney General of the United States stated in two instances, once in Tallahatchie County, Miss., in the Dogan case, and in another county in Mississippi, that the sheriff refused to accept the payment of a poll tax.

At the very same time that he made that statement he repudiated the argument that is made for the amendment. There has been no evidence presented that the amendment is based on the premise "In view of the evidence presented to the Congress."

Mr. President, all the evidence is against the amendment. All the hearings are against the amendment. The amendment is based on a false premise. The Attorney General testified before the Judiciary Committee. He first testified on his advice to the President of the United States in regard to the legality of a statutory prohibition against the poll tax. I am quoting the Attorney General's testimony.

> I gave him the same advice that I have given the committee here. I think if Federal qualifications as such are to be set, then it requires a constitutional amendment to do so. But at the same time State qualifications that have been used in violation of the 15th amendment and have been used for discriminatory purposes can in my judgment, as I have repeatedly testified here, be suspended. I think that is consistent with the decisions cited in my statement.

Throughout his entire testimony he repudiated the argument of those who sponsor the amendment. Not one scintilla of evidence has shown that a pattern of discrimination exists because of the poll tax. It could not be shown in my State, because a person 60 years of age or older is exempted from the payment of the poll tax. So are the lame, the blind, and the disabled. It is levied on people of all races without regard to race, color, or creed. It is a tax that is used to raise money for the public school system.

I quote further from the Attorney General's testimony to show that this is a very bad amendment. Senator FONG asked the Attorney General a question, and I quote his reply. This testimony is found in volume 1, page 194 of the committee hearings:

> Now, I think, as I have explained, I think, in answer to questions by Senator HART and by others, you could eliminate the poll tax under the 15th amendment if you could show that its effect has been to disenfranchise Negroes in contravention of the terms of the 15th amendment.

However, the Attorney General went on to state that he could not support an amendment to a bill prohibiting the use of a State poll tax as a requirement to vote, for the reason that he had no evidence that such requirement had been used in a discriminatory manner.

I quote further from his answer to a question by Senator ERVIN. The Attorney General stated:

> My difficulty on this, on the elimination of poll taxes is that I do not believe I have the facts to make a record that poll taxes have been abused in violation of the 15th amendment.

That testimony appears in volume 1, at page 94 of the hearings.

Mr. President, I desire to emphasize that point. The Attorney General of the United States, with the vast powers of that office, with the Federal Bureau of Investigation at his beck and call, with his great avenues of information, gave this testimony:

> My difficulty on this, on the elimination of the poll tax is that I do not believe I have the facts to make a record that poll taxes have been abused in violation of the 15th amendment.

The proponents of the amendment have not shown one scintilla of evidence to sustain this foundation: "In view of the evidence presented to the Congress."

No evidence has been presented to Congress showing that the right of citizens of the United States to vote is denied or abridged in certain States by the requirement of the payment of a poll tax as a condition for voting.

I quote further from the Attorney General. This testimony appears in volume 1, page 142 of the hearings.

Senator HART asked this question:

> But you expressed some doubt with respect to the availability of any evidence from history to put you in a position to argue that the poll tax had in fact been used as a device to discriminate and, therefore, was in violation of the 15th amendment.
>
> Attorney General KATZENBACH. Yes.

What more evidence do we want? The amendment is based on "evidence presented to Congress." No evidence was presented to either the House or the Senate. The leading advocate of the bill before the committee, the Attorney General of the United States, has repudiated the very premise on which the amendment is based.

I asked the Attorney General this question:

> Do you agree that a $2 poll tax that any member of any race can pay is discrimination?
>
> Attorney General KATZENBACH. I have no information, Mr. Chairman, which would lead me to believe that this point—I am not in possession of facts that a $2 poll tax did operate in a way which would be a violation of the 15th amendment.

I have always thought that a legislative declaration is not a casual thing. Members of the Senate must act on facts, and on facts alone.

In the present instance there are no facts which would justify a legislative finding; all the facts are the other way.

The question of a legislative determination that the poll tax has been used to deny or abridge the right to vote on account of race or color was injected into the hearing by Senator JAVITS who proposed including the poll tax as a test or device under the triggering section, section 4(a) of the pending substitute.

> Senator JAVITS. In view of the fact that such cases do occur, what would you think of the possibility of adding the poll tax as an additional item in section 3(a) to be a part of the concept of any test or device or any poll tax so that if it is used you could utilize that in respect of the administration of this act, if you find widespread use of a poll tax? (transcript I, p. 206).

Attorney General Katzenbach rejected this proposal on the grounds that it would be making a legislative finding that could not be substantiated by the evidence:

> Attorney General KATZENBACH. I would make two comments on that: (1) Senator, if you put it in section 3(a) as you suggested, you have, in effect, stated that the poll tax has been used for this purpose, and you have stated that on the record which does not as yet demonstrate that and, therefore, it seems to me you jeopardize all of the findings under this bill. If it is going to be dealt with, and the committee were to deal with it, I would think, if I may say so, that would be the poorest way of dealing with it (transcript I, p. 207).

Again I ask, Where is the evidence which it is stated exists? Will the Senate, which I have read is the greatest legislative body in the world, without one shred of evidence, make a legislative finding in the very face of the objection of the proponents of the proposed legislation?

The very proposition before us now, a legislative finding that the poll tax has been applied in violation of the prohibition of the 15th amendment, was rejected by the Attorney General as not supported by the evidence. Such a proposal should likewise be rejected by the Senate.

Testifying before the House Judiciary Committee, Chairman CELLER asked the

Attorney General if the poll tax could be prohibited by statute:

> The Chairman. Can we do this by statute without a constitutional amendment?
>
> Mr. Katzenbach. I think it is very difficult, Mr. Chairman, to do it by statute * * * This bill is based on the 15th amendment and to eliminate poll taxes on the basis they have been very often used to discriminate, I think, would be a difficult case constitutionally to prove and establish (House transcript II, p. 22).

Under further interrogation on this point by Representative Lindsay, the Attorney General reaffirmed his position that he could not prove that the poll tax had been used to deny or abridge anyone's voting rights under the 15th amendment.

Representative Lindsay asked the Attorney General some questions:

> Mr. Lindsay. You are coming back to the 15th amendment basis that I was talking about. That is really what it comes down to. In other words, the poll tax is all right if it is ordinary and routine but it is not all right under the 15th amendment if it is used as a device to deny people the vote.
>
> Mr. Katzenbach. Right, but I can't establish that it has been used as that kind of device. That is my difficulty. If I cannot establish that, if you can't make a good case on that theory, then you are going to run into constitutional difficulties (House transcript II, p. 108).

Mr. President, what could be plainer than that?

The Attorney General of the United States has said—

> But I can't establish that it has been used as that kind of device.

That is what the amendment charges.

The Attorney General said—

> If I cannot establish that, if you can't make a good case on that theory, then you are going to run into constitutional difficulties.

Mr. President, I am going to appeal from the judgment of the President of the United States to the judgment of the junior Senator from Texas on March 9, 1949. I refer to page 2047 of the Congressional Record, at which point Senator Lyndon Johnson stated:

> The framers of the Constitution of the United States were plain, specific, and unambiguous in providing that each State should have the right to prescribe the qualifications of its electorate and that the qualifications of electors voting for Members of Congress should be the same as the qualifications of electors voting for members of the most numerous branch of the State legislature. For that reason, and that reason alone, I believe that the proposed antipoll-tax measures introduced in previous sessions of this body and advocated in the President's civil rights program is wholly unconstitutional and violates the rights of the States guaranteed by section 2 of article I of the Constitution.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield.

Mr. JORDAN of North Carolina. Is it not true that since then Congress approved a constitutional amendment, which was ratified by practically all the States, making it constitutional for people to vote in presidential and vice-presidential elections without being required to pay a poll tax?

Mr. EASTLAND. That is true. At that time Congress recognized that it could not be done by statute.

Mr. JORDAN of North Carolina. And so it was done by constitutional amendment.

Mr. EASTLAND. The Senator is correct.

Mr. JORDAN of North Carolina. Senators and Representatives recognized that the only way in which that result could be achieved and be constitutional was through a constitutional amendment; if they did not, they would have acted otherwise?

Mr. EASTLAND. That is correct.

Mr. JORDAN of North Carolina. I thank the Senator for yielding to me.

Mr. EASTLAND. Again, on the basis of the evidence that is alleged to be before Congress, I quote from a letter from the Attorney General dated May 7, only the week before last, which states:

> Nor is the 15th amendment basis for universally outlawing the poll tax too clear on the evidence presently before the Congress. Indeed, even the Kennedy amendment recognizes some doubt by explicitly providing in subsection (d) for the eventuality that the flat prohibition of poll taxes may be held invalid.

To what do the proponents refer when they speak of "the evidence presently before the Congress"? I can find no evidence to support their contention. The sheer desperation of their plight is clearly manifest, because their best proof is cited in Report No. 162, part 3, from which I shall quote:

> ADDITIONAL VIEWS OF SENATORS DODD, HART, LONG OF MISSOURI, KENNEDY OF MASSACHUSETTS, BAYH, BURDICK, TYDINGS, FONG, SCOTT, AND JAVITS, IN SUPPORT OF S. 1564
>
> The purpose of the poll tax in the Southern States where they have been enacted can clearly be shown to have been one of discrimination against Negroes. The Senate Judiciary Committee in 1943 so found as reported in Senate report No. 1662. Again in 1943, in Senate Report No. 530, the Senate Judiciary Committee stated—

And this statement, Mr. President, is taken from a report that is 22 years old—

> "We think a careful examination of the so-called poll tax constitutional and statutory provisions, and an examination particularly of the constitutional conventions by which these amendments became part of the State laws, will convince any disinterested person that the object of these State constitutional conventions, from which emanated mainly the poll tax laws, were moved entirely and exclusively by a desire to exclude the Negro from voting."

The proponents quoted from another Senate report, also in 1943, which they were not kind enough to identify. They said:

> Again in 1943, the Senate Judiciary Committee had this to say:
>
> "The pretended poll tax qualification for voting has no place in any modern system of government. We believe it is only a means, illegal, and unconstitutional in its nature, that is set up for the purpose of depriving thousands of citizens of the privilege of participating in governmental affairs by denying them the fundamental right—the right to vote." (Congressional Record, May 7, p. 9582.)

Mr. President, what they have dragged up is an old committee report, 22 years old, which was repudiated by the Senate a generation ago. Before Congress makes a legislative declaration, there must be more than substantial proof; an ironclad case must be built. They rely on conclusions reached by a Senate committee 22 years ago; and those conclusions are repudiated by the Attorney General of the United States.

Even if these vague expressions couched in such indefinite terms as "We think" and "We believe" are worthy of any weight whatsoever, they are merely expressions of the committee opinion as to the motive or purpose behind the enactment of the original poll tax statutes.

There has been absolutely no proof of any kind or character of a substantial nature that the poll tax disfranchises people or that it is used in a discriminatory manner. How could it, when in my State people over 60 years of age, regardless of race, creed, or color, are exempted from the payment? The committee report of 22 years ago, on which the proponents desire to hang legislation, was repudiated at that time by the very Senate that received the report.

Although by 1943 Congress had had ample time to study the application of these statutes, all of which were passed prior to the turn of the century, the report makes no inference or allegation of any evidence whatsoever as to any discriminatory use of the poll tax in violation of the prohibition of the 15th amendment. Thus in 1943 the committee could make no factual averment that State poll taxes were being used to abridge or deny the right to vote on account of race or color. This is consistent with the findings of the Attorney General in 1965, who appearing before the House Judiciary Committee said:

> The reason for that is somewhat ironic, Mr. Chairman. The reason for that is that while you can find evidence they have had poll taxes in a number of the States that discriminate, and that they enacted them with discrimination in mind, they have, in fact, used the other tests and devices which I have described to eliminate Negroes from voting, to prevent them from voting.
>
> It makes it difficult for us to establish in those areas, by evidence that we could present to Congress, that the poll tax has been very often used for that purpose.

What did the Attorney General say? He said that they could not find evidence to present to Congress that the poll tax had been used for that purpose.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

The PRESIDING OFFICER (Mr. Jordan of North Carolina in the chair). The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, from whom was the Senator quoting?

Mr. EASTLAND. I was quoting from Attorney General Katzenbach's testimony before the House Judicial Committee.

Mr. STENNIS. What is the approximate date of that testimony? The testimony was given in this year, was it not?

Mr. EASTLAND. The testimony was given last month.

Mr. STENNIS. The present Attorney General of the United States said that he cannot document such an assertion or charge.

Mr. EASTLAND. I shall quote the testimony exactly. The Attorney General said:

> It makes it difficult for us to establish in those areas, by evidence that we could present to Congress, that the poll tax has been very often used for that purpose.

Mr. STENNIS. When we are asked to agree to the amendment which the Senator is so ably discussing, we are asked to conclude as a fact of life the very fact that the Attorney General says he cannot establish.

Mr. EASTLAND. That is the basis of it. The Senator is correct. There is no evidence.

Mr. STENNIS. I am glad that the Senator is discussing the subject. I hope that he will continue to discuss it and fully develop all the relevant facts concerning the absence of real proof. There has been nothing more than intimation with reference to such practice.

Mr. President, I quote further from the Attorney General in his testimony before the House committee:

> I have no doubt as to the intent of poll taxes. I think personally they are bad. I think one can make a 14th amendment argument and that is being made before the Court, but I think there is some difficulty on the present state of the evidence to make a 15th amendment argument (House transcript II, p. 22).

Mr. President, this argument is based on the 15th amendment.

Thus, rather than being evidence in support of this proposition, the very silence of the 1942–43 reports as to any finding of a discriminatory application of the poll tax on account of race, creed, or color, gives weight to the contrary view, that no such evidence was presented or tendered to the Congress.

Of all the years the poll tax statutes have been in use throughout the South, the Attorney General could only think of two instances where the tax had not, in his opinion, been administered fairly.

Since the turn of the century, for 65 years, the Attorney General of the United States could only think of two instances in which the poll tax had not, in his opinion, been administered fairly. He could think of only two isolated instances in 65 years. Is that a basis for legislation? Is that a ground for a congressional finding that evidence has been presented to Congress that the constitutional right of citizens of the United States to vote is denied or abridged in certain States by the requirement of the payment of a poll tax?

Attorney General Katzenbach testified as follows:

> Attorney General KATZENBACH. Yes. I raised two instances where the sheriff has refused to receive a poll tax on the ground, one, simply because it came from a Negro, and the other one the person was not registered, although he did that in violation of law, and the difficulty, I suppose, Senator, was that those are the only two cases we have involving poll taxes as a means of discrimination against Negroes (Senate transcript I, p. 208).

Mr. President, the amendment declares that evidence has been presented to Congress. The Attorney General of the United States states that there are only two isolated instances. The first instance to which he referred involved a situation in 1 county out of 82 counties in Mississippi. The events involved transpired during the administration of one sheriff. Any discrimination in the application of the poll tax in that county was remedied by judicial relief and immediately ceased. The cause is cited as *U.S.* v. *Dogan,* 314 F. 2d 767.

The second instance to which the Attorney General referred in his testimony before the Senate Judiciary Committee was the case of *U.S.* v. *Holmes County, Mississippi,* 214, 58, 5th Cir., in which the sheriff was charged with refusing to accept poll tax payments from unregistered Negroes but explained he was simply mistaken concerning the application of the law, having been under the impression that a registration was a prerequisite to poll tax payment. The Justice Department lost the case in the district court, having failed to prove the allegation of its complaint. It is not difficult to understand why the Attorney General has concluded that he has no evidence upon which to show a 15th amendment violation in the use, application, and administration of the poll tax statute.

The proponents of the antipoll tax amendment mentioned on the floor three cases that are pending trial.

Mr. President, it should not be necessary on the floor of the U.S. Senate to point out how worthless and useless it is, as evidence, as fact, to use what is in the brief of one of the parties to litigation in a case which has not been decided.

To all reasonable men this indicates their desperation when they must rely on a brief in a case that is not yet decided, and cite it as evidence on which to base a congressional finding of fact.

The proponents of the antipoll tax amendment mentioned here on the floor three other cases pending trial: *United States* v. *Hal N. Allen, Jr.*, circuit clerk of Chickasaw County, Mississippi, No. EC 6457, filed on September 3, 1954; *United States* v. *Arnold Simpson,* the sheriff and tax collector of Chickasaw County, Miss., filed on December 16, 1963; and *U.S.* v. *Duke,* the circuit clerk and registrar of Panola County, Miss., 332 F. 2d 759 (C.A. 5) 1964. The proponents merely quoted allegations from the Government pleadings. Any effort to seriously offer these pleadings as proof of any fact is certainly recognized by any attorney as sheer nonsense. The fact that the Attorney General himself declined any mention of these cases seems to speak for itself.

In the final analysis, the evidence submitted to Congress concerning this matter consists of the testimony of the Attorney General that he has no evidence of any discriminatory application of the poll tax statutes sufficient to warrant a congressional finding that such have been used to deny or abridge voting rights in violation of the 15th amendment; a Senate Judiciary Committee Report of 1943 which, by its silence on the matter of any 15th amendment violation, seems to verify that as of that time no evidence to that effect was presented to Congress; the Dogan case, involving one isolated instance in one county, in one State, under one sheriff, said situation having been remedied by judicial relief and no longer existing; and, finally, a series of quotations from government briefs in cases either lost by the Justice Department or pending trial.

And yet, Mr. President, they have the audacity to cite this as their "evidence" of denial or abridgement of voting rights under the prohibitions of the 15th amendment. It is upon this so-called evidence that they premise their legislative declaration.

Mr. President, I do not believe that, in the history of the Senate, any proposed legislation has ever gone through so many changes and alterations in so short a period of time as has that which is now before us. It has been impossible to follow the changes with any degree of understanding.

Therefore, as a predicate to extended remarks on this bill as a whole and in all of its parts, I now propose to make a detailed analysis of the bill as it was introduced and the changes it went through in order to reach its present form.

Section 2 of the bill purports to be a simple restatement of the 15th amendment, but nothing can be simple to the creators of this legislative monstrosity. Therefore, the original language, which was:

> No voting qualification or procedure shall be imposed or applied to deny or abridge the right to vote on account of race or color—

Was changed to read:

> No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color.

It was explained that this clarifying language was devised to more accurately state the substance of section 1 of the 15th amendment. I am surprised that neither the word "test" nor "device" appears in this definition, since, as will be later seen, it is tests and devices that trigger the operation of the bill as a denial of the right to vote on account of race or color. Be that as it may, the restatement of section 2 at least has the grace of conforming with the injunction of the 15th amendment that no State shall deny or abridge the right of any citizen to vote on account of race or color.

Section 3 of S. 1564 as reported and the Dirksen substitute are entirely new matter and did not appear in the bill as introduced. To all practical intents and purposes, section 3 suspends and abridges all of the voting rights sections of the Civil Rights Act of 1957, as amended by the acts of 1960 and 1964. While the language in itself is not amendatory to any present law, it, in effect, gives to the Attorney General a new character of cause of action which follows a path completely different from that designed for a hearing by the court to determine a pattern or practice and then, in its discretion, appoint voting referees. The new procedure will permit the Attorney General to institute a proceeding to determine that a State or political subdivision has in some degree or regard violated the guarantees of the 15th amendment. If a violation of the 15th amendment is established, the court is then required to appoint examiners selected by the Civil Service Commission in accordance with the Attorney General's directions—section 6 of the bill—to serve for such period of time and in such political subdivisions as the court shall determine is appropriate to enforce the guarantees of the 15th amendment. The court is not required to find that a pattern or practice exists, as is now provided for by the 1960 act. The section practically makes it mandatory for the court to permit the appointment of examiners if a violation of the 15th amendment is found, and the examiners are authorized to register applicants in accordance with the instructions given by the Attorney General, even if these instructions are, in fact, a complete waiver of all State qualifications set for voting, and the person so registered can vote in any election, be it local, county, district, State, or Federal.

I do not know exactly where the reach of section 3(b) extends. It must be designed to catch States or political subdivisions thereof where there might be a so-called test or device, and where more than 50 percent of the persons other than aliens and persons in active military service and their dependents of voting age were registered in November of 1964 and more than 50 percent of such persons voted in the presidential election that year, and less than 20 percent of the population of the persons of voting age were nonwhite, and more than 25 percent of the total number of nonwhite residents of voting age were registered to vote in the State. Now, Mr. President, if that is a complicated sentence, it just demonstrates how foolish and complicated this whole bill is. I may or may not have stated the alternatives properly, but a battery of Philadelphia lawyers working 24 hours a day for a year could not come to agreement on exactly what this bill means and how its terms would apply to any given situation. Even if we could rely on the Director of the Census to furnish accurate information, or if accurate information could be obtained from other sources, "impossible" is a kind word when applied to the bill.

Section 3(c) states a power that is more or less inherent in any court which takes equitable jurisdiction of a cause continuing control over the subject matter. Here, however, the subject matter over which the court is given the power to operate is outside the scope of any constitutional delegation that can be given to a Federal court. This will create the continuing administration of an unconstitutional delegation of power. The last sentence in section 3(c) is one of the novel features that I previously mentioned, where the Attorney General is given the power to take the case out of the jurisdiction of the court which has it under consideration and put it in a three-judge court because he disagrees with the court and because he must feel that there will be circumstances where some judges in Mississippi or Alabama may not do exactly what the Attorney General wishes done if he brings actions under this section. In truth and in fact, as far as Mississippi and Alabama are concerned, the Attorney General would never be required to bring any actions under section 3(a) and take a route in court, because under the subsequent sections of the bill he has fixed it so that he can be his own judge, jury, and executioner and employ the device I have previously described as "legislative lynching" to a State or political subdivision.

In S. 1564 as introduced, section 3 comprised a total of 44 lines. It was translated into section 4 of the Dirksen substitute, and the length of the section was increased to 72 lines. As reported, section 4 contains 83 lines. It now remains at 83 lines, although additional changes have been made. Section 4 is what might be called a hard-core section. It sets up the elaborate procedure which triggers the bill and, according to the Attorney General's testimony, the loaded pistol is aimed at only the States of Alabama, Mississippi, Louisiana, Georgia, South Carolina, and certain counties, as political subdivisions, in the States of North Carolina and Virginia. As section 3 was originally drawn, Virginia and Alaska were included. The Dirksen substitute took Virginia out. S. 1564 as reported leaves Virginia out, but takes in an indeterminate number of subdivisions in other States of the South where the formula might apply if the Attorney General requests the Bureau of the Census to make and advise him of certain statistical findings relative to the population of voting age, the number of citizens of voting age registered, the divisions of voting age citizens between nonwhite and white, the registrations in the various subdivisions and States as between white and nonwhite, and the percentage of nonwhite as against the total population of the State or political subdivision.

One key to the trigger is for a State to have a test or device. The phrase "test or device" is defined as any requirement that a person, as a prerequisite for voting or registration for voting: First, demonstrate the ability to read, write, understand, or interpret any matter; second, demonstrate any education achievement or his knowledge of any particular subject; third, possess good moral character; or fourth, prove his qualifications by the voucher of registered voters or members of any other class. When a State has a test or device according to this definition as a prerequisite to registration and voting, then the impact of the bill is triggered when the conditions of subsection 4(b) are applied. The Attorney General has determined that a test or device existed on November 1, 1964, in the State or political subdivision with respect to which the Director of the Census determines, first, that less than 50 percent of the persons, other than aliens and persons in active military service and their dependents, of voting age residing therein were registered on November 1, 1964, or that less than 50 percent of such persons voted in the presidential election of November 1964; and second, that according to the 1960 census, more than 20 percent of the persons of voting age were nonwhite; or third, notwithstanding the foregoing one and two, the Director of the Census determines, by a survey made upon the request of the Attorney General that the total number of persons of any race or color who are registered to vote in any State or political subdivision is less than 25 percent of the total number of all persons of such race or color of voting age residing in such State or political subdivision.

This subsection provides further that a determination or certification of the Attorney General or of the Director of the Census under this section or under section 6 shall be final and effective upon publication in the Federal Register. Substantial changes have herein been made in the language of the bill as introduced. Some of these came from the Dirksen substitute—others from amendments to the substitute. All of them add confusion to the original language, which was in itself a masterpiece of obfuscation. One amendment deleted the count of aliens and persons in active military service and their dependents from those of voting age residing in a State or political subdivision as of November 1, 1964. This may have the effect of removing certain counties from the operation of the formula. The phrase "more than 20 per centum of the persons of voting age who are nonwhite" was amendatory of the original language, and serves to remove the State of Virginia from the application of the formula and a possible indeterminate number of counties as political subdivisions. Then the less than 25 percent total of nonwhite registrations of all persons residing within a State or political subdivision was added to encompass many political subdivisions that were not caught by the language of the original subsection, because this particular formula is applied, notwithstanding the determinations that might or might not be made by the Attorney General and the Director of the Census with reference to the first portion of the subsection. It is evident on its face that this formula is an arbitrary mathematical computation and can in no way be directly related to the denial or abridgement of the right to vote by a State or political subdivision. It was, however, according to testimony, devised to take care of those areas where the Attorney General had predetermined that discrimination in voting did exist, and he tested one way and then tested another until he could come up with the right mathematical formula to cover the situation that he wanted covered, and when the Attorney General and/or the Director of the Census make up their individual or collective minds as to what is what and publish it in the Federal Register, it then becomes as final and effective as the last judgment itself. There is no appeal and no questioning under the language of the bill of what findings they might herein make.

Even more novel than the manner by which a State or political subdivision is triggered into being covered by the terms of the bill is the method set up for getting out from under the irrebuttable presumption of guilt that follows from being caught in the application of the formula. States and political subdivisions are granted a great boon by the Congress. Permission is given for them to file suit in the U.S. District Court for the District of Columbia to prove that they are innocent of denying any person the right to vote on account of race or color. Under the language of the original bill, it was necessary for the petitioner to allege in the District of Columbia court that neither the petitioner nor any person acting under color of law has engaged during the 10 years preceding the filing of the action in acts or practices denying or abridging the right to vote to persons of race or color. Mind you, under this language the State or a political subdivision in the State of Mississippi would have been required to come to Washington and prove the innocence of God knows who of any acts or practices over a period of 10 years for denying or abridging the right to vote to persons on grounds of race or color. The State of Mississippi would not have been able to get into court for an indeterminate number of years because there are still judgments which may be rendered in pending litigation. Further language of the original bill provided that no declaratory judgment shall issue under this susbection with respect to any petitioner for a period of 10 years after the entry of a final judgment of any court of the United States, whether entered prior to or after the enactment of this act determining that denials or abridgments of the right to vote by reason of race or color have occurred anywhere in the territory of such petitioner.

Mr. President, I have quoted this language in detail to illustrate the innate vindictiveness of this proposed legislation and its punitive nature. If it is constitutional to require the innocent to prove themselves not guilty of unlawful acts, then the heritage of the common law and the Bill of Rights to the U.S. Constitution have become hollow mockeries. I do not believe there is a Member of this body who sincerely believes that this sort of class judgment is either fair or constitutional. The language and operation of this portion of the subsection has been modified somewhat in the Dirksen substitute, in S. 1564 as reported, and in the more recent Mansfield-Dirksen amendment, but as far as the State of Mississippi is concerned, the modifications are meaningless and no real relief is granted in any form or fashion.

The minority leader offered by way of an amendment a so-called escape clause whereby a State or political subdivision could come into the U.S. District Court for the District of Columbia and prove that the percent of persons in such State or subdivision voting in the most recent presidential election exceeded the national average percent of persons voting in such election or the percent of such persons registered to vote in a State or subdivision by State or local election officials exceeded 60 percent of persons of voting age meeting residence requirements in such State or subdivision. This amendment was made meaningless by later qualifications and provisos that were inserted in the bill as reported, which permitted the Attorney General to introduce evidence of final judgments heretofore or hereafter rendered by a court of the United States against the petitioner as a bar to the application of the escape clause. No State or political subdivision taking advantage of the opportunity offered to enter the U.S. District Court for the District of Columbia to prove its innocence will be afforded a three-judge court under the provisions of section 2284 of title 28.

The last change in section 4(a) deleted the escape by eliminating tests and devices and conforming to the 60 percent or better formulas. In its present form the language will permit a State to come into the U.S. District Court for the District of Columbia to prove that it has effectively, corrected denial or abridgment of the right to vote on account of race or color. The State or political subdivision must also prove that there is no reasonable cause to believe the political unit will sin in the future. If a State or political subdivision had once been found guilty by either the Attorney General or a court, it is almost impossible to conceive how it could prove its innocence under the above conditions.

The proviso, previously mentioned, even retained intact in the last revision of this subsection. A judgment previously rendered against a State or subdivision within 5 years previous to the filing of the action in the District of Columbia court is prima facie evidence of guilt.

Mr. President, this denial of citizens of the United States access to the duly constituted courts in their own States and areas is unique in the history of American jurisprudence. Not only is it unconstitutional, but it has the effect of suspending the Constitution altogether and setting up one system of so-called justice for one segment of citizens living in one area of the United States and another system of justice for all other people in the United States. If the sponsors of this bill do not believe the U.S. district judges and the U.S. circuit judges in the Southern States are competent and capable to administer the laws of the United States under the Constitution without fear or favor, then impeachment proceedings should be brought against them in accordance with the Constitution, rather than attempting to deny their existence and deny the existence of their courts and require the citizens within their jurisdiction to come to the District of Columbia for a trial of their alleged grievances. No one feature of the bill is more unjust, unfair, and unconstitutional than is this section. The denial of due process of law and equal protection of the laws to States and political subdivisions make a mockery of the U.S. Constitution.

Section 4(d) of S. 1564 as reported did not appear in the language of the bill as introduced. It is retained verbatim in the present form. The vast discretionary power granted to the Attorney General, judicial as well as executive and administrative in its nature, is further enlarged by the language of section 4(d). It provides:

> (d) For purposes of this section no State or political subdivision shall be determined to have engaged in the use of tests or devices for the purpose of denying or abridging the right to vote on account of race or color if (1) incidents of such have been limited in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

This is a value judgment that has to be made by the Attorney General. It gives him wide and unlimited discretion to let a guilty political subdivision go free and punish another which, in fact, has committed fewer or less alleged acts of discrimination than that which was left alone. There is no constitutional power in Congress to vest the making of decisions which are judicial in nature in any instrument other than a court of law. The judicial power of the United States under article III is vested solely and alone in the Supreme Court of the United States and such inferior courts as Congress may from time to time establish.

Section 5 of the bill as reported and in its present form is comparable to section 8 of the bill as introduced, and if a provision similar to either of these sections is enacted into law, each of us who participate in the passage of the bill can proudly or sadly claim that we are pallbearers at the burial services of the sovereign States. The bald language of the bill as introduced adequately states what I mean by the destruction of the sovereignty of the States, and no refinements such as these which appear in the language of the substitute and the substitute as reported can change the purposes sought to be achieved by the original section 8. It states:

> Whenever a State or political subdivision for which determinations are in effect under section 3(a) (section 4 of the bill as reported) shall enact any law or ordinance imposing qualifications or procedures for voting different than those in force and effect on November 1, 1964, such law or ordinance shall not be enforced unless and until it shall have been finally adjudicated by an action for declaratory judgment brought against the United States in the District Court for the District of Columbia that such qualifications or procedures will not have the effect of denying or abridging rights guaranteed by the 15th amendment. All actions hereunder shall be heard by a three-judge court and there shall be a right of direct appeal to the Supreme Court.

Mr. President, I am not going to discuss the so-called clarifications and refinements of this language as they appear in the substitute and the substitute as reported and the bill in its present form. This crass and brutal language denies to a State the right and power to pass a law, or a political subdivision an ordinance which changes in any degree voting qualifications or procedures in force and effect on November 1, 1964, without coming to Washington and begging the U.S. district court to consider the language of the law or ordinance and find that it does not deny or abridge rights guaranteed by the 15th amendment.

Later refinements of the section give a novel judicial power to the Attorney General. The State submits its new law to the Attorney General, and if he does not interpose an objection within 60 days, the State would be permitted to apply the law, subject to certain ifs, ands, and buts. The State can also resort to the court. Here the Attorney General, a political appointee in the Federal system, is given the power to arbitrarily abridge, invade, and violate the solemn provision of the Constitution reserving the rights and powers of sovereignty to the States and the people, and denying to the United States any power or right to invade or supersede the injunctions of the Bill of Rights.

Section 6 of the bill as reported contains amended substance of section 4 of the bill as introduced. This is the section wherein the Attorney General is authorized to require the Civil Service Commission to appoint examiners in those States or political subdivisions which either a court making a finding under section 3(a) or the triggering operation of section 4 has placed in the position of having been declared in violation of the 15th amendment. These are the examiners who will be authorized and directed under rules and regulations prescribed by the Attorney General to examine applicants for registration and voting in Federal, State, or local elections and to certify the applicants as qualified. It is required that the Civil Service Commission shall appoint as many examiners, who shall to the extent practicable be residents of such State, as it may deem appropriate to examine and register applicants. Please note that authority is here given for the Civil Service Commission to send into a State examiners who are not residents of a subdivision or State and who have never lived in or been connected with such State. This carpetbagging provision is said to be necessary because a situation may arise where no resident of a State or subdivision will accept appointments as examiners. No law that was devised during the days of Reconstruction is more punitive or fraught with more dangers than this plan herein provided to fill Southern States with alien voting examiners if the Civil Service Commission and the Attorney General decide that such is necessary. The Attorney General can certify that examiners are necessary without any complaints having been made from any citizens of the subdivision or State if, in his judgment, he feels that the appointment of examiners is otherwise necessary to enforce the guarantees of the 15th amendment. Under the Civil Rights Act of 1957 it is at least required that the court find that a pattern or practice of discrimination exists in a political subdivision before the court is authorized, in its discretion, to appoint voting referees. Here the Attorney General is given the unlimited discretion to make a judicial determination that examiners should be appointed when in his own mind and not based on any physical evidence he feels that examiners are otherwise necessary to enforce the guarantees of the 15th amendment and the particular State or political subdivision has been triggered under the act by the elaborate mathematical formula heretofore described.

Mr. President, executive and administrative tyranny is an inevitable consequence of such unlimited grants of discretionary power to individuals, regardless of who they are. In every instance where Congress enacts basically unconstitutional legislation of this character, we become more and more a government of men and not of laws.

No substantial changes were made in section 6 from what it was in section 4, other than to add the class of examiners who might be appointed pursuant to the newly created section 3(a).

One amendment of some consequence provides that the Commission may designate suitable persons in the official service of the United States, with their consent, to serve in these positions. This means that Government employees can be asked to serve as examiners, and while the provision is there that it must be with their consent, it would be like getting someone's consent by pointing a pistol at his head to think that one would refuse. It is wrong in principle and in practice for a Government employee to be given this additional quasi-judicial function, regardless what his job might be.

Section 7 is similar to section 5 of the original bill.

Section 7(a) sets up the procedures by which an applicant shall apply to an examiner for registration. It again illustrates the unprecedented power and discretion that is to be vested in the Attorney General. An applicant must allege to an examiner, first, that he is not registered to vote, and, second, that, within 90 days preceding his application, he has been denied under color of law the opportunity to register or to vote or has been found not qualified to vote by a person acting under color of law, provided that the requirement of clause (2) of this subsection may be waived by the Attorney General. The bill marches up the hill with an elaborate requirement such as clause (2), then it marches back down and destroys it by granting the Attorney General unlimited discretion to waive it.

Section 7(b) states that the examiner shall register the applicant in accordance with instructions received from the Attorney General. Here and in 8(b) the Attorney General is given the authority, in his judgment and discretion, to set aside all State qualifications for registering and voting and give to an examiner any instructions that he so chooses as to how an examiner should proceed to accept an application and register a voter. States which have voucher tests will find the voucher test eliminated. States which have interpretive literacy tests will find interpretive portions of the examination eliminated. All that will really remain for an examiner to determine is that the petitioning person meets the age requirement required by State law—21 years of age in most of the States that are going to be affected—18 in Georgia—and the residence requirement that he has lived in the State or political subdivision for the length of time required to qualify to vote. The Attorney General explained to both the House and Senate Judiciary Committees that drastic measures were required in States and political subdivisions where he claimed discrimination had existed over a long period of years, and that if illiterate whites had been registered and had voted over these years in States where literacy requirements were steep and applied, then it was only fair that the literacy requirements be abolished until an adequate number of illiterate Negroes could be registered, in order to compensate for the number of illiterate whites that had previously been registered. He explained that it would be unfair to start registrations anew and apply the new criteria equally to colored and white because, while there would be an equality of registration and voting in the future, there would be no compensation to the Negroes who had been denied the right to register and vote because of illiteracy or failure to pass the examination over the long period of years.

Mr. President, in my long experience in public life, this is the most novel reason that I have ever heard advanced to achieve what all of us would agree would be a lawful purpose by unlawful and unconstitutional means. The innocent, under this theory, as vast as their number might be, would be made to suffer along with the guilty, although the guilty might be a mere handful. It is inconceivable to me that under our form of constitutional government this character of conduct should be permitted or condoned in curing what is alleged to be a wrong through discriminatory practices. Later, I propose to examine in greater detail the legal and constitutional issues involved in the delegation of this character of power and the suspension and abrogation of State laws in favor of a Federal statute.

The balance of this section sets forth procedures that should be followed by examiners in forwarding lists of those he finds qualified to vote to the State officials. It provides that the examiner shall issue a certificate evidencing the eligibility of the applicant to vote, and further provides that challenges can be made against a person appearing on the list if successful under the procedure prescribed in section 8.

Section 8 sets up a system for challenging an individual placed on the eligibility list and provides that the Commission shall prescribe regulations for a hearing officer to hear the challenge and determine whether or not the person is properly on the list within 15 days after the challenge has been filed. A review of the decision of the hearing officer may be filed in the U.S. Court of Appeals for the circuit in which the person challenged resides within 15 days after service of such decision. Pending a determination by the hearing officer and by the court, the challenged person shall be entitled and allowed to vote.

Substantial refinements in the language of the original bill were made by the Dirksen substitute and appear in the bill as reported. Most of them involve procedures relating to the hearing of the contest.

Section 8(b) reiterates the unlimited power given to the Attorney General to prescribe regulations by which examiners shall consider the qualifications of applicants.

Section 9 of the bill as reported was the newly added section, made by way of amendment to the Dirksen substitute, which provided:

> No State or political subdivision shall deny or deprive any person of the right to register or to vote because of his failure to pay a poll tax or any other tax or payment as a precondition of registration or voting.

This language was eliminated by the Mansfield-Dirksen amendment, and substituted therefor was a requirement that in States where there is a poll tax as a condition to voting, the Attorney General shall forthwith bring an action in three-judge district courts to determine whether the poll tax prerequisite denies or abridges any provision of the Constitution. This section has Congress make the affirmative finding that the constitutional rights of citizens in some States are denied or abridged by the requirement of the payment of a poll tax as a prerequisite to voting. With deference to my colleagues, I must say that I would judge they intend this legislative finding to apply to Mississippi rather than Vermont.

Section 10 as reported sets up the police state insofar as the limited areas covered by the bill are concerned. It is new, and was not contained in S. 1564 as introduced. Let me read the language:

> (a) Whenever an examiner is serving under this Act in any political subdivision, the examiner may assign his representatives who shall be within the meaning of 'other persons' as used in section — who may be officials of the United States, (1) to enter and attend at any place for holding an election in such subdivision for the purpose of observing whether persons who are entitled to vote are being permitted to vote, and (2) to enter and attend at any place for tabulating the votes cast at any election held in such subdivision for the purpose of observing whether votes cast by persons entitled to vote are being properly tabulated.

Section 10(b) protects the persons so delegated as a watcher by saying:

> No person shall obstruct, impede or interfere with, or attempt to obstruct, impede, or interfere with, any duly assigned representative of the Department of Justice in the performance of the duties conferred upon him under this section.

The Mansfield-Dirksen amendment attempts to modify and limit the broad and general powers of section 10 to establish "poll watchers." It puts an added burden on three-judge Federal courts to hear complaints that those on an examiner's voting list have not been placed on the local voting list and will not be permitted to vote. The court is then authorized to appoint such persons as necessary to "poll watch." This is a gross enough interference with local affairs, but the provision goes further and permits the court to impound all ballots cast under certain circumstances and the court itself can vote such persons on election day or the day following. Mr. President, there is no limit to the confusion such an action as this could create. This constitutes not a prohibition, but an absolute take-over of the function of local election officials.

Provisions like these for interference in local affairs of States and cities are unwise and fraught with the greatest of dangers. The seeds of tyrannical power are inherent in this type of legislation. This section should be eliminated from the bill, both in its reported and revised forms.

Section 11 of the bill as reported starts defining criminal offenses for violations of the bill. The language as reported has gone through several transformations from that of its original form. As introduced, it was provided that no person, whether acting under color of law or otherwise, shall fail or refuse to permit a person whose name appears on a list transmitted in accordance with section 5(b) to vote, or fail or refuse to count such person's vote, or intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for voting or attempting to vote. The substitute enlarged the coverage of this section to apply to any person of race or color who was alleged to have been denied the right to vote or have his vote counted on account of race or color, regardless of whether he was within section 5(b) or not. As reported, the first section brings the definition of what constitutes an offense back within the violation of a provision of "this act," and also contains a separate clause on persons acting under color of law or not who shall threaten, intimidate, coerce, and so forth. Without the adoption of the presently considered Voting Rights Act, there is a multitude of law now existing on the statute books which would permit the indictment and conviction of any individual who committed the offenses described in the language of section 11. Redefinition of crimes involving the violation of the 15th amendment are merely cumulative and surplusage.

Section 12 as reported sets the penalties for criminal violation of most of the sections of the bill at not more than $5,000 fine, or imprisonment of not more than 5 years, or both.

Section 12(b) defines a separate crime for mutilation and destruction of voting records.

Section 12(c) sets out a special conspiracy provision.

Section 12(d) grants a special authority to courts to issue injunctions at the request of the Attorney General for preventive relief.

Section 12(e) opens Pandora's box for fraud, corruption, and anarchy in the conduct of elections in affected areas. It provides that where you have examiners qualifying voters under the provisions of the act, any person who is listed as being registered and qualified by an examiner, or has been registered by an appropriate election official and has not been permitted to vote in the election for which he was so registered can notify the examiner, who in turn will notify the U.S. attorney for the judicial district in which such denial has occurred, and if both the examiner and the U.S. attorney feel that there is some merit to the complaint that he was denied the right to vote, the district court must consider an application for an order providing for the casting and counting of the ballot of such person and require the inclusion of his vote in the total vote before the result of such election shall be deemed final and any force or effect given thereto.

Mr. President, this provision opens wide the door for every possible type of fraud and chicanery in local elections where the candidates are elected by a limited number of votes and can reasonably predict before the votes are cast as to what the division will be. Since in many States we have second primaries that follow within 2 or 3 weeks after the first primary, it is entirely possible that contested elections for the first primary would not be determined by the date the second primary was supposed to have taken place. The candidates would not even know whether they were eligible to participate in the runoff. Then you would have at least two and possibly three different routes for contesting elections—one through the State procedures; one through the procedures under the proposed legislation, and a third through independent court action in State courts. Certainly with the poll-watch system and police supervising the actual conduct of the election itself, this section 12(e) should not be necessary. Even if you did not have the poll watchers, it is certain that the contending parties in the election would see to it that those who were entitled to vote did vote and have their votes counted.

Section 13 provides for the termination of examiners in the eventuality that the Attorney General decides that all persons listed by the examiner for registration and voting have been placed on the appropriate voting registration roll and there is no longer any reasonable cause to believe that persons will be deprived or denied the right to vote on account of race or color in such subdivision. Here again the Attorney General is given vast discretion in exercising value judgments which can be pregnant with political implication where he is holding forth either the stick or the carrot to States or political subdivisions to do what the Attorney General wants them to do. This is an insidious character of power and influence to be vested in any one man, regardless of whom he may be. The section also provides that the court can discontinue the examiners if they were appointed pursuant to section 3(a) of the bill, and a final addition permits a subdivision to petition and ask the Attorney General for a termination of listing procedures under clause (a). Here again it is the Attorney General who acts as the court and jury as to whether such request will be granted.

Section 14(a) places criminal contempt arising under the provisions of the act under the same laws as govern the Civil Rights Act of 1957, as amended.

Section 14(b) gives to every Federal officer or employee who has anything to do with the administration of the act within a State or subdivision absolute immunity and a "license to sin" regarding any act he may commit, regardless of how illegal, in administering the provisions of S. 1564. This section denies to every Federal court other than the district court for the District of Columbia any jurisdiction to issue any restraining order or temporary or permanent injunction against the execution or enforcement of any provision of this act, or any action of any Federal officer or employee pursuant hereto.

Mr. President, it will be utterly impossible for individuals or groups in a State who are the victims of unlawful conduct on the part of Federal officials in enforcing the provisions of this proposed act to come to Washington and attempt to obtain redress for their grievances by way of a restraining order or temporary or permanent injunction. The whole theory of restraining orders and temporary injunctions rests on the fact that a forum is immediately available in an area where an act occurs, where the injured individual can immediately go and get the proper redress from a judge who has pretty accurate knowledge of what the situation actually is in his own jurisdiction. How in Heaven's name would judges here in the District of Columbia be able to form honest opinions and judgments on the spur of the moment, as is required for restraining orders and temporary injunctions, on factual situations that have occurred in Louisiana, Mississippi, Alabama, Georgia, or elsewhere? It is ridiculous on its face, and all this section does is to slam the courthouse door and deny to U.S. citizens any opportunity to have their rights litigated in their own courts. I do not believe a harsher or more restrictive provision has ever been written in any statute that has ever been passed by this Congress in the history of our Government.

Mr. President, never in all history has a so-called intelligent and deliberative body been called upon to pass such a complex and confused mass of legislative provisions without any more opportunity to study and consider the contents. Out of a hundred Senators, I do not believe there are any 2 who could agree on the interpretation of any 10 conflicting provisions in the text of this proposed legislation, and I would just guess that I can raise over a hundred separate provisions about which serious doubts can be raised as to what the language or the implication of the language means or does not mean. Again, I plead that S. 1564 be rejected by this body wholly and in all its parts.

Mr. President, the more I read this bill the more convinced I am that the sponsors are disenchanted with the 15th amendment to our Constitution. They pay lipservice to the amendment in the title and section 1, and thereafter turn their back on it while they cavalierly concoct a system of entrapment for the few remaining rights of the States. It is punishment they want and vindictiveness they use. The compelling force in this bill is the necessity to please black votes in the Northeast.

The 15th amendment preserves the right of citizens to vote as against denials or abridgments because of color, race, or previous condition of servitude. If Negroes are discriminated against in voting, the 15th amendment applies. That is what the amendment does—and nothing more. The framers of this bill are attempting to pervert the amendment into a federal system of voting. The Federal Government shall set the qualifications and no longer will the States have any power over the franchise of their citizens.

There are two rights in the Constitution and they are not inconsistent. There is the right of exemption from prohibited discrimination based on race which is the right of the 15th amendment and it is a national or Federal right. On the other hand, there is the right to vote in the States, which right comes from the States. The Federal Government can only enter the field when the States discriminate. When the Federal Government sets qualifications it is an abuse of power which it does not have.

The right of U.S. citizens to vote is brought within the protection of Congress by the amendment which invests citizens of the United States with the right of exemption from discrimination in the exercise of the elective franchise on account of "race, color, or previous condition of servitude."

It is hard for the people of this country to realize that the possession of citizenship does not give one the right to vote. It is possible to be President of the country and still not be qualified to vote.

Suffrage and citizenship are not the same and one does not encompass the other. And neither the 14th amendment nor the 15th amendment has changed this. Article I, section 2 of the Constitution reaffirmed by the 17th amendment set out clearly that the States possess the sole power to set the qualifications for electors. If a State says 18-year-olds can vote, that is the prerogative of the State—the same is true of sex—now barred by amendment—or poll tax—also barred—or property qualifications.

The 19th amendment specifically gave franchise to females. It reads:

> The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.
>
> Congress shall have power to enforce this article by appropriate legislation.

Notice the similiarity of the 15th amendment, reading as follows:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> The Congress shall have power to enforce this article by appropriate legislation.

If you substitute sex for color the wording is identical. This was done advisedly. Congress was well aware that the States could unequivocally set qualifications for electors and that among these were sex and color. The only way to correct this was by constitutional amendment—also done just recently by the poll tax amendment.

In *Leser* v. *Garnett*, 258 U.S. 136, the similarity between the 15th and 19th amendments was recognized as follows:

> This amendment (19th) is in character and phraseology precisely similar to the 15th. For each the same method of adoption was pursued.

The 19th amendment is commonly referred to as the "woman suffrage amendment." The point here is twofold. It was recognized that the States could deny suffrage to women and, two, it was recognized that to override that the Federal Government needed an amendment. Qualifications and suffrage were State matters unless in violation of existing provisions of the Constitution or unless changed by amendment.

The 19th amendment does not confer upon women the right to vote. It does not purport to do so. The 15th amendment does not confer upon Negroes the right to vote. It does not purport to do so.

Both amendments admit that the conference of the right to vote on these grounds—sex and color—resides solely with the States.

Both these amendments only prohibit discrimination in voting as far as State legislation is concerned. That is, now, the States cannot discriminate in their qualifications against women and Negroes. Without these amendments they could. Of course, we use the word "discriminate" in the sense of "forbid" or "refuse to permit." Similarly, States can refuse suffrage to illiterates, insane, criminals, aliens, nonresidents, minors, and so on. It is interesting to notice that under this bill illiterates in some States are permitted the vote, whereas in others they are not.

It is very important to realize that the 19th amendment applies to males as well as females. It is also equally important to realize that the 15th amendment applies to race. But, is white a race? We have no case law—no factors of interpretation. It is possible that the States in their qualifications can discriminate against the white race with impunity. We do not know. It must be interpreted.

It is important to realize that both the 15th and 19th amendments relate solely to action by the United States or by any State; and do not contemplate wrongful individual acts.

If an individual prevents another—a white or a female—from voting—this is not an act prohibited by these amendments. State action only is proscribed—not individual action.

Literacy tests by a State as a qualification for suffrage are valid. They are an exercise by the State of a lawful function and not subject to the supervision of the Federal courts. This is the law—recognized by all. Yet, under this bill literacy tests may fall. The Virginia literacy test, for example, is struck down because the "trigger section" of the bill encompasses Virginia.

Mr. President, the key to the 15th amendment is discrimination. Unless discrimination based on race is shown the 15th amendment does not apply.

And all the triggering sections in the world will not change the situation. You cannot use a "trigger" to create discrimination where none exists.

A landmark case on the question of the 15th amendment being limited to discrimination is *United States* v. *Reese et al.*, 92 U.S. 214.

Let us examine some excerpts from the headnotes of this decision:

> The 15th amendment to the Constitution does not confer the right of suffrage; but it invests citizens of the United States with the right of exemption from discrimination in the exercise of the elective franchise on account of their race, color or previous condition of servitude, and empowers Congress to enforce that right by "appropriate legislation."
>
> The power of Congress to legislate at all upon the subject of voting at State elections rests upon this amendment, and can be exercised by providing a punishment only when the wrongful refusal to receive the vote of a qualified elector at such elections is because of his race, color, or previous condition of servitude.

It is true that under the 15th amendment, Congress by the enabling section 2 is authorized to legislate—that is, enact laws to carry out the purposes of the amendment. The legislation which Congress is authorized to adopt is corrective legislation; that is, such as may be necessary and proper for counteracting such laws or constitutional provisions as the States may adopt or enforce, and which, by the amendment, they are prohibited from making or enforcing, or such acts and proceedings as the States may commit or take, and which, by the amendment, they are prohibited from committing or taking.

Citizens of the United States are also citizens of the State wherein they reside. They are two political entities and belong, so to speak, to two political communities. They are associated in their States and in the United States for the common weal and for their individual protection and promotion. Governments owe a duty of protection but this is a duty limited by the amount of power possessed by the Government. The 15th amendment grants the Federal Government certain powers. The first article, section 2, and the 17th amendment grant the States certain powers. Neither power annihilates or extinguishes the other. In a way they are concomitant powers. One is a grant, the other is a prohibition, and together they supplement each other. All this the framers and the sponsors of the bill have ignored. Under the cloak of the 15th amendment they claim the power, by statute, to negate other constitutional provisions. It just cannot be done.

Although within its powers the Government of the United States is supreme and superior to the government of the States, it can neither grant nor secure to its citizens rights or privileges which are not expressly or by implication placed under its jurisdiction. All that cannot be so granted or secured is left to the exclusive protection of the States.

The United States has no voters of its own or its own creation within the States. The right to vote in the States comes from the States; but the right of exemption from the prohibited discrimination comes from the United States.

I have no quarrel with the bill wherein it states that no voting qualification or procedure shall be imposed or applied to deny or abridge the right to vote on account of race or color. This is accepted completely as a fine statement of a constitutional provision.

However, when the bill goes on later to state:

> No person shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device, in any State or in any political subdivision of a State.

Then I begin to wonder what has happened to the 15th amendment. Where is the question of race, or color, or previous condition of servitude? Immediately, the triggering device starts, the arithmetic swings into the picture and we are dealing with tests and devices rather than discrimination on the basis of race or color.

In this bill sheer arithmetic and census statistics are used to create a presumption of discrimination of unconstitutional treatment. Presumptions in the law are always suspect and hinged around by many safeguards. They are never triggered.

The bill as originally introduced was replete with the word "person" or "persons."

Since it is based for legality on the 15th amendment I often wondered why the word "citizen" was not used. The Attorney General could not enlighten the committee nor could the congressional sponsors. So it was decided to change the word and, Mr. President, that is about the way this bill has grown.

The bill is replete with presumptions of guilt. Constantly States caught by the trigger must prove their innocence or remain under a ban. And, even if such proof is made successfully, the States stay under a ban for a number of years.

There is a serious question as to whether the legislation is a bill of attainder. This statute does punish by legislative fiat. A State caught by the trigger is penalized. There are penal sections in the law as well as the punishment of loss of control over suffrage and the so-called "ban" period. Never once in the Judiciary Committee hearings did the proponents discuss the legislation as violative of a bill of attainder. The Constitution, in article I, section 9, clause 3, provides:

> No Bill of Attainder or ex post facto law shall be passed.

Under our concept of criminal law a person has a right to indictment by grand jury, trial by a petty jury, all under existing law and according to our concepts of due process. A bill of attainder is a legislative act which inflicts punishment without trial. In passing a bill of attainder the legislative body exercises the powers and office of judge; it assumes judicial magistracy; it pronounces upon the guilt of the party, without any of the forms or safeguards of trial. It determines the sufficiency of the proofs produced, whether conformable to the rules of evidence or not; and it fixes the degree of punishment in accordance with its own notions of the enormity of the offense.

I submit, Mr. President, that the legislation we are now considering is a bill of attainder.

Our form of government has achieved for us democratic liberties and these must be guarded closely and well. We have a State and Federal system with the checks and balances necessary to protect. Within the States themselves and within the Federal Government we have a tripartite system. All these are necessary and contribute to our well-being. I believe in these things; I took an oath of office to protect them, and I can do nothing but combat this bill which violates them. These are times of emotion and domestic and foreign hysteria. Brush-fire wars are lit beneath us in all corners of the globe and our people are nervous and harassed. The Federal administration is allowing itself to be influenced beyond reason and by its own actions it is inflaming so-called civil rights issues. This bill is an administration bill. The Attorney General admitted drafting it. It is vicious and clearly bears the unreasonable stamp of mob pressure.

The pressure to pass this legislation quickly has been constantly present. The President has constantly appealed to the Congress. The Judiciary Committee was forced to consider under a time limit. Why the rush, unless it is political.

The design of the bill is contemptible, for it carefully selects a few southern States for punishment. The bill carries a facade of voting justice. It would be more accurate to describe it as a Federal law designed for vindictive use against six States carefully selected in advance. The Constitution is subverted, as is the whole system under which we are governed.

The Attorney General, in actual testimony before the Judiciary Committee, proclaimed his irritation and impatience with our judicial process. He showed complete lack of faith in an entire section of the country and tries to indict a whole people. Here are his actual words in the March 23, 1965, hearings:

> The judicial process, upon which all existing remedies depend, is institutionally inadequate to deal with practices so deeply rooted in the social and political structure.

Mr. President, I have discussed at some length my belief that this legislation is a bill of attainder. I also believe that it is violative of the ex post facto prohibition in article I, section 9, clause 3, of the Constitution.

In *Burgess* v. *Salmon*, 97 U.S. at page 384, the court stated:

> An ex post facto law is one which imposes a punishment for an act which was not punishable at the time it was committed, or a punishment in addition to that there prescribed.

The ex post facto effect of a law cannot be evaded by giving a civil form to that which is essentially criminal.

In the landmark case of *Cummings* v. *Missouri,* 4 Wall. 277, the court held that the passage of an act imposing a penalty on a priest for the performance of an act innocent at the time it was committed, was void.

The definition of an ex post facto law contained in the Constitution Annotated is perhaps the best, as it compresses in one paragraph all the case law:

> Every law that makes an act done before the passage of such law criminal, which was innocent when done, or that aggravates a crime or makes it greater than it was when committed, or that changes the punishment and inflicts a greater punishment than the law annexed to the crime when committed, or that alters the rules of evidence, permitting less or different evidence to convict a person of an offense committed prior to its passage, or that operates in any way to the disadvantage of one accused of a crime committed prior to the enactment of the law is an ex post facto law and within the prohibition of the Constitution of the United States.

The pending legislation, Mr. President, by the use of its trigger section keyed to the happenings in the last presidential election and further keyed to the last decennial census—with or without projections—is ex post facto, for it contains penal provisions as well as "banning" States from the body politic for a number of years.

The purpose of a written constitution is to protect the people from despotic rule. We have learned that from the days of the "grand charter." Our Constitution divides the Government into the three parts of executive, legislative and judicial. Thus, we have two protections—the Constitution itself and its provisions on the tripartite division. Yet, here we have an Attorney General of the United States—a member of the executive department—asking that we deliver over to him the powers of the judicial branch so that he may punish carefully selected areas. And in this process of preempting the judicial branch, he further seeks to usurp the constitutional powers of those States he has already chosen to be his victims.

Let us now forget that this bill is only designed to correct voting violations in a very restricted area. Your voting frauds in the great metropolitan areas of the North go scot free—they get a clean bill of health. The Government's position in the North is "as long as you register them, we do not care if you steal them."

The Attorney General testified before Subcommittee No. 5 of the Committee on the Judiciary of the House of Representatives of the United States in favor of H.R. 6400, the House companion bill on voting rights of 1965. As to the question of constitutionality he stated on March 18, 1965:

> I have shown why this legislation is necessary and have explained how it would work. It remains to determine whether it is constitutional. The answer is clear: The proposal is constitutional.

I submit, Mr. President, that the proposal is not constitutional, and to say it is clearly ignores the testimony of many eminent constitutional authorities.

In essence the pending legislation provides that no person shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any voter qualification test established by State law which maintained a test on November 1, 1964, and in which certain per centums were not registered or did not vote. The effect of all this is to abolish any voter qualification test, including those not racially discriminatory in certain States.

The proponents of the bill base its constitutionality on the 15th amendment, which amendment has been quoted before in these remarks.

The big question, of course, is: Does this legislation constitute "appropriate" legislation under section 2 of the 15th amendment, wherein it is provided:

> Section 2. The Congress shall have the power to enforce this article by appropriate legislation.

It is required that Congress have a "rational basis" for the findings upon which its legislation is predicated.

In *Katzenbach* v. *McClung,* 379 U.S. 294, the Court stated:

> Confronted as we are with the facts laid before Congress, we must conclude that it had a rational basis for finding that racial discrimination in restaurants had a direct and adverse effect on the free flow of interstate commerce. Insofar as the sections of the act here relevant are concerned * * *, Congress prohibited discrimination only in those establishments having a close tie to interstate commerce, i.e., those, like the McClungs, serving food that has come from out of the State. We think in so doing that Congress acted well within its power to protect and foster commerce in extending the coverage of title 11 only to those restaurants offering to serve interstate travelers or serving food, a substantial portion of which has moved in interstate commerce.

The problem in this bill is for the Attorney General to attempt to establish a "valid factual premise" for congressional action with respect to voter discrimination.

For instance, the bill is so designed with its "triggering" sections as to include Virginia. Yet, Virginia in the 1961 Report on Voting by the Civil Rights Commission is given a clean bill of health.

See volume 1, page 102, wherein the Commission states:

> In three States—Louisiana (where there is substantial discrimination), Florida (where there is some), and Virginia (where there appears to be none)—official statistics are compiled on the State level by county and by race.

I submit, Mr. President, that under the McClung case—a very recent decision, that this law is unconstitutional. The law requires that there be a rational basis for finding discrimination. Virginia is encompassed within the law, yet the Federal Government itself claims that Virginia is free of taint.

Many statutes seem valid on their face but the test has always been that despite this apparent surface validity any statute may be assailed by proof of facts demonstrating that it is without support in reason as applied to a particular class.

In *U.S.* v. *Caroline Products Co.,* 304 U.S. 144, it was held in the opinion of the court as briefed in the headnotes, page 145:

> That upon its face, and as supported by judicial knowledge, including facts found in the reports of the congressional committees, the act is presumptively within the scope of the power to regulate interstate commerce and consistent with due process.
>
> The statutory characterization of filled milk as injurious to health and as a fraud upon the public may, for the purposes of this case, be considered as a declaration of legislative findings deemed to support the act as a constitutional exertion of the legislative power, aiding informed judicial review by revealing the rationale of the legislation, as do the reports of legislative committees.

The theory of this case is that accepting a statute as valid on its face it may nonetheless be set aside upon a proper finding of the facts as well as upheld by such a finding and that the findings of congressional committees are valid and shall be given proper weight.

Turning to the example of Virginia before the Senate Committee on the Judiciary, I fail to see, under the Caroline Products Co. case, how this bill can be constitutional. The bill before us applies to Virginia which will suffer all the penalties thereunder. Yet, the facts of the case are that there has been no discrimination by Virginia in the voting field and these facts are in the committee hearings and their source is the U.S. Government itself.

The power of Congress to enforce the 15th amendment is limited to "appropriate" legislation as called for in section 2. Can Congress do by indirection that which is prohibited directly? I think not. The Virginia case is clear cut. This is not appropriate legislation for Virginia, yet Virginia is penalized.

It must be realized, Mr. President, that this bill applies to the political subdivisions of a State as well as the State itself. The majority of the counties of a State may be free of voter discrimination by color yet the State may come under the bill. Is it fair to these exemplary counties to subject them to penalties and Federal voting control because of a few malefactors?

Mr. President, I supported amendment No. 135 to the new Mansfield-Dirksen amendment—in the nature of a substitute—to S. 1564, a bill to enforce the 15th amendment to the Constitution of the United States, and for other purposes.

That amendment struck section 4 of the pending bill—the famous triggering section—and inserted new language in lieu thereof. By necessity, it also struck section 5 which grows out of and is interrelated or dependent upon the struck section 4. The remainder of the Ervin amendment was purely corrective from the point of view of draftsmanship.

Thus, simply stated, the Ervin amendment struck the famous triggering section—section 4—and replaced it with new language.

I say "famous," for the Committee on the Judiciary has hundreds of pages of testimony on this section alone, the press has covered it almost daily and this Chamber has heard it mentioned at length. It is for certain that we will debate this section to even a greater extent and that the courts will have it before them for many years in the future.

Triggering sections are a novel approach to legislation. They use figures, facts, statistics, projections, and sometimes assumptions which create this situation whereby the Attorney General can destroy the rights of the States to qualify voters under the constitutional provisions which provide in article 1, section 2, and also in the 17th amendment, that—

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

The Attorney General not only can destroy the States rights to set qualifications, but by construction of the trigger, he can take aim at certain States in specific geographical areas.

The triggering section, Mr. President, is a mechanical gimmick to carry out the fallacious theory of the bill. The premise on which this bill is based is that when Congress determines that a State has imposed qualifications for voters that are discriminatory, then under the powers granted in the 15th amendment Congress may by statute divest the States of their constitutional powers over voter qualifications and substitute its own conditions and do it all retroactively.

The basis is false. The Constitution grants no such power. The Constitution gives the States the sole power to set qualifications. The 15th amendment is a prohibition against the States preventing citizens from voting on account of race, color, or previous condition of servitude. If the States discriminate against voting by race, Congress may, under the enabling section 2 of the 15th amendment pass legislation to enforce the rights of the citizens.

Congress may correct abuses, but it cannot take over the setting of the qualifications.

The Ervin amendment was simple, and it adhered to our historic concepts of justice under law and not by men. That amendment authorized the Attorney General to sue a State or political subdivision in the name of the United States when he has reason to believe there are violations of the 15th amendment. If the court agrees with the Attorney General, it shall authorize the appointment of examiners by the Civil Service Commission under the latter provisions of the bill. What could be more simple.

Thus, to review the bill if the Ervin amendment had been adopted.

Section 1 would be the title.

Section 2 would set out the constitutional basis of the bill as being the 15th amendment.

Section 3 would spell out what the Attorney General could do generally and across the board under the powers of the 15th amendment. When he sues under the 15th amendment, the court will authorize the Civil Service Commission to appoint examiners to enforce the rights of voters as part of an interlocutory order or a final judgment. There is a proviso that minor corrected violations shall not cause action. If the Attorney General proceeds under the 15th amendment and the court finds that a test or device is used to discriminate against voters because of race, the court shall suspend the test or device. In all Attorney General proceedings, the court retains jurisdiction, and if during the retained period any new qualification is instituted by the State such new qualification must be submitted to the Attorney General who has 60 days to object. On objection there is a suspension until the court makes a specific finding. A last provision prohibits an estoppel against the Attorney General.

Then we come to the Ervin amendment—replacing section 4—which very simply stated placed the testing of 15th amendment discrimination cases in the local courts for specific situations and violations.

Mr. President, the great criticism against this bill has been the use of a "trigger." A mathematical trigger can be constructed and manipulated to take aim at and impale a particular area for a particular purpose. This is abhorrent to our historic sense of justice. A law should apply evenly and across the board.

Many illustrations came up in the hearings whereby a slight change in one element of the trigger would except certain States or counties whereas others would be included within the prohibitions of the bill.

For instance, at one time Alaska was out of the bill—later it was in. The famous 34 counties of North Carolina had a tortuous history throughout the hearings. I believe it is now 32 counties of North Carolina that are included in the bill. Much discussion was held in committee sessions and during the hearings as to why Texas just missed being included within the bill. Texas was at one time outside the bill—now it is probably included, although a great deal depends upon whose source figures you consult. Under some source figures, New York County comes under the bill—under others it does not.

The problem of figures is most complex. Whose figures do you use? And how correct are they? And who is to decide? We have the census figures which are supposedly correct since they are a nose count. But whose nose should you count for the purposes of this bill? The census is designed to enumerate the people—and that means all the people, including citizens, aliens, military personnel, and the dependents of the latter.

This bill is supposedly designed to operate against discrimination in voting under the 15th amendment. The census figures do not necessarily apply. A State should not be penalized because it contains a high proportion of aliens, military, and their dependents. Why is this so? Simply because these people do not vote in their State of situs. Aliens cannot vote and the military votes elsewhere by absentee ballot. Hawaii has a high proportion of all three—aliens, military, and dependents. Under the tests of the trigger, Hawaii makes a poor showing. Under other figures, Hawaii makes a respectable showing.

Mr. President, and my colleagues in this Chamber, let me quote one paragraph from the committee hearings on the absurdity of the use of figures for a trigger as they applied to two counties in the northern neck of Virginia. Your attention is respectfully directed to page 638 of part I of the hearings:

> Mr. KILPATRICK. Yes, sir. In the northern neck of Virginia, we had two counties, Middlesex and Gloucester right next to each other. This is the ridiculous situation that results from the language of this bill. In Middlesex County, 50.5 percent of the adults voted in November. In Gloucester County, right next door, 49.6 percent voted. Under this bill under such a hypothesis, Middlesex County would have been exempted from the provisions of this bill because precisely 20 persons got to the polls in November and voted. If they had stayed home, the bill would have applied to Middlesex. But in Gloucester County, the bill is made to apply because 29 persons did not get to the polls that election day. Therefore, under this bill, an illiterate could vote in Gloucester County, but his brother could not in Middlesex County, the bill is made to apply because 29 persons did not get to * * * abridgment of the right to vote by reason of race or color. It is a statistical trick. It is a sophisticated device to bring a Federal registrar into Gloucester County, where there never has been the slightest complaint of discrimination, but not into Middlesex, where there may have been, and this because on one November day, 29 persons managed to get to the polls in Middlesex, but 29 did not in Gloucester.

Section 4(b) of the pending bill would have been stricken by this amendment. That section determines the existence of discrimination in voting by a State or political subdivision thereof, on the basis of a mathematical formula, with no provisions for proof of such discrimination, and in fact, no opportunity at all for the party charged with such practices to have a day in court. This rationale of determining facts on which to base punitive restrictions, as are contained in this bill, is unique in the history of legislation. The field of mathematics has advanced too far for most of us to even begin to follow its evolution; but I have serious doubts as to whether mathematicians have become so sophisticated as to solve the problems of human rights and relationships.

I, for one, have not been persuaded that the elements in the "trigger" are valid assumptions. Section 4(b) upon which the operation of the other provisions depend, provides for the suspension of any test or device in any State or political subdivision which is determined by the Attorney General to have maintained a test or device on November 1, 1964, and in which the Director of the Census determines that less than 50 percent of the people of voting age were registered on November 1, 1964, or that less than 50 percent of such persons voted in the presidential election of November 1964; and that more than 20 percent of persons of voting age were nonwhite, according to the 1960 census. In addition, and notwithstanding these provisions, if the census determines by a survey requested by the Attorney General, that the number of persons of any race or color registered to vote in a State or political subdivision is less than 25 percent of the number of such persons of voting age residing therein, the other provisions of the bill, the "operating" provisions, will automatically apply.

I have not been able to discern any logical relationship between the facts to be established here and the presumption that these facts are a result of violations of the 15th amendment. And, the object of this bill, I am told, is to correct past violations and prevent future violations of the 15th amendment, not to indulge in elementary arithmetic. It is inconceivable to me why a State with 49.9 percent of its population voting is automatically and irrevocably guilty of discrimination, while a State with 50.1 percent voting is, by the same formula, absolutely cleansed from the stigma of any wrongdoing. This, however, is the precise effect of section 4(b) as it now stands.

It may be worth while to point out also the fact that the operation of this formula stems from circumstances as they existed at one of two points in time, the 1964 presidential election and the 1960 census. If a State, county, or parish is deemed to have been guilty in November 1964, and if its population voted so as to fit the formula it is so adjudged, it is determined to be guilty now, and for the future, until it proves its innocence. Conversely, a State, county, or parish with 50 percent of its population voting at that time is adjudged not guilty, or really is not judged at all, and regardless of its using any discriminatory practices or laws since that time, is not affected by the operating provisions of this bill. Naturally, under the underlying philosophy of the pending bill, there is no appeal from these determinations. There is no avenue of appeal, for these are not facts found by a court, but simply determinations by the Attorney General, based upon census reports and an arithmetical exercise.

Since the bill as presently written has these attributes, the net effect is to single out certain Southern States and counties, declare them guilty of discrimination in violation of the 15th amendment, and deprive them of their rights and prerogatives under article I, section 2 of the Constitution. The other States of the Union are placed beyond judgment, and this situation will not, and cannot, be altered.

I have been informed, repeatedly, by the proponents of this bill, that it applies to the entire country, not a single region; and that it just happens that only certain States are affected because their voting and population statistics fit this formula. I am not sure that this is true, and that the formula was not designed to fit these States. Yes, I have had doubts on this point.

However, be that as it may, this amendment would have completely cured the defects and inequities of this portion of the bill. It would make the other provisions of the bill apply, in fact, to the country as a whole. It did away entirely with justice by mathematical formula, and placed the determination of the existence or lack of discriminatory practices in violation of the 15th amendment in the proper forum, the district court of the United States, where evidence may be offered and judgment made, in accordance with the tenets of our legal heritage.

I supported the Ervin amendment, but as my colleagues know, I do not favor legislation along this line. If the Congress must saddle the South with such obnoxious voting statutes, I should at least like to see it geared to the Nation as a whole, and not described as a public bill while only relating to and directed toward certain States. I would respect and admire those on the affirmative side of such legislation a great deal more if the bill were not dressed up with such misleading formulas as are contained in sections 4 and 5 of the present bill. The amendment of the Senator from North Carolina at least did this. His language was clear and unmistakable to anyone who can read the English language.

The complexities of section 4 will create court actions for years to come. If enacted there will be disagreements in interpretations of law leading contestants, one after the other, into the courts. The present language breeds misunderstanding and confusion; surely there is a simpler and handier way to approach the problem. It is an attempt to write a general statute that excepts all those the proponents desire to be excepted, but corners those that the sponsors wish to impose their will upon.

The Ervin amendment accomplished the intended purpose as to all States and political subdivisions with equal force and effect.

I cannot agree to legislation that hurts my State and deliberately excepts other States from the provisions of the proposed bill.

In section 4(a), Mr. President, the failure of a proposed voter to pass a test, immediately connotes that the applicant has been discriminated against because of his race or color. The State or political subdivision is automatically adjudged guilty. How flagrant can defiance be to the precepts of the American system?

In all of the criminal law of the land a defendant has been presumed to be innocent until proven guilty. What have we in this proposed legislation? A State or political subdivision has been adjudged guilty before trial. Why do I say this? I say it because the latter part of section 4(a) says that such shall be the case unless the State or subdivision shall bring a suit in the District Court of the District of Columbia for a declaratory judgment stating that the denials and abridgements have been corrected and that there is reason to believe that they will not be so used in the future.

Proponents of the present provisions of the bill will say the court will make its findings on the question of a denial or an abridgment, if any, and will argue that the court may find there was no denial or abridgement. This, of course, is absolutely untrue. If, as I was always taught, an accusation had to be proved then the accuser should be required to bring the action, and until that was done the accused had nothing to reply to. Here all is reversed. The accused is adjudged guilty and must bring the suit to gain a verdict that he has stopped doing it and promises not to do it in the future. Where has the presumption of innocence gone? Where has the proof beyond a reasonable doubt or preponderance of the evidence gone? New precepts of law are now being made only for the purpose of punishment of a select few.

The Ervin amendment obviated all this and, while in my opinion, did not make a bad law a good law, it did preserve inviolate the presumption of innocence that has been our heritage.

Now, Mr. President, let us proceed to the "proviso" of section 4(a). This little gem of legislative ingenuity places certain States and political subdivisions under the beneficent protection of the courts for a period of years. In addition to many other objections, this little provision does an injustice to the doctrine of res judicata. Normally, a judgment when rendered is final and becomes a bar to any other cause of action on the same set of facts. However, when the court reserves jurisdiction the judgment is not a final judgment for any purpose and therefore will not act as defense to another action.

In effect, my State, and others which it is desired to punish, become as did another minority, the American Indian, a ward of the Government. Let us face the facts. We, under the present bill, will no longer be individual States, but will only be States that can exercise State independence at the direction and under the rules and regulations as prescribed by the District Court for the District of Columbia in its declaratory judgment. Here we have a three-judge district court for the District Court of the United States exercising original jurisdiction over the State of Mississippi or any other State sought to be reached in the bill.

In Heaven's name, what is wrong with the courts which exercise jurisdiction where the alleged violation occurs? At least the Ervin amendment adhered to the old rules of law. Let us not change them.

The Ervin amendment placed in the courts, where it belongs, and not in an involved mathematical formula, and not in an electronic computer, the determination of whether or not a State or a political subdivision of a State is engaged in denying or abridging the right to vote.

We may be reaching an IBM punchcard society, but we do not need IBM punchcard laws. There is no proper place in legislation for the "25 per centums" and the "50 per centums" and the "20 per centums" with which this bill is sprinkled.

In this Nation our goal has been for a government of laws and not of men. Under this bill, what would be achieved is not merely a government of men rather than of law, but a government of men and mathematical computers.

If the Attorney General has reason to believe that a State or a political subdivision is denying or abridging the right to vote, let him allege it before a court, let him institute an action in the name of the United States, and present his evidence to a court—and let the court determine whether or not there is in fact any denial or abridgement. Let us have a rule of justice—not a tyranny of formulas and computers and machines.

This is what was achieved by the amendment, proposed by the distinguished Senator from North Carolina [Mr. ERVIN]. The Ervin amendment was simple and clear. In the place of the involuted and intricate formulas of the bill, it offered the language of law and justice.

I urged the adoption of the amendment offered by the Senator from North Carolina [Mr. ERVIN], which would have struck the so-called triggering sections of the substitute, sections 4 and 5, and would have substituted for those sections language which would have permitted the Attorney General to institute an action in the district court of the United States against such State or political subdivision in the district in which the capital of the State in question is located or in which the political subdivision in question is situated for alleged denials of the rights of citizens to vote on account of race or color. Upon demand of the Attorney General such action would have been tried by a three-judge district court convened in the manner prescribed by 62d States at Large, page 968, 28 U.S.C. 2284.

In the event that the court found on the trial on such action that the State or political subdivision in question was denying or abridging the rights of citizens to vote on account of race or color, the courts should so adjudge and should authorize the appointment of examiners by the Civil Service Commission to serve for such period of time and in such political subdivisions of such State or such political subdivision as the court should determine was appropriate to enforce the guarantees of the 15th amendment.

The Ervin amendment was a decided improvement upon the language in the substitute because it applied across the board to all States, not to just five or six Southern States where alleged discrimination takes place. Furthermore, it would have permitted trial of the action in the State or political subdivision wherein the alleged discriminations take place rather than forcing the State or subdivision to come to the District of Columbia to prove that it is not discriminating. Let us open the courthouse door to all defendants in all causes of action.

The amendment would have applied wherever there are alleged violations of 15th amendment guarantees, be it in the South or in the North, in Mississippi, North Carolina, New York, or Texas. The affected States or political subdivisions would have been permitted their day in court without having to travel hundreds of miles to the Nation's Capital to plead their case.

The salutary effect of the amendment was to knock out the various formulas which the substitute uses as a means of pointing the finger at 6 of the 50 States. The court was empowered to declare persons entitled to vote who have been judicially found to have been deprived of voting rights on account of race or color. If the Federal court found from the evidence before it that there have been 15th amendment violations, then the court could appoint examiners to insure that for such period of time persons who have allegedly been discriminated against will be entitled to vote and have their vote counted. The amendment struck from the bill the suppositions and the determinations by the Attorney General and the Director of the Census that certain citizens are being discriminated against and did not register or vote because of certain arbitrary presumptions which are supposed from certain arbitrary facts. This amendment would replace conclusions and presumptions with judicial process in calling upon the Federal courts to determine whether or not there have been alleged violations of 15th amendment guarantees.

In the Ervin amendment there was another great salutary feature in that it struck section 5 from the Mansfield-Dirksen substitute.

Present section 5 arbitrarily takes from an affected State all legislative functions with regard to voter qualifications. It provides that no future law or ordinance can be enacted imposing qualifications for voting, or rather that it cannot be enforced, if passed, until that State has brought an action for a declaratory judgment against the United States in the District Court for the District of Columbia and secured an adjudication, with the accompanying burden of proof that such qualification does not have the purpose or will not have the effect of denying or abridging the right to vote on account of race or color. This prohibition would run against any new enactment regardless of its validity or its constitutionality.

Despite the clear meaning of article I, section 2, of the Constitution, and the 17th amendment, that it is the prerogative of the States themselves to determine the qualifications of their own voters, section 5 of the bill takes from a few States the right to legislate in this field.

Under the bill, if you please, when a sovereign State desires to enact any voting qualification different from that in force and effect on November 1, 1964, that State must come hat in hand to the seat of government and seek a declaratory judgment and prove that its enactment is not discriminatory. That State cannot even go to the district court in its own jurisdiction but must come to Washington, D.C. The courthouse doors are closed to a few States who must travel to Washington to purge themselves of alleged misconduct. Federal judges in their own district are bypassed in favor of District of Columbia judges.

This is a sweeping indictment of the Federal judiciary of a section of this country. Congress would declare that Federal judges from a few Southern States are not capable of passing on the merits of these questions. These judges would be disqualified to sit on certain cases because they have been appointed from the affected area.

You cannot indict a whole people and a whole judiciary.

To heap further indignity upon a sovereign State, this section additionally proposes that the State submit its legislative enactment to the Attorney General of the United States, and if that official does not interpose objection within 60 days, the State legislative enactment may become effective. How far do the sponsors of this proposal desire to go in punishing States who are supposed to be coequal with their sister States? Here we have Congress permitting the Attorney General of the United States to veto an act of a State legislature.

Then, we come to the crowning indignity imposed by this section of the bill. Even when the Attorney General has not objected or a declaratory judgment has been entered, the bill permits the United States at some indeterminate time far in the future to strike down a legislative enactment of one of a few States. Is this equal justice under law?

It seems to me that this provision of section 5 is most iniquitous and strikes at the very heart of our constitutional system of an indissoluble union of coequal States.

Section 5 usurps the legislative powers of a few States while the other States of the Union are left free to exercise their full constitutional rights in this field. This provision declares certain States as second-class States not contemplated by our Founding Fathers.

It is well settled that equality of constitutional right and power is the condition of all the States of the Union, old and new. Time and time again in adjudicating the rights and duties of States admitted into the Union after 1789, the Supreme Court has referred to the condition of equality of States as if it were an inherent attribute of the Federal Union of States.

Mr. Justice Lurton, in *Coyle* v. *Oklahoma*, 221 U.S. 559, 566, stated:

> The power is to admit "new States into this Union." "This Union" was and is a union of States, equal in power, dignity and authority, each competent to exert that residuum of sovereignty not delegated to the United States by the Constitution itself. To maintain otherwise would be to say that the Union, through the power of Congress to admit new States, might come to be a union of States unequal in power, as including States whose powers were restricted only by the Constitution, with others whose powers had been further restricted by an act of Congress accepted as a condition of admission. Thus it would result, first, that the powers of Congress would not be defined by the Constitution alone, but in respect to new States, enlarged or restricted by the conditions imposed upon new States by its own legislation admitting them into the Union; and, second, that such new States might not exercise all of the powers which had not been delegated by the Constitution, but only such as had not been further bargained away as conditions of admission.
>
> There is to be found no sanction for the contention that any State may be deprived of any of the power constitutionally possessed by other States, as States, by reason of the terms in which the acts admitting them to the Union have been framed.
>
> To this we may add that the constitutional equality of the States is essential to the harmonious operation of the scheme upon which the Republic was organized. When that equality disappears we may remain a free people, but the Union will not be the Union of the Constitution.

In *Butler* v. *Thompson*, U.S.D.C. Va., 97 F. Supp. 17, affirmed 241 U.S. 937; 95

L. Ed. 1365, it was held that an act of Congress of 1870 prohibiting the State of Virginia from changing its constitution so as to deprive any class of citizens the right to vote would be invalid if construed to prevent that State from enlarging to 3 years its poll tax requirements as a condition precedent to the right to vote. The Court said:

> The act of 1870, too, must be studied against the background of the tragic era of which it was a part.
>
> Nor was this act a compact under which Virginia, after the Civil War, was readmitted to the Union. The Supreme Court has ruled that the Confederate States were never out of the Union and, hence, there was no necessity for readmission (*State of Texas* v. *White*, 7 Wall. 700; 74 U.S. 700; 19 L. Ed. 227).
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> This act does not attempt to place Virginia in a straitjacket so far as the election laws of Virginia are concerned. If the act made that attempt, the act would be invalid. All States, after their admission into the Federal Union, stand upon equal footing and the constitutional duty of guaranteeing each State a republican form of government gives Congress no power in admitting a State to impose restriction which would operate to deprive that State of equality with other States.

It is abundantly clear that section 5 of the Mansfield-Dirksen substitute clearly violates the constitutional requirements for equality of States.

Mr. President, the proponents of this pending legislation base their position on one clarion call—time, time, and time.

There is no time for administrative remedies. There is no time for judicial determinations. There is no time for legal reviews. When I first came to the Senate, the same cries were heard on the antilynching bills—long since obsolete, dead, and forgotten.

We heard the same cries after the Brown case, after the 1957, 1960, and 1964 Civil Rights Acts. Should we for the lack of time scrap 1,000 years of Anglo-Saxon jurisprudence? I think not. Let us do not.

To put the problem in the proper perspective, we must remember the protection provided by the Constitution of the United States against usurpation of power by one branch of the Federal Government as against another. Just as important is the protection against usurpation of power by the Central Government as against the States. The separation of powers as a basic constitutional protection of liberties was recognized by Dean Pound on page 91 of "The Development of Constitutional Guarantees of Liberty," as follows:

> Along with bills of rights, the separation of powers—the putting of legislative, executive, and judicial functions in distinct departments by a fundamental law, binding each and requiring each to keep within its legal bounds—is specially characteristic of our first constitutions and of American constitutions ever since.

The Founding Fathers realized that a division of power and authority into departments of a central government was not sufficient. If our Government were to be preserved for future generations, the powers of the Central Government must be limited and circumscribed by powers retained by the people and conferred by them upon their State and local governments. In 1958 the Conference of Chief Justices—composed of the chief justices of all of the States—recognized that this principle is as important today as when our Nation was formed, in the following statement adopted by the conference in 1958:

> We believe that strong State and local governments are essential to the effective functioning of the American system of Federal Government; that they should not be sacrificed needlessly to leveling, and sometimes deadening, uniformity; and that in the interest of active, citizen participation in self-government—the foundation of our democracy—they should be sustained and strengthened.
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> We believe that the great principle of distribution of powers among the various branches of government and between levels of government has vitality today and is the crucial base of our democracy. We further believe that in construing and applying the Constitution and laws made in pursuance thereof, this principle of the division of power based upon whether a matter is primarily of national or of local concern should not be lost sight of or ignored, especially in fields which bear upon the meaning of a constitutional or statutory provision, or the validity of State action presented for review. For, with due allowance for the changed conditions under which it may or must operate, the principle is as worthy of our consideration today as it was of the consideration of the great men who met in 1787 to establish our Nation as a nation.

The dangers which I shall point out were recognized by Thomas Jefferson when he said, in 1821:

> There is no danger I apprehend so much as the consolidation of our Government by the noiseless, and therefore, unalarming, instrumentality of the Supreme Court.

Jefferson was only half right. He should have added the Congress and the leadership of the United States of America utilizing the breaches in the Constitution of the United States fashioned by the courts.

We are faced with the danger of virtual abolition of the States on the theory that one uniform pattern of government determined by a few men—sometimes judicially by a vote of 5 to 4 and sometimes legislatively by a vote of 51 to 49—is the only acceptable pattern for each of the 50 States lying many thousands of miles apart with varied and diverse populations and problems. We are also faced by the danger of civil regimentation of every individual by an all-powerful Central Government in the name of civil rights.

If this trend continues, the States will soon become little more than local government agencies, existing as appendages of the Central Government and largely subject to its control, and the United States of America a monolithic government with broad and sweeping control over the individual actions of citizens. Individuals, as well as the States, will be placed within a straitjacket of Federal conformity.

The proponents predicate authority for enactment of this legislation upon the 15th amendment and seek to establish its appropriateness as a cure-all for alleged discriminations in denials of the suffrage and to penalize such denials allegedly perpetrated by certain sovereign States in one area of the country.

While the last section of the 15th amendment invests Congress with power to enforce it by appropriate legislation, it must be appropriate and directed toward what the amendment prohibits—the denial of suffrage on the grounds of race or color. The amendment authorizes Congress to adopt appropriate legislation to correct alleged abuses in the voting field. But, this amendment does not invest Congress with power to legislate upon subjects which are constitutionally within the domain of State legislation. Yet, the Mansfield-Dirksen substitute by section 5 seeks to subordinate State legislative acts to the will of the Attorney General in Washington. Can this be appropriate legislation under the 15th amendment as contemplated by our Founding Fathers?

All agree that the rights and immunities created by or dependent upon the Constitution of the United States can be protected by Congress. The form and the manner of the protection may be such as Congress in the legitimate exercise of its legislative discretion, shall provide. These may be varied to meet the necessities of the particular right to be protected.

However, the Supreme Court stated in *United States* v. *Reese*, 92 U.S. 214, 217:

> The 15th amendment does not confer the right of suffrage upon anyone. It prevents the States, or the United States, however, from giving preference, in this particular, to one citizen of the United States over another on account of race, color, or previous condition of servitude.

Under the Court's interpretation, the 15th amendment does not grant the absolute right to vote to anyone; rather, what it does is confer a right or exemption from discrimination in the exercise of the elective franchise on account of race, color, or previous condition of servitude, which Congress may enforce by appropriate legislation. But it cannot be said that appropriate legislation is that which will strike down State legislative acts which under the Constitution are squarely within the domain of the States.

In the Reese case—cited supra—Chief Justice Waite, discussing the 15th amendment, clearly stated:

> The power of Congress to legislate at all upon the subject of voting at State elections rests upon this amendment.

Continuing his discussion of the 15th amendment, he stated that the amendment prevented a State from denying the right to vote on account of race, color, or previous condition of servitude, but added:

> Before its adoption, this could be done. It was as much within the power of a State to exclude citizens of the United States from voting on account of race, etc., as it was on account of age, property, education. Now it is not * * *. Previous to this amendment, there was no constitutional guarantee against this discrimination; now there is.

In the case of *Minor* v. *Happerset*, 88 U.S. 162, the complainant was refused the right to register to vote in the general election of November 1872, on the basis of a provision in the Missouri constitution limiting the suffrage to male citizens only. Not only did the Court reject in unequivocal terms the theory that the right to vote is guaranteed by the privileges and immunities clause of the Constitution as an incident of national citizenship, but it also continued with a splendid restatement of the law concerning the rights of States to prescribe voting qualifications. The Court said:

> If the right of suffrage is one of the necessary privileges of a citizen of the United States, then the constitution and laws of Missouri confining it to men are in violation of the Constitution of the United States, as amended, and consequently void. The direct question is, therefore, presented whether all citizens are necessarily voters.
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> The Constitution does not define the privileges and immunities of citizens. For that definition we must look elsewhere. In this case one need not determine what they are, but only whether suffrage is necessarily one of them.
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> It certainly is nowhere made so in express terms. The United States has no voters in the States of its own creation. The elective officer of the United States are all elected directly or indirectly by State voters. The Members of the House of Representatives are to be chosen by the people of the States, and the electors in each State must have the qualifications requisite for electors of the most numerous branch of the State legislature. Senators are to be chosen by the legislatures of the States, and necessarily the members of the legislature required to make the choice are elected by the voters of the State. Each State must appoint in such manner, as the legislature thereof may direct, the electors to elect the President and Vice President. The times, places, and manner of holding elections for Senators and Representatives are to be prescribed in each State by the legislature thereof; but Congress may at any time, by law, make or alter such regulations, except as to the place of choosing Senators. It is not necessary to inquire whether this power of supervision thus given to Congress is sufficient to authorize any interference with the State laws prescribing the qualifications of voters, for no such interference has ever been attempted. The power of the State in this particular is certainly supreme until Congress acts.
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> The amendment did not add to the privileges and immunities of a citizen. It simply furnished an additional guarantee for the protection of such as he already had. No new voters were necessarily made by it. Indirectly it may have had that effect, because it may have increased the number of citizens entitled to suffrage under the constitution and laws of the States, but it operates for this purpose, if at all, through the States and the State laws, and not directly upon the citizens.

Finally, the Supreme Court said:

> Certainly, if the courts can consider any question settled, this is one. For nearly 90 years the people have acted upon the idea that the Constitution, when it conferred citizenship, did not necessarily confer the right of suffrage. If uniform practice long continued can settle the construction of so important an instrument as the Constitution of the United States confessedly is, most certainly it has been done here. Our province is to decide what the law is, not to declare what it should be.

Nor is it appropriate legislation to confer additional rights upon a selected class of our citizenry by circumscribing legislative acts of sovereign States. This proposal contemplates important changes in our election laws, which the States as a general rule regulated in their own way through their State legislatures.

I say that the Mansfield-Dirksen substitute seeks to circumvent State acts and is not within the constitutional grant of power as defined by the Supreme Court over the years.

This proposal is outside the legitimate sphere of Congress and attempts that which is beyond its reach, because it encroaches upon the reserved power of the States and the people.

Our constitutional history reveals that in those cases where the Constitution seeks to protect the rights of the citizen against discriminative and unjust laws of the State by prohibiting such laws, it is not individual offenses, but abrogation and denial of rights, which it denounces, and for which it clothes the Congress with power to provide a remedy.

This abrogation and denial of rights, for which the States alone were or could be responsible, was the alleged wrong which was intended to be remedied. The remedy to be provided must necessarily be predicated upon that wrong. It must assume that in the cases provided for, the evil or wrong actually committed rests upon some State law or State authority for its excuse and perpetration.

This, of course, does not apply to those cases in which Congress is clothed with direct and plenary powers of legislation over the whole subject, accompanied with an express or implied denial of such power to the States, as in the regulation of commerce with foreign nations, among the several States, and with the Indian tribes, the coining of money, the establishment of post offices and post roads, the declaring of war, and so forth. In these cases Congress has power to pass laws for regulating the subjects specified in every detail, and the conduct and transactions of individuals in respect thereof.

But where a subject is not submitted to the general legislative power of Congress, but is only submitted thereto for the purpose of rendering effective some prohibition against particular State legislation or State action in reference to that subject, the power given is limited by its object, and any legislation by Congress in the matter must necessarily be corrective in its character, adapted to counteract and redress the operation of such prohibited State laws or proceedings of State officers. Furthermore, it must not be proscriptive of State legislative authority.

The Government of the United States is one of delegated powers alone. Its authority is defined and limited by the Constitution. All powers not granted to it by that instrument are reserved to the States or to the people. No rights can be acquired under the Constitution or laws of the United States, except such as the Government of the United States has the authority to grant or secure. All that cannot be so granted or secured are left under the protection of the States.

Mr. STENNIS. Mr. President, will the Senator yield to me?

Mr. EASTLAND. I yield.

Mr. STENNIS. I commend my colleague for making such a strong statement and presenting such conclusive evidence. Really, no evidence has been presented to the Congress to prove that the poll tax is used to discriminate on the basis of race or on any other ground.

Mr. EASTLAND. That is correct. No evidence whatever has been presented. There were isolated cases in the State of Mississippi and, as I recall, the Government lost one of those cases.

Mr. STENNIS. The Senator is correct. The allegations were wholly unfounded and failed to be sustained by the court.

Mr. EASTLAND. Does not my colleague believe that the proponents of the amendment have been driven to desperate straits when they quote from a brief in a case which is now pending and has not even been decided?

Mr. STENNIS. The statement is only an allegation. As the Senator has pointed out, one of those cases has been tried. The allegations in that case were not sustained. The Government lost the case and there was no appeal to a higher court, as I recall. Is that not correct?

Mr. EASTLAND. That is correct.

Mr. STENNIS. To take a fragmentary allegation in a bill of complaint and ask the Senate to conclude from that allegation that evidence has been presented to the Congress is nothing short of ridiculous.

Mr. EASTLAND. That is true.

Mr. STENNIS. We are talking about the Constitution and constitutional rights.

Mr. EASTLAND. My colleague is exactly correct. The distinguished members of the Judiciary Committee have filed their independent views, but their independent views were nothing but their own conclusions. Those conclusions are not based upon any facts or testimony adduced before the committee.

Mr. STENNIS. That is a reasonable explanation, and it illustrates what is frequently done in the Senate when the subject of civil rights is discussed. Almost any allegation, supposition, hearsay, or anything else goes for facts.

Mr. EASTLAND. That is correct.

Mr. STENNIS. I state on my own responsibility as a Member of this body that during many years of public service, including the practice of law in Mississippi, and service later as district attorney, a member of the legislature, and then as a trial judge, I never heard of a single instance in any of the counties of my State in which a poll tax has been used or attempted to be used in any form of discrimination whatsoever. It has not happened. If it had, I would have known about it, since I was intimately connected with State and county officers, including the courts and the prosecuting departments. Those things did not happen in any of the areas in which I served as an officer of government or practiced law.

Mr. EASTLAND. Does not my distinguished colleague know that if such discrimination had been practiced, the Attorney General of the United States would have known it?

Mr. STENNIS. Of course.

Mr. EASTLAND. Representatives of the FBI have been in all the counties of the State and have checked the records. They have investigated practices. In the light of those investigations, the Attorney General has said that no such pattern exists.

Mr. STENNIS. The Attorney General is correct. The Senator has rendered a service in bringing forth his testimony to refute the bare, bold statement in the amendment under which the Senate is asked to reach a legislative conclusion that those things are happening when in fact they are not. Such a legislative conclusion could be compounded into another error. A case would be sent over to the Supreme Court with the pending amendment tied to it in an attempt more or less to say, "Please, please, please uphold us now in what we have said about this amendment."

Mr. EASTLAND. What they want us to say is, "Please uphold us in our sins." That is the meaning of it, because we are asked to act without any proof whatever.

Mr. STENNIS. I thank the Senator for yielding to me. He has made a fine presentation of the subject.

Mr. EASTLAND. I thank my colleague.

Mr. President, I yield the flood.

Mr. STENNIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Tydings in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. McGovern in the chair). Without objection, it is so ordered.

THE PLIGHT OF THE HOUSEWIFE

Mr. BOGGS. Mr. President, Representative Catherine May, of Washington, spoke before the Label Manufacturers National Association meeting in Key Biscayne, Fla., on April 26.

Her comments about the plight of the housewife if the Federal bureaucracy invades the kitchen are timely and well worth careful consideration.

I ask unanimous consent that her speech, entitled "Who's in the Kitchen With Dinah?" be printed at this point in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Who's in the Kitchen With Dinah?

Once upon a time, a serial number was a mark of degradation. It branded a man a social outcast, a prisoner of the state for a serious offense against society. People would quip about a serial number being a pen name.

Next, it became a mark for heroism and loyalty to the state, as millions of men and women were tagged for their country's service. But both of these systems have one thing in common: They destroy the ego, or personality; they reduce all persons to a common denominator. In disgrace, or honor, where millions are involved, they provide a systematic way of control and unfortunately, the checkoff. In the stress of crisis, we cannot condemn their use.

But have we stopped there? What was necessary for crisis is now becoming commonplace. The Federal alphabetical soup has been abandoned. There are only 26 letters in the alphabet. It seems to me that the machine and its cold competence are once more leveling the masses.

Let me enumerate the spectrum of numbers that reduces existence to one, or one-plus, whether that be a single digit or a multiple digit code. Here it is: The penal mark, the draft number, your social security mark, the employer's tax identification number, and now the latest wrinkle—your ZIP code. Like the secret account in a Swiss bank, the latest American status symbol seems to be an unlisted ZIP. How impersonal can we get? Soon, I'm told, our mail will arrive with only the house number and the ZIP code, all machine processed, of course. Your entire life can soon be accumulated on a single data process card.

Even the inanimate is fast becoming the slave of numbers. The telephone has dropped its romantic names and gone to multiple digits. Dial 10 digits in a row, if you can remember them, and behold, you span a continent. We haven't run out of hero's names—it is just more convenient to number our great interstate highways rather than name them, as they should be, after President Eisenhower who started them. Our homes have long ago dropped their lovely names and are grouped by staid numbers in a block. Under our Federal procurement system involving billions of dollars annually, products have been grouped by numbers for many years. I am fearful this great numbers game has only scratched the surface, as I propose to develop here this evening.

As I look about for explanation of this numbers load, I have come up with one possible answer. It springs from our Federal Government's "paperwork jungle." These descriptive words were developed by a subcommittee of the House Post Office and Civil Service Committee under Democratic control. Believe me, they are not my creation.

Let me briefly summarize what this subcommittee reports:

It costs our Federal Government some $7 billion a year to handle its own paperwork; industry, business, and the public must spend $20 billion a year to process Government reports; small business alone must spend $2 billion per year; Federal agencies now require over 1 billion reports a year—five for every person in the United States; the Government Printing Office prints 2¼ billion forms a year for the Federal agencies—12 for every person in the 50 States.

Imagine, 4,000 Federal reports are already in existence. It takes numbers and machines—expensive ones—to keep up with this load.

Now, of course, all these activities on the part of the Federal Government are done in the name of efficiency. And, who in heaven's name can possibly justify opposing efficiency? Well, I heard a very fine speech the other day entitled "Freedom Must Advertise" which was a speech given by Tom Dillon, president of Batten, Barton, Durstine & Osborn, Inc., a speech that received last year's George Washington Honor Medal, given by the Freedoms Foundation for its contribution to building a better understanding of the American way of life. Mr. Dillon made a pretty good argument that there were some very important things in our life that could be severely criticized as inefficient by these criteria. He said, for instance, the Constitution of the United States certainly provides a pattern for waste of time and money.

Mr. Dillon pointed out that our Constitution has set up the most ridiculous and complicated method of electing two bodies, totaling more than 500 people, to argue within themselves and with each other. And then after they finish their interminable arguments, they put the result into the hands of a third party, the President of the United States, to carry out their orders, whether or not he agrees with them. Further, the Constitution arranged for "nine old men" to take from 2 to 10 years to decide whether or not the instructions of these two wrangling bodies to the President was within their power.

As if this weren't confusion and inefficient enough, every 4 years the whole country spends about 4 months in a continual uproar, while hundreds of men make speeches and promises they haven't the slightest intention of keeping to people who know perfectly well that it would be silly to believe them. Then everybody goes in a little booth and marks X's next to the names of men they never heard of.

Now Plato, 2,100 years before the Constitution was written, came up with an efficient way to run a country. He suggested that we should breed philosopher kings who were going to be so intelligent and so honest and so just that they could make the best possible decisions on what to do about everything. I am sure the framers of the Constitution knew all about Plato's theory and recognized its efficiency, but they also noticed something else very interesting. In 2,100 years, no one has found a satisfactory philosopher king and put him on the throne. And in our Founding Fathers' simple wisdom, they concluded that after 2,100 years of pondering the philosopher king theory, all the people had gotten for their trouble was a threat of tyranny. So, they created the Government of the United States with a mind to prevention of tyranny. The authors of the Constitution, having studied the 5,000 years of man's recorded history, decided that you can put up with quite a lot of inefficiency better than you can put up with a little tyranny. "They had a choice between the freedom of mankind and efficiency. Thank God they took freedom."

The basic theme of the remarks I am making to you this evening rests on the tenet that freedom is an expensive and fragile thing. Again, to quote from Mr. Dillon:

"For all tyranny does not come with tanks and jack boots. Tyranny also creeps in, like the fog 'on little cat feet.' Softly, soothingly. Tyranny carries a nicely lettered sign on which it says, 'This is being done for the public good.' Tyranny is sly. It whispers to you and says, 'You and I know what the best thing is to do. But those poor people over there are not as fortunate as you and I. They do not have the wisdom to know that what we want is really for their own good.' Tyranny puts its arm around your shoulder and says, 'Let's you and I save them from themselves. Let us force them to make the right choice and later, when they are wiser, they will thank us.' Tyranny says, 'Let us draw up some rules to prevent the advocacy of ideas that we know are wrong. Come, let us go together and curb evil.' "

Now, as a Member of Congress, I could list for you dozens of programs and laws that, to me, typify a further nibbling away and erosion of our individual freedom in this country. But for the purpose of this speech, I am going to name just one piece of pending legislation as a classic example of ever-burdening Federal Government impositions. This legislation is commonly known as the truth-in-packaging bill. The implications of this are so appalling, I cannot understand the force behind it, unless the object is to add to this horrendous process of leveling while skyrocketing costs and increasing the Federal tax burden. Even the element of politics must be discounted, as I understand the so-called consumer revolt across the land has failed to materialize, though it was greatly stimulated.

I chose as my title this evening, "Who's in the Kitchen With Dinah?", merely to indicate that there could be a very real threat that Mrs. Housewife could someday—whether she liked it or not—be sharing her home ground with a Federal bureaucrat. The title may be reaching in its implications, but it is certainly not as misleading as the title of pending Federal legislation—"Truth-in-Packaging"—which, of course, implies no truth in the marketplace today. I note the patron of this legislation this year has changed the bill's title to the "Fair Packaging and Labeling Act." At least this title is not so fraught with scurrilous implications. However, I must advise this group that five identical measures have been introduced in the House of Representatives, all labeled "Truth-in-Packaging." I have always felt that meddlesome Government interference with free, rational choice is to be avoided at all costs.

In the Senate, this bill has been referred to the Commerce Committee, as it affects Interstate Commerce; in the House, it is before the Judiciary Committee, as it still proposes to amend the Clayton Act. To compound the confusion, I have recently been advised that the Secretary of Commerce now opposes both measures in their present form and seeks substantial amendments.

Our good Samaritan administration apparently cannot decide just how much it should coddle the consumer, that is, how far it should curb her shopping delights and tell her what is what.

Let's face it. The basis of this legislation can be summarized in a few choice words: It assumes the consumers' gullibility, the manufacturers' and retailers' culpability, and, finally, the bureaucrats' infallibility. As yet, however, no one seems able to determine the degree of any of these assumptions. Meantime business lives under another threatening sword.

I keep asking myself, "Why?" Even the most ardent supporter of this burdensome legislation will admit that the bad apples in the marketplace are being culled under existing law. Should we cut down the entire tree to cure a diseased twig?

This year's version of this legislation is narrower in scope: It now purports to exempt certain segments of our food and packaging industry. Its prominent sponsor in the U.S. Senate alleges it is now directed only at the supermarkets. This proves my point, given another year and another revision, it could become harmless though industry would be thrown ever deeper into the "paperwork jungle."

I believe there are those in the present administration who fully admit that existing laws and regulations, if property enforced, are adequate. The administration and the Congress must believe this, for it is true.

In the 1964 appropriation for the Food and Drug Administration, the House recognized this truth, when it allowed an increase of $7 million for the FDA and stated in the Appropriation Committee's report:

"Ever since the Food and Drug Act was passed, the law has provided for a level of protection of the American people that the Food and Drug Administration has not had the facilities to achieve. This budget provides for a big forward step in this direction."

Again, in the 1966 Federal budget we find provision for a $10 million increase and 400 more employees for the FDA with this justification for increased work: "The laws enforced hereunder are designed to protect consumers against adulterated and misbranded foods, drugs, cosmetics, therapeutic devices, and household products containing hazardous substances."

Last year I made an analysis of existing Government programs involving the consumer, to determine just how unregulated the jungle of the marketplace is supposed to be. Here is what I found: In 1961, the Intergovernmental Relations Subcommittee of the House Government Operations Committee initiated a study to determine how many Federal agencies were concerning themselves with activities which (1) directly protected the consumer; (2) advanced the interest of the consumer; and (3) indirectly involved the consumer, or had the effect of protecting the general public. The results of this study were astonishing and, by the way, piled up to hundreds of pages of compiled data.

In the first place, out of 35 departments and agencies of the Federal Government, only 2 of them performed no activities in the consumer field. The report showed that 118 different activities were directly protecting and advancing consumer interests. These activities involved annual program expenditures totaling $953 million and employed 6,500 Federal workers full time. In addition, these agencies carried on 135 programs in the interest of indirectly protecting or helping consumer interest, and there were 43 additional activities not specifically labeled as consumer programs, but which were identified as protecting the general public. It all added up to the Federal Government being involved in 296 programs to help the consumer.

And so, the pyramiding progresses, piling costs on costs, ever increasing the onerous load of controls on controls. Additionally, this calls for a greater flood of paper. Nonetheless, even the new version of the truth-in-packaging bill still requires:

Establishing minimum standards with respect to the prominence of net quantity statements on labels; no qualifying words as to net quantity; no price discounts, incredibly; reasonable weights or quantities which smack of standardization; bureaucratic determinations of quantity and package shapes; standardization of sizes to "small," "medium," "large," or "super"; establishing "serving" standards—pity the man with dentures—the banning of deceptive pictorial matter already banned by existing law; finally, a historic departure: This bill would equate confusion with deception, thereby giving regulators unbridled power.

Imagine the redtape required to conform to such a law. Imagine the added cost to both producer and the consumer as the "infallible" bureaucrat takes over. In this whole complicated process, I wonder if another set of identifying numbers is to become mandatory, just as certain products are now registered under the U.S. Department of Agriculture's Inspection Service, for which the manufacturer and ultimately the consumer shoulders the cost.

Perhaps the tireless Federal planners would prefer that we select our products by FLAP code; then we could achieve in a single blow, the end of zealous competition and of rewarding advertising. Anyway, the planners already argue that these activities are uneconomic. Is this regimentation the millennium they seek? Is even our cereal to become only a printed serial number?

From God's bountiful harvest of our great agricultural pursuits, American industry, under existing laws, has provided our people with the lowest cost, highest quality food in the world. In America, food takes only 18.5 percent of the average family's income after taxes. In the United Kingdom, families must spend 29.5 percent of their income for food. In other nations the percentage doubles or quadruples our rate. In less fortunate nations, food takes all the family income.

Our matchless food achievement lies at the very heart of America's free-enterprise system. Through volume, unhampered by excessive restraint, we produce miracles which are the envy of the world. And yet, we can destroy this beneficence ourselves, by the imposition of harassing Federal controls. I deplore this trend and this threat.

I have made it my business in recent weeks to review the organization and functions of the Label Manufacturers National Association, Inc. I commend your leaders for adopting as part of your bylaws the significant words, "to cooperate with officials of such agencies—Federal and State—in any program considered essential to national defense or otherwise." I commend your association for its increasing cooperation with these agencies in the matter of compliance, on a voluntary basis, with existing Government controls.

If label printers, or their customers, get caught with a bad apple that spoils the whole barrel, they have only themselves to blame. You do provide facilities for the prior clearance of new, or revised labels under existing laws and regulations. More label printers should aline themselves with you in the furtherance of this program. For responsibility is the soundest argument against rising Government costs and more stringent controls. As I have indicated, this cooperation is already bearing fruit, through enforcement of present law.

I understand the packaging institute has passed the word that your "Labelgrams" which carry Federal and State regulations are a must. For these fine efforts, I extend my congratulations. Industry can make and must make its contributions to good Government, over and beyond the payment of taxes.

I would also urge you ladies to participate more fully in the so-called consumer conferences which have sprung up all over the country. Attend and ask questions about costs of new Federal ventures to your industries, the consumer and certainly not least, the State and Federal agencies. For government will not hesitate to hike your taxes. And controls will surely increase your costs.

Certainly, no one publicly advocates that our Federal Government take over all food marketing, but its control can be accomplished step by step. Thinking people are concerned with this and similar threats.

The columnist, Jenkin Lloyd Jones, in a recent Washington Evening Star editorial, reported that Perry Heath, head of the Brotherhood of Locomotive Engineers, when he took his union out of the RLEA, blasted the delusion that the welfare of labor would be promoted if only the Government took over the railroads. Mr. Heath feared that the right to strike would disappear, that wage raises would depend on the will of Congress, and that the same computer that has the Defense Department closing down military bases would be used to decide which rail lines should be abandoned.

In writing of our business way of life, Mr. Jones declared:

"The chief glory of private enterprise is its efficiency compared to socialist performance. The efficiency is imposed by rigorous natural laws: Higher costs must mean smaller profits if they are not balanced by greater volume or higher charges. Higher charges invariably shrink volume. Greater volume can generally be achieved only by exhibiting competitive advantages to customers. Competitive advantages can be achieved only by improved service—including better and more costly equipment—or lower rates."

Capitalism has its vexations, but it is surely to be preferred over any other system.

All of this brings to mind a picture of a harried young business executive pacing around home, waiting for his dinner. His thrifty spouse has gone to the supermarket and is impaled on the horns of a great dilemma. For example, where is Aunt Jemima? Was it her picture, the pancakes, or the syrup that misled the consumer? There are many pancake flours, but mama has forgotten the FLAP code suffix numbers that signified this brand. The name itself was misleading? Or the cake mixes, with their appetizing appeal? Which product is which?

She wonders where has the great American competitive system gone, or led her to, while some Federal agency deliberates. The confusion is maddening, so papa will just have to wait.

He should have done something about it. How can she make a rational choice? And where was that FLAP code catalog her grocer promised her?

If papa is a label printer, he is horribly depressed by sagging profits that have taken another dip to 3 percent net of sales after taxes this past year. He has invested millions in high-speed equipment to serve his customers whose profit margins have leveled off after the postwar boom at a higher and more steady rate. He is faced with ever-increasing fixed costs as his government contemplates higher social security taxes and medicare. And finally, his impatience exceeds that of his desperate wife lost in a maze of FLAP codes in the supermarket, when he recalls that printing labor costs have jumped 17.5 percent since 1959 and total labor costs now consume nearly half of his sales dollar. His management economies are quickly consumed by rising welfare costs.

He tried voluntary compliance, but not enough joined with him to prevent the added costs of Government regulations that have resulted in his printed label becoming a nightmare, instead of the lovely vignette of days gone by. He groans at the reflection, that his label has been made about as appealing as an income tax return, itself. Another mighty salesman has disappeared.

When a Federal bureaucrat is sharing the kitchen with Dinah, demanding that she use his yardsticks and measurements for food qualities, obviously, dinner is going to have to wait. Unless we bestir ourselves, Americans will have to dine out. Unless, God forbid, they start regulating the menus.

ELDER CARE APPROACH TO HEALTH CARE

Mr. TYDINGS. Mr. President, for the last several weeks, my colleagues and I have been plagued with little scraps of paper sent in great numbers to us by representatives of the American Medical Association. These papers contain the names and addresses of persons who claim, in language handily printed for them, to support the eldercare approach to health care as opposed to the King-Anderson medicare bill.

As a freshman Member of this body, having a desire to perform my duties in the Senate carefully, I had concluded that my position as a cosponsor of the King-Anderson bill should be explained in some detail to my constituents. A letter containing my views has been sent, or is in the process of being sent, to each person who signed one of these little scraps of paper.

Mr. President, in this morning's mail, 72 of my letters were returned by the post office, each bearing a notation such as "No such street," "No such street number," "Addressee unknown," or even "Deceased."

Mr. President, I felt that Senators, who will soon be required to pass upon the King-Anderson bill, should be aware of this startling response to my letters, written in answer to persons who have protested against the King-Anderson bill.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

The PRESIDING OFFICER. The question is on agreeing to the amendment (No. 187), offered by the Senator from Montana [Mr. MANSFIELD] for himself and the Senator from Illinois [Mr. DIRKSEN], to the amendment in the nature of a substitute, as amended and modified (No. 124), offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN].

Mr. SPARKMAN. Mr. President, the amendment now before the Senate provides, in effect, that Congress shall declare unconstitutional the requirement of a poll tax by any State as a condition of voting. It might be well to read the amendment into the RECORD:

> On page 14, strike out section 9(a) and insert in lieu thereof the following:
>
> "SEC. 9. (a) In view of the evidence presented to the Congress that the constitutional right of citizens of the United States to vote is denied or abridged in certain States by the requirement of the payment of a poll tax as a condition of voting, Congress declares that the constitutional right of citizens of the United States to vote is denied or abridged in such States by the requirement of the payment of a poll tax as a condition of voting. To assure that such right is not denied or abridged in violation of the Constitution, the Attorney General shall forthwith institute in such States in the name of the United States actions for declaratory judgment or injunctive relief against the enforcement of any poll tax, or substitute therefor enacted after November 1, 1964, which, as a condition of voting, has the purpose or effect of denying or abridging the right to vote."

Mr. President, the statement at the beginning of the amendment is remarkable, particularly in view of the statement that was made by the chairman of the Committee on the Judiciary [Mr. EASTLAND] only a few minutes ago, in which he said that no evidence had been offered to the committee—and certainly if it was not presented to the committee, it has not been presented to Congress—to the effect that the constitutional right of a voter is being abridged by the exacting of a poll tax as a condition for voting.

Mr. President, this subject has been before the Supreme Court of the United States many times. I know of no better case to quote—and I am sure that it has been quoted by Senators who have spoken before me—than the Supreme Court decision in the case of *Breedlove* v. *Suttles*, 302 U.S. 277, decided in 1937.

In that decision, at page 203, the Supreme Court said:

> *Breedlove* v. *Suttles*, 302 U.S. 277, at page 288: "To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate (*Minor* v. *Happersett*, 21 Wall. 162, 170 et seq. *Ex parte Yarbrough*, 110 U.S. 651, 664–665. *McPherson* v. *Blacker*, 146 U.S. 1, 37–38. *Guinn* v. *U.S.*, 238 U.S. 347, 362). The privileges and immunities protected are only those that arise from the Constitution and laws of the United States and not those that spring from other sources (*Hamilton* v. *Regents*, 293 U.S. 245, 261)."

Mr. President, it would seem clear from the language I have quoted that a State poll tax as such is constitutional. We should take heed also of the language quoted above, that apart from the restraints listed, the State may condition suffrage as it deems appropriate.

The quotation from the Supreme Court opinion in that case runs contrary to the letter and spirit of the entire bill, and the atmosphere in which it is being considered; and particularly is it contrary to what is sought to be done by the amendment.

To my amazement, an amendment is offered now to place the provision back in the bill. We must remember that in the Breedlove case it was pointed out that the right to vote was a right which sprang from the State and not from the Federal Government.

Only a couple of years ago an amendment to the Federal Constitution was passed by the Senate and House, and then submitted to the States of the Union and adopted by the necessary majority of the States of the Union to ban poll taxes in Federal elections.

It was fully recognized at that time that the power of the Federal Government over poll taxes was limited to constitutional action, and not to statutory enactment. Therefore, Congress took the course of amending the Federal Constitution. Even in that case it was felt that we should not tamper with a poll tax that pertained only to local and State elections.

The proposed amendment flies in the face of everything that the Supreme Court has ever said with reference to constitutionality of poll taxes. It also flies in the face of every action that has been taken by Congress relating to taxes.

The original bill preserved poll taxes in purely State and local elections. The Committee on the Judiciary changed the bill, however, and reported a bill that sought to outlaw poll taxes or any other tax as a prerequisite for voting.

In my opinion, this proposal is unconstitutional. We know that many Senators felt it was unconstitutional. The leadership on both sides of the aisle felt that it was unconstitutional. The Attorney General of the United States expressed his doubts of its constitutionality, I suppose, in a rather cautious manner due to the fact that he might be required later to handle the matter in the courts. He said that there might be questions as to its constitutionality.

In any event, the leadership on both sides of the aisle, feeling that the measure was unconstitutional, offered a substitute measure which would delete the extreme poll tax provision from the bill. An amendment was offered to place the provision back in the bill. Debate continued for 4 or 5 days. A yea and nay vote was had. As I recall, by a rather close vote—I believe, 49 to 45—the Senate sustained the judgment of the leadership that it was unconstitutional to do away with a State poll tax which dealt only with local and State elections. The Senate therefore defeated the amendment.

In the Breedlove decision, the point was made that the privilege of voting is not derived from the United States. I shall read that part of the decision again. It reads: "save as restrained by the 15th and 19th amendments, and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate."

I mentioned that particularly because the great cry has been made that this legislation hangs on the provisions of the 15th amendment. The 17th amendment was written into the Constitution more than half a century after the 15th amendment. Yet, it retained exactly the same provision that was contained in section 2 of article I of the original Constitution as to qualifications of electors.

It shows certainly that it could not be the intention contained in the 15th amendment, to repeal the provisions in section 2 of article I of the Constitution, because the same provisions were carried forward, more than a half century later, in the 17th amendment.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. STENNIS. I thank the Senator for yielding, and also thank him for the clear way in which he is making his presentation and the unmistakable logic in it.

I should like to ask a somewhat personal question, in part, but it is based on the Senator's experience. In the first place, the amendment we are asked to adopt would require us to conclude from the evidence presented to Congress that rights of citizens of the United States to vote are denied or abridged in certain sections of the Nation by the requirement of the poll tax.

This is a bill, so it states, to enforce the 15th amendment, regarding discrimination on account of race.

The Senator has been an officeholder in Congress for a number of years from the great State of Alabama. Before that he was a practicing lawyer. In all the Senator's experience in his home State, in all the different counties there, has he ever known of an instance in which the poll tax was used to discriminate against a person on account of race or color?

Mr. SPARKMAN. Never in my life. I think I can give an example of that. Shortly after the end of World War I, our State legislature passed a statute to the effect that any person who had served honorably during World War I or any previous war would be exempted from the payment of the poll tax. It did not say "any white person." It said "any person."

It was decided later on, that this was not sufficient. The State operated under it for a year or two. A constitutional amendment was proposed by the legislature, and was adopted by the voters of the State of Alabama. There was no discrimination. That amendment holds good until this day.

If we consider a county with a population made up of one-third Negroes and two-thirds whites, and consider the number of persons who went into the service, divided the number accordingly, and considering those who came back and were exempted from the poll tax, it does not mean that they were all registered. Many persons who are entitled to register do not register. But I have never known a person not to register or vote because the poll tax was in the way.

Mr. STENNIS. The Senator from Alabama has given us striking testimony, based on all the years of his experience. Yet, according to the testimony presented here, the proponents are relying in part on an allegation in a suit filed in Mississippi wherein the lawyers alleged that the poll tax was being used to discriminate. Evidently the case was not proved, because it was lost and it was not even appealed to the higher court in the State. Yet we are asked to act on evidence that has been repudiated.

Mr. SPARKMAN. And the Senator, who served for many years as a circuit judge in his State, knows that an allegation in a complaint is in no sense evidence and cannot be taken as evidence.

Mr. STENNIS. That is correct. The Senator from Alabama has testified here that in all of his experience in his State he has never known of any incident or any practice, in any one single time, of discrimination in the application of the poll tax on the basis of race or color.

Mr. SPARKMAN. That is correct. If a poll tax were used in such a way to discriminate, there could be questions of constitutionality.

Mr. STENNIS. Of course.

Mr. SPARKMAN. But that is not the situation here. The allegation in the amendment is that the mere existence of the poll tax takes away the right. Let me see exactly what it provides—the rights of citizens to vote are denied by the mere existence of a poll tax. That is not what the Supreme Court said in the Breedlove case.

Mr. STENNIS. It said the opposite.

Mr. SPARKMAN. It said exactly the opposite. By the way, with respect to the constitutional right of citizens to vote, the Supreme Court did not say that citizens had a constitutional right to vote as derived from the Federal Government. It said the right to vote was derived from a State, and that the State had the right to set such restrictions as it saw fit, so long as they did not conflict with the restraints provided by the 15th and 19th amendments. What we must not lose sight of is that the 19th amendment which relates to woman's suffrage came after the 17th amendment which carries in it the identical language that was in the original Constitution as to voting rights.

Mr. STENNIS. That point is well made.

Will the Senator yield for a further question?

Mr. SPARKMAN. I yield.

Mr. STENNIS. The Senator says the allegation is in the amendment with reference to the denial of rights, but is it not true that the language in the amendment further states that the Congress is declaring as a conclusion that certain facts exist?

Mr. SPARKMAN. Yes.

Mr. STENNIS. So it is not merely an allegation; we are asked to conclude, and any Senator who votes for the amendment concludes, that these facts exist.

Mr. SPARKMAN. Yes. I really should have said that the allegation is that the evidence has been presented. The Senator from Mississippi was on the floor when the chairman of the Judiciary Committee answered a question—I believe it was put by his colleague the Senator from Mississippi—that there had been no evidence presented to the Judiciary Committee to this effect.

I said a few minutes ago that certainly there had been no evidence submitted to the Senate, or the Congress as a whole, that the right to vote is abridged.

Mr. STENNIS. I ask the Senator from Alabama if it is not true that only last week a majority of the Senate voted that the poll tax could not be abolished by a mere statute passed by the Congress, but would require a constitutional amendment.

Mr. SPARKMAN. Yes; as we did 2 or 3 years ago.

Mr. STENNIS. Not only does this proposal have this erroneous allegation and conclusion in it; but is it not in effect a prayer to the Supreme Court—a request for a directed verdict, as we say in court—to knock out the poll tax? Is that not what it is, after all?

Mr. SPARKMAN. Yes; and it seeks to constitute itself as a finding.

Mr. STENNIS. Yes; a finding of fact, as a court and a jury. That is entirely beyond the province of the Congress, and it is a belittling of the legislative branch of the Government to go on such a begging expedition as that.

Mr. SPARKMAN. It seems to me that there is a strong indication of the crossing of the line as between the branches of the Government, particularly as between the legislative and judicial branches of the Government.

Mr. STENNIS. If I may ask one more question, is it not clearly the case that this provision presented to us as a part of the bill—this has nothing to do with whether a person is for or against the poll tax as such—goes against the constitutional authority to act in reference to a bill?

Mr. SPARKMAN. Yes. Let me say that I wish to make myself perfectly clear about the poll tax. I hold no brief for the exaction of a poll tax, whether it be in Alabama, Mississippi, Vermont, West Virginia, or any other State that has some kind of head tax.

In the early days of government, practically all the States had some kind of poll tax, or head tax, so that every person would help to support the government. Some States had the requirement—some even now—of a poll tax which is not a prerequisite for voting, but requires that it be paid; and if not paid the person goes to jail. As I have said before, that was perhaps more effective in preventing voting than is the poll tax such as we know it, where a person can elect to pay it or not. He cannot vote unless he pays it. In the early days virtually all the States had a head tax which helped to support the government.

In my own State—and I believe this to be true in all States which have the ordinary poll tax at present—it is a trust fund for the support of public schools. It does not collect millions of dollars, but it does collect a tidy sum which goes to help support the public schools.

Mr. STENNIS. Mr. President, will the Senator from Alabama yield right there?

Mr. SPARKMAN. I am glad to yield.

Mr. STENNIS. Not only is the poll tax uniformly earmarked for educational purposes, but is it not also true that citizens of a certain age are exempt from payment, as well as those who are crippled or lame?

Mr. SPARKMAN. In my State, when a person becomes 45 years of age, there is no further liability to pay a poll tax. The poll tax is levied from the ages of 21 to 45. All persons who have served in the armed services are also exempt, and that is a large number at the present time. Also members of the National Guard are exempt, as well as certain officials, those who are blind, poor people, and so forth, so that the exemptions are not much greater than in the case of those who do pay the poll tax. However, the requirement still exists for able-bodied persons within the age bracket 21 to 45 to contribute their $1.50 a year toward the support of the public schools.

In my State—and I suppose in all States at one time—there was a cumulative tax that grew year by year. In my State, we cannot require a cumulative tax of more than 2 years. Any person can vote at any time regardless of how long it has been since he paid a poll tax. He pays it for 2 years. As it exists today, it applies only to local and State elections.

I go into my polling place to vote—and let me say that I do not pay a poll tax for two reasons. First of all, I am well over the age of 45; second, I was exempted by the amendment which was passed after World War I. I had an honorable discharge from the Army in World War I, I became 21 years of age shortly after getting out, and I paid my first poll tax. That is the only one I have ever paid.

I have never resented the fact that there was a poll tax. I go into the polling place to vote now, and those who wish to vote in Federal elections get their ballots whether they have paid a poll tax or not. Their names appear on a polling list. They get their ballots to vote. If they wish to vote in a State election, they check to see whether they have paid their poll tax in order to qualify. This is carried on without difficulty. It is not cumbersome, and it is perfectly legal. Whether it is something of which we approve or not, nevertheless, it is legal and done by constitutional methods as provided by the Constitution back yonder in 1789, as reaffirmed in the 17th amendment, involving the right of the States to fix qualifications of voters. It is a right which has been reaffirmed not once, not twice, not three times, but many times by the Supreme Court of the United States, a right which is vested in the State itself, and not in the Federal Government.

Again I go back to the Breedlove against Suttles case and point out the distinction which it draws with reference to the privilege of voting. The privilege of voting is not derived from the United States. That is the language of the U.S. Supreme Court in 1937. Almost 75 years after the 15th amendment was enacted into law the Supreme Court said that. It has never been changed.

The privilege of voting is not derived from the United States. Remember, when the Senate is functioning, it is functioning as the United States. The Supreme Court says that we are not the source of that power at all, that the Federal Government is not the source of it. It is a privilege. That privilege is not derived from the United States.

> The States may condition suffrage as it deems appropriate save as restrained by the 15th and 19th amendments.

That is all there is to it.

The action which is proposed in the substitute amendment is just as clearly unconstitutional as it can be. The act of writing this principle into law, formally declaring that the Congress believes that it is unconstitutional, and finds that it is unconstitutional and wishes the Supreme Court to declare that the existence of a poll tax is unconstitutional, I believe is impairing our system of government, the fine system of balances with three different branches, neither one interfering with the jurisdiction of the others.

The poll tax might conceivably be used in an unconstitutional and discriminatory manner—as I said a few minutes ago—but the tax as a prerequisite for voting in State and local elections in the few remaining States which have them seems to me to be a matter that the States themselves must decide.

The Federal Government cannot decide it for them, inasmuch as it required a constitutional amendment to abolish poll taxes in Federal elections, in which Congress has a greater interest than in State and local elections. I believe that a much stronger reason compels us to the conclusion that Congress does not have this power in State and local elections. Therefore, it should not attempt to exercise it.

There was another instance in which we used the amendment process of article V of the Constitution to change the power of the States to impose restrictions and that was in connection with women's suffrage—the 19th amendment to which I referred a few minutes ago—which took away from the States the right to deny to any person the right to vote by reason of sex. So the record shows that twice we have acted on the voting rights—the power of the States to limit the right to vote; namely, the poll tax amendment a couple of years ago, and the amendment giving the right to vote to women, which came in the form of the 19th amendment.

The amendment in the nature of a substitute for the original bill, offered on April 30 by the majority leader, reversed the extreme position taken by the committee bill, in that it did not outlaw poll taxes as such. On the other hand, the substitute bill directed the Attorney General to file a suit to obtain a determination as to whether the poll taxes could be used as a prerequisite for voting in State and local elections.

That was merely passing a decision on to the Supreme Court with the innuendo that Congress feels that poll taxes are bad but is afraid to say that they are illegal. As I said a few minutes ago, the question was raised in all sincerity by the majority leader, the minority leader, and the advisers on both sides of the aisle, and was questioned most strongly by the Attorney General of the United States, the chief law officer as to the authority of Congress to act.

He felt that it would not be in step with the requirements of the Constitution for Congress, by enactment of a measure, to seek to do away with the poll tax as it related to voting in State and local elections.

The simple provision which was contained in the substitute was a bad and perhaps a redundant provision, and should not have been included in the bill, but certainly it was a recognition of the doubt that was in the minds of the drafters as to whether or not the enactment of a statute on this subject would be constitutional.

Mr. President, the substitute for the substitute, which really was a substitute for the committee reported bill, would make a finding that the poll tax as a prerequisite for voting denies the right to vote. No evidence whatever was brought forth to that effect. I have failed to find any in the hearings. I find the allegation that is contained in the amendment itself, which is based on the statement that evidence was presented to Congress that the constitutional right of citizens of the United States to vote is denied or abridged by the existence of the poll tax. However, the chairman of the Judiciary Committee, in answer to a question pertaining to that subject, said there was no evidence presented to the committee to that effect.

There are many weaknesses and ill-considered provisions in this entire bill. I hope that it is defeated.

A favorite theory of mine is that the essence of true equality is the sound and impartial administration of just, significant and understandable laws. I cannot place this bill in such a context. Circumnavigation of the Constitution is in itself a denial of the rule of law. Legislation such as this which is not designed to be applicable to the whole Nation at large, is not sound, and Congress should think long and hard before it plunges emotionally into promulgating an extreme measure where moderation, understanding, and law and order should prevail. The pending amendment would only serve to make an extreme bill more extreme.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is is ordered.

APPROPRIATIONS FOR PROCUREMENT OF AIRCRAFT, MISSILES, AND NAVAL VESSELS FOR THE ARMED FORCES, FISCAL YEAR 1966

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 800) to authorize appropriations during fiscal year 1966 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces, and for other purposes, which was, to strike out all after the enacting clause and insert:

TITLE I—PROCUREMENT

SEC. 101. Funds are hereby authorized to be appropriated during fiscal year 1966 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, and naval vessels, as authorized by law, in amounts as follows:

Aircraft

For aircraft: For the Army, $344,500,000; for the Navy and the Marine Corps, $1,915,800,000; for the Air Force, $3,545,200,000.

Missiles

For missiles: For the Army, $253,700,000; for the Navy, $364,000,000; for the Marine Corps, $13,000,000; for the Air Force, $771,100,000.

Naval vessels

For naval vessels: For the Navy, $1,651,600,000, of which amount $150,500,000 is authorized only for the construction of a nuclear powered guided missile frigate.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 201. Funds are hereby authorized to be appropriated during fiscal year 1966 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, $1,406,400,000;

For the Navy (including the Marine Corps), $1,439,200,000;

For the Air Force, $3,103,900,000 of which amount $150,000,000 is authorized only for the Manned Orbiting Laboratory and $7,000,000 is authorized only for the development of an advanced manned strategic aircraft;

For Defense agencies, $495,000,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. Outstanding tonnage balances remaining in law for construction of Navy ships are hereby repealed.

SEC. 302. The distribution of the assignments and contracts for construction of warships and escort vessels for which appropriations are authorized by this Act and hereafter shall be in accordance with the requirement of the Act of March 27, 1934 (48 Stat. 503), that the first and each succeeding alternate vessel shall be constructed in the Government Navy yards: *Provided*, That, if inconsistent with the public interests in any year to have a vessel or vessels constructed as required above, the President may have such vessel or vessels built in a Government or private yard as he may direct.

SEC. 303. The assignment of naval ship conversion, alteration, and repair projects shall be made on the basis of economic and military considerations and shall not be restricted by requirements that certain portions of such naval shipwork be assigned to particular types of shipyards or to particular geographical areas or by similar requirements.

SEC. 304. Section 412(b) of Public Law 86-149, as amended, is amended to read as follows:

"(b) No funds may be appropriated after December 31, 1960, to or for the use of any armed force of the United States for the procurement of aircraft, missiles, or naval vessels, or after December 31, 1962, to or for the use of any armed force of the United States for the research, development, test, or evaluation of aircraft, missiles, or naval vessels, or after December 31, 1963, to or for the use of any armed force of the United States for any research, development, test, or evaluation, or after December 31, 1965, to or for the use of any armed force of the United States for the procurement of tracked combat vehicles, unless the appropriation of such funds has been authorized by legislation enacted after such dates."

SEC. 305. No funds may be appropriated after June 30, 1966, to or for the use of any armed force of the United States for use as an emergency fund for research, development, test, and evaluation, or procurement or production related thereto unless the appropriation of such funds has been authorized by legislation enacted after that date.

SEC. 306. Section 8074 of title 10, United States Code, is amended by adding the following new subsection at the end thereof:

"(c) The Military Air Transport Service is redesignated as the Military Airlift Command."

Mr. STENNIS. Mr. President, I move that the Senate disagree to the amendments of the House and request a conference with the House on the disagreeing votes thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. STENNIS, Mr. SYMINGTON, Mr. JACKSON, Mr. CANNON, Mr. SALTONSTALL, and Mrs. SMITH conferees on the part of the Senate.

TRICITY'S AREA IS FOCAL POINT OF TENNESSEE VALLEY AUTHORITY

Mr. SPARKMAN. Mr. President, yesterday I was scheduled to speak before the rotary clubs at Florence, Ala., in connection with the anniversary of the founding of the Tennessee Valley Authority.

Due to a death in my family, I was prevented from fulfilling the engagement.

Inasmuch as this relates to the great Tennessee Valley Authority and its anniversary, I ask unanimous consent that there be included at this point in my remarks the speech that I had prepared for delivery on that occasion.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TRICITIES AREA IS FOCAL POINT OF TVA

The tricities area is indeed the focal point in the truly dramatic story of the inception and carrying forward of the dream of the Tennessee Valley Authority.

Specifically, it was Muscle Shoals which provided the jolt for getting the vast experiment underway. The jolt was the flinty rocks that lay in the bed of the Tennessee River and which gave Muscle Shoals its name. The jolt was sufficient to bring the dreamers awake, to bring the dreams to reality.

The dreams had begun as far back as 1818 when people around Muscle Shoals formed a steamship company. Steam vessels operated from Florence downstream and under favorable water conditions between Knoxville and Decatur.

Navigation on the Tennessee, however, had to face the fact that the Muscle Shoals virtually cut off the region above from water connections with the Ohio and Mississippi Valleys. Only occasionally, and with great difficulty did a boat traverse the entire length of the river, and Muscle Shoals was the major, although by no means the only hindrance.

In 1824, in a report on the development of possible routes to the West, Secretary of War John C. Calhoun recognized the Tennessee as one of the important ones and recommended the Muscle Shoals section as being worthy of national expenditure to improve navigation conditions.

In the many intervening years a number of attempts were made to conquer the shoals, some with limited success. Real success did not come until the thinking of the Nation began to comprehend the concept of water system development rather than a spasmodic and unrelated dam-by-dam development.

Many of you here may be surprised to know that the great principle of unified development of our important streams was first officially recognized in a veto message by a Republican President, Theodore Roosevelt.

By 1898, only a few years after the second Muscle Shoals canal was completed, a company sought authorization from the Congress to build a dam and powerplant at Muscle Shoals. In 1903, such a bill passed the Congress This brought the significant veto from President Theodore Roosevelt which retained the Muscle Shoals site for public development and thus provided the germ for the development of TVA many years later.

World War I saw Muscle Shoals selected as the site for two ammonium nitrate munitions plants and the Congress provided for the construction of Wilson Dam to generate electric power for them. However, actual construction of the dam did not begin until 1918, a few months before the war ended. The Army Engineers in 1930 presented Congress a comprehensive report on the Tennessee River and its tributaries. It outlined a multiple-purpose system which would provide flood control, navigation, and production of electric power; many of the dams built by TVA are at or near sites spotted by the Army Engineers in their report.

Despite a great deal of interest and planning, very little had been done on the physical development of the Tennessee River by 1933, when Congress established TVA. Navigable depths at low water varied from 9 feet in Wilson Dam Reservoir to 1 foot between Knoxville and Chattanooga.

While little development progress was noted before TVA, the congressional spotlight flashed frequently on Wilson Dam and the Tennessee River between July 1921 and May 1933. A total of 138 bills were introduced in the U.S. Congress to provide for the disposition of Wilson Dam and the Muscle Shoals nitrate plants, as well as for development of the river.

Two comprehensive development bills passed Republican Congresses but were vetoed by Republican Presidents Coolidge and Hoover.

The activity which centered sporadically around Muscle Shoals for over 100 years before TVA should not crowd out other events which were nudging the course of history inevitably toward TVA.

Mother nature with conduct more witchlike than maternal, was exacting her toll upon the valley. Mankind was wreaking havoc upon the valley also.

Vast reaches of valley forests were being depleted by indiscriminate cutting, little or no fire protection, and poor management. In 1933 timber was being cut faster than it grew.

Poverty, a phantom with many faces, stalked the valley. Only 3 percent of the valley farms had electricity. Malaria was prevalent with one out of three persons afflicted at one time or another. I was one of them.

Conservation of natural resources was a dream not a fact. The mighty Tennessee took much from the people and the land. From the people it sometimes took homes and lives. From the land it washed fertile soil downstream to be wasted in the sea. The brown scars of erosion were driving destitute farmers off the land. Jobless youths left the valley searching for employment.

By 1933 the people of the valley had an average income which was only 45 percent of the national average.

Franklin D. Roosevelt was working to avert the slow-moving disaster that threatened to consume the valley and the Nation. He did move and with the help of men like my colleague, Senator Lister Hill, TVA began to emerge. And the people of the valley picked up the tools that the President and the Congress had provided them. In the intervening years much has been accomplished.

TVA has developed the Tennessee River system to a degree without parallel anywhere in the world for navigation, for flood control, and for the generation of electric power. The practical utility of this development is illustrated along the 200-mile stretch of the Tennessee waterway in north Alabama where private industry has invested nearly $500 million in new and expanded waterfront facilities, with most of this investment coming in the last 15 years.

The Tennessee joins the Ohio River at Paducah, Ky., linking north Alabama and the rest of the Tennessee Valley with the 10,000-mile inland waterway system to provide inexpensive shipment of bulk commodities to and from 20 States. For the Tennessee River as a whole, estimates of barge freight carried on the waterway last year show a record of 15.3 million tons.

Thirty years ago, less than a million tons of commerce moved on the Tennessee, and the traffic was primarily short-haul sand and gravel.

The waterway has become the principal transportation route for midwestern feed grains. These grain imports have had a pronounced effect on the valley's transition from row crops to more profitable forms of livestock agriculture.

But it is in the realm of industrial growth that the multipurpose river developments have made the strongest economic impact. Each new industrial investment has created new jobs. Manufacturing employment in north Alabama alone has increased 151 percent in the past 30 years, compared to a national average increase of 120 percent. Each new industrial job has injected new income into the region's economy. Per capita personal income in north Alabama has increased more than 500 percent since TVA began.

Here the importance of the interrelationship between all of a region's resources, and the necessity for developing them in unity, becomes apparent. From this same river system that provides low-cost barge transportation and stimulates industrial development, low-cost electric power is generated to turn the wheels of these valley industries. Over the past 10 years, industrial use of TVA power in north Alabama has multiplied from 2 to about 6 billion kilowatt-hours annually. Residential use of electricity in the average valley home totals over 11,000 kilowatt-hours a year—nearly three times the national average.

The same TVA reservoirs control the waters of the Tennessee, providing flood-free sites where industries may locate and take advantage of the abundant water supply. TVA's work in developing the forest resources of the region has helped to create a growing market for wood products. Pulpwood, for example, has become one of the major commodities handled at the thriving Alabama port cities located along the Tennessee waterway.

A valuable byproduct of the river control system has been recreation. In the past 20 years, the value of recreation facilities and equipment on the 4 TVA lakes in north Alabama multiplied more than 20 times, totaling over $67 million last year. Over the same period, recreation use of these lakes has boomed from 1½ million visits to over 19 million last year.

The program of a unified approach to resource development which TVA brought to the valley in 1933 has played a primary role in the region's economic growth. This is recognized by the thousands of visitors who come to the Tennessee Valley each year. In addition to the tourists and casual visitors, more than 2,000 visitors from across the United States and from other nations came to TVA facilities in north Alabama last year as students and technicians to learn about and discuss the TVA program.

AGRICULTURAL DEVELOPMENT

TVA's National Fertilizer Development Center at Muscle Shoals is the chief source of new fertilizer technology in the United States. TVA secures patents on its processes and makes them available to private industry on a royalty free basis. Over 300 licenses (8 in Alabama) on TVA processes have been issued to more than 200 companies throughout the country.

A distributor demonstration program sponsored by TVA is carried out by private and cooperative fertilizer dealers in 39 States, disseminating information on fertilizers to the Nation's farmers. In north Alabama, this program has pioneered a trend to extremely high-analysis fertilizers. Average nutrient content of fertilizers made with TVA materials in Alabama is about 44 percent—14 percent higher than the national average plant nutrient content of all fertilizers produced last year.

Fifteen Alabama distributors with over 50 dealer outlets sell TVA fertilizers. Three distributors conduct operations in the nine country area. Alabama Farmers' Cooperative, Decatur, used about 500 tons of TVA material in introducing new high-analysis fertilizers to the area in 1963. Cotton Producers Association, Hanceville, used 500 tons of diammonium phosphate and concentrated superphosphate for similar purposes. The Valley Fertilizer Co., Aliceville, used 180 tons of TVA materials in the manufacture of specialty fertilizers during the year.

TVA's farm test-demonstration program centers around the selection of individual farmers who are willing to use new types of fertilizers, adapt to carefully planned farming recommendations worked out with county extension agents, and demonstrate to their neighbors what modern farming methods can accomplish.

About 2,700 farmers in 30 States now participate in the program. In north Alabama more than 6,000 farmers have participated as test-demonstration farmers. The adjustments made on north Alabama test-demonstration farms during 1957–61 resulted in an average gain in farm income of 20 percent.

TVA, as is well known, cooperated with the Department of Defense in the design, construction, and operation of this great fertilizer plant at Muscle Shoals largely because of the availability of TVA phosphorus and the ability of TVA to operate complex chemical plants. During 1964 TVA supplied about 7,400 tons of ammonia, nitric acid, and phosphoric acid to 4 national defense agencies.

I am going to dwell briefly on some things I see in store for an even greater utilization of TVA.

Perhaps the most important, single proposed supplement to the TVA system would be the completion of the Tennessee-Tombigbee Canal and, frankly, I believe construction money will be appropriated later this year or early next year. In many instances this would mean that shipping across the northern part of Alabama might also reenter the State and travel in southwest Alabama. The Tennessee-Tombigbee is also the final project in linking all the major river systems, inside, our State into one comprehensive system.

Benefits to the tricities area are obvious, a major one being an almost direct shot to the port of Mobile. Another benefit would be water access from the tricities to all of Alabama's major inland ports.

A further supplement to the utility of the TVA system is the Coosa-Alabama development which is now underway. Once this waterway is fully developed, shipping will then be possible from the tricities to Rome, Ga., on waterways located for the most part in Alabama.

Shipping would also be possible between the tricities and Birmingham through the use of the proposed Tennessee-Tombigbee and Warrior-Tombigbee systems now in operation.

We are now at the beginning of the fourth decade of a national effort in resource development launched in 1933. It has strengthened the economic fabric of the Nation. It has set an example to the whole world as to what can be done by wise conservation and full use of basic natural and human resources to serve the needs of an increasingly urbanized and industrialized society.

Alabama has proved herself able to share in this great national—and international—achievement.

ADJOURNMENT

Mr. STENNIS. Mr. President, if no other Senator wishes to address the Senate at this time, I move, in accordance with the previous order, that the Senate do now adjourn.

The motion was agreed to; and (at 4 o'clock and 56 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Wednesday, May 19, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 18, 1965:

The Judiciary

Floyd R. Gibson, of Missouri, to be U.S. circuit judge, eighth circuit, vice Albert A. Ridge, retired.

Fred J. Nichol, of South Dakota, to be U.S. district judge for South Dakota, vice George T. Mickelson, deceased.

Irving Hill, of California, to be U.S. district judge for the southern district of California, vice William C. Mathes, retiring.

U.S. Attorney

John F. Quinn, Jr., of New Mexico, to be U.S. attorney for the District of New Mexico for the term of 4 years. He is now serving in this office under an appointment which expired April 13, 1965.

HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., prefaced his prayer with these words: *God hath made of one blood all nations of men for to dwell on all the face of the earth.*

O Thou who has made of one blood all nations to dwell upon the face of the earth and continually bidding us to identify ourselves with our fellow men in their struggles and sorrows, their joys and happiness.

Help us to believe that we are one with the members of the human family in origin, in duty, in development, and in destiny.

Grant that this new conception and point of view, of which we have become aware, may create within us a new attitude, a new mood, a new spirit, and a new method of approach to all the problems of human relationships.

May we realize more fully that if we are disturbed and troubled in mind and heart and unable to be contented and happy, while others are miserable under tyranny, oppression, and injustice, it is Thy spirit stirring us to do something about it.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1275. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Elva L.*, owned by Harold Bunker, of Matinicus, Maine, to be documented as a vessel of the United States with coastwise privileges.

The message also announced that the Vice President, pursuant to section 1, Public Law 86–42, had appointed Mr. HICKENLOOPER to be a member of the U.S. group of the Canada-United States Interparliamentary Group at a meeting to be held in Ottawa-Montreal, Canada, May 20 to 24, 1965, in lieu of Mr. SIMPSON.

COMMITTEE ON PUBLIC WORKS

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent that the Committee on Public Works have permission to sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have not been able to hear some of these requests. I have been told indirectly that a request was just made and permission was granted for the Committee on Public Works to meet this afternoon. I had talked with the majority leader and indicated we had some people who were in opposition to it. I did not hear the request, and I am a little disappointed that it was not made so that I could hear it.

The SPEAKER. Without objection, the order concerning permission for the Committee on Public Works to sit this afternoon will be vacated.

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent that the Committee on Public Works have permission to sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. GERALD R. FORD. Mr. Speaker, I have been requested to make an objection, and I do make it.

ADDITIONAL LEGISLATIVE SCHEDULE FOR THE WEEK OF MAY 17

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of inquiring of the distinguished majority leader the schedule for the remainder of the week and whether or not any additional business has been added.

Mr. ALBERT. Mr. Speaker, will my friend yield?

Mr. GERALD R. FORD. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I am glad the gentleman has taken this time for that purpose because I do desire to advise Members of the House of additions to the program.

It is expected that on tomorrow H.R. 7303, a bill for disaster relief for the Northwest and Pacific areas will be called up. I understand a rule was granted today.

Also the Committee on Rules is meeting on the atomic energy authorization bill, H.R. 8122, on tomorrow, and it is contemplated that that bill will be called up on Thursday.

PROPOSED LABOR AMENDMENTS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 176)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with accompanying papers, referred to the Committee on Education and Labor and ordered to be printed:

To the Congress of the United States:

The last 30 years have seen unprecedented economic development in this country and unparalleled improvement in the general standard of living of the working men and women of America.

Most of this has been accomplished privately. These are the fruits of free enterprise.

This process of economic and human growth has been helped by wise legislative enactment, much of it beginning in the decade of the 1930's.

But progress is never complete. Experience under various existing laws suggests changes which will make them serve even better their purpose, the Nation's workers, and the economy.

I am accordingly urging early action to—

1. Amend the Fair Labor Standards Act to extend its protection to an additional 4½ million workers, and restrict excessive overtime work through the payment of double time.
2. Strengthen the unemployment insurance program by providing a permanent program of Federal extended benefits for long-term unemployed with substantial work histories.
3. Insure uniform application of our national labor relations policy by the repeal of section 14(b) of the National Labor Relations Act.

I am transmitting herewith draft bills on the first two proposals. Bills embodying the third have already been introduced in Congress.

FAIR LABOR STANDARDS ACT

More than a generation of Americans have entered the labor force since we committed ourselves as a nation to the policy of improving the substandard living conditions of millions of our workers.

That policy proposed to eliminate conditions which are "detrimental to the maintenance of the minimum standard of living necessary for health, efficiency and general well-being of workers" in industries engaged in interstate commerce.

Many American workers whose employment is clearly within the reach of this law have never enjoyed its benefits. Unfortunately, these workers are generally in the lowest wage groups and most in need of wage and hour protection. We must extend minimum wage and overtime protection to them.

It is also essential to amend the overtime provisions of the act to help achieve a fairer and more effective distribution of employment.

A significant increase in employment can be obtained by distributing to new employees work which is presently performed through excessive overtime. This can be done without impairment of operating efficiency.

The proposed bill will encourage hiring of additional workers by requiring double-time pay for certain overtime work.

It has been urged that the minimum wage level be increased. The present $1.25 hourly rate results in annual earnings, assuming full-time work throughout the year, of only $2,500. As average wages rise, the minimum wage level should be increased periodically.

The question is not whether the minimum wage should be increased but when and by how much. The Congress should consider carefully the effects of higher minimum wage rates on the incomes of those employed, and also on costs and prices, and on job opportunities—particularly for the flood of teenagers now entering our labor force.

It has also been urged that consideration be given to a reduction in the statutory workweek—the weekly period after which overtime premiums or penalties must be paid.

The developing pattern of collective bargaining reflects changes which are taking place in the practices regarding the length of work periods—daily, weekly, annually, and in terms of the individual's work life.

I do not think the time for change in the law has come, except with respect to excessive overtime. Careful attention to these developments is nevertheless appropriate and desirable. I am accordingly requesting the National Commission on Technology, Automation, and Economic Progress to include on its agenda full consideration of the matter of "work periods."

UNEMPLOYMENT INSURANCE SYSTEM

Improvements in our unemployment compensation system are essential if the program is to exert a stronger stabilizing effect on the economy and provide people with adequate income when out of work. The system has not kept pace with the times. No major improvements have been made since its original enactment 30 years ago.

There are still many workers who are not protected by unemployment compensation. Other workers, through no fault of their own, experience excessively long periods of uncompensated unemployment.

The plight of the long-term unemployed results primarily from economic factors such as automation, other technological changes, and relocation of industry. Their unemployment is a phenomenon of normal as well as recession periods. It can be dealt with effectively only through a nationally coordinated program.

Even in nonrecession periods of recent years, the number of long-term unemployed has remained high. Among unemployment insurance beneficiaries, those unemployed 26 or more weeks represented 15 percent of the total in 1956, 29 percent in 1961, and about 20 percent in 1962 and 1964.

The wider coverage, extended benefit periods, and increased benefit amounts provided in the bill will lessen the hardship and suffering that accompany unemployment and, at the same time, provide stimulus to the economy when it is most needed.

Now, when unemployment is lower than it has been for years, is the appropriate time to modernize the system so that it will better meet the needs of workers, the community, and the Nation.

Today, weekly benefits are often too low in amount and too short in duration in relation to lost wages to enable the workers to meet basic and nondeferrable expenses. Ceilings on compensation all too often fail to yield the original goal of 50 percent of past wages. This is particularly true for workers who have the highest income levels, and these workers are generally heads of family. The bill therefore assures adequate payments for a fixed duration for most regular workers.

The burden of excessively high unemployment costs that exist in several States must be relieved and the financial soundness of the system strengthened. This will be achieved by increasing the amount of wages subject to taxation—the first increase in the history of the program—as well as by increasing the amount of tax and recognizing the Federal responsibility through provision for contributions from general revenues, with matching grants for high cost States.

It is essential that this system be administered with both justice and firmness. We know some workers have been denied benefits when justice required payment. We also know some workers have been granted benefits when firmness required their denial. For this reason the proposed legislation calls for steps which will help assure that benefits are paid only to those who are entitled to them and that unreasonable disqualifications are eliminated.

SECTION 14(b) OF THE NATIONAL LABOR RELATIONS ACT

Finally, with the hope of reducing conflicts in our national labor policy that for several years have divided Americans in various States, I recommend the repeal of section 14(b) of the Taft-Hartley Act with such other technical changes as are made necessary by this action.

I urge that early and favorable consideration be given to the enactment of these three legislative proposals.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 18, 1965.*

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar Day. The Clerk will call the first individual bill on the Private Calendar.

MRS. NATHALIE ILINE

The Clerk called the bill (H.R. 1380) for the relief of Mrs. Nathalie Iline.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

OUTLET STORES, INC.

The Clerk called the bill (H.R. 2924) for the relief of the Outlet Stores, Inc.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CHARLES MAROWITZ

The Clerk called the bill (H.R. 1445) for the relief of Charles Marowitz.

The SPEAKER. Is there objection to present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MARIA MANGANO

The Clerk called the bill (H.R. 1231) for the relief of Maria Mangano.

There being no objection, the Clerk read the bill, as follows:

H.R. 1231

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Maria Mangano shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Maria Mangano. From and after the date of the enactment of this Act, the said Maria Mangano shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALVADOR MUNOZ-TOSTADO

The Clerk called the bill (H.R. 1236) for the relief of Salvador Munoz-Tostado.

There being no objection, the Clerk read the bill, as follows:

H.R. 1236

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of paragraphs (17) and (23) of section 212(a) of the Immigration and Nationality Act, Salvador Munoz-Tostado may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

With the following committee amendments:

On page 1, lines 3 and 4, strike out the language "provisions of paragraphs (17) and" and insert in lieu thereof "provision of paragraph."

On page 1, line 9, strike out the word "grounds" and insert in lieu thereof "a ground".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LORETTA NEGRIN

The Clerk called the bill (H.R. 1306) for the relief of Loretta Negrin.

There being no objection, the Clerk read the bill, as follows:

H.R. 1306

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Loretta Negrin may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, upon approval of a petition filed in her behalf by Mr. and Mrs. David Cohen, citizens of the United States, pursuant to section 205(b) of that Act, subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOSTER MASAHIKO GUSHARD

The Clerk called the bill (H.R. 1314) for the relief of Foster Masahiko Gushard.

There being no objection, the Clerk read the bill, as follows:

H.R. 1314

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Foster Masahiko Gushard may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. LaVerne Norman Gushard, citizens of the United States, pursuant to section 205(b) of the Act, subject to all conditions in that section relating to eligible orphans.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ANNA CRISTINA RAINFORTH

The Clerk called the bill (H.R. 1322) for the relief of Mrs. Anna Cristina Rainforth.

There being no objection, the Clerk read the bill, as follows:

H.R. 1322

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 245 of the Immigration and Nationality Act, Mrs. Anna Cristina Rainforth, the widow of Robert Ray Rainforth, a citizen of the United States, shall be held and considered to be within the purview of section 101(a)(27)(A) of that Act and the provisions of section 205 of the said Act shall not be applicable in this case.

With the following committee amendments:

On page 1, line 3, strike out the language "of section 245".

On page 1, line 4, strike out the name "Mrs. Anna Cristina Rainforth" and substitute the name "Mrs. Ana Cristina Rainforth".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "For the relief of Mrs. Ana Cristina Rainforth."

A motion to reconsider was laid on the table.

MRS. OLGA BERNICE BRAMSON GILFILLAN

The Clerk called the bill (H.R. 1443) for the relief of Mrs. Olga Bernice Bramson Gilfillan.

There being no objection, the Clerk read the bill, as follows:

H.R. 1443

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Olga Bernice Bramson Gilfillan, who lost United States citizenship under the provisions of section 301(b) of the Immigration and Nationality Act, may be naturalized by taking, prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of such Act. From and after naturalization under this Act, the said Mrs. Olga Bernice Bramson Gilfillan shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GIUSEPPE DELINA

The Clerk called the bill (H.R. 1853) for the relief of Giuseppe Delina.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ALBERT MARKS

The Clerk called the bill (H.R. 1889) for the relief of Albert Marks.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

CHESTER (ABRAMCZYK) HILL

The Clerk called the bill (H.R. 1908) for the relief of Chester (Abramczyk) Hill.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

NABHANE M. NICKLEY (NABHANE M. KARAM)

The Clerk called the bill (H.R. 1987) for the relief of Nabhane M. Nickley (Nabhane M. Karam).

There being no objection, the Clerk read the bill, as follows:

H.R. 1987

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 203(a)(2) and 205 of the Immigration and Nationality Act, Nabhane M. Nickley (Nabhane M. Karam) shall be held and considered to be the natural-born alien son of Mr. and Mrs. Elias Nickley, citizens of the United States: *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KRYSTYNA GLOWACKA

The Clerk called the bill (H.R. 1989) for the relief of Krystyna Glowacka.

There being no objection, the Clerk read the bill, as follows:

H.R. 1989

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Krystyna Glowacka may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mr. Charles E. Hancock, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

With the following committee amendment:

On page 1, line 4, strike out the name "Krystyna Glowacka" and substitute in lieu thereof the name "Krystyna Stella Hancock."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "For the relief of Krystyna Stella Hancock."

A motion to reconsider was laid on the table.

DR. IGNACE D. LIU

The Clerk called the bill (H.R. 2012) for the relief of Dr. Ignace D. Liu.

There being no objection, the Clerk read the bill as follows:

H.R. 2012

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the immigration laws, Doctor Ignace D. Liu shall be deemed to be within the purview of section 2 of the Act of October 24, 1962 (76 Stat. 1247).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ZENAIDA Z. LAZARO

The Clerk called the bill (H.R. 2305) for the relief of Zenaida Z. Lazaro.

There being no objection, the Clerk read the bill, as follows:

H.R. 2305

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 212 (a) of the Immigration and Nationality Act, Zenaida Z. Lazaro may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

With the following committee amendments:

On page 1, line 3, strike out "section 212 (a)" and substitute in lieu thereof "section 212(a)(3)".

On page 1, line 4, strike out the name "Zenaida Z. Lazaro" and substitute in lieu thereof the name "Zenaida Quijano Lazaro".

On page 1, line 10, at the end of the bill, change the period to a colon and add the following: "*Provided further,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "For the relief of Zenaida Quijano Lazaro."

A motion to reconsider was laid on the table.

TERESITA CENTENO VALDEZ

The Clerk called the bill (H.R. 2351) for the relief of Teresita Centeno Valdez.

There being no objection, the Clerk read the bill, as follows:

H.R. 2351

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Teresita Centeno Valdez may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Ildefonso Salvacion Valdez, a citizen of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

With the following committee amendments:

On page 1, line 7, strike out the word "citizens" and substitute the words "a citizen".

On page 1, line 8, after the language "of the United States," insert the following: "and a lawfully resident alien, respectively,".

The committee amendments were agreed to.

Mr. CHELF. Mr. Speaker, inasmuch as the adopted mother in this case has been naturalized, accordingly the committee amendment is not necessary. Therefore I ask unanimous consent to withdraw the committee amendments.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ANTONIO R. PEREZ

The Clerk called the bill (H.R. 2360) for the relief of Dr. Antonio R. Perez.

There being no objection, the Clerk read the bill, as follows:

H.R. 2360

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Antonio Perez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 4, 1956.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REMEDIOS OCAMPO

The Clerk called the bill (H.R. 2499) for the relief of Remedios Ocampo.

There being no objection, the Clerk read the bill, as follows:

H.R. 2499

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Remedios Ocampo may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Eustaquio Ocampo, a citizen and lawfully resident alien of the United States, respectively, pursuant to section 205(b) of that Act, subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALFRED ESTRADA

The Clerk called the bill (H.R. 3625) for the relief of Alfred Estrada.

There being no objection, the Clerk read the bill, as follows:

H.R. 3625

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of title III of the Immigration and Nationality Act, Alfred Estrada shall be held and considered to have complied with the residence and physical presence requirements of section 316 of the said Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. PHOEBE THOMPSON NEESHAM

The Clerk called the bill (H.R. 4131 for the relief of Mrs. Phoebe Thompson Neesham.

There being no objection, the Clerk read the bill, as follows:

H.R. 4131

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 301(a)(7) of the Immigration and Nationality Act, Mrs. Phoebe Thompson Neesham shall be held and considered to have been physically present in the United States for a period of five years after attaining the age of fourteen years.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Private Calendar.

FEDERAL WATER PROJECT RECREATION ACT

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 380) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 380

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5269) to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multipurpose water resource projects, and to provide the Secretary of the Interior with authority for recreation development of projects under his control. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recomended by the Committee on Interior and Insular Affairs now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

CALL OF THE HOUSE

Mr. HALEY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Florida makes the point of order that a quorum is not present. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 102]

Andrews, George W.
Baring
Battin
Bolling
Bonner
Bray
Brock
Brown, Ohio
Cederberg
Clark
Conyers
Corbett
Corman
Daddario
de la Garza
Dent
Dulski
Evans, Colo.
Fisher
Flood
Fogarty
Frelinghuysen
Fulton, Pa.

Garmatz
Green, Pa.
Gubser
Hébert
Holland
Hutchinson
Ichord
Kluczynski
Latta
Lindsay
Long, La.
McCulloch
Macdonald
Martin, Mass.
Mathias
Morrison
Morse
Morton
Nix
Powell
Price
Resnick
Rivers, Alaska
Ronan
Roncalio
Shipley
Sickles
Steed
Teague, Tex.
Toll
Watkins

The SPEAKER. On this rollcall 382 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PROVIDING ASSISTANCE TO THE STATES OF CALIFORNIA, OREGON, WASHINGTON, NEVADA, AND IDAHO

Mr. SISK, from the Committee on Rules, reported the following privileged resolution (H. Res. 388, Rept. No. 352), which was referred to the House Calendar and ordered to be printed:

H. Res. 388

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7303) to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on Public Works now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

After the passage of H.R. 7303, the Committee on Public Works shall be discharged from the further consideration of the bill S. 327 and it shall then be in order in the House to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 7303 as passed.

COMMITTEE ON RULES

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that that committee may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

FEDERAL WATER PROJECTS RECREATION ACT

The SPEAKER. The Chair recognizes the gentleman from California for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes of my time to the gentleman from California [Mr. SMITH], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 380 provides for consideration of H.R. 5269, a bill to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and to provide the Secretary of the Interior with authority for recreation development of projects under his control. The resolution provides an open rule with 1 hour of debate, making it in order to consider the substitute as an original bill for the purpose of amendment.

With the enactment of H.R. 5269, full consideration shall be given to recreation and to fish and wildlife enhancement as project purposes in Federal water resources projects; general cost-sharing and reimbursement policy for these purposes is established.

Planning with respect to the recreational potential of any project is to be coordinated with existing and planned Federal, State, and local public recreation developments.

Non-Federal administration of the recreation and fish and most wildlife enhancement features of most Federal water projects is to be encouraged by Federal agencies, and both non-Federal and Federal responsibilities with respect to the provision of outdoor recreation opportunities and fish and wildlife enhancement are to be recognized. In this respect, H.R. 5269 is complementary to the Land and Water Conservation Act of 1965.

Except in the case of those few areas which have sufficient national significance to warrant Federal administration for recreation and fish and wildlife enhancement purposes, the full potential of any Federal project for serving these purposes will be developed only upon an agreement by a non-Federal body that it will administer the area for either or both of these purposes and that it will advance or repay not less than half the separable costs of the project allocated to these purposes.

H.R. 5269 grants to the Secretary of the Interior general authority to develop the recreational potential of projects under his control, including authority to construct recreational facilities at existing projects, where such authority does not now exist.

The Nation's needs for outdoor recreation opportunities have mushroomed in recent years as our population and available leisure have burgeoned. Growing recreation use of Federal reservoirs is only one indication of these increasing recreation demands.

Mr. Speaker, I urge the adoption of House Resolution 380.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, as stated by the gentleman from California [Mr. SISK] this is an open rule providing for 1 hour of debate for the consideration of H.R. 5269 and providing for a committee substitute.

I find myself, Mr. Speaker, in complete accord with the explanation of the bill as stated by the gentleman from California [Mr. SISK]. I agree with his statements and ask to be associated with them.

May I simply add, Mr. Speaker, that according to the testimony before the Committee on Rules, we were informed that there is no authorization, or no request, for an appropriation and the bill is, supposedly, not to cost any money.

I understand the Corps of Engineers approved the bill. It is something that the committee has worked on for some period of time. I am also informed that the gentleman from Pennsylvania [Mr. SAYLOR] does have some reservations about the bill but not about the rule.

I know of no objection to the rule, Mr. Speaker, and urge its adoption.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman surely expects to get the bill later, does he not?

Mr. SMITH of California. I beg the gentleman's pardon, I did not hear him.

Mr. GROSS. The gentleman expects to see the spending bill come to the Congress later, does he not? While this legislation may not authorize any funds, certainly the gentleman, in view of the way legislation goes through here, would expect to get the money request later, would he not?

Mr. SMITH of California. The only thing I can say to the gentleman from Iowa is that the committee members were questioned on this before the Committee on Rules and they stated to us there is no cost in this particular bill. I will be happy to yield to the gentleman from Colorado [Mr. ASPINALL] to answer the gentleman's questions.

Mr. ASPINALL. Mr. Speaker, if my good friend, the gentleman from California, would yield, I would like to say in answer to my friend, the gentleman from Iowa, of course we always have water resource projects coming up before the Congress. More than likely we will have coming up before this Congress bills having to do with flood control and other projects. Such bills would have some bearing on the way the projects are figured out when they are presented to the Congress and would have a bearing on the way reclamation projects are presented. But there will be no request for funds for the implementation of this bill as such.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. GROSS. This is the day I have been waiting for in the Congress—to hear that money will not be requested to implement legislation that we pass here.

Mr. SMITH of California. I am very glad that we have brought that day to pass, Mr. Speaker.

Mr. Speaker, I have no further request for time.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. ROGERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5269, to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and to provide the Secretary of the Interior with authority for recreation development of projects under his control.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of H.R. 5269 with Mr. YOUNG in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. ROGERS] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. SAYLOR] will be recognized for 30 minutes. The Chair recognizes the gentleman from Texas.

Mr. ROGERS of Texas. Mr. Chairman, I yield such time as he may consume to the distinguished chairman of the Committee on Interior and Insular Affairs.

Mr. ASPINALL. Mr. Chairman, this is perhaps one of the most technical bills the Committee on Interior and Insular Affairs has presented to this body for a long time. Because of the fact that it is a technical bill, I intend to refer to my manuscript more than I usually do.

Mr. Chairman, where Congress authorizes Federal programs and projects it expects to receive returns—in one form or another—for the investments made. Such programs as national defense, of course, provide returns in terms of increased security for our Nation. Other programs such as the newly authorized poverty program yield returns in terms of putting people to work and raising our standard of living which benefits our entire economy. Federal programs and projects for water resources development are also expected to show returns that justify the investments. Water projects must be determined to be economically and financially feasible by the Congress if they are to be approved. If we are to make this determination, we must adopt sound and uniform procedures which must be applicable to all water projects. That is what this bill is all about.

Mr. Chairman, back when the Federal Government entered the field of developing our water resources and controlling our rivers, the programs involved only single-purpose projects—irrigation projects in the case of the Bureau of Reclamation and flood control projects in the case of the Corps of Engineers.

It was years later before we began to recognize that these large structures on our rivers and streams could serve many purposes and that all would benefit by sharing the cost. Thus, the multiple-purpose concept was born. Since about 1940 our projects have been planned on the basis of providing not only flood control and irrigation water but also water for municipal and industrial use, navigation flows, and hydroelectric power and energy where these purposes are appropriate. Later, fish and wildlife preservation and development was authorized to be included as a purpose in water projects. Only in recent years has it become evident that these water projects can and should help meet the greatly expanding need for outdoor recreation opportunities.

With our growing population and with more leisure time available, all indications are that this trend toward greater outdoor recreation activity will continue in the years ahead. From the increasing millions that use our Federal reservoirs for outdoor recreation has come increased demand upon the Federal Government for fuller and more adequate development for outdoor recreation and fish and wildlife enhancement.

A difficult policy question which the Committee on Interior and Insular Affairs has regularly faced in the consideration of water projects has been that of determining to what extent and under what conditions the Federal Government should include recreation development as a part of such projects. During the last 10 years, this question has been dealt with in various ways in connection with individual project authorizations to the Bureau of Reclamation and to the Corps of Engineers. This has resulted in inconsistencies and inequities among projects and differences in agency procedures.

The fact that there was no consistent congressional policy on recreation in connection with Federal water projects prompted the Committee on Interior and Insular Affairs to undertake a study of this matter some 2 years ago. The result of this study and public hearings on the matter led to development of proposed legislation by the administration and consideration thereof last year. Although that legislation, H.R. 9032, was favorably reported by the committee, it was not enacted. It was, however, put into effect as administration policy. As a result of operating experience and the problems resulting therefrom and in the light of enactment last year of the Land and Water Conservation Fund Act, the administration recommended this year a new approach to this problem. This new approach is embodied in H.R. 5269, the bill before you today. While the committee rather extensively changed the language in the original bill, the principles and procedures recommended by the administration are substantially unchanged. The committee believes this legislation will assure that proper recreation development at Federal water resource projects is achieved on terms that are equitable to all interests that share in the costs and benefits of Federal multiple-purpose projects.

Mr. ROGERS, chairman of the subcommittee which handled this legislation, will discuss the provisions of H.R. 5269, so I shall take only 2 or 3 minutes to summarize what the legislation is intended to accomplish. As I already indicated, this is an administration measure which has developed at the request of, and in cooperation with, the Committee on Interior and Insular Affairs. I want to make it completely clear that it is not retroactive. Projects previously authorized with recreation and fish and wildlife development included on some other basis than provided in this bill will not be affected. With respect to projects authorized in the future for construction by the Department of the Interior and the Corps of Engineers, this legislation is intended to provide uniform rules for the treatment of recreation and fish and wildlife benefits and costs in connection with such projects.

Among the principal provisions of H.R. 5269 are these:

First. Full consideration shall be given to recreation and to fish and wildlife enhancement as project purposes in Federal water resources projects; general cost sharing and reimbursement policy for these purposes is established.

Second. Planning with respect to the recreational potential of any project is to be coordinated with existing and planned Federal, State, and local public recreation developments.

Third. Both non-Federal and Federal responsibilities with respect to the provision of outdoor recreation opportunities and fish and wildlife enhancement are to be recognized, and non-Federal administration of the recreation and fish and wildlife enhancement features of most Federal water projects is to be encouraged.

The legislation thus recognizes that on some projects Federal management for recreation and fish and wildlife enhancement purposes will be appropriate and, equally important, that on other projects the States or other non-Federal public bodies should have responsibility for managing Federal project land and water areas for these purposes.

Except in the case of those areas which have sufficient national significance to warrant Federal administration, the full potential of any Federal project for serving recreation and fish and wildlife enhancement will be developed only upon an agreement by a State or other non-Federal public body that it will administer the area and will advance or repay not less than half of the separable costs allocated to these purposes. Separable costs are those costs resulting from adding these purposes to the project such as additional reservoir capacity, additional lands and roads, parking, picnic, and camping areas, sanitary facilities, boat ramps, and so forth. If there is such an agreement, the Federal Government will bear the remainder of the separable costs and all of the joint costs allocated to recreation and fish and wildlife enhancement. If the States concerned or non-Federal public bodies are unwilling to participate as provided in this legislation, only minimum facilities for public health and safety will be built and the benefits and costs allocated to these purposes will be reduced accordingly.

In those instances where no agreement covering local administration can be reached at the time of construction, H.R. 5269 includes authority for acquiring lands needed for recreation and fish and wildlife enhancement and holding these lands for a 10-year period in order to preserve the project's full potential for these purposes. Should no agreement be reached during the 10-year period, the lands would have to be disposed of unless needed and used for some other lawful purpose.

Other provisions of H.R. 5269, which will be discussed by the gentleman from Texas [Mr. ROGERS], exempt certain projects from coverage by this act, require full coordination with other Federal programs, amend existing law to make it consistent with this legislation, and authorize the acquisition of lands for the protection of migratory waterfowl in connection with Federal water projects.

H.R. 5269 also grants to the Secretary of the Interior general authority to develop the recreational and fish and wildlife potential of projects under his control, including authority to construct facilities at existing projects where such authority does not now exist. This gives the Secretary of the Interior the same general authority which the Secretary of the Army now has with respect to water resources projects under his control.

H.R. 5269 is a general policy bill and the authorization for appropriations to implement this policy will be given in connection with project authorizations through the regular legislative process.

Mr. Chairman, at a time when this Nation's need for additional outdoor recreation opportunities is increasing very rapidly, the committee believes that this legislation will provide a sound basis for helping to meet this need. H.R. 5269 should be enacted.

Mr. SAYLOR. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, as explained by the chairman of the full committee [Mr. ASPINALL] this is a technical bill. However, I would like to review a little history and background of what happened in prior sessions of the Congress. In the 87th Congress the Senate reported out a bill covering this same subject matter in which they placed an absolute maximum limitation of 15 percent on the amount that could be allocated to fish and wildlife and recreation benefits in any project. That bill was referred to the House of Representatives. No hearings were held. Then during the 88th Congress, as Mr. ASPINALL stated, we held hearings and at that time developed a formula. That formula was based upon the amount of money that a project would cost. The committee was almost unanimous in its support of that legislation.

It is important to note that the highest percentage that we ever accepted in that bill for allocation to fish and wildlife was 25 percent.

Now, Mr. Chairman, the agencies downtown did not like either the bill—reported out by the other body under the auspices of the late Senator Kerr—and they did not like the bill reported out of our committee under the auspices of the chairman of our committee, the gentleman from Colorado [Mr. ASPINALL].

Mr. Chairman, Mr. ASPINALL reintroduced in this session of Congress that same bill which we reported out last year. I believe the number of that bill, if I remember correctly, was H.R. 59.

When the administration downtown received the request for a report on that bill they sent up a new bill, which is basically the bill that we have pending before us.

Mr. Chairman, I am going to support this piece of legislation because it is better than no bill at all, which is the manner the departments have been operating.

However, I want to be on record pointing out some of the things that are contained in this bill that are going to rise to haunt this Congress and the succeeding Congresses.

This bill now provides that you may allocate up to not more than 50 percent of the total project for fish and wildlife and recreation benefits.

This is the major danger, emphasized so succinctly by Deputy Director of the Bureau of the Budget Staats in his testimony before the subcommittee on March 4, and I pay tribute to his ability and sincerity—page 19—that "large writeoff of project costs" are possible under the bill and that this "calls for great care in the calculation of benefits and allocation of costs." Yet, the bill contains no safeguards in this respect. Our past experience with distorted cost allocations gives us no assurance that such "great care" will be exercised in the administration of the bill. Certainly some outside limits, at least, are called for and justified. Opposition to such limits would mean only that our greatest fears would become realities if such provisions are absent. With all joint costs of recreation and fish and wildlife enhancement being borne by the Federal Government it would require only a minimum of imagination for a planner to devise a project where the major portion of the cost of a project could be "written off" to these nonreimbursable purposes. In fact our own staff engineer, Mr. Sid McFarland, during the hearings—page 56 of the transcript—asked Mr. Staats, whether under the bill you could not have just such a project, one that is essentially for recreation or fish and wildlife. I think it is essential that the bill contain restrictions to prevent such abuse of the purposes of the bill. If a recreation and fish and wildlife enhancement project is fully justified it should be presented and authorized on its own merits as such and not camouflaged under the umbrella of a navigation, irrigation, or flood control project.

I would not want my remarks today to be interpreted as meaning that I am opposed to recreation and fish and wildlife. On the contrary, I am one of the most ardent proponents of such programs. I cherish greatly the citation I received jointly with our distinguished chairman, WAYNE ASPINALL, from the National Wildlife Federation on March 6, 1965, as "Conservationist of the Year." It is because I have such a strong personal interest in the strengthening and expansion of such programs that I would not want to see them get a bad name by unsound and premature proposals that have not been adequately studied and developed and which may have other motives. I fear that it is not the conservationists who are the true sponsors of this bill, but the construction agencies whose primary objective is to provide a vehicle and a screen for showing justification of projects which would not meet sound standards of evaluation.

Another thing that is very serious is that there are a lot of definitions contained in this bill. Our committee counsel says they mean one thing and Mr. Staats, who came up as the Deputy Director of the Bureau of the Budget, was asked what these things meant and he gave an entirely different definition.

Mr. Chairman, I believe the disagreements are so widespread that instead of helping to solve the problem, they may add more confusion than we have ever had in trying to get projects authorized.

Although examples of ambiguity, disagreement, complete ignorance of what the bill would do, and of lack of specificity seem to arise throughout the entire bill, I shall try to give you some concrete examples.

First. Definitions: Our able engineer staff member, Mr. Sid McFarland, was called by the committee chairman, my distinguished colleague, WAYNE ASPINALL, at the beginning of the subcommittee hearings on March 4, to explain and define what is meant by "separable costs," "incremental costs," and "joint costs." Here is what Mr. McFarland said, and I quote—see pages 10 and 11 of transcript:

> If we can use a reservoir project as an example, Mr. Chairman, "separable costs" to power would be the powerplant itself, the penstocks and transmission facilities, and so forth, that serve only power. The separate costs to recreation, let's say, would be the cost of the additional land needed for recreation, the cost of parking areas, access roads, picnic areas, boat ramps, and that sort of thing that serve only recreation.
>
> "Incremental cost"—we can take a purpose. We can take a project, again a reservoir, and take the cost of the project with and without a purpose, a particular purpose, say, with or without irrigation. The incremental cost would be the (difference in) cost of the project, the entire project, and the cost of the project with irrigation out.
>
> "Joint cost"—the best example, of course, is the reservoir, the reservoir and dam, which, of course, serves power—you need the power head. It serves flood control because it stores water, withholds water to control the floods. It serves irrigation and municipal water by storing water needed for those purposes. It also serves recreation and fish and wildlife.

In other words, Mr. McFarland says joint costs are those for facilities which serve more than one purpose.

I agree with Mr. McFarland's definitions and believe they represent the traditional understanding of those terms. Furthermore, Mr. Staats' definitions as contained in his testimony on March 4 agree with those of Mr. McFarland—see pages 16 and 17 of transcript.

Now, let us see what H.R. 5269 says.

> SEC. 8. As used in this Act—
>
> (a) * * *.
>
> (b) * * *.
>
> (c) The term "separable costs" shall mean the cost for each project purpose which is

> the difference between the cost of the multiple-purpose project and the cost of the project with the purpose omitted.
>
> (d) The term "joint costs" shall mean the difference between the cost of the multiple-purpose project as a whole and the total of the separable costs for all project purposes.

These definitions in H.R. 5269, as you can see, are different from those given by Mr. McFarland and Mr. Staats and generally understood in the profession. In fact, H.R. 5269 definition of "separable costs" is exactly what Mr. McFarland calls "incremental costs." Granted that in some cases, as Mr. McFarland recognized, they may come out the same, in many cases they will be substantially different. Are we to now change the understanding of what is a "separable cost"? And, if so, since all of H.R. 5269 would be based on a new definition of separable costs what would it do to the long established analysis and evaluation procedure? Obviously, all of this needs to be clarified and fully elaborated and the new path clearly delineated and understood by the agencies before the Congress is ready to so stipulate in statute.

Also, since joint costs as defined in H.R. 5269 are merely the arithmetical difference between the total cost and separable cost—a neat way of avoiding difficult calculations and sweeping the matter under the rug in one fell swoop—and are different from Mr. McFarland's definition, the same comments would apply.

Second. In the March 4, 1965, hearings—pages 51 and 52 of transcript—in answer to a question from Congressman REINECKE as to whether an equal partnership for recreation and fish and wildlife enhancement would be established under the bill, Deputy Director of the Bureau of the Budget Elmer B. Staats said:

> No. The primary purpose of the development of a reservoir would be power or flood control or some basic purpose.

He did not think there was any shifting of policy "where everything was on an equal status."

Yet, Assistant Secretary of the Interior Kenneth Holum in his testimony on March 5—see pages 110, 111, and 157—had this to say and I quote:

> H.R. 5269 would set out the standards for the reimbursement of recreation as a full fledged partner of multipurpose resource development. In essence the bill provides that the benefits and costs of recreation and fish and wildlife enhancement purposes shall be taken into account on a par with other purposes in formulating and evaluating Federal water projects and, under this act, and I think this is very important, recreation does become a full and equal partner in multipurpose water resource development.

Here we have two executive branch agencies who will be primarily, intimately, and deeply concerned with the implementation of H.R. 5269 having diametrically opposed views as to the application of the bill. If they do not even agree, how are we or anyone else to know what the bill does?

Obviously these things should have been clearly defined and fully elaborated and understood by the agencies before being included under this new statute.

Third. Interest rates for repayment of non-Federal share of costs. Section 2 (b) states that the rate of interest shall be comparable to that for other interest-bearing functions of Federal water resource projects but these vary all over the lot and have ranged from 2 to 5 percent. Most Corps of Engineers projects now use 2½ percent—when it is paid. For the regular Bureau of Reclamation program it is usually 3 percent. Boulder Canyon now pays 3 percent; Colorado River storage project pays 3.14 percent; TVA will pay 3.66 percent in 1965. In congressional consideration of the Small Reclamation Project Act, the Federal agencies—Budget, Interior, GAO, Treasury—all said that average market yields were the only true measure of the cost of money. Such yields have been and are now about 4⅛ percent. Is this what the provision says?

What is wanted? What is intended? Was the language deliberately written the way it was to permit wide latitude and discretion to favor some projects and to penalize others? I would hope not, but the danger is obviously present.

I just point some of these things out to show in the future this bill is going to rise to haunt the Members of the Committee because it came up from the administration and it gives the administrative agencies complete control when they analyze a project.

Mr. ASPINALL. Mr. Chairman, will my friend, the gentleman from Pennsylvania, yield to me?

Mr. SAYLOR. I am happy to yield to the chairman of the full committee.

Mr. ASPINALL. I did not refer to any partisan approach to this when I said that the bill had been recommended by the administration because it so happens that this legislation was worked on in the Committee on Interior and Insular Affairs of the House of Representatives, trying to arrive at a uniform formula for these projects.

But referring to the question of the interest, I know my friend will agree with me when I say I am sure he does not want to mislead the members of the committee and I would point out that we have used language which is in the 1958 Water Facilities Act and since we use that language, the interest rate will necessarily vary. If the interest rate to be paid in order to obtain money at the time construction take place is higher, then we will have to pay a higher rate of interest. On the other hand, if the money market is such that the interest rate is lower, then the projects pay a lower rate of interest. That is the reason for these fluctuations; is that not a correct statement?

Mr. SAYLOR. First let me say to my colleague, I hope that my approach in the beginning indicated that it was not a partisan approach because I tried to give credit to the chairman of the full committee, the gentleman from Colorado [Mr. ASPINALL], for the job I think he did last year and the job that the committee did. With due deference to the agencies downtown, I still believe that the bill we reported last year was a better bill and one which could work to greater benefit for more projects than the bill that we are now considering. But I was overruled and so, since this is at least a bill to place some limitations on the executive agencies, I am going to support it even though I lost out in the committee.

Mr. ASPINALL. Let me say I know the fairness of my friend. The gentleman is making legislative history and I think it is most worthwhile. But the thing I do not want to have happen, however, is to put any connotation upon the preparation of this legislation that should not be placed upon it. This bill originally came out of the Committee on Interior and Insular Affairs and we tried to arrive at some sort of formula that we could use and work on all water resource projects.

Last year we ran into trouble with the Department of Defense, did we not?

Mr. SAYLOR. That is correct.

Mr. ASPINALL. The Bureau of the Budget is somewhat of a clearinghouse. It was because of this opposition, which we ran into, with one extreme represented on one side and the other extreme our committee, that we have come to this more or less middle of the road approach. Perhaps it is not as close to the middle of the road as my friend would like to have it.

I would say that is the reason why we have had to consider the objections of the other department of government. Is that correct?

Mr. SAYLOR. That is correct.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. I do not know who wrote the bill. I am in doubt now as to where the bill was written.

I do know that on page 21 of the bill, beginning on line 3, running through the remainder of that page and over to line 5 on page 22, there is one sentence which totals about 225 words. I have been reading that and trying to make some sense out of it, but I do not believe one can put 225 words in one sentence without getting something pretty well goofed up.

Before this debate is over I want somebody to explain to me what that 225-word sentence means.

Mr. ASPINALL. Mr. Chairman, will my friend from Pennsylvania yield?

Mr. SAYLOR. I am happy to yield to the chairman of the committee.

Mr. ASPINALL. This was the language found to be necessary. So far as the form is concerned, if my friend from Iowa can improve upon it, that will be all right, but I doubt that we can improve upon it much. It gives to the Secretary of the Interior the same authority which the Secretary of Defense has at the present time on the question of studying and recommending recreation projects on the water projects heretofore authorized.

Mr. GROSS. I do not know how one can read it and find a period to catch his breath when reading it.

Mr. ASPINALL. I do not believe it is a matter of breathing, I say to my friend; I believe it is just a question of following through.

Mr. GROSS. Following through. Very well.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from Missouri.

Mr. HALL. I am vitally interested in this bill not only as a member of the Committee on Armed Services but also because of the ring around my hometown and my district and my State, overlapping another State, of Corps of Engineers-constructed, nonrecreation, simple power and flood control impoundments and many buildings.

I should like to have a little development of the difficulty which occurred last year between the Secretary of Defense and the Secretary of the Interior and how we finally came to the middle of the road, or one side or the other of the middle of the road, on an agreement wherein the Congress now, based on fishing and recreation and wildlife protection, comes forward to work its will with a minimum of debate, and so forth, acting with the wisdom of Solomon and saying that this will all be in the hands of the Secretary of the Interior. In developing that, I hope the gentleman or the distinguished chairman of the Committee on Interior and Insular Affairs will go into such questions as whether this will make the land, water, and recreational use fund, voted last year, applicable to all Corps of Engineers reservoirs and impoundments, or only to those which are feasible, as stated in that law, or not controlled by municipalities. Will this take over the Forest Service acreages allocated on the shores of such impoundments for recreational use and put them under the Secretary of the Interior instead of the Secretary of Agriculture and the Director of the Forest Service?

It seems to me this is quite a grab in one lump, based on certainly an important part, but not always the most important part, of impoundments in areas of high topography and high terrain.

Mr. SAYLOR. I might say to my colleague that last year, when the House Committee on Interior and Insular Affairs was discussing similar legislation, a question came up as to the amount of joint costs of a project which could properly be allocated to recreation and to fish and wildlife enhancement. At that time we established in that bill a formula which said that if the costs of a joint-use land facility were not over $10 million, then 25 percent of the cost of the joint-use land facility could be charged to fish and wildlife and to recreation; over $10 million but not over $40 million, $2.5 million plus 15 percent of the amount over $10 million; from $40 million to $100 million, $7 million plus 10 percent of the amount over $40 million; from $100 million to $200 million, $13 million plus 4 percent of the amount over $100 million; and over $200 million, $17 million plus 2 percent of the amount over $200 million.

Mr. HALL. That is the percent which could be allocated to fish and wildlife and recreation?

Mr. SAYLOR. That is correct. It was at this point that the Corps of Engineers said "no."

This is where we ran into difficulty last year with the Department of Defense.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I will be glad to yield to the distinguished chairman of the committee.

Mr. ASPINALL. Last year the formula was considered on the complete cost of the project, I may say to my friend from Missouri. This placed some of the supporters of the Corps of Engineers in the position that they felt it was not quite equitable to their operation. This year we made it on the benefits of fish and wildlife and recreation involved rather than on the size of the project itself. If I may say so, that is the reason why the Corps of Engineers now says they can support this legislation. As my friend from Pennsylvania has stated, there is one limitation involved. Any project where the joint costs and separable costs for fish and wildlife and recreation amount in toto to 50 percent or over, such project cannot be considered as a reclamation project but must be considered as a recreation project. As an example: Something like the Whiskeytown or Delaware Valley recreation areas which will shortly be before the House. The policy which we state in this legislation is the meeting place where the Army Engineers and the Bureau of Reclamation come into agreement.

Mr. HALL. That is fine, and I appreciate both the statements from the gentleman in the well, who yielded to the chairman of the committee and myself. I think I understand the determination of the ratios. While the gentleman is on his feet, if he will yield further, I would like to know if the statement you made about this not being retroactive also applies to the cost determined in case this legislation should pass. In other words, in the case of this Corps of Engineers flood control and power project I am speaking of, which has $142 million overall authorized and started.

Mr. SAYLOR. This bill will not apply to any project which has already been authorized for construction by the Corps of Engineers or by the Bureau of Reclamation, the authorization of which is now on the books, whether or not construction has begun.

Mr. HALL. But suppose there are in this same impoundment subsequent upstream wildlife authorizations? Would this apply to that?

Mr. SAYLOR. Then it would apply, because this must be a new authorization for a new project.

Mr. ASPINALL. Will the gentleman from Pennsylvania yield further to me?

Mr. SAYLOR. Yes. I yield to the chairman.

Mr. ASPINALL. The ultimate decision, if I may say to my friend from Missouri, is in the Congress. The policy set forth in this liquidation is to be followed in the presentation to the Congress of the project involved. However, if equity should seem to determine we should make an exception, then, of course, Congress always has that authority.

Mr. HALL. If the gentleman will yield further, I have two other questions while we are on our feet, and we can wind this all up.

Mr. SAYLOR. I yield to the gentleman.

Mr. HALL. The statement of the Chief of Engineers or the Director of Civil Works for the Corps of Engineers, Department of the Army, is in here. I am presuming that that carries with it the weight and approval of the Secretary of the Army as well as the Secretary of Defense. Is that a correct assumption?

Mr. SAYLOR. This is a fair assumption.

Mr. ASPINALL. Will my colleague yield further?

Mr. SAYLOR. I yield to the chairman.

Mr. ASPINALL. In this respect may I say to my friend from Missouri, in our last bill we had the Secretary of Defense with us, but we did not have the Secretary of the Army. That is where we got into some difficulties.

Mr. HALL. I am knowledgeable about that, and that is one of the reasons why I want to make this legislative history and be reassured by the gentleman in the well and the chairman of the committee that someone has not done a snow job or a compromise job by a lesser Federal functionary, perhaps, than the Secretaries themselves, after they have given it due thought and due consideration. I think that has been well established, and we are in agreement on that.

At this point, I would like to insert in the RECORD a resolution passed by the Southeastern Association of Game & Fish Commissioners on April 5, and sent to me by the director of the Missouri Conservation Commission.

Whereas the Federal Water Projects Recreation Act (S. 1229; H.R. 5269), if passed, will have great impact upon State recreation and fish and wildlife programs; and

Whereas this proposed law, while purported to offer attractive opportunities for recreation and fish and wildlife enhancement on Federal water projects, requires the separate States to assume certain financial responsibilities under the act for recreation and fish and wildlife enhancement at each project when, in fact, the general public of several States will be the beneficiaries of these enhancement measures; and

Whereas few examples of the application of the cost-sharing formula have been disclosed and, therefore, the States have not had an opportunity to review the effects of this proposal on local projects being planned; and

Whereas on the few projects where the local share of recreational costs have been calculated and made known, the costs are prohibitive and greatly in excess of the ability of non-Federal interests to pay: Now, therefore, be it

Resolved, That the Southeastern Association of Game and Fish Commissioners, assembled at Atlanta, Ga., on April 5, 1965, expresses grave concern over this legislation and requests that congressional approval be delayed until there has been sufficient time to review its effects on proposed reservoir development; and be it further

Resolved, That copies of this resolution be forwarded to the Secretary of the Interior, the Secretary of Defense, the U.S. Budget

Director, the International Association of Game, Fish and Conservation Commissioners, and by the Southeastern Association State game and fish directors to their respective congressional representatives.

Finally, as I started to say a while ago, on the question of ratios and money matters and determining who will be in control, I think I have grasped that with the good explanation that you have given. However, I would like to know who still has control of the dam which is a Federal impoundment as far as deciding what water levels are concerned. Suppose we pull down the water because of the needs of power or the anticipated relief for flood control, below the level of the duck ponds that are going to be built under this or the fishing bayous to be created. Does the Corps of Engineers still control that in line with the agreement by the people or will, under this new bill, the Secretary of the Interior have carte blanche over all new areas used for recreation?

Mr. SAYLOR. I may say to my colleague that the Corps of Engineers' project authorized for construction by the corps and built by the corps and managed by the corps will continue to be under the jurisdiction of the corps. Projects authorized by the Congress for the Bureau of Reclamation and the Secretary of the Interior will be under the jurisdiction of the Secretary of the Interior. In matters where the Corps of Engineers turned over to the Bureau of Reclamation projects which they have constructed, the agreement for the turning over of those projects, would be controlling.

Mr. HALL. The gentleman well knows, of course, that at the present time there are under discussion joint ventures between the corps and the Secretary of the Interior or his designee along such lines, and projects under consideration by this Congress and the Committee on Appropriations at this time have in fact started, but supplemental developments are in the ratio stage of discussion to determine whether or not they are feasible. The agreement itself, as I understand from the gentleman, will then prevail, according to the individual project.

Mr. SAYLOR. That is correct.

Mr. HALL. The Corps of Engineers will still control floods and power production under the SPA, in my case, and the BPA in the Northwest, and so forth?

Mr. SAYLOR. That is correct. I want to say that I have said some bad things about this bill but there are some good things. One of the reasons I am going to support this is that it calls for an agreement with the local community for assumption of 50 percent of the separable costs; and this, I think, is an excellent feature because one of the real things we are trying to do is to get recreation back into the hands of the local people.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield to me?

Mr. SAYLOR. I yield to the chairman of the committee.

Mr. ASPINALL. This is in conformity with the policy recommended by the Outdoor Recreation Resources Review Commission of which the gentleman from Pennsylvania was a member throughout its history; is that correct?

Mr. SAYLOR. That is correct. This is one of the really good features in this bill.

Mr. DUNCAN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield.

Mr. DUNCAN of Oregon. Apropos the discussion we have just had I understand there are no retroactive features in this bill except it does give the Secretary of the Interior the same authority that the Corps of Engineers has had to develop recreational facilities and reservoirs already under construction.

Mr. SAYLOR. That is correct.

Mr. DUNCAN of Oregon. And the cost of these additional recreational developments and presently existing reservoirs would be under the cost-sharing provision, would it not?

Mr. SAYLOR. That is correct.

Mr. DUNCAN of Oregon. And it would in no way permit any modification of existing contracts or existing cost allocations already in the law and in the contracts as far as that development is concerned?

Mr. SAYLOR. That is true; the gentleman is correct. This cannot affect any projects already authorized and constructed or authorized and yet to be constructed.

Mr. DUNCAN of Oregon. For example, any water-user contracts entered into for existing projects by the Bureau of Reclamation would not be impaired in any way?

Mr. SAYLOR. Would not be impaired in any manner at all.

Mr. DUNCAN of Oregon. I thank the gentleman.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield.

Mr. NELSEN. I note by the bill that with reference to recreation facilities the purpose is to rehabilitate or construct recreational facilities. As an example, in my district we have many of our lakes that were formerly great recreational facilities, but silting and what-have-you have developed, as well as improper land management in some cases, and in several instances I have had a request to do something about this to rehabilitate or reconstruct this particular recreational facility. How would a lake such as this which is under State domain be treated under the bill?

Mr. SAYLOR. This would not come under this bill at all. Anything that had been built by the State or already constructed would not be affected by this bill.

Mr. NELSEN. As far as anything new to be constructed is concerned, it would apply?

Mr. SAYLOR. It would apply to newly authorized projects. One of the reasons I shall support this legislation is that in the last analysis Congress itself, in each individual bill that is being considered, will have the last determination as to whether or not the project should be authorized.

Mr. NELSEN. I thank the gentleman.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield to me once more?

Mr. SAYLOR. I yield to the chairman of the committee.

Mr. ASPINALL. Would my colleague agree with me that the projects that have been authorized by Congress for flood control and reclamation since, say, 1948 or 1949 would qualify under this particular legislation?

Mr. SAYLOR. That is correct. There is no project that has been authorized in the last nine Congresses that would not have qualified for authorization under this bill.

Mr. ROGERS of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to thank the chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL], for his fine explanation of this measure and also thank the gentleman from Pennsylvania [Mr. SAYLOR], the ranking minority member on the Committee on Interior and Insular Affairs, for his splendid contribution.

Section 1 of the bill states the congressional policy that shall hereafter be applicable when outdoor recreation or fish and wildlife enhancement, or both, are included as purposes in Federal water projects. It places these purposes on an equal footing with other project purposes and requires that full consideration be given to them in the planning and development of water projects of the Department of the Interior and the Corps of Engineers. The policy statement recognizes that the task of providing outdoor recreation opportunities to meet the Nation's expanding needs is not a Federal responsibility alone but that State and local governments and local public agencies also have responsibilities. Non-Federal administration of the recreation and fish and wildlife enhancement features of most Federal water projects is to be encouraged, and the full potential of projects serving these purposes will not be developed unless there is agreement with the State or a local non-Federal public body covering administration and cost sharing.

Areas considered appropriate for Federal administration include national recreation areas, areas which are part of the national forest system, and areas administered under an authorized Federal program for the conservation and development of fish and wildlife.

Section 2 sets out the requirements that must be met in connection with the agreement for local administration if there is to be full development for recreation and fish and wildlife enhancement. Except for those projects where Federal administration of recreation and fish and wildlife enhancement facilities is determined to be warranted, such agreement must be executed before construction is started. One or more non-Federal public bodies can participate in administering the area for recreation or fish and wildlife enhancement. They must agree to advance or repay not less than half the separable costs allocated to these purposes which are the costs of additional reservoir capacity, additional lands and roads, parking, picnic and camping areas, sanitary facilities, and boat ramps. Unless there is such an agreement, only those facilities necessary for public health and safety will be constructed and such facilities as roads and parking areas, picnicking, swimming, and camping areas or facilities would not be provided. If agreement can be reached on local administration and cost sharing, then the Federal Government will bear the remainder of the separable costs and all of the joint costs allocated to recreation and fish and wildlife enhancement. The amount required from the participating public body can be paid in cash or in lands or facilities or can be repaid with interest under a long-term contract not exceeding 50 years. Under this latter arrangement, the State or other public body could establish entrance or user fees as a source of revenue to meet its obligation if it wishes to do so.

It should be pointed out that, in the absence of an agreement for participation by a State or non-Federal public body, the use of the reservoir for outdoor recreation purposes will be limited and this, in turn, will reduce the benefits and the costs which can be allocated to these purposes.

H.R. 5269 makes provision in section 3 for preserving a project's full potential for recreation and fish and wildlife for a 10-year period even though there is no agreement on local participation.

This is accomplished by authorizing the acquisition of lands needed for these purposes at the time of project construction. If during the 10-year period, a non-Federal public body agrees to administer the project for recreation and fish and wildlife purposes and share in the costs, the facilities may be constructed and along with the lands may be leased to such public body. If, on the other hand, there is no agreement by the end of the 10-year period, the lands must be used for some other justified and authorized purpose, transferred to another Federal agency, leased to a public body or disposed of as surplus property. The use of the lands in these circumstances must not be in conflict with project purposes and preference is given to purposes which would promote the recreation and fish and wildlife potential of the project.

To encourage non-Federal administration of recreation and fish and wildlife enhancement features at the existing projects, section 4 authorizes Federal agencies to lease these facilities and appropriate project lands to non-Federal public bodies, and section 5 provides authority for incremental or subsequent development for these purposes at existing projects by non-Federal public bodies. Financial assistance for such development can be provided under the Land and Water Conservation Fund Act.

Section 6 includes several provisions that are desirable or necessary for implementing this new congressional policy. Subsection 6(a) requires all Federal water project reports submitted to Congress include the views of the Secretary of the Interior developed in accordance with Organic Act of the Bureau of Outdoor Recreation. Subsection 6(b) amends the Fish and Wildlife Coordination Act in certain respects to make it consistent with this legislation. Subsection 6(c) places a limitation of $28 million on water resource project funds that may be expended for land acquisition for wildlife refuges.

This authority is needed where migratory waterfowl refuges are developed in connection with water projects. It alleviates the very difficult problems which arise when two different agencies—the project construction agency and the Bureau of Sport Fisheries and Wildlife—attempt to purchase similar lands in the same areas, each using its own appraisers, each utilizing its own authority, and each having its own appropriated funds. Subsection 6(d) provides that this bill should not apply to the Tennessee Valley Authority or to projects constructed under the authority of the Small Reclamation Projects Act or the Watershed Protection and Flood Prevention Act. The Tennessee Valley Authority already has adequate authority for recreation and fish and wildlife enhancement and has heretofore followed a policy which has worked out very well whereby lands adjacent to reservoirs are transferred to non-Federal bodies for recreation development and management. The small reclamation and watershed projects are local in character rather than Federal. Local people decide the purposes which they should serve and local people construct and administer them. Subsection 6(e) excludes other types of projects such as local nonreservoir flood control, beach erosion control, small boat harbors, and hurricane protection projects, which are not appropriate for cost sharing under the provisions of H.R. 5269. Subsection 6(f) makes it clear that entrance, admission and recreation user fees are not prohibited by use of the term "nonreimbursable." Subsection 6(g) provides that projects covered by a local agreement will not be considered in connection with determinations under subsection 6(2a) of the Land and Water Conservation Fund Act because Federal recreation fees will not be charged at these projects. Subsection 6(h) provides that all moneys received under the terms of this legislation shall be deposited in the miscellaneous receipts of the Treasury.

Section 7 of H.R. 5269 grants to the Secretary of the Interior general authority to develop the recreational potential of projects under his control including authority to construct recreation facilities at existing projects where such authority does not now exist. The Secretary of the Army presently has such authority for projects under his control but the Secretary of the Interior has only piecemeal authority for certain individual projects. With respect to development of existing projects, the Secretary must submit the recreation plan to the Congress and development funds cannot be appropriated until after the appropriate committees have had 60 days to review such plan, and then only if neither committee disapproves the plan.

Subsection 7(b) authorizes the Secretary of the Interior to enter into agreements with Federal, State, or local public bodies for the administration of recreation and fish and wildlife developments. Title to the lands, however, would remain in the Federal Government. In addition, subsection 7(c) provides for the transfer of lands between agencies in order to make the best and most efficient use of them for recreation purposes.

Section 8 provides that projects in which the sum of the allocation to recreation and fish and wildlife enhancement exceed the sum of the allocations to other project purposes shall not be recommended for authorization and construction under the Federal reclamation laws or under the flood control acts. Such projects should be recommended as an outdoor recreation project.

Section 9 defines certain terms used in the bill and section 10 makes it clear that any fees or charges for the use of recreation and fish and wildlife areas at water projects shall be credited to land and water conservation funds and not go into special funds such as the reclamation fund.

Mr. Chairman, I believe that H.R. 5269, as amended by the committee, provides the policy guidance needed to assure proper outdoor recreation development and use at Federal water projects on terms that are equitable to the Federal Government, to the States or other non-Federal bodies involved, and to the American people who will use the areas for their enjoyment. The committee highly recommends that H.R. 5269 be given your approval.

Mr. PIKE. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I would be glad to yield to my distinguished friend from New York.

Mr. PIKE. Mr. Chairman, would the gentleman clarify one point for me? I note that when you state the policy of the Congress here you are quite concise and specific in discussing the considerations, and full consideration, as to where there are opportunities for enhancement of outdoor recreation and for fish and wildlife enhancement. But would it not be appropriate to also provide in this legislation full consideration of any risk of damage to existing fish and wildlife resources or risk of damage to the existing recreation facilities, as a statement of policy?

Mr. ROGERS of Texas. Let me say to the gentleman from New York that I think his point is very well taken. However, I believe that the part of the consideration to which he refers is actually an integral part of the question of enhancement in the first instance. I think this is a matter that is supposed to be considered in depth by the department proposing the project in the first instance.

Let me say to the gentleman that the time in my opinion for this matter to be brought out in detail would be at the time a particular project is presented to the Congress and debated because the committees of Congress will have the final determination as to what is done with each of these projects. I know that the question of damage to fish and wildlife has caused quite a bit of concern, but it varies with the different projects. I believe each project should be taken up separately.

Mr. PIKE. If the gentleman will yield further, I want to assure the gentleman that I thank him for this explanation and assure him that I have no thought of offering an amendment to the bill. I am simply concerned lest the language indicate in some manner that the only thing that could be considered was the possibility of enhancement of recreation or conservation resources, but that no consideration might be given to the probability that a new project, say a dredging project, might destroy wetlands and shellfish grounds, or actually damage existing recreation or conservation resources.

Mr. ROGERS of Texas. Let me say further to the gentleman from New York, I am sure the Committee on Public Works in handling these projects, goes into this matter. But I certainly can speak firsthand for the Committee on Interior and Insular Affairs and say this is a facet of the overall problem that we go into very deeply on each of the projects that comes before our committee and our subcommittee.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman.

Mr. ASPINALL. I have asked the gentleman to yield, because I wish to add to the answer given to the gentleman from New York. This does not interfere with the operations of the Fish and Wildlife Coordination Act except in two particulars and what my friend, the gentleman from New York, brings up is not involved in those two particulars. The destruction of any fish and wildlife values by reason of a proposed construction of a project is always taken into consideration under the provisions of the parent act.

Mr. DUNCAN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. DUNCAN of Oregon. I have asked the gentleman to yield for the purpose of pursuing this same subject. Do I understand that now, under this bill, we have repealed, or we do repeal, that part of the Fish and Wildlife Coordination Act that makes the mitigation of damage to an existing wildlife resource nonreimbursable?

Mr. ROGERS of Texas. Yes, that is right.

Mr. DUNCAN of Oregon. So that the mitigation of damage to any existing resource would now be distributed as a joint cost to all other functions of a reservoir?

Mr. ROGERS of Texas. That is right.

Mr. DUNCAN of Oregon. And it would be reimbursable or nonreimbursable depending upon the particular purpose to which it was attributable; is that correct?

Mr. ROGERS of Texas. That is correct.

Mr. DUNCAN of Oregon. And the water users, for instance, in a reclamation project, are already assessed as to the cost to the extent that they are reasonably able to repay for all the water they take from a reservoir? Is it not true in most instances that water users are not paying the entire cost but there is an additional factor beyond their ability to repay that is usually charged off to power revenues or some such other source?

Mr. ROGERS of Texas. Yes; of course it depends upon each particular project. Of course the gentleman understands that.

Mr. DUNCAN of Oregon. Yes, I understand that.

Mr. ROGERS of Texas. But the gentleman used the word "usually" and said that it is usually done that way. I would say that that word probably would be incorrect or improper—but it is not unusual for this to be done.

Mr. DUNCAN of Oregon. Now, then, the thing that disturbs me and the people in my particular section of the country is when we get an enhancement of a fish and wildlife benefit. I understand that it would not necessarily be a uniform rule that all enhancement to an existing fish resource, for example, would necessarily be charged up to the recreational development, subject to a 50-percent cost sharing by the local unit of government. If I might explain what I have in mind, I can conceive, for example, if a reservoir enhanced the value of local fish resources of trout, domestic trout, for instance, this would be a proper area for cost sharing. But I can also conceive, particularly in my section of the country, of a migratory fish resource of, for example, salmon or steelhead where the benefits from enhancement go far beyond the local community and ought really not to be charged up to that local community.

As I read through the report of the committee, I notice particularly in Mr. Staats' statement, he mentions on page 18 of the report that the water resources agencies may, in some instances, recommend departure from the general policy. I wonder if the committee has in mind this particular problem that I am discussing; namely, the enhancement of migratory fish resources?

Mr. ROGERS of Texas. Yes; exactly. And let me say to the gentleman from Oregon that this matter was discussed thoroughly in the debate on this bill in the subcommittee, and also was referred to in the full committee when the bill had been reported. I think the gentleman is exactly right. I would call to his attention that this bill, in fixing policy, does not delegate powers away from the Congress on any of these future projects. These projects are going to be before the Congress and before our committee, and I can assure the gentleman this particular facet of the problem will be taken into consideration in any proposals made by the Department of the Interior with regard to reclamation projects in the future as it certainly has been in the past.

Mr. DUNCAN of Oregon. So I can advise my constituents that full recognition of the national feature of the enhancement of a migratory fish resource will be taken into consideration by the committee in allocating these costs?

Mr. ROGERS of Texas. The gentleman can advise his constituents that the gentleman from Texas will protect them in any situation where such protection is justified.

Mr. DUNCAN of Oregon. Mr. Chairman, will the gentleman yield for one further question?

Mr. ROGERS of Texas. I am happy to yield to the gentleman.

Mr. DUNCAN of Oregon. In connection with the cost-of-sharing provision of the recreational developments, do I understand it is optional with the local units of government as to whether or not they will participate in the 50-percent share of the development of these recreational facilities?

Mr. ROGERS of Texas. Yes, it is optional. But let me make this clear, and I think this is a matter that ought to be thoroughly clear in everyone's mind. If they do not want to go into this at the time the project is built, or cannot go into it because of their credit situation or because of the lack of money, then land requirements necessary and approved by the Congress as being a part of the potential recreational development may be acquired when the project is built. The community then has a period of 10 years within which they can come in and meet the requirements of this measure and develop a recreational project. If they did not meet the requirements, of course, that matter would have to be handled.

Mr. DUNCAN of Oregon. A project feasible without recourse to the fish and wildlife and recreational enhancement, subject to the cost sharing, would not be delayed in any way by passage of this bill?

Mr. ROGERS of Texas. That is correct.

Mr. DUNCAN of Oregon. I further understand that all projects in the last 9 years were feasible economically and engineeringly without recourse to these benefits.

Mr. ROGERS of Texas. That is correct.

Mr. DUNCAN of Oregon. Do I correctly understand that the local cost sharing could come from user fees imposed by the local unit of Government as a part of the management of the recreational development?

Mr. ROGERS of Texas. Yes; that is, in the event that the area is taken over by local management.

Mr. DUNCAN of Oregon. Yes.

Mr. ROGERS of Texas. We must understand that there are certain situations in which these areas will be controlled by the National Park Service or by a Federal agency. In those cases the local communities would not have any such right.

Mr. DUNCAN of Oregon. Is there anything in this bill which would prohibit the local unit of Government from using its share of revenues allocated to the State from the land and water conservation fund bill to fulfill its obligations under this bill?

Mr. ROGERS of Texas. No; I would not think so.

Mr. DUNCAN of Oregon. Is the agreement to share 50 percent a mandatory one? Must it be fulfilled regardless of from what source the moneys might come?

Mr. ROGERS of Texas. Yes.

Mr. DUNCAN of Oregon. They could not enter into an agreement to repay their 50-percent share to the extent that the user fees in that development provided sufficient money?

Mr. ROGERS of Texas. No; they could not. It must be a firm obligation either in money or perhaps land. They could contribute the land or could work out an installment plan and use the user fees to make installment payments over a 50-year period.

Mr. DUNCAN of Oregon. Do I correctly understand that the whole plan may be reviewed every 5 years?

Mr. ROGERS of Texas. Yes.

Mr. DUNCAN of Oregon. There is nothing to prohibit them from taking the general land and water conservation fund allocated to that State and using those funds?

Mr. ROGERS of Texas. That, of course, would depend, as the gentleman from Oregon knows, on whether or not the plan met the approval of the Department of the Interior.

Mr. DUNCAN of Oregon. I understand that. I thank the gentleman for yielding.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. Under section 7 of the bill, if the Secretary of the Interior submits a project, do I correctly understand it then would be up to the committee of the House or of the Senate, and not to the House or Senate, to approve the project? The only approval or rejection would reside in either the House Committee on Interior and Insular Affairs or its counterpart in the Senate?

Mr. ROGERS of Texas. Let me say to the gentleman from Iowa that this has to do with projects which are already in existence which do not otherwise come under this bill. If they want to work out additional recreation facilities in respect to projects already in existence under the jurisdiction of the Department of the Interior, which were not fully developed from a recreational standpoint, they can propose a recreational plan and submit it to Congress, and it will come in under the provisions of this act insofar as participation is concerned. But if the committee does not disapprove that in 60 days then the plan would be accepted.

Mr. EDMONDSON. Mr. Chairman, this bill is a necessary sequel to the Land and Water Conservation Fund Act of the 88th Congress, and has many desirable features.

In supporting this bill, I do not in any way modify my view that the fees authorized by the 1964 act are regrettable, and may deny outdoor recreation to millions of Americans.

The CHAIRMAN. The time of the gentleman from Texas has expired. All time has expired.

Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the policy of the Congress and the intent of this Act that (a) in investigating and planning any Federal navigation, flood control, reclamation, hydroelectric, or multiple-purpose water resource project, full consideration shall be given to the opportunities, if any, which the project affords for outdoor recreation and for fish and wildlife enhancement and that, wherever any such project can reasonably serve either or both of these purposes consistently with the provisions of this Act, it shall be constructed, operated, and maintained accordingly; (b) planning with respect to the development of the recreation potential of any such project shall be based on the coordination of the recreational use of the project area with the use of existing and planned Federal, State, or local public recreation developments; and (c) project construction agencies shall encourage non-Federal public bodies to administer project land and water areas for recreation and fish and wildlife enhancement purposes and operate, maintain, and replace facilities provided for those purposes unless such areas or facilities are included or proposed for inclusion within a national recreation area, or are appropriate for administration by a Federal agency as a part of the national forest system, as a part of the public lands classified for retention in Federal ownership, or in connection with an authorized Federal program for the conservation and development of fish and wildlife.

SEC. 2. (a) If, before authorization of a project, non-Federal public bodies indicate their intent in writing to agree to administer project land and water areas for recreation or fish and wildlife enhancement or for both of these purposes pursuant to the plan for the development of the project approved by the head of the agency having administrative jurisdiction over it and to bear not less than one-half the separable costs of the project allocated to either or both of said purposes, as the case may be, and all the costs of operation, maintenance, and replacement incurred therefor—

(1) the benefits of the project to said purpose or purposes shall be taken into account in determining the economic benefits of the project;

(2) costs shall be allocated to said purpose or purposes and to other purposes in a manner which will insure that all project purposes share equitably in the advantages of multiple-purpose construction: *Provided*, That the costs allocated to recreation or fish and wildlife enhancement shall not exceed the lesser of the benefits from those functions or the costs of providing recreation or fish and wildlife enhancement benefits of reasonably equivalent use and location by the least costly alternative means; and

(3) not more than one-half the separable costs and all the joint costs of the project allocated to recreation and fish and wildlife enhancement shall be borne by the United States and be nonreimbursable. Projects authorized during the calendar year 1965 may include recreation and fish and wildlife enhancement on the foregoing basis without the required indication of intent. Execution of an agreement as aforesaid shall be a prerequisite to commencement of construction of any project to which this subsection is applicable.

(b) The non-Federal share of the separable costs of the project allocated to recreation and fish and wildlife enhancement shall be borne by non-Federal interests, under either or both of the following methods as may be determined appropriate by the head of the Federal agency having jurisdiction over the project: (1) payment, or provision of lands, interests therein, or facilities for the project; or (2) repayment, with interest at a rate comparable to that for other interest-bearing functions of Federal water resource projects, within fifty years of first use of project recreation or fish and wildlife enhancement facilities: *Provided*, That the source of repayment may be limited to entrance and user fees or charges collected at the project by non-Federal interests if the fee schedule and the portion of fees dedicated to repayment are established on a basis calculated to achieve repayment as aforesaid and are made subject to review and renegotiation at intervals of not more than five years.

SEC. 3. (a) No facilities or project modifications which will furnish recreation or fish and wildlife enhancement benefits shall be provided in the absence of the indication of intent with respect thereto specified in subsection 2(a) of this Act unless (1) such facilities or modifications serve other project purposes and are justified thereby without regard to such incidental recreation or fish and wildlife enhancement benefits as they may have or (2) they are minimum facilities which are required for the public health and safety and are located at access points provided by roads existing at the time of project construction or constructed for the administration and management of the project. Calculation of the recreation and fish and wildlife enhancement benefits in any such case shall be based on the number of visitor days anticipated in the absence of recreation and fish and wildlife enhancement facilities or modifications except as hereinbefore provided and on the value per visitor-day of the project without such facilities or modifications. Project costs allocated to recreation and fish and wildlife enhancement on this basis shall be nonreimbursable.

(b) Notwithstanding the absence of an indication of intent as specified in subsection 2(a), lands may be provided in connection with project construction to preserve the recreation and fish and wildlife enhancement potential of the project.

(1) If non-Federal public bodies execute an agreement within ten years after initial operation of the project (which agreement shall provide that the non-Federal public bodies will administer project land and water areas for recreation or fish and wildlife enhancement or both pursuant to the plan for the development of the project approved by the head of the agency having administrative jurisdiction over it and will bear not less than one-half the costs of lands, facilities, and project modifications provided for either or both of those purposes, as the case may be, and all costs of operation, maintenance, and replacement attributable thereto), the remainder of the costs of lands, facilities, and project modifications provided pursuant to this paragraph shall be nonreimbursable. Such agreement and subsequent development, however, shall not be the basis for any reallocation of joint costs of the project to recreation or fish and wildlife enhancement.

(2) If, within ten years after initial operation of the project, there is not an executed agreement as specified in paragraph (1) of this subsection, the head of the agency having jurisdiction over the project may utilize the lands for any lawful purpose within the jurisdiction of his agency, or may transfer custody of the lands to another Federal agency for use for any lawful purpose within the jurisdiction of that agency, or may lease the lands to a non-Federal public body, or may transfer the lands to the Administrator of General Services for disposition in accordance with the surplus property laws of the United States. In no case shall the lands be used or made available for use for any purpose in conflict with the purposes for which

the project was constructed, and in every case preference shall be given to uses which will preserve and promote the recreation and fish and wildlife enhancement potential of the project or, in the absence thereof, will not detract from that potential.

SEC. 4. At projects, the construction of which has commenced or been completed as of the effective date of this Act, where non-Federal public bodies agree to administer project land and water areas for recreation and fish and wildlife enhancement purposes and to bear the costs of operation, maintenance, and replacement of existing facilities serving those purposes, such facilities and appropriate project lands may be leased to non-Federal public bodies.

SEC. 5. Nothing herein shall be construed as preventing or discouraging post-authorization development of any project for recreation or fish and wildlife enhancement or both by non-Federal public bodies pursuant to agreement with the head of the Federal agency having jurisdiction over the project. Such development shall not be the basis for any allocation or reallocation of project costs to recreation or fish and wildlife enhancement.

SEC. 6. (a) The views of the Secretary of the Interior developed in accordance with section 3 of the Act of May 28, 1963 (77 Stat. 49), with respect to the outdoor recreation aspects shall be set forth in any report on any project or appropriate unit thereof within the purview of this Act. Such views shall include a report on the extent to which the proposed recreation and fish and wildlife development conforms to and is in accord with the State comprehensive plan developed pursuant to subsection 5(d) of the Land and Water Conservation Act of 1965 (78 Stat. 897).

(b) The first proviso of subsection 2(d) of the Act of August 12, 1958 (72 Stat. 563; 16 U.S.C. 662(d)) is amended to read as follows: "*Provided,* That such cost attributable to the development and improvement of wildlife shall not extend beyond that necessary for (1) land acquisition, (2) facilities as specifically recommended in water resource project reports, (3) modification of the project, and (4) modification of project operations, but shall not include the operation of wildlife facilities." The second proviso of subsection 2(d) of said Act is hereby repealed.

(c) Expenditures for lands or interests in lands hereafter acquired by project construction agencies for the establishment of migratory waterfowl refuges recommended by the Secretary of the Interior at Federal water resource projects, when such lands or interests in lands would not have been acquired but for the establishment of a migratory waterfowl refuge at the project, shall not exceed $28,000,000: *Provided,* That the aforementioned expenditure limitation in this subsection shall not apply to the costs of mitigating damages to migratory waterfowl caused by such water resource project.

(d) This Act shall not apply to the Tennessee Valley Authority, nor to projects constructed under authority of the Small Reclamation Projects Act, as amended, or under authority of the Watershed Protection and Flood Prevention Act, as amended.

(e) Sections 2, 3, 4, and 5 of this Act shall not apply to nonreservoir local flood control projects, beach erosion control projects, small boat harbor projects, hurricane protection projects, or to project areas or facilities, authorized by law for inclusion within a national recreation area or appropriate for administration by a Federal agency as a part of the national forest system, as a part of the public lands classified for retention in Federal ownership, or in connection with an authorized Federal program for the conservation and development of fish and wildlife.

(f) As used in this Act, the term "nonreimbursable" shall not be construed to prohibit the imposition of entrance, admission, and other recreation user fees or charges.

(g) Subsection 6(a)(2) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) shall not apply to costs allocated to recreation and fish and wildlife enhancement which are borne by the United States as a nonreimbursable project cost pursuant to subsection 2(a) or subsection 3(b)(1) of this Act.

(h) All payments and repayment by non-Federal public bodies under the provisions of this Act, and revenue from the conveyance by deed, lease, or otherwise, of lands under subsection 3(b)(2) of this Act, shall be deposited in the Treasury as miscellaneous receipts.

SEC. 7. (a) The Secretary of the Interior is authorized as a part of any water resource development project under his control heretofore or hereafter authorized or reauthorized, except projects or areas within national wildlife refuges, to investigate, plan, construct, operate, and maintain or otherwise provide for public outdoor recreation and fish and wildlife enhancement facilities, to acquire or otherwise to include within the project area such adjacent lands or interests therein as are necessary for present or future public recreation or fish and wildlife use, to provide for the public use and enjoyment of project lands, facilities, and water areas in a manner coordinated with the other project purposes, and at projects hereafter authorized or reauthorized, to allocate water and reservoir capacity to recreation and fish and wildlife enhancement: *Provided,* That no appropriation shall be made for the construction of recreation or fish and wildlife facilities or the acquisition of land for such purposes at existing projects, which construction or acquisition has not heretofore been authorized by law, prior to the expiration of sixty calendar days (which sixty days, however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days) from the date on which the Secretary submits to the Congress a report thereon and then only if, within said sixty days, neither the House nor the Senate Committee on Interior and Insular Affairs disapproves such plan. Lands, facilities, and project modifications may be provided in accordance with subsection 3(b), hereof, at projects heretofore authorized.

(b) The Secretary of the Interior is authorized to enter into agreements with Federal agencies or State or local public bodies for the administration of project land and water areas and the operation, maintenance, and replacement of facilities and to transfer project lands or facilities to Federal agencies or State or local public bodies by lease agreement or exchange upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation and fish and wildlife enhancement purposes.

(c) No lands under the jurisdiction of any other Federal agency may be included for or devoted to recreation or fish and wildlife purposes under the authority of this section without the consent of the head of such agency; and the head of any such agency is authorized to transfer any such lands to the jurisdiction of the Secretary of the Interior for purposes of this section. The Secretary of the Interior is authorized to transfer jurisdiction over project lands within or adjacent to the exterior boundaries of national forests and facilities thereon to the Secretary of Agriculture for recreation and other national forest system purposes; and such transfer shall be made in each case in which the project reservoir area is located wholly within the exterior boundaries of a national forest unless the Secretaries of Agriculture and Interior jointly determine otherwise. Where any project lands are transferred hereunder to the jurisdiction of the Secretary of Agriculture, the lands involved shall become national forest lands: *Provided,* That the lands and waters within the flow lines of any reservoir or otherwise needed or used for the operation of the project for other purposes shall continue to be administered by the Secretary of the Interior to the extent he determines to be necessary for such operation. Nothing herein shall limit the authority of the Secretary of the Interior granted by existing provisions of law relating to recreation or fish and wildlife development in connection with water resource projects or to disposition of public lands for such purposes.

SEC. 8. Nothing contained in this Act shall be taken to authorize or to sanction the construction under the Federal reclamation laws or under any Rivers and Harbors or Flood Control Act of any project in which the sum of the allocations to recreation and fish and wildlife enhancement exceeds the sum of the allocations to irrigation, hydroelectric power, municipal, domestic and industrial water supply, navigation, and flood control.

SEC. 9. As used in this Act—

(a) The term "project" shall mean a project or any appropriate unit thereof.

(b) The term "separable costs," as applied to any project purpose, means the difference between the capital cost of the entire multiple-purpose project and the capital cost of the project with the purpose omitted.

(c) The term "joint costs" means the difference between the capital cost of the entire multiple-purpose project and the sum of the separable costs for all project purposes.

(d) The term "capital cost" includes interest during construction, wherever appropriate.

SEC. 10. Section 2, subsection (a) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) is hereby amended by striking out the words "notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury:" and inserting in lieu thereof the words "nothwithstanding any other provision of law:" and by striking out the words "or any provision of law that provides that any fees or charges collected at particular Federal areas shall be used for or credited to specific purposes or special funds as authorized by that provision of law" and inserting in lieu thereof "or affect any contract heretofore entered into by the United States that provides that such revenues collected at particular Federal areas shall be credited to specific purposes".

SEC. 11. This Act may be cited as the "Federal Water Project Recreation Act".

Mr. ROGERS of Texas (interrupting the reading). Mr. Chairman, I ask unanimous consent that the committee amendment be printed in the RECORD, considered as read in full, and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HARRIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Chairman, I take this time to make some inquiries about the project.

In the first place, I understand that this is applicable to all projects, whether they are reclamation projects, or Army

Engineer flood control projects, or for whatever purpose it may be.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. Yes, I will.

Mr. ROGERS of Texas. It applies to the projects under the Department of the Interior, Bureau of Reclamation projects, and the Corps of Engineers projects. It does not apply to agricultural projects and it does not apply to the small reclamation projects or to other types of projects. Actually, it could be said that it would be confined to the Corps of Engineers projects and the reclamation projects.

Mr. HARRIS. I would also like to ask, is it not true, should it be a project developed by the Corps of Engineers, that then would this not provide a policy whereby whatever recreational benefits could be developed with the project would become a part of the total cost and therefore subject to the consideration on the benefit-cost ratio?

Mr. ROGERS of Texas. Yes.

Mr. HARRIS. That being true, do I then understand that the additional cost for the recreational features will be or it is the intention that it would be borne by some local group or public body, and so forth, to a certain extent?

Mr. ROGERS of Texas. One-half of the separable costs; that is, the cost over and above the base cost of the project, which would not be included unless arrangements were made for the expansion of, we will say, recreation and fish and wildlife. One-half of those additional costs are borne by the local community.

Mr. HARRIS. Is the additional cost for this project to be incremental, or on that basis?

Mr. ROGERS of Texas. Of course, we were discussing what is incremental and what is not.

Mr. HARRIS. Of course, the gentleman understood the incremental cost is whatever cost is necessary to provide the additional facilities beyond what it would have taken to provide the reservoir up to a certain point.

Mr. ROGERS of Texas. That is the understanding of the committee.

Mr. HARRIS. And it would be one-half of that additional incremental cost which some local group would provide?

Mr. ROGERS of Texas. That is right.

Mr. HARRIS. Do I understand, then, the local body would have 10 years to decide as to whether or not it will participate?

Mr. ROGERS of Texas. Actually, the plan itself is not in the 10-year period. If the local bodies do not indicate a desire to enter into this sort of a situation, provision is made in the bill whereby the Secretary of the Interior may acquire the additional lands in connection with the project. Those lands may be held by the Secretary of the Interior for a period of 10 years, within which time these communities can singly or collectively come in and operate under this bill.

Mr. HARRIS. Assuming that a community does develop it, and it does assume the responsibility of developing a recreational area, then do I understand that the community or the public body has the authority to make charges for the utilization of that recreational facility?

Mr. ROGERS of Texas. Yes, sir, they do.

Mr. HARRIS. How does that conflict with the bill passed last year? It seems to me there is a conflict with the bill passed last year which says that if you have a Corps of Engineers project such as a reservoir, that they may make a charge for the utilization of that reservoir. Are you going to have the Federal Government charge for this reservoir and the State, too?

Mr. ROGERS of Texas. No. There will be no conflict because the gentleman from Arkansas speaks of the bill which is under the jurisdiction of the Federal Government, or those areas under the jurisdiction of the Federal Government. Under this bill, if the local community takes over these recreational and fish and wildlife operations, then there will be no Federal charge, because these will be under the control of the local community and the local community's charge will be the only one. If the local community makes no charge, then there will be no charge.

Mr. HARRIS. The Federal Government retains title to the land?

Mr. ROGERS of Texas. Yes, sir.

Mr. HARRIS. But turns over the recreational area to be operated by a public body, local or State?

Mr. ROGERS of Texas. The gentleman is correct.

Mr. HARRIS. I thank the gentleman for his generosity.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Missouri.

Mr. ICHORD. I would like to ask the gentleman from Texas one question.

You have the provision that the State or public body is permitted to establish entrance fees or user fees as a source of revenue to meet its obligation under the cost allocation. Let us assume that the State or public body establishes entrance fees or user fees and pays off the recreational allocation. Will it be permitted after the expiration of that period of time to continue charging user fees?

Mr. ROGERS of Texas. There is no reason to prevent it from doing that, because they can then use these user fees and entrance fees for whatever purposes they want in connection with the operation.

Mr. ICHORD. The gentleman would prefer to do that rather than have it go back into the Land and Water Conservation Fund at the expiration of that time?

Mr. ROGERS of Texas. You mean the user fees?

Mr. ICHORD. The income from the user fees will belong to the public body or the State itself, will it not?

Mr. ROGERS of Texas. Yes. That is exactly right. The gentleman is inquiring as to whether or not that should go into the Federal Land and Water Conservation Fund or stay with the State and public bodies?

Mr. ICHORD. I was inquiring as to what the bill contains. I understand the State and public bodies will be permitted to retain the income from the user fees after the amount had been paid back to the Federal Government.

Mr. ROGERS of Texas. That is exactly right.

Mr. HARRIS. I understand from the gentleman from Missouri that the State, once it gets this fee, will have it ad infinitum.

Mr. ROGERS of Texas. Yes.

Mr. HARRIS. Beyond the life of the payments by the State for the recreational facility?

Mr. ROGERS of Texas. That is the public body that has control of it. Once they assume the responsibility of taking over this recreational area and are paying their 50 percent, no matter how they pay it—if they undertake the responsibility, then under the contract they have the right to control it.

Mr. HARRIS. The gentleman from Missouri reminded me of another question I should like to ask. I would like to get a response to the matter that the gentleman from Texas mentioned a moment ago, that before these projects are developed the Congress would have the opportunity to pass on them. I ask these questions because I have a project in my own district that is being developed; the Corps of Engineers is considering it. This is one of the features that is being considered and I am sure that I am right that the Congress will not have an opportunity to consider this until the report of the Corps of Engineers has made its way through various channels, as it always does, and comes in for authorization.

I did not understand clearly the gentleman's comment earlier. If we have to wait until a report comes in, I do not see how the committee or the Congress will have any opportunity to look into the matter.

Mr. ROGERS of Texas. My position was simply this, that at the time of the authorization the Congress has the power to make any changes in the proposal, whether it be by the Corps of Engineers or whether it be by the Department of the Interior. At that time if changes need to be made in the recreational or fish and wildlife features or the cost needs to be shifted, we have the power to do so at that time.

Mr. HARRIS. But the gentleman knows from the practical standpoint that the Congress accepts the reports of the technical people, who are the Corps of Engineers, on the justification for a given project. They submit a report to us and we are not going to be changing that.

Mr. ROGERS of Texas. Mr. Chairman, I cannot speak for any committee other than the Committee on Interior and Insular Affairs. If the gentleman from Arkansas wants to hear a heated debate or a controversy, if he will come to that committee he will understand the very point that he is making here now. He will find that we do not accept those reports. As a matter of fact, the gentleman from Pennsylvania is well known to the Corps of Engineers and to the Department of the Interior as far as his ability is concerned to break these items down. And that is done on every project.

Mr. HARRIS. We have a sufficient number of arguments in my own committee, as the gentleman knows. I should like to ask one more question. Is the Committee on Public Works familiar with this program? I think it is important, because Army Engineer projects will be considered and they have the authorizations for those.

Mr. ASPINALL. Mr. Chairman, if the gentleman will yield to me. As soon as the legislation was introduced, the first bill, No. 52, as well as the bill presently under discussion, letters were addressed to the chairman of the various committees interested in this legislation and they were invited to give their views on the legislation. The staff of each one of these committees, together with the staff of the Committee on Interior and Insular Affairs, have been in constant consultation with each other.

Mr. HARRIS. I thank the gentleman. Mr. Chairman, I should like to thank the gentleman and his staff for the courtesies they have shown me during the development of this legislation.

Mr. DINGELL. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I had several questions that I wanted to ask the distinguished chairman of the committee or the chairman of the subcommittee that handled this legislation.

Previously, in a colloquy with the gentleman from Missouri, the gentleman from Texas discussed page 15, line 6, down through line 12, dealing with users fees to be collected by local authorities.

I would like to ask several questions about that and then I would like to ask some questions about some other parts of the bill.

I would like to know if it is intended that this should conflict with or substitute for the Land and Water Conservation Fund with regard to the collection of user charges at Federal projects or in Federal areas?

Mr. ROGERS of Texas. No, it is entirely different, it is entirely separate and there would be no conflict, I will say to the gentleman.

Mr. DINGELL. What is to stop some local authority from setting up a plan to develop recreational resources at a Federal project and then to set up a collection stand at the entrance to this Federal project and proceed to collect these charges?

Mr. ROGERS of Texas. If the gentlemen will yield further, I will say to the gentleman that they could only collect the charges—the local body—could only collect the charges with respect to the recreational area over which they had jurisdiction and these could only be collected in keeping with the contract on the approved project, as it had been understood between the Secretary of the Interior and the public group at the time the presentation was made in the first instance.

Mr. DINGELL. The gentleman from Texas then is referring to the earlier language in the bill at page 13, subsection 2(a) and following, which prescribes that an agreement shall be negotiated between the Secretary and some appropriate local authority?

Mr. ROGERS of Texas. If the gentleman will yield further, that is right.

Mr. DINGELL. This would stop some local authority from simply setting up a collection box at the entrance to a Federal project to utilize funds for some local purpose or for recreational purposes if they so chose to denominate it for that purpose?

Mr. ROGERS of Texas. If the gentleman will yield, that is correct.

Mr. DINGELL. I would like to discuss some language that appears on the following page here dealing with some limitation. On page, beginning in line 3:

> Sections 2, 3, 4, and 5 of this act shall not apply to nonreservoir local flood control projects, beach erosion control projects, small boat harbor projects, hurricane protection projects—

And so forth. And then it proceeds to list a number of other things.

Is this a limitation, a restriction, or a curtailment of the Fish and Wildlife Coordination Act passed by the Committee on Merchant Marine and Fisheries some years ago?

Mr. ROGERS of Texas. If the gentleman will yield, it is not.

Mr. DINGELL. Is it the intent of the committee in any way, or does the committee or does this legislation in any way seek to curtail or to limit the impact of the Fish and Wildlife Coordination Act in any way other than the two devices that were mentioned earlier by the chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL]?

Mr. ROGERS of Texas. If the gentleman will yield further——

Mr. DINGELL. I would be happy to yield.

Mr. ROGERS of Texas. The gentleman has answered his own question. It has only to do with the two matters discussed by the chairman of the full committee [Mr. ASPINALL].

Mr. DINGELL. Then there is no attempt by this legislation to curtail the impact of the Fish and Wildlife Coordination Act in any way insofar as the protection it affords conservation and enhancement of fish and wildlife resources and Federal sharing, and to mitigation of damages as well, except by the two devises mentioned by the distinguished gentleman from Colorado [Mr. ASPINALL] and the distinguished gentleman from Texas [Mr. ROGERS]?

Mr. ROGERS of Texas. If the gentleman will yield further, the gentleman is exactly correct. I might add that insofar as I am personally concerned there is not only a lack of attempt, but there is a lack of intent and it was so discussed in the subcommittee.

Mr. DINGELL. I want to thank the gentleman and the committee for this explanation and I simply want to reiterate once more my great concern lest there be some abuse of the matter pointed out by the gentleman from Missouri, that is, dealing with the collection of entrance fees, and to be assured by my good friend from Texas that this is not intended to permit either conflict with the land and water conservation fund stamps that are to be sold by the Department of the Interior pursuant to the Land and Water Conservation Fund Act as passed by the last Congress and it is not going to jeopardize in any way the existence of the wholesome practices in these projects?

Mr. ROGERS of Texas. If the gentleman will yield further, the gentleman has my assurance, and I would like to add that I thank the gentleman for the contribution which has been made by the gentleman from Michigan and also by the gentleman from Missouri with reference to the conservation of the natural resources of this country and their support has certainly been most commendable.

Mr. DINGELL. I thank my good friend.

The CHAIRMAN. The question is on the committee substitute amendment.

The committee substitute amendment was agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having resumed the chair. Mr. YOUNG, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5269) to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and to provide the Secretary of the Interior with authority for recreation development of projects under his control, pursuant to House Resolution 380, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1229) to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes, a similar bill to the one the House just passed.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. ROGERS]?

There being no objection, the Clerk read the Senate bill, as follows:

S. 1229

An act to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the policy of the Congress and the intent of this Act that (a) full consideration shall be given to outdoor recreation opportunities and fish and wildlife enhancement where these can be provided or enhanced in the investigation, planning, construction, operation, and maintenance of Federal navigation, flood control, reclamation, hydroelectric and multiple-purpose water resource projects; (b) planning with respect to the development of the recreation potential of any such project shall be based on the coordination of the recreational use of the project area with the use of existing and planned Federal, State, or local public recreation developments; and (c) project construction agencies shall encourage non-Federal public bodies to administer project land and water areas for recreation and fish and wildlife enhancement purposes and operate, maintain, and replace facilities provided for those purposes unless such areas or facilities are authorized by law for inclusion within a national recreation area, or are appropriate for administration by a Federal agency as a part of the national forest system, as a part of the public lands classified for retention in Federal ownership, or in connection with an authorized Federal program for the conservation and development of fish and wildlife.

SEC. 2. (a) If, before authorization of a project, non-Federal public bodies indicate their intent in writing to agree to administer project land and water areas for recreation and fish and wildlife enhancement pursuant to a plan of development and to bear not less than one-half the separable costs of the project allocated to recreation and fish and wildlife enhancement and all the costs of operation, maintenance, and replacement of recreation and fish and wildlife enhancement lands and facilities: (1) the benefits of the project to recreation and fish and wildlife enhancement shall be taken into account in determining the economic benefits of the project; (2) costs shall be allocated to the purposes of recreation and fish and wildlife enhancement and to other purposes in a manner which will insure that all project purposes share equitably in the advantages of multiple-purpose construction: *Provided,* That the costs allocated to recreation or fish and wildlife enhancement shall not exceed the lesser of the benefits from those functions or the costs of providing recreation or fish and wildlife enhancement benefits of reasonably equivalent use and location by the least costly alternative means; and (3) not more than one-half the separable costs and all the joint costs of the project allocated to recreation and fish and wildlife enhancement shall be borne by the United States and be nonreimbursable. Projects authorized before January 1, 1966, may include recreation and fish and wildlife enhancement on the foregoing basis without the required indication of intent. Execution of an agreement as aforesaid shall be a prerequisite to commencement of construction of projects authorized pursuant to this section.

(b) The non-Federal share of the separable costs of the project allocated to recreation and fish and wildlife enhancement shall be borne by non-Federal interests, under either or both of the following methods as may be determined appropriate by the head of the Federal agency having jurisdiction over the project: (1) payment, or provision of lands, interests therein, or facilities for the project; or (2) repayment, with interest at a rate comparable to that for other interest-bearing functions of Federal water resource projects, within fifty years of first use of project recreation or fish and wildlife enhancement facilities: *Provided,* That the source of repayment may be limited to entrance and user fees or charges collected at the project by non-Federal interests if the fee schedule and the portion of fees dedicated to repayment are established on a basis calculated to achieve repayment as aforesaid and if the fee schedule and the portion of fees dedicated to repayment are made subject to review and renegotiation at intervals of not more than five years.

SEC. 3. (a) In the absence of an indication of intent as specified in subsection 2(a), facilities or project modifications shall not be provided expressly for recreation and fish and wildlife enhancement; minimum facilities for the public health and safety may be provided at access points provided by roads existing at the time of project construction and roads constructed for the administration and management of the project. For projects authorized pursuant to this section hereof, the recreation and fish and wildlife enhancement benefits shall be limited to the number of visitor days and the value per visitor day which would take place on the basis of the provision of minimum facilities for public health and safety, and excluding any additional land which may be acquired expressly to provide for subsequent recreation or fish and wildlife enhancement development as provided under subsection 3(b); for projects authorized pursuant to this subsection, all costs allocated to recreation and fish and wildlife enhancement shall be nonreimbursable.

(b) In the absence of an indication of intent as specified in subsection 2(a), lands may be provided in connection with project construction to preserve the recreation and fish and wildlife enhancement potential of the project.

(1) If non-Federal public bodies execute an agreement within ten years after initial operation of the project which agreement shall provide that the non-Federal public bodies will administer project land and water areas for recreation and fish and wildlife enhancement pursuant to a plan of development and will bear not less than one-half the cost of lands, facilities, and project modifications provided for those purposes and all costs of operation, maintenance, and replacement of recreation and fish and wildlife enhancement facilities, not more than one-half the costs of lands provided pursuant to this subsection, and facilities and project modifications provided pursuant to the plan of development may be borne by the United States and such costs shall be nonreimbursable. Such agreement and subsequent development shall not be the basis for any reallocation of joint costs of the project to recreation or fish and wildlife enhancement.

(2) If, within ten years after initial operation of the project, there is not an executed agreement as specified in paragraph 1 of this subsection, the head of the agency having jurisdiction over the project shall offer the land for sale to its immediate prior owner at its appraised fair market value as approved by the head of such agency at the time of offer. If firm agreements to dispose of the land are not executed within ninety days of the date of such offer by the head of the agency, then the head of the agency shall determine whether such lands can be put to other use for programs of the agency or whether such lands should be reported as excess to the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949, as amended. In no case shall the lands be used or made available for use for any purpose in conflict with the purposes for which the project was constructed.

SEC. 4. At projects, the construction of which has commenced or been completed as of the effective date of this Act, where non-Federal public bodies agree to administer project land and water areas for recreation and fish and wildlife enhancement purposes and to bear the costs of operation, maintenance, and replacement of existing facilities serving those purposes, such facilities and appropriate project lands may be transferred to the non-Federal public bodies at no cost.

SEC. 5. Nothing herein shall be construed as preventing or discouraging postauthorization development of any project for recreation and fish and wildlife enhancement by non-Federal public bodies pursuant to agreement with the head of the Federal agency having jurisdiction over the project. Such development shall not be the basis for any allocation or reallocation of project costs to recreation or fish and wildlife enhancement.

SEC. 6. (a) The views of the Secretary of the Interior developed in accordance with section 3 of the Act of May 28, 1963 (77 Stat. 49), with respect to the outdoor recreation aspects shall be set forth in any report on any project or appropriate unit thereof within the purview of this Act. Such views shall include a report on the extent to which the proposed recreation and fish and wildlife development conforms to and is in accord with the State comprehensive plan developed pursuant to subsection 5(d) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897).

(b) The first proviso of subsection 2(d) of the Act of August 12, 1958 (72 Stat. 563; 16 U.S.C. 662(d)) is amended to read as follows: "*Provided,* That such cost attributable to the development and improvement of wildlife shall not extend beyond that necessary for (1) land acquisition, (2) facilities as specifically recommended in water resource project reports, (3) modification of the project, and (4) modification of project operations, but shall not include the operation of wildlife facilities." The second proviso of subsection 2(d) of said Act is hereby repealed.

(c) This Act shall not apply to the Tennessee Valley Authority, nor to projects constructed under authority of the Small Reclamation Projects Act, as amended, or under authority of the Watershed Protection and Flood Prevention Act, as amended.

(d) Sections 2, 3, 4, and 5 of this Act shall not apply to nonreservoir local flood control projects, beach erosion control projects, small boat harbor projects, hurricane protection projects, or to project areas or facilities authorized by law for inclusion within a national recreation area or appropriate for administration by a Federal agency as a part of the national forest system, as a part of the public lands classified for retention in Federal ownership, or in connection with an authorized Federal program for the conservation and development of fish and wildlife.

(e) As used in this Act, the term "nonreimbursable" shall not be construed to prohibit the imposition of entrance, admission, and other recreation user fees or charges.

(f) Subsection 6(a)(2) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) shall not apply to costs allocated to recreation and fish and wildlife enhancement which are borne by the United States as a nonreimbursable project cost pursuant to subsection 2(a) or subsection 3(b)(1) of this Act.

(g) All payments and repayment by non-Federal public bodies under the provisions of this Act, and revenue from the conveyance by deed, lease, or otherwise, of lands under subsection 3(b)(2) of this Act, shall be deposited in the Treasury as miscellaneous receipts.

SEC. 7. The Secretary of the Interior is authorized as a part of any water resource development project under his control heretofore authorized, except projects or areas within national wildlife refuges, to construct, operate, and maintain or otherwise provide for basic public outdoor recreation facilities, such as boat ramps, picnic tables, beach areas, sanitation facilities, and parking areas of a total cost not to exceed $50,000 for each water resource project.

SEC. 8. (a) The Secretary of the Interior is authorized to enter into agreements with Federal agencies or State or local public bodies for the administration of project land and water areas and the operations, maintenance, and replacement of facilities and to transfer project lands or facilities to Federal agencies or State or local public bodies by lease, conveyance, or exchange, upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation purposes.

(b) No lands under the jurisdiction of any other Federal agency may be included for or devoted to recreation purposes under the authority of this Act without the consent of the head of such agency; and the head of any such agency is authorized to transfer any such lands to the jurisdiction of the Secretary of the Interior for purposes of this Act. The Secretary of the Interior is authorized to transfer jurisdiction over project lands within or adjacent to the exterior boundaries of national forests and facilities thereon to the Secretary of Agriculture for recreation and other national forest system purposes; and such transfer shall be made in each case in which the project reservoir area is located wholly within the exterior boundaries of a national forest unless the Secretaries of Agriculture and Interior jointly determine otherwise. Where any project lands are transferred hereunder to the jurisdiction of the Secretary of Agriculture, the lands involved shall become national forest lands: *Provided,* That the lands and waters within the flow lines of any reservoir or otherwise needed or used for the operation of the project for other purposes shall continue to be administered by the Secretary of the Interior to the extent he determines to be necessary for such operation. Nothing herein shall limit the authority of the Secretary of the Interior granted by existing provisions of law relating to recreation development of water resource projects or to disposition of public lands for recreational purposes.

SEC. 9. Effective on and after January 1, 1966, neither the Secretary of the Interior nor any bureau nor any person acting under his authority shall engage in the preparation of any feasibility report with respect to any water resource project unless the preparation of such feasibility report has been specifically authorized by law or specifically directed by either the Senate Committee on Interior and Insular Affairs, or the House Committee on Interior and Insular Affairs by a resolution adopted by such committee, any other provision of law notwithstanding.

SEC. 10. As used in this Act—

(a) The term "project" shall mean a project or any appropriate unit thereof.

(b) The term "cost" shall mean the value of goods and services (land, labor, and supplies) used for the establishment, maintenance, and operation of the project.

(c) The term "separable costs" shall mean the cost for each project purpose which is the difference between the cost of the multiple-purpose project and the cost of the project with the purpose omitted.

(d) The term "joint costs" shall mean the difference between the cost of the multiple-purpose project as a whole and the total of the separable costs for all project purposes.

(e) The term "feasibility report" shall mean any report of the scope required by the Congress when formally considering authorization of the project of which the report treats.

SEC. 11. This Act may be cited as the "Federal Water Project Recreation Act".

AMENDMENT OFFERED BY MR. ROGERS OF TEXAS

Mr. ROGERS of Texas. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Texas: "Strike out all after the enacting clause and insert the provisions of H.R. 5269 as passed by the House."

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 5269) was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks in the RECORD on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

INCIDENT AT BIEN HOA, VIETNAM

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, there have appear in the press some rather detailed accounts of the unfortunate incident at Bien Hoa airfield in Vietnam. This catastrophe resulted in the loss of life of some of our finest air crews and maintenance personnel.

As soon as he heard of this tragic event, General McConnell, the able Chief of Staff of the Air Force, immediately dispatched to Vietnam a team of his most experienced and competent personel under the Inspector General, Lt. Gen. William K. Martin, to inquire into this incident.

The Committee on Armed Services was notified and has been briefed on this affair.

Obviously, there will be a great amount of speculation and postulating about our activities at this base in an effort to explain, or condemn, the cause of the explosions.

I remind all who are aroused, as I am, and as we all should be, by this incident, to remember our overall aims and objectives in Vietnam.

The Air Force is keeping us advised—it is making a thorough investigation of the affair—we still are fighting the Vietcong—we still have security problems—we still have to win a war.

Therefore, I urge everyone to refrain from any unnecessary discussion of the details of this incident, which could reveal classified information and jeopardize our military efforts.

To those who gave their lives so unexpectedly, yet so gallantly, we owe a reflective pause.

When the facts are known they will be disclosed to the extent that security will permit.

I can assure you of this, and I hope and pray that you will help. We need help.

Thank you very much.

DOMINICAN REPUBLIC

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, I was heartened by the report in this morning's newspaper that the White House mission to the Dominican Republic, headed by McGeorge Bundy, was attempting to obtain the resignation of the Imbert junta and restoration of a constitutional government under the direction of persons associated with the party and program which received the overwhelming support of the Dominican people in the only free election held in that unhappy nation in over 30 years.

It is my fervent hope that we will persevere in these efforts in spite of the predictable reaction of the junta leadership which evidently equates popular government and opposition to military dictatorship with communism.

While it is proper and essential that the United States be determined to prevent the establishment of Communist-oriented governments in the Americas, it is equally important that we demonstrate a solid commitment to the creation and support of democratic and constitutional governments.

If we fail to demonstrate convincingly our hemisphere commitment to popular government, we will have let down the people of the Dominican Republic and our friends throughout Latin America and will have severely damaged our relations with other nations in the Western Hemisphere.

The twin objectives of opposition to Communist imperialism and support for democratic government are not mutually irreconcilable.

In the Dominican Republic, assuming the accuracy of our assessment of an attempted Communist takeover of the revolution, it must nevertheless be conceded that the forces of rebellion include a sizable cross section of Dominicans committed to constitutional government which is overwhelmingly non-Communist in its orientation. It is our responsibility to work with the democratic elements of the revolution and to insist upon the creation of a constitutional regime committed to the social and economic principles endorsed by the Dominican people in the 1962 elections.

Mr. Speaker, Walter Lippmann's column in this morning Washington Post, entitled "The Cornerstone of a Policy," succinctly expresses the problems we face in the Dominican Republic and the principles to which we must adhere. Under permission granted, I include the text of Mr. Lippmann's column at this point in the RECORD:

THE CORNERSTONE OF A POLICY

(By Walter Lippmann)

There is, we can be sure, no quick way out of the Dominican affair. There is no solution available which will not, even with the best of luck, take a long time. There is no prospect of our being able to withdraw soon leaving behind some sort of reasonably democratic and stable government.

The reason why the future is so difficult is that during the 30 years in which Trujillo ruled the Dominican Republic, he exterminated or drove into exile or into hiding all the educated, competent public men who did not take part in his cruel and corrupt tyranny. The men who should have taken over power after Trujillo are a lost generation. Dr. Bosch spent the Trujillo years in exile, and therefore he had no practical experience in Dominican politics before becoming President.

It is this lack of able and honest and progressive leaders which is the fundamental difficulty in extricating ourselves from the embarrassing and ominous situation in which we find ourselves. There is the reactionary military junta, which represents a revival of the Trujillist oligarchy, and there are the constitutionalists, who represent the bitter discontent of the Dominican masses. They are without practical experience in government, and they are vulnerable therefore to infiltration from agents of or sympathizers with Castro. Between these two groups there is nothing, no middle group of eminent and respectable men who could provide a caretaker government.

The predicament of the United States arises from the fact that it may take the OAS and the U.N. years to overcome the political vacuum, to find, to promote, to defend and to finance a government which can be independent because it rests on popular consent. In the past one alternative would have been an indefinitely prolonged U.S. occupation of the Dominican Republic, ruled by a high commissioner who is not a Dominican. It is too late in the day for that. This sort of solution is not acceptable in the modern world. Another alternative, which has been favored by the State Department, is a coalition government. Caamano would represent the constitutionalists and Imbert the military junta. Almost certainly, this is not really a valid option. It proposes to ignore the depth and the width of the conflict between those who are fighting to perpetuate the inheritance of Trujillo and those for whom life is intolerable without far-reaching progressive reforms.

The first requirement of U.S. policy is that the President make himself free and uncommitted, and specifically that our troops cease to favor the military junta in the civil war.

It is as certain as anything can be in a situation of this kind that a workable policy must invoke the principle of legitimacy and must be directed to progressive reform. Legitimacy is important because only a government which derives from the only genuine election the Dominicans have ever known can hope to command the confidence and respect of the Dominican masses.

It is no doubt true that Dr. Bosch was a weak President. But he is the only Dominican who has ever been genuinely elected, and therefore the political succession from him to Caamano should be respected and observed. The government which the OAS backs, and we along with it, should have as its cornerstone the Constitutionalist Party.

It would be strange indeed if there were no Communists in the Constitutionalist Party. But there is no evidence whatever that they are in control of the party and, considering the certainty that troops will remain in the Dominican Republic for a considerable time to come, there should be no serious danger that the Communists, admittedly a small number, could take over as they did in Cuba. In view of the power deployed in and around the island, the threat of a Soviet intervention to support a Communist coup seems to be small. It is so small that it is a risk we can well afford to take.

There are two great advantages to be had from treating the Constitutionalist Party as the cornerstone of a new government. The first is that with good advice from its Latin American neighbors, and with plentiful economic assistance from us, such a government would be the one most likely to succeed.

The second advantage is that this decision on our part is the only one that can prove our good faith, which is profoundly suspected throughout the hemisphere. For the decision to make the Constitutionalists the cornerstone will be the certain proof that President Johnson did not intervene in order to support a military dictatorship working for reactionary interests, and that he is in fact genuinely committed to popular progressive reform.

There is no real alternative to this line of policy. For no government can be built around the military junta which has any hope of winning the support of the Dominican people or of obtaining approval from our Latin American neighbors.

RESOLUTION FOR UPDATING IMMIGRATION LAWS

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, on May 12, 1965, the City Council of the City of Chicago and its distinguished mayor, Hon. Richard J. Daley, adopted a resolution urging the enactment of pending legislation for liberalizing our immigration laws. This resolution represents the overwhelming attitude of almost 4 million people who reside in the city of Chicago. The resolution follows:

RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF CHICAGO URGING ENACTMENT OF PENDING LEGISLATION FOR UPDATING IMMIGRATION LAWS

Whereas four previous administrations of the United States of America and four Presidents of the United States, including former Presidents Harry S. Truman and Dwight D. Eisenhower, the late John F. Kennedy and the incumbent, Lyndon B. Johnson, have each declared that the present quota system for immigration into the United States of America was false and unworthy in 1924 and is even worse, now, and completely contrary to the ideals and philosophy of America and that which made America great: Now, therefore, be it

Resolved, That the members of the City Council of the City of Chicago, in session assembled, hereby memorialize the House of Representatives and the Senate of the United States of America to support and pass pending immigration legislation in said Congress, known as Senate bill 500 and House of Representatives bill 2580; and that it is the sense of this city council that our current immigration laws should be enlarged, amended, and brought into conformity with our basic desires of continuing to make America available to deserving immigration on a fair and equitable basis.

APPROPRIATIONS FOR THE VETERANS' ADMINISTRATION AND PROPOSED VA HOSPITAL CLOSINGS

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, as we consider the budgetary recommendations of the independent offices I want to particularly discuss the appropriations as they relate to the Veterans' Administration.

It was my privilege to chair the hearings on this agency and I, therefore, feel that I can speak with some familiarity of the inner workings and the programs of the agency.

I know there is much concern about the proposed Veterans' Administration hospital closings. Our committee has given full and thorough consideration to the matter. The hearings will document each individual project in which Members are interested.

I personally questioned the Veterans' Administration Administrator, Mr. William J. Driver, and the Chief Medical Director, Dr. J. H. McNinch, regarding every one of the hospitals concerned in the proposed closing—as to location, conditions, number of patients at each hospital, and the reason for the proposed closing.

All of this is documented in the hearings.

As you know, the President has appointed a blue-ribbon Committee headed by James G. Gleason, former Administrator of the Veterans' Administration, to study and consider this matter. This committee is currently engaged in this study.

Also, the House Committee on Veterans' Affairs headed by our distinguished colleague, the gentleman from Texas, Chairman OLIN TEAGUE, is looking into the closings. When these reports are in, we will be in a better position to make a judgment in this matter.

We have the greatest veterans program of any nation in the world. Our committee recommended a total of $5,663,192,000 for all the programs of the Veterans' Administration for fiscal 1966. This is an increase of $22,445,000 over the budget for fiscal 1965.

The bill includes an appropriation of $1,177,417,000 for medical care. We did not cut the medical care program by one dime. In fact, we increased the Veterans' Administration medical program by $22,445,000 over 1965.

For compensations and pensions we recommended an appropriation of $4,142 million.

Other items included in the bill are $36 million for readjustment benefits, $9.9 million for the veterans insurance program and $2,500,000 to start a new program of grants for State nursing homes.

As the report indicates, this bill carries an appropriation of $87,585,000 for construction of new veterans hospitals. This is the sixth increment in a 15-year program of Veterans' Administration hospital modernization and replacement to cost an estimated $1,300 million.

To emphasize the scope of our veterans benefits program let me cite the fact that at the end of fiscal year 1964 there were 81 million veterans and members of their families. This amounts to 43 percent of the total population of the Nation.

The Veterans' Administration has a total of 168 hospitals in its system—including 41 neuropsychiatric hospitals and 16 domiciliaries. It has another 2,643 beds it has obtained on contract.

The maximum Veterans' Administration authorization for beds is 125,000. Last year the Veterans' Administration treated 746,000 patients, according to the testimony of Dr. McNich, the Veterans Administration Medical Director.

Veterans' Administration officials testified that next fiscal year—1966—a total of 15,000 more veterans will be provided with hospital services than in the previous year, making a total of 761,000 patients expected to receive treatment in fiscal 1966.

The Veterans' Administration contends it will be able to accommodate this increased patient load because of a more efficient handling of patients. Their reasoning is this:

Congress has authorized 4,000 nursing home beds. They will be filled immediately by 4,000 long-term patients who are occupying medical beds today. They estimate that this would mean, because of short-term patient turnover, that they would treat, on the average, 48,000 more patients in the year the nursing home beds are in full operation.

In addition, Mr. Driver pointed out, another 2,700 beds would be made available for acute care by the support by VA beginning in 1966, of 2,700 beds in private or public nursing home facilities. Mr. Driver said the treatment of the 2,000 patients in the hospitals proposed to be closed "poses no problem within the VA system."

Again, I want to emphasize that we have the greatest and most comprehensive veterans program of any nation in the world. We propose to spend more than $4 billion on pensions, more than $1,100 million on the medical care program, $36 million for readjustment benefits, almost $10 million for the veterans insurance program, as well as more than $87,500,000 for construction of new veterans hospitals, in fiscal 1966.

In the State of New York, where the Veterans' Administration proposes to close three hospitals and a domiciliary, there will remain, if the closures are finally effected, 8 veterans hospitals plus 2 others under construction—a total of 10.

We are recommending $5,600 million for veterans benefits and if there is a need for additional funds, a supplemental appropriation can be authorized.

UNECONOMIC TO OPERATE

The basic reason given by the Veterans' Administration for the closure of these hospitals is that they are uneconomic to operate. The contention is that they cost far more to operate than the average VA hospital.

The VA also argues that many of the buildings involved in the complexes scheduled for closing are old and the cost of maintenance prohibitive.

Other hospitals, even though comparatively new, are not located properly, in the view of the VA officials.

For example, the Administrator said the hospital at Grand Junction, Colo., should never have been built. It is 15 years old and cost $5 million.

In our discussion of this most unusual change of course this exchange occurred:

Mr. EVINS. This is a mighty quick reversal of VA opinion. Five years ago you wanted to spend $5 million to build it, and now you say it is inefficient.

Mr. DRIVER. Yes, sir. It has an occupancy rate of 75 percent. The per diem cost is $34.07 against the national average of $29.43. There was never any justification for this hospital.

POLICY REVERSED

I made the point during committee hearings that a few years ago the effort was to place hospitals in areas removed from urban density. Now the policy has been reversed.

I think we must consider the possibility that policy may change again. This could be an expensive merry-go-round for the American taxpayer.

I listened carefully to all the testimony in justification of the closure of 15 hospitals and domiciliaries and a good case was made—on paper.

But I am not happy about it.

I am not satisfied with this slide rule approach to matters involving medical care.

There are human factors that transcend dollars and cents. Colorado, for example, closure of the Grand Junction hospital would mean 7- or 8-hour drives over two high mountain passes of 12,000 feet to get to another hospital in Denver. This detracts from service it seems to me.

HUMAN FACTOR

The human factor goes deeper. There was testimony in a report given by George Osborne, American Legion department adjutant of Georgia, of the effect the announcement of the closure had on patients.

A 74-year-old veteran of World War I—afflicted with heart disease and paralysis—cried when told that his home of 15 years was to be closed. He was in a domiciliary the VA intends to shut down.

Another patient said it would be like "leaving my family to leave here."

These are factors we must consider.

These are important considerations in the care of patients. Morale, especially among the older veterans, is of acute importance in domiciliaries.

I have reservations about these proposed closures.

I repeat: I am withholding judgment until we hear reports from the Committee appointed by the President to examine the proposed closings and from studies underway by legislative committees of the House and Senate.

Pending those reports, there are no specific line items contained in the budget for these hospitals recommended for closing.

And so, although this—the independent offices appropriations bill of 1966—is basically sound, there may be cause for reconsideration in some instances.

This is no reflection upon the distinguished chairman, the gentleman from Texas [Mr. THOMAS]. It is simply a commentary upon the problems posed by change.

We must not skimp on necessary services—but we must not permit unnecessary governmental adventures.

I think—with a very few exceptions—that this legislation achieves its purposes of an equitable and progressive appropriation for the agencies concerned for fiscal year 1966.

OTHER TESTIMONY

Here are other additional excerpts from subcommittee testimony that shed light on the points at issue in the proposed hospital closures:

Mr. EVINS. I think it is well, in view of all the interest to have a discussion of each one of the hospitals proposed to be closed. To make the record absolutely clear we shall insert the narrative and listing of these facilities.

(The record then lists this explanation by the Veterans' Administration of the proposed closure.)

Greater economy and efficiency of operation through closure in the latter part of fiscal year 1965 of the 11 hospitals and 4 domiciliary installations listed below. Patients and members of these locations can continue to receive proper care and treatment in other VA or non-VA facilities. Shifts in the veteran population, existing inadequacies of construction and medical facilities, and future construction plans all are among the factors that substantiate the need for these closures.

Hospitals: Bath, N.Y.; Brecksville, Ohio (Broadview Heights); Castle Point, N.Y.; Dwight, Ill.; Fort Bayard, N. Mex.; Grand Junction, Colo.; Lincoln, Nebr.; McKinney, Tex.; Miles City, Mont.; Rutland Heights, Mass.; Sunmount, N.Y.

Domiciliaries: Bath, N.Y.; Clinton, Iowa; Thomasville, Ga.; and White City, Oreg.

VA HOSPITAL, BRECKSVILLE, OHIO

Mr. EVINS. Let us take Brecksville, Ohio. Why are you proposing to close the hospital at Brecksville, Ohio? We thought we had built a new one out there.

Dr. MCNINCH. Brecksville is a small separate structure, separated from the main hospital by a distance of some 4 miles, and it has not been operating as a G.M. & S. hospital.

Mr. EVINS. It is a NP hospital?

Dr. MCNINCH. It has been taking care of psychiatric patients with tuberculosis. As time has passed and the control and treatment of tuberculosis improved, we are treating tuberculosis patients in other hospitals. We did not feel we needed this separate plant which is expensive to operate.

Mr. THOMAS. We have been there half a dozen times. I think your judgment is eminently correct. How far is that big new one from there? It can't be more than 5 or 6 miles.

Mr. DRIVER. The new one, Mr. Chairman, is located at the Western Reserve Medical School.

Mr. EVINS. How old is the Brecksville facility? Is it a permanent-type structure?

Mr. ASHBRIDGE. Yes, sir. The main hospital was built in 1939.

Mr. EVINS. What did it cost?

Mr. ASHBRIDGE. That I do not have. I can furnish it for the record.

Mr. EVINS. Approximately. Have you a horseback opinion?

(The information supplied follows:)

"Veterans Administration records indicate that the Brecksville (Broadview Heights) Hospital cost a little over $3.2 million."

Mr. EVINS. What is its state or condition? Is it in a good state of repair? Is it of permanent type? It is not barracks type, is it?

Mr. ASHBRIDGE. No, sir.

Dr. McNINCH. It is permanent type.

Mr. EVINS. You have a maintenance cost here, then.

Mr. DRIVER. The maintenance costs per 100 patients over the last 2 years have been 2½ times the national average.

Mr. EVINS. The maintenance of the building or the maintenance of the patients?

Mr. DRIVER. The maintenance of the building. The patients' per diem cost for 1964 was $37.29 a day as against a national average of $29.43, a difference of almost $8.

Mr. EVINS. What is to prevent utilization of the hospital?

Mr. DRIVER. We had about 67 percent of the beds occupied during fiscal year 1964.

Mr. EVINS. How many beds, and how many patients are in it at the present time?

Mr. ASHBRIDGE. It is a 278-bed hospital.

Mr. EVINS. How many patients?

Mr. DRIVER. About 78 to 80.

Mr. EVINS. Can you take care of almost all of those at the new Brecksville, Ohio, hospital?

Mr. DRIVER. Either there or some other hospital that would be either closer to the patient's home or more suitable for his condition. We would do our best to accommodate them wherever it would be best from their standpoint.

Mr. EVINS. There would not be any travel question involved here to any appreciable extent, because you have this new hospital. How many beds are in this new facility?

Mr. DRIVER. The new hospital has 985 beds, of which 40 are for psychiatric patients, 480 are general medical, and 280 are general surgical. Of course, as you know, we also opened in 1961 the psychiatric hospital in Brecksville, a suburb of Cleveland, with an operating capacity of 1,000 beds.

VA CENTER, BATH, N.Y.

Mr. EVINS. Let us take the hospital at Bath, N.Y. How old is this hospital? What is its condition? What is your reason for closing it? How do you propose to take care of the veterans presently at this facility?

Mr. ASHBRIDGE. This center consists of 50-odd brick buildings, many of which are 85 years old. A large percentage of the buildings were built in the 1870's and 1880's. The hospital building is more recent. It is a brick and steel building, with a wood roof, which was built in 1938.

Mr. DRIVER. About 50 percent of the hospital load at Bath comes from the domiciliary located with it. They have had no waiting list for years.

Mr. EVINS. There is no waiting list there, and it is only 50 percent occupied?

Mr. DRIVER. Fifty percent of the occupancy comes from the domiciliary members. The other 50 percent would come from people outside of the domiciliary. We feel that with the hospitals around it at Batavia, Buffalo, and Canandaigua, N.Y., and Erie, Pa., there is no problem handling the patients in this service area.

The main problem at Bath is the domiciliary. The patient-care buildings range in age from a low of 78 to a high of 88 years. Renovating or replacing these would present a massive charge, and we don't think it would be a wise use of Government funds to undertake such a program. Maintenance and repair costs per 100 patients were between $65,000 and $105,000 for the last 2 fiscal years, compared to a national average of about half that. We just don't feel that this facility, located as it is——

Mr. EVINS. There is no new facility being built immediately in the area, as I understand. You are just proposing to transfer the patients to other hospitals in the general area.

Mr. DRIVER. And the domiciliary members to other domiciliaries, yes, sir; and close this one.

Mr. EVINS. This is one that is high on your list of need for closing.

Mr. DRIVER. Yes; it is.

Mr. EVINS. It is uneconomic, in your opinion.

Mr. DRIVER. And unnecessary.

Mr. EVINS. What is the extent of its occupancy?

Mr. DRIVER. Eighty-two percent in the hospital.

Mr. EVINS. You have no waiting list?

Mr. DRIVER. No, sir; and we have not had one.

Mr. EVINS. You plan to accommodate or take care of the veterans without any inconvenience?

Mr. DRIVER. That is right, sir.

Mr. EVINS. I believe your testimony yesterday was that you expect to accommodate in hospitals 15,000 more veterans in the next year than you have in the current year.

Mr. DRIVER. In the current year; that is right.

VA HOSPITAL, CASTLE POINT, N.Y.

Mr. EVINS. Let us take Castle Point, N.Y. There are three in New York.

Mr. DRIVER. We have just covered the Bath, N.Y., hospital.

Mr. EVINS. The other two are Castle Point and Sunmount.

Mr. DRIVER. Castle Point is a typical case of a former tuberculosis hospital which because, happily, of the improvement in the method of treating patients, is no longer needed as a TB hospital. We have tried to use it as a general medical and surgical hospital. The facility is 41 years old. There are three buildings for patient care, which makes it most inconvenient in terms of treatment at the hospital. Of the 19 specialties required in what we would consider a good general medical and surgical hospital, it operates about 9. The cost factors in terms of patient costs are unfavorably high. Maintenance and repair costs have been about 60 percent greater than the national average. In terms of operating beds per 1,000 veterans in the Castle Point service area, the figure is 5 as against a national average of 2.9, and 2.5 for the city of New York.

Mr. EVINS. Now explain the service area for the record.

Mr. DRIVER. Therefore, we feel that we can easily transfer the service area of Castle Point to the other beds in the State of New York and get away from the overhead costs.

Mr. EVINS. How old is this hospital?

Mr. DRIVER. Forty-one years old.

Mr. EVINS. What is its state of repair?

Mr. DRIVER. It is in good repair. We have been spending a great deal of money to keep it in good repair.

Mr. EVINS. What is the extent of the bed occupancy?

Mr. DRIVER. The 256 operating beds that we have there are 89.8 percent occupied.

Mr. EVINS. Have you a waiting list?

Mr. DRIVER. However, one building is not even used for patients. We just don't use it for patient care at all. The capacity of the plant would be much higher if we were running at full capacity.

Mr. EVINS. Do you have a waiting list?

Mr. DRIVER. No, sir.

Mr. EVINS. I understand Sunmount is one of your better hospitals.

Mr. JONAS. Would you yield at this point so I may ask a question?

Mr. EVINS. Yes. We are discussing Castle Point.

DISPOSITION OF FACILITIES TO BE CLOSED

Mr. JONAS. Have you asked in the other cases—if you have not, I think we ought to ask—with respect to each hospital or installation what they propose to do with it?

Mr. DRIVER. What we propose to do with it?

Mr. JONAS. Line item by line item. Mr. Evins, do you think that would be helpful?

Mr. EVINS. I think it would be. Let us determine what they plan to do with them after they are vacated. Go ahead, Mr. Administrator, and answer Mr. Jonas' question for the record.

Mr. DRIVER. We have been working with all other Federal agencies and with the State and community authorities in an effort to locate an alternate use that would be most suitable for each facility. We have someone interested in every single one of these that we are talking about. If the facility can be used for education or medical purposes, we can pretty much guarantee its transfer in an almost status quo condition to the State or the community or anyone else.

Mr. JONAS. I have heard it alleged that one of the reasons for closing some of these installations is that they are firetraps.

Mr. DRIVER. Several of these are not fire resistant, and when we came down to examining them for the possibility of putting nursing home care beds in them, we quickly realized that they could not measure up to the standards in terms of being fireproof and that the cost of converting them to fireproof condition in terms of floors, ceilings, interior, and so on, would be prohibitive.

Mr. JONAS. Do you propose to tear any of them down?

Mr. DRIVER. No, sir, we wouldn't propose that.

(Off the record.)

BRECKSVILLE (BROADVIEW HEIGHTS), OHIO

Mr. MINSHALL. Will you describe to the committee what your plans are for the Broadview Heights Hospital?

(Discussion held off the record.)

Mr. MINSHALL. When are you going to release the hospital at Broadview Heights to GSA?

Mr. DRIVER. We have informally made it available to them so they can begin their canvassing of anyone who is interested.

Mr. MINSHALL. Would this be suitable for a State mental retardation hospital?

Mr. DRIVER. Yes, it certainly would be.

Mr. MINSHALL. Is it fireproof and has it qualities that would make it suitable for that use?

Mr. DRIVER. Yes, sir, it has. We think this would be an ideal use for it. We have had some inquiries both in that regard and also in terms——

Mr. MINSHALL. I understand the State of Ohio has made a formal bid, or at least a bid, for this hospital.

Mr. DRIVER. That is right, sir. We have communicated this interest to the General Services Administration for their evaluation.

Mr. MINSHALL. Thank you very much.

VA HOSPITAL, SUNMOUNT, N.Y.

Mr. EVINS. Mr. Administrator, I understand the Sunmount, N.Y., hospital is one of the better hospitals which you are closing.

Mr. DRIVER. Sunmount is another former TB hospital. Its maximum usefulness was in the pre-World War II period before we made the advances in TB chemotherapy, the same situation as at Castle Point. We redesignated it as a general medical and surgical hospital in 1960 and have tried to operate it that way ever since. It is located in a remote area in northern New York State. There is a low demand for beds from the area served. In fact, half of the patients who are hospitalized in VA hospitals from the service area that the Sunmount Hospital is supposed to cover are cared for in either Syracuse or Albany because the Sunmount facility does not have the ability to render the kind of care they need. There has been no waiting list for 4 years.

Mr. Evins. It is a G.M. & S. hospital. It is not a tuberculosis hospital any more.

Mr. Driver. No, sir. The average daily patient load has dropped steadily from about 500 in 1950 to under 350 at the present time.

Mr. Evins. There is no waiting list?

Mr. Driver. There is no waiting list and there has not been for 4 years.

Mr. Evins. What is the percentage of occupancy?

Mr. Driver. Eighty percent. The hospital was built between 1922 and 1924. The patient care buildings are over 40 years old. It has been maintained in good condition.

Mr. Evins. Is it a complex of buildings?

Mr. Driver. Yes, it is, sir. For that reason, architecturally it is not economical to continue to use it for general medical care. The maintenance and repair costs at Sunmount——

Mr. Evins. Is it your long-range plan to eliminate all hospitals in all small towns and all remote areas and concentrate them all in the big cities?

Mr. Driver. No, sir, it certainly is not. We have 168 hospitals. We are talking about 11 here. We are affiliated with 89 medical schools. There are only a few more of them left in the country, even if we proposed to locate all of them in what you might refer to as medical centers. For that reason and because of the fact that we feel it necessary to operate 125,000 beds, it would be impossible to locate all of these hospitals at medical centers.

VA HOSPITALS LOCATED IN NEW YORK

Mr. Evins. You have discussed Bath, Castle Point, and Sunmount. How many other veterans hospitals have you in the State of New York?

Mr. Driver. In the State of New York, we have a hospital at Albany which was constructed in 1951, 1,000 beds, at a cost of $19 million. We have a hospital in Brooklyn constructed in 1950 at a cost of $18.3 million. We have one at Buffalo, N.Y., constructed in 1949, 1,000 beds, at a cost of $18 million; Montrose, N.Y., 1950, 1,900 beds, $25.5 million; Manhattan, constructed and opened in 1954, 1,218 beds, at a cost of $21 million; Syracuse, N.Y., constructed in 1950, opened in 1953, with a capacity of 500 beds, at a cost of $10 million. On Long Island we have been authorized to construct a new hospital, 1,000 beds, at an estimated cost of $26 million, and we are just waiting to learn the location of the proposed new State medical school.

Mr. Evins. In other words, you have six other major hospitals in New York and one planned for construction.

Mr. Driver. We have another one in the Bronx, opened in 1922, 1,331 total beds. We have one in Canadaigua, N.Y., with a capacity of 1,700 beds, for mental patients; another in Northport, N.Y., and another in Batavia, N.Y.

Mr. Evins. You have 8, and 2 planned for construction—10 hospitals in the State of New York.

Mr. Driver. Without considering the hospitals that are to be closed, since 1950 we have spent a total of $116,514,000 constructing new hospital facilities. We have $10,800,000 underway; and we have projected in terms of these other costs, including their maintenance, another $45 million worth of construction in New York State, for a total of $172,717,000 since 1950.

Mr. Evins. We know your long-range plans for other construction. It is a question of whether it is uneconomic to build other facilities when you have existing facilities which you propose to abandon.

Mr. Driver. The facilities we propose to abandon, Mr. Evins, are of a type architecturally, with many buildings, or are of an age as to be uneconomical to operate for general medical and surgical use.

VA HOSPITAL, DWIGHT, ILL.

Mr. Evins. Mr. Administrator, we will ask you to tell us about the hospital at Dwight, Ill. Let us take them in order down the list. What is the extent of the utilization of the hospital? How old is it? What is the type of construction?

Mr. Driver. The patient-care buildings are over 67 years old. The maintenance and repair costs are 38 percent above the national average. The average daily patient load at Dwight was running about 182 in 1964. Of the 19 medical specialties required for a full range of professional care in a G.M. & S. hospital, Dwight has 3.

Mr. Evins. Is it one building or a complex of buildings?

Mr. Driver. This is one building.

Mr. Evins. Is it a G.M. & S.?

Mr. Driver. Yes, it is a G.M. & S. hospital except that, as I indicated, it has a limited range of facilities available.

Mr. Evins. What is the extent of your waiting list there?

Mr. Driver. None. We have no waiting list. We have within 60 miles, in Chicago, as you know, three general medical and surgical hospitals with very low waiting lists. So there is no problem of these patients being cared for there. In Illinois, as in New York, we have been busy building hospitals.

Mr. Evins. Do you propose to transfer all of these Dwight, Ill., patients to Chicago or to other hospitals within the State?

Mr. Driver. Mostly to Chicago. Here again we will consider the convenience of the patients and try to accommodate their preference. Most of them will go to Chicago.

Mr. Jonas. You have referred in each case to the high maintenance costs in comparison with the national average. I think you would have to say the same thing with respect to every other hospital that you are not going to close, except those that have been built within the last few years. Isn't that true?

Mr. Driver. By comparison; yes, sir.

Mr. Jonas. When you compare maintenance costs in a hospital 20 years old with one built last year, naturally they would be higher.

Mr. Driver. That is right, sir. We have looked at the availability of beds in the country. We have looked at the waiting lists in the country. We have looked at the shifts in the veteran population which we got as a result of the 1960 census. Then we decided that, since we have been building many new hospitals, we should consider eliminating some from areas where we have a low demand. When we look at an area we pick out the one most likely. What you say is certainly true, but we would consider that a factor in picking them.

Mr. Jonas. I think the criteria you have listed are more pertinent than the comparison of maintenance costs with a brandnew hospital.

Mr. Driver. There is no question about that, sir.

NEED FOR A VA HOSPITAL IN PHOENIX., ARIZ.

Mr. Rhodes. Will you tell me, Mr. Driver, at what point in time your studies indicate you will need a new hospital in Phoenix, Ariz.?

Mr. Driver. I can't tell you offhand. I know Arizona, California, and Florida are the three States that have had a substantial increase in veteran population as well as other population in the last 10 years, and this continues to be projected.

Mr. Rhodes. I wish you would furnish that for the record, if you could.

Mr. Driver. I shall do that.

Mr. Rhodes. The veterans' organizations in Arizona are becoming worried about the situation in the future. I certainly hope that you will make a study of Arizona veterans' needs as soon as possible.

Mr. Driver. Yes, sir.

(The information supplied follows:)

"NEED FOR HOSPITAL BEDS IN PHOENIX, ARIZ.

"VA is acutely aware of the influx of veterans into Arizona and the shortage of beds in Phoenix.

"In December 1964, we completed our study covering projected veteran population on the basis of interstate migration. Our projections indicate that the number of medical and surgical beds we now have in Arizona is in line with a nationwide equitable distribution. The problem in Arizona is one of intrastate distribution and the feasibility of relocating medical and surgical beds in the Phoenix area where they are most needed. Also, there is a recognized need for psychiatric beds in Arizona.

"We still have under study the problem of how to best meet the needs of Arizona veterans and are not yet in a position to make a firm recommendation regarding construction and location of beds in the State."

VA HOSPITAL, DWIGHT, ILL.

Mr. Driver. In the case of Dwight, Ill., Mr. Evins, we have come closest to a turnover to the State of any of these hospitals. The State has asked for this for a hospital for retarded children, and we have indicated that they could have it. This, of course, would be an ideal use for this facility.

VA HOSPITAL, FORT BAYARD, N. MEX.

Mr. Evins. Will you discuss the proposed closing at Fort Bayard, N. Mex.?

Mr. Driver. That is exactly the same as Castle Point and Sunmount, a former TB hospital. We have a greatly reduced need. About 90 percent of the square footage at Fort Bayard was constructed over 40 years ago. Over half of it is not fire resistant. In terms of operating beds, the Fort Bayard area has 5.3 against the national average of 2.9. Of the 19 medical specialties that I have referred to, to be found in the ideal general medical and surgical situation, this hospital provides only one.

Mr. Evins. Is this a complex of buildings?

Mr. Driver. Yes, sir; this is more than one building. It is a typical TB situation. The occupancy rate was 78.6 percent during fiscal year 1964. It has no waiting list.

Mr. Evins. Where do you propose to treat or accommodate the veterans presently in this hospital?

Mr. Driver. We will move the patients here mostly to Albuquerque, where we have a larger hospital. Some will go into Texas, and maybe a few would go to Tucson, Ariz.

Mr. Evins. How many miles way is it to the closest VA hospital, Albuquerque?

Mr. Driver. It is 252 miles to Albuquerque, 201 to Tucson. However, during 1963 there were 1,500 patients discharged from the hospital at Fort Bayard, and of the 1,500, 800 resided closer to the Army hospital at El Paso, where we have a bed allocation.

Mr. Evins. You don't propose to continue to operate Army hospitals. This is what you are getting away from.

Mr. Driver. No, sir; but we propose, where we can get beds available in them, in good hospitals such as this one at El Paso, to continue to use the facilities. We are using it now, and we could use it to a greater extent. The same situation is true at Minot, N. Dak., where we have some beds and can get more. Of course, we have been doing this for years.

Mr. Evins. You will have one hospital in New Mexico, at Albuquerque, after this one is closed?

Mr. Driver. Yes, sir.

Mr. Evins. How many bed vacancies do you have there?

Mr. Driver. At Albuquerque we will activate more beds when we close this hospital.

We have, generally speaking, no bed vacancies now at Albuquerque.

Mr. Evins. You have no bed vacancies, and you won't be able to accommodate them all.

Mr. Driver. Oh, yes.

Mr. Evins. Will the New Mexico veteran have to go to Arizona or Texas to get hospital care?

Mr. Driver. He will go where it is closest for him. He is now leaving El Paso and traveling over 100 miles to get hospital care at Fort Bayard. He could just as well stay in his own city and get hospital care. This is for more than half the patients that are treated.

Mr. Evins. Why take the Army hospital when you have your own?

Mr. Driver. Because it would be so much cheaper to the Government.

Dr. McNinch. It is a much finer hospital, too, in terms of the staff and equipment.

Mr. Evins. I understand they are very satisfied and pleased with it out there.

Mr. Driver. We are paying a premium for the care, which we feel is unnecessary. We can give these patients care practically in their hometown.

Mr. Evins. You have no surplus beds at the other VA hospital in New Mexico.

Mr. Driver. But we are going to activate more beds at that hospital; 50 beds.

Mr. Evins. Won't this create a condition where those on the present waiting list will have to wait longer?

Mr. Driver. No, sir; not with more beds available, 50 beds. They turn over about 12 times a year, which means we can treat at least 600 patients in a year with those beds

Mr. Thomas. How much waiting list do you have there?

Mr. Driver. We have no waiting list at all at Fort Bayard.

Mr. Rhodes. What do you have at Albuquerque?

Mr. Driver. For 1964 it averaged 100 on the waiting list at Albuquerque. This would be a waiting list of less than 30 days.

Mr. Rhodes. What will this do to the facility at Tucson?

Mr. Driver. We don't believe it will do anything, really. The waiting list at Tucson averaged 38 during fiscal year 1964 and, with the turnover, this is a very short waiting list. The occupancy rate at Tucson is only 76.5 percent. We can easily run that up to 90 or 95 percent.

Mr. Rhodes. When you make your study on Arizona would you please crank in the fact that you are going to be sending New Mexico veterans to the Tucson facility?

Mr. Driver. Yes, sir; and, of course, taking money that is now spent at Fort Bayard at a higher per diem rate and making it available to Tucson to treat patients should also be in there.

Mr. Rhodes. What about the possibility of using Fort Bayard for domiciliaries only? Would that ease your situation?

Mr. Driver. Really, we find a very sharp decline in demand for the domiciliary type of facility. The old soldiers' home, which is what we were talking about by domiciliary, has faded in terms of its appeal to veterans, mainly because of changes in our society.

Mr. Evins. I have not found any veteran fading in their appeal, in their desire to get into veterans' hospitals.

Mr. Driver. I am not talking about hospitals. I am talking about domiciliaries.

Mr. Evins. They try to get in and cannot. You always tell them you have a long waiting list.

Mr. Driver. If we look at the national picture instead of looking at it locally, we find this is really a very small waiting list. If the beds were where the demand was in every case, we would have no waiting list.

Mr. Evins. There is demand pretty much all over.

Mr. Driver. No, sir; there isn't. As I indicated, in these hospitals there is a 75 or 80 percent occupancy and continued decline in the number of beds operating.

PERCENTAGE OF SERVICE-CONNECTED PATIENTS

Mr. Thomas. Mr. Evins, you and the Administrator have covered the subject like a blanket. There is just one additional little piece of information that might be of interest to everybody. In Fort Bayard and the other hospitals you have mentioned, what percentage of the occupants are service connected?

Mr. Driver. We are talking about general medical and surgical patients, and it is 10 or less percent service connected, 90 percent or more nonservice connected.

Mr. Thomas. What does it cost per bed per day at Fort Bayard now, which is 90 percent nonservice connected?

Mr. Driver. $32.09, compared to Albuquerque's $26.67.

HOSPITALIZATION FOR NON-SERVICE-CONNECTED DISABILITIES

Mr. Rhodes. Is your waiting list at Albuquerque made up completely of nonservice connected?

Mr. Driver. Yes. It is at every hospital.

Mr. Jonas. Apropos the comment by Mr. Thomas, I think it very pertinent to have those facts, but the VA program we are now discussing is not aimed at reducing that percentage at all. They are proposing building even more hospitals to take care of even more non-service-connected people.

Mr. Driver. That is right, sir.

Mr. Jonas. So, this program would not alleviate that or reduce the nonservice connected.

Mr. Thomas. None whatsoever.

Mr. Driver. It will move them in each case into a hospital where the per diem cost rate is lower than it is where they are now.

REASONS FOR CLOSING HOSPITALS

Mr. Jonas. While I have interrupted may I ask another question which may not be pertinent at this point. In proposing to close these hospitals you speak of doing it only because they are not efficient or because they are out of date or because of high maintenance costs or because they are unsuitable, being less than fireproof. If they are unsuitable and inefficient for you, how can the States operate them? They always come down here and tell us they haven't any money and they have to rely on the Federal Government to provide all of these services. Where are they going to get the money to take over these inefficient, wornout firetraps and dilapidated buildings and maintain them? Are they not going——

Mr. Evins. He didn't say they were firetraps or worn out. He just used the word "inefficient."

Mr. Driver. Many of them are not of fire-resistant construction.

Mr. Jonas. I heard the word "firetrap" used by some people.

Mr. Driver. If you have a person in a bed receiving medical care and he can't move himself, if you look around and there is a fire, I would feel I was in a firetrap, too.

Mr. Jonas. How about these retarded children? Are you going to put them in firetraps?

Mr. Driver. In the case of Dwight we do not have this situation. It is of masonry construction.

Mr. Jonas. You don't want to put schoolchildren in them if they are unsuitable for occupancy.

Mr. Thomas. If the States take them over they certainly will have to spend a lot of money on these properties, but isn't the answer that it is far cheaper. What percentage on the dollar, I don't know. Even with the maintenance and operation costs here as high as they are, would they not save 50 or 60 percent of the total bill?

Mr. Driver. They have two problems that this points up, Mr. Jonas. They want a facility where that is located usually. It is suitable for them there. For us, we don't want that facility.

Mr. Thomas. The point Mr. Jonas is raising is not so much the suitability but the overhead cost of passing it on from the Federal Government to the State.

Mr. Driver. But it is cheaper than it would be for them to start from scratch and build a new facility.

VA HOSPITAL, GRAND JUNCTION, COLO.

Mr. Evins. Let us discuss the condition of the Grand Junction, Colo., hospital, which you propose to close. How old is this hospital, and what is the extent of its occupancy?

Mr. Driver. This hospital is 15 or 16 years old.

Mr. Evins. It is 15 years old? How much did it cost?

Mr. Ashbridge. I don't have that. I will supply it.

Mr. Monk. About $5 million?

Mr. Driver. About $5 million. It is in a very low density veterans population area.

Mr. Evins. That is a mighty quick reversal of VA opinion. Five years ago you wanted to spend $5 million to build it, and now you say it is inefficient.

Mr. Driver. Yes, sir. It has an occupancy rate of 75 percent. The per diem cost is $34.07 against the national average of $29.43.

Mr. Evins. How much waiting list do you have there?

Mr. Driver. None.

Mr. Evins. How far is it to the nearest facility where veterans could be serviced?

Mr. Driver. It is 250 miles to Denver.

Mr. Jonas. Across the divide on the western side.

Mr. Evins. It is 258 miles to the closest one at Denver and 270 miles to Fort Lyon, Colo.

Mr. Driver. But Salt Lake City and Denver are the places we would use. Denver is 258, and Salt Lake City is 290.

Mr. Evins. I should now like to read into the record a statement by Senator Allott, of Colorado. He said:

"All the computers in the world cannot show the heartaches and the trouble that taking one veterans facility from Grand Junction would cause. It would mean a 7- or 8-hour drive over two high mountain passes of 12,000 feet to go to Denver, an equivalent drive to Salt Lake City, or an even longer drive to Albuquerque. We are emasculating the veterans service at the very level where it is meant to be effective."

Mr. Driver. It has 7 of the 19 essential services. So, the very sickest patients who need the more complicated care would get them at Denver or Salt Lake City.

Mr. Evins. Are any complaining about the service you are giving at Grand Junction?

Mr. Driver. We don't have any complaints, generally speaking, at any hospital. We certainly don't think they would be complaining if they were at a place where they would get better care in terms of more facilities available.

Mr. Evins. How many hospitals do you have in Colorado besides this one?

Mr. Driver. The one at Denver is the only other one, sir, in addition to the one at Fort Lyon.

Mr. Rhodes. What is the occupancy ratio at Grand Junction?

Mr. Driver. It is 75.9 for fiscal year 1964 of the 145 beds in operation. At Denver it is 84.1 for the same period.

Mr. Rhodes. How many beds do you have at Grand Junction?

Mr. Driver. One hundred and fifty-two. The average occupancy rate is 75.9 percent.

Mr. **Rhodes**. What is your waiting list at Denver and Salt Lake City?

Mr. **Driver**. The waiting list per 100 beds at Denver is 2.6, and at Grand Junction it is 6.9, against a national average of 11.8. All of these are the fiscal year 1964 averages.

Mr. **Rhodes**. You have a waiting list at Grand Junction?

Mr. **Driver**. 6.9 per 100 operating beds during fiscal year 1964.

Mr. **Rhodes**. What about Salt Lake City?

Mr. **Driver**. At Salt Lake City we had 6.2; or an average of 36 people on the waiting list at Salt Lake City.

Mr. **Rhodes**. Mr. Administrator, I cannot help but agree with Senator **Allott** on this particular hospital. Grand Junction is in an isolated area. It is on the western slope of the Rocky Mountains. In order to get to Denver you have to go over some high mountains. In order to get to Salt Lake City you have to go over some other high mountains. It seems to me if there is any justification for maintaining a hospital in an isolated area, you have made a case for maintaining this one.

Mr. **Driver**. I should like to point out, as I have indicated, that of the 19 essential services, it has 7. The very sickest patients have to go to Denver or Salt Lake. We feel that we are paying a premium for patient care with what in effect from the figures I have just read indicates an overage of beds in that area. Therefore, it is not justified unless you are willing to maintain such facilities wherever there are veterans.

Mr. **Rhodes**. The point I am trying to make is that you should look at a relief map as well as a scale map, because the terrain here is a factor which really should be taken into consideration. Do you have in mind setting up an air ambulance service for this isolated area?

Mr. **Driver**. There is air ambulance service available there now. For example, the service-connected patients that require the more severe type treatment have to be air evacuated to Salt Lake or Denver.

Mr. **Rhodes**. Do you pay for that?

Mr. **Driver**. We wouldn't for a non-service-connected patient who can afford to pay for transportation.

Mr. **Rhodes**. But you do pay for a service-connected veteran?

Mr. **Driver**. We can. Whether he needs air evacuation or whether he could go by a different type of transportation is a matter for judgment at the time you look at the patient. Air evacuation, for example, is not good for some kinds of patients, as you all appreciate.

Dr. **McNinch**. It is being used increasingly in the West, and at not great expense. In many instances it is cheaper than other forms of transportation.

Mr. **Rhodes**. Going over those passes would not be very good for the patient if air evacuation would hurt him.

Mr. **Driver**. No, sir.

Mr. **Rhodes**. Some of those passes go up to 10,000 feet.

Mr. **Driver**. I believe they are developing a road through so you can go through a tunnel instead of going over those passes into Denver.

Mr. **Minshall**. How many patients do you air evacuate on the average?

Mr. **Driver**. This would be an infinitesimal amount, generally speaking.

Mr. **Minshall**. You pay for this on a charter flight basis, I presume.

Mr. **Driver**. It would be paid like ambulance service.

Mr. **Minshall**. That is what I meant.

VA HOSPITAL, LINCOLN, NEBR.

Mr. **Evins**. Mr. Administrator, what is planned with respect to the Lincoln, Nebr., hospital? How old is this hospital? What is the extent of its occupancy? Why do you propose to close it?

Mr. **Driver**. It was built in 1930 as a TB hospital. In the Lincoln area there are 6 operating beds per 1,000 veterans as against 2.9 nationally. It is not fully utilized. Thirty beds are out of use. A further reduction in patient load of 14 more, making 44, is now estimated. The occupancy rate has declined from 87 percent in fiscal year 1962 to 77.8 percent in fiscal year 1964. It has practically no waiting list. There were 2 on the waiting list per 100 beds during fiscal year 1964. It is 50 or 60 miles from another general medical and surgical hospital at Omaha with adequate capacity to care for the additional patient load at Lincoln. In view of the modernization costs required if we are to bring Lincoln up to date, we feel it is better to abandon it and to increase the occupancy rate at Omaha. We will also use the Grand Island VA Hospital to take patients. Its occupancy rate is 77.6. The occupancy rate at Omaha is 88.3 percent.

VA HOSPITAL, GRAND JUNCTION, COLO.

Mr. **Minshall**. Mr. Chairman, I would like to ask a question about the hospital at Grand Junction. This hospital has been in operation only 15 years. It was constructed at a cost of some $5 million. You say the reason you are abandoning it is the low population density out there. Why was it ever built in the first place if your reasons are valid?

Mr. **Driver**. It should not have been, sir, in my opinion. There was never any justification for this hospital.

Mr. **Rhodes**. What does it cost per patient there?

Mr. **Driver**. $34.07 against the national average of $29.43.

Mr. **Evins**. I did not understand what you said about the density or the percentage of people as against some other concentrated area, Mr. Administrator. When a man is called on to fight for his country they do not ask how many are living in New York or in the rural areas, do they?

Mr. **Driver**. No, sir.

Mr. **Evins**. You do not calculate it that way.

Mr. **Driver**. We have 125,000 beds available to us and, in trying to place them where they will serve the greatest patient load, we are forced to conclude they should go in high-density areas.

VA HOSPITAL, M'KINNEY, TEX.

Mr. **Evins**. Tell us about McKinney, Tex.

Mr. **Driver**. McKinney was formerly an Army hospital built in 1943 and acquired by the Veterans' Administration in 1946. It is of cantonment-type construction. At the time the Dallas Hospital was approved for construction, McKinney was approved for abandonment. The life expectancy was 15 years when it was constructed and now it is many years over that. None of the buildings are fire resistant. We spend a great deal of money in maintenance and repair. It runs about 15 percent higher than the national average.

Mr. **Evins**. Do you have a hospital at Bonham, Tex., nearby in the same county?

Mr. **Driver**. Yes, sir; and at Dallas, which is about 35 miles.

The McKinney per diem rate is $28.29 against Dallas' rate of $25.88. It is not high compared to Grand Junction.

Mr. **Thomas**. If the gentleman will yield briefly, one of my veteran friends called me long distance and gave me a little treatment. He said it was a shame to tear down the hospital at McKinney. I asked if he had ever been there, and he had not, but of course he knew all about it. As a matter of fact, he said they needed it so badly there, the veterans' hospital in Dallas was sleeping veterans on the floor of the Dallas Hospital. Is that true?

Mr. **Driver**. That is false, sir. This is not happening. We have no way of explaining this. Of course, many people are saying many things that mean nothing at this time.

Mr. **Thomas**. I knew it was not true.

Mr. **Evins**. This is one of the examples of the cantonment Army barracks-type facility being replaced with other hospitals. This has been done over the years and it is continuing to be done by you?

Mr. **Driver**. Yes, sir.

Mr. **Evins**. This is one of the examples of a wornout firetrap building.

Mr. **Driver**. Which has already been replaced, in effect, and we did not get out of it.

Mr. **Evins**. What is the maintenance cost of the McKinney, Tex., facility?

Mr. **Driver**. We have spent $2 million since 1947.

Mr. **Thomas**. Is that the national rate, medium, lower, or what?

Mr. **Driver**. The maintenance and repair cost per 100 ADPL for fiscal year 1964 was 50 percent higher than the national average.

Mr. **Evins**. It is 95 percent occupied. They must like to utilize it.

Mr. **Driver**. Yes, sir.

Mr. **Evins**. How much of a waiting list do you have there?

Mr. **Driver**. We had an average of 47 on the waiting list during fiscal year 1964.

Mr. **Evins**. Would you be able to accommodate all of these veterans?

Mr. **Driver**. Yes, sir; we will accommodate them at Dallas, Shreveport, Oklahoma City, Houston, Amarillo, Big Springs.

VA HOSPITAL, MILES CITY, MONT.

Mr. **Evins**. Let's talk about the facility at Miles City, Mont., which we have heard a lot about.

Mr. **Driver**. Yes, sir.

Mr. **Evins**. How old is this hospital?

Mr. **Driver**. Fifteen years.

Mr. **Evins**. What type hospital is it?

Mr. **Driver**. It is a 100-bed general medical and service hospital.

Mr. **Evins**. Is it permanent brick-type construction?

Mr. **Driver**. It is permanent brick-type construction.

Mr. **Evins**. How much did it cost originally?

Mr. **Monk**. Over $5 million; $55,000 a bed, the highest price ever built.

Mr. **Evins**. You built a nice one and a good one. Now why abandon it?

Mr. **Driver**. It is in a remote area with a small number of physicians available, and professional services. We have the capacity to take care of patients at Fort Harrison where we have built a new hospital building and are activating 20 more beds and at Minot, N. Dak.; 75 percent of the patients in the hospital December 31, 1964, came to Miles City from farther than a hundred miles. More of them come from Yellowstone County where Billings is located than from any other county. This is on the way in toward Fort Harrison. So with a little additional travel, they can go to Fort Harrison or on the other side of Miles City, to Minot. The patients who will have to travel as much as 350 miles to Fort Harrison——

Mr. **Evins**. Does not the same situation apply at Miles City as Grand Junction?

Mr. **Driver**. The distance?

Mr. **Evins**. It might not be good for the health of the veteran to have to be transported in the cold weather across the mountain passes.

Mr. **Driver**. Here again, as I indicated before, the patients who are the sickest have to go there anyway.

Mr. **Evins**. This article says (reading):

"Senate Majority Leader MIKE MANSFIELD angrily denounced the VA plan, declaring the economy should be achieved by cutting wasteful Government practices, which he said ran into millions of dollars, and not at the expense of veterans.

"Bitterly protesting the closing of the Miles City, Mont., VA hospital, he said, 'I received announcement of the closing 1½ hours before it became generally known. This in the name of economy? Whose economy? Not the veterans of the region. Not their families who will have to travel great additional distances to visit the patients. It is an old story. When we are in an emergency, nothing is too good for those who are called upon to make great sacrifices for the Nation's safety and benefit. When the emergency is over, we forget the promises.'"

Mr. DRIVER. We built a new hospital building and modernized an existing building at Fort Harrison to make sure there was better medicine in Montana. We have bed occupancy availability at other hospitals. As I indicated, with 75 percent of the patients now traveling over a hundred miles and 25 percent of the patients now traveling over 200 miles, distance is a factor which is being coped with.

Mr. EVINS. Senator MANSFIELD says the VA is using computers and steadily pulling Government services and installations out of sparsely populated States.

Mr. DRIVER. We are certainly looking at costs and doing our best to make sure we get every drop of available care out of the available funds and number of beds that we have, and we just feel that putting money here where we can save a million dollars a year——

Mr. EVINS. On what side of the ledger do you put the declining property values in the economy of the area? Where should this loss be computed?

Mr. DRIVER. The per diem cost at Miles City per patient is $32.27, and we think we could do better than that and still take care of these patients.

VA HOSPITAL, RUTLAND HEIGHTS, MASS.

Mr. EVINS. What about Rutland Heights, Mass.?

Mr. DRIVER. Rutland Heights, Mass., is a former TB hospital that was built in 1922. It presents severe maintenance problems and would need a massive construction program to be made functionally modern. Patients are dispersed in three buildings, with major clinical activity in the fourth building, which means a great expenditure of time moving patients around this complex. The buildings are all more than 40 years old. There is no waiting list for the past 2 years.

Mr. EVINS. It is a permanent-type building?

Mr. DRIVER. Yes, sir.

Mr. EVINS. It is 40 years old?

Mr. DRIVER. Over 40 years old; yes, sir.

Mr. EVINS. How much of a waiting list?

Mr. DRIVER. None.

Mr. EVINS. How far away is it to the nearest facility?

Mr. DRIVER. About 50 miles to Boston. There are eight Veterans' Administration hospitals within a hundred miles.

Mr. EVINS. Eight within a hundred miles?

Mr. DRIVER. Yes.

Mr. EVINS. You have the capacity and can take care of the veterans?

Mr. DRIVER. Yes, indeed, sir.

CLOSING OF DOMICILIARIES

Mr. EVINS. This completes the list of the 11 hospitals for closing. In addition, you propose that four domiciliaries be closed—Bath, N.Y.; Clinton, Iowa; Thomasville, Ga.; and White City, Oreg.

Mr. DRIVER. Yes, sir.

Mr. EVINS. Tell us about your plans with respect to those.

Mr. DRIVER. The domiciliary program over the past years, since it was started in the 19th century, has undergone a terrific change. Physicians, sociologists, and psychiatrists believe we should take a different tack in treating domiciliary members. They think more effort should be made at moving them out of the domiciliary, trying to get them back into society or, in many cases, that these members need nursing home care. When we look at this in connection with the fact that the Congress raised the basic monthly pension rate to a hundred dollars, we have the typical domiciliary member drawing pension. In three locations—at White City, Thomasville, and Clinton—he is housed in a very isolated area, with little effort being made to move him back into the community. We think that we can screen these patients and get a large number of them out of the facilities and back into either a useful or more normal life.

VA DOMICILIARY, THOMASVILLE, GA.

Thomasville, the one in Georgia, has 180 1-story buildings of temporary construction, and an original life expectancy of 15 years, not fire resistant. The physical plant is one on which we spend a lot of money for maintenance. It is not falling down but it is costing a considerable amount of money, between $200,000 and $300,000 a year to maintain. We just think we can transfer these domiciliary members to Florida, to Biloxi, Miss., to Dublin, Ga., and Mountain Home, Tenn., and do away with this particular one.

Mr. EVINS. In this connection, my attention has been called to the fact that the highest medical cost per bed is in Washington, D.C., and the lowest cost is at Mountain Home, Tenn. It is already filled up and has a long waiting list.

Mr. DRIVER. Mountain Home, Tenn., that we are talking about, is a domiciliary.

Mr. EVINS. If they bring them in from Georgia, the local ones will have a longer waiting list.

Mr. DRIVER. There is no waiting list at the hospital.

Mr. EVINS. If the hospital is filled, is it not commonsense and reasonable that it will be difficult for the others to get in?

Mr. DRIVER. We are talking about the domiciliaries, not the hospital.

Mr. EVINS. I am talking about when you close Thomasville, Ga., and transfer the patients to Mountain Home.

Mr. DRIVER. These are domiciliary members, like in the old soldiers' home, and not in hospitals.

Mr. EVINS. You have some old soldiers facilities at Mountain Home?

Mr. DRIVER. Yes, sir; domiciliary facilities, that is right. We have 1,770 beds, with 1,600 average daily member load. So we have beds to spare. Of course, when we close Thomasville and Clinton and White City and Bath, we will use the money being spent there to support additional care for members at these other domiciliaries which are more suitable.

VA DOMICILIARY, MOUNTAIN HOME, TENN.

Mr. EVINS. This letter has just come to my attention from the director of the division of Veterans' Affairs of the State of Tennessee, and he says that—

"The domiciliary at Mountain Home has a capacity of 1,771 beds. At the present time there are 427 vacant beds, 33 beds on reserve for patients who are absent with leave, etc."

When others are transferred to this facility there will be no vacant beds to accommodate the veterans in the area.

Mr. DRIVER. There is 100 percent turnover in these things every year, Mr. Evins. The question of being on the waiting list in relatively simple.

Mr. EVINS. They say there are 16 on the waiting list at Kennedy, 70 at Nashville, and 106 on the waiting list at Mountain Home.

Mr. DRIVER. Those are hospitals except for Mountain Home.

Mr. EVINS. We will place this letter in the record and give you an opportunity to answer it.

Mr. DRIVER. Yes, sir.

(The letter referred to follows:)

STATE OF TENNESSEE
DIVISION OF VETERANS' AFFAIRS,
Nashville, Tenn., March 9, 1965.

Hon. JOE L. EVINS,
Member of Congress, House Office Building, Washington, D.C.

DEAR JOE: It is our understanding that the Committee on Appropriations is considering the budget of the Veterans' Administration in particular reference to hospitals and domiciliaries. We in Tennessee are particularly concerned with the proposal of the Veterans' Administration to close a number of hospitals and domiciliaries. We give you below a brief breakdown on the present hospital situation in Tennessee:

	Kennedy	Nashville	Murfreesboro	Mountain Home (hospital)
Operating beds	1,206	498	1,275	575
Patients in hospital	1,160	483	1,166	547
Vacant beds	46	15	[1] 109	28
Waiting list:				
General medical	16	70	--------	106
Surgery	0	94	--------	30
Psychiatric	0	7	234	--------
Intermediate	0	--------	--------	--------
TB	0	0	--------	--------
Spinal cord injury	0	--------	--------	--------

[1] These are reserved for patients on leave, trial visit, etc.

Domiciliary

The domiciliary at Mountain Home has a capacity of 1,771 beds. At the present time, there are 427 vacant beds, 33 beds on reserve for patients who are absent with leave, etc., and a waiting list of 99.

We call your attention to the fact that since the order was released closing domiciliaries, including the domiciliary at Thomasville, Ga., that orders were issued which prohibits the admission of non-service-connected cases at Mountain Home. Thus, you can see from the above information that although there are 427 vacant beds, we have a waiting list of 99.

The inconsistency of orders prohibiting the admission of non-service-connected cases at Mountain Home is brought out by the fact that although Thomasville, Ga., is one of the domiciliaries which has been designated to be closed, they are permitted to admit all eligible veterans regardless of whether or not he is service connected or nonservice connected. This is causing an undue hardship on the veterans served by the Mountain Home domiciliary, and there would be a much larger waiting list than the 99 reported if it were not for the fact that instructions have been issued to the veterans' organizations, Veterans' Administration officials, other installations, and county service officers that nonservice-connected cases will not be admitted and, therefore, many applications would have been filed than the records indicate.

It is obvious that if the order closing Veterans' Administration hospitals and domiciliaries is carried out that not only the veterans in the States where the hospitals and domiciliaries are closed are going to lose but veterans in other States, including Tennessee, will not be able to secure hospital and domiciliary care in accordance with the intent of the Congress and the American people.

I trust that as a member of the Appropriations Committee you will be able to see that sufficient funds are made available to the Veterans' Administration to operate at least one regional office in every State and a total bed capacity of at least 125,000 beds plus the 4,000 nursing care beds made available by Public Law 88–450. It is our honest opinion that the 31 installations designated to be closed should remain open and if legislation is required, this should be accomplished with the least possible delay.

Your continued efforts in behalf of the veterans of Tennessee will be deeply appreciated.

Yours very truly,
Joe F. Hudgens,
Director.

(Note.—The response of the Veterans Administration to the foregoing letter follows:)

"DOMICILIARY BEDS AND ADMISSIONS

"At the time in January the closing order was first issued, admission of all non-service-connected veterans to all domiciliaries was suspended in order that an accumulation of vacant beds would be attained in those not scheduled to be closed to provide beds for the members remaining in the four domiciliaries scheduled for closing at the time that they were finally closed. In accordance with Public Law 88–92 all action to close the 11 hospitals and 4 domiciliaries was suspended and is being suspended until the terminal date of Public Law 88–92 which is May 1, 1965. This action included reinstating the usual policy of admission of members to the four domiciliaries selected for closing.

"However, previous instructions to the 14 remaining domiciliaries continued in effect in order that these domiciliaries could receive the residual members from the 4 selected for closure if the course of events permitted their closure. Admission of service-connected veterans to all 18 domiciliaries has continued to be authorized throughout the entire time period."

SAVINGS FROM CLOSINGS

Mr. Evins. Mr. Administrator, overall, how much do you propose to save by these 11 veterans hospitals and 4 domiciliaries being closed?

Mr. Driver. $23,500,000. That includes the 17 regional offices, too.

Mr. Evins. We are talking about the hospitals.

Mr. Driver. $20,500,000.

Mr. Evins. Do you not think we could find $20.5 million in economies elsewhere?

Mr. Driver. If we could, we could find better ways to spend it than keeping these places open, sir. We just feel this is not the way to spend money, even if it is available. We could treat more patients cheaper in other facilities.

ARTICLES FROM AMERICAN LEGION PUBLICATION

Mr. Evins. Without objection, I am going to place the article from the News of the American Legion in the record at this point.

(The article referred to follows:)

"[News of the American Legion and Veterans Affairs, March 1965]

"VA ORDER SHUTS 31 FACILITIES; PLAN DRAWS FIRE FROM LEGION

"National Commander Johnson calls for 'total mobilization' against closing of 11 hospitals, 4 domiciliaries, and 16 offices; angry Congressmen set hearings; heavy anticlosure mail reaching Washington, D.C.

"The Veterans Administration announcement of January 13 in Washington, D.C., that it would close 11 hospitals, 4 domiciliary homes and 16 regional offices in 23 States by June 30, 1965 (and some even by April 1), met sharp reaction and strong protest by the American Legion on national and local levels and brought promises of action by Congress.

"At a press conference the next day, National Commander Donald E. Johnson, in answer to this massive cutback in VA facilities and services, characterized the proposal as one 'which produces small savings at the expense of a great sacrifice to our veterans' and retorted that 'these actions by the Veterans Administration, and the manner in which they were executed, reflect a gross disregard of the needs of our sick and disabled and are in direct conflict with the announced aims of the administration to improve the lot of needy citizens.'

"The VA has estimated it would save $23.5 million in the fiscal year 1966 by the proposed cutback.

"Commander Johnson declared that 'Even if the estimated savings are fully realized—and this is highly questionable, because some governmental agency will be called upon to care for these people—there is no justification for the hardships and sacrifices to be imposed.'

"Said Commander Johnson, 'It is difficult to understand how the Veterans' Administration can participate in any war against poverty or in the establishment of an improved society when it closes hospitals and domiciliaries.'

"Part of the scope of the cutback is noted in the list of VA hospitals scheduled for closing at: Lincoln, Nebr.; Castle Point, N.Y.; Sunmount, N.Y.; VA Center, Bath, N.Y.; Rutland Heights, Mass.; Dwight, Ill.; Miles City, Mont.; McKinney, Tex.; Brecksville, Ohio (Broadview Heights Division); Grand Junction, Colo., and Fort Bayard, N. Mex.

"VA domiciliaries scheduled for closing were at: Bath, N.Y.; White City, Oreg.; Thomasville, Ga., and Clinton, Iowa.

"Six thousand beds will be lost for veteran's use by the projected closing of these hospitals and domiciliaries.

"The following VA regional offices (which give service to veterans with claims) will close to merge with more distant offices: Albany, N.Y., to New York City, N.Y.; Syracuse, N.Y., to Buffalo, N.Y.; Wilkes-Barre, Pa., and Wilmington, Del., to Philadelphia, Pa.; Cincinnati, Ohio to Cleveland, Ohio; Kansas City, Mo., to St. Louis, Mo.; Shvereport, La., to New Orleans, La.; Lubbock, Tex., to Waco, Tex.; San Antonio, Tex., to Houston, Tex.; Juneau, Alaska, to Seattle, Wash.; Reno, Nev., to Los Angeles, Calif.; White River Junction, Vt., and Manchester, N.H., to Boston, Mass.; Fargo, N. Dak., and Sioux Falls, S. Dak., to St. Paul, Minn.; and Cheyenne, Wyo., to Denver, Colo.

"The national commander declared that 'In closing regional offices the VA has substantially decreased its ability to render service to veterans and their survivors. These persons will find it increasingly difficult to learn about and to obtain benefits authorized by Congress * * *. VA's closing of regional offices is directly opposite to the expansion by the Social Security Administration of its field offices. The latter agency seems convinced that the best way to serve is to open, not close, its facilities for the public.'

"Congressional reaction to the VA closings was swift in coming. Senators filled 10 pages of the January 15 Congressional Record with protests and documentation of the damage to be done in their States.

"Senate majority leader Mike Mansfield, Democrat, of Montana, angrily denounced the VA plan, declaring that economy should be achieved by cutting wasteful Government practices, which he said ran into millions of dollars, and not at the expense of veterans.

"Bitterly protesting the closing of the Miles City, Mont., VA hospital (new in 1951 and operating at capacity), he said, 'I received announcement of the closing (Miles City) 1½ hours before it became generally known * * *. This in the name of economy. Whose economy? Not the veterans of the region * * *. Not their families who will have to travel great additional distances to visit patients * * *. It is an old story * * *. When we are in an emergency, nothing is too good for those who are called upon to make great sacrifices for the Nation's safety and benefit * * *. When the emergency is over, we forget the promises * * * apathy waxes.'

"Senator Mansfield said that the VA situation is not isolated, that Government bureaus, using cost computers, are steadily pulling Government services and installations out of the sparsely populated States. He added: 'On what side of the ledger of these so-called economy decisions do you put the losses of the man who is thrown out of a job by the change? On what side do you put the losses of the bankrupt business? On what side do you put the losses inherent in the forced movement of people * * *? On what side do you put the decline in property values? On what side do you put the curtailed and inadequate services which result from the change to those who are entitled to the best by law and equity? * * * I should like to support measures for Appalachia, Urbania, or whatever; but I do not propose to support them at the expense of a new economic wasteland in Rockania.'

"Senator Mansfield put on record a long letter from Montana Veterans Welfare Director Harry E. Sawyer regarding the closing of the Miles City hospital.

"MONTANA HOSPITAL PROBLEM

"Wrote Sawyer, in part: 'Does anyone in the VA realize that there is no railroad or bus service between eastern Montana and Helena? A seriously ill veteran who cannot afford hospital care in Glasgow or Wolf Point would have to be brought 400 miles by car. Temperatures this winter have been hovering below the zero mark for the past month. It would be at the risk of his life to bring such a veteran over snowy, ice-packed roads for 8 to 10 hours to be hospitalized at Fort Harrison (the Helena VA hospital). Hour after hour the roads on the High Line are closed due to blizzards. A car can start from Plentywood in pleasant weather and be stalled in a blizzard between Glasgow and Malta. This is inhuman.'

"Other quotes from the Senate January 15 colloquy:

"Senator Metcalf (of Montana): 'There was not a word in the state of the Union speech as to what the Great Society would do for veterans * * *. We thought, the subject will be deferred to a special message. Then we were informed that in order to save $23.5 million as a part of the VA economy program, the VA * * * has gone to its computers * * * and has come to the conclusion that it should close the listed facilities * * *. Is there not to be anything in the Great Society for veterans? * * * Saving $23.5 million on one day and spending $3.3 billion in foreign aid on the next day cannot be justified to the veterans of real war when we are embarking on a war against poverty and disease.'

"Senator Allott (of Colorado): 'I wish to say one word on behalf of the Grand Junction VA hospital in Colorado * * *. All the computers in the world cannot show the heartaches and the trouble that taking one veterans' hospital away from an area like Grand Junction would cause * * *. It will mean a 7- or 8-hour drive over two high mountain passes of 12,000 feet to go into Denver, an equivalent drive into Salt Lake City, or even a longer drive to Albuquerque * * *. We are emasculating the veterans' services at the very level where they are meant to be effective * * *. The veterans' facilities are spread out in the manner in which they are for the reason that veterans, who have earned the right to proper care from their Government, should have an opportunity to be hospitalized within a reasonable distance from their own homes.'

"Senator Gruening (of Alaska): 'As soon as the facility in Juneau is closed, veterans in Alaska will have to travel 1,000 miles to obtain service. They cannot very well walk that distance. They will have to spend their money for airplane fare * * *. These decisions are unjust and unwise. I doubt whether they are sound economically.'

"Senator YARBOROUGH (of Texas): 'I will call hearings on this in the Senate Subcommittee on Veterans' Affairs, of which I am chairman, at the earliest moment * * * (hearings began January 22). This is action by the Bureau of the Budget. The Bureau * * * has fought the (cold war) GI bill under the last three Presidents. They have been the stumbling block in its way. I think that the hearts, the aims, and the desires of the American people should be given some of the attention by the Budget Bureau that its computing machines receive.'

"Senator MCGOVERN (of South Dakota): 'The withdrawal of VA service personnel from Sioux Falls, S. Dak., to St. Paul, Minn. * * * means that our veterans will have to travel 300 miles in order to discuss special problems with VA service personnel * * *.'

"Senator BURDICK (of North Dakota): 'This is almost identical with the situation that prevails in Fargo, N. Dak. * * *.'

"Also included in the long list of Senators who protested losing or transferring VA facilities were: WINSTON L. PROUTY, of Vermont; JOHN SHERMAN COOPER, of Kentucky; Senate Republican Leader EVERETT DIRKSEN, of Illinois; JACOB K. JAVITS, of New York; GEORGE AIKEN, of Vermont; LEVERETT SALTONSTALL, of Massachusetts; CARL T. CURTIS, of Nebraska; and JACK MILLER, of Iowa.

"On January 22 a joint statement by the commanders of veterans' organizations totaling 4.5 million members was issued, decrying the proposed VA cutback and calling for an immediate full congressional study and review. The statement also asked for meetings with President Johnson, the Director of the Bureau of the Budget, and with the Administrator of Veterans' Affairs.

"The joint statement was signed by Donald E. Johnson, national commander of the American Legion; Lincoln Tamraz, national commander, AMVETS; William G. Dwyer, national commander, Disabled American Veterans; John A. Jenkins, commander in chief, Veterans of Foreign Wars; and Melvin D. Eddy, national commander, Veterans of World War I, Inc.

"TV interviews

"National Commander Johnson also had separate TV-taped interviews with Senator JACK MILLER (Republican, of Iowa), and with Representative OLIN E. TEAGUE (Democrat, of Texas), chairman of the House Veterans' Committee.

"Said Johnson at the Miller interview, 'VA hospitals won't be closed if the American Legion can help it.'

"Senator MILLER endorsed the national commander's views and added, 'I join with Senator MANSFIELD, Senator DIRKSEN, and others on both sides of the aisle in calling upon the VA to reconsider this action.'

"Said Representative TEAGUE, 'I plan to call hearings of the House Veterans' Committee very shortly to discuss this most important subject of the VA closings * * *. I am greatly interested in the announced intention of the VA to close the hospital at McKinney, and regional offices at Lubbock and San Antonio.'

"National Commander Johnson talked by conference telephone with the Legion's department commanders informing them of the gravity and scope of the cutback and of the necessity for a united front to prevent its happening.

"Reports of shocked disbelief were also quick in coming from Legionnaires close to rehabilitation work and from VA hospital patients and domiciliary members themselves.

"For example, at Thomasville, Ga., the domiciliary scheduled to close has 800 operating beds and an average daily membership load of 758 since July 1, 1964. It has 168 full-time employees, 6 medical consultants, and 127 members who perform work under the therapeutic and rehabilitation program.

"In order to be eligible for domiciliary admission, veterans must swear to not be able to pay for similar care; must not be able to earn a normal living; and must not need hospital treatment.

"George Osborne, department adjutant of Georgia, and the editor of the Georgia Legionnaire, went immediately to the Thomasville domiciliary upon hearing the news of its scheduled closing. Excerpts from his lengthy and complete report follow.

"On-the-spot testimony

" 'To see babies cry causes me concern; to see women cry makes me uncomfortable; but to see grown men cry is just about more than I can take. When you talk to 74-year-old veteran of World War I who saw duty on the border and in France, and in later life suffered numerous heart attacks and a stroke that left one hand paralyzed; to see him cry as he tells you this has been his home for 15 years and now it is to be no more, this is a personal tragedy to this man no matter how you play it.

" 'When you try to comfort a person like this, and there are hundreds just like him, by assuring him your organization is fighting to reverse the decision and if unsuccessful, you feel sure he will be cared for at another installation, this gives this man little consolation.

" 'He said to me. "This is my home—the other members and the staff are my family. I am too old to start over. What am I going to do?" I didn't have an answer.'

"Osborne talked to Max Law, World War I vet, and 67 years old. Said Law, 'I am a victim of arthritis and I've been here since August. The treatment I have received here has been the best. I think that, if this place closes, some of us that are severely disabled may be placed in other facilities, but some of the fellows will be out without a place to go.'

"And from Thomas Robinson, 74, a World War I Army vet: 'I have been on this station for 5 years. I think it is a poor plan to close this place. I require maximum care * * * due to emphysema and heart trouble * * *. I have hopes that something will happen so they will not close this place. The staff here is wonderful and treat me fine. I would hate to leave them.'

"Said Otis Williams, 68, 'I saw border service and served in France in the First War. I have been here since 1949. It will be like leaving my family to leave here and I hope something will keep them from closing us up.'

"Osborne talked to Frank Turvey, 64, who served in the U.S. Navy during World War I: 'I was speechless. I came here November 1953, and am 100 percent service-connected disabled. I hope I will be able to transfer to some VA center with domiciliary care because I would be unable to secure employment. I have to use a walking cane to get around. The reason I was so shocked * * * was because they have spent so much fixing up these facilities. The buildings and fixtures here are in the best shape * * * since I came here.'

"Editor Osborne discussed the facilities: 'As I look over this 265-acre reservation * * * and * * * see new X-ray equipment just being uncrated, a new Addressograph room just completed, acres of new tile on the floors, a new $65,000 boiler, new gaslines * * * the underground water and sewage systems, fire stations, and maintenance facilities, I find it hard to comprehend that closing this place at this time is going to save money. The per diem cost for each member here in 1964 was $5.70—the lowest in the system—yet moving these men to other stations is an economy move—so they say. * * * The plan to move men from Thomasville into Dublin, Bay Pines, Biloxi, and Mountain Home is sheer folly inasmuch as these installations already have waiting lists. If we think getting a veteran into the hospital has been rough in the past—look out for the future.'

"Nationwide, the picture was just as bleak for possible domiciliary transferees.

"Members at the Bath, N.Y., domiciliary will be relocated at either Dayton, Ohio (472 miles away), Kecoughtan, Va. (491 miles away), or Wood, Wis. (708 miles away).

"The members at Clinton, Iowa, will be relocated at either Wood, Wis. (174 miles away), Wadsworth, Kans. (397 miles away), or Martinsburg, W. Va. (851 miles away).

"The Thomasville members will go to Dublin, Ga. (155 miles away), Biloxi, Miss. (347 miles away), Bay Pines, Fla. (281 miles away), or Mountain Home, Tenn. (457 miles away).

"White City, Oreg., domiciliary members will be transferred to Los Angeles (754 miles away), Whipple, Ariz. (1,100 miles away), Hot Springs, S. Dak. (1,399 miles away), Temple, Tex. (2,096 miles away), or Bonham, Tex. (2,057 miles away).

"Patients remaining in the VA hospitals scheduled for closing will be given a choice of transfer to several surrounding hospitals. However, it is questionable whether all patients will be able to go to their first choice.

"Following is a list of the hospitals to be closed and the nearest and farthest hospitals which patients can choose, many of which will have to enlarge their normal waiting lists to accommodate them.

"The closest VA hospital to Bath, N.Y., is at Batavia, N.Y. (70 miles away), while the farthest is at Montrose, N.Y. (250 miles away).

"The closest hospital to the TB installation at Brecksville, Ohio, is the neuropsychiatric hospital in the same town, while the farthest is at Pittsburgh, Pa. (124 miles away).

"The closest to Castle Point, N.Y., is at West Haven, Conn. (82 miles away), and the farthest is at Brookyln, N.Y. (96 miles away).

"For Dwight, Ill., the closest is Hines, Ill. (65 miles away), the farthest is St. Louis, Mo. (240 miles away).

"For Fort Bayard, N. Mex., the closest is Tucson, Ariz. (201 miles away), the farthest is Whipple, Ariz. (384 miles away).

"For Grand Junction, Colo., the closest is Denver, Colo. (258 miles away), the farthest is Fort Lyon, Colo. (372 miles away).

"For Lincoln, Nebr., the closest is Omaha, Nebr. (54 miles away), the farthest is Knoxville, Iowa (233 miles away).

"For McKinney, Tex., the closest is Dallas, Tex. (33 miles away), the farthest is Muskogee, Okla. (267 miles away).

"For Rutland Heights, Mass., the closest is West Roxbury, Mass. (45 miles away), the farthest is Albany, N.Y. (118 miles away).

"For Sunmount, N.Y., the closest is Albany, N.Y. (151 miles away), the farthest is Togus, Maine (232 miles away).

"For Miles City, Mont., the closest is Sheridan, Wyo. (212 miles away), the farthest is Fargo, N. Dak. (473 miles away).

"Economic effects

"The adverse effect on the economic structures of the respective communities involved in the VA closings is incalculable. Depending on the size of each, some will be more affected than others.

"For example, the VA hospital at Dwight, Ill., is in a community of 3,150 people and employs approximately 250. For this small community, the VA hospital was one of the main sources of business revenue, and its closing will seriously affect its future economic status.

"In a letter to President Lyndon B. Johnson, Representative EMANUEL CELLER of New York, declared that the closings at Castle Point, Sunmount, and Bath, would displace

1,590 patients, eliminate 1,460 jobs, and reduce local payrolls by $9.1 million a year.

"The day following the VA closing announcement, National Commander Donald E. Johnson keynoted the American Legion's stand: 'I doubt if it is the will of the American people that this society be built at the expense of those who have risked their lives that this Nation, under God, might endure, and who now find themselves in need of the services which their Government in Washington is best equipped to render.

" 'I now call for a total mobilization of the efforts and resources of the American Legion to prevent this disastrous proposal from becoming reality.'

"He asked that Legionnaires write or wire Washington, D.C., and protest the closings to President Lyndon B. Johnson, VA Administrator William J. Driver, chairman of the House Committee on Veterans' Affairs Olin E. Teague, chairman of the Senate Subcommittee on Veterans' Affairs Ralph Yarborough, and their own congressional representatives.

"On January 28, Commander Johnson testified before the Senate Veterans' Affairs Subcommittee and presented the views of the nearly 2.6 million members of the American Legion in opposition to the proposed VA cutback.

NEW VA CHIEF

"President Lyndon B. Johnson has nominated William J. Driver, 46, to be the new head of the U.S. Veterans' Administration (title: Administrator of Veterans' Affairs). Driver, a career VA employee since 1946, has been second in command of the VA as Deputy Administrator since February 1961.

"Driver's nomination and the resignation of Past National Commander John S. Gleason, Jr. (1957–58), who had been appointed Administrator by the late President John F. Kennedy in January 1961, were announced on December 26, 1964, by President Johnson. Gleason has returned to his position as an officer of the First National Bank of Chicago.

"President Johnson said he was particularly pleased to announce Mr. Driver's nomination because he is the first career official to administer the affairs of America's veterans.

"Driver, a World War II and Korean war vet, holds numerous military decorations, including the Distinguished Service Medal. He has earned the VA's two highest awards, the Exceptional Service Medal, and the Meritorious Service Medal. In 1964, he also was awarded the Career Service Award of the National Civil Service League.

"The new VA chief began his career in the Contact and Administration Services, switched to Compensation and Pension Service, and then later directed the entire benefits program as Chief Benefits Director before becoming Deputy Administrator in 1961.

"Driver has had a leading role in many VA changes in recent years. These include—

"1. The veterans pension law, Public Law 86–211.

"2. New York measurement and performance standards and other reorganization and planning programs.

"3. The large-scale application of automatic data processing and the establishment of a new department of data management.

"A native of Rochester, N.Y., the new Administrator was born May 9, 1918, was educated in that city, and was graduated cum laude from the University of Niagara with a degree in business administration in 1941.

"World War II intervened and Driver joined the U.S. Army in July 1941, was discharged November 1945, and went to work for the VA in February 1946.

"While working at the VA by day, he attended George Washington University in Washington, D.C., by night, earned his LL.B. degree, and was admitted to the District of Columbia Bar of Law in 1952. He is a member of Wynnewood Legion Post 511 of Dallas, Tex."

NUMBER OF PATIENTS INVOLVED IN CLOSINGS

Mr. Minshall. How many patients are involved in total, in the closing of the 11 hospitals?

Mr. Driver. 2,080.

Mr. Minshall. And you say there is adequate nearby hospitalization in all of these cases?

Mr. Driver. Yes, sir.

Mr. Minshall. For these 2,000?

INCREASE IN NUMBER OF PATIENTS TREATED

Mr. Driver. Yes, sir. In this regard, there has been much made about the fact we will, for some temporary period, not have as many beds in operation as we had immediately prior to the closing. I think that, really, this misses the main point, in that it is not the number of beds you have that is the payoff, but how many patients can you treat.

In 1960 we treated 637,000 patients with about the same number of beds we have now. In 1961 we went from 637,000 up to 664,000, an increase of 27,000. In 1962, from 664,000 to 689,000. In 1963, from 689,000 to 713,000, and in 1964 we went up to 739,000. In 1965 it was 746,000, and our estimate for 1966 is up another 15,000 to 761,000, even with the closings. This projection for 1966 is after closings.

On top of this, Congress has authorized us to establish 4,000 nursing home beds. They will be filled immediately by 4,000 long-term patients who are occupying medical beds today. This means that we could treat, on the average, 48,000 more patients in the year they are in full operation.

We are also supporting, starting in 1966, 2,700 patients in nursing beds that we would move from VA hospitals to private or public nursing home facilities, making another 2,700 beds available for acute care. So we are constantly increasing the total number treated, and to take care of these 2,000 patients poses no problem within the VA system.

INVESTMENTS IN HOSPITALS AND DOMICILIARIES

Mr. Evins. What is the total investment in these 14 facilities you propose to close? You told us you proposed to save $20.5 million. What is the Federal investment in these facilities?

Mr. Driver. In terms of the structures themselves?

Mr. Evins. In terms of dollars.

Mr. Driver. I would say just under $100 million.

Mr. Evins. Just under $100 million.

Mr. Driver. We estimate the replacement cost of all of the facilities at $100.3 million.

EFFECT OF CLOSINGS ON EMPLOYEES

Mr. Evins. What do you propose to do with all of the doctors, nurses, employees, and other workers of the Veterans' Administration in these facilities?

Mr. Driver. We hope they will transfer to other VA facilities. We need them all.

Mr. Evins. You do not propose to eliminate any of those?

Mr. Driver. No, sir. We put a job freeze on in January, and we are now able to offer firm offers to anyone who wants them.

Mr. Evins. But there will be increased cost because of the transfer of employees.

Mr. Driver. There really would not be. We know that most of the employees will not transfer, and we will not need the same number of employees after we move these to other hospitals. For example, we have 3,266 employees now caring for these 2,080 patients.

Mr. Evins. Repeat those figures again, please.

Mr. Driver. We have 3,266 employees caring for the 2,080 patients. After we move, of these 3,266 we will need 1,288 at other hospitals to increase the staffing in order to care for this average daily patient load. So there will be a net saving of 1,978 employees for a total of $15.5 million in the 11 hospitals.

Mr. Evins. A little less than 2,000 employees will be dropped from the rolls?

Mr. Driver. The net effect in our payroll; yes, sir.

Mr. Monk. But, by and large, those are administrative employees, not direct patient care employees, and that is how you can make a saving.

Mr. Evins. When you build these hospitals and refurbish them and expand others, you will have to put more on the rolls in those areas.

Mr. Driver. This would be to take care of more patients, Mr. Evins.

RURAL ELECTRIC COOPERATIVES

Mr. STALBAUM. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STALBAUM. Mr. Speaker, today I am introducing a bill which specifically spells out the fact that the nonprofit rural electric cooperatives are not subject to the jurisdiction of the Federal Power Commission.

When President Franklin D. Roosevelt signed the Executive order establishing the Rural Electrification Administration in 1935, and when Congress gave REA its statutory existence in 1936, neither action divided or watered down the sole responsibility of that agency for fostering and financing the electrification of rural America. I might add that REA has done an admirable job of carrying out that assignment under the guidance of a number of outstanding Administrators, including the present Administrator, Norman Clapp, who is a native son of my home State of Wisconsin.

The Rural Electrification Act makes no reference to the Federal Power Commission. The Federal Power Act is equally silent in regard to the consumer-owned, nonprofit, cooperative electric associations financed by loans from a sister agency, the REA.

Nothing in the legislative history of either act indicates any intent on the part of Congress that FPC have jurisdiction over the rural electric co-ops. Quite the contrary. Several attempts have been made in the past to have Congress enact legislation which would provide FPC with jurisdiction over the electric cooperatives in various respects. The Congress has consistently refused to enact such legislation.

Mr. Speaker, despite this consistent legislative history against FPC jurisdiction over the rural electric co-ops, 2 years ago the Federal Power Commission initiated an attempt to take such jurisdiction. In a test case, the FPC ordered three rural electric cooperatives to "show cause" why they should not comply with the FPC's regulations on rate schedule filing, accounting, and reporting. One of the "guinea pigs" chosen for this experiment was Dairyland Power Cooperative of La Crosse, Wis., a generation and transmission co-op with an excellent record of service to its 27 member distribution cooperatives.

The three co-ops singled out by FPC in its "show cause" order have had to expend considerable amounts of money and time in preparing for and testifying at the lengthy hearings held by FPC on the jurisdictional question. It can be anticipated that the co-ops would appeal an adverse FPC decision to the courts. The only reason why they have not yet had to go the whole expensive route through the courts is because congressional reaction to the FPC's activities as a result of this being called to their attention by representatives of both political parties in the area involved, forced the FPC to defer issuing a decision until January 1, 1966, in order to permit further congressional consideration of the matter.

Mr. Speaker, early passage of clarifying legislation such as I am introducing today is needed to prevent resumption of this costly and senseless FPC proceeding.

In reading the record of the FPC's "show cause" hearings and the hearings held by the Senate Commerce Committee on this subject, it is abundantly clear to me that the FPC does not understand the basic difference between the consumer-owned rural electric cooperatives, which are nonprofit enterprises, and the investor-owned power companies, which are operated for a profit.

In a rural electric cooperative, the interests of the consumer are protected by his vote as a member. In other words, a rural electric co-op is self-regulating. "Owned by Those We Serve" is an accurate slogan which is proudly displayed by the rural electric cooperatives. It underscores the fact that there is no need for outside regulation other than that provided by REA to insure the sound and constructive use of REA loan funds.

On the other hand, the commercial power companies serve two interests. They sell electricity to consumers but must also return a profit on those sales to their investors, most of whom are not consumers of the company. The need for Federal and State regulation to protect the customers of an investor-owned power company is obvious.

Mr. Speaker, my home State of Wisconsin recognizes the fundamental difference between the rural electric cooperatives and the investor-owned power companies by exempting the co-ops from the regulatory jurisdiction of the Wisconsin Public Service Commission. In Wisconsin, we know that the electric cooperative's consumers exercise control over the rates and other policies of their co-op through their "one-member, one-vote" rights.

I share with the rural people of my State the justifiable pride which they take in the accomplishments of their 30 rural electric cooperatives. One of them, Rock County Electric Co-op of Janesville, serves over 2,000 rural consumer-members in my home district. Of the 127,000 farms in Wisconsin, 98.9 percent are receiving central station electricity today, as compared with only 19.6 percent when REA was created in 1935.

Low consumer density and low revenue per mile make the service job harder for the rural electric cooperatives than for the power companies. REA-financed co-ops in Wisconsin serve only 3.2 consumers per mile and average only $538 in revenues per mile of line, as compared with 23.1 consumers and $4,828 in revenues per mile of line for the Class A and B commercial utilities.

The continuing objective of the rural electric cooperatives in Wisconsin and across the Nation is to provide the electric service required by their consumer-members under rates and conditions comparable to those available in urban communities. Why should we make this difficult task even more difficult by permitting the cooperatives to be saddled with the added expense and delays which will inevitably come if they are subjected to regulation by the Federal Power Commission—regulation for which no need exists?

Mr. Speaker, I urge that Congress spell out its long-established position that the nonprofit rural electric cooperatives are not under the jurisdiction of the Federal Power Commission.

MORTGAGE MARKET FACILITIES ACT OF 1965

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, I introduce, for appropriate reference, a bill to improve the secondary market for conventional mortgages and to make certain that the funds required for adequate housing will be available in the future. This legislation is similar to S. 644 introduced by Senator SPARKMAN on January 22 of this year. The purpose of this measure is to organize the mortgage market in a more orderly manner and thus assure a more even flow of mortgage funds throughout the United States.

While it is true that mortgage funds are generally available at the present time, there are many pocket areas where a glaring lack of mortgage credit exists. As a result of this lack of uniform nationwide marketability in the mortgage area, an undue spread in interest rates develops between capital-surplus and capital-scarce areas. It is also true that in many instances the localities where capital is not readily available are the same economically depressed localities that the President is attempting to assist through his antipoverty program.

My proposal establishes an effective market mechanism that will be available in the seventies when mortgage credit will be in great demand if our population expands as is generally predicted. The proposal involves no Federal expenditure that will not be recouped by the Government. Capital requirements and management skills will come from the private sector of the economy.

The facilities provided in this legislation will be made equally available to all lenders, large and small. The legislation, however, would be particularly helpful to the small lenders who are presently unable to tie up funds in conventional mortgages because there is no effective secondary market for mortgage paper. In short, the Mortgage Market Facilities Act would provide the small and the economically isolated lender with an effective tool for more active participation in a program which has much social and economic importance. The bill provides for:

First. Federal chartering of private corporations to insure conventional mortgages on one- to four-family homes. The loan to value ratio would be 90 percent with a ceiling of $30,000 per individual mortgage.

Second. Federal chartering to private mortgage market corporations to provide a secondary market for conventional and FHA mortgages. These corporations would be granted authority to buy and sell mortgages and to issue debentures upon the security of insured or guaranteed mortgages in their portfolio.

Third. A joint Federal supervisory board is established to charter and examine corporations organized under this legislation.

If this Nation is to achieve the high levels of prosperity and economic development envisioned by the administration, if we are to live up to the ideal of a Great Society, then we must be able to implement the flow of capital from areas of abundance to areas of chronic capital shortages. The Mortgage Market Facilities Act of 1965 is an attempt to insure this necessary flexibility and, at the same time, take measures in contemplation of the forecasted increase in our population.

INVESTIGATION OF DISASTER AT BIENHOA AIR BASE

Mr. MINSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a letter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, yesterday afternoon I addressed a letter to the distinguished chairman of the Committee on Appropriations, the gentleman from Texas [Mr. MAHON].

I insert the letter in the RECORD at this point.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 17, 1965.

Hon. GEORGE H. MAHON,
Chairman, House Committee on Appropriations, Washington, D.C.

DEAR MR. CHAIRMAN: I respectfully request that immediately upon the return of the Department of Defense investigatory team from Vietnam you call Gen. William K. Martin, and his aides before the Defense Appropriations Subcommittee for a firsthand report on their findings at Bienhoa Airbase.

In cost of lives and property this is the heaviest loss we have suffered in the entire Vietnam campaign. It is ironic and terrible that this is an apparently self-inflicted disaster not accountable to either enemy attack or sabotage.

There is a history of bungling throughout the entire Vietnam operation, but I could not conceive of such grievous mismanagement as is emerging from the facts coming from Bienhoa. I do not pose as a military expert, but as a former member of the Army with 63 months of intensive training and oversea service during World War II, and as a 7-year member of the Defense Subcommittee, I am amazed by the lack of elementary military judgment revealed at Bienhoa.

The cardinal rules of dispersal and revetting obviously were completely ignored. Our planes were stacked like dominoes at the airbase, lined up like sitting ducks for enemy attack. It is incredible to me that we have troops in the field who have not even this much grasp of the military manual. The gross stupidity which has destroyed American men and materiel is shocking and signals something basically wrong at the Pentagon. I suggest it is time to abandon the automatic data processing computers and use a little military horsesense.

I strongly urge that while we are about to appropriate some $50 billion for defense, this entire tragedy be promptly reviewed by our subcommittee through direct interrogation of General Martin and his investigators.

Sincerely yours,

WILLIAM E. MINSHALL.

PROPOSED REPEAL OF SECTION 14(b) OF THE TAFT-HARTLEY ACT

Mr. GRIFFIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, the text of the long-awaited labor message of President Johnson is now available.

At a time when the Nation is deeply concerned about civil rights, Mr. Johnson has proposed second-class citizenship for millions of workers.

His proposal for outright repeal of 14(b)—with no effective protection for the legal and civil rights of individual workers—should be soundly defeated by Congress. I am convinced that a large majority of the American people take that view.

If workers are forced to join a union to hold their jobs, at the very least the law should effectively prevent the union, first, from discriminating on the basis of color or creed; second, from using dues for politics and nonunion business; and third, from fining or disciplining members who disagree with union policy.

H.R. 4350, which I introduced on February 4, 1965, would provide the important protection for individual workers which the President has disregarded.

Section 14(b) now allows the people of each State to decide whether compulsory unionism should be legal. This power should not be taken away from the States and the people unless and until Congress provides effective safeguards for the legal and civil rights of individual workers who would be affected.

PRESIDENT'S LABOR MESSAGE

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I know that the gentleman who just addressed the House [Mr. **GRIFFIN**] has made his views well known on this subject. On the other hand, I think it is only proper to draw the attention of Members of the House to the fact that there has been controversy for some time with respect to section 14(b) of the Taft-Hartley Act. Many people feel that this section has resulted in the inability of labor and management to reach an agreement on their own without the dictate of legislation to so prevent them. It is therefore a subject which will be carefully considered by the Committee on Education and Labor.

A bill undoubtedly will be presented to this House and this House may then make up its mind whether it is more for the benefit of sound collective bargaining and sound management and labor policy to repeal section 14(b). I would like to ask the good Members of this House to suspend judgment until the full record is presented; and to say that I believe that when the other matters in the President's message are considered we will find that the interests of the Nation have certainly been well advanced.

Mr. Speaker, I would also like to state that I have the honor this morning of introducing the administration's proposals to extend the coverage of the Fair Labor Standards Act to 4½ million workers. In addition to extension of coverage of the Federal wage and hours law, the President's proposal would raise overtime premium pay to twice the regular rate of pay for hours over 45 in a workweek.

The general Subcommittee on Labor will get underway with hearings on these proposals on Tuesday, May 25. The Secretary of Labor, the Honorable W. Willard Wirtz, will be the first witness. I can promise that we shall give full and fair consideration to all viewpoints. I can also state that this is a subject that the subcommittee has delved into intensively in recent sessions. We are very much interested in receiving facts that have not been presented to us several times in the recent past, but candor forces me to state that we shall not be receptive to reconsideration of familiar views.

Enactment of the Fair Labor Standards Act in 1938 was response to a call upon the Nation's conscience. Now in its third decade the act has meant much to many: Greater dignity and security and economic freedom for millions of American workers. An upswing in economic growth for the country as a whole.

In 1938, when Congress established the Fair Labor Standards Act, it set out to "correct" and "eliminate labor conditions detrimental to the maintenance of the minimum standards of living necessary for health, efficiency, and general well-being of workers." This is the avowed purpose and intent of the act.

The President has requested immediate action on the administration's double time and extended coverage proposals. He has further requested more intensive study of proposals to raise the minimum wage and establish a shorter workweek. The subcommittee will resume consideration of the latter two subjects subsequent to hearings on the administration bill.

Each industry that would be newly covered by the Fair Labor Standards Act will be granted full opportunity to present its views.

The subcommittee will meet in executive session on Thursday, May 20, to more specifically establish procedure for consideration of the wage-hour proposals.

For the information and interest of Members of Congress and the general public, I include at this point an explanation of the administration's proposals:

EXPLANATION OF PROPOSAL TO EXTEND COVERAGE, AND IMPROVE THE MAXIMUM HOURS STANDARDS OF THE FAIR LABOR STANDARDS ACT

INTRODUCTION

The bill will amend the coverage and exemption provisions of the Fair Labor Standards Act of 1938, as amended, to—

1. Extend minimum wage and overtime protection to about 4.6 million workers in retail, laundry, hotel, motel, motion picture theater, restaurant, taxicab, hospital, construction and other enterprises and in logging operations;
2. Consolidate and clarify the act's present exemptions for the handling and processing of farm commodities;
3. Apply the overtime pay standards of the act to employees of transit companies and gasoline service stations;
4. Remove inequities in the computation of overtime pay for salaried workers;
5. Extend the act to employees in the Eniwetok and Kwajalein Atolls and Johnston Island; and
6. Lengthen to 3 years the act's present 2-year statute of limitations for instituting actions to recover wages due.

Employees who are brought under the act by this proposal will be given the same minimum wage and overtime protection provided for other workers subject to the act; i.e., a minimum wage of $1.25 an hour and overtime pay after 40 hours a week.

The bill will also require the payment of double time for hours worked in excess of 48 a week, decreasing to hours in excess of 45 a week over a 3-year period for employees who received overtime protection prior to enactment of the 1965 Fair Labor Standards Act amendments.

A. EXTENSION OF COVERAGE

How it is accomplished

The bill will extend the minimum wage and overtime protections of the Fair Labor Standards Act to 4.6 million additional workers by (1) amending the definition of an "enterprise engaged in commerce or the production of goods for commerce" to include all such enterprises which have employees engaged in those activities and which have an annual gross volume of sales of not less than $250,000, and (2) by removing a number of exemptions. Under the act's present provisions there is a lack of uniformity regarding the sales tests applied to determine whether an enterprise is covered. A retail enterprise, for example, is covered only if the entire enterprise has annual sales of $1 million or more and it has an inflow of goods which move or have moved across State lines in total annual volume of $250,000. On the other hand, a gasoline service station (which, in fact, is also a retail establishment) now qualifies for coverage if it simply has annual sales of $250,000 or more. The draft bill will remove these inconsistencies in applying the enterprise basis for coverage and substitute a uniform standard which is fairer to all concerned.

In revising the act's provisions regarding these interstate enterprises, the amendments in no way affect the existing exclusion of so-called "mom and pop" stores which are operated by their owners or immediate families, and individual establishments will continue to be exempt if their annual sales are less than $250,000.

Specific coverage provided by the amendments

The additional coverage provided by this bill will be accomplished by amending the definition of interstate enterprises in section 3(s) and by removing certain exemptions in sections 7 and 13, some of which now exclude employees in these enterprises.

Specific categories of employment affected by this proposal are as follows:

1. Retail trade: The broadening of the definition of an enterprise "engaged in commerce or the production of goods for commerce" contained in section 3(s) of the act and repeal of certain exemptions will result in the extension of minimum wage and overtime protection to an additional 1.5 million employees in the retail trade.

The bill provides for the repeal of the section 13(a)(19) exemption for employees of establishments primarily engaged in the business of selling automobiles, trucks, or farm implements and the section 13(a)(20) exemption for food service employees in large retail establishments.

2. Laundries and dry cleaning establishments: The bill amends section 13(a)(3) of the act so as to extend coverage to 175,000 employees in laundering and cleaning establishments which have gross annual sales of $250,000 or more and which are part of an enterprise with annual sales of such amount.

The exemption will also be amended to provide coverage for workers in laundry and dry cleaning establishments which make more than 25 percent of their sales to other than home customers.

3. Hotels and motels: The proposal will delete the minimum wage and overtime exemption in section 13(a)(2) for employees of hotels and motels. This will extend minimum wage and overtime protection to 275,000 additional employees employed in establishments doing an annual business of at least $250,000.

With regard to tipped employees, the bill provides that the term "wage" shall include the value of tips or gratuities accounted for or turned over by the employee to the employer, and authorizes the Secretary of Labor to determine their fair value. Of course, only those tips or gratuities actually apportioned among employees or otherwise returned to them by the employer would be counted in determining whether the employer has met the requirements of the act.

4. Restaurants and other food service establishments: The bill will amend section 13(a)(2) of the act to extend minimum wage and overtime protection to 425,000 employees of restaurants or food service establishments which have an annual gross volume of sales of not less than $250,000.

5. Hospitals and institutions for the sick and aged: Employees of hospitals, nursing homes, and homes for the aged are presently exempted from the act under section 13(a)(2)(iii). The bill will remove this exemption and extend coverage to employees of such establishments which have an annual gross sales volume of $250,000. It will provide minimum wage and overtime protection for approximately 890,000 employees of non-Government hospitals, nursing homes, and homes for the aged.

6. Employees of logging contractors: The proposal will repeal section 13(a)(15) of the act, which exempts from the minimum wage and overtime provisions logging operations involving not more than 12 employees. Approximately 87,000 additional employees will thus be provided the act's protection.

7. Motion picture theaters: The exemption in section 13(a)(2) for motion picture theaters will be repealed. This will result in the extension of minimum wage and overtime protection to 75,000 additional employees.

8. Taxicab companies: Employees of taxicab companies will be brought under the act by repeal of the existing exemption in section 13(a)(12). The proposal will thus provide minimum wage and overtime protection to an additional 100,000 employees.

9. Construction and other industries: The broadening of the section 3(s) definition of an enterprise "engaged in commerce or the production of goods for commerce" will provide minimum wage and overtime protection for an additional 250,000 employees in the construction industry and 650,000 in other industries which individually employ relatively few employees.

10. Clarification and consolidation of exemptions relating to handling and processing of farm products: The bill will remove the minimum wage and overtime exemption in section 13(a)(10) and the overtime exemption in section 7(c). Two other minimum wage and overtime exemption provisions closely related to section 13(a)(10) (sections 13(a)(17)—grain elevators—and 13(a)(18)—cotton ginning) will also be repealed.

Section 7(b)(3) will provide a 14-week overtime exemption, limited to 10 hours a day and 48 hours a week, for employment in industries found by the Secretary of Labor to be of a seasonal nature. As amended, it will also provide a similar exemption for handling and processing operations covered by the deleted provisions, except livestock slaughtering, if the Secretary finds the industry to be "characterized by marked annually recurring seasonal peaks of operation."

11. Extension of overtime protection to certain gasoline station employees and transit employees: The bill repeals the overtime exemption inspection 13(b)(2) for "any employee of a gasoline service station." Approximately 86,000 employees would thus receive maximum hours protection.

It will extend overtime protection to 103,000 local transit employees by repealing the overtime exemption in section 13(b)(7) for employees of street, suburban or interurban electric railways, or local trolley or motorbus carriers.

12. Extension of geographical application of act and computation of overtime: Section 13(f) will be amended to extend the act to the Eniwetok and Kwajalein Atolls and Johnston Island.

The bill will also amend section 7(e) so that, except in cases where an employee works necessarily irregular hours and is employed pursuant to an individual contract or a collective bargaining agreement providing for premium pay, the "regular rate" will be computed by dividing the fixed salary by not more than the maximum workweek of 40 hours.

13. Statute of limitations and effective date: The bill will lengthen to 3 years the present 2-year statute of limitations for instituting action to recover wages due.

The amendments made by the bill will take effect 120 days after enactment, except that the authority to promulgate necessary rules, regulations, or orders with regard to such amendments could be exercised by the Secretary of Labor on and after the date of enactment.

NEED FOR THE LEGISLATION

At the present time almost half of the Nation's wage and salary workers are outside the Fair Labor Standards Act. The proposal would provide minimum wage and overtime protection to approximately 4½ million of the neediest of these workers. They constitute a group which as a whole has been denied a living wage in the midst of an unparalleled national prosperity.

The wages of exempt workers generally do not rise with increases in the cost of living, and as a result they suffer a continuing decline in real earnings. These workers who are denied the modest benefits of the Fair Labor Standards Act comprise a chronically depressed class.

Thirty-one percent of the workers who would be extended minimum wage protection by the bill now receive less than $1.25 an hour. Their plight is evident when one considers that even at this wage, if a worker were employed steadily—40 hours a week for an entire year—his annual income would amount to only $2,500. Although poverty has been defined in many ways, a family income of less than $3,000 is generally regarded as falling below the line marking the poverty level. While the assurance of a wage of $1.25 an hour to workers now receiving less than that amount would still fall short of this dividing line, it would provide some measure of improvement in the unhealthful and dispiriting conditions to which they are now subjected by their intolerably low wages.

The broader application of the act's overtime standards provided by the bill will help to discourage excessively long hours of work for those workers to whom this protection is extended. It will also tend to spread employment opportunities in several categories of jobs in which the relatively unskilled can qualify for employment. Since chronic and persistent unemployment among unskilled workers is disproportionately high, this aspect of the proposed legislation is particularly important.

In extending the act's protection to the categories of workers dealt with in this bill, a selective approach is followed so that those needing it the most will be benefited.

For example, laundryworkers have long been the lowest paid in the country. Earnings data published by the Bureau of Labor Statistics indicate that the spread between wages in laundries and wages in low-wage manufacturing industries steadily widened between 1947 and 1960. A comparison of wages in laundries and in the fertilizer industry (which is a low-wage industry but is covered by the act) illustrates this fact. Average hourly earnings in the fertilizer industry were about 15 cents higher than those in the laundry industry in 1947. By 1960, the spread between the two industries had increased to 63 cents. Today, 41 percent of the laundryworkers who would be covered by this bill receive less than $1.25 an hour.

Similarly, average hourly earnings in the fertilizer industry were 28 cents higher in 1947 than the average hourly wage in year-round hotels. By 1960, this differential had increased to 63 cents. It is estimated that 36 percent of the hotel and motel workers who would be extended the act's protection under this bill now receive less than $1.25 an hour in cash wages plus tips.

The estimated number of other categories of workers who will be extended the act's protection, now receiving less than $1.25 an hour, is as follows:

	Percent
Retail trade (secs. 3(s) and 13(a)(2))	30
Agricultural processing within the area of production (sec. 13(a)(10))	64
Local transit (sec. 3(s))	10
Cotton ginning (sec. 13(a)(18))	67
Taxicabs (sec. 13(a)(12))	25
Small logging (sec. 13(a)(15))	6
Motion picture theaters (secs. 3(s) and 13(a)(2))	60
Construction (sec. 3(s))	6
Restaurants (secs. 3(s) and 13(a)(2))	29
All other industries (sec. 3(s))	28

The proposed clarification and consolidation of provisions in the act relating to the handling and processing of farm products is long past due. The exemptions covering these agricultural operations have proved over the years to be complex, overlapping, and difficult to apply. In enacting the 1961 Fair Labor Standards Act amendments, Congress directed the Secretary of Labor to "study the complicated system of exemptions now available for the handling and processing of agricultural products under the act and particularly sections 7(b), 7(c), and 13(a)(10)." The Department made a detailed study of these exemptions, and the amendments in the attached bill reflect the information compiled in this study.

The provision extending the geographical application of the Fair Labor Standards Act to the Eniwetok and Kwajalein Atolls and Johnston Island accords the same protection to employees in these trust territories as is accorded to employees in other areas under our jurisdiction, such as the Canal Zone. The bill does provide, however, with respect to these newly covered territories, that the Secretary may issue rules and regulations allowing reasonable variations and tolerances from the act's requirements if, after hearing, he finds that economic conditions warrant such action.

The revision in section 7(e) of the act relating to the computation of overtime for employees (except where their work necessitates irregular hours) eliminates an inequitable situation in which the rate on which overtime pay is computed decreases as the number of hours worked in a workweek increases. Thus, the longer an employee works, the less are his earnings per hour.

The lengthening of the statute of limitations to 3 years will allow workers more time to familiarize themselves with their legal right to back wages and thus improve enforcement of the act. The short statute of limitations gives competitive advantage to violators and penalizes many workers in the collection of wages legally due. The Federal criminal statute runs for 5 years and many other statutes run for 3 years or more. The existing 2-year period under the Fair Labor Standards Act is also shorter than that allowed creditors of employees to collect money owed for food and rent bills.

B. MAXIMUM HOURS STANDARDS

Under the proposal an employee to whom the act's 40-hour workweek standard applied prior to the 1965 amendments will be entitled to receive double time compensation for all hours worked in excess of 48 hours in a workweek. The number of hours worked beyond which such compensation is required will be gradually reduced until the employee is entitled to receive double time pay for all hours worked in excess of 45 hours in a workweek. Specifically, the payment of double time compensation would be required for a workweek longer than—

1. Forty-eight hours during the first year after the effective date of the amendment;
2. Forty-seven hours during the second year;
3. Forty-six hours during the third year; and
4. Forty-five hours after the expiration of the third year.

The time and one-half overtime rate would continue to apply to work in excess of 40 hours in a workweek up to the number of hours at which the double time rate becomes applicable. This rate will also apply in periods of extraordinary emergency, including a national emergency, or where other compelling reasons exist.

NEED FOR THIS LEGISLATION

A basic aim of the Fair Labor Standards Act of 1938 was to discourage excessive overtime work and to create additional employment opportunities. However, in recent years it has become apparent that the act's time and one-half overtime pay requirement is no longer adequate for this purpose.

When the Fair Labor Standards Act first became operative, the hourly cash wages of employees (on which overtime pay is generally computed) constituted the greater part of the earnings of most workers. Employer payments for social security and fringe benefits then amounted to only about 5 percent of the hourly wage rates of such workers. Since that time, employer payments for supplementary benefits have increased tremendously and today probably average about 20 percent of such wage rates.

As a result of the decrease in the relative importance of cash wages as a compensation factor, the effectiveness of the time and a half penalty rate as a deterrent to long workweeks has been reduced by 40 to 50 percent. Employers frequently find that it is cheaper to schedule overtime work at time and a half than to hire additional workers for whom additional payments for fringe benefits would be required. No longer is overtime work scheduled principally in emergency situations, but on a day-to-day basis. As a consequence, overtime is now an integral part of the wage-hour structure, and the 40-hour workweek rather than being an accepted workweek goal is merely a base for the computation of overtime pay.

CONCLUSION

The proposed legislation would not eliminate all overtime work or create jobs for all the unemployed. However, its provision for an increase in the Fair Labor Standards Act's premium pay rate for overtime is certain to lead to a reduction in such overtime and the creation of additional job opportunities. In accomplishing this objective, this proposal would apply the higher overtime pay rate on a gradual and reasonable basis, thus minimizing any problems of adjustment which employers might encounter.

MISSISSIPPI ON THE MARCH

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS. Mr. Speaker the people of Mississippi are making a determined effort to expand the economy of our State and bring about better living conditions for all its citizens.

The per capita income in Mississippi is only 57 percent of the national average, but our meager tax dollars are being wisely spent on far-reaching programs in education, research, marketing of farm products, and other programs vital to economic progress.

In a recent address to the Associated Graduate Students in Economics and Business Administration at the University of Mississippi, Mr. Clarence L. Lott outlined some important achievements in Mississippi. Mr. Lott is vice president and general manager of Southern Bell Telephone & Telegraph Co., Jackson, Miss.

I include as part of my remarks the text of Mr. Lott's address:

LOOK AT THE STATE EVERYTHING'S IN

CURRENT CONDITIONS

Our indicators of January and February business activity in Mississippi as compared with the same months last year show that, in the main, 1965 apparently got off to a good start. Timber severance tax continued on the plus side as it has been in each month since last summer. Life insurance sales made impressive gains in both months as they have during much of the last year. Retail buying, as indicated by sales and use tax, was up from a year earlier by 13 percent and 6 percent for January and February, respectively. Larger than usual gains were registered by manufacturing employment which has not shown an over-the-year decline in any month since 1961; the February figure of 143,100 set a new record for that month. Bank debits gained substantially in February and apparently set a new record for the month.

During 1964, Mississippi's economic development centered upon three things:

1. A new marketing council for finding bigger and better markets for Mississippi's agricultural and industrial goods. The role of this 15-member council is to develop our State's markets, both in this country and in foreign lands, for Mississippi's agricultural and forestry products. The council is also to tell the world what Mississippi grows and manufactures for exchange in world commerce.

2. A stepped-up program of vocational and technical training, stressing development of skilled workers for today's more complex industries. To train workers for higher paying industrial jobs, the Mississippi State Legislature in 1964 made $1,700,000 available to the State building commission. This will be matched equally by local funds for setting up training programs at Mississippi's various public junior colleges. Another $1 million was appropriated directly to the junior college commission for the same purpose. At the end of 1964, $4,186,000 of new vocational and technical training centers were on the drawing board for Mississippi's public junior colleges.

3. A statewide, organized program of practical research so Mississippi might realize its highest potential. A newly organized research and development center will coordinate all existing research efforts related to such developments. The center will work closely with Mississippi's institutions of higher learning, the A. & I. board and all agencies involved in economic development programing.

I am going to discuss formation of the Mississippi Research and Development Center in general terms, because that's the planning stage it's now in. Specifics in all instances have yet to be defined and approved.

Its formation resulted from an increased awareness of the importance of bringing together, in one easily accessible and central source, all informational resources of our State, plus the potential influence of its application to specific State problems or opportunities. We will explore the orderly, overall application of this information to Mississippi by later taking a specific look at the State everything's in.

Legislative intent of the act cited as "The Mississippi Research and Development Act of 1964" is to make research more effective for Mississippi economic development by:

1. Reorganizing and expanding the research function of State government in the Mississippi Research and Development Center, thereby providing an organizational form and a physical facility through which Mississippi research needs can be analyzed, coordinated, and acted upon more effectively;

2. Coordinating and minimizing duplication of effort and utilizing better the existing research capabilities in State agencies and institutions of higher learning.

3. Associating the State research agency closely with the academic community without placing it under the administration of any single institution;

4. Supporting research with more adequate professional staff, equipment, and quarters;

5. Providing a representative advisory group, the Mississippi Research and Development Council, to guide research policies and programs for the maximum benefit of Mississippi by assuring the orientation of such policies and programs to economic development.

The Mississippi Research and Development Council will formulate plans for a million-dollar research center, centrally located and readily accessible in Jackson. The center, by coordinating Mississippians' efforts, will assure a more efficient and effective application of all our resources.

In this connection, Tom Hederman, chairman of the research and development center committee, recently reported some specifics. His report, which stated that a project started in 1961 for the location of a university-oriented research and education center was being finalized, showed:

1. The Mississippi Legislature in 1962 authorized Hinds County to float $2 million in bonds for construction of a center to house facilities provided by the University of Mississippi and Mississippi State University.

2. A joint plan for operating the universities center has been submitted by the two universities to the board of trustees of institutions for higher learning.

3. A land-use consultant has been employed for determining the location and landscaping of the center.

4. The center would consist of one building housing both university institutions.

5. The Mississippi Research and Development Center, to occupy another building on the same site, would be coordinated with the universities center. There would also be a sharing of certain facilities—such as a computer, auditorium, etc.

6. The universities center would include research and graduate work in engineering, agriculture and forestry, business and industry, urban planning, pharmacy and biomedical engineering.

The report also estimated the county bond issue would come late this month or early March.[1] It also pointed out the joint research center would be located on a State-owned tract of land bounded by Lakeland Drive, Ridgewood Road, Eastover Drive, and Interstate Highway 55.

Back, now, to the Mississippi Research and Development Center and its functions. Its functions include:

1. Providing advice and guidance concerning research requirements to all agencies, institutions and organizations pursuing economic development.

2. Undertaking selected applied research projects with a permanent research staff, augmented by specialists from universities and colleges, government agencies and private firms, assisted by graduate students. People such as you, for the first time anywhere, will have an opportunity to serve in such a capacity.

3. Maintaining and disseminating information needed by various development agencies and organizations throughout the State, by industrial and business firms, and by State government.

4. Providing a computer facility for use by all educational institutions, government agencies and business firms. By applying the latest technological developments in data processing, a logical and systematic arrangement of data will be constantly available for instant reference.

5. Maintaining current information on research projects in the State; on scientific and research personnel; on research expenditures and sources of funds; on research programs of agencies and institutions outside the State which bear upon Mississippi development; publishing annually a catalog of this information; and otherwise functioning as a research clearinghouse for the State of Mississippi.

6. Supplementing the extension activities of the universities by making staff members of the development center available for counseling and extension services throughout the State.

7. Assisting institutions, organizations, and firms in obtaining professional research services from other sources, in drawing up research proposals, in obtaining research grants and contracts, and in other aspects of research management.[2]

This, generally, is the blueprint from which data necessary to Mississippi's future economic well-being will be compiled. To me, it offers a means to appraise need and feasibility, evaluate alternatives, distinguish between what is and is not known, and to do all this to the end that the most efficient, practical, and useful programs are planned and implemented, resulting, I think, in a quickened pace of economic growth.

What precipitated the research center? Change. Extraordinary change and progress have characterized the life of the South in the past decade. An economy formerly based on agriculture has become more and more industrial. People have moved away from farms into better paying jobs in factories, service industries, and office work of all kinds. We have witnessed rapid growth in metropolitan areas. Our per capita personal income for 1964 was $1,459—an increase of $69 over the average of 1963 and a larger increase than for the country as a whole. Moreover, the forces of expansion now in motion promise even more changes—opportunities—in the future. One such powerful force is population growth. The likelihood is that by 1975 there will be some 60 million more Americans than today.

Where will this growth settle? On farms, very little. Metropolitan areas, the great majority. For as the mechanization of agriculture continues, there will be fewer and fewer farmworkers.

This means our cities and their adjacent areas will have to grow. It's not a matter of choice. It's a matter of necessity. And to have good cities, flourishing cities, cities in good health economically and socially, we need to develop and diversify our productive resources far beyond what they are today. Efficient, effective development requires modern comprehensive planning. Economic research is the foundation of such planning, and Mississippi's new research and development center has economic research as its primary responsibility.

We will be called on to expand all the various attributes of an urban, industrial society: Educational facilities, highways, homes, hospitals, utility services, and all the rest. And in every case, the ability of the community to create and support all these attributes will depend most of all on its productivity and the ability of its industry to thrive. Why? Because there's no other source of wealth that can pay the costs of urban progress. So our need is plain—it's for more wealth, and the one way to get wealth is from increased productivity by industry, industry which will produce goods and services, create markets, provide good jobs, and pay taxes.

You know the ingredients of progress. The Mississippi Research and Development Council knows them. So, it's up to us to promote what we have to offer—and we have a great deal.

Mississippi's history reflects some of the most outstanding achievements of progressive, capable leadership. It seems to me our responsibility is to maintain this healthy climate so conducive to progressive growth of our great State. Here again, contributions of our State universities have played a significant part.

So now let's measure this climate, what it is, and how it affects Mississippi.

Mississippi has a new look. It's bold, towering, and full of new shapes, and confident. It has a new multimillion-dollar, jet-age air terminal, new industrial plants, and modern buildings, manufacturing variety and diversification.

Mississippi's new look is substantiated by its industrial growth. Here, industry is welcome. There's room for industrial growth—booming markets to serve, extensive land, water, rail and air transportation facilities, and an adequate labor force. All of these are powerful reasons why Mississippi has made and will continue to make, progress.

Earlier, I mentioned that we would look at the specific application of these ingredients to our State's progress; so let's look at the state everything's in—in the State that has everything.

Markets: Mississippi's increased per capita income makes it both a market and a distribution center. Excellent, low-cost transportation and a prime geographic location make Mississippi the ideal point from which to serve the vital, growing markets of the Southwest, Southeast, and Midwest.

Land: A mild climate, fertile soils, and attractive topography are all requisites for a pleasant, productive environment.

Oil and gas: The State's economic progress is getting a tremendous boost from its oil and gas resources. There is oil and/or gas production in 36 of Mississippi's 82 counties. During 1964, these industries spent more than $180 million in Mississippi for supplies, equipment, leasing, and drilling activities. Mississippi is now the seventh oil-producing State in the Nation.

Rivers and harbors: Port and river projects are pouring millions into Mississippi's economic well-being—projects such as Greenville, Natchez, and Vicksburg port developments. The newly opened Vicksburg harbor industrial district already has several industries located there. Then there is the new banana terminal at Gulfport (plus consideration for design and construction of open berth storage and a cold storage facility), the huge new grain elevator at Pascagoula, and the $50 million Harrison County Industrial Seaway.

Water: American industry now uses one and a half times as much water as in 1952. Fortunately for Mississippi's continued industrial growth, the State has an abundant supply of usable water. Mississippi, through the Pearl River project, was one of the first areas to take the much-needed step toward insuring an adequate, all-purpose water supply for years to come. Water is important to the National Aeronautics and Space Administration, too. A new canal will connect NASA's Saturn rocket test facilities in Hancock County with the East Pearl River. This water route is the path giant Saturn moon rockets will traverse—via barges—to be tested en route from New Orleans to Cape Kennedy launch facilities.

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[1] EDITOR'S NOTE.—The bond issue election was later scheduled for Apr. 6.

[2] Sec. 6 of the act sets forth the legislative intent as to relationships which shall exist between the center and other entities.

Forests: Highly productive forests and tree farms represent 57 percent of Mississippi's total land area, forming one of our State's most valuable and renewable resources. Over 1,200 factories and mills throughout the State are turning out lumber, paper, and other products at a rapidly growing rate. Exciting new developments in wood chemistry are lending new importance to this living resource as raw material for new plastics, fabrics, and a host of products from science-age research. Mississippi led all States in the South in dollar volume of timber cut from national forests during the first quarter of the present fiscal year (July 1–September 30).

Livestock and poultry: Mississippi is the largest beef cattle producing State east of the Mississippi River and south of the Ohio. It ranks high nationally in the number of cattle and calves on farms. Commercial broiler production continues to increase, too. Such growth has created improved opportunities for higher farm earnings, more jobs, and payrolls.

Grains: Soybeans, rice, corn, and other grain crops are some of Mississippi's leading sources of farm income. Surplus grain and grain from points in the West and Midwest moves to foreign points through our State's new 2-million-bushel elevator at Pascagoula.

Transportation facilities: Serving Mississippi are: 13 principal national highways; 740 miles of new interstate highways; 650 intrastate and interstate truck routes; 18 railways; 70 municipal and private airports; 90 passenger bus lines.

Labor: Our State's labor force is ready, willing, and able to work. Industry has found a good supply of men and women who welcome industrial work as attested to by their attendance and diligence.

From this base, Mississippi has built an impressive record of industrial hospitality and permanent progress. Since January 1960, 385 new industrial plants have been built in Mississippi, and more than 290 existing plants have been expanded. This growth represents a total investment of over $445 million.

Some recent major milestones in Mississippi's industrial history include:

1. Launching of construction activities of the Saturn rocket test facility of the National Aeronautics and Space Administration in Hancock County. This multimillion-dollar construction project is fast reaching its peak. This 140,000-acre rocket test site in the southwest corner of our State's coastal section hurls Mississippi into the space age in a big way. Total cost is a projected $500 million and the economic impact of this space-age activity is being, and will be, felt throughout Mississippi in more jobs (some 2,500 now employed) and bigger payrolls (estimated at $20 million annually).

2. A $4,500,000 expansion by General Tire & Rubber Co., at Columbus.

3. A $4 million new industry for the State—Southern Plywood Co., located at Beaumont.

During 1964, Mississippi communities welcomed 65 new industries plus the expansion of 55 existing industries which, when in full production, will add an estimated 8,635 jobs to the present manufacturing employment of 142,700—incidentally, an alltime high.

Our capital city represents the vanguard of Mississippi's growth. You can measure it. Since 1945, 82 manufacturing plants have been located in the Jackson area. Today, over 260 plants operate there, manufacturing a wide variety of products and employing 11,750 people.

And, this is only part of the economic growth in and around Jackson. Oil and agriculture have joined existing industry to create an even more diversified economy.

Jackson is also a—

1. Retail center—2,659 outlets doing an annual business in excess of $350 million;

2. Distribution center—785 wholesale outlets with an annual volume over $233 million;

3. Financial center—3 commercial banks with deposits over $465 million, savings and loan assets of about $149 million;

4. Medical center—5 general hospitals with a total patient capacity over 6,200, Hinds County Hospital under construction, University of Mississippi medical complex, with which I'm sure you're familiar;

5. Education center—7 senior high schools, 10 junior high, 46 elementary—with several more under construction or planned—and 3 colleges.

Additionally, Jackson has joined hands with Hinds County and adjoining counties of Rankin, Copiah, and Warren in an area development organization known as the Central Mississippi Development District. Through this organization, industrial development is carried out in these four counties with assistance from the Industrial Distribution Division and the Economics Research Division of the Jackson Chamber of Commerce.

Jackson's civic development has progressed, too. In 1961, Mississippians witnessed the opening of the 46,000 seating capacity Mississippi Memorial Stadium. In 1962, a 10,000 seating capacity coliseum opened there; and 1963 witnessed the arrival of the jet age with the opening of Jackson's multimillion-dollar air terminal.

Jackson today is a modern, thriving city. It has grown from a population of over 7,000 in 1900 to a metropolitan population that now embraces 250,000 Jacksonians. Jackson, while symbolizing the progressive energy of the "New South," has retained the charm and gracious living of the "Old South." Jackson has experienced many changes, but even in the midst of its thriving business activity and industrialization, Jacksonians still find time to devote to the art of living. They have maintained a proper balance between making a living and just living.

All the progress we've touched on involves planning. And planning means talking—communicating. That's where my business fits into the overall picture. Historically, few other yardsticks have reflected the pace of a State's growth more accurately than the installation of telephones. Today, we serve 161 exchanges, over 542,000 telephones. Of these, more than 95 percent are dial operated, and soon all Southern Bell phones in Mississippi are scheduled to be dial. All told, for expansion and service improvements, we've scheduled more than a million dollars every 2 weeks this year alone and a total of $65 million during 1964–65.

In Mississippi during 1964, our employees received an annual payroll of $25.5 million. The total tax bill paid on our 1964 operations in Mississippi was $22 million. Thus by meeting Mississippi's expanding telephone needs, we're helping further Mississippi's growth, too.

How can you, individually and collectively, add additional emphasis to Mississippi's growth? By the excellence of your work. To have a part in significant enterprise, to be one of its movers and managers, demands not just filling some niche each morning and leaving it each night just as you found it. It demands participation—to help build and shape, plan and execute, to measure alternatives against the horizon and act on the course judgment and resolution commend. It demands that you—and those working with you—be accountable for the quality of change and develop every resource at your disposal to discharge your responsibility as well as you know how. Collective excellence cannot exist without individual excellence.

I strongy believe genuine excellence in management is vital to our State's welfare and to our business competence and leadership. In our time, too many people have come to see their futures in terms of circumstances outside themselves—in terms of an institution that will do something for them. The doing is yours. The future must be seen in terms of what a man can do to contribute something, to make something better, to make it go where he believes, with all his being, that it ought to go. Opportunity is not so much in the situation as in the enthusiasm, intelligence, judgment, and courage which men bring to the situation.

Where do interest, vitality, a sense of challenge, and ethical awareness come from? From you. They are what you will bring to your work in pursuit of your opportunities.

And, as education and business reinforce each other's efforts to help students grow as bringers (as Mississippi educators and businessmen do), the result is excellence.

In closing, I'll touch on one other aspect of Mississippi's progress—teamwork—teamwork on the part of present Mississippi industries, civic and business groups, and individual citizens. For this teamwork has resulted in selling Mississippi's advantages nationally. And it will continue to result in permanent progress for our State—and its people—today and during the tomorrows.

The doing is ours. Let's make things happen, not wait for them to happen to us.

HOLLIS R. WILLIAMS, DEPUTY ADMINISTRATOR OF THE SOIL CONSERVATION SERVICE

Mr. DOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, among the officials honored today by the Department of Agriculture was Mr. Hollis R. Williams, Deputy Administrator of the Soil Conservation Service. Prompted by personal knowledge of his 30 years of meritorious service in the SCS, I would like to add my congratulations and pay special tribute to him.

Hollis R. Williams was raised on a farm in Arkansas and graduated with a B.S. degree in physical and biological sciences at Arkansas State Teachers College. Later, he attended Hendrix College in Conway, Ark., and then obtained a law degree from North Texas School of Law, Fort Worth.

Mr. Williams was a member of the Soil Conservation Service's regional office staff at Fort Worth from 1936 to 1946 and State conservationist for Arkansas from 1946 to 1957. Promoted to Administrator's field representative from the Southeastern States, Mr. Williams next moved to Washington, D.C., where, in April 1959, he was elevated to his present position of Deputy Administrator.

Still personally active in farming, Mr. Williams owns and manages a farm in Vilonia, Ark.

Hollis R. Williams today received the Soil Conservation Service award for distinguished administrative and technical achievements in the Soil Conservation Service program of assistance to local governmental organizations on small watershed projects.

The award was presented to a hardworking, capable, and deserving public official. The joy of his receiving the award is shared by his colleagues and friends alike throughout America.

CLUB INTERNATIONALE

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, the President has emphasized the disturbing imbalance-of-payments situation which now exists between the United States and other countries at the international trade level.

Part of this has been due to the increase in travel to foreign countries by our citizens taking advantage of the continued prosperity which our Nation is enjoying.

Because of this deficit in the balance of payments brought about by trade and travel, and because of the President's comments on it, there has been a considerable amount of mistaken information about the administration's attitude toward foreign travel.

We are not against foreign travel. Last year, more than 2,220,000 Americans went abroad. At the same time, because of a number of factors, including travel income from more than a million foreign visitors who came to the United States, this country's total travel deficit actually shrank by about 4 percent over the previous year.

President Johnson has stated quite clearly that there is no intent to place restraint on the number of Americans going abroad. And we are actively encouraging people of other countries to visit us. President Johnson has asked Americans to exercise prudence in their expenditures when traveling abroad, and to postpone temporarily some travel to foreign countries.

It has been the official policy of this administration and of previous administrations to promote people-to-people relationships toward better international understanding. Government agencies and private enterprises are pursuing this endeavor.

I would like to call your attention to a comparatively new group which is dedicated to the purpose of furthering international understanding through travel.

This new organization is Club Internationale, a nationwide association with national headquarters in Washington, D.C., which is now forming local chapters in cities throughout the United States. Its members participate in a program of education and travel so that they may be truly our ambassadors of good will in the foreign countries they visit. Through the Club Internationale, members are afforded economies in travel costs, to make it possible for more average citizens to participate, and to enjoy the benefits of foreign travel. A goal of the organization is to stimulate among its members interest in the philosophies, problems, objectives, and ideals of other peoples and other nations.

The scope of the program being organized by Club Internationale will not be limited to our citizens only. It is planned soon to establish chapters in foreign countries, so that members there may plan to visit the United States.

Lowering the costs of foreign travel on a bilateral basis will have a considerable effect on the numbers who go from this country to visit abroad, and likewise upon the number of foreigners who are able to enjoy visiting here. Substantially more Americans will be able to visit foreign countries without increasing our total deficit.

Club Internationale, in keeping with President Johnson's request, has established a program whereby its members, during their first 2 years of membership, take their vacations within our hemisphere, in countries such as Mexico, Canada, in the Caribbean area, and, of course, in the United States. Meanwhile, its members are preparing for their European trips, 3 years hence. Thus, each member of Club Internationale is helping the administration in our deficit problem.

The idea of a worldwide vacation club is not new. Such an organization has been operating successfully in Europe for the past 14 years and has a membership in excess of 300,000.

Club Internationale, the first national vacation club in this country, will have tremendous appeal to many thousands for whom ordinary foreign travel is still far too expensive. Its success is assured because the interest in travel is so very widespread. This group is making an outstanding contribution to the furtherance of good will, through contact by travel, and through the stimulation of mutual interests.

This undertaking is worthy of our recognition.

THE ADOPTION OPPORTUNITY ACT OF 1965

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, today I have introduced into the House of Representatives a bill to amend the Internal Revenue codes to allow a taxpayer who adopts a child to deduct from his gross income the medical, legal, and other related expenses incurred in the adoption process. The bill is called the Adoption Opportunity Act.

I have sponsored this legislation in the belief that some tax relief should be given those couples who choose to adopt a child. Under present tax codes adoption expenses are not deductible. This situation should be remedied for two principal reasons:

First, adoptive parents should, in justice, be given tax treatment at least equal to natural parents. Today, unfortunately, they are not.

Natural parents are allowed a tax deduction on all medical expenses involved in having a baby that are not covered by medical insurance. Since the medical cost of a birth ranges upward of $500, most parents receive a sizable deduction.

Adoptive parents receive no tax benefits though their expenses in adopting a baby may be considerable. For example, the cost of adopting a child from a private agency may be 10 percent of the couple's income. Legal expenses may amount to $150 or more.

Although adopting a baby from a public agency usually entails less expense, there often are charges to the adoptive parents. Legal fees again are extra.

In order to provide equitable treatment to adoptive parents, some tax deduction should be allowed.

A second reason for allowing such a deduction is the social benefit to be derived from encouraging adoptions. Although adoptions currently are keeping pace with the number of children available, many public and private social services admit they must carry on active recruitment programs to make sure that the number of applicants does not lag.

Private agencies report that many couples who inquire about adoption ask about the possibility of deducting the costs from their income tax. Often the most desirable adoptive couples are those for whom the extraordinary expense of an adoption is prohibitive. Young and just establishing a household, they may have many other financial obligations.

A tax deduction for their adoption expenses would provide welcome assistance.

Any revenues lost to the Federal Government from such a deduction would be more than recompensed in the social good of encouraging adoptions.

Further, since most children adopted are illegitimate, fostering adoptions helps relieve the cost to the taxpayers of rearing these children in institutions or foster homes. The average cost of keeping a child in an orphanage or home is about $3,000 per year. That figure increases about 4 percent annually.

For a public agency to raise a child from infancy to the age of 18 may cost taxpayers some $64,000. The same child, if adopted as an infant, costs the taxpayers nothing. It seems only sensible, therefore, to give a tax deduction for adoption expenses, and thereby assist in reducing the number of public charges.

The encouragement of adoptions is the intention of my bill, the Adoption Opportunity Act of 1965. The bill would allow a tax deduction for expenses up to $1,250 for medical, legal, and other expenses incidental to adopting a child.

I have chosen a $1,250 ceiling as one which would allow a liberal allowance for reasonable adoption expenses. It is the same maximum as that which an agency can legally charge under the laws of the District of Columbia.

Actually, few agencies ever charge as much as $1,250. For example, the highest adoption fee charged by a Washington, D.C., agency is $750. Yet in cases where the adoptive parents take care of the birth expenses of their prospective child, as is common in some States, the costs may well range over $1,000.

Mr. Speaker, the time has come for the Congress to recognize the contribution made to our society by those who adopt children by allowing a tax deduction for the expenses involved. It is my hope that the Adoption Opportunity Act will receive full and favorable consideration by the House Ways and Means Committee when it next seeks to amend the Internal Revenue Code.

REDUCTION OF EXCISE TAXES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Vanik] is recognized for 10 minutes.

Mr. VANIK. Mr. Speaker, like most Americans, I am delighted with the excise tax reduction proposals made by President Johnson in his tax message of yesterday. It is certainly encouraging that the financial status of this administration is healthy enough to support our extensive efforts in Vietnam, the Dominican Republic, the attack on poverty, and at the same time reduce taxes.

It is my hope that the excise tax reductions will find their way to price reductions to the consumer instead of multiplying the profits of the manufacturer—particularly at a time when corporate profits are reaching unparalleled levels. If price increases absorb the tax reductions—there will be no gain to the public resulting from the loss to the Treasury.

The proposed schedule of reduction of the automobile excise taxes is a case in point. If this tax reduction is spread over a period of years, the effect of such tax reductions upon the economy will be critically diluted. A $50 or $60 decrease in the price of automobiles will not stimulate an exciting or even a significant increase in automobile production and sales. The Treasury will lose $2 billion in revenue, the consumer will derive little benefit—the impact on the economy will be negligible.

On the other hand, if the automobile excise tax were completely eliminated, it could move the entire Nation's economy forward for at least 2 more production years. With price reductions ranging between $200 to $500 per automobile instead of $50 to $60 per automobile, the owners of perfectly good automobiles of recent vintage would turn them in for the new models. The buyer's potential for purchase with such stimulation is already a matter of record. Automobile production would soar to new levels for 2 more years and then meet the tremendous buyer's market which will develop out of the pastwar baby boom. There would be no gap in productivity—the current business cycle would continue in its upward pace.

Full repeal of the automobile excise tax would involve an additional loss to the Treasury of $1 billion over President Johnson's proposals. However, it would generate a $5 or $6 billion rise in productivity. This billion-dollar tax loss would be most likely to return to the Treasury in the form of higher income tax revenues.

The automobile industry has made assurances that the excise tax cut on motor vehicles would be passed on to the automobile purchaser. We should take advantage of this promise. If the excise tax reductions on motor vehicles are spread over a period of years, there are grave doubts that the policies of "no price increase" would prevail.

Mr. CHAMBERLAIN. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield.

Mr. CHAMBERLAIN. I would like to commend my colleague, the gentleman from Ohio, for his statement. I would like to say further I am inclined to share his view that if we cut these taxes, a nickel at a time for a period of years, it is very likely we are not going to feel the impact that a complete repeal would have at the present time. I commend the gentleman for his observation and I think all Members of the House should be apprised of it.

Mr. VANIK. I thank the gentleman from Michigan.

FINANCIAL SITUATION IN THE NATION'S CAPITAL

Mr. O'KONSKI. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. O'KONSKI. The Nation's Capital is like the weather. We all generally talk about it but very few of us do anything about it. I am referring to the financial situation here in the District of Columbia. It is no different from that of any other growing city. The District of Columbia needs more schools. The people here need more policemen. They need more firemen. They need better streets and they need more of everything and anything that any modern growing city needs. Yet throughout the years the District of Columbia has been strapped financially because somehow or other the Congress of the United States has not provided enough money for them to do the job that needs to be done.

This year I decided to do something about it. So I have taken a deep personal interest in this matter and have made a very thorough study of the tax structure and the revenue structure here in the District of Columbia. I am today introducing a bill which I think will help to solve the financial problems of the Nation's Capital. I was amazed to learn, for instance, that the tax burden borne by the people within the Nation's Capital is not fair—I should really say it is small compared to the tax burden that we bear in other parts of the country. I might well say that this is sort of a taxpayers' heaven compared to the rest of the country.

I am glad to observe that the citizens of the District of Columbia realize this is true and are willing to assume a more fair share of the tax burden.

Let me use a few illustrations to show what I mean.

The tax on a package of cigarettes in the District of Columbia is only 2 cents a package. Across the line, in the State of Maryland, the tax on a similar package of cigarettes is 6 cents. How can we justify a 2-cent tax, a small tax, in the District of Columbia, which needs revenue, as compared to the tax in the State of Maryland of 6 cents?

Let us consider the matter of gasoline. The District of Columbia tax on a gallon of gasoline is 6 cents. Across the line in Maryland it is 7 cents. Across the line in Virginia it is 7 cents. How can we justify such a low tax in the District of Columbia, when there is a higher tax in areas surrounding the District? In my own State, incidentally, the tax is also 7 cents a gallon.

Let us consider the matter of beer. The tax on a barrel of beer, across the line in the State of Virginia, is either $7 or $7.50 a barrel. The tax on a similar barrel of beer in the District of Columbia is only $1.50.

Let us consider the matter of real estate taxes. I own a home here in the District of Columbia, for which I paid $43,500, and it is only five blocks from the Capitol. The taxes on that piece of property are $530. I also own a home in my hometown in Wisconsin for which the market value is $26,000. I pay $870 in property taxes on that home, or almost twice as much.

That gives an idea of the fact that the residents of the District of Columbia are not bearing their fair share of the burden of the tax load.

I have introduced today a bill to raise the real estate taxes by 40 cents per hundred; to raise the individual income taxes, which are "out of this world" compared to income taxes in many States and many localities; to increase the cigarette tax by 1 cent per pack; and to increase the beer tax to $3.50 a barrel, which will still be $4 less than in the State of Virginia.

If we pass this tax bill which I have introduced and give the city the $50 million which is already authorized by law as a Federal payment, then for the first time in the 23 years I have been in Congress the District of Columbia finally will have enough revenue to do the job which needs to be done.

I hope that the Members of Congress will take a look at this bill and examine the tax structure and support my proposal.

A BILL TO PERMIT MERCHANT MARINERS WHO ARE ALSO NAVAL RESERVISTS TO QUALIFY FOR RETIREMENT BENEFITS

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection

Mr. CURTIS. Mr. Speaker, a number of merchant marine officers who manned our World War II merchant fleet and who concurrently held commissions in the U.S. Naval Reserve are presently denied eligibility for Naval Reserve retirement pay due to the provisions of the Armed Forces Retirement Act—Public Law 810 of the 80th Congress. Under the provisions of Public Law 810 a Reserve officer who held a commission on or before August 15, 1945, but who did not serve on active duty during World Wars I or II or during the Korean hostilities is ineligible for retirement with pay.

To meet the needs of our merchant marine for officer personnel during World War II, many men were trained at the U.S. Merchant Marine Academy, the several State maritime academies, and other training installations. Many of these men were commissioned in the Naval Reserve upon completing their course of training and some entered immediately on active duty in the Navy, while most went into our merchant fleet as deck or engineering officers. It is the latter group with which we are concerned today. Since it is obvious that as merchant marine officers they were performing an essential role in our war effort and that they could not simultaneously serve on active duty in the Navy, it is unreasonable and unjust to penalize them for performing the hazardous duties for which they were primarily trained.

I feel certain that it was not the Congress' intent to preclude a merchant marine officer who was also a naval reservist from ever qualifying for Naval Reserve retirement benefits, yet that is exactly what the present language of Public Law 810 does. In fairness to the 200 or less reservists who are in the Naval Reserve currently and who also served during World War II in the merchant marine, the provisions of Public Law 810 should be changed and I introduce this bill to accomplish that purpose.

Mr. Speaker, it is ironical that a person who entered a Reserve component of the Armed Forces of the United States after World War II may qualify for retirement with pay after 20 years of inactive peacetime service while one who held his commission during the war years but who did not then or during the Korean hostilities serve on active duty may never so qualify despite the value of his maritime civilian service, that is merchant marine.

In order that there be no misunderstanding, I would like to point out that I am not suggesting that wartime employment in the merchant marine be construed as active duty in the Navy for the computation of retired pay. I am, on the other hand, urging that this bill be enacted in order that wartime service in the merchant marine not preclude a naval reservist from retirement benefits to which he might otherwise be entitled.

RETIREMENT OF GEORGE F. STRICKLING, DIRECTOR, CLEVELAND HEIGHTS HIGH SCHOOL CHOIR FOR 35 YEARS

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. Bolton] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mrs. BOLTON. Mr. Speaker, George F. Strickling, the director of the Cleveland Heights High School Choir for 35 years, will retire at the end of the present school year in June. I feel his contribution to spreading an appreciation of fine music in so many areas over this long period merits recognition beyond our Cleveland community. I am glad to have this opportunity to pay him tribute. Mr. Strickling in his 35 years has wrought something of a miracle in high school musical circles all over the country, and has made the Cleveland Heights a cappella, unaccompanied, choir world famous. Not only has he taken the choir on an annual spring tour through 20 of the United States and Canada, but in 1953 he was the first high school director to take his group to Europe. While abroad the singers lived in homes in 10 European countries and broadcast American songs over Radio Free Europe, BBC, and other state-owned radio networks, and were the first American choir to sing in St. Paul's Cathedral in London. They contributed much in the way of people-to-people diplomacy.

For some 30 years Mr. Strickling and the choir have participated in the opening program of the United Appeal in Cleveland by presenting a "Four Faiths" program. The choir accompanies a rabbi, a Catholic priest, a Protestant minister, and a Greek Orthodox priest with songs in Hebrew, Latin, English, and Greek. He has also directed the Heights Choir at the Knights Templar Easter sunrise service at Cleveland's Public Auditorium for some 30 years.

The years have come, the students have been graduated, new ones have come along from which to choose the voices needed to blend together a new choir—and George Strickling has applied his remarkable genius, his love for music, his devotion to young people and their talents. He has helped to make Greater Cleveland an even better place in which to live, and everywhere there are successful men and women who during his 35 years as Cleveland Heights choral director know this to be so, and whose children are, through him, expressing a finer appreciation of good and meaningful music.

My best wishes are extended to George F. Strickling.

A $2 MILLION UNAUTHORIZED PROGRAM UNDERWAY AT USDA

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FINDLEY. Mr. Speaker, today I have asked President Johnson to call a halt to a costly and illegal program under which crop-yield data for most of the Nation's farms is being refigured.

In a letter to the President, I said:

> I have direct information that Agriculture Secretary Freeman's staff has already begun to change Department of Agriculture farm records from the historical-yield basis used in recent years to the projected-yield system in the new omnibus farm legislation you have proposed.
>
> In Illinois, for example, a statewide instruction meeting for USDA employees will be held May 21 in De Kalb.
>
> The total cost of the national changeover will be an estimated $2 million, and as of today not one penny of it is authorized by law.
>
> The section of the farm bill in which this proposal is made has not been reported from House subcommittee level, and Senate hearings have not even begun. At the present pace, it will be months before both the authorization and appropriations legislative routes can be covered. Then and only then can the changeover to the projected-yield system lawfully be undertaken.
>
> This is a shocking takeover of legislative authority by the executive department, and no doubt it escaped your personal notice. I recall vividly your very first address to a joint session, in which you assured the Congress you would respect the legislative process in which you yourself played a prominent role for many years.
>
> With all the varied burdens of your office, I am sure you are not aware this unauthorized expenditure is being made. I respectfully urge that you call a halt to it and bring proper charges against those responsible.

Mr. Speaker, the administration's 2-to-1 majority in both Houses of Congress gives the President assurance the authority for projected yields will ultimately be enacted, but even a rubber-stamp Congress should be permitted to go through the legislative motions.

The premature, illegal changeover of farm data to conform with the proposed bill shows disdain, almost contempt for the constitutional separation of legislative and executive authority. It hits at the very foundation of representative government.

EDITOR JAMES M. LANGLEY HONORED

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, Mr. James M. Langley, editor of the Concord Daily Monitor, was recently awarded the Liberty Bell Award of the Merrimack County Bar Association for outstanding service to his community and his State.

Under Mr. Langley's guidance, the Monitor, the newspaper of the capital city, is one of the outstanding dailies in the State of New Hampshire. He brings great skill to a difficult and sensitive profession and I join with his many friends in congratulating him on winning this coveted award.

At this point in the RECORD, I offer an article from the Monitor describing the award and an editorial from her sister paper, the Keene Evening Sentinel:

[From the Concord (N.H.) Monitor, May 3, 1965]

LIBERTY BELL AWARD—LANGLEY NAMED WINNER

James M. Langley, editor of the Concord Daily Monitor, today was named winner of the Liberty Bell Award for outstanding and meritorious service to the community.

The award is given annually by bar associations. Today's presentation was made by the Merrimack County Association at a luncheon held at the Highway Hotel, where Chief Justice Frank R. Kenison of the New Hampshire Supreme Court was the principal speaker.

The citation read in part:

"Whereas you, James M. Langley, newspaper editor, have, because of your unflagging vigilance, brought the actions and proposals of all levels of government to the attention of the public and have thereby generated that vigorous, yet fair, debate which is essential to the functioning of a free society; and

"Whereas you have participated in government both by active service and by effectively working to bring about the enactment of responsible and enduring legislation, the Merrimack County Bar Association takes pleasure in presenting to you its Liberty Bell Award for 1965."

Langley served as U.S. Ambassador to Pakistan from 1957 to 1959 and was chairman of the U.S. Trades Commission to the Philippines.

On the State level, Langley was chairman of an interim unemployment relief committee that sponsored creation of agencies aiding jobless, authored the setting up of the State planning and development program, and headed commissions on licensing laws for hospitals and nursing homes, corrupt practices act, and investigation of the University of New Hampshire.

On the local level, he helped set up zoning ordinances, was one of the organizers of the Community Chest, guided creation of a city planning board, merged Margaret Pillsbury and Memorial Hospitals into the Concord Hospital, organized the Blue Cross Hospitalization Service and served as its president, and organized the Concord Regional Development Corp. He was also active in many other local and State activities.

[From the Keene Evening Sentinel, May 12, 1965]

WELL-DESERVED HONOR

James M. Langley, editor of the Concord Daily Monitor, was honored with a Liberty Bell Award last week from the Merrimack County Bar Association.

He received the award for "unflagging vigilance" in bringing news of all levels of government to the attention of the public.

One of Langley's longtime colleagues, Leon W. Anderson, who has been with the Monitor 40 years, reported in a later column that his boss responded in typical fashion when he received the award from the bar association. Langley accepted it as an honor to Concord's newspapermen as a whole, rather than as a personal tribute.

In a way, the award to Langley also reflected credit on members of the legal profession in Merrimack County, because over the years he has been just as tough on them, when he thought they were wrong, as he has been on anyone else.

Langley has always spoken out bluntly and forcefully on all issues, and he never worried about whose toes he might be stepping on or what sacred cows might be injured.

It is popular these days to say that the Jim Langleys are a vanishing breed of newspapermen. We don't know whether they are or not; even if they're vanishing, enough of their courage and integrity may well have rubbed off on others to produce more of their kind.

We hope so; because while Langley's brand of newspapering does not necessarily win popularity prizes, it does win the public's honest respect and trust, which, to a newspaperman, is far more important.

GUN LEGISLATION—A FEW PERTINENT FACTS

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, as the Congress considers various bills to control the availability and use of firearms, it is important that every aspect of the problem be considered. As I made clear in an earlier statement in the RECORD—pages 9424–9425, May 4—I am opposed to the rigid, unrealistic proposals of the administration which have been introduced as S. 1592 by the senior Senator from Connecticut [Mr. DODD].

A list of pertinent facts appears in the current issue of the Handgunner, the official publication of the U.S. Revolver Association. I offer the list at this point in the RECORD as a contribution to the debate:

Sportsmen are probably the only people who have asked to have their taxes raised. Hunters and the shooting industry asked for and got an 11-percent excise tax on the sale of sporting firearms and ammunition. Close to $300 million has been collected and used to buy wildlife land, and to finance research and conservation programs. Outdoorsmen support State fish and game agencies, which are charged by law with the care of all wildlife. Hunters are proud that their money supports hundreds of nonhunted species.

Russians do not need licenses to purchase shotguns, according to an Associated Press article.

The number of accidental deaths from firearms is dropping, while deaths from other causes are increasing. Five years ago, firearms deaths amounted to 1.5 per 100,000 people. Now the rate is 1.1 per 100,000 people.

In 1964, an estimated 2.5 million people received instruction in recreational shooting through school, college, camp, and recreation departments, according to the American Association for Health, Physical Education, and Recreation.

Firearms were used in only 15 percent of all serious aggravated assault cases (including homicide) in the United States during 1963. (There were 147,757 assaults and 8,500 homicides for a total of 156,257 serious assaults.)

New York State, with its highly restrictive Sullivan law on firearms, has the same homicide rate as California, even though California has more people and no Sullivan law.

In New York City during 1963 there were 549 homicides. The knife (or other sharp weapon) was used in 225 or 41 percent, while physical force (hands or feet) was used in 101 homicides or 18 percent. A rifle or shotgun was used in 37 homicides or 7 percent.

Over the past 22 years the number of licensed hunters in the United States increased by nearly 80 percent—almost twice the 43-percent growth in population during the same period.

Every day more than half a million Americans perform official and private duties, which, in the final analysis, are heavily dependent on firearms and their skilled use.

There are more than 40 million gun owners in the United States.

There are roughly 20,000 Federal, State, county, and local firearms laws and ordinances on the books now. Despite this record number, some people want more laws.

FBI figures show that half of the States (25) have a per capita homicide rate less than New York, which has the unreasonably severe Sullivan law governing firearms.

From 1930 to 1960, homicides with firearms decreased 25 percent on a per capita basis; suicides dropped 9 percent.

The number of accidental deaths due to sporting arms has dropped a third in spite of the growth in population and the doubling of licensed hunters during the past 30 years.

RESERVE-NATIONAL GUARD MERGER

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. HÉBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. HÉBERT. Mr. Speaker, Secretary of Defense Robert S. McNamara and I held a joint news conference on Saturday, May 15, in the Rayburn House Office Building. Because of the many different versions reported of what actually took place at the press conference, I think it best to insert into the RECORD the full text of what was said. Under unanimous consent, therefore, I include the transcript of the joint press conference, which speaks for itself:

JOINT NEWS CONFERENCE OF REPRESENTATIVE F. EDWARD HÉBERT, CHAIRMAN OF A SUBCOMMITTEE OF THE HOUSE ARMED SERVICES COMMITTEE, AND ROBERT S. MCNAMARA, SECRETARY OF DEFENSE, MAY 15. 1965

Representative HÉBERT. I want to thank you, ladies and gentlemen, for taking your Saturday morning off and I am sure it is time and a half for overtime that they'll pay you but this was the only morning that the Secretary and myself had a possible chance to meet with you jointly, after conferring with him, and he graciously agreed to come here so that we both could meet together in order to clarify the atmosphere and also to let you know exactly what the procedures will be in the future.

I am grateful to you, Mr. Secretary, of course, for your graciousness in coming to the Hill this morning and coming to our House to make this joint appearance. So I will ask the Secretary that he make a statement, which he has, and I would suggest, ladies and gentlemen of the press and radio and television, that both the Secretary and I myself will be very pleased to answer any questions which you may direct to us.

However, I must insist that all the questions asked, particularly of the Secretary, be limited to the matter which we have before us for discussion. He will be not available for questions in any other area of the activities in the country today or out of the country. He will only address himself to any question, I think, Mr. Secretary, to this particular problem.

With that understanding, Mr. Secretary, you have a statement to make after which I will make a statement and we will subject ourselves.

Thank you very much.

Secretary McNamara. Good morning, ladies and gentlemen. Much has been said about the Defense Department's cost-reduction program and it is an important element of our activities. It should be. We spend $50 billion a year, 10 percent of the gross national product. We should be expected to be able to manage activities efficiently. We try to do so. We do have a cost-reduction program; we think it will save between $4 and $5 billion a year without in any way reducing our strength.

But far more important than efficiency in management, far more important than the saving of cost is our actions to increase the combat readiness of our structure and as to add to the combat readiness we have proposed a reorganization of the Reserve and Guard forces.

That proposal is now lying before the Congress. It will result in a substantial improvement in the combat readiness of our Reserve Forces, the forces required to support our contingency war plans. It has the incidental effect, but it is only an incidental effect, of reducing the costs about $190 million in fiscal 1966 and something in the order of $156 million per year each year thereafter.

The House Armed Services Committee, the subcommittee of that committee of which Mr. Hébert is chairman, has conducted hearings on this subject during the past several weeks. We are grateful to them for the attention they have devoted to it.

We think that these hearings have indicated that certain legislative changes are necessary if the realinement plan is to fully achieve our ultimate objectives and we are, therefore, submitting to the Congress for its consideration certain supporting legislation. This will include legislation in five areas.

First, we will ask that we be permitted to allow enlistd men who have retired from the Regular service to serve in the National Guard.

Second, we will ask that there be an increase from 7 to 30 days in the period within which subordinate elements of the National Guard may conduct training.

Thirdly, we will ask that women be permitted to serve in the National Guard.

Fourthly, we will ask that we be permitted to attach individual reservists to the National Guard for training.

Fifthly, we will ask that we be provided authority for the establishment of the National Guard units in the Virgin Islands.

We have submitted these matters to the Congress for its consideration; we will hope that that consideration can be given in the near future. Again, I want to express my appreciation to Mr. Hébert and his committee for their very thoughtful consideration of our proposal.

Thank you, Mr. Chairman.

Representative Hébert. Thank you, Mr. Secretary.

As the Secretary has indicated, and in which we have no disagreement whatsoever, he is charged with the responsibility of managing the Defense Department, and of course he has made a record for himself in savings and economy. I naturally share that because any of you who are familiar with that for many, many years I had the opportunity here in Congress to chair a committee which has saved billions of dollars on its own.

Now in order to understand what the situation is and that there be no misunderstanding, the committee up to this time has not gone into the merits or demerits of the plan which the Secretary so strongly advocates.

The committee has been concerned in procedure, has been devoted and dedicated to the proposition that under the Constitution, the Congress is charged with the responsibility of raising and maintaining our Army and our Navy.

Now the fact that the Secretary had a position which was justified in his own mind, we had a position which was justified in our mind, is something that is gone over by the Secretary's declaration here today.

He has now submitted legislation which will go to the Congress in the usual manner but will ber eferred to the committee in the usual manner when this legislation that he has just suggested is referred to the committee by the Speaker and referred to the subcommittee. I then of course under regular order and regular procedure will introduce the legislation and then bring it before the committee and the committee will give it every consideration that it possibly can.

It is to be understood that the legislation which the Secretary has now presented is not limited, it's minimal as far as he is concerned. The committee, and I say this with the unanimous authority of the committee, unanimous, I repeat, of the entire membership of my subcommittee has agreed to this procedure, is satisfied with the procedure, and has authorized me to assure the Secretary that any suggestions which he has to make will be given the proper consideration under our procedures.

Now also it is to be understood that the legislation which the Secretary proposes is not confined merely to that legislation but can be expanded or retracted, either one way or the other. When the final package which the committee intends to have hearings on comes up for consideration, it will be in open hearings, the matter will be considered like all proposals. The Secretary, if he disagrees with us under his right, and certainly his desire, will testify before the committee in support of what that section which he supports or that area in which he supports, and will of course testify against any area in which he does not agree.

Of course we expect him to make a very vigilant and determined fight for the acceptance of the merger.

I want to call attention to the fact that the committee has never taken a stand on the merger. Though many areas, many sections, individuals have indicated we are against the merger, very vigorously; this is not true any more than it is true that we are strongly for the merger. The committee has never taken a public stand to this minute as to whether it is for or against the merger. It has only insisted that the right of the congressional procedure be adhered to, rather than the Department of Defense submit any legislation which it has in support of what it wants to put into effect and the committee will give it that consideration and consider the merger on its merits.

That is exactly where we found ourselves. For myself personally, as you well know, I have never made a public statement one way or the other. I have been tweedledum and tweedledee through the whole hearings and in times when I thought I would be for it personally, sometimes I thought I would be against it, but in the ultimate the committee is going to make the decision. I have eight men with me on the committee who are qualified independent thinkers and dedicated individuals and they share that dedication or the Secretary shares that dedication with them.

We are working to the same objective, we all want to get the utopia, to a heaven. Perhaps the Secretary will end up in heaven and I will end up—well, anyway [laughter] because I recognize his great forcefulness, but that is the situation.

I think Mr. Pirnie, who is the ranking Republican here today—I think I have stated the case as we understand it. So this will be the situation. We will have the proper hearings as quickly as possible, we will have the proper witnesses, but keep in mind the one thing that the Secretary and myself march down the lane together, hand in hand, with our eyes on the same objective and that is the national security of this Nation and the defense of this country.

While we may differ in procedures, while we may differ in opinion, we do not differ in this most important and paramount objective. Certainly for the committee we will rely heavily on the military judgment as well as the judgment of the civilian secretaries as they consider to merge or not to merge in the interests of the national security.

This supersedes any other thought, any other consideration, and I repeat it for emphasis that this is our one goal.

Now obviously we cannot in full public hearings discuss our war plans. This will be behind closed doors in executive session. There are some that have already been. Perhaps in those executive sessions, in the discussion of those war plans will be the term of whether or not, but I want that very clear and I want everybody to understand exactly what the situation is.

Mr. Secretary, again may I thank you and I appreciate that fact that you are there today. It is a great forward movement I think. I recall that just before Easter I made the statement that I hoped during the recess that you would be able to look at the testimony and come up and let us be partners. That's all we ask, we just want to be equal partners in the running of the defense of this country and we want to be allowed to discharge our responsibility, under the Constitution to raise and maintain armies, which I think you have expressed the agreement that that is so. So again, thank you for your consideration and your presence here today. Now let us move forward in the interests of this country.

Question. Mr. McNamara.

Representative Hébert. If anybody asks a question, designate who they refer the question to.

Question. Mr. Chairman?

Representative Hébert. Is that Sarah? I thought I recognized your voice and I'm prepared for any onslaught that you have.

Question. Mr. McNamara sounds very confident. I presume what you say about not have considered this on the merits, there has been no deal made already about the outcome of this being——

Representative Hébert. Absolutely no deal has been made, and I use deal in the highest or lowest form. The only thing that Mr. McNamara has from the subcommittee is full consideration of the legislation that he has submitted to the Congress. That is all we have been asking, that is all that we require. I certainly emphasize that we have not passed a decision on the merger regardless of what side says we have or have not.

There is no deal, there is no understanding there is no reservations. Members of the committee are in full accord with what I have said, they have unanimously authorized me to say they agree with the procedure and they also have authorized me to say that they will give full consideration to any legislation suggested by the Secretary, or I may expand that and say any competent organization or competent person who has suggestions during the hearing to offer amendments constructively, the committee will be very happy to hear them and also that we will expedite the handling of this matter as quickly as possible. Please check on that because I have to have my Republican counterpart here to keep me honest.

Question. Mr. Secretary, do you still believe the cutback of 550,000 will be large enough to take care of the reserves needs you will have in view of the movement of troops out to Vietnam?

Secretary McNamara. Strictly speaking it is not a cutback. We have two categories of reserve and guard units today, one for which there is a military requirement and the other there is none. The category for which there is a military requirement will be increased by 52,000 men so there is not a cutback in that category. The units for which there is no military requirement will be eliminated.

So there is not a cutback there. There is no military requirement for them in the first place and therefore their elimination will not adversely affect our strength and our security. Moreover, if there were military requirements they are worthless, because to utilize them we would require $10 billion worth of equipment which would take a longer period of time to produce than would the creation of the units from scratch.

So there is clearly no requirement for the units to be eliminated. This fact has been attested to by the senior military and civilian leaders of the Department.

The plan as you know, has been endorsed by the American Legion, by 50 Governors and by the Chief of Staff of the Army, the Vice Chief of Staff of the Army and the other military leaders of the Defense Department.

Question. Mr. McNamara, what is not clear to me is whether you are or are going to go ahead with the planned merger of the National Guard and the Reserve some time after July 1.

Secretary McNamara. Well, we would not consider acting to implement the plan while the legislative proposals are being considered by the Congress.

Question. Which legislative proposals, you mean these minor ones?

Secretary McNamara. Those which I have proposed to the Congress and submitted to the House for its consideration.

Question. Mr. Secretary, those five items that you mentioned here, are they the only five items covered in this legislation?

Secretary McNamara. Yes, they are.

Question. In other words you can't continue to go ahead with a merger program because these are almost unimportant. Why are these pertinent for legislative——

Secretary McNamara. We would not be asking for legislation if we didn't consider it would assist in achieving our ultimate objectives.

Question. You mean you can't merge the Army Reserve and the National Guard because you can't have women in the National Guard?

Secretary McNamara. That is but one of five proposals which I have stated represents supporting legislation that is in our opinion necessary to fully achieve our ultimate objectives.

Question. Mr. Chairman——

Representative Hébert. May I comment on what the Secretary said in order to try, not necessarily, also to be in agreement with me, very properly stated. Of course picking out the women in the National Guard, that is an item, but if you took the last one, the attachment, which is the most important thing in which the committee has continuously insisted even in public hearings which is well known, which the merger could be affected the Secretary could say in his opinion that I can merge, but the committee has insisted that he could not attach people against their will.

Now this, I think the Secretary will agree, is a most important feature of what he has submitted. Now also this is what he requires. This does not necessarily mean that this is going to be the ultimate that will come out. There will be many other features I am sure considered before the committee comes out with some package.

There is going to be a package deal and whether merger occurs or whether merger don't occur or whether merger occurs in part or not in part is something which we go back to again saying that we want to hear the Secretary, we want to consider everything he is saying, and the Congress will decide in the ultimate. That is the only question before us, that is all we have ever said.

Question. Mr. Secretary, I will ask you first. Did President Johnson have anything to do with order of arrangement?

Secretary McNamara. Mr. Johnson fully supports the plan, I can assure you that.

Representative Hébert. And if I may add to it. If President Johnson had anything to do about it, I don't know anything about it. All I know is this meeting has been arranged this morning after many, many weeks of consultation and discussion.

Question. Mr. Chairman, about when would you suppose that such legislation would be approved, or be acted upon at any rate?

Representative Hébert. The legislation will be acted on as quickly as possible. Chairman Rivers, of the full committee, has scheduled hearings now going on in reference to the construction bill and the Secretary recognizes that that is quite needed authority by the Congress for his construction program. The committee also is interested in the pay bill. However, regardless of these two matters that the chairman of the full committee has, my subcommittee will expedite this and in reference of time I am sure that in 30 days to 5 or 6 weeks after that we can come up with something quite definite.

See, we have a pretty good background on it now and the whole problem of the future is as I see it is to allow the members and competent organizations or individuals to suggest legislation either to implement or not implement the plan. But I would suggest about 6 or 7 weeks.

Representative Pirnie. Yes.

Representative Hébert. What the other body does we have no control over but as far as we are concerned we will get about our business as quickly as possible.

Question. Mr. Secretary, I don't understand what this five point plan is. What does this five points have to do with the merger?

Secretary McNamara. These are five pieces of legislation which relate to the activities to be merged and which we consider will assist us in achieving the full objectives of the plan which as I mentioned earlier to increase the combat readiness of the units required to support our contingency war plans.

It is to these units we will add 50,000 men, it is for these units we will provide additional training and additional equipment, and the result will be a more highly trained, more responsive, more combat-ready Reserve force.

Question. Could you repeat the second point of your five?

Question. Would you run through all of them?

Secretary McNamara. Yes. The five pieces of legislation which we propose are designed to do this:

First, permit us to include in the National Guard retired Regular Army enlisted personnel now serving in the U.S. Army Reserve.

Second, to increase from 7 to 30 days the period within which subordinate units of the National Guard may conduct training.

Third, to permit women to serve in the National Guard.

Fourth, to permit attachment of individual reservists to National Guard units for training purposes.

Fifth, to provide authority for the establishment of National Guard units in the Virgin Islands.

Question. Mr. Secretary, as I understand this proposal, the Governors of the States would have to agree to accept any member of the Reserve who transfers into the National Guard. In the Senate, a question I believe was raised about the effect this might have on Negro reservists in the Southern States. I believe testimony came up to the effect that no Negro officer serves in the National Guard units of any Southern State, and since the Governors would have to accept any reservist Negro officer applying for transfer to the National Guard that this would pose a problem. This legislation does not meet that, does not apparently address itself to that particular point.

Secretary McNamara. We anticipate no such problems. There are no segregated State National Guards today.

Representative Hébert. Any further questions?

Question. Mr. Secretary, in submitting this legislation do you concede that you lack authority to effect the merger plans that you laid out in the past without relation to the National Guard?

Secretary McNamara. I have tried to make clear my views on this subject many, many times and those who have had opportunity to read them will recognize that fact. They are stated in the hearings held by the House Armed Services Committee this year and the hearings held by the Appropriations Committee of the House this year.

The Constitution makes very clear the right of Congress to raise forces. That right of Congress to raise forces is the foundation for their legislation with respect to the size of forces and the type of forces. The legislation we are requesting is requested because we believe it will assist us in achieving the ultimate objective of the plan.

If you have any further question on my views on the rights and responsibilities of Congress, I can refer you to the testimony which I referred to earlier.

Representative Hébert. May I add to what the Secretary said there, and I am sure you appreciate his statement and also appreciate the fact that he has avoided mentioning one thing which he properly has avoided. Now don't anybody get into their minds that this is a jurisdictional fight between the Appropriations Committee and the authorizing legislative committee. The Appropriations Committee recognizes the authority of the legislative committee and I feel certain will govern itself accordingly.

There have been times in the past when the fight has been raised between committees as to appropriate legislation on appropriation and points of order to be raised against it at any time on the floor. The Secretary is saying that if the Congress waives, he won't admit he knows these technical things, that when the Congress for instance passes upon a point of order and then the Congress has acted. He is absolutely right. But then we get into an area of how has it acted, whether the legislative committee is being usurped by the Appropriations Committee.

In this particular instance, and I am only addressing myself to the matter before us, because I may say Mr. Secretary, there'll be time in the future when we will again differ and will continue.

Secretary McNamara. I am glad we don't here, Mr. Chairman.

Representative Hébert. But we will continue to differ which is the right of all.

Now in this particular instance I feel certain that the Appropriations Committee will be guided by the action of the full committee and the subcommittee, and as the Secretary so properly stated that nothing will be done to implement as long as this legislation * * * giving the Congress the opportunity to pass on it. The Secretary's explanation about his right to merge, the Secretary assumes a lot of rights which we are in disagreement. And if he says he can merge, he can write a piece of paper tomorrow morning, merging, undoubtedly passes prolog with him. So anyway we reserve the right, however, to pass on the judgment of whether this merger is proper or not. We are just as much convinced that while for the sake of arguing we will admit that he can under his broad powers, which he says he has, say there shall be a merger.

We insist that that merger cannot be affected without legislative consent and particularly in the area of attachment, particularly in the area of transfer of surplus materials and in reserve centers.

This is a broad area and this whole problem opens a broad scope that we hope to finally come up on this committee with a solid reserve program, that the reservist will know exactly where he is going. One thing most emphatic, that the rights of every reservist, and the Secretary must say he is in accord with what I am going to say now, that the rights of the present reservists will be fully protected in whatever legislation comes out, for the future will be a new day for a new man coming in but every effort is being made and the committee and the Secretary both in agreement administratively—probably he would say administratively—I say legislatively—that the status of the present reserve individuals will be protected in the fullest to the greatest ability we have.

Question. Mr. Secretary, may I ask one question here. There have been reports that because of the congressional opposition to this merger plan that you are now willing to in some areas compromise your original position. Would you answer that.

Secretary McNamara. Very easily. I am not ready to compromise on anything relating to combat-readiness and no Member of Congress has suggested I should and least of all the chairman.

Question. Mr. Secretary, are you not afraid of the political control that comes from the Governors through the National Guard? Are you not afraid that will affect the effectiveness of your forces?

Secretary McNamara. No. I say that because today the foundation of the Reserve units—and I use that term meaning the National Guard and the Army Reserve units, associated with our contingency war plans, is in the National Guard. If there is a weakness in our control over the Guard, it would be a very serious matter indeed regardless of whether we carry out the action proposed under the merger. There is no such weakness, there may have been in the past.

I think there was, as a matter of fact, several decades. The Congress, by its actions in 1952 and 1955, vastly increased the authority of the Secretary of Defense over the National Guard units and we now have no remaining question about that authority. It is at least as great as our authority over the Army Reserve units.

Question. Mr. Chairman——

Representative Hébert. May I elaborate on that again? This is not a debate, I'd just like to elaborate on it. The Governors in the great majority, in this particular case, what they have accepted is the troop plan, and practically everyone that I know of that has been contacted has said subject to the authority, subject to approval by Congress, which is what we have insisted on, and as the Secretary offers no compromise on the combat-readiness, with no compromise I accept, because we both want it, the committee offers no compromise on its legislative authority. This is what we insisted on, this is what we want, this is what we have.

Question. Mr. Chairman, you indicated it would take you about 6 or 7 weeks perhaps to consider an act on this plan. How soon do you expect to have the plan in hand?

Representative Hébert. As quickly as possible. As quickly as possible. Mr. Slatinshek who deserves so much credit in conducting these hearings and guiding us legally, as the legal experts down in the Secretary's office, has guided him down there we don't think alike, I'll take my counsel's word and as soon as we can get together and get these matters adjusted that the committee can consider we shall have the open hearings, the Secretary shall appear and shall testify.

Question. Does that mean the committee is working with Secretary McNamara to draft this legislation?

Representative Hébert. No, the committee is not working with Mr. McNamara to draft this legislation. All we are doing is what we have done in all matters of legislation, it's hammered out. The staffs of the Department and the committee usually get together and see if they cannot bring up an agenda or some language to work out. It does not mean we are compromising or they are compromising with us. This is procedure. That is all we have insisted on, that is what we have now and it is going to be just like any other bill that comes before the Congress. If this happened 6 months ago, we would have been 6 months ahead of ourselves now. However, it didn't.

It is all water over the dam, we are proceeding on the regular order and regular procedures, that is all we are doing. The Secretary is reserving his right most emphatically to testify against anything that we do and we shall give that every consideration.

Question. Mr. Chairman, in your hearings that you are planning, will you take up the question of the adequacy of the six National Guard divisions, combat-ready National Guard?

Representative Hébert. Obviously it will be taken up, but again that comes under the direction of the contingency war plans. Its adequacy has been discussed very much in public hearings. Exactly what will go beyond that, obviously comes—I think the Secretary agreed in executive session—when we discuss these plans. We just can't simply say we need this or we need that and partly say why we need it because then of course we reveal the war plans the Secretary——

Secretary McNamara. Yes. Let me simply mention there are eight National Guard divisions for which there are a military requirement.

Question. The other two special?

Secretary McNamara. There are 8 fully interchangeable National Guard divisions and the plan calls for 16 National Guard brigades which are the equivalent of 5-plus divisions. Therefore in total we will have 16 Regular Army divisions, 8 National Guard divisions, making 24 Army divisions plus 16 National Guard brigades plus 7 Regular Army brigades plus 3 Marine divisions in active service, 1 Reserve division, for a total of a 28-division force plus in the case of the Army some 23 brigades.

The Press. Thank you, Mr. Secretary.

Secretary McNamara. Thank you.

NEW YORK CITY IN CRISIS—PART LXVIII

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following article from the New York Herald Tribune of March 25, 1965, concerning New York City's housing authority.

The article is part of the continuing series on "New York City in Crisis" and follows:

New York City in Crisis: Housing Authority Owns Slums With Many Violations on Them—Part LXVIII

(Note.—The New York City Housing Authority owns and operates 132 public housing projects with a population of 525,000. It also owns and operates 40 tenements, most of them built before 1901, some of them as dilapidated and poorly kept as the city's worst slum buildings. Here, in the fourth of a series of reports on the city's public housing program, Alfonso Narvaez and Barry Gottehrer examine the authority's little-known role as a slum landlord.)

(By Alfonso Narvaez and Barry Gottehrer)

The New York City Housing Authority is the largest landlord in the Nation and, like landlords everywhere, it has problems with its buildings and with its tenants.

Besides the 132 showcase developments and 56 brownstone buildings the authority owns and operates, it also is the not-so-proud owner of 40 tenements—many of them harboring rats and roaches and marred by holes in the walls, dirt in the hallways, and peeling paint. Slum violations are pending against at least two.

The buildings department's records showed yesterday that two buildings—328 East Eighth Street and 93 Henry Street—had a total of 21 pending violations at least 6 dating back to September of 1962 and 3 others dating back to April 1964.

These violations range from broken floor tiles and improper painting to defective apartment entrances, broken plaster, and a defective fire escape ladder.

A tenant at 93 Henry Street said that a building department inspector visited the house Tuesday—only hours after a Herald Tribune reporter had asked the housing authority questions about its slum tenements.

The authority, set up by Mayor Fiorello H. La Guardia in 1934, became a slum landlord shortly after World War II. The housing construction boom forced it to acquire 66 boarded up tenements to house low-income persons driven out of their apartments by new buildings.

Through the years, 26 of the original 66 tenements have been torn down to make way for urban renewal and new projects.

Today, the authority has only 40 of the buildings left—many "old law" tenements built before 1901—but they serve as homes for 472 low-income families.

Originally the tenements were opened to house families waiting to get into new apartments in housing authority projects. In most cases, people rarely lived in the tenements for more than a year.

That's still supposed to be the purpose of the tenement today. Yet that's not what they have become for the vast majority of people trapped there.

DUMPING GROUND

Today, these tenements have become dumping grounds for the city's problem families—those who, because of health or other emergency reasons, must be moved out of their apartments immediately but who don't clear the housing authority's seldom discussed 30 hurdles.

Adopted in 1961 and revised last year, these 30 "Desirability Standards for Admission of Tenants" were originally designed to keep serious problem families and criminals out of the projects.

Yet today these hurdles not only bar the deviates and the degenerates, the drug addicts, and the criminlas; they also keep out people with far less serious problems—ranging from poor housekeeping habits and a shortage of furniture to separated couples and families showing frequent changes of residence.

These people must be housed somewhere, and the housing authority has apparently settled on these tenements.

More than half of the 472 families living in the 40 tenements are on welfare (compared to 12 percent of the families on welfare living in authority projects) and the vast majority are Negro and Puerto Rican.

The racial breakdown for the projects is 40 percent white, 40 percent Negro, and 20 percent Puerto Rican and other.

HUMANE APPROACH

The authority public relations director, speaking for Chairman William Reid, said yesterday that despite the possible implications the authority did not have any policy of discrimination.

"We didn't have to go out and do this," he said. "It was a very humane approach to a very practical problem. These people had to have a place to live, and we found them apartments. The program is coming to an end soon."

He said the authority is trying to sell the buildings but so far has not been able to find any buyers.

He did not say what the authority would do with the "problem families" if and when the tenements are sold.

Complaints of poor maintenance, shoddy paint jobs, mice, rats, and roaches (despite visits by exterminators), broken windows, lack of heat, filthy halls and holes in the walls are frequent from the tenants.

"We have a very competent staff," the authority spokesman said. "They try to fix things up, but within 10 minutes the tenants have them broken. They throw garbage around and we just can't keep up."

SPOT CHECK

Herald Tribune reporters made a spot check yesterday of 5 of the 40 buildings the authority owns.

In two of them, the halls were clean and showed some effort on the part of the authority and tenants to keep the place in repair, but in the others there was garbage strewn in the halls and the stench of urine was overpowering.

PAINTING JOB

One of the buildings where the authority "just can't keep up" is 93 Henry Street, where 10 violations are still outstanding against the authority in the building department files.

In apartment 4B, where she pays $58 a month rent for three small rooms, Mrs. Delores Morris complained of a painting job done by the authority's staff. She pointed to her children's clothes which had been splattered with paint by the two painters the authority sent.

"I've lived here since 1960 and this is the first time they have painted," she said. "Just look at what they did to the children's clothes. They're not much, but they're ours. They didn't have to do that."

In the kitchen Mrs. Morris pointed to the walls and asked if they appeared to have been painted.

The walls were a bright canary yellow but splotches of old brown paint showed through. In the corners the painters did not even try to pass a brush. And the area around the refrigerator had not been touched. The same was true in the bathroom where the color showing through the brush strokes was green.

Mrs. Morris also complained of mice and roaches, but admitted that an exterminator had been there recently.

However, a buildings department inspector placed another violation on the building for broken plaster in the main hallway bulkhead.

At 328 East Eighth Street, where there were 11 violations still pending, Mrs. Lillian Sackey said that for more than 4 months she had complained of a hole in her kitchen wall but nothing had been done.

Yesterday, roaches could be seen crawling from the hole despite the fact that an exterminator had been there last week.

The door to Mrs. Sackey's three-room apartment does not have a doorknob, but she said this condition was only a week old.

Other tenants said they had no complaints, but there were two apartments that were burned out in a fire 2 years ago. Six of the violations pending on this building are in these apartments, but the authority does not intend to rent them, and does not have to correct the violations.

In the hallway of this building, papers were strewn about and there were dog droppings on the top floor landing.

There were five families in the building—all Negro—and there were six vacant apartments.

GARBAGE AND STENCH

At 241 East Seventh Street, another old-law tenement owned by the authority, there was garbage strewn in the hallway, broken windows in the entrance hall and a stench of urine throughout the building.

Mrs. Carmen Hernandez, who pays $44.50 for five rooms, has lived in the building for 3 years. Last month, she said, it cost her $50 for 9 gallons of paint to paint her apartment, although the authority is required to paint every 3 years.

She said that she had no complaints about heat but she did have one about hot water. She claimed that when they had heat, they didn't get hot water.

At 254 East Fourth Street Evelyn Martinez was very bitter at the treatment she said she had received from the authority.

"They dumped us here like animals," she said. "We got this apartment 6 years ago with the understanding that when the project was built where we used to live, we would get an apartment in it."

Mrs. Martinez, who has three children, said that six persons lived in the three small rooms for which she pays $51.75 a month. There is a sofa bed in the kitchen, on which she sleeps. Her mother and father use the bedroom and her children sleep in what was supposed to be the living room.

Mrs. Victoria Bebeck has lived in the building for the last 4 years and was also moved there from a project site.

She does not want a project apartment because she would have to get rid of her two cats (dogs and cats are not permitted in public housing developments).

"I raised them from babies," she said, "I just can't get rid of them like that."

A 6-YEAR WAIT

At 117 East Second Street Mrs. Adela Rosado has been waiting for a call from the housing authority for 6 years. She has four small rooms but would like an apartment in a building with an elevator because of arthritis. She now has to climb three flights of stairs to get to her apartment.

She would also like to get her 18-year-old daughter out of their present environment.

"I was moved here with the idea of getting another apartment," she said, "but I'm still here."

Like all of these people, chained to these authority-owned slums, Mrs. Rosado says she still has never been told why she has not been moved into one of the projects.

With a low tenant turnover and an average of only 5,000 new public housing apartments built over the last 7 years, she may have to wait quite a while longer.

NEW YORK CITY IN CRISIS—PART LXIX

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following installment of New York City in Crisis.

This article is the last of the five on New York City's Housing Authority. It appeared in the New York Herald Tribune on March 26, 1965 and follows:

NEW YORK CITY IN CRISIS: THE PUBLIC-HOUSING PROBLEM: OFFICIALS WHO TURN THEIR HEAD—PART LXIX

(NOTE.—Nearly one-fifth of this greatest city in the world—8 million people—continue to live in poverty; many of them trapped in dilapidated, rat-infested tenements, all victims of the slums. These are the people who look to the housing authority and its low-income housing program for survival—and these are the people the authority has not been able to help. Here, in the last of five reports on the crisis and inconsistency in the city's public housing program, Barry Gottehrer and Tim Hutchens restate the problems and offer possible solutions.)

(By Barry Gottehrer and Tim Hutchens)

"The housing authority is not a private real-estate operator; it is a public body. It cannot select only healthy normal families as its tenants. Its obligation under the law is to provide housing for low-income families. Among these, and among families it displaces when clearing slums, there are families with problems."

This statement was written in 1958 by the citizens' housing authority—and brought in its current chairman, of the housing authority's attitude toward the problem families of the city.

This indictment is even more valid today.

In fact, not since the late 1950's when a series of investigations forced a total reorganization of the New York Housing Authority—and brought in its current chairman, 75-year-old William Reid—have the program and the concept of public housing caused such widespread concern.

Increasingly since 1961, when a seldom-discussed set of eligibility standards was first adopted to include factors other than need and income, the housing authority has taken upon itself to ignore the troubled people of this city who need adequate, low-income housing the most.

For these people who qualify for public housing by virtue of their need and their income but fail to clear the authority's restrictive 30 hurdles, there is no chance of escape.

"It's a welfare and social problem," says William Reid. "They have to learn to live in public housing before they move into the projects. We can't take care of everybody and we have to draw the line somewhere."

THE 300,000 "INELIGIBLES"

Welfare Commissioner James R. Dumpson, however, remains convinced that these problem families must first have new housing before they can be helped.

And, while these two city agencies play hot potato with one of the city's most critical problems, the city administration, which is responsible for coordinating its departments, has continued to ignore the problem—and the number of "ineligibles"—the city's unwanted people, continues to grow.

Last summer, Roger Starr, executive director of the Citizens Housing and Planning Council, estimated that there were approximately 300,000 "ineligibles" among the 1.5 million people forced to live in this city's slums and rat-infested tenements.

Another housing expert said yesterday that the number of "ineligibles" was already "considerably higher."

Yet this problem—this assignment of a segment of the city's population to a life in the slums and the additional problems that this life breeds—is only one of a handful the housing authority and the city have failed to resolve.

"When a businessman makes a mistake, he admits it and starts again or he eventually will have to pay the consequences," says one former housing authority official. "It doesn't work that way in this city. The mayor doesn't tolerate problems or admissions of failure. So the housing authority can't admit their problems and come up with a new program. But that doesn't mean that one isn't needed. It is needed desperately—but the housing authority isn't about to come up with solutions that might cost them their own jobs."

THE PUBLIC IMAGE

To the three men who run the housing authority and the mayor who appointed them, there is really only one problem with the city's public housing program—money or lack of it.

"If we had enough money, we could build enough to take care of everyone," says Ira S. Robbins, one of the authority members. "But we've got to change the image of public housing. If we could only get the correct image of public housing to the public, they'd know differently and we'd have the money we need. The housing program must be larger. We are geared to build between 20,000 and 25,000 apartments a year and we've only averaged 5,000 a year over the last 7 years."

New Yorkers, however, apparently don't agree. In November, they rejected a proposition that would have provided an additional 7,000 public-housing units in the city.

And President Johnson's recent housing message—which would provide 3,000 more public-housing units for the city each year and was called grossly inadequate by all city housing officials—has brought increasing pressure on the authority to reexamine its position.

When the problems and the failures of the housing authority were detailed in four reports starting last Monday in the Herald Tribune, Oscar Kanny, public relations director for the authority, commented, "If the authority was given equal space, the newspaper would look bad."

This was on Monday. At that time, the authority was given the opportunity to answer the following charges and contradictions of their program:

An increasing payroll (more than doubled in the past 7 years) versus curtailed building (in the last 7 years the authority put up nearly 14,000 units less than it did in the previous 7 years).

An enabling concept that public housing is to take care of the city's impoverished people versus 30 hurdles which exclude most of the people who are the most impoverished.

A persistent plea for more Federal, State, and city aid versus an expenditure of nearly $23,000 last year to decorate four executive offices and two board rooms.

An authority statement that the housing projects are well integrated (40 percent white, 40 percent Negro and 20 percent Puerto Rican and other) versus a report that shows the individual projects, as of 6 months ago, were essentially mostly white or mostly Negro and Puerto Rican.

An authority statement that only 3 percent of the authority's tenants were problem families versus a former project manager's contention that most managers rarely report their problem families and that the problems total more than 40 percent of the families in some of the projects.

An authority claim that its projects are virtually totally occupied versus the authority's ability to find apartments quickly for tenants recommended by city officials and newsmen.

The authority's statements about the excellent maintenance of its 132 public-housing projects versus its unusual and rarely mentioned role as owner and operator of 40 slum tenements—some having pending violations dating back to 1962.

The authority's claim that it has taken care of all these violations versus the buildings department records which still show that 21 are pending.

The authority's habit of promising ultimate relocation into a project to those people it dumps into the slum tenements versus the authority's habit of forgetting about these people once they're there.

These are only some of the failings and contradictions that cloud the present and threaten the future of the city's desperately needed low-income housing program.

Every day since these housing stories started appearing in the Herald Tribune and every day since the authority spokesman implied that the chairman would like equal space, the authority has been asked for a response.

Each day, the authority spokesman said the matter of an answer was still being considered.

SOME PROPOSALS

Finally, late yesterday, Oscar Kanny, the same man who on Monday said the authority would make the newspaper look bad if given equal space, said that the authority declined to "comment on the charges" and refused to offer any new proposals aimed at solving the city's low-income housing crisis.

Others—including Mayor Wagner and Milton Mollen, recently named housing and development coordinator—have already come up with some proposals of their own.

In a message to Governor Rockefeller last week, the mayor, who reportedly has asked Mr. Mollen to consider the problems of the authority, called for a State-subsidized program that would provide 60,000 middle-and-low-income housing units within 4 years.

Describing the city's housing problems as "ominous to an alarming degree," the mayor asked for a legislative authorization of $13.5 million annually in State funds to cover the interest on bonds to be sold by the housing authority which, he said, would then be able to finance construction of 17,500 new public housing units over the next 4 years.

The mayor's request would hardly scratch the surface of the problem acording the authority figures showing that it now has a waiting list in excess of 100,000 families.

An additional $5 million request for rent supplements, half of which the State would share, represents a somewhat different approach to the housing problem—one favored by many critics of the authority's program.

This subsidy of up to $500 a year for rent for families displaced by renewal or slum clearance would cover the difference between the rents they could afford and the rents asked.

In this way, lower-income families could be moved into middle-income housing—thought by many people to be a major step forward in breaking down the seemingly inevitable segregation of many public housing projects.

One of the most outspoken critics of the city's housing authority and its approach is James W. Gaynor, chairman of the State housing finance agency.

Under a program launched by his agency this week, 600 low-income families will be accepted as tenants in 12 middle-income housing projects in New York City.

"Ineligibles": Addicts—Working Mother, Too

(By Barry Gottehrer)

Since Monday, when "New York City in Crisis" started its reports on the housing authority, the Herald Tribune has received 40 letters expressing surprise over the existence of a seldom-discussed set of eligibility standards.

Referred to as the 30 hurdles of public housing, these standards were originally designed to keep problem families and criminals out of public-housing projects.

As one reader pointed out, "Who wants to live with drug addicts and murderers?"

Yet these hurdles do not only bar drug addicts and murderers, they also keep out people with far less serious problems—ranging from poor housekeeping habits to a lack of furniture.

The following is one of the letters we received.

It is from a woman, who asked that her name not be used, a woman who has been unable to clear the hurdles to public housing.

The hurdle she hasn't been able to clear is No. 13—"Family With Minor Children Which Does Not Include Both Parents."

"I am a working mother and the sole support of two small children. Being separated from my husband for the past year and a half and not being able to afford the rentals in private housing, I recently made an application for the Breukelen housing project. Both my children attend nursery school there, for which I have only the highest praise, while I work. I am presently living in a two-family house in Canarsie for which I am paying $100 monthly. This does not include utilities. I have only three small rooms and my children (a boy and a girl) must sleep together.

"As I get no support from my husband I find it quite difficult to pay this high rent on my weekly salary of $70 and still have enough left over for the necessary essentials to provide for my family.

"At first I applied for public assistance but was turned down for various reasons, among them that my rent was too high. They even suggested that I move to a less desirable neighborhood. I have lived in Canarsie most of my life (it is one of the few neighborhoods in Brooklyn that is not a slum) and have no intentions of moving to a less desirable neighborhood.

"I was told by the manager of the housing project (I never got as far as an interview) that I was unacceptable due to the fact that I was separated from my husband and under the age of 45, I am 25. He said that they felt I would have undesirable visitors and throw wild parties. (I fail to see what age has to do with it.) They said if I were to reconcile with my husband I would be eligible. If that were the case I would have no need for public housing.

"It is unfortunate that my marriage did not work out, but I certainly do not consider my family a problem nor undesirable because of it. I keep a clean and decent house and am always on time with my rent and am quite sure that even my present landlord would recommend me highly to the housing authority and could certainly tell them I have neither undesirable visitors nor wild parties.

"I am only anxious to move into the project because I desperately need the extra room and so that my small income will allow me to provide the things my children need.

"I have recently written to the housing authority requesting a more logical explanation for being turned down. But as yet I have received no reply.

"I can only say that I would have to answer 'yes' to No. 13 on the problem check list, but I can't help but wonder if I were to take the advice of the department of welfare and move to a slum area so my rent would be less, how many more conditions on the list I would have to say 'yes' to."

PERSECUTION OF SOVIET JEWS

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. RODINO. Mr. Speaker, the Subcommittee on Europe of the Committee on Foreign Affairs is holding an important series of hearings on conditions in the Soviet Union and in Eastern Europe, with particular emphasis upon antireligious activities. The problem of Soviet anti-Semitism has been of concern to me for a long time, so I was glad to have the opportunity to present testimony on this situation. I would like at this time to have my testimony printed in the RECORD:

STATEMENT OF REPRESENTATIVE PETER W. RODINO BEFORE THE SUBCOMMITTEE ON EUROPE, MAY 17, 1965

Mr. Chairman, Soviet persecution of religion is a fact that is known by every man, woman, and child who has had even a minimal exposure to the political doctrine and history of the Soviet Union. However, not all people, Mr. Chairman, are aware of the extent to which Soviet persecution is directed at its Jewish citizens. For this reason I believe it is altogether fitting and indeed timely that this Subcommittee on Europe of the House Foreign Affairs Committee should consider the problem of Soviet anti-Semitism.

In examining this problem the first question that comes to the fore concerns the validity of the oft-repeated charge of Soviet anti-Semitism.

Let me say at the outset that there can be no doubt of the validity of this charge. In every area of Soviet life the Jew suffers the most serious forms of discrimination and persecution. In the religious realm, he is denied the adequate services of religious leaders owing to severe restrictions on rabbinical training. Religious books, Bibles, calendars, and the like are also denied the Jewish believer. The number of synagogues has been reduced over the years. Cemeteries have been desecrated; synogogues defiled; and Jewish religious leaders persecuted.

In the economic realm, the Soviet Jew experiences the same far-reaching effects of anti-Semitism. He is denied those positions in the Soviet economy that bring greater responsibility and prestige to the individual. He has also been charged with so-called economic crimes and has suffered harsh prison terms and even death.

In the realm of culture, the Soviet Jew is a man culturally deprived. His language and literature are clearly destined for destruction and extinction. And in the universities and institutions of higher learning the Jew runs head-on into a policy that is intended to reduce his access to learning. Deprived culturally and intellectually, the Soviet Jew is thus clearly being directed toward an inferior status in Soviet society.

All of this discrimination, Mr. Chairman, is carried on within a political system that is intended to deprive nationalities of their rights. And it is carried on within an atmosphere of engineered propaganda that is calculated to resurrect all of the hate symbols of the past and stigmatize the Jew as a pariah in the Soviet social body.

Yes, Mr. Chairman, there is discrimination against the Jews in the U.S.S.R. The Soviet leadership in fact and in theory is determined to destroy the idea of Jewishness as a separate national identity; it is determined to destroy Jewish culture; it is determined to carry on a cold war against the Soviet Jew until at last, deprived of all those sources of cultural, religious, and national survival, he becomes a total Soviet person.

It is because of this existing campaign of discrimination against and persecution of the Soviet Jew, Mr. Chairman, that I have submitted H. Con. Res. 223, condemning Soviet anti-Semitism, and asking that Soviet Jewry and all other nationalities of the Soviet Union be given the free exercise of their religions and of their cultural pursuits. This is not an exceptional request. All we ask is that the Soviet Union conform to those commonly held standards of decency and humanity.

NATIONAL MARITIME DAY

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MURPHY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, Saturday, May 22, of this week is a most important date in American history. This day has been proclaimed annually by the President of the United States for many years as National Maritime Day for this day marked the sailing in 1819 of the SS *Savannah* from Savannah, Ga., for Liverpool, England. The U.S. merchant vessel *Savannah* was the first steamship in the world to cross any ocean. With that crossing an era of history came to an end. Sailing vessels immediately became obsolete and the United States through ingenuity and inventiveness opened a new field of transportation.

I should like to point out that in the year 1819 for this country to be able to place upon the seas a new mode of travel is an achievement that would be comparable today to placing a rocket upon the moon. In honor of this occasion, the Maritime Administration and maritime industry are celebrating Maritime Week commencing May 17. During this week, many events will take place in the city of Washington. On Monday the 10,000-ton schoolship, the *State of Maine*, the largest vessel ever to navigate the Potomac River, with 350 cadets from the 4 merchant marine academies, will arrive at the Navy yard.

Tuesday morning the Vice President of the United States will present a $500 award to Nelson Hagemen of Snyder, N.Y., the winner of the National High School Maritime Poster Contest, in the Senate rotunda. The winning poster is now appearing on mailtrucks throughout the United States. Numerous events will take place during this week culminating with a lifeboat crew race on Saturday between the academies at Haines Point.

It is hoped that these events will serve to inform the public of the need for a U.S.-flag merchant marine. To a very great extent the development of the United States as the leading power in the world can be attributed to our utilization of the oceans. The principle that seapower, both merchant and Navy, is indispensable to the security and even the survival of the great nations is well established. Our national merchant marine policy as stated in title I of the Merchant Marine Act, 1936, recognizes that—

> It is necessary for the national defense and development of its foreign and domestic commerce that the United States shall have a merchant marine—
>
> (a) sufficient to carry its domestic waterborne commerce and a substantial portion of the waterborne export and import foreign commerce of the United States and to provide shipping service on all routes essential for maintaining the flow of such domestic and foreign waterborne commerce at all times;
>
> (b) capable of serving as a naval and military auxiliary in time of war or national emergency;
>
> (c) owned and operated under the United States flag by citizens of the United States insofar as may be practicable; and
>
> (d) composed of the best equipped, safest, and most suitable types of vessels, constructed in the United States and manned with a trained and efficient citizen personnel. It is hereby declared to be the policy of the United States to foster the development and encourage the maintenance of such a merchant marine.

It is imperative that the Congress of the United States and the people of this Nation foster and maintain this policy.

Our merchant marine has contributed to our national well-being. It is a source of employment for thousands of our citizens—seamen, shipyard workers, chandlers, longshoremen, suppliers, and many, many more. And all of these people and corporations pay the Government his due each year in taxes. There is no free ride. The subsidized companies alone, which represent but one-third of our merchant marine, paid total taxes of some $63 million in 1964, representing corporate taxes, personal income taxes withheld, and social security taxes. But, of perhaps even greater importance, our merchant marine has helped in the conservation of dollar exchange in ocean transportation, which, in turn, affects our balance of payments.

It is fitting and proper that this great industry be duly recognized throughout the Nation on Maritime Day.

VETERANS' ADMINISTRATION CLOSINGS

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HANLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. HANLEY. Mr. Speaker, under the general leave to revise and extend remarks on the passage of the independent offices appropriations bill, I should like to say a few words on the amendments offered by the gentleman from Texas [Mr. TEAGUE], the distinguished chairman of the Veterans' Affairs Committee, and agreed to by the Members of the House.

Mr. TEAGUE requested that the House include in the budget for the Veterans' Administration funds sufficient to operate all of the facilities which the Veterans' Administration had recommended for cutback or abolishment. I supported Mr. TEAGUE's request because I know from our work on the Veterans' Affairs

Committee that these closings are by no means finished business. It was my belief at the time of our hearings on these closings that such closings were ill-advised. The whole thrust of our hearings has borne out this contention.

I believe that the House of Representatives acted very wisely in providing funds for the operation of the contested regional offices, hospitals, and domiciliaries. The President has commissioned a panel to study the original Veterans' Administration order to close these facilities, and it would not be proper for the House to preempt the decision of that panel.

RELIGIOUS LEADERS IN SELMA

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. FRASER. Mr. Speaker, last March thousands of religious leaders from across the Nation responded to a call for help from Selma, Ala. In my own community of Minneapolis many responded, including my friend and neighbor, the Reverend Richard Griffis, pastor of the First Congregational Church in Minneapolis. His concern and the concern of all the others was expressed in that now historic journey to Selma to help arouse the conscience of a nation.

Yesterday I attended a luncheon in Washington, D.C., sponsored by the Washington Chapter of the American Jewish Committee. The luncheon was dedicated to those religious leaders from the Nation's Capital who went to Selma; it also served to symbolize our Nation's gratitude to ministers and rabbis everywhere who took part in that march.

These expressions of gratitude serve to renew our commitment to human justice and equality. These expressions also serve as the most eloquent answer to those who have attempted to impugn the character and the moral commitment of the marchers.

The Right Reverend William F. Creighton, Episcopal bishop of the diocese of Washington, was one of those who marched, and he was the principal speaker at yesterday's luncheon. His talk dealt eloquently with the need for compassion. Under unanimous consent, I insert his speech at this point in the Record:

Address Given by the Right Reverend William F. Creighton, D.D., Episcopal Bishop of the Diocese of Washington, May 17, 1965

I'm going to speak this noon about compassion versus hardness of heart.

Through all the struggle for civil rights and for human freedom a great variety of principles have been considered. These has been the consideration of what is sometimes called simple justice, but which always proves to be not very simple at all. It involves us in the weighing of law against lawlessness, but also in the weighing of higher laws against lower laws, and in decisions that must ultimately be the decisions of conscience.

There are always moral considerations, the conflict between good and evil. There are deeply felt religious convictions. There are the considerations of patriotism, of our national purpose, of the directions in which we as a nation should go. Always, of course, there have been political considerations, and economic considerations. What will the ultimate conclusion be, or what will it cost, if I take this position or that.

But beneath them all and controlling them all there is the conflict between compassion and hardness of heart.

It's a commentary upon the sickness of our times that a compassionate man is so often held up as an object of scorn. Acts of compassion, compassion for neglected people who have been deprived of their rights, have sometimes been ridiculed and sometimes have been given evil names. One very prominent American not many months ago described men of compassion as bleeding hearts, a phrase obviously intended as an expression of obliquy and insult. Apart from being, from a Christian point of view, somewhat blasphemous, this description, which was all the more expressive because it came out spontaneously in an interview, is all too typical. Anyone whose heart bleeds for those less fortunate than himself is to be scorned as soft or unsound or dangerous.

I would wish rather to go on record as saying that the only chance we have of providing equal justice for all of our citizens, of solving our social problems or our racial problems, problems of poverty, or unequal opportunity in employment and housing and education, lies with those whose hearts do bleed for every human suffering, at every human need, at every injustice suffered by a human person. We're not going to be the nation or the people we are capable of being until the men whose hearts bleed outnumber those whose hearts are hard.

Senator Byrd, whose position has such influence over our destinies in this city, was quoted recently as saying something that appeared to equate poverty with crime. According to the newspapers he said that poor people dislike being investigated just as criminals do. If this is really what he said this defines the issue with regard to the problems of poverty and crime, and of all human suffering and need. It is the issue between compassion and hardness of heart. It's a crime to be poor, and poverty and crime and all human need and lostness and incapacity are not to be dealt with out of sympathy for the persons involved. They are to be dealt with always objectively, to be investigated and dealt with only if there is no possible way to avoid it. This is as cruel and as lacking in compassion as it would be to tell a man suffering from arthritis that all he has to do to be completely well is to go out in the garden and turn cart wheels. If Senator Byrd's heart, or the hearts of men of whom he is typical, ever bleed even a little bit for children who are neglected and hungry and educationally and culturally disadvantaged, or for mothers who cannot find the counsel they seek in a fat, selfish and hardhearted society, or for fathers who leave their families rather than deprive them by their presence, then we should begin to have a decent city.

All sorts of angry motives have been ascribed to those of us who went to Selma to help out our Negro brothers who have been unable to vote or to live full lives of creative work or of social or cultural opportunity. This is not a matter of pride or of self-satisfaction. It's no pleasure to have a bleeding heart, it hurts a great deal more than it does to have a hard heart. To be in a place like Selma, in our Nation, in the 20th century, and to see kind, good, warmhearted Negro families constricted in a ghetto, an area in which the paved streets end, surrounded by troopers with cars parked bumper to bumper, with clubs and tear gas, allowing no more than three people out at a time, to see all this just because men like us wish to be free, makes one's heart bleed, bleed until one can feel the blood running down inside. What kind of a man is it, who after having merely looked at the television pictures of a bridge at Selma would not feel his heart bleed?

There are considerations of human justice. The ultimate issues, many of them will be settled in the courts. Let's remember again, however, that justice is determined and interpreted and enforced by human persons with regard to human persons. And let's remember that there are varieties of laws. The fighters for freedom this last year have stood clearly on the principle of nonviolence against endless provocation. And over and over again in bombings, in beatings, in murders, in incitement, the hard of heart have relied on violence. And all too often in doing this they have claimed the support of law. Most recently we have seen the ugly spectacle of incitement and vicious racism expressed by a judge and a lawyer in a courtroom in Alabama in the case of the Klan member on trial for the murder of Mrs. Liuzzo.

There are all kinds of laws and there are degrees of justice. There always remain the difficult questions of conscience with regard to civil disobedience. And this is an area in which I personally should be fearful to have any but a man of compassion trespass. It is no area into which a hardhearted man or a man of violence is safe.

What do you do if you are driving along a highway and come to a lake and hear from the lake screams for help and see a child drifting away from a capsized boat. You rush to the lake, throwing off your coat, and prepare to dive in and swim out to rescue the child. But then you see a sign at the edge of the water signed by the sheriff, and the sign says, "Swimming in this lake is prohibited."

Do you put on your coat and go back to the car? Or do you see above the sheriff's sign a much, much larger sign that says, "Thou shalt love thy neighbor as thyself" or "inasmuch as ye have done it unto one of the least of these, my brethren, ye have done it unto me"?

Yes, there are all sorts of laws and all sorts of ways to interpret them, and God grant that the day may come when all the signs will be put up, and all the interpretation of the signs, will be done by men of compassion, by men whose hearts bleed for those whose need is great. Only then will the very difficult problem of civil disobedience be concluded. So long as hardness of heart and compassion remain in conflict the problems of conscience are going to continue.

We people who have been involved in the struggle for human freedom and for civil rights can take no pride in it, and certainly no one who went to Selma is a hero. The real heroes are the Negroes who at such cost have in city after city sought to become full responsible members of a free society.

There is the question of justice, of the conflict between higher law and lesser law. There is even more deeply the moral conflict between good and evil. Who dares to say, and on what principles of morality, that it is a good or a righteous thing to say to a man that because of his skin color he cannot vote, or that he cannot live in a decent house, or that he cannot travel through our land, eating and sleeping decently in the accommodations that are provided for travelers, that he cannot have a good education or the advantages that others enjoy. Who dares to say that this is morally good?

It is an evil thing from the point of view of every moral consideration, and most certainly from the point of view of our whole religious tradition. The moral issues are quite clear cut, and on one side stand men of compassion and on the other stands hardness of heart. If this sounds smug or proud I certainly don't mean it that way. Could anyone see American citizens seeking day after day the right to register to vote, and being turned away by dishonest means, calling names so that they could not be heard, requiring tests that college professors might fail, and say that this is morally good? Or can any decent person fail to feel his heart bleed because of this? Could anyone have seen the Negro people of Selma jammed by the troopers into a concentrated area, gathering in the Brown's Chapel Church, singing freedom songs and hymns, praying in memory of Jim Reebs who was beaten to death only because he cared, and then say that there is no moral issue here?

Let's not be proud because we affirm the good against the evil, because we are on the side of moral decency. We had better admit, all of us, that we have not been very strongly on the side of morality. In the civil rights issue most of us are Johnny-Come-Latelies, who have only recently waked up, and we haven't done much. Making a trip to Selma, or marching in a parade may be a good gesture, but it doesn't prove much.

We had better be satisfied to say that no matter where we stand we do know that until the moral conscience of our people develops a great deal more and becomes overwhelming, and until many more hearts bleed than are bleeding today, the forces of evil are going to continue free to bomb churches, to send out murder squads to shoot women, to refuse the right to vote, the right to equal employment, to equal housing, to equal education, to a full life. This is a moral issue, and none of us has been very moral about it. We've been all too willing to condone and excuse evil.

And then it is a deeply religious and a theological issue. For us it is not possible to say that the question of human freedom is essentially a political question, or an economic one, or a legal one; and that politics and economics and law are not the concerns of religion. It's impossible to say this, because if religion has any meaning at all it has meaning in the lives of people, all people and in every aspect of their lives. We believe very sincerely in the separation of church and state, but we don't believe at all in the separation of religion and life. And in the civil rights struggle lives are at stake, the lives of persons whom God loves, and whom He has commanded us to love. It is out of our sense of the judgment of God and the love of God that our compassion grows. Our hearts might bleed as pure humanitarians or as decent people, but because we are religious people our concern is greater than that of others, and no one should be surprised that religious people, religious groups, and religious leaders have taken a position of leadership in the fight for freedom.

Finally I would come back home. I've had my share of hate letters this winter, stacks of them, many of them anonymous and some too vicious and profane to be answered. Many others have been from sincerely troubled people who have wondered why all this can't just go away so that no one need be disturbed and no hearts need bleed. To be faced with a choice between compassion and hardness of heart is terribly difficult for many of our fellows who have never really chosen before or taken a stand, and who are embarrassed that others have. Those letters I've tried to answer courteously and with sympathy and in return I've often had courteous and understanding replies.

A very common refrain in the letters is the question, "Why don't you do something about Washington where poverty is a national disgrace and where crime abounds. Why should people like you go off to Selmas when your own city is a mess?"

And I've answered in two ways. First by saying that it has been the very people who have been most concerned here and who are working hardest to make our city a better place who have been concerned in the fight for social justice everywhere. It's the very people I have known here who have been fighting for a decent welfare program, for better education and better schools, for job opportunities and housing opportunities for Negroes and for all disadvantaged people, who went to Selma and who have felt their hearts bleeding for the poor and the hurt and the needy everywhere. These are the concerned people we find engaged in every sort of effort for human betterment.

And then I have said that far from resenting people elsewhere being concerned about our needs here, that I would do everything in the world to encourage such concern, honest concern that does not exaggerate our social problems, but which does care for the Capital City of our Nation. We're dependent upon Congress and upon congressional committees and what happens here depends upon how much Senators and Representatives from all of our States care what happens here. If people such as some of those who have written me, unhappy because my heart bleeds for Alabama, would only bleed a little bit for our people here who live still in slums, who go to school in basements, who go hungry in the streets and fall so easily into crime because they do, then the light would begin to grow. If they would bring pressure on their representative in Washington, not to investigate poverty but to seek to end it, not to build aquariums and plant flowers while children go hungry, or not until they are fed, then we would be grateful indeed.

In the meantime I agree completely that we cannot go off to Selma or somewhere else to witness to our conscientious concerns, and do nothing about our needs here. It's all too easy to leave our comparative comfort here and go to Selma, through the police lines into the ghetto, to march thankfully to Dallas County courthouse and place a wreath in memory of James Reeb, and then fly back here to watch it all on TV. It's also too easy to live here in a comfortable neighborhood,

Even this, however, is a step in the right direction. It's a step in the right direction when we begin to know compassion, when we find that we can no longer put this out of our mind, when our consciences will not let us rest, when we discover that we can no longer be comfortable while others are in distress, when we begin to see poverty not as a crime committed by anyone other than ourselves who have permitted the social situations that breed it; when we can see that the school dropouts have dropped out because they know we'll never give them a break; so what's the use; when we see a mother wandering the streets seeking help for her children and dying in the process of rejection, as a women rejected by us. When we begin to feel this and feel our hearts bleeding because of all of this, then our very discomfort may be the first step toward healing.

One can only wish that people like the mayor of Selma when they come to the Capital of our Nation, instead of seeking whatever they seek in the early hours of the morning, would find compassion in their hearts. One can only wish and pray that men in positions of responsibility instead of making fun of bleeding hearts, could find their own hearts bleeding just a little bit; one can only hope and pray that people everywhere may join in the battle with hardness of heart until we become a decent people who may not even see the sign that says no swimming, if they see someone struggling for life who cries for their help.

At the very end I'll add a note of really heartfelt optimism. The forces of compassion are growing and higher laws are winning over lower laws, goodness is winning over evil, morality is stronger than immorality. We can be thankful, very thankful, that we have a President who is a sincerely compassionate man, who does care, and who is also courageous and wise.

We can be thankful that a voting rights bill is surely going to pass, that forces of decency are emerging all over, in the business community of Alabama, in a coalition of conscience here in Washington, in a strong stand by decent men in Congress, in the leadership of our religious communities. Much good has come of Selma, much good. Even Governor Wallace is reported to have said recently in Selma that the day will come when Negroes will be free and will have a part in government. Of course they will, and this is no surprise to anyone but to Governor Wallace and his kind. A better day is coming; but it is coming only because compassion is stronger than hardness of heart.

More people will be beaten, surely, more churches will be bombed, more children will grow up without a fair chance in life, and people like us will get thousands more letters filled with hatred, before the struggle is over. But it will be over, in the Grace of God, and we should not be at all proud to have some part in it. We should be thankful that we've had an opportunity to add our lives to those of others who care deeply, and who know what it is to feel their hearts bleeding within them.

FORESIGHT AND FLOOD CONTROL

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, every spring brings with it swollen rivers, heavy rains and, inevitably, floods. This year has been no exception.

Flooding has been a problem in my home city of San Antonio for generations, but wise planning after bad flooding in 1946 has resulted in better flood control. Congress, in its wisdom, has permitted the plans of San Antonio and hundreds of other cities to be carried out and has appropriated billions of dollars to flood control projects all over the United States. By no means is the situation fully under control—not in San Antonio, not anywhere—but the situation has improved and hundreds of lives have been saved and billions of dollars worth of property has been saved.

I am leaving Washington this afternoon to inspect the flood control works that have been under construction for 10 years in San Antonio, because we are now having the worst flood conditions since the 1946 disaster. I want to see for myself the effectiveness of the San Antonio River channel improvement project and compare the results of the flooding in the improved areas with the results in the yet to be completed areas. From what I know already, the unprotected areas have suffered substantial damage, but the protected areas are in good condition.

Mr. Speaker, it is a human weakness to foresee the wisdom of flood control after tragic events, but it is our good fortune that the Congress has never had to use hindsight in planning and carrying out flood protection projects. The wisdom of Congress in providing San Antonio flood protection starting a decade ago is clear, for if it had not been for the river channel project in my city, I know that today I would have nothing but disaster to report. I am happy that there is no great disaster, no loss of life, but I am still concerned for the safety of my city and its citizens, and am returing to see what I can of the damage and will report my findings to the House tomorrow. I have no doubt that I will report to my colleagues that what I will see will bear eloquent testimony to the wisdom of the Congress in its constant attention to flood control and will prove the case for continued vigilance.

PERSONAL ANNOUNCEMENT

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. SENNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SENNER. Mr. Speaker, On May 4, 1965, President Johnson called upon Congress to appropriate $700 million to meet our critical military requirements, particularly in Vietnam.

The following day, my colleagues in the House rose magnificently to the occasion and approved the President's request by a vote of 408 to 7.

At the time, I was in Arizona attending to official business. Had I been here, however, I would most certainly have voted in favor of the appropriation.

By its action, the House clearly indicated to the world that the American people are behind their President—united and determined to oppose aggression.

Here and now I wish to clearly express my conviction that the President is following the only plausible course of action that will eventually bring peace not only to South Vietnam, but to other world trouble spots as well.

COMMUNITY WATER SYSTEMS, LAWRENCE COUNTY, TENN.

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. ANDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, this past Saturday, May 14, we had the great privilege of having Secretary of Agriculture, Orville Freeman, visit Lawrence County, Tenn., for the purpose of dedicating nine community water systems. These water systems have been made possible through the foresight of community leaders in Lawrence County, coupled with the splendid help of the Farmers Home Administration. As Secretary Freeman pointed out at the dedication, Lawrence County has created one of the most complete systems of rural water supply in America. I am proud, indeed, to represent Lawrence County in the House of Representatives.

Prior to the dedication ceremonies, Secretary Freeman met for several hours with a large representative group of rural area leaders from throughout Tennessee. This was a very productive meeting which featured the free discussion and give and take, so much a part of our free American system of government. I am sure that the people attending went away with a much better understanding of the goals of this administration for rural America, and that our great Secretary of Agriculture and other Department of Agriculture officials attending went away with a better understanding of the problems we have in rural development in Tennessee and the Midsouth.

Among other Department of Agriculture officials accompanying Secretary Freeman were the Honorable Howard Bertsch, Administrator of the Farmers Home Administration; Mr. Robert G. Lewis, Administrator of the newly formed Rural Community Development Service; Mr. Baker Atterbury, Director of the Rural Community Development Service for the Midsouth region; Mr G. W. F. Cavender, Tennessee State Director, Farmers Home Administration; and Mr. Thomas Todd, area supervisor, Farmers Home Administration. All of these gentlemen made a most significant contribution to the occasion.

During my previous association with the Kennedy-Johnson administration and during my months in this Congress, it has become my conviction that Orville Freeman is the greatest Secretary of Agriculture this country has ever had. Because of the great excellence of President Johnson's and his concepts for a great new era in rural America, I would like to include in the RECORD the remarks he made at the water district dedication in Lawrenceburg, Tenn.:

REMARKS OF THE HONORABLE ORVILLE FREEMAN, SECRETARY OF AGRICULTURE, AT LAWRENCEBURG, TENN.

We are here today to dedicate nine community water systems in Lawrence County. The people of this county can be immensely proud of your initiative and enterprise in creating one of the most complete systems of rural water supply in America. You are one of not more than half a dozen nonmetropolitan counties in the whole United States that have so far attained the goal of making pure water accessible to all rural areas within the county.

For me, this official act of dedication is a symbolic occasion of deep significance.

In this decade—and in this administration—we are marking the end of one era in rural America and the beginning of a new one.

We are marking the beginning of the end of a long period of economic and social stagnation in rural America—the end of a long period of steady deterioration of our rural communities.

We are marking the renaissance of rural America as an area of new and vast opportunity for all the people who wish to live there.

It is entirely right that Tennessee is taking leadership in revitalizing rural America.

The old frontier spirit of Tennesseans is still very much alive. Today we are exploring not physical frontiers but new frontiers of achievement in improving our society. You in Tennessee have demonstrated that you dare to cross these new frontiers. You care enough about your land, your people, and your future to build well and with pride, even as your forefathers did.

Even with the giant power grids and dams of TVA, and with your burgeoning industry, Tennessee is still predominantly a rural State, and, as such, it epitomizes all that is good and all that has been wrong with rural America for so many years. The problems of rural Tennessee are basically the same as you will find in all other areas of rural America: relatively low personal income, declining employment in agriculture, lack of alternative economic opportunity, lack of community facilities, too many substandard houses, too much poverty, and many, too many young people who are literally forced to seek opportunity elsewhere—opportunity that too often eludes them because they are ill prepared to compete with young people raised in the cities and the suburbs.

But the inspiring thing about Lawrence County, Tenn.—and many other rural counties throughout America—is that you are doing something about your problems. With Government cooperation you have built nine community water systems to serve nearly 9,000 rural people. You have built 350 new rural homes in the last 4 years with Government credit assistance and twice that many more with credit from other sources. You have greatly improved and strengthened your farm family agriculture with the help of credit assistance and other programs of the Department of Agriculture.

What you are accomplishing here can be accomplished anywhere in rural America. President Johnson has given us a banner and a rallying cry in the phrase "parity of opportunity" for the people of rural America. You are showing that this is a real and attainable target. You have proved right here in Lawrence County that rural people can have parity of opportunity to drink pure water—as a single aspect of our general objective.

This is the real significance of this occasion.

The job of revitalizing rural America—of returning it to its former greatness as an area of boundless opportunity—is one of tremendous magnitude. It is a job, as you well know, of many dimensions. It is going to take many programs—many of which we now have. It is going to take the combined efforts of local, State, and Federal Governments. But most of all, it is going to take the united efforts and leadership and enterprise of people themselves. Just as you have done here. The Federal Government can provide through its programs some of the necessary tools. But it takes people to pick up those tools and use them. Unless people make Federal programs work, they are worthless.

In the Department of Agriculture, in order to help rural people meet the challenge of transforming rural America, we are transforming the Department. We are broadening our traditional concern, which has been largely limited to agriculture as an industry, to encompass a concern for all aspects of rural America as an element of our national society.

This does not mean that the effort and activities which the Department carries on for the family farmer have been downgraded—far from it. We are renewing our efforts to improve farm income which, during this period of general prosperity, is much too low. We are constantly trying to improve our commodity programs without which net farm income would be cut in half—and the family farm would be threatened with extinction. We are fully aware that real parity of income for agriculture is and will remain the economic basis for a strong and prosperous rural America.

But we also recognize that three out of four people in rural America do not live on farms, and programs for agriculture as an industry are not enough by themselves to serve adequately the needs of the nonfarm rural economy. The rural economy must offer a broader range of income and job opportunities, outside of agriculture as well as within agriculture, or the rural community will continue its slow decline.

We have therefore asked for, and Congress has enacted, legislation to deal effectively with a wide range of problems of rural America.

Housing legislation in 1961 and 1962 broadened the authority of the Farmers Home Administration to make credit available to all rural Americans. Early this year, the President asked that the rural housing program be revised and expanded further so that rural people could have the same access to mortgage credit that urban people enjoy. As of now, this legislation appears likely to pass. Four million rural homes now being occupied need major repairs or should be condemned as unfit to live in. In the last 16 years, only 98,000 rural homes have been built with Federal loan assistance, while 3⅓ million homes have been built in urban areas with the help of the Federal Housing Administration. This is a disparity of one rural home for 34 urban homes. This gap must be closed.

Prior to 1961, the annual volume of Farmers Home Administration loans for water systems such as we have seen today was less than a million dollars. This year it will be more than $50 million. Yet the need is far greater, because there still remain some 14,000 rural communities with populations of 100 and over that are without central water supplies.

The Area Redevelopment Act, the Manpower Development and Training Act, and the Vocational Education Act all contain authority to create jobs and to provide rural people with opportunity to gain new and useful skills.

All of these activities we have coordinated under the single title of "Rural Areas Development." RAD groups are now organized and functioning in more than 2,100 rural counties, involving over 100,000 rural leaders. These groups have helped create some 412,000 new jobs in rural communities.

Last year, in response to the President's declaration of war on poverty, Congress enacted the Economic Opportunity Act. Nowhere does the war on poverty have more urgent meaning than in rural America. Half of this Nation's poor live in rural America. No rural county is free of poverty. And nothing saps the economic and social vitality of our communities as does the burden of poverty. It is an evil we cannot afford no matter how affluent is the rest of our society.

Since the passage of the Economic Opportunity Act, we in the Department of Agriculture have diverted all the resources we could muster to work, in cooperation with the Office of Economic Opportunity, in helping the communities of rural America enlist in the war on poverty.

We administer two programs—the Job Corps conservation centers located in national forests, and economic opportunity loans in rural areas. Enterprises financed by these economic opportunity loans can be either agricultural or nonagricultural and are made to both farmers and nonfarmers—just so they result in higher income from the investments the loans finance. Some 6,600 rural families have now received loans. By the end of next month we hope to reach 12,000.

Every agency within the Department of Agriculture that can conceivably assist in this war on rural poverty has been drafted.

Staff members of the Cooperative Extension Service and other USDA agencies are encouraging and assisting rural communities to organize to prepare community action programs for submission to the Office of Economic Opportunity. The Cooperative Extension Service, which has done so much to bring technological progress to farming, is entering upon a new and important role in the drive to achieve parity of opportunity in rural America.

We have established a new agency—the Rural Community Development Service—to bring a new emphasis into the work of the Department of Agriculture. The top priority of this new agency will be to help the other departments and agencies of the Federal Government to stretch the reach of their services all the way to the remotest rural settlement or homestead—where all too often they have never reached at all before, or have offered less service to rural people than to those who live in urban areas. The Rural Community Development Service will help to plan and coordinate the programs of the entire Federal Government so that they will make a maximum contribution to the fullest development of all the resources—both natural and human—of the entire rural community.

In short, we are transforming the Department of Agriculture to fit the needs of rural America. We are not picking and choosing just those problems that are easy, familiar, or traditional.

Someone has told me that since I took over as Secretary in 1961 the Department of Agriculture doesn't seem like the old place anymore. To me that was high praise—whether it was meant to be or not.

It is clear to me that while each of us may yearn for the green spaces and quiet beauty and the independence which the countryside provides, it takes an urban income to enjoy that kind of rural living.

I see no reason that rural people should not enjoy parity of income with urban people.

I see no reason that those who want to stay in their home community should not have the opportunity to make a decent living there.

I see no reason that education and health facilities should not be as adequate and available in rural areas as in cities—or why credit should not be as readily available to the rural businessman as to his urban counterpart.

I see no reason that the rural family should not be able to get credit to build a home on terms as favorable as those available in cities or suburbs—or that rural communities should not be able to supply the water and sanitary facilities which make for pleasant community life.

We are fully committed to do the job which President Johnson has outlined for us:

To build a rural America that is strong and beautiful;

To build a rural America of people who are healthy, well educated and well housed;

To eliminate poverty; and

To build a rural society of boundless and expanding opportunity where every person, of whatever race or background or place of residence, can develop and employ his energy, his talent, and his enterprise to the full extent of his ability.

With the help of people like you in Tennessee the job will be done.

BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, more than a year ago the Compulsory Arbitration Board permitted the railroads to do away with many firemen and helpers on trains. Since that time, it has developed that the railroads have frequently and unfairly discharged members of the Brotherhood of Locomotive Firemen and Enginemen, AFL–CIO, and since this situation is worsening, I want very much to call to the attention of my colleagues the recent statement of H. E. Gilbert, president of the brotherhood.

I commend this very thoughtful and searching report to the attention of all my colleagues, and am sincerely hopeful that their study of it will convince them that the undue harassment of members of the Brotherhood of Locomotive Firemen & Enginemen needs to undergo a penetrating review by the Congress. I also want to point up the serious safety and maintenance factors involved because of this ruling, which are so comprehensively explained in the statement of Mr. Gilbert.

The statement follows:

STATEMENT OF H. E. GILBERT

Just about 1 year ago today—May 6, 1964, to be exact—I held a news conference in this hotel to discuss the pending application of the compulsory arbitration ruling—the first in peacetime history—which dealt with the employment of locomotive helpers (firemen) on freight and yard locomotives.

Most of you will recall that the decision of Compulsory Arbitration Board 282 permitted railroads to force up to 90 percent of helpers (firemen) in freight and yard service off their jobs. Separation of helpers (firemen) was to be on the basis of full protection of all rights and working assignments for men with more than 10 years seniority; the same conditions were to apply to men with from 2 to 10 years service unless and until offered a comparable job or severance pay, in the event the comparable job was refused. For men with less than 2 years' seniority, or who averaged less than $200 per month in earnings for 2 years, or who had not worked in 2 years there was immediate separation with severance pay, except for the group that had not worked in the previous 2 years.

At the time the ruling was first applied—May 7, 1964—the carriers asked for and were granted an injunction against individual employees, officers of the brotherhood and the brotherhood itself, restraining all from taking any measure of self-defense against what was to come. Judge Alexander Holtzoff issued the court order.

With the court injunction in one hand and the ruling of arbitration board 282 in the other, railroad personnel officers waded into our ranks with one thought in mind—get as many helpers (firemen) out of the industry as possible, in the shortest possible time. The framework of the arbitration award was largely ignored. Only through the insistence of the Brotherhood, that provisions of the award be followed, and later interpretations of the arbitration panel, was there any semblance of fair treatment given affected employees.

One railroad seemed to be trying to outdo the other in applying the award as severely as possible. It got to the point where one superintendent would do one thing and his colleague on the next division would go even further in his private interpretation. The men suffered. They suffered without having recourse to the only real weapon of American labor—the picket line.

Now, after a year of taking it on the chin, with our hands tied behind our back, we are in Washington to review the situation.

The arbitration ruling will expire March 31, 1966. Perhaps then we can settle this issue through collective bargaining. The difference between March 31, as the date the award became effective, and May 7, the date it was applied, is explained by the fact that both sides stipulated preliminary procedures could be undertaken during the time we were seeking Supreme Court review.

The chief negotiator and spokesmen for the railroad corporations recently called the treatment given helpers (firemen) under compulsory arbitration, and I quote Mr. J. E. Wolfe: "The almost utopian goal of both protecting the men involved and permitting major technological progress." You may recall hearing other railroad management figures using the same public relations slogan: "Progress Through Protection."

The men involved in this procedure of compulsion, as well as the public and shippers, are faced with grim realities—realities that a hundred public relations slogans cannot wipe out.

Here is what has happened since 15,000 locomotive helpers (firemen) were forced off their jobs:

Interstate Commerce Commission accident statistics show an alarming and continuing increase in the number of railroad accidents.

Unemployment among locomotive helpers (firemen) forced off their jobs is running at 30 percent.

Separated helpers (firemen) who found jobs had to search for 3 months. The jobs they finally got—in all instances—paid less than their railroad earnings.

Helpers (firemen) still in service—about 24,500—in most cases have had their job assignments changed, earnings slashed, and normal working conditions disrupted.

Railroad corporations have saved approximately $115 million in wages of separated helpers (firemen). None of the savings has benefited the shipper or passenger in the form of rate reductions or major improvements in passenger or freight service.

RAILROAD ACCIDENTS

Monthly, the Interstate Commerce Commission reports on various classes of railroad accidents and the number of persons killed or injured. These are accidents reported to the ICC by the railroads themselves. The standard railroad labor organizations hold that the ICC reports are incomplete, because the railroads do not report all accidents to the ICC. Lately, railroad officials have even taken to hiding damaged equipment and such from newspaper reporters and photographers.

Nevertheless, ICC accident statistics—incomplete to a certain degree—illustrate the abrupt decline of railroad safety that followed removal of locomotive helpers (firemen) from approximately 40 percent of freight and yard engines.

I do not pretend to be a statistician or economist, but I have examined railroad accident statistics reported to the Interstate Commerce Commission by the railroads for the years 1963 and 1964, and offer a summary of these for your information. This summary is attached to my statement.

These figures are presented on a cumulative basis. That is, the figures for February include those of January and the figures for November include all 11 months of 1963 and 1964, and so on.

You will see that following the reports for April 1963–64, we have inserted the notation that separation of locomotive helpers (firemen) from freight and yard engines began May 7, 1964.

The first category is identified as "train accidents." According to the ICC definition, train accidents are those arising from the operation or movement of trains, locomotives, or cars which result in more than $750 damage to equipment, track or roadbed with or without reportable injury. The railroads are the sole judge of the amount of damage. It is important to note the improving safety picture in the first 4 months of 1964 compared to 1963, followed by the sudden and drastic change in May, and carrying through December 1964. Railroad spokesmen claim that the increase came from higher costs in replacing and repairing equipment. That is public relations-inspired nonsense. Many of the less expensive accidents go unreported. the accidents reported here have survived the industry's impulse to conceal some mishaps.

The next category does not depend upon cost of replacement to qualify as an accident statistic. We list the total casualties in all classes of accidents. This includes employees and grade crossing casualties who are also listed separately. The accident increase pattern holds true here. Again, we see an instant and tragic increase in the number of casualties following removal of many helpers (firemen) from railroad service.

An improvement in 1964 over 1963 occurred in March and April 1964, when 54 and 80 fewer persons were killed or injured in those months, respectively. From this decrease, the casualties shot up to a plus 286 in May and an appalling 841 and 871 increase in October and November, respectively.

December 1964 reveals a figure that at first glance appears to represent a tapering off in the accident increase problem. However, we must look at December 1963, which was an especially bad month for railroad accidents. Despite the heavy accident occurrence at the end of 1963, the figures for 1964 still produced an alarming overall increase.

Let me restate that these statistics include all types of accidents to all classes of persons. The one exception is that of train passengers, who were left off our summary because passenger operations are carried on by a full and safe crew in most instances.

You will note that the bulk of railroad casualties involve working railroad employees—about 70 percent of the total. This is graphic proof of the hazards of our industry, as well as the reason there is a constant, active interest in safety on the part of the employees and most of their organizations. Again you will see a definite, sudden surge in casualties once many helpers (firemen) were removed from service. The carriers admit that grade crossing accidents have increased, but then go on to state that no number of men on a locomotive can prevent a motorist from driving in front of a moving train.

The brotherhood has seen in its study of accidents attributed to the absence of a helper (fireman), that pedestrians and motorists have to walk or drive across railroad tracks used for switching freight cars at industrial plants. In many instances railroad yard tracks crisscross city streets. These are the points where we find that having two enginemen in the cab can and does prevent grade crossing casualties. These are the particular accidents the railroad industry would like to shove into the background with general and misleading public statements.

I might add that the Association of Western Railways, a management group, has taken official notice that grade crossing fatalities increased by 200, in a study of 1963 statistics and preliminary figures for 1964.

As I noted earlier, these statistics cover all types of accidents and all classes of persons. Also, we are not convinced that ICC reports tell the whole story. The carriers argue that many have no relationship to crew size. We do not claim that they all do. My purpose in presenting this summary to you is simply this. Railroad accidents and casualties were actually improving—in the statistical sense—until May 1964. From then on it was a question of how high did the month-to-month increase go. There was only one basic difference in railroading between May and December 1963 and May and December 1964—that is the separation of about 15,000 helpers (firemen) from freight and yard locomotives.

The brotherhood has been compiling, through its own resources, reports on accidents involving operations without locomotive helpers (firemen) in the cab. A summary of these reports is attached. The summary covers the entire period from May 7, 1964, through April 1, 1965. We have reports on 362 accidents attributed to the lack of helpers (firemen). These reports come from our own people and admittedly are only about one-fifth of the real number of such incidents. They do, however, serve as an example of what occurs when less than a safe crew operates locomotives or trains.

Another aspect of railroad safety deals with defective and poorly maintained locomotives. A part of the duties of the helper (fireman) concerns his periodic inspection of locomotive enginerooms and the correction of malfunctions to maintain power while the train is en route. The fact that locomotives are in generally poor mechanical condition makes this function doubly important.

The railroad industry is now before the ICC asking that locomotive inspection rules be relaxed. The B.L.F. & E. is opposing such a move, and so is the Director and Assistant Director of Locomotive Inspection of the Interstate Commerce Commission. I will read a portion of the statement filed at these hearings on inspection rules by the Director and Assistant Director, March 24, 1965:

"The number of locomotives, other than steam, inspected and found defective is and has been steadily increasing. The number of locomotives that are ordered out of service on the spot as being unsafe to operate is increasing. The number of accidents for the first 6 months of this fiscal year has increased nearly 50 percent over the same period of 1964. Convincing proof that safety will be impaired if the required test periods are extended."

PLIGHT OF LOCOMOTIVE HELPERS—FIREMEN

The railroad industry recently issued a set of statistics which were supposed to illustrate how well this progress-through-protection public relations device worked for the men forced off their jobs. You may recall, Mr. Wolfe used the figures of 11 percent unemployed and 22,100 men still working as helpers (firemen).

Insofar as the number of helpers (firemen) still employed, the railroads estimate of 22,100 does not include helpers (firemen) on railroads not involved in the NRLC, such as the Southern, or the steel-company-owned railroads.

While 11-percent unemployment as estimated by Mr. Wolfe is more than double the national average, it is still considerably shy of the real figure. I have reviewed reports from the Railroad Retirement Board and from our own people. The Retirement Board shows unemployment figures varying from 11 to 18 percent and is based on helpers (firemen) still on unemployment compensation rolls. It does not take into account those ineligible for unemployment or those who have exhausted their benefits.

Relying on our own survey of the men adversely affected by arbitration award 282—and basing our estimates on the first 1,500 reports we received—we find that unemployment ranges from 25 to 30 percent at this late date—1 year after the award was first applied.

Those who accepted severance pay tell us that they have experienced the same difficulty as those severed outright in finding employment. The men who chose to stay in the industry with a comparable job and a 5-year guarantee of earnings are finding themselves being harassed right out of the industry. True, they have their wage guarantees, but their work as switchmen and brakemen in other crafts is irregular. In some cases their wage guarantee is paid semiannually or annually and they cannot exist on the earnings from irregular employment. Some borrow money until they get their guarantee—a terrible situation.

Probably the employee most adversely affected is the long-service helper (fireman) who was supposed to be fully protected as to jobs and earnings. He finds himself shoved all over the seniority district—holding down a job 100 or more miles from home; prevented from bidding on road freight jobs, and forced to work on a lower paying job in the yards or as a hostler. Considerably more than half these men have had their earnings slashed. I believe the average wage cut is about $250 a month.

RAILROAD PROFITS UP

I am not going into a long discussion of railroad profits. Even the financial pages of our newspapers have dropped the poverty line of the railroad industry's public relations program and are reporting record earnings.

You will remember that the industry said it could save $230 million annually if helpers (firemen) were forced off their jobs. They have 15,000 off now, and are saving $115 million annually, based on their reasoning. Have the savings gone to shippers, or passengers? No, there has been no cutback in freight rates, and rather than improved passenger service, we find the railroads discontinuing more and more trains monthly. The only group to benefit from Public Law 88-108 and the Arbitration Board ruling that followed were railroad corporations.

Last month, a Wisconsin State senator asked the attorney representing the Wisconsin State Railroad Association whether freight rates would be cut, if the legislature repealed the safe crew law.

"Frankly, No," he replied with disarming honesty.

ANOTHER LOOK

I firmly believe that such a situation—so completely out of balance and unfair—cannot be allowed to continue. The Brotherhood of Locomotive Firemen and Enginemen does not intend to permit it to continue.

Through our limited resources—and they are limited compared to the blank check spending of the industry—we intend to remind the public, the Congress and the industry that the situation must be remedied.

Compulsory arbitration has not worked. It has not settled the helper (fireman) issue. Instead, it has provoked a tragic increase in railroad accidents. It has permitted inhuman treatment of an important class of workers, without them being permitted to defend themselves. It has provided huge profits for the railroad industry and subjugated the interests of the public, employees and shippers.

Whether anyone likes it or not, the B.L.F. & E. is not dead, is not dying and will be around a long time. So will the dispute over the use of locomotive helpers (firemen). Unless we review what has transpired; unless we take a close look at the future and unless we provide a climate for true collective bargaining, we are going to find ourselves facing the same impasse that set off this entire situation.

I call upon the Congress to provide a forum to air these problems; to provide an unbiased study of what has happened under compulsion. And, I invite the public and the railroad industry to join with the Brotherhood of Locomotive Firemen and Enginemen in seeking this penetrating review, with the hope that we will then find the correct and final answer to a problem that affects our entire Nation.

Interstate Commerce Commission accident statistics—Comparison of 1963 and 1964 (*all figures cumulative*)

Month and year	Train accidents	Total casualties (passengers not included)	Employee casualties	Grade crossing casualties
January 1963	466	2,441	1,664	509
January 1964	423	2,459	1,699	543
Change	−43	+18	+35	+34
February 1963	860	4,724	3,294	945
February 1964	860	4,735	3,182	1,101
Change	0	+11	+112	+156
March 1963	1,248	6,888	4,851	1,315
March 1964	1,247	6,834	4,667	1,566
Change	−1	−54	−184	+251
April 1963	1,597	8,982	6,352	1,653
April 1964	1,619	8,902	6,176	1,919
Change	+22	−80	−176	+266
Locomotive firemen forced off freight and yard locomotives beginning May 7, 1964, in most States				
May 1963	1,935	10,978	7,797	1,961
May 1964	2,047	11,234	7,918	2,254
Change	+112	+286	+121	+293
June 1963	2,350	13,145	9,461	2,239
June 1964	2,466	13,533	9,621	2,587
Change	+116	+388	+160	+348
July 1963	2,724	15,325	11,115	2,496
July 1964	2,844	15,970	11,430	2,936
Change	+120	+645	+315	+440
August 1963	3,133	17,623	12,844	2,835
August 1964	3,307	18,309	13,164	3,279
Change	+174	+686	+320	+444
September 1963	3,501	19,861	14,449	3,189
September 1964	3,692	20,617	14,809	3,710
Change	+191	+756	+360	+521
October 1963	3,893	22,229	16,181	3,555
October 1964	4,167	23,070	16,495	4,234
Change	+274	+841	+314	+679
November 1963	4,327	24,486	17,692	4,084
November 1964	4,619	25,357	18,054	4,770
Change	+292	+871	+362	+686
December 1963	4,820	27,448	19,593	4,862
December 1964	5,146	27,895	19,766	5,372
Change	+326	+447	+173	+510

Source: Interstate Commerce Commission Statement M-450.

B.L.F. & E. accident reports—Summary of accidents caused by operation without locomotive helper (fireman), May 7, 1964, through Apr. 1, 1965

Total number of accidents reported	362
Number involving deaths	70
Number involving personal injuries	134
Number involving railroad property damage	226
Number involving personal property damage	108

Summary for 1st 4 months 1965, accidents caused by operation without helper (fireman), Jan. 1, 1965, through Apr. 1, 1965

Total number of accidents reported	122
Number involving deaths	35
Number involving personal injuries	45
Number involving railroad property damage	76
Number involving personal property damage	35

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. CONTE.

Mr. HANSEN of Idaho.

Mr. MACHEN.

Mr. HALL to revise and extend his remarks made in the Committee of the Whole on H.R. 5269 and to include extraneous matter.

(The following Member (at the request of Mr. JOHNSON of Pennsylvania) and to include extraneous matter:)

Mr. NELSEN.

(The following Members (at the request of Mr. FARNSLEY) and to include extraneous matter:)

Mr. SLACK.

Mrs. SULLIVAN.

Mr. WILLIAM D. FORD.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1275. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Elva L.*, owned by Harold Bunker, of Matinicus, Maine, to be documented as a vessel of the United States with coastwise privileges; to the Committee on Merchant Marine and Fisheries.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the the following title, which was thereupon signed by the Speaker:

H.R. 2998. An act to amend the Arms Control and Disarmament Act, as amended, in order to continue the authorization for appropriations.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 702. An act to provide for the disposition of judgment funds on deposit to the credit of the Quinaielt Tribe of Indians.

ADJOURNMENT

Mr. FARNSLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 36 minutes p.m.) the House adjourned until tomorrow, Wednesday, May 19, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1110. A letter from the Secretary of the Interior, transmitting a report on the southern Nevada water supply project, Nevada, pursuant to section 9(a) of the Reclamation Project Act of 1939 (53 Stat. 1187) (H. Doc. No. 177); to the Committee on Interior and Insular Affairs, and ordered printed with illustrations.

1111. A letter from the Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 10, United States Code, to provide for the establishment of a program of cash awards for suggestions, inventions, or scientific achievements by members of the Armed Forces which contribute to the efficiency, economy, or other improvement of Government operations; to the Committee on Armed Services.

1112. A letter from the Acting Secretary, Department of Health, Education, and Welfare, transmitting the quarterly report of actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes for the period ending March 31, 1965, pursuant to the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1113. A letter from the Secretary of the Treasury, transmitting a report of audit of the exchange stabilization fund for fiscal year ended June 30, 1964, pursuant to section 10 of the Gold Reserve Act of 1934, as amended; to the Committee on Banking and Currency.

1114. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a quarterly report of personal property received by State surplus property agencies for distribution to public health and educational institutions and civil defense organizations and real property disposed of to public health and educational institutions January 1 through March 31, 1965, pursuant to section 203(o) of the Federal Property and Administrative Services Act of 1949, as amended; to the Committee on Government Operations.

1115. A letter from the Comptroller General of the United States, transmitting a report of potential savings through use of Government-owned housing to meet military requirements in the Jacksonville, Fla., area, Federal Housing Administration, Housing and Home Finance Agency, Veterans' Administration and Department of Defense; to the Committee on Government Operations.

1116. A letter from the Comptroller General of the United States, transmitting a report of inequitable allocation of accelerated public works funds among eligible areas, Area Redevelopment Administration, Department of Commerce; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 5798. A bill to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes; with amendment (Rept. No. 351). Referred to the Committee of the Whole House on the State of the Union.

Mr. SISK: Committee on Rules. House Resolution 388. Resolution for consideration or H.R. 7303, a bill to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters; without amendment (Rept. No. 352). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of North Dakota:

H.R. 8234. A bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply and water systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes; to the Committee on Agriculture.

By Mr. ASHLEY:

H.R. 8235. A bill to authorize the chartering of organizations to insure conventional mortgage loans, to authorize the creation of secondary market organizations for conventional and other mortgage loans, to authorize the issuance of debentures upon the security of insured or guaranteed mortgages, and to create a joint supervisory board to charter and examine such organizations, and for other purposes; to the Committee on Banking and Currency.

By Mr. BANDSTRA:

H.R. 8236. A bill to amend the Agricultural Act of 1949, as amended, to permit price-support payments under the 1965 feed grains program in areas affected by floods or other natural disasters; to the Committee on Agriculture.

By Mr. BYRNE of Pennsylvania:

H.R. 8237. A bill to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

By Mr. CARTER:

H.R. 8238. A bill to amend the Interstate Commerce Act, as amended, in order to make unlawful, as unreasonable and unjust discrimination against and undue burden upon interstate commerce, certain property tax assessments of common carrier property, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAMER:

H.R. 8239. A bill to amend title 38 of the United States Code with respect to liability of individuals arising out of certain loans made, guaranteed, or insured by the Administrator of Veterans' Affairs; to the Committee on Veterans' Affairs.

By Mr. CURTIS:

H.R. 8240. A bill to amend chapter 67 of title 10 of the United States Code to provide that time served afloat between December 7, 1941, and August 16, 1945, in the U.S. merchant marine, by persons then members of the Naval Reserve on inactive duty, shall count as nonregular service in the Naval Reserve for purposes of retirement for persons who would otherwise be qualified to retire thereunder; to the Committee on Armed Services.

By Mr. FARBSTEIN:

H.R. 8241. A bill to establish a program of grants-in-aid for the construction of county courthouses in the United States; to the Committee on Public Works.

By Mr. GOODELL:

H.R. 8242. A bill to adjust the tax rates on light sparkling wines in relation to those imposed on other wines; to the Committee on Ways and Means.

By Mr. HÉBERT:

H.R. 8243. A bill to provide certain authorities relating to the administration of the Reserve components of the Army and Air Force, and for other purposes; to the Committee on Armed Services.

By Mr. HERLONG:

H.R. 8244. A bill to amend the Internal Revenue Code of 1954 to provide for rounding the amount of State and local taxes for purposes of computing tax on cigars; to the Committee on Ways and Means.

By Mr. KORNEGAY:

H.R. 8245. A bill to insert a new section in Internal Revenue Code 4243(c) college and university faculty and staff clubs; to the Committee on Ways and Means.

By Mr. LOVE:

H.R. 8246. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for each dependent who is a full-time student above the secondary level at an educational institution; to the Committee on Ways and Means.

H.R. 8247. A bill to amend the Internal Revenue Code of 1954 to permit pension and profit-sharing plans to provide contributions or benefits on a nondiscriminatory basis for certain self-employed individuals without special limitations on the amount of contributions; to the Committee on Ways and Means.

By Mr. MATTHEWS:

H.R. 8248. A bill to provide research, technical, and financial assistance with respect to the disposal of solid wastes to the several States and political subdivisions thereof; to the Committee on Interstate and Foreign Commerce.

By Mrs. MINK:

H.R. 8249. A bill to amend Public Law 874, 81st Congress, relating to assistance for schools in federally impacted areas, to provide that payments on account of children who live on Federal property with a parent employed there will be made at a rate equal to the national average per pupil expenditure; to the Committee on Education and Labor.

By Mr. O'BRIEN (by request):

H.R. 8250. A bill to provide for the popular election of the Governor of Guam, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. O'KONSKI:

H.R. 8251. A bill to provide revenue for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. RHODES of Arizona:

H.R. 8252. A bill to amend the act of May 11, 1954 (ch. 199, sec. 1, 68 Stat. 81; 41 U.S.C. 321), to provide for full adjudication of rights of Government contractors in courts of law; to the Committee on the Judiciary.

By M. SCHISLER:

H.R. 8253. A bill to amend section 105(d) of the Agricultural Act of 1949; to the Committee on Agriculture.

By Mr. SCHMIDHAUSER:

H.R. 8254. A bill to amend the Agricultural Act of 1949, to cover flood disaster; to the Committee on Agriculture.

By Mr. STALBAUM:

H.R. 8255. A bill to amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission over nonprofit cooperatives; to the Committee on Interstate and Foreign Commerce.

By Mr. WALKER of Mississippi:

H.R. 8256. A bill to amend title I of the National Housing Act to extend the permissible maturity of certain home improvement loans which may be insured thereunder so as to make such loans more readily available to low-income families; to the Committee on Banking and Currency.

By Mr. WHALLEY:

H.R. 8257. A bill relating to the status of volunteer fire companies for purposes of liability for Federal income taxes and for certain Federal excise taxes; to the Committee on Ways and Means.

By Mr. ZABLOCKI:

H.R. 8258. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for medical, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

By Mr. POWELL:

H.R. 8259. A bill to amend the Fair Labor Standards Act to extend its protection to additional employees, to improve its maximum hours standards, and for other purposes; to the Committee on Education and Labor.

By Mr. ROOSEVELT:

H.R. 8260. A bill to amend the Fair Labor Standards Act to extend its protection to additional employees, to improve its maximum hours standards, and for other purposes; to the Committee on Education and Labor.

By Mr. DENT:

H.R. 8261. A bill to amend the Fair Labor Standards Act to extend its protection to additional employees, to improve its maximum hours standards, and for other purposes; to the Committee on Education and Labor.

By Mr. KARTH:

H.J. Res. 472. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.J. Res. 473. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MEEDS:

H.J. Res. 474. Joint resolution to authorize the President to proclaim a Day of Recognition for firefighters; to the Committee on the Judiciary.

By Mr. FASCELL:

H.J. Res. 475. Joint resolution to amend the joint resolution of January 28, 1948, providing for membership and participation by the United States in the South Pacific Commission; to the Committee on Foreign Affairs.

By Mr. DERWINSKI:

H.J. Res. 476. Joint resolution relating to U.S. diplomatic relations with the Republics of Ukraine and Byelorussia; to the Committee on Foreign Affairs.

By Mr. WILLIS:

H. Con. Res. 411. Concurrent resolution authorizing the printing of additional copies of "Communist Activities in the Buffalo, N.Y., Area," 88th Congress, 1st session; to the Committee on House Administration.

H. Con. Res. 412. Concurrent resolution authorizing the printing of additional copies of House Report 1739, 88th Congress, 2d session, entitled "Annual Report for the Year 1963, Committee on Un-American Activities"; to the Committee on House Administration.

H. Con. Res. 413. Concurrent resolution authorizing the printing of additional copies of "Violation of State Department Travel Regulations and Pro-Castro Progaganda Activities in the United States, parts 1 through 5"; to the Committee on House Administration.

H. Con. Res. 414. Concurrent resolution authorizing the printing of additional copies of "Communist Activities in the Minneapolis, Minn., Area," 88th Congress, 2d session; to the Committee on House Administration.

By Mrs. MINK:

H. Res. 389. Resolution amending the Rules of the House of Representatives to recognize the current statehood status of Alaska and Hawaii; to the Committee on Rules.

By Mr. WILLIS:

H. Res. 390. Resolution authorizing the printing of additional copies of "The Communist Party's Cold War Against Congressional Investigation of Subversion—Report and Testimony of Robert Carrillo Ronstadt," 87th Congress, 2d session; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

263. By Mr. SENNER: Memorial of Arizona State Senate supporting the President of the United States in his actions in defense of freedom; to the Committee on Foreign Affairs.

264. By the SPEAKER: Memorial of the Legislature of the State of Kansas, relative to legislation in cooperation with the Kansas Legislature to assist those citizens residing in certain Federal areas within the State in qualifying to exercise their right to vote; to the Committee on the Judiciary.

265. Also, memorial of the Legislature of the State of Kansas, relative to the creation of a Federal evapotranspiration research center in Kansas; to the Committee on Agriculture.

266. Also, memorial of the Legislature of the State of Kansas, relative to rate disparity on wheat and flour; to the Committee on Interstate and Foreign Commerce.

267. Also, memorial of the Legislature of the State of Minnesota, asking for a convention for the purpose of proposing an amendment to the Constitution of the United States relating to the apportionment of State legislatures; to the Committee on the Judiciary.

268. Also, memorial of the Legislature of the State of North Carolina, asking for a convention for the purpose of proposing an amendment to the Constitution of the United States relating to the apportionment of State legislatures; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 8262. A bill for the relief of Antonino Eterno; to the Committee on the Judiciary.

By Mr. BARING:

H.R. 8263. A bill to provide for the granting of patents with respect to certain desert-land entries; to the Committee on Interior and Insular Affairs.

By Mr. CABELL:

H.R. 8264. A bill for the relief of Mrs. William W. Johnston; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 8265. A bill for the relief of Vincenzo Asaro; to the Committee on the Judiciary.

H.R. 8266. A bill for the relief of Maria Stanislawa Zagorska; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 8267. A bill for the relief of Lewi Littman; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 8268. A bill for the relief of Mrs. Lily Dolores Cheng Lopes; to the Committee on the Judiciary.

H.R. 8269. A bill for the relief of Mrs. Maria Asunta Lopes; to the Committee on the Judiciary.

By Mr. MEEDS:

H.R. 8270. A bill for the relief of Sea Bong Chang, and Tae Hee Chang, his wife; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 8271. A bill for the relief of Wesley Crump; to the Committee on the Judiciary.

By THOMPSON of New Jersey:

H.R. 8272. A bill to provide for the free entry of an isotope separator for the use of Princeton University, Princeton, N.J.; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Address of Speaker McCormack at Morris Cafritz Memorial Hospital

EXTENSION OF REMARKS

OF

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1965

Mr. MACHEN. Mr. Speaker, on Sunday, May 16, it was my pleasure to attend a cornerstone-laying for the construction of a great new hospital, the building of which exemplifies the best in American tradition. The hospital, named the Morris Cafritz Memorial Hospital after the late prominent Washington builder, is located at the District line next to my home, Prince Georges County, Md.

The Morris Cafritz Memorial Hospital is the culmination of more than a decade of dedicated volunteer work by a group of interested citizens under the leadership of Raymond J. McDonough, who is also an attorney and a delegate to the Maryland General Assembly. It was my pleasure when, as delegates to the general assembly, Mr. McDonough and I and a majority of other legislators approved a $650,000 authorization to be contributed by the Prince Georges County commissioners toward construction of the new hospital, which is expected to serve a large number of Maryland residents.

The significance of Sunday's ceremony is illustrated by the fact that one of the great friends of American hospitals, JOHN W. MCCORMACK, Speaker of the House of Representatives, gave the major address. I might add at this point that the hospital's board of trustees under Mr. McDonough have announced that they will dedicate their suite of operating rooms to Speaker and Mrs. McCormack, an honor justly accorded them.

I would like to reiterate that the new Morris Cafritz Memorial Hospital represents the efforts of a group of dedicated citizens, those of a leading political figure whose lifelong interest in hospitals has paved the way for construction of many with Federal aid, and the community interest exhibited by a prominent builder. We shall long appreciate everyone's efforts in the building of this new community service, which will be dedicated in March 1966. Therefore, I insert the following address of Speaker MCCORMACK at the Morris Cafritz Memorial Hospital, Sunday, May 16, 1965:

ADDRESS BY SPEAKER MCCORMACK

President Raymond McDonough, reverend clergy, Gov. John A. Volpe, of Massachusetts, my dear and valued friend and colleague Congressman MACHEN, Attorney General Finan, of Maryland, Commissioner Spellman, Commissioner Duncan, Mrs. Cafritz, and ladies and gentlemen, it has long been the conviction of many of us who follow the course of history, and sometimes help to make it, that you can judge the civilization of a people by its hospitals. Hospital really means caring for the sick and the injured, the maimed, and the helpless. It is without a doubt the noblest manifestation of the highest aspiration of the human soul. When, as in this case, we express it in terms of Government effort and contribution, along with cooperation from private and local agencies, we are putting into the actual, the realistic and the concrete, some of the best qualities in human character.

It is a pleasure for me to stand here and participate in the laying of the cornerstone for this phase of the Greater Southeast Community Hospital here in Washington, D.C.

We are all of us familiar with the dream, the hope, the determination of countless of persons to build this hospital, and to make it one of the most distinguished and serviceable institutions of its kind. What is most impressive is the motivation of service and helpfulness that characterizes the endeavor on the part of all concerned.

I congratulate all who made the dream of a hospital an actuality. I congratulate the Prince Georges County commissioners. I especially congratulate the Southeast Hospital Foundation. I congratulate the Citizen's Bank of Maryland, and, of course, I congratulate the Federal Government for, at base, making all this possible. The legislation that helped to bring all this to fruition got something of a congressional boost when the 87th Congress, second session, back in 1962, passed a bill providing for an increase in the authorization funds to be granted for the construction of hospital facilities in the District of Columbia. It had the support also of the Department of Health, Education, and Welfare, and met with no opposition from the General Services Administration, or the Bureau of the Budget. There was, of course, a great deal of helpful push and enthusiasm from local groups, official and private, and this is all to the good. It was a sound move to put the hospital inside the District line.

The Nation's health is as much a Federal or national as it is a local problem. Of all the common endeavors in which all can and should join I know of none more intimately concerned with the universal problem of health—the public health, the individual health—as the hospital. What it portends in the way of a nation's concern with its citizens is of course obvious. It is more than a duty, which is clear enough, a duty that belongs to all of us to perform. It is in keeping also with the profoundest teaching of the Judeo-Christian faith. We can hardly attend church and then turn our backs on a project like the Southeast Community Hospital. On the contrary, it is in the nature of the American spirit not only to make this edifice of human decency a symbol of man's humanity to man, but a symbol as well of sound legislation and common and total involvement of all concerned—not just Federal Government.

And now that congratulations are in order I would like to interpolate a personal note about a remarkably competent and patriotic American who did so much, out of the goodness of his heart, to bring this great and compassionate achievement into being. You have already demonstrated your appreciation by giving this hospital its name: The Morris Cafritz Memorial Hospital.

I am especially delighted to say these things that I believe so deeply about Morris Cafritz because here with us today is Mrs. Cafritz. The late Morris Cafritz left behind him a remarkable legacy just by the life he lived, by the works he accomplished, and by the services he contributed to his fellow man. And very much like her husband, Mrs. Cafritz, by her noble outlook on life has contributed greatly to the whole population of our community by such works as this one we celebrate today. This couple over the years have shown their love of God by the many good deeds they did showing their love of neighbors.

Mr. Cafritz before his tragic passing was a member of the board of trustees of the Greater Southeast Community Hospital Foundation, Inc. He was—outstandingly—the chairman of the special gifts committee. Through his dynamic enterprise in the field of philanthropy, as in all his enterprises, he helped in the raising of about $500,000. He himself contributed a large sum. And the Cafritz Foundation has contributed another quarter of a million dollars to the hospital—an action he certainly would have endorsed with all his heart. What he gave to this proud institution here on Southern Avenue in the form of personal energy, intense attention and devotion, can hardly be computed in dollars and cents.

Thus I congratulate you once more for the wholly deserving decision to name this great institution the Morris Cafritz Memorial Hospital.

We are living in an age when this profound attitude of being indeed our brother's keeper has become a vital and living and an electric part of our Federal, local, and legislative history. It is a spirit which has had an all-powerful and overwhelming impetus from President Lyndon B. Johnson. It is this spirit that rests behind the all-out war to wipe out the remaining pockets of poverty in our country. It is the spirit that seeks to alleviate the condition of the elderly through medicare. It is—under President Johnson—a part of the massive program to make the United States not only ideologically the last great hope of mankind, but to make it also and right now, today, this very hour, the country with the happiest, the most prosperous, the healthiest people any country has ever known since the dawn of time.

Norwegian Independence Day

EXTENSION OF REMARKS

OF

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1965

Mr. NELSEN. Mr. Speaker, yesterday, May 17, was the 151st anniversary of the signing of the Norwegian Constitution. It was Norway's Independence Day. I am pleased to join with other House colleagues in honoring Norway on this landmark day in the life of this brave and goodhearted nation.

As you know, Mr. Speaker, very many of us in Minnesota are the sons and daughters, grandsons or granddaughters of the wonderfully independent, self-reliant people of Scandinavia.

These immigrants from Norway and the other countries of the far north brought with them to our shores attributes of character which have been a rich and welcome heritage to America. They brought such priceless gifts as a hardy, independent spirit, great industriousness, lofty courage; warm compassion, and a sense of high purpose. It is virtues like these which have made the building of our country possible—which have made America great.

And so, I want to express my best wishes to our stanch friend and NATO ally, the Kingdom of Norway, and to all her descendants in this Nation. It is our hope that the sound qualities of the valiant Norwegians, their great dedication to the principles of democracy, individual liberty, equal justice under the law, and their rugged personal integrity, will long continue to set a high example to the people of the world.

Report From Washington by Congressman George Hansen

EXTENSION OF REMARKS

OF

HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1965

Mr. HANSEN of Idaho. Mr. Speaker, a very small but extremely loud minority in this country is raising a furor over U.S. policy in Vietnam and the Dominican Republic—particularly over our policy in Vietnam.

Some of the so-called "teach-ins," and certain disgraceful actions such as sit-ins, picketing, and students burning draft cards throw little light on the matter, and succeed only in gaining publicity for those engaging in them.

Too often the protestors want to talk, but refuse to listen. They do not want to be confused with facts, their minds are made up. Neither the wisdom of a Solomon nor the silver tongue of a Borah could sway them from their actions which deceive and divide world opinion and discredit the United States.

I believe, Mr. Speaker, that I have made my position known endorsing a hard, consistent policy in dealing with Communist aggression. But, so that there can be no possible confusion as to what that stand is, I include in the RECORD my "Report from Washington," due to be published in Idaho newspapers on Thursday, May 20.

The report follows:

REPORT FROM WASHINGTON

(By Congressman GEORGE HANSEN)

President Johnson's policies in Vietnam and the Dominican Republic have been criticised severely by certain individuals in and out of Government. However, I am thoroughly convinced that a vast majority of Americans agree with him.

As a most notable example of the almost complete unanimity of opinion backing our President, consider the recent vote on the administration request for an additional appropriation of $700 million to be used, if necessary, in the Vietnam effort. The appropriation passed the House of Representatives by a vote of 408 to 7. It passed the Senate by a vote of 88 to 3. It was supported by all members of the Idaho delegation. It is interesting to note that all of the votes against the proposal were cast by members of the President's own party—not one single Republican voted against it. So surely, this has to be one of the most bipartisan, or nonpartisan votes ever cast in the Congress of the United States.

Why are we in Vietnam and the Dominican Republic? Are we there legally? And what should we do now?

Bluntly, simply, we are in Vietnam and the Dominican Republic to stop Communist conquest. President Johnson said last Thursday that Red China is the big obstacle in the way of a political solution of the war in Vietnam. He said the leaders in Peiping want the war to continue. In his own words:

"Their target is not merely South Vietnam, it is Asia. Their objective is not the fulfillment of Vietnamese nationalism, it is to erode and discredit America's ability to help prevent Chinese domination over all of Asia."

If we abandon Vietnam, to where do we retreat? Pearl Harbor?

Now, are we there legally? We were invited into South Vietnam, and we have never been asked to leave—at least not by the South Vietnamese. The 1954 Geneva Convention, signed by both North Vietnam and Red China, guaranteed the independence of South Vietnam. The North Vietnamese, aided by Red China, have invaded South Vietnam in violation of that treaty. While not signatory to the 1954 pact, every U.S. President since has offered support to the people of South Vietnam. We are, therefore, doing no more than abiding by our frequently given pledges, pledges which have been gratefully accepted by each existing government of South Vietnam.

It is charged that South Vietnam has also violated the pact by not holding free elections as it promised to do. However, this has not been possible because Communists within the country and covert acts by the North Vietnamese have kept the nation in such a state of turmoil that the stability necessary to hold such elections has not existed. I am sure that a vast majority of the people of the United States are in accord with the provision of the pact that free elections should be held in South Vietnam. I am also sure that they would not favor such elections while Hanoi and Peiping are interfering with the sovereignty of South Vietnam.

So what do we do now? Some say we should stop bombing North Vietnam and negotiate. Negotiate? With whom? There has been no indication that Peiping is ready to flick a switch and turn off the revolutionary current flowing through Hanoi to the Vietcong. There is no one with whom to negotiate.

To stop bombing North Vietnam would return matters in South Vietnam to where they were at the beginning of February, which was about two-thirds of the way to a Vietcong victory. The North Vietnamese have said that the bombing is not hurting them enough to make them stop aiding the Vietcong, but it is certainly hurting them enough so that they do not want it to go on indefinitely. A continuation of bombing can hurt North Vietnam—mortally. It can cut flow of aid to the Vietcong to the extent that recruitment in South Vietnam will become increasingly difficult and, with no supplies coming from the north, the Vietcong effort will be cut to its proper size as a civil insurrection. The way would then be open to a political settlement that would not merely be a case of the Communist north swallowing the south.

It has been said that there has been a lack of public discussion on the administration policy in the Dominican Republic. What should we do? Discuss this at length, and wait for another Cuba?

I believe history will record that President Johnson's prompt and decisive action in Dominica will mark the turning point in the march of communism in the Western Hemisphere. Without it Dominica would certainly have become another Cuba. And, if this positive position is not maintained, it may yet.

The President's critics condemn him for taking unilateral action. Such criticism is unrealistic and unfair. This criticism is unfair because the U.N. Charter specifically recognizes the right of any sovereign nation to act individually in defense of its own legitimate interests, and this criticism is unrealistic because such procedure would have imperiled American citizens lawfully present in the Dominican Republic.

There is just one effective way to deal with communism, and that is through strength. Potential aggressors throughout the world must be made to realize that we will use whatever force is necessary, and whenever necessary, to halt Communist aggression. Such a policy will reassure our friends and prevent miscalculation on the part of our enemies.

Again, using President Johnson's words of last Thursday:

"And the Communists in Vietnam are slowly beginning to realize what they once scorned to believe: that we combine unlimited patience with unlimited resources in pursuit of our unwavering purpose."

Celebration of Michigan Week

EXTENSION OF REMARKS

OF

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1965

Mr. WILLIAM D. FORD. Mr. Speaker, on Sunday, May 16, the people of the great State of Michigan began the celebration of our annual Michigan Week observance—an event through which we Michiganites each year proclaim our pride in our wonderful State.

We who claim Michigan as our home feel that we have ample reason to be proud. The story of Michigan is an unsurpassed tale of success, growth, and prosperity.

When it became a State on January 26, 1837, Michigan was an agricultural paradise. Within a few decades, however, Michigan began to emerge as one of the most important industrial centers of the Nation. Timber, coal, copper, iron, and other natural resources contributed to an era of spectacular growth.

Today, Michigan factories turn out a wide variety of goods, ranging from automobiles to stoves, machinery, steel, boats, paper and paper products, chemicals, drugs, building materials, furniture, refrigerators, canned goods, cereals, paints, varnishes, and clothing.

Meanwhile, Michigan has been developing on many other levels, as well as economic. One of the first functions of the State Legislature in 1837 was to authorize the creation of a State university. From that day on, Michigan has stood in the forefront of the drive toward better education.

One of the first labor organizations in the United States was the Detroit Mechanics' Society, formed in 1818 and incorporated in 1820.

One of the Nation's most powerful agencies in behalf of the preservation of natural resources was the Michigan State Conservation Commission, established in 1929.

Of the many ethnic groups which comprise the American population, Michigan has a large share of each, and the State's history is one of tolerance, friendship, and democracy.

Mr. Chairman, I am proud to declare that my State has lived up to the theme of this week's observance; "Michigan, dynamic in world progress." This slogan is symbolic of the entire State.

Michigan week is a proud occasion for all Michiganites. Our pride grows each year, for ours is a State in which progress is a byword and success is an unquestioned goal in the eyes of every resident.

U.S. Agriculture Is One of the Great Strengths of the Free World

EXTENSION OF REMARKS

OF

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1965

Mr. CONTE. Mr. Speaker, in spite of the fact that the so-called American farm problem has been the subject of a great deal of controversy over the years, the clear fact emerges that American agriculture today is second to none in the world. Our abundance and productive capacity have rendered malnutrition and starvation virtually extinct in this country. We may indeed have a hard core of poverty, but I think it is safe to say that starvation is not the terrible certainty for our poor that it once may have been.

Our farm situation has been the object of much concern and a great deal of attention from the Government. That we have reached the stage of productivity and plenty which we enjoy today is a tribute to the energy and determination, high mindedness and imagination of those in government who have had to grapple personally with these problems.

It is also to the credit of these dedicated public servants that our Agriculture Department has been able to flex and adapt itself to the changing nature of the problems not only on the farms but on all the land—in wilderness areas and in suburban areas. Certainly one of the most striking examples of this versatility has been the Department's efforts in the area of soil and water conservation which has brought help and relief not only to farms but to our biggest metropolitan regions which have tottered from time to time on the brink of disastrous droughts and water shortages.

In special ceremonies this morning, the Department of Agriculture paid tribute to some of the more outstanding of its employees during its 19th annual honor awards ceremony. I was pleased to attend the ceremony and to hear a particularly fine address by Senator A. S. Mike Monroney, of Oklahoma. Over the years I have come to know Senator Monroney very well. I have long prized his friendship and wise counsel on those occasions when we have met over the conference table on the annual Treasury-Post Office appropriation bill when the Senate and House versions have differed.

In these and other deliberations I have found him to be completely fair and objective in his judgments, fully informed on all details and aspects of the issues at hand, and completely sincere in his respect for the public welfare.

I would like to call to the attention of my colleagues the fine remarks made by Senator Monroney this morning. I am sure they will evoke the same pride and inspiration for you as they did for me:

Remarks by Senator A. S. Mike Monroney at the Department of Agriculture Honor Awards Ceremony, May 18, 1965

Mr. Secretary, Mr. Staats, Bishop Moore, Mr. Barnes, Mr. Robertson, honored members of the Federal service, and other distinguished guests, ladies and gentlemen, this is one of those shining moments of truth when we can all stand a little taller, as proud fellow workers for the Government of this great Nation. The Sylvan Theater, it seems to me, is a most appropriate site for this 19th annual awards ceremony. In this green and beautiful amphitheater with that mammoth obelisk that honors the Father of our Country as a backdrop, we sense the majesty and magnitude of our Government and the greatness of those people in the civil service who furnish the day-to-day dynamics of government.

We assemble here to honor a group of men and women who have excelled in an impressive variety of endeavors affecting many, many millions of Americans. In fact, the whole world is a better place because of the dedicated and inspired service of the USDA group we honor here today.

USDA programs do not concern farmers alone. They involve industry, because much of industry depends on our farms, fields, forests, and food for raw material. They concern all citizens, all consumers, because these programs affect the diets, the health, the standard of living of every man, woman, and child in the United States—and, more and more, they are affecting men, women, and children worldwide.

I know of no public agency, anywhere, which over the years has contributed more to the basic welfare of this great Nation than has the U.S. Department of Agriculture. U.S. agriculture stands today as one of the great strengths of the free world, thanks to more than a century of dedicated and unremitting service by you—the employees of the Department.

Unfortunately, that service has not always brought the rewards and recognition it deserved. Criticism of "surplus" and "subsidy" has at times confused the facts of agriculture's contribution—and the Department's contribution—to the national well-being. This has not always enhanced the prestige of those who service agriculture.

This is why I feel that awards ceremonies like this are of great value. They are one way of showing our appreciation for outstanding service. They are also a way of letting all citizens know that we in Government are proud of our people. When you in USDA earn an award for constructive suggestions, outstanding performance, or long years of effective service, you have clearly merited the distinction. We can all feel proud of your accomplishments.

But, I have heard criticism of the Federal Awards program which I think should be mentioned at an occasion like this; namely, that the civil servant is paid a good salary to do an efficient job, so why give him special awards for doing that job well. What the critics do not understand is that the awards being presented here today are for performance beyond mere efficiency.

As a public servant myself since 1939, I would be the first to say that all of us must be efficient and carry out our designated responsibilities. But there is an attitude toward a job—and toward life itself, if you will—which separates and distinguishes a man.

There is a theory—I can't find the originator of it—which says that all progress is made by the dissatisfied. Those who are content with the world are not apt to change it. Only those who are rankled by the status quo will strive to upset it—therefore, change comes about because someone is unhappy about the world in which he finds himself.

Maeterlinck said that "The future is a world limited by ourselves, in which we discover only what concerns us." What a primitive world we would have if each man accepted all the old patterns of life; the safe, the routine ways. What an imperfect government this would be but for the dedication of our civil servants to higher and higher standards of service.

Yes, we have the greatest government ever known to man because of the quality of service it renders our people. Our society has been elevated to its present preeminence because our public officials have placed service above self, have demonstrated consistent and unquestionable morality, diligence, and good purpose.

The Chairman of the Civil Service Commission, Mr. John W. Macy, Jr., often speaks of this quality of service which has been his greatest objective. Mr. Macy has said the public official "can drift with society's ebb and flow, or he can set his own course, and in that way help to change the standards in his time and in the future."

One aspect of this ceremony which particularly impresses me is that the awardees represent a broad spectrum of Government service—old and young, men and women, Washington and field offices, individual effort and group action, scientific and managerial, high rank and low, secretary and administrator.

So it seems clear that the opportunity to innovate and do an outstanding job is present at all levels of government service.

The regulations don't indicate that a typist must smile when someone asks her a question.

The Government clerk may have no instructions to say "please," and "thank you" when talking to the public.

The fieldman is not forced to be patient when a farmer does not understand the regulations quickly.

The job description of branch chief will not necessarily indicate that he must reach out for new and better ways to get the job done.

But the smile, the "thank you," the patience, and the "reaching out" must be part of every Government employee's personality.

I know that government—and big business as well—does not always reward initiative, or recognize the innovator. This is one price we pay for living in a complicated world—many of us do not enjoy the satisfaction of close personal relationships on the job that were possible in other years. We sometimes feel like small wheels in very big machines.

And, I repeat, this feeling is not limited to government. Every large organization—public or private—must find ways to seek out those employees who want to achieve, who want to question, who want to improve things.

Time does not permit me to do what I would like to do and congratulate each of you individually. My desire to do this stems from the fact that I am greatly impressed with the tremendous record each winner has made. My personal knowledge of what one of you, my fellow Oklahoman Mr. Edd Lemmons, has done speaks most highly for all of you who receive the superior service awards with him today.

The Federal merit system, which puts a premium on excellence and high standards, has evolved over a long, long period of time, going back 82 years to the passage of the first Civil Service Act in 1883. At no time in the history of this country has the Government worker stood in higher repute than he stands today. And the worker himself deserves the most credit for this.

In the 14 years that I have served as a member of the Senate Post Office and Civil Service Committee, I have seen many refinements and improvements in the civil service system. Many of these improvements can be credited to the genius of the late Senator Olin D. Johnston, of South Carolina, whose recent passing came as a severe loss to civil servants everywhere. Those of us who have been assigned to carry on in this worthy endeavor have our work cut out for us.

As it is impossible to enumerate the many factors which have brought the Federal service to its present position of eminence, so is it difficult to foresee each step which we must take in the future if our trend toward greater excellence is to prevail. But there are some clear and very evident opportunities for further advancement toward improved productivity within the Federal service, toward better conduct of the Nation's business.

If there is a key word today it is that word "excellence." The President, in his message last week calling for new salary legislation, used the term in describing the obligation of the Federal Government to be a good employer. He said, "I define a good employer as one who demands excellence and rewards it."

Those of you we honor here today have responded to your Government's demand for excellence. I was curious in scanning your individual records of accomplishment to find a common ingredient of your success.

I believe I have discovered one of the magic traits. I note that many of you have strained and perspired through night courses, through career development programs of one kind or another, and that all of you have been persistent and diligent in the elaboration of your expertise long after you have completed your formal education.

I hope that in the years ahead we can encourage more and more Government workers to devote part of their leisure time to continuing education. Our schools, colleges, and universities stand ready to offer courses which can improve the skills of Government employees. I note that some departments and agencies of Government are putting far more emphasis on career development and continuing education, with incentives, than others.

Most Government workers, in my opinion, like most people employed in private industry, are motivated by desires for self-improvement that cannot be satisfied by the paycheck alone. But, while monetary remuneration seems of secondary importance to an increasing number in the work force, we must see that the pay of civil servants is fair and just.

In recent years, considerable advancement has been made toward this goal. Only last year, the Congress reaffirmed its support of a policy that provides Federal pay systems on the basis of comparability with salary patterns in private industry.

To such a deserving group of Federal employees I cannot resist this prediction—that Congress will again this year reaffirm the comparability doctrine.

I am convinced that Congress must continue to face up to this pay problem over the years ahead, yielding to no other entity the duty of preserving the doctrine of comparability . For there is also the need of accountability, this being the task of seeing that Government and Government employees perform in a manner that merits positive action by the Congress to support fair and just pay rates.

Within the executive branch itself much has been done and is being done to encourage higher performance, higher work standards. We take heart in the very dramatic promotions recently of several career servants to high administrative posts. The President has thus recognized excellence in the terms that are most meaningful to those who strive for it.

In making these promotions from within the service, the President has emphasized the importance of creativity, and he has also emphasized once again that he is not afraid of new ideas, of new approaches to problems whether the problems themselves be fresh or stale.

This is the age of jet airplanes, satellites, and probes to Mars. But, perhaps of equal importance is what I call the quiet revolution in agriculture, which has changed the course of history without many of us even realizing it. While Russia can be proud—and justly so—of a Russian walking in space, America has reached a point in technological excellence which puts within our grasp the ability to forever banish hunger from the world. And, our American heritage has given us the conscience to want to share this knowledge—and the food it produces—with all the world's people.

Think of it: For the first time in recorded history, we possess the knowledge to grow all the food we need. For the first time in recorded history, we, as a Nation, are providing billions of dollars in food aid to our hungry neighbors abroad. Never before has such an organized effort been undertaken on such a vast scale.

Our challenge today is to use the productive genius of American know-how to serve the needs of all our people—and people throughout the world. We must make use of our agricultural abundance, a powerful weapon in the world struggle for peace. And we must make use of our agricultural productivity as a force for democracy in a world where the majority of its people live in newly developing nations.

We who devote our lives to public service have an especially challenging opportunity to pioneer in the struggle to free man from want. We must have the imagination not only to mechanically carry out the wishes of the Congress, but to inspire our fellow citizens, to pioneer new ways to get the job done faster, better, and cheaper. Our work must not only be efficient, it must be the best in the Nation, because 100 million citizens are our boss, our customers, and our stockholders.

In honoring these outstanding USDA employees today, we honor also the thousands of workers who serve with them in the Department of Agriculture, the men and women who do not get awards, but who also serve faithfully, with pride and honor.

We here today have the chance to get from our jobs what most men never realize—knowledge that we are serving our fellow men; that we can make a real contribution to the progress of the human race.

In the golden age of mid-20th century, we owe it to ourselves, our families, and our Nation to follow in the footsteps of these we honor today.

A Call for Rededication by Representative James Kee

EXTENSION OF REMARKS

OF

HON. JOHN M. SLACK, JR.

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1965

Mr. SLACK. Mr. Speaker, in this time of unrest abroad, when the defense of traditional American principles requires us to maintain armed forces throughout the world, there are far too many among us who take the short view of our obligations to civilization. But there are others who remind us from time to time that these United States were created by the courage and strength of many people from many lands, all of whom contributed from their heritage to form our national concept of life in a land of freemen, protected by constitutional law.

Prominent among this latter group is my colleague from West Virginia, Representative JAMES KEE, who has been associated with veterans groups for many years in their continuing efforts to keep alive the fires of patriotism and national loyalty. On Sunday, last, in West Potomac Park, Representative KEE was the featured speaker on a program marking the 30th annual observance of the District of Columbia World War Memorial, and under leave to extend my remarks I take this occasion to call to your attention his timely and inspiring address at that ceremony.

A CALL FOR REDEDICATION

(Address of the Honorable JAMES KEE, of West Virginia, at the 13th annual observance of the District of Columbia World War Memorial and May Day Corp. and participating patriotic organizations, in honor of our war dead, on Sunday, May 16, 1965, at the District of Columbia World War Memorial in West Potomac Park)

Thank you, Mr. National Executive Committeeman of the Department of the District of Columbia of the American Legion.

Chairman Murphy, reverend clergy, members of the District of Columbia World War Memorial and May Day Corp., members of participating organizations, and distinguished guests, all, it is with a deep feeling of humility that I join with you today, as we attempt in our small way, to pay respectful tribute to those men and women who made the supreme sacrifice in times of wars.

These American men and women that we honor today, regardless of military rank, race, creed, or color, successfully fought for the survival of our form of government—the principles of freedom, justice, and democracy.

As we pause in this historic memorial structure in West Potomac Park, which was dedicated in 1931 by President Hoover, it is appropriate that we also remember Mr. Frank B. Noyes—"founder" and chairman of the 1931 Memorial Commission.

History has recorded in indelible flames the courage, the bravery, the sacrifices, of those we honor today.

Yes, from the War of Independence in 1775, the birth of our Nation, through the battles being fought in the distant jungles and swamps of South Vietnam at this very moment, and the loss of life yet to come, these sacrifices will never be forgotten.

These sacrifices have placed a grave responsibility upon each of us—the duty to justify the obligations placed in our trust.

History will record the degree of success and the degree of failure which will be ours.

The finest tribute that we can pay to those who died for their country is to be worthy of their trust, of the heritage that is ours.

This difficult and uncertain period in the history of the world demands the very best of America. We must, as parents, as educators, as citizens, prepare the younger generations for the grave responsibilities that one day will be theirs.

We must give them every opportunity to carry on. We must guide and teach them.

We must tell them over and over again the inspiring story of our glorious American heritage.

But above all we must tell the young men and women of the new generations that they have a supreme duty not only to honor this great American heritage but, if necessary, to fight and die for its preservation.

To the new generations we must say this:

"On this hallowed monument you see inscribed the names of 435 soldiers and sailors who died for you during World War I.

"On this hallowed monument you see inscribed the names of more than 1,000 other heroes who died for you during World War II and in Korea.

"These men and women paid the supreme sacrifice to preserve your liberties. What they did, you must be prepared to do, if our country is in need of such sacrifice."

I have an abiding faith that the new generations of Americans will keep the faith if we show them where the path of duty lies. I have an abiding faith that the new generations of Americans will not flinch or falter, that our young men and women when danger threatens will have the valor and the fortitude to preserve our country free from harm.

It is our task to inform the younger generations about the duties and responsibilities of patriotism. It is our duty, also, to inspire and edify them by telling them the wonderful story of what the United States has done to promote world peace and to help the cause of human betterment since World War II.

Let me refresh your memory also to this story of grandeur, to the story of human generosity on the part of our country, unmatched in the recorded history of nations.

When the guns fell silent after World War II, we found ourselves on the side of victory.

We did not demand the conqueror's spoils; we did not indemnify our losses by demanding territory or tribute from the losers.

On the contrary, we proceeded to "bind up the wounds of war"; for the first time in history, a victorious nation actually made large financial contributions to the rehabilitation of its former foes.

During World War II the most destructive weapon in military history was developed, and the United States and its allies developed the secret of its fabrication. The secret of nuclear weapons was ours.

But, in the interest of peace, the United States and its allies offered to give up this weapon, in return for an iron bound pledge from the other nations that this horrible weapon would never be used against us.

There was no precedent for this act of self-sacrifice in recorded history. In the words of that great statesman, the late Winston Churchill, "it was one of the noblest gestures in the unhappy annals of mankind."

The opposition of Soviet Russia blocked the outlawry of atomic weapons, but that dark deed does not detract from the grandeur and nobility of what our country tried to do.

After the defeat of Hitler, it was soon evident that a new tide of despotism and tyranny was preparing to sweep across the war-torn nations of Europe.

Aggressive communism was prepared to fasten its loathsome grip on the heart of Europe; on Germany, France, and Italy, as well as Poland and Czechoslovakia.

Once again, the United States came to the rescue; just as American arms stopped Hitler, American dollars were employed to stop the onward rush of communism.

THE EFFECTIVE MARSHALL PLAN SAVED EUROPE FROM GODLESS COMMUNISM

In 1950 the military strength of the United States preserved the United Nations from utter collapse when the Communist aggressors tried to overrun the whole Korean Peninsula. And now, today, we have the job to do all over again in Vietnam, where once again only the valor of America is blocking the road to another frightening victory for the communism of China.

This is the proud record of the United States for the past two decades. This is the record of grandeur I wish to refresh in your memory. This is the story of American generosity and self-sacrifice which we must impress upon the minds of our children again and again and again.

The shield of America has been carried proudly by this generation. It was your sacrifice, your tax money, which made possible this magnificent record.

The United States has done everything within its power to preserve the peace of the world, but it will never yield to the threats and the bullying of Communist aggression.

The preservation of liberty is just as sacred to this generation as it was to our forefathers in 1776.

This splendid memorial on this site is a symbol—a symbol of 10,000 similar shrines dotting this land of ours from the Atlantic to the Pacific.

This monument on this beautiful site is a pledge that the memory of the men and women who died for our freedom will never be forgotten.

We came here today, each of us, to honor these noble dead.

We came here also to rekindle once again the sacred flames of our own patriotism.

If we keep green the memory of America's past, we need have no fear for its future.

Let us depart rededicated to the future of the land we love.

A Policy To Coordinate Social Security Disability and Vocational Rehabilitation Programs To Avoid Shuttling Citizens Back and Forth From One Agency to Another

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1965

Mrs. SULLIVAN. Mr. Speaker, every congressional office which handles a large volume of cases involving constituents in their dealings with Federal agencies has become familiar with the shuttlecock procedure by which the constituent is sent from agency to agency, back and forth. Under the very best of circumstances, some of this is inevitable, because of the specific jurisdiction of agency programs and the fact that, for the citizen's own good, several agencies may have to become involved. But it is indeed infuriating when he is given conflicting advice by several agencies, and sent from one to another in vain.

Recently, I came across a rather classic case in which the constituent was an amputee with other disabilities. He applied for social security disability benefits, but was turned down because it was felt that with a proper artificial limb and other rehabilitation, he could hold a job. The Vocational Rehabilitation Service in Missouri, on the other hand, felt that rehabilitation in his case would not assure employability, and sent him back to Social Security, which felt he could be employable if rehabilitated—and so on.

Mr. Speaker, I am happy to report that at my request this man's application for rehabilitation services was further reviewed; it was subsequently approved and he has been fitted with a new artificial limb and efforts are being made to give him every opportunity to return to useful employment. I do not know what the outcome will be—perhaps he will be found to be unable to handle substantial employment, at which point there will certainly be no further question about his eligibility for social security disability benefits.

INQUIRY TO SECRETARY CELEBREZZE

But this case led me to wonder how much coordination there is—and how much there could be—of the social security disability and the vocational rehabilitation programs, both of which are well administered through the Department of Health, Education, and Welfare by capable and dedicated officials. Consequently, I sent the following letter to Secretary Anthony J. Celebrezze:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 22, 1965.

Hon. ANTHONY J. CELEBREZZE,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: How much coordination is there between the people at social security who deal with the disability benefits program, and the State and local office of the Vocational Rehabilitation Service? I wish you would get both the outstanding Director of Vocational Rehabilitation, Mary E. Switzer, and your fine Commissioner of Social Security, Robert M. Ball, to join in a report to me on how these two programs are coordinated.

My inquiry arises from a case on which I just worked. A constituent was rejected for social security disability benefits on the grounds that with the proper prosthetic devices, and other rehabilitation service, etc., he could be employable; the Missouri Office of Vocational Rehabilitation apparently did nothing to help him because they felt he was more likely a candidate for social security disability. After writing to one agency and then to the other, I am happy to report that the Missouri Vocational Rehabilitation finally is going to provide him some service, but whether he will be employable I cannot say. But for months this man was shuttled from one agency to the other, each saying that he was the other's responsibility.

Since both programs are centered in your department, I am sure you are actively seeking to achieve the best possible coordination between them where they are dealing with the same individual. So I would appreciate knowing what is being done and how it is being done.

Sincerely yours,
Mrs. John B. Sullivan,
LEONOR K. SULLIVAN,
Member of Congress,
Third District, Mo.

REPORT ON COORDINATION BY COMMISSIONERS BALL AND SWITZER

Mr. Speaker, I have today received a report on this matter from the Commissioner of Social Security and the Commissioner of Vocational Rehabilitation, which I feel the Members would all want to read. I have a high regard for both officials, and I strongly believe in both programs. When I first came to Congress I was proud to vote for the expanded vocational rehabilitation program sponsored in the 83d Congress by

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 19, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of Scripture:

I John 3: 1: *Behold, what manner of love the Father hath bestowed upon us, that we should be called the sons of God.*

O Thou who art the God of justice and righteousness, of love and good will, grant that we may have the faith to believe that a better day for all humanity is slowly dawning and that a better mood and a better mind are making themselves felt among all nations.

We have had a clear demonstration in facts and figures of the stupidity and insanity of war and we dare not allow our civilization to go down in blood and ashes.

There must be brought into being a new dimension of religion, more real and more heroic, more human and practical in its insight and appeal, and more divine in its consecration and cooperation and compassion.

Fear and force have failed and now the spiritual influences of love which never faileth must take up the task of stamping out the hatred of man and weaving a better spell upon the human mind and heart.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 306. An act to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles, to establish a Federal Air Pollution Control Laboratory, and for other purposes.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 800) entitled "An act to authorize appropriations during fiscal year 1966 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STENNIS, Mr. SYMINGTON, Mr. JACKSON, Mr. CANNON, Mr. SALTONSTALL, and Mrs. SMITH to be the conferees on the part of the Senate.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, FISCAL YEAR 1966

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight tomorrow to file a report on the Department of Agriculture and related agencies appropriation bill for the fiscal year 1966.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BOW. Mr. Speaker, I reserve all points of order on the bill.

AUTHORIZING APPROPRIATIONS FOR PROCUREMENT OF AIRCRAFT, ETC.

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 800) to authorize appropriations during fiscal year 1966 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces, and for other purposes, insist on the House amendment and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. PHILBIN, HÉBERT, PRICE, FISHER, HARDY, BATES, ARENDS, and O'KONSKI.

CANADA-UNITED STATES INTERPARLIAMENTARY MEETING

The SPEAKER. The Chair lays before the House the following communication which the Clerk will read.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES, COMMITTEE ON BANKING AND CURRENCY,
Washington, D.C., May 18, 1965.

The SPEAKER,
House of Representatives,
Washington, D.C.

MR. SPEAKER: Due to circumstances beyond my control, I deeply regret that I must resign as a delegate to the Canada-United States Interparliamentary Conference which will be held in Canada May 20–24.

Yours sincerely,
FERNAND J. ST GERMAIN,
Member of Congress.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86–42, the Chair appoints as a member of the U.S. delegation of the Canada-United States interparliamentary group for the meeting to be held in Ottawa, Canada, from May 20 to May 23, 1965, the gentleman from Illinois [Mr. YATES], to fill the existing vacancy thereon.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ADMINISTRATION

Mr. O'NEILL of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. O'NEILL of Massachusetts. Mr. Speaker, it has come to my attention that the Department of Health, Education, and Welfare has a regulation in effect which would deny to the State of Massachusetts, and I am sure many other States, the use of Federal funds. The use of Federal funds will be withheld where the State is entitled to reimbursement. This regulation of the Department of Health, Education, and Welfare requires that all welfare workers have to be college graduates. In my opinion, this is bad. Furthermore, it is my understanding that anyone who has been working for the Department of Health, Education, and Welfare for a number of years cannot get a promotion unless he or she is a college graduate. While I doubt the wisdom of the regulation in the first place, I certainly do believe it would be fair to provide what is commonly known as a "grandfather clause" so as to protect those individuals who have been employed in the various departments for years and years and who have shown merit in their work and who, therefore, should be entitled to promotion.

Mr. Speaker, I am sure I am not alone when I say that the requirement of a college degree does not mean always that you are getting the best man for any particular job. For example, suppose we had a law or rule that you could not be a Member of the Congress unless you were a college graduate. We all know that some of the great men of the Congress of the United States—yes, and even including our great Speaker of the House who is an attorney and a member of the bar, but who obtained his legal education by serving his apprenticeship in a law office, would not be eligible to serve in this body.

I serve notice on Mr. Celebrezze that I think his ruling is wrong and I intend to protest it vigorously.

I would like to read a communication from William T. Casey, director of public assistance in the city of Somerville:

CITY OF SOMERVILLE,
BOARD OF PUBLIC WELFARE,
Somerville, Mass., May 12, 1965.

Hon. THOMAS P. O'NEILL, Jr.,
House Office Building,
Washington, D.C.

DEAR SIR: As the director of the public assistance agency in the city with the ninth highest caseload in the Commonwealth, I am deeply concerned with the provisions of Massachusetts house bill No. 3652. This bill was filed by the Massachusetts commissioner of public welfare at the insistence of Federal Health, Education, and Welfare, on the threat of withholding reimbursement for administration of public welfare in Massachusetts. In substance the bill as it stands will require any new employee in the social service division of public agencies to possess at least a bachelor's degree from an accredited college. In addition it will prevent any present employee who does not possess such an academic background, from advancing in rank. It is the latter provision which is creating the problem. By freezing such personnel, many with long years of service, in their present positions, the action would create the greatest factor toward completely ruining the morale of every agency in the 351 cities and towns of the Commonwealth as well as the State department of public welfare. What incentive would remain for these workers to extend themselves if they know they can never advance?

The members of the Massachusetts Legislature have been requested by employee organizations to amend the bill to include a "grandfather's clause." Such an amendment could better be spoken of as an "opportunity clause" because such a title better describes the justice and fairness to which they should be entitled. I personally approve of such an amendment and I respectfully request that you use any means in your power to influence the Department of Health, Education, and Welfare to accept such an amendment. I am sure the members of the Massachusetts Legislature would also appreciate hearing of your approval.

Very truly yours,

WILLIAM T. CASEY,
Director of Public Assistance.

Mr. Speaker, I am aware that Hon. JOHN W. MCCORMACK, the Speaker of the House, has also protested this action. I trust that this gross injustice will be corrected.

EXTENSION OF TIME TO FILE 1965 TOBACCO ALLOTMENT LEASES

Mr. ABBITT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 436) to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 436

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (g) of section 316 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out "1964" wherever it appears in said subsection and substituting therefor "1965".

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE PACIFIC NORTHWEST DISASTER RELIEF ACT OF 1965

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 388) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 388

Resolved, That upon adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7303) to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on Public Works now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instruction.

After the passage of H.R. 7303, the Committee on Public Works shall be discharged from the further consideration of the bill S. 327 and it shall then be in order in the House to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 7303 as passed.

The SPEAKER. The gentleman from California is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH] and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 388 provides for consideration of H.R. 7303, a bill to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters. The resolution provides an open rule with 2 hours of general debate, making it in order, without the intervention of any point of order, to consider the substitute now in the bill as an original bill for the purpose of amendment. The rule further provides that after passage of H.R. 7303, the Committee on Public Works shall be discharged from further consideration of S. 327, that it shall be in order to strike out all after the enacting clause of the Senate bill and insert in lieu thereof the language of the House-passed bill.

The catastrophic floods in northern California, Oregon, and contiguous parts of Nevada, Idaho, and Washington during December of last year were among the worst experienced in the history of the United States.

Over 12,000 homes were damaged, half of which were demolished, affecting 20,000 families. Forty-five persons died and some 2,000 persons were injured. Over 35,000 farms were flooded in California alone. The cost in human suffering cannot be evaluated. But physical damages are tentatively estimated to approach about a half billion dollars.

Under Public Law 81–875, the President declared the area a major disaster area and all available machinery of the Federal and State governments, as well as of the county and municipal jurisdictions was directed to immediate relief and subsequent rehabilitation. Equipment and services to transport food and forage, clothes, fuel, and other necessities were supplied by the Army, Navy, Marine, and Air Force.

A special subcommittee of the Committee on Public Works was sent to the area to inspect the damage and to meet with Federal, State, and local officials. On their return they reported to the full committee and hearings were begun. H.R. 7303 is a result of their findings. It contains what is believed to be needed and necessary to give further aid to the disaster-stricken areas.

The bill would authorize the appropriations from the general fund of the Treasury of not to exceed $50 million for fiscal year 1965 and not to exceed $20 million for fiscal year 1966 for the repair and reconstruction of highways, roads, and trails damaged.

Mr. Speaker, I urge the adoption of House Resolution 388.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, once again I find myself in complete agreement with the gentleman from California [Mr. SISK] on the explanation of this rule and the purpose of the bill. As stated, it is a 2-hour rule which waives points of order. That is due to section 5 of the bill, which will provide for transfer of certain funds to certain private industries.

The rule also provides for a substitution of the House language in the Senate bill, when the bill is passed.

The total cost for the remainder of fiscal year 1965 and for fiscal year 1966 will be $111,875,000.

I know of no objection to the rule. I know of much support for the bill.

I urge the adoption of the rule.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE PACIFIC NORTHWEST DISASTER RELIEF ACT OF 1965

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7303) to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

The SPEAKER. The question is on the motion offered by the gentleman from Alabama.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7303), with Mr. YOUNG in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Alabama [Mr. JONES] will be recognized for 1 hour, and the gentleman from Florida [Mr. CRAMER] will be recognized for 1 hour.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Maryland, the chairman of the Committee on Public Works [Mr. FALLON].

Mr. FALLON. Mr. Chairman, I rise in support of H.R. 7303 which was reported unanimously by the Committee on Public Works.

When the Congress reconvened at the beginning of this session, one of the major problems facing the Committee on Public Works was the question of what should be done about the unprecedented and extensive flooding that had occurred in the Pacific Northwest during December 1964. There had been tremendous damage to northern California, Oregon, and contiguous parts of Nevada, Idaho, and Washington. These floods were among the worst experienced in the history of the United States. Since the Committee on Public Works has as one of its basic jurisdictions the question of flood control, it was determined that a special subcommittee should be sent immediately to report back to the full committee a firsthand account of the damage that had been suffered in the area. I named the distinguished gentleman from Alabama, the Honorable Robert E. Jones, who is chairman of the subcommittee on Flood Control, to head this subcommittee. Along with him went the Honorable Jim Wright of Texas; the Honorable Harold T. Johnson of California; the Honorable Don H. Clausen of California; and the Honorable William H. Harsha of Ohio.

The special subcommittee made a detailed examination of the affected area and the result of its trip can be found in the excellent report the subcommittee presented to the Committee on Public Works which is now Committee Print No. 8, "Report of the Special Subcommittee to Inspect Flooded Areas in the Northwestern United States." Thereafter, hearings were held on a number of bills which had been introduced to provide relief to the Pacific-Northwest area. H.R. 7303 was drafted after full and extensive committee hearings on this problem and after careful consideration of the report of the special subcommittee. It is the result of long and hard work in the committee and it is a good bill.

The agencies of Government which have provided relief in the area include the Office of Emergency Planning among others which have done an excellent job within their jurisdiction, but there is a need and I believe a responsibility on the part of the Congress for legislation such as we are considering today. The people of the Pacific Northwest need all of the assistance they can get to fully restore the economic and social life of that great section of our Nation. H.R. 7303 provides the means for that work to be carried out and I strongly recommend its passage.

As a further evidence of the concern of the Public Works Committee for areas of our country which have experienced loss of lives and property as a result of floods a special subcommittee will leave Washington late this afternoon to visit Minnesota, Iowa, Illinois, and Wisconsin and to gather at firsthand information on the recent disaster in that area.

It is the intention of the Public Works Committee to continue our interest in controlling the waters of our Nation and to recommend to the Congress whatever appropriate action is necessary in each instance where the forces of nature have wreaked havoc and destruction upon the people of our great Nation.

Mr. JONES of Alabama. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Chairman, H.R. 7303, the Pacific Northwest Disaster Relief Act of 1965, was reported from the Committee on Public Works unanimously on May 6, 1965. It provides relief to the States of California, Oregon, Nevada, Idaho, and Washington who suffered severe flood damage as a result of the floods of December 1964, and January and February of 1965.

It was my privilege to be chairman of the special subcommittee that was appointed by the chairman of our committee, Congressman George H. Fallon, at the suggestion of the Speaker of the House and the President of the United States.

I would be remiss in my remarks at this point if I did not pay proper and fitting tribute to all those who were so necessary and so needed and who were really responsible for the success of the trip we took to the Pacific Northwest last January and who are today indirectly the reasons why this legislation is before this body.

Let me begin by commending the initiative and fight of my colleague, the distinguished member of the Committee on Public Works, the Representative from the Second Congressional District of California, the Honorable Harold T. "Bizz" Johnson. It was his initiative as a Representative of part of this flood-stricken area that brought into full focus the need for the trip we took and for the legislation which is before us today. He is to be highly commended for his untiring efforts and work on this whole problem of the devastated areas of the Pacific Northwest.

I would also like to pay tribute to another outstanding member of our committee the Representative of the First District of California, who worked unceasingly during the trip and afterward here in Washington to bring this legislation to proper focus my good friend and colleague, the Honorable Don H. Clausen.

During our visit to the flood-stricken area we received the highest cooperation from the Governors of all the affected States. The local officials on all governmental levels in the affected States cooperated with us to the fullest extent. Let me compliment particularly those Federal agencies whose representatives accompanied us on our trip and who were so helpful to us in Washington. May I single out in particular those representatives of the agencies who accompanied us to the Pacific Northwest:

Mr. Frank Turner, chief engineer, Bureau of Public Roads;

Brig. Gen. Harry Woodbury, Jr., Deputy Director of Civil Works, Corps of Engineers, U.S. Army;

Mr. Ellis L. Hatt, Assistant to the Deputy Administrator for Watersheds, Department of Agriculture;

Mr. Floyd E. Dominy, Commissioner, Bureau of Reclamation, Department of the Interior;

Mr. Frank Dryden, Deputy Administrator, Office of Emergency Planning; and

Mr. Clarence Cowles, Director, Office of Financial Services, Small Business Administration.

Finally, may I thank my colleagues on the committee on both sides of the aisle and in particular our distinguished chairman, the gentleman from Maryland [Mr. Fallon], and the ranking minority member, the gentleman from Florida [Mr. Cramer], for their cooperation which brought about the legislation which is before us today.

We toured the flood stricken areas of northern California and Oregon and heard firsthand accounts from State and local officials, as well as private citizens of the devastation that had covered this most important section of our Nation. On our return to Washington we filed our report with the full Committee on Public Works and then hearings were held on a number of bills dealing with the problem of providing relief for the States affected by the floods of December, January, and February last. This legislation which is before you today I think will go a long way toward giving a vital hand toward those people in the area who have done so much on their own initiative but who, because of the tremendous losses they have suffered, require the assistance this legislation will give them. I am proud of this type of legislation and I am privileged to be here on the floor today with this bill. I strongly recommend its passage by the House.

The following are the major provisions of the bill:

Section 2 of the legislation authorizes an appropriation of not to exceed $50 million from the general fund of the Treasury for fiscal year 1965 and not to exceed $20 million for fiscal year 1966 for obligation and expenditure by the Secretary of Commerce under the provisions of section 125, title 23 of the United States Code. This provides additional funds for construction and repair of those roads in the affected States on the Federal-aid highway system which were damaged as a result of the floods.

Section 3 provides the following: It authorizes the Secretaries of Agriculture and the Interior to reimburse timber sales contractors for reconstruction and restoration of roads which were under construction which had not been accepted by the Government as part of the national system of forest development roads and trails at the time of the floods. It supersedes existing timber sales contracts which embodies the entire loss on the purchasers. It provides the purchasers shall bear 15 percent of the cost of reconstruction and restoration up to a maximum of $4,500. The Government shall bear 85 percent of the cost and 100 percent of all amounts above $30,000 on a single timber purchase contract. The estimates of all costs of damage would be made by the appropriate Secretary. It further provides in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than $500 and in the case of any road construction if the increase in the cost of such construction is less than $500 more than the construction cost as originally determined either by the Secretaries of Agriculture or Interior then this section will not apply. It further gives either Secretary the discretionary authority to cancel a timber purchase contract where it determines that the damages are so great that restoration, reconstruction or construction is not practical under this cost sharing agreement.

This section further authorizes an additional $38 million for forest development roads and trails for the fiscal year 1966 raising the total figure from $85 million to $123 million. Of this, $36 million will be used for the construction, repair and reconstruction of the forest development roads and trails and $2 million to reimburse timber purchasers under section 2 of the bill. This section further provides a reduction of from 30 days to 7 days for the minimum time required to advertise the sale of national forest timber in the affected area.

Section 4 of the bill authorizes the Secretary of the Interior to suspend the time limits embodied in the law for the performance of certain acts where appropriate in cases where the entryman's ability to comply has been interfered with by floods and high waters.

Section 5 of the bill authorizes the President acting through the Office of Emergency Planning to provide bank protection along the Eel River in certain areas where the adjacent trackage of the Northwestern Pacific Railroad would be vulnerable to washouts. The survey and supervision of this work will be performed by the Corps of Engineers, U.S. Army. The President acting through the OEP will be authorized under this section to make a survey of what protective works are needed for the necessary revetment work and report to the Congress within 60 days after the date of enactment of this act the results of such survey together with the cost of any recommended work. The President will be authorized to perform this work through the Office of Emergency Planning where he deemed the work was necessary in the public interest. No appropriation, however, shall be made for any recommended work determined by the President to be in the public interest unless such work has been approved before June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and House of Representatives, respectively, after the consideration of the survey report. Of the $3,875,000 authorized to perform this work, it is estimated $250,000 will be required for the survey and the balance of $3,625,000 to provide the necessary protective works.

Section 6 of the bill authorizes the Small Business Administration to allow the maturity date on loans, the maturity of such loans to be allowable from a 20- to a 30-year amortization period.

The total amount authorized under H.R. 7303 for this relief is $111,875,000.

Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. JOHNSON], a member of the Committee on Public Works.

Mr. JOHNSON of California. Mr. Chairman, we have before us today H.R. 7303, a bill that was reported from the Committee on Public Works unanimously after a very thorough study of the flood damage in the Pacific Northwest. The flood hit in the months of December, January, and February. There were 45 deaths attributed to the flood and there were 2,000 people injured. There was a little better than half a billion dollars in damage to the five Western States.

Since that time, we had legislation introduced in the Congress, shortly after Congress convened. The President, the Speaker, and the chairman of the Committee on Public Works, the gentleman from Maryland [Mr. FALLON] appointed a subcommittee to go out and make a study of the flood-damaged area. This trip was made starting on January 10 and completed on the 15th; and shortly after we returned to Washington, those of us who made the trip started working with the Federal agencies involved to try to write a piece of legislation agreeable to all and that covered the situation. Hearings were held in Washington on March 9, 10, and 11. The chairman of our committee that made the trip to California, the gentleman from Alabama, the Honorable BOB JONES, conducted those hearings. The hearings were very extensive. We had all of the Federal agencies before the committee.

After the hearings were completed we went to work on the drafting of a bill that would meet the needs and would receive unanimous support in the Committee on Public Works. After many long weeks of consideration, the bill was finally reported by the Committee on Public Works on May 6. Just yesterday the Rules Committee granted the necessary rule to bring the bill before us today.

This particular bill covers the area that was affected by the floods: California, Oregon, Washington, Nevada, and Idaho were the disaster States. The legislation provides for consideration of restoration of the transportation system. The transportation system in the flooded areas was severely damaged. It affected the entire economy of our area. So the bill deals for the most part with assistance through the various Federal agencies, to allow us to restore our transportation system in the areas affected, through local government, district government, State government, and the Federal agencies, which have done a wonderful job in restoring parts of this system. And with this final piece of legislation, the necessary authorization will be granted and we hope the necessary appropriations to finalize the work of restoring the area to normalcy.

Section 2 authorizes an appropriation of an additional $50 million from the general fund of the Treasury for fiscal year 1965 and an additional $20 million for fiscal year 1966 for obligation and expenditure by the Secretary of Commerce under the provisions of section 125, title 23, of the United States Code. This provides additional funds for construction and repair of those roads in the affected States on the Federal-aid highway system which were damaged as a result of the floods. The Federal Government, through the Bureau of Public Roads, normally assists in this emergency road rebuilding task where we have contributed to the initial construction of the highway project through the Federal-aid highway program. Each year, Congress has allocated $30 million for this emergency fund. In view of the Alaskan earthquake disaster, and other disasters throughout the Nation, this $30 million was nearly exhausted even before the Pacific Northwest floods. I recognize that we will have even further demands from the floods and tornadoes of the Midwest and want to assure my colleagues from those regions that I stand ready and willing to support their efforts to help their own communities. I have traveled this road before you.

Section 3 authorizes the Secretaries of Agriculture and Interior to reimburse timber sales contractors for reconstruction and restoration of roads which were under construction which had not been accepted by the Government as part of the national system of forest development roads and trails at the time of the floods. It supersedes existing timber sales contracts which place the entire loss on the purchasers. I should note that new contracts which will go into effect July 1 will not place the full burden on the purchaser but will provide that restoration of these roads in similar disasters will be shared by the purchaser and the Federal Government as the seller of the timber. These roads will upon the completion of the timber sale be made part of the Federal forest road system and they will be built to Forest Service standards.

This section provides that the purchasers shall bear 15 percent of the cost of reconstruction and restoration up to a maximum of $4,500. The Government shall bear 85 percent of the cost and 100 percent of all amounts above $30,000 on a single timber purchase contract. The estimates of all cost of damage would be made by the appropriate Secretary. It further provides in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than $500 and in the case of any road construction if the increase in the cost of such construction is less than $500 more than the construction cost as originally determined either by the Secretaries of Agriculture or Interior then this section will not apply.

It further gives either Secretary the discretionary authority to cancel a timber purchase contract where it determines that the damages are so great that restoration, reconstruction, or construction is not practical under this cost-sharing agreement. This section further authorizes an additional $38 million for forest development roads and trails for the fiscal year 1966, raising the total figure from $85 million to $123 million. Thirty-six million dollars of this will be used for the construction, repair and reconstruction of the forest development roads and trails and $2 million to reimburse timber purchasers. This section further provides a reduction of from

30 days to 7 days for the minimum time required to advertise the sale of national forest timber in the affected area.

It should be pointed out that a great deal of the area stricken by the floods is Federal timberland. The approximately 45 million acres of Federal forests in this region provide approximately half the commercial timber harvested in these areas which are dependent upon the timber industry. More than 400,000 people are employed by this industry. You can see that restoration of this industry is essential for economic survival of the region. The sections outlined above would facilitate the rehabilitation of this industry.

Section 4 authorizes the Secretary of the Interior to suspend the time limits embodied in the law for the performance of certain acts where appropriate in cases where the entryman's ability to comply has been interfered with by floods and high waters.

This applies to persons who have filed homesteads or desertland entry applications with the Secretary of the Interior and who, because of the storms and floods, could not meet the occupancy, planting, or other time schedules required by law.

Section 5 authorizes the President acting through the Office of Emergency Planning to provide bank protection along the Eel River in certain areas where the adjacent trackage of the Northwestern Pacific Railroad would be vulnerable to washouts. The survey and supervision of this work will be performed by the Corps of Engineers, U.S. Army. The President, acting through the OEP, will be authorized under this section to make a survey of what protective works are needed for the necessary revetment work and report to the Congress within 60 days after the date of enactment of this act the results of such survey together with the cost of any recommended work. The President will be authorized to perform this work through the Office of Emergency Planning, where he deemed the work was necessary in the public interest. No appropriation, however, shall be made for any recommended work determined by the President to be in the public interest unless such work has been approved before June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and House of Representatives, respectively, after the consideration of the survey reports. Three million, eight hundred and seventy-five thousand dollars is authorized to perform this work of which it is estimated $250,000 will be required for the survey and the balance of $3,625,000 to provide the necessary protective works.

Briefly the situation is this: The railroad is the only common carrier serving the public which can handle the volume of timber and lumber transportation demanded by the industry in the region. The right-of-way runs for about 100 miles along the Eel River. Virtually all of the trackage was washed away and in many instances the streambank on which the rails were built disappeared. Total damage to the railroad exceeds $10 million. We are asking that the Office of Emergency Planning, working through the Corps of Engineers, assist in the stabilization of the banks along the river to protect them from further erosion from high water or future floods.

Section 6 of the bill authorizes the Small Business Administration to allow the maturity date on loans, the maturity of such loans to be allowable from a 20- to a 30-year amortization period.

The total amount authorized under H.R. 7303 for this relief is $111,875,000.

In many cases a person whose home has been destroyed or extensively damaged is placed in serious financial straits. Although his resources may be very limited, he must find some means of financing replacements or repairs, and at the same time, continue meeting his existing mortgage obligations. Thus the Small Business Administration is often compelled to refuse a loan because the application cannot demonstrate ability to repay on a 20-year amortization basis.

Mr. Chairman, on behalf of the people of my home State of California and others throughout the Pacific Northwest, I want to express our deep appreciation for the concern already demonstrated by you and this Congress and by the President in responding so wonderfully to the needs of the people of these disaster stricken areas.

Passage of H.R. 7303 today will help these people tremendously as they walk the long, long road to recovery. These people, their local governments, and their State governments are doing everything humanly possible to recover from the heavy blows which they suffered in the Christmas week disaster. May we in the Federal Government continue our efforts in this direction.

Mr. Chairman, this proposed act is strictly an emergency measure. It will run through June 30, 1966. It is an emergency measure dealing with the flood disaster in the five Western States.

Mr. ULLMAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Oregon.

Mr. ULLMAN. Mr. Chairman, I want to take this opportunity to commend the gentleman for his fine explanation of this important legislation, but more particularly to commend him and the committee, particularly the chairman, the gentleman from Alabama [Mr. JONES], for acting expeditiously to meet a very urgent problem out in our part of the country.

I want to additionally express my appreciation for their personal trip into the area during the time of the flood in making a personal inspection.

Mr. Chairman, this is important legislation. This was probably the greatest catastrophe that has hit the State of Oregon and the adjacent States for a century. It is most urgent and I commend the committee and urge the passage of the legislation.

I thank the gentleman for yielding.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I would be glad to yield to the gentleman from Idaho.

Mr. WHITE of Idaho. Mr. Chairman, I would like to also compliment the gentleman from California on this legislation as prepared in its present form. I know it will be most helpful to my people in Idaho. But I would particularly like to indicate to the Members the high degree of cooperation that was exhibited by the Army Engineers and the Office of Emergency Planning at the time the disaster struck that portion of Idaho which it is my privilege to represent.

I suggest to the gentleman that these people are very appreciative of what is being done today and what has been done up to this point.

Mr. JOHNSON of California. Mr. Chairman, I too want to thank the President of the United States, the Speaker of the House of Representatives, the chairman of the Committee on Public Works, and the chairman of the subcommittee for joining together in working out a piece of legislation after much consideration that resulted from this disaster, and I hope later this afternoon we will be successful in passing this legislation in the House.

Mr. DON H. CLAUSEN. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, I want to concur with the remarks of the previous speaker, the gentleman from California [Mr. JOHNSON] with whom I have had the privilege of working in the development of this legislation in conjunction with the Committee on Public Works, of which I am a member.

Mr. Chairman, following the onslaught of the once-in-a-thousand year Pacific Northwest Floods of December 1964, the chairman of the full Committee on Public Works [Mr. FALLON], appointed a special Flood Control Investigating Subcommittee to visit the devastated sections of the Northwest to determine the adequacy of Public Law 875 for recovery and rehabilitation of the area, and further, to determine whether or not additional legislation was necessary to provide these sections of the country with an opportunity to return to normal living.

I cannot express my thanks deeply enough for the understanding shown by the Speaker, the committee chairman [Mr. FALLON], and the subcommittee headed by the gentleman from Alabama [Mr. JONES]. They, and the committee members accompanying us, and those listening to our story on our return, have shown a tremendous capacity for understanding human need and compassion for their fellow men in times of dire emergency.

To those Federal agencies charged with providing emergency assistance, activated by the President's declaration of the area being a disaster area under Public Law 81–875, I give the heartfelt thanks of myself and the people in the area I have the privilege of representing in Congress. Everyone, from the Office of Emergency Planning, the Corps of Engineers, the Army, Navy, Marine, and Air Force, who transported people out of the danger area, helped distribute food, clothing, fuel, and so forth, to those marooned, performed magnificently. The Red Cross, the Civil Defense, the Federal, State, county and local governmental offices, in addition to many civilians, more than did their share to help out far above and beyond the call of duty—and we are grateful.

This once-in-a-thousand-year flood—considered among the most severe ever experienced in the entire life of our country—wreaked havoc in the States of California, Oregon, Washington, Nevada, and Idaho. My own district—the First Congressional District of California—was hit hardest of all areas we visited. Here whole towns were demolished by the rampaging, uncontrolled Eel and Klamath River waters—Klamath, Klamath Glen, Orleans, Myers Flat, Shively, Weott, Pepperwood, Stafford, T-Bar, and South Fork. Others—Scotia, Rio Dell, and Metropolitan—were all hit hard. Industry in these areas was hit so severely that unemployment, affecting around 5,000 people, may prove an economic problem to resolve for months and even years.

Over 12,000 homes, affecting some 20,000 families were lost in the Pacific Northwest. Forty-five persons died in the flood and its tragic aftermath, and around 2,000 people were injured. Over 35,000 farms were flooded in California alone. Human suffering was intense and prolonged. Physical property damage, including homes, businesses, farms, transportation systems, et cetera, will run beyond the half-billion dollar mark.

Unusual weather conditions—a combination of strange circumstances—resulted in this tragic disaster. There was a heavier than average snowpack in the mountains. Below the snowline the ground had already been saturated by previous rain and then frozen by subfreezing temperatures. When this record rainfall came—24 inches in 3 days—and totaling over 30 inches in 9 days—it fell on what we might term greased skids. There was no place to go, so the water ran off the frozen, saturated ground.

One of the first casualties of the December storm and flood was the flood warning system, itself, in both Oregon and California. The storm broke communications and power lines. Electrically operated flood warning devices were put out of commission. Some of those still operating—with meters still recording—could not be transmitted to authorities before the communications lines went down. These weather gages are operated through normal power communication facilities. When the power lines and communications went out, these electrically operated gadgets stopped working. Little of the findings of those still in operation were of use, because the reports could not be transmitted since the telephone lines were out.

We have urged, and the Weather Bureau is working on an expanded and improved flood warning system, with the added proviso of emergency power sources, and wireless communications available in times of a similar emergency.

A short 30 hours brought discharges breaking all previous records. Most areas in the Pacific Northwest showed recorded peak flows 50 percent greater than previous highs.

The Eel River—which is uncontrolled—and for which there is a multiple-flood control project proposed—relentlessly swept over its banks, bringing death and destruction in its wake. To give you an idea of the volume of water that was spent, I should mention that the flows reached 780,000 cubic feet per second at Fernbridge and 700,000 cubic feet per second at Scotia, as compared to a previous record of 560,000 and 540,000. The Klamath River record flow previously was 425,000. It rose to 500,000 cubic feet per second. On the Smith River, the flow rose from 165,000 to 200,000 cubic feet per second. The Mad River in my area also showed a raise from 78,000 cubic feet per second to 100,000.

I might mention here that while many of my colleagues from the Southwest are concerned about the lack of water, and where to go about getting it, we are faced in northern California with the problem of distributing an excess amount of water.

It is almost impossible to portray the waste and devastation laid bare by the Eel River. The Northwestern Pacific Railroad line was washed away, with sections of track uprooted, bridges and culverts half gone, heavy railroad cars rocketed about like pebbles on a beach. Sawmills were dislodged and moved, large sections of "cold deck"—stacked logs—were swept into streams and projected along like missiles to create further damage and debris. The harbor at Crescent City was log-jammed, hemming in the fishing fleet. Other harbors faced the same problem. Some logs from northern California streams were found halfway up the Oregon coast. The damage to the railroad line—100 miles of which were completely uprooted—runs beyond the $12 million figure.

It will take at least a year, perhaps more, to repair the destruction to the transportation system, including the highways and the railroad line. At present, the commerce of the north coast area is suffering at the rate of approximately $1 million a day, in counting some $700,000 per week in local jobs and payrolls lost. The production of forest products, including plywood, some redwood and other lumber is our major industry. The damage to the railroad line has completely disrupted the forest products industry, as the bulk of these products are normally transported over the railroad along the Eel River Canyon, and from there across the mountains to the major rail terminal.

All communications by road or rail were cut off from the Eureka area, with the exception of very limited truck transportation. A little traffic was able to move over a temporary ferry thrown across the Klamath River. The only way that supplies could be brought in—food, clothing, fuel, and feed for the livestock—was by air, or by water. The Armed Services outdid themselves in standing ready for any emergency, any hour, and they deserve commendation. The aircraft carrier *Bennington* stood off the coast to provide a launching for planes and helicopters. Regrettably, seven lives were lost in a tragic helicopter crash.

Damages to primary and secondary roads in California, Idaho, Oregon, and Washington amounted to over $25 million. Forest roads damaged in this same area will cost about $31 million to repair.

There is no way yet to determine the extent of the millions of dollars of timber lost and destroyed. Millions of dollars of lumber were lost at sea, and many trees uprooted, broken, and blown over. This loss of timber, both standing and cut, will have a considerable effect on the economy of the area for years to come. For Nature to replenish this loss, it will take many, many years. The impairment to the economy may never be recovered.

National forest improvements were damaged to the extent of over $52 million. Because of the impassable access roads, more than 2.6 billion board feet of national forest timber, included in 458 timber sales—will not be available at normal operating time. This has a direct impact on some 195 industrial plants employing 20,000 people, or more.

The Six Rivers National Forest, covering 36 percent of the Humboldt, Del Norte, and Trinity County areas in the northern California territory, sustained serious damage in excess of $10 million. Fifty miles of Forest Service road will have to be relocated. Major construction repairs are required on 130 miles, and on 45 main crossings. Recreational areas, serving 68,000 visitors last year, were damaged to the extent of $168,000. Most of the spawn in 1,400 miles of fishing streams were killed by silt, debris, et cetera. Considerable debris will have to be removed to allow anadromous fish access.

All available flood control reservoirs, small irrigation reservoirs, completed flood control State and Federal systems were brought into the maximum of use. The damages saved in a few days by projects already in service run from $750 million to $1 billion. Some projects paid for themselves during this flood. Most of the damages occurred in areas where there is only partial, or no flood protection. I am sure this will be vividly brought to your attention when the projects authorization bill comes before the House. You will know why my district will be well represented in the bill.

Almost $200 million in damages occurred in the valleys of northern California coastal streams, largely in the Eel and Klamath Rivers, and another $50 million on the Rogue and Umpqua Rivers in Oregon, where there are no major flood control projects.

On the credit side of the ledger, California's Sacramento River levee and bypass system prevented damages of over $150 million for the fourth time in less than 10 years, and the Shasta and Folsom Reservoirs saved about $85 million more. The State's partially completed Oroville project prevented considerable flood damage.

In Oregon, seven flood control reservoirs in the Willamette Basin saved half a billion dollars of damage. Existing reservoir storage in the Willamette and Columbia River Basins and Corps of Engineers floodwalls spared Portland. Eugene and Salem, Oreg., Vancouver, Wash., and Reno, Nev., were saved considerable damage by flood control systems. I am stressing this to give you an idea of the worth of some of these flood control projects. They have proven themselves time and again.

I know this flood and its devastating after effects have been off the front pages for a long time. People tend to forget about these things. After all, these floods occurred in December, January, and February. That is months ago. But there does come a time when we have to clean up the havoc wrought by a natural disaster. It is a financial problem. Everyone has been working like beavers—and I might add here that I have a tremendous admiration for the courage and will of the people in this area—adversity does not get them down for long. A lot of time, effort, and money is being spent. But we have got to take care of some of these emergency costs by necessary legislation. Our bill—H.R. 7303—Congressman JOHNSON of California's and mine—would provide the necessary remedial relief.

You will note, Mr. Chairman, that there is a considerable similarity between this bill we have here, and the remedies provided in the Alaskan earthquake assistance bill.

Running briefly down the bill, section by section, to clarify the provisions:

Section 1: This section of the bill merely recognizes the extensive property loss and damage experienced during December 1964 and January and February of 1965, and points out that much of the area affected is federally owned and administered and recognizes that the very livelihood of the people rests on the restoration of transportation facilities. It is simply a declaration of congressional intent for the need of special measures designed to assist and facilitate reconstruction.

Section 2: Provides additional authorization for Federal-aid highway systems. Increases funds to $50 million for fiscal 1965, and up to $20 million for fiscal 1966, under section 125, of title 23, United States Code, for repair and reconstruction of highways, roads and trails, on a countryside basis, damaged by natural disaster.

Section 3: Provides for the reconstruction of timber purchase roads. Assistance would be provided to get logging underway by granting authorization to the Secretaries of Agriculture and Interior to reimburse timber sale contractors for reconstruction and restoration of roads under construction, but not yet accepted by the Government at the time of the onslaught of the rising flood waters.

Section 3-A: Would supersede existing timber sale contracts now forcing purchaser to absorb entire access road loss, and substitutes a cost-sharing ratio. The purchaser would bear up to 15 percent of the costs, up to $4,500, and the Government would bear 85 percent of the costs and 100 percent of all amounts above $30,000 in a single timber purchase contract.

Section 3-C: This section stipulates that the additional $38 million shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, Nevada, and Idaho.

Section 3-D: Would authorize the Secretary of Agriculture to reduce from 30 days to 7 days the minimum time required to advertise the sale of national forest timber in the flood-affected area.

Section 4: Insures public land entrymen additional time to comply with the requirements of the law in the disaster area because of interference with ability to comply with requirements due to flood damage.

Section 5: Would authorize the President, through the Office of Emergency Planning, to provide bank protection, in the public interest, along the Eel River in certain areas where the adjacent trackage of the Northwestern Pacific Railroad is susceptible to washouts and other possible floods. The survey to be completed within 60 days, and the work to be performed by the Corps of Engineers. The President is also authorized to see that the work is done, again through the OEP, and to reimburse the railroad company for any of the recommended work already performed by such company, the work to be approved by the Public Works Committees of the House and Senate.

Section 6: Amends the Small Business Administration Act to allow maturity of loans up to 30 years.

Section 7: With the exception of section 5—the railroad section—and amendment by section 3-C—forest development trails—the act shall expire June 30, 1966, with the additional exception for payment of expenditures for obligations and commitments entered into prior to June 30, 1966.

Speaking for the minority members of the Public Works Committee, not only as a result of the special subcommittee field inspection trip, but also from personal knowledge and firsthand experience as a result of considerable work in the area, I thoroughly agree with the conclusion of the committee that these additional measures are required to insure prompt relief to the Pacific Northwest disaster area.

To facilitate a return to normal living in the area, and to help bring about economic recovery, the Public Works Committee, of which I am a member, wholeheartedly recommends enactment of H.R. 7303.

The minority members of the Public Works Committee agree with the findings of the committee, and respectfully urge the concurrence and approval of the House.

Thank you, Mr. Chairman.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. I yield to the gentleman from Missouri.

Mr. CURTIS. I just went down to get a copy of the hearings, and apparently they are not available. I thought there were hearings on this matter.

Mr. DON H. CLAUSEN. There are copies of the hearings.

Mr. CURTIS. Where are they? This is getting to be rather typical of matters we have to consider.

I have another question. From reading the committee report I find that practically every agency reporting on this bill had various objections. Most of the reports from the executive department pose objections to portions of the bill, and on the other hand, I notice that the bill itself has been completely stricken and new langauge put in. I ask whether the new language, as written, is approved by the various departments.

Mr. DON H. CLAUSEN. As the gentleman has stated, the original bill, on which department reports were requested, has been supplemented by the new language in H.R. 7303. As I understand the situation, the bulk of the language in the new bill was to satisfy the points raised by the departments.

Mr. CURTIS. I believe it should be stated somewhere by the committee whether the objections raised—and some of them are very serious objections by the various departments—have been met, and whether the new language does conform and whether the departments now approve. I notice the chairman of the subcommittee is nodding his head. I wonder if we could have that clarified.

Mr. JONES of Alabama. Mr. Chairman, in order to satisfy the gentleman from Missouri [Mr. CURTIS] I will say that in the consideration of the bill H.R. 7303 the objections raised by the various agencies were substantially satisfied through discussions with the affected agencies.

On the question of the hearings, there were exhaustive field hearings held in the Pacific Northwest. Further hearings were held in Washington and printed copies of these hearings will be available shortly. I can also assure the gentleman from Missouri that this bill has been as carefully considered as I know how in order to meet the needs and requirements of an area which had suffered devastation and destruction brought about by the ravages of the flooding which occurred in that area.

Mr. CURTIS. I want to make one other point. I appreciate what the gentleman is saying and I want to get to the gist of my concern. The administration in several of the letters here recommends that this legislation should be on a general basis and applicable to all States rather than on a disaster-by-disaster basis and recommends that there should be amendments to the permanent law, which strikes me as being very reasonable. Apparently, though, this is another piece of legislation on a disaster-by-disaster basis. That is my concern.

Mr. JONES of Alabama. I would like to say to the gentleman that we have no standards to guide us, nor any past history to use as a basis for the consideration of legislation in regard to each one of these unusual flood control situations. I am quite sure the gentleman recalls along with me the disasters which occurred in 1951 in Kansas and Missouri.

Mr. CURTIS. That is correct.

Mr. JONES of Alabama. As a result of that, the Congress appropriated some $35 million for relief of the affected areas. We do not have any firm guidelines. Each flood presents very unusual and unique problems which require legislation tailored to meet the type of damage suffered. For that reason, it is most difficult to have a uniform approach and to use guidelines which can be employed to cover every given circumstance.

Mr. CURTIS. What I read from are the words of the OEM at the time I brought this to the gentleman's attention.

Mr. DON H. CLAUSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I take this time in the hope that perhaps I can answer some of the questions that have been raised and to satisfy the House on some of these questions.

The investigation of this matter dealt with the Northwest flood situation and involved an on-the-site inspection by the members of the Committee on Public Works and the special subcommittee designated to go there. The same situation will prevail in the inspection of the Mississippi River basin flood area. Based on the findings of that committee which made the on-site inspection, reports were made to the Subcommittee on Flood Control of which the distinguished gentleman from Alabama [Mr. JONES] is chairman. The reports of the departments were made.

I, too, had some reservations about this bill as it was introduced, and as it relates to those reports. I will say to the House that as a result of those reservations the bill was in effect redrafted by both the majority and the minority with the express purpose in mind of trying to do something about the objections which had been raised and in order to write language into this legislation so as to meet many of those objections.

I had some reservations initially. My reservations have been largely taken care of by the language written into the bill and as it relates in particular to the Eel River flooding problem in section 5. The committee wrote in on my request language to the effect that a finding has to be made before Federal money can be spent, that this work is in the national public interest. In other words, it has to be a proper Federal function. With that language in the bill it is a much more satisfactory bill. There is no intention to set any precedent that could be construed as emergency "act of God" Federal aid going to private enterprise, the present law making such aid available only for public—as compared to private—projects.

Second, as it relates to the areas affected, the largest cost of the bill relates to highway construction under section 2 which is a nationwide program. That provides for additional funds that are presently being authorized at $30 million to be used annually for the purpose of rehabilitating highways destroyed by acts of God in areas declared to be national emergencies. What this does, in view of the tremendous amount of damage done—and it appears there is going to be much more, the Mississippi River area being an example of natural causes by acts of God—is that it will be necessary to increase that authorization above the presently existing $30 million. So the largest cost of the bill is an additional $50 million for 1965 which was recommended by the Departments involved, that is, that additional funds be made available, and $20 million in additional funds for 1966.

As to a continuing program. I agree with the gentleman from Missouri that it is a problem to have to act on these disaster area questions, disaster area by disaster area, and not on a national basis of money available for disaster areas.

I am hopeful that eventually Congress will be able to meet that problem with long range disaster area legislation. In my opinion, this is a good bill and deserves the support of the House. It is my hope that it will pass substantially as written.

Mr. DON CLAUSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon [Mr. WYATT].

Mr. WYATT. Mr. Chairman, I would like to commend the gentlemen from California [Mr. JOHNSON and Mr. DON CLAUSEN] and members of the committee who have worked so long and faithfully on this bill and I wish to associate myself with their remarks.

Mr. Chairman, my congressional district is the northwest corner of the State of Oregon extending from a point at the mouth of the Columbia River on the Pacific Ocean easterly along the Columbia River to the city of Portland and south of the city of Portland approximately 100 miles and thence west to the Pacific Ocean again. My district was extremely hard hit by the storms and subsequent floods of December 1964 and January 1965.

I am personally familiar with the torrential accompanying storm and flood which occurred in December since I was in my district until January 1 and had the opportunity to personally witness much of the devastation. Likewise, I personally am very familiar with the damage which was done to our forest land roads and to our agricultural community and to our many, many private individuals who were wiped out because in the middle of February I made a personal helicopter inspection tour for 2 days of the area affected and talked to many, many of my constituents in the district.

WEATHER CONDITIONS

To fully recognize the unique combination of natural conditions which resulted in this great tragedy, I should point out that during the period December 19 to 27 the precipitation in the area was 200 percent or more of average. The rainfall far exceeded that for any previous December. However, before the abnormally heavy precipitation we had had an unusually large amount of snow in our area and the ground was frozen. This combination of warm rain falling on frozen ground and snow resulted in the greatest winter flood on record in western Oregon. The rain itself resulted in terrific runoff. It melted snow which added to the terrific runoff. But perhaps the most crucial factor of all was the fact that the ground was frozen and, hence, unable to absorb any of this moisture and the runoff resulted. To give a more meaningful comparison I might say that the magnitude of our disaster was comparable to the disaster occasioned by the Alaska earthquake and tidal wave.

A committee report details the great and unrecoverable loss to people of the State of Oregon and other affected areas. The Federal agencies within their means for the large part responded swiftly and the State of Oregon, led by Governor Hatfield, magnificently coordinated the activities of the Federal agencies and the local government agencies to minimize the damage and to commence the rebuilding job.

OREGON TIMBER INDUSTRY

The forest industry of Oregon employs 80,000 people with an annual payroll of nearly $470 million. The industry generates directly 60 percent of the State's economy. The Federal Government owns two-thirds of the timber in Oregon and the timber industry is the Government's only customer for its annual timber harvest under the sustained yield forestry. As part of the industry's timber purchase contract with the Government, in Oregon alone the industry builds roads worth $27 million annually in national forests and $9 million annually on the lands administered by the Bureau of Land Management.

EFFECT ON ECONOMY

When last winter's floods hit hundreds of Government timber purchasers had roads in all stages of construction. Slides, washouts, and high water damage destroyed hundreds of miles of such roads, thousands of culverts, hundreds of bridges, and removed surfacing everywhere. The terrible destructive power of this flood was beyond imagination. Because it is necessary to keep logs rolling from these Government-owned properties, unless prompt relief is granted the disaster will spread geometrically on the economy of the States involved unless money is made available—and promptly—to restore forest roads damaged and destroyed.

LANDOWNER'S RESPONSIBILITY

The Government, as a landowner, should have the landowner's responsibility. Federal timber purchasers who build roads as part of their contract should be in the same position as Government highway contractors who are not liable for damage to the roads they build for the Government when such a damage is caused by acts of God or other things beyond their control. Some Government timber sale contracts will provide for the Government's responsibility in this case starting July 1 this year and it is hoped that all of them will. This legislation is needed to correct this inequitable situation as it presently exists under the law. This act merely recognizes that the Government has inherent risks as a landowner just like a private landowner when an act of God damages a landowner's property, he sustains the losses.

These losses are substantial and by way of an example I can refer to one sale on the Mount Hood National Forest in Oregon where in connection with this one sale a road 2.8 miles long was to be built at an estimated cost of $21,139.

The road was 90 percent completed at the time of the storm but because of the culverts and fills washed out it will be necessary to replace a bridge at an estimated cost of $78,000. The fact of the matter is that unless this legislation is passed, many of these roads simply will not be built because the operators are financially unable to do so.

A major catastrophe to our economy will result in our State where 60 percent of the economy depends upon the forest industry. If we do not haul logs our plants are shut down and our people are out of work. The basic payroll in our industry, which is in excess of $470 million a year, is felt in every kind of business in our State because this basic payroll generates the economy.

Log inventories are way down below average. This legislation is late but it will still cure and help save Oregon's economy. The Federal Government in the long run will benefit because if this legislation is not passed the disastrous effect upon our entire economy will eventually cost the Government much more than is involved here in relief legislation and in loss of tax money.

I urge in the strongest possible language the immediate passage today of this emergency legislation.

Mr. DON H. CLAUSEN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Washington [Mrs. MAY].

Mrs. MAY. Mr. Chairman, I rise in support of H.R. 7303, the Pacific Northwest Disaster Relief Act of 1965, and I wish to commend the committee for great interest and zealous study they gave to the severe damage caused in the Pacific Northwest, including sections of the Fourth Congressional District of the State of Washington. Because of the urgency of the situation, I joined in cosponsorship of the legislation pending before the Public Works Committee early last month.

The unprecedented floods last winter caused severe damage along the lower Columbia River and its tributaries amounting to an estimated $57 million.

Three counties in my district which border the Columbia and Snake Rivers were especially hard hit and I visited some of the most severely damaged areas during the Easter recess of Congress and can report to my colleagues it will be some time yet before the people of these areas recover.

In one county alone, that of Walla Walla, damage to county roads is estimated at $1½ million. Similar reports have been made to me from Klickitat County, and the damage was also great in Columbia County.

I can assure my colleagues that the provisions in the legislation before us increasing the emergency fund of the Bureau of Public Roads for highway repair are desperately needed in the State of Washington.

The emergency repair of forest roads in my State, where we are so heavily dependent upon the forest products industry, is also a matter of great urgency. Again I wish to commend the committee for its diligent attention to a problem of such vital necessity to all of the Pacific Northwest.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Chairman, first of all may I express my deep gratitude to the chairman of the full committee and the chairman of the subcommittee, the distinguished gentleman from Alabama [Mr. JONES], for the way in which they have handled this legislation and for bringing it so promptly to the floor. It will give great encouragement to not only the people of my district and the entire State of Oregon but also the other States that suffered such tremendous damage from natural disaster.

Mr. Chairman, my State, the State of Oregon has over 26.6 million acres of commercial forest land on which there are some 451 million board feet of standing timber. Converted to lumber, it has been said, that this would be enough to completely rebuild every residence in the Nation with enough left over for schools and hospitals.

Yet, with this almost incomprehensible supply of timber available, a survey made in early March revealed 15 mills were on the verge of closing their doors because they did not have sufficient lumber to meet production needs.

What a paradox. It sounds impossible, but let me assure you it is not. The trees are in the forest and the mills are in the towns; and in between there is, instead of the forest access roads necessary to carry workmen to the timber and logs to the mills, a twisted labyrinth of mud and slime left as a solemn reminder of the horrible calamity which made Christmas week a time of sorrow for many of the people of my State.

Memories will recall not only the washing away of virtually all access roads to our great forest region, the rendering useless of 4.1 million additional acres of recreation and water production area, the inundation of millions of dollars worth of highways and rail lines, the total destruction or serious damage to over 120 major and minor bridges, the destruction of $55 million worth of farm resources and the general disruption of the State's economy, memories will also recall the 18 loved ones who lost their lives and the thousands, yes, thousands of families who were left without homes.

Nature dealt my State a severe blow. A 200-percent increase in the region's rainfall for the period from December 19 to 27 mercilessly pelted down upon the frozen earth to unleash literally oceans of water to swell the State's waterways from their riverbeds to a course which carried them through the homes and property of Oregon's people.

And my State was far from being the only area struck. In their misery, Oregonians shared heartache and tragedy with people of their neighbor States of California, Idaho, Washington, and Nevada.

The misery of the people of those States combined with that of Oregon is currently being given a dollar price tag of more than $574 million. That is an impressive figure. In fact it could not be more impressive if it were 10 times that for the simple reason that it is already more, far more, than the stricken individuals, businesses, and communities can afford to pay for restoration of their resources.

For that reason, Mr. Chairman, I am here today with my colleagues from the other stricken areas to ask for help from the Federal Government. That, in simple terms, is the purpose of the legislation before the House today. H.R. 7307 is a request from the people of Oregon, California, Idaho, Washington, and Nevada to the people of the rest of this great Nation to extend a helping hand.

This helping hand will, when this bill is passed, come in the form of increased appropriations to the Bureau of Public Roads to enable that Agency to furnish a part of the funds necessary to reconstruct the access roads to our forests from which 80,000 Oregonians derive their livelihood and upon which 60 percent of Oregon's economy is based.

It will come in the form of an extended home-loan repayment period to enable the homemaker to rebuild his home in spite of the fact that his financial resources were so completely wiped out that he would not be able to repay a loan within the normal repayment period.

It will come in the form of increased highway appropriations to aid in restoring the vital arteries of transportation which connect the disaster area's people and industry with the rest of the Nation.

It will come in the form of foundation restoration and protection along the rail lines of northern California to safeguard the partial reconstruction investment of $5,600,000 already made by the Northwestern Pacific Railroad, an investment which when completed will total more than $15 million.

It will come in the form of emergency timber bidding regulations enacted by the Forest Service.

And it will come in the form of a declaration of the Members of this Congress that the representatives of all the people of our great Nation know and are concerned with the plight of these unfortunate thousands.

It will say to the people of Oregon, Idaho, California, Washington, and Nevada that we are eager to see the mills of the Northwest return to full production, eager to see their vital wood products return to the production lines of the countless national industries who depend upon these wood products for their own livelihood, eager to see flood victims rebuild their homes and unemployed workers return to their jobs.

It will say to the people of my State and the other States who suffered from uncontrolled nature that awful Christmas week last year that we remember how they individually and collectively sent their barges of clothes and other emergency goods to their sister State of Alaska when its people felt the crushing blow of a devastating earthquake.

And, while this bill is directed toward speeding the reconstruction of the Northwest, it is not without relevance to a similar and more recent tragedy suffered by the people of our midwestern region. What we do today for the Northwest will give encouragement to our fellow citizens in the Midwest through the knowledge that help for them is on its way.

It will say that what happens to one of us happens to all of us today and in the future.

For these reasons, Mr. Chairman, I urge my colleagues to take prompt action today to join with the members of the stricken areas in supporting this truly good samaritan legislation.

Mr. DUNCAN of Oregon. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Oregon.

Mr. DUNCAN of Oregon. Mr. Chairman, personally, on behalf of my congressional district in southwestern Oregon, and I am sure I can speak on behalf of the entire Pacific Northwest, I would like to express our gratitude to this body for the support I know it will give to the Pacific Northwest Disaster Relief Act of 1965.

We commend and thank the special subcommittee, and its chairman, the distinguished gentleman from Alabama [Mr. Jones], for their special efforts in expediting this legislation and interrupting their busy schedules by traveling to the Northwest to observe and inspect the results of the devastating Christmas week floods.

We are aware of, and grateful for, the efforts of my neighbors to the south, Mr. Johnson and Mr. Clawson, for their untiring efforts in support of this legislation, and for so ably championing the bill this afternoon. I hope their constituents are likewise alerted to their service to their respective districts.

We would be remiss if we did not take special note of the support and assistance of our distinguished Speaker, Mr. McCormack, as we had not only his "heart," but his "hand" as well, in getting this emergency legislation to the floor.

As so often happens when disaster strikes, private losses of this magnitude mount so rapidly that they are transformed into a public loss. This is especially so in an area, such as the Northwest, where the entire economic area pivots around a single industry, in this instance the harvesting and manufacture of wood products, and the countless supporting and allied industries. Whenever there is a substantial delay in moving raw materials from the woods to the mills, the Northwest is in serious economic difficulties.

I would want also to point out that the local units of government have been and will continue to contribute to the restoration of their portion of our transportation networks. The damage to local, State, county and city roads and bridges will run into the millions of dollars. Bringing this part of the road system, and each part is as important as the remainder, up to the preflood standard will tax the facilities of the local governments to the breaking point especially in the face of reduced revenues resulting from this same disaster.

The imperfections of this legislation and the general disaster legislation already on the books, the recent calamities that have struck the Midwest, the earthquake in Alaska and others leading back into history, all indicate that sooner or later we are going to have to face up to the problem of solving these recurring losses to private property by some form of natural disaster insurance. Disaster follows disaster too rapidly to handle each on an ad hoc basis. While I would not detract one iota from the well deserved credit that belongs to the agencies of the Federal, State, and local governments, as well as the Red Cross and countless other groups and individuals all of whom responded quickly and effectively with emergency assistance.

Special legislation on a case-by-case basis is neither far-reaching enough nor speedy enough to do the job that needs to be done.

To all of you representing all parts of this great country, we, of the Pacific Northwest, say thank you for the assistance provided in this legislation.

Mr. JONES of Alabama. Mr. Chairman, I yield to the gentleman from Indiana [Mr. Roush] such time as he may consume.

Mr. ROUSH. Mr. Chairman, I thank the gentleman for yielding.

Although I realize that each disaster brings its own problems, it does seem to me that the Alaska disaster and the disaster in the Northwest and the more recent disaster in the Middle West caused by floods and tornadoes have pointed out certain deficiencies which exist in our Disaster Act that are pertinent to each disaster. This was particularly brought home to me as I examined the Disaster Act as it related to the Palm Sunday tornadoes which swept from one side of my district to the other, leaving a path of devastation, destruction, and death such as we have never seen.

I would like to ask the chairman of the subcommittee if his committee may not be considering taking a good look at our present Disaster Act with the view of updating it and covering some of these areas which are not covered presently by legislation?

Mr. JONES of Alabama. It is the sense of the committee that we reexamine in detail the Federal policy with respect to disaster relief. It is our intention to deal with that subject when we hold hearings on the omnibus flood control bill this year. As the gentleman from Indiana has pointed out, we will make a homesite study of the upper reaches of the Mississippi and Missouri Rivers.

Next week we will go down to the Texas area for an examination of the damages as a result of the flood that recently occurred there. I can assure the gentleman we will welcome his suggestion and at the appropriate time, we will take it up.

Mr. ROUSH. I direct the gentleman's attention to certain provisions which I have included in a disaster act which I recently introduced, particularly provisions dealing with relief to individuals who have been adversely affected and provisions dealing with assistance to small unincorporated communities that have been adversely affected. I think these two areas in particular need attention.

Mr. JONES of Alabama. The committee will certainly welcome suggestions made by the gentleman from Indiana because we know they will be worthwhile and valuable to the committee.

Mr. ROUSH. I thank the gentleman.

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Does the gentleman from California have any further requests for time?

Mr. DON H. CLAUSEN. I have no further requests for time, Mr. Chairman.

The CHAIRMAN. There being no further requests for time, pursuant to the rule the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby recognizes (1) that the States of California, Oregon, Washington, Nevada, and Idaho have experienced extensive property loss and damage as the result of floods and high waters during December 1964, and January and February 1965, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent on prompt restoration of transportation facilities, and therefore Congress declares the need for special measures designed to aid and accelerate those States in their efforts to provide for the reconstruction of devastated areas.

Sec. 2. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, in addition to the amounts authorized in section 125 of title 23 of the United States Code, not to exceed $50,000,000 for the fiscal year ending June 30, 1965, and not to exceed $20,000,000 for the fiscal year ending June 30, 1966. Such sums shall be obligated and expended by the Secretary of Commerce in accordance with such section 125, and related provisions of title 23 of the United States Code for the repair and reconstruction of highways, roads, and trails, damaged as the result of a disaster.

Sec. 3. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, and as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by the respective Secretary as incurred or to be incurred for restoring roads in any stage of construction authorized by a contract for the purchase of timber from lands under his jurisdiction to substantially the same condition as existed prior to the damage resulting from the floods of December 1964, and January and February of 1965 in California, Oregon, Washington, Nevada, and Idaho, and to the extent costs determined by the respective Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to the floods but which, because of changed conditions resulting from the floods, exceed road construction costs as originally determined by the respective Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads and accepted prior to the floods, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than $4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (1) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than $500, and (2) in the case of any road construction if the increase in the cost of such construction as the result of the floods is less than $500 more than the construction costs as originally determined by the respective Secretary.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) Paragraph (3) of section 2 of the Federal-Aid Highway Act of 1964 is amended to read as follows:

"(3) For forest development roads and trails, $123,000,000 for the fiscal year ending June 30, 1966, of which not to exceed $38,000,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, Nevada, and Idaho, necessary because of the floods and high waters in such States during December 1964, and January and February 1965, and $85,000,000 for the fiscal year ending June 30, 1967."

(d) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California, Oregon, Washington, Nevada, and Idaho damaged by floods or high waters during December 1964, and January and February 1965.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California, Oregon, Washington, Nevada, and Idaho, as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from floods and high waters during December 1964, and January and February 1965.

SEC. 5. (a) The President, acting through the Office of Emergency Planning, shall make a survey to determine what protective works would be necessary to prevent the recurrence of damage by floods or high waters to those banks of the Eel River, California, which are adjacent to the trackage of any common carrier by railroad and shall report to Congress the results of such survey together with the cost of any recommended work within sixty days after the date of enactment of this Act. The President, acting through the Office of Emergency Planning, is authorized to perform all or any part of the recommended work determined to be in the public interest and to reimburse any common carrier for any of such recommended work performed by such carrier, but no appropriation shall be made for any such work which has not been approved before June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and the House of Representatives, respectively. The Corps of Engineers of the United States Army shall be used to make the survey authorized by the section, shall recommend necessary work that has been determined by the President acting through the Office of Emergency Planning to be in the public interest, and shall be used to supervise any work authorized to be performed under this section.

(b) There is authorized to be appropriated not to exceed $3,875,000 to carry out this section.

SEC. 6. Loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)) for the purpose of replacing, reconstructing, or repairing dwellings in California, Oregon, Washington, Nevada, and Idaho, damaged or destroyed by the floods and high waters of December 1964, and January and February 1965, may have a maturity of up to thirty years, except that section 7(c) of such Act shall not apply to such loans.

SEC. 7. This Act, other than section 5 and the amendment made by section 3(c), shall not be in effect after June 30, 1966, except with respect to payment of expenditures for obligations and commitments entered into under this Act on or before such date.

SEC. 8. This Act may be cited as the "Pacific Northwest Disaster Relief Act of 1965".

Mr. JONES of Alabama (during the reading of the amendment). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and be open to amendment at any point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. YOUNG, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7303) to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters, pursuant to House Resolution 388, reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 388, the Committee on Public Works is discharged from further consideration of the bill, S. 327.

The Clerk read the title of the bill.

AMENDMENT BY MR. JONES OF ALABAMA

Mr. JONES of Alabama. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of Alabama: Strike out all after the enacting clause of S. 327 and insert in lieu thereof the provisions of H.R. 7303, as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. JONES of Alabama, the title of the bill was amended so as to read: "An act to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 7303) was laid on the table.

GENERAL LEAVE

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

COMMITTEE ON RULES

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE ON BANKING AND CURRENCY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may have until midnight Thursday to file a report, with minority views, on H.R. 9874, the housing bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

MISSISSIPPI COMMEMORATION

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, June 21 will be the anniversary of the death of three courageous Americans who dedicated their lives to freedom. The brutal murder of James Chaney, Andrew Goodman, and Michael Schwerner awakened the Nation to the systematic racial disenfranchisement in Mississippi. The sacrifice of these three young lives has been a major factor in bringing the voting rights bill before Congress.

Mr. Speaker, America owes a debt of gratitude and honor to the courage and dedication of these young men. A committee of distinguished Americans has called upon the citizens of New York to establish a commemorative period for the week following June 21 to honor James Chaney, Andrew Goodman, and Michael Schwerner. I wholeheartedly endorse this call and wish to bring it to the attention of my colleagues with the hope that they will join with me in endorsing the call for a commemorative period.

I include the call at this point in the RECORD:

COMMITTEE TO ISSUE A CALL FOR ESTABLISHMENT OF A COMMEMORATIVE PERIOD FOR THE WEEK FOLLOWING JUNE 21, TO HONOR THE THREE BOYS MURDERED IN MISSISSIPPI IN 1964

We, the undersigned, do hereby form ourselves into a committee for the purpose of commemorating the anniversary of the ordeal and deaths of the three boys who sought to bring equality and personal freedom to the oppressed citizens of Mississippi: James Chaney, Andrew Goodman, and Michael Schwerner. We call upon all citizens of New York to make special efforts to observe the period beginning June 21 and culminating June 28, 1965. It is fitting that we, as citizens of New York, observe this period as one of great historic import to the struggle for the rights of all citizens, everywhere, and that we honor the memory of those past, present, and future, who are risking their all so that we may benefit with a brighter, more secure future. We urge the executive branches of government, both on the State and municipal levels, to take appropriate action for the creation of a truly significant commemorative period during the month of June. We urge our congressional delegation in Washington, D.C., to take the appropriate action to bring the focus of attention on this period and the appropriate activities set to take place. We urge the industry and the retail stores of New York to participate with local government in the display of photographs of the murdered boys. We urge that both government and private industry make special efforts to participate significantly in a schedule of special ceremonies to mark this period.

Committee: Mr. James Farmer, Miss Lisa Howard, Mrs. Newman Levy, Mr. Andrew Norman, Mr. Marvin Rich, Mr. Jackie Robinson, Mr. Jack Shor, Mr. David Susskind, Miss Pauline Trigere, Mr. Robert Wechsler, Mr. Gerald Zipper.

MISSISSIPPI CHALLENGE

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, on January 4, 1965, when I objected to swearing in the 5 Representatives-elect from Mississippi, 149 Members of the House voted against seating them because of the systematic disenfranchisement of Negro citizens in the State of Mississippi. Mississippi Negroes are still being denied the right to vote. Under title 2, section 201, et seq., United States Code, the statutory challenge to the Mississippi delegation continues.

On May 17 the Mississippi Freedom Democratic Party held a press conference to announce the filing of more than 600 depositions with the Clerk of the House in support of the challenge to the Representatives from Mississippi. The announcement of the filing of the depositions should remind the House that the House will be called upon to take final action upon this vital matter. The Reverend Martin Luther King said:

> The unseating of the Mississippi Congressmen will be the test of the moral integrity of the Congress of the United States.

That test will come. After the record is printed, the matter will be referred to the House Administration Committee. Under the rules of the House the House Administration Committee should report to the House by July 4 of this year.

Mr. Speaker, we must not fail to meet our responsibility. There is no question that Negroes were unconstitutionally disenfranchised in the 1964 Mississippi congressional elections and that those elections were unconstitutional. The only remedy under the Constitution is for the House to deny the beneficiaries of illegal elections the right to sit in the House.

In anticipation of the day when we will be called upon to make our judgment, I wish to bring to the attention of my colleagues the statements of Dr. Martin Luther King; James Farmer, National Director of CORE; John Lewis, chairman of the Student Nonviolent Coordinating Committee; and Lawrence Guyot, chairman of the Mississippi Freedom Democratic Party, which were delivered at the press conference on May 17.

The statements follow:

STATEMENT BY DR. MARTIN LUTHER KING, MAY 17, 1965, WASHINGTON, D.C.

Today, on the 11th anniversary of the historic Supreme Court decision outlawing segregation in the public schools, the Mississippi Freedom Democratic Party has filed with the Clerk of the House of Representatives the more than 600 depositions taken in support of the challenges to the seating of the entire congressional delegation from Mississippi. This indeed is a momentous and historical moment. I wholeheartedly support, as I have from the beginning, these challenges.

The unseating of the Mississippi Congressmen will be the test of the moral integrity of the Congress of the United States. The weakening of the voting bill by the Senate's shameful action in stripping away the anti-poll-tax provision makes it absolutely imperative that the House of Representatives does not waiver in its obligation to unseat the Congressmen. The unseating will make any voting bill meaningful.

I, therefore, again pledge myself and the Southern Christian Leadership Conference to the fullest support of the challenges of the Mississippi Freedom Democratic Party and call upon all Americans to join with me in this commitment.

STATEMENT OF JAMES FARMER, NATIONAL DIRECTOR, CORE

CORE unequivocally supports the historic challenge of the Mississippi Freedom Democratic Party and calls for a great coalition of civil rights, political and civil organizations and individuals to join this struggle. CORE pledges its fullest support of MFDP on this 11th anniversary of the Supreme Court decision outlawing segregation in the public schools.

The chronicle of brutality to be presented today in these petitions has no equal in the parliamentary history of our Nation. These are real voices of the real Americans who have been bloodied and even murdered in their efforts to exercise the right to vote.

As we take these depositions to the Congress, I ask of the Congress fast remedial action and the rejection of the regular Mississippi congressional pretenders who have been elected on a platform of blood and disenfranchisement.

CORE is prepared to take whatever steps may be necessary to support this challenge. Discussions are underway as to a schedule of massive demonstrations if the Congress fails to act and act quickly. These demonstrations will be in large part directed at Congressmen across the Nation who have opposed this challenge. For example, on June 20, a major demonstration is planned for Brooklyn, N.Y., calling attention to Congressman EMANUEL CELLER and the Brooklyn congressional delegations vote against the fairness resolution on January 4, 1965.

As to the voting rights bill before Congress at this moment, these depositions bear tragic witness to the need for this bill—and more specifically to the need for a bill with real legislative and judicial teeth.

STATEMENT BY JOHN LEWIS, CHAIRMAN, THE STUDENT NONVIOLENT COORDINATING COMMITTEE, MAY 17, 1965, WASHINGTON, D.C.

The issues raised by the Mississippi Freedom Democratic Party challenge to the congressional delegation from Mississippi go to the heart of Negro exclusion from the political processes in Mississippi and the South.

The questions of the challenge goes beyond the processes of registration. It goes to the issue of actual participation in elections and the political processes. It is entirely possible that the mere fact of being registered—thereby qualified—to vote will not enable Negroes in Mississippi to actually vote since economic intimidation and violence will still be available to those who are opposed to Negro voting.

The challenges are based specifically on the lack of Negro participation in the elections of November 1964. The evidence covered by the depositions given cover not only obstruction to registration, but the acts of economic harassment and violence that are also used as a matter of policy by the State. It is only when the Congress unseats the Mississippians and calls for and conducts free and open elections in Mississippi for these seats that the Negroes in the State will be free to participate. It is only when the Congress takes these actions that the political forces in the South that are opposed to Negro voting will understand that Congress and the Nation are serious about guaranteeing the rights of Negroes to fully participate in the processes of government.

Recognizing this the Student Nonviolent Coordinating Committee stands ready to commit the major portion of its organizational resources and energies to the support of this challenge during the next 2 months.

We plan to use our organizing staff in Mississippi to support the voter registration drives, mass rallies and political demonstrations called for by the local community leaders of the Mississippi Freedom Democratic Party. Our offices and support organizations in the North are working with other organizations in the northern communities to publicize the challenge and garner congressional support from these communities. We are at present recruiting 2,000 students and young people to convene in Washington in June for the purpose of engaging in lobbying and educational workshops around this challenge. These young people engaged in the Washington lobby will disperse, some to Mississippi to participate in activities there and others will return to their home communities to organize activities directed to local Congressmen. This activity will be in support of unseating the Mississippians and calling for free elections in Mississippi.

SNCC stands ready to support with all its organizational resources, both North and

South, any call that comes from the MFDP and its allies for a national mobilization of people in Washington.

STATEMENT BY LAWRENCE GUYOT, CHAIRMAN, EXECUTIVE COMMITTEE, MISSISSIPPI FREEDOM DEMOCRATIC PARTY, WASHINGTON, D.C., MAY 17, 1965

Today the Mississippi Freedom Democratic Party is submitting to the Clerk of the House of Representatives more than 600 depositions of evidence taken in Mississippi conclusively proving that the 5 Congressmen from that State were elected by processes violating the Constitution of the United States and the political rights of over 400,000 Negroes in Mississippi. These depositions of evidence were collected by lawyers acting in behalf of the MFDP in support of the challenges we have instituted to the seating of the Congressmen from that State under title 2, section 201–26, of the United States Code.

OFFICIAL PARTICIPATION OF STATE AUTHORITIES IN NEGRO DISENFRANCHISEMENT

This testimony is not only the statements of hundreds of Negroes in the State describing shootings, private acts of intimidation such as bombings, beatings, evictions, and dismissals from jobs which they suffered for attempting to register. It also includes conclusive evidence of officially perpetrated and inspired harassment, the admission of State officials of their own participation in organized racism, and illustrates the close ties and overlapping interests between such organizations as the White Citizens' Councils and the State administration in depriving Negroes of the right to vote.

Mr. Earl Johnson, Jr., director of the tax-supported Mississippi Sovereignty Commission, admitted under oath that as of January 1 of this year $193,000 drawn from public funds had been given by that agency to the White Citizens' Council. Richard Morphew, public relations director for the citizens' councils admitted to having received the money and testified that "the first major accomplishment and the first project undertaken by the councils on a State level was the passage of the (Mississippi) constitutional amendment to raise voter qualifications in Mississippi." Mr. Morphew testified that "it was not uncommon for a great many people in public life in Mississippi to be proud of their membership in the council," and that Congressmen WHITTEN, COLMER, and WILLIAMS "participated in citizens' council forums," and that to the best of his recollection Governor Johnson is a member.

Over 400 depositions of local Negroes and voter registration workers document the patterns of intimidation and terror suffered by Negroes seeking to vote. Mrs. Aylene Quinn, of Macomb, testified that her house was bombed after she sheltered voter registration workers and attempted to register. The bombers were released with suspended sentences. George Johnson, a law student working on voter registration in Greenwood, testified that police officers threatened him with castration while he was in custody at the jail.

In making these depositions, amounting to over 15,000 pages of evidence the Negro people of Mississippi have again come forward to risk reprisals of violence and terror. However, these depositions, formally signed and witnessed, are an incontrovertible body of evidence proving that the general elections of November 1964 in Mississippi were unconstitutional. They prove that the conditions described by President Johnson on March 15, "The harsh fact is that in many places in this country men and women are kept from voting simply because they are Negroes. Every device of which human ingenuity is capable has been used to deny that right," applies very specifically to Mississippi.

RESPONSIBILITY PLACED WITH HOUSE

The submission of this evidence and the filing of a final legal brief completes the legal aspects of the challenges. We have made enough evidence available to the Congress to convince any reasonable and unbiased panel. We now call upon the Clerk of the House, the Subcommittee on Elections of the Committee on House Administration and the Members of Congress to act swiftly to insure that the House of Representatives has a full opportunity to examine the evidence and charges brought in these challenges at any early date.

There are, for example, a number of depositions which are being inexplicably held up by white notary publics and hearing officers in Mississippi. In these cases we are submitting duplicates of all statements which are still unsigned by the Mississippi officials with receipts showing that the hearing officer is in possession of the originals, which have not been sent back as the statute provides. We urge the Clerk to proceed with all subsequent steps of the challenge.

CHALLENGE ENTERS NEW PHASE—NATIONAL ACTION PROGRAM BEGINS

After today the progress of this challenge will be at the pace imposed by the internal machinery of the House. The Mississippi Freedom Democratic Party is presently engaged in taking the issue to the Nation. With the support and assistance of major organizations within the civil rights movement—the Southern Christian Leadership Conference, the Congress of Racial Equality, the Student Nonviolent Coordinating Committee, and others we are currently engaged in discussion to formulate a program of action in the North and the South. Mr. James Farmer, of CORE, and Mr. John Lewis, of SNCC, are present to discuss this further.

On April 24 a conference was held in Washington to begin the national effort in the north. In addition to the civil rights organizations there were representations from 40 civic, religious and labor organizations from 30 States. Action is now being taken to bring to Washington delegations from these States to bring the issue of the challenge to Congressmen from the various areas. This effort will culminate in a national convocation in Washington during July.

U.S. POLICY IN THE DOMINICAN REPUBLIC

Mr. FRASER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FRASER. Mr. Speaker, I have been a strong supporter of the foreign policy of the United States. I believe that, in general, since World War II the United States has pursued the most enlightened, farsighted policies which have been followed by any major power in history.

Our Government has made mistakes along the way. No government possessing the power and the responsibilities which accrue to the United States will always act wisely.

I believe that today the U.S. Government is making one of those mistakes in its current posture in the Dominican Republic. Moreover, I fear this mistake to be among the most serious since the end of World War II. Today we have over 15,000 marines in the Dominican Republic who are standing idly by while hundreds of persons are being killed in a dispute between two factions. The ultimate resolution of this conflict by force bodes no good for the people of that unfortunate island.

We stand helplessly by without a policy and without support from among our friends in the free world. It is my considered judgment that present events are inexorably leading to the destruction of the spirit and substance of the OAS. Our moral position in international affairs is being seriously undermined, and our lack of effectiveness dramatically displayed for all the world to see.

Mr. Speaker, last Monday on the floor of this House I called upon our Government to announce its support for a referendum to be conducted by the OAS or by the United Nations as a substitute for the needless killing now going on.

Today I renew my plea. It is my considered judgment that the United States must take two immediate steps. First, it should directly intervene in the current fighting and interpose a barrier between the two sides. Second, it should announce that U.S. forces will be utilized in the Dominican Republic for the sole purpose of permitting the people of the Dominican Republic to decide which of the contending factions it prefers to serve as an interim government. We should announce our intention to abide by that choice, and we should ask the OAS or the United Nations to establish the procedures for carrying out such a referendum.

Mr. Speaker, the United States must act within the collective conscience of its citizens. I know of no American citizen who wants to seek continued bloodshed on that island, or who wishes for the people of that nation any government other than one which they themselves would choose by the ballot box. It is time for this Government to express this collective American conscience by acting to restore the confidence of the world in our purposes and our commitment to freedom and the right of people to choose their own government.

LEGISLATION DESIGNED TO ESTABLISH A FEDERAL MURDER LAW TO ACHIEVE APPROPRIATE JUSTICE AND VERDICTS IN THE TRIAL OF PERSONS CHARGED WITH MURDER OF CIVIL RIGHTS WORKERS

Mr. ROSENTHAL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, I am today submitting legislation designed to establish a Federal murder law with the purpose of dealing with one of the most disturbing phenomena in the conduct of American jurisprudence—the failure to achieve appropriate justice and verdicts in the trial of those charged with the commission of murder of civil rights workers.

The last decade has seen seven major murders of Negro and white civil rights workers in the South, and although overwhelming evidence of guilt was amassed by law enforcement officials, none of those so charged has been found guilty. Innumerable other unreported or less publicized murders have been committed in the absence of the threat of meaningful prosecution.

It is my hope that the legislation I am today proposing will elicit from the House a full hearing and the final answer to this unacceptable denial of justice. These miscarriages of justice demonstrate the need for a Federal murder statute, as did the Lindbergh tragedy dramatize the necessity for a Federal kidnaping statute.

The maintenance of equal protection of the law and the right of all citizens of the United States to expect the unobstructed exercise of justice in every city and State of the Union should be unquestioned. If local law enforcement is inadequate, or unwilling to meet this responsibility, then the Federal Government must, in the last analysis, take action.

My bill would provide that murder or manslaughter, or the attempt thereof, committed by or upon any person who has traveled or is traveling in interstate commerce would be a Federal offense and therefore subject to the jurisdiction of the Federal authorities. It is my expectation that the Federal judicial system will provide a mechanism far freer from local color and bias than has been offered by the States. Federal constitutional guarantees will be afforded to those accused of murder and manslaughter, while the community at large will derive comfort from knowing that the selections of Federal judges and juries are more attuned to rendering fair justice than to satisfying local prejudices.

The enactment of this legislation, and the resultant likelihood of increasing the number of convictions in murder and manslaughter cases, where such convictions are mandated by the evidence, will serve as a deterrent to those who seek to defeat compliance with Federal civil rights statutes.

Mr. Speaker, in my judgment, it is regrettable that local law enforcement has so miserably failed in the preservation of the rights of all citizens of the United States, making it necessary that century old legal concepts have to be changed. But, if we are to remain a free and democratic society, then changed they must be.

ENDORSEMENT AND SUPPORT OF THE FOREIGN POLICY OF PRESIDENT LYNDON B. JOHNSON

Mr. MORRIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a resolution.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. MORRIS. Mr. Speaker, unlike some of my colleagues who have spoken on the House floor today, I believe that we do have a policy in foreign affairs. I believe that we do have friends abroad and I believe that the President of the United States is implementing this policy.

Mr. Speaker, on May 15 of this year, the Democratic State executive committee met in Santa Fe, N. Mex. This committee is composed of 32 county chairmen throughout the State of New Mexico. They passed a resolution unanimously endorsing this Government's position in foreign affairs, our foreign policy in southeast Asia, with specific reference to Vietnam and our foreign policy in Latin America with specific reference to the case of the Dominican Republic.

Mr. Speaker, I include in my remarks the resolution to which I have referred.

The resolution referred to follows:

RESOLUTION

Whereas the foreign policies of the United States are of paramount concern to all Americans and to the free world and those policies presented by President Lyndon B. Johnson are designed to maintain and continue freedom and liberty for nations throughout the world; and

Whereas the policy of the United States and the commitments made in southeast Asia, such as those in South Vietnam, and similar areas are for the purpose of insuring freedom in that part of the world; and

Whereas the United States under President Johnson has maintained and intensified its policy to keep the nations of Latin America free from the shackles of international communism, particularly with the current policy in the Dominican Republic: Now, therefore, be it

Resolved by the Democratic Party of the State of New Mexico and the county chairmen, meeting in Santa Fe, on this 15th day of May 1965, Do hereby endorse and vigorously support the foreign policy of our President, Lyndon B. Johnson, particularly in regard to South Vietnam and the Dominican Republic, and do dedicate ourselves to the furtherance of that policy for the benefit of all peoples of the world who love, desire, and hold precious freedom.

TURMOIL IN INDUSTRY—EXCISE TAX GOOF

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, on Monday of this week, the President sent to Congress a message dealing with the removal of certain emergency excise taxes. I feel certain the Congress will enact major legislation along these lines, as many of us in the Congress have been urging for years.

But, I am distressed, Mr. Speaker, that the President has been the recipient of some extremely poor advice which already is causing turmoil in certain industries. I refer to the proposed effective date of certain of these tax reductions. For example, the excise tax reductions on automobiles would take effect on May 14, the date of the President's message to the Congress. The purpose, obviously, is to prevent an abrupt curtailment of auto purchases by persons who, quite logically, would otherwise wait until the tax reduction becomes effective.

But, for many business machines, the effective date would not become effective until July 1. I am advised this morning by one of the industries with plant locations in southwest Missouri, that they are being flooded with cancellation or deferral orders from clients who, quite logically, do not want to be penalized 10 percent in the purchase price of expensive machinery, much of it costing as much or more as a new automobile. This is in an area where 2- to 3-percent discounts are often sought. A 2- or 3-week lag might be tolerable, but not the 7-week lag, which may cause many layoffs and disruption of production, is intolerable. Even though the Congress may ultimately make an earlier retroactive date, it will be too late because of the present climate generated by the President's message, and reportorial services.

I hope the President will take immediate action to correct this oversight by recommending an earlier effective date on removal of excise taxes at least on business machines.

BISHOP WILLIAM F. CREIGHTON

Mr. GOODELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODELL. Mr. Speaker, I rise today with great reluctance, but I believe the time has come for those of us in public life to express a word of caution to a revered and respected group in our society. I speak of bishops and other clergy who are rightly concerned with all human problems and committed to alleviating human suffering.

Yesterday a respected leader of my church, Bishop William F. Creighton, spoke with passion, and I fear a trace of malice, about one of our colleagues in the other body representing the State of West Virginia. I do not question Bishop Creighton's right—yes, his obligation—to speak earnestly and forthrightly about public problems. I do question the propriety of a man of the cloth apparently attacking motives and integrity, and in this case even implying lack of any human compassion in a respected public official who happens to differ with him. I often disagree with the gentleman from West Virginia myself, and I happen to in this case with reference to welfare policy.

I regret, however, to read Bishop Creighton's characterization of our colleague and I quote:

> If Senator BYRD's heart, or the hearts of men of whom he is typical, ever bleed even

> a little bit for children who are neglected, or for mothers who cannot find the counsel they seek in a fat, selfish and hardhearted society, or for fathers who leave their families rather than deprive them by their presence, then we should begin to have a decent city.

As an Episcopalian and as a lay reader in that church, I am disappointed and embarrassed by this apparent attack on the personal outlook and motivations of our colleague. I want the good bishop and my colleague to know it. I am a Republican and Senator BYRD is a Democrat. This issue far transcends any partisan considerations.

Mr. Speaker, there have been other worse examples by other clergy in recent months. It is time that the most respected profession in our society, the clergy, applied some self-discipline and imposed some reasonable standards on the manner in which they engage in public debate. This case probably qualifies as third degree character assault, not character assassination, but all of us have the obligation to strive to elevate discussions above personalities.

I know my colleague from West Virginia is concerned about "children who are neglected" and about the plight of welfare families. He earnestly, and perhaps wrongly, believes that certain rules are necessary to help people help themselves effectively. We should debate that significant issue without personal venom or unnecessary reflections on the good intentions of those who differ with us. This is a standard that has special pertinence for those who speak from a position in society which clothes them with a high degree of immunity from such attacks.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. I happen to belong to the same faith that the gentleman from New York belongs to, and I am embarrassed by this individual injecting himself into the discussion. Maybe this is the only way he can get his name in the newspaper. I am embarrassed as an Episcopalian. He should keep his nose out of it.

Mr. GOODELL. While I do not agree with the Senator from West Virginia, I think there is something larger involved.

DIRECTIVES OF DEPARTMENT OF EDUCATION

Mr. COLMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COLMER. Mr. Speaker, on yesterday a group of southern Governors came to Washington and met with the members of the southern delegations in the Congress from both the House and the Senate. This was an unprecedented meeting. It was indicative of the concern which these chief executives of these Southern States have about the regulations and directives that the Department of Education has issued under the guise of implementing the so-called civil rights bill of 1964 and the general education bill of 1965.

It was the unanimous consensus of opinion of both the Governors and the Members of Congress that the Department in issuing these rules had gone far beyond what was intended by the Congress in the enactment of these laws as well as by the decrees of the courts.

In this connection, Mr. Speaker, it might be well to call to the attention of those responsible for these most far-reaching rulings that there are two specific provisions of the law which apparently seem to have been overlooked or ignored.

In the Civil Rights Act, title 6, the Congress specifically provided:

> No such rule, regulation, or order shall become effective unless and until approved by the President.

And it is difficult to believe that with the President's background and knowledge of the habits, customs, and mores of the people that he would approve of such harsh and unrealistic regulations.

Moreover, section 604 of the general Aid to Education Act provided:

> Nothing contained in this act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system—

And so forth. Many Members of Congress, particularly from sections where the racial problem is so acute, voted for the bill because of and relying on this section. Although, with my long experience and observation of the bureaucrats, I was not among those who were so motivated. As one who has consistently opposed general Federal aid to our public school system, I voted against the bill. In fact, I pointed out then that Federal control would follow the Federal dollar and that this was the beginning of the end of our public school system.

Mr. Speaker, the actions of the Department of Education in issuing these directives and regulations poses a most serious problem to all of the States of the Union and particularly to those in the South where the problem is so acute.

Therefore, along with many of my colleagues I call most respectfully but most emphatically upon the Department to use some discretion, elasticity, and a sense of realism in administering this law.

APPEALS BY THE GREEK ORTHODOX POPULATION

Mr. GILLIGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GILLIGAN. Mr. Speaker, seldom in my public service have I been so moved by the appeals of citizens deeply distressed by a problem as I have been by telegrams from the Greek Orthodox population in my district. The telegrams which follow show the deep distress of a religious group resulting from the hardships suffered by their patriarch. At times the large problems of international affairs obscure problems which are less well-known and less well-understood, but not less critical.

I urge my colleagues to read these telegrams so that we may all once again have recalled to us the difficulties and harassments of religious groups all over the world:

CINCINNATI, OHIO,
May 16, 1965.

Hon. JOHN J. GILLIGAN,
House Office Building,
Washington, D.C.:

We feel that it would be a sin on our part as Americans if we were to meet the crisis of the Greek Orthodox people in Turkey with indifference and apathy with too little, too late. For this reason, we appeal to you for help in making known to the Turkish Government that the American people condemn their acts against the innocent Greek Orthodox people of Turkey.

MRS. CATHERINE JOHNSON,
President of the Greek Ladies Philoptochos Society.

CINCINNATI, OHIO,
May 16, 1965.

Hon. JOHN J. GILLIGAN,
House Office Building,
Washington, D.C.:

We are very distressed that our church leader, Patriarch Athenagoras I, of Istanbul, Turkey, and his people are continuously suffering humiliations, persecutions, and deportations. We appeal to your sense of justice and implore you to bring this before the American people.

MISS VALERIE CHRONIS,
President of the Junior Greek Orthodox Youth of America.

CINCINNATI, OHIO, *May 16, 1965.*
Hon. JOHN J. GILLIGAN,
House Office Building,
Washington, D.C.:

We respectfully urge and protest against threat of persecution and expulsion of thousands of innocent Turkish residents of Greek descent, and the submitting of the Ecumenical Patriarchate of Constantinople to humiliating and oppressive actions as widely reported in the American press in violation of internationally accepted covenants and principles of law and morality as set forth in the United Nations Charter universal declaration of human rights and in article 40 of 1923 Treaty of Lausanne which clearly provides rights of non-Moslem minorities in Turkey to establish, manage, and control their own charitable, religious, and educational institutions.

REV. C. MITSOS,
Pastor.

PAUL MISALI,
President of Holy Trinity St. Nicholas Greek Orthodox Community.

CINCINNATI, OHIO, *May 16, 1965.*
Hon. JOHN J. GILLIGAN,
House Office Building,
Washington, D.C.:

Turkey's threat to deport the Greek Orthodox Ecumenical Patriarchate from Istanbul has to be discouraged by the U.S. Government.

PASCHAL VARNE,
President of the Greek-American Progressive Association.

CINCINNATI, OHIO,
May 16, 1965.

Hon. JOHN J. GILLIGAN,
House Office Building,
Washington, D.C.:

Because the Ecumenical Patriarch Athenagoras I, of Istanbul, is a hostage in the dispute over Cyprus, we urge you to exert all possible means to discourage the Turkish Government to carry out such inhuman and totally immoral acts.

MARIA SAKELLARIOUS,
President of the Hellenic Mothers Club.

CINCINNATI, OHIO,
May 16, 1965.

Hon. JOHN J. GILLIGAN,
House Office Building,
Washington, D.C.:

The Ecumenical Patriarch Athenagoras I and the Greek Orthodox people of Istanbul, Turkey, will perish, unless our American Government intervenes. Please do whatever you can in this direction.

MRS. LULA PANOS,
President of the Daughters of Penelope, Calypso Chapter 13.

CINCINNATI, OHIO,
May 16, 1965.

Hon. JOHN J. GILLIGAN,
House Office Building,
Washington, D.C.:

Expulsion of two bishops of the Patriarchate from Istanbul and of 1,000 Greek Orthodox Christians is protested by us. We ask your intervention in this matter.

THOMAS TSARAS,
President of the
Pan-Macedonian Society.

THE SHORTAGE OF SILVER AND SILVER COINS

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts [Mr. CONTE] is recognized for 60 minutes

Mr. CONTE. Mr. Speaker today I should like to discuss a directive which in my estimation is one of the most ill-advised, unrealistic directives I have read about or heard about since coming to Congress 7 years ago.

Mr. Speaker, like all of us here in this body, I count among my constituency a great many responsible businessmen and merchants of all types and sizes. And in trying to meet my obligations to this business community as a Member of Congress, I have had to deal with a great many problems in their behalf, ranging from social security pension benefits to fair labor standards to capital gains taxes, and all the rest. Each one seems to have his own unique problem requiring a novel and unique solution.

However, there is one problem which has persisted throughout this business community and is affecting virtually every single one of them. It is also a problem that is growing in intensity in spite of all my efforts and the efforts of the other Members of this body to find some suitable remedy. It is a problem that threatens the economic disaster for many merchants and the erosion of still another New England industry.

Mr. Speaker, I am talking about the persistent and increasing shortage of coins in general circulation and the related, equally serious shortage of silver.

My concern in this matter stems in large measure from my concern for the business and commercial interests of my district and throughout the Nation, because this is truly a national problem. It also stems from my activities with the Treasury-Post Office Appropriations Subcommittee of the House on which I have been privileged to serve since my first term in this body.

As you know, this subcommittee must deal each year with appropriations for the Bureau of the Mint, and therefore, comes face to face each year with the problem of coins and other currency in circulation.

One of the biggest headaches we have faced over the years, and one which has grown in intensity rather than subsided, is the shortage of coins of all types, but particularly those made with a high percentage of silver from dimes on up.

This shortage has existed for a long time, much too long. And in spite of all my concern and efforts of our subcommittee which, I must say, have been limited pretty much to authorizing hurry-up stopgap increases in the supply of coins, the shortage has persisted and in fact, gotten worse.

Now these efforts, hasty and makeshift as they are, have been dealt still another severe blow. The concerted, round-the-clock efforts of the Bureau of the Mint to cope with the coin shortage has been crippled by a rabbit punch on the back of the neck.

Instead of trying to find the source of the shortage, to stifle the glutton that is sucking millions of coins out of circulation each year, the President has instead decided to feed him even more. He has decided to tax the already overtaxed Mint facilities even further by directing the production of 45 million new silver dollars. I must say the action leaves me a little dizzy and more than a little confused.

Year after year, the budget for the Bureau of the Mint for coin production has gone up. The number of coins minted has repeatedly been increased. At the same time, the inventory of coins available for everyday transactions in the business world has gone down and down.

Last year's appropriation bill provided funds for the minting of these new silver dollars. I strongly opposed the appropriation at that time. The case that can be made against the advisability of minting silver dollars today is even stronger than it was a year ago.

We cannot be mollified or persuaded to overlook the very real ramifications of this action by a pronouncement that the will of Congress is merely being carried out at the earliest feasible time.

We have not arrived at a feasible time.

The demand for coins is increasing, and increasing at a rate beyond any present hope or capability to keep pace. We simply cannot solve the shortage by feeding it more coins.

In 1950, we minted 497 million pieces. That was sufficient to meet our needs.

In 1957, we minted 1½ billion pieces. That was sufficient to meet our needs.

In the last 6 months of calendar year 1964, the first 6 months of this fiscal year, we minted a record total of almost 3½ billion domestic coins. That was not sufficient to meet our needs.

Inventories in the Mint at the close of calendar year 1964 were exhausted.

Stocks in the Federal Reserve banks were extremely low and many orders for coins remained unfilled. This shortage of coins existed throughout the country.

There is no question of insufficient appropriations to give the Mint the operating budget it needs. The Congress has done its best to provide the funds required to produce enough coins for our monetary system.

The Mint is presently engaged in a crash program to increase the production of subsidiary and minor coins—pennies, nickels, dimes, quarters, and half-dollars. This program calls for a 3 shift, 24-hour workday, 6 and 7 days a week at our present mints and has been in operation throughout the current fiscal year. It is expected that an annual rate of production of more than 9 billion coins will be reached by the end of this fiscal year. If that rate is achieved, we will have doubled last year's production.

In February, then Secretary of the Treasury Douglas Dillon, appearing before the Treasury-Post Office Subcommittee, commented on the progress of the crash program. He said that there was a rather substantial flowback of pennies to the Federal Reserve banks in January. However, the bank inventories were still inadequate and there was no penny inventory in the mints. There was an improvement in the nickel inventories, but the situation was less favorable than that for pennies.

There has been no improvement at all in the inventories for silver coins. They remained depleted.

Secretary Dillon said that the mint would have to "continue full steam with this crash program."

The program had not gotten into full operation at that time. It was the opinion of the Director of the Mint that it would be June before they would be organized for the 9 billion annual coin rate. We have not come up to this level yet in the attempt to meet our coin needs. In order to build up any reserves at all, we would have to operate at that level for some time to come. We have not met the daily coin demands, much less moved toward a resolution of our critical coin shortage problems.

The President said in his directive:

> Substantial progress has been made in bringing the supply of small coins into line with the demand.

Where are the indications of this progress? Our subcommittee, I can tell you, has seen not one scintilla of this evidence.

The mint has not yet completed tooling up for the crash program which is designed to bring supply into line with the demand. They have not found that it is no longer necessary to work 24 hours a day, 6 and 7 days a week.

How many of us here today no longer receive complaints from the commercial banks in our districts that they are having difficulty getting coin orders filled by the Federal Reserve banks?

There is, and I think you will agree with me, a desperately critical shortage of coins of all denominations throughout the United States.

How will the new directive by the President affect this shortage? The directive was for the minting of 45 million coins and gave no hint that there would be a cutback in operations. But, there was a lot left unsaid when it was announced that the feasible time to mint silver dollars—for the first time since 1935—is now.

Because of the coin shortages, the mint is utilizing all of its facilities to produce the maximum number of subsidiary and minor coins possible. These coins are circulated nationwide. There is no substitute for any one of them. Untold billions are passed through coin-operated vending machines in every State in the Nation each year. I might add that I have yet to find one of these machines set up to take silver dollars.

Now, we must stop the minting of some of these coins and divert the facilities to the production of silver dollars. There simply is no equipment standing idle which can be put into action to make these dollars.

Because there have been no silver dollars made since 1935, considerable attention will have to be given to the production problems which will arise in connection with the manufacture of large quantities of silver dollars. No coins as large as the dollar have been produced on the present equipment in any of the mints. All of these problems, unexpected and unforeseen, must find their solutions during actual production operations, a costly and time-consuming approach to any manufacturing problem. The mint does not have a research laboratory or a pilot plant for experimentation. Not only, then, will production facilities be diverted from other coin manufacturing operations during the time it takes to mint the 45 million silver dollars, but also during the inestimable time while production problems are ironed out on the line.

There is no way that anyone can be sure of the time it will take to mint these dollars. But we do know that minting one silver dollar means not minting, for example, four or eight quarters, because the dollars require a much more difficult stamping operation than any of the other coins.

I can sympathize with the statement made by the director of the mint during hearings for the fiscal year 1965 budget. She said that the problems in the mint would be much simpler if they did not have to make silver dollars.

I can agree wholeheartedly with the statements of Secretary Dillon before the committee just a few months ago. He testified that the silver dollars authorized under last year's appropriation bill had not been minted because the crash program was necessary to meet the demands for other coins. These dollars could not be minted without reducing the production of other denominations.

I admire the former Secretary for withstanding the great pressure which he said was put on him to mint these silver dollars, so long as he felt it would interfere with the minting of other coins.

The President noted in his directive for this action, that these new dollars would be "distributed in the areas of the country where the silver dollar has traditionally been used as a medium of exchange."

I cannot imagine that a single one of these silver dollars will ever find its way into the marketplace as a medium of exchange.

There are now more than 482 million silver dollars outstanding.

Secretary Dillon estimated that nearly 400 million silver dollars are being hoarded or collected somewhere, well out of circulation. He continued, and I quote from his testimony before the Treasury-Post Office subcommittee in February of this year:

> I am certain that if these new coins were issued, even though we would distribute them only in the Western States and particularly in the areas where they are used, they would go into the hands of speculators and coin collectors immediately and wouldn't be in circulation more than 20 minutes.

By running off 45 million new silver dollars, Mr. Speaker, we are merely playing into the hands of those who are responsible for the shortage of coins in this country today. We will not be increasing the Treasury's inventory of silver dollars with this minting. We will be adding to the hoarded coins held by speculators, who have come more quickly to the realization that there is a severe silver shortage in the country and the world, than has Congress or the administration.

The silver situation today is critical and poses an ominous threat to this Nation's economy. We are faced each day with increasing demands and a decreasing supply of silver. Treasury stocks now amount to 1.1 billion ounces. In acquiring this silver, the Treasury paid for it by issuing silver certificates, redeemable on demand with silver at the rate of $1.29 an ounce. The demand for redemption is now at the rate of 120 million ounces annually.

The silver is also used for coinage at the present record rate of more than 312 million ounces a year. During the month of April alone, more than 27 million ounces were used in coin production. Present coinage requirements alone would exhaust the supply in about 3 years. The minting of these 45 million silver dollars will consume an additional 35 million ounces of Treasury silver.

To all of these uses must be added the free world industrial use, which for 1965 will be about 300 million ounces. This private industrial consumption, for photography, silverware, jewelry and electronics, is estimated to be increasing at a rate of about 5 percent each year.

This is where the silver shortage bites with special intensity for those of us in New England. We have seen a great many industries and commercial assets sucked away from us by a host of uncontrollable factors such as cheap land and labor, and favorable tax enducements in other areas of the country.

The jewelry industry has been one of those which has withstood this trend. It remains concentrated to a considerable extent in the New England States and provides important jobs and revenues throughout the region. We take great pride in the artistic achievements as well as the economic benefits which this fine industry provides.

The lifeblood of that industry, Mr. Speaker, is silver. In the production of fine tableware, decorative and functional jewelry, and the valuable objects of art which are such an important element of our society and culture, there just is no substitute for silver.

Add to this the needs of the photo industry, whch has not yet found a substitute for silver in the magic chemical emulsion which produces the image on film, plus, the needs of the electronic industry, the medical and dental profession, and the many other users of silver, and you begin to approach the scope of the problem.

The staggering figure to remember for this silver situation is 225 million ounces. That is the total annual production of newly mined silver in the free world. In other words, we are now using more silver just in coins each year than is produced in all of the free world. At the same time, the annual industrial consumption of silver is also greater than the free world production.

Therefore, with the continued use of silver for our coins and the escalating production figures for coins necessary to keep up with the demand, coupled with an increasing consumption of silver in the industrial sector, we will shortly find ourselves at the end of our silver supply.

This is exactly why the speculating coin hoarders are playing their waiting game. They stand ready to jump in when the need for silver for coins will send the price up—and it need go up only a few points per ounce—and they will be able to melt down their silver coins and obtain more for the silver in them than the face value of the coin. I might point out, Mr. Speaker, there is no present law against melting down coins.

Of course, the silver dollar is not responsible for the silver situation, nor would the stoppage of the White House directive resolve the difficult monetary problems with which we are faced.

But, the directive to mint these coins at this time can serve only to further whet the appetities of the speculators and will add nothing to the supply of coins available as a medium of exchange.

Today we are experiencing a critical shortage of coins. Today we are facing serious shortage in the supply of silver.

We had hoped to alleviate the coin shortage by clearing the way for the mint to go forward with their crash program of subsidiary coin production.

To this end, we authorized the continued purchase by the mint of rolled bronze and nickel strips to be blanked for coins from outside sources. This policy was justified to the subcommittee on the basis that it would be ridiculous to contemplate anything else and proceed with the crash program. The continuation of this purchasing policy in costing the mint and the taxpayers $7 million this year.

We are also looking toward a reasonable resolution of the silver supply problems. There are several issues open to us here which I will not go into now. They will, however, require action in time by the Congress.

This directive, coming as the mint and the Treasury Departments approach a crucial crossroad bearing on the lives of every American, serves only to make the way ahead more difficult.

I am not today advocating that silver dollars should never again be minted.

The issue is not the perpetuation of a tradition which has come down to us from the very inception of our coinage system in 1792. The very basic issue is the critical shortage of coins for commercial use and the effect of this directive on the resolution of this problem.

Silver dollars are not now circulating. This additional number will not find their way into circulation. These dollars are not a commercial necessity. There is an existing substitute in paper dollars.

None of these factors can be applied to the subsidiary coins now being minted, and which must be curtailed for the minting of silver dollars. There is no substitute for any of these coins.

I submit, Mr. Speaker, that now is not the best feasible time to begin minting silver dollars. I suggest it would be difficult to imagine a worse time.

I hope, Mr. Speaker, that you and this body will give my resolution which I have filed here today, stopping the minting of these silver dollars, immediate action and bring it out on the floor of the House and let the House work its will and stop this foolishness.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Florida.

Mr. FASCELL. I must say as chairman of the Legal and Monetary Affairs Subcommittee of the Committee on Government Operations, we have gone into this problem which the gentleman has so ably presented to the House here today. Our report covered very much the conclusions and statistics that the gentleman has presented.

I would like to ask the gentleman a few questions to make clear my position which is just a little bit different from the gentleman's position although it is substantially the same.

Am I correct in saying that the approval for the minting of these silver dollars came through the gentleman's subcommittee on appropriations?

Mr. CONTE. If I correctly remember my facts, I fought that issue on the floor of the House and prevailed on a vote not to mint these 45 million silver dollars. It went over to the other body and one of the gentlemen that I am speaking of got it back into the bill. Then it went to conference and we did not prevail in conference. The House of Representatives voted against minting the 45 million silver dollars.

Mr. FASCELL. The fact is that there was congressional approval for the minting of the 45 million silver dollars.

Mr. CONTE. Yes; and that was over my objections.

Mr. FASCELL. I think the gentleman was correct. I think this is no time to mint 45 million silver dollars and I agree thoroughly with the conclusions reached by the gentleman that not only would this bring down our silver stocks but the dollars would not go into circulation either. I agree with all of that but I wanted to point out that I think the responsibility lies with the Congress. I commend the gentleman for introducing his resolution and urging immediate consideration by the legislative committee. I do not think the responsibility is on the President of the United States because the President is bound to faithfully execute the law and Congress has directed that these 45 million dollars be minted.

As the gentleman pointed out in his statement, the Secretary of the Treasury, and properly so, under a different directive from the Congress which as I say partly emanated from our subcommittee, withheld the production of these 45 million silver dollars because of the fact that the mint was in a crash program which all of the Congress supported and was seriously interested in. So I say that what has to be done now is for the Congress to withdraw its directive and make clear its position on this very serious problem of silver.

Mr. CONTE. I certainly appreciate the remarks of the gentleman from Florida and thank him for his contribution. I believe this resolution will go to his committee.

Mr. FASCELL. It does not come before my committee.

Mr. CONTE. I hope the gentleman will join with me in an effort to get speedy hearings on this and let us get it on the floor of the House.

Mr. FASCELL. I join the gentleman in urging speedy hearings on this matter by the legislative committee because I think this is an urgent problem that must be met squarely by the Congress of the United States. I also hope that the gentleman's subcommittee would urge the Treasury immediately to make available its report on the question of silver and the shortage of coins.

Mr. CONTE. Let me inform the gentleman I have spoken with the chairman of our committee, the gentleman from Oklahoma [Mr. STEED] and he called the Secretary of the Treasury and the Assistant Secretary of the Treasury before our committee to account for this because in our report when we brought the bill to the floor of the House, we stated that even though Congress had directed that 45 million silver dollars could be minted that it should be held back until a more feasible time or a more appropriate time was available, and that during this crash program while we had both mints, the Phildelphia and the Denver Mints going 7 days a week, 3 shifts a day and paying all kinds of overtime, and going out and buying our nickel and bronze strips at a cost to the taxpayer of $7 million a year, that to open up the San Francisco Mint to help in the crash program just to mint 45 million silver dollars at this time would be ridiculous.

We need 45 million silver dollars now like I need a hole in the head.

Mr. FASCELL. Mr. Speaker, I am delighted to hear that the powerful Committee on Appropriations will make known its desires and its wishes. I hope great heed will be paid to what it concludes.

I believe, however, in all fairness, that this puts the Treasury Department in an impossible position. On the one hand, they have a clear mandate from the Congress to pursue the minting. They also have a directive from the President, who, under the Constitution, must faithfully execute the law. On the other hand, they have a conclusion from our committee, which is an investigative committee, and from the Appropriations Committee, which appropriates the money, to do the opposite. I believe this is an impossible position in which to put the Secretary of the Treasury and the Director of the Mint.

Mr. CONTE. If I may comment on that, I realize that there is a directive.

Let me state that the former Secretary, Secretary Dillon, took a different point of view. Even though there was a directive, he said he would do it someday, but that this was the wrong time.

On page 30 of the hearings on the Treasury-Post Office appropriations bill, for this year, Secretary Dillon said:

> We have not commenced minting any of those silver dollars because we are still short in other coins. As we pointed out at the time of the hearings on the 1965 appropriation, we felt we could mint those 45 million coins without reducing the amount of coinage that was programed in our original appropriation act.

I do not know whether the gentleman was present when this was mentioned, but he went on to say, talking about the silver dollar:

> I am convinced they would go into the hands of the speculators and coin collectors immediately and wouldn't be in circulation more than 20 minutes.

Can we imagine the foolishness of going out to stop the minting, to stop the presses, to mint 45 million silver dollars, which would be picked up by the speculators and the coin collectors?

I am told, and, unfortunately, I do not have proof, so I cannot mention names, that some are hoarding hundreds of thousands or even millions of silver dollars in eastern banks, just in the hope that the price of silver will go up to more than $1.29 per ounce. Then they would come in and melt those down and sell the silver. They would make a killing.

Mr. FASCELL. In the hearings before our subcommittee on this question I thoroughly concurred with the conclusion stated. If the dollars are minted, they will not be in circulation for more than 20 minutes. They are a highly speculative item. I do not think they would be in circulation at all.

As a matter of fact, the pressures have been so great on the silver dollar now that not only the American silver dollar has been driven out of circulation, but also those within the dollar area have been driven out of circulation. I do not know what the price is today on the Balboa. The last time I heard it was about $2.75 in the United States. Perhaps the distinguished gentleman from Idaho could answer that.

All reasonable evidence at this time leads to the reasonable conclusion that the 45 million silver dollars would not be in circulation.

Mr. CONTE. Again I thank the gentleman from Florida for his wonderful contribution. I hope the Committee on Banking and Currency will commence hearings immediately on this resolution which I have filed today to stop the minting of the 45 million silver dollars.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to my good friend from Idaho.

Mr. WHITE of Idaho. I do not believe it will be often that the gentleman in the well and myself will be on the same side of the coinage question as we are today.

As the gentleman in the well will remember, at the time of the consideration of the Treasury Department appropriation bill, I opposed the minting of the additional 45 million silver dollars.

I agree with the remarks the gentleman has made today with respect to the minting of these dollars and what the outcome will be.

First, the minting of these 45 million silver dollars will not even serve the intended purpose. These silver dollars will not stay in circulation in the State of the Member of the other body who is sponsoring the proposed minting.

As recently as a half hour ago I looked at the wire service in the Speaker's lobby, which reported that already the coin collectors and numismatic associations are calling this a mess.

I should like to point out that not only will this compound the present problem being discussed but also it will complicate the problem of a transition to any coinage we may consider to replace the present subsidiary coinage.

I believe the gentleman will agree that the Congress will have to do something in the subsidiary coinage area. The only way we can defend the present subsidiary coinage is by the continuation of the sale of silver from Treasury stocks at $1.29 an ounce. If we remove from those stocks 34 million ounces of that silver for the minting of silver dollars, that silver will not be available for the protection of subsidiary coinage during the time we are trying to defend the price at $1.29 per ounce.

It seems to me, the same as taking the 34 million ounces of silver and throwing it into the middle of the Chesapeake Bay, because, as the gentleman has already stated, these silver dollars will not go into circulation to satisfy the demands of the areas of the West where traditionally silver dollars have been in circulation. I would also like to suggest the silver shortage is exaggerated and is not the entire reason for the coin shortage.

Mr. CONTE. No, it is not.

Mr. WHITE of Idaho. We find ourselves also short of pennies and nickels, which, of course, are not made of silver.

Mr. CONTE. If the gentleman will stop just there, I did not try to create that impression. These two things are not related at all. There is a shortage of silver and a shortage of coins, but the shortage of silver has not contributed to the shortage of the lesser coins.

Mr. WHITE of Idaho. I thank the gentleman.

As recently as last Monday I was in the mint at Philadelphia, and in that entire complex there is but one room about a third the size of this room which is dedicated to the actual minting of coins. As the gentleman in the well has said, they are going 8 hours a shift and 3 shifts a day and working on Christmas, the Fourth of July, and every holiday. They are not able to keep up with the present coinage demands even with such a production schedule. I do not see how we can take that limited capacity and use it for the production of silver dollars and keep up with the demand for coins, as the gentleman has indicated.

Mr. Speaker, I am hopeful when the Treasury Department comes out with the report on legislation that I have introduced in the Congress with respect to the reduction of the silver content, it will be favorably considered. I am sure the gentleman in the well and myself will have many colloquies when the legislation is considered, but it would seem to me, if we are to mint silver dollars, minting at the reduced silver content would be the logical way to handle this problem. It is fraught with many problems such as the existing statutes as to the silver content of the dollar. I realize we cannot make a decision on the minting of silver dollars until after we make the decision as to what the silver content will be, but that would be the time to talk about minting an additional 45 million silver dollars and not today.

Mr. FASCELL. Mr. Speaker, will the gentleman yield to me?

Mr. CONTE. Yes. I yield to the gentleman from Florida.

Mr. FASCELL. In following up what the gentleman from Idaho said, it seems to me that we in this Congress should not wait any longer on the Treasury Department making available to us and the public what its decision is with respect to the silver and the coinage question. It seems to me that the time has arrived for the Congress to decide what its policy is going to be and what the policy of this country is going to be. The time is now to hold hearings, and I trust that the gentleman's resolution will be the focal point for the legislative committee to start holding hearings on this entire subject.

Mr. CONTE. The gentleman is absolutely right. I really do not want to be a Monday-morning quarterback, but there have been certain individuals in this Congress who have been way ahead, far ahead, of the Treasury on this problem. This problem has been with us for about 3 years, and they have been dragging their feet on it. To point out another inconsistency, this report you speak about is way overdue, and it should have been in here the first week of April. However, here we are in the middle of May, and the report is not in yet.

It is a fact that on the floor of the cloakroom they say they will come out with a report calling for a sandwich coin which will have maybe 70 percent of silver on the outside with 30 percent copper, and maybe 30 percent silver on the inside and 70 percent of copper. They will come out with this report, and assuming that the rumors are right and they do come in with such a recommendation for a sandwich coin, they will argue that it will cut down the shortage of silver, but at the same time they come in with a directive to mint 45 million silver dollars, which will just gobble up 35 million ounces of silver just like that, and which will not go into circulation but instead will go into the pockets of the speculators who will make a killing on this thing.

Mr. WHITE of Idaho. If the gentleman will yield further, there is one additional thought I would like to leave with the gentleman in the well. At the present time I am making an analysis with the best available information I can gather as to the actual and anticipated production capacity of the silver industry not only of the United States but of the entire world. I believe that the gentleman in the well, in examining this information, when it is available, will find that the silver shortage is not quite as great as the gentleman may have indicated in his remarks here today.

Mr. CONTE. I thank the gentleman from Idaho.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SUGGESTED REPEAL OF SECTION 14(b) OF TAFT-HARTLEY ACT

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. HALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HALL. Mr. Speaker, in these days we are receiving a near-massive assault of identical mail urging support of H.R. 7 to repeal paragraph 14(b) of the Taft-Hartley Act. Such near identical letters parrot this action as necessary for a growing economy and castigate right-to-work laws for many alleged reasons. Some even falsely quote nearby States with said right-to-work laws as losing industry and business, which is at least questionable. All claim it will reduce standards of living, not realizing wherein jobs originate, but regardless of all of these pros and cons, and the right of petition—through mail to elected officials—the NLRB has practically ceased to function, as though in anticipation of things to come.

Enclosed herewith, by permission of the author, is his personal opinion of that Board with background material. I commend it for study by my colleagues in these times of a weighted Congress and vital decisions affecting not only the Nation, but future generations:

OPINION OF NLRB

(By Homer Carr)

I had a construction job at Miami, Okla., for the First Baptist Church in the amount of $400,000. Around July of 1962 the labor local from Venita put a picket on the job because we had subcontracted the wrecking of the old auditorium to a firm in Tulsa that didn't employ union labor. I immediately contacted the NLRB which was out of Texas. We were shut down for 1 month at a cost to me of $1,194.50. The NLRB gave the union a chance to withdraw and publish a notice that they would not engage in the same practice for a period of 60 days. By doing this, the NLRB didn't have to render a decision. I later tried to bring a damage suit against the union and I could not get a law firm to take it because the NLRB did not render the decision.

In early 1963, the labor union at Nevada, Mo., placed a picket on the State hospital No. 3 job. This was a repair contract in the amount of $273,000. The picket was on the job 3 days, the reason was that they were trying to force me to send welfare fund money to Jefferson City instead of Kansas City. They did not know I was a member of the Kansas City chapter of the A.G.C., which has a contract with the labor local. The sign stated the Homer Carr Construction Co. refused to sign contract with the local union and the contract that they wanted me to sign pertained mostly to welfare. This stoppage cost a total of $210 besides the cost to the State for delaying 34,000 square feet of facilities which were badly needed for the health and welfare of the patients.

Early in 1964, I was engaged in building a supermarket at 31st and Virginia in Joplin, Mo., in the amount of $130,000. Around January of 1964, the building trades council put a picket on this job stating that Independent Gravel Co. was unfair to organized labor. Independent Gravel was furnishing ready-mix concrete. This picket would sit in a car and walk when the concrete truck was unloading concrete.

When this would occur, the bricklayer would quit and remain off the job the rest of the day. We contacted the NLRB and they made an investigation and a decision. The decision found no evidence of secondary boycott. This forced me to cease doing business with Independent Gravel Co. on this job. This resulted in a loss of $876.

On January 27, 1965, the International Brotherhood of Electrical Workers, AFL–CIO, local No. 453, engaged in a picket at the Branson post office and Federal building at Branson, Mo. The electrical work is being done nonunion. The company is Judah Electric, a local electrical contractor of Branson, Mo. The wages paid were equal to union wages as set forth by minimum wage scale. The sign stated that electrical work on this job is not being done by local 453 electricians. The business agents from the Plumbers and the Masons instructed their men to do no work on the project as long as the picket was there. On February 8, 1965, we filed charges of secondary boycott with the NLRB and on February 10, 1965, we got a temporary injunction from the magistrate judge. This lasted until March 15, 1965. At this time, the circuit judge ruled the injunction illegal. On (date not known) the electrical union agreed to cease picketing if the NLRB would drop charges, and on March 17, 1965, the picket went back on, stating that there was no dispute with any craft on this job; enclosed is a copy of sign. Although the sign read that it was not the purpose to slow down the job, the Electrical B.A. would tell various crafts that the picket was legitimate and anyone crossing it was subject to $100 fine. One man from the labor local reported that when he tried to clear out of Springfield and go to Kansas City, they refused to take his dues and refused to clear him out because he worked behind picket line and that he would have to pay a fine that would be assessed against him before he could pay his dues. On April 15, 1965, Howard Garlow overheard the Plumbing B.A. tell a plumber that he would be fined $100 if he continued to work behind picket line, he was accompanied by the Electrical B.A. Jim Hardy, of Hardy Sheet Metal Co. of Joplin, Mo., was informed by the Sheet Metal B.A. that anyone crossing the picket line would be fined. Hardy sent his man to Branson today to try to sub his installation to a nonunion shop in Branson, and found out the picket was not on the job today. We do not know if the picket is off permanently or not. We had put heat on the Jess Wood Plumbing Co. of termination of contract if they failed to perform under the conditions. We think the picket is off for the benefit of the plumbers to do some pressing work and then will be back on again.

Yesterday we received word from the A.G.C. informing me that Washington failed to act in my favor because of the temporary injunction and the changing of the reading of the sign. They stated the charges were secondary boycott and that the lapse and the sign changing had eliminated the secondary boycott.

In my opinion, the union is acting on the instructions of the NLRB. The delays and expense caused by this injustice are approximately $1,800. The NLRB in this Branson case took 83 days to act and then did not act according to the evidence given them.

In my opinion, corruption has gotten into the NLRB and I think there should be an investigation. If NLRB is to be the sole judge and jury, I think it is important that it be run by people unswayed by union power.

I also think that every State should have the right to work law and I believe the Constitution of the United States was founded on freedom, and every man and woman should have a choice of being organized or unorganized.

If we are to abide by the nondiscrimination law of union or nonunion, why should we be penalized by such acts as described in the foregoing letter?

NATIONAL LABOR RELATIONS BOARD,
Kansas City, Mo., April 26, 1965.

Re International Brotherhood of Electrical Workers, AFL–CIO, Local No. 453 (Judah Electric Co.), case No. 17–CC–216.

JAMES L. HUTTON,
Assistant to Manager, Builders Association of Kansas City, Kansas City, Mo.

DEAR SIR: The above-captioned case charging a violation under section 8 of the National Labor Relations Act, as amended, has been carefully investigated and considered.

The charging party has, by resort to the State court, achieved for itself a cessation of the unlawful picketing by respondent. Inasmuch as the picketing which resumed on March 17 conforms to the Moore Drydock standards for lawful common situs picketing, it would serve no statutory purpose to proceed further. Accordingly, I am refusing to issue complaint and am dismissing the charge in the above matter.

Pursuant to the National Labor Relations Board rules and regulations (sec. 102.19), you may obtain a review of this action by filing a request for such review with the Counsel of the National Labor Relations Board, Washington, D.C., and a copy with me. This request must contain a complete statement setting forth the facts and reasons upon which it is based. The request must be received by the General Counsel in Washington, D.C., by the close of business on May 10, 1965. Upon good cause shown, however, the General Counsel may grant special permission for a longer period within which to file. A copy of any such request for extension of time should be submitted to me.

Very truly yours,
MARTIN SACKS,
Regional Director.

STAN HINDEN, JOURNALIST

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WYDLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WYDLER. Mr. Speaker, having the right man for the job is habit on Long Island.

Recently one of Long Island's leading newspapers—and one of the country's as well—promoted its longtime political writer and analyst, Stan Hinden, to the position of editor of the editorial page.

Nassau County will miss his fine column "Inside Politics," but it will gain some penetrating and incisive editorial statements.

I know, like, and admire Stan Hinden as a man. He is in the best tradition of American journalism.

I truly believe his farewell column is worth the attention of my colleagues in the House who—like Stan Hinden's column, are "Inside Politics":

SIX HUNDRED AND EIGHT COLUMNS LATER

(By Stan Hinden)

It is almost 10 years—and 608 columns—since June 8, 1955, the day on which this writer began covering politics for Newsday. Tomorrow, I move to a new and challenging assignment to become editor of the editorial page.

This column, therefore, will be both a farewell to my readers in and out of political life and a summing up of some of the events that have swept by us during the past decade.

Ten years, of course, may be a short span of time in the long chain of events of this era. But it is a convenient block of time in which to glimpse some of the huge changes that have occurred in the landscape of political life. On ever-growing Long Island, especially, the pace of change has been accelerated.

Between 1955 and 1965, political dynasties, machines, and ambitions have been born, have grown, and have died at a wholesale rate. In my first column, for instance, I wrote of a visit which then Gov. Averell Harriman, a Democrat, was making to Long Island.

It was a time of great expectations for State and local Democrats. Harriman had squeaked into office by the narrowest of margins in 1954. After 12 years of rule by Thomas E. Dewey, the Democrats figured that the long Republican reign had ended and that a new Democratic dynasty was in the making. The White House loomed in Harriman's sights, and he thought that if he failed to win the presidential nomination he could be reelected to another term as Governor with ease.

In retrospect, the Harriman dream was made of tinsel and tissue. It was soon to be smashed. First, there was Adlai Stevenson's renomination in 1956. Then there was the party-rending State convention in Buffalo in 1958. It opened the battle over "bossism" with Carmine DeSapio, it split the Democratic Party, and Harriman went down to defeat at the hands of a GOP newcomer named Nelson Rockefeller.

What a chapter of glory and controversy and failure. How noisy it all was—and how fast it all ended and disappeared into the old files.

On Long Island, the political landscape is almost unrecognizable. A decade ago, the Republicans reigned supreme in Nassau and Suffolk. The political organization run by J. Russel Sprague in Nassau was a legend for its vote-getting power. Today, there are Democratic county executives in both Nassau and Suffolk. There have been other Democratic victories, once thought impossible. Time and events have splintered the

Republican power and a full two-party struggle is in progress.

But it is not the clash of major events that remains most solidly rooted in the memories of 10 years on the political trail. It is, instead, the many little, almost unnoticed, yet unforgettable incidents of political life.

MEMORIES ARE MADE OF THIS

There was the day I arrived for a preelection interview with the late President Kennedy. He was on his way to the shower and dressed only in his underwear but he postponed his shower long enough to talk with me. There was the day I watched Nelson Rockefeller, brandnew to the campaign trail, trying unsuccessfully to snag the hands of weary factory workers, who were totally disinterested in the wealthy candidate.

There was the day I watched a political chairman cry because his party's fund-raising efforts had flopped so badly, and the day I watched a secretary weep when her boss got into political trouble. There was the wife of a prominent political figure, who always smiled and laughed in public, but admitted to me that politics really bored her. The list could go on and on.

There have been dozens of other incidents, some humorous and some sad, in the political panorama of the last 10 years. But perhaps my favorite is one that occurred in 1956, when the late Senator Estes Kefauver was running for vice president. He had been due at a Democratic dinner in Glen Cove at about 9 p.m., but had been running late all day and didn't arrive until close to midnight.

Kefauver took one look at the sleepy crowd and, with his own weariness showing on his face, commented, "Instead of making a speech at this hour, I think I'll just say 'good night.' Then we can all go home, go to bed, get some sleep and get ready for more democracy tomorrow."

All in all, it's been a fascinating 10 years. To all those in the world of politics who helped and answered all my unending questions, my sincerest thanks and appreciation.

A YOUNGSTER "VISITS" VIETNAM

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. OTTINGER. Mr. Speaker, the situation in Vietnam is a matter of considerable concern to all of us in the Congress, to all Americans, indeed, to the entire world. Much has been said about Vietnam, and even more has been written. I would hope that even more will be said and written about Vietnam, for full and open discussion is the very heart of American democracy.

I have just finished reading a fictional diary written by Miss Eileen "Scotty" Wells, a sixth-grade student at the Frank G. Lindsey Elementary School in Montrose, N.Y. This was done as part of a project assigned by Mr. Joseph W. Hoff, who teaches the sixth grade at the school. The assignment was to "visit" a country which the class had studied during the year, and discuss your "experiences."

Miss Wells, who incidentally, is 11 years old, wrote her "diary" from the viewpoint of a Peace Corps nurse serving in Vietnam. Her report shows not only a maturity of thought and thoroughness of research, but a genuine compassion for a strange and distant people that certainly is unusual in one of such tender years.

Mr. Speaker, Eileen's "diary" would be a fine achievement for a student far more advanced in his education. I feel it is worthy of wider distribution than it would otherwise have and submit it herewith for inclusion in the RECORD:

ONE YEAR DIARY: "ONE OF THE MOST WONDERFUL AND SATISFYING YEARS I'VE EVER SPENT"

FEBRUARY 24, 1964.

DEAR DIARY: To start off with, I think I'd better apologize for not having "talked" with you in a long time. I guess I've neglected a lot of things I'd planned to do when I arrived in Vietnam. I planned to keep an up-to-date record on what I saw and did, but it seems I've been too busy to accomplish this. In fact, as you probably recall, I haven't written you in over a month.

You know, I realized something when I came over here. I am a poor American citizen. I read the papers and listened to the news every day, and did everything I thought was expected of a good citizen, but deep inside I knew that in a way I could be wrong. I soon decided that as an American, a fortunate American, I should do something else. I also knew that many people did not realize this, and as one of the few who did I felt that it was my job to do something about it, so I did. As a nurse, I joined the Peace Corps.

My family didn't seem to understand my actions.

"Why do you want to do this?"

"You've got everything and more than most people, so what is it you want?"

"I want," I said smiling in a serious, thoughtful way, "the satisfaction of knowing that I've helped someone less fortunate than myself."

Yes, in the first year I've spent in South Vietnam I've been very busy, but its been a happy kind of busy I'll always remember and treasure.

APRIL 13, 1964.

DEAR DIARY: Today, April 13, 1964, the town of Baria was attacked by Vietcong guerrillas. Being a rather large town (compared to most Vietnam towns) some soldiers were assigned to protect it. However, a few soldiers could do little to protect the people.

It was late at night, and most of the people had retired to bed after a long day of hard work. There was a deadly silence as these men crept slowly closer to the town.

Things seemed to be like that of any other night, and nobody suspected a thing.

Suddenly a shot rang out with more to follow. Huts were set on fire with innocent people dying. Then just as quietly as they had come they disappeared, leaving this part of the town in ruin.

It was then that I was sent, from the hospital in Saigon, to this town, equipped with supplies, and the urge to help these people.

I arrived as dawn was approaching. Seeing what was left of this particular section which had been attacked, the scattered ruins of the huts, I hurried toward a hut which was serving as a hospital. Stepping inside I found that many patients had already been cared for, and to my relief, were coming along fine. I noticed that one doctor seemed to be running things, so I explained to him that I was a member of the Peace Corps, and as a nurse I traveled from town to town, caring for the people. I also told him that I was sent here to see what I could do. His thick, bushy eyebrows raised a bit as he scratched his head. I noticed he was also from America, but before I could question him he said: "As you probably noticed, we have things pretty well under control, but I'd be thankful if you'd give Son his injection."

He then pointed to a young boy, one of the soldiers. He was a fairly short boy with light skin. He had dark hair and high cheekbones, which I've noticed on many, if not all Vietnamese. In appearance they're much like the Chinese.

"Oh," the doctor continued, "and if you could watch him tonight I'd be thankful, because he's got quite a high fever." He then turned around muttering what a shame it was, and stalked off.

As I gave the injection to him I noticed a look of anger in his eyes, and his lips were moving as if he were muttering something. After wiping his forehead with a damp cloth, I sat down to study him more closely. However, before I could do much studying he began to toss and turn. I could see the sweat rolling down his face and the veins in his hands popped out as he clenched his fists, but before I could reach him he turned, facing me and yelled,

"They're doing it to us again! They won't give us peace! Those red devils will keep fighting till they've got everything! everything—."

These words trailed off into an empty silence. Wiping his forehead once more, he seemed to have regained his senses, and calmy opened his eyes saying with a reassuring look, "But we will never let them." He then told me an amazing and impressive story which I will now reveal to you, as was told me:

"My full name is Zuat Chi Son in Vietnam your first name is last, and your last name is first. I was originally born in North Vietnam and lived there the first 12 years of my life. As you probably know, Vietnam before being divided was a colony of France. However many Vietnamese rebelled, not liking the idea of being owned. They wanted independence. The Communists saw a good chance to win the country by taking over its fight for independence. Though the French had more supplies and a bigger army, the Communists, using guerrilla warfare, had a good, if not better chance. They knew the jungles and would attack the French, then would disappear into the jungles and swamps where the French could not find them. Finally the French were defeated by the Communists and were forced to give up Vietnam. The Communists asked for the northern half, and got it. (This was how Vietnam got divided.) They figured the southern half (South Vietnam) would soon weaken and fall into their hands, but they were mistaken.

"I was living in North Vietnam at this time. My family and the other families in our village had been hearing rumors. One of the rumors was that the refugees who had attempted to flee North Vietnam had been treated cruelly and had been separated from their families. This was just a rumor, and as we learned later, designed to scare us."

Here Son closed his eyes and thought for a minute as I wiped his forehead. Soon he opened his eyes again, smiled a thankful smile and went on.

"Our town was then visited by an old Catholic priest, who had traveled around the country telling people, as he told us—the truth. He explained to us that the rumors we heard were just started by the Communists to scare us."

He also said that the Communists were bad but the rulers must be obeyed, for those who disobeyed mysteriously disappeared.

"We didn't like the idea of being assigned a piece of land and having to give half of our crops to the Government. A single careless word, we learned, would cost a man his life. There were spies everywhere.

"The priest then informed us that if we chose, we could go with the other refugees to

South Vietnam. The priest brought us to a U.S. Navy ship which would carry us to freedom.

"We arrived at the capital city of Saigon 4 days later. We were brought from there to a huge warehouse where other refugees were staying. We were fed by smiling cheerful people, carrying huge kettles filled with hot food, which seemed to taste better than any other food we ever had.

"I wondered how the Government could afford to feed these hundreds of people. Where would it find work for all?

"The Mecong Delta, I should tell you before I go on, was, before the war, a great rice producing piece of land. It fed the people of South Vietnam, leaving enough surplus to export and trade for manufactured goods which South Vietnam so much needed. However, during the war this fertile land became a tangled jungle. Canals were destroyed. What was called the Bink Xugen River Pirates lived there and would not give up the land which they believed was theirs. However, it was not. Diem, who ruled South Vietnam at that time, was determined to wipe out the crime from which they made their living.

"So, there was a battle. It was a long, hard battle. Some of the officers were traitors and deceived Diem, but other determined young officers replaced them, fought the pirate war and won it.

"After this war, when Diem was democratically elected, he decided he'd try to solve South Vietnam's food challenge by attempting to open the Mecong Delta. He made a speech to us, saying he would give each of us seven and a half acres of land to farm. However, we would all have to pitch in and help change this jungle into good productive land. Canals also had to be dug, and it would be hard work, but it would be worth it. The enthusiasm was great, and I believe I clapped the hardest.

"This job was very hard, but we were determined, and accomplished it with great success. No longer was food a problem in South Vietnam. Slowly we are becoming a strong nation, but they are trying to stop us."

He stopped and wiped a tear from his eye, then reassuringly said:

"But they can't and they won't take our freedom away." With those last words his eyes slowly closed, and I realized how much I really believed him.

JUNE 29, 1964.

DEAR DIARY: Today was a very enjoyable day for me. I paid a visit to a charming couple and equally charming home in a town called Thong, as small a town as there is on the outskirts of Saigon. Most of the towns I've previously visited have had about 1,000 people, but this village has a total of 523 people—rather small, compared to our towns. Most of the people had lived there all their lives. I've found that Vietnamese do not like to leave their bamboo thatch houses even to move into new ones.

They seemed very glad to see me again. I had sometime last year cared for their son, who had been ill. I had grown to love his family as I had so many other families in Vietnam. So, when I found out I would be passing this town, I decided to pay a short visit.

As I mentioned before, they seemed glad to see me, almost as glad as I was to see them. They asked me at once to have supper with them. At first I hesitated, but seeing the delicious rice cakes, fresh corn and beans, I hungrily accepted. Sitting down I inquired how their son was.

"Fine, indeed, but I'm sure he'll regret the fact that he wasn't here to see you."

"By the way," her husband Huy broke in, "how have you enjoyed your stay in Vietnam?"

"It has been a new and wonderful world that I discovered when I came over here. Yes, I am enjoying it," I answered with enthusiasm.

Then thinking for a minute I decided to tell the story that Son, the young soldier had told me. When I finished Ming said, "You will find that we Vietnamese know a great deal about the history of our country."

Here she took a mouthful of corn and continued, "because our ancestors experienced it and passed down stories which have been told and retold."

"Ah," I sighed, "I'm very ashamed to admit I know very little about the history of Vietnam."

"Well then," Huy told me, "I'll give you a general background, skipping over the stories." So, he began.

"My ancestors were originally Chinese because China ruled Vietnam for over 1,000 years. Naturally the Vietnamese adopted many Chinese customs. However, in the 10th century we gained independence and began to conquer neighboring countries to the south. By the 18th century Vietnam controlled down as far as the Mecong Delta. This and an additional piece of land, continuing farther down is now South Vietnam, as you probably know," he said smiling.

"At that time Vietnam was ruled by an emperor, but actually the real power was held by two families, one controlling the north and one the south. However, a prince, from one of the two families became emperor of the country, with the help of a French missioner. When in power he was kind to France, but the rulers who followed were not. So in 1883 France got sick of this and when they decided they wanted a colony in southern Asia they quickly found a reason to send an army against Vietnam, and soon all of Vietnam was under French control. Vietnam was struggling for freedom. However, during World War II the Japanese occupied it, but they were defeated after the war, and France once again tried to rule Vietnam, but were faced with a country led by Communists. The rest your young soldier friend told you."

Ming continued, "Our government is not very strong, as yet. Diem was overthrown and others who followed experienced much the same thing. I feel the reason for this is very simple. We are not quite sure of ourselves yet. We have the ambition and the makings of a good country, but we are still young and just learning how to walk, but someday—just someday."

A dreamy look came into her eyes. "Yes, we will become a strong nation."

I only hope she was right and that this small country can have better luck in the future than it has had previously.

SEPTEMBER 7, 1964.

DEAR DIARY: Did you know that when the French controlled Vietnam about one out of a hundred children attended school? Well, I didn't, until yesterday, but I also learned that since 1954 South Vietnam has worked hard to give more people an opportunity to get an education. Adults who never learned to read are now attending night schools. Now, nine-tenths of the people can read and write. Isn't that a helpful way in clearing a path toward making Vietnam a stronger, finer country? I certainly think it is.

I guess you're wondering where I picked up this information? I learned it from a teacher. You see, I was assigned to vaccinate the children in the town of Zuoi. When I arrived, through the rain, at this small but neatly kept school, I quickly ran in to get shelter from the cold rain. Since this was a small town, it was just a small school. The teacher was a young, inspiring woman, who in my opinion was a fine teacher.

When I stepped into the classroom, soaking wet, she asked the class to excuse her, and briskly walked back to me, telling me to sit down in front of the stove and get warm. After following her orders I was informed that she had already explained to the class the purpose of this vaccination, and had told them that there was nothing to fear. After hearing this each child slowly stepped up as it was his turn. There was a frightened look in each child's eyes. I gave them a comforting smile and they returned it, but rather weakly, unsure of what would happen next.

When I was through and about to leave, I was asked by the class and the teacher to stay for a few minutes. Not wanting to be rude, I stayed (though I really wanted to).

The teacher was giving a lesson on the Government of South Vietnam. I must admit I learned something, but this is not at all strange since I knew very little about the subject.

"After South Vietnam," she began, "had gained independence, a constitution was adopted. This constitution provided for an elected president and also an elected assembly. However, when Diem was president the elections were not held in a democratic fashion, but were controlled. The people realized this and did not think it was right, so in 1963 Diem was overthrown. The constitution was suspended and a government run by a military council was started."

Here she paused, and asked if there were any questions, and there were—many!

I realized how late it was, and knew that I had better leave. Getting up I thanked the children and once again stepped out into the rain.

I now recall the eager look in each child's face as the teacher was talking. They seemed to want to learn, and were so interested in what they learned. I now realize that those children are the future of Vietnam.

NOVEMBER 27, 1964.

DEAR DIARY: This is just a short note to tell you about a little experience I had today. I was called upon to visit a family who were in great need of help. There was sickness in their house and one of the children had already died. Visiting this home and village I found both were poverty stricken. It was a very poor house with very little food. I cared for them as best I could, but I didn't see much hope.

They happened to live in the northern part of South Vietnam where there are many forests. Vietnam's warm, wet climate is ideal for growing trees.

I see the only way to solve this poverty problem is to modernize. To try to help the people help themselves would do ever so much good. The people must be raised to a higher living standard.

Some main resources in South Vietnam are fishing, lumbering, waterpower, and minerals. If it was possible to raise and modernize the living standards of the people this poverty would stop. For example, a fisherman, lumberman, miner, or farmer all do things the hard, old way. We should try to lessen the poverty by showing them the easier, healthier, and better way. This would be a fine way to make South Vietnam a stronger and happier country.

JANUARY 13, 1965.

DEAR DIARY: Today I worked in a village on the Mecong Delta called Thuan. This delta produces enough rice to feed the whole country, with surplus enough to export to other countries. I was sent here to give the people shots to prevent polio. At first the people didn't understand the purpose of these shots, and as with other new ideas it took them awhile to get accustomed, and to understand the reason.

I stayed in that particular village for approximately 1 week, and lived with the people. I lived with the Hun family. There were six members in the family: Sing, the gentle but strong mother, Ho, the wise father who always seemed to be worried but who, when problems arose handled them with ease, Lang, the 13-year-old daughter who took after her mother but lacked her strength, Chi, the 16-year-old boy who was the second man of the house, Phang, the 10-year-old independent of the family and Kon, the 15-year-old boy who preferred books to working in the field.

Like most of the other families on the Mecong Delta, the Hun's main crop was rice. The reason for this is that the delta provides the special conditions rice needs to grow. To better explain this I'll mention the steps involved in planting, raising, and harvesting rice.

In the spring the Mecong River floods the land. Then, as the water slowly recedes, farmers plant small rice seedlings in the swampy earth. All summer long the rice grows with the hot sun shining down upon it. After 1 month of rain it is ready to be harvested.

The Huns are a fine, hard-working family. That is the impression I got while staying there. Up at dawn, they'd rush through a quick breakfast, then would at once begin to work. Ho, Chi, Kon, and Phang would head for the fields while Lang and her mother would work, as we say, "around the house."

Today happened to be the last day I was expected to work in the village. However, I had already finished my work so I decided to spend my remaining day living and working with the Huns; but today, as I soon discovered was not a normal day but "market day."

The marketplace was a small village up the river, where the people would come and trade their products for things they themselves did not produce.

The family boarded a small boat which they had acquired for just such a purpose and began the rather short journey up the river. They had with them goods which they planned to trade. We soon reached our destination.

I found myself very interested in watching the manner in which these people traded. They were very careful, and traded only when they thought it was a good and a fair deal. The Hun family seemed quite expert at this and traded rice, woven, and handmade goods. They, in turn received food and goods which they did not grow, such as corn, potatoes, rubber, beans, sugarcane, tea, and coconuts. They also received some dried fish which they certainly could use. These crops, I learned later, were grown either on the valley along the coast, the Mecong Delta, or the highland region, extending down the central part of South Vietnam.

Lang seemed overwhelmed when she got 73 pastres ($1) for a woven cloth she had made. Marketing and trading seem very important to these people.

The family was quite happy and satisfied as we slowly drifted toward home. As we approached their hut I pointed to the bamboo framework of some sort of building. He informed me that this was a new church under construction.

"Of course it is a Buddhist church, since most of the people in this town are Buddhists. But many of the other towns are a variety of different religions, such as Taoism, Confucianism, Christianity, Caodaism, and Hoa-Hao. Ancestor worship is also practiced. Many of these religions are a combination of others. There has been much misunderstanding and trouble between the Christians and Buddhists."

Here he paused, staring blankly into the horizon. Changing the subject, I asked him why everyone seemed to travel by water.

"That is simple," he said, shaking his head, "roads are very expensive to build and keep in good order. Besides, the land these roads would take up could better be used for productive land. That is why we have so many canals. If we want to go visiting, we just get into our boats. Although the main source of travel is water, many people in Vietnam travel differently. Some walk or ride bicycles. Railroads and roads are important also, but in the Mecong Delta water transportation is the most important and useful.

"I see," I said, smiling to myself as we pulled up to their familiar hut. "This has been such an interesting and exciting day. I'd like to thank you."

Yes, it was one of the most pleasant and enjoyable days I've spent here, but amid the fun, one in which I thought a good deal.

FEBRUARY 24, 1965.

DEAR DIARY: I am writing to you from a small bamboo hut. Tomorrow I am to be picked up and brought to the airport, where I will leave for home. It has been 2 years since I first set foot in this amazing little country. Little did I know how sad I would be to leave it. Little did I know that a small country like Vietnam could so change my way of thinking, that it could make me a completely different person—a better person.

I now know how much a big strong country like the United States could learn from a little country like Vietnam.

FEDERAL WATER PROJECT RECREATION ACT

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. GRABOWSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. GRABOWSKI. Mr. Speaker, since the end of World War II, a growing need of recreation values has been recognized in water resource project reports. However, we have not had a general policy to guide and limit us as to the extent to which the Federal Government would bear a part of the cost of a water resource project that helps make possible recreation benefits.

Such a general policy will be provided by H.R. 5269 as it was passed by the House yesterday.

H.R. 5269 will provide uniform rules for the treatment of recreation and fish and wildlife benefits and costs in connection with Federal water resource projects of the Corps of Engineers and the Bureau of Reclamation. This act contains numerous provisions, with some of the more important ones including:

First. Full consideration is to be given to recreation and fish and wildlife enhancement as project purposes on Federal projects and general cost-sharing and reimbursement policy for these purposes is established.

Second. Planning with respect to the recreational potential of any project also is to be coordinated with existing and planned Federal, State, and local public recreation developments.

Third. Federal agencies are directed to encourage non-Federal administration of the recreation and fish and wildlife enhancement features of most Federal water projects. H.R. 5269 is, in this way, complementary to the Land and Water Conservation Act of 1965. Both Federal and non-Federal responsibilities are recognized.

In addition, the Secretary of the Interior is given general authority to develop the recreational potential at projects under his control.

For some time Federal water resource projects have been providing opportunities for an increasing number of visitor-days of outdoor recreation for the American people. However, all indications are that there will be a further growth in public interest in water-associated recreation in the years ahead. The difficult policy question which we here in the Congress have faced in connection with the consideration of water projects has been to determine to what extent and under what conditions the Federal Government should include recreational development as a part of Federal multiple-purpose water projects. During the last several Congresses, this question has been dealt with in various ways in connection with individual project authorizations to the Bureau of Reclamation and the Corps of Engineers. This has resulted in inconsistencies among projects and differences in agency procedures.

We know that the demand for outdoor recreation opportunities has been increasing rapidly in more recent years and that the needs are expected to continue rapidly expanding in the years ahead as our population and available leisure time increases. Records for 1964 indicate nearly 160 million visits to Federal reservoirs exclusive of those administered by the National Park Service and the Forest Service.

We know that water, in addition to providing for popular water-based recreational activities such as swimming, boating, and fishing, also makes more enjoyable land-based recreational activities such as picnicking and camping. In many sections of our country, water-oriented recreation is dependent upon Federal water development projects, and this has resulted in the general recognition that outdoor recreation should be given full consideration along with other project purposes in the formulation and management of such projects. If outdoor recreation is to be considered fully and properly included in water projects, then general policies, particularly cost-sharing and reimbursement policies, need to be adopted for the treatment of recreation and of fish and wildlife values. These policies should provide uniform procedures to be followed by the agencies concerned and provide equitable treatment to all projects.

H.R. 5269 is intended to meet this need and to insure optimum development and use of the recreational and related resource enhancement opportunities in any given project area. In the interest of achieving a desirable balance in the overall recreation program, this legislation requires the recreational aspects of water projects to be coordinated with State, regional, as well as national plants. It also encourages non-Federal public bodies to assume responsibility for management and additional development of recreational areas and facilities.

This legislation will be of major assistance in the provision of water-oriented recreation opportunities for the American people and will bring much-needed consistency to the handling of recreation and fish and wildlife as part of Federal multiple purpose water resource projects.

I am fully in favor of H.R. 5269.

NEW YORK CITY IN CRISIS—PART LXX

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following article from the New York Herald Tribune of March 27, 1965 concerning the effort to bring much-needed blue-collar jobs to New York City.

The article is part of the series on "New York City in Crisis" and follows:

NEW YORK CITY IN CRISIS—JOBS: JERSEY'S LOSS IS BROOKLYN'S GAIN

(By Barrett McGurn)

The struggle to keep needed blue-collar jobs in the city reached a turning point yesterday.

Louis Broido, commissioner for commerce and industrial development, dedicated the first factory to move into the five boroughs under the State's $100 million industrial aid program.

The ceremony was the climax to a bizarre battle during which the plant had to fight, in effect, for an "exit permit" from a New Jersey town.

The factory is Reliable Sample Card, Inc., of 30 Sandford Street in the Bedford-Stuyvesant section of Brooklyn not far from the doomed New York Navy Yard. The company's plant employing 125 people on a regular basis and another 50 seasonally has been shut down at Wanaque, N.J. The New Jersey workers have lost their jobs. Brooklynites will get the work instead. The tasks are unskilled, paying about $1.50 per hour, just the sort of employment so many untrained Negroes and Puerto Ricans of the navy yard area are seeking.

The phrase "exit permit" cropped up in violent conversations between Irving Warsoff, president of Reliable, and the authorities of Wanaque. Mr. Warsoff, who already has from 125 to 275 Sandford Street employees on a year-round basis, decided to combine operations inside the Bedford-Stuyvesant neighborhood for one main reason. Unemployment there guarantees a labor pool. A $300,000 State loan enabling him to more than double the size of his Brooklyn operation was the clincher.

Then, the Wanaque fireworks began.

"They put an unmarked police car in front of our factory to prevent us from moving out equipment," company representatives said yesterday.

"You have no exit permit," Wanaque said in effect.

"What's an exit permit?" the Reliable people demanded.

Tiny Wanaque (population 10,000) explained unhappily. Reliable's year's taxes of $3,000 would not be due until next month but "they're automatically payable at once if you move out." Factory equipment could move until taxes were paid.

Anyway, the taxes weren't $3,000 anymore. Wanaque had decided that Reliable's machines and other equipment were not worth a mere $100,000 as previously appraised, but rather a whopping $230,000. That meant that next month's tax would be $10,000. And for "late filing" there'd be a charge of another $2,500, or $12,500 in all. Otherwise no "moving permit," no transfer of any Wanaque machinery to Bedford-Stuyvesant.

Many a hot word was exchanged until the present agreement. Three thousand dollars in taxes will be paid now and the rest of the $12,500 will be left in escrow in a local lawyer's hands but Reliable won't hand the difference to Wanaque Township even "under protest."

"If they get their clammy hands on that $9,500 * * *" company spokesmen shook their heads in dismay at the very thought.

Reliable hopes to get all its Wanaque equipment to Brooklyn within a week. Commissioner Broido cut the plant ribbon yesterday. This is a feather in his cap as he tries to convince the Committee of 14, representing New York business, that they should collaborate with his industrial development corporation in seeking to save factory jobs.

NEW YORK CITY IN CRISIS—PART LXXI

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns one of the neighborhood renewal plans in New York and is part of the series on "New York City in Crisis."

The article appeared in the New York Herald Tribune on March 28, 1965, and follows:

NEW YORK CITY IN CRISIS—BATTLE OF MORNINGSIDE HEIGHTS: BUREAUCRACIES VERSUS FAMILIES

(By James Lynn)

"We do not accept the idea that the eradication of slums in any area is accomplished by the relocation of the majority of its low-income residents."

The speaker was Aramis Gomez, of the Puerto Rican Citizens Committee on Housing; the scene, city hall during a board of estimate hearing earlier this month on the Morningside General Neighborhood Renewal Plan.

For hundreds of families on Morningside Heights, relocation is a present threat, not a distant prospect. Not all of them are slum families, or even low-income families, and their determination to stay where they are is the foundation on which much of the opposition to the Morningside GNRP has been built.

So far these families have lost most of their battles with the big institutional landlords on the Heights: Columbia University and its affiliates, St. Luke's Hospital, and the other members of the real estate combine called Remedco Corp.

But the battles so far have been little more than skirmishes, and since that board of estimate hearing on March 11 there have been unmistakable signs that the institutions may win them all and still lose the war of town and gown.

SAFEGUARDS

Mrs. Constance Baker Motley, Manhattan's new borough president, made it quite clear at the hearing that she wants firm safeguards in the GNRP against the possibility that poor Negroes and Puerto Ricans will be turned out of their homes to make a middle-class white enclave on the Heights.

Alone among the members of the board of estimate, Mrs. Motley sat through virtually all the speeches at the hearing. Several times she cross-examined supporters of the renewal plan to find out what protection it would give tenants who might have to be relocated if it goes into effect.

The answers she got didn't seem to satisfy her. She asked the board to postpone a decision on the GNRP until its April 22 meeting. Since then her staff has been looking into the various changes different interests have recommended in the plan.

The city's housing and redevelopment board defines a general neighborhood renewal plan as "a preliminary plan outlining proposed urban renewal activities in an area of such scope that renewal activities must be initiated in a series of projects over an extended period of time up to 10 years."

Morningside's plan certainly fits that definition. It includes no less than five proposed urban renewal projects in a 92-block area stretching from 100th Street to 125th Street between Eighth Avenue and Riverside Drive. One of the projects, broken into two phases, is already in the detailed planning stage. A preliminary plan for the second is in preparation.

Some people are against the GNRP for reasons that have become rather commonplace in New York City in the 1960's. They object to urban renewal because it would mean the demolition of a community—in this case a community whose residents cover a wide band of the racial and economic spectrum.

To these people a GNRP is bad because urban renewal is bad—wasteful, degrading, and, worst of all, not even successful in its own limited terms. Any GNRP—and New York's only other one is now in a rather tentative state—would meet with the same objections from them.

ARGUMENT

Far more interesting are those people who see the need for urban restoration in general and are willing to admit that the need exists on Morningside Heights, but oppose the GNRP as it now stands on grounds as unique as the Morningside plan itself.

Their argument runs like this: Eviction is bad enough even when its cushioned by all the relocation services and payments the law requires in urban renewal projects supported by Federal funds. But right at the core of the Morningside GNRP area are 14 blocks that are excluded from the plan and its relocation benefits.

These 14 blocks are directly north, east, and south of Columbia, and 11 of them are marked for residential and/or institutional use on the proposed land-use map attached to the GNRP. Two more are flatly marked "Institutional"; only one is "Predominantly Residential."

Franz S. Leichter, the Seventh Assembly District's reform Democratic leader, told the board of estimate that "the practical effect, if not the purpose" of the exclusion "was to give the institutions carte blanche to expand into these excluded areas which just happen to border the institutional core."

The institutions are definitely expanding, which means people are losing their homes. Some of the buildings they are being forced out of are in terrible shape, but as William Stanley, of the Uptown Tenants Council, told the board of estimate, "As bad as it is, we want to keep it until we get something better."

Some of the other buildings under pressure are in perfectly good condition. One of them is actually being taken over by St. Luke's Hospital for use by nurses and other personnel as old tenants are pressured to get out.

On the Heights right now, there are eight sites where tenants are already under the threat of eviction. These tenants are wondering when their turn will come or if, at best, they will be allowed to stay on the sufferance of an institutional landlord who obviously would like to be rid of them as soon as possible.

1. Jewish Theological Seminary: In the back-to-back buildings at 531 West 122d Street and 540 West 123d, the Jewish Theological Seminary of America has served notice that it wants the tenants out by the end of the year. Only 156 of the 212 apartments are occupied; a handful are used for offices and the rest have been allowed to stand vacant.

The seminary, on the east side of Broadway between 122d and 123d Streets, wants to build a library and a small dormitory just east of its present quarters. The buildings it would tear down next year are something of an architectural curiosity: walkups with open stairways in their courtyards.

David Collins, who lives in one of the buildings, can quote from a survey of the residents done by the Morningside Open Stairway Tenant Association: the average tenant has lived there about 15 years; 26 percent are elderly people living on modest incomes; some two-room units still rent for as little as $23 a month.

The seminary bought the buildings only last summer, according to Mr. Collins, and said at one time that it would help relocate tenants when the time for eviction came. Formal notice has not yet been served, but now the tenants have been told it will be up to them to ask for assistance if they consider themselves hardship cases.

Still, says Mr. Collins, tenants have been able to meet with Rabbi Louis Finkelstein, the seminary's chancellor, and the seminary is "the first one of the institutions who has now shown a willingness to sit and discuss with us."

2. College of Pharmacy: Columbia's College of Pharmacy, which is loosely tied to the university in the manner of Barnard or Teachers College, wants to move to Morningside Heights from its present site, at 115 West 68th Street, not far from Lincoln Center. Two buildings on West 122d Street have already been vacated and torn down.

DEFIANCE

But four buildings are still standing: 130 and 140 Morningside Avenue, 1253 Amsterdam Avenue, and 417 West 121st Street. Only about 40 apartments out of 90 are still occupied. The tenants' appeal has been rejected by the rent and rehabilitation administration but they expect to take their case into court this week.

Mrs. Marie Runyon, a founder of the tenants' organization when the agent started moving people out 3 years ago, says, "We will fight until the last dog is hung." The College of Pharmacy is apparently prepared for a drawnout battle, too; an agreement with the university for a $3 million loan has been extended to April 30, according to Mrs. Runyon, and there is talk of further extensions as needed.

Mrs. Runyon's group has been able to hold out so long, she says, because so many buildings were involved: "Buildings have been picked off one at a time with as little to-do as possible, but there were six of us, and we did get together."

3. Bryn Mawr Hotel: Remedco, the Heights institutions' real estate arm, bought this single-room-occupancy building, at 420 West 121st Street, last summer and has gone to court to cancel Morton Jacobowitz's lease, charging that he has permitted the place to become a hangout for narcotics addicts, prostitutes and other undesirable people.

The institutions won the first round, but Mr. Jacobowitz is appealing. Meanwhile, with some help from Mrs. Joan Shapiro, of St. Luke's Hospital's bureau of community psychiatry, the Bryn Mawr tenants have begun a recreation and rehabilitation program of their own.

Several dozen of the 100 or so tenants now use the recreation room Mr. Jacobowitz donated after his occupancy rate dropped because the welfare department stopped referring clients to the Bryn Mawr. Even more showed up a couple of weeks ago for a community dinner.

The curious thing about the Bryn Mawr is that Remedco has flatly denied that it knows what it will do with the building once the present tenants are out. Since most of them are Negroes and many are on welfare, the situation provides ammunition for critics who claim that the institutions want to turn the Heights into a colony of middle-class whites.

Remedco doesn't seem to be bothered by the criticism. It's president, William Bloor—who is also Columbia's treasurer—showed no interest in seeing the recreation room when he inspected the Bryn Mawr not long ago; he simply asked, "What kind of recreation?" and didn't wait for an answer.

4. School of International Relations: Columbia has announced that it will build a new School of International Relations on Amsterdam Avenue from 117th to 118th Streets, taking over five apartment buildings on the south side of 118th to add to those on the north side of 117th which are already used for office space.

Last August the 118th Street tenants were told they should be out of their apartments within a year, but they have been slow to organize for resistance. One of them, Mrs. Carmen Garcia, has the peculiar distinction of facing eviction from two places at once: She operates a beauty parlor in one of the Bryn Mawr's ground-floor stores.

5 and 6. St. Luke's Hospital: At 44 Morningside Drive, a handsome building on the corner of 115th Street, St. Luke's Hospital is gradually replacing old tenants as they move out with nurses and other employees, sometimes three or four to an apartment. There are 17 noninstitutional tenants left, though, and they aren't about to be pried loose even though they say the newcomers are noisy and their services have deteriorated.

Some of these newcomers, on the other hand, have moved out, the old-timers say, because they couldn't afford the rent. And the rest, they insist, would rather mix with civilians than see no one but their own institutional kind.

St. Luke's is also the villain—from the tenants' point of view—in another eviction proceeding that was before the rent board only last week. The three buildings at 1084 and 1088 Amsterdam Avenue and 500 West 114th Street are supposed to be demolished so the hospital can build a 15-story residence for doctors and nurses.

One argument in favor of the plan is that it will almost double the number of apartments on the site; there are 65 now—32 of them vacant—and there will be 127 if St. Luke's has its way. But the biggest of them will have only 3½ rooms, and most will have only 1½.

Peter Austin, one of the tenants' leaders, can detail what happened to the people who moved out of the building in the year since eviction notices were sent out. Only 10 families have been placed by the relocations agent on the site, he says, and 7 more have taken compensation—$400 plus $150 for moving expenses is the going rate—and found new places for themselves.

HARDSHIP

The families in the buildings have lived there an average of 22 years, Mr. Austin says—one tenant is 85 years old—but St. Luke's has been unwilling to consider, for instance, moving them to the building at 44 Morningside Drive. By contrast, the doctors and nurses in the new building will be required to move as soon as they sever their connections with the hospital.

7. Morningside House: One of the institutional landlords barely exists except on paper. Morningside House was planned as a merger of St. Luke's Home for Aged Women (now at Broadway and 114th Street and not related to St. Luke's Hospital), the Home for Old Men and Aged Couples (now at Amsterdam Avenue and 112th Street) and the Peabody Home (now in the Bronx).

The idea was to build on Amsterdam Avenue from 111th to 112th Street on ground now occupied by eight buildings: 501, 503, and 507 West 111th; 500, 504, and 510 West 112th, and 1046 and 1050 Amsterdam. According to Jay Dreyer, who lives in one of the threatened buildings, the original plan fell through when the Home for Old Men and Aged Couples pulled out.

R. J. Long, Morningside House's executive director, confirms that it is "trying to get up the courage and the wherewithal" to carry out its plans, but denies that a decision has been reached on what to do with the site.

Mr. Dreyer points out, however, that there are 22 vacant apartments in the four buildings that abut on Amsterdam Avenue, including the two corner buildings. There were vacancies in the other four buildings, too, he says, until the Home for Old Men withdrew from the project. He suspects that Morningside House will try to build on the lots, which St. Luke's Home has owned since the 1930's, and try to keep the other tenants on short-term leases so the building can be extended later.

8. Bank Street College: In the two buildings at 604 and 612 West 112th Street, the tenants are convinced they're next. The Bank Street College of Education is supposed to move from Greenwich Village to Morningside Heights. As Robert Suskind, one of the tenants, puts it, "Columbia needs a school for its children that's going to be nice and white, and of course they're going to take in a few Negroes."

CONCESSION

There have been no evictions from these two buildings, Mr. Suskind said, but fewer than 40 of the 48 apartments in them are now occupied and no one expects that the trend will be reversed. The tenants are convinced it is only a matter of time—and money—until they are put under pressure to get out.

It seems likely that some of these tenants are too eager to flay the institutions for the ills of Morningside Heights. The more temperate ones concede that Columbia and St. Luke's and the Jewish Theological Seminary must expand somehow.

But what seems to drive the tenants wild is the impossibility of ever confronting their adversaries face to face. The phrases recur again and again in their conversation. The Morningside Renewal Council is "a sort of closed society." Morningside Heights, Inc., which includes most of the biggest institutions, is considered a front: "We want to deal individually with the responsible parties."

"We've never been able to have a single discussion," complains Mr. Dreyer. "There is absolutely no genuine dialog about the needs of the tenants."

Basically, the tenants want to be consulted about decisions that affect them intimately—about St. Luke's Hospital's decision, for instance, to sell the big site of the old Women's Hospital, on 110th Street between Amsterdam and Columbus Avenues, to Consolidated Edison instead of using it for the housing everyone agrees is needed on the Heights.

Columbia's vice president, Lawrence Chamberlain, has also suggested that some kind of communication ought to be established between institutions and individuals, but so far, according to the tenants, he simply hasn't done anything about it. And until he does, they intend to fight for partial control by amending the GNRP to take in the excluded areas A, B, and C—which happen to include all but one of the present and prospective eviction situations.

One of the groups to send its representatives to the borough president's office in the past few weeks is the Architects' Renewal Committee in Harlem, whose professionals are trying to give some technical help to GNRP critics who know what they're against but may not be too sure what they're for.

Richard Hatch, ARCH's executive secretary, sees the GNRP as an instrument not for strangling the institutions but for bringing into the open "the secret and arbitrary nature of the expansion." To kill expansion, he argues, would effectively kill any significant renewal of the area, since the money the nonprofit educational institutions spend is eligible for matching funds from the Federal Government on a two-for-one basis.

"In other words," says Mr. Hatch, "the money to renew the Morningside Heights area is coming from the university's expansion program; the city has no money specifically earmarked for urban renewal there." The institutions' capital outlay for expansion already adds up to more than $8 million—considerably more than the city's share, which would have been spent with or without urban renewal.

Theoretically, the institutions would be able to save money if the excluded areas were taken into urban renewal. The hitch is that their expansion, in Mr. Hatch's words, "would be subjected to public scrutiny, public hearings and public approval."

The clear advantage to tenants, Mr. Hatch says, would be to make them eligible for Federal relocation payments, and they might be willing to give up the opportunity to harass the institutions in return for a guarantee of equal or better relocation treatment. Or they might not; it would have to be worked out.

ARCH is mulling over other possibilities, too, including the possibility of using land north of 125th Street—outside the GNRP area—for housing. But that must be worked out, too; the city reportedly has several plans already under consideration for that area.

The combination of ARCH and the local citizens, Mr. Hatch suggests, may help to counteract the usual advantage bureaucracies—whether public or private—have over unorganized individuals. Until now, he says, "the problem has been that all the neighborhood organizations have simply been reacting to the city's plans."

FOREIGN AID AND THE POPULATION EXPLOSION

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BROWN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BROWN of California. Mr. Speaker, our foreign aid program is greatly concerned with one of the hardest realties of our time—the rapid rate of population growth, particularly in many countries struggling for modernization and independence. Today's population explosion is so great that it threatens to slow economic development in some countries, and to widen the gap between the haves and have-nots.

Birth control is, at best, a delicate subject. But, it is a subject that must no longer be just whispered about. It must be brought out into the open forum of frank and honest discussion.

It is gratifying to note that we are taking steps to do just that.

In his state of the Union message last January, President Johnson stated that he would "seek new ways to use our knowledge to help deal with the explosion of world population and the growing scarcity of world resources."

Let us examine for a moment the role of AID in this world problem.

Now, AID does not advocate family planning policies for any country. In fact, it opposes any effort to dictate population policies to another country.

Rather, AID's role is to make available information and assistance on family planning to those countries which request it.

Several countries over the past several years have, on their own initiative, instituted programs in the field of family planning. Programs are already underway in India, Pakistan, Korea, Taiwan, Ceylon, Hong Kong, and Jamaica. Pilot programs or significant action-research programs are also being carried out in Thailand, the United Arab Republic, and Tunisia.

AID has long given assistance in the development of health services and the training of health personnel. Assistance has also been given in developing official statistics, including population censuses and vital statistics. In February 1965, AID provided a $400,000 grant to a Latin American research center in Santiago, Chile, Centro para el Desarrollo Economico y Social de America Latina, for studies in family size and population growth.

Since 1962 AID has encouraged the collection and analysis of population growth data and study of attitudes about family planning, but until recently requests for information and assistance in family planning have been referred to appropriate private agencies.

AID now considers requests for technical assistance including the training of family planning workers. Where appropriate, the requests will continue to be referred to private agencies.

AID will also consider requests for commodity assistance. AID will not consider requests for contraceptive devices or equipment for manufacture of contraceptives.

Items that could be provided by AID include vehicles and educational equipment for use in maternal and child health and family planning programs. We are also prepared to receive requests to assist in local currency financing of such programs.

The Population Reference and Research Branch, organized in the Health Service of AID's Office of Technical Cooperation and Research—TCR—serves as the AID focal point for information and coordination in the population field. Consultants have been appointed in the demographic, economic, medical, and public health aspects of the population field.

The Latin America Bureau has created a population unit and requested each Latin American AID mission to appoint an officer to be responsible for population matters.

Every AID mission is being instructed to assign one of its officers, as Latin America missions have done, to become familiar with the problems of population dynamics and program developments in the country and to keep the mission director, country team personnel, and Washington headquarters appropriately advised.

Mr. Speaker, we cannot ignore the problem of population growth. It is serious and it must have the serious, practical, and sensitive attention now being given in our official policies. But neither can we rely on population control measures as a cure-all. If the developing countries are to continue their advance from poverty and desperation they need our help on every front: our technical assistance to improve their education, their health, their agricultural productivity; our loan programs to provide the powerplants, irrigation systems, roads, and other basic capital for further growth; and our attention and our tactful help to helping others solve the problem of population growth.

Our foreign aid program is trying to meet all these challenges.

SOCIETY HILL WEEK CELEBRATION IN PHILADELPHIA

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BYRNE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, it gives me great pleasure to call to the attention of the Members of the House of Representatives the weeklong Society Hill celebration to be held in the city of Philadelphia June 6 to June 13. This most interesting observance is for the purpose of calling attention to the Nation's most unique renewal area.

CHAIRMEN NAMED TO HEAD EVENTS

Eight community leaders have been named to head events during Society Hill week, June 6 to 13, it was announced by cochairmen C. Jared Ingersoll and Richardson Dilworth.

The weeklong Society Hill observance is being conducted to bring attention to the Nation's most unique renewal area. According to Mr. Ingersoll, Society Hill Week will highlight the many facilities and activities which make the area a "thriving, active, and complete community today."

The Reverend Martin J. Casey, rector of Old St. Joseph's Church, and the Reverend Joseph Koci, Jr., rector of St. Peter's Church, will direct Historic Churches Day, Sunday, June 6. The day's program will hail the many religious institutions in Society Hill which date back to the colonial period.

William L. Day, president of the Old Philadelphia Development Corp., will develop a program for Penn's Landing Day, to be observed on Monday, June 7.

National Park Service Day, Tuesday, June 8, will be guided by M. O. Anderson, district superintendent of the National Park Service, while Pennsylvania Hospital Day will be observed on Wednesday, June 9, with Mrs. John J. Clutz, Jr., and Mrs. Robert Gill of Pennsylvania Hospital's Women's Auxiliary serving as cochairmen.

Society Hill museums will join on Thursday, June 10, in tribute to the opening of a new institution, "A Man Full of Trouble," at Second and Spruce Streets. The museum was restored to its original 18th century tavern by the Knauer Foundation and contains a large collection of china and pewter. Heading Museum Day will be Grant Simon, architect and director of the Philadelphia Historical Commission. Friday evening will mark the dedication of the Society Hill Towers pool, featuring a water ballet and a fireworks display.

The celebration of the 200th anniversary of Powel House, home of Philadelphia's first mayor, will be the focus of Powel House Day, Friday, June 11. Mrs. Henry Watts will be be chairman of the day.

Festivities on Saturday, Fun Day, will include a fashion show by Strawbridge & Clothier and a band concert. Open house on Sunday, June 13, will feature informal activities throughout the area.

Visitors to Society Hill Week will also see exhibits by the division of art education of the Philadelphia Board of Education and the Philadelphia Historical Commission, among others.

Following is the calendar of events for Society Hill Week:

CALENDAR OF EVENTS, SOCIETY HILL WEEK, JUNE 6–13, 1965

SUNDAY, JUNE 6, HISTORIC CHURCHES DAY

Cochairmen: Father Martin J. Casey, Old St. Joseph's; and Rev. Joseph Koci, Jr., St. Peter's Episcopal Church.

Services: Old St. Joseph's; St. Mary's.

Joint communion service: St. Peter's Church and Old Pine Street Presbyterian Church, at St. Peter's, 11 a.m.

Luncheon in the Old Yard, St. Peter's Parish Churchyard.

Tours of yard.

Evensong service: St. Mary's, Old St. Joseph's, and St. Peter's, at St. Peter's Church, 3 p.m.

MONDAY, JUNE 7, PENN'S LANDING DAY

Chairman: Mr. William L. Day, president, Old Philadelphia Development Corp.

Ceremony of switch to be thrown at Pennsylvania Railroad shed, signaling start of demolition of old property in preparation for construction of Penn's Landing waterfront and Delaware Expressway projects, 10:30 a.m.

TUESDAY, JUNE 8, NATIONAL PARK SERVICE DAY

Chairman: Mr. M. O. Anderson, superintendent, National Park Service.

Ceremony of awarding of Society Hill Medal to Hon. Stewart Udall, U.S. Secretary of Interior, and honoring National Park Service, 2 p.m.

WEDNESDAY, JUNE 9, PENNSYLVANIA HOSPITAL DAY

Cochairmen: Mrs. John J. Clutz and Mrs. Robert Gill.

Events in Washington Square: Society Hill house tour; jackpot drawing for new car; clothesline art exhibit; antique auction; band music; luncheon and dinner; dog show; fashion show by Gimbels; booths. Day runs from 10 a.m. to 7 p.m.

THURSDAY, JUNE 10, MUSEUM DAY

Chairman: Mr. Grant Simon, chairman, Philadelphia Historical Commission.

Official opening of "Man Full of Trouble," museum for china and pewter, restored from 18th century tavern to its original condition, 10:30 a.m.

Salute to museums in Society Hill area. (Museums: American Philosophical Society; Athenaeum; Atwater Kent; Maritime Museum.)

FRIDAY, JUNE 11, POWEL HOUSE DAY

Chairman: Mrs. Henry Watts, chairman of the Powel House Committee.

Citation from city to Landmark Society, owners of the Powel House, on the latter's 200th anniversary. Ceremony to take place in the Powel House gardens, 10:30 a.m. Mr. Frederick H. Levis, president of the Landmark Society, to accept citation.

FRIDAY EVENING, JUNE 11

Dedication and opening of Alcoa pool at Society Hill Towers; water ballet by Vesper Swim Club, 8:45 p.m. Fireworks display.

SATURDAY, JUNE 12, FUN DAY

Band concert by police and fireman's band, 12 noon to 2 p.m.

Fashion show by Strawbridge & Clothier.

SUNDAY, JUNE 13, OPEN HOUSE

Morning prayer at St. Peter's, Old St. Joseph's, St. Mary's, Old Pine; open invitation to all area parishioners.

Bell recital, St. Peter's, 1 p.m.

Tours of yard, St. Peter's.

Exhibit of rare books and Bibles, St. Peter's.

SOCIETY HILL WEEK EVENTS THROUGHOUT THE WEEK

Display at Society Hill Towers, work of students of Philadelphia Board of Education, Redevelopment Authority, Philadelphia Historical Commission.

Informal walking tours.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted (at the request of Mr. GERALD R. FORD) to Mr. TUPPER, Mr. ANDREWS of North Dakota, Mr. WHALLEY, Mr. STAFFORD, and Mr. THOMSON of Wisconsin, for May 20 and 21, on account of official business, as members of the U.S. delegation of the Canada-United States International Parliamentary group.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. CONTE, for 60 minutes, today, to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. REUSS and to include extraneous matter.

Mr. SCHISLER and to include extraneous matter.

Mr. GILLIGAN and to include extraneous matter.

(The following Member (at the request of Mr. JOHNSON of Pennsylvania) and to include extraneous matter:)

Mr. FINO.

(The following Members (at the request of Mr. FARNSLEY) and to include extraneous matter:)

Mr. CAREY.

Mr. FRIEDEL.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 306. An act to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles, to establish a Federal Air Pollution Control Laboratory, and for other purposes; to the Committee on Interstate and Foreign Commerce.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on May 18, 1965, present to the President, for his approval, a bill of the House of the following title:

H.R. 2998. An act to amend the Arms Control and Disarmament Act, as amended, in order to continue the authorization for appropriations.

ADJOURNMENT

Mr. FARNSLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 3 minutes p.m.) the House adjourned until tomorrow, Thursday, May 20, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1117. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 1, 1965, submitting a report, together with accompanying papers and an illustration, on a letter report on a channel from Escambia Bay to Mulat Bayou, Fla., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 3, 1959, and authorized by the River and Harbor Act of 1960; to the Committee on Public Works.

1118. A letter form the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the establishment by the Commissioners of the District of Columbia of a Youth Council as an agency of the government of the District of Columbia; to the Committee on the District of Columbia.

1119. A letter from the Assistant Secretary, Export-Import Bank of Washington, transmitting a report of shipments to Yugoslavia insured by the Foreign Credit Insurance Association and the Export-Import Bank, for the month of April 1965, pursuant to title III of the Foreign Aid and Related Agencies Appropriation Act of 1965; to the Committee on Foreign Affairs.

1120. A letter from the Chairman, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases as of March 31, 1965, pursuant to section 5(e) of the Communications Act as amended by Public Law 554, July 16, 1952; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. PATMAN: Committee on Banking and Currency. H.R. 7847. A bill to amend the Small Business Act; without amendment (Rept. No. 353). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. S. 1796. An act to amend the Small Business Act to provide additional assistance for disaster victims; without amendment (Rept. No. 354). Referred to the Committee of the Whole House on the State of the Union.

Mr. SISK: Committee on Rules. House Resolution 391. Resolution for consideration of H.R. 3584, a bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; without amendment (Rept. No. 355). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 392. Resolution for consideration of H.R. 5241, a bill to amend section 20a(12) of the Interstate Commerce Act to eliminate the necessity for prior approval of the Commission for a person to hold the position of officer or director of more than one carrier when such carriers are in a single integrated system of carriers lawfully operated under common control, and for other purposes; without amendment (Rept. No. 356). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 393. Resolution for consideration of H.R. 5883, a bill to amend the bonding provisions of the Labor-Management Reporting and Disclosure Act of 1959 and the Welfare and Pension Plans Disclosure Act; without amendment (Rept. No. 357). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 394. Resolution for consideration of H.R. 8122, a bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; without amendment (Rept. No. 358). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By **Mr. ANNUNZIO:**

H.R. 8273. A bill to amend title 10 of the United States Code to authorize the Secretary of the Army to lend obsolete or condemned rifles to local units of certain national veterans' organizations for use for ceremonial purposes; to the Committee on Armed Services.

By **Mr. BARING:**

H.R. 8274. A bill to amend the Fair Labor Standards Act of 1938 to increase to 50 percent of the minimum under section 6 of the minimum wage applicable to handicapped workers employed in sheltered workshops and to provide for periodic increases beginning January 1, 1966, and for other purposes; to the Committee on Education and Labor.

By **Mr. CEDERBERG:**

H.R. 8275. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By **Mr. CELLER:**

H.R. 8276. A bill to provide for the temporary transfer to a single district for coordinated or consolidated pretrial proceedings of civil actions pending in different districts which involve one or more common questions of fact, and for other purposes; to the Committee on the Judiciary.

By **Mr. COLLIER:**

H.R. 8277. A bill to authorize the Secretaries of the Army, Agriculture, and the Interior to make Federal contributions to certain State water resource projects; to the Committee on Public Works.

By **Mr. CONTE:**

H.R. 8278. A bill to prohibit the further coinage of silver dollars; to the Committee on Banking and Currency.

By **Mr. FINDLEY:**

H.R. 8279. A bill to provide for the issuance of a special series of postage stamps in commemoration of the 75th anniversary of the founding of the General Federation of Women's Clubs; to the Committee on Post Office and Civil Service.

By **Mr. FRASER:**

H.R. 8280. A bill to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

By **Mr. GREIGG:**

H.R. 8281. A bill to amend the Agricultural Act of 1949, to take into consideration floods and natural disasters in reference to the feed grains program; to the Committee on Agriculture.

By **Mr. MILLS:**

H.R. 8282. A bill to provide for the establishment of a program of Federal unemployment adjustment benefits, to provide for matching grants for excess benefit costs, to extend coverage, to establish Federal requirements with respect to unemployment compensation, to increase the wage base for the Federal unemployment tax, to increase the rate of the Federal unemployment tax and to provide for a Federal contribution, to establish a Federal adjustment account in the unemployment trust fund, to change the annual certification date under the Federal Unemployment Tax Act, to provide for a research program and for a Special Advisory Commission, and for other purposes; to the Committee on Ways and Means.

By **Mr. GIBBONS:**

H.R. 8283. A bill to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964; to the Committee on Education and Labor.

H.R. 8284. A bill to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Fla., and for other purposes; to the Committee on Foreign Affairs.

By **Mr. GROSS:**

H.R. 8285. A bill to make personnel officials of the Departments of the Army, Navy, and Air Force financially responsible for overpayments resulting from their actions of pay and allowances for members of the Armed Forces; to the Committee on Armed Services.

By **Mr. HANSEN** of Iowa:

H.R. 8286. A bill to amend the Consolidated Farmers Home Administration Act of 1961 to provide additional assistance for disaster victims; to the Committee on Agriculture.

H.R. 8287. A bill to amend the Small Business Act to provide additional assistance for disaster victims; to the Committee on Banking and Currency.

By **Mr. KREBS:**

H.R. 8288. A bill to achieve the fullest cooperation and coordination of activities between the levels of Government in order to improve the operation of our Federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to provide for periodic congressional review of Federal grants-in-aid, to permit provision of reimbursable technical services to State and local governments, to establish coordinated intergovernmental policy and administration of grants and loans for urban development, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, and for other purposes; to the Committee on Government Operations.

By **Mr. LINDSAY:**

H.R. 8289. A bill to assist in the provision of housing for moderate-income families and elderly persons by providing Federal guarantees for certain obligations issued by local housing agencies; to the Committee on Banking and Currency.

By **Mr. McDADE:**

H.R. 8290. A bill to extend to volunteer fire companies the rates of postage on second-class and third-class bulk mailings applicable to certain nonprofit organizations; to the Committee on Post Office and Civil Service.

By **Mr. MEEDS:**

H.R. 8291. A bill to amend Public Laws 815 and 874, 81st Congress, to provide financial assistance in the construction and operation of public elementary and secondary schools in areas affected by a major disaster; to the Committee on Education and Labor.

By **Mr. PERKINS:**

H.R. 8292. A bill to amend the Civil Service Retirement Act to provide for the inclusion in the computation of accredited service of periods of service performed as a Work Projects Administration employee in an administrative or supervisory capacity, classified as noncertified and nonrelief; to the Committee on Post Office and Civil Service.

By **Mr. ROGERS** of Texas:

H.R. 8293. A bill to provide that U.S. passports shall not be valid for travel to or in Cuba, except as prescribed by the President; to the Committee on Foreign Affairs.

By **Mr. ROSENTHAL:**

H.R. 8294. A bill to make a Federal offense the commission of murder by or upon any person traveling in interstate commerce, and for other purposes; to the Committee on the Judiciary.

By **Mr. STEED:**

H.R. 8295. A bill to amend the Land and Water Conservation Fund Act of 1965 with respect to entrance, admission, and other recreation user fees and charges authorized thereunder; to the Committee on Interior and Insular Affairs.

By **Mr. STEPHENS:**

H.R. 8296. A bill to amend section 7701 of the Internal Revenue Code of 1954 to clarify the tax status of certain professional associations and corporations formed under State law; to the Committee on Ways and Means.

By **Mr. TAYLOR:**

H.R. 8297. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from the club dues tax for college and university faculty clubs; to the Committee on Ways and Means.

By **Mr. WHITE** of Idaho:

H.R. 8298. A bill to authorize the Secretary of the Army to grant rights of storage and transportation on the Dworshak Dam and Reservoir, Idaho; to the Committee on Public Works.

By **Mr. ZABLOCKI:**

H. Con. Res. 415. Concurrent resolution authorizing the printing as a House document of a report on the Sino-Soviet conflict by the Subcommittee on the Far East and the Pacific of the Committee on Foreign Affairs, House of Representatives, together with hearings thereon held by that subcommittee, and of additional copies thereof; to the Committee on House Administration.

By **Mr. MONAGAN:**

H. Con. Res. 416. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

269. The SPEAKER presented a memorial of the Legislature of the State of New York, relative to appropriating an additional $600,000 for the economic-engineering survey of the canal known as the All American Canal, which was referred to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 8299. A bill for the relief of C. E. Hagel; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 8300. A bill for the relief of Memorial Hospital of Michigan City Foundation, Inc.; to the Committee on Banking and Currency.

By Mr. DOWNING:

H.R. 8301. A bill for the relief of Peter Vamvouklis; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 8302. A bill for the relief of Giuseppe Buffa; to the Committee on the Judiciary.

By Mr. GILLIGAN:

H.R. 8303. A bill for the relief of Dr. Douglas H. K. Lee; to the Committee on the Judiciary.

By Mr. GREIGG:

H.R. 8304. A bill for the relief of Tita L. Calleja; to the Committee on the Judiciary.

H.R. 8305. A bill for the relief of Remedios H. Sevillano; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 8306. A bill for the relief of Reyes Cardona-Banuelos; to the Committee on the Judiciary.

H.R. 8307. A bill for the relief of Rene Paulo Rohden-Sobrinho; to the Committee on the Judiciary.

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SENATE

WEDNESDAY, MAY 19, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

Rev. Walter C. House, pastor, Emmanuel Baptist Church, Lexington, Ind., offered the following prayer:

Heavenly Father, like the shepherds of old, we hear Thy spring song upon the air, and we hasten to add our heartfelt thanksgiving for all Thy handiwork in the bountiful provisions of the beauty of nature.

As the prophets of old, we thank Thee, our Father, for faith in Thy guidance, and for Thy blessings upon our national life and our fertile land. Father, the teeming multitudes of people of this Nation and of other freedom-loving nations of the world respectfully beseech Thee to bless with endowment of Thy wisdom all these dedicated men and women who have been entrusted with soul-searching legislative responsibility, and whose deliberations may very well alter the course of history during this time of international turmoil.

Again, we beseech Thee to bless each of these assembled Senators, other officials, and visitors, with Thy wisdom and peace. We pray in the Master's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, May 18, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of May 18, 1965,

Mr. MAGNUSON, from the Committee on Commerce, reported favorably, with amendments, on May 18, 1965, the bill (S. 1734) to conserve and protect Pacific salmon of North American origin, and submitted a report (No. 194) thereon, which was printed.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

REQUEST FOR COMMITTEE TO MEET DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be permitted to meet during the session of the Senate today.

Mr. KUCHEL. Mr. President, reserving the right to object, on behalf of the minority, I should like to say that yesterday I was instructed to object to any committee meetings during sessions of the Senate. This may be a unique situation. Will the Senator from Montana withhold his request for about 1 minute while I inquire?

Mr. MANSFIELD. Mr. President, I temporarily withdraw the request.

The VICE PRESIDENT. The request is withdrawn.

ANNOUNCEMENT OF PLANTING OF TREE IN HONOR OF LATE SENATOR ROBERT S. KERR, OF OKLAHOMA

Mr. MONRONEY. Mr. President, tomorrow afternoon, at 5 o'clock, the Oklahoma State Society will plant a tree in honor of the memory of our late colleague, Senator Robert S. Kerr, of Oklahoma, on the grounds just to the west of this Chamber.

This will be a beautiful specimen of Oklahoma's State tree, the Red Bud. It is particularly symbolic that Oklahomans and all the people of the Nation should honor Senator Kerr with a memorial tree on the grounds of this Capitol in view of his magnificent efforts over the years on behalf of natural resource conservation—his beloved land, wood, and water program.

On behalf of the Oklahoma State Society, I extend to each Member of the Senate an invitation to join us at 5 o'clock tomorrow afternoon in this brief ceremony, which will take place a few steps down the hill toward Pennsylvania Avenue.

The distinguished representative from Oklahoma, Hon. CARL ALBERT, the majority leader of the House, will make the dedicatory address, and members of Senator Kerr's family will be our guests. Following the tree-planting ceremony, the members of the Oklahoma State Society will have a reception in room 207 in this building. I invite all Senators to attend that meeting, also, and to join in the fellowship honoring Senator Kerr.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

The VICE PRESIDENT. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

NATIONAL CAPITAL TRANSPORTATION AGENCY

The Chief Clerk read the nomination of Walter J. McCarter, of Illinois, to be Administrator of the National Capital Transportation Agency.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DEPARTMENT OF THE INTERIOR

The Chief Clerk read the nomination of Stanley A. Cain, of Michigan, to be Assistant Secretary of the Interior for Fish and Wildlife.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

FEDERAL POWER COMMISSION

The Chief Clerk read the nomination of Carl E. Bagge, of Illinois, to be a member of the Federal Power Commission for the remainder of the term expiring June 22, 1967.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith of the confirmation of the nominations.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The **VICE PRESIDENT** laid before the Senate the following letters, which were referred as indicated:

REPORT ON ACTUAL PROCUREMENT RECEIPTS FOR MEDICAL STOCKPILE OF CIVIL DEFENSE EMERGENCY SUPPLIES AND EQUIPMENT PURPOSES

A letter from the Acting Secretary of Health, Education, and Welfare, reporting, pursuant to law, on the actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes, for the quarterly period ended March 31, 1965; to the Committee on Armed Services.

AUDIT REPORT OF EXCHANGE STABILIZATION FUND

A letter from the Secretary of the Treasury, transmitting, pursuant to law, an audit report of the Exchange Stabilization Fund, for the fiscal year ended June 30, 1964 (with an accompanying report); to the Committee on Banking and Currency.

PROPOSED LEGISLATION RELATING TO DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the establishment by the Commissioners of the District of Columbia of a Youth Council as an agency of the Government of the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

REPORT ON REAL AND PERSONAL PROPERTY RECEIVED BY STATE SURPLUS PROPERTY AGENCIES FOR DISTRIBUTION TO PUBLIC HEALTH AND EDUCATIONAL INSTITUTIONS

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on real and personal property received by State surplus property agencies for distribution to public health and educational institutions, for the quarterly period ended March 31, 1965 (with an accompanying report); to the Committee on Government Operations.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on potential savings through use of Government-owned housing to meet military requirements in the Jacksonville, Fla., area, Federal Housing Administration, Housing and Home Finance Agency, Veterans Administration and Department of Defense, dated May 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on inequitable allocation of accelerated public works funds among eligible areas, Area Redevelopment Administration, Department of Commerce, dated May 1965 (with an accompanying report); to the Committee on Government Operations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S.J. Res. 65. Joint resolution establishing the Commission on Art and Antiquities of the Capitol, and for other purposes (Rept. No. 201);

H. Con. Res. 383. Concurrent resolution authorizing the printing of a pocket-sized edition of "The Constitution of the United States of America" as a House document, and for other purposes (Rept. No. 202);

S. Res. 92. Resolution to permit reprint of the Committee on Aging's report entitled "Frauds and Deceptions Affecting the Elderly; Investigations, Findings, and Recommendations" (Rept. No. 197);

S. Res. 98. Resolution to print as a Senate document the committee print entitled "Proposed Federal Promotion of 'Shared Time' Education (A Digest of Relevant Literature and Summary of Pro and Con Arguments)" (Rept. No. 198);

S. Res. 99. Resolution to print as a Senate document the committee print entitled "Student Assistant Handbook (Guide to Financial Assistance for Education Beyond High School)" (Rept. No. 199); and

S. Res. 101. Resolution to provide additional funds for the Committee on Appropriations.

CIGARETTE LABELING—REPORT OF A COMMITTEE (S. REPT. NO. 195)

Mr. **MAGNUSON**. Mr. President, from the Committee on Commerce, I report favorably, with amendments, the bill (S. 559) to regulate the labeling of cigarettes, and for other purposes, and I submit a report thereon. I ask that the report be printed, together with the supplemental views of Senators NEUBERGER and HART.

The **PRESIDING OFFICER** (Mr. HARRIS in the chair). The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Washington.

Mr. **MAGNUSON**. Mr. President, the Committee on Commerce has held rather lengthy hearings on the matter of cigarette labeling and cigarette advertising.

The committee spent much time not only on the bill, but also on the report which sets forth the problem that is involved and the committee recommendations.

The report is now ready for filing. Many Senators and members of the public are deeply interested in the conclusions that have been reached.

Mr. President, I ask unanimous consent that when copies of the printed reports are exhausted, the Commerce Committee be authorized to request a further printing.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

AMENDMENT OF BRETTON WOODS AGREEMENTS ACT—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 196)

Mr. **SPARKMAN**. Mr. President, I submit the report of the Committee on Foreign Relations on H.R. 6497, a bill to amend the Bretton Woods Agreements Act to authorize an increase in the International Monetary Fund quota of the United States.

I ask unanimous consent that the supplementary views of the senior Senator from Pennsylvania [Mr. CLARK], be printed as a part of the report of the committee.

The **PRESIDING OFFICER**. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Alabama.

TO PRINT AS A SENATE DOCUMENT THE ANNUAL REPORT OF THE DAUGHTERS OF THE AMERICAN REVOLUTION—REPORT OF A COMMITTEE (S. REPT. NO. 200)

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 107) authorizing the printing of the 67th annual report of the National Society of the Daughters of the American Revolution as a Senate document, and submitted a report thereon; which report was ordered to be printed, and the resolution placed on the calendar, as follows:

Resolved, That the 67th annual report of the National Society of the Daughters of the American Revolution for the year ended March 1, 1964, be printed, with an illustration, as a Senate document.

CARRIE WALTON—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 108) to pay a gratuity to Carrie Walton, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Carrie Walton, widow of Barriteer L. H. Walton, an employee of the Senate at the time of his death, a sum equal to 1 year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS (for himself, Mr. HARTKE, Mr. MORSE, Mr. PELL, Mr. COOPER, and Mr. SCOTT):

S. 1992. A bill to establish a Peace by Investment Corporation, and for other related purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE (for himself, Mr. MCCARTHY, Mr. NELSON, and Mr. PROXMIRE):

S. 1993. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. MONDALE when he introduced the above bill, which appear under a separate heading.)

By Mr. MONRONEY (by request):

S. 1994. A bill to amend the Dual Compensation Act;

S. 1995. A bill to provide for the discontinuance of the Postal Savings System, and for other purposes;

S. 1996. A bill to amend the Civil Service Retirement Act to authorize the payment of an annuity to a secretary of a justice or judge of the United States on the same basis as an annuity to a congressional employee or former congressional employee;

S. 1997. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes; and

S. 1998. A bill to establish the Federal Salary Review Commission; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. MONRONEY when he introduced the last two above-mentioned bills, which appear under a separate heading.)

By Mr. FONG:

S. 1999. A bill for the relief of Young Kih Minn; to the Committee on the Judiciary.

By Mr. CANNON:

S. 2000. A bill to provide that standard silver dollars hereafter minted shall bear the figure "1922" in lieu of the year of coinage, and shall bear no mark signifying the mint of coinage; to the Committee on Banking and Currency.

(See the remarks of Mr. CANNON when he introduced the above bill, which appear under a separate heading.)

RESOLUTIONS

TO PROVIDE FOR A STUDY OF EXPLOSION AT THE AIRBASE AT BIENHOA, SOUTH VIETNAM

Mr. YOUNG of Ohio submitted a resolution (S. Res. 106) to provide for a study of explosion at the airbase at Bienhoa, South Vietnam, which was referred to the Committee on Armed Services.

(See the above resolution printed in full when submitted by Mr. YOUNG of Ohio, which appears under a separate heading.)

PRINTING OF 67TH ANNUAL REPORT OF THE NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION AS A SENATE DOCUMENT

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 107) authorizing the printing of the 67th annual report of the National Society of the Daughters of the American Revolution as a Senate document, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. JORDAN of North Carolina, which appears under the heading "Reports of Committees.")

CARRIE WALTON

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 108) to pay a gratuity to Carrie Walton, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. JORDAN of North Carolina, which appears under the heading "Reports of Committees.")

PEACE BY INVESTMENT CORP.

Mr. JAVITS. Mr. President, for myself and on behalf of the Senator from Kentucky [Mr. COOPER], the Senator from Indiana [Mr. HARTKE], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PELL], and the Senator from Pennsylvania [Mr. SCOTT] I introduce a bill to create a federally chartered Peace by Investment Corporation, and for other related purposes.

The Corporation is designed to enable small investors in the United States to buy shares at $5 a share to establish a pool of capital in the first instance amounting to $2.5 billion, in order to aid in the development of underdeveloped areas of the free world. It is the culmination of a long effort which has been developing for well over 10 years, and which was introduced in the 87th and 88th Congresses by other Senators, including myself. It comes now with a special impact because, first, it follows the pattern of the Communications Satellite Corp.—Comsat—a mixed Government-private enterprise to use the communications satellite, which has already had a marked success; second, it follows also the objective of the Adela Investment Co., the great free enterprise effort of the major companies and banks of the United States, Europe, and Japan to aid in the free enterprise development of Latin America; and third, because it is a practical way to reduce the need for the U.S. foreign aid and to supplement the activities of the World Bank, International Development Association, the Inter-American Development Bank, and the United Nations Special Fund, by enlisting the interest of the U.S. small investor, giving him a chance to buy a share in peace on a people-to-people basis.

In addition, the proposal answers the feeling of many who wish we would find some other way of providing foreign aid than through the established Government channel of the foreign aid bill.

The unique feature of the bill is that the Corporation would obtain its investment funds primarily from millions of small investors, who would be, in effect, buying peace shares. I sponsored the peace by investment bill in the 87th Congress. Senator MORSE introduced it in the 88th Congress, and the bill was cosponsored by Senators HUMPHREY, Beall, HARTKE, and myself.

The new bill is a revised version of earlier proposals, which I have sponsored in the Senate, based upon additional study and consultation in the United States and other countries during the past 4 years. The financial and economic basis for the bill is principally the work of Benjamin A. Javits, my brother, a well-known lawyer and author who for many years has written extensively on the subject, and Leon H. Keyserling, well-known economist and former Chairman of the Council of Economic Advisers.

Under the terms of this legislation, initial and temporary capital funds for the Peace by Investment Corporation, totaling $50 million, would be subscribed to by the U.S. Government through the Treasury. During the first 6 years of its operations, to obtain added funds for its investment purposes, the Corporation would also be authorized to borrow from the Treasury in amounts not exceeding $60 million in any one year, and in an aggregate outstanding amount not exceeding $300 million. During this initial period, the Corporation would function as an agency of the United States. But upon retirement of the basic portion of the original investment in the project by the Treasury, the Corporation would go through an orderly transition from an agency of the United States to private operation and management.

The bill contains provisions for the retirement of these initial subscriptions and borrowings with earnings in investments and with permanent capital funds obtained by offering stock for public sale, predominantly to small investors, at a price yielding $5 per share to the Corporation. The issuance of this stock would be authorized by the bill in a total amount of $2.5 billion, not more than half of which could be during the first 6 years of the Corporation's operation.

The plan also includes an insurance feature, designed to protect investment on a sound actuarial basis against certain types of risk.

The establishment of the Peace Corps reflects growing realization that governments and diplomatic relations alone cannot bring enduring peace, without the consolidation and expansion of people-to-people relationships. Economic relationships are fundamental to human relationships, and private economic endeavors are inseparable from systems of human freedom. This measure is designed to establish and expand people-to-people relationships in the economic field; to encourage an expanded flow of private capital investment from the United States into economically sound enterprises in underdeveloped areas of the world in the interest of world peace through mutual economic progress; to enlarge the number of private investors participating in this flow of capital so as to forge more direct links among the peoples of the world; to reduce gradually thereby the need for U.S. public investment and grants overseas; to help redirect the total flow of capital from the United States so that increasing portions of this total flow go to the underdeveloped areas, and thus be in better harmony with the domestic economic needs of the United States and the effective management of its international balance-of-payments problems.

The onrushing Soviet economic challenge underscores a fact which has been evident since the end of World War II—that our own national and economic security depends upon our willingness and ability to play a substantial economic role in the advancement of industrialization, agricultural productivity, and living standards which are now so abysmally low in many areas of the free and noncommitted world. Undoubtedly, public funds from the United States, from other countries and from international agencies, will need to be continued for some years, and even enlarged. But it is obvious that the flow of private capital needs to be expanded enormously in the years ahead, if a stable productive structure is to be built on the foundations created with the help of public funds.

Equally important as the economic factors are the political and social factors. By demonstrating throughout the world, not only that we in the United States can help to make responsible sovereign governments work for the benefit of free peoples everywhere, but also that we can help to make responsible private enterprise work for the benefit of free peoples everywhere, we may by precept and example enlarge the appeal of our admixture of private enterprise and government in other areas of the world. And by making it possible for other peoples to rise out of near starvation to a degree of production which will make further improvement in living standards increasingly feasible through their own efforts, we shall have gotten closer to the heart of the problem of peace.

Further, the opening up of trade and market opportunities which will result from an improved technology in the underdeveloped areas can make an immense contribution to our own long-range economic advancement at a steady growth rate, with beneficent consequences in the form of business and farm prosperity, increased job opportunities, and better living standards here in the United States.

The basic criteria for the entire investment program contained in the bill require that the Peace by Investment Corporation make these findings:

First. That each specific investment is in furtherance of an undertaking which is economically sound, actually or potentially profitable, and consistent with the sound, long-range economic development of the country in which it is located.

Second. The country in which the undertaking is located shall have had full information with respect to it and opportunity to express a judgment as to its desirability.

Third. That the investment is not in competition with nor duplicative of other private investment programs or other public programs of the United States or of international agencies which give reasonable promise of accomplishing comparable results in accord with the purpose of this act.

Fourth. That each investment, taking into account the country in which it is located, is in accord with the general international economic and political policies of the United States.

Fifth. That the investment program in general is consistent with the short-range and long-range policy of the United States to maintain maximum employment, production, and purchasing power within the domestic economy.

Sixth. That the investment program in general is consistent with the short-range and long-range need of the United States to maintain a satisfactory balance-of-payments position. The creation of such a corporation is fully consistent with U.S. balance-of-payments policy. The Secretary of the Treasury, the Secretary of Commerce, and the Chairman of the Federal Reserve Board have recently assured me that the encouragement of the flow of productive private investment from the United States to developing countries remains administration policy. An exchange of correspondence between myself and the above administration officials on this subject may be found in the CONGRESSIONAL RECORD of March 25, 1965, pages 5896–5899, and April 1, 1965, pages 6700–6701.

Seventh. That the investment program, in general and in its specific applications, is mutually beneficial to the country to which the investment flows and the country from which it emanates, taking into account not only purely economic considerations but also consideration of human improvement under free institutions.

All authorities agree that everything that has been done by the World Bank, International Development Association, the Inter-American Development Bank, and the United Nations Special Fund still leaves much more to be done.

The concept incorporated in this bill is an effective way, without placing a burden upon taxpayers, to enable the American private investor, with his enormous power, to participate, as he has in Comsat, in a worthwhile public adventure.

I have on my desk—and Senators who are interested may obtain a copy of it—a booklet authored by my brother, Benjamin A. Javits, who was the inventor of the idea, going back some years, together with Leon H. Keyserling, who has been his principal collaborator, and who was formerly Chairman and President of the Council of Economic Advisers. Mr. Keyserling fully subscribes to the idea.

Mr. President, it is time we had some fresh concepts in the foreign aid field. I know of none which is as bright, viable, and practical as this one.

I shall seek the earliest possible hearings from the committee to which the bill will be referred, probably the Committee on Foreign Relations. I introduce the bill in the Senate with great pride, as it emanates from my own family as a real alternative to the treadmill which many persons feel we are on; namely, of merely voting public funds year after year in a foreign aid bill.

Mr. President, I ask unanimous consent that the bill and a section-by-section analysis of it be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the RECORD.

The bill (S. 1992) to establish a Peace by Investment Corporation, and for other related purposes, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

GENERAL PURPOSES

SECTION 1. The recent establishment of the "Peace Corps" reflects growing realization that governments and diplomatic relations alone cannot bring enduring peace, without the consolidation and expansion of people-to-people relationships. Economic relationships are fundamental to human relationships, and private economic endeavors are inseparable from systems of human freedom. This measure is designed to establish and expand people-to-people relationships in the economic field; to encourage an expanded flow of private capital investment from the United States into economically sound enterprises in underdeveloped areas of the world in the interest of world peace through mutual economic progress; to enlarge the number of private investors participating in this flow of capital so as to forge more direct links among the peoples of the world; to reduce gradually thereby the need for United States public investment and grants overseas; to help redirect the total flow of capital from the United States so that increasing portions of this total flow go to the underdeveloped areas, and thus be in better harmony with the domestic economic needs of the United States and the effective management of its international balance-of-payments problems.

PEACE BY INVESTMENT CORPORATION: BASIC FUNCTIONS

SEC. 2. There is hereby established a Peace by Investment Corporation (hereinafter referred to as the Corporation) with the following basic functions in accord with the purposes of this Act:

(1) As an equity investment agency, to purchase the securities and obligations of, or make loans to (a) any underdeveloped country or political subdivisions thereof, (b) any public agency or instrumentality of any such country, or (c) any private or semiprivate firm, corporation, or association doing or intending to do business wholly or mainly in any such country or countries for the purpose of financing or assisting in financing any undertaking to expand such industrial, mining, construction, or agricultural activity in such country or countries as will, in the judgment of the Corporation, further the purposes of this Act;

(2) As an investment trust, to purchase minor stock interests in enterprises in the United States already in being under effective management and engaged substantially in investment in underdeveloped countries, to the extent that such purchases are clearly desirable in conducting the financial functions of the Corporation on a sound and prudent basis;

(3) To establish an insurance system, on an actuarially sound basis including such premiums as are required, designed to protect all or part of the outstanding investments under paragraph (1) of this section against loss arising from any cause, including but not limited to political or military events;

(4) To establish a second insurance system (distinct from that pursuant to paragraph (3) of this section), on an actuarially sound basis including such premiums as are required, designed to protect against loss for specified causes, not including mismanagement, all or part of the outstanding investments of private investors (other than the Corporation) in any undertaking eligible for financial assistance under paragraph (1) of this section.

BASIC CRITERIA FOR INVESTMENT PROGRAM

SEC. 3. In carrying forward the investment program pursuant to paragraph (1) of section 2 of this Act, the Corporation shall be guided by these basic criteria, and shall make appropriate findings accordingly:

(1) That each specific investment is in furtherance of an undertaking which is economically sound, actually or potentially profitable, and consistent with the sound long-range economic development of the country in which it is located;

(2) That the country in which the undertaking is located shall have had full information with respect to it and opportunity to express a judgment as to its desirability;

(3) That the investment is not in competition with nor duplicative of other private investment programs or other public programs of the United States or of international agencies which give reasonable promise of accomplishing comparable results in accord with the purposes of this Act;

(4) That each investment, taking into account the country in which it is located, is in accord with the general international economic and political policies of the United States;

(5) That the investment program in general is consistent with the short-range and long-range policy of the United States to maintain maximum employment, production, and purchasing power within the domestic economy;

(6) That the investment program in general is consistent with the short-range and long-range need of the United States to maintain a satisfactory balance-of-payments position;

(7) That the investment program in general, and in its specific applications, is mutually beneficial to the country to which the investment flows and country from which it emanates, taking into account not only purely economic considerations but also consideration of human improvement under free institutions.

BASIC FINANCING OF PEACE BY INVESTMENT CORPORATION

SEC. 4. (a) The Corporation shall have a capital stock consisting in part of fifty shares of par value of $1,000,000 per share of class A stock, which shall be the only stock of the Corporation having voting power so long as any of it is outstanding. This class A stock shall be subscribed to by the United States Government. The Secretary of the Treasury shall use the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, for the purpose of such subscriptions, and the purposes for which securities may be issued under such Act are extended to include such subscription. Payment under this paragraph to the Corporation for the subscription of the United States and repayments thereof shall be treated as public debt transactions of the United States. Certificates evidencing stock ownership by the United States shall be issued by the Corporation to the President of the United States or to such other person or persons as he may designate from time to time. Neither the provisions of the Securities Act of 1933, as amended, nor the provisions of the Securities Exchange Act of 1934, as amended, shall apply to the Corporation or to the original issue of its securities while class A stock is outstanding.

(b) The Corporation is authorized to increase its capital stock by offering for public sale five hundred million shares of class B stock at par value of $5 per share. This stock shall be placed on public sale to net the Corporation $5 per share, with an override not exceeding 30 cents per share to cover distribution costs: *Provided*, That not more than two hundred and fifty million shares of this class B stock in the aggregate, nor more than seventy-five million shares in any one year, shall be sold so long as the Corporation remains an agency of the United States as provided in section 5(a) of this Act. The Corporation, with approval of the Secretary of the Treasury, shall by regulation determine the maximum amount of such class B stock which may be held at any time by any individual, and the maximum amount which may be held at any time by business enterprises and other organizations of various types and sizes.

(c) The Corporation is authorized to issue from time to time, for purchase by the Secretary of the Treasury, its notes, debentures, bonds, or other obligations: *Provided*, That the issue of such obligations shall not exceed $60,000,000 in any one year, nor shall the aggregate amount of such obligations outstanding at any one time exceed $300,000,000, nor shall any such obligations be issued more than six years from the date of the first issue, nor shall any such obligations be issued except so long as the corporation remains an agency of the United States as provided in section 5(a) of this Act. Such obligations shall have such varied maturities, not in excess of twenty years, as may be determined by the Corporation with the approval of the Secretary of the Treasury, with periodic retirement of each obligation commencing in the first year subsequent to its original issue: *Provided*, That any such obligations may be retired at the option of the Corporation before maturity in such manner as may be stipulated therein. Each obligation purchased by the Secretary of the Treasury shall, so long as the Corporation remains an agency of the United States, bear interest at a rate determined by the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of such obligation; and when the Corporation is no longer an agency of the United States, as provided in section 6 of this Act, each such obligation shall bear interest at the rate of 4 per centum per annum. The Secretary of the Treasury is authorized for the purpose of this subsection to use as a public-debt transaction the proceeds of any securities issued after July 31, 1945, under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act are extended to include such purpose. Payment by the Treasury under this subsection of the purchase price of such obligations of the Corporation and repayment thereof by the Corporation shall be treated as public-debt transactions of the United States.

(d) One-fifth of the proceeds of the sale of class B stock issued under subsection (b) of this section shall be set aside by the Corporation in a special fund to be established by the Corporation. This special fund shall be utilized (1) to retire fully, within a period of six years or less from the initial issuance of such class B stock, the class A stock of the Corporation issued under subsection (a) of this section, and (2) to retire fully the obligations issued under subsection (c) of this section in accordance with the terms of retirement contained in such obligations. This special fund shall be invested or reinvested by the Corporation in interest-bearing obligations of the United States or in obligations guaranteed as to interest and principal by the United States: *Provided*, That when the class A stock of the Corporation and the obligations issued under subsection (c) of this section shall have been retired in full, any balance remaining in this special fund shall be merged with other funds of the Corporation obtained through the sale of class B stock and shall thereupon be available for the general purposes of this Act.

(e) Except as otherwise provided in this section, all funds available to the Corporation pursuant to this section, and as earnings from its operations, shall be available for its general purposes under this Act.

INITIAL MANAGEMENT OF PEACE BY INVESTMENT CORPORATION

SEC. 5. (a) Until the conditions set forth in section 6 of this Act are fully met, the Corporation shall be an independent agency of the United States.

(b) The management of the Corporation during its existence as an agency of the United States shall consist of a Board of Directors (herein referred to as the Board), composed of (1) five members appointed from private life by the President with the advice and consent of the Senate, who shall collectively possess broad experience in various areas of economic endeavor; (2) the Secretary of State, the Secretary of the Treasury, the Secretary of Commerce, and the Secretary of Labor, to serve ex officio; (3) four members to be appointed by the President from various United States agencies concerned with international economic development; and (4) a President and Executive Vice President of the Corporation, as set forth below, who may be appointed from private life or from public service. All members, except those serving ex officio, shall serve at the pleasure of the President.

(c) The Board shall elect a Chairman from among its members. Any vacancy in the Board shall not affect its powers, but shall be filled in the same manner as the original appointment. A majority of the Directors shall constitute a quorum, and action shall be taken only by a majority vote of those present.

(d) The Board shall designate an executive committee of seven members, not more than two of whom (exclusive of the President and Executive Vice President of the Corporation) shall be members appointed from private life. The executive committee shall perform the functions and exercise the powers of the Board at such times and to such extent as shall be provided in the bylaws of the Corporation.

(e) Members of the Board appointed from private life shall resolve $——— per diem when engaged in the actual performance of their duties, plus reimbursement for necessary travel, subsistence, and other expenses incurred by them in the performance of such duties.

(f) There shall be a President of the Corporation, to be appointed by the President by and with the advice and consent of the Senate, who shall receive a salary at the rate of $——— per annum, and who shall serve as chief executive officer of the Corporation, as a member of the executive committee, and as a member of the Board. The President of the Corporation shall, in accordance with the bylaws, appoint such officers and employees as may be necessary for the conduct of the business of the Corporation, define their duties, and fix their compensation.

(g) There shall be an Executive Vice President of the Corporation, to be appointed by the President by and with the advice and consent of the Senate, who shall receive a salary at the rate of $——— per annum. The Executive Vice President shall serve as President of the Corporation during the absence or disability of the President thereof or in the event of a vacancy in such office.

(h) No director, officer, attorney, agent, or employee of the Corporation shall in any manner, directly or indirectly, participate in the deliberation upon or the determination of any question affecting his personal interests, or the interests of any government, corporation, partnership, or association in which he is directly or indirectly personally interested.

(i) The President may also appoint an advisory committee to the Board, composed of individuals drawn from private and public life outside of the United States, who need not be citizens or residents of the United States.

TRANSFER OF PEACE BY INVESTMENT CORPORATION TO PRIVATE OWNERSHIP AND MANAGEMENT

SEC. 6. (a) When the class A stock of the Corporation has been retired in full within the period of six years or less provided in section 4(d) of this Act, the Board shall transmit to the President of the United States, for submission to the Congress, recommendations for such legislation as may be necessary to provide for the orderly transition of the Corporation from an agency of the United States to a corporation under private ownership and management, including (1) appropriate provision for transfer to the owners of the outstanding class B stock of the Corporation the assets and liabilities of the Corporation, (2) appropriate provision for vesting in such owners of class B stock the exclusive voting power of the Corporation originally vested in the owners of class A stock, with each owner of class B stock being thereupon entitled to one vote per share, and (3) such additional provisions as may be necessary to protect any outstanding investments in the Corporation by the United States: *Provided*, That the President, in connection with such submission to the Congress, shall also provide recommendations as to whether a sufficient portion of the obligations purchased by the Secretary of the Treasury pursuant to section 4(c) of this Act have been retired to justify the transfer of the Corporation from public to private ownership and management.

(b) In connection with such transfer, a complete and final accounting shall be made by the Corporation and the Government, at which time the Government shall receive reasonable compensation for all Government services rendered the Corporation.

GENERAL CORPORATE POWERS AND DUTIES

SEC. 7. (a) For the purpose of carrying out its functions under this Act the Corporation shall have succession in its corporate name; may adopt and use a corporate seal, which shall be judicially noticed; may sue and be sued in its corporate name; may adopt, amend, and repeal bylaws, rules, and regulations governing the manner in which its business may be conducted and the powers vested in it may be exercised; may make and carry out such contracts and agreements as are necessary and advisable in the conduct of its business, and may purchase, discount, rediscount, sell, and negotiate (with or without its endorsement or guarantee) and guarantee notes, drafts, checks, bills of exchange, acceptances, including bankers' acceptances, cable transfers, and other evidences of indebtedness in carrying out its functions under this Act; may appoint and fix the compensation of such officers and employees as may be necessary for the conduct of its business, without regard to the civil service laws or the Classification Act of 1949, define their authority and duties, delegate to them such powers vested in the Corporation as may be necessary, require bonds of such of them as may be desirable, and fix the penalties and pay the premiums of such bonds; may assign or sell at public or private sale, or otherwise dispose of for cash or credit, upon such terms and conditions as shall be determined reasonable, any evidence of debt, contract, claim, personal property, or security held by the Corporation in connection with the payment of loans or other obligations, and collect or compromise all obligations held by the Corporation; may set up or engage such subsidiary agencies in the United States or in underdeveloped countries as will facilitate the business of the Corporation and may enable such subsidiary agencies to sell class B stock or to sell their own stock for the purpose of buying class B stock; may acquire by purchase, lease, or donations such real property or any interest therein, and may sell, lease, or otherwise dispose of such real property, as may be necessary for the conduct of its business; shall determine the character of and the necessity for its obligations and expenditures, and the manner in which they shall be incurred, allowed, and paid, subject to the provisions of this Act, and provisions of law specifically applicable to Government corporations; may pay dividends on class B stock out of profits or other earnings; shall be entitled to the use of the United States mails in the same manner and upon the same conditions as may be applicable to the executive departments of the United States Government until such time as it ceases to be an agency of the United States; and shall be subject to Federal taxation from the time that it ceases to be an agency of the United States. The foregoing enumeration of powers shall not be deemed to exclude other lawful powers necessary to the purposes of the Corporation.

(b) Notwithstanding the provisions of section 955 of title 18, United States Code, any person, including any individual, partnership, corporation, or association, may upon proper authorization act for or participate with the Corporation in any operation or transaction engaged in by the Corporation.

(c) Section 101 of the Government Corporation Control Act, as amended (31 U.S.C. 846), is amended by inserting after "Saint Lawrence Seaway Development Corporation" the words "World Development Corporation".

PENAL PROVISIONS

SEC. 8. (a) All general penal statutes relating to the larceny, embezzlement, or conversion of public moneys or property of the United States shall apply to the moneys and property of the Corporation.

(b) Any person who, with intent to defraud the Corporation, or to deceive any director, officer, or employee of the Corporation or any officer or employee of the United States, makes false entry in any book of the Corporation, or makes false report or statement for the Corporation, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned for not more than five years, or both.

(c) Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the Corporation or wrongfully and unlawfully to defeat its purposes, shall, on conviction thereof, be fined not more than $10,000 or imprisoned for not more than five years, or both.

REPORTS AND STUDIES

SEC. 9. The Corporation shall submit to the President, for transmission to the Congress at the beginning of each regular session, a complete and detailed annual report of its operations under this Act.

SEC. 10. The Corporation, immediately upon its establishment, shall commence studies of additional measures, including tax measures, which would further promote the flow of private capital from the United States to underdeveloped areas of the world and be consistent with the economic and financial policies of the United States. Such studies shall be amplified in the light of the experience of the Corporation. As soon as practicable, and not later than three years after the establishment of the Corporation, it shall prepare for transmission to the Congress the initial results of such studies, including legislative recommendations.

CITATION

SEC. 11. This Act may be cited as the "Peace by Investment Corporation Act of 1965".

The section-by-section analysis presented by Mr. JAVITS is as follows:

SECTION-BY-SECTION ANALYSIS OF PEACE BY INVESTMENT CORPORATION BILL

Section 1 sets forth the purposes of the bill which are to establish and expand people-to-people relationships in the economic field; to encourage an expanded flow of private capital investment from the United States into economically sound enterprises in underdeveloped areas of the world in the interest of world peace through mutual economic progress; to enlarge the number of private investors participating in this flow of capital so as to forge more direct links among the people of the world, and for other purposes.

Section 2 defines the basic functions of the Corporation which are (1) to serve as an equity investment agency which would make available funds of a private capital nature, to assist in the financing of economic development projects; (2) to act as an investment trust; (3) to establish an insurance system designed to protect all or part of the outstanding oversea investments of the Corporation against loss arising from any cause, including but not limited to political or military events; and (4) to establish a second insurance system to protect against loss for specific causes, not including mismanagement, all or part of the outstanding investments of private investors other than the Corporation in any oversea undertaking eligible for financial assisance by the Corporation.

Section 3 establishes basic criteria for the investment program of the Corporation. As a necessary condition for making such investments the Corporation would have to find that such project met sound economic criteria. The Corporation would also be required to obtain the views of the country in which the affected enterprise would be located. A further criterion of assistance would be that loan financing or equity assistance would not take the place of funds which would otherwise flow readily for the same purpose. Findings would also be necessary that the investment program in general was consistent with the policy of the United States to maintain maximum employment, production, and purchasing power within the domestic economy; that the program in general was consistent with the promotion of a satisfactory balance-of-payments position for the United States; and that the program in general was in accord with the general international economic and political policies of the United States.

Section 4 sets forth the means to provide basic financing of the Corporation. Subsection (a) states that to provide initial and temporary capital funds for its operations, the Corporation would be authorized to issue class A stock of 50 shares of par value of $1 million per share totaling $50 million. This class A stock would be subscribed to by the U.S. Government through the Secretary of the Treasury.

Subsection (b) authorizes the Corporation to offer for public sale 500 million shares of class B stock at par value of $5 a share provided that not more than 250 million shares of this class B stock in the aggregate, nor more than 75 million shares in any one year shall be sold so long as the Corporation remains an agency of the United States.

Subsection (c) authorizes the Corporation to issue from time to time, by purchase by the Secretary of the Treasury, its notes, debentures, bonds or other obligations provided that the issue of such obligation shall not exceed $60 million in any 1 year nor shall the aggregate amount of such obligations outstanding at any one time exceed $300 million, nor shall any such obligations be issued more than 6 years from the date of the first issue, nor shall any such obligations be issued except so long as the Corporation remains an agency of the United States. Such obligations would be interest bearing and would have varied maturities not in excess of 20 years, with provision for retirement before maturity.

Subsection (d) provides that one-fifth of the proceeds of the sale of the class B stock be earmarked in a special fund for the retirement of the class A stock which would have to be retired in full within 6 years or less from the date of original issue of class B stock.

Subsection (e) states that except as otherwise provided in section 4 of this bill, all funds available to the Corporation pursuant to this section, and as earnings from its operations, shall be available for its general purposes under the act.

Section 5 describes the form of initial management of the Corporation.

Subsection (a) provides that the Corporation shall be an independent agency of the United States, until the conditions set forth in section 6 of the act are fully met.

Subsection (b) states that the management of the Corporation during its existence as an agency of the United States would consist of a Board of Directors of 15 members consisting of a President, and Executive Vice President appointed by the President of the United States, and 5 members appointed from private life by the President of the United States, all with the advice and consent of the Senate; 4 members appointed by the President of the United States from various U.S. agencies concerned with international economic developments; and the Secretaries of State, Treasury, Commerce, and Labor, serving ex officio.

Subsections (c) through (l) provide for the election of a Chairman, designation of an Executive Committee, the compensation of the Board, the President of the Corporation, and the Executive Vice President and authorized the President of the United States to appoint an Advisory Committee to the Board.

Section 6 establishes a method of transfer of the Corporation to private ownership and management. "When the class A stock of the Corporation has been retired in full within the period of six years or less provided in section 4(d) of this Act, the Board shall transmit to the President of the United States, for submission to the Congress, recommendations for such legislation as may be necessary to provide for the orderly transition of the Corporation from an agency of the United States to a corporation under private ownership and management, including (1) appropriate provision for transfer to the owners of the outstanding class B stock of the Corporation, the assets and liabilities of the Corporation, (2) appropriate provision for vesting in such owners of class B stock the exclusive voting power of the Corporation originally vested in the owners of class A stock, with each owner of class B stock being thereupon entitled to one vote per share, and (3) such additional provisions as may be necessary to protect any outstanding investments in the Corporation by the United States: *Provided*, That the President, in connection with such submission to the Congress, shall also provide recommendations as to whether a sufficient portion of the obligations purchased by the Secretary of the Treasury pursuant to section 4(c) of this Act have been retired to justify the transfer of the Corporation from public to private ownership and management.

"(b) In connection with such transfer, a complete and final accounting shall be made by the Corporation and the Government, at which time the Government shall receive reasonable compensation for all Government services rendered the Corporation."

Section 7 establishes general corporate powers and duties for the Corporation.

Section 8 sets up penal provisions.

Section 9 calls for periodic reports to the Congress.

Section 10 authorizes the Corporation to make certain studies.

Section 11 provides that this act may be cited as the Peace by Investment Corporation Act of 1965.

NATIONAL MILK SANITATION ACT OF 1965

Mr. MONDALE. Mr. President, on behalf of myself and Mr. McCARTHY, Mr. PROXMIRE, and Mr. NELSON, I introduce the National Milk Sanitation Act of 1965. I ask unanimous consent that this bill be left at the desk for an additional 2 weeks, until the close of business on June 2, 1965, for additional cosponsors. In order that all the Senators might have an opportunity to study the provisions of this bill, I also ask unanimous consent that there be printed in the CONGRESSIONAL RECORD at this point a copy of the bill and a section-by-section analysis.

This bill is designed to promote full and free interstate commerce in fluid milk and fluid milk products meeting the high sanitation standards to be established by the U.S. Public Health Service.

At present, fluid milk cannot move freely between States because of the multiplicity of local milk sanitation standards that exist throughout the country. These local standards and regulations came about in the most natural way in the world. They were essential for the protection of the public. They were designed for use at a time when most milk was consumed close to the producing area, and when it was not possible to ship this perishable product for great distances. Times, however, have changed and so have transportation and handling facilities. Now practically all milk everywhere is produced and handled under up-to-date, safe, sanitary conditions, and regulations.

Advancements in dairy technology during the past quarter century have improved the quality and reduced the perishability of milk. With the introduction and universal use of proper methods of pasteurization, milk has almost wholly ceased to present a public health problem. Improvements in refrigeration and transportation permit the regular distribution of high-quality fluid milk in markets up to 2,000 miles from the point of production. The discovery of new and improved methods of marketing milk and other dairy products in forms which reduce handling and transportation costs promises to bring milk from production areas even closer to the large urban markets.

But the benefits of this technology and the benefits to consumers and producers ordinarily expected as one of the byproducts of research, are seriously threatened by an assortment of health regulations designed primarily today to protect the producers market rather than the public health.

Therefore, local milk sanitation standards have become, either by design or by the passage of time, weapons of economic warfare. They have been used and have the effect of economic barriers, confining the area of production for a given market. A comprehensive study made by the Department of Agriculture in 1955 concluded that "Sanitary regulations hinder or prevent the movement of milk into a substantial number of cities." That study found, in an analysis of the impact of sanitary requirements and State milk control laws, that the most commonly used devices of market exclusion by "sanitary laws" were: First, prohibitive or multiple license requirements; second, unique construction standards; third, grade A standards that limited the place of pasteurization; and fourth, refusal to inspect beyond a limited area.

We all recognize that regulation for sanitary purposes results in some hindrance to trade. Regulations that exclude from the channels of commerce unwholesome or adulterated or mislabeled foods are not called trade barriers, because they are reasonably designed to accomplish a legitimate end; namely, the protection either of the consumer's health or his pocketbook against fraud and deception. However, the barriers I speak of in relation to milk go far beyond the protection of the public health and clearly stand as trade barriers against importation of fluid milk and fluid milk products into the area in which they are effective.

Enactment into law of the bill under consideration would enable fluid milk and fluid milk products to move in interstate commerce with the same ease as do all other agricultural products. While local sanitary regulations do not per se constitute unlawful trade barriers, they can serve as major obstacles to the shipment of milk. Licensing provisions which impose multiple or discriminatory inspection fees, which limit the area of inspection, or permit the licensing authority to make economic decisions for the industry have been vulnerable to legal attack. The innumerable court cases on the books all show that these devices have been used, but this approach of court action has not been successful in opening up all market areas. The establishment of uniform Federal health standards would eliminate the restrictive effect of those regulations that have no public health significance.

Our bill proposes just such uniform standards, standards to be set up by the U.S. Public Health Service.

The bill would require the Surgeon General, by regulation, to establish a Federal uniform milk sanitation standard governing milk and milk products in interstate commerce. These regulations would provide minimum standards of sanitation and health, would provide for a system of rating, certification, and listing of State milk plants and their milk supplies.

The bill sets up an entirely voluntary program. No State is required to participate. However, once a State determines that it wishes to avail itself of the benefits of the act for its interstate milk shippers, fluid milk or fluid milk products from a plant in that State, complying with the Surgeon General's regulations, would be immune from seizure or exclusion by a receiving State or its political subdivisions by reason of failure of such fluid milk or fluid milk products to comply with health or sanitation laws of the receiving State or locality. On the other hand, such milk or milk products would be subject to local testing and local screening for failure to conform to the bacterial, temperature, composition standards, or other physical or chemical criteria of the Federal uniform regulations. Such milk and milk products would also, on arrival in the receiving State or locality, be subject to nondiscriminatory regulations or laws of the receiving State or locality as to first, pasteurization prior to delivery to retail establishments or before the processing; second, protection from contamination and deterioration during transportation and storage in the receiving State; and third, the type of container in or from which milk or milk products may be served or sold at retail. These provisions adequately protect the right of the locality to insist upon safe and sanitary milk for its population. It does, however, prevent that State or locality from imposing requirements which have no other valid purpose than to operate as an exclusionary barrier or trade barrier.

This bill entrusts the responsibility for supervising Federal participation in this voluntary program to the Surgeon General of the U.S. Public Health Service. The activities of the Public Health Service in milk sanitation began at the turn of the century with studies on the role of milk in the spread of disease. This work led to the conclusion that effective public health control of milk-borne disease required the application of sanitation measures throughout the production, handling, pasteurization, and distribution of milk.

To assist States and municipalities in initiating and maintaining effective programs for prevention of milk-borne disease, the Public Health Service in 1924 developed a model regulation, known as the Standard Milk Ordinance for voluntary adoption by State and local milk sanitation authorities. The 1965 recommendations of the U.S. Public Health Service on their grade A pasteurized milk ordinance, were released only a short time ago. The prior version of the U.S. PHS milk ordinance and code, published in 1953, is currently the basis of the milk sanitation laws and regulations of 37 States. Its provisions have been voluntarily adopted by 1,435 municipalities and 512 counties located in 40 States. Included are 71 cities of over 100,000 population and 72 cities with populations between 50,000 and 100,000. Almost 110 million people live in this country in jurisdictions utilizing the provisions of the Public Health Milk Ordinance and Code.

The problem is that no State or locality is required to receive milk from areas which comply with the Public Health Service Milk Ordinance and Code. Thus, local sanitation standards can be used and are used to exclude milk from that area regardless of the fact that the milk meets all the standards and criteria of the Public Health Service Code, widely adopted and widely recognized as a very high standard for healthy and sanitary milk.

The existence of such a widely accepted and recognized milk code would be most helpful in implementing the provisions of the present legislation. I think it would be safe to say that the Surgeon General would draw heavily upon the provisions and procedures in the present voluntary code in fulfilling his obligation of promulgating regulations establishing Federal uniform milk sanitation standards.

I should like to point out, however, that this bill authorizes substantial and specific procedural and administrative safeguards against arbitrary or discriminatory action by the Surgeon General. Under the bill, proposals for regulations would be required to be published in the Federal Register, with opportunity for objections and public hearing on such objections and for the opportunity of submitting oral or written views by interested parties. It would also require the Surgeon General to make detailed findings on such objections, stating his reasons for his orders or rulings on such objections, and would also authorize judicial review on any final order or regulation by any interested person or State agency.

In addition, actions by the Surgeon General in excluding milk plants from the the list of interstate milk shippers, revocation of approval of State plans, or nonexclusion of milk plants upon complaint of an interested party would be subject to trial-type hearings, with orders to be based on substantial evidence on the record as a whole, and with further right of appeal to the U.S. Court of Appeals. In general, then, the approach of this bill is to require receiving States and localities to accept milk of high sanitary quality emanating from an out-of-State milk plant, if the sanitary condition of the milk on arrival complies with the minimum regulatory standards of the Surgeon General, and if the shipping plant and its milk supply is listed on the Surgeon General's then current interstate milk shippers list.

Participation in the system authorized to be established by this bill would be entirely voluntary so far as the exporting State and its milk shippers are concerned. The Surgeon General would have the power to assure the integrity and reliability of the system through approval of State plans, training and certification of State rating officers, inspection of plants and their milk supply, verification of compliance ratings, and exclusion or removal of a plant from approved status for failure to comply with the regulatory standards of the Surgeon General.

This would not essentially increase the responsibilities of the U.S. Public Health Service, since they are already fulfilling many of these functions under the voluntary program they have had underway since 1924.

In order that the States may retain their primary role in carrying out the responsibilities of this bill, the Surgeon General is authorized to furnish grants and technical aids to the States. Sections 811 and 812 of the act would authorize the Surgeon General, directly or through grants, to conduct appropriate studies and training, furnish technical assistance to State and local authorities, encourage uniform adoption and use of the Federal milk sanitation regulations, and cooperate with States, local governments, industries, and others in the development of improved milk sanitation programs.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the Record, and the bill will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 1993) to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce, introduced by Mr. Mondale (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 1993

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Milk Sanitation Act".

Sec. 2. The Public Health Service Act is amended by adding at the end thereof the following new title:

"TITLE VIII—MILK SANITATION

"Congressional findings

"Sec. 801. The Congress hereby finds that a substantial quantity of milk and milk products are distributed in interstate commerce; that the sanitary control of the production, processing, and distribution of milk and milk products is necessary to protect the public health, and that the marketing of safe and wholesome milk and milk products in interstate commerce is affected with the public interest; that such sanitary control is primarily the responsibility of State and local governments, but that the existence of diverse or conflicting laws, ordinances, or regulations, may burden or obstruct the movement in interstate commerce of pure and wholesome milk and milk products; that the adoption by State and local governments of uniform standards governing the sanitary control of the production, processing and distribution of milk and milk products in interstate commerce will promote the interest of producers and consumers and is in the public interest.

"Definitions

"Sec. 802. For purposes of this title—

"(1) The term 'commerce' means commerce between any State, territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State or the District of Columbia, but through any place outside thereof; or within the District of Columbia.

"(2) The term 'Surgeon General' means the Surgeon General of the Public Health Service.

"(3) The term 'person' means any individual, partnership, corporation, association, or any other legal entity.

"(4) The term 'milk' means the lacteal secretion, practically free from colostrum, obtained by the complete milking of one or more healthy cows.

"(5) The term 'milk product' means (A) any human food product processed or manufactured from milk which the Surgeon General designates as a milk product by regulation promulgated in the manner hereinafter provided; (B) any fluid product made by the addition of any substance to milk or to a milk product, if the Surgeon General by regulation designates the products so made as a milk product for purposes of this title on the basis of the finding that such product is used for purposes similar to milk or milk products specified in clause (A) and is shipped in interstate commerce in sufficient quantity to be of public health importance and to warrant its control under this title; and (C) dry milk or dry milk products used or intended for use in the manufacture of any milk product specified in clause (A) or (B) as the Surgeon General may designate by regulation:

"*Provided,* That in the event there shall be established a definition and standard of identity for milk or any milk product under Section 401 of the Federal Food, Drug and Cosmetic Act, such definition and standard of identity shall govern to the extent of any inconsistency between it and any definition established by the Surgeon General under this or the preceding paragraph.

"(6) The term 'interstate milk plant' means any establishment or facility, as designated by the Surgeon General, used to collect, handle, process, store, pasteurize, or bottle or otherwise package or prepare for distribution milk or milk products in interstate commerce.

"(7) The term 'milk supply', when used with respect to an interstate milk plant, means the dairies, dairy farms, and plants directly or indirectly supplying the plant with milk or milk products.

"(8) The term 'State agency' means the person(s) or agency(ies) within any State having authority to supervise or control the sanitary conditions and establish sanitation ratings governing the production, processing, and distribution of milk and milk products within such State.

"(9) The term 'receiving State' means any State into which any milk or milk product is introduced or offered for introduction from an interstate milk plant; and the term 'receiving locality' means any municipality or other political subdivision of a State into which any milk or milk product emanating from an interstate milk plant in another State is introduced or offered for introduction.

"Uniform sanitation standards

"SEC. 803. For the purpose of achieving uniform sanitary standards and practices governing the production, processing and handling of milk and milk products, the Surgeon General shall promulgate, and from time to time amend, Federal Uniform Milk Sanitation Regulations setting forth sanitary standards and practices which, in his judgment, will result in the production and marketing of pure and wholesome milk in interstate commerce. Such regulations shall provide, in the manner hereinafter set forth, for a system or rating, certification, and listing of interstate milk plants and their milk supply.

"Compliance ratings

"SEC. 804. (a) The Surgeon General shall by regulation promulgate, and may from time to time amend, standard rating methods and criteria for determining through compliance ratings, with respect to milk and milk products, the degree to which interstate milk plants and their milk supply comply with the Federal Milk Sanitation Regulations.

"(b) The Surgeon General shall announce, by regulation, the minimum compliance rating (pursuant to such rating standards) which, in his judgment, are necessary to give satisfactory assurance that milk and milk products shipped from interstate milk plants receiving such ratings will have been produced, handled, transported, and processed in substantial conformity with the Federal Milk Sanitation Regulations.

"Submission of State plans

"SEC. 805. Any State agency desiring to obtain for its interstate milk shippers the benefits of this title shall submit to the Surgeon General for approval a State plan for periodically (but not less often than annually) rating interstate milk plants located in such State, and their milk supply, on the basis of standard rating methods and criteria established pursuant to section 804(a) and regulations issued thereunder. Such plan shall be accompanied or supplemented by such information concerning milk sanitation control activities of the State agency and of local official milk sanitation control agencies, and such other relevant information, as the Surgeon General may require.

"Approval, suspension, and revocation of State plans

"SEC. 806. (a) The Surgeon General shall approve a State plan submitted under section 805 if it meets such requirements as he determines to be necessary to obtain reliable ratings for the purpose of maintaining the list provided for by section 807, including a requirement that such ratings will be made only by State rating officials who are full-time employees of the State agency (or under interstate arrangements, by full-time employees employed by a sister State having an approved plan or by both States jointly) and who hold a currently valid certificate of qualification issued or renewed by the Surgeon General. Approval of a State plan shall be for such period (but not exceeding three years) as the Surgeon General may fix by regulation.

"(b) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the State agency, finds that—

"(1) the State plan has been so changed that it complies with neither the requirements for State plan approval in effect at the time such plan was last approved, nor with the requirements for State plan approval as last amended, or

"(2) in the administration of the State plan there is a failure to comply substantially with any provision contained in such plan, the Surgeon General may, subject to the provisions of section 807(c)(1)(C), revoke his approval of such State plan. The Surgeon General may suspend his approval of a State plan at any time after giving the notice of hearing referred to above and pending such hearing and decision thereon if he finds and determines that the protection of the public health so requires; such findings and determinations, and his reasons in support thereof, shall be transmitted to the State agency affected by his order of suspension.

"Listing of certified interstate milk plants

"SEC. 807. (a) The Surgeon General shall establish and maintain a list of certified interstate milk plants, and shall publish such list, or revisions or amendments thereof, not less often than quarterly. Except as provided in subsection (b), an interstate milk plant shall be included on such list if such plant and its milk supply, by a certificate currently in effect at the time of such listing, has been certified to the Surgeon General by a State agency under an approved State plan as having compliance ratings at least equal to the minimum ratings established by the Surgeon General under section 804(b). Such list shall identify the interstate milk plant or plants involved in any such certification, the persons having legal ownership or control thereof, and the milk or milk products covered by the certification.

"(b) The Surgeon General shall not include or permit to remain on the list provided for under subsection (a) any interstate milk plant if—

"(1) the person having legal ownership or control thereof does not consent to the listing of the interstate milk plant, or

"(2) the last rating upon which the certification of the plant and its milk supply was based is more than one year old, or

"(3) the State agency gives written notice to the Surgeon General that the plant and its milk supply is no longer entitled to the minimum rating required for listing, or

"(4) the Surgeon General, after investigation made on his own initiative or upon complaint of a receiving State or locality, finds that the plant and its milk supply, though duly certified, is not entitled to the minimum rating required for such certification.

"(c)(1) Any decision of the Surgeon General—

"(A) to exclude or remove an interstate milk plant from the list pursuant to paragraphs 3 and 4 of subsection (b) of this section or pursuant to section 810(b), or

"(B) not to take such action upon complaint of a receiving State or locality under paragraph (4) of subsection (b), or

"(C) to revoke his approval of a State plan pursuant to subsection (b) of section 806, shall be made by order stating the findings and conclusions upon which such order is based. Notice of such order shall be given to the person having legal ownership or control of such plant, the State agency whose plan or rating of such plant is involved, and the complainant State or locality, if any, and such order shall, except as otherwise provided in paragraph (3) of this subsection, become effective on the date specified therein but in no event earlier than the thirtieth day after the date of its issuance.

"(2) At any time before an order pursuant to paragraph (1) or (3) of this subsection is issued or becomes effective, the Surgeon General may by order defer or suspend the listing of any plant if he finds and determines that an emergency exists requiring such action for the protection of the public health; provided that such findings and determinations, and the reasons in support thereof are set forth in a written statement and transmitted to the person or State agency affected by the order.

"(3) At any time before the effective date of an order issued pursuant to paragraph (1), any person or State agency (including any complainant receiving State or locality) adversely affected by such order and entitled to notice thereof, and the State agency (if any) whose rating of an interstate milk plant is involved, may file objections thereto with the Surgeon General (stating the grounds of such objections) and request a public hearing, and the filing of such objections and request shall operate to stay the effectiveness of such order, but shall not operate to stay any order of deferment or suspension under paragraph (2) of this subsection. As soon as practicable after such request for a public hearing, the Surgeon General, after due notice, shall hold such a hearing for the purpose of receiving evidence relevant and material to the issues raised by such objections. Any person or agency aggrieved or adversely affected by the order may be heard and may be represented by counsel. As soon as practicable after completion of the hearing, the Surgeon General shall publish his order and decision thereon, which order may confirm, modify, or set aside his prior order. Such order shall be based only on substantial evidence of record at such hearing and shall set forth, as part of the order, detailed findings of fact and conclusions on which the order is based. The Surgeon General shall specify in the order the date, not less than thirty days after its issuance, on which the order entered after such hearing shall take effect.

"(d)(1) Any person or State agency (including any complainant receiving State or locality) adversely affected by an order of the Surgeon General issued pursuant to paragraph (3) of subsection (c) of this section and entitled to notice under paragraph (1) of subsection (c), and the State agency (if any) whose rating is involved, may appeal to the United States court of appeals for the circuit in which the State agency or interstate milk plant involved is located by filing with such court, not later than sixty days after the date of issuance of the order based upon the record of such hearing, a notice of appeal. The jurisdiction of the court shall attach upon the filing of such notice of appeal. A copy of such notice of appeal shall be forthwith transmitted by the clerk of the court to the Surgeon General or any officer designated by him for that purpose. The Surgeon General shall thereupon file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. The commencement of proceedings under this section shall not, unless specifically ordered by the court to the contrary, operate as a stay of an order.

"(2) The court shall have jurisdiction to enter, upon the basis of the record of the proceedings filed with it in accordance with paragraph (1) of this subsection, a judgment affirming or setting aside, in whole or in part, the decision of the Surgeon General. The findings of the Surgeon General as to any fact, if supported by substantial evidence when considered on the record as a whole, shall be sustained, but the court may, on good cause shown, remand the case to the Surgeon General to take additional evidence, and the Surgeon General may thereupon make new or modified findings of fact and may modify his previous order, and shall file with the court any such modified findings of fact and order, together with the record of the further proceedings. Such additional or modified findings of fact and order shall be reviewable only to the extent provided for review of the findings of fact and order originally filed with the court. The judgment of the court shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code.

"Prohibition against discrimination against sanitary out-of-state milk and milk products

"SEC. 808. (a) Except as provided in subsection (b)—

"(1) no milk or milk product which emanates from an interstate milk plant in another State, while such plant is listed by the Surgeon General under section 807 with respect to the milk or milk product, as the case may be, shall be subject to seizure or condemnation in, or to exclusion from, a receiving state or locality, or from transportation, distribution, storage, processing, sale, or serving in such State or locality, and

"(2) no processor, producer, carrier, distributor, dealer, or other person handling such milk or milk product in compliance with the Federal Milk Sanitation Regulations shall be subject to punishment, or to denial of a required license or permit, by reason of the failure of such milk or milk product, or of the sealed container or vehicle in which such milk or milk product was brought into the State, or of an interstate milk plant in another State or its milk supply, or of any transportation or handling facility, in which such milk or milk product was produced, processed, carried, or handled, to comply with any prohibition, requirement, limitation, or condition (including official inspection requirements) relating to health or sanitation and imposed by or pursuant to any State or local law, regulation, or order of the receiving state or locality, or by any officer or employee thereof. In the event any milk or milk product emanating from a listed interstate milk plant in another State and complying with the Federal Milk Sanitation Regulations is commingled with milk or milk products from within the receiving State the provisions of the preceding sentence shall apply to the resulting mixture, except that nothing in this section shall be construed to prevent the application of such state or local laws, regulations, or orders to such mixture by reason of the failure of such milk or milk product of intrastate origin not emanating from an interstate milk plant in another State, to comply therewith immediately prior to such commingling.

"(b) Subsection (a) shall not be deemed to prohibit any receiving State or locality from—

"(1) subjecting any milk or milk product, upon its arrival from another State, to laboratory or screening tests in accordance with standard methods for the examination of dairy products provided for in the Federal Milk Sanitation Regulations, and rejecting the shipment if upon such examination it fails to comply with the bacterial and coliform count standards, temperature standards, composition standards, and other criteria of such regulations relating to the then physical condition of such milk or milk products, and

"(2) enforcing laws and regulations equally applicable to milk or milk products not coming from outside the State—

"(A) to require pasteurization of raw milk or raw milk products brought into the State before delivery to retail sale or consumer-serving establishments or before use in making milk products or other products.

"(B) to otherwise protect milk or milk products from contamination or deterioration after arrival through requirements as to temperature and sanitary handling, transportation, and storage: *Provided*, That the State or locality may not, except as provided in subparagraph (C), reject the sealed container or vehicle, as such, in which the milk or milk product arrived in the State, if it complies with the Federal Milk Sanitation Regulations, or

"(C) as to the type of container in or from which milk or milk products may be sold at retail or served to consumers.

"General administrative provisions

"Regulations and Hearings

"SEC. 809. (a) The authority to promulgate regulations for the efficient enforcement of this title is vested in the Surgeon General.

"(b) Hearings authorized or required by this title shall be conducted by the Surgeon General or such officer or employee as he may designate for the purpose.

"(c) The Federal Milk Sanitation Regulations, which the Surgeon General is authorized to adopt by this title shall be established and amended in accordance with the following procedures:

"(1) any action for the issuance, amendment, or repeal of any regulation under this title may be begun by a proposal made—

"(A) by the Surgeon General on his own initiative, or

"(B) by petition of any interested person or State agency, showing reasonable grounds therefor, filed with the Surgeon General. The Surgeon General shall publish such proposal and shall afford all interested persons an opportunity to present their views thereon, orally or in writing. As soon as practicable thereafter, the Surgeon General shall by order act upon such proposal and shall make such order and the regulations proposed thereunder public by publication in the Federal Register. Except as provided in paragraph (2) of this subsection, the order, and the regulations proposed thereunder, shall become effective at such time as may be specified therein, but not prior to the day following the last day on which objections may be filed under such paragraph.

"(2) On or before the thirtieth day after the date on which an order entered under paragraph (1) of this subsection is made public, any person or State agency who will be adversely affected by such order or the provisions of any regulations issued thereunder, if placed in effect may file objections thereto with the Surgeon General, specifying with particularity the provisions of the order, or any regulations issued thereunder, deemed objectionable, stating the grounds therefor, and requesting a public hearing upon such objections. Until final action upon such objections is taken by the Surgeon General under paragraph (3) of this subsection, the filing of such objections shall operate to stay the effectiveness of those provisions of the order to which the objections are made. As soon as practicable after the time for filing objections has expired the Surgeon General shall publish a notice in the Federal Register specifying those parts of the order which have been stayed by the filing of objections and, if no objections have been filed, stating that fact.

"(3) As soon as practicable after such request for a public hearing, the Surgeon General, after due notice, shall hold a public hearing for the purpose of receiving data, views, arguments, or hearing such other matters relevant and material to the issues raised by such objections. Such presentations may be made orally or in writing by any State agency, any interested person, or his representative. As soon as practicable after completion of the hearing, the Surgeon General shall by order act upon such objections and make such order public. Such order shall set forth, as part of the order, detailed findings and reasons upon which it is based, including a reference to such data, information, or other materials, not presented at the hearing, but which the Surgeon General may have used or consulted in making his order. The Surgeon General shall specify in the order the date on which it shall take effect, except that it shall not be made to take effect prior to the thirtieth day after publication.

"(d) Any regulations, or any portions thereof, issued by the Surgeon General under the provisions of this title shall be subject to judicial review in the manner hereafter set forth.

"(1) Any State agency or person aggrieved or adversely affected by the provisions of any regulations issued under subsection (c) hereof may, at anytime prior to the sixtieth day after the issuance thereof, file a petition with the United States court of appeals for the circuit wherein such State agency is located or such person resides or has its principal place of business for judicial review of such regulations. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Surgeon General or other officer designated by him for that purpose. The Surgeon General thereupon shall file in the court the record of the proceedings on which the Surgeon General based his order, as provided in section 2112 of title 28.

"(2) Upon the filing of the petition referred to in paragraph (1) of this subsection, the court shall have jurisdiction to affirm the order and the regulations issued therewith, or to set it aside in whole or in part, temporarily or permanently. If the order of the Surgeon General refuses to issue, amend, or repeal a regulation and such order is not in accordance with law, the court may by its judgment order the Surgeon General to take such action, with respect to such regulation, in accordance with law.

"(3) The judgment of the court affirming or setting aside, in whole or in part, any such order of the Surgeon General shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in sections 346 and 347 of title 28.

"(4) Any action instituted under this subsection shall survive notwithstanding any change in the person occupying the office of the Surgeon General or any vacancy in such office.

"(5) The remedies provided for in this subsection shall be in addition to and not in substitution for any other remedies provided by law.

"Inspection by Surgeon General

"SEC. 810. (a) The Surgeon General may make such inspections of interstate milk plants and plants proposing to become interstate milk plants, and of their milk supply, and such laboratory examinations, studies, investigations, and ratings, as he may deem necessary in order to carry out his functions under this title and to promote uniformity in the application of the Federal Milk Sanitation Regulations and the Surgeon General's standard rating methods and criteria.

"(b) The Surgeon General shall remove any interstate milk plant from the list provided for under section 807 if the State or any local milk sanitation authority or laboratory refuses to permit representatives of the Service to inspect and copy relevant records pertaining to State or local health and sanitary supervision of such milk plant or any part thereof or facility connected therewith and its milk supply, or if the person in charge of such plant or of any part of the milk supply of such plant, or any person under his control, refuses to permit representatives of the Service, at all reasonable times, to—

"(1) enter such interstate milk plant or any establishment, premises, facility, or vehicle where milk or milk products intended for such interstate milk plant are produced, processed, packed, held, or transported,

"(2) inspect such plant, establishment, premises, facility, or vehicle, and all pertinent personnel, dairy animals, equipment and utensils, containers, and labeling, and milk and milk products, and

"(3) inspect and copy pertinent records.

"Research, studies and investigations concerning sanitary quality of milk

"SEC. 811. The Surgeon General may conduct research, studies, and investigations concerned with the sanitary quality of milk and milk products, and he is authorized to (1) support through grants, and otherwise aid in, the conduct of such investigations, studies, and research by State agencies and other public or private agencies, organizations, institutions, and individuals, and (2) make the results of such research, studies, and investigations available to State and local agencies, public or private organizations and institutions, the milk industry, and the general public.

"Training milk sanitation personnel

"SEC. 812. The Surgeon General is authorized to—

"(1) train State and local personnel in milk sanitation methods and procedures and in the application of the rating methods and criteria established in regulations pursuant to section 804,

"(2) provide technical assistance to State and local milk sanitation authorities on specific problems,

"(3) encourage, through publications and otherwise, the adoption and use, by State and local authorities throughout the United States, of the sanitation standards and sanitation practices specified in the Federal Milk Sanitation Regulations, and

"(4) otherwise cooperate with State milk sanitation authorities, other public and private organizations and institutions, and industry in the development of improved programs for the control of the sanitary quality of milk and milk products.

"Savings provisions—separability—miscellaneous

"SEC. 813. If any provision of this title is declared unconstitutional or the applicability thereof to any person or any circumstances is held invalid, the constitutionality of the remainder of this title and the applicability thereof to other persons and circumstances shall not be affected thereby.

"(a) The provisions of this title shall not apply to milk products (except as defined in section 802(5)) which are subject to the regulatory control or sanitary conditions authorized by other laws of the United States or regulations issued thereunder.

"(b) Nothing in this title shall be deemed to make lawful or authorize the application of any State or local law or requirement of any receiving State or locality discriminating against milk and milk products which would not be lawful or authorized if this title were not in effect.

"(c) Nothing in this title shall be deemed to supersede or modify any provision of the Federal Food, Drug, and Cosmetic Act, the Milk Import Act, or any powers or provisions of the Public Health Service Act (other than this title).

"Civil action to restrain interference with operation of title

"SEC. 814. The United States district courts shall, regardless of the amount in controversy, have jurisdiction of any civil action to restrain the application of any law, ordinance, regulation, or order of any State or political subdivision of a State, or to restrain any action of an officer or agency of a State or political subdivision of a State, which interferes or conflicts with, or violates any provision of this title. Such action may be brought by the United States, by any affected State agency, or by any interested person. Nothing in this section shall be deemed to deprive any court of a State or jurisdiction which it would otherwise have to restrain any such application or action which interferes, conflicts with, or violates any provision of this title.

"Appropriations

"SEC. 815. There are hereby authorized to be appropriated annually to the Service such sums as may be necessary to enable the Surgeon General to carry out his functions under this title."

SEC. 3. Section 2(f) of the Public Health Service Act is amended to read as follows:

"(f) The term 'State' means a State or the District of Columbia, Puerto Rico, or the Virgin Islands, except that, as used in section 361(d) and in title VIII, such term means a State or the District of Columbia;".

SEC. 4. (a) Section 1 of the Public Health Service Act is amended to read as follows:

"Short title

"SECTION 1. Titles I to VIII, inclusive, of this Act may be cited as the 'Public Health Service Act'."

(b) The Act of July 1, 1944 (58 Stat. 682), is further amended by renumbering title VIII (as in effect prior to the enactment of this Act) as title IX, and by renumbering sections 801 through 814 (as in effect prior to the enactment of this Act), and references thereto, as sections 901 through 914, respectively.

SEC. 5. The amendments made by this Act shall become effective on the first day of the first fiscal year beginning more than one hundred and eighty days after the date of the enactment of this Act.

The section-by-section analysis presented by Mr. MONDALE is as follows:

SECTION-BY-SECTION ANALYSIS OF THE NATIONAL UNIFORM MILK SANITATION ACT OF 1965, INTRODUCED IN THE SENATE, WEDNESDAY, MAY 19, 1965, BY SENATOR WALTER F. MONDALE, OF MINNESOTA

This bill is designed to eliminate certain barriers to the interstate movement of milk and milk products of high sanitary quality resulting from a diversity of State and local sanitary regulations which have been used to exclude milk originating from out-of-State sources. While similar in purpose and design to bills introduced during previous sessions, this bill contains certain technical and procedural changes to overcome objections voiced during hearings on the earlier bills.

Essentially, the approach of this bill is to require receiving States and localities to accept milk of high sanitary quality emanating from an out-of-State plant, if the sanitary condition of the milk on arrival complies with the minimum regulatory standards of the Surgeon General, and if the shipping plant and its milk supply is listed on the Surgeon General's then current interstate milk shippers list.

Participation in the system authorized to be established by this bill would be entirely voluntary so far as the exporting State and its milk shippers are concerned. The Surgeon General would be empowered to assure the integrity and reliability of the system through approval of State rating plans, training and certification of State rating officers, inspection of plants and their milk supply, verification of compliance ratings, and exclusion or removal of a plant from approved status for failure to comply with the regulatory standards of the Surgeon General.

Section 801 states the congressional findings which give rise to the need for the legislation.

Section 802 sets forth the definitions of the key terms used in the act and, in addition, indicates that its coverage is limited to "milk" and "milk products" as the Surgeon General shall, by regulation, designate as having public health significance. This section also provides, expressly, that any definition or standard of identity for milk or any milk product adopted under section 401 of the Federal Food, Drug, and Cosmetic Act should govern to the extent of any inconsistency between it and any definition established by the Surgeon General under this title.

Section 803 would require the Surgeon General, by regulation, to establish "Federal uniform milk sanitation regulations" governing milk and milk products in interstate commerce. These regulations would provide for a system of rating, certification, and listing of State milk plants and their milk suppliers.

Section 804 would require the Surgeon General to promulgate rating methods and criteria to measure compliance with the Federal uniform regulations as well as the minimum compliance rating for milk and milk products, to be certified by producing States, that would be accepted as indicating compliance with the Surgeon General's regulatory standards.

Section 805 permits the appropriate State agency desiring to obtain the benefits of the Surgeon General's system for its milk shippers to submit for approval a State plan for rating its "interstate milk plants" and "milk supplies" in accordance with the rating methods and criteria established by the Surgeon General.

Section 806 describes the manner of approval of State plans submitted pursuant to section 805 and the procedure for suspension and revocation of such approval in the event that the Surgeon General finds and determines, after due notice and hearing, that the State rating methods do not comply with the requirements of the Federal regulations.

Section 807 provides that proper certification of its shipping plants and their milk supplies by a producing State under a State plan approved by the Surgeon General in conformity to regulations promulgated by him would make such plants eligible for inclusion in a periodically published Public Health Service list of certified interstate milk plants. This section also authorizes the Surgeon General to make such inspections, investigations, and laboratory examinations as he deems necessary to assure the validity of State certification, and empowers the Surgeon General to revoke the certification of shippers for cause upon his own initiative or upon a complaint of a receiving State or locality.

Careful procedural protections are included in this section, in accordance with the requirements for adjudication under the Administrative Procedure Act, to assure full opportunity for notice and hearing prior to decertification of a plant and its milk supplies or refusal by the Surgeon General to deny certification upon the complaint of a receiving locality.

This section also provides for judicial review—in the U.S. Court of Appeals for the circuit in which the State agency or interstate milk plant involved is located—of the Surgeon General's final order by any complainant or person aggrieved.

Section 808 is the key section of the bill. It provides that milk or milk products from a plant currently listed on the Surgeon General's approval would be immune from seizure or exclusion by a receiving State or its political subdivisions by reason of failure of such milk or milk products to comply with health or sanitation laws, regulations, or orders of the receiving State or locality. However, upon receipt the milk or milk products would be subject to seizure or rejection if they failed to conform to the bacterial, temperature, composition standards, or other physical or chemical criteria of the Federal uniform regulations. Such milk or milk products would also, on arrival, be subject to nondiscriminatory regulations of the receiving State or locality as to (1) pasteurization prior to delivery to retail establishments or before processing; (2) protection from contamination and deterioration during transportation and storage in the receiving State; and (3) the type of container in or from which milk or milk products may be served or sold at retail.

Section 809 contains the general administrative provisions governing the Surgeon General's rulemaking powers under the bill. It constitutes a major departure from other Federal milk sanitation bills introduced during the current and prior sessions of Congress in expressly providing that the uniform sanitation regulations referred to in the bill shall be adopted by the Surgeon General in accordance with the procedures for informal rulemaking required by section 4 of the Administrative Procedure Act. The section provides that interested persons shall have an opportunity to participate in the rulemaking process through the submission of data, views, or arguments, orally or in writing.

The section (1) requires publication of proposed regulations in the Federal Register; (2) affords opportunity for filing objections thereto; (3) requires the holding of a public hearing on such objections and the opportunity for interested persons to be heard orally or in writing; (4) requires the Surgeon General to make detailed findings on such objections and to state his reasons for his orders or rulings on exceptions; and (5) authorizes judicial review of any final order or regulation by any interested person or State agency.

Section 810 authorizes the Surgeon General to make such inspections, investigations, and laboratory examinations as he deems necessary to assure the validity of State certification and compliance with his regulations, and to decertify interstate milk plants for cause.

Sections 811 and 812 would authorize the Surgeon General, directly or through grants, to conduct appropriate studies and training, furnish technical assistance to State and local authorities, encourage uniform adoption and use of the Federal milk sanitation regulations, and cooperate with States, local governments, industries, and others in the development of improved milk sanitation programs.

Section 813 contains savings provisions applicable in the event that any part of the bill should be declared invalid. It also provides that the provisions of the bill shall not apply to milk products (except as defined in the bill) which are subject to the regulatory control or sanitary requirements imposed by other laws or regulations of the United States.

Section 814 provides for injunctive relief at the suit of the United States or of any interested person to restrain actions by State or local officers in violation of the bill. However, no criminal sanctions are provided.

Section 815 authorizes the appropriation annually to the Public Health Service of such sums as may be necessary to enable the Surgeon General to administer the bill.

Mr. NELSON. Mr. President, will the Senator from Minnesota yield?

Mr. MONDALE. I yield.

Mr. NELSON. I am happy to join the Senator from Minnesota [Mr. MONDALE] as a cosponsor of the bill which he has introduced for the purpose of assuring the free movement of milk in interstate commerce without the imposition of irrational regulations that are designed to hamper the movement of milk.

The Senator from Minnesota represents, in part, one of the great dairy States in the Nation. He has established a national reputation, as attorney general of Minnesota, in fighting for this cause. I commend him for drafting what I think is the best of a long series of bills that have been introduced over the years to tackle this important problem.

Mr. MONDALE. I thank the Senator from Wisconsin for his kind remarks. He is somewhat modest, because he, too, has established a reputation as one of the leaders in the country in seeking fair and rational means for the marketing of milk and dairy products.

Coming as we do from the two major dairy States in the Union, States which produce the best milk at the lowest cost, we are desirous that our farmers may take full advantage of the economic benefits from which all other farmers of the Nation benefit.

SALARY INCREASE FOR CLASSIFIED AND POSTAL EMPLOYEES—ESTABLISHMENT OF FEDERAL SALARY REVIEW COMMISSION

Mr. MONRONEY. Mr. President, I send to the desk, for appropriate reference, two bills proposed by the President of the United States for the adjustment of classified and postal employees' salaries and for the establishment of a Federal Salary Review Commission to review at 4-year intervals the salary structure for Federal executives, justices, and Members of Congress.

The first of these proposals provides for an across-the-board increase of 3 percent for classified and postal employees. Since the enactment of the Federal Salary Reform Act in 1962, the Kennedy and Johnson administrations and Congress have attempted to fulfill the obligations owed the comparability principle in order to attract and retain civilian personnel of the highest possible quality. This bill is part of that fulfillment. Unlike the 1962 and 1964 salary statutes, this proposal does not seek to attain comparability with nongovernment salaries for upper-level career positions. It is designed to reflect increases in salaries which have been characteristic of the economy of the past 2 years. It has no effect on the Executive salary schedule or the salaries of members of the legislative and judicial branches of the Government.

The bill also would authorize the President to revise annually classified and postal salaries and recommend adjustments in accordance with the findings of the Bureau of Labor Statistics of salary levels for similar work in non-Federal employment. His recommendations would be acted upon by Congress through the procedure followed for Executive reorganization plans—that is, unless either House of Congress expresses its disapproval by resolution within 60 days, the proposed salary schedule would become law.

The President has reported that this bill would cost $406 million annually.

The second proposal would establish a Federal Salary Review Commission appointed by the President, the presiding officers of both Houses of Congress, and the Chief Justice of the United States. The Board's duty would be to review the compensation of Members of Congress, justices and judges of the United States, and Federal officers subject to the executive salary schedule. The Commission would meet and report to the President quadrennially. The first Commission would be appointed in 1966 and would report by January 1, 1967, and on January 1 of each 4th year thereafter. Its study would encompass the entire scope of the salary structure of these Federal officers. The President would report his recommendations to Congress for the revision of the salaries of these officers. His recommendations, again, would become law unless either House of Congress expressed its disapproval within 60 days after their submission.

I am in general agreement with the President's recommendation for an increase in the pay of civilian employees and hope that the Congress will act on this measure this year.

The Congress should also examine the President's proposals with respect to the establishment of new procedures for the review of salaries and for the making of periodic adjustments to maintain comparability of Government employees' salaries with those in private industry.

Because the procedures recommended by the President represent a radical departure from the traditions and historical prerogatives of the past, I believe they must undergo careful scrutiny, not only by Congress, but also by the employees affected. For these new procedures will automatically adjust salaries down as well as up.

Congress has met its responsibilities in regard to Federal Government compensation in the past. I believe, unless clear evidence is presented that Congress cannot continue to fulfill this responsibility, it must face up to the pay problem in the years ahead, yielding to no other entity the duty of preserving the doctrine of comparability or the responsibility for fixing the rates of compensation paid to its own members. For there is also the need for accountability—this being the task of seeing that Government and Government employees perform in a manner that merits positive action by the Congress to support fair and just pay rates.

I am aware of the strong interest in the Senate in these bills. The committee will act on them as promptly as possible.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. MONRONEY, by request, were received, read twice by their titles, and referred to the Committee on Post Office and Civil Service, as follows:

S. 1997. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes; and

S. 1998. A bill to establish the Federal Salary Review Commission.

BACKDATING THE NEW SILVER DOLLARS

Mr. CANNON. Mr. President, I introduce, for appropriate reference, a bill to provide that standard silver dollars hereafter minted shall bear the figure "1922" in lieu of the year of coinage, and shall bear no mark signifying the mint of coinage.

It was most gratifying to Senators from the West, and particularly to the junior Senator from Nevada, to learn last week of the President's decision to implement the action of the Congress last year with an Executive directive ordering the resumption of silver dollar coinage.

This action was made possible by the fact that the coin shortage has eased sufficiently to permit a portion of the mint's productive capacity to be devoted to the manufacture of the silver cartwheels which bear a great tradition and are highly honored in the historic and present-day commerce of the Western States.

We are all familiar, however, with the rapid disappearance last year of the Treasury's reserves of silver dollars, and, therefore, lest the new silver dollars become a target for speculators and hoarders, I am proposing that the date of the new silver dollars be backed up to the year 1922 and the mint mark be deleted.

The obvious purpose of this amendment, Mr. President, is to have the new coins become part of an earlier production of more than 90 million silver dollars rather than, because of their unique date, become the object of hoarding, speculation, and other noncommercial uses.

If this bill is acted upon expeditiously by the Congress, it may well serve to again bring into circulation a goodly share of the nearly $465 million that are now removed from everyday circulation.

I ask unanimous consent that the bill be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2000) to provide that standard silver dollars hereafter minted shall bear the figure "1922" in lieu of the year of coinage, and shall bear no mark signifying the mint of coinage, introduced by Mr. Cannon, was received, read twice by its title, referred to the Committee on Banking and Currency and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, all standard silver dollars minted after the date of enactment of this Act (1) shall be inscribed with the figure "1922" in lieu of the year of the coinage, and (2) shall not bear any mark or inscription indicating the mint of coinage.

Sec. 2. The requirement of section 3550 of the Revised Statutes (31 U.S.C. 366) that the obverse working dies at each mint shall be destroyed at the end of each calendar year shall not be applicable to any such dies used for the minting of standard silver dollars after the date of enactment of this Act.

DISASTER OF BIENHOA SHOULD BE INVESTIGATED AND THE COMMITTEE FINDINGS REPORTED TO THE AMERICAN PEOPLE

Mr. YOUNG of Ohio. Mr. President, today I am introducing a Senate resolution for a complete investigation and a factfinding report to the American people of all the facts pertaining to the tragic explosions and loss of life at the Bienhoa Jet Air Force Base in South Vietnam. If the facts disclose that there was negligence on the part of the commanding general at his airbase and carelessness, inattention, and/or just ordinary stupidity on the part of those officers in charge of protecting the lives of men of our Armed Forces and Vietnamese soldiers and employees of this airbase, the American people are entitled to know all about this. We have an obligation to make a searching inquiry of this chain reaction bomb explosion last Sunday which killed some 28 men and wounded more than 100 and destroyed many millions of dollars worth of the latest type offensive jet bombers of the United States. In fact, this explosion destroyed, according to news accounts, 10 percent of our entire Vietnam-based force of this most modern type of jet bomber.

If the searching inquiry should disclose carelessness and negligence, if the planes were crowded wing to wing at a time and place when a dispersive formation was possible, and if they were in fact "sitting ducks" so that one lucky shot or unexpected explosion would likely start such a series of chain reaction explosions, let the people know the facts and let no guilty officer escape exposure and disciplinary action.

Mr. President, in the Washington Post of this morning there appeared an excellent editorial entitled "Again Bienhoa," which searchingly questions the conditions which resulted in the tragic accident at Bienhoa Airbase last Sunday. I commend this to my colleagues and ask unanimous consent that it be printed in the Record at this point as part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Again Bienhoa

It is tragic enough to die in war from enemy action. But to die in a war area within your own lines from your own weapons is doubly tragic. So it was at the Bienhoa jet airbase in South Vietnam where a chain-reaction bomb explosion on Sunday claimed the lives of some 28 Americans and Vietnamese and the injury of more than 100.

Accidents will happen, of course, but there is something morbidly marked about Bienhoa. Last November, the Vietcong, without apparently any trouble at all, managed to sneak right up to the base's edge and bombard it with mortars, killing six Americans and Vietnamese and destroying five of the huge B–57 bombers. At that time, the planes had been lined up on the runway without a mission since the attack from the north expected last August never came off.

After much inquiry, the United States decided that it no longer could rely on the base's Vietnamese guards and sent U.S. troops to Bienhoa with orders to make deep reconnaissance patrols in all directions to prevent future surprises. Revetments were ordered built around the planes so that, in a protected and dispersed formation, they no longer would be sitting ducks for one lucky shot starting off a chain-reaction explosion.

Now, more than 6 months later, the revetments reportedly are still being built. The same base colonel still is in charge. And the big planes were all lined up together Sunday when the delayed-action chemical fuse in one plane's bomb started off a chain reaction. Since there had been a several-day halt in bombing North Vietnam, it was explained that the planes were lined up preparing to bomb the Vietcong in the south.

It also has been explained that since there are only three jet airbases in South Vietnam—Bienhoa, Saigon, just south of it, and Danang, near the North Vietnamese border—it is necessary to crowd the U.S. planes onto what small base space exists. Maybe. But many U.S. planes are based on carriers at sea. And since the bombing is virtually without opposition, why the need for crowding so many bombers on these airstrips that they have to be lined up wingtip to wingtip?

All this is quarterbacking after the tragedy. But since Bienhoa seems to be prone to tragedy, perhaps it is time really to look into its security for the future.

Mr. YOUNG of Ohio. Mr. President, I send to the desk, for appropriate reference, a resolution authorizing the Committee on Armed Services, or any duly authorized subcommittee thereof, to make a comprehensive study and investigation of any and all matters relating to the explosion at Bienhoa which resulted in the tragic loss of American and South Vietnamese lives and the substantial loss of our military aircraft and other equipment. I ask unanimous consent that the resolution be printed in its entirety at this point.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the Record.

The resolution (S. Res. 106) was referred to the Committee on Armed Services, as follows:

S. Res. 106

Resolved, That the Committee on Armed Services, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a comprehensive study and investigation of any and all matters relating to the explosion and fire which occurred at the airbase at Bienhoa, South Vietnam, on May 16, 1965, and which resulted in the tragic loss of American and South Vietnamese lives and the substantial loss of United States military aircraft and other equipment. In carrying out such study and investigation the committee or subcommittee shall determine insofar as possible the cause or causes of such explosion and whether negligence on the part of United States military personnel contributed to the incident.

Sec. 2. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1966.

Sec. 3. For the purposes of this resolution the committee, through January 31, 1966, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,100 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $30,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

VOTING RIGHTS ACT OF 1965—AMENDMENTS

AMENDMENT NO. 192

Mr. HILL submitted amendments, intended to be proposed by him, to the amendment, in the nature of a substitute (No. 124) proposed by Mr. Mansfield (for himself and Mr. Dirksen) to the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 195

Mr. MILLER. Mr. President, I submit an amendment to the pending substitute and ask that it be printed and also printed in the Record.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table; and, without objection, will be printed in the Record.

The amendment (No. 195) was ordered to lie on the table, as follows:

On page 2, line 3, strike out the figure "3" and insert in lieu thereof the figure "4".

On page 2, line 8, strike out the figure "6" and insert in lieu thereof the figure "5".

On pages 6 and 7, strike out subsection 4(c) and insert the same after line 3 on page 21 as a new subsection 14(c)(3).

On pages 4 through 8 inclusive, strike out subsections 4(a), 4(b) and 4(d) and section 5 in their entirety.

On page 8, line 19, strike out the figures "3(a);" and insert in lieu thereof the figure "4" and strike out everything beginning with the word "or" on page 8, line 19 through the word "amendment" on page 9, line 8.

After page 2, line 2, add a new section 3 as follows:

"Sec. 3. (a) Whenever the Attorney General has determined that in any State or political subdivision of a State the rights of citizens to vote are being denied or abridged on account of race or color, he shall institute an action in the name of the United States in the District Court of the United States for the District of Columbia against such State or political subdivision alleging that it is engaging in denying or abridging the rights of citizens to vote on account of race or color. Upon demand of the Attorney General, such action shall be tried by a three-judge district court convened in the manner prescribed by section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court.

"(b) A presumption of denial or abridgement of the rights of citizens to vote on account of race or color will be raised upon proof by the Attorney General that the State or political subdivision (1) maintained on November 1, 1964, any test or device, and (2) the Director of the Census establishes (A) that less than 50 per centum of the persons, other than aliens and persons in active military service and their dependents, of voting age residing therein were registered on November 1, 1964, or that less than 50 per centum of such persons voted in the presidential election of November 1964, and (B) that according to the 1960 census, more than 20 per centum of the persons of voting age were nonwhite; or, (3) notwithstanding the foregoing (1) and (2), the Director of the Census establishes, by a survey made upon the request of the Attorney General that the total number of persons of any race or color who are registered to vote in such State or political subdivision is less than 25 per centum of the total number of all persons of such race or color of voting age residing in such State or political subdivision."

On page 17, line 8, strike out the figure "3(a)" and insert in lieu thereof the figure "4(a)".

On pages 19 and 20, strike out section 13 in its entirety and insert in lieu thereof the following:

"Sec. 13. Listing procedures shall be terminated in any political subdivision of any State upon order of the authorizing court."

On page 20, line 8, strike out the figure "8" and insert in lieu thereof the figure "7", and on page 20, lines 8 and 9, strike out the words "any declaratory judgment pursuant to section 4 or".

Renumber sections 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 as sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15.

Mr. MILLER. Mr. President, I point out that the purpose of my amendment is to leave the bill exactly as it is now except for one thing, that under the bill, the triggering mechanism takes effect automatically. Under my amendment, the statistics and facts set forth in the bill's triggering mechanism constitute a performance for purposes of a court action. That is the only difference between my amendment and the triggering provision in the bill.

AMENDMENT NO. 197

Mr. ALLOTT submitted an amendment, intended to be proposed by him, to the amendment, in the nature of a substitute (No. 124) proposed by Mr. Mansfield (for himself and Mr. Dirksen) to Senate bill 1564, supra, which was ordered to lie on the table and to be printed.

FINANCIAL ASSISTANCE FOR STUDENTS IN POSTSECONDARY AND HIGHER EDUCATION—AMENDMENTS

AMENDMENT NO. 193

Mr. KENNEDY of Massachusetts submitted amendments, intended to be proposed by him, to the bill (S. 600) to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education, which were referred to the Committee on Labor and Public Welfare and ordered to be printed.

AMENDMENT NO. 194

Mr. MORSE. Mr. President, the Education Subcommittee of the Senate Committee on Labor and Public Welfare this morning was privileged to receive excellent testimony from spokesmen representing the library profession. Under the panel chairmanship of the distinguished Librarian of Congress, testimony was received from representatives of the American Library Association, the Association of Research Libraries, and the Catholic Library Association.

The subcommittee in particular took note of the suggestions advanced with regard to the interaction between the Library of Congress and the university and college libraries with respect to a cataloging problem which currently exists. The solution to this problem which was advanced was argued so persuasively that Senator McNamara, Senator Clark, Senator Randolph, Senator Kennedy of New York, Senator Yarborough, Senator Prouty, Senator Javits, Senator Dominick, and I determined to introduce for reference an amendment to S. 600 which would carry out the intent of the proponents.

I am not unaware that there are many other Senators who may wish to join with us in the sponsorship of the amendment, and I therefore ask unanimous consent that the amendment lie at the desk until the close of business Monday next, to permit such Senators as may wish to join us on the amendment, to do so, and that the amendment be printed in the Record, and appropriately referred.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the Record and held at the desk, as requested by the Senator from Oregon.

The amendment (No. 194) was referred to the Committee on Labor and Public Welfare, as follows:

On page 26, after line 3, insert the following new part:

"PART C—CATALOGING OF LIBRARY MATERIALS

"Sec. 250. There are hereby authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1966, and such sums for each of the four succeeding fiscal years as may be necessary to enable the Commissioner of Education to transfer funds to the Librarian of Congress for the purpose of:

"(1) Insuring, so far as possible, the acquisition by the Library of Congress of all library materials currently published throughout the world of value to scholarship;

"(2) Providing catalog information for these materials promptly after receipt, and distributing bibliographic information in printing catalog cards and by other means, and authorizing the Library of Congress to use for exchange and other purposes such of these materials not needed for its own collections."

Mr. MORSE. Mr. President, I ask unanimous consent that relevant portions of the testimony received this morning in support of the amendment be printed at this point in the Record.

There being no objection, the portions of testimony were ordered to be printed in the RECORD, as follows:

STATEMENT BY WILLIAM S. DIX, LIBRARIAN, PRINCETON UNIVERSITY, REPRESENTING THE ASSOCIATION OF RESEARCH LIBRARIES, ON S. 600, BEFORE SUBCOMMITTEE ON EDUCATION, COMMITTEE ON LABOR AND PUBLIC WELFARE, U.S. SENATE, MARCH 31, 1965

Mr. Chairman and members of the subcommittee * * * title II of this bill as it is now drafted will go far in enabling college and university libraries to perform more effectively their essential task in higher education. However, we respectfully wish to suggest to this committee a related area of assistance in which the expenditure centrally of a relatively small sum will enable the colleges and universities which receive the $50 million proposed for acquisitions to meet more easily the heavy burden of staff costs which these acquisitions will demand. We suggest a program which will permit these purchase grants to have the full effect in developing national library resources which the legislation intends them to have. I must beg the indulgence of this committee for a few words of explanation.

Books and journals are of no value in a library until they can be found, unless some device is provided by which a reader can start with the name of the author, or the title of the book, or even the subject alone and end up with the book he needs. The card catalog is the conventional device for achieving this end, and every book acquired by a library must be cataloged before it can be placed on the shelves. This operation is considerably more complex than it might appear at first. It involves an exacting technical skill and intellectual effort which requires competence in all of the world's ancient and modern languages. Today the 74 members of the Association of Research Libraries are spending over $18 million a year on cataloging alone, and while these are the largest libraries, they are a small fraction of the total number.

Fortunately, the basic cataloging of a book, if it is done in a consistent and standard fashion, need not be repeated when a second library gets the same book—if it can also get a copy of the first library's catalog card promptly enough to use it. The most effective device for sharing cataloging began in 1901 when the Library of Congress began selling to other libraries copies of the catalog cards which it prepares for its own collections. In fiscal year 1964 it returned to the Treasury more than $3.8 million realized from the sale of more than 52.5 million cards to some 17,000 libraries.

Yet the university libraries of the country can still get Library of Congress catalog cards when they need them for only a little over half of the books they acquire each year. The Library of Congress actually acquires a higher percentage of these books, but lacks the necessary staff to catalog them quickly enough for copy to be useful to other libraries. If a method can be found to reduce this nearly 50 percent of original cataloging which is now required, much of it duplicated in libraries all over the country, the savings will be very substantial indeed, and the money released can be spent in strengthening the national pool of books and in providing better library service to students and scholars. After experimenting for many years with various plans for the exchange of cataloging information, we are now convinced that the best solution, and indeed the only effective solution, to the problem is the cataloging of as many books as possible by a central agency and the distribution of cataloging copy or cards to libraries as required for their own acquisitions. We believe also that the obvious central agency is the Library of Congress, which is already meeting over half of the need and which has already established the mechanisms of information and distribution. The Library of Congress is, in fact, already a national bibliographic center. To meet the national need the system must be perfected. The Librarian of Congress is in agreement with our objective and is present today to testify in support of our proposal.

Centralized cataloging will assist the development of a computer-based system of information storage and retrieval. The basic intellectual operation of cataloging, of describing and properly identifying each book, will always be necessary and is in fact the essential prerequisite of any automated library system. Furthermore, it seems clear that technological innovation as applied to the development of an integrated national network of libraries must move outward from the center. Before the total library resources of the country can be made fully and effectively available to the individual student and scholar by automation, a great mass of bibliographic information must be available in a national center, stored in machine-readable form and distributed by whatever improved methods can be devised to the local libraries where it will be available to users. Thus, not only can cataloging be done more efficiently at a central location but the resulting bibliographic information must in any event be gathered in one place to take full advantage of the promises of automation.

There is a nationwide shortage of trained librarians, especially of those with the specialized subject knowledge and the language skills required to catalog the kinds of books now required in university libraries. The worldwide commitments of the United States now demand that we train students in scores of fields almost unknown in our universities 30 years ago. To support these programs our libraries must make available books in Arabic, in Urdu, in Swahili, and in dozens of other languages. There are simply not enough catalogers in these areas for each library to provide its own. The case for centralization, either in Washington or elsewhere, is clear on the basis of effective utilization of scarce manpower alone.

There is one more element in the program which we propose. These newly published books from all over the world which are being added each year to American libraries cannot be cataloged by a central agency unless they are in the hands of the catalogers at that agency. It seems clear, therefore, that the Library of Congress should attempt to acquire comprehensively currently published materials of scholarly interest from all parts of the world. In this acquisition program and in the centralized cataloging the National Agricultural Library and the National Library of Medicine should probably be given certain responsibilities in their own special areas. Most of those books should probably be retained in the collections of the national agency, but some may be passed along to other labraries with special interests and national responsibilities after they have been cataloged and the cataloging copy made available through the national pool. We believe that not more than 100,000 currently published books per year are coming into American libraries which are not added now to the collections of the Library of Congress. We believe that if a substantial proportion of these publications were acquired by the Library of Congress and cataloged promptly, not only would the cataloging problem of all the major American libraries be essentially solved, but the Library of Congress would be enabled to fulfill much more effectively its mission as the greatest national library in the world, serving the daily needs of the Congress and the other branches of the Federal Government, of science and industry, and of the academic and scholarly community.

This, then, Mr. Chairman, is the program which we respectfully propose. It does not represent a narrow or selfish interest, for although it is of special importance to the large university and research libraries from coast to coast it will help solve a pressing problem of thousands of other libraries of all types. It is simply a national plan to improve what is now the most costly and inefficient element in library operations. It will not bring about the millennium, for all libraries will still need trained catalogers to adapt the basic cataloging to their own needs.

But this program will, we are convinced, greatly enrich and strengthen the resources of the Library of Congress as a National Library; utilize more effectively and rationally skilled manpower which is in very short supply; enable hundreds of libraries throughout the country to eliminate alarming backlogs of several million uncataloged and thus unusable books; provide basic elements required for a national system of automating bibliographic information; release for productive use in the support of teaching and research millions of dollars now spent unnecessarily in duplicative effort.

We respectfully suggest, therefore, that in order to make the provisions of title II more effective in developing library collections, the Office of Education should be authorized sufficient funds for transfer to the Library of Congress which should be authorized and directed to (1) acquire on the most comprehensive basis currently published library materials of scholarly value; (2) provide catalog copy for these accessions promptly after receipt, generally within 3 to 4 weeks; (3) process and forward to other designated libraries, by exchange or other methods, books which are not within the collecting scope of the central facility.

We estimate that first-year appropriations should not exceed $5 million.

In our opinion, the cost involved is small when compared with the benefits to be derived. This program will go far toward solving one of the most pressing problems faced by the Nation's libraries for the past 50 years.

TESTIMONY OF L. QUINCY MUMFORD, LIBRARIAN OF CONGRESS, ON THE HIGHER EDUCATION ACT OF 1965, BEFORE THE EDUCATION SUBCOMMITTEE, SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE, MAY 19, 1965

Mr. Chairman and members of the subcommittee, * * * the shortage of trained librarians, as you have already heard, has become critical. We have felt this shortage at the Library of Congress. We are, of necessity, conducting our own training program for catalogers in which we teach cataloging theory and practice to college graduates with subject and language competence. This, of course, is time-consuming and expensive, but we shall have to continue the program until there are more graduates with master's degrees in library science available. The training provisions of title II, part B, would, I believe, help in recruiting for the library profession talented students who have not been able to go beyond the bachelor's degree because of inadequate financial resources. The limited number of accredited library schools—at present there are only 33 accredited in the United States by the American Library Association—and their geographical locations have hampered recruitment for the profession. The provisions outlined in S. 600 to provide financial assistance to institutions for training in librarianship would, I am confident, improve the picture considerably.

For over half a century, the Library of Congress has conducted research in library technology in an effort to find the most efficient and economical way to control and to service the materials in its collections. The results of this research have, of course, been made available to libraries and their users throughout the Nation. To give but a few examples: the Library of Congress develops catalog codes and classification schedules; it developed, and utilized in its books-for-the-blind program, longplaying records long before they became available commercially and it continues to conduct experiments for the improvement of talking book records; and it published, among other reports, a study on the preservation of sound recordings in libraries. Many such programs are cooperative, with libraries contributing research and the products of research. Now with the advent of automation, new horizons, heretofore unknown, have opened before the library profession. The Library of Congress is currently carrying on studies leading to the application of computer technology to library operations, especially to the production of machine-readable catalog-card copy and to the automation of our entire bibliographic record. We need the advice and assistance of other libraries in this if we hope—as we do—to create a national library information system. These libraries also have their own problems in this and in other areas on which study is necessary. The availability of grants for research in library technology would, therefore, aid the library profession immeasurably in the difficult tasks that lie ahead.

Important as the foregoing aspects of title II are, I assume that this subcommittee is mainly interested in my views on the centralized cataloging proposal made here today by the Association of Research Libraries. I am in accord with the plan outlined, and I am glad to have this opportunity to comment on it in relation to the Library of Congress and the national needs.

As I understand it, the Association of Research Libraries is proposing that title II be amended in order that a sum of $5 million for the first year would be authorized to be appropriated to permit the Commissioner of Education to transfer funds to the Library of Congress for the purpose of acquiring at the Library of Congress, insofar as possible, all library materials of research value currently published throughout the world, and of enabling the Library to provide catalog information on these materials promptly enough to be useful to the libraries of the Nation. In addition, I hope that any such amendment would be so worded as to permit the Library to use for exchange and other purposes those materials acquired that might not be needed for its own collections.

This plan would obviously affect our acquisition program. At present, it is the policy of the Library of Congress to be comprehensive in its coverage, but not complete. Many years ago it became apparent that no one library could add to its collections everything that was printed. The major research libraries of the country therefore agreed to a cooperative acquisitions program, called the Farmington plan, under which each member assumed responsibility for acquiring all publications of research value from a particular geographical area or in a given subject. The Library has also acquired a large proportion of the material that is brought to the United States under this plan but, as I have said, it has not attempted to follow a policy of acquiring everything. For example, as you know, the National Library of Medicine and the National Agricultural Library collect technical publications in medicine and agriculture.

It would be impossible to give an exact figure on how many publications that are being received by research libraries are not received by the Library of Congress. The Association of Research Libraries has estimated that about 100,000 titles per year are at present either not being acquired by the Library of Congress or are not being cataloged promptly, that is, within 3 weeks from date of receipt. It has been estimated that the sum recommended by the Association of Research Libraries to be transferred to the Library of Congress would insure the acquisition, binding, and cataloging of about 75,000 titles during the first year of operation. We are assuming that any authorizing legislation would include the cost of printing catalog cards for these additional titles. Since the number of libraries interested in buying cards for these predominantly foreign-language materials would be limited, the volume of sales would not pay for the printing costs.

The Library's catalog-card distribution service has attempted to meet the needs of the greatest number of libraries throughout the country. Since English-language publications are the ones acquired by the majority of the libraries and are the titles most often used by the reader, we have given priority to them in our cataloging. Over 93 percent of the sale of catalog cards are for titles in the English language. With the cooperation of many American book publishers, who send us their new titles on or before their publication dates, we are able to supply printed cards on these books promptly. Generally, English-language books are cataloged and printed cards are available within 21 working days after receipt of the books in the Library.

It is true that the Library does not have printed cards available for most of its foreign-language titles within this period of time. In some instances, printed cards for foreign-language materials that we have never become available. This is not to say that the Library of Congress does not know what is has acquired in foreign titles. In order to serve our immediate needs—that is, to service the materials to the Congress, the Government, and our readers—we give what is called preliminary cataloging treatment to incoming foreign titles and thus we have control over them. This is, of course, not an ideal situation and it has penalized other research libraries, but we cannot, without additional staff and book-purchase funds, fulfill all the needs of the research libraries.

Looking to the future, the research libraries are hopeful—and I am too—that they will be able to tie into a national computer-based information system, whose main store of information will be located at the Library of Congress. It is expected that the bibliographic information in the Library, corresponding to our present card catalogs, will be produced in machine-readable form and will be made available to other libraries in various ways, possibly through tapes, and through a network of communications facilities. The value of such a record would be enhanced if the Library of Congress had bibliographic information about the holdings of the entire complex of research libraries. The proposal presented to you today by the Association of Research Libraries would make this possible in the future, and as a result, a much larger segment of the research community would be the beneficiary of such an information system.

In conclusion, the Library of Congress, recognizing its role as the national library, would be happy to accept this responsibility for the research libraries of the Nation, for the ARL plan is not directly designed for the primary benefit of the Library of Congress. Indirectly, we would benefit because we would be able to acquire more books, to catalog them more promptly, and to build a more complete centralized bibliographic record for the benefit of higher education and the scholarly community. In short, this plan would not only provide for a more economical and efficient national cataloging program, but would directly contribute to the improvement of research and reference libraries in the United States.

TESTIMONY BY JULIAN H. LEVI, BEFORE THE EDUCATION SUBCOMMITTEE OF THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE, MAY 19, 1965

I am Julian H. Levi, professor of Urban Studies in the Division of Social Sciences at the University of Chicago.

President George W. Beadle, of the University of Chicago, has authorized enthusiastic support of the suggestions made by Mr. William S. Dix, librarian of Princeton University, on behalf of the Association of Research Libraries. I may tell you, in addition, that the content of Mr. Dix' suggestions has been discussed in meetings among many university groups within past weeks. More than 30 institutions have been involved. The reaction in each instance has been positive.

Three observations appear appropriate:

1. Amelioration of cataloging problems, achieved by shared effort, is important to the entire community of higher education. Current costs and delays inflict heavy penalties on university budgets and resources, on faculty time and effort, and on student opportunity and training.

The benefits of Mr. Dix' suggestions, therefore, go far beyond the university library itself. The economies and benefits derived from central cataloging effort will assist each of the institutions of higher education in the Nation.

2. Cataloging problems cannot be solved within any single institution, or section, or region of the Nation. No one university library, however large, can be all-inclusive. Effective service requires a common approach to the cataloging problem and on a national basis. Accordingly, only a national program will meet the need. Anything less will not have coverage sufficiently inclusive.

3. The benefits to be derived in avoiding duplicative, costly efforts are many times the costs involved.

No one privileged to appear before this committee on behalf of higher education can fail to acknowledge the giant contributions which this committee has made in the development and promulgation of a legislative record without parallel. This committee, under the inspired leadership of its chairman, supplemented and aided by an extraordinarily effective and interested staff, challenges us as we seek to meet our obligations, essential to the future of a free society.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

AMENDMENT NO. 196

Mr. JAVITS. Mr. President, with respect to the pending bill to establish a Department of Housing and Urban Development I submit an amendment for appropriate reference.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment was referred to the Committee on Government Operations.

Mr. JAVITS. Mr. President, this is an amendment to S. 1599, the bill to establish a Department of Housing and Urban Development, to create in the Department, an Office of Urban Program Coordination to provide specific machinery for the coordination of the approximately 60 programs concerning urban development which are not under the jurisdiction of the Department of Housing and Urban Development, as the bill is presently drafted.

I am cosponsor of S. 1599, and support its objectives. However, while the bill provides generally that the Secretary shall have authority to coordinate Federal activity affecting housing and urban development, there is no machinery for the Secretary to utilize in coordinating the administration of the more than 60 Federal programs concerned with urban metropolitan areas. The Secretary's direct jurisdiction, it is expected, will cover only the constituent units of the Housing and Home Finance Agency whose functions and powers will be transferred to the Department. There is an urgent need that the Secretary of the Department of Housing and Urban Development be the focal point for the many development programs having an impact on urban areas and that he have the machinery to coordinate these programs.

The amendment would, in addition, authorize the establishment of an Inter-Agency Coordinating Council, to be made up of distinguished citizens outside the Government appointed by the Secretary to provide the Secretary of the Department with their recommendations for developing proposals for improving programs of the various departments and agencies of the Government which have a major impact on urban development. The Council also would be composed of ex officio members including the Secretary of Housing and Urban Development and the Secretaries of Labor; Commerce; Health, Education, and Welfare; and Treasury; the Director; the Administrator of the Federal Aviation Agency; the Chairman of the Interstate Commerce Commission; and the Administrator of Veterans' Affairs and other designated officials.

I trust that the Executive Reorganization Subcommittee of the Government Operations Committee under the able chairmanship of Senator Ribicoff and of which I am a member will consider the objectives of this amendment and evaluate how best these objectives may be carried out.

ADDITIONAL COSPONSORS OF BILL

Mr. AIKEN. Mr. President, I ask unanimous consent that the Record show that the following Senators have become cosponsors of S. 1766, a bill to amend the Farmers Home Administration Act: The Senator from Hawaii [Mr. Inouye], the Senator from Oklahoma [Mr. Monroney], the Senator from Louisiana [Mr. Long], and the Senator from Florida [Mr. Smathers].

The amendment is intended to establish water systems in rural areas with less than 5,000 population and to provide for Federal assistance in so doing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. Mr. President, I ask unanimous consent that at the next printing of S. 1886, to prohibit opening of mail by the Internal Revenue Service, the name of the senior Senator from Illinois [Mr. Douglas] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROHIBITION OF OPENING OF MAIL BY INTERNAL REVENUE SERVICE—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of May 4, 1965, the names of Mr. Allott, Mr. Bartlett, Mr. Bennett, Mr. Bible, Mr. Boggs, Mr. Burdick, Mr. Carlson, Mr. Church, Mr. Clark, Mr. Cooper, Mr. Curtis, Mr. Dominick, Mr. Ervin, Mr. Fong, Mr. Hart, Mr. Hartke, Mr. Hruska, Mr. Inouye, Mr. Lausche, Mr. McCarthy, Mr. Montoya, Mr. Moss, Mr. Mundt, Mr. Murphy, Mr. Muskie, Mr. Nelson, Mr. Saltonstall, Mr. Simpson, Mrs. Smith, Mr. Sparkman, Mr. Thurmond, Mr. Tower, Mr. Williams of New Jersey, Mr.Yarborough, and Mr. Young of North Dakota were added as additional cosponsors of the bill (S. 1886) to prohibit opening of mail by the Internal Revenue Service, introduced by Mr. Long of Missouri on May 4, 1965.

NOTICE OF HEARINGS ON HOUSE BILLS RELATING TO THE JUDICIARY

Mr. TYDINGS. Mr. President, for myself, as chairman of the Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary, I wish to announce that hearings will be held by the subcommittee on H.R. 1763, to authorize the payment of witness fees in habeas corpus cases and in proceedings to vacate sentence. H.R. 3989, to extend the time for filing petitions for removal of civil action from State to Federal courts from 20 to 30 days. H.R. 3990, to increase the per diem and subsistence and limit mileage allowances of grand and petit jurors. H.R. 3992, to provide the payment of cost of transcripts furnished by court reporters. H.R. 3998, to increase the fees of jury commissioners in the U.S. district courts. H.R. 5283, to provide for the inclusion of years of service as judge of the U.S. District Court for the Territory of Alaska in the computation of the years of Federal judicial services for judges of the U.S. district courts for the District of Alaska. H.R. 5640 to provide for a jury commission for each U.S. district court, to regulate its compensation, to prescribe its duties, and for other purposes.

The hearings are scheduled for May 27 at 10 a.m. in room 2228 of the New Senate Office Building.

Any person who wishes to testify or submit statements pertaining to these measures should communicate with the Subcommittee on Improvements in Judicial Machinery.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 800) to authorize appropriations during fiscal year 1966 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Rivers of South Carolina, Mr. Philbin, Mr. Hébert, Mr. Price, Mr. Fisher, Mr. Hardy, Mr. Bates, Mr. Arends, and Mr. O'Konski were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1231. An act for the relief of Maria Mangano;

H.R. 1236. An act for the relief of Salvador Munoz-Tostado;

H.R. 1306. An act for the relief of Loretta Negrin;

H.R. 1314. An act for the relief of Foster Masahiko Gushard;

H.R. 1322. An act for the relief of Mrs. Ana Cristina Rainforth;

H.R. 1443. An act for the relief of Mrs. Olga Bernice Bramson Gilfillan;

H.R. 1987. An act for the relief of Nabhane M. Nickley (Nabhane M. Karam);

H.R. 1989. An act for the relief of Krystyna Stella Hancock;

H.R. 2012. An act for the relief of Dr. Ignace D. Liu;

H.R. 2305. An act for the relief of Zenaida Quijano Lazaro;

H.R. 2351. An act for the relief of Teresita Centeno Valdez;

H.R. 2360. An act for the relief of Dr. Antonio R. Perez;

H.R. 2499. An act for the relief of Remedios Ocampo;

H.R. 3625. An act for the relief of Alfred Estrada; and

H.R. 4131. An act for the relief of Mrs. Phoebe Thompson Neesham.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the Judiciary:

H.R. 1231. An act for the relief of Maria Mangano;

H.R. 1236. An act for the relief of Salvador Munoz-Tostado;

H.R. 1306. An act for the relief of Loretta Negrin;

H.R. 1314. An act for the relief of Foster Masahiko Gushard;

H.R. 1322. An act for the relief of Mrs. Ana Cristina Rainforth;

H.R. 1443. An act for the relief of Mrs. Olga Bernice Bramson Gilfillan;

H.R. 1987. An act for the relief of Nabhane M. Nickley (Nabhane M. Karam);

H.R. 1989. An act for the relief of Krystyna Stella Hancock;

H.R. 2012. An act for the relief of Dr. Ignace D. Liu;

H.R. 2305. An act for the relief of Zenaida Quijano Lazaro;

H.R. 2351. An act for the relief of Teresita Centeno Valdez;

H.R. 2360. An act for the relief of Dr. Antonio R. Perez;

H.R. 2499. An act for the relief of Remedios Ocampo;

H.R. 3625. An act for the relief of Alfred Estrada; and

H.R. 4131. An act for the relief of Mrs. Phoebe Thompson Neesham.

INVESTIGATION OF ROBERT G. BAKER, BY COMMITTEE ON RULES AND ADMINISTRATION

Mr. WILLIAMS of Delaware. Mr. President, in the Chicago Tribune of March 18, 1965, there appeared an editorial entitled "A New Low."

This editorial points up just how desperate the administration is to stop the Baker investigation before it reaches any higher.

I ask unanimous consent that the editorial be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Chicago (Ill.) Tribune, May 18, 1965]

A New Low

Democrats on the Senate Rules Committee apparently have stooped to a new low in their

protracted efforts to cover up the Bobby Baker scandal. Reporters have learned that the committee's forthcoming report on the latest stage of its so-called investigations includes an ill-concealed and outrageous attack on the integrity of a fellow Senator, John J. Williams of Delaware.

Senator Williams is the Republican whose initial evidence led to Baker's resignation as Secretary to the Senate majority on October 8, 1963, after piling up a $2 million fortune on a Government salary which never exceeded $19,600. And it is Senator Williams who has kept the investigation alive with one revelation after another.

The ripples of scandal reached the White House and the Democratic National Committee as well as any number of lesser individuals and agencies. In one previous committee report and in a series of statements and even more eloquent silences, Senate Democrats and the administration have tried to shake off the embarrassing evidence by evasion, by alibis, by diversionary tactics, by impugning the testimony of witnesses, by releasing derogatory material about them from supposedly secret files, and by crying politics.

None of this has allayed the public suspicion or stemmed the flow of incriminating evidence, gathered almost singlehandedly by Senator Williams. So the committee has now stooped to implying that Mr. Williams is a meddlesome liar who shouldn't concern himself with matters under the jurisdiction of the Rules Committee. According to one reporter, the document reads as if it were a brief in a libel suit against Mr. Williams instead of an examination of serious charges brought by him.

These are vengeful gutter tactics which merely demonstrate the committee's moral bankruptcy. It has exhausted its paltry supply of ammunition and has turned to name calling. If it persists in adopting this report, it will bring discredit on the whole Senate.

CODDLING OF CRIMINALS IN THE DISTRICT OF COLUMBIA

Mr. BASS. Mr. President, last night there appeared in the Washington Evening Star an editorial dealing with the commitment of a murderer to an institution of correction until he becomes of age—21 years. The editorial should be read by every American. I believe that it expresses the sentiment of many who are deeply concerned with the increase in the rate of crime, not only in the District of Columbia, but throughout the Nation. I did not read the news story when the crime was committed. The name of the person involved did not appear in the news story, so there can be no prejudice in the remarks that I am making. I have even forgotten the name of the judge. I did not bring the editorial with me because I did not wish to read the name into the Record.

But if the facts are as stated in the editorial, and if there were no extenuating circumstances, as the editorial stated, when the judge committed that young man for a period of only 4 or 5 years for the murder that he committed—and there apparently was no doubt that he was guilty. I have one comment to make about that judge. The judge said he went through some "mental anguish" in making his determination. His mental anguish should be studied by some professionals. That judge ought to have his head examined, because within a period of a few short years a full grown man, weighing 225 pounds, 6 feet 2 inches tall, will be turned loose to commit additional crimes, probably not only in the District of Columbia, but in other parts of the United States.

I continue to be disturbed about the coddling of criminals that is being practiced by the judiciary in the District of Columbia. I hope that Senators who serve on committees enacting laws dealing with criminal activities in the District will begin to take note of the type of justice that is going on here. It now appears that there is a sign out at the District line which reads: "An easy place for the criminal. Just come to the District of Columbia." I am of the opinion that our system of justice is extremely weak.

Criminals read that an act of murder has been committed. There was no doubt as to who committed the murder. Yet the culprit is sent to an institution of correction for a period of only 4 years. Men with that kind of mental attitude and that kind of mind will quickly migrate to the Nation's Capital.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator be permitted to speak for an additional 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Tennessee is recognized for an additional 2 minutes.

Mr. BASS. I commend the editorial: I commend the attitude that the newspaper is taking in this particular instance. Something must be done to stop crime in the Nation's Capital.

DEATH OF MRS. MARY BRECKINRIDGE, OF KENTUCKY, FOUNDER OF FRONTIER NURSING SERVICE

Mr. MORTON. Mr. President, on Sunday last, Mrs. Mary Breckinridge died peacefully at her home at Wendover, Leslie County, Ky. She was without doubt the most illustrious lady in the long history of Kentucky. She was known as "The Angel of the Frontier." She was the founder and moving spirit of the Frontier Nursing Service, an organization which has not only rendered invaluable help to the people of Leslie, Perry, and Clay Counties, Ky., but has been a model for similar organizations throughout the world.

On Monday, May 17, the Louisville Courier Journal published an article entitled "Nurse and Angel of Frontier Dies," written by Allan M. Trout, one of the most eminent journalists in Kentucky. The article gives a résumé of the life and accomplishments of this remarkable woman and a history of the Frontier Nursing Service. My distinguished senior colleague from Kentucky [Mr. Cooper] placed this article in the Record yesterday, at page 10813. I commend it to all Senators.

Mr. President, I first knew Mrs. Breckinridge in the early 1920's. Whenever she visited Louisville, she stayed in our old family home in the country, near Louisville.

I made my first trip to Hyden in 1928. It was a long trip in those days. We took the overnight train from Louisville to Hazard, and rode horses or mules from Hazard to Hyden. At that time there was not one mile of paved road in Leslie County. It was an all-day trip and, as I recall, was in the rain. The occasion was the dedication of a wing of the hospital being built as a memorial to my mother.

I was long ago impressed with the great qualities which Mrs. Breckinridge possessed and the force, drive, and dynamism that she gave to the establishment of this great institution, the Frontier Nursing Service.

Mr. President, I ask unanimous consent to have printed at this point in the Record an editorial entitled "Mary Breckinridge Served Long and Well," which was published in the Louisville Courier Journal of Tuesday, May 18.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Courier-Journal, Louisville (Ky.) May 18, 1965]

Mary Breckinridge Served Long and Well

Mary Breckinridge bore proudly a name that has long been distinguished in Kentucky. Forty years ago she set out to sell an ideal—the provision of trained nursing and midwife service to Kentucky's mountain mothers. At her death the Frontier Nursing Service had become internationally known and its school for midwives has provided a model for others throughout the world.

She knew tragedy in her own life. She found fulfillment in the remote hollows around the FNS hospital at Wendover, which is in Leslie County, and in the problems of its people. As she told her story of the mountain people among the comfortable and moneyed inhabitants of our large cities, she touched consciences and loosened purse strings wherever she went.

Probably few of her donors ever visited the scenes she described, but something of the long heritage of pride and poverty which is native to the Kentucky hills stayed behind her to nag at the affluent. Today her hospital and nursing service is solidly based, well-financed and capable of a new role in the changing Appalachian picture. She served her chosen people long and well.

SENATOR DIRKSEN'S WELCOME TO A WORKINGMAN

Mr. MORTON. Mr. President, I ask unanimous consent to have printed at this point in the Record a letter written by S. F. Danfield, of Chicago, to the Chicago Tribune, and published in that newspaper on May 9, 1965.

There being no objection, the letter was ordered to be printed in the Record, as follows:

[From the Chicago (Ill.) Tribune, May 9, 1965]

Workingman's Welcome

Chicago, May, 6.—May an American workingman ask you to publish an incident that happened to him? This incident is a trip to Washington, D.C., last Wednesday.

I am just a union painter and I was an invited guest to a dinner in honor of Mr. Dirksen. As one of the supposedly despised union men (despised that is by the heads of the Republican Party), when it became known it was my first trip in a plane, Mr. Fetridge of Diamond T took it upon himself to sit with me on takeoff to help a fellow American on his first trip. When we arrived in Washington, I met a lawyer who represents railroads, who personally took me on a tour of places and things of interest.

At the minority leader's offices I was personally escorted to Mr. DIRKSEN and introduced to him as a union man who as an American believes in the Republican Party. At the dinner I was seated beside a legislator who talked with me on an even level. At the airport to take off for home, Mr. Nixon was standing alone, I walked up to him and introduced myself. He shook my hand enthusiastically and said he wished there were more union men in the party so they could get a closer understanding of labor. The warmth and understanding accorded me certainly belies the statements of 32 years I have heard, that the Republican Party hates labor. I certainly wish that more rank and file union men could have the experience of my trip.

In addition, I wish to extend a warning to the Democratic Party. I had a dinner with the loser, but the heads up, bright eyes, and American ideas exhibited by so many so-called losers cannot be denied. The American party now known as the Republican Party soon will lead us back from socialism and big-brotherism to the freedom we all love and cherish.

S. F. DANFIELD,
Member of Local No. 147, Brotherhood of Painters, Decorators, and Paperhangers.

WORLD'S AIRLINES SET SAFETY MARK

Mr. MONRONEY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a newspaper article summarizing a report of the International Civil Aviation Organization on the safety record of the non-Communist world's airlines in 1964.

These airlines set a new record of 0.61 deaths per 100 million passenger-miles, which was 22½ percent below the figure for 1963.

This is a great achievement and I commend the airlines for their continued efforts to promote air safety. I am particularly happy with the record of the U.S. airlines, which was over twice as good as that of the other airlines in non-Communist countries. The rate achieved by U.S. airlines was only 0.26 deaths per 100 million passenger-miles flown.

This is a wonderful record and is further evidence that air travel is the safest mode of transportation today. It is also an indication that the continuing efforts of the airlines to achieve air safety are paying off.

Another interesting fact in the report is that the venerable old DC–3 is still the most popular commercial airplane in operation today. There are more DC–3's still in operation than all jet aircraft combined.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WORLD'S AIRLINES SET SAFETY MARK—FATALITY RATE AT A LOW, REPORT FOR 1964 NOTES

WASHINGTON, May 15.—The non-Communist world's airlines compiled the safest year on record in 1964, the International Civil Aviation Organization reported today.

It said its more than 100 member airlines, which include U.S. carriers, ended the year with the lowest fatality rate on record, 0.61 deaths to 100 million passenger-miles flown, 22.5 percent below 1963, the best previous year.

The figure for U.S. airlines last year was 0.26 percent.

The report said the passenger fatality rate had been cut by 50 percent in the last 4 years.

If the 1954 rate had been experienced in 1964, it said, "there would have been about 20 accidents instead of the actual 21 and about 1,500 fatalities instead of the actual 647."

LOW JET RATE CITED

The report also said that jets had only about half the fatal accident rate of older types of airliners. It said pure jets offered 72 percent of total seat capacity in 1964, although they represented only a fifth of the total planes in scheduled service.

The DC–3, however, the report noted, still was a busy little airliner after nearly three decades of flying. There were 1,052 DC–3's being operated at the end of 1964—15 more than the pure jet total.

The report said Aeroflot, the Soviet airline, continued to expand in 1964, although official figures were lacking. Aeroflot is estimated to have carried 38 million passengers last year, against 22 million in 1961, 27 million in 1962 and 32 million in 1963.

The report said Aeroflot hauled virtually no cargo over its passenger routes, which now extend to 33 capital cities in Europe, Africa, the Middle East, Asia, and Cuba.

Organization members, the report said, ended last year with combined operating profits of $600 million, double the figure for the previous year.

CONSERVATION AND PROTECTION OF PACIFIC SALMON OF NORTH AMERICAN ORIGIN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 180.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1734) to conserve and protect Pacific salmon of North American origin.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments on page 1, line 6, after the word "domestic", to insert "fishery"; and in line 7, after the word "programs", to strike out "of Pacific Salmon of North American origin,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when the Secretary of the Interior determines that the fishing vessels of a country are being used in the conduct of fishing operations in a manner or in such circumstances which diminish the effectiveness of domestic fishery conservation programs, the President of the United States may increase the duty on any fishery product in any form from such country for such time as he deems necessary to a rate not more than 50 per centum above the rate existing on July 1, 1934.

Mr. MANSFIELD. Mr. President, this bill was reported by the committee unanimously. I ask unanimous consent to have printed in the RECORD at this point excerpts from the report (No. 194) explaining the purposes of the bill and reasons for its passage.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of this bill is to conserve and protect U.S. domestic fishery resources in coastal waters and on the high seas. This legislation would be particularly helpful to the United States in its continuing effort to conserve and protect the salmon resources of the North Pacific.

The bill provides that whenever the Secretary of Interior determines that fishing vessels of a foreign country are being operated to the detriment of the domestic fishery conservation programs, the President may increase duty—up to 50 percent of the July 1, 1934, level—on any fishery product in any form from the offending country.

GENERAL DISCUSSION

The United States is the acknowledged international leader in the conservation of fishery resources. This position of international eminence has been earned by the United States because of the exemplary fishery conservation programs undertaken by this Nation. One successful example is the conservation of the valuable Pacific salmon resources which have been conserved and sustained while salmon resources in other areas of the world, particularly those in Asia, have been either destroyed, as in Japan, or seriously depleted.

Numerous other examples demonstrate the wisdom of this national conservation policy. The successful halibut conservation program of the U.S.-Canadian International Halibut Commission serves as a model which other nations could emulate. The United States provided the leadership necessary to establish the convention for the conservation of tuna in the eastern tropical Pacific. At the United Nations Conference on the Law of the Sea, convened in Geneva in 1958, the United States led the successful efforts for adoption of the Convention of Fishing and Conservation of the Living Resources of the High Seas.

The United States has not deviated from this respected international fishery conservation policy. However, periodically, the will and determination of the United States to convince other nations of this sane and necessary conservation policy on the high seas has been severely tested. To meet these serious emergencies, Congress in recent years has given to the executive authority to institute necessary and proper economic sanctions against willful violators determined to destroy these renewable resources under the cloak of the international doctrine of freedom on the high seas. Congress added to the Trade Expansion Act of 1962 a provision specifically authorizing the President to increase duties on imported fishery products from any nation refusing to negotiate a fishery conservation program in good faith. Section 257 of the Trade Expansion Act of 1962 provides that:

"Upon the convocation of a conference on the use or conservation of international fishery resources, the President shall, by all appropriate means at his disposal, seek to persuade countries whose domestic fishing practices or policies affect such resources, to engage in negotiations in good faith relating to the use or conservation of such resources. If, after such efforts by the President and by other countries which have agreed to engage in such negotiations, any other country whose conservation practices or policies affect the interests of the United States and such other countries, has, in the judgment of the President, failed or refused to engage in such negotiations in good faith, the President may if he is satisfied that such action is likely to be effective in inducing such country to engage in such negotiations in good faith, increase the rate of duty on any fish (in any form) which is the product of such country, for such time as he deems necessary, to a rate not more than 50 percent above the rate existing on July 1, 1934."

During the same year, at the request of the Department of State, Congress amended the law implementing the Inter-American Tropical Tuna Convention to give to the Secretary of the Interior authority to embargo certain fishery imports from nations which permitted their fishermen to engage in practices in contravention to conservation regulations of the Inter-American Tropical Tuna Commission.

Section 2 of Public Law 87–814, which amends the Tuna Conventions Act of 1950 (16 U.S.C. 951), provides:

"That upon the promulgation of any such regulations the Secretary of the Interior shall promulgate additional regulations, with the concurrence of the Secretary of State, which shall become effective simultaneously with the application of the regulations hereinbefore referred to (1) to prohibit the entry into the United States, from any country when the vessels of such country are being used in the conduct of fishing operations in the regulatory area in such manner or in such circumstances as would tend to diminish the effectiveness of the conservation recommendations of the Commission, of fish in any form of those species which are subject to regulation pursuant to a recommendation of the Commission and which were taken from the regulatory area; and (2) to prohibit entry into the United States, from any country, of fish in any form of those species which are subject to regulation pursuant to a recommendation of the Commission and which were taken from the regulatory area by vessels other than those of such country in such manner or in such circumstances as would tend to diminish the effectiveness of the conservation recommendations of the Commission. In the case of repeated and flagrant fishing operations in the regulatory area by the vessels of any country which seriously threaten the achievement of the objectives of the Commission's recommendations, the Secretary of the Interior, with the concurrence of the Secretary of State, may, in his discretion, also prohibit the entry from such country of such other species of tuna, in any form, as may be under investigation by the Commission and which were taken in the regulatory area. The aforesaid prohibitions shall continue until the Secretary of the Interior is satisfied that the condition warranting the prohibition no longer exists, except that all fish in any form of the species under regulation which were previously prohibited from entry shall continue to be prohibited from entry."

These congressional acts were necessary to encourage other nations to follow fishery conservation practices on the high seas.

S. 1734 is an extension and continuation of this well-established and recognized national policy.

The immediate circumstances leading to introduction of this legislation and to the favorable action taken by the committee on the bill were graphically detailed during the hearing on this bill.

COMMITTEE CONSIDERATION

Hearings were held on the bill on May 11 and 12. An impressive list of witnesses appeared in favor of the legislation and gave the committee an exhaustive review of the problem.

Since 1883 American fishermen have been fishing the Bristol Bay area of the North Pacific Ocean and there has been established the world's greatest red salmon fishery. The industry prospered and provided employment for native and other fishermen.

During the early years of the development of this fishery, U.S. scientists and fishermen realized the necessity of following strict fishery conservation practices. While Alaska was a territory and more recently since Alaska statehood, the Bristol Bay salmon fishermen have been subjected to extremely strict conservation regulations. These regulations are directed toward obtaining the necessary escapement of salmon into streams to assure the propagation of the salmon stock. In recent years Bristol Bay fishermen have been permitted to fish only a few hours each week during the short season.

The law for many years has prohibited American fishermen from engaging in high seas salmon net fishing. It has been clearly established by scientific evidence that high seas salmon fishing with nets is detrimental to the conservation of the resources and is shockingly wasteful. Despite this clear evidence, the Japanese high seas fishery has within the past several years engaged in the taking of salmon of American origin on the high seas with nets.

The wastefulness of high seas salmon fishing was emphasized by several witnesses during the hearings on the bill. Dr. William F. Royce, director of the Fisheries Research Institute at the University of Washington, said that the Japanese high seas fleets have caught about half as many Bristol Bay sockeye salmon as U.S. fishermen have caught during the period since 1956. Dr. Royce testified in favor of the bill and in doing so pointed out:

"The damage which the Japanese fleets can inflict is indicated by their catch in 1 year when they took 9.8 million or 45 percent of the entire Bristol Bay sockeye run. During this same year, 1957, the U.S. catch was only 6.6 million and the escapement to the spawning streams only 5.2 million. In addition to the 9.8 million Bristol Bay sockeye which the Japanese fleets took, they caught also in Aleutian waters another 10 million sockeye of Asian origin and 30 million salmon of other species, also of Asian origin."

The Honorable William A. Egan, Governor of the State of Alaska, in his testimony in support of the legislation also commented on the disastrous consequences of high seas fishing. The Governor said:

"The Japanes high seas fishery is a shameful biological waste. When 1 month's additional time results in a weight increase of as much as almost 21 percent on a fish which is 4 to 5 years old, I can view the facts in no other light.

"When we examine the Japanese high seas catch of immature Bristol Bay red salmon the problem becomes even more acute. In 1964 the Japanese took 1,837,000 immature Bristol Bay red salmon weighing 3.86 pounds each. One year later these fish returning to Bristol Bay as prime adult fish would have weighed over 5½ pounds each. Such a fishery predicated on harvesting prior to maximum yield violates every concept of fishery conservation and wise use. It cannot be condoned."

Congressman Lloyd Meeds summarized very succinctly in his testimony how high seas salmon fishing with nets violates sound conservation practices. The Congressman from Washington State pointed out that the Japanese take immature fish on the high seas, that the Japanese injure and destroy salmon with the use of hundreds of miles of high seas nets, and that the Japanese high seas fishing fleet ignores the necessary separation of stocks of salmon by individual streams for proper escapement.

The first reported incident of fishermen of a foreign nation intercepting on the high seas salmon spawned in the streams of North America occurred in the late 1930's. On November 22, 1937, Cordell Hull made a statement to the Japanese Government in connection with the Alaska salmon fishery. The Secretary made it quite clear that the United States would not permit a foreign nation to continue fishing practices destructive of this salmon resource which had been conserved by the United States and which was so important to Alaska. Cordell Hull stated:

"Having in mind the high importance of the Alaska salmon fisheries as an industry fostered and perpetuated through the efforts and economic sacrifices of the American people, the American Government believes that the safeguarding of these resources involves important principles of equity and justice. It must be taken as a sound principle of justice that an industry such as described which has been built up by the nationals of one country cannot in fairness be left to be destroyed by the nationals of other countries. The American Government believes that the right or obligation to protect the Alaska salmon fisheries is not only overwhelmingly sustained by conditions of their development and perpetuation but that it is a matter which must be regarded as important in the comity of the nations concerned."

After the Cordell Hull statement of 1937 and during and immediately after World War II Japan did not engage in taking salmon of North American origin. However, in the early 1950's the pressure for a high seas Japanese salmon fishery developed again. In an effort to meet this Japanese fishery expansion, the United States and Canada concluded with Japan in 1953 the Convention on High Seas Fisheries of the North Pacific Ocean, the purpose of which was to conserve the resources and prevent Japan from taking salmon of North American origin on the high seas. Despite the provisions of the treaty, Japan has taken millions of Bristol Bay red salmon during the last 10 years.

During the past 2 years, the United States has undertaken strenuous efforts to renegotiate this treaty in recognition of the importance of conserving and protecting this resource. On September 10, 1963, President John F. Kennedy issued a statement on the conservation of the salmon resources and the North Pacific fishery negotiations with Japan. In commenting on the meeting, the President said:

"The abstention principle, which calls for the fishing restrictions when certain criteria occur, will be the central issue in the new discussions. I believe this principle is sound and reasonable. Without restraints of this nature the nations of the world would run serious risks of depleting fisheries * * *.

"In dealing with the North Pacific fisheries problems we shall be mindful of our responsibility for the preservation of vital fishing resources * * *."

The need to conserve the Pacific salmon resource was also emphasized by President Johnson in a statement made by him on September 4 of last year, immediately preceding the third round of negotiations with Canada and Japan on the North Pacific fisheries problem. President Johnson said:

"The primary objective of the United States in these negotiations is to protect the interests of Alaska and the Pacific Northwest in the North Pacific fisheries, which consist principally of salmon and halibut. The economy of these regions is heavily dependent upon the U.S. fisheries supported by these resources. The interests of the United States in these fishery stocks have been advanced by the International Convention for the High Seas Fisheries of the North Pacific Ocean. Basic to that convention is the concept that in special situations, such as those exemplified by the North American salmon and halibut fisheries, where the countries participating in the fisheries have built up and maintained the resources through major research and regulatory programs, other countries should exercise restraints on their fishing of the type provided for in that convention. This concept provides the incentives necessary to the establishment and continuation of the conservation measures essential to the attainment, both now and in the future, of the maximum harvest of food for mankind. This will insure the conservation of important marine resources and prevent irreparable damage to them through overexploitation. This is in the common interest of Japan, Canada, and the United States."

Despite these repeated attempts to work out a satisfactory solution to this conservation problem, the Japanese high seas salmon fishing effort on Bristol Bay red salmon stock has continued. During these same years the Bristol Bay salmon community has been declared a disaster area on three separate occasions because of an inadequate red salmon run returning to the local spawning streams.

This crisis requires that the President be given the authority to encourage high seas fishery conservation by the use of economic sanctions.

Mr. MAGNUSON. Mr. President, I thank the majority leader for myself and the senior Senator from Alaska [Mr. BARTLETT] for bringing up this very important bill. Time is pressing, because the salmon fishing season begins in about 2 weeks. I shall appreciate it if the bill will move along as rapidly as possible.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments are considered and agreed to en bloc.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to conserve and protect domestic fishery resources."

Mr. MAGNUSON. I move to reconsider the vote by which the bill was passed.

Mr. BARTLETT. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. MAGNUSON. Mr. President, this action by the Senate was necessary for the protection and conservation of the important salmon resources of the North Pacific. It will be of benefit also in the conservation of other fishery resources. The bill will permit the President to increase the duty on fishery imports from foreign nations which permit their nationals to engage in fishery practices which conflict with domestic fishery conservation programs. An excellent example of how effective this measure can be is clearly illustrated in a table showing Japanese fishery imports for 1963 which amounted to almost $100 million. Mr. President, I ask unanimous consent that the table be included in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

U.S. imports of fishery products from Japan, by commodity description, 1963 (quantity and value)

EDIBLE PRODUCTS

Item (brief description)	Pounds	Value [1]	Tariff, July 1, 1934	1964 tariff
Fresh-water trout, not elsewhere specified, fresh or frozen	2,311,246	$980,961	1¢ per pound	0.5¢ per pound.
Fresh-water fish, not elsewhere specified, fresh or frozen	2,200	564	do	Do.
Swordfish, frozen	30,000	7,402	2¢ per pound	0.75¢ per pound.
Albacore, yellowfin and skipjack, fresh or frozen [2]	102,970,480	16,715,733	Free	Free.
Albacore, loins and disks, not elsewhere specified prepared	8,533,057	3,197,050	1.25¢ per pound	1¢ per pound.
Yellowfin, loins and disks, not elsewhere specified, prepared	3,314,392	1,122,972	do	Do.
Tuna, not elsewhere specified	13,500	271,356	do	Do.
Cod, haddock, hake, pollock, and cusk, fresh or frozen	407,771	28,973	do	0.5¢ per pound.
Halibut, fresh or frozen	35,724	4,523	2¢ per pound	Do.
Mackerel, frozen	77,500	10,223	do	0.75¢ per pound.
Salmon, fresh or frozen	369,122	261,384	do	0.5¢ per pound.
Sea herring and smelts, fresh or frozen	22,020	5,086	Free	Free.
Other fish, not elsewhere specified, fresh or frozen	1,467,477	230,016	1¢ per pound	1¢ per pound.
Ocean perch, cod, haddock, hake, etc., filleted, fresh, or frozen	60,135	13,237	2.5¢ per pound	1.875¢ per pound and 2.5¢ per pound.
Swordfish, halibut, and salmon, flounder, and fish filleted, etc., not elsewhere specified, fresh or frozen.	18,859,086	5,612,031	do	1.5¢ per pound.
Frozen blocks and slabs, uncooked, fish bits, etc	155,486	37,182	1.25¢ per pound	1¢ per pound.
Eels, mackerel, salmon, shad, totoaba, and sturgeon, filleted	14,981	9,251	2.5¢ per pound	1.5¢ per pound.
Crabmeat, fresh, chilled, or frozen	147,696	133,514	15% ad valorem	15% ad valorem.
Rock lobster tails and other fresh or frozen lobster	303,905	354,698	Free	Free.
Crabs, fresh, chilled and frozen, excluding crabmeat	6,645	3,854	do	Do.
Turtles	700	1,117	do	Do.
Frog legs, chilled or frozen	1,287,059	1,131,009	10% ad valorem	5% ad valorem.
Frog legs, prepared or preserved	11,625	12,623	20% ad valorem	12% ad valorem.
Shrimp, headless, peeled and deveined	2,863,635	2,442,702	Free	Free.
Clams, fresh, frozen, prepared, preserved, not in airtight containers	150,389	32,153	do	Do.
Oysters, fresh, frozen, and not elsewhere specified, not in airtight containers	7,697,720	828,579	do	Do.
Scallops, except in airtight containers	21,644	50,169	do	Do.
Other fish, prepared or preserved, not specifically provided for	213,310	172,264	1.25¢ per pound	1¢ per pound.
Bonito and yellowtail, in oil, in airtight containers	17,702	6,854	30% ad valorem	15% ad valorem.
Fish cakes, balls, and puddings, not in oil, in airtight containers	338,666	121,492	25% ad valorem	3% ad valorem.
Fish roe (excluding sturgeon), boiled and in airtight containers	186	143	30% ad valorem	5.5% ad valorem.
Fish roe (excluding sturgeon), not boiled	14,808	19,193	20¢ per pound	4¢ per pound.
Fish pastes and fish sauces	23,989	17,273	30% ad valorem	8% ad valorem.
Other fish in oil, canned	260,900	116,315	do	25.5% ad valorem.
Other fish, not oil, canned	147,334	163,220	25% ad valorem	12.5% ad valorem.
Salmon, in oil, canned	1,259	1,994	30% ad valorem	25.5% ad valorem.
Salmon, not in oil, canned	816,389	406,246	25% ad valorem	15% ad valorem.
Sardines, not in oil, canned, in airtight containers	2,592,702	445,370	do	6.25% ad valorem.
Albacore and other tuna, in oil, canned	130,089	58,243	45% ad valorem	25% ad valorem.
Albacore and other tuna, in brine	48,333,248	21,094,459	25% ad valorem	12.5% and 25% ad valorem.
Fish roe, not in oil, canned	16,820	49,268	20¢ per pound	4¢ per pound.
Crabmeat, canned	5,248,811	6,331,063	15% ad valorem	22.5% ad valorem.
Oysters, smoked, canned	2,941,335	1,396,077	8¢ per pound	4.5¢ per pound.
Other oysters, canned	4,855,000	1,249,202	do	6¢ per pound.
Clams, not elsewhere specified	1,359,766	809,646	35% ad valorem [3]	20% ad valorem.[3]
Lobsters, canned	275	454	Free	Free.
Shellfish pastes and sauces	75	162	do	Do.
Abalone	127,481	209,716	do	Do.
Scallops, canned in airtight containers	14,713	16,207	do	Do.
Shrimp, canned	695,136	583,195	do	Do.
Oyster juice, canned	10,554	6,060	8¢ per pound	6¢ per pound.
Salmon, smoked	639	839	25% ad valorem	10% ad valorem.
Herring, boned, smoked or prepared, eviscerated, split	180	155	3¢ per pound	0.9¢ per pound.
Shrimp, dried	45,575	34,409	Free	Free.
Cod, haddock, etc., dried and unsalted	780	453	2.5¢ per pound	0.2¢ per pound.
Shark fins, dried	56,474	76,939	1.25¢ per pound	0.53¢ per pound.
Fish, not elsewhere specified, dried	97,844	81,663	do	Do.
Salmon, salted, pickled	4,810	3,935	25% ad valorem	8.5% ad valorem.
Fish, not specifically provided for, pickled or salted	67,283	36,439	do	Do.
Macherel, pickled or salted	500	183	do	10% ad valorem.
Shellfish, not specifically provided for	1,282,573	543,510	Free	Free.
Total, edible products	220,852,401	67,551,003		

See footnotes at end of table.

U.S. imports of fishery products from Japan, by commodity description, 1963 (quantity and value)—Continued

NONEDIBLE PRODUCTS

Item	Unit	Quantity	Value	July 1, 1934	1964 tariff
Whale oil, sperm, refined or processed	Gallon	43,028	$42,522	1.87¢ per pound	0.47¢ per pound.
Whale oil, sperm, crude	do	14,748,794	1,776,409	0.67¢ per pound	0.065¢ per pound.
Cod liver oil, medicinal	do	105,592	389,092	Free	Free.
Halibut liver oil	Pound	9,171	18,914	3¢ per pound plus 10% ad valorem.	5% ad valorem.
Fish and fish liver oils	do	128,152	315,893	do	Do.
Dogfish and other shark oils	do	5,952	3,944	3¢ per pound plus 20% ad valorem.	0.85¢ per pound plus 4% ad valorem.
Marine shells, crude or unmanufactured	do	193,624	31,744	Free	Free.
Shells, etc., cut, engraved, ornamented, or otherwise manufactured	do		117,029	35% ad valorem	17.5% ad valorem.
Fish and sharkskin, raw			625,855	Free	Free.
Pearl essence	Pound	29,565	84,520	25% ad valorem	9% ad valorem.
Fish solubles	Short ton	571	21,666	Free	Free.
Pearls, cultured			17,276,705	10% ad valorem	5% ad valorem.
Pearls, natural			67,975	do	3% ad valorem.
Spermaceti wax	Pound	14,360	1,956	3.5¢ per pound	2.5¢ per pound.
Sponges, not elsewhere specified	do	393	6,249	15% ad valorem	7.5% ad valorem.
Moss, seaweeds, carrageen, and other marine animal products			346,954	Free	Free.
Other furs, dressed, not dyed, including seal	Piece	106	2,274	25% ad valorem	10% ad valorem.
Billfolds, leather cases and wearing apparel, and other articles, reptile			3,461	35% ad valorem	14% ad valorem.
Luggage bags and cases, not elsewhere specified, fitted or unfitted, reptile			12,517	do	17.5% ad vaolrem.
Purses, billfolds, handbags, women's, reptile			713	do	Do.
Cuttlefish bone	Pound	36,575	15,287	Free	Free.
Coral, uncut	do	1,113	1,048	do	Do.
Agar-agar	do	58,904	105,592	25% ad valorem	15% ad valorem.
Kelp	do	73,047	52,601	Free	Free.
Leather manufactures, not elsewhere specified			2,089	35% ad valorem	8.5% ad valorem.
Buttons, fresh water, pearl or shell	Gross line	34,871	25,840	1.75¢ per line per gross plus 25% ad valorem.	1.75¢ per line per gross plus 25% ad valorem.
Buttons, ocean pearl or shell and other	do		279,267	do	Do.
Canned fish and whalemeat	Pound	3,449,346	625,855	Free	Free.
Other fish and whalemeat not fit for human consumption	do	3,964	143,460	do	Do.
Aquarium fish and other fish or shellfish, live, not fit for human consumption			16,972	do	Do.
Other fish, inedible			1,532,447	do	Do.
Articles of shell not specifically provided for			36,070	35% ad valorem	17% ad valorem.
Reptilian and sharkskin leather, not elsewhere specified			16,281	25% ad valorem	10% ad valorem.
Buttons, blanks and molds			66,941	45% ad valorem	36% ad valorem.
Articles of bone, horn, hoof, and whalebone			5,343	25% ad valorem	10% ad valorem.
Imitation pearls, and pearl beads, not strung, not set			82,905	60% ad valorem	40% ad valorem.
Coral cameos, cut, not set			33,494	10% ad valorem	5% ad valorem.
Table cutlery, not elsewhere specified, knives with handles of bone, ivory, shell, or horn.			25,342	16¢ each plus 45% ad valorem.	4¢ each plus 12.5% ad valorem.
Hoof, horn, whalebone manufactures			3,976	25% ad valorem	10% ad valorem.
Jewelry and parts of precious stones, pearls			5,407	80% ad valorem	24% ad valorem.
Other miscellaneous products			3,582,081	Various	Various.
Total, inedible products			27,805,590		
Grand total			95,356,593		

[1] Value at foreign port of shipment.

[2] Does not include fresh or frozen fish, mostly tuna, caught by Japanese fishing vessels and transshipped through other countries.

[3] Dutiable on basis of American selling price.

Source: Compiled by the Bureau of Commercial Fisheries, Department of the Interior, from data collected by the Bureau of the Census, Department of Commerce

Mr. BARTLETT. Mr. President, today the Senate took action which will benefit the Nation's fishing industry. It did so by passing S. 1734, introduced by Senator MAGNUSON and cosponsored by me. Actually, I do not think it would be overstating the case to say that this bill will benefit worldwide fishing interests.

The bill seeks to encourage fisheries of all nations to observe sound conservation policies.

Obviously, conservation serves the interests of all parties except those who hunger for quick profits at the expense of future resources. Wasteful practices serve no one.

I think it would be proper at this time to reemphasize the intent of the bill. It is not our intent to strain relations with friendly nations. Rather, we are principally concerned with impressing foreign fisheries of our intent to protect our natural resources.

Hopefully, today's action will convince the representatives of nations whose ships are exploiting our fishing resources that the time has come to negotiate sound conservation policies.

Hopefully, the President will never have to implement the authority given him by the bill. We are not interested in hiking duties on fishing imports from nations violating our conservation policies. We are only interested in having those policies followed by all fishermen. If we cannot achieve this goal, our own fishermen, because they obey laws, will continue to operate under unfair competition.

More important, if we cannot achieve international agreements on conservation, fishing resources throughout the world will be decimated by unscrupulous individuals seeking short-range profits.

The bill has particular importance to the Alaska fishing industry, which has seen the number of Pacific salmon depleted because of wasteful high sea operations by the Japanese.

The Senate showed great wisdom in acting promptly, for this is a key year for the future of the salmon industry. We must reach sound conservation agreements soon to prevent another season of exploitation on the high seas.

Mr. President, the most frustrating aspect of the salmon controversy has been the refusal of Japanese officials to agree even to sit down and talk. This bill should show we mean business. Let us hope our intent is interpreted correctly.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ATOM'S POWER FOR PEACE

Mr. HART. Mr. President, the Chairman of the Atomic Energy Commission delivered an address to the Economic Club of Detroit on May 10, 1965. His topic was "The Atom's Power for Peace."

In these times when we are preoccupied with problems of conflict, it is encouraging to note this constructive program of international cooperation in nuclear power. I believe Mr. Seaborg's remarks deserve a wide audience and I ask unanimous consent to have his remarks inserted at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

THE ATOM'S POWER FOR PEACE

(Remarks by Dr. Glenn T. Seaborg, Chairman, U.S. Atomic Energy Commission, at the Red Cross and Wolverine Frontiersmen Luncheon of the Economic Club of Detroit, Detroit, Mich., May 10, 1965)

I am doubly pleased to have this occasion to speak on "The Atom's Power for Peace" because it affords me an opportunity to talk, not only to the Economic Club of Detroit, but also to its distinguished guests, the recipients of the Wolverine Frontiersmen Award—whom I heartily congratulate—and the outstanding leaders of the American Red Cross present today. As some of you may recall, I previously had the pleasure of receiving the Wolverine Frontiersmen Award in 1961. I know that the subject of peace—related to my talk today—is particularly significant to the Red Cross, an organization which has always been associated with the alleviation of man's suffering and his total betterment.

It is also a pleasure to be with you today in this city whose name is synonymous with one of America's—and the world's—great technological revolutions. I have come to speak to you about some aspects of a new technological revolution—the production of useful energy from the atom's nucleus. In its military application, this new technology has already had profound effects. We can never return to the less fateful days which vanished in the explosion on the New Mexico desert of the first atomic bomb one July morning of 1945, an event whose 20th anniversary is nearing. In its civil aspects, as well, I believe this new technology will have deep and far-reaching influence on men's lives.

The revolution which you and your predecessors in Detroit fashioned was, in one sense, total. The automobile displaced its forerunner. In today's complex industrial society, revolutions are more likely to supplement than to supplant. For some time to come, nuclear energy will add to our conventional energy resources rather than replace them. The fact is that the exponential growth in energy consumption here and abroad will require the efficient utilization of all forms of primary energy, and all our ingenuity, if the demands are to be met. I can specifically assure you that I see no prospect—despite occasional Sunday newspaper stories to the contrary—that nuclear power will directly propel any small land vehicle primarily intended for private use. In some respects I regret this—particularly because it is easy to visualize the field day the ingenious advertising staffs of the auto industry might have with the atomic automobile. Unfortunately, I foresee no "beta-ray Buick" (by General Motors), no "reactor-powered Rambler" (by American Motors), no "thermonuclear Thunderbird" (by Ford), nor any "plasma-propelled Plymouth" (by Chrysler). Considering our growing number of teenage drivers perhaps it is fortunate that our fastbacks will have to remain fashionable rather than fissionable, and that we will have to be content with a "tiger in our tank" rather than a radioisotope in our radiator.

The automobile has played a major role in our Nation's technological revolution, but today let us examine some of the international aspects of our newest revolution—that involving the nucleus of the atom.

Today I should like to tell you something about the uses of nuclear energy for peaceful purposes and the international implications of our program in this field of endeavor.

Before developing this point, it might be well to give a little background on the nature of nuclear energy, on the current U.S. nuclear power program, and on our international program. I do this with apologies to those of you in the audience who have had a long and intimate relationship with the use of nuclear energy for civilian electrical power.

Nuclear energy in the sense I use it here refers to the energy produced by the fissioning or splitting of certain isotopes of the heavy elements—uranium or plutonium. Most of this energy is recoverable in the form of heat, and it can be used to perform all the tasks that other sources of heat energy normally fulfill. A portion of the energy is released, either immediately or slowly from the radioactive fission products, in the form of penetrating radiations of great intensity. A wide variety of radioactive isotopes are also produced by the irradiation of materials placed in nuclear reactors. While the forms of radiation emitted by these isotopes were known and available before the advent of controlled nuclear fission, our supply of radiation today is so overwhelmingly larger and more varied than that previously available that we can truly say that in the field of utilization of radiation, it is possible to do things now which could never be done before. In basic scientific research, in the diagnosis and treatment of disease, and in the control of industrial processes, radioisotopes have already assumed an indispensable role. On the near horizon, the utilization of massive quantities of radioisotopes to preserve food, to create unique industrial products, and to power satellites is clearly in sight. Exciting as these facts and prospects are, my talk today is concerned primarily with the use of nuclear energy to produce power—primarily electric power—in large central station plants. It is this application which, at once, promises the greatest impact on our economy and poses the greatest problems to our policy of containing the further spread of nuclear weapons.

The Atomic Energy Commission has long been engaged, in partnership with industry, in an intensive effort to develop, demonstrate, and improve the technology of nuclear power. Power reactors under construction today, if they perform according to expectations, may produce electricity at prices which will be competitive with other means of power generation in extensive areas both in the United States and abroad. In most cases, such reactors also produce plutonium—a fissionable material suitable for use in nuclear weapons. The first nuclear device ever exploded—in the event which I mentioned just a moment ago—was made of plutonium. Generally speaking, the greater the power level of the power reactor the more plutonium it produces. Thus, as the world production of nuclear electric power increases, the world production of plutonium increases, making ever more urgent the need to assure ourselves that this material is not diverted to military purposes.

Thus the important problem of the proliferation of nuclear weapons—that is, the acquisition of nuclear weapons capability by additional nations—is related to the increasing development of nuclear electrical power throughout the world. However, the United States recognized early that such proliferation would not be prevented by a policy of withholding our aid from friendly countries so as to deliberately impede their progress in peaceful nuclear electric power. We knew that a number of such countries could independently achieve a nuclear power capability using their own uranium and, perhaps more importantly, their own scientists. We also realized that if we failed to cooperate in sharing our peaceful nuclear technology and nuclear materials, there would be other countries with nuclear capability which might be willing to provide nuclear materials and technology without a firm assurance as to their eventual peaceful end use. Thus a policy of noncooperation would decrease our influence with countries whose needs dictated the development of nuclear electric power and might actually contribute to, rather than impede, the proliferation of nuclear weapons.

An underlying concept of our program of international cooperation in nuclear energy was that, by sharing with our friends around the world our resources in nuclear energy—resources which were brought into being to meet domestic needs—we could advance their well-being by making this new source of energy available to them and at the same time serve our own best interests.

The resources to which I refer are basically of two kinds—our vast technology concerning the peaceful uses of nuclear energy and our capability for producing in large quantity and at low cost the materials—such as enriched uranium and heavy water—which are uniquely important to nuclear energy. Because our program has involved the sharing of these existing resources it has been undertaken at modest cost to the Government. The exchange of information involves only administrative expenses, and the materials are ordinarily supplied at their domestic prices which recover the Government's full cost of production. The atoms-for-peace program, with minor exceptions, has been a program of technical help and cooperation, not of financial grants and assistance.

Financial assistance to nuclear power, such as in the case of the Tarapur project in India, has been funded by the Agency for International Development within previously established ceilings for aid to the nation involved. Such projects are justified on the basis of the other country's need for power, and the demonstration that nuclear power is an economical means of meeting that need.

The objectives of the program, as we saw them at the beginning, included important, although intangible, political benefits. We felt then, as we do with even greater assurance today, that the peaceful uses of nuclear energy promised benefits to mankind of far-reaching importance. By making it possible for others to share these benefits along with us, we help eliminate the conditions of want around the world which contribute to instability and conflict.

In this respect, the atoms-for-peace program has closely paralleled in its objectives other U.S. programs for international cooperation undertaken since World War II. I submit, however, that there is a special significance and a special advantage, not normally present in other cooperative programs, in our willingness to share with our friends abroad our most up-to-date and sophisticated technology.

The deliberate and comprehensive sharing of unclassified information on peaceful uses of nuclear energy between nations has, so far as I know, no precedent in international scientific cooperation. At the Third International Conference on the Peaceful Uses of Atomic Energy held in Geneva last fall, this unique degree of cooperation was apparent. The success of this international collaboration, in my view, strengthens the thesis that science can serve as a common ground between nations of the world. The free flow of information not only in science but also at the technological level is the key to the most rapid progress for all people.

We have found that—aside from the mark of confidence and respect that cooperation in this field implies—modest programs in nuclear energy undertaken by developing countries can have a disproportionately beneficial effect in upgrading the entire educational, scientific, and industrial structure of the country concerned. In many countries, the peaceful nuclear energy programs established with our encouragement represent the first governmental support of science in the country's history. It has served to give new hope to the country's scientists and retard the "brain drain"—the emigration of a country's scientists and intellectuals—which is a problem faced by nearly every developing country.

I do not mean to suggest that every nation is ready today for nuclear energy—particularly nuclear power. In the case of many developing countries, the necessary foundation does not exist for scientific development at this level. But the differences in capabilities which separate the developing countries from each other are, in fact, greater than those which separate many of these countries from the United States and other highly industrialized nations. India, for example, has successfully undertaken a broad peaceful nuclear energy program of high quality. Alone among the countries not involved in military nuclear programs, it has developed the full range of capabilities and facilities required for producing and separating plutonium. It is a credit to the wisdom of India's leaders and people that this capability is devoted exclusively to peaceful purposes.

As our international program has progressed, new and important objectives have evolved. The supply of U.S. materials, particularly enriched uranium fuel for power reactors, has a good prospect of becoming a major positive item in the U.S. international balance of payments, which is so important to the proper functioning of the world's monetary system. The rapid growth of nuclear power development programs in other nations, particularly in Europe and Japan, is leading to the development of valuable technological information whose availability to us under cooperative arrangements should increase the pace and reduce the cost of development of economic nuclear power here and elsewhere.

These are tangible and impressive examples of the benefits which the United States is now deriving from its program of international cooperation in peaceful uses of nuclear energy. But standing alone, they do not answer the question of how we can assist in the worldwide application of nuclear power without contributing to the danger of proliferation of nuclear weapons, nor the question of why this assistance can actually deter such proliferation.

The answers to these questions can best be understood by explaining the special conditions under which U.S. assistance in the peaceful uses of nuclear energy is made available. The supply of U.S. nuclear fuel or U.S. nuclear reactors abroad can take place only under an intergovernmental agreement with the other nation, which we refer to as an Agreement for Cooperation. These agreements contain solemn guarantees by the recipient government that material or equipment it receives, and any resulting fissionable material which it produces, will be used exclusively for peaceful purposes. These agreements also contain provisions—and this is their unique feature—calling for the application of safeguards to insure that the guarantees are in fact observed. In simple terms, these safeguards consist of a series of far-reaching rights for outsiders to enter the territory of the recipient government and carry out the inspections necessary to ascertain that no material or equipment has been diverted to military purposes. The successful negotiation, beginning in 1955, of some 40 such agreements for cooperation containing provisions under which nations allow outside inspectors to enter their territory and make independent investigations represents, in my view, a breakthrough in international relations which has received far too little attention.

The question of who applies these safeguards is also of fundamental importance. At the outset, there was no alternative to having this function performed by the United States itself. Accordingly, the Atomic Energy Commission developed the necessary staff and techniques to undertake this responsibility. To date this inspection staff has carried out more than 400 inspections of 140 facilities located in 26 countries throughout Europe, Latin America, and the Middle and Far East.

But it was recognized from the start that the full advantages of safeguards could be realized only if they were carried out by an international organization of broad membership. In 1953, the United States proposed the creation of just such an organization and finally, in 1957, it came into being. This organization, the International Atomic Energy Agency (IAEA), with headquarters in Vienna, Austria, now has 91 member nations, largely paralleling those of the United Nations.

The advantages of international safeguards over those administered bilaterally such as we have done in the past are not always clearly understood. If the sole objective of safeguards were to assure us alone that assistance we have provided is not diverted to military purposes, then a good case could be made for the contention that nobody can provide us with a better assurance than our own inspectors. But the problem is far broader than that. It is important that the world at large be satisfied that the ostensibly peaceful nuclear assistance provided by us is not being used for military purposes. We must face the fact that in many countries, an assurance based on American inspection alone would not be acceptable. Of even greater importance is the fact—which I believe is central to the whole problem we are considering—that many nations besides the United States can and do now provide nuclear assistance.

If we relied on bilateral safeguards alone in this situation, we would find that some nations might apply effective controls, other nations—through indifference or inability—might apply controls of an inadequate nature, while still other countries might apply no controls at all. Because of the competitive commercial pressures that exist in the international nuclear power market, the end result of this would in all probability be a reduction to the lowest common denominator—no safeguards at all.

To meet this problem, the IAEA, under our urging, developed its own capability to apply safeguards to nuclear activities. The Agency's system is applicable automatically to nuclear projects which have been assisted by or through the Agency, and it is also applicable to any other project where the member states concerned request the Agency to apply its safeguards. Since most nuclear activities have been and would continue to be assisted—if at all—on a bilateral basis rather than through the IAEA, you can readily see our task is one of convincing all important suppliers of nuclear assistance that they should insist on the application of IAEA safeguards as a condition of making their help available.

Fortunately, we have found much common purpose and interest in the objective of applying safeguards—particularly those of the IAEA—to international trade in nuclear power. Other countries, notably the United Kingdom and Canada, have followed the policy of requiring safeguards on their nuclear energy assistance. Like ourselves, they prefer international safeguards but necessarily relied on bilateral safeguards prior to the time when the IAEA developed its own system and capability.

A development which I believe to be of the greatest significance is that during the later phases in the formulation of the IAEA safeguards system, there was unanimous support in the Agency's 25-member Board of Governors for the system—support from East and West, nuclear powers and nonnuclear powers alike. In particular, the Soviet Union supported the system and participated constructively in the debates which led to its development. I believe that the significance of this broad support is a widespread realization of the dangers of nuclear proliferation and acceptance of the need of the world community to develop practical measures to avoid it.

But the existence of an Agency safeguards system and a capability to apply it do not in themselves assure that all peaceful nuclear activities will be brought under it. This is true for several reasons. Despite support in principle for nonproliferation of nuclear weapons, many underdeveloped countries seek to avoid the application of safeguards to themselves on grounds such as that they are "discriminatory." Nuclear supplier nations, for their part, while again largely committed to the principle of nonproliferation, see different ways of achieving this objective, and are often under domestic political pressure to avoid following a tough line on safeguards because of commercial reasons.

Until international controls are universal in their application, the policies of individual suppliers and recipients will have an important bearing on the extent to which the growing use of nuclear power will carry with it a growing risk of proliferation of nuclear weapons. Each time that we can bring about the use of a U.S. reactor or U.S. fuel material, with their accompanying safeguards—while we await the universal application of these controls—we have contributed to a reduction in the risk that these nuclear facilities might some day be turned to other than peaceful purposes.

We are making every conceivable effort to bring about this universal application of international safeguards to peaceful nuclear activities. We have resolutely insisted upon the transfer of our own bilateral safeguards arrangements to IAEA administration. So far, 20 countries receiving U.S. fuel or reactors—either bilaterally or through the IAEA—have agreed to IAEA safeguards. Through discussions with other supplier nations, we seek adherence to the same principles. Finally, we have unilaterally placed under IAEA safeguards four of our civilian reactor facilities including one large commercial nuclear powerplant—the 175-megawatt electrical Yankee reactor at Rowe, Mass. We have done this not only to help the Agency develop and demonstrate its safeguards system and techniques, but also to demonstrate our own willingness to accept the same controls in our civilian nuclear power program that we urge upon others.

I have stressed the application of safeguards to projects built by one country with assistance from another. However, as I indicated earlier, some countries are able to proceed entirely on their own in building nuclear facilities for the production of nuclear weapons. While I believe the number of countries in this category at this moment is perhaps somewhat smaller than sometimes imagined, it is true that they exist and that their number will grow inevitably.

It is just as important that these independently undertaken nuclear projects be brought under effective international safeguards as it is that projects assisted from the outside be so controlled. The IAEA's charter permits it to apply its safeguards to projects undertaken by any member state on the member's request. This means that the Agency can give prompt effect not only to any voluntary submission of nuclear programs to its control but also to any international understandings which might be achieved to insure that nuclear programs are used exclusively for peaceful purposes. The United Nations Disarmament Commission is now meeting in New York, and there is no matter requiring its attention more important than efforts to halt the spread of nuclear weapons to nations not now controlling them.

In conclusion I should like to reaffirm my view that our program of international cooperation in nuclear power can be conducted in such a manner as to be an affirmative force for peace. I am sure that many of the points I have already made have suggested to you my reasons for this belief, but I would like to briefly outline this thesis for you. First, nuclear power can contribute to the economic development of other nations, thus helping to eradicate the causes of discontent and conflict. Second, the economic interdependence fostered by world trade in nuclear power equipment and materials is a force for peace. Third, since nuclear power development is inevitable in any case, we have a much better chance to influence it in peaceful directions, and to bring individual projects under international safeguards by positive cooperation and help. Fourth, the atoms-for-peace program has already fostered the development of institutions, techniques, and attitudes regarding international controls which have great relevance to the broader questions of arms limitation and disarmament by the existing nuclear powers under effective controls, and, indeed, to the fundamental question of establishing a world rule of law.

The economic growth of developed and developing nations throughout the world, essential to a future world living in peace, depends upon the availability of abundant electrical power. The favorable characteristics of nuclear energy are such that it is inevitable that this electrical power will, in many countries, be provided to a rapidly increasing extent by a wide variety of nuclear power reactors. For the reasons I have stated here today, I believe that a properly conducted program of international cooperation will enable these needs to be met with maximum assurance of, and with positive contributions toward, the future world peace that we all so fervently desire.

NATIONAL SMALL BUSINESS WEEK

Mr. SALTONSTALL. Mr. President, it is fitting that the President has honored the small business community by designating the week of May 23 to 29, 1965, as National Small Business Week. This is due and proper recognition of the vital role played by small business in the economic growth and prosperity of the United States. No segment of our economy better represents the ideals and purpose of our free enterprise system than does small business.

The spirit of ingenuity and creativity which characterizes small business has served as the foundation upon which our economy has been built. The personal initiative and individuality of the small businessman have contributed substantially to the free, competitive society in which we live; these qualities will insure a strong, viable, and expanding economy in the future.

There are many benefits to be derived from a healthy and prosperous business community. Small business constitutes a large and diversified source of business expansion and employment opportunities. It serves to help competition and insure maximum economic efficiency and reasonableness of price for the consumer, and decreases risks of economic concentration.

Figures show that there are, at present, approximately 4.7 million small businesses comprising 95 percent of all business concerns in the United States.

These figures illustrate the importance of small business to the economic wellbeing of our country. One cannot imagine any business or industry which is not supported by the efforts of small business.

Small business will continue to have a marked impact upon the economy of our Nation for through the initiative and individuality of the small businessman will come those new ideas and innovations so essential to our future growth and development. It should be remembered that many of the fundamental advances of our society have been achieved through individual genius, a quality which serves as the backbone of small business.

Congress has long recognized the importance of small business. Tangible expression of this is found in the small business committees of the Senate and House of Representatives, as well as the existence of the Small Business Administration, an agency created solely to assist the small business community. It has been my privilege to serve on the Senate Select Committee on Small Business since its inception, for the past 6 years as ranking minority member.

Small business is, then, a complement to the American ideal of free enterprise. So long as small business remains a cornerstone of our economic system, this country will continue to prosper.

THOUGHTFUL STATEMENT BY THE GENERAL PRESIDENT OF THE UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPEFITTING INDUSTRY

Mr. NELSON. Mr. President, the April 1965 United Association Journal contains a report from the general president of the United Association, Mr. Peter T. Schoemann. Mr. Schoemann is a labor statesman with a long and distinguished record as both a labor leader and leader in civic affairs. Wisconsin is his home State and we are proud of his great contribution to the national welfare. The subject of the report is the Civil Rights Act of 1964 and its relationship to union membership and activities. Mr. Schoemann, who, I am proud to say comes from Wisconsin, is a hardheaded, clear thinking and creative union leader. His report is thoughtful and well written. It does his union honor and I believe it deserves serious study by others. For this reason I ask unanimous consent that the report be printed in the CONGRESSIONAL RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

HOW ABOUT IT?

(By Peter T. Schoemann)

This month my report takes up once again the subject of equal employment opportunity, or the question of racial justice in employment and union membership.

Many of you, I am sure, are weary of hearing and reading about it, and yet I hope that every member of the United Association will read this report through to the end. I hope every member, whether he agrees with everything in this report or not, will think it over and discuss it frequently with other UA members, at the union meeting and on the job.

For the fact is, brothers, we have a problem. Despite significant actions taken in some locals, this problem in too many cases has not yet been solved, and the sands of time are running out.

Furthermore, it cannot be solved by your international union officers alone, for we have in our craft union movement a tradition called "local union autonomy." It is a good and necessary tradition, for a large majority of our members work in the construction industry which, because of its economic characteristics, is a highly localized industry. Also, racial discrimination and racial equality have their own local characteristics, and so the initiative called for must be local initiative.

Likewise, brothers, your local union officers cannot solve this problem alone. True, union officers are expected to lead, but they need your encouragement and support. We were a democratic organization long before Landrum-Griffin tried to make us one, and the reason your elected officers cannot go it alone on racial justice or any other issue is that they are not the dictators that the enemies of labor would like you to believe they are.

AND THE LAW

Nor can title VII of the Civil Rights Act solve this problem alone. Some have said that when that title becomes effective, July 2, 1965, our people will take care of keeping out of trouble with the law, and so, no sweat. Now this can be a very dangerous attitude.

First of all, the Civil Rights Act does not supersede or render void the rules on nondiscrimination in apprenticeship and training of the U.S. Bureau of Apprenticeship and Training (so-called title 29, part 30) which became effective January 17, 1964. Our present stand on these rules will be explained later in this article.

An attitude of mere compliance with law can mean simply, "don't get caught," and this is no good. Title VII of the Civil Rights Act is almost wholly negative in character. That is, it remedies discrimination after it has occurred, without attempting affirmative control of hiring practices or apprentice selection procedures. The history of such legislation seems to be that it is chiefly good for turning up wrongs and rumors of wrongs, and creating a demand for stricter legislation. This could lead to affirmative control by law.

It is hoped, of course, that no case will ever arise under title VII involving any of the building trades or metal trades.

Let's do some hard thinking about the gradual change in American public opinion not only regarding civil rights, but also civil rights legislation. The American majority appears ready to support full racial equality in voting, public accommodations, and—what concerns us—employment and union membership. Do you think title VII will be the end of equal employment opportunity legislation? It could be more like the beginning.

So, brothers, let's not blind ourselves to the signs of the times.

AMONG US, TOO

This gradual change in public opinion has not been without effect among our own number, old as well as young, for we are part of that public and subject to the same influences, as our neighbors. On this issue at least, it is not true that "you can't teach old dogs new tricks." I have heard veteran building tradesmen, union officers and journeymen, saying some mighty strange things about this issue lately.

There are many reasons for this. It might be conscience, for it has been apparent for a long time that many have had an uneasy conscience about discrimination, but might not know how to go about changing things. Our major religions—Protestant, Catholic, Orthodox and Jewish—have recently thrown greater weight into the equal rights struggle. Most of our members are adherents of one or other of these faiths. I would also like to think our own efforts in the building trades and in the United Association have produced some results.

Someone might ask: Why have the building trades been singled out for special treatment? And someone might answer: Because construction jobs are out in the open where the minority groups can see everybody working.

Well, maybe. And again, maybe not. I'm not so sure we have been too much singled out. The civil rights movement came to Government employment long ago, and to such things as department stores, transit companies and professional sports, where the minorities are consumers and have economic leverage .

This issue has come to our doorstep mostly because of public contracts, of which construction is a minor part. A much larger part is defense spending.

And here there is a difference. Suppose a big corporation gets a fat defense contract. Into the plant manager's office walks a Federal agency representative, suggesting that nondiscrimination might be better demonstrated if that plant, while hiring mathematicians to work on that contract, would hire (say) nine or so Negro mathematicians. The plant manager is a businessman, so a nationwide personnel department is pressed into service to recruit nine Negro mathematicians. It does recruit them, and if others in the plant are unhappy, they can seek employment elsewhere.

Now, a Federal building job is in progress and this representative calls on our business agent, suggesting that he doesn't see enough nonwhites among the pipefitters, plumbers, and sprinkler fitters. Our business agent says he has no closed shop, only a 7-day union shop, the contractor does the hiring, so he had better see the contractor. So the representative sees the contractor, who tells him that he can't hire anybody except through the union hiring hall. Back goes the Federal man to our business agent. Now the business agent—as his title implies—is a kind of businessman and he has his ideas about what would be best for the local. Then he wonders whether his membership will agree. After all, he has spent all his working life in this local. He knows this local—or so he thinks. Or does he? Sentiments of racial bias he has heard, but maybe not too much on the other side. And so begins trouble.

This, brothers, is why I write these articles in our monthly Journal, not so high Government officials or civil rights leaders will read nice words and go easy on us, but so UA members will read these words—hard words for some—and do something. Do you think your general president has gone over to the other side? I tell you I am a member of the United Association and very much on your side. So let's see what we have to do.

TITLE VII

As to the new title VII of the Civil Rights Act, it outlaws discrimination of every kind. Avoid discrimination of every kind and you will comply with the law.

The law forbids discrimination not only in employment and apprentice training, but also in union membership. Some have asked, "How can the law force us to admit anyone to membership?" The law does not tell us whom we have to admit as members. It says that we cannot deny membership to anyone for reasons of race, creed, color, sex or national origin. No court will order you to admit anyone under the Civil Rights Act unless it finds that you have kept him out for one of these reasons.

There is a requirement that you keep a record of applications received from anyone who expresses interest in apprenticeship training. This is to be done according to regulations which have not yet been promulgated. When they are, we will keep local unions and apprentice committees informed.

One special kind of legal action under the act deserves mention. This pertains to the so-called pattern or practice cases. Whenever the Attorney General has reasonable cause to believe that your local union or apprentice committee, or your local together with your employers, is engaged in a pattern or practice of discrimination, he may take you into court on his own motion without waiting for formal complaints from other persons. Now a pattern or a practice of discrimination means a series of repeated acts, or a habit of discrimination, which evidences the intention to deny the full exercise of rights guaranteed by title VII. It does not consist in a given sociological fact of a certain racial percentage in your local.

On the other hand, we ought to be aware that such sociological facts do sometimes lead others to suspect a pattern or practice of discrimination. Their suspicions are not always quieted by an equal opportunity pledge. This type of situation is usually found in large cities of 100,000 or more population, with a large Negro or other minority, in which our local union might have several hundred members, and either no minority members or at most two or three. This is the sort of situation which could bring the Attorney General knocking at your door in search of a pattern or practice of discrimination.

BAT RULES

Now, for the regulations on nondiscrimination promulgated last year by the U.S. Bureau of Apprenticeship and Training (BAT). Since that time, they have been substantially adopted by the President's Committee on Equal Employment Opportunity, and made to apply to all apprenticeship programs (registered or not) during the time that a participating employer has a contract for Federal or federally assisted work.

Where no Federal work is involved, then the BAT regulations apply directly only to registered programs in 21 States which have no state apprenticeship council or agency of their own. In the other 32 SAC States or jurisdictions, the councils or agencies have all been required to adopt their own nondiscrimination programs. Most have adopted the Federal regulations practically verbatim. A few of the larger States have adopted different rules.

Let us first consider the regulatory scheme in the 21 BAT jurisdictions and those SAC jurisdictions having substantially the same rules.

You may recall that in this very column about a year and a half ago, some very hard things were said about early drafts of those regulations. Our objections were directed mainly at attempts to impose affirmative regulation on apprentice selection procedures. We opposed the quota system, the civil service merit or "comparative qualifications alone" system, and also a forced choice between those two methods.

In the rules as finally adopted, however, some very important and salutary changes were made. The population quotas were ruled out. Because allowance was made for alternate plans, we now have a whole range of options rather than only two. If your program was already registered when the rules were adopted, you are free to come up with your own equal opportunity plan, but it must be approved by the BAT administrator.

The United Association therefore advises local unions and apprentice committee members to take these regulations at their face value, and avail themselves of all the latitude which they permit. As thus interpreted, the regulations do afford substantial protection for private programs, and require nothing more than what we should have been doing all along in the absence of regulation, and what both the Government and the American public have a right to expect of us in this period of history.

We did not get everything we wanted. We would rather not be regulated at all, of course. The general philosophy of this regulation, however, is fair and reasonable.

We read the "alternate plan" provisions as carrying out assurances given at various times by Labor Secretary Willard Wirtz, that compromise is possible between the custom of giving preference to sons and others, and the legitimate aspirations of the minority groups to end discrimination.

Throughout the discrimination argument, the United Association has not tried to conceal or apologize for the system of preferring sons in the building trades. We have campaigned openly for the right of our programs to select apprentices in the same way that any private business might select employees, or that an elected public official selects his political appointees. This extends all the way to a pure patronage system for those local programs that desire it.

So now the regulations appear to say: "If you want to run a patronage system, then go ahead, but show us what patronage you are reserving for members of the minority groups." For those desiring to choose some apprentices on a noncompetitive basis, the price will be to take in some minority group applicants on the same basis. The question arises: How many? Some basic guidelines would be: more than a mere token number, without respect to quotas based on population, and including no one who fails to meet fair minimum standards universally applied to all candidates. For the rest, the right answer will be determined by all relevant factors in your own local situation, and we sitting here in Washington cannot give you that answer. But a right answer, or a range of possible right answers, there must be. Social justice is a quality, not a quantity.

We think the criterion should be: whether in the opinion of unbiased persons of prudent judgment and sound commonsense, the selections made would themselves demonstrate that there is equality of opportunity.

Some minor disputes may arise as to administrative details, but this presupposes that a good faith effort has been made to comply.

For those who do not like the exchanges involved in noncompetitive plans, there is also available the comparative qualifications, or strictly competitive, plan. But remember, those who elect this plan with other options available do so freely, and we expect it to be followed to the letter. This means no point chiseling and no loophole hunting in favor of the member's son, the contractor's nephew, the mayor's brother-in-law, or anyone else. If you choose this method, by all means respect its spirit.

This method usually implies a numerical grading system. Some internationals have circulated their own recommended point schemes. The UA has not. Local committees will have to develop their own.

Of course, under favorable conditions, the civil service type of selection can be a very fair method of affording equal opportunity. This would be where the union and employers have already decided on this method for reasons unrelated to the racial issue or in addition to it; and where the local already has minority members or there is no significant internal opposition to admitting them. Then the method will be aboveboard. For these reasons, we suggest that wherever the strictly competitive method is used, it might be supplemented by an affirmative search for minority applicants.

DISSEMINATION OF INFORMATION

That brings us to another requirement in the regulations—dissemination of information concerning opportunities to enter your program.

We have been assured that dissemination of information to your BAT representative or information center (where such exists) will satisfy the regulations. And so we urge local programs to keep BAT fully informed as to the dates when applications will be received, when examinations will be administered, and the basic requirements for entrance.

I can appreciate the difficulty of those who complain that such dissemination might result in hundreds of additional applications when the committee already has ten times too many for the openings available. But I would point out that governments and businesses generally will accept employment applications from anyone who wishes to apply, and less can hardly be expected of us. We may say that the small number of minority group members in our ranks is not attributable to secrecy of information about apprentice openings, but what can we answer when it turns out that such secrecy is indeed attempted in some places? Good faith about racial justice requires an end to such secrecy, and if this results in additional burdens of work for committee members, they will just have to take out a few evenings to sift through the applications for those who meet the minimum requirements and are entitled to be examined.

OTHER STATES

We turn now to those States which have adopted regulations which do not allow the same latitude as the Federal regulations, or which impose the civil service type of selection procedure.

The outstanding example is New York, which last year imposed this method by law. In certain other States, this method was agreed to by a UA or other craft union representative sitting on the State apprenticeship council; and what we agreed to, that we must do. The same goes for those States where UA locals and State associations raised no objection, for there was more than ample warning.

In those States where our locals fought the good fight and lost, I would only advise that you do your best. The heart of the matter is racial justice. Practice that, and in time it may be possible to bring the regulations back to reason and commonsense.

UA PROGRAM

Many have asked whether the UA has a preferred plan or program. Yes, we have. It consists of three words: Take them in.

It should be added: "provided they are qualified, according to standards applied to all, for apprentice training or journeyman membership as the case may be." This proviso is necessary, and no one has asked that it be otherwise. But let's not pay so much attention to the provisio that we forget the all-important three words. This is our plan; the details are up to you at the local level.

We are dealing with a problem which will not be cured by pledges and procedures and magic formulas. The first Federal Fair Employment Practice Committee was established back in 1941, which was 24 years ago. Since that time, the various Federal committees have accomplished some things, it is true, but with how many pledges, papers, reports, plans, and procedures. Papers and words. Words on paper. Another word beginning with "p" is prejudice. We ought to train our guns on that one for awhile, and we can practically forget about the pledges and procedures and all the rest.

This is exactly what the BAT regulations provide, for your plan is subject to no further review "where the composition of the program demonstrates that there is equality of opportunity."

SPECIAL PROBLEMS

Now, what are some of the special problems we encounter in connection with racial equality?

A serious one is journeyman unemployment, whenever and wherever it occurs, for then no one wants to take in any new members of any race, creed or color. On the other hand, local unions do take in some new members even in bad seasons, to replace others who die, retire or leave the trade. So there is almost always some opportunity to add members from the minorities. This particular year of 1965 promises to be a good construction year in most localities, a good time to increase apprentice members.

At this point a dispute arises between two opposing camps. Some say the minority populations are so large that if we begin to take them in, we will soon be overwhelmed. Others say there are so few qualified that we can't find any.

The truth, as usual, lies somewhere in the middle.

We won't be overwhelmed if we maintain our standards and qualifications. There are eight times as many whites as nonwhites in America and so far we have done a fairly good job of not getting overwhelmed by anyone. If there are too many qualified applicants for the work available, then the thing to do is to make a selection through competition or some other fair method.

We ought to have a love and esteem for our trade. It is truly skilled, not semiskilled or unskilled. It is more skilled than most people realize. There are many white people who haven't the God-given talent and ability to work at this trade. There are some from the racial minorities who have.

One difficulty, of course, is that we building tradesmen and metal tradesmen love a good fight. Everybody who can be our friend today—other craft unions, industrial unions, employers, politicians, Government agencies—can be our enemy tomorrow. We really love to fight for what is ours.

Well, the race advancement groups can be our friends today, and often are. It might be a political campaign or a piece of legislation. Labor won the right-to-work fight in Oklahoma last year because the Negro vote was almost 100 percent on our side. Had it gone the other way, Oklahoma would be a right-to-work State today. Let's never forget that.

Then when these groups come around and want to get some of their number in an apprenticeship program, our first reaction sometimes is to get our backs up. Our precious privilege is under attack and we're ready for battle.

We don't belong in this kind of battle, against disadvantaged people trying to gain equality. We may have some minor differences as to details, but substantially, justice and right are on their side.

THE REAL FIGHT

If we are looking for a fight, we have plenty of things worth fighting for, so let's concentrate on those.

Our real fight is for the welfare, long range as well as short range, of all our members.

Our fight is for the private, free enterprise character, as well as the progress for prosperity, of the construction industry and the other industries in which UA members are employed.

Our fight is for the excellence of apprenticeship training, financed by private funds, operated and guided by joint labor-management committees.

Our fight is for the right of a craft to be a craft in the modern world, even the modern desegregated world.

We would like to influence our Federal Government to return apprenticeship to the high official favor it once enjoyed, and to forget about less-than-apprenticeship training in the apprenticeable crafts. The best way I know of to fight that battle right now is to fight discrimination. This isn't the only issue, of course. Let's get this albatross off our necks and we will get a hearing on the other issues. We do have many friends at the Federal level of government, but they are all antidiscrimination.

WHAT WE COULD LOSE

We stand to lose a great deal indeed. Neither the old labor injunctions nor the American plan of the 1920's nor Taft-Hartley nor right-to-work laws, nor anything else I can think of, can inflict such injury on us as clumsy regulation of apprenticeship and hiring practices enacted in the name of equal opportunity. When all is said and done, our old enemies haven't hurt us too much. Let's not hurt ourselves.

It is possible to pass a fair employment practice law and punish or remedy provable acts of discrimination after they have occurred. Such as title VII. Such legislation typically has not done much to remedy the stubborn, deep-rooted, crystallized institution of social discrimination. It can't do much about racial exclusion as a way of life.

For a law to do much about that, it has to take over the whole process.

Take voting registration, for example. Despite the Civil Rights Act, registrars in certain Alabama counties were not registering very many Negroes. So now the Federal Government is going to register them, according to Federal standards and with Federal registrars.

The construction industry is very complex. Any industrial hiring process is complex. There simply is no neat, incisive way by which any law or regulation can slice into that complex process to prevent discrimination before the fact, at the same time preserving and respecting the traditional rights of private enterprise. Discrimination wears too many faces, employs too many dodges. All law can do is, by one means or other, take over the entire process.

Then it is too late to cry "socialism." The fact is that we are not contending with a question of social justice, and it is the same old story. The history of every piece of social legislation ever passed by the Congress of the United States is the same old drama in three acts:

1. There is a need arising in social justice.
2. Private persons or groups, plus the States, are either unwilling or unable to do anything about it.
3. So Congress enacts a law.

What a wonderful thing it would be, brothers, if the construction industry, if the skilled crafts generally, could themselves solve this social justice question, the racial question. What a great thing for our Nation. What an example for the rest of the world. A major problem in social justice solved by private initiative—solved by free, democratic trade unions cooperating with employers—without further prodding from the Government.

Probably nobody in his right mind would lay any money we can do it. Privileged groups never give up their "privileges" voluntarily, and if the attitude prevails among us that the skilled crafts are the white man's privilege, then we won't get the job done.

Besides, we are called lots of names. We are supposed to be medieval, archconservative, selfish, narrow, the "States righters" of the labor movement. If all this is true, then men like George Meany and Senator PAT McNAMARA must have grown like roses from weed plants. Bad trees don't bring forth good fruit.

The construction industry has, if anything, a world of initiative and purpose and drive. It has built every tangible structure across the length and breadth of this land—modern factories, modern shopping centers, modern atomic energy installations. And I would ask: Are we really so medieval? We can also build a structure of racial justice if we want to.

Our craft union tradition teaches us to care about the rights of our brothers, to assist them in need. We support charity projects. On occasion, we might even donate time to build something like a summer camp for orphans. Why, I have known men in this union of ours who were generous to a fault. I ask: Are we really so narrow and selfish?

Brothers, take a good look at these millions of people, marked by varying degrees of color, and for that reason consigned to a kind of low-grade serfdom by other men who know freedom. They now seek jobs and careers worthy of the talents their Creator has given them, not to take away our freedom, but to share in it. Hear them asking whether we at least—at least we in the United Association—would still treat them as subhuman servants and peons, or whether we are ready to treat them—according to their individual abilities—as full-fledged craftsmen or candidates for craft training, and our trade union brothers. And I ask you, 255,000 members of the United Association: How about it?

SOME UNRESOLVED REAPPORTIONMENT ISSUES

Mr. JAVITS. Mr. President, an article written by Prof. Robert G. Dixon, Jr., of George Washington University Law School, and published in a recent issue of the American Bar Association Journal, points up some of the still unanswered questions about the reapportionment of State legislatures. Since the article may be of interest to Senators in their considerations of the various constitutional amendment proposals, now pending before the Senate Judiciary Committee, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the American Bar Association Journal, April 1965]

REAPPORTIONMENT PERSPECTIVES: WHAT IS FAIR REPRESENTATION?

(NOTE.—Taking what might be described as a middle-ground position, Professor Dixon asserts that the common reactions of either rapture or horror to the Supreme Court's legislative apportionment decisions preclude a reasoned dialog on what fair representation in a legislative body should encompass. The Court's one-man, one-vote approach has obfuscated the search for basic principles of fair representation, he states, as he points out some stubborn issues that remain unresolved.)

(By Robert G. Dixon, Jr., professor of law at George Washington University Law School)

The continuing flow of legislative reapportionment decisions has been hailed as a shimmering symbol of equality and democratic virtue in the election process. The decisions also have been damned as an unconscionable assertion of judicial overlordship over the basic politics of the Nation. Neither of these common reactions contributes to a reasoned dialog on principles of fair representation—a dialog sorely needed if our constitutional crisis in reapportionment is not to degenerate into a perpetual numbers game. That there is an intelligible middle position is the theme of this essay.

A declaration of faith is in order at the outset—and it is sincerely intended even though such declarations are the traditional starting point for many an apostate. The Tennessee legislative reapportionment case in 1962, *Baker* v. *Carr*, 369 U.S. 186, was correctly decided, although for the wrong reasons. By 1962 much legislative reapportionment was long overdue in many States and at least some reapportionment was needed in all States. The reapportionment decisions[1] of June 15, 1964, were correctly decided as a natural extension of the meaning implicit in *Baker* v. *Carr*, with the exception of the Colorado case, *Lucas* v. *Forty-fourth General Assembly*, but again for the wrong reasons.

THE NATURE OF THE REPRESENTATION PROBLEM

This odd combination of generally acceptable Supreme Court decisions and unacceptable rationale stems from a basic mistake in the way the conceded malapportionment problem has been approached. The mistake, caused in part by the ineptness of defendants' counsel and in part by the narrow approach of plaintiffs' counsel, including the Solicitor General, lies in mischaracterizing the issue in Baker and in placing Baker and the succeeding cases on too narrow a ground. The missing word, the missing basic concept in all of this reapportionment litigation, is representation.

These are not right-to-vote cases, even though voting is involved. They are representation cases, i.e., they are cases concerning the most interesting, the most complex, the most baffling aspect of any democratic political system; namely, the ascertainment of public feeling on innumerable public policy issues through the medium of periodic, partisan selection of district delegates to a multimembered representative assembly.

The guarantee of "republican form of government" clause of the Federal Constitution is responsive to the difficult issue of indirect democracy and fair representation with which the Western World has been grapplnig ever since it abandoned the direct, or referendum, democracy of the ancient Greeks. The due process clause would also be responsive to the complexity of the representation issue, because of its focus on overall fairness and reasonableness. Either would be an adequate safeguard for preservation of what Justice Stewart referred to in his Maryland opinion as "ultimate effective majority rule."[2] Either would be responsive also to the issue of adequate representation of minority interests and to the correlative issue of gerrymandering to maximize the voting strength of one group of partisans.

But in Baker the Court chose neither the guaranty clause nor the due process clause as its suit of armor for entry into the political thicket. It donned instead the equal protection clause.

The equal protection clause is not responsive to large questions concerning the structure of government—which is what reapportionment involves, ultimately—or concerning the fairness with which variegated popular feeling and shifting popular groupings on various issues are expressed through a district system. Within any district the winner-take-all rule necessarily prevails. The majority, no matter how narrow, gets 100 percent representation for the term of office being filled; the minority, no matter how large, gets zero representation.

Even the Supreme Court's selection of the equal protection clause as the instrument for political revolution in apportionment and districting practices would not have been so unsettling to the cause of political realism if the Court had taken the same flexible approach to equal protection when applied to reapportionment as it has taken when applying this clause to almost all issues other than racial equality. Examples include the State tax cases, the State regulatory power cases and the Sunday closing case, *McGowan* v. *Maryland*, 366 U.S. 420 (1961). In these cases equal protection emerges as an empirical rule of reasonableness, a rule of fairness in the methods used to achieve a legitimate end.[3] In the race cases, which are unique, equality has emerged as a constitutional absolute and may now be in the process of shifting to a concept of constitutional preference.

It is a long jump from *Baker* v. *Carr* to the 1964 reapportionment decisions requiring that both houses of bicameral State legislatures be based on districts of substantially equal population. The gap is not bridged either by the Georgia County unit case, *Gray* v. *Sanders*, 372 U.S. 368 (1963), which did not involve representation at all, or by the congressional districting case, *Westberry* v. *Sanders*, 376 U.S. 1 (1964), which did not involve bicameralism. Nor is it bridged by the frequent but incorrect assertion that thirty-six of the fifty original State constitutions provided for apportionment based completely or predominantly on population. Tested by the relatively strict population principle now embraced by the Supreme Court, the more accurate figure is 21, not 36.[4]

REAPPORTIONMENT DECISIONS—ONE MAN, ONE VOTE

The logic of the reapportionment decisions of June 1964, is simple and straightforward. The Court, pursuing its long and in the main quite proper romance with egalitarianism and trapped in its own semantics, defined all of the difficult problems out of existence. In regard to reapportionment, as in regard to race, equal protection is to be a constitutional absolute, in this instance virtually a mathematical absolute. The Court focused on two things, and two things only: one was bare population, with all political allegiances and group interests eliminated; the other was the individual voter, viewed only as a faceless census statistic, and the voter's supposed right to an abstract mathematically equal vote.

In short, the Court does not view these cases as representation cases, or as representative democracy cases at all. It views them as being simply one more round of civil rights cases—but its supposed "civil right of voters" is really only a "civil right of census statistics." This approach explains two other important elements in the Court's reasoning.

First, with the constitutional spotlight focused solely on the abstract "voter" rather than on the group dynamics of American politics, there is no basis for treating his interest in one house of the legislature differently from his interest in the other house. Thus bicameralism, despite the Court's protestations about the possibility of varying the length of terms and sizes of districts in the two houses, becomes a political vermiform appendix rather than an instrument for tempering majoritarianism with requirements of broad consensus.

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[1] The cases decided with full opinions after oral argument were the Alabama cases, *Reynolds* v. *Sims, Vann* v. *Baggett* and *McConnell* v. *Baggett*, 377 U.S. 533; the New York case, *WMCA, Inc.* v. *Lomenzo*, 377 U.S. 633; the Maryland case, *Maryland Committee for Fair Representation* v. *Tawes*, 377 U.S. 656; the Virginia case, *Davis* v. *Mann*, 377 U.S. 678; the Delaware case, *Roman* v. *Sincock*, 377 U.S. 695; and the Colorado case, *Lucas* v. *Forty-fourth General Assembly of Colorado*, 377 U.S. 713.

The following week the Court used the same principles to dispose of reapportionment cases from the following States in memorandum decisions: the Michigan cases, *Beadle* v. *Scholle*, 377 U.S. 990, and *Marshall* v. *Hare*, 378 U.S. 561; the Washington case, *Meyers* v. *Thigpen*, 378 U.S. 554; the Oklahoma case, *Williams* v. *Moss*, 378 U.S. 558; the Illinois case, *Germano* v. *Kerner*, 378 U.S. 560; the Idaho case, *Hearne* v. *Smylie*, 378 U.S. 563; the Connecticut case, *Pinney* v. *Butterworth*, 378 U.S. 564; the Florida case, *Swann* v. *Adams*, 378 U.S. 553; the Ohio case, *Nolan* v. *Rhodes*, 378 U.S. 556; and the Iowa case, *Hill* v. *Davis*, 378 U.S. 565.

[2] *Maryland Committee for Fair Representation* v. *Tawes*, 377 U.S. 656 at 677 (1964).

[3] I have developed this thought further in "Apportionment Standards and Judicial Power," 38 Notre Dame Law. 367, 376–380 (1963), and "Legislative Apportionment and the Federal Constitution," 27 Law and Contemp. Prob. 327, 360–366 (1962).

[4] See my detailed, State-by-State tabulation in "Reapportionment in the Supreme Court and Congress: Constitutional Struggle for Fair Representation," 63 Michigan Law Revised 209, 239–242 (1964). The U.S. Advisory Commission on Intergovernmental Relations Commission report, "Apportionment of State Legislatures," 10–11 (1962), is the source always cited for the "thirty-six" figure, but this report reveals no sources, makes no detailed tabulation and will not square with a rule of substantial equality consistently applied.

One must remember that there are three instruments of representation and legislative leadership in our separation of powers system, not two. They are the upper house of the legislature, the lower house and the Governor. The Governor proposes and vetoes and normally has an even greater legislative role in State government than the President has in our National Government because of the infrequent meetings and low seniority of State legislators. The governorship has always been on a one-man, one-vote basis and everyone seems to agree that placing at least one house clearly on that basis was overdue. But with two-thirds of the legislative process on that basis, should not considerations of minority representation and consensus permit some deviation from abstract mathematical equality of districts in one house?

The second element of the Court's reasoning which flows from its simplistic approach is the irrelevance of the results of statewide popular referendums, even though these are concededly mass exercises in "one man, one vote," like early Grecian direct democracy. On this basis the Colorado voter-approved reapportionment was nullified by the Supreme Court. The Court asked only the question: Can a popular majority override a constitutional civil right? Phrased thus, the answer obviously is "No." But the answer would not have been so easy had the Court asked the more appropriate question, in terms of representative democracy: Is it constitutionally unfair for a State with one large metropolitan center, in which 8 percent of the voters can initiate further change, to place one-third of its lawmaking process on some basis other than straight population?

REMAINING "ONE-MAN, ONE-VOTE" ISSUES

In effecting much-needed change, *Baker* v. *Carr* also should have been the beginning of a fresh analysis of the theoretical and practical problems in effecting fair representation through a district system and of such related issues as the following: Bicameralism; single-member districts as opposed to multimember districts and the special inequities associated with each; the validity of such devices to hear from the minority as cumulative voting, limited voting, and proportional representation; the role of the Governor as legislative leader; and the institutional, geographic, and population bases of political parties.

Baker invited or should have invited inquiry concerning the weight to be given traditional patterns of thought and action keyed to political subdivisions as representation units, and to the political artificiality of arithmetically equal but frequently changing districts. Can the new one-man, one-vote principle, if it is to have meaning in terms of functionally effective representation, be confined to apportionment and districting or will it affect the internal arrangements in legislatures, including their committee structures and procedures? If giving some political security to groups through disproportionate representation in one house is now improper, will it become equally improper to use extraordinary majority requirements to achieve the same protection?

The political thicket is no less political because the courts are in it. We may find that a partial penetration of the political thicket is as impossible as a partial pregnancy. Even if possible it would be inadvisable—and this is the critical point—because it would leave us with pseudo simplicity and with a bare mathematical equality concept which actually could impede the development of devices for fair representation and political balance.

To date the Court has chosen to avoid the broader representative Government issues to which a concern for political realism and political philosophy would lead it. However, some stubborn issues remain unresolved even under the supposedly objective, clear, equal-population standard for districts.

1. Single member versus multimember districts

One example of a problem of fairness not responsive to a simple census-tract-equality approach is the question of single-member districts as opposed to multimember districts. Chief Justice Warren in his reapportionment opinions[5] intimated that the States had discretion in this regard, but he was not ruling on representational fairness. The question is still open, so far as the Supreme Court is concerned, whether there may be a constitutional right, in some situations at least, to have a county or city subdistricted, rather than to have its slate of 2, 10, or 20 State legislators elected at large in the county or city.

A Federal district court in Pennsylvania in *Drew* v. *Scranton*,[6] found there was such a constitutional right, in order to heighten the prospect of some representation for minorities, and thereafter the Pennsylvania Supreme Court seemed to agree that there was at least a constitutional preference for single-member districts.[7] There may be further litigation if the legislature persists in using some multimember districts. The U.S. Supreme Court ducked the matter by vacating the Federal district court judgment (379 U.S. 40) in November, 1964, after the State supreme court had become active.

But the Court did hear oral argument in a Georgia subdistricting case, *Fortson* v. *Dorsey*.[8] A Federal district court had held unconstitutional a multimember district system in Atlanta (Fulton County) in which the seven-man delegation to the State senate was elected at large in the county on a winner-take-all basis, even though each legislator technically was assigned to a subdistrict in the county. Under this system a subdistrict might be represented by a man the subdistrict voters had repudiated, if he was popular in the county as a whole. More important, the county-at-large system of election might make it more difficult for Republican or Negro minorities, although substantial, to elect legislators in proportion to their strength on a regular basis.

The Supreme Court reversed the district court in *Fortson* v. *Dorsey* for lack of proof of inequity. But in a provocative dictum it seemed to move away from its previous, narrow mathematical approach and to suggest a new constitutional right of racial and political party equity in apportionment and districting arrangements. Justice Brennan, speaking for the Court said: "* * * It might well be that, designedly or otherwise, a multimember constituency apportionment scheme, under the circumstances of a particular case, would operate to minimize or cancel out the voting strength of racial or political elements of the voting population. When this is demonstrated it will be time enough to consider whether the system still passes constitutional muster."[9]

Regardless of how the constitutional issue is decided, strong arguments on policy grounds can be made in favor of single-member districts or of keeping multimember districts small and infrequent. Subdistricting requires more effort, but is a small price to pay for achieving better representation. Subdistricting (1) keeps the representative closer to the people; (2) heightens the prospect for some representation of divergent viewpoints and minority views; and (3) strengthens the two-party system by avoiding the winner-take-all result of multimember district election.

2. Weighted votes and fractional votes

Another range of additional issues on the frontier of equal protection concerns the constitutionality of weighted vote or fractional vote plans. The New Jersey Supreme Court in December 1964 voided that State's attempt to use a weighted vote plan for the State senate under which each senator was to receive a vote proportional to the population of his county, starting with a unit of one in the least populous county.[10] Under this plan the senator from populous Essex County was entitled to 19.1 votes. The New Jersey court did not reach the constitutional issue, but held that a change of this sort required a constitutional amendment and could not be effected merely by changing the rules of the senate.

If and when the constitutional question is reached, weighted voting may be nullified for several reasons. One of the most important reasons would be the consideration that one man casting 19 votes is not as effective in terms of representation as 19 separate voices (or lobbyists). Another would be that 19 men separately elected would provide more opportunity for expression of divergent views. It is noteworthy that both of these arguments involve going beyond the simple mathematical tenor of the Supreme Court's one-man, one-vote decisions. They involve putting reapportionment in the context of the actual complexities of representation—and the difficulties in determining what is fair and effective representation.

Fractional voting is on a firmer ground, both functionally and constitutionally. If applied to one house, as attempted in New York,[11] it would give each small county a live voice in one house at least, even though his vote is only a fraction. The slight exaggeration of rural influence which may flow from ballooning a fractional vote into a whole lobbyist and from giving the small county legislator a whole vote in committee (where it would be almost impossible to operate on a fractional basis) may be viewed as de minimus. The counterargument is that a fractional-vote man who was a committee chairman obviously would not be "de minimus." Fractional voting is really a misnomer. The essence of the idea is minority representation through spokesmen, not through exaggerated votes.

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[5] *Reynolds* v. *Sims*, 377 U.S. 533 at 579.

[6] 229 F. Supp. 310 (M.d. Pa. 1964), vacated and remanded, 379 U.S. 40 (1964).

[7] *Butcher* v. *Bloom*, 415 Pa. 438, 203 A. 2d 556 (1964).

[8] 379 U.S. 433 (1965), reversing 228 F. Supp. 259 (N.D. Ga. 1964).

[9] 379 U.S. 439. The natural implications of this language are that certain aspects of gerrymandering raise a mixed Federal-State issue. The language casts doubt on the ruling of the Federal district court in the New York case that the gerrymandering allegations raised solely State law issues. See *WMCA, Inc.* v. *Lomenzo*, infra, note 11.

[10] Unreported decision. See New York Times, Dec. 16, 1964, p. 1, col. 2.

[11] *WMCA, Inc.* v. *Lomenzo*, 23 U.S.L. Week 2417 (S.D. N.Y., Feb. 1, 1965), upholding 1 population-based plan but rejecting 3 other plans and the fractional voting concept. The Supreme Court has yet to speak on the issue.

At the level of county board reapportionment, where committee operation is not so important, fractional voting or even weighted voting may have special relevance. Weighted voting has been used in Nassau County, N.Y. See Weinstein, "The Effect of the Federal Reapportionment Decisions on Counties and Other Forms of Municipal Government," 65 Col. L., Rev. 21, 44 (1965).

3. Gerrymandering

Still another range of unresolved issues is encompassed by the term "gerrymandering," a term of no agreed-upon meaning but which always connotes apportionment and districting arrangements designed to transmute one party's actual voter strength into the maximum of legislative seats and to transmute the other party's actual voter strength into the minimum of legislative seats.

Too few persons realize or are willing to admit that gerrymandering in the sense of transmutation of party voter strength is a virtually unavoidable concomitant of any system of election of a multimembered assembly, either from districts or at large, unless some device of proportional representation is used. The reason for the intrinsic inequity of all systems short of proportional representation is that party affiliation is not, like sex, spread fairly evenly through the population. Because of the wild-card factor of party member location, it is impossible to devise a politically neutral apportionment and districting system.

Now that *Baker* v. *Carr* has told us that apportionment and districting is a justiciable question, it will be incumbent on the Court, sooner or later, to lay down some guidelines for representational equity. "One man, one vote" obviously dictates much change. But it is not a guideline to representational and political equity because it is based only on bare census data—or "sixth grade arithmetic," as Justice Stewart put it[12]—and not the group dynamics of American politics.

One guideline could be a limitation on use of large multimember districts, because of their winner-take-all characteristic. Another would be to view a district system as suspect—and perhaps shift the burden of proof as was done for the plaintiffs after *Baker* v. *Carr*—whenever it is shown that the system consistently magnifies the legislative strength of one party far beyond its actual statewide voter strength.

4. Political subdivisions and districting

Related to the gerrymandering problem, but transcending it, is the critical need to follow political subdivision lines, particularly county lines, in arranging legislative districts. The reasons are two.

First, if the reapportioners do not follow existing county and political subdivision lines, an infinite range of districting discretion and gerrymandering freedom arises. If county lines are tossed out, the reapportioners have before them only the outer boundary of the State, the State's population by census tracts and the number of seats in each house of the legislature. A remaining large issue in several reapportionment cases is the extent to which the Federal one-man, one-vote mandate overrides explicit State law calling for following county lines in apportionment and districting. Our constitutional law tradition of Federal-State relationships supports the proposition that a Federal overriding of State law is to be narrowly construed. Displacement is to occur only insofar as necessary to achieve identifiable Federal purposes.[13] Hence, some clarification of the degree of rigidity of the Federal population standard is necessary in order to determine whether political subdivision lines still may be given major weight, or must be crossed promiscuously in pursuit of an overriding goal of equal-population clusters.

The second and more compelling reason for following political subdivision lines is the consideration of effective representation—a consideration which theoretically at least is central to the entire reapportionment struggle. Counties are the building blocks of American political life, thought, and action In addition to the obvious virtues of stability and continuity, and indeed as a result of them, counties are the basic units for political party organization, for State administration, for planning, zoning and regional arrangements, for civic federation organization, for social organization and for business and industrial organization in most instances. In their own right counties provide an increasingly broad range of services and controls. In mid-20th century America they no longer are the "dark continent of American government." To disregard our natural political units in pursuit of "one man, one vote" would be to cut the vitals out of the American political process.

5. Hearing from the minority

Still another closely related problem which may come to the fore in the next few years is the creation of devices to hear more effectively from the minority. Proportional representation, which I am not advocating, would enable us to hear from all parties, large and small, in proportion to their actual voter strength. But proportional representation is feared because of its tendency to break down the two-party system and to result in legislative majorities resting only on unstable coalitions of minor parties. However, a mixed proportional representation and single-member district system might be considered. In postwar Western occupied Germany the Anglo-American concept of districts and the continental concept of proportional representation collided. The result was to produce for the Federal Republic of Germany a mixed proportional representation and single-member district system which so far has proved to be a very healthy mongrel.[14] Part of the legislature is elected from single-member districts; this ensures intimacy of representation, minimizes party bossism and counteracts the splintering tendency of proportional representation. The other part is elected under a proportional representation list system, thus avoiding the minority party freeze-out, which is a tendency of the pure district system and substituting representational equity.

Short of a mixed proportional representation and single-member district system, there are other devices to enable hearing from the minority in closer proportion to their numbers than may occur in a pure district system. One is the cumulative vote system under which legislators are elected from three-man districts, each voter having three votes which he may distribute among the candidates equally, or two-one, or three for one. As practiced in Illinois for the lower house since 1870, this has meant that the stronger party got two legislators from each district and the weaker party one.[15] Another device is limited voting, which is now in force for a portion of New York's City Council.[16]

6. How "equal" is "equal"?

A question on which many other questions depend is how "equal" is "equal" in regard to the equal-population districts rule. Logically, this could have been mentioned first, but the ramifications are better perceived if one has in mind such other issues as gerrymandering and preserving political subdivisions. Although the Supreme Court did mention the traditional importance of political subdivisions, Chief Justice Warren made it quite clear that population was to be the essential guide when he said: "But neither history alone, nor economic or other sorts of group interests, are permissible factors in attempting to justify disparities from population-based representation."

And a few lines further on he said: "[I]f, even as a result of a clearly rational State policy of according some legislative representation to political subdivisions, population is submerged as the controlling consideration in the apportionment of seats in the particular legislative body, then the right of all the State's citizens to cast an effective and adequately weighted vote would be unconstitutionally impaired." [17]

The deviations which have been permitted in the litigated cases since this ruling provide an interesting contrast.

In Colorado the Federal district court approved, as permissible under the 14th amendment for the 1964 election, a reapportionment plan under which the maximum percentage deviations from the mean or "ideal" district were 21.13 percent in the senate and 30.16 percent in the house.[18]

The Michigan Supreme Court rejected all reapportionment plans submitted by a bipartisan reapportionment commisison except one Democratic Party plan under which the maximum percentage deviation is 0.58 percent in the senate and 2.8 percent in the house, and which naturally involves extensive crossing of county lines, contrary to the State constitution.[19]

In New York the Federal district court approved, as permissible under the 14th amendment, a Republican Party plan under which the maximum percentage deviations are 7.9 percent for the senate and 10.8 percent for the house, and which also involves extensive crossing of county lines, contrary to the State constitution.[20]

Two observations need to be made. First, if a strict population standard is to be the only consideration and other representation issues are to be ignored, there is no rational basis for stopping short of a 1-to-1 ratio for all districts, and a population deviation of less than a miniscule 1 or 2 percent. In many States population concentrations will make it necessary to cut some political subdivision lines in districting even if the maximum allowable deviation is as high as 10 or 15 percent. If some units must be cut, why not cut enough to get down to a 1-percent deviation?

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[12] 377 U.S. at 750.

[13] A Federal district court in New York recently endorsed this view in a decision validating under the 14th amendment one of New York's reapportionment plans of December 1964, and leaving a gerrymandering issues for the State court. *WMCA, Inc.* v. *Lomenzo*, supra, note 11. The court relied on the following comment in *Reynolds* v. *Sims*, 377 U.S. at 584: "[S]tate constitutional provisions should be deemed violative of the Federal Constitution only when validly asserted constitutional rights could not otherwise be protected and effectuated. Clearly, courts should attempt to accommodate the relief ordered to the apportionment provisions of State constitutions insofar as is possible."

Equally important is the original proceeding in the Michigan Supreme Court (in the matter of apportionment of the Michigan Legislature, No. 50999, now scheduled for oral argument on May 11, 1965) to review the rigid equality and extensive cutting of county lines in the reapportionment plan ordered into effect by the Michigan court in June, 1964 (128 N.W. 2d 722).

[14] This statement is based partially on an interview in Washington, D.C., in November of 1964 with Hartmut Jäckel of the Free University of Berlin. See also Pollock, "The Electoral System of the Federal Republic of Germany—A Study in Representative Government," 46 American Political Science Review, 1056 (1952).

[15] See Blair, "Cumulative Voting: An Effective Electoral Device in Illinois Politics" (1960).

[16] *Blaikie* v. *Power*, 13 N.Y. 2d 134, 243 N.Y. S. 2d 185, 143 N.E. 2d 55 (1963), appeal dismissed, 375 U.S. 439 (1964).

[17] 377 U.S. at 581.

[18] *Lucas* v. *Forty-fourth General Assembly*, 232 F. Supp. 797 (1964). The figures, not given in the opinion, are derived from a staff memorandum of the Colorado Legislative Council. July 14, 1964.

[19] *In the Matter of Apportionment of the Michigan Legislature*, 128 N.W. 2d 722 (1964). The figures, not given in the opinion, are derived from are apportionment report published by the Michigan secretary of state, June 23, 1964.

[20] *WMCA, Inc.* v. *Lomenzo, supra* note 11. The figures, not given in the opinion, are derived from the Joint Legislative Committee on Reapportionment's "Supplemental Report," Dec. 30, 1964, pp. 10, 15.

Nothing in the Supreme Court decisions so far provides much guidance on this question. Indeed, the constant stress on population equality (even under a census now 5 years old) encourages reapportioners to ignore preexisting political subdivisions in order to get new districts of minimal deviaton, safe from reversal. An unavoidable byproduct is to maximize gerrymandering freedom.

The second observation is that the Court not only has tended to focus too narrowly on arithmetic as a virtually exclusive guide to proper reapportionment, but also has approached its reapportionment arithmetic too narrowly. The Court has placed stress on the population variance ratio between the one largest and the one smallest district and on the minimum population which theoretically could elect a majority of the legislature. The Court will take note occasionally of the maximum percentage deviation from the mean or "ideal" district.

If arithmetic is to be the guide, and concededly it must have a major role, the focus should be on the average deviation. It is not at all clear why some isolated, extreme ratios between the largest and smallest districts should be deemed "unfair" or "unconstitutional," provided the average deviation is slight. An occasional extreme ratio or percentage deviation has no adverse impact on majority rule; it may be the best way, if not the only way, to provide effective minority representation along with majority rule. The Court has yet to address itself to this question on a precise factual record.

Forgoing some additional matters, I close with this thought. "One man, one vote" is the symbol of an aspiration for fairness, for avoidance of complexity, and for intelligibility in our representational processes in our mass democracy. This is why all Gallup polls show general public support for the Supreme Court's decisions—although this may be the classic example of the uninformed interviewer asking the uncomprehending interviewee a question which is unavoidably loaded because so oversimplified. But, Gallup polls aside, these aspirations for fairness and for intelligibility are quite proper. The task of honoring them has only begun and will require much refinement of the "one man, one vote" slogan if something approaching political equity is to be achieved.

AUTHOR'S NOTE.—While this article was in galley proof a State court in New York voided under the State constitution the reapportionment plan which the Federal court on February 1, 1965, had approved under the 14th amendment (the New York Times, Mar. 16, 1964, p. 1). The State court did not rule on the gerrymandering issues which the Federal court had left for State resolution. It placed its declaration of unconstitutionality on the ground that the U.S. Supreme Court's voiding of the prior reapportionment system fixed in the New York constitution did not open the way for the New York legislature to increase the size of the lower house from the State constitutional figure of 150 to 165.

On the face of it, this ruling is difficult to reconcile with the action in Maryland where the legislature, complying with a judicial reapportionment mandate based on the Federal Constitution, assumed power to change by statute the size of the legislature as part of the reapportionment process. Nineteen urban seats were added to the lower house in 1962 without constitutional amendment (see *Maryland Committee* v. *Tawes*, 228 Md. 412, 180 A. 2d 656 and 229 Md. 406, 184 A. 2d 715 (1962)). The Supreme Court spoke of interim reapportionment powers of legislatures in its reapportionment decisions of June, 1964: "With the Maryland constitutional provisions relating to legislative apportionment hereby held unconstitutional, the Maryland Legislature presumably has the inherent power to enact at least temporary reapportionment legislation pending adoption of State constitutional provisions relating to legislative apportionment which comport with Federal constitutional requirements." (*Maryland Committee* v. *Tawes*, 377 U.S. 656, 675–676).

SERIOUS TRAGEDY AVERTED

Mr. LAUSCHE. Mr. President, on Tuesday, May 11, 1965, a potential serious tragedy was averted at Chillicothe, Ohio, by the prompt and efficient action of an Army Ordnance detachment located at Clinton County Air Force Base and the Army Ordnance Command at Fort George G. Meade, Md., both responding to an emergency call by the Honorable Charles H. Fair, mayor of Chillicothe, Ohio.

Cause for the great alarm and concern over the safety of the citizens of the area was the discovery that a metallic item located in a scrap dealer's yard and about to be cut prior to disposal was an active Tiny Tim Rocket.

Mr. President, Mayor Fair describes the incident well in a letter of commendation addressed to the Command General, 2d Army, Fort George Meade, Md., and which I ask be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 14, 1965.

COMMAND GENERAL, 2D ARMY,
Fort George Meade, Md.

DEAR GENERAL: This letter is addressed to you in an effort to express appreciation and commendation for members of your command.

On Tuesday, May 11, 1965, an active Tiny Tim rocket was identified by our police department in a scrap metal dealer's yard, located within three blocks of Chillicothe, Ohio, a city of 26,000. At the time of discovery, a workman was in the process of cutting the rocket and disposing of it on a freight car.

An Army Ordnance detachment located at Clinton County Air Force Base, was notified and they arrived with dispatch.

Two members of this detachment arrived and determined the rocket was active. They were: 1st Lt. Michael Ryan, O522093, and Sp6 Donald Brown, RA13262263, assigned to the 71st Ordnance Detachment.

These men demonstrated a high degree of professional skill, and, in addition, an awareness of good public relations.

Due to requirements of Army regulations, Lieutenant Ryan was not able to immediately remove the rocket from the populated area. However, by his calm approach to the problem, fears of the citizens did not become acute. He explained the military service requirements in a highly intelligent manner to the persons concerned.

Upon my arrival at the scene, Lieutenant Ryan and Specialist Sixth Class Brown gave me an excellent estimate of the situation and the problems to be faced. When I telephoned the Army Ordnance at Fort Meade and explained our situation, I received the utmost courtesy and assistance. Within an hour, the rocket was removed from the populated area to a remote section of our local airport. Due to the efforts of your staff, the Air Force at Wright-Patterson Air Force Base removed the rocket the following day.

For the citizens of this city, I wish to express our sincere appreciation to all 2d Army personnel who assisted us in removing this very real danger from our community.

I wish to commend Lieutenant Ryan, and Specialist Sixth Class Brown, for a superior performance of duty.

Respectfully,

CHARLES H. FAIR,
Mayor.

Copies to Senator FRANK J. LAUSCHE and Senator STEPHEN YOUNG.

WELCOME TO PRESIDENT PARK, OF KOREA

Mr. YARBOROUGH. Mr. President, the peoples of Korea and the United States, although they dwell in lands which are thousands of miles apart physically, and although they are the products of profoundly different cultural heritages, nevertheless share a common bond which was forged on the bloody slopes of Heartbreak Ridge and in the steel and fire of the Chosen Reservoir. That fight for the freedom of Korea forever links together our peoples, who fought and, for long years, died together, side by side.

The termination of the Korean conflict was a beginning, rather than an end; and all Americans watch the progress of the Korean Republic, not alone with hope, but also with real physical help. Thus, I commend President Johnson for his statement, on yesterday, assuring President Chung Hee Park, of Korea, that "the United States would work steadfastly with you to better the lot and lives of your people."

I join in the welcome extended to President Park, and I hope his visit has been a pleasant one. Last December, I was his guest in his country; and I can only say that if the people of Washington, D.C., have been as kind and generous as those of Seoul, President Park's sojourn here was happy, indeed.

I ask unanimous consent to have printed in the RECORD an article entitled "General Park Praises Johnson on Asia." The article was published in the New York Times of May 19.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times,
May 19, 1965]

GENERAL PARK PRAISES JOHNSON ON ASIA—KOREA'S PRESIDENT SUPPORTS FIRMNESS IN VIETNAM

WASHINGTON, May 18.—President Chung Hee Park of South Korea commended the United States today for having taken a firm stand against Communist aggression in Vietnam. He warned that any softening of U.S. policy would be "an irrevocable mistake."

"We cannot and should not budge even an inch from our position of defending freedom by force until the Communists give up their scheme of conquering the world by sanguinary revolution," he said at a National Press Club luncheon.

General Park, who is here for talks with President Johnson, said that his own country was "a living victim of Communist aggression." He said the Communists were now trying in Vietnam what they tried in Korea.

"What the free nations should do at this stage is self-evident," he said. "They have no alternative, I am convinced, but to take such decisive action as the United States and other nations of the free world demonstrated in Korea in 1950."

JOHNSON PRAISED ON BOMBINGS

General Park praised President Johnson for his "wisdom and courage" in handling the Vietnam crisis, and said that the President's "resolute action" in ordering U.S. planes to bomb Communist bases in North Vietnam "could prevent the flames of trouble in that country from spreading farther and wider."

The Korean President was the second Asian statesman to suggest in recent days that the bombing of North Vietnam may have headed off a widening of the war. Foreign Minister Thanat Khoman of Thailand expressed similar views during a visit here last week.

General Park was sharply critical of "some free nations"—not identified—that he said believed "naively that they will be able to maintain their own security through negotiations" with the Communists rather than by fighting against aggression.

"What is meant by negotiation in Communist parlance," he said, "is merely a means to enable the Communists to proceed with their aggression."

General Park arrived yesterday. His schedule today included a breakfast session with Secretary of Defense Robert S. McNamara and a White House conference with Mr. Johnson.

PUBLIC RIGHTS AND PRIVATE INTERESTS IN TAXPAYERS' RESEARCH MONEY

Mr. YARBOROUGH. Mr. President, it was with a feeling of indignation that I read the revelations which the distinguished majority whip [Mr. Long] disclosed on Monday on the floor of the Senate. The speech appears on page 10715 of the Congressional Record for Monday, May 17, 1965; and I commend its reading to every Member of Congress and, indeed, to every American citizen, so that they may become informed of the seriousness of the public-policy crisis which confronts this Government in the field of private exploitation of public research funds.

At the same time that we receive a soothing daily mental message from the public relations departments of various organizations, telling us that all is well, behind our backs, and unknown to the public, are shenanigans such as those which the Senator from Louisiana made public yesterday:

A test for phenylketonuria, an infant disease that leads to mental retardation, was largely developed by governmental funds. The Public Health Service granted $251,700, and the Children's Bureau contributed $492,000 for its development. Senator Long's speech details how Miles Laboratories tried to obtain, and almost succeeded in getting, an exclusive licensing agreement for the life of the patent. If it had gotten the exclusive license, Miles would have marketed a testing kit for a price in excess of $262. The same kit was already being produced by hospitals for $6.

With an exclusive licensing agreement, only Miles Laboratories would have been allowed to produce the kit; so a test device which had been developed largely by the use of public funds, and which could be produced for $6, would have been assigned, on a monopoly basis, to a private company, to be sold for $262. At the same time that the country and Congress are showing so much concern over mental retardation, as evidenced by passage of the Mental Health and Mental Retardation Act of 1963, a private company was trying to secure a private monopoly, so that it could exploit the unfortunate victims of mental retardation.

This is only one example of the behind the scenes wheeling and dealing which greedy interests are carrying on, in an effort to get their hands on bigger and bigger pieces of the Government-financed research pie. With great amounts of money to spend on high-priced legal and public relations talent, they pour out a steady stream of sugar-coated words cynically designed to convince what they consider to be a gullible public that it is in the public interest to assign the public's rights to private concerns, because this allegedly encourages research and development. This argument is clearly a subterfuge which the American public is going to realize is a subterfuge; and the people are going to hand certain greedy interests a big surprise by rejecting their argument outright.

I ask unanimous consent to have printed at this point in the Record an article entitled "How Bar to Retardation Was Opened to the Many," written by Morton Mintz, and published in the Washington Post on May 19, 1965.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, May 19, 1965]

How Bar to Retardation Was Opened to the Many—Test Cost Cut to One-fortieth

(By Morton Mintz)

This is the story of why a test used to prevent a severe form of mental retardation costs 1.2 cents per baby instead of 40 times as much.

It did cost 50 cents per baby for a time. Had that price prevailed, says the U.S. Children's Bureau, certain States would not have begun mass testing programs and many children who now will be normal would have been irreversibly retarded.

Exclusive rights were originally assigned to a private firm that charged $262 for a test kit that the inventor manufactured for $6. The Government has now obtained uncontested rights in the pending patent application and any qualified organization can make the kits without paying royalties.

The story was pieced together from interviews and from Government files obtained by Senator Russell B. Long, Democrat, of Louisiana, as chairman of the Senate Small Business Committee's Monopoly Subcommittee. Long discussed the story in the Senate Monday.

Since 1959, Long has been working to give the Government property rights in inventions developed with the help of the $15 billion a year that the Government spends with research and development contractors. The mental retardation test was developed largely with Government funds.

STORY'S LEADING FIGURE

The leading figure in the story is the inventor of the test, Dr. Robert Guthrie, of Buffalo, a brilliant scientist and himself the parent of a retarded child.

"I had always assumed," he said, "that the price would be reasonable." But he termed himself naive about such matters.

The simple, reliable test he developed detects the metabolic disorder phenylketonuria, usually called PKU.

A few drops of blood are taken from the heel of an infant in the first few days after birth. If the disorder is found, a special diet will prevent retardation.

The incidence of PKU had been believed to be 1 in 20,000 to 40,000 births, but a mass screening of 400,000 infants in 1962–63 established a rate of at least 1 in 10,000. That indicates a nationwide potential of about 400 PKU-retarded infants a year, including roughly 3 in the District, 7 in Maryland, and 9 in Virginia.

MANDATORY IN MARYLAND

The test is now being performed regularly in 90 to 100 percent of the hospitals with maternity services in 14 States and in a total of 2,600 hospitals in all States except Alaska. Some States, including Maryland, have made the test mandatory for hospital births.

In Massachusetts, the test has detected 33 PKU cases. Dr. Guthrie said this was done with mass screening that cost State taxpayers about as much as lifetime custodial care for one person in a public institution.

Dr. Guthrie, a 48-year-old microbiologist and physician, attributed his special interest in developing the test to the PKU retardation of a relative in Minneapolis. A member of the pediatrics department of the School of Medicine of the State University of New York, Dr. Guthrie in 1958 received his first grants—$25,000 each, for 5 years—from the National Association for Retarded Children and the Association for Aid for Crippled Children. Later, he received a total of $75,672 from three other nongovernment sources.

But starting in 1959, the Public Health Service gave $251,700. Chiefly for the subsequent mass screening, the U.S. Children's Bureau granted $492,000.

FIRM IS NOMINATED

Long before the Bureau got into the picture, but after the test was perfected, Dr. Guthrie and the NARC agreed that a swift way to bring the test into the widest possible use would be to enlist a pharmaceutical firm with a worldwide organization.

The Ames Co., a subsidiary of Miles Laboratories of Elkhart, Ind., was nominated by Dr. Guthrie because it had been marketing a urine test for PKU. That test, however, is not well suited for mass use.

A lawyer friend of Dr. Guthrie, Raymond K. Kuhns of New York City, who was donating his legal services, advised that a patent on the invention be sought. He was concerned with the possibility that the plan for mass use of the test could be jeopardized by another patent only with costly, protracted litigation.

Almost a year had gone by since Dr. Guthrie had published articles about the test. This meant that unless a patent application were filed quickly, Dr. Guthrie's claim automatically would be denied.

Kuhns said that Miles Laboratories, which had accepted an invitation to participate, agreed with him in emphasizing to Dr. Guthrie that any proposed patent agreement would have to be approved by the Public Health Service.

BARS ROYALTIES FOR SELF

This is the kind of thing—questionnaires, red tape—that Dr. Guthrie scorns. His scientific work preoccupies him. Not until almost a year after the PHS began pressing him with letters and phone calls did he get around to filing the required reports.

The patent application and licensing agreement, which meanwhile had been drawn up by an associate of Kuhns on a nonprofit basis, put title in the name of Dr. Guthrie, but at his request barred him from getting a cent in royalties.

Instead, Miles, which was made the exclusive licensee, agreed to pay 5 percent of the net proceeds of sales to the NARC. Ultimately, that association got $1,100.

During the discussions, no one thought to ask what price Miles intended to charge.

In 1962, the patent application was filed and the licensing agreement signed. At about that time, the Children's Bureau announced its plans to screen the 400,000 infants. A great many test kits had to be produced, and quickly.

TURNS PRODUCTION MAN

Miles was unable to gear up fast enough for this job because of what Vice President G. W. Orr, Jr., told me were severe production problems. So Dr. Guthrie, who was not, as Kuhns put it, "in any remote sense a businessman," became a production man.

With Bureau funds, he rented a house, and in it, in a year's time, turned out 10,000 kits, enough for a million tests. Packaging was done by retarded young adults.

Ames, the Miles subsidiary, "took what we had done and repackaged it," Dr. Guthrie said. "The big price then particularly made no sense."

The "big price" was $262 for a 500-test kit that the scientist produced for $6. He had not known what the price would be until June 1963, when he visited Miles. "I was horrified," he said.

He pointed out that since the Government made his invention freely available, commercial laboratories—including Miles—have offered the kit for a fraction of its original price.

The Miles official, Orr, suggested that one reason for the $262 price was the need to use only the highest quality sterile materials. However, he acknowledged that he did not intend to imply that his firm's test kit was superior in that regard to Dr. Guthrie's. He did, however, fault the scientist's definition of costs.

NULLIFICATION BEGINS

In the Department of Health, Education, and Welfare, a drive began to nullify the agreement with Miles. One who urged this was Herschel F. Clesner, inventions coordinator for the PHS.

On November 5, 1963, the chief of the Children's Bureau, Katherine B. Oettinger, wrote Clesner "that the granting of exclusive commercial rights to Miles Laboratories would prevent Massachusetts and some of the larger States now contemplating setting up this screening from carrying out their plans."

"None of these States could afford to institute a program if they had to purchase the kits commercially at the contemplated ($262) price, or if they had to pay royalties on the materials they would manufacture themselves," she said.

A year ago, the Acting Surgeon General of the PHS, Dr. David E. Price, officially determined that the contract should be canceled because "the best interests of the public will not be served by * * * an exclusive license. * * * Insofar as the invention may be patentable, the equitable ownership of all rights, both domestic and foreign, shall be in the United States."

REAPPORTIONMENT OF STATE LEGISLATURE

Mr. TYDINGS. Mr. President, I am delighted to note that the issue of reapportionment of State legislatures is receiving increasing attention in our newspapers and periodicals. I am confident that once the American public understands what is at stake, the proposed constitutional amendments to overrule the Supreme Court's decisions guaranteeing one man, one vote will be rejected.

I was, therefore, pleased to find a most thoughtful and comprehensive study, by Peter Irons, in the May issue of the Progressive magazine. He points out that the drive to preserve the rotten borough system, with all of its associated privileges, prerogatives, and powers, is in full swing. I ask unanimous consent that Mr. Irons' article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Progressive, May 1965]

The Race To Control the States

(By Peter Irons)

(Note.—Peter Irons, who did social science research at Harvard and Howard Universities, is associate editor of the United Automobile Workers legislative newsweekly.)

"The people in our big cities are unfit for citizenship. It's to the rural areas that we must look for citizens of greater intellect."

Thus spoke a defender of agrarian virtue at New York State's constitutional convention in 1894, which took heed and drafted an apportionment plan firmly establishing rural domination of the State legislature. Seven decades later, a vast migration has depopulated our rural areas and crowded millions of people into our cities and suburbs. But the ruralists, whose iron grip on the State legislatures has been loosened by the Supreme Court, still preach the same fear of the cities that the 19th century New Yorker did. "Beware the city," is their battle cry as they fight to hold back the urban revolution.

A massive rural counterrevolution is being waged today. Its goal is to change the Constitution so that rural control of many State legislatures and county governments will be preserved. Its target is a series of landmark decisions of the Supreme Court; the bullseye is the *Reynolds* v. *Sims* decision, June 15, 1964, in which the Court ruled that the Constitution requires that "the seats in both houses of a bicameral State legislature must be apportioned on a population basis."

The stakes in this battle are high—control of State and county governments—and it is being waged on two fronts, one in the Congress and one in the States.

In its *Reynolds* v. *Sims* decision, the Supreme Court held that Alabama's failure to reapportion its legislature for more than 60 years had produced "a minority stranglehold" on that body. The Court ordered that new districts be drawn on the basis of population alone. The Court was responding, as it had through its historic *Baker* v. *Carr* decision in 1962, to the fact that the equality of representation principle has been so grossly violated by the States that in 39 of them minorities as small as 8 percent could elect a majority of the members in either one or both houses of the legislature. In *Baker* v. *Carr* the Supreme Court had ruled that the Federal judiciary could enter the field of legislative apportionment and that when legislatures failed to correct serious malapportionment, the courts could make such corrections themselves.

By last year the impact of that decision had been felt across the land. During 1964 alone, legislatures reapportioned themselves in 10 States, and the courts redistricted legislatures in 4 others. In the same period, State and Federal courts declared that the redistricting plans of 32 States did not meet constitutional requirements. And by the opening months of 1965, 24 States were under court orders to reapportion before the next legislative election.

While the rural power in State legislatures grudgingly gave up some seats in the lower houses of State legislatures under the pressure of the courts, it continues to fight against reapportionment of the upper houses. If the ruralists can maintain their grip on State senates, they can block progressive legislation or any measures that will benefit the cities and suburbs. Since State senates also hold the power to approve or disapprove appointments to State regulatory bodies, wherever ruralists dominate State senates they can tip the balance toward the appointment of reactionaries who favor the big utilities and the major manufacturing interests. It is these economic groups that back the ruralists in preserving the legislative status quo.

But the Supreme Court's decision in *Reynolds* v. *Sims*—if not wiped out by one of the proposed amendments to the Federal Constitution—threatens to reduce or end rural dominance of State senates. In this case the Supreme Court held that the equal protection clause of the 14th amendment dictates the principle of "one man, one vote," and ruled out any apportionment scheme of either house of a legislature that is not based strictly on population. "Legislators represent people, not trees or acres," wrote Chief Justice Warren. "A citizen, a qualified voter, is no more nor no less so because he lives in the city or on the farm."

The Court's decision was greeted by a collective howl of protest from rural interests in both the States and the Congress. Typical of the reaction was the cry of Representative William Jennings Bryan Dorn, a South Carolina Democrat, that the Reynolds decision meant "a long step toward Federal dictatorship by the Supreme Court." Rural Congressmen and State legislators rose in anger by the hundreds as they foresaw the erosion of their entrenched citadels of power. Within a period of days, a new coalition of powerful forces was organizing a rural counterrevolution to block and overturn the "one man, one vote" principle enunciated by the Court.

Who are the leaders of the rural counterrevolution, and what is their strategy to nullify the Reynolds decision? Before taking a look at these men and their methods, it is helpful to scan the map of political power across the country.

All but a handful of our State constitutions are written to perpetuate rural control of State legislative bodies, usually by guarantees that in at least one house of the legislature, each county or township shall be represented, regardless of population. Thus, the eight people living in New Hampshire's smallest house district cast ballots worth 222 times as much as those in the largest district. In California, where legislators elected by 10.7 percent of the population control the State senate, a voter in a small county in the Sierras wields 422 times the elective power of his Los Angeles brother. Similar examples of the dilution of the urban and suburban vote abound, and the result is obvious; the cities and many suburbs have been shortchanged in State aid for education and welfare.

The Reynolds decision and companion rulings, and the fact that 70 percent of all Americans now live in urban areas, should have sounded the death knell for rural domination of the States. Instead, the ruralists dug in and began planning strategy to nullify the "one man, one vote" rulings. Four days after the Supreme Court decisions, the Southern Conference of the Council of State Governments met in Sarasota, Fla., and issued a statement that "these decisions strike at the very heart of representative government." The membership of the nationwide Council of State Governments reads like a rollcall of the power structure of the State legislatures.

Irate rural Congressmen were not long in joining the bandwagon. Leading the agrarian forces in Congress is William Tuck of southern Virginia. Representative Tuck, a portly stereotype in the "Senator Claghorn" tradition, is a former State legislator and Virginia Governor, and a cog in Senator Harry Byrd's machine which rules Virginia as a fiefdom. A Democratic member of both the House Judiciary and Un-American Activities Committees, Tuck led a maneuver which forced Judiciary Committee Chairman Emanuel Celler, of Brooklyn, to hold hearings last July on the more than 70 antireapportionment bills hastily drafted by rural Congressmen.

At the hearings, Representative Tuck urged passage of his bill to bar Federal courts from jurisdiction over State reapportionment cases. Representative William McCulloch, a smalltown Ohio Republican and ranking GOP member of the committee, took another tack and backed a constitutional amendment to allow any State with a two-house legislature (Nebraska has the only unicameral legislature) to apportion one house "on factors other than population."

As Congressmen paraded before the committee to denounce the Reynolds decision, more than 20 powerful State legislators sat quietly in the hearing room. Members of the newly organized National Commission on Constitutional Government, this contingent included such men as Thomas Graham, speaker of the Missouri house; former Florida House Speaker William V. Chappell, Jr.; Solomon Blatt, in his 25th year as speaker of the South Carolina house; and Byron Tunnell, then speaker of the Texas house and now Texas railroad commissioner.

The National Commission on Constitutional Government is the new spearhead of the rural counterrevolution. In early 1964, 49 legislators from various States met in Lincoln, Nebr., to organize the NCCG. Most of these delegates were also active in the Council of State Governments and in the general assembly of the States, a biennial conclave of delegates sent by State legislatures at which the Federal Government is ritually roasted. With the Federal courts pressing for reapportionment and posing an imminent threat to their bastions of power, the ruralists decided to band together and coordinate their opposition to redistricting.

As president of the NCCG, the delegates to the Lincoln meeting elected Hal Bridenbaugh, a 73-year-old Nebraska State senator. A farmer and businessman from Dakota City, he had been a member of the Nebraska legislature for 16 years. Last fall he retired from the legislature to devote full time to the NCCG effort. Bridenbaugh says bluntly that its guiding principle is "We fear urban domination." Various State chambers of commerce have donated funds to the NCCG war chest.

The first congressional floor skirmish in the battle against reapportionment was fought last fall. Although Judiciary Committee Chairman Celler opposed the Tuck and McCulloch bills and tried to drag the hearings out to the end of the session, Representative Tuck executed an end play around Celler by having his Virginia cohort, Rules Committee Chairman Howard W. Smith, lift his bill from the Judiciary Committee and send it straight to the House floor. Celler was enraged at this move, but Judge Smith calmly ignored his protestations, and the Tuck bill to evict Federal courts from the reapportionment field breezed through the House by a vote of 218 to 175.

Over on the other side of the Capitol, liberal Senators led by Paul Douglas, of Illinois, frustrated the ruralists and Dixiecrats by conducting a "baby filibuster" against a proposal of Republican Minority Leader Everett Dirksen to prevent Federal courts from ordering any legislative redistricting until January 1966. The mellifluous Dirksen wanted to give the ruralists time to develop their campaign for a constitutional amendment. But Senators Douglas, William Proxmire, Gaylord Nelson, Joseph Clark, and other liberals succeeded in watering down the Dirksen proposal to the degree that when adopted by the Senate it was unacceptable to a House-Senate conference. The 88th Congress adjourned without passing any reapportionment legislation.

This congressional setback did not abate the determination of the rural forces. A race is now on to amend the Constitution, as the ruralists fight to stave off the rapid pace of court-ordered reapportionment. Plans for the last-ditch assault were approved last December at meetings in Chicago of the Council of State Governments and the general assembly of the States. In Chicago, rural leaders mapped out a two-pronged strategy to enact a constitutional amendment that would keep the Supreme Court's "one man, one vote" principle from working against rural control of State senates. One prong of the attack would be through Congress, and the other would be through State action.

Although the Chicago meeting was firmly in the hands of a coalition of northern ruralists and Dixie segregationists, two State legislators who supported the Supreme Court decisions tried futilely to put the general assembly on record as favoring the "one-man-one-vote" principle. The two were State Senators Gloria Schaffer, of Connecticut, and Charles Weiner, of Pennsylvania. Mrs. Schaffer, a Democrat and a member of the U.S. Commission on UNESCO, complained later that "many States, had they been adequately represented, would have voted for our resolution." But instead, the rural-dominated States had packed the meeting.

Last December's conclave was reminiscent of the one held 2 years earlier, which was determined to block the surge toward reapportionment by nullifying the *Baker* v. *Carr* decision handed down by the Supreme Court in March 1962. Then, as now, a coalition of ruralists and Dixiecrats was backed by powerful business interests. With the aid and blessing of the Council of State Governments, and its executive director, Brevard Crihfield, the 1962 general assembly launched the program to win legislative approval for the notorious disunity amendments.

One of the amendments launched at the 1962 meeting would change the Constitution to bar the Supreme Court from any jurisdiction over apportionment. It has been adopted by 16 State legislatures. The immediate ancestor of the present amendment proposal on apportionment now being rushed through legislatures, it is also the forebear of the Dirksen amendment.

The new version which has replaced the old one under the strategy approved by the 1964 general assembly and the coalition, has surpassed its predecessor in winning legislative approvals. By early March 1965, 17 States had approved identical versions, and California's legislature adopted a variation.

The resolution approved by these legislatures with astounding speed, and with the public—and sometimes the press—scarcely aware of what had happened, requests Congress to call a convention to amend the Constitution. The proposed amendment would permit any State which has a two-house legislature to apportion "the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment has been submitted to and approved by a vote of the electorate of that State." Completely overlooked in the sparse comment by the press is the fact that the amendment also provides that "Nothing in this Constitution shall restrict a State in its determination of how membership of governing bodies of its subordinate States shall be apportioned." This would freeze, in perpetuity, present rural overrepresentation on county boards and similar local units of government.

The strategy of the rural bloc has been outlined by Crihfield, the seasoned executive head of the Council of State Governments. The first step, says Crihfield, is to secure passage by as many States as possible of this new resolution for a constitutional convention. Never in the history of the Federal Union has this strategy been successful. It requires that 34 States, two-thirds of the total, must pass the resolution before Congress is compelled to call a convention. But the coalition is convinced that if 25 to 30 States approve it, Congress will act on its own accord in behalf of ruralists to avoid a convention, which many Congressmen fear would open a Pandora's box of Constitution gutting.

Will the rural strategy succeed? Crihfield and Bridenbaugh think so. "Remember," Crihfield says, "there are 47 States in regular session this year. Already, more than 20 States have passed memorials and the number could well reach 34. It's going to be tight, but if Congress doesn't want a convention it has the Dirksen bill before it." The Dirksen bill, Senate Joint Resolution 2, would allow apportionment of one house of a legislature on the basis of "factors other than population," if the State's voters approve in a referendum.

When the Dirksen resolution—with the names of every Republican Senator but one, and eight Democrats, as cosponsors—was presented for hearings before a Senate Judiciary subcommittee weighted with a ruralist majority, it was endorsed by a parade of Senators and conservative lobbyists. Senators Douglas and Proxmire, and the mayors of Chicago and St. Petersburg, Fla., were among the few who denounced it.

"The Dirksen amendment may be considered the 'stalking horse' of those who wish to preserve the rotten borough system in the State legislatures of the United States," said Senator Douglas.

In their battle against fair apportionment, the ruralists have forged an effective coalition of powerful allies. Organizations cracking a potent political whip have been flocking before Senate and House hearings to denounce the Reynolds decision. The National Association of Manufacturers, the U.S. Chamber of Commerce, the Liberty Lobby, and the American Farm Bureau Federation have lined up like a Greek chorus to trumpet their fears of urban control. Even the liberal National Farmers Union, with its history of populism, voted by a narrow margin at its recent convention to support the amendment drive.

Last February, the coalition enlisted its most prestigious ally when the House of Delegates of the American Bar Association voted in New Orleans to support the Dirksen amendment. The author of the ABA resolution was Jonathan C. Gibson, chairman of the ABA's Jurisprudence Committee, an old hand in the antiunion right-to-work campaign and the legal vice president of the Atchison, Topeka & Santa Fe Railroad. But the opponents of the resolution saw a stealthier hand behind its drafting. Herbert Johnson, an Atlanta lawyer who led the floor fight against the resoultion, says that the real force behind it was John C. Satterfield, the Yazoo City, Miss., lawyer who directed the lobbying drive last year against the civil rights bill. Satterfield, an attorney for former Mississippi Governor Ross Barnett, was the secretary of the Coordinating Committee for Fundamental American Freedoms which poured $120,000 of Mississippi tax money into the fight against the civil rights bill. Satterfield is a member of Gibson's ABA committee and worked behind the scenes in New Orleans to secure the 115-to-94 vote for the resolution. "It looks like Satterfield wrote it," said Johnson. Another house of delegates member at New Orleans, Virginia lawyer Edmund Campbell, also saw the resolution endorsing Dirksen's proposal as Satterfield's handiwork and felt it was designed to "freeze the present racial imbalance" in southern legislatures.

Organized resistance to the rural coalition has only recently come to the surface. A liberal coalition, composed mostly of groups active in the civil rights lobbying effort last year, was formed several months ago under the title of the National Committee for Fair Representation. A loosely organized group, the NCFR is made up of labor unions, church groups, the NAACP, and Americans for Democratic Action. Marvin Caplan of the industrial union department of the AFL–CIO, who is also director of the Leadership Conference on Civil Rights, has donned another hat to coordinate the NCFR effort.

At a strategy meeting with representatives from the offices of liberal Senators, the outlook was gloomy. "Unless labor makes a major fight on this, we're dead," said one representative from Capitol Hill.

If Congress takes the initiative, it will require a two-thirds vote in each house to send the Dirksen amendment, or some version of it, to the States for ratification. A preliminary nose-count in Congress by the National Committee for Fair Representation supports the forecast of Brevard Crihfield of the Council of State Governments: "It's going to be tight." Any amendment approved, whether by Congress or by a convention called through petitions from 34 legislatures, would have to be ratified by 38 States within a 7-year period to become part of the Constitution. The race between the courts forcing reapportionment, and the States striving to fend it off, could go down to the wire.

The stakes in the battle over reapportionment are tremendous. If the *Reynolds* v. *Sims* "one man, one vote" decision withstands the current assault on it, America's political map will be completely redrawn with the political balance of power decisively shifting to the ever more populous cities and suburbs.

Crihfield sees "another plate of worms" behind the Reynolds decision as its impact reaches down to the 100,000 smaller units of government across the country. Courts in Wisconsin and Michigan have ruled that county boards of supervisors must meet the "one man, one vote" criterion. Eight days after the Reynolds decision, five voters in Grand Rapids, Mich., filed a suit to reapportion the Kent County Board of Supervisors. The Michigan court, noting that a supervisor from the township of Plainfield represented only 925 voters, while it took 8,429 people from Grand Rapids to merit the same representation, ordered reapportionment.

Seventy years ago, when the rural New York legislator claimed that urban citizens were "unfit for citizenship," only one out of three Americans lived in an urban area. Today, that proportion has been reversed, but our legislative bodies still fail to reflect that massive change. Voters in the cities and suburbs complain that State legislators ignore their growing needs for better schools, health, and welfare facilities, and other public services, and refuse to appropriate enough money to stem the growing deterioration of urban communities. Atlanta lawyer Herbert Johnson fears that passage of a constitutional amendment returning legislative control to rural areas "would put them in such strong control that the cities will never get their fair share."

Reynolds v. *Sims* loosened the iron grip of those who represent "trees and acres" rather than people. Those legislators representing trees and acres, rather than a proper number of voters, too often are—or become—the voices and votes of reaction on behalf of powerful private interests. The preservation of these special interests, along with the rural fear of the ethnic minorities in the cities, and the southern fear of a larger Negro vote, spur the rural counterrevolution. "Legislators are elected by voters," said Chief Justice Warren in the Reynolds decision, "not [by] farms or cities or economic interests. To the extent that a citizen's right to vote is debased, he is that much less a citizen."

It is this concept of voting equality, with its vast power to reshape our society in more liberal form, that the old establishment seeks to destroy at all costs.

INCLUSION OF HOSPITAL-BASED SPECIALISTS IN HOSPITAL SERVICES UNDER CARE OF THE AGED

Mrs. NEUBERGER. Mr. President, support for the amendment submitted by the Senator from Illinois [Mr. Douglas], of which I am a cosponsor, to include as a hospital cost the specialty services of radiologists, anesthesiologists, pathologists, and physiatrists, if this is the voluntary arrangement between the hospital and such specialists, has been gaining momentum. The administration, through testimony by Secretary Anthony Celebrezze, urged modification of House bill 6675, so as to restore the provisions for covering these services. Secretary Celebrezze also predicted that "substantial changes in the way these services are now paid for" would be required if the hospital-related services of these specialists were excluded from coverage under the basic hospital plan. Representatives of a number of prominent organizations testifying before the Senate Finance Committee have indicated support for the inclusion of these hospital-related services as a hospital cost. To name a few: the American Hospital Association, the American Nurses' Association, the Group Health Association of America, the American Public Welfare Association, the Blue Cross, the National Farmers Union, the AFL–CIO, the Physicians Forum, and the National Council of Senior Citizens.

One of the foremost physicians and experts in hospital administration in America is Dr. Albert W. Snoke, executive director of the Yale-New Haven Hospital, and past president of the American Hospital Association. That association recently bestowed on Dr. Snoke its highest honor, by presenting to him the "1965 Distinguished Service Award." The May 1 issue of Hospitals, the journal of the American Hospital Association, included some comments by Dr. Snoke on the issue of exclusion from hospital billing of the costs of services rendered by hospital-based specialists. In the article, he warned that the exclusion of these services as a hospital cost would represent taking a "step backward." Such a step, he predicts, would "change drastically a very basic philosophical, formal, and administrative relationship" between hospitals and radiologists, and it "should not be taken except as an open covenant, openly arrived at."

I commend to the attention of Senators, Dr. Snoke's written testimony to the Senate Finance Committee, which not only is an articulate appraisal of the problems that would arise should the hospital-based specialists' services be billed separately from other hospital costs, but also expresses a sincere concern over the financial hardships which the elderly would have to endure should the bill in its present form be enacted. I ask unanimous consent to have printed at this point in the Record the cover article on Dr. Snoke, which was published in the May 1 issue of Hospitals.

There being no objection, the article was ordered to be printed in the Record, as follows:

On the Proposed Exclusion of Hospital-Based Specialists From Hospital Services Included in the Legislation on Financing Health Care of the Aged

I think this is a step backward. It is not in keeping with what hospital service should be or what it has become. The hospital was originally just a place for the dying. It was where you would lie in bed and where someone would feed you and you would have some nursing care. The modern hospital is far more than this. I think you cannot draw any sharp line between what is hospital care, nursing care, or medical care. Those things that I did as an intern or a resident are now being done by nurses, dietitians, or technicians. There is a perfect example in this shifting of roles both in psychiatry and in radiology. In psychiatry, the patient is cared for—and, hopefully, cured—in an environment in which the social worker plays a role, the psychologist plays a role, the nurse plays a role, and actually the sweeper of the floors plays a role. It isn't just the psychiatrist.

Now let's discuss radiology. The technicians can generally do a far better job of taking pictures than radiologists can. In linear accelerator and high voltage therapy installations, radiologists have the assistance of physicists. At present, the hospital charges for this total service. If the radiologist charges for it or for part of it, what is he charging for? The physicist? And where does the physicist's role start and stop? What I am trying to point out is that health care in a hospital is so complicated, so interrelated, and so interdependent that we just can't make these arbitrary distinctions.

Look at what has happened in inhalation therapy. Inhalation therapy has increased in utilization at a spectacular rate. This is a service which requires competent professional supervision and we offer it as a hospital service. The average doctor is still pretty innocent of this new and exciting specialty. We would have been unable to attract an expert physician to our staff to direct this program on a fee-for-service basis for his professional component, no matter how widely the explanation was circulated. Staff physicians would not have understood. The patient wouldn't have understood. The inhalation specialist would either have starved or he wouldn't have come.

Another thing that disturbs me greatly about this proposal to exclude from hospital services the professional fee of hospital-based specialists is the fact that this was proposed and voted in executive session of the House Ways and Means Committee. Previously, the debate was on whether there should be a medicare bill, whether it should be under social security, whether there should be an income test, who is going to administer it, and so forth. There was no fundamental change proposed affecting hospital-physician relationships. And now into the national arena we have thrown a proposal to change drastically a very basic philosophical, financial, and administrative relationship. This change would have fundamental effects on the financial relationships of physician specialists in hospitals. It would have fundamental effects on the very life of Blue Cross. Such a step should not be taken except as an open covenant openly arrived at. When you have something of this importance proposed for adoption without debate and without hearings, it is almost unbelievable.

KEENE, N.H.—ALL AMERICA CITY

Mr. McINTYRE. Mr. President, 2 weeks ago I had the very great pleasure of taking part in the ceremonies at which the city of Keene, N.H., became the first New Hampshire city ever to receive the coveted designation of an All America City.

The annual All America Cities competition, sponsored by the National Municipal League and Look magazine, made a very wise choice in selecting the city of Keene. Those of us who are active in New Hampshire affairs know that the citizens of Keene are truly outstanding in their responsible efforts to better their community.

Although Keene's outstanding accomplishments which have brought glory to both the city and the State of New Hampshire are the results of the work of many citizens, I feel that special recognition should be given to its mayor, the Honorable Robert Mallat, Jr. Bob Mallat is truly representative of the many Keene citizens who take their citizenship seriously, and who have earned for Keene the designation of All America City.

I ask unanimous consent to have printed in the RECORD an article which describes Keene's success. The article was published in the New Englander magazine, published by the New England Council.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KEENE: FIRST IN NEW HAMPSHIRE TO EARN AWARD AS RESULT OF ALL-OUT CITIZEN EFFORT

(By Lois Henning)

KEENE, N.H., situated in the heart of New England and boasting the region's widest paved Main Street, can add to its credits a citizen interest which ranks among the best in the Nation. Chosen as an All America City (and the first from New Hampshire) by project sponsors Look magazine and the National Municipal League, the town of 18,000 shares the honor with 10 other cities in the United States.

Keene residents, in addition to interest and initiative, readily admit to error. In the 1950's these citizens voted out a bicameral council-manager government. They presently realized the merit of such a system, began a campaign, and reinstated a nonpartisan mayor-council-manager system that is in effect today.

Next the citizens turned to the problem of the town's economy, and in 1952 established the Keene Regional Industrial Foundation. Dedicated to the aid, expansion, and diversification of local industry, the foundation was aided 1 year later with the establishment of the Greater Keene Chamber of Commerce. This 300-member organization and the foundation worked together until today they provide one of the finest industrial parks in the region. In addition, the town has one of the lowest unemployment rates in the State despite a 10-percent growth in population per decade.

To maintain this industry and to provide for themselves, the town sought improvement of its transportation facilities. Like many northern New England towns, the decline of the railroad threatened to isolate Keene. The chamber of commerce and the industrial foundation set about to improve the existing town airport until today it is the only airport north of Boston to be served by two airlines. Both Mohawk and Northeast Airlines serve Keene, one of the three regional airports in the State of New Hampshire.

"Operation Discover" was also sponsored by the chamber of commerce. Organized to investigate community needs, the 151 members assisted in bringing about the first zoning ordinance in the State and a comprehensive housing code. As a result of this code, dilapidated, substandard buildings in the downtown area were removed. In their place a 1,700 parking space area was provided within a 2-minute walking distance to the central business district.

In examining recreational needs town citizens instigated the building of 5 Little League baseball fields which serve 16 teams and 240 boys. In addition, the town hosted the 1964 national finals of the American Legion Little World Series. Similarly, horseshoe enthusiasts brought to the town the largest number, 24, of horseshoe courts at 1 site in the world. These courts will host the 1965 national horseshoe tournaments.

Recreational swimming in the area was limited by pollution of all natural facilities. Through the help of the Lions Club, 300 citizens raised $65,000 or half the cost of the 2 town pools now available.

These public pools, located on either side of the town, were augmented when the first recreational facilities built in conjunction with a flood control project were opened. The flood control dams, located in three areas, and built between 1960 and 1964, were constructed to overcome frequent flooding in the region.

Keene residents often turn their endeavors inward to the aid and benefit of their own town. This introspection has led to the establishment, in, 1957, of the town senior citizens center. To aid the poor, Keene residents formed the Greater Keene area program. Their work was recognized by President Lyndon B. Johnson who said, in a telegram to the citizens, "Keene's Task Force Poverty is a particularly gratifying acceptance of my challenge."

In 1958, the town, under the direction of 200 citizens, raised $700,000 for a new YMCA. Three-hundred teens use this facility each weekend for dancing without having rumbles or riots. For the postteens the chamber of commerce and the Industrial Foundation worked for the conversion of Keene Teachers College to Keene State College, a division of the State University system established in 1963. Keene State, with an enrollment of approximately 1,200 students, also provides extension courses for nearby residents and industry personnel.

LEADING LIBRARY

To supplement the college, the town has established one of the leading libraries in the State. In the last years the library has recorded the highest circulation on a per capita basis in the State.

Activities outside the boundaries of their own town also interest Keene residents. A local newspaper campaign examining the care given foster children by the State resulted in a statewide investigation of the welfare department. National interest is extended annually when 150 town residents invite 100 children from New York City to spend the summer in Keene.

International interest is also apparent in Keene. An experiment in international living, a model community ambassador program which sends Keene's young people abroad, and an exchange program with the people of Bolivia are part of this international program.

Since its charter in 1753 and the formation of a city in 1874, Keene has grown in population, industry, education, and recreation. Said Robert L. Mallat, Jr., in his presentation before the judges of the All-America City program, "this is a community of people working for people." Faced with the remaining tasks of low cost housing and housing for the elderly, Keene, N.H., citizens have nevertheless taken significant strides to bring their town the rating of an all-America city.

RESTRICTIONS ON MAIL FROM RUSSIA

Mr. LONG of Missouri. Mr. President, today's "Big Brother" item is a letter from Prof. Theodore Harrison, of Cambridge, Mass. He complains about the harassment practiced upon him by the Post Office Department, in the form of daily postcards which he must return to the Post Office Department in order to obtain his mail from the U.S.S.R.

In my view, it is ridiculous that Congress has given the Department the power to screen and delay the reading matter of American citizens which is labeled "political propaganda." Americans should be able to read what they like, without governmental interference. It is hoped that the Supreme Court will rid us of this law, as violative of the first amendment to the Constitution.

Yet, as long as it is on the books, it is the job of the Post Office Department to enforce it. However, the Department can enforce it in such a way as to minimize, not maximize, the harassment of our citizens.

By burning the records of the Post Office Department on who wants the foreign mail and who does not, the Post Office Department has maximized the harassment. If someone such as Professor Harrison has a daily subscription to a foreign paper or magazine labeled "political propaganda," he will receive from, and must return to, the Post Office Department 365 postcards a year. Under any standard whatever, this is absurd. The Postmaster General should stop it at once.

I ask unanimous consent to have Professor Harrison's letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CAMBRIDGE, MASS.,
April 15, 1965.

Senator EDWARD V. LONG,
Senate Office Building,
Washington, D.C.

DEAR SENATOR LONG: I was delighted to hear you express the conviction that the Post Office Department should confine its activities to delivering the mail. While you are legislating on this important subject I hope that you will also turn your attention to the way in which Communist propaganda is handled upon entry into the United States, because it seems to me that this raises serious constitutional issues both of freedom of information and of confiscation of private property without due process of law.

I am a college instructor and graduate student writing a thesis on Soviet foreign policy at the Fletcher School of Law and Diplomacy. I have for some time subscribed to Peiping Review, International Affairs, and New Times because they are cheap and because it is often convenient to mutilate copies in the process of writing which one cannot do at a library. It outrages me to have to keep returning postcards saying that I want the stuff that I have paid for, and most infuriating of all was my experience last summer when I was away and thus failed to return a postcard in time to meet an arbitrary deadline so that some of my copies were destroyed and my files are incomplete.

It seems to me that anyone who doesn't want such material as this can easily throw it away, and I frankly doubt that the Communists waste their money trying to send it to very many people who don't want it. What this really amounts to is harassment of the academic community; and it seems inane for the Federal Government with one hand to spend huge sums to make this kind of material available to scholars in English, and with the other hand to make things difficult for them when they do the same kind of thing on their own initiative.

This type of postcard can easily be lost, and today I have received in my mail the very same postcard which I attempted to return to the postmaster in New York yesterday. Since it is not at all clear whether he or I is the addressee (although the postage is prepaid) this silly routine could go on indefinitely wasting both my time and energy and that of the post office.

Once again, I think that the important issues here are the inadvertent but frequent confiscation of private property which results from this system and the impairment of freedom of information.

Yours sincerely,

THEODORE HARRISON.

SUPPLEMENTAL FARM LABOR FOR CALIFORNIA

Mr. MURPHY. Mr. President, Mr. William Shea, publisher of the San Diego Union, a tireless spokesman for California agriculture, cogently makes the case for supplemental labor to rescue California farmers from a deep and serious crisis.

I am wondering how long it will take the "stubborn executive" to comprehend, what has been apparent to everyone with experience in the field, that supplemental labor must be approved quickly.

I ask unanimous consent that this editorial, entitled "Stubborn Executive," be inserted in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STUBBORN EXECUTIVE

The rotting crops in California stand as a monument to the incomprehensible stubbornness of a single executive—Secretary of Labor Willard Wirtz.

In the face of ample evidence to the contrary, Mr. Wirtz has insisted dictatorially that enough domestic help can be recruited to fill the needs of California farmers.

Since expiration of the bracero program not only the farmers but State and Federal officials have done their utmost to find the domestic help. They have failed and are asking Mr. Wirtz to reverse his decision and let adequate foreign labor into the fields. He refuses adamantly.

As a result, the farm labor problem in California has reached crisis proportions. Farmers are beginning to plow under ripe field crops and are curtailing plans for next year's plantings.

Major processing firms are making plans to relocate plants in Mexico, which will be the new source of supply for them. And the effects of Mr. Wirtz' dictatorship have spread to supplementary industries.

It is a serious matter that strikes to the heart of California's economy. Agriculture contributes $3.5 billion directly to the State's economy. Related services such as transportation, processing, and services to the farmer, account for another $12 billion a year. A total of 1,750,000 jobs are involved.

If Mr. Wirtz is not overruled, the result of his obstinacy will be tragic. It is time for the people of California and their representatives to go over Mr. Wirtz' head and appeal directly to the President for help.

CRISIS IN CALIFORNIA AGRICULTURE

Mr. MURPHY. Mr. President, Mr. David M. Sacks, general manager and eloquent spokesman of KGO–TV, channel 7, in San Francisco, in a most timely editorial, entitled "Ostrich in the Strawberries," points out that Secretary Wirtz must soon open his eyes to the facts or the entire economy of the State of California will be endangered.

Channel 7 has always been a leading influence in the bay area and here the editorial shows the station's understanding of those subjects which are most urgent for the citizens of the bay area.

Mr. President, I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OSTRICH IN THE STRAWBERRIES

(Presented by David M. Sacks, general manager KGO–TV)

U.S. Secretary of Labor Willard Wirtz is playing the ostrich these days, burying his head in the sand and refusing to face the realities of a growing crisis in California agriculture.

While the Secretary stubbornly hides from facts, our State's multi-million-dollar crop of strawberries is rotting on the plant: There are not enough workers to harvest it.

According to Mr. Wirtz, at his desk in Washington, there is no crisis. He has approved the importation of 1,500 braceros and this, he says, should be sufficient.

But the workers he has approved aren't on the strawberry fields yet—and, as things stand now, when they do arrive there won't be enough of them.

Apparently, there's little hope for the strawberry crop this year, no matter what Mr. Wirtz' informants tell him. California growers are going to lose hundreds of thousands of dollars on the crop. And their loss will cost you and me.

Ahead now are other crops, also threatened by a shortage of labor. Something must be done to prevent their loss too. Without its agricultural income, California's economy could be seriously damaged.

Our fields need harvest workers. We are not going to get them this year from our domestic labor forces. They will have to come, as in the past, from Mexico. Steps to get them here must be taken now.

Channel 7 urges Governor Brown, Senators KUCHEL and MURPHY and our Congressmen to shake Secretary Wirtz' head loose from the sand. He must be set straight. He must be told his sources of information are unreliable. He must be made aware of a crisis that threatens our California pocketbook and the dinner table of a whole nation.

UNFRIGHTENED CRUSADER

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD at this point an item entitled "Unfrightened Crusader," which appeared in the April 16, 1965, issue of Time. The article relates to the viewpoint expressed by Mrs. Juanita Kidd Stout, the first elected Negro woman judge in the United States, with reference to welfare.

There being no objection, the article was ordered to be printed as follows:

UNFRIGHTENED CRUSADER

In Philadelphia last month, seven Negro boys dragged a white girl off a subway platform and tried to rape her on the tracks before they were driven off by a U.S. sailor who went to her rescue. Angry police called for 1,000 more men; cops with dogs began riding the subways. But of all incensed citizens, none acted faster than Juvenile Court Judge Juanita Kidd Stout, who warned that 27 active juvenile gangs threaten to take over the city.

To prevent a repetition of last summer's Negro riots, Judge Stout immediately set herself a personal goal: the jailing of 1,000 delinquents, most of whom, police said, were Negroes. As a result, the judge has already been threatened with death three times. All the more remarkable is the fact that she herself is a Negro—the first elected Negro woman judge in the United States.

LAZY HOMES

A stern moralist of 46, Judge Stout totally embodies her mother's motto: "Make yourself useful." Raised in Oklahoma, she whipped into third grade at the age of six, later taught school and then earned law degrees at Indiana University. In Philadelphia, she practiced criminal law, became an assistant district attorney, and in 1959 overwhelmingly won election to a 10-year term on the county court. Barely 5 feet tall, she peers from the bench atop three extra cusions and often keeps no-lunch court hours that make attendants mutter, "She's made of steel."

Her pet hate is the welfare system: "The tragedy of relief is that it has taken away from people the drive to work. I deplore a system that regards the indiscriminate handing out of checks as its prime function, that subsidizes the lazy and immoral home with the taxpayer's dollar." To stem Philadelphia's juvenile crime (up 27 percent last year), Judge Stout, who is married but childless, advocates taking children away from relief homes and raising them in public dormitories where they can be urged to buckle down to schoolwork.

KNIVES AND CHAINS

The trouble is that Pennsylvania is woefully short of facilities for problem children on the scale she envisions. By tossing the kids in jail Judge Stout has now so dramatized the problem that the State legislature may soon relieve Philadelphia by opening up an old prison and building a new detention center for delinquents. To officials who lament the cost, Judge Stout snaps: "Let them raise taxes. Which is more important: rehabilitation or continued high crime rates?"

The American Civil Liberites Union is not happy with Judge Stout's self-styled "swift justice," which may overlook constitutional niceties. She is also in continuing physical danger; one spectator shakedown in her courtroom recently produced 22 weapons, ranging from knives to scissors to an 18-inch dog chain. Armed with round-the-clock bodyguards, however, the judge goes serenely on her way. "If they can frighten the courts," she says, "they will just take over. I don't intend to be frightened."

SUPPORT OF THE PRESIDENT'S ACTION IN REGARD TO THE DOMINICAN REPUBLIC

Mr. TOWER. Mr. President, I ask that there be printed in the RECORD, for the information of other Senators, a strong and important resolution recently adopted by Huaco Tribe No. 48, Improved Order of Red Men, of Waco, Tex.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

A RESOLUTION

Whereas the Improved Order of Red Men had its origin in America in 1765; and

Whereas this fraternal organization believes that eternal vigilance is the price of liberty. As the oldest fraternity of American origin and teachings, we oppose communism in any form. We pledge anew our wholehearted support to preserve our American way of life; and

Whereas in keeping with the above-named principles we heartily endorse the action of the President of the United States in the handling of the current crisis in Vietnam. We believe that only by continued offensive action against the North Vietnamese is our Government likely to bring an end to Communist aggression and terror in that war-torn country: Therefore be it

Resolved, That the prompt and decisive action taken by the President of the United States to halt the spread of communism and uphold the principles of the Monroe Doctrine in the current crisis in the Dominican Republic is in keeping with the highest ideals of freedom and democracy For those who condemn such hasty steps, let them remember the gallant band of minutemen who stood fast at Lexington and Concord ready to defend their sacred love for freedom. The President has clearly shown the world by his prompt action that we intend to maintain our hard-won freedom at any price. In his words, "We don't want to bury anyone, but we don't intend to be buried ourselves"; be it further

Resolved, That a copy of this resolution be sent to the President with our most sincere wish and prayer that the Government continue to use its best judgment and discretion in problems involving the expansion of communism.

This resolution was adopted by Huaco Tribe No. 48, Improved Order of Red Men at its meeting held in Waco, Tex., Tuesday, May 4, 1965.

FRANK MOSELEY,
Sachem.
CARL R. LEMKE,
Chief of Records.

OPPOSITION TO THE PROPOSED CHANGE IN COTTON PLANTING REGULATIONS

Mr. TOWER. Mr. President, the commissioners court of Childress County, in my State, recently adopted a most important resolution expressing opposition to a proposal of the Department of Agriculture to revise the regulations governing skip-row cotton planting. In order that other Senators may be advised of the views of the commissioners, I ask that the resolution be printed in the RECORD.

I share their view that there is very little reason for the Department to change its regulations. Past cotton rulings of the Department have not, in my view, contributed much to solution of the problems facing the cotton industry. I certainly hope this one is not needlessly implemented.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

A RESOLUTION

Whereas it has come to the attention of the Commissioners Court of Childress County, Tex., that the U.S. Department of Agriculture is proposing to discontinue the practice of skip-row planting of cotton for next year; and

Whereas Childress County is situated in an area of low rainfall, and the discontinuance of skip-row planting will result in an estimated loss of $1 million to the farmers and business interests of this county and will create economic hardships on the great majority of cotton producers of this county: Therefore, be it

Resolved by the Commissioners' Court of Childress County, Tex., That communications be sent to U.S. Senators RALPH YARBOROUGH and JOHN TOWER and Congressmen WALTER ROGERS, BOB POAGE, and GRAHAM PURCELL urging Congress to use its power to prevent a discontinuance of the skip-row practice of planting cotton for next year.

Commissioner Ralph Sides moved the adoption of this resolution and Commissioner Wilmer Rutledge seconded the motion.

The motion was put to a vote and carried unanimously this 10th day of May A.D. 1965.

LEONARD KING,
County Judge.
ODIS SMOTHERMON,
Commissioner, Precinct No. 1.
RALPH SIDES,
Commissioner, Precinct No. 2.
WILMER R. RUTLEDGE,
Commissioner, Precinct No. 3.
CLIFF CAMPBELL,
Commissioner, Precinct No. 4.

Mr. TOWER. Mr. President, I ask that there be printed in the RECORD a forceful and important resolution recently adopted by the Big Spring, Tex., Chamber of Commerce. The resolution sets forth the concern of the citizens of that area about proposed rulings of the Department of Agriculture dealing with skip-row cotton planting. I commend to the Senate the reading of this resolution.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Hon. ORVILLE FREEMAN,
U.S. Department of Agriculture,
Washington, D.C.:

We * * * wish to respectfully bring to your attention the inevitable and widespread ramifications which will be brought about if the present regulations allowing the skip-row planting of cotton are abolished.

To emphasize the fallacy of the projected changes we wish to point out the following pertinent facts:

1. A curtailment of skip-row patterns in cotton planting would result in a tremendous increase in grain sorghum plantings, thereby creating larger, undesirable surpluses of that commodity.
2. Reliable reports from researchers conducting tests on cotton fiber indicate that skip-row produced cotton is of superior quality and therefore preferred by textile mills.
3. The cotton producer has suffered recent, sharply felt disadvantages due to reduced price supports, rising costs and the curtailment of an available labor supply. To take away the advantage of skip-row planting of cotton would result in a more rapid approach toward economic disaster.

In summation: We strongly urge that you reconsider the proposed changes relating to cotton planting patterns and allow the cotton producer the option of skip-row planting thereby enabling him to utilize the only real economic advantage remaining at his disposal.

CARLTON J. CHAPMAN,
Board Coordinator.

NURSING HOMES IN CONNECTICUT

Mr. RIBICOFF. Mr. President, we in Connecticut are very proud of the high caliber of our nursing homes. In numerous institutions for the care of the elderly, the physical and mental needs of senior citizens are met with competence and imagination. Their recreational needs are filled by interesting programs of cultural and social activities.

An outstanding residence for the elderly is St. Joseph's Manor, in Trumbull, Conn. Mother M. Bernadette de Lourdes is an able woman of great foresight, who exudes energy and imagination. These traits make themselves felt in every aspect of her work as the Manor's administrator.

In a recent edition of the Bridgeport Post, one of Connecticut's outstanding newspapers, there was an interesting story about St. Joseph's Manor and other nursing homes in my State.

I ask unanimous consent that this article about nursing homes, which was published on May 9, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CARE OF ELDERLY DESCRIBED AS PROFICIENT: NURSING HOMES IN STATE RANK HIGH

(By Cecelia Vanauken)

The morning that I visited St. Joseph's Manor, situated on a high Trumbull hilltop, I joined Mother M. Bernadette de Lourdes, administrator of this beautiful residence for the elderly, which it seemed to me had rightly been described as offering "a bit of heaven" to its elderly residents.

She was attending a lecture. The subject was astronomy and it was being given by Phillip Stern, enthusiastic director of the Bridgeport Museum of Art, Science, and Industry Planetarium. His talk was a feature of a pilot 6-month course being given at St. Joseph's, supported by a Department of Health, Education, and Welfare grant, to train a group of 21 young women from the community to undertake therapeutic activity programing for we older citizens.

"Are many older people interested in astronomy?" I asked Mother Bernadette when Mr. Stern offered to arrange an astronomy session, with telescopes, some evening on St. Joseph's roof, and also extended an invitation for a busload of St. Joseph's residents to visit the planetarium.

"Oh, my yes," the petite, energetic, and much-loved Mother Bernadette replied. "Older people are interested in all sorts of subjects, and they particularly like to learn new things. It's a fallacy that anyone ever becomes too old to learn."

The full program of cultural and social events, as well as instruction in all sorts of crafts, directed by Sister Jacenta Mary, head of St. Joseph's activities program, apparently keeps St. Joseph's residents happily occupied and interested. The days need never drag.

Connecticut, in fact, has been a pioneer in establishing professionally directed recreation and cultural programs for the elderly in its nursing homes. St. Joseph's is outstandingly furthering this important work by providing interesting and worthwhile activities for its residents.

When the time comes, as it often does sooner or later in many families, that it is necessary to place an elderly relative in a nursing home, it therefore need not necessarily be regarded as a tragedy—not if such a home is chosen with care.

After my visit to St. Joseph's Manor, I felt that an elderly person could not spend his declining years in a more interesting, thoroughly attractive and happy place than there, where there is always some event going on, and where the Carmelite sisters and the nurses are dedicated to serving its residents' every comfort.

But unfortunately not all the applicants to this fine institution, built in 1960, can gain admission. It has a capacity for 285 residents, and a long waiting list.

There are, however, many other Connecticut institutions for the care of the elderly that you need not feel sad about placing an aging relative in, and where his physical, mental, and recreational needs will be met in such a way that he or she will have contentment. Conditions in the majority of Connecticut's nursing homes are far from being as grim as those depicted in an article by Alfred Balk which appeared in a recent issue of the Woman's Home Companion. He described the nursing home situation in the United States as our national shame.

It is necessary, however, for you to make your selection of a nursing home with the greatest care. I visited a home in this State, for instance, where all of its residents were huddled in one small living room, chairs against the walls, and who in boredom were awaiting the passage of time. There was not even a television set to divert them.

"I just have no privacy, and there is no place in this house to walk," said one welfare resident, who was supposed to have walking exercise to benefit an arthritic condition.

But Mr. Balk's condemnation of nursing homes seems far too general, especially in Connecticut where a concerted effort has been made for more than three decades to raise the standards of nursing home care. This work has been carried on outstandingly by the Connecticut Department of Health and by the Connecticut Chronic and Convalescent Hospital Association.

In Connecticut, however, as across the Nation, a serious problem faces the private patient who must become a resident of a nursing home. This problem is finances. A protracted stay of 2 or 3 years may exhaust a lifetime's savings. The majority of today's elderly persons cherish financial independence. They are loath to call upon their children for funds, and hate to accept charity.

Dr. Geraldine Novotny, specialist in gerontology at the Institute of Gerontology at the University of Connecticut, wrote me:

"Most of the elderly cannot pay the costs of a prolonged stay at a nursing home without outside help. Insurance coverage at prices they can afford, for the most part, is not very adequate. There are costs that make a realistic medicare program important to senior citizens."

It is predicted that a medicare program will be passed in 1965 by the 89th Congress.

The passage of the Kerr-Mills law in 1960 was aimed at improving methods of financing medical care costs for persons over 65. Its payments today range from $7.50 to $9.75 a day, according to the type of nursing home to which payments are made.

But M.A.A. (Medical Assistance for the Aged) as Kerr-Mills is called, amounts to considerably less than the sums paid by private patients at nursing homes, whose tab in most proprietary institutions ranges from $12 to $16 per day, or from $4,380 to $5,840 annually.

There are now some 5,300 nursing home residents in Connecticut who receive some form of State and Federal assistance, and this number, with the ever-increasing longevity of the elderly, is being stepped up each year at the rate of 300 to 500 patients.

Dr. Edwin R. Connors, medical director of the State welfare department, reports that payments to convalescent hospitals for the fiscal year, June 1, 1964 to May 30, 1965, will total $12 million. This equals more than half of the State's overall medical budget of $22 million, and makes Connecticut the only State where payments to convalescent hospitals exceed those made to general hospitals.

Connecticut was one of the first States to accept the provisions of the Kerr-Mills law after its passage 5 years ago. In 1963, only 27 other States had voted to accept its benefits by matching funds, and today 8 States still remain which have not adopted it. To be eligible to receive M.A.A., a patient must have used up all but $900 of his private capital.

Residents receiving State and Federal aid get the same sort of care and attention as do private patients, and whatever the resident's financial status, it is kept confidential.

As Mrs. Eleanor B. Baird, administrator of Twin Pines Convalescent home and treasurer of the Connecticut Chronic and Convalescent Hospital Association, told me when I visited her comfortable and well run hospital in New Milford: "When a Twin Pines resident's funds run out and he must resort to M.A.A., he has the same accommodations and receives exactly the same sort of care that he has as a private patient. No one is aware of his change of status."

Dedicated to her work of helping the elderly, Mrs. Baird has long labored to improve nursing home standards. She was a founder and the first chairman of the National Council on Accreditation of Nursing Homes and Related Facilities. This council is cosponsored by the American Medical Association and the American Nursing Home Association, with which the Connecticut Chronic and Convalescent Hosptial Association is affiliated. Mrs. Baird is a former social worker and her husband is a physician.

A bright aspect of present-day care for the indigent elderly is that drab old town farms and city poor houses have been done away with, at least in the State of Connecticut. There are in the State six municipally run chronic and convalescent hospitals, such as Bridgeport's outstanding Hillside Home. These establishments, however, are a far cry from the former old-time charity institutions which were city-managed. This change has come about because now welfare cases are accepted in many of the State's proprietary chronic and convalescent hospitals and homes with nursing care, in its municipal hospitals, its church-affiliated facilities for the aged, and its other affiliated facilities which are supported by eleemosynary organizations. The Masonic Home in Wallingford is an example of the latter category.

The first step toward the promotion of adequate nursing care for the elderly in Connecticut was taken in 1873, when the State Board of Charities was established. It was set up in an effort to abolish the practice of farming out of aged and indigent persons to the lowest bidder and to provide more humane treatment of State wards. In those days care of the aged poor was indeed "Connecticut's shame."

A scandal in 1917 further awakened the State Board of Charities' concern about the kind of care Connecticut's impoverished senior citizens were then receiving. At that time Mrs. Amy Gilligan of Windsor, who operated a boarding home for elderly men, was arrested on suspicion of murder following the death of several of her boarders. She was convicted of slowly administering poison to some of her boarders in order to collect their insurance. She was sentenced to life imprisonment.

The Windsor woman's "Arsenic and Old Lace" crime led to the passage of a law requiring homes caring for two or more persons over 60 to be licensed by the Board of Charities.

Ten years later in 1927 the licensure law for chronic and convalescent hospitals was passed, and a year later the first of these institutions were licensed by doctors in the Bureau of Preventable Diseases of the Connecticut State Department of Health.

The depression opened the public's eyes to the needs of the ever-increasing number of chronically ill geriatric patients. The Social Security Act was passed in 1935, and the following year public assistance grants of $7 a week were made. In 1939, this amount was raised to $9 a week and in 1940 to $40 a month. These rates, however, were far from attractive to nursing home administrators because they did not begin to meet expenses.

Another increment came in 1943, and in 1949 rates for welfare patients were upped to $5 a day, while in 1961 the State Welfare department authorized payment for medical patients in municipal institutions, so that today they are far more pleasant for patients in every way than they were formerly.

Nursing homes in Connecticut have steadily increased in numbers since back in 1920 when one of the earliest homes in the State was started by Mrs. Susan Griggs in Norwich.

She was asked by a Norwich city official to take an 89-year-old woman into her home and care for her. She proved so competent that the Backus Hospital sent her two more patients. She was paid $15 a week for each patient.

Mrs. Griggs subsequently moved to Pomfret, taking her patients with her. Her home, called the Haven, is in operation today and is managed by her son.

Fire and safety regulations came slowly. A calamitous fire which occurred on Christmas Eve of 1945 and caused the death of 20 ill and aged patients at the Niles Street Convalescent Hospital in Hartford led at last to a statewide investigation of fire prevention equipment in private convalescent hospitals and nursing homes. This resulted in the revoking of licenses in a number of homes.

In 1957, a strict fire safety code was adopted which required that nursing homes be of noncombustible construction and have automatic sprinklers, and that homes with 15 or fewer patients have at least 1 attendant on duty at all times. That same year a sanitary code also was adopted with detailed provisions relating to the construction and maintenance of buildings and the housing, care, and safety of patients.

There are several types of nursing homes in Connecticut, which vary in their services. There are the chronic and convalescent hospitals, as this type of nursing home is called in Connecticut, homes with nursing care and boarding homes, as well as chronic disease hospitals, three of which are State operated, Cedarcrest in Newington, Uncason-Thames in Norwich, and Laurel Heights in Shelton.

Homes with nursing care differ from chronic and convalescent hospitals in that the former are allowed to admit only ambulatory cases and therefore may have smaller nursing staffs. If residents in this type of home come down with other than minor illnesses, they must be transferred to an institution licensed to take care of them until their recovery.

All nursing homes, however, are required to have either a resident or consulting physician licensed in Connecticut, who is a member or eligible for membership on the medical staff of a general hospital, who will be available in an emergency and who will assume responsibility for the general adequacy of medical and nursing care rendered in the institution in question. A registered or licensed practical nurse must be on around-the-clock duty.

How is there any guarantee that all of Connecticut's laws and regulations pertaining to nursing homes will be enforced? The hospital division of the State department of health keeps a close check on all of these institutions. It employs a staff of consultants, all of whom are registered nurses, who regularly inspect institutions in their territories. When an infraction of a regulation is discovered, the nursing home administrator is given an opportunity to correct the infraction before any action is taken. Administrators almost always comply.

Another incentive to maintaining high standards is that an accreditation system has been adopted for all nursing homes in the chronic and convalescent hospital category. Connecticut was one of the first States to adopt such a classification system.

By writing to the State department of health in Hartford, you can obtain a directory of all the licensed chronic and convalescent nursing homes in the State. Each chronic and convalescent hospital in this directory is rated. "A" and "B" are the highest with the most services available. "E" is the lowest and offers only minimal services. "C" and "D" are intermediary classes. No matter what the rating, however, all must comply with the requirements of State regulations, or else they wouldn't be in business.

It is not the supervision of the State department of health alone which accounts for Connecticut's generally high level of nursing home operation. It is the dedication also of a great many nursing home administrators themselves which has brought about improved health care for the elderly regardless of their economic status.

More than half of Connecticut's chronic and convalescent hospitals, represented by their administrators, belong to the Connecticut Chronic and Convalescent Hospital Association.

This voluntary association is a member of the Joint Council to Improve the Care of the Aged, a council composed of the American Dental, the American Hospital, the American Medical and the American Nursing Home Association. It works to identify and analyze health needs of the aged, and to develop programs to promote such aims.

Said Francis Dellafera, president of the CCCHA, who is administrator of the well-run and beautiful private Crestfield Convalescent Hospital in Manchester, "Members of the CCCHA are deeply aware of the part their institutions must play in serving the physical, social, and mental needs of the elderly who are assigned to their care. They make every effort to keep abreast with new developments in geriatrics, and this association helps them to do so."

So how are you to determine which one of the State's many nursing homes will be the right one for you or for one of your relatives to enter? It takes a lot of planning ahead, for all of the homes in Connecticut are not of the same desirability.

As Dr. A. J. Tutles, chief of medical services for the Connecticut State Department of Health, who before his present appointment was for many years administrator of the Hillside Home in Bridgeport, said:

"The thinking of the family and the community in regard to the placement of the chronically ill and aged person should be along lines of a two-way traffic flow. Facilities should be affiliated with a patient's home and family life. The placement of the individual should be geared to his needs and always depend upon his functional capacity and not alone on his age and medical diagnosis. It has been said that the true measure of the cultural level of a society is the extent of care which infants and the aged receive. We still have a long way to go before care from the middle to the end of the lifespan is satisfactory."

The family must look for a facility which offers services appropriate to the patient's condition and provides the degree of service he needs.

One of the important things to look for in choosing a nursing home is its location and environment. Are the rooms sunny and attractively furnished? Hillside Home in Bridgeport, for example, has been colorfully decorated with a different pastel shade for each floor.

"You'd be surprised how much cheerful colors mean to our patients," said Mrs. Dorothy French, R.N., who is supervisor of nurses at Hillside and has been a staff member there for the last 35 years.

"Conditions have changed greatly during the long period that I have been at Hillside," she added. "Our residents are more happy and contented than they used to be since so many changes have been inaugurated."

Hillside has an intensive recreational program, and under the direction of Mrs. Elizabeth Farrace, director of the patient activities program, patients learn all sorts of handicrafts.

It is also important to find out what is done about recreation and whether there are handicraft programs at whatever nursing home you may be considering. Will the resident have to sit around in idleness, or will he have an opportunity to attend interesting events and will he have creative work to engage in?

It is wise to plan ahead by finding out just what sort of facilities are available in your community, the cost, and how far in advance you must apply for admission to the home of your choice.

Consult your physician for advice and in evaluation of any nursing home you may be considering, and ascertain whether satisfactory medical services will be available, and whether special diets will be prepared if necessary.

To find out what the food is like, it is a good idea to partake of one of the meals served at the home in question.

It is also wise to check on space, and make sure that each floor has adequate provision for recreational and other activities of patients. Are the lounges inviting? Some nursing homes, formerly private residences, are so small that scant space of this sort is provided.

Also check toilet facilities and be certain that one lavatory is not used by an excessive number of persons.

When entering a relative into a home with nursing care, check as to what provision will be made for his transfer in case of illness. Does the home you are considering make satisfactory provision for such contingencies?

It is heartening to know that while some of the homes you investigate will not prove to be the haven you have in mind, nevertheless you have every chance of finding just the place which will be to the liking of the prospective resident you are trying to place.

For example, my next-door neighbor was faced with the necessity of placing her elderly husband, who was suffering from an arteriosclerosis condition which caused loss of memory. The Eagle Rest in New Preston, a rest home with nursing care, was recommended. He lived in this home happily for 3 months until he died of a heart attack.

There is nothing posh about Eagle Rest, but the coziness of this home, which is near Lake Waramaug and once was a small summer hotel, the tender and devoted care of its administrator, Mrs. Mildred Stocker, and all the members of her staff, make up for any lack of fancy furnishings. Her life is one of dedication to each and every one of her patients, and what could count more to an elderly person than such loving attention?

It is indeed important in all your investigations of nursing homes to try to detect how genuinely interested the owner and the staff are in the welfare and happiness of those in their charge. Make sure that the administrator is not just out to make a fast buck to the neglect of the patients' welfare. You may be able to sense the attitude of the management by observing patients as you make your visits. Do they look happy, well groomed, and well cared for, or do they seem neglected and depressed?

Individual concern for and interest in patients cannot be legislated by the State department of health, but it is encouraging to know that a very great many of Connecticut's nursing homes have dedicated personnel.

In the past three decades, it is aparent that Connecticut's nursing homes have made remarkable advances in the care of the elderly, and that further improvements are constantly being made. They have become an important adjunct to the State's general hospitals, and are playing a vital role in Connecticut's health care.

EDITORIAL COMMENT ON PROPOSED GUIDELINES FOR INTEGRATING PUBLIC SCHOOLS

Mr. THURMOND. Mr. President, I call to the attention of Senators, and especially to the attention of the White House and the Department of Health, Education, and Welfare, three editorials from two South Carolina newspapers, which express concern and alarm over the proposed guidelines by the Office of Education for integrating public schools until title VI of the so-called Civil Rights Act of 1964. One editorial, entitled " 'Big Brother' To Run the Schools," is from the May 17, 1965, edition of the Greenville News, of Greenville, S.C. The other two editorials, entitled, respectively, "The White House and HEW" and "Desegregation of Faculties," are from the May 11 and May 12 issues of the Columbia Record, of Columbia, S.C. I ask unanimous consent that these three editorials be printed in the RECORD at the conclusion of these remarks.

These editorials show how far bureaucrats will stretch whatever delegation of authority is given to the executive branch by Congress; and they illustrate clearly the point that where there is Federal aid, there will also follow Federal control, no matter how impractical, unwise, or unwanted.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Greenville (S.C.) News, May 17, 1965]

"BIG BROTHER" TO RUN THE SCHOOLS

Under the pending Federal aid to education plan, Greenville County would receive directly from the Department of Health, Education, and Welfare or through State agencies about 10 percent, or at the most 15 to 20 percent, of the funds necessary to operate its public schools.

Other counties and districts in this and other States would receive more or less, depending on local circumstances and the Federal programs in which they chose to participate.

But in order to get this money, which has been taken from them in taxes and is offered back with the usual Federal deductions for administrative costs and shrinkage, the educators and the public must pay too high prices. They are being told they must comply with a totally unreasonable and almost incomprehensible set of regulations called guidelines set forth by HEW's Office of Education headed by Commissioner Francis Keppel.

Mr. Keppel seems to be the captive of the most extreme faction of the "liberal establishment" in Washington. In fact, writings on the subject in leftwing publications indicate that this faction can claim primary credit for the requirements and the wording of the guidelines.

At the very least, the guidelines establish as the price of Federal aid total integration of the public schools to an extent and in a manner never contemplated by the most extreme order yet handed down by a Federal court. They seem designed to use Federal aid as a device not to help education, but to mix the races in the public schools regardless of the damage done to the majority welfare and the learning process.

At the worst, application of the regulations would result in chaos, quickly in some instances and more gradually in others.

In the first place, the regulations are so written that it would be almost impossible for a school administrator to draw up a "desegregation" plan that would be both possible to put into effect and acceptable to Mr. Keppel and his bird dogs.

It already has been revealed as futile for a school district to submit a plan offering to go as far and rapidly as it can with "desegregation" which really means forced wholesale integration. HEW will come back and either ask for more or write a letter of approval in which agreement on much more is implied.

Moreover, since the regulations are mere guidelines set up by HEW bureaucrats, they can be altered and made more stringent at anytime and with respect to any school district at the whim of those bureaucrats.

In fact, the Office of Education already has shown itself to be capricious in its rulings and negotiations, for it is asking more of some districts than of others. It seems anxious to get a few districts in a State into the Federal aid trap and, then, gradually drag the others in.

"Divide and conquer" seems to be the strategy—that and a combination of enticement and coercion with the taxpayers' money serving as the carrot and the threat of court action as the stick.

A number of school districts in South Carolina, which are under direct court orders not to discriminate or to assign or refuse to transfer pupils on the grounds of race, have offered to HEW the orders, rules and regulations adopted to conform with those orders and proof that they have complied with the court decrees as evidence of good faith compliance.

HEW officials at one time or another have indicated that this showing would be sufficient. A number of other school districts have attempted to show willingness to abide by those same court decrees and have adopted similar rules and regulations governing assignment and transfer.

These they have submitted to HEW's Office of Education and Commissioner Keppel.

But, as of this writing, none of these have been approved. Nor have the districts been notified that their plans are unacceptable, with one possible exception. In that instance, the school district went further than it later found practicable, but HEW promptly wrote back that the plan was substantially acceptable, but more would have to be done. The district is now in a quandry.

After studying the guidelines, we hardly see how any school district in South Carolina could prepare a plan that HEW would approve; and if it could get a plan approved, it couldn't put it into effect without completely disrupting its school system.

To comply, the district would have to artificially integrate pupils in the schools in order to achieve something called racial balance without knowing just what ratio of whites and Negroes would be considered "balanced."

It would have to do the same thing with administrators, principals, teachers, and "services," whatever that means.

The burden of proof now, or in the event of a later protest or inspection by an HEW bureaucrat, would rest on the school officials. Apparently, it is not enough for the districts to agree to transfer qualified Negro students to the schools of their choice if they apply for transfer. They may have to go out and seek pupils to transfer from one school to another to achieve full "desegregation."

It should be remembered in this connection that the Federal courts, thus far, have ruled that the schools cannot discriminate against any child because of race. But they have not yet said in any clearcut manner that the schools must discriminate against all other children to accommodate members of the "disadvantaged" race.

However, just as the courts rewrote the Constitution to bring about partial or gradual integration, HEW apparently is rewriting the court decrees and extending the Civil Rights Act to bring about total integration at any cost.

The Commissioner of Education has brushed aside evidence of compliance offered by school districts which are attempting to follow to the letter far-reaching court decrees. His office also is keeping in a state of uncertainty other districts which are seeking to comply with the same set of rules—while the deadline for compliance draws near.

Last Sunday a group of southern Governors, some of them hard-line Lyndon Johnson supporters and all Democrats, and some of them "moderates" or "left of center" on the race issue met and discussed the "guidelines." They issued a strong statement of concern and disapproval. It was all the more forceful for what it didn't say in so many words.

This has led to a conference in Washington Tuesday among the Governors and certain U.S. Senators and Representatives. The purpose is to seek modification of the HEW regulations. This seems to be the only hope—short of refusal of Federal aid. And even that may not work, for the Office of Education and the Attorney General would still have the power to force compliance one way or another.

In arguing against Federal aid to education for years, we repeatedly warned that with it would come Federal control. But none of our sources of information led us to believe it would be so far reaching when it came.

Even now, integration is but the beginning. As the program continues and grows, the Federal bureaucracy will reach out and take ever greater power and more complete control over the public schools of the States and local communities.

Ten years ago the general assembly made the school districts of South Carolina almost completely autonomous. That autonomy is now threatened by Washington. "Big Brother" is taking over in a big way.

[From the Columbia (S.C.) Record, May 11, 1965]

The White House and HEW

In administering citizens' funds channeled to them through the Congress and in accordance with the Civil Rights Act of 1964, some Federal bureaucracies seem to be exceeding their legal authority. Indeed, some directives and actions of the Office of Economic Opportunity and the Department of Health, Education, and Welfare appear to be in direct violation of the letter of the law.

Consider HEW's general statement of policies under title VI of the Civil Rights Act of 1964 respecting desegregation of elementary and secondary schools for a starter. Here is a governmental agency's set of rules and regulations that already is being enforced as a "general statement of policies."

Has it received the approval of the President? There has been no indication that White House clearance has been obtained. The Civil Rights Act specifically provides that Federal departments and agencies may guarantee nondiscriminatory behavior "with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute." The educational "policies" constitute a set of rules, regulations and orders, as any educational official or State officer well knows by this time.

Yet, the following sentence of the Civil Rights Act clearly provides that "no such rule, regulation, or order shall become effective unless and until approved by the President."

There has been no indication anywhere, to our knowledge, that the body of administrative law currently being enforced by HEW has cleared the President's desk.

Additionally, HEW cannot, under section 602 of the Civil Rights Act refuse to approve portions of a State's or community's program—under the dictates of section 601—just because there may be noncompliance in some other portion of the program. Termination or refusal, section 602 clearly states, "shall be limited in its effect to the particular program, or part thereof, in which such noncompliance has been found."

Thus, for example, a community's school system desiring a completely nondiscriminatory Headstart program could not be refused its Federal funds until other aspects of the educational system were desegregated to the satisfaction of the bureaucracy.

Yet, contrary decisions have been made and are being made by HEW.

Provisions are made in section 602, additionally, for methods by which compliance or noncompliance can be ascertained, including filing with committees of the House and Senate, and provision is made for judicial review in section 603.

Ignoring the explicit provisions of section 602, HEW is attempting to secure unreasonable, illegal total compliance by holding "for review" whole programs of communities.

Since it is clear that "no such rule, regulation, or order" relating to enforcement of nondiscrimination under title VI "shall become effective unless and until approved by the President," the White House should busy itself, quickly, in enforcing the Civil Rights Act of 1964 within the Department of Health, Education, and Welfare.

[From the Columbia (S.C.) Record, May 12, 1965]

Desegregation of Faculties

Has the Department of Health, Education, and Welfare exceeded its authority under the Civil Rights Act of 1964 by requiring faculty and staff desegregation for local schools to receive Federal financial assistance?

Perhaps so.

There can be no quarrel over the right of HEW to write rules and regulations to carry out the nondiscriminatory assignment of children to schools, but there may be a legal basis for complaint on staff.

HEW's new guidelines declare in section 5B that faculty and staff desegregation shall be carried out through initial assignment and through elimination of prior segregation of personnel.

The threat of HEW is that, unless this is done, Federal funds will be withheld from the offending school.

Yet, section 604 of title VI patently states: "Nothing contained in this title shall be construed to authorize action under this title by any department or agency with respect to any employment practice of any employer, employment agency, or labor organization except where a primary objective of the Federal financial assistance is to provide employment."

In the face of this prohibition and despite title VII on equal employment opportunity, HEW has made "employment practice" a condition of approval for Federal funds to schools.

Could this be direct abuse of the Civil Rights Act?

SUMMARY OF MEDICARE TESTIMONY, MAY 19

Mr. HARTKE. Mr. President, the final witnesses were heard today on the medicare bill, H.R. 6675. I ask unanimous consent that a brief summary of their testimony, similar to that which I have presented throughout the course of the hearings, may appear in the CONGRESSIONAL RECORD. These have appeared on each day of the testimony by public witnesses, with exception of the first day, which I intend to offer tomorrow in order to make the record complete.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF STATE MENTAL HEALTH PROGRAM DIRECTORS

DR. WILLIAM CAMP

Commissioner of mental health, Pennsylvania Department of Public Welfare.

1. For the mentally ill and retarded this is a landmark bill, especially for removing exclusion of public mental hospitals as recipients of Federal old age assistance benefits for treatment of the aged.

2. Recommended deletion of the exclusion in definitiion of "hospital" of one which is primarily for treatment of mental diseases. There is limited coverage in the voluntary section of the bill, but the basic hospital protection is discriminatory without mental hospital inclusion.

3. The mentally ill aged can be successfully treated and restored to families, often quickly. Experience of Louisiana, Oklahoma, North Carolina, and Missouri was cited.

4. Needed intensive treatment in State mental hospital programs can be provided for $17 per day. There are 27,000 new admissions annually to State mental hospitals among the over-65. At average 44-day stay, total cost would be $20 million, but because of the "accredited" hospital requirement (covering 85 public mental hospitals), this would be closer to $10 million, "not an excessive addition to the hospital insurance program."

VINCENT W. ARCHER, M.D.

Radiologist, Charlottesville, Va.; former president, American College of Radiology; speaking as an individual. Retired chairman, radiology, University of Virginia.

1. Radiology is a medical specialty of increasing complexity.

2. Profession is increasing by only about 300 per year, less than the need. To make the specialty less desirable will deter new recruitment.

3. Radiologists should not be included under hospital services but retained with other doctors in the voluntary portion of the bill.

INTERNATIONAL ASSOCIATION OF INDUSTRIAL ACCIDENT BOARDS AND COMMISSIONS

WILLIAM A. CALLAHAN, PRESIDENT

Association of State, Canadian, and other workmen's compensation boards and commissions.

1. Association by membership vote has opposed the encroachment of social security into the field of workmen's compensation.

2. Asks deletion of section 303 portion redefining disability; or amendment to eliminate application of provisions to workmen's compensation claimants.

3. There is already overlap in payments of workmen's compensation and social security disability benefits. This section will increase it, will nullify rehabilitation efforts, will decrease safety program incentives by requiring level payments of all employers rather than reduced rates as reward for good experience.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

FRANK BANE, CHAIRMAN

Commission of 26 members (bipartisan) created by 86th Congress.

1. Commission report, May 1964, made five recommendations in public assistance titles; first two are in the bill. Urge their retention.

2. Urge also incorporation of the other three, embodied in H.R. 6241: (1) permitting waiver of the "single State agency" requirement; (2) giving Secretary discretion to withhold payments "only for those parts of a State plan not in conformity"; (3) establishing a permanent Public Assistance Advisory Council.

3. Judicial review provisions are desirable.

4. Recommend removal of restrictions preventing Federal matching for mental and tubercular patients, in special hospitals rather than only up to 42 days in general hospitals.

E. PAUL BARNHART

Independent health insurance actuary, St. Louis, Mo.

1. Amendment should be made because of bill's attack on legal rights and contractual equities in insurance contracts now in force.

2. Supplementary plan should be deleted; instead, should provide option of continuing voluntary plan in lieu of Federal benefit coverage—still paying the tax, but receiving a subsidy toward premium payments after age 65, equivalent to the value of the benefits under the Federal plan.

RALPH P. COLEMAN

President, Review Publishing Co. (financial periodicals) and of Review Management Corp., (investment trust manager).

1. Cost components are utterly incalculable, a situation laden with the seeds of financial disaster.

2. Too much power is concentrated in the Secretary of Health, Education, and Welfare. The Health Insurance Benefits Advisory Council and National Medical Review Committee should have automatic membership from such groups as American Medical Association and American Hospital Association.

DANGER OF MISCALCULATION IN VIETNAM

Mr. PROXMIRE. Mr. President, the administration has made every effort to end the fighting in Vietnam and lay the groundwork for negotiations leading to a peaceful settlement. Each of President Johnson's efforts has been rebuffed, including the recent cessation of bombing raids on North Vietnam.

The fact that President Johnson has shown a genuine desire to implement a cease-fire so that negotiations can begin should not be interpreted as a sign of weakness or lack of will to continue in the defense of South Vietnam, however.

The danger of such a miscalculation is spelled out vividly in an article by James Reston, which appeared in today's New York Times. Mr. Reston details the President's efforts to end the fighting in Vietnam, then warns that such efforts should not be mistaken for weakness on the part of the administration. And he aptly points out that because Hanoi failed to take advantage of the pause in the bombings, the battle will probably get worse before the President will consider another such pause.

I ask for unanimous consent to insert the article at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WASHINGTON: THE DANGER OF MISCALCULATION IN VIETNAM

(By James Reston)

WASHINGTON.—The danger now in Vietnam is that the Communists will miscalculate the character and psychology of President Johnson.

The pro-Chinese elements, who are now reported to have the greatest influence over the North Vietnamese Government, have let the pause in the bombing go by without responding to President Johnson's public and private efforts to start negotiations. And they are apparently operating on the assumption that the strategy and tactics they used to defeat the French there in 1954 will succeed again against the United States.

It is a risky assumption. They may be able to bring the war to a critical battle on the ground, as their same general, Vo Nguyen Giap, did in the conquest of the French at Dienbienphu in 1954, but the balance and location of power are now quite different.

THE FALSE ANALOGIES

The American forces are not trapped in the encircling hills of a Dienbienphu. They are concentrated on the coast with easy access to the sea. Even if the American land airfields were knocked out, as the French airfields were neutralized at Dienbienphu, the United States has more power on its aircraft carriers off the coast than both sides could command in the decisive battle against the French 11 years ago.

The Communist hope of a quick and decisive victory during the period of the monsoon rains requires the destruction of the American command, and nothing could be further removed from Lyndon Johnson's Texas frontier psychology than to tolerate such a disaster, no matter what weapons he had to employ to avoid it. This is the danger of any such Communist miscalculation.

It is conceivable that the United States could be invited out by the South Vietnamese, or negotiated out at an international conference, or even worn out in a protracted war, but to be thrown out is the one thing that is least likely under Johnson, and any attempt to throw him out of Vietnam would only unify the Nation behind him.

JOHNSON'S INITIATIVES

He believes he has now tried to meet every honorable proposal for a negotiated accommodation, and every military restraint short of nonresistance or ineffective resistance.

He tried to hold the line with a few thousand noncombatant advisers. It didn't work. He let the advisers fire when they were fired on. He tried limited retaliatory force for attacks on American ships in the Gulf of Tonkin, then retaliation for attacks only on American bases on land, and then retaliatory attacks for Vietcong raids on the South Vietnamese.

He tried not going beyond the 17th parallel into North Vietnam. Then he tried going north, first to hit military targets and then subsidiary transportation targets; and at the private urging of the Russians, the British, the Japanese and influential citizens at home, he stopped the bombing temporarily and at the same time urged negotiations both publicly and privately, through the Canadians.

The lack of any positive response from Hanoi does not mean that Washington will now order any dramatic increase in the severity of the bombing, but it will go on for a time, and there will then probably be another pause and another call for negotiations.

Meanwhile, the North Vietnamese apparently believe they are still winning and will probably have a go at the U.S. forces on

the ground, and this is their dilemma. For every success they have on the ground will cost them at least double in retaliatory strikes from the air until they agree to talk.

This is the policy of the U.S. Government, so far as it can be ascertained. It does not aim at the destruction of North Vietnam or at any change in the social or political structure of the North Vietnamese regime.

SELF-DETERMINATION

It implies the right of self-determination for the South Vietnamese, even the right to create a coalition government with the Communists if they so desire, though Washington certainly does not desire this.

In the view of this Government, this suggests concessions of free elections that previous U.S. Governments were not prepared to risk, but the silence of Hanoi and the savage opposition of Peiping to any talks have only convinced the Johnson administration that these offers plus the pause in the bombing were merely interpreted in Hanoi as signs of weakness in Washington.

Accordingly, the bombing has started again, and the battle will probably get worse before the President decides on another pause and another opportunity to talk about peace.

GOVERNMENT PROPERTY RIGHTS

Mr. METCALF. Mr. President, there has been some discussion during the past couple of years about the President's patent memorandum of October 1963. One Member of the other body has even attempted to substitute it for the Long amendment in the Appalachian bill. Fortunately, this attempt was frustrated by the good sense of the House.

The Long amendment is clear and definite, and its widespread adoption will result in the type of policy which would strengthen our economy by insuring that the fruits of publicly financed research and development are made available not to just one company but to all of industry. It would mean that an enterprising citizen in Montana, Alabama, Mississippi, or Arkansas would be able to use a process or produce a commodity developed with the public's money without paying tribute in the form of royalties to those who have acquired property rights as a result of securing a Government contract.

The patent memorandum of October 1963, on the other hand, is vague, indefinite, and can be interpreted in any way desired. It was designed to please everybody. The memorandum is so confusing that an official interpretation had to be formulated. And who were the official interpreters? Representatives from certain Government agencies got together and tried to figure out what it meant. This group, the Patent Advisory Panel, was under the chairmanship of Dr. William Eaton, Deputy Assistant Secretary for Science and Technology in the Commerce Department, which, as one of its former high officials stated: "represents the point of view of business in the administration"—statement by Commissioner Ladd in Patents, Trademark, and Copyright Journal of Research and Education, volume 5, 1961, conference No. 49. Not to be outdone by anyone in his solicitude for special interest groups, Dr. Eaton announced "that he is receptive to industry's views in interpreting the memorandum—letter from Pharmaceutical Manufacturing Association to Dr. Donald Hornig, March 5, 1964, reprinted in hearings on Drug Safety, part 1, page 322, hearings before a subcommittee of Committee on Government Operations, House of Representatives, 64.

One of the leading lights of this group is Mr. David Z. Beckler, assistant to Dr. Hornig, who wrote the memorandum and who is now running around, falling all over himself, trying to find cases which might justify giving away the Government's rights. Not only is he anxious to give away the public's property rights but he wants to do it before the Government even knows what it is giving away—interoffice memorandum from D. Beckler to Dr. Hornig, March 24, 1965. This is what industry wants and this is, of course, what the Commerce Department wants to do and has been doing for years.

During the course of its labors the Patent Advisory Panel found the memorandum so confusing that it came up with eight drafts. The first seven were so distorted and were such a blatant violation of the interests of the public that they could not stand the light of day. The eighth one met such vociferous opposition from the Department of Justice, the Department of Health, Education, and Welfare, and the Federal Aviation Agency that the Federal Council for Science and Technology turned this one down, also. In spite of this, the Patent Advisory Panel issued it, anyhow.

The Justice Department stated that the so-called interpretation "is a distorted interpretation of the President's policy," and that "this Department can neither permit itself to comment on those aspects of the proposed interpretation that it believes depart from or unjustifiedly expand the language and intent of the policy"—letter from Nicholas deB. Katzenbach to Dr. Donald F. Hornig, dated November 13, 1964.

The Department of Health, Education, and Welfare stated:

> Our general objection to the proposed interpretation is founded upon its orientation in favor of the so-called license policy. We, in this Department, have not regarded the President's statement as one which is so favorably disposed toward a license policy. On the contrary, the thrust of the statement, and the President's memorandum transmitting it, in our opinion, is in the direction of the title policy. This view, incidentally, is also consistent with and is supported by congressional policy as expressed in the statutory patent provisions for the taking of title to inventions contained in the Atomic Energy Act, the NASA Act, the Water Desalinization Act, and the Coal Research and Development Act.[1]

What the Department of Health, Education, and Welfare is saying here is that it believes that the memorandum provides that the Government should normally acquire title on behalf of the American people to those inventions and discoveries which have been financed by public funds. The interpretation, on the other hand, takes the opposite view.

In addition, the Department of Health, Education, and Welfare made 30 recommendations, which they considered a minimum effort, to make the interpretation more realistically consistent with the President's statement, but, I am sorry to say, not a single one—not a single one—was accepted by the Patent Advisory Board.

It seems pretty clear, Mr. President, that there is a group in the executive branch of the Government, unknown to the public, unknown even to Congress, that is working day and night, trying to conjure up all kinds of reasons for giving away the public's property to special interest groups. This attempt has been going on for a long time. As far back as 1962 the Bureau of the Budget was circulating a draft of proposed legislation to accomplish this, but it became apparent that there was no agreement among the executive agencies. The Council of Economic Advisors protested. The Department of Justice and the Federal Trade Commission wrote strong letters of protest. The attempt to get legislation was finally abandoned because of expected opposition in the Congress, and the strategy was shifted to an Executive order, which was in turn changed to an executive memorandum.

The drafters of the memorandum wished to promulgate a policy which would encompass the whole Government, but they were warned by the Department of Justice that it was not legal and would fly in the face of congressional policy. Mr. Katzenbach, who was then the Deputy Attorney General, stated:

> As you know, there are existing statutes controlling Government patent policy in specific fields of scientific endeavor, such as atomic energy, or the contracts let by specific agencies, such as NASA, which do not, in our view, permit such agencies or any agency contracting in such fields to grant exclusive rights to the research contractor, at the time of contracting in inventions produced by the contract. For this reason it is not legally possible to make the patent policy you describe a uniform one as to all Government agencies and all scientific fields, by Executive action. Moreover, I believe it would be inadvisable to attempt to reverse by such action the policies of administrative agencies which, pursuant to flexible statutory authority are presently retaining greater rights in such inventions than those contemplated by the proposed policy. Some agencies, such as the Post Office Department, presently retain title for the Government as to all research contracts; others, such as the National Science Foundation retain title to all contracts in a particular field; others such as HEW, require public dedication of certain inventions; and FAA has a unique policy of using invention rights to recover research costs.
>
> We are not prepared to say, on the basis of any evidence brought to our attention, that such deviations from the proposed policy in the direction of greater rights for the general public, presently followed by numerous agencies, are unsound. This is particularly true where an agency has evolved such a practice in response to its own public service responsibilities. Since the Defense Department has no comparable responsibility it would be unfortunate to suggest that the proposed standards provide appropriate criteria for public service agencies.
>
> It should also be borne in mind that the ultimate power in this field clearly resides in

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[1] Memorandum from Department of Health, Education, and Welfare to Dr. Hornig, chairman, Federal Council for Science and Technology, dated Oct. 26, 1964.

> Congress and Congress has repeatedly chosen to exercise this power by acting upon principles sharply opposed to some of those embodied in the proposed policy.
>
> As you know, this Department is on record with Congress as opposed to any legislative solution of this problem which would permit the granting of exclusive rights to the contractor when the contract is made. We have not been persuaded that this position is unsound.[2]

Senator **Ribicoff**, who was at that time, Secretary of Health, Education, and Welfare, vigorously protested, in May 1962, against the proposed policy. He pointed out that—

> The statement of policy considerations seems to be unduly weighted in the direction of a consideration of the interests of industry in this entire matter. It would seem more appropriate for the emphasis in such statement to be cast more heavily upon the rights of the public to inventions derived from activities supported or paid for by public funds. The question of rights to inventions, at least in the field of health or welfare, should not be determined by considerations of factors pertinent to the contractor rather than the public interest.
>
> It is noted that provision is made whereby greater rights may also be acquired by a contractor after the invention has been identified where the invention constitutes an improvement in a product or process of a contractor and the making of such improvement is not a primary object of the contract. It can be anticipated that where, for example, inventions of nonhealth nature derive from health research, that the contractor would consistently claim greater rights in the invention. This provision would provide him with significant support for his contention and the result would, in a sense, ignore the rights of the public to inventions flowing from research financed by public funds. The fact that the invention may not be health-or-welfare related or may have commercial value does not appear to be, in itself, either an equitable or moral justification for requiring the public to pay twice for that invention.[3]

Mr. **Ribicoff**, aware of the pressures exerted on public officials warned about the danger in the use of the phrase "exceptional circumstances":

> The phrase in "exceptional circumstances," is relatively vague and indefinite and, in the absence of any indicated criteria in the policy itself would appear to leave considerable latitude to each agency head to determine what constitutes such circumstances. While this does have the advantage of providing flexibility, it does have the disadvantage of exposing agency heads to the pressures of those contractors who would urge that each circumstance of hardship, however slight, represents an exceptional circumstance calling for more generous allocation of invention rights.[4]

Mr. **Ribicoff** sums up by saying that—

> If there is any single criticism of the draft statement that I would make, it would be that it lacks a forthright statement of what the public interest is or requires in connection with inventions, deriving from Government support, particularly in the fields of health, education, and welfare. It would also strengthen the statement to include some reference to the responsibilities of the sponsoring Government agencies to insure the widespread availability of knowledge, developed with public funds, for the broadest possible public use.[5]

The Administrator of the Small Business Administration, in his comments, complained:

> That large concerns received the great bulk of the Government procurement expenditures and an even larger share of the Government's research and development expenditures. Thus, under present Defense Department policies, they are the ones who can and do accumulate patent portfolios which may dominate future commercial business. In our opinion, perpetuation of this situation is both unwise and unsound.[6]

Now, what conclusion can we arrive at after reading the comments of the Department of Justice, the Department of Health, Education, and Welfare, and others?

I can come to only one conclusion, and that is that the entire public interest aspects are being ignored in efforts to protect special interests.

I expect the U.S. Chamber of Commerce, the National Association of Manufacturers, and other trade and industry groups to represent their business constituents, and they do so very ably and legitimately. I do not expect Government officials, who are paid by the public, however, to act as lobbyists on behalf of special interest groups. If the public officials feel that their predispositions or their philosophies do not permit them to protect and advance the interests of the public as a whole, then they should join the special interest groups openly. This applies to Mr. Beckler, Mr. Eaton, and the General Electric Co.'s alumnus in Government, J. Herbert Holloman, now Assistant Secretary of Commerce for Science and Technology.

The President's memorandum of October 1963 was an attempted compromise of conflicting interests, with the Council of Economic Advisers, the Department of Justice, and the Federal Trade Commission opposing the giveaway aspects. The memorandum, which by its very nature, was unsatisfactory from a public policy point of view, did appear to protect the public in a few instances and in a very minor way. But the so-called official interpretation of the memorandum prepared by representatives of special interests is basically a widening and expansion of the exceptions in the memorandum. Very little, if anything, is left for the public.

Mr. President, this is not a patent problem. We are not dealing with the patent system nor with the administration of the Patent Office. This is a question of property rights and the issuance of the so-called interpretation should be a lesson to all of us. It shows how necessary it is to make it entirely clear that when the public's money is being used to create property—tangible or intangible—that property must belong to the public, and only the Congress of the United States, according to article IV of the Constitution, has the power to dispose of it.

Mr. President, in order to acquaint the American people with these matters which vitally concern them, I ask unanimous consent that some of the more recent documents to which I have referred be printed at this point in the Record.

There being no objection, the documents were ordered to be printed in the Record, as follows:

U.S. Department of the Interior,
Office of the Solicitor,
Washington, D.C., September 30, 1964.

To: Members of Patent Advisory Panel.

From: Ernest S. Cohen, Assistant Solicitor, Branch of Patents, Department of the Interior.

Subject: Implementation Bulletin No. 1, Interpretation of the President's Memorandum and Statement of Government Patent Policy.

The memorandum from the chairman concerning this meeting did not, it is believed, accurately state the net results achieved by the Planning Subcommittee. While there was a considerable degree of accommodation of views, there were significant areas where there was not real agreement, and only a surface unity at best was attained. Also, in the case of many agencies represented, the delegates were not authorized to bind the agencies. Hence, the statement that the document has the "general concurrence" of the agencies is incorrect.

The statement that the document "in its present form is generally satisfactory to the Government agencies having the most pressing need for such interpretation" when considered with the last paragraph on page 19 and the first full paragraph on page 20, means that it is satisfactory to the agencies which had a license orientation. As will be discussed more fully below, these paragraphs are an apologia for the license policy and cannot be accepted by other agencies with differing policies unless they are willing to concede that acquiring title for the Government results in research of lower quality.

In the interpretation proper; page 4, item (5), it is not clear how this would operate, nor is this guideline expressly found in the President's statement. If it is intended to foreshadow the paragraphs on pages 19 and 20, then it should be specifically repudiated. If something other is intended, then this is not apparent.

Pages 11 and 12; the definition, examples and discussion of public health and welfare leave gray areas which could be confusing to a contracting officer. The statement that public welfare is that which directly contributes to man's continued existence would appear to apply more immediately to an anti-missile missile which unerringly seeks out approaching nuclear missiles than to a new seat belt. The reason for excluding the anti-missile missile from the scope of public welfare is not made clear in the bulletin. Clothing is excluded from the list of examples given, although warm clothing in the Arctic is as much a necessity as food.

It is suggested that the following criteria should be met in order to have a contract placed in a 1(a) 2 category.

1. The benefit must flow to the individual directly, and not through the intermediary of the Government. Thus, in anti-missile missile, the individual benefits through the constitutional duty of the Government to maintain armed forces to provide for the national defense. However, in developing an antitoxin for a disease, the individual benefits directly.
2. The contract must concern necessities of life, not luxuries.

Contracts meeting these criteria would be in the fields of (a) public welfare: the staple foods, water, air, weather modification, special clothing for severe climatic conditions, residential housing; (b) under public health: medicines, medical equipment, instruments, methods, and processes for treatment of disease; (c) public safety needs of nonmilitary nature; seat belts, road safety devices.

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[2] Comments of Department of Justice on proposed statement of Government patent policy (May 29, 1962, draft).

[3] Staff Technical Comments on Proposed Statement of Government Policy (May 29, 1962, draft).

[4] Ibid.

[5] Ibid.

[6] Comments by SBA on proposed statement of Government patent policy (May 29, 1962, draft).

Page 17, first paragraph, more than one example of exceptional circumstances should be given to avoid the danger of a too literal copying by contracting officers.

Arrangements other than the Government paying a contractor for performing a designated piece of research are possible and have been entered into. These may create exceptional circumstances due to the contractor's substantial contributions, which would justify granting the contractor greater rights. The following are examples of such contract arrangements:

1. Cooperative research, where the Government furnishes personnel, know-how and facilities, and the cooperator contributes to the Government either a sum agreed upon, personnel, or equipment, or any combination thereof.

2. Joint research, where the contractor does the work and the Government and contractor share the cost.

Pages 19 and 20, bridging paragraph:

The statements here are completely unacceptable. To hold "that the purposes of this section are to encourage the contractor to direct, completely and without restraint, his best personnel and his total knowledge and know-how to the solution of the Government's research program * * *" is to imply that in the absence of the grant of such greater rights, the contractor would be lax in his efforts. This impugns the integrity of American industry and is an unwarranted blanket charge. Furthermore, for the Interior Department and others to agree to this statement would amount to an admission that its general policy is in error.

It is not seen that this portion adds anything which aids a contracting officer in interpreting the President's statement. On the contrary it merely stirs up needless controversy and should be deleted.

Page 20, first full paragraph, this paragraph would be clearer if it stated that the contractor was held to have technical competence in the field and hence was held to be entitled to have the principal rights in any inventions under the contracts.

Page 24, the difficulty with this definition of "governmental purpose" is that it attempts to change by administrative interpretation a term which has been part of the patent statutes since at least 1883 in the Free-Fee Act, now 35 U.S.C. 266, wherein the Government could obtain a patent for a government employee provided it received a license for "governmental purposes." It is believed accurate to state the the term in the statute has never been given this breadth of interpretation. To do so now would adversely affect employees' rights under Executive Order No. 10096. It would be better to delete the phrase in the first parentheses in the definition and achieve the same results intended by defining Government as "the Government of the United States (including any agency thereof, State or domestic municipal government)". If in a contract only the U.S. Government is intended, suitable phrasing is readily available.

ERNEST S. COHEN.

FEDERAL COUNCIL FOR SCIENCE AND
TECHNOLOGY, PATENT ADVISORY
PANEL, U.S. DEPARTMENT OF
COMMERCE,
Washington, D.C., October 9, 1964.

To: Dr. Donald F. Hornig, Chairman, Federal Council for Science and Technology.

From: Dr. William W. Eaton, Chairman, FCST Patent Advisory Panel.

Subject: Patent Advisory Panel recommendation for a published interpretation of the President's memorandum and statement of Government patent policy dated October 10, 1963.

The Patent Advisory Panel's progress report to the Federal Council dated June 1964 reported that the working experience of the panel and its subcommittees had revealed that various agencies had placed different interpretations on certain key phrases found within the policy statement. The report also stated that it was believed that unless additional guidance was given, the problem of proper interpretation would only become exaggerated if left to the unguided judgment of the hundreds of contracting officers throughout the Government. Our further experience has confirmed this belief. In order to effectuate the purposes of the President's policy statement in establishing a governmentwide patent policy, and before the practices of the agencies pursuant to the policy can be recorded and evaluated, it is mandatory that the policy statement be uniformly interpreted and consistently applied.

The Patent Advisory Panel has therefore attempted to arrive at a more detailed interpretation of the President's policy statement. The results of this attempt were indicative of the need for such an interpretation, as unanimity of opinion could not be obtained, particularly as to the purpose and scope that was intended by the wording of particular sections.

However, a large majority of the Patent Advisory Panel members gave their general approval to the publication of the enclosed interpretation. Although this interpretation does not in every respect represent a unanimous opinion of all Panel members, it does have the approval of the Panel members who represent those agencies having by far the largest research and development programs, and, hence, the largest responsibility in the distribution of resulting invention rights. In addition, no member of the Panel was of the opinion that this interpretation would prevent his agency from operating under the policy statement in a manner deemed to be consistent with his agency's mission, nor would this interpretation impose any serious administrative problems on his agency in operating under the policy statement as interpreted.

As Panel chairman, I strongly recommend that this interpretation be approved by the Council and published at the earliest possible date since there is an urgent need to assist contracting officers throughout the Government in achieving a consistent application of the President's policy statement. Unless the Patent Advisory Panel establishes a uniform interpretation of the policy statement, at least the larger agencies will be forced to design and publish individual agency interpretations which, in my opinion, would defeat the purpose of the President's policy statement.

I have requested those members of the Panel whose agencies are represented on the Federal Council to present any dissent they may have to the proposed interpretation through their Council representative. Those members of the Panel whose agencies are not represented on the Federal Council have been requested to submit any dissent they may wish to express either through a written memorandum addressed to the Federal Council or, if they desire, by requesting that a policy level representative from their agency attend the Federal Council meeting in person in order to present their agency's opinion.

The Department of Justice representative on the Patent Advisory Panel stated that he could not give his agency's approval to the enclosed interpretation, and it appeared that his disagreement was based on major policy differences which could not be overcome without substantially rewriting the interpretation. For this reason, and for the reason that section 3 of the policy statement refers to consultation between the Federal Council and the Department of Justice, it is recommended that the Department of Justice be invited to attend the portion of the Council's meeting on October 27 which will be devoted to the interpretation. As Mr. Katzenbach was instrumental in obtaining the Justice Department's approval in the issuance of the President's policy statement, it is recommended that his personal attendance be invited to this meeting.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, October 26, 1964.

To: Dr. Donald F. Hornig, Chairman, Federal Council for Science and Technology.

From: Dr. Edward W. Dempsey, Special Assistant to the Secretary (Health and Medical Affairs).

Subject: Patent Advisory Panel recommendation for a published interpretation of the President's memorandum and statement of Government patent policy dated October 10, 1963.

Responding to the request of Dr. Eaton in his memorandum of October 9, that agencies represented on the Federal Council present any dissent which they may have to the proposed interpretation through their Council representatives, the following observations are made on behalf of this Department.

At the outset, I should like to correct the impression created by the statement contained in Dr. Eaton's transmittal memorandum, at the top of page 2, that the proposed interpretation "does have the approval of the panel members who represent those agencies having by far the largest research and development programs, and, hence, the largest responsibility in the distribution of resulting invention rights." This Department does not wholly approve of the proposed interpretation; yet its financial support of research and development in the fields of public health, education, and welfare is of such magnitude that it has a substantial share in responsibility for research and development and in the distribution of invention rights.

Our general objection to the proposed interpretation is founded upon its orientation in favor of the so-called licensed policy. We, in this Department, have not regarded the President's statement as one which is so favorably disposed toward a license policy. On the contrary, the thrust of the statement, and the President's memorandum transmitting it, in our opinion, is in the direction of the title policy. This view, incidentally, is also consistent wtih and is supported by congressional policy as expressed in the statutory patent provisions for the taking of title to inventions contained in the Atomic Energy Act, the National Aeronautics and Space Administration Act, the Water Desalinization Act, and the Coal Research and Development Act. While the following specific recommendations will not completely overcome this major difficulty, we urge that they be adopted as a minimal effort to make the interpretation more realistically consistent with the President's statement:

1. The paragraph commencing at the bottom of page 20 and carrying over to page 21 of the proposed interpretation should be completely deleted. It clearly implies that in those situations in which the Government would retain title or the right to acquire title under a contract for research, the Government receives from the contractor something considerably less than his best efforts, the services of his most highly qualified personnel, or his total technical know-how with which to do the job called for by the con-

tract. Such a concept cannot be supported by any demonstrable facts that we are aware of, and only serves to undermine the title policy of any Government agency by damning its contracts as productive of only second-class work or competence. We question whether such agencies could long adhere to a title policy in the fact of a pronouncement to such effect carrying official endorsement of the Federal Council.

2. The interpretation does not clearly reflect what we regard to be the firm intent of the President's statement, i.e., that sections 1(a), 1(b), and 1(c) of the statement be applied to contract situations sequentially. We believe that a contract which falls within the criteria of section 1(a) of the President's statement must, except for what might be regarded as "exceptional circumstances," require the application of the principles set forth in section 1(a). We do not read the President's statement as permitting the evaluation of such a contract situation under sections 1(b) or 1(c) once it is determined that the contract falls within 1(a). The failure of the interpretive bulletin to explicitly articulate this method of applying the statement dilutes the force and effect of the statement insofar as it seeks to encourage Government agencies to apply a title policy to situations falling within section 1(a).

3. Bearing in mind that a major objective of the statement is to achieve greater consistency among Government agencies in patent policy and practices, the statement appearing at the top of page 10, interpretive of subsection 1(a)(1), "Therefore, the particular mission of the agency involved becomes important in interpreting this section," should be deleted. It hinders the achievement of such greater consistency among Government agencies engaged in support of research in the same or similar fields.

We urge the Council to adopt these recommendations and thereby shift, at least in part, the present emphasis of the interpretation.

FEDERAL AVIATION AGENCY,
Washington, D.C., October 26, 1964.

To: Dr. Donald F. Hornig, Chairman, Federal Council for Science and Technology.

From: N. E. Halaby, Administrator, Federal Aviation Agency.

Subject: Proposed interpretation of the President's patent policy statement.

The Federal Aviation Agency recommends against adoption and publication of the proposed interpretation of the President's statement of Government patent policy recommended by the Chairman of the Patent Advisory Panel. As written, it will require us to continue our present practice of acquiring title to patents under our contracts, but at the same time it will weaken our ability to function effectively while following that practice, because: (1) The philosophy expressed in the paper, contrary to the public declarations of the Attorney General of the United States and the spokesmen for the majority in the Congress, constitutes a strong defense of the "license" policy, and a damning, through faint praise, of the "title" policy; and (2) where we are obliged to take title to patents, the paper will require other agencies to leave title to patents with their contractors when they buy identical products, from the same contractors, under identical circumstances, where the only difference is in the mission of the Agency which lets the contract. (This is, of course, contrary to the basic purpose of the President's patent policy statement which was to achieve consistency among Government agencies in this respect.) The result can be resistance to the terms FAA is required to demand, by companies which would be treated more generously by other agencies under the proposed interpretation.

We feel, in addition, that the paper was too hastily presented to the Council. In order to meet the deadlines necessary to get the paper before the October 27 meeting, there was no discussion or consideration by the Patent Advisory Panel of written requests for amendments offered by several members of the panel; these amendments are, for the most part, not included in the draft before the Council; and some amendments were made without discussion or consideration by the panel.

Finally, we feel that the paper should not be published without first soliciting the views of the congressional leaders in the field. Congress has shown considerable interest in Government patent policy, and there is every evidence that this interest will continue.

It was the general consensus of a majority of the Patent Advisory Panel that the paper now under consideration reflected a bias in favor of the "license" policy. This, it seems likely, will provoke strong opposition by Congress, which has generally shown a disposition to favor the "title" policy. The extent, and probable result of this opposition should be carefully assessed before the Council considers adopting or publishing the paper recommended by the Chairman of the Patent Advisory Panel.

We renew our requests for amendments to the proposed interpretation which were presented to the Patent Advisory Panel; we support the amendments proposed to the panel by the Departments of Health, Education, and Welfare, Interior, and Agriculture; and we support the position of the Attorney General in opposition to the proposed interpretation.

HAROLD W. GRANT,
(For N. E. Halaby, Administrator).

NOVEMBER 5, 1964.

To: David Z. Beckler, OST; Howard C. H. Williamson, DOD; Manuel B. Hiller, HEW; D. L. Siegel, FAA; Miles F. Ryan, Justice.

From: James E. Denny, Executive Secretary FCST Patent Advisory Panel.

Subject: Ad hoc committee meeting of November 10, 1964.

In accordance with the recommendations made by the Planning Subcommittee during its meeting of November 2, 1964, the ad hoc committee, formed to prepare an initial redraft of the interpretation of the President's policy statement, will meet at 2 p.m. on November 10, 1964, in room 5683 of the Department of Commerce Building. The enclosed redraft of the interpretation will be considered at this meeting.

Primarily, the redraft consists of Implementation Bulletin No. 1 in the form of an interpretative statement, rather than a bulletin, with the background and general philosophy of the President's patent policy deleted wherever possible. An attempt has also been made to modify those sections on which there is known disagreement, and to soften the language throughout the statement to help overcome the objection that the statement is biased in favor of a license policy.

It is hoped that the member from the Department of Justice will be prepared with his department's comments in regard to removing the bias from the language of the Implementation Bulletin No. 1.

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., November 13, 1964.

Dr. DONALD F. HORNIG,
Chairman, Federal Council for Science and Technology, Executive Office Building, Washington, D.C.

DEAR DR. HORNIG: This will acknowledge receipt of your letter of October 30, 1964, requesting the Department of Justice to provide specific comments on those aspects of the present draft interpretation of the President's statement on Government patent policy wherein the Department believes the draft departs from the President's policy, and to supply alternative language to correct the existing unwarranted emphasis upon the license policy.

I regret that the Council apparently misunderstood my position expressed at the meeting of October 27. While, indeed, I am of the firm conviction that the proposed draft Implementation Bulletin No. 1 is a distorted interpretation of the President's policy, the point I urged upon the Council is that no valid and defensible interpretation can be issued unless based upon a study of empirical data accumulated under the presidential policy. While to some extent the panel may have set in motion machinery for the collection of pertinent factual information, I know of no showing that the proposed interpretation is based upon analysis of such data.

Accordingly, this Department can neither permit itself to comment on those aspects of the proposed interpretation that it believes depart from or unjustifiedly expand the language and intent of the policy, nor to supply language to establish proper balance in the proposed interpretation. However, in line with my remarks to the Federal Council, this Department is presently preparing for submission to the Patent Advisory Panel a statement of position covering data which we believe must be acquired and employed by the panel in support of any interpretation for the latter to be valid and meaningful.

Sincerely,

NICHOLAS DEB. KATZENBACH,
Acting Attorney General.

MEMORANDUM FOR THE PATENT ADVISORY PANEL ON THE POSITION AND RECOMMENDATIONS OF DEPARTMENT OF JUSTICE ON INTERPRETATION OF THE OCTOBER 1963 STATEMENT ON GOVERMENT PATENT POLICY

As you know the October 1963 statement on Government patent policy allows the taking of patent titles by contractors in many situations where the Department of Justice believes that a license would be more appropriate. We did not object to the issuance of the statement because we regarded it as an experiment that would yield the data needed for any reevaluation of the Department's long established position in favor of a Government title policy for the bulk of the Government's research and development work. Our position is subject to change in the light of evidence that a license policy will adequately protect the Government but the Panel has not as yet supplied such evidence.

We believe the agencies themselves recognized that there was insufficient data available to permit an intelligent administrative resolution of the title versus license policy conflict when the statement was issued. The statement therefore included a sufficient variety of standards to permit each agency to follow a policy it regarded as best suited to its own special needs and the resulting ambiguity cannot be corrected by any "interpretation" of these standards. This ambiguity may only be resolved by rewriting the standards themselves to achieve either a uniform license or title policy.

In the meantime we believe each agency should be allowed to issue whatever "interpretation" it believes its own staff needs. In our view, some appraisal of the actual results obtained by application of the present standards is essential before any further effort is made to determine whether a title or license policy is more desirable. At a minimum the Panel should obtain from each agency a statement as to the number and character of the inventions reported by each contractor who has been permitted to retain title, the name of the contractor and the provision of the statement which was thought to justify retention of title in each case. A similar statement could easily be prepared to cover the invention titles taken by the Government. With this kind of summary in hand for the first year's operation under the statement some meaningful comparisons may be made of the way in which the various agencies now interpret the statement. This data will permit at least a tentative conclusion as to the scope and importance of the contraditions in present agency action. Without such data we do not believe that intelligent progress may be made in unifying the contradictory policies that are now reflected in the existing statement and that must continue to be reflected in any "interpretation" of that statement.

U.S. DEPARTMENT OF JUSTICE,
December 4, 1964.

To: Dr. William W. Eaton, Chairman, Patent Advisory Panel, Federal Council for Science and Technology.

From: Miles Ryan, representative, Department of Justice.

Subject: Patent Advisory Panel Annual Report to the Federal Council for Science and Technology.

The Department of Justice dissents from the annual report of the panel drafted for 1964 on the following grounds:

1. The quantitative data so far collected is insufficient for any report as to effectiveness. Only after the panel has the data showing who got what patents and why, can it report on the effectiveness of the Presidential policy;

2. The statement of the report as to how the effectiveness of the policy is to be determined is considerably too narrow. The report equates "greatest benefit to the Government and the general public" with "expeditious development" of inventions resulting from the Government contracts. The critical question of who gets the commercial rewards from such development is ignored. This question is of greatest concern to the Department of Justice. Admittedly, it will take years to determine the speed and extent of commercial development of these inventions. However, it can be learned fairly quickly who is going to have the exclusive commercial rights in the development, and determined with considerable accuracy, once the nature of the inventions and the position in the technical fields involved are known, whether the public or the owners are to be the principal beneficiary of the development;

3. The report assumes that any commercial development of any invention by anyone is, per se, a public benefit. The Department of Justice disagrees with such an assumption. When inventions are used to extend and consolidate commercial monopolies which go far beyond the scope of any invention or group of inventions, we regard the public interest as having been seriously injured.

In accord with this position of dissent, the Department's panel representative is foreclosed from further participation in discussion on the language of the report.

FEDERAL COUNCIL FOR
SCIENCE AND TECHNOLOGY,
Washington, D.C., December 23, 1964.

Hon. NICHOLAS KATZENBACH,
Acting Attorney General,
Washington, D.C.

DEAR MR. KATZENBACH: At its meeting on December 22, the Federal Council for Science and Technology considered a revised statement of interpretation of the President's statement on Government patent policy prepared by its Patent Advisory Panel.

The Council was mindful of your views expressed at its meeting last October, your letter to Dr. Hornig of November 13, and the memorandum accompanying your letter.

In drafting the interpretive statement, the Patent Advisory Panel was responding to the Presidential directive "to develop by mutual consultation and coordination with the agencies common guidelines for the implementation of this policy, consistent with existing statutes, and to provide overall guidance as to the disposition of inventions in which the Government has any right or interest." The enclosed revised interpretation in our view is consistent with the policy statement.

We agree with you on the need to acquire additional data to determine whether changes in the policy itself are indicated. Meanwhile, the panel's agreed interpretation of ambiguities in the language of the existing policy should facilitate the accumulation of data that are reasonably consistent and capable of intercomparison and evaluation. It will also assist in furthering an objective of the President's memorandum accompanying the policy statement: "to avoid difficulties caused by different approaches by the agencies when dealing with the same class of organizations in comparable patent situations."

At its meeting on December 22, the Federal Council merely noted the contents of the proposed statement and permitted the panel to provide it to the agencies as an interpretive statement which reflects a general agreement reached among the agencies supporting research and development on common guidelines for use in implementing the President's policy statement. This action by the Council would appear to be in accord with the memorandum of the Department of Justice that each agency should be allowed to issue whatever "interpretation" it believes its own staff needs. In this instance the Patent Advisory Panel has served as a means for interagency consultation. The agreed interpretation has no validity outside of wishes of the agencies themselves. In noting the panel's interpretive statement, the Council went on record in recognizing that the detailed administration and interpretation of the President's statement of Government patent policy are the individual responsibility of each department and agency.

I am writing to you at some length to explain the action of the Federal Council in view of your expressed concern about this matter.

Sincerely yours,
COLIN M. MACLEOD,
Acting Chairman.

JANUARY 7, 1965.

Mr. COLIN M. MACLEOD,
Acting Chairman, Federal Council for Science and Technology, Executive Office Building, Washington, D.C.

DEAR MR. MACLEOD: Thank you for your letter of December 23, 1964, relative to the revised interpretation of the President's statement on Government patent policy prepared by the Patent Advisory Panel. I appreciate your explanation of the action taken by the Federal Council with respect to the Panel's interpretative statement.

This Department is unable to agree that the revised interpretation is consistent with the President's policy statement.

In our view the interpretation of the statement can come only from an assessment of results achieved by the various agencies operating pursuant to the guidelines of the statement. I believe that where those guidelines are indistinct or where ambiguity prevails, the remedy lies in a redrafting of the Presidential statement itself, rather than in an interpretation attempted by the Patent Advisory Panel.

Sincerely,
NICHOLAS DEB. KATZENBACH,
Acting Attorney General.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. HART. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, due to the fact that time is fleeting, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTING RIGHTS ACT OF 1965

The PRESIDING OFFICER. The Chair lays before the Senate, in accordance with the unanimous-consent agreement, the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

The Senate resumed the consideration of the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment (No. 187), offered by the Senator from Montana [Mr. MANSFIELD] for himself and the Senator from Illinois [Mr. DIRKSEN], to the amendment in the nature of a substitute, as amended and modified (No. 124), offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN].

The Chair announces that all time on amendment No. 187 is to be equally divided, under the control of the Senator from Montana [Mr. MANSFIELD] and the Senator from Mississippi [Mr. STENNIS].

Mr. STENNIS. Mr. President, I yield 30 minutes to the Senator from Virginia [Mr. ROBERTSON].

REQUEST FOR COMMITTEE ON RULES AND ADMINISTRATION TO MEET DURING THE SESSION OF THE SENATE TODAY

Mr. MANSFIELD. Mr. President, if the Senator will yield, before he begins his statement, I ask the Senator from Michigan to yield me one-half a minute.

Mr. HART. Mr. President, I yield such time to the majority leader as he may need.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER. Is there objection?

Mr. KUCHEL. Mr. President, reserving the right to object—and I shall, by request, object—let me state that the minority members of the committee will be available to meet with the committee on Tuesday, May 25.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. ROBERTSON. Mr. President——

Mr. MANSFIELD. Mr. President, if the Senator will yield me half a minute, rather than create a misunderstanding, I have been informed that the original request had been canceled. I was in error in making it. That, I believe, will clear the air.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. ROBERTSON. Mr. President, only about a week ago the leaders of both parties convinced a majority of this body that the Senate should not attempt to repeal State poll taxes by act of Congress because such action would be of doubtful constitutionality.

On that day, May 11, the leaders were standing firmly beside the Attorney General, who also had expressed doubts about the constitutionality of an anti-poll-tax amendment. When the Senate agreed with the leadership by a vote of 49 to 45, I thought that issue was settled.

But today we find those same leaders suddenly asking the Senate to join them in marching down the hill again. They have offered a new poll-tax amendment which is less forthright than the one they succeeded in defeating on May 11.

The defeated amendment was a straightforward repeal of State poll taxes. The new amendment is more devious. It seeks to place Congress on record as believing and declaring that the poll tax is abridging the voting rights of citizens in certain States.

If this amendment is adopted, the Attorney General will take a new poll-tax test case to the Supreme Court, and when he stands up to make his argument he will point to this language and say, "You see, the Congress has solemnly declared that these taxes abridge the constitutional rights of voters."

This is an 11th-hour effort to have the Senate address an appeal to the Supreme Court to do what this same Senate, itself, refused to do on May 11.

Mr. President, if the Justices of the Supreme Court read the record of this debate, I wonder what they will think of this Senate when they note that on one day we were torn with doubts about the right of Congress to repeal State poll taxes, and a few days later had no doubts whatever that these taxes are an unconstitutional abridgment of voting rights.

I will have to let the authors of this amendment explain what has happened to suddenly clear away their doubts. To me, nothing has changed since last week. We are still living under the same Constitution, and the same past decisions of the Supreme Court which upheld State poll taxes.

But, Mr. President, this attempt to invite the Supreme Court to do something we refused to do only a few days ago is mild in comparison to another step the sponsors of this substitute voting bill took yesterday.

They modified their bill to provide that while new test cases are pending, and even if the courts again hold State poll taxes constitutional, Congress nevertheless will attempt to tell the States how much of a tax they may collect from some voters, and when it may be paid.

As the bill now reads, even if the Supreme Court again upholds the poll tax, no political subdivision affected by the formulas which bring Federal examiners into that area could collect more than the current year poll tax from new registrants.

This language attempts to rewrite the laws of several States, including Virginia, and States that the rewriting shall take place even if the courts uphold the existing law. By what stretch of the imagination can this Congress claim the right to amend a State law which the courts have upheld?

Mr. President, we are stripping the States of their sovereignty so fast that State boundaries soon will be little more than dark lines on the map, indicating to cross-country travelers which time zone they are passing through.

If this process of nibbling away at the rights of the States continues, the time may come when it will be more appropriate to call this the Federated Republic of America instead of the United States of America.

This bill has been revised so many times since it was introduced 2 months ago that one cannot escape the conclusion that day-to-day expediency is the guiding rule under which legislation in this field is written.

In Virginia, the law requires that a voter must have paid his poll tax for 3 years, unless he or she has just reached voting age, or has been a resident of the State for only 1 year.

The bill provides that in any political subdivision in Virginia into which Federal examiners could go under the formulas in the bill, no citizen, during the first year he becomes otherwise entitled to vote by reason of registration by local officials or by the Federal examiner shall be denied the right to vote for failure to pay a poll tax if he tenders payment of such tax for the current year to an examiner at least 45 days prior to election, "whether or not such tender would be timely or adequate under State law."

As I pointed out recently, the formulas in this bill would apply to nearly half the political subdivisions in my State merely because we have a simple requirement of ability to read and write and because in some areas many people did not bother to register or vote. Virginia is not using either the literacy test or the poll tax for the purpose of discriminating. But it will be subject to this bill because the formulas have been designed to apply to all or portions of the Southern States.

While the Federal examiner system for registering voters would be centered on the South, the Senator from Vermont [Mr. AIKEN] expressed concern last week that the Kennedy amendment for the outright repeal of poll taxes would have applied to the town meetings of New England.

The Senator from Vermont pointed out that the town meeting is the oldest and truest form of democracy in the world, and that in Vermont anyone—even an ex-criminal—can take part in the town meeting by complying with two simple requirments: He must take the freeman's oath, a sort of loyalty oath to the State, and he must pay a small poll tax.

In the new poll tax amendment now pending, the leaders apparently have tried to avoid interfering with the poll tax for New England town meetings by directing the Attorney General to bring suits only where evidence has been presented to Congress that the tax has been used to abridge or deny voting rights.

But if the New England town meetings have been exempted by this new language, Mr. President, I have no fault to find with that concession, for I see nothing wrong with the State of Vermont asking its people to pay a small town meeting tax to show that they are responsible citizens.

Neither do I see anything wrong with the State of Virginia asking its citizens to pay a poll tax to help support their educational system, so long as it is applied equally to all citizens.

Before we declare flatly, as this amendment would have us do, that State poll taxes are abridging the constitutional rights of citizens, I ask Senators to remember that it was only 3 years ago that Congress decided it had to amend the Constitution to get ride of the poll tax in Federal elections. Now we are asked to declare that we can go further in attacking the validity of the poll tax in local elections then we were willing to go in Federal elections.

I opposed the constitutional amendment in 1962, although I concede Congress had a right to pursue that course, because I did not believe that Congress should encroach any further on the control which the Founding Fathers reserved to the States to fix the qualifications of voters.

If Congress had to amend the Constitution to ban the poll tax in Federal elections, it certainly has no authority to ban that tax in local elections. What we are attempting to do by the pending amendment is to persuade the Supreme Court to amend the Constitution for us.

Efforts to repeal State poll tax laws by statute have been made periodically for a quarter of a century. Up to now, Congress has resisted these efforts. But in the past few years we have invaded the jurisdiction of the States so repeatedly in the three previous civil rights laws that I am fearful we will not stop now.

The backers of this bill are attempting to justify it by basing it on the 15th amendment, which reads:

> SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

In *United States* v. *Reese,* 92 U.S. 214 (1875), the court construed a statute passed under Congress power of section 2 to enact appropriate legislation. The act was invoked by the applicant because his failure to pay a poll tax enabled the inspectors to prohibit his voting in a municipal election. In the opinion of Chief Justice Waite the following statement is made:

> Rights and immunities created by our dependent upon the Constitution of the United States can be protected by Congress.
>
> The 15th amendment does not confer the right of suffrage upon anyone. It prevents

> the States, or the United States, however, from giving preference, in this particular, to one citizen of the United States over another on account of race, color, or previous condition of servitude. Before its adoption, this could be done. It was as much within the power of a State to exclude citizens of the United States from voting on account of race, etc., as it was on account of age, property, or education. Now it is not.

See also *Guinn and Beal* v. *United States,* 238, U.S. 347, 362 (1915), where Chief Justice White stated for the Court that the States retained the power under article I, section 2, to establish qualifications of voters, except of course as to the subject with which the amendment (15th) deals and to the extent that obedience to its command is necessary.

VIRGINIA POLL TAX HELD VALID

The question of Virginia poll tax as a prerequisite to voting was reviewed by a special three-judge court as recently as 1951 in *Butler* v. *Thompson,* D.C.E.D., Va., 97 F. Supp. 17, affirmed, 341 U.S. 937. Judge Dobie quoted from an earlier opinion in the case of *Saunders* v. *Wilkins,* 152 F. 2d 235, 237, as follows:

> The decisions generally hold that a State statute which imposes a reasonable poll tax as a condition of the right to vote does not abridge the privileges or immunities of citizens of the United States which are protected by the 14th amendment. The privilege of voting is derived from the State and not from the National Government. The qualification of voters in an election for Members of Congress is set out in article I, section 2, clause 1, of the Federal Constitution which provides that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. The Supreme Court in *Breedlove* v. *Suttles,* 302 U.S. 277, 283, 58 S. Ct. 205, 82 L. Ed. 252, held that a poll tax prescribed by the constitution and statutes of the State of Georgia did not offend the Federal Constitution.

Then followed the quotation from Breedlove against Suttles, which I quoted earlier.

The latter part of Butler against Thompson discussed the general principle that a statute may be administered in such a fashion as to be unconstitutional even though it is fair on its face, under the 14th amendment, as in *Yick Wo* v. *Hopkins,* 118 U.S. 356, or under the 15th amendment as in *Lane* v. *Wilson,* 307 U.S. 268. Judge Dobie reviewed the administration of the poll tax in Virginia and came to the conclusion on the basis of the evidence presented to him that it was being fairly administered, without discrimination on the basis of race.

Accordingly, Judge Dobie, speaking for the unanimous three-judge court, held that the Virginia poll tax statute did not violate either the 14th amendment or the 15th amendment, and was valid under article I, section 2, of the Constitution of the United States.

The right of a sovereign State to fix nondiscriminatory prerequisites for voting as decided in the Butler case was fully confirmed no later than March 1 of this year, when, in the case of Carrington against Rash, the Supreme Court held:

> There can be no doubt either of the historic function of the States to establish, on a nondiscriminatory basis, and in accordance with the Constitution, other qualifications for the exercise of the franchise. Indeed, "the States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised. In other words, the privilege to vote in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as to it may seem proper, provided, of course, no discrimination is made between individuals in violation of the Federal Constitution."

Mr. President, I do not profess to know what prompted the sponsors of this substitute voting bill to reverse their field and come in with a new attack on State poll taxes, after leading a successful fight a few days ago against outright repeal.

But I suspect they have been influenced, at least in part, by developments at the other end of the Capitol. After the Senate voted 49 to 45 against an outright ban on poll taxes, a committee in the other body adopted an anti-poll-tax amendment to its bill. Then one of the most influential leaders in the other body announced he would support the committee's action.

The House Judiciary Committee also adopted a declaration of policy even stronger than the one we are now considering. The House provision would constitute a finding by Congress that, historically, the poll tax has been one of the methods used to circumvent the guarantees of the 14th and 15th amendments.

Mr. President, I do not believe the Senate should shape this or any other bill in anticipation of what the other body may do. If there are differences between the two branches the place to settle them is in conference and not by the adoption of hastily drawn amendments before the bill passes.

For that reason I hope the pending amendment will be rejected.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator state to whose time the quorum call shall be charged?

Mr. ROBERTSON. Mr. President, I ask unanimous consent that I may withdraw the request.

The PRESIDING OFFICER. The request is withdrawn.

Mr. STENNIS. Mr. President, I yield myself 15 minutes. First, I compliment the Senator from Virginia for the very fine presentation he has made on this vital point.

In the course of advocating civil rights legislation, it has become the rule rather than the exception to propose bills and amendments which are beyond the power of Congress to enact under the Constitution. Within the past year it has been pointed out time and time again on the floor of the Senate that the proposed legislation then under active and serious consideration was by all law and precedent unconstitutional. Yet, under the pressures of the political situation, many unsound and unconstitutional proposals, in my view, have become law.

An amendment to abolish the poll tax by statute was defeated within the past 10 days. The Senate went on record for the third time in 5 years as affirming the constitutional authority of a State to require the payment of a poll tax as a prerequisite for voting.

Again I wish to state with the greatest emphasis possible that the real issue in this debate on the poll tax is not the poll tax itself but whether Congress has authority to deal with a matter in any fashion except by a proposal to amend the Constitution of the United States.

That has been the solid, firm position of Congress many times, including the outstanding instance of about 2 years ago, when the Senate had before it a joint resolution proposing a constitutional amendment which would abolish the poll tax in Federal elections. The Senator from New York offered an amendment providing for the repeal of the poll tax by statutory enactment, by a plain act of Congress. Not once, but twice, that idea was rejected by a yea-and-nay vote. I do not remember the figures, but one of the votes was almost 2 to 1 against the statutory proposal, and the other was a decisive vote.

There is no authority for a direct assault on the poll tax except by proposing a constitutional amendment. Yet assaults are still being made on the constitutional right of a State to continue the poll tax. At this moment, in this instance, the weapon is pending amendment No. 124, which would be used as a real meat ax to bludgeon down the poll tax in every State, and thus deal a mortal blow to another constitutional principle.

This broad approach is not only unconstitutional, in my opinion, but also unreasonable. There is also a serious question as to whether or not it violates the spirit if not the letter of legal ethics. It is unconstitutional, in my opinion, for the additional reason that it makes no distinction whatever with reference to discrimination on the ground of race, and is therefore without the constitutional foundation that could be claimed for it under the 15th amendment.

It is unreasonable in that it attempts to "find" facts by proclamation and then to compel the court to render a directed verdict declaring the poll tax unconstitutional.

In effect, Mr. President, this amendment says to the court, "Congress cannot abolish the poll tax by statute; a constitutional amendment is not acceptable; therefore, you strike down the poll tax." Should the U.S. Senate affirmatively and knowingly ask that its legislative responsibility be assumed by the courts, it will have taken another step toward pronouncing the death sentence for constitutional government in America. Such an action would mark one of the most tragic days in the history of the U.S. Senate.

This amendment violates the spirit, if not the letter of legal ethics, because it directs the U.S. Attorney General to take an action which, if taken by a practicing attorney, would constitute grounds for disbarment.

There is a great difference in a declaratory judgment as provided for in this amendment, and an advisory opinion. Since the days of President George Washington, the Supreme Court has held firm to the principle that it is without jurisdiction to render advisory opinions or to review determinations which are simply ancillary or advisory and are not the final and indisputable basis of action between the parties.

Under the terms of this amendment, it is not merely an advisory opinion that the Attorney General is directed to seek. He must institute an action for a declaratory judgment and therefore must present an actual case or controversy that meets every requirement of a justiciable case. The requirements for a justiciable case here are no less strict than in any other type suit. This declaratory judgment which the Attorney General is directed to seek cannot be merely a vehicle for presenting and securing decisions of constitutional matters solely upon the pleading in highly abstract or premature hypothetical states of fact en masse.

What the Attorney General must do, then, is search for some person who claims requirement to pay poll tax as a prerequisite to vote has caused him or her to be denied the right to vote and therefore discriminated against. Although he might file suit in the name of the United States, he must nevertheless prove discrimination in an actual case involving an individual who claims discrimination.

In short, what the Attorney General must do is solicit or seek out a client with a possible cause of action and encourage litigation of that cause. To do that is a violation of Canon 28 of the American Bar Association.

If in his search for a litigant the Attorney General finds it necessary to advertise by personal communication, interview, or by touters, he would also violate Canon 27 of the American Bar Association.

Should the Senate pass this amendment, it will be taking the absurd position of ordering the Attorney General to violate the spirit, if not the letter of two of the highest and most essential principles of the legal profession. The violation of these standards of conduct is so serious that an ordinary lawyer found guilty of violating them would be prohibited from practicing law.

There are other aspects just as serious and ridiculous. This amendment states flatly that on the basis of the evidence, Congress finds the constitutional right of citizens is denied or abridged by the requirement of the payment of poll tax as a condition of voting. The most charitable thing that could be said of this provision is that it makes of Congress a very poor jury.

Congress, through appropriate committees, took testimony of the Attorney General Mr. Katzenbach. He is head of the Nation's chief investigative office. All the resources of the FBI are at his command. He and his organization spend thousands and thousands of man-days investigating voting rights violations. He has a score of attorneys who specialize in the field of voting rights. He is one of the authors and main supporters of the voting rights bill. He was the principal witness in support of it, both in the Senate and in the other body, but he testified:

> My difficulty on this, on the elimination of poll taxes, is that I do not believe I have the facts to make a record that poll taxes have been abused in violation of the 15th amendment. (P. 94, voting rights hearings, U.S. Senate, pt. I.)

This star witness for the proponents was very emphatic on this point. He went on to say:

> I want to make it clear—I think Congress can abolish poll taxes under the 15th amendment, if there is evidence before Congress that the poll taxes in any given areas have been used to violate the 15th amendment; Congress could make that finding and if that was a reasonable way of, as I think it is here, with respect to literacy tests, Congress could do it. I think it is a tougher congressional argument to make because I have not got enough facts." (P. 95, voting rights hearings, U.S. Senate pt. I.)

Mr. President, it is ridiculous to ask the Senate to adopt an amendment which has in it a finding of fact exactly opposite of what the Attorney General testified. The Attorney General is the chief law enforcement officer and investigator for the U.S. Government. Only a few days ago he told the Senate, "I do not have enough facts to proceed in this matter." If Senators can swallow that statement and turn around 180 degrees and act contrary to what the chief investigator said, they are doing more than I care to do. I do not see how we can honestly take such a position. I do not see how we can base a constitutional question merely on some small fragments of alledged fact in one isolated case, or as a result of some accusation of a party not known to any Senator, or some old statement which was made more than 20 years ago during World War II and which appears somewhere in a report of the Judiciary Committee.

That course makes me believe that we are in a purely political expedition, in an attempt to search out some ground to stand on merely for political reasons.

Mr. President, we are dealing with the Constitution of the United States. We are dealing with fundamental principles of that Constitution. The proponents of the amendment have never yet outlined their case particularly in that regard. I do not know what evidence they would cite. But, as I said yesterday on my responsibility as a Member of this body, and based upon many years of public service and officeholding in my own State, including the practice of law, my service as district attorney, and my service for more than 10 years as a trial judge, holding court in many counties and, of course, being in close contact with happenings there since coming to the Senate, I say that I never heard of such a question arising. I never heard of an incident of the nature charged here. I never heard any county official or any other person mention it. In areas with which I am familiar it has not happened, or I would have known something about it—unless it was an isolated case in which some tax collecter in some one county during one term of office transgressed along that line.

Yesterday I heard the Senator from Alabama [Mr. SPARKMAN], who has had a long career as a lawyer and a public official in Alabama, say that he had never heard in that great State a charge of any facts upon which the proponents could try to base the amendment.

The Attorney General of the United States is helping to write the bill. He is also helping to sponsor it through the committees. He was the chief witness. He has all the information of the FBI at his command, and all the resources of the Attorney General's office. We want him to have plenty of resources. He has looked into the question and has said, "I cannot sustain the proposal on a factual basis because I have not enough facts."

So I stand on his testimony, not my own. I merely mention mine to show that my experience is certainly consistent with what he learned.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The 15 minutes yielded to himself by the Senator from Mississippi have expired.

Mr. STENNIS. I yield myself 3 more minutes.

Mr. President, these unqualified, unequivocal statements of the Attorney General notwithstanding, Congress is nevertheless asked to disregard that testimony and find that there is evidence and that there are sufficient facts to support the contention that poll taxes are used to deny the right to vote. This finding is so contrary to the testimony of the principal witness—the Attorney General—that it appears the Senate is asked to reject it entirely. At least, it is asked not to rely on it.

If we pass this bill, we ought to pass another bill, explaining that we do not mean to brand the Attorney General as a purveyer of falsehood.

I do not question the testimony of the Attorney General on this point. I agree that there is no evidence that the poll tax is used as a means of denying the right to vote.

But the amendment goes further. We are asked to conclude that there is an established pattern whereby the poll tax is used to deny the right to vote to such an extent that all poll taxes should be abolished. The fact is that no such pattern exists.

Great issue has been made of one Mississippi case in which a sheriff refused to accept payment of poll tax from a Negro. One incident in Mississippi does not establish a pattern of discrimination any more than one killing on a subway establishes a pattern of murder in New York.

This amendment downgrades voting requirements at a time when we should be upgrading them.

Great emphasis is placed on preserving the rights of those who are allegedly denied the right to vote. There are other rights involved here that we have a duty to protect also. We have a duty to protect the fiscal integrity of our cities, counties, and States from the irresponsible ballot of those who would destroy that integrity by unlimited bond issues.

We have the duty to protect our citizens who by personal initiative have earned their own way from the selfish ballot of those who would levy unlimited taxes and live off public welfare.

I say that with all deference. Instead of trying to tear down, break down, and abolish every possible reasonable safeguard that the experience of the American people has found is necessary to protect the ballot, we ought to try to make the ballot more secure and more protected, and the integrity of the voter higher and higher.

Unless we change our course, we are paving the way for the destruction of self-government by the mad, emotional rush to destroy standards, whether literacy or any other, that the experience of the American people has proved not only wise, but essential in protecting the ballot box.

It would be sheer folly to destroy these rights under the guise of protecting the right to vote.

If we destroy the constitutional prerogatives of the States to set voting qualifications for their citizens, we expose all the citizens to the possibility of being burdened with debts that would encumber not only public property, but private property, as well. The debt created by bond issues is a debt of all the people, secured by the property of its citizens. There is no limit to the chaos and destruction that could be rendered by an irresponsible ballot.

So this proposal cuts all ways. It is not merely a question of the poll tax. Congress will be going beyond its just powers, will be going beyond reason, will be going contrary to the evidence, by saying, "Yes; we are going to break down and abolish all restrictions, including literacy, that have been built to protect the ballot. Furthermore, we are going to provide that States shall not have any power in that field hereafter. We are going to arrogate this power to ourselves and will use it on an emotional basis."

Mr. President, I thank the Senator from Michigan for yielding some of his time. I return to him whatever time I may not have used.

The PRESIDING OFFICER. The Senator from Mississippi has 34 minutes remaining.

Mr. STENNIS. I had yielded myself 15 minutes and then used 2 additional minutes yielded to me by the Senator from Michigan. If there is any of his time that I have not used, I return it to him.

The PRESIDING OFFICER. The Senator from Mississippi has 34 minutes remaining.

Mr. HART. Mr. President, I yield myself 5 minutes.

The Senate now must decide on the proposal of the joint leadership for a strong declaration against the use of the poll tax as a prerequisite for voting. There is an impressive degree of official support for accomplishing in this legislation the elimination of this tax wherever it stands as a barrier to the constitutionally guaranteed exercise of the franchise.

The President of the United States is in favor of abolishing the poll tax. He said on April 27:

> I have always opposed the poll tax. I am opposed to it now. I have asked the Attorney General to meet with the various Members of the House and Senate who are interested in this phase of it, and if possible, take every step that he can within constitutional bounds to see that the poll tax is not used as a discrimination against any voter anywhere.

The Supreme Court of the United States, as recently as April 27, in its decision of Marmon against Forssenious, took notice of the discriminatory intent of the early poll taxes, and of congressional recognition of the discriminatory effects of the tax in the numerous congressional actions attempting to reach the poll tax and abolish it. The Court said:

> The Virginia poll tax was born of a desire to disenfranchise the Negro. At the Virginia Constitutional Convention of 1902, the sponsor of the suffrage plan of which the poll tax was an integral part frankly expressed the purpose of the suffrage proposal: "Discrimination? Why, that is precisely what we propose; that, exactly, is what this convention was elected for."

The U.S. Commission on Civil Rights, created by Congress in 1957 to keep the Congress informed of problems arising primarily in the field of voter discrimination, as a part of its 1965 voting report on May 5 of this year reported:

> The requirement of any poll tax payment as a prerequisite to voting in any election should be abolished, in view of the fact that poll taxes have been intended and utilized as a means of discrimination in violation of the 15th amendment. In the opinion of the Commission, there can be no reasonable doubt of the power of Congress to enact such a provision as an exercise of the power expressly granted to Congress to enforce the 15th amendment.

The Speaker of the House of Representatives very recently stated his hope that the Congress will abolish the poll tax requirement in this legislation.

The Judiciary Committee of the House of Representatives, through a majority of its membership, has reported a bill which contains a provision to abolish the poll tax.

The Judiciary Committee of the U.S. Senate, through a majority of its members, reported to the Senate its action in support of a provision to abolish the poll tax.

Forty-eight Members of the U.S. Senate recently supported action to include in this legislation a ban on the poll tax.

In my book, this is an impressive list of official expression of support and intent with which we approach the pending amendment to put the Senate of the United States clearly on the record that this particular discrimination must be reached by the most expeditious action.

By voice and vote I preferred an explicit ban in this legislation. At this time, this does not seem practicable. It is still a desirable objective.

But if that objective cannot be achieved as of this moment, then, as is done in the pending leadership amendment, the Senate should make it explicit that wherever the use of the poll tax stands against the rights guaranteed in the Constitution—particularly those contained in the 14th and 15th amendments—this Senate declares this to be wrong, and establishes the most expeditious machinery and procedures possible to remove this additional barrier.

Mr. President, in the debates that have preceded today—and remember we are now in the fifth week of debate—and in the record made before congressional committees this year and in years past, there is full, ample, and solid evidence on which to base the declaration which the pending leadership amendment represents. One example of the persuasive reasons for this declaration is the evidence developed in the speeches of the junior Senator from Massachusetts [Mr. KENNEDY].

Mr. President, on my own time, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HILL. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 10 minutes.

Mr. HILL. Mr. President, on May 11, just 1 week ago, the Senate of the United States again refused to abolish the poll tax by legislation and to amend the Constitution by statute. The action taken by the Senate on that day was consistent with the action the Senate has taken on previous occasions when it witnessed an attempt to abolish the poll tax by legislation.

In 1960, the Senate rejected this procedure by a vote of 50 to 37. In 1962, it rejected this procedure by a vote of 59 to 34. Later in the same year, when the poll tax question was presented in the proper procedural manner—that is, as a proposed amendment to the Constitution—it was adopted by the Senate and by Congress and, as we know, is now part of the Constitution of the United States.

So, as we see, Mr. President, the Senate has made clear, again and again, the procedure that must be followed in amending the Constitution regarding the abolishment of the poll tax as a prerequisite for voting. In its wisdom the Senate on the question of poll taxes has repeatedly and consistently refused to abandon this procedure and the constitutional requirement for the procedure.

As fundamental as the right to vote is to a democracy, Mr. President, is the will of the majority to a democratic system. In a representative democracy, such as ours, this is expressed by a majority vote. The question of whether Congress can by legislation regulate a poll tax requirement in four States of the Union was answered a week ago when, by the will of the majority, the Senate declared its opinion to be that it could not and should not do so. And now, Mr. President, we find those who throughout this debate have been most vocal in espousing the democratic way of life back with the same proposition that was rejected by the majority of this Senate, but now the proposition is disguised in different clothing. The proponents of the anti-poll-tax measures ask the Senate to declare by legislative fiat that the right to vote is being denied in four States of our country because they collect a poll tax as a prerequisite to voting.

They ask that the Senate sit as judge and jury on this question and render a verdict of guilty to satisfy the clamor of the day and to expedite an early vote.

They ask that this Senate set itself above the Supreme Court of the United States, that it completely disregard the separation of powers and the theory of checks and balances by legislating that, if the constitutionality of poll taxes is sustained in the courts, Congress shall then be empowered to override that decision and proceed to regulate, contrary to court decisions, the payment of poll taxes in the four States involved.

They ask that this Senate abandon the principles of government the framers of the Constitution gave us and that by enactment of these anti-poll-tax measures we declare our wisdom to be greater than that of Madison, Washington, Hamilton, Jefferson, and the other great minds that conceived our democracy, framed our Constitution, and brought this Nation into being.

Mr. President, the issue involved here is not primarily the payment or the nonpayment of a poll tax in connection with voting in State and local elections; the question is primarily and fundamentally whether the Senate has the power to destroy by legislation the constitutionally established right on the part of the States to levy a poll tax or whether it is rightfully an action requiring an amendment to the Constitution of the United States. The second question is whether the Senate has the power to enact legislation to overrule a decision of a court in anticipation of disagreement with that court ruling.

As I have said, Mr. President, the Senate in its wisdom has many times answered these questions. But the democratic way no longer has appeal to those who would destroy or rewrite the Constitution overnight to meet the expediency of the day, or those who declare that they will obey only those laws they want to obey.

The President of the United States publicly stated that the recent poll tax proposals in connection with the voting bill before us created serious constitutional problems. The Attorney General of the United States publicly stated that, in his opinion, any such proposal is invalid. Previously, the distinguished majority and minority leaders expressed their opposition to the anti-poll-tax proposals.

I contend, Mr. President, that the underlying principles in the present poll tax proposals are no different than those in the proposal we rejected here in the Senate a week ago—just 7 days ago. In fact, to a student of law, the present proposals would probably be more objectionable. At best, there is only a matter of degree between the present proposals and the proposals referred to by the President of the United States, the Attorney General of the United States, and both the majority and minority leaders of the U.S. Senate. But the principle remains the same; that is, an unconstitutional and unwarranted interference with the individual State's right to require the payment of a poll tax as a prerequisite to voting in State and local elections.

In my previous arguments against proposals that would abolish the poll tax by legislation, I cited the case of Breedlove against Suttles, a 1937 Supreme Court case, which made the law on the subject abundantly clear and which has been cited by the Supreme Court in more recent cases. It is just as valid today.

In Breedlove against Suttles, it was contended that the poll tax of Georgia was unconstitutional. The Supreme Court said this at the time—and, as I say, has since that time cited the Breedlove case in opinions having to do with the poll tax—the Court said:

> To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States, but is conferred by the State, and save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate. The privileges and immunities protected are only those that arise from the Constitution and laws of the United States and not those that spring from other sources.

To those, Mr. President, who contend that the right to vote is denied or abridged in certain States by the collection of poll taxes as a prerequisite to voting, let me say that, in fact, the poll tax is a diminishing phenomenon. It is levied in only 4 of the 50 States. The returns are uniformly moderate and, as a practical matter, I contend and submit that its influence on the size of the electorate is too insignificant—too small—to be measured.

In my home State of Alabama, for example, the poll tax is only $1.50 a year, and it cannot go back for more than 1 year. In other words, the full amount that anyone might have to pay to vote would be, at the maximum $3. Even if a person were in default for many years, the most he would ever have to pay, the absolute maximum, is $3. All persons who are 45 years of age or over are exempt from payment of the poll tax. All war veterans—the veterans of World War I, World War II, and the Korean war—are exempt from the poll tax.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HILL. I yield myself an additional 5 minutes.

Mr. President, every dollar received from the poll tax in Alabama goes to the public schools in our State and is wholly devoted to educational purposes.

In Mississippi the poll tax is only $2 a year, and two payments are required for voting eligibility. The full amount that anyone would have to pay is $4. All war veterans are exempt from payment of the poll tax as are all persons who are deaf, blind or maimed with loss of hand or foot.

In Virginia the poll tax is the same as Alabama, only $1.50 a year. It cannot go back for more than two years, and the total amount anyone could possibly be required to pay would be $4.50.

Even if there had been a default for many years, for as many as twenty years, the maximum that would have to be paid would be $4.50.

Members of the armed services are exempted from paying the poll tax in Virginia.

In Texas, the fourth of the States having a poll tax, the rate is $1.50 a year. This is collected at the same time as annual registration and, therefore, at any given time the maximum amount would be $1.50. Exempted from payment of the poll tax in Texas are Indians, the blind, the deaf, those who have lost hand or foot, anyone permanently disabled, or disabled veterans of foreign wars.

So as we see, Mr. President, the incidence of burden of the poll tax in the four States that require it are so minute that, as a practical matter, it is difficult to imagine that it has any significant effect on who votes and who does not, and the facts certainly do not sustain any declaration by the U.S. Senate that the right to vote is denied in these States because a poll tax is collected as a condition of voting.

There has been much said about the poll tax and about its use as a means of denying suffrage. I take sharp issue with those who in this debate have asserted that the poll tax came into being as a means of denying suffrage. I commend them to the history books for, actually, the poll tax has quite a glorious history and those who look with disgrace upon it will be interested to find that it was supported by England's greatest liberal, John Stuart Mill.

In this country, we find that at the time the Constitution was being written in 1787, most of the States, at least 9 of the 13, had fixed by their own constitutions, the qualifications of those who vote for members of their own legislatures.

In the early days of this Republic, Mr. President, and for many years in the history of our country, many of our States required the payment of poll taxes as a prerequisite for voting. Practically all of the States had some such qualifications.

The PRESIDING OFFICER. The time of the Senator from Alabama has expired.

Mr. HILL. Mr. President, I yield myself 5 additional minutes.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 5 additional minutes.

Mr. HILL. Mr. President, some of the States had a much more stringent and burdensome qualification; namely, the owning or holding of property.

Actually, the poll tax came into being not to restrict or to deny suffrage, but rather as a measure to relieve some of the then existing burdens imposed on suffrage and to increase the number of eligible voters by substituting the poll tax for these other stringent requirements.

So we see, Mr. President, the poll tax came into being as a means of increasing the electorate, not of restricting it.

Judge Thomas M. Cooley, one of the greatest authorities on the Constitution in the history of our country, said in his work on constitutional law:

> Many of the States admit no one to the privilege of suffrage unless he is a taxpayer. * * * To require the payment of a capitation (poll) tax is no denial of suffrage; it is demanding only the preliminary performance of public duty, and may be classed as may also presence at the polls, with registration, or the observance of any other preliminary to insure fairness and protect against fraud.

Mr. President, during my more than 40 years in Congress, I have seen no proposal more cancerous to this body, to this Nation, or to our system of government than the proposals now before us.

I say this with firm and deliberate conviction.

I say this as one who believes that more than ever in these troublesome times does this Nation need a strong and steady rudder to its ship of state, and as one who fears that an emotional hysteria is about to destroy this rudder and send our ship of state foundering in uncharted seas.

I call upon this Senate to show the same wisdom it did in disposing of previous questions on poll tax legislation, in insisting on legal and orderly procedure, and in rejecting efforts to amend the Constitution by legislative fiat.

I call upon this Senate to join in stopping this head-on rush to destroy the remaining vestiges of our charter for democracy—our Constitution—the bedrock of our strength, the anchor of our faith.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. DOMINICK. Mr. President, my understanding is that the Senator from Mississippi [Mr. Stennis] is going to yield me 10 or 15 minutes—I do not know which.

Mr. HART. Mr. President, in view of the time limitation which affects both opponents and proponents, and in view of the fact that I believe the proponents will be able to reserve more time than the opponents of the amendment, I am glad—inasmuch as the Senator from Mississippi [Mr. Stennis] is not in the Chamber at the moment—to yield 15 minutes to the Senator from Colorado.

Mr. HILL. Mr. President, may I inquire of the chair how much time remains to both sides?

The PRESIDING OFFICER. Fifteen minutes is left to the opponents of the amendment and 60 minutes is left to the proponents.

Mr. HILL. I thank the Chair.

Mr. HART. Mr. President, I yield 15 minutes to the Senator from Colorado [Mr. Dominick].

The PRESIDING OFFICER. The Senator from Colorado is recognized for 15 minutes.

Mr. DOMINICK. I appreciate the courtesy of the Senator from Michigan.

Mr. President, it is with some reluctance that I rise to speak on this very important amendment, but in the process of debate on the Prouty amendment, which the Senate considered a short time ago, I raised an issue which was not dealt with satisfactorily at that time and which still may be an issue in the pending amendment.

For the sake of the record I believe that we should try to make the issue as clear as possible.

In order to place it in plain context, I invite the attention of the Senator from Montana [Mr. Mansfield] and the Senator from Michigan [Mr. Hart] to the provisions of section 14 of the substitute amendment which defines the term "vote." It reads:

> The term "vote" shall include all action necessary to make a vote effective in any primary, special, or general election including but not limited to—

Then it goes through a series of items and at the end provides:

> * * * and propositions for which votes are received in an election.

The usual situation in which we deal with propositions for which votes are received in an election is a general election in which, by initiative or referendum, a particular proposal has been placed on the ballot in a special election which deals with subpolitical districts and bonded indebtedness. For example, suppose there is a school bond election, and at that time the question of whether a school district shall be subject to the indebtedness or not is put up to a vote. The same thing would be true in an irrigation district, a sewage district—in all kinds of special improvement districts. In each of those elections in a special improvement district, there are a number of States where the only citizens entitled to vote for or against a proposition are those who have paid a property tax in the preceding year.

The question then becomes one of interpretation because it seems apparent to me that the qualification is included by State law in such States as Michigan, Colorado, Montana, and Wyoming—in a total of 20 or 21 States, so far as I know.

There is no doubt whatever that this qualification has the effect and purpose of denying and abridging the right to vote on that special proposition in that special election.

We come now to the pending amendment. I have read it carefully. It is a substantial improvement, on this point, over what was originally contained in section 9 of the substitute. However, section 9(a), as now proposed, has no definition of "poll tax." It is not restricted to a poll tax which has the effect of abridging or denying the right to vote on account of race or color.

We had that debate and that argument over the Prouty amendment. The Senate chose to reject the Prouty amendment, which would have limited it to the 15th amendment. We are now dealing with any provision of the Constitution of the United States which might be held by any court to declare illegal a poll tax which has the effect or purpose of denying or abridging the right to vote.

The question in my mind, then, occurred as to whether or not these provisions in the States which have such provisions in effect, namely, in school bond elections, irrigation districts, sewage districts, and so on, might be considered to be poll taxes.

In order to be completely clear on this point, I talked to a bond expert by telephone. He is with a firm of famous lawyers in this field, all experts in this field, located in Chicago. He told me that they did not think that, even if a ruling were obtained by the Attorney General from a court that a poll tax was unconstitutional, it would have the effect of outlawing any past bond issue which had already been voted in; and would have no effect. That was one point.

The second point was that although he had done no research in that connection, he did not really believe that the poll tax, within the terms of the bill, would include the type of tax provision that I had referred to in connection with the special improvement district elections.

In addition to that we did some work—and it was a very brief amount of work—in "Words and Phrases" in Corpus Juris Secundum, and examined a few cases. We found a definition on this point, which I believe occurred in a North Carolina case. It is the case of *Dixon* v. *The Board of County Commissioners*, found at 156 Southeast 852. It was decided in 1931. The quotation in the headnote reads:

> A poll tax is defined as a capitation tax, a tax of a specific sum levied upon each person within the jurisdiction of the taxing power and within a certain class, without reference to his property or lack of it.

That is the same definition that occurs in "Black's Law Dictionary," at page 911. It is the same definition which is found in a number of cases.

This, then, would be the definition that a court might apply if a specific attack were made on a poll tax in the normal sense of the word. However, in the bill with which we are now dealing, there is no definition of a poll tax and no effort of any kind to try to tie a poll tax into the normal definition; the only place where it is defined at all is in the proposed substitute amendment.

I ask the Senator from Montana and the Senator from Michigan, or either of them, if they would be kind enough to answer the question of whether there is any thought in any Senator's mind who is pressing for the adoption of the pending amendment that the request for the Attorney General to initiate a constitutional test of the poll tax would include qualifications of the type that are mentioned, which are necessary before one can vote in a special improvement election.

Mr. MANSFIELD. The answer is absolutely and unequivocally "no."

Mr. DOMINICK. I give my thanks to the Senator from Montana, because I wanted to make a perfectly clear record on this point.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. MANSFIELD. The Senator realizes, of course, as he has already indicated, that the same situation applies to my own State of Montana and to 19 or

20 other States. I believe the Senator referred to 21 States. I have been interested in this question and it is without any doubt whatever that I can answer unequivocally "no."

Mr. DOMINICK. I appreciate the Senator's statement. It constitutes a clear, historical record for the benefit of anyone who might later decide to challenge some of these elections on the basis of any bill we might pass dealing with the poll tax.

Mr. MANSFIELD. I believe the Senator from Colorado has performed a service in raising this question and pinpointing the intent of the sponsors of the amendment. I believe that the record made as a result of this discussion would be given great weight in any court of law.

Mr. DOMINICK. I appreciate the comments of the Senator from Montana. Going a little further—and I believe I still have a little time remaining—despite the clear record, I feel that the inclusion in section 14(c) of the words "for which votes are received in an election" expands the scope of the so-called voting rights bill to an extent which I doubt many Senators realize.

I have the fundamental feeling that the bill, if passed in its present form—and I emphasize this, because I support the whole concept of the bill—could do a great deal of damage to the fundamental rights specified in our Constitution, of States to establish the qualifications of their own voters in their own State and local elections.

If we are to take the position that the constitutionality of any proposal which is submitted to vote in an election can be challenged under this type of act, we are going far beyond the scope of the original bill as most of us considered it.

Second, with regard to the pending amendment, we have now decided in the Senate, in this session, in connection with the pending bill, that we would not declare a poll tax, imposed without reference to discrimination on the ground of race or color in State and local elections, illegal by legislation; that we had already done this prior to this time with respect to Federal elections by constitutional amendment; and that the Senate in its wisdom did not wish to do indirectly what it had done directly in its own field.

The pending amendment provides that the "constitutional rights of citizens of the United States to vote is denied or abridged in certain States by the requirement of the payment of a poll tax as a condition of voting."

No statement is made anywhere as to what States are involved. There has been presented before Congress the statement that in the State of Virginia, for example, which imposes a poll tax, there is no evidence that the imposition of the poll tax in Virginia has created any discrimination on the ground of race or color. That statement was made by the U.S. Civil Rights Commission.

The same situation exists in Vermont. However, section 9(a) is not limited to the 15th amendment. It goes into the 14th amendment or whatever provision in the Constitution can be found; so if the Attorney General, under the direction of Congress, should find any poll tax anywhere to be unconstitutional, it would apply equally to all the States involved—Vermont and every other State—regardless of whether or not there had been discrimination on the basis of race or color.

I do not like poll taxes. There is no poll tax in Colorado. I do not believe we should have one. However, I do not feel that I should set the qualifications of voters in the State of Vermont, for example, and I do not believe I should do it in the State of Virginia, if Federal elections are not affected.

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. DOMINICK. May I have an additional 5 minutes?

Mr. HART. Mr. President, I yield to the Senator from Colorado 5 additional minutes.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 5 additional minutes.

Mr. DOMINICK. We are now asked by the majority leader to make a finding of fact that the constitutional right of citizens of the United States to vote has been denied or abridged in certain States, without naming them, where the requirement of a poll tax as a condition of voting exists. I do not wish to go before my constituents and say that I have made a finding that the constitutional right of the people of Vermont, so ably represented by the distinguished senior Senator from Vermont [Mr. AIKEN], who is present in the Chamber, and the distinguished junior Senator from Vermont [Mr. PROUTY], who has been present, has been denied or abridged for all of these years, that the two Senators from that State have not been taking issue with the proposal, and are letting go any kind of right that a person in that State has under the Constitution to vote. It seems to me that is wrong. I should be glad from have the comment of the Senator from Montana on that point.

Mr. MANSFIELD. Mr. President, I believe that the distinguished senior Senator from Vermont [Mr. AIKEN] made the record crystal clear in his colloquy with the junior Senator from Massachusetts [Mr. KENNEDY] several days ago. Again I wish to say for the record that there was and is no evidence submitted with respect to the Vermont situation other than the fact of its tax in local elections. For example, there was absolutely no evidence that a poll tax was adopted in Vermont for the purpose, or that it has been used for the purpose, of discrimination by race or color.

Mr. DOMINICK. But that very issue was before the Senate when the junior Senator from Vermont tried to restrict section 9(a) to the 15th amendment. The distinguished Senator from New York [Mr. JAVITS], who sits in front of me, rose and said, "We do not want to restrict it to the 15th amendment. We will base it on all of these points." The question of discrimination on the grounds of race or color is not involved in the question of whether the poll tax is or is not an unconstitutional denial or abridgement of the right to vote as far as this particular section of the amendment in the nature of a substitute is concerned. It strikes me that this is the great problem in relation to that particular subsection of the bill.

Mr. MANSFIELD. On the basis of the knowledge which I have—and I have gone into the question quite thoroughly for a number of reasons—it would appear to me that there is absolutely no evidence which could be attributed to Vermont to indicate violation of any provision of the Constitution with respect to voting.

Mr. DOMINICK. I absolutely agree that there is no evidence in Vermont of any discrimination on account of race or color. But every Senator knows that if a citizen is required to pay a tax before he is entitled to vote, the very necessity of paying a tax constitutes an abridgement of the right to vote, because if one does not have the necessary money, he cannot vote.

Mr. MANSFIELD. The Senator from Colorado ought to keep in mind the points brought out by the distinguished senior Senator from Vermont to the effect that people receiving social security checks and people who are poor or indigent are excluded from the requirement of payment of the tax in order to vote at the town meetings which are held from time to time.

Mr. DOMINICK. I understand that. That is most helpful in the case of Vermont. Though I do not have very much more time—and I know the distinguished Senator from Vermont can get some time on the question—I should be glad to yield to him.

Mr. AIKEN. If I have the time, I should like to ask the majority leader, or any other Senator who could answer, the following question: There is no provision in the Mansfield-Dirksen amendment in the nature of a substitute which would prevent the Attorney General from bringing suit against the State of Vermont any time he so desired, but if he does so, he will not be doing it with the consent or the instructions of the Congress.

Mr. MANSFIELD. The Attorney General could bring a suit in any State, as the Senator well knows. But on the basis of the record made during the course of the debate, I am of the opinion that the intent of the Congress has been very clearly established with respect to Vermont.

Mr. AIKEN. I hope so.

Mr. MANSFIELD. I would go far beyond hope. We have gone about as far as we can for any court to be able to have a very good idea as to what the intent of the Congress was during the course of the debate as it affects Vermont.

Mr. AIKEN. Does the Senator feel that the Senate has gone as far as it can in advising the Attorney General to let Vermont alone?

Mr. MANSFIELD. Just about as far as it can go.

Mr. DOMINICK. I would hope that perhaps in the statements of the distinguished Senator from Montana we could obtain specific reference to the States he has in mind when he refers to "certain States" in the amendment.

Mr. MANSFIELD. Oh, yes. The "certain states" are Alabama, Mississippi, Virginia and Texas. That has been brought up several times.

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. DOMINICK. I appreciate the courtesy of the Senator from Michigan. That is all I have at the moment.

VISIT TO THE SENATE BY LEBANESE PARLIAMENTARY DELEGATION

Mr. HART. Mr. President, I yield 5 minutes to the Senator from Alabama [Mr. SPARKMAN].

The PRESIDING OFFICER (Mr. BASS in the chair). The Senator from Alabama [Mr. SPARKMAN] is recognized for 5 minutes.

Mr. SPARKMAN. Mr. President, we have the privilege to have visiting in the Senate at this hour a distinguished group of members of the Parliament of Lebanon. They are in this country for a couple of weeks visiting various parts of the country. Some Senators have had the pleasure of having had luncheon with them and talking to them about some things of interest between their country and ours. We are pleased that they expressed a desire to visit the floor of the Senate. I am glad to present them at this time.

They are:

The Honorable Mamdouh Al-Abdallah, Deputy from Marjayoun.

The Honorable Sheikh Habib Keyrouz, Deputy from Becharre.

The Honorable Emile Moukarzel, Deputy from Aley.

The Honorable Bashir Osman, Deputy from Akkar.

The Honorable Fadlallah Talhouk, Deputy from Aley.

The PRESIDING OFFICER. The Chair extends a hearty welcome to our distinguished visitors, and hopes that their visit will be rewarding. [Applause, Senators rising.]

Mr. SPARKMAN. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a very brief biographical sketch of each of the members of the parliamentary delegation.

There being no objection, the sketches were ordered to be printed in the RECORD, as follows:

MAMDOUH AL-ABDALLAH, DEPUTY FROM MARJAYOUN

Mr. Abdallah was born in 1932 in the Marjayoun District of South Lebanon. He is a Shi'a Moslem, is married, and has two sons and a daughter. He attended the Friar's School, Sidon, from 1943 to 1949, El-Hikmat School, Beirut, 1949–51, and the École Supérieure des Lettres, Beirut, 1951–52. He speaks Arabic, French, and English.

SHEIKH HABIB KEYROUZ, DEPUTY FROM BECHARRE

Deputy Keyrouz was born in 1916 in Becharre, North Lebanon. He is a Maronite Christian, is married and has two sons and two daughters. He was educated at the School of Christian Brothers in Tripoli from 1924 to 1936 and at the French Law School in Beirut from 1936 to 1938, where he obtained a License in Political Science. He was elected Deputy from Becharre in 1960 and reelected in 1964. He is chairman of the Parliamentary Economic Committee. He speaks Arabic, French, and English.

EMILE MOUKARZEL, DEPUTY FROM ALEY

Deputy Moukarzel was born in 1917 in Kahalah, Mount Lebanon. After finishing his secondary education at the Jesuit Collège de la Sagesse, he went to France and earned his degree in Architectural Engineering from the University of Paris in 1945. He then returned to Lebanon where he was in private business until 1960. He was elected Deputy from Kahalah in June 1960 and reelected in 1964 from the larger neighboring town of Aley. He is a Maronite Christian, is married and has two children. He speaks Arabic and French.

BASHIR OSMAN, DEPUTY FROM AKKAR

Deputy Osman was born in Bebnine, Akkar District of North Lebanon, in 1914. He is a Sunni Moslem, is married, and has three sons and three daughters. He attended the Teaching and Education College of Tripoli from 1922 to 1933. He has been active in politics for many years. During the 1964 parliamentary elections he was reelected Deputy from Akkar. He speaks Arabic, French, and a little English.

FADLALLAH TALHOUK, DEPUTY FROM ALEY

Deputy Talhouk was born in Aley, Lebanon, in 1915. After graduating from the Aley National College in 1935, he went to work for the Arabian-American Oil Co., where he rose to the position of director of personnel in the Trans-Arabian pipeline (Tapline) division. He was elected Deputy in 1960. He has visited the United States twice before, once for a 2-month Aramco training program and in July 1961 as a member of the parliamentary delegation. He is a Druze by religion. He speaks fluent English and French as well as Arabic.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

The PRESIDING OFFICER. The question is on agreeing to the amendment (No. 187) offered by the Senator from Montana [Mr. MANSFIELD] for himself and the Senator from Illinois [Mr. DIRKSEN], to the amendment in the nature of a substitute, as amended and modified, (No. 124) offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN].

Mr. HILL. Mr. President, I yield 15 minutes to the distinguished senior Senator from South Carolina [Mr. THURMOND].

Mr. THURMOND. Mr. President, I ask unanimous consent that the Senate be in recess for about 5 minutes, in order that Senators may have an opportunity to speak to the gentlemen from Lebanon, the time to be charged to neither side.

Mr. MANSFIELD. Mr. President, I do not believe that can be done, because under the order the vote will take place at 3 o'clock, and therefore there is a time limitation.

The PRESIDING OFFICER. The Chair advises the Senator from South Carolina that, by unanimous consent, the time for all debate is limited, and will end at a given time.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, the time necessary for the call to be charged to the Senator from Michigan [Mr. HART].

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, the poll tax provision of the pending bill is the section which has commanded the spotlight in the Senate so far. The controversy surrounding this section has produced the pinnacle of emotional pitch witnessed in this body, and its continued attraction threatens to keep it in the headlines, almost to the exclusion of the real heart of this proposal. Make no mistake, the poll tax provision constitutes a serious matter, but it is no more ultra vires than the numerous other features of the measure and its impact will not be nearly so widespread as will the other sections.

Placing a legislative or judicial ban on the poll tax as a condition of voting would fly in the face of the Constitution to the same extent as would the provisions of the bill which deprive the States of the right to establish a nondiscriminatory literacy test as a method of judging the qualifications of voters. However, it would be infinitely more unwise to take away from some selected States the right to establish other nondiscriminatory voter qualifications, such as literacy tests, than to require a court determination of the constitutionality of the poll tax. The provisions of the bill dealing with the literacy tests would have a more immediate and more drastic effect upon the voting procedures of the States concerned than would the poll tax provisions.

This section of the bill has drawn so much attention and has been in the headlines so continuously that it needs to be placed in its proper perspective, both as to its own demerits and as to its relation with the remainder of the bill.

The present wording of section 9(a) of the Mansfield-Dirksen substitute contains the statement that evidence has been presented to Congress that the requirement of the payment of a poll tax as a condition of voting denies or abridges the constitutional right of citizens to vote in some States. In this section, the Attorney General is directed to institute court action to determine if the abridgment or denial because of the poll tax requirement is in violation of the Constitution of the United States. Mr. President, it would be an easy task to find evidence that the requirement of the payment of a poll tax as a prerequisite to voting has the effect of denying or abridging the right to vote. I personally found that to be the case when I was Governor of the State of South Carolina. I recommended to the State legislature that a constitutional amendment to do away with the poll tax as a prerequisite to voting be submitted to the people. The legislature concurred in my request, and the poll tax as a prerequisite to voting was abolished in South Carolina during my term as Governor. It was a gratifying experience for me to be instrumental in the abolition of the poll tax as a prerequisite to voting in South Carolina because it was proved to be an unproductive restriction on the voting privilege.

A different question is presented to Congress so far as the poll tax is concerned. Neither Congress nor the courts of the United States have the constitutional authority to do away with the poll tax in any State simply because it places a restriction upon the exercise of the voting privilege. The Constitution does not give anyone the right to vote. The Constitution protects the privilege of voting from infringement by the States on only two counts: First, the privilege of voting cannot be infringed because of race or color; and second, the privilege of voting cannot be infringed because of sex.

In order to hold the requirement of the payment of a poll tax as a condition to voting unconstitutional, it would be necessary to produce evidence which shows that the tax made a distinction because of race, color, or sex. This cannot be done. The poll tax applies across the board to all citizens who would exercise the privilege of the ballot, white as well as black, male as well as female. The evidence mentioned in section 9(a) of the bill does not prove, or even tend to prove, otherwise. All that it proves or can prove is that some individuals fail to tender timely payment of the tax and are therefore prevented from voting. This is a matter which affects the individual and not a particular class determined by race or sex, which would be the only basis for congressional or Federal court action.

The few States which now require the payment of a poll tax as a condition of voting may well have reached the conclusion that conditions in their State, which do not exist in other States, make such a tax desirable. For instance, it may have been determined that the timely payment of the poll tax is necessary to distinguish between those individuals who have a continuing interest in the affairs of government and those individuals who do not show the same amount of interest in the affairs of government. While I may differ with the officials of these States on such a point, as is apparent from the stand I took as Governor of South Carolina, I am in no position to question their constitutional authority to make such a determination. The only distinction which is drawn in this case is between those who have paid the tax and those who have not paid the tax. This distinction does not violate any section of the Constitution of the United States and is therefore a valid exercise of State authority.

The present wording of section 9(a) of the bill states that evidence of this nature has been presented to Congress, but no congressional finding concerning the validity of such evidence is expressed in the bill. The bill directs the Attorney General to bring suit and thereby assure a court determination of the sufficiency of the evidence presented to Congress and to determine whether the restriction of the voting privilege represented by the poll tax is an unconstitutional denial or abridgement. In truth, it is hardly necessary for Congress to direct the Attorney General to take such a course of action in order to have a valid court determination of the matter. Any private citizen would bring a suit of this nature and the judgment of the court would be just as valid as it would be if the Attorney General brought suit on behalf of the United States.

The substitute language now proposed by the majority leader and the minority leader for section 9(a) differs in one important respect from that contained in the substitute at the present time. The new proposal contains a congressional declaration "that the constitutional right of citizens of the United States to vote is denied or abridged in such States by the requirement of the payment of a poll tax as a condition of voting." This declaration goes beyond the competence of Congress and is not founded on any valid evidence. First, the Constitution gives no one the right to vote, as I have previously pointed out. Second, there is no proof that the poll tax applies unequally to any one race or sex.

It would be within the competence of Congress to declare that the requirement of the payment of a poll tax as a condition of voting restricts the franchise in those States which have such a requirement. There is evidence to sustain such a finding by Congress, but it would be a hollow exercise in futility, because this, in itself, would raise no issue within the jurisdiction of the Congress or the Federal courts. Yesterday's edition of the Washington Evening Star contained an editorial entitled "Show in the Senate." This editorial relates specifically to the point which I have just made, and it bears out the accuracy of my observation. I ask unanimous consent that this thought-provoking and well written editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, May 18, 1965]

SHOW IN THE SENATE

The Senate is putting on an interesting demonstration of the fine art of tilting at windmills in the debate on the voting rights bill.

The leadership wanted to adopt an amendment limited to a congressional declaration that poll taxes in the four States which still retain them "may" have been used to deny citizens their voting rights. This did not satisfy the anti-poll-tax Senators, whose effort last week to write a specific ban on poll taxes into the bill was defeated, 49 to 45. These Senators were not satisfied with the leadership proposal, however, and held out for a congressional finding that poll taxes have been used for purposes of discrimination. Minority Leader DIRKSEN objected to this on the sensible ground that Congress had virtually no evidence of discrimination. But now a "compromise" has been worked out which would insert in the bill a congressional declaration that the right to vote is denied or abridged in certain States where payment of poll taxes is a prerequisite to voting.

Of course the poll tax abridges or lays a restraint on the right to vote. So does the requirement that a person must be 21 years old in order to vote. An even heavier restraint is imposed by the insistence in some non-Southern States upon reregistration every 2 years as opposed to permament registration which is provided by Virginia law. What the 15th amendment forbids, however, is denial or abridgment of the right to vote "on account of race, color, or previous condition of servitude." This has generally been taken to mean that there must be proof, in order to establish a violation, that the poll tax is used to discriminate against Negro voters. And on this score, the Senate's undocumented and unsupported declaration is meaningless. It may appease the Senators who were beaten last week. And it may help induce the House to accept the Senate bill. But when the Attorney General undertakes to attack the poll tax on constitutional grounds, as the Senate bill directs him to do, he most certainly would rather have specific proof of discrimination than a congressional declaration which amounts to nothing more than an exercise in semantics.

Mr. THURMOND. Mr. President, in order to make the proposed new wording accurate and in line with the power of Congress, the word "constitutional" should be stricken in both places it appears in the first line, and the phrase "on account of race, color, or sex" should be added at the end of the section. These changes would make the proposed new section read as follows:

> In view of the evidence presented to the Congress that the right of citizens of the United States to vote is denied or abridged in certain States by the requirement of the payment of a poll tax as a condition of voting, Congress declares that the right of citizens of the United States to vote is denied or abridged in such States by the requirement of the payment of a poll tax as a condition of voting. To assure that such right is not denied or abridged in violation of the Constitution, the Attorney General shall forthwith institute in such States in the name of the United States actions for declaratory judgment or injunctive relief against the enforcement of any poll tax, or substitute therefor enacted after November 1, 1964, which, as a condition of voting, has the purpose or effect of denying or abridging the right to vote on account of race, color, or sex.

Changed in this method, the wording of this section would then be accurate, based on the available facts at hand, but constitutionally irrelevant. It would, nevertheless, be an almost totally unprecedented move on the part of the Congress to direct the Attorney General to challenge the constitutionality of a State law. In other areas, the Attorney General, and other agencies of the Government, as well as private individuals, have both the authority and the duty to challenge the constitutionality of State and local enactments. This is a common practice, and hardly merits mention. But to direct the Attorney General to challenge the constitutionality of a specific State law could establish a precedent which may well be regretted in future years.

As I stated at the outset, the poll tax section of the bill has been blown all out of proportion to its importance in relation to the other provisions of S. 1564. If the poll tax were banned by either legislative or judicial fiat, it would be negated in all the States which have such a requirement, including Vermont. However, the ban on the application of other voter qualifications, specifically the literacy test, would apply in only certain select States. Aside from its obvious unconstitutionality, such an action by Congress is unjustly discriminatory to the States which fall victim to the ban. The States of the Union, although coming into the Union as coequal partners, would now have a distinction drawn between them. Some States would be left with all the powers granted or reserved to them by the Constitution, while others would be forbidden from exercising their constitutional authority. The result would be that an illiterate could vote by virtue of Federal law and contrary to the State law in some States, but still be unable to vote in a Northern or Western State, not covered by the bill, if that State required its voters to give proof of the ability to read and write.

There is further evidence of the discrimination which would be brought about by passage of the bill. The procedures established by the bill for registration of voters by Federal examiners will apply only to Negroes. Thus, Negroes will be registered to vote even though some of them may be unable to read and write, as is required by State law. However, the State law requiring proof of the ability to read and write would still apply to prospective white applicants. Undoubtedly, white people will not be allowed to register under the procedure established by the bill. The result would be that an illiterate Negro would be entitled to register and vote in the States which fall prey to the statistical formula of the bill, but an illiterate white person would still be unable to register and vote. For this reason, I consider the literacy test feature far more serious in terms of its total impact than the poll tax provision of S. 1564.

Mr. HART. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 1 minute.

Mr. HART. Mr. President, I am glad that the distinguished majority leader, in a colloquy with the junior Senator from Colorado [Mr. Dominick] made it clear that the requirement that a person must be assessed for or have paid a property tax before being permitted to vote on a bond issue or special assessment. Section 9 and the pending amendment is intended to deal with the poll tax as such, a head tax to be paid as a prerequisite of registering or voting. The right to challenge——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HART. Mr. President, I ask unanimous consent that I may be recognized for 1 additional minute.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 1 additional minute.

Mr. HART. Mr. President, it is clear that the bill cannot immunize any election, State, Federal, or local, with regard to a 14th amendment violation. However, there is not a scintilla of evidence that there is any such violation before Congress in any local school or drainage district bond issue before Congress.

Mr. President, I yield 10 minutes to the senior Senator from New York.

The PRESIDING OFFICER. The senior Senator from New York is recognized for 10 minutes.

Mr. JAVITS. Mr. President, I shall first address myself to the essence of what we are trying to do and why, and then deal with the specialized interest of certain Senators who feel that their States are peripherally affected by the proceedings contained in this record and by the poll tax provisions of the bill.

First, on the essence of the matter, let us remember that we were defeated in our effort to ban the poll tax. If we were to ban the poll tax, States which have a beneficient poll tax, such as Vermont and perhaps Colorado—although I do not believe that Colorado would come within that definition—would then change their laws in order to collect the same tax, except that the right to vote would not be conditioned on prepayment of the tax.

In Vermont, for example, payment of the tax could be a precondition to obtaining an automobile license. In that case, we would be dealing with a revenue situation. I have always had grave doubts as to whether revenue situations in States such as Colorado and 18 other States—as has been mentioned—would even come within the meaning of the term "poll tax." However, be that as it may, our amendment banning the poll tax was rejected. We are now talking about a different proposition, and it is that matter that I wanted to develop.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. DOMINICK. Mr. President, in States such as Colorado, the only qualification in general and State elections is that one must be 21 years old or older. It is only in special policy elections that we believe, if we are to have an indebtedness placed on the property, we ought to be permitted to decide that issue.

Mr. JAVITS. Mr. President, I stated then and I state now that I do not believe that was encompassed within the meaning of the term "poll tax."

In Vermont, the situation is different. I thoroughly agree with the majority leader. As one who has been active in connection with the pending measure, I join in the statement that the poll tax concept excludes the kind of situation to which the Senator from Colorado has reference.

There are some aspects of the question that I believe apply, even in my State, when the authorities undertake to install some kind of sewer or sanitation project in which the neighboring owner must join.

It may very well be that they must agree to pay their part of the cost. I believe that we get into permutations which are quite apart from the poll tax issue. I believe that the words "poll tax" are used as words of art.

The question of whether Congress shall make a finding of fact with regard to the ban of poll tax is now under consideration. In order to make a finding of fact, we must have some basis of fact. It seems to me that the basis of fact is established by a composite of pending cases and findings which have been made before the origin of the poll tax. The purposes were frankly stated in States which adopted the poll tax.

If we needed a declaration, we have one in the following statement issued by the Civil Rights Commission prior to its definitive report on the results of its hearings on voting in the State of Mississippi:

> The requirement of any poll tax payment as a prerequisite to voting in any election should be abolished, in view of the fact that poll taxes have been intended and utilized as a means of discrimination in violation of the 15th amendment. In the opinion of the Commission, there can be no reasonable doubt of the power of Congress to enact such a provision as an exercise of the power expressly granted to Congress to enforce the 15th amendment.

Reference can be made to the debate as shown in the Record for May 7, 1965, at page 9920, and those that follow, in which case after case was cited in which allegations were made that the poll tax was being used to discriminate in voting because local officials do not have to take the tax, and if they do not, a Negro trying to pay it is denied the right to vote.

I mention also the findings of the Judiciary Committee going back to 1953 to which reference was made in this debate in which it was found as a fact, after hearings, that the poll tax was used as a means of discrimination.

I refer also to the citations made by the Senator from Massachusetts [Mr. Kennedy], the sponsor of the banning amendment, showing how the poll tax was endemically built into a situation which, based on economics, was discriminatory.

In addition, I quote from the 1959 report of the U.S. Commission on Civil Rights, which I ask unanimous consent to have printed in the Record at this point as a part of my remarks, but first I quote from it:

> Between 1889 and 1908, the former Confederate States passed laws or amended their constitutions to erect new barriers around the ballot box. The most popular were (1) the poll tax—

And so forth.

There being no objection, the extract was ordered to be printed in the Record, as follows:

> The U.S. Commission on Civil Rights in its 1959 report summarizes these events:
>
> Between 1889 and 1908, the former Confederate States passed laws or amended their constitutions to erect new barriers around the ballot box. The most popular were (1) the poll tax; (2) the literacy test; (3) the grandfather clause, which provided an alternative to passing a literacy test for those who had voted in 1867 (or some year when Negroes could not vote) and to their descendants. Other measures included stricter residence requirements, new criminal disqualifications, and property qualifications as an alternative to the literacy test.
>
> These barriers often kept poor whites from voting—and were sometimes openly so intended. But their sponsors made little or no attempt to disguise their chief objective, which was to disfranchise Negroes in flat de-

fiance of the 15th amendment. The chairman of the suffrage subcommittee in the 1902 Virginia constitutional convention declared of the new literacy test:

"I expect the examination with which the black men will be confronted to be inspired by the same spirit that inspires every man upon this floor and in the convention. I do not expect an impartial administration of this clause."

The president of the 1898 Louisiana constitutional convention, which adopted the first grandfather clause, summarized as follows:

"We have not drafted the exact constitution that we should like to have drafted; otherwise we should have inscribed in it, if I know the popular sentiment of this State, universal white manhood suffrage, and the exclusion from the suffrage of every man with a trace of African blood in his veins. What care I whether the test we have put be a new or an old one? What care I whether it be more or less ridiculous or not? Doesn't it meet that case? Doesn't it let the white man vote, and doesn't it stop the Negro from voting, and isn't that what we came here for?" (pp. 30–32).

Mr. JAVITS. Mr. President, it seems to me that, based on that record, we come within the qualifications which was made in the case of Katzenbach against McClung, decided in 1964, which reads:

> Where we find that the legislators, in light of the facts and testimony before them, have a rational basis for finding a chosen regulatory scheme necessary to the protection of commerce—

Commerce in that case—

> our investigation is at an end.

I pointed out that if we inserted the words "voting right" in that finding in the place of the word "commerce," it is indeed as sacred a constitutional right as is the regulation of commerce under the Constitution.

One other factor which has also been developed in great detail is the disparity in income in poll tax States, in that the median income of Negroes is between one-half to one-third that of whites in Mississippi, Alabama, Virginia, and Texas, which makes such an economic burden on the right to vote an unequal burden. That proof is in the record.

I refer now to the fact that many questions have been raised about bringing in the argument of the 14th as well as the 15th amendment. The reason is that we are entitled to sustain our objections to the poll tax as they will be put forward in court on the basis of the Constitution in totality. It seems to me that the argument on the 14th amendment does not displace the argument on the 15th amendment; it buttresses that argument. In other words, the equal-protection-of-the-laws question goes to the point whether or not the right is denied or abridged under the 15th or 14th amendments.

As I pointed out before, we were beaten on the ban, and we are now debating the question of the declaration.

Having lost on the ban on the poll tax, it seems to me the purpose of the amendment is to preserve the constitutional right to act against discrimination, denial, or abridgment, but it can no longer be by a flat ban against the poll tax. That is where the case of Vermont comes in. In this statement we are dealing with abridgment under the 15th amendment, but we have the right to employ the concept of the equal protection of the laws doctrine in order to prove our case under the 15th amendment.

I do not see why we cannot use both the 14th and 15th amendments in order to accomplish the congressional purpose, which is to relieve the right to vote of the discrimination which is now shown, and which the poll tax is used as a means of perpetuating. This is the essential element, as I see it, of our argument. That is why the amendment we shall be voting on soon is so completely different from what we tried to do before. There is no gainsaying or coloring of that fact. So we go next to a statement that it is a finding of fact, zeroed in on situations where the poll tax is being used as a means of denying the voting right.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HART. Mr. President, I yield an additional 5 minutes to the Senator from New York.

Mr. JAVITS. That is the basic legal background which bears on this finding of fact.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. DOMINICK. The finding of fact which the Senator is asking Congress to make is based on reports of the Civil Rights Commission which show that the poll tax in certain States—specifically Mississippi—has been used to deny or abridge the right to vote on account of race or color—which is based on the 15th amendment; but here the Senator is asking not to restrict it to the 15th amendment, but to refer to a poll tax which denies or restricts the right to vote. Any poll tax does that, because if one does not have the money to pay a poll tax, he cannot vote, regardless of whether it is $1.50 or $2.50. So it is a bar to his voting, regardless of whether it is on the basis of color or race.

I cannot find any evidence which would support a finding by Congress that the 14th amendment has been violated.

Mr. JAVITS. The reason for using the figures for median income is that it buttresses that finding of fact, because where there is not that disparity in certain States, on economic grounds, the poll tax does not work to abridge the right to vote. But the very clause the Senator referred to deals with denial or abridgment of the right to vote in certain States by reason of that fact. That gives the court a clue as to our selectivity. We were running across the board. Now we are dealing with a finding of fact which has been made with respect to States where there is that disparity and where the original record of the purpose of having adopted the poll tax shows that it was for the purpose of restricting the right to vote.

It seems to me that the finding of fact is so clearly selective that the courts will be selective, as we call upon them to be, especially because we have lost on our earlier attempt for a complete ban. I do not believe we can color that at all. We have lost on the basic proposition of a ban across the board. I therefore conclude that the finding of fact will enable the courts to act in situations in which basis the right to vote is being actually abridged or denied by virtue of the utilization of the poll tax and it will not—as was the intent of the ban upon which we lost—result in poll taxes across the board being banned.

It may very well be that in some other State, other than in the four States to which I have referred in this discussion, the courts will find in fact that the poll tax does work as an abridgment of the right to vote in an unequal way. If it does, then the result will follow, but the result will follow anyhow, whether we said so here or not; hence, the finding of fact buttresses the capability of the courts to act, but does not, as would the ban, compel the courts to act. We have given sufficient evidence of our desire to be selective so that, in my judgment, the courts which pass upon the matter will be selective.

I close by pointing out that this proposed amendment is not the optimum for me. Perhaps that is why I am in the best position to speak. I believe and still believe that the poll tax should have been banned, that it is an anachronism in American life and an improper burden upon the right to vote.

But I lost. So, Mr. President, I am proud to interpret what is before the Senate, and what is before the Senate is selective in its character and quality. That is the way I understand it.

Mr. HART. Mr. President, I yield 4 minutes to the Senator from Massachusetts [Mr. KENNEDY] who, I understand, desires to address himself to this question.

The PRESIDING OFFICER. To whom does the Senator from Michigan yield time?

Mr. HART. I yield 4 minutes to the Senator from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. President, we have been considering an amendment offered by the distinguished majority and minority leaders to section 9(a) of their substitute bill. Their amendment is quite similar to the existing language, except for the addition of a declaration by Congress that the right of citizens to vote is denied or abridged in certain States by the presence of a poll tax as a condition for voting.

I will vote for the inclusion of this amendment. I will vote for it, because it does strengthen the poll tax section of the bill. To the extent that the amendment makes more clear the position of Congress in this matter, it will make the task of the Attorney General that much easier in the suits he is directed to bring.

Mr. President, there is no doubt in my mind that the presence of a poll tax as a condition for voting stands in violation of the 14th and 15th amendment rights of citizens. Anything that will give greater assurances that such taxes will be removed deserves our support. I am hopeful that the addition of a congressional declaration as found in this amendment will move us closer to the elimination of such taxes. On that basis, I am in favor of such language being included in the Senate bill.

Mr. President, I yield back the remainder of my time.

Mr. HART. Mr. President, before the Senator yields back the remainder of his time, I should like to express once more to the Senator from Massachusetts the thanks of all of us who have felt so strongly through the course of debate the desirability of a ban on poll tax.

I believe that history—which is given to noting only few of the events, really, which take place daily in the Senate—will, nonetheless, take explicit notice of the dramatic leadership the Senator from Massachusetts [Mr. KENNEDY] has given throughout this debate in focusing attention on the desirability of expressing our strong disapproval of the poll tax.

Mr. KENNEDY of Massachusetts. Mr. President, I appreciate the remarks of the Senator from Michigan. To all of us as members of the Committee on the Judiciary, he has been our true leader in this undertaking.

I appreciate his remarks, and I applaud his efforts.

Mr. HART. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. Mr. President, I yield 10 minutes to the distinguished majority leader the Senator from Montana [Mr. MANSFIELD].

The PRESIDING OFFICER. The Senator from Montana is recognized for 10 minutes.

Mr. MANSFIELD. Mr. President, the poll tax issue has been no small question in this body. In some measure it has been a symbolic issue. Monday I introduced, on behalf of myself and the distinguished minority leader, an amendment which we both hope will fully and finally cope with this important issue.

The pending amendment is not, in my opinion, a significant change from the language it replaces in the substitute. The original language directed the Attorney General to bring suits to enjoin the use of a poll tax as a condition of voting where the poll tax has the purpose or effect of abridging or denying the right to vote. The amendment does not change this provision.

The only real change is that the amendment adds a new phrase expressly declaring a congressional view with respect to the right which the Attorney General shall seek to protect in these suits.

I said on this floor on May 7, 1965, that in section 9(a) there was an implied congressional finding that poll taxes used as a precondition to voting in some States constituted a denial or abridgment of the right to vote. The Attorney General agreed with me.

But many able Senators, also fine lawyers, disagreed and contended that the language could be misunderstood and interpreted as other than an implied finding.

Mr. President, the amendment to section 9(a) which I have introduced on my own behalf and that of the distinguished minority leader is intended simply to say expressly what we intended to imply. It is an express declaration that poll taxes used as a condition of voting in certain States violate the constitutionally guaranteed right of all citizens to vote. This change removes any doubt—the intention of our original language is now manifestly clear.

It expresses our contention based upon the evidence before us that certain States have poll taxes that have an inherent capability for discrimination.

In view of the Attorney General's previous statements on this matter, I asked him to evaluate the language of the amendment presently before us in the hope that he would corroborate my interpretation. The Attorney General has responded by letter dated today in which he confirms my statement with respect to the pending amendment. I ask that the Attorney General's letter be placed in the RECORD at this point in my remarks.

With these factors in mind, I urge the adoption of the pending amendment.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 19, 1965.

Hon. MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR MANSFIELD: This is in response to your inquiry as to my views concerning the revised poll tax provision which you and Senator DIRKSEN have proposed as an amendment (No. 187) to the Mansfield-Dirksen substitute voting rights bill. Specifically, you have asked whether the revisions alter my judgment, previously expressed in my letter to you of May 7, 1965, that the provision to be amended directs the Attorney General to bring suit to challenge the poll tax as a violation of both the 14th and 15th amendments to the Constitution.

I have reviewed amendment No. 187, and I find it to be a clear expression of the judgment of the Congress that, on the evidence presented, the requirement of the payment of a poll tax as a condition of voting constitutes a denial or abridgment of the constitutional right of citizens of the United States to vote. Without question, this declaration and the direction to bring suit encompass the 14th and 15th amendments as well as any other provisions of the Constitution which might be relevant to an adjudication of the constitutionality of the poll tax. This solemn declaration of the Congress should be very important in guiding the courts to a resolution of the ultimate constitutional question.

Sincerely,
NICHOLAS DEB. KATZENBACH,
Attorney General.

Mr. MANSFIELD. Mr. President, certain questions have been raised about the situation in the State of Vermont. I am in receipt of a letter from the Attorney General of the United States with respect to these questions, which reads as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., May 19, 1965.

Hon. MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR MANSFIELD: On May 17, 1965, I responded to Senator WINSTON L. PROUTY who had inquired whether the poll tax collected by the State of Vermont would be affected by section 9 of the Mansfield-Dirksen substitute voting rights bill. I advised Senator PROUTY that section 9 would require the Attorney General to institute actions for declaratory judgment or injunctive relief against the enforcement of any poll tax which as a condition of voting in State or local elections has the purpose or effect of denying or abridging the right to vote. I stated further that without a more extensive examination of the circumstances surrounding the Vermont poll tax, I could not forecast the result of a test against the standard set forth in section 9 but that the provision would leave Vermont free to enforce the poll tax as a precondition to voting until a court had held the tax unconstitutional.

You have asked that I make a further review of the circumstances surrounding the Vermont tax. In response to your request I can advise you that the statutes of the State of Vermont require that persons over 21 years of age pay a $1 tax as a precondition of voting in town meetings and municipal meetings. Annual town meetings are to be held the first Tuesday in March and the tax must be paid prior to January 1 of each year. The statutes provide a number of exemptions from the tax requirement, including "Persons actually poor" and "Persons receiving old-age assistance." Vermont Statute Annotated, 1958, title 24, section 701; title 32, sections 3601, 3802.

My review indicates further that except for the fact of the requirement of the tax as a precondition of voting, there is no present evidence before the Congress that the Vermont provision was initially adopted or has been administered in violation of the Constitution. I understand the declaration which is a part of the proposed amendment to the substitute (No. 187) to reflect this state of the evidence as to Vermont and, without additional evidence of discrimination would not be prepared to bring an action directly against the Vermont provision.

You recognize, I am sure, that one of the issues in the pending *Harper* case in the Supreme Court and in each case of a poll tax is whether such a tax constitutes a denial of due process because there is no reasonable relationship between its payment and an individual's qualification as a voter and, because such revenue as may accrue from the tax may be raised by alternative means which are not a clog upon the franchise. Should the Court accept this position, it would be largely determinative of any issues with respect to the constitutionality of the Vermont tax as well as any other poll tax required as a precondition of voting.

Sincerely,
NICHOLAS DEB. KATZENBACH,
Attorney General.

Mr. HART. Mr. President, how much time remains on our side?

The PRESIDING OFFICER. Six minutes remain of the Senator's time.

Mr. HART. I yield myself such time as I may require.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. PROUTY. Is it the Senator's view that in the letter the Attorney General has expressed the opinion that the constitutional rights of citizens of the United States to vote is not denied or abridged in the State of Vermont by the payment of the poll tax as a condition of voting?

Mr. HART. It is my understanding, based on all the evidence available to him and to us, that the Attorney General has advised us that he would be in no position to undertake an action. I feel certain if he felt the evidence did indicate a denial or abridgment, he would be compelled to take action. I reply to the question of the Senator from Vermont by saying that there is no indication of a denial or abridgment in the case of Vermont.

Mr. PROUTY. Indeed Vermont's situation is unique. Even if the Supreme Court should one day hold that a poll tax may result in economic discrimination, as some are contending, Vermont's tax would quite probably still be upheld because in my State the poor, the people on old age assistance, and others upon whom the tax might work a hardship are excused from paying it.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. MANSFIELD. I should like to say again what I have already said to the distinguished senior Senator from Vermont [Mr. AIKEN]. No evidence was submitted with respect to the Vermont situation other than the fact of their tax in local elections, and there was absolutely no evidence, for instance, that a poll tax was adopted in Vermont for the purpose or that it has been used for the purpose of discrimination by race or color.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. HART. I yield. How much time have I remaining?

The PRESIDING OFFICER. Three minutes.

Mr. MILLER. I merely wish to ask the Senator, for the record, what his understanding is of the status of the finding by Congress, set forth in the pending amendment, in so far as its evidentiary value in a court case brought by the Attorney General is concerned.

Mr. HART. It ought be an extremely persuasive factor with the court. Indeed, I believe cases have already been cited which indicate that if there is commonsense or good reason for such a finding the court will accept it.

Mr. MILLER. Except we do not spell out what States are involved; so it would require a separate direction for each State. Therefore, might we say that this is not conclusive evidence but that it might constitute a presumption in that respect?

Mr. HART. First, States have explicitly been named and identified as those which the evidence points to and with respect to which we are making this finding: Alabama, Louisiana, Mississippi, and Texas.

Second——

Mr. MILLER. But the States are not spelled out in the amendment.

Mr. HART. No. There is clear indication, however, in the legislative history on which we make our finding with respect to them, and I believe the court would accept the finding, which I believe is substantial and persuasive.

Mr. MILLER. Not conclusive.

Mr. HART. I would not like to speak for the court. It is my feeling that the evidence is overwhelming, but it would be a matter for the court to decide.

Mr. MILLER. But the Senator certainly does not intend to have Congress tie the hands of the court in making a finding, does it?

Mr. HART. We would not be in a position to do it even if we intended it. I am sure the court gives us credit for good faith and sound judgment in making such a finding.

I yield the remaining time to the Senator from Mississippi.

Mr. STENNIS. Mr. President, in my opinion the pending amendment is a spurious political move, intended to coerce, and is an insult to the Supreme Court of the United States. If it is an attempt to interpret, on the part of the legislative branch, what the decision should be, it is out of order. If it is in the nature of an order, a mandate, or is a coercion, or an attempt to put the Court on the spot, it is a downright insult. If the Court passes on this question, I hope it will ignore this amendment which I believe the Court would do. If it does not ignore the language of this amendment, I hope the Court will expressly reprimand the Senate for interfering with the Court's high prerogative as the sole holder of judicial power. If a citizen should seek to influence the Court as we are doing here he would be punished for contempt.

I thank the Senator for yielding me the time.

Mr. COOPER subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD prior to the vote, a statement in support of the Mansfield-Dirksen amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

MAY 19, 1965.

I support the Mansfield-Dirksen amendment to section 9(a) of the voting rights bill.

There is no question that the requirement of a payment of a poll tax as a precondition to voting has been used to deny and abridge the right of Negroes to vote. The legislative history of the enactment of the poll tax in States where it is now a requirement for voting clearly indicates that it was conceived as a tool or method of keeping Negroes from exercising the franchise. The debates during the past 2 weeks on this question have very clearly documented the legislative history in this respect, and I shall not encumber the record with additional material that is repetitious on this point.

I have studied the testimony presented at the hearings on the voting rights bill before the Judiciary Committee. I would like to particularly mention the 1964 status report prepared by the attorneys in the Civil Rights Division of the Department of Justice commencing at page 1175 of part 2 of the hearings. The Department has developed a particular line of cases with respect to the discriminatory uses of the poll tax.

1. *U.S.* v. *Dogan* (314 F. and 767 5th Cir.) the circuit court found: "Distinctions on account of race or color have been made in the collection of poll taxes in Tallahatchie County, Miss."

The court went on to state: "A careful scrutiny of the evidence adduced in the trial court discloses that beyond question racial discrimination was being practiced, even up to the last day of the taking of evidence in the hearing of the motion for preliminary injunction."

The findings in the Dogan case may be summarized as follows:

The sheriffs of the county refused to receive poll tax payments from Negroes.

Negroes were required to make payments to the sheriff and not to his deputies, as was the case of the whites.

The sheriff's office assisted whites who wished to pay their poll taxes, and not Negroes.

Out of a population of 6,483 Negroes in the county, no Negro had ever been permitted to pay a poll tax.

2. *U.S.* v. *Allen* (clerk of Chickasaw County, Miss.—filed September 3, 1964). This case is pending. The Department of Justice has alleged that Negroes were refused poll tax certificates by the clerk or his agent.

3. *U.S.* v. *Simpson* (clerk of Chickasaw County, Miss.—filed December 16, 1963). The Department of Justice alleges that between 1947 and 1964 at least 14 Negroes made 21 attempts to pay their poll taxes to sheriffs of the county and payments were refused while whites were permitted to pay their taxes at the same time.

4. *U.S.* v. *Duke* (332 F. 2d 759, 5th Cir.). Here the court found that "another means employed by Duke to discourage and delay Negro registration was his requirement—imposed only on Negroes—that applicants have two current poll tax receipts prior to registration."

The above cases are examples of discrimination practiced against Negroes with respect to poll taxes and illustrate that the discriminations practiced have taken general forms. Among other forms there has been:

Discrimination in the refusal of the collecting authority to receive poll tax payments from Negroes;

Discrimination in the refusal of the clerks to issue poll tax receipts; and

Discrimination in the requirement that Negroes have two current poll tax receipts prior to registration whereas whites were required to produce the receipt prior to voting.

Furthermore, the Commission on Civil Rights has made a finding with respect to the discriminatory use of the poll tax. In a meeting on May 5, 1965, the Commission took under consideration and study a report on voting resulting from hearings held in the State of Mississippi in February. The Commission then adopted the following recommendations:

"The requirement of any poll tax payment as a prerequisite to voting in any election should be abolished, in view of the fact that poll taxes have been intended and utilized as a means of discrimination in violation of the 15th amendment. In the opinion of the Commission, there can be no reasonable doubt of the power expressly granted to Congress to enforce the 15th amendment."

The Mansfield-Dirksen amendment provides that Congress "declares that the constitutional right of citizens of the Unied States to vote is denied or abridged in such States by the requirement of the payment of a poll tax as a condition of voting."

In view of the evidence presented in the courts and the findings made by the Civil Rights Commission, it seems to me that this declaration is a proper one for Congress to make and would reenforce the Attorney General's position in the courts.

I note that in the Attorney General's letter of May 7 to the majority leader, he states that "So saying, I do not mean to imply any reluctance to argue that poll taxes, as applied, abridge rights guaranteed by the 14th and 15th amendments. On the contrary, I welcome the congressional directive to challenge these so-called qualifications for voting on both grounds in judicial proceedings. And I accept all the arguments marshaled in support of invalidating the poll tax; I would invoke these in the suits the Department of Justice is directed to institute."

Thus, the Attorney General could proceed on both 14th and 15th amendment grounds. The court, of course, could decide a case on any ground and would not be limited by any declaration that Congress might make on the subject. But it seems to me important that the amendment directs the Attorney General to proceed on the basis of the 14th and 15th amendments in any argument before the Supreme Court.

I have studied the recent decision handed down by the Supreme Court on April 27, in the Virginia case of *Harman* v. *Forssenius.* In that case, the Court had to construe the 24th amendment in determining whether or not Virginia could require in Federal elections that the voters either pay the customary poll taxes as required for State elections or file a certificate of residence. The Court held that this requirement was in violation of the 24th amendment and struck it down. But in analyzing the decision, it is significant that the Court discussed at length the origin and application of the poll tax as a method of disenfranchisement. The Court, at page 10 of the pamphlet opinion, discusses the number of antipoll tax bills that were passed by the House since 1939 and the findings made by the various congressional committees. The Court takes note that "one of the basic objections to the poll tax was that it exacted a price for the privilege of exercising the franchise." And points out that, "another objection to the poll tax raised in the congressional hearings was that the tax usually had to be paid long before the election—at a time when political campaigns were still quiescent—which tended to eliminate from the franchise a substantial number of voters who did not plan so far ahead. The poll tax was also attacked as a vehicle for fraud which could be manipulated by political machines by financing block payments of the tax. In addition, and of primary concern to many, the poll tax was viewed as a requirement adopted with an eye to the disenfranchisement of Negroes and applied in a discriminatory manner. It is against this background that Congress proposed, and three-fourths of the States ratified, the 24th amendment abolishing the poll tax as a requirement for voting in Federal elections."

In discussing the 24th amendment, the Court reaffirmed: "It has long been established that a State may not impose a penalty upon those who exercise a right guaranteed by the Constitution. * * * Significantly, the 24th amendment does not merely insure that the franchise shall not be 'denied' by reason of failure to pay the poll tax; it expressly guarantees that the right to vote shall not be 'denied or abridged' for that reason."

In concluding, the Court refers to the Virginia constitutional convention of 1902 and quotes a statement on the debate at that convention with respect to the poll tax to demonstrate that the purpose of the poll tax was the elimination of every Negro voter who can be gotten rid of, legally, without materially impairing the numerical strength of the white electorate.

With a declaration of Congress as contained in this amendment, supported by Court decisions and pending cases and a finding by the Civil Rights Commission, together with the dictum contained in this most recent case, it is my opinion that we are giving the Attorney General the necessary means to pursue a proper Court test, under all constitutional grounds, invoking the equal protection of the laws clause, of the 14th amendment, as well is the 15th amendment. The Supreme Court will decide whether a poll tax as a precondition of voting may be stricken down completely, or suspended, as in the case of literacy tests. I believe this decision is properly one for the Supreme Court rather than the Congress. My State of Kentucky does not impose a poll tax as a precondition of voting, but four States continue to do so. I believe that such a precondition is not only obnoxious but contradictory of the freedom to vote.

I believe that this section fortified by the expressed findings of the Congress, will enable a speedy decision by the Supreme Court. I hope very much that the poll tax as a condition of voting will be restricted down.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time for debate has expired. The hour of 3 o'clock having arrived, the question is on agreeing to the amendment (No. 187) offered by the Senator from Montana [Mr. Mansfield] for himself and the Senator from Illinois [Mr. Dirksen], to the amendment in the nature of a substitute, as amended and modified (No. 124), offered by the Senator from Montana [Mr. Mansfield] and the Senator from Illinois [Mr. Dirksen].

The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMINICK (when his name was called). On this vote I have a pair with the distinguished Senator from Nebraska [Mr. Hruska]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. Church], the Senator from Alaska [Mr. Gruening], and the Senator from Wyoming [Mr. McGee] are absent on official business.

I further announce that the Senator from New Mexico [Mr. Montoya], and the Senator from Georgia [Mr. Russell] are necessarily absent.

On this vote, the Senator from Georgia [Mr. Russell] is paired with the Senator from New Mexico [Mr. Montoya]. If present and voting, the Senator from Georgia would vote "nay" and the Senator from New Mexico would vote "yea."

I further announce that, if present and voting, the Senator from Idaho [Mr. Church], and the Senator from Alaska [Mr. Gruening], and the Senator from Wyoming [Mr. McGee] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson], the Senator from Illinois [Mr. Dirksen], and the Senator from Wyoming [Mr. Simpson] are necessarily absent.

The Senator from Nebraska [Mr. Hruska] and the Senator from Idaho [Mr. Jordan] are absent on official business.

The pair of the Senator from Nebraska [Mr. Hruska] has been previously announced.

If present and voting, the Senator from Kansas [Mr. Carlson], the Senator from Illinois [Mr. Dirksen], the Senator from Idaho [Mr. Jordan], and the Senator from Wyoming [Mr. Simpson] would each vote "yea."

The result was announced—yeas 69, nays 20, as follows:

[No. 76 Leg.]

YEAS—69

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Cannon
Case
Clark
Cooper
Cotton
Dodd
Douglas
Fannin
Fong
Gore
Harris
Hart
Hartke
Hayden
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Smith
Symington
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N Dak.
Young, Ohio

NAYS—20

Byrd, Va.
Byrd, W. Va.
Curtis
Eastland
Ellender
Ervin
Fulbright
Hickenlooper
Hill
Holland
Jordan, N.C.
McClellan
Robertson
Russell, S.C.
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Tower

NOT VOTING—11

Carlson
Church
Dirksen
Dominick
Gruening
Hruska
Jordan, Idaho
McGee
Montoya
Russell, Ga.
Simpson

So the amendment of the Senator from Montana [Mr. Mansfield] for himself and the Senator from Illinois [Mr. Dirksen] to the amendment in the nature of a substitute, as amended (No. 124), offered by the Senator from Montana [Mr. Mansfield] and the Senator from Illinois [Mr. Dirksen] was agreed to.

Mr. HART. Mr. President, I move that the Senate reconsider the vote by which the amendment to the amendment was agreed to.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I submit a unanimous-consent request and ask that it be considered.

The PRESIDING OFFICER (Mr. McIntyre in the chair). The clerk will read the request.

The legislative clerk read as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Thursday, May 20, 1965, at the conclusion of routine morning business, during the further consideration of the bill S. 1564, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to one hour to be equally divided and controlled by the mover of any such amendment or motion and the junior Senator from Michigan [Mr. Hart]: *Provided,* That in the event the junior Senator from Michigan is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the majority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That the vote on the pending Mansfield-Dirksen substitute shall occur at 4 p.m. Tuesday, May 25, 1965, and that the debate on said amendment shall commence at 12:30 p.m. on that day with the time equally divided and controlled by the majority leader and the senior Senator from Louisiana [Mr. Ellender], and

Ordered further, That immediately after the vote on the Mansfield-Dirksen substitute the Senate proceed to vote on the committee substitute as amended by the Mansfield-Dirksen substitute and then on the final passage of S. 1564, as amended.

The PRESIDING OFFICER. Is there objection?

Mr. ELLENDER. Mr. President, reserving the right to object, as I have stated on several occasions, no objection would be urged on a limitation of debate on amendments. But since the proposed order includes a vote on the bill at a specific time, I shall object.

Mr. MANSFIELD. Mr. President, this is at least the second time, possibly the third, in which the leadership has attempted to obtain a unanimous-consent agreement which would bring this issue to a head. Yesterday the Senate completed 4 weeks of debate on the bill. I believe the time has come to decide the issue one way or the other.

I do not know what the prospects for cloture will be next week, but I believe it is only fair to inform the Senate that the distinguished minority leader [Mr. DIRKSEN] and I intend to submit a cloture motion on Friday next. We are sure we can get enough signatures for that.

When that is done, it will mean that a vote will take place on the cloture motion itself 1 hour after the Senate convenes on Tuesday next, May 25.

It is the intention of the leadership to have the Senate meet tomorrow.

ORDER FOR ADJOURNMENT UNTIL NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, it is the intention of the leadership to have the Senate meet at 12 o'clock on Friday of this week. At that time the cloture motion will be submitted.

At the conclusion of business on Friday, it is intended to have the Senate go over until Monday. On Tuesday next, 1 hour after the Senate convenes, the vote will occur on cloture. I do not know whether the votes for cloture are available or not. That is something the Senate itself will have to decide. But I feel that 5 weeks will be long enough to spend on this measure. I hope the judgment of the Senate will prevail in support of the motion of the leadership.

Mr. ELLENDER. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I am delighted to yield.

Mr. ELLENDER. I presume that when the Senate meets on Tuesday, it will meet at noon?

Mr. MANSFIELD. It will.

Mr. ELLENDER. So the vote on cloture will be at 1 o'clock on Tuesday?

Mr. MANSFIELD. Yes; at 1 o'clock on Tuesday.

AMENDMENT NO. 167

Mr. FONG. Mr. President, I call up my amendment No. 167.

Mr. MANSFIELD. Mr. President, will the Senator yield without losing his right to the floor?

Mr. FONG. I yield.

Mr. TOWER. Mr. President, on Monday I should like to call up my amendment which is, in the most part, in the nature of a substitute. It is, in effect, the Ford-McCulloch bill of the minority in the House of Representatives.

At this time, I inform the Senate that I should like to propound a unanimous-consent agreement that 4 hours be allowed for debate on that amendment, 2 hours to a side. The amendment is very comprehensive.

I thought that I should inform the Senate at this time. I have conferred with the distinguished minority leader on this point, and he believes that this can come to pass.

Mr. MANSFIELD. Mr. President, I assure the Senator that the joint leadership, as well as the Senate, will do the best it can to comply with the request of the Senator.

Mr. MORSE. Mr. President, I understand that under the schedule outlined by the majority leader, the cloture motion will be filed on Friday, and a vote will be had on Tuesday at 1 o'clock.

Mr. MANSFIELD. The Senator is correct.

Mr. FONG. Mr. President, on behalf of myself and other Senators, I call up my amendment No. 167, to the Mansfield-Dirksen substitute and ask that it be stated.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. On page 15, line 24, of the Mansfield-Dirksen substitute——

Mr. FONG. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment to the amendment will be printed in the RECORD at this point.

The amendment (No. 167) offered by Mr. FONG, for himself and other Senators, to the Mansfield-Dirksen substitute, is as follows:

On page 15, line 24, after "SEC. 10." insert "(a)".

On page 16, between lines 23 and 24, insert the following:

"(b) Whenever an examiner is serving under this Act in any political subdivision, the Attorney General may assign one or more persons, who may be officers of the United States, (1) to enter and attend at any place for holding an election in such subdivision for the purpose of observing whether persons who are entitled to vote are being permitted to vote, and (2) to enter and attend at any place for tabulating the votes cast at any election held in such subdivision for the purpose of observing whether votes cast by persons entitled to vote are being properly tabulated. Persons assigned by the Attorney General pursuant to this subsection shall be appointed, compensated, and separated without regard to the provisions of any statute administered by the Civil Service Commission, and service under this Act shall not be considered employment for the purposes of any statute administered by the Civil Service Commission, except the provisions of section 9 of the Act of August 2, 1939, as amended (5 U.S.C. 1181), prohibiting partisan political activity."

Mr. FONG. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, without the Senator from Hawaii losing the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a vote on the pending amendment at 4:30 p.m. today—the yeas and nays have already been ordered—and that the time be somewhat equally divided, with a little more time going to the opposition than those in favor of the pending amendment; namely, that 25 minutes be allotted to the opponents and 20 minutes to the proponents.

The PRESIDING OFFICER. It there objection to the proposed unanimous-consent request?

Mr. HILL. Mr. President, reserving the right to object, is it the thought of the Senator from Montana that when this amendment shall have been voted on and disposed of, the Senate will then adjourn until tomorrow?

Mr. MANSFIELD. The Senator is correct. My understanding is that following disposition of the pending amendment, the Kennedy-Javits amendment having to do with voting in the State of New York will be laid before the Senate, but the vote at 4:30 will be the last vote tonight.

Mr. HILL. Then the business of the Senate will have been concluded?

Mr. MANSFIELD. Yes; the business of the Senate for the day will have been finished.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

Mr. FONG. Mr. President, I yield myself as much time as may be necessary.

The PRESIDING OFFICER. The Senator from Hawaii may proceed.

Mr. FONG. Mr. President, I rise to speak on amendment No. 167 to the Mansfield-Dirksen substitute bill to S. 1564 which has been jointly sponsored by 17 Senators: Senators BAYH, BURDICK, CASE, CLARK, DODD, HART, JAVITS, KENNEDY of Massachusetts, LONG of Missouri, MCCARTHY, MORSE, MOSS, RIBICOFF, SCOTT, TYDINGS, WILLIAMS of New Jersey, and me.

The amendment would allow the Attorney General, in any State or political subdivision to which a Federal examiner has been appointed under the bill, to assign one or more persons, who may be officials of the United States, first, to enter and attend any place for holding an election for the purpose of observing whether persons who are entitled to vote are being permitted to vote, and second, to enter and attend at any place for tabulating the votes to observe whether votes cast by persons entitled to vote are being properly tabulated.

During the Judiciary Committee's executive deliberations on S. 1564, an amendment similar in substance to this amendment was introduced by me on behalf of myself and eight other Senators, to empower Federal examiners who are appointed by the Civil Service Commission to appoint poll watchers. The committee, by a 10-to-3 vote, adopted this amendment, which was included in the bill reported on April 9.

As the Chairman of the Civil Service Commission feels that the assumption of observer duties by the representatives of the Federal examiners will compromise the objective posture of the Commission in carrying out the listing and challenge procedures assigned to it under the bill, the amendment I have introduced has been recast so as to give the Attorney General, rather than the Federal examiners under the Civil Service Commission, discretionary authority to assign one or more persons to serve as poll watchers.

These poll observers would not supplant the poll watchers appointed by the political parties, candidates for political office, nor other State and local presiding officials.

Mr. President, we who are sponsors of this amendment feel that it is a necessary and an important part of this bill. It implements and fulfills, like no other provision, the desired objective of this voting rights bill—which is to see that all qualified citizens are allowed to vote and have their votes counted.

The leadership bill now pending before the Senate recognizes this in providing for the appointment of poll watchers in judicial proceedings where there is a failure in listing voters qualified by the examiners. However, the leadership bill does not authorize the selection of poll watchers in a situation under section 3(a) or triggered under section 4(b), whereby Federal examiners are assigned to a State or political subdivision. The leadership bill is very limited in its application. It comes into play only in the following set of circumstances.

Whenever the Attorney General receives, at least 20 days before any election, a complaint signed by 20 or more persons of voting age residing in a political subdivision, alleging that persons who have been listed in accordance with the provisions of section 7 of the bill, which provides for the listing of persons found qualified to vote by the examiner, have not been placed on the official voting lists by State or local election officials, the Attorney General shall institute an action in a Federal district court to require that such persons be placed on the official voting lists and be permitted to vote.

Only under this set of circumstances the court shall include in its order the appointment of poll watchers if—and only if—the Attorney General so requests.

Thus, the authorization to appoint poll watchers under the leadership bill is limited to a situation where there are five preconditions:

First. There must be a finding by the examiner that the applicant is qualified to vote;

Second. The applicant is not listed on the official lists;

Third. At least 20 such aggrieved persons must sign a complaint which is sent to the Attorney General;

Fourth. The Attorney General must bring an action in a Federal district court to restore these persons to the official voting lists; and

Fifth. The Attorney General must specifically request that the court appoint poll watchers as a part of its order.

Upon his request the court is mandated to appoint poll watchers. In other words, the court must appoint poll watchers if the Attorney General wants them. No discretion is allowed the courts.

The amendment which I have introduced is not limited to these conditions. It is far broader in its application. It allows the selection of poll watchers whenever an examiner has been appointed whether by the court or by the Civil Service Commission. It allows the appointment of poll watchers appointed under sections 3(a) and 4(b). It does not confine their appointment only to section 10.

Moreover, it does not require judicial action rather than administrative action as the pending amendment contemplates, in order to appoint poll watchers.

Everyone knows that the very reason why we are considering S. 1564, which substitutes an administrative process for court action to effectively protect the right of franchise to all qualified citizens, is that court action is slow, ineffective, and cumbersome. It requires a case-by-case approach in each jurisdiction. In some jurisdictions the court is unsympathetic.

It makes no sense at all to provide administrative machinery to speed voter registration and then—at the most crucial stages—require court action to make sure that ballots are actually cast and tabulated.

Under the pending amendment, a voter applicant need not have first applied and been omitted from the official voting lists; 20 signatures of aggrieved persons need not first be sent to the Attorney General; the Attorney General need not bring a court action to restore these persons to the official voting lists, and the Attorney General need not specifically ask a court to appoint the poll observers—none of these is prerequisite to their appointment under this amendment.

All that is required for the Attorney General to appoint the poll observers is that a Federal examiner be appointed under section 3(a) or section 4(b) of the bill.

It is very appropriate to vest the Attorney General with the power to assign poll watchers.

The courts lack the administrative personnel to appoint and supervise the poll watchers. But the Attorney General, being an executive officer and the department head of an agency of Government responsible for executing and administering Federal laws, is by far the more appropriate agency to handle these poll watching responsibilities than the courts.

This amendment is an integral part of the work of the examiner to carry out the intent of the bill. This amendment is indeed part and parcel of the bill. Being so fundamental, this amendment in fact goes to the heart of the bill.

It effectuates the basic purpose of the bill—to protect the right of every qualified citizen to register, to vote, and to have his vote counted.

What good is there to be registered for voting and then at the final gate, to be turned away or not have his vote counted.

This amendment would not disturb the leadership's provisions on the poll watchers under section 10. It simply provides for additional stiuations under which poll watchers may be appointed.

By adopting this amendment the substance of the action of the Judiciary Committee would be restored.

The Civil Rights Commission has repeatedly recommended, in its reports of 1961 and 1963, that the right to register, to vote, and to have one vote counted be protected by the strongest possible legislation, which should include "both standards and implementation."

The Commission has recognized the need to effectively implement voting rights legislation. In its 1963 report, the Commission pointed out that despite the passage of such legislation in 1957 and 1960, the institution of voting rights suits by the Department of Justice, and the operation of several private registration drives, Negro registration in these counties has risen from 5 percent to 8.3 percent in 100 counties of 8 Southern States.

Citing these facts, the Commission said:

> The reasons for the low rate of increase in Negro registration appears to include the high cost of litigation, the slowness of the judicial process on both the trial and appellate level, the inherent complexity of supervising the enforcement of decrees, intimidation and reprisals against Negroes who seek to vote, and the employment of diverse techniques by State and local officials to subvert the Constitution of the United States.

The Civil Rights Commission has issued a memorandum dated May 17, 1965, strongly supporting this pending amendment on poll watchers. Citing data compiled from the Commission's own records, the memorandum concluded that:

> The presence of Federal officials (at the polls) would have, in our judgment, a significant ameliorative effect upon the fears of the Negro community and the possibility of violence.

Mr. President, I ask unanimous consent that the memorandum of the Civil Rights Commission be printed in the RECORD at this point in my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

CIVIL RIGHTS COMMISSION MEMORANDUM

MAY 17, 1965.

The following is a summary of available information which would support a provision for Federal poll watchers in connection with the pending voting legislation.

1. At the Commission's hearings in Jackson, Miss., last February most of the witnesses on voting problems testified to practices which had excluded them or other Negroes from registering to vote. A few witnesses, however, who were registered, testified that fear had kept them from voting. It was explained that while registration took place in the county courthouse, which was usually in a substantial town, ballots were cast at precinct polling places which were frequently in remote rural locations.

Witnesses testified of having been driven from a polling place by threats or of a generalized fear of attempting to vote at such places. Several witnesses indicated that they would not vote unless accompanied by sympathetic white persons whose presence would serve to prevent violence.

One witness from Tallahatchie County, Mr. James Rayburn, who had registered in 1963, attempted to vote in that year. He believed himself to be the only Negro registered to vote in his election district. As he approached the rural polling place at Dogwood Flats he was met by a white man who stopped him outside the building: "He asked me where I was going. I told him I was going to vote. The white man said, 'Well, you won't vote here,' and he begun to curse." The witness then entered the polling place. Inside another white man informed him that the election officer was absent.

"Mr. Rayburn. He * * * walked back to the door and said, 'you go out there and * * * wait out there under that tree.' And I stood and looked at him and said, 'Under the tree?' He said, 'Yes, go out there and wait under the tree.' And I walked off and the man that challenged me as I was going in, he challenged me again and this time he had a stick with a piece of iron on it.

"He asked me where did I live. I told him. Asked me my name. I told him. He said, 'I'll make sure'—he cursed again—'that you won't vote no more. You vote now, you won't vote any more.'

"I would have voted if they would have allowed me, regardless of what he said. But see, the man in there told me to go out under the tree, and I knew out under the tree wasn't no place to vote, and I didn't sit around because he might have been building up to most anything. You could see he had a knife or pistol or something and I had just nothing but my hand, and that's just Negro bone."

When asked what he was told would happen if he voted, Mr. Rayburn replied: "They would kill me." He left the polling place without voting and said he did not dare return to vote in November 1964.

"Vice Chairman Patterson. You said you didn't want to go alone to Dogwood Flats to vote. Would you go alone now?

"Mr. Rayburn. I would. I believe I would, but I would seek better protection, or some protection.

"Vice Chairman Patterson. Where would you go to get that protection?

"Mr. Rayburn. Possibly I would have to pull several different strings. I might not go directly to the law, but I might pull the strings with some fellows who would have influence over the law.

"Vice Chairman Patterson. A white man?

"Mr. Rayburn. Yes."

Although presumably the provision for poll watchers would not result in the stationing of armed men at the polls, the presence of Federal officials, even if limited to the prevention of fraud, would have, in our judgment, a significant ameliorative effect upon the fears of the Negro community and the possibility of violence.

2. Since Federal examiners have not as yet been appointed and since few Negroes have voted in recent years in "hard-core" areas, it is difficult to determine the extent to which fraud will become a serious problem when larger numbers of Negroes are registered. Without unduly emphasizing historical analogies, it is worth observing that in the era immediately following Reconstruction, when large numbers of Negroes still remained qualified to vote, fraud was used as a principal instrument of disfranchisement.

In Mississippi between 1875 and 1890 widespread fraud in election practices effectively nullified the Negro vote. See Wharten, "The Negro in Mississippi, 1865–1890," at 201 (1947), and Kirwan, "Revolt of the Rednecks," at page 58, et seq. (1964).

Similar practices were followed in Virginia:

"The house of representatives, in seating representatives from southern districts frequently examined the legality of elections. From 1874 to 1900, for example, in 16 of the 20 Virginia elections contested before the House, fraud was the basis for contest."[1]

"Politicians, newspaper editors, and other leaders of opinion emphasized the demoralizing effects upon the whites of the methods used to disfranchise Negroes. Numerous practices, none of them quite cricket, were employed to dissuade the black man from voting and to nullify his ballot when he did vote. Gerrymandering, trickery in election administration, fraud in casting and counting ballots were tactics that pricked sensitive consciences. Moreover, these methods could be, and were, used against whites as well as blacks."[2]

Similar conditions apparently existed throughout the South:

"After the overthrow of the Reconstruction government in all Southern States, which was consummated by 1877, a tendency to abstain from violence and threats of violence as a means of keeping the Negroes away from the polls gradually developed. With the State governments safely in their hands, the dominant white Southerners found it easier to buy, steal, or fail to count the Negro vote or to block the Negroes' voting by intricate election laws and manipulation of the election machinery."[3]

"Polling places were set up at points remote from colored communities. Ferries between the black districts and voting booths went 'out of repair' in election day. Grim-visaged white men carrying arms sauntered through the streets or stood near the polling booths. In districts where the blacks greatly outnumbered the whites, election officials permitted members of the superior race to 'stuff the ballot box,' and manipulated the count without fear of censure."[4]

"From the middle eighties onward, both parties charged each other with every species of fraud. The devices of reconstruction and the redemption were refurbished: massing at the polls to keep the opposition voters from the ballot box, breaking up meetings by strong-arm methods, repeating, throwing out ballots on technicalities, even the threat of arms, if not actual warfare."[5]

In *Ex parte Siebold*, 371 U.S. 399 (1879), the Court upheld a much more elaborate Federal control of State elections (the election law of 1871 discussed below) with the following comment:

"In the light of recent history and of the violence, fraud, corruption, and irregularity which have frequently prevailed at such elections, it may easily be conceived that the exertion of the power, if it exists, may be necessary to the stability of our frame of government."

Whether fraud will again be used to nullify the Negro vote must remain a matter of conjecture, but there is a sufficient history of such practices to warrant congressional concern and action.

3. A comparison of the pending legislation with the election law of 1871, 16 Stat. 433–37, may be appropriate. The law of 1871 provided for the appointment of supervisors for Federal elections by the judge of a circuit court of the United States upon a request of less than 10 citizens that the election be "guarded and scrutinized." The supervisors were authorized to observe the casting and tabulation of ballots, and to challenge the votes of any person whose legal qualifications they questioned. They were required to be present continually at the polling places until every ballot had been counted and proper returns made.

In the event that a supervisor was prevented from discharging his duties he was to report promptly any such interference. Provision was made for an administrative review of the charges.

The 1871 law also provided for the assignment of U.S. marshals or deputy marshals to the polling places for Federal elections in cities or towns of more than 20,000 inhabitants upon application of two citizens from each such city or town. The marshals were to "aid and assist the supervisors of elections in the verification of any list of persons who may have registered or voted * * * and also to attend at all times for holding elections, the polls in such districts or precincts."

The marshals were required to keep the peace, to support and protect the supervisors of election, and to prevent fraudulent voting or fraudulent conduct by election officials. There is some question whether marshals assigned to the polls under the provisions of the 1871 statute had the legal right to carry arms. An act of 1865 had prohibited the stationing of troops or armed men at any polling place "unless it be necessary to repel the armed enemies of the United States, or to keep the peace at the polls." Thirteen Stat. 437 (1865). Since the election law of 1871 specified that marshals were to be dispatched to the polls in order to "keep the peace" along with their other duties, it would appear they had the legal right to bear arms.

In 1894 Congress repealed the election law of 1871 and in 1909 the prohibition on the stationing of armed men at the polls was amended to eliminate the exception for keeping the peace. See 18 U.S.C. sec. 592 (1958).

It will be seen from the above description that the provision for poll watchers is much narrower than the election law of 1871, most notably in the absence of provision for the stationing of marshals at the polls.

4. There can be no question of the power of Congress under article I, section 4, of the Constitution, or, in appropriate cases under the 15th amendment, to prevent or to punish fraud in Federal elections. (*Ex parte Siebold*, 100 U.S. 371 (1880); *Logan* v. *United States*, 144 U.S. 263; *Wiley* v. *Sinkler*, 179 U.S. 58; *Swafford* v. *Templeton*, 185 U.S. 487; *United States* v. *Guinn*, 238 U.S. 347 (1915); *United States* v. *Mosley*, 238 U.S. 383 (1915); *United States* v. *Saylor*, 322 U.S. 385 (1944). The same power exists with respect to primary elections for Federal office. *United States* v. *Classic*, 313 U.S. 299 (1941); *United States* v. *Wilson*, 76 F. 2d 184, cert. denied, 338 U.S. 870.)

As stated in *United States* v. *Mosley, supra*, "The right to have one's vote counted" has the same dignity as "the right to put a ballot in a box" (238 U.S. at 386). It has also long been recognized that "The concept of political equality in the voting booth contained in the 15th amendment extends to all phases of State elections." (*Gray* v. *Sanders*, 372 U.S. 368 at 380 (1963). See also *Reynolds* v. *Sims*, 377 U.S. 533.)

Mr. FONG. Mr. President, manifestly, if the substance of the bill is to enfranchise all qualified citizens, there should be no objections to this amendment. If we are to protect a citizen's right to register, to vote, and to have his vote counted, a safeguard such as this amendment is essential to prevent any last minute nullification of the enfranchisement of qualified citizens.

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[1] R. C. McDanel, "The Virginia Consitution Convention of 1901–1902" (Baltimore: Johns Hopkins Press, 1928), p. 11.

[2] R. L. Morton, "The Negro in Virginia Politics, 1865–1902," (Charlottesville: University of Virginia Press, 1918), p. 130.

[3] Myrdal, "An American Dilemma," 450.

[4] Paul H. Buck, "The Road to Reunion—1865–1900" (1937), at 284–85.

[5] Paul Lewinson, "Race, Class, and Party," 76.

Under this proposal, observers assigned by the Attorney General would be entitled to be present at polling and tabulating places. They would only do two things: observe and report back any corrupt practices which prevent persons certified as eligible voters from casting a ballot and having their votes counted.

Congress is entrusted by section 2 of the 15th amendment with the express power to enact "appropriate legislation" to eliminate State denials of the right to vote on account of race and color. Unquestionably, then, Congress does have the power to enact legislation providing for the appointment of Federal officers to observe the conduct of State election officers, and to determine whether these State officials have engaged in any conduct denying the right to vote.

These poll observers, therefore, would be duly appointed Federal personnel performing an acknowledged and necessary Federal function.

As the Supreme Court said in *United States* v. *Mosley*, 238 U.S. 383 (1915):

> The right to have one's vote counted has the same dignity as the right to put a ballot in a box (238 U.S. at 386).

One criticism that has been advanced against my amendment is that it goes too far. In reply to that criticism, I wish to say, Mr. President, that 67 Senators have agreed that the Congress has the power to enact the bill S. 1564 as it was originally introduced on March 18, 1965.

Subsequently that version of the bill was revised by the distinguished minority leader. This Dirksen substitute was considered by the Judiciary Committee in executive session April 6 through 9.

The Dirksen substitute was revised by the committee and reported to the Senate on April 9. The committee's substitute bill considerably strengthened the Dirksen substitute.

Following this, the Senate leadership substituted their own substitute bill—and this is the version now pending before the Senate.

In all four of these bills, there were included three provisions which have been criticized in the same way—that these provisions "go too far."

First. Sections 3(a) and 4(b) of the bill provide that State laws on voting "tests and devices," which have been used discriminatorily so as to deny the right to vote, are suspended—and they remain suspended for 5 years in declaratory judgment cases under section 4(a), or for an appropriate period determined by a court under section 3(b).

No one will deny that this is an unprecedented provision.

No one will deny that these sections of the bill are drastic—that they go very far. Nowhere in American law has the Federal Government ever suspended State laws. But Mr. President, even if they are unprecedented, drastic and go very far, these provisions are necessary and proper, and the only feasible means by which Congress may effectively carry out the command of the 15th amendment.

Second. The pending bill provides that States may seek a declaratory judgment that they have not, under section 4(a), abridged any citizens' voting rights by the use of tests or devices—but this action may be brought only in the District Court of the District of Columbia under section 4(a).

Section 5 also provides that a State seeking to enact or administer a voting qualification, standard, practice or procedure different from those in effect on November 1, 1964, may institute an action for declaratory judgment that the new qualification will not deny anyone the right to vote because of race or color—but again, this action must be brought in the District Court of the District of Columbia.

While ample precedent exists for these change-of-venue provisions, this is nevertheless a drastic remedy to correct a drastic wrong perpetrated for too many decades. There is no question, Mr. President, that these provisions go very far.

Third. Section 12(a) of the bill makes private individuals liable to criminal penalties for depriving or attempting to deprive qualified voters from voting.

This, too, is a drastic remedy. It goes very far. It is directly contrary to what the Supreme Court has decided. In the case of *U.S.* v. *Reese*, 92 U.S. 214, 218 (1876), it was held that the violation of one's civil rights by private individuals was a cause of action not within the reach of the Federal Government, and that the 14th and 15th amendments were directed against State action and not private action.

I do not raise this point to protest against it, Mr. President, for I wholeheartedly support this provision. But I raise this point to answer the charge that my amendment "goes too far," and to show how far this bill goes—and justifiably so—in carrying out the mandate of the 15th amendment.

Mr. President, I have no doubt whatsoever that the Congress has the power to suspend State laws, require a change of venue in actions for declaratory judgment, and to render private persons criminally liable for obstructing qualified voters from voting. The very same power enabling enactment of these provisions empowers the Congress to enact a poll watcher provision.

It is the very same power which is sanctioned by the U.S. Constitution in article I, section 8, clause 8, empowering Congress "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof."

The long history of repeated efforts and clever devices used by the States to disfranchise qualified Negro voters—grandfather clauses, white primaries, procedural hurdles in the registration process, racial gerrymandering, improper challenges, and discriminatory use of tests and device—show why it is necessary to protect the integrity of the ballot from the time it is cast until it is finally tabulated. They show that the power of Congress to enact a poll watcher provision is "necessary and proper" to carry out the prior provisions of the bill—and to effectively carry out the 15th amendment requirements.

It is this very same power by which Congress passed the election law of 1871 which was upheld by the Supreme Court in the landmark case of *Ex parte Siebold*, 100 U.S. 399 (1880), which I referred to in the Civil Rights Commission memorandum.

In that case the Court upheld a much more elaborate Federal control of State elections under the election law of 1871 than is contemplated under the pending amendment.

That 1871 law provided for the appointment of supervisors for Federal elections by the judge of a circuit court of the United States, upon a request of less than 10 citizens that the election be "guarded and scrutinized." The supervisors were authorized to observe the casting and tabulation of ballots, and to challenge the votes of any person whose legal qualifications they questioned. They were required to be present continually at the polling places until every ballot had been counted and proper returns made.

In the event that a supervisor was prevented from discharging his duties, he was to report promptly any such interference. Provision was made for an administrative review of the charges.

The 1871 law also provided for the assignment of U.S. marshals or deputy marshals to the polling places for Federal elections in cities or towns of more than 20,000 inhabitants upon application of 2 citizens from each such city or town. The marshals were to "aid and assist the supervisors of elections in the verification of any list of persons who may have registered or voted and also to attend at all times for holding elections, the polls in such districts or precincts."

The marshals were required to keep the peace, to support and protect the supervisors of election, and to prevent fraudulent voting or fraudulent conduct by election officials. There is some question whether marshals assigned to the polls under the provisions of the 1871 statute had the legal right to carry arms. An act of 1865 had prohibited the stationing of troops or armed men at any polling place "unless it be necessary to repel the armed enemies of the United States, or to keep the peace at the polls"—13 Stat. 437 (1865). Since the election law of 1871 specified that marshals were to be dispatched to the polls in order to "keep the peace" along with their other duties, it would appear they had the legal right to bear arms.

In 1894 Congress repealed the election law of 1871. See title 18, United States Code, section 591, 1958.

From my outline of the 1871 election law, it is clear that the 1871 law's provision is far stronger, far broader, than the provisions of the pending amendment—particularly in that the amendment does not provide for the challenging of voters, and the stationing of Federal marshals at the polls.

In Ex parte Siebold, the Court, holding the 1871 law constitutional, said:

> The Constitution and laws of the United States are the supreme law of the land, and to these every citizen of every State owes

> obedience, whether in his individual or official capacity. (See 100 U.S. at 392.)

It was this rule of national supremacy, the Court said, which was decisive where Congress is mandated by the Constitution to regulate a subject. When the Congress is mandated to carry out a duty by the Constitution, then, the Court said "it must assume exclusive control of the whole subject"—100 U.S. at 391.

And where Congress so legislates on a subject, such as that referring to poll observers, which is "the necessary consequence" and is part and parcel of the question of protection of voting rights, then its power to do so is undoubted.

The Court said:

> If Congress, by its power to make or alter the regulations, has a general supervisory power over the whole subject, where is there to preclude it from imposing additional sanctions on a matter directly a part of the original subject? (100 U.S. at 387.)

Thus it has long been recognized that, as the Court stated more recently:

> The concept of political equality in the voting booth contained in the 15th amendment extends to all phases of State elections (*Gray* v. *Sanders*, 372 U.S. 368 at 380 (1963), in which the Court held the Georgia county unit system violated the equal protection clause of the 14th amendment).

I urge the Senate to adopt this very necessary amendment as part and parcel of legislation to extend the franchise to all qualified American citizens.

Mr. President, I yield to the Senator from Maryland as much time as he may need.

Mr. TYDINGS. Mr. President, I commend the distinguished Senator from Hawaii for his leadership on this amendment.

Many of us feel that this is the most important single amendment to the voting rights bill which will be considered by the Senate this year.

I call the attention of my colleagues to some testimony taken by the Civil Rights Commission in hearings this past February in Jackson, Miss. In these hearings witnesses testified that, although they were already registered, fear had kept them from voting.

It was explained that while registration took place in the county courthouse, which was usually in a substantial town, ballots were cast in precinct polling places which were frequently in remote rural locations.

Witnesses testified of having been driven from a polling place by threats or a generalized fear of attempting to vote at such places. Several witnesses indicated that they would not vote unless accompanied by sympathetic white persons whose presence would serve to prevent violence.

One witness from Tallahatchie County, Mr. James Rayburn, who had registered in 1963, attempted to vote in that year. He believed himself to be the only Negro registered to vote in his election district. As he approached the rural polling place at Dogwood Flats he was met by a white man who stopped him outside the building. "He asked me where I was going. I told him I was going to vote. The white man said, 'Well, you won't vote here,' and he begun to curse."

The witness then entered the polling place. Inside another white man informed him that the election officer was absent.

This is the testimony of Mr. Rayburn at the Commission on Civil Rights:

> He * * * walked back to the door and said, "you go out there and * * * wait out there under that tree." And I stood and looked at him and said, "Under the tree?" He said, "Yes, go out there and wait under the tree." And I walked off and the man that challenged me as I was going in, he challenged me again and this time he had a stick with a piece of iron on it.
>
> He asked me where did I live. I told him. Asked me my name. I told him. He said, "I'll make sure"—he cursed again—"that you won't vote no more. You vote now, you won't vote any more."
>
> * * * * *
>
> I would have voted if they would have allowed me, regardless of what he said. But see, the man in there told me to go out under the tree, and I knew out under the tree wasn't no place to vote, and I didn't sit around because he might have been building up to most anything. You could see he had a knife or pistol or something and I had just nothing but my hand, and that's just Negro bone.
>
> When asked what he was told would happen if he voted, Mr. Rayburn replied: "They would kill me." He left the polling place without voting and said he did not dare return to vote in November 1964.
>
> Vice Chairman PATTERSON. You said you didn't want to go alone to Dogwood Flats to vote. Would you go alone now?
>
> Mr. RAYBURN. I would. I believe I would, but I would seek better protection, or some protection.
>
> Vice Chairman PATTERSON. Where would you go to get that protection?
>
> Mr. RAYBURN. Possibly I [would] have to pull out several different strings. I might not go directly to the law, but I might pull the strings with some fellows who would have influence over the law.
>
> Vice Chairman PATTERSON. A white man?
>
> Mr. RAYBURN. Yes.

Three times since 1957 we have enacted legislation implementing the 15th amendment. With each such statute some progress was made. But the problem was not solved. This time we must do the job right. We must enact a bill which will be effective and will leave no room for evasion or circumvention. Amendment No. 167, which I cosponsor with Senator FONG and 13 other Senators, constitutes an essential ingredient of any effective bill.

This amendment would authorize the Attorney General to assign poll watchers in any political subdivision for which examiners have been appointed. The poll watchers would have two jobs: First, they would be present at the places where elections are held for the purpose of observing whether persons who are entitled to vote are being permitted to vote, and second, they would be present when and where votes are counted, for the purpose of observing whether the votes cast are being properly counted and tabulated. It is important to note at the outset what the poll watchers would not be authorized to do. They would not have the authority to challenge voters. They would not have the power to count ballots. They could not interfere with voters or otherwise to interfere in any way with the State election machinery. All they would be empowered to do is to be present as observers. While the role of poll watchers under our amendment would thus be limited, for reasons which I shall detail, it is essential that they be available to perform this role.

In its present form, section 10 of the bill authorizes the Attorney General to institute an action to require persons listed under the act to be placed on official voting lists. His authority to do so is dependent, however, upon his receiving complaints from 20 persons. When, after the receipt of complaints, such an action is filed, the court is required to appoint poll watchers at the request of the Attorney General. The court may also order the impounding of ballots to insure that all eligible persons have the opportunity to vote.

While the present provisions are helpful, in my view they are not as comprehensive as they should be. There are a number of weaknesses in section 10 as it is presently drafted, and these would be corrected by our amendment.

First. Section 10 in its present form authorized the appointment of poll watchers only where persons listed under the act have not been placed on the official State or local voting lists. This focus upon the issue of whether the names of persons entitled to vote under the act have been placed on local voting lists seems to me wholly illogical. Poll watchers are needed just as much when Negroes have been placed on the list but are not permitted to cast a ballot. They are needed, too, to make certain that the votes of all qualified citizens are actually counted and tabulated. Indeed, section 10 in its present form invites local officials bent on discriminating to purchase immunity from scrutiny at the polls by the simple expedient of placing names on a list.

The fact of the matter is that poll watchers are needed wherever and whenever there is evidence of discrimination in the voting process, whatever its form. Their presence should not depend on the single circumstance of whether State officials list eligible voters. The act of listing clearly would not insure nondiscriminatory conduct at the polls. Our amendment would permit the assignment of poll watchers to deal with any and all methods of discrimination or evasion of the law. It would thus remedy a significant defect.

Second. The machinery of the present section 10 operates only when a complaint is filed by at least 20 persons stating that they have not been listed. In my judgment, it is neither realistic nor sufficient to make protection at the counting stage of the voting process complaint-oriented. Potential victims of the discrimination have no way of knowing in advance whether or not their votes will be properly counted. Lacking this essential knowledge, they will be unable to file complaints, and poll watchers will not be appointed to be present at the tabulation of the votes. In other words, while the act we are now writing guarantees the listing and registration of many victims of discrimination, it leaves wide open the possibility that the ballots of those who are listed under Federal law will simply be thrown into a wastepaper basket. As a practical matter the only real remedy in the bill against the denial of rights at the vote-counting stage is the threat of criminal prosecution—not a very effective deterrent, as we have learned again and again.

Our amendment would make the appointment of poll watchers dependent not upon the filing of complaints but upon the judgment of the Attorney General, who can be counted upon to know where hard-core attitudes are likely to result in last-ditch defiance.

Third. Section 10 in its present form contemplates only judicial, not administrative, action to bring about the appointment of poll watchers. We all know that in the past judicial relief has often proved inadequate. Indeed, the inadequacy of judicial relief is the very reason for the present bill. It makes little sense to substitute administrative machinery for lawsuits in the registration process and then to provide only judicial relief at the most crucial stage of the election process—the casting of the ballot itself.

Our amendment would deal with this problem by vesting in the Attorney General the authority to assign persons to act as poll watchers.

I emphasize again—only watchers. They do not interfere. They are merely physically present to watch.

These are matters of substance and importance. They can make the difference between a bill that is effective and one that gives rise to more protracted litigation.

In my opinion, it is particularly appropriate that the function of determining the assignment of poll watchers be vested in the Attorney General rather than in the courts. The duties involved are essentially law enforcement duties. At the stage when this provision takes effect, the rights of the persons involved will have been adjudicated and the only question remaining will be whether these rights are actually respected in practice. This is appropriately a matter for the chief law enforcement officer of the United States. The courts, moreover, lack the administrative facilities to appoint, supervise, and direct numbers of poll watchers. They are ill equipped to receive reports from many poll watchers and act on them administratively.

The fact is that a provision which requires poll watchers to report directly to a Federal court for remedial action does not set up a very effective procedure. A function of this kind is more appropriately vested in an executive official. In short, administrative supervision of poll watchers makes far more sense than judicial supervision. Under our amendment, when a poll watcher detects a violation, he will report to the Attorney General who can then take whatever action is appropriate, including presentation of the matter to the court.

Are poll watcher provisions really needed? A brief glance at the history—and I commented on the recent history of the civil rights leaders in Mississippi which preceded the present crisis—demonstrates why we must make absolutely certain that persons eligible to vote will actually be able to vote and have their votes counted when the ballots are tabulated.

The effort to disfranchise Negroes on account of race or color has manifested itself in almost every conceivable phase of the electoral process. The devices employed have included the "grandfather clause"—*Guinn* v. *United States*, 238 U.S. 347—where if one's grandfather voted in the State and he did not, he could not vote; the "white primary," *Terry* v. *Adams*, 345 U.S. 461; procedural hurdles in the registration process, *Lane* v. *Wilson*, 307 U.S. 268; racial gerrymandering, *Gomillion* v. *Lightfoot*, 364 U.S. 339; improper challenges, *United States* v. *Thomas*, 362 U.S. 58; and the discriminatory use of test and devices, *Louisiana* v. *United States*, — U.S. — (Mar. 8, 1965).

The versatility of those bent on denying 15th amendment guarantees is outdone only by their determination. As soon as one vehicle of racial discrimination is declared invalid by the courts, or is rendered useless by Federal legislation, another appears. As a Federal district court wrote in *United States* v. *Penton*, 212 F. Supp. 193 (M.D. Ala.):

> [I]n spite of these [two], prior judicial declarations, the evidence in this case makes it clear that the defendant State of Alabama * * * continues in the belief that some contrivance may be successfully adopted and practiced for the purpose of thwarting equality in the enjoyment of the right to vote by citizens of the United States.

It takes little imagination to project what might happen if the registration of voters were placed under strict Federal supervision, but the voting process itself was left unsupervised. Slowdowns in precincts with heavy Negro concentration, misleading advice or instruction at the polls, summary rejection of Negro voters for trivial reasons, refusals to permit Negroes to watch the counting of ballots, mutilation of ballots cast by Negroes—these are just some of the possible discriminatory devices which come to mind.

Indeed, this is the very kind of activity which occurred in post-Reconstruction days in some of the States. One contemporary writer has said that—

> With the end of Reconstruction there began in many places the era of the theft of ballot boxes, stuffing of ballot boxes, certification, exchanging, removing of polls to unknown or unfrequented places, counting out, doctoring, repeating, erasing names from registration books, illegal arrests before the day of election, and throwing out returns. (Weeks, "The History of Negro Suffrage in the South," 9 Pol. Sc. Q. 671, 689 (1894)).

In Mississippi, at the constitutional convention of 1890, one of the delegates, Circuit Judge J. B. Chrisman, of Lincoln County, said:

> Sir, it is no secret that there has not been a full vote and a fair count in Mississippi since 1875; that we have been preserving the ascendancy of the white people by revolutionary methods. In plain words, we have been stuffing ballot boxes, committing perjury, and here and there in the State carrying the elections by fraud and violence until the whole machinery for elections was about to rot down.

These fraudulent practices soon became unnecessary because Negroes were disfranchised by more direct methods—the grandfather clause, the white primary, and the like. When these schemes were ultimately struck down, there came a shift to the manipulation of literacy tests and similar devices which we have heard so much about in this debate.

The Voting Rights Act of 1965 would put an end to the use of tests and devices as a means of maintaining white supremacy. Clearly, a return to outright discrimination and denial at the polls must be expected, and unless we wish to have to deal with that problem next year, we should act now to forestall its occurrence.

I say that the determination and ingenuity of those who make an empty promise of the 15th amendment must not be equal to our determination and our ingenuity. Stubborn resistance to our past efforts has brought us to this crossroad. S. 1564 must leave no room for further abuses of the power to set qualifications as prerequisites for voting. We should not have to consider next year what to do about discrimination at the polls. We must act on that problem now. In the light of past experience, amendment No. 167 is not merely necessary, it is essential.

We all know that placing poll watchers in the vicinity of the polling place and having them present when votes are counted is not a novel idea. Poll watchers are everywhere provided for in order that the legitimate interests of the voters may be safeguarded. For example, under Louisiana law, Revised Statutes 18:556, each political party may have one watcher in a voting precinct who is allowed to enter the polls during the canvass and count of the votes. In Alabama, poll watchers have the right to see all oaths administered and signed, the list of qualified voters, the poll lists, and any and all records made in connection with the election. They also have the right to observe the preliminaries of opening the polls and may remain throughout the election until the results have been posted. In North Carolina, poll watchers have the right to remain within the voting enclosure from the time the polls open until they close. They have a right to be in plain view of the precinct officials, the voting booths, the ballot boxes, and the voting procedure.

But, it will be argued, the poll watchers traditionally provided for under State law are representatives of political parties, not representatives of the Federal Government. A moment's reflection will demonstrate that poll watchers appointed by political parties will not suffice in the specialized situation with which we are dealing. In the areas affected by our amendment—that is, political subdivisions in which examiners have been appointed—it is unfortunately unlikely that the representatives of either party will be zealous in protecting the interests of the Negro voters. Their zeal may well be limited to the protection of white voters from their respective parties. Tacit understandings not to object to denials of the rights of Negroes must be expected, at least in some areas. Thus, some other, neutral observer must be there to see to it that the promise of the franchise won in the Congress is not nullified at the polling place.

Let me emphasize again that, unlike the 1871 statute which provided for Federal supervision of elections, our amendment would grant no authority to the Federal poll watchers other than the authority to observe and report back to the Attorney General. They would have no law enforcement or other functions which could be construed as an interference with local control of elections. Yet the observer role is essential. The very presence of the observers would obviously have a tendency to curb at the outset any attempts to engage in fraud or manipulation. Beyond that, observers are needed if the Attorney General is to effectively carry out his function under section 12 of the bill to seek orders permitting the casting or counting of ballots within 72 hours after the closing of the polls. It would be exceedingly difficult for the Attorney General to decide within that period of time whether an application for such an order is warranted unless firsthand, unbiased information is available to him. The observers provided for under our amendment would be ideally suited to perform that task.

What about constitutionality? The constitutional authority for Federal poll watchers cannot be subject to serious dispute. It is, of course, well established that the right to vote includes the right to have the vote counted. Indeed, the Supreme Court expressly so held in *United States* v. *Classic*, 313 U.S. 299, 315. To protect the right to an honest count, Federal poll watchers were provided for in the act of February 28, 1871, which established a pervasive system for supervising Federal elections. Federal election and registration supervisors were charged by the statute with a number of duties, among them poll watching on election day, counting ballots cast, and certifying the results of elections. The constitutionality of this far-reaching statute was upheld by the Supreme Court in *Ex parte Siebold*, 100 U.S. 371.

To be sure, the 1871 statute specifically involved only the congressional power to legislate under article I and, thus, to deal with Federal elections, but this does not in any way detract from the applicability of the precedents here. Our power is no less when we act pursuant to the grant of authority found in section 2 of the 15th amendment. That section gives to the Congress the power to enforce by "appropriate legislation" the guarantee of the right to vote with regard to race or color. We need only look to words of Chief Justice Marshall to determine what is "appropriate." Chief Justice Marshall said in *McCulloch* v. *Maryland*, 4 Wheat. 315, 421:

> Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consistent with the letter and spirit of the Constitution, are constitutional.

The fact that we are implementing a prohibitory amendment, rather than a direct grant of constitutional power, makes no difference. The principle is the same. Speaking of the 13th and 14th amendments, the Supreme Court wrote in *Ex parte Virginia*, 100 U.S. 339, 345-46:

> Whatever legislation is appropriate, that is, adapted to carry out the objects the amendments have in view, whatever tends to enforce submission to the prohibitions they contain, and to secure to all persons the enjoyment of perfect equality of civil rights and the equal protection of the laws against State denial or invasion, if not prohibited, is brought within the domain of congressional power.

The end sought to be achieved by the amendment we propose could not be clearer. We mean to insure, through the medium of poll watchers, that any person entitled to vote in any election is not deprived of this right at the last stage of the voting process because of his race or color—grounds of exclusion clearly forbidden by the 15th amendment. The means used to attain this end are equally consistent with the Constitution. Indeed, these are the means which must be used if the letter and spirit of the 15th amendment are not, once again, to be promise rather than fact.

Mr. President, I urge the adoption of amendment No. 167.

Mr. FONG. Mr. President, I thank the Senator from Maryland for his logical, clear, and to-the-point discussion of the amendment. He has collaborated most diligently with me and other Senators on this important legislation to secure and safeguard the rights of our citizens.

I thank him for his excellent and fine contribution to this debate.

Mr. JAVITS. Mr. President, will the opposition yield 1 minute to me?

Mr. HILL. I yield.

Mr. JAVITS. I wish to express my support to the amendment. The question was raised in the committee. It should be emphasized to the Senate that the proposal is nothing but a provision for poll watchers when an examiner has been appointed. The same procedure is followed by the Republican Party and the Democratic Party in almost every election district. Poll watchers are sent in with certificates made out by some political leader. That is the least we can do to give the Negro who goes to the polls to vote a feeling of confidence that there is someone there with him and that he is not at the mercy of someone who might look at him with hostility, with a big pistol on his hip. We know the consequences which have ensued from that kind of situation. Many people have been shot, hurt, and boycotted under those circumstances.

The amendment is most desirable. I greatly regretted the fact that it was not contained in the amendment in the nature of a substitute offered by the majority leader and the minority leader. I hope very much that the Senate will approve it.

Mr. HART. Mr. President, will the Senator from Alabama [Mr. Hill] yield an additional minute of his time?

Mr. HILL. I yield 1 minute to the Senator from Michigan.

Mr. HART. Under the compelling and, I believe, prudent limitation which applies to the debate on the amendment, I am not in a position fully to express and to assign the many reasons for which I support as strongly as I possibly could the amendment of the Senator from Hawaii. As the Senator from New York [Mr. Javits] has said, the majority of the Committee on the Judiciary made an effort to respond to this very real need. Now again we have an opportunity provided by the Senator from Hawaii to buttress the bill in a very necessary respect. I hope the amendment will be agreed to.

I thank the Senator from Alabama for yielding to me.

Mr. HILL. Mr. President, I yield the remainder of my time to the Senator from Arkansas [Mr. McClellan].

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. McCLELLAN. Mr. President, 2 or 3 weeks ago I had occasion to discuss the pending voting rights bill. At that time I discussed it at some length, but I did not in that address cover all the general aspects of the measure, particularly the objectionable features of it, having in mind that at a later date I would resume where I had left off and express my views on other provisions that should never be enacted into law. But in view of the unanimous-consent agreement under which the Senate is now operating, and glancing at the clock, which indicates that it is now 4:12 p.m., the remaining 18 minutes before the agreed time to vote on the pending amendment certainly does not afford the time required to expose other hidden and obnoxious provisions of the measure.

I shall speak only briefly and reserve again for some future time the many remarks I shall desire to make on the bill generally before a vote is reached on passage.

This afternoon, in this brief period of time, I shall place in the Record some information which I desire to have the record reflect with respect to so-called civil rights laws that are now on the books, statutes that are now in effect, and also information pertaining to the permanent registration law that has been enacted and is now in force in my State of Arkansas.

I suggest that this country has no need for another law in the field of voting rights. That field has already been amply sown with an abundance of laws and remedies, remedies that were designed—and that I am sure will, if judiciously and diligently applied—to reach every so-called evil that the bill is intended to remedy. Not only would they reach them, but they would follow procedures that are more traditional and more in keeping with the due process theories of our criminal statutes and judicial concepts of justice.

For example, the statute books today reveal the following seven laws that are designed to protect and guarantee the right to vote.

First, any citizen—and "any citizen" includes every imaginary, conceivable person that the pending bill is intended to apply to or to aid and assist—may sue any election official who denies him the right to vote. That means exactly what it says: "any election official"—for damages. That is title 42, United States Code, section 1983, an old statute, one that could be applied, but seldom is, not because it could not be made effective, but merely because of the indifference of the person who may have such a grievance; and such persons are scarce.

Also, those who imagine any such grievance could very well make use of that statute. The fact that they do not clearly indicates that cases of willful denial to anyone of the right to vote are indeed few and far between.

Second, any citizen who alleges that he is wrongfully denied the right to vote may sue in Federal court without a jury to prevent the denial of that right. That is title 42, United States Code, section 1971. Under that statute, anyone who believes that he has been wrongfully denied the right to vote may bring suit in Federal court and have the judge decide the case. He does not have to risk the prejudices of jurors. He can have one man, who has been chosen by the President of the United States, appointed to the judiciary, and whose appointment has been confirmed by this body, presumably a man of stature, character, and integrity, and above reproach, decide the issue as to whether or not he has been wrongfully denied the right to vote.

It may be said that that is not sufficient; that he cannot accept a judge appointed by the President and whose appointment has been confirmed by the Senate. Some other device is needed, so it is proposed in the bill to have examiners appointed by the Civil Service Commission make a determination whether one is being refused or denied the right to vote.

It is said that select persons must make a determination of the actions of citizens who are serving as election officials. It would be far safer and more in keeping with our judicial process and our due process theory of justice to have a court of law, a court presided over by a judge selected and appointed by the President and whose nomination has been confirmed by the Senate, make a decision and determination after hearing a case, than it would be to vest this power and authority in some appointee of the Civil Service Commission.

Third, any election official anywhere in the United States who denies any qualified voter his right to register and vote under color of law is punishable by fine or imprisonment. That is 18 U.S.C. 242. What more is necessary? A law is in effect to punish by fine and imprisonment anyone who, even under color of law, denies the franchise to any citizen of this country.

Why are these laws not enforced? One reason that they are not enforced and no great effort is made to enforce them is that there is no abundance of violations. Violations of these statutes are few and far between. If there were an abundance of violations, that would be a reflection upon the Attorney General and the Department of Justice for not pursuing more diligently the enforcement of statutes which are already on the books.

Fourth, any election official who conspires with another to deny any witness the right to vote is subject to a fine of $5,000 or imprisonment for 10 years, or both, 18 U.S.C. 241.

Mr. President, we have the right to heavily fine and imprison with a long sentence any election official who conspires with another to deny any citizen the right to vote.

We hear of few or no prosecutions under that statute. Why is that? It is because violations do not occur. If it is charged and established that they do occur, that would reflect upon the Attorney General and the Department of Justice for their failure to diligently enforce the statute.

I do not cast any reflection on anyone. I do not believe that violations of any consequence have occurred. However, those who contend that another statute is needed, by inference, at least, so reflect.

Fifth, the Attorney General may sue in the Federal courts for an injunction at any time any person is engaged in, or there are reasonable grounds to believe that he is about to engage in, any act designed to deprive a person of his right to vote, 42 U.S.C. 1993.

We do not have to wait until an act is committed. The Attorney General has the power to pursue the injunctive remedy, the preventive remedy, and thus preclude a criminal act from ever occurring, and prevent any citizen from being denied his right to the franchise.

If a citizen has reasonable grounds to believe that such action has occurred or is about to occur, the Attorney General does not have to wait until the act is committed. He can take a preventive action and thus avoid, on behalf of the citizen, any denial of his right to the franchise.

Sixth, if a Federal judge finds a pattern of discrimination pursuant to the 1960 Civil Rights Act, he may appoint Federal voting referees to replace local officials.

Has any pattern been established? Has any action been taken under this statute? Have any Federal voting referees been appointed to replace local officials? If not, why? The best reason is that there has been no need for it. No condition existed to justify the enforcement or attempt to enforce this statute.

If conditions prevail in which none of these statutes have been invoked, or if it did not become necessary to apply the statutes and proceed under their provisions, that would refute the claim of those who contend that conditions now exist that necessitate the enactment of the pending bill.

As I have stated before, the primary object of the bill is to reflect upon a section of the Nation. It is an attempt to humiliate the people of our section of the country. The very fact that we have all of these statutes, under which no proceedings have been taken, demonstrates more impressively than any words I can utter, the lack of need for what is being attempted in the pending bill.

Seventh, the 1964 Civil Rights Act provides that all voting cases be expedited, that if less than 15 percent of a race is registered, Federal referees shall be appointed, and that everyone with a sixth-grade education is presumed literate—42 United States Code 1971.

Mr. President, how much more do we want? If, under all these laws, voting rights cannot be enforced and the sacredness of the franchise cannot be preserved, there is but one conclusion to be reached, namely, that the law enforcement in this country and the judicial process has broken down.

We have every weapon that is required or necessary to preserve the right of the franchise and to enforce the right to vote if we continue to follow the due process guaranteed under the Constitution. Moreover, there is no need for a law on voting rights which would affect my State of Arkansas. I emphasize that although an amendment has been placed in the bill, followed by a subsequent amendment that would temporarily suspend the provision until after the next election, there is no need to make this law apply to Arkansas.

It is evident from the fact that the Civil Rights Commission in its report on voting—which Commission would like to have found something wrong, if there were anything wrong—dated in 1961, stated:

> Negroes now appear to encounter no significant racially motivated impediments to voting in Arkansas.

That is from the Civil Rights Commission report on voting in 1961, page 22.

Yet, it is insisted that there be a provision in the bill to drag Arkansas into it. Why? Is there justification? Those who intended to find something wrong could not find it, and so reported.

In addition, we now have in my State a new and simple registration law. Bear in mind that this was under the poll tax which so many condemned. Arkansas was completely vindicated, even though it had a poll tax as a requirement for voting. Now, it does not even have a poll tax.

Now it does not even have that. In addition, we now have in my State a new, simple registration law that was adopted by the people of Arkansas.

The PRESIDING OFFICER. If the Senator will suspend, the hour of 4:30 having arrived, under the unanimous-consent agreement, the vote on the amendment under consideration will be taken.

Mr. McCLELLAN. Mr. President, I shall not ask for additional time, but I serve notice that I have much more to say.

The PRESIDING OFFICER. The question is on agreeing to the amendments (No. 167) offered by the Senator from Hawaii [Mr. FONG] for himself and other Senators, to the amendment in the nature of a substitute, as amended and modified, offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN].

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendments of the Senator from Hawaii. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the distinguished minority leader [Mr. Dirksen]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. Bass], the Senator from Idaho [Mr. Church], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from Ohio [Mr. Lausche], the Senator from Michigan [Mr. McNamara], and the Senator from Oregon [Mrs. Neuberger] are absent on official business.

I further announce that the Senator from New Mexico [Mr. Montoya], the Senator from Connecticut [Mr. Ribicoff], and the Senator from Georgia [Mr. Russell] are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho [Mr. Church], the Senator from Alaska [Mr. Gruening], the Senator from Ohio [Mr. Lausche], the Senator from Michigan, [Mr. McNamara], the Senator from New Mexico [Mr. Montoya], and the Senator from Connecticut [Mr. Ribicoff] would each vote "yea."

On this vote, the Senator from Georgia [Mr. Russell] is paired with the Senator from Tennessee [Mr. Bass].

If present and voting, the Senator from Tennessee would vote "yea," and the Senator from Georgia would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson], the Senator from Nebraska [Mr. Curtis], the Senator from Illinois [Mr. Dirksen], and the Senator from Wyoming [Mr. Simpson] are necessarily absent.

The Senator from Nebraska [Mr. Hruska] and the Senator from Idaho [Mr. Jordan] are absent on official business.

The Senator from Vermont [Mr. Prouty] and the Senator from Kansas [Mr. Pearson] are detained on official business.

The pair of the Senator from Illinois [Mr. Dirksen] has been previously announced.

On this vote, the Senator from Nebraska [Mr. Curtis] is paired with the Senator from Kansas [Mr. Carlson].

If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Kansas would vote "nay."

On this vote, the Senator from Kansas [Mr. Pearson] is paired with the Senator from Idaho [Mr. Jordan].

If present and voting, the Senator from Kansas would vote "yea," and the Senator from Idaho would vote "nay."

On this vote, the Senator from Vermont [Mr. Prouty] is paired with the Senator from Wyoming [Mr. Simpson].

If present and voting, the Senator from Vermont would vote "yea," and the Senator from Wyoming would vote "nay."

The result was announced—yeas 56, nays 25, as follows:

[No. 77 Leg.]

YEAS—56

Aiken
Allott
Anderson
Bartlett
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Clark
Cooper
Cotton
Dodd
Dominick
Douglas
Fong
Gore
Harris
Hart
Hartke
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Magnuson
McCarthy
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Morse
Morton
Moss
Muskie
Nelson
Pastore
Pell
Proxmire
Randolph
Saltonstall
Scott
Smith
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—25

Bennett
Byrd, Va.
Eastland
Ellender
Ervin
Fannin
Fulbright
Hickenlooper
Hill
Holland
Jordan, N.C.
Long, La.
McClellan
Mundt
Murphy
Robertson
Russell, S.C.
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—19

Bass
Carlson
Church
Curtis
Dirksen
Gruening
Hayden
Hruska
Jordan, Idaho
Lausche
Mansfield
McNamara
Montoya
Neuberger
Pearson
Prouty
Ribicoff
Russell, Ga.
Simpson

So the amendments (No. 149) offered by Mr. Fong for himself and other Senators to the Mansfield-Dirksen substitute were agreed to.

Mr. FONG. Mr. President, I move that the vote by which the amendments were agreed to be reconsidered.

Mr. JAVITS. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 176

Mr. KENNEDY of New York. Mr. President, I call up my amendment No. 176, which I jointly sponsor with my colleague the Senator from New York [Mr. Javits], and ask that it be stated.

The PRESIDING OFFICER (Mr. Cannon in the chair). The amendment to the Mansfield-Dirksen substitute will be stated for the information of the Senate.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the amendment be considered as read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 7, between line 17 and line 18, insert a new section 4(e):

"(e)(1) Congress hereby declares that to secure the rights under the fourteenth amendment of persons educated in American-flag schools in which the predominant classroom language was other than English, it is necessary to prohibit the States from conditioning the right to vote of such persons on ability to read, write, understand, or interpret any matter in the English language.

"(2) No person who demonstrates that he has successfully completed the sixth primary grade in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English, shall be denied the right to vote in any Federal, State, or local election because of his inability to read, write, understand, or interpret any matter in the English language, except that in States in which State law provides that a different level of education is presumptive of literacy, he shall demonstrate that he has successfully completed an equivalent level of education in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English."

Mr. MANSFIELD. Mr. President, will the Senator from New York yield to me, without losing his right to the floor?

Mr. KENNEDY of New York. I am glad to yield to the Senator from Montana.

UNANIMOUS-CONSENT REQUEST AND ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I am about to propound a unanimous-consent request. I believe an order is in that when the Senate completes its business today, it will stand in adjournment until 12 o'clock noon tomorrow; is that not correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, it stand in adjournment until 12 o'clock noon on Friday.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I also ask unanimous consent that there be a morning hour tomorrow to extend until no later than 12:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I also ask unanimous consent that there be 1 hour on the pending Kennedy-Javits amendment, to be equally divided, the time to be controlled by the Senator from New York [Mr. Kennedy] and the Senator from North Carolina [Mr. Ervin]; the vote to be taken not later than 1:30.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

Unanimous-Consent Agreement

Ordered, That the Senate proceed to vote not later than 1:30 o'clock p.m. on Thursday, May 20, 1965, on amendment numbered 176 offered by the Senators from New York [Mr. Kennedy and Mr. Javits], to the substitute amendment by Senators Mansfield and Dirksen, No. 124, as amended, for the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Provided, That all time for debate after the transaction of routine morning business on Thursday, May 20, 1965, not to exceed 12:30 o'clock p.m., shall be equally divided and controlled by the Senator from New York [Mr. KENNEDY], and the Senator from North Carolina [Mr. ERVIN].

Mr. MANSFIELD. Let me ask the Senator from New York if he is through?

Mr. KENNEDY of New York. Yes; I have completed my statement.

Mr. MANSFIELD. Mr. President, I seek recognition.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, I support amendment No. 176, proposed by the Senator from New York [Mr. KENNEDY] which would amend the leadership substitute proposed by Senator DIRKSEN and myself.

Amendment No. 176 would prohibit denial of the right to vote in any election of any person because of his inability to speak or understand English, or to read or write in English, if he demonstrates successful completion of the sixth grade of any public or accredited private school in any State, territory, the District of Columbia, or Puerto Rico in which the predominant classroom language was other than English. The effect of this amendment would be to enfranchise a good number of intelligent and literate persons of Puerto Rican origin.

The Senate will recall that in 1962 I supported such a proposal as this, indeed I cosponsored with the distinguished minority leader a bill (S. 2750) to prohibit the use of literacy tests as a qualification for voting in Federal elections for persons who had completed the sixth grade in a public school or accredited private school in the continental United States or in Puerto Rico. I believe that this provision is beyond a doubt constitutional. In testifying before a congressional committee on the Voting Rights Act of 1965, the Attorney General, too, supported the constitutionality of a measure aimed at this problem.

There was no provision such as this in S. 1564 as introduced, nor was such a provision included in the Mansfield-Dirksen substitute. The reason is that until recently the Voting Rights Act was viewed as one directed solely at problems of race and grounded solely upon the 15th amendment. The Puerto Rico problem is not a racial problem and thus must be approached and dealt with on some other basis and pursuant to other constitutional powers. But the scope and purpose of S. 1564 has since been broadened by the inclusion of provisions to remove such other obstacles to the exercise of the franchise as poll taxes which may or may not be related to race and which are being dealt with under other powers in addition to the 15th amendment. Thus, it is now appropriate to further broaden the bill by adopting amendment No. 176, which is addressed to a problem of discrimination, although not of racial discrimination. This measure has been before us in past years—it is not a new concept—it is appropriate that we act on it in this bill.

THE TRAGIC INCIDENT AT BIEN HOA AIR BASE IN VIETNAM

Mr. STENNIS. Mr. President, in the last week the United States has suffered a grievous and shocking loss. I refer to the tragic incident at the Bien Hoa Air Base in Vietnam. On May 14 one end of the airfield erupted in flame, smoke, and a series of concussions from bomb explosions. As a result of this incident the United States lost over a score of people killed and several score wounded. Twelve aircraft were completely destroyed and 36 damaged in varying degrees.

The initial reports flowing from our commanders in Vietnam state that the cause was not action by the enemy, but an accident—an accident believed traceable to either personnel or materiel present at the base.

The U.S. Air Force immediately sent its Inspector General, in company with a team of technical experts, to the scene in order that they might conduct a painstaking inquiry into all the circumstances involved in the tragedy and trace the cause to its source.

The Air Force investigation is now underway. It should and must develop the facts to the extent they can be ascertained. Both the Congress and the public are entitled to know what caused this tragedy. More than this, the Air Force, as a fighting force, must establish the cause as positively as it can. This is necessary to insure against a repetition of this occurrence. The establishment of the cause and means of prevention of incidents of this type is necessary also for the purpose of establishing full confidence in Air Force materiel, procedures, and training.

During the past several months the Preparedness Investigating Subcommittee has exercised an active and almost constant surveillance over the developments in Vietnam. One of our staff members spent almost a month there in a detailed on-the-scene investigation and study. The Senate may be assured that the subcommittee will give this latest occurrence its full and close attention. We will not let the matter drop upon the completion of the investigation by the Air Force Inspector General. We intend to call upon the Defense Department for complete information with respect to the report of the Inspector General and examine the entire substance of it.

If the facts developed by the inspector general appear to be incomplete or inadequate in any respect, or if there is any indication that the full and complete facts are not being made available to us, we will then undertake our own independent investigation, including, if necessary, the dispatch of staff personnel to Vietnam to inquire into the matter. In short, we will take such action as is necessary to insure that the facts surrounding this tragedy are brought to light and that our fighting men in Vietnam have the most effective materiel and procedures that can be provided.

THE IMPACT OF AUTOMATION

Mr. BOGGS. Mr. President, we are constantly reminded of the impact of automation on our lives today, and frequently this impact is the source of labor-management disputes.

At the Phoenix Steel Corp.'s plant at Claymont, Del., however, the onset of automation has produced cooperation instead of trouble. While both the company and the United Steelworkers local are to be congratulated on the way they have worked out their mutual problems, it is the union which has in effect decided to tighten its belt during a massive modernization campaign and, in my opinion, deserves special commendation.

It seems to me that other areas of the country can learn something from this experience in Delaware, and I ask unanimous consent that a news article from the Wilmington Morning News, entitled "Phoenix Union Aids Automation," be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOR LONG-RANGE BENEFITS: PHOENIX UNION AIDS AUTOMATION

(By Martin Frost)

Automation is coming to one of Delaware's biggest industrial plants with a strong assist from the company's workers.

Union members at Phoenix Steel Corp.'s Claymont plant have agreed to tighten their belts temporarily so the firm may purchase modern machinery, a step that is expected to increase the labor force by more than one-third in the long run.

"The plant was obsolete," William G. Toner, international representative for the United Steelworkers of America (USW), points out.

The Phoenix board chairman, Stanley Kirk, expresses what the company was facing a little more strongly: "A dead company would be no good to anyone."

Essentially the situation was that Phoenix saw a need to undertake a massive modernization campaign to speed up production and make operation more efficient.

However, there was one main obstacle in the path of modernization: Article 19, section 1 of the company's contract with Local 3182 of the United Steelworkers. This clause provided that the company could not reduce the size of existing work crews without the consent of the union.

Modern machinery would not increase efficiency if work crews had to be kept at the same size, the company contended.

After consultation with national union officials, the local agreed late last month to waive the clause for 2 years, the time needed by the plant to install the new equipment.

At the end of that time, the article will be replaced with section 2B of the existing national agreement between big steel and the union. Section 28 contains the main principles of the local clause but is not as rigid.

The short-range effect of the local's agreement to waive article 19, section 1, will be a reduction of employees at the plant. This will be accomplished as new machinery is installed and work crews are reduced.

The union has arranged that this be done through a labor pool plan whereby high-seniority members whose jobs are abolished can be shifted to jobs in other parts of the plant.

Toner and Local President Edgar M. Gibson see this as only a short-range sacrifice. They predict the plant will be employing at least 2,000 production workers once the modernization is completed. Present employment is 1,450 production workers. Kirk agrees that in the long run employment will be up, probably to 2,000 in 2 years.

More employees will be needed for processing and handling when production is increased, Toner points out. He also says increased production will allow the plant to diversify its efforts.

Most of its time now is spent making steel slabs, an intermediary step in production. Modern machinery will speed up the slab-making and allow more finishing time, he said.

Kirk is high in praise of the union for its cooperation. "They are to be commended," he said. "They have been realistic."

Members of the local negotiating committee were Gibson, chairman; Leroy Pernsley, cochairman; Stanley Zalewski, and Robert Dungan.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I believe that I obtained permission for the Senate to convene at 12 o'clock noon on Thursday, tomorrow, and at 12 o'clock noon on Friday. Is that correct?

The **PRESIDING OFFICER.** The Senator is correct.

ORDER FOR ADJOURNMENT FROM FRIDAY TO 12 O'CLOCK NOON ON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business on Friday, May 21, it stand in adjournment until 12 o'clock noon on Monday, May 24, 1965.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that it stand in adjournment until tomorrow at noon.

The motion was agreed to; and (at 4 o'clock and 55 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Thursday, May 20, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, May 19, 1965:

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

Maj. Gen. Frank Thomas Mildren, O21992, Army of the United States (colonel, U.S. Army), in the grade of lieutenant general.

IN THE ARMY

The following-named person for appointment in the Regular Army by transfer in the grade specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

To be captain

Dooley, Thomas R. (MSC), O84838.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

To be major

Galli, Alexander L., O971976.
Kouchoukos, Paul C., O974942.
Reid, Richard L., O996720.
Yamashita, Kanshi S., O987776.

To be captain

Barker, James R., O4006820.
Bemis, Wilber G., Jr., O4061016.
Choquette, James J., O4005414.
Chritton, William R., Jr., O4006849.
Corbin, Delmar L., O4017051.
Crowley, John D., O4017388.
Cumber, David R., O4065210.
Dendy, Norris F., O4012058.
Dillingham, William B., O4062512.
Evans, Eulus E., O5405060.
Gibson, Henry L., O4000167.
Habig, Arnold J., O4064358.
Halleran, Kenneth E., O4026605.
Hammond, John A., O4034050.
Hodge, John J., O4075232.
Holden, Robert T., O4030660.
Holly, John W., O4009697.
Kaczor, Gerald E., O4010357.
Knudsen, Joseph R., O4005308.
Levitt, David M., O1890628.
Lundy, William H., O1890946.
Mack, Henry W., O4010312.
McCarthy, Basil E., O4021210.
Monroe, Eddie D., O4004459.
Mountel, Robert A., O2097659.
Nickeson, Dwaine E., O4074731.
Parker, Julius, Jr., O4047677.
Phillips, William R., O2004886.
Powell, Frank M., O4010868.
Roberts, David E., O5700513.
Roberts, Leo M., O4012344.
Schubert, Clarence S., II, O4062021.
Smith, Harvey A., Jr., O5405229.
Suttlehan, Laurence C., O4006804.
Turpin, Billie G., O4000210.
Varallo, Francis V., O5505186.
Washington, Samuel, Jr., O4044991.
Waters, Thomas L., O4001695.
Whitehorn, Jack A., O4006912.

To be first lieutenant

Altier, Robert E., O5209789.
Armstrong, Donald R., O4060979.
Barrett, Donald G., O5400945.
Black, James B., O5313123.
Bodmer, George M., O5511513.
Burch, Fenwick H., Jr., O5307185.
Burton, Thomas D., O5875274.
Candler, Harry W., Jr., O5410136.
Celata, Donald V., O5009578.
Chewning, Ward M., Jr., O5314672.
Clark, Luke E., O2308992.
Douglass, Robert E., O5316448.
Driskill, Joe G., O5411972.
Dunham, Richard A., O5409697.
Freese, Jon A., O5213541.
Gantt, John R., O2316643.
Heningburg, Michael, O2299143.
Hippensteele, Tom, O5313659.
Hurry, Bruce B., O5510542.
Kay, Edward C., O4058843.
Kerr, Joseph P., O5010457.
Kintigh, Jerry L., O5513483.
Land, Vincent J., O4035865.
Martin, Geary D., O5306191.
McKinney, Paul D., O2306451.
Merten, Patrick W., O5705992.
Mills, William C., Jr., O5412945.
Morai, Edward C., O2307814.
Morris, Bruce A., O5010092.
Morris, Richard C., O5006411.
Morrison, Don R., O5401574.
Parrish, Joseph P., O5514576.
Plate, Darold E., O5513351.
Presson, Billie T., O5216320.
Prow, William F., O5215737.
Rhodes, Hugh H., O5300696.
Riggs, Ronald K., O5410555.
Rosser, Terry N., O5412340.
Schneider, Robert H., O5215725.
Schreiber, Kenneth W., O5005344.
Smith, John A., O5511959.
Sponseller, James M., O5208720.
Stageberg, Richard D., O5512207.
Sullivan, Philip H., Jr., O5007966.
Touhey, Henry J., O5002882.
Vachon, Raymond F., O5010628.
Ward, Olin S., Jr., O4028239.
Watson, Samuel J., III, O5214849.
Weiss, Stephen R., O5412274.
Woolweaver, Robert G., O5410739.
Wright, Raymond J., O5205410.

To be second lieutenant

Brown, Frederick A., O5413436.
Coker, Fletcher C., Jr., O5316655.
Collar, William D., Jr., O5406007.
Cushing, Kerry B. M., O5531672.
Davis, Julian A., O5315335.
Durham, George E., O5316344.
Flaherty, Daniel J., O5415920.
Frichette, Peter E., O5708174.
Gallagher, Thomas W., O5532080.
Garland, Robert L., O5218051.
Glavickas, Joseph A., O5015575.
Heilig, Donald M., O5316580.
Hoskinson, Charles E., O2311327.
Jackson, Vernon B., O5317242.
Jarrett, Garnett L., O5317773.
Johnson, James D., O2313271.
Kamicka, Gerald W., Jr., O5016226.
LaFreniere, Richard L., O5014384.
Landin, Robert F., O5315370.
Langston, Guy A., O5875229.
Lipka, Gerald, O5516589.
Miller, David P., O5215722.
Rebich, Larry G., O5221002.
Rich, John H., Jr., O5014428.
Rishell, Donald C., O5406361.
Rubald, Quintin T., Jr., O5512872.
Senkus, Neal J., O5321611.
Stann, Richard L., O5320085.
Straub, Delbert M., O5406033.
Van Zant, John H., Jr., O5316967.
Veen, Robert A., O5532050.
Wakefield, William C., II, O5218804.
Wilson, Clyde A., Jr., O5531020.
Yatsko, Joseph P., Jr., O5320108.
Yeager, Gerald A., O5406491.
Youell, Charles C., III, O5219275.
Young, Leo M., O5312763.

The following-named persons for appointment in the Regular Army of the United States, in the grades and branches specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, and 3294:

To be major, Judge Advocate General's Corps

Gomez, Viviano, Jr., O2263864.

To be major, Medical Corps

Otterson, Warren N., O4056004.

To be captain, Army Nurse Corps

Wills, Mary A., N2241658.

To be captain, Chaplain

Neely, Donald L., O5501868.

To be captain, Dental Corps

Christman, Peter D., O5518292.
Zulaski, John F., O5206112.

To be captain, Judge Advocate General's Corps

McNamee, Alfred A., Jr., O4013112.

To be captain, Medical Corps

Birriel-Carmona, Tomas, O5826592.
Black, Thomas C., Jr., O5408320.
Coggin, Julian T., O5708979.
Cohen, Harvey M., O4085307.
LaPat, Richard C., O5223772.
Lisciandro, Richard C., O5051278.
Maeda, Thomas H., Jr., O5800419.
Miller, Franklin C., O5223931.
Rakolta, George G., O5525150.
See, Donald H., O4027039.
Scitter, Girard, III, O5206628.
Smith, Philip P., O5507086.

To be captain, Medical Service Corps

Carr, Robert A., O4006877.

To be first lieutenant, Army Nurse Corps

LaChambre, Joyce M., N5407177.
McCaffrey, Mary G., N2291951.
Sullivan, Barbara A., N2298621.
Woodring, Anna L., N5411216.

To be first lieutenant, Judge Advocate General's Corps

Adkins, Fred, O5219657.
Bale, Harold L., Jr., O2315403.

Devine, Frank E., O5012159.
Dupre, Charles C., O5012098.
Fowler, Britton L., O5320769.
Galfy, Joseph J., Jr., O5010270.
Kennedy, Robert P., O5014275.
Leopold, Bertram B., O5220431.
Noell, John S., Jr., O5318034.
O'Callaghan, William L., Jr., O5318035.
Shlakman, Kenneth J., O5220096.
Tatem, Stephen B., Jr., O5219723.
Woodward, Joe L., O5412145.

To be first lieutenant, Medical Corps

Anderson, James R., O2313404.
Bowe, Richard G., O2316912.
Brobeck, Alan G., O2316914.
Cipriano, Frank J., O2313174.
Davis, William R., O4068463.
Evans, Roger W., O5511066.
Firestone, Marvin H., O2313231.
Glasser, Stephen P., O2316940.
Greer, Thomas D., O5410378.
Hallee, Theodore J., O5007520.
Haven, James J., O2316904.
Kowalski, Leonard R., O2313100.
Light, Jimmy A., O5311259.
Marrin, Daniel J., O2313223.
Proctor, Richard O., O2316873.
Rapp, Robert S., O2313277.
Renn, John S., II, O2316872.
Smith, Alvin E., O5315991.
Smith, Carl R., O2313068.
Warden, David R., O5310126.
Wearn, Joseph H., O5310128.
Welch, Melton J., Jr., O2313063.
Wheeling, James R., O4062287.

To be second lieutenant, Army Nurse Corps

Mangold, Kathleen H., N2315089.

To be second lieutenant, Medical Service Corps

Boe, Gerard P., O2313171.
Finkelstein, Eugene, O2311698.
Gregg, Jerry L., O5517100.
Ladestro, Ralph, O2311798.

The following-named distinguished military students for appointment in the Judge Advocate General's Corps, Regular Army of the United States, in the grade of first lieutenant, under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288, and 3292:

Humphrey, James T., Jr.
Sickel, Stephen V.

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States in the grade of second lieutenant under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288, and 3290:

Arnt, Stephen W.
Bray, Edward W., III
Covington, Bobbie J.
Flaherty, Michael J.
Goodloe, Samuel, Jr.
Hooker, Scottie T.
Lewis, George E., Jr.
Odum, David J.
Rylant, William G.
Taylor, Ronald G.

The following named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, and 3288:

Acevedo, Rafael A.
Adams, Nolan J.
Adams, Ronald E.
Albright, Carl W.
Aleva, Robert J.
Anderson, William H. W., Jr.
Arentz, Richard T.
Arnold, Gary W.
Barreca, Alan R.
Barrett, Jimmie H.
Bolt, Andrew W., II
Brame, Ronald M.
Brown, Wayne K., Jr.
Bruning, Richard C.
Bull, George P.
Bullen, Charles W., Jr.
Campbell, Douglas B.
Carnes, Julian S.
Carstensen, Harold B., Jr.
Cash, John R.
Cirello, John
Clemmer, Donald E.
Compton, Robert L.
Cook, Donald E.
Cox, Michael P.
Curtis, William A.
Davis, Douglas V.
Durbin, James P.
Elders, Telford E.
Field, Richard C.
Fischette, William S.
Fitzpatrick, James J.
Fleig, Franz W.
Fournaris, Evan N.
French, John D.
French, Lawrence E.
Futch, Shelby L.
Geraghty, Lawrence J., Jr.
Gilch, Ronald G.
Gilchrist, Willis A., Jr.
Goff, John E.
Harms, Lowell E.
Hart, Kenneth M.
Hawryluk, Eugene G.
Hieronymus, Edward W.
Hilts, William J.
Hitzemann, Charles W.
Hoffman, Thomas A.
Horsey, Wade H., II
Howell, Michael E., O5710889
Hudson, John J.
Hulslander, Donald J., Jr.
Jackson, Robert S.
Jacobsen, Gerald R.
Jaeger, Edward H.
Johnson, Larry D.
Johnson, Tom M.
Jones, Donald C.
Jungerman, Edward E., Jr.
LaClare, Edward J.
Lanoue, John D.
Lazarus, Paul D.
Linton, Leonard M., Jr.
Lovelace, James M.
Mason, George S.
McCaslin, James K., Jr.
McKelvey, L. Patrick
McLaughlin, John M.
Menson, Richard L.
Mikols, Walter
Morrow, Melvin L., Jr.
Normand, Anthony H.
O'Leary, Joseph J., Jr.
Pomanger, Richard A., Jr.
Porrell, David J.
Pryor, Charles A., Jr.
Raines, John W.
Read, Beverly C.
Reavis, John R., Jr.
Recchuite, Martin C.
Register, Jerry B.
Reisler, Ronald A.
Robb, Douglas W.
Roberts, Daniel A.
Rojas, Donald C.
Scafati, Michael
Schechterle, Brian
Schreiner, David M.
Sheldon, Frederick C.
Sibert, Ronald S.
Silverman, Richard S.
Stevens, Winfred A.
Stevenson, Dennis E.
Stitt, Peter C.
Stolfi, John R.
Susik, Robert D.
Thiel, Roger A.
Tokunaga, Asao
Turgeon, Alfred J.
Van Singel, Donald
Waitt, Malcolm G., Jr.
Walden, Daniel J.
Weber, Carl R.
Wenlock, James I.
Weston, Allen A.
White, Robert A.
Williams, Roy D., II
Wolfe, James B.
York, John M.

The following-named cadets, graduating class of 1965, U.S. Military Academy, for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3284 and 4353:

Abbott, Michael H.
Abraham, Thomas S., Jr.
Adam, LeRoy A.
Adams, Curtis H., Jr.
Airy, James F.
Albright, Lorin C.
Alexander, Errol D.
Alger, John I.
Ammerman, Frederick W.
Ammon, Stephen L.
Anderson, John T.
Anderson, Joseph B., Jr.
Anderson, Robert M. S.
Andresen, Martin W.
Appler, Donald E.
Applin, Frank M.
Arkangel, Carmelito, Jr.
Arnall, Frank M., III
Aron, Charles M.
Arvin, Carl R.
Asplund, Ralph E.
Atchley, Oscar L., III
Atteberry, Leighton C.
Axley, Robert J.
Bachman, William B., Jr.
Bailey, Ronald B.
Baldinger, Robert W., Jr.
Bangert, David C.
Barber, Paul F.
Barker, Ballard M.
Barkley, Joseph R.
Barron, Thomas C.
Barry, Bartholomew D., Jr.
Barwis, John W.
Becker, Peter K.
Beinlich, William A.
Belanger, Fred M.
Bell, George T.
Bennett, Lawrence G.
Benton, David L., III
Berdan, Robert F.
Berdy, Michael E.
Bergmann, Paul L.
Bernier, Barre S.
Berry, James L.
Birdseye, William S.
Bishop, Glade M.
Blau, Jack L.
Bliss, Stephen M.
Bodde, David L.
Boerckel, Richard A.
Bohannon, John R.
Bonnett, Mitchell E., Jr.
Boohar, Charles W., Jr.
Borkowski, Thomas F.
Borrego, Anthony J.
Boyter, Norman C., Jr.
Bradley, Robert S.
Bradley, William C.
Brewer, Dennis W.
Briggs, Lloyd C.
Brock, George R.
Browder, William R.
Brown, Charles E., Jr.
Brown, David R.
Brown, Lloyd K.
Brown, Neil E.
Brown, Robert D., III
Bryan, James E.
Bryant, Richard L.
Bucha, Paul W.
Bunn, Richard D.
Buntz, Burke O.
Burgardt, Charles H.
Byrne, William E., III
Cahill, Peter J.
Campbell, Russell A., Jr.
Carll, Thomas H.
Carlson, Terry A.
Cato, Robert B.
Chaffer, John R.
Chapman, Richard W.
Charles, Frederick J., III
Chase, Emery J., Jr.
Cherry, Kenneth J.
Christman, Daniel W.
Chudoba, Dennis L.
Churchwell, Curtis D.
Cindric, Thomas A.
Clark, Alexander J., Jr.
Clark, Jerry F.
Clarke, Bruce B. G.
Clay, Anthony H.
Clement, Stephen D.
Clewley, Lawrence L.
Clover, Robert L.
Coleman, Richard E.
Coll, Dennis R.
Collins, Richard G.
Concannon, John F., III
Conley, James S., Jr.
Connolly, William J.
Connor, John E., III
Connor, Michael J.
Cook, Charles M.
Cooley, Jack W.
Cooper, Philip R.
Coughlin, James M.
Croak, Thomas L.
Csoka, Louis S.
Cullen, John N., III
Curl, Gilbert W., Jr.
Darrah, Stephen C.
Davis, Garrett M.
Davis, John S.
Davis, Leonard D.
DeFrancisco, Joseph E.
DeLaar, Robert A.
DeMoulpied, David S.
DeVitto, John C.
DeWitt, Spotswood
Deems, John M.
Dermody, Henry M.
Dernar, Jerry
Dickey, Charles C., Jr.
Divers, Walter A., Jr.
Donaghy, Daniel J.
Donahue, Richard J.
Donovan, Patrick J.
Dorney, Christopher J.
Dornier, Russell L.
Doughty, Robert A.
Drass, Paul R.
Drinkwater, David M.
Dufour, Jerome P., Jr.
Dyer, James L.
Echols, James E., III
Eckart, Charles R.
Eichelberger, Jerald P.
Eichorn, Frederic N., Jr.
Ellenbogen, Steven W.
Endicott, Richard L.
Erbes, Donald C.
Evans, Edward R., Jr.
Farmelo, Gene R.
Ferguson, James E.
Fergusson, Thomas G.
Fish, Grosvenor W.
Fligg, Claude M., Jr.
Floto, Ronald J.
Foehl, Edward A., Jr.
Frank, Robert T.
Fredricks, Grant L.
Frey, Robert M.
Fricke, Harlan F., II
Frydrychowski, Roger W.
Funk, John E.
Gabel, David A.
Gagne, Robert O.
Gailey, John B.
Gamboa, Anthony H.
Ganshert, Stephen C.
Garms, Royal R.
Gates, Robert E., Jr.
Gehringer, George S.
Genega, Stanley G.
Genetti, Thomas R.
Gentine, Carl W.
Gibson, Douglas L.
Gilchrist, Malcolm S.
Gill, Americus, M., Jr.
Gill, Clair F.
Glynne, Michael T.
Gnau, David P.
Golden, James R.
Grandstaff, Terry B.
Grates, Frederick R.
Green, Lewis E.
Greene, James P.
Griffin, Roger A.
Griffin, William R.
Guenther, Randolph K.
Guy, Robert A.
Hagie, Leslie E.
Haines, Harry C., III
Hall, Richard M.
Hallenbeck, Ralph A., III
Halvorson, Colin O.
Hardin, James C.
Harman, Steven C., Jr.
Harmon, James D., Jr.
Harper, Philip V., Jr.
Harrington, John B.
Harter, Robert L.
Harvey, James R., Jr.
Hawker, Dennis E.
Harkins, Raymond J., Jr.
Hays, John H.
Hecker, William F., Jr.
Heindrichs, Charles R.
Helberg, James A.
Hemmingway, Charles L.
Henneberry, Thomas R.
Hennen, James M.
Hennessee, James F.
Hennig, Guenter
Hennig, Richard A.
Hester, Arthur C.
Hewitt, Lansing T.
Hewitt, Leland H.
Higgins, Robert W.
Higley, John W.
Hill, Robert J., III
Hindsley, Joseph D.
Holmes, James W.
Hopkins, James D.
Horst, Richard G.
Howard, Peter M.
Howell, John M.
Hudson, Claude K.
Hudson, Michael E.
Hughes, Lyttle P.
Hulin, Bruce D.
Hume, James S.
Hurley, David E.
Huston, Michael J.
Hutton, John K., Jr.
Isakson, Larry H.
Jeffcoat, Marvin A., Jr.
Jenkins, Harold A., Jr.
Johnson, John T., Jr.
Johnson, Martin L., Jr.
Johnson, Robert B., Jr.
Jones, David T.
Joyner, Harry N., III
Juchau, William C.
Kadetz, Gary S.
Kahara, Calvin G.
Kantrowich, Paul J.
Keats, Robert G.
Keith, John F.
Kelley, Henry L.
Kelley, Hugh A., Jr.
Kelly, James M.

Kelly, Jerome E.
Kempf, Stephen J.
Kennedy, Leo R.
Kenny, Patrick D. J.
King, Jon E.
Kistler, Bernard F.
Kleinmaier, Lee E., Jr.
Kline, Douglas C.
Klingler, Harold H., Jr.
Klink, Edwin H.
Kniker, Nathan H.
Knoche, Ernest J., Jr.
Knowles, John D.
Knudson, Richard A.
Koleszar, Frank W.
Kolzing, Ronald K.
Konermann, Leo L., Jr.
Koropey, Oleh B.
Kovach, Thomas J.
Kovacsy, Arpad de
Kukea, Joseph K., Jr.
Kulbacki, Walter S.
Kurtz, Donald G.
Kuzman, Richard J.
LaRochelle, David F.
Lane, James E.
Lapolla, Michael P.
Larson, Gordon A.
Larson, Kermit D.
Laughlin, Fredric L.
Lawson, Lowell B.
Layer, Ronald F.
Ledzinski, Jerome M.
Lee, Robert L., Jr.
Lehman, William J.
Leibowitz, Michael
Lemley, Kendall M.
Leskovjan, Larry L.
Letterie, Carl A., Jr.
Letterman, Gordon G.
Leverett, Hubbert L.
Levine, Barry W.
Lewis, Dennis B.
Linn, Peter C.
Lipsit, Gerald E.
Locurcio, Ralph V.
Loftin, Dean R.
Long, Peter J., Jr.
Longhouser, John E.
Lounsbury, Peter B.
Lowe, Henry J.
Ludwig, Raymond J.
Lyons, John K.
Lyons, William E.
MacVicar, Thomas D.
Mace, Robert W.
Madden, Jerry A.
Maimone, Emanuel P.
Malpass, John R., Jr.
Maness, Lewis E., Jr.
Manghi, Gene K.
Mark, Arthur B., Jr.
Marsh, Wayne W.
Marshall, Bruce R.
Matkovcik, Thomas J., Jr.
Matteson, Michael J.
McArthur, Kenneth D.
McChristian, Joseph A., Jr.
McCloskey, Charles C., III
McConnell, Camden W.
McCreary, William T.
McCullough, John H.
McDonald, Paul T.
McEliece, James H., Jr.
McGurk, John P.
McKemey, William J., Jr.
McMillan, Jerry R.
McMillan, John E.
Meier, Frank L.
Menninger, George E.
Merges, George J.
Merriam, Nicholas H.
Metzner, Ladd H.
Mickells, Henry G., Jr.
Mims, James E.
Mirando, James A.
Mitchell, William B.
Miyashiro, James T.
Mogan, Bernard J., Jr.
Mohlere, Richard D.
Molepske, Robert J.
Momcilovich, Michael, Jr.
Moore, Harley L., III
Moorefield, Kenneth P.
Morrissey, Stephen R.
Moseley, Charles H., Jr.
Motal, Beverly W.
Motes, Preston M., Jr.
Mullen, Orlin L.
Munson, Merton E., Jr.
Mushovic, Thomas J.
Myers, Chester A., Jr.
Neal, Larry T.
Needels, Christopher J.
Nelson, Walter E., Jr.
Nenninger, Glennon E., Jr.
Nichols, Charles S.
Nowland, Donald E.
O'Brien, Francis W., Jr.
O'Connor, Joseph P., III
O'Donnell, Charles F., III
O'Grady, Michael J.
O'Hara, Timothy S.
O'Leary, Gerald D.
O'Neill, Eugene D.
O'Toole, George P., Jr.
Olivo, James A.
Olmstead, Kim H.
Olmsted, Philip R.
Olson, John V.
Olson, Stephen A.
Ono, Tadahiko
Paek, Stephen J., Jr.
Paley, James M.
Parcels, Donald C.
Parker, Eugene J., Jr.
Parrish, Donald J., Jr.
Paske, Raymond J.
Peters, James M.
Peterson, Carl A., Jr.
Pfeifer, Charles F., Jr.
Phillpotts, Donald A.
Philo, Steven E.
Pickler, John M.
Pickup, Bedford M.
Pollard, Raymond G., III
Powers, Thomas P., Jr.
Principe, Nicholas J., Jr.
Probst, Francis J., Jr.
Pylant, Julian E., Jr.
Radcliffe, Robert F.
Rau, Paul D.
Ray, Lloyd C., Jr.
Raybeck, Bruce A.
Reed, Howard H.
Reisner, William E.
Reller, Frank X., III
Renschen, Paul S.
Resick, Martin J.
Richardson, Douglas J.
Ridenour, Thomas A.
Riley, Francis G.
Riley, Ronald J.
Ritch, John B., III
Ritch, William N., Jr.
Roebuck, Zigmund J.
Rood, Omar E., Jr.
Rood, Robert D.
Rose, Leo P.
Roseberg, John B.
Roth, Arthur, Jr.
Rountree, Rance H.
Rowe, Donald S.
Ruggles, George W.
Ryan, Terrance C.
Salomone, John L.
Samnarco, Valentino T.
Sanchez, Jose L.
Satorie, Thomas R.
Savatiel, Karl R.
Saxon, Walter L.
Schaltenbrand, Raymond J., Jr.
Scheiner, James I.
Scholl, Wayne J.
Schultz, Paul F., Jr.
Schwartz, Marshall W.
Scobie, Jon D.
Scruggs, Hugh F.
Scully, Robert E.
Seaburn, James T.
Seaworth, George H.
Selkis, Robert F.
Seymour, John B.
Shapiro, Fred J.
Sharkness, Edward J.
Shaver, Michael P.
Shaw, Ralph T.
Sheridan, Mark E.
Sherrell, William W., Jr.
Shinseki, Eric K.
Shuford, John H.
Sikorski, Douglas J.
Simmons, Timothy J.
Simpson, Edward, Jr.
Singelyn, Paul J.
Sinnreich, Richard H.
Skidmore, Francis R.
Slutzky, Kenneth B.
Smith, Frederick J.
Smith, Herbert J., III
Smith, James L.
Smoak, John R., Jr.
Speilman, Daniel E., Jr.
Sperry, Steven M.
Spire, Christopher L.
Spoerry, Stephen J.
Stanko, Michael R.
Steinwald, Daniel F., Jr.
Stephenson, James P.
Sterba, Robert H.
Sterbenz, Henry W., Jr.
Stevison, Jay F.
Stewart, James V., III
Stewart, Lance R.
Stichweh, Carl R.
Stowell, Robert D.
Strassner, Lawrence M.
Sullivan, Richard A.
Swensson, John K.
Talbot, James W.
Taylor, Wesley B., Jr.
Teeters, Michael B.
Terry, John K.
Thames, John W., Jr.
Thomasson, John T.
Thompson, John C.
Thompson, Jon K.
Thompson, Michael H.
Thompson, Robert D.
Throckmorton, Terril M.
Tillman, James L.
Timbrook, Robert D.
Timmerman, Frederick W., Jr.
Tomaswick, James R.
Toomey, Kevin P.
Tragemann, Richard W., Jr.
Tredennick, William H.
Triick, William A.
Turner, Jack C.
Tutchings, Terrance R.
Tyner, Saint E. P., II
Van Dyk, Thomas W.
Vann, David B.
Vann, John M.
Vaughn, Jay E.
Viani, Michael L.
Walsh, Mark R.
Walter, Ronald L.
Watson, James M.
Wattendorf, John M.
Weatherall, Joe A., Jr.
Wells, Ronald M.
Wells, Walter J., Jr.
West, Lowry A.
Westpheling, Ernest D.
Wetherill, Roderick, Jr.
Wheeler, Louis L.
White, Robert C.
White, Thomas R.
Whitehouse, Benjamin, Jr.
Whitten, Jesse M.
Wiest, Lawrence P.
Wiley, Earl T.
Williams, Richard C.
Williams, Ronald N.
Winstead, Edward D.
Wolf, Roger W.
Wolff, Robert D.
Wollen, A. Ross
Wood, James H.
Woodard, James A., Jr.
Woodruff, Ray G.
Wuertenberger, Charles E.
Yoshitani, Ken
Zais, Barrie E.
Ziegler, Bernard L.
Zonne, Robert J., Jr.
Zurlo, Joseph A., II

The following-named midshipmen, graduating class of 1965, U.S. Naval Academy, for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 541, 3284, and 3287:

Fischer, Stephen J.
Frazar, Joe N., III.
Sanders, Raymond A.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 19, 1965:

NATIONAL CAPITAL TRANSPORTATION AGENCY

Walter J. McCarter, of Illinois, to be Administrator of the National Capital Transportation Agency.

DEPARTMENT OF THE INTERIOR

Stanley A. Cain, of Michigan, to be Assistant Secretary of the Interior for Fish and Wildlife.

FEDERAL POWER COMMISSION

Carl E. Bagge, of Illinois, to be a member of the Federal Power Commission for the remainder of the term expiring June 22, 1967.

EXTENSIONS OF REMARKS

Federal Government and New Jersey: Partners in Crime and Vice

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1965

Mr. FINO. Mr. Speaker, today, I would like to bring to the attention of this House facts which show that the Federal Government and the State of New Jersey are full and equal partners in organized crime and vice.

New Jersey is called the Garden State but actually it should be called the garden of gambling. Several northern New Jersey counties were long known as hood hangouts. The gangs bought protection for these nerve centers minutes from downtown New York City with their easily won gambling dollars—which dollars were a tribute to shortsighted policies which kept gambling illegal and thus lucrative for the gangs.

Anyone who has looked into the financial roots of organized crime has pinpointed gambling moneys as the root from which most evil flows. Gambling debts or profits are behind everything from heroin wholesalers to housewife prostitution rings.

New Jersey is no exception. Far from it. Last year's parimutuel turnover in New Jersey was $316 million. This is the part of New Jersey's total gambling which roughly corresponds to the part of the iceberg that is out of the water, a very small part. Gambling is big business in gang-garden New Jersey. The McClellan committee recently heard that yearly off-track betting in this country is $50 billion, and that this type of betting represents about 42 percent of total illegal gambling. Nationwide illegal gambling would thus reach a yearly total of some $120 billion, which sounds incredible until you remember a Massachusetts Crime Commission report saying that people of that State spend more money gambling than on groceries. On a population basis, New Jersey would account for some $4.2 billion of that $120 billion, so it is not hard to see why the mob must think New Jersey is truly a garden State.

The mob keeps 10 percent of this gambling turnover, or some $400 million. No wonder they can afford to bankroll a lot of vice and narcotics. No wonder they have more than enough profits to keep New Jersey safe for illegal gambling and all that flows from it. A cynic might say no wonder New Jersey has no government-controlled gambling that would drive out the syndicates waxing fat in the present vacuum. All I can say is that the people of New Jersey ought to take a long, hard look at the alliance of ignorance that has made the New Jersey and Federal Governments, by their refusal to recognize and regulate gambling, partners in crime, partners with the mob behind every housewife prostitution ring, every narcotics ring, and many other vice rackets. The very governments who piously talk of vice control are up to their necks in negligent contributions to that which they supposedly seek to exterminate. This seamy government partnership in crime has made the Garden State a rich pastureland of vice.

New York City Celebrates Centennial of Its Fire Department

EXTENSION OF REMARKS

OF

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1965

Mr. CAREY. Mr. Speaker, on June 1, the city of New York will mark the centennial of the inauguration of a paid fire department.

New York City Fire Commissioner Martin Scott has announced that with Mayor Robert F. Wagner as honorary chairman, and Deputy Mayor Edward F. Cavanagh, Jr., as honorary cochairman, a spectacular parade is planned on that date with several hundred neighboring volunteer and paid fire departments marching in the procession.

Commissioner Scott stated:

> A committee of prominent citizens has assisted in the planning of the fire department's centennial celebration. It will be one of the biggest parades ever held here and certainly one of the most noteworthy events in the annals of the city.

Hundreds of contingents will parade with their own bands or fife and drum corps. In the vanguard of the parade will be a cavalcade of the various types of firefighting equipment from the 1865 hand-drawn pumping engines to the ladder trucks and other evolutionary pieces of apparatus, ending with the department's most modern equipment. Firemen drawing and operating the equipment of the past century will be attired in uniforms of the periods represented.

The parade is scheduled to begin at the Battery and march up Broadway to city hall and then proceed to the World's Fair where they will be the guests of honorary cochairman, Robert Moses, president of the New York World's Fair Corp.

All firemen participating in the celebration will assemble at the Singer Bowl to pay tribute to the department in a brief ceremony.

Mr. Speaker, in recognition of the great service that has been rendered by the fire department of the Nation's greatest city for more than a hundred years, I wish to take this opportunity to call this praiseworthy record to the attention of my colleagues and the country.

Reporting of Financial Interests for Government Officers

EXTENSION OF REMARKS

OF

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1965

Mr. REUSS. Mr. Speaker, an important ingredient of any congressional code of ethics is that of periodic disclosure of financial holdings by Members of Congress. I hope that the Joint Committee on the Organization of Congress will include among its recommendations an orderly procedure for such reporting.

Along with other Members, I have in the past made such a financial disclosure pending the adoption of a uniform system.

Meanwhile, the President, on May 10, 1965, issued Executive Order No. 11222, prescribing standards of ethical conduct for Government officers and employees. The Executive order requires—part IV, section 401——that executive branch agency heads and top Presidential appointees shall submit to the Chairman of the Civil Service Commission a detailed reporting of financial interests. While this Executive order does not apply to members of the legislative branch, I submit herewith a statement responsive to Executive Order No. 11222:

> 1. A list of the names of all corporations, companies, firms, or other business enterprises, partnerships, nonprofit organizations, and educational or other institutions—
>
> (A) With which he is connected as an employee, officer, owner, director, trustee, partner, adviser, or consultant:
>
> Member, Wisconsin Chapter, National Institute for Infantile Paralysis.
>
> Member, board of visitors, Cornell University College of Arts and Sciences;
>
> Director, American Youth Hostel Association.
>
> (B) In which he has any continuing financial interests, through a pension or retirement plan, shared income, or otherwise, as a result of any current or prior employment or business or professional association: None.
>
> (C) In which he has any financial interest through the ownership of stocks, bonds, or other securities:
>
> Metropolitan Savings & Loan Association.
> Home Savings & Loan Association.
> Government of Israel.
> American Electric Power Co.
> American Sugar Refining Co.
> Bank Stock Corp. of Milwaukee.
> Central Illinois Public Service Co.
> Central & Southwest Corp.
> Johnson Service Co.
> Madison Fund.
> Majestic Mines, Ltd.
> Niagara Share Co.
> Northwestern National Insurance Co.
> One William Street Fund, Inc.
> Public Service Co. of Indiana, Inc.
> Puget Sound Power & Light Co.
> Tri-Continental Corp.
>
> 2. A list of the names of his creditors, other than those to whom he may be indebted by reason of a mortgage on property which he occupies as a personal residence or to whom he may be indebted for current and ordinary household and living expenses: None.
>
> 3. A list of his interests in real property or rights in lands, other than property which he occupies as a personal residence: None.

Brief Summary of Quality Stabilization Act

EXTENSION OF REMARKS

OF

HON. JOHN J. GILLIGAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1965

Mr. GILLIGAN. Mr. Speaker, this bill would amend the Federal Trade Commission Act in the following ways:

First. Gives recognition to the legitimate interest of the owner of a brand name or trademark, in stimulating public demand for his goods through effective distribution. It recognizes and confirms the property rights of any brand name or trademark, and in the trade and public goodwill it symbolizes. These property rights in the brand name or trademark will not be diminished or extinguished by any sale or transfer of goods to which the brand name or trademark relates.

Second. Grants the owner of a brand name or trademark the right to revoke for a period of not more than 1 year for the first violation the use of his brand name or trademark in reselling the goods identified by that brand name or trademark if:

(a) The person reselling such goods has used them as "bait merchandise," or

(b) The person reselling such goods, after written notice of the resale price established by the owner of the brand name or trademark, offered for sale or actually sold the goods at a price other than the one suggested, or

(c) The reseller intends to deceive purchasers by publishing a misrepresentation within 90 days before the written notice of revocation.

For the revocation to be effective the reseller must have received written notice of the trademark or brand name owner's currently established resale price, and acquired the goods after being given such a notice. But before a trademark owner may utilize the provisions of this legislation his goods must be in free and open competition with other goods that can be used for the same general purpose that are available to the public from other sources.

It should be noted, however, that the provisions of this legislation would not be applicable to the conduct of anyone who resells a brand name or trademark good after removing the insignia from the commodity and does not, therefore, employ in any way the goodwill of the brand name or trademark.

Third. Gives protection to the rights of the reseller of the merchandise on hand after his right to employ the brand name or trademark has been revoked by allowing two courses of action—

(a) Sell the goods in the regular course of business so long as he does not use it as bait merchandise, misrepresent or change the suggested retail price,

(b) Return to the brand name or trademark owner the inventory of the item for full refund of price plus transportation costs,

Fourth. Protects the reseller against discriminatory conduct by the owner of the trademark or brand name.

Fifth. Preserves the rights of the owner of a brand name or trademark in instances not covered in this legislation but already protected in law. This legislation is not repealing any of the present laws relating to the protection of trademarks.

Sixth. This legislation would apply to all commercial action which Congress may lawfully regulate, using the full sweep of its power over interstate commerce. But the people of each State would be free to accept or reject coverage under this legislation. If a State did not accept it there are safeguards provided for protecting States that do against such activities as mail-order businesses that would thwart the purpose of this legislation.

Seventh. Contains the requirement that each currently established resale price or resale price range should be uniform at each level of distribution except for reasonable marketing costs.

Eighth. Exempts:

(a) Sales of bulk commodities sold without wrappers or containers,

(b) Sales by any officer acting under orders or authority of a court,

(c) Sales of damaged, deteriorated, defaced, or secondhand goods,

(d) Sales of drugs, medicines, and devices for which State laws require a prescription,

(e) Sales to or by the Federal, State or municipal governments,

(f) Sales to charitable, educational, medical, and religious organizations for their own use and not for resale.

Improved Coast Guard Vessels a Must

EXTENSION OF REMARKS

OF

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1965

Mr. FRIEDEL. Mr. Speaker, on May 8, I had the pleasure of attending the launching of the new Coast Guard vessel *Confidence* at the Coast Guard yard at Curtis Bay in Maryland. This is truly a wonderful vessel equipped with every modern device to enable the Coast Guard to carry out the duties assigned to it in protecting our country.

Our colleague, the distinguished chairman of the House Merchant Marine and Fisheries Committee, Congressman BONNER, gave the principal address at the launching of the *Confidence*. Chairman BONNER called attention to many facts concerning the Coast Guard which I feel are unknown to most of us and which merit our serious consideration to insure that we continue to enact the necessary legislation to improve our Coast Guard vessels in the best interests of the United States.

I am sure all the Members of the House will be interested in reading Congressman BONNER's address and under unanimous consent I place it at this point in the RECORD.

REMARKS OF HON. HERBERT C. BONNER, CHAIRMAN, COMMITTEE ON MERCHANT MARINE AND FISHERIES, AT LAUNCHING OF USCGC "CONFIDENCE" (WPC-619) AT CURTIS BAY, MD., ON MAY 8, 1965

I am pleased and proud to be present at the launching of this beautiful vessel today.

For all too long, I have observed the Coast Guard struggling with war surplus castoffs to the detriment not only of its missions but also at the risk of the heroic men who make up its membership.

The Coast Guard has always been very close to my heart, living as I do on the coast of North Carolina. I have long known firsthand of the efforts that it makes to protect our shipping. Since I have been a member, and am presently chairman, of the Committee on Merchant Marine and Fisheries, I have had even greater opportunity to get a broad understanding of its many functions.

The necessity for newer and better equipped vessels increases as the missions assigned to the Coast Guard increase. Up to a few years ago, we had no worry about Soviet incursion of our fishing grounds. Now, off Alaska, the New England coast and the Florida coast, this has become a dangerous situation, not only to the livelihood, but also to the lives, of our fishermen.

We have seen the Cuban threat increased, only to be kept under reasonable control through the efforts of the Coast Guard.

The grave situation in the Dominican Republic may mean more work in the Caribbean.

Just a week ago the Navy, with the President's approval, requested the redeployment of 17 of the best of the Coast Guard's versatile 83-foot cutters to patrol the waters off the coasts of Vietnam. The duty is in a field of special competence for the Coast Guard. This instance highlights the huge responsibility of the Coast Guard and the need for it to be constantly ready. Although the move is a clearly necessary one, the fact remains that it deprives major areas of our east, gulf and west coasts of the search, rescue, and law-enforcement protection which these cutters would normally provide. This is a matter of great concern.

This week I and other members of our committee introduced legislation to authorize the immediate replacement of the 17 cutters going into Far Eastern service. I am pleased to report that the committee and the House recognized the emergency and quickly acted. But even so, it will be from 14 to 18 months before the new vessels are constructed and become operational.

As an interim measure our committee directed that I and the ranking minority member, Mr. MAILLIARD, of California, write the Commandant, urging that every effort should be made to acquire vessels from other sources to meet urgent domestic needs in the coming months. I hope and expect that this will be done.

Since the duty of authorizing expenditures for Coast Guard equipment has come to my committee, I have made every effort to expand its requests for new vessels. I have one grave criticism of its actions, however. I feel that the service is much too modest in its requests for new equipment and facilities. Only now is it undertaking the construction of new large cutters to replace the wartime castoffs that it has been using for the past 20 years or more. One has only to understand the severe and dangerous work undertaken by these vessels to realize the necessity for the newest and safest equipment.

I am hopeful that in the future we will be able to do more in this respect to upgrade the Coast Guard fleet. It is performing a vital function, not only for those who use our waters, but also for those of us who are fortunate enough to travel abroad, whether it be by sea or air. Their ocean station vessels and their aircraft are continuously on the alert to respond to any emergency.

We must redouble our efforts to maintain the proud record of safety that has been established through the efforts of the Coast Guard and this can only be accomplished by providing it with the tools to do its work.

It is my hope and expectation that more and more new vessels will be provided to better enable the Coast Gurd to meet its responsibilities as time goes on.

I, for my part, intend to do my best to see that this occurs.

Thank you.

The 30th Anniversary of the REA

EXTENSION OF REMARKS

OF

HON. GALE SCHISLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1965

Mr. SCHISLER. Mr. Speaker, I cannot let the month of May pass without taking note of the anniversary of a program which has helped to improve the living standards for all of rural America. The program was initiated by the Executive order of President Franklin Roosevelt in 1935 for the purpose of providing more jobs for our rural population. A year later the Congress created it as a lending agency only, for the purpose of financing electrical systems in rural areas. By 1949 it was given the job of extending and improving telephone service in rural areas through loans. I am speaking, of course, of the Rural Electrification Administration.

It is well to pause for a moment, in this day when we live within easy access to electricity and modern communications systems, and look at the beginnings of the REA program, which now serves more than half the geographical area of the Nation. As one who was born and raised on an Illinois farm, I believe I know the basis for the devotion that rests with the REA program.

When the Rural Electrification Act was passed in 1936, only 1 farm in 10 had central station electric service. When Congress enacted the REA telephone program in 1949, only 38 percent of the Nation's farms had telephone service of any kind, most of which was totally inadequate and of very limited use. The history of the REA is rooted in the deep frustration that surrounded rural families in the early 1930's after years of attempting to get the nearest power supplier to stretch his lines a half mile or even further so that they might have the comfort of electric lights in the house.

In 1935, at the end of its first half century, the electrical industry in the United States was generating about 95 billion kilowatt-hours of electric energy annually, in a plant costing $13 billion. To many in the industry, the advent of Government-financed rural electrification and the creation of TVA were the thrusts of a nationalized power industry.

But the record shows that these critics are wrong. REA did not harm the private segment of the electric power industry. Instead, its example of widespread electric service at lowest possible rates caused the commercial power industry to become more active in serving the needs of the Nation.

Our own State of Illinois has been a leader in the cooperative movement. The total loans approved to rural electric systems in our State since 1935 have amounted to $151,449,918. These loans have benefited 156,919 rural people in Illinois through central stations of electrical service.

In 1935, 12 percent of all farms in Illinois had electrical service. Today more than 98 percent of our farms are serviced with electricity. The efforts of REA borrowers have greatly stimulated extension of electric service by other suppliers to our farm families.

People on the lines of REA-financed systems in Illinois used an average of 596 kilowatt-hours of electricity per month in 1964. This was more than double the monthly usage of 10 years ago. And the demand continues to rise.

In my own district, the Farmers Mutual Electric Co. of Geneseo has been loaned a total of $702,000 since 1935. Seven hundred and fifteen consumers in the area are being serviced and 264 miles of line have been built. The Spoon River Electric Cooperative, Inc., of Canton, has been loaned a total of $3,882,956; 3,701 citizens are being serviced, and 1,181 miles of line are being used.

There are two additional electric cooperatives which service the people of my district: The Illinois Valley Electric Cooperative, Inc., services Henry and Knox Counties; the McDonough Power Cooperative services Fulton, Henderson, Knox, and Warren Counties. Illinois Valley Electric has been loaned $3,261,381; 3,858 consumers are being serviced and 1,401 miles of line are being used. The McDonough Power Co. services 3,627 people with 1,321 miles of line, and has been loaned a total of $3,089,000.

The telephone loan program through the REA was authorized by Congress in October of 1949 and has made a great impact in the State of Illinois.

To date $39,675,143 has been approved in telephone loans to 29 telephone systems. Of these 29 systems 22 are commercial and 7 are cooperatives. Ninety-one percent of all farms in the State now have telephone service; 177 automatic dial exchanges are in operation to serve the people of Illinois.

The 19th district has three REA-financed telephone systems. The Port Byron Telephone Co., Inc., located at Port Byron has been loaned $1,235,000 to serve 3,258 subscribers. It services Henry and Rock Island Counties. The Mid-Century Telephone Cooperative, of Canton, has been loaned $2,295,000 to serve 4,215 subscribers. It serves the counties of Fulton, Henry, and Knox.

The newest borrower in the State of Illinois is the Mercer-Rock Island Telephone Co. On April 29, 1965, this company was loaned $500,000 in order to implement service for 454 subscribers in 2 counties; 167 miles of line are being built to replace the outmoded exchange at Eliza with new and larger dial exchanges. The new service will be entirely private lines.

Recognition should be made of the outstanding manner in which locally owned cooperatives are meeting their loan obligations to the Government. Every cooperative in the State of Illinois is either currently meeting its loans payments or is paying the loan off ahead of schedule. This accentuates the fact that this is a program of tremendous cooperation—cooperation between town and country and cooperation between the people and their Government.

Electric power and modern telecommunications like highways are essential to the economic progress of any area. The cooperatives in Illinois have brought this vital service into rural areas of the State and are thereby making a constructive contribution to the economic progress and well-being of the people they serve.

SENATE

THURSDAY, MAY 20, 1965

The Senate met at 12 o'clock meridian, and was called to order by Hon. DONALD RUSSELL, a Senator from the State of South Carolina.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of our fathers, in the secret of Thy pavilion, we would take refuge from the strife of tongues. By tasks too difficult for us, we are driven unto Thee for strength to endure and for wisdom to rightly interpret the signs of these trying times.

To Thy sustaining grace, in this dedicated moment, we lift up the thronging yearnings which haunt us day and night, the grievous problems affecting Thy children in all the world, for which our human wisdom finds no answer.

Above the noise of crashing social systems, hearing and heeding the voice divine, may our devotion and compassion help to heal the open sores of the world, as we serve the present troubled age.

Through the lips that speak in this forum of freedom, above all differences, may there be heard by a listening world the solemn summons to men of good will, of all colors and all nations, to a new commonwealth of all people, in which power shall be administered as a sacred trust, dedicated to the common good.

In the Redeemer's name we ask it. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 20, 1965.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. DONALD RUSSELL, a Senator from the State of South Carolina, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. RUSSELL of South Carolina thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. DIRKSEN, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, May 19, 1965, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that pursuant to the provisions of section 1, Public Law 86–42, the Speaker had appointed Mr. YATES as a member of the U.S. delegation of the Canada-United States Interparliamentary Group for the meeting to be held in Ottawa, Canada, from May 20 to May 23, 1965, vice Mr. ST GERMAIN, excused.

The message announced that the House had passed the bill (S. 327) to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a joint resolution (H.J. Res. 436) to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed, in which it requested the concurrence of the Senate.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. DIRKSEN, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

NOTICE OF BRIEFING FOR SENATORS ON FRIDAY ON SITUATION IN DOMINICAN REPUBLIC

Mr. FULBRIGHT. Mr. President, the Secretary of State will brief the Committee on Foreign Relations in executive session at 10 o'clock tommorow morning, Friday, May 21, in the committee room, S-116, the Capitol, on the situation in the Dominican Republic. Any member of the Senate who is interested is inivited to attend.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RIBICOFF, from the Committee on Government Operations, reported adversely without amendment:

S. Res. 102. Resolution to disapprove Reorganization Plan No. 1 (Rept. No. 203).

Mr. RIBICOFF subsequently said: Mr. President, at its next printing, I ask unanimous consent that the name of the Senator from Alaska [Mr. GRUENING] be added as a cosponsor of Senate Resolution 102.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 125. A bill for the relief of Armando S. Arguilles (Rept. No. 207);

S. 133. A bill for the relief of Faustino G. Dumaplin, Jr. (Rept. No. 208);

S. 402. A bill for the relief of Oh Wha Ja (Penny Korleen Doughty) (Rept. No. 209);

S. 442. A bill for the relief of Carleen Coen (Rept. No. 210);

S. 449. A bill for the relief of Stanislaw Bialoglowski (Rept. No. 211);

S. 450. A bill for the relief of William John Campbell McCaughey (Rept. No. 212);

S. 579. A bill for the relief of the State of New Hampshire (Rept. No. 213);

S. 582. A bill for the relief of Aleksandr Kaznacheev (Rept. No. 214);

S. 585. A bill for the relief of Santiago Woo and Morjin Chee de Woo (Rept. No. 215);

S. 586. A bill for the relief of Maria Tsilis (Rept. No. 216);

S. 1039. A bill for the relief of Andreina Viselli (Rept. No. 217);

S. 1040. A bill for the relief of Giuseppa Rafala Monarca (Rept. No. 218);

S. 1064. A bill for the relief of Mr. and Mrs. Juan C. Jacobe, and their four children, Angela Jacobe, Teresita Jacobe, Leo Jacobe, and Ramon Jacobe (Rept. No. 219);

S. 1084. A bill for the relief of Shu Hsien Chang (Rept. No. 220);

S. 1103. A bill for the relief of Kathryn Choi Ast (Rept. No. 221);

S. 1104. A bill for the relief of Mirhan Gazarian (Rept. No. 222);

S. 1138. A bill for the relief of Lt. Robert C. Gibson (Rept. No. 223);

S. 1197. A bill for the relief of Angelina Martino (Rept. No. 224);

S. 1209. A bill for the relief of Sp. Manual D. Racelis (Rept. No. 225);

S. 1390. A bill for the relief of Rocky River Co. and Macy Land Corp. (Rept. No. 226);

S. 1405. A bill for the relief of Jozsef Pozsonyi and his wife, Agnes Pozsonyi, and their minor child, Ildiko Pozsonyi (Rept. No. 227);

S. 1468. A bill for the relief of Dorothy Eyre (Rept. No. 228);

S. 1498. A bill for the relief of Nikolai Artamonov (Rept. No. 229);

H.R. 1453. An act for the relief of the Jefferson Construction Co. (Rept. No. 230);

H.R. 1870. An act for the relief of Edward G. Morhauser (Rept. No. 231);

H.R. 2139. An act for the relief of Mrs. Mauricia Reyes (Rept. No. 232);

H.R. 2354. An act for the relief of William L. Chatelain, U.S. Navy, retired (Rept. No. 233); and

H.R. 3995. An act to transfer certain functions of the Secretary of the Treasury, and for other purposes (Rept. No. 234).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 409. A bill for the relief of Betty Tin-Sang Chan Cho (Rept. No. 235);

S. 469. A bill for the relief of Timoteo A. Tuazon (Rept. No. 236);

S. 616. A bill for the relief of Miss Choun Seem Kim (Rept. No. 237);

S. 826. A bill for the relief of Har Gobind Khorana (Rept. No. 238);

S. 1196. A bill for the relief of Wright G. James (Rept. No. 239); and

S. 1388. A bill for the relief of David Lee Bogue (Rept. No. 240).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 584. A bill for the relief of Ming Chup Chaw (Rept. No. 241).

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

S. 313. A bill relating to the appointment of the Director of the Federal Bureau of Investigation (Rept. No. 205).

By Mr. SMATHERS, from the Committee on the Judiciary, without amendment:

S. 516. A bill to amend the joint resolution entitled "Joint resolution to establish the Saint Augustine Quadricentennial Commission, and for other purposes," approved August 14, 1962 (76 Stat. 386), to provide that eight members of such Commission shall be appointed by the President, to provide that such Commission shall not terminate prior to December 31, 1966, and to authorize appropriations for carrying out the provisions of such joint resolution (Rept. No. 206).

By Mr. ERVIN, from the Committee on the Judiciary, with an amendment:

H.R. 821. An act for the relief of the town of Kure Beach, N.C. (Rept. No. 204).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MONRONEY, from the Committee on Post Office and Civil Service:

One hundred and seventy-nine postmaster nominations.

By Mr. ERVIN, from the Committee on the Judiciary:

E. Herman Burrows, of North Carolina, to be U.S. marshal for the middle district of North Carolina; and

Paul D. Sossamon, of North Carolina, to be U.S. marshal for the western district of North Carolina.

By Mr. DIRKSEN, from the Committee on the Judiciary:

Joseph N. Tierney, of Illinois, to be U.S. marshal for the northern district of Illinois.

By Mr. LONG of Missouri, from the Committee on the Judiciary:

F. Russell Millin, of Missouri, to be U.S. attorney for the western district of Missouri;

Francis M. Wilson, of Missouri, to be U.S. marshal for the western district of Missouri; and

Olin N. Bell, of Missouri, to be U.S. marshal for the eastern district of Missouri.

By Mr. JAVITS, from the Committee on the Judiciary:

Edwin L. Weisl, Jr., of New York, to be an assistant attorney general;

Joseph P. Hoey, of New York, to be U.S. attorney for the eastern district of New York; and

Justin J. Mahoney, of New York, to be U.S. attorney for the northern district of New York.

By Mr. SMATHERS, from the Committee on the Judiciary:

Edward F. Boardman, of Florida, to be U.S. attorney for the middle district of Florida.

By Mr. KENNEDY of Massachusetts, from the Committee on the Judiciary:

W. Arthur Garrity, Jr., of Massachusetts, to be U.S. attorney for the district of Massachusetts.

By Mr. HART, from the Committee on the Judiciary:

Lawrence Gubow, of Michigan, to be U.S. attorney for the eastern district of Michigan; and

Harold D. Beaton, of Michigan, to be U.S. attorney for the western district of Michigan.

By Mr. EASTLAND, from the Committee on the Judiciary:

Don J. Young, of Ohio, to be U.S. district judge for the northern district of Ohio;

James E. Doyle, of Wisconsin, to be U.S. district judge for the western district of Wisconsin;

LaVern R. Dilweg, of Wisconsin, to be a member of the Foreign Claims Settlement Commission;

Joseph P. Kinneary, of Ohio, to be U.S. attorney for the southern district of Ohio;

Newell A. George, of Kansas, to be U.S. attorney for the district of Kansas;

Ernest W. Rivers, of Kentucky, to be U.S. attorney for the western district of Kentucky;

Raymond J. Pettine, of Rhode Island, to be U.S. attorney for the district of Rhode Island;

Miles W. Lord, of Minnesota, to be U.S. attorney for the district of Minnesota;

Lawrence M. Henry, of Colorado, to be U.S. attorney for the district of Colorado;

William T. Thurman, of Utah, to be U.S. attorney for the district of Utah;

John Terrill, of Wyoming, to be U.S. marshal for the district of Wyoming;

George A. Bayer, of Alaska, to be U.S. marshal for the district of Alaska; and

Covell H. Meek, of Iowa, to be U.S. marshal for the northern district of Iowa.

By Mr. TYDINGS, from the Committee on the Judiciary:

Fred Moore Vinson, Jr., of Maryland, to be an Assistant Attorney General.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RUSSELL of South Carolina:

S. 2001. A bill to provide for the extension of second-class mailing privileges to publications of State educational television agencies; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. RUSSELL of South Carolina when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S. 2002. A bill to amend the Internal Revenue Code of 1954 to allow an individual to deduct from gross income the expenses, not exceeding $300 a year, paid for transportation to and from his place of abode and his place of business or employment; to the Committee on Finance.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 2003. A bill for the relief of Elmer Royal Fay, Sr.; and

S. 2004. A bill for the relief of Suzanne Mallalieu Smith; to the Committee on the Judiciary.

SECOND-CLASS MAILING PRIVILEGES FOR PUBLICATIONS OF STATE EDUCATIONAL TELEVISION AGENCIES

Mr. RUSSELL of South Carolina. Mr. President, I introduce, for appropriate reference, a bill to provide for the extension of second-class mailing privileges to publications of State educational television agencies. I ask unanimous consent that the text of the bill be printed in the Record at the conclusion of these remarks.

The PRESIDING OFFICER (Mr. Young of Ohio in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record as requested by the Senator from South Carolina.

The bill (S. 2001) to provide for the extension of second-class mailing privileges to publications of State educational television agencies, introduced by Mr. Russell of South Carolina, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

Mr. RUSSELL of South Carolina. South Carolina has pioneered in what is generally recognized as the model educational television system in this Nation. Through this system, every school district in our State is provided with both basic and supplementary educational material of outstanding quality. More than that, this system has broadened its educational activities to include special programs in medicine, in nursing, in business education, and in public affairs at the adult level. It has been an educational program to serve all segments of our population in the fullest possible way.

To aid in its program, to make available to the public its various programs, to provide essential background material, and to acquaint the public to be served with both the nature and the timing of its various programs, our educational television department publishes a newsletter. This is an essential part of bringing its activities to the attention of the public and encouraging the full use of educational television programs.

Such a newsletter is given general distribution. It represents a public service made without charge and has, accordingly, no paid subscription lists.

Under a ruling by the Postmaster General made under title 39, United States Code, section 4355, this newsletter may not be distributed as second-class matter through the postal service. This section extends this privilege to practically every other educational newsletter. Because the statute does not specifically identify educational television, however, this privilege has been denied our educational television department. This proposed amendment corrects that injustice and specifically includes educational television agencies within its provisions.

The amendment is certainly within the spirit of the statute and merely does for educational television what has already been done for other similar educational activities.

We in South Carolina have the most immediate interest in this amendment. As educational television continues to expand and develop over the Nation, though, I am confident every State will have a like interest in this amendment and will be benefited by its enactment.

I hope the amendment can receive early and favorable considerations by the Committee on Post Office and Civil Service and be adopted by the Senate.

The bill (S. 2001) is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4355(a)(3) of title 39, United States Code, is amended by inserting after "State board of health," the following: "State educational television agency or network,".

DEDUCTION OF GROSS INCOME EXPENSES FOR TRANSPORTATION TO AND FROM PLACE OF ABODE AND PLACE OF BUSINESS OR EMPLOYMENT—AMENDMENT TO INTERNAL REVENUE CODE OF 1954

Mr. DIRKSEN. Mr. President, I send to the desk a bill to amend the Internal Revenue Code of 1954, to allow an individual to deduct from gross income expenses, not exceeding $300 a year, paid for transportation to and from his place of abode and his place of business or employment. I am offering this in the form of a bill, Mr. President, knowing that it cannot be considered as such by the Senate. However, I did this in order that my colleagues might be alerted to the measure and in addition be advised that I intend to offer it as an amendment to the first appropriately passed revenue measure. I would hope that it could be considered when the Committee on Finance considers excise taxes, for I presently plan to offer it as an amendment to either that measure or the measure dealing with user taxes.

For too long we have overlooked one of the most essential expenses that a taxpayer has and one for which he receives no consideration whatsoever when he files his tax return. Transportation to and from work is essential if a taxpayer is to be employed. It would make no difference under the provisions of this proposed amendment whether a taxpayer rode on a bus or a train or in his automobile. He would be entitled to deduct the expenses that he incurred in obtaining transportation but he would be limited to a maximum deduction of $300 per year.

When I think of the many taxpayers in this country who will not be buying new automobiles nor new refrigerators, nor many of the other items on which we are repealing excise tax, I think that they should be given some consideration. In many cases they will be in lower income brackets and it is my hope that we can give them some relief from the heavy tax burden that they now endure. It is on this group of taxpayers in the low-income bracket that the cost of transportation to and from work falls so very heavily. This feeling prompts me to offer this proposal so as to provide relief for those who do each day ride to and from work and who contribute so much in the form of taxes to our revenue.

I know, of course, that a bill of this kind should normally be initiated in the House of Representatives; but I introduce it in the Senate so that it will be ready to be offered as an amendment when the tax bill comes to the Senate.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2002) to amend the Internal Revenue Code of 1954 to allow an individual to deduct from gross income the expenses, not exceeding $300 a year, paid for transportation to and from his place of abode and his place of business or employment, introduced by Mr. Dirksen, was received, read twice by its title, and referred to the Committee on Finance.

CHANGE OF REFERENCE

Mr. STENNIS. Mr. President, H.R. 7059, which would amend the act of July 2, 1940 (54 Stat. 724; 20 U.S.C. 79–79e), to authorize such appropriations to the Smithsonian Institution as are necessary in carrying out its functions under said act, and for other purposes, was referred to the Committee on Armed Services when it was introduced.

In the last Congress S. 808, a bill on the same subject, was originally referred to the Committee on Armed Services, but on July 25, 1963, the committee was discharged from further consideration and S. 808 was rereferred to the Committee on Rules and Administration.

Since H.R. 7059 relates to a subject within the jurisdiction of the Committee on Rules and Administration, I ask unanimous consent that the Committee on Armed Services be discharged from further consideration of H.R. 7059 and that his bill be rereferred to the Committee on Rules and Administation.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHILD-CARE AMENDMENTS TO H.R. 6675

AMENDMENTS NOS. 198 THROUGH 202

Mr. RIBICOFF. Mr. President, I submit, for appropriate reference, amendments to H.R. 6675, the Social Security Amendments of 1965. The amendments, taken together, will improve that part of the bill affecting the welfare of the millions of needy children of the Nation.

It has been said that history judges a society on how it provides its youth with the opportunity to enjoy a full life—and its aged with proper care in their twilight years. Enactment of H.R. 6675 as it passed the House will show future generations that Americans of today share a common bond of concern for the health and welfare of their older citizens. But as we all know, this bill, even now, is concerned with problems of the young as well as the old. This bill is not limited to medicare for older citizens. It is a vast bill, affecting not only the aged, but all of us and all our children.

For instance, it provides for increased survivors benefits for children as well as adults; it liberalizes disability benefits for children as well as adults; it enlarges maternal, child health, and crippled children's programs; it extends medical assistance to the needy young as well as the needy old.

But to this most significant measure should be added certain amendments geared to further the interests of our children, and so our Nation's future.

MEDICAL ASSISTANCE FOR NEEDY CHILDREN

H.R. 6675 would greatly expand and make more uniform and equitable the provisions for medical assistance to persons receiving money payments under the public assistance programs and to other medically needy persons. However, technical limitations contained in the definition would restrict the groups of medically needy persons for whom Federal matching might be claimed. My amendment would remove these restrictions thus making it possible for States to receive Federal participation on behalf of any medically needy child or other individual. The amendment would have no effect on the provisions of the bill regarding the consideration of income in determining medical need or on the scope of medical care and services to be provided.

The amendment would bring into the group of persons for whom States might, if they chose, claim matching funds, about 5 million youngsters now living in poverty—under the medical assistance provisions of the bill we are considering. Some of them are children who desperately need medical and dental attention—and whose parents cannot pay for it. And they are children who are not eligible for this medical or dental attention—even under Federal laws—now, or under the improved provisions of H.R. 6675 as it passed the House because they have not been deprived of parental support by the death, absence, unemployment, or disability of a parent.

I ask unanimous consent that the amendment be printed at this point in the RECORD.

There being no objection, the amendment (No. 198) was ordered to be printed in the RECORD, as follows:

On page 124, line 14, after "individuals" insert "and other individuals".

On page 142, strike out lines 9 through 20 and insert in lieu thereof:

"(a) The term 'medical assistance' means payment of part or all of the cost of the following care and services (if provided in or after the third month before the month in which the recipient makes application for assistance) for individuals whose income and resources are insufficient to meet all of such cost—".

HELP FOR EMOTIONALLY DISTURBED CHILDREN

Mr. RIBICOFF. Mr. President, the second amendment grows out of the terrible tragedy of President Kennedy's assassination, the tragedy which made us conscious of many things that are weak in our society.

One of the most devastating parts of the story of the assassination was reported authoritatively by the Warren Commission: Lee Oswald, as a 13-year-old, had come to the attention of the welfare and psychiatric authorities in New York City. But for many reasons, he had slipped through society's fingers, left to disintegrate, and eventually to become the assassin of a great and beloved President.

I introduced a bill—S. 488—earlier in the session, under which we could mount an attack on the problems of emotionally disturbed children. Since it would provide welfare services for children, this measure seems logically to fit into the pending bill H.R. 6675, so I have redrafted it in the form of an amendment. The amendment would do three things.

First. It would expand the authorization for health services for school age children and preschool children to include projects providing for the identification, care, and treatment of children who are in danger of becoming emotionally disturbed including followup of children receiving such care or treatment. Such project grants might be made to a State health agency, State mental health agency, State public welfare agency, corresponding agencies of political subdivisions of a State, and to any public or nonprofit agency or institution. The grants would pay up to 75 percent of the cost of the projects. Projects would be coordinated with, and utilize to the extent feasible, community mental health centers and other State and local agencies engaged in health, welfare, or education programs or activities for such children.

Second. The amendment would increase the amounts of money authorized for project grants for school age and preschool children by $5 million each for the fiscal years ending June 30, 1968, June 30, 1969, and June 30, 1970, to cover the additional grants resulting from the amendment.

Third. The amendment would authorize the appropriation for fiscal year 1966 in the sum of $500,000 a year for 2 years to permit establishment of a Commission to research and study resources, methods, and practices for diagnosing of mental illness in children. The Commission would also be responsible for a similar study in the care, treatment, and rehabilitation of children already mentally ill. The proposal authorizes the Secretary of Health, Education, and Welfare with the recommendation of the National Advisory Mental Health Council and with the advice of experts in pediatrics and child welfare, to make grant or grants in support of such a study. Terms of the grant require that the Commission shall complete its study within 2 years from the date of its inauguration and that report as specified shall be filed with the Congress, the Secretary of Health, Education, and Welfare and the Governors of the several States. The study shall be undertaken by a nongovernmental agency, organization, or Commission composed of representatives of leading national, medical, welfare, educational, and other professional organizations, and experts in the field of mental health of children.

I ask unanimous consent that the amendment be inserted at this point in the RECORD.

There being no objection, the amendment (No. 199) was ordered to be printed in the RECORD, as follows:

On page 150, lines 3, 4, and 5, strike out "$40,000,000", "$45,000,000", and "$50,000,000" and insert in lieu thereof "$45,000,000" "$50,000,000", and "$55,000,000", respectively.

On page 150, line 20, strike out "section" and insert in lieu thereof "subsection".

On page 151, line 8, strike out "section" and insert in lieu thereof "subsection".

On page 151, between lines 13 and 14, insert the following:

"(c) From the sums appropriated pursuant to subsection (a), the Secretary is also authorized to make grants to the State health agency, the State mental health agency, and the State public welfare agency of any State and (with the consent of such State health, mental health, or public welfare agency) to the health agency, mental health agency, and public welfare agency, respectively, of any political subdivision of the State, and to any public or nonprofit private agency or institution to pay not to exceed 75 per centum of the cost of projects providing for the identification (with a view to providing for as early identification as possible), care, and treatment of children who are, or are in danger of becoming, emotionally disturbed, including the follow-up of children receiving such care or treatment. No project shall be eligible for a grant under this subsection unless it provides for coordination of the care and treatment provided under it with, and utilization (to the extent feasible) of, community mental health centers and other State or local agencies engaged in health, welfare, or education programs or activities for such children."

On page 151, line 14, strike out "(c)" and insert in lieu thereof "(d)".

On page 163, between lines 13 and 14, insert the following:

"HEALTH STUDY OF RESOURCES RELATING TO CHILDREN'S EMOTIONAL ILLNESS

"SEC. 231. (a) The Secretary of Health, Education, and Welfare is authorized, upon the recommendation of the National Advisory Mental Health Council and after securing the advice of experts in pediatrics and child welfare, to make grants for carrying out a program of research into and study of our resources, methods, and practices for diagnosing or preventing emotional illness in children and of treating, caring for, and rehabilitating children with emotional illnesses.

"(b) Such grants may be made to one or more organizations, but only on condition that the organization will undertake and conduct, or if more than one organization is to receive such grants, only on condition that such organizations have agreed among themselves to undertake and conduct, a coordinated program of research into and study of all aspects of the resources, methods, and practices referred to in subsection (a).

"(c) As used in subsection (b), the term 'organization' means a nongovernmental agency, organization, or commission, composed of representatives of leading national medical, welfare, education, and other professional associations, organizations, or agencies active in the field of mental health of children.

"(d) There are authorized to be appropriated for the fiscal year ending June 30, 1966, the sum of $500,000 to be used for a grant or grants to help initiate the research and study provided for in this section; and the sum of $500,000 for the succeeding fiscal year for the making of such grants as may be needed to carry the research and study to completion. The terms of any such grant shall provide that the research and study shall be completed not later than two years from the date it is inaugurated; that the grantee shall file annual reports with the Congress, the Secretary and the Governors of the several States, among others that the grantee may select; and that the final report shall be similarly filed."

IMPROVED CHILD WELFARE SERVICES AND DAY CARE PROGRAMS

Mr. RIBICOFF. Mr. President, H.R. 6675 will increase the authorizations for maternal and child health and crippled children's services to $45 million each for the fiscal year ending June 30, 1966, $50 million for the fiscal year ending June 30, 1967, $55 million for the fiscal years ending June 30, 1968 and 1969, and $60 million for the fiscal year ending June 30, 1970, and succeeding fiscal years.

My amendment to title V, part 3 of the Social Security Act would bring the child welfare services authorization in line with the revised authorizations for maternal and child health and crippled children's services.

Some of the same forces are at work with regard to the child health and child welfare programs as State agencies administering these programs strive to keep abreast of rising child population, increasing costs, shortages of trained staff, problems of poverty, discrimination, dependency, mobility, urbanization, and so forth.

Child welfare services are public social services which supplement or substitute for parental care and supervision, and are aimed at preventing or remedying such problems as may result in neglect, abuse, exploitation or delinquency of children, or otherwise protecting or promoting their welfare. They include social services to children in their own homes, adoption services, foster family care, institutional care, homemaker and day care services, services to unmarried parents, services to mentally retarded children, community planning, and licensing and standard setting.

The amendment also strikes out section 527 and amends section 522 of title V, part 3 of the Social Security Act. The effect is to eliminate the earmarked appropriation for day care services to require that State plans for child welfare services include day care services and provision of actual day care of children by July 1, 1967.

Developments since day care funds were first earmarked in the public welfare amendments of 1962 demonstrate that the proposed change will be advantageous. Earmarking is no longer necessary in order to stimulate the initiation and expansion of day care services in the States. Day care services have now been recognized as an integral part of child welfare services. Thus their required inclusion in State plans is possible.

I ask unanimous consent to include the text of the amendment at this point in the RECORD.

There being no objection, the amendment (No. 200) was ordered to be printed in the RECORD, as follows:

On page 152, between lines 2 and 3, insert the following:

"INCREASE IN CHILD WELFARE SERVICES

"SEC. 207. Section 521 of the Social Security Act is amended by striking out '$40,000,000' and all that follows and inserting in lieu thereof '$40,000,000 for the fiscal year ending June 30, 1965, $45,000,000 for the fiscal year ending June 30, 1966, $50,000,000 for the fiscal year ending June 30, 1967, $55,000,000 for the fiscal year ending June 30, 1968, $55,000,000 for the fiscal year ending June 30, 1969, and $60,000,000 each for the fiscal year ending June 30, 1970 and succeeding fiscal years.'

"DAY CARE SERVICES

"SEC. 208. (a) Part 3 of title V of the Social Security Act is amended by striking out section 527."

(b) Section 522 of such Act is amended to read as follows:

"SEC. 522. The sum appropriated pursuant to section 521 for each fiscal year shall be allotted by the Secretary for use by cooperating State public-welfare agencies which have plans developed jointly by the State agency and the Secretary, as follows: He shall allot $70,000 to each State, and shall allot to each State an amount which bears the same ratio to the remainder of the sum so appropriated for such year as the product of (1) the population of such State under the age of 21 and (2) the allotment percentage of such State (as determined under section 524) bears to the sum of the corresponding products of all the States."

(c)(1) So much of subparagraph (B) of section 523 (a)(1) of such Act as precedes clause (i) is amended to read:

"(B) includes day care services (including, by July 1, 1967, provision of day care) and provides, with respect to such services under the plan—".

(2) Such subparagraph (B) is further amended by striking out "and" at the end of clause (iii) and by inserting after clause (iv) the following new clause:

"(v) that day care provided under the plan will be provided only in facilities (including private homes) which are licensed by the State, or approved (as meeting the standards established for such licensing) by the State agency responsible for licensing facilities of this type, and".

(d) The amendments made by this section shall apply in the case of appropriations under section 521 of the Social Security Act made for fiscal years beginning after June 30, 1965, and allotments thereof and payments from such allotments.

On page 146, line 18, insert "each" after "$60,000,000".

On page 147, line 13, insert "each" after "$60,000,000".

ELIGIBILITY OF CHILDREN OVER 18 ATTENDING SCHOOL

Mr. RIBICOFF. Mr. President, in 1964, Congress adopted my amendment extending the program of AFDC under title IV of the Social Security Act to include at the option of the States, children 18 to 21 years of age regularly attending high school or a course of vocational or technical training designed to prepare them for gainful employment. As amended by this act, Federal sharing would be available in payments to children regularly attending a school, college, or university, as well as vocational or technical training courses. My amendment today would make the provision more nearly consistent with the provision in title IV and the provision in H.R. 6675 relating to the continuation of child's benefits under the OASDI system after the attainment of age 18. The present bill provides for payment of child's insurance benefits to age 22 for children who are full-time students at a school, college, or university. The objective of the provision in both programs is to assure, as far as possible, that children not be prevented from completing high school or going to a vocational school, or going on to college because they are deprived of parental support. These provisions recognize the importance of education in the prevention of dependency and the national interest in measures that will help such children.

I ask unanimous consent to insert the amendment at this time in the RECORD.

There being no objection, the amendment (No. 201) was ordered to be printed in the RECORD, as follows:

On page 282, between lines 14 and 15, insert the following:

"ELIGIBILITY OF CHILDREN OVER AGE 18 ATTENDING SCHOOL

"SEC. 408. Clause (2)(B) of section 406(a) of the Social Security Act is amended by striking out 'attending a high school in pursuance of a course of study leading to a high school dipolma of its equivalent,' and inserting in lieu thereof 'attending a school, college, or university,'."

On page 282, line 17, strike out "SEC. 408" and insert in lieu thereof "SEC. 409".

SCHOOL EXPENSES AND EARNED INCOME EXEMPTION

Mr. RIBICOFF. Mr. President, the final amendment is designed to help needy youngsters who continue their education or simply try to improve their lot through gainful employment in the summer months.

This amendment to title IV of the Social Security Act would require the States, in determining need for AFDC, to take into account any expenses for books, transportation, lunches and activity fees, and similar incidental expenses reasonably attributable to the school attendance of any dependent child.

The purpose of this amendment is to assure as far as possible that a child not be handicapped in his education by the lack of means to meet such school expenses. Although most States give consideration to school expenses in their standards for assistance, some do not include such items in their standards. Requirement that such expenses be provided would help to prevent school dropouts. In view of the difficulties faced by youth who attempt to enter the labor market without having completed high school or achieved their maximum educational potential, all steps should be taken to assure their continuance in school.

This amendment is similar to the one embodied in the Public Welfare Amendments of 1962 that requires States to take expenses of employment into account in determining need under title IV.

This amendment would also permit States to disregard not more than $50 per month of earned income of each dependent child but for not more than three children in the home, and effective July 1, 1967, would require States to provide for such an exemption in their State plans for AFDC.

The amendment would serve as an incentive to children to work while attending school and in the summer months and would offer an immediate and tangible reward for their efforts. At the present time, all the earnings of the family—except as described below—

have to be taken into account in determining eligibility for and the amount of the assistance payment. Although the Federal law was amended in 1962 to permit States to set aside earnings and other income to meet future identifiable needs of the child, there is no basis on which income can currently be used to improve the level of living or to provide a child with the satisfactions that derive from being able to improve his own situation and that of his family by working.

The principle of incentives is well established. Since 1950 there has been disregard to some earnings under aid to the blind to provide incentives to needy persons to be employed and help themselves. In 1962 the values that derive from employment that is within the capabilities of an aged person were recognized by the authorization for the disregarding of some earned income under old-age assistance. In 1964, provision was made for disregarding a portion of payments made to individuals who participate in programs under title I and II of the Economic Opportunity Act in determining their need under the public assistance programs. It is important that children be encouraged to prepare themselves for complete self-support not only by education but also by work experience that is within their capabilities. The need to motivate children toward employment to meet their own needs for items that their families could not otherwise supply justifies the exemption of some of their earnings under the program of AFDC.

I ask unanimous consent to include the amendment at this point in the Record.

There being no objection, the amendment (No. 202) was ordered to be printed in the Record, as follows:

On page 282, between lines 14 and 15, insert the following:

"CONSIDERATION OF SCHOOL ATTENDANCE EXPENSES IN DETERMINING NEED OF DEPENDENT CHILD

"Sec. 408. Effective July 1, 1965, clause (7) of section 402(a) of the Social Security Act is amended by inserting immediately before the first semicolon 'and any expenses for books, transportation, lunches, and activity fees, and similar incidental expenses, reasonably attributable to the school attendance of any dependent child'.

"EXEMPTION OF EARNED INCOME OF DEPENDENT CHILDREN

"Sec. 409. Effective July 1, 1965, so much of clause (7) of section 402(a) of the Social Security Act as follows the first semicolon is amended by inserting after 'except that, in making such determination,' the following: '(A) the State agency may disregard not more than $50 per month of earned income of each dependent child but not in excess of three in the same home, and, effective July 1, 1967, shall disregard the first $50 per month of earned income per month of any three dependent children in the same home, and (B)'."

On page 282, line 17, strike out "Sec. 408" and insert in lieu thereof "Sec. 410".

Mr. RIBICOFF. Mr. President, enactment of these amendments to H.R. 6675 will round out an already excellent bill with regard to the needs of our Nation's children.

After all, what cause is more important to the Great Society in which we all believe, than the cause of the child?

The childhood shows the man, as morning shows the day, the great poet Milton told us hundreds of years ago.

This is still true. If our mornings are to become bright tomorrows, then surely we must continue our persistent commitment to fuller opportunities for all America's youngsters.

The PRESIDING OFFICER. The amendments will be received, printed, and appropriately referred.

The amendments were referred to the Committee on Finance.

SOCIAL SECURITY AMENDMENTS OF 1965—AMENDMENTS

AMENDMENT NO. 203

Mr. RIBICOFF submitted amendments, intended to be proposed by him, to the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes, which were referred to the Committee on Finance and ordered to be printed.

AMENDMENTS NOS. 204, 205, AND 206

Mr. HARTKE. Mr. President, today I offer three additional amendments to the social security amendments bill, H.R. 6675, whose public hearings are being concluded today. Each of these three embodies the substance of a bill which I have previously introduced in the Senate in this session. One would allow the remarriage of widows without loss of benefits, as provided for in my bill S. 1125, and which has been sponsored in the House by our former Senate colleague, Congressman Claude Pepper, of Florida. A second amendment deals also with widows, providing benefits for disabled widows. In more than a few cases, there is a great deal of hardship for a woman not yet eligible for widows' benefits when she is a disabled person unable to make her own living until she reaches the eligibility age for benefits as a widow. This amendment is in substance the same as my bill, S. 1123.

The third bill whose provisions I am offering as an amendment is the one dealing with blind disability, S. 1787, in which 41 of the Senate's Members have joined. I sincerely hope that these amendments may become a part of the bill to be reported by the Finance Committee.

The PRESIDING OFFICER (Mr. McGovern in the chair). The amendments will be received, printed, and appropriately referred.

The amendments were referred to the Committee on Finance.

VOTING RIGHTS ACT OF 1965—AMENDMENT

AMENDMENT NO. 207

Mr. SPARKMAN. Mr. President, I send to the desk an amendment to the voting rights bill, S. 1564.

This amendment would provide a procedure whereby voting examiners in a State or a political subdivision could be terminated. Under the bill as it is now written the full power of determining how long examiners shall stay in a State or political subdivision rests in the Attorney General—section 13, pages 18 and 19 of the bill. He may act when there is "no longer reasonable cause to believe that persons will be deprived of or denied the right to vote on account of race or color in such subdivision." In other words, examiners could stay indefinitely and there is no appeal from the refusal of the Attorney General to act.

My amendment provides that, if a State or political subdivision petitions the Attorney General for removal of examiners and he turns them down, they can appeal in like manner to appeals from decisions of the Secretary of Agriculture, the Federal Communications Commission, the Maritime Administration, and other departments or agencies covered in title 5, section 1031 of the United States Code. Under the procedure, the U.S. Court of Appeals for the circuit where an aggrieved party resides, or has its principal office, hears the case. If the facts of the case have not been determined sufficiently, the court has the power to send the matter to the U.S. district court where the aggrieved party resides, for determination. This is a fair and equitable system of appeal and review. If the Attorney General has a right of appeal such as this over his head when future petitions are filed, I would say that the probability of action would be greater, and the possibility of removing examiners will be much better. We must provide a less arbitrary method of removing examiners, if this bill is forced upon us.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

FEDERAL WORK RELEASE PROGRAM—ADDITIONAL COSPONSOR

Mr. ERVIN. Mr. President, on April 23 the distinguished chairman of the Subcommittee on National Penitentiaries, the gentleman from Missouri [Mr. Long] introduced Senate bill 1808, for himself and the senior Senator from Nebraska [Mr. Hruska].

This bill is designed to facilitate the rehabilitation of persons convicted of offenses against the United States. It promises a sound answer to an inquiry, recently posed by the President, to find correctional programs which could prevent a first offender from embarking on a career in crime.

I am indeed proud to join Senator Long, of Missouri, and Senator Hruska in sponsoring this realistic legislative proposal for it offers effective and tested techniques in the rehabilitation of persons convicted of Federal crimes.

This measure provides the Attorney General with authority to commit or transfer prisoners to residential community centers. This authority extends to inmates of Federal penitentiaries the treatment and counseling comparable to those now provided youth offenders in Federal halfway houses. The halfway house concept has been proven to be an important rehabilitative concept since its introduction into the Federal prison system, almost 4 years ago. The terminal confinement allows for gradual orientation to outside life.

Another provision of the bill would authorize emergency or release preparation leave for inmates. Under emergency conditions, such as the death of the inmate's wife, or for purposes related to release preparation, the Attorney General can grant brief periods of leave. This leave is now granted in seven States, to allow an inmate to seek employment. Seven States allow leave for inmates, to conduct their own business, profession, or housekeeping. Four States allow periodic leave for prisoners, to attend school, while four other States permit release for medical treatment. As noted by the senior Senator from Nebraska [Mr. HRUSKA], rehabilitation leave has already been incorporated into the prison systems of 10 States and several European nations.

Certainly, the most important goal to be achieved by Senate bill 1808 would be to duplicate what has occurred through the Federal halfway houses and State work-release programs; namely, to diminish the likelihood among inmates to return to a pattern of criminal behavior.

A singularly important provision of the bill would permit prisoners to work in private employment or to participate in community training programs while inmates of the institution to which they have been committed. This program would promote a more meaningful transition from prison life to a useful and productive life after the expiration of a prison sentence.

This work-release provision is of particular interest to me, because of the great strides we have made in North Carolina with a comparable work-release program. In operation in North Carolina since 1957, the work release applies to the entire State on an optional basis with each eligible inmate.

The program includes misdemeanants and felons with sentences up to 5 years. At present there are nearly 1,000 inmates, including misdemeanants and felons, in the program. Apart from promoting prisoner rehabilitation, this program—because fewer former prisoners return to a life of crime and prison—presently is saving the taxpayers of North Carolina about $800,000 annually.

The North Carolina program is designed primarily for inmates who are employed by a company or by an individual willing to retain them under this plan. Indeed, evidence shows that in North Carolina and Wisconsin, where the work-release idea was first conceived, prisoners under the release programs are usually those who were employed before or at the time of sentencing.

This legislative measure is not an experimental or pilot project.

As emphasized by James V. Bennett, former Director of the U.S. Bureau of Prisons, the most extensive use and success with these humane programs are among the States with the longest experience with the law. On the contrary, the bill was drafted after viewing the humanitarian efforts of many States which have used the release programs, and have benefited by them; and the bill also is based on the experience with the halfway houses for young inmates in the Federal prison systems in Los Angeles, Chicago, Detroit, and New York City.

Only last week, this body passed Senate bill 1319, to authorize a work-release program for persons sentenced by the courts of the District of Columbia. In the committee report on this bill it is noted that apart from the money to be saved from the daily expenses of inmates, the bill would assure "continued contributions toward the inmate's family's financial support, and reduce the likelihood of relief or welfare costs for his dependents."

During the past several years, newspapers and magazines throughout the country have reported on the progress of the North Carolina work-release plan. In these reports, one fact stands out: North Carolina is the only State in the United States with a declining prison population. Furthermore, employers of inmates under the North Carolina work-release program consistently express satisfaction with the work and the conduct of their employees.

Mr. President, I ask unanimous consent that certain articles relating to the North Carolina work-release program be printed at this point in the RECORD, to lend encouraging support for this proposed legislation. One of these articles is entitled "Prisons: Outside on the Job"; it was published in Time magazine for September 14, 1962; another is entitled "Prisoners Work in Outside Jobs—Rehabilitation Is Spurred by North Carolina Program"; it is from the New York Times for August 18, 1963. The last one is entitled "North Carolina Prisoners Support Families—Learn Skills in Work-Release Plan"; it is from the Washington Post for April 8, 1963.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 18, 1963]

PRISONERS WORK IN OUTSIDE JOBS—REHABILITATION IS SPURRED BY NORTH CAROLINA PROGRAM

RALEIGH, N.C., August 17.—On the job, 22-year-old ——— looks like any other $50-a-week service station attendant. He pumps gas, checks oil, cleans windshields.

His blue-denim company uniform and western-style black boots hide the fact that he is a convict, serving 3 to 5 years for breaking and entering.

——— is 1 of more than 560 prisoners enrolled in the North Carolina rehabilitation program called work release.

He holds an outside job during working hours and spends his off-duty time in confinement. His earnings support his wife and three young children and provide him a nest egg for use when he is freed.

Work release is the showcase item in a State prison reform program that has shifted the emphasis, in less than 10 years, from punishment to rehabilitation.

ECONOMY AND HOPE

"As a dollar and cents proposition, it's a good thing for the taxpayer," State Prisons Director George Randall said, "but there's also the humanitarian aspect." He explained:

"Under the old concept, prison was supposed to degrade a man—the ball and chain, stripes, things like that. Now we try to build him up. When a man supports his family, it gives him a degree of self-respect and is helpful in rehabilitation.

"You can't put a dollar value on giving a man hope and restoring him to the community with a chance."

——— dropped out of high school in the 10th grade, married early, began a family and ran into financial trouble. That makes him a typical beneficiary of the program. He shares Mr. Randall's faith in its possibilities.

"Since I've been here, I've gotten a different outlook on things," he says. "They don't treat you like a convict. They don't hold it over you. It's just like I had come off the streets and gotten a job."

His employer, ——— has hired several prisoners and plans to keep ——— on after he is paroled.

State policy is predicated on the calculation that it costs 12 times as much to keep a man behind bars as it does to supervise him on parole or probation.

Work release, which was begun on a statewide basis in 1957, smooths the parole process. It also attempts to eliminate the broken homes, joblessness and lack of money that so often result in prison repeaters.

North Carolina is the only State with a declining prison population. From a high of 12,046 convicts in December 1961, the total has dropped to 10,668 by last June 28.

Employers across the State have recently begun cooperating to a surprising extent, said Louis Poole, assistant supervisor of inmate employment. "We just do not have enough skilled prisoners to fill all the job requests."

Prisoners have worked in the trades, as store clerks, auto salesmen, and laborers, and in many other occupations.

Salaries range as high as $140 a week. The average is between $50 and $60.

Successful alumni include a court reporter for the State industrial commission and a mechanic who used his savings to open a business in eastern North Carolina, and is now hiring work-release prisoners.

In addition to its placement duties, Mr. Poole's office is responsible for determining that the wages paid the prisoners compare favorably with prevailing rates.

Take-home pay is left at each prison unit's office. The State retains $2.25 a day to defray the cost of housing and feeding the convict. So far, this alone has resulted in a saving of more than $337,000 to North Carolina taxpayers.

The prisoner also is assessed the cost of transportation to and from work, if provided by the State. He receives a few dollars to take care of personal expenses.

The balance of his earnings is split, with some money ear-marked for family support and the rest for the prisoner's trust fund.

Under the frequently amended law, all convicts are eligible to participate. However, the prisons department excludes sex offenders, dope addicts, and prisoners housed in maximum custody units.

Work release has also been used for some time in Pennsylvania countries and cities, particularly Pittsburgh and Lancaster.

[From Time magazine, Sept. 14, 1962]

PRISONS: OUTSIDE ON THE JOB

They're like everybody else—almost. They go to work each weekday morning, serve communities throughout North Carolina as barbers, mechanics, cooks, secretaries, and farmers. Then they go home—to their cells in State prisons. There are 306 of them, and they are convicts taking part in North Carolina's promising work-lease program, a rehabilitation plan based on the idea that a prisoner with a steady outside job is of greater benefit both to himself and the State.

Begun tentatively in 1957, North Carolina's system has evolved under State Prison

Director George W. Randall into the most liberal outside work plan in the Nation. All inmates with sentences of 5 years or less are eligible for consideration, provided they are not sex offenders, confirmed alcoholics or drug addicts. Each prisoner's weekly paycheck is turned over to the State, which gives him $5 for personal expenses, keeps $1 for State-furnished transportation—and $2.25 a day for room and board. The remainder is divided up between the prisoner's family and a trust fund that he receives on completing his sentence. Some of North Carolina's working prisoners:

———, a forger, tears down automobiles in a junkyard. "You have a feeling of security out here," says ———. "There's not someone breathing down your neck. We don't have to worry about a thing. We turn in our check, and that settles everything."

———, convicted of breaking and entering, makes $50 a week as a cook at a café in Raleigh. Says he: "It bothered me at first—getting locked up at night. I've got used to it now, and it's just another day. The girls coming in—that's the most tempting part, but I'll be out in February."

———, convicted of forcible trespassing, performed so well on the job at the ——— restaurant that he was hired when he was paroled last week. Said motel owner ———: "I'm going to use more prisoners in the future. They're harder workers and better than those that come in off the street for a job."

So far as is known, no prisoner has ever committed a crime while at work. Seven percent have been classified as "escapees"—a term that covers everything from leaving work to visit a friend to outright flight—and all have been returned to prison. Of convicts who have worked in the program and served their terms, only a handful have got into trouble after their release. Eventually, Randall hopes to have 1,000 prisoners outside on the job. Says he: "Under the old concept, prison was supposed to degrade a man—the ball and chain, stripes, things like that. Now we try to build him up. And as a dollars-and-cents proposition, it's a good thing for the taxpayer. The prisoner on work release actually pays his way through prison."

[From the Washington Post, Apr. 8, 1963]

Unique and Rewarding—North Carolina Prisoners Support Families; Learn Skills in Work-Release Plan

(By Robert E. Baker)

Raleigh, N.C.—A young wood carver works in a shop near Asheville and earns $130 a week.

A bricklayer works on a construction job in Raleigh at $3 an hour and supports his 61-year-old mother. Another bricklayer here supports his wife and two children at his $2.75-an-hour job.

These 3 men and more than 1,400 other North Carolina jobholders have one thing in common:

They are all inmates of the North Carolina prison system who work in the free community under the State's unique and rewarding work-release program.

It is part of an overall prison reform in North Carolina that is paying off. The Tarheel State's prison population is diminishing while the population in the prisons of the Federal Government, District of Columbia, and almost every growing State is rapidly increasing.

REACHED PEAK IN 1961

North Carolina's prison population reached an alltime high of more than 12,000 2 years ago. Today it is under 11,000—3,000 below the prediction made by experts in 1956.

One reason for the drop is that North Carolina's economy is improving; its people are better off.

But more important is the multiple attack against increasing prison populations launched by former Gov. Luther H. Hodges, accelerated by present Gov. Terry Sanford, and administered by George W. Randall, director of prisons.

"Crime in the Nation is growing four times faster than the population," Randall said.

"That shows the old ways don't work. We just had to do something else."

The overall program is designed to improve the preparation of prisoners for release through effective rehabilitation programs and increased use of parole.

SAVINGS OF $800,000 IN YEAR

Taxpayers should like it. Because fewer former prisoner fail to live within the law, the taxpayers save money. The reduction of the State's prison population means North Carolina taxpayers will save more than $800,000 this year. The prison department's budget request for the next 2 years is $1.25 million less than had been expected.

"But more important than saving tax dollars," Randall said, "is the incalculable saving of human suffering. There is no way to measure the waste, heartaches, and human misery caused by crime."

One example of North Carolina's progressive prison program is the school attendance required for all inmates who have less than fourth-grade achievement level.

"The link between crime and lack of education is irrefutable," said Randall. "Of 541 youthful felons that we have, 512 were school dropouts."

MANY FINISH HIGH SCHOOL

Prisoners are encouraged to go beyond the fourth grade. Many have received the equivalent of high school certificates.

The alcoholic rehabilitation program is another example. Alcoholics Anonymous groups in the communities take their program into the various prisons.

"About 75 percent of our inmates are here because of an alcohol problem," Randall said. "This program has had fine results."

About 345 inmates who participated in the voluntary alcoholic rehabilitation program failed and came back to prison. But 2,000 others, followed closely by prison officials to see if it worked, remain in the free society and continue to participate in Alcoholics Anonymous outside.

Other programs include extension vocational training, mental health clinics in the prisons to help mentally disturbed inmates, expansive work and recreation systems.

WORK-RELEASE PROGRAM

But the eye catcher is the work-release program, unique in the United States.

This permits selected prisoners who are serving 5 years or less to work in the free community during working hours. Nonworking hours are spent back in prison.

From the money they make, they pay the prison department for their cells and meals and the transportation to and from work. They support their families. Any money left over is deposited in a trust account for them when they are released from prison.

Many prisoners have $1,800 to $2,000 when they are released. Some have used the money for downpayments on new homes. A welder, serving 5 years for breaking and entering, was accepted in the work-release program and used the money he saved to establish his own business when released.

A printer with a wife and two children worked 3½ months in the work-release program and made $1,075, minus taxes and social security.

He paid $229 to the prison for housing and board, $53 for transportation to and from his job, $750 to support his family, and was released with $43 in cash from the trust fund.

Inmates in the work-release program are actually paying their way through prison.

About 20 percent of the 8,000 prisoners now serving 5 years or less have been approved for the program. About 5 percent of those who are accepted are withdrawn for violations. Most violations fall into two categories: taking a drink or slipping off to see the wife.

Many of the inmates work for former employers. But many others learn a trade in prison and then are accepted for the work-release program for outside work. They are shifted to prisons near their employment.

Because participants in the program are able to support their families while in prison, when otherwise the dependents might be forced on the welfare rolls, families are saved. So are tax dollars. The prisoner has a job when he is released; the crime rate is reduced. Prisoners have an incentive to make a good record.

Public opinion was initially hesitant about the work-release program, but it is changing.

"Many people think the prisoner is a different breed of man," Randall said. "But that's not so. The prisoner is more like the average man on the street than most of us are willing to admit.

"People forget that 97 percent of our prisoners are going to be released. We simply ask: Is it better for them to come out with a job and self-respect and contribute to society, or to come out with nothing?"

Mr. ERVIN. Mr. President, I ask unanimous consent that my name may be added as a cosponsor of S. 1808 the next time the bill is printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF BILL

Mr. HARTKE. Mr. President, on February 24 I introduced S. 1272, a bill to increase to 60,000 miles the total mileage of the National System of Interstate and Defense Highways. Joining me at that time were Mr. Symington and Mr. Long of Missouri. I now ask unanimous consent that the name of Senator Carlson may also be added as a cosponsor at the next printing of the bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

APPROPRIATIONS TO DEFRAY COSTS OF ORGANIZING AND HOLDING 20TH ANNUAL WORLD HEALTH ASSEMBLY—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Under authority of the order of the Senate of May 11, 1965, the name of Mr. Ribicoff was added as an additional cosponsor of the joint resolution (S.J. Res. 80) to authorize appropriations to defray the costs of organizing and holding the 20th annual World Health Assembly in the United States, introduced by Mr. Kennedy of New York on May 11, 1965.

NOTICE OF HEARINGS ON SENATE BILL 1808

Mr. LONG of Missouri. Mr. President, I wish to announce that an ad hoc subcommittee of the Senate Judiciary Committee will hold hearings on May 27 on S. 1808, to amend section 4082 of title 18, United States Code, to facilitate the rehabilitation of persons convicted of offenses against the United States. The hearings are scheduled for 10:30 a.m. in room 2228 of the New Senate Office Building. The subcommittee consists of Senator BURDICK, Senator HRUSKA, Senator SCOTT, and myself as chairman.

BIENHOA DISASTER SHOULD BE INVESTIGATED

Mr. YOUNG of Ohio. Mr. President, the chain explosion of bombs at the strategic Bienhoa Air Force Base in South Vietnam was a disaster of horrendous magnitude. Twenty-seven Americans are dead and 103 wounded. More than 40 of our finest aircraft were utterly destroyed or damaged. Apparently a squadron, or even more jet bombers than comprise a squadron, of our most modern and most expensive jet bombers was crowded wingtip to wingtip on a runway on which protective revetments of a satisfactory character had not been constructed. This same airbase had previously been subject to a surprise attack from the Vietcong and American lives had been lost. Yet, apparently the commanding general and those officers with the responsibility to protect American lives and property were guilty of inexcusable negligence. American people are entitled to know the facts. Were inexperienced and untrained soldiers ordered by their officers, or permitted, to handle and load highly sensitive bombs?

Granting that the inspector general with a small group is making an inquiry into this disaster, their finding, even if it is made public, obviously would not and should not satisfy the American people that an investigation by fellow Air Force officers was thoroughly objective.

In my judgment, Mr. President, we in the Senate have an obligation to the American people to insist that a most thorough and searching investigation be made. A special committee of the Senate Committee on Armed Services should, it seems to me, make an on-the-spot investigation. Yesterday I submitted a Senate resolution which would specifically authorize the Committee on Armed Services or a special subcommittee of that committee to investigate this disaster and report the facts. Not one scintilla of evidence should be overlooked. This is far too serious for American people to be satisfied with an investigation conducted by one group of officers investigating the acts or failure to act on the part of the commissioned officers of our Armed Forces. It is evident that there was inept handling of bombs and that some of the personnel, whether the commanding general or some subordinates or some civilian employees, were guilty of extreme inattention and negligence.

Not only were jet bombers which cost our taxpayers $1,200,000 destroyed, but American lives were needlessly lost and the offensive might of our Armed Forces in bombing enemy installations substantially impaired.

The commanding general of this airbase, according to news reports, has stated that there was no evidence of sabotage. Let a thorough inquiry disclose whether or not this was the case. If there is no evidence of sabotage, then it would seem evident that there was flagrant failure on the part of the commanding officer in this area to properly safeguard the handling of the bombs and to protect our bombers and the lives of our soldiers and airmen.

The ACTING PRESIDENT pro tempore. The 3 minutes of the Senator from Ohio have expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may be permitted to proceed for 1 additional minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, among the missing and presumably dead Americans at Bienhoa is Capt. Ernie McFeron, of San Antonio, Tex., an Army demolition expert. His wife has made public some of her husband's letters deploring the lack of safeguards against possible accidental explosions at Bienhoa and the fact that some personnel, both American and South Vietnamese, were permitted to handle bombs before being adequately trained for the purpose. The Associated Press report of the interview appeared in newspapers throughout the Nation. I ask unanimous consent that the news item which appeared in the Washington Evening Star entitled "Bomb Handlers Inept, Blast Victim Wrote," be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BIENHOA STORY—BOMB HANDLERS INEPT BLAST VICTIM WROTE

SAN ANTONIO, TEX.—An Army demolition expert who apparently died in the bomb explosion at Bienhoa in South Vietnam had written home that untrained men were handling bombs at the airbase, his wife says.

A chain explosion of bombs in U.S. planes Sunday left 27 Americans dead or missing and 103 wounded. Among the missing was Capt. Ernie McFeron, 30, of San Antonio.

Mrs. Mary McFeron made public some of her husband's letters Monday in an interview.

In one letter, McFeron spoke of a fellow American officer who played a key role in disarming bombs and supervising the loading of United States and Vietnamese bombers although he was untrained in demolition work with conventional weapons.

The officer, McFeron wrote, "had never even seen a bomb of this type up close before he got here. And now he thinks he knows everything there is to know about them."

McFeron said he was afraid to work with the man but had to.

Mrs. McFeron reported this man had received some training in nuclear demolition but none with conventional weapons being employed in Vietnam.

Much of McFeron's criticism was directed at the Vietnamese, but the casualties in the chain explosion indicated few Vietnamese were in the vicinity when the first bomb exploded as it was being loaded aboard a U.S. Canberra jet bomber. In contrast to the 130 Americans killed, missing, and wounded, 1 Vietnamese was reported killed and 7 injured.

In a letter dated April 19, McFeron wrote:

"The Vietnamese Air Force had an accident yesterday.

"They had a trailer load of bombs which detonated. Four Vietnamese airmen were killed and two of our boys were hurt.

"Part of our storage area and some of our equipment was destroyed. The Vietnamese had a similar accident about a week ago at Bienhoa, but nobody was hurt.

"I am surprised that they haven't had more—the way they handle munitions.

"We have told them several times that if they weren't careful they would have an accident.

"But they won't pay any attention to us. When they handle munitions we pull our people out of the area.

"I hope by now they have learned their lesson. But I am afraid they haven't."

DISGUSTED

Captain McFeron wasn't a complainer by nature, his wife said Monday.

But he frequently wrote, "I've never been so disgusted in my life."

His wife has resigned herself to "the inevitable."

Mrs. McFeron has told only the oldest of her four children what may have happened to their father.

The 8-year-old girl apparently understands as well as any child can.

"What are we going to do now if we don't have a daddy?" she asks.

Mr. YOUNG of Ohio. Unquestionably, our people are entitled to have the truth searched out and to be fully informed as to the facts. I urge that a committee of U.S. Senators be appointed without delay for this purpose.

TRIBUTE TO SENATOR LISTER HILL

Mr. SPARKMAN. Mr. President, I invite the attention of Senators to another in the long list of honors and citations given to my colleague, the senior Senator from Alabama, the Honorable LISTER HILL, for his efforts on behalf of mentally retarded children. On Saturday, May 8, Senator HILL was given a citation by the advisory board of the Partridge Schools and Rehabilitation Center, a residential facility serving 65 students with brain damage and other forms of retardation. It is located on a 550-acre farm near Warrenton, Va., and is in its 11th year of operation. The citation was given in gratitude "for the advances in the care and treatment of mental handicaps and mental illness that have come about in recent years, a development which has been impressively stimulated and implemented by the Senator's work in the Congress."

The citation is as follows:

CITATION

The advisory board of the Partridge Schools and Rehabilitation Center is proud to confer its sixth annual citation upon you, the Honorable LISTER HILL, Senator from the State of Alabama and chairman of the Senate Committee on Labor and Public Welfare, for your dedicated service and effective leadership in developing national programs for protecting and improving the health and medical care of the American people. To your position and stature in the U.S. Senate and in the Nation, you have brought a deep and probing understanding of the health needs of the Nation. As the person primarily responsible for the strength and effectiveness of our Federal programs in the field of physical and mental health, your untiring efforts have brought better health and renewed hope to millions of Americans.

With the Partridge Schools' special interest in the problems of mental retardation, we are particularly grateful for the advances in the care and treatment of mental handicaps and mental illness that have come about in recent years, a development which has been impressively stimulated and implemented by your work in the Congress.

With this citation, we express to you, Senator HILL, the appreciation of our children, who cannot speak for themselves, and the earnest hopes of their families for the continuing exploration and ultimate alleviation of the problem.

Mr. President, the five prior recipients of this annual citation were: Dr. Stafford Warren, White House adviser on mental retardation; Mrs. Agnes E. Meyer, outstanding writer and leader in the field of social service and education; Dr. Richard Auld, of the Georgetown Medical Center; Mrs. Eunice Kennedy Shriver, on behalf of the Kennedy family; and Judge Hugh Reid, of the Arlington County juvenile court, one of the original directors of the George Everett Partridge Memorial Foundation, sponsor of the Partridge Schools. Mr. Julius N. Cahn, first chairman of the Partridge advisory board, now on the staff of Vice President HUBERT H. HUMPHREY, received a special award in 1961.

The citation was presented at the occasion of open house when the program of the center for brain-damaged, retarded, and emotionally disturbed children and youth was demonstrated. Senator HILL toured the center and saw children performing tasks which they had been taught under Federal programs which he had sponsored in Congress.

The part of this proceeding, however, which merits special attention and which I heartily commend to your most serious study are the brief remarks made by Senator HILL upon his receipt of this citation. These remarks show the Senator's profound undertanding of the still unsolved problems in the field of mental retardation and his continued efforts to solve those problems. Most importantly, however, these remarks should give new hope to the retarded for a more complete share of the things life has to offer and renewed determination to those tens of thousands of people, like the dedicated and devoted staff members at the Partridge Schools, who are working with retarded children. The time is approaching when through research we will know far more than we do today on what causes mental retardation, how to deal with it and, hopefully, how to prevent it or greatly reduce its incidence.

I ask unanimous consent to have my colleague's remarks included at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR LISTER HILL, PARTRIDGE SCHOOLS AND REHABILITATION CENTER, MAY 8, 1965

Luke, the beloved physician, tells us that one of life's sorrows is the impermanence of its joys. I can tell you, however, that the joy of this occasion will live forever in my mind and heart.

I am deeply grateful for the honor you do me today. It will serve as an inspiration and as a source of strength to me. It will be a challenge to me in the tasks that lie ahead.

May I say that I am greatly impressed by the work and activities which I have been privileged to observe during our tour this afternoon. It is tremendously gratifying and encouraging to see such a dedicated staff, supported by such devoted public-spirited citizens, making visible progress in the training and rehabilitation of the unfortunate children under your loving care.

The work you have done here at Partridge has helped make the people of this Nation more aware of the problems of the mentally retarded and has provided an example of how to cope with these problems. Your work and selfless devotion have been a challenge to those of us in Congress who share the cause of mental retardation with you and have inspired us in our ever continuing efforts in behalf of assistance to States and communities to combat mental retardation and to encourage expansion in teaching and research in the education of mentally retarded children.

As you know, in 1963 we enacted the Mental Retardation Facilities Construction Act. That act authorizes construction assistance for research centers to combat mental retardation, university affiliated centers for the mentally retarded, and facilities for the care of the mentally retarded.

The scope of your Federal Government's activities in the mentally retarded field is evidenced by the fact that during the present fiscal year the Department of Health, Education, and Welfare will expend $239 million for mental retardation programs, half of this for research, demonstrations, professional training, services, and instruction, and half for income maintenance of mentally retarded persons. In contrast, 10 years ago, the total amount spent for mental retardation programs was $22 million. For the next fiscal year, the President has asked Congress to appropriate $280 million for these purposes. As chairman of the Appropriations Subcommittee of the Senate handling this request, I believe I can assure you that the appropriation will be made.

To all of us who are so deeply concerned with mental retardation, to you here at Partridge who have done so much to help combat it, it is indeed distressing to realize that by 1970 there will be an anticipated 6½ million mentally retarded persons in the United States. It is even more distressing to face the realization that in three out of four mentally retarded cases we do not know the cause of the problem.

Yes, we have made a good start, we have made progress, and yet, from the figures I have just cited, we see how much more there is to be done, how great the challenge is for the future.

I am glad to tell you here today that I have confidence we will pass legislation, which I have been privileged to introduce, to greatly expand the facilities of the Vocational Rehabilitation Administration. Vested with the responsibility for the progress of this fine school, you will be interested to know that this bill authorizes grants to pay part of the costs of constructing rehabilitation facilities and sheltered workshops, as well as grants to help pay for the initial operating costs. It will provide training grants, including stipends for trainees in workshops, project grants for the improvement of sheltered workshops, and technical assistance to workshops.

With the assistance of a National Policy and Performance Council created under the bill, the States will be helped to expand and extend their vocational rehabilitation programs, and their research and development work.

More important, the legislation provides that vocational rehabilitation evaluation services may extend to a maximum period of 18 months during which the employment potential of any affected individual may be determined. Under present law, these services cannot be furnished a disabled person unless it is first determined that the service will actually prepare him to fill a paying job. As we know, particularly for the mentally retarded, this requirement works a hardship; the new liberalization will permit more persons to be prepared for productive lives.

Here at Partridge, you are giving hope and comfort to disabled children. You are giving them the help without which they would be forever denied their just measure of life's potential.

I congratulate you and again salute you on your great work and on the humanitarian spirit that inspires it. As I stand here with you today, I cannot but be reminded of the words of the old Greek philosopher who declared: "One cannot get closer to God than by bringing health to one's fellow man."

With profound gratitude to you for the honor that you do me, with heartfelt appreciation for the wonderful work that you have done, I say to you that in the confidence of knowledge, in the strength of integrity, in the tenderness of sympathy, in the fellowship of humility, and in the love of God, we shall go forward together in the battle for our mentally retarded, for our children who so much need our help. For, it was the Master who said to us, "Suffer the little children to come unto Me, for of such is the Kingdom of Heaven."

REASONS FOR U.S. ACTIONS IN DOMINICAN REPUBLIC CRISIS

Mr. BASS. Mr. President, the newspapers of the Nation have done an exceptional job of reporting and commenting on the reasons for U.S. actions in the Dominican Republic crisis.

The Nation's editors have almost unanimously supported President Johnson's policies and moves in that troubled island country.

In the final analysis, the two basic factors underlying the President's actions were to protect American lives, and subsequently to thwart communism in its effort to control the Dominican Government.

As the May 4 editorial in the Nashville Tennesseean pointed out:

> President Johnson moved courageously in the face of certain criticism and widespread misunderstanding to prevent an apparent Communist takeover in the Dominican Republic and guarantee that nation a chance to form a democratic government.

The Richmond Times-Dispatch in a May 5 editorial noted that President Johnson's decisive response to the Communists certainly slowed the Red subversion in Latin America.

I ask unanimous consent to have printed in the RECORD these two editorials and also an editorial published in the Cheyenne, Wyo., Eagle of May 7.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Nashville Tennesseean, May 4, 1965]

PRESIDENT'S FIRM ACTION POINTS THE WAY FOR OAS

The administration has properly laid emphasis upon the role that needs to be played by the Organization of American States in dealing with the crisis in the Dominican Republic.

The President acted firmly Sunday in doing what was necessary in the face of mounting intelligence reports that Communists were taking over the Dominican revolution. He made it unmistakably clear that the hemisphere will not under any condition permit another Cuba, and that there was no time to lose in ordering American forces to the island to prevent a takeover and protect foreign nationals.

But then the President appealed to other Latin American nations—and particularly the members of the OAS—to join with this country in performing what is essentially a hemispheric duty. He repeatedly stressed the fact that citizens of 30 foreign countries in the Dominican Republic were enjoying protection of American troops and hinted strongly that it was the duty of these other countries—as well as that of the United States—to participate in the keeping of order.

Mr. Johnson certainly was aware of the criticism he risked by undertaking this emergency action, and the criticism was not long in coming. The action was attacked by Cuba, Communist China, and—in the United Nations—by the Soviet bloc. While criticism from these nations was to be expected, the reaction of other Latin American nations undoubtedly is the thing that is uppermost in the President's mind.

For the most part, the reaction of other members of the OAS has been encouraging. There has been criticism from some Latin American countries, but this is likely to be mitigated as the danger posed by the Dominican situation is fully disclosed.

Mr. Johnson took special pains Sunday night to explain that this country's only interest in the Dominican Republic—or anywhere else in Latin America—is its determination to prevent the establishment of another Communist regime and to provide the afflicted nations with the opportunity to order their own democratic governments.

This means that the citizens of weak and poverty-stricken Latin American nations must be protected not only from Communist invaders but also from corrupt and dictatorial internal regimes that deprive the people of their rights and the resources of their countries. To do this requires the effort of all Latin America.

It would be all but impossible for the United States to attempt to police all of the potential trouble areas in Latin America alone. For one thing, this would be strategically unwise, permitting the Communists to scatter our forces while they increased the pressure in Southeast Asia or some other place. Too, it would create resentments that could only intensify the unrest.

President Johnson moved courageously in the face of certain criticism and widespread misunderstanding to prevent an apparent Communist takeover in the Dominican Republic and guarantee that nation a chance to form a democratic government.

How well the Dominican future turns out depends to a large extent upon the people themselves and upon the cooperative spirit of the rest of Latin America. The President acted in an emergency and he acted in the interest of all the hemisphere. But it is time for the Organization of American States to recognize that protection of the hemisphere is everybody's business, and get on with the planning for such emergencies in the future. It appears that there may be quite a few of them.

[From the Richmond (Va.) Times-Dispatch, May 5, 1965]

LATIN AMERICA MAY LIKE IT

The "domino theory" that has been applied to southeast Asia might well have become operative for Latin America, if the United States had stood idly by, and let the Communists take over the Dominican Republic. Once the Reds found that we would not move forcefully to stop them, they would have stepped up their drive to seize the governments of such countries as Venezuela, Colombia, and Guatemala.

Special cadres from these and several other Latin American countries are reported to have been in Cuba for training in guerrilla warfare and subversion at the very moment when the disorders broke out last week in Santo Domingo.

An attempt by Communists to assassinate President Leoni, of Venezuela, was thwarted last month. An Italian who was said to be trying to smuggle in $330,000 from Soviet Russia to finance the assassination and revolt, was arrested. An extensive Red conspiracy was uncovered.

Guerrillas in Colombia have been carrying out kidnapings every few days—apparently with a view to raising money to finance the revolution there. One is reminded of the bank robberies that Josef Stalin and the other early Bolsheviks carried through in Czarist Russia for a similar purpose.

As for Guatemala, the United States was largely instrumental in 1954 in ousting the Arbenz regime, which had been collaborating closely with Moscow. For the past decade, there has been undercover agitation in Guatemala by Communist-led elements, and these same elements have been trying to expand their beachhead.

These and all other Communist revolutionaries in Latin America may well have been slowed down by President Johnson's swift action in recent days to prevent Reds trained in Havana, Moscow, or Peiping from grabbing the Dominican Republic.

At the same time, it could be that Mr. Johnson has pleased a great many Latin Americans and increased respect for the United States in the Caribbean and below the Rio Grande.

After the Bay of Pigs fiasco, many Central and South American leaders were much dismayed. They wanted to see Washington move forcefully to block the Communist takeover in Cuba, and we muffed the chance.

Hence today, despite the cries that are being heard in certain quarters concerning our unilateral intervention, and our so-called imperialism, it may well be that the overall effect in Latin America of our forceful action has been good.

Even Walter Lippmann, who has been arguing that we should pull out of Vietnam, is strongly in favor of what President Johnson has done in the Caribbean. We have moved, he says, to assert our rightful authority within our sphere of influence. And that, he declares, is exactly what we should have done. He is right.

[From the Wyoming Eagle, May 7, 1965]

IMPORTANT STEPS

The crisis in the Dominican Republic is by no means ended.

Indeed, the crisis will not be ended until the citizens of the revolt-torn Caribbean island, through self-determination, have reestablished a firm government—a non-Communist government.

But several important steps in the right direction already have been accomplished.

The first was when President Johnson acted promptly and decisively to prevent a communist takeover in the Dominican Republic.

Recognizing that what had begun as a popular revolution, dedicated to democracy and social justice, had been taken over "by a band of Communist conspirators," the President sent American troops to the island to protect U.S. citizens and to prevent the establishment of another Communist regime in the Western Hemisphere.

The next step was the establishment of a cease-fire and "firm truce."

Another very important step was taken early yesterday when the Organization of American States (OAS) voted to send an Inter-American peacekeeping force to police the Dominican Republic.

The OAS voted 14 to 5, with Venezuela abstaining, to approve a U.S.-sponsored resolution calling on member governments to provide army, navy, air force or national police troops for the new force.

Chile, Mexico, Uruguay, Ecuador, and Peru voted against the peace force resolution. And Mexico's Ambassador said he did not believe his government would be able to spare troops for the force.

On the other side of the picture, tiny Costa Rica, which boasts it has no army, immediately offered to place its 3,500-man national police force at the disposal of the OAS.

U.S. Ambassador, Ellsworth Bunker said he was gratified by the vote, which was exactly the two-thirds majority needed. And he indicated that the Inter-American force might become a permanent part of the OAS peacekeeping machinery.

Under the resolution, the OAS will be in complete control of the peacekeeping force, which will be directed by a unified command with power to determine when it is no longer needed in the Dominican Republic.

It is to be hoped that all the nations, including those which voted against the resolution, will participate in the peacekeeping force in the interest of hemispheric harmony and security, now and in the future.

In the meantime, it seems to us that President Johnson has given new meaning and new life to the doctrine laid down by President James Monroe on December 2, 1823.

THE CALENDAR

Mr. HART. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar to which there is no objection, beginning with Calendar No. 183, but excluding Nos. 188 and 189.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will proceed to state the measures on the calendar, as requested.

REPRINT OF REPORT OF COMMITTEE ON AGING ENTITLED "FRAUDS AND DECEPTION AFFECTING THE ELDERLY; INVESTIGATIONS, FINDINGS, AND RECOMMENDATIONS"

The resolution (S. Res. 92) to permit reprint of the Committee on Aging report entitled "Frauds and Deception Affecting the Elderly; Investigations, Findings, and Recommendations," was considered and agreed to, as follows:

Resolved, That there be printed, for the use of the Special Committee on Aging, six thousand additional copies of its committee print of the Eighty-ninth Congress, first session, entitled "Frauds and Deceptions Affecting the Elderly; Investigations, Findings, and Recommendations, 1964", a report by the Subcommittee on Frauds and Misrepresentations Affecting the Elderly.

REPRINTING AS SENATE DOCUMENT OF COMMITTEE PRINT ENTITLED "PROPOSED FEDERAL PROMOTION OF 'SHARED TIME' EDUCATION (A DIGEST OF RELEVANT LITERATURE AND SUMMARY OF PRO AND CON ARGUMENTS)"

The resolution (S. Res. 98) to print as a Senate document the proposed committee print entitled "Proposed Federal Promotion of 'Shared Time' Education (a Digest of Relevant Literature and Summary of Pro and Con Arguments)" was considered and agreed to, as follows:

Resolved, That there be printed as a Senate document the committee print entitled "Proposed Federal Promotion of 'Shared Time' Education (a Digest of Relevant Literature and Summary of Pro and Con Arguments)", prepared by the Legislative Reference Service of the Library of Congress at the request of Senator WAYNE MORSE and issued by the Subcommittee on Education of the Committee on Labor and Public Welfare during the Eighty-eighth Congress, first session; and that there be printed one thousand additional copies of such document for the use of that committee.

REPRINTING AS SENATE DOCUMENT OF COMMITTEE PRINT ENTITLED "STUDENT ASSISTANCE HANDBOOK (GUIDE TO FINANCIAL ASSISTANCE FOR EDUCATION BEYOND HIGH SCHOOL)"

The resolution (S. Res. 99) to print as a Senate document the committee print entitled "Student Assistance Handbook (Guide to Financial Assistance for Education Beyond High School)" was considered and agreed to, as follows:

Resolved, That there be printed as a Senate document the committee print entitled "Student Assistance Handbook (Guide to Financial Assistance for Education Beyond High School)", prepared by the Legislative Reference Service of the Library of Congress and issued by the Subcommittee on Education of the Committee on Labor and Public Welfare during the Eighty-eighth Congress, second session; and that there be printed four thousand additional copies of such document for the use of that committee.

ADDITIONAL FUNDS FOR COMMITTEE ON APPROPRIATIONS

The resolution (S. Res. 101) to provide additional funds for the Committee on Appropriations was considered and agreed to, as follows:

Resolved, That the Committee on Appropriations hereby is authorized to expend from the contingent fund of the Senate, during the Eighty-ninth Congress, $35,000, in addition to the amounts, and for the same purposes, specified in section 134(a) of the Legislative Reorganization Act, approved August 2, 1946.

PAYMENT OF GRATUITY TO CARRIE WALTON

The resolution (S. Res. 108) to pay a gratuity to Carrie Walton was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Carrie Walton, widow of Barriteer L. H. Walton, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the time he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

PRINTING OF POCKET-SIZED EDITION OF "THE CONSTITUTION OF THE UNITED STATES OF AMERICA" AS A HOUSE DOCUMENT

The resolution (H. Con. Res. 383) authorizing the printing of a pocket-sized edition of "The Constitution of the United States of America" as a House document, and for other purposes, was considered and agreed to.

Mr. HART. Mr. President, that concludes the call of the calendar.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PRESIDENT JOHNSON'S PATIENCE FOR PEACE DRAMATIZED

Mr. PROXMIRE. Mr. President, the recently ended lull in the bombing of military installations in North Vietnam has demonstrated beyond reasonable doubt President Johnson's willingness to travel more than halfway down the road toward negotiations to end the fighting in that war-ravaged corner of southeast Asia.

The temporary discontinuance of the bombing raids represented further evidence of American restraint in the face of provocative Communist aggression. While the 6-day lull was undoubtedly a considerable sacrifice on the part of our military operations there—particularly in view of the fact that the monsoons will soon close down our air operations—it was ordered by the administration to give every chance for a beginning of negotiations to end the fighting.

The failure of the Communists to respond to our invitation places the burden of guilt for the continuation of the fighting squarely on the shoulders of the regimes in Hanoi and Peiping.

This point is clearly and concisely made in the lead editorial of the New York Times for May 20, 1965.

Another important point on the Vietnam situation was scored in an article written by John Chamblerlain and published in this morning's Washington Post. Mr. Chamberlain reports that Rajmohan Gandhi, the grandson of Mahatma Gandhi, believes that the presence of American forces in Vietnam "lengthens freedom's duration in India" and in the other southeast Asian countries.

Gandhi's support of President Johnson and our military posture in Vietnam is significant evidence that all Asiatic intellectuals are not opposed to our policy. In his weekly magazine, Himmat, Gandhi pointed out with cold realism the need to fight the determined Communist program of forcing communism on the countries of southeast Asia.

Gandhi obviously realizes that passive resistance—employed by his grandfather to free India from Great Britain—works only against a nation that is fundamentally humane. The tactics of passive resistance—peaceful marches, demonstrations, and walks to the sea—are futile against the ruthless and terroristic militancy of Red China.

Mr. President, I ask unanimous consent that the New York Times editorial and the Washington Post article be printed in the RECORD.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 20, 1965]

SUPPORT FROM INDIA

(By John Chamberlain)

We are constantly being told that there is a "world opinion" to which we must defer in foreign policy moves. But the former State Department official who, in a scoffing reply to a well-known commentator, remarked that the vast majority in Asia don't even know where Vietnam is was probably pretty close to the truth. In any event, there is no single opinion, no consensus, even among literates in Asia about the action of the United States in South Vietnam.

The Indian intellectuals are supposedly against what we are doing—or, at least, so we are asked to judge from the words of Nehru's successor, Prime Minister Shastri. Both Nehru and Shastri can be truly represented as the heirs of Mahatma Gandhi. But they are not the only heirs.

For Rajmohan Gandhi, the grandson of India's revered liberator, has come forward with a new interpretation of his grandfather's doctrines that differs somewhat from the Nehru-Shastri variety. In his own weekly magazine, Himmat, young Gandhi has chosen, in the name of peace and his own Indian version of the Western idea of "moral rearmament," to support what Lyndon Johnson has been doing in Vietnam.

Since the Moral Re-Armament movement in the West was identified in the 1930's with pacifism, Rajmohan Gandhi may appear to be a walking contradiction. But the young man makes a good deal of basic sense. He argues that there are two colliding realities in southeast Asia. The first reality is that Hanoi and Peking regimes will, "short of inviting serious damage upon themselves," adopt every means to force communism on South Vietnam. The second reality is, that by fighting to prevent the communization of South Vietnam, "America is stemming communism in Asia as a whole."

Like his grandfather, young Gandhi doesn't believe you can conquer ideas with bullets. But he is realist enough to know that passive resistance only works against an enemy who is himself fundamentally humane. Fighting the British, a nation with a long Christian and parliamentary tradition, by sit-down tactics and marches to the sea, as Mahatma Gandhi did, is one thing. But fighting Communists by such tactics only invites disaster.

Knowing the difference between enemies, Rajmohan Gandhi says that "whether or not we like the American manner of fighting in Vietnam, and whether or not we believe that the Vietnamese people want the American military presence, this presence lengthens freedom's duration in India. We need to be grateful, therefore, for the American soldier who leaves family and comfort and roughs it out in Vietnam at considerable risk. Should the Americans decide to pull out of Vietnam, a pro-Communist or fully Communist government will soon be installed in Saigon.

"Laos will then speedily succumb, and Thailand will be in a precarious state. If Thailand goes Communist, what remains of Burma's freedom will disappear and Rangon's status will quite likely be reduced to that of a provincial capital of China. Malaysia will be unable then to stay outside of Peiping's control. China's grip on India will become tighter and stronger and will not fail, in fact, to crush us."

Going beyond his realpolitik, however, young Gandhi picks up the main thread of his grandfather's thinking. The "third reality" in South Vietnam, he says, is that "communism is strong * * * and will not vanish if military and financial aid from Peiping and Hanoi were to end * * *. This basic truth has got to be faced—you cannot kill an idea with a bullet or a bomb. You can only defeat it with a better idea."

It is at this point that young Gandhi offers "Moral Re-Armament" as a superior idea.

[From the New York Times, May 20, 1965]

End of the Pause

The failure of the Communists to respond favorably to the pause in the bombing of North Vietnam is a tragedy for Vietnam and for the world. It inevitably will lengthen and intensify a war which serves the interest of no people and already has gone on too long.

That war, as President Johnson said last week, has "no purely military solution in sight for either side." It can only be ended by negotiation and a political settlement. The United States has made or agreed to numerous proposals for negotiations ever since the President on April 7 called for "unconditional discussions." Yet the Communists, at every turn, have given a negative response.

North Vietnam and Communist China have rejected not only all American proposals but also the plea of 17 nonalined chiefs of state for unconditional negotiations. They have turned down the French suggestion of a new Geneva conference without preconditions, the Soviet endorsement of a Cambodian conference, the British effort to send former Foreign Minister Gordon Walker to consult them, Secretary General Thant's offer to visit Hanoi and Peiping for exploratory talks, and India's proposal for a cease-fire monitored by an Afro-Asian force.

Nevertheless, it was essential to make still another demonstration both to American opinion and to the world that Washington was prepared to be flexible and reasonable. Also it clarified whether the bombing of North Vietnam was the chief block to negotiations—as Soviet, French, Indian, and even Canadian leaders had suggested.

There can be little doubt on this question now. Hanoi asserts that the pause was accompanied privately by a time limit and an American demand that Vietcong attacks in South Vietnam halt; these are points that Washington would be wise to clarify. But the remainder of the statement by the North Vietnamese Foreign Ministry makes it clear that a decision has been taken against negotiations at this time.

In the end, Peiping's proximity has proved the potent factor, and Hanoi has decided to continue the war—at least through the monsoon offensive that now seems to be opening. It is extraordinary, in these circumstances, to find Prime Minister Shastri, of India, joining Moscow in calling for an immediate halt in the bombing of North Vietnam—without any reference to the halt that has just been tried.

The focus of attention now will turn to the battlefields of Asia. The summer rains will hamper American air support for Government forces, but the basic military-political balance in Vietnam is unlikely to be altered in the course of the summer or afterward. The negotiations rejected by the Communists now will have to be accepted by them at some later date. When that date approaches, the precedent of a bombing pause undoubtedly will be invoked again to help bring about the negotiated settlement that not only is desirable, but inevitable.

SOIL AND WATER CONSERVATION SPEEDUP NEEDED

Mr. PROXMIRE. Mr. President, during the past 3 months I have heard many Senators voice their views in this Chamber with regard to the importance of soil and water conservation to the future of America.

I want to assure my colleagues that good progress is being made in resource development in my home State of Wisconsin.

In a policy statement of the National Farmers Union last March it was contended that almost two-thirds of our cropland can constructively use conservation treatment. Furthermore, three-fourths of our privately owned pasture and rangeland and more than half of our private forests can benefit from conservation treatment. Pollution of streams and siltation of resources are commonplace.

The National Farmers Union urges the Federal Government to get on more rapidly with the soil and water conservation work in America. I ask unanimous consent that the policy statement of the National Farmers Union be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Excerpt From 1965 Policy Statement of National Farmers Union

AGRICULTURAL CONSERVATION AND LAND USE

Technical assistance in soil and water conservation should continue to be extended through local soil conservation districts, governed by democratically elected committees.

The conservation needs inventory established the fact that our investment in conservation—both public and private—is running only at one-third of the desired level of $2.5 billion annually. Almost two-thirds of our cropland needs conservation treatment. Three-fourths of our privately owned pasture and rangeland and more than one-half of our private forest and woodland needs conservation treatment. Pollution of streams and siltation of reservoirs are commonplace.

Federal cost sharing with farmers is a major incentive, in the effort to meet the need for conservation of those resources. It produces conservation far beyond its public cost. We support, therefore, increasing funds for the SCS and ACP in keeping with conservation needs inventory.

The Great Plains conservation program has been in use long enough to prove its value in achieving land use adjustment and the conservation of land and water. We recommend that its principles be extended to include all agricultural land in the United States.

TECHNICAL ASSISTANCE AND COST SHARING

Each family farmer and rancher should have conveniently available to him competent federally financed technical assistance and adequate cost-sharing programs needed by him to develop and put into operation his own technically sound conservation plan, so that he may use each acre of his farmland within its capabilities and treat it in accordance with its need for protection and improvement including all the soil, water and timber resources upon which his family's livelihood and the Nation's long-term security depend.

We are unalterably opposed to the Budget Bureau proposal for Congress to authorize a revolving fund through which soil conservation districts and farmers and ranchers would pay the Federal Government a part of the costs of technical assistance.

EXTENSION OF MEDICAL ASSISTANCE TO NEEDY BLIND AND DISABLED PERSONS—RESOLUTION OF WISCONSIN LEGISLATURE

Mr. PROXMIRE. Mr. President, recently the Wisconsin Legislature passed a joint resolution asking Congress to broaden the provisions of the Kerr-Mills Act, Public Law 86–778.

The resolution would extend medical assistance to needy persons who are blind and disabled, even though they are under 65 years of age.

I ask unanimous consent that the joint resolution be printed in the Record.

There being no objection, the joint resolution was ordered to be printed in the Record, as follows:

Senate Joint Resolution 9

Joint resolution memorializing the Congress of the United States to amend the Kerr-Mills Act, Public Law 86–778

Resolved by the senate (the assembly concurring), That this legislature respectfully petitions the Congress of the United States to amend the Kerr-Mills Act, Public Law 86–778, to include medical assistance to needy persons who are blind or disabled even though under 65 years of age; be it further

Resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State.

Patrick J. Sercey,
President of the Senate.
William P. Nugent,
Chief Clerk of the Senate.
Robert T. Huber,
Speaker of the Assembly.
James S. Buckley,
Chief Clerk of the Assembly.

BIG BROTHER—SENATE INVESTIGATION OF TACTICS OF HEALTH LAW ENFORCERS

Mr. LONG of Missouri. Mr. President, my "Big Brother" item today is a very good review in Health Bulletin, of May 1, 1965, of our hearings on invasions of privacy by the Food and Drug Administration.

I ask unanimous consent that the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Senate Investigations Examines Tactics of Health Law Enforcers

Does the Food and Drug Administration take out after food supplement sellers and supposed health quacks with methods that trample on citizens' constitutional rights? The Senate Subcommittee on Administrative Practice and Procedure, headed by Senator Edward V. Long, is taking a close look at that question in a series of hearings, which started this week.

Spokesmen for the vitamin and food supplement industry told the Senators that FDA is opposed to all dietary supplementation as superfluous and unneeded, even though Government studies indicate that many families do not have diets considered best for the maintenance of good health and physical well-being. They objected to FDA's use of listening devices, concealed radio transmitter and what they called discriminatory enforcement methods against food supplement sellers. K. W. Dilling, an attorney and general counsel for the National Association of Food Supplement Manufacturers and Distributors also scored FDA's efforts to brand dietary supplementation as "quackery" or "food faddism." "Notably absent has been any FDA publicity deploring extensive use of cigarettes, soft drinks, alcoholic beverages, candy, and other items which make no contribution to the national health, and which in fact are often harmful," Dilling said.

Ellis Arnall, former Governor of Georgia and chief witness during the first day of hearings, submitted documents to support a charge that "The Food and Drug Administration is corrupt; they contaminate and they have lied in court." He introduced documents to support his contention. The charge of perjury was made primarily against Glenn E. Schreiber, an FDA inspector who Arnall claims lied 28 times under oath during proceedings brought against Presto Foods, Inc., of Kansas City.

Five officials of FDA are appearing before the committee this week. Senator Long requested the hearing because FDA's Kansas City office employed concealed electronic recording devices in an attempt to secure evidence of mislabeling of Presto Foods' Allerjoy, a product sold as a milk substitute for children and adults allergic to milk. FDA Commissioner George P. Larrick told the committee that his agency uses electronic transmitting and recording equipment to enforce laws against sales of amphetamines and barbiturates. "Radio transmitters are used also to enable us to follow the progress of our own undercover man and determine when his life is in danger because of the character of the individuals he must contact to detect law violations," Larrick told Long.

The Kansas City case required that FDA Inspector Schreiber seize a pamphlet about Allerjoy from two lady schoolteachers who allegedly were demonstrating it in a supermarket at Shawnee Village, Kans. "In view of the simplicity of this case, I can't see the need for use of electronic equipment and Gestapo tactics," Long commented.

The electronic gear in question—that used in the Kansas City seizure—is known as a Kel-Kit unit. It consists of a wireless transmitter about the size of a package of cigarettes, which broadcasts monitored conversations to a receiver and tape recorder concealed in a briefcase. In his appearance before the subcommittee, Dilling gave this opinion of the use of recording devices by FDA: "This is trampling upon traditional American rights. The planting of these devices is thoroughly un-American and thoroughly reprehensible." In answer to a question by Senator Long, Dilling said that "the use of 'snooping devices' is a very common practice of this agency * * * sometimes they 'bug' a whole house. * * * It's been my experience in dealing with FDA cases that the use of these devices is extensive, general, and accepted by this agency." Dilling's testimony came in the face of A. E. Rayfield's contention that FDA uses electronic recording equipment only in extreme situations. Rayfield is Director of the Bureau of Regulatory Compliance.

During the 3 days of hearings, Long's committee also heard testimony from Oscar H. Brinkman, attorney for Washington's Church of Scientology and from Wayne Rohrer, the church's minister. Brinkman attacked the FDA for seizing a religious machine which he said merely measured emotional reactions. At the same time FDA condoned dangerous use of electric shock devices by psychiatrists, Brinkman said, even though they had led to some people being electrocuted. Brinkman told Long that Federal officials accompanied by 6 to 10 or more armed U.S. marshals swarmed the church, grabbed books from the hands of students and ministers, broke into confessional rooms, and invaded the privacy of ministers. He said that FDA had not previously requested that use of the machine be halted.

On Thursday Senator Long and nutritionist Carlton Fredericks said that FDA concentrates on small companies and persons with unusual approaches to disease and goes easier on big companies. Fredericks told the Senate Judiciary Subcommittee studying invasion of private rights that he had been submitted to 15 years of attack by the FDA without ever being charged in a court where he could defend himself on the merits of the case. Fredericks said he gained his doctor's degree from NYU despite alleged attempts by FDA to discourage the faculty from making the award. Over the years his broadcasting career had been injured by a barrage of news releases from FDA's public relations office calling him "incompetent," Fredericks said, and pointed out that FDA had seized copies of his books from a small vitamin manufacturer when the books were used to instruct salesmen.

In his final statement, Senator Long said, "An agency of the Federal Government has been accused of obtaining evidence at any price. * * * FDA prior to this hearing has been uncooperative with this congressional committee. * * * We've never before had to subpena Government agents." Long also said that "If the FDA spent less time spying on and raiding churches and small manufacturers of vitamins, and more time looking into the large firms which manufacture dangerous drugs like thalidomide, the situation would be greatly improved."

ARCHITECTS WAGE "WAR ON URBAN UGLINESS"

Mr. RIBICOFF. Mr. President, the architects of America are being called on to a greater extent then ever before to assist local, State, and Federal officials responsible for providing a proper physical environment for the people of this Nation. In a statement before my Subcommittee on Executive Reorganization, the American Institute of Architects reiterated its long-standing support for the establishment of a Cabinet-level Department of Housing and Urban Development, stating:

> The problems of urban America are so complex and numerous that they have already exceeded the abilities of many communities to cope with them. The institute believes that their solution requires a coordinated attack by today's society in which the Federal Government's responsibility is undertaken by a Cabinet Rank Department.

Recently the President and Secretary of Interior asked the architects of America to assist in the effort to clean up and beautify the Potomac River.

I understand that the New York chapter of the institute will offer a resolution at the coming national convention of the AIA to establish a standing committee on the natural environment. The concern and interest of the architects is an encouraging sign that we will win the battle against blight and pollution and the other environmental scars of our Nation. I ask unanimous consent to include at this point in the Record a copy the resolution referred to.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution To Establish a Standing Committee of the New York Chapter of the American Institute of Architects

Whereas this region, and this country, must respond to the rise in urban population by providing shelter, workspace and transportation equal to this tremendous increase; and

Whereas the aim of the architect is to conserve intelligently and creatively while building intelligently, whereas the failure to preserve natural areas is virtually irretrievable, and whereas the architect believes that landscape is the necessary counterpoint to the cityscape:

Therefore this resolution moves to establish a standing committee of the chapter, to be called the committee on the natural environment and further sets forth the purposes of this committee would be—

To reassert and amplify the position that the informed concern of the architect is for the total environment of man, and for all elements of the scene and of the natural environment—of air, water, and land as well as for the urban scene;

To seek to make policymakers fully conscious of the need to consider the esthetics of the natural environment and to be aware of the contribution which the design profession can make in this regard;

To foster studies of programs and techniques for identifying and preserving the remnants of the national inheritance and of restoring natural environments, particularly those in or near urban areas;

To raise the collective voice and to use the influence of the architect in support of those forces working toward eradication of air and water pollution and toward esthetically acceptable solutions to solid wastes disposal;

To establish permanent personal liaison with the guiding minds of all organizations concerned with the natural environment so as to engender an exchange of ideas, to foster working relationships and to develop action programs for the consideration of this chapter;

To seek to join with other chapters and with the other design professions—landscape architects, planners, industrial designers, and engineers—in initiating a full scale program of research to creatively deal with the outrages of signscape, junkscape, wirescape, wastescape, dozerscape, siltscape, and all other visual desecrations of the natural environment;

To actively seek philanthropic funds for the establishment of staffed programs concerned with the matters herein set forth—either on a permanent or task force basis; and it is further

Resolved, That these matters be brought before the forthcoming convention of the institute for consideration by the national body; and it is also resolved that the institute be urged to expand the war on urban ugliness program to include suburbia, exurbia, and rural and wild America.

SIXTY-THIRD ANNIVERSARY OF THE CUBAN REPUBLIC

Mr. DODD. Mr. President, today, May 20, we celebrate the 63d anniversary of the establishment of the Cuban Republic.

It is a day that is celebrated by all people and by all the freedom loving citizens of the Americas.

It is one of the great tragedies of history that the Cuban people, who fought so heroically and sacrificed so much to win their freedom from Spanish imperial rule, should now be oppressed by an infinitely more ruthless and inhuman form of colonialism.

There are those who say that it is wrong for America to intervene in Cuba, even to the limited extent of granting tolerance to the thousands of Cuban freedom fighters who are working for the liberation of their country from abroad. They say that if the Cuban people want communism, that is their business.

I find it difficult to understand the blindness and the total lack of humanitarian feeling or morality suggested by this attitude.

The Castro regime did not come into existence because the Cuban people wanted communism. The fact is that the Cuban people were never given this option—and if they had been given this option I am certain that they would have rejected communism overwhelmingly.

The Cuban people wanted more liberty, they wanted an end to the abuses that had characterized the Batista regime, they wanted a return to constitutional democratic government.

It was these things and not communism that Castro promised the Cuban people.

And if Castro enjoyed a brief period of popularity after he came to power, it was because the Cuban people truly believed that he was going to give them freedom and democracy.

But it soon became apparent, even to those who had doubted, that the Castro movement was neither nationalist nor democratic, that it was controlled by a small number of hard core Communists, bent on converting Cuba into a totalitarian satellite of world communism.

The Cuban people soon came to realize, too, that the Castro regime was not a reform movement, but a quisling tyranny created by the Kremlin as a base for the subversion of Latin America.

The 200,000 Cuban refugees who abandoned everything they possessed to escape from Castro's paradise, attest to the intense hatred of the Cuban people for this regime of oppression and misery and national treason.

The thousands of Cuban patriots who are fighting in the mountains, in open defiance of Castro's firing squads, also attest to this.

Every day witnesses new acts of resistance by the Cuban people, while new guerrilla bands and new resistance leaders continue to spring up to take the place of those who have fallen in the struggle.

The recent events in the Dominican Republic should be an adequate answer to those who, while they do not like Castro, tell us that Castro should be regarded as a nuisance rather than a dagger at our throats.

Only the courageous and resolute action of President Johnson prevented the emergence of a second Castro regime in the Carribbean. I believe this is now realized by the great majority of the Latin American diplomats stationed in Santo Domingo and by the great majority of the governments of the Americas.

But, even though the Communists have been frustrated in the Dominican Republic, the danger to the security and independence of the Latin American countries will remain serious so long as the Castro regime is permitted to exist.

Communists never give up unless they are decisively defeated. The setback in Santo Domingo will not discourage Castro. On the contrary, there is every reason to believe that his apparatus of trained agents and guerrilla fighters is even now planning more uprisings in other Latin American countries.

As I have stated on previous occasions, I believe we have been too passive in our attitude toward the Castro regime. We have been too prone to accept its existence as permanent, too willing to place restrictions on Cuban freedom fighters seeking the liberation of their country.

It is my hope that the current events in the Dominican Republic will cause the people of the Americas to open their eyes, and encourage them to more resolute measures and to greater unity in dealing with the common menace of Castroism.

It is my hope that the governments of the Americas will see fit to commit themselves to a declaration of freedom and independence for the Cuban people.

It is my hope that the free world nations now trading with Cuba will give more consideration to the fact that their trade makes it easier for Castro to keep the Cuban people in chains.

Finally, it is my hope that we will show at least as much tolerance toward Cuban freedom fighters seeking to operate from our shores as we showed for the agents of the Castro movement who used the United States as their chief base of operation when they were working for the overthrow of Batista.

Castro must go. And I am as confident as I am of anything that the day is not too far distant when the Cuban people—hopefully with our assistance—will toss Fidel Castro and his quisling henchmen into the dust bin of history, to join the many other tyrants and despots who have been discarded by people who suffered much but who one day decided they would no longer tolerate tyranny.

I hope that we in America, in observing this occasion will commit ourselves anew to the support of the Cuban people in the heroic struggle they are today waging for liberation from the monstrously inhuman regime that governs their country.

BANK MERGER ACT

Mr. ROBERTSON. Mr. President, this morning Reno Odlin, president of the American Bankers Association, and chairman of the board of the Puget Sound National Bank, of Tacoma, Wash., appeared and spoke in support of Senate bill 1698, before the Subcommittee on Financial Institutions, of the Senate Committee on Banking and Currency. His complete and illuminating statement shows the confusion and controversy which now exist in the field of bank mergers, and explains the reason why enactment of my bill, S. 1698, to amend the Bank Merger Act, is needed in order to clear up the situation.

I ask unanimous consent to have his statement printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF RENO ODLIN

My name is Reno Odlin. I am president of the American Bankers Association and chairman of the board of the Puget Sound National Bank, Tacoma, Wash. I am appearing here today on behalf of the association in support of S. 1698, a bill designed to eliminate the confusion and chaos surrounding the whole question of bank mergers.

Before making specific comments on the bill under consideration, it might be well to take a brief look at some of the economic factors that have prompted mergers in all lines of business and commerce since World War II.

One of the prime reasons for mergers is the lack of qualified successor management. Many industries were not hiring new employees during the 1930's because they didn't need them. They didn't hire them during the war years because they couldn't get them. As a result some companies lacked depth in management and when it came time for top executives to retire there were not enough capable and experienced men coming along behind them. Many smaller companies solved this problem through mergers with larger firms that had larger pools of talent. This same pattern held true in banking and prompted many mergers.

The second major reason for bank mergers was directly related to the dynamic performance of the economy. In the past two decades, the economy, measured in terms of output of goods and services, generally referred to as the gross national product, has grown by 192 percent, reaching an annual rate of $623 billion at the end of 1964. But while GNP was rising by 192 percent, commercial and industrial loans were increasing by 480 percent, rising to more than $55 billion in mid-1964. Domestic private investment during the same 20-year period rose by 750 percent to nearly $88 billion at the end of 1964. Over the two decades, expenditures for plant and equipment jumped by 470 percent.

The rapid increase in economic activity caused a quickened rate of growth in the size of many corporations which in turn put pressure on banks for more diversified services. As credit demands of corporations grew, some smaller banks began to feel the restrictions on their lending limits and decided that mergers would enable them to increase their lending capacities.

The third element encouraging mergers has been the efforts of commercial banks to meet the financial needs of the American public during a period of expansion and rapidly changing economic and population patterns. These developments have resulted in a huge demand for a growing variety of bank services, particularly those oriented toward consumers which involve high-volume operations. For example, some mergers have occurred as a result of two small or medium-sized banks desiring to obtain the modern and expensive electronic data-processing equipment that has spread so rapidly in banking in the past decade.

Finally, some bank mergers have occurred in recent years as a result of the efforts of the bank regulatory agencies to prevent a bank suspension. These so-called "shotgun mergers" can do much to preserve the stability and strength of the banking system. But it should be obvious that the management of any bank approached by the regulatory authorities with a request that it absorb a weak bank in the community would be very reluctant to do so if the merger might be subsequently challenged in the courts on the grounds of competition alone.

Those of us who make our living in banking, as well as experienced observers of the banking scene, know full well that competition in banking—and between banks and other financial institutions—is stronger today than at any time in the past.

It is my own judgment that on balance the many bank mergers in the postwar period, rather than diminishing competition, have in fact led to increased competition, both among banks and between banks and other types of financial institutions.

BACKGROUND OF THE BANK MERGER ACT

In 1950, section 7 of the Clayton Act was amended to prohibit mergers through asset acquisition as well as stock acquisition in any line of commerce in any section of the country where the result could tend to reduce competition substantially. The amendment, however, covered only corporations under the jurisdiction of the Federal Trade Commission. Banks have never been under the jurisdiction of the FTC.

During the 1950's, as the number of bank mergers increased, the Justice Department sought legislation to subject banks to the new section 7 of the Clayton Act. The Justice Department wanted the change because it recognized that it lacked authority under section 7 of the Clayton Act as amended. Moreover, until recently, it was almost universally believed that bank mergers would not be subject to section 1 of the Sherman Act.

Congress flatly rejected these proposals of the Justice Department to make section 7 of the Clayton Act applicable to bank mergers. But, at the same time, Congress saw the need for legislation to establish clear and uniform standards governing bank mergers, and it saw the need to specify which agency of Government should have the final authority over bank mergers—the Justice Department or the three Federal bank supervisory authorities.

The Bank Merger Act of 1960 was intended to answer both requirements. The act gave the final authority over bank mergers to the three bank supervisory agencies—the Federal Reserve System for State member banks, the Federal Deposit Insurance Corporation for insured nonmember banks, and the Comptroller of the Currency for national banks. Under the legislation the banking agency having jurisdiction is required to request a report on the competitive aspects of a merger under consideration from the Justice Department. The agency having jurisdiction is also required to request reports on competitive factors from the other two banking agencies.

The competitive factor is then weighed along with such factors as the financial history and condition of the banks involved, the adequacy of their capital structures, the general character of the banks' management, and the convenience and needs of the community to be served. The agencies are required to reject any merger application if, after giving full consideration to all such factors, they do not find the transaction to be in the public interest.

In passing the Bank Merger Act, Congress decided that the public interest is best served by subjecting bank mergers to a balanced test of competition and protection of sound banking rather than to the single test of competition under the antitrust standards.

I don't think the intent of Congress could have been stated more clearly than it was at the time the Bank Merger Act was passed. Senator FULBRIGHT, Democrat, of Arkansas, who was chairman of the Senate Banking and Currency Committee when the bill was brought to a vote on the floor of the Senate, said, "As it passed the Senate, S. 1062 (the Bank Merger Act) expressed the view of the Senate, for the third time, that bank mergers should be regulated by the Federal banking agencies on the basis of banking factors and the competitive factors, with no single factor being controlling. S. 1062 was a clear statement, for the third time, of the Senate's view that the provisions of section 7 of the Clayton Act should not apply to bank mergers."

The Senator went on to point out that "the amendments to S. 1062 made by the House do not change this aspect of the bill. The House has agreed with the Senate that bank mergers should be controlled by the Federal banking agencies on the basis of both banking factors and competitive factors, and that section 7 of the Clayton Act should continue to be inapplicable to bank mergers."

The intent of the bill was also stated by the majority leader of the Senate, Lyndon B. Johnson, who inserted the following statement into the RECORD just before the bill passed:

"This bill establishes uniform and clear standards, including both banking and competitive factors, for the consideration of proposed bank mergers. It eliminates a number of gaps in the statutory framework, which now permit many bank mergers to occur with no review by any Federal agency. It provides for a thorough review by the appropriate Federal bank supervisory agency, under these comprehensive standards, and with the benefit of any information which may be supplied by the Department of Justice in the report required from them, of the bank mergers by asset acquisition and other means which are now and will continue to be exempt from the antimerger provisions of section 7 of the Clayton Antitrust Act."

The majority leader added: "The repeated improvements [in this bill] * * * show the real merits, the real benefits of the legislative process at its best."

The intent of Congress in passing the Bank Merger Act was very clear. Yet, in June of 1963, following 2 years of litigation, the Supreme Court in ruling on a merger of two banks in Philadelphia which had been approved by the Comptroller of the Currency, said the merger violated section 7 of the Clayton Act.

Justice Harlan, who disagreed with the majority, said, "I suspect that no one will be more surprised than the Government to find that the Clayton Act carried the day for its case in court. The result is, of course, that the Bank Merger Act is almost completely nullified; its enactment turns out to have been an exorbitant waste of congressional time and energy. This frustration of a manifest congressional design is, in my view, a most unwarranted intrusion upon the legislative domain."

Subsequently, the Supreme Court ruled that two banks in Lexington, Ky., which had merged in accordance with the provisions of the Bank Merger Act were in violation of the Sherman Act. Then in March 1965, a Federal district court in New York ruled that the Manufacturers Trust Co. and the Hanover Bank violated both the Clayton Act and the Sherman Act when they merged in 1961, after they had received the approval of the Federal Reserve Board.

On the basis of these rulings the Department of Justice could now challenge all of the more than 2,000 bank mergers which have been consummated since the Clayton Act was amended in 1950.

THE PURPOSE OF S. 1698

Obviously, there is a clear need for the legislation that is now before this committee. The ground rules governing bank mergers must be reaffirmed and the dark clouds of confusion must be removed from the numerous bank mergers that have been consummated in good faith under the law of the land.

S. 1698 would serve both of these purposes. It would place bank mergers virtually in the same category as mergers in other highly regulated industries.

There is no question that the banking industry is one of the most tightly regulated industries in the Nation. Before a bank is even chartered, the banking agencies must be assured that such a bank, if chartered, would meet the needs and convenience of the community. The agencies must also determine that the bank, if chartered, will have a reasonable chance of succeeding. A bank is not comparable to other businesses and it is viewed differently by the public at large. When a bank fails, repercussions are felt throughout the community. Last year, there were 13,501 business failures. This figure is about average. Yet when eight banks with total deposits amounting to eight one-thousandths of 1 percent of all bank deposits failed in 1964, it made headlines and led to a congressional investigation, with which, incidentally, we have indicated our full cooperation. In short, a single bank failure is cause for concern because of the human and economic problems it creates for the community. That is why entry into the banking business is controlled.

Once a charter is granted to a bank, the bank becomes subject to very strict regulations which prescribe the amount a bank may lend to an individual or a corporation, how much it can pay in interest to attract deposits, how much it must maintain in cash reserves, and a host of other limitations. In fact, regulations pervade the whole spectrum of bank operations. Through periodic examinations, bank supervisory agencies make sure that the regulations are observed.

By using these tools—regulation and examination—bank supervisory authorities can control competition in banking on a continuing basis to make sure the system is sound and the public interest is protected.

Mr. Chairman, the American Bankers Association contends that the intimate working knowledge of banking gained by the supervisors in their daily association with banks is essential in regulating competition in banking. It is also our contention that this know-how is basic in considering the merits of bank mergers. Therefore, we are in full support of S. 1698 which would place bank mergers under the jurisdiction of the three Federal bank supervisory agencies.

The Justice Department would still play an advisory role in that the banking agency having jurisdiction would have to request a report on the competitive aspects of any merger under consideration. The banking agency would also have to request reports on competitive factors from the other two banking agencies.

But the first provision of S. 1698 would give the Federal bank supervisory agencies the final authority over bank mergers, which was what Congress intended when it passed the Bank Merger Act in 1960. It would exempt bank mergers from the provisions of the Sherman Act and section 7 of the Clayton Act.

THE QUESTION OF UNMERGING BANKS

The second provision of S. 1698 is designed to prevent the courts from breaking up mergers that were consummated under appropriate regulatory authority. Five mergers are now in the courts. Over 2,000 others could be challenged by the Department of Justice under the Supreme Court's interpretation of the antitrust laws.

"Unmerging" a bank after the two banks have operated as a single unit is nightmarish even in the abstract. The relationship between a depositor or borrower and his bank is based on mutual confidence and trust. In many cases, corporations and individuals select a particular bank because the bank offers the exact combination of services needed. This is particularly true when trust services are involved.

If a bank were to unmerge, internal working efficiency would be shattered. The customer, who has not been given much consideration in this whole question, would then be faced with the decision of which one of the two "unmerged" banks he would patronize. If the relationship is broken, the customer may decide that he does not want to get his business mixed up in the unscrambling process and select neither of the two unmerged banks but a different bank, and in all probability, a larger one.

If this pattern of shifting to a larger bank in lieu of the unmerged banks prevailed, what effect would this have on competition? Instead of increasing competition, it is likely that unmerging of banks would lead to an increase in concentration in banking. This cannot be in the public interest.

Few observers believe the Justice Department would attempt to break up the 2,000-odd bank mergers that have taken place since 1950. It would certainly create chaos in the financial system. But here again the question is one of equity and fair play. Should the Justice Department question some mergers and not others when they were approved by the same Federal authorities under the same law? After all we boast loud and long about being a government of laws and not of men.

The American Bankers Association strongly urges that all bank mergers which have been consummated, after receiving the approval of appropriate regulatory authorities, including those now being challenged in courts, be permitted to stand.

CONCLUSION

The executive council of the American Bankers Association, the ruling body of the association with members representing all divisions, sections, and committees of the ABA and all States in the Union, unanimously supports S. 1698. I request permission to insert the resolution in the record of these hearings. Many State bankers associations have taken similar action and indications are that others will do the same. Mr. Chairman, these actions by the ABA, which represents 98 percent of the Nation's commercial banks, plus the support coming from State bankers associations, demonstrate without doubt that the banking industry favors this legislation.

In our judgment, the present state of confusion in the field of bank mergers must be eliminated so that bankers can get back to their main task—meeting fully and efficiently the financial needs of the American economy. S. 1698 can clarify the whole situation and I urge its prompt passage. Thank you very much.

SUPPORT OF PRESIDENT JOHNSON'S POLICIES ON SOUTHEAST ASIA

Mr. McGEE. Mr. President, it is encouraging to see large segments of the American press underscore the wide acceptance and approval of our President's policies in southeast Asia. It is encouraging to see many newspapers spread the message which is so essential; namely, that the United States of America seeks peace, and is anxious to help the people of South Vietnam and all other peoples of southeast Asia, to raise their heads and their standard of living.

Last Thursday, America's policies were again effectively enunciated by President Johnson, who, in speaking to a national television audience, gave the message that we will meet force with force, as we must, in order to restore peace and order, though we remain ever willing to take part in unconditional talks aimed at settlement of the war in southeast Asia.

I ask unanimous consent that editorials commenting on President Johnson's speech, from the Cincinnati Enquirer, the Washington Evening Star, and the Washington Daily News, be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Cincinnati Enquirer, May 14, 1965]

L.B.J. GOES TO THE PEOPLE

President Johnson, in his televised speech on Thursday, was dueling with left-leaning intellectuals for support by the people of his policies in Vietnam.

Mr. Johnson, harkening back to the days of Theodore Roosevelt's big stick and soft talk, is attempting to prove to Communist aggressors that the United States will meet force with force, that armed conquest is futile and that aggression is not only wrong but will not work.

Opponents of the President's policy are attempting to arouse public opposition to Mr. Johnson's Vietnam policy by marching, picketing and demonstrating.

The Enquirer, on Thursday morning, published on page 1 a picture of an example of this. It was a photograph of some of the hundreds who marched through Washington Wednesday, picketed the Pentagon and conferred with Secretary of Defense Robert S. McNamara. The group pleaded for negotiation, not bombs, to settle the war in Vietnam.

Another example, also a picture, was published in the Enquirer on Tuesday. This was the placard-picketing on Monday of the estate of Dr. Joseph Link in Mount Washington when Vice President HUMPHREY and some 300 Democratic leaders were gathered there.

President Johnson in his Thursday speech, repeated his call for unconditional discussions in quest of a settlement of the war but emphasized also that Red China, which is the agitator behind North Vietnam, is not interested in a fulfillment of a desire by the Vietnamese for nationalism but in gaining control of all of Asia.

The President renewed his pledge to search for every possible path to peace and expressed again his interest in relieving the human needs and improving the lot of the Vietnamese people in their struggle for survival.

There is reason to fear, however well meaning some of those who march against Mr. Johnson may be, that there may be false undercurrent of encouragement for their efforts because those efforts serve our calculating foes rather than the United States.

Returning again to "Teddy" Roosevelt, let us quote:

"Far better it is to dare mighty things, to win glorious triumphs, even though checkered by failure, than to take rank with those poor spirits who neither enjoy much nor suffer much, because they live in the gray twilight that knows not victory nor defeat." Negotiation, unless it is backed by power, strength, and resolve, is only a show of weakness to a powerful and predatory enemy power. In that context it is in the "gray twilight," to use the first President Roosevelt's words.

President Johnson, we conclude anew from his Thursday remarks, is trying to be a strong President who directs the course of events, rather than allowing them to direct him, in the interests of the safety of the people of this Nation. We believe he is right and we recommend that the people give to him their backing rather than give it to those who would have us lead from weakness rather than strength.

[From the Washington Evening Star, May 14, 1965]

AN EFFECTIVE APPEAL

There are those who think, and perhaps rightly so, that the President is making too many speeches in his attempt to explain, defend, and justify his policies in Vietnam. To some, the personality image which emerges from the television screen is not appealing. In our opinion, however, his televised address to the editorial cartoonists, in terms of content, was effective.

Mr. Johnson began by saying again, without any qualification, that we will not abandon our commitment to South Vietnam. It is desirable to plant this firmly in the minds of the enemy. He also restated his readiness to enter into unconditional discussions for a settlement of the war. This, too, needs to be stamped indelibly upon the consciousness of friend and foe alike.

Most impressive, however, was the President's enumeration of the material improvements which have been made since 1954 in South Vietnam under what he correctly described as "circumstances of staggering adversity."

Mr. Johnson spelled them out in this fashion: In South Vietnam, always the rice bowl of Asia, rice production has been doubled. A new variety of sweetpotato has been introduced, promising a sixfold yield. Corn output should rise from 25,000 tons in 1962 to 100,000 tons by 1966. Pig production has more than doubled since 1955.

In South Vietnam, where life expectancy is 35 years, there are 200 doctors for 16 million people. In the United States there are 5,000 doctors for an equivalent number. So we are helping to build a medical school which will graduate 200 South Vietnamese doctors each year. More than 12,000 hamlet health stations have been built and stocked. More than 7 million people have been vaccinated against cholera and millions more against other diseases. There has also been much progress in the area of public education. To cite but one illustration, elementary school enrollment has risen from 300,000 in 1955 to more than 1,500,000 today. And, on the business front, a country which was virtually without industry 12 years ago now has more than 700 new or rehabilitated factories. And all of this work has gone on and will go on despite the costly, cruel war and the terroristic tactics of the Vietcong.

This may not be especially impressive in rich, overfed America. But as the message gets through, its import will not be lost upon millions of Asians who are reared in ignorance, racked by disease and whose lives are spent on the razor's edge of starvation. To them, the reference to corn and pigs will not be a joking matter.

The President concluded by saying that when peace finally comes we are ready to share this effort and this progress "with all the people of Vietnam—North and South alike." This was an appropriate note to strike. One must hope it is a note that will be heard in Hanoi.

[From the Washington Daily News, May 14, 1965]

L.B.J. MAKES HIS CASE ELOQUENTLY

President Johnson never has done a more persuasive job on an issue than he did Thursday in his TV appearance to detail again the whys and hows of United States policy in Vietnam.

Some seem to think the President is making these repeated enunications of our purpose in Vietnam because a few vociferous professors and others keep ragging him on the subject. L.B.J. isn't going to reverse this particular brand of nonthinking—but addresses such as Thursday's can do a lot to solidify national understanding.

Moreover, this puts it up to the Communists once more. They show no more sign of relenting than the college hecklers. But there are other people in the world who do have open minds.

Our policy, the way Mr. Johnson stated it Thursday, is positive, not merely defensive.

Our preferred priority is on helping the South Vietnamese (and others in southeast Asia) to improve their lot. Since 1954, for instance, rice production has been doubled, new crops introduced, industrial production developed. This all would be much more meaningful, and farther along, except for the Communists who murder and pillage and force the Vietnamese and the United States to concentrate on military defense.

Americans would much rather devote some of their resources to helping others with their economy and their standard of living. Our heavy expenditures on weapons are not by choice, but through necessity.

All the same, the President is still willing to sit down and talk it out.

The North Vietnamese obviously are hard to convince. Probably because for so many of the years this war has been going on they have been getting off easy, giving them the idea the United States was merely a "paper tiger" and that eventually they could overwhelm the South Vietnamese.

The President's purpose is to disabuse them of both notions—meanwhile being ready to negotiate and even readier to get on with peaceful ways to better life in southeast Asia, a program which would be far more useful to us and to the Asians than fighting.

There is nothing new or strange in this double-edged policy. This is what we did during and after World War II. We went all out to win and when the military job was finished we turned an enormous share of our effort and resources toward peaceful development around the world.

PROPOSED CUT IN SOIL CONSERVATION SERVICE APPROPRIATIONS UNWISE

Mr. McGEE. Mr. President, in the April issue of American Forests magazine there is an editorial which I wish to bring to the attention of the Senate. The editorial, entitled "Budget's 'Bombshell,' " is in opposition to the $20 million proposed cut in the appropriations for the Soil Conservation Service.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BUDGET'S "BOMBSHELL"

The Bureau of the Budget has not shown good judgment in cutting the technical assistance program of the Soil Conservation Service by $20 million. Hearings should be called to give the conservation public an opportunity to be heard on a proposal that would impede the forward advance of an old line and fundamental conservation program if allowed to stand. The proposal should be defeated and, in the light of recent developments, more technical assistance provided for. At a time when new conservation proposals are being heard regarding beautification of America great care must be taken to see to it that basic programs are not damaged in the process.

There are reasons galore why this cut is unwise at this particular time. With new dust storms billowing up in the West this is obviously no time to cut back on the never-ending task of anchoring soil in place. As this magazine has pointed out on more than one occasion many western acres are in a deplorable condition and need help. While recent efforts by a variety of hard-hitting agencies are hopeful signs, this task of land stabilization has to be an across-the-board effort and the Soil Conservation Service program is a basic part of that effort.

A consistent conservation posture on the part of the administration is most important. When an impartial study group recently informed the administration that Negro farmers are getting the short end of the stick on agricultural aid efforts and that something should be done about it, the administration immediately concurred. Something certainly should be done, but a proposal to lop off $20 million from the technical aid program would not appear to be consistent with an intensified effort to provide more assistance for farmers, regardless of whether they happen to be Negro or white.

In checking out the technical assistance effort, AFA's directors determined that about one-third of agricultural land in need of treatment has received assistance. In many cases lands so assisted have been owned by knowledgeable educated people. The really big job with farmers less knowledgeable still lies ahead. With the better farmlands owned by the most knowledgeable farmers now able to serve as models for others less fortunate, now is obviously the time to move forward, not backward.

Contrary to prevailing thought in some areas—and this is partly due to an excess of zeal on the part of conservationists in overselling their product—the soil, water, and forestry job on millions of farm and other acres will never be ended and it is time we started facing up to that fact. Changing ownership patterns are partly responsible. For instance, when a farmer with 300 acres buys the adjoining farm of 200 acres, a new management program and many adjustments are frequently required. Thus the best farmers require continuing assistance as well as those less fortunate. But the big job ahead is with the less fortunate.

AFA agrees with the views expressed by Marion S. Monk in his article, "The $20 Million Footnote," starting on page 24 of this issue. Mr. Monk lists five basic reasons why the Bureau of Budget proposal is a "bombshell" to conservation: (1) It undermines confidence in the Government's conservation purpose; (2) it would weaken local leadership; (3) it would break faith with State and local governments; (4) the revolving fund proposed would treat landowners unfairly by penalizing those least capable financially to move ahead; and (5) the proposal would blunt and seriously slow down existing programs in which individual landowners are already paying the lion's share of the cost.

AFA agrees with Mr. Monk. The Bureau of the Budget has been ill-advised in this case. At the same time conservation, in shouldering part of the blame for this proposal, should start tempering its claims. The art of understatement as best exemplified by the late John F. Kennedy may yet prove to have been his greatest bequest to the American people. We all brag too much. We are all guilty of "Madisonavenuizing" our conservation efforts. Without necessarily meaning to, we not infrequently give the impression of having achieved total success when our efforts, in reality, are only well started.

A case in point is forest growth. One questions the wisdom of headlining the fact that forest growth now exceeds forest drain without giving the same emphasis to the fact that our supply of larger trees and quality timber is rapidly declining and that we may have to import wood in years to come. In a country this size with its immense geographical growth range there is no excuse for the declining quality of our trees or the fact that some species, such as quality walnut, may even face extinction unless we double our present efforts.

Keeping the Kennedy gift for understatement in mind, it would seem this Nation is now mature enough to face reality without everlasting gilding the lily. We have not licked our forestry problems. We have not licked our soil erosion problems. We have not licked our wildlife problems. In all probability we will never completely lick them and we would be well advised to say so more frequently. Too much success must never be permitted to dull the cutting edge of gradual and never-ending conservation advance nor should people and particularly Government officials be lulled by success stories that should more appropriately be labeled "limited advance" at best.

In our opinion, the "Bennett success story" in checking soil erosion and similar buildings were clearcut examples of too much glorification and too much mythmaking at the expense of too many acres yet to be saved. The proposal by a responsible agency of Government to lop $20 million off the technical aid effort bears out our point.

Let conservationists always remember that the real glory of the conservation effort in America is not the unusual men who lead its programs or the banner headlines in the press but the application of conservation measures to the land by thousands of unsung professionals and technicians. Let us always look to the land itself for the story of our modest successes and bitter failures. There we will find the stark truth, the real chronicle of conservation.

CUBAN INDEPENDENCE DAY

Mr. ALLOTT. Mr. President, it was just 63 years ago on this day that the flag of independent Cuba first waved over a free land and a proud people. Today, that land and that people are no longer free, independent, or proud. Instead, the descendants of the patriots who cheered when their flag was first raised in 1902, now find themselves wallowing in the morass of Communist domination.

It is paradoxical, I think, that our Nation played such a significant role in paving the way for the free flag of Cuba to first fly and, at the same time, must assume a sizable share of the responsibility for the fact that that flag no longer flies over the homeland. Tragically, by our failure at the Bay of Pigs, the people of this brave land must now suffer the heavy hand of a psychotic dictator who has dedicated himself to wiping out the concept of freedom, not only in Cuba, but also in the rest of Latin America.

I can only commend President Johnson for the speed and decisiveness of his recent action in the Dominican Republic, for, without that kind of action, our Nation would undoubtedly by now be faced with another Communist regime in this hemisphere. It has been documented that 58 known Communists were originally and openly associated with the rebellion; and the program and policies projected by the original leadership follow a line dangerously similar to that used by Castro in 1959. In addition, the forces under the domination of this group were equipped to a large extent with Cuban arms.

We can expect, I also believe, that other areas will become pawns in this effort by the Communist bloc to try to dilute the effectiveness of our progressive escalation tactics in Vietnam. Already it is reported that trouble spots are brewing in other Latin American countries, again with Cuba as the immediate source of inspiration and arms, and with Moscow and Peiping in the background.

There is every indication that our Nation has no intention of withdrawing any significant number of our troops from the Dominican Republic until we are assured that a democratic government is actually established there—a government of the people, as dedicated as we are to the idea that there will be no more Cubas in this hemisphere. On this policy, I also commend the President, for our purpose in this regard must not be diluted. While there may still be some immediate problem among our Latin American friends about our action in the Dominican Republic, I am still convinced that in the long run such quick and positive action will reinstill in those neighbors the confidence they lost in our Nation when, by our indecisiveness in 1960, we allowed Cuba to become the invidious threat that it is today.

In closing, I must repeat what I have said many times before: Simply wishing for it will not make Communist Cuba go away. Any attempt to sweep it under the rug will never succeed. It will continue to be a thorn in our side until we are prepared to take the necessary steps to stop it, because only we can supply the leadership which is so necessary in order to coalesce the determination to sweep communism out of this hemisphere.

In this connection, and for purposes of debate, I made suggestions, last year, on two different occasions, as to how we could go about this. Because the problem of Cuba is now increasingly real, I challenge other Senators to pick up the banner with other suggestions and proposals. Only in this way can we hope to see Cuba returned to those who cherish freedom and who take pride in the flag that the United States placed in the hands of the people of Cuba in 1902.

Mr. DOMINICK. Mr. President, I wish to join several other Senators on this particular day in commemorating the anniversary of Cuban independence. The Cuban people, who were granted their independence by the United States in 1902, continue in their struggle to overcome the many hardships that have been forced upon them in recent years. Since the duly elected Government, headed by Dr. Carlos Prios, gave way to the regime of Major General Batista, in the military coup of March 10, 1952, the Cuban people have suffered one series of heartaches and hardships after another.

One year ago today, I stated that Cuba was an island of horror and a mere shell of what had existed prior to the Castro takeover. Today, that situation remains the same. Cuba is an island fortress whose communistic government has no interest in the welfare of its people, but is, instead, concerned only with increasing its authority over them and with subverting the governments of her sister nations in the Western Hemisphere.

It is no longer necessary to document in detail the charges of Communist subversion in Latin America emanating from Cuba. Those facts have been documented time and time again by a number of unimpeachable sources, such as the Organization of American States, the Central Intelligence Agency, the Preparedness Investigating Subcommittee of the Senate Committee on Armed Services, and many others. In fact, according to the May 24, 1965, edition of U.S. News & World Report, Communist terrorist activity is now being conducted in 12 of the 20 independent governments of Latin America. These nations are Argentina, Bolivia, Brazil, Colombia, the Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Panama, Paraguay, and Venezuela. The fact that much of the support for that Communist terrorist activity comes directly from Cuba has been proven time and again. As recently as 2 days ago, Fidel Castro was bragging of Cuba's power in this regard. In a broadcast address at the graduation ceremonies at Cuba's military academy, Castro said:

> Cuba is now a bogey man for the United States. They don't despise Cuba any more; on the contrary, Cuba now inspires in them respect and fear.

These remarks were directed specifically at the recent U.S. involvement in the Dominican Republic situation, and clearly indicate the Castro attitude toward the achievement of peace and stability in this hemisphere.

In the past, we have been told, that communism in Cuba does not present a real danger to the United States, but is, rather, a distasteful nuisance which we must simply accept. The history of subversion and unrest created in other Latin American countries by Castro-trained agents has repeatedly refuted this argument. Little has been said, however, of subversive activities on the part of the same agents within the United States itself. Now the veil on this topic seems to be lifted. The American Security Council has just published the first part of a two-part series on Castro's subversion in the United States. This study discusses the methods of infiltration, the activities, the scope of the Communist effort, and the successes and failures of the operation to date. In order that this excellent report may be read by all Senators, I request unanimous consent that it be printed in the Record at this point in my remarks.

There being no objection, the report was ordered to be printed in the Record, as follows:

Castro's Subversion in the United States—Part I

British historian and philosopher, Arnold Toynbee, before giving a lecture at the State Department on April 16, 1965, was quoted as saying: "It's hard to understand why you make such a fuss about Castro." And then comparing the United States and Cuba to an elephant and a mouse, he quipped, "It's great fun for the mouse."

Just a week previous to these comments, a CIA report on Cuban subversion was submitted to the House Subcommittee on Inter-American Affairs (Selden committee). The report stated in part that "the Castro regime has in operation (since 1961) a highly professional espionage and subversion agency, the General Directorate of Intelligence (DGI). The DGI is advised by at least five Soviet intelligence specialists. Moreover, one of the purposes of the highly secret meetings of Latin American leaders in Havana last November was to give added impetus to more militant Communist activity in the hemisphere" (WR 65–9).

Castro's DGI is divided into three units, the largest of which masterminds the training, financing and promoting of subversion, and guerrilla warfare in Central and South American countries. Though the CIA report spelled out in detail the degree of the DGI's activities in these areas, it made no mention of its efforts in the United States. Our own investigation attempts in some measure to fill the gap.

METHODS OF INFILTRATION

There are two known major points of entry by which covert Castro agents infiltrate into the United States. One is by fishing boat to Puerto Rico, and then by illegally entering the United States with falsified documents. Congressman William Cramer, Republican, of Florida, in testifying before the Senate Subcommittee on Internal Security as far back as 2 years ago, said that "in excess of 1,000 people have come through this route into the United States as Puerto Rican citizens with falsified passports."

The other method of infiltration is by boat or plane to Mexico. There the Mexican Communist Party supplies the proper papers and the agent crosses the border at Laredo, Juarez, or Tijuana. Infiltrators from Cuba who enter the United States using either one of these routes, or via Canada, masking their identities by whatever manner, are trained agents whose assignments cover the Marxian spectrum of subversive activities.

INDICATION OF ACTIVITIES

On the night of November 16, 1962, the FBI raided a workshop on West 27th Street in New York City. There they seized a secret cache of weapons and explosives which included delayed action incendiary bombs. They also arrested three Castro agents and Roberto Santiesteban Casanova, a newly arrived attaché to the Cuban Mission at the U.N. Two other members of the Cuban Mission, Jose Gomez Abad and his wife, Elsa, were named as fellow conspirators.

The purpose of the weapons and the explosives was "for the sabotaging of defense installations and the demoralization of the civilian population." Attorney General Robert Kennedy said the plan was "aimed at the heart of the internal security of the United States of America."

Four days later, immigration officers in Brownsville, Tex., reported that Mexican authorities had prevented the blowing up of the International Bridge between Brownsville and Matamoros, Mexico. In doing so, they also nipped in the bud a sabotage plan to destroy major buildings in Matamoros. Two of these apprehended were Castro agents.

Since 1962, there have been several allied cases, one taking place in October 1964, in which a bomb was exploded in the Everglades Hotel in Miami injuring a number of Cuban exiles attending a meeting.

Some months later, a Cuban-terrorist threat to bomb the Roney Plaza Hotel in Miami intimidated the management into cancelling a meeting of this same exile organization.

This threat came on the same day the the bomb plot to blow up the Washington Monument, the Statue of Liberty and the Liberty Bell was discovered.

On the surface, this latter episode appeared to be the wild act of a quartet of misguided idiots. But there is sound reason to believe that wild as the attempt was, the four would-be saboteurs were acting under DGI instructions. Leader of the bomb plot, Robert S. Collier, had traveled illegally to Cuba in the summer of 1964. Upon his return, he formed with a number of fellow Cuban travelers a pro-Castro, pro-Peiping group which called itself the Black Liberation Front. In December 1964, a United Nations party was given by the Cuban delegation in honor of its visiting guerrilla expert, Ernesto Ché Guevara. At this party, Collier was introduced to Michelle Duclos, member of an extremist separatist organization in Quebec. Later, the plotters bought the dynamite in Canada and it was Miss Duclos who transported the explosives to New York in her car.

These five incidents fall under the heading of terror tactics. That only one of them met with any real degree of success speaks well for the FBI and our law enforcement agencies. However, FBI Director J. Edgar Hoover pointed out in testimony before the House Subcommittee on Appropriations last year that the efforts of the Castro regime to infiltrate intelligence agents into the United States "show that we (FBI) must maintain a broad coverage in this area of our operations."

How broad a coverage can be glimpsed by these additional incidents. In early 1963, a Castro agent was apprehended in a New York City apartment possessing a suitcase filled with visa applications and other documents which would aid fellow agents to gain illegal entry into the United States.

From Caracas, Venezuela, in February of this year came news of another type of smuggling operation which again pointed toward the activities of U.S.-based Castro agents. By accident, on board the U.S.S. *Santa Rosa* were found 1,000 mail pouches filled with pro-Castro literature. The literature had been printed in and shipped from Miami, Fla.

Just as Puerto Rico has served as an important way station for Castro agents to enter the United States, it has also served as a transit point for still another sort of smuggling—that of narcotic drugs.

In December 1964 three Castro agents were arrested at Miami Airport—one of them a Cuban, Mario Carabeo Nerey. Treasury officials in Puerto Rico said Carabeo Nerey was engaged in drug traffic. How large the traffic is can be measured by the fact that between January and November 1964, narcotics agents seized 697 pounds of drugs being smuggled into the United States from Cuba. This was an increase of over 450 pounds seized during the previous year. Included in this amount was heroin, shipped to Cuba from Red China.

In January 1965, a New York police inspector, Ira Bluth, was quoted as saying: "Marihuana used to come to New York almost entirely from Mexico, but recently large amounts of the drug have been discovered coming from Cuba."

On January 15, 1965, Oscar H. Reguera and Elidoro Martinez were taken into custody in a New York motel with $3 million worth of cocaine in their luggage. Martinez is believed to be a Castro agent.

Aside from the obvious harmful effects addiction to these drugs creates, the major purpose behind the smuggling of narcotics into the United States by Castro agents is to raise money to finance an insurrection in Puerto Rico.

Castro's DGI is working in concert with Puerto Rican Communists and miliant splinter factions of the Puerto Rican independence movement, accelerating their attacks against the social and governmental structure of the island. Since 1961, a number of Castro-supplied arms caches have been uncovered. Gun battles have been fought between the police and insurrectionists, and Castro agents have infiltrated both exile and student groups, their purpose to stimulate the kind of rioting which would require armed intervention. Should this happen, the cry for independence, which 97 percent of the Puerto Rican electorate rejected in the November 1964 elections, would take on a more critical meaning. This is so because the strategy of the movement is tied directly to the November 20, 1964, vote of the United Nations Committee on Anticolonialism. The Committee voted 17–6, in direct violation of a 1963 General Assembly ruling, to place the demand for Puerto Rican independence on the U.N. agenda (WR 65–4).

This act played directly into the hands of Castro's DGI and Puerto Rican extremists—two of whom are presently members of the Cuban U.N. mission.

When the General Assembly convenes again, there is little doubt that agitation and propaganda will be stepped up in New York and San Juan, with the possibility of more violent actions erupting in Puerto Rico.

SCOPE OF THE EFFORT

Recently, the Puerto Rican newspaper El Mundo estimated that since 1960, 12,000 Americans and Puerto Ricans have received subversive training in Cuba.

We cannot attest to the accuracy of the figures nor can we say how many of that number are under the orders of the Cuban Directorate of Intelligence. Although we do not have Castro-trained guerrillas operating in our country as a number of the Latin American countries presently do, we can say that intelligence and law enforcement agencies here and in Puerto Rico take the efforts of the DGI most seriously.

Of course, the publicly known cases outlined in this report can only give an indication of what is afoot. Hoary historians such as Toynbee may look down up the world and view it from the vantage point of centuries. Unfortunately, we who have to live in the world from day to day and face its reality cannot afford cute analogies of mice and elephants with regard to Castro and ourselves.

In part II of "Castro's Subversion in the United States" we will show how Castro's American supporters, by using the techniques of agitation and propaganda; by forming front groups; by infiltrating the civil rights movement; and by attacking our foreign policy are winning important victories in what can best be termed the psychological hot war.

Mr. DOMINICK. Mr. President, over the last 2 or 3 years, many concrete and constructive proposals in this field have been made by Members of both Houses of Congress. Unfortunately, the Johnson and Kennedy administrations have chosen to ignore them completely. This is most unfortunate, for the simple fact is that the longer we procrastinate in establishing a specific policy to eliminate communism from this hemisphere, the more difficult it will be to bring about such an accomplishment.

One year ago, I stated that the time was coming very quickly when we would be forced to take more positive action than had theretofore been the case, or else we must stop talking about the preservation of freedom and liberty. In recent weeks, our Government has seen fit to take firm and resolute steps in the Dominican Republic, and in this action has received strong support from the overwhelming majority of the American people and their elected Representatives. This action is, at best, only a stopgap measure, however, for the preservation of freedom in the Dominican Republic, and in itself will have little effect upon the Cuban Communist Government.

The need still exists, and grows more urgent each passing day, for this administration to develop a positive policy with regard to the Castro government, to inform the American people of that policy, and to move resolutely to implement it. We have committed our young men, our national prestige, and our military and economic might to the preservation of liberty in Asia. Just recently, we have shown a willingness to prevent the establishment of a second revolutionary Communist government in Latin America. These are positive steps. Now let us follow through, and assert our leadership in the development and augmentation of a policy not only to stop the growth of communism in the Western Hemisphere, but also to reestablish throughout this hemisphere the right of self-determination. The administration will have my support, as I am certain it will have the wholehearted support of all other Members of Congress, in any such positive action it undertakes to reinstate freedom and independence to the long-suffering Cubans.

WHY MUST THE TAXPAYER SUBSIDIZE IMMORALITY?

Mr. BYRD of West Virginia. Mr. President, an interesting article appeared in the April 1965 issue of the Reader's Digest entitled "Why Must the Taxpayer Subsidize Immorality?" The article was written by Mrs. Juanita Kidd Stout, the first elected Negro woman judge in the United States. I ask unanimous consent that this informative, thought-provoking, and challenging article be included in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Reader's Digest, April 1965 condensed from Philadelphia Sunday Bulletin magazine]

WHY MUST THE TAXPAYER SUBSIDIZE IMMORALITY?

(By Juanita Kidd Stout)

During the years I have been a judge in the Philadelphia County Court, I have learned a great deal about people on relief and about the people who hand out their checks. Frequently I have been outraged by both.

Last year there appeared before our court a child of 13 years who shortly was to be delivered of a baby fathered by her uncle. For at least 10 years her family had been on relief—with a succession of men fathering a succession of children. The girl's 14-year-old sister had produced an illegitimate baby at 13; another older sister had borne an illegitimate child at 14.

But nothing had been done by welfare workers to take these girls, their brothers and sisters from their depraved home. In fact, one caseworker had filed a written report with the court stating that the mother was providing a "fairly adequate home" for her seven children.

On another occasion, a young man was brought before me on a charge of not supporting the child he had sired out of wedlock—nor was he contributing anything to the support of his own wife's five children. He had not held a steady job in 10 years and had been on and off the relief rolls. I asked his caseworker if anyone had insisted that this healthy man find work. The answer was, "It is not our job to insist."

I said, "This man has completed 11th grade. He is neither stupid nor incapacitated. In the last 10 years a great deal of grass has grown, a good many snows have fallen. Has no one directed him to a lawn mower, a snow shovel?"

The caseworker said no.

I then told the young man that if he failed to get a job in 2 weeks, or to prove that he had tried to get work by visiting 25 places of potential employment, he was going to jail. Four days later he reported back. He had a job.

In another case, a man brought before my court on the charge of failing to support three illegitimate children told me he had been "permitted" by a relief worker to set up a household with another woman. I didn't believe him, but investigation proved he was telling the truth.

The man was a part-time chauffeur and a partial relief recipient. Both women involved were receiving grants. When I called on the caseworkers of the man's two paramours for testimony, I learned that they indeed had knowledge of the situation. Not only that, but a supplementary grant had been approved for paramour No. 2, reimbursing her for $45 in "household money" she had used as bail to retrieve her lover from behind bars.

This shocks my conscience—moral as well as financial.

The tragedy of relief is that it takes away from people the drive to work. When a person is capable of earning only $45 a week, he may be all too willing to accept $45 from public assistance for doing nothing. I have the deepest sympathy for the good mother struggling to bring up her children on a welfare grant, and for the father who wants but cannot find work. But I deplore a system that regards the handing out of checks as its prime function, that subsidizes the lazy and immoral home with the taxpayer's dollar.

Teenage boys have appeared before me on charges of delinquency, and I have asked them what their fathers did for a living. Their answer: "We get a check from the State."

I get a check from the Government, too. But there is one big difference; I work for mine. Too many youngsters in welfare-supported families never learn the value, the joy, the necessity of work—seeing, as they do, their fathers lying in bed until 10 in the morning, and hearing the family finances discussed only in terms of "waiting until the check comes in."

Many social workers contend that the purpose of welfare is to keep families together. In my opinion, a good institutional home would be far better for the growth and development of children than an unfit private home where a child sees promiscuity, crime and vice, where the welfare check is used for everything but the child's support.

It is my suggestion that we provide dormitory facilities for these pitiful children, especially in the urban areas where the need is most acute, and that the public-assistance law be amended to provide grants for the children's support during the period of dormitory living. There our deprived youngsters would get the benefit of the taxpayer's dollar. They could be supervised in their studies and recreation. From there they could attend local schools. Each would have a clean bed, a warm meal and a light to read by—things many of them have never known. In the end, such a plan probably would be less expensive than our present system—or lack of system.

Social workers object to institutional care "because youngsters need mother love." They should sit in court with me and hear, day after day, the stories of some of that love: no genuine affection, no supervision, no conversation—nothing but a succession of "boarder" men.

There might be less need for special facilities if more of those involved in administering relief programs were concerned with seeing that a child has a decent upbringing. Certainly, welfare workers have heavy caseloads. But no achievement of substance comes easily, and the result of the extra effort can be inspiring, especially when you are dealing with human lives.

A few years ago five young girls involved in the slashing of another youngster in school were brought before me on a charge of delinquency. Some were from homes supported by welfare grants. None had had any previous contacts with the court. I decided on an experiment: I made each write an essay on the meaning of being a lady; each was told that she must volunteer 100 hours of work in a hospital, a library or a home for the aged. And each must make a proper skirt, not tight and short like those they had worn in court.

These girls did not only everything the court assigned—but more. They learned the joy of work and of doing for others. They kept coming back even after I had released them from probation, and continually asked me: "What can we do next, Judge Stout?" None has been in trouble since. Two are now married, two are still in school, and one is working.

What these girls needed was helpful direction. Why didn't they receive such aid from a welfare worker before they came before our court?

No child, no adult, can remain on probation in my court unless he learns to read and write. (In Philadelphia we have third- and fourth-generation illiterates on relief.) Moreover, I will not hear the case of any boy, any man, who appears before me with his shirttail out, his hair unkempt. Neatness makes an astounding difference, not only in appearance but in outlook.

Certainly, I have the great prod of a jail sentence to get men to look for work, women to care for their children, and youngsters to keep out of trouble. But those who administer the welfare programs have as great a prod—the check.

It seems to me that attendance at free adult schools, to learn to read and write, should be a prerequisite of getting welfare money. If I can demand that a man bring me a list of 25 places where he has applied for work—or proof that he has enrolled in a training program—before I pass sentence in nonsupport cases, I believe welfare departments also can and should insist that he actively seek employment. If I can make it a part of juvenile probation that every youngster in my court bring me a study record signed by his parents or guardians, and his school report cards, why cannot a caseworker check such things?

Much can be done by welfare workers to lift people from the welfare environment. For example, there is a great need for women in service jobs today, not just in homes but also in hospitals, office buildings, and plants. A program could be developed whereby the best mother in a block—or perhaps the two best—would take on the day care of the small children while the other mothers took training and got jobs. The baby-sitting mothers would be paid by the working mothers, and all would be functioning as a part of our society.

I know as well as any social worker that the deplorable homes in our urban centers are breeding and multiplying indolence, illegitimacy, disrespect for law. I know, too, that the collection of relief checks is becoming one of the big occupations in this country. I believe strongly that a moral atmosphere in the home should be a factor in determining eligibility for welfare. An immoral home should not be subsidized.

I grew up in Oklahoma and earned my first money from prizes for my 4–H vegetable garden. Earning this money was enormously important to me. My mother and father always worked harder than they had to, and they taught me the value of work. To this day, my mother, who is 81, works in her garden. And when I go home to visit, she still repeats to me—although I am now 46—the same maxim she spoke over and over to me as a child.

"Juanita," she says, "make yourself useful."

I want no more and no less for every American than the fulfillment of my mother's advice to "make yourself useful." If we have lost certain parents in this generation because of the dependency bred of our welfare programs, let us not also rob so many of our youngsters of this heritage, this privilege—this right to usefulness.

COMMUNIST PARTY 1956 PLANS FOR VOTING-RIGHTS ACT OF 1965

Mr. THURMOND. Mr. President, recently, I called to the attention of the Senate an article written by the distinguished columnist and former Ambassador to Switzerland, Henry J. Taylor, on the subject of the pending so-called voting-rights legislation. In the article, Mr. Taylor made this statement:

> It's astounding, but true, that the Communist Party, U.S.A., actually planned the Johnson administration's Voting-Rights Act of 1965.

He then quoted from a newsletter, printed by the American Flag Committee in December 1956, telling of the Lincoln project, which in the newsletter is described as a "blueprint for chaos." Here is the material which Mr. Taylor quoted from the newsletter:

> To implement the Lincoln project, the Communist Party's Central Committee will begin to dispatch agents to 11 Southern States next month (January 1957) to work with local party leaders in surveying 20 counties, any 1 of which might be ideally suited as a target for disorder early in 1965.
>
> This survey will continue through 1957, the Central Committee making the choice of 20 counties * * * with the final selection to be made on the estimated most favorable conditions prevailing in 1965.
>
> The legislation which the party will seek from Congress in 1965 has already been prepared by its legal staff. It provides for elimination of all educational requirements, including minimum literacy tests, as qualifications for voting in Federal, State, and local elections; voids residence with respect to counties, municipalities and other political subdivisions within a State, and establishes a system of direct Federal supervision and control of the local county, State, and Federal elective process.

Since publication of Mr. Taylor's article, I have sought to obtain a copy of the newsletter which was printed in 1956, and which told of a Communist plan to cause a voting-rights crisis in 1965, in order to stampede Congress into passing such legislation. I have now obtained a copy of the 1956 newsletter; and I ask unanimous consent that it, together with the Taylor article, be printed in the Record at the conclusion of these remarks. The author of the newsletter has proved himself to be quite a prophet. I understand, however, that he makes no claim to be a prophet, but only states that he reported in 1956 the facts, as given to him by a Communist Party member, about Communist Party plans for 1965.

There being no objection, the newsletter and the article were ordered to be printed in the Record, as follows:

[Newsletter from the American Flag Committee, December 1956]

The Lincoln Project—Blueprint for Chaos

Dear Fellow American: A Red-dominated and directed third political party, with its ground-base voting strength centered in Dixie and the teaming urban areas of the key electoral States of the North, is the ultimate goal of a long-range operation which the Communist Party, U.S.A., will launch in January.

Details of the plan, if permitted to evolve unhampered, will not become publicly apparent for several years, during which party agents will be laying its groundwork. Its active phase, which will be marked by widespread civil disorder throughout the South especially, has been timed to coincide with the centennial year of the assassination of President Abraham Lincoln, more than 8 years hence. For this reason, it has been referred to as "the Lincoln project," which may or may not represent its official party designation.

From its inception following the Bolshevist revolution in Russia in 1917, the Communist Party, U.S.A., has sought to agitate and exploit racial conflict as a part of its overall program of domestic infiltration and subversion both of government and private quasi-political pressure groups. As we have emphasized on several past occasions, efforts to attract the support of the main body of this Nation's Negro population for clearly identifiable Communist aims have proven dismally fruitless. As a result of this rejection, the party tacticians have altered the frankly racist approach which marked efforts during the 1920's and 1930's to enlist support for a "Black Republic" embracing the occupied States of the Reconstructionist South. Today, and dating especially from the period immediately following the conclusion of World War II, Red overtures to the Negro have been played via party "front" groups and carefully infiltrated non-Communist organizations liaisoned under the banner of "civil rights."

The Lincoln project will be carried forward as a quite sophisticated application of this now well-tested broad spectrum civil rights approach. As it gathers momentum, it will draw into orbit about its hard-core Communist leadership a multitude of fellow travelers and nonaffiliated organizations and individuals from the fields of education, religion, politics, labor and industry, and community affairs. Many of the non-Communist groups will respond to subtle pressures exerted from within their own ranks and officialdom by specifically assigned party agents. Others will participate on the strength of appeals to a vague and ill-defined humanitarianism, which has been the hallmark of the civil rights movement in its drive for radical and abrupt sociocultural change. Some will join the project simply because it will be propagandized and press-agented as the fad of the time, the thing to do. Finally, still other groups will play their roles because of political, economic or social pressures, or in pursuit of objectives which, while differing in their ultimate purposes from those of the project's Communist sponsors, may nevertheless appear to be served by certain resulting shifts and alterations in the general power structure.

Basically, the Lincoln project will be directed toward creating a situation in which the U.S. Congress will be coerced and stampeded into enacting legislation which will effectively strip the several States and their political subdivisions of the constitutional authority which they presently exercise in the area of qualifying the franchise and elective process within their own borders. With alleged denial of Negro voting rights in a number of Southern States as the cause celebre, the proposed remedy will be a series of Federal statutes vesting in the executive branch of our Washington regime a virtual totalitarian control over almost every phase of the election laws of our 50 States.

To implement the project, the Communist Party's central committee will begin dispatching specially trained agents to 11 Southern States next month to work with local party leaders in surveying for 20 counties, any one of which might be ideally suited to be selected as the target for provoking the preplanned initial disorder early in 1965. This survey will continue through 1957, the central committee making the choice of 20 counties after analyzing the reports of its agents early in 1958. Thereafter, the party will intensify recruitment and organizational operations in the counties so designated, with the final selection of a single target location being made on the basis of the most favorable conditions prevailing in 1965.

During the later years of this period, incidents involving ostensible attempts to integrate schools, colleges and public and private accommodations will be sparked in a number of the counties recommended for inclusion in the final 20 to be chosen by the party's top command. While these efforts will be seriously pursued by non-Communist elements of the civil rights movement, their value to the Communist Party will be purely tactical in nature. The party has absolutely no interest in desegregation, as such, but simply in aligning its public image with a cause to which it believes a potential voting bloc of upwards of 10 million may be attracted. The Lincoln project is essentially aimed at accomplishing for the Communists what the post-Civil War Reconstruction scheme of Thaddeus Stevens was designed to win for the infant GOP—that is, a substantial mass base for the exercise of political power.

Consequently, demonstrations against school, college, and public and private accommodation barriers may well increase in number, intensity and variation of expression in the early years of the project, but these will be merely for the purpose of attracting maximum interracial support and testing for the most effective action tactics to be employed. As the project continues, the emphasis of the civil rights movement and the specific objective of its demonstrations will be gradually shifted from that of socio-economic integration to areas which are frankly and obviously political. In the later years of the project, activity will more and more concentrate on political recruitment, voter registration and militant challenges of all State and local statutes which have the effect of including knowledgeability and responsibility as qualifications for the franchise.

During the heydey of the Reconstruction era, not only were tens of thousands of unschooled ex-slaves enfranchised throughout the South, but were elected to and, in several instances, actually controlled the legislatures of the States of the defeated Confederacy. Under the direction and control of a corps of political manipulators dispatched by the Federal Government from the North, these puppets effectively carried the South for the Republican Party in a series of local, State and presidential elections. The Lincoln project is directed toward the fashioning of a new reconstruction in which the Federal Government, by specific legislative, judicial, and executive acts, will facilitate radical changes in political structure which will enable the Communist Party to elect candidates to local, State and Federal office. This will be the goal of the increasingly numerous and massive demonstrations which will be carried forward in the name of "civil rights" during the next 8 years—to create a national climate in which a substantial part of the general population can be duped into lending active support to demands for these changes, if only to restore domestic order and tranquility.

The legislation which the party will seek to extort from Congress in 1965 has already been prepared by its legal staff. It provides for the elimination of all educational requirements, including minimum literacy tests, as qualifications for voting in Federal, State and local elections; voids residence requirements with respect to counties, municipalities and other political subdivisions within a State; and establishes a system of direct Federal supervision and control of the entire local, county, State, and Federal elective process.

Each provision of this bill which party agents will from January onward seek to bring to the floor of the U.S. Senate and House of Representatives in the 89th Congress has been designed to remove a particular impediment to the ultimate objective of a Communist-directed third party movement. The elimination of minimum educational requirements and literacy tests is indispensable to the task of creating broad-base voting strength in the South, depending as it will upon an 85 to 90 percent registration and turnout of that area's Negroes of voting age. Residence requirements are everywhere a hindrance to Communist organizational efforts, and their removal would not only facilitate the activity of party agents in districts where no native talent has been recruited, but permit the shifting of actual corps of controlled voters to districts in which increased Red balloting may be essential to the outcome of a contest in which the party has a stake. Finally, the imposition of direct Federal control over the entire elective process, with the executive branch administering such authority, is called for as a means by which the Federal judiciary, conditioned by a leftist-oriented U.S. Supreme Court, may take original jurisdiction in interpreting and adjudicating in the area of practical politics. By in fact federalizing the elective process from the local township level upward, costly and lengthy litigation in county and State courts is wholly by-passed, and a final decree in any case presented is brought that much closer to the service of the particular objective being sought.

To implement the kind of legislation which the Communist Party has projected for 1965, a veritable army of Federal agents, inspectors and overseers will be required to police and supervise practically every polling precinct in the South. It is not difficult to anticipate the identity of the source from which the bulk of those applying for such duties will step forward.

It is a part of the Lincoln project planners' purpose to undertake the serious organization of a third party in the South immediately after congressional enactment of the bill which is the project's reason for being. Communist-dominated labor union locals are to emerge as a part of this phase of the operation, as the ultimate goal is to merge the elements from the civil rights front with that of the radical fringe of the American labor movement. By uniting these two forces, the Communist strategists believe that the third party which will be born in the South can be evolved into a genuinely national U.S. Labor Party.

If the reader should now feel inclined to dismiss the Lincoln project's menace to our constitutionally established political order, with its delicate set of checks and balances as between Federal and State government and the three separate branches of each, in the belief that none but a handful of Senators and Representatives could under any circumstances be induced to give serious consideration to its legislative objective, let him realize that the destruction of the traditional Federal-State relationship and the division of powers between their legislative, judicial, and executive bodies has been and is the goal of extremely powerful forces which lie wholly outside the Communist orbit. One element falling in this category is represented by the ultraliberal politicians of both of our major parties, who find the traditional system a severe hinderance to the spend-and-elect formula which, with increased centralization of political power, forms their ground base for influence and perpetuation in public office. Since the "100 days" of the first Roosevelt administration's usurpation of authority reserved to the States and the people, politicians of this stripe have frequently found their strength in temporary alliances with clearly identifiable Communist causes. Yet another organized force upon which Lincoln project planners will rely as an effective ally is that which seeks to ensnare the United States in the toils of world government. The new international order sought by every faction of the one world movement has little chance of obtaining U.S. participation so long as our present domestic Federal-State relationship endures. We can see in the legislative goal of the Lincoln project the initial step toward vesting in Congress the sole authority to amend or to rework the U.S. Constitution, without the necessity for submitting such changes for ratification by three-fourths or two-thirds of our sovereign State legislatures.

Our information is to the effect that the Lincoln project will be spearheaded by a new Communist front organization which is not in existance at this writing. Agents who are presently active in already established front groups and non-Communist organizations forming the civil rights movement will continue in their posts with these bodies, while the as yet to be formed front will work in direct contact with the Communist Party's Central Committee, serving both as the sparkplug for translating the project into public action and as liaison between the party's high command and its agents in other bodies.

We are publishing this report on the strength of information obtained by the AFC from a source which we consider reliable and sufficiently close to the Communist apparatus to be accurate in detail. Our purpose is to furnish AFC readers with advance data as to the grave implications of a movement which is presently identified with so prosaic a cause as pressuring schools and colleges to remove racial barriers to attendance. We have, at this writing, no doubt that history will substantially document this report during the decade ahead. Whether the objectives of the Lincoln project will be achieved will depend in large measure, of course, upon developments on the larger domestic political scene. If the conservative forces in both major parties can maintain and strengthen their coalition against the combination of "modern" Republicans and Fair Deal Democrats which will no doubt press for an advancement of civil rights in the next Congress, and if conservative forces can demonstrate growing political influence at the ballot box in 1958 and 1960, the professional politicians of both parties may find it to their advantage to resist further excursions into the field of expanded Federal authority at the expense of the States and the individual citizen. Otherwise, the portents appear ominous.

Your help in getting this report into as wide a circulation as possible will be appreciated. Remember that we are totally dependent upon subscriptions and orders for extra copies of our releases to keep going.

Constitutionally yours,

W. HENRY MACFARLAND, Jr.,
Executive Chairman.

[From the San Antonio (Tex.) Light, Apr. 16, 1965]

FORMER U.S. AMBASSADOR TO SWITZERLAND HENRY J. TAYLOR WRITES

It's astounding, but true, that the Communist Party, U.S.A., actually planned the Johnson administration's Voting Rights Act of 1965.

This is not to argue the merits and demerits of this bill. That's a different topic. Federal intervention may be needed, and this bill is pending. But the veil should be lifted on a fact of history, certainly unknown to our public and probably unknown even to most Congressmen and Senators who will vote "yea."

They will be voting a 1956 project designed in Moscow.

Soviet attention to our legislation has always been much more constant and effective than we suppose. The pen of Lee Pressman, who later confessed to having been a Communist, trails all through our initial agricultural act and the labor legislation sponsored by the original Congress of Industrial Organizations, of which Pressman was an official.

Well, the Red shadows still breathe and glow.

Foreign Minister Andrei Gromyko is the Kremlin's top specialist on American affairs. He knows our country like Mickey Mantle knows the Yankee Stadium. Nobody in the Soviet hierarchy even approaches his staying power, for he has survived every purge on his knowledge of the United States.

TWENTY-ONE YEARS OF EXPERIENCE

I encountered Gromyko's expertness again and again during Geneva conferences. In fact, I came to know this Red leader when his concentration on our country began a full 21 years ago. This was during the 1944 Dumbarton Oaks Conference called to design the United Nations.

He's acquainted with a surprising quantity of American political, trade union and industrial leaders on an after-hours conversational basis. Some, like Bernard Baruch whom he respects, always have had his number, but nothing chills this already cold man in his search for leverages against our internal stability and especially our legislation.

Gromyko's bland, sphinx-like personality reminds you of a magician who comes on stage without tables or props—just a handkerchief hidden in his hand. Then for 20 minutes he pulls unexpected things out of it.

For example, in an airplane flying the Atlantic, Gromyko suddenly recited to me the foreign-born percentages in our chief trade unions and in our 12 largest cities, and then mentioned in passing that more Czechs live in Chicago than in any city except Prague.

Or listen to Gromyko on another occasion. "Mr. Taylor," he said, "what you Americans call 'law' is really a form of politics." He didn't just say that. He thinks that. Such are the notes he plays when he calls the tune for Kremlin policy inside our country.

This means Gromyko calls the tune for the Communist Party, U.S.A. In December, 1956, that party began a program which it named the "Lincoln Project." Its target date for fulfillment should interest us today—1965.

RED PROGRAM PUBLISHED

At its inception in 1956 the plan was published in Philadelphia by the respected American Flag Committee and read:

"To implement the Lincoln project, the Communist Party's Central Committee will begin to dispatch agents to 11 Southern States next month (January, 1957) to work with local party leaders in surveying 20 counties, any one of which might be ideally suited as a target for disorder early in 1965.

"This survey will continue through 1957, the Central Committee making the choice of 20 counties * * * with the final selection to be made on the estimated most favorable conditions prevailing in 1965.

"The legislation which the party will seek from Congress in 1965 has already been prepared by its legal staff. It provides for elimination of all educational requirements, including minimum literacy tests, as qualifications for voting in Federal, State and local elections; voids residence with respect to counties, municipalities and other political subdivisions within a State, and establishes a system of direct Federal supervision and control of the local, county, State and Federal elective process."

Evidently the House and Senate will pass the Voting-Rights Act of 1965 after debate and amendment. To repeat, its merits and demerits are another matter. Nevertheless, penetrating—and exposing—the Soviet's secret interest in any legislation is important to our lawmakers and our public alike. The Lincoln project and the example of this bill is a revelation of the ghostly Reds' eternal presence.

"LITTLE INDIANA: GIANT OF INDUSTRY" AND "INDIANAPOLIS: CLASSROOMS AND TEST TUBES"

Mr. BAYH. Mr. President, the April issue of the magazine Industrial Development contains two very interesting and informative articles on industrial, educational, and research developments in the State of Indiana and its capital city, Indianapolis. The remarkable growth, in recent decades, of the manufacturing capacity as well as the cultural facilities of Indiana is well described in this publication. I ask unanimous consent that these articles, which were written by Herald Latham, be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Industrial Development, April 1965]

LITTLE INDIANA: GIANT OF INDUSTRY

(By Herald Latham)

Indiana may be a small State (38th in rank), but it's a giant in manufacturing.

A glance at any recent statistics of manufacturing will show you that the Hoosier State is one of the Nation's leading steel producers and soon may be No. 1. You'll also find it is a leader in production of electrical machinery, musical instruments, prefabricated buildings, mobile homes, phonograph records, and biological products.

Following these in close order is the production of veneer, book printing, batteries, wood office furniture, aluminum, pharmaceuticals, refrigeration machinery, aircraft equipment, automobile components, trucks and truck engines, and many others.

Bolstering these points is this additional bit of information ascertained by Federal researchers: The Hoosier State has the ninth highest number of employees engaged in manufacturing—611,000.

And this figure must be growing, for Indiana during 1964 had an unemployment rate of only 3.8 percent, which was considerably under the national average of 5-plus percent.

INDIANA: TOP CHOICE

You could keep on pulling statistics like these from various sources all day, but that isn't needed. You already have the point: Indiana is, as it has been for many years, a favorite among manufacturers. To give solid substance to this conclusion you have only to refer to a survey Fortune magazine published late last year. In that survey, Fortune found that the East North Central States have the top preference as the location for new plants of the Nation's largest concerns. And among these five States, Indiana ranked No. 1.

Look at a map of the United States and you can see why the Hoosier State is a favorite: It is within 800 miles of 41 of the top 50 consumer markets and 40 of the top 50 industrial markets.

In order to reach those markets you must, of course, have transportation. Indiana does.

When its Interstate System (which converges on the State capital of Indianapolis like the spokes of a wheel) is completed in 1972, it will have more interstate mileage for its size than any other State. In addition, the Hoosier State ranks fifth in the Nation on a basis of highway mileage per square mile. Ninety-one percent of its roads are paved, well above the national average of 69 percent. Cruising these highways are thousands of trucks from the 3,000 for-hire carriers in the State.

Rail service also is outstanding. With 6,600 miles of "first main" track operated by 15 class I roads, it has service from all lines operating east from Chicago and St.

Louis, and a number of main north-south routes traverse it.

Sixteen airlines serve the State with scheduled passenger and freight service.

PORT BEING COMPLETED

One of its greatest transportation attractions, however, is its waterways. Right now the State is completing a public deepwater port on Lake Michigan near the giant steel complex there. Burns Harbor, about 10 miles east of Gary, initially will have berths for 19 vessels. This latter will be increased to 31. Other facilities will include transit sheds, public dry storage warehousing, refrigerated space, a 6.2-million-bushel grain elevator, a fast coal transfer facility, a sugar refinery, and a bulk petroleum terminal.

At the southern end of the State is, of course, the mighty and busy Ohio River—which is carrying more tonnage now than the Panama Canal.

The biggest industrial news in Indiana is, of course, the huge steel complex expanding in the northern part of the State. That expansion is taking place at a rate of better than $1 million a day—a rate that is expected to continue for a considerable period.

Here are some of the announced projects: Bethlehem Steel, $250 million; Inland Steel, $110 million; National Steel, $350 million; United States Steel, $140 million; and Youngstown Sheet and Tube, $250 million.

Employing at the present time about 64,000 workers, benefits from these mills will spread throughout the State, of course.

LEGISLATURE ACTS

The 1965 legislature, realizing this and wishing to make Indiana even more inviting to industry, passed four laws that facility planners should examiner closely. The laws:

Establish a $2 million revolving fund for the use of communities in winning new industries. Communities can borrow up to $100,000 to improve industrial sites.

Permit the establishment of an industrial development commission as a division of local government with the power to sell bonds to develop industrial sites. The bonds are to be repaid through net lease arrangements.

Permit the State to reinsure mortgages of lending institutions in order to encourage the investment of private funds in industrial development. Reinsurance can be up to 90 percent of the cost of land or buildings for an industrial plant. Premiums are limited to a range of one-half percent to 12 percent.

And exempt from the annual March 1 personal property tax assessments warehouse inventories which are in transit.

These measures are expected to help considerably the approximately 70 industrial development corporations through Indiana. While each of the organizations has been operating successfully until now, the new aids from the State should allow them to do a better job for you, the facility planner.

While the provision to encourage the investment of private funds in industrial development in all likelihood will accomplish its aim, it should not be forgotten that many Hoosier State banks have had keen interest in industrial development for a long time. Typical of these is the Old National Bank, of Evansville, whose business and industrial development department is headed by Executice Vice President Harry Thompson. Says Mr. Thompson, "With all the agencies and organizations concerned with industrial development in this area, a facility planner can obtain just about all the help he needs, and on a confidential basis. This new State (reinsurance) law will permit us to be of even more help than we have in the past."

HOOSIER CHARACTER

Evansville, incidentally, can give you a good insight into Hoosier characteristics. In 1958 it was a city afflicted with many of the troubles of modern times. Unemployment was sky-high, the tax digest was falling, retail sales were down, and labor-management problems were high. Today, the Ohio River city of 140,000 has an impressive unemployment rate, the lowest tax rate of any Indiana city of more than 75,000, many new and modern buildings gracing its landscape, and new industrial land has been set aside. To judge from reports from the city, the amazing results are the product of local spirit. A number of new plants have moved to the city, and existing industry has expanded considerably.

At the other end of the State, Gary is enjoying a boom based on its steel industry and its proximity to the huge Chicago market. In the last year and a half, for example, U.S. Steel has announced two big expansion programs at its Gary facilities. These will be three oxygen furnaces at the Gary Steel Works; the doubling of hot strip steel facilities at the Gary Sheet and Tin Works; and a continuous casting plant at the steel works.

Space does not allow a full discussion of all new developments across the State, but here are a few that have been announced recently:

Fort Wayne: 150,000-foot plant by Seyfert Foods, Inc.

Columbus: 350,000-foot research lab and plant by Cummins Engine Co.

New Castle: 200,000-foot plant for cold rolled stainless by Ingersoll Steel.

Kokomo: 310,000-foot casting plant by Chrysler.

Warsaw: 150,000-foot expanded plastics plant by U.S. Rubber.

Anderson: 220,000-foot electric equipment plant by Delco-Remy; 2-million-foot plant by GM's Guide Lamp Division.

Crawfordsville: 165,000-foot printing and publishing plant by R. R. Donnelley & Sons.

Chesterton: Huge steel plate mill by Bethlehem Steel.

South Bend: Utilization of former Studebaker plant by Kaiser Jeep.

Indianapolis: Hoosier Capital's Newest Plus—Classrooms and Test Tubes

(By Herald Latham)

There is rising in Indianapolis what could—and very probably will—become one of the great educational-research centers of the Midwest. At least, that is what its enthusiastic boosters say 'and confidently believe.

The heart of the complex will be the booming and ever-growing Medical Center of the Indiana University, which even now is acquiring enough land to more than double its present acreage on the peninsula formed by the White River and Fall Creek, a location only a stone's throw from famed Monument Circle in the center of the city.

The additional land will be used both for medical center expansion and the concentration-expansion of three other Indiana University facilities in the city. Slated for eventual transfer to a combined campus is the university's law school branch in the capital city, its "regular campus" for night students in the downtown area, and the Normal College, which has turned out some of the country's great gymnasts and which specializes in training secondary school coaches.

BIG MEDICAL COMPLEX

With approximately 2,200 students in seven disciplines now, the medical center currently is carrying out research and experimentation to the tune of almost $6 million annually. Subjects range from anatomy to urology, with 18 other titles in between.

A medical center spokesman, in conducting ID on a tour through the vast complex of three complete university hospitals (plus a VA hospital and a Marion County general hospital) pointed out that the center during the last 4 years has enrolled the largest freshman class of medical students in the United States. That doesn't mean, he said, that "we are the biggest—it only gives you an idea of our size."

When the concentration of Indiana University's facilities in Indianapolis is completed by the end of the decade, it will have nearly 7,000 students—even if there is no statistical student growth between now and then. The great probability is, however, that there will be growth in the interim.

Of high interest in the Hoosier capital is the coming expansion of Purdue University's branch in the city. With money appropriated by the last session of the State legislature, the expansion is being studied now. It will round out the city's academic attraction for industry when it is an accomplished fact.

Purdue, one of the Nation's outstanding schools of engineering, currently is offering courses in its capital city branch in a number of technical fields. Officials of the institution proudly points out that courses are designed to fit needs of the community and industry.

BUTLER ENJOYS GROWTH

Butler University, whose campus less than 18 months ago was graced with one of the "10 best concert halls" in the United States, is another fine institution in Indianapolis. With an enrollment of 4,000, Butler offers both B.A. and B.S. degrees and selected graduate studies.

Completed on the campus late in 1963 was Clowes Memorial Hall, a 2,200-seat, $3.7 million edifice given to the college in the memory of Dr. George Henry Alexander Clowes, the late research director for Eli Lilly & Co., one of Indianapolis' major industries.

The concert hall, beautifully designed and acoustically outstanding, is even better than Lincoln Center in New York, according to the artists who have performed in both. To illustrate Clowes Hall's attraction, last February 18, Butler President Alexander E. Jones, and Rudolph Bing, general manager of the New York Metropolitan Opera, signed a contract for the premiere performances of the Met's brandnew national company. The national company will move to Butler for a 2-month stay (Aug. 2–Oct 2) while it rehearses its repertoire of 10 operas. The operas will be performed during the last 2 weeks of the stay.

Rounding out Indianapolis' institutions of higher learning are Indiana Central College, with about 2,000 students, and Marian College, with more than 500 students. Both are considered excellent schools and both have enjoyed recent expansion in their physical plants.

Indianapolis also boasts 12 technical schools which teach subjects ranging from accounting to automation.

Within an hour's drive of the city—which is at the geographic center of the State—are some of the Nation's great institutions of higher learning. This means that industrialists and researchers in the Indianapolis area have a wide variety of academic pursuits available. Among these institutions are Indiana University at Bloomington, Purdue at Lafayette, Depauw University, Indiana State University, Ball State University, and others.

TRANSPORT MEASURES UP

While its educational facilities—both current and future—are of prime importance to industrialists, of more immediate concern are the city's characteristics which apply to manufacturing or product distribution. Indianapolis measures up there, too.

Almost since its founding in 1820, the city has been an industrial city. It continues to be just that, located as it is in the heart of the East-North Central States. It has a tremendous highway system (seven interstate highway legs lead to it), good air transportation, six airlines, excellent trucking service (103 lines), and service by six major railroads—the New York Central, Pennsylvania,

B. & O., Illinois Central, Nickel Plate, and the Monon. It has a big labor pool of industrial trained workers, plenty of water, realistic tax rates, top-flight utility service, and industrial sites almost without end.

MORE THAN 1,100 PLANTS; 1,200 PRODUCTS

It is characteristics such as these which have helped officials of more than 1,100 manufacturing plants to establish plants in the metropolitan area. At the last count, these plants were producing more than 1,200 types of products, among the most important of which are aircraft and truck engines, communications equipment, auto parts, pharmaceuticals and biologicals, metal casting, phonograph records, TV sets, food products, meat packing, paper products, printed matter, construction machinery, and many others.

FOUR OF THE LARGEST

As of December 1, 1964, there were 20 industrial concerns in Indianapolis which employed 1,000 or more workers, according to a count by Frederic Beyer, assistant general manager of the city chamber of commerce. There also were 9 plants hiring between 500 and 999 employees, and 44 which employed between 100 and 499 workers. A representative listing of these firms is elsewhere in this report.

Four of the 500 largest firms in the country, according to Fortune Magazine, are headquartered in the city of the famed "Indy 500." They are Eli Lilly, Stokely-Van Camp, Inland Container, P. R. Mallory Co.

Total industrial employment is more than 100,000.

Manufacturing firms with 500 or more employees

Allison Division	12,000
Western Electric	7,800
Eli Lilly & Co	7,200
Radio Corp. of America	6,200
Link-Belt Co	3,825
Chevrolet	3,800
Chrysler	3,600
International Harvester	3,000
Ford Motor Co	2,900
Hygrade Food Products	2,600
P. R. Mallory & Co	1,600
Diamond Chain	1,300
Bridgeport Brass	1,250
Bryant Manufacturing	1,250
Stockely-Van Camp	1,240
Schwitzel Corp	1,200
Pitman-Moore	1,200
U.S. Rubber	1,100
The Buehler Corp	1,000
Fairmount Glass Corp	1,000
Stark, Wetzel & Co	850
Shuron Continental	850
Stewart-Warner	840
Herff Jones Co	700
The Richardson Co	700
Inland Container	650
Bobbs-Merrill	650
Le Tourneau-Westinghouse	650
Peerless Pump	520

HUB FOR INTERSTATES

You don't have to visit Indianapolis to spot one of its most noteworthy characteristics. Just look at any recent road map and you'll see an industrial advantage not duplicated in any other city in the country: the convergence and interchange of four interstate highways (seven legs) and the near-complete circumferential Interstate 465. Converging on the city like the spokes of a wheel to its hub are Interstate Highways 65 and 74 north and south, 70 east and west, and 69 northeast.

But this isn't all. In addition to the Interstate System, Indianapolis also has six U.S. highways and several State highways converging on it. And officials of Indianapolis and Marion County, of which Indianapolis is the county seat, long ago recognized the need for major arteries in the metropolitan area and set about building them. The result is well-above-average streets for internal communications.

Before the Interstate System was born, metropolitan officials determined there was a need for a circumferential route to relieve cross-city traffic conditions. So they built Route 100. Now Route 100 serves a double capacity—that of both supplementing circum-urban Interstate 465 and of tying its two ends together pending its completion in the fairly near future.

EIGHT-COUNTY AREA

With a population of approximately 700,000 and an eight-county metropolitan area population estimated to hit almost 1.1 million this year, you can see why officials have been anxious to solve surface transportation problems even before they arise. The eight-county area—consisting of Boone, Hamilton, Hancock, Hendricks, Johnson, Morgan, and Shelby Counties in addition to Marion—is expected to rise to 1.5 million by 1980, with Marion's count to be at about 1.1 million.

WELL-DESIGNED PARK

On the outskirts of Indianapolis across circumferential Route 465 from Weir Cook jet airport is one of the best designed industrial-research and development-office parks Interior Department has had the opportunity to inspect. Called Park Fletcher after its founder, Sam Fletcher of Fort Wayne, the park encompasses 700 acres of level, well-drained land with a high bearing capacity.

The park is bounded on the west by Route 465 and on the southeast by Interstate 70. Cutting it almost squarely in two is the airport expressway to the downtown area. The Pennsylvania Railroad serves it with a spur line.

The northern 400 acres of the park have been zoned for light and medium industry while the southern half has been reserved for research and development and office buildings. It is fully served by all utilities and sanitary and storm drains.

The development, with its curving, heavy-duty streets, was designed by the Frank Lloyd Wright Foundation—which explains why its various features fit so well into the landscape.

The developers are just now completing two speculation buildings—single story, attractive buildings—of 25,466 and 17,378 square feet, respectively. During Interior Department's visit workers were busy erecting a large structure for A. B. Dick. Caterpillar already has a supply depot up and serving its customers.

TWO ADDITIONAL PARKS

Two other industrial parks are located in the outskirts of the city, too. They are Northwest Industrial Park and Sky Harbor Industrial Center. Both are well located in regards to highway, rail, and air transportation.

Sky Harbor, a 67-acre tract subdivided into plots of 2 to 5 acres in size, has a number of modern plants on it already. Protected by covenant, as are both Park Fletcher and Northwest Sky Harbor is inside the city limits. It is fully served by utilities, gas, water, storm, and sanitary sewers.

Northwest Industrial Park, 150 acres in size, is situated at the intersection of one of the city's main east-west arteries and U.S. 52 to Chicago. Plans call for Interstate 65 to cut through one end of it. It is served by the New York Central.

Within 5 minutes' drive of housing ranging from the modest to luxury, the park has adopted protective covenants. Site sizes are from as small as one-half acre to as much as 15.

FARSIGHTED PLANNING

As with most growing metropolitan areas, Indianapolis has had its growing pains. But, thanks to an active chamber of commerce and an interested citizenry, the pains have not been as severe in this case as they might have been. The reason: A farseeing zoning and planning effort adopted by the Metropolitan Planning Commission of Marion County.

With offices in the 28-story, ultramodern Indianapolis-Marion County Office Building, Assistant Director of Planning Raymond Lee told ID that "we have a plan that has the widest of flexibilities, yet more than adequately protects both industrial and residential areas."

About 38 miles of land have been zoned for industry in Marion County (including Indianapolis), which is about 10 percent of the county's area. Of the total, 15 square miles were added when the new plan went into effect. But, contrary to age-old criteria of giving to industry what others don't want, much of the industrial land is exceptionally choice for whatever purpose you might choose.

FLEXIBLE APPLICATION

The heart of the plan is this: If the use will not conflict with neighbors and their processes, and meets standards, industry heavier than that for which the land is zoned may be built on it. For example, suppose you want a particualr piece of land that just suits your purposes but it is zoned for light industry instead of your medium process. If your work meets performance requirements and does not conflict with that of your neighbor's, you may go ahead with your plan.

With enlightened leadership such as this, you can understand why the Indianapolis area fully expects future growth to insure its continued leadership in diversified manufacturing—a point which over the years has contributed much to the area's economic stability.

And it is this stability and expected growth which have acted as incentives for the Indianapolis Power & Light Co. and the Indianapolis Water Co., which serve the city and its immediate environs, to continue orderly expansion programs in order to give first-rate service.

Last year I.P. & L. sold more than 2 billion kws, an increase of 150 million from 1963. Last year, too, on August 3, the company set all-time records for both hourly (789,000) and a 24-hour (14.8 million) kw output. In order to meet rising demands such as this, the company is erecting now a two-unit generation unit. The first 250,000-kw unit will be in service in May 1967, and the second, 450,000-kw unit will start generation in May 1970. Total cost: nearly $76 million. Growth, too, has prompted the electric utility to undertake a complete renovation and addition to its headquarters building in Indianapolis at a cost of $5.25 million. The project will be completed by next spring.

NO WATER RESTRICTIONS

The water company, which enjoyed an 11.3 percent increase in revenues, to $12.7 million, last year, proudly points to its record of being able to amply supply without restrictions or rationing all Indianapolis water needs even during times of extreme drought.

Credit for such a record, says Board Chairman Jack Reich, should be given to a board of directors of more than 40 years ago. The board foresaw the growth of their city and made plans to meet water demands. According to these plans, two reservoirs were constructed—one each on Fall Creek and Cicero Creek, a tributary of the White River—to undergird the main White River source during times of drought. The plans have paid off, for during the interim usage has nearly trebled from 26.4 to 75.3 million gallons daily.

There is one more point that should be made about Indianapolis: It is considered one of the top five "test markets" in the country. With such a reputation among the Nation's sellers, it is no wonder the city has been a favorite of industry.

PROPOSED NATIONAL SEASHORE AT ASSATEAGUE ISLAND

Mr. BREWSTER. Mr. President, the April edition of the magazine of the Chamber of Commerce of Metropolitan Baltimore includes a summary of action to date on S. 20, my bill to establish a National Seashore at Assateague Island.

Mr. G. Howard Gillelan, author of the article, is a distinguished Maryland conservationist. He has served as treasurer of the Citizens Committee for the Preservation of Assateague Island since its founding.

Mr. Gillelan's contributions to the effort to preserve the natural beauties of this great country deserve the gratitude of all of us. His tireless support for the Assateague seashore has been deeply appreciated by me and by the many thousands of other Marylanders who believe in this proposal.

Mr. President, I ask unanimous consent that Mr. Gillelan's article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ASSATEAGUE

(By G. Howard Gillelan)

At this point, no one knows for sure what will happen to 33-mile-long Assateague Island, that beautifully wild and windswept sliver of sand in the southeastern corner of Maryland. The island's future depends on the wisdom of the U.S. Congress; in particular, it rests on the decision of the Parks and Recreation Subcommittee of the Senate's Interior and Insular Affairs Committee, which is now considering S. 20, the Assateague bill introduced by Senator DANIEL B. BREWSTER. Within a matter of weeks, the subcommittee will effectively determine whether Assateague is to become a "cesspool paradise" (in the opinion of a State health department authority); a Coney Island South (in the opinion of certain others); or a federally owned seashore which will offer spectacular natural beauty—as well as intensive recreational use—to the public.

In March, members of the subcommittee made a personal inspection tour of the controversial barrier strip, which guards the Worcester County coast from the ocean's lashings. The Senators slogged across the inadequate dune line, helicoptered over the length and breadth of the island, then returned to Washington to conduct public hearings.

There they heard everyone who wanted to express an opinion on Assateague: Interior Secretary Stewart L. Udall, both Maryland Senators, several Free State Congressmen, Governor Tawes, Louis L. Goldstein, Mayor McKeldin, other State officials, a psychiatrist, a sportsman, a lawyer, a labor union executive, a newspaper editor, a ladies gardenclubber, a covey of birdwatchers and wildlife experts, assorted nature lovers, and numerous other citizens, including some owners of building lots on the island—all of them in favor of the sand barrier becoming Assateague Island National Seashore. The subcommittee also heard those who oppose Senator BREWSTER's bill—mostly lower Eastern Shore politicians and disgruntled owners, one of whom bitterly denounced Secretary Udall and his "gangsters."

What about the lot owners—do they have a case? Prior to the 1962 hurricane, there were some 50 houses on Assateague. The storm wiped out all but 18 of them, of which 7 were severely damaged. Since then, studies have been made which indicate the island is unsuitable for private development without substantial public subsidy for dune construction and beach stabilization. If a considerable amount of Federal funds must be spent, says the Interior Department, benefits should accrue to the general public, instead of a limited number of lot owners.

According to the State health department, the island presents serious problems of water supply and sewage disposal by individuals. Health authorities have condemned and forbidden installation of individual septic tanks as a public hazard. On the other hand, if the island should become a national seashore, only a few large units would be required. If the Assateague bill goes through, the private landowners on the island will be reimbursed for their properties at the fair market value.

The basis for the opposition to the Assateague bill by the Worcester County Commissioners is somewhat hazy. They point out that they'll lose a tax base of $50,000 annually with Federal acquisition, yet they fail to acknowledge that the county will benefit from an influx of millions of additional tourists each year. In North Carolina, the creation of the Cape Hatteras National Seashore had a tremendously invigorating effect on the economy of the surrounding area. So much so, in fact, that the State of North Carolina has purchased extensive lands in the Cape Lookout section, and is offering the entire tract free to the Government if the Interior Department will create another national seashore there.

One of the other Worcester County politicians, a State senator, testified against the Brewster bill. When questioned by Senator BIBLE, the subcommittee chairman, the Eastern Shore statesman admitted that he had not even read the bill.

Since Assateague is within 250 miles of about one-fifth of the Nation's population, a national seashore on Assateague Island is expected to produce an immediate annual attendance of 3 million people. Within a few years, many more millions of people will converge on Maryland's coast to enjoy the beach facilities: swimming, surfing, fishing, shelling, skindiving, water skiing, clamming, crabbing, boating, hunting, picnicking, birdwatching, hiking, camping, photography, and quiet communion with nature in its pure, unmechanized State.

A 688-acre Maryland State park, already on the island but as yet undeveloped, will continue as an independent operation. The National Park Service, which is to manage most of the seashore, will lease a 600-acre concession area, embracing a restaurant, a marina, a gift shop, a bathhouse, and a 500-unit motel. The potential impact on Worcester County's depressed economy will be so substantial that, even now, it is next to impossibile to buy waterfront acreage on the mainland across from the island.

Assateague's lower appendage, extending across the Virginia line, takes up about one-third of the island, and since 1943 has been in Federal ownership as the Chincoteague National Wildlife Refuge. The sanctuary is an important link in the chain of waterfowl refuges along the Atlantic coast and is also the main habitat of the famous Chincoteague ponies.

Commercial interests in both Maryland and Virginia have talked some of their respective Congressmen into asking for a road running the length of the island and connecting the bridges on the Maryland and Virginia ends. However, qualified professional wildlife management men are emphatic in opposing the island-long road, which is not included in the Brewster bill. Although the experts are willing to study the effect of the road, they believe it will be harmful to the island's wildlife. A road reaching the length of the island will also tend to inhibit the primitive charm of Assateague. The Brewster bill calls for a shorter road, which will stop 6 miles north of the Virginia line. Thus, a larger natural area will be unspoiled and the important wildlife values will not be impaired.

Running interference in the drive for the Assateague bill has been the long-handled Citizens Committee for the Preservation of Assateague Island, organized in the spring of 1964 by C. A. Porter Hopkins. Most of the committee's members are from the Baltimore area, although there are some from Worcester and Somerset Counties and a few from neighboring States. As diverse as it is dedicated, the group lists on its roster everything from a retired general who is now a vice president of the Xerox Corp., to a Baltimore cop who has fished in Assateague's surf for two decades. Journalists, Ph. D.'s, M.D.'s, historians, sportsmen, publicists, capitalists, unionists, clubwomen, conservationists, ornithologists, photographers, and artists—just about everyone who has visited Assateague and been overcome by its primitive majesty has joined the ranks of those who want to keep the island as close to its natural state as possible.

By a fortuitous coincidence, another local group unexpectedly latched onto the Assateague bandwagon: staff members and students of the Maryland Institute. Several months ago, a group of the institute's students—photographers, painters, sketchers—made a field trip to the island. They were so impressed that they added their talents to the movement for the island's preservation. A photo, taken by an institute student, was part of an exhibit which was hung in the rotunda of the Old Senate Office Building during the public hearings.

President Johnson, recognizing the tremendously increasing recreational needs of the Nation—especially in the congested East—also wants Assateague as a public playground. In his natural beauty message to Congress, the President asked for the acquisition of the island, and stated, "A growing population is swallowing up areas of natural beauty with its demands for living space, and is placing increased demand on our overburdened areas of recreation and pleasure."

The Senate subcommittee has made every possible effort to consider fairly all aspects of the Assateague bill. Those who are familiar with the internal operations of Congress are predicting that—unless there's a legislative miscarriage—Senator BREWSTER's bill will pass in both the Senate and the House this summer, and that the Assateague Island National Seashore will soon become a reality.

THE AMERICAN FIGHTER ACES ASSOCIATION SUPPORTS THE PRESIDENT

Mr. YARBOROUGH. Mr. President, on May 7 and 8, 1965, the American Fighter Aces Association met in San Antonio, Tex., for its annual meeting. I think it will be of interest to other Senators to have some information concerning this fine group.

This association consists of over 300 American fighter aces, out of some 700 in the United States who are eligible. To be eligible for this elite group, one must have been a U.S. fighter pilot in any of the wars in which the United States has engaged, including World War I, World War II, and Korea, and have shot down, in aerial combat, at least five enemy aircraft.

The Aces were organized in September 1960. They are dedicated to the purpose of "trying to help our country achieve those things in peace for which we fought in war." The Fighter Aces are, indeed, a dedicated, patriotic group of citizens. Among the worthy activities they carry on are the awarding of scholarships to worthy students who have patriotism and courage, as well as scholastic ability; support of the Freedom House; and, by speeches, discussions, and annual awards to the youth of our country, encouraging and recognizing a belief in, and demonstration of, the principles of patriotism, courage, and devotion to duty, for which the Aces stand. Mr. President, during these trying days, when the United States is so firmly resolved to preserve freedom in the world by stopping the spread of communism, it is, indeed, heartening to observe a group of fighting men who, by their actions, courage, and patriotism have helped to protect our way of life in these United States, and who continue to stand up for those principles, even though now their sons, as well as many of them, are continuing to engage in active combat for our freedom.

During their activities in San Antonio, the Fighter Aces proceeded in a group to the Alamo, where they placed a wreath in recognition of the courage and devotion to duty exhibited by those gallant men over 100 years ago. The members of the Fighter Aces then adopted a resolution backing our President for his firm actions in Vietnam. In a telegram then sent to the President, signed by Ralph "Doc" Watson, president of the Fighter Aces, the association congratulated the President for his stand on Vietnam, and saluted the members of the Fighter Aces who are actively engaged there "in support of the principles for which America always must stand." These are the same principles for which all members of the Fighter Aces have fought for, over the years.

Mr. President, the courage of the men of the Alamo, the courage of the men who belong to the Fighter Aces, and the courage of our brave men in Vietnam must be preserved forever if America is to be preserved. The members of the American Fighter Aces Association, by keeping that courage alive among our youth, are, indeed, rendering a great service to our country, and I salute them.

HAWAIIAN LEGISLATURE CALLS FOR ENACTMENT OF COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, recognition of the necessity for enactment of the cold war GI bill increases daily. Recently, the Legislature of the State of Hawaii adopted a concurrent resolution requesting Congress to extend GI educational and training benefits to all cold war veterans. I ask unanimous consent that House Concurrent Resolution 21, adopted by the Third Legislature of the State of Hawaii, be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

"House Concurrent Resolution 21

"Whereas millions of veterans of World War II and of the Korean conflict have been trained and educated under the provisions of the veterans' education program established by the Federal Government; and

"Whereas the education of said veterans has contributed to an increase in the educational level of this Nation and has produced a major national asset which has contributed much to the economy and strength of this Nation; and

"Whereas reliable statistics have proved that increased income to veterans arising out of their higher educational level will more than reimburse the Treasury of the entire cost of the GI training program by 1970; and

"Whereas the President of the United States, by Executive order on January 31, 1955, stopped the educational benefits for persons serving in the Armed Forces of the United States after February 1, 1955; and

"Whereas such Executive order has deprived millions of Americans, including at least 13,000 citizens of Hawaii serving in the Armed Forces, of the educational benefits previously extended to veterans; and

"Whereas it is believed that as long as the draft is continued that all persons serving in the Armed Forces should be extended the educational opportunities enjoyed by veterans serving prior to February 1, 1955: Now, therefore, be it

"*Resolved by the Third Legislature of the State of Hawaii, General Session of 1965,* That the Congress of the United States be and is hereby requested to extend GI educational and training benefits to all veterans who entered, or who enter, military service from and after February 1, 1955, and that such educational benefits be extended so long as the provisions of the draft law exists; and be it further

"*Resolved,* That authenticated copies of this concurrent resolution be forwarded to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each member of the congressional delegation from Hawaii."

We hereby certify that the foregoing concurrent resolution was this day adopted by the House of Representatives of the Third Legislature of the State of Hawaii, General Session of 1965.

Elmer F. Cravalho,
Speaker, House of Representatives.
Shigeto Kanemoto,
Clerk, House of Representatives.

March 24, 1965.

We hereby certify that the foregoing concurrent resolution was this day adopted by the Senate of the Third Legislature of the State of Hawaii, General Session of 1965.

Kazuhisa Abe,
President of the Senate.
Seichi Hirai,
Clerk of the Senate.

May 4, 1965.

The ACTING PRESIDENT pro tempore. Is there further morning business?

Mr. HART. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

VOTING RIGHTS ACT OF 1965

The ACTING PRESIDENT pro tempore. The hour of 12:30 having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The Legislative Clerk. A bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

The Senate resumed the consideration of the bill.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment No. 176 offered by the Senators from New York [Mr. Kennedy and Mr. Javits], to the substitute amendment by Senators Mansfield and Dirksen, No. 124, as amended, and modified, for the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Who yields time?

Mr. KENNEDY of New York. Mr. President, I yield myself 10 minutes.

Mr. President, yesterday I called up for consideration amendment No. 176, which I have jointly sponsored with my senior colleague from New York [Mr. Javits], and which, as I understand, is the pending business.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. KENNEDY of New York. The purpose of this amendment is to cure a very serious situation which exists in the State of New York. As Senators are aware, many of our citizens in the State of New York are of Puerto Rican origin. They received their education in schools in Puerto Rico where classes are conducted in Spanish—a situation which exists because of the policy of cultural autonomy for Puerto Rico which we in the Congress have fostered. When they come to live in New York, they find that New York's English-language literacy test bars them from voting, despite their education and despite the articulate Spanish-language press in New York which keeps them informed about public affairs.

New York at present allows a prospective voter to prove his literacy by showing an eighth-grade education at a school conducted in English. If he can do that, he does not have to take the English-language literacy test. Our amendment might be called the American-flag school amendment, because it would allow the Puerto Rican American or any American educated in an American-flag school conducted in a language other than English to show his educational attainment as proof of his ability to participate in the voting process. All we propose to do, therefore, is to bring the New Yorker of Puerto Rican origin into a status of equality with his fellow citizen who was educated in an English-language school.

Let me describe the case of the typical New Yorker of Puerto Rican origin. By virtue of the accident of his birth he is educated in Puerto Rico in schools conducted mainly in Spanish. In school he reads, in Spanish, the same textbooks which his fellow citizen on the mainland reads in English. That his schooling takes place in Spanish is not up to him, but is due to the fact that the U.S. Government has chosen to encourage the cultural autonomy of the Commonwealth of Puerto Rico, to make Puerto Rico a showcase for all of Latin America. His education completed, he decides to exercise his constitutional right to move to another part of the United States, to the State of New York.

New York says to him: "It does not matter to us that you are a natural-born citizen of the United States. It does not matter that you are literate in Spanish, that you have been educated in civics and government in your school in Puerto Rico. It does not matter that you read a Spanish-language newspaper in New York which carries most of the major syndicated American political columnists, that you listen to Spanish-language programs of news and information on the radio and television. You cannot vote in our State unless you speak English, and we will not allow you to show your education as evidence of literacy even though we do allow your English-speaking brother to show his education in place of taking the literacy test."

There are about 730,000 Puerto Ricans living in New York City, about 480,000 of whom are of voting age. Less than one-third of these—or approximately 150,000 are registered to vote. No doubt many of those who are registered have failed to participate out of apathy—out of lack of inclination to participate which characterizes the disadvantaged generally. But the point is that there are thousands who do not participate because they cannot pass the English-language literacy test which New York demands, or what is worse, because they think they cannot pass the literacy test and are afraid to try. What a blow it would be to their efforts to assimilate if they were rejected in so blatant a way. So they do not try.

For the educated Puerto Rican, regardless of whether he is, in fact, literate in English, this barrier is completely arbitrary. He has learned about American Government in school and he can keep up with current events through a very articulate Spanish language press.

Our amendment, therefore, provides that completion of the sixth grade, or whatever other grade the State requires—in New York it is the eighth—in an American-flag school conducted predominantly in a language other than English is in effect sufficient evidence of literacy for voting purposes.

This amendment is, therefore, very simple. It is also a sound exercise of public policy.

By virtue of section 5 of the 14th amendment, the Congress is empowered to enforce the provisions of that amendment. In my judgment the exclusion of the educational achievement of an American citizen educated in an American-flag school under the circumstances I have described is an arbitrary classification in violation of the 14th amendment. Prof. Paul Freund put it very well in a recent letter to me:

> What is involved—

He said—

> is the question whether an arbitrary discrimination is produced when literacy in English is required over literacy in Spanish for citizens who can derive their knowledge of public issues and public candidates through the printed media in the Spanish language and through broadcasts and telecasts in either language. The requirement of literacy should have some relation to its purpose in the context of voting; and if that purpose does not necessitate proficiency in written English, given the linguistic environment of a class of our citizens, the requirement of training in written English may be deemed an unreasonable classification of citizens.

Mr. President, I ask unanimous consent that Professor Freund's letter be printed in the RECORD at the close of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KENNEDY of New York. Mr. President, I also have thoughtful letters from Prof. Mark de Wolfe Howe, of Harvard, and Prof. Boris Bittker, of Yale, in support of this amendment. Mr. President, I ask unanimous consent that these also be printed in the RECORD at the close of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibits 2 and 3.)

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. KENNEDY of New York. I yield.

Mr. LONG of Louisiana. I compliment the Senator for the amendment he is offering, and for the position he has taken. Several years ago I chided the Senators from New York for seeking to have passed a voting rights bill which would have application in the Southern States, but not following the recommendations which the Civil Rights Commission made with respect to New York.

In Louisiana, for many years, we have carefully protected citizens who spoke French, but not English, or poor English. Historically, Louisiana was settled by the French. Originally French was the official language, but later English became the official language. The French still being used there now might be called a dead language. The form of French used went back 100 years or more ago, and now many English words are used along with the French words. For example, the French used originated before the invention of the automobile; and if one of those French speaking citizens gets a flat tire, he says, "J'en un flat tire." They have to use a combination of English and French words.

Even today there are citizens in our State who are able to speak French but are unable to speak English at all, or very poorly. Many of those people have been fine, outstanding citizens. Representative EDWIN WILLIS pointed out that his father had been an outstanding public official in his parish. He had been president of the school board. Yet he could not even read or write, but he had a good business head on his shoulders. He had good commonsense.

It would not make any sense to require such persons to take a test in the English language in order to vote.

Senators should apply the principles involved in this voting right bill to their own States. I salute the Senator for taking the position he has taken. I do not believe that a person born in Puerto Rico, having attended the schools there, should, when he moves to New York, be required to be learned in the English language in order to qualify to vote.

Mr. KENNEDY of New York. I appreciate the generous comments of the Senator from Louisiana. I have said before, and say again, that I believe there has been a good deal of hypocrisy in the North with respect to some of the racial problems that exist in the United States and in the relations among groups of various ethnic backgrounds. There has been discrimination in many cases against those of Puerto Rican origin. It has not been confined to any particular party or political group, but it has existed for a long time.

I would much rather that the State of New York take this action itself, but we have not done it, and it has needed to be done for a long time. As I said in my testimony in the Judiciary Committee in 1962, 1963, and 1964, instead of having the Federal Government take such action as is necessary in the civil rights field, I would much rather have such problems taken care of by the States, but the fact is that under certain circumstances and in certain cases they have not taken that action.

These people are citizens of the United States, whether they live in Louisiana, Alabama, Mississippi, or the State of New York; and they need the help and protection of the Federal Government. That is why I am introducing the amendment.

The State of Louisiana has done something which the State of New York has not done. New Mexico has done it with respect to its Spanish-speaking citizens. Hawaii has also done it with its citizens. Therefore, I believe that the State of New York should also do it with its citizens.

The ACTING PRESIDENT pro tempore. The time of the Senator from New York has expired.

Mr. KENNEDY of New York. Mr. President, I yield myself 3 additional minutes.

The ACTING PRESIDENT pro tempore. The Senator from New York is recognized for 3 additional minutes.

Mr. YOUNG of Ohio. Mr. President, will the Senator from New York yield?

Mr. KENNEDY of New York. I am glad to yield to the Senator from Ohio.

Mr. YOUNG of Ohio. May I express my admiration of the distinguished junior Senator from New York for the argument he is making and for the real and valuable public service he is rendering in introducing and arguing for adoption of the pending amendment which I hope will be adopted.

The great State of Ohio is proud of the fact that many thousands of Puerto Ricans have come into Lorain County, into Cleveland, and into many other areas of our State, bringing their families with them. Many are unable to speak English, or speak it poorly, and probably would not have been permitted to vote in the State of New York, whence they came. Last November, in Lorain and Cuyahoga Counties, hundreds of Puerto Ricans voted as American citizens. Ohio has never had any restrictive voting tests. I hope that the Senator, who is rendering such fine public service today will meet with success.

Mr. KENNEDY of New York. I thank the Senator from Ohio very much.

Mr. President, to continue with my remarks, the point, then, is that Congress can and should find that a State may not discriminate for voting purposes against the American-flag education of one who does not speak English. I might add that I am not suggesting that this is necessarily a requirement which the 14th amendment creates of its own weight. If I may call upon Professor Freund's articulate analysis once again, he points out:

> The courts do not have sole responsibility in this area. Just as Congress may give a lead to the courts under the commerce clause in prohibiting certain kinds of State regulation or taxation, and just as Congress may expressly prohibit certain forms of taxation of Federal instrumentalities, whether or not the courts have done so of their own accord, so in implementing the 14th and 15th amendments Congress may legislate through a declaration that certain forms of classification are unreasonable for purposes of the voting franchise.

The ACTING PRESIDENT pro tempore. The time of the Senator from New York has expired.

Mr. KENNEDY of New York. Mr. President, I yield myself 2 additional minutes.

The ACTING PRESIDENT pro tempore. The Senator from New York is recognized for 2 additional minutes.

Mr. KENNEDY of New York. Mr. President, there is ample basis for the amendment in previous congressional consideration of the matter. A similar provision, though limited to Federal elections, was contained in the voting rights bill which the Justice Department proposed in 1962. I testified in support of the bill, including this provision, before the Judiciary Committees of both Houses, and I made many of the same arguments that I made here today. Therefore, my asking Senators today to act at last to right the serious wrong suffered by Puerto Rican Americans in New York State is not at all novel, not at all hasty, not at all new.

I hope that now, when we are enacting historic legislation to end discrimination in the registration and voting processes in some parts of our country, we can make the bill as complete and as comprehensive as it ought to be by ending a discrimination which is taking place under the law of New York State.

EXHIBIT 1

LAW SCHOOL OF HARVARD UNIVERSITY,
Cambridge, Mass., May 17, 1965.

Hon. ROBERT F. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: I am glad to respond to your request for an opinion on the constitutionality of a provision that would assure the right to vote, so far as literacy is concerned, to persons who have completed at least six grades of education in an American-flag school. The purpose of such provision is, as I understand, to put graduates of Puerto Rican schools on the same footing as graduates of English-language schools with respect to eligibility for the suffrage.

In my judgment a measure of this kind would be within the power of the Congress under the enforcement clauses of the 14th and 15th amendments.

The authority of the States to require literacy as a condition of voting is not in question. What is involved is the question whether an arbitrary discrimination is produced when literacy in English is required over literacy in Spanish for citizens who can derive their knowledge of public issues and public candidates through the printed media in the Spanish language and through broadcasts and telecasts in either language. The requirement of literacy should have some relation to its purpose in the context of voting; and if that purpose does not necessitate proficiency in written English, given the linguistic environment of a class of our citizens, the requirement of training in written English may be deemed an unreasonable classification of citizens.

The authority of the Congress in the field of voting qualifications does not rest solely on the 15th amendment. It would be agreed, for example, that if a State were to deny the franchise to Catholics or to a group of Protestants, the classification could be struck down by Congress or the courts under the 14th amendment's guarantee of equal protection of the laws. The courts do not have sole responsibility in this area. Just as Congress may give a lead to the courts under the commerce clause in prohibiting certain kinds of State regulation or taxation, and just as Congress may expressly prohibit certain forms of taxation of Federal instrumentalities, whether or not the courts have done so of their own accord, so in implementing the 14th and 15th amendments Congress may legislate through a declaration that certain forms of classification are unreasonable for purposes of the voting franchise.

I trust that this opinion is responsive to your inquiry.

Sincerely yours,

PAUL A. FREUND.

EXHIBIT 2

YALE LAW SCHOOL,
New Haven, Conn., April 19, 1965.

Senator ROBERT KENNEDY,
Senate Office Building,
Washington, D.C.:

[The question is] the propriety of a congressional requirement that States employing a literacy test in registering voters must allow applicants to take the test in Spanish. Since the United States officially sponsors the study and use of Spanish in Puerto Rico, I think that a State's refusal to allow Puerto Ricans to take a voter literacy test in Spanish raises a serious issue under the equal protection clause of the 14th amendment. In effect, their right to vote is impaired by our national policy of encouraging the cultural autonomy of Puerto Rico, a policy that stems in part from the hope of making Puerto Rico a showcase for the underdeveloped countries of South America and elsewhere. Because we have deliberately fostered the use of Spanish by Puerto Ricans, their status under the equal protection clause is quite different from that of immigrants from foreign countries, whose language limitations are not of our making.

Whether or not a court in a case involving a particular individual would hold that the equal protection clause was violated by a State's refusal to allow Puerto Rican citizens to take its literacy test in Spanish, I do not know; but the pending voter registration bill rests on the theory that the power of Congress to act under section 5 of the 14th amendment is not restricted to abuses that would be corrected by the courts without congressional authorization. In my opinion, the power conferred on Congress by section 5 "to enforce, by appropriate legislation, the provisions of this article" is broad enough to warrant a congressional requirement that voter literacy tests be administered in Spanish.

Sincerely yours,

BORIS.

EXHIBIT 3

LAW SCHOOL OF HARVARD UNIVERSITY,
Cambridge, Mass., April 9, 1965.

Senator ROBERT F. KENNEDY,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR: Peter Edelman indicated to me that you would be glad to receive such comments as I might care to make on the constitutionality of a suggested congressional statute outlawing State requirements of literate voters that they be able to speak the English language. Because the attitude which I bring to that question is deeply affected by views which I have sent on to Senator EDWARD KENNEDY with respect to related problems, I am taking the liberty of enclosing a copy of the letter that I have sent to him. I shall not, accordingly, restate opinions developed there at some length.

In my judgment, the Congress is empowered to vitalize and make effective the 14th amendment's assurance of equal protection of the laws. It seems to me clear, accordingly, that if the Congress is persuaded that there is an undesirable inequality in a State's exclusion from the suffrage of literate citizens who do not speak English, the Congress may constitutionally outlaw the discrimination. The fact that the 14th amendment, of its own force, does not create a barrier to such a State requirement, in my judgment, does not mean that the Congress is powerless to define and enforce what must be acknowledged to be a wholly rational principle of equality. It is important to remember, I think, that no special sanctity safeguards State powers to fix the qualification of electors under article I, section 2. Those powers deserve political and constitutional respect, of course, but they have no greater claim to deference than any other State power that must bend to the authority conferred upon the Congress in the Civil War amendments. Were the suggested statute to be given effect in a community where Spanish-speaking Puerto Ricans, enjoying American citizenship, would be its beneficiaries, I should suppose that the Nation's responsibility to secure tranquil and understanding relationships with the Commonwealth of Puerto Rico would provide a special justification for the congressional insistence upon a higher degree of political equality than has been attainable while State discriminations against literate citizens who do not speak English have been in force.

Among the possibilities under consideration may be a statute qualifying literate citizens who do not speak English to vote in Federal elections. I should suppose that such a statute would not only find its justification in the congressional power to enforce the equal protection clause but in its authority to define and secure privileges of U.S. citizenship. I myself would see no constitutional reason to deny the Congress to confer voting rights in State elections on American citizens. Those who believe that constitutional barriers to such drastic legislation exist, would not find it easy, I think, to deny the Congress the power to establish uniform standards for participation in Federal electoral processes.

I am afraid that these reflections may be of small use to you. I like to think, however, that the broader basis of principle that I have outlined in the enclosed letter may usefully amplify this brief comment.

Very sincerely yours,

MARK DEW. HOWE.

APRIL 9, 1965.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR: From our telephone talk I understand that you might find a word from me on the constitutionality of a congressional outlawry of State statutes making the payment of poll taxes a condition of voting in State and local elections, useful. I am more than glad to provide that word.

My belief that Congress possesses the power to prohibit such taxes derives from the strong conviction that the Congress was granted a far broader power by the three Civil War amendments than the congressional leadership over the last 90 years has been willing to admit. The political considerations that originated this illusion of impotence were unhappily strengthened by a series of unfortunate opinions delivered by Justices of the Supreme Court in the 1880's and 1890's. Those statesmen who find tranquility in the shadows of that era are quick and eager, of course, to find reassurance in its negations. They live in the absurd hope that today's Court will respond to a vigorous and thoughtful exercise of congressional power to resolve known problems in the same way that the earlier Court responded to careless and unthinking enactments borne in haste for the resolution of undefined and undeveloped problems. Surely issues of power must be considered and answered in the context of history rather than framed and contemplated in a structure of abstractions.

It is inconceivable, I take it, that those Congressmen and Senators who in 1960 and 1964 supported the congressional power to enforce a presumption of literacy in Federal elections and currently are supporting the constitutional power of Congress to modify or cast aside literacy tests in all elections in any community which has used those tests to effect racial discriminations, should question the outlawry of poll taxes in those communities where they have been made an instrument for preserving a caste system. If the Congress is persuaded that there is a substantial danger that the poll tax will be put to such discriminatory uses—and the enactment of the 24th amendment is good evidence of that persuasion—I think it wholly clear that total outlawry of the tax is within the congressional power. There can be no question but that any exaction, regulatory or fiscal, which has been put to use in State and local elections to disqualify Negroes from voting is as much subject to congressional outlawry as a similar exaction impairing the Federal franchise. It was, of course, a misfortune that the Congress thought it wise to outlaw poll taxes in Federal elections by constitutional amendment instead of statutory prohibition. It does not seem to me, however, that an error of judgment then made should bar the new Congress from exercising its legitimate powers. It may even be argued, with some force, that experience under the 24th amendment has shown that for effectuation of the policies of that amendment, congressional control of State poll taxes is appropriate. See, *e.g.*, *Gray* v. *Johnson*, 234 Fed. Supp. 743; *Forssenius* v. *Harman*, 235 Fed. Supp. 66.

If it be asked whether the Congress is authorized to outlaw poll taxes as a condition of voting in State and local elections in those communities where no finding of discriminatory motivation in such taxation has been made, I find it easy to answer affirmatively. If Congress is persuaded, as I take it that it may be, that the primary function of making payment of poll taxes a condition of suffrage has been the exclusion of Negroes from the franchise it is wholly fitting that the prohibition against their use should be made national. Those considerations which make it politically undesirable to have one law for the South and another for the balance of the Nation, surely suggest that it is constitutionally permissible for the Congress to prohibit everywhere a practice which, wherever it has recently prevailed, has been used for unconstitutional purposes. It must not be forgotten, furthermore, that the Supreme Court, in recent years, has shown a new sensitivity to the imposition of financial burdens upon an indigent's exercise of rights that are available to the affluent. See, e.g., *Griffin* v. *Illinois*, 351 U.S. 12. Those cases which have rejected the contention that the equal protection clause of its own force invalidates the exaction of poll taxes from indigent voters (see *Harper* v. *Board of Elections*, 9 Race Relations Rep. 1791) have quite naturally said nothing of the congressional power under the 14th amendment to equalize the voting rights of rich and poor. Surely a congressional finding that when a State imposes a financial exaction upon the exercise of voting rights it threatens an impairment of the equality promised by the 14th amendment would be entitled to the deepest respect by the Supreme Court.

The specifics of which I have spoken will, perhaps, be seen in a clarifying perspective if I define the broad principle which governs my judgment in these matters. I said at the outset that the Congress possesses many more powers in this area than it has traditionally exercised. This legislative atrophy has encouraged the mistaken belief that the unexercised power does not exist. The Congress evidently needs to be reminded that the sources of its authority flow from many provisions in the Constitution. Is it not time, perhaps, to recognize that the Congress may do much in the fulfillment of the Nation's responsibility to "guarantee to every State in this Union a republican form of Government" (art. IV, sec. 4)? It would be an odd structuring of our society if the Supreme Court of the United States could enter the mazes of State electoral processes assuring equal protection of the laws under the doctrine of *Baker* v. *Carr* and its progeny, while the Congress is barred at the threshold of effective political power. More than the Congress seems to realize, its power to define and incidentally to protect the rights of American citizens under the 5th section of the 14th amendment may be put to effective work. See *United States* v. *Waddell*, 112 U.S. 76 (1884); cf. *Hague* v. *CIO*, 307 U.S. 496. Even the best and most learned of lawyers seem to have forgotten that Mr. Justice Miller, writing for a majority of the Court in the *Slaughter-House* cases acknowledged that the privileges of U.S. citizenship included the rights given by the equal protection clause of the 14th amendment (16 Wall. at 80). In the effort to make the assurances of that clause effective, insofar as American citizens are concerned, the Congress may, in my judgment, take appropriate action to secure their voting rights against invidious impairment whether on grounds of race or on grounds of indigence.

If the Congress can make intrastate travel by air a privilege of U.S. citizenship (49 U.S.C. sec. 180; *United States* v. *Causby*, 328 U.S. 256) surely it may take action under the 5th section of the 14th amendment to make participation in State and National elections without racial discrimination or financial burdens a privilege of that citizenship. I would commend to your attention the reflections of Senator Carpenter in 1872 with respect to the scope of congressional power under the implementing clauses of the 14th and 15th amendments (42d Cong., 2d sess., Congressional Globe 761). The same views were later stated by the first Mr. Justice Harlan in his powerful dissent in *Baldwin* v. *Franks*, 120 U.S. 678; 699–701. Today's Court, eager for active congressional participation in the struggle for civil rights, may be counted on to adopt in this matter, as in so many others, the views of Justice Harlan rather than those of his timorous brethren.

To advocate the thesis which I have outlined is not to say that the Civil War amendments wholly abrogated the provisions of article I, section 2, by which primary authority for determining the qualifications of voters was acknowledged to be in the States. My contention does assert, however, that when U.S. citizenship was elevated by the opening sentence of the 14th amendment from a secondary to a primary status, congressional power was made so pervasive as to authorize the supersession of State power over voter qualifications. To urge that the provisions of section 2 of the 14th amendment indicate that the only permissible penalty for exclusions from the suffrage is a reduction in congressional representation, is to assert that a barrier against discrimination which has heretofore been wholly without value serves to render all other congressional efforts to deal with these pressing matters of decency unconstitutional. Section 2 of the 14th amendment established one means of encouraging universal suffrage. It should not be read as providing a barrier against legislation that seeks to assure equality between qualified white and colored voters, between men of means and our impoverished citizens.

There will be some in the Congress who will urge that decisions of the Court which have recognized that electoral policies and practices of the States that are not invalidated by the raw terms of the 14th and 15th amendments (e.g., *Breedlove* v. *Suttles*, 302 U.S. 277; *Lassiter* v. *Northampton Board*, 360 U.S. 45) are, by these judicial pronouncements, put beyond the reach of Congress. This analysis of power is built upon the unacceptable assumption that the Congress has no other role in the enforcement of the principles and assurances of the Civil War amendments than to assist the courts in making the judicial power in constitutional law effective. Had this philosophy governed action and decision it would have prevented the enactment or enforcement of those statutes which defined and outlawed peonage (see *Peonage* cases, 123 Fed. 671; *Pollack* v. *Williams*, 322 U.S. 4). It would have rendered invalid the bulk of the Civil Rights Act of 1870 by which the Congress, among other things, sought to carry into effect the assurances of the 15th amendment and which remained on the statute books of the United States as a national electoral code until 1894 (28 Stat. 36). The timorous philosophy which I summarize would not find it easy, I think, to explain why it is that the Congress in other spheres of its competence may take action to supplement—even to undo—decisions of the Supreme Court relating to State and National power (see Note, "Congressional Reversal of Supreme Court Decisions, 1945–1957," 71 Harv. L. Rev. 1324; Dixon, "Civil Rights in Transportation and the ICC," 31 Geo. Wash. L. Rev. 199; Black, J. dissenting, *Bell* v. *Maryland*, 84 S. Ct. 1814, 1877–78; Douglas, J. concurring, *Heart of Atlanta Motel* v. *United States*, 85 S. Ct. 348, 369–373).

You will realize, as you read this letter, that it has been prepared in some haste. Though I acknowledge that my convictions are not wholly orthodox in these matters, I am confident that a Congress which wants its voice to be heard and which speaks its wishes with clarity will find no reluctance in the Supreme Court to admit the Nation's legislature to its appropriate place in the partnership of vigorous and effective government.

Very sincerely yours,

Mark DeW. Howe.

Mr. KENNEDY of New York. Mr. President, I reserve the remainder of my time, and am glad to yield now to the Senator from North Carolina [Mr. Ervin].

Mr. HOLLAND. Mr. President, will the Senator from New York yield me 3 minutes?

Mr. KENNEDY of New York. I believe that the Senator from North Carolina has control over the time, but I am happy and proud to yield to the Senator from Florida and yield him 3 minutes for that purpose.

The ACTING PRESIDENT pro tempore. The Senator from Florida is recognized for 3 minutes.

Mr. HOLLAND. I am glad that the Senator from New York is so gracious.

It seems to me that the many Spanish-speaking citizens of the United States who happen to reside in the Empire State of New York should have the same kindly treatment we in the State of Florida have given our own Spanish-speaking citizens for many, many years. I feel that the pending bill at least should be even-handed—although I am going to vote against it, because I believe that the Federal Government has no business trying to dictate to the sovereign States of the Union what they should do in this field. I am glad that the move now being made by the two Senators from New York at least is in the cause of uniformity in trying to do equally in the various States what it has seemed to me the bill has been designed to do solely in the South.

Therefore, I shall support the Senator's amendment.

I invite attention to the fact that in the State of Florida, there are tens of thousands of citizens of Latin American lineage, many of them not yet able to speak in the English language but yet amply educated to know what they are doing. For years, we have permitted them to vote, and we are very happy in the fact that the great State of New York now turns to us for some guidance in democracy, which we believe the State of New York has needed for a long time.

It is in that light that I shall support the pending amendment, with the clear understanding that I expect to vote against the bill.

I congratulate the two Senators from New York. I was sorry that the Judiciary Committee was not able to find the tolerance in its own heart to include this amendment in the pending bill.

I understand that the two Senators from New York offered such an amendment to the committee, but were unable to have it approved.

I commiserate with them on their failure there. I hope that we may legislate more generously here. I shall certainly be in there trying to help.

Mr. KENNEDY of New York. I appreciate very much the kind remarks of the Senator from Florida. I am happy to have had the opportunity to yield to him.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. KENNEDY of New York. Mr. President, I reserve the remainder of my time.

Mr. ERVIN. Mr. President——

The ACTING PRESIDENT pro tempore. The Senator from North Carolina is recognized.

Mr. ERVIN. Mr. President, I yield myself 15 minutes.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina is recognized for 15 minutes.

Mr. ERVIN. Mr. President, I am not going to vote for the pending amendment for two reasons. First, I believe that if the State of New York wishes to exercise its constitutional powers to require literacy in the English language as a qualification for voting, it should be permitted to do so. I must confess that I am astounded by the fact that the two Senators from New York are not willing to allow their own State to exercise its constitutional powers in its own way.

I am against the amendment for a second reason. I favor constitutional government. It has been suggested on many occasions that those living south of the Potomac River have no constitutional rights, but it has never been suggested before that the people of New York do not have any.

My second reason for opposing the amendment is that I believe in constitutional government north of the Potomac River as well as south of it. I believe that the people of New York State do have sufficient intelligence to exercise the constitutional powers which both the Constitution of the State of New York and that of the United States of America repose in them and I am willing for them to do so. If anything is wrong with their constitution, there is a remedy which they can apply. The New York Legislature and the people of New York State can amend their constitution, if they agree with the two Senators from New York that it is unjust.

Mr. President, I was struck by the argument of the junior Senator from New York that the New York literacy test is an arbitrary restriction on voting.

A three-judge Federal court—to whose opinion I shall allude again in a moment—had the argument made before it that New York's English literacy test is unreasonable. Here is what that court said on the subject. I read from page 159 of 199 Federal supplement:

> The statute is not an unreasonable exercise of the powers of the States to provide requirements for exercising the elective franchise. It is not unreasonable to expect a voter not only to be conversant with the issues presented for determination in choosing between candidates for election, but also to understand the language used in connection with voting.
>
> For example, there are printed in English on the ballots synopses of proposed constitutional amendments, titles of offices to be filled, and directives as to the use of the paper ballot or voting machine.
>
> Finally, what is more proper than that a voter be literate in the language used to conduct the business of the government in his State?

This statement was made by the three-judge court sitting in New York, which numbered among its personnel citizens of New York.

The amendment is inconsistent with every word in the Constitution on the subject, and with every judicial decision ever handed down construing the words of the Constitution on the subject.

I wish to read lines 1 through 7 of page 1 of the amendment to see exactly what Congress is being asked to do:

> (e) (1) Congress hereby declares that to secure the rights under the 14th amendment of persons educated in American-flag schools in which the predominant classroom language was other than English, it is necessary to prohibit the States from conditioning the right to vote of such persons on ability to read, write, understand, or interpret any matter in the English language.

Every decision ever handed down by the Supreme Court of the United States and every word ever written into any textbook on law by any textwriter are in accord with the proposition that the States of the Union have the right to require, as a condition precedent to voting, either in Federal or State elections, that the prospective voter be literate in the English language.

About 20 States of the Union, including my State of North Carolina and the State of New York, have constitutional or statutory provisions, which require, as a condition precedent to voting, literacy in the English language.

My good friend from Louisiana [Mr. LONG] called attention to the fact that under the laws of Louisiana a voter can satisfy the literacy requirement by being literate either in English or in his mother tongue. However, the Senator from Louisiana will agree with the Senator from North Carolina, I am sure, that that requirement was made by the State of Louisiana in the exercise of the power reserved to it by the 10th amendment, and the power vested in it by the second section of the first article of the Constitution, the first section of the second article of the Constitution, and the 17th amendment to the Constitution.

It is one thing for Louisiana to authorize literacy in a voter's mother tongue as an alternative to literacy in English when the State does it of its own free will in the exercise of a constitutional power possessed by Louisiana; but it would be quite a different thing if the Congress of the United States should violate the Constitution and ignore all the decisions of the courts and all the statements of textwriters on the subject and attempt to rob New York of its constitutional right to restrict its test of literacy to literacy in the English language—the language in which its governmental business is transacted.

If anything is settled beyond question in this area of constitutional law, it is that it is within the constitutional power of every State to require literacy in the English language as a condition precedent to the right to vote.

The pending amendment asserts that the New York constitution violates the 14th amendment to the Constitution of the United States. This very question has been presented to the courts of the State of New York, and has been presented to a three-judge Federal court sitting in the State of New York. These courts disagreed with the assertions made in the amendment. As a consequence, the amendment not only makes an assault on the New York constitution and an assault upon the words of the Constitution of the United States, and on the decisions of the Supreme Court of the United States construing those words, but it also makes an assault upon the decisions of New York courts, both State and Federal.

I invite the attention of Senators to the case of Camacho against the Board of inspectors of election in the 26th election district of the 6th assembly district of the County of Bronx, 221 N.Y. 2d 262.

This was a decision of the Supreme Court of New York State. The headnotes show what the New York court had to say about this subject. I read the two headnotes:

> Provisions of the Constitution and election law to the effect that, in order to vote, all persons except for physical disability, must be able to read and write English, did not contravene the Federal Constitution, and such provisions were not unreasonable.
>
> Petitioner, although a U.S. citizen, was not entitled to vote or register until he learned to read and write English, as required by the Constitution and election law, and petitioner was not entitled to prove his literacy at his option, in English or Spanish.

In its opinion, the Supreme Court of New York stated:

> None of these provisions contravene the U.S. Constitution. The petitioner is not denied the right to vote. Under the laws of this State, however, he must first learn to read and write English. This cannot be deemed an unreasonable requirement.

That is a decision of the Supreme Court of New York, which is a trial court and an intermediate appellate court in New York State.

That decision was appealed to the highest judicial tribunal in the State of New York, the New York Court of Appeals. The New York Court of Appeals affirmed the decision, and it deemed the position taken by the plaintiff in that case, which is identical with the position taken by the two New York Senators in connection with the pending amendment, so without foundation that it did not even bother to write an opinion affirming the ruling of the Supreme Court of New York; 7 N.Y. 2d 762.

After these decisions of the Supreme Court of New York and the Court of Appeals of New York, holding that the New York requirement of literacy in English as a prerequisite to the right to vote in New York is in perfect harmony with the Constitution of the United States, the same plaintiff attempted to raise the same question in *Camacho* v. *Rogers*, 199 Fed. Supp. 155 (1961). I read extracts from that opinion:

> The complaint alleges that the plaintiff is a citizen of the United States, having been born in Puerto Rico, and that he is literate only in Spanish. It was conceded on the argument that he voted in Puerto Rico before coming to New York City, where he is presently a resident. The defendant, Board of Elections of the City of New York, has refused to allow him to register to vote because he is unable to present proof of literacy in English, as required and provided by sections 150, 168, and 201, subdivision 1, of the election law. These sections were adopted pursuant to article II, section 1, of the New York State constitution, which provides that:
>
> Notwithstanding the foregoing provisions, after January 1, 1922, no person shall be entitled to vote by attaining majority, by naturalization, or otherwise, unless such person is also able, except for physical disability, to read and write English.

The plaintiff in that case attacked this requirement on more grounds than do the Senators from New York in their amendment. First, he said he was entitled to vote under the treaty which ended the war between the United States and Spain, and which ceded Puerto Rico to the United States.

Second, he said exactly what the Senators from New York have said in their amendment. He said that as a citizen of the United States, he was being denied the equal protection of the laws in violation of the 14th amendment.

Third, he said that the requirement of the New York constitution violated the 15th amendment because it denied him the right to vote because of his race, he being a Puerto Rican of Spanish ancestry.

Then he claimed the denial of his right to vote on account of his illiteracy in English, notwithstanding his literacy in Spanish, violated certain provisions of the Civil Rights Acts.

The three-judge Federal court said that the first four grounds of the claim had been raised in the action in the Supreme Court of New York in 1958 to which I referred a moment ago and that the New York courts had held that there was no constitutional basis for them. The Federal court held, the doctrine of res judicata applied, and it was, therefore, not necessary for it to review those contentions again. However, they stated in substance that the question might be raised in the future, and that for that reason the court would express its views "on the merits of the plaintiff's claims foreclosed by the defense of res judicata."

The three-judge Federal court probably anticipated the question being raised by some people who wanted to vote.

It is unlikely, however, that the court anticipated that it would be raised by the attempt of New York's two Senators to have the Congress nullify New York's constitution.

The three-judge Federal court went into the question and showed that the Treaty of Paris had no bearing upon the subject. The court cited the cases I have called to the attention of the Senate on several occasions, such as the case of Guinn against the United States.

The PRESIDING OFFICER (Mr. BASS in the chair). The time of the Senator has expired.

Mr. ERVIN. Mr. President, I yield myself an additional 10 minutes.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 10 minutes.

Mr. ERVIN. The court discussed the Guinn case, the Lassiter case and the Trudeau case, all of which held that under the Federal Constitution a State has the right to prescribe a literacy test as a qualification for voting.

The court then proceeded further to consider the claim that the New York constitutional and statutory provisions requiring literacy in the English language violated the 14th amendment.

The equal protection of the laws clause of the 14th amendment forbids the State to treat people in the same circumstances differently.

It is obvious that a State law which provides that no one can vote unless he is literate in the English language does not make any differences between people similarly situated. It applies alike to all people in the same circumstances, and does not offend the equal protection clause of the 14th amendment.

The three-judge Federal court dealt with that subject briefly. The court said:

> The literacy requirement is applicable to all citizens of New York without regard to race, creed, color, or sex. No charge is made that the test is improperly given or its contents unfair. The test is equally and fairly applied to all who take it. Plaintiff has not been denied the equal protection of the laws, nor has he been deprived of his life, liberty, or property in violation of the 14th amendment.

After holding that there was nothing in the 14th amendment which would impair the validity of the New York requirement of literacy in English, the three-judge Federal court then proceeded to discuss the contention of the plaintiff that he had been denied the right to vote in violation of the 15th amendment. This amendment provides that neither the United States nor any State shall deny or abridge the right of any citizen to vote on account of race. The plaintiff contended that he was denied the right to vote because he was a Puerto Rican of Spanish ancestry.

As the three-judge Federal court phrased it:

> He—

That is, the plaintiff—

> claims that race and color were not intended to have narrow or technical connotation, but referred to any minority in the community.

On that point the court proceeded to say:

> Because the plaintiff is unable to vote as a result of his inability to pass the test, it does not follow that the plaintiff is being discriminated against. The 15th amendment was not designed to protect against the claim of this plaintiff. He is not being denied the right to vote because of race, creed or color, but because of his illiteracy in the English language.

And, finally, the court declared that the requirement of literacy in the English language as a prerequisite to voting is a proper exercise of the States power.

That is the decision of the three-judge Federal court sitting in New York. It is in harmony with the decision of the Supreme Court of New York and in harmony with the decision of the highest appellate court of the State of New York, the court of appeals.

The three-judge Federal court made it plain that the requirement of literacy in the English language is proper action for the State of New York to take in the exercise of its powers under the Federal Constitution. Despite that fact, the amendment is presented to the Senate and the Senate is asked not only to repudiate the plain words of the U.S. Constitution, all the decisions of the Supreme Court of the United States on the subject, and the decision of the Federal court sitting in New York, but it is also asked to repudiate the decision of the highest court of the State of New York holding that the amendment has no foundation in constitutional law.

Mr. President, it is with reluctance that I oppose the amendment offered by the Senators from New York. I am compelled to insist, even against them, that the legislature and the people of New York should be permitted to exercise the powers they possess under the Constitution of the United States. I happen to be in favor of constitutional government in all areas of the country. If the history of mankind teaches anything, it teaches that no man or group of men can be safely trusted with unlimited governmental power. The Constitution was written and ratified to protect all States and all the people of America against unconstitutional acts on the part of the President, on the part of Congress, and even on the part of the courts.

A tragic day will be reached in the history of the Nation if the Senate adopts an amendment which is inconsistent with everything ever said by any court having any authority to speak on the subject, and which undertakes to rob the State of New York of the constitutional power vested in it by the Constitution of the United States.

Mr. KENNEDY of New York. Mr. President, I yield 8 minutes to my colleague from New York.

Mr. JAVITS. Mr. President, I think I owe the Senate an explanation as to why I join in the amendment. I herewith propose to make one.

This amendment may very well be tested on constitutional grounds. There is no telling what the Supreme Court may do; we cannot overrule the Constitution. But I have carefully analyzed the amendment in my mind and believe there is enough on which to base it in terms of its being constitutional to enable me to say that I should support it, because I believe it contains an element of justice which deserves support.

The 14th amendment calls for the equal protection of the laws, and section 5 of that amendment provides:

> The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

It is my belief that that language means that Congress may not only restrain States from violating the 14th amendment, but may also use its judgment as to what is equal protection of the laws, and that where Congress feels that there is a lacuna in the legislation of a State on that subject, Congress may legislate upon it as being its best judgment as to what is the equal protection of the laws and what that protection requires. It is that which Congress would be doing in this case, and that is what the Supreme Court would pass upon.

The Supreme Court has not passed upon the Comacho case, to which the Senator from North Carolina referred. I may say about his argument that it is quite consistent with his position on the bill before us. He has argued consistently that Congress does not have power, constitutionally, to deal with the qualifications of voters in his State. Many of the rest of us believe Congress has such power when those qualifications contravene the 15th amendment, and that Congress may act when the Constitution permits us to do so. So I honor the Senator's consistency in his own argument, although I do not agree with him.

I believe this amendment stands soundly enough constitutionally so that I should favor it. There is a feeling of injustice on the part of those from Puerto Rico who were educated in American-flag schools. As my colleague from New York [Mr. KENNEDY] has already said, they did not choose that system. The fact I emphasize is that the Federal Government allows the instruction there to be in Spanish. As there is adequate machinery in New York—three Spanish-language newspapers and one radio station—I am satisfied as to that—for giving Spanish speaking people information on public issues, I think there is justice in their complaint.

Mr. ROBERTSON. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I am speaking on limited time.

Mr. ROBERTSON. Why should the Puerto Ricans in New York, who cannot speak English, feel that they are treated unjustly, when their home country prohibits the teaching of English in its public schools?

Mr. JAVITS. The teaching of English is not prohibited in the public schools of Puerto Rico. The public schools there are bilingual. But the instruction—and there is no compulsion about it—has been, generally speaking, in Spanish.

Mr. ROBERTSON. I am told that English is not taught in the public schools of Puerto Rico.

Mr. JAVITS. When the Senator says they do not teach in English, that is exactly what I say; but I say there is nothing mandatory about it. Many of the school are bilingual.

In any case, we face a fact, not a theory. The fact is that the people have been trained in the Spanish language; therefore, there is some justice to their complaint. I believe that if we encourage them to vote—and I am for encouraging everybody to vote that we can possibly get to vote—they will take a greater interest in political affairs and will sooner become integrated into the American community. I believe we shall attain our objective sooner in terms of their learning English, in terms of their feeling a part of the New York community, if they are given an opportunity to vote.

There is one thing that I reject; that is, any analogy between New York and the South in respect to the thrust of the bill, because the fundamental objection we have made to the use of tests in Southern States has been their discriminatory application. Such tests have been applied differently to Negroes than they have been to whites. In this respect, there is no argument about New York. Our State has applied its test objectively and fairly. Even the officials of the Department of Justice have said so. There has not been a vestige of discrimination.

Be it also pointed out, and importantly, that when New York adopted the constitutional amendment in 1922, only 7,700 people of Puerto Rican extraction lived in New York. This is a relatively small number in terms of New York's total population, and the amendment was not adopted to disenfranchise them.

Also, the New York State Assembly takes the first step toward amending the constitution in this regard, but a number of years will be required for the whole amendment process to become operative.

Finally, there is the political question. It has been asked why I am for this amendment, though it may work adversely to my party. It has also been asked why the prospective candidate for mayor of New York, Congressman JOHN LINDSAY, is for it. When I talked to Congressman LINDSAY about this, he said that he is for it—without hesitation—and I am proud of that, notwithstanding that it may work adversely, politically, for him.

One does not go around seeking samples to assess. When we believe that something is just, when we believe that something must be done in justice, then we are perfectly willing to face the issue with our eyes wide open. We have confidence in the good judgment and good sense of the people who may be voting. We have confidence in the people of the Puerto Rican community. Therefore, we feel that justice will be done.

I am not a bit afraid of this amendment; I am proud of it, and I am proud to say that so is Congressman LINDSAY, because it is right.

So these people have a just complaint. It has been hanging for a long time. We are considering a voting rights bill to extend the opportunity to vote to all the people of the United States. The State of New York has not discriminated. The State of New York does not have to be corrected under the 15th amendment. But we have dealt with poll taxes and other matters in the bill which also have 14th amendment connotations. So when the junior Senator from New York [Mr. KENNEDY] felt that this was the pertinent time to put this amendment forward, I joined him in doing so, consistent with my longstanding record in favor of this principle.

I believe we shall be helping to bring closer into the mainstream of the mainland community a whole group of our citizens. I have no illusions about the number involved. Theoretically, in New York City, it is 300,000. But for practical purposes, it will be very many fewer, for there has been considerable apathy about voting in this community, and no figures are available on how many of these 300,000 have an eighth grade education in an American-flag school in Puerto Rico.

It may not make such a great difference in actual numbers, on its face, but it will make a great difference in the feeling of acceptance, in the feeling of belonging, in the feeling of participation of 300,000 potential voters. Therefore, whatever effect it may have politically, I believe it will have a beneficent effect on the body politic. So I support the amendment, and I hope the Senate will so vote.

Mr. KENNEDY of New York. Mr. President, I yield 1 minute to the Senator from Michigan.

Mr. HART. Mr. President, I support the pending amendment, but I wish to make one point clear. I ask the junior Senator from New York whether my understanding comports with his.

The amendment does not undertake to set a standard in States where devices have been suspended under sections 3 and 4, does it?

Mr. KENNEDY of New York. The Senator from Michigan is correct.

Mr. President, does the Senator from North Carolina desire to speak further?

Mr. ERVIN. I must disagree with the authors of the amendment. The amendment covers the whole country.

It covers the seven States which the bill deems unworthy of having the same constitutional and legal rights as persons charged with treason against the United States. However, it also applies to all of the other 43 States. It would change literacy tests, if it were valid, in approximately 20 States of the Union.

I am unable to find anything in the amendment which would restrict it to any section of the country.

Mr. MORTON. Mr. President, will the Senator yield for a question?

Mr. ERVIN. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from North Carolina has 4 minutes remaining.

Mr. ERVIN. Mr. President, I yield whatever time the Senator from Kentucky may wish.

Mr. MORTON. Mr. President, I was impressed with the argument of the Senator. A basic problem is involved. Some Senators are for the measure and some are against it. I happen to support the measure.

I see no reason to further complicate the bill with a constitutional problem that may be involved in the particular amendment.

The great enlightened State of New York has a Republican Governor and a Democratic legislature. For a long time they have preached to us about how to operate around that country. Does not the Senator believe that this problem could be worked out in Albany, and both parties get credit for it?

Mr. ERVIN. The legislature and people can work it out to their own satisfaction in conformity with the Constitution of the United States.

I believe, however, that this amendment is in complete harmony with the other parts of the bill. The other parts of the bill are about as unconstitutional as words can make them; provided, of course, the Constitution is still a living document.

Mr. MORTON. Mr. President, I do not agree with the Senator completely on that statement. I was merely talking about the one amendment.

Mr. ERVIN. I am glad that the Senator from Kentucky has reached the correct conclusion on this amendment. I appreciate his position.

I am like the senior Senator from New York in one respect. I will not prophesy what the Supreme Court will do. I can state, however, that the amendment is repugnant to all its past decisions. I hope and pray and expect that the Supreme Court will manifest more devotion to the Constitution than has been evidenced so far in the Senate with regard to the provisions of this bill.

Mr. President, I ask unanimous consent to have printed in the RECORD in full the decision in the case of *Coyle* v. *Oklahoma*, 221 U.S. 559. This decision holds that the Congress of the United States cannot deprive any State, even with the State's own consent, of any power which the State possesses under the Federal Constitution.

There being no objection, the decision was ordered to be printed in the RECORD, as follows:

COYLE *v.* SMITH, SECRETARY OF STATE OF THE STATE OF OKLAHOMA—ERROR TO THE SUPREME COURT OF THE STATE OF OKLAHOMA

(No. 941. Argued April 15, 16, 1911.—Decided May 29, 1911)

The power to locate its own seat of government, to change the same, and to appropriate its public money therefor, are essentially state powers beyond the control of Congress.

The power given to Congress by Art. IV, § 3, of the Constitution is to admit new States to this Union, and relates only to such States as are equal to each other in power and dignity and competency to exert the residuum of sovereignty not delegated to the Federal Government.

The constitutional duty of Congress of guaranteeing to each State a republican form of government does not import a power to impose upon a new State, as a condition to its admission to the Union, restrictions which render it unequal to the other States, such as limitations upon its power to locate or change its seat of government.

No prior decision of this court sanctions the claim that Congress in admitting a new State can impose conditions in the enabling act, the acceptance whereof will deprive the State when admitted of any attribute of power essential to its equality with the other States.

Congress may embrace in an enabling act conditions relating to matters wholly within its sphere of powers, such as regulations of interstate commerce, intercourse with Indian tribes and disposition of public lands, but not conditions relating wholly to matters under state control such as the location and change of the seat of government of the State.

The Constitution not only looks to an indestructible union of indestructible States, *Texas* v. *White*, 7 Wall. 700, 725, but to a union of equal States as well.

The legislature of Oklahoma has power to locate its own seat of government, to change the same and to appropriate money therefor, notwithstanding any provisions to the contrary in the Enabling Act of June 16, 1906, 34 Stat. 267, c. 3335, and the ordinance irrevocable of the convention of the people of Oklahoma accepting the same. (113 Pac. Rep. 944, affirmed.)

ARGUMENT FOR PLAINTIFF IN ERROR

The facts, which involve the constitutionality of a legislative act of Oklahoma, providing for the removal of the capital of the State from Guthrie to Oklahoma City, are stated in the opinion.

Mr. Frank Dale, Mr. C. G. Horner and Mr. John H. Burford, with whom Mr. A. G. C. Bierer, Mr. Frank B. Burford and Mr. Benj. F. Hegler were on the brief, for plaintiff in error:

The people of Oklahoma, under the enabling act, secured a republican form of government. *State* v. *Harris* (S.C.), 2 Bailey, 598. There is considerable diversity between the enabling acts of the States. As to Arkansas, there are provisions which are not in any respect similar to those of Oklahoma. So also as to Alabama, Louisiana, Missouri, and other States.

In California, the people prepared and presented a constitution and Congress admitted the State upon such constitution, with express provisions limiting the powers of the people under their constitution; so as to Mississippi and Michigan. In the Utah enabling act there is a provision against plural marriage which does not appear in many of the enabling acts. See special provisions also in the Nebraska act. *Brittle* v. *The People*, 2 Nebraska, 198; and see collection of enabling acts in Thorpe's American Charters and Constitutions, vols. 1 to 7 inclusive.

As to what is meant by the term "equality," see *Spooner* v. *McConnell*, 1 McClain, 337, holding that if the meaning be that the people of the new State, exercising the sovereign powers which belong to the people of any other State, shall be admitted into the Union, subject to such provisions in their fundamental law as they shall have sanctioned, within the restrictions of the Federal Constitution, then the States are equal in rank—equal in their powers of sovereignty. They only differ, under such conditions in those restrictions, which, in the exercise of their own powers, they may have voluntarily imposed upon themselves. See also *Hogg* v. *Zanesville Canal Co.*, 5 Ohio, 416.

At the time Congress passed the law Oklahoma was a Territory and Congress had the unquestioned right to deal with the matter involved. *Church* v. *United States*, 136 U.S. 1; *Thompson* v. *Utah*, 170 U.S. 343.

Congress has not repealed the law. It is not claimed that a repeal was intended; so, if repealed, it must be by implication, and repeals by implication are not favored.

For other cases, involving compacts between States and the United States, and which sustain appellant's contention, see *Bennett* v. *Boggs*, Fed. Cas. No. 1,319; *Vaughan* v. *Williams*, 3 McClain, 530, Fed. Cas. No. 16,903; *Minnesota* v. *Bachelder*, 1 Wall. 109, 114; *Virginia* v. *West Virginia*, 11 Wall. 39; *White* v. *Hart*, 13 Wall. 646; *Marsh* v. *Burroughs*, 1 Woods, 463; *Romine* v. *State of Washington*, 34 Pac. Rep. 924; *Brittle* v. *The People*, 2 Nebraska, 198, *Green* v. *Biddle*, 8 Wheat. 1; *Hawkins* v. *Barney's Lessee*, 5 Pet. 456; *Albee* v. *May*, Fed. Cas. No. 134; *Hancock* v. *Walsh*, 3 Woods, 351; *Gray* v. *Davis*, 1 Woods, 430; *United States* v. *Partello*, 48 Fed. Rep. 670; *The Kansas Indians*, 5 Wall. 737; *Beecher* v. *Wetherby*, 95 U.S. 517, 522; *People* v. *Roberts*, 18 How. 173; *Boyd* v. *Thayer*, 143 U.S. 135.

The cases cited and quoted by the court in the majority opinion below do not sustain the decision.

In the formation of the Federal Union, each of the original colonies, upon entering the Union, surrendered some of its sovereign powers, and deprived itself of the power to exercise others.

Each State which has come into the Union since the formation of the Government of the United States has, either at the request or upon requirement of Congress, temporarily or permanently deprived itself of the power to exercise some of the attributes of sovereignty. And by so doing the State has not been admitted upon an unequal footing with other States. Equality among the States, or as termed by the courts, an equal footing with the original States, means the possession of sovereignty, the power to exercise the functions of a republican form of government, not necessarily in the same manner or to the same extent. *Ableman* v. *Booth*, 21 How. 506; Vattel's Law of Nations, 3, 193, 196, 229; Baker's Int. Law, 24, 27, 43, 94.

The compact of the enabling act was entered into by the high contracting parties for good and sufficient reasons of state, which is all the consideration that is needed to support a public treaty, compact or convention. Of course in the present case there was a "consideration" in the ordinary sense.

Wheaton, Int. Law, 377; Maxey's Int. Law, 26, 27; 1 Moore's Dig. Int. Law, 19; Grotius, B. 1, c. 3, §§ 16, 18; *Matheny* v. *Golden;* 5 Oh. St. 368.

Many of the Territories have yielded portions of sovereignty in order to become States (the brief refers to numerous instances).

The contemporary and departmental interpretation and stare decisis sustain plaintiff in error.

Mr. Charles West, Attorney General of Oklahoma, Mr. B. F. Burwell and Mr. J. W. Bailey, with whom Mr. C. B. Stuart and Mr. W. A. Ledbetter were on the brief, for defendant in error.

OPINION OF THE COURT

Mr. Justice Lurton delivered the opinion of the court.

This is a writ of error to the Supreme Court of Oklahoma to review the judgment of that court upholding a legislative act of the State providing for the removal of its capital from Guthrie to Oklahoma City, and making an appropriation from the funds of the State for the purpose of carrying out the act by the erection of the necessary state buildings. (Act of Oklahoma, December 29, 1910) not yet published.

The opinion of the Supreme Court of Oklahoma may be found in 113 Pac. Rep. 944.

By an act passed December 7, 1910, the State gave to its Supreme Court "original jurisdiction" to entertain any proceeding brought in that court by resident taxpayers of the State to have determined "the legality of the removal or location or attempt to remove or locate the state capital" and certain other state institutions. This act was passed in advance of the removal act here involved, and for the express purpose of providing a speedy method for the determination of constitutional objections which might be urged against the proposed relocation of the seat of the state government. The Removal Act followed, and this proceeding was at once started in the Supreme Court of the State by the plaintiffs in error, who claimed not only to be citizens and taxpayers of the State, but also owners of large property interests in Guthrie, which would be adversely affected by the removal of the seat of government as proposed by the act in question. The validity of the law locating the capital at Oklahoma City was attacked for many reasons which involved only the interpretation and application of the constitution of the State. These were all decided adversely to the petitioners. We shall pass them by as matters of state law, not subject to the reviewing power of this court under a writ of error to a state court.

The question reviewable under this writ of error, if any there be, arises under the claim set up by the petitioners, and decided against them, that the Oklahoma act of December 29, 1910, providing for the immediate location of the capital of the State at Oklahoma City was void as repugnant to the Enabling Act of Congress of June 16, 1906, under which the State was admitted to the Union. 34 Stat. 267, c. 3335. The act referred to is entitled "An act to enable the people of Oklahoma and the Indian Territory to form a constitution and state government and be admitted into the Union on an equal footing with the original States," etc. The same act provides for the admission of Arizona and New Mexico. The first twenty-two sections relate only to Oklahoma. The second section is lengthy and deals with the organization of a constitutional convention and concludes in these words: "The capital of said State shall temporarily be at the city of Guthrie, and shall not be changed therefrom previous to Anno Domini Nineteen Hundred and Thirteen, but said capital shall after said year be located by the electors of said State at an election to be provided for by the legislature; provided, however, that the legislature of said State, except as shall be necessary for the convenient transaction of the public business of said State at said capital, shall not appropriate any public moneys of the State for the erection of buildings for capital purposes during said period."

Other sections of the act require that the constitution of the proposed new State shall include many specific provisions concerning the framework of the government, and some which impose limitations upon the State as regards the Indians therein, and their reservations, in respect of traffic in liquor among the Indians or upon their reservations. The twenty-second and last section applicable to Oklahoma reads thus: "That the constitutional convention provided for herein shall, by ordinance irrevocable, accept the terms and conditions of this act."

The constitution as framed contains nothing as to the location of the State capital; but the convention which framed it adopted a separate ordinance in these words:

"SEC. 497. Enabling Act accepted by Ordinance Irrevocable. Be it ordained by the Constitutional Convention for the proposed State of Oklahoma, that said Constitutional Convention do, by this ordinance irrevocable, accept the terms and conditions of an Act of Congress of the United States, entitled 'An Act to Enable the People of Oklahoma and the Indian Territory to form a Constitution and State Government and be admitted into the Union on an equal footing with the original States; and to Enable the People of New Mexico and Arizona to form a Constitution and State Government and be admitted into the Union on an equal footing with the original States,' approved June the sixteenth, Anno Domini, Nineteen Hundred and Six."

This was submitted along with the constitution as a separate matter and was ratified as was the constitution proper.

The efficacy of this ordinance as a law of the State conflicting with the removal act of 1910 was, of course, a state question. The only question for review by us is whether the provision of the enabling act was a valid limitation upon the power of the State after its admission, which overrides any subsequent state legislation repugnant thereto.

The power to locate its own seat of government and to determine when and how it shall be changed from one place to another, and to appropriate its own public funds for that purpose, are essentially and peculiarly State powers. That one of the original thirteen States could now be shorn of such powers by an act of Congress would not be for a moment entertained. The question then comes to this: Can a State be placed upon a plane of inequality with its sister States in the Union if the Congress chooses to impose conditions which so operate, at the time of its admission? The argument is, that while Congress may not deprive a State of any power which it possesses, it may, as a condition to the admission of a new State, constitutionally restrict its authority, to the extent at least, of suspending its powers for a definite time in respect to the location of its seat of government. This contention is predicated upon the constitutional power of admitting new States of this Union, and the constitutional duty of guaranteeing to "every State in this Union a republican form of government." The position of counsel for the appellants is substantially this: That the power of Congress to admit new States and to determine whether or not its fundamental law is republican in form, are political powers, and as such, uncontrollable by the courts. That Congress may in the exercise of such power impose terms and conditions upon the admission of the proposed new State, which, if accepted, will be obligatory, although they operate to deprive the State of powers which it would otherwise possess, and, therefore, not admitted upon "an equal footing with the original States."

The power of Congress in respect to the admission of new States is found in the third section of the fourth article of the Constitution. The provision is that, "new States may be admitted by the Congress into this Union." The only expressed restriction upon this power is that no new State shall be formed within the jurisdiction of any other State, nor by the junction of two or more States, or parts of States, without the consent of such States, as well as of the Congress.

But what is this power? It is not to admit political organizations which are less or greater, or different in dignity or power from those political entities which constitute the Union. It is, as strongly put by counsel, a "power to admit States."

The definition of "a State" is found in the powers possessed by the original States which adopted the Constitution, a definition emphasized by the terms employed in all subsequent acts of Congress admitting new States into the Union. The first two States admitted into the Union were the States of Vermont and Kentucky, one as of March 4, 1791, and the other as of June 1, 1792. No terms or conditions were exacted from either. Each act declares that the State is admitted "as a new and entire member of the United States of America." 1 Stat. 189, 191. Emphatic and significant as is the phrase admitted as "an entire member," even stronger was the declaration upon the admission in 1796 of Tennessee, as the third new State, it being declared to be "one of the United States of America," "on an equal footing with the original States in all respects whatsoever," phraseology which has ever since been substantially followed in admission acts, concluding with the Oklahoma act, which declares that Oklahoma shall be admitted "on an equal footing with the original States."

The power is to admit "new States into this Union."

"This Union" was and is a union of States, equal in power, dignity and authority, each competent to exert that residuum of sovereignty not delegated to the United States by the Constitution itself. To maintain otherwise would be to say that the Union, through the power of Congress to admit new States, might come to be a union of States unequal in power, as including States whose powers were restricted only by the Constitution, with others whose powers had been further restricted by an act of Congress accepted as a condition of admission. Thus it would result, first, that the powers of Congress would not be defined by the Constitution alone, but in respect to new States, enlarged or restricted by the conditions imposed upon new States by its own legislation admitting them into the Union; and, second, that such new States might not exercise all of the powers which had not been delegated by the Constitution, but only such as had not been further bargained away as conditions of admission.

The argument that Congress derives from the duty of "guaranteeing to each State in this Union a republican form of government," power to impose restrictions upon a new State which deprives it of equality with other members of the Union, has no merit. It may imply the duty of such new State to provide itself with such State government, and impose upon Congress the duty of seeing that such form is not changed to one anti-republican—*Minor* v. *Happersett,* 21 Wall. 162, 174, 175—but it obviously does not confer power to admit a new State which shall be any less a State than those which compose the Union.

We come now to the question as to whether there is anything in the decisions of this court which sanctions the claim that Congress may by the imposition of conditions in an enabling act deprive a new State of any of those attributes essential to its equality in dignity and power with other States. In considering the decisions of this court bearing upon the question, we must distinguish, first, between provisions which are fulfilled by the admission of the State; second, between compacts or affirmative legislation intended to operate in futuro, which are within the scope of the conceded powers of Congress over the subject; and third, compacts or affirmative legislation which operates to restrict the powers of such new States in respect of matters which would otherwise be exclusively within the sphere of State power.

As to requirements in such enabling acts as relate only to the contents of the Constitution for the proposed new State, little need to be said. The constitutional provision concerning the admission of new States is not mandate, but a power to be exercised with discretion. From this alone it would follow that Congress may require, under penalty of denying admission, that the organic laws of a new State at the time of admission shall be such as to meet its approval. A constitution thus supervised by Congress would, after all, be a constitution of a State, and as such subject to alteration and amendment by the State after admission. Its force would be that of a State constitution, and not that of an act of Congress.

The case of *Permoli* v. *First Municipality,* 3 How. 589, 609, is in point. By the act of February 20, 1811, the people of the Territory of Orleans were empowered to form a constitution and state government. The third section of that act prescribed, among other things, that it should "contain the fundamental principles of civil and religious liberty." The act of 1812 admitting the State provided, "that all the conditions and terms contained in said third section should be considered, deemed and taken as fundamental conditions and terms, upon which the said State is incorporated into the Union." It was claimed that a certain municipal ordinance was in violation of religious liberty, and therefore void, as repugnant to the act under which the State had been admitted to the Union. Dealing with those terms of the enabling and admitting acts in respect to the contents of the constitution to be adopted by the people of the Territory seeking admission as a State, this court, speaking by Mr. Justice Catron, said:

"All Congress intended, was to declare in advance to the people of the territory, the fundamental principles their constitution should contain; this was every way proper under the circumstances; the instrument having been duly formed, and presented, it was for the national legislature to judge whether it contained the proper principles, and to accept it if it did; or reject it if it did not. Having accepted the constitution and admitted the state 'on an equal footing with the original States in all respects whatever,' in express terms, by the act of 1812, Congress was concluded from assuming that the instructions contained in the act of 1811 had not been complied with. No fundamental principles could be added by way of amendment, as this would have been making part of the state constitution; if Congress could make it in part, it might, in the form of amendment, make it entire. The conditions and terms referred to in the act of 1812, could only relate to the stipulations contained in the second proviso of the act of 1811, involving rights of property and navigation; and in our opinion were not otherwise intended."

The reference by Justice Catron to the terms and conditions in act of 1812, is to a provision in the act of February 20, 1811 (2 Stat. 641, 642), quite common in enabling acts, by which the new State disclaimed title to the public lands, and stipulated that such lands should remain subject to the sole disposition of the United States, and for their exemption from taxation, and that its navigable waters should forever remain open and free, etc. Such stipulations, as we shall see, being within the sphere of congressional power, can derive no force from the consent of the State. Like stipulations, as well as others in respect to the control by the United States of large Indian reservations and Indian population of the new State, are found in the Oklahoma enabling act. Whatever force such provisions have after the admission of the State may be attributed to the power of Congress over the subjects, derived from other provisions of the Constitution, rather than from any consent by or compact with the State.

So far as this court has found occasion to advert to the effect of enabling acts as affirmative legislation affecting the power of new States after admission, there is to be found no sanction for the contention that any State may be deprived of any of the power constitutionally possessed by other States, as States, by reason of the terms in which the acts admitting them to the Union have been framed.

The case of *Pollard's Lessee* v. *Hagan,* 3 How. 212, is a most instructing and controlling case. It involves the title to the submerged lands between the shores of navigable waters within the State of Alabama. The plaintiff claimed under a patent from the United States, and the defendant under a grant from the State. The plaintiff relied upon two propositions which are relevant to the question here. One was that in the act under which Alabama was admitted to the Union there was a stipulation that the people of Alabama forever disclaimed all right or title to the waste or unappropriated lands lying within the State, and that they should remain at the sole disposal of the United States, and a second, that all of the navigable waters within the State should forever remain public highways and free to the citizens of that State and of the United States, without any tax, duty or impost imposed by the State. These provisions were relied upon as a "compact" by which the United States became possessed of all such submerged lands between the shores of navigable rivers within the State.

The points decided were:

First, following *Martin* v. *Waddell,* 16 Pet. 410, that prior to the adoption of the Constitution, the people of each of the original States "held the absolute right to all of their navigable waters and the soil under them for their common use, subject only to the rights since surrendered by the Constitution."

Second. That Alabama had succeeded to all the sovereignty and jurisdiction of all the territory within her limits, to the same extent that Georgia possessed it before she ceded that territory to the United States.

Third. That to Alabama belong the navigable waters, and soils under them.

The court held that the stipulation in the act under which Alabama was admitted to the Union, that the people of the proposed State "forever disclaim all rights and title to the waste or unappropriated lands lying within the said territory, and that the same shall be and remain at the sole and entire disposition of the United States," cannot operate as a contract between the parties, but is binding as law. As to this the court said:

"Full power is given to Congress 'to make all needful rules and regulations respecting the territory or other property of the United States.' This authorized the passage of all laws necessary to secure the rights of the United States to the public lands, and to provide for their sale, and to protect them from taxation.

"And all constitutional laws are binding on the people, in the new States and the old ones, whether they consent to be bound by them or not. Every constitutional act of Congress is passed by the will of the people of the United States, expressed through their representatives, on the subject-matter of the enactment; and when so passed it becomes the supreme law of the land, and operates by its own force on the subject-matter, in whatever State or Territory it may happen to be. The proposition, therefore, that such a law cannot operate upon the subject-matter of its enactment, without the express consent of the people of the new State, where it may happen to be, contains its own refutation, and requires no farther examination. The propositions submitted to the people of the Alabama Territory, for their acceptance or rejection, by the act of Congress authorizing them to form a constitution and State government for themselves, so far as they related to the public lands within that Territory amounted to nothing more nor less than rules and regulations respecting the sales and disposition of public lands. The supposed compact relied on by the counsel for the plaintiffs, conferred no authority, therefore, on Congress to pass the act granting to the plaintiffs the land in controversy."

Fourth. As to the stipulation in the same admission act that all navigable waters within the State should forever remain open and free, the court, after deciding that to the original States belonged the absolute right to the navigble waters within the States and the soil under them for the public use, "subject only to the rights since surrendered by the Constitution," said:

"Alabama is, therefore, entitled to the sovereignty and jurisdiction over all the territory within her limits, subject to the common law, to the same extent that Georgia possessed it before she ceded it to the United States. To maintain any other doctrine, is to deny that Alabama has been admitted into the union on an equal footing with the original States, the constitution, laws, and compact, to the contrary notwithstanding."

The plain deduction from this case is that when a new State is admitted into the Union, it is so admitted with all of the powers of sovereignty and jurisdiction which pertain to the original States, and that such powers may not be constitutionally diminished, impaired or shorn away by any conditions, compacts or stipulations embraced in the act under which the new State came into the Union, which would not be valid and effectual if the subject of congressional legislation after admission.

This deduction finds support in *Peromli* v. *First Municipality,* 3 How. 589, from which we have heretofore used an excerpt; and in *Strader* v. *Graham,* 10 How. 82; *Withers* v. *Buckley et al.,* 20 How. 84, 93; *Escanaba Co.* v. *Chicago,* 107 U.S. 678, 688; *Van Brocklin* v. *Tennessee,* 117 U.S. 151, 160; *Huse* v. *Glover,* 118 U.S. 543; *Sands* v. *River Co.,* 123 U.S. 288, 296; *Ward* v. *Race Horse,* 163 U.S. 504; *Bolln* v. *Nebraska,* 176 U.S. 83, 87.

That the power of Congress to regulate commerce among the States involves the control of the navigable waters of the United States over which such commerce is conducted is undeniable; but it is equally well settled that the control of the State over its internal commerce involves the right to control and regulate navigable streams within the State until Congress acts on the subject. This has been the uniform holding of this court since *Willson* v. *Black Bird Creek Marsh Co.,* 2 Pet. 245; *Gilman* v. *Philadelphia,* 3 Wall. 713; *Escanaba Co.* v. *Chicago,* 107 U.S. 678, 683.

Many of the cases cited above presented the question as to whether state regulation of its own navigable waters, valid as an exercise of its power as a State until Congress should regulate the subject, was invalid because that "plenary power" had been cut down, not by a regulation of the general subject by Congress, but as a result of a supposed compact, condition or restriction accepted by the State as a condition upon which it was admitted into the Union.

It may well happen that Congress should embrace in an enactment introducing a new

State into the Union legislation intended as a regulation of commerce among the States, or with Indian tribes situated within the limits of such new State, or regulations touching the sole care and disposition of the public lands or reservations therein, which might be upheld as legislation within the sphere of the plain power of Congress. But in every such case such legislation would derive its force not from any agreement or compact with the proposed new State, nor by reason of its acceptance of such enactment as a term of admission, but solely because the power of Congress extended to the subject, and, therefore, would not operate to restrict the State's legislative power in respect of any matter which was not plainly within the regulating power of Congress. *Williamette Bridge Co.* v. *Hatch,* 125 U.S. 1, 9. *Pollard's Lessee* v. *Hagan, supra.*

No such question is presented here. The legislation in the Oklahoma enabling act relating to the location of the capital of the State, if construed as forbidding a removal by the State after its admission as a State, is referable to no power granted to Congress over the subject, and if it is to be upheld at all, it must be implied from the power to admit new States. If power to impose such a restriction upon the general and undelegated power of a State be conceded as implied from the power to admit a new State, where is the line to be drawn against restrictions imposed upon new States. The insistence finds no support in the decisions of this court. In *Withers* v. *Buckley,* 20 How. 84, 92, 93, where it was contended that certain legislation of the State of Mississippi interfering with the free navigation of one of the navigable streams of the State, conflicted with one of the stipulations in the act under which the State had been admitted to the Union, Congress not having otherwise legislated upon the subject, it was said:

"In considering this act of Congress of March 1st, 1817, it is unnecessary to institute any examination or criticism as to its legitimate meaning, or operation, or binding authority, farther than to affirm that it could have no effect to restrict the new State in any of its necessary attributes as an independent sovereign government, nor to inhibit or diminish its perfect equality with the other members of the Confederacy with which it was to be associated. These conclusions follow from the very nature and objects of the Confederacy, from the language of the Constitution adopted by the States, and from the rule of interpretation pronounced by this court in the case of *Pollard's Lessee* v. *Hagan,* 3 How. p. 223."

In *Escanaba Co.* v. *Chicago,* cited above, it was contended that the control of the State of Illinois over its internal waters had been restricted by the ordinance of 1787, and by the reference to that ordinance in the act of Congress admitting the State. Concerning this insistence, this court, speaking by Mr. Justice Field, said:

"Whatever the limitation upon her powers as a government whilst in a territorial condition, whether from the ordinance of 1787 or the legislation of Congress, it ceased to have any operative force, except as voluntarily adopted by her, after she became a State of the Union. On her admission she at once became entitled to and possessed of all the rights of dominion and sovereignty which belonged to the original States. She was admitted, and could be admitted, only on the same footing with them. The language of the resolution admitting her is 'on an equal footing with the original States in all respects whatever.' 3 Stat. 536. Equality of constitutional right and power is the condition of all the States of the Union, old and new. Illinois, therefore, as was well observed by counsel, could afterwards exercise the same power over rivers within her limits that Delaware exercised over Black Bird Creek, and Pennsylvania over the Schuylkill River. *Pollard's Lessee* v. *Hagan,* 3 How. 212; *Permoli* v. *First Municipality,* id. 589; *Strader* v. *Graham,* 10 id. 82."

In *Ward* v. *Race Horse, supra,* the necessary equality of the new State with the original States is asserted and maintained against the claim that the police power of the State of Wyoming over its wild game had been restricted by an Indian treaty made prior to the admission of the State of Wyoming.

In *Bolln* v. *Nebraska,* 176 U.S. 83, 89, it appeared that the act under which Nebraska had been admitted had, among other things, required the convention organized to form a constitution for the proposed State to adopt for the people of that State the Constitution of the United States. This was done. It was claimed as a result that the power of the State to authorize the prosecution of a felony by information had been restricted, because the United States could, under one of the amendments to the Constitution, prosecute only by indictment. In respect to this claim the court said:

"But conceding all that can be claimed in this connection, and that the State of Nebraska did enter the Union under the condition of the Enabling Act, and that it adopted the Constitution of the United States as its fundamental law, all that was meant by these words was that the State acknowledged, as every other State has done, the supremacy of the Federal Constitution. The first section of the act of 1867, admitting the State into the Union, declared: 'that it is hereby admitted into the Union upon an equal footing with the original States in all respects whatsoever.' It is impossible to suppose that, by such indefinite language as was used in the Enabling Act, Congress intended to differentiate Nebraska from her sister States, even if it had the power to do so, and attempt to impose more onerous conditions upon her than upon them, or that in cases arising in Nebraska a different construction should be given to her constitution from that given to the constitutions of other States. But this court has held in many cases that, whatever be the limitations upon the power of a territorial government, they cease to have any operative force, except as voluntarily adopted after such territory has become a State of the Union. Upon the admission of a State it becomes entitled to and possesses all the rights of dominion and sovereignty which belonged to the original States, and, in the language of the act of 1867 admitting the State of Nebraska, it stands 'upon an equal footing with the original States in all respects whatsoever.' "

We are unable to find in any of the decisions of this court cited by counsel for the appellants anything which contravenes the view we have expressed. *Green* v. *Biddle,* 8 Wheat. 1, involved the question as to whether a compact between two States, assented to by Congress, by which private land titles in Kentucky, derived from Virginia before the separation of Kentucky from Virginia, "should remain valid and secure under the laws of the proposed State of Kentucky, and should be determined by the laws now existing in this (Virginia) State." By subsequent legislation of the State of Kentucky these titles were adversely affected. This court held that this legislation impaired the obligation of a valid contract within that clause of the Constitution forbidding such impairment. Neither does *Virginia* v. *West Virginia,* 11 Wall. 39, have any bearing here. The question there was one of compact between the two States, assented to by Congress, concerning the boundary between them. Both the cases last referred to concerned compacts between States, authorized by the Constitution when assented to by Congress. They were therefore compacts and agreements sanctioned by the Constitution, while the one here sought to be enforced is one having no sanction in that instrument.

Beecher v. *Wetherby,* 95 U.S. 517, involved the validity of the grant of every sixteenth section in each township for school purposes. The grant was made by the act providing for the organization of a State government for the Territory of Wisconsin, and purported to be upon condition that the proposed State should never interfere with the primary disposal of the public lands of the United States, nor subject them to taxation. The grant was held to operate as a grant taking effect so soon as the necessary surveys were made. The conditions assented to by the State were obviously such as obtained no force from the assent of the State, since they might have been exacted as to exertion of the proper power of Congress to make rules and regulations as to the disposition of the public lands. *Minnesota* v. *Bachelder,* 1 Wall. 109, is another case which involved nothing more than an exertion by Congress of its power to regulate the disposition of the public lands.

The case of the *Kansas Indians,* 5 Wall. 737, involved the power of the State of Kansas to tax lands held by the individual Indians in that State under patents from the United States. The act providing for the admission of Kansas into the Union provided that nothing contained in the constitution of the State should be construed to "impair the rights of persons or property pertaining to the Indians of said territory, so long as such rights shall remain unextinguished by treaty with such Indians." It was held that so long as the tribal organization of such Indians was recognized as still existing, such lands were not subject to taxation by the State. The result might be well upheld either as an exertion of the power of Congress over Indian tribes, with whom the United States had treaty relations, or as a contract by which the State had agreed to forgo taxation of Indian lands, a contract quite within the power of a State to make, whether made with the United States for the benefit of its Indian wards, or with a private corporation for the supposed advantages resulting. Certainly the case has no bearing upon a compact by which the general legislative power of the State is to be impaired with reference to a matter pertaining purely to the internal policy of the State. See *Stearns* v. *Minnesota,* 179 U.S. 223.

No good can result from a consideration of the other cases cited by plaintiffs in error. None of them bear any more closely upon the question here involved than those referred to. If anything was needed to complete the argument against the assertion that Oklahoma has not been admitted to the Union upon an equality of power, dignity and sovereignty with Massachusetts or Virginia, it is afforded by the express provision of the act of admission, by which it is declared that when the people of the proposed new State have complied with the terms of the act that it shall be the duty of the President to issue his proclamation and that "thereupon the proposed State of Oklahoma shall be deemed admitted by Congress into the Union under and by virtue of this act, on an equal footing with the original States." The proclamation has been issued and the Senators and Representatives from the State admitted to their seats in the Congress.

Has Oklahoma been admitted upon an equal footing with the original States? If she has, she by virtue of her jurisdictional sovereignty as such a State may determine for her own people the proper location of the local seat of government. She is not equal in power to them if she cannot.

In *Texas* v. *White,* 7 Wall. 700, 725, Chief Justice Chase said in strong and memorable language that, "the Constitution, in all of its provisions looks to an indestructible Union, composed of indestructible States."

In *Lane County* v. *Oregon,* 7 Wall. 76, he said:

"The people of the United States constitute one nation, under one government, and this government, within the scope of the powers with which it is invested, is supreme. On the other hand, the people of each State compose a State, having its own government, and endowed with all the functions essential to separate and independent existence. The States disunited might continue to exist. Without the States in union there could be no such political body as the United States."

To this we may add that the constitutional equality of the States is essential to the harmonious operation of the scheme upon which the Republic was organized. When that equality disappears we may remain a free people, but the Union will not be the Union of the Constitution.

Judgment affirmed.

Mr. Justice McKenna and Mr. Justice Holmes dissent.

Mr. ERVIN. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point, the decision of the three-judge court in the Camacho case in full.

There being no objection, the decision was ordered to be printed in the RECORD, as follows:

APPLICATION OF JOSE CAMACHO, PLAINTIFF, *v.* WILLIAM T. ROGERS, ATTORNEY GENERAL OF THE UNITED STATES, NELSON ROCKEFELLER, GOVERNOR OF THE STATE OF NEW YORK, LOUIS J. LEFKOWITZ, ATTORNEY GENERAL OF THE STATE OF NEW YORK, AND THE BOARD OF ELECTIONS OF THE CITY OF NEW YORK, DEFENDANTS

(U.S. District Court, Southern District of New York, Oct. 19, 1961)

Action to enjoin the enforcement of New York statutory and constitutional provisions requiring literacy in the English language as a prerequisite for eligibility to vote. Motions were made for the dismissal of the complaint. The statutory three-judge district court, Metzner, district judge, held that a prior state decision adverse to the petitioner was res judicata insofar as the issues therein raised were concerned, and that the petitioner's other contentions were without merit, but stated its view that the requirement was valid.

Complaint dismissed.

1. Injunction—114(3)

Governor and State attorney general were not proper parties to action to enjoin enforcement of New York statutory and constitutional provisions requiring literacy in English language for eligibility to vote, and action was dismissed insofar as it sought relief against them. Fed. Rules Civ. Proc. rule 12(b)(2), 28 U.S.C.A.; Const. N.Y. art. 2, § 1; Election Law N.Y. §§ 150, 168, 201, subd. 1.

2. Judgment—828(3.39)

State court judgment adverse to petitioner was res judicata of issues decided and precluded their consideration in subsequent action before three-judge Federal court for injunctive relief against enforcement of New York statutory and constitutional provisions requiring literacy in English language as prerequisite for eligibility to vote. Const. N.Y. art. 2, § 1; Election Law N.Y. §§ 150, 168, 201, subd. 1; 28 U.S.C.A. § 2281; 42 U.S.C.A. § 1971; U.S.C.A. Const. Amends. 14, 15.

3. Courts—270

Any rights of citizen, under Civil Rights Act of 1960, to restrain enforcement of New York statutory and constitutional provisions relating to eligibility to vote, were required to be asserted in the proper judicial district, which is the District of Columbia, and not in Southern District of New York. 42 U.S.C.A. § 1971(c, e); Const. N.Y. art 2, § 1; Election Law N.Y. §§ 150, 168, 201, subd. 1; 28 U.S.C.A. § 2281.

4. Treaties—12

While treaties are part of supreme law of land, they reach that status only if their provisions are self-executing. U.S.C.A. Const. art. 6.

5. Treaties—12

Provision of United Nations Charter that United Nations should promote universal respect for observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion was not self-executing and therefore was not part of supreme law of United States. U.S.C.A. Const. art. 6; United Nations Charter, art. 55, 59 Stat. 1045.

6. Territories—33

Treaty of Paris applied only to persons born in and resident of Puerto Rico, and did not give such persons rights which they would be entitled to exercise in contravention of valid laws of a state to which they might move from Puerto Rico. Treaty of Paris, Dec. 10, 1898, 30 Stat. 1754.

7. Territories—33

Treaty of Paris did not give residents of Puerto Rico special status which would give them preferential treatment when moving to a state over residents of sister states who might move to that state. Treaty of Paris, Dec. 10, 1898, 30 Stat. 1754.

8. Elections—18

Establishment of standards for voting is within power of states and not subject to federal supervision save as such legislation might contravene Fourteenth and Fifteenth Amendments; states are free to establish standards for eligibility to vote which do not contravene a constitutional prohibition. U.S. C.A. Const. Amends. 14, 15.

9. Elections—60

New York constitutional and statutory provisions requiring literacy in English language as prerequisite for eligibility to vote are valid. Const. N.Y. art. 2, § 1; Election Law N.Y. §§ 150, 168, 201, subd. 1; 42 U.S.C.A. § 1971(a, b); U.S.C.A. Const. Amend. 15.

Paul O'Dwyer, New York City (Gene Crescenzi, and Howard N. Meyer, New York City, on brief), for plaintiff.

George C. Mantzoros, Asst. Atty. Gen. of New York (Irving L. Rollins, New York City, of counsel), (Louis J. Lefkowitz, Atty. Gen., Paxton Blair, Sol. Gen., Albany, and George C. Mantzoros, New York City, on brief), for Governor and Atty. Gen. of New York.

Arthur H. Geisler, Asst. Corp. Counsel, New York City, for City of New York (Leo A. Larkin, Corp. Counsel, and Arthur H. Geisler, New York City, on brief), for the Bd. of Elections of City of New York.

Robert J. Ward, Asst. U. S. Atty., S.D. N.Y., New York City (Burke Marshall, Asst. Atty. Gen., and Robert M. Morgenthau, U.S. Atty., S.D.N.Y., New York City, on brief), for U.S., amicus curiae.

Nanette Dembitz, New York City, on brief, for the New York Civil Liberties Union, amicus curiae.

Before Lumbard, circuit judge, and Edelstein and Metzner, district judges.

METZNER (district judge). This is an action for an injunction to enjoin the enforcement of the English language literacy requirement of the Constitution (art. II, § 1) and the Election Law, McKinney's Consol. Laws, c. 17 (§§ 150, 168 and 201, subd. 1) of the State of New York on the ground that such requirement violates the Constitution of the United States and statutes adopted pursuant thereto and certain treaties entered into by the United States. Plaintiff requested that a three-judge statutory court be convened (28 U.S.C. § 2281), which request was granted by the district court and the matter argued before this court.

(1) The original parties defendant were the Attorney General of the United States, the Governor and the attorney general of the State of New York, and the Board of Elections of the City of New York. In a prior motion the plaintiff consented to a dismissal of the complaint against the Attorney General of the United States. The Governor and the attorney general of the State of New York also moved for a dismissal, but that matter was held for adjudication by this court. The action insofar as it seeks relief against these officials must also be dismissed because they are not proper parties. *Fitts* v. *McGhee*, 1899, 172 U.S. 516, 19 S. Ct. 269, 43 L. Ed. 535; Rule 12(b)(2) of the Federal Rules of Civil Procedure, 28 U.S.C.

The complaint alleges that plaintiff is a citizen of the United States, having been born in Puerto Rico, and that he is literate only in Spanish. It was conceded on the argument that he voted in Puerto Rico before coming to New York City, where he is presently a resident. The defendant, Board of Elections of the City of New York, has refused to allow him to register to vote because he is unable to present proof of literacy in English as required and provided for by §§ 150, 168 and 201, subd. 1, of the Election Law. These sections were adopted pursuant to article II, § 1, of the New York State Constitution, which provides that:

"Notwithstanding the foregoing provisions, after January first, one thousand nine hundred twenty-two, no person shall become entitled to vote by attaining majority, by naturalization or otherwise, unless such person is also able, except for physical disability, to read and write English."

(2) Plaintiff predicates his claim to relief on six grounds. First, that pursuant to the Treaty of Paris, 30 Stat. 1754, which ended the hostilities between the United States and Spain, he is a citizen of the United States whose rights shall be those provided for by Congress, and therefore any limiting provision of the Constitution or the Election Law of the State of New York is of no force and effect. Second, that as a citizen of the United States he is being denied the equal protection of the laws, in violation of the fourteenth amendment. Third, that in violation of the Fifteenth Amendment he is being denied the right to vote because of his race, being a Puerto Rican of Spanish ancestry. Fourth, that § 1971(a) of Title 42, U.S.C.A., is being violated on the ground that a person is entitled to vote without regard to race, color or previous condition of servitude. Fifth, that the Civil Rights Acts of 1957 and 1960 (42 U.S.C.A. § 1971(c) and (e)) are being violated because a pattern exists denying Puerto Rican-American citizens the right to vote. Sixth that the United Nations Charter and the Declaration of Human Rights are treaty obligations of the United States which are part of the supreme law of the land (Const. Art. VI), and that said treaty is being violated in that the right to vote is a basic human right which the United States is pledged to observe without distinction as to race, sex, language or religion.

The first four grounds for the claim to relief as well as the 1957 Civil Rights Act, embraced in the fifth ground, were raised in an action instituted in 1958 by this plaintiff against the Board of Elections in the Supreme Court of the State of New York. 221 N.Y. S. 2d 262, affirmed by the Court of Appeals without opinion, *Camacho* v. *Doe*, 1959, 7 N.Y. 2d 762, 194 N.Y.S. 2d 33, 163 N.E. 2d 140. Neither the 1960 Civil Rights Act nor the sixth ground for relief was raised in the State court action.

The defense of res judicata has been raised based on the judgment in the state court action, which was decided adversely to the petitioner. The defense is a valid one and accordingly we dismiss the complaint insofar as the grounds raised in the State court action are concerned. *Rooker* v. *Fidelity Trust Co.*, 1923, 263 U.S. 413, 44 S. Ct. 149, 68 L. Ed. 362; *New York State Electric & Gas Corp.* v. *Public Service Commission of New York*, 2 Cir., 1939, 102 F. 2d 453; *Baker Driveaway Co.* v. *Hamilton*, D.C.M.D. Pa. 1939, 29 F. Supp. 693; *England* v. *Louisiana State*

Board of Medical Examiners, D.C. E.D. La. 1961, 194 F. Supp. 521.

(3) If there are any rights available to plaintiff by virtue of the Civil Rights Act of 1960 (42 U.S.C.A. § 1971(c) and (e)), as contended for in the fifth ground, they must be asserted in the proper judicial district, which is the District of Columbia. We assume that the impropriety of seeking relief in this forum against the Attorney General of the United States is what prompted the consent by the plaintiff to the dismissal of the action against that official in a prior motion in this case.

We come to the sixth ground for relief, which is predicated on the claim that the cited sections of the New York Constitution and the Election Law violate Article 55 of the United Nations Charter, 59 Stat. 1045. That article declares that the United Nations "shall promote: * * * universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion."

Article 56 of the Charter provides a pledge by the member nations to take joint and separate action "in cooperation with the Organization for the achievement of the purposes set forth in Article 55."

(4, 5) While Article VI of the Constitution provides that treaties are part of the supreme law of the land, they reach that status only if the provisions of the treaty are self-executing. *Foster* v. *Neilson,* 1829, 2 Pet. 253, 7 L. Ed. 415; Head Money Cases, 1884, 112 U.S. 580, 598, 5 S. Ct. 247, 28 L. Ed. 798; *Valentine* v. *U.S. ex rel. Neidecker,* 1936, 299 U.S. 5, 10, 57 S. Ct. 100, 81 L. Ed. 5. The question of whether Article 55 is self-executing has been fully discussed in *Sei Fuji* v. *State,* in banc, 1952, 38 Cal. 2d 718, 242 P. 2d 617, and as appears there the answer is that it is not. With this conclusion we agree. See also, *Rice* v. *Sioux City Memorial Park,* 1953, 245 Iowa 147, 60 N.W. 2d 110. Indeed the very wording of Article 55 shows that it is not intended to be self-executing.

(6, 7) Because of the nature of the issue presented, we nevertheless express our views on the merits of the plaintiff's claims foreclosed by the defense of res judicata, as the same undoubtedly will be raised by others similarly situated.

The Treaty of Paris provided that:

"The civil rights and political status of the native inhabitant of the territories hereby ceded to the United States shall be determined by the Congress." 30 Stat. 1759, art 9.

We think it is clear that this provision applies only to the rights of persons born in and resident of Puerto Rico, and that they are not given rights which they are entitled to exercise in contravention of the valid laws of a state to which they may move from Puerto Rico. They do not acquire a special status which would give them preferential treatment over a resident of a sister State who moves to New York and seeks to vote from his new residence.

(8) This brings us then to the nub of this case, which is whether a state may adopt a requirement that in order for a citizen to be eligible to vote he must read and write the English langauge. The establishment of standards for voting has been recognized as within the power of the states and not subject to Federal supervision (*Guinn* v. *U.S.,* 1915, 238 U.S. 347, 366, 35 S. Ct. 926, 59 L. Ed. 1340), save as such legislation might contravene the fourteenth and fifteenth amendments (*Breedlove* v. *Suttles,* 1937, 302 U.S. 277, 58 S. Ct. 205, 82 L. Ed. 252). States are free to establish standards of eligibility to vote which do not contravene a constitutional prohibition. The following state requirements have been held to be constitutionally valid if equally applied to all who reside within the state: absence of criminal conduct, *Davis* v. *Beason,* 1890, 133 U.S. 333, 10 S. Ct. 299, 33 L. Ed. 637; residency within the state for a designated period, *Pope* v. *Williams,* 1904, 193 U.S. 621, 24 S. Ct. 573, 48 L. Ed. 817; successful passing of a literacy test, *Lassiter* v. *Northampton Co. Board of Elections,* 1959, 360 U.S. 45, 79 S. Ct. 985, 3 L. Ed. 2d 1072; *Trudeau* v. *Barnes,* 5 Cir., 1933, 65 F. 2d 563; *Guinn* v. *U.S., supra;* payment of a poll tax, *Breedlove* v. *Suttles,* supra.

In the Lassiter case, supra, the court, dealing with the constitutionality of a North Carolina statute requiring ability to read and write any section of the Constitution of North Carolina in the English language, said as follows:

"We do not suggest that any standards which a State desires to adopt may be required of voters. But there is wide scope for exercise of its jurisdiction. Residence requirements, age, previous criminal record (*Davis* v. *Beason,* 133 U.S. 333, 345–347 [10 S. Ct. 299, 301–302, 33 L. Ed. 637]) are obvious examples indicating factors which a State may take into consideration in determining the qualifications of voters. The ability to read and write likewise has some relation to standards designed to promote intelligent use of the ballot. Literacy and illiteracy are neutral on race, creed, color, and sex, as reports around the world show. Literacy and intelligence are obviously not synonymous. Illiterate people may be intelligent voters. Yet in our society where newspapers, periodicals, books, and other printed matter canvass and debate campaign issues, a State might conclude that only those who are literate should exercise the franchise." [360 U.S. 45, 79 S. Ct. 990.]

(9) While this case discussed the provision in the North Carolina statute requiring literacy and ignored the further requirement that it be in the English language, the above quotation is just as apposite for a person literate in a foreign tongue. The plaintiff here is in no different position than children born in the United States and taken from the country at any early age who return after reaching their majority and are "literate" only in a tongue other than English. Plaintiff's argument, if followed to its logical conclusion, would mean that these people, no matter what their foreign tongue may be, should be entitled to vote as long as they are literate in such foreign tongue.

The statute is not an unreasonable exercise of the powers of the state to provide requirements for exercising the elective franchise. It is not unreasonable to expect a voter not only to be conversant with the issues presented for determination in choosing between candidates for election, but also to understand the language used in connection with voting. For example, there are printed in English on the ballot synopses of proposed constitutional amendments, titles of the offices to be filled and directives as to the use of the paper ballot or voting machine. Finally, what is more proper than that the voter be literate in the language used to conduct the business of government in his state.

It is because of this view of the issue presented that the testimony received on the hearing in this matter, while relevant to the issue, is immaterial to its determination.[1]

The literacy requirement is applicable to all citizens of New York without regard to race, creed, color or sex. No charge is made that the test is improperly given or its contents unfair. The test is equally and fairly applied to all who take it. Plaintiff has not been denied the equal protection of the laws nor has he been deprived of his life, liberty or property, in violation of the Fourteenth Amendment. *Lassiter* v. *Northampton Co. Board of Elections,* supra; *Trudeau* v. *Barnes,* supra.

Plaintiff has not directly raised in his pleading the question of the 15th amendment except in the sense that he states that "he is being denied the equal protection of the law guaranteed to him by the 14th amendment" because "he is being denied the right to vote because of his race, as a Puerto Rican of Spanish ancestry." However, in the brief submitted after hearing before this court, he claims conflict between the statutory provisions of New York and the 15th amendment in their application to the Puerto Rican community of New York. He claims that "race" and "color" were not intended to have a narrow or technical connotation, but refer to any minority in the community. In the Lassiter case, 360 U.S. at page 53, 79 S. Ct. at page 991 the court said:

"Of course a literacy test, fair on its face, may be employed to perpetuate that discrimination which the 15th amendment was designed to uproot."

Because the plaintiff is unable to vote as a result of his inability to pass the test, it does not follow that the plaintiff is being discriminated against. The 15th amendment was not designed to protect against the claim of this plaintiff. He is not being denied the right to vote because of race, creed, or color, but because of his illiteracy in the English language.

Plaintiff places reliance on the Civil Rights Act of 1957 (42 U.S.C.A. sec. 1971). Subdivision (a) of section 1971 provides that:

"All citizens * * * who are otherwise qualified by law to vote at any election by the people in any State * * * shall be entitled * * * to vote at all such elections, without distinction of race, color, or previous condition of servitude."

This is merely a restatement of the 15th amendment except that it adds the words "who are otherwise qualified by law to vote." The added words serve as a limitation insofar as the plaintiff is concerned. The requirement of literacy in the English language is a proper exercise of State power; the plaintiff is therefore not qualified under the laws of New York and this subdivision is inapplicable to him.

Subdivision (b) is of no help to the plaintiff since it is directed at deliberate acts of intimidation, threats and coercion, none of which are charged here.

The complaint is dismissed.

EDELSTEIN (district judge, concurring). I concur in the dismissal of the complaint.

Plaintiff has alleged six grounds as the basis for his claim to relief. As to the first four grounds, i.e., the Treaty of Paris, the 14th amendment, the 15th amendment and 42

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[1] It was stipulated that if the mayor of San Juan, Puerto Rico, were called she would testify that between 1898 and 1948 attempts to teach ordinary subjects in the English language in grade schools in Puerto Rico were unsuccessful because the mother tongue of the children was Spanish; that after 1948 all required subjects were taught in Spanish up to the sixth or eighth grades; that the subjects taught were those taught on the mainland, and that the books were the same textbooks, by and large, used in the public schools throughout the mainland except that they were translated into the Spanish language. The editor of a Spanish language daily newspaper published in New York City testified that his paper is distributed throughout the State of New York; that it has correspondents in the major cities of the state where there are Puerto Rican residents, and that these correspondents, in addition to special correspondents who visit these areas during the pre-election period, write articles about the issues and the candidates to be voted upon at the general election. He testified that his newspaper gives more space proportionately to politics than any other newspaper in the country and that there is another Spanish language daily newspaper that generally does the same thing. There are also six radio stations which program this type of news in the Spanish language and four weekly magazines in the Spanish language.

U.S.C.A. section 1971(a), and as to that portion of the fifth ground which refers to the Civil Rights Act of 1957, I agree that plaintiff is barred by res judicata. As to that portion of the fifth ground which refers to the Civil Rights Act of 1960 and as to the sixth ground, i.e., article 55 of the United Nations Charter, I agree that they are not applicable for the reasons stated in the court's opinion. I also concur in the dismissal of the complaint as against the Governor and the attorney general of the State on the ground that they are not proper parties.

Since this disposes of the case, I see no need for a dictum on the merits of those issues which are not before the court. Accordingly, I concur in the result without expressing any opinion on the merits of the issues raised by plaintiff which are barred by res judicata.

Mr. ERVIN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KENNEDY of New York. Mr. President, I yield 1 minute to the senior Senator from New York.

Mr. JAVITS. Mr. President, in answer to the Senator from North Caroina, I have already pointed out how other State constitutional machinery will probably be set in motion to accomplish this purpose in future years. We are trying to pass a voting rights bill which the Senators from New York favor. In New York, we have been plagued for years by opponents of civil rights legislation with the charge, "What are you doing about the Puerto Rican situation in New York?" The situation is not analogous to voter discrimination in other parts of the country. It is not discrimination. However, I think that we ought to settle the question. This is an opportunity for the Senate to settle it.

I have been in favor of this measure since 1962. My former colleague, Mr. Keating, was in favor of it. Congressman LINDSAY is for it—and without hesitation.

I believe that the Senate has an opportunity to determine the question. I hope that the Senate will do so affirmatively today.

The PRESIDING OFFICER. The Senator from New York has 3 minutes remaining.

Mr. KENNEDY of New York. Mr. President, I should like first to direct my remarks to the Camacho case.

There are at least five basic distinctions between what we are doing now in the Senate of the United States today in connection with the bill and the Comacho case.

First, the court in the Camacho case did not have before it any act of Congress. As Professors Freund, Howe, and Bittker all pointed out in the letters which I have inserted in the RECORD, the matter is quite different when it comes before the courts with the support and weight of a congressional finding that the State action involved is arbitrary and discriminatory.

Second, the Federal court's decision was based not on the validity of New York's law, but on the fact that the matter had been litigated previously in the New York State courts. The court's comments on the constitutional question were merely dictum. And the New York Court of Appeals' decision was an affirmance without opinion of a trial court opinion that was nothing but a series of unreasoned conclusions. So the Camacho case is a very weak precedent.

Third, the Federal court in Camacho was a lower court. It would be rather surprising constitutional doctrine to say that the Congress of the United States is bound by a lower court decision.

Fourth, the State court decision in Camacho was 6 years ago, the Federal court decision 4 years ago. A great deal of further definition has been given to the 14th amendment by the courts since that time.

Fifth, the Senator from North Carolina has often expressed disagreement with various decisions of the Supreme Court of the United States. I believe, therefore, that the Senator can well understand that there may be disagreement with a lower court.

I have found, in discussions with the Department of Justice, with the present Attorney General, with his predecessor, and with a number of distinguished professors who are students of constitutional law at various universities across the United States, that there is unanimous agreement that the amendment which we are debating today is constitutional under the 14th amendment.

To go on, then. We educate our citizens in Puerto Rico in the Spanish language. It was decided by the Congress of the United States that they could be educated in Spanish. Congress can change that procedure. However, it was decided that they could be educated in Spanish. These people are American citizens. They have gone to schools under the public school system of the United States. They have the right to travel and to vote. That is a guarantee that is given to them.

These citizens come to the State of New York. They cannot vote in the State of New York unless they pass a test or present a certificate of eighth grade education in the English language.

Even though citizens of Puerto Rican origin have been educated at American-flag schools under the U.S. school system, they are being treated in this manner. Puerto Ricans are asked to go all over the world, as American citizens, to fight for the United States. They are fighting and dying in Vietnam. They fought in Korea. There were twice as many Puerto Ricans fighting in Korea, per capita, as there were from the mainland of the United States.

I believe that we have an obligation. We have not done our duty in New York, for one reason or another. There are many reasons for this.

Some 730,000 Puerto Ricans live in the city of New York. Nearly 500,000 of them are over the age of 21, but many cannot participate in elections because of the requirement that one must pass a test or have a certificate from an English language school.

We have a responsibility and obligation, particularly when we consider that the education in Spanish which Puerto Ricans receive is partly the result of a policy that we ourselves have fostered in the Congress.

I quote from what Lord Acton once wrote:

> Laws should be adapted to those who have the heaviest stake in the country, for whom misgovernment means not mortified pride or stinted luxuries but want and pain, and degradation and risk to their own lives and to their children's souls.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. KENNEDY of New York. If there is any time.

The PRESIDING OFFICER. There is 1 minute remaining.

Mr. ERVIN. Did not Lord Acton live in a country which has no written constitution?

Mr. KENNEDY of New York. The Senator is correct. I appreciate that fact.

But I believe that we have gained very much in the United States from the English system. And there is so much that can be gained from what Lord Acton has said and written about those who suffer. I believe that it is up to Congress to enact laws to help them.

The PRESIDING OFFICER. The Senator from North Carolina has 2 minutes remaining.

Mr. ERVIN. The point involved in the Camacho decision is the same point that is involved here. It was whether the State of New York had the power under the Constitution of the United States to require literacy in English as a prerequisite to the right to vote. No number of acts of Congress can change the decision to that effect. This is true because Congress cannot enact laws to change the Constitution of the United States.

The PRESIDING OFFICER. The hour of 1:30 p.m. has arrived. All time on the amendment has expired, pursuant to the unanimous-consent agreement of May 19. The yeas and nays have been ordered on amendment No. 176, offered by the Senator from New York [Mr. KENNEDY], for himself and the senior Senator from New York [Mr. JAVITS], to the amendment in the nature of a substitute (No. 124) proposed by Mr. MANSFIELD (for himself and Mr. DIRKSEN), as modified and amended.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARTLETT (when his name was called). On this vote I have a pair with the distinguished Senator from Virginia [Mr. BYRD]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

Mr. RUSSELL of South Carolina (when his name was called). On this vote I have a live pair with the distinguished majority leader [Mr. MANSFIELD]. I understand that if present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Alaska [Mr. GRUENING], the Senator from North Carolina [Mr. JORDAN], the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. McCarthy], the Senator from Michigan [Mr. McNamara], the Senator from Utah [Mr. Moss], the Senator from West Virginia [Mr. Randolph], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I further announce that the Senator from New Mexico [Mr. Anderson], the Senator from New Mexico [Mr. Montoya], the Senator from Georgia [Mr. Russell], the Senator from Washington [Mr. Magnuson], are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. Anderson], the Senator from Idaho [Mr. Church], the Senator from Alaska [Mr. Gruening], the Senator from Minnesota [Mr. McCarthy], the Senator from Michigan [Mr. McNamara], the Senator from New Mexico [Mr. Montoya], and the Senator from Maryland [Mr. Tydings], would each vote "yea."

On this vote, the Senator from West Virginia [Mr. Randolph] is paired with the Senator from Georgia [Mr. Russell]. If present and voting, the Senator from West Virginia would vote "yea" and the Senator from Georgia would vote "nay."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. Aiken], the Senator from Kentucky [Mr. Cooper], the Senator from Hawaii [Mr. Fong], the Senator from Iowa [Mr. Hickenlooper], the Senator from Idaho [Mr. Jordan], the Senator from Kansas [Mr. Pearson], and the Senator from Massachusetts [Mr. Saltonstall] are absent on official business as Members of the Eighth Canada-United States Interparliamentary Group to attend meetings at Ottawa, Montreal.

The Senator from Utah [Mr. Bennett], the Senator from Kansas [Mr. Carlson], the Senators from Nebraska [Mr. Curtis and Mr. Hruska], the Senator from Colorado [Mr. Dominick], the Senator from Iowa [Mr. Miller], the Senator from Wyoming [Mr. Simpson], and the Senator from Delaware [Mr. Williams] are necessarily absent.

The Senator from Illinois [Mr. Dirksen] and the Senator from Vermont [Mr. Prouty] are detained on official business.

If present and voting, the Senator from Utah [Mr. Bennett], the Senator from Kansas [Mr. Carlson], the Senator from Illinois [Mr. Dirksen], the Senator from Colorado [Mr. Dominick], the Senator from Nebraska [Mr. Hruska], the Senator from Hawaii [Mr. Fong], the Senator from Iowa [Mr. Hickenlooper], the Senator from Idaho [Mr. Jordan], the Senator from Iowa [Mr. Miller], and the Senator from Wyoming [Mr. Simpson] would each vote "nay."

On this vote, the Senator from Massachusetts [Mr. Saltonstall] is paired with the Senator from Kansas [Mr. Pearson]. If present and voting, the Senator from Massachusetts would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 48, nays 19, as follows:

[No. 78 Leg.]

YEAS—48

Bass
Bayh
Bible
Boggs
Brewster
Burdick
Cannon
Case
Clark
Dodd
Douglas
Fulbright
Gore
Harris
Hart
Hartke
Hayden
Holland
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Monroney
Morse
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Ribicoff
Scott
Smathers
Smith
Symington
Williams, N.J.
Yarborough
Young, Ohio

NAYS—19

Allott
Byrd, W. Va.
Cotton
Eastland
Ellender
Ervin
Fannin
Hill
Lausche
Morton
Mundt
Murphy
Robertson
Sparkman
Stennis
Talmadge
Thurmond
Tower
Young, N. Dak.

NOT VOTING—33

Aiken
Anderson
Bartlett
Bennett
Byrd, Va.
Carlson
Church
Cooper
Curtis
Dirksen
Dominick
Fong
Gruening
Hickenlooper
Hruska
Jordan, N.C.
Jordan, Idaho
Magnuson
Mansfield
McCarthy
McNamara
Miller
Montoya
Moss
Pearson
Prouty
Randolph
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Tydings
Williams, Del.

So amendment No. 176, offered by Mr. Kennedy for himself and Mr. Javits, was agreed to.

Mr. KENNEDY of New York. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. JAVITS. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. EASTLAND. Mr. President——

The PRESIDING OFFICER (Mr. Harris in the chair). The Senator from Mississippi is recognized.

Mr. PASTORE. Mr. President——

Mr. ERVIN. Mr. President, will the Senator from Mississippi yield to me for the purpose of offering an amendment, without losing his right to the floor?

Mr. EASTLAND. With that understanding, I am glad to yield to the Senator from North Carolina.

Mr. PASTORE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

The Senator from North Carolina is recognized.

AMENDMENT NO. 174

Mr. ERVIN. Mr. President, I call up my amendment No. 174 to the Mansfield-Dirksen amendment in the nature of a substitute and ask that it be stated.

The PRESIDING OFFICER. The amendment to the amendment will be stated for the information of the Senate.

The Legislative Clerk. It is proposed in the Mansfield-Dirksen substitute, on page 5, lines 21 and 22 to strike out the words "has been used during the five years preceding the filing of the action" and insert in lieu thereof the following words "is being used".

Mr. ERVIN. Mr. President, will the Senator from Mississippi yield for a one sentence statement——

Mr. EASTLAND. I am glad to yield.

Mr. ERVIN. This is a simple amendment. It wipes out the requirement that before the Attorney General can consent to a declaratory judgment in favor of a political subdivision in the District Court of the District of Columbia, it does not have to be 5 years since there has been a violation of the 15th amendment in such subdivision. It provides, on the contrary, that if he finds that a literacy test is not being presently used for discriminatory purposes, he can consent to a judgment exonerating the political subdivision.

Mr. HART. Mr. President, will the Senator from Mississippi yield, without losing his right to the floor, in order that I may inquire of the Senator from North Carolina his intentions with respect to time?

Mr. EASTLAND. I am glad to yield.

Mr. HART. Mr. President, the amendment which the Senator has called up, No. 174, has been before us for some time. I wonder if it would be possible to fix a time at which we could vote on the amendment.

Mr. EASTLAND. I object.

Mr. HART. I regret that accordingly we shall not be able to inform any Senators as to the prospect with respect to a vote. I hope that we may be able to resolve the question today.

Mr. President, I should like again to ask the Senator from Mississippi if it would be possible for me to determine from the Senator from North Carolina if we could vote on the amendment at a time certain today.

Mr. PASTORE. I would suggest a vote at 3:30 p.m.

Mr. HART. I wonder if the Senator could indicate whether it might be acceptable to suggest that the time for a vote on his amendment be set somewhere between now and 3:30 this afternoon.

Mr. EASTLAND. I object.

Mr. HART. Perhaps we may be able to resolve the question later in the day.

REORGANIZATION PLAN NO. 1 OF 1965—BUREAU OF CUSTOMS

Mr. PASTORE. Mr. President, a report has been filed by the Committee on Government Operations on Reorganization Plan No. 1 of 1965, dealing with the Bureau of Customs. The report is on Senate Resolution 102, which is a resolution of disfavor. It was submitted by me on April 27.

The resolution has been returned by the committee with the recommendation that it be not favorably acted upon.

I merely wish to inform the Senate that I have no intention of calling up my resolution of disfavor for the reason that I submitted it, as I said on April 27, for the purpose of holding a hearing, so that we might learn from the Treasury Department exactly what was involved in Reorganization Plan No. 1. That hearing has been held. I am satisfied by the assurances that were given by the Secretary of the Treasury, Mr. Fowler, that there would be no diminution of services, at least in the State of Rhode Island, if the reorganization plan were adopted.

Several other Senators cosponsored the resolution. Inasmuch as the resolution is a privileged matter, it can be brought up at any time. I merely wish to notify the Senate at this time that I have no intention of calling it up.

SECRETARY OF AGRICULTURE ERRS IN TRYING TO END SKIP-ROW PLANTING OF COTTON IN DRYLAND AREAS

Mr. YARBOROUGH. Mr. President, tens of thousands of cotton growers in Texas and many other areas of the Nation face severe economic loss and perhaps even disaster if the Department of Agriculture puts into effect changes which it proposes in the rules relating to skip-row planting of cotton.

This is a vast and diverse country with many different climates and types of soils. Methods of agricultural production suited to one type of weather condition and one type of soil may be completely inappropriate and economically unfeasible in another area. This is a fact which the Secretary of Agriculture, in proposing new rules for the planting of cotton, seems to have forgotten completely.

In the semiarid cotton-growing regions of the southern plains most farmers use a method of planting cotton quite different from that used in the moist and heavily irrigated regions of the Southeast and the Far West. Instead of planting one row of cotton next to another across a whole field as is done in regions which have an abundance of water, the farmers in our drylands use a system of planting two rows of cotton, leaving the next two to four rows fallow or planted to other crops, and then planting two more rows of cotton. The primary purpose of the skip-row method is to allow the plants to benefit from moisture and soil nutrients in the fallow land between the cotton rows.

Skip-row planting, however, has yielded other benefits to the cotton growers of the drylands. Since most farmers use two-row cotton strippers, it requires less time, and equipment costs are lower in harvesting a skip-row field. A cotton stripper, furthermore, does a cleaner job, and less cotton is left in the field in skip-row areas than in fields where a skip-row system is not used. The fallow rows make the fields more resistant to wind and water erosion than if they were planted with cotton alone. Cotton growers using skip-row methods have also found that the fiber of the cotton so produced is of a very high quality and in high demand by our textile mills.

Skip-row planting has been in use in the southern plains since the days when the first cotton was grown in the area. This was long before the creation of the Agricultural Stabilization and Conservation Service, and even long before there was a cotton program. It has been used because it is the most economical and efficient way to grow cotton in the drylands, and it effects soil conservation and protection against blowing of soil by wind. Skip-row planting is a method of cultivation in these areas, just as intensive irrigation and fertilization are the most economical and efficient ways in other cotton growing areas.

Traditionally the Department of Agriculture has recognized these facts. Under present regulations the Department of Agriculture has judged that in a skip-row field only those rows actually planted with cotton are to be counted as acreage engaged in cotton production. The fallow rows planted with other crops, often grain sorghum or other feed grains, have not been counted as being planted with cotton. Now the Department of Agriculture proposes to change its historic position and count fallow rows as being planted with cotton and force skip-row growers to change their patterns of planting from those which are suited to the climate of the drylands and the machinery which most farmers now possess, to a system of planting which would be unsuited both to climate and machinery.

Under the new regulations proposed by the Secretary of Agriculture all the area up to 64 inches in width between the rows of cotton will be considered devoted to cotton production even though the land be planted with some other crop. This means that practically all skip-row patterns now used would be considered as solidly planted cottonfields. This is contrary to reality. The effect of this new regulation would be to decrease drastically the real size of the cotton allotments owned by skip-row growers. The amount of this reduction would be over 30 percent. In other words, the Secretary of Agriculture, by a stroke of a pen, is attempting to take away 30 percent of the cotton allotments—the very means of livelihood—of those using skip-row patterns of production.

In order to avoid this loss the skip-row farmer in the drylands has the equally unattractive choices of giving up skip-row planting and planting the cotton row on row, one row after another, or else turning to a new pattern of planting which could meet the proposed regulations. To carry out the first alternative not only requires a larger quantity of water which is simply not available, but it is also a practice which would greatly deteriorate the land and vastly increase the occurrence of wind and soil erosion. In other words this is an option that is neither realistic nor desirable. Carrying out the second option would force the skip-row farmers to use a pattern of planting which is totally unsuited to the machinery now used by them. To purchase new machinery would be very costly for all; for some it would be impossible.

The reason that the Department of Agriculture wants to change its rules is, as the USDA frankly admitted in a news release, because skip-row planting has "contributed substantially to the increase in cotton production." But so has irrigation contributed to our cotton surpluses, as has the increased use of fertilizers, pesticides, and many other advances resulting from the research efforts of the Department of Agriculture. To attack skip-row patterns of planting because it has increased yields is about as nonsensical as attacking irrigation, the use of insecticides, or the use of fertilizers because they increase cotton yields.

Mr. President, this is an indefensible move by the Secretary of Agriculture to curtail cotton production by using his powers to issue regulations rather than taking the proper course of coming to Congress with a new program for cotton. Not only is such an approach to overproduction indefensible on constitutional grounds, it is also indefensible in terms of fairness and equity.

To attack skip-row planting is to attack cotton farmers in the dry lands. They simply cannot economically raise cotton in any other manner. They cannot, for example, irrigate because the water is just simply not there. Many farmers of the dry lands must, if they are to continue raising cotton, use skip-row methods of planting.

If this proposed rule change goes into effect it would force many cottongrowers in the South Plains simply to give up growing cotton. Even for those farmers who do not give up, most would use the acreage that could no longer be taken up by their cotton allotments to grow other types of crops. In this area of the country, the only such crops for which allotments are not needed are feed grains. Such a move would cause even greater productivity of a type of crop which is now suffering from the problems of overproduction. No matter what course cottongrowers take, the rule changes, if they go into effect, will leave these farmers with a great deal of very expensive farm equipment which will be absolutely unsuited to the patterns of growing which are permissible under the proposed rules.

Mr. President, the cotton farmer has suffered enough in the cost price squeeze of the last few years. Over the last 2 years cotton producers have taken a $17.50 price reduction per bale. The margin of profit is getting smaller and smaller. Many of them in the dry lands are either just operating at a profit or making no profits at all. These proposed rule changes could be enough to cause many of these farmers to no longer operate at a profit. The economic effect which such a calamity would have on Texas is depressing to contemplate. There would be many, many bankruptcies throughout the area. Many would be forced to leave their land and their homes and migrate to the cities where they would be unemployed and unemployable, where the money spent on welfare would be many times that spent on our farm programs.

Mr. President, our farmers are the backbone of our country. Keeping them on the land not only supplies our Nation with food and fiber of the highest quality, but through their effort we keep our land fertile and rich.

I strongly urge that the Secretary of Agriculture think seriously of his responsibilities to these farmers and withdraw the proposed rules changes relating to skip-row planting of cotton.

PLANTING OF REDBUD TREE ON THE CAPITOL GROUNDS IN HONOR OF THE LATE SENATOR ROBERT S. KERR, OF OKLAHOMA

Mr. HARRIS. Mr. President, I join the senior Senator from Oklahoma [Mr. MONRONEY] in inviting Members of the

Senate and other persons to the ceremony, to be held at 5 p.m. today on the Capitol Grounds, just west of the Senate Chamber, for the planting of a redbud tree in memory of the late Senator Robert S. Kerr, of Oklahoma, and to the reception, at 5:30 p.m., in room S-207 in the Senate wing of the Capitol.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. EASTLAND. Mr. President, there are provisions in this bill which I am confident have not been given adequate consideration by all those who have joined the rush to push it forward to enactment in order to punish the South for alleged wrongs of the past. The very principle embodied here is the principle which is anathema to our constitutional system: the principle of an ex post facto law. The Constitution provides, in article 1, section 8, that Congress shall pass no bill of attainder or ex post facto law. An ex post facto law is a law which seeks to punish an offense by legislation. The proper course, the course dictated by the Constitution, permits the Congress to enact laws, when within its jurisdiction, for the punishment of future crimes; that is, crimes committed after the enactment of the statute. But the constitutional provision against an ex post facto law prohibits the Congress from enacting a law to punish anything done before the date of enactment. This principle applies just as strongly when the punishment is proposed to be levied against individual States of this union, as it does when the punishment is supposed to be levied against individuals. On this ground alone the substitute bill offered by the Senator from Montana [Mr. Mansfield], for himself and the Senator for Illinois [Mr. Dirksen], is a bad bill, a bill which flies in the face of the Constitution, because clearly this is an ex post facto law.

But the supporters of this measure are heedless of this; either heedless, or uninformed as to the effect and purpose of the bill for which they seek enactment. To those who are heedless, I say: "You cannot rightly move to correct even what you may feel is a violation of the Constitution by a means which is itself a violation of the Constitution." To those who are actually unaware of what this bill will do, if there are any such, I say: "Examine this bill carefully, and then examine your consciences in the light of the oath you have taken to support and protect the Constitution of the United States."

It has been widely stated, Mr. President—the newspapers have been full of it—that this bill is going to be passed regardless of whether it is constitutional, and that the President is going to sign it regardless of whether it is constitutional, and that it will be up to the courts to declare it unconstitutional and invalidate it, if they find it so.

Mr. President, this is not the way to legislate. If this is indeed the mood of the Congress, then we have come to a point where observance of the Constitution, protection of the Constitution, support for the Constitution are no longer the concern of the Congress of the United States. If this is truly the mood of the Congress, we have come to a point where the oath which every Member of Congress takes, whether he be a Senator or a Representative, is no longer considered a binding obligation, no longer controls what we do here, no longer has any importance even to those who have stood in this Chamber with hands upraised and taken the solemn obligation to protect and defend the Constitution.

As for the assurance so blithely given that the President of the United States will sign this bill, no matter what it provides in the form in which Congress finally passes it, I say that such an assertion is an affront to the President. Lyndon Johnson served in this body for many years. We know him well. Do Senators really believe he will sign a bill which he believes is unconstitutional? Do Senators even believe he will sign a bill which he believes has in it a single unconstitutional provision? I will say to my colleagues that I do not believe it; and I will not believe it until I see it happen.

It is true that the pressures upon the President to sign whatever bill the Congress passes will be tremendous pressures, more than an ordinary man could withstand. But the President of the United States is not an ordinary man, and I do not believe we, as Members of the Senate and his former colleagues, should send him a bill we know to be unconstitutional or which contains even one unconstitutional provision. Rather, we should be true to our own oaths, and make sure that we do not take action here which does violence to constitutional principles. We should not pass the buck either to the President or to the courts. The oath of every Senator to protect and defend the Constitution puts an obligation upon every Senator to make an earnest and honest effort to determine for himself the constitutionality of each measure presented here and to oppose any provision which he believes to be contrary to the Constitution of the United States.

Mr. President, I have suggested the possibility that some of those who seek to press this bill to speedy enactment as a punishment to be levied against the South may not be aware of just what they are doing. In the hope that the facts will be persuasive to any who are in this category, and that when they see with clarity what it is that they are proposing to do they will change their course, I propose to spend a little time today in discussing various provisions of this bill for the purpose of pointing out just what their purpose is, just what the theories behind them are, just how they will be applied if this bill should become a law, and just how enactment of this bill will do violence to the Constitution of the United States and bring about the doing of further violence to the Constitution of the United States.

Some provisions of this bill are far more objectionable than others, but I shall not seek to discuss these out of order. Rather, I propose to go through the bill, page by page and section by section, in chronological order, so that it will be easy for my colleagues to follow what I have to say, whether they hear it in this Chamber or read it in the Record.

At the outset, this bill contains a provision based on a fallacy. It is a fallacy rather well hidden, but I am confident that any of my colleagues, lawyer, or laymen, will see it when I point it out.

Section 2 of this bill, the first operative section—and by "bill" I mean the amendment in the nature of a substitute to which I am addressing myself—is a section which contains the particular fallacy to which I have just referred.

This section provides:

> Sec. 2. No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color.

The fallacy lies in the fact that while only a State—acting, with a duly constituted legislature—may impose a qualification or prerequisite to voting or a standard practice or procedure relating thereto, it is not always the State which applies such a qualification or such a standard practice or procedure. This may be done by a rather large list of officers of the State and its municipal subdivisions, acting within their respective authority, and an implementation of State law. It is also possible, Mr. President, for anyone of this large list of State and municipal officers to misapply, or to apply improperly, the provisions of a State law with respect to voting qualifications or prerequisites, or with regard to standards, practices, or procedures in connection therewith. But it is hard to conceive of a case where this might happen where the improper application, or the misapplication, would be the fault of the State itself; because the fault would lie, in nearly every such case, with the official concerned.

But section 2 of this bill, the very first operative section of the bill, treats misapplication or improper application of standards, practices, and procedures exactly the same as it treats imposition of voting qualifications or prerequisites by action of the State legislature. In effect, by the language of this section, the act of every State or municipal official who has color of authority and even the acts of individuals who may have neither authority nor color of authority can be imputed to the State, and by the clear implication of this section, are to be so imputed.

There are statutory provisions in every State, Mr. President, to take care of instances in which individuals take willful action outside their authority, with the intention of damaging some other person. These are salutory statutes, and they include proper provisions for punishment of misfeasance or malfeasance by a State officer. They are State statutes which is as it should be, because the misfeasance or malfeasance of a State officer should be punished under State law. But under section 2 of the bill—and let me say once more that by "bill" I mean the amendment in the nature of a substitute offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN]—certain particular misfeasances and malfeasances of State officials will become Federal offenses. What is worse, these offenses, although they may be committed by individuals, will be charged to the respective States.

Now look at section 3 of the bill. In this section will be found another hidden provision.

Section 3(a) of the bill reads:

> SEC. 3. (a) Whenever the Attorney General institutes a proceeding under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court shall authorize the appointment of examiners by the Civil Service Commission in accordance with section 6 to serve for such period of time and in such political subdivisions as the court shall determine is appropriate to enforce the guarantees of the fifteenth amendment (1) as part of any interlocutory order if the court determines that the appointment of such examiners is necessary to enforce such guarantees or (2) as part of any final judgment if the court finds that violations of the fifteenth amendment justifying equitable relief have occurred in such State or subdivision: *Provided*, That the court need not authorize the appointment of examiners if any incidents of denial or abridgment of the right to vote on account of race or color (1) have been limited in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

Focus now on the language on lines 10, 11, 12, and 13, in the paragraph set apart by the figure 1 in parentheses. This paragraph delineates one of the two circumstances in which Federal courts are required to authorize the appointment by the Civil Service Commission of examiners to supersede State election officials. The language of this numbered clause provides that such examiners shall be authorized by the court "as part of any interlocutory order if the court determines that the appointment of such examiners is necessary to enforce such guarantees."

The evil here is that by authorizing the application of this sanction, as part of an interlocutory order, on the basis of proceeding instituted by the Attorney General, but not concluded, the bill has the effect of providing present punishment for a prospective offense.

There can be no doubt about the fact that the appointment of examiners to supersede State election officials in a sanction, applied against the States; and a sanction is a punishment. The effect of the provision which I have quoted from the bill, the clause numbered (1) is based entirely on prospective violations of the 15th amendment, rather than upon actual violations. This is made abundantly clear, not only by the language itself, but by the fact that in the following paragraph, which is numbered (2) specific provision is made with respect to situations in which the court finds that violations justifying equitable relief have occurred. The clause (1) deals entirely with cases in which the court has not made such a finding; that is, cases in which there has simply been an allegation by the Attorney General, where the trial is still incompleted, and where the court has not found, or at least has not yet found, that violations of the 15th amendment justifying equitable relief have occurred.

In other words, Mr. President, what the proposed law says here is that if the Attorney General alleges that a crime is going to be committed, the court is given jurisdiction to decree a punishment against the State without actually finding that a crime has been committed and without even finding that there has been such a violation of the 15th amendment as to justify equitable relief.

Mr. President, it is provided in section (a) of this proposed legislation that a Federal court, upon a complaint filed by the Attorney General, must authorize the appointment of examiners by the Civil Service Commission to supersede State election officials, unless the State can make an affirmative showing that "any incident of denial of abridgment of the right to vote on account of race or color first, have been limited in number and have been promptly and effectively corrected by State or local action; second, the continuing effect of such incidents has been eliminated; and, third, there is no reasonable probability of their recurrence in the future." What is meant by "limited in number" is not specified; a court might decide that the proper "limit" would be one. The State is required to prove that the continuing effect of such incidents has been eliminated, but there is no definition of what is meant by "continuing effect," so that the standard of proof here is very vague and there is no way for a State to know exactly what it must prove.

Finally, the State must prove that "there is no reasonable probability of their recurrence in the future." How is a State going to prove that? Why, Mr. President, there is not a State in the Union today which could offer reasonable proof in Federal court that any particular crime, in the whole category from murder and rape to the pettiest of offenses is not going to occur again within some specific time. This is something that no one is in a position to know. And as long as there are any lawbreakers in the world, laws will be broken; and no one can say in advance, exactly when or where.

The effect of this provision of the proposed law, Mr. President, is the same as if it were to be provided that every man convicted of a crime shall be rearrested, even though he may have served a sentence, and held in custody for an indefinite time or until he can prove that he will never do it again. What is much worse, in this case, the sanction or punishment is applied against a State, even though the alleged crime may have been committed not by the State, nor by order of the State, nor by the rule of the State, but by some individual who was guilty of malfeasance for which he should be personally responsible, but for which the State shall not be responsible.

To compound the evil of this proposed provision, Mr. President, the Federal court in each instance is given carte blanche to determine the period of time within which the Federal examiners to be appointed by the Civil Service Commission shall serve and act, and the State or area of a State in which they are to serve and act. This is discretionary as against the State, and it is a complete discretion. But is the court given any discretion in favor of the State? No, Mr. President, the court is not given such discretion by the provisions of this bill. The court is told that whenever the Attorney General institutes a proceeding the court shall authorize the appointment of examiners by the Civil Service Commission. The only discretion given the court is the discretion against the State, that is, how long the examiners are to serve and act, and where. Even in an instance where it could be shown that any incidents or denial or abridgment of the right to vote on account of race or color have been limited in number and have been promptly and effectively corrected by State or local action, and that the continuing effect of such incidents has been eliminated, and that there is no reasonable probability of their recurrence in the future, the court still retains jurisdiction to authorize the appointment of such Civil Service Commission examiners.

I have said, Mr. President, that I do not believe such proof could be offered in any instance, because proof beyond reasonable doubt of what may happen in the future is beyond the limits of possibility. But the bad faith of the provision is demonstrated not alone by the impossibility of the requirements imposed upon the States; it is demonstrated also by the fact that even if these impossible requirements should be met, the State would not be entitled to anything because it would still be discretionary with the Federal court to go along with the Attorney General if the court felt like it.

Now, Mr. President, let us move on to subsection (b) of section 3 of this bill which begins on line 23 of page 2 of the calendar print. This subsection reads as follows:

> (b) If in a proceeding instituted by the Attorney General under any statute to enforce the guarantees of the 15th amendment in any State or political subdivision the court finds that a test or device has been used for purposes of denying or abridging the right of any citizen of the United States to vote on account of race or color, it shall suspend the use of such test or device in such State or political subdivisions as the court shall determine is appropriate and for such period as it deems necessary.

Here, Mr. President, we have an aggravation of the same principle of legislation which is so objectionable in subsection 3(a). Here we have a direct requirement for an application of a sanction against a State on the basis of a possible wrongdoing by an individual.

The language of this subsection, Mr. President, refers to a finding by the court "that a test or device has been used for purposes of denying or abridging the right of any citizen of the United States to vote on account of race or color." But, Mr. President, every Senator knows how this will, in fact, be construed. It will be construed as though it read: "That a test or device has been used for purposes of denying or abridging the right to vote of any citizen of the United States of the colored race or color." It will not be enough, Mr. President, to point out that the test or device is used to prevent voting by all persons who fail to meet the test laid down by State law. This may very well be the case, Mr. President, and yet if the person who was denied the right to vote because of a State test, is a member of the colored race, the court is going to use the authority provided by subsection (b) of this bill, and punish the State by suspending the use of the test.

If a perfectly valid test, provided by State law, is improperly used in some county or in some precinct, even though the misuse of the test is a violation of State law, and the result is that a member of the colored race is denied the right to vote, the way is open under the language of subsection (3) of this bill for the court to suspend the use of that perfectly legal test, either in that political subdivision or throughout the entire State at the discretion of the court.

This is a provision so imprecise with respect to the punishment to be imposed, that it would be unconstitutional and void if it were a criminal law applicable to an individual. It is a provision offering an easy method for overthrowing State statutes with respect to the qualifications of an elector, in spite of the fact that the Constitution itself gives to each State the right to fix the qualifications for electors. Finally, it is a provision for punishing States or their political subdivisions for acts, not their own, and which they have been entirely unable to anticipate or prevent.

The provisions of this subsection are so broad that it would be possible under the authority here granted, for a circuit court of appeals to suspend the use of a voter test on the basis of a single misuse of such test in an area extending even outside the State in which the particular test was misused. This comes about because the words "such State or political subdivisions as the court shall determine as appropriate," appearing in lines 4 and 5 on page 3, are not words of art referring back to the similar language beginning in line 25 on page 2, but are conditioned by the phrase "as the court shall determine as appropriate." In other words, the area within which the court may determine the use of a test shall be suspended is not even limited to the State or political subdivision directly involved in the proceeding instituted by the Attorney General.

Mr. President, so long as any of these possibilities exist, possibilities created by the extremely broad and loose language of this subsection, the subsection is clearly unconstitutional on its face and should not be enacted. For the Senate to vote in favor of this subsection, as it stands, without any amendments to clarify it or define the terms used, would be a failure to live up to the oath which every Senator takes to support and protect the Constitution of the United States.

Mr. President, I think I made it clear by now that this is a most disingenuous bill. It contains provisions which have to be analyzed very carefully in order to understand what their effect would be. It is aimed to accomplish purposes which I do not believe the Congress ever would approve of or be in favor of as totally and frankly stated.

Another example in point is subsection 3(c), which begins on page 3, line 7. This subsection reads as follows:

> (c) If in any proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that violations of the fifteenth amendment justifying equitable relief have occurred within the territory of such State or political subdivision, the court, in addition to such relief as it may grant, shall retain jurisdiction for such period as it may deem appropriate and shall order that during such period any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect at the time the proceeding was commenced shall be submitted to the Attorney General. If the Attorney General files objection with the court within sixty days after such qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to him, such qualification, prerequisite, standard, practice, or procedure shall not be enforced unless and until the court finds that it does not have the purpose or will not have the effect of denying or abridging the right to vote on account of race or color; except that neither the court's finding nor the Attorney General's failure to object shall bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure.

Although this subsection speaks of a court retaining jurisdiction, a practical fact is to put jurisdiction and power in the hands of the Attorney General to control the enactment, repeal, or amendment of State laws. The retention of jurisdiction by the Court is simply a device to accomplish this grant of power to the Attorney General.

Boldly stated, what this subsection provides is that any time the Attorney General is able to convince a Federal court that there has been an instance in any State of a violation of the 15th amendment justifying equitable relief, the Attorney General immediately steps up to a seat of power where he can effectively veto any State legislation to make any change whatsoever in its laws with respect to the qualification of voters or of prerequisites to voting or with respect to standards, practices, or procedures with respect to voting.

Now, if Senators will remember what I said a short time ago, about the impossibility oppressed by the state of the three factors which, under subsection 3(a), would have to be proved in order to relieve a court from the necessity of authorizing the appointment of civil service examiners to supersede State election officials, they will see that provisions of subsection 3(c), which we are now discussing, adds to the impossibility of satisfying those requirements under subsection 3(a). Remember, one of those requirements was a showing that any incidents of denial or abridgment of the right to vote on account of race or color "have been limited in number and have been promptly and effectively corrected by State or local action." But, Mr. President, how is a State to correct a statute which a Federal court has found improper or unduly restrictive, if the State has no freedom to act? So long as the statute stands uncorrected, the Federal examiners will remain; and once the court has made a finding with respect to a single case which it has deemed a basis for equitable relief, the State cannot amend its statute, even to the extent of repealing it entirely, without the prior approval of the Attorney General.

This is the practical effect of the bill, Mr. President, even though the language of the bill does not state it plainly. The bill says any voting qualification or prerequisite to voting or standard, practice, or procedure with respect to voting which is "different from that in force or effect at the time the proceeding was commenced" by the Attorney General shall be submitted to the Attorney General, and if the Attorney General objects within 60 days, the new or different practice or procedure, or standard, or qualification for voters, or prerequisite to voting, shall not be enforced—that means, shall not be effective—until the Federal court has approved it by a formal finding that "it does not have the purpose or will not have the effect of denying or abridging the right to vote on account of race or color."

Again, Mr. President, we come to the point that it is virtually impossible to make a firm finding with respect to something which may happen in the future. We come also, Mr. President, face to face again with the fact that the phrase "denying or abridging the right to vote on account of race or color" is bound to be construed as though it read "denying or abridging the right of persons of the colored race or color to vote."

There is an escape clause in this subsection, Mr. President; oh, yes: an escape clause to the effect that even if the Attorney General fails to object and the court finds that a proposed new State law with respect to voter qualifications, for instance, will not now have the effect of denying or abridging the right to vote on account of race or color, the Attorney General is still free to bring an action the next day, if he wishes, to enjoin enforcement of the new statute. But, Mr. President, there is no escape clause on the other side; there is no statement that notwithstanding the Attorney General's objection, the court may find the proposed new statute proper. Oh, no, Mr. President. For at least 60 days, the Attorney General is in absolute control of the situation, because the proposed new law must be held up at least that long to give him a chance to object. If he objects, then his objection controls the situation unless the court makes a finding against him and in favor of the State. Now, Mr. President, this is not a case in which the Attorney General is merely a party, and the court is to find the truth as between the contentions of the two parties; oh, no: this is a procedure in which the Attorney General is in the driver's seat, and if he files an objection, the new State statute, whatever it is, no matter how worthy it may be, must remain in suspension, inoperative and invalid, until a Federal court can be persuaded to make an affirmative finding with respect to the future effect of the proposed new State law. And what is required, Mr. President, is not a finding of probable effect, or a finding of likely effect, but an absolute finding that the new law "will not have the effect of denying or abridging the right to vote on account of race or color."

In totality, Mr. President, this subsection puts every State in the Union in a straitjacket, with the Attorney General holding the strings and the key.

Let us not deceive ourselves, although this bill is aimed at the South, although its punitive provisions are directed at the South, it is not limited to the South. The threat is implicit against every State in the Union. Of course, it may be that Northern States have received some assurances which lead them to believe that the Attorney General will never institute a proceeding under this bill against any one of them. But there is nothing in the bill that says so. If the Attorney General could find one case of the 15th amendment violation in any Northern State, he could bring an action against that State, and if the court found enough to form a basis for equitable relief, the Attorney General could seize just as much power with respect to the election laws and the laws respecting the qualifications and tests of voters, in that Northern State, as he will be able to seize in the States of the South under this bill.

Now we come, Mr. President, to section 4 of this bill. This is a section which puts the cart before the horse, in a sense, for it starts out in subsection 4(a) with a provision for the suspension of all voter tests in certain States, but does not set forth, until the following subsection, the basis on which it is to be determined which States are to be made subject to this arbitrary interference with their election laws. Therefore, Mr. President, so that exactly what will result from enactment of section 4 may be more clearly understood, I propose to discuss first subsection 4(b), which is concerned with determination of where the suspension of State election tests shall apply.

Subsection 4(b) provides:

> (b) The provisions of subsection (a) shall apply in any State or in any political subdivision of a State which (1) the Attorney General determines maintained on November 1, 1964, any test or device, and with respect to which (2) the Director of the Census determines (A) that less than 50 per centum of the persons, other than aliens and persons in active military service and their dependents, of voting age residing therein were registered on November 1, 1964, or that less than 50 per centum of such persons voted in the presidential election of November 1964, and (B) that according to the 1960 census, more than 20 per centum of the persons of voting age were nonwhite; or, (3), notwithstanding the foregoing (1) and (2), the Director of the Census determines, by a survey made upon the request of the Attorney General that the total number of persons of any race or color who are registered to vote in any State or political subdivision is less than 25 per centum of the total number of all persons of such race or color of voting age residing in such State or political subdivision.

First of all, let us note that the criterion of this determination is not any fact or set of facts, but rather a determination by the Attorney General, in his discretion, that certain particular States "maintained on November 1, 1964, any test or device" in connection with the qualification of voters. The only purpose of this that I can see is to put the Attorney General in a position to exempt certain States from even being considered for the application of this Federal suspension of their voting laws, and it does put him in this position, because if he does not make the finding that State A maintains "any test or device," the Director of the Census is not going to make any determination and so the rest of the subsection will be inapplicable.

This is not the same as the situation would be if the section required the Attorney General to determine with respect to every State in the Union whether such a State maintained on November 1, 1964, "any test or device." Under the language in the amendment in the nature to substitute, which I have been referring to here as "the bill," because it is really what is before us today for decision, the Attorney General may make a determination with respect to certain States, and may make no determination at all with respect to others; and his failure to make a determination with respect to any particular State will have the same effect as if he made a determination that the State did not in fact maintain "any test or device."

The next point to which I wish to direct the attention of my colleagues is that after the Attorney General has made a determination that a State maintained on November 7, 1964, "any test or device," then there is a determination by the Director of the Census. There are two different ways in which the Director of the Census can make a determination which will have the effect of bringing a State within the order of suspending its tests with respect to the qualification of voters. One way is for the Director to determine, first, that according to the 1960 census, more than 20 percent of the persons of voting age in the State were nonwhite. Immediately, we can see that this bill is not concerned primarily with the equal protection of the laws with respect to the right to vote, as they apply to all persons; the bill is concerned only with States that have a voting population which is at least 20 percent nonwhite. This will immediately eliminate from the suspension order a number of States, and I shall discuss that point in a moment. Then, having determined that certain States have voting populations including at least 20 percent who are nonwhite, the Director of the Census must determine with respect to any particular one of these States that either less than 50 percent of all persons of voting age living in the State on November 1, 1964, not counting aliens and persons in active military service and their dependents, were not registered on November 1, 1964; or else that less than 50 percent of such persons voted in the presidential election of November 1964.

So there we see, Mr. President, the first determination by the Director of the Census which will bring a State within the application of this Federal suspension order. To summarize this point briefly, the State's election test laws will be suspended, if more than one-fifth of all persons of voting age in the State are nonwhite and if either the number of such persons who were registered on November 1, 1964, or the number of all persons—other than aliens and persons in active military service and their dependents—were registered on November 1, 1964, or less than half of them voted in the 1964 presidential election.

Because it seems unlikely, if not impossible, that a person could vote in the November 1964 presidential election who was not registered on November 1, 1964, for practical purposes, the criterion is that a State will have its voter qualification tests suspended if less than a fifth of the persons of the voting age were not white and less than half of them voted in the 1964 presidential election.

The second criterion for bringing a State within the suspension provision again requires a finding by the Director of the Census, and here again we find that the Attorney General is placed in a position to give a State exemption merely by nonaction. Here again, the determination by the Director of the Census to be based upon a survey, and the survey is to be made only at the request of the Attorney General, so if the Attorney General does not request a survey with regard to a particular State, that State would, in effect, be exempt under this provision.

The determination which, if made by the Director of the Census, after a survey based on a request by the Attorney General, would trigger the suspension, is that "the total number of persons of any race or color who are registered to vote 'is' less than 25 percent of the total number of all persons of such race or color of voting age residing in such State."

The same provisions, of course, are made applicable with respect to any particular political subdivision of a State; but for purposes of discussing the effect and interpretation of the section, I shall continue to address my remarks to the applications of these provisions to States.

While it seems fairly clear to me that the proponents of this bill, in speaking of "persons of race or color" are referring to persons of the Negro race, there is nothing in the bill which says so. Many of the charts and tables which were put into the hearings, and some of which appear in the committee report, are based on the classification "nonwhite." We must therefore, consider, whether "nonwhite" is a "race or color." If it is, then "non-Aryan" would also be a race or color, and if the bill is considered in this aspect, it opens up vistas of possible racial antagonism far beyond the question of white and Negro.

Even though these charts and tables have given statistics under a negative statement of "race or color"—that is, by use of the term "nonwhite"—it is clear that the language of the bill, referring to "25 percent of the total number of all persons of such race or color of voting age residing in such State" could be applied affirmatively to any race or color. As I have said, it is clearly not limited by any provisions of the bill to the Negro race; thus, a computation could be made on the basis of persons of yellow, or brown color; and similarly, a tabulation could be made with respect to persons of the oriental race or persons of the Semitic race, or even persons of the Indian race. The possibility here for results completely unintended by the drafters of the bill and by the proponents of the bill is something which should have the mature consideration of every Senator before we act on this measure, I wonder how many States there are, among those with substantial populations of American Indians, which have voter registration by more than 25 percent of the total number of such persons of voting age? Are 25 percent of all the Indians in Oklahoma registered to vote? In Arizona? In New Mexico? In Nevada? Perhaps the Senators from these States know the answer and can figure out how this bill would apply to their States if a computation were made based on the registration of Indians of voting age.

In Alaska, there are a very substantial number of Eskimos. Perhaps one of the Senators from Alaska can inform the Senate whether 25 or more percent of all the Eskimos of voting age in Alaska have been registered to vote. If not, then it would be possible under this bill to suspend voting tests in Alaska.

Mr. President, it would even be possible under this bill, if a State had only five persons of the American Indian race, and only two of them were registered, to have a determination of the Director of the Census at the request of the Attorney General, and on the basis of that determniation apply the sanctions of section 4 to that State.

Now, before going back to the provisions of section 4(a), let me call attention to the paragraph at the bottom of page 6, in lines 22 to 25, inclusive. This paragraph reads:

> A determination or certification of the Attorney General or of the Director of the Census under this subsection or under section 6 shall be final and effective upon publication in the Federal Register.

It is not clear precisely what is meant by this language. It is quite possible that a construction might be placed upon it, under which, although determinations with respect to the number of persons of a particular race, who are registered to vote in any State or political subdivision, or the number of all persons of voting age who are registered to vote or who voted in the 1964 election is to be made by the Director of the Census, actually the Attorney General could make a determination which would be final and effective. If it is intended that the word determination in line 22 shall apply only to those determinations which, in the preceding paragraph of subsection 4(b), are provided to be made by the Attorney General, then the bill should be amended to state this; otherwise, the point having been raised here on the floor, and not cured by amendment, it would be necessary to conclude that the Congress did not wish to impose such a restriction, but preferred the broader interpretation under which the Director of the Census or the Attorney General could make any of the determinations which in the preceding paragraph of subsection 4(b) are provided to be made by the Director of the Census.

Now, let us return to subsection 4(a) of the bill, and see just what the sanctions are which the bill says shall be applied on the basis of the determinations we have just been discussing which I set forth in subsection 4(b). Subsection 4(a) of the bill reads as follows:

> SEC. 4. (a) To assure that the right of citizens of the United States to vote is not denied or abridged on account of race or color, no citizen shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device in any State with respect to which the determinations have been made under subsection 4(b) or in any political subdivision with respect to which such determinations have been made as a separate unit, unless the United States District Court for the District of Columbia in an action for a declaratory judgment brought by such State or subdivision against the United States has determined that the effects of denial or abridgment, if any, of the right to vote on account of race or color have been effectively corrected by State or local action and that there is no reasonable cause to believe that any test or device sought to be used by such State or subdivision will be used for the purpose or will have the effect of denying or abridging the right to vote on account of race or color: *Provided*, That a final judgment heretofore or hereafter rendered by any court of the United States, determining that denials or abridgments of the right to vote on account of race or color through the use of such tests or devices have occurred anywhere in the territory of any such plaintiff, may be introduced in any such declaratory judgment action brought within five years of such final judgment as prima facie evidence of the facts found by the court, except that notwithstanding this provision the judgment shall retain whatever legal effect it would have under existing law.
>
> An action pursuant to this subsection shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court. The court shall retain jurisdiction of any action pursuant to this subsection for five years after judgment and shall reopen the action upon motion of the Attorney General alleging that a test or device has been used for the purpose or will have the effect of denying or abridging the right to vote on account of race or color.
>
> If the Attorney General determines that he has no reason to believe that any such test or device has been used during the five years preceding the filing of the action for the purpose of denying or abridging the right to vote on account of race or color, he shall consent to the entry of such judgment.

This sanction is nothing less than suspension of the application and enforcement of State law with regard to any form of test as a basis for voter qualification. In this respect, the bill is clearly unconstitutional because the right to fix qualifications for voters is given to the States of the Union in their respective sovereign capacities by the Constitution of the United States. Nevertheless, section 4(a) provides for thus invalidating by suspension, all such tests in any State which can be caught up under the formula in section 4(b) and which the Attorney General wants to bring within the suspension provision. Always remember the Attorney General has been made a final arbitrar without an appeal in this matter; he can grant an effective exemption to any State which would otherwise be subject to this sanction of suspension merely by choosing not to make a determination that the State maintained a "test or device" or by not asking the Director of the Census to make a survey to determine the number of persons of any race or color who are registered to vote in the State as compared with the total number of persons of such race or color of voting age residing in the State. Under the provisions of section 4(a), once a State has been caught up in this formula, its election laws insofar as they refer to "any test or device" for voter qualification, will remain suspended until the State can get the U.S. District Court for the District of Columbia to make a formal determination that the "effects of denial or abridgment, if any, or the right to vote on account of race or color, have been effectively corrected by State or local action, and that there is no reasonable cause to believe that any test or device sought to be used by such State or subdivision will be used for the purpose of or will have the effect of denying or abridging the right to vote on account of race or color."

Here again, Mr. President, we have a requirement to make an absolute affirmative finding with respect to a future and prospective matter. It is an axiom of the law, Mr. President, that it is impossible to prove affirmatively that any event which may happen in the future will not happen. By definition, if it may happen, it may happen. In practical effect, this provision of section 4(a) means that once a State has been caught up in the suspension sanction, through application contained in section 4(b), that State's elections law insofar as they call for any test or device in connection with voter qualifications, never can be restored to effectiveness.

Limitation of declaratory judgment actions by the States in an effort to clear themselves of the suspension sanction provided in subsection 4(b) of this bill, to a three-judge panel in the U.S. Court for the District of Columbia, is a flagrant example of shopping for a court. It carries a provision that the drafters of the bill, and those in the executive department, who advised it, do not trust the U.S. District Courts in other areas of the country, or at least do not think they can get from those courts the kind of "justice" they expect to get from the U.S. District Court for the District of Columbia. This is a grievous affront to U.S. district judges everywhere, outside the District of Columbia. Perhaps it should be considered an affront to the U.S. district judges for the District of Columbia, since it does carry an implication that they will be more subservient to the wishes of the Attorney General than some other U.S. district judges might be. In any event, this is the kind of provision which the Congress never should pass. Under the Constitution, an accused individual has a right to trial in his own dstrict. Why should not the same right be accorded to a State of the Union, or to the political subdivision of such a State?

Mr. President, I now call attention to subsection (c) of section 4, which begins at the top of page 7 of the calendar print of this bill. This subsection reads as follows:

> (c) The phrase "test or device" shall mean any requirement that a person as a prerequisite for voting or registration for voting (1) demonstrate the ability to read, write, understand, or interpret any matter, (2) demonstrate any education achievement or his knowledge of any particular subject, (3) possess good moral character, or (4) prove his qualifications by the voucher of registered voters or members of any other class.

Section 5 of the bill which we come to now, reads as follows:

> SEC. 5. Whenever a State or political subdivision with respect to which the prohibitions set forth in section 4(a) are in effect shall enact or seek to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1964, such State or subdivision may institute an action in the United States District Court for the District of Columbia for a declaratory judgment that such qualification, prerequisite, standard, practice, or procedure does not have the purpose or will not have the effect of denying or abridging the right to vote on account of race or color, and unless and until the court enters such judgment no person shall be denied the right to vote for failure to comply with such qualification, prerequisite, standard, practice, or procedure unless such qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such submission. Neither the Attorney General's failure to object nor a declaratory judgment entered under this section shall bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure. Such an action shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court.

Substantially, this appears to be a restatement of the provisions of subsections of 3(c), of the bill. Section 5 provides specifically for jurisdiction in the U.S. District Court for the District of Columbia for an action for a declaratory judgment.

In order to validate, or permit the State to enforce and administer, "any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1964." Here, again, the State must seek from the court an affirmative finding that "such qualification, prerequisite, standard, practice, or procedure does not have the purpose or will not have the effect of denying or abridging the right to vote on account of race or color." How any court can make an affirmative finding that any "qualification, prerequisite, standard, practice, or procedure" will never be used as a basis for denying or abridging the right of any Negro to vote, it is difficult to see. Back in section 4(a) of the bill, as Senators will recall, the language used was "that there is no reasonable cause to believe that any test or device sought to be used by such State or subdivision will be used for the purpose or will have the effect of denying or abridging the right to vote on account of race or color." Here, the finding which the State must get from the court is that the test "will not have the effect of denying or abridging the right to vote" and so on. The difference may seem small, but from a legal standpoint, as my colleagues who are lawyers will readily understand, there is a world of difference between "reasonable cause to believe" and a positive, affirmative statement.

It is interesting to note the difference between the treatment of States with respect to the appointment of examiners by the Civil Service Commission to supersede State election officials, and the outright suspension of State election laws with respect to qualifications and standards for voting. With respect to examiners, as I pointed out earlier, there is an absolute 60-day period within which the Attorney General is sole arbiter, and if the Attorney General files an objection, the civil service-appointed examiners will continue in office and in power until there is an affirmative finding by the court that a proposed "qualification, prerequisite, standard, practice, or procedure with respect to voting different from that in force or effect at the time the proceeding was commenced" will not "have the effect of denying or abridging the right to vote on account of race or color." And as I have pointed out, this may mean forever. But at least, there is some provision for possible prospective court action.

With respect to States which are caught up under the formula, and therefore subjected to suspension of their laws with respect to qualification for voting, section 5 provides for institution of an action for declaratory judgment that "any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1964," will not "have the effect of denying or abridging the right to vote on account of race or color." But section 5 then appears to give the Attorney General what amounts to equal standing with the court in deciding the matter. The section provides that "no person shall be denied the right to vote for failure to comply with such qualification, prerequisite, standard, practice, or procedure" unless the court grants the judgment requested, or unless "such qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within 60 days after such submission."

This appears to say, Mr. President, that after a State or political subdivision has brought an action for declaratory judgment in the U.S. District Court for the District of Columbia, it may then submit its proposed new voter qualification law or rule or practice or procedure to the Attorney General, and if he does not object within 60 days, the new law or rule may be administered and enforced, regardless of what the court says. In other words, if the Attorney General can be persuaded to go along, the court judgment will not be required. In principle, this means that while the bill requires the filing of an action in Federal court, the Attorney General is to be given power at least coequal with that of the court to control the outcome of the action, or a least to control the eventual result.

In any event, whether the State should be able to secure the court judgment, or whether the Attorney General should himself fail to object, the State will not in either case be on sound ground and able to operate with any certainty thereafter, because of the specific provision at the end of section 5 that neither the Attorney General's failure to object nor a declaratory judgment entered under this section shall bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure.

Here again, Mr. President, we see at the end of section 5 a provision for a three-judge court to hear these State actions for declaratory judgments seeking to get out from under Federal suspension of State laws respecting voter qualifications. This indicates to me that even though the drafters of the bill feel that they are more likely to get more favorable judgments in the U.S. Court for the District of Columbia than anywhere else, they are not sure of winning their case in every instance, even in the District Court for the District of Columbia; and therefore they have provided an escape hatch in the form of a three-judge court provision which will permit a speedy direct appeal to the Supreme Court of the United States by the Attorney General in the event he is dissatisfied with any judgment of the three-judge court in the District of Columbia.

Mr. President, after all the language devoted in section 3 to the matter of court authorization for the appointment of examiners by the Civil Service Commission to supersede State election officials, it is something of a surprise to reach section 6 of the bill, beginning at line 20 on page 8, and find that the same authority which is conveyed to the court under section 3 is conveyed to the Attorney General under section 6, in terms which permit him to claim it and assert it wholly on the basis of his own judgment and discretion and without any court litigation whatsoever.

Section 6 of the bill provides:

> Whenever the Attorney General certifies (a) that a court has authorized the appointment of examiners pursuant to the provisions of section 3(a); or (b) unless a declaratory judgment has been rendered under section 4(a), with respect to any political subdivision named in, or included within the scope of determinations made under section 4(b) that (1) he has received complaints in writing from 20 or more residents of such political subdivision alleging that they have been

> denied the right to vote under color of law on account of race or color, and that he believes such complaints to be meritorious, or (2) that in his judgment (considering, among other factors, whether the ratio of nonwhite persons to white persons registered to vote within such subdivision appears to him to be fairly attributable to violations of the fifteenth amendment), the appointment of examiners is otherwise necessary to enforce the guarantees of the fifteenth amendment, the Civil Service Commission shall appoint as many examiners, who shall to the extent practicable be residents of such State, in such subdivision as it may deem appropriate to prepare and maintain, by examining applicants pursuant to section 7, lists of persons eligible to vote in Federal, State, and local elections. Such examiners, hearing officers provided for in section 8(a), and other persons deemed necessary by the Commission to carry out the provisions and purposes of this Act shall be appointed, compensated, and separated without regard to the provisions of any statute administered by the Civil Service Commission, and service under this Act shall not be considered employment for the purposes of any statute administered by the Civil Service Commission, except the provisions of section 9 of the Act of August 2, 1939, as amended (5 U.S.C. 1181), prohibiting partisan political activity: *Provided*, That the Commission is authorized, after consulting the head of the appropriate department or agency, to designate suitable persons in the official service of the United States, with their consent, to serve in these positions. Examiners and hearing officers shall have the power to administer oaths.

The first sentence of this section takes up more than 22 lines, and appears to have been most carefully drafted. Certainly it takes considerable study and application to understand it.

At the outset, this section appears to require, by implication at least, that a court order authorizing the appointment of examiners by the Civil Service Commission pursuant to the provisions of subsection 3(a) must be certified by the Attorney General before the Civil Service Commission proceeds to appoint the examiners. This is certainly a novel departure from the ordinary concept of a court order, for we normally expect a court to be able to make its own orders effective in accordance with their terms and the terms of the applicable statute, without the intervention of the Attorney General. Possibly this section has been inserted to give additional power to the Attorney General, so that if there is some case in which the court has authorized the appointment of examiners by the Civil Service Commission pursuant to the provisions of section 3(a), the Attorney General can still hold it up by simple nonaction; that is, by not certifying that the court has taken this action. It is easy to see that such a power in the hands of the Attorney General could be used very effectively in certain situations, including certain political situations.

Section 6 then goes on to provide that except where a court has issued a declaratory judgment under section 4(a), determining that "the effects of denial or abridgment, if any, of the right to vote on account of race or color have been effectively corrected by State or local action" in the particular instance involved, and that "there is no reasonable cause to believe that any test or device sought to be used by such State or subdivision will be used for the purpose or will have the effect of denying or abridging the right to vote on account of race or color," the Attorney General can, by his own unilateral action, provide for and authorize the Civil Service Commission to appoint civil service examiners to supersede State election officials in any State or political subdivision "named in, or included within the scope of determinations made under section 4(b)." Senators will remember that section 4(b) is the section containing the alternative formulas under which determinations are proposed to be made—unless prevented by inaction of the Attorney General—which will bring certain States or political subdivisions within the sanction of suspension of their laws with respect to tests for voter qualification.

Under section 6, the Attorney General may accomplish his unilateral authorization of the appointment of civil service examiners in either one of two ways. First, he may certify that he has received complaints in writing from 20 or more residents of the particular State or political subdivision alleging that they have been denied the right to vote under color of law on account of race or color, and that he believes such complaints to be meritorious. If the Attorney General elects to follow this route, it is not required that he set forth the complaints, or establish that they are true or that any of them are true; and he is not required to state who has filed the complaints. He is required ony to state the substance of the conclusion that he has received at least 20 complaints and that he believes them to be "meritorious." Whether that is the same thing as requiring that he state he believes them to be true, I cannot say.

The second way in which the Attorney General can take unilateral action to authorize the Civil Service Commission to appoint examiners to supersede State election officials is by certifying that in his judgment, the appointment of examiners is "otherwise necessary to enforce the guarantees of the 15th amendment." If he takes this route, the Attorney General is not even required to State that he has received any complaints. He only makes a certification with respect to his own judgment. The bill requires that the certification state that he has considered "among other factors" the question of whether the ratio of nonwhite persons to white persons registered to vote within the particular State or subdivision appears to him to be fairly attributable to violations of the 15th amendment; but he is not even required to state that he has concluded that this ratio is "fairly attributable to violations of the 15th amendment." All that is required is that he state he has considered this factor among others, and that in his judgment the appointment of examiners is "otherwise necessary to enforce the guarantees of the 15th amendment."

When the Attorney General takes either one of these two routes to exercise his unilateral authority to trigger the appointment of examiners by the Civil Service Commission, to supersede State election officials, section 6 requires that the Civil Service Commission go into action and start appointing examiners. It is provided that examiners are to be appointed in such numbers as the Civil Service Commission may deem appropriate; that it shall appoint these examiners in such political subdivisions of the State as it may deem appropriate; and that examiners so appointed shall be residents of the State "to the extent practicable." Clearly, this latter provision contemplates that at least some of the examiners to be appointed by the Civil Service Commission shall not be residents of the State. The only justification for this would appear to be a finding that qualified residents of the State could not be found to accept appointment as examiners; but the proposed law does not require any such finding. The determination of the extent to which it is practicable to appoint residents of the State as examiners is left entirely to the Civil Service Commission, without any guiding or controlling criteria.

Section 6 then goes on to give the Civil Service Commission authority to appoint, in addition to examiners, hearing officers as provided for in section 8(a) of the bill, and also to appoint "other persons deemed necessary by the Commission to carry out the provisions and purposes of this act." Although this appointing power is given to the Civil Service Commission, the bill specifically provides that such appointees, not only examiners and hearing officers but also anyone else that the Commission deems necessary to carry out the provisions and purposes of the bill, shall be "appointed, compensated, and separated without regard to the provisions of any statute administered by the Civil Service Commission." Then there is a proviso that the Commission may designate "suitable persons in the official service of the United States, with their consent, to serve in these positions," after consulting with the head of the appropriate department or agency in each case. Finally, the section gives to both examiners and hearing officers appointed by the Civil Service Commission under this act the power to administer oaths and take testimony.

Section 7 deals with the duties of examiners appointed by the Civil Service Commission, under any of the procedures previously discussed whether authorized by a court order, or authorized by unilateral action of the Attorney General.

Let us consider section 7 subsection by subsection.

Subsection 7(a) reads as follows:

> The examiners for each political subdivision shall, at such places as the Civil Service Commission shall by regulation designate, examine applicants concerning their qualifications for voting. An application to an examiner shall be in such form as provided by section 8(b) and in addition shall contain allegations (1) that the applicant is not registered to vote, and (2) that, within 90 days preceding his application, he has been denied under color of law the opportunity to register or to vote or has been found not qualified to vote by a person acting under color of law: *Provided*, That the requirement of clause (2) of this subsection may be waived by the Attorney General.

The first sentence of this subsection authorizes the Civil Service Commission to issue regulations designating where the examiners appointed for each political subdivision shall sit and examine applicants concerning their qualifications for voting. The second sentence affirms that the form of applications from prospective voters is governed by subsection 8(b) of the bill, and requires two additional allegations: first, that the applicant is not registered to vote; and, second, that within 90 days preceding his application, he has been denied "under color of law" the opportunity to register or to vote, or has been found not qualified to vote by the person acting under color of law. Then there is a proviso that the second of these two requirements may be waived by the Attorney General. Presumably, this waiver may be made either with respect to a group or with respect to an area or with respect to some individual applicant or applicants.

It is clear, therefore, that under subsection 7(a), if the Attorney General exercises his waiver power in any instance, the only requirement in subsection 7(a), additional to the provisions of section 8(b) with respect to applications for voter registration, is that the applicant state he is not registered to vote. I ask Senators to bear this in mind. We shall discuss it further when we come to subsection 8(b).

Section 7(b) reads as follows:

> Any person whom the examiner finds, in accordance with instructions received under section 8(b), to have the qualifications prescribed by State law not inconsistent with the Constitution and laws of the United States shall promptly be placed on a list of eligible voters. A challenge to such listing may be made in accordance with section 8(a) and shall not be the basis for a prosecution under section 11 of this Act. The examiner shall certify and transmit such list, and any supplements as appropriate, at least once a month to the offices of the appropriate election officials, with copies to the Attorney General and the attorney general of the State, and any such lists and supplements thereto transmitted during the month shall be available for public inspection beginning on the last business day of the month and on the forty-fifth day prior to any election. The appropriate State or local election official shall place such names on the official voting list. Any person whose name appears on the examiner's list shall be entitled and allowed to vote in the election district of his residence unless and until the appropriate election officials shall have been notified that such person has been removed from the examiner's list in accordance with subsection (d): *Provided*, That no person shall be entitled to vote in any election by virtue of this Act unless his name shall have been certified and transmitted by the examiner to the offices of the appropriate election officials at least forty-five days prior to such election.

At the outset, this subsection appears to require the examiner to find the applicant to have "the qualifications prescribed by a State law not inconsistent with the Constitution and laws of the United States." The first sentence of this subsection also requires an examiner, when he so finds "in accordance with instructions received under subsection 8(b)," to place the applicant on a list of eligible voters. That point with regard to instructions under 8(b) is important, and I ask Senators to bear this in mind also until we reach a discussion of subsection 8(b).

Subsection 7(b) continues with a provision respecting challenges, which it provides may be made in accordance with subsection 8(a), but "shall not be the basis for a prosecution under section 11 of this Act." That means, as I understand it, that a challenge to the listing of a voter applicant before an examiner appointed by the Civil Service Commission shall not be deemed to be, under subsection 11(b) of this bill, an attempt to "intimidate, threaten, or coerce" the applicant from voting or attempting to vote.

The list of eligible voters which he prepares is to be certified and transmitted by the examiner "at least once a month to the offices of the appropriate election officials," presumably, election officials of the State or political subdivision, or both. Supplements to this list of eligible voters prepared by the examiner are to be similarly transmitted. Copies are to go to the Attorney General of the United States and the attorney general of the State, and any lists and supplements transmitted during any month are to be available for public inspection "beginning on the last business day of the month and on the 45th day prior to any election." This latter provision is not clear, and might be susceptible of interpretation to mean that public inspection of voter lists prepared by examiners appointed by the Civil Service Commission is to be permitted only on the last business day of each month and on the 45th day prior to any election. However, the better interpretation, and the one which I understand to be intended, is that all the names on any list or supplement transmitted during a particular month are to be available for public inspection on the last business day of the month and thereafter without limitation; and that all such lists and supplements are to be available for inspection on the 45th day prior to any election and at all times thereafter.

Following this provision, subsection 7(b) contains a sentence requiring that "the appropriate State or local election official shall place such names on the official voting list." This is clearly a Federal mandate to a State official, and it is the first time within my knowledge that it has ever been suggested that the Congress could prescribe the ministerial duties to be performed by an official of a State government. While there are a number of laws which permit the performance of functions in aid of Federal legislation by employees of a State or a subdivision of a State, I do not know of any which directly commands such performance. Of course, occasionally there has been a court decree requiring the performance of some act by a State official; but ordinarily cases involving such decrees are tried in State courts, not in Federal courts.

There is a problem created here which may go through a great deal of litigation before it finally is settled. A State employee must take an oath to support the laws of his State, and the Constitution of his State. If the Congress enacts a statute specifically directing him to take an action which is contrary to the actions he is required to perform under State law, perhaps even an action which State law prohibits him from performing, the State employee is at a very considerable disadvantage. How he will escape prosecution under either State or Federal law, it is difficult to see. Maybe the only thing for him to do will be to resign his job in order to get out from under the burden of this dilemma. In any event, subsection 7(b) purports to place this legislative mandate upon the "State or local election official," requiring him to place "on the official voting list" the names on the "list of eligible voters" prepared by the Civil Service examiner.

Then the subsection goes on to provide that any person whose name appears on the examiner's list "shall be entitled and allowed to vote in the election district of his residence unless and until the appropriate election officials shall have been notified that such person has been removed from the examiner's list."

Whether this means that even if the requirement placed upon State or local election officials, for the placing of names on official voting lists, is not complied with, the persons whose names are on lists compiled by Civil Service examiners shall nevertheless be entitled to vote, I cannot say. If this is to be the interpretation, then it means that the list prepared by the Civil Service examiner will completely supersede, to the extent of any new names which it contains, the official voting list maintained by the State and its officials.

Perhaps a partial answer to this question is contained in the proviso at the end of subsection 7(b), which states that no person shall be entitled to vote in any election by virtue of this act unless his name shall have been certified and transmitted by the examiner to the offices of the appropriate election officials at least 45 days prior to the election. This appears to make the certification and transmission by the examiner the criterion of eligibility, rather than placement of the name upon the official voting list. If this is true, then we have this situation: under this proposed law, if enacted, a person who registers with a Civil Service Commission-appointed examiner will not automatically become eligible to vote; he will, however, become eligible to vote when his name has been certified as on the examiner's list and transmitted by the examiner to the offices of the appropriate election officials, provided this is done at least 45 days prior to the election. This procedure, of course bypasses the regular State voter list.

Subsection 7(c) is very short, reading as follows:

> The examiner shall issue to each person whose name appears on the examiner's list a certificate evidencing his eligibility to vote.

It is interesting to note that while, under this subsection, a person whose name has been placed on an examiner's list will be given a certificate which the bill refers to as "evidencing his eligibility to vote," the fact of the matter is that under the immediately preceding proviso, at the end of subsection 7(b), the individual will not be entitled to vote unless, in addition to giving him the certificate, the examiner has "certified and transmitted" his name "to the appropriate election officials at least 45 days prior to such election." This might give rise to considerable confusion, if any substantial number of prospective voters turn up with what appear to be or purport to be certificates issued under subsection 7(c), evidencing their eligibility to vote, but the records of the election officials indicate that the names of these prospective voters have not been transmitted by any examiner.

Subsection 7(d) of the bill reads as follows:

> A person whose name appears on the examiner's list shall be removed therefrom by an examiner if (1) such person has been successfully challenged in accordance with the procedure prescribed in section 8, or (2) he has been determined by an examiner to have lost his eligibility to vote under State law not inconsistent with the Constitution and the laws of the United States.

This subsection is a little cryptic, without reference to other parts of the bill, since it provides for removal of a name from the examiner's list in either of two contingencies. The first is in the event of a successful challenge in accordance with the procedure prescribed in section 8, which is the section we shall next discuss. The second contingency in which the name of an eligible voter is to be removed from the examiner's list is if the individual has been determined by an examiner to have lost his eligibility to vote under State law.

While it is easy to understand the criteria of a successful challenge in accordance with the procedure outlined in section 8(a), which we shall get to in a minute, it is difficult to understand just how the second proviso with respect to removal of a name from an examiner's list will be considered, or will operate. It does not appear to be spelled out whether, aside from the challenge procedure under subsection 7(b), which appears to apply at or before the time of listing, but which could be construed to apply thereafter, there does not seem to be any provision for reconsideration by the examiner of the eligibility of an individual who has been placed on his list, or whom he may have certified to the election officials of the State. Clearly, more trouble is to be anticipated from this provision. If a person to whom an examiner has issued a certificate of eligibility to vote should be subsequently determined by the examiner to have lost his eligibility to vote, and shall thereupon have his name stricken from the examiner's list, he presumably would not be entitled to vote. But the mandate of this law is that when a name has been certified and transmitted by an examiner to the proper State election officials, his name shall be placed on the official voting list. The bill says nothing about striking a name from the official voting list if it is stricken off the examiner's list. To provide for anything of this nature would be to give the examiner a continuing power over the official State voting list. To construe the bill as meaning that a person whose name has been put on the official voting list after certification by an examiner but whose name has been stricken from the examiner's list because the examiner has thereafter determined him to have lost his eligibility to vote, is to give supremacy to the examiner's list over the official State voting list.

There does not seem to be any easy way to resolve these matters, and we might as well be frank with one another, once conflicts of this nature have been set up, there is going to be an insistence that they be resolved in favor of Federal authority. This is the prospect we face.

Senators will have noted, I am sure, the euphemism which appears several times in this bill, and which appears at the end of section 7. I refer to the phrase: "eligibility to vote under State law not inconsistent with the Constitution and laws of the United States."

As Senators know, the Constitution provides, in article I, section 2, that: "The Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature." So why does this bill not provide that the examiners appointed by the Civil Service Commission base their findings and certifications with respect to voter eligibility on the question of whether the candidate for registration has the qualifications requisite for electors of the most numerous branch of the State legislature?

The reason, of course, is that such qualifications are fixed by State law, and the purpose of this bill is to supersede State law, to do away with State qualifications, contrary to the constitutional provision; and the euphemism "eligibility to vote under State law not inconsistent with the Constitution and the laws of the United States" was invented by the drafters of this bill solely for the purpose of throwing up a smokescreen which might help to conceal the fact that what this bill provides is directly contrary to the Constitution of the United States.

Even assuming that the election laws of a State are being misapplied and that because of this, wrong is being done to individuals, it does not follow that the law itself is bad, and may be voided at the option of any Federal authority. If the fault is in the law itself, perhaps the law may be unconstitutional, and a court could declare it so; but if the law is not constitutional and a court cannot be found to declare it so, then any alleged fault must lie not with the law, but with the administration of it.

If the law is not unconstitutional and invalid, then it fixes the requirements for electors of the most numerous branch of the State legislature; and unless the Constitution is to be disregarded, no one who does not meet those qualifications may be permitted or required to vote in a State election.

If the proponents of this bill wish to make their legal fiction stick, they are going to have to contend that after State laws with respect to qualifications of voters have been suspended in certain States under the provisions of this bill, whatever provisions of law in this area are left constitute "the qualifications requisite for electors." In some cases, that is going to be no qualifications at all.

Section 8 of the bill is concerned primarily with challenges to the listing of particular voters as eligible to vote by examiners appointed by the Civil Service Commission.

Because this is another long section, let us take it up subsection by subsection.

Subsection 8(a) reads as follows:

> SEC. 8. (a) Any challenge to a listing on an eligibility list prepared by an examiner shall be heard and determined by a hearing officer appointed by and responsible to the Civil Service Commission and under such rules as the Commission shall by regulation prescribe. Such challenge shall be entertained only if filed at such office within the State as the Civil Service Commission shall by regulation designate within ten days after the listing of the challenged person is made available for public inspection, and if supported (1) by the affidavit of at least two persons having personal knowledge of the facts constituting grounds for the challenge, and (2) a certification that a copy of the challenge and affidavits have been served by mail or in person upon the person challenged at his place of residence set out in the application. Such challenge shall be determined within fifteen days after it has been filed. A petition for review of the decision of the hearing officer may be filed in the United States court of appeals for the circuit in which the person challenged resides within fifteen days after service of such decision by mail on the moving party, but no decision of a hearing officer shall be overturned unless clearly erroneous. Any person listed shall be entitled and allowed to vote pending final determination by the hearing officer and by the court.

This section appears to play a slightly different tune than section 7, which as I pointed out earlier, might be understood, without separate reference to section 8 as providing for challenge at, or prior to, the time of listing.

Section 8 makes it clear that there can be no challenge to the listing of an alleged eligible voter by a civil service-appointed examiner except after the listing has been made and the list has been made available for public inspection.

Court challenges to listings by these examiners are not permitted under the bill. Any challenge will be heard only by a Civil Service Commission hearing officer, appointed by the Commission and responsible to the Commission and operating under rules prescribed by the Commission.

A person desiring to challenge the listing of a particular individual as ineligible to vote will not be permitted to bring the challenge where the examiner sat when the individual was listed or at the hometown or home county of the individual to be challenged. That is, the challenger will have no right to bring the challenge at either such place, unless that place happens to be the office within the State designated by the Civil Service Commission as the place for bringing challenges.

It may not be possible for anyone to file a challenge to any person on a list for at least 10 days after the list is made public, because section 8(a) gives the Civil Service Commission 10 days after the list has been made available for public inspection within which to designate the particular office within the State where challenges may be made.

Any challenge will have to be supported by affidavit of at least two persons having personal knowledge of the facts constituting grounds for the challenge which is somewhat different from the provision of the bill, which prohibits any requirement that an applicant for registration as a voter shall have anyone vouch for him. It seems the odds are thus made about 3 to 1, or perhaps I should say 1 to 3. To put it another way, the theory of the bill seems to be that the word of an applicant is at least as good as the word of the challenger supported by two affidavits of persons having personal knowledge of the facts constituting grounds for the challenge.

Subsection 8(a) requires the challenger to file a certificate that a copy of the challenge and copies of the supporting affadavits have been served, either by mail or in person upon the person challenged, at his place of residence.

The subsection next provides that any such challenge shall be determined within 15 days after it has been filed. The hearing officer will make the determination, rather than merely making a recommendation. This determination will then be subject to review by petition filed with the U.S. Court of Appeals for the circuit in which the challenged person resides. Fifteen days is allowed for the filing of this appeal. I call attention of Senators to the fact that this appeal right is not the sort of trial de novo which is granted to an applicant for qualification as a voter, who gets in effect a new trial before a new tribunal which is guaranteed to be most friendly. Subsection 8(a) specifically provides that no decision of a hearing officer shall be overturned unless it is "clearly erroneous."

Pending final determination by the hearing officer and by the court, any person once listed by an examiner is to be entitled to vote under the last sentence of section 8(a).

This gives rise to an interesting possibility. The minimum period of time before an election, within which the filing and publication of voter registration lists made up by the Civil Service-appointed examiners, is 45 days. The Civil Service Commission can take 10 days thereafter before designating a place where challenges may be filed. That leaves 35 days. The challenger, if he files his challenge with the two affidavits attached on the very day that the place for filing challenges is designated by the Civil Service Commission—and remember, in order to do this, he would have to get service either by mail or in person upon the individual challenged, at his place of residence, which is most likely to be a different place from the place where challenges may be filed—will then have just 34 days left after filing the challenge before election day. Subsection 8(a) provides that the challenge shall be determined within 15 days after it has been filed, and if it is not determined until the 15th day, that leaves just 14 days before election. A petition for review may be filed at any time within 15 days after service of the hearing officer's decision, by mail, on the moving party. Since the mail service would take at least 1 day, this means that if the hearing officer's decision is against the listed voter, and in favor of the challenger, the voter will not have to file his appeal until after the election, and therefore will be entitled to vote anyhow. If the hearing officer's decision is in favor of the listed voter, and against the challenger, and the challenger files an appeal on the day he gets his notice of the decision by mail, the longest time he can possibly have for getting the case heard and determined by the court of appeals is 13 days; and since there is no limitation upon when the decision of the hearing officer shall be served by mail, he might well take a week or 10 days before such service, which would reduce the time for a hearing and decision in the court of appeals, prior to election to a week or less. In any case, it is not realistic to expect that a court of appeals decision could be arrived at within the time available. For all practical purposes, therefore, this bill provides a means by which, with only a very modest amount of manipulation and without any actions that are clearly wrongful or contrary to statute, it can be assured that every individual listed by an examiner is in a position to vote in the election, notwithstanding the challenges which may be filed.

Subsection 8(b) of the bill looks to be wholly procedural. The subsection reads as follows:

> (b) The times, places, and procedures and form for application and listing pursuant to this Act and removals from the eligibility lists shall be prescribed by regulations promulgated by the Civil Service Commission and the Commission shall, after consultation with the Attorney General, instruct examiners concerning applicable State law not inconsistent with the Constitution and laws of the United States with respect to (1) the qualifications required for listing, and (2) loss of eligibility to vote.

Although, as Senators will note, this subsection starts out by talking about times, places, procedures and form, it also contains a little provision which is not procedural at all. This is the provision that the Civil Service Commission shall, after consultation with the Attorney General, instruct examiners concerning applicable State law not inconsistent with the Constitution and laws of the United States with respect to, first, the qualifications required for listing, and, second, loss of eligibility to vote.

What this means, Mr. President, is that no court is going to decide what the qualifications for a voter are in any State whose voter qualification laws are suspended under this bill. No court is going to decide the basis upon which a listed voter shall lose his eligibility to vote. No judicial tribunal of any kind is going to decide these things. They are going to be decided by the Attorney General of the United States, who will tell the Civil Service Commission what he has decided, and the Commission will then instruct its examiners consistently with the Attorney General's decision.

This is endowment of the Attorney General with the judicial function in a manner wholly at odds with the American theory of constitutional government. There is no provision for a hearing for any of the affected States or their municipal subdivisions, Mr. President, before the Attorney General of the United States in advance of his decision with respect to this matter. There is no provision for confrontation, no opportunity for the State or its subdivision to call witnesses in its own behalf. The Attorney General of the United States will have the power to go into consultation with himself and make a decision and then he will consult with the Civil Service Commission and pass the word as to what the qualifications for voting in a particular State shall be, and what the grounds shall be for loss of eligibility to vote; and the Civil Service Commission will instruct its examiners accordingly.

This provision, Mr. President, is unconstitutional on its face. If it be attempted to justify this grant of power to the Attorney General by saying it is a delegation of congressional power, then it is an illegal delegation of legislative power; and since there is no way in good faith to merge the functions of prosecutor and judge, this provision of the law cannot be justified as a proper grant of quasi-judicial power to the Attorney General.

We come now to subsection 8(c) of the bill. This subsection reads as follows:

> (c) Upon the request of the applicant or the challenger, the Civil Service Commission shall have the power to require by subpena the attendance and testimony of witnesses and the production of documentary evidence relating to any matter pending before it under the authority of this section. In a case of contumacy or refusal to obey a subpena, any district court of the United States or the District Court of the United States for the District of Columbia, within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service of process, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a hearing officer, there to produce pertinent, relevant, and nonprivileged evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

This subsection purports to grant the subpena power to the Civil Service Commission. Actually, the grant is to the hearing officers appointed by the Commission. Perhaps this is not the intent of the Congress, and certainly it is not to be found in the plain language of the bill; but mark my words, that is the way the power will be exercised. There will be no court to jump in and protect a witness by holding that a subpena not issued without the specific authority of the Civil Service Commission itself, as evidenced by its own action, is void. There will be no court decisions that proceedings before hearing officers are void or must be reheard, or that the decisions of hearing officers must be reversed, because the subpenas issued were bad, not being based upon an action by the full Civil Service Commission. Now, Mr. President, we shall not see anything like that. Its power is in terms conveyed upon the Commission; but the hearing officers appointed by the Commission will exercise it. Furthermore, we can expect these hearing officers to make full use of the authority, also granted in subsection 8(c) to invoke the aid of any District Court of the United States. All District Courts of the United States are given, by the language of this subsection, jurisdiction to issue orders requiring a person subpenaed "before the Commission or a hearing officer" to appear and produce evidence, or give testimony; and this jurisdiction is triggered by the mere application of the Attorney General for such an order.

Failure to obey such court order is made punishable by the court as a contempt of court.

The subsection is silent, Mr. President, upon whether the application by the Attorney General for a court order in aid of a subpena and issuance of such an order by the court, is to be an adversary proceeding with a right granted to the person subpenaed to make a limited appearance for the purpose of defending himself against the Attorney General's application for a court order; or whether this is to be an ex parte proceeding. By the same token, there is no guarantee that these applications by the Attorney General, and the subsequent granting of orders by courts in aid of subpenas will not be conducted as ex parte proceedings with notice to the affected person only when the court order has been issued. In fact, credence is lent to the idea that this may be the objective of the bill drafters by the fact that the jurisdiction is granted, upon application by the Attorney General, to any court where the subpenaed person is found, or in which he resides, or in which he is domiciled, or in which he transacts business, or in which he is appointed an agent for receiving service of process.

Section 9 of the bill consists of two subsections. Subsection (a) reads as follows:

> SEC. 9. (a) In view of evidence presented to the Congress that the constitutional right of citizens of the United States to vote is denied or abridged in some States by the requirement of the payment of a poll tax as a condition of voting in State or local elections and to assure that such right is not denied or abridged in violation of the Constitution, the Attorney General shall forthwith institute in the name of the United States actions for declaratory judgment or injunctive relief against the enforcement of any poll tax, or other tax or payment, which, as a condiiton of voting in State or local elections, has the purpose or effect of denying or abridging the right to vote.

This subsection deals with State requirements for the payment of poll tax as a condition of voting in State or local elections.

It calls for the institution "forthwith," by the Attorney General of the United States and in the name of the United States, of actions for declaratory judgment or injunctive relief against the enforcement of any poll tax, or other tax or payment, which, to use the words of the bill "has the purpose or effect of denying or abridging the right to vote." Now, Mr. President, of course, any State law requiring the payment of a poll tax and not specifically authorizing a voter to vote notwithstanding his failure or refusal to pay, is a bill which has the effect of abridging the right to vote. This is true, because an abridgment is a narrowing, or a restriction, or a reduction, and that application of any requirement as a prerequisite to voting is an abridgment.

So, under the provisions of this bill, in subsection 9(a), the Attorney General of the United States will have to bring immediate action in the name of the United States, against each State which has such poll tax, seeking either a declaratory judgment or injunctive relief against enforcement of the tax.

Subsection 9(b) provides for the hearing and determination of all such actions the Attorney General brings under section 9, by three-judge courts, giving the Government an immediate right of appeal to the Supreme Court in case of a decision against the Attorney General. The subsection also contains, in its last sentence, provisions for expediting all such cases.

The text of this subsection reads as follows:

> (b) The district courts of the United States shall have jurisdiction of such actions which shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of Title 28 of the United States Code and any appeal shall lie to the Supreme Court. It shall be the duty of the judges designated to hear the case to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited.

The U.S. official who warned such a nonresident of the State against voting, under threat of prosecution under State law, might be hauled off to Federal prison and tried for violation of subsection 11 (b) of this bill, because that would be a threat, and under the language of the bill, it makes no difference that the person threatened had no right to vote nor any color of such right.

Let us look at the second half of the crime category created by subsection 11 (b). This refers to persons who intimidate, or threaten, or coerce, or attempt to intimidate, or threaten, or coerce, any person from exercising any powers or duties under subsection 3(a) or under section 6 or section 8 or section 10 or subsection 12(e) of the bill.

Persons having powers or duties under subsection 3(a) are examiners appointed by the Civil Service Commission; so anyone who might threaten or intimidate or coerce any such examiner, or who might attempt to do so, would be a criminal subject to being fined as much as $5,000 or imprisoned for as much as 5 years. Under section 6, it would appear that the only person serving "powers or duties" would be the Attorney General and the Civil Service Commission. But if we look a little more carefully, we see that both examiners and hearing officers appointed by the Commission are given, in the last sentence of this section, the power to administer oaths; so as such, examiners and hearing officers are also protected against intimidation, or coercion, or any attempt thereat, by the language of section 11(b). Furthermore, although the mention of section 6 of receipt by the Attorney General of complaints in writing from 20 or more residents alleging that they have been denied the right to vote is not couched in language which gives the makers or prospective makers of such complaints any right or any duty, you can look forward with confidence to prosecutions under subsection 11(b) of individuals whose crimes, it will be alleged, consisted in intimidating or threatening or coercing, or attempting to intimidate or threaten or coerce, some person or persons from filing such complaints as are referred to in section 6.

Section 8 grants powers and fixes duties of hearing officers to be appointed by the Civil Service Commission, so such officers are brought within the protection of the criminal sanctions of subsection 11(b).

Since any challenger to a listing on an eligibility list prepared by an examiner appointed by the Civil Service Commission is required by subsection 8(a) to file at a particular office to be designated by the Civil Service Commission, and to support his challenge by affidavits of at least two persons having personal knowledge of the facts constituting grounds for the challenge, and to certify that a copy of the challenge and affidavits have been served by mail or in person upon the person challenged, it might be said that the challenger has duties under section 8, and on this basis, that the challenger is given protection of the criminal sanctions of subsection 11(b). But I venture to predict that we shall never see a criminal prosecution of anyone on the basis that he intimidated or threatened or coerced, or attempted to intimidate, or threaten, or coerce, any challenger to prevent him from filing the challenge.

But, Mr. President, the final sentence of section 8(a), as we have seen, declares that:

> Any person listed (by an examiner appointed by the Civil Service Commission) shall be entitled and allowed to vote pending final determination by the hearing officer and by the court.

If that be construed as a grant of a power to a listed person, then all persons listed by examiners appointed by the Civil Service Commission are protected from intimidation or threat or coercion, or any attempt thereat, under the criminal sanctions of subsection 11(b).

Section 10 grants no powers or duties to anyone except the Attorney General of the United States and any "appropriate district court" in which he files an action as provided in section 10, and any persons appointed by a court as "persons necessary to observe, at such places as the court may order, whether persons entitled to vote are permitted to vote and have their votes counted." So, ostensibly, these are the persons protected against intimidation or threat or coercion, or any attempt thereat, by the criminal sanctions of subsection 11(b).

But, Mr. President, there is another class of persons mentioned in section 10, though not giving either a power or a duty. These are the persons who may sign complaints alleging that persons who have been listed in accordance with the revisions of section 7 have not been placed upon the official voting list. Senators will remember that all the Attorney General needs to bring an action to require the placing of names on the official voting list is, with respect to each name or group of names, a complaint in writing signed by 20 or more persons of voting age. And although the persons who might sign such a complaint will not, in doing so, be exercising either a "power" or "duty" under section 10, I venture once more to make a prediction, Mr. President; and I predict that we shall see prosecutions under subsection 11(b), with the alleged crime being the intimidation or attempted intimidation, threat or attempted threat, or coercion or attempted coercion, of some person or persons from signing some written complaint or complaints such as referred to in section 10.

Subsection 12(e), which we have not yet reached in this analysis of the bill, mentions examiners appointed by the Civil Service Commission, and mentions also U.S. attorneys, and U.S. district courts—since examiners already have the protection of the sanctions under subsection 11(b), presumably the courts and the U.S. attorneys who are to be given the protection of these sanctions by the specific mention in subsection 11 (b), of subsection 12(e). But, here, again, Mr. President, we have a "sleeper." There is mention in subsection 12 (e) of "any person" who may allege to an examiner within 24 hours after the closing of the polls that although they were eligible to vote, and listed or registered, they were not permitted to vote.

Under this subsection, Mr. President, these cases initiated by the Attorney General in the name of the United States for declaratory judgment or injunctive relief against the enforcement of State poll taxes will take precedence over every other case on the docket. They will be treated as if they were more important than any habeas corpus case, more important than any criminal action, more important than any civil action, no matter what rights are involved or what irreparable injury to plaintiff may be in the offing. These cases are to be assigned for hearing "at the earliest practicable date" and are to be "in every way expedited." In rather unusual language, this subsection also declares that it shall be the duty of the judges designated to hear the case "to participate in the hearing and determination thereof." Perhaps the drafters of this bill, Mr. President, have reason to believe that some judges will not be overanxious to hear these cases. Or is that it, after all? Is the requirement that such cases be "heard and determined" and that judges "participate in the hearing and determination thereof" intended to expedite these cases, or is the intention rather to prevent courts from dismissing the Attorney General's actions on the pleadings, without hearing? Perhaps, if this bill is enacted, we shall have to wait and see.

Section 10 of the bill reads as follows:

> SEC. 10. Whenever the Attorney General receives at least twenty days prior to any election a complaint in writing signed by twenty or more persons of voting age who are residents of a political subdivision alleging that persons who have been listed in accordance with the provisions of section 7 have not been placed upon the official voting lists by the appropriate local or State election officials he shall institute an action to require that such persons be placed on the official voting lists and be permitted to vote. Such action shall be filed in the appropriate district court which shall have jurisdiction thereof and upon request of the Attorney General shall be determined by a court of three judges in accordance with the provisions of section 2284 of Title 28, United States Code. The relief in such action shall, upon request of the Attorney General, include the appointment by the court of such persons as may be necessary to observe, at such places as the court may order, whether persons entitled to vote are permitted to vote and have their votes counted and the court may in its discretion impound all ballots cast in such election until such time as all persons whom the court has ordered permitted to vote, and who are refused or denied the opportunity to vote, have the opportunity to vote on election day or the day following. The remedy provided by this section shall not preclude any other remedy available under State or Federal law.

This provision, Mr. President, seems designed to assure what we were talking about earlier, the apparent effect of the bill in guaranteeing that a person once listed by an examiner appointed by the Civil Service Commission will be entitled to vote, notwithstanding a meritorious challenge. There is to be no awaiting court determination in such a case. Even where a hearing officer makes a finding against the voter listed by an examiner, the Attorney General will be able, with the provisions of section 10, to institute an action or to require that the voter be placed on the official voting list and be permitted to vote. All that he needs to support his action is a complaint in writing signed by 20 or more persons of voting age who "are residents of a political subdivision." It is not even required that they be residents of the same political subdivision in which the prospective voter proposes to vote. Since everyone of voting age who is a resident of the United States is a resident of some political subdivision, this simply means a complaint signed by 20 or more persons.

Senators will note that we do not find here any requirement for affidavits, such as the bill requires to support a challenge to the listing of a voter by an examiner. No, Mr. President, all that is called for here is a complaint in writing signed by 20 or more persons of voting age. They do not have to be persons who have personal knowledge of the facts. They do not have to be persons who know anything at all about the facts. They do not even have to be persons who are mentally competent, if they can write their names.

Under this section, the Attorney General may file his action in district court, and if he wants a three-judge court, all he has to do is ask for it and he gets it.

Mr. President, are these actions by the Attorney General, to require the placing of names on official voting lists, to be determined by the court after hearing, and the taking of evidence, and an opportunity to both sides to have the testimony of witnesses in their behalf questioned?

There is no such provision in the bill, Mr. President. On the contrary, the bill contains a provision which is the baldest and most shameless attempt to coerce court action which I have ever seen in a bill introduced in the Congress of the United States. This section, Mr. President, presumes and purports to direct the judgment which the court shall render when the Attorney General files one of these actions. The specific language to which I refer, Mr. President, begins in line 17 on page 15 of the bill, and I read it:

> The relief in such action shall, upon request of the Attorney General, include the appointment by the court of such persons as may be necessary to observe, at such places as the court may order, whether persons entitled to vote are permitted to vote and have their votes counted and the court may in its discretion impound all ballots cast in such election until such time as all persons whom the court has ordered permitted to vote, and who are refused or denied the opportunity to vote, have the opportunity to vote on election day or the day following.

While it is true that this language, which I have just quoted, refers to impounding of ballots in the discretion of the court, it also contains other provisions which are wholly out of consonance with the idea that the court is going to reject the Attorney General's petition or make a finding contrary to what the Attorney General has requested.

"Upon request of the Attorney General," the bill provides, the court "shall"—the bill uses this mandated language—grant relief to include "appointment by the court of such persons as may be necessary to observe, at such places as the court may order, whether persons entitled to vote are permitted to vote and have their votes counted." The language of this section also refers to "all persons whom the court has ordered permitted to vote" once again making clear that the drafters of the bill had no contemplation of the possibility that the court would not render an order favorable to the Attorney General's side of the case.

This, Mr. President, this miserable attempt at legislative coercion of the action of Federal courts, is a clearly unconstitutional invasion of the doctrine of separation of powers.

Section 11 of the bill reads as follows:

> SEC. 11. (a) No person acting under color of law shall fail or refuse to permit to vote any person who is entitled to vote under any provision of this Act, or fail or refuse to count such person's vote.
>
> (b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person from voting or attempting to vote or to intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person from exercising any powers or duties under section 3(a), 6, 8, 10, or 12(e).

This section, Mr. President, creates two new categories of Federal crimes. The first is created under subsection 11(a), and the criminal is any person who, acting under color of law, fails or refuses to permit voting by any person "who is entitled to vote under any provision of this act," or fails and refuses to count the vote of such a person.

Senators will recall, as I have pointed out, that this includes even any person initially listed by an examiner appointed by the Civil Service Commission, even though such person may have been subsequently found by a hearing officer appointed by the Civil Service Commission to be ineligible to vote. Votes of such persons must be permitted and counted just the same, and failure to permit them or to count them is made a Federal crime, punishable by a fine of up to $5,000 or imprisonment up to 5 years, or both such fine and such imprisonment.

Similar penalties are provided for the second category of crime, which are created by subsection 11(b). The criminal here is any person, whether or not acting under color of law, who shall intimidate, or threaten, or coerce, or attempt to intimidate, or threaten, or coerce, any person from voting or attempting to vote; or who shall intimidate, or threaten, or coerce, or attempt to intimidate, threaten, or coerce any person from exercising any powers or duties under sections 3(a), 6, 8, 10, or 12(e) of the bill.

Now, let us take the first half of this category of crimes and consider it for a moment. The Federal crime created here includes coercion, or attempting to coerce any person from voting or attempting to vote. There is no reference to whether the person who is trying to vote is entitled to vote, or is registered on any list, or is listed by a civil service examiner, or elsewhere. Why, Mr. President, under this provision, a State official who tried to prevent voting by a person who was not a resident of his State, and had never been listed by an examiner appointed by the Civil Service Commission or registered on any voting list in the State, would be committing a Federal crime. And yet his State duty would require him to take action.

It seems clear that what the framers of this bill were trying to do was to set the stage here for prosecutions under the criminal sanctions of subsection 11(b) of any person who shall be charged with intimidation, threat, or collusion, or any attempt thereat, of any person from alleging to an examiner within 24 hours after the closing of the polls that although they are listed or registered, and eligible to vote, such person has not in fact been permitted to vote in the election. Again, mention of such persons in subsection 12(e) is not in a manner to constitute a grant of power or an imposition of a duty; but we can be sure, I do believe, that an attempt will be made to construe all so as to grant all persons making such allegations to examiners the protection of the criminal sanctions under subsection 11(b).

Section 12 is a little complicated. I shall consider it subsection by subsection.

Subsection 12(a) reads as follows:

> Whoever shall willfully and knowingly deprive or attempt to deprive any person of any right secured by section 2, 3, 4, 5, 7, 9, or 10 or who shall willfully and knowingly violate section 11, shall be fined not more than $5,000, or imprisoned not more than five years, or both."

This subsection not only fixes the penalty for violation of any of the criminal provisions of subsection 11, but also fixes the same maximum penalties—a fine up to $5,000 or imprisonment up to 5 years, or both—for "any attempt to deprive any person of any rights secured by section 2, 3, 4, 5, 7, 9, or 10" of the act.

What are the "rights secured" by these various numbered sections?

Subsection 2 does not in terms "secure" a right, but it does in terms refer to "the right of any citizen of the United States to vote on account of race or color." So I am sure we shall find subsection 12 reconstrued just as though it provided a penalty for violation of section 2; and I greatly fear, as I already pointed out, that section 2 will be construed as though it referred to "the right of any citizen of the United States of colored race or color to vote."

Section 3 of the bill does not in terms "secure" any right but does deal with proceedings by the Attorney General to enforce "the guarantees of the 15th amendment." This is in subsection 3(a). In subsection 3(b) there is mention again of "denying or abridging the right of any citizens of the United States to vote on account of race or color."

Subsection 3(c) has a reference to "violations of the 15th amendment justifying equitable relief."

We can expect, therefore, that we shall see an attempt to construe subsection 12(a) as to make it a Federal crime, with a penalty up to $5,000 fine or imprisonment up to 5 years, or both, to "deprive or attempt to deprive any person" of "the guarantees of the 15th amendment," or to use "a test or device" for "purposes of denying or abridging the right of any citizen of the United States to vote on account of race or color." Construed in this way, the section is clearly unconstitutional, because it does not describe, with that certainty required of a criminal statute, the act which constitutes the crime. Nevertheless, I predict that we shall see efforts to enforce the provisions of section 12(a) against persons charged with interfering with "the guarantees of the 15th amendment" or charged with using "a test or device" for "purposes of denying or abridging the right of a U.S. citizen of the Negro race or color to vote.

Subsection 4(e) clearly is intended to "secure" the "right of citizens of the United States to vote" and is directed specifically against denial or abridgment of this right "on account of color."

In specific terms, this subsection provides that "no citizen shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device in any State with respect to which the determinations have been made under subsection 4(b) or in any political subdivision with respect to which such determinations have been made as a separate unit" and then lists an ostensible exception which in practical effect is no exception at all. So we can assume that subsection 12(a) of the bill seeks to make it a Federal crime to deprive or attempt to deprive any citizen of the United States of the right to vote because of his failure to comply with any test or device in any State which has been brought under the sanction of the suspension of State election laws.

Thus, Mr. President, this bill will make it a Federal crime, a felony, with a maximum possible penalty of 5 years in prison and a fine of $5,000, for a State official to attempt to enforce a State law which the State has a constitutional right to make and which the Congress, under the Constitution, has no right in the world to interfere with. This attempted creation of a Federal offense so clearly at odds with the Constitution itself is, of course, an unconstitutional provision.

Section 5, if it can be said to "secure" any right, must be deemed to "secure" the right of voters or prospective voters, in any State which has been brought under the sanctions of Federal suspension of the local election laws, to vote without having administered to him any voting qualifications or prerequisite to voting, or any standard, practice, or procedure with respect to voting, different from that in force or effect on November 1, 1964. If this be the construction, then we must look forward to seeing attempts to apply the criminal sanctions of subsection 12(a) to anyone who attempts to apply or enforce any such "different" voting qualification or prerequisite to voting or standard, practice, or procedure with respect to voting. Here we have a case, Mr. President, of a new Federal crime, to be created by this proposed law, consisting of any attempt to enforce or administer a State law which may be passed by the legislature of the State in an effort to correct or supersede a law found by Federal court decision or by act of Congress or by ukase of the Attorney General to be deficient or improper. This is surely a remarkable theory of criminality. Perhaps even the legislature which enacts such a "different" voting qualification or prerequisite to voting or standard, practice, or procedure with respect to voting, would be charged with guilt as a Federal criminal under subsection 12(a).

Section 7 may be said to "secure" the right of a prospective voter whose name has been placed on a list of eligible voters by an examiner appointed by the Civil Service Commission, to have his name placed on the official voting list by appropriate State or local election officials, and to vote and have his vote counted. So we may look forward to the application of the criminal sanctions of subsection 12(a)—with a possible imprisonment up to 5 years or a fine up to $5,000 or both—against anyone who even attempts to deprive any person who has had his name placed on a list of eligible voters by an examiner appointed by the Civil Service Commission from voting and having his vote counted, except where the attempt to prevent is by a challenge made in accordance with subsection 8(a).

This criminal penalty will also be sought to be applied, I have no doubt, against State or local election officials who resist the placement on official voting lists of the names of persons whom they know to be ineligible to vote under State law.

Mr. President, State or local election officials in such a case will be guilty of a Federal law violation under the terms of subsection 12(a) even though the person whose name they seek to keep off the official voting list is in fact ineligible to vote, even though the examiner who originally placed the name on the list has admitted he made a mistake, even though a hearing officer appointed by the Civil Service Commission may have found after hearing that the person listed is in fact ineligible to vote. How in the world can we justify, Mr. President, making it a Federal crime with a penalty up to 5 years' imprisonment or a fine up to $5,000, for a State official to faithfully execute the laws of the State?

Surely, Mr. President, no matter how far it may be argued that we can stretch the Federal right to intervene in the area of the reserved powers of the States, in order to provide for the protection of some constitutional right, it cannot be said that the Federal Government has any such power of encroachment for the purpose of bestowing upon an individual a right which he does not in fact have either under the Federal Constitution or under the laws of the States.

There is nothing in the Constitution, Mr. President, which gives anybody the right to vote in the State if he is not eligible to be a voter in that State. And in the case of a person who is not a resident of the State, Mr. President, there can be no question of any depriving of a constitutional right.

It makes no difference if he is a Negro, or of any other race; as a nonresident he is not entitled to vote. But under this rule, Mr. President, if an examiner appointed by the Civil Service Commission has made a mistake and has listed that man, the Federal statute we are now being asked to pass will say, if we do pass it, he is entitled to vote, and a State official who seeks to discharge his duty under his sworn oath by preventing that man from voting becomes by that act a Federal felon, and may be fined $5,000 and put away in Federal prison for a term of 5 years.

Mr. President, it is not so much as to how it is construed which makes it unconstitutional, as how it may be construed. To most of my colleagues, I am sure, this is axiomatic. I say to you, this statute may be construed in the manner in which I have just described. Personally, I have little doubt that an attempt will be made to construe in that way, as soon as a proper case arises. But that is beside the point. What is important is that it may be so construed; and therefore, Mr. President, this provision is unconstitutional and will be of no force and effect if we enact it, unless the Justices of the Supreme Court of the United States are as recreant to their oaths of office in deciding upon the constitutionality of the statute as we will be if we vote here to pass it.

Section 10 does not in terms "secure" any right, except the right of the Attorney General to institute actions and the "right"—if the conferring of jurisdiction may go under that name—of a court to issue orders requiring what the Attorney General asks for, and other orders appointing persons to observe elections and determine whether persons entitled to vote are permitted to vote and have their votes counted.

But I do not think these are the alleged "rights" which the framers of this bill had in mind as being "secured" by section 10, when they wrote in subsection 12(a) the provision that whoever shall willfully and knowingly deprive or attempt to deprive any person of any rights secured by section 10 shall be fined not more than $5,000, or imprisoned not more than 5 years, or both. I fear, and I think with reason, that we shall see an attempt by the Department of Justice to construe this particular provision of subsection 12(a) as making it a Federal crime to interfere with any person appointed by a Federal court, at the request of the Attorney General, to observe whether persons entitled to vote are permitted to vote and have their votes counted; and I fear also that we shall see an attempt by the Department of Justice to construe this particular provision of subsection 12(a) as making it a Federal crime, punishable by imprisonment up to 5 years or a fine up to $5,000, or both, for any person to fail or refuse to grant, or to interfere with the granting of, any relief decreed by a Federal court in deciding an action brought by the Attorney General under section 10.

While I think it is clear that, if construed in this way, the alleged criminal law is unconstitutionally devoid of that certainty which the Constitution requires of criminal statutes, yet I fear that this construction may be upheld by Federal courts, if we pass this bill.

Now we come to subsection 12(b). This subsection reads as follows:

> (b) Whoever, within a year following an election in a political subdivision in which an examiner has been appointed (1) fraudulently destroys, defaces, mutilates, or otherwise alters the marking of a paper ballot cast in such election, or (2) fraudulently alters any record of voting in such election made by a voting machine or otherwise, shall be fined not more than $5,000, or imprisoned not more than five years, or both.

This subsection, Mr. President, creates another new Federal crime, punishable by the same maximum penalty of imprisonment up to 5 years or a fine of not more than $5,000, or both. This new crime will consist of fraudulently destroying, defacing, mutilating, or otherwise altering the marking of a paper ballot cast in any election in a political subdivision in which an examiner has been appointed by the Civil Service Commission, or fraudulently altering any record of voting in such an election, whether made by voting machine or otherwise.

Now, Mr. President, while I think that the maximum penalty is far too great, I can concede there is color of right for enactment of such a statute against fraudulent destruction, defacing, mutilation, or alteration of ballots or voting records in a Federal election. But there is no Federal right to create a Federal crime of this nature in the case of State elections. This is simply another unconstitutional invasion of the reserved powers of the States. It is a usurpation of police powers never intended to be vested in or exercised by the Federal Government.

Subsection (c), Mr. President, reads as follows:

> (c) Whoever conspires to violate the provisions of subsection (a) or (b) of this section, or willfully and knowingly interferes with any right secured by section 2, 3, 4, 5, 7, 9, 10, or 11 shall be fined not more than $5,000, or imprisoned not more than five years, or both.

This is a conspiracy section which correlates with subsection 12(a). It would punish as a Federal crime, with the same maximum penalties, anyone who conspires to interfere with "any rights secured by section 2, 3, 4, 5, 7, 9, 10, or 11."

These are the sections I have just discussed at length in connection with the provisions of subsection 12(a).

Subsection 12(c) also would make it a Federal crime, with a maximum penalty of 5 years imprisonment or imposition of a $5,000 fine, or both, to conspire to violate subsection 12(b)—that is, to conspire at the fraudulent destruction, defacing, mutilation, or other alteration of a paper ballot or the alteration of any record of voting in an election in a political subdivision in which an examiner has been appointed by the Civil Service Commission. The same considerations apply here that I discussed a moment ago when I was talking about the provisions of subsection 12(b). In the case of Federal elections, perhaps it cannot be said that the Congress may not enact and the Federal Government may not seek to enforce such a criminal statute. But in the case of State elections a conspiracy statute of this nature is just as clearly void, on constitutional grounds, as the provisions of subsection 12(b) which directly interdict such destruction, defacing, mutilation, or alteration.

I do not believe it will be possible to find a court which will construe this latter part of subsection 12(c)—beginning with the words "or willfully and knowingly interferes with any right secured by sections 2, 3, 4, 5, 7, 9, 10, or 11 shall be fined not more than $5,000, or imprisoned not more than 5 years, or both"—as a provision against conspiracy to interfere with allegedly "secured" right. But of course, we cannot be sure. So why should we pass this provision before it has been clarified as to intent?

Section 12(d) reads as follows:

> (d) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice prohibited by section 2, 3, 4, 5, 7, 10, 11, or subsection (b) of this section, the Attorney General may institute for the United States, or in the name of the United States, an action for preventive relief, including an application for a temporary or permanent injunction, restraining order, or other order, and including an order directed to the State and State or local election officials to require them (1) to permit persons

listed under this Act to vote and (2) to count such votes.

This is a provision authorizing actions for injunctive relief by the Attorney General for the United States "or in the name of the United States." The relief to be sought is in the nature of what the bill calls "preventive relief" which is stipulated to include "an application for a temporary or permanent injunction, restraint order, or other order, and including an order directed to the State and State or local election officials to require them, first, to permit persons listed under this act to vote, and second, to count such votes." The section provides the Attorney General may bring such an action whenever any person has engaged in "any act or practice prohibited by section 2, 3, 4, 5, 7, 10, 11, or subsection (b) of this section—meaning subsection 12 (b). The Attorney General may also institute such an action whenever "there are reasonable grounds to believe that any person is about to engage in any act or practice" prohibited by the same named sections or by subsection 12(b).

There are a good many things wrong with this subsection, Mr. President. I shall try to name the more important of them, not necessarily the order of their importance.

In the first place, the provision respecting "whenever any person has engaged" is in disjunctive relationship to the provision "when there are reasonable grounds to believe that any person is about to engage." These are alternatives, each of which may stand separately. That is why they are connected by the word "or." Therefore, this section must be construed as authorizing the institution of enaction of for so-called preventive relief stipulated to include "an order directed to the State and State or local election officials" solely on the basis of the action of one single person who can be shown to have engaged in some act or practice prohibited by one of the numbered sections or by subsection 12(b). How the action of one individual can be made the basis for an injunction directed to the State and State or local election officials, and in terms seeking to control their acts or actions in the future, is more than I can understand. If there is a lawyer among my colleagues who can explain this to me, I hope he will do so. I would even welcome a clear and logical explanation from a nonlawyer. But that is what this section provides. Now, let us consider for a moment the clause relating to "reasonable grounds to believe that any person is about to engage in any act or practice prohibited." This is even worse than the clause "whenever any person has engaged." Under the latter, at least there has been an act which can be testified to, and appraised. But with respect to the existence of "reasonable grounds to believe that any person is about to engage in any act or practice prohibited," it is clear that the act against which relief is to be sought has not yet been performed. It is not required that the act be threatened, or that there be proof that it has been threatened. There is no definition of what constitutes "reasonable grounds to believe" in connection with this clause of the subsection. It is difficult to visualize what standards will be applied. Perhaps the Attorney General will seek to infer future actions or actions reasonably to be anticipated from some past course of conduct. Perhaps, on the other hand, the Attorney General will rely on unsworn complaints or allegations, as in the case of the complaints signed by 20 or more persons of voting age, which are provided for under section 10. Perhaps some other basis will be selected. In any event, there will be nothing more to go on than the allegations of the Attorney General.

And when the Attorney General has brought his action, alleging "reasonable grounds to believe," it will be up to the defendant, perhaps a sovereign State of the Union, perhaps State or local election officials, to prove a negative, which as every lawyer in this body knows, is just about the toughest burden which can be imposed upon a litigant.

I am bothered, Mr. President, by the use of the seemingly double provision that "the Attorney General may institute for the United States, or in the name of the United States, an action for preventive relief." It is not clear to me what the difference is between instituting an action "for the United States" and instituting an action "in the name of the United States." So far as I know, there has been no explanation of this point either on this floor, or in the committee hearings or in the committee report. If such an explanation has been made, I hope some Senator will call it to my attention, and explain the explanation. I feel confident, Mr. President, because this bill is so subtly drawn, that there was a purpose in the use of this so seemingly double provision. This language seeks to accomplish a particular objective. I think the Senators are entitled to know what this objective is before it is asked that you vote on this bill.

I am much more readily bothered, Mr. President, by the provision respecting an order "directed to the State." I do not like the idea of a Federal court being given power to issue orders directed at the sovereign States of the Union in their capacity as such.

When we get to subsection 12(f), Mr. President, we shall find a provision that district courts of the United States shall have jurisdiction of proceedings instituted pursuant to section 12. This must mean, if it is to be taken at face value, that district courts of the United States will have jurisdiction of an action instituted by the United States against a sovereign State, asking for an order directed to that State in its capacity as such. But, Mr. President, the second paragraph of section 2, article 3 of the Constitution of the United States provides that in all cases in which a State shall be a party, the Supreme Court of the United States shall have original jurisdiction. To grant original jurisdiction in such an action to a district court seems to me to fly in the face of the Constitution.

I think subsection 12(b) is unconstitutional in this respect.

Now, Mr. President, let us consider what are the acts or practices prohibited by sections 2, 3, 4, 5, 7, 10, 11, and subsection 12(b). This is important, because under subsection 12(d) if any person has engaged in any such prohibited act or practice, or there are reasonable grounds to believe that any person is about to engage in any such act or practice, the Attorney General may institute an action for a so-called preventive relief.

The only thing section 7 prohibits is treating a challenge made in accordance with subsection 8(a) of this bill as the basis for prosecution under section 11. But I do not think, Mr. President, that this is the prohibition the drafters of the bill had in mind when they included section 7 in the list of named sections in subsection 12(d), because there is nowhere to be found in the bill any indication that its drafters were concerned in any way with the protection of the rights of any individuals except those who might be, or those who might claim to have been, deprived of the right to register to vote or to have their vote counted because of race or color. The bill, clearly, has as its main concern, loading the voting lists of Southern States with the names of Negro voters. So we must consider the possibility that the drafters of the bill intended that the certain affirmative provisions of section 7 should be construed as prohibiting the negative, and that it was in this light that section 10 was specifically mentioned in subsection 12(d).

The specific affirmative requirements of section 7 are first, any person whom an examiner appointed by the Civil Service Commission finds to have the qualifications "prescribed by State law not inconsistent with the Constitution and laws of the United States" shall promptly be placed on a list of eligible voters.

Here is a rundown on these prohibited acts or practices:

Section 2 prohibits imposition or application by any State or political subdivision, of any voting qualifications or prerequisite to voting, or any standard, practice, or procedures, to deny or abridge the right of any citizen of the United States to vote on account of race or color.

Section 3 prohibits, in subsection (c), enforcement of any qualification, prerequisite, standard, practice or procedure, with respect to voting which is "different from that in force or effect" at the time the Attorney General instituted a proceeding to enforce the guarantees of the 15th amendment in any State or political subdivision and a court in deciding this proceeding has found that violations of the 15th amendment justifying equitable relief have occurred within the territory of such State or political subdivision, if the Attorney General has filed an objection to the different qualification prerequisite, standard, practice or procedure within 60 days after it has been submitted to him, by the chief legal officer or other appropriate official of the State. This prohibition is to remain in effect until the court finds that the different qualification, prerequisite, standard, practice, or procedure "does not have the purpose or will not have the effect of denying or abridging the right to vote on account of race or color."

Section 4 prohibits denial of any citizen's rights to vote in any Federal, State, or local election because of failure to comply with any test or device in any State, which has been made subject to the sanction of Federal suspension of State laws respecting voting qualifications, under the provisions of this bill, except where the U.S. Court for the District of Columbia shall have determined, in an action for declaratory judgment brought by the State or its subdivision, that the effects of denial or abridgment, if any, of the right to vote on account of race or color, "have been effectively corrected by State or local action and that there is no reasonable cause to believe that any test or device sought to be used by such State or subdivision will be used for the purpose or will have the effect of denying or abridging the right to vote on account of race or color." The prohibition in section 5 is very similar to that in section 4, as I pointed out earlier.

Section 5 prohibits a State or political subdivision from administering any voting qualifications prerequisite to voting or standards, practice, or procedure with respect to voting, different from that in force or effect on November 1, 1964, if the State has been brought under the Federal sanction of suspension of State voting laws, and has not been able to secure from the U.S. District Court for the District of Columbia a declaratory judgment that "such qualification, prerequisite, standards, practice, or procedure does not have the purpose or will not have the effect of denying or abridging the right to vote on account of race or color"; but in section 5, this prohibition is further modified, so as to be ineffective if the proposed second, names of eligible voters contained in lists or supplements thereto transmitted by examiners to appropriate election officials, with copies to the Attorney General of the United States, and the attorney general of the State concerned, shall be placed on the official voting list by the appropriate State or local election officials; third, any person whose name appears on the examiner's list shall be entitled and allowed to vote in the election district of his residence, unless and until the appropriate election officials shall have been notified that such person has been removed from the examiner's list; fourth, the examiner shall issue to each person whose name appears on the examiner's list a certificate evidencing his eligibility to vote.

Section 10 definitely does not prohibit anything, neither any act or any practice. It does authorize the Attorney General of the United States to institute certain actions to require that certain persons be placed on the official voting list of their respective States and be permitted to vote. But surely there is no way to construe this as a prohibition. In the absence of court action, there is not even a mandate here, which could be turned around and considered as, in the reverse, a prohibition. There is authority in section 10 for courts, acting upon the request of the Attorney General to appoint persons to observe whether persons entitled to vote are permitted to vote and have their votes counted; but clearly, this is not a prohibition. There is also in this section, that is, in section 10—authorization for courts to impound ballots cast in certain elections "until such time as all persons whom the court has ordered permitted to vote, and who are refused or denied the opportunity to vote, have the opportunity to vote on election day, or the day following." But this is not a prohibition, and if the court issues an order respecting the impounding of ballots in an election, it will be the order itself which makes any prohibitions that may be stipulated therein. I have been unable to figure out why section 11 was specifically listed in subsection 12(d). I feel sure there must have been a purpose in the minds of the drafters of the bill; but it has not been disclosed to me and I doubt that it has been disclosed to the Senate.

Section 11, as I pointed out earlier, does include, in terms, specific provisions. It prohibits failure or refusal by any person acting under color of law, to permit to vote any persons who is entitled to vote under any provision of this bill, or to fail or refuse to count such person's vote.

Section 11(b) also prohibits any person, whether or not acting under color of law, from intimidating, threatening, or coercing, or attempting to intimidate, threaten, or coerce "any person from voting or attempting to vote" or to intimidate, threaten, or coerce or attempt to intimidate, threaten, or coerce "any person from exercising any power or duties under section 3(a), 6, 8, 10, 12(e)." Just what is encompassed by these provisions is something I have discussed in detail earlier today. So we see, Mr. President, that there are a great many possible acts, any one of which, if committed by even a single person will bring into being the Attorney General's right to institute an action for preventive relief, "for the United States or in the name of the United States." Of course, under subsection 12(d), the Attorney General will have the same right to institute an action for preventive relief if there are reasonable grounds to believe that any person is about to engage "in any one of the prohibited acts or practices."

We move now to section 12(e). This subsection reads as follows:

> (e) Whenever in any political subdivision in which there are examiners appointed pursuant to this Act any persons allege to such an examiner within twenty-four hours after the closing of the polls that notwithstanding (1) their listing under this Act or registration by an appropriate election official and (2) their eligibility to vote, they have not been permitted to vote in such election, the examiner shall forthwith notify the United States attorney for the judicial district if such allegations in his opinion appear to be well founded. Upon receipt of such notification, the United States attorney may not later than seventy-two hours after the closing of the polls file with the district court an application for an order providing for the casting or counting of the ballots of such persons and requiring the inclusion of their votes in the total vote before the results of such election shall be deemed final and any force or effect given thereto. The district court shall hear and determine such matters immediately after the filing of such application. The remedy provided in this subsection shall not preclude any remedy available under State or Federal law.

This subsection provides for actions to be filed by the U.S. attorney for any judicial district not later than 72 hours after the closing of the polls, of an application for an order, providing for the casting or counting the ballots of certain named individuals, and requiring the inclusion of the votes of such individuals in the total vote before the results of the election shall be deemed final and any force or effect given thereto. Such an action, the subsection provides, may be filed by the U.S. attorney whenever examiners appointed by the Civil Service Commission in any political subdivision within his judicial district have received any allegations, within 24 hours after the closing of the polls, that the person or persons making any such allegations have been listed under this proposed law or registered by an appropriate election official, and are eligible to vote, notwithstanding which they have not been permitted to vote in the election. The examiner is required, upon receipt of any such allegation, to notify the U.S. attorney forthwith, if, in the opinion of the examiner, the allegation appears to be well founded.

The subsection contains a rather novel provision that "the District Court shall herein determine such matters immediately after the filing of such application." Whether this is meant to preclude the giving of notice and an opportunity for hearing to the State election officials or other officials of the State concerned, is not made clear. Certainly such notice and opportunity for hearing is not provided for. Yet without such notice, it is extremely doubtful that the procedure called for by this subsection would constitute due process of law, and any action taken, even by a court, not constituting due process of law, is unconstitutional with respect to the particular case, at least, and, therefore, of no force and effect.

Section 12(f) reads as follows:

> (f) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether a person asserting rights under the provisions of this Act shall have exhausted any administrative or other remedies that may be provided by law.

We have referred to this subsection earlier, Mr. President, to the extent that I pointed out that it provided for jurisdiction in the district courts of a proceeding which might be instituted under this section, naming a sovereign State as a party, and that this flew in the face of the constitutional provision giving the Supreme Court of the United States original jurisdiction with respect to all actions where a State is a party.

The remainder of the subsection provides that the courts shall have and exercise jurisdiction of proceedings pursuant to section 12 "without regard to whether a person asserting rights under the provisions of this act shall have exhausted any administrative or other remedies that may be provided by law."

In other words, Mr. President, under this subsection, actions brought by the Attorney General or by a U.S. attorney under any of the provisions of section 12 will supersede any legal proceedings or quasi-legal or administrative proceedings underway in State courts or State quasi-judicial or administrative bodies.

Also, of course, this section frees any person alleging deprivation of voting rights from any requirement pursuing his remedies under State law before seeking Federal intervention in his behalf and seeking to get his case before a Federal court.

Section 13 starts out with what sounds like kind words, even words of comfort, but there is very little comfort by the time one finishes reading the section. This section reads as follows:

> SEC. 13. Listing procedures shall be terminated in any political subdivision of any State (a) with respect to examiners appointed pursuant to clause (b) of section 6 whenever the Attorney General notifies the Civil Service Commission (1) that all persons listed by the examiner for such subdivision have been placed on the appropriate voting registration roll, (2) that there is no longer reasonable cause to believe that persons will be deprived of or denied the right to vote on account of race or color in such subdivision; and (b), with respect to examiners appointed pursuant to section 3(a), upon order of the authorizing court. A political subdivision may petition the Attorney General for the termination of listing procedures under clause (a).

As I said, Mr. President, this section starts off with kind words, words of comfort and encouragement. These words are "listing procedures shall be terminated."

But the section goes on to set up a number of roadblocks to such termination.

With respect to examiners, the "listing procedures" are to be terminated "whenever the Attorney General notifies the Civil Service Commission, first, that all persons listed by the examiners for such subdivision have been placed on the appropriate voting registration role; second, that there is no longer reasonable cause to believe that persons will be deprived of or denied the right to vote on account of race or color in such subdivisions; and third, with respect to examiners appointed pursuant to section 3(a) upon order of the authorizing court.

There is another provision contained in subsection 12(c), making it a Federal crime to "willfully and knowingly" interfere with "any rights secured by sections 2, 3, 4, 5, 7, 9, 10, or 11." What the difference is between "interfering" with such an allegedly "secured" right and "depriving or attempting to deprive" any person of the same right, is not clear. Senators will note this is not a conspiracy provision, as are the two categories of crimes created in the first clause of this subsection 12(c). This is a crime of "willfully and knowingly" interfering with an allegedly "secured" right under one of the main sections. How it is possible for anyone to "interfere" with such an alleged right without either "depriving" or "attempting to deprive" any person of such right, I do not understand. In this respect, subsection 12(c) appears to be substantially a duplication of subsection 12(a). Perhaps it was intended by the drafters of the bill that this portion of subsection 12(c) should also be a conspiracy provision, like the first clause of the subsection; but if so, they missed the boat, because that is not the way the section is drafted.

So, Mr. President, with respect to examiners appointed pursuant to clause (b) of section 6 of the bill, determination of listing procedures is entirely up to the Attorney General; and the subsection recognizes this by providing that "a political subdivision may petition the Attorney General for determination of listing procedures" under this clause. With respect to examiners appointed pursuant to section 3(a), listing procedures are determined, first, upon order of the authorizing court; but here it is implicit, though not directly stated, that any such petition may be opposed by the Attorney General, and it is hardly to be believed that in the face of such opposition, a court once having issued its order authorizing examiners, would alter or cancel it.

The attention of Senators is invited to the fact that in authorizing termination of listing procedures in any case where examiners were appointed pursuant to clause (b), of section 6, the Attorney General is to notify the Civil Service Commission that "all persons listed by the examiner for such subdivision have been placed on the appropriate voting registration roll." This causes me to wonder what will happen in any case where the examiner listed a name which was subsequently stricken without having been placed on the voting registration roll. Will the listing procedure continue indefinitely in that political subdivision? This would seem to be a most unjust result; but then, in a bowl so full of injustices, what does one more unjust result matter?

Section 14 contains several subsections, which I shall take up and discuss in order.

Section 14(a) reads as follows:

> SEC. 14. (a) All cases of criminal contempt arising under the provisions of this Act shall be governed by section 151 of the Civil Rights Act of 1957 (42 U.S.C. 1955).

So we find, Mr. President, that this short three-line subsection really says a mouthful. It authorizes trials for criminal contempt without a jury at the discretion of the judge, where the sentence is a fine not in excess of $300 or imprisonment not in excess of 45 days; it gives the individual convicted of contempt in such a nonjury trial the right to a new trial before a jury if the sentence exceeds those limitations; and it explicitly provides for "civil contempt proceedings, without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violations of, any law to wit, process, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention." In other words, a court may put a man in jail indefinitely, until he satisfies the court he has complied with or will comply with the court's order or orders.

This section is actually to be found as section 1995 of the United States Code, 1958 edition. The Civil Rights Act of 1957 was Public Law 315 of the 85th Congress, or as now cited "Public Law 85–315." It was approved September 9, 1957. Section 151 of this act reads as follows:

> CRIMINAL CONTEMPT PROCEEDINGS; PENALTIES; TRIAL BY JURY.—In all cases of criminal contempt arising under the provisions of this Act, the accused, upon conviction, shall be punished by fine or imprisonment or both: *Provided, however,* that in case the accused is a natural person the fine to be paid shall not exceed the sum of $1,000, nor shall imprisonment exceed the term of six months: *Provided further*, that in any such proceeding for criminal contempt, at the discretion of the judge, the accused may be tried with or without a jury: *Provided further, however,* that in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of the sum of $300 or imprisonment in excess of forty-five days, the accused in said proceeding, upon demand therefore, shall be entitled to a trial de novo before a jury, which shall conform as near as may be to the practice in other criminal cases.
>
> This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience, of any officer of the court in respect to the writs, orders, or process of the court.
>
> Nor shall anything herein or in any other provision of law be construed to deprive courts of their power, by civil contempt proceedings, without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violations of, any lawful writ, process, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention.

Now we move on to subsection 14(b). This subsection reads as follows:

> (b) No court other than the District Court for the District of Columbia or a court of appeals in any proceeding under section 8 shall have jurisdiction to issue any declaratory judgment pursuant to section 4 or any restraining order or temporary or permanent injunction against the execution or enforcement of any provision of this Act. The right to intervene in any action brought under the authority of this Act shall be limited to the Attorney General and to States, political subdivisions, and their appropriate officials.

Here is another clearly unconstitutional provision, because the requirement that no court other than the District Court for the District of Columbia or a court of appeals in any proceeding in section 8 will have jurisdiction to issue any restraining order or temporary or permanent injunction against the execution or enforcement of any provision of this act unquestionably has the affect of denying sovereign States of the Union the right to seek relief by injunction or restraining order, in an action before the Supreme Court of the United States. The Constitution itself gives the Supreme Court original jurisdiction over actions to which a State is a party, and this includes actions instituted by States as well as actions where States are named as parties defendant. So this provision not only deprives the States of their right to go into the Supreme Court, it also deprives the Supreme Court of original jurisdiction granted to it in the Constitution.

Subsection 14(c) defines the terms "vote" and "political subdivisions" as used in this bill. This subdivision reads as follows:

> (1) The term "vote" shall include all action necessary to make a vote effective in any primary, special, or general election, including, but not limited to, registration, listing pursuant to this Act, or other action required by law prerequisite to voting, casting a ballot, and having such ballot counted and included in the appropriate totals of votes cast with respect to candidates for public office and propositions for which votes are received in an election.
>
> (2) The term "political subdivision" shall mean any county or parish, except that where registration for voting is not conducted under the supervision of a county or parish, the term shall include any other subdivision of a State which conducts registration for voting.

The reason for inclusion of this definition of the term "vote" is unclear, especially in view of the fact that the bill, throughout its length, treats separately of the right to vote, the right to register, and the right to have a vote counted. The result of this definition, which makes the term "vote" a word of art as used in the bill, and unravelling the exact effect of this may prove a little difficult, especially if the definition is construed to include variations of the word "vote" such as "voting." However, this problem is primarily technical, and I shall not devote time to it.

The definition of the term "political subdivision" is chiefly interesting because it operates to exclude a State from being considered as within the term. Thus, the provisions of subsection 12(e) authorizing U.S. attorneys to apply for court orders providing for the casting or counting of ballots of persons alleging that their votes were not counted although they were listed and eligible to vote, clearly cannot be applied on a statewide basis, but must be handled on a county-by-county basis, or on the basis of such lesser political subdivisions as may, in a particular State, conduct registration for voting.

Subsection 14(d) is chiefly noteworthy not for what it provides, but for what it does not include.

This subsection reads as follows:

> Whoever knowingly or willfully gives false information as to his name, address, or period of residence in the voting district for the purpose of establishing his eligibility to register or vote, or conspires with another individual for the purpose of encouraging his false registration or illegal voting, or pays or offers to pay or accepts payment either for registration or for voting shall be fined not more than $10,000 or imprisoned not more than five years, or both: *Provided, however*, That this provision shall be applicable only to elections held for the selection of presidential electors, Members of the United States Senate, and Members of the United States House of Representatives.

It is only right, Mr. President, that with the cards stacked so heavily on the side of an applicant for voter registration under this bill, there should be a substantial penalty for the giving of false information by any individual for the purpose of establishing his eligibilty to register or vote, or for conspiring for the purpose of encouraging false registration or illegal voting, or for the payment, or offer to pay, or acceptance of a bribe for registration or for voting. As far as it goes, subsection 14(d) is a salutary provision. But I direct the attention of Senators particularly to the proviso at the end of the section, making it applicable only to elections held for the selection of presidential electors, Members of the U.S. Senate, and Members of the U.S. House of Representatives.

Throughout the bill, alleged voting rights to register and vote in State elections are repeatedly asserted, and many provisions of the bill are aimed at protecting or enforcing such alleged rights. Why, then, does the bill not provide penalties on the same broad basis? It is not a sufficient answer to say that Congress does not have jurisdiction to penalize the giving of false information or the conspiring to encourage false registration or illegal voting, or the payment or acceptance of bribes for registration or for voting, in State elections. If this is true, then the Congress has no more right to enact legislation governing who may vote in State elections. By the same token, Congress then has no right to enact criminal statutes, with penalties up to $5,000 fine or 5 years in prison, or both, for intimidation, threat, coercion, or attempted intimidation, threat, or coercion of persons from voting or attempting to vote in State elections, or for depriving or attempting to deprive any person of the alleged "secured right" to vote in State elections, or for the fraudulent destruction, defacement, mutilation, or other alteration of a paper ballot, or the fraudulent alteration of any voting record, made by voting machine or otherwise.

But this bill purports to do all those things. If this bill can create Federal crimes in those areas, then this bill can create a Federal crime of giving false information for the purpose of establishing eligibility to register or vote, or conspiring for the purpose of encouraging false registration or illegal voting, or paying or offering to pay or accepting a bribe for registration or voting, in State elections. We cannot have it both ways, and still claim that we are being either just or reasonable.

Section 15 of the bill reads as follows:

> There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

The attention of Senators is directed to the fact that this is a blank check authorization; there is no limitation, and no estimate has been submitted as to what the total cost of this bill may be.

Section 16 of the bill, the last section, provides:

> If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

How effective such a provision as this really is may be argued interminably. I do not propose to argue it here and now.

Mr. President, this concludes my section-by-section analysis of the bill at this time. I want to make one or two more observations at this point, however.

A majority of the members of the Committee on the Judiciary obviously was impressed with the testimony of the Attorney General, and of others, that constitutional justification for this bill, so far as it deprives States of the right to fix qualifications for electors, rests on an interpretation of the 15th amendment as overriding the provisions of article I, and of the 10th amendment, in this respect. I consider this to be a wholly untenable position. The Constitution is the supreme law of the land; but like any other law, all of its parts should be construed in pari materia, so as to give effect to all of its provisions, if possible, not to eclipse any one provision by another or others.

Some members of the Judiciary Committee also appeared impressed with the argument that legislation of this kind is justified on the ground that a State which has been found guilty of denial or abridgment of the right to vote by reason of race or color is not entitled to the same "presumption of innocence" as a State which has not been so convicted. Leaving aside the question of whether any State has ever been "convicted" of anything, in a criminal sense, I still reject any proposal for uneven or inequitable application of the "presumption of innocence" doctrine, as between States, if it is to be brought into consideration at all. There is no doubt in my mind that this perversion of the "presumption of innocence" doctrine is a part of the theory underlying approval of this bill by some of those who will vote for it; and I believe this goes toward establishing the unconstitutional nature of the bill as a whole.

The authority granted by this bill to the Civil Service Commission, after consultation with the Attorney General, to instruct examiners concerning applicable State law not inconsistent with the Constitution and laws of the United States with respect to the qualifications required for listing and laws of eligibility to vote is accompanied by no requirement, nor is there any requirement anywhere in the bill, that the Commission shall strictly follow the provisions of State law. Therefore, this authority given to the Commission to instruct examiners respecting the qualifications required for listing must be considered as plenary. The issue therefore becomes, in any challenge to a listing on an eligibility list, whether the individual listed has complied with the qualifications set forth by the Commission in its instructions, rather than whether there has been compliance with the qualifications as set forth by State law and interpreted by State courts. Quite clearly, this can involve invalidating State laws even in areas where such laws are not found to be in any conflict with the 15th amendment or with any other constitutional provision. Since this possibility exists, and since no safeguards have been provided against it in the bill, this provision for listing applicants for voter registration on the basis of instructions from the Civil Service Commission, after consultation with the Attorney General, is from a constitutional standpoint a clearly indefensible procedure.

The bill does not even require, as an indispensible minimum, that the Attorney General recommend, in consultation, and that the Civil Service Commission require, in instructing its examiners, bona fide residence by the registrant or applicant for registration, in accordance with the laws of the State where he proposes to vote, and acceptable evidence that the applicant is of voting age. Neither of these requirements can possibly be used to discriminate on the basis of race or color, and failure to protect such requirements of State law is a fatal flaw, from a constitutional standpoint.

While this bill does not in terms prohibit States and their political subdivisions from enacting laws or ordnances, it has in many respects the same effect as a prohibition, because it operates, in effect, as an injunction against the enforcement of any new law or ordnance imposing qualifications or procedures for voting different than those in force and effect on November 1, 1964. This is certainly an unconstitutional invasion of the powers of State legislatures.

In order for a State or its political subdivision to achieve a favorable declaratory judgment under this bill, it will not be sufficient for the State or subdivision to show that it might be possible to administer or enforce the new law or ordnance in such a way as to avoid denial or abridgment of rights. The specific requirement is for a court finding that the qualifications or procedures provided in the new law or ordnance will not have the effect of denying or abridging rights guaranteed by the 15th amendment. This clearly puts the burden of proof on the State or political subdivision to show not merely that the new law or ordnance may be adequately and properly administered and enforced, but that it will be so administered and enforced as to preclude denial or abridgment of rights guaranteed by the 15th amendment. This is a proposition impossible of conclusive proof and so the alleged right to a declaratory judgment, which the bill holds out, is in fact no right at all, and the effective prohibition against any new enactment is thus complete and absolute.

One of the principles argued in behalf of this bill, and which the Senate must in effect adopt if it enacts this bill, is that the application of particular sanctions to those political subdivisions in which examiners are appointed by the Civil Service Commission is not a discriminatory provision, in the constitutional sense, because such subdivisions must be presumed to be those in which violations or concealment of evidence are most likely to occur, and therefore those of major concern to the Congress in the enactment of the proposed statute. This argument defeats itself, for it grows from the seed of a presumption of guilt based upon past conduct.

As I read the provisions of this bill, if a case arises in which a Federal officer is found to have acted or to be acting improperly or illegally, under asserted authority of this proposed law, recourse would be solely to the District court for the District of Columbia. He could not be prosecuted in a State court, even for taking a bribe or soliciting one; and if his action in this regard were with respect to a State election, rather than with respect to the choice of Federal electors or a U.S. Senator or a Representative in Congress, he could not be prosecuted under Federal law. The State courts would be powerless to grant any sort of relief against him, and no Federal court except the U.S. District Court for the District of Columbia could entertain any petition for such relief. I think this is an unconscionable situation. Hundreds and hundreds of Federal employees, perhaps many thousands, will be sent into the States of the South to administer this law, if we enact it. There is no more assurance that all of these men will be 100-percent honest and upright and above temptation and impeccable in all their judgments than there is that every one of a similar number of State officials would be so.

I am concerned because I am not even sure that under this bill the U.S. District Court for the District of Columbia would have the power to grant appropriate relief in such a case as I have outlined. Perhaps it should be assumed that a corollary to the restriction of actions to this single court must be the assumption that the court has jurisdiction to issue restraining orders or temporary or permanent injunctions against the execution or enforcement of any provision of this bill or any action of a Federal officer or employee pursuant thereto, or against anyone acting under color or claim of authority under this law, regardless of the residence of the Federal officer or other individual concerned, or the place where he is acting or where his improper actions took place. But the bill does not spell this out to my satisfaction, and I gravely fear that the only relief, if indeed any relief is to be found, in such an instance as I have outlined will be in the discretion of Federal administrative officers. The Attorney General, perhaps, will have power under this bill to correct such a situation, if he is made aware of it and feels that he should do so. Perhaps the Civil Service Commission will have such power, in some instances. But I say, Mr. President, this bill has created a situation in which hordes of Federal officers are to be sent swarming into the States of the South, and when any of them go bad, the people of the affected community and of the affected State, even State officials or the State itself, will have no recourse to take any action against the individual concerned, no way to raise up any protection against him, except by reaching the ear of someone in Washington who as a matter of administrative discretion may be willing to move the malefactor out.

Finally, let me say this.

No one in the Judiciary Committee, or before the Judiciary Committee, so far as I knew, was able to think of a better defense against the charge that this is an ex post facto law than the theory advanced by the Attorney General, which we understand to be that States which have violated or permitted the violation of the voting rights of individuals within their borders, without being punished therefor, may not now be heard to complain of a Federal statute which finally subjects them to regulation designed to protect against such violations of rights in the future. Those who adopt this view—and there are many such, because they have not been able to come up with any better defense to the ex post facto charge—admit the bill has prospective effect, but say that even though the determination of States to which certain procedures are applied, or are to be applied, rests in part at least upon the past course of events and actions, such events and actions were reprehensible and any discrimination involved in the bill now before us is no more than just retribution.

Obviously, this is an argument which is very appealing to the emotions; but it is an argument completely without legal validity. An ex post facto law is unconstitutional by definition. And a bill which provides punishment, even any degree of punishment, for past offenses, is an ex post facto law. This bill, Mr. President, will be an ex post facto law if we enact it, and it will be unconstitutional for that reason.

ORDER OF BUSINESS

During the delivery of Mr. EASTLAND'S speech,

Mr. CLARK. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. CLARK. I would be grateful to the Senator if he would yield to me to make some remarks, without losing his right to the floor.

Mr. EASTLAND. Will the Senator ask unanimous consent?

Mr. CLARK. Mr. President, I ask unanimous consent that the Senator from Mississippi may yield to me, without losing his right to the floor; that my remarks may be printed in the RECORD at the end of his remarks; and further, I ask unanimous consent that I may proceed in spite of the germaneness rule.

The PRESIDING OFFICER (Mr. NELSON in the chair). Is there objection? Hearing none, it is so ordered.

Mr. CLARK. I thank the Senator from Mississippi.

NEW CONSERVATION IN CITIES AND ALONG HIGHWAYS

Mr. CLARK. Mr. President, I call upon all State and municipal governments and the highway agencies of those States and municipal governments to join the Federal Government in a partnership to make highways things of beauty, instead of asphalt treadmills, and cities places for people instead of smoke and pollution.

I commend strongly President Johnson for reversing the trend toward the destruction of the American landscape by highway engineers.

I urge the Governors of all States and their State highway department to heed the counsel of the President.

I should like to pay particular tribute to Federal Highway Administrator Rex Whitton, who is trying hard to lead the State directors of highway departments into new pastures of beauty and away from concrete strips which have done so much to deface the landscape of our country.

His leadership in a recent controversy surrounding the construction of an expressway through Independence National Park in Philadelphia has saved it, the country's most hallowed historical site, from desecration by a Chinese wall topped with a 10-lane freeway.

The President's recently formulated conservation program for urban Americans, in which city streets and septic tanks of suburbia will receive as much national concern as the wide open spaces will, I hope, prevent urban man from continuing to do those awesome things to the earth, the air, and the water which threaten the very existence of our urban civilization.

Mr. President, we should start to do something to control urban man in the public interest before he succeeds in destroying our society.

In this connection, I ask unanimous consent to have printed in the RECORD a circular memorandum from the Bureau of Public Roads, sent to regional and division engineers, on the subject of consideration of the overall interests of the public in the Federal-aid highway programs and programs for the protection or improvement of parks and other outdoor recreational and historical resources; a circular memorandum to directors, regional and divisional engineers, on the subject of esthetics in highway location and design; and a press release from the office of the Secretary of the Department of Commerce entitled "Federal Policy Developed To Prevent Highway Construction Damage to Fish and Wildlife," issued jointly by former Secretary of Commerce Luther Hodges and Secretary of the Interior Stewart Udall.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF COMMERCE,
BUREAU OF PUBLIC ROADS,
Washington, D.C., May 25, 1964.

To: Regional and Division Engineers.

From: Rex M. Whitton, Federal Highway Administrator.

Subject: Consideration of the overall interests of the public in the Federal-aid highway programs and programs for the protection or improvement of parks and other outdoor recreational and historical resources.

To assure that full consideration is given to the overall interests of the public in both the Federal-aid highway programs and programs for the protection or improvement of public recreational resources (such as but not necessarily limited to public parks, playgrounds, forests, open space, game sanctuaries, and the like) and historical resources, it will in the future be required that the plans, specifications and estimate (P.S. & E.) for each Federal-aid highway project which affects natural or manmade resources devoted to, or included in realistic plans for, public recreational or historical preservation purposes by a public authority having the official responsibility therefor, contain a statement that the State highway department did afford to such appropriate public authority ample opportunity at the earliest practicable time to review the highway department's planning for the proposed highway location and construction. The opportunity for such a review, as a minimum, would consist of the initiation by the highway department of a direct contact between that department and the appropriate public authority, preferably during the preliminary stages of plan development for the highway. In all cases these contacts shall have been made prior to the time at which the public hearing is advertised. If the officials of the appropriate public authority do not agree with the planning of the State highway department, their reason for nonconcurrence shall be included with the P.S. & E. documents and the State highway department shall show that the suggestions of the above referenced public officials have been examined and the plans as submitted to public roads provide the best possible solution in the judgment of the highway department.

The procedure outlined herein shall be applicable to all Federal-aid programs, including secondary road projects undertaken pursuant to section 117 of title 123 and for which P.S. & E. are submitted after October 1, 1964. For secondary road plan projects the highway department's statement of public interest will not be required until the time of the project agreement.

U.S. DEPARTMENT OF COMMERCE,
BUREAU OF PUBLIC ROADS,
Washington, D.C., March 1, 1963.

To: Directors, regional and division engineers.

From: Rex M. Whitton, Federal Highway Administrator.

Subject: Esthetics in highway location and design.

The Bureau of Public Roads and nearly all of the State highway departments have for many years given serious consideration in the location and design of highways to the many elements included under the general concept of esthetics. In the location of highways, planners, and designers have respected the amenities by considering the effects on communities, parklands and areas of historical and archeological significance. They have tried to fit the highways into the landscape, to preserve scenic views and avoid unsightly scars, destruction of worthwhile natural growth and interference with fish and wildlife habitats. In spite of criticism from several sources I can but commend highway engineers for their excellent work in these regards.

We are now engaged in a great highway program and have reached a point in time when the intensity of highway location, design, and construction effort is the highest in history and is likely to remain at this level for some years to come. In an effort to complete the program on schedule, and in many cases make up for lost ground, it is not unreasonable to expect concentration on production and a lessening of the individual attention to location and design so necessary if the final result is to be pleasing in appearance. Make no mistake about it, a pleasing result is a very important element of our highway program. In the final analysis we will be judged by the appearance of our highways as much as by any other factor. Their adequacy and efficiency are likely to be taken for granted by the driving public. They will give no thought to the thickness of pavement underneath their vehicles or the economy of its construction but they will know when the pavement is rough, the roadsides scraggly or the view ahead depressing and monotonous. They will know little, and perhaps care less, about the vast amount of energy expended in research, planning, locating, designing, constructing, testing and finishing every mile of highway. They will, however, have a keen sense of the beauty and compatibility of the highways they drive, whether this sense is conscious or subconscious.

It is my sincere desire that you and the highway engineers of the States give conscious thought to insuring more than ever before the pleasing appearance of our highways. This can be done in many directions starting with the initial location problem. Fit the highway to the landscape—take advantage of the topography, wherever economically feasible, to have separate alinements and profiles for each one-way roadway, streamline the cross sections, use judicious planting for the prevention of soil erosion, the joining of the slopes with native growth roadsides, and to possibly act as a buffer for noise and sight control—and design structures small and large so that they have architectural excellence. Miscellaneous structures such as walls, fencing, guardrails, and signs are also subject to that extra touch of consideration which will add to the appearance of the highway.

It is particularly important that attention to design for pleasing appearance be emphasized in urban areas. The choice of locations in cities often is limited by high land costs and existing culture and the appearance of the areas along a highway may be unsightly and beyond control of the highway engineer. There are no compensating views of mountains, streams or farms. This should not deter the designer from developing as pleasing a highway as feasible to assist in raising the standards of the urban area, providing open space and anticipating future improvement in the city's appearance. Where the location is along or through public lands or residential areas it is entirely fitting to design the highway to enhance the appearance of the area.

I am asking the Office of Engineering and Operations to act as a clearinghouse for the dissemination of information leading to highways of more pleasing appearance. It is requested that where you observe a design or a detail which improves the appearance of a highway that you so advise the Office of Engineering and Operations which in turn will, from time to time, send you material and advice in this connection. I am sure that with proper attention to all of the other steps in the development of highways that this extra effort in insuring pleasing appearance will add greatly to a highway system of which we can all be proud.

FEDERAL POLICY DEVELOPED TO PREVENT HIGHWAY CONSTRUCTION DAMAGE TO FISH AND WILDLIFE

Secretary of Commerce Luther H. Hodges and Secretary of the Interior Stewart L. Udall today announced a joint policy of coordinated planning designed to protect and enhance fish and wildlife habitat at Federal-aid highway projects. Methods for implementing the policy have been worked out by the Bureau of Public Roads of the Commerce Department and the Fish and Wildlife Service of the Interior Department.

Secretaries Hodges and Udall said the joint policy recognizes that in order to achieve maximum effectiveness in the expenditure of public funds and at the same time protect wildlife, close coordination and cooperation are required in the planning and construction of highways which have an effect upon fish and wildlife preservation programs.

In addition to national cooperation, the success of the joint policy also will require mutual cooperation of State highway departments and State fish and wildlife agencies, the Secretaries said.

The joint policy requires that State highway departments supply to State fish and wildlife agencies advance plans for Federal-aid highway development programs. It will be the responsibility of the State fish and wildlife agencies to review these highway programs and make recommendations on ways to develop highway projects which will be compatible with fish and wildlife habitat.

The policy is implemented through a Bureau of Public Roads regulation which requires that by January 1, 1964, each State, in requesting Department of Commerce approval for the use of Federal-aid highway funds, must certify that it has given consideration to the effects of the proposed highway project on fish and wildlife resources.

The certification from the State also will specify what actions it proposes to take in a highway construction project to protect fish and wildlife habitat. In the event a State highway department declines to accept State fish and wildlife recommendations on any project, the recommendations—along with the reasons for declining acceptance—must be sent to the Bureau of Public Roads for consideration.

The joint policy was worked out after meetings with Members of Congress who were seeking coordination of the Federal-aid highway and fish and wildlife preservation programs.

THE FOULING OF THE AMERICAN ENVIRONMENT

Mr. CLARK. Mr. President, the proliferation of densely populated metropolitan regions across the face of our continent is posing subtle, but profound challenges to the future of humankind.

The increasing pollution of his environment by man was borne in upon us once again this week by an outstanding series of articles published in the current Saturday Review.

These articles are entitled in order: "A Duty to the Future," "No Place To Hide," "Whatever Happened to the Great Outdoors?" and "Last Chance for the Nation's Waterways."

I ask unanimous consent to have these four articles printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

A DUTY TO THE FUTURE

(By Hon. Stewart Udall, Secretary of the Interior)

The paradox at the center of the American scene in 1965 is that at the very moment man has built an unprecedented pyramid of personal prosperity he has exploited land, water, and air so thoroughly and thoughtlessly that he has failed to maintain decent standards of stewardship.

The quality of the total environment has declined with each new advance of the economic indices.

We now enjoy an unprecedented level of economic prosperity. New scientific discoveries enhance our material wealth; new technological developments hold greater promise; measured by goods, gadgets, and GNP, or by our adventures in outer space and into the atom, American society is a "success."

But we must face up to one notable failure—the squandering and abuse of those resources on which the public happiness depends. Pollution is the conservation scandal of our generation. Each of us must shoulder a share of the responsibility.

Revulsion with the squalor and disorder of our public environment is expressed in protest books with disturbing titles. "God's Own Junkyard," "The Destroyers of America," and "The Destruction of California," are only the most recent of these polemics.

Conservationists once fought against floods, destruction of topsoil, and decimation of forests. In our time we face not only these threats. We face a threat to those common resources that constitute the irreplaceable heritage of tomorrow's America—the air, the water, and the land itself.

In his historic Natural Beauty Message to the Congress last February, President Johnson pinpointed the chief cause of our failure:

"The modern technology, which has added much to our lives can also have a darker side. Its uncontrolled waste products are menacing the world we live in, our enjoyment and our health. The air we breathe, our water, our soil and wildlife, are being blighted by the poisons and chemicals which are the byproducts of technology and industry. The skeletons of discarded cars litter the countryside. The same society which receives the rewards of technology must, as a cooperating whole, take responsibility for control."

We have had no adequate pollution-control policy, only an unspoken assumption that science somehow would come up with solutions. Our sense of stewardship has been dulled as we have befouled our own backyards. We rationalize such conduct with the selfish and shortsighted attitude that the next generation—our children—will manage to pay the cost of the cleanup.

Each act of contamination indicts our stewardship. Pollution has destroyed parts of the countryside, impaired the rivers, invaded our very homes, eroding public assets all men should share. Its omnipresent effects take the form of unpleasant sights, unpotable water, and an atmosphere that grows more noxious by the day. Unlike the earlier damage to renewable resources, the worst forms of contamination can be undone, if at all, only at enormous expense.

Pollution is a subtle adversary. There is no crash of trees, there are no duststorms to warn us of our folly. We tolerate its inroads on our environment because we are unable to measure the daily diminution of the things we prize.

The once-sparkling waters of Lake Erie suffocate from pollution, air pollution is rapidly eroding much of the world's outdoor sculpture and stone art, fish and wildlife needlessly expire with each misuse of chemicals and pesticides.

Land litter is now the ever-present symbol of our sloth. Recently Ivan Sanderson, the British ecologist, sadly summarized a yearlong study of our continent:

But the worst feature of all—and it is an appalling blight in the United States compared to Europe, or even to Canada and Mexico—is the litter. Not only are there throughout the length and breadth of the country endless rubbish dumps, junkyards, abandoned industrial plants, and acres of littered lots and wasteland, but there is also a veritable blanket of empty cans, bottles, cartons, and that almost indestructible material, paper tissue. * * * Unless something drastic is done, and soon, the rest of this country will eventually become one great junk pile."

The onslaught of scenic values has been momentous. Recently Edward Durrell Stone expressed the scathing opinion that the Americans of this century had turned one of the world's most beautiful continents into one of the ugliest.

The damage is now so extensive that it will take years of coordinated effort by public men, men of science, and organized conservationists to reverse the tide of contamination.

Science can help with the rescue. We must be willing, however, to put the work of reclamation high on our list of priorities and public appropriations.

For combating pollution will be costly. Once our political leaders discover that the American people want and are willing to pay whatever is necessary to win the fight for a lifegiving environment, the battle for beauty will really begin.

We will need new concepts of social responsibility. As parents, and as school teachers, we must instill in our children a love of the earth and of beauty and cleanliness, and an abhorrence of filth and clutter. Pollution is a moral issue and should be presented as such. The earth is our home—and cleanliness is indeed next to godliness.

With a new generation of Americans convinced of the importance of their birthright of beauty, enlightened leaders of industry will surely realize their role in achieving this goal. The primary effort should come from industry itself. The real test will be whether the managers of our economy can exercise the statesmanship required to put long-range national goals ahead of this year's operating statement. I know they can. I believe they must.

The lawmakers, and executive officers, of all governments can, and should, assist.

Everyone would pay and applaud if we compelled those industries which befoul our streams to abate their pollution, adding the cost to the price of their products.

For example, how many prospective owners of new autos would balk if Detroit's automakers were required to abate exhausts—and added the bill for abatement to the cost of a car?

If our cities added the cost of superior sewage treatment to monthly water bills, would good citizens seriously object?

If our tax and zoning laws were revised to encourage conservation—and reward abating acts of industry—surely the captains of industry would cooperate.

Saving solutions are possible. The winds of conservation concern are in all sails. We can have an America of fresh air and green landscapes and clean rivers if we demand solutions, seek them relentlessly, and put our duty to the future first.

STEWART L. UDALL.

NO PLACE TO HIDE—LOS ANGELES NO END IN SIGHT

(NOTE.—Americans can no longer get away from it all. The fouling of their environment, once an isolated local problem, is today taking place everywhere, as these spotchecks from around the country show.)

It is a paradox that Los Angeles, blessed with one of the world's most sublime climates, is plagued with one of its most acute air pollution problems. Most of the nearly 700 people who take up residence in southern California each day come in search of sunshine. What they find instead is a gray curtain of smog. Indeed, in view of the smog, it's amazing they keep coming. One reason they do so is simply that Los Angeles' smog, contrary to the concept of many easterners, is a seasonal phenomenon; there are many almost smog-free months. Even during the smoggy months many of the near suburbs on the rim of the Los Angeles basin, especially those to the west, like Bel-Air and Beverly Hills, are unaffected by smog. Moreover, one expert, Dr. Leonard K. Greenburg, stated recently that New York's smog was potentially more dangerous than the Los Angeles variety, because New York smog contains far more sulfur dioxide, the substance that has been blamed for the smog-induced deaths in London.

Though Los Angeles had suffered minor smog attacks at least since the turn of the century, the first severe attack occurred in the late summer of 1943, when a gray-blue pall settled over the city, burning eyes and chafing throats. At first, civic officials assured everyone that it would go away, but the smog persisted. Later, officials placed primary blame on oil refineries and synthetic rubber factories, but despite expensive corrective measures the smog remained. By the late 1940's most southern Californians had come to accept the fact that the smog could not simply be wished away, and officials set about to do something about the matter.

The basic condition causing the smog problem, it was discovered, was temperature inversion that had the effect of trapping city air over the Los Angeles basin. The mixture of trapped pollutants seemed to interact to intensify the smog. Informed of this condition, some of southern California's less inhibited citizens advanced some bizarre solutions. Giant sky fans were proposed, along with chemical sanitizing sprays that could be spread from planes. Huge grids were proposed to heat the dirty air so it would balloon away. Scientists soon convinced most of the populace that there was no easy way of blowing away the smog, and that instead its causes would have to be attacked. And the chief cause, much to the distress of car-happy Californians, appeared to be the automobile.

The automobile companies promptly challenged this premise, claiming that there was insufficient evidence to pin the chief blame on cars. Undeterred, California in 1960 passed a law requiring all new autos sold in the State to be equipped with crankcase devices designed to restrict emissions by about 30 percent. Officials estimate that more than 4 million vehicles are now equipped with crankcase devices that are removing some 200,000 gallons of unburned gasoline from the atmosphere every day. Additional exhaust control systems aimed at reducing smog-forming hydrocarbons will be part of most 1966 model cars sold in the State. It is estimated that by the end of 1966 the crankcase and exhaust control devices together will reduce hydrocarbon emissions 28 percent below levels that would have prevailed were no such devices required.

While dealing with the new-car situation, officials have encountered difficulty in curtailing emissions from used cars—perhaps the biggest offenders. The State's 4 million used-car owners late last year were sent a list of complex instructions covering installation of crankcase devices. Along with their auto registration forms they were asked to sign affidavits stating that, under penalty of perjury, they had complied with the pollution control requirements. The used-car owners were up in arms, contending that they couldn't understand the instructions and therefore were fearful of signing the affidavits. Finally the complex law was rescinded and new legislation was drawn up.

Recently the State senate passed a bill revamping automobile smog control laws and requiring (a) that all new cars starting in 1966 have both crankcase and exhaust smog control devices and (b) that all used cars in 12 metropolitan counties, including Los Angeles, install crankcase devices.

Complaints from motorists will doubtless persist. For one thing, it appears that many of the smog control devices already installed on used cars were faultily fitted, causing loss of compression and frequent stalling. Mechanics blame the devices, but the manufacturers of the devices claim the mechanics simply don't know what they're doing. State officials hope that this problem will disappear once mass installation gets underway.

Even with these elaborate and expensive measures, scientists are far from satisfied. Dr. A. J. Haagen-Smit, professor of biochemistry at the California Institute of Technology, argued recently that while the State was tackling some of the dramatic causes of smog it was not paying sufficient attention to the less obvious factors. He estimated, for example, that the improvement of traffic flow through major cities could reduce smog by 10 percent by eliminating constant acceleration and deceleration.

The very dependence of Californians on individual autos rather than on some form of mass transit insures a continuing smog problem, the professor indicated. Even with the smog-control devices, he observed the carbon monoxide fumes breathed by drivers during rush hours on the freeways dulled alertness and possibly even caused injury to health if exposure was excessively prolonged.

Clearly, whatever the advances in smog control that have been made in California, the long-range development of a mass transit system will have to be a part of the ultimate solution.

Peter Bart.

Raleigh: A Long Look Ahead

Only late and suddenly did North Carolina begin to realize that its generous natural resource of 16 river basins would not forever carry clean water to the sea. In a still largely rural State, there long prevailed the frontier idea that every man has a right to do as he pleases with his land and his piece of the stream beside it. Not too many years ago it was not uncommon to see privies conveniently suspended over the banks of rivers and streams. Little towns, as they grew into larger ones, became only bigger backhouses careless of downstream folk. Such invidious individualism attended attitudes toward industrialization, too. Paper plants, fabric dyers, food processors added more poisonous pollution. And first protests were met with poor-mouthed reluctance by towns and factories to do anything about it.

Then, 12 years ago, a tall, slow-spoken State senator, Vivian Whitfield, from the rural downstream county of Pender, persuaded the legislature to authorize a cleanup program under a North Carolina Stream Sanitation Committee. He got tough laws couched in clear language. Then he secured his own appointment as chairman. With both push and persuasion, the commitee has apparently done a very good job, but the problem grows as it is confronted. Unintentionally, perhaps, man is an ingenious polluter even as programs against pollution are pressed. In the State's beautiful mountains one big paper company has spent $2 million on a pollution abatement program. Everyone hoped that the white scum would disappear from the Pigeon River below its mill. But because of increased production, the clean-up program is barely keeping pace with the rate of pollution.

Similarly, a huge textile plant nearby merely experiments with a solution while the waste runs down the mountains and the hills to the sluggish flow in the low country streams. And in the coastal country a big phosphate mining and processing industry creates new problems. But there the lure of a multimillion-dollar investment and the several thousand badly needed jobs it will create pose a common dilemma. Many wonder whether keeping the Pamlico River free of this operation's silt is more important than forgetting the pollution and encouraging the company's unfettered growth.

Whitfield and his associates have summed up their purposes in a simple statement. "We come as doctors of sick streams," he says. More sharply, he has declared, "In saving them from the asinine stupidity of gradually destroying their water supply, we are saving the State for future generations."

The task has not been easy. It has confronted the reluctance of townspeople unwilling to raise their tax levies to build expensive sewage treatment plants. It has involved the difficulties of dealing with wastes that are a by-product of the industrial growth which is welcomed everywhere. Under diplomatic prodding and legal threats, many towns and factories have cleaned up. But in some cases polluters have avoided the high cost of good citizenship by excuses or halfway measures.

Yet the pressure against pollution grows. Sometimes rural individualism has turned into a rural insistence on action for the common good. People close to the land, fishermen as well as farmers, often have been most offended by poisoned streams. They roared when dead fish by the thousands floated belly up in the polluted Roanoke River. The country-dominated legislature responded to their demand for water in which rockfish, brim, or bass could survive. And businessmen increasingly recognize that demands for clear water for the future are more important than tolerance of pollution for industry already here.

The seven-man stream sanitation committee, headed by Whitfield, has shown accomplishment. It has quasi-judicial powers and can compel public and private officials to act with the threat of fine or jail term hanging over them. The threat has been made several times but never used. Satisfactory compliance has been generally accomplished. And Federal funds have added a carrot to the stick wielded over municipalities. In recent years the committee has received a steady grant of $2,300,000 annually to parcel out as a 30-percent grant to offending towns that are willing to pay the other 70 percent for needed sewage treatment plants.

A detailed study of the last of the State's 16 river basins was completed about a year ago. Its findings amount to administrative law setting quality standards for all streams and public and private interests on their shores. The polluters are now legally labeled as such. Most are expected to respond to the carrot and the stick. But there will be foot-draggers. Moreover, pollution control sometimes seems to lag behind pollution problems. Even where pollution in once-dazzling mountain streams is apparently overtaken and fully checked, clean water does not immediately follow. In the State's busy mica-mining operations another full decade will pass before all the mica silt and slime dumped into the streams disappear.

Air pollution has not yet been a problem. But the State, as the chief tobacco-growing area, is much concerned about charges that it exports pollution in the smoke of the cigarettes it grows and rolls. It is not ready to admit that charge. The smell of tobacco on the streets of Durham and Winston-Salem smells like prosperity, as it does in the eastern tobacco-marketing towns. And between poison and prosperity, if such a choice there should have to be, North Carolina would rather eat hearty than starve in the sparkling air.

Jonathan Daniels.

Chicago: Doing Something About It

In September 1963 a congressional committee investigating sources of air and water pollution in the Chicago area saw nothing but polluted streams and rivers and neighborhoods completely engulfed in smoke.

Although it was apparent that the situation was getting worse daily, corrective measures were slow in coming. Then, almost overnight, as if moved by a great spirit, Chicago did more than just discuss the matter. Now concerted drives are under way to clean the air we breathe and put an end to the constant polluting of the water in the Calumet region just south of Chicago, where Indiana's major industries are located.

The biggest steps were taken just recently. In one instance, the Illinois Air Pollution Control Board served notice for the first time that corrective measures must be taken to prevent pollution from certain industries. And early in March this year, a conference was called by the Secretary of Health, Education, and Welfare to underscore for officials in Illinois and Indiana the seriousness of water pollution in the Chicago area. Again, corrective measures were ordered.

The basic problems have, of course, existed as long as Chicago has been an industrial center. Thirty years ago Governor Horner of Illinois complained to Governor McNutt of Indiana that the health of Chicago's 4 million residents was being endangered by pollution from the Calumet region. The Chicago City Council even went so far as to adopt a resolution asking a Federal Government order against pollution of Lake Michigan (the resolution indirectly referred to conditions believed to originate in Indiana).

In the intervening years the situation has worsened. But at last something is being done. As a result of a special conference in Chicago in March, industries and cities on the southern end of Lake Michigan have been ordered by the U.S. Public Health Service to halt the bacterial pollution of the lake by next April. The order also specified that within 6 months programs must be undertaken to control the danger from other pollutants dumped into the water. The alternative is legal action.

At the conclusion of the hearings it was alleged that:

1. Interstate pollution endangering health and welfare exists in the waters of Lake Michigan, the Grand Calumet River, the Little Calumet River, and their tributaries.
2. Industrial wastes from Indiana contribute to pollution in Illinois.
3. The Illinois-Calumet industrial area contributes to pollution in Indiana communities.

Conferees unanimously recommended the following remedial action to protect the Chicago water supply:

1. Bathing beaches in Indiana should be considered unusable if the bacteria concentration exceeds 1,000 organisms per 100 milliliters of water. (Chicago has no such restriction.)

2. A technical committee should be established to evaluate water-quality criteria and make recommendations to a second conference in September.

3. The Indiana Stream Pollution Control Board, the Illinois Water Sanitary Board, and the Metropolitan Sanitary District should take immediate action to give all sewage at least secondary treatment plus adequate effluent disinfection within a year.

4. Industrial plants should begin to sample their effluents and place reports in open files.

At least one leading Chicago spokesman, Frank Chesrow, president of the sanitary district, believes only drastic action will prevent a loss of the lake water and beaches forever. "The cities and towns on the lake are not doing a good job," he says. "And State agencies are unable to cope satisfactorily with the issues since interstate problems are involved." He believes "the Federal Government should enforce antipollution controls under congressional authority."

Scientists from the U.S. Public Health Service warn that pollution in the Chicago area is especially serious because sluggish lake currents may make it impossible to improve the situation. Three steel companies and four oil refineries have been labeled as the main culprits. (All are in Indiana.) Industrial wastes such as sulfuric acid, ammonia, iron, and oil caused the major part of water pollution, materially cutting down animal and plant life in that area. A Public Health Service study, further showed that unchlorinated sewage and some untreated sewage dumped into the waterway system by 21 municipalities and sewage treatment plants contributed to the increase of harmful bacteria in the lake.

H. W. Poston, a Health Service official who is director for water supply and pollution control for the Chicago region, sums it up: "People are afraid to talk about pollution today, just as they were afraid to talk about TB many years ago." The more you do talk about it the better are the chances it will be controlled. The problem, however, is more serious, especially around the shoreline, because of hundreds of new chemicals being dumped into the lake and the continuing growth of industry.

The job of curbing air pollution in Chicago proper is in the hands of James V. Fitzpatrick, director of the city department of air pollution control. The agency is now 3 years old. In just 1 year—1963—Fitzpatrick and his office held 2,796 hearings, filed 563 pollution suits, handled 4,958 smoke complaints, and inspected nearly 50,000 furnaces. In addition, 20 rooftop monitoring stations were established to trap pollutant particles in the air. Another 27 stations measure dustfall. And 8 stations measure sulfur dioxide, the invisible corrosive.

A Federal grant of $357,000 for 3 years has enabled the pollution detectives to branch out from enforcement to scientific probes. One objective is to outlaw, by 1968, all improper burning of combustible refuse. This would hit hard at about 30,000 Chicago apartment houses that today pump refuse into coal-fired boilers, thus fouling the air.

Chicago is not without its smog problem. Testing stations in the central business district are measuring daily the amount of exhaust fumes emitted from automobiles. This has caused Fitzpatrick to urge uniform air-emission standards throughout the country. He believes, however, that these standards can be achieved only through Federal legislation.

This is only part of the problem. "We have 197,685 tons of oxides of sulfur and 5,614 tons of other matter emitted into Chicago's atmosphere each year," Fitzpatrick says. Then there is the problem of dirt. Test stations measure 43 tons of dirt per square mile in the city each month.

An encouraging note came last month when four major steel producers agreed to spend $50 million by 1972 for equipment to eliminate virtually all their contribution to pollution. Interestingly enough, all four companies are in the Calumet district, and together they account for 90 percent of Chicago's steel production. Fitzpatrick estimates that these companies have been releasing 60,000 tons of pollutants annually, or 25 to 40 percent of the dustfall. He also predicts that installations by next year will cut this total in half.

The Illinois State Air Pollution Control Board, created by the State legislature, is engaged in a series of activities outside Chicago, but close enough to help. It recently signed an agreement with the Indiana Air Pollution Control Board, the first agreement anywhere which provides that air pollution in one State be curbed by action of another. Criteria are now being established for industries in the two States to meet. Ordinances are also being written with enforcement procedures.

Of course, it is not possible to curb air and water pollution in quick fashion. There has been a constant failure to cooperate on the part of many industries. A hope lies in the prospect that the Federal Government will enforce regulations if the local governments cannot do so.

GEORGE LAZARUS.

ATLANTA: THE WAITING GAME

In some of the last years of his life, the Georgia-born Poet Sidney Lanier sought renewal of health in a cottage close by the headwaters of the Chattahoochee River in the northern section of his State. (The Creek Indians put the name on the river, Chátu Hutchas—river of painted rocks.) The beauty and purity of the river beguiled him, and one of his best-known poems was titled "Song of the Chattahoochee." It begins:

"Out of the hills of Habersham,
Down the valleys of Hall,
I hurry amain to reach the plain,
Run the rapid and leap the fall,
Split at the rock and together again,
Accept my bed, or narrow or wide,
And flee from folly on every side
With a lover's pain to attain the plain,
Far from the hills of Habersham,
Far from the valleys of Hall."

The Chattahoochee River now flows—not far from where Lanier meditated and wrote—into a large and beautiful man-made lake that is a decade old. The lake bears the poet's name. One trusts that poets do not, like warriors, peer down from Valhalla at earth below. Certainly Lanier would be horrified by the condition of the river he loved. Folly is apparent on every side. It and the Savannah are listed by public health and water pollution experts as the two most serious pollution problems in the State. Lake Lanier itself is infested with raw sewage. Not too long ago a processor of broiler chickens was discovered to have been dumping daily a ton or so of chicken entrails and other offal into the lake. An immediate halt was brought to this pollution. But the pollution problem remains. It is the more acute because Atlanta's water supply derives chiefly from the Chattahoochee.

Other rivers in Georgia also are becoming pollution problems. Once the shad ran up the rivers of the State to the site of the present University of Georgia, at Athens, some 75 miles northeast of Atlanta. Indeed, this annual run of shad was one of the reasons for selection of Athens as the place where the State would educate the young men and women. In those days fish popularly were believed to be brain food and it optimistically was anticipated that the students, stuffed with shad, would thrive and achieve mightily. But, alas, not many years were to pass before it was said that the river was so silted with good red clay that surviving catfish, swimming in it in summer when the water level was low, would leave a trail of dust. To silt has now been added pollution.

Ralph S. Howard, executive secretary of Georgia's new water quality control board, reports that already parts of some lakes, ocean areas, and rivers are unsafe for swimming. Parts of the Coosa River are so listed, along with the Savannah and Chattahoochee. Lake Allatoona is "risky" for swimming because of sewage problems. Below Atlanta for some 40 miles, the Chattahoochee is too heavily polluted for swimming. Savannah harbor is almost too "septic." Oysters taken from many parts of the Savannah area are unfit to eat. Savannah Beach has been notified it must correct its sewage problem if the beach is to continue to be usable. Between Savannah and Brunswick many areas have been declared unfit for swimming. Oyster bootlegging has been found responsible for cases of hepatitis. A U.S. Public Health Department report has asserted that pollution of the Savannah River by Georgia municipalities and industries is harming South Carolina, along which the river also flows.

In recent months Georgia and adjoining States have become alarmed and have begun the difficult job of trying to do something about it. Politics, the interference of some industries that do not wish to cooperate, and fear in some of the smaller municipalities that they will lose an industry that wants to dump its refuse into a creek or river all serve to delay.

But there are encouraging signs, too. The State Health Departments of Alabama and Georgia have recently signed a pact that provides for patrolling pollution along the Chattahoochee. (The river is the border between the two States.) This agreement provides for joint sharing of information and data about industrial practices along the river. Federal legislation will be most helpful in arming enforcement agencies against local political indifference or greed in the competition for industries, including those that lack a sense of responsibility about pollution. Some of the past history has been rather rough. Pulp mills have threatened to move away if compelled to cease dumping fish-killing wastes into the rivers. Elected officials have been loath to tax in order to build sewage disposal plants and have, instead, dumped raw sewage into the rivers. Atlanta, a progressive city, has grown so fast that its disposal plants are now inadequate and expenditure of $80 million or more will be required to halt future pollution of the Chattahoochee. Savannah has been told its bill to end pollution would be at least $10 million.

The Chattahoochee and Savannah are two of some 600 major rivers in the United States listed as dangerously polluted. The story is the same for each of them. All kinds of wastes—human, organic, mineral, acid, oils, grease, soapsuds, salts, various chemicals, and garbage—are elements of pollution.

The Public Health Service reports that there are 600 municipal sewage systems in a 146,000-square-mile area that includes parts of Georgia, Florida, Alabama, and Mississippi. Of these 600, the Health Service says that 200 give sewage no treatment and that another 200 give it only primary, solid-settling treatment. (Yet this southern picture is not really as severe as that of other areas.)

Some idea of the effect of industrial wastes may be had from another report. A textile mill on the Chatooga River pours into it contaminants equivalent to the sewage of 112,000 persons. A paper mill on the Coosa has a sewage equivalent to that of more than 200,000 persons.

Air pollution is, of course, a problem in Georgia and neighboring States. But because the Southeast is not yet heavily industrialized, air pollution has not been subject to much study.

Meanwhile, in any southern city, violations of the few existing laws about smoke pollution may be seen daily by the most casual look from a tall building. As industry comes, the problems will, of course, grow with it.

RALPH MCGILL.

HOUSTON: THE RACE IS ON

"Houston is the outstanding boom city in the United States since it is enjoying a faster rate of growth than any other metropolitan center." That was the judgment last December of Dr. Eli Ginzberg, professor of economics at Columbia University, after making a survey of Houston's growth.

What does Houston's increasing size—unofficially estimated at 1,095,000, have to do with air and water pollution? Quite a bit, in the opinion of the authorities whose business it is to keep a continual check on contamination of the area. Houston, unlike a city such as Los Angeles, has a number of bayous to contend with—all potential sources of water pollution and possible disease. Buffalo Bayou, joined by Sims Bayou on the east side of the city, flows into a 50-mile ship channel leading to the Gulf of Mexico. A number of industries, particularly petrochemical companies, are strung along the channel and use it, among other things, for discharging wastes. And more industry keeps coming in.

Potentially, pollution problems were enough of a threat to cause the creation 11 years ago of the Air and Water Pollution Control Section of the Harris County Health Department. Dr. W. A. Quebedeaux, Jr., director of this unit, thinks Houston's air is "in pretty good shape," but he is not equally confident about water contamination.

As early as 1956, the Houston Chamber of Commerce also began to survey potential sites and sources of pollution. It commissioned the Southwest Research Institute of San Antonio to conduct a 2-year study on air contamination. A followup survey by SRI is now underway, but so far it has revealed no significant changes from conditions previously found.

These conditions, all pertaining to air pollution, were essentially as follows:

Although unfavorable weather occurs in Houston, "there is no evidence to indicate the occurrence of complete air mass stagnation for extended periods, such as has caused air pollution disasters in other localities." Air pollution problems that have been observed "do not involve the entire community at any one time." They have been found to be "localized" and extend downwind from specific sources for no more than "several miles under unfavorable conditions * * *. The type of chemical reaction in the atmosphere which is characteristic of the Los Angeles smog problem has not been observed in Houston, based on measured oxidant concentration."

Moreover, the report said, "carbon monoxide concentrations were found to be in the same range as those reported in other cities. Practically all of the carbon monoxide is attributed to automobile traffic." In a survey of vegetation, "most species of plants" showed no "visible evidence of damage due to air pollution." There were two species of trees, in "a limited area adjacent to the ship channel," that showed visible damage. "Eye irritation was experienced on two or three occasions, but the pollutant or pollutants responsible for this effect have not been identified."

In regard to water pollution, the current situation—as seen by the air and water conservation division of the chamber of commerce—is this: There should be a comprehensive "analytical" approach made to the problem. A. W. Busch, professor of environmental engineering at Rice University, who has served as a technical adviser to the division, says a thorough study of the channel is a must. "Given a strong north wind and lots of rain and runoff," he says, "there can be fish kills in the lower reaches of the channel and in Galveston Bay."

Herbert C. McKee, of the Southwest Research Institute's branch in Houston has made a survey of air pollution control near the Manned Spacecraft Center, which he said "is destined to become one of the largest industrial operations in the Houston area." His study included radiation hazards. He found nothing that could not be controlled, and growth of the area continued. And John P. Wold, who was chairman of the pollution control division of the manufacturers committee of the chamber of commerce, noted in a report the contributions industry is making toward reducing potential pollution. He mentioned specifically the efforts of Humble Baytown Refinery, the Rohm & Haas plant, Shell Chemical, Shell Oil Refinery, Sheffield Steel, and Champion Papers.

But the person dealing most directly with the average Houston citizen is probably Dr. Quebedeaux. He is also one of the most controversial figures in the Houston area because of his views on pollution, particularly where the Texas Water Pollution Control Board and the Houston Chamber of Commerce are concerned. The chamber report was biased in favor of the chamber's own interest, he claims, saying that sampling was deliberately done in such a way as to minimize some problems. He also says comparisons of solid-particle air pollution in Houston and other cities is misleading, since in the north and east the particles tend to be coal, while in Houston they tend to be chemical refuse. Moreover, he takes issue with the chamber's conclusion that air-traffic problems in Houston are caused mainly by fog. "A lot of restriction of airline traffic is actually due to industrial dust that allows moisture to collect around the dust particles," he says.

Dr. Quebedeaux argues that the problem of automobile traffic has been disproportionately magnified by the chamber, following the position of the Public Health Service. "Auto traffic can't even begin to produce the hydrocarbon fumes that you can get from one refinery," he says.

What about the State water pollution control board? "While the members who must now initiate action may be competent in their own fields," says Dr. Quebedeaux "not a single one is familiar with water pollution." He also says he thinks their attitude of "cooperation" with industry and their unwillingness to go to court reflect more desire to avoid controversy than to control pollution.

Since the State has taken over water pollution control in Harris County, with its 1,460,000 population. Dr. Quebedeaux says conditions have steadily deteriorated. Because of the sewage being dumped into at least one of the bayous that weave through Houston, odors are severe, and in the summer he anticipates an increase of water-spread diseases among children who play in some of the parks near Brays Bayou.

On the subject of air pollution, Dr. Quebedeaux is more optimistic. In fact, he feels that, with a few exceptions, the air pollution problem is well under control in the Houston area and will stay that way unless the State takes over. The air pollution program cut its teeth successfully back in 1956, with a suit that resulted in an order that each offending plant should present a time schedule for dealing with its problem. "The only defendant that did not keep its promise," he says, "was the city of Houston. Its ferlizer plant is still operating and still bad * * *. We have also had severe odor from some of its sewage treatment plants." Dr. Quebedeaux says the reason industry complies with the air pollution program in Houston is fear of court action, which he has shown he is willing to take.

The court action muscle is necessary, he says, but no special pollution laws are necessary. His own most effective weapon has been common law nuisance laws, with which he can base his charges on interference with the health of the individual or with his enjoyment of his property. He opposes codes specifying exactly how much of this or that can be discharged from one plant stack. "I'm better off, I feel, without having specified standards," he has explained. "My standard is how it affects the neighbors. That way, you don't involve yourself in a smokescreen of a highly scientific nature."

It is my observation that the majority of the operators of industrial plants in the Houston area are aware of the need to prevent pollution. Dr. Quebedeaux admits that air pollution is not a serious problem in Harris County. Actually, it is becoming less of a problem each year. As new plants are built and old ones improved, air pollution control is being built into them, and great efforts are currently being made to prevent water pollution.

The Houston area sewage problem is the direct result of the rapid growth of the city. The population has increased faster than the capacity of treatment facilities. At times, some of the city's treatment plants are overloaded, but the situation has in no way reached a point where the public health has been affected.

On the whole, if air and water pollution in Harris County is not yet at an irreducible minimum, it is not being ignored. Efforts are being made to reach that point, and I think it will be done.—OVETA CULP HOBBY.

LOUISVILLE: LAW OR LICENSE?

It is late spring and there is no lovelier part of America at this season than Kentucky's Bluegrass region. Famous old horses, like Citation, trot over the lush, rolling fields. The frisky young colts nip at each other playfully. The white fences stretch for miles. Around Lexington and Versailles, the new industrial plants are antiseptically modern and busy.

But every Kentuckian knows how deceptive this can be as a picture of his State. For only 70 air miles away begins the contamination of both land and water. There is vast waste, not only of the land but of human beings. Here begins the poverty belt of Appalachia.

In the western part of Kentucky is another blighted zone, a once handsome land now pocked by vast dunes of mud and whitish rock, where the streams are as poisoned as the ground.

The stinking mess that exists in parts of eastern and western Kentucky is the direct heritage of politically excused commercial plunder. It is the result of strip mining turned loose, of loggers free to overcut the great forests at will, of oil and gas speculators permitted to let the runoffs pollute the watersheds. Gone are the natural protections of the mountain towns; each year water gushing down the slopes of the strip mine spoilbanks tears through these towns with mounting violence. Once all of it was beautiful and unspoiled, the "great meadow" and the "happy hunting ground" of Indian lore. Now thousands of acres are taken out of production yearly by the giant mining machines. The State's highest peak, 4,150-foot Black Mountain, which was a magnificent hunting area, is being torn apart by the great drilling machines. Once the water at Cumberland Falls State Park sparkled, but now it is often awash with slimy coal silt. The Green and Salt Rivers have been contaminated by salt-water runoff containing oil. Refuse from gas and oil wells has left streams unfit for cattle, and farmers are convinced that their underground water supplies are also becoming useless. One whole valley near the Kingdom Come State Park is being filled with sludge from a nearby mine. In western Kentucky, the world's largest shovel throws up black monuments of slag and shale.

The strip mining lobby is a potent one. It has won its point by arguing that it creates jobs and that the land was poor before mining started. It is far poorer after they are through and State money has to go to fight the blight that is left.

What Kentucky needs is a State law that would prohibit strip and augur mining in the eastern mountains and require open pit miners in the west to restore stripped land so it could be used for farming or timber growings. But passage of such a law is hardly likely. Strip mining is an easy way to get coal. It makes money for the operators, the truckers, the railroads, the barge lines, and the power industry.

The tragedy began early in the century before anyone had thought of strip mining. In their innocence, the mountaineers deeded away any protection they had against destroying their land (and even their homes) to get to the coal. These deeds even gave the coal operators a right to pollute streams on land they did not own. All efforts to break these deeds have failed. Even owners of adjoining land have been unable to protect themselves from damage to their land done by strippers on the hillsides above. Study after study has brought forth the same indictment. One research project, conducted by Resources for the Future, concluded: "The coal industry in Kentucky has most decidedly not paid its way in meeting social costs—private profits and losses aside." A Federal study, made in 1963, reported: "Present practices lay waste the landscape, pollute streams, deplete or destroy forests, exterminate wildlife, and clutter roadsides." A National Forest Service official commented bitterly: "The forests in Kentucky are being exploited much as they were generations ago. The loggers are squeezing out everything good and leaving the next generation to pay for their abuses." And a study by the Kentucky Geological Survey, a University of Kentucky division, damned the coal mine industry for polluting the streams with acid water, killing aquatic life, and making a great many streams useless for industrial or home water.

All this will change only when Kentucky's legislature decides to change the conservation law to prevent polluting by mine and oil and gas operators, as well as to insist on real reclamation of land. TVA has established four Appalachian demonstration sites to prove that reclamation, if not real restoration, can be done in mountain areas. Ironically, it has been TVA's demands for low-grade coal that has brought on the strippers—and resulted in the despoliation.

A few operators have undertaken on their own to restore the ravaged land. But coal strippers are basically earth and mineral movers, not agronomists. The State will get to its work of reclaiming the torn land and of protecting its streams only when its legislators have the courage to stand up and defy the lobbyists.

Meanwhile, the mountain people ache over what is happening. Says big Charley Caudill at Whitesburg: "The biggest hurt we got is the young people leaving—and our doctors and our lawyers and our teachers. And our soil is all worn out. Such as that is no advantage to the hills." And Charles D. Richards, a former deep-mine operator who often flies over the mountain area where he has lived all his life, says of what he sees: "It makes my stomach turn."

These are a proud people, and they have been left to the mercy of the plunderers.

Mrs. Lena Landrum graduated from Eastern Kentucky State College at Richmond. On weekends she works in her father's store in Rowdy. On weekdays she teaches in Perry County, where, she reports sadly, 35 percent of the second-graders are eating free lunches. "But when they get in the seventh and eighth grade, some won't take it," she says. "They think somebody's giving them something and we have to let them clean trays or something to make them think they're earning it."

So the plunder lobby hasn't yet contaminated the spirit—at least not the people who deserve the protection their State has never seen fit to give them.—NORMAN E. ISAACS.

NEW YORK: TOO LITTLE, TOO LATE?

New York City's air pollution is no longer simply something to grouse about. It is a tangible, frightening evil. It has been blamed for contributing—under certain atmospheric conditions—to illness and even death.

No one recognizes this better than the city's commissioner of air pollution control, Arthur J. Benline, a retired Navy captain. Mr. Benline recently laid it on the line to a television audience with this indictment: "The air over our city is helping our citizens to shuffle off this planet at a much higher rate than they would ordinarily go. Yet there has not been any overall demand from the public to clean up our dirty air."

New York's air is fouled with a monthly sootfall of 60 tons for every square mile. Into the atmosphere is belched not only smoke from factory stacks—such as those of the plants of the Consolidated Edison Co.—but also smoke from most of the 14,000 apartment house incinerators of the 5 city boroughs. These waste-burners include 2,000 in houses operated by the New York City Housing Authority.

Additional poisons spew into the air in the form of chemicals from the exhaust pipes of thousands of automobiles that new highways, tunnels, and bridges continue to funnel into the city's streets.

The city fights all of these ills, but Commissioner Benline confesses that without adequate funds his battle is on too small a scale—like fighting a five-alarm fire in the Empire State Building, with a single hand extinguisher. The budget of the financially hard-pressed city gives the Benline department only about $1 million currently. (The city also hopes for $180,000 more from the Federal Government.)

In his soft-sell manner, Mr. Benline, who ruefully admits that he takes his defeats in his quests for more money gracefully concedes that what is needed is an uproar from the citizens and more money for policing the city's air. "Why don't you get up on the rooftops and yell your alarm to everyone who will listen," the commissioner was recently asked. He replied that he doubted if that would obtain the desired results.

Yet the budgets of few other city departments are so closely concerned, under just the right conditions of smoke, wind, and weather, with life and death as that of the department of air pollution control. The picture has been painted in broad strokes time and again to New York's Mayor Robert F. Wagner, but the mayor has been known before to defer an attack on a knotty or expensive problem, in an apparent hope that it will go away. In this case, however, deferring adequate appropriations has been likened to saving money by failing to defuse a bomb before it explodes.

Still, the commissioner, close to the day-to-day readings of the city's air contamination and highly conversant with the published views of top medical and health authorities, concedes that he worries over the possibility of the kind of thermal inversion that could endanger the lungs, and the lives, of city residents with the full force of the poisons of air contamination. In October 1948 such an inversion in Donora, Pa., was blamed for the deaths of 20 persons. There have been similar disasters in the Meuse Valley and in London. New York had an inversion in 1953 that was named as a probable contributing cause of death of some 200 infants and aged persons. There have been other inversions in New York, but they have been briefer.

What about the powerplants of the Consolidated Edison Co., as contributors to the city's smoke? The department of air pollution control reports that in a batch of 200 smoke complaints by citizens—the agency bases the bulk of its enforcement program on such complaints—perhaps 10 will involve smoke from Edison chimneys. Though this number is low, the city is constantly riding herd on Edison. And the utility gives constant assurance that it is putting all modern anti-air-pollution equipment in its new installations and replacing old equipment with modern in its old plants as rapidly as possible. The company also cites improved methods of boiler operation and the use of superior fuels. Despite all this, Con Ed has to concede that the peak operation of some of its plants to meet city power demands frequently does produce smoke. Yet it looks forward to the ultimate completion of its projected pumped-storage hydroelectric installation at Cornwall, N.Y. (the Federal Power Commission granted a license for it last March 9), which will enable the company to dispense with several smoke-producing plants that still produce smoke.

A few days ago Con Ed announced that it had indeed raised its sights in checking on its own smoke emission. Whereas it had formerly kept an eye on its stacks from its East River station and from its headquarters building, 4 Irving Place, it now had installed a trained observer in strategic office space on the 80th floor of the Empire State Building.

From 6 a.m. to 10 p.m.—or until it gets too late to see—the observer (actually three men working in relays) is keeping tabs on seven Con Ed electric generating plants and two steam-generating stations. Once smoke is sighted, the observer telephones the superintendent of the plant concerned.

New York's city council has a special committee that has just begun studying air pollution, with a view to writing new legislation, if such is needed, that will help the city wage a more effective war on air poisons.

But it is still felt that the ultimate weapon is money, combined with an uplift of staff salaries that will permit New York City to compete with private industry and other levels of government to attract the kind of technical aid it needs.

So the city plods on, waiting for some sort of hoped-for bold stroke by a city government awakened, by some miracle, to the need. If luck is with the city, this action will come before there is any disaster such as some air pollution authorities fear .

CHARLES G. BENNETT.

PITTSBURGH: HOW ONE CITY DID IT

It's possible in Pittsburgh, Pa., these days to wear a white shirt, or a white dress, from dawn to dusk and come home almost spotless. Housewives are able to hang out a wash on a sunny morning in Pittsburgh, if they are so minded, without having the load to do over by noon because of sootfall and dust. The downtown skyscrapers, or most of them at any rate, appear newly constructed, though it may have been 5 years or more since the surface was washed or blasted. Since the middle or late 1940's, a generation has grown up in Pittsburgh that on any day could look up and see, of all urban wonders, the sky.

Before the 1940's, however, generations lived in Pittsburgh—once known as the Smoky City—that often found it difficult to see the opposite side of the street. Today Pittsburgh, the once murky steeltown at the junction of the Allegheny and Monongahela Rivers, is one of America's cleaner cities. It has, for example, only half the dustfall registered in New York City; 30 tons per square mile per month on the average, compared with New York City's current 60 tons.

The story of the Pittsburgh renaissance reaches back over more than three decades, and is by no means concluded. It has been and continues to be a bitter, emotionally charged battle to keep the atmosphere pure enough to breathe and clean enough to see through. The struggle to rid the mighty rivers of pollutants and to halt the despoiling of the land has barely begun.

Coal and steel interests, along with the railroads, were not only the jobgiving lifeblood of Pittsburgh but were also the chief despoilers of air, land, and water in the old days. But Pittsburgh also had many men of determination and vision who foresaw that Pittsburgh could choke itself to death on the smoke and fumes belching from factory and locomotive chimneys. The fight for clean air really began late in 1939, but it was 7 grimy years before any specific results could be seen.

Leading industrial and business executives, including representatives of the steel industry, sparked the renaissance through formation of the Allegheny Conference on Community Development. By 1942 another civic group, the United Smoke Council, was formed by 142 men and women from 71 organizations. World War II was on—and the United Smoke Council entered the battle on patriotic grounds; smoke control, it proclaimed, was essential to save fuel needed for war production.

By 1943 an antismoke ordinance had been passed. It provided that as of October 1 of that year private homes were to burn only smokeless coal, fed to furnaces by stokers. But the effective date of the ordinance was eventually postponed to March 1945, partly because of opposition from soft-coal interests and partly because there weren't enough stokers and other smoke control equipment to go around. Meanwhile, rallies, meetings, and membership campaigns in the fight for smoke control were almost continuous. Finally, in 1945, the United Smoke Council became a part of the Committee on Smoke Abatement, a subdivision of the Allegheny Conference on Community Development.

But something else took place in 1945 that dramatized the struggle for clean air so prominently that most of Pittsburgh's population had to take sides. Lavid L. Lawrence, an independent and well-to-do industrialist, campaigned for the Democratic nomination for mayor, and his major appeal was to those who wanted smoke control.

Not everyone wanted smoke control by any means. Householders were told that smokeless fuel would cost them dearly and that smoke control would drive industry from Pittsburgh, that it would become a jobless ghost town if the Lawrence supporters had their way. "Remember Little Joe," read the opposition placards. ("Little Joe" was a personification of "the little man" who would have to buy smokeless coal, stokers, and other conversion equipment if smoke control laws were enforced.) It was a tough battle but Lawrence won the nomination and the election. And he proved to be a man who kept his campaign promises, particularly where smoke control was concerned.

One key to Lawrence's campaign was an impressive fact sheet about the high cost of atmospheric pollution. Respected physicians said flatly that Pittsburgh was not a healthy place to live, and statistics on respiratory diseases appeared to bear them out (in 1945, for example, Pittsburgh led the Nation in deaths from pneumonia). It was disclosed that forty industrial firms had decided to leave Pittsburgh because of smoke, smog, and impure air, as well as because of a recurring danger from floods and contaminated water. A department store estimated that on one winter day alone, smog soiled merchandise and home furnishings so seriously that the loss in cleaning bills and markdowns was $25,000. Nevertheless, the coal industry and the railroads continued to oppose clean air efforts on economic grounds.

In 1946, the Pittsburgh Chamber of Commerce, the League of Women Voters, and other civic groups joined the Allegheny Conference fight to extend air pollution efforts to all of Allegheny County. Pittsburgh had discovered what many other regions have still failed to grasp: that polluted air knows no political boundaries; it drifts over borders and chokes communities impartially. Mayor Lawrence was deep into the fight by now, meeting around the clock with industrial leaders. In 1947, during a stalemate in the general assembly in Harrisburg over legislation to permit county-wide control of air pollution, one of the major opponents capitulated. The Pennsylvania Railroad, which not only hauled but burned coal, feared a loss of freight tonnage and was also worried about the enormous cost of converting coal-burning locomotives to diesels. At that point Richard King Mellon, most powerful of the city's financial and industrial giants, was persuaded to use his influence with the "Pennsy's" directors. The opposition died away, and the legislation passed.

By this time Pittsburgh was basking in some of the benefits of air pollution control. Two years after its smoke control ordinance went into effect, visibility in downtown Pittsburgh had improved 67 percent, and there was a 39-percent improvement in days of sunshine observable. The pall of smoke was thinning out.

Under the ordinance, factories, homes, steamboats, and locomotives were required to burn smokeless fuels or install smoke-consuming devices. River boats, which had once fouled the atmosphere, converted to diesel burners. Apartment houses, churches, hotels, and office buildings converted to gas fuel. Schools installed stoking equipment and went to smokeless coal. Private homes, however, were once more exempted for a year, chiefly because of the combined opposition of the owners and unions involved in soft coal production.

By 1952 industry, public utilities, railroads, and municipalities in Allegheny County were at work on a $200 million air pollution control program. In that year a saving of $26 million was estimated for Pittsburgh in cleaning bills alone. Household laundry bills dropped $5,500,000. Visibility was up 77 percent over 1945. And no one even tried to estimate the benefits to physical and mental health. In the past 10 years, the 132 open-hearth furnaces in Pittsburgh have found out how to limit smoke and fly ash, and are now working on methods of screening dust from open-hearth gas.

The Bureau of Air Pollution Control of the Allegheny County Health Department reports that despite record steel production last year and in the first quarter of 1965, the basic downward trend in dustfall continues (though in April of this year the dustfall registered 30 tons per square mile per month, compared with 1962's average of only 27 tons.) And a 10-year report made available by Thomas E. Purcell, chief engineer for the Bureau of Air Pollution Control, shows an almost continuing drop from 1954 through 1964.

Sunny Pittsburgh has come a long way since the 1940's. Most residents and industries now believe in pollution control—at least in the atmosphere. But other troubles persist. Disposal of rubbish, garbage, and waste by municipalities is still a major problem. Sulfur contaminants, carcinogens, and other airborne health hazards are just coming under serious study by health department laboratories, aided by Federal grants. And the State is only now preparing legislation to eliminate the privileged status of mines and make acid drainage subject to the same regulations as other industrial waste pouring into Pennsylvania's streams and rivers. The mining industry is, of course, opposed. The cost of avoiding such drainage it says, would bankrupt every mine.

To anyone who was around 30 years ago, the arguments sound somewhat familiar. But the participants in the struggle have at least one advantage this time. On good days they can enjoy Pittsburgh's fresh air and bright sunshine.

TED O. THACKREY.

WHAT EVER HAPPENED TO THE GREAT OUTDOORS?

(By Wallace Stegner)

About conservation, which next to the bomb is the subject of greatest importance to every person in the world, there is nothing new to say. In every aspect it is an old problem—which is to say an unsolved one. The basic fact is known to anyone who thinks at all: man's impact on his environment, on the total natural endowment of earth, air, and water, animal, vegetable, and mineral, has been bad, and is getting rapidly worse, and will get worse yet. We have found a lever long enough, and a place to stand, and we move the universe. But it is a question how much longer we will have that place to stand.

The extractable resources are not a crucial problem, for it is clear that we can create not only all the energy we need but all the materials. One worries more about the so-called renewable resources—soil, water, grass, timber, air—and in particular about the intricate web of life, the balanced interdependence of life forms from soil bacteria to the highest mammals, of which we are a part and on which, both physically and spiritually, we depend. At least since George Perkins Marsh's "Man and Nature," published in 1864, we have understood the importance of even the apparently "harmful" species in the chain of being; and 7 years before Marsh, Darwin had made it clear that man belonged inside, not outside, that chain.

But he is not an inert member of the life community, he is a link with a motor and a self-starter. Except in low-energy tribal civilizations that subsist by hunting and gathering, he has always to some degree controlled his environment and hence, to a degree, his own evolution. It is by his own volition that Western man has become the greatest of weed species—a weed being defined as a species that crowds out others by expropriating their room and nutriment.

By 1965 the weed is rank enough to have spread into every former low-energy area of the globe, and to threaten not only other species but itself.

All of which is a way of saying that the enemy is not industrialism but its side effects in permitting human weedism; that the real conservation problem is the problem of population. The more we extirpate or crowd out rival or "harmful" species, the more we bend our environment to our own purposes, the more rankly we grow. And what is at stake is not some merely academic "balance of nature." Edward Hyams defines the human race as a disease of soil, and sees its future as identical with that of a colony of bacteria planted in a dish of agar. When it reaches the edge of the dish it must either die of starvation (Malthus) or strangle in its own wastes. And we are getting ever closer to the edge of the dish.

According to the projections of demographers, the present world population of 3.3 billion will double by A.D. 2000. Then the agar dish will have to harbor two New Yorks instead of one, two Londons, two Tokyos, two Calcuttas, two Hong Kongs, one more of every existing human congregation. There will be double the highways and freeways to link them, double the consumption of oxygen by human and industrial and automotive combustion, double the air and water pollution, half the elbow room, a shrunken area of cropland that will have to be more and more intensively mined, a limited amount of parkland and open space trampled flat by the millions wanting to smell mown grass or show the kids a squirrel. This will be in the lifetime of some of us, in the lifetime of all our children, but it is difficult for the imagination to grasp it. The projection for A.D. 2150, which indicates a world population of 150 billion, is simply inconceivable. Nearly 50 times as many people and problems as we now have? It will no longer be human life; it will be a termite life, if indeed it is possible at all. One suspects that long before then our exacerbated competition for dwindling resources and living space will have driven us into the war that will spare us any future whatsoever.

We may exercise our ingenuity in any way we please—colonize space, build floating continents for our surplus people, put half of them into deep freeze and let them drift around the Pacific on rafts until it comes their turn to thaw out and live again—but in the end all our ingenuities are mere delaying actions, as the discovery of the Americas was a delaying action. Sooner or later the weed must be controlled, or must control itself, in its most vital function; must have its capacity to breed limited, inhibited, cut away, or taxed away. If it does not, the Great Society is idle chatter, and conservation a mumbling of gums.

That these things are not idle chatter is an index of our good fortune. The average American consumes 30 times as much in resources every year as the average inhabitant of India, and it is a good guess that he has more than 30 times as much physical comfort and pleasure in his life. If he also wastes 30 times as much, there is hope in the fact: he has 30 times as much to waste, and 30 times as much opportunity to improve his stewardship over his still-opulent endowment. It is impossible for him to separate himself from the rest of the world even if he wanted to, for whatever human politics may do, human weedism makes the world one. (One reads of deposits of soot and smoke particles in the latest layers of the Greenland ice cap, and of measurable quantities of DDT in the bodies of penguins at the South Pole.) What America does to curb its waste, control its population, husband its resources, decontaminate its polluted air and waters, and reserve open space for the refreshment and relaxation of its industrially punch-drunk citizens is a favor done the whole world.

It is a favor even though our motives may be entirely selfish and our justification not grim survival but the preservation of amenities. Not life itself—not yet—but the satisfactions and in Mr. Johnson's phrase, quality of life, is what we move to preserve. It is in these that the American first feels the pressures and the threats of his own industrialized weedism. The uglier and more crowded the cities, the junkier the roadsides, the more choking and eye-smarting the air, the foamier with detergents the reconditioned sewage that we call drinking water, the more nostalgically friendly are grass and trees, birds, running streams, the sight and smell of pastoral earth, and the stillness of woods. For most Americans, conservation is primarily a matter of parks and open space, the keeping or creating of antidotes to the industrial society that as modern men we depend on and as natural creatures we loathe.

But it is no more possible to separate the problem of open space from other contemporary problems than it is to segregate America from the world. As President Johnson suggested in his natural beauty speech, and as Secretary of the Interior Stewart Udall has been saying for 5 years in his campaign to dramatize what he calls the quiet crisis, conservation cannot even save open space unless it concerns itself with the total environment. The "land ethic" that Aldo Leopold called for in "The Sand County Almanac," the sense of responsibility to the renewable earth, is itself hardly enough. We need an environmental ethic that will reach all the way from the preservation of untouched wilderness to the beautification of industrial cities, that will concern itself with saving the still-savable and healing the half-ruined and cleansing the polluted, that will touch not only land but air and water, that will have as its purpose the creation of a better environment for men, as well as the creation or preservation of viable habitats for the species that our expansion threatens. Some, like the passenger pigeon, are beyond our belated friendship. But there are the waterfowl whose nesting and feeding places we have drained or flooded, and the fish whose spawning grounds we have drowned or poisoned with agricultural sprays, and the robins whose decimation Rachel Carson made use of to shock a whole people; and there are also all the frogs, toads, newts, lizards, snakes, skunks, prairie dogs, coyotes, alligators, mountain lions, and nocturnal varmints that are apparently useless or harmful to man, yet by their enduring in the biotic pyramid give man both the pleasure of their company and the assurance of their biological support.

Leo Marx, in his recent book "The Machine in the Garden," finds in American life a constant tension between the industrial on one side and the pastoral or primitivist on the other, a dialog never resolved, a dialectic of contradictions between forces in our life and indeed within our individual minds. It is possible to agree with that diagnosis without agreeing that the pastoral and primitive are necessarily nostalgic and sentimental as Mr. Marx finds them. They are the indispensable opposite to industrial regimentation and dehumanization; in our haste to become something new, termites or otherwise, we need constantly to be reminded of who we are: creatures, made of water and chemicals but the children of sun and grass, and cousin by warm blood to birds and mammals. Though it is necessary for our survival to husband resources, it is necessary for our emotional health to husband natural things, and places where they may be known.

That is why one takes such satisfaction in what the present administration in Washington is doing to promote both awareness and action. Mr. Johnson's natural-beauty speech gave aid and comfort to a hundred citizen organizations and thousands of individuals who have been hoping for that sort of word from the White House for many years. Mrs. Johnson's campaign to beautify Washington ("There's nothing like a showcase") is the sort of pilot project that could galvanize cities all across the country. The White House Conference on Natural Beauty this month will have as one of its aims precisely that. Spots of beauty, areas of quiet, noble approaches, a harmony between the humanized and the natural are what any city ought to wish for itself and what any citizenry ought to respond to. To get them we must bring nature back to the cities from which we have paved and smoked her out.

We must also move to keep urban concentrations and urban problems from overwhelming the areas we have set aside, or will in future set aside, for the outdoor refreshment of this people. Every major national park has a traffic problem of metropolitan proportions, and the temptation to solve it by the building of more and wider roads is always there. But more and wider roads, with their noise and smog and speed, are precisely the worst enemy of the peace and quiet the parks are meant to provide. A plausible conclusion to this problem could be increasingly magnificent roads leading to nowhere worth reaching. As with roads, so with campgrounds and other facilities. Old Faithful at eruption time is a mob scene in a parking lot. Yosemite Valley on a summer weekend is like Times Square without electric signs. In California's splendid system of State parks and beaches a summer traveler can rarely get a campsite and if he does get one he may well find himself squatting in a rural slum or (and this goes for Yosemite as well) in the midst of wild teenage brawls and parties, which the limited ranger force cannot adequately, or even safely, patrol.

Already, that is, the National Park System and the State park systems that supplement it, as well as the extensive outdoor facilities within the national forests, are being battered so hard that the "use without impairment" specified in the National Park Act is a phrase to bring sour laughter from the informed. You cannot turn well over a hundred million annual visitors into a park system and expect them to leave no marks, even if they are well-intentioned, well-educated, and well-policed. You cannot bring 40,000 people and 12,000 cars into the 8 square miles of Yosemite Valley in a single day without consequences.

One solution is rationing, the limitation of number and length of visits, but this has been, at least for the present, rejected; the annual $7 stickers now being sold to Americans will admit them to any national park or monument or forest as many times in a year as they want to come. But those stickers, authorized by the Land and Water Conservation Fund Act of 1964, will themselves help provide some limited relief for the $125 to $200 million they are expected to bring in annually will be earmarked for the acquisition of new outdoor recreation and park areas, either directly by the Federal Government or through Federal grants to States and municipalities.

Recreation areas developed on reclamation, along with flood control dams, increasingly offer recreation to millions (Glen Canyon Recreation Area, only 2 years old and far from large centers of population, expects upwards of a million visitors in 1965). These recreation areas, along with the national seashores, national parkways, and the new category of national riverways (Ozark Rivers is the only one so far) could take some of the pressure off the national parks both in terms of numbers and in terms of forms of recreation undesirable in an outdoor museum. And Secretary Udall in his 5 years in the Cabinet has initiated and successfully pushed through legislation reserving a remarkable number of new areas. Point Reyes, Cape Cod, Padre Island, and Fire Island National Seashores, Ozark Rivers National Riverway, Canyon Lands National Park, Glen Canyon and Whiskeytown Recreation Areas, and several national monuments. In the legislative hopper are bills that would preserve other areas, including Assateague Island. In the planning stage are wilderness parks on the Allagash in Maine and in the redwood country on the California coast and on the Channel Islands off Santa Barbara—all experiencing some degree of opposition from mild to virulent. A movement to take a new look at our roads—to design a system of parkways and scenic roads that are in effect strip parks—is gaining ground both federally and in State planning. It is invigorating, it enlists Federal Government, State governments, county and municipal governments, citizen groups and individuals, and it makes headway. As Mrs. Johnson has said, "To make our cities and country more beautiful * * * is a yearning of people, and it is something they think they can do, and want to do * * *. The time is right—the time is now."

Amen. And amen to the depollution efforts of those same citizens, cities, States, and Federal agencies. Amen to the Audubon Society and the Wilderness Society and the Sierra Club. Amen to the reservation of new parks and the better protection of old ones. Amen to State bond issues for park acquisition, such as California's $150 million passed in 1964. Amen to all of it. But not all of it together will be enough. Considering what we began with, what the "green breast of the new world" offered, conservation activities have to be called too little and too late. We will never have the whole loaf, and if we do not learn to control our population to some optimum destiny we will have hardly anything. But the half loaf is still possible, and we had better take it.

LAST CHANCE FOR THE NATION'S WATERWAYS

(By Robert and Leona Train Rienow)

In the Middle Ages a knight going forth on horseback at dawn found his nostrils assailed by the gutter rivulets that had been casually dumped from second-story windows during the night. Several centuries of enlightenment later, a knight of industry, taking his morning constitutional along a river, finds his nostrils assailed by the same ancient and unwelcome odor. Modern man possesses (or knows how to find) the answers to the disposal of every kind of waste—if he is interested enough. To date, however, he has been too occupied with other matters.

The crime is now catching up with him. The bulldozer operator at the town dump, who for years has been shoving refuse over the edge of a gorge, discovers one morning that the gorge is filled up. And after generations of irresponsibly channeling their wastes into the waters beneath and around the land, Americans now find themselves faced with the fact that the wastes exceed the ability of the surface waters to absorb them. Indeed, where septic tanks are close, even the earth is spongy with wastes that befoul the underground water. The situation is in crisis; the problem must be met, and no longer by halfhearted, niggardly, half-financed measures.

So pressing is the issue that President Johnson even championed the cause of clean waters in his state of the Union message, labeling it a primary goal of his administration. Governors, chambers of commerce, and public-spirited industries have begun to pledge their efforts. But how deep have we sunk into the pollution mire? How great, actually, is the need now? And, how can we attack so long-neglected a condition?

There is exciting hope of restoring our waterways, but the effort will be so vast, so demanding, so costly that unless the public is prepared now to meet it, the job will be impossible.

The Mississippi now bears more sludge than mud. The once glittering Milwaukee River is overlain with a bubbly slime, and one no longer sees the gay throngs of swimmers that once crowded the millrace, or fishermen proudly bearing long strings of pike and bass. The Mahoning steams with heat from coke ovens, all life destroyed. The North Branch of the Potomac is suffused with sulfuric acid that corrodes boats, bridges, even dams. Then there is the storied Potomac itself, upon whose polluted estuary more than 65 million cubic feet of silt descend each year, slowly smothering it. The Delaware's noxious waters threaten the drinking water of Camden, N.J., and other localities. Large areas of the Providence River and Narragansett Bay have been sealed off from fishing because they swarm with infectious diseases. The Kalamazoo can stomach no more industrial poisons.

Yet who can point fingers from the banks of a clean stream? Not the people on the Fox. Nor on the Mohawk, nor on the Hudson. Nor on the Connecticut, nor on the Charles. Nor on the San Joaquin, the Colorado, or the Red. Nor on the Coosa or Nolichucky.

These are the flowing surface waters which, with the help of lakes (the pollution of the Great Lakes themselves has risen so greatly that numerous beaches have had to be closed), supply three-fourths or more of all Americans with their drinking water. It is to these rivers that industry must look for its progress, for without plentiful and reasonably clean water, industry dies.

Driving into Biloxi, Miss., from the west recently, we saw the beaches of white sand. Here children splash in the warm bay water and play leapfrog over a series of great conduits that emerge from under the highway and cut across the sands into the water. But we slowed down in disbelief at the sight of the green and black slime at the mouths of the pipes, an excrescence into which the youngsters were digging their toes with glee.

At the next filling station we asked about the pipes. "Just drainage," shrugged the proprietor.

"You don't mean those are sewage outlets?" we asked.

"Oh, I imagine a little sewage here and there, but it flows away fast. Nothing to worry about. It's the best beach in the country—you should see the crowds of kids on a hot day."

Sixty miles along the coast we entered the attractive city of Mobile. Boys and girls were risking their lives in the heavy traffic, stopping the cars to sell cartons of doughnuts. "What's the money for?" we asked the pretty teenager who took our cash. "For Children's Hospital," she said. "We need a million."

It is unscientific to draw any parallel between the demand for children's hospitals and beaches covered with green or black slime. It is precipitate to link, for instance, the uncounted hordes of new viruses with the increasing befoulment of our world. Yet New York's Governor Rockefeller does not find the two conditions unconnected. Speaking of the historic Hudson he stated bluntly, and to wide bipartisan applause: "For 10 miles south of Albany . . . there are no fish, but sludgeworms, leeches, rattail maggots, the larvae of flies—the handwriting on the wall to us, undeniable handwriting on the wall, that warns us to stop polluting our lakes and rivers, to stop treating our waterways as if they were open sewers." These conditions, he went on, have brought us to the brink of an emergency in which the health and future of the State are at stake.

And, at the recent legislative correspondents' annual show, Charles H. Palmer, the Governor's assistant secretary, offered a ditty, part of which (to the tune of "Lazy River") went:

> "Up the dirty river where the sewage flows,
> Say, any time you're near there better hold your nose.
> Swimmin' in that stuff you had best avoid:
> Get yourself a mouthful and you risk typhoid."

What are the major pollutants that are saturating rivers, lakes, and ocean beaches? What are Americans drinking when they lift their water glasses, their beer mugs, their coffee cups?

The Department of Health, Education, and Welfare lists eight major categories: (1) sewage, (2) infectious agents, (3) plant nutrients, (4) organic chemical exotics, (5) mineral and chemical substances, (6) sediments, (7) radioactive substances, and (8) heat.

Sewage includes both domestic sewage and food-processing wastes. Barnett Fowler, columnist of the Albany, N.Y., Time Union, writes: "In Troy recently it was brought out that the Hudson there is a slimy cesspool filled with floating garbage and eels clamoring for bloody chicken waste. Divers who worked on the Mohawk have run into water so foul, so murky, that it was an invisible world."

Aerobic bacteria and oxygen are able to reduce a certain amount of sewage, but we have overburdened our streams until the dissolved oxygen has fallen below four parts in a million. At this point all life dies; the river becomes an evil-smelling septic tank, rank with vicious diseases. "Every river system in America is now polluted," asserted the President in his February 8 message.

In 1964, it is estimated, we dumped into our once sparkling streams the equivalent of the sewage of some 82 million persons. By 1980 we expect to load our waters with the equivalent of 92 million persons' sewage. And industry discharges an equal amount of oxygen-demanding wastes. Thus the present sewage load adds up to the equivalent of approximately 165 million, and the figure will be more than 185 million by 1980. But our streams have already given up.

Infectious agents encompass a menacing band of killers, including new viruses of all types. After all, we cannot expect to pour into our surface waters all the discharges from mortuaries, hospitals, and slaughtering plants with immunity from plague forever Enteric and tuberculosis bacteria, hepatitis, polio, diphtheria, typhoid—you name it, "Old Man River" has it. He can even produce a few hundred more you can't name.

The third category of pollution, plant nutrients, is a startler; we have come to think of the 5–10–5 we tote home for our gardens as the gardeners' best friend. But leached out of the soil from vast agricultural areas to saturate our rivers, fertilizers, says HEW, become a real problem. They stimulate rank plant life to choke streams with "an unnatural green soup" causing death to fish, a strong odor of decay, and toxic materials—not the least of which is strychnine.

However, it is the fourth pollutant, the organic chemical exotics, that is the newest and perhaps the most dangerous. Soap manufacturers are now promising that they will switch over from the "hard" detergents that have been transforming our rivers into avalanches of fluff, and will use a softer brand after June 30, 1965. But we are also flooding our waters with the residues of lethal pesticides and weed killers. DDT has been found in every river in the country. Aldrin (one application lasts a full year and kills 18 types of insects) is universal; 0-nitrochlorobenzine has been traced in 1,000 miles of the Mississippi; benzene compounds and xylenes, naphtholene, and pyridine are present in other rivers too numerous to list. Unfortunately, most of these deadly modern poisons cannot be filtered out, and, more unfortunately, they haven't been in use long enough for authorities to know their cumulative effect on the human body.

There are, in the fifth category, other mineral and chemical pollutants of older derivation—salts from natural rock deposits, sulfates and the acids from coal mine operations, and "accidents." Serious acid seepages have occurred in the Potomac, Delaware, Susequehanna, Mississippi, and Ohio, as well as in almost all western rivers. In Minnesota in 1963 when winter burst storage tanks and released 3 million gallons of deadly, sticky fuel oil over the Mississippi nesting grounds of millions of water fowl, Gov. Karl Rolvaag had to call out the National Guard to try to rescue what birds it could from the slaughter.

Sixth, sediment as a pollutant of our rivers has been plaguing us every since the first watershed was thoughtlessly stripped of its soil-protecting forest and exposed to the ravages of the spring rains. The Mississippi carries 500 million tons of mud into the delta annually, and the beautiful Eel River, which once made a fairlyland of the California coastal redwoods, has now been turned into a rolling flood of yellow mud by the gutted-earth procedures of the lumbermen and an unfathomable blunder by the State itself; a four-lane highway that runs straight through the heart of the groves.

While the silt problem is the oldest, the addition to our water supply of radioactive wastes, the seventh culprit, is one of our most recent contributions to water pollution. Radiation enters our waters from uranium milling atomic reactors, medical laboratories, mortuaries, hospitals, and industries. At present this discharge is minute, but Dr. Earnest F. Golyna, professor of sanitary engineering at the University of Texas, says that by 1990 such discharges, safely diluted, would fill a lake the size of the Lone Star State 15 feet deep. Other experts assert flatly that there is no such thing as safe dilution.

Finally, we come upon a pollutant that few recognize as such—it is heat. Steel mills, coke ovens, petroleum refineries, steam turbine electricity plants, and atomic reactors draw immense quantities of water from streams and return it hot or warm, killing most fish and other aquatic life. We are told that, according to projections of the gross national product, heat pollution will multiply 8 times during the next 35 years.

This, then, is the state of emergency we are in at present. What can be done about the situation rests inevitably on how aroused the public becomes and on its willingness to pay the price for partial restoration of America's waterways. After all, just the separation of storm and waste sewers in Chicago alone—a real necessity in every community if we would save our surface waters—would cost more than a billion dollars. The future depends, too, on the fate of the administration's Water Quality Act of 1965, which is already halfway through Congress. But, in the end, it will depend primarily on public support. How many citizens will demand, for example, that other States follow Nebraska's lead and legally ban hard detergents? When will the citizenry give first priority in its budgets to the elemental matter of treating and disposing of its own waste products? And how long will people allow the timber producers of the West to spray their acres with DDT, against the advice of the Federal Pest Review Board and to the complete detriment of water quality?

Prodded by the White House, there is now a pronounced shift in the official attitude toward water pollution. The bureaucratic torpor is dissipating. Industry is no longer brazen about its wastes. But until our well-plumbered citizenry in general commits itself to antipollution appropriations and to strong individual support of clean waters, Americans are doomed to chant, along with Charles Palmer at the legislative correspondents' annual dinner:

> "You keep going your way,
> I'll keep going my way,
> River, stay away from our door!"

Mr. CLARK. Mr. President, these articles represent the most recent series of statements from conservationists all over the country expressing grave concern over the corruption of the atmosphere, the defilement of the land, the pollution of the waters which have seemed to march hand in hand with the advancement of industrial civilization.

Now experts in many fields are warning that we had better pay heed to what we are doing.

President Johnson has sensed this in his call for a "creative conservation of restoration and innovation" instead of the "classic conservation of protection and development."

The Secretary of the Interior, Stewart Udall, has awakened America's conservation conscience and redirected our conservation concerns to include the city streets and septic tanks of suburbia as well as the few remaining wide open spaces.

I can see the ominous road ahead in my own State, assuming the President's program does not soon become effective. Southeastern Pennsylvania and the Greater Philadelphia area lie in the heart of what has been called the Atlantic megalopolis—that vast urban strip running down the seaboard from Boston on north to Washington and indeed north Virginia in the South.

In the view of Jean Gottman, the French geographer, megalopolis represents the largest and richest assemblage of talent and industry the world has seen.

The towers of Manhattan, the vaulting bridges, the ingenious tunnels, the web of transport—all are seen as symbols of man's triumph over nature.

Yet, massive as the city towers may seem, awesome as our technology may be, this gigantic concentration of people and industry and culture is a fragile, composite organism. It makes very special demands upon nature—the rivers, the air, the land. It needs pure rivers, pure air, open land and space to keep alive. But by its sheer uncontrolled growth, megalopolis is rapidly destroying all three. If it does, the story will not be particularly new. At the very least, six ancient civilizations did the same thing—and died.

It takes only a disruption of electric power service to New York, a terrible flood rolling down the Delaware Valley, a snowstorm blocking the streets in Philadelphia, or tornadoes raking the suburbs of Minneapolis to recall momentarily for us our simple vulnerability to the elements.

But the natural dependence upon land, air, and water I am talking about is more subtle and ever-present. I am referring to the severe disruptions we cause on the land and in the rivers when we pave vast areas with asphalt and concrete. When the rain hits the streets and sidewalks, it rushes for the storm sewers and heads out to sea. No longer does it soak in to the fertile earth. No storage results underground. Consequently, the water tables start to drop.

The voracious appetite for land in megalopolis is almost unbelieveable. Ancient Rome in its heyday occupied only 5 square miles. Greater New York today covers over 2,000 square miles.

When the earth's surface has been sterilized under this mantle of pavement, gone, too, is the cover of vegetation which once carried on the natural functions of air purification. We poison ourselves with our own wastes by dumping into the atmosphere vast quantities of carbon monoxide, carbon dioxide, lead, and heaven knows what else. We compound the felony with nuclear fallout. It takes one of those poisonous London fogs to demonstrate to the public at large just how serious the problem can be, but it is with us in megalopolis day in and day out. Some climatologists now tell us that the increase in concentrations of carbon dioxide in the air above the cities is actually altering the urban climate.

Let us turn for a moment to water. The rivers run rife with pollution. Look at the Delaware River in front of my home city of Philadelphia. It is no ordinary problem when—as is the case in Philadelphia—the wastes dumped into the river float back and forth on the tides in front of the city for as many as 17 times before finally working their way out to sea.

The Delaware River, from the bay to Trenton, is a tidal basin, and the pollution which megalopolis pours into that basin is hard, indeed, to dispose of. This is a comparatively new problem.

It is no ordinary problem when the diversion of huge quantities of river water in the Delaware Valley is such that the river cannot push the salt of the sea out of its mouth. The salt creeps upriver, and as it does, it shuts down industry, blots out water supplies, threatens an oyster fishery.

It is no ordinary problem when we discover that the construction of a canal across the State of Delaware connecting the Delaware River with Chesapeake Bay, severs the flow of underground water into most of the southern half of Delaware.

The modern city dweller is just as dependent upon the processes of nature as his primitive forebears. But he has allowed his daily contact with the concrete of the streets instead of grass, the towers of steel and glass instead of mountains, and water from a faucet instead of a spring to destroy his awareness of that dependence. In his ignorance he has proceeded with rapacious abandon to destroy that fabric of land, air and water which sustains him.

That ignorance cannot prevail much longer, or our urban civilization will destory itself. This calls for a whole new emphasis in the philosophy of urban renewal and in the conservation of natural resources. We are entering a new era when horizons of urban life embrace the hinterlands hundreds of miles away.

The genesis of the historic Delaware River Basin Compact lies in the fact that the water needs of New York City and Philadelphia bumped into each other on the upper reaches of the Delaware a decade and a half ago.

Many of our problems on the lower Delaware result from the fact that New York undertook to get its water not from the Hudson River but from the Delaware River. This taking was upheld as legal by the Supreme Court of the United States. The unhappy results in terms of the States of Pennsylvania, New Jersey, and Delaware forced an interstate compact in which the Federal Government joined as the major partner.

We are beginning, in our part of megalopolis, to control the all-purpose flow of every drop of water in that river. In due course we will get control of the problems I have been speaking of.

This needs to be done all up and down the corridor from Boston to northern Virginia, and in many other parts of the country as well. This is but a foretaste of what is to come as the fates of all the cities in megalopolis get more and more intertwined.

And just as the challenge of megalopolis will spawn a new urban philosophy it must inevitably alter our traditional approach toward the conservation of our natural resources.

No longer will it be sufficient for foresters, hydrologists, soil conservationists, and the dozens of other professions included under the heading of "conservation" to worry about reclaiming the arid areas of the West, or managing the national forests, or getting the Bighorn sheep reintroduced into the Bighorn Mountains of Wyoming, from which that magnificent wild animal has all but disappeared.

National conservation policy must turn more and more to the huge urban areas where man and nature are about to destroy each other. I do not pretend to be able to sketch what this new conservation will be like, but there are those, such as Secretary Udall, who are making the attempt.

I ask unanimous consent to have printed in the RECORD at this point a recent summary of the 30th North American Wildlife Conference by Maurice K. Goddard, secretary of forests and waters in Pennsylvania and one of the finest public servants in American conservation today.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

THE 30TH NORTH AMERICAN WILDLIFE AND NATURAL RESOURCES CONFERENCE: AN APPRAISAL

(By Maurice K. Goddard, secretary, Pennsylvania Department of Forests and Waters, Harrisburg)

The President said it in his conservation message on February 8: "The same society which receives the rewards of technology must, as a cooperating whole, take responsibility for control. To deal with these problems will require a new conservation. Our conservation must not be just the classic conservation of protection and development, but a creative conservation of restoration and innovation. Its concern is not with nature alone, but the total relation between man and the world around him."

The Vice President said it at the opening of this conference: "We seek now a new conservation—one of people as well as land and resources, one of metropolitan areas as well as of open country."

Ira Gabrielson, the president of the Wildlife Management Institute, said it in the first speech of this meeting when he called for an ecological conscience.

Ernest Brooks, president of the Old Dominion Foundation, said it again: "Conservation is an idea whose time has come. It is obvious that man has fulfilled the ancient directive to 'be fruitful and multiply and replenish the earth and subdue it.' Now he must learn to understand the ecological consequences of his conquest."

Senator KUCHEL, of California, echoed the theme later that same morning: "For perhaps too long, conservationists have neglected the hopes and dreams—and the needs—of the people in our cities. Should we not, by public and private assistance, in all parts of the country and at all levels of government, bring together the physical scientist, the biological scientist, and the practitioner of legal, political, and social science to work on such problems?"

And again, Frank Gregg, executive director of the Citizens Committee for the Outdoor Recreation Resources Review Commission Report, this morning said: "The nature of the traditional conservation challenge has been fundamentally altered. The new conservation does not signal a turning away from the traditional conservation arena. On the contrary, it calls for applying the experience and the stamina of conservation leadership to a broader range of objectives—to the quality of the total physical environment, and ultimately to the character of the American people."

Time after time throughout the three days of this conference, the speakers have enunciated a new challenge to the conservation profession: "Broaden your concerns," they said, "We need a new philosophy of conservation for an urban America."

It is no longer enough for American conservation to concern itself solely with the impact of man upon water, land, and wildlife. So profound are the effects of men upon the surface of the earth that we must become deeply concerned about the impact of all this upon the destiny of humanity itself.

Conservation must absorb within its province of concerns, a much wider preoccupation for welfare and aesthetics than has hitherto been the case. Our parameters are stretching beyond the traditional concepts of multiple use. Conservation is no longer solely the preserve of wildlife managers or foresters or hydrologists or recreationists or agronomists. It has grown beyond the old line resource professions to embrace landscape architects, climatologists, urban planners, experts in economic development, social scientists and a host of other professions.

Our old concern was with the land and its resources. Our new concern centers upon people. Our old concern was with whether there would be enough resources to sustain future civilization. Our new concern must be not only with "how much?" but with "how good?"

But when I say "old" concerns, I may be stretching a point. After all, the philosophy of conservation is only a century old on the North American continent. It was born in the brain of that remarkable Congressman from Massachusetts, George Perkins Marsh, and broadcast in 1864 in one of the most prophetic books ever written by an American, "Man and Nature."

Scarcely anything we have heard in this conference would have struck Marsh as particularly surprising. A hundred years ago he saw where the creation of giant cities, the plowing of the land, the logging of the forests, the damming of the rivers, the polluting of the atmosphere and waterways would eventually lead us. Man's impact upon the face of the earth disturbed him profoundly, for one day in the future he saw humanity reaping a grim reward.

And in that wholeness of vision American conservation was born. For almost 40 years after Marsh, American conservation was a philosophy worried about by the impact of industrial America upon a lush and virgin continent. In those early years man's fate was seen as interlocked with the climate, forests, rivers, land, and wildlife on the earth. As a philosophy, conservation evolved into a movement in which a dedicated band of amateurs enlisted. There was no resource profession to speak of.

But then, about the turn of the century, American conservation entered a new stage. The first professionals began to arrive—trained foresters, fish and wildlife experts, hydrologists, and agronomists. From a philosophy and a movement, conservation evolved into a science, a highly technical science.

And a science it is today, as the technical sessions of this conference make very clear. Look at the program. We have talked about radioisotope techniques in fishery research. We have talked about nematode infections in cervid nervous systems. We have talked about feeding coactions between snowshoe hares and deer.

But in becoming professionalized, American conservation lost something. Take that stanch old forester, Gifford Pinchot, as an example. He did not hold much truck with Marsh's notion of the "wholeness" of nature. No, he said, forestry is not worried about greenery, or recreation, or wildlife. Forestry is worried about one thing: growing trees as a crop. "Timber production is the chief object of forestry," said Pinchot. And any other benefits you might get from practical forestry are happy, but accidental, byproducts.

Nobody has a higher regard for Gifford Pinchot than I, but I think it is time we realized that something was deficient in his view. Today under the impact of an ominous explosion in world population and the concentration of most of these billions of people in massive metropolitan centers something of Marsh's wholeness of vision must be restored if conservation is to play its proper role in improving and preserving man's environment.

After all, we cannot allow our asphalt streets, our kitchen faucets, our air conditioning to let us forget for a moment that man is an animal and just as much a creature of nature as any other.

We are sustained by the air, fed by the earth, preserved by the waters of this planet just like any other living thing.

But we have let our technology delude us into thinking that we are somehow set apart from the rest of earth's inhabitants in such matters.

Many of you are experts in fish or game management. Consider what your forecast would be for the future of an animal that was threatened by no beast of prey except itself, was slowly finding ways to avoid death from disease, and yet displayed a persistent tendency to reproduce its numbers without respect for the limitations of its feeding range. And to top it off the species showed an almost suicidal impulse to foul its own habitat.

You would predict decimination in short order, I suspect, and declare an open hunting season in order to cut down the number of animals on the limited range.

We have heard a lot at this convocation from animal pathologists. Suppose you were a pathologist out on Mariner II halfway from here to Mars and you looked back through a telescope at the continent of North America. Through your very remarkable instrument you detected a creeping fungus-like growth crawling across large areas of the continent. The growth seemed to proliferate before your eyes, blotting out other kinds of life in its path, sealing off the earth, fouling the water, corrupting the atmosphere. To you, the planet would appear infected by a virulent organism, and you would conclude that eventually the host plant would be so smothered by its parasite that the parasite itself could no longer be sustained.

To that astropathologist in outer space, man would appear to be a disease of planet earth.

The task of conservation in the years ahead is to convert man from a parasite of earth to its steward, not just because we enjoy the beauty and bounty of the earth for its own sake, though we do, but because the continued existence of civilized man himself is involved.

The new conservation must unite the resource sciences with an esthetic for a new America. We must make sure that from here on out, as one of our speakers put it, we are running our technology and it is no longer running us. Technological know-how must become then chief handmaiden for creating and preserving a balanced, healthy, and beautiful environment capable of supporting man and his fellow creatures indefinitely. It must no longer be the "great destroyer."

In our sessions these last 3 days we have wrestled with the new conservation in all three of its aspects: as a science, as a movement, as a philosophy.

In our scientific discussions we have found that the most advanced techniques of science can help us find out how man can maintain his equilibrium with his mother planet. We have explored, through advanced techniques, the question of how much pollution from an oil refinery fish life can stand. We have examined some of the effects which watershed development can have on our streams and rivers. We have discussed the application of modern medicine to our fellow animals to help them combat the ravages of disease too.

Seven speakers discussed ways in which, despite human encroachments upon the land, we can still assure a place for waterfowl and other wildlife.

We have analyzed the techniques of multiple use management in order to make the wisest use of all our land and resources—wildlife, fish life, forests, waters, and air. Ironically, we have talked about how to keep wildlife populations in balance while pointing out that we have yet to keep man's own population in balance.

But we also realized that unless all this scientific intelligence can become a part of public policy, conservation can never get out of the laboratory. It must become the backstop to an informed public opinion.

That is why one entire session was devoted to making conservation effective as a movement. As one of the speakers on that program, Frank Gregg, commented:

"Conservationists have long accepted as a basic article of faith the interrelationship of resources and the community of living things. We've called it ecology, or the web of life, or simple conservation, and we've urged that the concept be recognized in public policy. Now the political leaders of the land are articulating this concept and outlining a comprehensive action program consistent with it. We are no longer, in short, prophets without honor. Nor need we pursue our special objectives in isolation."

Conservation today has become a potent political force. Its impact is being felt every day through the mass communications media and our educational system.

Mr. Gregg is correct, we are no longer alone.

But now comes the real test.

For years we have been asking Congress for the tools we need. And for the last several years we have been getting one right after another.

We have the Classification and Multiple-Use Act; we have a Water Resources Research Act; we have a Land and Water Conservation Fund Act; we have a national wilderness preservation system; we have a wetland acquisition program; we have a Public Land Law Review Commission; we have an Economic Opportunity Act which establishes a Youth Conservation Corps for work on our public lands; we have an Appalachian Act (signed only yesterday) that can become a vehicle for resource improvement and preservation in our eastern mountains.

These are just a few of the new programs but now in process we still have more: There is a water pollution control bill already approved by the Senate; there is a wild rivers preservation bill now before both Houses; there is a water resources planning bill on its way through the legislative mill; There are good prospects for a major air pollution bill in this Congress. The President will soon be sending a scenic highway proposal to Capitol Hill. And there is renewed emphasis upon making our city environment more livable.

Now the question is, do we professional conservationists have the know-how and the breadth of vision to make all these programs work?

Do we have what it takes to restore the resources of this continent? Do we have what it takes to develop a working philosophy capable of reconciling all the conflicts of resource use which a growing, industrialized, urban population inevitably will engender? Can we help convert an ugly America into America the beautiful?

Ernest J. Nesius, vice president of the Center for Appalachian Studies at West Virginia University, put it to us just a short while ago:

"As the country continues to populate and to industrialize, which has a marked effect upon the quality of life, we are becoming increasingly conscious of the problem of social adjustment to a variety of adverse effects of technological change and economic growth," he observed. "In contrast to being concerned with the scarcity and allocative problem of natural resources, we are not concerned with the human being, his life, his environment, and his satisfactions. Our concern must center on: pollution of the air and water, pesticides and their effect on wildlife; disfigurement of the hillsides; and beauty and order in the urban areas and in the countryside."

In short our challenge—the challenge raised by the 30th North American Wildlife and Natural Resources Conference—is whether we can convert modern man from a planetary disease into the most constructive force in nature. Can we be creators instead of destroyers? Are we wise enough to sacrifice a short-term profit for a long-term profit? Can we finally realize that the rape of a virgin continent has come to an end and that we must learn the art of nurturing a hurt and wounded land back to health?

We have the science. We are getting the public and political support. Have we the will and the know-how now to meet this challenge? The President has said it as well as anyone.

He said in the state of the Union message.

"We built this Nation to serve its people. We want to grow, and build, and create. But we want progress to be the servant and not the master of man. We do not intend to live in the midst of abundance isloated from neighbors and nature, confined by blighted cities and bleak suburbs, stunted by a poverty of learning and an emptiness of leisure."

"We must ask," he said, "not only how much, but how good. Not only how to create wealth, but how to use it. Not only how fast we are going, but where we are headed."

The new conservation must provide some of the answers to those questions.

NUCLEAR OBLIVION

Mr. CLARK. Mr. President, one of the subjects of grievous concern—and I note in the Chamber the presence of the Senator from Mississippi [Mr. STENNIS]—has been the real threat of an escalation of nuclear power into world war III.

So far, we have been unable to arrive at international agreements satisfactory to us or, indeed, satisfactory to our opponents, who have achieved a nuclear capability, which would destroy this threat to mankind.

One of the most perceptive, if discouraging, commentators on this human problem is Herman Kahn, who has written extensively with respect to the tactics as well as the strategy of nuclear defense.

He has just published a book entitled "On Escalation: Metaphors and Scenarios," which is reviewed in the Washington Post of Tuesday, May 18, by Howard Margolis.

This quite short review, pointing out the continuing and frightening conditions under which we live in the absence of sound international agreements to bring about an end to nuclear war and some type of universal disarmament, is worth the attention of every reader of the CONGRESSIONAL RECORD.

I therefore ask unanimous consent that it may be printed in the RECORD at this point in my remarks.

There being no objection, the book review was ordered to be printed in the RECORD, as follows:

THE MANY-RUNGED LADDER LEADS TO NUCLEAR OBLIVION

(Reviewed by Howard Margolis)

"On Escalation: Metaphors and Scenarios." By Herman Kahn (Praeger)

The title of this book is awkward but the byline is perfect. Only Herman Kahn, physicist, strategic warfare analyst, and author of previous books on nuclear war that stirred up controversy, could have written such an extended analysis of the various stages that nations might go through in the course of destroying themselves.

Kahn is not in favor of nations destroying themselves, or even of their destroying other nations. Nevertheless, he sets up what he calls an "escalation ladder," starting with what we have come to accept as a normal amount of international tension, and works his way up step-by-step to all-out unlimited nuclear war.

Kahn puts 44 steps on the ladder. He suggests that we were on the verge of step 12 at the peak of the Cuban missile crisis. Nuclear weapons are first used at step 15, and from there on up he offers 29 steps of increasingly unpleasant situations, mostly involving additional use of nuclear weapons.

Periodically, he steps away from the ladder and offers an essay on some additional things to worry about at the particular stage under discussion.

It all sounds pretty depressing, as indeed it is. Yet, it is a useful piece of work, and Kahn and his publisher are providing a useful service in making it available.

Kahn does not seem to regard the world he describes with quite as much revulsion as his critics do. He approaches the subject with clinical detachment, and tries to explain that the horrible aspects of the world are not likely to go away just because we don't like to think about them.

In this world, nations threaten each other by moving higher and higher up the escalation ladder even though they know that at the top of the ladder lurks a disaster that would reduce whatever it was they were arguing about to something trivial.

Kahn is interested in ways to slow down and stop this climbing of the ladder before it is too late.

He is also interested in ingenious ways to use the ladder to pressure an opponent, which is not so nice but it is not always avoidable.

Most of what he says will be familiar to people who follow strategic thinking, partly through Kahn's own earlier works.

Although he is aware of sensible constraints on playing this escalation game and describes them well, he gives less weight to them than the officials now responsible for policy are likely to do.

Essentially, his message seems to be that although the present system of international relations is unsatisfactory and cannot be expected to last, the most likely circumstances in which the world will change will be in the context of some frightening experiences with the escalation ladder. Consequently, the better we understand escalation, the more likely we are to be able to effect the inevitable changes in a favorable direction and the less likely we are to have to go the way to a more civilized way of running the world.

Kahn's approach to thinking about international affairs is not the only one, and it is almost certainly one that tends to overemphasize his own special interest in escalation. But it is also a view with a good deal of indisputable, if exceptionally unpleasant, truth. And because what he says tends to be unpleasant, people tend too often to put it out of their minds.

That is why Kahn's book, and Kahn's work generally, is important, and why it deserves to be taken seriously.

PLANNED PARENTHOOD IN KOREA

Mr. CLARK. Mr. President, it will be recalled that we have just had the honor of a visit by President Chung Hee Park of the Republic of Korea. That brave little country, our splendid ally, is struggling manfully to maintain its independence against the threat of communism. We have been giving an enormous amount of economic as well as military aid to Korea to make its survival possible. One of the heartening activities in Korea in recent years, which is doing a great deal to ease that country's economic burden, is the fact that with considerable foresight, particularly for that part of the world—foresight in which only the neighboring country of Japan has engaged—the Government of Korea, through its Ministry of Health and Social Affairs, with the technical assistance of the Planned Parenthood Federation of Korea and many other voluntary groups, has undertaken a heroic program to reduce the natural increase rate of population in that country from 2.9 to 2 percent by the end of 1971. The Government of Korea will be spending approximately $10 million to accomplish this end.

In connection with President Park's visit to this country, I commend him and his country, and congratulate them, on their earnest efforts to achieve better reproduction plans. Korea's family planning goal in the next 6 years is to recruit one-third of the couples in the 20 to 44 age group to participate in the family planning program. This would amount to a million and a half participants.

Korea has begun programs of training physicians and nurses and midwives, and public information programs including newspaper, radio, and television exhibits. In fact, May in Korea has been designated as national family planning month.

Unless some similar earnest effort is made in most of the underdeveloped countries of the world, I see no real hope that they will be able to break out of that vicious circle in which the rich countries get richer and the poor countries get poorer, with the inevitable increase in tensions which, in my opinion, create the kind of situation which communism likes to thrive on.

Mr. EASTLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Without objection, it is so ordered.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. ERVIN. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. ERVIN. Mr. President, I shall explain the amendment briefly. It is extremely simple. When the original bill was introduced, it was a highly punitive and vindictive bill. It provided that none of the States or subdivisions of the States which are covered by the triggering process could secure exoneration if at any time within the previous 10 years a single election official had been guilty of a single violation of the 15th amendment in respect to a single applicant for registration. It also contained a provision which had the effect of denying access to any court, including the U.S. District Court for the District of Columbia, for 10 years to the States of Louisiana, Mississippi, Alabama, and Georgia. Fortunately, those provisions have been modified. The modifications have made the bill less punitive and vindictive.

The measure still contains a provision which I submit is highly punitive and vindictive; that is, the provision which appears at the bottom of page 5 of the amendment in the nature of a substitute, reprinted as a star print dated May 17, 1965, beginning with line 20 and ending with line 24 on page 5, as follows:

> If the Attorney General determines that he has no reason to believe that any such test or device—

That is, the literacy test—

> has been used during the 5 years preceding the filing of the action for the purpose of denying or abridging the right to vote on account of race or color, he shall consent to the entry of such judgment.

That refers to the entry of a judgment permitting the political subdivision involved in the action for declaratory judgment to manage its own affairs so far as the registration of voters is concerned.

My amendment merely strikes out the words "has been used during the 5 years preceding the filing of the action," and inserts in lieu thereof the words "is being used." This means that if a State or political subdivision covered by the triggering device is not presently engaged in violation of the 15th amendment, the Attorney General would have the authority to consent to a judgment exonerating it from the provisions of the bill.

It seems to me that this is a reasonable amendment. If the Senate incorporates in the bill provisions indicating a feeling of vindictiveness toward the States and political subdivisions of the States covered by the bill, such action is not likely to facilitate a fair working of the bill in operation. The amendment merely provides that the Attorney General shall be allowed to forgive past sins and iniquities, and take action on the basis of righteous conduct in the present in determining whether to consent to a judgment exonerating a political subdivision. That is all the amendment seeks to do.

I hope that the Senate will adopt the amendment and thereby rid the bill of one of its punitive and vindictive features.

Mr. HART. Mr. President, as the Senator from North Carolina indicated, the Senate, in its version of the leadership substitute, has substantially modified the approach that was originally taken with respect to these areas in which the use of tests or devices presumably have been used in a discriminatory fashion. However, I hope very much that the Senate will reject the proposal now offered by the Senator from North Carolina. It would have the effect, I suggest, that it would require the Attorney General to consent to a declaratory judgment if he believed that at that moment the test or device was not being used for the purpose of abridging anyone's right to vote.

We feel strongly that the court should make this decision. I believe that it is perfectly reasonable for us to propose, as the substitute measure does, that in the event the Attorney General finds that in the 5 preceding years there has not been discrimination, he shall then consent to a declaratory judgment. However, if, more recently, there has been indication of discrimination, we feel that the course of prudence is to leave it to the court in the declaratory judgment to determine whether the situation has been corrected or whether there is reasonable cause to believe that the test or device would be used again.

I believe that it would be undesirable to make a change proposed in the pending amendment.

Mr. ERVIN. Mr. President, the amendment is essential. In the absence of such amendment, the provision in the bill which I have read would deny to the Attorney General during the 5-year period the power to consent to a judgment of exoneration even if, in his opinion, discrimination had ceased and judgment would meet the ends of justice. This provision would rob the Attorney General of the power which he otherwise would have had. I merely ask that he be allowed to consent to a judgment if no violation is occurring so that there would not have to be a trial. If the State or the political subdivision were not engaged in violation of the 15th amendment, the Attorney General could consent to a judgment of exoneration under the amendment and the State or political subdivision would not have to bring witnesses to the District of Columbia to establish its innocence.

The proponents of the bill maintain that this is a bill to enforce the provisions of the 15th amendment. However, if the provisions of the bill were to be put into operation against a political subdivision which is not engaged in the violation of the 15th amendment, this would not be a bill to enforce the 15th amendment, but rather a bill to exhibit some vindictiveness toward localities for what may be supposed to have been past offenses.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. COTTON. Mr. President, after listening to the colloquy between the distinguished Senator from North Carolina and the distinguished Senator from Michigan, it would seem to me that the crux of the question is that the Senator from North Carolina uses the word "allow," and the Senator from Michigan uses the word "require." Would one of the Senators enlighten me as to which is the correct term to characterize the amendment?

Mr. ERVIN. Mr. President, if the Attorney General were to determine that he had no reason to believe that a literacy test was being used for the purpose of denying or abridging the right to vote on account of race or color, the amendment would require him to agree to a consent judgment.

The amendment would leave the decision to the Attorney General as to whether the political subdivision was presently engaged in violating the 15th amendment. However, if he made a decision to that effect he would be required to consent to the judgment of exoneration.

If this bill is merely designed to enforce the provisions of the 15th amendment, there should be no objection to providing that the Attorney General of the United States should have the power to determine whether the literacy test were being presently used to deny or abridge the right to vote on account of race or color, and to require him to consent to the entry of judgment in case he made the determination that the test is not being used for discriminatory purposes.

Mr. COTTON. Mr. President, would it vitiate the amendment of the Senator if the word "shall" on line 24, page 5, of the substitute measure were changed to "may".

Mr. ERVIN. Such change would make the action of the Attorney General discretionary on his part.

Mr. COTTON. If the "shall" were changed to "may", would that destroy the effect of the Senator's amendment?

Mr. ERVIN. Mr. President, I ask unanimous consent to modify my amendment by providing that the word "shall" on line 24, page 5, of the substitute measure be changed to the word "may".

Mr. COTTON. That would make it discretionary with the Attorney General. In other words, if the Attorney General were to determine that no violations of the 15th amendment were occurring, he would have discretionary power to consent to the entry of a judgment. It would seem to me that the proponents of the bill ought to accept that amendment if it were so modified.

Mr. HART. Mr. President, the suggestion of the Senator from New Hampshire indicates that he did indeed catch the sense of the major objection that we made to the amendment.

As we read it, it would require the Attorney General to consent to a judgment if, at the moment—and it might be at a very tranquil moment, indeed—there were no disorder at the polling places. That, indeed, would be objectionable.

Mr. COTTON. Mr. President, I understood the Senator from North Carolina asked unanimous consent to modify that provision.

Mr. HART. He has requested that. I am reserving the right to object, and I am commenting thereon.

Mr. ERVIN. Mr. President, I ask unanimous consent that I be permitted to modify my amendment so as to provide that, in addition to the original amendment, the word "shall" on line 24, page 5, of the substitute measure, as reprinted on May 17, 1965, be changed to the word "may."

The PRESIDING OFFICER. Is there objection?

Mr. HART. Mr. President, reserving the right to object, let me inquire further with respect to the proposed change.

What we seek to do in the leadership substitute is to have the District Court for the District of Columbia make certain determinations and findings, in substance, that the effect of the denial or abridgment of the right to vote has been effectively corrected by State or local action, and that there is no reasonable cause to believe that any test or device sought to be used would be used for a similar purpose.

If the language of the amendment, as proposed to be modified should be agreed to, I am not at all clear that the Attorney General himself would have to make as rigid a finding as we seek to require the court to make. Would the Senator from North Carolina care to comment on that?

Mr. ERVIN. Mr. President, the Attorney General would not have to make as strict a requirement. However, the requirement that the court would have to make is that one who has sinned in the past is not going to sin in the future. I would dislike to be put on that good behavior throughout all future time. I say to the Senator from Michigan that the Attorney General is the chief legal officer of the Government. The Attorney General would be the one who would present the Government's case to the court.

If the chief legal officer of the Government were to come to the conclusion that there is no violation going on, it seems to me he ought to be allowed to consent to the judgment, and not be compelled to prosecute a case when he does not think it ought to be prosecuted. This amendment would merely make it discretionary with him. He could take into consideration other factors in arriving at this discretion.

Mr. HART. Mr. President, again reserving the right to object, it should be perfectly clear that in the amendment offered by the Senator from North Carolina as he now proposes to modify it we are only advising the Attorney General that, if he believes that there is no misuse of test or device as of the specific time in question, he may consent, provided, however, it is fully recognized that Congress seeks to insure that courts shall have the power to determine whether the effect of the earlier denial has been corrected. The opportunity is given the court to determine whether there is reason to believe that further use of tests or devices shall not be discriminatorily applied. It is perfectly clear that the Attorney General, under the proposed modified amendment, is able to give consent to enter such judgment. It is required, nevertheless, that he shall not do so unless the concepts and objectives we seek to attain are included.

Mr. ERVIN. Mr. President, as has been suggested by the Senator from New Hampshire, it would be in the discretion of the Attorney General. If he had any reason to believe that there had been a violation of the 15th amendment which had not been corrected, the Attorney General could take that into consideration in exercising his discretion. I do not believe the Attorney General, under those circumstances, would exercise his discretion in favor of a consent judgment.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. DIRKSEN. Mr. President, I should like to inquire whether the modification has been made.

Mr. HART. No; I continue to reserve my right to object.

The PRESIDING OFFICER. That is the pending question.

Mr. HART. Mr. President, the proposed language, the proposed modification would do no more than what we assert the Attorney General's obligation and right would be.

May I inquire of the Senator from Illinois if he agrees that the modification would be acceptable?

Mr. DIRKSEN. I agree.

Mr. ERVIN. Therefore, Mr. President, I renew my unanimous-consent request that I be permitted to modify my amendment so that, in addition to the change in language in the amendment, the word "shall" on line 24, page 5, shall be changed to the word "may."

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the amendment is modified accordingly.

Mr. ERVIN. Mr. President, I ask unanimous consent that the order for the yeas and nays be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The question is on agreeing to the modified amendment of the Senator from North Carolina to the Mansfield-Dirksen substitute.

The amendment to the amendment, as modified, was agreed to.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I call up my amendments (No. 191) and ask the clerk to state it.

The PRESIDING OFFICER. The amendments will be stated.

The legislative clerk read the amendments (No. 191) to the substitute amendment of Senators MANSFIELD and DIRKSEN (No. 124) as amended, and modified, for the bill (S. 1564), as follows:

On page 4, line 24, insert the following proviso after the colon: "*Provided*, That upon motion of any State or political subdivision of any State embraced by the conditions enumerated in subsection (b), the District Court of the District of Columbia shall remove the action for a declaratory judgment for trial to the United States district court for the district in which the capital of the State is located or in which the political subdivision is situated if the District Court of the District of Columbia finds that such action on its part will promote the convenience of witnesses or the ends of justice;".

On page 4, line 25, insert the word "*further*" between the word "*Provided*" and the comma.

The PRESIDING OFFICER. The question is on agreeing to the amendments (No. 191) offered by the Senator from North Carolina.

Mr. ERVIN. Mr. President, I suggest the absence of a quorum, but before I do so——

The PRESIDING OFFICER. Does the Senator withhold his suggestion of the absence of a quorum?

Mr. ERVIN. Yes; for a moment.

UNIFORM POLICIES WITH RESPECT TO RECREATION AND FISH AND WILDLIFE

Mr. HART. Mr. President, I ask unanimous consent that the Chair lay before the Senate an amendment from the House of Representatives to S. 1229.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1229) to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes, which was, to strike out all after the enacting clause and insert:

That it is the policy of the Congress and the intent of this Act that (a) in investigating and planning any Federal navigation, flood control, reclamation, hydroelectric, or multiple-purpose water resource project, full consideration shall be given to the opportunities, if any, which the project affords for outdoor recreation and for fish and wildlife enhancement and that, wherever any such project can reasonably serve either or both of these purposes consistently with the provisions of this Act, it shall be constructed, operated, and maintained accordingly; (b) planning with respect to the development of the recreation potential of any such project shall be based on the coordination of the recreational use of the project area with the use of existing and planned Federal, State, or local public recreation developments; and (c) project construction agencies shall encourage non-Federal public bodies to administer project land and water areas for recreation and fish and wildlife enhancement purposes and operate, maintain, and replace facilities provided for those purposes unless such areas or facilities are included or proposed for inclusion within a national recreation area, or are appropriate for administration by a Federal agency as a part of the national forest system, as a part of the public lands classified for retention in Federal ownership, or in connection with an authorized Federal program for the conservation and development of fish and wildlife.

SEC. 2. (a) If, before authorization of a project, non-Federal public bodies indicate their intent in writing to agree to administer project land and water areas for recreation or fish and wildlife enhancement or for both of these purposes pursuant to the plan for the development of the project approved by the head of the agency having administrative jurisdiction over it and to bear not less than one-half the separable costs of the project allocated to either or both of said purposes, as the case may be, and all the costs of operation, maintenance, and replacement incurred therefor—

(1) the benefits of the project to said purpose or purposes shall be taken into account in determining the economic benefits of the project;

(2) costs shall be allocated to said purpose or purposes and to other purposes in a manner which will insure that all project purposes share equitably in the advantages of multiple-purpose construction: *Provided*, That the costs allocated to recreation or fish and wildlife enhancement shall not exceed the lesser of the benefits from those functions or the costs of providing recreation or fish and wildlife enhancement benefits of reasonably equivalent use and location by the least costly alternative means; and

(3) not more than one-half the separable costs and all the joint costs of the project allocated to recreation and fish and wildlife enhancement shall be borne by the United States and be nonreimbursable. Projects authorized during the calendar year 1965 may include recreation and fish and wildlife enhancement on the foregoing basis without the required indication of intent. Execution of an agreement as aforesaid shall be a prerequisite to commencement of construction of any project to which this subsection is applicable.

(b) The non-Federal share of the separable costs of the project allocated to recreation and fish and wildlife enhancement shall be borne by non-Federal interests, under either or both of the following methods as may be determined appropriate by the head of the Federal agency having jurisdiction over the project: (1) payment, or provision of lands, interests therein, or facilities for the project; or (2) repayment, with interest at a rate comparable to that for other interest-bearing functions of Federal water resource projects, within fifty years of first use of project recreation or fish and wildlife enhancement facilities: *Provided*, That the source of repayment may be limited to entrance and user fees or charges collected at the project by non-Federal interests if the fee schedule and the portion of fees dedicated to repayment are established on a basis calculated to achieve repayment as aforesaid and are made subject to review and renegotiation at intervals of not more than five years.

SEC. 3. (a) No facilities or project modifications which will furnish recreation or fish and wildlife enhancement benefits shall be provided in the absence of the indication of intent with respect thereto specified in subsection 2(a) of this Act unless (1) such facilities or modifications serve other project purposes and are justified thereby without regard to such incidental recreation or fish and wildlife enhancement benefits as they may have or (2) they are minimum facilities which are required for the public health and safety and are located at access points provided by roads existing at the time of project construction or constructed for the administration and management of the project. Calculation of the recreation and fish and wildlife enhancement benefits in any such case shall be based on the number of visitor days anticipated in the absence of recreation and fish and wildlife enhancement facilities or modifications except as hereinbefore provided and on the value per visitor-day of the project without such facilities or modifications. Project costs allocated to recreation and fish and wildlife enhancement on this basis shall be nonreimbursable.

(b) Notwithstanding the absence of an indication of intent as specified in subsection 2(a), lands may be provided in connection with project construction to preserve the recreation and fish and wildlife enhancement potential of the project.

(1) If non-Federal public bodies execute an agreement within ten years after initial operation of the project (which agreement shall provide that the non-Federal public bodies will administer project land and water areas for recreation or fish and wildlife enhancement or both pursuant to the plan for the development of the project approved by the head of the agency having administrative jurisdiction over it and will bear not less than one-half the costs of lands, facilities, and project modifications provided for either or both of those purposes, as the case may be, and all costs of operation, maintenance, and replacement attributable thereto), the remainder of the costs of lands, facilities, and project modifications provided pursuant to this paragraph shall be nonreimbursable. Such agreement and subsequent development, however, shall not be the basis for any reallocation of joint costs of the project to recreation or fish and wildlife enhancement.

(2) If, within ten years after initial operation of the project, there is not an executed agreement as specified in paragraph (1) of this subsection, the head of the agency having jurisdiction over the project may utilize the lands for any lawful purpose within the jurisdiction of his agency, or may transfer custody of the lands to another Federal agency for use for any lawful purpose within the jurisdiction of that agency, or may lease the lands to a non-Federal public body, or may transfer the lands to the Administrator of General Services for disposition in accordance with the surplus property laws of the United States. In no case shall the lands be used or made available for use for any purpose in conflict with the purposes for which the project was constructed, and in every case preference shall be given to uses which will preserve and promote the recreation and fish and wildlife enhancement potential of the project or, in the absence thereof, will not detract from that potential.

Sec. 4. At projects, the construction of which has commenced or been completed as of the effective date of this Act, where non-Federal public bodies agree to administer project land and water areas for recreation and fish and wildlife enhancement purposes and to bear the costs of operation, maintenance, and replacement of existing facilities serving those purposes, such facilities and appropriate project lands may be leased to non-Federal public bodies.

Sec. 5. Nothing herein shall be construed as preventing or discouraging post-authorization development of any project for recreation or fish and wildlife enhancement or both by non-Federal public bodies pursuant to agreement with the head of the Federal agency having jurisdiction over the project. Such development shall not be the basis for any allocation or reallocation of projects costs to recreation or fish and wildlife enhancement.

Sec. 6. (a) The views of the Secretary of the Interior developed in accordance with section 3 of the Act of May 28, 1963 (77 Stat. 49), with respect to the outdoor recreation aspects shall be set forth in any report on any project or appropriate unit thereof within the purview of this Act. Such views shall include a report on the extent to which the proposed recreation and fish and wildlife development conforms to and is in accord with the State comprehensive plan developed pursuant to subsection 5(d) of the Land and Water Conservation Act of 1965 (78 Stat. 897).

(b) The first proviso of subsection 2(d) of the Act of August 12, 1958 (72 Stat. 563; 16 U.S.C. 662(d)) is amended to read as follows: "*Provided*, That such cost attributable to the development and improvement of wildlife shall not extend beyond that necessary for (1) land acquisition, (2) facilities as specifically recommended in water resource project reports, (3) modification of the project, and (4) modification of project operations, but shall not include the operation of wildlife facilities." The second proviso of subsection 2(d) of said Act is hereby repealed.

(c) Expenditures for lands or interests in lands hereafter acquired by project construction agencies for the establishment of migratory waterfowl refuges recommended by the Secretary of the Interior at Federal water resource projects, when such lands or interests in land would not have been acquired but for the establishment of a migratory waterfowl refuge at the project, shall not exceed $28,000,000: *Provided*, That the aforementioned expenditure limitation in this subsection shall not apply to the costs of mitigating damages to migratory waterfowl caused by such water resources project.

(d) This Act shall not apply to the Tennessee Valley Authority, nor to projects constructed under authority of the Small Reclamation Projects Act, as amended, or under authority of the Watershed Protection and Flood Prevention Act, as amended.

(e) Sections 2, 3, 4, and 5 of this Act shall not apply to nonreservoir local flood control projects, beach erosion control projects, small boat harbor projects, hurricane protection projects, or to project areas or facilities, authorized by law for inclusion within a national recreation area or appropriate for administration by a Federal agency as a part of the national forest system, as a part of the public lands classified for retention in Federal ownership, or in connection with an authorized Federal program for the conservation and development of fish and wildlife.

(f) As used in this Act, the term "nonreimbursable" shall not be construed to prohibit the imposition of entrance, admission, and other recreation user fees or charges.

(g) Subsection 6(a)(2) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) shall not apply to costs allocated to recreation and fish and wildlife enhancement which are borne by the United States as a nonreimbursable project cost pursuant to subsection 2(a) or subsection 3(b)(1) of this Act.

(h) All payments and repayment by non-Federal public bodies under the provisions of this Act, and revenue from the conveyance by deed, lease, or otherwise, of lands under subsection 3(b)(2) of this Act, shall be deposited in the Treasury as miscellaneous receipts.

Sec. 7. (a) The Secretary of the Interior is authorized as a part of any water resource development project under his control heretofore or hereafter authorized or reauthorized, except projects or areas within national wildlife refuges, to investigate, plan, construct, operate, and maintain or otherwise provide for public outdoor recreation and fish and wildlife enhancement facilities, to acquire or otherwise to include within the project area such adjacent lands or interests therein as are necessary for present or future public recreation or fish and wildlife use, to provide for the public use and enjoyment of project lands, facilities, and water areas in a manner coordinated with the other project purposes, and at projects hereafter authorized or reauthorized, to allocate water and reservoir capacity to recreation and fish and wildlife enhancement: *Provided*, That no appropriation shall be made for the construction of recreation or fish and wildlife facilities or the acquisition of land for such purposes at existing projects, which construction or acquisition has not heretofore been authorized by law, prior to the expiration of sixty calendar days (which sixty days, however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days) from the date on which the Secretary submits to the Congress a report thereon and then only if, within said sixty days, neither the House nor the Senate Committee on Interior and Insular Affairs disapproves such plan. Lands, facilities, and project modifications may be provided in accordance with subsection 3(b), hereof, at projects heretofore authorized.

(b) The Secretary of the Interior is authorized to enter into agreements with Federal agencies or State or local public bodies for the administration of project land and water areas and the operation, maintenance, and replacement of facilities and to transfer project lands or facilities to Federal agencies or State or local public bodies by lease agreement or exchange upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation and fish and wildlife enhancement purposes.

(c) No lands under the jurisdiction of any other Federal agency may be included for or devoted to recreation or fish and wildlife purposes under the authority of this section without the consent of the head of such agency; and the head of any such agency is authorized to transfer any such lands to the jurisdiction of the Secretary of the Interior for purposes of this section. The Secretary of the Interior is authorized to transfer jurisdiction over project lands within or adjacent to the exterior boundaries of national forests and facilities thereon to the Secretary of Agriculture for recreation and other national forest system purposes; and such transfer shall be made in each case in which the project reservoir area is located wholly within the exterior boundaries of a national forest unless the Secretaries of Agriculture and Interior jointly determine otherwise. Where any project lands are transferred hereunder to the jurisdiction of the Secretary of Agriculture, the lands involved shall become national forest lands: *Provided*, That the lands and waters within the flow lines of any reservoir or otherwise needed or used for the operation of the project for other purposes shall continue to be administered by the Secretary of the Interior to the extent he determines to be necessary for such operation. Nothing herein shall limit the authority of the Secretary of the Interior granted by existing provisions of law relating to recreation or fish and wildlife development in connection with water resource projects or to disposition of public lands for such purposes.

Sec. 8. Nothing contained in this Act shall be taken to authorize or to sanction the construction under the Federal reclamation laws or under any Rivers and Harbors or Flood Control Act of any project in which the sum of the allocations to recreation and fish and wildlife enhancement exceeds the sum of the allocations to irrigation, hydroelectric power, municipal, domestic and industrial water supply, navigation, and flood control.

Sec. 9. As used in this Act—

(a) The term "project" shall mean a project or any appropriate unit thereof.

(b) The term "separable costs," as applied to any project purpose, means the difference between the capital cost of the entire multiple-purpose project and the capital cost of the project with the purpose omitted.

(c) The term "joint costs" means the difference between the capital cost of the entire multiple-purpose project and the sum of the separable costs for all project purposes.

(d) The term "capital cost" includes interest during construction, wherever appropriate.

Sec. 10. Section 2, subsection (a) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) is hereby amended by striking out the words "notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury:" and inserting in lieu thereof the words "notwithstanding any other provision of law:" and by striking out the words "or any provision of law that provides that any fees or charges collected at particular Federal areas shall be used for or credited to specific purposes or special funds as authorized by that provision of law" and inserting in lieu thereof "or affect any contract heretofore entered into by the United States that provides that such revenues collected at particular Federal areas shall be credited to specific purposes".

Sec. 11. This Act may be cited as the "Federal Water Project Recreation Act".

Mr. HART. Mr. President, I move that the Senate disagree to the amendment of the House and request a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Jackson, Mr. Bible, Mr. Burdick, Mr. Kuchel, and Mr. Allott conferees on the part of the Senate.

Mr. ERVIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF SECTION 316 OF THE AGRICULTURAL ADJUSTMENT ACT OF 1938

Mr. ELLENDER. Mr. President, there was sent from the House, House Joint

Resolution No. 436, and I ask unanimous consent that the House joint resolution be considered and that we dispense with sending it to the Committee on Agriculture and Forestry. The matter has been cleared on both sides of the aisle. The joint resolution would extend the time within which 1965 tobacco allotment leases can be filed with the county committee until 20 days after enactment of the joint resolution. We have done this several times before. The law requires that in order to be valid a tobacco allotment lease must be filed with the county committee before a certain date prior to normal planting time. A few farmers have entered into leases which are in accordance with the law in every way, except that they were not filed with the county committee in time. This resolution would give these farmers an additional 20 days after its enactment to file their leases.

I understand there is no objection to it, and I ask unanimous consent that the joint resolution be considered.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H.J. Res. 436) to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed, in which it requested the concurrence of the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which was read twice by its title, ordered to a third reading, read the third time, and passed.

EXCISE TAX EXEMPTION FOR NEW HAMPSHIRE SWEEPSTAKES

Mr. McINTYRE. Mr. President, it is my understanding that in the next few days the House Ways and Means Committee will report a bill to reduce excise taxes.

I also understand that the Senate Finance Committee does not intend to hold hearings on the bill when it reaches the Senate.

I will support the excise tax reduction bill, which will follow President Johnson's message on this subject. The reductions called for by the President are long overdue, and President Johnson has my full support for his request.

Nevertheless, both the President's message and the bill to be reported in the House are greviously deficient in one respect. Under both the message and the bill, the Treasury will still continue to levy the single most unfair, most unreasonable excise tax ever devised; namely, the tax on receipts of the State of New Hampshire's program to raise public school assistance funds by the New Hampshire Sweepstakes.

To the best of my knowledge, no other State in the Union is forced to pay taxes on the money which it raises for its public schools. What makes this tax especially objectionable is the fact that it was not imposed by Congress as a tax on State efforts to raise funds for education, but as a tax on private wagering operations.

Furthermore, the wagering tax imposed by chapter 35 of the Internal Revenue Code does not apply to wagering at parimutuel races, lotteries held in private gambling casinos, or lotteries held by many tax-exempt corporations. Nevertheless, the Treasury claims that it does apply to the State of New Hampshire in the operation of the sweepstakes designed to provide funds for the operation of public schools.

Mr. President, I intend to press for the adoption of my amendment. I intend to take the floor of the Senate often in the weeks to come to describe the compelling reasons for exempting the New Hampshire Sweepstakes from the operation of chapter 35 of the Internal Revenue Code.

Mr. President, I ask unanimous consent to have the operative language of my amendment printed in the RECORD.

There being no objection, the language was ordered to be printed in the RECORD, as follows:

(a) Section 4402 of the Internal Revenue Code of 1954 (relating to exemptions from the tax on wagers) is amended by striking out "and" at the end of paragraph (1), by striking out the period at the end of paragraph (2) and inserting ", or", and by adding at the end thereof the following new paragraph:

"(3) STATE-CONDUCTED SWEEPSTAKES.—On any wager placed in a sweepstakes, wagering pool, or lottery—

"(A) which is conducted by an agency of a State acting under authority of State law, and

"(B) the ultimate winners in which are determined by the result of a horserace.

but only if such wager is placed with the State agency conducting such sweepstakes, wagering pool, or lottery, or with its authorized employees or agents."

(b) The amendment made by subsection (a) shall apply with respect to wagers placed after March 10, 1964.

SUMMARY OF MEDICARE TESTIMONY, MAY 3

Mr. HARTKE. Mr. President, yesterday the Finance Committee completed its public hearings on H.R. 6675, the medicare bill. Each day beginning with May 4 I have offered for publication in the RECORD a short summary of main points of each witness' testimony, completely unofficial and prepared by my staff. I trust that this has been a useful service in connection with this most important legislation.

In order to complete the record of testimony by public witnesses, I ask unanimous consent that there may appear such a summary in the RECORD of the May 3 hearing, which was not published at the time.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

The Honorable Aime J. Forand, former Congressman from Rhode Island, now living in Bethesda, Md. As author of the Forand bill providing a program similar in aim to the present bill (H.R. 9467, 85th Congress; H.R. 4700, 86th Congress), gave full support and encouraged passage. Favors inclusion of radiologists, etc., in hospital coverage; would reduce inpatient deductible from $40 to $20.

Department of Social Security, AFL-CIO, Nelson H. Crukshank, director:

1. Considers this "the most far-reaching proposals for the improvement of the economic security of American families through the mechanism of Social Security since the enactment of the original program 30 years ago." "Wholeheartedly supports," urges "speedy and favorable consideration."

2. Supports inclusion of radiologists, anesthesiologists, etc. in the basic hospital portion of the plan, instead of the voluntary portion.

3. Supports inclusion of tips as taxable earnings under Social Security.

4. Improvements in Social Security needed (but not recommended for inclusion in the bill) include: (1) adding additional drop-out years in computing average wage; (2) increasing widow's benefit to equal primary insurance amount; (3) general increase greater than the bill's 7 percent.

Chamber of Commerce of the United States, Karl T. Schlotterbeck, manager economic security department.

1. Chamber endorses: (1) cost-of-living benefit increase of 7 percent; (2) "transitional" old age benefits but would favor regular $44 minimum instead of $35; (3) extension of coverage to physicians—would favor including "all non-covered occupations and groups, both employed and the self-employed"; (4) approves increased tax rate for financing.

2. Opposes following provisions as unsound or not needed: (1) widows' benefits at 60; (2) easing of restrictions on work by the retired; (3) change in definition of disability.

3. Approve consolidation of public assistance vendor payments, but oppose additional Federal financial support.

4. Hospital benefits objective "can best be met through existing social security cash benefits program," rather than new service program.

5. Lack of a means test in the supplemental benefits program, while using General Treasury funds, "is unsound and should be rejected."

Council of State Chambers of Commerce, Leslie J. Dikovics, chairman, social security committee (31 State chamber organizations in council):

1. Oppose principle of providing services rather than cash benefits. Hospital and supplementary benefit provisions are "unnecessary and unwise."

2. "We urge you to reject the proposal to expand the taxable wage base," prefer increase in tax rates.

3. Disability definition (sec. 303) should be removed; State workmen's compensation offset removed in 1958 should be restored.

National Social Welfare Assembly, Philip Bernstein, chairman, committee on social issues and policies, speaking for 18 organizations and more than 30 welfare leaders:

1. Urge "early favorable action" for this "landmark measure."

2. Specialty services (radiology, etc.) should be restored to hospital benefits.

3. "Strongly urge the elimination of all deductibles."

International Brotherhood of Teamsters, Sidney Zagri, legislative counsel:

1. To prevent bilking practices prevalent under private insurance (unneeded operations, high fees, etc.), recommend:

(a) Costs and fees should be exclusive jurisdiction of HEW Secretary, to be delegated only to public agency authority.

(b) All fees should be on prevailing rates basis.

(c) No reimbursement to doctor unless he certifies his bill covers total charge.

(d) Fixed fee should be established for doctor certification of patient to a hospital, nursing home, or home care.

(e) Utilization review committees should be comprised of doctors outside of the hospital.

2. Sixty percent of all senior citizens have less than $1,000 annual income. For all with under $1,000, the deductions should be eliminated and full, instead of 80 percent reimbursement provided under voluntary plan.

3. Payment of radiologists, anesthesiologists, etc., should be under the hospital rather than supplementary benefits.

4. Supports Hartke drug stamp plan amendment.

ASSISTANCE TO CERTAIN STATES FOR RECONSTRUCTION OF AREAS DAMAGED BY RECENT FLOODS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 327) to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters which were, to strike out all after the enacting clause and insert:

That Congress hereby recognizes (1) that the States of California, Oregon, Washington, Nevada, and Idaho have experienced extensive property loss and damage as the result of floods and high waters during December 1964, and January and February 1965, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent on prompt restoration of transportation facilities, and therefore Congress declares the need for special measures designed to aid and accelerate those States in their efforts to provide for the reconstruction of devastated areas.

SEC. 2. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, in addition to the amounts authorized in section 125 of title 23 of the United States Code, not to exceed $50,000,000 for the fiscal year ending June 30, 1965, and not to exceed $20,000,000 for the fiscal year ending June 30, 1966. Such sums shall be obligated and expended by the Secretary of Commerce in accordance with such section 125, and related provisions of title 23 of the United States Code for the repair and reconstruction of highways, roads, and trails, damaged as the result of a disaster.

SEC. 3. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, and as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by the respective Secretary as incurred or to be incurred for restoring roads in any stage of construction authorized by a contract for the purchase of timber from lands under his jurisdiction to substantially the same condition as existed prior to the damage resulting from the floods of December 1964, and January and February of 1965 in California, Oregon, Washington, Nevada, and Idaho, and to the extent costs determined by the respective Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to the floods but which, because of changed conditions resulting from the floods, exceed road construction costs as originally determined by the respective Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to the floods, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than $4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (1) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than $500, and (2) in the case of any road construction if the increase in the cost of such construction as the result of the floods is less than $500 more than the construction costs as originally determined by the respective Secretary.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) Paragraph (3) of section 2 of the Federal-Aid Highway Act of 1964 is amended to read as follows:

"(3) For forest development roads and trails, $123,000,000 for the fiscal year ending June 30, 1966, of which not to exceed $38,000,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, Nevada, and Idaho, necessary because of the floods and high waters in such States during December 1964, and January and February 1965, and $85,000,000 for the fiscal year ending June 30, 1967."

(d) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California, Oregon, Washington, Nevada, and Idaho damaged by floods or high waters during December 1964, and January and February 1965.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California, Oregon, Washington, Nevada, and Idaho, as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from floods and high waters during December 1964, and January and February 1965.

SEC. 5. (a) The President, acting through the Office of Emergency Planning, shall make a survey to determine what protective works would be necessary to prevent the recurrence of damage by floods or high waters to those banks of the Eel River, California, which are adjacent to the trackage of any common carrier by railroad and shall report to Congress the results of such survey together with the cost of any recommended work within sixty days after the date of enactment of this Act. The President, acting through the Office of Emergency Planning, is authorized to perform all or any part of the recommended work determined to be in the public interest and to reimburse any common carrier for any of such recommended work performed by such carrier, but no appropriation shall be made for any such work which has not been approved before June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and the House of Representatives, respectively. The Corps of Engineers of the United States Army shall be used to make the survey authorized by this section, shall recommend necessary work that has been determined by the President acting through the Office of Emergency Planning to be in the public interest, and shall be used to supervise any work authorized to be performed under this section.

(b) There is authorized to be appropriated not to exceed $3,875,000 to carry out this section.

SEC. 6. Loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)) for the purpose of replacing, reconstructing, or repairing dwellings in California, Oregon, Washington, Nevada, and Idaho, damaged or destroyed by the floods and high waters of December 1964, and January and February 1965, may have a maturity of up to thirty years, except that section 7(c) of such Act shall not apply to such loans.

SEC. 7. This Act, other than section 5 and the amendment made by section 3(c), shall not be in effect after June 30, 1966, except with respect to payment of expenditures for obligations and commitments entered into under this Act on or before such date.

SEC. 8. This Act may be cited as the "Pacific Northwest Disaster Relief Act of 1965".

And to amend the title so as to read: "An Act to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters."

Mr. KUCHEL. Mr. President, I move that the Senate concur in the House amendments. This legislation was originally introduced in the Senate by my able friend the senior Senator from Oregon [Mr. MORSE]; and joining him, of course was the junior Senator from Oregon [Mrs. NEUBERGER].

While I am not a co-author, I completely support the legislation which the two Senators from Oregon have placed before the Senate, because it constitutes an attempt to have the Federal Government be of some assistance with respect to those citizens whose property was damaged in the floods which ravaged our States last year.

Mr. MORSE. Mr. President, this is the Morse-Neuberger flood relief bill as it relates to access roads, and seeks to bring some relief to the workers in our State and to the lumber industry in instances in which the floods washed out roads and made it impossible to bring the logs to the mills and in many instances washed out access roads in the process of completion.

I thank the Senator from California [Mr. KUCHEL] very much because we had his complete support for the bill.

The bill involves some of the problems existing in northern California. On the House side Representative JOHNSON of California took a leadership role with regard to the objectives of the bill.

Although there will be those in my State who will not be happy to hear me say it, they must know that the two Senators from Oregon have an obligation to make the best adjustments in the differences that can be worked out in the legislative field.

The bill now contains an amendment, added in the House, known as the $500 ceiling amendment. If a repair does not cost more than $500, it must be borne by the person who has suffered the loss. That means nothing to the big companies, but it can mean a great deal to the small operator. We have a good many small operators who operate portable mills and small mills. I cannot object to the passage of the bill because it contains the $500 limitation.

I urge the Senate to concur in the House amendments, although I sought not to have the $500 limitation placed in it.

The bill also calls for a 2-year authorization. This is another House amendment. The Morse-Neuberger bill sought to provide that money should be appropriated for the period of time necessary to make repairs. On the other hand, I may say to my constituents, the 2-year authorization does not mean that if the money cannot be spent during the period of time for which it is appropriated, the two Senators from Oregon will not urge that there be a further authorization and appropriation to finally rectify, to the extent we can by way of appropriations, the damage that has been done.

Mr. President, although I would have preferred that the two House amendments were not added to the bill, I join the Senator from California—and I know I speak for my colleague [Mrs. NEUBERGER]—in urging that the Senate concur in the House amendments. I notify my constituents that we shall watch over this operation. If this action proves to be insufficient, we shall at a later date urge additional authorizations and additional appropriations.

I thank the Senator from California, who is a member of the committee, for extending to us the legislative courtesy and service of raising this question this afternoon, so that we can now complete action on the bill.

Mr. KUCHEL. I thank my friend from Oregon. I join him in the sentiments he has echoed. If additional legislation is necessary, I shall follow his leadership in this field.

I move that the House amendments be concurred in.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to.

(Mr. THURMOND obtained the floor.)

Mr. THURMOND. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Virginia, with the understanding that I do not lose my right to the floor.

The PRESIDING OFFICER. Without objection, the Senator from Virginia may proceed.

PROPOSED MINTING OF 45 MILLION SILVER DOLLARS

Mr. ROBERTSON. Mr. President, I share the concern expressed in the House on yesterday by a distinguished Member from Massachusetts over the proposal of the Bureau of the Mint to mint 45 million silver dollars, at an estimated cost of $600,000. It became apparent last year that we could not continue indefinitely to put as much silver in our coins as we have in the past, because the three-fourths of an ounce of silver in a silver dollar at $1.29 plus per ounce for silver is costing the Government $1 for each silver dollar plus at least 3 cents to mint it and yet it will sell for only $1. So, notwithstanding the action at the last session of the Congress to authorize the minting of 45 million silver dollars, the minting of those dollars was delayed for two reasons:

First, there was an acute shortage of small coins which are the principal medium of exchange, even in the Rocky Mountain States, which insist also upon silver dollars, and second, the Treasury Department did not wish to mint any additional silver dollars until Congress had passed a law with respect to what percent of silver, if any, would be in our future coins. The shortage of small coins has been only partially met, notwithstanding a tremendous step-up in production, and for reasons which have not yet been made public, the Treasury has been unable to recommend a new basis of metal for our metal coins, although such a report had been expected by the Senate Banking and Currency Committee at least 2 months ago.

The bill introduced in the Senate on yesterday to help protect the new coins from the greedy grab of speculators, providing that the new silver dollars should be dated "1922" and should not bear any mark or inscription indicating the mint of coinage, will not be adequate to protect us from the complete withdrawal from circulation of the entire 45 million silver dollars by speculators and by coin collectors. Prior to 1935 we issued about 500 million silver dollars. Most of those made available to the public have disappeared from circulation. Only 3 million remain in the hands of the Government and they have a high collector's value. Barely 2 months ago, the former Secretary of the Treasury, Mr. Dillon, testified before a House committee:

> I am certain that if these new coins were issued, even though we would distribute them only in the Western States and particularly in the areas where they are used, they would go into the hands of speculators and coin collectors immediately and wouldn't be in circulation more than 20 minutes.

Mr. President, I have had no adequate opportunity to maturely consider this proposal and to come up with the best solution, but one thing is sure, when the Congress last year authorized the minting of 45 million silver dollars, many Senators definitely contemplated that those new dollars would not contain 90 percent of silver which would make the new dollar worth more for bullion than it would for currency. As a possible solution of this difficult issue, I would be willing to recommend to the full Senate Appropriations Committee, when it meets possibly next week to mark up the Treasury-Post Office bill, that we continue to make available in the new fiscal year the $600,000 previously appropriated to cover the cost of minting 45 million new dollars to give the Treasury time, first, to decide on the amount of silver, if any, for future use in our coins and the Congress time to enact that recommendation into law.

At the present time, we are using 312 million ounces of silver in our coins without minting silver dollars, which is more than the total world production of silver; the domestic production of silver is only 37 million ounces a year, the 45 million new silver dollars would consume all of that and our entire silver will be exhausted in the matter of a few years unless we take action to reduce its consumption for coinage purposes.

Mr. President, I thank the Senator from South Carolina for yielding to me. I have discussed this subject with him. He is very much interested in it. It is something on which I shall need his help in order to take action at the appropriate time.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. THURMOND. Mr. President, the impression appears to be prevalent both here in the Senate and in much of the national press that the principal constitutional issue evoked by S. 1564 is that posed by efforts to strike down the poll tax as a prerequisite to voting in State and local elections. Any provisions passed by Congress which purported to strike down the poll tax by statute as a prerequisite to voting in State and local elections would, of course, be unconstitutional, and the Congress recognized that fact when it proposed a constitutional amendment to eliminate the poll tax as a prerequisite to vote in national elections.

The provision with reference to the poll tax, however, is by no means the only, and not even the most flagrant, violation of the Constitution embodied in the proposed Voting Rights Act of 1965. There are at least 12 ways in which the provisions of S. 1564, exclusive of those bearing on the poll tax issue, conflict with the provisions of the Constitution.

First, S. 1564 violates the Constitution in that it purports by an act of Congress, under authority of the 15th amendment, to nullify voter qualifications established by the States which are not in conflict with the 15th amendment.

The principal "tests or device" imposed by States as a prerequisite to voting which it is the purpose of the bill to nullify are literacy tests. The 15th amendment did not invalidate the imposition by States of literacy as a prerequisite to voting.

The Supreme Court as late as 1959 in the case of *Lassiter* v. *North Hampton County Board of Elections*, 360 U.S. 45, held that literacy test requirements by the States were constitutionally valid. The Court stated:

> Literacy and illiteracy are neutral on race, creed, color, and sex, as reports around the world show.

Second, S. 1564 violates the Constitution in that it would substitute voter qualifications determined by Congress in place of voter qualifications established by the State, despite the fact that the Constitution vests the sole power to establish qualifications of electors in the States.

Section 3(a) would invalidate certain types of voter qualifications established by the States. Under the provisions of section 6, Federal examiners would be appointed; and under the provisions of section 8, voter qualifications would be determined by the Civil Service Commission after consultation with the Attorney General.

The power to establish voter qualifications is vested exclusively in the States.

Section 2 of article I of the Constitution provides:

> The electors in each State shall have the qualifications prerequisite for electors of the most numerous branch of the State legislature.

This provision was not modified by the 15th amendment, as evidenced by the fact that the identical language was repeated in the 17th amendment which deals with election of Senators.

The entire import of the 15th amendment was summarized by the Supreme Court in *Pope* v. *Williams*, 193 U.S. 621, in the following language:

> Since the 15th amendment, the whole control of suffrage and the power to regulate its exercise is still left with and retained by the several States, with the single restriction that they must not deny or abridge it on account of race, color, or previous condition of servitude.

Third, S. 1564 violates the Constitution in that it embodies an attempt by Congress purportedly enacted under the authority of the 15th amendment of the Constitution to enfranchise persons not qualified to vote under State law, although the 15th amendment does not vest authority in Congress to enfranchise any person ineligible to vote under State law.

The effect of the bill would be to enfranchise persons now unqualified under State requirements for voting. For instance, persons now ineligible to vote because of illiteracy would be extended the ballot under the provisions of this bill. The Congress has no such power.

In *Reese* v. *United States*, 92 U.S. 214, the Supreme Court stated:

> The 15th amendment does not confer the right of suffrage on anyone. It prevents the States or the United States, however, from giving preference to any one citizen of the United States over another on account of race, color, or previous condition of servitude.
>
> The power of Congress to legislate at all upon the subject of voting at State elections rests upon this amendment, and can be exercised by providing a punishment only when the wrongful refusal to receive the vote of a qualified elector at such election is because of his race, color, or previous condition of servitude.

Fourth, S. 1564 violates the Constitution in that it would establish an inequality of powers among the States.

The bill would nullify voting qualifications such as literacy requirements in certain of the States which fall within certain prescribed statistical formulas while leaving unimpaired the authority of other States to impose such voting requirements.

In the case of *Coyle* v. *Smith*, 221 U.S. 559, the Supreme Court stated:

> This Union was and is a Union of States, equal in power, dignity, and authority, each competent to exert that residuum of sovereignty not delegated to the United States by the Constitution itself.
>
> To this we may add that the constitutional equality of the States is essential to the harmonious operation of the scheme upon which the Republic was organized. When that equality disappears, we may remain a free people, but the Union will not be the Union of the Constitution.

Fifth, S. 1564 violates the provisions of section 2, article IV, guaranteeing equal privileges and immunities to the citizens of the several States by depriving the citizens of certain statistically selected States of the constitutional privilege of setting qualifications for electors.

Section 2 of article IV of the Constitution provides:

> The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

By invalidating and nullifying the privilege of the citizens of certain States to set qualifications for electors, the bill would deprive the citizens of certain States of privileges protected by the Constitution and which would remain in force with regard to citizens of other States.

Sixth, S. 1564 constitutes a bill of attainder in violation of clause 3, section 9, article I, of the Constitution.

Article I, section 9, clause 3, of the Constitution provides that:

> No Bill of Attainder or ex post facto Law shall be passed.

The Supreme Court, in *Cummings* v. *Missouri*, 71 U.S. 277, defined a bill of attainder as follows:

> A bill of attainder is a legislative act, which inflicts punishment without a judicial trial. * * * These bills * * * may be directed against * * * a whole class.
>
> Punishment * * * embraces deprivation or suspension of political or civil rights.

In describing bills of attainder, the Court, in the same case said:

> The legislative body in addition to its legitimate function, exercises the power and office of judge. * * * It pronounces the guilt of the party, without any of the forms of safeguards of trial; it determines the sufficiency of the proof produced. * * * It fixes the degree of punishment in accordance with its own notions of the enormity of the offense.

The bill convicts the citizens of certain States of violations of the 15th amendment to the Constitution without a trial, or any of its safeguards.

The Congress would by this bill determine the sufficiency of proof of guilt by the imposition of a statistical formula, rather than by proof of actual fact.

The punishment imposed is the deprivation from the selected States of the political right to fix qualifications for voters.

Seventh, S. 1564 constitutes an ex post facto law in violation of clause 3, section 9, article I, of the Constitution.

The bill would impose a punishment—deprivation of the political right to fix qualifications for electors—on the citizens of those States or political subdivisions in which less than 50 percent of the voting age population registered or voted in November 1964.

Punishment is inflicted for the failure to vote the set percentage. When the act of not voting in sufficient numbers was committed in November 1964, the act did not constitute a punishable offense.

This bill, by making action committed in November 1964 punishable, which was not punishable when committed, constitutes an ex post facto law.

Eighth, S. 1564 violates the due process requirements of the fifth amendment as well as the privileges and immunities provisions of article IV, section 2, by attempting to establish a classification on an irrebuttable presumption.

The bill establishes an irrebuttable presumption that when less than 50 percent of the voting age population either was not registered or did not vote in the November 1964 election, in States or subdivisions in which more than 20 percent of the population by the 1960 census was nonwhite, that there have been and are violations of the 15th amendment.

In *McLaughlin* v. *Florida*, 13 L. Ed. 2d 675, the Supreme Court stated:

> Classification must always rest upon some difference which bears a reasonable and just relation to the act in respect to which the classification is proposed, and can never be made arbitrarily and without any such basis * * * arbitrary selection can never be justified by calling it classification.

In *Heiner* v. *Donnan*, 285 U.S. 312, the Court held that a classification could not be based upon conclusive presumption.

Ninth, S. 1564 violates the due process provisions of the 15th amendment, withdraws rights and privileges without affording the right to a hearing.

Under section 3(a) of the bill, legally imposed voting qualification requirements imposed by the citizens of certain States would be invalidated and the right of the citizens of those States to fix voter qualifications withdrawn upon specified certification of statistical information by the Attorney General and/or the Director of Census. The States and subdivisions affected, and the citizens thereof, would have no opportunity for a hearing before the imposition of the penalty.

In *Garfield* v. *United States*, 211 U.S. 219, the Supreme Court stated:

> The right to be heard before property is taken or rights or privileges withdrawn which have been previously awarded is of the essence of due process of law. It is unnecessary to recite the decisions in which this principle has been repeatedly recognized. It is enough to say that its binding obligation has never been questioned in this Court.

Tenth, S. 1564 violates the due process provisions of the fifth amendment because it is lacking in the requisite precision required of statutes which affect the basic freedoms.

Section 3(a) of the bill purports in certain selected States and subdivisions to invalidate and suspend powers reserved to the citizens of the several States; namely, the power to establish voter qualifications which do not discriminate on account of race, color, or sex.

The power to establish voter qualifications was specifically reserved to the States and to the people of the States by the 10th amendment, and a more basic freedom is hard to imagine.

In *Aptheker* v. *Secretary of State*, 84 S. Ct. 1668, the Supreme Court held that "precision must be the touchstone or legislation so affecting basic freedoms."

Section 3(a) is so ambiguous as to completely fail this test.

This section purports to invalidate the application of "tests or devices" only in those States or political subdivisions in which less than 50 percent of the persons of voting age either were registered or voted in the elections of November 1964.

The ambiguity is illustrated by the following question. In a State in which less than 50 percent of the persons of voting age voted in November 1964, and in which the nonwhite population was more than 20 percent of the total population according to the 1960 census, would the use and enforcement of literacy tests be invalidated in a county within the State in which less than 20 percent of the total population was nonwhite and in which county more than 50 percent of the persons of voting age voted in the presidential election of 1964?

The ambiguity is apparently intentional, for the consequences of precision on this point would be fatal to the constitutional issues of the bill.

Eleventh, S. 1564 violates the due process provisions of the fifth amendment in that it flouts the due process requirement of presumption of innocence until proven guilty.

One of the most fundamental elements of due process is the presumption of innocence until there is proof of guilt.

Under the bill, the people of those States and political subdivisions which fall within the selective formula of section 3(a) would be presumed guilty of the 15th amendment violations until the accused initiate an action in court to prove their innocence.

To escape the punishment prescribed by the act, States and subdivisions would be required to initiate an action in which they would have to carry the burden of proof of their innocence.

Twelfth, S. 1564 violates the Constitution by imposing a prior restraint on a prima facie lawful and constitutional act of State legislatures.

The bill would impose a prior restraint on the legislative act of selected States which touched the field of voting qualifications or procedures. The bill would prohibit the enforcement of such State legislative acts until the Attorney General or a specified court, in an action initiated by the State, held such acts to be constitutional.

The Congress does not have the power to restrict the authority of State legislatures, as the only restricting power is in the Constitution, itself.

In Butler against Thompson, affirmed by the Supreme Court, 241 U.S. 937, the Court had before it an act of Congress which was subject to an interpretation that it purported to prohibit the State of Virginia from changing its constitution with regard to certain aspects of its poll tax. The Court, in rejecting such a construction of the act, said:

> This act does not attempt to place Virginia in a straitjacket so far as the election laws of Virginia are concerned. If the act made that attempt, the act would be invalid.

S. 1564 does attempt to put selected States in a straitjacket insofar as their election laws are concerned, and is therefore invalid.

CONCLUSION

Mr. President, last week the Senate rejected an amendment on the grounds that it would violate the Constitution. In view of the manifold unconstitutional aspects of the provisions remaining in the bill, one can only conclude that the Senate has resolved to strain at a gnat and swallow the camel. Be assured, however, if the Senate insists on following this course that the indigestion which results will be of a major magnitude.

THE DOMINICAN REPUBLIC CRISIS

Mr. MORSE. Mr. President, as chairman of the Subcommittee on American Republics Affairs of the Committee on Foreign Relations, I have withheld any extensive comment on the Dominican Republic crisis until I felt that I had at least been sufficiently briefed so that I had a set of facts that would justify my making some judgments.

The members of the subcommittee have done their best to inform themselves in regard to developments in the Dominican Republic since the President of the United States sent in the first marines to evacuate American nationals. We have asked for briefings, and we have sought the facts; but I am not in a position this afternoon to say that we are fully apprised of the events that have occurred in Latin America in respect to American activities there. However, I feel not only that I have analyzed a sufficient body of information and evidence to justify my presenting these observations this afternoon, but also that I have a clear duty and trust to perform in so doing as chairman of the subcommittee.

We are getting a great deal of information from the press. And as is the case so frequently in recent years, the press accounts of what is going on in the Dominican Republic are quite at variance with what we are told in the official briefings.

I desire to have the Senate know that whenever any facts can be presented to me or to my subcommittee that would warrant my forming other opinions and expressing other views, I shall not hesitate to do so.

At the present time, there is disturbing news from the Dominican Republic, as we read it in the press this morning, under the headline, as the Washington Post puts it, "U.S. Troops Aid Junta As Rebels Lose Ground."

Mr. President, I ask unanimous consent that the story published in the Washington Post be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. BAYH in the chair). Without objection, it is so ordered.

(See exhibit No. 1.)

Mr. MORSE. Mr. President, the American people, the Organization of American States—and, indeed, the whole hemisphere—have been repeatedly assured that U.S. troops are not in the Dominican Republic to impose our will, but merely to maintain order until the Dominicans themselves can construct a government. However, the story published in the press this morning is not the first piece of evidence that U.S. troops have been more neutral on the side of the military junta.

The record will show that the day on which the President of the United States sent marines into the Dominican Republic I spoke on the floor of the Senate and pointed out that under our international law the President had the right—and, I believe, in view of the circumstances existing—the clear duty, to send American troops into the Dominican Republic for the limited purpose of evacuating American nationals and the nationals of other countries who wished to associate themselves with the evacuation.

I made that statement because we are already receiving criticism over the wires—some of it bitter—from Latin-American leaders in Chile, Colombia, Venezuela, Argentina, Peru, and other Latin-American countries protesting what they call a return to the Marine intervention policies of the United States from times past when our foreign policy was branded derisively throughout Latin America as gunboat diplomacy.

I said on the floor of the Senate that afternoon that I would like to assume that the criticisms that were so soon emanating from Latin America were made by Latin American allies who had not been informed, as the President had been informed, by the military junta that it could no longer give the assurance of protection to American nationals and the nationals of other countries. The criticism that was coming over the wires from Latin America used a fighting word in Latin America, in which the criticism of the United States is very often framed and phrased—the word "intervention."

We all know the sensitivity of Latin Americans in regard to U.S. intervention. We have some black and sorry and bloody chapters in American history in regard to our policies in Latin America. We have nothing to be proud of concerning some of our so-called legitimate interventions in Latin America.

Mr. President, as I argued on the floor of the Senate that Friday afternoon, when the President sent our marines into the Dominican Republic, intervention is not the term to apply to a situation in which the head of a state sends airplanes or vessels and the necessary personnel to take out American citizens whom the Government cannot protect.

In that speech I completely supported the President's right and, as I said, duty, as the record will show, to send marines in to take out those American citizens. However, after reading the criticisms from our Latin American allies, I also, in that speech, warned that we would be in violation of international law, in violation of our commitments and obligations under the Organization of American States Charter, which we signed, and in violation of the Rio Pact if we remained after U.S. nationals had been removed, or if we took sides in the dispute, or if we decided for ourselves what form of government should be established in the Dominican Republic.

I am sorry to say that as of this hour, in my judgment, the evidence is overwhelmingly against the United States in respect to our living up to our clear international obligation not to intervene by taking sides or aiding one side in a revolution in Latin America.

As the result of the course of action that President Johnson has followed in the Dominican Republic, over and beyond exercising his right to evacuate American citizens, we probably have set back our relations in Latin America 25 years, so far as the good neighbor policy and the Alliance for Progress objectives are concerned. I am sad about that. It is unnecessary, uncalled for, and unfortunate.

It is to the credit of the President of the United States that he immediately called upon the Organization of American States and all the members thereof to assume their obligations under the charter and under the Rio Pact and other agreements that have been signed by members of the Organization of American States.

I quite agree with the attitude of the President of the United States, or my interpretation of the attitude of the President of the United States, as I have read his comments in the press, that the Organization of American States did not act with great dispatch. I go further than that, speaking for myself, by saying that I find myself very much in sympathy with the observations made in editorials in the New York Times which I ask unanimous consent to have printed in the Record at the conclusion of my remarks, along with some observations that have been made by several columnists, including Arnold Toynbee and others bearing upon this matter.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit No. 2.)

Mr. MORSE. Mr. President, I am sorry that the Organization of American States did not act with greater dispatch and, in my opinion, is still not acting with adequate dispatch.

Our good allies to the south of us must face up to the fact that it will not be possible to maintain a desirable stability in the Western Hemisphere, that we shall not be able to prevent the effectuation of serious threats to freedom of constitutional government in the Western Hemisphere unless every signatory to the Organization of American States Charter throws away the escapeism of "let George do it."

We are all in the same international boat in the Western Hemisphere, we free nations, and that is why I believe the Organization of American States ought to set up a peacekeeping corps, a hemispheric police organization, so that no nation, particularly the United States, will be put in the position where, if threats to the peace are to be prevented, it will have to fulfill the function of "letting George do it."

But it is a deeper problem than that, Mr. President. It is too bad that the Organization of American States has not sent in an effective peacekeeping corps. It is too bad the junta and rebel forces have not given heed to the pleas of the group given the assignment by the Organization of American States to seek a cease-fire.

For that matter, I think it is most unfortunate that the Organization of American States has not given overt demonstration of delight and satisfaction in having the United Nations interest itself in the threat to the peace that has arisen in the Dominican Republic.

It is interesting to read some of the newspaper editorials and correspondents' stories based upon a false major premise that the United Nations has no right to go in so long as a regional body is not deemed to have exhausted all its procedures and influences.

The setting up of a regional organization, be it the Organization of American States, NATO, SEATO, or any other regional group, does not supersede the United Nations in its obligations. Quite to the contrary. The United Nations has a right—and I believe, on the basis of the facts that have developed in most of the threats to the peace in various parts of the world, it has an obligation and duty—to make itself immediately available to any regional organization to strengthen the arm of that regional organization in taking the necessary steps to maintain peace.

I was very much disappointed in Mr. Adlai Stevenson, just as I have been disappointed in him before, in the past 2 years, as our Ambassador to the United Nations. It was perfectly obvious in the Security Council that he was arguing in a manner that left him open to only one interpretation, if the English language is to mean anything—namely, that he was representing the position of the United States that the United Nations should not interest itself so long as the Organization of American States was expressing some interest in the Dominican crisis.

The position of the Ambassador, speaking for the United States in the United Nations, should have been exactly the opposite. Ambassador Stevenson should have had instructions, and we ought to have evidence that he made the recommendation that the United Nations should join the Organization of American States in using peacekeeping facilities available in the United Nations to try to resolve the threat to the peace in the Dominican Republic by way of peaceful procedures rather than bullets.

But be that as it may, I have a great deal of sympathy for the President of the United States, if I correctly interpret the newspaper accounts of his attitude that the Organization of American States has not been the most effective instrumentality in trying to resolve the crisis in the Dominican Republic. However, I will not give up. I am a stanch supporter of the objectives of the Organization of American States. I want to see it strengthened, not weakened.

I urge now that all the nations in the Western Hemisphere that have signed the charter, including the United States, resolve to do what they can to make up for lost time in connection with the Dominican Republic crisis, and urge the United Nations to do everything it can do and to be as effective as possible under the circumstances that confront us in this crisis.

We have troubles enough in the Dominican Republic—and throughout Latin America, for that matter—without compounding them by confirming the widespread Latin American suspicion that we are really on the side of such unsavory, reactionary characters as Antonio Imbert Barrera who indiscriminately brands all his opponents as Communists.

One of the greatest mistakes we made was more than a year ago when our Government recognized diplomatically the military junta in Latin America.

Once before I gave the Senate an account of that situation, but I repeat it in abbreviated form today, because it ought to be made a part of this speech if my position on this matter is to be understood by those who care to understand it.

More than a year ago I attended a briefing in the Cabinet Room in the White House, attended by several other Senators as well as by the Acting Secretary of State, Mr. Ball, and the then Acting Assistant Secretary of State for Latin American Affairs, Mr. Edwin Martin. I can say this because the information as to the purpose of that meeting was made very well known at the time, or shortly after the meeting, by information media that did not stem at all from the Congress of the United States.

At that meeting the representatives of the State Department recommended immediate recognition of the military junta in the Dominican Republic, representing that another coup was about to take place that would be bloody and anti-American, and that one of the reasons why the coup, to be conducted by the military junta, was to take place was that the United States had not recognized it.

I became lost in those semantics. I could not see any thread of cause-to-effect reasoning in such a proposal which would justify my reaching the conclusion that I should join in the recommendation that the military junta be recognized. The argument, it seemed to me, should have caused a warning flag to go up in the thinking of the participants in the conference that we certainly are not going to recognize de facto governments, even if they are de facto, because they seem to be out of sorts with us because we have not recognized them prior thereto.

The argument is always the argument heard when the State Department wishes to alibi and rationalize and seek to excuse its following an unsound course of action in recognizing a military junta, that the only way we can have stability in a strife-torn Latin American country, or any other country in the world, is to give our diplomatic support to military dictators, which we have been doing in Latin America for a long time past—sometimes to our everlasting discredit and national shame.

As I listened to the rationalizations of the State Department, which for a long time has followed the course of supporting strong men in uniform in instance after instance in Latin America, I realized that this was another example of a proposal to repeat that costly mistake.

When the President called upon me for my advice on the recommendation that was made, I became the only Senator in the group who strongly urged him not to follow the advice.

I pointed out that in my opinion it would play directly into the hands of the Communists, that it would weaken every free government in Latin America, and that it would increase the danger to every free government in Latin America from two sides; namely, the Communists and the military. I pointed out that we should support constitutionalism in the Dominican Republic, not military tyranny, that we should be supporting constitutionalism in the Dominican Republic, not a military dictatorship; and that our policy should be one of saying to the people of the Dominican Republic and its military junta leaders that the only government the United States will recognize in the Dominican Republic will be a constitutional government when the country returns to constitutionalism.

I pointed out further that I held no brief for President Bosch, that I knew nothing about the allegations as to his philosophy or his inefficiency, but, neither had I heard of any proof offered before my committee which sustained the propaganda circulated in this country by supporters of the military junta, that Bosch deserved to be overthrown. I have had no proof since which would justify support of the proposition that Bosch should have been overthrown. I have studied rather carefully everything which has been offered as so-called evidence. I have yet to listen, to read, or have submitted to me by way of exhibit, one scintilla of evidence to show that former President Bosch of the Dominican Republic is a Communist.

I further pointed out that Bosch was out of the country, but that the Constitution of the Dominican Republic is not out of the country, and that the Constitution of the Dominican Republic calls for a succession to the vacancy which has been created. The Congress of the Dominican Republic did not flee the Dominican Republic. It remained, and is still there.

I pointed out further in the Cabinet meeting that, in my judgment, we should not recognize the military junta headed by Gen. Wessin y Wessin, an American-trained Dominican officer who, interestingly enough, is a man heavily financed by American business interests in the Dominican Republic which enabled him to execute the military coup when the Bosch regime was overthrown.

There is no denying that in overthrowing the Bosch regime, General Wessin y Wessin and his military coconspirators were motivated primarily because of the fact that both President Bosch and the overwhelming majority of the Congress of the Dominican Republic were in favor of applying the good American constitutional principle; namely, that the military should be brought under the control and direction of the civilian government.

What is wrong with that?

We should have supported that great principle. We, as a great democratic Nation, lead the world as an example of constitutional excellence in government, so far as our domestic policy is concerned—and note my qualification, Mr. President, so far as our domestic policy is concerned—but, unfortunately, we do not have a clean record of supporting constitutionalism so far as our foreign policy is concerned. There, we are a "Jekyll and Hyde" as a nation in foreign policy. Too frequently we support dictatorships and military tyrants to overthrow constitutionalism. We try to excuse our actions on the ground that we must bend the knee at the altar of international political expediency. Nonsense.

I urged further that we make very clear that we are not going to recognize a military junta, but that we would recognize a government in the Dominican Republic under which its people are given the opportunity to restore their congress to power and to restore their Constitution to effective operation.

I said further to the President of the United States at that conference:

> You have the wrong group here to advise you. This is not the group from which you should be getting advice on this issue. You should at least get advice from another group. You should seek the advice of the Presidents of Chile, Bolivia, Colombia, Peru, Venezuela, and Costa Rica. You should seek the advice of the former Governor of Puerto Rico, Muñoz Marín, and the ex-President of Costa Rica, Jose Figueres. I know that time does not permit to get that advice, but you can take judicial notice of what it would be. For those democrats in Latin America, those supporters of freedom in Latin America, those Latin Americans with a great executive record of seeking to set up constitutionalism in their countries, would, in my opinion, unanimously, recommend against the advice given to you in this conference by the State Department and my Senate colleagues.

I can hear them say: "You recognize the military junta headed by this military tyrant, Gen. Wessin y Wessin and his coconspirators, and you will let down freedom in Latin America. You will demonstrate that when the chips of freedom are down, the United States cannot be counted upon to support freedom. You will play into the hands of every potential military junta in every country in Latin America—and there are very few countries in which there is not always the constant threat that the military may still feel its power and take over.

"You will play into the hands of the Communists. You will weaken free governments in Latin America, because you will place them in greater danger, by these examples, of being overthrown."

One of the most recent examples is Honduras. At the very time when we were meeting in the Cabinet room, there was great concern as to what would be the American diplomatic policy toward Honduras. We made the same mistake in regard to Honduras. We ended recognizing the military tyranny in the Dominican Republic, and we followed it by recognizing the military tyranny in Honduras.

Let the record show what the facts were about our Siamese twin recognition at that time, hitched together with the Dominican Republic and Guatemala.

Ten days before the presidential election in Honduras, when a popular candidate for the Presidency was known to be far ahead in that election, and would be swept into power by an overwhelming vote in a free election—there was no question about this being a free election—the Honduran Government was overthrown by a military junta. Why? The major reason, I am satisfied, was that this candidate for the Presidency was running on a platform the major plank of which set forth the good American constitutional principle, namely, that the military ought to be brought under the control of the civilian government.

That is the last thing that the Honduran military proposed to have happen. So they staged a revolution. They overthrew the government. The candidate for the Presidency had to flee the country. There has been no free election since.

The United States, in spite of that black chapter of military tyranny in Honduras, shortly after it recognized the Dominican military junta, recognized the military junta in Honduras.

By "recognition," of course, we also mean "aid." It is never enough for us to recognize; we believe we have to finance any junta we recognize.

Senators should go with me into Latin-American countries and listen to some of the biting and bitter criticism of our Government on the part of our friends in Latin America on the course of mistaken policy in Latin America that the Johnson administration has followed since it came into office in respect to the matter of recognizing military juntas.

Of course, it can be said it was done by others, too. It was. That does not justify this administration's doing it.

That happens to be some of the background of the Dominican situation. I am very sorry that the Johnson administration made those two inexcusable diplomatic mistakes. A part of the reason for the problem in the Dominican Republic today goes back to both of those mistakes. We cannot follow a policy outside the Dominican Republic of playing "footsie" with military tyrants and not have it wash off onto us by way of justifiable criticism in respect to our policies in the Dominican Republic.

I am not arguing that in the Dominican Republic we should support the rebels, either. I am arguing for a truly neutral position. I am merely saying that we should avoid taking sides in the hatred and bitterness that prevail in the Dominican Republic.

I also point out that if maintaining order was one of the reasons why we went into the Dominican Republic, we have been doing a rather poor job of it.

The course we seem to be pursuing in the Dominican Republic threatens our position, not only in the Dominican Republic, but also throughout the hemisphere. It threatens to undo the slow and painful gains which have been made through the Alliance for Progress. I hope very much that we shall reconsider this course before it is too late.

AMERICAN INVOLVEMENT IN VIETNAM

The actions of the United States in Vietnam and the Dominican Republic are linked in a number of significant ways. Consider, for example, the international legal implications of American involvement in both places.

The Department of State, at the request of the Committee on Foreign Relations, has prepared what purport to be legal justifications for the use of American armed forces in Vietnam and in the Dominican Republic.

I ask that these memorandums be inserted in the RECORD at this point.

There being no objection, the memorandums were ordered to be printed in the RECORD, as follows:

LEGAL BASIS FOR UNITED STATES ACTIONS AGAINST NORTH VIETNAM

I. THE ISSUE

This memorandum considers the question whether United States-South Vietnamese actions against military targets in North Vietnam are justified in international law, particularly in light of the United Nations Charter and the 1954 Geneva accords on Vietnam. It concludes that these actions are fully justified.

II. THE FACTS

On February 27, the Department of State issued "Aggression From the North," a report of North Vietnam's campaign to conquer South Vietnam. That report establishes beyond question that North Vietnam is carrying out a carefully conceived plan of aggression against the South.

The evidence shows that the hard core of the Communist forces attacking South Vietnam were trained in the North and ordered into the South by Hanoi. It shows that the key leadership of the Vietcong, the officers and much of the cadre, many of the technicians, political organizers, and propagandists have come from the North and operate under Hanoi's direction. It shows that the training of essential military personnel and their infiltration into the South is directed by the military high command in Hanoi. It shows that many of the weapons and much of the ammunition and other supplies used by the Vietcong have been sent into South Vietnam from the North. The evidence plainly indicates that under Hanoi's overall direction the Communists have established an extensive machine, both political and military, for carrying on the war against South Vietnam.

The history of Hanoi's campaign to conquer South Vietnam is a long one. It was documented earlier in a report entitled "A Threat to the Peace" issued by the Department of State in December 1961. In a special report of June 1962, the International Control Commission in Vietnam concluded that there was "sufficient evidence to show beyond reasonable doubt" that North Vietnam was sending arms and men into South Vietnam to carry out subversion with the aim of overthrowing the legal government there, in violation of the 1954 Geneva accords.

To meet the threat created by these violations of the Geneva accords and by North Vietnam's aggressive intervention contrary to general international law, the Government of the Republic of Vietnam requested U.S. assistance. We had been providing Vietnam since 1950–51 with both economic and military aid. This assistance was continued after the conclusion of the 1954 Geneva accords, within the limitations prescribed by those agreements. It had become apparent, however, by 1961 that this limited assistance was not sufficient to meet the growing Communist threat. Consequently, in 1961, the Government of the Republic of Vietnam requested additional aid from the United States. The United States responded with increased supplies and with larger numbers of training and advisory personnel to assist the Vietnamese forces in prosecuting the war against the Vietcong. This response was proportioned with the design of sustaining Vietnam in its defense against aggression without extending the conflict beyond the borders of the country.

The Communists, however, increased their intervention without regard to obligations under international law and international agreements by which they were bound. They stepped up the assistance from the north and increased the use of neighboring Laos as an infiltration route, in violation of the freshly concluded 1962 Geneva agreement for the settlement of the Laotian question.

In more recent months North Vietnam has sharply increased the infiltration of men and equipment into the south, and virtually all personnel are coming in are natives of North Vietnam. Dramatically illustrative of Hanoi's role is the discovery along the South Vietnamese coast on February 16, 1965, of a huge cargo of arms, ammunition, and other supplies, delivered by ship from North Vietnam. Major attacks by organized units are being launched against government forces. The North Vietnamese have even attacked U.S. vessels in international waters in the Gulf of Tonkin.

Thus, what began as covert and indirect aggression has become open armed aggression. This aggression has been carried out across the internationally agreed demarcation line of 1954 between North and South Vietnam, and across international frontiers between Vietnam and Laos.

III. INTERNATIONAL LAW—THE U.N. CHARTER

As has been seen, North Vietnam is engaged in a continuing armed aggression against South Vietnam in violation of international agreements and international law.

This being the case, what are the Republic of Vietnam and the United States entitled to do under international law by way of response?

Under international law, the victim of armed aggression is obviously permitted to defend itself and to organize a collective self-defense effort in which others who are willing may join. This right is recognized in article 51 of the United Nations Charter. Article 51 states:

"Nothing in the present charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by the members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present charter to take at any time such actions as it deems necessary in order to maintain or restore international peace and security."

As has been seen above, the whole course of conduct of North Vietnam, particularly as it has evolved in recent months, adds up to open armed attack within the meaning of article 51. Indeed it is more than a single armed attack: it is a continuing program of armed aggression carried on across international frontiers and established demarcation lines. In these circumstances, South Vietnam has requested and received assistance from the United States and other nations in a collective defense effort.

Article 2, paragraph 4, of the charter is also relevant to the Vietnam situation. Article 2, paragraph 4 provides that "All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations."

In the first place, it is plain that the use of force against territorial integrity and political independence has been initiated by North Vietnam and not by anyone else. Second, paragraph 4 of article 2 of the charter does not place an absolute prohibition on the use of force. It permits the use of force in a manner consistent with the purposes and principles of the charter. Moreover, the charter itself specifically provides for the use of force in certain circumstances—action through the United Nations itself, action through regional arrangements and action in self-defense. The actions of the United States and the Republic of Vietnam, being defensive in character and designed to resist armed aggression, are wholly consistent with the purposes and principles of the charter and specifically with article 2, paragraph 4.

It was as a measure of self-defense under article 51 that the United States responded in August 1964 to the North Vietnamese attack on our vessels in the Gulf of Tonkin. Those measures were immediately reported to the Security Council in accordance with article 51. The Security Council did not see fit to take any action to maintain or restore international peace and security in the area. Indeed, North Vietnam refused to participate in the deliberations of the Security Council and explicity denied the right of the Council to examine this question.

The attacks against South Vietnam have mounted in intensity since August. In these circumstances, it has been mutually agreed between the Government of South Vietnam and the U.S. Government that further means of providing for the collective defense of South Vietnam are required. Prompt defensive action has been decided upon, and airstrikes have been made against military installations and facilities in North Vietnam which support the aggression against the South. The actions taken constitute a limited and measured response, fitted to the situation that called for it. Again, these measures have been reported to the Security Council in accordance with article 51 of the United Nations Charter. As yet, the Council has taken no action to maintain an effective peace in the area. Until the regime in Hanoi decides to cease its aggressive intervention in South Vietnam, or until effective steps are taken to maintain international peace and security in the area, the Governments of the United States and the Republic of South Vietnam have every right to continue their individual and collective self-defense against the Communist armed aggression coming from North Vietnam.

IV. THE GENEVA ACCORDS

It has been demonstrated that the North Vietnamese have repeatedly violated the 1954 Geneva accords in a most serious and flagrant manner. In so doing, of course, North Vietnam is ignoring an international agreement which it signed and by which it is bound. In addition, by the continued presence in neighboring Laos of North Vietnamese forces and their use of Laotian territory for infiltration into South Vietnam, North Vietnam is violating solemn commitments which it undertook in the 1962 Geneva agreements to refrain from such activities.

In these circumstances, international law recognizes the principle that a material breach of a treaty by one party entitles other parties at least to withhold compliance with an equivalent, corresponding or related provision until the other party is prepared to observe its obligations.

The actions of the Republic of Vietnam and the United States are fully consistent with this principle. North Vietnamese violations of the Geneva agreements have created an immediate danger to the continued independence and integrity of the Republic of Vietnam. The response of South Vietnam and the United States is designed to meet this threat created by North Vietnam's disregard of the accords. The extensive North Vietnamese violations certainly justify South Vietnam at least to withhold compliance with those provisions of the accords which limit its ability to protect its very existence. Both South Vietnam and the United States have made clear that the actions which they have taken will no longer be necessary if North Vietnam would comply with the accords.

Legal Basis for U.S. Actions in the Dominican Republic

I

U.S. action in the Dominican Republic was emergency action taken to protect lives and to give the inter-American system a chance to deal with a situation within its competence.

The United States initially landed troops in the Dominican Republic under conditions in which immediate action was essential to preserve the lives of foreign nationals—nationals of the United States and of many other countries. This kind of action is justified both on humanitarian and legal grounds. The United States continued its presence in the Dominican Republic for the additional purpose of preserving the capacity of the OAS to function in the manner intended by its charter—to achieve peace and justice by securing a cease-fire and by reestablishing orderly processes within which Dominicans can choose their own government, free from outside interference. With the adoption by the OAS Meeting of Foreign Ministers of a resolution providing for the establishment of an inter-American armed force, the U.S. military elements in the Dominican Republic will be included in that force.

The primary purposes for which the American States established the OAS, set forth in article 1 of its charter, are "to achieve an order of peace and justice, to promote their solidarity, to strengthen their collaboration, and to defend their sovereignty, their territorial integrity and their independence." The OAS thus exists to assist the American States to maintain their rights to defend their integrity and to provide for their preservation and prosperity. The action of the United States has given the organs of the OAS the essential time in which to consider the situation in the Dominican Republic and to determine means of preserving the rights that country has under the inter-American system. The propriety of a regional agency "dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action" is expressly recognized by article 52 of the Charter of the United Nations.

II

The initial landing of U.S. Marine forces during the night of April 28–29 was ordered by the President of the United States to protect the lives of U.S. nationals and those of other countries. The action was taken after the United States had been officially notified by Dominican authorities that they were no longer able to preserve order. The factual circumstances of the breakdown of order in the Dominican Republican were such that the landing could not have been delayed beyond the time it actually took place without needless sacrifice of many more lives—both foreign nationals and Dominican citizens—entailing serious danger to the peace and security of the hemisphere.

After U.S. forces arrived in the Dominican Republic, it became apparent that the structure of government had broken down to a point where there was not only no authority capable of preserving order but also no mechanism by which the Dominican people could freely choose their own government. The same evening when U.S. forces were initially dispatched to Santo Domingo, the United States requested an urgent meeting of the Council of the OAS. A meeting of the Council was held on the morning of April 29, and organs of the OAS proceeded to meet in continuing session thereafter on the Dominican situation.

The United States refused to observe merely the form of legalistic procedures to the detriment of fundamental rights of a nation under the OAS Charter. On April 28 the military junta in Santo Domingo, which had proclaimed itself to be the government, addressed a request to the United States to send in Armed Forces and crush the rebels. The United States could have recognized this group as the government of the Dominican Republic, and could have responded to their request. The United States declined to follow this course because it would have amounted to taking sides in the internal struggle and would, therefore, have resulted in actual interference with the freedom of the Dominican people to choose their own government. Such a course of action would have been inconsistent with the principles that govern the Inter-American system.

The obligations of nonintervention contained in articles 15 and 17 of the OAS Charter did not preclude the United States placing Armed Forces in the Dominican Republic for the humanitarian purpose of saving lives. Nor did those obligations require the United States to withdraw its forces in the days immediately after their landing, when it was entirely apparent that there was no local means of keeping order and providing essential public services in Santo Domingo. In fact, it would have been irresponsible for the United States to withdraw its forces when such a course would have endangered seriously the lives of foreign nationals not yet evacuated and would have led to a full-scale resumption of bloody civil war among the contending Dominican factions.

The United States, in maintaining elements of its Armed Forces in the Dominican Republic, acted to preserve the situation so that the organs of the inter-American system could carry out their intended responsibilities under inter-American treaties and assist the people of the Dominican Republic in reestablishing democratic government under conditions of public order.

The actions of the United States were designed to help give effect to the resolutions adopted by the OAS. These resolutions (1) called for a cease-fire; (2) appealed for the establishment of an international neutral zone of refuge; (3) dispatched a five-member commission to the Dominican Republic; and (4) called upon member governments to supply food and medicine to the people of the Dominican Republic. Without continued action by the United States, the OAS machinery could not have become effective.

Acting upon the recommendation of the five-man commission, the meeting of Foreign Ministers resolved on May 6 to request the establishment of an inter-American armed force. This resolution recognized that the formation of the force would "signify ipso facto the transformation of the forces presently in Dominican territory into a force which will not be that of one state or group of states but that of the OAS, which Organization is charged with the responsibility of interpreting the democratic will of its members."

The meeting of Foreign Ministers is now considering other reports and recommendations from the five-member commission on the preservation of public order and the formation of a new Dominican Government. All of these efforts would have been frustrated if the United States had withdrawn its forces and thus invited a renewal of anarchy.

III

There is a further consideration which supports the action taken by the United States. Available information has suggested that what began as a democratic revolution fell into the hands of a band of Communist conspirators. If a movement under such control had succeeded in establishing itself as the government of the Dominican Republic, the seizure of power by a totalitarian regime would in all likelihood have been irreversible. The OAS would have been deprived of any realistic possibility of assisting the Dominican people to determine freely their own political future. Rather than let such a risk materialize, the United States acted to preserve the situation pending consideration by the OAS and the taking of such steps as the OAS might recommend.

Participation in the inter-American system, to be meaningful, must take into account the modern day reality that an attempt by a conspiratorial group inspired from the outside to seize control by force can be an assault upon the independence and integrity of a state. The rights and obligations of all members of the OAS must be viewed in light of this reality.

The American States have formally recognized the dangers of international communism to the inter-American system. The Foreign Ministers of the American Republics, meeting at Punta del Este in January 1962 declared: "The principles of communism are incompatible with the principles of the inter-American system" and "adherence by any member of the Organization of American States to Marxism-Leninism is incompatible with the inter-American system and the alinement of such a government with the Communist bloc breaks the unity and solidarity of the hemisphere." This meeting of Foreign Ministers therefore urged "the member states to take those steps that they may consider appropriate for their individual or collective self-defense, and to cooperate, as may be necessary or desirable, to strengthen their capacity to counteract threats or acts of aggression, subversion, or other dangers to peace and security resulting from the continued intervention in this hemisphere of Sino-Soviet powers, in accordance with the obligations established in treaties and agreements such as the Charter of the Organization of American States and the Inter-American Treaty of Reciprocal Assistance."

IV

The United States continues to support its commitment to the preservation of the right of all free peoples in this hemisphere to choose their own course, without falling prey to international conspiracy from any quarter.

The United States continues to support the OAS as the institution through which this right can be realized when outside interference makes collective assistance to a sister republic necessary.

United States forces are not occupying the Dominican Republic. They are not asserting authority to govern any part of the country. They are not taking sides in the civil conflict. U.S. action has been taken in order to help preserve for the people of the Dominican Republic their right to choose their government free from outside interference.

Experience has shown that if a group led by Communist conspirators and inspired by an outside power is permitted to seize control of a country by force, any further consideration of the right of the people of that country to choose their own course is an empty gesture.

U.S. forces continue to be present in the Dominican Republic only in support of OAS efforts to organize effective measures to prevent such a denial of freedom and further loss of life. As President Johnson has stated: "The moment that the Organization of American States can present a plan that will bring peace on the island and give us the opportunity to evacuate our people and give some hope of stability of government, we'll be the first to come back home."

Mr. MORSE. Mr. President, I hope that these two memoranda will provide some grist for the law review mills of this Nation. These memoranda can be torn to pieces—and they should be.

If these memoranda constitute a fair evaluation of the international law field of the U.S. State Department, one of the greatest needs in the State Department is to hire a few competent international lawyers, because these memoranda would not receive a passing grade in any international law course in any law school in the United States.

I do not blame the lawyers of the Department of State for the weaknesses of these memoranda. They had an impossible task—their job was as tough as that of the court-appointed law firm designated to defend a man accused of murder whose plea is "not guilty" even though there were a dozen eyewitnesses to the crime.

This is an ignominious position for any legal officer—to be called upon to provide legal justification for acts which on their face are ultra vires. The United States should never get itself in a position of ex post facto justification. If we expect to promote an orderly international community we must, above all things, live within the law of that community.

Mr. President, the United States has been living completely outside the law in Vietnam for 11 years, since 1954. We have been an outlaw nation in southeast Asia for 11 years. The Communists have, too. North Vietnam has, too. So has South Vietnam. So have the Vietcong. But what argument is it, because others engage in outlawry, that we should engage in outlawry, rather than go to the courts to seek the enforcement of existing law?

That is what we should have been doing. It is a sad thing that Adlai Stevenson, the Ambassador of the United States at the United Nations, has not insisted on it, or resigned his position as Ambassador to the United Nations.

Mr. President, so far as our legal justification for ignoring the United Nations Charter in Vietnam and our unilateral stretching of the SEATO treaty to impose an obligation on the United States to send troops to Vietnam to engage in an undeclared war, I refer to a chapter in a remarkable booklet prepared by Don R. Larson and Arthur Larson entitled "Vietnam and Beyond." In chapter 2 these eminent scholars state unequivocally:

> The true fact is that the United States has had no obligation to South Vietnam or anyone else under the SEATO treaty to use its own armed forces in the defense of South Vietnam.

I wonder if Dean Rusk, Secretary of State, will now say that those eminent international law scholars are gullible academic men.

Some days ago I paid my disrespects to Dean Rusk for the shocking, disgraceful, uncalled for and insulting speech that he made attacking the academic men and women of this country because they do not agree with him on Vietnam.

In that speech I did what I would have to be moved very deeply before offering to do. I challenged Mr. Rusk to join me in a public discussion of American policies in Vietnam on any campus or any number of campuses he wishes to name, and let him present to those campuses any justification within the framework of international law, or any justification on the basis of any other premise, for America's course of action in Vietnam. But I warned him that in that debate or those debates I would not protect him with any executive privilege, because if he desires to participate in that public discussion, the bars are down as far as telling the American people what the State Department, the White House, and the Pentagon should have been telling them for a long time past—the facts about America's policies in Asia and her plans in Asia. The American people are entitled to an open government that practices a precious safeguard of freedom; namely, full public disclosure of the public's business. They are not getting it, and they have not got it for a long time in Asia.

Short of a declaration of war, the American people are entitled to know about the war plans of their Government in Asia, for the American people will do the dying by the many millions if the administration continues to lead our country and mankind into a massive war in Asia.

Mr. President, if my country can follow the policy it is now following and have a great many military victories—military victories that will make it look as though our escalating of the war is paying off—none of those military victories will produce peace, for all those military victories will only intensify for many decades and generations, an intense hatred of the Asiatics for the people of the United States. We the people will suffer because of this inexcusable, uncalled for, unconstitutional, unjustified American war in Asia.

The Senate knows that only a few days ago I stood with only two other Senators in voting against the bill that was introduced, not because the President needed the $700 million, because his own lips told us that he did not need it—he had the authority to use funds without passage of the bill—but as a vehicle to obtain another commitment from the Congress of the United States in support of his policy in Asia.

At the time I said, and repeat today, that it was interesting to listen to the reservationists in the Senate, for Senator after Senator, as a reservationist, rose and said, "This does not commit me. This does not mean I am giving him a blank check. This does not mean that I do not expect to be consulted when more troops are sent over or when there is a proposal made really to expand the war."

My reply to them, as the CONGRESSIONAL RECORD will show, was, "Whom do you think you are kidding? No one but yourselves. You are being consulted right now. You vote the President the vote of confidence that he is asking for, and that is the end of the consultation."

Events since that time have already proved how right I was, because already a good many thousands more have been sent over.

I should like to hear the Senator who was consulted.

Mr. President, what the Senate did was what it cannot do constitutionally. It sought and attempted to delegate to the President of the United States a warmaking power, and that cannot be done under the Constitution. We cannot make war legally without a declaration of war. That is why in my speech in opposition to the bill, in opposition to a vote of confidence in the President's Asian policy, I referred to an attempt on the part of the Congress to approve an undeclared war in Asia. In that speech I suggested—and repeat today in my speech—that there is a great deal of difference in all the international legal consequencies between acting under a declared war and acting in violation of our international obligations as we are doing in Vietnam, for if there should be a recommendation for a declared war, and if Congress should vote it on the basis of the present facts, the senior Senator from Oregon would still vote against the declaration, for I know of no justification for declaring war in Asia. Judging from whom we are fighting, the only country that such a declaration of war could refer to would be North Vietnam. But a declaration of war against North Vietnam, or a proposal for one, would force an interesting debate, not only in the Congress, but at the grassroots of America. We would find an entirely different attitude on the part of millions of fellow Americans if it were proposed that we should go all the way and formally declare war—although we are making war, and it is our war. The South Vietnamese are now in a secondary position.

The South Vietnamese are doing what the United States tells them to do and only what the United States tells them to do in conducting this war. But a declaration of war would greatly change our international law relationships with all the world. It would be interesting if we declared war against North Vietnam and Great Britain continued to send her supply ships into North Vietnam, as she is doing now.

It is interesting, is it not, that we get words of praise from the Prime Minister of Great Britain about our activities in South Vietnam? But I ask him from the floor of the Senate this afternoon: "Mr. Prime Minister, when are you going to stop all your trade with North Vietnam?" We could ask that question of other so-called allies, too.

If there had been a declaration of war, there would have been a great change in international law relationships with the rest of the world. I have no doubt in my mind that that is a factor that is considered in connection with the course of action we are following in South Vietnam.

So far as the obligation of the United States to act under the terms of the United Nations Charter is concerned, these authors state:

> There is one obligation in Vietnam * * * that when other means of dealing with a threat to the peace have failed, the matter "shall" be referred to the Security Council.

That is not permissive; that is not optional; that is mandatory language, as we lawyers say. The sad fact is that the United States had no intention of doing it in the past and shows no intention of doing it in the future. I have yet to hear even a whisper that Adlai Stevenson has ever recommended it. We have failed in our obligation to this principle.

So far as the opinion of the Legal Adviser of the State Department, entitled "Legal Basis for U.S. Actions in the Dominican Republic," is concerned, I note only that it does not have the audacity to quote articles 15 and 17 of the Charter of the OAS: I do not wish to imply that legal counsel for the State Department has never found those articles in the charter. I do not wish to imply that legal counsel for the State Department did such a poor job of legal research that he did not even discover the articles. I only wish to imply that he found it convenient to omit any consideration of them from his legal memorandum. What do those articles provide?

I read as follows:

ARTICLE 15

> No state or group of states has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other state. The foregoing principle prohibits not only armed force but also any other form of interference or attempted threat against the personality of the state or against its political, economic, and cultural elements.

Note, Mr. President, that article 15 uses the word "intervene." It is that word that some of our Latin American critics have seized upon in protesting even the sending of American troops into the Dominican Republic to bring out American citizens at the request and invitation of the Government that we had recognized. Bad as that Government was, our recognition of it, of course, established diplomatic relations with it and placed upon us the responsibility of fulfilling obligations in relation to that diplomatic recognition.

Thus, as I said earlier in my speech, the use of this language in the Charter of the Organization of American States does not prohibit the President from going into a country and bringing out citizens of our country when a government we have recognized informs us that it cannot protect their lives. That is not intervention in terms of the artistic meaning of the word in international law. "Intervention" is a word of art. To apply it to the fact situation in which our Government responded to an invitation of the Government of the Dominican Republic to come to a lifesaving rescue mission does not justify our being charged with intervention.

Article 17 of the Charter of the Organization of American States reads as follows:

ARTICLE 17

> The territory of a state is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another state, directly or indirectly, on any grounds whatever.

I digress to say that when we have standing offshore an American ship, when we have American airplanes landing on an airbase, for the limited purpose of putting passengers aboard and taking them out of a country, we are not engaging, even temporarily, in occupation.

Also, when we are dealing with the term "military occupation," we are dealing with words of art in international law. A country does not militarily occupy unless it enters a country and engages in a form of territorial seizure; unless it enters to engage in a process of moving out the existing government and interfering with its rights of sovereignty.

If the United States had limited its activities in the Dominican Republic to rescue operations, merely sending in troops to bring out our citizens, it would not in any way have interfered, even to the slightest extent, with rights of sovereignty.

Article 17 continues to read:

> No territorial acquisitions or special advantages obtained either by force or by other means of coercion shall be recognized.

We did not intervene, we did not occupy, during that period of time, which, I am sad to report, did not last very long, a period in which we sought merely to rescue only American lives. The evidence is perfectly clear that after a short period of time the United States changed its objective in the Dominican Republic. The information I have received from reliable sources is that there was a slowing up of the evacuation until it finally came to a complete halt and we desisted from evacuating. We dug in and soon found ourselves in a position in which we were not evacuating, but were opposing. We were engaging in combat. When we started that operation, we moved outside the framework of the Charter of the Organization of American States. That is why we shall find that this action on our part has cost us dearly in prestige throughout Latin America.

Articles XV and XVII speak for themselves. I do not believe that the dispatch of more than 20,000 American troops to the Dominican Republic after foreign nationals, including Americans, had been substantially evacuated, or given the opportunity to evacuate from the Dominican Republic, can be fitted into the language of the Charter of the Organization of American States.

The President's effort to seek an OAS cloak for our forces in the Dominican Republic is having the most dubious success in Latin America. The damage has been done. Once again our actions have spoken louder than our words.

Mr. President, I am as conscious as anyone of the dangers implicit in the expansion of communism in Latin America or anywhere else in the world and the record will show that I was one of the first Members of this body to oppose Castro.

The record will show that I was the first to oppose Castro, and I was the first to oppose him for some days. It did not take me very long to see that all that we had done was to substitute a totalitarian dictator with at least some Communist leanings. As I said in one of my first speeches, "I do not know whether he is a Communist or not. However, I know he is following the Communist line and is adopting the Communist procedure." All we did was substitute one type of totalitarian for a Fascist totalitarian Batista.

Mr. President, that is the sorry record against us in Latin America. And we are not going to be allowed to forget it.

While the Eisenhower administration was seeking by its aid programs to buy the affections of the Cuban Communist, I was protesting his wholesale executions and reading into his disregard of the rule of fair trial and law, a sure indication of the direction of his development.

Be that as it may, I am deeply apprehensive that the actions of the United States in recent months in both Vietnam and the Dominican Republic are encouraging Communism, rather than discouraging it.

The very presence of 20,000 American troops in the Dominican Republic, and their aid to the junta, has given a shot in the arm to anti-American sentiment in all the hemisphere. After 30 years of effort to remove our imperialist image in Latin America we have by one stroke of policy destroyed the good neighbor edifice which we and our neighbors had so laboriously built.

We speak of encouraging the holding of "free elections" in the Dominican Republic. I think we can safely predict that the only kind of candidate who could now win a free election in the Dominican Republic would be a candidate running on anti-American platform. This is where our policy has led us, not only in the Dominican Republic but in much of the rest of Latin America.

The American Nation is on the verge of reaping a harvest of hatred for our actions in Vietnam and the Dominican Republic. Our hypocrisy has been exposed. We have talked of the law, of the United Nations Charter, of the Organization of American States, in tones of sanctimonious morality. But our deeds have not filled our words.

I am afraid that we must pay a costly price.

I close by saying that I hope that in the not-too-distant future, as the chairman of the subcommittee on Latin American Affairs, I may be able to give a happier report than, I am satisfied, the facts have compelled me to give today in regard to the most unfortunate and mistaken policy which we have come to practice in the Dominican Republic. Would that we had taken our nationals out and then gotten out ourselves.

Mr. President, I yield the floor.

EXHIBIT 1

[From the Washington Post, May 20, 1965]

U.S. TROOPS AID JUNTA AS REBELS LOSE GROUND—IMBERT'S GAINS ARE PROTECTED BY AMERICANS

(By Barnard L. Collier, Herald Tribune news service)

SANTO DOMINGO, May 19.—U.S. Marines and paratroopers gave both direct and indirect help to the forces of Gen. Antonio Imbert Barrera today as Imbert's junta troops captured the rebel-held Radio Santo Domingo and conducted a house-by-house cleanup of rebels in the northern sections of the city.

United States officials still denied that U.S. forces were aiding the Imbert junta, but officers on the U.S.-controlled perimeters said they were under orders to shoot any rebel who tried to stop the junta forces.

American troops were seen several times firing into rebel positions facing the junta forces north of the American-held "safety corridor" across the city.

Late this afternoon, the American forces moved a mile north along the corridor, securing territory won by the junta.

At the same time, they moved 2 blocks south all along the corridor into the main rebel stronghold, the Ciudad Nueva waterfront district.

U.S. troops at three checkpoints, leading into Ciudad Nueva stopped all trucks carrying food from entering today. American officers at the scene said the intention was to starve the rebels into submission if they put up too much resistance to junta troops.

[In Washington, Ellsworth Bunker, U.S. Ambassador to the Organization of American States, told an OAS meeting that he is "not prepared to commit troops of the United States to slaughter Dominicans."

[Bunker's remark came as he opposed a Venezuelan resolution calling on the Inter-American peace force in Santo Domingo to intervene in the fighting there and bring about a cease-fire. Since almost all the outside troops there belong to U.S. forces that President Johnson has promised to commit to the peace force, the Venezuelan request, in effect, called on the United States to stop the fighting.

[The resolution was withdrawn by the Venezuelan delegation after it became apparent that the United States would not agree to it. The OAS then unanimously adopted a substitute Argentine resolution calling on both sides in Santo Domingo to submit to a new cease-fire.]

IMBERT BARS TALKS

Earlier in the day, Imbert insisted that he was "going to win this war against the Communists" within a day or two. He refused to listen to any talk of a cease-fire or negotiations with Col. Francisco Caamano Deno, leader of the rebels who overthrew a military-backed civilian junta on April 25 in an effort to bring back exiled constitutional President Juan Bosch. Imbert said he would talk with Caamano only to discuss surrender terms.

Imbert had been under heavy American pressure until today to call off his military drive again the Caamano forces and step down in favor of a coalition government.

He now appears to have won this clash. The U.S. Embassy continued to say Wednesday it was displeased with the junta's actions. But American forces appear to be helping the junta troops in any way they can, short of directly fighting their way into rebel territory.

CLAIM U.S. HELP

The junta-held radio station broadcast Wednesday that the 24,000 U.S. troops here were helping them to win the battle "against international communism" and that the assumption of power by any man allied in any way with Bosch was out of the question.

This appeared to rule out any chance of Antonio Suzman, a wealthy pro-Boschist, from taking power. Suzman was said to have been approved by both the United States and Caamano's forces as an acceptable compromise leader in this crisis.

REPORTS FROM SCENE

News dispatches from Santo Domingo reported:

A spokesman for the U.N. mission here said both the junta and the rebels have agreed in principle to a 12-hour cease-fire Friday so that the Red Cross can evacuate dead and wounded from the battle area in northern Santo Domingo. This truce was requested by the U.N. Security Council today.

At a rally after the capture of Radio Santo Domingo, Imbert told 1,000 followers, "We have absolute control of the Dominican Republic."

Dan Kurzman of the Washington Post reported, however, that four newsmen who toured the country this week were unanimous in finding overwhelming popular support for the Caamano forces.

The junta forces' main advance was a 10-block drive eastward from the radio station. Commodore Francisco J. Rivera Caminero, armed forces secretary and Imbert supporter, told reporters that rebel fire from the rundown houses in the area, strong early in the week, had nearly ceased Tuesday afternoon.

REBELS MAKE CLAIMS

A rebel spokesman claimed the junta advance had been halted roughly at the middle of the northern sector. The spokesman predicted junta troops would pull back during the night under rebel counterattack.

Rebel forces claimed to have captured a U.S. marine. U.S. authorities acknowledged a marine was missing from his post but declined details.

A. U.S. official said efforts to form a coalition government of national reconciliation—presumably under Guzman—had failed, at least for the moment. "There must be a reappraisal," he said. "There has to be when something doesn't materialize."

The death toll from the battle was not known, although hospitals reported 30 dead. Some estimates said there were more than 100 dead, including civilians.

A junta spokesman said 800 rebel prisoners had been taken. The rebels issued no figures.

MANY HOMES DAMAGED

Newsmen driving through the battle area said many homes were damaged by machinegun and tank cannon fire. Junta troops entered nearly every house and searched for arms, according to refugees fleeing the area during the fighting.

Many of those at Imbert's side during the rally had served in the government of Donald Reid Cabral, ousted by the rebels 26 days ago in the coup that led to the civil war.

In a bid to gain support for the junta, Imbert's aides announced after the rally that two of Reid's unpopular austerity measures had been canceled.

CANCELED MEASURES

One was a $30 tax on any Dominican leaving the country. The other required an importer to deposit for 6 months 40 percent of the value of all imports. Both measures were designed to adjust an unfavorable balance of payments and prevent a devaluation of the peso.

Imbert said that $10 million deposited with the Central Bank under the 40-percent law would be returned this week. Commercial banks in the capital are closed and there has been a shortage of currency.

Junta sources said that U.S. Under Secretary of State Thomas C. Mann talked with Imbert Tuesday night before returning to Washington with another special American presidential envoy, former Ambassador John Bartlow Martin.

The sources said that Mann discussed renewal of economic aid with Imbert but did not mention the idea of a coalition government. The meeting could not be confirmed with U.S. officials here.

Exhibit 2

[From the New York Times, May 4, 1965]

Dominican Sequel

The cold war is getting hot again. Local wars and civil wars are confined with difficulty to one country, as Vietnam and now the Dominican Republic are proving. The world is getting more dangerous as the United States actively shows its determination to stop Communist subversion in other countries, or even, as in the Dominican Republic, the threat of communism.

In the Caribbean, U.S. intervention has undoubtedly resulted in a grave setback to the inter-American system. Decades were spent in creating a policy of nonintervention in the internal affairs of hemispheric nations and in a collective system of security based on the Rio Treaty and the Bogotá Charter. These documents stand; but they are fractured, and time will be needed to heal the wounds.

The Organization of American States is reluctantly but wisely moving in—as the United States has urged—to do what it can to take the issue from its unilateral North American phase into a collective hemispheric mediation. President Johnson is trying to repair the breach with other American states by sending special envoys to the various capitals and by stressing the OAS role at the present stage.

Under the United Nations Charter, regional organizations such as the OAS are given the task of settling regional affairs if they can. The significance of yesterday's Security Council meeting was merely to provide a forum to attack the United States and for the United States to defend itself. Ambassador Stevenson, as always, was as eloquent and effective a spokesman as possible, but since the American case was put so recently and so fully by President Johnson there was nothing new that he could say.

The overwhelming strength of the American forces in Santo Domingo should bring an uneasy peace fairly soon. What will never end is argument about the U.S. contention that it is saving the Dominican Republic from a Castro-type revolution. President Johnson concedes that the uprising began as "a popular democratic revolution." The former Ambassador to Santo Domingo, John Bartlow Martin, who talked to the rebel leaders, was quoted afterward as saying that the movement became "Communist dominated" only in the last 3 or 4 days.

It is therefore arguable that U.S. intervention was what brought the Communists to the forefront. This is what ex-President Juan Bosch believes. He claims that his liberal and democratic followers had victory in their grasp when the United States intervened and turned the tables. Ideas of this sort are going to plague hemispheric relations for some years to come.

[From the New York Times, May 12, 1965]

The Dominican Morass

The United States is getting more and more deeply involved inside the Dominican Republic, politically as well as military. What began as an uprising has become a civil war in a state of suspended animation. Whether there was or was not a genuine threat of a Communist coup—and U.S. correspondents are emphatic in casting doubt on Washington's assertions that there was—it is clear that Dominican and Latin American communism has been strengthened in reaction against the American intervention.

What may have seemed to the American public to be a simple operation when President Johnson first sent in marines on April 28 has become a complicated, confused, and potentially explosive act of force majeure, with profound effects on the whole Inter-American System. Some of the United States' best friends in Latin America are included among the anti-Communist governments and peoples whom American intervention has alienated. The man in whose name the rebellion was started, the strongly anti-Communist Juan Bosch, may yet prove correct in his bitter comment that the United States, by its intervention, will create far more Communist sympathizers in the Dominican Republic and Latin America than were on hand—whatever their number—when the revolt began.

The Dominican situation is proving that the best intentions mean little or nothing in the face of contrary realities. No one could doubt the sincerity of Under Secretary Mann when he stated in an interview with the Times that the United States does not want to dictate the kind of government the Dominicans choose. But the fact is that the U.S. intervention bolstered a rightwing military group against a movement that, while it had some Communists within it, was for the most part democratic in spirit and intention. The idea of supporting the Bosch elements against the Communist minority in the rebel ranks was apparently never even entertained.

When it became clear that the military junta's first leader, Gen. Wessin y Wessin, was adamantly opposed in the Dominican Republic and throughout Latin America, Washington came up with another—but equally unpopular and rightwing—protege. American correspondents on the spot agree that General Imbert, now head of the junta, was chosen, groomed, and put in by the Americans and is being kept in power by Americans.

U.S. representatives refused even to talk with the rebel group headed by Lieutenant Colonel Caamaño until yesterday although Colonel Caamaño clearly has a considerable following throughout the Dominican Republic. In his enclave in Santo Domingo, surrounded by American troops, he has thousands of fanatically dedicated and well-armed followers.

In present circumstances the stalemate can be broken in only two ways. One is a cleanup by the American troops of the rebel enclave in Santo Domingo, with inevitable slaughter and destruction. The other is continued negotiation with the Caamaño-Bosch group. Of the two methods, it is a peaceful settlement that holds the best hope—we believe the only hope—of controlling ultimately the Dominican Communists.

In the long run, even if the marines once again stay on for years, it is the Dominicans and not the Americans who are going to decide the fate of the Dominican Republic.

[From the St. Louis Post-Dispatch, May 6, 1965]

A Little Too Vehement

The vehemence of President Johnson's efforts to defend his military intervention in the Dominican Republic suggests an inner uncertainty that does not quite square with the clenched fist and the bellicose front he presents to the public. Sympathetic Americans will be inclined to overlook some of his excesses—such as the rocking-chair remark which was widely interpreted as a subconscious thrust at the late President Kennedy—in view of the strain he has experienced. But bald distortion of the truth cannot and should not be ignored.

At his walking news conference Tuesday, the President represented himself as having decided to send troops to Santo Domingo after the Organization of American States "met and talked and talked and debated and then adjourned" without a decision. Thus he sought to convey the impression that he took unilateral action—which is clearly prohibited by the OAS Charter—only after failing to obtain collective action under the treaty.

This is a serious misstatement of fact. Mr. Johnson ordered the Marines into the Dominican Republic on Wednesday night, April 28, and did not lay the question before the OAS until the following day. It is true that the OAS could not agree on immediate action, but one of the reasons may have been that it then faced an accomplished fact of American intervention. By the time Organization met on the United States call, Marines and troops were pouring into Santo Domingo by the thousands. The plain truth is that the President simply kicked the treaty procedures of hemispheric consultation and collective decision into the ashcan when he decided to use American armed power.

Mr. Johnson contends he had to act quickly in order to save the lives of Americans in a deteriorating situation. Perhaps history will prove him right in that respect. But evacuating Americans is clearly not the mission of our troops now. The main question at the moment is not why the troops went in, but what purpose they are going to serve by staying there, and for how long.

One week after American intervention the OAS has voted to send an international force to Santo Domingo. That should help. But there is a warning in the fact that such important countries as Mexico, Chile, and Venezuela refused to support the move. Unless American influence is promptly thrown behind a political settlement that will permit our occupation to be ended, the President's hasty adventure bids fair to poison inter-American relations for years to come.

[From the New York Times, May 20, 1965]

War Changes Santo Domingo Into City of Three Hostile Worlds

(By Tad Szulc)

Santo Domingo, Dominican Republic, May 19.—It is nearly 4 weeks since war—and war is the word to describe what is happening here—has come to shatter the life of Santo Domingo.

In 25 blood-spattered days, the 300,000 inhabitants of this Caribbean capital have learned how to live under a rain of missiles and bullets in a city slashed by war into three hostile, miniature worlds separated by military lines.

First, there is the shrinking world of the rebels of Col. Francisco Caamaño Deñó. It is the passionate, often hungry, but defiant world of the constitutionalist revolution. Its brain is the great Copello Building on narrow Conde Street downtown where the rebels have their headquarters.

Its heart—and its defenses—are in the narrow streets and ancient houses of the rebel zone. There, armed soldiers and civilians, including women and teenagers, kept their vigil as the junta forces pounded the rebels in the north, on the far side of the security corridor manned by U.S. troops.

The rebel zone downtown is sealed off from the outside by the security corridor in the north, the Caribbean in the south, and Ozama River in the east and the international safety zone in the west.

From the international zone, rebel territory can be entered only through one checkpoint where U.S. marines and junta policemen behind tanks, barbed wire and sandbags, carefully funnel through long lines of traffic during the day. At night, the checkpoints are the outposts of a no man's land.

From the security corridor, the rebel world can be entered through checkpoints held by paratroopers of the 82d Airborne Division, who search all passersby for weapons.

The only economic activity in the downtown rebel territory is in an occasional bar, foodstore or barbershop.

Food is not yet in short supply. But the rebels say that U.S. troops have stopped the flow of food from the countryside.

The rebels try to keep their area orderly. There has been virtually no looting along Conde Street, the city's main shopping area, and sanitation employees and rebel fighters clear away the rubbish.

The Caamaño regime has tried to function as a government, but its "ministers" cannot pay its employees and their control of the city's activities is bounded by the limits of the rebel zone.

The rebels control the telephone exchange and the U.S. military commanders and the Embassy communicate with Washington through two direct lines.

The second world of Santo Domingo is the territory held by the junta. It is, however, spread all over the city's area.

The headquarters of Brig. Gen. Antonio Imbert Barreras, head of the junta, is on the grounds of the international fair in the western section of the city, behind the U.S.-controlled international safety zone.

The junta world then reappears on the east bank of the Ozama River, which is also controlled by U.S. forces.

There, the center of the junta's activities is San Isidro Air Force Base, where the junta has its military headquarters and its aircraft.

Part of the junta world is also in the northern area, following the last 5 days of fighting. But that area is still a battlefield.

This is the world of the cannon, the bazooka, the recoilless rifle, and the machinegun.

DIPLOMATS AND SNIPERS

The third world of Santo Domingo is the international safety zone.

Two U.S. Embassy and U.S. military headquarters are at its eastern fringe, the Marine expeditionary brigade is in the Hispaniola Hotel and the international diplomatic center is in the Hotel Embajador.

This world is perhaps the most frantic of the three.

Diplomats of the United States, the United Nations, and the Organization of American States rush from place to place in cars.

At night there is sniping, and yesterday the zone was shelled for the first time by antitank weapons fired from an undetermined spot.

The lobby of the Hotel Embajador is filled with Marine patrols, airborne rangers, Chinese farmers awaiting evacuation, newsmen of 11 nationalities, agents for the junta and for Colonel Caamaño, moneychangers, carpetbaggers, and children who play games with the soldiers.

[From the Los Angeles Times, May 9, 1965]

Is U.S. Goliath or St. George?—America Is Making Itself Heir of Colonialism, Toynbee Warns

(By Arnold Toynbee)

London.—For the past 20 years the Government and people of the United States have been acting on the belief that communism is on the march for the conquest of the world and that it is the manifest destiny of the United States to save the world from this fate.

According to this view, America has not only been saving the world; she has been saving it with the world's grateful, and indeed enthusiastic, support. This is why Americans have been puzzled and angered at demonstrations of anti-American feeling in Asian, African, and Latin American countries. These facts are incompatible with the American picture.

This picture is not founded on facts. The current picture resembles the medieval Christian picture of the Church's struggle with heretics, and the Roman picture of the Roman Empire's struggle with the Christian church. In each of these cases the adversary who had to be defeated had been identified with the powers of evil and had been credited with superhuman wickedness and potency. He had not been studied objectively, to find out what he was really like.

COMMUNIST OBJECTIVE

Whether or not "history is bunk" and whether or not it was Henry Ford who said that, the American picture of current history is "bunk" unquestionably. It is true that the conversion of all mankind is one of the official objectives of the Communist faith. Communism has taken over this objective from its parent, Christianity. It is also true that communism, like both Christianity and Islam, has not propagated itself solely by preaching, but has sometimes resorted to force.

Yet, during the 20 centuries of the Christian era up to date, Christianity has not come near to achieving its objective of converting the whole of mankind and, in the second century of the Communist era, the prospects for communism do not look any more promising. Moreover, communism has never been the paramount ideology of any government that has subscribed to the Communist faith.

SAME IDEOLOGY

The predominant ideology of the governments—and the peoples—of the Communist countries is, in fact, the same as the American Government's and people's predominant ideology. All over the world today, the predominant ideology is neither communism nor free enterprise: it is nationalism.

Today, the nationalism of the non-Western peoples is pitted against the nationalism of the Western peoples. The revolt of the "native" majority of mankind against the domination of the Western minority—this, and not the defense of freedom against communism by the leading Western country, the United States, is the real major issue in the world today.

The American people have not yet recognized this.

The mirage of communism is still veiling the truth from their eyes. The present American misreading of the facts is perilous for America and for the world.

Is the United States St. George fighting the dragon? Or is she Goliath fighting David? The question is important, because St. George was a winner but Goliath was not.

RING OF SINCERITY

While there is an unmistakable ring of sincerity and of genuine desire for peace in President Johnson's two recent public declarations, his assumption is that the United States is St. George, whereas she may in truth be the Goliath that the Vietnamese and the Chinese and the Russians see in her.

"There is no human power capable of forcing us from Vietnam," the President has said. An ancient Greek would have shuddered to hear his leader thus provoking the envy of the gods.

Twice within one lifetime, Germany's military power has appeared to be irresistible, and, each time, Germany has crashed. Goliath has succumbed to David, and this has been the usual fate of Goliaths in the past.

America, without realizing what she has been doing, has made herself the heir of British, French, Dutch, and Japanese colonialism, and consequently has drawn upon herself all the odium that the European and Japanese colonialists formerly excited.

UNTENABLE POSITION

The United States leaped into France's forcibly vacated place in Vietnam at the moment when France's debacle in Vietnam had demonstrated that colonialism had ceased to be practicable. In assuming this anachronistic role America was lending herself in an untenable position.

Today, President Johnson is willing to negotiate without making it a condition that America's opponents in Vietnam shall first stop fighting. He has, however, made it a condition that South Vietnam shall remain separate from North Vietnam, whatever the wishes of the Vietnamese people may be.

The United States also insists that South Korea shall remain separate from North Korea, and Taiwan from continental China; and, in all these three cases, the United States in enforcing her fiat by military action.

Now the imposition of the fiats of Western governments by force is the humiliation that has been inflicted on the non-Western peoples during the last 200 years.

ABSOLUTE EQUALITY

When they had got rid of the European and Japanese imperialists, they thought, for a moment, that they had recovered their freedom. But now the Americans have jumped in and are dictating, in their turn, to the Asians what the Asians may or may not do, and this is infuriating them.

The only practical basis for coexistence between the non-Western majority and the Western minority of mankind is a relation of absolute equality. All Western powers, including the puissant United States, as well as feeble Portugal, will have to accept equality in the long run. The sooner they accept it the smaller the price that they will have to pay.

If only America could see through her mirage of communism, perhaps the truth might move her to make an agonizing reappraisal of her present unrealistic policy.

ADJOURNMENT

Mr. HART. Mr. President, if there is no further business, I move, under the order of May 19, 1965, that the Senate stand in adjournment until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 25 minutes p.m.) the Senate adjourned, under the order of May 19, 1965, until Friday, May 21, 1965, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 20, 1965

The House met at 12 o'clock noon.

Rabbi Ezra M. Finkelstein, Town and Village Synagogue, New York City, offered the following prayer:

Then Daniel praised the God of the heavens. Daniel spoke, saying: *Praised be the name of God from everlasting to everlasting, for wisdom and might are His; He changes the seasons and times; He removes kings and He sets up kings; He gives wisdom to the wise and knowledge to those who are endowed with understanding; He reveals things deep and secret; He knows what is in darkness; and with Him dwells the light.*

Elohenu V-elohe Avotenu.

Our God and God of our fathers, look upon us with mercy, and graciously grant our petitions, spoken before Thee in the words of our teachers the Rabbis Elazar and Rav.

May it be Thy will, O Lord, our God, to cause to abide in our fortune love, brotherliness, peace, and friendship; to enrich our boundaries with students; to prosper our goal with hope and with future; to set us a share in paradise; to cause us to obtain good companions and good impulse in Thy world, that we may rise in the morning and find our heart longing to hear Thy name.

May it be Thy will, O Lord, our God, to grant us long life, a life of peace, of good; a life of blessing, of sustenance, of bodily vigor; a life in which there is fear of sin; a life free from shame and disgrace; a life of prosperity and honor; a life in which we may have the love of Thy teachings and a fear of heaven; a life in which Thou shalt fulfill all the wishes of our hearts for good. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1734. An act to conserve and protect domestic fishery resources.

LEGISLATIVE PROGRAM FOR THE BALANCE OF THIS WEEK AND NEXT WEEK

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of determining the program for the rest of this week, and next week.

Mr. BOGGS. Mr. Speaker, as the gentleman knows, we will consider, if the rule is adopted, the atomic energy authorization today. I would hope we would complete consideration of it today. If we do, at the end of the day we hope to go over until Monday.

The program for next week is as follows:

Monday is District Day, but there are no bills from the committee.

We will call up on Monday and consider on Monday and Tuesday, H.R. 7750, the Foreign Assistance Act of 1965.

For Wednesday and the balance of the week we will call up the agricultural appropriation bill, followed by H.R. 5883, bonding provisions of Federal labor laws. This will come up under an open rule with 1 hour of general debate.

Then H.R. 3584, the Federal Coal Mine Safety Act amendments. This is under an open rule providing 2 hours of general debate.

Then H.R. 5241, amending section 20a (12) of the Interstate Commerce Act regarding interlocking directorates. This will be called up under an open rule with 1 hour of general debate.

Mr. GERALD R. FORD. The last three bills mentioned would follow the appropriation bill for the Department of Agriculture?

Mr. BOGGS. Exactly. We will take them up in that order after the appropriation bill is acted on.

Of course, conference reports may be brought up at any time.

Mr. GERALD R. FORD. Can the gentleman from Louisiana give us any guideline as to what the legislative program might be or might not be on Memorial Day weekend?

Mr. BOGGS. That is week after next. Memorial Day comes on Sunday. Monday is an official holiday. So I presume there will be no legislative business on that day, but I think we will have a full week thereafter.

SUBCOMMITTEE ON INTERNATIONAL TRADE OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Subcommittee on International Trade of the Committee on Banking and Currency may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

SUBCOMMITTEE ON IRRIGATION OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Irrigation of the Committee on Interior and Insular Affairs be permitted to sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

KANIKSU NATIONAL FOREST, IDAHO

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 5798) to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the bill, as follows:

H.R. 5798

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of authorizing appropriations from the land and water conservation fund established by section 2 of the Land and Water Conservation Fund Act of 1965 for the acquisition of lands adjacent to national forests as authorized by section 6 of such Act, the Secretary of Agriculture is authorized to acquire by exchange, purchase, or otherwise, the real property described in section 3 of this Act. Upon such acquisition the boundaries of the Kaniksu National Forest are extended to include such real property.

SEC. 2. In the acquisition of the real property described in section 3, the Secretary of Agriculture shall be guided by the following policies:

(1) He should make every reasonable effort to acquire the property by exchange or negotiated purchase.

(2) The property should be appraised by the Secretary of Agriculture before the initiation of negotiations, and the owner or his designated representative should be given an opportunity to accompany the appraiser during his inspection of the property.

(3) Before the initiation of negotiations for the property, the Secretary of Agriculture should establish a price which he believes to be a fair and reasonable consideration therefor and should make a prompt offer to acquire the property for the full amount so established. In no event should such price be less than the appraised fair value of such property, as determined by the Secretary.

SEC. 3. The real property authorized to be acquired under authority of this Act is more particularly described as follows:

Township 63 north, range 4 west, Boise meridian:

Section 18, southeast quarter southeast quarter; section 19, northeast quarter northeast quarter, lot 3 (southeast quarter northeast quarter); section 20, southwest quarter northwest quarter; section 33, lot 1 (northeast quarter northwest quarter), lot 2 (southeast quarter northwest quarter), lot 3 (northeast quarter southeast quarter), lot 6 (southeast quarter southwest quarter), west half southwest quarter northeast quarter, west half northwest quarter southeast quarter, southwest quarter southeast quarter.

Township 63 north, range 5 west, Boise meridian:

Section 24, northeast quarter northeast quarter, east half northwest quarter northeast quarter, northeast quarter northeast quarter southwest quarter northeast quarter, northwest quarter southeast quarter northeast quarter, lot 2 (northeast quarter southeast quarter northeast quarter), lot 3 (northeast quarter southeast quarter southeast quarter northeast quarter).

With the following committee amendments:

Page 1, lines 3 to 7 inclusive, strike out "for the purpose of authorizing appropriations from the land and water conservation fund established by section 2 of the Land and Water Conservation Fund Act of 1965 for the acquisition of lands adjacent to national forests as authorized by section 6 of such Act,".

Page 2, line 5, strike out "exchange or".

Page 2, line 7, after "appraised" insert "at its fair market value".

Page 2, line 11, strike out "his" and insert "an".

Page 2, lines 12 to 19 inclusive, strike out all of paragraph (3).

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 435) to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

S. 435

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to promote protection and conservation of the outstanding scenic values and natural environment of Upper Priest Lake in Idaho and lands adjacent thereto for public use and enjoyment, the boundaries of the Kaniksu National Forest are hereby extended to include those of the lands hereinafter described which are not now within such boundaries. In order that they may be managed under the principles of multiple use and sustained yield, the Secretary of Agriculture is hereby authorized to acquire the following lands at their fair market value:

Township 63 north, range 4 west, Boise meridian:

section 18, southeast quarter southeast quarter;

section 19, northeast quarter northeast quarter, lot 3 (southeast quarter northeast quarter);

section 20, southwest quarter northwest quarter;

section 33, lot 1 (northeast quarter northwest quarter), lot 2 (southeast quarter northwest quarter), lot 3 (northeast quarter southeast quarter), lot 6 (southeast quarter southwest quarter), west half southwest quarter northeast quarter, west half northwest quarter southeast quarter, southwest quarter southeast quarter.

Township 63 north, range 5 west, Boise meridian:

section 24, northeast quarter northeast quarter, east half northwest quarter northeast quarter, northeast quarter northeast quarter southwest quarter northeast quarter, northwest quarter southeast quarter northeast quarter, lot 2 (northeast quarter southeast quarter northeast quarter), lot 3 (northeast quarter southeast quarter southeast quarter northeast quarter).

SEC. 2. There are hereby authorized to be appropriated not to exceed $500,000 to carry out the purposes of this Act.

AMENDMENT BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Strike out all after the enacting clause, and insert the provisions of H.R. 5798, as passed by the House.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed.

A similar House bill (H.R. 5798) was laid on the table.

A motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. WHITE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. WHITE of Idaho. Mr. Speaker, I speak today on behalf of the preservation of Upper Priest Lake in Bonner County, Idaho, unquestionably one of the most remote and beautiful bodies of water in the Nation. And there is urgency in my message.

H.R. 5798, a bill that would seal off the lake from private development and protect this scenic gem in its unspoiled forest setting, must become law before this month ends, or the lake's shoreline will be subject to subdivision and commercial development.

In its present state, Upper Priest Lake can be reached only by boat and is surrounded by State and federally owned land, including the Kaniksu National Forest. I believe it is in the public interest that the 417 acres of private land involved be made a part of the national forest through negotiated purchases, as provided in H.R. 5798.

It has been only through the intervention of a national semiscientific organization, Nature Conservancy, that subdivision of a 140-acre parcel of private land for cabin sites has been delayed. This organization provided a loan to the owners to buy a year's time in which to save the lake. This period of grace is nearly over, and because of this, Mr. Speaker, I request that the membership be allowed to pass H.R. 5798 by unanimous consent.

COMMITTEE ON BANKING AND CURRENCY

Mr. PATMAN. Mr. Speaker, on yesterday I asked unanimous consent that the Committee on Banking and Currency may have until midnight on Saturday to file a report on H.R. 9874, the housing bill. The bill number I used in this request was an error. Therefore I renew the request and ask unanimous consent that the Committee on Banking and Currency may have until midnight Saturday to file a report on the bill H.R. 7984, the Housing and Redevelopment Act of 1965.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Missouri makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 103]

Adams
Andrews, George W.
Andrews, N. Dak.
Baring
Battin
Blatnik
Bonner
Brown, Ohio
Callan
Callaway
Clark
Clausen, Don H.
Culver
Curtis
Diggs
Dole
Flood
Fogarty
Foley
Fraser
Grabowski
Griffin
Halleck
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Harvey, Mich.
Hébert
Holland
Jacobs
Johnson, Calif.
Kluczynski
Landrum
Lindsay
Long, Md.
McMillan
Mackay
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Morrison
Morton
Nix
Pelly
Powell
Price
Race
Resnick
Roberts
Ronan
Roncalio
Schmidhauser
Selden
Shipley
Sickles
Smith, N.Y.
Stafford
Teague, Tex.
Thomson, Wis.
Todd
Toll
Tupper
Watkins
Willis
Yates

On this rollcall 368 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FOREIGN ASSISTANCE ACT OF 1961

Mr. YOUNG, on behalf of Mr. MADDEN of the Committee on Rules, reported the following privileged resolution (H. Res. 395, Rept. No. 359) which was referred to the House Calendar and ordered to be printed:

H. RES. 395

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7750) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AUTHORIZING APPROPRIATIONS FOR THE ATOMIC ENERGY COMMISSION FOR FISCAL YEAR 1966

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 394, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 394

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8122) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee [Mr. QUILLEN] and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 394 provides for consideration of H.R. 8122, a bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes. The resolution provides an open rule, waiving points of order, with 2 hours of general debate.

As originally submitted to Congress, the Atomic Energy Commission's request called for a total authorization of $2,592,035,000 for fiscal year 1966.

H.R. 8122 authorizes a total of $2,555,521,000—$2,260,776,000 for operating expenses and $294,745,000 for plant and capital equipment—for the Commission for fiscal year 1966—a difference of $36,514,000.

In addition, the bill would authorize the AEC to enter into two new cooperative arrangements with organizations outside the Federal Government for construction and operation of nuclear powerplants embodying advanced concepts. Included within the total amount, this bill would authorize to be appropriated to the AEC is the sum of $132,363,000, which the AEC could utilize for these cooperative arrangements. The bill would also authorize AEC to waive use charges on leased special nuclear material for one project in an amount estimated to be $6,443,000, and to purchase uranium enriched in the isotope 233 produced under the arrangement.

There is a provision in the bill rescinding prior year authorizations for five projects amounting to $60,955,000, exclusive of waiver of use charges. No additional funding is provided for these projects unless justification is subsequently resubmitted to Congress and new authorization provided.

Mr. Speaker, I urge the adoption of House Resolution 394.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we are considering House Resolution 394, which will permit consideration of H.R. 8122, to authorize appropriations to the Atomic Energy Commission. A 2-hour open rule is requested, waiving points of order. I am in support of the rule.

H.R. 8122 authorizes appropriations for the Atomic Energy Commission for the fiscal 1966 of $2,555,521,000.

It also authorizes the AEC to begin two civilian cooperative power reactor projects which are to utilize a so-far-unused source of energy.

Of the authorization, $2,260,776,000 is for operating expenses and $294,745,000 is for the plant and capital equipment expenditures.

Great progress is being made by the AEC in harnessing atomic power for peaceful uses.

Under section 106 of the bill, authorization is given to the Commission to enter into a cooperative project with a State, its departments and agencies, or with privately, publicly, or cooperatively owned utilities or industrial organizations, for participation in the research and development, design, construction and operation of a thorium seed-blanket nuclear powerplant.

Section 107 of the bill would give authorization to the Commission to contract with a utility or group of utilities and an equipment manufacturer or other industrial organization for participation in the research and development, design, construction, and operation of a high-temperature gas-cooled nuclear powerplant.

Under this section—107—the Public Service Co. of Colorado plans such a plant in its system. I am advised by the committee that this electric utility system would spend approximately $45 million, which will purchase the power factor from the AEC manufacturing unit.

The Government authorization is $47,306,000 making a total estimated cost for this project of some $92,306,000.

Under section 106, an agreement is under consideration for construction by the State of California to supply power to pump water for the State's water supply project. I am advised that the State of California's estimated participation is $80 million, of which $40 million will go toward reactor costs and the remainder toward normal plant construction. The Government authorization is $91.5 million, for a total of $171.5 million.

What payments or other charges are contemplated in the future by companies which then desire to obtain the patent information derived from these cooperative programs? The answer, as I understand it, is that no payments are to be made. The Government owns the patent rights to all patents developed under the cooperative program, even those traceable to the private participant. The Government policy is to make all such information available free of charge to other companies. Once the process is developed, the patents are available to all interested parties.

In Tennessee we are fortunate to have the Oak Ridge project of the Atomic Energy Commission. It has meant much to the State of Tennessee. Although it is not in my district, it is in the district of my good friend and colleague, the gentleman from the second district of Tennessee, JOHN J. DUNCAN. It performs a very worthwhile service, as I am sure the other agencies and operations of this Commission do throughout the United States.

Mr. Speaker, I urge the adoption of the rule. Reserving the remainder of my time, I have no further requests for time.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. QUILLEN. I am glad to yield to the gentleman from Missouri.

Mr. HALL. I wonder if the gentleman on the Rules Committee or the gentleman who brought the rule to the floor of the House today will explain for the benefit of the House, why all points of order are to be waived under this rule, House Resolution 394.

Mr. QUILLEN. Mr. Speaker, I will be glad to explain to the gentleman. As I understand, the restrictive language in section 103, on page 7 of the bill, makes the waiver necessary. It reads as follows:

> (1) such construction project has been included in a proposed authorization bill transmitted to the Congress by the Commission and (2) the Commission determines that the project is of such urgency that construction of the project should be initiated promptly upon enactment of legislation appropriating funds for its construction.

As I understand it, the waiving of the points of order was necessary in a time of national crisis and urgency for the Commission to commence construction of a necessary project immediately, without authorization by the Congress.

Mr. HALL. In other words, the gentleman is saying that this is an authorization for an immediate start on this particular construction because of a national emergency?

Mr. QUILLEN. Crisis or urgency. Yes.

Mr. HALL. I thank the gentleman.

Mr. YOUNG. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

AUTHORIZING APPROPRIATIONS FOR THE AEC 1966

Mr. HOLIFIELD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8122) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from California.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 8122, with Mr. BURKE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. HOLIFIELD. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, for the benefit of the Members, I should like to make a preliminary statement before reviewing the pertinent sections and summarizing H.R. 8122, a bill authorizing appropriations for the Atomic Energy Commission for the fiscal year 1966.

I would like to give a short status report on the atomic energy program of the United States. I take pride today in being able to announce that the United States of America, through the excellent cooperation of our scientific and industrial community, with our military agencies and the Atomic Energy Commission, have given the United States preeminence in all areas of military and peaceful uses of atomic energy. I might say that the Congress itself can take pride in this accomplishment because without the support of the Congress for the atomic energy program, we could not have had it. In our naval and nuclear program we have now 92 nuclear submarines authorized, of which 41 are of the Polaris missile-carrying type; 51 nuclear submarines are already in commission of which 29 are of the Polaris type. Each of these submarines has three times the firepower of all the bombs used in World War II. I want you to consider that statement carefully. Each one of these Polaris submarines carries more firepower by the factor of three than all of the bombs exploded in four years of war during World War II where we had the utilization of 40,000 bombers. These submarines are patrolling the waters of the world protecting the security of the free world.

We have today the world's one and only nuclear-powered aircraft carrier, the *Enterprise*. This ship, together with the nuclear-powered cruiser, the *Long Beach*, and the nuclear-powered *Bainbridge*, circumnavigated the world without refueling. These three ships were able to steam on their world cruise completely independent of an outside fuel supply and at any time during their voyage would have been ready to engage in military action.

Through the use of nuclear power our Navy need no longer be subject to military disadvantages and sometimes critically crippling restrictions imposed upon the Navy in remote areas of the world due to dependence upon continual refueling.

I wish to compliment my colleagues on the House Armed Services Committee and other Members of the House for their action in passing the recent bill authorizing defense procurement and research and development. This bill and the accompanying report of the Committee on Armed Services makes it very clear that this Congress recognizes that future capital ships of the Navy must be nuclear powered. From the very inception it has been the Congress that has taken the initiative in transforming and modernizing our Navy to nuclear power.

I want to pay a specal tribute at this time to the gentleman from Massachusetts, Congressman BATES, and the gentleman from Illinois, Congressman PRICE, who serve not only on the Joint Committee on Atomic Energy but also on the Committee on Armed Services. I know that their wise counsel in the Armed Services Committee is no small factor in bringing these facts to the observation of the Committee on Armed Services. Also I want to pay tribute to the chairman of that committee, the gentleman from South Carolina [Mr. RIVERS] for his vision in seeing the way clear to authorize this public approval of a nuclear-powered Navy.

The addition by the House of a nuclear-powered frigate and the inclusion of additional nuclear-powered submarines in this year's Defense Department appropriation bill was a correct and proper action. The United States today has a nuclear weapons stockpile second to none. In our inventory we have a variety of weapons and numbers of weapons which constitute the greatest destructive power ever assembled in this world. This stockpile has been developed and maintained by the United States for the safeguard of our Nation and the free world.

Our NATO allies for these many years, through the NATO stockpiling arrangement, have had the assurance that the tremendous nuclear defensive power of the United States constitutes one of the basic strengths of our alliance and is one of the greatest deterrents against armed aggression by the Union of Soviet Socialist Republics.

This past week Red China detonated its second atomic bomb. While I am not free to discuss all of the intelligence information available to our Joint Committee concerning this device, I can tell you that it is not a sophisticated, efficient type of weapon compared with our modern stockpiled weapons. We know at this time that the device was detonated above the ground. It is implausible that the device was on a missile.

As to the improvement of the second bomb, over the first bomb, I cannot at this time fully discuss that because the debris is still under analysis. But I think it would be reasonable to expect that there would be some improvement.

As I have indicated the analysis indicates that it was an all-fission device. We know that it is a somewhat higher yield than the first bomb that was exploded by Red China.

There is no secret on how to make a crude atomic bomb. Any college student who has studied nuclear physics knows the principle of making a nuclear-fission bomb. All one needs to do is to bring together a sufficient amount of fissionable material. The big problem is the obtaining of the fissionable material, either Uranium 235 or plutonium, and, of course, they have to have the industrial know-how to bring the material together.

The second major problem in becoming a nuclear weapons power is to develop sophisticated weapons of low weight and increasing yield in sufficient numbers for their inventory. That the Chinese, if they continue to work in this area, can eventually do this to some degree, I have no doubt. They are not yet at that stage. Their ability to continue to make improvements, however, highlights the importance of the United States continuing our research and development in order to maintain our continued leadership not only for the safety of ourselves but for the safety of the entire free world.

Mr. Chairman, we have moneys in this bill which will continue our underground testing and our building of more sophisticated weapons.

Mr. Chairman, as we lead the world in the military utilization of nuclear power, so too are we in the forefront in the peaceful uses of nuclear energy. A great new industry has arisen in the United States involving the manufacture, distribution, and use of nuclear isotopes. These unique products are being used in many areas of industry for control and measurement purposes. They are making a tremendous contribution in the medical field in the fight against cancer and in the research for a better understanding of various diseases and methods of treatments. Isotopes are being used by our agriculture industry both for research and for improvement of crops.

Mr. Chairman, the Army Quartermaster Corps and the Atomic Energy Commission have successfully demonstrated and have made tremendous advancement in pasteurization and sterilization of food through nuclear isotopes and machine services. We are on the verge of major industrial changes whereby food products can be preserved for long periods of time without the deteriorative effects in food value and other problems which occur in present methods of canning and research.

In the field of generating electricity by nuclear powerplants tremendous accomplishments have been made. In the past 7 years the total electrical generating installed capacity of central stations using nuclear powerplants in the United States rose from 60,000 kilowatts to the present of nearly 2 million kilowatts, and by 1969 it is estimated we will have 4.5 million kilowatts of installed nuclear powerplants in the United States. These are plants which are either now on the planning board or are under actual construction and they are to be finished by that time.

Today, Mr. Chairman, equipment manufacturers are able to offer an electric utility approved nuclear powerplant in a range of 300 to 800 megawatts without any Government subsidy.

In the next 4 or 5 years we will see these plants constructed and in operation and will be able to accurately evaluate their full cost and their technical and economical competitiveness with other fossil fuel plants. Already, Mr. Chairman, it is estimated that the mere existence of this new energy source is saving electric power users in this country about $1 billion a year through its competitive impact upon other energy sources.

Mr. Chairman, we are only in the first phase of our goal in the development of civilian nuclear power. Now we must shift our emphasis to the more advanced needs that this Nation must eventually have to obtain the ultimate objective, a virtually limitless supply of energy.

That is why, Mr. Chairman, the committee this year is shifting the Government's emphasis to the development of more advanced reactors which will actually breed fuel.

We at this time are preeminent in civilian and military uses of atomic energy. Our leadership, however, will be dependent upon a continuation of a vigorous research and development program. We cannot stand still and maintain leadership. Other nations of the world are also making advances. If we falter or become complacent, we will lose our leadership.

Now, Mr. Chairman, I have a full and complete analysis of the bill which would take at least 35 or 40 minutes to go through section by section. However, let me summarize it briefly and then put the full analysis in the RECORD at this point. Then, I shall make myself available for such questions as any Member may wish to ask at this time.

The program is roughly divided into several parts. The first part of this program I might say has a total authorization of $2,555,521,000. Of that sum $1,296,795,000 is for the purchase of raw materials which we are contractually obligated to purchase and the development of special nuclear material out of uranium in its different elements, which we use in weapons and in civilian ways, and the fabrication of weapons involves around $705 million, making the total that I gave you.

In the reactor development field, and this includes research and development, civilian power reactors, cooperative power, a small amount of euratom program, merchant-ship reactors, Army power reactors, naval propulsion reactors, which means improved submarine engines in some instances, rocket propulsion reactors, satellite and small power sources, general systems research and development, nuclear safety, which is a very important field in which we are interested, and operational services.

Then in the field of physical research, this includes high-energy physics, medium-energy physics, low-energy physics, mathematics and computer research, chemistry, metallurgy and materials, and controlled thermonuclear experiments, around $239 million.

In the field of biology and medicine program, training, education and information, civilian applications of nuclear explosives, our plowshare program, which will become a new medical program, a community program, a program of direction and administration, security investigations program, and cost of work for others, make up the balance of the total amount of $2,555,521,000.

At this point I will read into the RECORD a complete section-by-section analysis, and will invite questions from any of the Members on the floor.

Mr. Chairman, the purpose of the bill before the House now is to authorize appropriations to the Atomic Energy Commission for fiscal year 1966. For the second consecutive year, pursuant to legislation enacted in 1963, the Joint Committee on Atomic Energy reviewed the authorization for all appropriations to the Atomic Energy Commission including both construction and operating funds. During 16 days, occupying 61 hours, the Joint Committee in both public and executive session considered the entire AEC program in considerable detail. Our hearing record comprises almost 2,000 pages. At the conclusion of the hearings the Joint Committee reviewed the AEC's requested authorization and issued a comprehensive report on this program which recommended a number of significant changes in the AEC's proposed authorization bill.

H.R. 8122 was reported out by the Joint Committee without dissent. It represents the unanimous judgment of Members from both sides of the aisle and from both Houses. As chairman of the Joint Committee, I am confident our committee has recommended a well-conceived bill to Congress which will fully enable the AEC to carry out its responsibilities in the civilian and military fields, without waste of public funds.

I think the Members will be interested in the following comparative statistics. H.R. 8122 proposes authorization of about $36.5 million less than AEC's request for fiscal year 1966 and about $81 million less than AEC's fiscal year 1965 authorization act. I believe these figures demonstrate that the Joint Committee is alert to the necessity for exercising prudence in expenditures, while at the same time encouraging progress in programs which are vital to our Nation's security and welfare.

Section 101(a) of the bill would authorize appropriations of approximately $2.26 billion for operating expenses under the AEC's major programs. I would like to explain several highlights of the committee's recommendation with respect to this authorization.

First. In the civilian power reactor program the committee has recommended a reduction of $1 million in the AEC's request, this reduction to be applied against the program generally. In its report the committee recommends that work directly related to the types of reactors now being made available commercially be phased out and emphasis be placed on the longer range development objectives of the program.

The AEC's civilian power reactor program is a research and development effort designed to introduce a new energy source into the national economy. The ultimate objective of this program is the development of breeder reactors to meet the Nation's long-term energy needs. In general, the program is characterized by a continuing shift in emphasis from development of low conversion ratio light water reactors to the more advanced converter and breeder type reactors which hold the promise of a more efficient utilization of this Nation's nuclear fuel resources. This shift is consistent with the position which this committee has expressed since 1963 and is also in accordance with the basic conclusions and recommendations of the AEC's November 1962 report to the President on civilian nuclear power.

The committee strongly endorses a Government-supported program directed to the achievement of our ultimate goal in nuclear power—the creation of a virtually limitless supply of nuclear energy. The committee agrees with the Commission's objective of developing advanced converter and self-sustaining breeder reactors to increase the Nation's energy resources pending, hopefully, the successful development of high-gain breeders.

However, the committee believes that continual vigilance must be exercised to phase the Government out of further development of improvements to types of reactors which are commercially available, which effort should be carried forward by private industry. The Commission should also avoid support of those reactor types which prove to be the least promising, or at most only as good as types which are available.

Second. Included within the overall authorization for appropriations to the AEC is the sum of $132,363,000 for two new civilian cooperative power projects—the large seed blanket reactor, LSBR, and the high-temperature gas-cooled reactor, HTGR. The seed and blanket reactor and the high-temperature gas-cooled reactor projects are designed to use thorium as a fuel in addition to uranium. Our present thermal reactors use only about 1 percent of the available energy in uranium. If we succeed in breeding with thorium, we will increase utilization of available energy by about 50 times. These two projects are of sufficient importance to the atomic energy program that I will discuss each of them in some detail.

LSBR PROJECT

This bill would authorize AEC to enter into a cooperative project with a State, it departments and agencies, or with privately, publicly, or cooperatively owned utilities or industrial organizations for participation in the research and development, design, construction, and operation of a thorium seed-blanket nuclear powerplant—LSBR. The LSBR currently is under consideration for construction by the State of California to supply power to pump water for the State's water supply project. An appropriation of $91,500,000 would be authorized for this project, this amount being included in the amount of the overall appropriation to be authorized by this bill. The State of California as its part of the cooperative program would contribute $80 million for the plant and would pay the AEC an estimated $51.7 million for steam produced with the AEC's developmental core.

Dr. Glenn Seaborg, Chairman of the AEC, and Adm. H.G. Rickover, an acknowledged expert in the field of nuclear reactors, strongly believe the LSBR project will help to attain the general objective of the AEC's advanced converter and breeder reactor program, which the committee endorses. In this connection, the committee welcomes President Johnson's reiteration of his support of the development of advanced converter and breeder reactors as stated in his letter to the AEC of April 17, 1965, reproduced on page 52 of the Joint Committee's report on H.R. 8122.

I also wish to point out to the Members that the proposed bill submitted by the AEC authorized the LSBR but limited the AEC to a cooperative arrangement with the State of California.

Some questions have been raised concerning the technical feasibility of the seed and blanket reactor in connection with some fuel element problems. In order that there be no misunderstanding, let me discuss this.

The committee on April 12 was informed by Admiral Rickover of a fuel element problem which was subsequently confirmed in a letter from AEC Chairman Seaborg, dated April 19, 1965. This is discussed in an exchange of letters between the Commission and the State of California dated April 26, 1965, and May 3, 1965, printed at page 1913 in the committee's printed hearing record. The problem is not related to the principal objective of the project—to prove the breeding concept—but rather to how long the first core may last before refueling. With the present design it appears the first core may not last the full 9 years.

The Commission reported in its April 26, 1965, letter that redesign of certain of the proposed fuel elements for the LSBR will be necessary to provide assurance of the ability of these fuel elements to perform satisfactorily for 9 years of reactor operation. The Commission reiterated its confidence in the oxide fuel proposed for the reactor and reaffirmed its confidence in the seed-blanket concept. The Commission also stated that redesign of the fuel is not expected to prevent demonstration of breeding or to provide a reliable plant meeting the requirements of the State.

By letter of May 3, 1965, the State of California stated that, consistent with its objectives, the State is interested in participating in the construction of the LSBR plant and utilization of its power. However, several conditions must be satisfied before the State can sign a definitive contract for this project. The State also notified AEC that it is willing to agree to an extension of the date for signing a firm contract for the LSBR project, to approximately September 1, 1966, provided that Congress acts this year to authorize the LSBR project for construction.

On the basis of the evidence presented, the committee has confidence in the ability of Admiral Rickover and the Commission to resolve these problems, and to consummate a contract to proceed with this project. The committee further believes it is vital to obtain the information which will flow from this important project, and to obtain it without delay.

Consistent with other cooperative authorizations, the committee has recommended that the authorization for this project not be limited only to the State of California but be broadened to include potential participants including public and private utilities. It is possible that events might occur which would make it impracticable to proceed with this arrangement with the State, or would make it desirable to include others in the cooperative arrangement. The committee's recommended change would provide sufficient flexibility to enable the AEC to proceed with this important program in cooperation with the State, or others, and at the same time retain appropriate congressional control over the terms and conditions of a definitive cooperative arrangement.

The committee further believes so strongly, along with the Commission, in the advance of the seed and blanket technology that it expects the research and development on this concept to proceed without interruption. Section 106(b) of H.R. 8122 would, accordingly, permit the AEC to utilize not in excess of $25 million of the funds appropriated to the AEC pursuant to this authorization for performing research and development work on the LSBR prior to execution of a contract for this project.

HTGR PROJECT

This bill would also authorize the AEC to enter into a cooperative project with a utility or group of utilities and an equipment manufacturer or other industrial organization for participation in the research and development, design, construction, and operation of a high-temperature gas-cooled nuclear powerplant—HTGR. The Public Service Co. of Colorado plans to build and operate the HTGR on its electric utility system.

This bill would authorize an appropriation of $40,863,000 for this project, this amount being included in the overall appropriation to be authorized by this bill. In addition, the AEC would be authorized to waive use charges for this project in an estimated amount of $6,443,000, to purchase U^{233} produced in and discharged from the reactor during the cooperative arrangement, and to make reprocessing arrangements for the reactor fuel.

The Public Service Co. of Colorado, as its portion of the cooperative program would pay an estimated $45,800,000 for the construction of the powerplant, the equipment developer, General Atomics, would, among other things, pay for all development costs in excess of those covered by the authorization to the Atomic Energy Commission.

The committee believes that this project should be approved. Like the seed-blanket reactor, the HTGR is expected to offer significant advances over light-water reactors currently available today, and to provide a means for making effective utilization of another energy source, thorium.

The committee has also recommended a change in the authorization bill submitted by the AEC to require that this project shall be entered into in accordance with the basis for an arrangement described in the program justification data sheet submitted by the AEC in support of this authorization for fiscal year 1966.

Third. In the Euratom program, the committee has recommended authorization of $3 million for continuation of the second 5-year program with the European Atomic Energy Community, originally authorized by Congress in 1958. The committee believes that this program has been a productive one. I want to emphasize that the entire U.S. participation has been matched by Euratom and that the contribution of the United States to the program is spent within this country. In addition there is a complete exchange of information between the researchers on both sides of the Atlantic.

Fourth. In the SNAP program, which is aimed at the development of compact sources of nuclear energy for use in space and on earth, the committee has recommended a $10 million cut in the AEC's request.

The committee devoted considerable attention this year, particularly to the SNAP-50 program, which concerns the development of a nuclear-electric powerplant with a capability in the hundreds of kilowatts. The SNAP-50 project was started in 1962 and has been subject to a series of cutbacks from its original program objectives in each of the three years of existence. These changes include cancellation of the original flight test objective, cancellation of an experimental reactor test, and this year, the administration's proposed cancellation of development of a complete SNAP-50 reactor for ground test.

After a careful review of this program, including a visit by members and staff of the Joint Committee to the facility in which most of this work is being carried on, the committee concluded that trends in this program have now placed it in the classification of advanced technology work with no presently identifiable project-type objectives. Accordingly the committee has recommended a $10 million reduction in the level of effort for this program from the AEC's request for $22 million, in line with the magnitude of effort considered appropriate for an advanced technology program of this nature.

The committee urges continuation of advanced systems technology development for potential space applications. The committee further believes that AEC should make a selection as soon as possible of promising advanced systems to be developed for space applications and other compact high performance nuclear power applications, and that the project development phase should be initiated promptly.

Fifth. In the physical research program, the committee has recommended for authorization the full amount requested by the AEC. However, important changes have been recommended by the committee in some of the individual subprograms.

For example, the committee has recommended that $1.5 million be added to the medium-energy physics program and that a total of $2 million be utilized for research and development and advanced design studies for an atomic particle accelerator, known as a meson physics facility, to be built at the Los Alamos Scientific Laboratory in New Mexico.

This facility is particularly related to the second of the four safeguards established in the summer of 1963 against the risks of an abrogation of the nuclear test ban treaty. Safeguard 2 states:

> The maintenance of modern nuclear laboratory facilities and programs in theoretical and exploratory nuclear technology which will attract, retain, and insure the continued application of our human scientific resources to these programs on which continued progress in nuclear technology depends.

The committee fully supports all of the safeguards. Safeguard 2 is of fundamental importance to the assurance of a qualitatively superior nuclear weapons program. Construction of this research tool at the LASL weapons laboratory will definitely enhance the application of scientific resources to the nuclear technology programs. In connection with this action, the committee has recommended an additional authorization of $1,200,000 for preliminary architect-engineering for the meson-physics facility.

The committee further has recommended a reduction of $1 million in the AEC's controlled thermonuclear research program, which would make the fiscal year 1966 program level about 5 percent greater than that of fiscal year 1965. At the committee's request the AEC is preparing to submit a comprehensive report to Congress concerning thermonuclear research prior to next year's authorization hearings. The committee believes that significant increases in the level of effort for this program cannot be justified until this report is received and evaluated.

During the committee's hearings in March on high-energy physics, there was considerable interest expressed in construction of a large new accelerator in the energy range of several hundred billion electron volts. In view of this interest, I wish to inform the Members that there is included within this year's recommended authorization for high-energy physics $1,900,000 for advanced accelerator design studies on a 100 to 300 Bev proton accelerator. No moneys are in the fiscal year 1966 authorization for engineering or construction of a multi-bev accelerator.

The AEC announced on April 28, 1965, that it has arranged for the National Academy of Sciences to review and evaluate proposed sites referred to the Academy by the Commission. It is expected that the National Academy of Sciences will complete its evaluations and make recommendations to the Commission by January 1, 1966, with respect to locations for building the large accelerator. While no final decision has been made to build the accelerator, the committee believes that any consideration next year of funds for engineering design of the proposed large accelerator will necessitate prior selection by the AEC of an appropriate site.

Sixth: In the AEC's biology-medicine program, aimed at acquiring a more complete understanding of radiation effects on living systems, the committee has recommended a reduction of $2 million from what was requested by the AEC. Nevertheless the amount recommended by the committee is $5 million—more than the amount funded last year. The committee believes that the Commission should continue to have a strong biomedical research program supported by the necessary equipment and facilities. Significant contributions have been made by this program to the general fields of biology and medicine. However, we believe the recommended sum is sufficient to support this program.

Thus far I have discussed primarily the peaceful applications of atomic energy. It should be remembered, however, that a very significant percentage of the appropriations authorized by this will be used for military activities in the atomic energy program. With relatively minor exceptions, the committee has recommended authorization of the full amounts requested by the AEC for its military programs. These funds are used, among other things, for development, production, and storage of atomic weapons and the production of weapons materials. The committee believes that the amounts recommended for authorization in H.R. 8122 are adequate to enable AEC to carry out its weapons and military production activities as established by the President.

Section 101(b) of the bill provides an authorization of approximately $295 million for plant and capital equipment for the AEC. The committee has recommended a $1.3 million cut in the authorization requested by the AEC and in addition recommended several changes in individual projects. These changes eliminated funds which, in the committee's opinion, were unnecessary to carry out the projects to be authorized.

Sections 102, 103, and 104 of the bill provide certain limitations and conditions on the use of funds authorized by the bill, similar to provisions contained in previous AEC authorization acts.

Section 105 of the bill extends for 1 year, to June 30, 1966, the date for AEC to approve proposals under the third round of the cooperative power reactor demonstration program. In this connection, I want to reiterate what I said last year about the extension of this authority, namely that further assistance for low conversion ratio light water reactors which are now being made available commercially, is not contemplated. As I said with respect to the two new cooperative projects authorized by this bill, the Government's support in this program has shifted to development of the advanced converter and breeder reactors.

Sections 106 and 107 of the bill specifically authorize the two new cooperative projects which I have already discussed.

Finally, section 108 of this bill rescinds authorization for five prior-year projects amounting to $60,955,000 exclusive of waiver of use charges for nuclear fuel.

Included among the rescinding projects are two cooperative power reactor demonstration arrangements, which have been proposed pertaining to a spectral shift power reactor and the AVR project, at Juelich, Germany. The AEC has determined not to proceed with further support of the spectral shift reactor concept in fiscal year 1966, and the AVR project is now proceeding on a different basis, substantially less costly to the Government than the $5.5 million program authorized in fiscal year 1964.

Mr. Chairman, I am confident this bill represents the combined judgment and best thinking of the Atomic Energy Commission and the Joint Committee on Atomic Energy. We on the committee are fully mindful of our responsibility to the taxpayers of this country, to avoid waste and extravagance in Government expenditures. We also bear an equally important responsibility to the American people to bring to fruition the tremendous benefits which the peaceful atom holds forth for us and our children.

This bill is intended to fulfill the declared policy of the United States, as expressed in the Atomic Energy Act of 1954, that:

> The development, use, and control of atomic energy shall be directed so as to make the maximum contribution to the general welfare, subject at all times to the paramount objective of making the maximum contribution to the common defense and security.

Mr. Chairman, I reiterate that this bill was reported out by the Joint Committee without dissent. I urge its enactment in its present form.

Finally, Mr. Chairman, I wish to thank my colleagues on the Joint Committee for their hard work and assistance in committee meetings and hearings in resolving the many difficult problems presented by an authorization bill of this significance. The gentleman from California and his colleagues on the minority side acted in a spirit of complete cooperation with the members of the majority side. This bill is the result of the collective work of all our committee members, and I trust that the other body will pass the bill without amendment.

Mr. KUNKEL. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Pennsylvania.

Mr. KUNKEL. I never have understood exactly what an isotope is, and what its function is. I wonder if the chairman will explain that to me?

Mr. HOLIFIELD. An isotope is a variation of a chemical element, usually; it could be metallic, which has been made radioactive by being exposed to the primary radioactivity. It could be, for instance, iodine. Take the medicine, iodine, and we want to use it in a thyroid experiment. We make the iodine radioactive by bringing it close to the primary radioactive source of material, much as you would take a knife blade and rub it on a magnetic surface. This brings about radioactivity. When given to a patient by a doctor it settles in the thyroid gland. The results can be recorded on a photographic plate, and you can see the exact situation in the thyroid gland. In other words, it functions to outline the thyroid gland, and the surgeon knows where to cut when he operates on the thyroid gland. Radioactive isotope is material which is made radioactive on a secondary basis, and maintains its radioactivity by absorption from a primary source.

Mr. KUNKEL. In other words, it is truly an extension of the primary source?

Mr. HOLIFIELD. That is right. For instance, with fertilizers, we can make a chemical fertilizer radioactive and then with geiger counters we can follow the liquid fertilizer and see how much of it goes to the fruit of the plant or to the leaf of the plant or the stalk of the plant or to the root of the plant. Of course, this is very valuable information to those who are engaged in agriculture. We use these radioactive isotopes to take the place of radium which is very expensive while the same isotopes are relatively inexpensive. We use them in our hospitals to make boron radioactive and it emits radioactivity the same as radium would, but does so much more cheaply.

Mr. KUNKEL. So it has limitless possibilities.

Mr. HOLIFIELD. We do not know what the limits of these possibilities are. Some of the doctors who testified before us say that this is the most important diagnostic tool that has been given to them since the discovery of the circulation of the blood by Harvey and the X-ray. They can follow the chemicals through the body and through agricultural plants and through animals in the field of animal husbandry and find out exactly what the effects are and where the disabled parts of the body are in certain areas such as brain tumors and thyroid difficulties and that sort of thing.

Mr. KUNKEL. I thank the gentleman for yielding and also for his very illuminating reply to my question.

Mr. HOLIFIELD. I thank the gentleman.

Mr. DADDARIO. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I am happy to yield to the gentleman.

Mr. DADDARIO. I want to compliment the gentleman from California for the fine work that he has always done on this program. His explanation of this very complicated subject is very enlightening and helpful to the Members.

I would like to inquire of the gentleman from California [Mr. HOLIFIELD] as to the changes that have taken place in the SNAP-50 program and would appreciate his explanation as to the whys and wherefores of the adjustments that are referred to in his report on that program.

Mr. HOLIFIELD. I will be glad to reply to the gentleman's question. This is an important question because it involves a very important project. The committee has considered this very carefully and I have prepared an answer which I believe will give you a complete understanding of it.

As the committee has pointed out in its report, the SNAP-50 program has suffered from continual changes in program objectives and goals.

The SNAP-50 reactor was aimed at the development of a highly compact liquid metal-cooled reactor coupled to a power conversion system for the purpose of generating electricity for space vehicles. The electricity produced could be used either to power electrical equipment or to provide electric propulsion for space travel.

The SNAP-50 program was started in 1962 utilizing facilities and some design information developed in the indirect cycle project of the aircraft nuclear propulsion program which was canceled in January 1961. The total cost of these facilities was $65 million—$60 million of which was funded by the Air Force, $5 million by the AEC. The entire facility, referred to as CANEL facility, was turned over to the AEC for conduct of the SNAP-50 program. Original plans made in 1962 called for a reactor experiment in 1965, a reactor-power conversion ground test in 1966, and a flight test program to begin in 1969.

In 1963 the administration decided it no longer intended to carry out in 1964 the flight test objective for 1969.

In 1965 the administration decided it no longer planned to carry out the system ground test scheduled for 1966.

Every time the program was scheduled to take a significant step forward, program objectives were changed in order to save money. I want to emphasize to the gentleman that these changes were made by the Bureau of the Budget. It was not done at the instance of the Joint Committee.

But these actions made it completely obvious that there was not and is not a serious intention to complete the development of this project, at this, time, at least.

During the period fiscal year 1962 to fiscal year 1965, a total of $55 million has been spent on the SNAP-50 program. Preparatory to the submission of the AEC authorization bill for last year, the Commission made a detailed study of the entire SNAP program. In the Commission's analysis of SNAP-50, it was estimated that ground and flight demonstration, plus operational and reliability development, would require an expenditure of from $1.3 billion to $1.8 billion over a 17-year period. So we can see this is a gigantic project. It is planned over a long period of time. It will cost from $1.3 billion to $1.8 billion.

Now, the committe has seen other research and development programs proceed to the point that hundreds of millions of dollars have been spent—and, when close to fruition, the program was canceled. The nuclear ram jet program, Project Pluto, is one example of this. The committee believed we should have gone forward with the flight program, but, nevertheless, the AEC and the Air Force were denied funds by the Bureau of the Budget.

Returning to SNAP–50—this is very important—there has been no expressed interest of significance which indicates a use for such a device within the next 20 years. Remember, no expressed interest. The committee studied the history and the plans for this SNAP–50 program. The destiny of the program was obvious. Year after year $20 million to $30 million would be spent on the work, and every time, as in the past, a significant step could be made to complete the project, the goals would be cut back.

As was stated during the hearings on this project, we cannot afford to spend hundreds of millions of dollars and commit peoples' lives to research and development projects and step-by-step pull the rug out from under their feet.

So the committee studied this matter. We even went to the trouble of going to the CANEL project, and we spent a day going through it. We decided we would propose what we consider to be the responsible thing.

We faced these facts, and from the information furnished we could only conclude that SNAP–50 is an expensive, long-range program which should be approached through the route of a sound, basic technology effort with limited objectives until the time a clear-cut development decision can be made.

The committee's action in recommending the reduction from the proposed $22 million to $12 million is in keeping with the level of effort which the committee considers appropriate for an advanced technology program of this nature.

During the conduct of this technology program, the Commission plans work on other advanced systems such as thermionics, boiling potassium, and other high temperature refractory metal reactors. This is going on in small experiments that do not involve much money, relatively speaking.

It may well be that when a contemplated near-term use develops for megawatt and higher power electric systems for space, such as we originally envisaged in SNAP–50, that we will find a number of reactor and power conversion systems from which to choose, perhaps resulting in a cheaper or higher performance system.

I might point out that there are certain experiments going now which are proving to be very interesting at a very low cost of development, which contemplate the changing of atomic heat directly into electricity without sending it through the moving parts of a generator. The scientists who have testified before our committee claim that some of these recent discoveries in the laboratories point to the achievement of this end by having multiple thermionic conversion devices, which are very simple. If one or more of these devices malfunction, if something happens, the rest of the devices, being multiplications of the same device, will continue to function.

On the other hand, where you have a generator with many hundreds of moving parts on which you depend for your electrical conversion, if one part of that generator goes bad, then the whole generator stops. So we are looking with interest on this development. It is one of the things that I think caused us to pause in asking the Congress at this time to commit itself to a $1 or $2 billion project. We want to wait just a little while in point of time to see what is going to happen. However, we do think this is still worthy of a basic technology program and we are going to support it.

I might say in terms of money we are not supporting some of these other programs which show some promise stronger than we are, until we get closer to the point where we feel we are more certain this device could be made, and also until we get the NASA or the Department of Defense to come forward and say, "We want you to do this." We have tried to get them to come forward and make this assertion or this testimony before our committee but we have been unsuccessful. So in all honesty to the Congress, who have put this responsibility on the committee, we decided that this was the best course to pursue. I hope that the gentleman will pardon me answering him in some detail on this because it is an important matter but I thought he should be entitled to the full thinking of our committee on it.

Mr. DADDARIO. Mr. Chairman, I thank the gentleman from California for his explanation and I would like to ask him a further question. First of all, I recognize the fact that the gentleman has visited the CANEL plant and I thank him for doing this because I know how much energy he has put into this particular investigation and the concern which it has caused him. I would now like to refer to a letter submitted to Dr. Seaborg by Alexander H. Flax, Assistant Secretary of the Air Force for Research and Development, which you will find in your hearings at pages 1002 and 1003.

Referring to the Air Force position he said, and I quote:

> Our present view of the level of effort of the program is that it should be paced primarily by the development of the technology, not by forecasts of requirements. Consideration of a schedule for flight test in current program planning documents is premature, because of our present inability to foresee military applications of a SNAP–50/SPUR space power unit.
>
> The Air Force supports the continuation of SNAP–50/SPUR as a technology program which is oriented initially toward component demonstrations and ultimately toward a ground feasibility demonstration of the powerplant concept. The Air Force recommends that the AEC obtain approval of a fiscal year 1966 budget which will permit continuation of the reactor and power conversion efforts needed to achieve the SNAP–50/SPUR technology objectives.

Then in reference to the same SNAP–50 program, Dr. Seaborg, in testifying before the Senate Space Committee, in answer to a question said, and I quote:

> I think that the SNAP–50 program has such a great potential that the components development, the reactor development and early power conversion systems development will go on.

I quote both of those statements to show that there is a great deal of support for what the gentleman from California says as to the importance of the program. I specifically ask, does the level of effort which you are recommending allow this program to be continued with these particular characteristics in mind?

Mr. HOLIFIELD. It allows the effort to be continued from a standpoint of research, design, and testing of materials, but it does not allow the expenditure of money on component parts—you might say the hardware. The problem of the committee was that in view of the lack of interest on the part of using agencies of the Government, that we were not at this time justified in carrying the component section of the project forward. But we are interested in the technology and believe the research in it should continue in that field.

Mr. DADDARIO. Mr. Chairman, I recognize what a difficult job it is for any of the committees of Congress dealing with such expensive programs to make a determination as to when a program of such great expense should continue or should be cut off. But it is somewhat disturbing that there is already fed into this particular aspect of this program the fact that men, or teams, have already been formed who have dedicated themselves to this particular task; and when we do build up a competency of this kind and it begins to disintegrate, it has a great effect not only on those individuals or that team, but on the entire environment in which this activity takes place.

I recognize the concern the gentleman from California has in this matter and the problem that it poses to this particular committee. I am pleased to note that you do have the faith in this program and that it ought to be continued at an appropriate level.

Mr. HOLIFIELD. I would say this much to the gentleman. I appreciate the gentleman's understanding of the committee's position because every time we have to do something like this we try to know exactly what the impact will be upon the scientists who are in this program. And we have some very able scientists in it. We know what the impact would be upon the community from the standpoint of a reduction in activity. But we have been forced to do this in community after community in the shutting down of the reactor at Hanford and Oak Ridge and different places; and every time we run into this problem, in some instances, of reduction in personnel. I talked to the senior contracting official in the CANEL project during the time I was up there. We got an assurance from him, that in the giant Pratt-Whitney operation that they were going to be able to transfer those people who would not be used in the CANEL project into other sections of the Pratt-Whitney operation.

I might say that this was the only place in all of the different projects where we have had to curtail where we had this kind of assurance.

So I appreciate the gentleman's interest in this and I know he will be glad to know that this will not result in unemployment of these people who have worked so faithfully in this project.

Mr. DADDARIO. Mr. Chairman, I recognize that the gentleman has done that and I have had information that he was particularly concerned and did question what might happen to the employees working on the SNAP-50.

Mr. HOLIFIELD. I will say this to the gentleman, too. If the Defense Department or the NASA organization would come before our committee just once and say to us, we need this, we want you to go ahead on it as you did on the nuclear submarine or some other device which they might be using at this time that we have developed, I think then we would be in a position where possibly we could get Bureau of the Budget approval for additional funds for this project. I do not consider this project dead. I consider we are going to have to go through a period of looking at it in view of the tremendous technological job that is present here and in view of the competing heat-producing projects which now seem to have some promise. We are going to have to continue it in the laboratory for awhile, and look at it before we make any final decision.

Mr. DADDARIO. Mr. Chairman, the fact that the gentleman from California appreciates the importance of this program and says he is watching it carefully and is looking for that kind of support is helpful because it recognizes to an important degree the extent to which a program of this kind will be necessary in the future if America is to reach the heights necessary in space and to maintain our security as well. I thank the gentleman.

Mr. HOLIFIELD. I thank the gentleman from Connecticut.

Mr. MORRIS. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to my colleague.

Mr. MORRIS. Mr. Chairman, I want to commend the chairman, the distinguished gentleman from California, for his excellent answers to the question of the gentleman from Connecticut.

And, I have no real thing to add insofar as the technical discussion is concerned. However, the gentleman from Connecticut and I used to serve on the same committee, the Committee on Science and Astronautics. I know of the gentleman's great interest in this program.

Mr. Chairman, what we are really trying to do, is it not, is to preserve the research and technology that has been developed by these people who have been working on this project?

Mr. HOLIFIELD. That is right.

Mr. MORRIS. So they might be able to use them in future projects which this country might need?

Mr. HOLIFIELD. That is exactly right.

Mr. MORRIS. As soon as the Department of Defense and the NASA can make up their minds which way they want to go technically and put some of their agencies' own money into it, these people who have been working on this project and programs for so long will be in a position to go forward with it and the committee will be in a better position to fund it?

Mr. HOLIFIELD. And, we might be in a little stronger position before the Bureau of the Budget.

Mr. DADDARIO. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Connecticut.

Mr. DADDARIO. I thank the gentleman from New Mexico for his contribution. I did read the hearings and recognized that the gentleman did ask time and again for the kind of support which would be necessary from the other agencies to lift up the appropriations to a higher degree and I thank the gentleman for his support in that regard.

Mr. HOLIFIELD. Now, Mr. Chairman, unless there are further questions on specific points in the bill at this time, I reserve the balance of my time.

Mr. HOSMER. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. Anderson].

Mr. ANDERSON of Illinois. Mr. Chairman, yesterday when this bill was before the Committee on Rules, I paid tribute both to the chairman of the committee, the gentleman from California [Mr. Holifield] who has just addressed the Committee, and also the ranking Republican member on this committee, the gentleman from California [Mr. Hosmer], for the leadership they have consistently displayed with respect to the work of this very important committee on which I have the privilege to serve.

I would certainly, Mr. Chairman, at this time want to publicly repeat and reiterate the words of praise which I had for these gentlemen at that time.

Mr. Chairman, this is one of the important authorization bills on which the House is called upon to act each year, because it does, of course, authorize the appropriations to support one of the most important agencies of our Government; important not only from the standpoint of our military preparedness but important also from the standpoint of what it does and the potential it has with respect to our civilian economy.

So, Mr. Chairman, I am happy today to rise in support of this legislation.

Since my appointment to the Joint Committee in 1963, I have been privileged to participate in the review of our Nation's atomic energy program. This committee assignment has particularly interested me because of the tremendous impact atomic energy has had, and will have, on the national and international affairs of this country. I need not repeat what our able chairman and the gentleman from California [Mr. Hosmer] have said about this bill. I do wish to offer some comments on matters of particular concern to me.

First. The Argonne National Laboratory:

I would like to address my remarks to the role in our national atomic energy program of the Argonne National Laboratory in Illinois inasmuch as the bill now before us would provide a substantial amount of funds for the operation of that laboratory.

Argonne National Laboratory is the outgrowth of the metallurgical laboratory organized by the University of Chicago in January 1942 under contract to the U.S. Office of Scientific Research and Development. In May 1943 the activity became known as the Manhattan District, U.S. Army Corps of Engineers. Pioneering research was conducted here. From this beginning grew the nuclear capability of this country. In July of 1946 responsibility for operation of the laboratory was assumed by the newly formed Atomic Energy Commission.

Argonne engages in major efforts in three fields: physical research, biological research, and reactor development. About one-half of the work done at Argonne is devoted to basic research in the physical and biological sciences; the balance of the effort is in engineering research associated with the development of nuclear reactors. In addition to the work at the Laboratory in Lemont, Ill., test work is carried out at the National Reactor Testing Station in Idaho.

In the field of physical research, Argonne has made significant contributions. The Laboratory has recently completed design, construction, and initial operation of a high energy accelerator, the Zero Gradient Synchrotron. This machine is capable of accelerating protons to an energy of 12.5 billion electron volts. It will serve as an important tool for high energy physics research at Argonne.

An item of special importance to future physics research at Argonne is a $17 million construction project, a liquid bubble chamber for high energy physics experimentation, which would be authorized by the current bill.

Prior to 1962 it was a commonly accepted scientific premise that the so-called noble gases—xenon, krypton, neon, and so forth—could not enter into chemical combination with other elements to form compounds. However, Argonne scientists in 1962 discovered a way to form a stable compound of xenon—xenon tetrafluoride. They went on to form other such compounds and a new field of chemistry was born.

Argonne's biological research effort has also produced significant results. The program is aimed at basic research principally at the cellular and molecular level in order to understand better the interaction of radiation with biological systems, including man. In the field of cytogenetics—the study of chromosome number and structure—a cooperative venture of the Applied Mathematics Division and the Biology Division of Argonne revolutionized the conduct of experimental research by developing a computerized method for rapidly scanning thousands of photomicrographs of irradiated cells and recording the significance of the observations.

Basic research of the types I have mentioned are essential to the progress and the vitality of our nuclear energy program. President Johnson made specific reference to the need for such research when he stated in a letter dated April 17, 1965, to AEC Chairman Seaborg:

> Basic to all of the applications of nuclear energy is the conduct of fundamental research in the physical and biomedical sciences, and I favor the vigorous pursuit of these activities.

In the field of reactor development Argonne's effort on fast reactors is the heart of the Atomic Energy Commission's fast breeder program. The fast breeder reactor is indeed an amazing device. When completely developed it will be capable of producing more fissionable material than it consumes. It therefore has the potential to generate heat for the production of electricity and simultaneously produce additional nuclear material to fuel itself and other reactors. Many such reactors will need to be constructed at the turn of the century in order to keep pace with the rapidly expanding requirements for electricity in our Nation.

The accomplishments of the Argonne laboratory are many and I shall not attempt to enumerate them here. It should be noted however that this laboratory designed, constructed, and operated the first fast reactor, the first boiling water reactor, and carried out pioneer work in the nuclear submarine reactor program.

National laboratories such as Argonne serve a very important function in our atomic energy program. The capabilities of the scientists, engineers, and other personnel employed there, represent some of the finest skills not only in this country but throughout the world. These employees have unique capabilities important to the solution of the special problems posed by atomic energy.

It is my belief that the money to be allotted to Argonne National Laboratory under the current bill is money well spent and will result in productive research and engineering, contributing significantly to the well-being of all Americans.

Second. International safeguards for peaceful atomic energy activities:

Among the important activities of the AEC for which funds would be authorized by this bill is the program for cooperation with our friends overseas in the peaceful uses of atomic energy.

The Joint Committee in its review of the AEC's functions has paid particular attention to the problem of achieving an adequate safeguards inspection system to assure that fissionable material and reactors made available to foreign nations for peaceful uses are not diverted to military activities. Recently the Commission has had considerable success in moving from the existing bilateral safeguards inspection approach, that is, direct inspection of the foreign nation's activities by the United States, to control under the system which has been set up by the International Atomic Energy Agency—IAEA. The United States has been one of the principal supporters of the IAEA since the birth of that organization in 1957. A strong IAEA serves a number of important foreign policy objectives of this country, including those set forth in President Eisenhower's "Atoms for Peace" program.

It is the Commission's hope—one which is endorsed by the Joint Committee—that ultimately all agreements for cooperation for peaceful purposes between the United States and friendly nations will be safeguarded by the inspections system operated by the International Atomic Energy Agency. In certain cases it may not be practical at the moment, but in the vast majority of cases as the time for renewal of agreements comes along the bilateral safeguards arrangements are being exchanged for coverage under the system operated by the Agency.

In order to assist in developing inspection techniques and experience, the United States in March of 1964 voluntarily offered at the 18-Nation Disarmament Conference in Geneva to place the Yankee Atomic Power Station at Rowe, Mass., under International Agency safeguards and procedures. The first inspection by an IAEA team was carried out in November of 1964 and since that time there have been two similar but unannounced inspections by International Agency inspectors.

The Yankee reactor is a large power reactor—175,000 kilowatts—and was the first of its kind to be subject to these inspections. A reactor of this type using slightly enriched uranium fuel is capable of an annual plutonium production output of 100 kilograms. Four smaller reactors within this country had previously been offered and accepted by IAEA for safeguards inspection. It is our hope that the International Agency will continue to develop its capability to perform uniform safeguards inspections and that all countries of the world will recognize the merit in accepting IAEA safeguards for all reactors of significant size.

Mr. Chairman, in closing I wish to reiterate my support of the bill and my hope that it will be enacted in the form recommended by the Joint Committee.

Mr. HOSMER. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES. Mr. Chairman, I rise in support of H.R. 8122. The distinguished chairman of the Joint Committee on Atomic Energy, and the gentleman from California [Mr. HOSMER] have already explained the principal features of this bill.

I would like, however, to add a few words on the naval reactor program.

The committee has recommended the addition of $2 million to the $96.55 million authorization requested by AEC for the development of both surface and submarine warship nuclear propulsion plants, and has recommended the full amount of $3.3 million requested for the development of a nuclear propulsion plant for a deep-diving oceanographic research submarine.

The addition of the $2 million to the program is specifically for the continuation of work on the development of a nuclear core of very long life for installation during refueling of the *Truxtun* and *Bainbridge*. This core would also be installed initially in the new frigate which the House Armed Services Committee has added to the Defense Department's fiscal year 1966 authorization bill. The committee felt that the AEC's proposed diversion of $2 million to fund a portion of the costs for the newly initiated research submarine project was not justified since it would result in a delay in the completion of the long-lived core development which is important to the improvement of the military effectiveness of existing and planned destroyer-type warships. Accordingly, the committee has recommended the addition of $2 million to carry out this important work.

In its action the committee strongly endorses the naval reactor program which has and is so ably being carried out under Admiral Rickover. I am sure all of the members of the committee join me in the expression of hope that Admiral Rickover will continue in his direction of the program for many more years. The Nation owes him a great debt for his contribution to the security of our country and, for that matter, the security of the free world. To him we owe our position of preeminence in the field of naval nuclear propulsion.

In addition to my position as a member of the Joint Committee on Atomic Energy, I want to say a few words as the ranking minority member of the Armed Services Committee. As expressed in the report prepared under our able chairman, Mr. RIVERS:

> The committee feels, and has felt for all too long, that the Department of Defense has both procrastinated and vacillated in its approach to nuclear-powered surface ships. It has been an in-and-out game, with nuclear propulsion recommended one year and a return to conventional power the next year—and for the same general type of ship. To date, only four surface ships with nuclear propulsion have been built, notwithstanding the constant urging of the Congress that more vigorous action be taken in this area. These ships are, of course, the *Enterprise* (CVAN); *Bainbridge* (DLGN); *Longbeach* (CGN); and *Truxtun* (DLGN) which is now under construction.

The Armed Services Committee, accordingly recommended the addition of a nuclear-powered frigate to the defense authorization bill this year and the House approved this recommendation when it acted on the Defense Department's authorization bill on May 5, 1965.

As indicated in the Joint Committee's comprehensive December 1963 report on nuclear propulsion for naval surface vessels, "it is an indisputable, demonstrated fact that nuclear propulsion increases the combat effectiveness of our surface warships." The Department of Defense made a decision against nuclear propulsion in the last aircraft carrier, the *John F. Kennedy*—a serious mistake—based on "cost effectiveness" arguments, which as pointed out in the Joint Committee's report, were false.

We finally have a real glimmer of hope from the Defense Department's "cost-effectiveness" accounting group. The latest cost effectiveness study indicates that if all of the factors which should be considered are considered in the analysis, the conventional carrier task force we are building today is more expensive over its lifetime than the task group with a nuclear carrier. This is borne out in a detailed classified analysis submitted to the Joint Committee on Atomic Energy on January 13, 1965, by the Assistant Secretary of Defense, Mr. Charles J. Hitch.

The Congress also has put the Department of Defense on notice that no further delays can be tolerated in moving ahead with the utilization of nuclear power in our naval warships. The Armed Services Committee report states:

> The committee is encouraged by testimony received from the Secretary of Defense to the effect that it is highly probable that a nuclear-powered carrier will be requested next year. However, the committee states at this time that it will ask the House to authorize a nuclear-powered carrier next year whether requested by the Department of Defense or not, and whether the two-reactor program has proceeded by that time to the point where this powerplant can be used. A nuclear-powered carrier will appear in next year's bill when presented on the floor regardless of any foreseeable circumstances, technical, fiscal, or otherwise.

I strongly recommend the support of our naval nuclear propulsion program. It is an area in which we are clearly ahead. If we fail to take advantage of our position we will lose this leadership to the detriment of our Nation's security.

Mr. HOLIFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, I rise in support of H.R. 8122, and desire to address my remarks now specifically to the AEC's raw materials program.

The budget requirement for the AEC's raw materials program consists entirely of costs related to the procurement of uranium concentrates under long-term contracts executed in prior years. These contracts were part of a program to acquire adequate supplies of uranium for our national defense, which included establishment of a healthy domestic uranium industry. The Government contractual commitments must be fulfilled, and the committee has, therefore, recommended authorization of the full amount requested by the AEC for the raw materials program for fiscal year 1966.

Uranium concentrate purchases in fiscal year 1966 are estimated by the AEC to be about 18 percent less than fiscal year 1965 purchases. In this connection it should be noted that long-term contracts for Canadian and South African uranium expire in December 1966.

During the course of the hearings on the AEC authorization bill, AEC testified that its estimate of annual uranium requirements for domestic civilian uses by 1980 had increased very significantly over estimates presented to the committee in 1964. This testimony clearly illustrates the need for the AEC and the Joint Committee to be alert to new developments which could change the assessment of future requirements for uranium and the adequacy of our uranium resources to satisfy the needs of our military program and a rapidly expanding civilian atomic power industry. This is a subject which the Joint Committee's Subcommittee on Raw Materials, of which I am the chairman, intend to continue to study closely.

And now, Mr. Chairman, I wish to turn my attention to another provision contained in the legislation, and, that is the high-temperature gas-cooled reactor which would be authorized by section 107 of the bill now under consideration by this body is a cooperative project among the Atomic Energy Commission, Public Service Co. of Colorado, and the General Dynamics Corp. The reactor to be built under this arrangement would be a commercial size—330,000 kilowatts—prototype to demonstrate the utilization of uranium-thorium fuel in a high-temperature gas-cooled reactor central station powerplant.

The Public Service Co. of Colorado and the General Dynamics Corp. jointly responded to an Atomic Energy Commission invitation for a proposal to build a high-temperature gas-cooled reactor prototype. The Public Service Co. will provide the plant site, will purchase the completed plant and will operate it as a base load on its electrical power system. The Atomic Energy Commission will receive the benefit of technical, financial, and economic data developed by Public Service Co.

The Public Service Co. has a longstanding interest in atomic energy matters. As early as 10 years ago, Public Service, together with other electric utility companies, formed a nonprofit organization to study the application of nuclear powerplants for the generation of electricity. In 1958 the company committed a portion of its research and development funds to sponsor study by industry of the high-temperature gas-cooled reactor concept.

Public Service Co. of Colorado is the largest supplier of electricity in the State. The present capability of the company's generating facilities is 1,257,000 kilowatts. The company's electrical demand is increasing at the rate of 8 percent per year. The proposed plant when completed would constitute a substantial addition to the company's generating capacity.

I commend the Public Service Co. of Colorado for its part in this undertaking. It is my belief that the construction of this reactor powerplant and the associated research and development program can make an important contribution to our country's civilian nuclear power program.

Mr. HOSMER. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. MCCULLOCH].

Mr. McCULLOCH. Mr. Chairman, I rise in support of H.R. 8122.

This is my first year of service on the Joint Committee on Atomic Energy, and I must say that I am much impressed by the thoroughness with which the Joint Committee has reviewed the AEC's authorization bill for fiscal year 1966, the legislation which is now before the House.

Over a period of 11 weeks, beginning in January, the committee has held 20 public hearing sessions and 6 executive sessions to receive testimony and detailed information on all elements of the AEC's program. In addition, subsequent to the hearings, further information has been provided by the AEC in response to specific questions raised by committee members in the course of the hearings. The committee's recommendations on this matter are contained in a carefully drawn 58-page report which has been filed by Chairman HOLIFIELD.

Although my service on this committee has been brief, I have maintained an active interest in atomic energy programs for a number of years. There are a half dozen major facilities in the State of Ohio which are operated under contract to the Atomic Energy Commission. These activities are important to the Commission's programs, and relate both to the civilian power reactor program and to the development of our nuclear weapons capability, hence our Nation's defense posture.

In my own hometown of Piqua, in a cooperative venture with the Atomic Energy Commission, our very efficient municipal power system is now operating an organic cooled and moderated nuclear power reactor. This plant is supplying electricity to the power system and at the same time is developing significant information which will contribute to overall reactor technology.

The city of Piqua has made other important contributions to the electrical power industry in that it was the center of the first rural electric cooperative in America. I am also proud to report on the fine cooperation between the rural electric cooperatives and private utilities in this area, joining together in building a large fossil fuel mine-mouth powerplant—the Cardinal plant—in the southeastern part of the State. This plant will be highly efficient and will produce low-cost electric power. In a sense, it represents a moving target for our country's nuclear powerplants in that in order to compete economically, the nuclear plants will have to continue to improve their own efficiency of design and fuel utilization. The people of my district and State have a large stake in the future of the electrical power industry, as we all do.

In the nearby State of Illinois, the Argonne National Laboratory, operated by the University of Chicago, is an important AEC-supported research center. The Associated Midwest Universities cooperate with the Argonne National Laboratory in the design and conduct of research programs carried out there. Western Reserve University, Ohio State University, University of Cincinnati, Case Institute of Technology, and Battelle Memorial Institute are members of the Associated Midwest Universities, located in the State of Ohio and actively engaged in this cooperative research effort with the National Laboratory. This arrangement for the exchange of ideas and personnel has been mutually beneficial to the Laboratory and the universities.

I will conclude with the remark that I am happy to have participated in the deliberations of the Joint Committee on this piece of legislation which is of such significance, not only to the people whom I represent, but to all Americans and the world. It is my belief that this bill now before us while not in every item completely satisfactory to me, represents a carefully considered authorization of funds for our national atomic energy program and I urge its passage.

AEC PLANTS BY LOCATION

Ohio:

Research facilities, General Electric Co., Cincinnati.

Gaseous diffusion plant, Goodyear Atomic Corp., Portsmouth.

Feed materials plant, National Lead Co., Fernald.

Mound Laboratory, Monsanto Chemical Co., Miamisburg.

Piqua Nuclear Power Facility, city of Piqua, Piqua.

Feed materials facility, Reactive Metals, Inc., Ashtabula.

Mr. HOLIFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from New Mexico [Mr. MORRIS], a member of the committee.

Mr. MORRIS. Mr. Chairman, I commend the chairman of the committee, the gentleman from California [Mr. HOLIFIELD], and the ranking minority member, the gentleman from California [Mr. HOSMER], for the fine work done on this legislation. I wholeheartedly support the bill.

I might say that although it may seem as if we are spending a lot of money for weapons in the bill, actually the money spent for weapons will be used in the interest of humanity and the interest of peace also, because these weapons are the deterrent to aggression.

As it has been said before, the weapons program is of prime importance to the paramount objective of the Atomic Energy Act to make the maximum contribution to our common defense and security.

Recently, the Chinese Communists detonated their second nuclear explosive device, or bomb. I think that regardless of their limited abilities today, we must take note of this occurrence and assure ourselves that our nuclear weapons superiority is both quantitatively and qualitatively overwhelming; that our future might and will can resist the threats of any one nation or combination of nations that may wish us ill.

Under the Atomic Energy Act, the President sets the weapons production requirements. The President must assure himself that the requirements set for numbers of weapons are adequate to meet our defense needs. We can and do help the President by stimulating the Commission's efforts in research and development, so that the designs for weapons that can be produced are qualitatively superior.

To accomplish this research and development effort, our weapons laboratories must be vigorous and imaginative in their approach to the problems presented. The best of our scientific and engineering manpower must be attracted to the research in our weapons laboratories. No one thing is more important than getting outstanding people to devote their talents to the imaginative research which is required in this program.

Only by having outstanding people and research facilities can we continue to maintain the outstanding weapons laboratory centers that we have built up at Los Alamos, at Sandia, and at Livermore.

Mr. Chairman, I am very pleased to see that this year, efforts are being made to enhance the research facilities at both Livermore and Los Alamos. An electron-positron accelerator is being recommended for the Livermore Laboratory and research and design on a unique research tool known as a meson physics facility is recommended for the Los Alamos Laboratory. Such facilities will, in the words of the Joint Chiefs of Staff's Safeguards "attract, retain, and insure the application of our human scientific resources" to the research programs of our laboratories and further the continuance of our progress in nuclear technology.

The other safeguards, especially the continuance of a vigorous underground weapons test program and the maintenance of a readiness to resume atmospheric testing are equally essential.

I believe that the program that the Joint Committee is recommending to the Congress for the weapons program and related research does indeed foster the aims and purposes of our national defense.

Thank you.

Mr. HOSMER. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. DUNCAN].

Mr. DUNCAN of Tennessee. Mr. Chairman, I rise in support of H.R. 8122, which was unanimously reported by the Joint Committee on Atomic Energy. At the same time, Mr. Chairman, I wish to call my distinguished colleagues' attention to the Atomic Energy Commission's facilities in Oak Ridge, Tenn. From within this great industrial complex the nuclear age was conceived—nurtured by scientific ingenuity until today it stands second to none in nuclear research and technology.

The Oak Ridge facility was created out of an east Tennessee wilderness by the Government to meet a specific need—to harness the power of nuclear forces and make a weapon. It performed this job with notable success.

Today, the importance of this diversified center is as great, if not greater, than it was in 1942.

Since the war, the efforts of Oak Ridge have turned to peaceful uses of sciences, in particular to those problems of society which have the solution and origin in sciences and technology.

Today Oak Ridge plays the leading role in a number of nationally important programs.

For example:

First. The search for a final solution to man's ever-growing need for energy.

Second. Solutions to the disposal of nuclear wastes.

Third. Development of techniques to desalt ocean water at a low cost.

Fourth. Effects of radiation on biological systems.

Fifth. Space and medical research.

However, demands for future scientific accomplishments necessitate a greater utilization of facilities and scientific knowledge accumulated at the development. Oak Ridge should be allowed to increase its potential. There is a feeling of great confidence in Oak Ridge's ability to broaden its approaches and to increase its dynamic contributions to the Nation's progress.

I have today learned from a reliable source that the Atomic Energy Commission in considering moving the system for nuclear auxiliary power program, now being conducted at the Connecticut Advanced Nuclear Engineering Laboratory, to another national laboratory. The project is now being conducted by Pratt & Whitney on a cost-plus contract. The Commission cites the cost factor as the principal reason for shifting the operation. The Joint Committee on Atomic Energy has recommended a $10 million reduction—from $22 to $12 million—in the program.

In the event the proposed move occurs, it is my desire to see that the Oak Ridge complex is utilized. Oak Ridge is currently working with boiling potassium technology for space and has a long history of liquid metal research and development.

Oak Ridge has the facilities, the personnel, and the environment to conduct this important scientific research program.

I have today written AEC Chairman Dr. Glenn T. Seaborg a letter, requesting that he give serious consideration to transferring this program to Oak Ridge—the same facility that 23 years ago harnessed the scientific phenomenon—nuclear energy—providing the opportunity for unforeseen scientific accomplishments and a better world for future generations.

Mr. HOSMER. Mr. Chairman, I yield 10 minutes to the gentleman from West Virginia [Mr. MOORE].

Mr. MOORE. Mr. Chairman, I would be one of the first to agree, when we talk about the atomic energy authorization and appropriation bills, that there is certainly a great deal of romance in listening to the chairman and the ranking members of this committee explain what we can anticipate in the future.

Sometimes it appears that this legislation, the authorization bill, comes to us in a most agreed form, and that there is very little, if any, objection to any of the matters that are set forth therein. I would like to draw the committee's attention to what I think is a departure from previous authorization bills we have considered for the Atomic Energy Commission. I want particularly to draw their attention to section 106 of the proposed legislation dealing with the large seed-blanket reactor program.

It is with great reluctance that I oppose what is suggested here and oppose this particular project which has the support of the Joint Committee on Atomic Energy.

During my service in the Congress, this committee, under the very able leadership of the gentleman from California [Mr. HOLIFIELD], has become a recognized world authority on nuclear power and the many complex problems associated with that highly technical and intricate subject. In the past, I have often accepted the recommendations of this group without question, as I am sure do other Members of this House. However, because of what I consider to be the unusual circumstances surrounding this particular project, I feel compelled, and will at the appropriate time offer an amendment and urge the Committee to take the unusual step of deleting from this authorization bill an item which has been recommended by this Joint Committee and which is strongly supported by the Atomic Energy Commission.

The large seed-blanket reactor has been proposed for construction by the California Department of Water Resources as a source of a large production of power to be used in pumping water from the Feather River water project in northern California over the mountains into southern California. The State of California's contribution to this project would be limited to $80 million as its share of the total cost. The Atomic Energy Commission and the California State agency signed a memorandum of understanding looking toward the construction of the reactor, once the necessary congressional authorization and appropriation has been received.

I have reviewed this memorandum of understanding and I believe it to be different in purport in many respects than that which we have had under consideration previously.

It would seem to me some of the unusual features of this memorandum of understanding should give all of us in the House some concern as to whether or not it protects the Federal Government and whether or not it protects the interest of the taxpayers of the country. One of the points in the agreement which troubles me is the provision that we are giving to the State of California title to a nuclear steam supply system and, I suggest, ownership of the first State-owned public nuclear power facility, even though the Atomic Energy Commission and the taxpayers are assuming an open end obligation to furnish all of the money needed for the construction of the system over the fixed amount to be contributed by the State of California.

Subsequent to the signing of the memorandum of understanding, and shortly after the Joint Committee's authorization hearing, the developer of the seed-blanket reactor concept, Admiral Rickover, notified the Atomic Energy Commission that unforeseen and unexpected difficulties had been experienced with the fuel element of this reactor.

Without understanding fully the scientific implications of this development I was able to determine from press reports and other sources that what is involved is the projected long life of the fuel element. And as I understand the problem this goes to the very heart of the project. As far as I can determine no estimate as to how long it may take to overcome this difficulty or if it will ever be overcome, has been suggested.

I would say also that before the Government commits almost $100 million, and especially before the Congress should authorize funds of $100 million in this area, the Congress should have the benefit of an evaluation of difficulties encountered by the Atomic Energy Commission. Prudent handling, I believe, of public funds would certainly dictate this.

If the anticipated long life of the fuel element cannot be obtained through a redesign, what effect this will have on the cost of power as well as the primary objective of significantly contributing to our nuclear fuel resources I cannot say. But it seems to me that this would perhaps increase the cost of the power and it would seem to me that we need the answers to these and other questions before we proceed further with the project.

Also, Mr. Chairman, I believe Members of this House should realize that following the disclosure of the difficulties with the seed-blanket reactor, the California State agency evidenced considerably less enthusiasm for the project. In fact, it asked for a delay of 1 year before having to finally decide whether to proceed with the project or not. By the same token, the development loses its status as a firm proposal for authorization, I believe, and perhaps should be deleted from the authorization bill for that purpose if for no other.

It is my understanding that the California agency wants assurances that the technical difficulties have been resolved before it goes any further in this particular area.

Yet, we are being asked here today to approve the authorization of almost $100 million on a project which is technically and economically uncertain and which, in reality, does not actually exist. The project may be built if the technical difficulties can be corrected. But all this is highly speculative at this time.

This is, I suggest, a highly unusual manner in which to proceed, to say the least. I call the Committee's attention in making this expression that never before in the history of the Atomic Energy Commission's cooperative reactor program has a project received such accolades, with so little substantiation and such profligate offers of open-end financing with taxpayers' funds.

Alternate sources of power are available to the California Department of Water Resources to meet its power needs in connection with the Feather River water project. A State power pool, composed of the privately owned utilities operating in the State and the Metropolitan Water District of Southern California have offered to supply sufficient power through 1983 at a cost which is said to be below that guaranteed to the State by the AEC for the seed-blanket reactor. Therefore, the question of obtaining a needed power supply for pumping water in California is not involved. The urgent matter of getting water from the Feather River project to southern California would not be delayed in the least should the House delete this item from the authorization bill.

Despite the technical difficulties experienced with the project and the fact that the State of California has not committed itself to the project and, in fact, has requested a 1-year delay, the full amount proposed by the AEC for the project was recommended by the Joint Committee and presented for consideration today. Let me repeat: The AEC does not have any specific proposal before it on which the authorized funds could be used if they are authorized. And I think there are certainly some serious questions about the memorandum of understanding which, although signed, is in a state of limbo.

Therefore, at an appropriate time, I shall urge the Committee to delete this project and shall submit an amendment to accomplish the same.

May I draw the Committee's attention that under the memorandum of understanding for the first time the Atomic Energy Commission is going to give title to a vital nuclear power facility completely to a State. And, this is a complete departure from the Atomic Energy Act.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. HOSMER. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. MOORE. Mr. Chairman, this proposed project about which I am speaking here today, the large seed-blanket-reactor project, the title to this would ultimately go to the State of California.

Mr. Chairman, I feel that we have two things to consider here, very frankly. One, whether or not by this authorization bill we are going to create a departure from the parent act and permit the AEC to construct a facility such as this and hand it over lock, stock and barrel in this case—I am sorry it happens to be the chairman's home State, but nevertheless in this case—to the State of California. Also, I believe that in the memorandum of understanding there is a real concern as to whether or not we have protected the Federal Government's interest and certainly whether or not we have taken into account the fact that this is an open-end invitation for further appropriation request.

Mr. Chairman, the State of California's obligation under this is limited and we have no idea what it is going to cost the Federal Government when the matter is finally constructed.

Mr. Chairman, when we consider all of the present difficulties that are being experienced with this project, I want to make it clear I have no quarrel with the desire to perhaps iron out the difficulties that they are experiencing through further research and development. There is a provision in this bill for $25 million to carry on research and development in this particular area.

Mr. Chairman, I question sincerely our including in this authorization bill a project which a State has expressed its desire not to go ahead with this time. Without question they are experiencing extreme difficulties in getting the project underway. That the individual who has given birth to the whole idea and conceived it, Admiral Rickover, says that there is much for us to be concerned about, and, that it, the project, may not come about. Therefore, I shall at the appropriate time tender an amendment to delete section 106 from the bill and then respectfully request the Committee's favorable consideration of that amendment.

Mr. HOSMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think that it should be recognized that many of the expressions we make during these debates are matters of opinion and not necessarily matters of actual fact, and particularly the semantics that are used sometimes allow a great deal of confusion in the mind of the listener.

Mr. Chairman, in connection with the comments of the gentleman from West Virginia [Mr. MOORE] on the seed-blanket reactor, the gentleman alleges that this is going to be a big Government expense, title to which is handed over to the State of California.

The truth and the fact of the matter is that this reactor is being built by the State of California with its own money. The Government does not have any reason to take title to it. It is a State-owned and State-built project.

Now, Mr. Chairman, I say that because of the amount of money which the Government is putting into this project. It is sufficient, believe me, $91.5 million, plus another $15 or $20 million before we are through, for additional research on the fuel element program into which I shall get later, and $41.5 million is going to research and development on this concept.

Of the $91.5 million, $41.5 million is going to research and development, $30 million is going for the first core, which is to be tested, and the instrumentation surrounding it, and $20 million is going to the plant design, and so forth, to get it underway.

What possible interest do the taxpayers of the United States have in putting up that kind of money at some location in California to develop a plant which the gentleman from West Virginia says is technologically and economically uncertain? That is the very reason that the taxpayers of the United States are getting into it. We get into this area in developing and building these plants where there are uncertainties because there are uncertainties. It is to the advantage of the taxpayers of the country to get answers in these areas of uncertainty.

What is the value here? We have a finite amount of coal, oil, and other conventional fuels, not only in this country but in the world. Twenty years ago people were stating that atomic energy is the answer to everything. We have atomic energy now. We thought we did not have to worry about resources any more. But after we get a better handle on this thing we find out that, insofar as uranium is concerned, and the power requirements of this country, in order to fulfill requirements by the year 2000 you are going to exhaust your low-cost uranium resources. So you have not accomplished anything except to augment your power supply for a small period of years. Then you have to start to use your coal and oil again, and at some time there will not be any coal or oil left.

For the first time, man, through the technology of the atom, has an opportunity to permanently avoid that kind of situation in the future because we now see a way of producing a new atomic fuel while we are burning the old atomic fuel—not only to produce it in amounts equal to that which we burn, but actually produce more than we burn. If we consider that the problems of humanity in the past have revolved around the lack of plenty, and therefore the spawning ground of wars and other kinds of trouble man has found himself in, perhaps if we go ahead with this kind of development and get inexhaustible energy supplies on this planet we can look toward the millenium that people have been talking about for so long.

What is the relationship of the seed-blanket reactor to this goal? The seed-blanket reactor is the first step toward this ultimate day of breeding fuels in larger quantities than we consume. It is worth the people's money to develop this technology.

The next complaint of the gentleman from West Virginia is that the AEC does not have a specific proposal before it. Let me say in passing we never have a specific proposal when we are going into future developments. We are going into areas that are new. We are going to try to find some knowledge. Therefore you cannot specify today what you are going to do a year from now, based on information you might get 9 months from now. That is the situation here.

The gentleman from West Virginia complained about Admiral Rickover having trouble with the fuel elements. I probably am a little responsible for that because I asked Admiral Rickover in the hearing to go back and look over these fuel elements he wants to put in this reactor, and see if they were as good as he told the committee they were going to be. He went back and took another look at it. Taking a look at these things involves going through a very rigorous process of computer analysis and other things.

But it turned out that these fuel elements that are being designed to stay in this reactor 9 years—imagine that, 9 years in this reactor—putting out power 24 hours a day, 365 days a year—would probably only to be able to last for 7 years. And like the honest citizen that he is, he came back and said that this was our trouble and it is going to take us about a year to work out this difficulty. Now the difficulty is a technical thing which has to do with the kind of fuel being burned here—uranium oxide—and what the radiation and heat inside a reactor does to that material over a period of time. It is not the kind of problem that has not been confronted before. It is a straightforward design-analysis problem and there is certainly very little doubt that it can be overcome within a year or so which is within the time that Admiral Rickover wants to take to do it and within an expenditure of $15 or $20 million that he says it will require.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the chairman of the committee.

Mr. HOLIFIELD. I appreciate the gentleman's statement. The gentleman is making a very pertinent statement relative to the points involved in the remarks of the gentleman from West Virginia. The gentleman has rightly said that this is a matter of design. We have run up against problems of design in every reactor that we have built. This is a scientific problem and both Admiral Rickover and Dr. Seaborg expressed complete confidence that it can be solved. But let me say this: If it is not solved, the reactor will not be built because we are going to build the reactor on the basis of a 9-year life.

Its construction is not limited to the State of California either. We have broadened the authorizations to include sites far beyond the State of California and other participating groups of the utilities that want to participate in this matter. If it is not built, they will not come into it. We know this. But the research is going on and we are providing in the bill for a continuation of research. It did not start today. It did not start for the benefit of the State of California or any other individual group. It was started to do what the gentleman from California [Mr. HOSMER] has said—to bring into existence a new source of fuel in the form of the element thorium. We have had this explained to us. We may multiply our heat resources from the present amount we can get from uranium by a factor of 25 or 50 times if this reactor is successful which means an almost unlimited amount of energy for the future. So we are interested in bringing into existence this advanced reactor technology that moves toward breeding as much fuel as it consumes. In this work either the Government puts up all the money and does it by itself or it does not do it. Or if we can get some cooperative group, as was done in the case of many of these reactors—and we are building one in California right now where the Southern California Edison Co., on a cooperative basis is putting practically $100 million into a reactor and the Government is only putting $13 million in on the design and research aspects of it.

When we get it finished, we are going to have something that all the utility groups in the United States can use if it is economically feasible for them to use it.

I understand the problem of the gentleman from West Virginia. The gentleman from West Virginia has been told that this is going to eliminate the burning of coal. Why, we have figures to show that the burning of coal is going to increase as long as we have coal to burn. We have statistics and figures to show that our needs for energy are doubling every 9 years in the United States and we are going to need all the energy we can get whether it is from coal or from oil or gas or hydroelectric energy or from uranium or thorium. So we are interested in a cooperative project in which the State of California has offered to put up $80 million which otherwise possibly would be put up by the Government of the United States, if we want to continue to do further research in this technology.

Mr. HOSMER. I want to say to the gentleman from West Virginia that I am in the well of the House today as an advocate of this seed-blanket arrangement but as a Californian, I am one of the people back home in California who must buy and pay for the water that is going to be pumped with this particular project and I am not too happy about that.

I believe it is not too good a deal for the State of California. It is too good a deal for the U.S. Government.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from West Virginia.

Mr. MOORE. Will the gentleman please advise the Committee whether the U.S. Government will have any property interest in this project after it is completed?

Mr. HOSMER. It will continue to own the core which it put in, and all of the millions of dollars worth of uranium and thorium in that core. It will take that out at the end of the 9-year life, bring it back, reprocess it, and recover all of the remaining useful material in the core. It will have all of the technology, all of the patents, all of the know-how, all of the other advantages and information and knowledge which will be gained from the piece of machinery which, I would conservatively estimate, would represent at least a quarter billion dollars.

Mr. MOORE. Can the gentleman tell me who then will own the nuclear steam supply system which is constructed?

Mr. HOSMER. The same people who bought and paid for it in the first place, the State of California.

Mr. MOORE. Is it a correct statement to say that the State of California will be limited in the amount it will contribute to this project and the U.S. Government will have an open-end invitation over and above?

Mr. HOSMER. No, that is not correct. The U.S. Government will have an obligation to put in this reactor core which has a 9-year life. If Admiral Rickover is unsuccessful and it does not last 9 years, and not as much power comes out as should, the U.S. Government will have to make up the difference. That is a normal circumstance, exactly like going out to buy an automobile. If the guarantee does not hold up, the car manufacturer will have some expense.

Admiral Rickover is going to build this thing in such a way, he says, that the Government should not be put to that extra expense.

That is a businessman's risk we have to take, and to get California to put up its money in this deal, $161.7 million.

Mr. MOORE. The gentleman will agree that the top figure for the contribution of the State of California to this project is $80 million, under the memorandum of understanding.

Mr. HOSMER. On plant costs.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from California [Mr. HOLIFIELD], for a further explanation.

Mr. HOLIFIELD. May I have the attention of the gentleman from West Virginia?

It is estimated that the State of California will pay to the AEC over the life of this core $51.7 million for steam. That is an obligation of the State of California, in addition to putting $80 million into the capital structure, half of which will go to the conventional generating facilities which they would put in any kind of plant.

Mr. HOSMER. In addition, the State of California will put up another $30 million to operate this during the 9-year period and to conduct the kinds of operations which will be beneficial to the U.S. Atomic Energy Commission in getting the experimental information it wants out of this.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield further to the gentleman from West Virginia.

Mr. MOORE. Can the gentleman tell me what will be the fixed limitation, if we authorize this project, for the U.S. Government?

Mr. HOSMER. In dollar terms?

Mr. MOORE. Yes.

Mr. HOSMER. I cannot state that in dollar terms, because it is only in the nature of a guarantee if something should go wrong. We do not anticipate that anything will go wrong.

If the core does not last for 9 years, that would be like buying a battery for an automobile. A person pays so much for the battery, and it is supposed to last 24 months. Let us say it "poops out" in 22 months. Then there would be a credit of one-twelfth. The company which sold the battery would assume one-twelfth of the cost of replacement.

That is what this would involve. It is a contingent liability and not a fixed liability. Even meeting the liability would be based on our technical people being unable to produce the kind of core they say they can.

The man who says we can do this is Admiral Rickover. The group standing behind him is the same group which has some 80 or more reactors at sea and under the sea in vessels and submarines which has led the world in the introduction of nuclear utility power at the Shippingport reactor.

We just figure it is a good bet. I do not see how reasonable people can complain about it.

Mr. MOORE. Mr. Chairman, will the gentleman yield further?

Mr. HOSMER. I yield to the gentleman from West Virginia.

Mr. MOORE. Is it not true that this Government, or the Commission, will assume all of the costs of this project over and above that which has been agreed to as a contribution by the State of California?

Mr. HOSMER. If I may say this to the gentleman: In a court of law I would object to that question on the grounds that it has been asked and answered, and I will decline to answer it again on the same grounds.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Ohio.

Mr. BOW. The gentleman said that Admiral Rickover estimated it would take about a year to work out the difficulties we find the reactor in. I would like to ask the gentleman from California this question: Perhaps it would be wise to authorize the money here for research and hold up the building of the reactor until after that has been developed.

Mr. HOSMER. I am glad the gentleman brought that question up because it is essentially what we have done. We put down the $91.5 million figure and said that you can spend up to $25 million and that only on research, until such time as this difficulty has been worked out and an agreement and understanding and contract has been signed with somebody to go ahead and build it. So in essence that is what has been done here and the gentleman can be assured we will not start constructing a reactor that does not accomplish our objectives.

Mr. BOW. I am glad to have the gentleman's answer. May I ask you this further question, if the gentleman will yield further, so that I may have it clear in my mind. So that there will be no request then for appropriation for construction until there has been a determination made by Admiral Rickover, or whoever may have that responsibility, that their research has found it is feasible to go forward with construction?

Mr. HOSMER. Which will be in terms of somebody being satisfied sufficiently so as to sign an actual contract to put up millions of their own dollars such as the State of California, or somebody else, to build it.

Mr. BOW. I would like to ask a further question. Since we are contributing substantially to this, I assume when this plant is completed, it is anticipated power will be sold and revenues will be received from the use of this plant? I assume I am right about that?

Mr. HOSMER. The primary purpose of the State of California's participation is to acquire power for pumping on the Feather River project. There is a large pump lift which has to be made in order to bring the water from the northern part of the State of California down into the southern part of the State where it can be used. Then the State in turn, while in the early phases of the project, when they do not need all of the power for pumping, they will have that power go into the power system.

Mr. BOW. The State of California will be relieved of buying power for the pumping in the Feather River and if there is a surplus of power it will be sold, I take it, to distributing companies. Now to whom does the revenue go from that power?

Mr. HOSMER. To the fellow who owns the powerplant.

Mr. BOW. Who owns it?

Mr. HOSMER. The State of California.

Mr. BOW. Then if we contribute this $100 million, or whatever the sum may be for this construction, with the use of our know-how, and if it is then successful, the revenues which become available will go to the State of California in order to pay off what they have contributed, but nothing will be turned back to the Federal Treasury in repayment of the $100 million that we spend. Is that right?

Mr. HOSMER. No, because as you understand, it is supposed to produce power at about 3 mills and there will not be any profit to anybody because actually the State will have to pay the AEC for the steam from the AEC's core.

Mr. BOW. Except that the State of California will not have to buy the power from anybody else.

Mr. HOSMER. Yes, but it still has to pay for the power whether it is in the form of 3 mills per kilowatt hour that it pays to the utility company or in one chunk of $160 million to put into this project. It still costs the State of California the same essentially. At least that is what the argument is. So nobody will make any money on it in the sense that the gentleman seems to be talking about.

Mr. BOW. The point I make, and what troubles me in this is, I understand the State of California is committed for about $80 million, and the Federal Government has $100 million-plus in it, but if there is anything to be recouped it will be recouped by the State of California and not by the taxpayers of the United States.

Mr. HOSMER. The taxpayers of the United States here are definitely not getting into this thing in order to go into the power business to make money. The taxpayers of the United States are going into this in order to acquire a very sophisticated and advanced technological capability to increase in quantity our energy resources.

Mr. BOW. That is the point that I am making; California is smarter than the Congress of the United States in the kind of deal that they are making.

Mr. BATES. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman.

Mr. BATES. Mr. Chairman, I think we should try to clarify the question of who is paying for the plant. The $80 million is to be paid for by the State of California which is the full amount. Of this $39.8 million is for the reactor portion and $40.2 million is for the conventional turbines, generators, et cetera.

In respect to the open-end contract the situation is this. If the turbines, generators, and other portions of the conventional plant are underestimated, the excess costs must be paid for by the State of California. If, on the other hand, there is some mistake in reference to the nuclear part of this project in which the United States is the expert, then the Federal Government picks up this difference. So it is a partnership. If the conventional part is underestimated the State pays for it. If the nuclear part of it is underestimated then the Federal Government pays for it. So both the State and the Federal Government have open-end arrangements and both assume equal responsibility.

Mr. HOSMER. The gentleman is quite correct and he is to be complimented on the clarity of his statement.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman.

Mr. HOLIFIELD. Mr. Chairman, I hope I have the attention of my friend from Ohio, Mr. Bow, because I believe I can bring him a point of understanding which may not have been explained thoroughly. The Federal Government will put a $30 million core into the California-built plant. But it is estimated that we will not only get the remaining material back at the end of the 9 years but at the end of the 9-year period it is estimated that California will pay to the Federal Government $51.7 million for the heat that comes out of that core. That is over and above the $80 million. This is not a bad deal for the Federal Government.

As my colleague has said there may be some possibility that it is a bad deal for the State of California, but they are willing on the basis of their engineering estimate to put $80 million of their money into this scientific experiment because they believe in it very strongly; and the Commission and the committee believe in it very strongly. But we are really getting $51.7 million income back which has not been talked about.

Mr. BOW. Mr. Chairman, if the gentleman will yield, I still do not understand about the $51 million.

Mr. HOSMER. Let me say this. The reactor core which is owned by the Government, costs the AEC an estimated $30 million to fabricate. It will be hauled out to California and will be put in this reactor, which is going to produce heat. That heat is going to make steam over these 9 years. The State of California is going to pay the United States $51.7 million for the heat that comes out of this $30 million core. So already the U.S. Government is $21.7 million to the good. In addition to that, at the end of 9 years, when the fuel elements are ready to be replaced, they are going to take off the top of the reactor and some of the uranium may be burned up, but most of it will still be there. In addition to that, Uncle Sam is going to recover the new uranium that has been bred out of the thorium during the 9 years that it is in there. So Uncle Sam is not only going to come back with the remaining initial fuel but he is probably going to get back some value in addition to that by way of the new bred material. That is a pretty good deal for Uncle Sam, if it works right.

Mr. BOW. Mr. Chairman, if the gentleman will yield, I am glad that the gentleman from California [Mr. Holifield] has brought this up because I would like to be satisfied on this point. How are we going to get the $51 million, how is it going to be paid?

Mr. HOSMER. By check from the Treasury of the State of California and billed probably quarterly each year.

Mr. BOW. To the Treasury of the United States?

Mr. HOSMER. Right; probably to the general fund of the Treasury.

Mr. BOW. $51 million.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Iowa.

Mr. GROSS. The proposal is to put $91.5 million into this thing and get $50 million back; is this what I am hearing?

Mr. HOSMER. No. I was talking about that reactor core, and recovering, through salvage the spent core after we had gotten our $51.7 million. I did not tell you about what we got out of the instruments which we had in that core during all of this 9 years of operation. We were getting out what we needed to know about a spectrum of this advanced kind of technology with which we can go out and produce more of this very, very precious uranium so that we will have more and greater power resources in this country. There is the return for the sum of $41.5 million we have spent for research and development, and $20 million for plant design. Now we are getting that money back in the form of this increased technology that is going to benefit the entire Nation. As a matter of fact, it is a strange thing. People say, "Oh, you are giving patents away and all of this money you are spending on the development of atomic energy and power resources which comes out of the Treasury and you are not doing the taxpayers any good."

Mr. Chairman, reliable estimates are that each year American citizens are saving at least $1 billion in their power bills because of the money that we have spent on nuclear advancements in the power field. It has had that good effect on the price of electricity for home and industrial consumption in this country, in addition to all of the other defense aspects that we have gained out of it.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I would be glad to yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. I thought it might be interesting to point out to the committee so that there might not remain some inference in the Record that the State of California, through its representatives, has somehow been able to negotiate a better deal with the U.S. Government and the taxpayers of the Nation. The committee report points out on page 17 that although the original authorization bill that was sent up by the Atomic Energy Commission would have limited this arrangement to one between the U.S. Government and the State of California, the committee recommended that this authorization be broadened to include other potential participants.

In other words, we are not giving a contract, but merely a memorandum of understanding. If we do not work out a contract with the State of California, anyone else can come in and negotiate a contract with the Atomic Energy Commission to build this large seed and blanket reactor; is that not correct?

Mr. HOSMER. That is correct.

Mr. MORRIS. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from New Mexico.

Mr. MORRIS. I might point out to the members of the committee that the chairman of the committee, the gentleman from California [Mr. Holifield] and as ranking minority member, the gentleman from California [Mr. Hosmer], took the initiative in broadening this authorization to assure the country that the State of California was not trying to get something that no one else would be entitled to participate in and that other people could participate if they so desired.

Mr. HOSMER. I thank the gentleman from New Mexico.

Mr. Chairman, I reserve the balance of my time.

Mr. PRICE. Mr. Chairman, I support H.R. 8122, a bill to authorize appropriations to the Atomic Energy Commission for fiscal year 1966. First, I would like to extend a sincere tribute to the distinguished chairman of the Joint Committee on Atomic Energy, the gentleman from California. His leadership, hard work, and intelligence have helped immeasurably in our committee's consideration of this significant bill.

I believe the fact that a $2.5 billion authorization, involving many difficult judgment questions, could be reported out without dissent by our 18-member committee, testifies to the chairman's ability.

As the gentleman from California has said, the Joint Committee on Atomic Energy has reviewed the AEC's fiscal year 1966 authorization request and has reported out a "clean bill" which is $36.5 million less than the administration's proposed bill.

In addition, we have recommended rescissions of previous project authorizations amounting to almost $61 million, not counting waiver of nuclear fuel use charge authority of the AEC. I feel strongly that the detailed review which the Joint Committee has accorded the AEC's authorization bill, pursuant to the amendment to the Atomic Energy Act which Congress approved in 1963, was helpful to the Joint Committee and also beneficial to Congress and the Nation as a whole. On the basis of this review, we were placed in a better position to make necessary recommendations to Congress concerning AEC's programs, which recommendations are set forth in the report which you have before you. I am confident that the Joint Committee's recommended changes in the AEC's proposed bill in no way impair, and in fact enhance, the AEC's ability to carry out its essential programs in the military and civilian fields.

The gentleman from California has already summarized this bill and I will not take up the time of the Members to repeat his testimony. However, I wish to call to the attention of the House some of the specific provisions of this bill which I deem of particular importance.

First, the AEC's weapons program. Section 1 of the Atomic Energy Act of 1954 declares it to be the policy of the United States that:

> (a) the development, use, and control of atomic energy shall be directed so as to make the maximum contribution to the general welfare, subject at all times to the paramount objective of making the maximum contribution to the common defense and security.

The AEC's weapons program is of prime importance in the attainment of the paramount objective—common defense and security—set forth in the act.

Pursuant to section 91 of the act, the AEC engages in the production of atomic weapons or atomic weapons parts "only to the extent that the express consent and direction of the President of the United States has been obtained, which consent and direction shall be obtained at least once each year."

In the past few years, nuclear weapon production activities have diminished. This cutback in production activity is reflected in reduced costs for the weapons program. However, research, development, and underground testing activities are continuing in the weapons program. Considering both the lower costs of the President's fiscal year 1966 weapons production plan, and possibly higher costs of weapons research and testing activities, the committee believes that the authorization of funds for the weapons program as recommended by this committee is adequate. The committee cannot set the weapons production goal of the United States, but in carrying out its responsibility to assure that the United States nuclear weapons program is second to none, the committee has historically played a creative role in the maintenance of a vigorous weapons research and development program. We shall continue to do so.

Second, the AEC's civilian power program. This program is designed to introduce another energy resource into our national economy. At the present time, the United States depends primarily upon its fossil fuel resources—coal, oil and natural gas—in order to meet the Nation's expanding energy requirements. These requirements are expanding at a fantastic rate and projections show that needs for power will double about every 10 years or some time into the future. To meet these energy requirements, which are essential to the maintenance of our industrial civilization, we must find means for supplementing our existing resources. Nuclear energy will provide such a means. Already it has been estimated that nuclear power is saving the American taxpayer about a billion dollars a year in terms of lower power costs. In turn, the competition from the fossil fuel industries has helped to hold down costs in the nuclear power industry. The American taxpayer—nearly everyone in this Nation—is the ultimate beneficiary of this competition.

However, we must find a means for making more efficient utilization of our reserves of fissionable materials. That is one of the reasons why the Joint Committee has supported the Commission's program for developing advanced converters and self-sustaining breeder reactors. These reactors, when fully developed, will make it possible for nuclear power to supply our needs for electricity without a sharp increase in prices due to increases in the cost of fissionable material. In addition, these reactors will help to bridge the gap between today's low conversion ratio light water reactors and the high-gain breeder which it should be our goal to develop for the future. When this Nation has developed the high-gain breeder, we will have secured for ourselves and our descendants our present preeminence in industrial development.

The Joint Committee endorses the two new cooperative power reactor demonstration programs authorized by this bill. They should make significant contributions to nuclear reactor technology. Both these projects are the result of a solicitation by the AEC for maximum participation by private and public organizations, in cooperation with the Federal Government, in pushing back the frontiers of our knowledge in this important field. The Federal Government and the entire nuclear industry will benefit from the information derived from these reactors.

Third, the naval reactors program. The Joint Committee has always strongly supported development work in the naval reactor program. The Joint Committee also supported the recent action of the Armed Services Committee, of which I am also a member, and the House in adding a nuclear-propelled surface ship to the Navy's shipbuilding program. The committee also strongly favors development work on a new deep-diving research submarine vessel by the Navy and the AEC. The committee has recommended an addition of $2 million to the funds recommended by the AEC for the naval reactor program in order that vital work on destroyer core development not be delayed by the increased level of effort in the research submarine program.

It should be clear to all of us, in light of recent world events, the importance of having a first-class Navy capable of moving quickly to world troublespots and operating effectively over long periods of time without logistic support. The Joint Committee's recommended change in the administration's proposed bill will help to assure that work in the naval nuclear propulsion program, which is so vital to our national security, will not be slowed down.

Fourth, the rocket propulsion reactors program. The committee has recommended the full amount requested by the AEC for this program for fiscal year 1966. Recently, there have been several successful full power runs of experimental reactors designed for space propulsion purposes. These tests accentuate the need for the administration to focus its attention on the planning of a flight test program.

Knowledgeable people agree that nuclear energy is a must for deep-space missions. During our authorization hearings, NASA Administrator James Webb said this to us:

> For long duration missions involving large payloads and high velocities, power and propulsion provided by nuclear energy sources will be needed.

The Joint Committee believes strongly that nuclear reactors should be relied upon in those applications—such as the nuclear submarine—which utilize the inherent advantages which nuclear power holds over conventional energy sources. The future may well prove the special adaptability of nuclear propulsion for space.

Fifth, the physical research program. During the last World War, the United States came to recognize more fully how important research is to our national security. As a result of research done in previous years, we were able to develop weapons which contributed to our ultimate victory over the Axis powers. Moreover, research and development on wartime problems helped provide the knowledge base for the tremendous expansion in our consumer economy since World War II. It is an established fact that money invested in research today provides future dividends for the people of this country.

During March the Subcommittee on Research, Development, and Radiation, of which I am chairman, held extensive hearings on the AEC's physical research program, and particularly its high energy physics program. These hearings demonstrated that we may be on the verge of making vital new discoveries concerning some of the most fundamental questions man has ever investigated. We need only look to the history of the last 25 years to see what the effects of scientific research and its developments have been on the positions of nations of the world.

In particular, we are making tremendous strides in increasing our knowledge of the basic particles which make up matter. This information is being obtained through the use of giant atom smashers which enable our scientists to probe the atom's nucleus. The AEC's program of studies in this field is an expensive one. The potential benefits to be gained can only be guessed at. What is certain, however, is that we cannot afford not to know what power may be unlocked from the elementary particles.

The committee has recommended approval of the full amount for the AEC's physical research program, and believes strongly that this is a worthwhile investment of our resources.

Finally, I would like to say a word about the Commission's plowshare program. This is the program for the development of peaceful uses for nuclear explosives, which takes its name from Isaiah's prophecy. Among the many potential uses for nuclear explosives are excavation projects and recovery of oil and gas reserves. One of the most promising applications for this program is the excavation of an interoceanic canal. In recommending the full amount requested by the AEC for this important program, the Joint Committee is aware that a very significant percentage of the fiscal year 1966 operating expenses will be devoted to the proposed Project Schooner excavation experiment, which is a 100-kiloton underground cratering experiment planned next fiscal year in southwestern Idaho. Firing of the nuclear explosive used in this experiment will require a Presidential authorization. Failure to exploit this new technology would be a crime against mankind. Only when we can use this immense power for the good of all mankind will we be able to rid ourselves of the need to build up this power for military purposes.

Mr. Chairman, in closing I wish to reiterate my strong support for this bill. It is worthy of approval by the House and I urge its enactment.

Mr. HOLIFIELD. Mr. Chairman, I have no further requests for time.

Mr. HOSMER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 101. There is hereby authorized to be appropriated to the Atomic Energy Commission in accordance with the provisions of section 261 of the Atomic Energy Act of 1954, as amended, the sum of $2,555,521,000 as follows:

(a) For "Operating expenses," $2,260,766,000.

(b) For "Plant and capital equipment" including construction, acquisition, or modification of facilities, including land acquisition; construction planning and design; and acquisition and fabrication of capital equipment not related to construction, $294,745,000 as follows:

(1) SPECIAL NUCLEAR MATERIALS.—

Project 66–1–a, sludge removal and waste transfer facility, Richland, Washington, $2,650,000.

(2) ATOMIC WEAPONS.—

Project 66–2–a, vibration test data and control facility, Sandia Base, New Mexico, $640,000.

Project 66–2–b, weapons production, development, and test installations, $10,000,000.

Project 66–2–c, electron-positron accelerator facility, Lawrence Radiation Laboratory, Livermore, California, $4,100,000.

Project 66–2–d, environmental test facility, Lawrence Radiation Laboratory, Livermore, California, $2,300,000.

(3) ATOMIC WEAPONS.—

Project 66–3–a, weapons test support facility, Los Alamos Scientific Laboratory, New Mexico, $1,300,000.

Project 66–3–b, supplemental water supply, Los Alamos, New Mexico, $700,000.

Project 66–3–c, physics analytical facility, Los Alamos Scientific Laboratory, New Mexico, $830,000.

Project 66–3–d, explosives engineering area rehabilitation, Los Alamos Scientific Laboratory, New Mexico, $1,350,000.

Project 66–3–e, warehouses, Nevada Test Site, Nevada, $680,000.

Project 66–3–f, control point additions and modifications, phase II, Nevada Test Site, Nevada, $1,000,000.

(4) REACTOR DEVELOPMENT.—

Project 66–4–a, sodium pump test facility, $6,800,000.

Project 66–4–b, electron linear accelerator, Oak Ridge National Laboratory, Tennessee, $4,800,000.

Project 66–4–c, modifications to reactors, $3,000,000.

Project 66–4–d, research and development test plants, Project Rover, Los Alamos Scientific Laboratory, New Mexico, and Nevada Test Site, Nevada, $3,000,000.

Project 66–4–e, reentry burnup test facility, Sandia Base, New Mexico, $2,500,000.

(5) PHYSICAL RESEARCH—

Project 66–5–a, low-energy accelerator improvements, Argonne National Laboratory, Illinois, $1,000,000.

Project 66–5–b, bubble chamber and experimental area, Argonne National Laboratory, Illinois, $17,000,000.

Project 66–5–c, accelerator improvements, zero gradient synchrotron, Argonne National Laboratory, Illinois, $2,300,000.

Project 66–5–d, accclerator and reactor additions and modifications, Brookhaven National Laboratory, New York, $2,300,000.

Project 66–5–e, alternating gradient synchrotron conversion, Brookhaven National Laboratory, New York (AE only), $2,000,000.

Project 66–5–f, accelerator improvements, Cambridge and Princeton accelerators, $475,000.

Project 66–5–g, accelerator improvements, Lawrence Radiation Laboratory, Berkeley, California, $1,425,000.

Project 66–5–h, meson physics facility, Los Alamos Scientific Laboratory, New Mexico (AE only), $1,200,000.

(6) PHYSICAL RESEARCH.—

Project 66–6–a, solid state science building, Argonne National Laboratory, Illinois, $4,000,000.

Project 66–6–b, alternating gradient synchrotron service building addition, Brookhaven National Laboratory, New York, $1,600,000.

Project 66–6–c, land acquisition, Brookhaven National Laboratory, New York, $2,000,000.

Project 66–6–d, electron linear accelerator facility, Massachusetts Institute of Technology, Massachusetts, $4,600,000.

(7) BIOLOGY AND MEDICINE.—

Project 66–7–a, virus control laboratory, Oak Ridge National Laboratory, Tennessee, $1,360,000.

Project 66–7–b, co-carcinogenesis mammalian receiving, isolation and control laboratory, Oak Ridge National Laboratory, Tennessee, $500,000.

Project 66–7–c, animal laboratories, Brookhaven National Laboratory, New York, $975,000.

Project 66–7–d, air conditioning, Argonne Cancer Research Hospital, Chicago, Illinois, $750,000.

(8) COMMUNITY.—

Project 66–8–a, classroom additions, White Rock Elementary School, Los Alamos, New Mexico, $325,000.

Project 66–8–b, classroom addition, Pueblo Junior High School, Los Alamos, New Mexico, $65,000.

Project 66–8–c, classroom addition, Barranca Mesa Elementary School, Los Alamos, New Mexico, $225,000.

Project 66–8–d, classroom addition, Los Alamos High School, Los Alamos, New Mexico, $360,000.

Project 66–8–e, Bayo Canyon sewage disposal plant expansion, Los Alamos, New Mexico, $950,000.

(9) GENERAL PLANT PROJECTS.—$42,325,000.

(10) CONSTRUCTION PLANNING AND DESIGN.—$3,000,000.

(11) CAPITAL EQUIPMENT.—Acquisition and fabrication of capital equipment not related to construction, $158,360,000.

SEC. 102. LIMITATIONS.—(a) The Commission is authorized to start any project set forth in subsections 101(b) (2), (4), and (5), only if the currently estimated cost of that project does not exceed by more than 25 per centum the estimated cost set forth for that project.

(b) The Commission is authorized to start any project set forth in subsections 101(b) (1), (3), (6), (7), and (8), only if the currently estimated cost of that project does not exceed by more than 10 per centum the estimated cost set forth for that project.

(c) The Commission is authorized to start a project under subsection 101(b)(9) only if it is in accordance with the following:

(1) For community operations, the maximum currently estimated cost of any project shall be $100,000 and the maximum currently estimated cost of any building included in such project shall be $10,000.

(2) For all other programs, the maximum currently estimated cost of any project shall be $500,000 and the maximum currently estimated cost of any building included in such project shall be $100,000.

(3) The total cost of all projects undertaken under subsection 101(b)(9) shall not exceed the estimated cost set forth in that subsection by more than 10 per centum.

SEC. 103. The Commission is authorized to use funds appropriated pursuant to this authorization, and other funds currently available to the Commission, for the purpose of performing construction design services for any Commission construction project whenever (1) such construction project has been included in a proposed authorization bill transmitted to the Congress by the Commission and (2) the Commission determines that the project is of such urgency that construction of the project should be initiated promptly upon enactment of legislation appropriating funds for its construction.

Sec. 104. When so specified in an appropriation Act, transfers of amounts between "Operating expenses" and "Plant and capital equipment" may be made as provided in such appropriation Act.

Sec. 105. Cooperative Power Reactor Demonstration Program.—Section 111 of Public Law 85-162, as amended, is further amended by striking out the date "June 30, 1965" in clause (3) of subsection (a) and inserting in lieu thereof the date "June 30, 1966."

Sec. 106. Large Seed-Blanket Reactor.—(a) The Commission is hereby authorized to enter into a cooperative arrangement with a State, its departments and agencies, or with privately, publicly, or cooperatively owned utilities or industrial organizations, for participation in the research and development, design, construction, and operation of a thorium seed-blanket nuclear powerplant, in accordance with the basis for an arrangement described in program justification data submitted by the Commission to the Joint Committee on Atomic Energy, without regard to the provisions of section 169 of the Atomic Energy Act of 1954, as amended, and authorization of appropriations therefore in the amount of $91,500,000 is included in section 101 of this Act.

(b) Not in excess of $25,000,000 of the funds appropriated to the Commission pursuant to the authorization contained in subsection (a) of this section may be used by the Commission for the purpose of performing research and development on a thorium seed-blanket nuclear powerplant prior to execution of a contract pursuant to the authorization contained in subsection (a) of this section.

Sec. 107. High-Temperature Gas-Cooled Power Reactor.—The Commission is hereby authorized to enter into a cooperative arrangement with a utility or group of utilities and an equipment manufacturer or other industrial organization for participation in the research and development, design, construction, and operation of a high-temperature gas-cooled nuclear powerplant, in accordance with the basis for an arrangement described in the program justification data submitted by the Commission in support of this authorization for fiscal year 1966, without regard to the provisions of section 169 of the Atomic Energy Act of 1954, as amended, and authorization of appropriations therefor in the amount of $40,863,000 is included in section 101 of this Act: *Provided,* That the Commission is also authorized to waive use charges for special nuclear materials in connection with this project in an amount not to exceed $6,443,000, and to agree to purchase uranium enriched in the isotope 233 produced in and discharged from the reactor during the term of the cooperative arrangement without regard to the provisions of section 56 of the Atomic Energy Act of 1954, as amended.

Sec. 108. Rescissions.—(a) Public Law 87-701, as amended, is further amended by rescinding therefrom authorization for a project, except for funds heretofore obligated, as follows:

Project 63-b-4, emergency duty personnel shelters, various sites, $4,000,000.

(b) Public Law 88-72, as amended, is further amended by rescinding therefrom authorization for a project, except for funds heretofore obligated, as follows:

Project 64-e-8, modifications to Connecticut Advanced Nuclear Engineering Laboratory facilities, Middletown, Connecticut, $1,455,000.

(c) Section 111 of Public Law 87-701, as amended, is rescinded.

(d) Section 105 of Public Law 88-72, as amended, is rescinded.

(e) Section 106 of Public Law 88-72, as amended, is rescinded.

Mr. HOLIFIELD (interrupting reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

COMMITTEE AMENDMENT

Mr. HOLIFIELD. Mr. Chairman, I have three committee amendments which are corrections of printing errors and they are now at the Clerk's desk.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. Holifield: Page 5, line 10, insert a comma after the word "isolation".

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. HOLIFIELD. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. Holifield: Amendment to section 106(a), page 8, line 18, strike out "therefore" and insert "therefor".

The amendment was agreed to.

Mr. HOLIFIELD. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. Holifield: Amendment to section 108(b), page 10, lines 8 and 9, strike out "Connecticut Advanced Nuclear Engineering Laboratory" and insert "CANEL".

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MOORE

Mr. MOORE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Moore: On page 8, line 6, strike out section 106 and renumber the following sections accordingly.

Mr. MOORE. Mr. Chairman, this amendment does what I suggested it would do in my remarks respecting this large seed and blanket reactor. It deletes the $91.5 million intended for this project. I am not completely satisfied with the suggestion that there will be a recoupment by the U.S. Government of *x* millions of dollars spent on this project, under the memorandum of understanding agreement between the State of California and the Atomic Energy Commission.

I am perfectly willing to admit there is a schedule of payments to be made; what its yield would be I am not prepared to say, but beyond that I would call the committee's attention to the two things I stated in my previous remarks:

First. I believe that there is a departure from the parent act which created the Atomic Energy Commission in that eventually the State of California will own this nuclear steam supply system, and there will be without question a complete recoupment or reimbursement by the State through the use of charges by the State of California. It is highly questionable as to what will be returned to the taxpayers of the United States.

Beyond that I would certainly agree if you have a nuclear steam reactor in operation you are going to get some experience and data from it. Perhaps in the long pull it may prove to be beneficial to the country, and in that respect there will be a benefit to the taxpayers of the country. But I emphasize under no previous arrangement that the Commission has made has any private corporation received title to the facility that has been constructed as is suggested by this memorandum of understanding between the Commission and the State of California. Beyond that I say there is a limitation on what the State of California will contribute to this program. There is not a dollar limitation on the obligation of the U.S. Government and the Atomic Energy Commission.

I raise the question that it seems a little strange to me that Mr. Rickover did not recognize or was not aware of the technical difficulties he was having in constructing a reactor but that the word came from X or Y individual. The admiral has indicated he feels it is going to take a year or longer to work out the difficulties. That in itself has encouraged the State of California to request permission to back out of their memorandum of understanding. I think it questions and sincerely so the advisability of undertaking this project at this time until we can get a clear understanding of just how major or minor the difficulties may be; or just whether or not there should be any dollars spent at this time in construction. The further fact is that we do not know whether the project can ever be successfully undertaken.

With that, Mr. Chairman, I would urge the Committee to adopt this amendment which would strike section 106. It deletes this project that we have been discussing for the last half hour and the authorization of $91.5 million to accomplish the same. I respectfully urge the Committee to adopt this amendment.

Mr. HOLIFIELD. Mr. Chairman, I rise in opposition to the gentleman's amendment.

I want to refer the Members to page 1783 of the authorization legislation hearings. If you will look at the table on the right-hand side, you will see—at the bottom of the list is a summary of participation—that the AEC will put in $91.5 million. And across on the other column, you will see the State of California will put $161.7 million into this project.

It is all itemized there. There is nothing that we are trying to cover up here. It is all out in the open and plain. What we have here is actually an experimental research and design, a new type of reactor—built on the basis of old technology to be sure, but bringing into existence the utilization of thorium which will multiply uranium energy sources by a factor of from 25 to 50, so we are told. It will breed as much fuel as it consumes eventually and that is the goal that we are moving toward.

Let none of us be confused by the complexity of the program. This is a cooperative effort on the part of whatever participants wish to participate. We have written in here that the State of California or any private group can participate. You can see the language on page 8 of the bill which says:

> The Commission is hereby authorized to enter into a cooperative arrangement with a State, its departments and agencies, or with privately, publicly, or cooperatively owned utilities or industrial organizations, for participation in the research and development, design, construction, and operation of a thorium seed-blanket nuclear powerplant,

We have broadened that language so that the State of West Virginia can participate in this or any State can participate that wants to put up the money, $80 million, to help in this experimental project. Any private utility or group will be able to participate.

This is not anything new. We are doing it all over the United States.

As far as the ownership of the reactor is concerned, this is not anything really new.

The La Crosse, Wis.; Elk River, Minn.; and Piqua, Ohio, reactors—all these reactors are to be sold—they are cooperative, of course, and they are to be sold at the end of the time to the cooperating group, if the group wants to buy them.

So the principle is practically the same although it is arranged a little bit different. We are going to turn these research reactors over to the people who are participating with us if they want to buy them, and if they do not we will have to tear them down.

This is for research and developmental purposes. It has happened that we have gotten to the point in technology where these research and developmental reactors are also producing energy and we are selling that energy. In the case of this particular project, we expect $51.7 million back from the sale of energy from the $30 million core that the Federal Government is putting in the reactor and which the Federal Government owns. The Federal Government, I repeat, does own that core. And referring to all the material that is produced when it converts thorium to U-233—these are valuable substances and we get that all back.

Or if we burn these substances, we burn them in a reactor and get paid for them on a kilowatt basis.

Mr. Chairman, this is a good deal for the Federal Government providing you believe in moving forward to utilize the natural resources of our Nation and put them in shape so that succeeding generations can use these new forms of energy which they will not have if we do not do something such as is proposed in this bill.

Someday—and in many parts of the country today—oil and gas either will not be in existence or will have become too expensive to use. In some places where there is coal, there is no doubt in my mind that coal will be used as long as it is available from the ground, for neighborhoods which are nearby.

Also, there are a great many areas of this country which do not have coal and do not have oil and gas. Many areas have smog conditions in the cities, which affects the health of the people. Those areas may want the type of generating plant for their cities which will not contribute soot, ashes, carbon, and other substances into the air.

I ask that the amendment be defeated.

Mr. KEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to enthusiastically support the amendment offered by my distinguished colleague from West Virginia [Mr. Moore] to delete section 106 from the bill. I am most hopeful that the Members in their wisdom will support the amendment.

Thank you.

Mr. HOSMER. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

I should like to point out that, rather than being a unique and extraordinary experiment, the first of its kind, plunging into a cold financial sea, as indicated by the gentleman from West Virginia [Mr. Moore] this arrangement, the seed-and-blanket reactor, with the State of California does in fact have ample precedent. This involves assistance for the design of the plant, and title will stay with the State of California, who is paying for the reactor. It is the same arrangement as previously made with others, namely in respect to the following electric power reactors: The Connecticut Yankee Reactor; the Southern California Edison Co. Reactor, at San Onofre, Calif.; the Public Service Co. of Colorado HTGR Reactor, also provided in the bill before us; and the city of Los Angeles, department of water and power's proposed nuclear reactor generating station at Malibu, Calif.

I emphasize that there is nothing new about this. It is a tried and true way which has been developed and used time and again to promote the nuclear development of our country, which is so vastly required.

First. As far as legality of the LSBR arrangement is concerned, special authorization for the project is, of course, required. Without such special authorization the project would not be legally authorized. With such authorization, in the form of section 106 of this bill, the project will be legally authorized.

Second. The concept of an AEC contribution to the cost of construction of a nuclear powerplant intended for operation and ultimate ownership of a utility is not a departure from a policy of AEC and Congress in the power reactor development program. In the second round of the AEC's cooperative power reactor program, AEC paid the entire cost of construction of various prototype reactors. In establishing the criteria for the second round in the AEC Authorization Act for Fiscal Year 1958, Congress provided that, after a specified operating period, AEC must offer to sell the reactor to a utility at a price that would not include construction cost assignable to research and development. In taking this action, Congress recognized that the construction of the first reactor of any particular type involves unusual and unique expenditures associated with the development and testing of components, the resolution of novel technical problems and the necessity to rearrange and redesign facilities and equipment which are found to be unsuitable as construction progresses. We felt then that it would be unreasonable to expect a power company to pay such costs as these and that they should properly be assumed by the Government as true costs of research and development.

On Congress authorization, AEC has entered into arrangements of this type with the city of Piqua, Ohio, the Rural Cooperative Power Association of Elk River, Minn., and the Dairy Land Power Cooperative of La Crosse, Wis. In each case, the utility has the right to purchase the nuclear reactor at a price which would not impose upon the utility the burden of the unusual costs associated with the construction of a nuclear reactor which was the first of its type.

The proposed arrangement with the State of California follows this same principle long recognized by the Congress. The Government's objective is to demonstrate, through construction and operation of the LSBR, the principle which has such significance for conservation of our nuclear resources. Through the cooperation of the California Department of Water Resources, we can attain this objective and, at the same time, find a beneficial use for the energy produced in the demonstration plant. It is fitting and proper and in accord with previous policy that the Government, rather than the cooperating user, be charged with the excess cost attributed to the fact that the energy source is a developmental nuclear reactor which will be a steppingstone to the ultimate objective of the breeder reactor—a powerplant generating more fuel than it consumes.

Third. As indicated earlier, there are precedents in the second round arrangements for the AEC, in effect, to relinquish title to facilities for which the Federal Government has made a substantial contribution, without full reimbursement. Moreover, under the third round arrangements with Connecticut Yankee and Southern California Edison, the AEC provided design assistance—part of the capital cost of the plant—without taking title to any part of the plant, and in fact, this is proposed in the HTGR arrangement with Colorado Public Service Co. It was also the arrangement with the city of Los Angeles Department of Water and Power.

Fourth. It should be borne in mind with respect to the LSBR project that the extent of State participation in this project is the maximum amount of non-Government financing which AEC was able to get in response to its invitation for proposals. That is, this is the best arrangement the Government has been able to achieve thus far to interest non-Federal participants in this project.

Fifth. We should not lose sight of the fact that the State is putting up $80 million in construction costs for the plant, and specifically is paying $39.8 million for the reactor portion. This sum—$39.8 million—plus AEC's assistance for the primary plant—$17.5 million—represents AEC's estimates of what this primary plant should cost. It is not unreasonable to expect AEC to pay overrun, and have title in the State, under these circumstances. In this connection, the State's $39.8 million contribution is much higher than the other non-Government contributions cited in the "Memo of Comments."

Sixth. Another significant point—AEC's invitations for participation in the advanced converter program left open the type of assistance that might be offered, since it was recognized that unusual types or amounts of assistance might be required for advanced plants of this size.

Seventh. With respect to AEC's liability concerning the costs of the reactor core, this is no different than the second round arrangements in which AEC owned the reactor and the core, and, hence, was responsible for paying the costs of design and construction. This project was formerly part of the AEC's R. & D. program, and has been recast as a cooperative arrangement. There is not an unlimited liability on the AEC's part concerning the core because in the last analysis, a conventional core could be developed for the plant at a definable cost which would relieve the Government of futher liability for the special seed-blanket core.

On a related subject, it is the committee's view that the large seed blanket reactor will help attain the general objectives of the AEC's advanced converter and breeder program. It is the committee's understanding that the maximum benefits for research and development and lowest power costs on the LSBR can best be obtained if this facility is integrated with an existing electrical generating system.

The committee assumes that the State of California will proceed with the cooperative arrangement for this facility. The committee was told that negotiations are now underway with major local generating agencies both public and private in California. The committee was advised, based on an offer submitted on March 2, 1965, that these major generating agencies are presently negotiating with the State of California to provide power for pumping on the State water plan system, and that these generating agencies have offered to operate this facility if the State proceeds in accordance with their memorandum of understanding with the AEC.

In its report the committee specifies that the Federal Government should not interfere with these negotiations and, further, that the committee understands that it is not the intent of the State to supply any portion of the output of this reactor to any customers now being served by any of these agencies or to otherwise go into the commercial power business.

The witness for the State of California made it quite clear during the hearings that it was not the intent of the State to go into the power business. He further stated that the power produced by this facility will be used for supplying power for water project pumps and before too many years the State will need a second and larger plant for project needs.

The joint committee by the language included in the report does not want to imply or in any way intend to indicate that if the parties now negotiating fail to arrive at a satisfactory agreement that the Congress is suggesting or implying that the generation from this facility be used to engage in commercial power activities. The committee does not want to in any way interfere with the negotiations now in progress. This is what the committee's report specifically states. There should be no misunderstanding about the position of the committee on this point.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia.

The question was taken; and on a division (demanded by Mr. MOORE) there were—ayes 7, noes 57.

So the amendment was rejected.

Mr. GROSS. Mr. Chairman, I offer an amendment.

AMENDMENT OFFERED BY MR. GROSS

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 8, line 18, after the word "of" insert the words "not to exceed".

Mr. GROSS. Mr. Chairman, I would hope that the committee would accept this amendment in view of the fact that the plans for this project are not firm, and are so admitted by those who support it. I would think the authors of this bill would be glad to accept those three words, "not to exceed $91,500,000" thus giving the Committee on Appropriations a little elbowroom in which to operate. I hope the distinguished gentleman from California will accept the amendment.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from California.

Mr. HOLIFIELD. This is a research and development project, I may say to the gentleman from Iowa. We could not accept his amendment because when you go into research and development, sometimes it does not cost you as much as you think it will, and sometimes it is only a few dollars more, but if it does cost more—and that is why the gentleman's language is not necessary—they have to come back for additional authorization and additional appropriation.

Mr. GROSS. Let us look at the other side of the coin. Suppose the plans are not firm either in this or the next session of Congress? Why not give the Committee on Appropriations the leeway to make available less than $91 million? In other words, only the money necessary on the basis of justified need.

Mr. HOLIFIELD. On the same page, right below where the gentleman offered his amendment, if he will yield further, in section (b) we prohibit the spending of over $25 million of this fund in fiscal year 1966. Although we authorize $91 million, which is our best estimate as to what it will cost, we say that not more than $25 million shall be spent during the fiscal year until we firm up a contract and the technical difficulty is overcome. So the committee will look at this again.

Mr. GROSS. But we carry this language of not to exceed a certain amount in bill after bill. Then when there is a question as to necessity it gives the Committee on Appropriations some opportunity to look over the request and come up with a reasonable figure.

Mr. HOLIFIELD. I think the different situation that exists is that we are dealing with research and development here and we are not dealing with the building of shelf items. We are dealing with research and development.

Mr. GROSS. Will the gentleman agree with me that the Committee on Appropriations always is dealing with research and development projects?

Mr. HOLIFIELD. But we do not have these kinds of amendments in research and development contracts that I know of. The Committee on Appropriations certainly has the power not to spend more than the $91.5 million unless there is additional authorization and if we do have to come back for that, the House will have an opportunity to act on the additional authorization requested at that time.

Mr. GROSS. But why not let the Committee on Appropriations come to the House with a figure after it has had the opportunity to scrutinize this project?

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the ranking minority member of the Committee on Appropriations.

Mr. BOW. Mr. Chairman, I support the gentleman's amendment. I think it is an excellent amendment and should go into this bill. I hope the committee will adopt the amendment offered by the gentleman from Iowa.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman from California.

Mr. HOSMER. Is it the gentleman's contention if his language "not to exceed" is absent from this bill that then the Committee on Appropriations has to appropriate up to the amount of $91.5 million? Can it not appropriate less, anyway? This is just an authorization.

Mr. GROSS. Under the language presently in the bill it becomes about as near mandatory as you can make it because here you give instructions in the authorization bill to the Committee on Appropriations.

Mr. HOSMER. Is it not customary for the Committee on Appropriations to appropriate less money than authorized in many instances? It cannot appropriate more, of course.

Mr. GROSS. If the language "not to exceed" has no meaning, then why is the gentleman quarreling with it? Why does he not accept it?

Mr. HOSMER. I am not quarreling with it but it seems so meaningless. I am trying to find out why it would be suggested by the gentleman.

It would allow the Appropriations Committee to do exactly what it can do already, anyway.

Mr. GROSS. The gentleman does not mean that at all and I am sure he does not. Otherwise he would not be opposed to my amendment. He knows that "not to exceed" does have meaning.

Mr. HOSMER. Mr. Chairman, if the gentleman will yield further, I have not even indicated that I was opposed to it. I was asking the question, and the question was simply this: If the $91½ million figure is in the authorization is it not possible and even probable that the Committee on Appropriations would take some lesser figure?

Mr. GROSS. The gentleman from California, being the understanding gentleman that he is, could have arisen in his place on the floor and said, "Speaking on behalf of the minority I am glad to accept the gentleman's amendment," if he was not opposed to it.

Mr. HOSMER. I wanted to understand it first; and I still do not.

Mr. HOLIFIELD. Mr. Chairman, I ask unanimous consent that the gentleman from Iowa [Mr. GROSS] may proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. HOLIFIELD. Mr. Chairman, I will be frank with the House. We are seeking a contract with the State of California, or anybody, we do not care with whom, who wants to put up $80 million. If we can enter into a contract and sign a contract we have got to make a firm commitment on the nuclear side. They are going to pay for their side of it. We have got to make a firm commitment on the research side, and we cannot leave a vague commitment in the language of the contract. We may forego the possibility of perhaps getting $80 million worth of help.

Mr. GROSS. The gentleman from California is laboring under no illusions about getting the money if this authorization bill passes. Once there is a firm contract, you are not laboring under any illusions as to what will happen thereafter. I say that following the gentleman's own admission.

Mr. HOLIFIELD. In the light of the lack of firmness on what you here propose to do, in the memorandum of understanding the State of California in this particular instance has agreed that if their part of the contract runs more than $80 million—$1 million or $2 million or $5 million more—they will assume it. Then we must agree on our part that if it should run a little bit more we would assume it in order to get them to put up the $80 million.

Mr. GROSS. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Chairman, with respect to another portion of this bill, President Johnson some time ago announced there would be a substantial cutback in the stockpile. As I read this report I see that there has been a cutback of only $625,000 out of something like $378 million; is that correct?

Mr. HOLIFIELD. The gentleman has read the figures correctly, but I call his attention to the fact that the cutback will occur in the next fiscal year after this.

Mr. GROSS. Then President Johnson must have been really premature in his statement that we were going to get a substantial cutback in the stockpile.

Mr. HOLIFIELD. No, because we wanted to take advantage of the contract cancellation provisions for electrical power which were in the power contracts with the electrical utilities so that the Government would not be charged a penalty on cancellation of the electrical contracts, and he had to make an announcement at the time he did to save the Government money.

Mr. BOW. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I should like to make myself clear to the gentleman from California why I endorse the amendment offered by the gentleman from Iowa [Mr. GROSS]. It seems to me that the language on line 17, 18, and 19 on page 8 is one of direction to the Committee on Appropriations that if this authorization bill passes they shall approve an appropriation of $91.5 million; whereas, if you insert "not to exceed" it gives some leeway to the Committee on Appropriations who can say, and I think rightfully so, we do not have to appropriate $91,500,000. But the language of the bill says and the authorization of the appropriation is in the amount of $91,500,000.

Now, if that language is presently mandatory, I agree that we would not have to take it. But it seems to me that if the language contained in the bill were "not to exceed $91.5 million," this would give to the gentleman from Texas [Mr. THOMAS] and his subcommittee the opportunity to go into it and to determine the amount needed rather than to have the mandatory direction that there should be $91.5 million appropriated.

Mr. HOLIFIELD. Mr. Chairman, if the gentleman will yield, if the gentleman will look on page 9 on line 15, there is another project which is the Public Service Co. of Colorado project wherein they are cooperating and I might say on a contingent basis also, and unless certain technical problems are solved they too will bow out. We have the same language there.

Mr. BOW. I would suggest that it probably should be changed there also.

Mr. HOLIFIELD. If the gentleman will yield further, the gentleman knows it is not necessary to change that language and the gentleman knows we have to come back to the Congress for additional authorization. The gentleman knows that his committee will certainly look at it and that the subcommittee chaired by the gentleman from Texas [Mr. THOMAS] who is also a member of the Joint Committee on Atomic Energy would be aware of that and would look into it very thoroughly.

Mr. BOW. I would suggest that it should come to the committee to the effect that a certain amount shall be appropriated of not to exceed so much and I would hope that the authorization bill would provide that "not to exceed $91.5 million" rather than the bill as it is presently written which says "there shall be appropriated" $91.5 million.

Mr. HOLIFIELD. Mr. Chairman, if the gentleman will yield further, I would respectfully point out to the gentleman that this is the traditional language which we have used for many years in authorization bills.

Mr. BOW. I might say to the gentleman from California that I have had this same amendment adopted in a number of bills in the last 2 years where we changed it to "not to exceed," and I recognize exactly what the gentleman says is correct. But I believe it is better legislation if we have the language "not to exceed."

Mr. HOLIFIELD. Would the gentleman apply that language that he has had adopted in the past to research and development programs?

Mr. BOW. Yes, I think it has been used there also.

Mr. HOLIFIELD. Well, I am not aware of that.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from California.

Mr. HOSMER. The difficulty is that this is not the usual language here where we have approved X project and authorized so much money to be spent on it. Actually, the authorization of the $91.5 million is not in section 106 but is in section 101, lumped in together with all the rest of the $2,255,521,000. The language contained in section 106 is a reference to that, as follows, starting on line 17:

> And authorization of appropriations therefor in the amount of $91.5 million is included in section 101 of this Act.

So this language is solely redundant here and totally inappropriate. What we are saying in section 106 is that we put the sum in section 101.

Mr. BOW. But you say that amount?

Mr. HOSMER. That is right.

Mr. BOW. You say that it shall be in that amount of $91.5 million which leads me to believe that this is the first payment on something that is going to be much larger before we are through with it.

I would like to see it in there, "not to exceed."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

The amendment was rejected.

Mr. YOUNGER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to ask the chairman of the committee, the gentleman from California [Mr. HOLIFIELD] if there are funds enough in this authorization bill to build a powerline to the linear accelerator underground. I have just received word that the court of appeals has ruled against the Government and said that you do not have the authority to build a powerline. The whole question is whether you are going to run an ugly powerline over the beautiful mountains of California, despite the fact that Mrs. Johnson is going all over the country trying to beautify the country and the President on many occasions has said we must beautify this country. But here we have a Government agency, in order to get a powerline to the linear accelerator on the Stanford campus, is insisting on covering our beautiful California hills with a lot of big powerline poles.

The court has ruled against you. PGE cannot build the line because they have a court decision against them. Now you have a court decision against you.

Is there money enough in this authorization for you to do the job and do it properly?

Mr. HOLIFIELD. I understand the question is still in litigation. It is in the courts, as I understand it.

Mr. YOUNGER. The circuit court of appeals has ruled on it.

Mr. HOLIFIELD. But there are other courts of appeal.

Mr. YOUNGER. You can go to the Supreme Court.

Mr. HOLIFIELD. I suppose we will. I know how the gentleman from California feels about economy, and to start the precedent of putting every powerline that is built by utilities and any other body underground would multiply the costs of transmission by a factor of at least six or seven. If it was not concerning some beautiful hills in his district, I doubt if the gentleman would adopt that as a general policy in any State.

Mr. YOUNGER. Yes, I would advocate it at any time, because our county has passed a resolution requiring all lines hereafter to be underground. Most of our cities have done so. The city you are trying to put a powerline through has such an ordinance.

Mr. HOLIFIELD. Our committee has visited the general area, and as the gentleman knows there are many, many powerlines of all kinds and descriptions above the ground in this area.

Mr. YOUNGER. They are to be removed, but you still have not answered the question: Do you have money enough in this authorization to put the lines underground if you have to?

Mr. HOLIFIELD. If the courts render an opinion that for this short distance all lines shall have to go underground, it is my opinion we will have to come to the Congress and ask for $5 million or $6 million more in money in order to accommodate the esthetic qualities of the gentleman's district.

Mr. YOUNGER. I have not yet seen the gentleman from California hesitate or in any way be embarrassed by coming to the Congress and asking for more money.

Mr. HOLIFIELD. I thank the gentleman for the compliment.

AMENDMENT OFFERED BY MR. O'KONSKI

Mr. O'KONSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

An amendment offered by Mr. O'Konski: Page 6, line 7, after "$3,000,000," strike out period and add: "from proceeds for sale of telephone plant."

Mr. O'KONSKI. Mr. Chairman, I propose this amendment primarily to call to the attention of the House a very scandalous situation that prevails at Los Alamos. In its wisdom a few years ago the Congress of the United States passed a law permitting the Atomic Energy Commission to dispose of certain public utilities such as sewage, water, electric utilities, and telephone service.

There happens to be in existence at this installation a very valuable telephone service. Immediately when the bill was passed that installation and the officers in charge set the wheels in motion, and the wheels were greased, and they were on the verge of handing this telephone plant on a platter to a subsidiary of a national monopoly called the Mountain States Power Co. But unfortunately for them there are other groups of people in America who are interested in telephone companies. When these people heard about this they went over there to these officials and said they would like to bid on this proposition. They asked, Why do you not put this telephone company up to the highest bidder? These officials were flabbergasted—the officials at Los Alamos were actually perturbed to think that there would be people in America who found out about it and who were willing to pay for the acquisition of this telephone service plant and franchise.

This plant has been evaluated by several telephone companies in our Nation and the telephone plant is actually worth in the neighborhood of $3 million for plant, equipment, and franchise. There are several telephone companies in the United States that are willing to bid $3 million to acquire, improve, and operate that telephone company for the installation and the area surrounding it.

When these offers were made, these officials in Los Alamos started to think up every legal gimmick in the book—not to protect the taxpayers of America but to find some way in which they could give this plant away. There was no move to dispose of the plant and franchise on the basis of selling it to the highest bidder. Instead they thought up a legal gimmick, one after another, to give it away. And they are still engaged in a process of trying to find some legal gimmick to do this.

One gimmick that they have found now is—well, maybe the highest bidder will not be able to get a franchise from the State of New Mexico to operate this telephone plant. To that silly legal gimmick, I say, advertise for bids—sell it to the highest bidder and let them worry about getting the franchise from the State of New Mexico to operate that plant. This is the commonsense way to proceed.

I call this situation to the attention of the Members of the House because I personally happen to know of some telephone people and telephone companies that are interested in this plant and franchise. You have now at Los Alamos something going on in the nature of a $3 million steal of the taxpayers' money. This has been going on now for 3 years. For 3 years the legal staffs have been engaged in trying to find some gimmick not to sell it—not to redeem the $3 million—but to give it away.

I have offered this amendment with the idea of adding just a few words where it says, "Construction, planning, and design" and I found an item that is worth $3 million. They want $3 million for this purpose. Well, they do not have to get it from the taxpayers. I happen to know that they can get it from the sale of the telephone plant and franchise if they would just use some commonsense and sell it to the highest bidder instead of spending untold thousands of dollars of taxpayers' money thinking up legal gimmicks so that they can give the plant and franchise away.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. O'KONSKI. I yield to my distinguished and able colleague from California.

Mr. HOSMER. I have a great deal of sympathy for what the gentleman has to say here today. I do not think the Commission really deserves so much criticism. This is indeed a troublesome thing. The Joint Committee spent a good deal of time taking testimony on it. There are many things involved here. The gentleman mentioned the problem about whether somebody can get a franchise in New Mexico. Of course, you would not want to sell it to somebody who could not operate the service for that area. You have to watch out for the citizens of Los Alamos. We have asked the Commission to go back and see if they cannot get this thing straightened out because there are other difficulties here. Some of this equipment was put in by the Government and some of the equipment was put in by the telephone company. Nobody quite knows who owns what because it was put in during the days of the Manhattan district project when things were on a crash, wartime, secret basis, and the telephone company itself did not even know what was going on there.

Mr. O'KONSKI. I appreciate the gentleman's viewpoint and he is just proving my point better on these legal gimmicks. I think they went back something like 20 years to find out about a telephone company a few miles out of the locality and on that basis, they say they have a franchise and they did not even know they had it before. This just emphasizes the argument I have made. Instead of doing it on a businesslike basis, they are looking for legal gimmick after legal gimmick so that they can give the plant away rather than to sell it and redeem some of the taxpayers' money. The very able gentleman from California has helped greatly to prove my point.

But, Mr. Chairman, I will just say this. I will withdraw my amendment if the very genial and able gentleman from California will call to the attention of these people at Los Alamos that there are Members of the Congress who are aware of the scandalous situation that is going on over there in an attempt to give something away and if the gentleman will do that so that they will be on their guard and attend to this matter on a businesslike basis, I will withdraw my amendment.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. O'Konski] may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. O'KONSKI. I yield to my dear friend and most able colleague. He is always a man of honor and wants that right should prevail.

Mr. HOLIFIELD. I say to the gentleman that the committee has had this under serious consideration for some time. As shown on page 314 of the hearings, a company from the gentleman's State offered $750,000 for this property, which the gentleman says is worth $3 million.

At that time I called this to the attention of the Commission and asked them to make a study of it. The GAO is making a study of it. Some phases have been referred to the Department of Justice.

I assure the gentleman that the chairman of the Joint Committee will do everything he can to get for the Government the full dollar value for these facilities. I have been very active in that particular field. I have met with gentlemen and their attorneys from the gentleman's State on numerous occasions. I have given them at least 4 hours of my time trying to solve this complicated problem. I shall continue to do so.

Mr. O'KONSKI. I appreciate the gentleman's attitude. He is always working to do what is right and just. The figure of $750,000, which you quoted, was for the offer for the equipment as I understand it. A franchise is involved. That franchise is worth more than the equipment and plant. It is a prize plum involved here and it is worth around the $3,000,000 figure. I feel assured the committee will watch this thing very closely.

Mr. HOLIFIELD. If the Government can get $3 million for this, I want the Government to get it.

Mr. O'KONSKI. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Burke, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8122) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, pursuant to House Resolution 394, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. MOORE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. MOORE. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Moore moves to recommit the bill, H.R. 8122, to the Joint Committee on Atomic Energy, with instructions to report the bill back forthwith with the following amendment: "On page 8, line 6, strike out all of section 106 and renumber the following sections accordingly."

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. MOORE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors. The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 43, nays 313, not voting 77, as follows:

[Roll No. 104]

YEAS—43

Andrews, Glenn
Ashbrook
Bow
Bray
Brock
Broyhill, N.C.
Buchanan
Carter
Chamberlain
Collier
Corbett
Curtin
Dague
Derwinski
Downing
Edwards, Ala.
Fulton, Pa.
Gross
Hall
Harsha
Hechler
Jennings
Johnson, Pa.
Kee
Kunkel
Latta
McDade
Marsh
Martin, Ala.
Michel
Moeller
Moore
Mosher
Poff
Roudebush
Saylor
Schneebeli
Schweiker
Secrest
Skubitz
Staggers
Stanton
Walker, Miss.

NAYS—313

Abbitt
Abernethy
Adair
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Bates
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Bingham
Boggs
Boland
Bolling
Bolton
Brademas
Brooks
Broomfield
Brown, Calif.
Broyhill, Va.
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callaway
Cameron
Casey
Cederberg
Chelf
Clancy
Clawson, Del
Cleveland
Clevenger
Cohelan
Colmer
Conable
Conte
Cooley
Corman
Craley
Cramer
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Devine
Dickinson
Dingell
Donohue
Dorn
Dow
Dowdy
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Dyal
Edwards, Calif.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Farbstein
Farnsley
Farnum
Fascell
Feighan
Findley
Fino
Fisher
Flynt
Ford, Gerald R.
Ford, William D.
Fountain
Frelinghuysen
Fulton, Tenn.
Fuqua
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harris
Harvey, Mich.
Hathaway
Hays
Helstoski
Henderson
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Okla.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Keogh
King, Calif.
King, Utah
Kirwan
Krebs
Laird
Landrum
Langen
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McCarthy
McClory
McCulloch
McDowell
McEwen
McFall
McGrath
McVicker
Macdonald
MacGregor
Machen
Mackie
Madden
Mahon
Mailliard
Matsunaga
Matthews
May
Meeds
Miller
Mills
Minish
Mink
Minshall
Mize
Monagan
Moorhead
Morgan
Morris
Moss
Multer
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Pool
Powell
Pucinski
Purcell
Quie
Quillen
Race
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Rumsfeld
Ryan
Satterfield
St Germain
Scheuer
Schisler
Scott
Senner
Shriver
Sickles
Sikes
Sisk
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stalbaum
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Talcott
Taylor
Teague, Calif.
Tenzer
Thomas
Thompson, N.J.
Thompson, Tex.
Todd
Trimble
Tuck
Tunney
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Walker, N. Mex.
Watts
Weltner
White, Tex.
Whitener
Whitten
Widnall
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Young
Younger
Zablocki

NOT VOTING—77

Adams
Andrews, George W.
Andrews, N. Dak.
Baring
Barrett
Battin
Blatnik
Bonner
Brown, Ohio
Callan
Carey
Celler
Clark
Clausen, Don H.
Conyers
Culver
Diggs
Dole
Edmondson
Ellsworth
Fallon
Flood
Fogarty
Foley
Fraser
Friedel
Gallagher
Garmatz
Grabowski
Gray
Halleck
Halpern
Hansen, Iowa
Harvey, Ind.
Hawkins
Hébert
Herlong
Hicks
Holland
Johnson, Calif.
Kelly
King, N.Y.
Kluczynski
Kornegay
Lindsay
McMillan
Mackay
Martin, Mass.
Martin, Nebr.
Mathias
Morrison
Morse
Morton
Murphy, Ill.
Nix
Pelly
Price
Resnick
Roberts
Ronan
Roncalio
Roybal
St. Onge
Schmidhauser
Selden
Shipley
Stafford
Teague, Tex.
Thompson, La.
Thomson, Wis.
Toll
Tupper
Watkins
Whalley
White, Idaho
Williams
Yates

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this day:

Mr. Hébert with Mr. Halleck.
Mr. Hicks with Mr. Mathias.
Mr. Morrison with Mr. Brown of Ohio.
Mr. Garmatz with Mr. Morton.
Mr. Fallon with Mr. Stafford.
Mr. Friedel with Mr. Tupper.
Mr. Culver with Mr. Halpern.
Mr. Kluczynski with Mr. Andrews of North Dakota.
Mr. Toll with Mr. Battin.
Mr. White of Idaho with Mr. Dole.
Mr. Williams with Mr. Martin of Nebraska.
Mr. Barrett with Mr. Morse.
Mr. George W. Andrews with Mr. Thomson of Wisconsin.
Mr. Johnson of California with Mr. Harvey of Indiana.
Mrs. Kelly with Mr. Lindsay.
Mr. Celler with Mr. Don H. Clausen.
Mr. Murphy of Illinois with Mr. Conyers.
Mr. Nix with Mr. McMillan.
Mr. Price with Mr. Yates.
Mr. Thompson of Louisiana with Mr. Kornegay.
Mr. Teague of Texas with Mr. Holland.
Mr. Shipley with Mr. Herlong.
Mr. St. Onge with Mr. Hawkins.
Mr. Roncalio with Mr. Carey.
Mr. Fogarty with Mr. Clark.
Mr. Blatnik with Mr. Grabowski.
Mr. Fraser with Mr. Gray.
Mr. Foley with Mr. Resnick.
Mr. Roberts with Mr. Roybal.
Mr. Ronan with Mr. Callan.
Mr. Flood with Mr. Diggs.
Mr. Edmondson with Mr. Gallagher.
Mr. Selden with Mr. Schmidhauser.
Mr. Bonner with Mr. Baring.
Mr. Mackay with Mr. Hansen of Iowa.

Until further notice:

Mr. Ellsworth for, with Mr. Martin of Massachusetts against.
Mr. Watkins for, with Mr. Pelly against.
Mr. Whalley for, with Mr. King of New York against.

Mr. DENTON and Mr. FINDLEY changed their votes from "yea" to "nay."

Mr. MOELLER changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

Mr. HOSMER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 352, nays 1, not voting 80, as follows:

[Roll No. 105]

YEAS—352

Abbitt
Abernethy
Adair
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Bates
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Bingham
Bolton
Bow
Brademas
Bray
Brock
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callaway
Cameron
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clawson, Del
Cleveland
Clevenger
Cohelan
Collier
Colmer
Conable
Conte
Conyers
Cooley
Corbett
Corman
Craley
Cramer
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Denton
Derwinski
Devine
Dickinson
Dingell
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Dyal
Edmondson
Edwards, Ala.
Edwards, Calif.
Erlenborn
Evans, Colo..
Everett
Evins, Tenn.
Farbstein
Farnsley
Farnum
Fascell
Feighan
Findley
Fino
Fisher
Flynt
Ford, Gerald R.
Ford, William D.
Fountain
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harris
Harsha
Harvey, Mich.
Hathaway
Hays
Hechler
Helstoski
Henderson
Herlong
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Keith
Keogh
King, Calif.
King, Utah
Kirwan
Krebs
Kunkel
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McVicker
Macdonald
MacGregor
Machen
Mackie
Madden
Mahon
Marsh
Martin, Ala.
Matsunaga
Matthews
May
Meeds
Michel
Miller
Mills
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Mosher
Moss
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Powell
Pucinski
Purcell
Quie
Quillen
Race
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Roudebush
Roush
Rumsfeld
Ryan
Satterfield
St Germain
Saylor
Scheuer
Schneebeli
Schweiker
Scott
Secrest
Senner
Shriver
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Staggers
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Talcott
Taylor
Teague, Calif.
Tenzer
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Todd
Trimble
Tuck
Tunney
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Walker, Miss.
Walker, N. Mex.
Weltner
White, Tex.
Whitener
Whitten
Widnall
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Young
Younger
Zablocki

NAYS—1

Moore

NOT VOTING—80

Adams
Andrews, George W.
Andrews, N. Dak.
Baring
Barrett
Battin
Blatnik
Boggs
Boland
Bolling
Bonner
Brown, Ohio
Callan
Carey
Celler
Clark
Clausen, Don H.
Culver
Dent
Diggs
Dole
Ellsworth
Fallon
Flood
Fogarty
Foley
Fraser
Friedel
Gallagher
Garmatz
Grabowski
Gray
Halleck
Hansen, Iowa
Harvey, Ind.
Hawkins
Hébert
Hicks
Holland
Johnson, Calif.
Kelly
King, N.Y.
Kluczynski
Kornegay
Lindsay
McMillan
Mackay
Mailliard
Martin, Mass.
Martin, Nebr.
Mathias
Morse
Morton
Multer
Murphy, Ill.
Nix
Pelly
Price
Resnick
Roberts
Ronan
Roncalio
Rostenkowski
Roybal
St. Onge
Schisler
Schmidhauser
Selden
Shipley
Stafford
Teague, Tex.
Thomson, Wis.
Toll
Tupper
Watkins
Watts
Whalley
White, Idaho
Williams
Yates

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Halleck.
Mr. Fogarty with Mr. Brown of Ohio.
Mr. Dent with Mr. King of New York.
Mrs. Kelly with Mr. Lindsay.
Mr. Price with Mr. Pelley.
Mr. Teague of Texas with Mr. Martin of Massachusetts.
Mr. Toll with Mr. Andrews of North Dakota.
Mr. St. Onge with Mr. Dole.
Mr. Kluczynski with Mr. Mailliard.
Mr. Johnson of California with Mr. Martin of Nebraska.
Mr. Hicks with Mr. Watkins.
Mr. Schisler with Mr. Stafford.
Mr. Garmatz with Mr. Ellsworth.
Mr. Fallon with Mr. Morse.
Mr. Friedel with Mr. Don H. Clausen.
Mr. Nix with Mr. Tupper.
Mr. Barrett with Mr. Morton.
Mr. Clark with Mr. Whalley.
Mr. Watts with Mr. Battin.
Mr. Boggs with Mr. Mathias.
Mr. White of Idaho with Mr. Harvey of Indiana.
Mr. Williams with Mr. Shipley.
Mr. George W. Andrews with Mr. Celler.
Mr. Rostenkowski with Mr. Carey.
Mr. Schmidhauser with Mr. Holland.
Mr. Blatnik with Mr. Hawkins.
Mr. Boland with Mr. Grabowski.
Mr. Roberts with Mr. Resnick.
Mr. Yates with Mr. McMillan.
Mr. Culver with Mr. Baring.
Mr. Bonner with Mr. Foley.
Mr. Callan with Mr. Diggs.
Mr. Flood with Mr. Gray.
Mr. Hansen of Iowa with Mr. Roybal.
Mr. Selden with Mr. Ronan.
Mr. Roncalio with Mr. Murphy of Illinois.
Mr. Fraser with Mr. Mackay.
Mr. Gallagher with Mr. Adams.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and include extraneous matter on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PRIVILEGES OF THE HOUSE

Mr. MILLS. Mr. Speaker, I rise on a question of the privileges of the House, send a resolution to the desk, and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 397

Resolved, That the bill of the Senate (S. 1734) to conserve and protect domestic fishery resources in the opinion of this House contravenes the first clause of the seventh section of the first article of the Constitution of the United States, and is an infringement of the privileges of this House, and that the said bill be respectfully returned to the Senate with a message communicating this resolution.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

U.S. ACTION EMPHASIZES NEW TOUGH LINE

Mr. KING of Utah. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. KING of Utah. Mr. Speaker, national crises tend to induce national hysteria. It was only a few weeks ago that the American people, in a more reflective mood, agreed with virtual unanimity that the last thing America wanted was another Fidel Castro in the Caribbean. Yet today, under the impact of the Dominican tragedy, it is astonishing to see how many there are who change their tune. In my opinion, President Johnson has done no less than the circumstances required to safeguard American life and property in the Dominican Republic, and to forestall the possibility of a Communist takeover.

Recently the Salt Lake Tribune editorialized on this subject. In my opinion, its conclusions were forcefully and logically expressed. For that reason I include the full text of this editorial in my remarks:

U.S. Action Emphasizes New Tough Line

President Johnson appears to have done what he had to do to save American lives in the Dominican Republic.

And indirectly he is also serving notice on the world that the United States is fed up with attacks on its citizens, embassies and libraries and intends to react from now on with toughness and resolution.

As an extra bonus, the landing of U.S. troops may have thwarted a possible Castro plot to make the Dominican Republic a second Cuba.

Washington is being denounced in a dozen capitals for a return to "gunboat diplomacy" which ended some 30 years ago with the good neighbor policy. And some Latin spokesmen, after a secret night meeting of the Organization of American States, expressed doubts about the legality of Washington's unilateral move. Nevertheless, as shown last November, when the United States Air Force and Belgian paratroopers rescued Americans and other nationals from the chaotic Congo, this country feels a responsibility to protect its citizens when local authority breaks down.

SERVES NOTICE ON OTHERS

This isn't to say that the presence of thousands of United States Armed Forces in the Dominican Republic will magically resolve the tangled and deep-seated conflict in a country embittered and confused by more than 30 years of cruel dictatorship. Nor will it automatically create friends everywhere abroad. But it ought to put Castro and his ilk on notice and add to the growing warning to Red leaders in Asia that the tiger isn't paper after all.

When the rebellion against the military junta-supported civil government in Santo Domingo began last Saturday it appeared to be largely a move to reinstate former President Juan Bosch, ousted by the junta in September 1963. Bosch is beyond doubt a "fuzzy minded liberal," but the State Department does not call him a Communist, even though he tolerated Communists to an amazing degree during his 7 hectic months in office.

REDS GAIN CONTROL

Pro-Bosch people seemed to be in control of the revolt at the beginning, but other dissident groups—Chinese Communist followers, Moscow-line Communists and Castroites—were active. As the fighting progressed the extremists gained power. (Communists do not have to be numerous to seize control of such situations. All they have to do is attract a sufficient number of restless and disillusioned young rebels).

If Bosch had been put back in office by the young officers' coup it might have thwarted the Communist plot because technically it would have restored constitutionality to the government. Besides, though the Commies pretended to support Bosch's return, they denounced him as a demagogic imperialist when he was in office.

BECOMES SECONDARY

The question of Bosch's return became secondary as the battle emerged more definitely between left and right elements, endangering lives and property of everyone in the country. Air Force Gen. Elias Wessin y Wessin is leading the so-called loyalists in an attempt to wipe out the rebels and reestablish a government. The United States has insisted its marines are there only to help U.S. citizens to reach safety and has parried or denied reports of aiding either side. General Wessin is said to have received food and supplies from the U.S. Aircraft Carrier *Boxer*, however.

No doubt Mr. Johnson will continue to do what he believes must be done. Ambassador Bunker hinted expansion of original plans when he told the OAS that the United States was faced also with stopping excessive personalized vandalism which many people are wreaking on their fellow Dominican citizens.

TRUTH IN LENDING

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, I am today reintroducing the Truth in Lending Act, which I sponsored in the 87th and 88th Congresses. The purpose of this bill is to provide solid ground for the consumer in an area which often becomes quicksand for him—credit buying.

The Truth in Lending Act would require retailers to disclose the actual rate of interest charged. Specifically, it would require written disclosure of—

First. The cash price of the item without interest or other charges.

Second. The time payment charge.

Third. The difference between cash price and time payment.

Fourth. The added charges, including insurance, credit fees, and so forth.

Fifth. The total amount to be financed.

Sixth. The amount to be paid for interest and financing fees.

Seventh. The rate of interest paid, expressed as a simple annual rate.

Credit has, of course, become part of our way of life. I said before the House last year:

> This legislation will aid almost every American. Economists estimate that almost every family uses some form of consumer credit, and on the whole Americans spend 13 cents out of every dollar they earn for repayment of installment loans.

The pervasive use of credit has given rise to abuses. The Industrial Union Department of the AFL–CIO has pointed out:

> Easy credit and the ruthless imposition of consumer debt upon the unwary have led to frightful abuse and sometimes to tragic consequence. Because of the ignorance regarding the true costs of money, lives have been needlessly scarred or even wrecked. Unless excesses are halted, the entire American business community may be discredited.

Mr. Speaker, this bill does not interfere with the buyer-seller relationship. It simply requires full disclosure of charges to the consumer, which honest businessmen should not fear. Passage of this bill would clearly protect American consumers from "sharks" and "vultures" who prey upon and confuse the poor and less-informed customers by obscuring the terms of credit and binding them inextricably to contracts in which they pay outrageous rates. Passage of this bill would also eliminate much honest confusion over the terms of credit which, according to Dr. Theodore Yntema, vice president in charge of finance for Ford Motor Co., exist in such variety and complexity "as almost to defy comprehension."

Mr. Speaker, Congress owes the American consumer prompt enactment of the Truth in Lending Act.

THE 30TH ANNIVERSARY OF REA

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, early this year the New House Office Building was dedicated to the memory of the Honorable Sam Rayburn, of Texas, a memory rich in legislative and statesmanlike achievements for the benefit and well-being of his fellow man. As the largest government office building in the world, this monument also exemplifies the increasing growth in importance of this branch of Congress in the progress and expansion of this great country of ours.

Yet "Mr. Sam" has a greater monument, I believe, a living monument to the foresight and sagacity of this great Texan. May 11 was the 30th anniversary of the rural electrification program—the finest public experiment this

Government has ever made. The late Speaker's name, along with that of Senator George Norris, is inscribed in the first rural electrification act, giving this pioneering effort to provide electricity for the rural and farm areas of America the authority and direction to realize almost universal availability of this basic necessity for modern living and agriculture.

I like to recall back in September 1935, when REA was still a part of the then bold and imaginative recovery programs of the depression years, that the first loan to the Lone Star State was approved for the Bartlett Electric Cooperative, at Bartlett, Tex. Although nationally, at that time, 1 out of 10 farms had electric service, in my State only 2 out of every 100 farms and ranches knew the luxury of electricity.

I was serving my third term in the House when the recovery program was voted and when the Norris-Rayburn Act was passed. Today 96 percent of all farms and ranches in Texas now have electric service. It is supplied by 99 rural electric systems financed through REA, of which 6 supply the service in my own district, the First.

Texas has the largest rural electric program of any State, serving 473,000 rural consumers on over 166,000 miles of line, enough to wrap around the world 7 times.

Financing this service for Texans has taken $456 million. When we consider that for every dollar of loan funds invested, the people of Texas have invested $5 in house wiring and electrical equipment, we can see what rural electrification has done to the economy of my State in addition to raising the living standards, health, and happiness of the families concerned.

In January of this year, REA borrowers in Texas had returned as principal payments on their loans $104 million plus an additional $30 million of principal paid ahead of contract dates. Besides the return of principal on these loans, users of the REA-financed electric service had made possible the payment of $58 million in interest. Thus the U.S. Treasury has received back $191.5 million from the great investment in rural electrification in my State alone. No borrower was ever overdue in payments. What banker would not like to have all his customers with credit records like that.

This record was made in spite of the low consumer density and low revenue per mile which makes the job so much harder for REA-financed borrowers than for power companies. REA-financed lines in Texas serve only 2.5 consumers per mile and average $334 in revenues per mile, compared with 32.5 consumers and $8,022 per mile for class A and B commercial utilities.

This tremendous disparity of income per mile is sound justification for public financing of this basic service of electricity in areas where private utilities do not wish to serve. Only in America has rural electrification been accomplished without governmental grants. Provided the initial capital to develop electric lines on an area coverage basis, the consumers themselves have been able to pull themselves through by their own bootstraps, so to speak, by their ever-increasing use of the electric service their Government has made possible.

In 1953 the average monthly consumption per customer was 209 kilowatt-hours in Texas. By 1963 the average had risen to 502 kilowatt-hours—more than double in this 10-year period. And every sign points to another doubling in the next 10 years.

One of the most important factors which contributed to the growth and success of REA was when the Congress stabilized the interest rate on REA loans. This enabled directors of the rural electric systems to plan ahead the development of additional sections on an area coverage basis—making service available to all who wanted it without regard to the distance from existing lines. It made it possible to stabilize the investment cost of one section with another and to encourage the support of those fortunate to receive service on the earlier sections to extend it to others.

By setting uniform engineering standards to get construction at the lowest possible cost, by standardizing the investment costs, and by taking advantage of all possible sources of wholesale power supply, REA was able with the dedicated help of thousands of local directors and managers to reach the great goal of this program—universal availability of service.

There still remains the continuing objective of REA borrowers in Texas to provide service with rates and conditions more comparable to those available in the more densely populated urban areas.

We in Texas are also proud of the contribution my colleague, the Honorable BOB POAGE, has made toward creating the REA telephone loan program, a program which is proving extremely important to the economic growth of our State as well as contributing to the convenience, safety, and health of our citizens.

In 1949 when this additional program was authorized, about 24 percent of the farms and ranches in Texas had telephones. Of these most were the obsolete magneto or common battery variety. Today 70 percent have modern telephone service financed in large part through the help of REA loans. Four hundred and seven new automatic dial exchanges connect rural people not only with one another but with their sons wherever stationed around the world should the occasion arise.

Alas, not all the men associated with these great programs have lived to see and enjoy their success. There was Deputy Administrator of REA, George W. Haggard, who, before coming to his national post, served as the first editor of the Texas statewide association publication, Texas Co-op Power. On June 30, 1951 he was killed in an airplane crash in Colorado while on duty with five other REA officials. In his memory the National Rural Electric Cooperative Association has established the George W. Haggard Award for excellence in journalism among the 29 State associations now publishing monthly magazines.

This year the present Texas editor, Bill Lewis, was selected by his peers to receive this award.

Two of our electric cooperative managers have been chosen to head NRECA, the national trade association representing nearly 1,000 member systems which have joined together to provide services for REA borrowers which the government does not provide and which they cannot do as well for themselves. They were Tom Craddock, manager of the B-K Electric Cooperative at Seymour, Tex., and Ray Yarborough, manager of the Fort Belknap Electric Cooperative at Olney, Tex.

As we salute the Rural Electrification Administration on the occasion of its 30th anniversary and pay tribute to its outstanding record, we need to keep in mind that 10 percent of the population of this country depends on this program for their electric service; that they live in over half the land area of the Nation, and that they are doubling their consumption of electricity every 8 to 10 years. So long as the consumers themselves have shown they are capable of managing their systems without personal monetary gain to themselves; so long as their elected directors and their managers and staff continue to give them the best electric service possible, it remains the responsibility of the Congress not to handicap them with undue restrictions on their ability to continue their record of service.

We in Texas are proud of our contributions to the success of rural electrification and telephone service through the REA program and we join with millions throughout the land in praising a job well done.

BILL TO PERMIT CHECKING ACCOUNT SERVICES BY FEDERALLY CHARTERED THRIFT INSTITUTIONS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, yesterday I introduced a bill to enable federally chartered thrift institutions to afford checking account services to their patrons by accepting demand deposits on a limited basis. My bill would thus enable Federal savings and loan associations and Federal credit unions to greatly improve their services and usefulness to the American public.

At present these institutions are permitted to accept only share or savings accounts. My bill would allow them to accept demand deposits on a 100-percent reserve basis. This means that these institutions could not lend out this money on a fractional reserve basis, and thus could not create money as our commercial banks are permitted to do. The demand deposit funds received would be required to be 100 percent in cash or the equivalent of cash, such as short-term Government securities. These institutions would also be permitted to pay a reasonable interest rate on these deposits.

Good arguments against such a limited checking account authority are hard to come by in my book. There would be no detrimental effect on the operation of our monetary system. Like it or not, the Federal Reserve Board would still have control over the supply of money and over interest rates just as they do now. The lending powers of these thrift institutions would not be expanded at all, and the sole benefit would be to the public. This bill makes it more attractive for Americans to save.

So, enactment of this bill can only strengthen our Nation's financial and economic condition, and it will be to the definite benefit of the average citizen. Our free enterprise system must be allowed to function in each and every industry—free enterprise thrives on competition.

My bill specifically provides that any State-chartered thrift institution which may accept demand deposits under State law may enjoy the same privileges under this bill as federally chartered institutions. The bill is as follows:

H.R. 8199

A bill to permit Federal savings and loan associations and Federal credit unions to afford checking account services to their patrons by accepting demand deposits on a 100 percent reserve basis, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph (12 U.S.C. 342) of section 13 of the Federal Reserve Act is amended by inserting ", savings bank, savings and loan association, or credit union" immediately after "nonmember bank or trust company" both times it appears therein.

SEC. 2. Section 5 of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464) is amended by adding at the end thereof the following new subsection:

"(m) Any Federal savings and loan association may accept deposits subject to withdrawal on demand, including deposits of its own funds, and may honor requests for withdrawal of such deposits in the form of checks and drafts. Any association which accepts demand deposits pursuant to this subsection shall at all times maintain reserves, in addition to any other reserves held or maintained by it, at least equal to the full amount of such deposits. Such reserves shall be held in one or more of the following forms:

"(1) Demand deposits in one or more Federal home loan banks.

"(2) Demand deposits in one or more Federal Reserve banks.

"(3) Demand deposits fully insured by the Federal Deposit Insurance Corporation in one or more commercial banks.

"(4) Marketable securities having not more than five years to run to maturity, issued or guaranteed by the United States.

"(5) Items in transit, as defined by the Board, to the extent that demand deposits in the association are increased by such items.

"(6) Coins and currency of the United States."

SEC. 3. Section 5(b) of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464(b)) is amended by changing "No deposits shall be accepted and no" to read "Except as provided in subsection (m), no deposits shall be accepted. No".

SEC. 4. Section 8 of the Federal Credit Union Act (12 U.S.C. 1757) is amended (1) by inserting "Federal Reserve banks and" immediately after "(8) to make deposits in", (2) by redesignating paragraph (13) thereof as paragraph (14), and (3) by inserting, immediately after paragraph (12) thereof, the following new paragraph:

"(13) to accept from its members and from its own funds deposits payable on demand, and to honor requests for withdrawal of such deposits in the form of checks and drafts;"

SEC. 5. Section 17 of the Federal Credit Union Act (12 U.S.C. 1762) is amended (1) by inserting "(a)" immediately after "Sec. 17." and (2) by adding at the end thereof the following new subsection:

"(b) Any Federal credit union which accepts demand deposits pursuant to section 8(13) shall at all times maintain reserves, in addition to any other reserves held or maintained by it, at least equal to the full amount of such deposits. Such reserves shall be held in one or more of the following forms:

"(1) Demand deposits in one or more Federal Reserve banks.

"(2) Demand deposits fully insured by the Federal Deposit Insurance Corporation in one or more commercial banks.

"(3) Items in transit, as defined by the Director, to the extent that demand deposits in the association are increased by such items.

"(4) Marketable securities having not more than five years to run to maturity, issued or guaranteed by the United States.

"(5) Coins and currency of the United States."

STRYCKER'S BAY NEIGHBORHOOD COUNCIL'S STATEMENT ON HOUSING AND URBAN DEVELOPMENT ACT OF 1965

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, the Banking and Currency Committee has recently reported out the administration's Housing and Urban Development Act of 1965, and we will soon be debating this vitally important measure on the floor of the House. I have a deep interest in this subject. When I testified before the committee concerning this year's housing bill, I pointed out, among other things, that the bill did not adequately meet the tremendous need for low- and middle-income housing in New York City. I will discuss this issue when the bill comes before us. But I do want to draw the attention of the House to a statement on the bill by the Strycker's Bay Neighborhood Council.

Strycker's Bay Neighborhood Council is an organization comprising delegates and individual members from over 50 institutions and organizations within and around the 20 square blocks in the West Side urban renewal area. Strycker's Bay, which has been functioning in the community since 1959, is an outstanding community organization which has been most active in the housing field. Father Henry J. Browne, the president, has provided extraordinary leadership in developing this new concept of citizen participation.

Mr. Speaker, the following statement emphasizes the need for low- and middle-income housing. It also points out the difficulty community groups have in making their views known to housing and local government officials. I urge all my colleagues to read this enlightening and important statement:

STATEMENT ON FEDERAL HOUSING BILL OF 1965 FROM STRYCKER'S BAY NEIGHBORHOOD COUNCIL, NEW YORK, N.Y.

The Strycker's Bay Neighborhood Council, an organization of delegates and individual members from over 50 institutions and organizations from within and around the 20 square blocks of the West Side urban renewal area, has been functioning as a unified voice of the people in that community since 1959. As early as 1961 it made a statement on the proposed housing bill and, indeed, on the complicated matter of Federal land appraisal practice which at that time was not helping to make middle-income housing (in a realistic sense) possible in our neighborhood. Again in 1964 we made a fuller statement based on our experience of 5 years with urban renewal and emphasized the essential connection between the need for public housing and the continuance of urban renewal. We feel not only alone but almost singular as we look through the hearings of congressional subcommittees on housing and find no curbstone voices raised but only special interest groups, even if some of those are raised in defense of the voiceless city tenants, a small section of whom we think we more directly represent.

As the people's voice in an urban renewal area we have come to the conclusion that the citizens' participation section of the Federal urban renewal law is constantly being made a mockery of by local public agencies and this with the connivance of the regional Housing and Home Finance Agency office. The local policy agency tends to make the participating citizens only those agreeing with them. We have had to force our voice to be heard and have not been able to have our activities financed out of project costs since 1961 even though our program fulfills perfectly the description of citizens' participation as found in the Federal manual. We think that what we have attempted with bootstrap financing has been a foreshadowing of what is described as required in the Economic Opportunities Act; namely, the participation of the people affected in any program that will be introduced into their neighborhood. We feel a world of difference exists between the execution of citizens' participation in urban renewal and the philosophy of involvement of the poor themselves in the antipoverty program. It seems very strange to us to find such conflicting approaches in programs proposed by the same administration. If the poor are to have voice in their own destiny there is nothing that affects them more drastically than their housing, and it is there most of all that others are allowed to speak, supposedly in their interest.

Our interest has been expressed mostly in terms of the needs of those dislocated by urban renewal, therefore, of low and low-middle income families, by New York City standards those below $6,000. The well-designed and scattered vest pocket public housing that our dislocated tenants are having made available for them in their old community is something that we are proud to have had a major share in helping our city to achieve. We are afraid, however, that the Federal allowance per dwelling unit is not allowing our city's housing authority to provide for the larger families, where the housing need is greatest. We fear too, as we know our municipal leaders have pointed out to you, that the figure of 35,000 new units for the whole country in new low rental construction with only 15 percent allowed to any 1 State (and particularly where leasing or rehabilitating an equal amount may not be so feasible) is grossly inadequate. We have had our differences with the New York Housing Authority but never on the matter of their haste in building all they were ever allowed. Since New York City carries a greater burden for the rest of the country than is appreciated not only as a port of entry but as headquarters for much nationwide activity, should it not be enabled to pick up the unused quota in public housing from other cities? The present proposal, again in the light of an all-out drive on poverty, is much less than a heroic approach and in fact is patently absurd.

This brings us to the much heralded rent supplement plan. We understand that it was the real estate lobby's approach to housing the poor advanced over 30 years. We respect the fears of the experts of the National Association of Housing and Redevelopment officials that twice as many poor could be housed in traditional public housing as rent supplements could care for with the same amount of money. We wonder what impact it can have on New York City when the Federal Administrator, our old neighbor and friend, Dr. Robert Weaver, speaks of 90 percent of those to be housed in this fashion as falling between the $3,000 and $5,000 income families, when such families as these would be lucky to be making enough to qualify for regular public housing in our city. As a matter of sad fact, there is no program even advanced that will decently house the 25 percent of our city's households which now can be scientifically called poor. We are not too concerned with seeing the real estate developers getting subsidized at both the building and renting end. A stable low interest rate, plus tax abatement, on the as yet really untried (for our area) program, seems to us a more feasible even if very partial answer to the need to experiment in housing the not as poor poor. Meanwhile even cheaper public housing in civilized-sized developments scattered throughout economically mixed communities we feel is the much more essential need.

We feel a particular need and obligation to speak on urban renewal since it is happening to us and our neighbors. We have no delusions that unassisted private enterprise would or could do renewal of a neighborhood with as much regard for its continuing life as does a local government. Yet what we have to deal with and live under is a bureaucracy on two and sometimes three levels of government. The impact of this is not only to make any progress a minor miracle on New York's West Side but also to create such inconveniences for residential tenants in city-owned buildings, slated to stand for several years, as unpainted hallways. Administrative manuals seem to us ordinary citizens to be used not as stepping stones but as stumbling blocks. On the other hand, the freedom given to developers under government-aided programs impresses us as an area wherein some regulation might be in order. Luxuriously designed buildings and those with high percentages of studio apartments are allowed to be planned with no regard to the future character of the community but only to supposedly rigid laws of market analysis.

We ask for an urban renewal law and administration that will allow a maximum of real citizen's involvement and more local responsibility and power, but at the same time a kind of planning that will be less for developers' profits and more for wholesome future city living.

LET US DISARM THE CRIMINAL—NOT THE LAW-ABIDING CITIZEN

Mr. CASEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CASEY. Mr. Speaker, it is the criminal—not the 40 million law-abiding gun owners in our Nation—causing our gravest domestic problem.

The problem is the illegal use of firearms by the criminal. It is compounded by lax enforcement and prosecution of existing laws, and uncalled for lenience by judges in the sentence meted to not only first offenders but repeat offenders as well.

A parade of witnesses in the other body are now attempting to stampede this Congress into passing legislation to create a morass of redtape through which the law-abiding citizen must wade, and ignoring completely any effort to strike at the criminal.

This Congress is being urged to legislate on the basis of emotion, half-truths, and fuzzy facts, and I urge my colleagues to take a long, hard look at these proposals, and examine closely the very nature of our crime problem and what little effect some of the proposals would have in solving it.

A few weeks ago, I introduced two bills, H.R. 5641 and 5642, to set a mandatory 25-year Federal penal sentence for the use or possession of a firearm during the commission of the crime of robbery, rape, murder, homicide—other than involuntary manslaughter—assault and kidnaping. Thousands of persons from every State have deluged me, and, so I have been told, my colleagues, with letters in support of this approach. The first bill applies only to the District of Columbia, and if you think there is no need to take the discretion of sentencing armed criminals from the hands of the local judges, then I direct your attention to the crime statistics I will submit.

The second bill applies to the Nation, and the leverage to give the Federal Government authority is the interstate commerce clause. Some of my colleagues have expressed doubt that the Federal Government can act in this area generally reserved to the jurisdiction of the States.

But I tell you now, if this Congress can set the wages a businessman must pay because he sells a can of beans that moved in interstate commerce, then it has the authority and the duty to protect that businessman from the illegal use of a firearm that moved in interstate commerce.

Mr. Speaker, it is the repeat offender, who has found through court leniency that it is profitable to prey on society, that I am after. If there is any doubt about the need to remove these parasites, let us look at the crime rate within the District of Columbia:

During February 1965, there were 144 robberies reported. Out of 70 persons eventually charged for these offenses, 40 had prior criminal records.

There were 36 assault with deadly weapon offenses reported. Out of the 26 arrested, 25 had prior criminal records.

There were four homicides reported. Two persons eventually arrested had prior criminal records.

Does this tell the whole story? Absolutely not.

Ask any police department, including our own Federal Bureau of Investigation, how many criminals arrested had stolen weapons in their possession. They cannot tell you. Such information is not kept.

Let us look at the prosecution of criminals here in the District of Columbia, for I know a number of my colleagues share my own feeling of disgust every time we read of an habitual criminal being turned loose to continue a career in crime.

In the District Code, there is a section 22-3202, permitting the filing of a charge for stiff additional penalties for use of firearms in commission of a crime. Were any such charges filed against the 40 repeat offenders arrested in February for robbery? No.

I wrote the U.S. attorney demanding to know why no charges are being filed under section 22-3202 of the law. I draw your attention to my letter, and his reply, for this gentleman must share part of the burden for the heavy increase in crime in the District. It is his responsibility to prosecute to the limits of the law, and in my opinion, he is not fulfilling his responsibility.

Mr. Speaker, I tell my colleagues now that vigorous prosecution, and stiffer sentencing by the courts, will go far to solve the crime problem in the District of Columbia and in the respective States.

In the month of March, robberies in the District were up 123 percent over a year ago, and housebreaking 150 percent, and for all crime, up 285 percent. In April, robberies were up 155 percent over the preceding April, and housebreaking 188 percent, and for all crime, up 607 percent.

Mr. Speaker, a few weeks ago, our own great expert on crime, FBI Director J. Edgar Hoover, struck out at the laxity of the courts in granting leniency to hardened criminals. I call my colleagues' attention to his message, which stated in part:

> Files of police departments in every State are filled with scores of cases where innocent members of society paid dearly for the inept use of leniency in some form by parole and probation authorities. A case in California typifies the havoc which can result from the granting of unrealistic judicial leniency. Two hardened ex-convicts savagely murdered a Los Angeles police officer after kidnaping the slain officer and his partner. The murdered officer was shot by both criminals as he stood with his hands over his head. One shot him in the mouth, while the other fired four more shots into the officer as he lay dying on the ground. Both of these murderers were on parole at the time of this crime and had received leniency in the form of conditional release, parole, or probation a total of eight times. One's criminal record included arrests for interstate transportation of a stolen motor vehicle, parole violation, escape from a Federal institution, statutory rape, suspicion of burglary, grand theft, possession of narcotics, and a vagrancy

lewd charge. He escaped from confinement in connection with one of his prison sentences and violated conditions of his release on two other occasions. The other criminal had been arrested on 17 different occasions for auto burglary, petty theft, and numerous violations of narcotics and burglary laws. He, too, had escaped confinement on one occasion and received probation or parole on several occasions.

In another instance, an individual was indicted by a grand jury in 1962 on nine counts of rape, assault, and robbery. This lawbreaker had been in trouble since 1950, and he had been selected as a fit subject for parole or probation on three occasions during his criminal career. While on probation in 1953, he was accused of two assaults on women. Released in 1955, he was arrested again within 2 months on two counts of assault involving women, a "peeping-tom" violation, and unauthorized use of an automobile. Incarcerated again, he was once more deemed a good "selection" and was turned loose on society in 1958. Picked up in less than 6 months, this individual was charged with grand larceny and then released once more in 1962. Five months after this last act of leniency, he resumed his criminal activities. Within 2 months during the summer of 1962, he raped one woman at knifepoint, stabbed another nine times as she knelt in prayer in a church, raped a 60-year-old housewife at knife point, and committed his third rape against a 54-year-old woman he trapped in an elevator.

The Federal Bureau of Investigation can provide additional facts which indicate that far too many selections for parole and probation are being made blindly. Of the 14 special agents killed in gun battles, 12 were slain by criminals who had been previously selected for parole, probation or other types of leniency. Furthermore, of the 202 fugitives who have appeared on the FBI's list of "The Ten Most Wanted Fugitives" since the beginning of this program in March 1950, 167 have been the recipient of some type of leniency. As of November 1, 1964, the FBI Identification Division had wanted notices on 79,758 individuals. Of these, 21,548 were wanted for parole violation and 6,022 were sought for probation violations.

These are frightening statistics—and passage of the Casey bills would remove these vultures from where they can prey on the innocent for 25 years.

Mr. Speaker, several of my colleagues agree that my bill can disarm the criminal without harassing legitimate gun owners and gun businesses, and I am gratified that they have introduced companion bills. I earnestly believe that through our efforts, we can focus the attention of Congress back into the area causing the problem—the criminal use of firearms.

I ask my colleagues to look at a sample of the reaction I have received from their own constituents, and if in their judgment, my bill merits consideration, to join in introducing similar legislation:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 9, 1965

DAVID C. ACHESON,
U.S. Attorney for the District of Columiba,
U.S. Courthouse, Washington, D.C.

DEAR MR. ACHESON: I would like to have, as soon as possible, the following information concerning prosecution of criminals within the District of Columbia:

1. The number of persons charged with armed robbery during 1964.

2. How many of those were second, third or fourth offenders.

3. What was the minimum and the maximum sentence given to repeat offenders.

4. How many times was additional punishment sought under section 22–3202 providing additional punishment for persons committing a crime of violence when armed with a pistol or other firearm.

5. If no effort was made to prosecute under Section 22–3202, I would like to have your explanation as to the reason it was not.

Respectfully,

BOB CASEY.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE U.S. ATTORNEY,
Washington, D.C., March 30, 1965.

Hon. BOB CASEY,
House of Representatives,
Washington, D.C.

DEAR MR. CASEY: Referring to your letter of March 9, in which you ask for data on indictments for armed robbery in the District of Columbia, I had hoped to be able to furnish you the information before this, but found that the job involved a review of each criminal jacket in a very substantial number of cases, more than I had anticipated. In addition, the work had to be supervised by the lawyer in charge of my grand jury section, who of course, is almost totally preoccupied with his regular grand jury duties, with the result that he could only allocate a small part of each day to screening the criminal jackets. The result is a greater delay in the schedule than I had hoped, but I think the information will be useful to you nonetheless.

Your first three questions are answered in the statistical data set forth below:

Number of robbery indictments during 1964	216
Number of counts	554
Number of separate incidents alleged	236
Number of defendants	331
Number of defendants with prior felony convictions	125
Number of robbery indictments alleging use of real firearms	96
Number of armed robbery indictments	143
Number of counts in armed robbery indictments	449
Number of separate incidents alleged in armed robbery indictments	167
Number of defendants in armed robbery indictments	235
Number of defendants in armed robbery indictments with prior felony convictions	92
Total number of defendants sentenced in all robbery cases	177
Number of defendants sentenced under provisions of the Federal Youth Corrections Act	39
Number of defendants receiving maximum sentences of 5–15 years	13
Number of defendants receiving 5–15 years who had prior felony records	9

With regard to all robbery indictments in which sentences have been imposed, defendants with prior felony convictions were sentenced as follows. The sentences marked with asterisks indicate armed robbery: From 5 to 15 years*; 5 to 15 years*; 3 months*; 2 to 6 years*; 2 to 6 years*; 3 to 10 years*; 5 to 15 years; 6 months; 4 to 12 years*; 3 to 9 years*; 1 to 5 years; 5 to 15 years*; 5 to 15 years*; 4 to 13 years*; 1 to 3 years*; 1 to 3 years; 6 to 18 months; 2 to 8 years*; 2 to 6 years; 2 to 6 years*.

From 2 to 6 years*; 2 to 6 years; 8 to 24 months; 3 to 12 years*; 3 years probation; 5 to 15 years*; 5 to 15 years*; 1 to 3 years*; 5 to 15 years*; 4 to 12 years*; 3 to 9 years*; 18 months; 32 months to 8 years*; 32 months to 8 years*; 3 to 120 months*; 1 to 5 years; 2 to 7 years; 3 to 10 years; 3 to 9 years*; 3 years probation.

From 1 to 4 years; 1 to 3 years*; F.Y.C.A.*; 5 to 15 years*; 4 to 12 years*; 6 to 20 months; 6 to 20 months; 1 to 4 years; 1 to 5 years; 1 to 4 years; 18 months to 5 years*; 3 to 9 years*; F.Y.C.A.; 20 months to 60 months*; 2 to 6 years*; 2 to 7 years; 1 to 3 years; 3 to 9 years*; 2 to 7 years*.

I have not attempted to break down the weapons involved in the armed robberies. They range from pistols to sharpened coathangers and even to unidentified "hard, sharp objects" with which the victim was cut but no weapon recovered when the case was closed.

In answer to your fourth question, District of Columbia Code, section 22–3202, was not invoked during 1964.

In answer to your fifth question, section 3202 was not used because it is not applicable to the crime of robbery. It is applicable to commissions of "a crime of violence." That phrase is defined in section 3201 as any of a number of particular crimes, namely: "Murder, manslaughter, rape, mayhem, maliciously disfiguring another, abduction, kidnaping, burglary, housebreaking, larceny, any assault with intent to kill, commit rape, or robbery, assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment in the penitentiary." The crime of robbery was omitted from the definition of crime of violence, possibly by inadvertence. The Government has at various times considered whether section 3202 could not be used in a robbery case anyway, on the theory that a robbery includes the crime of assault with intent to commit robbery, and that section 3202 may be applied to the latter crime. The fact, however, that robbery is so obviously omitted from the definition has been an impediment to attempting a technically logical argument that every robbery is also an assault with intent to commit robbery. In addition, on the occasions when predecessors of mine have attempted to apply the statute to a robbery, the reception to this proposal by the trial judge has given further discouragement.

With regard to crimes of violence as a whole, we have not attempted a definitive statistical analysis, since the burden of doing so would be unmanageable. Our experience, however, is that the maximum sentence, where the evidence shows that the crime was committed while armed with a firearm, is not imposed with sufficient regularity to warrant a belief that the sentence would be even greater if the additional charges were made under section 3202. In other words, the cases are very, very numerous in which the evidence shows that a gun was used and the sentencing judge has still not imposed the maximum sentence. In these circumstances, there is no reason to believe that the sentence would be greater if the indictment recited, under section 3202, facts which the evidence shows in any case.

Perhaps one final point is relevant. It is the fixed policy of the U.S. District Court for the District of Columbia that the prosecutor may not seek any sentence in particular; that is, he may not make a recommendation to the court as to what sentence should be imposed or whether it should be greater or less than the recommendation of the Probation Office. The phrasing of your question No. 4 suggests that you might have been unaware of that policy of the court, which is the policy in by far the great majority of all of the Federal district courts.

In this connection, you might be interested in figures which were furnished to me by the Federal Bureau of Prisons in 1963, comparing District of Columbia sentences with the average sentences actually served in State institutions. The Bureau prepared these figures on a one-shot basis for the year 1960 for the crime of robbery. The average time served in months under District of Columbia sentences was 50.8 months. The average time served in State institutions for robbery was 42.3 months. The number of State offenders figured into the average is, of course, a great many times more numerous than the number of offenders figured into the District of Columbia average (96 District of Columbia prisoners, 6,819 State prisoners).

Sincerely yours,

David C. Acheson,
U.S. Attorney.

Massachusetts Alliance of
Saltwater Sportsmen,
Burlington, Mass., April 16, 1965.

Hon. Robert Casey,
House of Representatives,
Washington, D.C.

Dear Mr. Casey: Although we are considered a saltwater sportsmen's organization as our title indicates, there are many within our ranks whose outdoor recreation spans that of gun owner and hunter. Therefore, we are writing in support of H.R. 5642 which we understand you introduced and was referred to the Committee on the Judiciary.

We represent some 20,000 sportsmen across our Commonwealth and at our monthly meeting on last April 14, 1965, a unanimous vote was recorded to favor H.R. 5642 as it is written. We believe that this legislation places the penalty rightfully where it belongs, on the criminal, without putting the useless burden of registration or ineffective licensing schemes on the law-abiding citizen.

Thank you very much for your time and consideration.

Respectfully yours,

William K. Turner, *Secretary.*

Fairfield, Conn.,
March 21, 1965.

Hon. Robert Casey,
House of Representatives,
Washington, D.C.

Dear Congressman Casey: As the president of the Nutmeg Sportsmen here in the State of Connecticut, I wish to offer my congratulations and those of my fellow sportsmen, for the first truly sensible bill offered to Congress which, instead of harassing law-abiding lovers of the shooting sports, places the issue squarely upon the illegal or criminal individual.

It is only through the great foresight and level thinking of Representatives of the people such as yourself that our right to enjoy the ownership of guns will be protected in our Congress.

I for one, and all I can influence will do all in our power to write our own Representatives to endorse and approve bill H.R. 4651.

Very truly yours,

Irving E. Taffel.

International Association of
Game, Fish, and Conservation
Commissioners,
Sacramento, Calif., April 10, 1965.

Hon. Bob Casey,
House Office Building,
Washington, D.C.

Dear Congressman Casey: Permit me to congratulate you upon your simple, forthright approach to the firearms control problem, as demonstrated in your H.R. 5641.

This approach is most comforting to the many, many thousands of us firearms users who have been disturbed by the numerous proposals pending in Congress and the various State legislatures since the assassination of President John F. Kennedy.

We are glad to know there are still some cool heads in Congress who have the courage to get right to the kernel in the nut. Punish the criminal's use of firearms, and let honest citizens alone.

Sincerely,

Seth Gordon.

Outdoor Writers' Association
of America, Inc.,
Columbia, Mo., March 22, 1965.

Hon. Bob Casey,
House of Representatives,
Washington, D.C.

Dear Sir: The Louisiana Wildlife Federation meeting in annual convention during the past weekend adopted resolutions strongly backing the bills you have introduced in Congress and strongly opposing gun laws which would be restrictive to the ordinary citizen.

Luckily, since they have rules stating that resolutions must be introduced 30 days prior to the convention, I was able to get a suspension of the rules to get the resolution supporting your efforts before the delegates.

Please feel free to call upon me for any help that I might be able to give you.

Sincerely yours,

Hurley Campbell,
Vice President.

The North Carolina
Wildlife Federation, Inc.,
Rocky Mount, N.C., March 29, 1965.

Hon. Bob Casey,
House Office Building,
Washington, D.C.

Dear Mr. Casey: For some time we have been pointing out to our membership that it is not the ownership of firearms which constitutes the crime but the illegal use of such arms. We have often illustrated this point by stating that it was possible to easily kill someone with a heavy glass ash tray or most any other object normally at hand and that it would be, of course, ridiculous to outlaw the ownership of such items but that the criminal use of any weapon should be the subject of legislation rather than the ownership.

With the above in mind, we would heartily support your bill, H.R. 5642, and would request that we be kept informed as to its progress and how we may be of assistance in its enactment.

Sincerely,

Turner W. Battle,
Executive Director.

Commonwealth of Pennsylvania,
Pennsylvania Game Commission,
Harrisburg, Pa., March 29, 1965.

Hon. Bob Casey,
House of Representatives,
Washington, D.C.

Dear Congressman Casey: Thank you for your letter concerning your firearms bills. It is gratifying to know that there are clear thinking individuals like you in our Congress. Unfortunately, not enough of your associates are as informed about this vital matter as you.

With the above in mind, I shall certainly solicit the support of your bill from our own Pennsylvania representatives.

Your interest in this matter is appreciated and we will do all we can to pass H.R. 5642.

Sincerely,

George H. Harrison.

Sport Fishing Institute,
Washington, D.C., March 29, 1965.

Hon. Robert Casey,
U.S.House of Representatives,
Washington, D.C.

Dear Congressman Casey: The Sport Fishing Institute would like to go on record as favoring your measure, H.R. 5641, as introduced March 2, 1965, concerning amendments to the Federal Firearms Act and the National Firearms Act. We approve of the philosophy and objectives of your proposed legislation, and would appreciate this letter being included in the record of written testimony, should public hearings be held.

Thank you.

Sincerely yours,

Philip A. Douglas,
Executive Secretary.

Colorado Wildlife Federation, Inc.,
Wheat Ridge, Colo, March 19, 1965.

Hon. Bob Casey,
House of Representatives,
Washington, D.C.

Dear Mr. Casey: Thank you for copy of your bill, H.R. 5642. This is the first sensible bill on firearms that has been introduced in Congress. I have long preached that we should legislate against the criminal instead of against the lawful citizen, and this bill does just that. One other bill along the same lines should be introduced, and that is a bill to provide severe penalties for anyone who has been convicted of a crime for mere possession of a gun. This would disarm the criminal and would give the police methods of taking guns away from the criminals. I would make the penalty at least 25 years in prison.

Thank you for taking action along this line. I wrote Senator Allott, who is on the Dodd bill, S. 14, and suggested he take a look at your bill.

Very truly yours,

A. J. Christiansen, *President.*

State of Arkansas
Game and Fish Commission,
Little Rock, Ark., March 19, 1965.

Representative Bob Casey,
House of Representatives,
Washington, D.C.

Dear Representative Casey: I appreciate your letter of March 15 and wish to advise that I will encourage Arkansas representation to support H.R. 5642.

Sincerely,

Gus Albright,
News Editor.

National Wildlife Federation,
Washington, D.C., March 24, 1965.

Hon. Bob Casey,
House of Representatives,
Washington, D.C.

Dear Congressman Casey: I sincerely appreciate your recent letter regarding the problem of gun restriction and registration.

It is my personal opinion that H.R. 5642 should be incorporated in our Federal statutes even though other legislation may pass on firearm restriction and registration.

There is no question that your approach gets right at the heart of the real problem. I sincerely appreciate your calling this directly to my attention and we will do what we can on informing many of our colleagues.

Sincerely,

Russ J. Neugebauer,
Assistant Chief, Division of
Conservation Education.

Wildlife Management Institute,
Washington, D.C., March 23, 1965.

Hon. Robert Casey,
House Office Building,
Washington, D.C.

Dear Congressman Casey: Thank you for sending me a copy of H.R. 5642 which would place the penalty for misuse of firearms on criminals and others rather than on the Nation's law-abiding firearms owners.

Your recommendation is entirely compatible with the views of sportsmen's organizations throughout the country. This institute took a similar position when it testified on an earlier antifirearms bill before the Senate Commerce Committee early last year. Your leadership in this regard is appreciated, and I am sure that you can count on considerable support for your viewpoints, should firearms legislation be considered in this Congress.

Sincerely,

Daniel A. Poole,
Secretary.

Clinton, Tenn.,
April 8, 1965.

Hon. Bob Casey,
House of Representatives,
Washington, D.C.

Dear Mr. Casey: I am enclosing the resolution by the Tennessee Outdoor Writers Association, adopted on March 27, 1965, in our annual spring meeting, supporting your bills, H.R. 5641 and H.R. 5642.

I felt that you would know where to present the resolution so that it would do the most good. There were about 60 writers present at that meeting and they were eager to support it.

Our Southeastern Outdoor Press Association (SEOPA), a regional outdoor writers group of which I am president, does not meet until August. There are about 75 members in SEOPA and I know they also will want to adopt this resolution, but the meeting probably won't be soon enough to help the bills. Our executive board is scattered all over the southeast and this makes it difficult to get official action except at meeting time.

I hope we have good luck with the bills and if there is any further way we can be of service, just let me know. I'm going to urge each member to write to their Representatives and Senators through our newsletter which I will mail in about 2 weeks.

Sincerely yours,

Tom Rollins,
Secretary Treasurer,
Tennessee Outdoor Writers Association.

Resolution of Endorsement H.R. 5641 and H.R. 5642, House of Representatives, Congress of the United States

Whereas the vast majority of owners of firearms are peaceful, law-abiding citizens using their arms for sport; and

Whereas the greater number of firearms control bills introduced to law-making bodies are, in effect, antigun bills germinated in hysteria and based on misinformation, ignorance and expediency, tending not to punish the criminal but only to share his guilt with legitimate gun owners everywhere; and

Whereas such bills are admittedly unenforceable in the criminal element, for registered firearms will be stolen and used in crime, criminals will smuggle and manufacture illegal firearms, and courts retain the power to turn loose on society the second and third offenders to continue preying on our citizens; and

Whereas Representative Casey's bills place the crime on the purveyor, rather than the instrument, leaves the courts no discretion in sentencing the guilty, and are initiated on wisdom and farsightedness: Now, therefore, be it

Resolved by the Tennessee Outdoor Writers Association, meeting in regular session at Montgomery Bell State Park near Dickson, Tenn., on March 27, 1965, That the Congress of the United States, now in session, speedily approve bills H.R. 5641 and H.R. 5642; and be it further

Resolved, That Federal firearm registration be prohibited, thereby bringing to an end the harassment of law-abiding recreational shooters and legitimate gun collectors.

Bob Witt,
President.
Tom Rollins,
Secretary-Treasurer.

The Izaak Walton League of America,
Glenview, Ill., March 23, 1965.

Hon. Bob Casey,
U.S. House of Representatives,
Washington, D.C.

Dear Mr. Casey: Thanks for your letter of March 18 enclosing a copy of your bill, H.R. 5642, sent me as a member of O.W.A.A.

We in the Izaak Walton League also support strong legislation to curb the use of firearms by the criminal and commend you for the positive position you are taking. We'll be happy to work with you on this.

Cordially,

J. W. Penfold,
Conservation Director.

Missouri Conservation Commission,
Jefferson City, Mo., March 22, 1965.

Hon. Bob Casey,
U.S. House of Representatives,
Washington, D.C.

Dear Mr. Casey: Thank you for your letter of March 18 in which you enclosed a copy of your bill, H.R. 5642, making it a mandatory imprisonment of 25 years for the use of any firearm in major felony cases.

It is my opinion that you are approaching this firearm problem from the right point of view by attempting to control the criminal rather than the weapon. As a wildlife administrator I have been quite concerned about the numerous bills that would impose a hardship upon the sportsmen and law-abiding citizens through the control of firearm sales, possession, and transportation. Such an approach would make all of us suffer because of the abuses of a few. No matter what controls we impose upon firearms, they are still going to get in the hands of criminals. The only real solution is to discourage their illegal use.

As a conservationist and a wildlife administrator, I will support your bill. There may be some legal aspects of the mandatory 25-year imprisonment sentence of which I am not aware, but I certainly agree with you in principle that it is the criminal that needs the control and not the weapon.

Sincerely,

William E. Towell,
Director.

Carlisle Gun Club, Inc.,
Carlisle, Pa., March 29, 1965.

Hon. Robert R. Casey,
House of Representatives,
Washington, D.C.

Honorable Sir: We would like to go on record as being in favor of your bill H.R. 5642 of March 2, 1965, as presently written.

David K. Bowers, Mechanicsburg, Pa., age 48.

George Stupi, Jr., Camphill, Pa., age 30.

Leonard C. Cole, Carlisle, Pa., age 32.

Marilyn Dickson, Carlisle, Pa., age 29.

Richard Dickson, Carlisle, Pa., age 33.

E. W. Hagenbuch, Mechanicsburg, Pa., age 36.

Michael E. Hornberger, Plainfield, Pa., age 28.

Wm. A. Duval, Carlisle, Pa., age 61.

Raymond F. Bear, Carlisle, Pa., age 42.

Clyde O. McKinney, Sr., Carlisle, Pa., age 62.

Robert E. Baker, Carlisle, Pa., age 43.

Guy B. Mullen, Jr., Mount Holly Springs, Pa., age 37.

Sam Carongil, Mount Holly Springs, Pa., age 35.

Robert S. Clark, Mechanicsburg, Pa., age 37.

Curti Hormak, Carlislie, Pa., age 51.

Joe F. Stewart, Carlislie, Pa., age 46.

Robert S. Clark, Mechnicsburg, Pa., age 37.

Dickinson County Chapter, Izaak Walton League of America, Inc.,
Spirit Lake, Iowa, April 12, 1965.

Hon. Robert Casey,
Member of Congress.

Dear Mr. Casey: In an article before me your opening remarks in introducing H.R. 5641 and H.R. 5642 began as follows:

"Mr. Speaker, I ask this Congress to stop the harassment of the legitimate gun owner—and instead to open war on the illegal use of firearms by the criminal preying on society."

Those words, Mr. Casey, should live in history along with Patrick Henry's "Give me liberty or give me death."

Your further remarks, relative to the two bills, were equally pertinent and revealing. If your postal privilege permits, it is hoped you will send a copy of your introductory speech, for these bills, to every voter in the United States. At least, sir, provide a copy to every newspaper publisher; so much truth, so succinctly stated should be spread the land over.

Sincerely yours,

Harry Purdy, *Secretary.*

Farquhar's Hardware,
Fort Covington, N.Y., April 14, 1965.

Representative Robert Casey,
House of Representatives,
Washington, D.C.

Dear Mr. Casey: My hat is off to you. In the 30 years that I have been a small retailer and a shooting enthusiast your H.R. 5642 is the first sane approach to the misuse of guns. I am writing my Congressmen to support your bill.

Respectfully,

Cameron I. Farquhar.

Office of the Mayor,
Burlington, Vt., April 13, 1965.

Hon. Bob Casey,
House of Representatives,
Washington, D.C.

Dear Bob: I greatly appreciate receiving your letter of March 18 enclosing a copy of House bill 5642 introduced on March 2.

I am very glad to receive a copy of the bill which I think is the most sensible suggested yet. As you have stated, it hits the person who needs to be hit and releases the sportsman of the concern that has been in mind whenever antifirearms bills are introduced in the Congress, State legislatures, or on the local level.

I have been trying to spread the word in my outdoor column and also on my television show over our local station.

Sincerely,

Edward A. Keenan,
Outdoor Editor.

Purdue University,
Lafayette, Ind., March 22, 1965.

Hon. Bob Casey,
House of Representatives,
Washington, D.C.

Dear Congressman Casey: Thank you for sending me a copy of your bill relative to a Federal penalty for carrying a gun while committing a major crime.

In my opinion you have an excellent approach to a serious and growing national problem, and I wish you success with it. This bill, if enacted, should have far-reaching benefits. I find that there is a great deal of confusion in the public mind relative to the firearms threat. We do not wish to restrict the lawful pursuit of such field sports as hunting. On the other hand, I think it is most unfortunate that a national organization like the National Rifle Association is taking a stand against any kind of firearms legislation in the States—such as necessary laws against carrying loaded guns in cars and the requirement for casing or breaking down guns in cars. These are safety measures and they are necessary to give law enforcement officers a chance to curb poaching and unauthorized shooting on private lands. The NRA killed a loaded-gun law in this State in the recent legislative session. Eventually they cannot profit by this ill-advised activity.

I say this as one who has studied and written on hunting problems for 30 years.

With best wishes in your endeavors.

Sincerely,

Durward L. Allen,
Professor of Wildlife Management.

The Izaak Walton League of America,
Glenview, Ill., March 22, 1965.

Hon. Bob Casey,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman Casey: I have been urging the National Rifle Association to support a firearms bill which would include a mandatory life sentence for anyone using a gun in the commission of a crime and for anyone previously convicted of a felony who is captured while in the possession of a gun.

Naturally, I realize this is probably more than could be achieved in Congress.

Your H.R. 5642 is thus well in line with my thinking and we shall do all possible to support it. Some comments on it will be made in the May issue of the Izaak Walton magazine. Wish it could be done sooner but the April issue is already printed.

With best wishes, I am,

Very truly yours,

WILLIAM A. RIASKI,
Executive Director.

TRADE, IN BALANCE?

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, at the outset, I wish to make my position crystal clear. I adamantly oppose any move to further reduce the duty-free allowance from $100 to $50.

That we have a balance-of-payments problem is a fact that all Americans are cognizant of, but we must be sure that we do not confuse our terms. This country is suffering from a balance-of-payments problem which is entirely different from a balance-of-trade problem. We have a favorable balance of trade, however, this balance is constantly infringed upon until it is completely eroded to a deficit in the payments balance. Our country has assumed the very expensive position as free world provider and defender, but is it not time to call on our allies to share this burden?

This constant call to sacrifice and to sacrifice again, that is echoed continually to our citizens, has engendered the belief in our leaders and the leaders of our allies that this call to sacrifice shall remain a constant.

I disagree; I call for a revamping of policy. Our people have worked hard, have been taxed, have exhibited an unheard of generosity; let us not reduce the chicken that laid the "golden egg" to an embittered and cynical mass of citizenry. This will be the predictable result if we continue to squeeze the flexibility of our citizens. We must reaffirm the position that Americans have the right to travel and to enjoy the artifacts of travel.

The restriction that is sought must be recognized for what it is; purely a psychological weapon which will have no true material effect on the balance of payments. The reduction in payments will be minimal. A curtailing of the rights of travel is an abridgement of a fundamental privilege which all American hold dear.

People to people contact, the education of travel, must not become prohibitive. Should not our Government encourage travel? Certainly this is an issue that must be met and decided in the affirmative.

In addition to the above facts, the proposed reduction will manifest itself in a myriad of incongruous results. Congress enacted similar legislation in 1961 reducing the duty-free allowance from $500 to the present $100. Examination of the facts must result in the conclusion that an additional cut is meaningless. The 1961 cut brought no reduction either in the number of Americans traveling abroad or the amounts they spent; to the contrary, both figures have risen sharply.

I have constantly called for the substitution of trade for aid. This substitution will improve our relations with countries as they assume the role of trade partner in lieu of recipient. The result of the reduction will be that Americans will spend more on entertainment and services abroad than on the articles of trade. This reduction thus has the unique distinction of hampering our relations with various countries surrounding us. There is also the acute possibility that other countries will react by enacting similar reductions which will surely aggravate our balance-of-payment problem.

HIGH INTEREST RATES—OPIUM FOR THE PEOPLE

Mr. O'KONSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. O'KONSKI. Mr. Speaker, I am a Republican. Sometimes I am proud of my party and, to be very honest, sometimes I am not proud of my party. This last I say regretfully. Our image in the public mind has not been good. This I believe to be our own fault. It is tragic to me and to many other Republicans that time and again we show up as the representatives of a party not as interested in people as it is in interests, money interests, big money interests. This is not true. But we must prove this to the people.

There is something absurd about all this, because the Democratic Party—if you look at those who pay their campaign bills—is made up in part, and in important part, by some of the biggest corporate and financial interests in America. Some of the greatest profiteering forces in the country are on the Democratic bandwagon. That is why I say it is absurd for us to be portrayed as the party of the big boys and our opponents the party of the people, when so many of the big boys are the financial angels for the majority party.

I for one like to work toward a better, and a more correct public image of the Republican Party. I am one Republican who likes to think of himself as representing people, all kinds of people, but mostly people without much of worldly goods. I am thinking of people right now who are paying too much in interest rates, not due to the greed of the local banker as from a policy of high interest rates which has been in effect for the past many years.

My good friend, though a Democrat, the gentleman from Texas, Chairman WRIGHT PATMAN, of the Banking and Currency Committee, pointed out not so long ago that the American people are paying over $75 billion in interest rates. He thought this was too much, and so do I. He spelled out how this money was going where it would do the least good—to the few, and it was coming out of the pocketbooks of the many.

Not long ago, dozens and dozens of Democratic Representatives got together in what is known as an unofficial steering committee, whatever that is, to hold interest rates on long term government securities down to 4.25 percent, a ceiling that has been in effect for nearly half a century. These Democrats believe, and I think they are right, that once this ceiling on long term government securities is broken, this would be a signal for a general rise in interest rates on all types of loans.

I am not in favor of a "soak the poor" program. It appears to me that those who want to increase interest rates are wrong. The victims of such an increase would be the people of the United States particularly the low income group.

I think the Republican Party should oppose higher interest rates. High interest and tight money seem to go together, and when they are together, we can count on trouble—recession, more unemployment.

My district in the northern part of Wisconsin is a depressed area. We have too many people on relief, but thank God we have a security system worked out that at least helps in part the victims of unemployment. I do not want more people out of work. I want business to prosper because when business prospers, people are at work. Business does not prosper if too much of its gross income is paid for interest charges.

So I want to go on record as one Republican who cries havoc to the Federal Reserve System, to the big New York bankers, to the big Chicago bankers, to whoever is responsible for the rat-a-tat-tat we are getting about the need for higher interest rates and a tighter money policy that would restrict credit.

I want Republicans to join with many Members of this House, to say that we are conscious of the high interest charges in effect today; we do not want them to go 1 penny higher and we do believe that they should be lowered.

I think that President Johnson has been absolutely correct in the stance he has taken against a higher interest rate policy and a tight money policy. I hope Republicans will support his position on this matter.

I believe it is high time that we Republicans change our erroneous image. One way to do it is to begin to represent people in such vital matters as those which concern their financial welfare. I do not wish to appear to be antibanker, because I believe that the average banker is a public-spirited citizen.

All I have been trying to say is that it is high time that the Republican Party do everything in its power to disassociate itself from an erroneous public image, that of representing bucks instead of people; interests instead of people; big interests instead of people; big banking combines instead of people. As I see it, we should take a lead in fighting for fair interest rates and reasonable credit where it is needed for business expansion and legitimate personal need. Let us stop being so patronizing in our attitude toward the ordinary citizen.

Let us work with any President or any Congressman of any party who wants to see America's economy on the rise through a wise monetary system that does not favor the few—one that works for the best interests of all. Let us avoid making our Nation a slave nation of interest payers.

Let us work for a reversal in the trend of rising interest rates. If we do not, they are going up again and I wish to point out that a rise of only 1 percent on a 20-year, $10,000 mortgage costs the purchaser of the home an extra $2,000.

If you up interest payments on the national debt only one-quarter of 1 percent, all Americans will pay a total of $800 million a year more for carrying charges. Between 1946 and 1964, the interest rate on 91-day Treasury bills increased by 900 percent.

Now let us take the interest rise and see what happens in commodity prices. In 1946, a man could purchase a pair of shoes for $5. This same pair of shoes today costs him about $10. But, if the cost of the shoes had increased 900 percent like the 91-day Treasury bills, a $5 pair of shoes would now cost $89.10.

All told, the American people are paying an extra $5½ billion per year in interest on the national debt. This is based on the interest rates on long-term Government securities under Truman, and what they are today, thanks to the tremendous increase in interest charges under Eisenhower. The excess payments have added an additional $50 billion to the national debt. This is all because of money manipulations by a few sleight-of-hand artists on Wall Street who control the heart of America's money system, the Federal Reserve banks.

All of this brings me up to my conclusion. I was appalled on Monday of this week when a friend showed me a piece in the American Banker, the leading trade paper of the banking community. It quoted Chairman William McChesney Martin, of the Federal Reserve System, as stating that he favored a tighter money policy, and that in order to stop the flow of gold abroad, we would in all likelihood have to increase our interest rates.

It is an odd thing that the bankers always have to up their taxation of the people through higher interest rates by claiming that they are going to render a great public service, such as stopping the flow of gold abroad, or stopping inflation. They never increase interest rates to make money—so they say.

I hope Chairman Martin does not carry out his threat to tighten money and up interest rates, because this will be a signal for a general increase in interest rates all along the line. This will do no good to the American economy, and thus, it will hurt the American people. I plead with my fellow Republicans to stop this move right now. The people will applaud our party for taking this stand.

WHAT IS WRONG WITH REPUBLICAN PARTY?

Mr. BRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, for the past several months many of the Nation's top political scientists, journalists, commentators and others have devoted countless hours to trying to find out precisely what all is wrong with the Republican Party. Even within the party we are bedsore from the couch of self-analysis.

I believe I have discovered the key to the problem, and I want to announce it now to save further speculation as to the cause of the GOP's faults and failures.

Essentially the trouble of the Republican Party is that its timing is bad. Its timing is very bad.

Everyone knows that good timing is vital in many fields of endeavor. In sports, in the arts, in public speaking, even in comedy, knowing the exact moment to swing, or sing, or tell a joke, makes the difference between success and failure.

Let me give you some examples:

The most recent is the President's request for a $4 billion dollar cut in excise taxes, by 1969. Republicans have sought this cut for years. We specifically sought to pass it in 1963 and 1964. But with our characteristic poor timing, we were wrong.

Patiently we continued to support excise tax reduction, even including it in our platform last year. Finally the propitious moment arrived; a message came from the White House forthwith and now the gears of the legislative machines are moving at top speed to enact excise tax relief.

Of course our grievous errors in timing in the field of foreign policy are even more evident. When our presidential candidate last fall described even the possibility of taking the war in Vietnam over the border into the aggressors homeland, the pundits were aghast. Obviously to advocate such a course in late 1964 was reckless warmongering. To follow such a course in early 1965, however, is perfectly acceptable because the timing is right, now.

We recently have seen new difficulties arise in the Latin American area. Here we see in a history of several years the continual poor timing of the Republicans. In the Bay of Pigs invasion many Republicans insisted that the United States should have given that attack full support to assure its success. The administration refused to do so, largely in consideration of the effect on world opinion. Our continued needling that something should be done about the Communist buildup in Cuba was out of step with the times.

It was; that is, until October 1962. Then, after Republicans had repeatedly pointed out the construction of missile installations but had been laughed at for their fears, on October 22 the situation suddenly became real. Then we had the brave and dramatic "missile confrontation." The time was ripe, although when Republican voices had been raised shortly before, it had not been.

Then there were Republicans who insisted that the existence of Castro in Cuba was bound to lead to a spread of subversion to other Latin American nations. They advocated a clear policy of prohibiting the establishment of Communist regimes in this hemisphere. For this our party was decried as being unrealistic, living in an earlier century and jingoistic.

That is, of course, until President Johnson sent marines into the Dominican Republic because the revolution there was being dominated by Communists, the leaders of whom were trained in Cuba.

Let us look at another curious twist in the poor timing of the Republicans. When in times past the GOP took issue with the trend of some movements on the Nation's college campuses, it was said to be "anti-intellectual." The party was supposedly a bunch of "know-nothings" who feared the enlightment of the academic community.

But when in recent months there has been a strong campus movement in opposition to U.S. foreign policy in Vietnam and the Dominican Republic, this administration sends out teams of politicians to educate the educators, and the press speaks condescendingly of the ignorance, or misguided idealism, or pacificism on the campus.

Mr. Speaker, without belaboring the point, I would like to give just a couple more instances of the way in which Republican timing has been so consistently bad.

When, last year, a Republican Senator, later to be our candidate for President, opposed a civil rights bill because he thought two sections were unconstitutional, he was decried as a bigot, a segregationist, an opportunist and worse. Yet, last week, when the administration, its attorney general and its leadership in the Senate opposed an anti-poll-tax amendment to the voting rights bill on constitutional grounds, there was no such outcry.

Or again, the Republican platform of last summer refused to promise an increase in the minimum wage, which some thought might be a prod to a new round of inflation. For this, it was described as "antilabor."

But now, with the proper timing, this administration refuses to ask for an increase in the minimum wage for similar reasons. So far, a similar hue and cry has not been raised.

From these observations, it seems to me obvious that the Republican Party is chronically anachronistic. Either that, or there is a terrible hypocrisy among the Nation's opinion makers.

AID TO SCHOOLS DAMAGED IN THE MAJOR DISASTERS

Mr. MEEDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MEEDS. Mr. Speaker, earthquakes in Alaska and Washington State, floods in the Pacific Northwest and Midwest combined with other natural disasters have placed an unusually heavy burden upon schools in their efforts to meet levels of education consistent with the Nation's needs.

Amendments to Public Laws 815 and 874 of the 81st Congress to provide Federal financial assistance in the construction and operation of public elementary and secondary schools in areas affected by major disasters is badly needed legislation in view of the unusual number of natural disasters occurring in the United States during the past 2 years.

I returned to the Capitol last Monday after personally inspecting several schools in my congressional district that were seriously damaged by an earthquake on April 29. What I saw was damage to school facilities that will place a gigantic burden on the already tight budgets of the school districts involved.

This situation is not unique to my district or my State. This legislation, that I feel is necessary to meet the financial crisis faced by school systems in the wake of a major disaster, has been needed in the past by many sections of the country and may be needed in the future by every section.

I have introduced a bill that will provide this Federal financial assistance.

By way of highlighting for you the need for this legislation, I would like to describe the specific conditions in my own district as I saw them when I visited several schools on May 15.

I know something of the structure of the Monroe High School in Monroe, Wash., as I am a graduate of this particular school. Severe cracks and loosening of the outer walls combined with loosening of the inner frame of the building make repairs expensive. The main staircase in several instances has had to be shored up so that students can continue to attend classes in this school. Floors and floor supports are sagging in many of the rooms and several of the hallways appear to be out of alinement. In some rooms I found basic support so lacking that I could rattle the windows by jumping on the floor in one corner of the room.

Later the same day I visited Marysville School District where I inspected two buildings at the Marysville High School, one built in 1911 and the other in the 1930's. Both of these buildings had to evacuated shortly after the earthquake and have now been condemned. All present evidence indicates that these buildings can never again be used for school purposes and it is the opinion of knowledgeable local people that they will both have to be torn down and replaced.

The major damage seems to be to outer walls. By climbing on top of the building I was able to move the entire outer wall of one building by shoving on the top. The swaying of these outer walls made it obvious that they were no longer tied to the main structure as insurance against toppling. Huge cracks in both the outer and inner walls as well as sagging floors could be seen throughout both buildings.

Further, information from the Acting Deputy District Engineer for the Army Corps of Engineers outlined damage to schools in the city of Everett. Referring to the Monroe Elementary School, he says, in part, "the west wall is visibly out of alinement. The west wall parapet is easily separated by hand pressure. A single tieback to the roof is not bolted at the roof and is not effective."

What is the Corps of Engineers recommendation?

> The earthquake has opened up cracks which indicate that bond has been broken almost the full height of principal lateral support of the west wall. This wall or a large portion thereof could drop onto the school playground in the event of a similar subsequent earthquake. We concur with your decision to abandon the building at the present time and to barricade the school yard in the area of the west wall.

In all of these three school systems building damage has created extreme hardship on both the schools and the students they serve. Loss of classrooms necessitated by evacuation of unsafe buildings has created situations such as that at Marysville High School where classes are now being held in locker and shower rooms, in the gymnasium, and even in schoolbuses outside the buildings themselves. Yet, in these school districts, proper renovation or rebuilding cannot be accomplished speedily through financing at the local level. This is because these school districts are near or have already reached the maximum level of bonded indebtedness allowed by Washington State law. This means that the money necessary to rebuild these schools cannot be raised without special levies or special bond issues. In some instances even these would not be sufficient.

The State of Washington appears to be unable to respond adequately at the State level or to provide sufficient assistance for the rebuilding that appears absolutely essential in both Marysville and Monroe.

Some funds are available through emergency disaster relief, but these are only to make such repairs and replacements as to make the school buildings "usable." But in many instances it is clear that efficiency and long-range economy dictate that these buildings be rebuilt completely. Any attempt to merely repair them would be washing money down the drain—investing good money in buildings that will never again be able to serve permanently as schools.

While I tell you of the specific cases in my own district, I know this story could be duplicated in school districts throughout the Nation that have been affected by major disasters.

The bill that I introduced would serve to provide schools in disaster areas with the necessary funds to rebuild their buildings and continue effective operation of their classes. This bill would allow the important functions of education to continue even in the face of chaotic consequences of a major national disaster.

TAX CREDIT TO EASE THE BURDEN OF HIGHER EDUCATION

Mr. McVICKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. McVICKER. Mr. Speaker, I am introducing a bill to amend the Internal Revenue Code of 1954 to allow a tax credit to individuals to ease the burden of the increasing cost of higher education. This problem has been before the Congress for several years, and a similar bill was narrowly defeated in the Senate last year.

Certainly the time has now come that we must squarely face this issue of providing tax relief by treating education costs in the same manner as we do interest on a home mortgage, health expenses, and damage caused by floods.

This proposal is for the benefit of average families in America. Their income is made up almost entirely of salary. They work hard to earn that salary and it is all taxable. They pay the bulk of our mortgage payments. They are the ones whom the property tax hits the hardest. Children of these middle class income people are denied scholarships, even though their grades merit them, simply because of the fact that their father's financial statement shows that they are not in the poverty class. This group is the backbone of our country and the mainstay of our system of free enterprise and individual competition.

Congress has long recognized the burden that is borne by institutions of higher education and the indispensable part that they play in making our future promising and secure. My bill to provide relief to the parents and students who bear the college costs is in direct line with the expanded assistance that we are continuing to extend to our institutions of higher education.

It is not, as has been stated by opponents of this tuition tax credit to the parents, class legislation. In other words, I fully recognize the fact that a tax increase, or a decrease in our taxing rates such as was accomplished last year, does not place dollars in the hands of our institutions of higher education or in the hands of our local government agencies, cities, towns, and school districts. This is not to say, however, that you cannot provide relief to the taxpayers and at the same time assist local governmental institutions and school districts and colleges and universities in meeting their ever-increasing obligations.

The two efforts go hand in hand. They do not conflict. Actually they complement each other.

I believe in the same basic principle when I support giving assistance to parents who pay the bills for their children who are the students of these institutions. To say that you can have one and not the other is to beg the question and deny the facts.

What nonsense it is to continue to increase the quality and the quantity of our educational institutions through Federal and State programs yet, at the same time, ignore the burden carried by the parents of these students. Higher education costs have increased to such an extent that there are literally thousands of deserving young people whose parents simply cannot pay for the privilege and opportunity of affording them a higher education.

This bill that I am introducing recognizes the fact that education is one of the greatest investments that can be made in the future of our Nation. Certainly parents of college students should be entitled to a tax credit just as they would be if they invested these funds in a new plant or new equipment. However you approach this matter, relief from the burden of these ever-increasing expenses—investment by parents in the future of their children and of their Nation—is a must.

Let me once again reemphasize the fact that this bill is not a substitute for the continued need for aid to the institutions of higher education. Our funds for buildings and scholarships and loans, teacher training institutes, graduate fellowships for research; all of these will help higher education but in no way do these programs lessen the need to ease the financial burden of parents who must meet increasing college costs.

This is certainly not a rich man's bill.

This is a middle-income man's bill if it is anything and this is where the aid is dramatically and drastically needed.

If you were in the $5 or $10 or $15 thousand earning bracket and you have to spend $1,000 to $2,000 for college costs and your son or daughter is not eligible for scholarships or loan because you are not poverty stricken more likely than not the door of opportunity for your child is closed.

The man who makes $5,000 fares better than the man who makes $30,000 under my bill and this is as it should be.

The average family income in the United States in 1963 was $6,240, the average college costs are $1,500 for public and $2,370 for private institutions. This represents a substantial part of a family's income and it is a taxed part at that.

What more important matter has received the attention of the Congress this year than our programs of assistance to educational institutions at the public school level and at the higher education level. Tax legislation is certain to be considered this year. We have every reasonable expectation to believe that tax credit for the expansion of higher education—an essential element in our increased attempts to make educational opportunities available to all of our young people—will be voted upon.

The time is long passed when it can be argued that we can turn our attention to one part of our educational spectrum and ignore the remainder.

Scholarships and loans simply do not serve everyone in need, but legislation represented by this bill that I have introduced can help to serve the need and ease the strain for those who bear the burden of paying for college education.

The principal features of this bill are as follows:

First. The bill provides an income tax credit on $1,500 of tuition, fees, books, and supplies for a student at an institution of higher education. The credit is subtracted from the amount of taxes which are due, at the bottom of the income tax form, after all deductions and exemptions have been taken into account and after the appropriate tax rate has been applied. Thus, each dollar of tax credit is a dollar actually saved by the taxpayer.

Second. The credit is computed as follows: 85 percent of the first $200 of expenses, 30 percent of the next $300, and 10 percent of the next $1,000. For example, expenses of $300 would result in a credit of $175, while expenses of $1,500 would result in a credit of $325.

The sliding scale formula has been adopted to equalize the benefit of the credit with respect to students at private and public colleges. Tuition charges average a much smaller amount at public colleges than at private colleges. On the other hand, the nontuition expenses such as room and board are a much larger percentage of the total college costs at a public college than they are at a private college. The credit does not apply to room and board expenses. Therefore, the fairest way to equalize the benefit between public and private college students is to provide a larger percentage of credit on the first few hundred dollars of tuition expenses.

While the dollar amount of relief would be higher at private colleges, the percentage of relief would be actually greater at State and land-grant institutions. For instance, the median charge for tuition and fees in all public institutions of higher education for 1962–63 was $170. Books and supplies cost an additional $90. A taxpayer sending his son or daughter to such a college would be entitled to a tax credit of $165 or almost 100 percent of the total tuition cost. He would be entitled to a credit of $253 if the student attended a private institution of median cost—or roughly only 40 percent of the total tuition cost at such an institution.

Third. The credit is available to anyone who pays for the tuition expenses—parents, students, or any other person who pays for a student's higher education.

Fourth. There is a limitation on the credit so that it gives less dollar benefit to upper middle income groups and no benefit to high income groups. The credit is reduced by 1 percent of the amount by which the taxpayer's adjusted gross income exceeds $25,000. In other words, for every $5,000 of adjusted gross income above $25,000, the credit is reduced by $50. As a result the taxpayer earning $40,000 gets less benefit than the taxpayer at the $10,000 or $20,000 level, and the taxpayer at the $57,500 level gets no benefit at all.

CAREER OF DR. JEREMIAH STAMLER

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, from Dr. Walter Johnson, eminent American historian and educator, I have received a curriculum vitae and statements that tell about the research activities and the many honors bestowed upon Dr. Jeremiah Stamler. These I feel I should share with my colleagues.

Dr. Stamler's chief activity is in local and national research into the causes and prevention of the major cardiovascular diseases—coronary heart disease and hypertension. He is recognized as one of the great authorities of the world in this field.

One major facet is the epidemiologic study of population groups to learn more about the causes of coronary and hypertensive diseases, by following their development in large groups. For the past 7 years several thousand men in a Chicago utility company have been a part of such study, and important information has been gathered that could aid in the preventive effort.

In an attempt to apply this new knowledge, in a research program, men have been identified as high risk in terms of their chances of developing coronary heart disease. Such men have been enlisted in a program to reduce this risk via intervention in several aspects of life pattern and health status—diet, smoking, weight, blood pressure, exercise habits. This effort—the coronary prevention evaluation program—has involved close to 300 men, some for as long as 7 years, and is a pioneer effort in the Nation.

Several major national cooperative studies are in progress and include Dr. Stamler as one of the principal investigators. He is chairman of the cooperative group of investigators engaging in the national coronary drug study.

He has been one of the six principal investigators in the national diet-heart study, a major undertaking supported by the National Institutes of Health, and of critical import to future preventive programs.

Together with several other investigators, he is participating in a national study group on physical activity and coronary disease.

These studies involving years of planning and activity and thousands of participants are all indicative of the important new stage in heart research—the first steps to apply new knowledge to lower the toll of premature death from heart attacks, killer of 600,000 annually in the United States.

Cardiovascular disease is the subject of international concern and study. Dr. Stamler's work and efforts in our country have brought him into working relationships with investigators like himself, throughout the world.

As a member of the International Cardiological Society, its research committee and chairman of its subcommittee on epidemiology, he has aided in the planning of its gatherings and cooperative programs. He is also Western Hemisphere editor of the Journal of Atherosclerosis Research.

Together with this large-scale and long-term research program, Dr. Stamler has been deeply involved in increasing public health service to Chicago's citizens. The division of adult health and aging, of which he is director, annually serves tens and tens of thousands of Chicagoans in programs for early detection of major chronic disease. Such services include a widespread Papanicolaou smear program to detect early uterine cancer, a throat-culture program—especially in youngsters—to detect streptococcus infections and help prevent rheumatic fever and rheumatic heart disease as complications. It has included a cooperative effort—a heart sounds project—where thousands of schoolchildren were tested for possible heart disease. It includes a large and expanding diabetes detection program among expectant mothers and in residents of several low-income communities. In several community chronic disease detection centers, multiphasic testing for all the major chronic disease serves many thousands each year. Nutrition programs serve in the prenatal stations, nursing homes and many other Chicago institutions.

Support for the research efforts has been awarded to Dr. Stamler in the form of many grants.

Dr. Jeremiah Stamler lives at 1332 East Madison Park in the district I have the honor to represent. He is:

Director, division of adult health and aging.

Director, heart disease control program, Chicago Board of Health.

Executive director, Chicago Health Research Foundation.

Assistant professor, Department of Medicine, Northwestern University Medical School.

Consulting member, Department of Medicine, St. Joseph Hospital.

HIS EDUCATION

A.B., Columbia College, Columbia University, 1940.

M.D., Long Island College of Medicine—New York State University Medical School at New York—1943.

HIS CAREER

Intern, Long Island College Division, Kings County Hospital, Brooklyn, N.Y., 1944.

Medical Corps, U.S. Army, active duty—rank, captain—1944–46.

Fellow in Pathology—with Dr. Jean Oliver—Department of Pathology, Long Island College of Medicine, Brooklyn, N.Y., 1947.

Research fellow—with Dr. Louis N. Katz—Cardiovascular Department, Medical Research Institute, Michael Reese Hospital, Chicago, Ill., 1948.

Research associate—with Dr. Louis N. Katz—Cardiovascular Department, Medical Research Institute, Michael Reese Hospital, Chicago, Ill., 1949–55.

Established investigator, American Heart Association, 1952–58.

Assistant director, Cardiovascular Department, Medical Research Institute, Michael Reese Hospital, Chicago, Ill., 1955–58.

Director, heart disease control program, Chicago Board of Health, 1958.

Associate, Department of Medicine, Northwestern University Medical School, 1958–59.

Assistant professor, Department of Medicine, Northwestern University Medical School, 1959.

Dr. Stamler is a member of the following scientific societies:

American Association for the Advancement of Science—Fellow.

American Diabetes Association.

American Federation for Clinical Research.

American Heart Association.

American Institute of Nutrition.

American Physiology Society.

American Psychosomatic Society.

American Public Health Association—Fellow.

American Society for Clinical Investigation.

American Society for the Study of Arteriosclerosis—Council on Arteriosclerosis, American Heart Association—Fellow.

Association of Clinical Scientists.

Association of State and Territorial Directors and Coordinators of Research.

Central Society for Clinical Research.

Chicago Academy of Sciences.

Chicago Heart Association.

Chicago Nutrition Association.

Circulation Section, American Physiological Society.

Council on Epidemiology, American Heart Association—Fellow.

Council for High Blood Pressure Research, American Heart Association.

Diabetes Association of Greater Chicago.

Illinois Academy of Sciences.

Illinois Public Health Association.

Institute of Medicine of Chicago—Academic Fellow.

Middle States Public Health Association.

Phi Beta Kappa Honor Society.

Renal Club of Chicago.

Royal Society of Health.

Society for Experimental Biology and Medicine, Illinois Section.

He is currently a member of the following committees:

INTERNATIONAL

Advisory Board, International Congress on Smoking and Health, and its committee on program and on exhibits, 1964–65.

Research Committee, International Society of Cardiology, 1962–65.

Subcommittee on Epidemiology, Research Committee, International Society of Cardiology—chairman—1962–65.

NATIONAL

Ad Hoc Committee on the role of the central committee and the future of AHA medical and community programs—chairman—1964–65.

Board of Directors, American Heart Association, 1964–65.

Central Committee for Medical and Community Services, American Heart Association, 1963–65.

Executive Committee, Council on Epidemiology, American Heart Association, 1964–65.

Committee on Nutrition, council coordinating committee for community program, the American Heart Association, 1964–65.

Committee on professional relations, Chicago Unit Professional Education Committee, American Cancer Society, 1964–65.

Committee of Consultant Participants, study on drugs and coronary heart disease—chairman—1962–65.

Committee on Public Relation and Public Information, American Heart Association, 1965.

Advisory Committee, Congenital Heart Disease Research and Training Center, 1961–65.

Executive Committee on Diet and Heart Disease, 1962–65.

National Cooperative Committee for Study on Physical Activity and Cardiopulmonary Disease—physical activity study planning group—1963–65.

Resolutions Committee, Epidemiology Section, American Public Health Association, 1961–64.

Subcommittee on Cardiovascular Diseases, national office of vital statistics, 1961–65.

Subcommittee on Criteria and Methods, Council on Epidemiology, American Heart Association, 1964–65.

Working group on preventive programs, Council Coordinating Committee for Community Program, American Heart Association, 1965.

CHICAGO AND ILLINOIS

Board of Directors, Diabetes Association of Greater Chicago, 1963–65.

Board of Governors, Chicago Heart Association, 1963–65.

Business Division for the 1965 Heart Fund campaign—physician cochairman—1964–65.

Chicago Heart Association Committee on Cardiovascular Clinical Services, 1963–65.

Committee on Community Health, the Institute of Medicine of Chicago, 1964–65.

Epidemiology Committee, Chicago Heart Association—chairman—1960–65.

Executive Committee, Illinois Public Health Association, 1963–65.

Director, Chronic Disease Control Division, Chicago Board of Health, 1961–63.

Director, Division of Adult Health and Aging, Chicago Board of Health, 1963.

Executive Director, Chicago Health Research Foundation, 1963.

Consultant in Medicine, St. Joseph Hospital, Chicago, 1964.

Western Hemisphere editor, Journal of Atherosclerosis Research, 1963.

CONGRESSIONAL INVESTIGATION OF CERTAIN INSURANCE COMPANY PROGRAMS

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I wish to draw the attention of the House to the fact that on April 13, 1965, the Council of the City of Cleveland adopted a resolution requesting a congressional investigation of a program by insurance companies to deny fire and automobile insurance coverage to residents in urban renewal areas.

Mr. Speaker, I have documentation to support the charge that certain insurers in my State have written such underwriting requirements to exclude from any possible coverage the poor of the city of Cleveland who reside in the low income area.

Mr. Speaker, if the fire insurance and automobile insurance companies can deny one class of citizens or one geographic area such coverage then I believe it is high time the U.S. Government test the proposition that these companies have the right to make such discriminatory denials refusing the kind of insurance and premiums most of the rest of the community enjoys. The poor of the Cleveland, Ohio, area are in effect driven to the exorbitant rate companies, and the net effect is that the poorest of the communities pay the highest premium and are thus driven deeper into economic insecurity.

The campaign to probe these insurance denials and cancellations has been led by the Honorable Leo A. Jackson, chairman of the City of Cleveland Urban Renewal Committee.

Chairman Jackson has documented most ably the need for sweeping congressional investigation of this practice. This form of discrimination is directly undermining the whole urban renewal and rehabilitation program which the Federal Government is attempting to develop. Certainly, if a person were unable to procure casualty or fire insurance coverage, this denial would undoubtedly affect the decision of a homeowner to: First, reside in an urban renewal area; or, second, affect his decision to rehabilitate or remodel his dwelling. Thus, such policy is defeating the Federal-State municipal campaign to eliminate blight in urban America. It certainly destroys the incentive to aspire to homeownership and invites massive relocations of people within the urban complex.

Mr. Speaker, we are living in a day and age where there is an extreme emphasis upon equality—equality of job opportunity, equality of voting rights, equality in housing, and equality in many other fields.

I believe it is timely that we enourage equality, insofar as procuring insurance in this country on our homes and our chattels and effects. I am seriously distressed by the fact that in Cleveland, Ohio, the insurers' policy insofar as underwriting requirements are concerned discriminates against the Negro population of that city.

Accordingly, I am introducing in the House today a resolution calling for a thorough investigation of the facts in this regard.

FEDERAL WAGE-HOUR AMENDMENTS

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, for the information of my colleagues who may be interested, I wish to call attention to the following press release which today has been issued by the General Subcommittee on Labor of the Education and Labor Committee:

Federal Wage-Hour Amendments

Congressman James Roosevelt, Democrat, of California, today announced that his labor subcommittee would begin hearings on amendments to the Fair Labor Standards Act next Tuesday, May 25.

Representative Roosevelt stated that the Secretary of Labor, W. Willard Wirtz, would appear as first witness. "The hearings," said Roosevelt, "would cover all proposed amendments to the wage-hour law, including the administration's proposals, raising the minimum wage, shorter workweek, and coverage of farm workers."

Chairman Roosevelt issued the following official announcement of the General Subcommittee on Labor:

The General Subcommittee on Labor met this morning in executive session and established the following schedule and policy with regard to hearings on proposed amendments to the Fair Labor Standards Act:

"1. On Tuesday, May 25, 1965, the Secretary of Labor, the Honorable W. Willard Wirtz, will appear before the subcommittee in public hearings to present the administration's position relative to amendments to the Federal wage-hour law. The subcommittee will hold Wednesday, May 26, open in the event that further development of the administration's position is necessary.

"2. On June 1, 1965, the subcommittee will resume hearings on all pending proposals to amend the Fair Labor Standards Act. Witnesses from industry and labor organizations will be heard.

"3. In the week of June 14, 1965, the subcommittee will hear from major national management organizations and from the AFL–CIO.

"4. The administration's Fair Labor Standards Act amendments are H.R. 8259 by Mr. Powell, H.R. 8260 by Mr. Roosevelt, and H.R. 8261 by Mr. Dent (identical bills). Other bills pending before the subcommittee would amend the wage-hour law to extend coverage, require double time pay for certain overtime hours, raise the minimum wage, and shorten the workweek.

"5. Because the subcommittee has conducted extensive hearings into the proposals now pending, directions will be given to all witnesses to confine their oral statements to a brief recapitulation of their positions and the introduction of new material only. Oral statements will be limited to 15 minutes followed by a period of questioning. The subcommittee will strictly adhere to this rule. In addition, in conformity with the rules of the House of Representatives requiring that statements be submitted in advance of public hearings, the subcommittee will require that a written statement be presented 48 hours in advance of a scheduled appearance."

Members of the General Subcommittee on Labor are: John Dent, Democrat, of Pennsylvania; Roman Pucinski, Democrat, of Illinois; Dominick Daniels, Democrat, of New Jersey; Augustus Hawkins, Democrat, of California; Edith Green, Democrat, of Oregon; Alphonzo Bell, Republican, of California; Charles Goodell, Republican, of New York; and Dave Martin, Republican, of Nebraska.

Ex officio members of the subcommittee are: Adam C. Powell, Democrat, of New York, chairman, Committee on Education and Labor; and William Ayres, Republican, of Ohio.

MOSCOW-PEIPING SPLIT

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Lipscomb] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, how real is the so-called split between the U.S.S.R. and Red China? Obviously it is of vital importance than we accurately assess this matter and its significance because of its importance to our national security.

Time and again we hear statements or reports and see articles making reference to the so-called split between Moscow and Peiping. When these comments are evaluated, however, you will find that they often are based on inferences and speculations about the meaning of this or that statement by leaders of these two Communist camps. When it comes down to solid examples, as you look behind the profusion of words and speculations about that relationship, quite another picture emerges.

On April 29 of this year, the Soviets and the Red Chinese signed a trade protocol. Under this agreement, during 1965 the U.S.S.R. will supply Red China with metalworking machine tools, aircraft, helicopters, motor vehicles, tractors, agricultural machines, various kinds of industrial equipment and spare parts, instruments, ferrous and nonferrous metals, chemical industrial products and other goods which are not specifically identified.

For its part, Red China will send to the Soviet Union, clothing, silk fabrics, leather and sports footwear, pork and canned pork, egg products, fruits, industrial raw materials of animal origin, nonferrous metal, ores, chemicals and, of course, other goods which are not defined.

Both the Soviets and Red Chinese, it is reported, have expressed interest in holding further talks on trade to supplement the items contained in the signed protocol.

Are these the actions of two peoples who have irreconcilably split? Of course not. It is but further evidence of what should have been clear all along—and that is that the Soviets and Red Chinese are both dyed-in-the-wool Communists and as far as the West is concerned, on matters where it really counts, they stand as one.

Yet, there are many who insist that we accept the so-called China-Soviet split as a fact and a basic cornerstone of our foreign policy. These efforts, I believe, are doing a great disservice to our Nation for they could lead to tragic miscalculation and grave errors in our foreign policy.

INDEPENDENCE IN TIFLIS

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, 47 years ago, May 26, 1918, the people of the independent nation of Georgia proclaimed their independence in Tiflis, the capital of the Georgian Republic. The official act of independence was proclaimed by the Georgian Parliament, meeting in that city as duly constituted representatives of the people. At one time in its period of independence, 26 nations recognized the independence of the Georgian Republic.

Unfortunately, the Georgian Republic and the stalwart citizens of that land fell before the military forces of the Russian Communists, who overran their nation before their independence could be maintained.

Mr. Speaker, I should also like to remind the Members that the Georgians have a long and honorable history. The people have been Christians since the fourth century and maintained their national identity throughout the ages. After their forcible integration into the Russian Empire, they developed and to this day maintain an ardent anti-Russian nationalism. They are a democratic-minded people who are still vehemently opposed to the dictatorial policies of communism.

Since their forcible reannexation to the Soviet Union, the people of Georgia have persistently maintained their unique nationalistic spirit, looking forward to the day when legitimate freedom and independence shall be restored to their land. This year throughout the free world Georgian leaders are holding commemorative meetings to keep alive the flame of hope in the hearts of their people to maintain their persistent struggle against Communist oppression.

One of the immediate steps that we can take is to approve the creation of a Special House Committee on Captive Nations so that the plight of the Georgian people and the other captive nations of communism can be exposed.

Mr. Speaker, we recognize that the freedom of the United States and all parts of the free world remain threatened as long as the Communists maintain their imperial policy and their aggressive designs aimed at world control. The legitimate nationalism of the people of Georgia and other captive lands under communism represent the true weakness in the Red apparatus.

Let us encourage leaders of the Georgian people to continue to work for the restoration of freedom of their people, realizing as they do that as freedom is restored to their land, it will undoubtedly be restored to their neighboring states in Eastern Europe which share their present confinement in the Soviet colonial empire.

MINNESOTA LEGISLATURE SUPPORTS APPORTIONMENT AMENDMENT

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. NELSEN. Mr. Speaker, I have been provided with a resolution of the Minnesota State Legislature calling for a constitutional convention to take up the matter of the apportionment of State legislatures. The Minnesota Legislature goes on record supporting a constitutional amendment specifying that nothing in our Federal Constitution shall prohibit any State with a bicameral legislature from apportioning the membership of one of its houses on factors other than population, provided that the people of the State approve such a plan.

The memorial also endorses the alternative method of having the Congress initiate such an amendment.

Mr. Speaker, many of us have repeatedly sought passage of legislation paving the way for this amendment. We firmly believe in the need to clarify this fundamentally important right of the States to compose at least one house of their legislatures on factors such as area, and so to give both fair and equal representation to all the people of the State.

I hope this Congress will take note of the wisdom of the progressive people of Minnesota on this matter, and will speedily act on resolutions like mine, House Joint Resolution 175.

Under unanimous consent, I insert the Minnesota memorial to the Congress in the CONGRESSIONAL RECORD at this time:

RESOLUTION 5

Resolution memorializing the Congress of the United States to call a convention to propose an amendment to the U.S. Constitution relating to apportionment of State legislatures

It is hereby resolved by the Legislature of the State of Minnesota, That the Congress of the United States is requested to call a convention for the single purpose of proposing the following article as an amendment to the Constitution of the United States:

"ARTICLE —

"SECTION 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

"SEC. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

Be it further resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to June 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

Resolved, That the secretary of state transmit copies of this resolution to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each Member of the Congress from the State of Minnesota.

L. L. DUXBURY,
Speaker of the House of Representatives.
A. M. KEITH,
President of the Senate.

Passed the house of representatives this fifth day of May in the year of our Lord 1965.

G. H. LEAHY,
Chief Clerk, House of Representatives.

Passed the senate this sixth day of May in the year of our Lord 1965.

——— ———,
Secretary of the Senate.

Approved May 13, 1965.

KARL F. ROLVAAG,
Governor of the State of Minnesota.

REPRESENTATIVE SMITH ANNOUNCES RESULTS OF 40TH DISTRICT POLL

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SMITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SMITH of New York. Mr. Speaker, on March 31, I submitted a 12-part questionnaire to more than 133,000 families in the 40th Congressional District of New York. This questionnaire deals with many of the critical domestic and international issues facing our Nation today.

I am pleased and proud to report that to date I have received 19,152 completed questionnaires. This overwhelming response is clear evidence of the sincere interest of 40th District residents in the affairs of their Government.

The many views and opinions I have received from the residents of the 40th District will be of inestimable value to me in deciding which course of action I will pursue in the months ahead.

Mr. Speaker, I am sure that the Members of this House will find the results of my questionnaire both interesting and helpful. The following is a percentage breakdown of the final tabulated results of my questionnaire:

	Percent		
	Yes	No	No opinion
Do you favor—			
1. Social security tax financing of a program of medical care for the elderly?	50.4	46.8	2.8
2 Federal aid to elementary and secondary education—			
(a) By direct grants to the States?	37.0	38.0	25.0
(b) By Federal income tax credits to each taxpayer with children in school?	43.0	33.6	23.4
(c) To include direct aid to private and parochial school students?	24.3	53.0	22.7
3. Amending our immigration laws by changing the "country of origin" quota system?	44.8	44.2	11.0
4. Repeal of 14(b) of Taft Hartley Act which permits States to adopt "right to work" laws?	34.0	54.8	11.2
5. U.S. policy in Vietnam:			
(a) Stand fast?	38.7	18.4	42.9
(b) Negotiated settlement?	32.3	24.1	43.6
(c) Get out now?	9.5	42.0	48.5
(d) Increased U.S. Military effort?	49.8	13.5	36.7
6. An expanded State-Federal program to control water and air pollution?	92.9	4.6	2.5
7. A farm program with fewer controls and reduced subsidies?	84.5	9.0	6.5
8. The admission of Red China to the United Nations?	19.3	75.1	5.6
9. Trade with Communist countries?	31.0	59.8	9.2
10. In regard to foreign aid:			
(a) Limiting to friendly nations?	53.4	13.9	32.7
(b) Placing aid on a strictly technical assistance and loan basis?	64.0	10.9	25.1
(c) Continuing present approach?	7.9	47.5	44.6
(d) Abolishing all foreign aid?	14.5	46.8	38.7
11. A Federal crime bill which would provide funds for direct training and assistance to State and local law enforcement authorities?	62.0	29.9	8.1
12. Elimination of all literacy tests for voters?	14.1	83.0	2.9

IT'S A "MI-GRATE" SOCIETY FOR RURAL AMERICA

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LANGEN. Mr. Speaker, 9 million farm people, along with additional millions who provide the services for rural America, would become the "mi-grate society" if the administration should succeed in its plan to remove 2½ million farm families from the land. The imagination reels when you think of the effect such a migration would have on county, township and local government, schools, churches, established telephone and electric power systems, post offices and mail routes, health and welfare facilities, transportation and other services. Add to this the effect on the stores on Main Street, many of which would have to close their doors.

Mr. Speaker, we on the Minority Task Force on Agriculture have been taking a close look at the problems in rural America and we note that the 9 million farm people the administration would move off the land is a number equivalent to the combined populations of 14 States, or the total population of the city of New York.

When a vast percentage of the population and essential services are removed from a rural area, the Federal Government then must rapidly move in to fill the vacuum. The cost in dollars for Government help, the cost of retraining and resettling these people, the cost to the cities that absorb them, and the cost in human misery and dignity is too great to brush aside by an administration bent on making a "mi-grate society" out of rural America. We on the Republican Task Force on Agriculture can find nothing in these proposals that will increase needed income for the farmers remaining, reduce the cost to the Government, or benefit the consumer or taxpayer. The administration must take another look before imposing the death sentence on the Nation's farming population.

Mr. Speaker, I ask unanimous consent for the inclusion in the RECORD of the complete task force statement relative to this subject. We on the Republican Task Force on Agriculture urge every Member to read it carefully. The future of rural America also represents the future of all America.

STATEMENT BY THE HOUSE REPUBLICAN TASK FORCE ON AGRICULTURE: THE ADMINISTRATION'S "MI-GRATE SOCIETY" FOR RURAL AMERICA

Our studies have shown that 9 million farm people plus additional millions who provide the services for rural America may have to migrate elsewhere if the Johnson administration proposals should be implemented. And we on the task force are convinced that such an eventuality would neither provide needed income for the farm people remaining on the land nor reduce the cost to the Government or benefit the consumer and taxpayer. In fact, just the reverse is the prospect.

THE BLUEPRINT OF EXTINCTION

The blueprint the President can be expected to follow is set forth with alarming clarity in his budget proposal for the next fiscal year, issued last January 25: "In view of the market outlook for farm commodities at home and abroad, farming alone cannot be expected to provide a decent living in the future for more than about 1 million farm families, even with continued Government assistance."

The Great Society, then, is going to preside over the "phasing out" of over two out of three farm families as a solution to the problem of low-farm income. What such a plan tragically ignores are the total effects on the entire economy. What happens to the rural community? How many farm families would have to migrate long distances? What happens to churches, schools, county, and township governments, health and welfare facilities, mail service, transportation facilities, electric power and telephone systems? And what happens to American cities, already plagued by chronic unemployment, when millions of displaced rural residents join their ranks?

That the Government-sponsored migration has already begun is evidenced by recent reports that the U.S. Labor Department plans to relocate over 300 unemployed Montana residents from rural areas to cities in Montana or neighboring States, at a cost of $50,000.

WOULD YOU WIPE 14 STATES OFF THE MAP, OR EVACUATE NEW YORK CITY?

The 9 million farm people represented by the 2½-million families the administration would remove is a number equivalent to the combined populations of 14 States: Alaska, Delaware, Hawaii, Idaho, Maine, Montana, Nevada, New Hampshire, North and South Dakota, Rhode Island, Utah, Vermont and Wyoming. Or it would be like evacuating the entire city of New York. And this doesn't even include the additional millions of small-town residents who would be forced to migrate along with their rural customers.

STUDIES OF RURAL DEPOPULATION REVEAL FUTURE

Rural America has already felt the pain from the 1 million farm families that have left the land over the past 8 years. Several recent studies enable us to make a limited projection of what would result if 9 million more farm people were to migrate.

FORCED OUT OF BUSINESS

One midwestern county, we estimate, could lose over one-third of its population, and close one-half of its some 200 retail business establishments. This county would suffer a decline of over one million dollars in food purchases alone.[1] In a similar study, Oklahoma State University researchers estimate a $39 million decline in food purchase in the Southwest.[2] Add to this the additional cost to remaining residents who would have to travel further and further to do their shopping. A recent study notes: "current trends seems to indicate that the appropriate role for most of the very small towns is to pass slowly out of existence."[3] Under the Johnson program, this process would be greatly accelerated, and extended to the county-seat towns. With 70 percent of the farmers migrating, even a county-seat town would be unable to expand its service radius far enough, fast enough to retain an adequate market.

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[1] Estimates obtained using data from "The Impact of Population Change on Rural Community Life" (in four parts: the Economic System; the Government, Health and Welfare Systems; the School System; and the Church System), Cooperative Extension Service, Iowa State University, Ames, November 1962.

[2] "Potential Economic and Social Adjustments in the Southwest," by Walker, Tweeten, and Connor, Oklahoma State University, 1964, p. 19.

[3] "The Small Rural Town," by Dwight A. Nesmith, published in the Yearbook of Agriculture, 1963, p. 179.

RURAL LOSS OF YOUTH AND VITALITY

Those who are forced to leave agriculture will be the young adults in their most productive years and with the greatest educational attainment. Almost 60 percent of the migration from the mid-western country mentioned earlier has been among these from 15 to 34 years of age, leaving behind a disproportionate number of very young and older persons, who are generally dependent upon the young adults for their economic needs.[4]

Rural towns would, in fact, become communities of retired folk, with their special needs for nursing, medical, and sanitary facilities, good fire and police protection, and welfare agencies. As several studies have pointed out, these are often the first services curtailed in a declining town.

THE FUTURE FOR LOCAL GOVERNMENT, SCHOOLS, CHURCHES

If such a large-scale migration takes place, the county and township systems of government as we know them would cease to exist in many areas. Costs increase due to the expanded health and welfare needs of an older population, but tax bases become more limited. The expense of maintaining necessary services, such as roads and schools, for fewer persons becomes almost prohibitive. The per capita costs of providing adequate educational facilities for the remaining youngsters would greatly increase. One study notes that school consolidation in Nebraska has not been effected rapidly enough even to maintain the substandard conditions of a quarter of a century earlier.[5] A high degree of staff turnover, low morale, low community interest, and a deterioration of teacher quality would result.

Churches face the same problem as total membership decreases and the average age of those left becomes older. But churches seldom consolidate as do schools. As a result, most rural churches could be expected to simply waste away physically as well as in terms of organization and membership. Congregations would find it increasingly difficult to keep up the building, finance worthwhile projects, and pay even a part-time minister.

A research report from a land-grant university provides a succinct summary of the effects of population loss on rural areas:

"When population loss reduces school age populations, consumers, taxpayers, or parishioners, the various institutions respond by reorganizing, curtailing service, consolidating trade areas, cutting back goods and services offered, integrating with higher levels, and eventually, discontinuing operations. As a result, the community gradually loses control of its future and its ability to support its institutions."[6]

FEDERAL GOVERNMENT MOVES IN

While the county government and other local institutions would slowly cease to operate as independent units, the Federal Government would rapidly move in to fill the vacuum, as is now occurring in some areas. The governments and other institutions of rural States would be hard pressed to hold their own, and the urban areas would be too preoccupied with their own problems to give attention to the plight of rural communities. Rural areas would be required to negotiate directly with the Federal Government for many of their needs.

COUNT THE COST

The cost in dollars for Government help, the cost of retraining and resettling these people, the cost to the cities that absorb them, and the cost in human misery and dignity is too great to brush aside by an administration bent on making a "Mi-Grate Society" out of rural America.

The truth of the matter is that nowhere in the administration's proposals for the future of rural America do we find any indication that needed income will be increased for the remaining farmers. In fact, a continuation of current farm programs, reflecting parity income of 75 percent, simply would not provide an income level adequate for survival, much less a fair return on investment for any farmer, large or small. We find nothing in the administration proposals that would reduce the cost to the Federal Government, or even benefit the consumer. The resulting costs of moving these people would far outstrip any costs that would be necessary to keep our farm people where they are.

The administration must take another look before imposing the death sentence on the Nation's farming population.

JURY TRIAL FOR TVA CONDEMNATIONS

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. BROCK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BROCK. Mr. Speaker, today I am introducing a bill which would amend the Tennessee Valley Authority Act to provide that the issue of just compensation may be tried by a jury in any case involving the condemnation of real property by the TVA.

Under State condemnation practices, just compensation is normally determined by one of three methods: by commissioners; by commissioners with a right to appeal to and trial de novo before a jury; and by a jury without a commission. I understand that only five States use commissioners; the rest use commissioners with a trial de novo before a jury or the jury system.

Under the present TVA procedure a landowner cannot demand a jury to try his case, but must submit to the jurisdiction of a special commission appointed by the Federal court—and for all practical purposes these commissioners are frequently thought of as employees of the TVA.

If the landowner appeals the commissioners' report, he can take his case to the Federal court but still cannot demand a jury trial. He must pay for a written transcript of the proceedings before the commissioners, employ an attorney, and travel at his own expense to the courthouse. These costs place the landowner, especially those with smaller real estate, at a tremendous disadvantage.

The Federal Government today owns nearly 35 percent of the Nation's total land area. In addition, there are many present and proposed Federal programs enabling the acquisition of even more land for the Government. The TVA, like most other Federal agencies, can institute condemnation proceedings to acquire land they want if the private owners refuse to sell. I do not dispute the Government's right to acquire lands. However, what is determined just compensation by an agency may not be considered equally fair by the landowner or his neighbors. I feel the people in the Tennessee Valley should be afforded the same protection granted other property owners in ordinary condemnation procedures.

I believe the Department of Justice has twice tried and failed to persuade the Congress to provide that juries shall be used in all condemnation cases.

The TVA has brought untold benefits to our region, and this legislation is meant in no way to criticize the Authority, the commissioners, the judges, or past condemnation actions. Rather, this bill, authorizing jury trial for land owners who have had their property condemned by the Tennessee Valley Authority, reflects a sincere desire to protect both large and small on those admittedly rare instances when equity has not been achieved. It simply provides additional safeguards for each individual by authorizing TVA to condemn land for legitimate TVA purposes in exactly the same manner as most other condemnors are required to do. The jury trial is basic to our legal system, and I hope Congress will give early and favorable consideration to this legislation.

ADJOURNMENT OVER TO MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INTERNATIONAL OIL, SMALL BUSINESS AND THE BALANCE OF PAYMENTS

The SPEAKER. Under previous order of the House, the gentleman from Texas

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[4] "The Impact of Population Change, etc." (footnote 1), pp. 13 to 15.

[5] "The Small Rural Town," Nesmith (footnote 3), p. 179.

[6] "Social Response to Population Change and Migration," Agricultural and Home Economics Experiment Station, Iowa State University, Ames, September 1964 p. 44.

Additional bibliography: "Local Government Costs and Services Under Conditions of Sparse Population," by Frederick D. Stocker, Economic Research Service, USDA, 1963; "Rural Depopulation in the United States: Some Demographic Consequences of Agricultural Adjustments," by Calvin L. Beale; published in Demography, vol. 1, No. 1, 1964.

[Mr. Patman] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that on Monday and Tuesday next after the legislative business of the day and the conclusion of special orders heretofore entered I may be privileged to address the House for 30 minutes and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PATMAN. Mr. Speaker, much is being heard these days about the contribution which international oil companies are supposedly making to our Nation's balance of payments. Today I would like to discuss the possibility that favored treatment to our American international oil companies is a principal factor in the present payments gap—as well as a primary cause of the distress in which the small businessman in the domestic oil industry now finds himself.

There is evidence that international oil companies may have done less than they can and should to close the payments gap. It may not be entirely coincidental that the large international oil companies are enjoying unprecedented prosperity at a time when the domestic independent oil producer is having a fight for his very survival. This is a very serious matter, one which the Congress may very well look into.

The President of the United States in his February 10, 1965, message, pointed out that balance-of-payments measures so far taken have resulted in impressive gains totaling well over $3.5 billion. However, he pointed out that these gains were largely offset by a $2.5 billion raise in the level of capital outflow since 1960—and $2 billion of this raise occurred from 1963 to 1964. American international oil companies, it is interesting to note, were large contributors to this adverse private capital outflow which has so far thwarted all our efforts to close the payments gap.

My message here today might be keynoted this way: Our Nation cannot afford to lose the current battle to close the payments gap, but neither can it afford to lose the domestic independent oilman who finds over two-thirds of our oil reserves.

Leading companies on which statistics are published by the Chase Manhattan Bank have steadily increased their expenditures for exploration and development abroad, as indicated below:

Exploration and development expenditures by American companies overseas

[In millions]

1960	$730
1961	758
1962	763
1963	789

I. THE OIL IMPORT PROGRAM

Interior officials should be called upon to justify the present oil import program, that it is being administered in a manner consistent with our balance-of-payments objectives. I hope they will also explain why they apparently feel that the program, as inherited from the Eisenhower administration, is properly responsive to the congressional purpose in providing for oil import controls.

The cost in balance-of-payments terms of our present oil import policy can be seen from the following figures which clearly indicate the relationship between the deficit in our petroleum trade balance and our overall balance-of-payments deficit. Since 1958, our petroleum trade deficit has exceeded $1 billion each year, representing from 30 to 40 percent of our total payments deficit. These figures are exclusive of residual fuel oil and do not include the dollar-outflow cost of employing foreign-flag tankers:

U.S. petroleum trade balance and the balance of international payments

[In millions of dollars]

	Petroleum trade balance	U.S. net balance of payments
1958	−1,068	−3,477
1959	−1,049	−3,897
1960	−1,064	−3,918
1961	−1,171	−3,071
1962	−1,325	−3,605
1963	−1,314	−3,286
1964	(1)	−3,000

[1] Not available.

Source: U.S. Department of Commerce.

The oil import problem is far from new. The importance of preserving a healthy home oil-producing industry was long ago recognized, both from the standpoint of national security and prosperity. Inasmuch as we depend upon small independent producers to explore for and find some two-thirds of the oil and gas reserves in this Nation, we cannot allow a handful of international oil companies to squeeze them out of business with unlimited oil imports.

As chairman of the Select Committee on Small Business, I had the privilege of conducting the first full-scale congressional inquiry into oil imports. That was in 1948, the year in which this Nation became a net oil importer. Imports at that time were only a few hundred thousand barrels daily. The following year, a bill to limit total oil imports to a 5-percent ratio with domestic consumption failed by a single vote in the other body. Today imports total 2,300,000 barrels daily and this constitutes a 29-percent ratio with domestic production, almost double the 16.6 percent which was declared to be the maximum consistent with national security when the Trade Act of 1955 was amended to provide for import controls.

Let it be understood that I am not suggesting any drastic rollback in oil import levels. I do not believe a big reduction in imports is necessary to the preservation of a healthy home industry—and such action might be injurious to broader national commitments.

I do say, however, that the time has come for the Interior Department to develop an oil import program which keeps imports from continuing to grow disproportionately to domestic growth.

Excuses for the present patchwork arrangement are no longer adequate to the needs, particularly in the light of our persistent balance-of-payments problem.

The attitude of the Interior Department concerning the effectiveness and appropriateness of the oil import program should be a matter of no small interest to the Congress, especially the reasoning behind the present import-quota allocation arrangement. Opposition to a major overhaul of the program inherited from the Eisenhower administration should be explained and analyzed.

Administration viewpoints concerning so-called "country quotas," its attitude toward the Organization of Petroleum Exporting Countries (OPEC), and related issues will also be welcome. Specifically, Congress should know why the "commodity pact" approach is favored on other commodities in world trade, and yet is roundly rejected by State and Interior officials where international oil is concerned.

Several questions arise concerning the present oil import program, and the quota-allocation procedure under it. For instance: Is the present oil import control arrangement fully effective in terms of the national security purpose? Is the present program the most suitable in terms of our balance-of-payments objectives? Is the present import arrangement conducive to a concentrated trend within the oil industry?

I am sure that the Johnson administration will soon insist upon a comprehensive reevaluation of the import arrangement, inherited from the Eisenhower administration. First steps in this direction were taken by President Kennedy's Petroleum Study Committee. It found that the present system "places the Federal Government in the role of distributing a considerable economic advantage. The distribution of an economic advantage of this magnitude is bound to bear upon the financial return of individual companies, the structure of the industry, the functioning of the economy, and other national objectives."

Mr. Speaker, both the house and senate of the Texas Legislature recently importuned the administration to revise and make effective the oil import program. A copy of that resolution, unanimously adopted by the Texas Legislature, is appended.

II. FOREIGN TAX ADVANTAGES

In the light of our international payments problem, I am convinced that the Congress, as well as the executive branch, must take a new look at the tax and other economic advantages permitted American oil companies in their foreign operations. Accordingly, officials of the various executive departments concerned, including Treasury and State, should speak to this subject.

On several occasions, administration spokesmen have noted that there is preferential treatment to foreign oil investment. The late President Kennedy, in his 1963 balance-of-payments message, called for "tax neutrality in the choice between investment here and investment abroad." Treasury Secretary Dillon, as early as July 1961, testified:

> During the postwar period, the promotion of private foreign investment in both advanced and less-developed countries was in the public interest. Times have changed, and the need to stimulate investment in

advanced countries no longer exists. Hence, there can be no proper claim that preferential treatment should be continued merely to perpetuate private gain.

Specific examples of preferential treatment warranting attention at this time include:

(A) FOREIGN TAX CREDITS

However sound the principle of foreign tax credits, clear abuses must be curtailed. It is responsibly charged that royalty payments to oil source nations, by being labeled "income taxes," are deducted dollar-for-dollar against the net tax obligation of American companies.

This fact, combined with what were called "techniques" used for diverting profits from one branch of a company to another, generally have had the effect of enabling oil companies with international operations to pay a consistently lower tax rate than strictly domestic companies. The Treasury Department has cited "excess foreign tax credits" which accrue in aggregated foreign operations. Said Secretary Dillon:

> These excess foreign tax credits are permitted under present law to offset, in a number of different situations, the U.S. tax on nonmineral foreign income. Thus the excess credit attributable to mineral operations in a particular foreign country may be used to reduce or eliminate the U.S. tax on income from a marketing, refining, or a completely unrelated operation carried on in the same or a different foreign country.
>
> The use of development deductions and foreign tax credits from mineral operations abroad, offsets tax on domestic and on other foreign income.

(B) FOREIGN DEPLETION

The time may be at hand, in the light of our payments problem, to question the extension of statutory percentage depletion at the full 27½ percent to foreign production.

American international companies for tax purposes enjoy the same percentage allowance for minerals depletion abroad as do companies in this country. This seems not only inconsistent with congressional intent, but may have come to conflict with the original objective of depletion, that being, to maintain a healthy home-producing industry.

A study of the history of the 27½ percent statutory depletion clearly indicates that it was designed to stimulate domestic exploration. No one seriously attempts to justify 27½ percent depletion strictly in terms of returning capital investment. It is explained in terms of (a) returning capital investment, in order to prevent taxation of capital, and (b) providing an incentive for maintaining adequate supplies within the United States.

But neither of these bases are fully applicable where foreign oil is concerned. The present full 27½ percent depletion can be justified on foreign production neither as necessary to return capital investment nor to preserve self-sufficiency.

The 5 big international companies in 1963 produced 2,270,000 barrels of crude oil per day in the United States and Canada, but at the same time they produced 6,152,000 barrels per day outside the United States and Canada. In other words, for each barrel of domestic oil upon which statutory depletion was taken by these companies, they took statutory depletion on almost 3 barrels of the very foreign oil that is causing the havoc in this industry. It is quite illogical for this Government to subsidize a handful of international companies so that they can make it impossible for domestic producers to compete even on the domestic market.

Foreign crude oil production by American companies compared with U.S. imports (excluding residual)

[In thousands of barrels per day]

	Crude oil production (Chase group)	U.S. imports (excluding residual)
1958	4, 871	1, 201
1959	5, 238	1. 170
1960	5, 791	1, 178
1961	6, 309	1, 251
1962	7, 091	1, 358
1963	7. 754	1, 376
1964	[1] 8, 709	1, 452
Total increase, 1964 versus 1958	3, 831	251
Average increase per year	639	42

[1] Estimated.

While some percentage depletion might be justified on foreign production, on grounds of returning capital investment, there is no logic whatever in the argument that because 27½ percent is proper for domestic production no less should be allowed foreign production. Differential percentage rates are applicable in case of other minerals in the U.S. Revenue Code.

In summary, there would seem to be no reason why percentage depletion should not be amended to scale the 27½ percent sharply downward for foreign oil production.

(C) TAXES ABROAD ON FICTITIOUS VERSUS ACTUAL PRICES

Some time ago the Internal Revenue Service of the Treasury Department indicated plans to consider disallowing depletion deductions by American companies abroad based on "posted prices" which often are far in excess of actual prices. In the United States, percentage depletion is allowed only on the actual value of the oil at the well, and not upon the posted prices bearing little or no relation to reality.

I believe we should know the status of this study, particularly in relation to balance-of-payments pressures.

(D) TAX HAVEN ABUSES

The Kennedy-Johnson administration undertook to correct abuses by some American companies in their utilization of so-called "tax havens" abroad. The law which emerged in 1962, however, was modified by a series of amendments virtually exempting international oil company operations. In the light of our payments problem, Department officials might indicate what plans they may have to see that international oil companies are treated no better than other American companies in this regard.

The Treasury has charged that foreign earnings in large amounts can be held abroad indefinitely, yet used on a "loan" basis by the U.S. parent company. That money, owed as taxes, is withheld for use by the companies to further their own operations—and provide themselves an advantage over strictly domestic companies.

It would be interesting, I am certain, to learn the status of oil in this respect. Secretary Dillon commented on this point as follows:

> Particularly when it is enhanced by the resort to tax havens, the tax deferral has given artificial encouragement to foreign investment and has acted as a deterrent to the repatriation of dividend income. Deferral thus adversely affects our balance-of-payments position by increasing payments and reducing receipts.

Also the arbitrary assigning of expenses between domestic parent companies and foreign subsidiaries often has the effect of giving a tax break to the internationals over strictly domestic independents, which they employ to gain advantage even on domestic operations.

III. FOREIGN OIL BUYING

Particular attention should also be given to just how effectively the Defense Department is carrying out President Johnson's admonition on February 10, 1965, to "shift defense buying from sources abroad to sources in the United States."

Defense officials should be given an opportunity to explain to our committee why military purchases of foreign oil has risen from 13 percent in 1954 to 34.8 percent in 1964.

Also, the Defense Department might explain any logic and necessity for its special import quota—whereby they bring foreign oil into this country in the amount of 35,000 barrels each day.

U.S. military purchases of foreign oil (excluding residual fuel oil)

Fiscal year	Barrels daily	Percent of total domestic purchases
1954	46, 000	13. 0
1955	89, 000	22. 5
1956	109, 000	25. 2
1957	127. 000	25. 9
1958	145. 000	31. 9
1959	169. 000	29. 9
1960	164. 000	30. 5
1961	184. 000	32. 8
1962	203, 000	33. 4
1963	210, 000	34. 4
1964	210, 000	34. 8

Source: Office of Oil and Gas, Interior Department.

Further, State Department officials should detail AID oil-buying practices. I am sure the Congress and American people will want to know why this country uses AID funds to buy foreign-produced oil, some allegedly produced by French companies. We need also to know why fictitious posted prices are paid for AID oil, and why it is moved in foreign-flag tankers—all adding to our payments deficit and seriously hurting the domestic small business oil producers.

IV. FOREIGN-FLAG TANKERS

More than 95 percent of U.S. oil imports are moved in foreign-flag tankers, constituting a serious burden on our payments balance. This contrasts with the requirement that when U.S.-produced oil is moved by oceangoing vessels to another U.S. port it must be moved 100 percent in American-flag tankers.

To illustrate, Texas oil moved by tanker to New England must be shipped in high-cost American-flag tankers while Venezuela oil moving approximately the same distance to the same New England port comes in foreign-flag tankers at one-half the cost.

I believe we are entitled to an explanation of these practices in the light of our payments situation.

V. OTHER MATTERS

There are, of course, other aspects of this problem which should be considered and on which legislation may be indicated.

In particular, I hope we will have the advantage of full and up-to-date information on the "voluntary" balance-of-payments program under Commerce Department officials.

I note that the board chairman of a leading international oil committee has been named chairman of the Commerce Department's balance-of-payments advisory committee. This advisory group came out, according to the Secretary, "in favor of a flexible approach that enables each company head to work out his own program" rather than "having the Government prescribe some formula of general application." We should know soon whether the "voluntary" approach by international companies is doing the job, or whether new legislation or some formalized procedures are indicated.

Yesterday, at the annual stockholders' meeting of one of the world's largest international oil companies—Standard Oil Co. of New Jersey—the new chairman of that company called on the Government for higher interest rates to stem the gold outflow and prevent a further drain on the balance of payments.

Despite recent expressions by the Johnson administration that the present balance-of-payments program is working well and that tighter money can only harm the domestic economy, Jersey Standard is trying to shift the burden and the blame for a great portion of our balance-of-payments deficit from itself to the general economy, risking recession here at home so that it can continue its massive oil imports into the United States which causes hundreds of millions of dollars in gold outflow losses.

Mr. Speaker, my purpose here in part is to question whether in fact American international oil companies have been made to face up to their obligations in helping to close the balance-of-payments gap to which they are a major contributor. I trust my remarks here will not be overlooked by the companies involved or by the appropriate executive departments which have jurisdiction in each of the matters here discussed.

Perhaps one result will be an intensification of measures toward early closing of the payments gap. When our international oil companies begin to fulfill their full obligations in this regard, I am convinced that one consequence will be to provide a much needed shot in the arm for the domestic small businessman in this great and vital petroleum industry.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

RESOLUTION NO. 134

Whereas the U.S. Department of Interior seeks, in its March 10–11 hearing on oil import regulation, information relating to the need for new and more effective import programing; and

Whereas this State is vitally concerned with achieving effective regulation of imports in that a significant portion of Texas State revenues and a vital part of its economy rely on a healthy domestic oil producing industry; and

Whereas this objective has not been achieved by the current mandatory oil import program inasmuch as since 1956 Texas oil production has declined by approximately 300,000 barrels per day, drilling activity has declined sharply and continues to do so in 1965, hundreds of domestic producers have left the business and still greater numbers are sharply reducing their oil activity, and thousands of Texans have had to seek employment in other industries; and

Whereas despite sincere and extensive efforts by this legislature and the Texas Railroad Commission in recent times to strengthen oil conservation and maximize industry efficiency through such measures as increasing minimum statewide acreage development patterns, enforced pooling of small tracts, reorganization of the State allowable system, and encouragement of secondary recovery operations, the slowdown of industry activity continues to worsen; and

Whereas throughout this period total oil imports have continued to increase, resulting directly in reduced markets for Texas crude, recurring weakness in both crude and product prices and a loss of several millions of dollars in oil production tax revenues to the State of Texas; and

Whereas the present imports program is inadequate both by reason of the "leaky seams" cited by Gov. John Connally, through which the level of imports has increased disproportionately to domestic market growth, and by reason of failure to neutralize the economic advantage which imported oil enjoys over domestic production; and

Whereas the advantage accruing to U.S. international oil companies through inadequate oil import regulation has discouraged the independent producer who traditionally finds most of the new oil reserves in Texas and in the Nation from adequately maintaining such defense-vital activity; and

Whereas the security of this State and Nation requires that sufficient U.S. oil reserves be discovered as the result of exploration to meet the heavy demand predicted for the near future: Now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That the house of representatives importune the President of the United States and the Secretary of the Interior to revise import regulations in such manner as to preclude any further increase in imports until such time as domestic production has been permitted to achieve a better balanced share of domestic market growth, and to nullify the economic advantage which cheap foreign oil enjoys over domestic production in meeting U.S. consumption requirements.

BEN BARNES,
Speaker of the House.

Attest:

DOROTHY HALLMAN,
Chief Clerk of the House.

GILBERT BILL TO PROHIBIT IMPORTATION OF AGRICULTURAL LABORERS

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GILBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. GILBERT. Mr. Speaker, 2 years ago, the House considered and rejected a bill to provide the sixth extension of the Mexican farm labor importation program, or Public Law 78. At long last, a majority of this body ended the license to traffic in human beings, which had originally been enacted in 1951 as a Korean war "emergency measure" and which continued for 13 years as a plague upon America's poorest workers.

The House decided that the mass importation of a cheap, docile, and almost captive labor force had gone on long enough. It realized that agriculture paid some of the lowest wages in the United States and offered some of the most miserable working conditions as a direct consequence of the foreign farm labor importation.

However, Mr. Speaker, the foreign farm labor importation programs were not to end immediately. The corporate growers who benefited from the cheap labor immediately pleaded for a "phasing out period." They claimed they needed a year's grace to prepare for the end of the foreign farm labor importation.

Many of us warned that these pleas were only a trick to continue the programs. But the House and the other body accepted them at face value, especially when many of the supporters of the programs declared that there would be no more continuations. A 1-year extension was voted and the importation programs were continued until December 31, 1964.

That should have been it, Mr. Speaker. The issue should have been settled. But it was not.

Today, 5 months after the foreign farm labor importations should have ended, there are still farmworkers from other countries in American fields. A much smaller number to be sure, but imported farmworkers are today employed as contract labor in Florida and California.

And the growers have launched a huge propaganda and lobbying campaign to increase the importation of farmworkers, to bring it back to the old proportions. They cajole; they urge; they demand that Public Law 414, the Immigration and Nationality Act, be used for this purpose.

As part of the effort to obtain the mass importation of cheap labor again, the growers have launched a shameful calumny against their fellow countrymen. Americans, we are told, are lazy, shiftless, drunken, and irresponsible. They cannot be trusted to do the work performed by foreign laborers last year at wages which went as low as 60 cents an hour.

The Secretary of Labor, Mr. W. Willard Wirtz, has borne a major share of the growers' attack. He has had to endure fantastic pressure and great villification. I want to commend the Secretary for the immense courage he has shown in the face of this attack. He is to be congratulated by all those who believe that the war against poverty is a real meaningful action by this Nation.

However, while I greatly admire the Secretary's overall policy in the farm labor field, I must disagree with several of his recent actions. I greatly regret that he permitted some 6,500 British West Indian laborers to work in Florida past the date they were to be repatriated and that he has approved the importation of some 1,500 Mexican workers and the use of some 1,000 Japanese and Filipino workers in California.

These actions were taken because growers allegedly could not get a sufficient number of U.S. workers. Many of our colleagues have placed proof from on-the-spot newspapers and other sources into the CONGRESSIONAL RECORD to show that the growers really do not want an adequate number of U.S. workers, that they undertake a variety of methods to discourage these laborers from seeking, taking, or keeping these jobs.

But, Mr. Speaker, that is not the main point. The fact is that neither the Congress, nor the administration, nor the Secretary of Labor, nor anyone owes these growers a labor force. The fact is that any industry—agriculture included—gets a labor force by recruiting it in a free market. Industries attract workers by offering wages and working conditions which are adequate to secure a sizable enough number of laborers. And they maintain their labor force in exactly the same way There is nothing mysterious about this method. It is simply the way the free enterprise system works.

Farmwork is not so unusual. It is certainly no more unpleasant than garbage collecting. It is certainly no more dangerous than many construction jobs. It is certainly no more seasonal than many types of food processing. Yet these industries and every other American industry are able to recruit an adequate number of U.S. workers and are able to keep them.

We do not get demands from any other industry to supply it with a labor force. The growers are different because they delight in posturing on behalf of the free enterprise system, but they refuse to practice it. That is their prerogative, of course. But the Federal Government is not required to reward their refusal by importing low wage workers from other lands.

Mr. Speaker, the growers recognize that Public Law 78 is dead. But they are not willing to recognize that the foreign farm labor importations are over. They point to section 101(a)(15)(H)(ii) of Public Law 414 and say, "Bring us foreign workers under that provision."

That section does exist. And it does concern "an alien having a residence in a foreign country which he has no intention of abandoning, who is coming temporarily to the United States to perform other temporary services or labor, if unemployed persons capable of performing such services or labor cannot be found in this country." In the past, this provision has been used to permit the importation of foreign farmworkers. For example, the British West Indian workers in Florida and some other workers came in under this provision.

However, Mr. Speaker, it was the intent of Congress to end all foreign farm labor importations when it refused to renew Public Law 78. We certainly did not undertake the tremendous battle concerning foreign farm labor simply to change the number of the laws under which the workers would be brought into the United States. That would be attributing ridiculousness to the House and the other body.

No, the debate and hearings clearly show that a majority of the House and the other body clearly realized that the foreign farm importations depressed the wages and limited the job opportunities of U.S. farmworkers. They clearly show that a majority wanted to act against and end the disastrous consequences of the foreign farm labor contract system.

It is therefore ridiculous to argue that because section 101(a)(15)(H)(ii) of Public Law 414 is still on the statute books, it should be used to import foreign farmworkers. Since such an argument is being made—no matter how invalid it is—I am introducing legislation today to prevent the use of this provision for farmworker importations. I want to make it clear, however, that I regard this bill as a formality and as a tidying up operation in the wake of the clear intent which was expressed by the 88th Congress, to end all foreign farm labor importation programs.

My bill is quite simple. It amends section 214 of Public Law 414 by adding the following provision:

> (d) Nothing in this section shall be construed as authorizing the importation of any alien as a nonimmigrant under section 101 (a)(15)(H) for the purpose of employing the alien in the production of agricultural commodities and products.

I want to make it perfectly clear that my bill will bar only the use of contract farm labor, the use of laborers temporarily imported into the United States to work on farms. It will have no effect whatsoever upon the bona fide immigration of workers from any country who wish to come to our land, live here permanently and become a part of our people.

This legislation, Mr. Speaker, is in keeping with the policy concerning contract labor which has traditionally been a part of our Nation's immigration laws. When in 1885, Congress first codified our immigration laws, the committee report stated—CONGRESSIONAL RECORD, 48th Congress, page 5359:

> (Our bill) seeks to restrain and prohibit the immigration or importation of laborers who would have never seen our shores but for the inducements and allurements of men whose only object is to obtain labor at the lowest possible rate, regardless of the social and material wellbeing of our own citizens and regardless of the evil consequences which result to American laborers from such immigration. This class of immigrants care nothing about our institutions, and in many instances never even heard of them; they are men whose passage is paid by the importers; they come here under contract to labor for a certain number of years; they are ignorant of our social condition, and that they may remain so, they are isolated and prevented from coming into contact with Americans. They * * * live upon the coarsest food and in hovels of a character before unknown to American workmen. The inevitable tendency of their presence among us is to degrade American labor, and to reduce it to the level of the imported pauper labor.

The Immigration Act, which became law on February 26, 1885, specifically excluded contract labor. What is more, it invalidated all contracts made previous to the importation or immigration of such labor and provided strict penalties for violations. New immigration laws, approved in 1891, 1903, 1907, 1910, 1917, and 1924 all banned foreign contract labor. These strictures were, if anything, even more vigorous than those of 1885.

All this changed in 1950. While working on what was to become Public Law 414, the subcommittee in the other body declared in its report:

> It is the belief of the subcommittee that contract labor does not present a serious immigration problem today, and that the contract exclusion clause may be removed.

It is true that contract labor was no problem any more in those industries which used imported workers in the late 19th century. These industries, such as mining, garment, meat packing and railroads, were covered by social and labor legislation and—most important—collective bargaining agreements. These factors make the use of contract labor absolutely impossible. However, in one major industry, which did not use contract labor in 1885 because it did not have the corporate structure it has today, the use of contract labor is still a problem. And that is agriculture.

Congress clearly acted to remove this problem in its 1963-64 session when it refused to continue foreign farm labor importations. The legislation which I introduced today will put the finishing touch on that expression of congressional intent.

NEW YORK CITY IN CRISIS—PART LXXII

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns some of the problems faced by those who wish to bring jobs to New York City.

The article is part of the series on New York City in Crisis and appeared in the

New York Herald Tribune of March 29, 1965.

The article follows:

NEW YORK CITY IN CRISIS—TRUCKS VS. ROLLER SKATES: THE WHEELS OF EAST HARLEM

(By Barrett McGurn)

The shop down the street has a large sign reading "candy store" across the plate glass and just inside the window are two life-size statues of saints. Ash cans, litter piles, members only clubs in vacant stores, wall scrawlings about the Mafia and death heads—this is the white, Negro, and Puerto Rican slum at the east ends of 117th and 118th Streets.

And this is an area that shows what the friends of New York's economy are up against as they try to keep factories from moving out of the five boroughs.

The argument at the easternmost ends of 117th and 118th Streets is whether the Washburn Wire Co. should have been allowed to purchase rights to the exclusive use of the street and sidewalks at the dead ends of the two blocks. One-fourth of each block is involved.

Washburn says that it can't load its trucks, make turn-arounds and park unless it has those dead ends.

Neighbors, at least some of them, say it's all a bluff and that the neighborhood already is overcrowded and that children need the sidewalks for roller skating. The little ones also get a good view of the enticing empty fields of Randalls Island from the rear of the blocks, adds Mrs. Philip B. Sheridan, an especially articulate Washburn neighbor.

As of now the board of estimate is standing on a 2-week-old decision to close off the two dead ends. The city's department of commerce and industrial development is convinced that the matter has been settled finally but Mrs. Gilbert has asked the office of State special investigations commissioner, Herman T. Stichman, to intervene. She also threatens a taxpayer's suit.

The case is a good example of what the businessmen's drive, organized by 70 heads of New York's largest corporations, will face as they attempt to stop the drain of needed blue-collar employment from this city.

Here's the story the way Mrs. Sheridan tells it:

"That's Washburn. Their trucks fill our streets already. My husband, when he was alive, couldn't find a place to park and when he might find Washburn double-parked next to him in the morning, he'd have to go down to their watchman and give the license number of the truck. They'd come to move it—so that they could take the space at the curb after he left.

"It's awful. They've even sometimes used the sidewalks—four wheels up on the sidewalk for the whole length of the block. One child next door told his mother he was almost hit. The mother scolded him, 'I told you not to go into the street.' And the child answered, 'I didn't. I was up on the sidewalk.' "

That's the neighbors' side of it. No doubt it's true that the grim slum needs all the space it can get, and the glimpse of open acres from the dead ends is tantalizingly appealing. But it's also a fact that no one on foot or wheels can go one foot beyond the end of the block in any case. Cars on the East River Drive whistle by at 50 miles an hour at that point. There is no entrance. And for anyone wanting the peace of a riverside stroll there is a foot overpass at 120th Street.

Mrs. Sheridan thinks that Washburn is faking and landgrabbing, buying "the sidewalks of the poor," but that is not the opinion of Robert W. Watt, first deputy commissioner of commerce and industrial development, and one of the five city officials who are officers of New York's sole existing industrial development corporation. Was Washburn really going to leave New York, taking away another 900 factory jobs in the wake of at least 81,000 lost in the past 6 years?

"You have no idea how close a call it was," Commissioner Watt says with conviction.

NEW YORK CITY IN CRISIS—PART LXXIII

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following article concerning the deplorable conditions of one of New York's parks.

The article is part of the series on New York City in Crisis and appeared in the New York Herald Tribune on March 30, 1965.

The article follows:

THE PARK WHERE WINOS GROW—NEW YORK CITY IN CRISIS

(By Tim Hutchens)

Below Columbia University, Morningside Park tumbles down to the western edge of Harlem in a series of slopes and precipitous rock outcrops.

Near a path that leads into Harlem's Morningside Avenue is a small curious statue, almost camouflaged by verdigris, which shows a bear leaning over a cliff growling at the Greek god Pan.

Pan, the spirit of mountains and woods, is nonchalantly piping a syrinx. Bards since Homeric time have considered him a brave "lover of the din of revel, who haunts the wooden dells."

It is appropriate, then, that his statue graces the park—31 acres between 123d Street and Cathedral Parkway that include some of the city's most tumultuous landscape.

EROSION

But it is difficult to imagine anyone loving—or braving—the sort of din and revel that plague a park where litterers, winos, and an occasional mugger have found their hell on earth.

And those sins that denizens of the park have not committed to make its present condition deplorable the department of parks has allowed, it seems, by omission.

Soil on the park's hill has washed away, leaving the ugly scars of erosion and muddy, slippery paths and steps.

Many of the steps, made of bluestone, have cracked and loosened, leaving dangerous footing for the unwary.

Play areas contain broken swings and broken benches, partially enclosed by broken fences.

And for the last 2½ years, while these conditions have persisted, the parks department has had approximately $750,000 or more in funds which the board of estimate approved for fixing up the park.

A 2- or 3-year program of improvements is finally set to start in "about 2 months," according to Paul Dombroski, the department's chief engineer of design.

The department has postponed the program, he said, for these reasons: first, it had to reject bids for certain work that it had underestimated, and second, it wanted groups in the Morningside area to agree on parts of the program.

FRUSTRATIONS

But his explanations baffle members of the groups who, almost as one, voice frustrations over the department's inaction.

"I've gone to the parks department time and time again," says Irving Thau, president of the park preservation fund, which includes 412 West Side residents who pay $2.50 annually to belong.

" 'What's in the works?' I asked, but all I got were all kinds of conflicting answers. How could we disagree if we didn't know what was going on?"

Mr. Thau, an attorney who is also president of the riverside parks and playgrounds committee, said he took his group's case for Morningside Park to the top—to Parks Commissioner Newbold Morris and the department's executive director, John A. Mulcahy, as well as Mr. Dombroski—but never received satisfaction.

On the other side of the park, Mrs. Ethel Greer, of 209 West 118th Street, in Harlem, a leader of the Committee for Morningside Park, has been equally disappointed in trying to spur the department.

"The committee was down to the parks department and we've been thrown from one official to another," she said. "No plans were offered. If we could get the crash program we want, people would be more interested in the park."

The lack of interest has had one good effect, perhaps. Mr. Thau said that it has decreased the number of muggings and assaults in the park because few people venture there.

"It's terrible to misuse the park," Mrs. Greer continued. "All of this," she said pointing to its conditions, "should have been stopped a long time ago."

Last spring, Mrs. Greer mailed a letter to area residents, citing the $750,000 approved in 1962 and extending a tongue-in-cheek invitation to celebrate a more recent development:

"This year the city allocated $5,100 to improve conditions," she wrote, "but when citizens complained that this wasn't really enough, the city planning commission increased that amount to $5,190. Let it not be said that our city is unresponsive to community sentiment. We are having a party to thank the mayor, the city council, and others responsible for increasing the budget for needed improvements."

About 170 people showed up. The committee not only solicited $5 in pennies to match the city for additional improvement funds, but put their guests to work cleaning up the park.

POSTPONEMENT

The fund drive, however, was in vain. A week later, the board of estimate overruled the planning commission and deleted the $5,190, tabbed for planning initial improvements that year, from the budget. The park's program had been postponed.

The borough president for Manhattan then, Edward R. Dudley, who by his office was a member of the board, commented a week later that even though the funds had been approved, "it takes time because there is too much work to do and too little money to do it."

The occasion for his remark was a visit to the park which, if it failed to produce immediate park improvements, at least produced immediate maintenance.

About 75 park employees preceded the visit—the largest and busiest contingent of its kind, according to nearby residents—and gave the park its first professional cleaning in a long time.

Since then, the parks department has tried unsuccessfully to put an improvement plan in motion.

Last fall, it advertised for an estimated $100,000 worth of jobs, such as grading, planting, fixing steps and improving drainage for erosion, but bids on the work came back at $149,000 and the department had to reject them.

MODIFICATION

"The next step was to have the plans modified," Mr. Dombrowski said, "reducing the scope and changing the materials. We did both and expect to get approval (to advertise again) from the mayor in about a week."

Planning for a second stage of improvements, Mr. Dombrowski said, is now under way for work to begin, hopefully, this fall. Much of the work will be simply a continuation of the first stage.

But also included are plans to enlarge a small playhouse at the north end of the park where city recreation workers supervise tots.

"Unfortunately, the people in the community asked first that the building be rehabilitated," Mr. Dombrowski said. "Later they wanted it enlarged. In the meantime, plans were proceeding exclusive of the enlargement and we're now modifying the planning contract to include it. We hope plans can be finished sometime this summer.

"Until we worked out a program," he said, "it was February 1964. Then we proceeded as quickly as we could to do some work."

Proposals for the playhouse, according to at least one community leader, however, fell on deaf ears much more recently than a year ago February.

"We asked them (park officials) last year to improve the house and they took no note," claims Mrs. Frieda Feldman, chairman of the Morningside Renewal Council's parks committee.

A DENIAL

The council is a supercommittee in the area, representing such institutions as Columbia, the Cathedral Church of St. John the Divine and dozens of neighborhood and block organizations both on Morningside Heights and in Harlem.

"We met them again last January," Mrs. Feldman said, "and they denied ever hearing about the house."

The delays, confusion, and conflicting opinions surrounding the improvement program are perhaps best illustrated by an annotation in this year's proposed capital budget. Under provisions for Morningside Park, which have risen from $750,000 to $800,000, it reads:

"The [original] allocation provided construction funds for stage III of the overall comprehensive rehabilitation of this park as well as for increased costs on prior stages. Inasmuch as construction of stage I has not been undertaken, and no plans have been prepared for stage II or stage III, construction funds for stage III may be deferred to a future [annual] budget."

The third and final stage of the program, however, is now scheduled for 1966–67 and includes a project that touches a controversial—and, significantly, the only well maintained—part of the park, the fenced Columbia-Community Athletic Field, a ball field which the university built in 1956 at a cost of some $250,000.

Under a special agreement, the city has maintained the field and a field house at a yearly expense of about $30,000, or approximately one-fourth of the annual cost of running the entire park, according to figures supplied by Samuel M. White, the parks department's director of maintenance.

The agreement between the university and the city, which required special enabling legislation in Albany, stipulated that the university would construct it. But the final stage of the park's improvement program includes certain work connected with the field, albeit outside the fence, such as landscaping and a retaining wall.

Although plans do not specify the cost of this work, nearly $500,000 is supposed to be appropriated for the third stage, which will include other projects such as new park benches and new lighting.

Critical questions about Columbia's using public park land for its private use at certain times—arose then—and revived with already announced plans for a similarly operated town-and-gown gymnasium immediately north of the field.

"It almost looks like one for the public, one for the private kitty—share and share alike," claims Eugenia Flatow, Democratic leader in the seventh assembly district, which includes the park.

AGREEMENT

When the city and Columbia reached agreement on the gymnasium 4 years ago, Commissioner Morris commented:

"It has been a great source of satisfaction to my predecessor, Robert Moses (former parks commissioner), and to me that Columbia and the department of parks have cooperated in the effective use of certain park lands for 4 years."

Mrs. Flatow finds no such source of satisfaction. "Nobody can find his way through the budgetary quicksand left by Robert Moses," he said. "It is intended to confuse, if not deceive."

According to an agreement similar to that for the athletic field, Columbia will build the gymnasium, which will include three floors, one, by contract, that must be set aside for the community's exclusive use.

On the athletic field, the university has exclusive rights during the school year on days when classes are in session. Organized boys' teams from the community can use it over weekends and during vacations.

The gymnasium building will cost an estimated $9 million and, according to the progress of a current fund drive, should be completed in about 3 years, says Joseph D. Coffee, Jr., the university's assistant to the president for alumni, who are contributing for the project.

It will rise 150 feet from the park to an elevation above Morningside Drive behind St. John's—a juxtaposition that has brought scorn from some residents.

CONCESSION

"There have been some complaints," concedes Ralph J. Furey, the university's director of athletics. "They come mostly from some people who think any piece of park is sacred."

Original specifications called for 2½ acres to accommodate the gymnasuim project.

Mr. Furey points out, however, that the university's athletic program on the field has served 2,000 boys from 98th to 135th Streets, Lenox Avenue in Harlem to Riverside Drive, organized into such teams as "The Panthers" from Amsterdam Avenue and one sponsored by the Manhattan Christian Reformed Church.

Meanwhile, outside the field's fence, the park continues to deteriorate.

"I've seen broken glass and piles of debris that have been there for 3 winters," Mr. Thau said. "There are broken slats on benches that have never been fixed. A few bucks would make the park beautiful."

The immediate cause of the trash, of course, is the attitude of those who drop it. Picking it up, immediately or otherwise, is another matter.

"You don't just pick up glass," said Mr. White, the maintenance man. "You have to sweep and sweep.

"We should begin with an education program," he said. "When people realize they're taxpayers, they care more.

"When they break a slat in a bench," he said, "it costs $2 per linear foot to repair. It costs $160 to fix the whole bench. Their own mothers can come along and can't sit down."

The department employs 17 people and spends about $115,000 annually in Morningside Park out of a total maintenance budget of $38 million for 36,000 acres of parks in the city.

But these figures do not even represent a proportion to the council's Mrs. Feldman. They represent a cipher.

CHARGE

"The parks department has abandoned the park," she said, "as it has all of Harlem's parks."

Mr. Dombroski and Mr. White disagree.

A new 5-foot fence costing $88,890 is presently being installed along the Harlem side of the park and up 123d Street to Amsterdam Avenue.

"We want to see work done there," Mr. Dombroski said, "just like the people do."

"We're not giving up an inch," Mr. White said.

Then Mr. White remembered that the board of education, despite objection by the planning commission, has plans approved for the future Public School 36 on 1.35 acres in the northwest corner of the park. The school is scheduled to rise to three stories, contain 1,200 grammar school students and open in February 1967.

TESTIMONY OF HON. JOHN J. ROONEY, OF NEW YORK, BEFORE THE SUBCOMMITTEE ON EUROPE ON HOUSE CONCURRENT RESOLUTION 44

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rooney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, because of my interest in the subject of anti-Semitism in the Soviet Union and other antireligious activities in that area, I testified before the Subcommittee on Europe of the House Committee on Foreign Affairs on Monday, May 10, in support of House Concurrent Resolution 44 which I introduced on January 4, 1965, to express the sense of the Congress against the persecution of persons by Soviet Russia because of their religion. The following is my testimony:

Testimony of Hon. John J. Rooney Before Subcommittee on Europe, Monday, May 10, 1965

Madam Chairman and members of this distinguished subcommittee of the House Committee on Foreign Affairs, I welcome this opportunity to appear before you in support of House Concurrent Resolution 44, which I introduced on January 4, 1965, to express condemnation of the persecution of Jews in the Soviet Union.

The persecution of Jews in Russia is a long and melancholy story which has found new forms of insidious expression under the Soviet regime. In this week when we observe the 20th anniversary of the end of the war in Europe, we recall the near disaster and defeat of our erstwhile Russian allies in the early days of the conflict. Military historians disclose that this early Soviet military breakdown was due in large measure to Stalin's decimation of the Russian officer corps in the purges of 1936–39. Many of these competent officers were Jews, and Stalin used the opportunity to liquidate them because of his obsessive anti-Semitism.

After the war, Stalin's anti-Semitic terror took on new dimensions with the elimination of Jewish officials, Jewish diplomats, Jewish professionals, and Jewish military personnel. This despite the fact that the Jews of Russia fought bravely among their non-Jewish fellow citizens to defend their country against the Nazi onslaught.

Soviet anti-Semitism persisted under the Khrushchev regime, despite some slight relaxation in other forms of Communist tyranny in Russia, and it shows no signs of abating under the new regime that has succeeded Khrushchev.

The government apparatus is the dominant sector in a Communist state. Jews have been systematically removed from positions of influence in the public institutions of the Soviet Union until now when they are virtually excluded. There were Jewish diplomats; today there are hardly any. There were ranking Jewish officers in the armed forces; today there are virtually none. There were high Jewish officials in the bureaucracy; by now they have been removed. This process of Jewish exclusion has been a deliberate systematic policy in the Soviet Union. Today Jews are less than second-class citizens in the Soviet Union.

American tourists returning from Russia tell us of their sad contacts with Russian Jews. The official Soviet tourist organization, which guides visitors in Russia, attempts to discourage any contacts between American tourists and Russian Jews. Those visitors who manage to find their way to the dwindling number of synagogues in Russian cities are confronted with a depressing experience. They frequently are ushered to a front pew in the synagogue, which they quickly find is reserved for foreign visitors. The object, of course, is to cut them off from even conversation with their coreligionists.

Those American Jews who converse with Russian Jews find them afraid and hesitant—even in the sanctuary of a synagogue. The Soviet oppression has reached into the house of God. Yet the Russian Jews crave contact and knowledge of Jewish communities outside the Soviet Union.

One American tourist reported a conversation in a synagogue with an oldtime Russian employee of the American Embassy. This employee had been jailed in 1946 and was recently released from prison. He wanted to stop at the American Embassy to arrange for his sorely needed retirement benefits. Yet he was terrified to go near the place.

We must speak out against this terror, this persecution, this travesty on the fundamental laws of humanity that are being perpetrated in the Soviet Union. It is fitting that Americans of all faiths and representatives of the United States join together in these Halls of Congress and express the indignation of America at the persecution of Soviet Jews.

My resolution is intended to be the first step in what I feel we the Congress, the administration, and the free people of this great Republic must in all conscience do and do immediately.

I hope that my resolution will evoke sufficient expressions of concern and support from the Members of this body and from the Senate that little time will be lost in its adoption. The world must know now how we as a nation feel about this evil and tragic attack upon our fellow men.

So, Madam Chairman, I say to you and to the other distinguished members of this committee, the need for immediate action is clearly obvious, the time for such action is now upon us. If the cause we fought for 20 years ago, the cause for which thousands of our fellow countrymen suffered and died, is not to be in vain, we cannot and we must not defer taking the necessary steps to counteract this satanic menace.

TESTIMONY OF HON. JOHN J. ROONEY OF NEW YORK BEFORE SUBCOMMITTEE ON EUROPE ON HOUSE CONCURRENT RESOLUTION 43

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, on this past Monday, May 17, I presented testimony to the Subcommittee on Europe of the House Committee on Foreign Affairs in support of House Concurrent Resolution 43 which I cosponsored and which instructs the U.S. mission to the United Nations to bring up the Baltic States question before the United Nations. I should like to include my testimony in the RECORD.

TESTIMONY OF HON. JOHN J. ROONEY, BEFORE SUBCOMMITTEE ON EUROPE OF THE HOUSE COMMITTEE ON FOREIGN AFFAIRS, MAY 17, 1965

Madam Chairman and all the distinguished members of this subcommittee, I am most gratified that you are conducting hearings to consider the legislation which I cosponsored on January 4 last. House Concurrent Resolution 43 is designed to take the first steps to correct an evil situation which the world has too long ignored. I am grateful, too, for the opportunity to make a statement in support of the proposal made by my colleagues and me. This bill would instruct the U.S. delegation to the U.N. to raise the unfortunate Baltic situation before that body for the purpose of obtaining a change of attitude on the part of the Soviets and more importantly to obtain a change in the status and well-being of the people of these enslaved countries.

Today we are approaching the anniversary date when 24 years ago the Soviet Union unleashed its secret police to perpetrate a savage attack upon the liberty-loving people of the Baltic States.

Mass deportation, murder, rape, beatings, and all types of vicious indignities were suffered by the unfortunate people of Estonia, Latvia, and Lithuania. To these people who loved freedom and basked in their newly won independence, the illegal and ruthless acts of the Soviets brought misery, suffering, and terror.

Gone is the golden light of freedom; gone is the glorious vision of a land of opportunity and hope for themselves and their children; gone is even the sun from their lives leaving only nights of blackness and despair.

In this great land of ours today there are many of these fine Baltic people who escaped the bestial guards and the dogs who sought to keep them virtual prisoners. We are proud of these fine American citizens for they have brought to us their skills and craftsmanship. They have brought with them great industry and a love of work. In spite of their sorrows and their painful memories they have brought us music, poetry, and art to lift our hearts. But of most importance they have brought us living examples of courage and undiminished love of liberty and independence.

Today as we fight to prevent the sinister attempted encroachment of communism upon small and unarmed countries of the world, we should do our utmost to direct the forceful public awareness of the nations of the world to the Soviet Union's own clear-cut policy of imperialism which continues to enslave these Baltic people who have suffered so much. Surely this vivid evidence of Moscow's present-day colonial policy should be ample evidence of the future which lies in store for any nation which gives up its struggle for independence and embraces the empty promises offered by communism.

Madam Chairman, no red-blooded American who prides himself in the American heritages which we hold dear can long continue to remain mute or complacent while our Baltic kinsmen and neighbors find each day under the illegal domination of Soviet rule so depressing and so unpalatable. Our public conscience and our personal honor demand that we move at once to see that the nations of the world both individually and in concert take such action as will force the Red leadership in Moscow to alleviate the sufferings and right the wrongs of the blessed people of Estonia, Latvia, and Lithuania.

It was to achieve specific remedial action that several of us submitted the proposed legislation now under review. I feel that this Congress and this administration in keeping with its "can do" philosophy must take the initiative in speedy and forceful action through the U.N. to obtain the withdrawal of all Soviet troops, agents, and "puppeteers" from these three innocent slave states; to return all the people in forced exile or in slave camps; and to give true sovereignty and the right of self-determination to all of the people of Estonia, Latvia, and Lithuania.

To that task and to the accomplishment of that objective, Madam Chairman and members of this subcommittee, I have pledged my fullest cooperation and my most energetic supoprt. I covet sincerely similar cooperation and support of this legislation from all my colleagues.

A BILL TO PROHIBIT THE FEDERAL POWER COMMISSION FROM EXERCISING JURISDICTION OVER RURAL ELECTRIC COOPERATIVES

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. BANDSTRA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BANDSTRA. Mr. Speaker, I am today introducing a bill to amend the Federal Power Act of 1935 so as to specifically exclude the Federal Power Commission from exercising jurisdiction over rural electric cooperatives.

There is nothing in the existing law giving the Commission such jurisdiction, nor is there any evidence that the Congress, when it passed the law in 1935, ever intended to confer such jurisdiction.

However, in July 1963, the FPC attempted to extend its control over certain operations of REA-financed cooperatives. New legislation is therefore necessary to preclude any possibility that the FPC might, at some future date, assume jurisdiction over rural electric cooperatives.

This new legislation is justified for two important reasons.

The FPC, first of all, has no statutory authority for jurisdiction over REA cooperatives. The Federal Power Act of 1935 gave the FPC regulatory powers over certain activities of investor-owned utilities. But this law says nothing about FPC jurisdiction over rural electric cooperatives. The Congress could hardly have intended to confer such jurisdiction. It was not until a year later, in 1936, that the Congress passed the Rural Electrification Act and thereby provided for Government assistance in the development of REA cooperatives.

Second, there is no need for FPC control over rural electric cooperatives. The FPC exercises legitimate jurisdiction over investor-owned utilities, which operate in a situation where conflicts may arise between producers and consumers of electric power. The rural cooperatives, however, operate under quite different circumstances. These cooperatives are largely owned by the persons they serve and, as such, are inherently self-regulatory. Furthermore, the cooperatives already are under the jurisdiction of the Rural Electrification Administration, which has adequate supervisory power over the activities of REA-financed cooperatives. For 30 years, the rural cooperatives have operated free of any FPC controls and, during this period, have done an excellent job of bringing electric power to rural areas. This has been the case in Iowa, as well as elsewhere in the Nation. There is no reason to think that the rural cooperatives or the public interest would benefit by extension of FPC controls over a system that has worked so well in the past.

Indeed, should the FPC extend its jurisdiction to rural electric cooperatives, it is quite likely that the results would be harmful. Such a situation would produce dual governmental regulation. It would be both costly and confusing. And it would amount to excessive governmental regulation in an area already well regulated.

Since the FPC has neither the authority for jurisdiction over REA cooperatives nor the need for such jurisdiction, I feel clarifying legislation is needed to avoid any future difficulties.

Hearings on this legislation already have been held by the Senate Committee on Commerce, and I hope this matter will receive prompt attention in the House of Representatives.

THE STRAWBERRY CRISIS

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, with unanimous consent, I am inserting in the RECORD the testimony presented by Michael Peevey, director of research of the California Labor Federation, AFL-CIO, before the U.S. Department of Labor, May 12, 1965, concerning the strawberry crops in California:

TESTIMONY PRESENTED IN BEHALF OF THOS. L. PITTS, SECRETARY-TREASURER, CALIFORNIA LABOR FEDERATION, AFL-CIO, BEFORE U.S. DEPARTMENT OF LABOR EXAMINER E. WEST PARKINSON, REPRESENTING THE CALIFORNIA FARM LABOR PANEL ESTABLISHED BY SECRETARY OF LABOR W. WILLARD WIRTZ, SALINAS, CALIF., MAY 12, 1965

My name is Michael Peevey and I am director of research of the California Labor Federation, AFL-CIO. I am appearing in behalf of Thomas L. Pitts, secretary-treasurer of the California Labor Federation, AFL-CIO.

About 3 weeks ago the California Farm Labor Panel, after taking testimony here, acceded to grower requests and recommended importation of Mexican farmworkers in Monterey County. Secretary Wirtz accepted the panel's findings "without qualification" and a total of 1,403 foreign workers have already been consigned to the Salinas Growers Farm Labor Association.

At that time, our remarks were, of necessity, brief. Since then there have been a number of new developments including a new request for an additional 2,100 braceros. We would like to take this occasion to expand on our earlier remarks, and to comment upon this new request.

Since the hearings 3 weeks ago, Salinas Strawberries, Inc., known by some as the world's largest strawberry patch, has reported daily in the mass media that it can't get enough people to harvest its crops despite all attempts. They claim the strawberries are rotting in the fields and that they are losing $50,000 a day.

Carrying on their much ballyhooed propaganda barrage, the Governor was asked to designate Monterey County a disaster area, and the suggestion was made that convict labor pick the strawberries. Of course, this latter request shouldn't be surprising since for years the people they did use were treated like convicts. Just a few days ago they also announced that they were going to South Dakota to recruit reservation Indians. Just about the only constant in this volatile situation is that domestic workers have been given a steady "runaround." What are the facts?

In 1965 strawberry planting in Monterey County runs to about 3,600 acres—of this amount one firm, Salinas Strawberries, has 2,000 acres. All the noise and newspaper headlines about crops rotting in the field are being generated by this firm. Owners of the remaining 1,600 acres of strawberries have not complained about a lack of domestic workers, nor have they lodged any requests with the State department of employment and the U.S. Department of Labor for foreign nationals to come in and help out in the harvest. In fact, the San Francisco Sunday Chronicle, May 9, quoted grower George Otsuki as saying that within a week he had been able to catch up without losing "any more berries than we usually do at the start of the season."

Also, the San Francisco Examiner reported on May 9 that: "Despite the reported shortage of labor for the strawberry harvest, labor recruiters in San Jose said that they have had to halt their campaign because growers have not made jobs available.

"A spokesman for Community Recruitment of Personnel (CROP) said 1 of 3 Salinas Valley growers receiving help laid off his crew Friday because he was caught up on the harvest."

The paper also said: "A spokesman for CROP said working conditions at Salinas Strawberries were inferior, with toilets jointly shared by men and women workers often 500 yards away, and a single drinking cup provided at water spigots."

This one firm, Salinas Strawberries, is the Goliath of the strawberry industry. Yet it has not offered to domestic workers the criteria set forth by the Secretary of Labor's regulations of December 19, 1964; particularly family housing and written contracts. As reported in the press, the firm is not even offering acceptable toilet facilities. As a matter of fact the field conditions are a public disgrace, and, over the past weekend the public was treated to a real tragicomedy. Over 1,000 pickers queued up at Salinas Strawberries in search of work. But hundreds were turned away because they couldn't be processed. It seems a bit peculiar that a firm so in need of workers should act in such a way.

Moreover, it wasn't until less than 2 weeks ago, on May 1, that this company started paying wages based on an incentive, piece-rate basis. It is paying 75 cents a tray. Other growers in this area and elsewhere in the State have been offering piece rates yielding higher hourly earnings than this, for weeks. Belatedly, the grand sachem of the strawberry industry has decided to become just a little bit more competitive. But some growers pay 85 cents a tray. So Salinas Strawberries is still not offering a competitive wage. The panel's own report stated, "It stands to reason, moreover, that last-minute compliance on the eve of obtaining braceros would not provide a real test of ability to recent domestic workers under proper conditions."

Neighboring strawberry farms are offering $1.40 an hour plus 15 cents a tray so that a worker who picks two trays an hour gets $1.70 an hour, that is, $1.40 plus the two trays at 15 cents a tray—while at Salinas Strawberries the same worker would get $1.50 an hour. Can there be any doubt where workers will go, to what fields they will be attracted when such a wage disparity exists?

In this regard in San Joaquin County, at the Al Brocchini farm, there is no farmworker problem. The farm is organized by the Agricultural Workers Organizing Committee. A few days ago there were 192 men in the field and they did not expect to have any trouble getting all the additional workers they needed. The going wage at piece rate was 85 cents a tray, which averaged out to around $2 an hour for workers who could pick more than two trays an hour.

The wages paid and the working conditions offered by Salinas Strawberries are not competitive with those being paid in the immediate vicinity, nor with the above noted AWOC-organized farm in San Joaquin County. Yet this firm has set forth a steady stream of propaganda, using their tremendous economic power as an integral part of the agribusiness community to try to convince the public that strawberries, unless picked by imported foreign workers, will cost more than caviar. This type of scare tactic is an old technique. Anyone with a little foresight knew that such an attempt would be made, as we pointed out over a year ago. Salinas Strawberries hopes to frighten and dupe the public and thereby use the force of outraged public opinion to force the Department of Labor to reopen the floodgates for the mass importation of temporary foreign workers in direct contradiction of the expressed will and intent of the Congress of the United States.

Neither Secretary of Labor Wirtz nor his California Farm Labor Panel can afford to sit idly by and watch such an occurrence. As Glenn Brockway, Regional Administrator of the Department of Labor's Bureau of Employment Security stated a few days ago: "Heavy labor turnover in Monterey strawberry work has been ascribed to virtually everything except the grower's failure to provide decent housing, wages, supervision, and working conditions for his workers."

Salinas Strawberries, Inc., is operating in this instance, as they have in the past, on the basis that it will be business as usual as soon as we bludgeon the Government into seeing things our way. They must not be allowed to get away with such arrogant and baldly transparent strategem.

In addition to the large number of underemployed domestic agricultural workers (which we have noted in previous testimony) there are over 425,000 unemployed workers in California. For the week ending April 29, 1965, 3,112 persons received unemployment insurance benefits in Monterey County. An additional 12,965 persons claimed benefits in Santa Clara County and in San Benito County the figure was 373. Thus a total of over 16,000 persons were claiming unemployment insurance in these three counties only 2 weeks ago. However, these 16,000 persons are not the only unemployed; there are many others. For example, in 1964 total unemployment in Monterey County averaged 4,800 of which 2,480 were covered by unemployment insurance. Those covered by unemployment compensation equaled 52 percent of the total unemployed. If we make the logical and conservative assumption, that the 16,000 insured unemployed in the 3 counties equal about 55 percent of total unemployment in Monterey, Santa Clara, and San Benito Counties, then for the period ending April 29, 1965, there were about 30,000 persons unemployed in the 3 counties combined.

Out of the 30,000 unemployed there are many workers willing and able to harvest strawberries if they were not given the "runaround" by growers who want braceros, not domestics.

In this regard we would once again remind the panel of an important fact. Domestic agricultural workers are not covered by California's unemployment insurance system. If an unemployed worker currently drawing unemployment compensation takes a job in agriculture and then becomes unemployed he is no longer eligible for unemployment insurance benefits. He would not be covered by unemployment insurance again unless by his own devices he got a nonfarm job. And even if he succeeded in getting a nonfarm job and later became unemployed, he could be denied his benefits if he, as a now experienced farmworker, refused farmwork. However, under California's unemployment insurance program, a farm employer may voluntarily decide to cover his employees under unemployment insurance. Such a step would be one indicator of good faith of the grower. But is there any indication that such a step is even contemplated here in Salinas?

Another point needs attention in light of the claim that strawberries are going to cost more than caviar. At present harvesters are being paid 75 to 85 cents a tray. There are 12 pint baskets to a tray plus a "rakeoff" which nets another two baskets, thus yielding all told 14 baskets to a tray. Yesterday the price of a basket of strawberries in the San Francisco area was surveyed by the California Labor Federation, AFL–CIO. The going price in most markets was 39 cents a basket. Assuming 14 baskets to a tray, this yields $5.46 a tray. If the piece-rate wage was raised from 85 cents to $1 a tray—thus raising the average picker's wage to about $2 an hour—the cost to the housewife would only be about 1 cent more per basket of strawberries. Even if the piece-rate per tray was raised to $1.15 the cost of a basket of strawberries at retail would only rise about 2 cents, from 39 to 41 cents a basket. These figures give another indication of the grossly exaggerated claims of the growers that higher labor costs will put them in bankruptcy court.

This is just another reason why the patently absurd claims of this one big grower in the Salinas area should be viewed with skepticism. The firm has discredited itself in the eyes of all objective observers.

A spokesman for Salinas strawberries, according to the Sacramento Bee, stated that his firm is sacrificing everything in an attempt to save 300 acres of its best berries. This is a transparent falsity: they are not making the sacrifice of paying wages competitive with the other growers in the area. As a matter of fact, this company is actively discouraging local workers from seeking out jobs in the strawberry harvest. They simply do not want domestic workers to do the job.

They want to pay as low a wage as possible, and as long as growers can get away with paying abysmally low wages—wages less than half the average hourly wage paid in the State—the taxpayers of California will foot the difference in higher welfare costs. As secretary-treasurer Thos. L. Pitts has pointed out repeatedly, Californians pay a double subsidy to the growers when braceros are employed in this country.

Through taxes Californians pay the staggering health and welfare cost of supporting domestic farm workers and their families who, because of the deplorable wages, unemployment and underemployment perpetuated by the foreign farm labor program, are ill-clothed, ill-housed, ill-educated and ill-treated. In farm communities domestic agricultural workers represent the vast majority of people on welfare.

The failure of the growers to keep pace with the wages in other sectors of the California economy also has meant the California economy has lost millions of dollars in taxes and other revenues.

Also, whenever braceros come in, money leaves this country because the only purpose they have in coming is to take their earnings back to Mexico.

The panel currently has before it an additional request for some 2,100 braceros. Now the grand scheme of things is coming into focus. Over 1 year ago, on March 13, 1964, Thomas L. Pitts, secretary-treasurer of the California Labor Federation, AFL–CIO, stated in testimony before Governor Brown and the U.S. Department of Labor that:

"Unless we are very much mistaken, the crowning touch has yet to be discussed. We have in mind the very real possibility that the Sunday punch being readied for delivery to the public and the Congress at the critical moment in 1965 is a coldly calculated staging of a few crops rotting in the fields. This time-tested and unsurpassed agribusiness propaganda device could in fact be invoked at token cost to an industry whose dominant forces are quite accustomed to planning in long-range terms, particularly in a crop or two where harvest labor costs are a major portion of production expenses. Augmenting the minimization of actual losses in such a maneuver, due to the deliberate failure to utilize harvest labor, is the fact that removal of the planned surplus acreage from the harvest operation is simply a variant of the green dropping of peaches, as an example, practiced in most years under the growers' marketing orders in order to bring about a more favorable balance between supply and demand. In other words, although the tonnage harvested would be reduced, net income could be maintained at or near normal level through high prices induced by relatively low marketings.

"But think of the bonanza that would be reaped in the press and quickly converted into the ultimate bludgeon for permanent resuscitation of the foreign labor importation program. We are by no means alone, incidentally, in recognizing certain indicators that this has been in fact an integral part of the timetable that has been plotted for use if necessary in the saturation campaign zeroed in on unqualified public acceptance of the bracero program as a clear but necessary evil.

"Now let us be perfectly frank in stating that we are truly at a loss for words to do justice to this entire proposition. The normal adjectives that might be applied to this thoroughly incredible proposal simply do not measure up to the situation. If the State of California and the Federal Government are capable of buying this package, then we freely predict that the peddlers of the Brooklyn Bridge are on the threshold of their lushest days."

The Los Angeles Herald-Examiner, on May 6, ran a banner headline, accompanied by pictures and stated that hundreds of acres of strawberries would be plowed under beginning the following day because of lack of pickers. Yet Saturday's Los Angeles Times noted that only a portion of 1 acre was plowed under as a "symbol." The whole episode was a pure and simple public relations exercise. It's a gimmick and should fool no one.

Let's state for the record what everybody knows already. The great "strawberry crisis" is a rigged crisis. It is a deliberately deceptive publicity campaign, possibly in collusion with the State's other major agribusiness interests, to try to force the Government to acquiesce to the growers' demand for cheap foreign labor. Public relations men have been turning out reams of releases about disaster areas, crops rotting in the fields, and the need for convict labor.

Of course, it should be noted that the date for the threatened "plow-under" of some acreage, according to Monday's San Francisco Chronicle, May 10, has been moved back 1 week. How many times can this Salinas "Peter" cry "wolf" before his cries lose even the faintest echo of a ring of truth.

And how long before the public raises the cry of "Hoax, hoax?"

Yet out of this propaganda barrage the agribusiness community in the State hopes to force the Department of Labor to back down. What's happening in Salinas amounts to a "test case." And the potential payoff, to agribusiness, is the resurrection of the entire discredited bracero program under Public Law 414.

In this case there is no "middle ground." It is a cleverly calculated gambit, and the panel must turn it down out of hand.

HALTING THE DOLLAR DRAIN

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Hungate] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. HUNGATE. Mr. Speaker, in the interest of halting the dollar drain and protecting our gold reserves, President Johnson has recommended that persons taking vacations consider the wonders and excitement to be found in the United States. But a recent article by John Crosby indicates that, as yet, our Government has not made it as simple to find out about vacation resorts and scenic areas of this country as it is to find out about foreign countries.

In an effort to check on Mr. Crosby's article, I placed a call to the U.S. Travel Bureau and was advised it could not give out information to U.S. citizens but I was referred to the National Association of Travel Organizations. These people were very courteous but only furnished me a listing of various chambers of commerce throughout the United States to whom I could write. In short, I find no central clearinghouse that can furnish information designed to promote and provoke vacations in America.

For those having the same difficulties as myself, in planning an all-American vacation, I can only recommend the somewhat dated works written by Thomas W. Jackson, at least a quarter of a century ago, such as "On a Train Through Arkansas," "Through Missouri on a Mule," "Don't Miss It! See America First," "Take a Joy Ride With Thomas W. Jackson to the Land of Smiles," "Thomas W. Jackson Catches a Fish and Tells the Story," "Thomas W. Jackson Coming With 'Good Stuff' 100 Percent Fun," "Thomas W. Jackson With All the Funny Ones," and "You Can't Beat It."

As preliminary research on a vacation, I would suggest, "Through Missouri on a Mule." At this point, Mr. Speaker, I insert the John Crosby article:

IT'S NOT SO SIMPLE TO SEE U.S. FIRST

(By John Crosby)

LONDON, April 19.—A Greenwich Village lady wrote me the other day to complain that she had taken President Lyndon B. Johnson at his word when he told Americans to stay home this summer and keep all those precious American dollars in the United States. She decided to stay and see America.

"Wanting to know something about the natives, where to go, what to see, how much to tip, I called the U.S. Information Service and the Department of Commerce and asked if they had any travel bulletins they could send me," she said. "There was a shocked silence at the other end, as if the person who took my call held the receiver away from her ear, looked at it in amazement, and muttered under her breath, 'Why do they always put them on my extension?' "

The Department of Commerce told the lady to call the State Department. The State Department told her to call the Commerce Department. When she told State that Commerce had already bucked her over to the State, State said rudely: "All right, I'll give you a name to call. We don't bother with Americans. We help only European tourists."

When she finally tracked down the name in State, the name said: "Who gave you my name? Yes, we do have a travel department, but it's only for Europeans. Go to a travel agency or write to the U.S. Travel Service."

She wrote the U.S. Travel Service. Back came a reply mimeographed, which suggests that many other Americans thirsting for information about their own country got the same thing:

"We regret that we do not have travel literature on this country for distribution within the country. The U.S. Travel Service is engaged in the promotion of travel to the United States from abroad. All of our materials are in the languages of the countries abroad in which they are being used. An inventory is not maintained in this country. We are enclosing a list of information in the various States which we hope will be helpful to you."

But the lady quite understandably doesn't want to write 50 separate State chambers of commerce. California alone has seven different regional ones. She tried two travel agents, as the man from State suggested. Apparently neither of the travel agents had ever been anywhere in the United States, although they had been everywhere around the rest of the world. They could only suggest scenic wonders like Niagara Falls or the Grand Canyon, that sort of thing.

The lady wanted passionately to do some very American thing—go down the Mississippi in a paddlewheeler, see Frank Lloyd Wright's houses, visit the best museums, or maybe inspect an automobile assembly plant.

It seems that nobody in America knows where these places are. You can, if you are an American, find out where attractions are in Russia or Afghanistan or maybe Tanzania. It's only the United States that hides its tourist charms—at least from its own citizens. Foreigners know. I'm always astounded at how much visiting English or touring Swedes know about hidden cultural assets which Americans know nothing at all about.

However, the Greenwich Village lady hasn't give up yet.

"Perhaps you have an English friend who could get some travel information for you about the United States," she wrote me. "I'd be glad to exchange some beautiful brochures on Great Britian."

I'll try and find her an English friend. But it would be easier, wouldn't it, if the U.S. Government let down the bars and allowed its own citizens to find out where to travel in their country?

In spite of the plea of the President and the Secretary of Commerce for Americans to stay home this summer, the airlines, the shipping lines, the travel agencies all report a record year for travel abroad.

American tourists are expected to spend more than a billion dollars in Europe and Asia this summer, thus making our balance-of-payments problem that much worse.

POPULAR ELECTION OF THE GOVERNOR OF GUAM

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, on August 1, 1950, President Truman signed into law the Organic Act of Guam. Under its provisions Guam became an unincorporated territory of the United States and its people became citizens of the United States. But the act did not afford a full measure of democracy to the Guamanians.

Although the island community elects its own unicameral legislature the executive is appointed by the President of the United States. The people of Guam now seek to elect their own Governor. They are not asking to join the sisterhood of States; they realize that their small population and their limited economic resources preclude such a drastic transition. In view of their parochial situation, they could not, and do not, expect ever to attain statehood. But they do aspire to a fuller measure of democracy on their own island. After all, they are American citizens and as such are rightful heirs to the form of government Jefferson declared in 1776 to be the just lot of freemen, a government which derives its just powers from the consent of the governed.

The Guamanians have fully demonstrated a maturity worthy of full local autonomy. Yet they are treated differently from people who live in other unincorporated territories.

Puerto Rico, for example, has been permitted since 1947 to elect its own Governor. Although it is known as a Commonwealth, Puerto Rico is in reality an unincorporated territory, just as is Guam. Certainly Puerto Rico has not suffered any political, economic, or social deterioration since its citizens were entrusted with the responsibility of self-government. There is no reason why Guam, which is free of many of the problems inherent in Puerto Rico, could not fare as well with an elected governor.

Accordingly, Mr. Speaker, I have today introduced a bill to provide for the popular election of the governor of Guam by its people.

I wish to make it abundantly clear, Mr. Speaker, that by this action I do not in any way intend to cast any reflections upon the character or ability of the incumbent Governor, who is a personal friend of mine and who is doing a great job. He, too, I am sure will favor this legislation.

Let us not delay granting a well-earned recognition to a group of deserving Americans.

COMMISSION TO APPROVE FEDERAL NARCOTIC DRUG REGULATIONS PERTAINING TO MEDICAL PRACTICE

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, in January of 1963 the late President Kennedy created the Advisory Commission on Narcotic and Drug Abuse. The Commission was charged with recommending a program "to prevent the abuse of narcotic and nonnarcotic drugs and to provide appropriate rehabilitation for habitual drug misusers."

President Kennedy gave strong Executive recognition to the seriousness of the national problem of increasing narcotic drug addiction, and in 1962, he called the White House Conference on Narcotic and Drug Abuse. Many noted authorities in the field participated in this conference, and their presentations and discussions provided much of the basic material for the study conducted by the subsequently formed Presidential Commission.

The Commission submitted its report to the President in November of 1963. Of the 25 recommendations contained in that report, I found the following one of particular significance:

> The Commission recommends that Federal regulations be amended to reflect the general principle that the definition of legitimate medical use of narcotic drugs and legitimate

medical treatment of a narcotic addict are primarily to be determined by the medical profession.

To someone unfamiliar with the history of narcotic drugs regulation in this country over the past 40 years, this recommendation might well be surprising. Who but the medical profession is in a position to determine the legitimate medical use of narcotic drugs and the legitimate medical treatment of a narcotic addict?

The fact of the matter is, Mr. Speaker, that here in the United States it is a police agency which, with relation to narcotic drugs, decides what is good medicine and what is not.

The Bureau of Narcotics has the primary responsibility for enforcing Federal laws controlling the traffic in narcotic drugs. Of these, the Harrison Act of 1914 is primary. This act in effect limits the uses of narcotic drugs in the United States to those which are "legitimately medical" by "a registered physician, dentist, veterinary surgeon, or other practitioner in the course of his professional practice."

Bureau regulations which interpret the Harrison Act for prescribers and dispensers of narcotic drugs echo the language of the act in saying:

> A prescription, in order to be effective in legalizing the possession of unstamped narcotic drugs and eliminating the necessity for use of order forms, must be issued for legitimate medical purposes (26 CFR 151.392).

So far so good. But then the regulations go on to say:

> An order purporting to be a prescription issued to an addict or habitual user of narcotics, not in the course of professional treatment but for the purpose of providing the user with narcotics sufficient to keep him comfortable by maintaining his customary use, is not a prescription within the meaning and intent of the act.

This is very strange language, Mr. Speaker, for the regulations of a Treasury Department bureau which was assigned the job of making sure that certain tax laws were not being evaded. In effect, the Bureau of Narcotics states flatly that a certain kind of medical treatment is not legitimate.

I wonder how many people realize, Mr. Speaker, that this regulation has stayed on the books despite specific rulings by the Supreme Court with which it is in direct conflict. Of these rulings the basic one is the following, made by the Court in *Linder* v. *United States*, 268 U.S. 5 (1925), setting forth its interpretation of the Harrison Act:

> The enactment under consideration levies a tax, upheld by this Court, upon every person who imports, manufactures, produces, compounds, sells, deals in, dispenses or gives away opium or coca leaves or derivatives therefrom, and may regulate medical practice in the States only so far as reasonably appropriate for or merely incidental to its enforcement. It says nothing of "addicts" and does not undertake to prescribe methods for their medical treatment. They are diseased and proper subjects for such treatment, and we cannot possibly conclude that a physician acted improperly or unwisely or for other than medical purposes solely because he has dispensed to one of them, in the ordinary course and in good faith, four small tablets of morphine or cocaine for relief of conditions incident to addiction.

And the court also warned, in Linder, that earlier decisions, which the Bureau at that time was using to justify its intensive campaign against the Nation's physicians, were limited in intent. Concerning the opinion in *United States* v. *Behrman*, 268 U.S. 280 (1922), which is still one of the Bureau's favorite citations, the Court stated:

> This opinion related to definitely alleged facts and must be so understood. * * * The opinion cannot be accepted as authority for holding that a physician who acts bona fide and according to fair medical standards may never give an addict moderate amounts of drugs for self-administration in order to relieve conditions incident to addiction. Enforcement of the tax demands no such drastic rule, and if the act had such scope it would certainly encounter grave constitutional difficulties.

The Bureau has ignored these clear positions of the Court. Undoubtedly its prescribing and dispensing regulations would have been challenged and changes enforced had it not been for the plain fact that the damage had been done. As the Advisory Council of Judges to the National Council on Crime and Delinquency reported last year, the Linder decision was "too late to change the pattern":

> The doctors had withdrawn. The addict could not reapproach them. The peddler had taken over, and his profits soared as enforcement efforts reduced his competition and drove his customers deeper into the underworld.

Mr. Speaker, that is precisely the situation we have been in ever since. And that is precisely the significance of the above-cited recommendation of the President's Commission. After a 40-year period, it has been recognized that we must somehow get the drug addict and the doctor back into contact.

To repeat: The President's Commission asks that Federal regulations be amended to reflect the general principle that the definition of legitimate medical use of narcotic drugs and legitimate medical treatment of a narcotic addict are primarily to be determined by the medical profession.

The bill I am introducing today would accomplish what the Commission recommends. It provides for a permanent commission, composed of members of the medical and related professions, which would have the power to approve or disapprove of all regulations issued by the Commissioner of Narcotics which define or refer to medical practice.

In this bill, Mr. Speaker, I am not advocating any particular kind of treatment for the narcotic drug addict. The intent of the bill is to see that the competent authorities of the country determine what the best treatment is and that they are in a position to revise that determination as medical science yields additional knowledge and techniques.

The business of medicine, Mr. Speaker, is for doctors. I ask my fellow Members to help me get it back to them.

EMPHASIS IS ON PEACE

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. IRWIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. IRWIN. Mr. Speaker, I wish to include here an article from the Bridgeport, Conn., Telegram, of May 1, 1965:

EMPHASIS IS ON PEACE

"I say again that I will talk to any government, anywhere, any time, without any conditions; and, if any doubt our sincerity, let them test us."

President Johnson could not be clearer or more emphatic in his desire to settle the war in Vietnam in these words, which he uttered in his recent press conference.

He anticipated that this offer may be rejected, as it was in the past, but said "it will remain open, waiting for the day when it becomes clear to all that armed attack will not yield domination over others."

There are reasons inherent in his words for the rejection of his peace offer now. First, he takes care to say he will deal with any government. The Chinese and North Vietnamese insist on the fiction that the rebel Vietcong guerrillas are the only ones who can speak for South Vietnam. They are hardly a government.

Second, the President rightly made the war in Vietnam the continuation of our war of liberation, fought for a generation. He has reminded the Reds that wherever we stood firm, aggression has been halted, peace has been restored, and liberty has been maintained.

The Chinese Communists know that. They tasted it in Korea. The Soviet Union tasted it in Greece. There has been no advance by aggression either in Europe or Asia since this policy of containment began.

To change this policy would be to jeopardize our own welfare, our own freedom. It would surrender to Chinese aggression, which is beginning to seek foreign conquest. It must be stopped, as Russian aggression was stopped in Europe, before it gathers strength.

As the President said, "This is the clearest lesson of our time. From Munich until today, we have learned that to yield to aggression brings only greater threats and brings even more destructive war. To stand firm is the only guarantee of a lasting peace."

Those are our terms. They have brought a restive peace for a generation. They will continue to keep the peace as long as we firmly adhere to it.

NATIONAL PRAISE FOR FRESNO MALL

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SISK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SISK. Mr. Speaker, the people of Fresno, Calif., whom I am honored to represent, are very proud of the Fresno Mall, a unique development of the city's central core carried out as a part of our extensive urban renewal program.

We are particularly happy to note that our Mall is receiving nationwide study and recognition as a successful rehabilitation of a city's downtown business section which may be equally successful in other cities facing the same problem.

The Fresno Mall development was ably discussed and evaluated in an article appearing in the Washington Post on Sunday, May 16, 1965. We naturally are pleased that the author of the article, Mr. Wolf Von Eckhardt, an authority in the fields of architecture and city planning, has commended Fresno's enterprise and the physical developments which have resulted and suggests that Fresno's Mall design may be adopted by other cities.

Because of its possible general significance in the field of downtown urban renewal, with which many other cities are confronted, I ask that Mr. Von Eckardt's informative article be made available through the Record, as follows:

Fresno's Mall Is Fine Place for a Ball

(By Wolf Von Eckardt)

Fresno, Calif.—This city of 154,000 people, located about half way between Los Angeles and San Francisco and between the Sierra mountains and the Pacific, is the center of the richest agricultural region in the world.

It is also the only city in America which has, in the heart of its all too typical downtown gridiron of jumbled buildings, filling stations, and parking lots, an enchanting, lively, and truly urban oasis.

Though the Fresno Mall is relatively modest, its miracle may offer greater hope for the future of the American city than the ambitious, cataclysmic urban renewal projects in larger cities. Fresno didn't use bulldozers much. It only cleared automotive congestion and the ugly urban underbrush from the asphalt jungle of nine blocks of business streets and cultivated them intensely.

The effort has stimulated new business and a surprisingly lively flowering of the arts.

And the cheering news is that attractive surroundings do indeed foster a better life and that intelligent civic responsibility is indeed met by civic response.

The handwriting appeared on the walls of downtown Fresno 10 years ago, in the form of "for rent" signs. The most telling single symptom of decay the merchants recall was when the Sears, Roebuck store followed its customers to suburbia.

In other cities which have managed to renew themselves, some strong, high-spirited knight has entered the stage at this point—a determined, courageous mayor, like Richard Lee in New Haven; a brilliant planner, like Ed Bacon in Philadelphia; or a skillful urban renewer, like Ed Logue in Boston or Justin Herman in San Francisco.

In Fresno, the "knight" was the collective effort of three groups—Downtown Association of Merchants and Property Owners; the city government, which adopted the council-manager system in 1958; and the urban renewal agency. Each had strong leaders, but it is a measure of the solid political ground under the Fresno Mall that all three groups closed their ranks tighter after. strangely and tragically, their three leaders died within a year.

By that time, says a Fresno official, "Victor Gruen's plan had captured us and kept us together."

It also helped that the three groups shared equally in the cost of preparing the plan. Even the chamber of commerce accepted the untried idea with enthusiasm—perhaps because Fresno's businessmen, for the most part, are young.

"Maybe that also makes us more daring and broadminded," said one. "At any rate," he added, "we decided right from the start that if we did anything at all, we'd do it right."

Fresno chose architect-planner Victor Gruen because it liked his famous Fort Worth plan. It called for closing off the entire central business district of the Texas city to automobile traffic. The streets and squares were to be converted into pleasant outdoor spaces where people could roam at will. To make this possible, a freeway lined with parking garages would loop around the pedestrian haven. From the garages, people would either walk, or ride on little electric trains or moving sidewalks. The buildings would be serviced by underground track passages leading right into them.

Fort Worth, for various reasons, never carried out the plan. But it works extremely well in the heart of rebuilt Coventry, the center of England's car industry, and several other European cities.

In this country, the idea of separating people and cars has, of course, proven itself in several suburban shopping centers. And some 50 cities from Miami Beach to Kalamazoo, have attempted to cure downtown automotive paralysis by closing a block or two to motor traffic.

But Bruen warns that a well-functioning urban heart is not just a matter of paving a street and putting up a few potted trees. You can't just simply subtract automobiles, he says. You must also add new dynamism and variety.

In Fresno, the first to apply the idea extensively as part of a comprehensive redesign of an existing American city, it took 5 years of planning and building before the mall was constructed. And the mall is just the beginning. Both functionally and esthetically it is carefully related to a whole new downtown, including a new courthouse, convention hall, and civic center which are now under construction.

"Our aim," says Gruen's partner in charge of the Fresno project, Edgardo Contini, "is to eke out as much beauty and urban design of the existing grid system and the existing, still serviceable buildings as possible without destroying either."

The planners began by getting the highway people to change the location of their proposal for new freeways so that they would effectively serve and define a downtown area large enough to be viable and leave room for expansion. It was probably the first time in America that planners got ahead of highway engineers and that both collaborated fruitfully for the benefit of a city.

The next step was to create the necessary parking spaces to make the pedestrian mall possible and to rearrange the traffic pattern. The mall, covering six long continuous blocks as well as a block each of three cross streets, was completed last September at a cost of $1.5 million—a good bit of which disappeared underground for the re-laying of utility lines and building new drainage systems.

Designed by landscape architects Eckbo, Dean, Austin & Williams, it is sheer and sustained delight. The artistic sophistication of the patterned pavement, the fountains, sculptured waterways, light fixtures, trash bins, planter boxes, and islands of trees and greenery matches that of the best sculpture courts in our modern art museums. The almost overly rich variety of forms, colors, ideas, and surprises is only matched by the inventive thoughtfulness with which it serves the comfort of people.

The pavement is easy to walk on and softly ebbing and flowing so rain water won't collect. The fountains, cascades, pools, and jets, all different and fascinating designs, are automatically geared to the wind velocity so people won't get wet. In some, the water gushes along stylized brooks that splash over richly colored and patterned blazed adobe sculptures. Some you can cross on little bridges; others tempt you to run along them, dragging your hand in the water. All of them help to cool the mall in the hot Fresno sun.

For the grownups, there are places to sit in the sun amidst greenery, in the shade under arbors or protected from the wind behind handsome mosaic walls.

For the children, there are marvelous little playgrounds, some donated by merchants, with enchanting, modern play equipment.

There is, of course, a sidewalk cafe and another to come. There is the almost obligatory clock tower, a little reminiscent of Naum Gabo's famous street sculpture in Rotterdam and a little skimpy and skinny.

But there are also eight excellent sculptures, some commissioned from young unknowns, others by famous sculptors. The "piece de resistance" is a cast of Auguste Renoir's "La Grande Laveuse," handsomely displayed under some chaste planting in a quiet corner of the mall.

These sculptures were donated by local businessmen. Such was their enthusiasm that their art committee collected $200,000. It would accept only a $5,000 minimum and no interference with its professionally guided selection and placement of the art works. Yet, even the car dealers pitched in.

The fact that these sculptures are placed, not in a serene museum atmosphere, but amidst the bustle of a lively marketplace, gives them a new, exhilarating quality.

This is still a typical, rather jazzy American main street. A few of the stores, to be sure, have been handsomely remodeled. One rather rundown block will be replaced. But the rest is still a jumble of high and low, passable and ugly business buildings and store fronts. There is still, despite hopes for some esthetic control, the usual, often vulgar array of advertising signs. In time, greater consistency and some restraint may still assert itself. But even as is, the strong design of the mall itself seems to drown out the visual noise on the sidelines. For once good design beats bad design.

And between all these wonders, shaded by 169 trees, wind noiseless and slow-moving little electric trains, driven by attractive girls who will collect a dime from you and let you on or off wherever you wish.

It is not surprising that business along the Fresno Mall has already improved by more than 20 percent. It draws people from afar, not only to shop but also because it is simply a nice place to be.

The new sense of belonging and cohesion the mall has given Fresno and its more than 60 ethnic groups, is most tangibly expressed in the art festival it inspired. It started with the mall's opening festivities last fall but is to become an annual affair held in May. Devoted to dance, drama, literature, music, and painting, the festival presents some serious offerings by out-of-town guests at places other than the mall and under roof. This any city might do.

What makes the festival Fresnian and unique are the high school band concerts, the Japanese and Armenian folk dancing, the Buddhist choir, the children's gymnastic performances, the puppet shows, the amateur art exhibits.

This is the city where William Saroyan was born and lives, and its new mall is where Saroyan's America comes to life—as you watch the little Japanese, Mexican, Caucasian, or Negro faces become enraptured as they listen to a pretty young Fresno actress telling them about Cinderella.

Around the corner from the storyteller and the clown kneels Renoir's strong, yet graceful, bronze nude. She holds her cleansed laundry with almost surprised incredulity. She, too, seems astonished to find herself in a small California city, a symbol of what may herald the renaissance of urban life in America; a new merging of art and life.

JOHNSON'S NO-NONSENSE DIPLOMACY SETS BACK MARXISTS IN CARIBBEAN

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, I was happy to see the Portland Press-Herald endorse the President's policy in the Dominican Republic. The President well deserves the assurance contained in the paper's editorial of May 3, which follows:

JOHNSON'S NO-NONSENSE DIPLOMACY SETS BACK MARXISTS IN CARIBBEAN

The dust has not yet settled in Santo Domingo—or to use a euphemism, the Dominican Republic—but the fog is clearing a bit, and it is beginning to appear that the prompt intervention by this country prevented the Reds from turning the country into another Cuba.

The revolt was touched off a week ago Saturday by young army officers seeking return of constitutional rule and reinstallation of Juan Bosch as president. They failed to win a quick victory and, discouraged, began dickering with members of the ruling civilian junta, then supported by most of the navy and air force elements. During this lull in the fighting the leftists moved in to take advantage of the breakdown in authority, and by Tuesday morning thousands of civilians had somehow been armed by the rebels and the fighting in Santo Domingo became so fierce that Washington began offering to rescue Americans and other nonresidents. By Thursday night President Johnson had decided to send in marines and Army personnel, and despite the criticism of other Latin nations it seems to have been a wise precaution.

Fidel Castro's sister is being quoted as saying that the Cuban dictator has been slipping men and arms into the Dominican Republic ever since the 1963 expulsion of Bosch. The Allen-Scott column this morning declares that after the Bosch overthrow the Republic's new envoy to the Organization of American States submitted shocking evidence of Red infiltration both to the OAS and to the Senate Armed Services Preparedness Subcommittee.

With the CIA also busy there, it may be that the administration was not taken by complete surprise when the rebellion was taken over—as it appears now—by Marxists. But for Johnson's hard diplomacy, the Caribbean might well be witnessing an extension of Castro's rule, and we hope the OAS will be sufficiently impressed as to take collective security measures of its own.

OUR RESPONSIBILITIES IN VIETNAM AND THE WORLD

Mr. FARNSLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. HULL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. HULL. Mr. Speaker, in his historic speech at the Johns Hopkins University on April 7, President Johnson said this about the situation in Vietnam and about our responsibilities elsewhere in the world:

> We fight because we must if we are to live in a world where every country can shape its own destiny. And only in such a world will our own freedom be finally secure.
>
> We must deal with the world as it is, if it is ever to be as we wish.

In the long history of the world, despotism has become a venerable institution—but freedom is still young. If we are to see liberty succeed and prevail in the world, I believe we must be prepared for many a long and bitter struggle in its defense.

I have no illusions about the difficulty of those struggles. But the knowledge of our President's resolute and resourceful actions in matters of foreign policy has given me confidence recently. Fortunately many other Americans—newspaper editors among them—agree; today I would like to offer for the RECORD an editorial from the St. Joseph, Mo., Gazette of April 28:

L.B.J.'S MESSAGE

Once again, at his news conference yesterday, President Lyndon B. Johnson set forth in easily understandable terms the purposes which guide his decisions regarding southeast Asia and the conflict in South Vietnam.

The primary intent, one which has been voiced by this country for all the years since the end of World War II, is to block the swallowing-up of free and independent countries by communism through subversion fed and financed by their Communist neighbors.

Overthrow of free governments by terrorism in the streets, across the countryside in hamlets and farming areas, hit-and-run tactics of guerrilla gangs is the Communist idea of "wars of liberation." Communism has openly pledged to support such wars as a means of subverting the entire world to that ideology.

It was Castro's tactic. Indonesia practiced it to gain control of independent areas in that Pacific region. And, although Sukarno disclaims communism, he is associated with Russia and Red China and continues to send his guerrilla bands into areas of Malaysia in an effort to further subvert free people. The same tactic disrupts many governments of Latin and South America.

By refusing to bow to terroristic takeover of a nation this country pledged to support as a neutral product of the 1954 agreements on Indochina, President Johnson is telling the world—and communism specifically—that Communist inspired "wars of liberation" will not be condoned. He is telling the world that such armed assault on a neighbor, fed by convoys along back roads and by shadowy ships which slink at night along the shore, is just as much aggression as attack by marching armies.

He is telling the world that the United States will no longer be taken in by the term "wars of liberation."

ABOLITION OF RESIDENCE IN AID TO THE BLIND BILL

The SPEAKER pro tempore (Mr. MATSUNAGA). Under previous order of the House, the gentleman from California [Mr. KING] is recognized for 10 minutes.

Mr. KING of California. Mr. Speaker, today I have introduced a bill to eliminate residence as an eligibility requirement to receive aid to the blind in the federally supported State programs of aid to the blind.

My bill does not embody a novel concept, nor does it represent a departure from our accepted practices and established legal provisions. Rather, it is completely consistent with our American traditions and constitutional precepts that an American is a citizen of the entire land, not just of a boundaried part; that the whole Nation is his domain; that he may travel from State to State without restriction or restraint, seeking his fortune where he will, abandoning an old life of frustration and failure for a new life of promise and challenging hope.

By tradition and by legal concept and provision, an American is a citizen of all America, and all America is his homeland, he may establish his home in any part of America.

The greatness of America has come, in no small measure, from the free movement of its people—from East to Midwest, from Midwest to Far West—from farms to factories—from centers of static society, stagnant economy, to the very edge of the wilderness, where life—fluid and unfixed—offered opportunity for all who dreamed and hoped for the one new and better chance, and found it waiting for them.

Yes, Mr. Speaker, America has grown to greatness because its people held full rights of citizenship throughout the whole Nation, and they were free to go wherever fortune beckoned them from the life they knew—a life of failure or success; a life low or high in station—to the challenge of new lands and new industries, new hopes fulfilled, new dreams transformed into reality, a life that put renewed vitality into old and weary aspirations.

The full width and length of America should always be—must always be—the open and unrestricted domain of all Americans if we are to continue to grow and develop as a nation—and this should be so, must be so, whether a man is in need of public help or is prosperous; whether he is rich or poor; highly trained and skilled in a trade, business, or profession, or without any training or skill at all, but still is desirous of trying once more in a new place to find his place; to build his life in a new locality, in a different field of economic endeavor.

Mr. Speaker, I have long been an opponent of residence laws in programs of public welfare, for they freeze a man in his place; deny to him the right to go somewhere else, to try again in spite of ill fortune or adversity, to seek again for the realization of his shattered hopes and scattered dreams in a fresh assault on life in a strange land and among strangers—a strange land to him, but nevertheless a part of vast America—strangers to him, but still his fellow Americans.

It is my belief that all Americans must possess the right to move freely where their dreams lead them in America; where opportunity invites them in America.

This right to move freely throughout America should not be denied to men in need who have their sight; it certainly should not be denied to men in need who are without their sight.

Mr. Speaker, I am opposed to a requirement in all Federal-State public welfare programs that, to qualify for aid, a person must live in a State for a specified length of time.

I am particularly opposed to such a residence requirement in the federally supported aid to the blind programs provided for under title X of the Social Security Act.

Over the years, Congress has endeavored to make the Federal-State aid to the blind programs a means by which needy blind persons might be helped to achieve rehabilitation—might ultimately free themselves through their own efforts from a lifetime of dependency upon public assistance; might free the community of the obligation of providing support for them the remaining years of their lives.

Abolition of residence requirements in the Federal-State aid to the blind programs would be another forward step in making these programs truly programs offering a means of achieving full rehabilitation to normal, productive lives.

The bill I have introduced would abolish residence requirements in aid to the blind programs in the States.

It would restore to men and women who are blind and dependent upon such programs a basic right of their American citizenship: the right to move anywhere in the country without loss or hazard, without forfeiture or restraint.

A man who has lost his sight still possesses an almost limitless capacity for profitable productivity, but because of the nature of the economic environment in which he resides he may be unable to find employment; because he is needy and dependent upon public sources for support, he cannot leave his home community or State, devoid of job opportunities for him, to reestablish himself in a more advantageous area of the Nation, because public assistance would not be available to him in the new State—since he would lack the years of residence in the new State to qualify him for such aid.

So, Mr. Speaker, this man remains in his barren community—barren for him—barren of employment opportunities for a man who is blind. And, because he dare not venture toward new horizons that offer him hope and a better future, but also offer only starvation until he can find work, until he can earn again—he remains where he happens to live and continues to live—not too well—but continues to live for the rest of his life as a public charge, a permanent recipient of public assistance.

Thus, this man who is blind, denied freedom of movement because he is needy and because of the restrictiveness of State laws, lives a lifetime of dependency upon public generosity, when he might become a taxpayer himself. He becomes and remains a drain upon the community, contributing nothing to the financial resources of the Nation, but constantly depletes the resources of the Nation—when he might give much to the Nation, producing to the fullest realization of his talents and abilities; working, producing, and contributing to the strength of the Nation.

How many blind men and women, recipients of public assistance, live out their lives in the near-destitution of public assistance, when they possess the capacity and the capability to live full and fruitful lives, economically self-sufficient lives, if they were free to abandon the State of their established residence and strive for a better life in a more economically favorable surrounding?

State residence requirements deny to blind Americans in need the opportunity to attain the dignity and fulfillment in their lives that can only come to them—as to all other men—when they earn their own way; when they are able, through their own efforts, to provide for their own needs and the needs of their family.

State residence laws in aid to the blind programs are un-American and they are uneconomic. They serve only to stifle and stagnate, suffocate and suppress initiative and ingenuity, independence and self-reliance.

Enactment of my bill into law would open up the entire Nation to those who are recipients of aid to the blind and opportunities for work and lives of worth now denied to such people would be theirs for the seeking, would be theirs for the seeking without danger or detriment—and the venturesome few or the venturesome many—what matter, for even one life is important in America—would be able to function as active and affirmative participants in our society.

Mr. Speaker, I am happy to report that my own State of California has repealed its residence requirements for entitlement to receive publicly provided aid to the needy blind.

When this measure was being considered by the California Legislature it was contended in opposition, that since aid to the blind payments were higher in California than those paid in other States in the Nation, and—if you will pardon my local pride—since California has the finest climate of any State in the Nation—for these reasons and others, it was contended that repeal of residence requirements in California's program of aid to the blind would result in thousands of blind people flocking to California to apply for aid to the blind payments.

But, these criers of doom and disaster were wrong.

They were completely wrong.

In fact, Mr. Speaker, I have inquired and have been unable to learn of any one instance where it could be conclusively established that a needy blind person went to my State of California for the sole purpose of applying for aid to the blind support.

ELLIS ISLAND

The **SPEAKER** pro tempore (Mr. MATSUNAGA). Under previous order of the House, the gentleman from New York [Mr. FARBSTEIN] is recognized for 10 minutes.

Mr. **FARBSTEIN**. Mr. Speaker, on May 11, 1965, the President of the United States issued a proclamation making Ellis Island part of the Statue of Liberty National Monument.

Both Ellis Island and the Statue of Liberty are located in the congressional district which I have the honor to represent in this body. Ellis Island came into Federal possession in 1800. It was placed under the control of the Federal Bureau of Immigration in 1890 for development as an immigration station. It has been host to 70 percent, or upward of more than 16 million, of all those entering this country between 1892 and 1954. The Ellis Island immigration station was disestablished in 1954 and since that date the island has been under the custody and control of the General Services Administration.

In view of the President's proclamation, I have introduced legislation to appropriate such funds as may be required to develop Ellis Island as a part of the Statue of Liberty National Monument, since I am of the opinion that Ellis Island is of national significance and is eminently qualified for protection and preservation as a part of the national park system.

The millions of little people who passed through the Ellis Island Depot seeking refuge, freedom, and liberty have, along with immigrants who have attained prominence in our country, made a significant contribution to the United States of America's rise to the position of world power and it is my hope that the required funds will be appropriated.

In connection with the establishment of Ellis Island as a national monument, the Honorable Robert F. Wagner, mayor of the city of New York, acting in his capacity of chairman of the All Americans Council of the Democratic National Committee, on May 13 issued the following statement which I am pleased to bring to the attention of this body:

ALL AMERICANS COUNCIL, DEMOCRATIC NATIONAL COMMITTEE, HOTEL STATLER-HILTON, NEW YORK, N.Y.

Mayor Robert F. Wagner, chairman of the All Americans Council of the Democratic National Committee, today issued the following statement:

"In proclaiming Ellis Island a new Liberty State Park, President Johnson has recognized the deep significance for millions of Americans of this small island in New York Bay. He is to be saluted for making a national memorial out of the former 'gateway to America.'

"President Johnson's establishment of Ellis Island as a Liberty State Park is but the most recent example of his concern for and responsiveness to American immigrants, both past and present. It is in the same tradition as his congressional message urging the passage of revised immigration legislation—legislation to eliminate the un-American national origins quota system. It is, indeed, characteristic of the breadth of his understanding of American history—and of the contributions made by every group—that he has created a national memorial of the island which welcomed peoples of every language, color, and nation over the globe.

"From 1891 until late in 1954, more than 20 million people from the Old World passed into the New World through Ellis Island. That, indeed, was the first piece of free soil upon which these millions of people set foot.

"Often their only possessions were their dreams. These immigrants succeeded in creating new lives for themselves and their descendents—and they helped to create a new America. They contributed new cultural traditions. They helped to build new industries. They helped to increase the wealth of our Nation.

"Thus, it is appropriate that Ellis Island should now be a national monument to remind all of us of our incalculable debt to those who dreamed a dream of America and helped to make it a reality."

WE MUST MEAN WHAT WE SAY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Delaware [Mr. McDowell] is recognized for 5 minutes.

Mr. McDOWELL. Mr. Speaker, as several of our Nation's leading newspapers have commented, including a fine editorial by the Evening Journal, and one by the Boston Traveler, Congress strongly supports President Johnson's policies to defend freedom against Communist aggression anywhere in the world.

This fact is significant and I am sure it is being studied carefully in the Communist capitals. It points up the strong support the vast majority of Americans have for President Johnson's handling of foreign policy matters.

Let no aggressor be mistaken by America's determination to fight for liberty.

At this time I include the editorial from the Evening Journal, of Wilmington, Del., and the Boston Traveler editorial in the Record:

[From the Wilmington (Del.) Evening Journal, May 4, 1965]

We Must Mean What We Say

The United States yesterday began building up its forces in the Dominician Republic to some 15,000 troops, the equivalent of a division. That should be power enough to carry out this Nation's purposes, as President Johnson stated them on Sunday evening. If not, more will be sent—because these purposes must be achieved.

There will, of course, be those who will deny that the decision to send troops in order to evacuate Americans and other foreigners from strife-torn Santo Domingo was anything but a cover for our true purpose. Russia and her satellites, particularly Cuba, have charged us with aggression and intervention and imperialism under the guise of humanitarianism. They contend that our real aim is to make the Dominican Republic an American puppet.

But the American record, with respect to this particular Latin American neighbor, refutes such attacks. The President reminded all concerned that the United States has worked with its fellow members of the Organization of American States in dealing with the despotic Trujillo regime and the revolution that ended it. We gave our sympathetic support to the regime of Dr. Juan Bosch. At the same time, we did not intervene when that regime was overthrown by a military coup.

The President was frank to say that the U.S. goals, as of now, include prevention of "another Communist state in this hemisphere." Just how that purpose is to be achieved is not crystal clear, but those who want to keep the revolution going—whether they are supporters of Dr. Bosch or Communists or irregular fighters out of control—will have American power to deal with. It will be used with discretion but it will be used.

How dangerous is this Communist threat? Since Cuba's Prime Minister Castro has made no bones of the fact that Communists trained elsewhere have been fighting with the Dominican rebels, the threat is real. The measure of it may lie not in the number of Communist agents involved but in their ability to keep the fighting going and do maximum damage to the economic, political, and social fabric of the country.

The ultimate justification of our course must rest on the outcome of the President's decisions. He has acted decisively. He has explained his actions. He seeks the understanding and backing of the OAS on the ground that the United States seeks a free and democratic Dominican Republic in a free and democratic Western Hemisphere. The task is to prove that we mean what we say.

[From the Boston (Mass.) Traveler, May 5, 1965]

Backing for Johnson

If the policymakers of Hanoi and Peiping think this nation is badly divided over Vietnam, they should pay attention to the present mood of Congress. It's a much better barometer of American thinking than are the demonstrations of a few appeasers and pacifists.

Congress, in effect, has told President Johnson that he can have as much money as he wants for military spending. No strings, no limits.

Democratic Representative Mendel Rivers, chairman of the House Armed Services Committee, has said: "Whatever he needs, he's going to get as far as I'm concerned."

Representative Gerald R. Ford, House Republican leader, has said that Johnson should "immediately come to Congress for a supplement to the military budget."

In short, the backing for Johnson's actions in Vietnam and the Dominican Republic is strong and bipartisan. And it represents strong popular backing at home, far more indicative of the public mood than are the demonstrators who wail about the bombing of bridges in North Vietnam.

Congress, of course, knows full well that its opinions on military spending will be fully reported in the Communist capitals. And those who are speaking approval are actually warning the Reds not to be misled about our intentions abroad, and not to suppose that we're going to get out of Vietnam just because a few protest groups think we should.

If the Communists interpret our mood accurately, the chances of increased Red aggression will dwindle and general war will become less likely.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Gallagher, Mrs. Kelly, Mr. Dulski, Mr. Murphy of Illinois, Mr. Giaimo, Mr. Johnson of California, and Mr. Yates (at the request of Mr. Albert), for today, on account of official business as members of the U.S. delegation of the Canada-United States Interparliamentary Group.

Mr. Don H. Clausen (at the request of Mr. Gerald R. Ford), for today, on account of official business.

Mr. Pelly (at the request of Mr. Gerald R. Ford), for Thursday, May 20, 1965, on account of official business.

Mr. Harvey of Indiana (at the request of Mr. Gerald R. Ford), for an indefinite period, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Derwinski (at the request of Mr. Johnson of Pennsylvania), for 1 hour, on June 14.

Mr. Patman, for 30 minutes, on May 24 and May 25, and to revise and extend his remarks and include extraneous matter.

Mr. King of California (at the request of Mr. Farnsley), for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Farbstein (at the request of Mr. Farnsley), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. McDowell (at the request of Mr. Farnsley), for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Farbstein (at the request of Mr. Farnsley), for 15 minutes, on Monday, May 24, 1965; and to revise and extend his remarks and include extraneous matter.

Mr. Brademas (at the request of Mr. Farnsley), for 30 minutes, on May 25; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Gilligan and to include extraneous matter.

(The following Member (at the request of Mr. Johnson of Pennsylvania) and to include extraneous matter:)

Mr. Schweiker.

(The following Members (at the request of Mr. Farnsley) and to include extraneous matter:)

Mr. Rivers of South Carolina.

Mr. Celler.

ADJOURNMENT

Mr. FARNSLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 22 minutes p.m.), under its previous order the House adjourned until Monday, May 24, 1965 at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1121. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Practical Nurses' Licensing Act, and for other purposes; to the Committee on the District of Columbia.

1122. A letter from the Comptroller General of the United States, transmitting a report of inadequate management of special purpose ammunition pallets resulted in unnecessary procurement actions, Department of the Navy; to the Committee on Government Operations.

1123. A letter from the Comptroller General of the United States, transmitting a report of improper use of funds appropriated for operation and maintenance expenses, U.S. Section, International Boundary and Water Commission, United States and Mexico; to the Committee on Government Operations.

1124. A letter from the Comptroller General of the United States, transmitting a report of unnecessary costs resulting from the failure to furnish available parts to a contractor engaged in the production of ¾-ton trucks, Department of the Army; to the Committee on Government Operations.

1125. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to amend the Administrative Expenses Act of 1946, as amended, to provide for reimbursement of certain moving expenses of employees, and to authorize payment of expenses for storage of household goods and personal effects of employees assigned to isolated duty stations within the continental United States; to the Committee on Government Operations.

1126. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees located in isolated areas who become disabled because of injury or illness not attributable to official work, and for other purposes; to the Committee on Interior and Insular Affairs.

1127. A letter from the Chairman, U.S. Commission on Civil Rights, transmitting a report of investigations conducted in 1964, and a public hearing held in February 1965, concerning denials of the right to vote in Mississippi, pursuant to Public Law 85–315, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MADDEN: Committee on Rules, H. Res. 395. Resolution for consideration of H.R. 7750, a bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; without amendment (Rept. No. 359). Referred to the House Calendar.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 89. A bill to authorize establishment of the Tocks Island National Recreation Area in the States of Pennsylvania and New Jersey, and for other purposes; with amendment (Rept. No. 360). Referred to the Committee of the Whole House on the State of the Union.

Mr. BECKWORTH: Committee on Post Office and Civil Service. H.R. 1732. A bill to extend the act of September 26, 1961, relating to allotment and assignment of pay, to cover the Government Printing Office, and for other purposes; without amendment (Rept. No. 361). Referred to the Committee of the Whole House on the State of the Union.

Mr. EDMONDSON: Committee on Interior and Insular Affairs. H.R. 5842. A bill to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961; with amendment (Rept. No. 362). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 8131. A bill to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961; with amendment (Rept. No. 363). Referred to the Committee of the Whole House on the State of the Union.

Mr. WHITTEN: Committee on Appropriations. H.R. 8370. A bill making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1966, and for other purposes; without amendment (Rept. No. 364). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BANDSTRA:

H.R. 8308. A bill to amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission over nonprofit cooperatives; to the Committee on Interstate and Foreign Commerce.

By Mr. CLEVENGER:

H.R. 8309. A bill to provide for a national cemetery at Fort Custer, Mich.; to the Committee on Interior and Insular Affairs.

By Mr. DANIELS:

H.R. 8310. A bill to amend the Vocational Rehabilitation Act to assist in providing more flexibility in the financing and administration of State rehabilitation programs, and to assist in the expansion and improvement of services and facilities provided under such programs, particularly for the mentally retarded and other groups presenting special vocational rehabilitation problems, and for other purposes; to the Committee on Education and Labor.

By Mr. DYAL:

H.R. 8311. A bill to provide for a temporary moratorium on payments under Federal Housing Administration-insured and Veterans' Administration-guaranteed mortgages for mortgagors who are unemployed as the result of the closing of a Federal installation, and for other purposes; to the Committee on Banking and Currency.

By Mr. FINDLEY:

H.R. 8312. A bill to provide feed grain program benefits to cooperating farmers affected by flood or other natural disaster; to the Committee on Agriculture.

By Mr. GILBERT:

H.R. 8313. A bill to prohibit the importation of persons to perform agricultural labor; to the Committee on the Judiciary.

By Mr. GILLIGAN:

H.R. 8314. A bill to amend the Sherman Antitrust Act (15 U.S.C. 1 et seq.) to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize, and for other purposes; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 8315. A bill to amend section 8(b) (4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

By Mr. HELSTOSKI:

H.R. 8316. A bill to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. JARMAN:

H.R. 8317. A bill to amend section 116 of title 28, United States Code, relating to the U.S. District Court for the Eastern and Western Districts of Oklahoma; to the Committee on the Judiciary.

By Mr. JONAS:

H.R. 8318. A bill to amend the Internal Revenue Code of 1954 to provide the same benefits for employees of public hospitals with respect to certain pensions and profit-sharing plans as those presently provided for employees of private nonprofit hospitals, other charitable organizations, and public and private schools; to the Committee on Ways and Means.

By Mr. KING of California:

H.R. 8319. A bill to encourage the needy blind to enroll in rehabilitation programs by prohibiting State residence requirement in assistance to the blind; to the Committee on Ways and Means.

By Mr. McDOWELL:

H.R. 8320. A bill to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McVICKER:

H.R. 8321. A bill to amend the Internal Revenue Code of 1954 to allow credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 8322. A bill to provide for the popular election of the Governor of Guam, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. NELSEN:

H.R. 8323. A bill to amend section 402(d) of the Federal Food, Drug, and Cosmetic Act; to the Committee on Interstate and Foreign Commerce.

By Mr. O'BRIEN:

H.R. 8324. A bill authorizing participation by the Corps of Engineers in cooperative planning in the State of New York; to the Committee on Public Works.

By Mr. O'KONSKI:

H.R. 8325. A bill to provide for the establishment of the St. Croix National Scenic Waterway in the States of Minnesota and Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. OLSEN of Montana:

H.R. 8326. A bill to amend the Civil Service Retirement Act to grant retirement credit for certain service in the U.S. merchant marine in World War II, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8327. A bill to modify the flood control project on the Sun River at Great Falls, Mont.; to the Committee on Public Works.

By Mr. OLSON of Minnesota:

H.R. 8328. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 8329. A bill to provide additional assistance for areas suffering a major disaster; to the Committee on Public Works.

By Mr. REID of New York:

H.R. 8330. A bill to amend the National Defense Education Act of 1958 to delete the loyalty oath and criminal disclosure provisions; to the Committee on Education and Labor.

By Mr. REIFEL:

H.R. 8331. A bill creating a commission to be known as the Presidential Commission on Simplification of the Income Tax Laws; to the Committee on Ways and Means.

By Mr. RYAN:

H.R. 8332. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

By Mr. SCHWEIKER:

H.R. 8333. A bill to amend title 10, United States Code, to provide for the establishment of a program of cash awards for suggestions, inventions, or scientific achievements by members of the Armed Forces which contribute to the efficiency, economy, or other improvement of Government operations; to the Committee on Armed Services.

By Mr. SKUBITZ:

H.R. 8334. A bill to provide for the establishment and administration of the Great Prairie Parkway in the State of Kansas; to the Committee on Interior and Insular Affairs.

By Mr. BERRY:

H.R. 8335. A bill to terminate the Indian Claims Commission and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROCK:

H.R. 8336. A bill to amend the Tennessee Valley Authority Act of 1933 to provide that the issue of just compensation may be tried by a jury in any case involving the condemnation of real property by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. BROYHILL of Virginia:

H.R. 8337. A bill to amend the District of Columbia Practical Nurses' Licensing Act and for other purposes; to the Committee on the District of Columbia.

By Mr. CORMAN:

H.R. 8338. A bill to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961; to the Committee on Education and Labor.

By Mr. DERWINSKI:

H.R. 8339. A bill to provide for the distribution of unused immigration quota numbers; to the Committee on the Judiciary.

H.R. 8340. A bill to provide for the issuance of a special series of postage stamps in commemoration of the 75th anniversary of the founding of the General Federation of Women's Clubs; to the Committee on Post Office and Civil Service.

By Mr. EDWARDS of California:

H.R. 8341. A bill to provide assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques, and practices in State and local law enforcement and prevention and control of crime, and for other purposes; to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 8342. A bill to authorize the Secretary of State, acting through the U.S. Commissioner, International Boundary and Water Commission, United States and Mexico, to make and execute on behalf of the United States of America, land leases and concession contracts with persons, companies, and corporations on lands and waters under the jurisdiction of the U.S. Commissioner, International Boundary and Water Commission, at Amistad Dam and Reservoir, Tex., and for other purposes; to the Committee on Foreign Affairs.

By Mr. FULTON of Tennessee:

H.R. 8343. A bill to amend the Internal Revenue Code of 1954 to establish a Commission on Medical Use of Narcotic Drugs which must approve regulations of the Secretary of the Treasury relating to the medical use of narcotic drugs; to the Committee on Ways and Means.

By Mr. KING of Utah:

H.R. 8344. A bill to authorize the acquisition of certain lands within the boundaries of the Uinta National Forest in the State of Utah, by the Secretary of Agriculture; to the Committee on Agriculture.

By Mr. O'HARA of Michigan:

H.R. 8345. A bill to amend the National Defense Education Act of 1958 to delete the loyalty oath and criminal disclosure provisions; to the Committee on Education and Labor.

By Mr. PATTEN:

H.R. 8346. A bill to amend title I of the Tariff Act of 1930 to limit button blanks to raw or crude blanks suitable for manufacture of buttons; to the Committee on Ways and Means.

By Mr. RANDALL:

H.R. 8347. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from the club dues tax in the case of certain private shooting and fishing preserves; to the Committee on Ways and Means.

By Mr. TENZER:

H.R. 8348. A bill to amend the Sherman Antitrust Act (15 U.S.C. 1 et seq.) to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize, and for other purposes; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.R. 8370. A bill making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

By Mr. HALPERN:

H.J. Res. 477. Joint resolution proposing an amendment to the Constitution of the United States relative to disapproval of items in general appropriation bills; to the Committee on the Judiciary.

By Mr. FASCELL:

H.J. Res. 478. Joint resolution to amend the joint resolution of January 28, 1948, relating to membership and participation by the United States in the South Pacific Commission, so as to authorize certain appropriations thereunder for the fiscal years 1967 and 1968; to the Committee on Foreign Affairs.

By Mr. BOB WILSON:

H.J. Res. 479. Joint resolution authorizing appropriations for the construction, operation, and maintenance of a land boundary fence project, and for other purposes; to the Committee on Agriculture.

By Mr. DYAL:

H. Con. Res. 417. Concurrent resolution to insure equal rights and self-determination for the peoples of Latvia, Lithuania, and Estonia; to the Committee on Foreign Affairs.

By Mr. O'BRIEN:

H. Con. Res. 418. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia; to the Committee on Foreign Affairs.

By Mr. SWEENEY:

H. Res. 396. Resolution calling for congressional investigation of insurance cancellations in urban renewal areas; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

270. By Mr. BARING: Senate joint resolution of the State of Nevada memorializing Congress to enact legislation reducing but not eliminating the silver content of U.S. coinage; to the Committee on Banking and Currency.

271. Also, Assembly Joint Resolution No. 24 of the State of Nevada requesting the Director of the Mint to begin minting silver dollars and memorializing the Congress and the Nevada congressional delegation to take action to insure the minting of silver dollars; to the Committee on Banking and Currency.

272. Also, Assembly Joint Resolution No. 18 of the State of Nevada urging the Congress of the United States to enact at this session the necessary legislation to begin the southern Nevada water supply project; to the Committee on Interior and Insular Affairs.

273. Also, Assembly joint resolution of the State of Nevada memorializing the Nevada congressional delegation to secure passage of legislation to allow a tax credit against the Federal cabaret tax for any similar tax imposed by a State; to the Committee on Ways and Means.

274. Also, Assembly Joint Resolution No. 17 of the State of Nevada memorializing the Nevada congressional delegation to take action to protect the domestic livestock industry from the effect of the importation of meats; to the Committee on Ways and Means.

275. Also, Assembly Joint Resolution No. 31 of the State of Nevada memorializing the Nevada congressional delegation to secure passage of legislation to allow a tax credit against the Federal tax upon slot machines for any similar tax imposed by the States; to the Committee on Ways and Means.

276. By the SPEAKER: Memorial of the Legislature of the State of Colorado, relative to transferring ownership of land purchased by the Federal Government under the Bankhead-Jones Act of 1937 to the various States in which located, to be used for educational purposes; to the Committee on Agriculture.

277. Also, a memorial of the Legislature of the State of Florida, relative to dispensing with the limitations on the prosecution of capital crimes by the German Government; to the Committee on Foreign Affairs.

278. Also, memorial of the Legislature of the State of Ohio, relative to the sale or transfer of the Broadview Heights Veterans' Administration Hospital to the State of Ohio for use as a State hospital for mentally retarded children; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 8349. A bill for the relief of Ioannis Saltaras; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 8350. A bill for the relief of the successors in interest of Cooper Blyth and Grace Johnston Blyth otherwise Grace McCloy Blyth; to the Committee on the Judiciary.

H.R. 8351. A bill for the relief of Clarence L. Aiu and others; to the Committee on the Judiciary.

H.R. 8352. A bill for the relief of certain employees of the Foreign Service of the United States; to the Committee on the Judiciary.

By Mr. BROYHILL of North Carolina:

H.R. 8353. A bill for the relief of Becky Jo and Charles R. Smith; to the Committee on the Judiciary.

By Mr. CLEVENGER:

H.R. 8354. A bill for the relief of Robert W. Wing; to the Committee on the Judiciary.

H.R. 8355. A bill for the relief of John Piasecki and Rose Piasecki; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 8356. A bill for the relief of Peter Cucic; to the Committee on the Judiciary.

By Mr. EVERETT:

H.R. 8357. A bill for the relief of Kim Sung Jin; to the Committee on the Judiciary.

H.R. 8358. A bill for the relief of Milan Compress Co.; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 8359. A bill for the relief of Pietro Ingoglia; to the Committee on the Judiciary.

H.R. 8360. A bill for the relief of Francesco Bivona; to the Committee on the Judiciary.

H.R. 8361. A bill for the relief of Benedetto Giambrone; to the Committee on the Judiciary.

H.R. 8362. A bill for the relief of Salvatore Scalici; to the Committee on the Judiciary.

By Mr. FUQUA:

H.R. 8363. A bill for the relief of Mokhless K. Mugharbel; to the Committee on the Judiciary.

By Mr. McVICKER:

H.R. 8364. A bill for the relief of Loukas Georgios Loukas; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 8365. A bill for the relief of James Alexander Cassells; to the Committee on the Judiciary.

H.R. 8366. A bill for the relief of Faithlyn Wilson; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 8367. A bill for the relief of Mrs. Hechmat Barkohani Nehorayan; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.R. 8368. A bill for the relief of Milton Rosen; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 8369. A bill for the relief of Mrs. Milo Alexander (nee Vyse); to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

215. The SPEAKER presented a petition of the mayor of Aguni Son, Okinawa, Ryukyu Islands, and the chairman of Aguni Son Assembly, Okinawa, Ryukyu Islands, relative to early passage of prepeace treaty claims bill, which was referred to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Schweiker Fair Immigration Bill

EXTENSION OF REMARKS

OF

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1965

Mr. SCHWEIKER. Mr. Speaker, I rise to express my strong support for new immigration laws—laws which will eliminate once and for all the discriminatory aspects of our immigration policy.

Ours is a nation of immigrants. We have built our greatness from the outcasts of many lands. The persecuted, the oppressed, those who were not wanted elsewhere—all of these found refuge upon our shores and contributed to the making of our mighty Nation. We should never forget that our humble origin had its foundation in the efforts of people who were oppressed elsewhere. I hope that this quality of our history will guide us in humility to eliminate invidious discrimination in regard to our present citizens and in regard to future immigrants. I feel this quality of America in a most personal way. My ancestors came to settle in Pennsylvania as members of the Schwenkfelder sect fleeing religious oppression in Germany. They yearned for peace; they yearned for a place where they could enjoy religious freedom; they yearned for an end to their oppression. If the gates of America had not been open to them at that time, I would not be here before you as a Member of Congress today.

We must keep in mind these aspirations of the oppressed. At the same time we must realize that our own population is growing with great rapidity, that opportunities which existed in 1620, in 1840, or in 1910 are not the same as the opportunities in 1965. Frankly we no longer need large numbers of people to populate frontier wilderness areas. We must reckon with a population explosion within our own borders. We must consider the unemployment of at least 5 percent of our working population. Our Nation is already populated from coast to coast. Today we must seek the skills and talents which new immigrants can bring to our shores. We must seek the quality of their contribution to our Nation, not the quantity of numbers.

Let us fashion a new law which eliminates all discrimination on the basis of national origin and asks only of a man what he can contribute to the American civilization of 1965.

Because I am so deeply concerned with the nature of our future immigration laws, I have introduced this week my own immigration bill, H.R. 8502. I am in general agreement with the basic purpose of H.R. 2580, the administration measure, but I feel that certain important improvements incorporated in my bill are necessary. The Schweiker bill, like the administration bill, would eliminate the discriminatory national origins system devised in 1924 and would establish a preference schedule for immigrants which is based on skills and talents rather than upon race and nationality. The Schweiker bill would also phase out existing quotas over a 5-year period. The admission of immigrants on a first come, first served, skill criteria basis would be a built-in feature. But there are certain problems which the Schweiker bill would reach which the present administration bill does not reach. For example, the Schweiker bill would:

First. Eliminate all national origin preference of immigrants, including existing preferences for Western Hemisphere nationals;

Second. Establish an annual ceiling of 315,000 to cover all immigrants, both quota and nonquota;

Third. Endorse emergency migration for all political refugees without giving national origins preference to any particular geographic area;

Fourth. Avoid possible influx of unskilled labor at times of high national unemployment by using better controls than H.R. 2580 provides;

Fifth. Establish a Selective Immigration Board rather than the proposed mixed congressional and executive Immigration Advisory Board.

1. ELIMINATE ALL NATIONAL ORIGIN PREFERENCES

The administration bill does not reach the desired goal of eliminating national favoritism. The administration bill favors nations of Latin America and North America. It favors nations of northern Europe. It is our task to remove all hypocritical aspects of our present immigration policy. We must fashion a new law which will be completely nondiscriminatory as written and applied.

All nations want equal treatment; all nations deserve equal treatment. Nations of the free world should have an equal chance to send their citizens here. The administration bill quite clearly does not place all nations on an equal basis. Written into H.R. 2580 is the potential for new preferential treatment.

The administration bill would offer preferential treatment to nationals from Western Hemisphere nations by maintaining for them special nonquota status. This preference has existed in the past. It should be abolished. Unless we settle this problem finally, by eliminating all national preferences, questions may be raised in future years as to why a citizen of Peru or Bolivia is given an open door for entry while an applicant from France, Italy, or the United Kingdom must wait in line under the quota system. This inequity can be solved by repealing section 1101(A)(27)(c) title 8, United States Code—Immigration and Nationality Act.

2. ANNUAL IMMIGRATION CEILING OF 315,000

I recommend an annual immigration ceiling of 315,000 to cover both quota and nonquota immigrants. The administration measure contains no ceiling figure on immigration. Presently we accept an average of 273,000 immigrants yearly—95,000 under quotas and 178,000 nonquota immigrants. I suggest, with the administration, full use of quotas to allow immigration of 158,361 yearly. But I also recommend holding nonquota immigration to 156,639 in order to keep within the suggested 315,000 ceiling, an increase of 42,000 over the average total number of immigrants now entering this Nation yearly. In this way we shall be able to advise the American people with full candor the number of immigrants to be expected each year. This will help allay the fears of some opponents of the administration bill that the new law would generate a tremendous increase in immigration.

Secretary of State Dean Rusk has said, and I agree with him:

> It would not bother me to say to anyone outside the United States, we are sorry that we cannot admit you because we have run out of numbers.

But it does make it difficult from a moral, political, and psychological point of view to say: "I am sorry but we have run out of numbers for Greeks, or Italians, or Canadians." With the suggested ceiling of 315,000 there would still be adequate room for political refugees to enter as nonquota applicants.

3. EMERGENCY MIGRATION FOR POLITICAL REFUGEES WITHOUT GEOGRAPHICAL FAVORITISM

It has been traditional American policy to offer asylum to the politically oppressed. The administration bill engages in geographical favoritism by singling out one area, the Middle East, for special mention in its provision for political refugees. Certainly there will be persons outside "the general area of the Middle East" who will qualify in the future as politically oppressed. I see no reason to single out the Middle East for special mention in the administration bill. I would point out that our Nation is already participating magnificently in efforts to alleviate the plight of refugees in the Middle East, under the fair share law, Public Law 86-648, under Public Law 480, the food-for-peace program, and by cooperating with the United Nation High Commissioner for Refugees to settle refugees, many of them from the Middle East, in the United States.

4. AVOID INFLUX OF UNSKILLED LABOR CREATING UNEMPLOYMENT PROBLEM

Section (10) (A) (2) of the administration bill offers a fourth preference to immigrants capable of performing specific functions for which a shortage of employable and willing persons exists in the United States. I believe tighter restriction should be placed on the immigration of persons who might possibly compete with the existing U.S. labor force at a time when at least 5 percent of our working population is idle. Often the claim of "shortage of employable and willing persons" is without foundation.

I recommend strongly that the Congress make clear its intention that, before any person is admitted under the proposed fourth preference—

First. The Secretary of Labor be required to find that a labor shortage for the specific functions which the immigrant would perform does, in fact, exist and cannot be filled by U.S. citizens;

Second. The Attorney General be in possession of written evidence of the willingness of U.S. employers to hire immigrants for this specific function; and

Third. The immigrant applicant worker be required to show written proof of a job offer for this specific function and his intention to accept the offer.

Only after these three steps are satisfied should the fourth preference provisions become operative. The Schweiker bill contains these provisions.

5. ESTABLISH IMMIGRATION BOARD WITHIN EXECUTIVE

The administration bill creates an Immigration Board consisting of members from both the executive and legislative branches. This mixed membership seems inadvisable. I recommend that the Immigration Board be part of the executive branch without congressional membership. Congressional oversight would be maintained by requiring periodic reports from the Board. The Schweiker bill would create a Selective Immigration Board in the executive branch similar in composition to the Federal Power Commission. The Board would promulgate regulations under the new law, continuously study immigration conditions and recommend allocation of the quota immigration visas under the 10 percent allocated for the politically oppressed.

Mr. Speaker, there is another serious defect in H.R. 2580. Statistics indicate that of the 158,361 quota positions available in 1964, northern European nations received 81 percent, southern European nations 17 percent, and the rest of the world only 2 percent. The United Kingdom never uses half its quota of 65,361, while the quota of 100 for the Philippines is backed up for 90 years and the quota of 308 for Greece, 325 years. Other nations also suffer this hardship of severe oversubscription. This hardship deprives applicants for an entire lifetime of realizing their dreams of life in the United States. The proposed administration bill would make it quite possible for this hardship now suffered by nationals of Italy, Greece, and other nations with backlogged, small quotas to be sustained by future Presidential action.

The administration bill would allow the President to take 30 percent of a reserve pool, intended to benefit victims of the deprived small quota countries, and assign this 30-percent reserve instead to northern European nations which have enjoyed preferential large-quota treatment for the past 45 years. Most of the nations which might be so affected—Germany, Netherlands, Norway, Sweden, Denmark, United Kingdom, Belgium, and France—do not come close to using their present quotas. There is no reason to expect a sudden substantial increase in the number of their citizens seeking to come to the United States. This 30-percent outright grant has no valid statistical or foreign policy basis.

By placing the burden of choosing between nationals of one country over another, on vague undefined criteria such as national security or hardship, we would rewrite preferred treatment into our new law.

There is apparently no reason for the provision other than to increase the President's power in a field where Congress has traditionally reserved policy decisions to itself. The proposed gradual reduction of large country quotas over a 5-year period, by only 20 percent, will avoid the possibility of hardship accruing to these large quota countries. When we look at the small waiting lists for these large quota countries, we realize that each of the present applicants will have a chance to be admitted during the 5-year phase out period of the national origins system. No hardship will result. The suggestion that hardship for large quota countries may result is not supported by available statistics. Furthermore, we would do more for the national security of our Nation, by completely eliminating the possibility of preferential treatment. Otherwise we shall irritate the feelings of friendly nations outside northern Europe who will be disadvantaged by the 30 percent technique. Such Presidential discretion, and its prospective use, will undercut the very purpose of this bill. I am convinced that this delegation of power, which has been reduced from 50 to 30 percent since last year, does not deserve a place in this bill. This section simply reinstates the possibility of discrimination in favor of northern European nations. I do not favor such possibilities.

Mr. Speaker, many years ago one of our great Presidents, Woodrow Wilson, in an address given at Independence Hall in Philadelphia on July 4, 1914, gave a definition of liberty which applies to our efforts today. Wilson stated:

> Liberty does not consist in mere general declarations of the rights of men. It consist in the translation of those declarations into definite action.

We must translate the declaration of liberty into definite action as part of our new immigration laws. Our task is not merely to give a partial response to the demands for change. Our task is to create a clear, comprehensive, and completely fair law. It is time now to offer true equality to all applicants who seek membership in the American community.

Camphill Village, U.S.A., Inc.

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 20, 1965

Mr. CELLER. Mr. Speaker, thoughtful Americans have been encouraged recently by the new emphasis which has been placed both by private groups and Government on research to attack the causes of mental retardation. Each year this scourge denies us the contribution to our national life which otherwise would be made during their lifetime by tens of thousands of infants who are born mentally retarded. The President's panel on mental retardation states that approximately 126,000 are born each year mentally retarded.

It is to be hoped that the $241 million Federal investment—fiscal 1965—which is now being made in the concerted effort to reduce retardation will in the years ahead obviate the necessity for major attention to the care of the retarded. Unfortunately, as in the case of so many causes of disease and death, the dividends of research are not immediate. In the case of retardation, we are left in the interim with a national responsibility to assist in the effort to make more meaningful, useful, and bearable the lives of those for whom present day research is too late.

I have been encouraged and inspired recently not only by the final realization of the importance of research in this field but by the wise and enlightened direction taken by some of the organizations giving their attention to the care of the retarded and particularly to those which seek to meet the challenge presented by the plight of young adult retardates whose problems often become even more overwhelming to the families involved than those of young children.

In this connection, Mr. Speaker, I am happy to share with my colleagues information which has just reached me in the first annual report of an organization known as Camphill Village, U.S.A., Inc. This organization, which is affiliated with Camphill Village Trust, Ltd., of London, has established and maintains a remarkable working community for mentally handicapped young adults at Copake, N.Y.

The movement to which we are indebted for this unique village was founded in 1939 in Aberdeen, Scotland, by Dr. Karl Koenig of Vienna, a follower of the great Austrian thinker, Dr. Rudolf Steiner, with the establishment of a small residential nonprofit school based on the belief that the retarded person is an individual with equal needs for his body and spirit. From this beginning other schools were founded. In England, Northern Ireland, South Africa, West Germany, and Holland, the volunteer, or coworkers, as they are called, receive no salary. When the children of the Camphill schools became young adults, the problem of what to do with their newly developed potentialities prompted the establishment of the first Camphill Village in Yorkshire, England, and others followed in Scotland, Northern Ireland, South Africa, and Switzerland.

In 1961, Carlo Pietzner, one of the founders of the movement and a friend of Dr. Koenig, came to the United States, taking over a small school for retarded children in Pennsylvania. Today, two schools in Pennsylvania offer a full program designed to develop latent abilities, play therapy, schoolwork, individual instruction, and the sharing of household chores. I am happy to note that the movement has firmly established its first village in this country under Mr. Pietzner's very able direction, dedicated to helping the retarded young adult, who could never do so on his own, integrate himself socially and economically through life in the village by participating in every facet of its life, contributing to its welfare with his own labor and spirit, according to his individual capability.

I am encouraged that this small village, which it is hoped will grow through the support of private and Government organizations and individuals, today is contributing to its own expenses through the sale of the products of its workshops and its bakery. New York's foremost toy shop, F. A. O. Schwartz, now sells the product of the village's doll workshop.

The movement's supporting organization, Friends of the Camphill Movement, now has chapters in New York, New Jersey, District of Columbia, and Massachusetts. It is seeking support to expand the village to accommodate additional retardates from a steadily growing waiting list, and hopefully to establish similar Camphill Villages elsewhere in the United States.

Mr. Speaker, I wish to commend the objectives and the work of this organization to my colleagues and to wish it well as it continues its pioneering effort in this country.

Lawson B. Knott, Jr.: The Logical Man To Head General Services Administration

EXTENSION OF REMARKS
OF
HON. L. MENDEL RIVERS
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 20, 1965

Mr. RIVERS of South Carolina. Mr. Speaker, President Johnson made an excellent choice in selecting Lawson B. Knott, Jr., to head the General Services Administration.

Mr. Knott is a 30-year veteran of Government service. He is a dedicated civil servant, extremely capable, and at 53 has an excellent record of faithful service to our Government.

I personally do not think the President could have selected a more capable executive. Under Mr. Knott's able leadership, I am confident that GSA will continue to render the high quality of service it has provided in past years.

Born in Wendell, N.C., Mr. Knott graduated from Duke University at Durham, and later from the National University Law School here in Washington. He began his Government career with the Resettlement Administration in 1935, and continued his employment when it merged with the Department of Agriculture. In 1942 he joined the Corps of Engineers, and after World War II, served in a legal and administrative capacity until he transferred to GSA in 1956.

His rise in GSA was rapid and within only 3 years his abilities moved him upward to the position of Deputy Commissioner of General Services Administration's Public Building Service. Here he served until November 28, 1961, when he was appointed Deputy Administrator of GSA. He is married to the former Miss Marion Lunt, of Cedar City, Utah, and they have two children, Mrs. Neil E. Churchill, of Atlanta, and Gregory, a college student.

Mr. Speaker, Mr. Knott's record serves as a splendid example for young people entering Government service to follow. The purpose of my remarks here today is to warmly congratulate him before Members of the Congress.

"Preserving Competition"—Statement Supporting the Enactment of the Quality Stabilization Act of 1965

EXTENSION OF REMARKS
OF
HON. JOHN J. GILLIGAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 20, 1965

Mr. GILLIGAN. Mr. Speaker, since the 1930's, many manufacturers, trade associations, independent retailers, State legislators, and Congressmen have worked for the enactment of various forms of legislation which would eliminate or control certain unfair trade practices associated with the resale of brand name commodities. Traditionally attempts have been made on both a National and State level to legislate against such abuses as false advertising, bait merchandising, and excessive price cutting. During this period some of these attempts have been enacted into law, while others have failed of enactment or have been negated by court decisions following their passage. In seeking to eliminate these trade abuses, the proponents of fair trade legislation over the years have continuously argued that such abuses, if left unchecked, would seriously threaten the proper functioning of the American free enterprise system.

Ever since my election to Congress in November of last year, I have devoted a considerable amount of time and study to this matter and I have now come to the conclusion that the Congress of the United States at the earliest possible date must enact a law which would provide added protection to the American businessman from certain unfair and harmful trade practices still being engaged in on a rather wide scale by unscrupulous participants in the free enterprise system. Shortly after reaching the conclusion that additional legislation was needed, I introduced a bill on May 10 of this year, H.R. 7841, which calls for the immediate enactment of a law to be known as the Quality Stabilization Act.

In short this bill, which is quite similar to those introduced in the 87th and 88th Congresses, seeks the elimination of certain unfair trade practices which I, along with other proponents of such legislation, believe not only tend toward monopoly but seriously affect the quality and good name of name-brand commodities. Moreover, and probably most important, this bill would permit a manufacturer or owner of a brand, name, or trademark, to protect his property rights attached to a brand, name, or trademark by establishing a price or price range at which goods carrying that brand, name, or trademark may be sold by wholesalers and retailers in the marketplace. I wish to emphasize the point, however, that this law would apply only to those manufacturers and owners whose products are in free and open competition with close substitutes produced by other competing manufacturers.

Before going into a more detailed discussion of the principal provisions of the proposed Quality Stabilization Act, I would like to digress for a moment and recall for you some of the actions which have been taken on a National and State level to legislate against certain harmful competitive practices.

I am sure that many of you will remember that price cutting or sales below cost at the retail level became a serious impediment to the competitive process during the depression of the early 1930's, resulting in the elimination of hundreds of independent retailers. To counter this alarming and dangerous trend, several States during this period adopted fair trade laws which were designed to exempt manufacturers of name-brand commodities from State antitrust laws, thereby allowing them the option to set minimum resale prices on their products shipped in intrastate commerce.

The first of these laws was enacted in California in 1931. In short, it exempted from the State's antitrust laws any contract wherein the seller of a brand-name commodity, which is in free and open competition with close substitutes, bound the buyer, who was reselling it, to charge the price specified by the seller. Initially this law proved ineffective, especially since retailers not signing such a agreement continued to undercut the prices of those retailers who signed resale price maintenance contracts with suppliers. Consequently, an amendment to the law was adopted in 1933 which incorporated a measure termed the nonsigner clause. Such a proviso made contracts maintaining resale prices of name-brand products binding on those retailers who refused to sign such contracts, providing at least one retailer in the State had signed such a contract.

Subsequent to this action taken by California, many other States took steps to adopt fair trade laws which, in most instances, were close copies of the California statute. Shortly thereafter, in 1936, the U.S. Supreme Court upheld these State fair trade laws in the case, *Old Dearborn Distribution Company* v. *Seagram Distillers Corporation* (229 U.S. 183).

Shortly after this important Supreme Court decision, resale price maintenance or fair trade became widespread throughout the Nation. And by 1941, all of the States except Missouri, Texas, Vermont, and the District of Columbia had enacted fair trade laws.

The passage of the Miller-Tydings Act by Congress in 1937 also played a major role in encouraging States to adopt fair trade laws. Prior to the enactment of this act, parties to resale maintenance contracts applied only to intrastate transactions between the supplier and retailer. If, for example, a contract were made between the retailer in one State and a manufacturer in another, such an agreement was automatically in violation of Federal antitrust laws. Thus, since the great bulk of brand name products traveled in interstate commerce, it proved difficult if not impossible to maintain price schedules under existing Federal laws. For this reason, the Miller-Tydings amendment to the Sherman Antitrust Act was passed, legalizing interstate resale price maintenance contracts between producers and retailers of branded goods. This exemption from the Federal antitrust laws applied, however, only to those States having fair trade laws. Price fixing agreements between retailers and producers in States not having such laws were still in violation of Federal antitrust laws.

Up until 1950, 45 States had fair trade laws. However, in 1951 the fair trade movement was dealt a severe blow by a U.S. Supreme Court decision in *Schwegmann Brothers* v. *Calvert Distillers Corporation* (314 U.S. 384). This opinion held that retailers not signing resale price maintenance contracts could not be forced to abide by such contracts exempted from Federal antitrust laws under the Miller-Tydings Act. This meant, therefore, that the nonsigner provision of resale price maintenance contracts could apply only to those contracts involving strictly intrastate commerce. This obviously greatly reduced the effectiveness of State fair trade laws which applied to both inter- and intrastate transactions covered by resale price maintenance contracts. As a result, price wars became widespread throughout the Nation. And this in turn brought demands for Congress to enact legislation to counteract the effect of the Supreme Court decision. As a result, Congress in 1952 passed the McGuire Act.

This act reversed the Schwegmann decision by making resale price maintenance on branded products, which are in free and open competition with one another, binding to nonsigners in those States having fair trade laws, thereby making interstate transactions covered by resale price maintenance contracts subject to State fair trade laws.

Despite the enactment of this law, 24 States since the early 1950's have had their fair trade laws declared either partially or completely invalid by State courts. Thus, in effect, those States having their fair trade laws declared partially invalid had stricken from their laws the all important nonsigner clause. Such actions by the State courts in these States have, therefore, rendered fair trade laws more or less ineffective, since the nonsigner clause was the key provision in these laws.

To counter these developments the proponents of fair trade quickly came to the conclusion that Congress must enact a Federal fair trade law which would legalize resale price maintenance at the retail level by manufacturers who produce commodities sold in interstate commerce and which are in free and open competition with articles in the same general class. Moreover, such a law would eliminate the problem of the nonsigner provision in State laws since the producer of a brand name commodity would be allowed to stipulate a price without entering into an agreement with at least one retailer in each State in which the commodity is marketed. Consequently, once the price has been stipulated by the producer, all retailers following notification would be prohibited from selling the brand name commodity at a price lower than the announced price.

Legislation has been introduced proposing such a Federal fair trade law in every Congress since the middle 1950's. However, to date the proponents of such a law have been unable to get Congress to take affirmative action on this matter.

In the hope of getting increased support in Congress for such a Federal law, the proponents of fair trade, after making a thorough reassessment of past legislative strategies, decided in the 87th Congress to adopt a new approach. The sponsors of such legislation changed the title of the bill from "fair trade" to "quality stabilization," mainly because it was believed that the former term had lost its appeal following many years of battle. In making this change in strategy, the proponents believed also that the concept of fair trade or, more precisely, quality stabilization, might be more acceptable to many of the Congressmen and Senators who had opposed it in the past, if such legislation were to include specific references to certain unfair trade practices of retailers which in their opinion were not only harmful to competition but seriously affected the quality and good name of brand name commodities.

With a few minor exceptions, the legislation which I have introduced in this session of Congress is very similar in both scope and content to the bills, introduced in the 87th and 88th Congresses.

The key provisions of the proposed legislation can be outlined as follows:

First, it would give the owner of any commodity identified either by a trademark or brand name, which is in free and open competition with close substitutes produced by competing firms, the authority to prevent distributors from handling said commodity if it were determined that the trademark or brand and association goodwill are damaged by the following unfair trade practices in section (8) of my bill:

(a) If the person has employed goods bearing such brand name or trademark in furtherance of bait merchandising;

(b) If the person, after written notice given by such owner of such owner's established resale price or price range, had advertised, offered for sale, or sold any such goods, acquired by such person after he has been given such notice, at a price other than such current established resale price or at a price not within such currently established resale price range; or

(c) If the person, with intent to deceive purchasers, has published a misrepresentation or misrepresentations concerning such goods.

Secondly, once the owner has notified distributors of the price at which the brand name commodity must be sold, he may revoke the right of the distributor to market the commodity—for a period not exceeding 1 year—if he can supply evidence that a particular distributor, "within 90 days prior to the date of the written notice of revocation," has resorted to using any or all of the abovementioned unfair trade practices in promoting the resale of the brand name commodity in question.

If any person, following receipt of written notification by the owner revoking his right to continue selling the brand name commodity in question, continues to sell the goods in question, he shall be liable in a civil action for damages and injunctive relief by the owner of the brand, name, or trademark to prevent any further violations of the provisions contained in this act.

In so doing, the owner may sue in any district court of the United States in the district in which defendant resides or does business, and shall be entitled to recover the amount of any damages sustained, injunctive relief to prevent and restrain further violations of the stated provision of the law, and recover the costs of the suit. Any injunction granted by the court under the provisions of the act shall remain in effect for a period of not more than 1 year from the date that such injunction is granted.

Third, this act outlines those transactions which will be exempt from the jurisdiction of its provisions. Such transactions expressly exempted from the proposed law include:

(A) Sales of bulk commodities when sold without wrappers or containers.

(B) Sales by any officer acting under the orders or authority of any duly constituted court; or sales by any person in mitigation of damages or enforcement of a lien or other secured interest in said goods, when such person is not primarily engaged in the distribution of goods for resale.

(C) Sales of damaged, deteriorated, defaced, or secondhand goods, when plain notice of the condition of the goods is given to the public.

(D) Sales of drugs, medicines, and devices for which either Federal or State law or regulations requires a prescription from a physician, dentist, or such other persons as the various States may authorize to prescribe such items.

(E) Sales to or by the Federal, State, or municipal governments or their political subdivisions or agencies.

(F) Sales to charitable, educational, medical, and religious organizations, for their own use and not for resale.

Finally, my bill contains the important proviso which allows any State to adopt a law or constitutional amendment to prohibit resale price maintenance and thereby make a Federal fair trade law inapplicable in those States taking such action. Yet where any State enacts such a law or adopts such a constitutional amendment, the provisions of the proposed Quality Stabilization Act with respect to resale prices would still apply to sales made in that State for delivery to a purchaser outside the State. Such a provision is obviously necessary in order to prevent mail order firms, which do a considerable amount of out-of-State business, from establishing operations in such States for the purpose of avoiding Federal regulation of resale price maintenance activities in other States which have agreed to such Federal regulation.

Before concluding my remarks on this very important matter, I would like to state briefly some of the reasons why I believe that such legislation is essential to the American free enterprise system.

If we look, for example, at the rather phenomenal growth of mass retailers, especially discount chains in recent years, we find in many instances that such merchandisers have not always achieved their favorable competitive position in the marketplace through legitimate competitive means, but through certain trade practices which I believe are unfair and harmful to the efficient independent retailer and misleading to the American consumer.

Discount merchandisers, for example, have often been highly successful in attracting customers away from well-established independent retailers by overstating the quality and content of unknown lower price brand-named or privately labeled commodities.

Moreover, discount houses and other mass merchandisers, because of the lack of effective regulation on a State and National basis, have been able to gain an unfair competitive advantage in the marketplace by resorting to other well-known methods of misrepresentation.

First, there is the practice where a discount house will cite a fictitious price for a well-known brand name commodity which exceeds the actual selling price of the same commodity in most independent retail outlets. Using this as the manufacturer's list price, the firm would then cite a lower selling price so as to make it appear that the consumer is obtaining a substantial bargain. Secondly, there is the practice of selling certain well-known brand name products by discounters and other mass distributors to attract consumers, hoping in turn that they will buy substantial quantities of unknown high-profit-margin products in order to make up for losses incurred from the sale of well-known products at substantially reduced prices. Moreover, in many instances, it has been found that mass merchandisers have resorted to the unpardonable practice of selling these high profit margin and inferior quality goods at prices equal to or higher than those prices normally charged by independent retailers for such goods.

Finally, many large retail chains, especially discount houses, have resorted to the well-known practice of price cutting designed for the express purpose of forcing smaller retailers out of the marketplace, thereby increasing their control of the market in a particular area, and making possible later price increases, once most competitors have been eliminated.

Today it is evident that retail trade in most communities in the Nation is becoming more and more concentrated in the hands of a few giant retailers; namely, the big department store, the discount house, the mail-order house, the chainstore, or supermarket. Thus, if the small businessman is not afforded the opportunity of making a profit by enabling him to compete pricewise on nationally advertised, branded merchandise, we shall obviously find ourselves faced in a few years with a major proportion of retailing concentrated in the hands of a few giant corporations. Such a development would indeed be most serious since the market power achieved by such corporate giants would enable them to force manufacturers to reduce quality in terms of lower costs to maintain profit margins. Moreover, such a trend would greatly reduce freedom of consumer choice, thereby leaving the consumer at the mercy of a few large retail chains who would then exercise more or less complete control over quality and prices in the marketplace.

Thus, in light of these circumstances, I believe it is obvious that Congress must now face up to the fact that there is a great need for the enactment of a Federal law which will more adequately protect the efficient independent retailer from the various harmful trade practices resorted to today by many large and powerful mass retailers.

In urging that Congress enact such a law at the earliest possible date, I want to make it clearly understood that my proposal, the Quality Stabilization Act, will not bar retailers from engaging in the following practices:

First, it will not prevent a distributor from removing a trademark or a brand name from a product, and marketing it in any manner he wishes as long as he does not continue to use the goodwill of the producer to assist him in the sale of the unmarked commodity.

Second, this legislative proposal will not compel the producer of a brand name or trademark product to avail himself of the rights accorded him. It is quite possible that there are producers who wish not to protect their products and accompanying goodwill from the methods of unfair competition outlined in the bill.

Third, such legislation will not compel wholesalers and retailers to handle brand name and trademarked goods of those producers which have sought the protection of the proposed act.

Fourth, my bill does not contain any provision which in any way would prevent the consumer from enjoying full freedom of choice. He will still have the right to pick and choose between merchandise protected by fair trade, and merchandise not so protected.

Finally, the Quality Stabilization Act is in no way inconsistent with the scope and intent of our Nation's antitrust laws. The fundamental objective of this bill is to strengthen the antitrust laws so as to better protect the efficient and hard-working independent retailer from certain unfair methods of competition engaged in by the larger and more powerful mass retailer. This is certainly one of the basic objectives of our Nation's antitrust laws.

Although Congress failed to take affirmative action on the proposed Quality Stabilization Act in the past Congress, it is encouraging to note that the House Interstate and Foreign Commerce Committee, after holding extensive hearings, did vote to recommend that the House take affirmative action on this bill. Unfortunately, the bill failed to receive House approval because the House Rules Committee failed to release the bill for floor consideration before the end of the 88th Congress in December of last year. The Senate Commerce Committee also held hearings on an identical bill; however, unlike its counterpart in the House, it voted to table the legislation thereby barring any further action on the bill by the Senate in the past Congress.

Nevertheless, because there is considerable support for this measure in the Congress and because this legislation is supported by many leading manufacturers and close to 80 national trade associations representing thousands of independent retailers throughout the Nation who are engaged in a wide range of retailing activities, I believe that all proponents of quality stabilization would deem it imperative that we make another attempt at getting the Congress of the United States to act affirmatively on this very important matter.

We who support the objectives of quality stabilization are already aware of its vital importance to the American free enterprise system. Therefore, our task now is to make sure that Congress reaches a similar conclusion and, without any further delay, enact this bill into law. Such a step on the part of Congress would very definitely be in the national interest.

SENATE

Friday, May 21, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. Metcalf).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Lord of all life, in the white light of Thy searching, we would pause at midday to examine our inner desires and motives, that in this temple of a people's hope and trust we may stand with pure hearts and clean hands.

Help us, we pray, that in these trying days we may rise above all that is base and small, to toil together in glad and eager harmony for the honor, safety, and welfare of our Nation and of all the peoples of this stricken earth, who will unite in mutual good will, determined to open the gates of a new life for all mankind.

Grant unto Thy erring and willful children moral control and a ruling passion for world brotherhood, lest the awful instruments of death and destruction, now held in frail human hands, scourge the planet and melt the fruitful earth into brittle glass.

Make us alive and alert to the spiritual verities and values which underlie all the struggle of these epic days, as on the anvil of vast issues there slowly takes shape the new and better world that is to be when Thy kingdom comes.

In the dear Redeemer's name, we ask it. Amen.

THE JOURNAL

On request of Mr. Hart, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 20, 1965, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, submitting a nomination, was communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, notified the Senate that, pursuant to the provisions of House Resolution 397, 89th Congress, the engrossed bill (S. 1734) to conserve and protect domestic fishery resources, was herewith returned to the Senate.

The message announced that the House had passed the bill (S. 435) to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 8122) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL PLACED ON CALENDAR

The bill (H.R. 8122) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, was read twice by its title and placed on the calendar.

VOTING RIGHTS ACT OF 1965

Mr. HART. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The Legislative Clerk. A bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

CLOTURE MOTION

Mr. HART. Mr. President, I send to the desk a cloture motion filed under rule XXII and ask that it be read.

The ACTING PRESIDENT pro tempore. The cloture motion will be stated.

The legislative clerk read the motion, as follows:

Cloture Motion

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

(1) Mike Mansfield; (2) Everett M. Dirksen; (3) Philip A. Hart; (4) Thomas H. Kuchel; (5) Leverett Saltonstall; (6) Pat McNamara; (7) John O. Pastore; (8) Frank E. Moss; (9) Jacob K. Javits; (10) Hugh Scott; (11) Hiram L. Fong; (12) Claiborne Pell; (13) Edmund S. Muskie; (14) Wayne Morse; (15) John Sherman Cooper; (16) Stephen M. Young; (17) Clifford P. Case; (18) Eugene J. McCarthy; (19) Walter F. Mondale; (20) Daniel Brewster; (21) Fred R. Harris; (22) Daniel K. Inouye; (23) Paul H. Douglas; (24) Joseph S. Clark; (25) Gaylord Nelson; (26) Jennings Randolph; (27) Abraham Ribicoff; (28) Frank J. Lausche; (29) Thomas J. Dodd; (30) Vance Hartke; (31) Joseph D. Tydings; (32) Edward V. Long; (33) Birch Bayh; (34) Edward Kennedy; (35) Lee Metcalf; (36) Gordon Allott; (37) Harrison Williams; (38) Quentin Burdick.

Mr. HART subsequently said: Mr. President, on behalf of the junior Senator from New Jersey [Mr. Williams] and the junior Senator from North Dakota [Mr. Burdick], I ask unanimous consent that their signatures may be permitted to be added to the cloture motion filed today under rule XXII with respect to the voting rights bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALLOTT subsequently said: Mr. President, I ask unanimous consent that my signature may be added to the cloture motion notwithstanding the fact that it has already been filed.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, at this point I should like to propound a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. STENNIS. Mr. President, will the Chair maintain order so that we may hear?

The ACTING PRESIDENT pro tempore. The Senator is correct. The Senate is not in order. The Senate will be in order.

The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, I should like to query the acting majority leader with respect to the status of amendments that have already been submitted, and also with respect to amendments that may be submitted hereafter, so far as the cloture motion is concerned. My understanding is that there must be 62 amendments still pending. They have been submitted; they have not actually been presented. My query is as follows:

Under the rule, would the amendments which have been submitted qualify and could they be called up in the event cloture were finally imposed?

The ACTING PRESIDENT pro tempore. Amendments that have been submitted must be read, unless unanimous consent is obtained that they be considered as read.

Mr. DIRKSEN. So every amendment must be presented and be read if it is to qualify, if cloture is adopted.

The ACTING PRESIDENT pro tempore. Without unanimous consent, the Senator is correct.

Mr. DIRKSEN. All amendments which thereafter might be submitted would obviously be "out of court."

The ACTING PRESIDENT pro tempore. Amendments may be offered from now until the vote is taken at 1 o'clock on Tuesday, but under the same rule the amendments would have to be read unless unanimous consent is granted.

Mr. DIRKSEN. Mr. President, is a unanimous-consent request in order to consider all amendments now pending or which have been submitted as qualified under the rule?

The ACTING PRESIDENT pro tempore. Yes.

Mr. DIRKSEN. May I do so at this time?

The ACTING PRESIDENT pro tempore. Such a request is in order.

Mr. DIRKSEN. I do not know how many of the amendments will be offered. That question is for the authors of the amendments to determine. However, in order to avoid the necessity of having all of the amendments presented and read, would a unanimous-consent request to have them considered en bloc as qualified under the rule, if Senators wish to call them up, be in order?

The ACTING PRESIDENT pro tempore. Such a request would be in order.

Mr. HART. Mr. President, I ask unanimous consent that the amendments, considered en bloc, be regarded as qualified under the rule.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. HART. Mr. President, I ask unanimous consent that their——

Mr. ERVIN. Mr. President, I object.

The ACTING PRESIDENT pro tempore. The objection comes too late. The Chair asked, "Is there objection?" paused momentarily, and no objection was forthcoming.

Mr. ERVIN. I did not understand the unanimous-consent request.

I should like to propound a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. ERVIN. Will amendments hereafter submitted be covered by the unanimous-consent order?

The ACTING PRESIDENT pro tempore. No. It is the understanding of the Chair that the unanimous consent granted qualifies only the amendments that have been submitted heretofore, prior to the filing of the cloture motion. The unanimous-consent order does not affect any amendments to be filed hereafter and before 1 o'clock on Tuesday.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. HART. Mr. President, I ask unanimous consent that statements during the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REPORT OF CIVIL AIR PATROL

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the National Commander, Civil Air Patrol, Ellington Air Force Base, Tex., transmitting, pursuant to law, a report of that organization, for the calendar year 1964, which, with an accompanying report, was referred to the Committee on Armed Services.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN (by request):

S. 2005. A bill to amend the Consolidated Farmers Home Administration Act of 1961 in order to provide special loans to cattle farmers; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS:

S. 2006. A bill to amend the Internal Revenue Code of 1954 to allow a deduction or credit against tax for contributions to National and State political committees; to the Committee on Finance.

(See the remarks of Mr. Smathers when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 2007. A bill extending the benefits of the Emergency Officers' Retirement Act of May 28, 1928, to certain former officers of the Army; to the Committee on Armed Services.

S. 2008. A bill for the relief of Carlysle G. Stark; to the Committee on the Judiciary.

By Mr. HART:

S. 2009. A bill for the relief of Myung Sook Yun Pak; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 2010. A bill for the relief of Fun Wat Hoy; to the Committee on the Judiciary.

By Mr. DODD:

S. 2011. A bill to permit certain small business corporations which attempted to make elections under subchapter S of chapter 1 of the Internal Revenue Code of 1954 to take further action to make such elections effective; to the Committee on Finance.

(See the remarks of Mr. Dodd when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE:

S. 2012. A bill to prohibit certain practices creating artificial shortages in the supply of coins of the United States; to the Committee on Banking and Currency.

(See the remarks of Mr. Bible when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 2013. A bill to amend section 4 of the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans for the financing and refinancing of new and used fishing vessels; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S.J. Res. 83. Joint resolution to authorize the President to issue a proclamation commemorating the 175th anniversary, on August 4, 1965, of the founding of the U.S. Coast Guard at Newburyport, Mass.; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above joint resolution, which appear under a separate heading.)

AMENDMENT OF CONSOLIDATED FARMERS HOME ADMINISTRATION ACT

Mr. DIRKSEN. Mr. President, I send to the desk, and I do so only on the basis of request, a bill to amend the Consolidated Farmers Home Administration Act, in order to provide special loans to cattle farmers.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2005) to amend the Consolidated Farmers Home Administration Act of 1961 in order to provide special loans to cattle farmers, introduced by Mr. Dirksen, by request, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

TAX DEDUCTIONS FOR CONTRIBUTIONS TO NATIONAL AND STATE POLITICAL COMMITTEES

Mr. SMATHERS. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code in order to allow a deduction, or credit, against tax for contributions to national and State political committees.

The proposed legislation is in line with the recommendations of the President's Bipartisan Commission on Campaign Costs.

In a letter dated April 30, 1963, addressed to the President of the Senate, the late President Kennedy urged Congress to give this matter prompt and favorable consideration in order to encourage a greater percentage of the public to participate in the financial aspects of political campaigns.

Specifically, the proposal provides two tax incentives:

First. It would enable any person who so desires to contribute $20 or less to a national or State political committee, and in turn obtain a tax credit for one-half of the contribution made. In the case of a joint return the limit would be doubled. Thus the maximum tax credit in the case of a joint return would be $20 in a taxable year.

The second proviso would pertain to larger contributions, and would allow a taxpayer to deduct from his taxable income the full amount of his political contributions up to a maximum of $500.

Too often we have heard the hue and cry that too much reliance has been placed upon large contributions from special interest groups to candidates and the inference of undue influence being exerted, regardless of whether or not in fact this exists.

I believe the proposed legislation will encourage greater public participation, bringing about a freer flow of funds from small contributors, thus immeasurably reducing the impact of larger contributions on the political candidates.

It is a healthy situation to encourage the public to take a more active participation in political campaigns.

I am confident that the public response will be greater where these incentives are provided to the taxpayer, and the good that is bound to result from them will very definitely be in the national interest.

I, too, hope that in line with the wishes of the President of the United States, prompt and favorable consideration will be given to this proposed legislation.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2006) to amend the Internal Revenue Code of 1954 to allow a deduction or credit against tax for contributions to National and State political committees, introduced by Mr. Smathers, was received, read twice by its title, and referred to the Committee on Finance.

TO MAKE EFFECTIVE CERTAIN ELECTIONS BY SMALL BUSINESS CORPORATIONS UNDER SUBCHAPTER S OF CHAPTER 1 OF INTERNAL REVENUE CODE OF 1954

Mr. DODD. Mr. President, I introduce, for appropriate reference, a bill which would ease the harsh effect that early application of subchapter S of chapter 1 of the Internal Revenue Code had on some persons. In the Technical Amendments Act of 1958, Congress adopted a tax provision called subchapter S which, in effect, allows corporations to elect to have their income or losses taxed to their individual shareholders, thus offering small businesses an alternative to taxation at the corporate level.

Permanent regulations regarding such election under subchapter S were not adopted until a year later, in December 1959. The question my bill is concerned with is the December 1, 1958, filing deadline which was set for the first year the provisions of subchapter S were applicable.

Because the provision was new, very different, and untested, it resulted that year in an unfair situation for certain persons, one which was certainly not intended by Congress. The bill I introduce here would remedy this problem and would remove this unjustifiable burden placed on some taxpayers.

The particular situation to which I refer involves the owner and operator of a business in Hartford who decided to elect this new tax treatment under subchapter S in 1958.

Because of the complexities of the filing requirements and the short period of time between the approval of the act and the required filing date, less than 3 months, the owner of the business, Joseph Simons, encountered several difficulties.

At that time, a few shares of stock in the Simons' business were held by two former employees, one of whom had since moved to Vermont.

Rather than to undertake the additional complication of securing the signed consent of the shareholder who moved, as such consent of all stockholders was required in order to elect subchapter S treatment, Mr. Simons instead purchased these shares from him. The stock transfer was not completed until December 1 or 2, and Mr. Simons filed the tax election personally at the IRS district office on December 2, 1958, the day the papers would have arrived had they been mailed on the deadline date of December 1.

The U.S. district court has held that Mr. Simons filed later than the required date, that his corporation was therefore ineligible for subchapter S treatment, and that the shareholders' loss claimed for 1958 should be disallowed.

Subsequently, however, regulations were adopted to clarify the matter of obtaining stockholders' consent, and corporations were allowed extra time to obtain such consent not previously filed or filed in a defective manner.

From this, adopted in December 1959, for that tax year, it is evident that had Mr. Simons not attempted to do what he thought was correct by obtaining clear title to the three outstanding shares, he would have been covered by the later provision and would not be faced with the present problem.

It is clear, I believe, that Congress intended the 1958 act to be equitable to all concerned and that the difficulties in applying the new regulations the first year or two were soon recognized.

Nonetheless, there remains this particularly unjust situation which should be remedied.

In essence, the bill I introduce today would provide that if a corporation attempted to elect to be taxed as a subchapter S corporation, and this attempt was ineffective solely because it had not been made 5 days earlier, then for purposes of this provision the election would be treated as if it had been made within the time prescribed by law.

This would apply only to the failure to make an election in 1958. An election to have this provision apply would have to be made within 6 months after this bill is approved, by the corporation involved, and with the consent of all persons who were shareholders at the time of the ineffective election.

Also included in the bill are technical provisions regarding revocation of this election and the opening of the statute of limitations for assessments of deficiencies and for credits of overpayments arising from claims made under this provision.

Such a bill as I have here discussed would make just allowance for the harsh, unfair effect the law had in the unusual 1958 situation, which has since been otherwise clarified, and it would be completely in accord with the intent and purpose of the law and its present application.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2011) to permit certain small business corporations which attempted to make elections under subchapters of chapter 1 of the Internal Revenue Code of 1954 to take further action to make such elections effective, introduced by Mr. DODD, was received, read twice by its title, and referred to the Committee on Finance.

PROHIBITION OF CERTAIN PRACTICES WHICH CREATE ARTIFICIAL SHORTAGES IN THE SUPPLY OF U.S. COINS

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a bill to prohibit certain practices creating artificial shortages in the supply of coins of the United States.

Last Saturday President Johnson directed the mint to proceed with turning out 45 million silver dollars. In his statement he said substantial progress in bringing the supply of small coins into line with demand had been made and that it had always been his intention to carry out the congressional mandate to mint the silver dollars.

I was pleased to learn of the President's order for I know the people of Nevada have a strong affection for the silver dollar and hard money. It has been an honorable medium of exchange in the State of Nevada since the State became a member of the Union. Other States in the West also share this interest. Nevertheless, I realize without unlimited coinage of the silver dollars, shortages could soon develop and a need for protection of the dollar and other silver coins is necessary to keep them from being made collectors items, or falling into the hands of speculators and hoarders.

If enacted into law, the bill I am proposing will amend several existing statutes. It also provides penalties for violations of the several provisions which follow:

First. To melt silver coins.

Second. To make loans on coins where the coins are held as security, except loans on bonda fide collections of rare coins.

Third. To accumulate coins in excess of the reasonable demands of business or personal use.

Fourth. To export coins from the United States or its possessions.

Fifth. For the purchase and sale of coins, except where coins are used in jewelry, for a price in excess of their monetary value. Again, the bill would protect and exempt coins which because of their rarity have a value to bona fide collectors.

The bill would cause the Treasury Department to publish in the Federal Register from time to time a list of coins deemed to be of numismatic value.

Mr. President, since the order was given to the mint to start production of silver dollars, many interesting comments have been made by the press and others.

It is the general supposition that the minting of only 45 million silver dollars will, in effect, further the shortage of the Treasury's supplies of silver stocks and that the dollars will soon be gobbled up by the speculators and will never get into the channels of trade. These allegations certainly are worthy of note for they could become a reality if we do not act to protect our coinage system.

The House Committee on Government Operations has devoted a great deal of time and thought to the Treasury's crash program of minting coins and silver and its relation to coin production. Hearings were held during March of this year by the committee. In addition, the House and Senate Appropriations Committees and the Senate Banking and Currency Committee have all given study and thought to the problem of the coin shortage. It is my contention that no true shortage exists; however, I am well aware as are others that serious dislocations have occurred and hoarding and speculating have caused artificial shortages which have become real shortages in the commercial channels of trade.

I am hopeful that this bill will aid in a return of some of our coins to the channels of trade and to the banking facilities which serve our trade needs.

In the 6 fiscal years 1959–64, population increased by 8 percent; the gross national product increased by 28 percent; and vending machine sales increased by 47 percent. However reliable these indicators may be of economic growth, they did not prove adequate standards for measuring coin demand. Coin production by the mint increased 174 percent, far exceeding growth in these indicators without preventing—or fully stopping—the shortage of coins.

I am happy to note that the flowback of coins to the Federal Reserve banks has increased in recent months. Irrespective of all the reasons advanced for the shortage of coins, it is my belief that speculation and hoarding of coins are mainly responsible for creating an artificial shortage. I believe such practice should be curtailed and stopped. It was of more than passing interest to me to read in the report issued by the House Government Operations Committee the following:

> Some further conception of sizes of hoards is reflected in an article in the Wall Street Journal for January 14, 1965, which reports that a bank has loaned speculators $1.1 million, secured by 34 tons of silver coins, and expressed a willingness to make more such loans.

My bill would stop such practices and they should be stopped.

Further evidence was given in the report, as follows:

> Some measure of the quantities held by speculators is evident from advertisements placed in coin publications. One recently contained ads of 53 dealers and 69 individuals who offered in quantities exceeding $100,000 in asking price, and some are offered by the ton. For instance, 1 ton ($33,333) of common date silver dollars is offered for $39,995 or 3 tons (6,000 pounds), for $119,995.

I am certain this body realizes our coinage system should be protected and that such practices as just mentioned should not be permitted to continue. This is no more than a black market in silver dollars which was pointed out by the senior Senator from Ohio before this body on January 6 of this year when he introduced legislation designed to stop black market practices. To those who may have missed remarks of the distinguished Senator from Ohio which were made as a basis for his bill, S. 718, I wish to quote from the record a portion of his statement which included the reading of an advertisement as follows:

> Who has all the coins? Even "Pep" the coin man doesn't know. But he can alleviate your banks' coin shortage with all denominations of coins at a small handling charge which includes delivery of wrapped and boxed coin. What's the handling charge? Call me now at (609) 662-6644 (Camden, N.J.), (215) 925-8981 (Philadephia, Pa.).

It is common knowledge that some business houses have paid premiums for certain types of coins during recent shortages. These coins have originated from speculators, who have in many instances made contacts with those who are engaged in services where large amounts of coins are collected, such as the vending machine operator, distributors of newspapers and various other similar activities. It has even been stated that some businessmen have sought to alleviate the shortage of coins by asking churches to turn over their collections to them.

My bill would make it a criminal offense to deal in the sale of coins in this manner.

The mint has more than doubled its volume in production of small coins during the past few years. This operation has in part alleviated the artificial shortage. Nevertheless, the mint needs assistance in controlling this problem. The larger amounts of coins which are necessary to our commerce are or should be in the channels of commerce. It is the flowback of coins to the Federal Reserve banks which is the nub of the problem and which needs correcting. I stated the flowback of coins had been increasing in recent months and I am hopeful it continues to increase. Precautions which can be taken by provisions in my bill will, I believe, step up the flowback.

In turn, the Federal Reserve will have more coins to offer member banks who in turn usually serve other banking facilities and our coins will return to circulation.

It is apparent to me that we would still have a plentiful supply of silver dollars in the West if the historic run on the Treasury had not been made in early 1964 by the speculators and hoarders.

Silver dollars have not been minted since 1935 and according to the Treasury's circulation statement of U.S. money the stock of silver dollars consisted of 481,722,100 as of May 31, 1964—including 2,945,754 held by the Treasury, and 49,242 held by the Federal Reserve banks and agents. The outflow of silver dollars during the period 1954–59 from the Treasury stocks averaged 16,298,547 per year. During the same period the Federal Reserve System had a net increase of 4,559,676 silver dollars. This indicates there was not an excessive demand for the period 1954–59. However, net losses of Treasury stocks of silver dollars increased in 1960 to 20,096,777; in 1961 losses were 33,685,557; 1962 losses were 49,726,664 and in 1964 when the run was made on the Treasury by speculators losses soared to 62,817,320. The Federal Reserve banks suffered additional losses and the Treasury wound up with virtually no stocks at all except for a few valued rare dollars which remain today in the Treasury stocks.

The present price of silver does not make it profitable to melt silver dollars. Silver certificates can be redeemed for silver bullion at the Government's assay offices and it is pointless at this time to melt coins to extract the silver content. This is common knowledge, yet some speculators may feel the time will come when an advantage will exist. This speculation should be stopped, and my bill will make it a criminal charge to melt coins.

The latest Treasury statement shows the U.S. Government is still the owner of the world's largest stock of silver and holds more than 1 billion ounces. The total is actually 1,025,957,304.3 troy ounces.

It is my contention if we can, by pursuing the course outlined in my bill, enact legislation which will cause a flow back of coins, the amount of Treasury stocks of silver will still permit the continuing use of silver in our traditional coinage system.

I fully realize world supplies and production have not in recent years met the demand of industry. At the same time, there are some promising silver discoveries and if a more realistic price was paid to the miner, I sincerely believe the production could be increased.

I want to see silver continued in our coinage system. It may be necessary to take steps to lessen the amounts now used in the silver coins, although I believe we should first attack this problem of speculation which has been permitted to exist for too long.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2012) to prohibit certain practices creating artificial shortages in the supply of coins of the United States, introduced by Mr. BIBLE, was received, read twice by its title, and referred to the Committee on Banking and Currency.

LOANS FOR FINANCING AND REFINANCING OF NEW AND USED VESSELS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend section 4 of the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans for the financing and refinancing of new and used fishing vessels. I ask unanimous consent that a letter from the Secretary of the Interior, requesting the proposed legislation, be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2013) to amend section 4 of the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans for the financing and refinancing of new and used fishing vessels, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 10, 1965.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is enclosed a draft of a proposed bill "To amend section 4 of the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans for the financing and refinancing of new and used fishing vessels."

We request that this bill be referred to the appropriate committe for consideration, and we recommend that it be enacted.

Presently, section 4 of the Fish and Wildlife Act of 1956, as amended (16 U.S.C., sec. 742c), authorizes the Secretary of the Interior to make loans for the purposes of financing and refinancing the replacement, repair, and maintenance of commercial fishing vessels and their gear and the operations of such vessels. It also authorizes the making of loans for research into the basic problems of the fisheries. This latter authority, however, has never been used.

In order to carry out this program, a fisheries loan fund was established as a revolving fund. The fund initially had an authorization of $10 million, but this was increased in 1958 to $20 million. A total of $13 million has actually been appropriated to the fund. The fund will expire on June 30, 1965. We have, however, submitted a separate proposal to the Congress that would extend the program to June 30, 1975.

Under the present authority of section 4 of the act, a loan can be made for a new or used commercial fishing vessel only when it is used as a replacement for a fishing vessel that is then operating in the fleet or is lost. Our proposal authorizes the Secretary of the Interior to make loans for, among other things, the purchase or construction of a commercial fishing vessel without regard to whether the vessel will replace an existing vessel.

In administering this program during the past 8 years, our experience has shown that there is a definite need to broaden the scope of the fisheries loan program. In addition to the need to upgrade and modernize the commercial fishing vessel fleet which is the principal objective of this program, there is also a need to attract younger men to the fishing industry. Our proposal would help in making this possible.

Under this proposal we could provide assistance in financing the purchase of a used vessel when the seller was interested in obtaining a larger, more modern vessel and could use the funds for a downpayment on the new vessel. It would enable a younger fisherman to come into the fishery. It would also assist the young fisherman who has a very poor or obsolete vessel to obtain one that might be considerably better when he cannot afford to buy a new vessel.

At the present time the fisherman with the older vessel cannot obtain a loan for replacement with a larger, more modern vessel because he is unable to find a purchaser who has a means of financing the purchase of the older vessel. If he sells it as a commercial fishing vessel, he will be ineligible for a loan under the fisheries loan fund program because he is not replacing a vessel that has actually left the fleet or is lost. Most such vessels are not easily adaptable to other uses.

We believe that this proposed legislation will result in a further modernization of the commercial fishing vessel fleet, while at the same time present an opportunity to attract younger people into the industry. As in the present case, the authority to make these loans would be limited by section 4 of the act to situations where there is evidence that the applicant was otherwise unable to obtain financial assistance on reasonable terms. In addition, we would require that the loan applicant demonstrate experience and ability in the operation of fishing vessels. This would provide assurance against persons with no experience or only marginal experience in the fisheries from using the loan program to enter the fishery.

We believe that this proposal will fill a gap in our present credit system and remove a major impediment to our efforts to modernize the commercial fishing vessel fleet.

It is anticipated that the additional loan applications which would be received under this proposal can be handled by the present staff and without an increase in the administrative expense limitation.

It should be noted that our proposal does not continue the unused authority to make loans for research into the basic problems of the fisheries. This has been deleted because we cannot foresee any situation where it could reasonably be utilized.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the administration's program.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

PROCLAMATION COMMEMORATING THE 175TH ANNIVERSARY OF THE U.S. COAST GUARD AT NEWBURYPORT, MASS.

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a joint resolution to authorize the President to issue a proclamation commemorating the 175th anniversary, on August 4, 1965, of the founding of the U.S. Coast Guard at Newburyport, Mass.

One hundred and seventy-five years ago, on August 4, 1790, a new service was born. That service was the U.S. Coast Guard. Since then, it has won for itself an honored place both as a military service and as our principal agency for maritime safety and marine law enforcement.

I must confess that I have a very warm place in my heart for this service which I have come to know intimately through my position as chairman of the Senate Committee on Commerce and as a member of the Board of Visitors to the Coast Guard Academy. I have been deeply impressed with the scope and variety of services performed by this relatively small organization of approximately 32,000. Not only is it active as a maritime safety instrumentality, but it also engages in search and rescue, port security, merchant marine safety, aids to navigation, oceanographic research, as well as many other duties related to our national well-being. To these many tasks must be added the important responsibility of maintaining a constant state of military readiness to serve with the Navy in time of emergency.

It is to the great credit of this historic service that it has always evidenced a strong sense of fiscal responsibility in the discharge of its many obligations. Cost consciousness is part of the Coast Guard's philosophy. One of its primary purposes has been to give the U.S. taxpayer an ample return for his dollar.

The Coast Guard, of course, is no stranger to the people of the State of Washington. The port of Seattle serves as its principal base for its operations in Alaskan waters. Coast Guard aircraft based at Port Angeles are active in search and rescue in the Northwest Pacific. Men of the Coast Guard have come to the aid of our people who have been dispossessed by floods and other natural disasters. That is why the name Coast Guard is a respected one throughout the Pacific Northwest.

This year, this great service observes its 175th birthday.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 83) to authorize the President to issue a proclamation commemorating the 175th anniversary, on August 4, 1965, of the founding of the U.S. Coast Guard at Newburyport, Mass., introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Commerce.

PRESERVATION AS AN AREA OF HISTORIC INTEREST THE WASHINGTON NAVY YARD—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of May 10, 1965, the names of Mr. BREWSTER, Mr. HARTKE, Mr. MANSFIELD, Mr. MUSKIE, and Mr. SCOTT were added as additional cosponsors of the bill (S. 1927) to authorize the Secretary of the Interior to preserve as an area of historic interest certain structures and lands comprising the Washington Navy Yard, introduced by Mr. BARTLETT on May 10, 1965.

NOTICE OF HEARINGS ON DOMESTIC AND FOREIGN SURPLUS PROPERTY PROGRAM

Mr. METCALF. Mr. President, on behalf of my colleague, Senator GRUENING, of Alaska, who is chairman of the Subcommittee on Foreign Aid Expenditures of the Senate Committee on Government Operations, I wish to announce that that subcommittee will begin hearings on the domestic and foreign surplus property program on Monday morning, May 24, 1965, in room 3302 in the New Senate Office Building. This is the beginning of a series of hearings on this subject and those who desire to testify at future hearings should so notify Mr. Glenn Shriver, of the staff of the Senate Committee on Government Operations.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. BURDICK. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

James B. Brennan, of Wisconsin, to be U.S. attorney, eastern district of Wisconsin, for a term of 4 years. Reappointment.

John F. Quinn, Jr., of New Mexico, to be U.S. attorney, district of New Mexico, for a term of 4 years. Reappointment.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Friday, May 28, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

AMERICAN POLITICAL SCIENCE ASSOCIATION — STUDY OF CONGRESS

Mr. HAYDEN. Mr. President, a good many Members of Congress participated in the discussions that led to establishment by the American Political Science Association of its comprehensive study of Congress. Supported by a grant from the Carnegie Corp. of New York, this project today is focusing the attention of more than 16 persons on various aspects of congressional organization and operations. The purpose of the study is to contribute to informed public discussion of the problems of congressional reorganization—a timely thing, considering the current headings by the Joint Committee on the Organization of Congress, established under Senate Concurrent Resolution 2.

As the Committee on Rules report to the Senate said:

> During the past several years there has developed an ever-increasing conviction among Members of Congress, reinforced by many expressions of opinion from the public at

> large, that a study and review of the present congressional machinery is a real necessity if Congress is to continue to be an effective coequal partner in our tripartite system of government.

In coming to this conclusion, it was necessary that those within Congress communicate in a meaningful way with their constituents who share many viewpoints. And in turn, those in the outside community who wish to contribute to any changes must help to develop a better understanding of the unique qualities of this institution in order to successfully interpret it. As an outstanding journalist and student of Congress in a recent speech put it:

> The Members of Congress have valid cause for reacting with suspicion to much of the intellectual community for a latent hostility toward Congress permeates the thinking of many leaders of public opinion outside Congress. It is evident in the books of political scientists, in newspaper editorials, and even in the witticisms of our humorists. It is most evident of all in many of the reforms of Congress that are suggested. Too often, proposed reforms smack of an obvious intent to reduce Congress from its status as a separate and independent branch of the Federal Government.

This does not seem to be the case with the study of Congress. Its initiation and organization was the product of a cooperative effort between Members of both Houses on both sides of the aisle working with the association's executive director, Evron M. Kirkpatrick, and his associate, Donald G. Tacheron.

In announcing the study, which is being carried out under the direction of Ralph K. Huitt, of the University of Wisconsin, Kirkpatrick said:

> The vitality of legislative bodies is essential to the preservation of individual freedom, to democracy and to the maintenance of social and economic viability.
>
> Before considering drastic changes in Congress—an institution which has served this Nation very well—we must first clarify various assumptions regarding the role of Congress in our system, identifying and analyzing major problems of congressional operation and explaining the character and probable consequences of realistic alternatives for structural or procedural change.

Mr. President, I feel that these are words of wise counsel in our present deliberations, and I want to take this opportunity to bring to the attention of my colleagues the names and academic affiliations of the scholars who are engaged in this important undertaking, so that Members who are interested will find it convenient to contact them for their views and assistance:

Milton C. Cummings, the Brookings Institution.

Richard F. Fenno, University of Rochester.

Lewis A. Froman, Jr., University of California at Irvine.

Charles O. Jones, University of Arizona.

John F. Manley, Syracuse University.

Roy E. Moor, George Washington University.

Kenneth G. Olson, formerly at Smith College, and now a consultant.

David M. Olson, University of Texas.

Samuel C. Patterson, State University of Iowa.

Robert L. Peabody, Johns Hopkins University.

Nelson W. Polsby, Wesleyan University.

Randall B. Ripley, the Brookings Institution.

Leroy N. Rieselbach, State University of Iowa.

James A. Robinson, Ohio State University.

John S. Saloma, Massachusetts Institute of Technology.

Raymond E. Wolfinger, Stanford University.

THE CONNECTICUT PARTNERS OF THE ALLIANCE COMMITTEE

Mr. DODD. Mr. President, the Connecticut Partners of the Alliance Committee, a distinguished group of citizens of my State, will meet in Hartford on Monday, May 24.

The objective of the statewide meeting will be to broaden the base of this private program which serves as a complement to the Alliance for Progress, the U.S. program of economic assistance to Latin America.

While our government-to-government program is concerned with institution-building activities geared to help our Latin neighbors to achieve economic stability and growth, the partners program was launched to reach out directly to the people in rural and slum areas. These people are striving to help themselves through small local self-help projects The partners program seeks to join private groups in our individual States with their Latin counterparts, to give a vital sense of movement to the Alliance for Progress in areas where it is needed most. Mr. President, I am proud of the role that Connecticut is playing in the partners program. It is one of 25 States participating in the program singled out for mention by the President in his foreign aid message of January 14, 1965, as one of the accomplishments of the Alliance for Progress. He said:

> They bring to bear a vital people-to-people effort on our relationships with Latin America.

I am pleased that our citizens have responded to the call to join in partnership activities with our Latin neighbors. And I am confident that an imaginative private effort such as Partners of the Alliance can contribute much to better relations in the hemisphere.

Mr. President, I would like to briefly recount some of the highlights marking the development of the partners program in Connecticut. I want to do this to give recognition to the efforts of the people in my State who are giving of their time and talents in order to make our State's participation a vital and meaningful one.

It is also my hope that such a review will encourage more Connecticut citizens to become personally involved in the program, through the groups and organizations to which they belong.

On behalf of the Connecticut congressional delegation, I drafted a letter to Gov. John Dempsey last October 1964. In the letter we urged the Governor to convene a conference of community leaders, representative of groups and organizations throughout the State, to hear a presentation on the Partners of the Alliance program by the Director of that office in the Agency for International Development. I ask unanimous consent that this letter, signed by the entire congressional delegation, be printed at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DODD. A prompt and positive response came from Governor Dempsey on October 22, 1964. He stated, "I feel that the people of Connecticut will want to play a part in any nationwide program designed to improve economic conditions in Latin America and to help Latin Americans achieve self-sufficiency. Accordingly, I am assigning to the State development commission the responsibility of arranging a conference to make plans for Connecticut's participation in this program."

Under the able leadership and direction of Mr. LeRoy Jones, managing director of the Connecticut Development Commission, and Mr. James S. Klar, assistant managing director, a meeting was held in Hartford on December 8, 1964. Mr. James H. Boren, director of the Partners of the Alliance programs and Mr. Wade B. Fleetwood, his special assistant, attended the conference to explain the program and to suggest organizational steps to get underway a Connecticut partners program with the State of Paraiba in Brazil.

At that meeting, the group constituted themselves as the Connecticut steering committee, appointed Mr. James Klar as temporary chairman, and instructed a nominating committee to select a program development team to travel to Paraiba.

The following people were subsequently selected to represent Connecticut:

Mr. Richard C. Briggs, superintendent of schools, Watertown.

Mr. Daniel J. Gallagher, board member, Connecticut State Labor Council.

Mr. James S. Klar, assistant managing director, Connecticut Development Commission.

Mr. Paul E. Waggoner, chief, Department of Soils and Climatology, Connecticut Agricultural Experiment Station.

Mr. David Wiggin, director, sanitary engineering division, State department of health.

Mrs. Chase Going Woodhouse, director, service bureau for women's organizations.

This Connecticut team visited Brazil from February 7 to February 18, 1965, to meet the people and see for themselves the extent of self-help projects underway in the State of Paraiba. Located in northeast Brazil, this small State was visited in its entirety by the team.

This was not a junket. Rather, they were busy from dawn until late at night every day, seeing people, and visiting schools and hospitals and other project sites throughout Paraiba.

They traveled 1,200 miles by jeep, met with countless private leaders, as well as government officials, to find out about the immediate problems as well as the broad outlines of development and progress in rural communities to better the lives of the people.

President Johnson, in his state of the Union address on January 4, 1965, said:

> I will steadily enlarge our commitment to the Alliance for Progress as the instrument of our war against poverty and injustice in the hemisphere.

The partners program seeks to help people who are doing now for themselves what they can to remove the blight of poverty from their everyday lives.

They have provided the materials, the labor, the time, and the finances their own meager income allows. What they need, in most cases, is only a boost from us to complete what they themselves are trying to accomplish by community action.

Mr. James Klar was made chairman of the Connecticut Partners of the Alliance Committee. He has prepared a memorandum, dated February 26, 1965, which is a brief diary of the Connecticut team's activities in Paraiba. I ask unanimous consent that this interesting and informative report be printed at the conclusion of my remarks.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

(See exhibit 2.)

Mr. **DODD**. Mr. President, a start, and a very good one, has been made, and I think that the Connecticut partners program will move ahead at a good pace.

The groundwork has been carefully prepared and the team members are well qualified and able to carry the story of Paraiba to the people of Connecticut.

I hope they will achieve a strong statewide organization, with broad participation among all groups and organizations in the State.

I am very much in favor of this direct approach toward the betterment of our hemispheric relations.

It gives us a chance to practice partnership with the great peoples of Latin America, on a more personal basis than is possible under our usual foreign aid activities.

EXHIBIT 1

Hon. JOHN DEMPSEY,
Governor, State of Connecticut,
Hartford, Conn.

DEAR GOVERNOR DEMPSEY: There has recently been established under the auspices of the Alliance for Progress a program known as Partners of the Alliance, which seeks to endow the Alliance with the element of personal involvement in our foreign aid program and to place increasing emphasis on self-help and partnership in the conduct of this program.

Under this program, American States, communities, and service organizations are asked to become partners of a specific State or area in Latin America. The American partners try to learn something of the special problems of the area to which they have been assigned and try to discover in what manner they can most effectively assist the people of this area to complete self-help projects on which they are already engaged. It may be a school, a hospital, a small power station, an irrigation project, an agricultural experimental station. But in each case, it will be a project that is essential to the welfare of the area and where a relatively small amount of assistance from the American people can make the difference between completion and noncompletion or between early completion and completion at a much later date.

The Partners of the Alliance have selected the Brazilian State of Paraiba as the partner of the State of Connecticut in this project. Paraiba is a State in the northeast section of Brazil which is pathetically poor even by Brazilian standards. The per capita income of the people of Paraiba is only $95 annually. The majority of the people are engaged in agricultural pursuits, as they are in most undeveloped countries. Its population is 1,713,000 which is roughly comparable to the population of our own State.

The purpose of this letter is to advise you that the members of the Connecticut congressional delegation unitedly endorse this project.

In order to get this program off to an effective start, we would like to urge that you, as Governor, convene a conference of community leaders in which civic clubs, unions, business and professional groups and the academic community are all represented. The initial task of the conference as we see it, would consist of appointing a representative committee to visit the State of Paraiba and discuss with community leaders, as well as our AID mission, the projects on which American community assistance within the framework of the Partners of the Alliance program, could have the greatest impact.

On returning to Connecticut, the delegation would report back to the members of the original conference and would then seek to assign their list of impact projects either to civic organizations or to schools or to labor groups or to communities as a whole.

It is anticipated that the program will involve continuing visits by citizens of Connecticut to their partner State of Paraiba and by citizens of Paraiba to their partner State of Connecticut.

Through this activity, it is hoped, the people of Connecticut will be given a sense of direct participation in assisting other peoples through our foreign aid program, while the citizens of the State of Paraiba will on their side come to regard our foreign aid program not as a cold instrument of foreign policy, but as a humanitarian commitment by the American people.

Despite the pending election, we join in hoping that it will be possible to convene this conference at an early date so that Connecticut's program may become a model for the rest of the country.

EXHIBIT 2

STATE OF CONNECTICUT
DEVELOPMENT COMMISSION,
Hartford, Conn., February 26, 1965.

To: Members of the Connecticut Partners of the Alliance Planning Committee.
From: James S. Klar, chairman of committee.
Subject: Preliminary report of visit of the team to Paraiba, Brazil.

As you know, 2 o'clock on March 10 is scheduled for the next meeting of the planning committee. At that meeting, a full report will be given by the team which has returned from Brazil. The team is currently hard at work getting ready for the meeting. However, it is my feeling, as committee chairman, that members of the committee would be interested in a diary and report of activities prior to the March 10 meeting. This is the purpose of this memorandum.

The team consisted of Richard C. Briggs, Watertown Superintendent of Schools; Daniel J. Gallagher, executive secretary of the Connecticut State Labor Council; James S. Klar, assistant managing director of the Connecticut Development Commission; Dr. Paul E. Waggoner, chief of the Department of Soils and Climatology of the Connecticut Agricultural Experiment Station; David Wiggin, director of the sanitary engineering division of the State department of health; and Mrs. Chase Going Woodhouse, director of the Service Bureau for Women's Organizations.

Following is a brief diary of the team's activities:

Sunday, February 7: Team rendezvoused at 3 p.m. at Kennedy Airport with representatives of the Washington office of the Partners of the Alliance and were given very brief information regarding the likely itinerary of the trip. At this meeting, two members of the New Jersey team, which had just returned from the State of Alagoas (very close to Paraiba), volunteered their services to inform the Connecticut team about some of the physical handicaps and conditions to expect and be prepared for. These two gentlemen were most helpful to the team. The team departed at 9 o'clock on Pan American Airlines and arrived in Rio de Janeiro at 9:30 on Monday, February 8.

Monday, February 8: A briefing session of about 2 hours was held in the Brazil headquarters of the Alliance for Progress by Mr. James Grazier, who is the head of the partners program for Brazil. Specialists in several areas of AID programs briefed the members of the team about the conditions in Brazil generally and Federal programs of the United States working in Brazil for economic development.

Tuesday, February 9: Briefings continued all day from additional specialists. The specialists came from the areas of education, agriculture, labor, food for peace, Peace Corps, U.S. Information Service, the U.S. Public Health Service, and other agencies.

Because Governor Gondim, of Paraiba, was in Rio de Janeiro on business during that week, the team entertained him for luncheon at the Museum of Modern Art restaurant. This, therefore, was the first opportunity to meet the Governor of Paraiba. The Governor expressed a great deal of interest in the program and great concern and disappointment that he was unable to be in Paraiba during this first week to receive us. He returned our hospitality by making the team his guests at dinner that night where we met other state officials from Paraiba, also in Rio on business. At this dinner meeting, arrangements were made through the Governor for official reception in Paraiba later in the week and for a forthcoming formal meeting with the Governor to exchange greetings from Governor Dempsey and the presentation of the flag of the State of Connecticut.

Wednesday, February 10: On this day, the team traveled to Recife in the State of Pernambuco, a 1,500-mile trip by Varig Airlines. The team was met on arrival by the representatives of the northeast office of the Alliance for Progress headquarters in Recife.

In the evening the team met with Dr. Donor Lion, who is the director of the Alliance for Progress of the northeast, and who spent some time in informal conservation advising us of his office's responsibility in the program. We were here informed that Mr. Charles Wiggin, of his staff, a Brazilian specialist, an interpreter, and a photographer would accompany and guide the team throughout the Paraiba visits.

Thursday, February 11: The team traveled to Joao Pessoa, the capital of Paraiba, about 70 miles distant from Recife and arrived there at 11 a.m. The team was received by Dr. Edguardo, who is the chief of house for the Governor's palace. Here the official welcome was made on behalf of the Governor.

In the afternoon, a meeting was held with the counterpart committee of the State of Paraiba. The committee comprised about 20 members, 6 of whom were women, and represented a cross section of the private and governmental sector of the State, somewhat similarly constituted to our own planning committee in Connecticut. The chairman is Mr. Max Saeger, who is the executive director of the Consuelo Estado do Desenvolvimento (the state development council). At this meeting, after introductory remarks acquainted the two teams with one another, the projects were presented by Mr. Saeger and various representatives of his team, whose organizations had helped in developing the projects.

Mr. Klar chaired the meeting and asked for brief descriptions of the projects, naming them and numbering them sequentially for future reference. Sixteen projects had been prepared and were concerned about equally with school and education needs and health and sanitation needs. It was made clear that other projects were being developed and hoped to be forwarded in the future.

Mr. Klar said that the Connecticut team was looking forward to visiting the projects and in evaluating them and reporting on them to the Connecticut committee back home. He made it clear that no commitments would be made at this time and he reiterated that the team would be very searching in analyzing the degree of demonstration of self-help within each project, its worth in terms of the future development and well-being of Paraiba. He also made it clear that the concept of the program by the Connecticut team was that it was to be a true partnership between the two States and that it was hoped that projects would be initiated in Connecticut, asking for assistance from people in Paraiba to make contributions to Connecticut's well-being.

The general criteria and statements made by Mr. Klar seemed to be well received by the Paraiba team and the meeting ended on a very good note.

Subsequently, the Connecticut team mapped the physical locations of the projects and set up an itinerary to visit them. The 16 projects were well scattered throughout the State and, while it therefore caused some apprehension on the part of the team that a great deal of traveling would be necessary, nevertheless, it was felt very valuable that the team gain an overview of the entire State and the various conditions therein and that the projects were broadly based and not centrally located.

Friday, February 12: A caravan of three jeep station wagons left at 8 o'clock in the morning carrying the members of the team, the four people from the Partners of the Alliance before mentioned, and an agronomist from the Paraiba Development Council. On this day, the team visited four projects in three communities and arrived in Campina Grande, the second largest city, that night. After dinner, detailed descriptions of the day's activities and observations at the projects were dictated by team member Briggs.

Saturday, February 13: The team proceeded to the city of Patos, the third largest city, about two-thirds across the State, visited two more projects and again prepared written reports thereon.

Sunday, February 14: Because several projects lay in extreme outlying areas and no further suitable overnight accommodations were available, the team split into three groups and made round trips. This was a particularly arduous day and the three teams together visited three projects at the extremities of the State within sight of the State of Ceara. All team members returned to Patos for the night, arriving back around 8 or 8:30.

Monday, February 15: The team visited the mayor of Patos as a courtesy call, but it turned out that the mayor was a very dynamic and aggressive person in carrying on the improvements of his own city. The team spent about 2 hours with Mayor Cavalcante viewing community centers which he is trying to develop on a neighborhood basis to provide health facilities, elementary school and recreation facilities and laundries. He is also undertaking construction of a large maternity hospital. It is apparent that the partners program could be very helpful to the city of Patos. The team then left to return to Joao Passoa for the night.

Three members of the team branched off to drive to the city of Rio Tinto, north of Joao Passoa, to visit late in the evening, Diane King, a Peace Corps volunteer from West Willington, Conn. Miss King is what is called a "visitadore," which is the work of a good many of the female Peace Corps volunteers in Paraiba. They act as semitrained visiting nurses and also give vaccinations in assistance to a local doctor. Miss King seemed to be overjoyed to receive a visit from the members of the Connecticut team and the team found her physically well and certainly well adjusted to her volunteer duty.

Upon return to Joao Passoa, much dictation ensued until about midnight.

In the evening, team member Gallagher visited a meeting of the Taxi Drivers, Bus Drivers, & Truck Drivers Union, where he was very well received and asked to return the following evening with other members of the team, if possible.

Tuesday, February 16: Visits were made to seven projects in Joao Pessoa and reports dictated thereon.

In the late afternoon, the team visited a very modern sisal plant where twine and rope is manufactured. This is a fast growing industry in Paraiba, a relatively new one and holds great hope for its future economy. Mr. Max Saeger and his father are owners of the mill. The team was impressed by its very modern design, excellent maintenance and working conditions for the 400 employees.

Four team members, including Mr. Gallagher, met with over 50 members of the Union of Chauffers and a contingent of State and local police officers, who were jointly undertaking a course in human relations. At this meeting, Mr. Gallagher was honored by a membership in the union and all members of the team answered many questions raised from the floor about Connecticut, with particular emphasis on working conditions and the maintenance of law and order.

Wednesday, February 17: In the morning members of the team split up and had individual conferences with the secretaries of State departments particularly pertinent to their fields; i.e., department of agriculture, department of health, department of education, and development commission.

At noon, the team members were guests of a large sugar plantation owner in a nearby community and were shown firsthand how a sugar plantation is operated. This was arranged by the executive director of the State chamber of commerce, who is a member of the Paraiba team.

In the afternoon, a formal meeting was held with Governor Gondim and the members of the Paraiba team. At this meeting, Mr. Klar brought the official message of Governor Dempsey to Governor Gondim and read Governor Dempsey's letter. He also presented to Governor Gondim the State flag of Connecticut, explaining briefly the history of the State and the significance of the design of the flag. Governor Gondim replied with a brief but very eloquent talk and presented the Paraiba flag to Mr. Klar to be delivered to Governor Dempsey. Mr. Gallagher was called upon by Mr. Klar to briefly remark about the overall impressions that the team had for the State of Paraiba, the projects and the attitudes of the people visited. The team was unanimous in expressing its feelings of friendliness and dedicated earnestness of the Paraiba people in trying to improve their standards of living.

After this meeting, the team returned to Recife for the night.

Thursday, February 18: A debriefing session was held with Dr. Donor Lion for about 3 hours, at which time a good opportunity was had to review the methods in which the partners program is being operated. The team had many compliments for the assistance of the highly technical ability of the staff from Recife who accompanied them and the work of the Paraiba team. Constructive criticism was also offered as to possible improvements in the methods of briefing. Dr. Lion reviewed with the team the criteria he believed advisable in determining the final disposition of projects by the Connecticut committee.

In the evening, the team returned by Croziero do Sul Airlines to Rio—a delayed flight which did not return the members until about 2 a.m.

Friday, February 19: A debriefing session was held with Mr. Urban Wittig in the Alliance for Progress offices. Members of the team were released to then return to their Connecticut homes.

The team members all have taken their responsibilities very seriously and are in accord as to the worthiness of the program, the sincerity and earnestness of the Brazilian people.

The team is currently reviewing the many photographs taken, studying the projects, and preparing a definitive report with recommendations.

It will be the responsibility of the planning committee at its March 10 meeting to lay definitive plans for the launching of the active partnership between the States of Connecticut and Paraiba.

Please make every effort to attend.

ANTIPOVERTY PROGRAM—PROJECT HEAD START

Mr. DODD. Mr. President, I was extremely proud and pleased to learn that Connecticut is to be the recipient of 22 of the initial grants made under Project Head Start, proud because my State is one of the leaders in this aspect of the antipoverty program and pleased because I know what an important opportunity Head Start will provide for thousands of underprivileged children.

These 22 grants will establish 168 centers, reaching 3,802 underprivileged children throughout the State. There is no doubt in my mind that these centers will prove to be a key factor in Connecticut's efforts to eliminate pockets of poverty in the State.

Project Head Start is one of the most imaginative of the programs to be initiated under the poverty program.

It is exciting because it offers hope for genuine improvement rather than merely being a holding action against the forces of poverty, unemployment, and ignorance.

It presents an opportunity to break the vicious circle that has perpetuated the conditions which breed poverty. I think that the combination of community resourcefulness and Federal resources provided under the poverty and Head Start programs will be just what is needed to achieve this breakthrough.

Head Start is also exciting to me because it reaches the very young. Crime, delinquency, and the other evils that arise from our slums are, in the majority of cases, the result of children who in their early, formative years are denied not only the attention necessary to healthy emotional development, but are denied basic physical needs as well.

If we are to attack poverty at its roots, therefore, we must begin with our children. Project Head Start will provide our youth with the necessary health, education, and welfare services which so many of them are not now receiving.

It will broaden their horizons and enable them to attend school on an equal footing with more fortunate children and, in doing this, Project Head Start will be helping to preserve our country's greatest resource, our children, too many of whom have been neglected for too many years.

I would like to take this opportunity, Mr. President, to pay tribute to Dr. Julius Richmond, Director of Project Head Start, and Mr. Sargent Shriver, Director of the Office of Economic Opportunity, for their fine achievement in bringing this program to fruition in so short a period of time.

Their untiring efforts these last few months have made it possible to begin the project this summer in order to prepare youngsters for school this fall. Had it not started at this time, we would have 500,000 children beginning school this fall without the benefits which Project Head Start will provide.

I would also like to pay tribute to the President's wife, Lady Bird Johnson, whose interest in and support of the program have been an incalculable asset.

It was Mrs. Johnson who eloquently described the necessity of assisting our underprivileged children when she said:

> There is no more important task in our communities than for such children to hear a voice say: "Come, take my hand."

I am pleased that local leaders in Connecticut have taken the initiative and will take the hands of these children.

THE SS "HOPE"

Mr. MUNDT. Mr. President, despite all the good that Project Hope's doctors achieve overseas, satisfaction is not a one-way street, as Dr. Charles B. Kelly points out in an Aberdeen, S. Dak., American-News article.

Dr. Kelly, an Aberdeen dentist, explains that aboard the SS *Hope* the medical staffers help people, but that the helpers do not come off untouched.

Thus, while Dr. Kelly and his fellow volunteers were busy training dentists and physicians, the American doctors were developing new attitudes about life.

> All the things you thought were important, prestige, money, and so on, are not really important at all—

Dr. Kelly responds after 2 months with Project Hope in Guinea, Africa.

And so, Mr. President, I ask unanimous consent that the American-News article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SATISFACTION CITED AS A REWARD FOR "HOPE" SERVICE

(By Del Griffin)

"All the things you thought were important, prestige, money, and so on, are not really important at all."

That's one man's feelings after being on the SS *Hope*, the teaching medical center that goes about the world teaching medical practice in places where such training is sorely needed.

The ship, you see, works both ways. It is helping people but the helper does not come off it untouched.

The man who made the statement about relative values is Dr. Charles B. Kelly, Aberdeen dentist, who just returned from his second tour aboard the SS *Hope*. Already he is talking about next year and the request he has received that he go to Central America to set up the SS *Hope*'s dental project there.

Dr. Kelly's latest duty on the *Hope* was at Conakray, Africa, located in French Guinea. The area is now a democracy, having gained independence from France.

When the *Hope* arrived in Conakray there were only one or two trained doctors in the entire area. That has been improved by several hundred percent. Because of Dr. Kelly and the other dentists who served aboard the *Hope*, there will be 10 trained dental workers in the area. And there will be people trained in medical practices and in nursing.

Dr. Kelly left Aberdeen for Africa February 7 and returned here April 21. When he left Conakray, he said, the *Hope*'s medical crew had immunized over 50,000 children for polio, diptheria, and typhoid.

This medical assistance to the people is important but it is the secondary purpose of the ship, Dr. Kelly says. "The suffering and appalling neglect are so bad that if we worked 50 years we would only scratch the surface."

The ship's main purpose is teaching.

A group of the native population is to be taught medical and nursing practices that they will use in their country. The medical treatment performed by the *Hope*'s people is used to teach the native students how to do it.

Dr. Kelly said that in Africa it was necessary to show the students even the most primary elements of dentistry. The students, when the ship leaves, will be trained—not nearly as well as graduate dentists, or physicians, but much better than witch doctors.

In addition, the ship tries to leave a nucleus from the ship itself for at least a year. And it leaves a supply of materials.

The Hope is a charitable program operated by the Hope Foundation. When a country asks for its assistance, the foundation sends a survey team into the country to visit with the medical men there (if there are any) and the schools and government officials. When the ship arrives for its stay in a country, the local government must pay for dockage and must open its schools and hospitals for teaching. All services and materials of the *Hope* are given without charge to the people who come for help.

(As an example of the type of services and materials, Dr. Kelly fashioned from a plastic material used in dental work an artificial thumb for an African. The man played the tomtom in a native band and was hampered in his drumming by the loss of the thumb. Dr. Kelly said the thumb he made was flesh-colored and it wasn't until he had put it on the man that he realized the rest of the man's skin was black. The man found some way of coloring the flesh-colored thumb to match his flesh color. He now plays the drum well again, Dr. Kelly says.)

The United States through its foreign aid program, pays a "little bit" of the cost of upkeep for the floating hospital and the American Dental Association contributes $5,000 annually for supplies. The *Hope* otherwise is supported by private contributions.

The services of men like Dr. Kelly are voluntary and free. They get transportation to and from the ship.

There is only one SS *Hope* but the doctor says another has been offered. There is, however, the question of whether enough trained people can be found to operate it. The trained people must be willing to give up 2 months of their time for the ship.

Dr. Kelly says one of the frustrations involved in the project is getting acceptance in the country where the ship docks. He said there was in Africa a natural reluctance on the part of the government. "These new countries are afraid you are there to exploit them and it takes a while to convince them we are there only on good will and want nothing from them."

Last year Dr. Kelly was in Ecuador with the ship and he recounts the difficulties in winning over the dental instructors there. They kept apart from the class while he was teaching, Dr. Kelly said, and "chattered and tried to make fun of what we were doing." But, the doctor says, when they finally got over their suspicions, they became very hospitable.

A material example of the *Hope*'s work is a letter in Dr. Kelly's files. It is from one of the dental instructors in Ecuador; one of those who at first eyed the Americans with suspicion. The instructor, in his letter, asks Dr. Kelly to intercede for him because he too wants to serve aboard the *Hope*.

ABORTIVE ELECTION RETURNS PREJUDICE VOTING

Mr. MUNDT. Mr. President, several Senators have expressed concern that nationally broadcast election result predictions based on computer projections of eastern trends could affect the election outcome in areas farther west where polls remain open.

The senior Senator from California [Mr. KUCHEL] recently inserted into the CONGRESSIONAL RECORD a Library of Congress expert's opinion holding that Federal legislation to force uniform national poll closing hours would be constitutional, but prohibiting comment on election returns would be unconstitutional.

Mr. Douglas A. Fuchs, assistant professor of journalism at the University of California, Berkeley, has authored two studies of the effect of early computer-projected electoral predictions in last fall's general election.

He concludes western elections may have been influenced slightly. Total impact was small, but in close election contests the impact could be decisive.

I ask unanimous consent that Mr. Fuchs' studies, "Election Day Newscasts and Their Effects on Western Voter Turnout," from the winter 1965 issue of Journalism Quarterly, and "Broadcast Election Returns and Western Voting: November 3, 1965," be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Reprinted from Journalism Quarterly, vol. 42, No. 1, winter 1965]

ELECTION DAY NEWSCASTS AND THEIR EFFECTS ON WESTERN VOTER TURNOUT

(Is voting behavior changed by hearing computer predictions of election outcomes? This California study indicates a possible small effect adverse to Democratic Party candidates last November.)

(By Douglas A. Fuchs, assistant professor of journalism at the University of California, Berkeley)

Some 38 minutes before many northern California polling places closed in the June 1964 presidential primary election, the Columbia Broadcasting System made an unprecedented declaration of victory for Barry Goldwater. To arrive at this early and accurate prediction, CBS and other networks (which followed with much later declarations) had manned large forces of poll-site reporters, tabulation centers, and of course, the now ubiquitous high-speed, electronic computers. The process of reporting elections on the basis of early returns from key precincts [1] has become so precise that a major social problem has been posed. Simply stated, the problem boils down to this: Will the persons who have not yet voted, and who hear a broadcast of a computer prediction of the outcome of the presidential election, change their voting behavior in any way?

Operationally, we are dealing with at least two types of possible behavior change. First, will the late voter decide not to vote at all if he knows the outcome already? And second, if he does vote, will his knowledge of the outcome of the presidential race change his voting in some way (e.g., will he join the bandwagon, or possibly now feel free to register a protest vote)? Evidence gathered in previous election studies leads us to conclude that vote-switching was not likely to be a potent force overall. So while the present research did measure any reported changes in voting direction, its major emphasis was the examination of voting turnout as a function of exposure to early broadcast predictions.

The 1964 general election is the first on which research of our type has been done. This is primarily because only now have the data gathering and processing facilities available to the mass media become sophisticated enough to handle the election-day predictions satisfactorily. Other research works have already been reported on a preliminary basis. An Associated Press dispatch dated November 9 described a survey done by John Rademaker of Willamette University. He is reported to have interviewed 2,961 voters at 40 precincts in Marion and Multnomah Counties, Oreg. Of these, about 1 percent said they were influenced by election returns from other States. Associated Press further reported that the team also interviewed 131 persons who had not voted, and concluded that knowledge of the nationwide trend was not the reason. Apparently the rest of the analysis is still being done, and we can therefore make no evaluation of Rademaker's results at this time.

Nathan Maccoby of Stanford's Institute for Communication Research conducted a study of this same general type in Palo Alto. He reported that turnout was so high that they could literally find too few nonvoters to make any thorough analysis.

TABLE 1.—*Reasons for still voting in spite of hearing declaration of victory* [1]

	Projected Johnson victory		Projected Goldwater victory	
	Number	Percent	Number	Percent
Want to vote for other issues	195	16.2	193	16.2
Want to vote for my man whether he wins or loses	427	35.4	454	38.2
Don't believe the predictions; they could be wrong	247	20.5	236	19.9
Other reasons	337	27.9	304	25.6
Total	[2] 1,206	------	1,187	------

[1] The questions were asked: "Suppose you had not yet voted on election day when you heard on TV or radio that according to the predictions of a computer based on votes already cast, Lyndon Johnson was considered sure of winning no matter how the vote went here in California. Do you think you would go out and vote, or would you probably not bother to go to the polls?" And, "What would be your reason for going out to vote?" The same type questions, with Goldwater as the supposed projected winner, were then asked immediately following the above set. The order of presentation of the 2 sets of questions was not varied.

[2] Multiple responses were received in some cases.

At least one other major piece of research is being done on this large area of broadcast predictions' influencing the vote. CBS did extensive personal interviewing in California on this matter. In an August talk, President Frank Stanton suggested that the results would probably be available some 3 to 6 months after the election.

In mid-October, we did some personal interviewing on 1,200 Californians' ideas of how they might be affected if they were to hear a firm prediction of victory in the presidency before they voted on election day.[2] Twenty persons out of 1,200 said they would probably not bother to vote if they heard of a sure Johnson victory prediction on radio or TV. Another question followed in which the reasons for still going out and voting were obtained. Also included was a similar set which asked for projected action if Goldwater were declared the winner. Twenty persons stated that they would probably not bother to go to the polls in this case. Ten of these were also in the not-bother group from the previous question. The analysis that may be done with these persons who wouldn't bother to vote is limited, to say the least. But one speculation we will venture is that the number who admitted they would not bother to vote under the circumstances outlined is strictly a base figure; i.e., it seems likely that more than that would feel inclined not to bother to vote, but upon being asked our question, would not own up to harboring such undemocratic feelings. The reasons cited by those who would go ahead and vote are interesting. They appear in table 1. Perhaps the 16.2 percent who said they wanted to vote on other issues yield some sad insight into the relatively low turnout figures that are normally expected in off year elections.

TABLE 2.—*Level of interest expressed in 3 ballot issues* [1]

	Presidential				Senatorial				The propositions [2]			
	Johnson voters		Goldwater voters		Johnson voters		Goldwater voters		Johnson voters		Goldwater voters	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Very interested	182	85	48	71	118	55	53	78	181	85.0	48	71
Fairly interested	18	8	16	24	66	31	11	16	29	14.0	16	24
Slightly interested	14	7	2	3	24	11	4	6	1	.5	3	4
Not interested at all	------	------	2	3	6	3	------	------	1	.5	1	1
Total	214	------	68	------	214	------	68	------	212	------	68	------

[1] The questions were asked as follows: "How interested would you say you are in the ------- campaign this year—very interested, fairly interested, slightly interested, or not interested at all?"

[2] All California ballots contained 17 State-level referendums. The subjects of these propositions ranged from ruling on veterans' widows' tax exemptions to the very controversial measure to repeal the State's fair housing law. A further indication of the interest in the latter is evidenced in the Orange County vote; the total vote cast on the fair housing repeal exceeded the total vote cast for President.

NOTE.—It should be recalled that these data are for known voters and as such the interest levels are, no doubt higher than for all registered persons; they are certainly higher than for the population of eligible citizens.

THIS BERKELEY STUDY

Our research overall included several separate but related phases of investigation. The present report deals mainly with a Berkeley sample of late-day November 3 voters. While the city of Berkeley, Calif., is atypical in that it houses one of the largest university campuses in the country, its population is not as homogeneous as might be thought. For this reason, as well as the obvious one of expediting field work on this small study, we chose Berkeley for this investigation.

A systematic sample of 17 polling places out of the total of 276 in the city was chosen. Teams of two student interviewers were sent to each of these polling places at 4 p.m. Pacific standard time November 3. Their instructions were simply to interview as many as possible of all persons voting between 4 and 8 p.m., when the polls closed. Despite some of the interviewers being harassed by Democrats sure they were passing out Goldwater literature, Republicans sure they were passing out Johnson literature, and several unspecified individuals sure they were passing out Communist tracts, the interviewing went rather well. A total of 344 completed interviews was obtained.[3]

It is obvious that the sampling procedure leaves little room for generalizations from these results to the population of Western voters as a whole. The primary purpose of this study then was to gather supplementary data for a larger study—consisting of some 5,000 before and after election telephone interviews in three western metropolitan areas and 550 after only interviews in East Lansing, Mich.[4] The results of the latter will be written up in a subsequent publication. It should be obvious then but emphasized nevertheless that this is strictly a preliminary report.

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[1] The choice of these key precincts is reported to be based on such criteria as early availability of results, records of past voting behavior, and various demographic data. CBS is said to have used only 42 precincts out of California's some 32,000 in making their very close, early declaration of victory in the June 1964 primary.

[2] We heartily thank Robert Heyer and Field Research, Inc., of San Francisco for handling this part of our study for us.

[3] Data gathered from 1,700 of Alameda County's 2,155 precincts showed that 33.5 percent of the county's 435,000 voters cast their ballots after 4 p.m. on Nov. 3. It is therefore clear that a large number of these persons could have been influenced if they had heard election returns before voting.

RESULTS

The first set of three questions was designed to assess the respondents' general interest level in the campaign. Interest is, of course, a major determinant of turnout and therefore a variable to be used in constructing a likelihood of voting index by party, SES level, etc. Table 2 shows the results.

While we expected that interest in general would diminish as the voter proceeded down the ballot, the clearly lower interest in the senatorial race was somewhat surprising. Note especially here the sharper diminution of interest in the senatorial race by Johnson voters. It is obvious from examining the statewide figures that all Johnson voters did not vote for Pierre Salinger, too. Table 3 shows that interest in the senatorial race was lower among those who did vote for Salinger than among the GEORGE MURPHY voters. A generalized, partial explanation of the results of the senatorial race is then: Democrats were less interested than Republicans; some may have manifested their lack of interest by voting for MURPHY. The question is raised whether this diminution of interest by itself or in an interactive fashion could have affected voting turnout among those persons who had heard or seen a network prediction on the presidential race before they voted. We shall seek to answer this major question when analyzing the data from the telephone survey. Since the present research, however, was restricted to known voters, we can only conclude here that at least one important condition—less than maximum interest—existed for demonstrating the effect on voting turnout of knowledge of the outcome of the presidential race.

TABLE 3.—*Interest in the senatorial race and senatorial voting*

	Salinger voters		Murphy voters	
	Number	Percent	Number	Percent
Very interested	97	55.7	82	72.6
Fairly interested	55	31.6	25	22.1
Slightly interested	19	10.9	6	5.3
Not interested at all	3	1.7	0	------
Total	174	------	113	------

MEDIA EFFECTS ON VOTING

We do have some idea, even from the limited sample Berkeley study of the magnitude of the declaration effect. As expected, it was minor. Supporting evidence, for example, was the fact that although 67.1 percent of the Berkeley respondents who had tuned in to election news had heard a broadcast computer prediction before they voted, they still voted. To anyone who was tuned in at any time after the start of network coverage at 4 p.m., Pacific standard time, it should have been clear what the import of even the most highly hedged projection or prediction was. Although even the early evening viewer or listener was required to some extent to draw his own conclusions about the outcome of the presidential race, the fact that Johnson was well ahead did not escape many of the respondents.[5] Table 4 shows something of what the listeners perceived was being said as the outcome.

It is interesting to speculate at this time why 177 of our respondents had not heard any election returns at all before being interviewed. A possible explanation is that some purposely avoided what they expected would be bad news for them. A more likely explanation, however, is that some of these non-listeners came directly from work to the polls, and had simply not yet had access to a radio or television set.

TABLE 4.—*Listeners' interpretations of the broadcast projections*[1]

	Percent
1. Johnson has won	4.4
2. Johnson leading heavily	74.7
3. Johnson has a slight lead	17.1
4. Don't know	1.9
5. Goldwater leading	1.3

[1] These figures are based on the responses of the 158 persons out of 164 who had listened in to election returns before voting themselves.

Whatever the reason, such limited exposure certainly acts to attenuate the potential declaration effect in general. Table 5 shows something of the relationship between time of voting and listeners' perceptions of what was being said.

EFFECTS OF THE PREELECTION POLLS

In trying to assess the effects of the mass media generally on voting, some consideration of the preelection polls must be made. We felt that this was important even though the literature would seem to indicate that little change in voting behavior has been attributed to this source in the past. In the Berkeley sample, we asked about readership of these polls, and how they had affected each individual's interest in voting. About 86.5 percent of our respondents had read some sort of poll; Johnson and Goldwater voters among the 46 who had not heard any such information were split just as in our sample as a whole and also as in the county—about 70–30 for Johnson. Some 11.6 percent of the poll-exposed sample members reported that their interest in voting had been changed by these polls. Of all poll reading persons, 19 percent of the Goldwater voters became more interested and only 3 percent less interested. In the Johnson voter group, 5 percent became more interested, and 4 percent tended toward lower interest. If these limited data have any validity at all, it would seem that the critics of preelection polls have even less firm ground than before on which to base their stand now. In other words, interest in voting seems to have been increased generally by exposure to these polls—at least among voters. It is possible, of course, that some persons' interest was so diminished that they refrained from voting altogether, but we would speculate that this number is rather small.

THE "DECLARATION EFFECT"

Finally, to get to the major focal point of the present microscopic investigation and that of the larger study as well, let us discuss what we know so far of the effects of the election-day news broadcasts themselves on some California voters.

Of the 344 Berkeley voters asked about their awareness of network broadcast "predictions" or "projections" of a Johnson victory, 67.1 percent answered affirmatively.[6] Of those who had been radio or TV listeners but who had not heard an election-day prediction prior to voting, 66.7 percent were interviewed in the first 2 hours of the 4-hour interval; in other words, before the actual network-drawn conclusions about the Johnson victory had been broadcast. The fact that two-thirds of our sample had heard a broadcast "computer prediction" of the outcome in the presidential election, yet still voted, is significant. In a sense, it sets the upper limit as to the effects an election-day declaration can have on the voting public.

Everyone in our Berkeley sample was asked a corollary question to that just discussed: "Did (or would) hearing a computer prediction of a sure Johnson victory in the presidential race make you more interested in voting, less interested, or (did it) make no difference to you?" The results of this question were:

	Percent
More interested	10.6
Less interested	5.0
No difference	84.4

It appears, from these very limited data, that the "effects" of the election-night broadcast predictions on voting interest are slightly greater than the effects of the preelection polls. This may, however, be little more than an artifact of the attention time lag implied in the question.[7] Note that twice as many persons were affected such that their interest in voting was increased by exposure to the predictions than those whose interest was decreased.

TABLE 5.—*Time of voting as related to awareness of a Johnson victory prediction*[1]

Time voted	Awareness of prediction broadcasts			
	Had heard prediction		Had not heard prediction	
	Number	Percent	Number	Percent
4:00–4:29	6	35.3	11	64.7
4:30–4:59	9	60.0	6	40.0
5:00–5:29	21	70.0	9	30.0
5:30–5:59	16	61.5	10	38.5
6:00–6:59	39	70.9	16	29.1
7:00–8:00	19	90.5	2	9.5

[1] The question was asked (of those who had listened to either TV or radio before voting): "As you (may) know, some radio and television stations have already started broadcasting computer predictions of the outcome in the presidential election. Have you heard any of these predictions this evening?"

It is worth reiterating here that neither of these reported media effects on voting interest seems to yield any large diminution of interest in voting in general. When the effects of both the polls and "declarations of victory" are considered together, in later analyses, we will have an insight into the possible interaction of the two effects on a person.

Because of what we anticipated would be a too sensitive area of interrogation for satisfactory reliability, the most direct question asked in Berkeley about broadcast effects was, at best, a projective one. We asked "Do you know of anyone who decided today not to vote because they heard the computer prediction of a Johnson victory?"

Only 9 of 338 respondents answered this question affirmatively; all but 1 of these were Johnson voters.

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[4] Prof. Bradley S. Greenberg, of Michigan State University, was extremely helpful in this phase of the study.

[5] The New York Times reports that as early as 3:48 P.s.t. NBC projected Johnson the winner with a 60 to 70 percent of the popular vote. Many of California's polling places at this point still had over 4 hours until closing. A rough estimate is that two-thirds of California voters had already been to the polls by this time. The first "firm projection" of a Johnson victory came about 6:04 p.m. P.s.t. It said "Lyndon Johnson has won according to vote profile analysis." (CBS.)

[6] The question was stated: "As you (may) know, some radio and television stations have already started broadcasting computer predictions of the outcome in the presidential election. Have you heard any of these predictions this evening?"

[7] On balance, both the polls and the "computer predictions" may eventually be shown to increase voting turnout as well as interest in voting. The relationship between interest and turnout will be more thoroughly analyzed on the telephone survey data.

One interesting datum which we can discuss now from the telephone sample was a try at assessing attitudes toward the broadcast of election returns in general. This question was posed: "Some people have suggested that a law be passed to prevent the announcing of election results until people all over the country have finished voting. Would you favor such a law, and why?"

A tally of the Alameda County interview schedules revealed that about 47 percent of the sample members responded that they favored such a law. About 43 percent of Johnson voters and 58 percent of Goldwater voters favored this law. On the reasons stated, about 32 percent of Johnson voters but 43 percent of the Goldwater voters said "some voters might be influenced by hearing early returns." If these respondents were at all reflecting an influence that had affected themselves—and there is no reason to disregard this interpretation at this point—then we might have found some inferential evidence of an effect of the sort we were trying to measure. Further, and perhaps most important, the magnitude of the effect, at least based on this part of the analysis, is different for the two political persuasions. By itself, of course, this evidence means little. We shall restrict its analytical use to functioning as a partial explanation of any nonvoting we may find.[8]

An interesting sidenote on the methodology of political behavior survey work might be added here. Among the 809 Alameda County respondents in the telephone sample who reported that they had voted, 67 (8.3 percent) had not voted, according to the public records. We can see no other explanation for this misreporting than a simple reflection of recalcitrance to admit such shirking of citizens' political obligations. Among these apparent misreporters, about 69 percent said they had voted for Johnson, 21 percent for Goldwater, and the rest refused to state. For the Alameda County sample as a whole, the proportions were 60 for Johnson, 29 for Goldwater, and 11 percent refusals. Among the prevaricators, then, Johnson advocates predominated more heavily than would have been expected, all other factors being disregarded for the moment.

CONCLUSIONS

To return to the conditional tense in which most of this paper has necessarily been couched; what this preliminary analysis means is that perhaps disproportionate numbers of Democratic and Republican voters were discouraged from casting their late-day ballots because of what they knew of the imminent outcome of the presidential race.

This should not be stated in anything approaching conclusive form, but rather as a single small bit of evidence which may serve to complement what we eventually find in analyzing the results of our large-sample, multicity telephone survey. In that analysis, a major emphasis will be on relating the preelection reports of attitudes about issues and candidates to reports of media behavior on election day and, most importantly, to verifiable reports of individual voting turnout.[9] We shall progress into that larger analysis now with the hunch that there was perhaps some small but socially significant effect of nonvoting as a function of this broadcast-produced lethargy.

Even if only a minute number are found to have changed their original voting intentions because of something they heard on radio or TV (and we are fully aware of the difficulties in establishing that a causal relationship exists between TV-radio exposure and nonvoting) then "we will have to take a second look at this situation" (to paraphrase Frank Stanton's words from an August 1964 interview).

There are more than a few persons who think that any restriction on broadcasting of election results as they become available is an infringement of a basic constitutional right. We do not argue this point at all. But the fact that some voters may be shown to be influenceable in the way we are investigating—and the fact that there have been, and will be more elections like that last month for Nevada's senatorial seat where the victor's margin was some 100 votes—all makes it necessary that something be done to eliminate this potential effect on the electoral process.

Although we have our personal prejudices—favoring revision of the election laws, not of the broadcasting industry's methods—that debate belongs in another context than this.

BROADCAST ELECTION RETURNS AND WESTERN VOTINGS: NOVEMBER 3, 1964

In the 1960 general election, the election-night televiewer was treated to a most spectacular, if rather confusing, card-shuffling performance by a series of network-leased electronic computers. One saw, if one persevered that night in November 1960, various well-known newscasters citing many quite different sets of computer-derived odds on the outcome of the presidential race.

The use of rapid-fire, high-caliber computers for analyzing behaviorial data had come a long way by June 2, 1964, the date of the California primary election. Using much more sophisticated means than before, CBS with its costly vote profile analysis was able to broadcast at 7:22 p.m., Pacific daylight time, a declaration of victory for Barry Goldwater in the primary balloting of the Republican Party. Many polling places in northern California did not close until 8:00 o'clock that night.

The cost of the vote profile analysis in this primary election is estimated to have been $300,000, but that is not surprising. The prediction turned out to come within less than 1 percent of the final percentage totals, even though only 40 or so precincts from the State's 32,000 figured in the sample. That was no particular surprise either. Several other facets of this computer operation—which has led the public and even the academic experts into taking as humdrum what only a few years ago would have been spectacular—were accepted just as unquestioningly here.

The unexpected part of the election prediction was not mechanical or analytical, but what amounts to an ethical component. To wit, "Does the network have the right to broadcast election predictions before the polls have closed in a given area?" The answer to the question depends upon the answer to a more basic question: "Is voting behavior changed by the early release of the computer predictions of victory?" The latter is what we set out to investigate. This paper deals with a part of the data gathered in a four-area panel telephone survey conducted in November 1964.

METHOD

Four metropolitan areas were chosen for the field study. Alameda and Orange counties in California represented the extremes of California politics; the former is predominantly Democratic, and the latter is the capital of western conservatism.[1] The city of Seattle was included as a control for factors held in common by the two California areas, e.g., State-bound factors such as the Murphy-Salinger senatorial race. At a date too late to conduct a preelection interrogation, as we did in the first three areas, East Lansing, Mich., entered the sample fold (through the friendly cooperation of Prof. Bradley S. Greenberg of Michigan State University). Discussion of this eastern control group is minimal in the present paper.

In each of the western areas, a sample of persons registered to vote was chosen in the following way: First, 70 voting precincts were systematically selected in each area. Then, with the California precinct lists in hand, a systematic sample of prospective respondents was chosen such that the total number on this first-order list would be about 1,300. In Seattle, some 2,000 names were selected; the registration rolls are rather old there, and we oversampled in order to try to balance the attrition rate expected through moving, death, etc.

We anticipated a loss of up to 25 percent when we reached the next sampling stage, finding the telephone numbers of our sample members. This loss was realized.

With about 1,100 prospectives in each area listed as having telephones, the interviewing began on October 30. Some 950 complete interviews were obtained in each of the west coast areas before the election. In the recalling, which commenced on November 4 and terminated on November 7, about 90 percent of these persons were recontacted and interviewed again.

THE RESULTS

Before getting to the results, a word about what can be extracted from them. In order to demonstrate the possibility of a broadcast effect on voting turnout, certain differences might be expected to appear between voters and nonvoters. For example, nonvoters, holding constant the degree of interest in the election, socioeconomic, and other predictive variables, might exhibit different media exposure patterns than voters. They might, for a second example, be less committed to the candidate of their choice than were voters. Or, they might be of a lower educational achievement than voters, and thus perhaps be more easily convinced by the early computer predictions of a Johnson victory. Given even the most favorable set of differences obtained from our two critical groups, there is still reason to hesitate in proposing that a causal relationship exists between diminished turnout and hearing the broadcast predictions. As the reader will note, we did not get many ideal differences. The number of nonvoters sampled in the two California areas was, in fact, so small (about 3 percent of the total sample) that, on a face analysis, it is easy to conclude now that turnout was not significantly diminished by anything at all. Seattle turnout was almost as high—over 92 percent.

There are other interesting behavioral changes which we will not attempt to discuss fully here. Vote switching (changes between preelection statement of preferences and postelection report of actual vote) is one such important dependent variable which a later work will discuss in greater detail. Because of the limitations of telephone interviewing, it seemed necessary to question nonvoters at greater depth on the matter of what part, if any, the broadcasts played in their not voting. This further research is presently being done.

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[8] The Alameda County clerk reports that 85.7 percent of the registered eligibles voted. This figure is 1.3 percent less than voted in 1960. In Orange County, a Republican stronghold, 89.9 percent voted this year as opposed to 90 percent in 1960. Seattle's voting in 1964 amounted to 78.4 percent of registered persons.

[9] In another facet of this overall study already noted, we collected hour-by-hour cumulative voting turnout totals in most of Alameda County's voting precincts. We will be able to infer generally what type person votes late, and who then is most likely to be affected by the broadcast predictions. To test a hypothesis which would relate low education to high broadcast news influenceability, we shall, for example, measure socioeconomic status and education and see if they relate to nonvoting persons who knew of the predictions.

[1] The presidential vote in 1964: Alameda, Johnson 66.50 percent, Goldwater 33.50 percent; Orange, Johnson 43.80 percent, Goldwater 56.20 percent.

INTEREST IN THE CAMPAIGNS

It has been implied that interest, of the whole universe of predictive variables, is perhaps the best predictor of voting behavior.[2] Along the line of generating a predictive index for our respondents, we asked each a series of three interest questions. The table below shows how voters differ from nonvoters in their responses to interest questions on the presidential, senatorial, or gubernatorial races, and propositions or other ballot issues.

TABLE 1.—*Interest levels and voting behavior*

PRESIDENTIAL [1]

	Alameda				Orange				Seattle			
	Voters		Nonvoters		Voters		Nonvoters		Voters		Nonvoters	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Very interested	648	77	14	56	614	78	12	55	628	84	44	70
Fairly interested	140	17	6	24	128	16	5	23	93	13	14	22
Slightly interested	40	5	3	12	33	4	4	18	19	3	4	6
Not at all interested	9	1	2	8	8	1	1	5	4	1	1	2
Total	837		25		783		22		744		63	

SENATORIAL OR GUBERNATORIAL [2]

	Alameda				Orange				Seattle			
	Voters		Nonvoters		Voters		Nonvoters		Voters		Nonvoters	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Very interested	530	63	7	28	552	70	12	55	645	86	46	73
Fairly interested	231	28	12	48	174	22	7	32	88	12	13	21
Slightly interested	58	7	4	16	44	6	3	14	12	2	3	5
Not at all interested	16	2	2	8	13	2	0	0	4	1	1	2
Total	835		25		783		22		749		63	

PROPOSITIONS AND OTHER ISSUES [3]

	Alameda				Orange				Seattle			
	Voters		Nonvoters		Voters		Nonvoters		Voters		Nonvoters	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Very interested	562	67	17	68	561	72	17	77	532	71	41	65
Fairly interested	228	27	5	20	183	20	2	9	179	24	17	27
Slightly interested	33	4	2	8	33	4	3	14	34	5	3	5
Not at all interested	10	1	1	4	6	1	0	0	4	1	2	3
Total	833		25		783		22		747		63	

[1] Alameda: $X^2=6.10$, $p=>0.02$. Orange: $X^2=6.66$, $p=>0.01$. Seattle: $X^2=7.96$, $p=>0.01$. Combined: $X^2=20.72$, df=3, $p=>0.001$.

[2] Alameda: $X^2=7.79$, $p=>0.01$. Orange: $X^2=2.10$, $p=>0.10$. Seattle: $X^2=8.89$, $p=<0.001$. Combined: $X^2=18.78$, df=3, $p=>0.001$.

[3] Alameda: $X^2=0$, p=ns. Orange: $X^2=0.256$, p=ns. Seattle: $X^2=0.533$, p=ns. Combined: $X^2=0.789$, df=3, p=ns.

NOTE.—To compute the chi square values shown, each table was collapsed so that it became a fourfold contingency table. The vertical collapse resulted in comparing the "Very interested" to a combination of the other 3 "Less interested" categories.

It is clear that interest in the presidential race tended to be higher for voters than for nonvoters. Recall, in explanation of this finding, that the interest questions were asked from 1 to 4 days before the election. The voting reports were verified in the public records of all three western areas. The records revealed a rather large prevarication rate, about which more will be written later (e.g., of Seattle's 62 nonvoters, 42 reported that they had indeed voted).

The same distinction as above appears in the results of the question on interest in California's senatorial or Washington's gubernatorial campaigns; that is, voters were more interested than nonvoters. However, as might have been expected, the skewness of the curve on this secondary campaign is not as sharp in the direction of the topmost level of interest expressed as it had been on the presidential question. In a word, there was more interest expressed in the presidential race than in the senatorial or gubernatorial races. It may also be seen that Washington's gubernatorial race elicited more interest than California's senatorial contest. This interstate difference was, moreover, evident on each of the first two interest questions.

To make at least one tenuous tie between expressed interest on a sample basis and voting on a census basis, consider the following: the statement of vote of the secretary of state of California shows Alameda County with a total presidential vote of 435,255; a total senatorial vote of 421,145; and a total vote count of 418,116 on proposition 14, the "proposition of major interest."[3] In Orange County, the totals were 416,136; 405,942; and 402,123, respectively. As interest in the two electoral contests declined, so did the totals of the votes cast for each.

Let us examine the expressed interest figures relating to the "tertiary issues" (in California, there were 17 statewide propositions on the ballot; in Seattle, a nonspecific group of other issues). An anomaly which might be fully understood only by a student of California politics strikes us immediately. While interest in the propositions was found to be higher in the preelection interviews, the vote cast on proposition 14, the controversial fair housing repeal (and the proposition on which the most votes were cast) was lower than the senatorial vote in both of our California areas. Moreover, our findings show there was an equally high degree of interest in the propositions among voters and nonvoters. This interest and/or emotionalism, however, was probably not sufficient to elicit such turnover as did occur. There are many examples of relatively low turnout on hard-fought local issues.[4]

Another explanation for the high interest but relatively low vote total on proposition 14 may be the confusing legalistic wording of the explanations of the proposition on the ballot. The high interest responses we received on this question may also be partly attributable to the wording used in the interview. The respondents were asked, "And how interested would you say you are in the propositions on the ballot?" The answers may have reflected a summated interest level, including the respondents' cumulated interest in all 17 propositions.

Before leaving this portion of the analysis, one possibly gratuitous caveat should be mentioned. That is, the types of interest questions we asked probably forced affirmative responses to a certain degree. In almost all strata of our society, it is considered undemocratic to be uninterested in important elections. Even our nonvoters, while relatively less interested in all cases than the voters, were significantly skewed toward high interest. Thus we find that the apparent close relationship between expressed interest and actual voting behavior may, in part, be artifactual. In the analysis we have avoided absolute interpretations of interest levels and have dealt instead with relative differences.

In sum, even at this early stage in the analysis, and in a manner to be substantiated in the pages to follow, we may conclude that the interest variable was probably responsible for more of the variation in the voting turnout than any other single element.

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[2] A. Campbell, et al., "The American Voter," pp. 101–102.

[3] Proposition 14 appeared on the California ballots in this manner: "Sales and rentals of residential real property, initiative constitutional amendment: Prohibits State, subdivision, or agency thereof from denying, limiting, or abridging right of any person as he chooses. Prohibition not applicable to property owned by State or its subdivisions; property acquired by eminent domain; or transient lodging accommodations by hotels, motels, and similar public places."

[4] In Berkeley, only 59.5 percent of the registered voters turned out to decide the very well publicized school board recall, which issue boiled down to a question of integrating the city's junior high schools (Apr. 1964).

CANDIDATE PREFERENCE

Testing either a bandwagon or an underdog hypothesis of voting turnout would require looking for differences in nonvoters' and voters' preelection statements of candidate preferences. The individual changes between preelection statements of preference and postelection reports of actual vote would also be important in this type of consideration of turnout. Table 2 shows the manner in which our respondents were split on the preelection candidate preference question. Furthermore, it shows that few of our nonvoters were unlike the voters in their preferences.

TABLE 2.—*Preelection presidential preferences, individual predictions, and voting*

ALAMEDA COUNTY

	Preferred Johnson (448 or 52.3 percent)						Preferred Goldwater (224 or 26.2 percent)						Undecided, refused (183 or 21.4 percent)					
	Johnson will win		Goldwater will win		Don't know		Johnson will win		Goldwater will win		Don't know		Johnson will win		Goldwater will win		Don't know	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total or average	389	86.8	2	4.5	53	11.8	84	38.1	55	25.0	81	36.8	85	50.8	6	3.6	76	45.5
Voted	371	95.4	1	50.0	53	100.0	82	97.6	52	94.4	81	38.0	83	97.6	5	83.0	75	98.7
Did not vote	12	3.1	1	50.0	0	0	2	2.4	3	5.6	0	0	2	2.4	1	16.7	1	1.3

ORANGE COUNTY

	Preferred Johnson (264 or 33.3 percent)						Preferred Goldwater (370 or 46.7 percent)						Undecided, refused (158 or 19.9 percent)					
Total or average	232	88.2	1	0.4	30	11.4	150	40.8	102	27.7	116	31.0	60	40.5	11	6.5	77	45.8
Voted	228	98.3	1	100.0	29	96.7	147	97.9	99	97.1	115	99.0	58	96.7	9	81.8	74	96.1
Did not vote	4	1.7	0	0	1	3.3	3	2.1	3	2.9	1	.9	2	3.3	2	18.2	3	3.9

SEATTLE

	Preferred Johnson (390 or 49.6 percent)						Preferred Goldwater (242 or 30.7 percent)						Undecided, refused (155 or 19.7 percent)					
Total or average	370	87.5	4	0.9	49	11.6	105	43.0	74	30.6	63	26.0	64	41.8	5	3.3	84	54.9
Voted	340	91.9	4	100.0	46	93.9	100	95.0	70	94.6	57	90.0	61	95.3	5	100.0	76	90.5
Did not vote	30	8.1	0	0	3	6.1	5	4.8	4	5.4	6	9.5	3	4.7	0	0	8	9.5

WHO WILL WIN?

The responses to this question again showed few distinctions between voters and nonvoters.

The first thing of note on this part of table 2 is the strength of commitment Goldwater followers showed for their man. A surprising number stated that he would win the election. We expected this, however, considering the context in which they were asked the question. There may well have been a certain amount of constraint for answers consistent with the respondents' stated preferences. The only worthwhile numbers of nonvoters fall, as anticipated, into the category of those who initially favored Johnson, and also thought he would win the election. All other considerations disregarded (e.g., the usual demographic correlates of nonvoting), there seems to be some preliminary evidence to hypothesize a small lethargy effect of some sort. Along the same line, a Berkeley sample of 344 voters, queried at the polls after voting showed a small tendency for Johnson voters to have become less interested in voting because of hearing the newscasts that Johnson had already won. Goldwater voters in this substudy became more interested in voting after hearing the broadcast predictions.[5]

SENATORIAL-GUBERNATORIAL PREFERENCES

While no doubt a less important determinant of turnout than presidential preference and its attendant cognitive structure, one's leanings in the secondary race on a presidential election-year ballot are important enough to mention here. Even if the presidential race were a sure thing (and those very sure of a Johnson victory in our total sample outnumbered the Goldwater predictors by 6 to 1), voting turnout would still be relatively high. For example, in the nonpresidential race in 1962, 78.8 percent of all registered Californians turned out to choose a Governor and a U.S. Senator. This compares with a figure of 88.4 percent in the 1964 presidential election.[6]

These are the senatorial-gubernatorial choices as expressed before the November 3 election.

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[5] D. Fuchs, "Election Day Newscasts and Their Effects in Western Voter Turnout," Journalism Quarterly, winter 1965, pp. 22–28.

[6] Both figures are no doubt attenuated by relying completely on inaccurate base figures of valid registrations. California is said to have in operation now an intercounty registration data exchange; i.e., a person moving from Los Angeles to San Francisco would have his old registration removed from the rolls when he registered in San Francisco. An out-of-State move, however, leaves the old name on the books. In this case, a registered voter who moved out of State might finally be marked a nonvoter in the county records.

TABLE 3.—*Stated voting for Senator/Governor and preelection preferences of voters and nonvoters*

	Alameda				Orange				Seattle			
	Voters		Nonvoters		Voters		Nonvoters		Voters		Nonvoters	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Preferred the Democrat	342	41	12	48	202	26	3	14	238	32	20	32
Preferred the Republican	306	37	8	32	415	53	9	43	344	46	25	40
Undecided, refused	173	21	4	16	103	13	3	14	124	17	13	21
Voted Democratic	365	45	12	48	208	30	3	23	255	34	15	24
Voted Republican	348	42	6	24	429	62	5	38	399	53	25	40
Refused to state	81	10	1	4	45	7	0	0	64	9	10	16

The minimal data from Orange County show nonvoters having initially alined themselves toward Murphy by a 3-to-1 proportion; this compares to a 2-to-1 margin among those who finally did cast a vote. The opposite result was obtained in Alameda. Salinger was more highly favored among the persons who stayed away from the polls than among the people who went to vote. In a recently released statement, Mr. Salinger asserted that 350,000 persons refrained from voting because of the early release of Johnson victory predictions on election day. At this point of our analysis, we will venture so far as to say that if nonvoters in Alameda County had indeed voted, they would have voted for Salinger in greater numbers than for MURPHY. The reverse would probably have occurred in Orange County. The magnitude of the split-ticket vote, however (approximately 10 percent), makes any analysis that would directly attribute senatorial voting to a function of presidential preference or voting somewhat questionable.[7] That is, perhaps 10 percent of the persons who did not turn out might have been expected to vote for Johnson and MURPHY.

TURNOUT AND THE OTHER ISSUES

Let us look at another part of this election study, for a different slant on what brings out the vote. Some 4 weeks before the election, 1,200 Californians, in a statewide probability sample, were asked this question by the Field Research Corp. of San Francisco:

"Suppose you had not yet voted on election day when you heard that according to the predictions of a computer based on votes already cast, Lyndon Johnson was considered sure of winning no matter how the vote went here in California. Do you think you would go out and vote, or would you probably not bother to go to the polls?"

The 1,180 persons who said they would still vote were then asked: "What would be your main reason for going out to vote?" Then another question, this time based on the supposition of a projected victory for Goldwater was asked everyone. It, too, was followed, for the 1,180 "yes" respondents (10 of the 20 "noes" were also "not bothers" from the previous question) by a question of the reasons for voting. Table 4 shows one important thing in the line of the present discussion.

TABLE 4.—*Reasons for still voting in spite of hearing a "declaration of victory"*

	Projected Johnson victory		Projected Goldwater victory	
	Number	Percent	Number	Percent
Want to vote on other issues	195	16.2	193	16.2
Want to vote for my man whether he wins or loses	427	35.4	454	38.2
Do not believe the predictions, they could be wrong	247	20.5	236	19.9
Other reasons	337	27.9	304	25.6

NOTE.—The questions were asked in open-ended form.

In both cases, only 16.2 percent of the respondents said that they wanted to vote on other issues. Now, it is obvious that the remainder would not refrain from voting in the absence of a presidential election. The fact remains, however, that in California we can expect at least 10 percent of the eligible citizens in the State to refrain from voting in off year elections, no matter how hotly contested those elections may be.

BROADCAST NEWS LISTENING AND VIEWING

If we have given short shrift to the consideration of the host of variables which make up a comprehensive index of likelihood to vote, it is mostly because of lack of space. We do have data on a number more of the characteristics and reported attitudinal states which tradionally relate to turnout. They will be treated in depth in a later, longer publication. For now, the primary concern is in establishing whether exposure to radio-television news broadcasts on November 3 affected turnout. We acknowledge that other factors may or may not have had their effects.

In order to affect voting, the broadcasts must have been listened to or at least heard about. We concentrated on the former for the reason that most of the respondents listened at some time that Tuesday afternoon or evening (96 percent in Orange, 92 percent in Alameda, and 95 percent in Seattle.)

About 10 percent of the respondents in the California areas and a bit less than that in the Seattle sample were exposed to the election broadcasts before casting their own votes. This, incidentally, is a conservative figure in each case. Both questions were phrased in terms of within-hour intervals; if a person was tuned in first at 5:15 p.m., but did not vote until 5:45 p.m., he is in an overlapping interval and is not counted in the above figures. Notwithstanding the number we may have missed because of the overlapping of the response categories on these two questions, the conclusion is clear: At most, only about 10 percent of our sample could have been affected by the election day newscast—either in turnout or vote switching.

TABLE 5.—*Election-day viewing or listening behavior of voters and nonvoters*

	Alameda				Orange				Seattle			
	Voters		Nonvoters		Voters		Nonvoters		Voters		Nonvoters	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Time of exposure:												
1 to 5 p.m.	269	33	4	16	282	41	4	31	307	41	18	29
5 to 6 p.m.	390	48	7	28	389	56	6	46	460	61	28	44
6 to 8 p.m.	647	79	18	72	538	78	8	62	628	84	47	75

NOTE.—Numbers are not additive through time intervals. There is increasing redundancy in each of the last 2 intervals.

For all respondents, listening increased as the day wore on. Closer analysis shows that there was no apparent dropoff in listening among Goldwater voters, a finding which might surprise the dissonance theorists, at least on its face value.[8] Table 5 indicates, most importantly, that listening was consistently lower among nonvoters: another piece of evidence in the explanation that would have us attributing most of nonvoting to a just-plain-don't-care attitude about this election—and probably about politics in general.

SUMMARY AND IMPLICATIONS

The question of whether our sample populations' voting turnout in the past general election was much affected by the early broadcasts of the Johnson victory has been answered. The effect was minor. Both our California sample areas showed turnout rates of about 97 percent among the interviewed respondents. Seattle showed a turnout of about 92 percent in our sample, and the Farmer's Almanac may have been as good a predictor of that relatively lower turnout as the most sophisticated computer program. On November 3 in Seattle, it rained hard all day. Perhaps there was an interaction effect between rainfall and the broadcasts of Johnson's victory. But even that makes the part played by the electronic media rather insignificant—from the quantitative viewpoint at least.

We are aware, too, that our high turnout figures are not completely representative of the registered populations sampled. The verified voting rates among those persons who refused to be interviewed or reinterviewed, for example, were lower than among our before-after sample members. There is no reason to doubt that the broadcast effects were different in these two other types of populations. Maybe as likelihood of voting decreases generally (as it did in the latter subgroups) the real effect of the computer predictions assumes a greater relative proportion.

But whatever conditional phrases we use, the fact remains that the overall magnitude of the effect was small. This does not, however, answer two related questions which must be considered: (1) Was the broadcast effect on turnout insignificant socially as well as statistically? (2) Was the effect, as measured, in any way predictive of possible effects in future elections? (If Governor Scranton had been nominated, would the not-so-early declarations of a Johnson victory have effected more late hour changes in turnout?)

Many examples of extremely close lower level elections could be cited on the first point. The Nevada senatorial race in 1964 is a good example. The final count showed Senator CANNON reelected by a margin of about 100 votes. This is a margin of less than 0.0001, or one-tenth of 1 percent of the total Nevada vote. It does not take much of an effect, either from the early victory declarations or anything else, to change a margin like this one. If 1 more Democrat in every 1,000 refrained from voting because the President had already won, Senator CANNON would be ex-Senator CANNON today. The importance of this small effect, of course, increases as the number of total votes cast in any election decreases. That is, we posit that even such a tiny effect as that we have described may have changed more than a few town council posts and the like throughout the West this past November.

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[7] The California "statement of vote," election Nov. 3, 1964, puts the total statewide vote for Johnson at 4,171,877 or 57.7 percent; for Goldwater, 2,879,108, or 39.8 percent; for Salinger, 3,411,912, or 47.2 percent; and for MURPHY, 3,628,555, or 50.2 percent. Thus in California there was a split-ticket vote of approximately 10 percent in favor of MURPHY.

[8] L. Festinger, "A Theory of Cognitive Dissonance," Stanford University, 1962. It may be that the dissonance inherent in a Goldwater voter's viewing of his candidate's developing defeat was balanced by the converse and simultaneous trend developing in the senatorial-gubernatorial races in California and Washington.

The second question is not as easy to answer as the first. Surely this was a strange election. Much has already been written on its uniqueness. There is bound to be a return to normalcy next time. So what effect might the prediction broadcasts have had in a Scranton-Johnson contest? First, a closer election would even under the present laws, make for less time in which a broadcast effect could make itself felt. As the vote count in the East is closer, so the predictions become more difficult, and so the necessary electoral margin is not perhaps reached until the Mountain States have reported. There is this autoregulatory feature to be considered.

But even with less time for west coast voters to be affected, there is a possibility that certain dimensions of the effect would be greater under more normal circumstances than those of 1964. For example, given less intense commitment to a Scranton than to a Goldwater, is it not possible that there would be more of a late day defeatist feeling among Republicans, which might in turn elicit nonvoting? Or is it not possible that Johnson voters would be less intense too (i.e., less likely to vote) if the alternate to their candidate was someone not quite so threatening as a Goldwater?

It is clear that there are still a number of questions yet to be answered. Among these is the assessment of the part that the broadcast predictions played in the late day switching of allegiance on secondary elections and on other ballot issues. As has been mentioned, a third phase of interrogation is currently being undertaken to look more closely at this area.

SHOULD THERE BE PREVENTIVE LEGISLATION?

Even if the measurable broadcast effects on voting turnout were minor, there was still a concern among our respondents about these broadcasts. The last question in the post-election interview read: "Some people have suggested that a law be passed to prevent the announcing of election results until people all over the country have finished voting. Would you favor or oppose such law?" (and, "why?") Table 6 shows the breakdown of the responses by candidate preference.

TABLE 6.—*Candidate preference and the law to prevent early broadcasts of election returns*

	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Favor	214	44.2	140	59.8	84	32.3	195	52.6	211	49.2	196	72.9	53	23.4	73	48.7
Oppose	197	40.7	66	28.2	120	46.1	110	29.6	125	29.1	36	13.4	119	52.6	42	28.0
No opinion	73	15.1	28	12.0	56	21.5	66	17.8	93	21.7	37	13.7	54	23.9	35	23.3
Total	484	--------	234	--------	260	--------	371	--------	429	--------	269	--------	226	--------	150	--------

Johnson voters in the four areas exhibited differential and, at present, unexplainable feelings about the question. Goldwater voters, however, are strongly and consistently in favor of the proposed legal prevention of early returns broadcasting. The strength of the margin of favoring versus opposing the prevention law is, perhaps, even attenuated somewhat by the overriding feeling of opposition to any governmental control that we might expect among Republicans. Now, what does this result mean for the present research? We have made a tentative speculation that the Goldwater voters' responses reflected a concern that their candidate, and perhaps all local Republicans too, were losing votes because of the early returns. Possibly the concern has dimensions of both a fear of a "bandwagon effect" and also a defeatist effect. It is not unreasonable to impute some personal projection to the responses of the Goldwater voters. Maybe they felt affected themselves. This is being investigated in the third phase of the study now underway.

ORDER OF LAFAYETTE ENDORSES FREEDOM ACADEMY

Mr. MUNDT. Mr. President, the Order of Lafayette has just concluded its annual meeting, to which Senator LAUSCHE contributed with his customary sage counsel. One object of this prominent organization of patriotic citizens is to endeavor to unite the destinies of our Nation and France in defense of a free world, realizing that any weakening of the traditional friendship of these countries will aid the cause of world communism, and will jeopardize the survival of free nations.

A resolution was adopted at this meeting, which should be given wide publicity, since it is based upon the laudable desire to counter the training of thousands of prospective subversives from foreign lands by the Communists.

I ask unanimous consent to include the following resolution calling for enactment of the Freedom Academy bills in the RECORD.

The Order of Lafayette recognizes our need to improve defenses of the non-Communist world against this new kind of aggression taught professional revolutionaries by Communist powers.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas it is now clearly recognized that, despite economic and military superiority during the past 20 years, close cooperation with the United Nations and the most immense foreign aid program in world history, the United States has deteriorated as a world power, due to massive failures in the nonmilitary area of political and propaganda welfare; and

Whereas it is now becoming increasingly clear that Communist officials are highly trained and dedicated Marxists, whose consistent goal is domination of the free world by a master strategic plan and by effective political warfare; and that this has resulted in the successful training of 20,000 student subversives each year who return to their countries as effective Communist leaders to promote infiltration and subversion: Now, therefore, be it

Resolved by the Order of Lafayette in convention assembled, May 8, 1965, That the United States immediately initiate countermeasures to confront Communist aggression, infiltration and political takeover, by establishing a number of Freedom Academies to enable the citizens of the free world to develop the political skills necessary to preserve their freedom; and further be it

Resolved, That the Order of Lafayette recommends that the House of Representatives and the Senate take affirmative action on the Freedom Academy and Freedom Commission bills as a most important initial measure in a new strategic plan for confronting Communist aggression in the cold war.

THE 700TH ANNIVERSARY OF DANTE ALIGHIERI

Mr. PELL. Mr. President, through the efforts of our American citizens of Italian descent we all have the opportunity to participate in observing the 700th anniversary of one of Italy's most illustrious sons, Dante Alighieri.

Born in Florence in 1265, Dante spent much of his life in that city until he was exiled. Here in Florence he dreamed and thought and wrote in such a far-reaching manner that he outdistanced and overshadowed most of his contemporaries. In fact the world has only recently caught up with some of his sane and profound views.

The 13th century into which Dante was born was one of exceptional unrest not too unlike this 20th century. Great social, religious, and scientific changes were being made; economic, political, and philosophical concepts were in a state of turmoil; the minds of men were being tempered in the fires of yearning and ambition and were being molded by adversity. Few periods in history have developed such great thinkers and Dante was one of the foremost.

Although noted primarily for his great poetry, Dante was an outstanding scholar in science and philosophy, in government and in art. We can but wonder how any man could have acquired such a wealth of understanding when the difficulties of reading and having access to reading materials was so staggering.

We are indebted to this great poet, philosopher, and statesman for what his works have meant to us and our forefathers for the past 700 years in the formation of our social and political concepts. I hope that all of us study again the timeless works of that great man of destiny. To the extent to which the Italian-American societies stimulate us to study and contemplate Dante's works they will be making a lasting contribution to our well-being. To them all America should be grateful.

THE FRYINGPAN-ARKANSAS PROJECT

Mr. DOMINICK. Mr. President, I ask unanimous consent to have printed in the RECORD a very interesting and informative article entitled "Colorado's New Future With the Fry-Ark."

The article was published in the May 1965 issue of Reclamation Era; the author is Eleanor M. Gale, a native Coloradan, who has devoted much time and research to the Fryingpan-Arkansas project. I think the article will be of particular interest to those who are interested in water and the West.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Reclamation Era, May 1965]

Colorado's New Future With the Fry-Ark

(By Eleanor Gale)

(NOTE.—Mrs. Gale, born in and a resident of Pueblo, Colo., for 22 years, now lives in Denver with her husband, Dr. Scott A. Gale and three youngsters, ages 4, 3, and 2. An aspiring writer, she recently had her first major publication—a first-person experience in the November 1964 edition of Redbook magazine. Having majored in creative writing at Pomona College, Claremont, Calif., an opportunity for her to write about something in which she really believed occurred in her junior year, when she spent 6 months in Washington, D.C., studying the Fryingpan-Arkansas project. Her voluminous writings on the project are now in the Library of Congress. Mrs. Gale combines writing and homemaking with a part-time job doing institutional research at Colorado Woman's College in Denver.)

"Southern California Needs Colorado River Water." It was painted blue and glittering gold, and mounted over an archway at the Los Angeles County Fair, in a pavilion which housed a marvelous display of the abundance to be found in southern California.

I walked from building to building, through lush gardens planned by experts and nurtured all year for this one home and garden show, viewing many varieties and mammoth examples of citrus and avocados, cars and homes of the future. And I was struck by a shocking comparison.

It was my first year in college away from home, and this was nothing like home. Our town had no palm trees, no orange groves; our State fair exhibits were mostly sheep and cattle, and dust. Our town was in southern Colorado. Southern Colorado, I decided, also needs Colorado River water.

I remembered the summer before, when we were allowed to irrigate our lawns every other day. Some people even rustled water after dark, for their thirsty lawns. Shower baths were limited in some places, and air coolers were outlawed. Cattle were dying and ranchers and farmers were moving out. And noboby was moving in.

Each day through the mail I received copies of my hometown paper, the Pueblo Star Journal and Chieftain, rolled up the size of a toothpick compared to that of the Los Angeles Times. In it I read of the needs and support for the project which would save the Arkansas Valley from its yearly classification as a disaster area. The Fryingpan-Arkansas project had for many years been the darling of countless organizations throughout southeastern Colorado and certain partisan legislators in Washington.

What was this project with the unusual name? It was a multiple-purpose project which would supply supplemental water for irrigation of crops—also municipal and industrial water, generation and transmission of hydroelectric power, control of floods, provision for the preservation and propagation of fish and wildlife, and creation of new recreational opportunities in Colorado. The Fryingpan-Arkansas project borrows its name from the Fryingpan River, a tributary of the Roaring Fork River, from which water will be diverted under the Continental Divide and into the Arkansas Valley in southeastern Colorado. It is a name which stuck, and it belonged to a project which stuck.

FOR OR AGAINST

For 30 years in Colorado, the Fryingpan-Arkansas project was something you were for if you lived on one side of the divide—and against if you lived on the other. For 10 years in Congress, Pennsyvania argued against it because it meant spending money on public power. California argued against it because many of its people felt it was a plan to rob them of something which by rights belonged to them. They felt that they owned the water involved. And among those in Colorado who did want it passed, many were homemakers who realized the poor quality and scarcity of the water available to them, or businessmen who knew that to survive economically, arid parts of Colorado had to have more water. But they really didn't know what was involved from a political standpoint, and certainly not from the engineering standpoint.

The western slope needed water. But I was from the eastern slope. That night at the fair in California, I decided to learn as much as I possibly could about the project, a subject which has held my interest for the past 9 years. I've read a bookshelf full of background, traveled to Washington and back, and even made myself learn to understand engineering principles and terms. I've learned reclamation jargon and the politics involved. Now "acre-feet" is a household word, and I can recite the project's legislative history backward.

But now the Fryingpan-Arkansas project, instead of remaining a legislative case history, has become a priceless part of Colorado's future. In 1962 it found its congressional approval—having been researched, changed, and planned by the Bureau of Reclamation people enough to satisfy western Colorado interests and unify Colorado in its favoring of the project. Several sets of legislators had come and gone until the right combination occurred, and the bill was passed—all $170 million worth of it.

What will those millions buy? A series of dams, tunnels, canals, reservoirs, powerplant—the ingredients of a new era in Colorado.

On July 19, 1964, ground was broken for the first stage of the project, the construction of the $20-million Ruedi Dam and Reservoir, which is planned as a compensating impoundment, to store 100,000 acre-feet of water for western Colorado's benefit. This initial phase of the project, which will take about 1,300 days to complete, is the deciding factor which brought favor to the bill in Congress and consolidated Colorado's interest in the project. It is also one of the major reasons for the rise of the estimated cost of the project since 1957. This cost includes the dam, a reservoir with 12 miles of shoreline, relocation of many miles of county roads, and buying rights-of-way. Working continued during the winter to drill a tunnel so that a cofferdam can be erected this year to divert the Fryingpan River, to allow the erection of the permanent dam to begin this spring. Ruedi Dam is expected to be completed by February of 1968.

At this beginning, the Fryingpan-Arkansas project, called by Interior Secretary Stewart L. Udall "one of the greatest water-resource developments ever undertaken in the West," has already begun to employ workmen and in other ways benefit the economy of the State. It is expected that the project will require 5,000 man-years of labor alone.

IMPACT OF RECREATION

The U.S. Forest Service has estimated that the development of recreational facilities in the White River National Forest would cost approximately $1.4 million. These facilities will include roads, trails, campgrounds, picnic sites, docks and boat landings, parking areas, tree and shrub planting and grass seeding, costs of which are nonreimbursable. The recreational impact area involves 182,700 acres, 8,800 of which are now private land. Property values have begun to rise impressively.

Of the project as a whole, money spent for irrigation, power, municipal water supply and delivery systems—over 90 percent of construction cost—will be paid back to the Government. And this, together with interest, will result in a total reimbursement of $228 million to the U.S. Treasury.

The next phase of the Fryingpan-Arkansas project will be the development of the western slope water collection system—drawing from the south side collection area, and involving the construction of three major tunnels. One of these, the Divide Tunnel, is 5.3 miles long, and has a 10½-foot-diameter bore. It will carry water from the west to the east side of the Continental Divide, to Turquoise Lake (also called Sugar Loaf Reservoir) 5 miles southwest of Leadville, Colo. This town, famous for its mining history, has become the scene of exciting development with the beginning of the project.

About 70,000 acre-feet of water from Turquoise Lake (enlarged from 17,000 acre-feet capacity to 117,000 acre-feet capacity), will be carried annually through a series of canals to Twin Lakes Reservoir, which will be enlarged to five times its present size.

From Twin Lakes Reservoir, the water will be released through a series of powerplants into the Arkansas River near Salida. From this point, the water will flow in the river to be impounded in Pueblo Reservoir, which will be formed by the erection of Pueblo Dam across the river west of Pueblo. Pueblo Reservoir will store 400,000 acre-feet of water. This phase will involve relocation of about 20 miles of Denver & Rio Grande Railroad track, with a seventh powerplant to be located at Pueblo Dam. The new lake will have a 61-mile shoreline.

For most residents of Colorado it is impossible to realize the great changes the Fryingpan-Arkansas project will make in the economic structure of the State, and the types of businesses which will be attracted to the area. Many of the towns in Colorado, which are now simply places to "go through," will become attractive recreational areas. Pueblo, my hometown, will, upon completion of the reservoir, have a high tourist potential.

Colorado, until recently, was not achieving the amount of progress which by rights it should enjoy as one of the States richest in natural resources and scenic beauty. Today, it has a reputation of being a playground for the winter sportsman and a paradise for the summer camper. But this does not give enough attention to the situation of the year-round resident of Colorado—who gives and gets all which is his within the State alone.

COLORADO'S APPEAL

We've heard western slogans containing romantic words and emotional appeal, but we've know in the past that these could not apply to us because of our desperate lack of water. Given Colorado's space and beauty, given its strategic location as the real center of the United States, given its clear air and the ease of transportation within its boundaries, its relatively untapped labor resources and its enthusiastic, progressive businessmen—given all these valuable factors, Colorado's score would still be low without water. With water where needed, Colorado will emerge the important western State that it could be.

With more water for irrigation, Colorado land now involved in farming will yield more varied crops to feed the growing population of the State.

With more municipal, domestic, and industrial water available, new and long-term industries will join the already established and internally well-developed industries currently enjoying the advantage of the large amount of undeveloped land in the State. New cities will emerge, and well-rooted cities in Colorado will grow and improve in quality—reaffirming the faith of those who have already invested in housing developments, apartment complexes, new schools, and shopping centers. These were threatened with being surpluses the already burdened State could not afford to bear, before the certainty of adequate water.

The Bureau of Reclamation has done its part in honestly and accurately planning and designing the most feasible project to alleviate the Arkansas Valley's lack of water; the Congress has given its approval and appropriation of funds; now it's up to Colorado to plan wisely for the many benefits which will result from the project.

The real key to the State's future development is to be found in such planning. Colorado should be able to utilize the knowledge. There are examples of several areas within our United States which have grown without careful anticipation or coordination. But we have the years before the Fryingpan-Arkansas project will be complete; let us now plan ideal communities.

The Fryingpan-Arkansas project is a valuable investment in the future of Colorado.

THE BRIGHTON NATIONAL BANK CASE

Mr. DOMINICK. Mr. President, I ask unanimous consent to have printed in the RECORD an article on the Brighton National Bank case. The article, written by Bob Whearley, was published on May 16 in the Denver Post.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BRIGHTON BANK CASE—QUIZ HINTS SHAKEUP OF COMPTROLLER STAFF

(By Bob Whearley, Denver Post staff writer)

WASHINGTON.—Three moves appear likely in the wake of a Senate investigation of the Brighton National Bank scandal:

The resignation of James J. Saxon as U.S. comptroller of the currency, coupled with a shakeup in the comptroller's staff.

Introduction of legislation to tighten national bank chartering procedures and regulation of those banks.

Criminal indictment of three or more of the fast-buck artists involved in the tangle of counterfeit securities and forged notes that marked the Brighton scheme.

For 3 weeks, Senator JOHN MCCLELLAN's permanent investigations subcommittee heard testimony detailing the rise and million-dollar fall of Brighton National.

Most of the testimony was taken behind closed doors, ostensibly to protect the image of "live" banks that at one time had been involved with the Brighton promoters.

But there was more to it than that, some witnesses complained bitterly in the hallway outside the hearing room. The secrecy, they said, also kept off the public record all but the briefest mention of a live politician, former Governor Steve McNichols.

McNichols is president of 17th Street National Bank, which 2 years ago loaned $448,000 in the Brighton National's organizers—a loan reportedly made over the objections of McNichols, who at that time was vice president of the bank.

He also is Democratic national committeeman for Colorado, and a friend of Saxon.

Because of these things, McNichols has been the target of a whispering campaign, of oblique accusations of guilt-by-association and of influence peddling.

But if McNichols is embarrassed, Saxon has reason to be mortified.

Throughout last week's public hearings, Senators repeatedly rapped the Comptroller's office for allowing Brighton National to remain in operation long after it learned something was fishy.

In questioning Saxon's deputy, Justin Watson, Chairman MCCLELLAN observed bluntly:

"* * * It appears first that you did not make any adequate examination or inquire into the character of these folks who were organizing this bank, and into the other factors that ought to have been weighed and considered, maybe, at the time the charter was granted.

"Number two, after the bank got in bad condition, after you knew that it was under suspicious management and after you had information of such transactions as have been brought to light here, you permitted the bank to go on and continue to operate until January 22, 1965, is that right?"

Mr. WATSON. "That is correct."

Senator KARL MUNDT, Republican, of South Dakota, another member of the subcommittee, seconded MCCLELLAN's observations.

"I am especially disturbed by the delayed reaction almost amounting to inaction itself on the part of the responsible Washington officials after evidence concerning forgeries and counterfeit securities became known to them," MUNDT said.

"* * * There should be more diligence and more energy and a tremendous amount of more promptness in dealing with situations of that kind.

"I think it is rather unconscionable that so many months elapsed between the time that the evidence became available and that action was forthcoming."

RESIGNATION RUMORED

Saxon's resignation has been rumored for several months. He still has a year and a half to go on his 5-year appointment to the post, but there have been reports he will quit soon to take a position with a New York bank; to do this, before the November 1966 expiration of his Comptroller's term, he would need special dispensation from his superiors in the Treasury Department.

Washington sources say it is likely that dispensation would be cheerfully granted, in view of the troubles which have plagued the Comptroller's Office. In addition to the Brighton scandal, the office recently has drawn heat because of bank closings in San Francisco, and elsewhere, and because of its widely publicized feuds with other Federal agencies.

WOULD ELIMINATE OFFICE

Representative WRIGHT PATMAN, Democrat, of Texas, doesn't want to wait for resignation. He proposes a bill to eliminate the Comptroller's job, and reorganize Federal bank-regulatory agencies.

Senator PETER DOMINICK, Republican, of Colorado, is expected to introduce legislation in the Senate aimed at providing judicial review of Comptroller's decisions on new charters. Up till now, the Comptroller's decision on who does or doesn't get a charter is final.

Saxon's judgment in determining who gets charters came under fire during the public hearings.

Mr. MUNDT asked Watson if there were any other applications for national bank charters in the Brighton area in early 1963, when the Brighton National application was pending.

ANOTHER APPLICATION

Watson said an application was filed 30 days later by Alonzo Petteys & Associates of Sterling, Colo.

Mr. MUNDT. "I understand he is a very responsible banker."

Mr. WATSON. "Yes, he is. We have a very high regard for Mr. Petteys."

Mr. MUNDT. "Did you see any letters of protest warning you to check into this new banking outfit (the Brighton National group)?"

Mr. WATSON. "There were letters of protest, but the protests were based mainly on the convenience and need factor. To my knowledge, there were no protests which questioned the integrity of the organizers of this organization."

Mr. MUNDT. "* * * Why did you have a public hearing?"

Mr. WATSON. "We did not have a public hearing. However, in acknowledging the letters of protest we did advise the protestants that the doors were open and that we would be pleased to confer with them on the merits of the application."

GRANTED OVER PROTEST

Mr. MUNDT pointed out that the Comptroller's Office had held public hearings on only 12 of 434 applications during Saxon's tenure. One of these, he pointed out, was a town in Missouri where 33 persons spoke in opposition to the charter, and one spoke in favor. The charter was granted 133 days after the hearing.

A Federal grand jury in Denver is looking into the Brighton National case. Based on information made public at the Senate subcommittee hearing, there are at least three candidates for possible indictment:

James William Egan, the onetime insurance executive who took over control of Brighton National after its charter application was filed with the Comptroller's Office.

Richard Murphy Horton, an ex-convict who mysteriously showed up in the Denver area in the summer of 1963 and began investing in small banks.

Edgar Scott Flohr, a pal of Horton's at San Quentin Prison and a man whom Horton said he introduced to Egan as one of the best "pen men" (counterfeiters) in the country.

FIFTH AMENDMENT

Egan and Horton took the 5th amendment 78 times when they were called on to testify. However, Horton did make some comments.

"* * * I feel that the entire onus of this transaction has been placed on my shoulders," he testified as the hearings drew to a close Thursday afternoon.

"Certainly I am far from guiltless as I have admitted here in your committee hearings. Certainly I do not consider myself a motivating force here, an evil genius behind these transactions. I had no control over the Brighton bank at any point, and never have had."

The full details of what happened at Brighton National may never be known, but this much was placed on the public record at the subcommittee hearing:

Egan, whose insurance firm had been tainted by association with Chicago mobsters, got into the Brighton National "by the back door"—through a secret agreement with the organizers to take over their stock.

DENVER BANK PLAN

Originally, according to Watson, Egan planned to go into the 17th Street National Bank with Earl Kramer, "but at the time of the filing he suffered a heart attack and subsequently withdrew from the group."

(Kramer went ahead with the bank application and became its president. He stepped down as president last winter in favor of McNichols.)

Brighton National was financed by 17th Street National. Brighton National then went on a dizzying spree of granting loans based on forged notes and dealing in counterfeit securities—reportedly supplied by Horton and Flohr.

Its principals tried to buy other banks, in Colorado and in Missouri, but were forced to retreat when their manipulations were discovered.

CLOSED JANUARY 22

Brighton National was permitted to continue in business, even after the comptroller's office had knowledge, in MCCLELLAN's words, that its loan portfolio "was replete with bad loans, secured in part with counterfeit securities."

It finally was closed January 22 after the Federal Deposit Insurance Corporation threatened to withdraw its insurance coverage of deposits.

Perhaps the most significant comment made during the public hearings was by Robert L. McGee, a Denver certified public accountant who told the subcommittee he had been duped into certifying a false statement on the condition of one of the dummy companies that figured in the scheme.

Mundt asked him when he thought the bank should have been closed.

McGee, sadder but wiser, didn't hesitate: "I will say this much. I think the bank should have been closed before it opened."

GOLDEN ANNIVERSARY THE MUEHLEBACH HOTEL

Mr. SYMINGTON. Mr. President, one of America's finest and best known hotels, the Muehlebach of Kansas City, this week celebrates the golden anniversary of its opening on May 17, 1915.

This great hotel not only has a rich tradition of fine hospitality and service far above the average; it also has a rich history in the guests it has housed.

On May 30, 1916, the Kansas City Star reported:

> Theodore Roosevelt arrived in Kansas City this morning and was greeted by a throng at Union Station and along the streets on his way to the Muehlebach Hotel. He reviewed a group of Boy Scouts at the station plaza and made brief speeches at the hotel and to the crowd outside.

Through the years it has been host also to William Howard Taft, Woodrow Wilson, Warren G. Harding, Calvin Coolidge, Herbert Hoover, Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, and Lyndon B. Johnson.

Within 1 month, its presidential suite served two Presidents: Truman of the United States and Miguel Aleman of Mexico.

During the Truman administration, the Hotel Muehlebach was the temporary White House when the President came home to Missouri. In a quiet stroke of the pen, in the Muehlebach presidential suite, President Truman signed the bill to provide aid to Greece and Turkey and introduced a new concept of international understanding.

And there were times of ovation. In this same hotel, in November 1944, Harry Truman heard that he had been elected Vice President—and in November 1948, that Thomas E. Dewey had conceded the election for President. After this election was assured, the President from Missouri made his first public comment from the 11th floor of the Hotel Muehlebach.

It is a pleasure to congratulate the Muehlebach and its management, the "Inn at the Crossroads" for its first 50 years, and wish it well in its second half century.

THE ONE-ROOM SCHOOL

Mr. BYRD of West Virginia. Mr. President, an editorial in the Saturday, May 15, edition of the Martinsburg, W. Va., Journal on the passing of the one-room school made me feel quite nostalgic, not so much for the return of that limited institution for schooling our Nation's youngsters, but, more importantly, for the competitive spirit in intellectual endeavors which it aroused in many students of our earlier days.

I speak from personal experience in saying this, for I first entered public school in a two-room schoolhouse at Algonquin, Mercer County, W. Va. There, in two rooms, all grades were taught, with students—ranging from 6 years of age upward—listening in on all the lessons. The longing to be among the students of the "upper grades" inspired me, as I am sure it has inspired many American students in similar one-room and two-room schools, to struggle to advance more rapidly.

The competitive urge to learn was carefully cultivated in my little two-room school. I remember very well the intense competition between spelling teams on Friday afternoons. Those matches were the highlight of each week of study. The teacher would select two leaders for the particular match, and they, in turn, would alternate in selecting members to be on their individual teams. Naturally, the older students were most often chosen first, as they would be more frequently better spellers. However, the competition was really spirited, and being able to spell well was a goal highly to be sought.

The desire to excel in mathematics was also cultivated in the students through "adding" matches. Too, from the time I entered my first year in school I wanted to read more and more. During that first year, I passed through the primer and the first and second grades. My first primer was all about "Baby Ray," and I studied through it the first 2 weeks I was in school. At the beginning of my 3d year in school, I entered the 4th grade and succeeded in moving on through the 5th grade during that same year.

I recall very clearly how one of these promotions took place. I insisted, at the time, that my foster father buy me a geography book, "like the big boys and girls have to study from," because I liked geography, because I like that particular book, and that was what I wanted to study. I was so persistent that he bought the book for me. I seem to recall that it was Frye's Geography, but I may be mistaken. I then took it to school and insisted that the teacher move me forward into the group studying that book because that was what I simply felt I had to do.

I succeeded in being given the opportunity, and I succeeded in moving on up with the older students.

Now the last one-room school in West Virginia is closed and, in realization of the advancing time and the advancing educational needs of our coming generations, the State has programed $35 million in State aid over the next 3 years to help elevate West Virginia's primary and secondary education to a higher level.

The one-room school has given way to more sophisticated and efficient facilities. However, it is my hope that the thirst to learn more and more, and the urge to excel while doing so, will somehow be revived and will remain an integral part of our educational system.

I ask unanimous consent that the Martinsburg Journal editorial be inserted in the Record at this point.

Without objection, it was ordered to be placed in the Record as follows:

Passing of One-Room School

A brief news note the other day out of Moundsville reported that the last one-room school in West Virginia has now been closed.

Naturally, this is progress and we certainly would not advocate a return to one-room schools but this "death notice" struck something of a note of sadness as the passing forever of a form of the American way of life. There is no doubt that the one-room school was inefficient and did not offer the specialized and full training now afforded by the consolidated schools we find everywhere but the one-room school did turn out many millions of good, strong and intelligent Americans who would not otherwise have been educated.

The public school system amounted to little or nothing until after the Civil War, just a century ago, because before that time the best elementary education was provided by private schools or by individual tutors.

Berkeley County got its first public school in 1866, the structure that now forms the basis for the present John Street School. For a number of years thereafter the private schools continued their domination but gradually tax-supported facilities began to spring up here and there with the one-room school dominating in the rural independent school districts which continued in operation until the county unit system was instituted in West Virginia in 1934, this action being precipitated by passage of the State tax limitation amendment to the constitution which drastically reduced the availability of adequate funds for these local units. In many ways, this was a good thing because it brought people closer together and made possible the employment of better qualified and more specialized teachers for the various grades on the elementary level and for the different subjects on the secondary level.

Even with the county unit, the county school board could not provide sufficient operational funds with the result the State government had to step in and assist. This has now reached the point where more than half the money for local schools comes from Charleston (after being extracted from taxpayers here at home). The next phase, going all the way to Washington for money (likewise after being first extracted here at home), is now upon us.

Just as we no longer have the horse and buggy and many other items of the past, so has the one-room school died but it will long be remembered as a fine training center of its day and as a point of localized community pride. We are now in an era where "bigness" seems to be the thing and it certainly has more advantages but something fine has been lost as "the little red schoolhouse" becomes extinct.

RELIEF DOLLARS—PLUS JOBS

Mr. BYRD of West Virginia. Mr. President, I wish to insert in the Record at this point an editorial from the May 17 edition of the Washington Evening Star. The editorial, titled "Relief Dollars—Plus Jobs," hits the nail right on the head.

There being no objection, the editorial was ordered to be printed as follows:

Relief Dollars—Plus Jobs

As a result of efforts by the newly formed District of Columbia Coalition of Conscience and of a bill by Senator Ribicoff, there has been increasing pressure to give District welfare payments to unemployed parents. On the other side of the fence, Senator BYRD of West Virginia is as unyielding as ever in his opposition to such a change.

In the meantime, the Federal antipoverty program has introduced an entirely new element into this controversy. The new element, if given a chance, might in time provide an answer to the dispute—and in a more constructive manner than any previous proposal.

For the local welfare department actually is slated within the next few months, quite apart from the Coalition of Conscience and Senator BYRD, to receive about $2 million from the Office of Economic Opportunity to set up another kind of aid to unemployed parents. These dollars need not clear Senator BYRD's subcommittee. They require no local matching money. They are an outright grant.

Their major purpose it to train unemployed parents, and to help them, after training, to get jobs. During the training period, moreover, part of these funds also can be used to feed, clothe, and house their families. This approach is consistent with the philosophy of the President's antipoverty program. And it is surely superior to one which merely provides subsistence, while doing little or nothing to correct the status of dependency.

To be sure, under the traditional form of aid to children of unemployed parents, it is presumed that the jobless parents must accept jobs which are available and which they are qualified to fill. But a big part of the problem is that many of these unemployed parents actually are not qualified for jobs. And under the traditional approach it is assumed that very little can be done about the resulting dilemma.

This is precisely the deficiency, however, at which the OEO program is aimed. Welfare Director Brewer says he intends to direct the project specifically toward the "hard core" unemployed—those who lack the ability or experience employers want. This will not be easy. The training, if it is to mean anything, will have to be geared realistically to the potential of the trainee. And it will have to be directed, beyond that, to jobs which are actually available. There are other problems, too. Day-care facilities for children, which will be required in some instances by trainee-parents, will have to be expanded.

As complex as these problems are, however, the effort must be made. The view is often expressed among social workers that, if the choice were given them, the vast majority of relief recipients would choose to make their own way. It is high time that this theory is tested.

Senator RIBICOFF objects to the OEO program as an alternative to the traditional form of relief aid to children of unemployed parents on grounds that the former is merely a 1-year "demonstration" project—not a permanent program of assistance. That argument does not hold water. According to Mr. Brewer, the OEO project could assist as many as 900 District families during the next year. And at the end of that time, if the results are productive, the program can surely be continued—either with OEO funds or through other means.

No doubt the program will not be 100 percent effective, and some form of supplementary aid to children in this group may well be necessary. But the first effort should be to see how many families, given the opportunity, can learn to stand on their own feet. Surely the answer will not be forthcoming if the first step is to place the entire group under an umbrella of public assistance which encourages, rather than discourages, continued dependency.

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

EXECUTIVE SESSION

Mr. HART. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Thomas C. Mann, of Texas, to be U.S. Alternate Governor of the International Monetary Fund and U.S. Alternate Governor of the International Bank for Reconstruction and Development, which nomination was referred to the Committee on Foreign Relations.

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the executive calendar.

FOREIGN CLAIMS SETTLEMENT COMMISSION — A NOMINATION PASSED OVER

The Chief Clerk read the nomination of LaVern Dilweg, of Wisconsin, to be a member of the Foreign Claims Settlement Commission of the United States for a term of 3 years from October 22, 1964.

Mr. HART. I ask that the nomination be passed over, Mr. President.

The ACTING PRESIDENT pro tempore. Without objection, the nomination will be passed over.

DEPARTMENT OF JUSTICE

The Chief Clerk proceeded to read sundry nominations in the Department of Justice.

NOMINATION OF HAROLD D. BEATON TO BE U.S. ATTORNEY FOR WESTERN DISTRICT OF MICHIGAN

Mr. KUCHEL. Mr. President, in the list of nominees in the Department of Justice for confirmation, I find included the name of a very able and affable gentleman known to all of us in this Chamber. He is Harold D. Beaton, the nominee for U.S. Attorney for the western district of Michigan for a term of 4 years.

Harold D. Beaton has labored in the public interest as a member of the staff of the distinguished senior Senator from Michigan [Mr. McNAMARA]. I know I bespeak the sentiment not only of him and his colleague from Michigan [Mr. HART], the distinguished acting majority leader, but all other Senators, Republican and Democrat, in wishing Godspeed to Hal Beaton. Here is a man who distinguished himself in the service of his country, wearing a military uniform, and returning to America as a highly respected World War II veteran.

Here is a man who has devoted much of his time to the political and governmental affairs of our Nation and to his political party, the Democratic Party. He served in the Department of Justice with distinction. He has been as friendly, cooperative, and helpful to all Senators as any man could be.

I have particular reason to call him my personal friend. On this occasion, I merely wish to spread on the RECORD my own enthusiastic approval of a fine American, a good family man, an able lawyer, and a devoted public servant. I wish him Godspeed in his new official labors, and thereafter a long life of happiness for his family and himself.

Hal, warmest congratulations; and please, on occasion, return to this Chamber, so that we may compare notes.

Mr. HART. Mr. President, I was delighted to hear the distinguished minority whip express his high regard for Hal Beaton and his delight that the Senate is about to confirm his nomination as U.S. attorney for the western district of Michigan. I shall add only a solid "Amen" to everything that the Senator from California said.

I know that from his years of service, not alone with Senator McNAMARA, but also many other Members of the Senate, there is no doubt in the mind of any of us that Hal Beaton will perform with the same distinction in his new position that has characterized his performance here. With the Senator from California [Mr. KUCHEL], I wish him all good things.

Incidentally, he is succeeding to a post which was held by another able man, George Hill, who has returned to private practice.

Mr. President, with the exception of Calendar No. 377, James E. Doyle, of Wisconsin, I ask that the nominations in the Department of Justice be considered en bloc.

The PRESIDING OFFICER (Mr. MONDALE in the chair). Without objection, the nominations in the Department of Justice, with the exception of Calendar No. 377, are confirmed en bloc.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. HART. Mr. President, I ask that the nominations of postmasters be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are considered and confirmed en bloc.

Mr. HART. Mr. President, I ask that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith of the confirmation of the nominations.

LEGISLATIVE SESSION

Mr. HART. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. HART. Mr. President, I ask unanimous consent that the Subcommittee on

Financial Institutions of the Committee on Banking and Currency be authorized to meet during the session of the Senate today.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. **HART**. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **DIRKSEN**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **DIRKSEN**. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER**. The Senator from Illinois will state it.

Mr. **DIRKSEN**. It has come to my attention—I should have thought of it before—that many of the amendments that are now at the desk were offered before the Dirksen-Mansfield substitute was offered for the original bill. In the interest of clarification, there would be, the necessity for modifying line and page numbers in certain places, because some of the amendments were offered to the original bill and others to the amendment in the nature of a substitute.

I ask unanimous consent that, notwithstanding those clerical errors or inadvertences, the amendments may be modified at the appropriate lines and pages, wherever they are supposed to be offered.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

SERVICEMAN SUFFERS FROM LACK OF OPPORTUNITY

Mr. **YARBOROUGH**. Mr. President, the Department of Defense continually opposes an education program which would give hope for the future to many of our young men and which would induce them either to enter the Armed Forces or to remain in the Armed Forces for a longer period of time. The plight of the military man of today continues to decline, although we possess the most powerful military forces in the history of mankind.

Many of our servicemen receive basic pay well below what we consider as the poverty level. The pay of a serviceman for the first 2 years of duty has risen only 4 percent since World War II; all other service pay has gone up 133 percent; and civilian pay has risen 203 percent.

Let me reemphasize that since World War II, the pay of a serviceman on the first 2 years of duty has risen only 4 percent since the middle of World War II. In Congress after Congress, bills have been introduced to raise the pay of everybody in the military forces except those who are serving their first 2 years. For almost 20 years, their pay has gone up only 4 percent, while other military pay has risen 133 percent and civilian Federal service pay has risen 203 percent.

The ordinary serviceman is the man we are putting on the frontlines in the danger spots. There is no GI bill for him when he comes out of the service.

We talk about ending poverty or lowering the barriers to the progress of people. But we are creating them for this generation of Americans—about 40 percent of them. If a man serves from 2 to 4 years in the defense of his country, he is then released into a competitive civilian life, where he is ill equipped to compete and has no opportunity for further education.

The pay situation is typical of the refusal of the Department of Defense to support the cold war GI bill, as it is not willing to support programs which will induce men to enter the armed services, help their future, and further the progress of the Nation. It is time that the shortsighted military look again at their attitude toward the privates who serve in the American military forces.

To illustrate this crisis in our military personnel, I ask unanimous consent that an article entitled "GI Pay Hike: Too Little, Too Late," by Jim Wright in the May 17, 1965, Dallas Morning News be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Cost of Quality GI Pay Hike: Too Little, Too Late?

(By Jim Wright)

Picture if you can the most powerful navy in the world serving the wealthiest nation in history. Picture this navy equipped with hundreds of ships and planes worth many billions of dollars, deployed all over the globe. Now picture this great navy having to beg young lieutenants and petty officers for a few more months of service after their enlistments are up. Actually, you don't have to picture such a situation—it exists today.

Recently Secretary of the Navy Paul Nitze made a personal appeal to the patriotism of these young Navy men, asking them to remain in the service for 3 to 6 months after their hitches are over. He will, we think, get his volunteers—the notion that patriotism is square has not penetrated the Armed Forces. The point is, it should not have been necessary to make it. If this country paid its military professionals on a scale approaching their contribution to its survival, there would be enough 30-year men on hand to do the job.

The professional military man's contribution to his country is paid in the hard coin of skill and dedication. For too many years, this country has gained the advantage of his skills by taking advantage of his dedication. Military pay has fallen farther and farther behind that of every other sector of our society at the same time that our society has depended more and more on the military for protection of its own prosperous way of life.

Today, a young recruit who meets the high standards of the armed services—and they get higher every year—discovers that he is paid less than the dropout recruited by the Job Corps.

To use the terms of the late President Kennedy, we are paying less to the one who is doing something for his country than to the one who is letting his country do something for him.

Yet today the professional military man is more important to his country than he has ever been. And our Armed Forces must be professional. Only the Army still takes draftees and these are only a minute part of the Army's total personnel, most of whom are volunteers. The idea that the man who joins the service is doing so because he can't do anything else is as dated as the crossbow. Fast-moving modern tactics and new, sophisticated weapons mean that the young NCO or officer of 1965 must have more initiative, more intelligence, and more technical skills than his counterpart of 1945.

Because these skills and qualities are also in demand by civilian industries, which will pay more for them, the man who decides to ship over after his first cruise gives up much. The incentives dangled before his eye by civilian employers include increased wages, increased security, better working conditions, more time with his family and the increased odds that he may live to ripe old age.

The petty officer in charge of the nuclear reactor aboard the nuclear cruiser U.S.S. *Long Beach* makes $453 a month. His civilian counterpart aboard the NS *Savannah* makes $1,200 a month.

This discrepancy in pay between comparable military and civilian jobs is not an isolated case, nor is it confined to the Navy. It is a major factor in the situation which Secretary Nitze described last Thursday:

"There is an area in which we are having serious difficulties. I refer to our difficulty in retaining adequate numbers of well-qualified and career-oriented officers and enlisted men."

The Air Force recently completed a survey which shows that:

Of its men 60,000 are eligible to go on relief, but 55,000 have been too proud to do so; 5,000 others, rather than see their families go in want, have taken relief payments.

About 169,000 airmen receive basic pay below Government poverty levels, and 148,000 are working at other jobs to supplement their income.

Tripling these figures gives a rough idea of the problem throughout the armed services. Add to this low pay the poor housing, the frequent transfers, and the long hours that go with military life and it is easy to see why so many volunteers who would like a military career decide to go out after their first hitch. Most of the men in the Armed Forces today are family men—they have to think of the welfare of their wives and children as well as their own preference for a life work.

And they are getting out. In the last 5 years resignations by Army officers have increased by 50 percent, in the Air Force by 150 percent. The Navy is losing more than 80 percent of its enlisted men after their first enlistment and it is not recruiting as many as it is losing. Navy officer applicants are 20 percent fewer this year than last. Of the NROTC officers assigned to surface ships 4 years ago, only 6.4 percent are still in the Navy. Significantly, most junior officers of the services received an 8½ percent raise last year, but it was the first they had received since 1952 and it wasn't enough.

This loss of trained men costs the taxpayer plenty, even aside from the fact that the Nation's defenses suffer. The Air Force alone must pay $1,207 million a year to train replacements for the skilled men who leave. The other services must pay similar staggering costs. And the new men, in training or just graduated, are obviously not as effective in their jobs as the men they replace. The latter have had the same training, plus 3 or 4 years of experience.

Certainly there have been military pay increases, but they have been too small and too few. And as they have occurred, the soldier's post exchange, commissary, and other fringe benefits have been steadily trimmed away at the insistence of civilian merchants in areas around military bases.

Since 1952 civil service pay scales have increased 36 percent more than military pay, steel workers' pay by 104 percent more, truck drivers' pay by 106 percent more, and civilians employed by the Air Force and Army have had raises almost double those given the servicemen who work alongside them.

Furthermore, the belated military pay hikes have usually not extended to the enlisted men and officers serving the first 2 years of their first hitch. This hardly forms a good impression of what's in store for them in a military career.

Yet we must have these career men. For the first time in our history we have a large standing Army, Navy, Marine Corps, and Air Force. They are the best armed force we have ever had and we have got to make it even better, for the situation today demands that we do.

We are involved in what well may be a 50-year war—it has already lasted 20 and the end is not in sight. For better of worse, we have the job of leading the free world in that struggle. Our first line of defense is no longer our coastline. It extends around the world, from Checkpoint Charlie to the Mekong Delta.

When trouble arises along this line—and it does frequently—we cannot meet it in the traditional way, by calling up millions of civilians. There isn't time. In the 1950's there was a maxim that it took at least 2,000 practical-training hours to make a second lieutenant more dangerous to the enemy than to his own platoon. It takes much longer than that today. No amount of urgency or financial outlay can produce a good fighter pilot or a savvy sergeant overnight. Events of the cold war move too fast to be met by amateurs. We need pros, experienced pros.

It will cost this country about $4 billion to retain a professional military force, but we will save at least that much by cutting the loss of expensively trained men.

Now that we finally have a President with a foreign policy, let us not try to kid ourselves—a strong foreign policy must be backed by a strong military force. And the strength of our military depends on the quality of the people in it. If we hope to get and keep enough top-quality men to man our defenses, we are going to have to pay them or we will lose them.

The President's request for a $447 million pay raise bill is a mere drop in the bucket. Though a faltering step in the right direction, it is in the tradition of the too-little-and-too-late military pay boosts of the past. The American military man is paid too little and we had better do something about it before it is too late.

NEED FOR GREATER PUBLIC AWARENESS OF THE POPULATION DILEMMA

Mr. YARBOROUGH. Mr. President, a report released on May 19 by the U.S. Department of Agriculture gives documentary evidence that population is outstripping food production in less-developed countries. In commenting upon the study entitled "Increasing World Food Output: Problems and Prospects," Secretary of Agriculture Orville L. Freeman noted:

> Both land and time are running out for these countries. The supply of readily cultivable land is nearly exhausted in many of these countries, and new land can be brought under cultivation only at high cost.

Many thoughtful, knowledgeable people have pointed to world population growth as one of the two most important and urgent problems facing mankind today, the other being the threat of nuclear war. In this age of mass education and mass communication in the United States, when people are thought to be better informed than ever before in history, one would expect to find the American people concerned about this problem and to find considerable discussion taking place over what to do about it. One's expectations in this regard are brought to a thundering halt by a recent Gallup poll, which reports that only 7 persons in 10 had heard or read about the population problem, and of that 70 percent, only 3 out of 10 are particularly concerned about it. Thus only about 20 percent of the American people are concerned about the population increase dilemma.

In the face of this situation it is the responsibility of the Nation's leaders to stimulate discussion. I am glad to see leadership in this matter coming from the U.S. Senate in the form of S. 1676, the bill of the distinguished Senator from Alaska [Mr. GRUENING]. This bill would create an Assistant Secretary of State for Population Problems and a similar office in the Department of Health, Education, and Welfare. I am proud to be an enthusiastic co-sponsor of S. 1676.

I urge early hearings on this important measure. Hopefully it will stimulate the discussion so obviously needed to bring about greater public awareness of the enormity of the problem which confronts us.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a U.S. Department of Agriculture press release dated May 17, 1965, and an article from the Washington Post of April 30, 1965, showing results of the Gallup Poll taken on this matter; also an editorial from the Washington Post of May 21, 1965, entitled "Food and Knowledge."

There being no objection, the article, press release, and editorial were ordered to be printed in the RECORD, as follows:

HIGHER ACRE YIELDS CALLED KEY TO MEETING FOOD NEEDS IN UNDERDEVELOPED NATIONS

"Problems of staggering proportions face the densely populated underdeveloped countries of the world in their effort to keep food production in pace with population growth," Secretary of Agriculture Orville L. Freeman said in commenting on a research report released today (May 19).

"Both land and time are running out for these countries," the Secretary said. "In the past, increases in food output were achieved by putting new land under cultivation. But now the supply of readily cultivable land is nearly exhausted in many of these countries, and new land can be brought under cultivation only at high cost.

"The study brings home the point that higher yields per acre are the principal key to future increases in food production," Secretary Freeman said.

Recent signs of chronic food shortages in the densely populated less developed countries make the need for yield takeoffs acute, according to the USDA report. Food output per person rose steadily after World War II. But in the 1960's output per person in less-developed countries has shown a disturbing tendency to trend downward.

International food trade provides another warning that population is outstripping food production in less developed countries, the report says. Before World War II the less developed regions of Asia, Africa, and Latin America exported grain to the developed world.

After the war the flow reversed. Developed countries, in the early postwar years, moved 4 million tons of grain annually to the less developed areas. Shipments rose to 13 million tons a year by the late 1950's, to 21 million tons by 1961, and to an estimated 25 million tons in 1964, according to the report.

The report by USDA's Economic Research Service says that to meet food needs, the underdeveloped countries must achieve a yield takeoff—identified by a rapid increase in yields sustained over a period of several years. Four general factors facilitating a yield takeoff are discussed.

Literacy is important. Rapidly rising yields are not likely to occur unless new ideas and research results can move readily from scientist to farmer.

Incomes must be high enough to permit accumulation of capital. Without capital to purchase fertilizer, improved seeds, and other inputs yields cannot be raised.

Subsistence farmers must become market-oriented. Farmers who produce primarily for their own use cannot gain cash. Most yield-raising inputs must be purchased.

The nonagricultural economy must be able to support farmers' efforts to raise yields. When farmers attempt to raise yields rapidly they become quite dependent on the nonagricultural sector to supply goods and services such as fertilizer and pesticides, research and credit, transport and storage.

These four factors mentioned above are not enough in themselves to cause a yield takeoff. Farmers must have an incentive to change. Favorable prices encourage the use of yield-raising techniques. For example, a pound of rice in Japan buys three times as much ammonium sulfate fertilizer as a pound of rice in India.

In addition, the farmer must be able to retain a fair portion of the price. Land tenure patterns and tax systems determine whether the farmer ultimately benefits from favorable prices, the report points out.

Once a country achieves a yield takeoff, yields tend to continue upward. There is no record of a country in which yields have tended to level off or trend downward after a yield takeoff has been achieved, the report states.

Single copies of "Increasing World Food Output: Problems and Prospects," FAER 25, are available by postcard request from the Office of Information, U.S. Department of Agriculture, Washington, D.C.

[From the Washington (D.C.) Post, Apr. 30, 1965]

FEW WORRY OVER SOARING POPULATION

PRINCETON, N.J., April 29.—The concern of experts over the world population explosion is not reflected in the views of the American people as a whole.

Today, only 3 persons in every 10 among those who have heard or read about the population increase say they are particularly worried about it.

Some authorities estimate that the global population, now at 3.3 billion, will have doubled by the year 2000.

The following question was put to those persons who said they had heard or read about the predicted population increase (7 persons in 10):

"Are you worried or not worried about this population increase?"

	Percent
Worried	30
Not worried	66
No opinion	4

College persons, among those who have heard or read about the matter, tend to be slightly more concerned about the population explosion than are those with less than college training. Catholics are slightly less worried than Protestants.

[From the Washington (D.C.) Post, May 21, 1965]

FOOD AND KNOWLEDGE

In the first half of the 19th century David Ricardo, T. R. Malthus, and other classical economists predicted an end to economic progress that was predicated on the assumption of diminishing returns in agriculture. Their prophecy proved false, not only because of the opening up of new lands in the Western Hemisphere and Australasia, but more importantly because advancing technology—better techniques of cultivation, irrigation, and the introduction of chemical fertilizers—raised acreage yields. The technological advance that laid the Ricardian bogey of diminishing returns is based on widely diffused knowledge. But the application of that knowledge in the underdeveloped areas, where two-thirds of the world's population dwells, is proceeding at a snail's pace at a time when the supply of virgin land is being exhausted.

The dilemma created by the failure to exploit the existing technical knowledge in the underdeveloped areas is the subject of a report on "Increasing World Food Output" by Lester R. Brown of the U.S. Department of Agriculture. In a series of fascinating graphs, Mr. Brown compares the progress in raising acreage yields for a number of countries and several crops. India today, his estimates indicate, is getting the same number of pounds of rice per acre as Japan did in the 12th century. And there are other equally striking disparities in yields for other crops, evidence of the lag in the application of agricultural technology.

The failure to adopt modern methods is related to low literacy rates and the failure in many countries to develop a market-oriented agriculture. As a result the acreage "yield gap" between the developed and underdeveloped areas is steadily widening. Food shipments from the developed to the underdeveloped countries will be helpful, but they cannot, Mr. Brown explains, "account for more than a very small fraction of projected increases in food needs over the next several years."

It would be a tragedy if the prophecies of Ricardo and Malthus were fulfilled, not because they were based on valid assumptions, but because man is unable to utilize the fruits of his own intelligence.

Mr. HART. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WHAT LAKE MICHIGAN DIVERSION MEANS TO THE CHICAGO AREA

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD a historical document dealing with the Lake Michigan diversion case which gives the background and its impact on the Metropolitan Chicago area. It was written by Mr. George A. Lane, the very able attorney for the Metropolitan Sanitary District of Greater Chicago in 1963. The paper covers the period beginning in 1889 to date.

There being no objection, the document was ordered to be printed in the RECORD, as follows:

I. HISTORY

The Metropolitan Sanitary District of Greater Chicago was formed as the Sanitary District of Chicago in 1889, by the Illinois State Legislature, for the purpose of constructing a canal to reverse the flow of the Chicago River which formerly emptied into Lake Michigan by cutting through the limestone ridge at Lemont. The sewers of Chicago originally emptied into the Chicago River and particularly in time of stormflows the sewage was carried into Lake Michigan, the source of Chicago's water supply, and waterborne disease epidemics resulted.

The purpose of the canal was to permit the sewage being dumped into the river to be diluted by the reverse flow of water from Lake Michigan and to flow into the Illinois River and eventually into the Mississippi River to the Gulf of Mexico. Its construction was a most important link of the Lakes to Gulf Waterway System. However, it also diverted the water from the Great Lakes Watershed to the Mississippi Watershed.

The construction of the canal was started in 1890 and opened in 1900.

In 1899 the sanitary district received a provisional permit from the Secretary of War to divert 5,000 cubic feet per second, of water from Lake Michigan, stipulating that the Secretary of War intended to submit the question to Congress at a later date. No such submission to the Congress was made by the Secretary of War.

Litigation before the U.S. Supreme Court for the past 60 years has followed the opening of the canal.

In 1900 the State of Missouri filed a suit to enjoin us from diverting the water claiming that our sewage, when it reached St. Louis, polluted their source of water supply and endangered their health. In 1901 this action was dismissed by the Supreme Court as the evidence was clear Illinois was not responsible for the pollution of their water supply.

The United States, in 1908, and again in 1913, brought actions to enjoin the sanitary district from diverting more than 4,167 cubic feet per second, the amount authorized by Secretary of War, Elihu Root, in a permit of December 5, 1901. The two actions were consolidated and the Supreme Court entered a decree on January 5, 1925, and in the opinion held that the decree for an injunction was to go into effect "without prejudice to any permit that may be issued by the Secretary of War according to law." Thereafter, on March 3, 1925, a permit was granted to divert 8,500 cubic feet per second which was about the average then being used.

It should be noted that the permit of 1901 for a diversion of 4,167 cubic feet per second was issued to us by the Secretary of War, Elihu Root, one of America's great legal lights. When the 1909 Boundary Water Treaty between the United States and Canada was being considered, our Secretary of State, Elihu Root, negotiated the treaty on behalf of the United States. He, of course, was thoroughly familiar with our diversion at Chicago and also that Lake Michigan being entirely within the boundaries of the United States, the closest point being Sault Sainte Marie, a distance of 38 miles, it was not to be considered as a "boundary water." Secretary of State Elihu Root in testifying before the U.S. Senate on the treaty, stated:

"I have carefully guarded the terms of this treaty in order not to include Lake Michigan.

"Then there is this further fact why we could not object to this 36,000 provision on the Canadian side. We are now taking 10,000 cubic feet a second out of Lake Michigan at Chicago, and I refused to permit them to say anything in the treaty about it. The definition of 'boundary waters' was carefully drawn in order to exclude Lake Michigan.

"They consented to leave out of this treaty any reference to the drainage canal and we are now taking 10,000 cubic feet per second for the drainage canal which really comes out of this lake system."

In 1922, 1925, and finally in 1926, the States of Wisconsin, Minnesota, Ohio, Pennsylvania, Michigan, and New York filed similar original actions in the U.S. Supreme Court seeking to restrict our diversion.

In 1926 the U.S. Supreme Court appointed Charles Evans Hughes (later Chief Justice of the U.S. Supreme Court), as special master to hear the combined three suits. He reported in 1927 to the Supreme Court that our diversion as a matter of fact actually reduced the levels of the lakes, but held as a matter of law, the 1925 permit of the Secretary of War was valid and he recommended dismissal of the action. The Supreme Court sustained his findings of fact, but reversed his conclusions as to the law.

In 1929 the three actions were rereferred by the Supreme Court to Special Master Hughes to determine the steps necessary to be taken by Illinois and the Sanitary District to gradually reduce the diversion. Special Master Hughes submitted his second report in December of 1929, and the court followed his recommendations, and on April 21, 1930, entered a decree reducing the diversion to 6,500 cubic feet per second on and after July 1, 1930; to 5,000 cubic feet per second on and after December 31, 1935, and to 1,500 cubic feet per second on and after December 31, 1938.

All diversions were to be in addition to domestic pumpage and were graduated to correspond to the completion of the collection and artificial treatment facilities for all of Chicago's sewage. This decree has been complied with by the sanitary district and the required structures constructed. The sanitary district collects more sewage (1,260 million gallons daily) and treats it to a higher degree (92 percent removal of B.O.D.) than any other metropolitan area in the world. The American Society of Civil Engineers named it as "One of the seven wonders of American engineering."

It should be noted that the ultimate diversion of 1,500 cubic feet per second allowed on and after December 31, 1938, includes not only the direct diversion from Lake Michigan of approximately 1,000 cubic feet per second, but also the rain runoff of about 500 cubic feet per second which normally would fall into the Great Lakes watershed.

As a result of the graduated reduction of diversion at Chicago, the total direct diversion of 1,500 cubic feet per second plus 1,600 cubic feet per second of domestic pumpage on January 1, 1939, amounted to 3,100 cubic feet per second and was so anticipated in the 1930 decree. Twenty-five years after the direct diversion of 1,500 cubic feet per second was established, our domestic pumpage has only increased from about 1,600 cubic feet per second to about 1,700 cubic feet per second, or a total of approximately 3,200 cubic feet per second of diversion, despite our substantially increased population, industrial activity, and added territory.

With respect to our diversion from the Great Lakes system at Chicago, it should also be noted that since 1940 Canada had and is diverting water into the Great Lakes system (Lake Superior) from the Hudson Bay watershed through the Long Lake-Ogaki Rivers in an amount of 5,000 cubic feet per second annually. This diversion of Canada results in raising the levels of the Great Lakes and more than offsets the amount (3,100 cubic feet per second) diverted by us.

In passing, it should also be noted that in the process of diverting this 5,000 cubic feet per second into the Great Lakes system, Canada has developed hydroelectric power in the Long Lake-Ogaki area in Canada and is again credited with this 5,000 cubic feet per second additional flow at Niagara Falls, over and above the amount the United States is entitled to use under the 1950 Niagara River Treaty.

II. PRESENT LITIGATION

The present litigation was not initiated by the sanitary district and the State of Illinois seeking to secure an increase in diversion as is sometimes erroneously reported.

The facts are that in December 1957 the Lake States applied to the U.S. Supreme Court for a reopening of the decree of 1930 alleging that conditions had changed, thereby necessitating an amendment. The sanitary district and the State of Illinois opposed the application on the grounds that no actual changed conditions were alleged. The United States, as amicus curiae, through its Solicitor General, joined in our recommendation for dismissal of the application. The Supreme Court, in 1958, held that the application as presented by the Lake States did not show definite instances of conditions having changed since the decree of 1930 and therefore denied the application as urged by the Solicitor General, the sanitary district, and the State of Illinois.

In 1958, the Lake States filed an amended petition with the Supreme Court of the United States for a reopening and amendment of the decree of April 21, 1930, and alleged specific instances of damages both existing and prospective. The Solicitor General, again as amicus curiae, agreed with our contentions that no basis for modification of the 1930 decree had been presented in the amended petition, but recommended the Court should appoint a special master to supervise a study of the problems. The amended petition was granted by the Supreme Court on June 29, 1959, and the matter was referred to Special Master Albert B. Maris for hearings.

The substantial objective of the Lake States in the hearings has been directed to securing a reduction in the authorized direct diversion from 1,500 cubic feet per second to approximately 300 cubic feet per second and having 750 cubic feet per second of our sewage treatment effluent emptied into Lake Michigan.

The United States was thereafter granted permission to file as an intervenor and has participated in the hearings.

III. STATUS OF PRESENT HEARINGS

(a) *Evidence of Lake States*

In May 1962 the Lake States finished the presentation of their case after 29 months of hearings, utilizing more than 100 witnesses and over 700 exhibits, requiring 17,000 pages of transcript.

Hearings during this period and inspection and observation trips have been taken by the special master and by counsel and engineers at Niagara Falls, N.Y.; Massena, N.Y.; Cleveland, Ohio; Detroit, Mich.; Sault Sainte Marie, Mich.; Duluth, Minn.; Superior, Wis.; Silver Bay, Minn., and particularly numerous hearings at Chicago, Ill., including inspection of our West-Southwest, Calumet, and North Side sewage treatment works, and boat inspections of the Chicago River, main channel, Lockport Dam and powerhouse, and Calumet Sag Channel.

Among the many projects urged by the Lake States for the sanitary district to construct, in order to reduce the amount of diversion from Lake Michigan by 750 cubic feet per second, included a project to empty the effluent from our West-Southwest sewage treatment plant into Lake Michigan at a point 6 miles offshore at Chicago to consist of a tunnel 13 miles in length, the construction and equipment cost were estimated to be approximately $90 million, with an annual operating cost of $600,000.

They submitted other proposed projects with capital costs amounting to more than $200 million exclusive of a possible separate system of our present combined local sewer system, which carries both sewage and storm flow, which could probably cost $2 billion, or more.

The Lake States offered evidence showing that a diversion at Chicago of 1,000 cubic feet per second produces an annual hydroelectric power loss at Niagara Falls and in the St. Lawrence of about $1,950,000; navigation loss varying from $900,000 to $4 million annually and damages to recreational facilities, industrial and municipal water intakes, and wildlife habitats.

(b) *Evidence of Illinois and sanitary district*

On May 7, 1962, we started the presentation of our defense case in Chief. Our counterproof to the Lake States evidence is to the effect that the hydroelectric loss does not exceed $500,000 per year and the same possible loss of $500,000 may be suffered by navigation interests although such loss is not capable of actual measurement.

To avoid any possible navigation loss which would allegedly result from our diversion at Chicago lowering lake levels, and in order to raise the levels of Lakes Michigan, Huron, and Erie, we presented, at the hearings in January at Niagara Falls, plans for the construction of compensating works in the St. Clair and Niagara Rivers. Similar proposals had been heretofore approved by amendment to our Sanitary District Act in 1921 (ch. 42, par. 346); were considered at the original lake diversion hearings of 1927 and 1929; were reported in 1957 in Senate Document 28 (par. 91) and have repeatedly, previously and subsequently, been favorably considered by the Army Corps of Engineers.

We have presented substantial evidence from recognized outstanding authorities that the emptying of sewage effluent into Lake Michigan as urged by the Lake States, would constitute a serious health hazard; would result in the creation of excessive algae and weed growths; add to filtration costs and virtually destroy our beautiful lakefront bathing beaches, a pleasure no other major city on the Great Lakes enjoys.

Our witnesses have also testified that industry, such as Commonwealth Edison Co. and others who use the waters of the canal for cooling purposes and returned when so used, will suffer losses running into more than $100 million.

(c) *Evidence of Federal Government*

The Federal Government, as an Intervenor, presented evidence through the U.S. Department of Health, Education, and Welfare, as to certain special studies they made as to the conditions at Lake Michigan, and on the Illinois Waterway. The witnesses for the Government testified that the quality of the water at Lake Michigan, at the south basin, would be seriously affected and contaminated. They concluded—

"That it would not be in the best interest of the public health in the use of the lake for water supply and recreation; the damage to the water quality of Lake Michigan from the discharge of sewage treated effluent over and extended period would be great; and future uses of Lake Michigan would be limited. Furthermore, the damage, once initiated, would not be terminated by the cessation of the discharge of the waste causing that damage."

Their witnesses further testified:

"The return of sewage effluent to Lake Michigan would change Chicago's water source into an unprotected and at least intermittently contaminated one. Chicago would lose this highly desirable asset and would be faced with the problems of those cities that must take their water from contaminated sources."

HEARINGS BEFORE SPECIAL MASTER COMPLETED

The reception of all evidence before Special Master Albert B. Maris was completed at the hearing at Chicago on July 11, 1963, after a series of hearings over practically a 4-year period. Approximately 30,000 pages of transcript were required, and 1,500 exhibits were introduced in evidence by the parties.

SUMMARY

The concept of the sanitary district of reversing the flow of the Chicago River to handle Chicago's wastes by means of the drainage canal, supplemented by vast sewage treatment plants, is one of the very roots of Chicago's greatness. The men of vision who devised these feats, and put them in operation, are entitled to a major share of the credit for the present magnitude of Chicago's industrial complex. This entire system is now in danger of being so restricted that its effectiveness in keeping Lake Michigan, our source of drinking water supply pure, would be drastically reduced.

The Chicago Association of Commerce and Industry have cooperated most effectively and assisted in making studies showing the effects of reducing diversion. Their special committee on lake diversion has made a most notable contribution to our common cause.

The sanitary district has been formally joined by the city of Chicago who are represented by very able special counsel as is the State of Illinois. Both have actively participated with the sanitary district in all of the hearings and presented expert witnesses on those particular phases of their effected fields.

The sanitary district has been represented by our Special Counsel Thomas M. Thomas and Bernard F. Steward, Attorney George A. Lane and Head Assistant Attorney Lawrence J. Fenlon. Chief Engineer Norval E. Anderson has been the district's liaison on engineering phases. One of our special counsel, Joseph H. Pleck, died during the trial of the case.

The State of Illinois has been represented by Attorney General William G. Clark, and Special Counsel George J. Schaller and John J. Cassidy, Jr.

The city of Chicago is represented by Corporation Counsel John Melaniphy, Assistant Corporation Counsel Ernst Buehler, and Special Counsel Leo F. Tierney, Robert L. Stern, Miles G. Seeley, and William M. Dickson.

All of the counsel and engineers representing the sanitary district, the State of Illinois, and the city of Chicago, have devoted untiringly of their time and their very great abilities. Our cause has been entrusted to exceptionally capable hands and our position presented in a very efficient and telling manner.

The main objective of the Lake States in seeking to change the U.S. Supreme Court decree of 1930 by requiring the sanitary district to empty its sewage treatment effluent into Lake Michigan at Chicago, we consider as an unthinkable action sought by conscienceless interests. We cannot conceive that they will finally be successful in that objective before the Supreme Court of the United States.

PROJECTED TIME FOR ULTIMATE DECISION

Counsel for the various Lake States, the Federal Government and of the sanitary district, city of Chicago and State of Illinois, will now prepare for proposed recommendations as to findings of fact and of law to Special Master Albert B. Maris. It is expected that the special master's report will be submitted to the Supreme Court of the United States within a year. Thereafter, following subsequent submission of briefs and oral arguments before the Supreme Court, its final decision would be made within probably 18 months to 2 years after receiving the special master's report, and such final decision probably would be late in 1965 or early in 1966.

Mr. DIRKSEN. Mr. President, bills were introduced in the 83d through the 86th Congress that, if enacted, would have increased the diversion of water from Lake Michigan into the Illinois Waterway, and very extensive hearings were held on these legislative proposals both in the Senate and the House. Twice Congress passed legislation directing the diversion of additional water from Lake Michigan, and twice it was vetoed by the President based on the strong opposition of representatives of the other Great Lake States.

In 1957 the Corps of Engineers, at the request of the Bureau of the Budget, made a comprehensive technical study of the effects of an additional diversion of water from Lake Michigan. The facts gathered by more than 150 experts in a dozen scientific fields who participated in the massive research project are to be commended for their excellent study of the problem. The report constitutes impressive evidence favoring Chicago's position.

Six States sued in the U.S. Supreme Court several years ago in an effort to force Chicago to return to Lake Michigan all of the water it receives from the lake which is still before the Court. These Lake States contend that they suffer economic damage by the diversion.

If the sanitary district is forced to pour millions of tons of effluent into the lake instead of flushing it downstream it would then pose the question of Chicago's inability to change its present disposal system.

From the beginning, it has seemed abundantly clear that this reversal of the effluent would be folly in terms of public health, coming at a time when the Nation is spending millions to combat pollution. Furthermore, if Chicago returned its diluted sewage to the lake, it would produce giant islands of sludge which would drift toward the beaches and cluster around drinking water intakes menacing the health of over 3½ million people.

I have considerable information in my office dealing with this subject, which was accumulated over the years, and after reading this excellent document I must confess that my own knowledge has been greatly enhanced.

(Mr. STENNIS obtained the floor.)

Mr. STENNIS. Mr. President, I ask unanimous consent that I may yield to the Senator from Wisconsin without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. NELSON. Mr. President, I ask unanimous consent that the Senate return to executive session to consider two nominations.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senate proceeded to the consideration of executive business.

FOREIGN CLAIMS SETTLEMENT COMMISSION

The legislative clerk read the nomination of LaVern R. Dilweg, of Wisconsin, to be a member of the Foreign Claims Settlement Commission.

Mr. NELSON. Mr. President, Mr. LaVern R. Dilweg is a former Representative in Congress, and a very distinguished citizen of the State of Wisconsin. Mr. Dilweg has served for several years on the Foreign Claims Settlement Commission. The President has sent his nomination to the Senate. The nomination has been approved.

I ask confirmation of the appointment.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DEPARTMENT OF JUSTICE

The legislative clerk read the nomination of James E. Doyle, of Wisconsin, to be U.S. district judge for the western district of Wisconsin.

Mr. NELSON. Mr. President, the President nominated Mr. James E. Doyle, of Madison, Wis., to be a district judge for the western district of Wisconsin.

Mr. Doyle is a distinguished and prominent lawyer, having graduated from the University of Wisconsin. He practices in Wisconsin with the law firm of La Follette, Sinykin, Doyle, and Anderson.

Mr. Doyle served as a law clerk at one time for Justice Byrnes of the U.S. Supreme Court. He has a fine and distinguished record as a lawyer and community leader, and is past president of the Dane County bar in our State.

I believe Mr. Doyle has the almost unanimous approval of everyone across the political spectrum of our State.

Mr. President, I ask for confirmation of the nomination.

Mr. RUSSELL of South Carolina. Mr. President, will the Senator yield?

Mr. NELSON. I yield.

Mr. RUSSELL of South Carolina. Mr. President, I knew Mr. Doyle when he was law clerk for Mr. Justice Byrnes. I have followed his career since. While I do not agree with all of his political thinking, nevertheless, I do wish to say from my observation and knowledge of Mr. Doyle, that he is a lawyer of outstanding ability and he is a man of the highest integrity, character, and deep conviction. I am sure he will adorn the Federal bench with great distinction to himself and to those who have honored him with this appointment. I endorse the nomination.

Mr. NELSON. I thank the Senator. I know of his friendship with James Doyle. I agree with his evaluation of his qualities. I am perfectly confident that in a short period of time and in a few years he will be recognized as one of the great Federal judges.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Without objection, the Senate will resume the consideration of legislative business.

ORDER OF BUSINESS

Mr. STENNIS. Mr. President, for the purpose of insertions and remarks and brief comments, I ask unanimous consent that I may yield to the Senator from Pennsylvania [Mr. Clark] without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CLARK. I thank the Senator from Mississippi for his unfailing courtesy.

LATIN AMERICAN COMMON MARKET

Mr. CLARK. Mr. President, one of the most constructive recent moves of the Johnson administration has been the President's offer of support to set up a Latin American common market patterned after the European Economic Community.

Economic stability is one of the great needs for the success of the Alianza para Progreso in all of the hemisphere south of our border.

One of the best ways to assure that stability and maintain that part of the world in the cause of freedom is to create a new common market which will have the certain effect of stabilizing and bolstering the economy of the entire region.

The Erie, Pa., Times published on April 22 of this year a splendid editorial entitled "New Common Market," commending the Johnson administration for this wise proposal.

I ask unanimous consent that a copy of the editorial may be printed at this point in the Record as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Erie (Pa.) Times, Apr. 22, 1965]

New Common Market

Johnson administration officials have quickly—and wisely—offered preliminary support to a move to set up a Latin America common market patterned on the European Economic Community.

While it's premature to discuss the U.S. role in the proposed new market, anything that would help to stabilize economic conditions in Latin America is certainly in U.S. interests.

Basically, the 20 Republics of Latin America are predominately one-crop countries.

In many, a single commodity constitutes 70 percent of exports and the main source of exchange for industrial goods.

Partly because of fluctuation in world commodity prices, this has resulted in continual adverse trade balances in all but a few of the hemisphere countries.

The Latin countries have also been hampered in achieving a sound economic base because of a tendency to base their industrial development more on prestige value than on economic realities. The New York Times recently observed, of the Latin American nations, that "to have a steel industry is to have a badge of honor." The result is that seven Latin countries have steel industries, most of which are uneconomical.

Finally, and a common market would solve this problem, Latin America has traditionally relied on the United States, Europe and Japan for bulk of its trade. Trade among the individual republics has been hampered by unrealistic tariffs.

Steps to eliminate some of these stumbling blocks could go a long way toward improving hemisphere stability.

COMMUNITY OF ROXBOROUGH, PA.

Mr. CLARK. Mr. President, turning briefly to another subject, the community of Roxborough, Pa., located in the northwest portion of the city of Philadelphia, on a hill just south of the Schuylkill River, has been one of the communities which has contributed for 275 years to making the Philadelphia community what it is. On the anniversary of its founding 275 years ago, a local newspaper, the Review, has published a memorial edition. The newspaper contains a most interesting study of the various prominent features of the Roxborough community, an essay on the Ridge Road, the principal highway going through the area, a story about the horse car days, the stagecoach days, and roadside inns.

The editors of the Review have given a fine history of the splendid part which Roxborough has played not only in the history of the city of Philadelphia but the Commonwealth of Pennsylvania itself.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. STENNIS. Mr. President, I regret exceedingly that my colleagues have seen fit to file a cloture motion in which it is sought to cut off debate on this important measure. Considering the magnitude of the bill, there has been insufficient time to deal with its major provisions. The amendment which was adopted yesterday goes into another field and requires special preparation to fully discuss the new matters that Congress would be considering in the area of voting qualifications. We must be careful to see that we do not pass a law which Congress has no power to enact with respect to the State of New York or any State.

Preparation upon an amendment like that cannot be made quickly. In fact, I am not prepared to speak on that phase of the bill as it is today.

The bill as introduced contained no provision regarding the abolition of the poll tax. Therefore, the testimony that was presented to the committee was directed to other provisions of the bill. Most of the arguments prepared for debate on the floor by those of us in opposition to the bill were directed against provisions in the bill other than the poll tax. Yet, when the committee reported the bill, it contained a provision completely abolishing the poll tax. Thus, an entirely different issue, of far-reaching implications, was presented for the first time.

The proponents of the poll tax feature took several days, and properly so, to present their arguments. The opponents then answered those arguments. A vote was taken; and the amendment was defeated. Before we could really get into the other, major phases of the bill, a modified poll tax provision was presented. Debate on this subject took at least several days, and perhaps more. It was disposed of by a record vote.

Then the amendment concerning the English language literacy requirement of the State of New York was presented. So far as I know, that amendment was not presented to the committee, there was no discussion of it before the committee, and there was no discussion of it in the RECORD. At any rate, it was another, new, major, far-reaching feature of the bill. By adopting it, the Senate has made a total departure from the original concept of the bill, going far afield and beyond the concept of what the bill originally contained. By adding the amendment, the Senate has made a frank admission that the 15th amendment concept upon which the voting bill is said to be founded has been completely abandoned, certainly so far as that amendment is concerned. With this feature added to the bill, we now have a totally new proposal. Yet the amendment is adopted one day, and a cloture motion is filed the next. If cloture is voted, each Senator will have only 1 hour in which to make his arguments on the real merits of a proposal that is as far-reaching as any we have considered in the 17 years I have been in the Senate. There are many proposions of the bill as it now stands that have not been adequately presented to the Senate.

I read a responsible press report last night that the proponents of the bill have been astounded that some of the major provisions of the bill have not been voted out of the bill. That fact itself, with all deference, reflects an attitude, a sentiment, an atmosphere, whereby, for some reason, we are just not able to get down to the real merits and a spirit of deliberation to consider the weight and logic and meaning of the provisions as measured by the Constitution of the United States.

But there is a more disturbing aspect to the hasty invoking of cloture and the cutoff of debate. Since the cloture rule was established in 1917, there have been 30 votes on motions to terminate debate and cloture has been invoked on 6 occasions. Until cloture was invoked in 1962, the Senate had been gagged only four times in 43 years. Yet, since 1962 debate has been cut off twice in 2 years, and it is now proposed to do so for a third time in 3 years.

Aside from the matter of civil rights legislation, many great dangers lie in the frequent and habitual invoking of cloture. Once it has been established that this rule can be easily suspended at the whim or urging of a particular pressure group, the protection that the Senate offers to constitutional government and to responsible and sound management of our Government will have been destroyed, or its effectiveness greatly impaired.

For many years I have watched with growing concern the development of various blocs that wield great political influence, not only in special legislation but also in general legislation. These blocs are a serious threat to our form of government. This threat grows from year to year. These groups already have a large voice in the selection of candidates, in the writing of party platforms, and in the formulation of legislative policy and administrative policy. The finest and most effective protection against hastily discussed legislation on special interest legislation has been the U.S. Senate. Here, many unwise proposals have died. Often, passage of these proposals has been prevented by the revelation of their true features in the full and free debate on the floor of the Senate.

If cloture is invoked on this occasion, we reinforce the contention that constitutional principles can be abolished by closing the door on any opportunity to expose the danger of their loss to our people. Regardless of the alleged need, there can be no justification for stifling debate when the Constitution of the United States is in the balance.

Mr. President, in plain and simple language, this is a bad bill. It proposes that which is far beyond the power of Congress to enact under the 15th amendment or any other provision of the Constitution. It violates many principles of our system of law and of Government, and it would deny to certain States their constitutional rights under the guise of protecting other rights. Evidence abounds that it was drawn in haste and under extreme emotional pressure. It has been written and rewritten several times. There were occasions during this confusion when even some of its sponsors admitted that it included some provisions, or excluded others, contrary to their understanding. It adjudges some areas of our Nation guilty, without trial or any judicial determination, on the basis of an arbitrary statistical finding which has no relation whatever to the enforcement of the 15th amendment.

Still, we are told that we must enact this bill, swiftly and without change or even full debate, because there is a great need for new voting legislation. But need is not the test of constitutionality, and great social, economic, or political crises do not provide legislative authority not granted by the Constitution.

Over the weekend, pressure will be imposed, and I hope that Senators will resist it so that we can defeat cloture on Tuesday and have a more deliberate, more logical, and more effective debate.

Mr. President, I yield the floor.

IMPROVEMENT OF PROCEDURES OF THE U.S. CONGRESS

Mr. KUCHEL. Mr. President——

The PRESIDING OFFICER (Mr. MONDALE in the chair). The Senator from California is recognized.

Mr. KUCHEL. Mr. President, yesterday I was privileged to appear before the Joint Committee on the Organization of Congress and I ask unanimous consent to have the comments I made at that time printed in full in the RECORD.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

IMPROVING THE PROCEDURES OF THE U.S. CONGRESS

(Statement by U.S. Senator THOMAS H. KUCHEL before the Joint Committee on the Organization of Congress, Old Supreme Court Chamber, the Capitol)

Mr. Chairman and members of the committee, I am delighted to appear before you and to share with you some reflections on the workings of the legislative branch and, in particular, the U.S. Senate in which I have been honored to serve for 13 years.

Our country has seen many changes during the three decades which have passed since the great depression and the rise in power of the executive branch of our Government. This rise in Executive power did not result from a naked thirst for power by any of our Chief Executives, Republican or Democrat. With the growth of modern mass communications, the establishment of great highways, airways, and waterways, which link the far corners of our Nation, the evolution of truly national industries, and of labor unions, spanning State lines, and the development of a complex integrated agricultural economy, the United States has witnessed vastly increased complexity in our industrial and technological society. Too, it has seen an equivalent growth in governmental activity at the local, State, and National levels as well. By and large, the executive, administrative, and regulatory agencies have kept pace with this growth as they are increasingly called upon for quasi-judicial decisions which have a vital effect on the progress of our economy, our society and, indeed, on the future of the free world. Congress, too, has responded to change over this period—not as fast, however, as some would have wanted at times, but, on the other hand, not as slow as some critics have averred.

Following the Second World War, Congress in passing the Legislative Reorganization Act of 1946 made a partial attempt to improve the means by which it could fulfill its legislative responsibilities. Now, at long last, the time has come once again to analyze where we are, and how we must best proceed if we are to serve effectively the American people. I do not believe the Congress or the Senate have faced up to these questions as they should have.

My first vote in the U.S. Senate, back in 1953, was for a change in rule XXII which permits a small group of people to filibuster and talk legislation to death and thus prevent the Senate from working its will on a particular proposal. No matter how qualified are the men and women elected to Congress, their effectiveness as legislators will be greatly dependent, in the long run, on the rules under which they must operate. The rules provide a framework of reference which set the guidelines within which the legislative process takes place. I am well aware that the rules can be used and misused by any individual or group to serve his or their particular partisan or ideological ends. But I am concerned that a majority of Members in each Chamber shall not be fettered by such misuse as has occurred in the Senate with respect to rule XXII and I would hope that careful and realistic consideration could now be given to this subject. I believe Congress, by majority vote, unless specified otherwise in the Constitution, should be permitted to work its will. While opposing unreasonable delay in bringing a matter to a vote, I want to make it clear that I am unalterably opposed to the suggestion made in some quarters that all measures submitted by the President be voted upon within a specified period of time. Unless Congress has so determined, as in the case of the reorganization plan procedure, such should not be the case.

The legislative process in our system of government is only as good as the effectiveness and efficiency of the committee system which is so basic to it. I am disturbed that the clear will of Congress in some specific instances has been undermined by the actions of the Appropriations Committees, who, by refusing to appropriate funds for such programs as the helicopter subsidy, to name a recent example, have thus overthrown the jurisdiction of the established substantive committees and in this case the law of the land. The law requiring the Civil Aeronautics Board to hold hearings and to determine the rate of Federal assistance to airlines and helicopter operations, if it finds such to be in the public interest, continues on the statute books, reduced, however, to a mockery by action of an appropriations committee.

I am disturbed, too, that the appropriations process in Congress bears little relationship to the economic, tax, monetary, and fiscal policies with which it should be intimately involved. An annual economic report is submitted by the President to Congress. It comes at a time of year when the President is also submitting his state of the Union, budget, and many other special messages. It goes largely unread. Hearings are held by the Joint Economic Committee. A report is published. That goes largely unread. I believe there is a real need, and I hope that this committee will so recommend, that the Joint Economic Committee be reconstituted to include the chairman, the ranking minority member and a majority member from the following committees: the Appropriations and Banking and Currency Committees of both Houses, the House Committee on Ways and Means and the Senate Committee on Finance. Because of the tremendous economic impact which the decisions of the Armed Services and Public Works Committees of both Houses also have on Government spending and our economy, perhaps they, too, should be represented. Then the economic intelligence of this Government and the views of various interested private groups in our society whose livelihood is dependent on the decisions this Government makes on questions of taxation and expenditure could be brought together before one group whose membership in their separate capacities on their respective committees has a major influence on this Nation's economic policies. In furthering this end, it would be helpful for the President to submit his Economic Report more than once a year and at a time other than at the beginning of Congress.

I would be hopeful, too, that your committee, Mr. Chairman, could recommend ways whereby the Appropriations Committees might develop a closer relationship between the actions of their subcommittees and the overall budget. All too often we have acted thinking only of the particular, narrow appropriations bill before us and forgetting the relationship of that single measure to the budget as a whole or to the other specialized appropriations measures with which we are also dealing. All too often, we have avoided also, through this process, facing up to passing judgment upon the relative priorities which should exist in Government spending of a particular area of public policy such as science which is basic to many programs which we now consider in isolation.

I was impressed during the consideration of the nuclear test ban treaty with the joint hearings which were conducted by members of the Senate Committee on Foreign Relations, the Senate Commitee on Armed Services, and the Joint Committee on Atomic Energy. As assistant Republican leader, I was invited to attend these sessions as were others in the leadership. I did attend them, and found the information developed there, by Senators who were experts in the work of these various committees and who had thus viewed the problems of nuclear energy and power from different perspectives, most helpful to me in arriving at my own decision.

I believe that Congress could do even more to educate all its Members on questions of national security and foreign policy by establishing a Joint Committee on National Security. This committee would have a mandate to hold hearings, study and make recommendations but would not be empowered to report legislation. I believe also that in this area in particular both Houses should consider the possibility of establishing a question period whereby the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, and other high administration officials, charged with responsibilities for the preservation of our national security, and the conduct of our foreign affairs, might answer questions of the membership in either House at specified times and on a regular basis. The agents of Congress, the committees, now ask such questions of these officials. They would continue to do so. However, I believe it would be invaluable in improving the Members understanding of foreign policy issues if it were possible to have an interchange of ideas and information between Members of Congress and members of the executive branch before each body as a whole rather than merely as now occurs before several committees on each side of the Capitol.

In discussing the work of congressional committees, I believe renewed attention should not only be given to the way in which the quality of the various professional staffs might be improved, but also to the needs of the minority party in its staffing arrangements if it is to fulfill its responsibilities under our two-party system of government. We are all aware, whether we are the low man in seniority on a committee or the ranking member, of the difficulties which new members frequently have in securing the necessary professional assistance on some of the committees in either House.

One way partially to alleviate the staffing problem would be to authorize each Member to have an additional legislative assistant for each standing committee on which the Member serves besides the legislative assistant responsible for the various measures in which a Member also has an interest. With the assignment of one assistant for each committee on which he serves, the Member could rapidly develop on his own staff the necessary expertise in a subject matter field and thus better prepare himself to deal with the issues that come before his committee. As we all know, from our own experience in the Senate, it is not infrequent that our daily calendars show three committees or subcommittees to which we have been assigned meeting at exactly the same hour. Additional staff will help us cover these meetings.

I hope, too, that in improving the committee process and a Member's ability to cope with the legislative proposals submitted by an administration, that consideration will be given to conducting precommittee hearings at the staff level. There, the majority and minority staff of the responsible committee, along with the legislative assistant of each Senator on that committee, might meet in advance with the experts from the executive branch to go over the testimony which the Cabinet officer and his deputies will formally make on a major bill. This would be helpful, I believe, to both the administration and the individual Members since it would sharpen the testimony and reveal the issues which need clarification once the principals face each other in the committee room at the formal hearing.

Usually we come to the committee room with the Cabinet officer's testimony available to us only at that time, and we have no opportunity to research the subject matter in a particular statement and thus carefully phrase our questions to elicit the needed information. By the time we have had the opportunity to study carefully the statement, the Secretary has returned to his Department or left the country on a trip and we thus are unable to enter into that personal interchange and discussion so necessary in arriving at a meeting of the minds in our legislative process.

As the Senator from the most populous State in the Union, I am obviously concerned with the difficulties of having sufficient staff and space to do the job which should be done—and which my colleagues from smaller States can do—if I am effectively to serve 18 million people. Between 1,000 and 2,000 constituents write my office every day of the week and on occasion the count has gone up to 6,000 per day. I think Congress, and the Senate in particular, must face up to the need for adequate space to do our job and the adequate professional staff to help us in our many duties.

We tolerate conditions for our professional staff which would not be tolerated for a minute in either the executive branch or the headquarters of any private corporation or international union in this country. For example, the counterparts of our top assistants in the administration would have one- or two-room suits, here we have three and four individuals in a single room. What is needed is space to think, away from the typewriters. Early in the year my office usually has exhausted its quota of airmail stamps, whereas offices representing States on the eastern seaboard never use their quota since it is faster to send important letters by first-class mail because of the constituents' proximity to Washington, D.C. There is need also for an adequate number of trips to be made available to both a Member of Congress and his staff, so that they can return home periodically, and thus represent the people more effectively. Certainly 12 round trips a year would not be inappropriate for each Member with an equivalent amount to be available to his staff.

I believe we must also face up to eliminating some of the "busy work" tasks which, while they might be on occasion politically rewarding, tie up our offices and our time unnecessarily when we think of the more pressing work for many people which we must also carry on. In order to provide more time for the matters of pressing national importance, I hope this committee will consider various ways by which the Members of Congress might divest themselves of the responsibility for appointments to various service academies, the confirmation of postmasterships, and some of the private bills which we are now called upon to introduce.

A good many Members of Congress already follow the practice, which I do, of appointing to the academy the students who score the highest on the examinations which he takes for admission. Many Members of Congress spend long hours interviewing prospective academy entrants so that they can conscientiously render a fair decision. I believe we should permit the academies to conduct nationwide objective examinations and accept those students who qualify with the only limitation being that the students continue to be selected on a geographic basis for which the present congressional district boundaries might well be utilized.

There are few advantages of being in the minority in Congress, but certainly one is the pleasure of not having to choose between candidates for local postmasterships. I believe it was William Howard Taft who once said that for every 10 men you consider for postmaster, you were sure to end up with 9 enemies and 1 ingrate. The right to petition, of course, is basic to our constitutional heritage. But I do believe that some device, perhaps a separate board of former Senators and Congressmen, could be established which would be able to pass judgment on some of the immigration bills and small claims legislation which now besiege us.

Congress should, of course, also divest itself of being the town council for Washington, D.C., by granting home rule to the District of Columbia. It is ludicrous for the Congress of the United States, with the present international and national problems which confront it, to be burdened with supervising the city welfare department, the municipal education system, and the affairs of our beautiful Capital city. We have far more important things to do with our time, and the people of the District of Columbia deserve better and more responsive government than they now receive as the only conclave of Americans who still live in involuntary servitude.

I believe Congress must also face up to the need for the development of standards of conduct which would appropriately guide the behavior of its members and their professional staff, as well as the various committee staffs and other Senate officials. If such standards are developed, including the annual disclosure of assets and income, they should, I think, apply equally to any candidate for congressional office in a primary, special, or general election. Such standards might well be applied to career and appointed policymaking members of the executive branch, as well as to the judiciary. I believe the public does have a right to know that those in whom it has reposed its trust are free from serious conflicts of interest, as we attempt to make crucial judgments on matters of domestic and international policy.

As we seek to devise means by which we may more effectively represent the American people, we need also devise means which will prevent candidacies for the Senate and House from being merely the prerogative of those who can afford to run or of groups who can bankroll particular candidates. Campaign expenditures in America have gone completely out of hand. I know what it is to wage a campaign without adequate financing. In 1962, my campaign committee spent $200,000 in the general election. This was probably the lowest amount ever spent for a major statewide office in modern California politics. That same year the candidates for Governor in California were said to have spent well over $2 million each for the general election alone. Most experts believe that the cost of running for major statewide office in populous States such as New York and California cannot be effectively done for less than $2 million for each party nominee.

The American people have a right to know where funds for political campaigns come from. Thus, I believe this committee should give favorable consideration to urging a complete revision of the Federal Corrupt Practices Act, and the imposition of realistic ceilings on campaign expenditures made for Federal office. There should be a centralization of campaign finances under a treasurer selected by the candidate. Such campaign treasurer should be held legally accountable, and be required to report to a regulatory group, established by Congress, all funds and services expended on behalf of his candidate in primary, special, and general elections. Such a regulatory group should have the power, through legal process, to compel adequate disclosure. Serious thought should be given to the ways in which partial disclosure would be made prior to election day.

In my view, Congress should amend the Internal Revenue Code to provide that a $10 tax credit provision, or a $100 deduction, may be applied to contributions made to a candidate for Federal office or to his designated campaign committee. This would encourage a broader base of financial participation by all interested citizens and thus, hopefully, eliminate the dangers of candidates in either party being dependent upon the largess of any particular private group.

Mr. Chairman, serving as a Member of the House of Representatives or the U.S. Senate is a full-time, year-round responsibility. Some of us have advocated that we adjourn for a month or two in the summer which would permit us to return to our constituents and, for those whose children are still in school, permit an occasional "family" vacation now and then. Yet, in our procedures and our allowances we pretend that we are still living in the 19th century where one had the luxury of affording the stoic conception of public service and performing one's task during a few months of the year.

Whether Congress is in session or not, and all of us can remember the times in recent years when we have been meeting on Christmas Eve, the work of our offices goes on. We serve, and rightfully so, as a court of last resort in many nonjudicial controversies. A constituent looks to us to fulfill his right to petition for redress of his grievances. Some of what we do no doubt seems small as we seek an inquiry, for example, of the complaint of a mother who feels her son has been mistreated while going through basic training. Other administrative tasks we undertake are seemingly of larger scope as we seek to bring together constituents, whom we represent, with the appropriate Federal officials, so that those whom we serve may fully avail the people of their community of the various Federal programs which we have enacted. In either case, we are serving the people.

I hope that this committee may see fit to undertake securing of the services of management consultants who would examine various types of offices in both Houses such as one from a large State, a medium-size State, and a small State. By analyzing these functions, perhaps Members of Congress could more effectively perform the legislative and administrative tasks which we are now called upon to perform, and also redress the imbalance which now exists in most office staffs and thus place more emphasis on the legislative functions which the Constitution charges us to perform.

Mr. HART. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. ERVIN. Mr. President, I wish to speak concerning what I believe to be the most precious possession of the American people.

In the ultimate analysis, the most precious possession of the American people is not this broad land, which runs from the Atlantic to the Pacific and from Canada to the Gulf of Mexico. In the ultimate analysis the most precious possession of Americans is not their material wealth in other respects. Despite the precarious condition in which the world finds itself at this moment, I am constrained to say that the most precious possession of Americans at this time does not consist of the great weapons which we have to insure our preservation.

The most precious possession that the American people have is constitutional government as the principles of that constitutional government are enshrined in the Constitution of the United States.

The great English statesman, William Ewart Gladstone, was invited to participate in the centennial anniversary of the American Constitution. Acknowledging the receipt of the invitation he had this to say about our Constitution:

> I have always regarded that Constitution as the most remarkable work known to me

> in modern times to have been produced by the human intellect, at a single stroke (so to speak), in its application to political affairs.

While the Constitution of the United States was reduced to writing at a given time in history, the Constitution of the United States was not the product of any specific time or even of the men who drafted it. In a very true sense, the Constitution of the United States recognizes and incorporates in its provisions the governmental truths discovered in the age-old struggle of man for the right of self-government and for the right to be secure against governmental tyranny.

I believe the best description of the process by which the Constitution of the United States was formulated was given by one of the greatest American lawyers of all time, Jeremiah Black, in his argument in the great case of *Ex parte Milligan*, 4th Wallace 2. During the course of the debate upon the pending bill, I have made several references to the great case of Ex parte Milligan as being in my opinion the greatest judicial decision ever handed down by any court on the face of the earth. I base this judgment partly on the time in which the decision was handed down, but principally upon the decision itself.

Several days ago I stated that behind every great opinion of a judge is the work of a great lawyer. This was true in Ex parte Milligan.

In his magnificent argument before the Supreme Court in that case, Jeremiah Black gave us the very finest account we have of the manner in which the Constitution was written. He said:

> But our fathers were not absurd enough to put unlimited power in the hands of the ruler and take away the protection of law from the rights of individuals. It was not thus that they meant "to secure the blessings of liberty to themselves and their posterity." They determined that not one drop of the blood which had been shed on the other side of the Atlantic, during seven centuries of contest with arbitrary power, should sink into the ground; but the fruits of every popular victory should be garnered up in this new Government. Of all the great rights already won they threw not an atom away. They went over Magna Carta, the Petition of Right, the Bill of Rights, and the rules of the common law, and whatever was found there to favor individual liberty they carefully inserted in their own system, improved by clearer expression, strengthened by heavier sanctions, and extended by a more universal application. They put all those provisions into the organic law, so that neither tyranny in the executive, nor party rage in the legislature, could change them without destroying the Government itself.

Mr. President, that is a description of how our Constitution was actually written, as well as an indication of the reason for its writing.

The Constitution of the United States was written and ratified for the purpose of accomplishing certain things. For present purposes I believe those things can be summarized as follows:

First. The Constitution of the United States was written and ratified to provide a permanent framework for the Federal Government and to define the powers which the Government was to have.

Second. The Constitution of the United States was written and ratified to accomplish an object the necessity and desirability of which were made manifest by the long and bitter struggle of man for the right of self-government and for the right of security against governmental tyranny, namely, to put definite limitations upon the powers of the Federal Government.

Third. The Constitution of the United States was written and ratified to protect the States and to protect the people of the United States against the impatience of public officials, regardless of whether such officials belong to the executive branch of the Federal Government or to the legislative branch of the Federal Government or to the judicial branch of the Federal Government; and as a part of that purpose the Constitution of the United States was written and ratified to protect minorities against the intemperate action of majorities.

Some philosopher has well said that any nation which ignores the lessons taught by history is doomed to repeat the mistakes of the past. The Founding Fathers knew that to be true; and they wrote the Constitution of the United States not only for the three salient purposes I have just enumerated, but also to save Americans from repeating the mistakes which had been made in the field of government in times past.

The history of the world had taught the Founding Fathers that government, whether it be called a monarchy or whether it be called a republic, has an insatiable thirst for power, and that government in its attempt to satisfy its insatiable thirst for power will become totalitarian in nature unless it is restrained by laws which it can neither repeal nor nullify.

The Founding Fathers realized when they drafted the Constitution that the Constitution cannot preserve itself, but that, on the contrary, the Constitution will endure only so long as love for its principles dwells in the hearts of the people, and particularly within the hearts of those selected by the people to execute its provisions. The Founding Fathers attempted to emphasize this truth to all succeeding generations of Americans and those to be selected by them to execute the provisions of the Constitution by declaring that every official, Federal and State, should be bound by a solemn oath or affirmation to support the Constitution.

I wish to read statements from great decisions and great writers of the law which emphasize the purpose inspiring the Founding Fathers to draft, and the independent States to ratify, the Constitution as a permanent instrument of government for the United States. One of those cases is *Martin* v. *Hunter*—14 U.S. 326. The decision in this case was handed down in 1816. The opinion in the case was written by one of the wisest jurists this country has ever known, Justice Story, who said:

> The Government, then, of the United States can claim no powers which are not granted to it by the Constitution, and the powers actually granted, must be such as are expressly given, or given by necessary implication. * * * The Constitution unavoidably deals in general language. * * * The instrument was not intended to provide merely for the exigencies of a few years, but was to endure through a long lapse of ages, the events of which were locked up in the inscrutable purposes of providence.

This quotation from Judge Story's opinion makes it crystal clear that the Constitution was not supposed to be an instrument whose meaning could be changed from time to time, either by the public sentiment of the moment or by congressional enactments. The text writer in 16 American Jurisprudence, 2d series, Constitutional Law, section 6, page 183, declared in a few words that one of the major purposes of the Constitution was that which I set forth as its first purpose. This text writer says:

> Perhaps the most important of the fundamental functions of a Constitution is to establish the basis of the governmental system, that is, to prescribe the permanent framework of the system of government, assign to the different departments their respective powers and duties, and establish certain fixed principles on which government is founded.

One of the fixed principles on which the Government is founded is that the determination of whether a political subdivision is violating the Constitution is a judicial question, not a legislative question. Yet the pending measure undertakes to have the question of whether Southern States or parts of Southern States are engaged in violating the 15th amendment determined by a department of government which has no power to make that determination, namely, the Congress.

The Founding Fathers were wise men. They knew that occasions would arise when Congress itself could not be safely trusted. So they wrote into the Constitution clauses specifically designed to prevent Congress from doing certain things. One of these is the ninth section of the first article of the Constitution, which provides:

> No Bill of Attainder or ex post facto Law shall be passed.

The wisdom of the Founding Fathers in inserting that specific provision in the Constitution is illustrated by events which are transpiring in Congress at the present moment. We are considering a bill which is, in effect, a bill of attainder in that it condemns a section of the country to punishment upon the charge of violating the 15th amendment without a judicial trial. That is precisely what a bill of attainder is.

Moreover, the bill undertakes to make that condemnation by legislative declaration on the basis of past events, not upon the basis of present or future action. The bill does this by the triggering device, which is based entirely upon events occurring in 1960 and 1964. In that respect, the bill constitutes a violation of the prohibition of the passage by Congress of an ex post facto law.

While the provisions of the bill in these respects are not in harmony with the Constitution, they may be in harmony with popular feelings engendered at this moment by demonstrators who profess the astounding doctrine that it is all right to ignore or even to violate laws they deem unjust. This notion cannot be reconciled with the Constitution or the great decisions interpreting the Constitution.

I quote these words from *Muller* v. *Oregon*, 208 U.S. 412, at page 420:

> Constitutional questions, it is true, are not settled by even a consensus of present public opinion, for it is the peculiar value of a written constitution that it places in unchanging form limitations upon legislative action, and thus gives a permanence and stability to popular government which otherwise would be lacking.

The Supreme Court of Indiana handed down a decision on this phase of the matter in the case of *Ellingham* v. *Dye*, reported in 178 Indiana 336, 99 northeastern 1. The Indiana Supreme Court said:

> A good constitution should be beyond the reach of temporary excitement and popular caprice or passion. It is needed for stability and steadiness; it must yield to the thought of the people—not to the whim of the people or the thought evolved in excitement or hot blood, but the sober second thought, which alone, if the government is to be safe, can be allowed efficacy. Changes in government are to be feared unless the benefit is certain. As Montaigne says: "All great mutations shake and disorder a State. Good does not necessarily succeed evil; another evil may succeed, and a worse."

I respectfully submit that even though there may be injustices which need redressing, those injustices should be redressed in a manner sanctioned by our organic law, and not by action which is inconsistent with our organic law. Congress cannot commit a greater evil than that of nullifying or suspending constitutional provisions—even to accomplish ends it deems just. This is true because such action will ultimately rob the American people of their most precious possession—constitutional government.

Mr. President, another case which illustrates the intention of the Founding Fathers and the ratifying States that the Constitution is to be superior to the temporary whims of public opinion is Vanhorne against Dorrance. This case was tried by the U.S. Circuit Court for the District of Pennsylvania. It is reported in 2 U.S. 304.

I read what the court had to say in respect to this characteristic of the Constitution, from page 308 of that decision:

> *Vanhorne* v. *Dorrance*, 2 U.S. 304 (1795): What is a constitution? It is the form of government delineated by the mighty hand of the people, in which certain first principles of fundamental laws are established. The constitution is certain and fixed; it contains the permanent will of the people, and is the supreme law of the land; it is paramount to the power of the legislature, and can be revoked or altered only by the authority that made it. The lifegiving principle and the death-doing stroke must proceed from the same hand. What are legislatures? Creatures of the constitution; they owe their existence to the constitution; they derive their powers from the constitution; it is their commission; and therefore, all their acts must be conformable to it, or else they will be void. The constitution is the work or will of the people themselves, in their original, sovereign, and unlimited capacity. Law is the work or will of the legislature, in their derivative and subordinate capacity. The one is the work of the creator, and the other of the creature. The constitution fixes limits to the exercise of legislative authority, and prescribes the orbit within which it must move. In short, gentlemen, the constitution is the sun of the political system, around which all legislative, executive, and judicial bodies must resolve. Whatever may be the case in other countries, yet, in this, there can be no doubt, that every act of the legislature, repugnant to the Constitution, is absolutely void.

The pending measure proceeds upon the theory that the Constitution does not embody the permanent will of the people or the supreme law of the land; but that, on the contrary, it is some kind of weak instrument whose provisions can be ignored or even suspended at the pleasure of an agency of Government created by it. I say this because the bill is based fundamentally upon the peculiar notion that Congress, the creature of the Constitution, can suspend either in whole or in part the provisions of its creator, the Constitution. I emphasize that the Constitution was written for the paramount purpose of placing the fundamentals of the Government created by it beyond the reach of impatient Presidents, impatient Congresses, impatient judges, and impatient people.

The greatest statement ever made on this subject was made, I believe, by one of the most profound authorities on the Constitution who ever lived; and I say to my good friend the Senator from Michigan [Mr. HART] that this man was a son of Michigan. He sat upon the bench of the Supreme Court of Michigan, and was dean of the law school of the University of Michigan. I refer——

Mr. HART. Mr. President, will the Senator yield for a comment there?

Mr. ERVIN. I yield.

Mr. HART. I had been listening attentively to the address being made by the Senator from North Carolina. As always, he is scholarly. He did not have to alert me as to what he was about to read and about his comments on what Dean Cooley had to say. We in Michigan have the same deep regard and affection for Justice Cooley that the Senator from North Carolina, whom he is about to quote.

Mr. ERVIN. I thank my friend from Michigan. I wish to read a passage from what I consider to be the soundest book on constitutional law ever written by any American, indeed by any man anywhere on earth. I refer to Thomas M. Cooley's "Constitutional Limitations." I read from chapter 4, pages 88 and 89. This is, in my opinion, the finest statement ever made concerning the fundamental purposes for which the Constitution was written and ratified. Judge Cooley said:

> A cardinal rule in dealing with written instruments is that they are to receive an unvarying interpretation, and that their practical construction is to be uniform. A constitution is not to be made to mean one thing at one time, and another at some subsequent time when the circumstances may have so changed as perhaps to make a different rule in the case seem desirable. A principal share of the benefit expected from written constitutions would be lost if the rules they established were so flexible as to bend to circumstances or be modified by public opinion.
>
> It is with special reference to the varying moods of public opinion, and with a view to putting the fundamentals of government beyond their control, that these instruments are framed; and there can be no such steady and imperceptible change in their rules as inheres in the principles of the common law. Those beneficent maxims of the common law which guard person and property have grown and expanded until they mean vastly more to us than they did to our ancestors, and are more minute, particular, and prevading in their protections; and we may confidently look forward in the future to still further modifications in the direction of improvement. Public sentiment and action effect such changes, and the courts recognize them; but a court or legislature, which should allow a change in public sentiment to influence it in giving to a written constitution a construction not warranted by the intention of its founders, would be justly chargeable with reckless disregard of official oath and public duty; and if its course could become a precedent, these instruments would be of little avail. The violence of public passion is quite as likely to be in the direction of oppression as in any other; and the necessity for bills of rights in our fundamental laws lies mainly in the danger that the legislature will be influenced, by temporary excitements and passions among the people, to adopt oppressive enactments. What a court is to do, therefore, is to declare the law as written, leaving it to the people themselves to make such changes as new circumstances may require. The meaning of the constitution is fixed when it is adopted, and it is not different at any subsequent time when a court has occasion to pass upon it.

Mr. President, we are confronted at this hour by the danger which prompted the writing and the ratification of the Constitution of the United States. The violence of public passion is abroad in the land. It is well at this critical hour that we have a written Constitution. Impatient people are demanding that a somewhat impatient Congress enact into law a bill which is inconsistent with the provisions of the Constitution vesting in each State of the Union the power to prescribe qualifications for voters in both Federal and State elections, and the power, in so doing, to prescribe literacy tests as prerequisites to the right to vote.

This is not the first time in American history that the wisdom of the Founding Fathers in drafting, and of the Original States in ratifying, the Constitution has been proved.

A moment ago I quoted from the great case of Ex parte Milligan. That case involved an effort made during the troublous days of the War Between the States, when the country was torn asunder by fratricidal strife, to suspend, in the State of Indiana, the provisions of the Constitution requiring indictment by grand jury and trial and conviction by a petit jury as conditions precedent to imposing punishment for crime. It was contended by those who, in that day, thought that provisions of the Constitution could be suspended in a moment of exigency, that the Federal Government had the power to substitute military courts for civil courts in the trial of civilians. The question as to whether the power to suspend constitutional provisions existed was the identical point involved in the Milligan case. The Supreme Court held that such power did not exist. In the opinion so holding, Justice Davis had this to say:

> Time has proven the discernment of our ancestors, for even these provisions—

That is, the provisions respecting indictment by a grand jury and trial by jury—

> expressed in such plain English words, that it would seem the ingenuity of man could not evade them, are now, after the lapse of more than 70 years, sought to be avoided. Those great and good men foresaw that troublous times would arise, when rulers and people would become restive under restraint, and seek by sharp and decisive measures to accomplish ends deemed just and proper; and that the principles of constitutional liberty would be in peril, unless established by irrepealable law. The history of the world had taught them that what was done in the past might be attempted in the future. The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances.

Once again time has proved the discernment of our ancestors. The pending bill is designed to circumvent, evade, nullify, or suspend provisions of the Constitution which are expressed, to borrow Justice Davis' words in Ex parte Milligan, in such plain English words that it would seem that no man would attempt to avoid them. Nevertheless such attempt is being made by Members of the Congress itself 176 years after some of these words—those incorporated in section 2 of article I, and section 1 of article II, became effective as parts of the original Constitution.

If there is anything settled beyond dispute in the field of constitutional law, it is that the 2d section of the 1st article of the Constitution, the 1st section of the 2d article of the Constitution, the 10th amendment, and the 17th amendment, vest in the States—and in the States alone—the power to prescribe the qualifications of those eligible to vote in both Federal and State elections, and that this power to prescribe such qualifications includes the power to prescribe literacy tests as prerequisites to the right to vote.

Notwithstanding this, the pending bill attempts to evade, circumvent, nullify, or suspend the constitutional powers of seven States to establish and use literacy tests in passing upon the qualifications of those who seek to vote in Federal and State elections within their borders.

There is another peculiar provision in the pending bill which I do not believe is consistent with the due process clause of the fifth amendment. Apart from this however, it is certainly not consistent with fairplay. I refer to the provision of the bill which closes the doors of every courthouse in America—except the doors of the District Court of the District of Columbia—to the States and political subdivisions of States which are condemned by the triggering process of the bill without a judicial trial, without evidence, and without an opportunity to be heard.

In his argument in Ex parte Milligan, Jeremiah Black, the great lawyer, made some observations which the Senate should contemplate regarding this aspect of the bill.

I quote the words of Jeremiah Black which are found on pages 63 and 64 of the opinion in Ex parte Milligan:

> We all know that it was the intention of the men who founded this Republic to put the life, liberty, and property of every person in it under the protection of a regular and permanent judiciary, separate, apart, distinct, from all other branches of the Government, whose sole and exclusive business it should be to distribute justice among the people according to the wants and needs of each individual. It was to consist of courts, always open to the complaint of the injured, and always ready to hear criminal accusations when founded upon probable cause; surrounded with all the machinery necessary for the investigation of truth, and clothed with sufficient power to carry their decrees into execution. In these courts it was expected that judges would sit who would be upright, honest, and sober men, learned in the laws of their country, and lovers of justice from the habitual practice of that virtue; independent, because their salaries could not be reduced, and free from party passion, because their tenure of office was for life.

There is a saying which all Americans would do well to remember, especially those who are authorized to sit in the legislative bodies of the Nation:

For justice all seasons are summer, and every place a temple.

We have before us a bill which would close the courthouse doors of all the Federal courts sitting in the areas of the Nation which are condemned by the triggering device of the bill. That provision is inconsistent with the boast of Americans that our courts are always open for the doing of justice. It is also inconsistent with the statement of Jeremiah Black that the courts of this land should be surrounded by all the machinery necessary for the investigation of truth.

I say this because the bill would give the States and subdivisions of States access to only one court; and that court sits in a distant place, anywhere from 250 to 1,000 miles from those States and subdivisions of States, and from the residences of witnesses having knowledge of the facts which would necessarily be involved in trials in which these States or subdivisions of States might seek exoneration from the legislative condemnation visited upon them.

Sometimes one is tempted to think that the pending bill is designed to prevent an investigation of the truth in respect to the presumption which the triggering device of the bill raises without judicial trial or evidence or opportunity to be heard to condemn the States and political subdivisions covered by the bill.

I say this because under rule 45 of the Rules of Civil Procedure governing trials in the Federal district courts, a subpena from the District Court for the District of Columbia is effective no more than 100 miles from the place where the District Court for the District of Columbia sits.

As a consequence, the States and political subdivisions of States which are condemned by the bill are denied compulsory process to obtain witnesses to testify in their behalf. While the bill would deny that right to certain States and political subdivisions of States, the Constitution secures that right to all persons charged with any crime against the U.S. Government, including those who are charged with treason against the United States.

In so doing, the bill degrades seven States, or parts of seven States, of this Union to a plane inferior to that ever occupied in our Nation's history by the commonest criminal charged with the foulest crime.

At the outset of my remarks I mentioned that one of the purposes of the Constitution was to protect minorities against arbitrary action by those in authority. The Supreme Court of Alabama handed down a decision on this point, in the case of *Houston County* v. *Martin*, 169 Southern 13. I read these words from page 15 of that decision:

> Constitutions are not primarily designed to protect majorities, who are usually able to protect themselves, but to preserve and protect the rights of individuals and minorities against the arbitrary actions of those in authority.

I have pointed out that the pending bill constitutes a bill of attainder and an ex post facto law. I have pointed out that it would condemn seven States or parts of seven States of violations of the 15th amendment without a judicial trial, on the basis of events which occurred in the past and not on the basis of present or future events. I have pointed out that the bill condemns and suspends four separate provisions of the Constitution which vest in the States the power to prescribe a literacy test as a prerequisite for voting in both Federal and State elections.

Finally, I have pointed out that the bill has provisions in it which are inconsistent with the due process clause of the fifth amendment or with the fundamentals of fair play.

The proponents of the bill agree with me as to certain of the constitutional questions I have raised. The proponents of the bill state this in substance: "We admit that under the words of the Constitution and under the decisions of the courts construing those words of the Constitution, the seven States that are being condemned by the triggering device, as well as all the other States in the Union, have the undoubted constitutional power to prescribe a literacy test as a condition precedent to the right to vote."

What flattering unction do they lay to their souls to justify their support of a bill which would deny to certain States and subdivisions of States the power to exercise a constitutional power they concede such States and subdivisions possess?

They state in substance: "We are not attempting to nullify the power of these States to establish and use literacy tests.

We are merely insisting that Congress suspend the constitutional power of these States and subdivisions to prescribe literacy tests. We would not be so untrue to the Constitution as to ask Congress to nullify the constitutional provisions which vest in those States the undoubted power to prescribe literacy tests. Oh, no. We would merely have Congress suspend the power of those States to exercise their constitutional rights."

If Congress can suspend the power of a State to exercise its constitutional rights for 1 year, Congress can suspend the power of the State to exercise its constitutional rights for a thousand years.

I have stood on the floor of the Senate and challenged the Attorney General of the United States and every one of the 600 lawyers working under his supervision in the Department of Justice in the District of Columbia to call to my attention a single decision of any court which supports the proposition that Congress has the power to suspend any provision of the Constitution. Neither the Attorney General nor any of the attorneys operating under the Attorney General has been able to produce any such decision. To be sure, they cite the case of Louisiana against the United States, in which a decision was handed down by the Supreme Court on March 8, 1965, and they claim that case recognizes and sustains the power of Congress to enact a bill suspending the power of seven States to use literacy tests.

Mr. President, in all sincerity and solemnity, I make the statement that the decision of the Supreme Court in Louisiana against the United States bears about as much resemblance to that proposition as my homely face bears to the beauteous countenance of Miss America.

The Louisiana case was tried in the courts in the manner in which article III of the Constitution contemplates all judicial questions should be tried. Witnesses were produced in the courts by both the Government and the 21 parishes whose voting practices were involved. It was established in that case as a fact that in those parishes Louisiana election officials had used a so-called literacy or understanding test to prevent Negroes from registering to vote, but had failed to apply such tests, or the most stringent parts of such tests, to members of the white race applying for registration. As a consequence of those established violations of the 15th amendment, the number of persons of the Caucasian race registered in those 21 parishes far exceeded the number of persons of the Negro race registered in them.

Upon those facts being established, the Federal district court sitting in Louisiana issued an injunction which did not attempt to deprive Louisiana of the power to use the literacy test, but which enjoined the election officials of those 21 parishes from using a newly devised literacy or understanding test until there should be a new registration of voters in the 21 parishes.

That was a proper decision under the circumstances because it was the only way in which the court could require the election officials in those parishes to apply the law alike to men of all races and redress their violation of the 15th amendment, which prohibits State action denying or abridging the rights of qualified Negroes to vote on account of their race or color. The court did not suspend the power of Louisiana to use a literacy test. In effect, the injunction stated, "You may use the new literacy test immediately in a new registration of voters in the 21 parishes provided you administer it alike to all those who apply for registration without discrimination on the basis of race."

That decision was reached on the basis of evidence in a judicial trial conforming to due process. It was not made on the basis of a congressional condemnation without judicial trial or evidence. The Republic created by the Constitution could not endure if Congress had the power to suspend any provision of the Constitution, even for a limited period of time. That is true because, as I remarked a moment ago, if Congress can suspend the constitutional provisions vesting in seven States the power to prescribe literacy tests as prerequisites to voting, then Congress can suspend all the provisions of the Constitution of the United States as to all the 50 States.

The opinion expressed by one Senator on the floor of the Senate during the debate on the bill that the 15th amendment is superior to the other provisions of the Constitution is not only absurd, but it is out of harmony with every decision involving the interpretation of such amendment and the Constitution. Every decision on the point holds that all the provisions of the Constitution must be interpreted together, and that the 15th amendment does nothing whatever except to prohibit a State from denying or abridging the right of qualified citizens to vote on the basis of race or color. The decisions hold that the 15th amendment does not affect in any way or to any degree the power of the States to prescribe the qualifications for voting in any respect except that, since the adoption of the 15th amendment, the States may not require that a person belong to a particular race in order to be permitted to vote.

The courts have declared time and time again that any legislation by Congress based upon the 15th amendment which goes beyond the mere prohibition of the denial or abridgement of the right to vote on the basis of race is not appropriate legislation under the second section of the 15th amendment, and for that reason is null and void.

We have many things for which to be thankful, one of which is, as I stated in the beginning of my remarks, that we have in the United States a written Constitution which prescribes the powers of the Federal Government and specifies how those powers are to exercised by the different branches of such Government. The bill ignores the division of powers, because it attempts to vest in the Attorney General powers which in some instances are judicial and in other instances legislative, although the Attorney General is an executive officer.

But the greatest thing for which we have to be thankful is that the Constitution was designed to be a law for rulers as well as for people; a law to govern not only the people of the Nation, but to govern Congress, the President, and the courts. One of the things that insures that is the doctrine that no principle of a written Constitution can be suspended.

In the course of the debate, some references have been made to the State of Alabama. Alabama is condemned by the triggering device of the pending measure. Senators who have been supporting the bill have taken occasion to condemn Alabama. They may be surprised to learn that the bill follows an attempted precedent in Alabama. Only one time in the history of the Nation, prior to this time, has any legislative body attempted to suspend a provision of its constitution. That State was Alabama. The decision of the Supreme Court of Alabama, in the case to which I referred a moment ago, Houston County against Martin, dealt with the attempt by the Alabama Legislature to suspend a provision of the constitution of Alabama. It was held in that case that that could not be done. The opinion stated, on page 15, referring to the effort of the Alabama Legislature to suspend a provision of the State constitution:

> By the same practice, if finally approved by the courts, every right and immunity protected by the Declaration of Rights may be suspended to meet the will of the majority, substituting a government of men for a government of law. No such thought was ever entertained by the framers of the Constitution or the people in its adoption, and no such practice—

And I invite the attention of the Senate to these words—

> and no such practice has ever been attempted in any sovereignty on earth existing under a written constitution, except in Alabama.

If Congress should pass the bill, we shall have to change that phrase and say that no legislative bodies in any sovereignties on the face of the earth, having written constitutions, have ever attempted to suspend any of their provisions except the legislature of Alabama and the Congress of the United States.

I again invite the attention of Senators to the truth that no provision of the Constitution of the United States can be suspended, even in the most troublous times. I read a statement from the case of Ex parte Milligan, page 121, to this effect:

> No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false; for the Government, within the Constitution, has all the powers granted to it, which are necessary to preserve its existence; as has been happily proved by the result of the great effort to throw off its just authority.

The tragedy inherent in the demand for the passage of the pending unconstitutional measure is that Congress has ample power under the Constitution to enact laws which would secure to every person in the United States who is qualified to vote the right to register and vote. Indeed, it has already done so.

The assertion of the Attorney General of the United States to the contrary notwithstanding, any competent lawyer can secure the right of every qualified person to register in any precinct in the United States under laws now available to the Department of Justice. I say this because the Federal courts have power under existing laws, acting through judges or through voting referees appointed by the judges, to pass upon qualifications for voting, and to require the registration of every person found qualified to vote. Under these statutes, any competent lawyer can secure the registration of any qualified voter anywhere in the Nation. Instead of making bona fide use of such laws which conform to judicial processes, we hear the astounding statement made by the Attorney General that judicial processes are too slow and cumbersome, and that, therefore, the Department of Justice wants Congress to enact new laws which will condemn States and political subdivisions of States without trial, without notice, without an opportunity to be heard, and without evidence.

That is precisely the argument which the lynch mob uses. The mob says, "We know this man is guilty. If we let the courts first determine his guilt, it will delay justice. Therefore, we will deal with him without a trial."

The pending measure is an affront to constitutional government. It is an affront to fairplay. If the measure were to be enacted and accepted as a precedent by Congress for future legislation, and the courts were to depart so far from the plain language of the Constitution and from all their previous decisions as to uphold the measure in its essential provisions, constitutional government would be at an end in America. We should then have reached the sad day which was described by a great American lawyer and a great U.S. Senator, Daniel Webster, in these tragic but true words:

> Other misfortunes may be borne, or their effects overcome. If disastrous wars should sweep our commerce from the ocean, another generation may renew it; if it exhaust our Treasury, future industry may replenish it; if it desolate and lay waste our fields, still, under a new cultivation, they will grow green again, and ripen to future harvests.
>
> It were but a trifle even if the walls of yonder Capitol were to crumble, if its lofty pillars should fall, and its gorgeous decorations be all covered by the dust of the valley. All these may be rebuilt.
>
> But who shall reconstruct the fabric of demolished government?
>
> Who shall rear again the well-proportioned columns of constitutional liberty?
>
> Who shall frame together the skillful architecture which unites national sovereignty with the State rights, individual security, and public prosperity?
>
> No, if these columns fall, they will be raised not again. Like the Colosseum and the Parthenon, they will be destined to a mournful and melancholy immortality. Bitterer tears, however, will flow over them than were ever shed over the monuments of Roman or Grecian art; for they will be the monuments of a more glorious edifice than Greece or Rome ever saw—the edifice of constitutional American liberty—(Daniel Webster, 1832).

I yield the floor.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The Senator from New Hampshire is recognized.

EXCISE TAX EXEMPTION FOR NEW HAMPSHIRE SWEEPSTAKES, PART II

Mr. McINTYRE. Mr. President, yesterday I announced that I would be offering an amendment to the excise tax reduction bill to provide that the educational fundraising efforts of the State of New Hampshire could receive at least the same favorable excise tax treatment which is now accorded to private parimutual races, certain wagering in gambling casinos, and many other forms of private gambling.

Since that announcement, I have received some questions about the operation of New Hampshire's unique educational fundraising operation known as the New Hampshire Sweepstakes. Today, as part of my continuing effort to place the facts surrounding the sweepstakes before the Senate, in order to have my amendment considered on its own merits, I would like to place in the RECORD some information about the statutory authority and the operation of the New Hampshire Sweepstakes.

To begin with, the New Hampshire Sweepstakes were authorized by State law. This law, chapter 52 of the New Hampshire laws of 1963, was enacted by both houses of a Republican-controlled legislature as a result of hard work by a great Democratic legislator, Hon. Larry Picket, of Keene, N.H., and then signed into law by a Democratic Governor, Gov. John King. The law specified the uses to which proceeds of the sweepstakes could be put.

I read from RSA section 284: 21–j the key provision relating to use of proceeds. After payment for prizes and administration, this section reads:

> Any balance remaining from such proceeds shall be paid to the State treasurer who shall keep the same in a separate fund which shall be paid on December 15 of each year to the school districts of the State on a flat grant per resident pupil basis. Such grants shall be used for educational purposes and no part of such special fund shall be diverted, by transfer or otherwise, to any other purposes whatsoever.

I point out at this time, and I intend to go into greater detail on this point at some later date, that all funds which must go toward the payment of the Federal excise tax come out of this remaining balance for educational purposes. Thus repeal of the excise tax would not in all probability result in increasing prizes, nor costs of administration, but would have as its primary result the increase of the moneys available for educational purposes.

To get back to the statute, however, I believe that its language may be useful in understanding just how the sweepstakes operates. Thus, I ask unanimous consent to have printed at this point in the RECORD a copy of chapter 52, laws of 1963.

There being no objection, Chapter 52 was ordered to be printed in the RECORD, as follows:

CHAPTER 52, LAWS OF 1963

An act relating to the conduct of sweepstake races and the sale of tickets thereon

Be it enacted by the senate and house of representatives in general court convened:

52:1 Sweepstakes: Amend RSA 284 by inserting after section 21 the following new subdivision:

Sweepstakes

284:21–a State Sweepstakes Commission: There shall be and hereby is created a State sweepstakes commission consisting of three members who shall be appointed and may be for cause removed by the Governor with the advice and consent of the council. One member shall be appointed for 1 year, one for 2 years, and one for 3 years, and upon the expiration of their terms of office their successors shall be appointed for a term of 3 years. Any vacancy shall be filled by appointment for the unexpired term. The members shall serve until their successors are appointed and qualified. No member of the commission shall have any pecuniary or other interest in any licensee licensed under the provisions of this chapter to conduct a sweepstakes race.

284:21–b Organization: The commissioners shall select one from their number to be chairman and another to be secretary of the commission. Two of the members of the commission shall constitute a quorum to do business. It shall be the duty of the secretary to keep a record of all proceedings of the commission and to preserve all books, documents, papers, and records addressed to its care.

284:21–c Bond: Members of the commission shall give bond to the State in such amount as shall be determined under the provisions of RSA 92-2 (supp) as amended by 1957, 296:1.

284:21–d Compensation: Each member of the commission shall receive a salary of $2,400 per year and shall be allowed his reasonable expenses, including transportation, incurred in the performance of his duties to be audited and allowed by the Governor and council.

284:21–e Office: The commission shall have an office in Concord.

284:21–f Disbursements: The compensation of the commissioners, expenses of the commissioners, compensation of assistants and other necessary expenses of the commission, including suitable furniture, equipment, supplies and office expense shall be charged to and paid out of the funds received under the provisions of this subdivision, provided that no payment shall be made until sufficient money has been received under the provisions of this subdivision to cover said payments.

284:21–g Report of the commission: The commission shall make an annual report to the Governor on or before the first day of February in each year, including therein an account of its actions, receipts derived under the provisions of this subdivision, the practical effects of the application thereof, and any recommendation for legislation which the commission deems advisable.

284:21–h Authorization: The sweepstakes commission is hereby authorized to contract with any licensee to conduct, within the enclosure of any race track of a licensee where there is held a race or race meet licensed and conducted under this chapter, but not elsewhere, to conduct not over two sweepstakes races in each calendar year. Tickets for such sweepstakes shall be sold by the sweepstakes commission, such sales to be made only within such enclosure and in State liquor stores. The State liquor commission is hereby directed to cooperate with the sweepstakes commission in the sale of tickets in State liquor stores; and proceeds of ticket sales shall be remitted by the State liquor commission to the State treasurer for disposition as hereinafter set forth.

284:21–i Rules and regulations: The sweepstakes commission shall make the rules and regulations for the holding and conducting of such sweepstake races and the sales of tickets thereon not inconsistent with this subdivision and shall be empowered to employ such technical assistants and employees to carry out the provisions of this subdivision as the Governor and council shall authorize. Such assistants and employees shall receive compensation at rates to be established by the personnel commission. The sweepstakes commission shall establish and fix the purses, not exceeding in the aggregate for a single calendar year the sum of $200,000, to be awarded horses in said sweepstakes races; shall establish the price, to be not more than $3 each, for which tickets upon said sweepstakes shall be sold; shall establish the method whereby tickets sold upon said sweepstake races shall be determined to be winning tickets; and shall establish the money or prizes to be awarded holders of winning tickets.

284:21–j Disposition of proceeds: Notwithstanding the provisions of RSA 6:11, the sweepstakes commission shall hold the proceeds of ticket sales in a special fund, from which it shall pay expenses incident to the administration of this subdivision, such expenses to include, but not be limited to, the expenses incurred in the printing, distribution and sale of tickets, the purses awarded horses, the prize money awarded the holders of winning tickets, as well as the net expense incurred by the licensee necessary and incidental to the conduct of said races. Any balance remaining from such proceeds shall be paid to the State treasurer who shall keep the same in a separate fund which shall be paid out on December 15 of each year to the school districts of the State on a flat grant per resident pupil basis. Such grants shall be used for educational purposes and no part of said special fund shall be diverted, by transfer or otherwise, to any other purpose whatsoever.

284:21–k Local option: The following question shall be submitted to the voters in cities and towns on the usual ballot at the biennial election in November of 1966 and at each biennial election thereafter: "Shall sweepstakes tickets be sold in this city or town?"

If a majority of the qualified voters present and voting at any biennial election of a city or town signifies disapproval of the above question, the sweepstakes commission shall not sell tickets under the provisions of this subdivision in said city or town.

If a majority of the qualified voters present and voting at any biennial election of a city or town signifies approval of the above question, the sweepstakes commission shall, if possible under the other provisions of this subdivision, sell tickets in said city or town.

284:21–l Effect on other laws: All acts and parts of acts inconsistent with the provisions of this subdivision are hereby amended to the extent of the provisions of this subdivision.

52:2 Interim local option: The following question shall be submitted to the voters in all cities and towns on a special ballot prepared by the secretary of state at the presidential preference primary to be held on the second Tuesday in March in 1964: "Shall sweepstakes tickets be sold in this city or town?" The provisions of 284:21–k as inserted above by this act authorizing the sweepstakes commission to sell tickets or prohibiting the sale of tickets shall be applicable to the results of the vote in cities and towns provided for by this section.

52:3 Takes effect: This act shall take effect 60 days after its passage.

Approved April 30, 1963.

Effective date June 29, 1963.

Mr. McINTYRE. Mr. President, with a copy of the authorizing statute before us, we may be able to come to the question of just how the sweepstakes operates. The New Hampshire Sweepstakes Commission has published a very useful, and brief, compilation of general information about its activities, entitled "New Hampshire Sweepstakes Program/An Aid to Education." This little pamphlet contains 43 questions and answers about the operations.

Of particular relevance to the amendment which I intend to offer are the answers to questions 38 and 39, dealing with the Federal wagering tax. I would like to read from the answer to question 38, dealing with the position of the State of New Hampshire with respect to the wagering tax. It states:

> There are a number of legal reasons why the sweepstakes commission feels this tax was unlawfully imposed, but our basic contention is that our sweepstakes program, whose net proceeds are distributed to public education, is a revenue-producing measure of the sovereign State of New Hampshire and, therefore, not properly taxable by the Federal Government; further, the Federal wagering tax statute makes specific exemption for parimutuel racetracks licensed under State law, and is so drafted as to exempt other forms of gambling permitted by State law as a source of State revenue, as in Nevada.

While the Treasury seems to thus take a particularly dim view of the treatment of the funds raised by the State of New Hampshire for educational purposes, there is a conflict with other Treasury decisions on the sweepstakes relating to its use by profitmaking firms. To quote from the answer to question 39:

> Sweepstakes tickets are ideal gifts for all occasions. Internal Revenue has ruled that the cost of sweepstakes tickets purchased by business firms as promotional items for customers is a deductible expense on their income tax returns.

Mr. President, this hardly seems like consistent treatment, and certainly does take the steam out of certain arguments advanced by the Treasury which are based solely on opposition to the concept of sweepstakes. But I intend to discuss some of the Treasury arguments at a later date and so I will not continue along this line today.

Mr. President, I ask unanimous consent that the pamphlet "New Hampshire Sweepstakes Program/An Aid to Education," be printed at this point in the Record.

There being no objection, the pamphlet was ordered to be printed in the Record, as follows:

New Hampshire Sweepstakes Program

BACKGROUND

1. Question. When was the sweepstakes program established?

Answer. Gov. John W. King signed the bill legalizing the sweepstakes program on April 30, 1963, and it became law 60 days thereafter.

2. Question. How much money was appropriated by the legislature to initiate this program?

Answer. The legislature appropriated $250,000 from the general fund of the State. The sweepstakes commission used only $85,360.36 to initiate the program and this amount was repaid to the general fund within a few weeks after the sale of tickets started.

3. Question. What were the results of the local option voting of the cities and towns on March 10, 1964?

Answer. Registered voters of each city and town voted by special ballot as to whether they desired sweepstakes tickets sold in their respective communities. The people voted in a majority of almost 4 to 1 in favor of the sweepstakes program. Only 12 towns of a total of 237 cities and towns in New Hampshire voted against the program. The population of these towns is less than 2 percent of the total population of the State. All of the cities and towns with a State liquor store or licensed race track voted in favor of the program.

4. Question. When did tickets go on sale for the first time?

Answer. Tickets were sold at Rockingham Park race track for the first time on the evening of March 12, 1964. Gov. John W. King purchased the first ticket bearing No. 0000001. The ticket-dispensing machines were installed in the State liquor stores during the week of March 23, 1964, and these installations were completed by March 31.

POLICIES AND PROCEDURES

5. Question. Will mail orders for tickets be accepted?

Answer. Mail orders for tickets will not be accepted by the commission. Many letters enclosing cash and checks for the purchase of tickets have been received and in all instances have been returned to the senders. U.S. postal regulations prohibit the use of the mails in the purchase of tickets.

6. Question. Are members of the sweepstakes commission or its staff eligible for prizes?

Answer. No, the sweepstakes commission has adopted a policy that no member of the commission or the staff is eligible for a prize.

7. Question. Is it permissible for minors to purchase tickets?

Answer. Tickets will not be sold to persons under the age of 21. The same restriction prohibits minors from purchasing liquor or attending racetracks in New Hampshire.

8. Question. Can tickets be purchased in the name of a minor?

Answer. It is permissible for an adult to purchase a ticket in the name of a minor.

9. Question. Where are sweepstakes tickets sold?

Answer. Tickets are sold only in New Hampshire at State liquor stores and licensed racetracks. There are 49 State liquor stores and three licensed parimutuel racetracks; Rockingham Park Race Track, Salem, N.H.; Hinsdale Raceway, Hinsdale, N.H.; and Cold Spring Park, Rochester, N.H. Tickets are sold at Rockingham Park Race Track throughout the year, irrespective of whether a race meet is in session. The public will be advised in the event the 1965 New Hampshire Legislature should authorize additional outlets for the sale of tickets.

10. Question. What is the cost of a sweepstakes ticket?

Answer. $3.

11. Question. How are the tickets sold?

Answer. They are sold from specially designed ticket-dispensing machines. The tickets themselves remain in the machines, and the purchaser receives an acknowledgment which is ejected from the machine. The acknowledgment need not be retained or presented in order to participate in prizes. It is not a claim on a prize or a document of title. Both the tickets and acknowledgments are printed on NCR (no carbon required) paper, specially manufactured for the New Hampshire Sweepstakes Commission and incorporating numerous safety features.

12. Question. Is a name and address required on the sweepstakes ticket?

Answer. Yes, the purchaser prints a name and address on each ticket and receives an acknowledgment of purchase. This acknowledgment contains the name and address and ticket number. The acknowledgment is nonsalable and nontransferable, and prizes are awarded on the basis of the name and address on the ticket which remains in the ticket-dispensing machine. For this reason the use of noms de plume is discouraged, since a winner who has used a nom de plume may experience difficulty in providing acceptable identification and thereafter cashing his prize. The number that is on the ticket and the acknowledgment is there for accounting and internal control purposes and is not the basis for payment of prize.

13. Question. Is it possible for a person to purchase a ticket in the name of another?

Answer. A person may purchase a ticket in the name of another. For example, if the purchaser wishes to buy a ticket for a relative or friend, he may do so by printing the name and address of such person and only the named person will be eligible for a prize.

14. Question. Is it permissible to buy a ticket in the name of a social, business, charitable, or religious organization?

Answer. A ticket may be purchased in the name of any of the above described organizations, and any prize would be paid to such organization as its name appears on the ticket.

15. Question. May tickets be purchased by persons who do not reside in New Hampshire?

Answer. Nonresidents may purchase tickets in New Hampshire at the authorized locations either in their own names or the names and addresses of others.

16. Question. Is there any limit to the number of tickets which may be purchased?

Answer. A purchaser may buy only 10 tickets at any one time through the ticket-dispensing machines. This policy was adopted by the commission to prevent a machine from being tied up for an undue period of time where a purchaser is buying tickets in quantities of more than 10, and where there is a line of persons desiring to buy tickets. In the event a person wishes to purchase more than 10 tickets, he may do so by returning to the attendant and purchasing the additional tickets, not to exceed 10 at a given time. The ticket-dispensing machine may be activated for no more than 10 tickets at one time. Special arrangements have been made for volume purchases where a quantity of tickets is desired.

17. Question. What are the arrangements for volume purchases?

Answer. There are volume sales windows at Rockingham Park Racetrack, Salem, N.H. Purchasers can submit lists of names and addresses at these windows and sales clerks will process the tickets through an electric typewriter that has a special attachment on the carriage. Persons or organizations desiring to purchase tickets in volume may desire to contact the sweepstakes commission at its office in Concord, N.H.

18. Question. Is electronic data processing equipment used to account for the tickets and funds?

Answer. The Merchants National Bank, Manchester, N.H., is the clearinghouse bank to receive, process, and record all tickets and funds, as well as to provide vault storage for the tickets. This bank has the most modern type of electronic data processing equipment; daily computer reports account for the sale of tickets at each location. Banks throughout the State of New Hampshire are also cooperating in the program and receive daily deposits of tickets and funds from each of the selling locations.

19. Question. What security is provided for the sold tickets after they are deposited in the area bank?

Answer. The sold tickets are placed in the vault area of the area bank where they remain until they are microfilmed by sweepstakes commission employees. Thereafter they are transported to the Merchants National Bank in Manchester where they remain in vault storage until time for the public drawings. The principal reason for microfilming the tickets is to insure against any mishap that might occur in the transportation of the sold tickets from the area bank to Merchants National Bank.

20. Question. How will the prize be paid if a sweepstakes ticket is made out in more than one name?

Answer. While the sweepstakes ticket is designed for only one name, the prize will be paid to whatever name or names appear on the ticket; for example, James Jones and family; John and Mary Roe; Henry Smith and others.

21. Question. How are prizewinners notified and paid their prizes?

Answer. Immediately after the drawings each winner is notified by telegram. After the race has been run, the prize winnings are deposited at the Merchants National Bank, Manchester, N.H., to the names and addresses of the winners. The prizewinners are thereafter paid through normal commercial bank channels. This is true of both New Hampshire and out-of-State winners. Of course, a prizewinner may appear at the bank in person to claim his prize.

22. Question. Is the amount of prize winnings determined by the drawings?

Answer. The drawings are used to draw tickets at random and match them with all horses nominated for the race. The amount of the prizes is determined by whether the horse runs in the race and, if so, where it finishes. At the time the drawings are conducted, the identities of the horses that will run in the race are not known; however, every ticket drawn and matched with a horse nominated for the race wins a minimum of several hundred dollars.

CONSOLATION PRIZE

In the 1965 sweepstakes there will be 100 consolation prizes for each $1 million worth of tickets sold. These prizes will be $150 each if not over 3 million tickets are sold and $200 each if over 3 million tickets are sold. After the tickets have been drawn and matched with all horses nominated for the race, an additional 100 sweepstakes tickets will be drawn from each drum as consolation prizes. The owners of these tickets will each win either $150 or $200, depending upon the total number of tickets sold.

23. Question. What determines whether a horse will run in the race?

Answer. This is a decision of the horse owner who has nominated his horse for the race. If he pays the entry and starting fees he can have his horse run in the race. He will not pay these additional fees unless he believes his horse has a reasonable chance of sharing in the purse. For the 1965 sweepstakes race, the nominating fee is $10, the entry fee $1,000 and the starting fee $1,500. All horses must be nominated by March 1, 1965. The invitations have been sent out by the New Hampshire Jockey Club to horse owners throughout the Nation.

THE 1964 SWEEPSTAKES PROGRAM

24. Question. How many tickets were sold for the 1964 sweepstakes race?

Answer. A total of 1,910,031 sweepstakes tickets, representing $5,730,093 were sold from March 12 to September 7, 1964.

25. Question. How many drawings were held in the 1964 sweepstakes program?

Answer. Public drawings were held at Rockingham Park racetrack, Salem, N.H., on July 15–16, July 29–30, and September 9, 1964. The drawing on July 15–16 was for the first million dollars worth of tickets sold from March 12 to May 29, the drawing on July 29–30 for the second million dollars worth of tickets sold from May 29 to July 8 and the drawing on September 9 for tickets sold from July 8 until September 7, the final date of sales.

26. Question. What were the mechanics of these drawings?

Answer. At each of the first two drawings there was a single large plexiglass drum, electrically rotated, containing the sweepstakes tickets, and a small drum containing the names of the 332 horses nominated for the race. The name of a horse was drawn and thereafter a sweepstakes ticket was drawn. The ticket was thereby matched with the horse. This process was repeated until a sweepstakes ticket had been drawn and matched with each of the 332 horses. In the drawings on September 9, 1964, there were 4 large drums containing sweepstakes tickets. The name of a horse was drawn from the small drum and thereafter a ticket from each of the 4 large drums, thereby matching them with that horse. As in the July drawings, this process was repeated until tickets from each of the 4 drums had been drawn and matched with the 332 horses. There was a complete series of prizes starting with $100,000 for each million dollars worth of tickets sold, and in the 1964 sweepstakes there were six complete series of prizes.

27. Question. How many prize winners were there in the 1964 sweepstakes program?

Answer. There were 1992 prize winners who shared $1,800,000 in prizes. The prize winners were from 37 States, the District of Columbia, Canal Zone, Ireland, and Canada.

28. Question. What was the purse for the 1964 sweepstakes race?

Answer. The purse for the 1964 sweepstakes race was $125,000 added. The word "added" means that all of the nominating, entry and starting fees are added to the purse. The total purse for the 1964 race amounted to $144,820. There were 332 horses nominated for the race and 11 horses actually ran.

29. Question. What horses shared in the purse for the 1964 race?

Answer. The first four horses finished as follows:

1. Roman Brother, 65 percent	$94,133
2. Knightly Manner, 20 percent	28,964
3. Purser, 10 percent	14,482
4. Phantom Shot, 5 percent	7,241

30. Question. What amount was realized from the 1964 sweepstakes program for distribution to public education?

Answer. The net proceeds amounted to $2,768,088.59. The State treasurer distributed these proceeds on December 15, 1964, to all of the State school districts on a flat grant per resident pupil basis. This amounts to $24.15 per pupil.

31. Question. What were the expenses for the 1964 sweepstakes program, and what was the distribution of the gross proceeds on a percentage basis?

Answer. The expenses totaled $583,415.63. This includes the $100,000 contributed as the State's share of the purse for the race plus $125,091.28 paid to the liquor commission for the sale of tickets by their personnel. The percentage breakdown is as follows:

	Percent
Education	48.2
Prizes	31.4
Expenses	10.2
Federal wagering tax, including tax stamps	10.2

THE 1965 SWEEPSTAKES PROGRAM

32. Question. When did tickets go on sale for the 1965 sweepstakes?

Answer. Tickets for the 1965 sweepstakes went on sale at Rockingham Park and Hinsdale Raceway on September 8, 1964, and at the 49 State liquor stores on September 9, 1964.

33. Question. When will the drawings be held in 1965?

Answer. It is possible that the first million dollars worth of tickets sold will be drawn in March or April 1965. Other drawings will probably take place in July and August. The number of drawings will depend on the volume of ticket sales for the 1965 race. The public will be notified in advance of each drawing.

34. Question. Will the drawings be held in the same manner as for the 1964 sweepstakes?

Answer. The mechanics of the drawings will be the same except for the consolation prizes which have been added to the 1965 prize schedule. After tickets have been drawn and matched with all horses nominated for the race, there will be 100 tickets drawn from each drum as consolation prizes.

35. Question. How many prizes will there be and in what amounts for the 1965 sweepstakes?

Answer. Depending on the number of tickets sold, there will be thousands of prizes ranging up to as high as $100,000. A complete series of prizes will be awarded for each million dollars of gross revenue. Each series will consist of as many prizes as there have been horses nominated, plus 100 consolation prizes. The sweepstakes commission will award in prizes 35 percent of the total gross revenue where not over 3 million tickets are sold and 40 percent if over 3 million tickets are sold. Prizes for each series will be awarded as follows:

Owner of ticket on winning horse	$100,000
Owner of ticket on second horse	50,000
Owner of ticket on third horse	25,000
Owner of ticket on fourth horse	12,500
Owners of tickets on other starters share in a pool of	27,500
Owners of tickets on nonstarters share in a pool of:	
If not over 3 million tickets are sold	120,000
If over 3 million tickets are sold	165,000

CONSOLATION PRIZES

For each million dollars of tickets sold, there will be 100 consolation prizes.

If not over 3 million tickets are sold, 100 prizes of $150 each.

If over 3 million tickets are sold, 100 prizes of $200 each.

36. Question. What is the purse for the 1965 sweepstakes race?

Answer. The purse for the 1965 race is $250,000 added. The sweepstakes commission is contributing $200,000 and Rockingham Park race track $50,000. The nominating, entry, and starting fees are added to these amounts. The 1965 sweepstakes race will be the richest race for 3-year-olds in the world.

37. Question. When will the 1965 sweepstakes race be held?

Answer. The 1965 sweepstakes race will be run at Rockingham Park race track in September 1965. The exact date will not be known until the dates of the thoroughbred racing season for 1965 at Rockingham Park are decided. These dates will not be known until the early part of 1965.

GENERAL INFORMATION

38. Question. Has the sweepstakes commission contested the ruling of Internal Revenue as to the 10 percent Federal wagering tax?

Answer. The State of New Hampshire, filed suit against the U.S. Government on November 5, 1964, for the return of $587,704.04 together with interest provided by law. This amount includes the 10 percent Federal wagering tax and the tax stamps purchased for each seller of sweepstakes tickets. There are a number of legal reasons why the sweepstakes commission feels this tax was unlawfully imposed, but our basic contention is that our sweepstakes program, whose net proceeds are distributed to public education, is a revenue producing measure of the sovereign State of New Hampshire and, therefore, not properly taxable by the Federal Government; further, the Federal wagering tax statute was intended to identify illegal bookmakers and tax their gross income. This Federal statute makes specific exemption for parimutuel race tracks licensed under State law, and is so drafted as to exempt other forms of gambling permitted by State law as a source of State revenue, as in Nevada.

39. Question. Have business firms purchased tickets as gifts for their employees or as promotional items for their customers?

Answer. Yes, a number of firms have done this. In fact, sweepstakes tickets are ideal gifts for all occasions. Internal Revenue has ruled that the cost of sweepstakes tickets purchased by business firms as promotional items for customers is a deductible expense on their income tax returns.

40. Question. Are the tickets and acknowledgments printed on safety paper?

Answer. Safety paper is specially manufactured for the New Hampshire Sweepstakes Commission and printed by Royal Business Forms, Nashua, N.H., with several additional safety features. Since the tickets, on which all prizes will be based, remain in the possession of the commission, it is impossible for counterfeit tickets to enter the system. The tickets are in continuous form in consecutive numbers and this feature provides internal safeguards, quick accountability, and expeditious filing.

41. Question. What does the staff of the sweepstakes commission consist of at the present time?

Answer. The staff consists of the following employees: executive director, executive officer in charge of field operations, executive officer in charge of systems control, 4 supervisors, 2 assistant supervisors, 4 maintenance repairmen, 2 stenographers, 1 accountant, and a clerk-typist for a total of 17 persons. Sales of tickets at the race tracks are handled by sales clerks employed by the sweepstakes commission on a temporary basis. Persons selling tickets at the State liquor stores are employees of the New Hampshire State Liquor Commission.

42. Question. What did the sweepstakes commission pay the State liquor commission for the sale of sweepstakes tickets at their locations for the 1964 sweepstakes?

Answer. The State liquor commission was paid $125,091.28 for its services.

43. Question. What are the principal objectives of the sweepstakes commission?

Answer. The principal objectives are to establish an honest, efficient, workable program that will encourage and promote the sale of tickets, thereby providing substantial revenue for public education.

Mr. McINTYRE. Now, Mr. President, I feel that the RECORD is complete as to the legal authority for the sweepstakes and its method of operation. In the days to come, I hope to examine in greater detail the arguments for the adoption of my amendment to the excise tax reduction bill.

ADJOURNMENT TO MONDAY

Mr. HART. Mr. President, under the previous order, I move that the Senate adjourn until 12 noon on Monday next.

The motion was agreed to; and (at 2 o'clock and 30 minutes p.m.) the Senate adjourned, under the order of May 19, 1965, until Monday, May 24, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 21, 1965:

ALTERNATE GOVERNOR OF INTERNATIONAL MONETARY FUND

Thomas C. Mann, of Texas, to be U.S. Alternate Governor of the International Monetary Fund for a term of 5 years.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Thomas C. Mann, of Texas, to be U.S. Alternate Governor of the International Bank for Reconstruction and Development for a term of 5 years.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 21, 1965:

FOREIGN CLAIMS SETTLEMENT COMMISSION

LaVern R. Dilweg, of Wisconsin, to be a member of the Foreign Claims Settlement Commission of the United States for a term of 3 years from October 22, 1964.

DEPARTMENT OF JUSTICE

Fred Moore Vinson, Jr., of Maryland, to be an Assistant Attorney General.

Edwin L. Weisl, Jr., of New York, to be an Assistant Attorney General.

Don J. Young, of Ohio, to be U.S. district judge for the northern district of Ohio.

James E. Doyle, of Wisconsin, to be U.S. district judge for the western district of Wisconsin.

Lawrence Gubow, of Michigan, to be U.S. attorney for the eastern district of Michigan for the term of 4 years. (He is now serving in this office under an appointment which expired Mar. 16, 1965.)

Newell A. George, of Kansas, to be U.S. attorney for the district of Kansas for the term of 4 years. (He is now serving in this office under an appointment which expired Mar. 28, 1965.)

Ernest W. Rivers, of Kentucky, to be U.S. attorney for the western district of Kentucky for the term of 4 years.

Joseph P. Hoey, of New York, to be U.S. attorney for the eastern district of New York for the term of 4 years. (He is now serving in this office under an appointment which expired Apr. 13, 1965.)

W. Arthur Garrity, Jr., of Massachusetts, to be U.S. attorney for the district of Massachusetts for the term of 4 years. (He is now serving in this office under an appointment which expired Apr. 12, 1965.)

Raymond J. Pettine, of Rhode Island, to be U.S. attorney for the district of Rhode Island for the term of 4 years. (He is now serving in this office under an appointment which expired Apr. 13, 1965.)

Miles W. Lord, of Minnesota, to be U.S. attorney for the district of Minnesota for the term of 4 years. (He is now serving in this office under an appointment which expired Apr. 13, 1965.)

Edward F. Boardman, of Florida, to be U.S. attorney for the middle district of Florida for the term of 4 years. (He is now serving in this office under an appointment which expired Apr. 13, 1965.)

F. Russell Millin, of Missouri, to be U.S. attorney for the western district of Missouri for the term of 4 years. (He is now serving in this office under an appointment which expired Mar. 28, 1965.)

Justin J. Mahoney, of New York, to be U.S. attorney for the northern district of New York for the term of 4 years. (He is now serving in this office under an appointment which expired May 5, 1965.)

William T. Thurman, of Utah, to be U.S. attorney for the district of Utah for the term of 4 years. (He is now serving in this office under and appointment which expired May 5, 1965.)

Joseph P. Kinneary, of Ohio, to be U.S. attorney for the southern district of Ohio for the term of 4 years. (He is now serving in this office under an appointment which expired May 15, 1965.)

Lawrence M. Henry, of Colorado, to be U.S. attorney for the district of Colorado for the term of 4 years. (He is now serving in this office under an appointment which expired May 1, 1965.)

Harold D. Beaton, of Michigan, to be U.S. attorney for the western district of Michigan for the term of 4 years.

John Terrill, of Wyoming, to be U.S. marshal for the district of Wyoming for the term of 4 years. (He is now serving in this office under an appointment which expired April 13, 1965.)

E. Herman Burrows, of North Carolina, to be U.S. marshal for the middle district of North Carolina for the term of 4 years. (He is now serving in this office under an appointment which expired April 17, 1965.)

Paul D. Sossamon, of North Carolina, to be U.S. marshal for the western district of North Carolina for the term of 4 years. (He is now serving in this office under an appointment which expired April 17, 1965.)

Francis M. Wilson, of Missouri, to be U.S. marshall for the western district of Missouri for the term of 4 years. (He is now serving in this office under an appointment which expired April 13, 1965.)

Olin N. Bell, of Missouri, to be U.S. marshal for the eastern district of Missouri for the term of 4 years. (He is now serving in this office under an appointment which expired April 13, 1965.)

George A. Bayer, of Alaska, to be U.S. marshal for the district of Alaska for the term of 4 years. (He is now serving in this office under an appointment which expired April 13, 1965.)

Covell H. Meek, of Iowa, to be U.S. marshal for the northern district of Iowa for the term of 4 years. (He is now serving in this office under an appointment which expired April 13, 1965.)

Joseph N. Tierney, of Illinois, to be U.S. marshal for the northern district of Illinois for the term of 4 years. (He is now serving in this office under an appointment which expired April 13, 1965.)

POSTMASTERS

ALABAMA

J. B. Skates, Bessemer.
Ralph L. Newsom, Georgiana.
Agnes J. Thompson, Midway.

COLORADO

Claudius E. Allbee, Alamosa.
Ole H. Lee, Arriba.
Hattie A. Myers, Association Camp.
Hilma J. Madison, Cope.
Laurell E. Julius, Evergreen.
Frederick M. Struck, Fort Lupton.
Wilbur D. Kaufman, Genoa.
Carroll E. Byerrum, Grand Valley.
Clifford E. Anderson, Grover.
Margaret S. Willits, Haswell.
James W. Casteel, Holly.
Cletus M. Gilleland, Manassa.
Goldie L. Simpson, Monument.
Velda F. Tucker, Snowmass.

FLORIDA

Donald P. Totman, Apalachicola.

GEORGIA

Harry L. King, Brinson.
R. Lester Wall, Columbus.
Clifford A. Pickens, Fitzgerald.
Lindsey H. Epps, Marietta.
Fred L. Cowart, Metter.
Helen M. O'Hearn, Parrott.
Ernest L. O'Brien, Surrency.
Chester C. Alderman, Valdosta.

IDAHO

Paul M. Thornton, Clark Fork.
Margens S. Altom, Oakley.

ILLINOIS

Shirley J. Weaver, Carbon Cliff.
John D. Frye, Cissna Park.
Donald W. Benbrook, Long Point.
Joseph E. Cavalier, Maywood.
George R. Kohlmiller, Moro.

INDIANA

James R. Zoll, Bluffton.
Robert L. Lewis, Campbellsburg.
M. Melberta Clerget, Chalmers.
Howard E. Schwartz, Craigville.
Robert W. Rushton, Monrovia.
Virgil F. Morris, Jr., New Ross.
Veri L. Gray, Sidney.
Herbert E. Raymond, West Newton.

IOWA

William E. Rhoten, Carlisle.
Dennis S. Brannan, Coon Rapids.
Merton V. Johnson, Grinnell.
Kenneth P. Reed, New Virginia.
Howard J. Hughes, Norwalk.
Thomas L. McDermott, Oto.
Gladys E. Pomeroy, Pacific Junction.
Roger E. McCormick, Renwick.
Oliver W. Goldsmith, Salem.
Joseph R. Gamble, Spirit Lake.
Maurice A. Clemens, West Point.
John H. Petersen, Wyoming.

KANSAS

Philip E. Travis, Eskridge.
Blanche L. Bell, Isabel.
J. Ernestine Cannon, Latham.

KENTUCKY

Robert L. Collier, Crittenden.
James O. Clark, Newport.

LOUISIANA

M. Mildred Thomas, Spearsville.

MAINE

Donald S. Bradstreet, Albion.
Colby A. Davis, Canton.
Everett B. Lenentine, Monticello.
Robert L. Sutherland, Portage.

MARYLAND

Ralph H. Barrett, Blandensburg.
Stanley C. Day, Jr., Randallstown.
Alice I. Baker, St. James.

MICHIGAN

Dorothy M. Carrington, Bay Port.
Donald F. Seiser, Deerfield.
Nellie M. Canfield, Mulliken.
Helen H. DeVol, Old Mission.
Edward A. Chorman, Sparta.

MINNESOTA

Marian L. Peterson, Afton.
Thomas E. Devine, Belle Plaine.
Edward E. Groff, Clarks Grove.
Frank P. Blatnik, Duluth.
Genevieve K. Billiet, Nassau.
Daniel R. Culhane, Rushford.
Delbert E. Lutterman, Sherburn.

MISSISSIPPI

Raoul K. Read, Louin.
Walter F. Turcotte, Jr., Waveland.

MISSOURI

John E. Daniels, Kirksville.
David A. Hoverson, St. Joseph.
Henry A. Tucker, Stockton.
W. Kent Weigman, Weston.

MONTANA

Jean F. Pedersen, Lolo.
Nels O. Peterson, Nashua.

NEBRASKA

Lois I. Huffer, Monroe.

NEVADA

Ardith C. Burrell, Crystal Bay.
Lisa A. Butters, Tuscarora.

NEW JERSEY

Lemuel C. Earley, Lakehurst.
Theodore J. Hirst, Lincroft.
William L. Krieger, Maplewood.
William L. Rose, Montclair.
Robert W. Kidd, Jr., Penns Grove.

NEW MEXICO

Betty C. Ortega, Prewitt.

NEW YORK

William H. Roberts, Blossvale.
Rose M. Hogle, Clinton Corners.
Lynn A. Harris, Morris.
Elizabeth D. Baker, Setauket.
William W. Thomas, Stittville.
Vincent J. Boccalini, Valley Cottage.

NORTH CAROLINA

Marvin A. Rivenbark, Currie.
Frank Ramsey, Marshall.
E. June Martin, Jr., Mount Olive.
William R. Ray, Nakina.

OHIO

Clarence S. Braun, Coldwater.
Ruth L. Hudson, Dunbridge.
Eugene Bailey, Franklin Furnace.
Lloyd O. Smith, Little Hocking.
Beverly J. Neighbor, Thurston.

OKLAHOMA

Winton L. Cox, Boise City.
Geraldine L. Tuxhorn, Helena.
William I. Rains, Krebs.
Dorothy W. Orr, Mill Creek.
Herbert W. Laird, Olustee.
William J. Hutcheson, Waurika.

OREGON

Arnold W. Wheeler, Hood River.

PENNSYLVANIA

William F. Jung, Baden.
David E. Best, Callensburg.
Richard C. McLaughlin, Corry.
Margery B. Lehman, Duke Center.
Nicholas C. Nachman, East Springfield.
Eslie L. Emerson, Genesee.
Adeline M. Waters, Gifford.
William H. Couch, Greenville.
Hazel I. Suain, Hazel Hurst.
Russell R. Weaver, Jackson Center.
Charles M. Griffith, Mahaffey.
William F. Farrell, Middleport.
Donald J. Bogert, North East.
James T. Rorke, Northumberland.
Thomas H. Beagle, Riverside.
Allen Adam Kleintop, Saylorsburg.
William K. Whiteford, Shiremanstown.
William J. Shields, Tidioute.
William M. Pickens, Tionesta.
Walter S. Morrison, Jr., Transfer.
Charles W. Plunkett, Turtlepoint.
Florence E. Miller, Utica.
Morris F. Good, Williamsport.
Carlton I. Olsen, Youngsville.

PUERTO RICO

Helga Franco-Cabrero, San Sebastian.

RHODE ISLAND

Hector J. Fontaine, Jr., Woonsocket.

SAMOA

Jane T. Uhrle, Pago Pago.

SOUTH CAROLINA

Ray D. Martin, Pelion.

SOUTH DAKOTA

John H. Schroeder, Plankinton.

TENNESSEE

John C. Shelton, Charletson.
Geraldine G. Carpenter, Corryton.
James C. Tyner, Dunlap.
Gerald M. Short, Hornbeak.
Willis R. Byrd, Sneedville.

TEXAS

Fayteen Moorhouse, Benjamin.
Gid R. Davidson, Brazoria.
Cloyce W. Floyd, Dawson.
Glen A. McDonald, Friendswood.
Milburn B. Holmes, Joaquin.
Crook T. Waller, Kermit.
Gladys G. Trantham, Needville.
Hubert J. Moseley, Rochelle.
E. Nathan Eldridge, Wylie.
Paul B. Foster, Yantis.

UTAH

G. Vernal Seamons, Hyde Park.
Myrtle H. Davis, Mexican Hat.

VERMONT

Timothy M. Donahue, Jr., Northfield.

VIRGINIA

Mary C. Trainham, Beaverdam.
Elbert J. Johnson, Jr., Bristol.
Thomas C. Emory, Chase City.
Edward S. Hampton, Hillsville.
Louise H. Miller, Topping.
Henley C. Davis, Woodlawn.

VIRGIN ISLANDS

Gustave Frorup, Christiansted.

WASHINGTON

Ethel J. Miller, Colbert.
John C. Boid, Marysville.
Thelma M. Erickson, Ocean City.
Asa L. Baker, Seaview.

WEST VIRGINIA

Myrna F. Proffit, Hansford.

WISCONSIN

Norbert H. Hillebrand, Cross Plains.
Robert L. Seifert, Eagle River.
Walter R. Schoenherr, Hamburg.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 24, 1965

The House met at 12 o'clock noon.

Dr. Henry Bucklew, national chaplain, VFW U.S.A., offered the following prayer:

Almighty God and our Heavenly Father, thank You for permitting us to be born and live at this unique time in American history. You made the heavens, earth, and our hearts. You know the function of each, so we offer thanks that You have not neglected us as we often do You. We stand in need now for so many things You have told us to ask, so here's our request.

We need answers to many of life's complex problems and questions. We do not even know all the questions, let alone the answers. You know both.

This honored body especially needs daily divine guidance, making decisions affecting millions, yes, even the whole world. Make them know the opportunities for good are unlimited and their power to do harm is unequaled. Help all of us to be able to overcome temptations, and never put a price tag on our principles.

May our number one concern be to do the most good for the masses and protect the individual rights of every citizen.

We remember our President in this solemn moment. May we pray for him more than we criticize. Give him and his family physical, mental, and spiritual strength and courage to meet every challenge of the most powerful office in the world. He is a failure without You, so help him daily we earnestly pray.

May this body have assurance they have millions of loyal faithful guards in the VFW and other veterans organizations helping support their every act to offer freedom and hope to the enslaved around the world. Help us to meet the acid test in peacetime as we met the test with tears, blood, and lives during the hot wars.

Realizing our great country does not owe veterans a living but also realizing whatever type of life we have, we certainly owe to all veterans, we want to be patriotic in peacetime and jealous of those freedoms we have left. We want God put back in first place in America.

Thank You for our 1,300,000 members of the VFW. We hallow the memory of our war dead and remember thousands now existing in our veterans hospitals, known to us as the living dead—war casualties—grim reminders of the horrors of war.

We are deeply grateful there are no atheists or Communists in our great organization—all 100 percent American.

Help us continue our goals to conquer outer space but never let up with our dream of learning to live in peace with all mankind on earth.

Those in whom we have the least confidence, help us to love and pray for them the most. Make this truly be the Great Society because the true God is honored, reverenced, worshiped, and obeyed.

Never permit any person to divide us and stir up hate—may such effort always fail completely.

When it comes to loyalty to our flag and defense of our great Nation we want to forget directions—north, south, east, or west, remembering we are the United States.

Spare the lives of these wise, trusted statesmen until new qualified, dedicated replacements can be found. When that hour comes for us to answer that final rollcall let us depart with contented conscience that we did more good to our fellow man than harm, we helped more people than we hurt, we built more than we destroyed, we lifted more friends upward than we caused to stumble.

You know how hard it is for us at times to know right from wrong, good from evil, truth from falsehood. Please help us to know the difference and have the courage to follow always Your safe example. Help us not to sin against You or society.

Continue to bless my beloved home State of Mississippi as all other of our great States, and continue Your loving favor on us. Help us solve every problem we are forced to face. If we think and act little, forgive us. When others falsely judge, let us not return evil for evil.

Help us all to look more to You for help and less on Washington. Bless this city, seat of government, center of culture, but known also for shocking crimes and sin.

Above every other prayer request, we beg for peace to come and reign where ere the sun doeth its successive journey run and may there never be another person eligible to belong to the Veterans of Foreign Wars.

In Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, May 20, 1965, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a joint resolution and a concurrent resolution of the House of the following titles:

H.J. Res. 436. Joint resolution to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed; and

H. Con. Res. 383. Concurrent resolution authorizing the printing of a pocket-sized edition of "The Constitution of the United States of America" as a House document, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 327. An act to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 1229) entitled "An act to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. BIBLE, Mr. BURDICK, Mr. KUCHEL, and Mr. ALLOTT to be the conferees on the part of the Senate.

SUBCOMMITTEE ON LABOR OF COMMITTEE ON EDUCATION AND LABOR

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent that the Special Subcommittee on Labor of the House Committee on Education and Labor have permission to sit during general debate today and for the balance of the week.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SELECT COMMITTEE ON HIGHWAYS, COMMITTEE ON PUBLIC WORKS

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent that the Select Committee on Highways of the Committee on Public Works have permission to sit during general debate this afternoon and Tuesday afternoon.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, the ranking member on our side has not consulted with me on this matter. Will the gentleman defer his request until I have had an opportunity to check with him in regard to this?

Mr. JOHNSON of California. If the gentleman will yield——

Mr. GERALD R. FORD. Surely.

Mr. JOHNSON of California. He was there this morning just prior to our adjournment. This is for the completion of the Louisiana testimony. I believe he has no objection.

Mr. GERALD R. FORD. Would the gentleman from California defer for a few minutes until we have an opportunity to check on it?

Mr. JOHNSON of California. Mr. Speaker, I withdraw my unanimous-consent request.

The SPEAKER. The gentleman withdraws his request.

COMMITTEE ON THE JUDICIARY, SUBCOMMITTEE NO. 3 AND SUBCOMMITTEE NO. 4

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that subcommittees No. 3 and No. 4 of the Committee on the Judiciary may sit while the House is in session during general debate on May 26, 27, and 28.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SIXTH ANNUAL REPORT ON WEATHER MODIFICATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 188)

The SPEAKER laid before the House the following message from the President of the United States; which was read, and together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed with illustrations.

To the Congress of the United States:

I am transmitting herewith for the consideration of the Congress the sixth annual report on weather modification—for fiscal year 1964—as submitted to me by the Director of the National Science Foundation.

The development of methods for altering weather and climate to the benefit of mankind is a subject of quickening interest in the Congress and the executive branch of the Government of the United States—as, indeed, it is to all of the human race. We recognize that achievement of such a capability would mean vast economic and social gains for human life on this earth. I believe it is both symptomatic and symbolic of the character of the American people that we are now engaged in first steps toward this goal, not for any narrow national purpose but in the confidence that such benefits will be shared as a mutual blessing with all of our fellow men.

We hope someday to acquire the knowledge permitting us to minimize the incidence and severity of hurricanes, tornadoes, and other violent storms and, also, to be able to improve the temperature and rainfall conditions in agricultural and industrial regions. This hope is not fanciful or unrealistic, but it would be misleading to suggest that such a day is near now.

The scientific and engineering obstacles that must be overcome rank in magnitude with those encountered in developing peaceful uses of nuclear power and compare with those now being encountered in our attempts to place a man on the moon. But weather modification is still several steps behind atomic energy and the exploration of space. These latter are essentially engineering problems—extremely complex, of course, but in areas where the basic scientific laws are well understood. In contrast, the achievement of large-scale purposeful weather modification depends upon scientific knowledge not yet acquired—knowledge about atmospheric phenomena ranging from the interactions of minute water droplets to the behavior of global air circulations. Furthermore, it is essential for us to investigate the manner in which man may at present be inadvertently changing weather and climate.

Substantial progress has been made, as this report reflects. But the pace has been slow. To advance the rate of progress, an effort of larger scope and direction is needed both in conducting basic research and in developing means to put the knowledge to work.

Over the past year, there have been positive actions which are reviewed in this report. These actions include the following:

1. Increased support for atmospheric research by a number of Federal agencies, including the National Science Foundation, U.S. Weather Bureau, National Aeronautics and Space Administration, Department of the Interior, and the Department of Defense.

2. Establishment of a Special Commission on Weather Modification by the National Science Foundation charged with assessing the anticipated benefits to be gained from weather modification efforts; the general paths which research and development should take; the support required; and the legal, social, and political problems that will be encountered if weather modification techniques are more broadly applied.

3. Greater emphasis on the graduate research and education of promising students who will be involved in atmospheric research.

4. Strengthened cooperation among Federal agencies through the Federal Council for Science and Technology.

5. Stepped-up international cooperation in support of weather activities because it is clear that large-scale weather or climate control schemes cannot be contained within national boundaries.

6. It is particularly noteworthy—and welcome—that more activity has been initiated by committees of both Houses of Congress looking carefully into weather modification activities in the light of increased Federal investment in field tests and backup basic research, and in response to increasing interest in moving quickly toward application of our knowledge and capabilities.

If the day is distant and dim when the benefits of weather modification will become real, tangible, and universally enjoyed; it is no longer possible for any to argue justifiably that such a day is beyond the reach of man at all. Our knowledge must be enlarged and perfected, far beyond its present limits. But we can—and we do—believe that eventually these efforts underway now will succeed. That success will inure to the credit of the interest, initiative, and understanding of the Congress in offering encouragement and support to this worthy and important research.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 24, 1965.*

CALL OF THE HOUSE

Mr. ADAIR. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Indiana makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 106]

Andrews, George W.
Arends
Ashbrook
Ashley
Bandstra
Berry
Bonner
Brock
Brown, Ohio
Buchanan
Burton, Calif.
Carter
Chelf
Clark
Clausen, Don H.
Daddario
Devine
Dwyer
Edmondson
Feighan
Flynt
Fogarty
Frelinghuysen
Gilligan
Goodell
Gray
Green, Oreg.
Griffin
Gurney
Hagen, Calif.
Hamilton
Hanna
Hansen, Idaho
Harvey, Ind.
Harvey, Mich.
Hébert
Holland
Hungate
Ichord
Jennings
Johnson, Pa.
Jonas
Kluczynski
Lennon
Lindsay
Long, La.
Long, Md.
McMillan
Macdonald
Mackie
Mailliard
Martin, Ala.
Martin, Mass.
Mathias
Morse
Mosher
O'Neill, Mass.
Pelly
Pirnie
Powell
Price
Quie
Randall
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Roncalio
Rooney, N.Y.
Rostenkowski
Roybal
Saylor
Sisk
Smith, N.Y.
Springer
Stubblefield
Toll
Weltner
Widnall
Willis
Wright

The SPEAKER. On this rollcall, 355 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON WAYS AND MEANS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means have until midnight Saturday, May 29, to file a report to accompany the bill H.R. 8371.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

SPECIAL SUBCOMMITTEE ON FEDERAL AID TO HIGHWAYS

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent that the Special Subcommittee on Federal Aid to Highways be permitted to sit this afternoon during general debate and also tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

GENERAL LABOR SUBCOMMITTEE

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that the General Labor Subcommittee of the Committee on Education and Labor be allowed to sit today and tomorrow during general debate.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, I did not hear the request.

Mr. ROOSEVELT. I requested unanimous consent that the General Labor Subcommittee be allowed to sit today and tomorrow during general debate.

Mr. GERALD R. FORD. Who is the ranking Republican member of that subcommittee?

Mr. ROOSEVELT. The gentleman from California [Mr. Bell] is the ranking Republican member.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

FOREIGN ASSISTANCE ACT OF 1965

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 395 and ask for its immediate consideration.

The Clerk read as follows:

H. Res. 395

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7750) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes of my time to the gentleman from California [Mr. Smith], and at this time I yield myself such time as I may consume.

Mr. Speaker, H.R. 7750 will extend, with modifications, the Foreign Assistance Act of 1961. The rule provides 4 hours general debate and after which the bill shall be read for amendments under the 5-minute rule.

This legislation in different form has been debated each year since the program of aiding distressed and war stricken nations started after World War II.

This bill is in conformance with the President's request to continue the fight to curtail Communist aggression. It is a program to help weaker nations to preserve their liberty and self-government.

Chairman Morgan and the members of the Foreign Affairs Committee are to be commended for the 2 months' hearings and weeks of deliberation on this legislation. They reduced this 1966 foreign aid program to the lowest figure in the history of the program.

This bill authorizes $2,004,195,000 in new funds, which amount, added to funds previously authorized, provides a total of $3,367,670,000 for foreign aid programs for fiscal 1966. This program for next year will amount to one-half of 1 percent of our gross national product and only 3.5 percent of our total Federal budget.

The 1966 foreign aid program has provisions to insist that aid be tied to self-help and performance on the part of the recipient nation. The President, this year, recommended greater reliance on private initiative and private enterprise to improve the quality of assistance in developing new and weaker nations. He also encouraged more private American investment in Latin America and other friendly nations.

Facts not generally known are that U.S. assistance to 20 nations in Africa, Latin America, and Asia requires that the nation must allocate an average of $6 for each dollar contributed for development of its own resources. Approximately 86 percent of foreign aid funds are spent in the United States. Because of this large expenditure of our foreign aid funds in the United States, the program has a favorable effect on our balance-of-payments deficit.

Our exports to Latin America are up 23 percent since 1960. Many recipient nations have enacted major tax and land reforms and constructed thousands of housing units. Over 12 million children have school lunch programs and 75,000 teachers have been trained; 10 million schoolbooks have been placed in circulation and 40 U.S. colleges and universities are teaching and training youngsters in South America.

The No. 1 program of Communists leaders is education on their atheistic and subversive doctrines. It is not too late to combat their propaganda by educating youth in the free world on the truth about communisim.

Our foreign aid assists schools, hospitals, development loans, investment guarantees, housing, military assistance, et cetera.

The House committee adopted two important amendments to this bill. One provides that assistance to any nation will be terminated if that nation fails to take measures to prevent the damage or destruction of mob action against U.S. property within such country. The second amendment provides that:

> No sale under title I of this act shall be made to the United Arab Republic unless the President determines that such sale is essential to the national interest of the United States. No such sale shall be authorized for more than 1 fiscal year. The President shall keep the Foreign Relations Committee and the Appropriations Committee of the Senate and the Speaker of the House of Representatives fully and currently informed with respect to sales made to the United Arab Republic under title I of this act.

During the 4 hours provided for debate all detail and aspects of this important bill will be fully explained by the members of the Foreign Affairs Committee.

OUR NATION IS FREEDOM'S SAVIOR

I am indeed proud that during my years in Congress since World War II, I have supported our Government's foreign policy under Presidents Roosevelt, Truman, Eisenhower, Kennedy, and Johnson.

The Communist menace beginning with Lenin and followed by Stalin, Khrushchev, and today's Soviet and Chinese tyrants have not changed or curbed their drive for world enslavement.

The magnitude of their strategy, organization, and propaganda methods have never been equaled in world history. They have not deviated one iota from Lenin's worldwide teachings of 40 years ago.

If their programs succeed in subjugating nation by nation into communism enslavement, our own free Government and liberty will collapse. We will become an island in an ocean of world communism.

I heard a few Members of Congress during the Truman administration denounce the foreign aid program including aid to Greece and Turkey as a giveaway and flagrant waste of taxpayers' money. I also remember General Eisenhower in 1951 testifying before a congressional committee and saying:

> If it had not been for U.S. foreign assistance aid, all Europe would be under communism today.

That was in 1951 before he was elected President.

The same statement is as true today in regard to the world as it was in regard to Europe in 1951.

The American people are more informed and alert on Communist world enslavement today, than they were in 1951.

LEST WE FORGET

Millions in America and throughout the world today have learned that:

First. A small well-organized gang of Bolsheviks enslaved 175 million Russians through propaganda, slave labor camps, massacres, and tortures.

Second. Khrushchev, through a manmade famine, starved 5 million Ukrainians and enslaved that nation.

Third. Millions from Poland, Lithuania, Hungary, Bulgaria, Rumania, Czechoslovakia, Latvia, Estonia, and other captive people were murdered or worked in slave labor camps and others transported in boxcars to Siberia so Soviet Communists could start on the road to world tyranny.

In the winter of 1940 over 14,000 of Poland's leaders were massacred in the Katyn Forest and two other slave camps so Poland's fight for freedom could be defeated.

A well-organized, relatively small, group of Chinese Communists killed 20 million to communize 500 million Chinese.

Castro took over Cuba under the pretense of liberation—later he stated, "I am a Marxist-Leninist till the day I die."

J. Edgar Hoover says in 40 years communism has taken over 40 percent of the world's population and 25 percent of earth's surface.

When I read of misinformed students and agitators promoting riots and picketing the White House and public buildings, protesting Vietnam, Santo Domingo, and other Communist aggression areas, I feel that they possess very little knowledge of true communism. If the Communist conspiracy wins this world's struggle, these bewhiskered, long-haired intellectuals will never do any more protesting and placard picketing. If that day comes, and they persist in their favorite pastime, they will be incarcerated immediately in a slave labor camp or face the firing squad as millions of unfortunate victims in the captive nations did after their enslavement by the Communist tryrants.

THE COMMUNIST FRAUD

Today Communists are spending over $3 billion a year on propaganda which is reaching every city and hamlet in the free world. They are resorting to mass agitation, infiltration, intimidation, demoralization, subservience, and every false diplomatic trick to promote dissension and bitterness in the nations of the free world.

They promise the people anything from free land, free religion, free education, cancel debts, recreation, no taxes, and a utopia on earth. When the takeover is complete, the promises are discarded and enslavement is completed.

I mention these facts because people forget and relax in this fight for world freedom. Let us defeat this international menace. Enacting this legislation, H.R. 7750, is a major step to destroy the Communist tryranny.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, House Resolution 395 does provide an open rule with 4 hours of debate for the consideration of H.R. 7750 entitled Foreign Assistance Act of 1965. The rule also waives points of order.

I am always asked why points of order are waived when I make that statement. In this particular instance I will have to state to you that at the time this rule was granted in the Committee on Rules I did not know why points of order were being waived. The distinguished chairman of the Foreign Affairs Committee asked for 4 hours of open debate and did not ask to waive points of order. The ranking minority member, the gentlewoman from Ohio [Mrs. Bolton], concurred in the 4 hours of debate with an open rule, as did the gentleman from Indiana [Mr. Adair], who has some exceptions to the bill. Subsequently the resolution was made. Of course, the Committee on Rules has the authority to grant any rule it wants to, and I will not fuss too much about it except that it seems to me that there might be members of a particular committee who possibly would act one way if the committee agreed prior to this on the 4 hours and act differently if the change is made after. There might be some who would object to it. I have checked through my records and I find that we did waive points of order last year on this bill and we also did the year before, and undoubtedly points of order would have been waived had the request been made in this particular instance. So I say that I will not fuss too much about that except I do feel we are entitled to know and this body is entitled to know that this request has been made, and as a member of the committee, I can explain to you the purpose why it was made.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Indiana.

Mr. ADAIR. I think it should be made very clear to the House that here is a situation in which the chairman of the committee did not ask for a waiver of points of order, in which the ranking minority member did not ask for a waiver of points of order, and in which those of us who dissent from this bill did not ask for a waiver of points of order, and yet here before us today is a rule providing for a waiver of points of order. Now, it seems to me more than a little strange that this should be the case, that is, the Committee on Rules should feel there ought to be this waiver of points of order when it was not requested. I am asking the gentleman from California, and I will possibly ask other members of the Committee on Rules, why it was that such a rule was granted when it was not requested.

I recall, as do other members, that in times past we were told that certain changes ought to be made in the Committee on Rules so that broader rules would be forthcoming, so that the broadest possible debate could be had upon a subject. But here the committee on its own motion took it upon itself to limit debate to the extent that points of order are waived. I would be very much interested to know, either from the gentleman from California or from my colleague from Indiana who spoke previously why it was felt necessary to go beyond any requests made by the legislative committee and waive these points of order.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Indiana.

Mr. MADDEN. Mr. Speaker, in answer to my colleague from Indiana I might say that every time this legislation has come before the Committee on Rules it has been reported out waiving points of order; and furthermore it does not affect the operation of this bill from the standpoint of expenditure because it pertains to the revolving funds which go over from year to year some of the money applied in one branch of the program and some in another branch of the program. It just makes the financing more easy and more simple for the Treasury Department. It was primarily at their request that the financing of this program can be handled with greater simplicity by waiving points of order on this rule.

Mr. ADAIR. Mr. Speaker, will the gentleman yield further?

Mr. SMITH of California. I yield further to the gentleman from Indiana.

Mr. ADAIR. Mr. Speaker, it seems to me that the fact that in previous years points of order have been waived is not really a reason for waiving them this year. If my memory serves me correctly in previous years there was a request from the legislative committee for that sort of thing, and the Committee on Rules simply responded to that request. But here, I repeat, is an action taken upon the motion of the Committee on Rules and without any request.

Now, upon the other point that my colleague raises; that is, that there is no money involved here, I do differ a little with him on that. It is true, as he said, that we are talking about revolving funds and about interest and fees. But the best estimate that I can get, on rather short notice, is that with respect to military sales, a possible point of order might involve up to $35 or $40 million in the future and might involve on sales of military surplus and refunds from economic assistance as much as $20 million. So we are in fact talking about substantial amounts of money, in my opinion. It seems to me that here is a situation in which the Committee on Rules has gone beyond its proper function in bringing such a rule before the House today.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the minority leader.

Mr. GERALD R. FORD. The mere fact that in the past a rule waiving points of order has been granted is not necessarily a proper precedent for such action today unless, of course, the circumstances this year are identical with the circumstances in previous years. It seems to me that one or two of the provisions that may have been subject to a point of order are new sections on provisions this year and are sections that we have not had before the House in the past.

I would like to ask the distinguished gentleman from Pennsylvania, the chairman of the Committee on Foreign Affairs, whether on pages 13 and 14 under chapter 1, section 301, are not those rather broad changes that conceivably could affect significantly the amount of dollars?

Mr. MORGAN. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. Well, we felt very strongly when we went to the Committee on Rules that these provisions of the bill were not subject to a point of order.

I believe we are making a mountain out of a molehill here. I am not sure where the gentleman from Indiana [Mr. Adair] got the figures which he quoted a while ago. I do not believe that the amounts of money he mentions are involved in either section. These sections of the bill represent bookkeeping changes in a revolving fund that was established in 1957. They do not establish any new revolving funds. These changes were recommended by the Bureau of the Budget to bring these funds under the regular bookkeeping procedures for revolving funds. That is all that is involved here.

Mr. GERALD R. FORD. Mr. Speaker, if the gentleman will yield further, it conceivably could result in funds of sizable magnitude——

Mr. MORGAN. If the gentleman from California will yield further, the gentleman from Michigan is saying "may be subject to a point of order," "could be subject to a point of order," but no one said they are subject to a point of order.

We went to the Committee on Rules, and we went there in all sincerity. We believed that nothing in this bill was subject to a point of order. The Committee on Rules, in its wisdom in granting previous rules to the Committee on Foreign Affairs, has always granted rules waiving points of order. They decided to grant the same type rule which has been granted heretofore, and the Committee on Foreign Affairs concurred in that.

Mr. Speaker, I see no reason for all this conflict when the provisions in question represent very minor changes in a revolving funds which has worked very well since 1957.

Mr. GERALD R. FORD. Mr. Speaker, if the gentleman will yield further, was there unanimity in the Committee on Foreign Affairs for the revisions set forth on pages 13 and 14?

Mr. MORGAN. If the gentleman will yield, yes; there was. During the markup there were no efforts to amend these sections.

Mr. GERALD R. FORD. To either one of those provisions?

Mr. MORGAN. To either one of those provisions.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Iowa.

Mr. GROSS. The question that has not been answered here this morning is who requested a waiver of points of order on this bill? Obviously the chairman did not ask for the waiver, the ranking minority member did not ask for a waiver of points of order and no one who appeared before the Rules Committee, insofar as I can ascertain, asked for the waiver. From where did this request come? Was it from the State Department down in Foggy Bottom? Or was it from the White House? Where did the request come from?

Mr. SMITH of California. I will say to the gentleman from Iowa——

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. No, I do not yield any further right now.

I want to clear this up myself and state that this request in my opinion was made in all honesty. I do not believe there was any such thing involved as the gentleman from Iowa suggests. I just simply wanted to bring this before the House and to give my interpretation of what happened. I voted against the rule because the request was made and I feel as a member of the Committee on Rules that I should explain it. But there is nothing like that involved here. The Committee on Rules, in its wisdom on the motion made, feeling that the points of order should be waived—the committee maybe neglected to ask for it—but in any event may I state to the gentleman, the rule here today will waive points of order and it can be discussed further, if necessary, in the Committee of the Whole House on the State of the Union. I simply want to bring that to the attention of the Members.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. SMITH of California. I yield to the gentleman from Iowa.

Mr. GROSS. If I knew all of the facts pertaining to this situation I might not agree with the gentleman from California that the committee exercised wisdom in granting a waiver of points of order. I hope the gentleman will concede me the right to disagree with the Committee on Rules.

I would say further I would think that the Foreign Affairs Committee would have discussed this in the final markup of the bill so that other members of the committee would have been put on notice and thus had the opportunity to appear before the Committee on Rules to contest an application for a waiver of points of order. This was not done. The rank and file members of the committee were shortcircuited in this case.

Mr. SMITH of California. That was one reason I mentioned the fact that possibly this could be avoided in the future in connection with other bills.

However, Mr. Speaker, in connection with this bill before us today there are different amounts of money involved. As to how much the total will be, it ranges all the way from possibly $6 billion, up to probably $9 billion, and this includes the money in the pipeline.

Mr. Speaker, there is a total of $2 billion which is proposed for use in 72 countries which will be helped. In other instances there has probably been 100 countries which will be helped and possibly as much as $38 billion have been expended on the entire program. But this particular bill when considered in connection with all the other bills having to do with foreign aid our total expenditures would go up to probably $110 billion over the years the program has been in effect.

Those matters will be brought out, I am certain, in general debate. The gentleman from Indiana [Mr. Madden] has set forth his reasons in support of the bill. I agree we should have a certain amount of military and economic foreign aid, but I think the program has gone too far, consistent with the ability of the U.S. taxpayer to pay, and because of that I have always voted against this program.

I would like to set forth in the Record some of the objections five members of the committee have. I well realize all of us have had the opportunity to read these in the report, but the Congressional Record does circulate throughout the United States and many people are interested in reading it. I am inclined to agree with these statements and I would like to insert them in the Record, commencing on page 69, as follows:

> The drain on the U.S. gold stocks are a direct result of the aid program;
>
> The United States has a total of over a billion dollars in foreign currency in almost every country of the world, some of which could be used to lessen the strain on our dollars;
>
> The cost of the foreign aid package is greatly in excess of the "barebones" amount requested by the executive branch;
>
> The Congress is increasingly abdicating its responsibility to control the funds requested for foreign aid;
>
> The unexpended balances (pipeline) in the program after June 30 this year will total over $9 billion—many times the amount actually being authorized this year and accountability is being lost;
>
> There is inadequate review of the expenditures under the foreign aid program;
>
> There seems to be a general lack of concern for congressional intent expressed in some instances in the hearings on foreign aid and sometimes in the law itself;
>
> Some actions being taken under the program may be detrimental to American business interest;
>
> The use of contractual technical and advisory services by AID is being used far to excess;
>
> Civic action projects financed under military assistance are being broadened to include large-scale economic assistance projects, rather than being limited to a grassroots approach which has been its primary virtue in the past;
>
> Economic assistance is not sufficiently reaching the people of the aid-recipient countries; and
>
> The policy of increased East-West trade could very well be detrimental to the peoples of the Communist captive nations.

Then referring further to the conclusions on pages 92 and 93 of the minority report, I would like to have them inserted in the Record at this point. They are as follows:

CONCLUSION

> Foreign aid has consistently fallen short of the utopian objectives so ardently expressed each year the program is presented.
>
> It has not halted either the expansion of communism or the drift of many aid recipient nations toward Communist ideologies. Indonesia, which has received nearly a billion dollars of U.S. economic and military assistance, and Cambodia, which has received nearly $400 million, are both embracing Peiping. We might add that the hundreds of millions of dollars given to Cuba in aid, including premium prices on sugar, did not prevent that country's takeover.
>
> It has not improved the image of America in the eyes of the aid recipient nations. In every corner of the world and in spite of our efforts in the past, nations with, or often without the slightest provocation, take the opportunity to bitterly criticize the United States and her policies. At the present time, this is occurring in India and Pakistan.
>
> It has not improved the stability of government. Current situations in the Dominican Republic where opposing forces have no regard for law and order and in Korea where the Government is daily combating the efforts of a mass of organized students in its attempt to stay in power demonstrate the failure of this objective.
>
> The point has now been reached where the foreign aid program must be drastically

reduced or an outraged public will end it. If submitted today to a referendum of the American people, there is no doubt that it would be doomed.

Fiscal year 1966 marks the end of the long-term authorizations for the development loan program and the Alliance for Progress. These programs representing as they do over 60 percent of the total appropriation request for economic assistance in 1966, must be minutely scrutinzed before entertaining the requests of the executive branch for additional funds. We do not believe that AID, guided by its own self-interest for preservation of the status quo, qualifies to make the required top-to-bottom review.

A principal consideration in any program to be offered is the selectivity of our assistance. New nations, as they attain their autonomy, take the attitude that our largess is their inherent right. If any aid program is ever to have any benefit, it cannot be put on an automatic handout basis.

Saddled with backbreaking debt and borrowing billions of dollars each year, the United States can no longer fight wars and, through our aid program, finance the rest of the so-called free world without itself being plunged into bankruptcy.

I, too, am very much against communism. I have been fighting it for a good many years, ever since back in the thirties in investigating cases. If I were satisfied we were actually winning the fight over communism in spending this amount of money, I would change my vote and vote for the foreign aid program, but I am not convinced over the years, as I have watched the program carefully, that we have stopped communism to any great extent. In fact, it is my opinion the Communist Party in the United States is making more progress than it has made in recent years in the United States, not only through its own actions but through the actions of others who are not informed. In recent years, it is not the revolution that is going to come from the standpoint of the situation to overtake a country like the United States of America; it is going to come about if we spend ourselves into bankruptcy. They may be voted in and will take over.

Those are the things that worry me as we have increased the program vastly in connection with spending programs domestically and otherwise all over the world.

Mr. Speaker, I reserve the balance of my time.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

IN THE COMMITTEE OF THE WHOLE

Mr. MORGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7750) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 7750, with Mr. LANDRUM in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania [Mr. MORGAN] will be recognized for 2 hours and the gentlewoman from Ohio [Mrs. BOLTON] will be recognized for 2 hours.

The Chair recognizes the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Chairman, I yield myself 13 minutes.

Mr. Chairman, we have before us this afternoon H.R. 7750 which authorizes $2,004,195,000 to carry on the foreign assistance program for another year and makes a number of amendments to the basic act.

There has been a good deal of discussion in the newspapers of growing dissatisfaction with foreign aid. There are a number of well-informed people who say that the foreign assistance program is obsolete and should be replaced with something better.

I would be the first to recommend that we trade in the present AID operation on a new atomic powered, streamlined model if the new model was available.

Today we are actively engaged in defending ourselves against Communist aggression on several fronts. Our defense strategy is based on the availability of foreign aid. We must face the fact that any new, all-purpose, wasteproof, foolproof, and low-cost model of a foreign aid program is not yet on the drawing boards. We cannot postpone the war until we have better weapons. We have to carry on with what is available.

Let me point out that I am not ready to concede that the foreign aid program as now organized and operated is obsolete and ready for the junkyard. We have gotten a lot of mileage out of it, and we are getting a lot of mileage out of it today.

It is easy to compile a list of shortcomings of our foreign aid operations—of things it has failed to accomplish and situations it is unable to cope with.

It was easy to compile a list of the shortcomings of the model T Ford. There were a lot of things it could not and did not do. Some of us remember the handcrank and the magneto lights. They would be regarded as safety hazards today.

Yet the model T played a vital role in the Nation's transportation for a quarter of a century.

Let us not concentrate so hard on the deficiencies of foreign aid that we overlook what it is doing for us. We do not have a model T foreign aid program. We have a 1965 model which is better than the older models and which will render service of vital importance to our country.

We are learning more about foreign aid every year, and we are making better use of it every day.

We know that foreign aid is not a miracle vaccine which immunizes a country against communism. We have to admit that we may have poured a lot of money down the drain in Indonesia. On the other hand, every critic of foreign aid is confronted with the fact that the armed forces of Brazil threw out the Goulart government and that U.S. military aid was a major factor in giving these forces an indoctrination in the principles of democracy and a pro-U.S. orientation. Many of these officers were trained in the United States under the AID program. They knew that democracy was better than communism.

We find ourselves in a serious situation in Vietnam. The people of Vietnam are fighting and dying in the defense of their country. They have not surrendered to the invader. They have not resigned themselves to accepting Communist domination as inevitable. Without our aid, both economic and military, they could not carry on.

Eleven countries that rim the Sino-Soviet bloc, from Greece across Asia to Korea, maintain 3½ million men under arms. Our defense strategy depends on these forces to maintain internal security and to defend against small scale attacks. These forces would not exist without our military and economic aid.

We are aware that there are countries which after receiving aid for over a decade do not seem to be any better off than they were before. On the other hand, there are 26 countries—they are listed on page 11 of the hearings—which have received assistance from us in the past and no longer get U.S. economic aid. In most cases they have gotten on their feet and are able to maintain themselves.

While we find ourselves engaged in hot wars in Vietnam and the Dominican Republic, the free nations of all continents are resisting Communist domination. Without the support which the United States is giving or is able to give, I am sure that many of them would be trying to work out an accommodation with the Communist bloc.

While foreign aid has not accomplished everything that needs to be done, while it has failed on some occasions, while the struggle with the Soviet Union and Red China has not been won, foreign aid has made it possible to win some important battles and is an essential weapon if we are to win the important battles to come.

Now let me say something about the details of the bill:

The President is asking for an appropriation of $3,380,370,000 for foreign aid for fiscal 1966. The request for new authorization was $2,016,895,000. The difference is represented by funds previously authorized.

The committee cut the funds requested by only $12,700,000. It cut the authorization for voluntary contributions to international organizations by $10,700,000 and cut administrative expenses by $2 million.

In addition to authorizing funds, the bill imposes some restrictions on the administration of the foreign aid program.

On page 15, line 6, of the bill—page 32 of the report—there is a provision cutting off aid to any country permitting its ships to carry cargo to North Vietnam. The language is the same as that already in the act relating to ships going to Cuba. The United Kingdom is now ineligible for aid because it has not stopped its ships from going to Cuba, but some of our friends and allies who still receive our aid have been permitting their ships to serve North Vietnam. This provision should make clear the position of the Congress and increase our leverage in dealing with foreign governments.

On page 1, line 11—page 8 of the report—is a provision indicating that aid should be cut off to countries which permit or fail to prevent destruction of our embassies or other property by mob violence. We did not enact a rigid requirement that aid be cut off because we did not feel that our policy toward a government should be determined by what a mob does or does not do. On the other hand, we believe that the Department of State and the recipients of our aid should give a higher priority to the protection of U.S. property from mob violence. We do not want such destruction to become an accepted procedure in the conduct of diplomacy.

The last section of the bill, page 19, line 17—report, page 36—amends Public Law 480 to forbid sales of farm products for foreign currency to Egypt unless the President determines that such a sale is essential to the national interest. If the President makes such a determination, a sale for only a year can be made. We do not want any more 3 year sales contracts with Nasser.

The bill includes several amendments to improve the effectiveness of our foreign assistance operations. None of them is revolutionary in nature. They should make the machinery work better but they do not provide for a basic reorganization.

One important group of amendments, contained in title III of the bill, beginning on page 3, are intended to facilitate the operation of the investment guaranty program.

I think most of us would agree that the best thing that could happen to develop the undeveloped countries would be for the U.S. businessmen to undertake operations there. There is a greater shortage of management and technical skill than there is of capital in most cases.

There are so many risks connected with doing business in these countries that U.S. firms are not willing to assume them. The investment guarantee program has been developed to make it possible for American businessmen to go into undeveloped countries with a reasonable opportunity to make a profit.

Guarantees are offered against inconvertibility of earnings, expropriation and war, revolution and insurrection. The program is expanding rapidly, and contracts have been issued at the rate of $80 million a month in recent months.

As the program has expanded, a number of problems have been encountered, and certain changes in the basic authority have been provided as well as a raising of the ceiling on the volume of guarantee contracts which can be entered into. A detailed description appears on page 10 of the committee print.

Another significant group of amendments are designed to facilitate sales of military equipment to our friends and allies. It is not generally realized that the United States is selling to other governments, for good American dollars, as much military equipment as we are providing on a grant basis.

In fiscal year 1964 we collected $1,200 million for sales of military equipment to 50 allied or friendly nations. Sales are currently running at the rate of $1,500 million a year.

As long as we desire that our allies and other countries on our side have adequate supplies of modern weapons, it is better for us to sell to them than to supply them free.

The bill includes a number of amendments to existing law to improve the operation of this sales effort. Details are given beginning on page 27 of the committee report.

Before I close, I want to say this. I heard some talk of voting against the foreign aid bill as a protest against what is going on. Let me urge that before anyone votes against this bill he give a lot of thought to what he is really protesting against.

A vote against this bill will not produce a new and better program for the critical months ahead. We can curtail the program, we can eliminate vital parts of it, and we might make improvements in its effectiveness by amendment to the basic legislation, but we cannot develop a new and better program on the floor of the House.

Every one of us must decide for himself whether there is any possibility of winning the war in Vietnam, restoring tranquility to the Dominican Republic, defending Latin America against Castroism, and containing the aggression of Red China without the funds and the authority contained in the bill before us. For most of us, I am sure, the answer is clear. The foreign assistance program, this foreign assistance program, is vital to our security.

Mrs. BOLTON. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, once again we are engaged in our annual "minuet on foreign aid." The music prepared by the executive branch is soft and soothing; we on the committee have added an occasional note or a random bar that does not disturb the harmony. Some will pirouette around the language in the bill until the audience is no less dizzy than the performer who attempts to justify the provisions. Others will curtsy to each other as they exchange explanations of what the committee has reported out. And when it is all over, we will have voted for another year of an international Appalachia program.

Over the years I have supported the basic objectives of our mutual security programs under both Democratic and Republican Presidents. But I have differed with each from time to time on specific items in the program and the dollar amounts to be spent. There is no question but that the AID programs under their various names have made mistakes of both original decisions and administration. How could it have been otherwise when there were 11 directors in 15 years? An outstanding failure of the present AID program is Indonesia, where Sukarno has not only insulted us but worked counter to our national interest. On the other hand, there are examples where success has been achieved and aid is ending. An impressive such case is that of the Republic of China, on Taiwan. The efforts of their people, with U.S. assistance, have brought about remarkable changes.

Few Members of this House have lived with the foreign aid program as long as I have. It has been a little more than 24 years since I was first catapulted into the middle of it.

It started with modest objectives and clear priorities. I know only too well that the world into which it was born has become infinitely more complex in the intervening years. The leadership that centered around our country and the Soviet Union only 18 years ago has been challenged, and in some cases, splintered by old allies and new neutrals. I often recall a phrase used by our former colleague, John Vorys, who said of foreign aid that "it is like shooting at a moving target." That is so true. But it is no reason to substitute a shotgun for a rifle.

Those of us who over the years have fought for foreign aid are suffering from combat fatigue. Why? Not because we weary of a long fight. We knew that we could not work out neat time phases for each part of the program. We are growing tired because the program has grown confused and disordered. First things seem to come first except in foreign aid where first things come second or third—or maybe not at all.

Let me offer one example. In every one of the underdeveloped countries to which we are giving assistance, the most persistent problem they face is a rapidly expanding population. In simple terms this means more mouths to feed. How are we helping them meet this solution? Through the sale of our surplus agricultural commodities we help them deal with today's needs. But if they are to cope with tomorrow's demands, they must direct their energies and we must gear our assistance to intensive and concentrated attention on agricultural production. In my scale of values this is putting first things first.

Are we doing that? I fear not. Instead, we are dabbling in agriculture while we disperse our manpower and money in fields of industry, transportation, and multitudes of very costly projects. The result is that we contribute to the growing gap between the agricultural sector and the urban sector of these countries, stimulate inflationary trends, and only make more difficult the internal political integration that so many of them are lacking. The political evolution of these countries will do more to determine the course of their economic development than all the aid they may receive.

Would it not have served our purposes and the needs of the people better if in Indonesia, to cite one instance, we had confined our program to one that would make the natural abundance of that country more easily available to its people? Certainly, Sukarno would have been no more unhappy with our assistance. I remember long ago that Burma had lost its markets for its rice At the same time we sent rice to those countries that had formerly bought Burmese rice. They did not have to buy it from Burma. Who regards this as an intelligent approach?

It is no satisfaction to say that increasingly we are lending instead of giving money.

In a recent report made by the Agency for International Development on the matter of loans there is a note of real caution on the problems raised by loans. Why? Because if they borrow too much they will not be able to pay it off. I believe we should think of it from their angle some of the time. Among the conclusions in that report is this statement:

> The debt service burden of those (developing) nations is rising at a pace which threatens the success of the development effort.

Should not this statement in itself serve as a warning that perhaps we do not know as much about the intricacies of development as we are led to believe?

I say that because so many people come to us and say we should lend and should not give grants. Perhaps we should, but let us make sure that we are not lending to countries who will never be able to repay it and who will go bankrupt if they try to.

Mr. Chairman, in view of the testimony before the committee, I was disappointed that the reductions made were so small. Only two items were cut—one for administrative expenses, which could well be cut, and the other for programs in the field of international organization. And in that instance, the executive reported that it could not use the money it had originally requested.

I do not enjoy a meat-ax reduction in any program. I would prefer to make my decision on the amounts on the basis of the merits of each program. Unhappily, the structure of this program is such that the individual Member has no alternative but to propose a nice round figure to be sliced off and hope that it affects those programs of which he does not aprove and from which this money should be taken. The same observation can be made about the personnel who are operating this program. This winter our colleague, the gentleman from Ohio [Mr. HAYS], who is intensely interested in our personnel overseas, made a quick visit to one country. In one AID mission he found that 40 percent of the personnel listed as "on board" were not in that country. If AID does not know who is where, can we expect that its report on the program can be given any credence? I am objecting to the way it is done. I am not objecting to the fact that we must do it, which I believe.

Mr. Chairman, from its inception foreign aid has suffered more from its unconstructive proponents than it has from its unreconstructed opponents. Those who stand somewhere between these two extremes, who want an effective foreign aid program, have had an increasingly difficult task attempting to inject some sense of order and priorities into it. The executive has a responsibility and a right to propose the dimensions of the program. No one quarrels with that. But the ultimate responsibility rests right here, in this body, to limit executive discretion in its administration of the program.

We in the Congress perhaps have given much more encouragement to a growing reliance on executive discretion. We have written tough language in the law but we have qualified it by saying, "it is the sense of Congress," or "the President may waive" a particular provision. I fully appreciate that Congress does not have the intimate details of delicate situations upon which to make findings in every international crisis. But Congress does have the right to determine how this Nation's resources will be used. What of our responsibility in this regard?

I know only too well that the foreign aid program has been studied and restudied by individuals and groups inside and outside the Government. Those within the executive branch are hardly objective analysts. Those outside the Government seldom find where the bodies are buried. One instrument available to the Congress is the General Accounting Office, that ancient agency which has made numerous reports upon deficiencies in particular parts of the program. But how many Members know what those reports contain? We on the committee seldom know when they are sent to us. Several years ago our committee wrote into the bill—and it was enacted into law—a provision establishing the office of inspector general for the foreign aid program. I suppose that office is busy—but if anyone asked me what it has done to keep the program on the track, I would have to confess that I have never seen a report from that office.

If I seem critical of foreign aid—I am. Not because I have lost all faith but because I have lost much hope—hope that it will be clear in its objectives, realistic in its programs, firm in its administration. It is not a program that can be carried on by consensus but only by diligent application to details. Foreign aid can never be an adequate substitute for foreign policy. It is only one instrument which is available to further our diplomatic objectives. If we make it the sole or principal instrument we run the risk of reducing our foreign policy to an article of merchandise that can be bought and sold. Then we will be in real trouble.

I shall vote for H.R. 7750 though with more than usual reluctance. I believe that this country—my country—has assumed a responsibility it cannot sidestep. I am not one to sidestep responsibility in any form. That your committee has given much time and effort to its consideration, before bringing the bill to the floor, is surely self-evident. Though I have doubts about parts of it I feel it should be passed. To that end I shall vote for it.

Mr. MORGAN. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. ROSENTHAL].

Mr. ROSENTHAL. Mr. Chairman, while I strongly urge the passage of this authorization, I am not unmindful of a deep and growing disquiet about foreign aid—and indeed, widespread concern about the entire range of our foreign policy. Many of us, I think, are also bothered by the apparent erosion of the congressional role in foreign affairs. Speedy and unchallenged ratification of policies conceived and administered by the Executive may well be the only job left to Congress, given the nature of present world commitments and spontaneous crises. But we must recognize the proportions of this constitutional problem, and subject it to careful scrutiny and discussion.

The foreign aid program represents the single foreign policy issue in which Congress maintains a crucial function. Under the distinguished leadership of Chairman MORGAN, the Foreign Affairs Committee, of which I am a member, has labored extensively and diligently to clarify the program, to examine its specifics, and to pass judgment on its overall character. But such work has, of necessity, taken place in committee hearings, usually closed to the public. And now, following the hearings, the entire House must ratify the program, and with it all the assumptions underlying our foreign policy.

I want to make it clear that I am deeply bothered by what seems to me the inadequate execution of our constitutional commission in foreign affairs. Several weeks ago, during the short debate over the Vietnam appropriation, I suggested that the Congress was largely guilty of a conspiracy of silence about Vietnam in particular, and foreign affairs in general. I still feel that way.

I am hopeful that future debates over foreign aid will initiate all-encompassing and open discussion of American foreign policy. Such action would be fitting, not merely because consideration of aid is a special congressional duty, but I think it is also true that the topic of aid itself provides a valuable focus for the consideration of larger foreign policy questions. Our uncertainty about foreign aid, in other words, is really a reflection of our concern about our entire foreign policy.

For example, when we ask questions about the feasibility of continued aid to, say, Egypt or Indonesia, we are really studying the nature and extent of all our commitments abroad. When we wonder about the connection between military and economic aid in individual missions, we are really asking questions about the form and manner of executing all those commitments. And when we examine the administration of aid programs, we are really seeking to understand how we should relate to governments and, equally important, peoples different from our own.

If it is somehow true that the problems of our aid program are really miniatures of those issues which complicate our entire foreign policy, I think it is proper to call for a new patience in dealing with foreign aid. For it is quite clear to me that the field of international affairs is presently in radical turmoil, undergoing changes which we must all pause to comprehend. In so doing, we must then subject our discussions of aid to the new realities and new categories of what we must begin to call the "second cold war."

Threats to stability and peace, for example, no longer come exclusively from the presence of the Red army in Eastern Europe or the economic vulnerability of Western Europe. These may have been the original realities which prompted foreign aid programs, but it is now time to release ourselves completely from the habits and perspectives of the Marshall plan, where we were accustomed to expect speedy and equitable political returns from our initial economic investments.

The present object of our foreign aid is principally the building of societies unalined with the Communists or the West, rather than the rebuilding of nations composing our own alliance. This requires an entirely new attitude to world aid, one which patiently tries to see beyond short-term balances of power to long-term international security.

Those who prefer to talk in bare, strategic terms can be reminded that the character of conflict in this second cold war makes aid programs as much a weapon as a handout. For it should be clear that indigenous revolutionary movements in the unalined and underdeveloped third world would have now become the basic sources of conflict and instability in international affairs. There is no common denominator to such movements except an unrestrained dissatisfaction with exploitation, repression, and unattended grievances. Again and again, enlightened proponents of foreign aid have made it clear that aid is itself a strategy for anticipating these conflicts by striking at their roots. This lesson should by now have been learned by all of us. What we should presently be doing, therefore, is seeking out the implications of this truth.

First and foremost, we have to start learning what a revolutionary movement is all about. To cry "Communist" as a matter of conditioned reflex defeats every purpose underlying a proper strategy of foreign aid and larger policy goals. In the Vietcong and Dominican rebels we have clear evidence that revolutionary movements differ in their composition, aims, and ideologies. Of course, there are Communists involved. But to pretend that such movements represent an undifferentiated worldwide conspiracy inevitably masterminded by the Kremlin, Peiping, Hanoi, or anywhere else is to foreclose any hope for resolution of conflict and for peaceful progress. At their outset, these movements are more often than not masterminded by nobody at all. Their birth takes place more or less spontaneously. In their youth, there is usually a coalition of forces spending as much time disagreeing within itself as fighting a common enemy.

But what such movements are to become in full maturity is finally a matter of what we help them to become. By assuming they are Communist, we can help make them Communist. By acknowledging them as potentially democratic, we can help make them democratic. But by changing horses and riders again and again in midstream, we can put ourselves in the position where our only interest is in some stability and order—regardless of what kind of stability and what kind of order.

All of this bears directly on the topic of foreign aid. Among other things, foreign aid is the mechanism by which this country seeks to guide such revolutionary movements in what we believe to be a democratic direction. It is a systematic strategy for enlightened internationalism—though we should also realize it is a form of interventionism. Sometimes, I wonder if such action is proper. Sometimes, I wonder if we have any business telling other people what sort of society they should run. And, sometimes, I wonder if we really can overcome the enormous legacy of resentment in the postcolonial world—resentment which sees any American presence as incapable of benevolent motivation. These are the issues which desperately need to be raised and discussed in debate, here in Congress.

But as long as there is a consensus which argues that we have commitments to the revolutionary underdeveloped world, then we ought to get straight how these commitments can best be implemented.

I suggest that the only means of achieving a useful presence in such parts of the world lies in making a vast program of foreign aid the absolute basis of our overall policy. I am talking about $6, $7, or $8 billion a year, at least 1 percent of our annual gross national product. This would have to be aid in depth, concentrated in crucial and representative areas, rather than scattered superficially throughout the world. It would involve administering aid to people and their democratic associations and movements, rather than bolstering up uncertain or questionably representative governments. We would have to follow the community action spirit of the Peace Corps and poverty program—grassroots projects to build societies from the bottom up. Such programs would have to be executed with the full patience and confidence in the power of our own commitment—and this means patience and confidence from Congress. We must learn to outgrow a compulsive paranoia about Communists, while we must also refuse to underwrite totalitarian governments unresponsive to the plight of their people. We must learn to accept and even promote forms of association and government different from our own, though democratic in spirit. Finally, however, we must be prepared to exercise restraint and an ability to accept realities, to follow and support the expressed will of such peoples and movements rather than seek to define their futures for them.

Much of this spirit can be found in our present program and in those capable men who plan and execute it. But nothing less than the extensive commitment I suggest—$6, $7, or $8 billion a year—seems to me to have any real chance of yielding the peaceful progress we seek. The minimum program currently before the House may preserve the idea of foreign aid. It may maintain our presence in certain countries where we have made progress and where more progress is in sight. But I cannot see a successful execution of an enlightened aid program when there are those who constantly seek to emasculate it by denying it the proper means to its end. This is like sending a battalion to do the job of a division. It is a holding operation at best. The military analogy is real and pertinent because, as I have suggested, we are talking not only of altruism but of strategy.

As of now, old enemies and former friends of foreign aid seem to be calling for an end to aid by 1967. I want to put myself on record as strongly opposing any such action. It represents a failure of patience, nerve, and foresight. However, I also want to make it clear that the present program—a skeleton under attack from many sides—will never really be able to implement fully the real strategy of foreign aid.

I believe that our failure to devise, equip, and most important, accept in our minds an extensive and enlightened aid program for the revolutionary underdeveloped world largely explains why we are so intractably involved in such crises as those in Vietnam and the Dominican Republic. Until we have the courage, will, and resources to aid revolutions in their early stages—such as the South Vietnamese, for example, in 1955—or until we can renounce all dictatorships and back democratic revolutions in Latin America, and until we can take such steps through the medium of a bold policy of foreign aid, I believe we must sadly acknowledge that the continuing crises in the uncommitted third world will involve us in a protracted second cold war, no less demanding and frustrating than the first cold war. This second cold war will perhaps be less dangerous since it may be limited to small conflagrations rather than confrontations on the brink of nuclear war. But it will be more complicated, since we shall be dealing not with the monolith of Russian communism, but with small and varying national revolutionary movements, seeking to define their own identity. The overall diplomatic picture will be altered by the Sino-Soviet split. Such a cold war will dissolve much of our energy, and patience, denying us the resources and attentions with which we hope to build the Great Society.

I believe we must all declare our commitment to foreign aid, as both a humanitarian sharing of our abundance, and as a strategy for anticipating a conflict and nourishing progress. This approach will not flourish unless we are prepared to be patient and sensitive to world realities, as a first-rate diplomatic power, as well as a first-rate military power.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. ROSENTHAL. I will be happy to yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, the distinguished gentleman from New York has made a very thought-provoking and careful analysis of our diplomatic problem, our foreign policy strategy, and a strong case for the foreign aid program as a whole. I compliment him on his concise and clear thinking, and certainly I want to associate myself with his fundamental conclusion.

Mr. ROSENTHAL. I thank the gentleman.

Mrs. BOLTON. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Chairman, a good many of us are opposed to this legislation that is before us. We are opposed for reasons which are similar to or identical with reasons which we have previously set forth. Basically it is because we do not believe this legislation is accomplishing the objectives its proponents would wish that it might accomplish; those that its proponents hope that it can accomplish. Therefore, if it is not accomplishing them, it is, in the opinion of many people, including myself, important that we reconsider our whole concept of foreign aid.

At the outset, let me bring to the attention of Members of the Committee the fact that I have in my hand a document classified as "secret" which lists proposed economic and military assistance for every country expected to receive such aid during fiscal year 1966. I mention this because very often Members come up to us and ask, "How much is country X going to get, how much is country Y going to get, and how much is country Z going to get?" Under classifications imposed by the Executive, much of that information is not available to be made public. If there are such questions, I would again suggest that you make use of this material which I have had gathered together and which will be at the committee table here.

We have heard figures today about the cost of the foreign aid program. Roughly speaking, in round numbers, we are asked to provide appropriations of $3.4 billion this year. I must use the term "appropriations" because, as previous speakers have pointed out, some of these funds have previously been authorized and the appropriations will be made against existing authorizations. However, this appropriation request is about $3.4 billion. Some will say that is all that our foreign aid is going to cost us for fiscal 1966. Such is certainly not the case.

As we have tried to point out in previous years foreign aid is not one bill; it is not one simple program. Rather, it is a number of pieces of legislation all dealing with the general subject of foreign aid. On page 72 of the committee report in the minority views we have prepared a tabulation which I commend to your attention. In that tabulation we show, that by including other items which are in fact foreign aid although not called by that name, for the next fiscal year instead of $3.4 billion we are in fact expecting to appropriate almost $6 billion: not quite double, but a very great increase over the amount bandied about as the annual cost of our foreign aid.

There is in this year's bill one item which concerns very deeply a number of us. That is the standby authority, sometimes referred to as the blank check, for southeast Asia. The President requested authority to ask for appropriations not limited in amount for use in Vietnam. The committee, in the bill which it reported out, granted such authority to the President for southeast Asia.

In other words, without any further authorization, without giving the question the consideration which the authorization process brings to it, the President is now authorized in this bill to ask for the appropriation of such sums of money, military and economic, as he desires for use in southeast Asia. I think this is unwise for a number of reasons. First of all I think that the Congress, and especially the Committee on Foreign Affairs, has an obligation to look at the specifics of these requests and not grant this authority in blank.

Secondly, we, the Members of the Congress, and particularly of the House of Representatives, have demonstrated twice in the very recent past that when called upon to act quickly on matters in that part of the world we can do so. You will recall that after the chancery building of our Embassy in Saigon was bombed, within a matter of hours, I think a little more than 24 hours, we heard testimony, considered, and authorized $1 million for the construction of a new chancery. It was forthcoming almost at once.

A second time, when the President called many of us to the White House to point out that he needed an additional $700 million for the war in southeast Asia, within a few days he had the authorization which he needed. I am saying that these two actions give every assurance that when necessary the Congress can and will act quickly, expeditiously, if it is in the national interest.

Therefore I feel that the broad authority which we have given to the President of the United States with respect to southeast Asia is unnecessary and unwarranted.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman for yielding. I should like to compliment him on his statement. While he and I do not agree as to the wisdom of the foreign aid program I feel strongly that he is on sound ground in pointing out the weaknesses of this so-called standby provision of the contingency fund.

We have a matter of considerable substance involved in this provision, one which concerns far more than the jurisdiction of the Committee on Foreign Affairs. If we should grant an authorization for any amount, with no ceiling of any kind, for economic and military assistance for any place in southeast Asia, we would be giving the executive branch very far-reaching authority. We have no particular justification for such action, except perhaps the psychological justification that we are anxious to do what we can to back up the executive branch as it faces a difficult situation. Yet, as the gentleman has pointed out, the speed with which Congress can act, and in the very recent past has acted, shows that there is no necessity for bypassing the normal legislative processes. The executive branch can initiate justifications and request additional funds and have appropriate action taken by Congress.

I would think also, Mr. Chairman, that this request comes at a poor time and, therefore, should be considered well before any action is taken, because we have just recently appropriated an additional $700 million for our own efforts in southeast Asia, in addition to the amounts made available for foreign aid in fiscal 1965 and in addition to the very substantial amounts projected for fiscal 1966, both in military and economic aid.

Mr. Chairman, I believe the gentleman is making a very important point. I trust that there will be some attempt made to eliminate this provision.

It may be that we should increase the amount in the contingency fund which would then be available for a sudden emergency, if it should develop either in southeast Asia or somewhere else. One of the reasons, the gentleman will recall, that the standby authorization is being asked for, the so-called blank check with no ceiling on the amount is because the contingency fund is being reduced.

Mr. Chairman, it seems to me that this is obviously robbing Peter to pay Paul.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. ADAIR. I thank the gentleman from New Jersey for his observation and certainly agree with his remarks concerning the standby authority.

Mr. Chairman, one of the criticisms that has been leveled through the years at the program has been the loss of congressional control. And, I fear that if this provision remains in the bill, we will be accused of a further reduction of the congressional supervision and congressional control.

Now, Mr. Chairman, a few words about the matter of the so-called pipeline or unexpended balances. Year after year we talk about this because some of us feel that they are excessive. The pipeline figures have run in this program—and I believe it was 1953—as high as $10 billion. In the sixties they have been averaging near $6 billion. But notice what this is. We are here with an appropriation request of $3.4 billion. There is a carryover in our pipeline of $6.2 billion, not quite double the amount of the annual request. Now this obviously is an amount far greater than we need.

As an example of where some of this money may be, I would refer Members of the Committee to a study made by a staff group of the Committee on Foreign Affairs not too long ago. This group went into one Latin American country and found that there was a half million dollars just laid aside in this country. It had been earmarked for something but it had not been used. It had not been deobligated. The chief of mission was holding it there for some unknown contingency that might arise in the future.

As a result of the findings of the staff study the funds were deobligated. But this is illustrative of what may be happening in scores of countries throughout the world.

Therefore, Mr. Chairman, I feel that if every effort were made to bring in these amounts which were earmarked and not drawn against for 1 or 2 years, or perhaps never, our pipeline could be greatly reduced and, accordingly, the annual request would not have to be so large.

I should not conclude my remarks without saying there are many more useful things that could be said by those who may object to the program as a whole.

I would urge Members who have questions in their minds to read the minority views beginning at page 69 of the report. We point out in much more detail than I am able to do here why we believe this program as now advanced is not proper and should not be supported.

Let me conclude by saying that there has been too little distinction made between those countries which are friendly to us and the free world, which are willing to bear their fair share of the burden of preserving peace throughout the world, and those countries that are not.

Making such distinctions is largely a neglected function of our foreign aid program. We should center our assistance in those countries which do recognize their obligations and are willing to assume their responsibilities as nations in a world that we hope will be eventually wholly free.

There are parts of this bill I think anyone would approve. The committee made no reduction in military authorizations. In fact, we made little reduction of any kind. A reduction of some $12 million in a $3.4 billion bill cannot be considered to be very large.

I believe the people-to-people approach to the solution of world problems is far better than that which simply says: "Take our dollars and solve your problems."

Let us conduct our foreign affairs in such a manner as to encourage and strengthen friendly nations—and their people who desire to live freely under governments of their own choosing.

Mr. MONAGAN. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin [Mr. ZABLOCKI].

Mr. ZABLOCKI. Mr. Chairman, I rise in support of the Foreign Assistance Act of 1965.

At the outset, I want to assure my colleagues that the House Foreign Affairs Committee once again has worked long and hard on this legislation. Under the able and conscientious leadership of our chairman, the gentleman from Pennsylvania [Mr. MORGAN], the committee thoroughly reviewed and scrutinized the 1965 budget request for foreign aid submitted by President Johnson.

As you know, the request this year is the smallest ever made in the history of this program. After weeks of hearings, study, and review the committee cut the authorization submitted by the executive branch by $12,700,000.

In my remarks today I wish to address myself principally to two important issues in the legislation before the House: the unexpended balances or so-called "pipeline" and the guarantee loan funds for housing projects in Latin America.

UNEXPENDED BALANCES

Mr. Chairman, a perennial criticism made of our foreign assistance program is that it holds sizable unexpended balances. According to this line of reasoning, the larger the unexpended funds, the less need to appropriate new money for foreign aid.

What these critics often purposely overlook is that these balances—or pipelines—have been obligated for goods and services which are on order, but have not yet been delivered. In future months, as projects abroad come to fruition, these balances will be drawn upon—not the funds we are being called upon to authorize today.

It is plain and simple fiscal irresponsibility to challenge the need for the pipeline.

No well-run government program, no efficient government agency—whether at the National or State or local level—would spend all its funds within a fiscal year.

There must be a carryover, there must be continuity, if sound economic requirements are to be observed.

I am sure that if AID hastened to spend every dime appropriated for it during a fiscal year and came before Congress with empty pockets, those same critics of the pipeline would be the first to charge that the Agency had been guilty of reckless spending.

It was particularly gratifying to me to note that the minority report on the Foreign Assistance Act of 1965 recognizes the need for the pipeline and acknowledges that these funds are obligated and cannot be made available for other uses.

THE SIZE OF THE PIPELINE

Some criticism has been leveled, however, at the size of the AID pipeline.

The Foreign Affairs Committee has given careful study to the dimensions of the unobligated and unexpended balances of the foreign assistance program. It has not found them excessive when compared with similar figures for other agencies of Government.

I would direct your attention to page 5 of the committee report. There it can be seen plainly that the amounts in the pipeline of the military assistance program have fallen steadily, while the unexpended balances of the Department of Defense have increased in recent years.

It also is instructive to note the chart on page 6 where the unexpended and unobligated balance of the foreign assistance program are compared with a civilian agency—the Department of Agriculture.

Note that while the pipeline of the foreign aid program was remaining fairly steady from 1956 to 1965, the unexpended balances of the Agriculture Department more than doubled.

Further, in the same decade, the unobligated-unreserved funds of the aid Agency dropped by one-quarter, while similar funds in the Agriculture Department amounted to four times as much in 1965 as they did in 1956.

The fourth column of the table shows the unobligated-unexpended funds of other Federal agencies. It confirms a trend throughout Government toward significant increases in both financial categories in the last 10 years.

The foreign assistance program, it should be noted, has held the line against this trend better than most Government programs and agencies.

COMPLICATING FACTORS

Of course, the committee would like to see the amount of unexpended balances in the aid program reduced even further. Realistically, however, a sizable reduction is not to be expected as long as the program is keyed to loans, rather than outright grants of money.

Loan funds are obligated—and cannot be used for another purpose—when an agreement is reached with a cooperating country. Expenditures against that loan are made, however, only as deliveries are made and the work progresses.

In the case of a large project—such as a hydroelectric dam or a steel mill, the lag between the time the loan is pledged and the time that the pledge is fully redeemed in cash may be a number of years.

Other factors which work against substantial reduction of the pipeline are the political implications and complexities which accompany our foreign aid program.

At times the United States has entered into loan agreements with another country—and has obligated funds—only to have political or economic complications occur in the recipient nation which make it either impossible or imprudent to expend the obligated funds.

Often these situations are only temporary. AID simply by waiting a suitable period until conditions have changed again, can validly redeem its loan pledge. In the meantime, of course, these funds are considered "in the pipeline."

Still another complicating factor is the political impact of canceling a loan once it has been promised.

While cut-and-dried fiscal principles might dictate that a loan obligation be withdrawn, the necessities of diplomacy may require that it be left on the books.

To be convinced of the political consequences of withdrawing promised aid, we need only think back to the unfortunate effects of the decision by the United States to cancel its obligations to assist with the construction of the Aswan high dam.

UNOBLIGATED FUNDS IN GREECE

In the minority report specific mention is made of funds obligated to Greece in 1962 which still were unexpended as of December 1964.

It is no secret the AID has experienced some difficulties in obtaining effective and efficient use of U.S. loan funds in Greece. At the same time, however, it would be premature to characterize these obligations as useless.

Last year, for example, a firm in my congressional district was able to make use of loan funds in Greece which had been obligated—but unexpended—for several years.

If the funds had not been there, the contract probably would have gone to a West German firm.

Because the loan funds were available—and because AID officials quickly cleared all obstacles to their use—our American firm received the contract.

The result was increased employment of workers in my district and, thereby, more general prosperity in our community.

Further, the fact that an American firm received the contract rather than one from West Germany assisted our national balance of trade and our balance of payments.

If a moral is to be drawn from this example, it is this: It is shortsighted to criticize obligated funds because they are unexpended for some months, if those funds are available at the time they are needed and can be used effectively.

LATIN AMERICAN HOUSING

At this point, Mr. Chairman, I would like to turn to section 103(e) of the bill, which amends section 224 of the act, relating to housing guarantees in Latin American countries. The new language would have several effects:

First, the purposes for which guarantees can be granted under section 224 is broadened. No longer limited to developing self-liquidating pilot housing projects, these guarantees could be used to develop institutions engaged in Alliance-for-Progress programs.

Under the new authority granted by the committee amendments, guarantees may be issued to eligible U.S. investors for loan investments in a number of beneficial projects and organizations:

First, credit institutions in Latin America engaged in the financing of home mortgages—such as savings and loan institutions.

Second, housing projects for lower income families.

Third, housing projects which promote the development of free institutions in Latin America—such as labor unions and cooperatives.

Fourth, housing projects for which 25 percent or more of the mortgage financing is made available from sources inside Latin America, and which generally have a per-unit cost of less than $6,500.

In order to insure that there will be adequate issuing authority for these guarantees, the committee has increased from $250 million to $450 million the total face amount of guarantees that may be outstanding at any one time under section 224.

THE NEED FOR THIS PROGRAM

Mr. Chairman, I am convinced that the committee amendments to section 224 of the Foreign Assistance Act are most significant and deserve the approval of Congress.

As evidence of this, let me briefly enumerate some of the beneficial effects which the expansion of these housing guarantees would have:

First, it would allow American labor unions to invest in decent, low-cost housing for their counionists in Latin America, thereby matching Communist propaganda promises with democratic bricks and mortar.

Second, as the bill now stands, it would allow the creation of new autonomous institutions for lower income groups in Latin America, as offshoots of the housing projects. These grassroots organizations would have a stake in their own communities—their own countries—and would be less likely to heed the blandishments of communism.

Third, the expanded guarantee housing program would assist low-income groups directly by providing for participation by local cooperatives, labor unions, and savings and loan groups.

For example, this program would allow support for Father McClellan's renowned "people's mutual" savings-and-loan institution in Peru. In the past Father McClellan's efforts at assisting the poor of Peru have been to a degree thwarted because his projects depended on U.S. aid to trickle down through a bureaucratic, oligarchic government.

Often Father McClellan never received the loans which had been promised to him. The committee amendment would allow direct, people-to-people assistance to him, and to others like him throughout Latin America.

A fourth benefit of the committee amendments is that by embodying a "people-to-people" approach it helps establish true grassroots democracy and counters excessive state control. The process of decentralizing power in Latin American countries and promoting democratic pluralism is important for the future stability and well-being of the people of that area. The expanded housing loan guarantees will assist that trend.

Fifth, the loan guarantee program eases the burden of the American taxpayer by encouraging the American private sector to participate in foreign assistance. Because of the committee amendment, $450 million will go to Latin America from private investors. If this cost had to be met directly by AID, it would be at the expense of the taxpayers.

Further, by encouraging institution building, we hasten the day when Latin American will be self-sufficient and U.S. assistance can be terminated.

OBJECTIONS ARE MET

The American home builders originally had objected to the version of section 224 submitted by the administration because it limited private pilot or demonstration projects to $250 million of a $350 million loan guarantee authority.

Since the old authorization of $250 million was almost entirely committed to private projects, the additional $100 million requested by the administration would have gone almost entirely to projects sponsored by unions, cooperatives, and savings and loan groups.

Although the private builders had no objections to the institution-building approach, they protested that the new language in the law would discriminate against their private projects.

The House Foreign Affairs Committee has met these legitimate objections by increasing the guarantee authorization from the old limit of $250 million to $450 million—rather than the $350 million requested by the administration.

This increased authority will be available for allocation between private builders and the co-ops, savings and loans, and unions. Thus, the present bill is acceptable to all interested parties.

SUMMATION

Mr. Chairman, it is my strong conviction that references in this bill to union, cooperative, and savings group projects must be preserved, and the authorization of $450 million in guarantees should be approved.

Otherwise, housing projects for low-income families will be seriously hampered.

Thousands of children who might have had decent housing will continue to live in filthy hovels.

The benefits of aid from American unions and other private groups—which cost the taxpayers nothing—will be lost.

Mr. Chairman, even as we deliberate here today, Latin America is in a ferment of unrest and rebellion.

In Bolivia, there are riots, strikes, and attempts at assassinating Government leaders.

In Venezuela, Communist-inspired guerrilla terrorists roam the countryside killing and looting.

And in the Dominican Republic our own marines must enforce order and an end to fratricidal fighting.

Can we afford to watch the revolution of rising expectations in Latin America and refuse to help channel its energies into legitimate paths and peaceful progress? Can we allow the Communists to win in Latin America because we have defaulted our responsibility to our brothers in the Southern Hemisphere?

The answer is clear. We must take effective action.

Expanding the loan guarantee program is effective action. That is why it must be retained in the Foreign Assistance Act of 1965.

In conclusion, Mr. Chairman this bill which is an essential tool of our foreign policy—carefully scrutinized under the leadership of our able and esteemed chairman, Dr. Morgan—should be approved in its entirety. I urge that any crippling amendments be defeated and the legislation passed by an overwhelming vote.

Mrs. BOLTON. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, the annual bargain-basement for foreigners is open once again and ready for business.

By this time tomorrow evening the leaders of assorted foreign governments will be able to lick their chops in anticipation of the gift packages they will receive throughout the next 12 months from that wonderful Uncle Santa in the White House in Washington and his helpers, who hold forth in Foggy Bottom, to make sure that all packages are neatly wrapped, properly tied with gay ribbon, and delivered promptly on a freshly polished silver platter.

It might be noted in passing that a silver platter is used because there is not enough gold left at Fort Knox to even plate the platter. France, among a number of nations which used to get gift packages from Uncle Santa every few days, is doing everything it possibly can to relieve the United States of the stigma of having any filthy gold in its possession.

To every other country in the world there seems to be something worthwhile about having some gold around. To the author of the Great Society and his sublieutenants who operate out of Foggy Bottom and on Capitol Hill there seems to be something sinful and evil about the possession of gold.

This whole foreign handout business would be laughable were it not for the fact that since World War II more than $130 billion have been filched from the pockets of Americans and scattered from Ougadougou to Timbuktu and back again. And now it is proposed to extract another $3½ billion through the medium of this bill even though the pipeline will be clogged with an estimated $6 billion of unexpended funds on June 30, the end of this fiscal year.

And to what end has this vast amount of more than $130 billion been spent?

In his message to Congress on March 13, 1959, President Eisenhower said that as a result of foreign aid our friends among free world nations make available to us for the use of our forces 250 strategic bases, 5 million ground forces, 30,000 aircraft, and 2,500 vessels.

Today, at this moment, the United States and South Vietnam are at war with Communist North Vietnam. Where, we ask, are those impressive military facilities of our so-called free world allies that were supposed to be available to us as a result of the outpouring of billions in foreign aid?

Where, we ask again, were these allied forces in the Korean war? Excluding South Koreans, Americans did 95 percent of the fighting and dying and all the financing of that effort to halt communism.

During the Korean war some of those who were the beneficiaries of our foreign aid, and who claimed to be our allies, never ceased trading with Red China without whose troops and war materials there would have been no war in Korea.

Thus far, we have had no report of our planes bombing Haipong, North Vietnam's principal seaport, through which flows all kinds of supplies for the Communist Vietcong. Can it be that these docks have not been bombed because too many ships, flying allied flags, are hauling cargoes into that Red seaport?

About a month ago, President Johnson sent Henry Cabot Lodge, an unsuccessful Republican candidate for Vice President, on what was billed as a trip around the world for the purpose of obtaining military and financial help for the war in Vietnam. Why Lodge instead of Vice President Humphrey was picked for this do-or-die, or get-out-the-checkbook assignment, is still a closely guarded secret. Anyway, Lodge returned from his junket last week and provided the House and Senate committees, dealing with foreign affairs and relations, with what is commonly known as a briefing.

Every place he went, Lodge said, he found "deep gratification" that the United States is carrying the burden of resistance to Communist aggression in southeast Asia. Beyond a briefcase full of "deep gratification," Lodge had little or nothing to show for his trip.

It ought to warm the hearts of American troops, fighting in the jungles and the muck of the rice paddies of Vietnam, if not the taxpayers of this country, to know that they have the "deep gratification" of those upon whom we have lavished too much of our substance for too many years.

And it is interesting to note that President Johnson, always liberal with other people's money, has dangled the bait of more multi-billion-dollar spending in southeast Asia by suggesting that the Mekong River ought to be developed. The figure of a billion dollars has been used in that connection but, of course, that is merely the foot in the door.

If a further example is needed of how our money has been slopped down the drain we might take a look at India, one of the chief beneficiaries of our openhandedness in recent years. Last week, India's Prime Minister Shastri was given the red carpet treatment in Moscow whereupon he promptly proceeded to join with Russian Premier Kosygin in a stinging denunciation of U.S. bombing of North Vietnam.

When the Red Chinese rocked the Indian Army back on its heels, and threatened to overrun a sizable area of the country as well as Tibet, to whom did the Shastris of India appeal for help and get it?

U.S. planes were rushed across the seas to ferry Indian troops and supplies to meet the Communist invasion. Along with all this went a heavy, new commitment in arms and munitions to India. Despite the meeting of this emergency; despite the fact that the foreign aiders have pumped at least $5 billion into India in the last few years, the Indian Government has the unmitigated gall to join with the Soviets in Moscow in denouncing our stand in Vietnam.

This is an outrageous affront to every citizen of this Nation and yet the leaders of this administration give no evidence that they are in the slightest degree insulted or affronted.

Indonesia, Cambodia, and others tell us to go to hell and yet the emissaries of the White House and Foggy Bottom are constantly on the move trying to find ways and means of inducing these leeches to take more of our cash. They still cannot believe that bribery will not work.

Of the some 32 African countries which became independent in the last 10 years, 16 now have diplomatic relations with Communist China.

Only 10 years ago, Red China had no diplomatic ties in Africa.

In Latin America, despite the billions that have been spewed about through one program or another, there is scarcely a stable government. As of this moment, no one knows what the next hours and days will bring in strife-torn Bolivia, Colombia, and Guatemala—to mention only three. Castro still maintains headquarters for Communist training and infiltration throughout this entire area. It is doubtful if there would be thousands of American troops in the Dominican Republic today had this Government taken positive action at the Bay of Pigs instead of resorting to appeasement and continuing a foreign policy based upon blank checks and the long since thoroughly discredited effort to buy our way throughout the world.

Yes, Mr. Chairman, the counters in the foreign aid bargain basement opened today for new business. There is little doubt that before tomorrow evening the clerks will have handed out another $3½ billion to add to the more than $130 billion that has already gone where the woodbine twineth and the whangdoodle whangeth.

Mr. MORGAN. Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, you either believe that the United States has a responsibility to help build stable nations in a stable world, or you do not believe it.

There are some who think if you spend a few dollars you can achieve all of that overnight. I wish that that were so. I wish that we could get everyone throughout the world to work to achieve stable governments in a stable world and peaceful world.

However, Mr. Chairman, realism dictates otherwise. You either believe that the developing nations cannot achieve or maintain stability without continued economic growth, or you do not believe it.

You either believe that developing nations cannot achieve this growth without external assistance during the early stages of their development, or you do not believe it. You either believe that on the grounds of both self interest and humanity the United States should assist those nations which are prepared to help themselves, or you do not believe it.

You either believe that the Communists are out to take the world one way or the other, or you do not believe it.

You either believe that the foreign assistance program of this country attempts to achieve in some reasonable way the objectives of the United States and the American people, or you do not believe it.

I have believed since I have been in this body, that there is no alternative to this program. As long as I have been here and have listened to the same arguments in opposition to the program, I have never heard a constructive alternative. Ten years on the floor of this body I have yet to hear a constructive alternative.

I believe, Mr. Chairman, that the issue is how can the U.S. foreign aid program do the job most efficiently in the shortest possible time at the least cost to the American taxpayer.

It has been said that this program is improperly administered, therefore you ought to vote against the bill. I do not know where the proponents of this particular proposition have been, but in the years I have had the privilege of being on the Committee on Foreign Affairs, particularly under the able leadership of the distinguished gentleman from Pennsylvania, great strides have been made and great efforts have been taken by legislation, by policy guidelines, and by language in the reports to do everything possible to help in the proper administration of this program.

The committee has written all kinds of guidelines into the legislation, we have all kinds of language in the report, we have had all kinds of meetings with the Administrator; all in an effort to improve the administration of this program. While I am on the subject of administration, I want to say that Mr. David Bell, the present Administrator of the program is one of the highest caliber men in the country. I am grateful for the United States of America that he has the responsibility of administering this program for the American people. He executes his job very ably and with great dedication.

Where are those who oppose this program because it is being improperly administered? What do they say on the floor today in the way of new language, new suggestions, additional proposals, or alternatives, in order to strengthen the program, in order to see that it is properly administered? I have heard none. The committee has worked long, hard, and deliberated very seriously. I am sure anyone who had an appropriate suggestion for improvement could have been heard, and his suggestion would have been adopted as so many others have been adopted in years past and this year in order to assure proper administration of the program.

We hear those advocating that this program ought to be abandoned or voted against because we have lost congressional control. Yet the record indicates it was this committee and this Congress which insisted on an Inspector General for the Department, whose reports are made available to the committee and to the Congress. We know that the program is reviewed internally by him. We know that the program is reviewed by our own Select Committee on Foreign Affairs when the Congress is in session and when the Congress is out of session. We know that the program is reviewed by the Committee on Foreign Affairs of the House and the Foreign Relations Committee of the other body.

We know that the program is reviewed by two Appropriation Committees, one in this body and one in the other body. We know that the program is under constant examination by the General Accounting Office. All of those reports are available to any Member of Congress who desires to look at them and to take the time to read them and understand them. Every one of those reports by the General Accounting Office on the administration of this program is made available to the appropriate committees of the Congress, including the Government Operations Committee of the House and the Government Operations Committee of the other body. As the major investigative committees in both bodies each can make suggestions or recommend any action tell me where the loss of congressional control is with respect to your own personal review of this program?

Then it has been said that this program is not accomplishing the things which the proponents of the program claim that it seeks to accomplish. Well, I am the first to say it does not accomplish all of the things we would like to have it accomplish overnight. And I am the first to say this is a long-term program and has been and should be a long-term program.

I wish I could see this program being terminated next week or next year or next month. But even a cursory examination of the foreign problems that exist and problems of international diplomacy would tell anybody that the United States has commitments which it must keep, for as long as it takes for us to achieve our objectives—whatever they might be.

Because it is so easy to generalize I want to get specific—I want to get specific about an important part of the foreign aid program that is working that does accomplish what we said it was going to accomplish. This program is doing the job today and we have every reason to believe it will accomplish the job in the future.

I want to talk, Mr. Chairman, about the housing problem in Latin America and what this program, the foreign aid program, has done with respect to that problem.

Any member of our committee, in fact any Member of this body, can readily understand the housing problems in Latin America are of enormous magnitude.

A. THE SCOPE OF THE PROBLEM IN LATIN AMERICA

The housing problems facing Latin America are of enormous magnitude.

First. While the statistical data is poor, a reasonable estimate is that the present housing shortage amounts to some 15 million units and that the cost of providing such units would approximate $25 billion. The housing shortage affects at least 35 percent of the population.

Second. In addition, a very substantial percentage of urban dwellings are run down and much of the rural housing is primitive.

Third. Some idea as to the scope of the problem can be garnered from the fact that about 40 percent of the population of Rio lives in slums known as favelas where even the most elementary requirements—potable water, sewerage, electricity, et cetera—are lacking. The same phenomenon occurs in Lima, Buenos Aires, Bogotá, and most other large cities in Latin America.

Fourth. In assaying the enormity of the problem, it is also necessary to consider the rate of population growth in Latin America. It is estimated that over 1.3 million units are required annually to meet population growth and replacement needs. In other words, 1.3 million units are required to prevent further deterioration of the housing crisis in Latin America. In point of fact, less than 500,000 units are being constructed annually.

B. THE IMPORTANCE OF HOUSING FOR LATIN AMERICA

First. The need for housing is common to all mankind. Adequate shelter from the elements and a decent home, however modest, are universally essential for a happy and productive life. Few, if any, are able to lead daily lives with purpose, responsibility, and proper concern for personal and civic conduct when deprived for long of adequate housing.

Second. A man's home and living environment largely determine the kind of person he will be—how healthy, well adjusted, and productive he can be, as well as how purposeful, responsible, and concerned, both as an individual and as a citizen and neighbor.

Third. A decent home provides a family with a meaningful stake in the community. It is something a family will work and save for and, when necessary, will defend. It is the kind of stake which provides motivation away from extreme ideologies. Owner occupied housing—even the possibility thereof within some reasonable period of time—is a stabilizing political and social influence.

Fourth. Housing is a tool for economic development. To build a single home, then furnish it and keep it in good repair, requires many different products and services. When this is multiplied by the many thousands of homes that every country need regularly for its people, it can be seen that the products and services of a large working force and of many big and small enterprises are required; this creates widespread employment and generates continuing healthy markets, industries, and purchasing power. Similarly, the provision of utilities, transportation, and other essential services and products for expanding neighborhoods and communities again increases employment and production and further multiplies the positive impact upon the economy and the entire life of the country.

C. THE APPROACH TO THE SOLUTION OF THE PROBLEM

Given the magnitude of the problem, it is impossible to attempt to finance from external resources anything approaching a total solution. Instead, the approach has been to help Latin America to help itself to solve the problem through a number of techniques hereinafter discussed.

The use of each one of these techniques or tools has emphasized the role of the private builder, the private mortgage financing institution, and the private ownership of the housing units which ultimately result. The Alliance is firmly committed to the principle that the Latin American housing problem will be solved largely, although not exclusively, through private channels.

1. AID DIRECT HOUSING LOANS

AID has made direct loans for housing totaling about $155 million. In most cases these have been made to government institutions. However, in each case the result has been private housing unit ownership. The typical pattern is a loan to a Latin American government which is relent to a private savings and loan, or other private institution, as seed capital. In turn, the private financial institution relends to the ultimate owner for mortgage financing. Construction is almost inevitably by private contractors.

CHART 1. *AID direct housing loans*

Country	Loan name, number, and amount	Borrower	Houses planned	Number completed	Number under construction	Percent that will be directly financed by AID	Remarks
DOLLAR LOANS							
Argentina	Central Housing Bank, 510-L-006 ($12,500,000).	Government	4,000	0	0	35	The Central Housing Bank is currently being organized by the Government. No disbursements of loan funds have been made.[1]
	Aided self-help housing, 510-L-012 ($2,000,000).	Government of Buenos Aires Province.	1,200	0	584	50	Procedural difficulties delayed initial construction.
Bolivia	None						
Brazil	do						
Chile	Central Savings & Loan Bank, DLF-199 ($5,000,000).	Caja Central	3,200	3,200	0	33	The loan represents 33 percent contribution to the paid-in capital of the bank.[1]
	Central Savings & Loan Bank, 513-L-022 ($8,700,000).	do	10,000	0	0	(2)	The loan represents an effort to strengthen both the primary and secondary mortgage markets. The loan agreement was only recently signed.[1]
Colombia	Aided self-help housing, DLF-207 ($12,000,000).	Instituto de Credito Territorial.	17,949	15,504	906	45	
	Self-help housing, 514-L-026 ($7,500,000).	do	8,550	444	1,960	50	Political problems and inflation-induced prices caused delays in construction.
Costa Rica	Slum replacement housing, 515-L-006 ($2,000,000).	Government	2,200	420	289	70	
Dominican Republic.	National Housing Bank, 517-L-002 ($2,100,000).	National Housing Bank	1,345	0	1,345	50	(1).
Ecuador	Central Housing Bank, DLF-213 ($5,000,000).	Central Housing Bank	2,592	670	89	50	(1).
El Salvador	National Housing Finance Agency, 519-L-008 ($3,100,000).	National Housing Finance Agency.	1,500	0	0	55	Loan agreement has yet to be signed.[1]
Guatemala	None						
Haiti	do						
Honduras	Tela Union Housing, 522-K-007 ($400,000).	Tela Railroad Labor Syndicate.	185	113	50	85	
	Cooperative housing, 522-H-011 ($200,000,000).	Banco Nacional de Fomento de Honduras.	494	0	0	90	Loan agreement has yet to be signed.
Jamaica	Low-cost housing and redevelopment, 532-L-002 ($2,800,000).	Government	766	0	56	100	
Mexico	Low-cost housing, 523-L-02 ($20,000,000).	Nacional Financiera, S.A.	23,000	4,862	18,138	33	
Nicaragua	None						
Panama	Housing Mortgage Bank, DLF-198 ($2,500,000).	Caja de Ahorros	635	305	300	65	(1).
Paraguay	None						
Peru	Home savings program, DLF-201 ($7,500,000).	Government	7,800	3,000	3,500	50	(1).
	Cooperative housing program 527-L-034 ($6,000,000).	do	3,125	0	0	60	Loan agreement signed Feb. 13, 1965.[1]
Uruguay	Home construction, 528-L-015 ($6,000,000).	The Mortgage Bank of Uruguay.	(2)	(2)	(2)	22	Loan represents 22 percent of borrower's paid-in capital. Subloans are not limited to house construction alone, but include farm buildings and improvements to both homes and farm buildings.[1]
Venezuela	Mendoza housing, DLF-175 ($5,000,000).	Fundacion de la Vivienda Popular.	[3] 750	1,500	(4)	33	(1).
	Central Housing Bank, DLF-212 ($10,000,000).	Banco Obrero	[3] 750	2,616	(4)	50	(1).
	Low-cost housing and slum clearance, 529-L-004 ($30,000,000).	Foundation for Community Development & Municipal Improvement.	[3] 12,000	7,000	(4)	50	(1).
Regional loan	CABEI Home Loan Department 596-L-003 ($10 million).	Central American Bank for Economic Integration.	3,500	0	0	100	(2).

See footnotes at end of table.

Chart 1. *AID direct housing loans*—Continued

Country	Loan name, number, and amount	Borrower	Houses planned	Number completed	Number under construction	Percent that will be directly financed by AID	Remarks
LOCAL CURRENCY LOANS							
Cooley loans for housing							
Colombia	Hogares Colombianos, 514-E-018 (5,000,000 pesos).	Hogares Colombianos, S.A.	474	362	(4)	83	
Peru	Hogares Peruanas, 527-E-013 (4,000,000 soles).	Hogares Peruanas, S.A.	72	72	0	57	
	Hogares Chavarria, 527-E-026 (26,000,000 soles).	Hogares Chavarria, S.A.	419	188	150	83	

[1] As the loan constitutes a contribution to the paid-in capital of a lending institution and is not intended for a specific project, no clear identification of AID-financed homes is possible.

[2] Not available.

[3] Per annum.

[4] Not known.

2. AID HOUSING INVESTMENT GUARANTEES

The pilot $250 million housing guarantee program for private U.S. investment in self-liquidating demonstration housing projects in Latin America is moving at an accelerating rate. As of March 1, 1965, AID had approved 15 investment guarantees for self-liquidating, middle-income housing projects in 10 Latin American countries. With a total guarantee authorization of about $90 million, these will ultimately result in the construction of 18,206 dwellings, housing over 90,000 persons. An additional 14 projects involving 13,882 dwellings representing $75 million have passed the preliminary feasibility review and are in the final processing stage. The remainder of the authority will be used for projects which are under preliminary review by FHA on behalf of AID.

The present $250 million program will result in the construction of approximately 50 projects involving 50,000 units of housing. All of these units will have been built by private builders and are for private ownership. In most instances, the projects are built in whole or part by U.S. builders.

The requested additional $200 of housing guarantee authority will be similarly used for housing built by private builders for private ownership. It is expected that the U.S. builder will continue to play a very substantial role in this program.

Latin America housing investment guarantees authorized, as of Dec. 31, 1964

Country	Name of project	Sponsor	Investor	Dollar amount (millions)	Number of units	Number of units completed
Argentina	Field	N. R. Field, Miami, Fla.	Chase Manhattan Bank	7.5	1,133	
Chile	Maritime Workers' Union	AIFLD	Pension and Welfare Funds of AFL-CIO unions.	10.0	2,000	
Colombia	Las Americas (VIPASA)	Pedro A. Gonzalez, San Juan, P.R.	Carl M. Loeb, Rhoades & Co.	8.2	2,000	200
Do	Caribbean Homes	Harold Lockheimer, North Bergen, N.J.	Teachers Insurance & Annuity Association of America, Penn Mutual Life Insurance Co., Provident Mutual Life Insurance Co. of Philadelphia, Fidelity Mutual Life Insurance Co.	9.2	1,268	
Dominican Republic	San Pedro Sugarworkers' Union, CONATRAL.	AIFLD	Pension and Welfare Funds of AFL-CIO unions.	4.6	600	
El Salvador	Financiera Roble	Luis Poma, San Salvador, El Salvador	Chase Manhattan Bank	4.525	501	110
Guatemala	Capital City-Silver	Joint venture of James Investment Co., Donovan Construction Co., and C. J. Silver, St. Paul, Minn.	do	8.5	1,276	
Honduras	Micasa Corp.	William F. Luce, Guatemala City, Guatemala.	Fidelity Mutual Life Insurance Co. of Philadelphia, Pa.	2.8	1,200	
Do	Construcciones Populares, S.A.	Daniel O'Connell, Holyoke, Mass.	Carl M. Loeb, Rhoades & Co.	6.575	1,700	
Mexico	Graphic Arts Workers' Union, CTM.	AIFLD	Pension and Welfare Funds of AFL-CIO unions.	10.0	2,984	2,984
Peru	Apollo Industries	Lawrence I. Thorpe, Pittsburgh, Pa.	Chase Manhattan Bank	1.26	405	405
Do	do	do	do	1.04	400	
Do	Development Corp. International.	Haim S. Eliachar, Wellesley, Mass.	Carl M. Loeb, Rhoades & Co.	4.0	915	
Venezuela	Rahmani Construction Corp.	Sender Rahmani, White Plains, N.Y.	The Fidelity Mutual Life Insurance Co., The Penn Mutual Life Insurance Co., Provident Mutual Life Insurance Co. of Philadelphia.	6.302	824	
Total				84.502	17,206	3,700

Latin America housing investment guarantees—Letters of reservation issued as of Dec. 31, 1964

Country	Name of project	Sponsor	Investor	Dollar amount (millions)	Number of units
Argentina	AIDCO	Arthur Lubell, New York, N.Y.		6.0	1,000
Chile	AIFLD	William C. Doherty, Jr., Washington, D.C.	Alexander Bookstaver, Washington, D.C.	2.6	462
Costa Rica	INVU	Eduardo Zuniga Chavarria, San Jose, Costa Rica.	First National City Bank of New York	1.679	450
Dominican Republic	Burl Johnson & Associates	Burl Johnson & Associates, Severna Park, Md.; Virgilio Perez Bernal, Santo Domingo, Dominican Republic.	Chase Manhattan Bank	2.135	342
Do	AIFLD	William C. Doherty, Jr., Washington, D.C.	Alexander Bookstaver, Washington, D.C.	.850	800
Guatemala	Constructora Pacifico	W. R. Newton, Jess Nealy, Calvin J. Foster, Houston, Tex.		10.0	1,700
Jamaica	Kissell Co.	P. L. Greenawalt, Springfield, Ohio	Teachers Insurance & Annuity Association of America; Penn Mutual Life Insurance Co.; Provident Mutual Life Insurance of Philadelphia.	7.5	1,413
Do	Barness Construction Co.	Herbert Barness, Warrington, Bucks County, Pa.; O. B. Rose, Kingston, Jamaica.	Bankers Bond & Mortgage Co.	4.952	900
Nicaragua	The Charter Co.	Raymond Mason, Jacksonville, Fla.	Arquitectos Ingenieros, S.A.	6.941	802

Latin America housing investment guarantees—Letters of reservation issued as of Dec. 31, 1964—Continued

Country	Name of project	Sponsor	Investor	Dollar amount (millions)	Number of units
Peru	VIPSE	Enrique Schroth, Lima, Peru; James Tabor, Honolulu, Hawaii.	New England Mutual Life Insurance Co.; Bankers Life Co. & Teachers Annuity Co.	8.814	1,325
Venezuela	International Housing Association.	Paul L. Burkhard, Glendale, Calif.	Eastman Dillon, Union Securities & Co.	6.0	540
Do	INRESA	Moisai F. Eenceraf, Caracas, Venezuela	Chase Manhattan Bank	6.7	720
Do	Fundacion de la Vivienda Popular.	Eugenio Mendoza, Caracas, Venezuela	do	3.745	488
Total				67.916	11,059

Total authority		$250,000,000
Authorizations	$84,502,000	
Letters of reservation	67,916,000	
		152,418,000
Remaining authority		97,582,000

3. SOCIAL PROGRESS TRUST FUND LOANS

To date 43 percent of the amount of all loans granted by the SPTF were for housing. Again, the emphasis has been on loans for housing which is to be privately built and privately owned, even if in the first instance the borrower is a government or a government institution. SPTF loans have emphasized housing for low-income groups. Almost 40 percent of the housing is to be constructed by the owner or under mutual aid schemes. These loans have provided a complement to the direct AID loan and guarantee programs which have tended to attack the problem of the shortage of middle income and lower middle income housing.

SOCIAL PROGRESS TRUST FUND LOANS—IDB HOUSING LOANS (THROUGH DECEMBER 31, 1964)

Argentina: IDB loan US$30 million; local contribution equivalent to $30 million. Banco Hipotecario Nacional de Argentina, an autonomous agency of GOA is the borrower. Fifty percent of the project will be constructed by co-ops, including trade union co-ops; 20 percent by Argentine national, provincial and municipal housing agencies; 10 percent by private enterprise; 10 percent will be constructed by self-help methods; and the remaining 10 percent by miscellaneous means. Homeowners are private individuals. Homes are built by private contractors.

Bolivia: IDB loan US$4 million; local contribution equivalent to $1,429,000. Corporacion Boliviana de Fomento, an autonomous Government agency, is the borrower, guaranteed by Banco Central de Boliviana. The Bolivian Development Corporation is administering the program. Four construction plans are included in the program. First, 320 houses are being completed for private homeowners who need financial assistance to finish construction. Second, 1,100 houses are being built for families who participate in the construction on a self-help basis. Third, 2,350 homes are being constructed through housing co-ops and similar groups which own land or other resources, or both. Fourth, private sector savings and loan systems are set up for housing. Seed capital for the savings and loan associations enables the associations to finance construction of 100 homes. All construction is done by private contractors and all houses are owner occupied.

Brazil: IDB loan US$3,850,000; local contribution equivalent to $3,308,600. Banco do Nordesto do Brasil is the borrower. The loan is administered by Servicio Social Contra o Mocambo, an autonomous agency of the State of Pernambuco. Approximately 4,000 houses are being built under a broad slum clearance program in Recife and 2,500 units are being erected in 7 smaller towns. The remaining 2,000 are being built in Alto de Jordana, a suburb of Recife. The homes are available to persons whose incomes are less than four times the minimum annual wage of approximately $20 per month equivalent. All construction work is done by private contractors and all homes are owner occupied.

Chile: IDB loan US$5 million; local contribution equivalent to $2,697,000. Caja Central de Ahorros y Prestamos is the borrower, guaranteed by GOC. Caja is an autonomous agency of the Government. The loan was made to strengthen the savings and loan system. Members of co-ops affiliated with savings and loan associations are the homeowners. Construction is by private contractors.

Chile: IDB loan US$2 million; local contribution equivalent to $5,642,857. Soc. Promotora de Vivienda Economicos Ltda (Provien) is the borrower. The loan is guaranteed by Corporacion de Fomento de la Produccion (Corfo), an autonomous Government agency. Construction is by private contractors. Homes are occupied by private low-income families.

Chile: IDB loan US$2 million; local contribution equivalent to $3,600,000. Corporacion de la Vivienda is the borrower (Corvi). Corvi is a public agency established to improve housing conditions in Chile. Approximately 2,400 homes for private homeownership for low-income families are being constructed. Construction is by private contractors.

Chile: IDB loan US$5 million; local contribution equivalent to $2,700,000. Borrower is Caja Central de Ahorros y Prestamos, guaranteed by Government of Chile. This loan is to strengthen the savings and loan system structure and to cooperate with its affiliated associations in the construction of approximately 2,500 houses for private low-income homeowners. Construction is by private contractors.

Colombia: IDB loan US$15,200,000; local contribution equivalent to $14,140,000. Instituto de Credito Territorial, an autonomous agency of the Government of Colombia, is the borrower and will furnish 51.8 percent of the funds through IDB loan and 48.2 percent is furnished by prospective homeowners. Homes are for private individuals. Construction is on a self-help basis.

Colombia: IDB loan US$7,500,000; local contribution equivalent to $10,200,000. Borrower is Instituto de Credito Territorial, guaranteed by the Government of Colombia. Construction of 7,065 private owner-occupied houses on a self-help basis is being financed with these funds. The Instituto is an autonomous Government agency created to administer public housing plans for low-income groups.

Colombia: IDB loan US$2,500,000; local contribution equivalent to $1,750,000. Instituto de Credito Territorial is the borrower. The loan is guaranteed by the Government of Colombia. The loan will help finance construction of 1,400 houses for members of a trade union. The Instituto is responsible for construction of the houses. Construction is by private contractors. Homeowners will be members of two large labor groups. The loan will help finance 1,200 houses and 280 co-op apartments on land owned by the Instituto.

Costa Rica: IDB loan US$3,500,000; local contribution equivalent to $12,500,000 (US$). Instituto Nacional de Vivienda y Urbanismo (INVU), an autonomous agency of the GOCR is the borrower. Homes are occupied by owners. INVU is responsible for coordination of construction and assists co-ops and nonprofit institutions with construction of houses. Construction is by private contractors.

Costa Rica: IDB loan US$3,600,000 local contribution equivalent to $2,900,000. Borrower is Instituto Nacional de Vivienda y Urbanismo (INVU), guaranteed by GOCR. The loan will help finance the construction of 2,816 homes. INVU is responsible for planning and carrying out housing programs in Costa Rica. Homeowners will be private low-income families. Construction is by private contractors.

Dominican Republic: IDB loan US$3,500,000; local contribution equivalent to $2,875,000. The GODR is the borrower. Instituto Nacional de la Vivienda is in charge of the program. Low-income families who will purchase these houses will help in the construction on a self-help basis.

Ecuador: IDB loan US$10,600,000; local contribution equivalent to $5,800,000. Banco Ecuatoriano de la Vivienda is the borrower, guaranteed by GOE. Banco Ecuatoriano is in charge of these construction projects. Construction is by private contractors. A total of 7,600 units are to be constructed, of which 1,250 homeowners will receive help from their employers; 1,250 units will be constructed on lots owned by low-income families; 1,000 by means of funds made available by housing co-ops; 2,100 by direct construction; and 2,000 by self-help and mutual aid systems. Homeowners are private individuals.

El Salvador: IDB loan US$6,100,000; local contribution equivalent to $5,200,000. Instituto de Vivienda Urbana is borrower, guaranteed by GOES. Some 5,000 units are being built with 50 percent on a self-help and mutual aid basis. The rest is by direct construction by public bids. Homeowners are private individuals.

Guatamala: IDB loan US$5,300,000; local contribution equivalent to $5,440,000. Banco de Guatemala is the borrower. A total of 5,260 houses are being built by private contractors in three locations, with 3,260 units being constructed by Instituto Cooperativo Interamericano and 2,000 units by Caja Central de Ahorro, a central savings and loan bank. Homeowners are private individuals.

Honduras: IDB loan US$1 million; local contribution equivalent to $469,000. Borrower is Instituto de la Vivienda, guaranteed by Government of Honduras. A total of 716 units are being constructed for private homeowners; 616 units are being built on a self-help basis under technical direction of Instituto de la Viviendas and 100 are being put up on lots already owned by the low-income families. All construction work is by private contractors.

Mexico: IDB loan US$10 million; local contribution equivalent to $30 million. Nacional Financiera, S.A., is the borrower. The loan is guaranteed by the Government of Mexico. The project is being carried out by the Bank of Mexico. The loan provides partial financing for the first stage of a program to build homes for sale to low-income families through mortgage or fiduciary guarantee systems. The present loan, which is being supplemented by an AID loan of $20 million provides for 23,000 houses. Homeowners are private low-income families. Construction is by private contractors.

Nicaragua: IDB loan US$5,200,000; local contribution equivalent to $2,589,000. Instituto Nicaraguense de la Vivienda is borrower, guaranteed by the Government of Nicaragua. About half of the 2,850 units are being built through self-help or mutual systems. Of the balance of 1,460 homes, 560 are being constructed on lots already owned by the owners and 900 are being sold to families who have accumulated savings up to the equivalent of 10 percent of cost. All construction work is being done by private contractors.

Nicaragua: IDB loan US$5,250,000; local contribution equivalent to $4,687,000. Borrower is Instituto Nicaraguense de la Vivienda, guaranteed by the Government of Nicaragua. Up to $2,750,000 will be used by private homeowners to finance their own construction. The balance will be used to construct homes through saving and loan systems for private low-income homeowners. Construction will be by private contractors.

Panama: IDB loan US$7,600,000; local contribution equivalent to $3,100,000. Instituto de Vivienda y Urbanismo is borrower with the Government of Panama as guarantor. Local funds are used to promote establishment of savings and loan arrangements and mortgage insurance. Private homeowners are building approximately 1,000 units through self-help and mutual aid arrangements. Approximately 2,000 are being built for private individuals under contracts awarded to private contractors through public bidding. INVU is responsible for coordinating urbanization and planning.

Paraguay: IDB loan US$3,400,000; local contribution equivalent to $437,000. Borrower is the Government of Paraguay. The loan will be administered by the Paraguayan Institute of Housing and Urban Affairs. The project will be applied to 4 types of construction, i.e., 1,500 will be constructed on a self-help basis; 300 houses by housing co-ops and committees; 740 will be partially constructed by private local contractors and completed by the homeowners on self-help and mutual aid basis; and 1,270 loans will be used by homeowners for the construction of a "second bedroom."

Peru: IDB loan US$22,800,000; local contribution equivalent to $20,900,000. Instituto de Vivienda del Peru, an agency of the Government of Peru, is borrower. Homeowners are private individuals with three-quarters of the homes being constructed on a self-help basis. Approximately 5,300 units were built through co-ops and S. & L. associations by private contractors.

Peru: IDB loan US$1 million; local contribution equivalent to $1,069,200. Asociacion Mutual de Credito para la Vivienda is the borrower guaranteed by the Government of Peru. This loan was made to strengthen the resources of the borrower, a private mutual credit institution, which channels private savings into financing low-cost housing. Approximately 400 low-cost dwellings were built for members of the Asociacion. Homeowners are private individuals who are members of the Asociacion. Construction is by private contractors.

Uruguay: IDB loan US$8 million; local contribution equivalent to $7,300,000. Republic of Uruguay is the borrower. Responsibility for the construction was divided among four government agencies. Homeowners are private individuals and constructions is by private contractors.

Venezuela: IDB loan US$12 million; contribution equivalent to $33,950,000. Banco Obrero is borrower with the Government of Venezuela as guarantor. Homeowners are private families. Construction is on a self-help basis.

Venezuela: IDB loan US$10 million; local contribution equivalent to $5 million. Banco Obrero de Venezuela is the borrower, guaranteed by the Government of Venezuela. A total of 5,710 low-cost houses are being built by private contractors. Homeowners are private low-income families.

4. TECHNICAL ASSISTANCE IN HOUSING

The Alliance has done much more than just build housing in its comprehensive attack on the Latin American housing problem. A great deal of time, effort, and money has gone into technical assistance in the housing field. In rendering technical assistance, the Alliance has called upon the U.S. universities, the U.S. cooperatives, the U.S. saving and loan industry, U.S. mortgage bankers, and others. However, the bulk of the effort has been focused on an effort to develop private Latin American financing institutions, particularly savings and loan associations. A few examples of the areas of technical assistance in the housing field are as follows:

First. Training in the United States of private Latin American mortgage banking and savings and loan personnel.

Second. Technical assistance, through contracts with U.S. mortgage bankers, savings and loan and cooperative experts, to housing professionals throughout Latin America.

Third. Compilation of indexes of building materials and sources of supplies.

Fourth. The development in Bogotá of an Inter-American Housing Center to train professionals in the field of housing.

Fifth. The use of Peace Corps volunteers in community action programs in very low cost Latin America's housing projects.

Sixth. Technical assistance to governments in the development of administrative rules and regulations in the housing field, for example zoning requirements.

Seventh. Technical assistance in the development of national and local housing plans.

Eighth. Technical assistance in the establishment of Latin America's counterparts of our FHA.

5. ASSISTANCE IN AREAS RELATED TO HOUSING

One cannot look at the Alliance's approach to the housing problem without mentioning other efforts in fields intimately related to housing. Thus, 10 of the 29 SPTF loans made in 1964 were for water supply and sanitation facilities. AID has made a number of direct loans for sewerage systems, water supply, and other purposes directly related to the improvement of housing. Technical assistance in these fields has also been widespread.

In addition, every effort made by the Alliance for Progress, both by the United States and the Latin American countries, is dedicated to eventual decent housing.

Assistance to education, development of a viable agriculture sector, support of businesses and industries, the construction of roads, creation of powerplants—in other words, all economic development activities form the necessary base for a population which can afford adequate homes. This is the principal road to the solution of Latin American housing problems.

D. SUMMARY

An enormous housing problem exists in Latin America. Only a beginning has been made in the solution of the problem. Its substantial solution is essential to a stable Latin America. This has been recognized by all the countries participating in the Alliance for Progress. It is a cornerstone of the U.S. effort in Latin America.

The solution, however, must come largely from within Latin America and principally through the development of private financing institutions and private builders.

The external contribution to the solution must be in terms of demonstration programs, institution building efforts, technical help and the like, not merely the construction of houses. The Alliance has undertaken a vast program to deal with the problem, attacking it at every possible point. Two of the major achievements to date are as follows:

First. Over $435 million in U.S. loans have been approved to finance a total of 282,000 units to house about 1,400,000 people. This has been accomplished overwhelmingly through private builders The loans have not only built houses. They have contributed substantially to the development of financing institutions which it is believed will continue to grow and develop.

Second. A few years ago, mutual savings institutions and savings and loan associations were unheard of in Latin America. Today, as a result of assistance under the Alliance for Progress, nine countries have savings and loan legislation similar to that in the United States, suitably adopted to local requirements—Bolivia, Chile, Dominican Republic, Ecuador, El Salvador, Guatemala, Panama, Peru, and Venezuela. Argentina and Nicaragua are seriously considering the enactment of similar legislation. Of the nine countries already provided with such legislation, six now have active programs—Chile, Dominican Republic, Ecuador, Guatemala, Peru, and Venezuela—and the others are in process of implementation. In the six countries with active programs, there are already 83 savings and loan associations, 215,000 savers, and over $75 million in gross savings. Approximately 25,000 homes have been financed through these associations and the value of mortgages recorded total $107 million.

The United States will continue and intensify its attack on the housing problem. The emphasis will remain on the development of private institutions. Admittedly, however, the U.S. effort, although great, is marginal and can only help those willing to help themselves. As in every aspect of the Alliance, the solution to the problem of providing adequate housing in Latin America belongs to the Latin Americans. The record so far indicates that the United States is carrying out its commitment in this field and that the Latin Americans are equally accepting their responsibility.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DERWINSKI].

Mr. DERWINSKI. Mr. Chairman, the fact that several hundred Members are present for this debate this afternoon is evidence of the keen interest which the House has in the words of wisdom we pour forth.

However, following the technique of the gentleman from Florida, I should like to speak to those Members of the House who still have open minds on this subject.

It is true, as the gentleman from Florida pointed out, that some Members close their minds to the merits of this program and in very stubborn fashion oppose its wonderful precepts this year.

I believe it would be true also to say that some Members close their minds to obvious deficiencies in this program and very blindly support all sections of it.

Assuming that the hundreds of Members here this afternoon have open minds and do wish to know the real truth of the program, I refer specifically to page 69 of the committee report, on which appear the minority views.

Mr. Chairman, this year's foreign aid bill is a greater insult to the intelligence of the American public than any one of its predecessors. The public is not being told the truth about the philosophical inconsistencies or administrative defects of the program. I do not believe that the Congress is being told the truth. As a member of the Foreign Affairs Committee, I do not believe that testimony we receive in either open or executive session from executive branch officials is completely legitimate.

The philosophical inconsistencies of the program can be seen in the recurring Indian-Pakistani clashes. Both countries, especially India, are recipients of substantial foreign aid, yet both accuse the United States of aiding the other and are deliberately courting Communist lands to supposedly strengthen them against the actions of their antagonistic neighbor and the United States.

Supposedly the fundamental reason for the foreign aid program is to halt the spread of communism, yet so-called neutralists with strong leftist tendencies are among the major beneficiaries of the program.

From an administrative standpoint, repeated GAO reports dramatize the inadequate personnel discovered in the AID agency, and the repeated use of funds for impractical, inconsistent projects are annually reported to us, yet the administration rejects any suggestion that a thorough review and overhaul of the program is in order.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Connecticut.

Mr. MONAGAN. Are those not the views of a minority of the minority?

Mr. DERWINSKI. I was about to point out, that is an additional distinction. We are affectionately referred to as a minority of the minority, which, as I see it, should entitle us to special consideration as a doubly persecuted minority group, especially in this day and age of interest in minorities.

But if you will note—I especially commend my remarks to the gentleman from Florida—we do make constructive suggestions specifically on page 69 where we point out the basic defects and then go on for 24 pages of charts as well as very effective testimony emphasizing the methods by which this program can be improved.

Mr. Chairman, I should like to point out also that there are some basic inconsistencies in this program which have not received proper attention either by the loyal supporters of the bill or even the occasional critics of the bill. For example, we find the United States in a most intriguing position whenever a clash occurs on the India-Pakistan border. We find, instead of at least one or the other government appreciating the aid we have given them, the Government of Pakistan rushes into negotiations with Red China because we are aiding India and the Indians, as the gentleman from Iowa [Mr. GROSS] pointed out, rushing up to Moscow for moral support because we are aiding Pakistan. Certainly this program should have enough consistency so we should have the good will and the appreciation of at least one of those governments. I can understand not being able to please both of the governments, but I cannot justify a program in which we alienate both governments.

I should like to point out also to the Members, when we rely on the GAO reports for constructive reviews of the program they generally come a little too late. An immediate review by the committee might well be in order. Numerous references have been made to the wonderful leadership that the gentleman from Pennsylvania [Dr. MORGAN] gives to the committee. I must say that Dr. MORGAN is a very benevolent chairman of the committee and especially benevolent in his attitude toward the oppressed minority. However, it is interesting to note on the other side——

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. Yes. I yield to the gentleman.

Mr. HAYS. Why do you keep talking about this oppressed minority of the minority? You fellows get all the time you want. Who oppresses you?

Mr. DERWINSKI. I especially appreciate the gentleman's entering into the conversation, because he gives us the dramatic attention we also deserve.

Mr. HAYS. I would do anything to get you a little attention. I think you ought to have all the attention you want. But I cannot figure out who has been oppressing you.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. Yes. May I yield to the gentleman from New Jersey?

Mr. HAYS. Surely.

Mr. FRELINGHUYSEN. I assume from what the gentleman said he is not suggesting that the minority is attempting to oppress the minority or persecute it. I know of no one on the committee, either majority or minority, attempting to persecute or oppress the minority of the minority. I assume the gentleman is being basically facetious in order to make his points about this matter in talking about oppression and persecution.

Mr. DERWINSKI. Yes. I admit I am being slightly facetious, but I do so in order to dramatize the frustrations we suffer after having worked for hours and days and months in producing these minority reports and then find the gentleman from Wisconsin [Mr. ZABLOCKI] emphasizing the fact that this bill should be passed without any change. You can imagine our frustration.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. Yes. I yield to the gentleman.

Mr. GALLAGHER. Now that the majority of the minority has expressed appreciation, we want you to be reassured that the majority of the majority also appreciates you very much, and while we cannot agree with you, we are hopeful you will see the light and become a part of either one of these groups.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. Yes. I yield to the gentleman.

Mr. ZABLOCKI. Do I understand the gentleman to say he was so impressed with what the gentleman from Wisconsin has said that the gentleman from Illinois has come to the point of frustration?

Mr. DERWINSKI. No. I said I was frustrated to hear the gentleman from Wisconsin ask us not to accept any amendments to the bill.

Mr. ZABLOCKI. I was sincere in that request.

Mr. DERWINSKI. I imagine the gentleman is also a good prophet. I do not believe we will be able to pass any amendments. However, I should like to return once again to our minority views to point out that we do make some specific, concrete suggestions as to how to improve this program. We are really the greatest supporters that this program has.

Blind support of the program is causing more danger than the sustained opposition that we give it, because unless there were consistent critics, unless there were Members willing to speak up against the great utopian platitudes of this program, even greater abuses would develop.

I especially commend to the attention of the Members the last two pages of the minority views, pages 92 and 93 in the committee report, where we emphasize the failures of the program. We hope to attract enough attention to have the Members join us in having a thorough look at this entire program.

I should like to point out not only to the members of the Committee on Foreign Affairs but to all the Members of this House here assembled that the other body has indicated that it will pass a bill for a 2-year authorization and it will use the free year to study the program. I should think that we in the House should be especially interested in guarding our prerogatives. If there is any review of the program we should seize the reins of leadership and one of the things we would have to do is to be perfectly honest with ourselves and start to recognize the defects.

I should like to join the majority, and the majority of the minority, in accepting those parts of the program which have value; and in turn I should like to have them join us in a very thorough review of the obvious inconsistencies that have developed.

For example, right at the present moment, the great interest of the public is concentrated on Vietnam and the Dominican Republic. Yet very often it has been pointed out to us with great pride by the administrators of the foreign aid program that we have up to this year supplied more economic assistance for Vietnam than military assistance.

Now, this is not a good argument in favor of the foreign aid bill. It is an argument which dramatizes its failure. The same might apply to the case of the Dominican Republic. Obviously we have not produced stability in a program which has so many wonderful illusions, yet so many obvious failures, and deserves a complete and thorough review. In all frankness, instead of in facetiousness, since we do have this tremendous interest on the part of the Members—and obviously if someone were to suggest the absence of a quorum, there would be no question but that the numbers here present are far below a quorum—obviously the membership of the House has lost interest in discussing this program. They have become either frustrated or complacent. Certainly the lack of interest is something we should be concerned with and a program of this magnitude should not be treated so lightly.

I should like to suggest for whatever time we have left in debate, and for whatever time we will have tomorrow during the amendment stage that instead of repeated words of praise for the program, very careful and special attention be given our minority views. We believe they are most constructive.

Specifically, we emphasize the drain on U.S. gold stocks of the foreign aid program.

We emphasize the over $1 billion in foreign currency, the so-called counterpart funds, accumulated in many countries which should be used to lessen the pressure on our dollar.

We emphasize the completely inadequate review of this massive program.

We emphasize the contradiction in aiding countries to supposedly combat communism while the administration is preparing to subsidize Communist nations via the trade route.

We emphasize the worsening U.S. image abroad which in substantial part is developing because of the weak-kneed administration of this program.

We emphasize the need for reaffirmation of congressional control over the foreign aid program. This House could enter the pages of history as a most effective Congress by rejecting the propaganda of the State Department and on behalf of the American public and world freedom completely reexamining, then revamping, streamlining, and redirecting this program.

Mr. MORGAN. Mr. Chairman, I yield 10 minutes to the gentleman from Connecticut [Mr. MONAGAN].

Mr. MONAGAN. Mr. Chairman, it is a great privilege and also a responsibility to follow such a distinguished commentator as the gentleman from Illinois [Mr. DERWINSKI]. So far as the foreign aid program is concerned I think of him as the smiling assassin. No one can wield a stiletto with greater finesse. I warn that we must exercise great caution in considering his statements because of the disarming approach that he uses. When he is most genial, he is at his most dangerous.

I was interested to hear him classify himself and other members of his team as supporters of the program. Because if they are supporters, who needs opponents?

Mr. Chairman, I should like to begin by referring to one point that has been previously made in opposition to the bill and that is the so-called standby authority for southeast Asia.

Under that provision as it stands now—we authorize for fiscal year 1966 an appropriation to the President of such sums as may be necessary for use in southeast Asia.

The point was made by the gentleman from Indiana [Mr. ADAIR] and the gentleman from New Jersey [Mr. FRELINGHUYSEN] that this represented an unwarranted surrender of congressional authority.

Well, first of all I should like to point out that the committee itself took action on this proposal in connection with section 510 which covers the whole world and an amount of $300 million. The committee reduced the time that was requested by the executive and limited this authority to 1 year, so that rather than giving a surrender of legislative authority, the committee made an exercise of legislative authority.

And, second, it seems to me that if we are going to raise the question of the proper time to give the benefit of the doubt to the executive, this is hardly the time to do it when the President of the United States comes in and says to the Congress, "I would like some authority to use funds that may be necessary in connection with the very difficult and complicated military situation in which we find ourselves in southeast Asia."

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. MONAGAN. I would be glad to yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I think that the point should be clarified with respect to what the executive branch requested.

The gentleman from Connecticut intimated that the committee in some way restricted the time period during which this standby authorization would be available.

Mr. MONAGAN. That is correct with reference to section 510.

Mr. FRELINGHUYSEN. If the gentleman will yield further, the executive branch only requested this for a period of 12 months. The committee made no change in the time period.

Mr. MONAGAN. That is true so far as section 107(a)(2), the standby authority is concerned, but with section 510 which is much broader, I offered the amendment to limit this to 1 year and there was no limitation in the text of the legislation as it came to the committee. It was passed by, I believe, 26 votes to 0.

Mr. FRELINGHUYSEN. If the gentleman will yield further, my recollection is that the request with respect to the contingency fund was for Vietnam only. The committee says that the money can be made available anywhere in southeast Asia, and it is for a 12-month period. We made no change in that provision even though the request was made before the specific appeal by the President for $700 million for unspecified purposes in southeast Asia. This aid for U.S. forces would seem to me to reduce the necessity for this kind of authorization. The fact that the Committee on Foreign Affairs still took this action strikes me as an unusual step, if nothing else. Certainly in any case it is a very major delegation of responsibility to the executive branch of our Government which normally, and it seems to me still today, should rest with the legislative branch.

Mr. MONAGAN. There is obviously a difference of opinion between the gentleman from New Jersey and myself as to whether or not this delegation is appropriate and whether or not it is adequate and whether or not it is extreme. I happen to feel that it represents a proper exercise of our legislative function and well-advised support of the President.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield on that point?

Mr. MONAGAN. I am glad to yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Chairman, I am glad to say that I agree with the gentleman from Connecticut because the question comes up in a troubled area, southeast Asia. Can this Congress or either body run a war from the floor? Can we take emergency action on sudden notice that might be a matter of minutes or hours in order to give authorization to the President or shall the President act without such authorization and then come back for confirmation.

It seems to me to be much more preferable to have the President authorized in areas where there is a continuing emergency to act with our authorization which we can later confirm so that there is not the requirement of a condition precedent which might endanger either American life or the country itself.

Mr. MONAGAN. I thank the gentleman for his remarks.

Mr. Chairman, there is one other point upon which I should like to touch and that is the criticism that our allies or friendly nations have not cooperated with us in this complicated situation in which we find ourselves in southeast Asia.

I should like to point out that the capacity of these countries is, in the first place, not comparable to ours. Some of these countries have gone through very difficult and trying times, financially and otherwise.

Second, some countries are working with us. There are two countries I should like to refer to that are actively engaged in the problem in southeast Asia. One of them is Korea which has over 2,000 troops in South Vietnam today as a voluntary action and through a voluntary offer by them. Second, the British have a complex and difficult problem that is comparable to ours in Malaysia. The British have 50,000 troops in Malaysia with aircraft carriers and other equipment trying to do exactly the sort of thing we are trying to do in South Vietnam; that is, to stabilize that area and to bring about peace. This is a very substantial effort, indeed. Other contributions are being made too, and I mention these facts for the RECORD, although I would be glad to admit that contributions could be more substantial and could be more widespread.

Mr. Chairman, I support H.R. 7750, the Foreign Assistance Act of 1965. My principal reason for supporting this legislation can be found in the statement made by Secretary of Defense McNamara when he appeared before our committee on March 11, 1965. He said:

> The military assistance program is an essential element of our national defense and a major tool of our foreign policy.

The Secretary also emphasized that no other money in the defense budget contributes so much to our security as military assistance.

In view of the critical state of the world today and the dangers threatening our national security, I suggest that we need no other justification. If it is an essential element of our defense, we must support it.

The total amount requested in this bill, including both existing and new authorization, is $3.367 billion. Of this amount $2.004 billion represents a new authorization, and it is on this latter amount that action of the House is requested.

When one looks at the major provisions of this bill, the reasons for supporting it are compelling. To begin with, we have the military assistance section in the amount of $1.17 billion. These funds are expended in supporting the effort of various cooperative and friendly countries in combating the Communist threat. Of this total, 84 percent is allocated to 11 key countries on the borders of the Sino-Soviet bloc. The major expenditures are made in countries such as Vietnam, Thailand, Korea, the Republic of China, Greece, and Turkey. These nations are on the frontline of the free world's defense against communism and it is clearly in our national interest to support their effort.

The average per capita gross national product of the 11 principal forward defense countries is $168.55 compared with $3,239 for the United States. While this amount is only one-twentieth of ours, the percentage of gross national product which they spend for defense is 50 percent more than ours.

In connection with the aid given in the forward defense program, we must not forget the savings effected through this program over the costs which we would have to pay if American troops were used in these policing functions. The average annual cost of pay and allowances, subsistence and clothing for a soldier of these countries is $497, while the comparable cost for a U.S. soldier is $4,347, or almost 10 times the former amount.

In addition to the forward defense program, under the military section there is the important schedule of assistance to Latin American countries which, in many cases, is not really the same type of assistance that we have been discussing but involves general force training and strengthening of internal security capabilities, as well as support of civil action projects. This is money well spent and the civic action program is one that is extremely helpful to the countries involved through its provision of highways and similar public works. At the same time, it does raise the question as to whether or not these essentially economic items should be financed through the military budget. Undoubtedly, the most compelling argument in their favor is the point that the allocation of these programs to economic aid would mean a tremendous increase in cost, since they would have to be done by private contractors and could no longer be done at reduced rates by military serving under short-term conscription. But the philosophy is one which we should reexamine and, in fact, the committee has included minatory language in the bill in section 201c.

The third principal item of military assistance relates to aid given to countries with whom we have base arrangements. Anyone who has seen the Spanish bases and recalls the Congo crisis realizes the role that these facilities and the bases in the Azores play in providing the United States with the capacity to meet the recurring national crises with which we are habitually faced today. These are the major provisions of the military phase of the bill.

I want to emphasize one aspect of the military assistance program which urgently requires the attention of the Defense Department. I refer to the program in Greece. General Lemnitzer in his statement to the committee pointed out that the assistance cuts which Congress made in the 1964 fiscal year program had resulted in delays in providing adequate equipment for the Greek Army. These cuts amounted to $400 million. His description of the need for improving the status of the Greek Army was the strongest of any statement presented to us during the course of our hearings. When I questioned him he pointed out—on page 1215 of the hearings—that the $400 million reduction in fiscal year 1964 had stalled the program for replacing obsolete equipment in the Greek Army. This reduction came at a time when the Bulgarian Army was being given improved equipment. The geographical facts of life are clear for all to see. The Bulgarian military strength can be placed at a point less than 20 miles from the sea and preventing this army from breaking through the narrow strip of Greek territory is a vital objective of NATO. While this bill does not compel the expenditure of increased funds to bring this project back to its normal course, nevertheless its vital importance to our overall military program must be emphasized and I sincerely hope that General Lemnitzer will administratively be given the funds necessary to take the steps which he so urgently desires.

Before I leave the military assistance program I want to speak of one aspect of this program which concerns me increasingly. This is our national program of military sales. This program began as a sort of setoff to the foreign aid program whereby we would recoup in this fashion some of the expenditures which we were making for foreign assistance.

It now has grown, however, to a point of real concern. These sales amount to $1.5 billion a year and the United States is the largest arms merchant in the world. This growth has caused serious resentment among our allies.

It seems to me that the time has come when we should seriously consider the implications of this program. We certainly do not wish to reach the point where the sale of arms becomes an end in itself and a policy much like the General Motors sales program for automobiles with its aggressive merchandising appears to be in the process of development in the Defense Department.

We who can recall the 1920's and 1930's and the concern with which we viewed the warmaking potential of the munitions makers of that time should be alert to prevent repetition of those activities as a national policy. Our economy depends sufficiently upon war preparations today in the task of developing the weapons for our own defense. Surely the time has come when we must question whether the extensive stimulation of arms sales throughout the world as an official program of the United States should not be curtailed.

Insofar as the economic aid program is concerned, it is interesting to note that two-thirds of the total funds are expected to go to seven countries: India, Pakistan, Turkey, Nigeria, Tunisia, Brazil, and Chile. These nations all have underway major development programs, and the importance to the United States of the economic well-being of these countries is too obvious to require emphasis by me.

In this phase of the program, it is worth while, I think, to emphasize the dramatic expansion of the specific risk investment guarantee program. This has grown from 186 contracts for $426 million in 1963 to 486 contracts for $708 million in 1964.

This is a progressive way of helping these nations without the actual use or expenditure of Government funds. It represents the stimulation of private investment somewhat in the nature of FHA mortgage guarantees.

Generally speaking, the economic program follows its customary course. I feel that there has been improved management and tighter controls. We have not seen the freewheeling and lack of control that frequently characterized this program in the past.

Certain underdeveloped countries look to us for assistance in creating a firm base for development and it is in our national interest to help them. Frequently the results are encouraging. This has been the case in Israel and in free China.

With careful management and with intelligent operation, the assistance program forwards our national foreign policy and constitutes an essential tool for our leaders in fashioning our national security.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. THOMPSON].

Mr. HALL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Fifty-nine Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 107]

Andrews,
George W.
Ashbrook
Ashley
Bandstra
Baring
Berry
Bonner
Brademas
Brock
Brown, Ohio
Buchanan
Burton, Calif.
Callaway
Carter
Chelf
Clausen,
Don H.
Daddario
Dent
Dingell
Edmondson
Feighan
Flynt
Fogarty
Gilligan
Gray
Green, Oreg.
Griffin
Gurney
Hagen, Calif.
Hamilton
Hanna
Harsha
Harvey, Ind.
Harvey, Mich.
Hébert
Herlong
Holland
Hungate
Ichord
Jennings
Johnson, Pa.
Jonas
Kluczynski
Lennon
Lindsay
Long, Md.
McMillan
Macdonald
MacGregor
Mackie
Mailliard
Martin, Ala.
Martin, Mass.
Mathias
Morrison
Mosher
O'Neill, Mass.
Pelly
Powell
Purcell
Quie
Reid, N.Y.
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Roncalio
Rooney, N.Y.
Rostenkowski
Roybal
Saylor
Sisk
Smith, N.Y.
Springer
Stubblefield
Toll
Weltner
Widnall
Willis
Wright

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having resumed the chair, Mr. LANDRUM, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, H.R. 7750, and finding itself without a quorum, he had directed the roll to be called when 353 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its session.

The CHAIRMAN. The gentleman from Wisconsin [Mr. THOMSON] is recognized for 10 minutes.

Mr. THOMSON of Wisconsin. Mr. Chairman, the debate on this measure so far has seemed to emphasize the duty or obligation or desire of our Government to build in other nations a stable government and a viable economy. I would like to inject at this time a few comments about a desire that many people have in America; to preserve in this country a stable government and a viable economy, and I think much can be done toward that end by eliminating waste and extravagance that still exists in the program which is voted year after year by this Congress.

In furtherance of that objective, I would like to bring to your attention, those of you who have not already seen them, some of the reports of the General Accounting Office which relate to the improper use of American AID funds in the foreign nations.

The first I would like to call to your attention is dated May 20, 1965. So it is a very current report from the Comptroller General. It relates, as I will read to you, the improper payment of port charges on shipments to Colombia of food which is donated under title III of the Agricultural Trade Development and Assistance Act of 1954. I quote now from the report:

> The Agency for International Development has made and is currently making improper payments for ocean shipments of surplus agricultural commodities donated by the United States to U.S. voluntary relief agencies under title III, Public Law 480. Our test of payments made from July 1961 to April 1963 disclosed that about $393,000 was improperly paid on shipments to Colombia during that period because tariff rates included port charges comprising consular, unloading, handling, warehousing, and transportation charges properly chargeable to the Colombian Government under the terms of agreements between the voluntary relief agencies and the Colombian Government. This situation resulted from the failure of the Agency for International Development and the voluntary relief agencies to examine adequately the makeup of the tariff rates which included these charges.
>
> We are issuing this report to the Congress because of the continuing improper payments and the lack of action by Agency officials to date to protect the Government's financial interests.

Then I call your attention to a report dated as recently as March 19, 1965, relating to unnecessary dollar costs incurred in financing purchases of commodities produced in Brazil. The Comptroller says:

> From July 1961 through December 1963, the Agency for International Development unnecessarily spent $3.8 million for financing shipments of Brazilian sugar and other commodities produced in Brazil to several other aid-receiving countries when it could have paid for these shipments with U.S.-owned Brazilian cruzeiros.
>
> If the Agency had spent cruzeiros rather than dollars, it would have (1) helped alleviate the United States balance-of-payments deficit, (2) provided the U.S. Treasury with an equivalent amount of dollar receipts which would have acted to reduce the U.S. budget deficit, and (3) avoided a severe loss, from inflation, in the value of an equivalent amount of U.S.-owned cruzeiros. We are reporting this matter to the Congress because of its significance in relation to the continuing congressional interest in the administration of the foreign assistance program and, in particular, the administration of foreign currencies owned by the United States.

Then here is another report dated April 12, 1965. So this, too, is a current report. It deals with the ineffective utilization of excess personal property in the foreign assistance program. I quote the Comptroller General:

> Our examination into the utilization of excess personal property by the Agency for International Development showed that in five aid-receiving countries U.S.-financed property purchases and planned purchases estimated at $2,840,000 could have been avoided and that additional purchases and planned purchases estimated at $660,000 probably could have been avoided if excess property already owned by the Agency or available from other Federal agencies had been substituted therefor. In certain cases, the Agency was financing the procurement of new equipment while the military departments and other Federal agencies were selling or otherwise disposing of excess stocks of the same or similar-type items.

Now I turn to a report dated April 29, 1965, by the Comptroller General on the subject of questionable aspects of budget support loans made to the Government of Ecuador. I quote from this report as follows:

> Our examination into two budget-support loans totaling $15 million made to the Government of Ecuador showed that, in determining the amount of U.S. assistance needed by the Government of Ecuador to fund its budget deficits for calendar years 1961 and 1962, the Agency for International Development did not insist, as a precondition to United States aid, that the Government of Ecuador avail itself of all potential sources of internal borrowings or that it fully develop certain tax sources.

I continue to quote:

> The Agency acknowledged that its loans to the Government of Ecuador were excessive by about $800,000 on the basis of the credit ceiling at the Central Bank of Ecuador which the Agency stated had remained unused at the calendar period when the Government of Ecuador's receipts were the lowest.

Now I turn to a matter which I call particularly to your attention. It is another report from the Comptroller General. This one is entitled "Followup Examination on Certain Aspects of U.S. Assistance to the Central Treaty Organization for a Rail Link Between Turkey and Iran." This report is also dated April 29, 1965. I quote from the report:

> Our followup examination on certain aspects of U.S. assistance to the Central Treaty Organization for a rail link between Turkey and Iran showed that the Agency for International Development financed with loan funds equipment costing $543,000 which was initially designed for use in construction of the roadbed of the Mus-Tatvan rail line in Turkey—

I ask Members to listen to this incredible story—

> even though the roadbed had already been completed. The Agency financed the equipment despite the fact that we had previously reported to the Agency that the roadbed was expected to be completed before delivery of the equipment and it had independently verified that such was the case.

I continue to quote from this report:

> Certain of the equipment, costing $340,000, was not designated or justified for any use other than that of roadbed construction, and it was not needed for construction of the roadbed. With respect to the remaining equipment costing $203,000, after we pointed out that it could not be properly provided as roadbed construction equipment, the Agency decided to furnish it under the category of maintenance equipment. This decision required a special determination of the Administrator, Agency for International Development, because maintenance equipment was not authorized to be furnished for the project under the terms of the agreement providing funds for the project. Even so, Agency files indicate that, for the most part, the equipment may not be needed for maintenance of the project.

I continue to quote from the report:

> We found that the Agency's organizational unit responsible for the post audit of Agency-financed purchases and initiation of any appropriate refund action was not aware of the ineligibility of the construction equipment questioned in this report.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield the gentleman from Wisconsin 5 additional minutes.

Mr. THOMSON of Wisconsin. Mr. Chairman, I continue to quote from this report:

> We first reported on this matter to the Agency in April 1963 and it was included in our prior report to the Congress published March 5, 1964. Because of the lack of effective action by the Agency with respect to the equipment involved, we again brought the matter up with the Agency and we are again reporting it to the Congress.

I now conclude with this item in the report:

> However, since corrective action is still required even though we first brought this matter to the attention of the Agency about 2 years ago, we intend to follow up after a reasonable period of time to ascertain whether the proposed actions are, in fact, taken by the Agency.

Now, someone claimed in this discussion that no one was making any suggestions about reforms or the manner in which we could prevent some of the loss of American tax money through activities of this kind. Well, I suggested last year and I suggest again this year that we provide that the Inspector General have control of the investigators in each one of the missions throughout the world where American foreign aid money is going. A year ago I reported to this committee about the use of American money to buy lipstick, to buy eye shadow and deodorants and, yes, even to buy contraceptives. I inquired how that could happen. The end use investigators told me that they were under obligation to the chief of mission and to the Ambassador, who was trying to curry favor with the foreign country. So they permitted some of these things to be purchased with our money. I say to you it is about time that we get an end use investigator who is responsible only to the Government in Washington and to the taxpayers of America and we get away from this wasteful diplomatic game they are playing all over the world with the American taxpayers' money.

I would like to suggest to the Members of the House in the remaining time I have that I have a bill which I introduced on this subject. I was very hopeful that the great chairman of our committee, who has been interested in the problem of the Inspector General and the proper use of American money would follow through on this matter. The number of the bill that I introduced last January 4 is H.R. 692. I hope it will see the light of day.

One more item. AID, after being in existence for 20 years, authorized a study entitled "A Study of Some Key U.S. AID Jobs." Do you know how much they paid for that study? They paid $281,477.31 to send some people out to interview the four chiefs of mission and the three people next in charge in the missions throughout the world and to make a report to the agency concerning the duties of those jobs.

I would like to read into the RECORD some of the language in this report. This study was made, incidentally, by the American Institute for Research of Pittsburgh, Pa., an agency which received from AID more than $775,000 to make studies of this kind. I would like to quote this paragraph so that you will understand the problems faced by that Agency:

> Feasible means for measuring the degree to which a prospective incumbent possesses some of the requisite characteristics may not be currently available to AID. However, the inability to measure the characteristic within the constraints that now bind the Agency should not be confused with the issue of whether or not a characteristic is essential to do a job effectively. If the characteristic is needed, and AID chooses and places a candidate lacking it in the appropriate degree, the aspects of the job in which the characteristic is required cannot be performed effectively.

What did the Agency do? They reviewed this report. Is that not incredible? Well, here is something more incredible. Here are the recommendations that the Agency made after reading this $281,000 report.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. THOMSON of Wisconsin. Recommendation No. 1:

> There should be prepared a definition of the hard-core functions of the four positions studied.

After 20 years and $281,000 invested in this study, we have to outline what the duties of those people are.

Here is another one—this is problem No. 5. This is the recommendation by the Agency itself that studied the report:

> Mentioned frequently in the study was the complaint of interviewees about the inability of subordinates to write clearly and concisely. The need for an improvement in writing skills has been recognized in AID/W. Writing improvement courses have been offered and have been encouraged by top Washington management.

The recommendation to that is this:

> AID/W should prepare two writing improvement courses. One should be short, suitable for top mission management personnel. The other should be more intensive, suited to the remainder of the mission's complement.

I presume the ones at the top only need to write a little bit. They are probably signing the checks. While the fellows that need the long and more intensive course are the ones writing back to Washington to tell you all of the good things they are doing in the mission while they are many miles away from Washington.

Mr. Chairman, I think there are so many loopholes in this AID program that our Government is wasting taxpayers' money in an amount equal to the contributions of all the other countries of the world toward a program that will build strong nations and viable economies throughout the world. I hope Members will join me in a little thought toward preserving in America viability, and a strong government with more regard for the American taxpayer.

Mr. MORGAN. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. MILLER].

Mr. MILLER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER. Mr. Chairman, the press today is carrying a story that is of great import to this country and its future. The British Government is going on the metric system. This may not sound important to you, but the British Government apparently has been forced to go on this system in order to meet competition abroad. The British Government and this Government are the only two major governments in the world that are not on the metric system. We have a bill in to study the metric system and the effect it will have on this country and we shall bring it to this floor, I hope, in the very near future.

Mr. MORGAN. Mr. Chairman, I yield 10 minutes to the gentleman from Delaware [Mr. McDOWELL].

Mr. McDOWELL. Mr. Chairman, I rise in support of H.R. 7750, the Foreign Assistance Act of 1965. There are more foreign policy experts on the national scene today than in those periods of American history immediately after World War I and again after World War II, when the only objective of American foreign policy was to become disentangled in any future involvement abroad.

The complexity of our involvement in the field of international relations today is best exemplified by the few "bargain-counter" solutions that are offered by most of the so-called foreign policy experts. This applies to those in government, to newspaper columnists, editorial writers and just plain ordinary citizens. The volume of words describing the problem is, nevertheless, indicative of the magnitude of our involvement.

At no time in recent years has this become more self-evident than to a reading of the public press in the past several months. From Vietnam, Cambodia, Burma, and Laos we travel tens of thousands of miles across the globe to the Congo, Zanzibar, Tanganyika, back to Berlin, and across the Atlantic to Panama and Cuba and the Dominican Republic. A news dispatch originating 10,000 miles away, many times in a country little known and whose existence is hardly heretofore considered important to the welfare of the 180 million people of our country, signals a violent explosion in world affairs and is all too often related to a failure of U.S. foreign policy. And let us never forget that our foreign-aid programs have been and are today a vital part of our foreign policy.

But whether we like it or not, in the eyes of the rest of the world and in the community of nations the United States stands alone today as the only major power not weakened by war or burdened by the heritage of an imperialistic history. And as the realities of the cold war confrontations have unfolded over these past decades the realization that we were opposed by another nation equally considered in some area of the world a giant nation, we have therefore been compelled to accept the challenge of Russian and Chinese imperialism. And to counter this thrust of an undeclared war we have sought to extend around the globe the protection of a U.S. military shield to large areas of the world undefended by the disappearance of former colonial powers and at the same time we have taken up the equally necessary task of providing the new nations with technical and economic assistance to help them raise their standards of living so that like us, they, too, could advance the cause of freemen.

The need for a leading world power to consider each problem in the context of total world responsibility necessarily imposes restraints upon the exercise of power—restraints that we sometimes find frustrating. A nation such as ours cannot make decisions in one part of the world without setting precedents in another. It must be at all times sensitive to the impact of the concentric waves that flow out from any decision it may make.

Much has been said and the subject will be a continuing part of the debate on this legislation—the bill H.R. 7750.

In the period from January 1958 to December 1963, 57 countries purchased a total of $7 billion of gold from the United States. Ninety-two percent, or $6.4 billion of these gold purchases were made by 12 countries—Austria, Belgium, Luxembourg, Denmark, France, West Germany, Italy, Japan, Lebanon, the Netherlands, Saudia Arabia, Spain, and the United Kingdom. It should be noted that none of these 12 countries have received AID assistance for 2 years or more, and that military assistance has virtually ended to most of them.

Current AID programs do not contribute to the drain on the U.S. gold supply, In fact recipients of AID funds in the less developed countries during 1964, as in 1963, sold more gold to the United States than they purchased.

In 1964, recipients of AID funds sold $89 million of gold to the United States, and purchased only $26 million of gold. These transactions consequently realized a net inflow of gold to the United States of $63 million.

Looking beyond the immediate present, the foreign aid program has a number of effects which are positively beneficial to our balance of payments.

First, our aid today is overwhelmingly in the form of dollar repayable loans—unlike the situation under the Marshall plan, when 90 percent of our aid was in the form of grants. Future repayments of interest and principal on today's loans will be a positive factor in our balance of payments.

Secondly, the evidence is plain that countries which achieve steady economic growth with our aid become increasingly better markets for U.S. exports and more attractive places for U.S. investment abroad. Over the last 15 years, our exports to Europe have doubled and our exports to Japan have tripled. As other countries—Spain, Greece, Taiwan, and so on—gain economic momentum and our aid comes to an end, the same kind of result is evident.

Moreover, in case after case the aid program has led directly to the introduction of American products and services in other countries, and to follow-on markets unrelated to the aid program. Aid has in fact been one of our best export-promotion mechanisms.

I am pleased to report that since 1961 we have steadily reduced the adverse effect of foreign aid on our balance of payments. We are continuing our efforts to minimize the effect as part of the action program announced by President Johnson.

We will do more. But the upper limit may soon be reached, as the adverse impact has already been reduced to $400 million, not including repayments.

In addition, it is important to recognize that continuing the present program will have a positive long-range impact on our balance of payments as a result of a dollar repayment flow, expanding markets for our exports, and improving opportunities for our private investment abroad.

Summary of principal and interest under the development loan program repaid in dollars as of Dec. 31, 1964

Loan program	Principal	Interest	Total
Development loans (new)		$9,561,754.05	$9,561,754.05
Alliance-for-Progress loans	$20,512.82	4,856,705.15	4,877,217.97
Development loan fund liquidation account	39,008,170.32	29,284,391.33	68,292,561.65
Loans authorized by predecessor agencies	622,365,002.68	457,837,762.63	1,080,202,765.31
Basic materials loans, mining facilities	256,878.72	211,757.35	468,636.07
Total	661,650,564.54	501,752,370.51	1,163,402,935.05

Loan installments considered in default by AID as of Dec. 31, 1964

Country	Borrower		Balance outstanding
Bolivia	Sociedad Industrial Azucarera La Esperanza, S.A	$1,833,030.69 124,330.31	$1,957,361.00
Costa Rica	Societa Italiano de Colonizzione Agricola		296,883.18
China	Ingalls-Taiwan Shipbuilding Co		212,981.31
Ethiopia	Atlas Engineering & Contracting Co., S.A		20,965.37
Total			2,488,190.86

H.R. 7750, the Foreign Assistance Act of 1965, is the result of many years of sincere, dedicated, and loyal service in the furtherance of the cause of freedom for all freemen. The legislation represents the wisdom and experience of executives both in and outside of the U.S. Government, by past and present high officials of our State Department and AID administration. Five Presidents—Roosevelt, Truman, Eisenhower, Kennedy, and Johnson—have firmly supported and recommended foreign assistance programs to the Congress. Most important of all, the best brains in the Congress have helped in developing and perfecting our aid legislation. Throughout the years of foreign aid legislation, Congress has by an overwhelming majority given its approval—approval in the form of large majorities after working its will in further developing and perfecting of the legislation. I know that the House will, after working its will on the bill H.R. 7750, again follow tradition by approving this legislation by a majority vote.

The destiny of the hundreds of millions of people in the less-developed countries is of immediate concern to us. In helping them, we act in our own self-interest. But it is also true, as President Johnson has said, that "the pages of history can be searched in vain for another power whose pursuit of that self-interest was so infused with grandeur of spirit and morality of purpose."

Mr. FRELINGHUYSEN. I yield 5 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON of Pennsylvania. Mr. Chairman, I would like to say that I favor the passage of the U.S. foreign aid program because we on the House Committee on Foreign Affairs have gone over this program with a fine-toothed comb and feel this is the best that can be provided the House and the American people at this time.

In every program of this size, there can be many changes, many changes to the good. That does not mean we should, therefore, vote against a whole program simply because there can be improvements.

We in this country are in the position that we have friends that have voluntarily stood by us and stand by us throughout the world. We also have places in this world that are weak and teetering as to whether they are going one way or the other so far as communism is concerned. They have so far chosen the free world.

The question has been raised just what some of our allies have done to help the United States after they have been aided.

The people will remember that the House of Representatives in 1950, a few short weeks before the aggression in Korea happened, voted by one vote to defeat the bill to continue U.S. aid to South Korea. I recall that was a very tough vote. I voted for the program, while many people here were talking about economy and why spend the money. I am proud I took the responsibility.

What has South Korea done since? South Korea, in spite of her troubles and growing pains, has remained a part of the free world under most difficult conditions.

South Korea at the present time has 18 armed divisions on the northern line at the 38th parallel compared to 2 divisions of the United States of America. Likewise, South Korea has 40,000 people in their navy. They also have 40,000 men in their marine corps. For each of our 2 U.S. divisions, South Korea also supplies 25,000 trained men who serve with our U.S. servicemen. So that in our U.S. divisions, as fill-in members South Korea supplies 50,000 men at the present time.

In gratitude for U.S. assistance, and to protect her southeast Asia neighbor, South Korea has now sent 2,000 armed services men to help South Vietnam. These South Koreans have proved real allies.

South Korea, this country of 27 million people, has been our fine and friendly ally in the Asian area and in the South Pacific. I believe our friends, the South Koreans, are to be highly complimented and thanked rather than criticized. If anybody is voting against this bill on the basis they believe that South Korea has not done its part or that we lost 24,000 men defending her in 1950 to 1953 or that we had over 150,000 casualties of U.S. servicemen, please remember they had six to eight times more casualties of their own, including civilians, women, and children.

We in the United States hear of trouble in South Vietnam and we many times hear of the troubles that we are having, but we do not hear of the hundreds of local people in the South Vietnam local government and military defense services who have been shot or beheaded or knifed and who have lost their lives because they have stood up for stable, free government in South Vietnam.

I, for one, think it is worthwhile to stand up for freedom and pay the cost. And let me tell you, freedom is not cheap. It is costly both in money and in lives. The price standing against tyranny is paid by every generation of Americans and every generation of free peoples.

So it is little enough then that the Congress of the United States can do to provide this $3.4 billion U.S. economic and military aid, to preserve the many peoples in the free world, for security, peace, and progress. For the current year this amount is a much smaller proportion of our United States gross national product than it has ever been throughout the U.S. foreign-aid programs. This is one of the lowest figures we have ever in this House approved for United States foreign aid. Therefore I favor passage of this bill.

If we want to see some problems on local U.S. government, I can point out to you a bridge in Pittsburgh that has been built now for 2 years. A highway goes up on one side of it and there is no highway down the other side, and we have not been able in our own community to figure out how to get a highway down the other side. So this bridge costing millions has stood there for several years, unbelievably, with nobody going over it except one fellow who tried it as a dare, I believe, and he got off the other side through the air, as there is no approach ramp.

When there are governmental and economy and progress troubles abroad in countries that are backward and developing, we must realize that we must help them through their own means to become progressive through development aid training, and technical assistance so that they eventually can become as efficient as we are. We in the United States have many inefficiencies in spite of our own high-level progress. We should not just look at this U.S. aid program as a mirror of our own States and municipalities, but as a program in which we are helping rising peoples who are standing up for us in most cases, and fighting hard battles of their own against poverty, ignorance, disease, and starvation.

One of my main points in supporting U.S. foreign aid programs is the U.S. contribution to the United Nations Children's Fund, which is authorized annually under this particular legislation. It is my amendment that put authorization for U.S. Government contribution to the United Nations Children's Fund into the Marshall plan legislation as a new title, so I feel a special responsibility to make sure the money is well spent.

The United Nations Children's Fund has been a wonderful success. For example, the developing countries receiving aid put up an average of $2.70 of their own money, or equivalent in goods and services, for every dollar that the United Nations Children's Emergency Fund puts up to help them with their own programs in their own countries.

On U.S. contributions, the United States has pledged to contribute $12 million, as we have since 1960, for this Fund. That $12 million contribution is only 9 percent of the total that is contributed by all nations. Last year, the budget made by contributing countries was $30 million. So recipient countries contributed $75 million also in money, goods, and services, making a total budget by countries for 1964 of $105 million. In 1964, a total of 118 governments contributed to UNICEF, a remarkable record. In this International Cooperation Year, we in the United States should plan to increase our contribution.

This is a great method of working for peace, because it is helping the younger generations on the basis of health, teaching, training, and assistance to mothers and children. Fifty percent of the UNICEF program goes to health, and the other 50 percent for teaching, for supplementary diets, vitamins, and so forth, and it is on the basis of countries in every part of the world.

The U.S. Committee for UNICEF does a fine job raising private contributions and explaining UNICEF programs. The Committee manages a countrywide operation on the sale of cards, Christmas cards, and calendars, and many local organizations handle Halloween collections, and the U.S. children participate in trick-or-treat programs and events of all kinds and turn the proceeds over to UNICEF to help the needy and sick children of the world. This raises $6 to $8 million a year for UNICEF from private sources, in addition to Government contributions.

In 1964, 112 countries and territories in Asia, Africa, and South America received aid in a total of 556 long-term projects benefiting children and mothers.

Likewise, not only the members of the United Nations contributed, but also countries other than those in the United Nations contributed.

UNICEF for the present will continue to concentrate well over 50 percent on its health programs. UNICEF organizes mass campaigns against crippling diseases of children, such as trachoma, malaria, leprosy, and tuberculosis. UNICEF encourages the establishment of permanent local health centers. Last year, UNICEF had programs for improvement of child nutrition in 74 countries.

More than 30,000 health centers have been established by UNICEF throughout the world during the operation of the

UNICEF programs since the start in 1946. What uncounted good and tremendous blessings.

It is a real pleasure to name specifically for the record the countries contributing in 1964, 118 in all. This is a tremendous evidence of the wide world support for the fine programs UNICEF has been working upon through the years.

Contributions to the UNICEF program have been made annually not only by countries but also by the Pope, the Holy See, through the years.

When we speak of what India is doing, we must remember that India put up $840,000 for these programs. The U.S.S.R. pledged $675,000 last year. Mexico contributed $580,000, Australia $537,600, and Switzerland, $441,860.

I read the list for the RECORD:

United Nations Children's Fund—Governmental contributions for 1964 (for all purposes)

Contributing governments	Contributions to central account	Contributions for administrative costs	Contributions for aided projects	Total contributions
Afghanistan	$10,000	$3,479	$2,250	$15,729
Algeria	35,000	3,536		38,536
Argentina	71,429			71,429
Australia	537,600			537,600
Austria	96,154			96,154
Belgium	200,000			200,000
Bolivia	5,000			5,000
Brazil	274,193	8,657	3,226	286,076
British Caribbean territories:				
Antigua	175			175
Bahamas	2,800			2,800
Barbados	2,000			2,000
Dominica	235			235
Grenada	588		70	658
St. Kitts	292			292
St. Lucia	875			875
British Guiana			3,000	3,000
British Honduras	700			700
Brunei	3,267			3,267
Bulgaria	4,273			4,273
Burma	56,000	66,058	272,356	394,414
Byelorussian Soviet Socialist Republic	62,500			62,500
Cambodia	5,000			5,000
Cameroon	13,300			13,300
Canada	739,884			739,884
Central African Republic	4,275			4,275
Ceylon	14,700	3,234		18,024
Chad	6,122			6,122
Chile	80,000	1,562	2,400	83,962
China	15,025		15,853	30,878
Colombia	150,000	11,633	11,882	173,515
Congo (Brazzaville)	14,286			14,286
Congo (Léopoldville)	18,000			18,000
Costa Rica	30,000			30,000
Cuba	70,000			70,000
Cyprus	2,000			2,000
Czechoslovakia	52,083			52,083
Dahomey	5,000			5,000
Denmark	202,702			202,720
Dominican Republic	40,000			40,000
Ecuador	23,745	1,627	(37)	25,335
El Salvador	20,000			20,000
Ethiopia	18,000	9,350		27,350
Federal Republic of Germany	1,500,000			1,500,000
Finland	62,500			62,500
France	1,109,184			1,109,184
Gabon	13,300			13,300
Gambia	1,120			1,120
Ghana	16,800			16,800
Greece	57,000			57,000
Guatemala	80,000		61,895	141,895
Guinea	22,180		216	22,396
Holy See	1,000			1,000
Honduras	30,000		(87)	29,913
Hong Kong	3,500	1,832		5,132
Hungary	6,388			6,388
Iceland	10,651			10,651
India	840,000	253,680	680,002	1,773,682
Indonesia	110,000	1,609		111,609
Iran	275,000	55,000	1,098,768	1,428,768
Iraq	56,000		421,656	477,656
Ireland	12,042			12,042
Israel	40,000			40,000
Italy	$192,000			$192,000
Ivory Coast	10,204	$32,653		42,857
Jamaica	8,400			8,400
Japan	196,200			196.200
Jordan	5,411			5,411
Kenya	2,801			2,801
Kuwait	10,000			10,000
Laos	1,000			1,000
Lebanon	14,516			14,516
Libya	12,600			12,600
Liechtenstein	1,504			1,504
Luxembourg	6,000			6,000
Madagascar	10,204			10,204
Malaysia	57,643	8,683		66,326
Mali	12,245	2,497	$10,193	24,935
Mauritania	4,082			4,082
Mexico	580,000	33,307	2,527	615,834
Monaco	2,041			2,041
Morocco	25,137	13,097		38,234
Netherlands	138,122			138,122
New Zealand	210,000			210,000
Nicaragua	10,000			10,000
Niger	8,163			8,163
Nigeria	21,000		(56,286)	(35,286)
Norway	450,864			450,864
Pakistan	136,434	82,467	124,841	343,742
Panama	15,000			15,000
Paraguay	30,000			30,000
Peru	89,552			89,552
Philippines	185,000	62,500	67,944	315,444
Poland	100,000		500,000	600,000
Republic of Korea	30,000			30,000
Republic of Vietnam	20,000	112		20,112
Rumania	25,000			25,000
Saudi Arabia	20,000			20,000
Senegal	20,408			20,408
Sierra Leone	11,200			11,200
South Africa	30,125			30,125
Spain	100,000			100,000
Sudan	13,076			13,076
Sweden	752,806			752,896
Switzerland	441,860			441,860
Syria	12,500			12,500
Tanzania	700			700
Thailand	140,000	12,163	18,130	170,293
Togo	8,163			8,163
Trinidad and Tobago	7,000			7,000
Tunisia	16,620			16,620
Turkey	194,445	34,222	(2,165)	226,502
Uganda	11,205			11,205
Ukrainian Soviet Socialist Republic	125,000			125,000
U.S.S.R.	675,000			675,000
United Arab Republic	114,800	12,197	99,602	226,599
United Kingdom of Great Britain and Northern Ireland	938,000			938,000
United States of America	12,000,000			12,000,000
Upper Volta	6,123			6,123
Venezuela	1,000			1,000
Yemen	2,000			2,000
Yugoslavia	200,000			200,000
Total	25,597,130	715,045	3,338,236	29,650,411

In closing I am sorry to say that $9 million worth of necessary programs have been outlined by UNICEF for the current year, which they were not able to institute because of lack of funds. Can the world afford to lose this great good through lack of this amount of contributions?

The Foreign Affairs Committee, in the report, has pointed out—and therefore recommends—that the United States should consider increasing its contribution to the United Nation's Children's Emergency Fund for the coming year. I strongly recommend this. I am pleased that the House Foreign Affairs Committee in its present report recommended likewise. I read the portion of the committee report for the RECORD:

United Nations Children's Fund (UNICEF.—The purpose of the U.N. Children's Fund is to make a permanent contribution to the welfare of children through programs which countries will be able to carry on themselves after initial stimulus from the Children's Fund. UNICEF furnishes supplies and equipment which assisted governments are unable to provide, while related technical assistance and advice are provided by other United Nations departments and specialized agencies. In addition, each country seeking UNICEF assistance must agree to match in goods and services the funds received from this organization's central fund. During 1964, UNICEF was providing aid to 553 long-term projects benefiting children and mothers in 117 countries and territories. Over 50 percent of its assistance was directed to health programs and combating of crippling diseases to which children are most susceptible. Also, in 1964, 117 governments were providing support to UNICEF.

For fiscal 1966, the United States proposes to pledge up to $12 million to UNICEF subject to the limitation that the U.S. share should not exceed 40 percent of the total contributions from governments. This is the same amount as pledged anually since 1960; the U.S. share, however, has been progressively reduced from 48 percent in 1960 to 40 percent in 1964.

It was called to the committee's attention that, during calendar year 1964, UNICEF received requests for assistance amounting to $9 million which it could not meet because of lack of financial resources. The committee believes that the humanitarian work being performed by this organization is of great importance. If the level of pledges of contributions from other governments should increase sufficiently during the coming year, consideration should be given to increasing the amount of the U.S. pledge of contribution by 1967, subject, however, to the 40-percent matching formula.

Maurice Pate, executive director of the Children's Fund who died on January 19, 1965, was described by President Herbert

Hoover as "the most efficient human angel I have ever met." So UNICEF has had good leadership under this fine dedicated American. Maurice Pate believed that sick children, hungry children, children deprived of health and schooling, were not only a burden to humanity's conscience, but a criminal waste of humanity's resources.

I agree with Maurice Pate wholeheartedly, and believe you do, too.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, for 20 years the United States has played the role of international good fellow. During that time we have dispensed something like $110 billion of our hard-earned tax money in a bewildering variety of civilian and military assistance programs.

It is interesting to note that 110 countries have participated in our bounty. Yet, as I look at the list, I find that only a few have withdrawn their stretched-out hands and have, in turn, attempted to do something for others less fortunate. I note that even today just under 100 nations are asking and expecting help from us.

When I first came to Congress 13 years ago, foreign aid—or maybe I should say the concept of foreign aid—had just proved to be a valuable tool of democracy in rebuilding Europe.

I have voted for and supported this program consistently throughout these years because of its worthy objectives. It was intended to help countries achieve economic progress and political stability under increasingly free and democratic institutions. Our efforts to achieve a prosperous and free world is not only in the national interest but also in keeping with our long history and tradition of freedom and democracy.

My objections have been duly registered to the use of these funds to support unfriendly neutralist and Communist nations, but I have not differed with the general concept or idea of foreign aid.

I have repeatedly urged, during the past 13 years, that we should and must reappraise our entire foreign aid program. However, pending that reappraisal, I continued my support of this aid program every year.

After 13 long years, during which time we have dispersed something like $60 billion, I have come to a crossroads. I am tired of waiting for a reappraisal and restructuring of our foreign aid program that never comes. I am tired of seeing our hard-earned American tax dollars mishandled and misapplied or even embezzled or diverted to personal bank accounts. I am tired of seeing intelligent and constructive criticism of our aid program ignored. I am tired of the never-ending dominance of those who equate criticism of foreign aid with illiteracy or isolationism. This may have been true once, but today's foreign aid critics are a diverse group of liberals and conservatives who simply feel that our present foreign aid program is not paying its way. Today's foolish people are those in Government who beat the drums for foreign aid—right or wrong, proven or unproven—with the old, outdated slogans of the era when foreign aid worked successfully. Our aid program is likewise outdated. It no longer works.

In my opinion, foreign aid has gone on as it has, without overhaul, only because of the legacy of the success foreign aid enjoys from the days following the Second World War. Foreign aid earned, during those productive days, a reputation for success that has far outlived its ability to do the job required. Foreign aid has been living on vanishing achievements. Each year, the results of foreign aid have provided less and less justification for the expenditures involved. But during its period of success, foreign aid gained a place in the liberal or progressive vocabulary. You attack foreign aid at peril of reputation if you represent a district inclined to progressive politics.

Foreign aid still mobilizes a lot of support which it has long since ceased to deserve. It is still difficult to attack foreign aid in the face of the old slogans about "internationalism" and "international cooperation."

Today, the United States is paying the price. We are paying for the persistence of a program which no longer justifies itself. We are the victims of our own slogans and of our own gullibility. I intend to take the risk of exposing myself to unwarranted attacks. I am turning my back on a foreign aid program that has forfeited my respect.

Someone might well ask, "What is there about today's foreign aid that makes it different from the postwar foreign aid that worked so well?" For me, the distinction is clear. The money we spent after the Second World War in most cases went to rehabilitate the economies of friendly nations. We were not dealing with nations whose friendship we had to buy so we ran little risk of political failure. We were merely helping friends to rebuild their economies. Notice I said "rebuild." Most of these nations knew full well what they were doing. Like the United States, they were modern, industrial nations with technological ability and experience. We were dealing with nations whom we could rely on to make aid do the job. They did make aid do a job in those days. American aid dollars started Western Europe humming again. These aid dollars produced economic and political results. Economies were rebuilt and friendships were strengthened. In a few cases, aid helped win over defeated industrial nations like Japan and Germany. During the postwar period, the successful, large-scale aid programs did not involve nations with undeveloped economies, nor did they involve newly emerging and psychologically uncommitted "neutralist" nations. Foreign aid won a reputation by aiding friendly nations to rebuild in the postwar era. That reputation should not serve to defeat criticism and restructuring of a different program than the one that won the reputation. This kind of foreign aid has never proven itself. It has lived on the past. It has thrived on ineptness and gullibility. We need to take a new attitude toward such aid.

My doubts about the aid program hinge on the fact that the countries getting the aid are usually both uncommitted and undeveloped. Now, of course, the fact that these nations are uncommitted and undeveloped is probably the key reason for giving them aid. We hope to stimulate their development in such a way that they will overcome poverty, internal leftwing threats and so forth—at which point, presumably, they will see the wisdom of American foreign policy. From my point of view, however, we are simply asking for failure. We cannot spend the vast fortunes necessary to build jungle-hut economies into industrial nations. In postwar days, all we had to do was help proven industrial powers regain their feet. Besides, in those days, we could afford to be generous. In those days the dollar was king. Today, we cannot afford to be generous. The dollar is in serious trouble. So instead of being cautious with our aid, we are throwing it away in increasingly implausible directions. This makes no sense. Let me say it again—I do not think that we can afford to try to put the undeveloped nations of the world on their economic feet with haphazard aid programs.

Nor do I think that these aid programs can successfully win friends for us. How do you buy friendship of nations who are not basically oriented in your direction? I do not see how it is possible. These nations are often ex-colonial nations, jealous of our wealth and prosperity. I suppose that this is understandable, but it is nonetheless a fact. When we give them foreign aid, the act of so doing only emphasizes who has money and who does not, and because this is much of their underlying grievance in the first place, I cannot see how this helps our foreign policy. I cannot help but feel that all too often, our foreign aid programs merely aggravate our foreign policy.

I was most heartened when in 1962 President Kennedy appointed a blue-ribbon panel under Gen. Lucius Clay to examine our aid program and bring in some recommendations. I was very pleased and surprised at the remarkable freedom the general and his associates showed in evaluating the total aid program, in assessing its weaknesses and strengths, and, finally, in coming forward with a good recommendation that struck anguish in the heart of the AID downtown; namely, that $500 million could easily be cut from the aid request for fiscal 1964. A new aid request was immediately submitted with that resolution in mind. On top of that, the general later stated categorically that another $300 million could easily be cut from the requested total as AID simply could not spend all the funds in the pipeline and that an enormous sum would remain uncommitted at the end of the fiscal year.

We know the background of the Clay report. It came about because the President himself, the AID administration, many of us here and large numbers of influential businessmen had become convinced that public acceptance of our overall aid programs was fast disintegrating. This increasing lack of public confidence in the last 5 years has been reflected in critical articles and letters in the newspapers. Congressmen have received an avalanche of mail on the subject—mostly critical. As the Clay report stated so succinctly, a good deal of the carping and sniping about the program was serious and well deserved. Most taxpayers in all walks of life had begun to ask very troubling questions and the President's appointment of the Clay Commission was in direct answer to the mounting tide of public criticism. Three years ago this Commission attempted to clarify the problems. But I respectfully submit to this House that the problems have persisted—in some instances have become aggravated—and the time is here when a truly agonizing reappraisal is in order to dissect the program to the bare bone. Only this time Congress itself should attempt the task.

For 13 years I have seen the ineffectiveness, the maladministration and the lack of tangible results of our aid programs. We all remember how the chairman of the Foreign Aid Subcommittee of the House Appropriations Committee, the gentleman from Louisiana, Congressman PASSMAN, stated but a few seconds ago that his committee had actually excised over $8 billion from the aid requests. I must ask, in all sincerity, whether, if we had given the total asked for, such funds would have been spent prudently and judiciously? In the light of what I have seen I am sure that our taxpayers now would have welcomed even larger cuts in past years.

As part of the inherent public criticisms alluded to in the Clay report, let me mention but a score of the more blatant points raised by so many:

First. Far too much money has been given too soon to too many nations to be used effectively.

Second. We have overextended ourselves, especially in military aid.

Third. Many programs are far too diffused for any tangible end results.

Fourth. Many large projects have been grossly mismanaged.

Fifth. Our AID bureaucracy here and overseas has often been proved ineffective with too much deadwood.

Sixth. Idealistic planners in AID have often little knowledge of the real needs of recipients.

Seventh. Effective liaison between objective field missions and the "do-good" planners in AID headquarters is still to be attained.

Eighth. Far too many projects have been begun and abandoned before fruition with resultant "loss of face" for us.

Ninth. It has been proved that many projects begun bear little or no relation to the interests of the people for whom the aid was given.

Tenth. In many countries our aid program has succumbed to the wishes of certain cliques in power.

Eleventh. In some recipient countries, the graft and greed have enriched some politicians at the expense of the masses for whom the aid was originally intended.

Twelfth. In some areas there has been speculation in our aid goods on the black market.

Thirteenth. Some large projects have been placed in some countries far beyond the ability of that country to repay the loans.

Fourteenth. Much aid has been disbursed solely in response to false threats of Communist subversion.

Fifteenth. Many attempts to commit AID funds to prevent them from being unexpended at the end of our fiscal year result in careless and wasteful spending.

Sixteenth. Aid has been disbursed under subterfuges, by being moved from program to program.

Seventeenth. In many cases actual aid expenditures have borne no relation to the end-use justification for which actual funds were requested from Congress.

Eighteenth. Much of the foreign aid funds has been disbursed by means of backdoor financing.

Nineteenth. Our AID bureaucracy is perpetuating itself.

Twentieth. Finally, little cooperation on the part of recipients, in fact, little thankfulness for the aid given, has been demonstrated.

Mr. Chairman, if anyone here doubts this catalog of aid failures and faults, let him read the hearings held annually on our foreign aid authorizations and appropriations. He will be very much upset at the evidences of wrongdoing and the folly displayed in so much of our aid expenditures.

Let me add a few specific examples. I think of an enormous ditch made around a plateau in Jordan to drain away excess waters in an area where it seldom if ever rains.

I think of $250 million spent in Iran on building modern miltiary camps for soldiers who do not understand the sophisticated electrical equipment, but who subsequently dismantled the plumbing and kitchen facilities and sold them in the black market.

I think of the Khmer highway in Cambodia which cost $30 million and which President Kennedy discovered was rapidly falling apart and deteriorating in such a manner in that tropical climate that it would cost twice as much to repair and rebuild.

I think of the then Vice President Johnson's trip to Asia in 1961 when he found in Pakistan in a very modern hospital a cobalt machine being set up by us to treat cancer, whereas in that part of the world the real problem is the numerous infectious diseases which hold the lifespan there down to an average of 35 years.

I think of the deficiencies in our own administrators in the field. In Laos, for example, our own officials are alleged to have taken bribes in return for letting aid contracts to certain preferred firms.

In Germany our aid administrators were grossly overcharged by some shipping companies. The Comptroller General has warned against such practices.

I think of the actions of some of our people in Peru where a former aid chief was discovered to be the chief stockholder in a cattle company which had received foreign aid funds.

One should let sleeping dogs lie, but how can I in clear conscience vote for foreign aid funds when similar practices are still being multiplied, abuses remain unrectified, clear conflicts of interest abound? The bureaucracy administering our aid is entrenched and the taxpayers are being soaked. In all fairness, I must say that I cannot stand in front of my constituents and defend continued expenditures for foreign aid. My people are too intelligent to condone such action on my part without making sure that adequate safeguards surround our giving to foreign countries. My people have doubts when they see where their money goes in certain so-called neutralist countries. Let me point up a few cases.

Consider Indonesia. We have pumped in just under $1 billion into Sukarno's country. Instead of using these funds to raise the productivity of his emerging industries, he has poured the wealth from his mines, the now confiscated petroleum wells and rubber plantations into Russian coffers to pay for Mig fighters, long-range bombers, guided missiles, and submarines. He has a standing army of 250,00 men intent upon fomenting trouble with newly formed Malaysia. Even the doctors, dentists, and nurses trained by us for civilian service have been drafted into his army. He has taken over our library, our USIA facilities, insulted our Embassy, and confiscated the properties of our private investors. On top of it all, he has told us where to go with our aid. Certainly we do not ask nor expect thanks, but when we continue to give aid to a country like that, we should be in a position to reorient our thinking and turn to those who have a willingness to use our assistance as it should be used.

Consider Egypt. It is the consensus of Congress that not one cent of our aid should be given to any country that channels its own resources into the purchase of arms from the Sino-Soviet bloc. Yet most of Egypt's cotton crop has been mortgaged for some years to come to pay for the latest arms from the Soviet bloc. Any aid that we give Nasser enables him merely to divert some of his own resources toward subversion in the Middle East. The sad part of the whole deal is that we are quite willing to continue giving aid because of a misguided interpretation of our "national interest."

Consider Ghana. This "needy" friend of ours has received quite large sums from us. One of the biggest electric-aluminum complexes is now being built on the Volta River with American money. Yet the press derides us every so often with "Yankee rogues go home." And that is not all, only 3 weeks ago Communist China and Ghana "pledged their determination to strengthen further the existing bonds of friendship and mutual understanding."

Consider Cambodia. The diatribes of Prince Sihanouk against the United States will long be remembered. His threats against us and his actions in flirting with Communist China have caused great concern for our strategists in southeast Asia. After absorbing just under $500 million of our aid he could rejoice at the death of our late President, burn our flag, and tell us that our aid is not necessary to Cambodia's survival.

Consider Nicaragua. The United States spent $12 million on a road between the port of Rama, Nicaragua, and the Inter-American highway. The surveyors missed both the port and the highway. Jungle reclaimed the roadbed. AID spent another $25 million to resurvey and finally completed the road in 1964. A good example of waste.

Consider Vietnam. An $18 million highway—not militarily connected—turned out to cost $102 million because AID had not received detailed engineering surveys and estimates.

Consider Afghanistan. We put up almost $15 million for an airport in that country. With customary AID perception, the airport was allowed to be built with 10,000-foot runways, which made it longer than needed for propeller planes but too short for jets.

Consider Poland and Yugoslavia. Aid to these Communist countries does not make sense to me. I appreciate the argument that this aid might have a valid purpose if it somehow provided an incentive for the satellite nation in question to move further away or stay away from the Soviet bloc. I doubt that our aid has this effect. Yugoslavia moved away from the Soviet bloc for other reasons. I tend to think that Marshal Tito would be keeping Yugoslavia at arm's length from the Russians with or without our aid. His so-called independence, however, provides a nice talking point to get American aid, so why should he pass up a fat cow easily milked? All you need to get American aid is a good line.

Consider Bolivia. AID put up $13 million for improvement of state-operated mines in that country. The mines are losing $1 million a month which AID is considering making up to that Government. The mine is run by a 27,000-member Communist union which would not allow inspectors into the mine area. So no one knows whether our tax dollars are being spent on improvement or not.

Consider India. I have heard India called the great testing ground of democracy in Asia. I have heard it said that if we cannot make India safe for democracy, we will lose Asia. I agree that the Indian problem is a crucial one, but I doubt that our aid is of any real influence in directing India's future path. Our aid cannot plausibly reach a sufficient level to overcome India's economic and population problems. So far, our $5 billion worth of aid has made no real dent in India's problem, nor has that aid made any strides in bringing about increased Indian support for the U.S. position in foreign affairs. Today's India is still the ungrateful India of old. The Indian Government never misses a chance to comment adversely on our foreign policy. They have an amazing degree of gall. They object to our so-called warlike policies in southeast Asia, yet they have frequently been prone to aggression and bloodshed in disputes with India's neighbor, Pakistan. They object to racial discrimination in the United States, while adhering to principles that some of India's people—the "untouchables"—are not fit to be dealt with as fellow humans. Most of the time, the Indian Government makes noises that sound like support of Red China, except when Red China menaces India's borders. Then self-serving India jumps on the pro-Western bandwagon. Maybe we ought to stop aid to India and subsidize some border incidents. They work better. Since the Second World War, India has already gotten some $5 billion in aid from the United States. They are presently sitting on over a billion dollars worth of blocked counterpart funds. As far as I am concerned, enough is enough.

Needless to say, much of the large sums of money we spend in Thailand, Burma, and other nations is also being wasted. It goes without saying that if our aid had worked in Indochina, we would not be fighting in Vietnam today. To me, the moral of the story is crystal clear. Our aid program is not doing what it ought to do—it is not doing enough to justify itself, politically or economically.

Apart from the problems encountered with dictators and neutralists, I am also concerned with what is happening here at home. I am first of all concerned with our balance-of-payments difficulties. Every year we have to make our international debts good with gold. We spend $3 billion overseas for our Military Establishment. Our aid dollars simply add to our burdens. We have tried valiantly to get recipient countries to spend their aid dollars here, and have still not succeeded as fully as is warranted.

I am concerned about our yearly budget deficits. This is merely a cumulative mortgage we are putting on our own future. Last year our deficit was over $8 billion. This year it may be like last year. Certainly our aid totals add substantially to our national debt totals.

I am concerned about our shrinking gold reserve and the rising foreign gold reserves. From a high total of over $26 billion our bullion stock has sunk to under $15 billion. The reserves of the free world are rising, but they are rising at a rate greater than the yearly supply of new gold warrants. Their increases are due to their demands on us. In 6 years we gave 57 countries some $12.5 billion in aid. During those same 6 years these same countries bought $7 billion worth of our gold. The question comes naturally—did they need that amount of aid from us so as to embarrass us by taking our gold for dollars?

Mr. Chairman, as I said before, a specter rises before me. It haunts me in the light of all the foregoing. I must keep faith with myself and the people of my district. In a round dozen years we have waited for constructive restructuring of the whole aid setup. Instead we see 22 Federal agencies with 71,416 employees disbursing aid in some form or other to some 99 countries and 9 territories. This is the 13th year and my vote will be negative.

It is a fact that aid as presently given has outlived its usefulness and ability to do the job of achieving economic progress and growth. In its present form it is uncontrolled and apparently uncontrollable.

I am tired of seeing our foreign policy actions aggravated by our aid policies. I am tired of seeing our hard-earned dollars being eroded by slow inflation, our gold reserves being slowly depleted, our deficits increasing year after year. No matter if all the aid dollars are spent in the United States of America, when the bills finally come due, it is our Treasury Department which must foot them with our tax dollars.

Mr. Chairman, a prudent businessman must weigh the evidence before continuing an unprofitable business. Our taxpayers demand that we do our duty by them and not let their dollars continue to go to waste. At this moment most aspects of our foreign aid venture are unprofitable. Unless the whole program and its objectives can be rearranged, with prospects of success, I shall continue to vote against it.

Mr. MORGAN. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. FRASER].

Mr. FRASER. Mr. Chairman, the foreign aid program has been under the aegis of the Committee on Foreign Affairs, chaired by the distinguished gentleman from Pennsylvania [Mr. MORGAN]. I want to add to the tributes paid to Chairman MORGAN by the others here on the floor of the House today by saying that I know of no fairer, no harder worker, no more even-handed chairman, than that who presides over the committee on which I am honored to serve.

Mr. Chairman, the foreign aid program is essential. It has had major successes in Western Europe and in many other countries including Israel, Greece, and Taiwan which were underdeveloped countries and which have now gone off the American aid list.

Moreover, economic assistance has been essential in the forward-defense countries such as Laos, Vietnam, Korea, and many other parts of the world which are in confrontation with the Sino-Soviet bloc.

But we are finding today that assisting the less-developed countries is a formidable task. They suffer from lack of education, they do not possess the institutions of commerce, and they often lack political stability. What they need is not short-term aid, but long-term aid.

We need to think in terms of an Alliance-for-Progress program not just for 10 years but more likely for a period of 50 years.

We need to become more selective as indeed we are as we choose which countries will receive major U.S. aid. We need to continue to insist upon self-help by the recipient nations, particularly the nations in Latin America.

Mr. Chairman, one of the rationales for aid is that economic development aids mature political growth. We believe the security of the United States is best protected in a world community of mature democratic societies. Therefore, we conclude that economic aid helps assure U.S. security by creating an environment in which mature systems of self-government will emerge.

But, Mr. Chairman, we have problems in pursuing this objective with less-developed countries. For one thing, on the continent of Africa, the per capita income runs only $100 to $200 a year. In Latin America the per capita income runs only $200 or $300 a year. In many of these countries there is a population explosion. Often these countries can assimilate economic aid only at a limited rate. Many of these nations are dependent for growth upon education which means we must measure our progress in timespans of generations. So by the end of this century we will be fortunate if many of these countries have doubled their per capita income. Yet doubling a figure of $100 or $200 does not provide a very adequate economic level for these people.

Mr. Chairman, I raise the question as to whether or not this rate of economic progress alone assures the development of mature political systems. Of course, some of our aid contributes more directly toward the strengthening of political systems—aid which, for example, brings foreign citizens to this country to learn about our democratic institutions and our political party system and our governmental system. Also, we aid political growth through assistance to education, particularly, in specialized education. But in general our aid programs are designed to create an environment for the flourishing of mature political systems just as a young sprout needs good soil, sunshine, the right amount of moisture and a little fertilizer.

But, Mr. Chairman, I wonder whether or not we should not be training the gardener and planting a few more seeds than we are; in other words, besides creating a favorable environment for the growth of self-government, should we not attack the problem more directly? Suppose, for example that Chairman John Bailey of the Democratic Party or Chairman Ray Bliss of the Republican Party had a political party in one of the 50 States which was in the doldrums? Those chairmen of their respective political parties would not send out economic aid or seek to raise the general educational level in the States, or urge the training of more administrators.

Indeed they undoubtedly support these programs in the States. But what they would do is to send out a political party organizer. They would send out a political party organizer into those States who knows how to bring people together, how to organize political parties, how to raise money, plan meetings, stage conventions, and run elections.

Today the United States, Canada, Western Europe, Israel, Japan, and other countries are providing economic aid to the less developed countries of the world. But so is Russia, Red China, and other countries associated with them. So there is not much difference except in the amount of economic assistance.

The unique contribution that Western democracies have to offer is the idea and system of self-government. Above all else, that is the idea we seek to export. We should stop being circumspect with our friends.

We should not limit ourselves just to creating a favorable environment. I think we ought to move in on the problem of developing stronger political organizations and a more mature political system directly by the use of people trained in the political processes. Exporting political know-how from this country and other Western democracies requires that it be channeled through multilateral agencies. This is the only way we can avoid the sensitivity which comes from the fear of many of these new governments that their national independence may be impaired or that there may be interference in their internal affairs. I believe that the Western democracies should get together and meet with the representatives of the sympathetic underdeveloped countries to find ways of using the political know-how of people who run the politics of these nations. We should encourage these people to help themselves to develop stronger political systems.

Some progress in this type of training is already being made in the economic field. The American Institute for Free Labor Development helps to train trade union leaders. Cooperative leaders are aiding in the development of cooperatives and credit unions. We need to expand these kinds of training into the political field, perhaps by the development of regional institutes designed to train new leadership directly in political techniques which have relevancy to the problems of the new countries.

The idea of exporting practical political know-how carries with it problems as well as opportunities, all of which are not self-evident. But careful study can identify these problems and develop workable concepts which will permit the extension of this important knowledge to these new countries. Strenghtening self-government through stronger political systems is clearly consistent with the idea of national self-determination to which so many of these countries are strongly attached.

The idea of self-government is the most powerful idea at work in the world today. Let us promote and strengthen that idea in every way open to those of us among the Western democracies.

Mr. MORGAN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. BINGHAM].

Mr. BINGHAM. Mr. Chairman, first of all I should like to join in complimenting the distinguished chairman of the Committee on Foreign Affairs and the members of that committee for what seems to me to be a splendid bill and a splendid report. I have no wish to repeat the arguments that have been presented here so eloquently by members of the committee, but I would like specifically to associate myself with the remarks of the gentleman from Florida [Mr. FASCELL], about the Administrator of our AID program, Mr. David Bell. I think we are indeed fortunate in this country to have such a remarkable public servant in that office.

It seems to me, as I have listened to the debate today—and I have listened very carefully—that there has been a tendency to ignore the fact we are presented here with a bill that comprises several very different components. I do not want to say much about the military program or the supporting assistance program because I think these two tend to be popular programs. But it is a fact, and it has been largely ignored today, that the new authorizing moneys provided for in this bill are mainly for those two programs—military assistance, which, of course, is a way of saving money for us by providing assistance to countries that can furnish troops for the defense of the free world more economically than we can, and the supporting assistance part of the program, which is desperately needed. Eighty percent of that goes to Vietnam, Korea, Laos, and Thailand. I wonder whether the opponents of this bill really want this country to stop providing assistance to these four countries.

The principal attacks on the program today have been in the area of economic development, and while this is not a major part of the new authorizations requested, I would like to say a few words about that because I have some background of experience in that area. One of the fundamental points, it seems to me, that we should keep in mind, Mr. Chairman, is the purpose of this aid. It is its purpose to build strong, independent democracies. It is not, as has so frequently been stated, to buy friends. We cannot buy friends with money. That is obvious. But that is not the purpose of the program. I defy you to find any where in the committee's report a single suggestion that we are trying with any part of this money to buy friends.

The case of India stands out, perhaps, as an outstanding example of what we have been trying to do in the development field. We have provided a great deal of economic assistance to India over the years, and I submit, Mr. Chairman, to very good purpose. If we look back to the India that existed in 1952 when I first was there, it was a very unstable country, a country that was threatened with a Communist takeover at the next elections. Today, while we do have criticism of our policies from India's leaders—criticism which I agree is regrettable—we have a strong stable democracy in that area. We have an interest in seeing that India with a free society and a mixed economy does not lose the race with Communist China. It is of intense importance to us that India as a great democracy succeed in making her economy work and making progress for her people through democratic means. I submit over the years a great deal of sucess has been achieved in that effort.

Essential to the technical assistance part of this program is the communication of knowledge, that is: education.

At this point, I should like to discuss in some detail the technical assistance program for education under the AID request for fiscal year 1966, for this program, it seems to me, touches the roots of the development process.

Education has been a symbol—and a strength in this Nation—a part of the modernization process. This is true around the world, for a touchstone of the modernization process in the free world is education.

The number of children needing educational opportunities around the world is staggering. There are more illiterates, for example, in India than the entire population of Western Europe. In Ethiopia, with a population of about 20 million, over 3.7 million boys and girls of school age were turned away from schools due to the shortage of teachers in 1962.

In the developing countries now receiving U.S. assistance live 1.2 billion people, roughly 40 percent of the world's population. The educational challenge in these nations is immense. The average literacy rate is about 25 percent; less than a fourth of the children of school age are in school; and less than 2 percent complete secondary education.

The purpose of the education program is at the heart of the entire foreign aid program. If we are to help the less-developed nations acquire a competence and a capacity to meet their own problems, we must assist them in educating their people. We are not seeking to complete the job for them. We are, instead, trying to teach them to do things for themselves.

Ever since President Truman's point four program was proclaimed in 1949, we have recognized the importance of education in the development process. The infusion of large amounts of capital assistance, we found, was not the answer. The experience in the Marshall plan in Western Europe, where large amounts of money acted effectively as good transfusions to recovering economies, was not usually applicable to our programs in the new and developing nations of Asia, Africa, and Latin America.

The technical assistance program is education in the broad sense of the word, since it involves the transmission of knowledge and skills from the United States to the developing countries. Under the technical assistance program, $210 million is requested in new obligational authority. This amount, together with recoveries, will fund programs in Asia and Africa amounting to $231 million. In addition, an $88 million program is proposed for technical assistance under the Alliance for Progress.

About one-fifth of the total technical assistance program is directed toward education in the formal sense: strengthening educational institutions and teacher training. Techniques used to accomplish these goals vary according to the country's need and the amount of assistance offered.

AID now has education programs in over 50 nations involving over 350 American educators as direct-hire employees. They serve as effective, top-level advisers in field missions helping to shape programs of assistance. They also serve as education technicians in fields ranging from vocational education to nuclear engineering.

The less-developed nations are, in some cases, at the stockade era of their own development. Just as we found education to be a key to the development of and the heart of our own modernization process, we are seeking means by which we can assist in the translation of this idea to them.

In this translation process, we are not seeking a transplantation. We do not try to re-create our educational system and institutions in other nations. What is needed in a less-developed African nation may well not be what we have in California, but a program fitted to the history, culture, and values of that country.

The approaches to these problems vary, but, by and large, AID is trying to work on the problems of quality and leadership, and of planning and management in order that these countries can move toward the development of their own human resources. Basically, our job is to help lay the groundwork. U.S. funds are helpful in the necessary job of providing classrooms and teachers—particularly for pilot or demonstration projects. But we cannot, as a Nation, undertake the building of all the classrooms necessary or provide the vast amount of teachers needed to bring the staggering number of school-age children into a meaningful educational environment. The job of expanding educational facilities to the point necessary to provide for the full needs of the developing countries is basically one that must be carried out by these themselves.

How then does AID tackle the problem of planning, management, leadership, and quality in education?

Our program is guided by the following strategies:

First, it supports efforts of the developing countries to improve the planning and development of their own educational system. In nearly every underdeveloped country, pressures to start educating everybody at once are acute. Combined resources from all sources, however, fall far short of the total needs for educational development in virtually all countries in Latin America, Africa, and Asia. Priorities, therefore, have to be established and difficult choices have to be made in light of immediate and long-term critical needs for trained manpower and other national, economic, and social development goals.

In Latin America, for example, our foreign aid program has given high priority to assisting countries in this type of planning for the development of their own educational resources. U.S. staff, skilled in this field, have been added to many of the AID missions in Latin America, and AID funds have been used to send key representatives from Latin American education and finance ministries for training to the U.N. Economic Commission Training Institute in Santiago.

On a worldwide basis, AID is cooperating closely with the World Bank and the new International Institute for Educational Planning in their combined efforts to improve the planning and administration of educational programs in developing countries.

Second, our AID programs are designed to support the "leading edge of change and improvement" as Administrator David E. Bell so aptly phrased it. By illustration, AID is helping to establish a National Institute of Education in Delhi, India, through a contract with Columbia Teachers College. The institute will be a center of research and leadership for the entire Indian educational system—building and multiplying the leadership in Indian education for years to come.

Another AID project in India is helping to modernize the Indian system of education and to bring about a change in the outlook and methods of Indian educators. One of the problems with Indian education at this time is that it is predominantly academic in orientation and deficient in relation to the needs of a developing nation. It has emphasized rote learning rather than creative thought—memorization of formulas rather than experimentation—acceptance of established doctrine rather than innovation in ideas and materials to meet the growing needs of the country. AID is helping to remedy these ills by running a series of summer science institutes for Indian educational leaders, similar to those held in the United States by the National Science Foundation. Last summer, 44 institutes were conducted in mathematics, biological sciences, chemistry, physics, engineering, and applied technology. Forty-two U.S. colleges and universities, plus 16 public school systems contributed a total of 83 American professors to the institutes. Over 2,000 Indian faculty members—one-third from high schools, two-thirds from colleges—were the students.

In the field of agriculture, AID is working through five American land grant universities to seek to upgrade the quality of Indian agricultural colleges and universities. In the field of engineering, AID has established a consortium of American engineering schools which is helping to establish an Indian Institute of Technology at Kanpur—conceived as a center of excellence in research and teaching, with the hope that one day it will be as influential on the Indian scene as MIT and Cal Tech have been on the American scene.

The same process is at work in other countries. AID is supporting a mathematics curriculum development program in Africa. It has a purpose similar to the Indian Summer Science Institutes—namely that of deemphasizing rote learning and stimulating the creative talents of students in the field of mathematics which is basic to modern technology and the whole development process. The project, now completing its third year, is developing modern mathematics texts, workbooks and teacher guides appropriate to English-speaking African countries for elementary and secondary schools. It is being conducted under AID contract by Educational Services, Inc., of Cambridge, Mass.

The present traditional mathematics curriculum in English-speaking Africa, a holdover from colonial days, is deemed inadequate by all African countries and a new mathematics curriculum development program, involving Africans from the start, is expected to produce superior instruction in mathematics and to demonstrate to ministries of education an effective process whereby reforms in other subjects can be effected.

Since 1962, when the AID project began, three summer workshops held in Uganda have produced 16 completed books in 35 volumes for African students and African teachers of grades 1, 2, 3, 7, 8, and 9. In order to test these materials, over 500 teachers have been trained in the use of the new math texts at teacher training workshops. At present an estimated 400 classes in Liberia, Ghana, Nigeria, Sierra Leone, Kenya, Ethiopia, Tanzania, Zambia, Uganda, and Malawi are using the tests on an experimental basis.

With assistance from the Alliance for Progress, Colombian educators have adopted and translated into Spanish the text of the biological sciences curriculum study "new biology" which was developed in this country through assistance of the National Science Foundation. This adapts some of the best techniques of new science teaching to the cultural and geographic conditions of tropical Latin America and may well become a prototype for all South and Central America.

But methods and theories can be meaningless unless there are teachers to convey them. The third strategy of AID in assisting the developing countries to improve their educational system is support of projects which have a large multiplying effect—primarily teacher training.

At present over 7,000 men and women from the developing countries are studying in the United States, largely in our colleges and universities, under AID auspices. In studying economics and agriculture, medicine and nursing, and other subjects they are preparing themselves to become leaders in their own societies.

But each country must prepare to educate its own teachers. The problem cannot be solved in the long run by exporting potential teacher talent to the advanced nations for training. On the contrary, this can only fill the void until the lack of facilities and educational leaders is rectified at home.

AID has made a distinctive contribution in filling this void. I have already mentioned our assistance in the establishment of a National Institute of Education in Delhi. AID supports other teacher training programs in most countries where there are AID programs.

One of the most successful and earliest programs, setting a pattern for others to come, is in Nepal. In 1954 Nepal's first teacher training center was established through contract with the University of Oregon. Two years later, mobile normal school teams were organized to carry teacher training to the hinterlands. Staff members for the provincial teacher training program were given postgraduate professional training at Nepal's new College of Education by both U.S.-trained Nepalese professors and University of Oregon advisers.

An annual inservice training program of 6 to 8 weeks was established for all normal school staff members at the College of Education. A total of more than 2,400 primary school teachers were trained by the normal school staffs, and a normal school organization established which is capable of turning out 1,000 to 2,000 teachers a year.

Thus, AID is helping to fill the most critical of all manpower shortages in the developing countries—from the first-grade teacher to the doctoral-university level. This is fundamental, in my opinion, to any development progress.

AID book programs also have long-lasting and potentially far-reaching multiplyer effects. The foreign aid program supports a wide variety of programs aimed at providing key types of books to developing nations and at assisting the countries themselves to develop the local capacity to produce and publish their own books. In Central America, AID has organized a regional textbook center where first and second grade readers are being written, printed, and distributed to youngsters in the five Central American countries. Thus, for the first time in hostory, every youngster in Central America should soon have a first grade reader.

In the Philippines, AID is helping to relieve a critical textbook shortage in the nation's school system by financing paper imports and technical services to print 25 million textbooks by 1965.

These magnificent achievements will pay off. We are helping to build intellects and institutions. We are exporting a most cherished part of our heritage—a belief in education as a key to freedom and progress, as a key to strong, democartic societies.

The communication of skills, of knowledge, was the central idea that was presented by President Harry S. Truman in his famous Point Four statement in 1949. I think it is the key still to the success of our program.

I do not mean to suggest, Mr. Chairman, that the AID program is perfect. I have certain misgivings about it myself. I think, for example, that we have carried on too long in trying to mollify such people as Sukarno and Nasser with our assistance. I think we have been too free with military assistance to small countries that have no real military capabilities or significance. In both of these cases, I think we have come close to the idea of trying to buy friends, and this is where we do make mistakes.

Similarly, I tend to agree with the gentleman from Minnesota, Mr. FRASER, that more should be done through multilateral agencies.

I am also concerned over the piling up of debt service obligations in many countries through the use of loans and with the piling up of unused local currencies.

But the fact is that the mistakes of this program, and the criticisms, should not mean the ending of this program.

Are we satisfied with the service we get from the Post Office in this country? But our criticisms do not mean that we want to end the mail service. We have a growing crime problem in this country that we are terribly disturbed about. But does that mean we want to put an end to the police force in our cities?

Mr. Chairman, as the greatest and most powerful country on earth, our reputation in history depends on our continued acceptance of responsibility to try to relieve conditions of instability in the world and to exert leadership. That is an expensive process. History will judge the United States by whether we have the stamina to carry on, in spite of difficulties, in leading the free world; whether we have the courage not to be diverted from our main objectives by criticisms that are the inevitable lot of a world leader; and whether we have the determination, in spite of the failures here and there, to carry on with what we conceive to be a program of enlightened self-interest; namely, to try to help our less fortunate neighbors achieve economic progress and political stability through democratic means.

Mr. MORGAN. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Chairman, the committee has held hearings on this bill for approximately 2½ months. We listened to some 26 public witnesses. Anyone who wanted to appear were so allowed.

Throughout all of this the chairman of the committee, the gentleman from Pennsylvania, Dr. MORGAN, has been patient and understanding, and has allowed anyone who wished to make a contribution to the bill to do so. I believe no man in this House works harder or puts in longer hours, and down through the years I believe that few men in this body or in the other body have made a greater contribution to our Nation's interest and to our country's future than Dr. MORGAN.

I heard the distinguished ranking minority member refer to this as the international Appalachia. I hope the results of the Appalachia program, when it is in, will be as productive to humanity as have been the results of the foreign aid program down through the years.

It was also mentioned that we are in the annual minuet of foreign aid. This year we invited everyone to the dance, and everyone had an opportunity to waltz, if he liked, or to change the music, or to rock and roll the administration, if he wished to do so, by questions, by suggestions, by confrontation with the actual people who administer the program.

Much of the information is secret. The books remain on the table available to all Members. This year there was a committee of six people, three on each side, including my distinguished colleague from New Jersey [Mr. FRELINGHUYSEN], the gentleman from California [Mr. MAILLIARD], the gentleman from Michigan [Mr. BROOMFIELD] on the Republican side, with the gentleman from Minnesota [Mr. FRASER], the gentleman from Iowa [Mr. CULVER], and myself on the Democratic side. We invited all Members of Congress to come in, to give them an opportunity to ask questions of the people who carry out the policy of the administration, in order to satisfy themselves and the taxpayers whom they represent that this program is working and working well. Formerly these witnesses were available only to the committee. In the interest of better understanding and broader participation we made these witnesses available to all Members of Congress.

I believe by now there should be no mistake about it.

The investment the American people have made in the foreign assistance program to encourage economic growth in other free world nations and to contain the menace of world communism has paid—and is paying—handsome dividends.

As we reap the rewards of earlier investments, the size of current obligations for basic international development can actually be reduced.

The appropriation request for fiscal year 1966 is the lowest in the 20-year history of the program. And this is true even when you combine the AID budget with food for peace, the Peace Corps, and other special programs.

This reflects the fact that many nations have been started on the road to self-sustaining economic growth and are no longer in need of our aid.

It further reflects the progress being made by a group of other nations steadily nearing a takeoff point from which they can go it alone.

It is also a reflection of refinements in our aid program and improved, cost-conscious management.

The appropriation request this year amounts to only about 2 percent of the Federal budget and less than one-half of 1 percent of our gross national product. We spent twice as much Federal money for the space program, 15 times as much every year for the domestic welfare, and more than 20 times as much for our military defense.

No one can say that foreign aid has not been expensive but who can say how much of the world would be free today if America had closed its hand and its heart to those in need?

Two-thirds of the appropriations request—$2.21 billion—is for economic aid. It provides capital and technical assistance for long-term development. It means progress toward self-support by the poorer nations. It also includes economic assistance to promote stability and security in countries directly threatened by communism, and it pays our contributions to international organizations.

One-third of the request—$1.17 billion—is for military assistance and sales—over a quarter of a billion less than the annual average appropriations for fiscal years 1960 to 1964, and more than $4.5 billion less than the peak appropriation at the time of the Korean war and NATO buildup.

Our aid program to the poorer countries, like the Marshall plan, is an investment in our own beliefs. The objective is the same—to give other countries the chance to choose freedom.

Our military aid today goes largely to Asia, two-thirds of it to 11 countries along the rim of the Soviet-Chinese bloc. At a cost of about a billion dollars a year—about one-fiftieth of what we spent here at home for defense—we help support 3½ million men other free countries keep under arms on the rim of the Communist bloc.

The main part of our aid today is economic. It currently runs a bit more than $2 billion a year, but we don't send the money out of the country. We use it to finance the export of goods and expert services that other countries need to develop—or, in cases like Vietnam, simply to survive in the face of direct Communist insurgency.

Exactly what we provide depends on what other free countries are doing—in Africa, they are doing two-thirds of the job—how advanced a country is, what its problems are, and, most important, how much it is doing for itself.

Our economic aid is highly concentrated. Almost nine-tenths of all our economic aid goes to just 25 countries.

About 70 percent of our aid today is financed by loans, repayable in dollars.

Even in those countries where our aid is substantial, the receiving country is carrying the biggest share of its own development costs. For every dollar of U.S. aid, for example, the 20 major U.S. aid recipients in Asia, Africa, and Latin America are allocating an average of $6 for development from their own limited resources.

At stake in this program, and in the common aid effort of the free world, is the destiny of a billion, 300 million people who are free today in the sense that they are outside the Iron Curtain, but who are not yet free of the enemies they know most intimately—poverty, hunger, sickness, and despair of achieving anything better.

Our aid program is an investment and like all investments, it carries its elements of risk.

We are beginning to make progress in raising farm output in the poorer countries. What we have already helped accomplish with technical assistance, exports of fertilizer, and aid in expanding irrigation and farm credit, is reflected in the fact that in the last decade, food output per person rose 15 percent in the free world, while it dropped 4 percent in the Communist bloc.

The less-developed countries have increased their own investment in education an average of 15 percent each year.

Our own aid, which paid for training, spray equipment and most of the DDT, has made possible the worldwide malaria eradication program. Half of the 1.4 billion people who lived in the world's infested areas are now protected and for 300 million the malaria threat is gone completely. This means more energetic, active people to work at improving their own lives. It also means whole areas can be opened for farming, mining and timber extraction.

Progress is being made. With our help, with help from our prosperous allies, the underdeveloped countries are building something better. Without our help, the prospect would be bleak. Together, we are moving. If our first decade of assistance to the underdeveloped countries has proven anything it is that people, given any practical alternative to communism, will stay with the free world.

While the AID program has done much to further freedom and to raise standards of living in the less developed nations, the people of these countries are a long way from luxury. It is still true that of the 100-plus nations there are in the world only six have an average income of as much as $80 a month. There is still a long row to hoe.

Foreign aid is not just a one-way street. Tangible benefits flow back to the United States.

The AID economic program means a billion dollars a year in export business for American industry. As far as military assistance is concerned, practically the entire appropriation is spent to buy American military hardware—business for the people who produce that sort of thing and jobs for American workers.

Under the AID program—and I am speaking now only of the economic part—86 percent of all the goods AID finances are bought right here in the United States. In the 1950's, AID dollars could be spent wherever the world prices for particular goods where cheapest and less than 50 percent were spent in the United States.

For the past 4 years, however, to protect the dollar, a "Buy American" policy has been enforced on anything AID finances for development: machinery, commodities, the services of engineering and construction firms, the services of technical experts of every kind.

But in many nations the AID program has accomplished its goals with signal success, and our aid has ended. AID economic assistance has been successfully terminated in 26 countries since the start of the Marshall plan. Since 1960, supporting assistance grants have been ended to 18 countries. These countries have developed a sturdy economic base which has turned them into good cash customers for the products of U.S. farms and factories, and has made many of them partners in helping others.

Since the Marshall plan ended, the original beneficiaries have given more aid to the developing nations than they themselves received at their time of need. What better way to repay our generosity?

It has been a long time since foreign aid has been carried on solely by the United States. During 1963, 11 other nations committed $2.7 billion to their own foreign aid programs, which are increasingly coordinated with U.S. aid. That year marked the first during which U.S. bilateral aid was less than half of the total free world aid going to less developed countries. In terms of foreign aid commitments as a percentage of gross national product, several of these countries spend much more than does the United States. The U.S. program represents less than half of 1 percent of our GNP; tiny Portugal is devoting 1.89 percent of her GNP to official aid alone. While U.S. aid expenditures are trending downward, the trend of other donor nations is upward.

In 1964, American business and industry exported $1,800 million worth of goods to Asia, Africa, and Latin America under the AID program. American shipping lines were paid another $80 million to carry these goods to their destinations. Other AID dollars went to pay American colleges, businesses, consulting firms, and nonprofit associations who hold $450 million worth of AID contracts for technical assistance overseas. Still more AID dollars went to pay American engineering and construction firms to design and to build about $4 billion worth of capital projects the United States is helping construct in the poorer countries—irrigation works, power dams, fertilizer factories; the kinds of things that will give these countries a chance to expand their own output.

Because it is tied to U.S. procurement, the AID program is a kind of "welcome wagon" for American products, introducing them into areas that have traditionally traded with somebody else. At the same time, by helping other countries develop and expand their economics, the AID program helps to create more paying customers for American exports.

We have everything to gain from continuing our aid program.

The program has been and remains today a major weapon in building up the military and economic strength of the free world. It has been a major weapon in the free world's war against the most immediate enemies of its underdeveloped partners—poverty, ignorance, disease, and hunger. AID has been and is a major weapon in promoting exports, opening new markets for the future, and enabling us—with the cooperation of our allies—to save these countries from the Communist bloc.

These are good reasons for supporting the foreign aid program, but they are also selfish reasons. We happen to be the richest and most powerful nation on earth. We are the leader of the free world. We say we believe that freedom holds the same promise for others as it has produced for us. If we really believe that, we cannot stand aside while so much of the rest of the world continues to live in poverty and ignorance and disease and refuse to help. That is not the American way. The aid program is the tangible expression of our American conscience, of our American principles, of our American ideals, and of America's hopes for a better world for all mankind.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield myself 15 minutes.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Florida.

Mr. HALEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Chairman, I am fully aware that my statement on this floor today in opposition to this proposal to continue our open checkbook foreign policy will turn out to be no more than a futile gesture. Nevertheless, my conscience would not rest easy, nor would my duty to my constituents and to my own oath of office be fulfilled if I failed to again record my sincere convictions that this so-called foreign aid program is an unconstitutional, unwarranted, and uselessly wasteful expenditure of billions of dollars of public funds.

It occurs to me, as I again stand here, that perhaps never before in our history has a Federal program so unpopular with the people, so vulnerable to reasonable and reasoning attacks, been allowed by the Congress—the chosen representatives of the people—to remain so long on the books.

But the voice of the people is, at long last, beginning to be heard; to be heard effectively and in volume. And I am thus persuaded that—while not this year—the end of this share-our-wealth program is in sight. I am devoutly thankful that this is so. I only wish that the phasing out of the foreign aid program could begin this year in dead earnest, and with a fixed terminal date.

Indeed, I do believe that this year would have been the beginning of the end had it not been for the addition of the problem of the Dominican Republic to our already heavy burden of problems, including, of course, the increasing seriousness of the situation in Vietnam and elsewhere in the Far East.

The Dominican and Vietnamese situations, unfortunately, lend some semblance of credibility to the emotional appeals of the propagandists for this foreign aid bill, that it must pass, that we must continue to try to buy friends. Certainly, it is true that neither the situation in the Far East, nor that in the Caribbean was deliberately created to engineer support for continuation of this program. But the cold fact is that the program's all-out, diehard supporters have grasped the opportunity presented them, and are diligently using both these situations in an effort to swing into line support for this program—and opposition to making any meaningful restrictive changes in it.

I must admit, Mr. Chairman, that I am somewhat puzzled by the fact that we are being urged by the administration to enact this bill to feed some $3 billion more of our taxpayers' money into some 82 nations overseas. It seems to be more than passing strange that when one of our most pressing economic problems—in the judgment of this same administration—is the outflow of our gold reserves and a balance-of-payments situation increasingly adverse to us.

The administration, on the other hand, is asking American enterprise to assume the responsibility for easing the gold crisis, and we in the Congress are being asked to reduce the amount of duty-free goods which American travelers abroad may bring into this country. And at the same time, on the other hand, we are being asked to authorize this new and lavish outpouring of our funds into the economy of other nations, while our own economy falters.

This, if I may say so bluntly, not only makes no sense to me, but is economic nonsense. The voluntary and mandatory remedies proposed by the administration's theorists are, if they work at all, no more than short-term palliatives capable of making little material contribution to solving the gold crisis problem.

There is, of course, a way in which this Congress could make a material contribution—a contribution with hefty and significant impact—to the solution of the problem. We can do this by putting our own fiscal house in order in foreign countries. And this bill which we are considering here today offers the opportunity to take the first long and valuable step in that direction. If we defeated this authorization bill here today—or even if we should drastically reduce the total contained in it—we would go a long, long way toward curing the adverse balance-of-payments situation. And we would have done more—we would have taken a big step toward the goal of a balanced budget, a goal about which almost everybody talks, but about which few do more than that. And, finally, we could all go home after voting the bill down and look ourselves in the mirror, secure in our knowledge that we had, for once, done exactly what most of the people who elected us to represent them—to legislate their wills—wanted us to do. We would have proved ourselves to be responsible lawmakers—responsible to our constituents, responsible to our oaths of office, responsible to the Constitution, and responsible to the national welfare. We might even find ourselves in a position to say, with truth, that we had earned, although somewhat belatedly, that fat pay raise we voted ourselves last year in order that we might better measure up to our responsibilities in representing the people of our country—people who, as all of us in this Chamber know, are overwhelmingly opposed to the continuation of this untrammeled waste of their hard-earned money.

Mr. FRELINGHUYSEN. Mr. Chairman, I should like to begin as have many others on the committee, by adding my words of praise to the leadership which the chairman of our committee, the gentleman from Pennsylvania, Dr. Morgan, has provided us. He has always been a fairminded man. He is a very conscientious individual and a levelheaded one; and I am sure all of us have benefited very much from his guidance.

Mr. Chairman, as a result of the debate today perhaps nothing has been changed with respect to the way in which Members of the House are going to vote. An earlier speaker suggested that attendance on the House floor today reflected a general lack of interest or lack of openmindedness on foreign aid. I doubt very much that this is the case. Perhaps none of us has said anything very new. No one has suggested that the foreign aid program is perfect, nor have I heard anyone suggest that none of it is wise. For that reason many votes will not be changed.

But I am quite sure that Members generally are aware of its importance. The meetings that were held with various individuals in the administration of the foreign aid program to which the gentleman from New Jersey [Mr. Gallagher] referred showed that there was a very high level of interest on the part of the Members of the Congress. I am sure that this is the case. Certainly those of us who favor this bill—and I wish to include myself in that group—are convinced of the importance of the program, indeed of its essentiality in the world in which we live. It may be an imperfect instrument to protect our basic national interests, but it remains an important one.

Mr. Chairman, most of us know, I am sure, that this is no gift package. This is no giveaway program. Most of us know that we plan to spend about as much next year as we are spending this year because we are deeply concerned about the welfare of other countries.

Most of us recognize, Mr. Chairman, the very real and continuing threat of communism. Most of us recognize that the aid program is as big as it is because of our commitments to places like Korea, to the Republic of China, to India, Pakistan, Turkey, and most of all, because of our stake in Vietnam. Most of us realize I am sure, Mr. Chairman, that the United States through its aid program seeks to help build stable governments and to build up the economies of young countries.

Foreign aid today, Mr. Chairman, in my opinion is far more important than it was in the immediate postwar years. The fact that the job is more difficult is no reason for us to become tired of it, to throw up our hands, and to say we are no longer willing to support it.

In any event, Mr. Chairman, these are some of the basic reasons why I am sure this bill will receive strong support. After a careful review of all the pros and cons and after much detailed discussion, the Committee on Foreign Affairs approved this bill by a margin of 26 to 5. It deserves, and I am confident it will receive, comparable support in this body.

Mr. Chairman, mention was made earlier today of the need to reconsider the whole concept of foreign aid, of salvaging and strengthening those aspects which are good, and dropping those aspects which are bad. It is on this whole question of the advisability of a major recasting of foreign aid that I should like to speak briefly.

In certain circles recently, Mr. Chairman, it has been suggested that the aid program as currently constituted should be continued for only 2 more years, pending the report of a special study group. This study group is to be called the Foreign Affairs Planning Group, which would consider the basic premises behind the foreign aid program. The proposed planning group would undertake a profound scrutiny of this program and, presumably, would suggest a completely new approach to foreign assistance.

Mr. Chairman, I strongly oppose such a course of action. In the first place on the basis of experience I doubt very much whether at this point we are likely to develop any constructive alternative to what we presently have. A 2-year limitation on foreign assistance in its current form, as has been proposed, would raise strong doubts among our friends and allies as to our basic commitment to continue foreign assistance. Discontinuance of foreign assistance seems a highly unlikely prospect, because our commitments in places such as Korea, Taiwan, and Vietnam are simply not going to disappear. There is a crucial situation in southeast Asia, and no matter what the developments there, no early solution seems likely. Also, many countries, in Latin America and elsewhere, have embarked upon important new reforms and programs in the expectation of continued American aid. That more governments are not stable is a basic reason to provide aid for such countries, and certainly no argument to cut it off.

It would, therefore, in my opinion, be particularly untimely at the present to attempt another major revision of the program. Moreover, a new study group would be disruptive to the proper functioning of the agencies which currently administer American assistance programs. Foreign aid, since it began in the postwar period, has had at least 11 major studies along with 2 yearly examinations by each House of the Congress. There are currently two studies underway. Substantial sums have already been expended in staff time in the legislative and executive branches in making these studies and in assisting investigators. The most recent report, the Clay report, was released in March 1963. Although some aspects of the Clay report are unclear in their recommendations, the report in general has resulted in many important changes in the foreign aid program. Proposals made in the Clay report, as well as recommendations from previous reports, are still being implemented. Only now are results beginning to show.

For example, and in accordance with the recommendations of the Clay report, almost three-quarters of the funds requested for development loans are scheduled to go to only seven countries. Almost 90 percent of the supporting assistance is expected to go to only four countries, all situated in critical areas of the world. Over 70 percent of the military assistance is going to 11 countries. Additionally, there are 26 countries which have received economic assistance in the postwar period when such assistance has been terminated, and where none is planned for the coming fiscal year. As a result of past reviews and particularly because of continuing congressional surveillance, the Agency for International Development is now far better administered than in the past. David Bell has held his critically important job for a longer time than any Administrator of the Agency, nearly 30 months. He has built up experience which is highly useful and important for future efficient administration of the Agency.

The major conclusion of all the past studies has been to show that there is no magic formula which can assure us that our foreign assistance will be efficiently used in furthering our foreign policy objectives. Rather, these reviews have merely emphasized again and again that the administration of foreign aid is a highly complex matter. Reshuffling the personnel responsible for these programs and reorganizing the administering agencies will not make the problem easier, but far more difficult. It is in part a reflection on Congress that this program, after all these years, is still subject to as much criticism as it is. In my opinion, we should not at this point attempt another major survey as to how we might improve the program.

I might say also that the current request for foreign aid is a reasonably tight one. The fact that we were able to cut the administration request by only $12 million in committee is a clear indication of that. The $2,004,195,000 in the new authorizations together with funds previously authorized provide the authority for a combined foreign assistance program of $3,367,670,000 for the forthcoming fiscal year. Two-thirds of the total program will be used for economic assistance, primarily for capital and technical assistance for long-term economic growth. This assistance is largely to be made available for long-term loans, repayable in dollars. One-third of the program is for military assistance and sales. It is particularly noteworthy that certain proposed changes in the program will sharply increase the participation of American private enterprise in stimulating economic development. The bill as recommended by the Foreign Affairs Committee would double the specific risk guarantees to $5 billion, and sharply increase the guarantees available to American firms participating in housing projects abroad. American firms would be particularly assisted in promoting housing projects in Latin America, where guarantees could be granted for $200 million additional dollars permitting a total of $450 million. No new money need be authorized for these programs.

Changes made in the administration of the aid program in recent years insure that nearly 90 percent of the assistance dollar is spent in the United States, for the purchase of American goods and services. Several hundred thousand American jobs have been created by the foreign assistance program. Industries producing agricultural and industrial machinery, iron and steel manufactures, chemicals, and motor vehicles have particularly benefited.

I would like to make one final point, if I may. In the discussion with the gentleman from Indiana [Mr. ADAIR], I expressed concern about the so-called standby authorization on page 8 of the report to be placed in the contingency fund. This would provide authority for the President to use such sums in southeast Asia as may be necessary in the next fiscal year if he determines such use important to the national interest. I might point out there is no ceiling on the amount that the President might request of the Appropriations Committee under this authorization. There is no indication of an unexpected emergency that could not be met out of existing funds. I think, myself, it would be highly unwise for us to give this kind of a blank check authorization.

What we might do is to provide more funds in the contingency fund than are here requested. We authorized last year $150 million in contingency funds to be used in southeast Asia, the Dominican Republic, or wherever the need might be. The current request is for only $50 million. The point was made that the amount in the contingency fund was reduced because of the special, separate authorization for South Vietnam. The sums which we have made available for the increase in our own forces in southeast Asia are an indication that we are wary about any increase made without taking a good look as to what we might spend beyond what is projected in this bill.

We have had some reference in today's debate to the speech the President had made about regional development of the Mekong Delta. I do not know how much the United States should put into such a program if there could be some cessation of hostilities in that area. But I am quite sure such an authorization should be made only after the authorizing committee and the Appropriations Committee have reviewed the executive branch's proposals. We have demonstrated, as the gentleman from Indiana pointed out, the ability of the Congress to act if the need should arise.

In view of the fact that we have never given the Executive such authority in the past, and in view of the fact there is no current justification of the necessity for utilizing such a fund in the future, I think we should be wary of granting such a blank check.

I do trust that we recognize the foreign aid program as a whole as reported in the bill we have before us makes sense, and that the use of the funds have been carefully scrutinized. That should not prevent us from looking with some care at the individual changes in the law that we have suggested.

Mr. Chairman, in closing I would urge again we vote in a very substantial way in favor of this bill. I think it is important to us, to our allies, and to our own security.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MORGAN. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. O'Hara].

Mr. O'HARA of Illinois. Mr. Chairman, I am moved to remark that on the Committee on Foreign Affairs we are thrice blessed. We are blessed with a chairman who is terrific. He is the personification of courtesy and a paragon of patience. He is a giant in ability. We are indeed blessed in having the distinguished gentleman from Pennsylvania, Dr. Morgan, as our chairman.

Mr. Chairman, we are blessed too by having on the committee what everyday impresses us more as the finest expression of American womanhood, Mrs. Bolton on the Republican side and Mrs. Kelly on the Democratic side.

Mr. Chairman, we are blessed yet again by having as our colleague the statesman from New Jersey, the able and scholarly gentleman who preceded me, Mr. Frelinghuysen, for whose ability and dedication we have admiration, and for whose warm personal traits affection.

Yes, it means so much to our committee that we work together as a team and in most matters on a nonpartisan basis. Most of us voted for this bill. Four or five or six members may have voted against it, but in a sort of quiet and nondisagreeable way, as those things perhaps that concerned them were more good than bad in the measure.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I am happy to yield to our beloved Speaker of the House of Representatives, the gentleman from Massachusetts.

Mr. McCORMACK. Might I say, too, that we are all blessed in having not only as a member of this committee but as a Member of the House of Representatives the great gentleman from Illinois—the youngest thinking Member of the House of Representatives [Mr. O'Hara].

Mr. O'HARA of Illinois. I thank the distinguished Speaker, from the bottom of my heart and in acknowledgement of his too kind remarks may I say—yes, I am getting along a little bit in years but the older I get, the happier I am that my country—our country—has never been afraid of the tomorrows. With faith and courage in meeting unafraid the problems that may be ahead we have made each tomorrow a glorified today.

When I was a boy, the population of the entire State of California was a bit more than 1 million people, about the population at that time of the city of Philadelphia. When I contemplate the growth of California in the span of my lifetime, and think of the impact of that tremendous growth on the economy of my State of Illinois and of every part of the United States, I can have no fear of the future or doubt of the wisdom of our foreign aid program. On a worldwide basis I look ahead to the countries and the continents of Africa and Asia and South America—I look in the future to the developing nations of the world, and know that when some of my younger colleagues have reached my present age some of these new countries of today will be to the world of the tomorrow what California is to the United States of today. Our economy will benefit with the economy of the new nations. There are no one-way streets in the modern world.

I could worry about automation if I did not think more of what I see approaching in Africa, Asia, Latin America—new nations rising—nations that will have great buying power and will supply great markets for our industries—all because of the investments of today from the hearts and the means of our country to foreign aid.

Yes, Mr. Chairman, this is a very happy day for me to join my colleagues in the House of Representatives in acclaiming the legislation we have before us.

We are gaining. Make no mistake on that. We are gaining every day and in every way in reaching the objective of this program.

As the gentleman from New Jersey [Mr. Gallagher] said so well and so eloquently, in the past 10 years the agricultural products of the free world have increased by 20 or 25 percent.

Mind you, one of the great enemies we face is poverty. Today the free world, and as a result of this program, is producing much more food to feed the hungry. That is progress in the right direction.

In the past 10 years the number of children going to school in the free world has increased 50 percent. Thus we are striking at another enemy of mankind: ignorance. All that because of the foreign aid program. And that is progress in the right direction.

The lifespan of people in Latin America, in Asia, in Africa, in all the underprivileged portions of the free world, has lengthened tremendously in the past 10 years. All because of the foreign aid program, certainly, in large measure; and that is progress in the right direction.

So I see ahead the glorious harvest of blessings from this program of foreign aid. It is destroying poverty. It is destroying ignorance. It is destroying disease.

After those three enemies of humanity have been destroyed, we shall have reached the millenium, and all mankind will live together in peace and happiness, in plentitude and in dignified worthwhileness.

Mr. Chairman, I add only the words inscribed in this Chamber and in all our minds and hearts: "In God We Trust."

Mr. FRELINGHUYSEN. Mr. Chairman, I have no further requests for time. I yield back the remainder of my time.

Mr. MORGAN. Mr. Chairman, I have no further requests for time. I yield back my remaining time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 7750

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Assistance Act of 1965".

Mr. MORGAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Landrum, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7750) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, had come to no resolution thereon.

COMMITTEE ON ARMED SERVICES

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services may have until midnight tonight to file a conference report on the military procurement authorization bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

WEST GERMANS CURB SHIPPING TO NORTH VIETNAM

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I have received assurances that West German ships will not call in North Vietnam again.

The latest list of free world ships calling in North Vietnam which I published on page 7775 of the Congressional Record of April 12 contains the names of 153 vessels and companies engaging in this trade. The list should be amended accordingly.

The West German ships concerned are as follows:

Ostensible owner:	*Vessel*
Stinnes Hugo Transozean Schiffahrt	Hugo Stinnes.
Reederei Rickmers (Bremen)	Paul Rickmers.
Scipio & Co	Brake.

The owners of the *Brake* have sold that vessel to Nationalist China. The owners of the *Hugo Stinnes* and the *Paul Rickmers* have assured the West German Government that they will cooperate with U.S. policies against this trade. The owners of the *Hugo Stinnes* have advised that this ship has been under charter to ATIC, the French Government agency handling coal purchases from North Vietnam.

Mr. Speaker, I have contacted the Department of State on the subject of free world trade with the Vietcong, and on March 31 received assurances that the State Department was "right now in the middle of a full-scale study of this problem" which was to "be completed shortly." Nearly 2 months of study have gone by, with no results made known. I urge the State Department to double its efforts for more allied cooperation on this trade.

There is a State Department blacklist of free world shipping to Communist Cuba. It has been effective in curtailing a great deal of this shipping simply because it publicly exposes foreign shippers who would rather trade with the Communists than Americans.

We certainly need similar exposure of allies shipping to North Vietnam when the Vietcong are firing on our own troops.

NATIONAL SMALL BUSINESS WEEK

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, President Johnson has designated this week—the week of May 23 through May 30—as National Small Business Week to point up the contributions made to our Nation by America's 4.7 million small businessmen.

This tribute to small busnessmen is appropriate and well deserved.

Small business constitutes 95 percent of all American business.

Small business accounts for 40 percent of all business activity.

Small business provides employment for 40 percent of the labor force in our country.

Small business pays taxes.

It is the livelihood of 75 million Americans—owners, employees, and members of their families.

It accounts for more than 70 percent of sales volume in retailing, wholesale, construction, and services—and more than 30 percent of value added in manufacturing.

Small business is the core of our free enterprise system—the economic seedbed of America.

It is appropriate that we recognize these contributions.

And so, Mr. Speaker, I urge the citizens of this great Nation to give a special pat on the back, this week, to the small businessman.

He deserves it, and more.

GIVING THANKS FOR THE SOIL

Mr. HANSEN of Iowa. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HANSEN of Iowa. Mr. Speaker, this being Soil Stewardship Week, I think it appropriate that the House of Representatives pay tribute to its sponsors—the local soil and water conservation districts of America. There are 100 of them in Iowa. The men and women who serve without pay on the governing bodies of these local units of State government deserve our praise for the leadership they are providing for resource conservation and development in our home communities.

Although Soil Stewardship Week is sponsored by soil and water conservation districts, the materials for supporting it were developed in cooperation with an advisory committee of church leaders. The advisers for this year's observance consist of the Reverend E. W. Mueller, National Lutheran Council, Chicago; the Reverend John George Weber, National Catholic Rural Life Conference, Des Moines; the Reverend Harold Huff, board of missions, Methodist Church, Philadelphia; the Reverend Henry A. McCanna, National Council of the Churches of Christ, New York City; and the Reverend Lewis Newman, Southern Baptist Convention, Atlanta.

In the April issue of the Methodist Story, Reverend Huff describes soil stewardship for land and people. His views are summarized in one sentence:

> While giving thanks for the soil and the men who till it, we consider ways to conserve both soil and community.

Under unanimous consent, I include Reverend Huff's article in the RECORD at this point:

FOR LAND AND PEOPLE

(By Harold S. Huff)[1]

Rural Life Sunday is traditionally the fifth Sunday following Easter and is followed by Soil Stewardship Week (May 23–30 this year). This week in the spring season is designated as a time to give special recognition in worship to God for the blessings of material and human resources—for land and people in agriculture, industry, and communities.

Both physical and human resources are alike sources of blessings and sources of problems and concerns. Our attitudes as Christian stewards will largely determine our use of each of these.

"The Challenge of Growth" is the theme of Soil Stewardship Week this year with the acorn and the oak tree symbolic of the potential and the accomplishment, both fraught with challenge. Because America as a nation has grown through response to challenge, her church people may well pause to ponder the stewardship challenges of further growth.

Consider this quotation from the soil stewardship booklet for 1965: "Growth unleashes great, new challenges to man—to his courage, his vision, his heart, and reason. It multiplies the need for man to be honest with himself, to oppose the tyranny of fear, and to fight prejudice which denies truth. Growth is a challenge demanding freedom of the mind and freedom to speak out forthrightly. * * *

"It asks for compassion and divine guidance, without which increases become excesses. And growth is a challenge to leadership to fasten not only ideas and effort but patience and good purpose."

The theme for Rural Life Sunday and Soil Stewardship Week centers in 10 topics which are among the challenges to be faced today.

1. "Diversity": "The very diversity of our growth carries within it the seeds of both good and evil."

2. "Pressures on the Land": "Our God-given supplies of land and water are limited—and He expects us to care for them as responsible stewards. * * *

"Our Creator decreed there would be variety in land, with uplands and lowlands, wet lands and dry lands, some fertile and some barren. He has a purpose for each and it could now be our critical task, as we join vision with prudence, to look for the right uses and see His prime purpose for each and do what must be done to comply, at last, with His plans."

3. "The Duty of Involvement": "It is the duty of churchmen to be involved in cooperative and conservation efforts which function as focal points toward the attainment of justice. * * * Whatever programs develop, the facts of rural-urban interdependence and world interrelationships are such that the steward's duty and involvement today are at once greater and more complex than ever before."

4. "Adjustment in Values": "The churchman examines new trends and institutions, developments in art and science, and changing customs and philosophies, to discover what they contain of constructive and destructive elements in the light of God's laws."

5. "Planning and Development": "Choice is the fruit of judgment. The prospect of wise judgment is enhanced by deliberation and careful planning."

6. "The Spread of Understanding": "We need a spread of understanding about chain reactions and multiple breakthroughs in the universe around us. But who is responsible for this spread? Who speaks for wisdom in land use, for balance between population and resources; and for social justice?"

7. "Areas of Poverty": "It is a callous affront to conscience to surrender with the excuse that 'the poor are always with us.' The responsible churchman does not surrender."

8. "The Need for Balance": "Our world was not designed to be rural or urban, black or white, land or water, farmers or lawyers, but a bit of each created by God to help the others, so that we can mature with growth and strengthen the prospects of both peace and freedom in the future."

9. "Area Development": "The ultimate benefits of good stewardship flow far afield, but there is a price: True mutual concern and

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[1] Mr. Huff is a director of town and country work of the national division of the board of missions.

cooperation must replace old rivalries between town and country and between town and town."

10. "A Test of Faith in God": "From those granted free will, God asks free services. A man of faith will choose to serve."

Pastors and church lay leaders are urged to contact their soil conservation district supervisors or the county extension agent for copies of the soil stewardship booklet.

This is the 11th in an annual series prepared by the Soil Stewardship Advisory Committee and published by the National Association of Soil and Water Conservation Districts. It also may be obtained by writing the offices of NACD at Post Office Box 855, League City, Tex.

Soil conservation supervisors are usually anxious to cooperate.

(NOTE.—The Soil Stewardship Advisory Committee is an interfaith committee serving the National Association of Soil and Water Conservation Districts, a nongovernmental organization of some 3,000 districts throughout the Nation. Advisory Committee members are the Reverend Harold S. Huff, Methodist and representing the National Council of Churches; the Reverend Henry McCanna, American Baptist and representing the NCC; the Reverend E. W. Mueller, National Lutheran Council; the Reverend Lewis W. Newman, the Southern Baptist Convention; and the Reverend J. G. Weber, National Catholic Rural Life Conference.)

JANE ADDAMS, FOUNDER OF HULL HOUSE

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, 30 years ago on May 21, 1935, humanity suffered a tragic blow in the death of Jane Addams of Hull House.

It was my personal privilege to know Miss Addams well for many years and I do not wish to see the anniversary of her death pass unnoticed. Her many contributions to the life of the city of Chicago and to America are still a vivid memory to those of us who were fortunate enough to be personally acquainted with this wonderful woman.

Most people are familiar with the general outlines of the story of how Jane Addams came to found Hull House. As a very young woman of 29, from a good family and with a good education, she decided to separate herself from all her comfortable and familiar surroundings and to dedicate her life to the poor and the unfortunate.

In 1889, she moved into a small house on Halsted Street on Chicago's near West Side, a neighborhood of immigrants from all over the world—Italians, Greeks, Jews, Poles, Hungarians, and Irish. She came to this area with a vision of a better America and she stayed there 50 years to help make that vision into a reality.

I grew up in that neighborhood and came to know Jane Addams well. It has always been a source of pride to me that as I grew older, my relationship to Hull House also matured and strengthened. As a boy of 12, I took part in drama classes and the other activities that she provided for us.

My earliest job was as a shoeshine boy in the Hull House. Later on in life, in 1942, I served as chairman of the war ration board 40-20 which was located in the Hull House. Now I have the honor of representing that same area in Congress.

It has become a common cliche that Miss Jane Addams was loved by all who knew her. However, it is no less true no matter how many times it is said. She was a kind and understanding woman who recognized the needs and wants of the immigrants in a large and strange metropolitan area.

The factor that set her apart as a human being of rare wisdom was her ability to translate ideals into action. The most profound monument to her courage and clarity of judgment is an endless number of laws and programs enacted on the local, State, and Federal levels embodying her concepts of love and justice.

When Jane Addams first sounded the trumpet for the end of child labor, for the recognition of labor unions, for the right of women to vote, for the regulation of working hours and conditions, for help for the unemployed, the aged, and the ill—she did so almost alone.

Today these social and economic battles have been largely won. In no small measure is this victory due to the untiring efforts of one lone woman with a vision of life and a faith in humanity, Jane Addams of Hull House.

PROJECT EQUALITY: DETROIT CATHOLIC ARCHDIOCESE FIGHTS JOB BIAS WITH BUYING POWER

Mr. CONYERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. Mr. Speaker, the Catholic archdiocese of Detroit has taken a great step forward in the struggle to eliminate racial injustice and job discrimination. On Thursday, May 13, the archbishop of Detroit, the Most Reverend John F. Dearden, sent a letter to all the pastors and administrators of religious orders and institutions in the diocese forbidding any discrimination in hiring and prohibiting purchases from any business that discriminates.

I particularly want to commend this action, because it shows it is becoming more clearly recognized that racial discrimination can only be eliminated through determined efforts by every group in our society.

Thanks to the Civil Rights Act of 1964, it is now the law of the land that discriminatory employment in industries affecting interstate commerce is prohibited. That was a necessary and important beginning. This declaration, by Americans who individually and collectively refuse to support bigotry in any form, either directly in their own hiring practices or indirectly through their purchases, should hearten all of my distinguished colleagues who supported and voted for the 1964 civil rights bill.

May I predict that the fine example set by the Detroit archdiocese will soon stimulate other dioceses all over the country to initiate their own equality of opportunity projects such as Project Equality.

I also think it reasonable to expect other religious denominations to quickly adopt similar programs. The impact of such nationwide activity would clearly go a long way toward establishing fair hiring and promoting practices.

The tone of the archbishop's letter is fair, realistic, and uncompromising. He firmly emphasizes the responsibility of the church to insure that "we, ourselves, are not discriminating in our hiring practices." The letter makes clear the steps that will be used to insure that all church purchases will be made from nondiscriminatory suppliers. The letter initiates a policy that in effect calls upon a consumer to not only base his purchase on price, quality, and service, but also upon the sellers' proven record of nondiscrimination.

The archiocese plans to use the review procedures developed by the President's Committee on Equal Employment Opportunity to insure that all of its suppliers practice equal job opportunity. I feel the decision to adopt these procedures reflects the effectiveness of this committee under the leadership of its chairman, Vice President HUMPHREY, and its Executive Vice Chairman, Mr. Hobart Taylor, Jr.

Mr. Speaker, I ask that the following newspaper items regarding Project Equality be printed in the CONGRESSIONAL RECORD immediately following my remarks: article from the Detroit News of Thursday, May 13, on the announcement of Project Equality; a copy of Archbishop Dearden's letter to all pastors and administrators of religious orders and institutions in the Detroit Archdiocese; and an editorial from the Detroit News of Friday, May 14, commending Project Equality, and an article from the Michigan Catholic of May 20.

Article from the Detroit News of Thursday, May 13, on the announcement of Project Equality:

HIT RACIAL BARRIERS IN FIRMS

(By Harold Schachern, Detroit News religion writer)

The archdiocese of Detroit today led the Nation in throwing the purchasing power of the Catholic Church behind the struggle of Negroes and others for racial justice and equal job opportunity.

In announcing Project Equality, the Most Reverend John F. Dearden, archbishop of Detroit, said discriminatory hiring practices are immoral and that the archdiocese no longer will tolerate them among the firms and individuals with which it does business.

A MAJOR BUYER

Efforts also are being made to cross denominational lines for an allfaiths cooperative effort against job discrimination, it was announced.

Next to the Federal Government, the Catholic Church generally is regarded as America's largest purchaser of goods and services through its dioceses and religious orders.

The project also is to be started in the archdiocese of St. Louis, a spokesman said, although no public announcement has as yet been made there.

OTHERS TO FOLLOW

Others of the 150 other dioceses and archdioceses are expected to follow suit, particularly the Michigan dioceses of Lansing, Saginaw, Grand Rapids, and Marquette.

The carefully worded plan is designed to protect and enhance nonwhite job opportunities at rank-and-file, supervisory, and executive levels.

Archdiocesan spokesmen said at a press conference announcing the program today that while it is fashioned after the President's Committee on Equal Employment Opportunity (PCEEO), Project Equality will go beyond the scope and limitations of this and other Federal laws and agencies.

Simultaneously with the announcement to the public today, a strongly worded statement signed by the archbishop went out to every pastor, every religious superior, and the head of every Catholic institution in the eight-county archdiocese, informing them of the new policy to be followed scrupulously.

His letter also announced the establishment of a new post to administer the program, that of director of merit employment, to operate under the archbishop's committee on human relations.

He named as the temporary director, Thomas H. Gibbons, Jr., of Chicago, director of employment services for the National Catholic Conference for Interracial Justice "until a permanent director is appointed."

HAILED BY HUMPHREY

Telegrams of congratulations and commendation addressed to the archbishop were received from Vice President Hubert Humphrey and Hobart Taylor, Jr., Executive Vice Chairman of PCEEO, and were read at the press conference.

Gibbons, who is the architect of Project Equality, said he had "spent some weeks in Washington making a close study of PCEEO" and the new Equal Employment Opportunity Commission (EEOC) to be headed by Franklin D. Roosevelt, Jr., and known as title VII of the Civil Rights Act of 1964.

"We believe this Detroit inauguration of Project Equality is particularly timely," he said, "for title seven is to take effect and the new EEOC is to swing into action July 1."

Under the latter, he said, only those firms engaged in interstate commerce and employing 200 or more people (to be scaled down to 50 by 1968) are required to comply.

STATES, COUNTIES ACT

Under PCEEO, established by Presidential orders, only those firms holding individual Government contracts in excess of $50,000 and employing more than 50 persons are affected. Project Equality will observe no such limitations, he said.

"In addition to these," Gibbons said, "there are now 28 States with fair employment practices commissions, and some 50 counties and municipalities with similar bodies.

"By and large, all of these use the punitive approach," and operate on a complaint process.

"The agency waits for complaints against discriminatory practices, conducts an investigation, issues warnings where necessary, and takes recalcitrants to court.

"In contrast to this, Project Equality will be educative and affirmative, placing the burden of proof on employers doing business with the archdiocese, not on the poor guy looking for a job."

FORMS FOR SUPPLIERS

Accompanying Archbishop Dearden's letter to all pastors, religious and institutional heads today were printed forms informing all suppliers of goods or services to church institutions of what will be expected of them.

They are to be required to sign and return the forms which state that they (the suppliers) are to "undertake specifically":

To maintain employment policies that affirmatively promote opportunities for minority persons at all job levels.

To communicate this policy to all persons concerned, including all our own employees, especially personnel department supervisors, to outside recruiting services, particularly those serving the minority communities and to the minority communities at large.

To take affirmative steps to hire minority persons in our company.

To provide to the archdiocese of Detroit, when requested, a breakdown of our total labor force by race and job category so our performance in this regard may be evaluated.

TELLS EFFECT

"These pledges mean that all companies doing business with the archdiocese will be required to advise the archdiocese of their equal employment opportunity policy and practices," said Father James J. Sheehan, director of the archbishop's committee on human relations, under which the program will be carried out.

"Future contract awards for goods and services will be based on the merit employment practices of the supplier, as well as the usual requirements of price, quality, and service."

In a prepared statement presented to the press today, Archbishop Dearden said the archdiocese would first take a no-compromise look at its own hiring practices and those of it subsidiaries.

"The effectiveness of this program has been demonstrated in the experience of the President's Committee on Equal Employment Opportunity," the archbishop said.

EXPECTS COOPERATION

"We anticipate the same cooperation and success which the Federal program has enjoyed. We recognize that we have a moral obligation to ascertain that our Catholic institutions are hiring in a moral manner, and to be sure that they are spending their funds in a moral manner.

"We intend to fulfill these obligations, so that the evil of employment discrimination is finally eliminated, and each man may find the fulfillment of his God-given talents without stigma or restriction."

Gibbons said the archdiocesan program's procedures have proven both effective and fair in "3½ years, experience of PCEEO."

"Thus the program is a positive and affirmative one," he said, "and is properly expressed in words such as 'encourage,' 'assist,' 'promote,' and 'educate.'

"The program, in its direction and in its emphasis, is not negative, it is not punitive, it is not restrictive.

"It does add a new enlightened dimension to daily affairs in keeping with the spirit of aggiornamento, both within the church and within society in the United States and in the world."

Gibbons said the same formula would be applied to hiring practices affecting American Indians, Spanish Americans, Jews, and other minority groups.

He added that "education rather than punishment" is the goal of Project Equality, and that it cannot be described by such words as "boycott," "sanction" or "force feeding."

Nondiscrimination in hiring, he said, is to be regarded as an extra indication of quality built into the product or services offered by suppliers.

"There is really nothing coercive about Project Equality," Gibbons said, "but it is true that nothing can be taught a student who will not come to class, and therefore no diploma can be awarded."

TO LIST FIRMS

He said the pledge statements, which all pastors and institutional heads are to enclose with payment checks mailed to suppliers, should be returned as soon as is practical for the firms involved.

"When they are signed and returned," he said, "the archdiocese will make up a list of firms which have affirmed their compliance.

"But they cannot simply do this and forget about it, for there will be a followup letter to whatever reply they make, or to those who fail to reply.

"The archdiocese will then seek to follow through with the various affirmative action services the Federal Government has employed, and which mainline employers are so willingly promulgating.

"These various companies will be supplied with work force report forms, to show not only the numbers of members of minority groups on the payroll, but their job levels and job descriptions as well.

TO CHECK COMPLIANCE

"After all this has been done, the archdiocesan merit employment director will set out to do 'compliance reviews' patterned after the checks made by PCEEO."

Under this procedure, he said, Government agents inform employers that they are "coming in to study their compliance."

"Actually, this is an effort to provide technical assistance, rather than to police them," Gibson said. "They have found that companies overwhelmingly want to comply, but that discrimination has been built into our way of life so thoroughly that we do things unconsciously.

"Rather than as an interference, big corporations regard this as a valuable service, for it provides them with a feedback on how subsidiaries and divisions are complying with policy decisions."

He said that, in addition to this, more than 300 large companies with a total employment of more than 8 million persons have formed what is known as the "plans for progress division," a voluntary organization which often goes beyond the antibias requirements of Government agencies. Many, he said, are not even government contractors.

He said American Christian and Jewish religious bodies met with governmental civil rights agencies last November at Airlie House, Warrenton, Va., to "determine how church bodies could cooperate with Government in achieving human rights."

"Project Equality is one response to this challenge," he said.

Others participating in today's announcement were Lawrence Washington, chairman of the subcommittee on employment of the archbishop's committee on human relations; Frances J. Coomes, executive director of the Michigan Catholic Conference, which approved Project Equality last month; and Edward Franks, a member of the Advisory Council of President Johnson's PCEEO.

Archbishop Dearden's letter of May 13 to all pastors and administrators of religious orders in the Detroit archdiocese informing them of the spirit and provisions of the new equal employment opportunity policy of the archdiocese:

[From the Detroit News, May 13, 1965]

Catholics Fight Job Bias With Buying Power

The following letter from the Most Reverend John F. Dearden, Catholic archbishop of Detroit, was mailed today to all pastors and administrators of religious orders and institutions in the archdiocese of Detroit, informing them of the spirit and provisions of the new equal employment opportunity policy of the archdiocese:

"Today we are all aware of the tremendous economic handicap which has been imposed on millions of our fellow citizens through discrimination in employment practices.

"In many instances those who seek employment to provide for themselves and their families are judged employable not on the basis of their ability only but on factors such as race or color of skin.

"This is not only legally wrong as provided by the Congress of the United States under Civil Rights Act of 1964, but it is morally wrong as noted by the Catholic bishops of the United States in their statement of August 1958: 'the heart of the race question is moral and religious.'

"CALLED FUNDAMENTAL DUTY

"Catholic Church institutions have a fundamental duty, therefore, not only to see that they do not discriminate in their own hiring policies, but, in use of purchasing power, to indicate to other employers the moral necessity of equal employment opportunity.

"Accordingly, all pastors and administrators of this archdiocese in the future are to review their current employment practices and hiring policies to insure that persons both employed and seeking employment are not discriminated against because of their race, color, and when not otherwise required by the type of position for which they are engaged, their religion.

"The U.S. Government has established a procedure in its dealings with suppliers of goods or services to insure that they are equal opportunity employers. This procedure has proved to be effective and acceptable to firms providing goods and services.

"Beginning now I request all pastors and administrators to cooperate in a similar program established for the archdiocese. Checks sent to suppliers of goods or services should be accompanied by a copy of the enclosed archdiocesan policy statement until further notice. Supplies of this statement are being printed and will be sent to you shortly.

"GOAL 'TRUTH BY EDUCATION'

"At a future date, a review will be made of all employment practices in the archdiocese to see that we, ourselves, are not discriminating in our hiring methods. Professionally developed criteria will be made available to those responsible to assist them in evaluating their own personnel practices. Similarly, reviews will be conducted of our suppliers to insure that they meet archdiocesan requirements of an equal opportunity employer.

"The purpose of Project Equality is truth through education. There is nothing of boycott or economic sanction or 'purchasing power club' involved.

"Discrimination in very many cases exists unconsciously. Discrimination exists today due to a deficiency in our education, due to bad habits learned over many years, due to unreasoning fears in dark corners of the mind which have never been subject to logical scrutiny in the light of the truth.

"Without some positive steps on our part, therefore, employment discrimination will cling to our way of life like many another outdated and long since disproved theory which has not been rectified through education. Project Equality will seek to lessen discrimination through education.

"I have charged the archbishop's committee on human relations with the responsibility for the execution of this program, Project Equality. Mr. Thomas H. Gibbons, Jr., has been named director on a temporary basis until a permanent director is appointed.

"The archbishop's committee on human relations will be available to assist you in every way to carry out archdiocesan policy of equal employment opportunity. We know you will give your fullest cooperation in carrying out our directive."

Detroit News editorial of May 17 commending Project Equality:

BLOCKBUSTER AGAINST JOB BIAS

In a historic move, the archdiocese of Detroit has thrown the prestige and strength of the Catholic Church behind a practical method of attacking racial injustice and job discrimination.

As emphasized by the Most Reverend John F. Dearden, archbishop of Detroit, Project Equality will bring to bear against these evils the moral censure of the church as expressed by the Catholic bishops in 1958 and the legal condemnation of the 1964 Civil Rights Act.

It will do so by forbidding the pastors and administrators of religious orders and institutions in the archdiocese of Detroit from engaging in any discriminatory hiring practices—and from doing business with any firms that use them.

While the program is patterned after the President's Committee on Equal Employment Opportunity, it goes beyond the Federal Government's efforts in this field. The church is not just following the Government's example. It is marching boldly and courageously out into broader fields to help Negroes and other minorities achieve their civil rights.

Through its efforts, the Catholic Church thus serves as an example to other churches and other private organizations. As the example is followed by such groups, the need for Government intervention to secure equal job opportunities may even be lessened.

Some of the suppliers of goods and services to archdiocesan institutions may grumble about the requirement that they must fill out detailed forms to show their compliance with the new order. But if the church means what it says about its opposition to job discrimination, it must know the performance of the firms with which it does business.

Nor is the new program a boycott in the sense of the proposal made by Dr. Martin Luther King against the State of Alabama. By imposing a boycott on an entire State, Dr. King would injure the friends of the Negro as well as those who discriminate against the Negro. The Catholic program simply means that the church is to set an example in not helping those who permit discriminatory hiring practices.

Traditionally, the Catholic Church has not been regarded as one of the leaders in the fight against bias. But in recent years it has moved into the forefront of the campaign against discrimination even though, ironically, some of its members still suffer themselves from bias displayed by "WASP's"—white, Anglo-Saxon Protestants. Now Project Equality assures that the Catholic Church will make new strides forward—which should carry the country with it.

In Detroit Archbishop Dearden has won a reputation as a man who seldom speaks in public but makes his voice heard when he does. This time he has dropped a blockbuster.

Article from Michigan Catholic of May 20 reporting the diocese's efforts to implement Project Equality and the congratulatory letters received by the diocese regarding Project Equality:

RUSH PLANS TO IMPLEMENT PROJECT EQUALITY HERE—PROGRAM WINS WIDE APPROVAL

Bundles of forms addressed to all firms supplying goods and services to parishes and institutions of the archdiocese of Detroit were being delivered this week. Project Equality, a broad antidiscriminatory policy adopted by the archdiocese, is losing no time in going into action.

Under the sweeping program all pastors and administrators of the archdiocese are to review their current employment practices and hiring policies to insure that persons employed or seeking employment are not discriminated against because of their race, color, and when not otherwise required by the type of position for which they are engaged, their religion.

All pastors and administrators are further required to obtain a similar policy statements of equal employment opportunity from all firms and industries with which they do business.

The Detroit archdiocese is the first to adopt such a positive and all-encompassing program of throwing its multimillion-dollar purchasing power into the cause for racial justice. The St. Louis archdiocese is presently implementing a similar policy and some 40 other Catholic dioceses and archdioceses are expected to join the program within a year.

Evidence of support for the educational programs was received by Archbishop John F. Dearden, who announced the Detroit program May 12, in commendations from a number of sources.

In a telegram from Vice President HUBERT H. HUMPHREY the archbishop was advised:

"As Chairman of the President's Committee on Equal Employment Opportunity, let me congratulate you and the archdiocese of Detroit for announcing the Project Equality program. Your commitment to promote equal employment opportunity with all persons doing business with the archdiocese is a major step forward in this Nation's effort to make available the blessings of our land to all persons regardless of race, color or creed. My very best wishes."

Hobart Taylor, Jr., Executive Vice Chairman of the same committee, wired:

"I want to congratulate you and your associates on the leadership you are giving in the area of human rights and dignity through Project Equality. As Executive Vice Chairman of the President's Committee on Equal Employment Opportunity I was pleased to put at the disposal of Tom Gibbons our staff personnel and committee experience to assist in the preparatory stages of this program. I hope you will continue to call on us as you move ahead in your efforts to afford equal opportunity to all."

Thomas H. Gibbons, Jr., director of employment services for the National Catholic Conference for Interracial Justice, was announced by Archbishop Dearden as the temporary director of the Detroit program, working in conjunction with the archbishop's committee on human relations. The archbishop's committee is directed by Father James J. Sheehan, executive secretary, under whose jurisdiction the program will be administered.

Mr. Gibbons is also setting up the St. Louis archdiocesan program.

The National Council of Catholic Men also commended Archbishop Dearden for adopting Project Equality.

Martin H. Work, executive director of the NCCM, stated:

"Permit us to offer congratulations on the occasion of the Michigan Catholic Conference adopting Project Equality. Your leadership in this program will give great encouragement to equal employment opportunity efforts. Your friends at NCCM send best wishes for the successful implementation of Project Equality in Detroit."

Local support was added by the Reverend Robert A. Hoppe, director of the Commission on Race and Cultural Relations of the Metropolitan Detroit Council of Churches, which adopted the following statement:

"The executive committee of the board of directors, Metropolitan Detroit Council of Churches, heartily commends the Archdiocese of Detroit, His Excellency Archbishop John F. Dearden, the Reverend Father James J. Sheehan, and the Michigan Catholic Conference on the anouncement of their commitment to racial justice and equal job opportunity through the Project Equality program. Such positive steps are concrete examples of the wise and just stewardship of funds given to the work of the church."

Dr. Hoppe said Detroit's Protestant churches had "talked about a central agency, but we do not have a heirarchy to enforce nondiscrimination clauses."

Francis Kornegay, president of United Church Men, a vice president of the Detroit Council of Churches and an official of the Detroit Urban League, urged Protestant groups not to "drag our feet", but to follow the "impetus from the Catholic action."

The 27th meeting of the Northern States District Conference of the Knights and Ladies Auxiliary of the Order of St. Peter Claver, meeting in Detroit May 14–15, announced: "We deeply appreciate the wise leadership of Archbishop John F. Dearden for invoking economic power against all who use discriminatory labor policies in his archdiocese."

In calling on all clergy and laity in the Detroit archdiocese to cooperate with the goals of Project Equality, Archbishop Dearden said:

"We recognize that we have a moral obligation to ascertain that our Catholic institutions are hiring in a moral manner, and to be sure that they are spending their funds in a moral manner. We intend to fulfill these obligations, so that the evil of employment discrimination is finally eliminated, and each man may find the fulfillment of his God-given talents without stigma or restriction."

BEEF PRICES ROCKET UPWARD HERE

Mr. PURCELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PURCELL. Mr. Speaker, the sharp rise in retail prices of beef in the Washington area in the past 2 weeks is of great concern to me. The Washington Post reported yesterday that "Washington area housewives are paying as much as 37 cents more a pound for beef this weekend than they did 2 weeks ago."

This appears to me to be an unjustified increase based on the market prices for live beef. It is a matter which certainly deserves a great deal of study.

It is true that market prices of live cattle have increased in recent weeks. However, a check shows that the average price of all weights of Choice live cattle at the Chicago Terminal Markets have increased only $3.19 per hundredweight or 3.19 cents per pound since the first week in March. The average price for all weights of Choice live cattle at Chicago during the first week of March was $24. The next week this price dropped to $23.88. Since that time the price has gradually increased. The average price last week in Chicago was $27.19.

Mr. Speaker, this is an increase in the past 12 weeks of 3.19 cents per pound live weight of Choice cattle. The average 1,000-pound Choice live beef animal will yield 444 pounds of retail cuts. On this basis, the increased cost of live beef would justify only a 7½ cents increase in the retail price.

I think this development indicates the need for the study now being made by the National Commission on Food Marketing. This is the kind of market activity for which the public deserves an explanation. It may well be that this price increase is well justified but a detailed study should be made to see if the recent retail price increases in beef in this area are reasonable.

I would like to include at this point the article from the Washington Post for Sunday, May 23, 1965, headlined "Beef Prices Rocket Upward Here" and a chart showing the weekly average prices for all weights of Choice cattle at the Chicago Terminal Markets from March 1 through this past week.

Thank you, Mr. Speaker.

The article and chart are as follows:

[From the Washington (D.C.) Post, May 23, 1965]

BEEF PRICES ROCKET UPWARD HERE

Washington area housewives are paying as much as 37 cents more a pound for beef this weekend than they did 2 weeks ago.

Sirloin steak is selling for $1.05 a pound on sale—Choice grade, not Prime. Two weeks ago the same grade sold for 89 cents and 68 cents on sale.

Shoppers are paying 59 cents a pound for ground chuck, which sold for 53 to 58 cents 2 weeks ago.

Porterhouse steak is at a minimum of $1.19 a pound, 20 cents more than it was 2 weeks ago. Choice grade rib steaks are 85 cents a pound, the same grade that sold for 59 cents on May 6.

Rib roast, bone-in, 7-inch cuts, is selling for 79 cents a pound, compared with 69 cents 2 weeks ago.

6-WEEK LAG

Generally speaking, retail meat prices lag behind livestock prices by about 6 weeks. A chainstore spokesman refused to anticipate a further rise but he pointed to recent increases in the prices for live beef and wholesale carcasses.

Donald Seabord, agricultural economist for the U.S. Department of Agriculture, gave three basic reasons for the higher prices—more people, with more money to spend on beefsteak, and fewer animals on the market.

Cattle on feed in the 32 producing States down 2 percent from a year ago and almost a million head fewer than the first of 1965, Loren H. Osman, special correspondent for the Washington Post, reported from Chicago.

When farmers wind up corn planting, they may sell more steers. The fall's increased receipts should bring prices down.

Meanwhile, the price of pork also is on the rise. Higher corn prices, plus a shorter crop due to draught, has caused pork production to drop 10 percent.

CHICAGO PRICES

As cattle producers are moving fewer animals through the feed lots and sending lighter weight animals to slaughter, Choice grade steers of Chicago are selling for $6 a hundred pounds more than they brought in May of last year.

Steers are going to slaughter now when they "make grade," or reach the desired degree of fatness. The reason for lighter weight steers, according to Seabord, is that the animals cost more to feed when they become heavy, and the prices for both types was approximately the same in 1963 and early 1964.

Clarence Adamy, executive vice president of the National Association of Food Chains, expects the rise in wholesale prices will be reflected in fewer retail beef specials. He said in a stable year, the average chainstore would have 18 to 20 specials on a variety of cuts. He said in 1963–64, a "depressed year for beef prices," the average store held 34 to 37 specials.

Prices of all fresh food have moved up in the last 3 weeks. Osman reported. The higher cost of fruit and vegetables is blamed on a labor shortage in harvest fields because of the end of the bracero program.

Average weekly prices at Chicago for all weights of Choice beef

March 1965:	
1st week	$24.00
2d week	23.88
3d week	24.32
4th week	24.66
April 1965:	
1st week	24.70
2d week	25.49
3d week	25.47
4th week	25.75
5th week	25.80
May 1965:	
1st week	26.24
2d week	26.66
3d week	27.19

PRESIDENT JOHNSON PROCLAIMS SMALL BUSINESS WEEK

The **SPEAKER.** Under a previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, President Johnson has proclaimed May 23–29 as National Small Business Week. This is in recognition of the major role played by small firms in the national economy.

When I first came to Congress in March 1929, you could hardly find a reference to small business anywhere. You could look in Government publications, industry publications, and even the telephone book and not find even a mention of the term "small business." Throughout all the ensuing years, Mr. Speaker, some of us here in Congress have consistently supported the struggle of the small businessman to survive, to make a decent living, and to contribute to our competitive economic system. Landmark legislation has been enacted to this end, and small business is managing to stay afloat.

To the extent that this is true, Mr. Speaker, I like to think is partly the result of those of us in this House who through many, many years have maintained an unswerving faith in small business and what it means to America. Today, in contrast to the early days, you hardly find a Government or industry publication or reference book that does not mention a small business organization, association, or concern. This is all to the good and is especially gratifying to those of us who look upon small business as much more than just balance sheets and income statements.

THE CONTRIBUTION OF SMALL BUSINESS TO AMERICAN LIFE

In his proclamation, President Johnson said:

The Nation's small businesses contribute significantly to the well-being of our citizens,

> and to the defense of freedom * * *. Small business holds open the door of opportunity and enriches the lives of our citizens and stimulates our economic growth.

There are 4.66 million small businesses in the Nation. They represent more than 90 percent of all businesses in number. They provide a livelihood for 75 million Americans. They employ 40 percent of our working force. They account for more than 70 percent of the Nation's dollar volume in construction, in retail and wholesale sales, and in services, and more than 30 percent of the value produced through manufacturing.

But small business is more than just a few interesting statistics. Small business plays another equally significant role. This is the relationship between small business and our social and economic structure.

Small business provides the greatest opportunity for the expression of individual initiative. It opens a route toward economic achievement and security. Thus, small business encourages the industrious and the ambitious to succeed. Small business brings out the traditional American virtues and values such as self-reliance, self-improvement, hard work, thrift, and, last but not least, competitive freedom of enterprise.

To the community, small business contributes a very great deal. It provides a reservoir of local civic leadership. Small business is a stabilizing force; it supports law and order and moral values, and at the same time strives for progress and improvement in all facets of American life.

President Johnson last August at a White House meeting with small businessmen put it well:

> Every American community—

He said—

> draws its base of leadership, its stability, its continuity, and its drive for progress from responsible and progressive small businessmen.

None of our great American institutions is more closely woven into the economic and social fabric of our civilization than is small business. The backbone of the American economic system stems from the welfare of the country's small business community. Small business constitutes the base of our free enterprise system.

Mr. Speaker, there is a great deal of truth in the suggestion that Small Business Week might be more aptly called Free Enterprise Week. Where else does one actually find free enterprise today but in small business, the small enterprise, owned and operated by a local merchant, a family farmer, or a professional man or skilled artisan.

SUPERCONCENTRATION—A THREAT TO FREE ENTERPRISE

One certainly does not find free enterprise among our giant corporations. No doubt, these behemoths have contributed toward the creation of our present system for the distribution of goods and services and, in many cases, to worthwhile community projects. But, while making a material contribution, big business has wrought a drastic change in our economic and social system in America and, in my opinion, has undermined and weakened may of the traditional values that we have long held dear.

Free enterprise, as I see it, and as most will agree, is the employment of privately owned assets—either property or labor, or both—in a freely competitive economy for the purpose of creating wealth. Obviously, only in such an environment can individualism, initiative, and creativity truly prosper.

Certainly big business as we know it is not free enterprise. Where you have an industry or a market completely dominated by a few large companies owned by a scattering of stockholders who have no effective voice in their company's management, then you do not have free enterprise. You may have something else, but it is not free enterprise, it is capital collectivism. It is not free enterprise because the two primary elements of free enterprise are absent. These are, as I mentioned, owner-management and free competition.

Unfortunately, the trend in this century has been toward greater and greater concentration of economic wealth and power—and in most all industries, too.

In 1962, the 100 largest manufacturing corporations had 45 percent of the total assets of all manufacturers; the 4 largest manufacturers of motor vehicles received 90 percent of their industry's profits; the four largest tobacco companies owned 71 percent of their industry's assets; the 4 largest dairy products manufacturers enjoyed 74 percent of that industry's profits; in 1958, the 4 largest firms had 69 percent of the cane sugar refining market; 79 percent in cigarettes; 80 percent in tin cans; 87 percent in copper; 95 percent in farm implements; 74 percent in railroad cars; 72 percent in rubber, and the list goes on and on.

But superconcentration is not limited to manufacturing. In 1959, 82 percent of all bank deposits and loans in metropolitan Los Angeles were in four banks, and four banks had 66 percent of all bank deposits in the entire State of California. In 1961, four banks had 80 percent of Milwaukee bank assets, 70 percent of all Chicago bank loans, 70 percent of all New York City bank deposits, and at present four banks control nearly 94 percent of Arizona's total bank assets.

In the 1920's there were over 30,000 banks in the United States. Today there are less than 15,000; the large banks have gobbled up the small.

As recently as 1940, we had 6.3 million farms; today there are only 3.5 million. Of these farms, 1 million, or 27 percent, control 78 percent of sales of farm products. These are the big corporate farms—the corporate collectives. No wonder farms are getting fewer but larger as the monopolistic farm corporations are driving the family farmer off his land. Every year 125,000 farms, most of them small, disappear. About 80 percent of Government assistance goes to the big, successful farms, while the other 20 percent is thinly spread among the remaining 2½ million family farms. Free enterprise in agriculture is rapidly disappearing as the corporate collective farm squeezes the little farm out.

TRADITIONAL FEAR OF MONOPOLY IN AMERICA

In the Anglo-American societies, concentration of economic power has always been feared. The fears were of increasing political power by burgeoning business concentrations and the fear of monopolies—the exact opposite of free enterprise in a free society.

Adam Smith, in his "The Wealth of Nations," said in the same year that the Declaration of Independence was signed:

> People of the same trade seldom meet together, even in merriment and diversion, but the conversation ends in a conspiracy against the public or in some contrivance to raise prices * * *. The price of monopoly is upon every occasion the highest which can be got, the highest which can be squeezed out of the buyers.

I hardly need remind Members of the electrical equipment price-fixing scandal and the Minnesota banking scandal of recent years as just two examples of Adam Smith's wisdom.

It was only natural then that government, both English and American, felt it necessary to control corporations in order to protect the public. In 1818, for example, Massachusetts granted a corporate charter for a flour mill, but limited its total assets to $50,000. The next 25 years brought forth many new corporations in America, but practically all were severely restricted in their powers; our forefathers had not the slightest intention of allowing these fictitious collective persons to roam the world, possessing indefinite wealth, or to dominate the commercial and industrial scene. But as the great industrial revolution progressed, lawyers and politicians in alliance with businessmen succeeded in the passage of general incorporation laws by the States to allow unlimited growth and unrestricted scope to corporate operations. The big corporation thus was able to elbow its way to economic dominance. And, we all know that they have been very active in politics ever since. I might mention that it was just about the same time that the big corporations were emerging and the "robber barons" of finance and industry were in their heyday that the first Government regulatory bureau was established, the Interstate Commerce Commission in 1887.

It is fair to say that though not all big businessmen engage in monopolistic practices all the time, big businesses usually possess monopolistic power and too often use it.

SMALL BUSINESS CAN COMPETE IF GIVEN A FAIR CHANCE

Now we all agree that it is not always necessary for a company to be big in order to be efficient. A small company can be efficient. In what degree the 20th century increase in productivity was due to economic concentration and in what degree in spite of it is still an unsettled question. One thing is certain with regard to economies of scale, the saying that "the bigger the better" is just folklore, a myth. Big businesses, for all their resources, cannot rival resourcefulness and initiative of many independent and competing companies, particularly when the little fellow is lucky enough to get adequate financing. Unfortunately, adequate credit at reasonable interest rates is too often hard to come by for the small business. This is where the banks have fallen down on the job. In our monetary system, private commercial banks have been given a franchise, yes, a monopoly, in the creation of money. I challenge whether that franchise is exercised with the public interest always in mind. The banks have also pretty much abandoned the family farmer. In both cases, the Government has had to step in—not just to save smaller entities, but to save a way of life that we in America refuse to let die.

To summarize then:

First. Big businesses often possess and use monopoly power.

Second. Big businesses weaken the political support for a private enterprise system.

Third. Big businesses are not appreciably more efficient or enterprising than many smaller businesses.

It is recognized that some businesses particularly in the public utility field, are necessarily very large.

CONGRESS HAS BEEN ALERT TO THE THREAT TO FREE ENTERPRISE BY MONOPOLY

Fortunately, Congress and the American people have always been alert to the dangers to our free society presented by the accumulation of economic power in a few hands. The passage of laws to protect and preserve free enterprise—the Sherman Anti-Trust Act in 1914, the Clayton Anti-Trust Act in 1914, the Robinson-Patman Act in 1936, and the Celler-Kefauver Act in 1950—reflected Congress fear of the political power that might be wielded by our largest corporations; fear of the inability of the small businessman to survive and prosper in an economy dominated by huge corporate structures. There were other fears behind the actions Congress took: fear of the tendency of big business, as it grows bigger, to produce countervailing bigness; fear of the tendency of the very large business units to respond only to mass consumer demand, thus reducing choices available in a society which has traditionally valued diversity; fear of corporate bigness destroying individual initiative and substituting in its stead the motivations of the organization man. Finally, and most important of all, Congress dedication to antitrust goals as a means of preserving our way of life has always rested on its recognition that concentration of industrial power may lead to the police state.

And, to give credit where credit is due, the most recent Republican occupant of the White House recognized this danger, though most members of his party are mere spokesmen for the big business, anti-free-competition forces. President Eisenhower stated in his farewell address on January 18, 1961:

> In the councils of government, we must guard against the acquisition of unwarranted influence by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist.
>
> We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted.

PRESENT EFFORT BY SOME TO WEAKEN ANTIMONOPOLY LAWS AND FREE ENTERPRISE

At this very moment these forces are lobbying hard to weaken small business and our free enterprise system by a bill that would, in effect, exempt an entire industry from the antitrust laws, and thus open the door to wholesale exemptions for other industries equally well-organized. I refer, of course, to the American Bankers Association-sponsored bill to keep the Justice Department out of bank mergers entirely and to leave merger approval to the banking agencies. In my books, that is like sending the goose to guard the shelled corn. What these people want is a blank check to engage in conduct that can mean a jail sentence for a businessman who is not a big banker.

While I personally do not favor this bill, the executive director of the ABA the other day glibly predicted its enactment this year. And, he may be 100 percent right, because the big bankers lobby usually has its way on Capitol Hill. What this means for the smaller, independent banker I do not know. I fear that if this bill passes, the independent banker will go the way of the independent farmer. Already, the number of independent banks has been halved since I first came to Congress.

WISE MONETARY POLICIES ALSO NECESSARY TO SAVE FREE ENTERPRISE

But important as antimonopoly laws are to free enterprise, nothing can save the small businessman unless he can get adequate credit to finance his business at interest rates that are reasonable. The Federal Reserve Board which controls interest rates certainly cannot be accused of being under the influence of small business interests. They are entirely innocent of such a charge. This is as it should be, but on the other hand, the Fed's perennial tight money policies, in addition to causing periodic recessions, have almost been the ruin of the real free enterpriser, the small businessman. Thus, Government has had to step in and create a Farm Credit Administration, a Reconstruction Finance Corporation, a Farmers Home Administration and, of course, a Small Business Administration. Also, it was necessary to create a Home Owners Loan Corporation years ago, and numerous other agencies to provide credit to worthy risks where others had failed to respond to legitimate needs.

Adequate credit for small business is vital to our economic health. As I mentioned a moment ago, small business employs a whopping 40 percent of our working force. Without a healthy small-business community, we cannot have a prosperous economy. As Sylvia Porter stated here in Washington recently, recession and inflation are man-made. Inflation is usually the result of unwise fiscal policies during a period of extreme imbalances in supply and demand, whereas recessions are almost always caused to a substantial degree by unwise tight-money policies. But the important thing to remember is that the so-called business cycle is man-made, and we must be always aware of the sensitive financial needs of small businesses which are wholly at the mercy of other larger financial and nonfinancial institutions for operating capital and other services.

If small businesses were assured adequate credit at all times, I am sure that recessions would be a thing of the past, that government would not have to be so large and that our free enterprise system—what remains of it—would survive.

SUMMARY AND CONCLUSION

What I have said here today can be summarized this way. Small business is of inestimable economic importance to America. Small business represents most all the values that Americans have traditionally respected and cherished. Small business is threatened, today as in the past, by the powerful, monopolistic forces of big business, which unwittingly or not would see our free enterprise system destroyed. If these forces succeed, our children and grandchildren will live to see the establishment of a corporate state in America. Wise antimonopoly and wise monetary policies must be rigorously followed to promote and protect small business and free enteprise. Preservation of healthy competition by small business within every industry is essential for the preservation of private enterprise and the liberal-individualistic society of which it is an integral part.

I join with my colleagues in observing National Small Business Week May 23–29.

THE PRESIDENT'S MAGNIFICENT YOUTH EMPLOYMENT PROGRAM

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, more than a year ago, in his state of the Union message to Congress, President Johnson, speaking on the needs of the Nation and goals of the Great Society, declared unconditional war on poverty.

In the next 30 days some 2 million boys and girls, 16 through 21 years of age, will be stepping into the main stream of the Nation's labor force. For many, it will be the first venture into the workaday world most of us have come to know so well. For others, it will be the second, third, fourth, and even fifth quest for summer jobs to help them through the coming school year, or permanent employment launching them on a lifetime career.

About half of these young Americans will be taking their first big step toward independence, toward economic self-reliance. The balance will be seeking temporary summer employment, and in many cases, the money they earn will determine their ability to continue their education.

What these young people find when they step from the classrooms to the employment agencies—a job or unemployment—can have a significant and lasting effect on their future and the future and well-being of the entire Nation.

If these youngsters, whether they are seeking only temporary summer jobs or their first full-time employment opportunity, fail to find work, the situation can readily produce many immediate as well as long range consequences.

The situation is more serious this year than even before because this is the first year that our labor force will feel the full impact of the postwar baby crop of the late forties.

To meet, head on, the problems posed by this tremendous flood into the labor stream, President Johnson recently announced a special youth opportunity campaign, specifically directed at creating job opportunities for the young men and women entering the labor force this June.

In his announcement the President declared:

> We can, in my judgment, increase by at least half a million the work and training opportunities this summer for these boys and girls—in a way that is good for them and good business for all of us.

The President has directed Government departments and agencies to find meaningful work or training opportunities for at least 1 extra trainee for every 100 employees now on the payroll. He has also called on the Governor of every State and the mayors of each city with a population of over 10,000 to try working out a trainee employment program similar to the one he has ordered for Federal departments and agencies.

These, of course, would not be enough in themselves, to meet the great needs of the Nation's youth this year. It will require the full support and cooperation of private employers, labor unions, trade associations, churches, colleges, and other large organizations.

And, this is as it should be, private industry, not the government supplying the necessary employment opportunities to meet the needs of our ever growing population and its youth.

The President has called on private industry to institute programs of trainee employment similar to those being worked out by Federal, State, and local government agencies. The success of the entire campaign, however, will depend on these work-training opportunities being extra jobs over and above those which would normally be offered. If, under this program, these job opportunities simply replace regular employment opportunities, nothing has been gained.

It is good, it is important, that young Americans who want to work during their summer vacations, be given the opportunity. The work habits, the experience these opportunities can provide the future growth of these boys and girls is a vital part of the overall war on poverty.

Training and education are the greatest tools we have with which to combat poverty for it is lack of education and work-training which result in unemployment and in turn cause poverty.

As the President said in announcing this campaign:

> In the depression of the 1930's we gave hundreds of thousands of boys and girls this kind of extra chance. I ask that today, at the height of our prosperity, we act with equal magnificence.

I now include in my remarks a fact sheet on the situation that I have been discussing.

I also include a letter, and an enclosure from the White House, which was sent by John T. Connor, Secretary of Commerce, to 900,000 employers today.

FACT SHEET

More than 2 million American boys and girls 16 through 21 years old will not be able to find work this summer without help.

President Johnson on May 23 launched the youth opportunity campaign to provide work and training experience for as many of these young people as is possible.

The far-reaching campaign seeks to place these 16- through 21-year-olds in jobs with Federal, State and local agencies, private firms and other organizations.

The need for the program derives from the tremendous influx this year of the postwar baby crop and the fact that half of America's unemployed next month will be in this age group.

Highlights of the President's proposals are:

Federal agencies find work or training opportunities for 1 extra trainee for every 100 persons now employed (employment potential 25,000).

Extension of the neighborhood youth corps for an additional 50,000 boys and girls.

Governors of each State and mayors of cities with a population of over 10,000 consider a trainee employment program similar to that of the Federal Government (employment potential 30,000).

The 620,000 private firms employing from 10 to 100 workers consider taking on an extra summer trainee.

The 60,000 largest employers add 1 extra trainee for each 100 employees (employment potential 250,000).

Large organizations like labor unions, trade associations, churches and colleges make similar efforts (employment potential 25,000 to 50,000).

To get the program underway, the President has asked the cooperation of all levels of government, private firms and organizations, colleges and high schools.

He said the program "will be worthwhile only if it means extra work-training opportunities, and above those which would normally be offered."

"This is only one part of the broader attempt to assure full employment opportunity in America."

Mr. Speaker, in 1965, the number of 18- and 19-year-olds alone in our work force will increase more than it did in the entire decade of the 1950's. From 1950 to 1960 the total number in this age group in the labor force rose by 300,000. In 1965 alone, it will soar by 600,000 from 3.4 to 4 million.

The aforementioned letter and White House enclosure follow:

THE SECRETARY OF COMMERCE,
Washington, D.C., May 23, 1965.

OPEN LETTER TO EMPLOYERS: The President has asked that Federal, State and local governments and private employers join forces this summer in an investment program in the Nation's youth.

There is enclosed an explanation of the youth opportunity campaign launched on May 23. Its purpose is to provide work and training experience this summer for as many as possible of the 2 million of our boys and girls—16 through 21 years of age—who will look for work with little hope of finding it. With half of our summer unemployment comprised of this age group and with almost a million of these young Americans seeking to take their first step in career employment, the situation is more serious than ever before.

This is a job that cannot be done by Government, whether Federal, State or local, or by private employers, alone. It requires the joint and concerted effort of all. With such a combined drive, we hope to increase the work and training opportunities this summer for these boys and girls—in a way that is good for them and good business for all of us. If private employers make this effort with enthusiasm, over half a million job opportunities will be provided with no undue burden on any one employer.

Our combined efforts in this program will pay dividends of permanent value for our young people and for the Nation. The personal satisfaction resulting from your participation will be immeasurable.

We hope that as many private employers as possible can make their own arrangements for taking on one or more extra young workers this summer. If you can do this, we would appreciate your advising us of your action by letter to the Secretary of Commerce, Youth Opportunity Campaign Unit, Washington, D.C.

The resources of the Federal Government have also been marshalled under the Vice President to advance and implement the program. The facilities of the Federal-State Employment Service System of the U.S. Department of Labor will assist employers and organizations by listing job opportunities furnished by employers and establishing special youth opportunity registers for young people eager to work. Please get in touch with your local State employment service office if you feel you can use this assistance.

I earnestly solicit your cooperation and support.

Sincerely yours,

JOHN T. CONNOR,
Secretary of Commerce.

YOUTH OPPORTUNITY CAMPAIGN STATEMENT BY PRESIDENT LYNDON B. JOHNSON

Next month, in June, when school is out, over 2 million American boys and girls—16 through 21 years old—will look for work and won't be able to find it.

Some of these 2 million will be looking only for temporary summer jobs. But getting those jobs may be the difference between being able to go back to school or not going back. I think it is good for America to put boys and girls to work in the summer when they really want to work—and bad for them when they are denied the chance.

Almost a million of these young Americans will be trying to find their places in life, trying to become independent, self-sufficient.

This situation is more serious this year than ever before.

This is the year most of the postwar baby crop of the late 1940's is entering the labor force.

Half of our unemployment next month will be in this 16- through 21-year-old group.

Last month I asked the Vice President to chair a Cabinet Committee on Employment, consisting of Secretaries McNamara, Connor, and Wirtz and NASA Administrator Webb. From their deliberations, recommendations have been made to me and I now am announcing a special youth opportunity campaign.

We can, in my judgment, increase by at least half a million the work and training opportunities this summer for these boys and girls—in a way that is good for them and good business for all of us.

A. THE FEDERAL GOVERNMENT'S ROLE

I am directing the Government departments and agencies to make every effort to find meaningful work or training opportunities this summer for 1 extra trainee for every 100 employees on their present payrolls.

This is to be done, for the most part, in the field offices and installations around the country.

These opportunities will be given, so far as this is practicable, to boys and girls 16 through 21 who need them the most because of economic or eduactional disadvantages.

There is a potential employment here of 25,000 trainees.

I am also directing a reallocation of Economic Opportunity Act funds to permit an extension of the Neighborhood Youth Corps program this summer to an additional 50,000 boys and girls.

Programs covering more than this number have already been submitted by local government and private nonprofit organizations in all of the States.

I am asking the Governor of each of the 50 States, and the mayor of each city with a population of over 10,000 to consider whether a trainee employment program like the one we are working out for the Federal Government will be possible and practicable. One percent of the number of their employees would be 30,000.

B. THE PRIVATE EMPLOYER'S ROLE

I hope and believe that private employers will cooperate in this program.

There are 620,000 firms in this country which employ from 10 to 100 workers. I hope that at least half of these firms will agree to take on one extra summer trainee.

There are 60,000 larger plants, employing over 25 million people. If each of them will add 1 extra summer trainee for each 100 employees, this will mean another 250,000 trainees.

I hope other large organizations—labor unions, trade associations, churches, colleges—will make a similar effort. This could mean another 25,000 to 50,000 trainees.

This program will be worthwhile only if it means extra work-training opportunities, over and above those which would normally be offered. It would be worthless, or worse, if this program only replaced regular employment opportunities.

C. TASK FORCE APPOINTMENT

I am asking the Vice President to chair a task force to work out the details of this program. This task force will include representatives of the U.S. Department of Commerce, the U.S. Department of Labor, State and local governments, and business and labor organizations.

D. IMMEDIATE ACTION PROPOSALS

In the meantime, and so this program can get started immediately, I am asking that these things be done:

1. That all private employers who are disposed to do so make their own arrangements immediately for taking on one or more extra trainees this summer.

If advice of this action, including the name of the trainee, is given by mail to the Secretary of Commerce, Youth Opportunity Campaign Unit, Washington, D.C., it will be appropriately acknowledged.

2. That all other private employers and organizations who are willing to cooperate in this program so advise the nearest State employment office.

3. That all State employment offices be advised, through the U.S. Employment Service, to establish special youth opportunity registers for this special summer program.

4. That all boys and girls 16 through 21 who want to work this summer and who don't have jobs get in touch immediately with the nearest Employment Service office. If this is difficult, write to the Department of Labor, Youth Opportunity Campaign Unit, Washington, D.C.

It must be clear that we cannot and do not assure all boys and girls work this summer. We will do the best we can.

In the depression of the 1930's we gave hundreds of thousands of boys and girls this kind of extra chance through the National Youth Administration. We acted then from the desperation borne of national economic distress. I ask that today, at the height of our prosperity, we act with equal magnificence. A boy or girl who wants a chance to work and who is denied it costs this country what it cannot afford.

This is only one part of the broader attempt to assure full employment opportunity in America.

The 16- through 21-year-old group will represent, however, half of our unemployment next month. This is a special problem resulting from the entry into the work force this year of so many of the postwar baby crop. It demands special attention.

AMNESTY FOR FIRST OFFENDERS

The **SPEAKER**. Under a previous order of the House, the gentleman from New York [Mr. FARBSTEIN] is recognized for 15 minutes.

Mr. **FARBSTEIN**. Mr. Speaker, I am today introducing legislation to amend title 28, United State Code, to provide amnesty for first offenders under Federal criminal law. This bill would provide amnesty, under certain stated conditions, to certain criminal first offenders and allow them to return to their otherwise lawful place in society without the stigma of a conviction. It would apply to youthful offenders as well.

Under this legislation a first offender—as defined—who after completion of his sentence and who shall not be convicted of a crime or offense of moral turpitude—as defined—during a designated probationary period set forth in the statute, shall be considered automatically amnestied and issued a certificate of amnesty by the court of original conviction upon filing an affidavit that he has not been since convicted, adjudicated, arrested, or informed against in any court. As a result of the amnesty, the judgment of conviction shall be annulled and expunged without need of a pardon and the amnestied individual would have his rights restored and guarded by the statute, not be subject to the ignominy of answering questions as to his conviction or arrest and thus be deprived of a livelihood he would otherwise be qualified for.

Provision has been made for the loss of regained status and rights, should the amnestied first offender thereafter be convicted of any crime of moral turpitude, knowingly consorting with criminals, disorderly conduct, or vagrancy—all as defined.

This bill is an example of constructive legislation which should be supported vigorously for both its social and legal effects. No longer would the one-mistake individual have to return to society and bear the stigma of conviction at every turn of his life. No longer would the conscientious but errant individual be restricted to a second-class status and be deprived of full rehabilitation opportunities because of one encounter with the law. He would have available to him a process by which he could unshackle himself and become a productive part of the law-abiding world once again. Legislation of this type, with the proper safeguards provided therein, would chart a wholly new course to peno-correctional reform, based upon a significant concept of total forgiveness of the first offense, generating a powerful incentive for rehabilitation from within. It would give the individual an unqualified chance to make a fresh start in life, with full opportunity to undo the stigma, adversities and handicaps of his criminal record after his sentence has been served. It may well yield an effective answer to the growing incidence of crime and to the high rate of recidivism, and to the massive strengthening of our democratic fabric by removing the hurtful stigma now attaching to a considerable number of first offenders.

REPRESENTATIVE CHAMBERLAIN FIGHTS EXCISE TAX ON AUTOMOBILES

Mr. **QUILLEN**. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. **GERALD R. FORD**. Mr. Speaker, for many years our colleague and good friend, CHARLES CHAMBERLAIN, has been leading the fight for the repeal or reduction in the excise taxes on automobiles. All of us from Michigan are extremely pleased to know that the President has seen the wisdom of this proposal.

The Lansing State Journal commended Representative CHAMBERLAIN in an editorial on May 18, 1965, entitled "A Good Fight."

Under leave to extend my remarks I include this editorial:

A GOOD FIGHT

No Michigan Congressman has greater cause than Representative CHARLES E. CHAMBERLAIN for jubilation over President Johnson's proposal to cut Federal excise taxes on automobiles as part of a $4 billion package of excise levy reductions over the next 5 years.

CHAMBERLAIN, East Lansing Republican who represents Michigan's Sixth District, has fought since 1957 for repeal of the Federal tax on motorcars and as a result has been called the "Auto Horn of Congress."

Johnson isn't asking outright elimination of the tax on the products of Michigan's leading industry but instead recommends that the present 10-percent levy be cut to 7 percent starting July 1 and slashed again to 5 percent by 1967.

CHAMBERLAIN hails the President's recommendations as a major breakthrough.

"Now I am sure there will be some action," he said. "From my observation he usually gets his way."

CHAMBERLAIN said an auto tax cut not only will pump rich new blood into Michigan's motor industry but will stimulate the entire national economy.

With the obvious aim of discouraging consumers from holding off purchases until the normal effective date of the proposed tax cut, Johnson said the proposed first-step reductions in excises on automobiles and air conditioners would be retroactive to last Saturday. He also called upon American business to translate lower excise taxes promptly into lower retail prices for consumers.

It appears that Representative CHAMBERLAIN's unflagging campaign against the auto excise levy is about to pay off in benefits to buyers of motorcars, to the industry and its employees and to the national economy as a whole.

The Sixth District Congressman deserves congratulations for having fought the good fight.

ECONOMICS AND THE IMPORTANCE OF DEBT MANAGEMENT

Mr. QUILLEN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CURTIS. Mr. Speaker, Congress will soon again be asked by the administration to raise the temporary debt ceiling. This recurring event, frequently the cause of discussion among both economists and laymen about the real meaning of our large internal debt, focusses our attention on debt management as an important element of economic policy.

Recently I expressed my views on debt management in article entitled "Economics and the Importance of Debt Management," published by the Tax Foundation in its monthly Tax Review of April 1965.

I said in that article that there are three policy tools available to the economic policymaker: fiscal policy, or tax and budget decisions; monetary policy, or decisions affecting the amount and availability of money; and debt management policy.

Debt management policy includes decisions affecting the timing of debt operations and the composition of the debt—that area relating to the maturity and the terms on which the range of Federal securities is offered for sale.

The administration in its economic planning has given too little attention to monetary policy, and to an even greater extent has ignored debt management as an arm of economic policy. In the era of a large and growing Federal debt, the serious problems of managing the debt must receive the full attention they deserve. The existence of the $318 billion Federal debt need not necessarily be harmful to the economy, but it certainly can be. The sheer size of the Government's debt operations mean that they will inevitably have a major impact on money and capital markets and increasing instead of decreasing its size is a major policy decision.

The importance of debt management for economic policy is clear. More study of the economic impact of ways of managing the Federal debt is required.

The article referred to above follows:

ECONOMICS AND THE IMPORTANCE OF DEBT MANAGEMENT

(By Hon. THOMAS B. CURTIS, U.S. Representative from Missouri)

In economics as in the world of high fashion reputations depend on following the latest styles. This may explain why fiscal policy is in such vogue among economists today. The pity is not that fiscal policy receives so much study and attention. Government tax and spending decisions do exert a powerful influence—for good or ill—upon the economy. The danger lies in the relative lack of attention currently paid to monetary policy and, to an even greater degree, to the serious problems of managing the large and growing Federal debt.

Administration economists in particular have been guilty of following and perhaps of even setting the fashion in fiscal policy. Except for their apparent belief that less monetary ease almost automatically leads to recession, they generally accord monetary policy a relative inactive role in the economy. However, the fact is that monetary and fiscal policy are both substitutes and complements for restraining or stimulating total demand. Unless this is recognized, there is no sound way to determine the advantages and disadvantages of using each policy tool in a given situation.

Even more neglected than monetary policy is debt management. It is hardly discussed at all. During the debate on the 1964 tax cut, for example, it was almost impossible to get administration economists to talk about the added burden which debt management would be called upon to bear in the event of a large tax cut. Yet, how the added debt arising from tax reduction was financed would be bound to have a heavy impact on the success of the tax cut in stimulating the economy and on the ability to avoid inflation in a highly expansionary economic environment.

Before proceeding it would be well to make clear just what debt management covers. Decisions to increase or decrease the size of the debt and by how much are the province of budget or fiscal policy. Decisions on how much of the debt should be owned by the Federal Reserve comprise a large part of monetary policy. Purchases and sales of Government debt by the Federal Reserve influence the cost and availability of credit and the size of the money supply and are one of the chief weapons of monetary policy. Debt management, on the other hand, covers the timing of debt operations and the composition of the debt or that area relating to the maturity and other terms on which the range of Federal securities are offered for sale.

Admittedly, debt management does not have the impact of fiscal and monetary policy. These add to or subtract from the aggregate of money flows in the economy and thus directly affect total demand. Debt management does not. But if the debt managers do not adapt their policies to existing fiscal and monetary policies, they may partly or wholly offset the intended results of the major policy weapons rather than reinforcing them. Robert A. Roosa, former Under Secretary of the Treasury and one of the ablest financial leaders in the Nation, has noted that while debt management is subordinate to fiscal and monetary policy it "may at times, and perhaps has had at times, a power and significance nearly rivaling that of the others."

Efforts to discuss the impact of debt management on the economy too often are greeted with scorn by economic sophisticates. Those concerned with these problems are said to take an old-fashioned or Puritan view that all debt is bad. Nothing could be further from the truth.

Obviously, debt in itself is not bad. Economic growth rests upon a base of growing debt. Savers must lend money to investors in order for the economy to grow. The key question is whether debt, private or governmental, leads to productive and prudent spending or to waste. Good debt creates wealth; bad debt destroys it.

The existence of a $318 billion Federal debt need not necessarily be harmful to the economy. But the sheer size of the Government's debt operations mean that they will inevitably have a major impact on money and capital markets. Net Federal debt today comprises nearly 25 percent of total net public and private debt in our economy, compared to about 8 percent in 1929. Each year the Treasury issues many billions of dollars in new securities to meet its cash needs and to refund existing obligations. Treasury financing exceeds the total of all other debt issued each year. If these operations are not to be a disturbing influence, they must be managed wisely and well. This requires a greater understanding of the economic consequences of various debt management decisions. What are some of these considerations

BALANCE OF PAYMENTS AFFECTS DECISIONS

The magnitude of the debt management problem is best illustrated by the large number of objectives which the debt managers must pursue simultaneously. Foremost among debt management considerations must be the impact on the liquidity needs of the economy, on the long-term capital markets, on the U.S. balance-of-payments position. Important, but not a primary consideration, is the interest cost of carrying the debt.

The debt manager must also be mindful of the inexorable shortening of the debt which occurs with the passage of time. He must strive to maintain a maturity structure which will assure reasonable flexibility for the debt manager in the future.

Another important aim is to develop and help maintain an active and widely based market for Government securities. One of the most important limitations on debt management is that the purchase of Government securities is voluntary. Under our free market system the Treasury cannot dictate the terms of its debt issues but must attract buyers in the market. It is vital to the objectives of the Treasury, the Federal Reserve, and the public in general that debt management provide securities on terms and in the maturity ranges that are acceptable to and meet the needs of investors.

It should be obvious from the foregoing that debt management cannot help but have a major impact on economic policy. With refundings and new cash borrowings totaling about $100 billion a year, Treasury operations have a powerful influence on the corporate bond market, on the market for State and local government securities and on the mortgage market.

Through these debt operations the Treasury influences the supply of credit available to other borrowers and the supply of liquid assets in the economy. If the Treasury lengthens the debt, businessmen, State, and local governments and mortgage borrowers may find long-term funds in short supply and high in cost. Thus, economic growth could be stunted as the Government competes for and absorbs funds that might otherwise be used for private growth-creating investment. It was my concern during the 1964 tax cut debate that the added Federal budget deficits might be financed in the long-term market and thus blunt the stimulus that sound tax reductions could provide. On the other hand, financing short term might have added substantially to inflationary pressures in the economy. This is the type of policy dilemma which it was so difficult to get administration policymakers to discuss.

Debt management is inextricably entwined with monetary policy of the Federal Reserve system. Both affect the availability of credit and the liquidity of the economy. Because debt management and monetary policies are determined by separate and mutually independent agencies, however, the risk of conflict is always present.

One of the principal concerns of monetary policy is to manage the supply of money and credit so that it meets the needs of the economy for liquid assets. This means that during a recession or periods of weak demand credit should be readily and cheaply available. When inflation threatens, however, the Federal Reserve should tighten the credit screws and make borrowing more difficult and expensive.

The conflict with debt management arises because the Government—like any other debtor—dislikes paying higher interest rates. The policy dilemma is clear: the state of the economy may call for tight credit but tight credit means that the interest burden of the national debt is increased.

A stabilizing debt management policy would call for Treasury borrowings at long term during an economic boom, thus lengthening the debt structure, and short-term borrowings during a recession. However, by borrowing long term during a boom the Treasury would thwart its own objective of minimizing the interest cost of the national debt. As a result, the Treasury would be tempted to borrow short. An increase in short-term debt has virtually the same impact as an increase in the money supply itself since Treasury bills are considered almost the equivalent of money by most investors. Thus, by borrowing short during a boom, the Treasury would tend to offset efforts of the Federal Reserve to limit liquidity and contain inflation.

Some economists have pointed out that even without a direct policy conflict, the existence of the debt weakens monetary controls. For example, the existence of a large Government debt permits banks to avoid some of the effects of tight money. They can do this by converting some liquid Government securities into cash during a period of tight money and by buying back Government securities in times of monetary ease.

The existence of the debt influences Federal Reserve policy in another way. Usually, the Federal Reserve stands ready to assist the Treasury in a major borrowing effort. It may do this by failing to tighten credit when such action might be called for by economic conditions in order to assure the success of a Government borrowing involving yields which many investors may consider low. The failure of such a borrowing, which both the Treasury and the Federal Reserve wish to avoid, might lead to the damaging impression that the Government was unable to meet its obligations.

During and for a number of years after World War II the Federal Reserve was strongly influenced by the needs of the Treasury to finance the war debt at low interest rates. By pegging Government bond prices the Federal Reserve was virtually precluded from using restrictive monetary policies to fight inflation. The result was that one of the most powerful policy weapons was unavailable to contain the strong inflationary pressures of the period. The situation was not corrected until the famous Treasury-Federal Reserve accord of 1951 when the Treasury agreed to a more independent policy by the money managers.

INFLATIONARY PRESSURES NEED TO BE NEUTRALIZED

It is not necessary to turn debt management into an anti-inflationary weapon. But the national debt should be managed so as to neutralize the inflationary pressures that can arise from debt. This can be done by financing Government deficits from the savings of the public rather than by adding to the money supply by sales to the banking system. This would require interest rates high enough to attract investors, but it would be a small price to pay to avoid the inflation that can arise from other methods of financing.

Admittedly, the link between increases in public debt and increases in the general price level are not always clear and simple. However, unless deficits are financed in a manner appropriate to existing economic circumstances, it is easy to flood the economic mechnism and add to the inflationary forces in the economy. Interestingly, a large part of the decline in the ratio of national debt to gross national product which has taken place since the war has occurred because of inflation, which is a windfall to the Government but damaging to those who in good faith purchased the securities in the first place.

It would be particularly desirable for the Treasury to increase its sales of nonmarketable issues during an economic boom. By making nonmarketable issues sufficiently attractive to divert funds from consumer spending, the Treasury could reduce consumer expenditures and thus counter inflationary tendencies. At the same time, it would reduce Treasury demands on the capital markets and leave more funds available for growth creating private investment.

BALANCE IS REQUIRED IN SHORT- AND LONG-TERM DEBT

Although the emphasis here has been on the desirability of lengthening the debt, there is a need for a wide variety of maturities distributed among many holders in order for monetary policy to operate effectively through all segments of the capital market. An inadequate supply of short-term debt, for example, could restrict bank lending and private spending by creating a shortage of liquid assets. An important function of the Federal debt is as a link between the various parts of the capital markets. When Federal securities are widely held by all classes of investors and in all parts of the country, the impact on monetary policy is more certain in the different parts of the financial market.

Another important area of economic policy of concern to the debt manager is the U.S. balance of payments. With the adoption of currency convertibility by the major European powers in the late 1950's the free flow of capital between countries increased sharply. The linking of capital markets here and abroad has resulted in a tendency for funds to flow to those markets that offer the best rate of return. Because of our chronic balance-of-payments deficit this has meant that monetary policy and debt management have been called upon to play an important role in keeping our short-term interest rate structure competitive with those abroad.

The need to hold interest-sensitive short-term money in the United States for balance-of-payments reasons posed a dilemma for debt management. Treasury financing at short-term, which would keep short-term rates up to competitive levels, might conflict with the Federal Reserve's efforts to check the growth of liquidity and prevent inflation that could result from the administration's highly stimulative fiscal policies. Skillful debt management and cooperation between the Treasury and the Federal Reserve has thus far resulted in a measure of success in meeting both these objectives simultaneously.

The importance of debt management for economic policy is clear. Certainly, more study on the economic impact of managing the Federal debt is required. We need to know the limits to which debt can be employed by the Government as an economic tool and what guidelines should be employed in its use within these limits. We also need research on how high the public debt can go before we run into trouble. We should ask ourselves how much a margin of safety we need to accommodate the massive financing that would be required during a period of war or recession. Not until this much-neglected area of economic policy is subjected to more research and receives more attention by policymakers can we feel confident that the public debt is not acting as an impediment to a stable and growing economy.

THE FALLACY AND MISUSE OF LABELS—PUBLISHER LOEB'S OPPOSITION TO 14(b) ILLUSTRATES THE POINT

Mr. QUILLEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, nearly everyone in public life has had reason at one time or another to complain of misapplied political labels and slogans. Frequently, public figures are tagged and legislation is identified with misleading and erroneous labels. The fallacy of careless labeling becomes dramatically apparent every time the person so labeled takes a position at great variance from the tag with which he has been pinned. Such an example occurred the other day in New Hampshire when Mr. William Loeb, publisher of the Manchester Union-Leader and other newspapers, printed an editorial in which he advocated the repeal of section 14(b) of the Taft-Hartley Act. To those who judge others solely on the basis of labels, Mr. Loeb's position is very startling, for he has been labeled widely as a conservative and identified with those who would be expected to oppose repeal of 14(b).

The editorial is proof of the fallacy of judging by labels. As our lives become more complex, the temptation to simplify through labels grows stronger but the perils of doing so are likewise compounded. As the issues become broader, more various and more complicated, both in their causes and in their effects, it becomes more important than ever to avoid reaching decisions on the basis of labels. Legislation by label is becoming commonplace but it is to be deplored because it reduces public understanding of the true issues involved.

I offer Mr. Loeb's editorial for the RECORD, not necessarily because I endorse his views on the specific issue of section 14(b) but because it perfectly illustrates my point concerning the fallacy of labels:

RIGHT-TO-WORK LAW IS BOGYMAN TO CONSERVATIVES

One of the real millstones around the necks of conservatives is the devotion of many of them to right-to-work laws. While perhaps magnificent in theory, actually these laws are of little consequence and yet, because of their association with the right-to-work laws, conservatives have lost millions of labor votes.

Here in New Hampshire it is very easy to prove this statement. In 1947, a right-to-work law went into effect and was in existence in New Hampshire from 1947 to 1949, when it was repealed by the legislature.

As an employer having contracts with six different unions, this writer can honestly say that he couldn't see any difference in either the status of the unions or in his status during that entire period. It was a little more complicated doing business, but otherwise, it was just the same as usual.

The position of this newspaper is that, since right-to-work laws make so little difference, why have a bitter hassle over whether or not such a law should be repealed? This newspaper, therefore, would be in favor of President Johnson's recent message, suggesting that the Taft-Hartley Act be amended so as to do away with the right of individual States to pass right-to-work laws.

At the same time, we would suggest to our labor friends that the enormous benefits which some of them think are going to come from right-to-work laws will not actually come about.

In short, the existence of right-to-work laws is not the bulwark for freedom that many conservatives think it is. On the other hand doing away with them will not be the boon to organizing drives that labor thinks it will be.

In other words, it is much ado about nothing. It is one of those phony issues which divides the folks who should be friends.

This newspaper, as you know, calls the shots as it sees them. Some of our liberal friends think we are dreadfully reactionary because we won't go along with every bleeding heart proposal, especially when we think a proposal will end up by costing the taxpayers, and the people who are supposed to benefit, more than it is worth.

Our conservative friends berate us because we insist on sharing our profits with our employees and because our primary interests are those measures, both by government and by private industry, which will benefit the average citizen and not just a few. Because of this attitude, many of our conservative friends regard us as radical.

Take your choice. We refuse to fall into any fixed mold. We try to keep our thinking from having hardening of the categories which would prevent us from serving the best interests of our readers.

INTERNATIONAL COFFEE AGREEMENT—A DECISION THAT MAY COME BACK TO HAUNT US

Mr. QUILLEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, my vote against the International Coffee Agreement looks better and better, although I was convinced of its correctness at the time—see page 10265 of the RECORD of May 12. The May 17 issue of Barron's neatly put its fingers on the major flaw of this program. This program is going to become increasingly difficult to justify to the American people. This agreement is likely to come back to haunt us.

I offer Barron's observations for the RECORD:

> **The International Coffee Agreement finally passed Congress last week, when a majority approved legislation authorizing the Customs Service to limit imports from countries which are not members of ICA or which violate its provisions on export quotas. The Congressmen added some weak provisions nominally designed to protect the American consumer. They are likely to be ineffective, since the administration's bias in favor of ICA is well established. However, the agreement is in more danger from its producing members than from the United States or other consumer countries. The more Brazil and Colombia throw their weight around in the councils of ICA, the less will low-cost growers in Africa and Central America be willing to restrict their output and exports in favor of the big two.**

FOREIGN AID ASSISTANCE ACT

Mr. QUILLEN. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SKUBITZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. SKUBITZ. Mr. Speaker, for over 20 years, I have been a part of the Washington "Merry-Go-Round"—first as an administrative assistant to two Senators and now as a Member of this body. I have heard all the arguments advanced that could possibly be advanced by the proponents of foreign aid—Get Europe back on its feet so we could resume trade, fight communism, that it is a moral duty to help the underdeveloped nations, and dozens of less importance. But I think the time has come when the whole program should be reappraised and the amount drastically reduced. Our resources are not inexhaustible, and unless we begin protecting our own interests, we may find ourselves with no interests to protect.

There is no question in my mind that in our national interest certain phases of the program should be continued. But, I fear we have gone completely overboard in our effort to be Santa Claus to the rest of the world.

We are already $316 billion in debt, and the interest alone on the debt is around 12 cents of every tax dollar we collect. Our national debt exceeds that of the rest of the world. Already, we have poured $100 billion into the foreign aid programs. We worry about the drain on our gold supply, yet we do nothing about foreign aid which is one of the direct contributors to this problem.

Today we are being asked to authorize over $2 billion, but when we consider the authorizations that are now on the books, the total exceeds $3.3 billion. But this is not all of the package. When other appropriation requests are added—Peace Corps $115 million, food for peace $1.6 billion, funds for the Inter-American Development Bank, and the International Development Association—the grand total amounts to $6 billion. When we add this to the $9.6 billion unexpended balance that is still available, is it not about time that we took time to stop, look, and reappraise?

I recognize that the executive department is clothed with the responsibility of developing foreign policy. But foreign aid and foreign policy are two different matters. Foreign aid may be an incident to our foreign policy, but the control over expenditures is still the responsibility of Congress, and we cannot avoid it. We still have a duty to the American taxpayer, and I for one intend to face up to that duty.

I hope this body will recommit this bill and that the Foreign Affairs Committee will come up with a realistic program that all of us in good conscience can support.

FOREIGN AID AND PROTECTION OF U.S. EMBASSIES ABROAD

Mr. QUILLEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHWEIKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, last December 9 I informed President Johnson of my grave concern with the unwarranted attacks by unruly mobs upon U.S. Embassies and legations abroad.

I asked the President, as a first step, "to articulate now on behalf of the American people our Nation's extreme disgust and displeasure with such practices, and also our view that each nation is responsible for controlling and curbing such outbursts which result in violence and destruction against the property of foreign embassies."

On February 10, 1965, the President finally did speak out on this matter. The White House statement was provoked by a 1-hour attack on the U.S. Embassy in Moscow by 2,000 unruly demonstrators.

This statement had a good effect. Recent demonstrations in front of the U.S. Embassy in Moscow by contrast have been well controlled by Moscow police. There has not been further destruction or desecration of U.S. property in that city.

As we consider this week the Foreign Assistance Act of 1965, I am indeed pleased to find that the bill contains requirements for U.S. Embassy protection.

Embassy protection would now be established in the law as a precondition for the continuation of foreign aid. I strongly favor inclusion of such a provision.

It is time, Mr. Speaker, that we stopped our humanitarian assistance to nations whose only response has been a slap in the face, the burning of U.S. libraries, or the defacing of U.S. property. We are a patient nation; we are willing to help and nurture economies in developing areas of the world. Our efforts through annual foreign aid, through Public Law 480, the food-for-peace programs, through Peace Corps volunteers, and through the education of exchange students from other nations in our own universities and graduate schools, is eloquent proof of our willingness and earnest desire to help. But our help is given in dignity. We expect it to be received with dignity.

The very first section of the proposed Foreign Assistance Act before us today specifically provides:

> It is the sense of the Congress that assistance under this or any other act to any foreign country which hereafter permits, or fails to take adequate measures to prevent, the damage or destruction by mob action of U.S. property within such country should be terminated and should not be resumed until the President determines that appropriate measures have been taken by such country to prevent a recurrence thereof.

Mr. Speaker, this provision is not intended as window dressing. This is a step in the right direction. I trust this section will be given full enforcement and not mere lipservice.

We in America provide the courtesy of protection for all foreign embassies and legations. We are requesting only that the same courtesy be given us by providing inviolate protection of our embassies abroad.

In addition, Mr. Speaker, our Government should help write and enforce an international convention which obligates all nations to protect the premises of embassies and legations against intrusion or damage.

In 1961, a United Nations conference of 81 states drafted the Vienna Convention on Diplomatic Relations, article 22 (2) of which provides:

> The receiving or host state is under a special duty to take all the appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity.

This convention has been ratified by more than 35 countries, but not by the United States, despite the fact that President Kennedy submitted it to the Senate for its advice and consent to ratification on May 14, 1963. It has been forgotten and unpursued since then. Despite the recent attacks on U.S. embassies and the importance of this question of embassy protection to our people, this convention has not been given any consideration by the Congress. It has not been debated in the Senate or even given hearings by the Senate Foreign Relations Committee.

It is high time, Mr. Speaker, for our Government to take action on this question. Do we support this convention or not? Unilateral action affecting only those countries receiving U.S. foreign aid is not enough. We must work with other governments to obtain adherence to these international standards of behavior regarding embassy protection. There are many countries which do not receive U.S. foreign aid but from which we expect protection for our embassies. The U.S.S.R. and many other Eastern European countries are good examples. Let us go on record by ratification of this convention as a nation which favors the inviolate protection of all foreign embassies and legations from unruly mob attack.

The provision of the Foreign Assistance Act of 1965 is a good step in the right direction. Let us recognize it as a unilateral beginning toward a multilateral and international rule of law.

NEW YORK CITY IN CRISIS—PART LXXIV

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following article concerning a war on poverty rehabilitation plan in New York.

The article is part of a series on "New York City in Crisis" and appeared in the New York Herald Tribune on March 31, 1965.

The article follows:

NEW YORK CITY IN CRISIS—THE 114TH STREET REHABILITATION PLAN: JOY, APATHY

(By Claude Lewis)

When the Director of the Office of Economic Opportunity, Sargent Shriver, announced that the Federal Government's plan to rehabilitate West 114th Street in Harlem a month ago, almost everyone concerned was optimistic.

"That's exactly what Harlem needs," said Mrs. Arthur Jenkins, a Harlem resident for more than 36 years.

"Maybe they'll get to our block next," said Frederick Mills, who lives on West 115th Street.

"If it works," said City Rent Administrator Hortense W. Gabel, "it will be a major breakthrough."

Curtis McFarley, president and cofounder of the 114th Street Block Association, was ecstatic. "It was great news. Many of us have lived in these apartments for a very long time," he said. "It's about time something was done to uplift our block and our community."

But after the initial excitement died, calm realism set in and many of the 114th Street residents began to have serious doubts about the rehabilitation program.

The program, which is supposed to begin tomorrow, is to completely renovate the 37 structurally sound but dilapidated buildings on 114th Street between 7th and 8th Avenues.

Workmen will transform the street's long-neglected railroad flats into modern living quarters. Grass will be grown in the ugly, garbage-strewn backyards, and the basements where winos and other derelicts spend their days and nights will become health clinics, kindergartens, and job training centers for the poor.

NO SLUM SHIFTING

The street will become a play area, blocking out traffic. The most unusual aspect of the plan is that the longtime residents of the area will not, for once, be moved to another slum. Instead, each family will be moved into one of the three buildings (Nos. 273, 275, and 277), which are now empty.

When work on these buildings is completed, families from other structures will be moved into them. The newly vacated buildings will then be renovated and the old tenants will be moved back. Many will return to their original apartments.

This process will continue until every one of the five-story walkups becomes a Harlem showplace.

The Office of Economic Opportunity will get the project moving with a $390,000 grant. Two private foundations, the Carol Hausamen Foundation and the Frank W. Richmond Foundation, have pooled resources to acquire ownership of the tenements at an average cost of $21,500.

Some of the tenants on the street who now pay as little as $39 monthly for four rooms will have to pay up to $85 for the renovated apartments.

Mrs. Christine Grant, an attractive mother of two young sons, lives in No. 226 on 114th Street. "The increase will be worth every penny," she said. "Since they announced this new program, I don't have such a heavy depressed feeling anymore. I feel like I can hold my head up now. It will be wonderful to live in a place that's not a slum. I think this project is just like a rose. It should bloom all over."

For some of Mrs. Grant's neighbors, the rose has already begun to wilt. Mrs. C. Beazer, who has lived in apartment 4–E at 224 West 114th Street for the past 32 years, remembers when it was a wonderful neighborhood.

"You can't change a neighborhood simply by giving people a new apartment," she said. "Sure, the plan is wonderful, but it doesn't go far enough. You got to rehabilitate the people, too. You got to teach them not to throw garbage out the windows, and to teach their kids not to mark up the halls.

"I got a question," Mrs. Beazer said last week. "What is the Government gonna do about all the drug addicts on our block? What they gonna do about the crime and the corruption on our block? Drug addicts are sick people, and they shouldn't be allowed to live around healthy people without treatment. Sometimes you can't move on our sidewalks because there's so many of those addicts around here. If they don't do something about this problem, this place will remain a slum."

Just then a nattily-dressed man sauntered by, his right hand forming a zero with his thumb and middle finger. He was carrying the news throughout the street that the second figure in the day's number was a zero.

Mrs. V. Ellis, who has lived at 226 West 114th Street for almost 10 years, agrees that renovating houses will not solve all the ills of Harlem. "This block has everything in it," she said, "prostitution, numbers, and narcotics. It's a bad block for children. Sure, we need better housing, but we need better police protection, too."

"I'M HOOKED"

"They break in our houses, they rob the children and men stay on the corners all day. They won't work and they use them drugs and they drink that wine. I want to know what the Government's gonna do about the situation. I haven't heard a word around here about cleaning up some of the people on this street."

Farther down the street, an attractive young mother of three children pushed a baby carriage. She was walking with another mother. Both women wore dark sunglasses.

"Sure, there's addicts around here," one of them said, "and I know somebody on the street told you I was one of them. That's right. I'm hooked and I'm happy. I don't bother nobody and nobody bothers me. They don't want me on this block and I don't want to be on this block. But where else am I gonna live? Nobody wants an addict on their block.

"Should I just go away somewhere and die? I got three kids. I do what I can for them. The rehabilitation plan is gonna help us live better. We got roaches and we got rats in our places now. I lived with roaches and rats all my life. Here is a chance for me to live better. I want that chance, especially for my kids. These people are stuck with me. Tell them I said to go to hell."

Mrs. Mattie B. Harris, who lives at 206 West 114th Street, thinks living on 114th Street is a kind of hell anyway. She is a member of the block association, but feels that the 5-month-old organization needs far greater support.

"There's a lot of work to be done here," she said, "and it doesn't all have to do with fixing up the buildings. You can't rehabilitate a neighborhood without paying attention to the people in the neighborhood. We have a tremendous problem here that the police and the Federal Government are overlooking. Mainly it's the drug addicts. Sometimes you don't see a policeman on this street for days. This place should be patroled just like a housing project. You can't ignore people. You must remember that people cause many of the problems in every neighborhood."

KEEP THEM MOVING

"People always say they can't get a policeman when they want one," said a uniformed patrolman on 114th Street and 8th Avenue. "But we're here. This area is filled with addicts and everything else. I know some of them by their first names. They know it's not against the law to be an addict. And I know it. The best thing I can do is keep them moving. This is a tremendous problem that nobody seems to know how to handle."

Another woman, who refused to identify herself but said she lives in a project area, has decided to move away. "I'm looking for a place now. But I think poor people are forced to live in slums today. I don't have the money to live in a good neighborhood and almost all the poor areas are no better than this one. But I'm gonna keep looking because I'd rather live in an apartment that's run down and cold than to be robbed or raped.

"This neighborhood is a sorry place. It's so bad here that the police gave our block association a special phone number for us to call in case of any trouble. I don't think that's the way to handle our problems. It's better to move away. But where can a Negro who's a decent person and happens to be poor live in this city?"

Alphonso Sawyer, who runs the Sparkling Variety Store near the project site, thinks the rehabilitation program should have been initiated on 117th Street. "That's where most of your poor housing and most of your real problems are around here," he said.

Actually, any 10 people in Harlem would suggest 10 different streets for the rehabilitation, depending where they live.

"In Harlem, you couldn't pick a wrong block," said Alvin Jackman. "You can close your eyes and point in any direction and you'd be sure of hitting a trouble area. The whole town here is run down."

Mr. Sawyer thinks he knows what's wrong with Harlem. "Just take a look at that Western Union office on the corner there," he said. (The Western Union office at 201 West 116th Street is filthy, with bare broken floors. It is dimly lit and needs painting badly.)

"Negroes don't get a discount on their telegrams. They pay the same as any other citizen of the city, so why shouldn't their offices look as nice? Western Union wouldn't put an office like that on 56th Street and Madison Avenue. It's shocking that an organization with that amount of money would allow a branch to exist in that condition. It tells a good story, though. It tells me exactly what Western Union thinks of the people of Harlem.

"And they are not the only ones. Many white people exist here without contributing to the community. They're only here to make money. But their indifference toward Harlem, along with the age-old indifference of the city and the Federal Government, has killed a tremendous amount of hope and initiative. That's our real problem."

When the 114th Street project was announced on February 2, Dr. Kenneth Clark, who heads the Social Dynamics Research Institute at City College, sent a reporter, Willie Jones, into the street with a tape recorder. Mr. Jones returned to Dr. Clark's office with 4 hours of unusually candid interviews with men, women, and children from the rehabilitation site.

Among the questions Mr. Jones asked his subjects were whether they had heard about the rehabilitation project, what they thought of it, what newspapers they read, what they thought of their political leaders, of Harlem schools, of the drug situation, of the police. He asked them, too, about the riots of last summer.

I'M AFRAID

Not surprisingly, Mr. Jones got a variety of answers. Most of the talk was about 114th Street's winos and dope addicts and the crime in the area, and there was talk, too, about the racial climate of Harlem and the situation in the South. Most of the people said that they thought the rehabilitation program was "good, but."

Here are some of the reactions:

"We have pressed the black man in America so hard" a drunk said into Jones' tape recorder, "that he doesn't have any hope left. The project won't mean too much."

Another man confessed that he himself was a drug addict. "Forget about the buildings," he said. "They should spend some money to find out where the drug addict (mentally) is at. I don't even know where I'm at."

An 11-year-old youth said, "I'm afraid to come out of the house. There's always 20 or 30 drug addicts around."

A 9-year-old girl confessed that she was more afraid of the winos than the drug addicts.

A woman who rarely reads newspapers and has never heard of Haryou-Act knew almost nothing about politics and didn't think much of the rehabilitation program. "They should just tear Harlem down," she said. "It's no place for nobody to live or die."

A 7-year-old child whispered inarticulately, "I'm a-scared of roaches and rats and dope addicts, too."

A young woman said, "All of Harlem is like a rathouse. I'm leaving 114th Street."

While reporter Jones was interviewing a 114th Street janitor, a tenant happened by. She interrupted the interview and began an argument with the janitor, complaining of not having had steam all week. The embarrassed janitor replied, "I don't want to have to call you a liar, lady, but I'm afraid I'm going to have to." And he did.

Responding to Mr. Jones' questions on Harlem riots, a woman said she thought they were unnecessary but predicted they would take place again this summer. "We work hard," she said, "but the white man won't give us what we want. I think Whitey should get off 125th Street. As long as whites have stores there, Negroes will try to beat them out of their stores. White people just ain't wanted here."

"One Hundred and Fourteenth Street could be OK," another woman said, "if the police would eliminate the drug contacts on the block. A drug addict is like a fly. One addict on the corner encourages another. Before you know it, you have a situation like we live in."

TEACHERS DON'T CARE

Many children told Jones that most of the teachers at their school, Wadleigh Junior High, which is in the project block, did not care whether they learned or not. "All most of them want is the pay," one young boy said.

One woman told Jones that much of the trouble with 114th Street comes from the police department, which permits basements on the block to be used for selling liquor.

"Let's face it," the woman said. "The white man wants to keep us down. There's a lot of talk about black nationalism around here. If black supremacy catches on here in this area, Lord have mercy on the white man.

"But I'm going to do everything I can to make 114th Street a showcase for the world. If I have to use a crutch and a cane before I get the job done, I'll use 'em."

There are many skeptics on 114th Street, and with good reason.

"I've lived in this area for more than 30 years," said Ted Billings, "and nobody has ever tried to do anything about our problems before. It's kind of hard for us to believe they really want to do something. The city has been indifferent about our drug problem, our crime problem, and about our citizens in general.

"I don't know what the effect of this rehabilitation program will be. This is one block and Harlem is a big place. The poor people on 114th have been suffering for years and have gone for weeks without heat or hot water. They have been abused and they have been used and nobody cared. What we really need is to rehabilitate the thinking of Mayor Wagner and the Federal agencies. Then we'll really be doing something."

NEW YORK CITY IN CRISIS—PART LXXV

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, one of the greatest problems in New York City today is drug addiction.

The following article about addiction in New York is part of the series on "New York City in Crisis" and appeared in the New York Herald Tribune on April 1, 1965.

The article follows:

NEW YORK CITY IN CRISIS: CANCER OF NARCOTICS—CRIME AND CURFEW

(NOTE.—New York is the greatest city in the world, but to a vast number of its 8 million citizens, it is no longer the greatest place in which to live. This is the thesis of the Herald Tribune's continuing investigative series on the deeply disturbing characteristics of a city in crisis, and this week, the Tribune begins an examination of the growing cancer of narcotics addiction, a disease which threatens to destroy the livability of the city completely. Half of the Nation's addicts live in what Mayor Wagner has called the "tangled forest" within the city, and with the addicts live crime, fear, violence, corruption, and ruined dreams. The mayor has estimated these addicts steal $1 billion a year to pay for their habit, but their cost is far higher in terms of the damage to society. Reporter Paul Weissman has spent the past 2 months in the tangled forest: with the addicts, on police raids, in the courts, at rehabilitation centers, with public officials and medical experts. His report starts today.)

THE PROBLEMS AND THE HOPES

Addiction

This is a city in which the rate of narcotics addiction is increasing every day. It is a city that has become the heroin capital of the Western World, a jungle of drug addicts who infect the streets, contaminate the schools, create untold misery in wrecked lives and leave city officials helplessly crying for help from somewhere else. It is a city in which drug addiction has become so widespread that any addict capable of stealing goods he can turn into cash has no trouble buying the contraband drugs he needs. It is a city in which addicts, knowing they are protected by technicalities in the law, play cloak and dagger games with police officers, living almost without fear of arrest. It is a city that foraging addicts have turned into a fearful prison of locked windows and bolted doors and in which police can issue only mimeographed instructions for citizens who want to protect their lives and property. It is a city that every night passes a witching hour that forces citizens off the streets as if they were faced with a military curfew. Though this curfew is unspoken, it is nevertheless real, inflicted by the foraging, uncontrolled, lawless elements of the city, the addicts who steal to support their habit.

Crime

This is a city in which every 70 seconds a crime is reported to a local precinct. How many are committed by addicts? No one knows. Dr. Catherine Hess, the mayor's narcotics coordinator, says "Of course my addicts are stealing, but they're not responsible for the crime rate." Even Commissioner Michael J. Murphy does not know precisely how many crimes are committed by addicts. He does know that 19,000 of the 208,844 persons arrested for major crimes last year voluntarily admitted they were narcotics addicts. They were charged with committing more than three murders every month, almost one-fifth of all burglaries and a fraction of the assaults and other major crimes in the city of New York. If current police theories are accurate, an addict murdered Janice Wylie and Emily Hoffert, two career girls brutally slain in 1963, and an addict "accidently" murdered a lawyer named Leonard Simpson in the elevator of his West Side apartment building. Last September, Commissioner Murphy ordered the entire police force mobilized to actively fight narcotics crime. So far more than 700 detectives and 400 youth division investigators have been specially trained for this fight. They made 13,539 narcotics arrests last year, but this did not even begin to make a dent in the problem. Virtually every precinct in the city today still has a growing addiction problem. Patterns of arrest indicate the worst areas. Manhattan: Harlem, the lower East Side, Chelsea and the upper West Side. Bronx: Morrisania and the Southeast Bronx. Brooklyn: Bedford-Stuyvesant, Brownsville, South Brooklyn and Williamsburg. Queens: Jamaica, Maspeth and Astoria. And the pollution is spreading. Yonkers reported 300 addicts last year. There were 8,000 in New Jersey. Nassau, Westchester and a dozen other communities say it has become necessary to establish local narcotics commissions.

Cost

This is a city in which Mayor Wagner has estimated addicts steal $1 billion a year, roughly equivalent to the city's entire budget for education. Others say the figure is too high or too low, depending on their estimate of the city's addict population. What is known is that every heroin addict must get from $10 to $40 a day to satisfy his hunger for drugs and forestall the terrible physical and mental ravages of withdrawal. An addict who needs $30 every day must steal $1,000 in goods weekly from which he will realize one-fifth their cash value. Every hundred addicts who need $30 a day to buy drugs steal $5 million in goods a year.

The victims

This is a city in which the victims of addict crimes are ignored with a shrug, explained to, apologized to, written off as ciphers. The owners of a thousand homes that have been burglarized by addicts have been told by precinct detectives to "get better locks" for their doors. One result is that at least half a dozen neighborhood vigilante groups patrol the streets of New York to the surprise of no one. In other parts of the city, stores have been forced to hire uniformed guards to protect them from addicts. One chainstore permits guards and clerks to regularly beat up addicts caught stealing. Every addict knows the chain and stays away from its stores. Thousands of other citizens are not as lucky. They have had typewriters, watches and other valuables pilfered from their homes and despaired at the thought of reporting the crime to police. It is a city in which a victim, unless he has been badly injured, must simply write off his loss as bad luck. He lives in a city in which crime has not only become a circumstance of existence for the addict, but part of the environment of every citizen.

The mayor

This is a city in which Mayor Wagner first ignored a growing heroin addiction problem, then minimized it, then formed committees to fight it and finally has resorted to programs that exist on paper that he hopes will stem the growing rumble of citizens who live in fear of their lives. The mayor's last attack on narcotics was a "Gracie Mansion Narcotics Conference" which gave rise to nothing more than the Temporary Gracie Mansion Commission on Narcotics, summarily turned over to Council President Paul R. Screvane as if it were one more minor chore. At the temporary commission's first steering committee meeting in Mr. Screvane's office, distinguished members were told what the mayor was apparently after: "We need something big, something that's newsworthy," the mayor's chief assistant, Julius C. C. Edelstein, said. "There's a lot of pressure for action from all over the city."

Health department

This is a city in which Health Commissioner George James says money is not the "major problem" in the fight against narcotics addiction. City hall, unsurprisingly agrees with him. For more often than not, the health department, like other departments in the city, has become an authority established to mitigate against overwhelming public anxiety and public demands, rather than an agency capable of inaugurating, developing and proposing necessary projects at city hall. One result of this is that the health department has experienced great difficulty in employing and retaining qualified, competent specialists in the field of narcotics addiction. Another is that the city's entire capacity of beds for addicts is just 300. In the field, the health department has just one rehabilitation center and three "intake" centers that do little more than funnel patients to hospitals, when beds are available.

Narcotics coordinator

This is a city in which a former obstetrician, Dr. Catherine Hess, paid $20,000 a year as narcotics coordinator, has been unable—to gain—and in some cases rejected—cooperation from voluntary agencies or her own staff. The agencies, though they are required to do so by law, will not report addicts to the central registry she maintains unless the addicts have been arrested. Dr. Hess' staff accuses her of refusing to hold meetings, refusing to examine the facilities for which she holds responsibility and canceling projects that may throw light on the nature of New York's addiction problem. Dr. Hess has cooperated with politicians who have developed projects of which she disapproves and refused to cooperate with researchers who had worked for months to develop a program to cope with Harlem's addiction problem. "Those people," she told an aid, "are just full of beans." The group she referred to as those people are still not sure she has read the program. They have taken it instead to the Federal Government.

Rehabilitation

This is a city in which there is frequent talk of rehabilitation programs for addicts. Mayor Wagner has called the health department's West Side rehabilitation center the only one of its kind in the United States. It is. But its effectiveness is another matter. Sherman Patrick, the center's director, asked about the city's plan to duplicate West Side in other boroughs, says frankly: "I think they should close this one." Though the center sees 1,000 patients a year, its actual day-care caseload is 36. It has no facilities for women. "This is not a rehabilitation program," Mr. Patrick says flatly. "Sure we can bring addicts to the point where they can be trained for jobs and we can keep them drug free. But then it's like Charley Brown and the football. The ex-addict steps up to take a good kick and somebody pulls the ball away. He has no place to go for job training and so he falls flat on his face. Where can he go from there? Sure, back on drugs."

Public education

This is a city in which there is virtually no public education program to combat addiction. The department of health has pamphlets available for anyone who requests them, but a proposal for an organized speakers' bureau submitted 3 years ago has still not been acted on. Even news media are left to their own resources to gather factual, documented information about addiction. Though thousands of school-age youths are known to be experimenting with heroin and a dozen other highly addictive drugs every year, in the city with the greatest communications and public relations experts in the world the mayor has not seen fit to call for help in formulating a combative public-education program. Dr. Hess' office, now preparing five pamphlets on various aspects of addiction, has not even consulted superiors in the health department or notified its public information experts of its work. She has hired a freelance writer to research the pamphlets. The critical situation has been intensified by the fact that dozens of speakers are talking about addiction throughout the city who are neither qualified to discuss addiction nor able to present factual information.

Statistics

This is a city in which public officials led by Mayor Wagner have scrupulously avoided determining the actual size of New York's addict population, even though such figures would be important information in dealing with the addiction problem. They are determined to leave statistical research vague, subject to guesses, minimized to a point that permits the mayor to say firmly New York's addict population will not reach 50,000 in the foreseeable future. Police officers say—perhaps with some exaggeration—there are that many addicts in some precincts in Manhattan. The mayor's prediction is based on the health department's official central registry for narcotics addicts, which now has on file 23,000 confirmed, unduplicated names. But because of the possibility of "leakage" from the registry, neither voluntary agencies nor private physicians report addicts, though they are required to do so by law. It is known, though neither Mayor Wagner nor any other city official has publicly referred to it, that the names of 96,000 addicts, sellers, pushers and others involved in narcotics traffic are listed in files maintained by the police department's narcotics bureau.

Research

This is a city in which lack of research has made it virtually impossible for anyone to propose, fund or implement a sound program for coping with narcotics addiction. Facilities are suggested, treatment plans put on paper, committee meetings held—but no action. Patterns of addiction, the degree of addiction, the relationship between addiction and crime, all remain in a cloak of mystery to New York officials. It did not have to be so. The health department's central registry for narcotics addicts, for example, was not initially proposed as a name-gathering vehicle. The registry was recommended as a desperately needed research project, one that would use computer techniques to trace the history of addicts and provide data that would show when individuals were treated, when they were arrested, why they became readdicted, and so on. Cluster sampling techniques, it was proposed, could be used to develop further data. It was the kind of information that would have provided basic data on which programs could be planned. City Hall rejected the idea. Data processing equipment is expensive. Skilled researchers must be adequately paid. Instead, the central registry employs file clerks, typists, secretaries and library attendants. The result is that New York has virtually no reliable information about its addict population. Other research has begun. The city has, for example, a highly publicized program testing whether heroin addicts can be maintained on a lesser addictive drug. It has subsidized a researcher to study the effect of heroin on cell structure. An extension of a State parole board study is continuing in Washington Heights, assisted by Federal funds. But until a serious effort is made by the city to determine not only the size of its addict population but also the nature and patterns of addiction in New York, legislators will continue to develop programs as if they were the proverbial blind men describing an elephant.

Politicians

This is a city in which public demand that something be done about the narcotics problem is so great that some 60 bills have already been introduced in the State legislature in this session. Assemblyman Stanley Steingut has a $3½ million program that does not differ materially from Governor Rockefeller's $4 million program calling for a series of small hospitals in the State, sheltered workshops, and an extension of the State parole program. Legislators want to increase penalties for narcotics offenders or ban dangerous drugs, among them cough syrups and model airplane glue. Still others want to "take the profit out of addiction" by supplying drugs free to addicts. Assemblyman Jerome Kretchmer and Senator Manfred Ohrenstein, who offer this, become a subject for deep concern, but also for demagogery. Politicians have invented "confidential" post office box numbers for addicts to write to and then turned the letters over to police. The State legislature, to date, has not established any committee to examine either the nature or methods of dealing with New York's addiction problem. But almost every legislator has a "program."

Press

This is a city in which crime and public apprehension has made narcotics big news. Editors joke about "this week's million-dollar heroin raid," and then print the story because a district attorney said it. To make matters worse, disc jockeys and television news commentators have now joined the public debate with their own programs for fighting addiction. Any politician who introduces legislation relating to narcotics addiction has one eye over his shoulder at a guest "shot" on a television show. It is a city in which journalists have rarely put to the test the statements, statistics, and programs announced this year or compared them to other statements, statistics, and programs of years gone by. It is a city whose most responsible television network not long ago "exposed" with a hidden camera the sale of heroin on a Harlem street corner, a sale supposedly ignored by the police. The network did not bother to mention that the "buyers" were undercover police agents working on a case.

Slums

This is a city in which vitually every problem that confounds public officials is a major factor contributing to the increase in narcotics addiction. Substandard housing, the lack of job opportunities, crowded schools, indifferent teachers, welfare department workers who curse "junkies," bureaucratic city agencies—virtually the whole fabric of wasted time and stunted dreams which are the rubric of slum life contribute to addiction. In the case histories of large numbers of addicts there is a background of an untenable slum world, a world that forced them to seek something else: peace and safety in the struggling subculture of drug addicts.

Police

This is a city in which the New York Police Department is blamed for narcotics addiction. "We can't solve the problem," says Deputy Commissioner Walter Arm. "All we can do is make arrests." The department made 13,539 arrests for violation of narcotics laws last year. But the city still remains without a workable plan for dealing with addicts after they are brought to court. In the face of apathy in other departments, the department has now been forced to organize its own speakers' bureau, training a team of seven narcotics experts prepared to deal with the increasing demands for information from the public. Though newspapers regularly malign "police methods" for dealing with addicts, there is in fact no "police method," only a vacuum other city agencies and departments either refuse, or are not able, to fill.

Traffic

This is a city in which there are fewer than 300 Federal agents working to block contraband coming into the port of New York. Yet last year alone, 37,235 planes and 9,556 ships entered the port. Federal officials have a simple answer. They say the entire Army, Marine Corps, Navy, and Coast Guard could not block heroin traffic into the port of New York. It is not really an answer, but city officials have done little to suggest or demand meaningful enforcement alternatives.

Illicit sales

This is a city in which slum dwellers not only have come to accept addiction, but learned to profit from it. As Dr. Kenneth Clark has pointed out, the quantity of goods stolen by addicts is so enormous it has contributed materially to actually raising the level of goods possessed by people in a dozen New York communities. Addicts resell stolen goods to pawn shops and fences, but they also provide, at less than a fifth the cost, television sets, tape recorders, watches, clothes, jewels, furs and other goods to a huge portion of the population not otherwise able to afford them.

Mafia

This is a city in which the Mafia crime syndicate has been handed a constantly growing buyers market because of the failure of municipal authorities to do anything about narcotics addiction. The "pusher," as most law-enforcement experts know, is a myth. A potential customer needs only an addicted friend to encourage his interest in heroin. To supply this ever-growing market a vast international apparatus has developed that need do little more than provide supplies. The drugs and the money travel along different roads making collection of evidence extremely difficult. Yet civil rights-conscious city and State officials refuse to push to provide police with tools—such as wiretapping evidence—that are necessary to come to grips with the apparatus. Meanwhile, gambling, extortion, prostitution, money lending and "black money" investments in legitimate businesses all throw off cash that can be used to finance the enormously profitable business in heroin. And heroin, in turn, finances other businesses.

Law

This is a city in which the scales of justice have tipped in favor of the drug peddler, the narcotic offender, the criminal. Present search and seizure regulations, as interpreted in the New York courts, are almost a travesty of law. Guilty offenders are with regularity permitted to go free. The law itself has created so many escape hatches for criminals that nine postponements and a half dozen separate court hearings to suppress evidence or controvert a search warrant are not unusual before a case is even ready for trial. Offenders frequently are arrested for second and third offenses before their case comes to trial. It is a city that has based its law not on reality but on words that relate to other notions, other crimes, other environments.

Courts

This is a city in which the legal drama of addiction is played out under almost impossible conditions. Calendars at the criminal courts—which handle narcotics cases—are always so overcrowded that politically appointed members of the judiciary, who may have expected an easy job, frequently become exasperated with defendants, arresting officers, and other court functionaries. "You weren't trying cases all morning," one judge told a police officer last week who had three other cases on three other calendars. "Officer, you got problems," he said, "I got problems." Then, he complained about his calendar and held a dozen cases over for the following day, forcing both defendants and officers to return to court. Another judge, faced with a defendant arrested for possession of 3,000 barbiturate tablets said: "A synthetic narcotic? Is that such a bad drug?" and arbitrarily handed down a minor sentence. Amid the unbelievable hub-bub of New York's turnstile justice for narcotics addicts, which is easily as abrupt and impersonal as traffic court, judges are asked to rule on the applications of prisoners for civil commitment in a hospital under article IX, created by the Metcalf-Voelker law. If accepted, charges are temporarily waived and the prisoner is committed to a closed hospital for 4 months, then paroled for 2 or 3 years. In practice, judges have turned article IX into a numbers game, with no clear policy as to who will or will not be accepted. "Did he give you any trouble?" one judge will ask the arresting officer. That is his method for determining whether to honor the request of a defendant.

Public hospitals

This is a city in which there are exactly 300 beds available for the detoxification (controlled withdrawal from drugs) of narcotics addicts. Dr. Catherine Hess says there are enough beds. She also says, "The only reason a junkie ever volunteers to go to a hospital is to cut his habit from $50 a day to something he can afford. He doesn't want to get off drugs and he can't steal enough to maintain his supply. Those are the people that come to us." Though hospitals have psychiatric services, few addicts report that they receive any. Others complain they were not detoxified or permitted to remain beyond 21 days. The hospitals have become part of the revolving door of drug addiction that takes the addict from drugs to court to jail to a hospital and turns him back out on the street to start again.

Private hospitals

This is a city in which private hospitals refuse to accept narcotics addicts as patients—using any reason but the real one as an excuse. A social worker can spend days on the telephone searching for a bed for an addict with pneumonia. Doctors regularly refuse addicts as patients. Nursing homes don't want them. All this is in the face of the city's own limited facilities—the private hospitals simply don't want the trouble that addicts bring.

Public

This is a city in which the public's attitude has intensified the narcotics addiction problem. Though the law says that marihuana, amphetamines, and benzedrine are illegal, they have become fashionable drugs for adults. A dozen publications—and several organizations—contribute to the glamor of drugtaking. Typical is a magazine cartoon showing a dozen Indians around a campfire: "Somebody here is smoking pot," says the chief. "He's the only contented Indian in the picture." Permissiveness and indifference of parents are a major contributing factor to youthful addiction. A neglected child is likely to turn to narcotics out of boredom, protest or need. Resentment against police that exists in many heavy-addiction areas has made the job of enforcement almost impossible. This public attitude has been fostered by the myth and misinformation that are standard to all conversations about narcotics. The public listens, absorbs, relaxes and believes that everything that can be done is being done. It is duped by sham programs, and thus comes to accept crime and fear as necessary elements of city life. But while officials expound on theory, life goes on in fact—the "tangled forest" of drug addiction spreads from street corner to street corner, block to block, neighborhood to neighborhood, until today it is the single most neglected—and single most urgent—problem facing the crisis-torn administration of the greatest city in the world.

MARITIME DAY

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GILBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILBERT. Mr. Speaker, today, May 24, is Maritime Day, which marks the 15th anniversary of the establishment of the Maritime Administration within the Department of Commerce, as well as the termination of Merchant Marine Week.

I wish it were possible for all of us to view this day as a day of celebration. Unfortunately, however, this is not possible. The United States, which emerged from World War II as the most powerful maritime nation in the world, is now a fifth-rate maritime power. Its active oceangoing merchant fleet has shrunk to less than 900 ships, of which two-thirds are obsolescent with no prospect of replacement presently in sight. Although our volume of foreign trade has grown enormously during the past two decades, American-flag ships now carry only some 9 percent of that trade. And meanwhile, whole segments of the merchant marine have virtually disappeared from the seas—notably the domestic segment of our American-flag fleet—while our shipbuilding industry, at the same time, has drastically declined.

As a result, the corps of skilled seamen and shipyard workers, upon whom this Nation would have to rely in the event of war, has dwindled to the point where there are now less than 50,000 jobs in each of these essential industries.

Today, as I have said, cannot be a day of celebration. But it can be a day of rededication. History teaches us that every great power in the world, during any age, has been a maritime power—a nation with strength in its merchant fleet as well as in its navy.

Mr. Speaker, I believe that there is much that we here in the Congress can do to restore the United States to its rightful place among the major maritime powers of the world. And I believe that our national interest requires us to do no less.

ANTIBOYCOTT LEGISLATION

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GILBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILBERT. Mr. Speaker, on last Friday the International Trade Subcommittee approved and reported to the full Banking and Currency Committee a "declaration" that the United States opposes boycotts against friendly countries. This declaration is aimed at the Arab States economic pressures against Israel.

While I am glad the subcommittee went on record as opposing the Arab boycott, I regret it stopped short of direct legislation. It was a great disappointment to me and other Members of Congress who had sponsored and urged approval of an amendment to the Export Control Act, clearly designed to protect American exporters from restrictive trade practices or boycotts imposed by foreign countries against other countries friendly to the United States.

In this respect, I call to the attention of the House my testimony before the Banking and Currency Subcommittee, last week on my bill and similar proposals.

Mr. Speaker, I hope very much that the full committee, when it meets in executive session tomorrow, will take action to approve legislation such as I have proposed, which would establish our Government's opposition to harassment and pressure against American firms—our opposition to such trade practices which are designed to intimidate countries friendly to the United States.

My testimony follows:

TESTIMONY OF HON. JACOB H. GILBERT BEFORE THE COMMITTEE ON BANKING AND CURRENCY, HOUSE OF REPRESENTATIVES, ON H.R. 6823 AND SIMILAR BILLS TO AMEND THE EXPORT CONTROL ACT, MAY 20, 1965

Mr. Chairman, thank you for this opportunity to address the committee in support of my bill, H.R. 6823, and similar proposals, to amend the Export Control Act by opposing restrictive trade practices or boycotts imposed by foreign countries against other countries friendly to the United States.

Our proposed antiboycott legislation clearly is designed to protect American exporters from trade restrictions and boycotts arising from disputes among third countries with whom the United States maintains friendly relations. The proposal is aimed specifically at the Arab boycott which establishes special conditions for trading, by interrogation or threat. American companies active in Middle East commerce have been subjected to practices which would be considered irregular in the normal course of international trade. These practices include various processes of interrogation, unusual requirements for affidavits and certification of commercial invoices and outright threats. Some American firms have rejected these practices. But unfortunately, others have complied. Still other American companies have either curtailed their Middle East trade, or have hesitated fully to exploit potential Middle East markets for their products and services.

American firms have been victimized by this practice; our amendment would assist them to defy the intimidation of the Arab boycott. There is nothing unusual about a government attempting to protect its businessmen from inquiries of foreign governments. Our proposal would build a "legislative wall" behind which the besieged U.S. businessmen could take up a position when boycott pressure is used, and it could provide a basis for governments to refuse to furnish such information and to forbid other nationals to do so.

This agreement among Arab nations to boycott Israel, Israeli goods and all companies engaged in business arrangements, direct or indirect, with Israel, has existed for 15 years, and during these 15 years the Arabs have tried to involve third parties, like American businessmen, in their economic war against Israel.

To coordinate this activity, the Arab countries created the Central Arab Boycott of Israel office, located in Syria. This office continues to wage a war of pressure on foreign companies that do business in the Arab world and to prevent their doing business with Israel. It has demanded from American businessmen answers to a detailed questionnaire relating to their commercial trade and practices; this information is used then to determine whether the company goes on the "black list." When our companies have refused to yield to this blackmail, they have been denied a market in the entire Arab world. They should not be made to suffer such economic discrimination.

Listen to this boycott list of reasons for blacklisting a foreign firm: maintaining main or branch factories in Israel; maintaining assembly facilities in Israel; maintaining general or main offices for Near East operations in Israel; letting Israel companies use your name or trademark; holding shares in Israel companies; maintaining know-how agreements with Israel; not answering the boycott questionnaire; representing an Israel company; promoting or selling products made in Israel; belonging to oversea Israel chambers of commerce.

The Arab boycott has obstructed foreign investment in Israel. It has succeeded in making Arab-Israel peace more remote. The Arabs will not admit that they are hurt by their insistence on a state of war with Israel; the Israeli do admit it; they want and need peace. The boycott impedes logical trade relationships between Israel and the Arab States, slowing Arab economic development and endangering Israel's economic security. The boycott prohibits free transit of people and literature. It discourages the exchange of ideas, breeds fear and distrust, and widens the gap for compromise and peaceful existence on both sides.

The Democratic and Republican platforms of 1960 pledged action against the Arab boycott and that year Congress adopted an amendment to our foreign aid program which provided that aid should be withheld from any country which persisted in boycotts and blockades. The amendment was supported by President Johnson and the late President Kennedy, both then Members of the Senate. It was adopted over opposition of the State Department, which feared, as today, that such legislation would be counterproductive.

It seems that everyone deplores the Arab boycott, but unfortunately the administration expresses concern over restrictive trade practices and boycotts between countries which are friendly to us, but opposes our amendment on the ground that it would weaken American effort to enlist other governments in our program of economic denial against Communist China, Cuba, North Vietnam, and North Korea, and on the grounds that it would challenge the Arab States to intensify their boycott rather than end it.

Yielding to blackmail, and cooperation with blackmailers, only makes it more difficult to extricate oneself. West Germany delayed far too long, and as a result when she did recognize Israel, 10 Arab States retaliated by "breaking relations." On the outset, Nasser threatened that he would recognize Communist East Germany if Bonn recognized Israel. But only 2 of the other 12 Arab States were willing to follow him, and Nasser had to back down.

The Arab boycott is directed at businessmen all over the world. There is nothing to stop them from such activities on their own soil, but conduct of Arab economic warfare on American soil should not be tolerated. By refusing to comply with boycott demands, small American business firms would have a Government export regulation to protect them if our amendment is approved. It would immunize American exporters of goods from involvement in foreign boycotts; it would protect our legitimate American business interests in foreign markets. It would contribute to export expansion and trade promotion and would assert our determination and intention to trade where we wish and in markets where there is demand for our American goods and services.

A united front of defiance would cut down the deceit and the distrust which the boycott has bred. We might ask: How can the vulnerable businessman defy the boycott when the most powerful government in the world, which should be his protector, does not protect him? The State Department, which is the logical agency to consult when there is threat from a foreign government, has failed to act forcefully to defend U.S. businessmen.

There is an erroneous notion that the United States practices trade restrictions similar to this boycott with respect to Communist countries. In our export regulations we control the utilization of only American products and resources. We do not presume to unilaterally control products originating in a third country. This is contrary to America's sense of "fair play" in world trade. In the amendment before us, we seek fair play and Government protection for our American companies operating overseas.

The purpose of the antiboycott legislation is to neutralize the effect in the United States of the Arab boycott and any comparable restrictions that may originate elsewhere on American firms by blocking the sources of information on which the restrictive practices thrive. The provisions of the bill affords a measure of Government protection to companies who desire to invoke it.

The restrictive remedy in the antiboycott legislation would provide equal treatment for all American companies. Some American firms, because of their stature, resources, or strong competitive position, are able independently to resist Arab boycott pressures. However, there are other U.S. companies who consider themselves in a less favorable competitive position, and who, therefore, feel compelled to comply with requests for information from the Arab boycott organization.

Our Government should establish its opposition to this harassment and pressure against American firms and oppose any such trade practices which are designed to intimidate countries friendly to the United States.

Passage of this important piece of legislation will provide long overdue protection to American firms engaged in foreign commerce. I strongly commend it to you for your favorable consideration.

DOMINICAN CRISIS EMPHASIZES NECESSITY FOR REAFFIRMATION OF MONROE DOCTRINE

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FLOOD. Mr. Speaker, following the overthrow on April 24, 1965, of the Government of the Dominican Republic, a strategically located country on the rim of the Caribbean Basin, President Johnson acted with decisive promptness in landing U.S. forces to protect the lives of our citizens and other foreign nationals there, and to prevent a Red takeover of that island country. What he did was in line with the highest traditions and practices of our country.

Although the recent emergency appropriation by the Congress of $700 million to cover the costs of military and naval operations in Santo Domingo and Vietnam is an important measure of approval, this action is not enough. There must be a positive clarification and reaffirmation of our historic policy of self-defense to show the world that our people and the Congress are squarely behind the President in combating world conquest by the most sinister and brutal force in history. Also we must understand the significance of what was attempted in the Dominican Republic.

In anticipation of situations in the Caribbean such as that which erupted in Santo Domingo, on January 18, 1965, I introduced House Resolution 124 to extend the Monroe Doctrine to declare subversive domination or threat of it not only a violation of this doctrine but also of collective security as set forth in various acts and resolutions of the American Republics.

Because of the magnitude of the situation in which our country faces absolute power, our statesmen and the Congress must show absolute fearlessness; and we must do it legally, forthrightly, and decisively for which purpose House Resolution 124 was formulated. I have written the chairman of the Committee on Foreign Affairs requesting immediate hearings.

House Resolution 124 follows:

H. RES. 124

Whereas the subversive forces known as international communism, operating secretly and openly, directly and indirectly, threaten the sovereignty and political independence of all the Western Hemisphere nations; and

Whereas the American Continents, by the free and independent position which they have assumed and maintained, are not subject to colonization or domination by any power; and

Whereas the intervention of international communism, directly or indirectly, or however disguised, in any American state, conflicts with the established policy of the American Republics for the protection of the sovereignty of the peoples of such states and the political independence of their governments; and

Whereas such a situation extended to any portions of the Western Hemisphere is dangerous to the peace and safety of the whole of it, including the United States: Now, therefore, be it

Resolved, That (1) any such subversive domination or threat of it violates the principles of the Monroe Doctrine, and of collective security as set forth in the acts and resolutions heretofore adopted by the American Republics; and

(2) That in any such situation any one or more of the high contracting parties to the Inter-American Treaty of Reciprocal Assistance may, in the exercise of individual or collective self-defense, and in accordance with the declarations and principles above stated, take steps to forestall or combat intervention, domination, control, and colonization in whatever form, by the subversive forces known as international communism and its agencies in the Western Hemisphere.

SILVER DOLLARS

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FASCELL. Mr. Speaker, the announcement that the U.S. Mint will coin the 45 million silver dollars which were authorized by the Congress last July raises the serious question of what will happen to the dollars. Will they enter into circulation?

The Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations, of which I am chairman, delved into these possibilities in its studies of the coin shortage. I believe that the history of what has happened to the silver dollars which the United States as already coined throws great light on what is likely to become of the 45 million silver dollars.

In our coin shortage report, part 1, House Report No. 194, 89th Congress, 1st session, we said:

> SILVER DOLLARS
>
> Early in 1964, the Treasury ran out of silver dollars, and they became, in effect, collectors' items. There were 855,661,153 (including 50,026 Lafayette commemoratives), standard silver dollars minted between 1793 and 1935. None has been minted since 1935. According to the Treasury's circulation statement of U.S. money the stock of silver dollars consisted of 484,722,100 as of May 31, 1964 (including 2,945,754 held by the Treasury, and 49,242 held by the Federal Reserve banks and agents).
>
> During the 5 fiscal year periods 1954–59 the silver dollar stock of the Treasury was reduced from 275,903,801 pieces to 194,411,064, a net reduction of 81,492,737, for an average of 16,298,547 silver dollars per year. During

the same period the Federal Reserve System had a net increase of 4,559,676 pieces, a fact which indicates there was then no excessive demand for silver dollars.

In fiscal year 1960 the Treasury had a net loss of 20,096,777 silver dollars. The net losses increased to 25,141,341 in 1961, to 33,685,667 in 1962, to 49,726,664 in 1963, and to 62,817,320 in 1964. The Federal Reserve System had a net increase of silver dollars until 1963, when it had a net loss of 3,510,255 and a net loss of 8,710,203 in 1964. Both the Treasury's and the Federal Reserve System's stocks were then virtually depleted.

Hoarding of silver dollars has undoubtedly been encouraged by the rise in the price of silver and the fact that a silver dollar is now worth a dollar in silver. The price of silver is $1.293 an ounce. Tending to keep the market price at its present level is existing law, which makes silver certificates exchangeable on demand at the Treasury, for silver dollars, or at the option of the Secretary, for silver bullion of equal monetary value.

Because silver users can obtain their requirements from the Treasury by exchanging silver certificates for silver bullion, the price tends to stabilize at $1.29 plus per ounce.

According to the Treasury witness, "If we stopped redeeming silver certificates for silver, undoubtedly the price would go up. If it went up to $1.38 an ounce, then all our other silver coins would be taken out of circulation the same as our silver dollars have been, so that would, we believe, be quite catastrophic." He further said that "There would be no seigniorage, if the price went up to $1.38 on those coins, because it would cost the same amount as the coin to make it. If it went beyond that, all these coins would be taken off the market and melted, so that we would lose all these coins."

In that connection testimony was received concerning the wartime (1942–45) 5-cent pieces. Due to the shortage of nickel, about 35 percent of the metal content of the coin was silver. That silver is now worth about 7 cents, and large quantities of that piece are being melted down to recover the silver.

In March 1964 there was a run on the Treasury in Washington for silver dollars. Buyers were permitted as many as 50,000 pieces per day, the equivalent of 1½ tons, or 50 bags of 60 pounds each. There was no requirement that silver certificates be presented for silver dollars. By March 25 the supply of silver dollars had dwindled from 24,268,648 on February 29, 1964, to about 3 million, and the Treasury suspended further sales. Soon after it also suspended the public sale of any rolled coin at the cash room, U.S. Treasurer's Office.

On March 26, the Legal and Monetary Affairs Subcommittee requested the Secretary of the Treasury to supply information regarding the effect the run had had on the efficiency and economy of Treasury operations. The Treasury was asked to furnish the basis for its restriction which had limited purchasers to $50,000, and how that sum had been fixed. The Treasury's full response to that question was that:

"Restrictions were placed on the exchanges of silver dollars only to the extent that physical considerations demanded them. It was found that they were necessary to some extent both as to amounts and times of redemption. The determinations made from time to time were based upon the availability of our facilities for such purposes."

The fact that the Treasury was quickly obliged to embargo completely the exchange of silver dollars bespeaks the inadequacy of the restriction it had earlier imposed. Had the Treasury desired to rid itself of all the silver dollars it possessed it could hardly have selected a better way of doing it.

On July 23, 1964, the Secretary of the Treasury recommended to the chairman of the Treasury-Post Office Subcommittee of the Senate Appropriations Committee that 45 million silver dollars be minted in fiscal 1965 at the Denver Mint. He said (CONGRESSIONAL RECORD, vol. 11, pt. 13, p. 16885):

"It would be our policy to distribute the silver dollars through the Federal Reserve banks in the West where they are used as a medium of exchange. We would not use them in redemption of silver certificates at the Treasury."

According to the Secretary:

"Use of the silver dollar will, to a great extent in the West at least, alleviate the heavy demands we have had on the quarter and 50-cent pieces. This eventually will about balance out the use of silver, as the minting of enough halves and quarters to substitute for the 45 million silver dollars will take almost as much metal for the same end use."

The Secretary's statements need to be considered in the light of several facts. First, the silver dollar is the only coin for which a paper substitute is in plentiful supply. Second, subsidiary coins contain about 7 percent less silver than do silver dollars. Two halves, four quarters, or ten dimes could be minted instead of one silver dollar, with about 7 percent less silver.

While silver dollars are traditionally associated with the West, the Treasury's obligation is to supply coin for the entire United States. Properly, it would seem, the silver dollars which have been authorized should be distributed equitably and fairly throughout the country when produced.

The fact that silver dollars have almost completely disappeared from circulation (272,960,506 since 1954) indicates the possibility that the 45 million pieces (and their content of some 34.8 million ounces of fine silver, about a 1-year U.S. production) will also disappear from circulation, unless stringent safeguards are imposed.

Mr. Speaker, practically all of the silver dollars that the United States has ever minted, in its entire history, have disappeared from circulation. The subcommittee was not alone in cautioning of the possibility that the 45 million silver dollars likewise would disappear. A Wall Street Journal article of August 4, 1964, under the headline of "Silver Dollars To Be Minted This Year Will Soon Vanish, Bankers Fear," said:

The 45 million new silver dollars Congress authorized last month will be squirreled away by collectors as fast as they appear, some bankers say. They note some 90 million new Kennedy half dollars are largely in dealers' and collectors' hands rather than in circulation. Coin dealers already talk of getting as much as $5 for a single new cartwheel.

The mint's dollar run will drain 38,670,000 ounces of silver from the Treasury's fading stocks. Some retailers and bankers call the dollar output a waste of silver and the mint's time. They argue stores and banks are starving for smaller coins, not dollars.

Similar beliefs that the dollars will be hoarded or collected, and never actually circulate, have been expressed since the announcement was made last week that they are now scheduled for minting. The Washington Evening Star for May 19, 1965, for example, contained an Associated Press article, headlined "Silver Dollars To Roll, But Not Very Far." I believe the contents of the article are of interest to every Member, and, in fact, to every person in the United States who is interested in our coin problems:

SILVER DOLLARS TO ROLL, BUT NOT VERY FAR

NEW YORK.—Silver cartwheels are scheduled to roll out of the Denver mint soon, but they'll probably roll right into the pockets of souvenir hunters and speculators and never be seen again.

The 45 million silver dollars by June 30 would be the first to be minted in three decades. They should be worth at least $2 each, coin dealers say.

"It's ridiculous," said Tom Wass, president of International Numismatic Corp., yesterday. "Everybody's crying about the silver shortage and now the Government's throwing away $45 million on silver dollars nobody needs."

Benjamin Stack, a partner in Stack's Coin Co. and a member of the U.S. Assay Commission, said: "I'm absolutely stunned. Those silver dollars will never even get into the collectors' hands, much less the public's. The speculation will be tremendous. It will be an absolute mess."

The speculators would be betting on an increase in the price of silver or in the numismatic value of the dollars.

The Silver Users Association, an industry group, also believes that the new silver dollars would disappear immediately. Even silver producer interests indicate surprise at the order for minting them.

The Treasury and Federal Reserve System said they have not yet worked out a plan for distribution.

President Johnson gave the go-ahead to make the silver dollars over the weekend, noting that Congress appropriated $600,000 for the minting last year.

The mint turned out more than 855 million cartwheels between 1794 and 1935, but none is in general circulation today and coin dealers ask as much as $1.50 for even the most common specimens.

Mr. Freeman Bishop, a staff writer for the American Metal Market, writing in that publication for Tuesday, May 18, 1965, also stated that the silver dollars are "likely to go to collectors quickly." Mr. Bishop's article follows:

TO MINT 45 MILLION SILVER DOLLARS; LIKELY TO GO TO COLLECTORS QUICKLY

(By Freeman Bishop)

WASHINGTON.—President Johnson's surprising approval for minting 45 million silver dollars stirred speculation here that "the back of the silver coin shortage has been broken."

The announcement that the mint will start turning out the 45 million silver dollars (dated 1964) authorized last year by the Congress is interpreted as a prelude to release later this week of the Treasury's silver report.

The silver dollar production authority would have expired on July 1. While the statement designated distribution in parts of the country where "the silver dollar has traditionally been used as a medium of exchange," collectors and coin experts predicted few of the silver dollars will be in circulation for long. Some dealers have given a tentative value of $5 to the new 1964-dated cartwheels.

The Treasury also is holding nearly 3 million Morgan silver dollars and has refused to turn them over to the public on the grounds their value as collectors' items would be an immediate windfall.

Most experts here see this same fate overtaking the silver dollars scheduled for production this month and the first output in 30 years.

Treasury continues to dispose of its reserves of silver redeeming silver certificates. This has acted as a price control on silver.

Mr. Speaker, the article in the American Metal Market was sent to me by Mr. Christian F. Verbeke of Derry, N.H., who identifies himself as the editor of two numismatic publications and the author of some 200 articles on related subjects.

In his letter to me he advised that about 400 coin dealers who are connected by teletype service were offering the forthcoming silver dollars at between $1,800 and $2,500 a bag of 1,000 dollars. He also said that coin advertisements will be released this week which will feature the 1964 dollars, offering them for sale at $4.45 and $5 each. His letter follows:

CHRISTIAN F. VERBEKE,
Derry, N.H., May 20, 1965.

Hon. DANTE B. FASCELL,
Chairman, House Monetary Affairs Subcommittee, Rayburn House Office Building, Washington, D.C.

DEAR SIR: Your stand on the undesirability of minting 1964-dated silver dollars is positively justified. As you may recall, in our earlier correspondence I have found that the findings of your Monetary Affairs Subcommittee on the silver and coinage question to be of uttermost significance and of definite validity.

May I stress at this time that the forthcoming issuance of 45 million silver dollars is not only nefarious as it tends to deplete our already critical silver reserves, but in addition it reopens the Pandora's box of senseless speculation in current coinage—a phenomena which had reasonably abated recently.

At the time of this writing coin dealers connected by teletype service (some 400 of them) are offering the forthcoming 1964-dated silver dollars at between $1,800 and $2,500 a bag, or an initial price of $1.80 to $2.50 for one specimen.

I cite specifically Mr. Freeman Bishop, staff writer of American Metal Market, who reports some coin dealers are giving the new coin a value of $5—an inherent scandal. (Mr. Bishop's article is enclosed.)

It is indeed unquestionable that the silver dollar has lost its significance as a medium of circulation (hundreds of millions are hoarded); moreover, the contrivance risks to accomplish exactly the opposite of its intended goal, viz., instead of being bona fide metallic currency, it will become an instrument of renewed speculation, profiteering on the guillible if not the symbol of base mercantilism in numismatics.

Although I am editor of two numismatic publications and the author of some 200 articles on related subjects, I am addressing myself to you as a private citizen anxious to see speculation in metallic currency eradicated and our national silver assets preserved for worthwhile purposes.

Warmest personal regards,
CHRISTIAN F. VERBEKE.

P.S.—At the last minute I have been reliably informed that coin advertisements to be released next week will feature the 1964 dollars for sale at $4.45 and $5.

Mr. Speaker, the Congress last year placed on the President the responsibility for having the silver dollar coined. I think that Congress must now give its earliest possible consideration to relieving the President of that responsibility.

OUR CONTINUING COMMITMENT TOWARD PEACE, ECONOMIC GROWTH, AND POLITICAL STABILITY IN SOUTHEAST ASIA

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DANIELS. Mr. Speaker, on Saturday, May 22, 1965, my colleague the gentleman from Maryland [Mr. SICKLES] was the principal speaker at the 14th Air Force Association banquet which was held at the Grammercy Inn in Washington, D.C.

In the period immediately following Pearl Harbor many of the "Flying Tigers," American volunteers fighting for Chiang Kai-shek's China, became part of the 14th U.S. Air Force.

In his speech, Congressman SICKLES discussed our continuing commitment toward peace, economic growth, and political stability in southeast Asia. His remarks regarding the operation of our foreign aid program and its relationship to our military and political objectives are especially timely in view of our consideration of the Foreign Assistance Act of 1965.

I think his remarks are worthy of the attention of all Members of the House. Congressman SICKLES is a veteran of the China-Burma-India theater during the Second World War and he has maintained his interest in this part of the world. It was during this period that he met his lovely wife, the former Simone Shornick, of Shanghai, China. When he speaks about our policies in Asia, he brings a great deal of expertise to his subject. I am proud to insert his speech at this point in the RECORD:

ADDRESS BY MR. SICKLES

Ladies and gentlemen, when I meet with a group like this, I feel I should be doing the listening rather than the speaking. I should be listening to the tales of men who set standards for a decade of American heroes.

For it was you who went where heat and history hung heavy in the air. It was you who went where the work was waiting. It was you who went where death was lurking.

While most men preferred a rocker on the front porch, the Flying Tigers took to the air in tandem for a cause. While most men had never even heard of the Indo-Chinese Peninsula, the Flying Tigers were getting a bird's-eye knowledge of hot weather in the hundreds and hot pilots in the Zeros.

Little by little, the camaraderie, the crushed cap, and the courage became idols to a generation of American kids if not to their more astigmatic parents. Sooner or later even the adults got the message.

Well, gentlemen, things haven't changed much out there. We are still involved in the championship game for the coveted Rice Bowl. And the stakes remain the same. Loss means dictatorship and death.

And not unlike the days of 1939, there are a few who say we are playing in the wrong league; that we have no right to be there. That we can't win. That the competition is too tough.

But when you are the strongest you must accept the defense of the weak. Politics like nature abhors a vacuum. And for a quarter of a century, the Indochinese Peninsula has been a vacuum of power.

Today the United States is back in the Rice Bowl to help fill that vacuum—to again turn back aggression.

Nevertheless the game has changed. Japanese aggression was of an obvious order, The Communists seek to blur the struggle by telling the hungry that all shall be fed; by telling the sick that all shall be healed; by telling the old that all shall be cared for.

For this reason we have a second team out in southeast Asia; a team whose goal is to prove that freedom can deliver what communism can only promise—that free choice not only feels better but works better than coercion. This team attacks the heart of insurgency: poverty, sickness, and ignorance. In Vietnam this battle is fought not by soldiers but by more than 800 doctors, educators, farm experts, health workers, and engineers. It is fought not with guns but with books, ideas, and hard work.

Like the Flying Tigers, these men are unheralded often unheard of. One of them, Joe Grainger, 39, got a few lines of credit in the newspaper. He was shot dead when he resisted recapture by the Vietcong. He had escaped after being chained in a cave for 5 months.

Our people from the Agency for International Development are in Vietnam of their own volition; and they are staying on their own volition. They walk down lonely dirt roads, unarmed, knowing there is perhaps one thing between them and death. The Vietcong fear the wrath of the villagers who have grown proud of their American helpers.

These AID people believe in their work. Do we? Do we have as much faith in the drawing power of people, ideas and progress as we do in the firepower of mortars and missiles.

Few Americans can realize what it means to a village to receive help in digging a well or making a more efficient windmill. Few Americans know what it means to have the output of an acre of rice doubled. Few Americans can know what a difference in health that fish from a newly stocked pond can make.

In 1964, over 50,000 tons of fertilizer were eagerly received in the central lowlands where none would have otherwise been used. The average rice yield was increased by 40 percent.

Through AID programs, malaria has virtually been wiped out from the central provinces. Thousands of health clinics have been built and stocked with medicine. American doctors sacrifice both salary and safety for this insecure world.

But we are trying to build a decent world in Vietnam amid the whirl of bullets and the crash of mortar shells. This is building at its most frustrating; and there are lessons to be learned.

Communist insurgency can be stopped in peace easier than in war. For the time being there is at least uneasy peace in the remainder of southeast Asia. But the time is running out. The Communists have a timetable for their wars of "national liberation."

For instance they have earmarked northeast Thailand as one of the next targets—and they have been quite open about it. The six provinces of the northeast section lie along Laos and the Mekong River. If Laos falls into Communist hands, this border could be a sieve for infiltration. Indeed, it already is.

A major share of U.S. assistance requested for next year is aimed toward this internal security threat. This area is isolated from the rest of Thailand. The accelerated rural development program will move in, trying to expand communication lines and roads as well as build schools, irrigate lands, and establish health programs.

The first all-weather highway linking the capitals of Thailand and Laos was officially opened in January. The 246-mile road runs through the heart of the northeast from Bangkok on the Gulf of Siam to Vietiane in Laos.

It has created many advantages. For instance, Pakchong was just a jungle village a few years ago. Today it is a booming agricultural center, the result of this "Friendship Highway."

It has grown from 5,000 in population to 65,000. Forests are being cleared and crops being diversified. Farm cooperatives and mechanization have transformed farming in the area into a profitable export business. It once was on a bare subsistance level.

AID will support Thai efforts to improve the position of the northeast farmers with a strong extension service and research in agricultural techniques. The Thais intend to increase the number of agricultural extension officers from 1 for every 13,000 farms in 1963 to 1 for every 2,000 farms by 1967. A new service will handle farming classes for hundreds of students.

AID will contribute agricultural advisers, and advanced training in the United States to key Thai technicians. We will provide seed, fertilizer, and pesticides.

Studies now underway are aimed at finding means to establish light industries in the northeast and to use the areas of two major river basins for irrigation and flood control projects.

Meanwhile the terror has already started. The Vietcong tactic of assassinating village leaders is now being stepped up in northeast Thailand. Part of our aid will go toward training and equipping Thailand's 6,300-man mobile border patrol police and for strengthening the counterinsurgency capability of the provincial police.

AID will support training programs for nearly 3,000 local officials and village teachers and help supply 500,000 elementary school students in northeast's 6 border provinces with improved textbooks.

DDT and spray equipment will be supplied to help the Thais accelerate the malaria control program to cover the northeast assistance for equipment and technical help will continue to a project initiated in 1957 to train doctors and nurses for work in the rural areas. The medical school graduated its first class of 57 doctors in May of last year.

To men of action this all may not only sound like slow drudgery but it also may smack of futility. Well, wars can hinge on the outcome of a battle; but the war for minds is a tenuous thing.

Democratic ideas and institutions do not sprout over night. Freedom needs no small amount of care to blossom. If we cannot, if we will not give that care, we may sacrifice our own share.

Thailand may be a gamble. But we think it is a good one. Over the past 10 years, Thailand has made steady progress in modernizing its government and civil service. The Thai put nearly one-fifth of their entire budget into education and 70 percent of their population is literate today.

Last year the Thai Government contributed more to the cost of AID development projects than we did. AID's contribution for American experts and commodities totaled $6.9 million, and the Thai contributed the equivalent of $7 million for local costs: labor, material—the sweat to make the dollars work. This is self-help at its best—the commodity we can't supply and the commodity we need.

Now if you still think it can't work, circle June 30 on your calendars. On June 30, some old friends of yours and mine on Taiwan will step out on their own. On that date, U.S. economic aid will end and the Republic of China will move ahead alone, strong, and independent.

How did it happen. Fifteen years ago it looked like free China would be on our welfare roles forever. In fact, Taiwan at the time was more dependent on U.S. aid than Vietnam is today. But the dole is done. Free China isn't rich but it's ready. With our help, and a herculean effort on their own part, they now have better roads, ports, power stations. A land reform program has raised agricultural yields to equal those of Japan.

The United States has contributed the technical advisers, the capital and surplus foods. The Chinese worked hard, saved hard, taxed themselves hard. There has been little luxury consumption.

And here is the crucial change: Now on Taiwan there is enough competence, enough trained leadership, enough capital so the Chinese can go ahead on their own. They have learned to use science and technology to overcome their problems.

By U.S. standards, the Chinese are far from rich. Their per capita income is only about $150 per year compared to some $2,500 per year here.

But they can carry the ball. The spiral is upward instead of being trapped in poverty. Her export earnings have risen from less than $100 million to more than $400 million in the past 10 years—25 other countries have traveled the same "comeback trail."

Since 1960, grants used primarily to keep countries afloat in emergencies, have been ended in 18 countries.

And Israel and Greece are close to taking the same step as Taiwan: ending all economic aid. Major progress has been made in India, Pakistan, and Turkey to mention only a few.

The success of Free China is not only an inspiration to the United States but to these other developing countries. Our old friends out there have done well.

The eyes of all of southeast Asia are upon them. The success of the Republic of China has renewed the determination of the entire area. And President Johnson is determined to help these countries succeed.

On April 7, the President advocated a sweeping program that could create one of the most dramatic changes in the economic life of the area in its entire history.

"The vast Mekong River," the President pointed out, "can provide food and water and power on a scale to dwarf even our own TVA."

Development of the Mekong to harness power, irrigate thirsty lands, control the flooding during the rainy season, and even provide a means of navigation was part of a new billion-dollar proposal by the President.

He commented that, "We often say how impressive power is. But," he said, "I do not find it impressive at all. The guns and bombs are all symbols of human failure. A dam built across a great river is impressive. A rich harvest in a hungry land is impressive. These, not mighty arms, are the achievements which the American Nation believes to be impressive."

Heat and history still hang heavy in southeast Asia. You can't paint tiger's teeth on a stethoscope or a tree sprayer, but at least the same feeling is also there. We intend to win. And it helps to think back to another time when another group of tough men fought a lonely battle—and won.

BANK MERGER BILL

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MOORHEAD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, I have today introduced a bill to amend the Bank Merger Act to provide that the approval of a merger by a Federal banking supervisory agency shall exempt a transaction from the antitrust laws unless it is promptly contested in court by the Attorney General.

In cases found by the approving agency to be emergencies requiring expeditious action, the exemption from the antitrust laws would be automatic and immediate.

Most cases, however, would be governed by the 7-day waiting period provided in paragraph (2)(B), as proposed to be added by the bill. Banking agency approval would become final and would exempt the transaction from the antitrust laws unless within 7 days the Attorney General announced his intention to bring suit.

In effect, paragraph (2)(B) would enact into law the present procedure followed by the Federal Reserve Board. That agency generally makes the effective date of its approvals under the Bank Merger Act 1 week after annoucement, thus giving the Attorney General an opportunity to file suit if he is so disposed.

Under the bill, an announcement by the Attorney General of his intention to file suit, rather than the actual commencement of litigation within the first 7 days after announcement of approval would be sufficient to hold the matter open, but only if the Attorney General followed through by actually filing suit within the first 30 days after announcement of approval.

Finally, if the Attorney General were unsuccessful in the litigation, then the merger would be unconditionally exempt.

Section 2 of the bill would unconditionally exempt all mergers consummated before the date of enactment.

Text of the bill follows:

H.R. 8388

A bill to amend the Bank Merger Act to provide that the approval of a bank merger by the appropriate supervisory agency shall be conclusive unless promptly contested in court by the Attorney General, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 18(c) of the Federal Deposit Insurance Act (12 U.S.C. 1828(c)) is amended (1) by inserting "(1)" immediately after "(c)", and (2) by adding at the end thereof the following new paragraphs:

"(2) The approval pursuant to paragraph (1) by the appropriate Federal banking supervisory agency of any merger shall become conclusive, and the transaction shall become exempt from the antitrust laws, upon the happening of any of the following events:

"(A) A determination, published by the approving agency with its approval of a merger, that the situation is an emergency requiring expeditious action.

"(B) The expiration of a period of seven days beginning on the first day following the day of the publication of approval, during which the Attorney General has neither brought nor published his intention to bring an action to prohibit the consummation of the merger.

"(C) The expiration of a period of thirty days, beginning on the first day after the publication of approval, during which the Attorney General has failed to bring an action to prevent the consummation of the merger.

"(D) The termination of an action brought by the Attorney General to prevent consummation of the merger in a final judgment, decree, or order which does not prevent consummation of the merger.

"(3) For the purposes of paragraph (2) of this subsection—

"(A) The term 'merger' includes any transaction requiring the approval of a Federal banking supervisory agency pursuant to paragraph (1) of this subsection.

"(B) The term 'antitrust laws' includes the Act of July 2, 1890 (the Sherman Antitrust Act, 15 U.S.C. 1–7), the Act of October 15, 1914 (the Clayton Act, 15 U.S.C. 12–27), and any other Acts in pari materia."

Sec. 2. (a) The amendment made by this Act shall be applicable to any merger as defined in section 18(c)(3)(A) of the Federal Deposit Insurance Act irrespective of whether consummated before or after the enactment of this Act.

(b) There is hereby exempted from the antitrust laws as defined in section 18(c)(3)(B) of the Federal Deposit Insurance Act any transaction specifically approved by any State or Federal banking supervisory agency and consummated before May 13, 1960, the primary purpose and result of which was that banking business carried on prior to such transaction by two or more banks was thereafter carried on by one bank.

I should like to call the attention of Members of the House to some remarks on this subject of bank mergers and on bank regulation that I made before the First Virginia Corp. directors' day dinner, May 18, at the Army-Navy Country Club in Arlington, Va.

The speech follows:

WHERE DO WE STAND ON BANK MERGERS AND BANK REGULATION?

(An address by Congressman William S. Moorhead, Democrat, of Pennsylvania, member of Committee on Banking and Currency, before the First Virginia Corp. directors' day dinner, May 18, 1965, Army-Navy Country Club, Arlington, Va.)

It is indeed an honor for me to be asked to speak this evening before this distinguished group of Virginia bankers. I am delighted, too, to see so many of your gracious ladies present.

Since it has long been a truism that "behind every successful man stands a woman," I must assume that most of you gentlemen who occupy such important places in banking in this great Commonwealth, are sometimes influenced in your wise banking decisions by distaff advice.

But there are also successful lady bankers who may bolster their own wisdom with occasional advice from their husbands.

I'm not sure how many of you ladies are bankers but perhaps you would agree with a comment made several years ago by Mary Roebling, president of the Trenton New Jersey Trust Co., Mrs. Roebling said:

"Any woman who wants to make her mark in business must make men forget she's a woman between 9 and 5, and must make them remember she's a woman the rest of the time."

Regardless of who's minding the store, it's a difficult task and I'm sure that sometimes it seems unnecessarily difficult to you because of the tangled, conflicting web of regulations and supervision involved in your relations with State and Federal banking agencies.

The last time I counted them there were approximately 132 pieces of financial legislation pending before the current 89th Congress—legislation having a more or less direct impact on the business of banking.

At present there are two major areas in which legislation is being considered—one on the Senate side of Capitol Hill, the other on the House side. The administration has, as yet, taken no firm position on either.

Possibly the hottest of the two just now is the issue of bank mergers. But perhaps more far reaching and more basic is the entire subject of bringing order out of the chaos in bank regulation.

The interrelationship of the two was demonstrated 5 years ago when the Bank Merger Act was under consideration by the Banking and Currency Committee of the House. We were concerned with the question as to whether the Department of Justice or the banking authorities should have the final decision on approval or disapproval of bank mergers. Some of us on the committee felt that because of its tightly regulated condition and its problems which are so different from industry in general, that the banking authorities should have the final say, after consultation with the Department of Justice.

Under the Merger Act we created a kind of triple-headed monster. We gave the Comptroller of the Currency final say for national banks, the Federal Reserve Board for member banks, and the Federal Deposit Insurance Corporation for nonmember banks.

The result has been a divergence of merger rulings, compounded by a Supreme Court decision applying section 7 of the Clayton Antitrust Act to all mergers. Thus were created the conditions for a quarrelsome situation among the various bank regulation agencies.

I have been hearing from bankers in recent weeks. Not only from those in my own city of Pittsburgh, but elsewhere.

Your own distinguished president, Mr. Beeton, advised me that he views the Bank Merger Act as the antitrust law of bank mergers.

Mr. Beeton noted, quite properly, I think, that it is necessary to have bank regulatory authorities "exercise a balanced judgment based on their expertise in assessing banking and economic needs as well as competition factors prior to the consummation of any merger."

I agree also with Mr. Beeton that the "strength of this Nation's banking system, dependent as it is on public confidence, is not promoted by indiscriminate attacks against the judgments of these experts, particularly when they are made after the transactions have been consummated."

This is why Mr. Beeton, and a number of other bankers, urged me to support the bill, S. 1698, introduced by your own distinguished Senator, Willis Robertson. It would, as you know, exempt bank mergers approved under the Bank Merger Act of 1960 from attack under the antitrust laws.

I am inclined to support Senator Robertson's bill in my committee and in the House when the question comes before us.

However, it may develop, as a practical matter, that the Congress will not wish to go all the way with the Senator's bill at this time. Even the Federal Reserve Board suggested in a letter to Senator Robertson in support of his bill that "should the Congress be unable to agree" on the approach proposed in S. 1698 "it might wish to consider other, although less positive, measures." The Federal Reserve Board letter went on to suggest, as a possibility, an amendment to the Bank Merger Act allowing a certain time necessary for filing of an antitrust action in court to prevent consummation of an approved transaction, after which, in the absence of such an action, the merger could be consummated and would be exempt from the antitrust laws.

The Board thought that because the Attorney General receives ample notice of pending mergers, the specified period of time should be relatively short.

It seems to me that a 30-day period would be sufficient time for the Department of Justice to decide whether or not to intervene.

Therefore, as a kind of fallback position, I am now in the process of drafting legislation to combine certain features of Senator Robertson's bill with this suggestion of a waiting period.

My bill would include the retroactive features of S. 1698, but would also allow, in the future, a 30-day period for the Department of Justice to take antitrust action if it so desired. At the end of this period, the Department could no longer intervene.

It wasn't just the question of mergers, however, that produced a quarrelsome situation among the various regulatory agencies.

There were these other problems:

(a) Bank underwriting of certain State and local bonds, heretofore considered ineligible as not being general obligation bonds.

(b) The question of whether Federal funds transactions are loans or not and whether they are subject to statutory loan limitations.

(c) The question of whether indebtedness represented by subordinated notes and debentures is part of a bank's capital stock and surplus.

(d) The question of whether savings deposit privileges are available to business corporations.

(e) The question of who has authority over the international operations of national banks.

And as I mentioned earlier the bank merger issue is probably the hottest controversy just now, but the dispute over the structure of bank regulations and supervision is more far reaching, more basic.

Last summer I wrote an article in Banking, the journal of the American Bankers Association, entitled "Is Supervisory Confusion a Congressional Problem?" It was my conclusion then that a thoroughgoing congressional overhaul of bank regulatory machinery was necessary.

I am not now convinced that a great upheaval is necessary but there is certainly a pressing need for a thoroughgoing congressional study of this machinery.

Although there have been witnesses in recent weeks before the Bank Supervision and Insurance Subcommittee of the House Committee on Banking and Currency—on which I serve—witnesses who made apparently persuasive cases for a centralization of bank supervision, I am not persuaded that we should go the whole way to a single, central regulatory agency. Not at the present time at any rate.

Of all the commercial banks of the United States, 98 percent—holding 99 percent of banking deposits—are subject to one or more of the three types of Federal bank regulation.

It seems to me that the banking industry has demonstrated the greatest of patience with and tolerance of the lack of coordination, the inconsistencies, the overlapping jurisdictions and the general overregulation that has resulted from this situation.

There began last year, a debate on this subject which has continued into the present Congress. It is a debate which honors our tradition of free, democratic discussion. Out of it ultimately, I'm sure, will come a wise solution.

Now, Congress does not want to be involved in settling disputes between regulatory agencies. Nor should it be the agency which settles matters that are essentially regulatory in nature. It is Congress duty to set broad policy within which the agencies operate.

This is the spirit in which Congressman Multer's Bank Supervision Subcommittee has conducted its hearings in recent weeks. It has not been the object of these hearings to find scapegoats, nor to create scare headlines. It has been my desire that all the various ideas on bank regulation should be brought before the subcommittee and studied carefully. That is why I introduced, at the request of the National Association of Supervisors of State Banks, H.R. 7133, a bill to amend the Federal Reserve Act, the Federal Deposit Insurance Act and section 5155 of the Revised Statutes as amended, giving broader authority to the Federal Deposit Insurance Corporation in the field of bank supervision.

Congressman MULTER, the subcommittee chairman, introduced H.R. 107 to establish a Federal Banking Commission which would administer all Federal laws relating to the examination and supervision of banks.

The chairman of the full Banking and Currency Committee, Mr. PATMAN, introduced H.R. 6885 which would locate with the Secretary of the Treasury all functions relating to the examination and supervision of federally insured banks.

Mr. MULTER and Mr. PATMAN insist that neither of their bills is in any sense a revision or codification of statutory provisions governing the rights, benefits, and obligations—other than the payment of assessments—of State and national banks under Federal law. They insist that they are only concerned with the governmental agencies through which the banking laws are administered.

A number of witnesses, as you know, have taken a different view. They see the centralization of supervision, either in a banking commission or with the Secretary of the Treasury, as a concentration of too much authority in a single Federal agency and therefore an act that would inevitably undermine and possibly destroy the present dual banking system.

I do not, myself, see in either measure quite the degree of disaster predicted by these witnesses. However, I think it is possible, as with the merger problem, to deal with the supervision problem in a more preliminary manner. I would suggest, for example, that H.R. 7133 or something like it, might be the wisest course to follow at this time. Take this first step, see if it solves most of the problems we now face, and if not, then take another look at the situation.

H.R. 7133 would give to the Federal Deposit Insurance Corporation a veto over the chartering of national banks and the admission of State banks into membership in the Federal Reserve System. It would also vest in the FDIC independent authority to approve or disapprove the establishment of branches by all insured banks, whether State or national, and would remove the requirement of existing law that branching by State member banks be subject to Federal Reserve Board approval.

Under existing law, the FDIC is required to insure automatically any bank to which the Comptroller of the Currency grants a charter. Likewise, insurance is automatic for any bank which the Federal Reserve Board admits to membership in the Federal Reserve System. Under H.R. 7133, the Comptroller and the Board would retain their respective functions of chartering national banks and admitting State banks to Federal Reserve membership, but a bank would not be permitted to begin actual operation as a national bank or as a State member bank unless it received the independent approval of the FDIC.

The bill would instruct the FDIC to apply the same criteria for insurance to all three classes of banks; viz, State nonmember, State member, and national.

The factors which the FDIC is directed to consider are those now set forth in existing law: The financial history and condition of the bank, the adequacy of its capital structure, its future earnings prospects, the general character of its management, the convenience and needs of the community to be served by the bank, and whether or not its corporate powers are consistent with the purposes of the Federal Deposit Insurance Act.

Under existing law, as you know, the Comptroller of the Currency has sole authority to approve or disapprove branching by national banks. A State member bank must, in general, obtain the approval of the banking regulatory agency in its own State, and also obtain the approval of the Federal Reserve Board. In neither case does the FDIC under existing law have any authority with respect to the branching application, and the FDIC must continue to insure the bank whether or not the application for a branch is approved by one of the other two agencies.

Under H.R. 7133 the Federal Reserve Board's authority would be transferred to the FDIC. The Comptroller would retain his present authority, except that the FDIC's approval would also be required before the branch could actually be established. The bill would direct the FDIC to consider the same factors with respect to a proposed branch as are applicable in the case of an institution making its initial application for insurance.

That is a rather detailed account of what H.R. 7133 would do to the present banking regulatory structure. As you can see it does not go as far as either the Multer or the Patman bills. It retains what some of the witnesses in our recent hearings described as a pluralistic approach to bank regulation.

If I may boil all this down a bit, it seems to me also that H.R. 7133 means this: It makes supervision of State banks, whether members of the Federal Reserve or not, a primary function of State supervisory agencies. It makes supervision of nationally chartered banks the primary duty of the Comptroller of the Currency. And when intolerable conflicts in rulings between the two arise—revenue bond questions, branching, or location of new branches, for example—it gives the FDIC a final veto power plus the right, when it deemed it necessary, to examine the banks. What it would amount to, as I see it, is that the FDIC would be merely reviewing the reports of State supervisory agencies on the one hand and the Comptroller on the other.

I repeat that I see this as a first step. If it doesn't solve the problem, then perhaps further action would be necessary.

Now, I am not unmindful that the First Virginia Corp., is a holding company. Since the Federal Reserve Board is charged with the administration of the Bank Holding Company Act of 1956, you have an understandable interest in what these various proposals would do to holding companies.

H.R. 107 and H.R. 6885 would transfer jurisdiction over holding companies from the Federal Reserve to a banking commission or to the Secretary of the Treasury.

H.R. 7133 does not make the structural changes of the other two bills so the jurisdiction over holding companies would remain where it is, with the Federal Reserve.

These problems I have been discussing with you are problems of national interest in which we in the Congress seek the help of you people in the banking business. Like my colleagues on the Banking and Currency Committee, I welcome your advice and counsel.

A NORTHERN VIRGINIA TRANSIT PROPOSAL

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas [Mr. HARRIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HARRIS. Mr. Speaker, the Metropolitan Washington area is one of the most rapidly expanding population centers in the United States. President Johnson, in his message to Congress dealing with a rapid rail transit system for the Nation's Capital, called to our attention the presently applicable words of the National Capital Transportation Act of 1960, when he pointed out that—

> An improved transportation system for this area is essential for the continued and effective performance of the functions of the Government of the United States, for the welfare of the District of Columbia, for the orderly growth and development of the National Capital region, and for the preservation of the beauty and dignity of the Nation's Capital.

The orderly development of an adequate transit system for the Metropolitan Washington vicinity is a problem we are all interested in solving. Of particular interest to those who reside in Virginia, I pass on for your information the remarks of Mr. Ned Curran before the Vienna, Va., Town Council as he presented an interesting proposal of a group of private citizens attempting to solve their transit problem.

REMARKS OF NED CURRAN, VIENNA, VA., BEFORE THE VIENNA TOWN COUNCIL AT ITS REGULAR MEETING, APRIL 19, 1965

A PROPOSAL

Mr. Mayor, members of the town council, I appreciate this opportunity to appear before you. Let me stress in the beginning that I appear as a private citizen of Vienna and not as a reporter for the Vienna Virginian. My appearance therefore is not to be construed as any representation of Virginian policy, pro or con.

As one who has sat through several lifetimes of speeches, presentations, discussions, and debates of public issues on all levels, I can best appreciate the blessings of brevity. I shall be brief.

I think by now we are all well aware that Vienna faces what very closely approaches a transportation crisis. Its only railroad line, the Washington & Old Dominion, literally teeters on the brink of extinction. It is said to be unprofitable in its freight-only operation and may soon be sold to the Virginia State Highway Department. The fact that the State reportedly plans to use the rail bed for Highway 66 right-of-way in Arlington County seems of obscure benefit to Vienna.

The situation has all the elements of crisis. First of all, loss of the line would deprive business and industry along its 40 miles from Herndon to Alexandria of rail ingress and egress. Location on the railroad is obvious testimony of the integral part it plays in the operation of this business and industry. Several establishments in Vienna particularly have gone so far as to make substantial investments in the expectation of the railroad's continued existence.

Secondly, withdrawal of rail service would almost immediately necessitate the introduction of heavier truck traffic into the area. This carries the twofold disadvantage of being more expensive to individual businesses and of being physically and financially burdensome on the local road system, its users and the jurisdictions which maintain it.

Not the least dimension of the crisis is time. The railroad is even now seeking permission on the State and Federal level to discontinue operation. Besides the imminence of the problem to commercial freight users, there is the necessity of saving the railroad now or it will be lost forever for whatever future purpose it might serve.

There can be little doubt, then, that there is a crisis or that it is acute.

In an attempt not only to solve the immediate problem but also to convert the railroad into an asset for much of northern Virginia, I offer the following proposal:

I suggest that all the jurisdictions along the railroad, Loudoun County, Herndon, Fairfax County, Vienna, Falls Church, Arlington, etc., form a Northern Virginia Railroad Authority for the purpose of buying and operating the Washington and Old Dominion.

The authority would be a separate and distinct physical and fiscal entity with jurisdictions represented on the basis of population or track mileage, or some such formula.

The authority would raise revenue through the medium of a taxing district, or by issuing bonds. The bonds could be self-liquidating, or in the nature of a public debt, incurred by a vote of the people.

The purchase of the line by this means would serve first to save the railroad for its immediate freight function. But perhaps even more significantly, the line could then also introduce commuter service.

This latter conception, admittedly a long range proposition, could some day link this area to the proposed Washington metropolitan rapid transit system, at least one leg of which is planned to extend to Rosslyn.

The benefits of a northern Virginia commuter line seem to me to be both many and obvious. It would give this area that much better access to the District of Columbia as well as to points in between. It would help preserve the rural-residential character of the area by operating on the existing roadbed and obviating the need for more and more terrain-destroying superhighways.

The line would be of even greater benefit, I would think, to the more remote areas of Herndon, Dulles Airport, and Reston, which are destined to become bigger population clusters while losing none of their insularity.

I do not envision that such a commuter line would seriously affect current or future bus service or highway complexes. The point in the whole issue is that all of these and more are needed and will continue to be needed into the foreseeable future. Intra-area transportation as well as Virginia-Washington travel are unquestionably essential to our community and those surrounding us.

It is quite possible there are not now enough prospective rail commuters in this area to enable the line to operate in the black immediately. Besides the difficulty of changing traveling habits, there is probably the fact that there just aren't enough people here to sustain reasonably worthwhile service. The possibility is quite distinct that the commuter service would have to be subsidized during its initial years.

But the authority could devote some energy to a public relations selling job to win customers. It might also consider such sidelights as tourist trips, or historical tours, tapping the growing Washington influx, or possibly school excursions.

It is without any hesitation that I add that the line might possibly qualify either in the beginning or soon after for Federal aid of some sort, either as part of a greater transit system or as a suburban commuter line. I see no harm in looking to the Government for help in an undertaking so vital as this one.

I cannot stress too strongly, nor argue too repetitively that in our part of the world, in Vienna, in northern Virginia, in 1965, public transportation is seriously inadequate and constitutes a major area flaw that bids to become worse. Any public-opinion poll taken in Vienna in recent years will testify to that.

Anyone, I think, from a person you stop at random on Maple Avenue to the most knowledgeable modern transportation experts, will tell you that more highways for more cars is not the answer. Almost all officials' thinking (and planning) on the subject has shifted very markedly from highways to public surface transportation in grappling with today's and tomorrow's mass movement problems.

We should be unwilling, financially and esthetically, to permit Vienna's inundation by highway traffic. If we mean to do more than repeatedly recite our chronic litany—preserve Vienna's scenic and sociological character and cater to our aging toddler population—then I insist we must at least consider a way to make it easier, safer, and more attractive to get from one place to another. Transportation is almost as necessary as food and I submit that the time has come for us to regard it as such.

I mean to pursue this proposal as far as I can. I present it to the council for your serious deliberation and to give it as broad a currency as possible. I would like to see it an issue in the coming council election campaign. I would like to hear it debated extensively. I may be wrong about the tactic; I'm convinced I am not about the strategy. And I need your help—we all do.

Forgive my ineloquence and thank you for your time and attention.

COMMUNISM AND CIVIL RIGHTS

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I would like to preserve in the CONGRESSIONAL RECORD a column written by Mr. Ray Cromley which appeared in the Thursday, May 20 edition of the Washington News. It deals with the Red-tinged DuBois Clubs, named after the Communist who founded the NAACP.

The CONGRESSIONAL RECORD of July 29, 1963, contained 8½ columns of small type listing the Communist front organization and associations of DuBois, before, during, and after the time he founded the NAACP, so his record is well established. The fact that he was a member of the Communist Party is also well known.

These new Red fronts are well named and there is obviously no difference between their aims and those of the party itself.

In my continuing effort to show the constant affiliation of Communists and the leaders of the civil rights movement, I would like to make Mr. Cromley's column a part of the permanent RECORD:

> The W. E. B. DuBois Clubs or their members have been exceedingly active on the fringes of many of the protests, demonstrations and marches objecting to U.S. actions in Vietnam.
>
> DuBois Clubs participated in the April 17 March on Washington. Their members have been identified in teach-ins and demonstrations at points as scattered as Chicago, Los Angeles, Madison, and New York. They have been active in helping circulate petitions in which young men pledge not to serve in the Army in Vietnam.
>
> DuBois Club members jumped in the fringes of the University of California riots to do what they could to stir things up, make things rougher and keep the fight going—though they were not in control.
>
> ### TROUBLE
>
> Members joined in on the Alabama civil rights march. Again they were on the fringes to stir up what trouble they could.
>
> In most cases, as noted above, they have not been the prime movers or leaders. They've moved in—in the background—in attempts to mold the movements in the direction they wanted and to prevent (if they could) moderates from having their way. In some cases they have succeeded; in others they have failed.
>
> The organization is now believed to have 35 clubs on college campuses with a combined membership of over 1,000.
>
> ### HISTORY
>
> It is appropriate, therefore, to look into the history of this curious group.
>
> In October 1963, Gus Hall, secretary general of the U.S. Communist Party, proposed setting up a new national Marxist youth organization.
>
> Within a month, delegates were summoned to conference in Chicago, where they were joined by Hall and Mortimer, Daniel Rubin, then U.S. Communist Party national youth director.
>
> Those delegates adopted Hall's proposal to compile a list of initiators who would meet in December and issue a call for a national founding convention. The initiators met as scheduled in Chicago December 28 and 29, 1963. They decided to hold the founding convention in June 1964.
>
> San Francisco was selected for the national coordinating office of the initiators. Three regional coordinators were named, all Communist Party members.
>
> ### SOCIALIST YOUTH
>
> In March 1964, the call for the founding convention was circulated. It described the new group a "Socialist youth organization" and the central concerns would be peace, peaceful coexistence, democracy, freedom, and disarmament. The call was signed by 21 youths, many of whom were members of the U.S. Communist Party.
>
> The national convention attracted almost 500 young people. A considerable number traveled at Communist Party expense.
>
> San Francisco was chosen as national headquarters for the organization which adopted the name W. E. B. DuBois Clubs of America. (The late Dr. William E. B. DuBois was a crusader for civil rights and supporter of Communist fronts. He joined the U.S. Communist Party at the age of 93). Five regions were set up: East, South, Midwest, Southwest, and West.
>
> The convention chose Philip Chapin Davis, formerly of Albany, Ga., as national DuBois president and Carl Bloice national director of publications.
>
> Davis attended a U.S. Communist Party recruiting class in October 1962. Bloice is on People's World, a west coast Communist newspaper. He is a member of the San Francisco County Committee, Northern California District of the U.S. Communist Party.

COMMUNISM AND MARTIN LUTHER KING

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, in my continuing effort to bring to the attention of the American people the many and varied connections between the Communist Party and the leaders of the civil rights movement, I would like to insert here in the Record an item which appeared in the volume 17, No. 19 edition of the National Review Bulletin.

This item is apparently forbidden in the liberal press, but facts are facts and no censorship is strong enough or complete enough to keep the truth from the American people. The item follows:

> Rev. Ralph Abernathy, a close associate of Martin Luther King, speaking in Philadelphia, rounded out remarks on civil rights with a plea for a negotiated peace in Vietnam and admission of Red China to the U.N. On the policy committee of the American Youth Festival Committee (which is putting together a delegation to the Communist-run World Youth Festival to be held this summer in Algiers): members of SNCC, CORE, Students for a Democratic Society, the Young Democrats, the W. E. B. DuBois Clubs, Student SANE, Women Strike for Peace, USNSA, and both the Free and Foul Speech Movements at the University of California.

HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Sickles] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SICKLES. Mr. Speaker, in the March 1965 issue of "Facts and Issues," published by the League of Women Voters, there is outstanding treatment of the subject of home rule for the District of Columbia.

The League of Women Voters, which supports self-government and representation in Congress for the citizens of the District of Columbia, has rendered a timely public service in compiling this sound case for home rule.

Enactment of home rule legislation for the District of Columbia would enable Congressmen from all over America to spend additional time on both national affairs and the problems of their local constituencies. This article is an excellent source of information on this subject and should give impetus to the current efforts to provide self-government for the citizens of our Nation's Capital.

In view of the national interest of home rule for the District of Columbia, I wish to insert the league's publication in the Record:

Home Rule for the District of Columbia

Washington is a lovely city. Crowds of sightseers take home and cherish memory of the Capitol, the White House, the Lincoln Memorial, the Washington Monument, the Supreme Court, the National Art Gallery, and the glory of flowers in the spring. But they do not see Washington, which is the District of Columbia, as a city with citizens, schools, houses, like other cities. Its schools, like others, are overcrowded; it, too, has dilapidated teeming slums and it is concerned about high rate of crime, infant mortality, and dependency. Many District citizens, including the Commissioners who administer District affairs, work as citizens elsewhere do—for better schools, more health services, less racial discrimination in housing and hiring.

But what District citizens think and say has had little impact on improving these conditions. They have no vote for their city government and their city officers have no ultimate power. American citizens who are represented in Congress should know about this anomalous situation in the Nation's Capital City.

Home rule, or more appropriately local self-government, would restore to citizens of Washington the privilege of voting for officials who would have the authority to enact and enforce laws relating to purely local affairs, the power to tax and to determine how local tax money should be allocated.

Home rule is a solution which has the overwhelming support of the majority of voters in Washington, and many local and national organizations.

WASHINGTON HAD SELF-GOVERNMENT BEFORE RECONSTRUCTION ERA

Local self-government is not a new idea. For almost three-quarters of a century after the city was granted a charter in 1802, Washington's citizens practiced local self-government as anticipated by the Founding Fathers.[1] They elected mayors and city councils of various types until the Reconstruction Era. In 1871 there were three separate jurisdictions within the District of Columbia: the city of Washington, the city of Georgetown, and the county of Washington. That year, Congress abolished these three separate governments. A single jurisdiction, the District of Columbia, was established in order that improvements in sanitation and other public works might be accomplished.

The new government, consisting of an appointed Governor and a legislative assembly of two chambers, one appointed and one elected by popular franchise, was charged with the responsibility of providing the city with the public works it so desperately needed. In its haste to fulfill this charge and with insufficient fiscal guidance and financial assistance from the Federal Government, it brought the city to the edge of bankruptcy.

Washington in this period was emerging from the havoc of the Civil War and was developing into the major city it is today. Among its problems, then as now, was the question of how financial responsibility for the development of the National Capital should be shared between the local and Federal governments. There had been a good deal of bickering between Congress and the city governments as to responsibility for bearing the financial burden of educating the newly freed slaves who had come to Washington in great numbers in the preceding decade and there was some fear among the city's white population about the way Washington's newly enfranchised Negroes might use their vote.

COMMISSION GOVERNMENT INTENDED AS TEMPORARY MEASURE

In 1874 Congress decided to take over administration of the city. It withdrew the local franchise and established the commission form of government as a temporary measure until the city could get back on its feet financially. This measure was made permanent by passage of the Organic Act of 1878, and essentially the same form of government operates in the District to this day.

PRESENT STRUCTURE OF THE DISTRICT OF COLUMBIA GOVERNMENT

At present, both legislative and fiscal responsibility for the District of Columbia rests with Congress. There are four congressional committees who spend all or part of their time on District affairs—the Committees on the District of Columbia in the Senate and in the House of Representatives, which consider all measures relating to District municipal affairs other than appropriations, and the Senate and House Appropriations Committees, which consider appropriations.

Congress has delegated limited authority to a board of three commissioners (one of whom is detailed from the Army Corps of Engineers), who are appointed by the President, and to many agencies whose members are variously appointed by the President, the Commissioners, or judges of the district court. The most important of these agencies are:

The National Capital Planning Commission, which is the central planning agency for the Federal and District Governments within the National Capital region.

Redevelopment Land Agency, which administers urban renewal in the District.

National Capital Housing Authority, the District's public housing agency.

National Capital Transportation Agency, which was established in 1960 to prepare a transit development program for the National Capital region.

The Chief of the Army Engineers, Department of the Army, who is responsible for the District's water supply.

National Park Service, which has exclusive charge and control of the park system.

Architect of the Capitol, who is an agent of Congress and has jurisdiction and control over the U.S. Capitol Grounds.

Zoning Commission.

Board of Zoning Adjustment, which can make exceptions to zoning regulations.

Public Service Commission.

Boards of Education, Elections, Library Trustees, and Recreation.

The District Commissioners are responsible for the agencies of the District government as follows:

Commissioner of Public Works (Engineer Commissioner)—Departments of Sanitary Engineering, Highways and Traffic, Buildings and Grounds, Motor Vehicles, Licenses and Inspections, and Veterans' Affairs; Office of the Surveyor; Office of Urban Renewal; Office of the Motor Vehicle Parking Agency.

Commissioner of Public Safety (usually the president of the Board of Commissioners, who also has many ceremonial duties)—Metropolitan Police Department, Fire Department, Office of Civil Defense, Office of Recorder of Deeds.

Commissioner of Public Health and Welfare—Departments of Public Health, Public Welfare, Corrections, Insurance, and Vocational Rehabilitation; Board of Parole; Alcoholic Beverage Control Board; Minimum Wage and Industrial Safety Board; Office of Coroner.

Neither the Congressmen, the Commissioners, nor administrators of any of the agencies listed above, even those whose functions relate exclusively to the local community, are answerable to the citizens of Washington.

Home rule would transfer to a locally elected government the powers presently held by the Commissioners and the responsibility for purely local functions performed by such special agencies as the Boards of Education and Elections. To protect the Federal interest and to insure that Washington is a capital worthy of the Nation, the other agencies would continue as Federal organizations. Members of the locally elected government, representing the District interest, would have the positions in these agencies now set aside for the Commissioners.

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[1] James Madison indicated in No. 43 of the Federalist Papers what was in the minds of the drafters of the Constitution. He first made the case for giving Congress "complete authority at the seat of government," and discussed the cession of land by the States for the Capital City. He went on to say "a municipal legislature for local purposes, derived from their own suffrage, will of course be allowed them."

CONGRESS LEGISLATES, COMMISSIONERS ADMINISTRATE

Congress legislates for the District on all matters that have not been delegated to the District Board of Commissioners. The Commissioners administer the laws and supervise most of the administrative agencies of the District government. In the critical matter of finance, however, they may only set the rate of taxation on real estate; all other taxing and bonding authority is retained by the Congress.

The Commissioners are responsible for drawing up the annual budget for the city. It is prepared in a manner similar to that followed by Departments of the Federal Government. The District's budget is tied to the Federal budgetary cycle and suffers frustrating delays because of this fact. (For example, the budget for fiscal year 1964 which began on July 1, 1963, was not adopted by Congress until December 1963; the budget for fiscal year 1965 which began on July 1, 1964, was adopted in August 1964.) The Federal Bureau of the Budget presents the District budget to the President after the Commissioners and their agency heads, together with the Budget Officer in the District of Columbia Department of General Administration, have scrutinized and weighed budget estimates along with projected total revenue. After the President submits the budget to Congress, the Commissioners and their staff appear before the District of Columbia subcommittees of the House and Senate Appropriations Committees to justify the budget.

DOES CONGRESS "FOOT THE BILL" FOR WASHINGTON?

Since Congress plays such a central and crucial role in these budgetary procedures, many persons erroneously believe that Congress foots the bill for the city of Washington. The fact is that nearly 90 percent of the District's general fund expenditures comes from money raised by local taxes. The General Fund finances the city's basic services (schools, libraries, police and fire protection, courts, corrections, welfare, sanitation, recreation, and the construction of public buildings for any of these purposes). However, Washingtonians have no official voice either in the levying of these taxes or in deciding how these revenues should be spent.

A part of the District's operating and maintenance budget is financed by Federal money. The Federal payment is compensation to the city for the fact that the Federal Government and tax-exempt institutions, such as embassies and national headquarters for many organizations, occupy more than 50 percent of the city's land but pay no taxes to the city. During the last decade, the Federal payment has been small, hovering around 12 percent. From 1879 through 1920, 50 percent of the general fund appropriation was paid by Congress and 50 percent from District taxes. Since 1921, however, the Federal payment has fluctuated from a high of 39.5 percent in 1924 to a low of 8.5 percent in 1954.

WILL HOME RULE MEAN LOSS OF FEDERAL PAYMENT AND INCREASE IN LOCAL TAXES?

There is concern in some quarters that if Congress were to transfer revenue and budget functions to a locally elected council it would be disinclined to appropriate reasonable annual Federal payments to the District and the tax burden on Washington's residents and businesses would necessarily increase. Supporters of self-government argue that the Federal Government's financial obligations to the District derives not from Congress legislative responsibility for the District but rather from the role which the city plays as Capital of the Nation. Compounded with the fact that more than 50 percent of the city's land is tax-exempt is the fact that the city incurs extra expenses and its ordinary city functions cost more because it is the Federal City: it must pave wider streets, plant and care for more trees, help to keep more parks than most cities; plan for and clean up after parades for visiting dignitaries and on special occasions; it has thousands of tourists every year; it even finances the operation of the National Zoo.

As for the often used argument that taxes will go up in the wake of self-government, it is noted that taxes have increased in Washington in the absence of home rule and that tax increases are common in cities throughout the country. Tax increase is not a problem that is unique to Washington, but taxation without representation is. Some forces are responsive to the "taxation without representation" complaint and propose as a remedy representation in Congress. Full representation in Congress can be granted, however, only by adoption of an amendment to the Constitution which requires action by Congress and ratification by the States. Local self-government, including a provision for a nonvoting delegate to the House of Representatives, can be achieved simply by an act of Congress.

HOME RULE IS CONSTITUTIONAL

Questions have been raised as to the legality of home rule for the District of Columbia. This matter was settled in 1953 when the Supreme Court unanimously upheld the constitutionality of home rule. Its decision in the Thompson Restaurant case confirmed the fact that Congress can properly delegate to a city council or legislative assembly the authority to pass laws for the District.

PROTECTION OF THE FEDERAL INTEREST IN THE DISTRICT OF COLUMBIA

The status of Washington as the Capital of the Nation and the concentration of so many Federal agencies here are factors in the home rule problem. Some opponents of home rule maintain that the Federal interest might be overshadowed by the parochial interests of local residents and their elected representatives. On the contrary, the Federal interest will be protected under any proposed form of home rule because ultimate legislative authority for the District will still rest with the Congress, as set forth in article I, section 8, of the Constitution of the United States.[2] Congress would still have the authority to initiate legislation for the District if it chose to do so or to veto any locally adopted legislation that threatens the Federal interest. Recent bills have provided that the President have the right to veto any acts of a local government which might be contrary to the Federal interest. Further limitations have been written into home rule proposals to the extent that the local government would have no authority with respect to Federal agencies beyond that which the Commissioners have at present.

HOME RULE COULD MEAN BETTER GOVERNMENT

Would the Federal interest and the interests of good government be served better if Congress relieved itself of the duties pertaining to the formulating of laws for the ninth largest city of the United States? Local needs of a large city require local attention and study to provide effective local government. Most Members of Congress cannot devote themselves to the District and its problems—they simply do not have the time to give Washington the attention it needs because of the volume and complexity of legislation affecting their own districts, States, the Nation, and the world. Since city councilmen would not have these other weighty responsibilities, it could be expected that their time and energies would be devoted to the problems of the city and its residents.

SUPPORT FOR HOME RULE

The Senate of the United States has passed bills to give the District of Columbia home rule five times since 1948. The Truman, Eisenhower, Kennedy, and Johnson administrations have all endorsed home rule for the District, as have the two major national political parties. Although the House District Committee has never given the House of Representatives the opportunity to vote on these bills, repeated surveys of House Members indicate there seems to be sufficient sentiment in favor of home rule to permit the passage of a bill if one were permitted to come before them.

American citizens take for granted their right to vote in local elections. Residents of our Nation's Capital want this right, too. In the 1964 District primary elections, Washingtonians had their first opportunity to vote for President and Vice President under the 23d amendment to the Constitution. Both Democratic and Republican ballots contained questions asking voters to indicate whether they wanted local self-government. Democrats voted 64,580 to 4,368 in favor; Republicans 8,094 to 7,733. Overall response in favor of home rule was 6 to 1.

Home rule for the District of Columbia has the support of many national organizations. The League of Women Voters of the United States has supported self-government for the District since 1938. Others include the AFL-CIO, American Association of University Women, American Civil Liberties Union, American Jewish Congress, American Veterans Committee, National Association for the Advancement of Colored People, National Association of College Women, National Catholic Conference for Interracial Justice, National Community Relations Advisory Committee, National Council of Jewish Women, Southern Christian Leadership Conference, Union of American Hebrew Congregations, United Auto Workers of America, and Women's International League for Peace and Freedom.

IS OPPOSITION JUSTIFIED?

The civil rights aspects of home rule were recognized by the inclusion of a demand for full enfranchisement of all citizens in the Nation's Capital in the historic march on Washington for jobs and freedom, August 28, 1963. Negroes are a majority in Washington—53.9 percent according to the 1960 census—and this fact is said to be a significant factor in congressional and other opposition to home rule. Undoubtedly, some of the present opposition has its roots in attitudes that grew out of the Reconstruction Era and the poor fiscal administration by the territorial government.

But present day Washington's electorate is well qualified to choose its own officials. The average number of school years completed by Washington residents aged 25 years and over is 11.7. Only nine States surpass this level of educational attainment. Washingonians, both white and Negro, have repeatedly demonstrated their civic maturity and pride in the Capital City by their vigorous participation in civic organizations and many, both white and Negro, serve with distinction in responsible positions in the present District government.

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[2] Art. I, sec. 8, contains this provision: "The Congress shall have power * * * to exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding 10 Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States. * * *

The Bureau of the Budget has carefully scrutinized the fiscal provisions in home rule legislation and has endorsed them as sound. There is no reason to believe that home rule would mean financial irresponsibility. Among the fiscal safeguards written into the bills are: limitations on the amount of bonds which may be outstanding at any time; a limitation on the amount of borrowing which may be undertaken without the assent of the voters; and an independent audit of the local government's books by the General Accounting Office.

HOME RULE IN THE 88TH CONGRESS

For the first time in nearly 5 years, the House District of Columbia Committee heard testimony on proposals for home rule in November 1963. A bipartisan statement supporting home rule, signed by more than 50 Congressmen, was filed with the committee and strong testimony favoring the mayor-council bill was presented by the president of the Board of Commissioners, the Attorney General of the United States, the Deputy Director of the U.S. Budget Bureau, and a few of the many representatives of civic groups who were waiting to testify. In spite of the strong statements presented by these witnesses, committee members expressed much interest in a bill which would retrocede most of the District to Maryland, claiming this would provide fullest enfranchisement for Washingtonians. However, the device of retrocession is of questionable constitutionality.

The hearings were recessed abruptly, to be resumed at the call of the chairman. Further hearings were not held. In May 1964 the League of Women Voters of the District of Columbia and the League of Women Voters of the United States, along with the Washington Home Rule Committee and many civic organizations, filed statements in support of home rule and joined in an effort to urge the chairman to close the hearings and report a bill. There was no response.

HOME RULE IN THE 89TH CONGRESS?

In his message of February 2, 1965, President Johnson urged the 89th Congress to enact legislation at "the earliest possible date" granting the right of self-government to the District of Columbia. The following excerpts are from that message:

"Our Federal, State, and local governments rest on the principle of democratic representation—the people elect those who govern them. We cherish the credo declared by our forefathers: no taxation without representation. We know full well that men and women give the most of themselves when they are permitted to attack problems which directly affect them.

"Yet the citizens of the District of Columbia * * * have no vote in the government of their city. They are taxed without representation. They are asked to assume the responsibilities of citizenship while denied one of its basic rights.

"Self-government for the District would not be an innovation. It is a return to the views of the Founding Fathers and to the practice of the early days of the Nation.

"There is a fundamental Federal interest in the National Capital. The Constitution wisely delegates to the Congress supreme legislative power over 'the seat of the Government of the United States.' The Congress can, however, delegate to a municipal legislature all the powers necessary for local self-government, and at the same time preserve fully its ultimate power and the interests of the Federal Government."

Several bills have been introduced in the 89th Congress to provide local self-government for the District of Columbia. On March 9 and 10 the Senate District of Columbia Committee held hearings at which a representative of the President, the District Commissioners, and spokesmen for national and local organizations expressed support. The Senate seems to be moving toward passage, for the sixth time, of a home rule bill.

Action in the House of Representatives depends to a large degree on whether citizens in other parts of the country let their Representatives know how they feel about the local government situation in the Nation's Capital City.

The League of Women Voters supports self-government and representation in Congress for citizens of the District of Columbia.

SUGGESTED READING

"Washington, Village and Capitol, 1800–79" by Constance McLaughlin Green, Princeton University Press. 1962. 445 pp.

"Washington, Capital City, 1879–1950" by Constance McLaughlin Green. Princeton University Press. 1963. 558 pp.

U.S. Congress, 88th, 1st and 2d sessions. House of Representatives: Hearings before Subcommittee No. 6, Committee on the District of Columbia, November 18, 19, and 20, 1963, and February 24, 1964." U.S. Government Printing Office.

U.S. Congress, 89th, 1st session. Senate: Hearings before the Committee on the District of Columbia, March 9 and 10, 1965." U.S. Government Printing Office.

"Home Rule for the District of Columbia"—Message from the President to Congress, February 2, 1965. House Document No. 71. U.S. Government Printing Office.

"The District of Columbia"—Message from the President to Congress, February 15, 1965. House Document No. 86, U.S. Government Printing Office.

ONE MAN, ONE VOTE

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'Hara] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, the May 5, 1965, edition of the Michigan AFL–CIO News carried an editorial analyzing the current legislative efforts to modify the effect of the Supreme Court's one-man, one-vote decision on apportionment of State legislatures.

In my opinion, the editorial hits the nail squarely on the head in its concluding paragraph which reads as follows:

> The Dirksen amendment, shorn of fallacious arguments, is an attack on the principle of majority rule, the foundation of a democratic system of government.

Mr. Speaker, I hope each of our colleagues will take time to read this editorial, which appeared under the headline, "Majority Rule at Stake in Assault on U.S. Court." Under unanimous consent, I include the editorial at this point in the Record:

Majority Rule at Stake in Assault on U.S. Court

The unrelenting assault on the U.S. Supreme Court's one-man one-vote decisions as they apply to reapportionment of State legislatures is moving toward a climax in Congress. There is a very real possibility that a proposed constitutional amendment to negate the basic principle laid down by the Court may secure the necessary two-thirds support in the House and Senate.

The Court's decision that every citizen's vote must have equal weight in the apportioning of State legislature seats would knock out the "rotten-borough" system in State politics—the practice of creating, in at least one house and usually the State senate, districts in which a steadily decreasing rural and small-town population is heavily overrepresented in relation to rising city and suburban populations.

The amendment drive, led by GOP Senate Leader Everett McKinley Dirksen, would specifically allow the States to apportion seats in one house along nonpopulation lines subject to a statewide referendum. The proponents of the amendment—and they generally represent the nonurban areas of the United States—advance two basic arguments, both of them specious.

One is that State legislatures are essentially miniature versions of the U.S. Congress, where representation in the Senate is not based on population. The other is that a referendum is a safeguard to assure popular support.

To the first argument the answer is simply that the counties—the basis of most nonpopulation representation in legislatures—were created by the States as administrative units and have no sovereign powers unto themselves. The House and Senate of the United States were created by the then separate and sovereign States.

As to the referendum safeguard, the Court ruled that the one-man one-vote principle rested on the constitutional base of the 14th amendment guaranteeing equal protection of the laws to all citizens. The proposal for a referendum would allow a constitutional right—the equivalent of free press, speech and assembly—to be voted up or down by statewide referendums.

The Dirksen amendment, shorn of fallacious arguments, is an attack on the principle of majority rule, the foundation of a democratic system of government.

LET US CONTINUE

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Grabowski] may extend his remarks at this moint in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GRABOWSKI. Mr. Speaker, in the light of 20 years of U.S. effort on behalf of other nations not so fortunate, it may be good for us to be reminded of the old admonishment, "weary not of well-doing." A generation has passed since the inauguration of our vast lend-lease programs by which we "lent a waterhose to quench the fire in our neighbor's house," as President Roosevelt said in 1940. The demands of this aid on our substance, our time and the lives of our citizenry in war and peace has been colossal. Lend-lease cost us $50 billion. The actual cost of World War II in round figures was $350 billion. Foreign aid from 1945 through 1965 has cost us another $115 billion.

No wonder Congressmen get a ceaseless stream of letters asking us if the outgo of dollars will ever end. At this moment my answer is a firm "No." The mantle of Samaritan to the world has fallen on our shoulders and I see no possible avenue of escape from our responsibilities as our brother's keeper or of substantially lessening our load in these days of ever-increasing needs of the underprivileged nations. As more and more new nations emerge into this jetage world of ours, each with its own insistent demands for recognition and requests for aid, it seems that cumulatively the requirements of foreign assistance will overwhelm us. Luckily others, whom we have helped in the past, are now also beginning to extend some assistance and we are negotiating with them to increase their involvement.

On the other hand, we are also slowly becoming more selective in our choice of recipient nations. From a peak of 110 nations, we are now down to 72 recipients. This total is also being whittled down because there are some, like Cambodia, who do not want our help. Others again are putting us in the position of having to withdraw our aid because of their bellicose attitudes toward us, or by their unjust nationalization of our private investors' property. Still others are misusing our aid to stimulate rebellion elsewhere or to arm certain groups wishing to overthrow responsible governments.

This year I support the authorization of $3.37 billion for foreign aid. However, I believe that aid should be denied specifically to three countries for the following reasons:

First. To Indonesia—for insults to our flag, for taking over our nationals' property without proper compensation and for undertaking overt aggression against Malaysia;

Second. To Egypt—for fomenting trouble in Yemen, for unjust pressure on our citizens who wish to trade with Israel and for continuous defiance of our flag and private property;

Third. To Algeria—for using her substance to arm the rebels in the Congo fighting against the responsible government.

These three nations have proved themselves unresponsive to our just motives of helping to better the lives of the underprivileged and to assist in their economic growth. Instead of assisting us in cementing friendship and keeping the peace, these three nations are intent on breaking the peace and thereby creating dissension and revolt. As such they are not worthy of our assistance.

I think that the aid bill should be supported, for, unlike other Government programs, it is slowly becoming more efficient and less costly. In 1948 the Marshall plan aid required 2 percent of our gross national product. It will be down to one-half percent for 1966. In 1948 our aid took almost 12 percent of our Federal budget. For 1966 it will be about 3½ percent.

Mr. Speaker, in the light of our national security objectives, I think these can best be achieved if we give the President the military equipment to help preserve the national integrity of our friends. Our objectives for the economic growth of underdeveloped nations can also be served best if we support the President in the development loans, technical services, and guarantees he wishes to extend to these 72 nations of the free world.

I therefore consider the foreign aid bill now before this Congress essential to the objectives of U.S. foreign policy—to strengthen free institutions and build a more stable world.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Willis (at the request of Mr. Boggs), for the remainder of the week on account of official business.

Mr. Mathias (at the request of Mr. Gerald R. Ford) for the balance of the week on account of illness.

Mr. Hungate (at the request of Mr. Hull) on account of official business.

Mr. Saylor for Monday, May 24, 1965, on account of official business.

Mr. Reinecke (at the request of Mr. Gerald R. Ford), for today on account of official business.

Mr. Gonzalez (at the request of Mr. Casey), on account of official business.

Mr. Lennon (at the request of Mr. Fountain), for the rest of the week on account of illness in family.

Mr. Bonner (at the request of Mr. Fountain), for May 24 through June 12 on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Michel, for 30 minutes, on Tuesday, May 25, 1965; and to revise and extend his remarks.

Mr. Quillen, for 30 minutes, on May 26; to revise and extend his remarks and include extraneous matter.

Mr. Morse (at the request of Mr. Quillen), for 30 minutes, on May 26; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Fascell to revise and extend the remarks he made in the Committee of the Whole today and include charts, tables, and extraneous matter.

(The following Members (at the request of Mr. Bingham) and to include extraneous matter:)

Mr. Ottinger.
Mr. Brown of California.
Mr. Cameron.
Mr. St. Onge.
Mr. Marsh.
Mrs. Sullivan in two instances.
Mr. Evins of Tennessee.
Mr. Murphy of New York.
Mr. Feighan.

ENROLLED JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 436. Joint resolution to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 327. An act to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

ADJOURNMENT

Mr. BINGHAM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 28 minutes p.m.) the House adjourned until tomorrow, Tuesday, May 25, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1128. A communication from the President of the United States, transmitting for consideration an amendment to the request for appropriations transmitted in the budget for the fiscal year 1966 for the legislative branch (H. Doc. No. 179); to the Committee on Appropriations, and ordered to be printed.

1129. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 10, 1965, submitting a report, together with accompanying papers and illustrations, on Bullards Bar, Yuba River Basin, Calif., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 23, 1956 (H. Doc. No. 180); to the Committee on Public Works and ordered to be printed with illustrations.

1130. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated February 12, 1965, submitting a report, together with accompanying papers and illustrations, on a cooperative beach erosion control study, and an interim hurricane survey of Staten Island, Fort Wadsworth to Arthur Kill, N.Y., authorized by the River and Harbor Act approved July 3, 1930, as amended and supplemented, and Public Law 71, 84th Congress approved June 15, 1955 (H. Doc. No. 181); to the Committee on Public Works and ordered to be printed with three illustrations.

1131. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 30, 1964, submitting a report, together with accompanying papers and illustrations, on an interim report on the Arkansas River and tributaries at Great Bend, Kans., requested by resolutions of the Committee on Flood Control, House of Representatives, adopted July 2, 1943, and January 21, 1964 (H. Doc. No. 182); to the Committee on Public Works and ordered to be printed with two illustrations.

1132. A letter from the Secretary of the Army, transmitting a letter from the Acting Chief of Engineers, Department of the Army, dated September 24, 1964, submitting a report, together with accompanying papers and illustrations, on an interim hurricane survey of New Bern and vicinity, North Carolina, authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 183); to the Committee on Public Works and ordered to be printed with illustrations.

1133. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated May 8, 1964, submitting a report, together with accompanying papers and illustrations, on an interim hurricane survey of Grand Isle and vicinity, Louisiana, authorized by Public Law 71, 84th Congress approved June 15, 1955 (H. Doc. No. 184); to the Committee on Public Works and ordered to be printed with 33 illustrations.

1134. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 5, 1965, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Sandy Lick Creek, Dubois, Pa., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted August 7, 1954, and March 30, 1955 (H. Doc. No. 185); to the Committee on Public Works and ordered to be printed with three illustrations.

1135. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 6, 1965, submitting a report, together with accompanying papers and illustrations, on a cooperative beach erosion control study of Perth Amboy, N.J., authorized by the River and Harbor Act approved July 3, 1930, as amended and supplemented (H. Doc. No. 186); to the committee on Public Works and ordered to be printed with illustrations.

1136. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 6, 1965, submitting a report, together with accompanying papers and illustrations, on a review of the reports on channel to Newport News, Norfolk Harbor, and Thimble Shoal Channel, Va., requested by a resolution of the Committee on Public Works, House of Representatives, adopted August 15, 1961 (H. Doc. No. 187); to the Committee on Public Works and ordered to be printed with illustrations.

1137. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend section 2634 of title 10, United States Code, relating to the transportation of privately owned motor vehicles of members of the Armed Forces on a change of permanent station; to the Committee on Armed Services.

1138. A letter from the Secretary of the Treasury, transmitting a report of the progress made in liquidating the assets of the former Reconstruction Finance Corporation covering the period ending March 31, 1965, pursuant to 67 Stat. 230 and Reorganization Plan No. 1 of 1957; to the Committee on Banking and Currency.

1139. A letter from the Secretary of State, transmitting a draft of proposed legislation to authorize a contribution by the United States to the International Committee of the Red Cross; to the Committee on Foreign Affairs.

1140. A letter from the Director, U.S. Information Agency, transmitting a draft of proposed legislation to provide certain basic authority for the U.S. Information Agency; to the Committee on Foreign Affairs.

1141. A letter from the Comptroller General of the United States, transmitting a report on the excessive payments of temporary lodging allowances to uniformed personnel on the island of Oahu, Hawaii, Department of Defense and Department of the Treasury; to the Committee on Government Operations.

1142. A letter from the Comptroller General of the United States, transmitting a report of failure to adequately consider the financial advantages of purchasing over leasing automatic data processing systems used by the Bureau of Labor Statistics, Department of Labor; to the Committee on Government Operations.

1143. A letter from the Comptroller General of the United States, transmitting a report of improper payment of port charges on shipments to Colombia of food donated under title III of the Agricultural Trade Development and Assistance Act of 1954, Agency for International Development; to the Committee on Government Operations.

1144. A letter from the Secretary of Commerce, transmitting an interim report of the research, progress, and plans of the U.S. Weather Bureau referring to studies carried on during fiscal year 1964, pursuant to Public Law 657, 80th Congress; to the Committee on Interstate and Foreign Commerce.

1145. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to extend the provisions of title XIII of the Federal Aviation Act of 1958, relating to war risk insurance; to the Committee on Interstate and Foreign Commerce.

1146. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend title XIII—war risk insurance, of the Federal Aviation Act of 1958; to the Committee on Interstate and Foreign Commerce.

1147. A letter from the Chairman, Federal Communications Commission, transmitting a draft of proposed legislation to amend section 204 of the Communications Act of 1934, as amended; to the Committee on Interstate and Foreign Commerce.

1148. A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation for the relief of Chief M. Sgt. Robert J. Becker, U.S. Air Force; to the Committee on the Judiciary.

1149. A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation for the relief of Col. Eugene F. Tyree, U.S. Air Force (retired); to the Committee on the Judiciary.

1150. A letter from the Secretary of Commerce, transmitting a quarterly report of the Maritime Administration on the activities and transactions of the Administration from January 1, 1965 through March 31, 1965, pursuant to the Merchant Ship Sales Act of 1946; to the Committee on Merchant Marine and Fisheries.

1151. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to provide severance pay to certain officers and employees of the Federal Government and for other purposes; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of May 20, 1965, the following bill was reported on May 21, 1965:

Mr. PATMAN: Committee on Banking and Currency. H.R. 7984. A bill to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities; without amendment (Rept. No. 365). Referred to the Committee of the Whole House on the State of the Union.

[Submitted May 24, 1965]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 8147. A bill to amend the Tariff Schedules of the United States to reduce until July 1, 1967, the exemption from duty for returning residents to $50 fair retail value, and for other purposes; without amendment (Rept. No. 366). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 8371. A bill to reduce excise taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. BECKWORTH:

H.R. 8372. A bill to amend the Internal Revenue Code of 1954 to repeal the manufacturers excise tax on home air-conditioning units and television sets (including components therefor and certain combinations); to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 8373. A bill to amend title 28, United States Code, to provide amnesty for first offenders under Federal criminal law, and for other purposes; to the Committee on the Judiciary.

By Mr. LANDRUM:

H.R. 8374. A bill to amend section 7701 of the Internal Revenue Code of 1954 to clarify the tax status of certain professional associations and corporations formed under State law; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 8375. A bill to amend title 38, United States Code, to provide vocational rehabilitation, education and training, and loan guarantee benefits to persons who served in the Armed Forces on or after January 1, 1962, in combat zones, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHNEEBELI:

H.R. 8376. A bill to amend title I of the Tariff Act of 1930 to make permanent the existing duty-free treatment for certain corkboard insulation; to the Committee on Ways and Means.

By Mr. WATTS:

H.R. 8377. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BOLAND:

H.R. 8378. A bill to provide certain increase in annuities payable from the civil service retirement and disability fund, to improve the financing of the civil service retirement system, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CRAMER:

H.R. 8379. A bill to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Fla., and for other purposes; to the Committee on Foreign Affairs.

By Mr. DINGELL:

H.R. 8380. A bill to amend the Federal Firearms Act to prohibit the shipment in interstate commerce or the importation into the United States of certain weapons of war, and for other purposes; to the Committee on Ways and Means.

H.R. 8381. A bill to amend the Federal Firearms Act to make it a Federal crime to transport or receive, with intent of committing a felony, a firearm or other lethal weapon in interstate or foreign commerce; to the Committee on Ways and Means.

H.R. 8382. A bill to amend the Internal Revenue Code of 1954 to provide for a minimum tax in the case of imported rifles, shotguns, pistols, and revolvers; to the Committee on Ways and Means.

H.R. 8383. A bill to amend the Federal Firearms Act to permit the Secretary of the Treasury to prohibit the importation into the United States of unsafe firearms; to the Committee on Ways and Means.

By Mr. ELLSWORTH:

H.R. 8384. A bill to amend the Fair Labor Standards Act of 1938 to facilitate the employment of children by their parents and in employment recommended by physicians; to the Committee on Education and Labor.

By Mr. FRIEDEL:

H.R. 8385. A bill to amend title 28 of the United States Code so as to provide for the appointment of two additional district judges for the district of Maryland; to the Committee on the Judiciary.

By Mr. HARRIS:

H.R. 8386. A bill to amend the Federal Aviation Act of 1958, as amended, to require air carriers to procure aviation accident insurance for the benefit of passengers on certain journeys subject to the Warsaw Convention, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLLAND:

H.R. 8387. A bill to amend the Fair Labor Standards Act to extend its protection to additional employees, to improve its maximum hours standards, and for other purposes; to the Committee on Education and Labor.

By Mr. MOORHEAD:

H.R. 8388. A bill to amend the Bank Merger Act to provide that the approval of a bank merger by the appropriate supervisory agency shall be conclusive unless promptly contested in court by the Attorney General, and for other purposes; to the Committee on Banking and Currency.

By Mr. MOSS:

H.R. 8389. A bill to create four judicial districts for the State of California, to provide for the appointment of four additional district judges for the State of California, and for other purposes; to the Committee on the Judiciary.

By Mr. MURRAY:

H.R. 8390. A bill to terminate cost-of-living allowances for statutory-salaried Federal civilian employees in nonforeign areas, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. O'NEILL of Massachusetts.

H.R. 8391. A bill to provide Federal cooperation in a program to preserve certain historic properties in the city of Boston, Mass., and vicinity, associated with the colonial and Revolutionary periods of American history; to authorize the establishment of the Boston National Historical Sites; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PERKINS:

H.R. 8392. A bill to provide for retroactive awards of the Army's Combat Infantryman and Medical Badges and for awards of the Bronze Star Medal; to the Committee on Armed Services.

By Mr. POWELL:

H.R. 8393. A bill to amend the Fair Labor Standards Act of 1938 to extend its benefits to persons providing domestic service; to the Committee on Education and Labor.

By Mr. QUIE:

H.R. 8394. A bill to provide a uniform period for daylight saving time; to the Committee on Interstate and Foreign Commerce.

By Mr. SICKLES:

H.R. 8395. A bill to provide for the control of obnoxious aquatic plants in navigable and allied waters; to the Committee on Public Works.

By Mr. THOMSON of Wisconsin:

H.R. 8396. A bill to make dairy products available for domestic and foreign programs; to the Committee on Agriculture.

H.R. 8397. A bill to amend the National School Lunch Act, and for other purposes; to the Committee on Education and Labor.

By Mr. GREEN of Pennsylvania:

H.R. 8398. A bill to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles, to establish a Federal Air Pollution Control Laboratory, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MICHEL:

H.R. 8399. A bill to amend the Internal Revenue Code of 1954 to allow an individual to deduct from gross income the expenses, not exceeding $300 a year, paid for transportation to and from his place of abode and his place of business or employment; to the Committee on Ways and Means.

By Mr. SCHEUER:

H.R. 8400. A bill to amend title 38, United States Code, to permit for 1 year, the granting of national service life insurance to certain veterans heretofore eligible for such insurance; to the Committee on Veterans' Affairs.

H.R. 8401. A bill to amend the Social Security Act to permit the use of social security records to aid in locating runaway parents who are failing to comply with court orders for the support of their children; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 8402. A bill to amend the act of May 11, 1954 (ch. 199, sec. 1, 68 Stat. 81; 41 U.S.C. 321), to provide for full adjudication of rights of Government contractors in courts of law; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 8403. A bill to provide for certain reorganizations in the Department of State and the Department of Health, Education, and Welfare, and for other purposes; to the Committee on Government Operations.

By Mr. PATMAN:

H.R. 8404. A bill to provide for a highway crossing at Pat Mayse Reservoir, Tex.; to the Committee on Public Works.

By Mr. NIX:

H.J. Res. 480. Joint resolution proposing an amendment to the Constitution of the United States providing that the term of office of Members of the U.S. House of Representatives shall be 4 years; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.J. Res. 481. Joint resolution to amend the joint resolution of March 25, 1953, to expand the types of equipment and the number of electric typewriters furnished Members of the House of Representatives; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

279. By the SPEAKER: Memorial of the Legislature of the State of California, relating to the Manpower Development and Training Act of 1962; to the Committee on Education and Labor.

280. Also memorial of the Legislature of the State of Louisiana, relative to improvements necessary to make the Red River navigable to Shreveport and provision of funds therefor; to the Committee on Public Works.

281. Also, memorial of the Legislature of the State of Louisiana, opposing the passage of S. 1592, proposing amendments to the Federal Firearms Act; to the Committee on Ways and Means.

282. Also memorial of the Legislature of the State of Nebraska, relative to enacting legislation to set per diem rates as an incentive to railroads to purchase rolling stock; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 8405. A bill for the relief of Demitrios Venetsanakos; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 8406. A bill for the relief of Basile Sianas; to the Committee on the Judiciary.

By Mr. BURKE:

H.R. 8407. A bill for the relief of Wong Shee Heung; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 8408. A bill to authorize the President to issue posthumously in the name of John Paul Jones a commission as admiral of the Navy, and for other purposes; to the Committee on Armed Services.

By Mr. HERLONG:

H.R. 8409. A bill for the relief of Vasilios Manousakis and Eleni Manousakis; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 8410. A bill for the relief of Mrs. Grace Jackson; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 8411. A bill for the relief of Joseph and Berniece Perry; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 8412. A bill for the relief of Rafael Antar; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 8413. A bill for the relief of JE-IL Brick Co.; to the Committee on the Judiciary.

By Mr. PERKINS:

H.R. 8414. A bill for the relief of the estate of Charley Conley; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 8415. A bill for the relief of Emanuel and Sophie Fytsatkis; to the Committee on the Judiciary.

By Mrs. REID of Illinois (by request):

H.R. 8416. A bill to provide for the remuneration of artistic services rendered by Trygve A. Rovelstad in the creation of certain designs for the "American Roll of Honor," a memorial book, now reposing in the American Memorial Chapel of St. Paul's Cathedral, London, England; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 8417. A bill for the relief of Francesco Calla; to the Committee on the Judiciary.

By Mr. SICKLES:

H.R. 8418. A bill to exempt from taxation certain property of the Washington Gallery of Modern Art; to the Committee on the District of Columbia.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

216. By the SPEAKER: Petition of the chairman, Nez Perce tribal executive committee, Lapwai, Idaho, relative to securing allocation of Federal funds to allow archeological surveys and studies to continue; to the Committee on Public Works.

217. Also, petition of the City Council of Sparks, Nev., relative to establishing a Great Basin National Park in eastern Nevada; to the Committee on Interior and Insular Affairs.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308(b), which provides as follows:

> (b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

QUARTERLY REPORTS

The following reports for the fourth calendar quarter of 1964 were received too late to be included in the published reports for that quarter:

A. Active-Retired Lighthouse Service Employees Association, Post Office Box 2169, South Portland, Maine.
D. (6) $21.30. E. (9) $47.72.

A. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C.
D. (6) $4,596.84. E. (9) $4,696.84.

A. Donald C. Alexander, 603 Dixie Terminal Building, Cincinnati, Ohio.
B. National Piano Manufacturers Association of America, Inc., 1801 Gilbert Avenue, Cincinnati, Ohio.
E. (9) $426.28.

A. Nicholas E. Allen and Merrill Armour, 1001 15th Street NW., Washington, D.C.
B. Music Operators of America, Inc., 228 North La Salle Street, Chicago, Ill.
D. (6) $945. E. (9) $104.84.

A. American Cancer Society, 219 East 42d Street, New York City, N.Y.
E. (9) $7,712.33.

A. American Carpet Institute, Inc., 350 Fifth Avenue, New York, N.Y.
D. (6) $184.26. E. (9) $184.26.

A. American Dental Association, 222 East Superior Street, Chicago, Ill.
D. (6) $3,539.11. E. (9) $3,539.11.

A. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $10,123.05. E. (9) $10,123.05.

A. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.
D. (6) $398.11. E. (9) $15.39.

A. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.
D. (6) $7,161.50. E. (9) $7,161.50.

A. American Podiatry Association, 3301 16th Street NW., Washington, D.C.
D. (6) $650. E. (9) $937.72.

A. American Stock Yards Association, 1712 I Street NW., Washington, D.C.
D. (6) $1,350. E. (9) $900.

A. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $10,290.06. E. (9) $14,433.30.

A. American Veterinary Medical Association, 600 South Michigan Avenue, Chicago, Ill.
E. (9) $837.19.

A. American Vocational Association, Inc., 1025 15th Street NW., Washington, D.C.
D. (6) $128,713. E. (9) $400.

A. Robert E. Ansheles, 1028 Connecticut Avenue NW., Washington, D.C.
B. Consolidated International Trading Corp., Empire State Building, New York, N.Y.
D. (6) $156.13. E. (9) $23.43.

A. George W. Apperson, 900 F Street NW., Washington, D.C.
B. Division 689, Amalgamated Transit Union, 900 F Street NW., Washington, D.C.

A. Arnold, Fortas & Porter, 1229 19th Street, NW., Washington, D.C.
B. California Financial Corp., 11 Tillman Place, San Francisco, Calif.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. Commissioner of Baseball, 30 Rockefeller Plaza, New York, N.Y.
D. (6) $12,000. E. (9) $62.10.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. Lever Brothers Co., 390 Park Avenue, New York, N.Y.
D. (6) $45.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.

A. Arthritis and Rheumatism Foundation, 10 Columbus Circle, New York, N.Y.
E. (9) $1,253.21.

A. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.

A. Atlanta Committee for Democratic Republican Independent Voter Education, 2540 Lakewood Avenue SW., Atlanta, Ga.
D. (6) $241.21. E. (9) $425.78.

A. Irvin L. Barney, 400 First Street NW., Washington, D.C.
B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.
D. (6) $3,600.

A. William G. Barr, 1101 17th Street NW., Washington, D.C.
B. National Parking Association, 1101 17th Street NW., Washington, D.C.

A. Daniel S. Bedell, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile Aerospace & Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $2,653.86. E. (9) $1,126.53.

A. John H. Beidler, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,200. E. (9) $100.29.

A. J. O. Bellenger, 1625 Connecticut Avenue NW., Washington, D.C.
B. National Association of Retired Civil Employees, 1625 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9) $1.60.

A. William S. Bergman, 201 Massachusetts Avenue NE., Washington, D.C.
B. Committee to Promote American-Made Motion Pictures, 6721 Melrose Avenue, Los Angeles, Calif.
D. (6) $916.15.

A. William S. Bergman, 201 Massachusetts Avenue NE., Washington, D.C.
B. District Council of Plasterers & Cement Masons of Southern California, 3921 Burbank Boulevard, Burbank, Calif.

A. William S. Bergman, 201 Massachusetts Avenue NE., Washington, D.C.
B. Dixie Project and Development Association, Inc., St. George, Utah.

A. William S. Bergman, 201 Massachusetts Avenue NE., Washington, D.C.
B. Legislative Council for Photogrammetry, 201 Massachusetts Avenue NE., Washington, D.C.
D. (6) $1,558.77.

A. William S. Bergman, 201 Massachusetts Avenue NE., Washington, D.C.
B. William Radkovich Co., 9133 Gravey Boulevard, Rosemead, Calif.
D. (6) $300.

A. Andrew J. Biemiller, 815 16th Street, NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $5,700. E. (9) $149.85.

A. Charles B. Bowling, 1616 H Street NW., Washington, D.C.
B. National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $600.

A. Col. A. A. Brackett, 333 Pennsylvania Avenue SE., Washington, D.C.
B. Reserve Officers Association of the U.S.

A. Florence I. Broadwell, 1737 H Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $2,942.34.

A. Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express & Station Employes, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $3,289.08. E. (9) $3,289.08.

A. Robert J. Brown, 1735 K Street NW., Washington, D.C.
B. National Telephone Cooperative Association, 1735 K Street NW., Washington, D.C.

A. Walter T. Brown, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.

A. James E. Bryan, Inc., 2000 P Street NW., Washington, D.C.
B. National Association of Blue Shield Plans, 425 North Michigan Avenue, Chicago, Ill.
D. (6) $1,000. E. (9) $1,014.39.

A. Henry E. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. Canal Authority of the State of Florida, 805 Rosselle Street, Jacksonville, Fla.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. Florida Inland Navigation District, Citizens Bank Building, Bunnell, Fla.

A. Charles S. Burns, 1102 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $584.50. E. (9) $53.86.

A. David Burpee, Foodhook Farms, Dolyestown, Pa.

A. Robert M. Burr, 105 Mansfield Avenue, Darien, Conn.

B. Gas Appliance Manufacturers Association, 60 East 42d Street, New York, N.Y.

D. (6) $1,625.01. E. (9) $198.72.

A. Business Information Service, 300 New Jersey Avenue SE., Washington, D.C.

A. Camping Club of America, Inc., 945 Pennsylvania Avenue NW., Washington, D.C.

A. Canal Authority of the State of Florida, 805 Rosselle Street, Jacksonville, Fla.

A. Canal Zone Central Labor Union-Metal Trades Council, P.O. Box 471, Balboa Heights, C.Z.

D. (6) $3,665.42. E. (9) $1,851.70.

A. Col. John T. Carlton, 333 Pennsylvania Avenue SE., Washington, D.C.

B. Reserve Officers Association of the United States.

A. Carretta & Counihan, 1000 Connecticut Avenue, Washington, D.C.

B. Bicycle Manufacturers Association of America, 122 East 42d Street, New York, N.Y.

A. W. W. Carson, 400 First Street NW., Washington, D.C.

B. Order of Railway Conductors and Brakemen.

A. Casey, Lane & Mittendorf, 26 Broadway, New York, N.Y.

B. South African Sugar Association, Norwich Union House, Durban Club Place, Durban, South Africa.

D. (6) $19,320.08. E. (9) $663.12.

A. Hal M. Christensen, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. American Dental Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $2,250.

A. Citizen Committee on Natural Resources, 1346 Connecticut Avenue NW., Washington, D.C.

D. (6) $4,507.16. E. (9) $9,763.13.

A. Roger A. Clark, 1730 K Street NW., Washington, D.C.

B. Wine Conference of America, 1100 National Press Building, Washington, D.C.

A. Joseph Coakley, 900 17th Street NW., Washington, D.C.

B. Building Service Employes International Union, 900 17th Street NW., Washington, D.C.

D. (6) $3,000.

A. David Cohen, 1341 Connecticut Avenue NW., Washington, D.C.

B. Americans for Democratic Action, 1341 Connecticut Avenue NW., Washington, D.C.

D. (6) $2,100. E. (9) $317.55.

A. Nicholas S. Collins, 1000 Connecticut Avenue NW., Washington, D.C.

B. Committee of American Steamship Lines, 1000 Connecticut NW., Washington, D.C.

D. (6) $240. E. (9) $12.16.

A. Paul G. Collins, 815 Connecticut Avenue NW., Washington, D.C.

B. The American Bankers Association, 90 Park Avenue, New York, N.Y.

A. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.

D. (6) $47,200. E. (9) $7,901.38.

A. Committee for Time Uniformity, 1101 17th Street N.W., Washington, D.C.

A. Conference on State Defense, 111 Eighth Avenue, New York, N.Y.

A. Robert J. Conner, Jr., 1700 K Street NW., Washington, D.C.

B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.

D. (6) $75. E. (9) $50.

A. Bernard J. Conway, 222 East Superior Street, Chicago, Ill.

B. American Dental Association, 222 East Superior Street, Chicago, Ill.

D. (6) $1,281.25.

A. Harry N. Cook, 1130 17th Street NW., Washington, D.C.

B. The National Waterways Conference.

A. Donald M. Counihan, 1000 Connecticut Avenue NW., Washington, D.C.

B. American Corn Millers' Federation, 1000 Connecticut Avenue NW., Washington, D.C.

A. Donald M. Counihan, 1000 Connecticut Avenue NW., Washington, D.C.

B. Classroom Periodical Publishers Association, 38 West Fifth Street, Dayton, Ohio.

A. Donald M. Counihan, 1000 Connecticut Avenue NW., Washington, D.C.

B. Writing Instrument Manufacturers Association, 1405 G Street NW., Washington, D.C.

A. Cuba Claims Association, Inc., 407 Lincoln Road, Miami Beach, Fla.

D. (6) $1,475. E. (9) $1,854.13.

A. C. B. Culpepper, Post Office Box 1736, Atlanta, Ga.

B. National Conference of Non-Profit Shipping Associations, Inc.

A. John T. Curran, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $4,200. E. (9) $81.80.

A. Michael P. Daniels, 1000 Connecticut Avenue NW., Washington, D.C.

B. United States-Japan Trade Council, 1000 Connecticut Avenue, NW., Washington, D.C.

A. S. P. Deas, 520 National Bank of Commerce Building, New Orleans, La.

B. Southern Pine Industry Committee.

A. Debevoise, Plimpton, Lyons & Gates, 320 Park Avenue, New York, N.Y.

B. Edward G. Sparrow, 1 East 66th Street, New York, N.Y.

A. R. Ronald W. De Lucien, 1133 20th Street NW., Washington, D.C.

B. National Canners Association, 1133 20th Street NW., Washington, D.C.

D. (6) $250. E. (9) $20.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.

B. Sacramento Municipal Utility District, 6201 South Street, Sacramento, Calif.

D. (6) $1,108.84. E. (9) $58.84.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.

B. Thurman and Wright, 1208 Latham Square Building, Oakland, Calif.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.

B. Westlands Water District, Post Office Box 4006, Fresno, Calif.

D. (6) $766.39. E. (9) $26.39.

A. Division 689, Amalgamated Transit Union, 900 F Street NW., Washington, D.C.

A. Division of Federal Relations, National Education Association, 1201 16th Street NW., Washington, D.C.

E. (9) $9,512.11.

A. Ronald D. Doremus, 210 H Street NW., Washington, D.C.

B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.

A. Evelyn Dubrow, 1710 Broadway, New York, N.Y.

B. International Ladies' Garment Workers' Union, 1710 Broadway, New York, N.Y.

D. (6) $2,535. E. (9) $213.66.

A. Henry I. Dworshak, 1102 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $553.14.

A. Eastern Meat Packers Association, Inc., 1820 Massachusetts Avenue NW., Washington, D.C.

E. (9) $25.75.

A. Ernest J. Eaton, Washington Building, Washington, D.C.

B. Nebraska Mid-State Reclamation District, Washington Building, Washington, D.C.

A. Ernest J. Eaton, Washington Building, Washington, D.C.

B. Ocean Beach Club, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

A. Ernest J. Eaton, Washington Building, Washington, D.C.

B. Water Conversion Institute, Washington Building, Washington, D.C.

A. J. C. B. Ehringhaus, Jr., Post Office Box 1776, Raleigh, N.C.

B. Southern Railway System, Post Office Box 1808, Washington, D.C.

D. (6) $4,500. E. (9) $179.43.

A. Warren G. Elliott, 1701 K Street NW., Washington, D.C.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

D. (6) $68. E. (9) $9.

A. Otis H. Ellis, 1001 Connecticut Avenue NW., Washington, D.C.

B. National Oil Jobbers Council, 1001 Connecticut Avenue NW., Washington, D.C.

D. (6) $10,500.

A. John W. Emeigh, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. The National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $674.45. E. (9) $31.20

A. Lawrence E. Ernst, 301 East Capitol Street, Washington, D.C.

B. National Star Route Mail Carriers Association, 301 East Capitol Street, Washington, D.C.

E. (9) $780.

A. William R. Falkner, 210 H Street NW., Washington, D.C.

B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.

A. Joseph G. Feeney, 1725 I Street NW., Washington, D.C.

B. REA Express, 219 East 42d Street, New York, N.Y.

A. Arthur S. Fefferman, 1701 K Street NW., Washington, D.C.

B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.

A. Joe G. Fender, 2033 Norfolk Street, Houston, Tex.

B. National Conference of Non-Profit Shipping Associations, Inc.

D. (6) $1,646.31.

A. Donald G. Fletcher, 828 Midland Bank Building, Minneapolis, Minn.

B. Crop Quality Council, 828 Midland Bank Building, Minneapolis, Minn.

D. (6) $4,125. E. (9) $11.08.

A. Florida Inland Navigation District, Citizens Bank Building, Bunnell, Fla.

A. Forest Farmers Association Cooperative, Post Office Box 7284, Station C, Atlanta, Ga.

A. James F. Fort, 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $750. E. (9) $188.20.

A. George R. Frankovich, Providence, R.I., and Jewelry Industry Tax Committee, Washington, D.C.

B. Manufacturing Jewelers & Silversmiths of America, Inc., S75 Sheraton Biltmore Hotel, Providence, R.I., and Jewelry Industry Tax Committee, 919 18th Street NW., Washington, D.C.

D. (6) $6,397.47. E. (9) $147.47.

A. David C. Fullarton, 1735 K Street NW., Washington, D.C.

B. National Telephone Cooperative Association, 1735 K Street NW., Washington, D.C.

A. Mary Condon Gereau, 1201 16th Street NW., Washington, D.C.

B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.

D. (6) $1,550.15. E. (9) $163.27.

A. Arthur P. Gildea, 2347 Vine Street, Cincinnati, Ohio.

B. International Union of United Brewery, Flour, Cereal, Soft Drink and Distillery Workers of America, 2347 Vine Street, Cincinnati, Ohio.

A. Glenn F. Glezen, 1303 New Hampshire Avenue NW., Washington, D.C.

B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. Don A. Goodall, 1615 H Street NW., Washington, D.C.

B. Chamber of Commerce of the United States.

A. John A. Gosnell, 1225 19th Street NW., Washington, D.C.

D. (6) $1,833.34.

A. Harry L. Graham, 1616 H Street NW., Washington, D.C.

B. National Grange, 1616 H Street NW., Washington, D.C.

D. (6) $3,000.

A. James A. Gray, 1411 K Street NW., Washington, D.C.

B. National Tool, Die & Precision Machining Association, 1411 K Street NW., Washington, D.C.

A. J. S. Grisby, Jr., 1107 Stahlman Building, Nashville, Tenn.

B. Southern States Industrial Council, 1103–1111 Stahlman Building, Nashville, Tenn.

D. (6) $2,437.50.

A. John F. Griner, 900 F Street NW., Washington, D.C.

B. American Federation of Government Employees, 900 F Street NW., Washington, D.C.

D. (6) $6,226.50. E. (9) $622.65.

A. Harold F. Hammond, 1101 17th Street NW., Washington, D.C.

B. Transportation Association of America, 1101 17th Street NW., Washington, D.C.

A. Robert N. Hampton, 1616 H Street NW., Washington, D.C.

B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.

A. Mildred B. Harman, 212 Maryland Avenue NE., Washington, D.C.

B. Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.

D. (6) $720. E. (9) $372.96.

A. William B. Harman, Jr., 1701 K Street NW., Washington, D.C.

B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.

D. (6) $60.36.

A. L. James Harmanson, Jr., 1616 H Street NW., Washington, D.C.

B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.

D. (6) $5,499.96. E. (9) $186.48.

A. Kit H. Haynes, 1616 H Street NW., Washington, D.C.

B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.

A. Robert B. Heiney, 1133 20th Street NW., Washington, D.C.

B. National Canners Association, 1133 20th Street NW., Washington, D.C.

D. (6) $875. E. (9) $1,799.07.

A. Noel Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.

B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.

A. Maurice G. Herndon, 801 Warner Building, Washington, D.C.

B. National Association of Insurance Agents, 96 Fulton Street, N.Y. and 801 Warner Building, Washington, D.C.

D. (6) $171.05. E. (9) $171.05.

A. Carey W. Hilliard, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. The National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $674.46. E. (9) $22.60.

A. David Paul Houlihan, 1000 Connecticut Avenue NW., Washington, D.C.

B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.

A. Harold K. Howe, Walker Building, Washington, D.C.

B. American Institute of Laundering, Joliet, Ill.

D. (6) $2,649.99.

A. Harold K. Howe, Walker Building, Washington, D.C.

B. National Automatic Merchandising Association, Walker Building, Washington, D.C.

A. Harold K. Howe, Walker Building, Washington, D.C.

B. The Outdoor Power Equipment Institute, Inc., Walker Building, Washington, D.C.

A. Floyd E. Huffman, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. The National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $674.46. E. (9) $27.30.

A. Elmer P. Rutter, Post Office Box 2255, Washington, D.C.

D. (6) $5.

A. Institute of Amateur Radio, Inc., Peterborough, N.H.

D. (6) $266.

A. International Association of Machinists, Machinists Building, Washington, D.C.

E. (9) $1,927.13.

A. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C.

E. (9) $18,294.23.

A. Rear Adm. Alexander Jackson, Jr., 333 Pennsylvania Avenue SE., Washington, D.C.

A. Chas. E. Jackson, 715 Ring Building, Washington, D.C.

A. Ralph K. James, 1000 Connecticut Avenue NW., Washington, D.C.

B. Committee on American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $440. E. (9) $11.07.

A. Chas. B. Jennings, 1712 I Street NW., Washington, D.C.

B. American Stock Yards Association, 1712 I Street NW., Washington, D.C.

D. (6) $400.

A. Peter D. Joers, 810 Whittington Avenue, Hot Springs, Ark.

B. Dierks Forests, Inc., 810 Whittington Avenue, Hot Springs, Ark.

A. Glendon E. Johnson, 1701 K Street NW., Washington, D.C.

B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.

D. (6) $150.75. E. (9) $5.39.

A. Charlie W. Jones, 1120 Connecticut Avenue NW., Washington, D.C.

B. American Carpet Institute, Inc., 350 Fifth Avenue, New York, N.Y.

D. (6) $125. E. (9) $17.72.

A. Jerome J. Keating, 100 Indiana Avenue NW., Washington, D.C.

B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $3,125.

A. Ken Kendrick, 1411 K Street NW., Washington, D.C.

B. National Association of Wheat Growers, 1411 K Street NW., Washington, D.C.

D. (6) $2,452.27. E. (9) $2,452.27.

A. William F. Kenney, New York, N.Y.

B. Shell Oil Co., 50 West 50th Street, New York, N.Y.

A. John A. Killick, 1820 Massachusetts Avenue NW., Washington, D.C.

B. Eastern Meat Packers Association, Inc., 1820 Massachusetts Avenue NW., Washington, D.C.

D. (6) $12.50.

A. John A. Killick, 1820 Massachusetts Avenue NW., Washington, D.C.

B. National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.

D. (6) $262.50.

A. Kenneth L. Kimble, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $72.50. E. (9) $2.01.

A. Robert M. Koch, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
E. (9) $15.

A. William L. Kohler, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $334.40.

A. Kominers & Fort, 529 Tower Building, Washington, D.C.
B. Board of Commissioners, Port of New Orleans, Post Office Box 60046, New Orleans, La.
E. (9) $2.55.

A. Kominers & Fort, 529 Tower Building, Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $6,900. E. (9) $44.49.

A. Kominers & Fort, 529 Tower Building, Washington, D.C.
B. Marine Transport Lines, Inc., 60 Broad Street, New York, N.Y.

A. Lloyd R. Kuhn, 1725 De Sales Street NW., Washington, D.C.
B. Aerospace Industries Association of America, Inc., 1725 De Sales Street NW., Washington, D.C.
D. (6) $3,912. E. (9) $766.94.

A. Dillard B. Lasseter, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $525.

A. Thomas B. Lawrence, 917 15th Street NW., Washington, D.C.
B. National Licensed Beverage Association, 420 Seventh Street, Racine, Wis.
D. (6) $650.

A. Warren Lawrence, 1700 K Street NW., Washington, D.C.
B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.
D. (6) $125. E. (9) $114.77.

A. Donald Lerch & Co., Inc., 1025 Connecticut Avenue NW., Washington, D.C.
B. Shell Chemical Co., 110 West 51st Street, New York, N.Y.

A. Liberty Lobby, Inc., 132 Third Street SE., Washington, D.C.
D. (6) $8,292.07. E. (9) $12,480.04.

A. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $1,981.09. E. (9) $1,981.09.

A. Gordon C. Locke.
B. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.
E. (9) $950.

A. Maj. Gen. George O. N. Lodoen, 333 Pennsylvania Avenue SE., Washington, D.C.

A. Harold O. Lovre, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $264.75.

A. John M. Lumley, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $1,194.05. E. (9) $234.84.

A. J. A. McCallam, 1507 M Street NW., Washington, D.C.
E. (9) $887.19.

A. McClure & Trotter, 1710 H Street NW., Washington, D.C.
B. Coco-Cola Export Corp., 515 Madison Avenue, New York, N.Y.
D. (6) $7,500. E. (9) $327.40.

A. William J. McDonald, 3005 Fernside Boulevard, Alameda, Calif.
B. National Council of Naval Air Stations Employee Organizations, 3005 Fernside Boulevard, Alameda, Calif.

A. Stanley J. McFarland, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $158.81. E. (9) $17.37.

A. William H. McLin, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $1,691.24. E. (9) $125.94.

A. Ralph J. McNair, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $21.75. E. (9) $1.25.

A. Charles R. McNeill, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $1,000.

A. John G. Macfarlan, 1725 I Street NW., Washington, D.C.
B. REA Express, 219 East 42d Street, New York, N.Y.
D. (6) $627. E. (9) $134.08.

A. James D. Mann, 839 17th Street NW., Washington, D.C.
B. National Association of Motor Bus Owners, 839 17th Street NW., Washington, D.C.

A. Manufacturing Jewelers & Silversmiths of America, Inc., S75 Sheraton Biltmore Hotel, Providence, R.I..
D. (6) $20,900. E. (9) $3,578.35.

A. Edwin E. Marsh, 600 Crandall Building, Salt Lake City, Utah.
B. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $3,099.98. E. (9) $51.99.

A. Albert E. May, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $340. E. (9) $22.20.

A. Arnold Mayer, 100 Indiana Avenue NW., Washington, D.C.
B. Amalgamated Meat Cutters & Butcher Workmen of North America, 2800 North Sheridan Road, Chicago, Ill.
D. (6) $1,530. E. (9) $195.

A. George E. Meagher, 900 F Street NW., Washington, D.C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D.C.
D. (6) $3,248.70. E. (9) $64.30.

A. Robert A. Means, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.
D. (6) $400.

A. Mehler, Smollar & Buschmann, 2000 K Street NW., Washington, D. C.
B. Legislative Steering Committee for Rebuilders of Automotive Parts.
E. (9) $8,717.01.

A. Kenneth A. Meiklejohn, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor-Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,200. E. (9) $231.98.

A. M. Barry Meyer, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $750. E. (9) $793.65.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Dallas, Tex., Chamber of Commerce.
D. (6) $1,500.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Intracoastal Canal Association of Louisiana and Texas, 2211 South Coast Building, Houston, Tex.
D. (6) $2,625.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Texas Gulf Sulphur, Co., Newgulf, Tex., and New York, N.Y.
D. (6) $2,250.

A. Clarence Mitchell, 100 Massachusetts Avenue NW., Washington, D.C.
B. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N.Y.

A. Stephen A. Mitchell, Post Office Box 932, Taos, N. Mex.
E. (9) $230.28.

A. Mobilehome Dealers National Association, 39 South LaSalle Street, Chicago, Ill.
E. (9) $2,223.47.

A. Harry L. Moffett, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $1,737.50.

A. Joseph E. Moody, 1000 16th Street, NW., Washington, D.C.
D. (6) $625.

A. Clarence W. Moore, 421 New Jersey Avenue SE., Washington, D.C.
B. Cuba Claims Association, Inc., 407 Lincoln Road, Miami Beach, Fla.

A. Curtis Morris, 1725 I Street NW., Washington, D.C.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. J. Walter Myers, Jr., Post Office Box 7284, Station C, Atlanta, Ga.
B. Forest Farmers Association Cooperative, Post Office Box 7284, Station C, Atlanta, Ga.

A. Kenneth D. Naden, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.

A. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N.Y.

A. National Association of Blue Shield Plans, 425 North Michigan Avenue, Chicago, Ill.
E. (9) $1,014.39.

A. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $9,912.86. E. (9) $11,873.70.

A. National Association of Insurance Agents, Inc., 96 Fulton Street, New York, N.Y.
D. (6) $3,500. E. (9) $7,911.53.

A. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $29,671.62. E. (9) $8,290.82.

A. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill., and 1300 Connecticut Avenue NW., Washington, D.C.
E. (9) $8,675.66.

A. National Association of Shoe Chain Stores, Inc., 51 East 42d Street, New York, N.Y.
E. (9) $1,995.16.

A. National Association of Social Workers, Inc., 2 Park Avenue, New York, N.Y., and 1346 Connecticut Avenue NW., Washington, D.C.

A. National Association of Travel Organizations, 900 17th Street NW., Washington, D.C.
D. (6) $27,441.44. E. (9) $682.50.

A. National Association of Wheat Growers, 1411 K Street NW., Washington, D.C.
D. (6) $2,452.27. E. (9) $2,452.27.

A. National Agricultural Chemicals Association, 1155 15th Street NW., Washington, D.C.

A. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C.

A. National Audio-Visual Association, Inc., 1201 Spring Street, Fairfax, Va.
D. (6) $650. E. (9) $4,454.93.

A. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $558,340.45. E. (9) $6,764.02.

A. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
E. (9) $6,602.96.

A. National Conference of Non-Profit Shipping Associations, Inc., 26 Auburn Avenue, Post Office Box 1736, Atlanta, Ga.
D. (6) $5,500.

A. National Council on Business Mail, Inc., 20 North Wacker Drive, Chicago, Ill.
D. (6) $76.55. E. (9) $249.99.

A. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $13,048.50. E. (9) $4,926.62.

A. National Council, Junior Order United American Mechanics, 3027 North Broad Street, Philadelphia, Pa.
E. (9) $160.

A. National Council of Naval Air Stations Employee Organizations, 3005 Fernside Boulevard, Alameda, Calif.
E. (9) $10.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C.
B. Committee for the Study of Revenue Bonds Financing, 149 Broadway, New York, N.Y.
D. (6) $3,000. E. (9) $415.15.

A. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.
D. (6) $62,590. E. (9) $3,432.99.

A. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $78,144.94. E. (9) $9,715.96.

A. National Grange, 1616 H Street NW., Washington, D.C.
E. (9) $8,850.

A. National Independent Dairies Association, 1627 K Street NW., Washington, D.C.

A. National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $1,369.30. E. (9) $1,317.64.

A. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
D. (6) $825. E. (9) $825.

A. National Livestock Feeders Association, Inc., 309 Livestock Exchange Building, Omaha, Nebr.
D. (6) $1,125. E. (9) $1,125.

A. National Parking Association, 1101 17th Street NW., Washington, D.C.

A. National Reclamation Association, 897 National Press Building, Washington, D.C.
E. (9) $14,399.46.

A. National Rehabilitation Association, Inc., 1029 Vermont Avenue NW., Washington, D.C.
D. (6) $10,319. E. (9) $925.

A. National Retired Teachers Association and American Association of Retired Persons, 1346 Connecticut Avenue NW., Washington, D.C.
E. (9) $1,315.27.

A. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
E. (9) $15,675.25.

A. National Small Business Association, 1225 19th Street NW., Washington, D.C.
D. (6) $5,000. E. (9) $2,562.52.

A. National Tax Equality Association, 100 Connecticut Avenue Building, Washington, D.C.
D. (6) $9,124.34. E. (9) $6,367.70.

A. National Telephone Cooperative Association, 1735 K Street NW., Washington, D.C.

A. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $764.50. E. (9) $1,430.66.

A. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $39,022.50. E. (9) $4,651.97.

A. George R. Nelson, Machinists Building, Washington, D.C.
B. International Association of Machinists, Machinists Building, Washington, D.C.
D. (6) $1,500. E. (9) $427.13.

A. Herschel D. Newsom, 1616 H Street NW., Washington, D.C.
B. National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $3,750.

A. New York and New Jersey Dry Dock Association, 161 William Street, New York, N.Y.
D. (6) $1,689.88. E. (9) $2,125.59.

A. Robert W. Nolan, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. North Carolina Cotton Promotion Association, Inc., Box 5425, Raleigh, N.C.

A. Richard T. O'Connell, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.

A. O'Connor, Green, Thomas & Walters, 508 Federal Bar Building, Washington, D.C.
B. Upper Mississippi Towing Corp., 7703 Normandale Road, Minneapolis, Minn.
D. (6) $2,500. E. (9) $94.62.

A. John A. O'Donnell, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200.

A. Samuel Omasta, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
E. (9) $5.

A. Order of Railway Conductors & Brakemen, O.R.C. & B. Building, Cedar Rapids, Iowa.
E. (9) $5,771.04.

A. Osceola Operating Corp., 230 Park Avenue, New York, N.Y.
E. (9) $7,182.77.

A. J. Allen Overton, Jr., 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $1,200.

A. Leonard H. Pasqualicchio, 724 Ninth Street NW., Washington, D.C

A. Lynn C. Paulson, 1627 K Street NW., Washington, D.C.
B. National Independent Dairies Association, 1627 K Street NW., Washington, D.C.
E. (9) $57.50.

A. Albert Pike, Jr., 277 Park Avenue, New York, N.Y.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. James F. Pinkney, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $116.90.

A. J. Francis Pohlhaus, 100 Massachusetts Avenue NW., Washington, D.C.
B. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N.Y.

A. William C. Prather, 221 North La Salle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $347.50.

A. Purcell & Nelson, 888 17th Street NW., Washington, D.C.
B. Insular Lumber Co., 1819 John F. Kennedy Boulevard, Philadelphia, Pa.
E. (9) $16.30.

A. Purcell & Nelson, 888 17th Street NW., Washington, D.C.
B. Sugar Sales (Pvt.) Ltd., Throgmorton House, Jameson Avenue, Salisbury, Southern Rhodesia.
E. (9) $2.60.

A. James H. Rademacher, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $2,500.

A. Sydney C. Reagan, 3840 Greenbrier Drive, Dallas, Tex.
B. Southwestern Peanut Shellers Association, Drawer 747, Durant, Okla.
D. (6) $150.

A. Robert E. Redding, 1101 17th Street NW., Washington, D.C.
B. Committee for Time Uniformity, 1101 17th Street NW., Washington, D.C.

A. Robert E. Redding, 1101 17th Street NW., Washington, D.C.
B. Transportation Association of America, 1101 17th Street NW., Washington, D.C.

A. Lawrence D. Reedy, 200 Park Avenue, New York, N.Y.
B. American Association of Advertising Agencies Inc., 200 Park Avenue, New York, N.Y.
E. (9) $282.40.

A. George L. Reid, Jr., 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washngton, D. C.
D. (6) $799.98.

A. Reserve Officers Association of the United States, 333 Pennsylvania Avenue SE., Washington, D.C.

A. Theron J. Rice, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the U.S.A., 1615 H Street NW., Washington, D.C.

A. John J. Riley, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $1,328.14. E. (9) $211.34.

A. William Neale Roach, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200.

A. George B. Roche, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.

A. J. T. Rutherford, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $312.77.

A. Francis J. Ryley, 519 Title and Trust Building, Phoenix, Ariz.
B. Standard Oil Co. of California, San Francisco; Shell Oil Co., Mobil Oil Co., Richfield Oil Corp., Tidewater Oil Co., Union Oil Co., Signal Oil and Gas Co., Wilshire Oil Co. of California, Texaco, Inc., all Los Angeles; Humble Oil & Refining Co., Midland, Tex.

A. Ernest Schein, 1025 Connecticut Avenue NW., Washington, D.C.
B. Distribuidora de Azucares, S.A., Azucareros Independientes LTDA, Compania Azucarera Del Valle, S.A., Bogotá, Colombia.

A. David P. Seaman, 230 Park Avenue, New York, N.Y.
B. Osceola Operating Corp., 230 Park Avenue, New York, N.Y.
D. (6) $2,000.

A. Clayton A. Seeber, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $1,599.83. E. (9) $128.28.

A. Theodore A. Serrill, 1025 Connecticut Avenue N.W., Washington, D.C.
B. National Editorial Association, 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $141.44.

A. Sharp & Bogan, 1108 16th Street NW., Washington, D.C.
B. Imported Hardwood Plywood Association, World Trade Center, Ferry Building, San Francisco, Calif.

A. Kenneth D. Shaw, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway and Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $474.99

A. John E. Shea, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.

A. William L. Shea, 1101 17th Street NW., Washington, D.C.
B. Big B Ranch of Belle Glade, Fla.

A. Bruce E. Shepherd, 277 Park Avenue, New York, N.Y.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. Laurence P. Sherfy, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $575.

A. Henry M. Shine, Jr., 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $2,012.50. E. (9) $189.64.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. Bluejay Oil Co., National Press Building, Washington, D.C.

A. Shipley Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. Fiduciary Counsel, Inc., 40 Wall Street, New York, N.Y.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. Insurance Securities Inc., 100 California Street, San Francisco, Calif.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. Investment Management Co., Westminster at Parker, Elizabeth, N.J.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. National FHA Apartment Owners Association, Woodward Building, Washington, D.C.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. National Realty Trust, National Press Building, Washington, D.C.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. Pet Shop Management, Post Office Box 109, Fond du Lac, Wis.

A. Richard L. Shook, 940 Federal Bar Building, 1815 H Street NW., Washington, D.C.
B. Hardware Wholesalers, Inc., Nelson Road, Fort Wayne, Ind.
E. (9) $3.

A. Jack C. Skerrett, 717 19th Street South, Arlington, Va.
B. The Camping Club of America, Inc., 945 Pennsylvania Avenue NW., Washington, D.C.

A. Milan D. Smith, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.

A. Dr. Spencer M. Smith, Jr., 1709 North Glebe Road, Arlington, Va.
B. Citizens Committee on Natural Resources, 712 Dupont Circle Building, Washington, D.C.
D. (6) $4,218.38. E. (9) $981.78.

A. W. Byron Sorrell, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Mobilehome Dealers National Association, 39 South LaSalle Street, Chicago, Ill.
D. (6) $2,025. E. (9) $198.47.

A. Southern Pine Industry Committee, 520 National Bank of Commerce Building, New Orleans, La.
D. (6) $678.28. E. (9) $3,133.10.

A. Southern States Industrial Council, 1103–111 Stahlman Building, Nashville, Tenn.
D. (6) $31,592.53. E. (9) $4,990.85.

A. Southwestern Peanut Shellers Association, Drawer 747, Durant, Okla.
E. (9) $150.

A. Chester S. Stackpole, 605 Third Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Karl Stecher, Munsey Building, Washington, D.C.

A. Karl Stecher, Munsey Building, Washington, D.C.
B. Douglas K. Warner, 1937 Panama Drive, Sarasota, Fla.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. American Council of Flatware Importers, Inc., 241 Fifth Avenue, New York, N.Y.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. Association To Acquire Compensation for Damages Prior to Peace Treaty, Naha, Okinawa.
D. (6) $3,000. E. (9) $15.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. Hitachi New York, Ltd., 666 Fifth Avenue, New York, N.Y.
D. (6) $900.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. Japan General Merchandise Exporters' Association, No. 2, 3-Chome, Nihonbashi, Muromachi, Chuo-ku, Tokyo, Japan.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.

B. Japan General Merchandise Exporters Association and Japan Rubber Footwear Manufacturers' Association of Tokyo, Japan; Miscellaneous Goods Division, Japanese Chamber of Commerce of New York, Inc., and Imported Footwear Group, National Council of American Importers, N.Y.

A. Stitt and Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.

B. Japan Steel Wire and Wire Products Exporters' Association, 36 Hisamatsucho, Nihonbashi, Chuo-ku, Tokyo, Japan.

A. Stitt and Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.

B. National Silver Co., 241 Fifth Avenue, New York, N.Y.

D. (6) $500.

A. Stitt and Hemmendinger, 1000 Connecticut Avenue, Washington, D.C.

B. New York Merchandise Co., 32 West 23rd Street, New York, N.Y., Importers and Japan General Merchandise Exporters Association, c/o Japan Trade Center, 393 Fifth Avenue, New York, N.Y.

A. Stitt and Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.

B. A. D. Sutton & Sons, 1 West 37th Street, New York, N.Y.

D. (6) $812.50. E. (9) $15.

A. Stitt and Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.

B. Toyoshima & Co., Inc., 303 Fifth Avenue, New York, N.Y.

A. Nelson A. Stitt, 1000 Connecticut Avenue NW., Washington, D.C.

B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.

A. Stitt and Hemmendinger, 1000 Connecticut Avenue, Washington, D.C.

B. Vernon Photograph Corp., 114 East Kingsbridge Road, Mount Vernon, N.Y.

D. (6) $449.

A. Francis W. Stover, 200 Maryland Avenue NE., Washington, D.C.

B. Veterans of Foreign Wars of the United States.

D. (6) $3,125. E. (9) $205.68.

A. David Teetor, 1346 Connecticut Avenue NW., Washington, D.C.

B. National Aviation Trades Association, 1346 Connecticut Avenue NW., Washington, D.C.

D. (6) $750.

A. Julia C. Thompson, 1030 15th Street NW., Washington, D.C.

B. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.

D. (6) $2,775.50.

A. Eugene M. Thore, 1701 K Street NW., Washington, D.C.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. John N. Thurman, 1625 K Street NW., Washington, D.C.

B. Pacific American Steamship Association, 16 California Street, San Francisco, Calif.

D. (6) $999. E. (9) $832.93.

A. Transportation Association of America, 1101 17th Street NW., Washington, D.C.

A. Mrs. Hattie B. Trazenfeld, 2012 Massachusetts Avenue NW., Washington, D.C.

B. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.

A. A. W. B. Truitt, 1016 20th Street NW., Washington, D.C.

B. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C.

D. (6) $1,622.

A. Paul T. Truitt, 1700 K Street NW., Washington, D.C.

B. National Plant Food Institute, 1700 K Street NW., Washington, D.C.

A. Trustees for Conservation, 251 Kearny Street, San Francisco, Calif.

D. (6) $339. E. (9) $1,113.12.

A. United Cerebral Palsy Association, 321 West 44th Street, New York, N.Y.

E. (9) $1,392.52.

A. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.

A. Universal Exchange, Post Office Box 2782, Orlando, Fla.

D. (6) $20. E. (9) $318.58.

A. F. Bourne Upham III, 1102 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $580.

A. Charles R. Van Horn, 17th and H Streets NW., Washington, D.C.

B. Baltimore & Ohio Railroad Co., Charles and Baltimore Streets, Baltimore, Md.

A. Richard E. Vernor, 1701 K Street NW., Washington, D.C.

B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.

D. (6) $187. E. (9) $10.

A. Veterans, World War 1, USA, Inc., 40 G Street NE., Washington, D.C.

A. L. T. Vice, 1700 K Street NW., Washington, D.C.

B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.

E. (9) $100.

A. Harold S. Walker, Jr., 605 Third Avenue, New York, N.Y.

B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Paul H. Walker, 1701 K Street NW., Washington, D.C.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

D. (6) $76.50. E. (9) $1.77.

A. Franklin Wallick, 1126 16th Street NW., Washington, D.C.

B. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, Solidarity House, 8000 East Jefferson Avenue, Detroit, Mich.

E. (9) $1,309.87.

A. Watters & Donovan, 161 William Street, New York, N.Y.

B. New York & New Jersey Dry Dock Association, 161 William Street, New York City.

D. (6) $1,250.

A. Wm. E. Welsh, 897 National Press Building, Washington, D.C.

B. National Reclamation Association, 897 National Press Building, Washington, D.C.

D. (6) $3,750.

A. Don White, 1201 Spring Street, Fairfax, Va.

B. National Audio-Visual Association, Inc., 1201 Spring Street, Fairfax, Va.

D. (6) $693.75. E. (9) $848.25.

A. Donald Francis White, 1616 H Street NW., Washington, D.C.

B. American Retail Federation, 1616 H Street NW., Washington, D.C.

D. (6) $2,212.50.

A. John C. White, 838 Transportation Building, Washington, D.C.

D. (6) $1,125. E. (9) $58.21.

A. George L. Will, Post Office Box 781, Miami, Fla.

D. (6) $3,206.33. E. (9) $2,394.83.

A. Robert P. Will, 989 National Press Building, Washington, D.C.

B. The Metropolitan Water District of Southern California, 1111 Sunset Boulevard, Los Angeles, Calif.

D. (6) $3,525. E. (9) $822.36.

A. Kenneth Williamson, 1 Farragut Square South, Washington, D.C.

B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.

D. (6) $1,278.85. E. (9) $375.81.

A. Nathan T. Wolkomir, 1737 H Street NW., Washington, D.C.

B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.

D. (6) $3,815.42. E. (9) $1,193.26.

A. Albert Y. Woodward, 1625 I Street NW., Washington, D.C.

B. The Flying Tiger Line, Inc., Lockheed Air Terminal, Burbank, Calif.

A. Albert Young Woodward, 1625 I Street NW., Washington, D.C.

B. Signal Oil & Gas Co., 1010 Wilshire Boulevard, Los Angeles, Calif.

A. Sidney Zagri, 25 Louisiana Avenue NW., Washington, D.C.

B. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C.

D. (6) $5,006

QUARTERLY REPORTS

The following quarterly reports were submitted for the first calendar quarter 1965:

(NOTE.—The form used for reports is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19______ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names or agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

NOTE ON ITEM "D."—(*a*) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(*b*) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(*c*) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $--------Dues and assessments
2. $--------Gifts of money or anything of value
3. $--------Printed or duplicated matter received as a gift
4. $--------Receipts from sale of printed or duplicated matter
5. $--------Received for services (e.g., salary, fee, etc.)

6. $--------TOTAL for this Quarter (Add items "1" through "5")
7. $--------Received during previous Quarters of calendar year

8. $--------TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $--------TOTAL now owed to others on account of loans
10. $--------Borrowed from others during this Quarter
11. $--------Repaid to others during this Quarter

12. $--------"Expense money" and Reimbursements received this Quarter

Contributors of $500 or more (from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": --------

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor*
	(*"Period"* from Jan. 1 through ------------------, 19----)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(*a*) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(*b*) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $--------Public relations and advertising services
2. $--------Wages, salaries, fees, commissions (other than item "1")
3. $--------Gifts or contributions made during Quarter
4. $--------Printed or duplicated matter, including distribution cost
5. $--------Office overhead (rent, supplies, utilities, etc.)
6. $--------Telephone and telegraph
7. $--------Travel, food, lodging, and entertainment
8. $--------All other expenditures

9. $--------TOTAL for this Quarter (Add "1" through "8")
10. $--------Expended during previous Quarters of calendar year

11. $--------TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $--------TOTAL now owed to person filing
13. $--------Lent to others during this Quarter
14. $--------Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

PAGE 2

A. Charles D. Ablard, 1629 K Street NW., Washington, D.C.
B. Magazine Publishers Association, Inc., 575 Lexington Avenue, New York, N.Y.
D. (6) $2,500. E. (9) $247.93.

A. Francis L. Adams.
B. Pacific Power & Light Co., Public Service Building, Portland, Oreg.
D. (6) $315. E. (9) $83.30.

A. Clarence G. Adamy, 1725 I Street NW., Washington, D.C.
B. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $250.

A. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C.
D. (6) $4,958.50. E. (9) $4,958.50.

A. Air Traffic Control Association, Inc., 528 Barr Building, Washington, D.C.
D. (6) $800. E. (9) $759.

A. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,228.89. E. (9) $5,228.89.

A. Aircraft Owners and Pilots Association, 4650 East-West Highway, Bethesda, Md.

A. Donald C. Alexander, 603 Dixie Terminal Building, Cincinnati, Ohio.
B. National Piano Manufacturers Association of America, Inc., 1801 Gilbert Avenue, Cincinnati, Ohio.
E. (9) $148.99.

A. Milnor Alexander, 320 Constitution Avenue NE., Washington, D.C.
B. Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington, D.C.

A. Donna Allen, 3306 Ross Place NW., Washington, D.C.
B. National Committee to Abolish the House Un-American Activities Committee, 555 North Western Avenue, Los Angeles, Calif.
D. (6) $960. E. (9) $1050.36.

A. George Venable Allen, 4370 Quebec Street NW., Washington, D.C.
B. The Tobacco Institute, 1735 K Street NW., Washington, D.C.

A. Allen, Murden, Nystrom & Armstrong, Inc., 1616 H Street NW., Washington, D.C.
B. Committee of European Shipowners, 30–32 St. Mary Axe., London E.C. 3, England, and Norwegian Shipowners Association, Post Office Box 1452, Oslo, Norway.
D. (6) $4,000. E. (9) $4,000.

A. Amalgamated Transit Union, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, 5025 Wisconsin Avenue NW., Washington, D.C.

A. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. American Cancer Society, 219 East 42d Street, New York City.
E. (9) $6,885.49.

A. American Coalition of Patriotic Societies, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $225.

A. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. American Farm Bureau Federation, Merchandise Mart Place, Chicago, Ill., and 425 13th Street NW., Washington, D.C.
D. (6) $25,298. E. (9) $25,298.

A. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
E. (9) $37,433.65.

A. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $4,279.60. E. (9) $3,207.27.

A. American Federation of Musicians, 641 Lexington Avenue, New York, N.Y.
D. (6) $331,732.78. E. (9) $5,869.88.

A. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.

A. American Humane Association, 896 Pennsylvania Street, Denver, Colo.
E. (9) $1,897.88.

A. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.
D. (6) $600. E. (9) $600.

A. American Insurance Association, 110 William Street, New York, N.Y.
D. (6) $6,807.50. E. (9) $6,807.50.

A. American Israel Public Affairs Committee, 1737 H Street NW., Washington, D.C.
D. (6) $7,330.53. E. (9) $8,974.70.

A. American Justice Association, Inc., Defense Highway, Gambrills, Md.
D. (6) $2. E. (9) $2.

A. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $86,349.41. E. (9) $35,856.15.

A. American Maritime Association, 17 Battery Place, New York, N.Y., and 1725 K Street NW., Washington, D.C.
D. (6) $700.

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
E. (9) $951,570.13.

A. American Merchant Marine Institute, Inc., 11 Broadway, New York, N.Y.
E. (9) $919.30.

A. American Optometric Association, Inc., 100 West Pine Street, Selinsgrove, Pa.
D. (6) $5,015.12. E. (9) $5,015.12.

A. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.
D. (6) $953. E. (9) $953.

A. American Paper Institute, Inc., 122 East 42d Street, New York, N.Y.

A. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $34,465. E. (9) $6,303.

A. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. The American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $3,022.65. E. (9) $3,022.65.

A. American Stock Yards Association, 1712 I Street NW., Washington, D.C.
D. (6) $1,350. E. (9) $900.

A. American Surveys, 2000 P Street NW., Washington, D.C.
D. (6) $1,350. E. (9) $183.64.

A. American Taxpayers Association, Inc., 326 Pennsylvania Building, Washington, D.C.
D. (6) $126. E. (9) $1,702.48.

A. American Textile Machinery Association, Whitin Machine Works, Whitinsville, Mass.
D. (6) $273.68.

A. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $11,985.82. E. (9) $11,985.82.

A. American Warehousemen's Association, 222 West Adams Street, Chicago, Ill.

A. American Waterways Operators, Inc., 1250 Connecticut Avenue, Washington, D.C.
D. (6) $2,011.16. E. (9) $2,011.16.

A. Jerry L. Anderson, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Walter M. Anderson, Jr., Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.

A. George W. Apperson, 900 F Street NW., Washington, D.C.
B. Division 689, Almalgamated Transit Union, 900 F Street NW., Washington, D.C.

A. David Apter, 1145 19th Street NW., Washington, D.C.
B. Council of the Forest Industries of British Columbia, 1477 West Pender Street, Vancouver, British Columbia.
D. (6) $1,000. E. (9) $189.22.

A. Carl F. Arnold, 1101 17th Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $2,750. E. (9) $1,202.84.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. Commissioner of Baseball, 30 Rockefeller Plaza, New York, N.Y.
E. (9) $152.17.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.

A. Associated General Contractors, Inc., 1957 E Street NW., Washington, D.C.

A. Associated Railroads of New Jersey, Pennsylvania Station, Raymond Plaza, Newark, N.J.

A. Associated Third Class Mail Users, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $3,191.26. E. (9) $3,191.26.

A. Association of American Physicians and Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.
D. (6) $525. E. (9) $525.

A. Association of American Railroads, 929 Transportation Building, Washington, D.C.
D. (6) $5,884.32. E. (9) $5,884.32.

A. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.
D.(6) $756.88. E. (9) $627.04.

A. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.

A. Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Atlantic Refining Co., 260 South Broad Street, Philadelphia, Pa.
E. (9) $200.

A. Robert L. Augenblick, 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Richard W. Averill, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States of America, 1615 H Street NW., Washington, D.C.

A. Michael H. Bader, 1735 DeSales Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington D.C.; Haley, Bader & Potts, 1735 DeSales Street, NW., Washington, D.C.

A. Harry S. Baer, Jr., 1725 DeSales Street NW., Washington, D.C.
B. National Aerospace Services Association, 1725 DeSales Street NW., Washington, D.C.
E. (9) $48.20.

A. Charles B. Bailey, Sr., 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway and Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $3,000. E. (9) $612.39.

A. Frank Baird-Smith, 1616 P Street NW., Washington, D.C.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. Baker, McKenzie & Hightower, 815 Connecticut Avenue NW., Washington, D.C.
B. Club Managers Association of America, 1030 15th Street NW., Washington, D.C.

A. Baker, McKenzie & Hightower, 815 Connecticut Avenue NW., Washington, D.C.
B. National Club Association, 1522 K Street NW., Washington, D.C.
D. (6) $1,459. E. (9) $12.04.

A. Donald Baldwin, 1619 Massachusetts Avenue NW., Washington, D.C.
B. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW., Washington, D.C.
E. (9) $339.37.

A. Ernest L. Barcella, Washington, D.C.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. Robert C. Barnard.
B. Cleary, Gottlieb, Steen & Hamilton, 224 Southern Building, Washington, D.C.

A. Arthur R. Barnett, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $937.50. E. (9) $57.89.

A. William G. Barr, 1101 17th Street NW., Washington, D.C.
B. National Parking Association, 1101 17th Street NW., Washington, D.C.

A. Wesley Barthelmes, 1701 K Street NW., Washington, D.C.
B. Insurance Co. of North America and Life Insurance Co. of North America, 1600 Arch Street, Philadelphia, Pa.
D. (6) $420.60. E. (9) $151.47.

A. Laurie C. Battle, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers, 277 Park Avenue, New York, N.Y.

A. Roy Battles, 532 Shoreham Building, Washington, D.C.
B. Clear Channel Broadcasting Service (CCBS), 532 Shoreham Building, Washington, D.C.

A. Donald S. Beattie, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
D. (6) $1,050.

A. John H. Beidler, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,952. E. (9) $355.22.

A. William J. Belknap, Corning, N.Y.
B. Corning Glass Works, Corning, N.Y.
D. (6) $600. E. (9) $210.

A. James F. Bell, 1001 Connecticut Avenue NW., Washington, D.C.
B. National Association of Supervisors of State Banks, Munsey Building, Washington, D.C.
D. (6) $750. E. (9) $13.11.

A. J. O. Bellenger, vice president, 1625 Connecticut Avenue NW., Washington, D.C.
B. National Association of Retired Civil Employees, 1625 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,750. E. (9) $75.58.

A. Ernest H. Benson, 400 First Street NW., Washington, D.C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $5,250.

A. Andrew J. Biemiller, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $6,405. (E) (9) $284.25.

A. Walter J. Bierwagen, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Leon G. Billings, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $562.50.

A. Robert J. Bird, 1000 Connecticut Avenue, Washington, D.C.
B. Paul Revere Life Insurance Co., Worcester, Mass.

A. John H. Bivins, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $605.

A. James C. Black, 1025 Connecticut Avenue NW., Washington, D.C.
B. Republic Steel Corp., Republic Building, Cleveland, Ohio.
D. (6) $600. E. (9) $500.

A. Wm. Rhea Blake, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

A. Blue Cross Association, 840 North Lake Shore Drive, Chicago, Ill.
E. (9) $2,708.50.

A. Fred F. Bockmon, 405 Luhrs Building, Phoenix, Ariz.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif., and the Atchison, Topeka & Santa Fe Railway, 121 East Sixth Street, Los Angeles, Calif.
D. (6) $100. E. (9) $10.

A. Maurice G. Boehl, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D.C.

A. Eugene F. Bogan, 1108 16th Street NW., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.

A. Lyle H. Boren, Seminole, Okla.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Joseph Borkin, 802 Ring Building, Washington, D.C.
B. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.

A. Robert T. Borth, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $1,600. E. (9) $368.71.

A. G. Stewart Boswell, 620 Southern Building, Washington, D.C.
B. National Council of Agricultural Employers, 620 Southern Building, Washington D.C.
D. (6) $187.50. E. (9) $7.50.

A. J. Wiley Bowers, 537 Cherry Street, Chattanooga, Tenn.
B. Tennessee Valley Public Power Association, 537 Cherry Street, Chattanooga, Tenn.

A. Samuel E. Boyle, 6519 Elgin Street, Los Angeles, Calif.
B. The Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $1,083.70. E. (9) $441.25.

A. Col. A. A. Brackett, 333 Pennsylvania Avenue SE., Washington, D.C.

A. Charles N. Brady, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Joseph E. Brady, 122 Sheraton Gibson Hotel, Cincinnati, Ohio.
B. National Coordinating Committee of the Beverage Industry, 122 Sheraton Gibson Hotel, Cincinnati, Ohio.
E. (9) $721.

A. W. Kenneth Brew, 122 East 42d Street, New York, N.Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. Parke C. Brinkley, 1155 15th Street NW., Washington, D.C.
B. National Agricultural Chemicals Association.
D. (6) $25. E. (9) $3.75.

A. W. S. Bromley, 605 Third Avenue, New York, N.Y.
B. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. Wayne L. Bromley, 1000 16th Street NW., Washington, D.C.
B. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
D. (6) $3,950.

A. Milton E. Brooding, 215 Fremont Street, San Francisco, Calif.
B. California Packing Corp., 215 Fremont Street, San Francisco, Calif.
D. (6) $750. E. (9) $100.

A. Derek Brooks, 1028 Connecticut Avenue NW., Washington, D.C.
B. National Retail Furniture Association, 1150 Merchandise Mart, Chicago, Ill.
D. (6) $600. E. (9) $405.

A. Brotherhood of Railway & Steamship Clerks, Freight Handlers, Express & Station Employees, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $3,933.94. E. (9) $3,933.94.

A. J. D. Brown, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $180.

A. Brown & Lund, 1625 I Street NW., Washington, D.C.
B. American & Foreign Power Co., Inc., 100 Church Street, New York, N.Y.
D. (6) $1,000. E. (9) $52.42.

A. Brown & Lund, 1625 I Street NW., Washington, D.C.
B. National Association of Electric Co., 1200 18th Street NW., Washington, D.C.
D. (6) $1,500. E. (9) $1,453.46.

A. Robert W. Bruce, 140 New Montgomery Street, San Francisco, Calif.
B. The Pacific Telephone & Telegraph Co., 140 New Montgomery Street, San Francisco, Calif.
D. (6) $544. E. (9) $509.

A. Lyman L. Bryan, 2000 K Street NW., Washington, D.C.
B. American Institute of Certified Public Accountants, 666 Fifth Avenue, New York, N.Y.
D. (6) $15. E. (9) $32.17.

A. George S. Buck, Jr., Post Office Box 12285, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $120. E. (9) $5.91.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. The Canal Authority of the State of Florida, 805 Rosselle Street, Jacksonville, Fla.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. Florida Inland Navigation District, Citizens Bank Building, Bunnell, Fla.

A. George S. Bullen.
B. National Federation of Independent Business, 921 Washington Building, Washington, D.C.

A. Norman D. Burch, 1317 F Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $67.64.

A. George J. Burger, 250 West 57th Street, New York, N.Y., and 921 Washington Building, Washington, D.C.
B. Burger Tire Consultant Service, 250 West 57th Street, New York, N.Y., and National Federation of Independent Business, 921 Washington Building, Washington, D.C.

A. C. P. Burks, 2000 Massachusetts Avenue NW., Washington, D.C.
B. The American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $562.50.

A. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
E. (9) $903.73.

A. Gustave Burmeister, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,406.25. E. (9) $8.70.

A. David Burpee, Fordhook Farms, Doylestown, Pa.
E. (9) $919.62.

A. Orrin A. Burrows, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, 1200 15th Street NW., Washington, D.C.
D. (6) $4,000.03.

A. Hollis W. Burt, 1101 17th Street NW., Washington, D.C.
B. National Association of Supervisors of State Banks, 1101 17th Street NW., Washington, D.C.
D. (6) $58.75.

A. Business Information Service, 300 New Jersey Avenue SE., Washington, D.C.

A. Robert B. Byrnes, 1703 Rhode Island Avenue NW., Washington, D.C.
B. National Railroad Pension Forum, Inc., 2403 East 75th Street, Chicago, Ill.
D. (6) $300. E. (9) $88.24.

A. C. G. Caffrey, 1120 Connecticut Avenue NW., Washington, D.C.
B. Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $760.20. E. (9) $62.

A. Gordon L. Calvert, 425 13th Street NW., Washington, D.C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.
D. (6) $500. E. (9) $392.63.

A. Carl C. Campbell, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $34.62.

A. Canal Authority of the State of Florida, 805 Rosselle Street, Jacksonville, Fla.

A. Canal Zone Central Labor Union—Metal Trades Council, Post Office Box 471, Balboa Heights, C.Z.
D. (6) $2,374.12. E. (9) $2,030.29.

A. Ronald A. Capone, 505 Farragut Building, Washington, D.C.
B. Committee on European Shipowners, 30–32 St. Mary Axe, London, E.C. 3, England.
D. (6) $2,500. E. (9) $345.

A. Col. John T. Carlton, 333 Pennsylvania Avenue SE., Washington, D.C.
B. Reserve Officers Association of the United States.

A. James R. Carnes, 1825 Connecticut Avenue NW., Washington, D.C.
B. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,500.

A. Braxton B. Carr, 1250 Connecticut Avenue NW., Washington, D.C.
B. The American Waterways Operators, Inc., 1250 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9) $220.92.

A. Robert S. Carr, 1220 Pennsylvania Building, Washington, D.C.
B. Hiram Walker & Sons, Inc., 8223 Jefferson Avenue Avenue, Detroit, Mich.

A. H. Allen Carroll, 1730 K Street NW., Washington, D.C.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $215.

A. Blue Allan Carstenson, 1575 Sherman Street, Denver, Colo.
B. The Farmers' Educational and Cooperative Union of America, 1575 Sherman Street, Denver, Colo., and 1012 14th Street NW., Washington, D.C.
D. (6) $1,640.96. E. (9) $167.26

A. Eugene C. Carusi, 1629 K Street NW., Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. Channing Service Corp., 85 Broad Street, New York, N.Y.
E. (9) $6,500.

A. Alger B. Chapman, Jr., 11 Wall Street, New York, N.Y.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. Chapman, Friedman, Shea, Club & Duff, 425 13th Street NW., Washington, D.C.
B. Alaska Pipeline Co., Post Office Box 6554, Houston, Tex.
D. (6) $2,000. E. (9) $202.51.

A. Chapman, Friedman, Shea, Clubb & Duff, 425 13th Street NW., Washington, D.C.
B. American Taxicab Association, Inc., 4415 North California Avenue, Chicago, Ill.
D. (6) $750. E. (9) $199.36.

A. Chapman, Friedman, Shea, Clubb & Duff, 425 13th Street NW., Washington, D.C.
B. Bruynzeel Fabricken, Zaandam, Holland and Bruynzeel Suriname, Paramaribo, Suriname.
D. (6) $1,867.50. E. (9) $239.51.

A. Chapman, Friedman, Shea, Clubb & Duff, 425 13th Street NW., Washington, D.C.
B. Strohmeyer & Arpe Co., 139–141 Franklin Street, New York, N.Y.
D. (6) $1,485. E. (9) $134.69.

A. Chapman, Friedman, Shea, Clubb & Duff, 425 13th Street NW., Washington, D.C.
B. Union Nacional de Productores de Azucar, S A. de C. V., Balderas 36—Primer Piso, Mexico D.F., Mexico.
D. (6) $10,000. E. (9) $384.77.

A. Charitable Contributors Association, 100 Old York Road, Jenkintown, Pa.
E. (9) $300.

A. A. H. Chesser, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railroad Trainmen.
E. (9) $62.50.

A. Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $2,405.20. E. (9) $3,863.30.

A. Citizens Foreign Aid Committee, 1001 Connecticut Avenue NW., Washington, D.C.
E. (9) $8,156.07.

A. William F. Claire, 1145 19th Street NW., Washington, D.C.
B. American Paper Institute, Inc., 122 East 42d Street, New York, N.Y.

A. Allen C. K. Clark, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Earl W. Clark, 100 Indiana Avenue NW., Washington, D.C.
B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,035. E. (9) $85.54.

A. Robert M. Clark, 1710 H Street NW., Washington, D.C.
B. The Atchison, Topeka & Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill.

A. Roger A. Clark, 1730 K Street NW., Washington, D.C.
B. Wine Conference of America, 1100 National Press Building, Washington, D.C.

A. Clay Pipe Industry Depletion Committee, Post Office Box 13125, Kansas City, Mo.
E. (9) $635.34.

A. Clear Channel Broadcasting Service, 532 Shoreham Building, Washington, D.C.

A. Clearly, Gottlieb, Steen & Hamilton, 224 Southern Building, Washington, D.C.
B. Coconut Oil Consumers Committee, % 224 Southern Building, Washington, D.C.
E. (9) $22.50.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. American Merchant Marine Institute, Inc., 919 18th Street NW., Washington, D.C., and 11 Broadway, New York, N.Y.
D. (6) $120. E. (9) $8.44.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. The American Tobacco Co.
D. (6) $1,250. E. (9) $1,401.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. Brown & Williamson Tobacco Corp.
D. (6) $1,250. E. (9) $1,401.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. Liggett & Myers Tobacco Co.
D. (6) $1,250. E. (9) $1,401.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. P. Lorillard Co.
D. (6) $1,250. E. (9) $1,401.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. Philip Morris, Inc.
D. (6) $1,250. E. (9) $1,401.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. R. J. Reynolds Tobacco Co.
D. (6) $1,250. E. (9) $1,401.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. Superior Oil Co.

A. Washington I. Cleveland, 1712 G Street NW., Washington, D.C.
B. D.C. Division, American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Junius E. Cobean, Sr., 1706 Old Stage Road, Alexandria, Va.
B. Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $425.

A. Joseph Cohen, National Press Building, Washington, D.C.
B. The National Association of Retail Druggists, One East Wacker Drive, Chicago, Ill.
D. (6) $500.

A. Coles & Goertner, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Tanker Owners, Inc., One Chase Manhattan Plaza, New York, N.Y.

A. J. I. Collier, 2000 Massachusetts Avenue NW., Washington, D.C.
B. The American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $193.75.

A. Collier & Shannon, 1625 I Street NW., Washington, D.C.
B. National Footwear Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.
D. (6) $500. E. (9) $57.20.

A. Collier & Shannon, 1625 I Street NW., Washington, D.C.
B. Tool and Stainless Steel Industry Committee, c/o Carpenter Steel Co., Reading, Pa.
D. (6) $600. E. (9) $201.15.

A. Nicholas S. Collins, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $240. E. (9) $8.97.

A. Paul G. Collins, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $125.

A. Colorado Railroad Association, 702 Majestic Building, Denver, Colo.

A. Committee for Broadening Commercial Bank Participation in Public Financing, 50 South LaSalle Street, Chicago, Ill.
D. (6) $175.

A. Committee for a Free Cotton Market, Inc., 1725 K Street NW., Washington, D.C.
D. (6) $10,046.27. E. (9) $10,046.27.

A. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.
D. (6) $153,500. E. (9) $8,940.98.

A. Committee for Time Uniformity, 1101 17th Street NW., Washington, D.C.
E. (9) $53.

A. R. T. Compton, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D.C.

A. Paul B. Comstock, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. John C. Cone, 815 15th Street NW., Washington, D.C.
B. Pan American World Airways, 815 15th Street NW., Washington, D.C.

A. Raymond F. Conkling, 135 East 42d Street, New York, N.Y.
B. Texaco, Inc., 135 East 42d Street, New York, N.Y.
D. (6) $190. E. (9) $45.

A. John D. Conner, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.

A. John D. Conner, 1625 K Street NW., Washington, D.C.
B. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.

A. Robert J. Conner, Jr., 1700 K Street NW., Washington, D.C.
B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.
D. (6) $75. E. (9) $50.

A. Harry N. Cook, 1130 17th Street NW., Washington, D.C.
B. The National Waterways Conference.

A. Edward Cooper.
B. Motion Picture Association of America, Inc., 1600 I Street NW., Washington, D.C.

A. J. Milton Cooper, 700 Washington Building, Washington, D.C.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. J. Milton Cooper, 700 Washington Building, Washington, D.C.
B. R. J. Reynolds Tobacco Co., Winston-Salem, N.C.

A. Joshua W. Cooper, 626 South Lee Street, Alexandria, Va.
B. Armed Services Committee, Chamber of Commerce of Greater Portsmouth, 222 State Street, Portsmouth, N.H.
D. (6) $1,000. E. (9) $325.99.

A. Mitchell J. Cooper, 1625 K Street NW., Washington, D.C.
B. Council of Forest Industries, 1477 West Penden Street, Vancouver, B.C., Canada.
D. (6) $3,000. E. (9) $4.50.

A. Mitchell J. Cooper, 1625 K Street NW., Washington, D.C.
B. Footwear Division of Rubber Manufacturers Association, Inc., 444 Madison Avenue, New York, N.Y.
D. (6) $3,750. E. (9) $9.55.

A. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.

A. Council for a Livable World, 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $28,353.96. E. (9) $16,207.57.

A. Council of Mechanical Speciality Contracting Industries, Inc., 610 Ring Building, Washington, D.C.

A. Council of Profit Sharing Industries, 1145 Munsey Building, Washington, D.C.

A. Edsall Lee Couplin, 441 East Jefferson Avenue, Detroit, Mich.
B. Michigan Hospital Service, 441 East Jefferson Avenue, Detroit, Mich.
D. (6) $1,545. E. (9) $26.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. American Machine Tool Distributors' Association, 1500 Massachusetts Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Lightweight Aggregates Percentage Depletion Committee, Post Office Box 9138, Richmond, Va.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. A. P. Møller, 8 Kongens Nytorv, Copenhagen, Denmark.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Tool, Die & Precision Machining Association, 1411 K Street NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Savings & Loan Bank of the State of New York, 60 East 42d Street, New York, N.Y.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. The Traveler's Insurance Co., Hartford, Conn.

A. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $1,100. E. (9) $255.55.

A. William A. Cromartie, 1 North LaSalle Street, Chicago, Ill.
B. Park Sherman Co., 1200 Park Avenue, Murfreesboro, Tenn.
D. (6) $525.

A. Robert E. Cronin, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Henry Ashton Crosby, 1346 Connecticut Avenue NW., Washington, D.C.
B. Council for a Livable World, 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $4,500.

A. H. C. Crotty, 12050 Woodward Avenue, Detroit, Mich.

A. Leo J. Crowley, 702 Majestic Building, Denver, Colo.
B. Colorado Railroad Association, 702 Majestic Building, Denver, Colo.

A. John R. Dalton, 1508 Merchants Bank Building, Indianapolis, Ind.
B. Associated Railways of Indiana, 1508 Merchants Bank Building, Indianapolis, Ind.

A. Charles A. Darnell, 3129 Brereton Court, Huntington, W. Va.
B. Sheet Metal Workers International Association, 1000 Connecticut Avenue NW., Washington, D.C.

A. John C. Datt, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $875. E. (9) $33.48.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.
B. Chicago Bridge & Iron Co., 901 West 22d Street, Oak Brook, Ill.
D. (6) $2,275. E. (9) $2.90.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.
E. (9) $339.97.

A. Lowell Davis, 601 Ross Avenue, Mart, Tex.
D. (6) $149.75. E. (9) $149.75.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. American Nursing Home Association, 1346 Connecticut Avenue NW., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., New York, N.Y.
D. (6) $15,000.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. D.C. Transit System, Inc., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Indian Sugar Mills Association, Calcutta, India.
D. (6) $33,000.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Laundry-Dry Cleaning Association of the District of Columbia, 2300 Connecticut Avenue NW., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Variable Annuity Life Insurance Co., Washington, D.C.
D. (6) $4,000. E. (9) $36.70.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Variable Annuity Life Insurance Co., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Virgin Islands Gift & Fashion Shop Association, Inc., St. Thomas, Virgin Islands.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. D.C. Transit System, Inc., Washington, D.C.
D. (6) $1,000.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. Indian Sugar Mills Association, Calcutta, India.

A. John F. Dawson, 1735 New York Avenue NW., Washington, D.C.
B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.
D. (6) $1,000.

A. Tony T. Dechant.
B. The Farmers' Educational and Co-Operative Union of America, 1575 Sherman Street, Denver, Colo., and 1012 14th Street NW., Washington, D.C.

A. L. E. Deilke, 163–165 Center Street, Winona, Minn.
B. The Inter-State Manufacturer's Association, 163–165 Center Street, Winona, Minn.
D. (6) $1,500.

A. L. E. Deilke, 163–165 Center Street, Winona, Minn.
B. National Association of Direct Selling Companies, 163–165 Center Street, Winona, Minn.
D. (6) $3,000.

A. James J. Delaney, Jr., 220 Central Building, Anchorage, Alaska.
B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Robert F. DeLay, 230 Park Avenue, New York, N.Y.

A. Max A. Denney, 1629 K Street NW., Washington, D.C.
B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.
D. (6) $600.

A. Leslie E. Dennis, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
D. (6) $540.

A. Cecil B. Dickson, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,687.50. E. (9) $299.

A. George S. Dietrich, 1741 De Sales Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 De Sales Street NW., Washington, D.C.
D. (6) $98.82. E. (9) $12.

A. Direct Mail Advertising Association, 20 Chevy Chase Circle NW., Washington, D.C.
D. (6) $25.

A. Disabled American Veterans, 1701 18th Street NW., Washington, D.C.
D. (6) $6,000. E. (9) $11,080.71.

A. Robert H. Distelhorst, Jr., 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $337.50. E. (9) $13.

A. District Lodge 44, International Association of Machinists, 400 First Street NW., Washington, D.C.
D. (6) $40,927.46. E. (9) $25,474.96.

A. Division 689, Amalgamated Transit Union, 900 F Street NW., Washington, D.C.

A. James F. Doherty, 815 16th Street N.W., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $2,112. E. (9) $37.69.

A. Robert C. Dolan, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $312.50. E. (9) $21.63.

A. Paul R. M. Donelan, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $300. E. (9) $5.20.

A. James L. Donnelly, 200 South Michigan Avenue, Chicago, Ill.
B. Illinois Manufacturers' Association, 200 South Michigan Avenue, Chicago, Ill.

A. Ronald D. Doremus, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
E. (9) $12.50.

A. J. Dewey Dorsett, 110 William Street, New York, N.Y.
D. (6) $150.

A. Jasper N. Dorsey, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $302.65.

A. C. L. Dorson, 900 F Street NW., Washington, D.C.
B. Retirement Federation of Civil Service Employees of the U.S. Government, 900 F Street NW., Washington, D.C.
D. (6) $2,006.44. E. (9) $163.

A. Leonard K. Dowiak, 777 14th Street NW., Washington, D.C.
B. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.
D. (6) $225.

A. Evelyn Durbrow, 1710 Broadway, New York, N.Y.
B. International Ladies' Garment Workers' Union, 1710 Broadway, New York, N.Y.
D. (6) $2,535. E. (9) $1,827.75.

A. William E. Dunn, 1957 E Street NW., Washington, D.C.
B. The Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. Herman Edelsberg, 1640 Rhode Island Avenue NW., Washington, D.C.
B. Anti-Defamation League of B'nai B'rith, 315 Lexington Avenue, New York, N.Y.
D. (6) $140.

A. Walter A. Edwards, 1700 K Street NW., Washington, D.C.
B. Chrysler Corp., 341 Massachusetts Aveneu, Detroit, Mich.
D. (6) $250. E. (9) $100.

A. J. C. B. Thringhaus, Jr., Post Office Box 1776, Raleigh, N.C.
B. Southern Railway System, Post Office Box 1808, Washington, D.C.
D. (6) $4,500. E. (9) $1,388.18.

A. James B. Ehrlich, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
E. (9) $132.25.

A. John M. Elliott, 5025 Wisconsin Avenue N.W., Washington, D.C.
B. Amalgamated Transit Union, 5025 Wisconsin Avenue N.W., Washington, D.C.

A. Warren G. Elliott, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $425. E. (9) $36.90.

A. Clyde T. Ellis, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $65.

A. Otis H. Ellis, 1001 Connecticut Avenue NW., Washington, D.C.
B. National Oil Jobbers Council, 1001 Connecticut Avenue, Washington, D.C.

A. John H. Else, 302 Ring Building, Washington, D.C.
B. National Lumber and Building Material Dealers Association, 302 Ring Building, Washington, D.C.
E. (9) $166.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $2,100.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Coachella Valley County Water District, Coachella, Calif.
D. (6) $1,200.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Department of Water and Power of the City of Los Angeles, 207 South Broadway, Los Angeles, Calif.
D. (6) $2,400.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. East Bay Municipal Utility District, 2130 Adeline Street, Oakland, Calif.
D. (6) $1,200.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Imperial Irrigation District, El Centro, Calif.
D. (6) $2,100.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.
D. (6) $5,366.25.

A. Myles W. English, 966 National Press Building, Washington, D.C.
B. National Highway Users Conference, Inc., 966 National Press Building, Washington, D.C.

A. Grover W. Ensley, 200 Park Avenue, New York, N.Y.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $613.03. E. (9) $55.83.

A. Lawrence E. Ernst, 301 East Capitol Street, Washington, D.C.
B. National Star Route Mail Carriers Association, 301 East Capitol Street, Washington, D.C.
E. (9) $786.

A. John D. Fagan, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $1,925. E. (9) $18.20.

A. Family Tax Association, 100 Old York Road, Jenkintown, Pa.
E. (9) $300.

A. Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $113,524.18. E. (9) $19,815.94.

A. Joseph G. Feeney, 1725 I Street NW., Washington, D.C.
B. REA Express, 219 East 42d Street, New York, N.Y.
D. (6) $1,200. E. (9) $200.

A. Bonner Fellers, 1001 Connecticut Avenue NW., Washington, D.C.
B. Citizens Foreign Aid Committee.

A. Joe G. Fender, 2033 Norfolk Street, Houston, Tex.
B. National Conference of Non-Profit Shipping Associations, Inc.
D. (6) $753.49.

A. Maxwell Field, 210 Lincoln Street, Boston, Mass.
B. New England Shoe & Leather Association, 210 Lincoln Street, Boston, Mass.
D. (6) $400. E. (9) $39.10.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C.
B. Council of Forest Industries of British Columbia, 1477 West Pender Street, Vancouver, British Columbia, Canada.
D. (6) $6,000. E. (9) $173.25.

A. William J. Flaherty, 1701 18th Street NW., Washington, D.C.
B. Disabled American Veterans, 1425 East McMillan Street, Cincinnati, Ohio.
D. (6) $2,625. E. (9) $2,705.

A. Roger Fleming, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,250. E. (9) $14.63.

A. Florida Citrus Mutual, Lakeland, Fla.
E. (9) $1,200.

A. Florida Inland Navigation District Citizens Bank Building, Bunnell, Fla.

A. James W. Foristel, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,612.50. E. (9) $199.

A. Ronald J. Foulis, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $135.

A. John G. Fox, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $220.23.

A. Morley E. Fox, 300 New Jersey Avenue SE., Washington, D.C.
B. Central Arizona Project Association, Arizona Title Building, Phoenix, Ariz.

A. Charles A. Francik, 1629 K Street NW., Washington, D.C.
B. Corning Glass Works, Corning, N.Y.
D. (6) $420.

A. James H. French, 1625 K Street NW., Washington, D.C.
B. Book Manufacturer's Institute, Inc., 25 West 43d Street, New York, N.Y.

A. James H. French, 1625 K Street NW., Washington, D.C.
B. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.

A. Philip P. Friedlander, Jr., 1343 L Street NW., Washington, D.C.
B. National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.
D. (6) $10.

A. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $16,326.58. E. (9) $6,410.82.

A. Garrett Fuller, 836 Wyatt Building, Washington, D.C.
B. Columbia Steamship Co., 1210 Standard Plaza, Portland, Oreg.

A. Lawrence H. Gall, 918 16th Street N.W., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $975.

A. M. J. Galvin, 207 Union Depot Building, St. Paul, Minn.
B. Minnesota railroads.
D. (6) $500. E. (9) $877.01.

A. Marion R. Garstang, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $200.

A. Aubrey D. Gates, 535 North Dearborn Street, Chicago, Ill.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $170. E. (9) $141.90.

A. Arthur P. Gildea, 2347 Vine Street, Cincinnati, Ohio.
B. International Union of United Brewery, Flour, Cereal, Soft Drink & Distillery Workers of America, 2347 Vine Street, Cincinnati, Ohio.
E. (9) $440.54.

A. Joseph S. Gill, 16 East Broad Street, Columbus, Ohio.
B. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.

A. Neal P. Gillen, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Ginsburg, Leventhal & Feldman, 1 Farragut Square South, Washington, D.C.
B. U.S. Plastic & Chemical Corp., Railroad Avenue, West Haverstraw, N.Y., and Metuchen, N.J.
E. (9) $97.89.

A. Royce L. Givens, 132 Third Street SE., Washington, D.C.
B. National Conference of Police Associations, 132 Third Street SE., Washington, D.C.
D. (6) $1,275. E. (9) $1,675.

A. Glenn F. Glezen, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. Don A. Goodall, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the U.S.A.

A. Edward Gottlieb & Associates, Ltd., 640 Fifth Avenue, New York, N.Y.
B. Florists' Telegraph Delivery Association, 900 West Lafayette Boulevard, Detroit, Mich.

A. Lawrence L. Gourley, 1757 K Street NW., Washington, D.C.
B. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.
D. (6) $500.

A. Government Employes' Council, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $10,241.41. E. (9) $3,888.57.

A. Grain & Feed Dealers National Association, 400 Folger Building, Washington, D.C.
E. (9) $21.60.

A. Grand Lodge of the Brotherhood of Locomotive Firemen & Enginemen, 318–418 Keith Building, Cleveland, Ohio.
D. (6) $23,568.26. E. (9) $23,568.26.

A. Cornelius R. Gray, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. James A. Gray, 1411 K Street NW., Washington, D.C.
B. National Tool, Die & Precision Machining Association, 1411 K Street NW., Washington, D.C.

A. Mrs. Virginia M. Gray, 3501 Williamsburg Lane NW., Washington, D.C.
B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.
D. (6) $250. E. (9) $167.48.

A. Samuel A. Grayson, 611 Idaho Building, Boise, Idaho.
B. Union Pacific Railroad Co., 1416 Dodge Street, Omaha, Nebr.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.
B. Indian Sugar Mills Association, Calcutta, India.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.
B. Mutual Benefit Health & Accident Association, Omaha, Nebr.

A. John F. Griner, 900 F Street NW., Washington, D.C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D.C.
D. (6) $5,296.20. E. (9) $529.62.

A. Ben H. Guill, 2000 K Street NW., Washington, D.C.
B. National Automobile Dealers Association, American Smelting & Refining Co., and American Zinc, Lead & Smelting Co.
D. (6) $4,200. E. (9) $1,910.

A. Seymour S. Guthman, Woodward Building, Washington, D.C.
B. Syndicat des Distillateurs et Producteurs de Sucre de Madagascar, 282 Boulevard St. Germain, Paris, France.
D. (6) $1,875.

A. Robert W. Haack, 888 17th Street NW., Washington, D.C.
B. National Association of Securities Dealers, Inc.

A. Hoyt S. Haddock, 100 Indiana Avenue NW., Washington, D.C.
B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $600. E. (9) $133.36.

A. Hoyt S. Haddock, 100 Indiana Avenue NW., Washington, D.C.
B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,035. E. (9) $27.04.

A. Harlan V. Hadley, 1710 H Street NW., Washington, D.C.
B. Taxation Committee of Automobile Manufacturers Association, 320 New Center Building, Detroit, Mich.
D. (6) $625.

A. Hal H. Hale, 421 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Andrew G. Haley, 1735 DeSales Street NW., Washington, D.C.
B. Association On Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.
D. (6) $10.83.

A. Harold T. Halfpenny, 111 West Washington Street, Chicago, Ill.

A. J. G. Hall, Detroit, Mich.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. E. C. Hallbeck, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
D. (6) $6,875.10.

A. W. C. Hammerle, 605 Third Avenue, New York, N.Y.
B. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. Eugene J. Hardy, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D.C.

A. Bryce N. Harlow, 1730 K Street NW., Washington, D.C.
B. The Procter & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio.
E. (9) $28.

A. Mildred B. Harman, 212 Maryland Avenue NE., Washington, D.C.
B. Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $700.49. E. (9) $341.79.

A. Herbert E. Harris II, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,812.50. E. (9) $59.50.

A. R. A. Harris, 38 South Dearborn Street, Chicago, Ill.
B. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.
D. (6) $3,249.96.

A. Walter A. Hasty, Jr.
B. The Farmers' Educational and Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $873.86. E. (9) $86.72.

A. Paul M. Hawkins, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $560. E. (9) $270.82.

A. Hays & Hays, 920 Warner Building, Washington, D.C.
B. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
D. (6) $300. E. (9) $9.

A. Joseph H. Hays, 280 Union Station Building, Chicago, Ill.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. John C. Hazen, 1317 F Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $108.40.

A. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $2,479.40. E. (9) $2,479.40.

A. Patrick B. Healy, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $300. E. (9) $57.60.

A. Kenneth G. Heisler, 907 Ring Building, Washington, D.C.
B. National League of Insured Savings Associations, 907 Ring Building, Washington, D.C.
D. (6) $1,000.

A. Edmund P. Hennelly, 150 East 42d Street, New York, N.Y.
B. Socony Mobil Oil Co., Inc., 150 East Street, New York, N.Y.
D. (6) $1,125. E. (9) $939.25.

A. John K. Herbert, 575 Lexington Avenue, New York, N.Y.
B. Magazine Publishers Association, 575 Lexington Avenue, New York, N.Y.
D. (6) $957.85.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. United States Brewers Association 535 Fifth Avenue, New York, N.Y.
D. (6) $5,000. E. (9) $85.93.

A. M. F. Hicklin, 507 Bankers Trust Building, Des Moines, Iowa.
B. Iowa Railway Committee, 507 Bankers Trust Building, Des Moines, Iowa.

A. John W. Hight, 1025 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $100.

A. James A. Hirshfield, 305 Rockefeller Building, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. Brig. Gen. J. D. Hittle, USMC (Ret.), 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $1,166.67. E. (9) $47.37.

A. Lawrence S. Hobart, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $390.

A. Claude E. Hobbs, 1625 K Street NW., Washington, D.C.
B. Westinghouse Electric Co., 3 Gateway Center, Pittsburgh, Pa.
D. (6) $900. E. (9) $120.

A. Ralph D. Hodges, Jr.
B. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW., Washington, D.C.
E. (9) $64.95.

A. Irving A. Hoff, 1001 Connecticut Avenue, Washington, D.C.
B. United States Cane Sugar Refiners' Association, 1001 Connecticut Avenue, Washington, D.C.
E. (9) $30.50.

A. Fuller, Holloway, 888 17th Street NW., Washington, D.C.
B. The Toilet Goods Association, Inc., 1270 Avenue of the Americas, New York, N.Y.
D. (6) $5,000.

A. Lee B. Holmes, 829 Pennsylvania Building, Washington, D.C.
B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.
E. (9) $17.73.

A. Home Manufacturers Association, 1117 Barr Building, Washington, D.C.
D. (6) $500. E. (9) $1,000.

A. Roland S. Homet, Jr.
B. Cleary, Gottlieb, Steen & Hamilton, 224 Southern Building, Washington, D.C.

A. Edwin M. Hood, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Samuel H. Horne, 1145 Munsey Building, Washington, D.C.
B. Park Sherman Co., 1200 Park Avenue, Murfreesboro, Tenn.
D. (6) $525.

A. Donald E. Horton, 222 West Adams Street, Chicago, Ill.
B. American Warehousemen's Association.

A. Charles L. Huber, 1701 18th Street NW., Washington, D.C.
B. Disabled American Veterans, 1425 East McMillan Street, Cincinnati, Ohio.
D. (6) $3,375. E. (9) $8,375.71.

A. W. T. Huff, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $275.

A. William J. Hull, 1000 Connecticut Avenue, Washington, D.C.
B. Ashland Oil & Refining Co., 1409 Winchester Avenue, Ashland, Ky.

A. William J. Hull, 1000 Connecticut Avenue, Washington, D.C.
B. Ohio Valley Improvement Association, Inc.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
D. (6) $5.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
B. Mrs. Edna H. Schuyler, Costa Mesa, Calif., et al.
D. (6) $1. E. (9) $347.

A. Frank N. Ikard, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

A. Bernard J. Imming, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $1,250.

A. Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C.
D. (6) $3,800.03. E. (9) $3,800.03.

A. Inland Steel Co., 30 West Monroe Street, Chicago, Ill.
E. (9) $397.46.

A. Institute of Appliance Manufacturers, 2000 K Street NW., Washington, D.C.

A. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D.C.
D. (6) $300. E. (9) $1.

A. International Association of Machinists, Machinists Building, Washington, D.C.
E. (9) $2,040.10.

A. International Union of Electrical, Radio & Machine Workers, 1126 16th Street NW., Washington, D.C.
E. (9) $2,150.

A. Inter-State Manufacturers Association, 163–165 Center Street, Winona, Minn.
D. (6) $2,975. E. (9) $4.75.

A. Iron Ore Lessors Association, Inc., 19 Summit Court, St. Paul, Minn.
D. (6) $2,547.28. E. (9) $17,303.81.

A. Rear Adm. Alexander Jackson, Jr., 333 Pennsylvania Avenue SE., Washington, D.C.

A. Robert C. Jackson, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $3,750. E. (9) $491.

A. Walter K. Jaenicke, 1957 E Street NW., Washington, D.C.
B. The Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. Ralph K. James, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $440. E. (9) $22.42.

A. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.
E. (9) $150.

A. Daniel Jaspan, Post Office Box 1924, Washington, D.C.
B. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $4,111.26. E. (9) $35.15.

A. Joe Jenness, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Chas. B. Jennings, 1712 I Street NW., Washington, D.C.
B. American Stock Yards Association, 1712 I Street NW., Washington, D.C.
D. (6) $400.

A. Robert G. Jeter, Dresden, Tenn.
B. H. C. Spinks Clay Co., Paris, Tenn., et al.
D. (6) $1,911.62.

A. Peter D. Joers, 810 Whittington Avenue, Hot Springs, Ark.
B. Dierks Forests, Inc., 810 Whittington Avenue, Hot Springs, Ark.

A. Hugo E. Johnson, 600 Bulkley Building, Cleveland, Ohio.
B. American Iron Ore Association, 600 Bulkley Building, Cleveland, Ohio.

A. Reuben L. Johnson.
B. The Farmers' Educational and Co-Operative Union of America, 1575 Sherman Street, Denver, Colo., and 1012 14th Street NW., Washington, D.C.
D. (6) $3,092.35. E. (9) $434.06.

A. Ned Johnston, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Geo. Bliss Jones, Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.

A. Sheldon Z. Kaplan, 1616 H Street NW., Washington, D.C.
B. Guatemala Sugar Producers Association, Guatemala City, Guatemala.

A. Karelsen & Karelsen, 230 Park Avenue, New York, N.Y.
E. (9) $231.83.

A. William J. Keating, 400 Folger Building, Washington, D.C.
B. Grain & Feed Dealers National Association, 400 Folger Building, Washington, D.C.

A. Howard B. Keck, 550 South Flower Street, Los Angeles, Calif.
B. The Superior Oil Co., 550 South Flower Street, Los Angeles, Calif.
E. (9) $300.

A. W. M. Keck, Jr., 9864 Wilshire Boulevard, Beverly Hills, Calif.
E. (9) $275.

A. Charles C. Keeble, 1730 K Street NW., Washington, D.C.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $960.94.

A. Eugene A. Keeney, 1615 H Street NW., Washington, D.C.

B. Chamber of Commerce of the United States.

A. Francis V. Keesling, Jr., 605 Market Street, San Francisco, Calif.

B. West Coast Life Insurance Co., 605 Market Street, San Francisco, Calif.

A. John T. Kelly, 1155 15th Street NW., Washington, D.C.

B. Pharmaceutical Manufacturers Association.

A. I. L. Kenen, 1737 H Street NW., Washington, D.C.

B. American Israel Public Affairs Committee, 1737 H Street NW., Washington, D.C.

A. Harold L. Kennedy, 420 Cafritz Building, Washington, D.C.

B. Marathon Oil Co., Findlay, Ohio.

E. (9) $95.70.

A. William J. Kerwin, 907 Ring Building, 18th and M Streets NW., Washington, D.C.

B. National League of Insured Savings Associations, 907 Ring Building, 18th and M Streets NW., Washington, D.C.

D. (6) $150.

A. Jeff Kibre, 1341 G Street, NW., Washington, D.C.

B. International Longshoremen's & Warehousemen's Union, 150 Golden Gate Avenue, San Francisco, Calif.

D. (6) $2,470.08. E. (9) $1,934.01.

A. Edward W. Kiley, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Kenneth L. Kimble, 1701 K Street NW., Washington, D.C.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

D. (6) $136. E. (9) $2.71.

A. Ludlow King, 2139 Wisconsin Avenue, Washington, D.C.

B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue, Washington, D.C.

A. T. Bert King, 812 Pennsylvania Building, Washington, D.C.

B. U.S. Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.

D. (6) $750.

A. Mr. and Mrs. Harry L. Kingman.

D. (6) $1,795. E. (9) $1,795.

A. Clifton Kirkpatrick, 1918 North Parkway, Memphis, Tenn.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

D. (6) $630. E. (9) $26.46.

A. James F. Kmetz, 1427 I Street NW., Washington, D.C.

B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.

D. (6) $3,540.

A. Victor A. Knox, 301 G Street SW., Washington, D.C.

B. College of American Pathologists, 230 North Michigan Avenue, Chicago, Ill.

D. (6) $4,000. E. (9) $222.12.

A. George W. Koch, 1612 K Street NW., Washington, D.C.

B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Robert M. Koch, 210 H Street NW., Washington, D.C.

B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.

E. (9) $25.

A. Germaine Krettek, 200 C Street SE., Washington, D.C.

B. American Library Association, 50 East Huron Street, Chicago, Ill.

E. (9) $4,534.68.

A. Herman C. Kruse, 245 Market Street, San Francisco, Calif.

B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.

D. (6) $3,712.50. E. (9) $3,508.

A. June Kysilko, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Labor Bureau of Middle West, 1155 15th Street NW., Washington, D.C., and 11 South LaSalle Street, Chicago, Ill.

A. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $7,990. E. (9) $6,586.31.

A. Kenneth C. Landry, 1735 New York Avenue NW., Washington, D.C.

B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.

D. (6) $500.

A. Richard H. Lane, 1511 K Street NW., Washington, D.C.

B. The Committee for Broadening Commercial Bank Participation in Public Financing.

A. J. Austin Latimer, 1001 Connecticut Avenue NW., Washington, D.C.

D. (6) $1,900.

A. George H. Lawrence, 1101 17th Street NW., Washington, D.C.

B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

D. (6) $312.50. E. (9) $52.89.

A. John V. Lawrence, 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,800. E. (9) $27.25.

A. Warren Lawrence, 1700 K Street NW., Washington, D.C.

B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.

D. (6) $125. E. (9) $114.15.

A. Robert F. Lederer, 835 Southern Building, Washington, D.C.

B. American Association of Nurserymen, Inc., 835 Southern Building, Washington, D.C.

D. (6) $35. E. (9) $96.55.

A. Leonard F. Lee, 402 Solar Building, Washington, D.C.

B. Tennessee Gas Transmission Co., Post Office Box 2511, Houston, Tex.

E. (9) $46.

A. Legislative Committee for the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

D. (6) $60. E. (9) $173.82.

A. Edith M. Lesser, 2924 Rittenhouse Street NW., Washington, D.C.

B. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D.C.

D. (6) $1,270.01.

A. Roy T. Lester, M.D., 1 Farragut Square South, Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $375. E. (9) $15.65.

A. Morris J. Levin, 1012 14th Street NW., Washington, D.C.

B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. Hal Leyshon, 122 East 42d Street, New York, N.Y.

B. American Federation of Musicians, 641 Lexington Avenue, New York, N.Y.

D. (6) $4,999.98. E. (9) $1,501.31.

A. Life Insurance Association of America, 277 Park Avenue, New York, N.Y., and 1701 K Street NW., Washington, D.C.

D. (6) $3,115.95. E. (9) $3,115.95.

A. Lightweight Aggregates Percentage Depletion Committee, Post Office Box 9138, Richmond, Va.

D. (6) $14,338.49. E. (9) $5,045.36

A. L. Blaine Liljenquist, 917 15th Street NW., Washington, D.C.

D. (6) $6,250. E. (9) $76.34.

A. Lawrence J. Linck & Co., 53 West Jackson Boulevard, Chicago, Ill.

E. (9) $1,227.71.

A. Lester W. Lindow, 1735 DeSales Street NW., Washington, D.C.

D. (6) $75.

A. Charles B. Lipsen, 1741 DeSales Street NW., Washington, D.C.

B. Retail Clerks International Association, 1741 DeSales Street NW., Washington, D.C.

D. (6) $3,923.07. E. (9) $2,040.47.

A. Robert G. Litschert, 1200 18th Street NW., Washington, D.C.

B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.

D. (6) $550. E. (9) $6.51.

A. Basil R. Littin, 30 Rockefeller Plaza, New York, N.Y.

B. Continental Oil Co.

A. Fred Livingston, 802 Ring Building, Washington, D.C.

B. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.

A. Maj. Gen. George O. N. Lodoen, 333 Pennsylvania Avenue SE., Washington, D.C.

A. Paul H. Long, 1730 K Street NW., Washington, D.C.

B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.

E. (9) $94.05.

A. Otto Lowe, Cape Charles, Va.

B. National Canners Association, 1133 20th Street NW., Washington, D.C.

D. (6) $1,500.

A. Otto Lowe, Cape Charles, Va.

B. Norfolk & Western Railway Co., Roanoke, Va.

D. (6) $600.

A. Scott W. Lucas, 1028 Connecticut Avenue NW., Washington, D.C.
B. Mobile Homes Manufacturers Association, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,000.

A. Scott W. Lucas, 1028 Connecticut Avenue NW., Washington, D.C.
B. Western Medical Corporation, 415–423 West Pershing Road, Chicago, Ill.
D. (6) $1,000.

A. Charles Emmet Lucey, 905 16th Street NW., Washington, D.C.
B. Support Group for Progressive Banking, 905 16th Street NW., Washington, D.C.
D. (6) $25. E. (9) $5.

A. Milton F. Lunch, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $750.

A. John C. Lynn, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,500. E. (9) $44.12.

A. Breck P. McAllister, 25 Broadway, New York, N.Y.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. John A. McCart, 100 Indiana Avenue NW., Washington, D.C.
B. Government Employes' Council, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,442.28.

A. Albert L. McDermott, 777 14th Street NW., Washington, D.C.
B. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.
D. (6) $400.

A. Angus H. McDonald.
B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $2,769.40. E. (9) $233.22.

A. Joseph T. McDonnell, 425 13th Street NW., Washington, D.C.
B. National Association of Electric Cos. 1200 18th Street NW., Washington, D.C.

A. Joseph A. McElwain, 40 East Broadway, Butte, Mont.
B. The Montana Power Co., Butte, Mont.
E. (9) $378.43.

A. F. Howard McGuigan, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,562. E. (9) $72.65.

A. William F. McKenna, 907 Ring Building, Washington, D.C.
B. National League of Insured Savings Associations, 907 Ring Building, Washington, D.C.
D. (6) $34.

A. Marvin L. McLain, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,300. E. (9) $62.42.

A. W. H. McMains, 1132 Pennsylvania Building, Washington, D.C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. William F. McManus, General Electric Co., 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $900. E. (9) $162.70.

A. Ralph J. McNair, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $311.75. E. (9) $5.91.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue NW., Washington, D.C.
B. American Optometric Association, Inc., 100 West Pine Street, Selinsgrove, Pa.
D. (6) $2,500.

A. J. G. Macfarlan, 1725 I Street NW., Washington, D.C.
B. REA Express, 219 East 42d Street, New York, N.Y.
D. (6) $1,567.50. E. (9) $285.96.

A. James E. Mack, 1225 19th Street NW., Washington, D.C.
B. National Confectioners Association, 36 South Wabash Avenue, Chicago, Ill.

A. James E. Mack, 1225 19th Street NW., Washington, D.C.
B. Rolled Zinc Manufacturers Association, 1225 19th Street NW., Washington, D.C.

A. Joseph R. MacLaren, 4 Linden Drive, Hudson Falls, N.Y.
B. Potlatch Forests, Inc., Lewiston, Idaho.
D. (6) $2,700. E. (9) $1,065.95.

A. H. E. Mahlman, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Optometric Association, Inc., 100 West Pine Street, Selinsgrove, Pa.
D. (6) $812.50. E. (9) $34.50.

A. Carter Manasco, 5932 Chesterbrook Road, McLean, Va.
B. National Coal Association, Coal Building, Washington, D.C.
D. (6) $4,800. E. (9) $168.25.

A. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,000. E. (9) $3,000.

A. Olya Margolin (Mrs.), 1637 Massachusetts Avenue NW., Washington, D.C.
B. National Council of Jewish Women, Inc., 1 West 47th Street, New York, N.Y.
D. (6) $2,242.02. E. (9) $168.89.

A. James Mark, Jr., 1427 I Street NW., Washington, D.C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.
D. (6) $4,040.

A. Rodney W. Markley, Jr., 815 Connecticut Avenue, Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $417. E. (9) $397.

A. Raymond E. Marks, 65 Market Street, San Francisco, Calif.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif.

A. David M. Marsh, 837 Washington Building, Washington, D.C.
B. American Insurance Association, 110 William Street, New York, N.Y.
D. (6) $200. E. (9) $7.20.

A. Winston W. Marsh.
B. National Tire Dealers & Retreaders Association, 1343 L Street NW., Washington, D.C.
D. (6) $24. E. (9) $14.68.

A. J. Paull Marshall, 925 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. $354.85. E. (9) $235.35.

A. Thomas A. Martin, 1625 K Street NW., Washington, D.C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.
D. (6) $500. E. (9) $90.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. Japanese-American Citizens League, 1634 Post Street, San Francisco, Calif.
D. (6) $150.

A. Walter J. Mason, 815 16th Street NW., Washington, D.C.
B. Building & Construction Trades Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $4,548.01. E. (9) $1,230.

A. David Mathews, Jr., 345 Fourth Avenue, Pittsburgh, Pa.
B. Pittsburgh Coal Exchange, 345 Fourth Avenue, Pittsburgh, Pa., and Mechanical Contractors Association of Pittsburgh, Inc., 345 Fourth Avenue, Pittsburgh, Pa.

A. P. H. Mathews, 925 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $415.24. E. (9) $998.35.

A. Charles D. Mathews, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $67.50. E. (9) $9.19.

A. C. V. & R. V. Maudlin, 1111 E Street NW., Washington, D.C.
B. National Association of Secondary Material Industries, Inc., 271 Madison Avenue, New York, N.Y.

A. Albert E. May, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $340. E. (9) $13.21.

A. Robert A. Means, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.
D. (6) $100.

A. John S. Mears, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $3,135.72. E (9) $19.20.

A .Kenneth A. Meiklejohn, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,952.

A. Donald Melvin, 20 E Street NW., Washington, D.C.
B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $600. E. (9) $145.05.

A. William R. Merriam, 1707 L Street NW., Washington, D.C.
B. International Telephone & Telegraph Corp., 1707 L Street NW., Washington, D.C.
D. (6) $2,000. E. (9) $2,500.

A. Michigan Hospital Service, 441 East Jefferson Avenue, Detroit, Mich.
E. (9) $1,548.36.

A. Midland Cooperative Dairy Association, Shawano, Wis., and Post Office Box 128, Cazenovia, N.Y.

A. John R. Miles, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the U.S.A., 1615 H Street NW., Washington, D.C.

A. Capt. A. Stanley Miller, 1629 K Street NW., Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
D. (6) $100.

A. Miller Associates, Inc., 1705 DeSales Street NW., Washington, D.C.
B. The League of New York Theatres, Inc., and the National Association of the Legitimate Theatre, Inc., 137 West 48th Street, New York, N.Y.
D. (6) $1,125. E. (9) $269.69.

A. Robert O. Marritz, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $38.

A. Miller & Chevalier, 1001 Connecticut Avenue, Washington, D.C.
B. Blue Cross Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $943.13. E. (9) $283.02.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Dallas, Tex., Chamber of Commerce.
D. (6) $1,500.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Intracoastal Canal Association of Louisiana & Texas, 2211 South Coast Building, Houston, Tex.
D. (6) $2,625.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Texas Gulf Sulphur Co., Newgulf, Tex., and New York, N.Y.
D. (6) $2,250.

A. Edwin Reid Miller, 1004 Farnam Street, Omaha, Nebr.
B. Nebraska Railroads Legislative Committee, 1004 Farnam Street, Omaha, Nebr.
D. (6) $3,465.

A. Luman G. Miller, 424 Henry Building, Portland, Oreg.
B. Oregon Railroad Association, 424 Henry Building, Portland, Oreg.

A. Othmer J. Mischo, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Missouri Railroad Committee, 906 Olive Street, St. Louis, Mo.

A. Stephen A. Mitchell, Post Office Box 932, Taos, N. Mex.

A. Mobilehome Dealers National Association, 39 South La Salle Street, Chicago, Ill.
E. (9) $2,125.80.

A. Marion S. Monk, Jr., Batchelor, La.
B. National Association of Soil and Water Conservation Districts, League City, Tex.

A. G. Merrill Moody, 925 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $108.07. E. (9) $164.68.

A. Jo V. Morgan, Jr., 815 15th Street NW., Washington, D.C.
B. American Humane Association, Post Office Box 1266, Denver, Colo.
D. (6) $1,250.

A. Morison, Murphy, Clapp & Abrams, the Pennsylvania Building, Washington, D.C.
B. The Sperry & Hutchinson Co., 330 Madison Avenue, New York, N.Y.

A. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
D. (6) $1,200. E. (9) $450.

A. Bernard R. Mullady, 1200 15th Street NW,. Washington, D.C.
B. International Brotherhood of Electrical Workers.
D. (6) $2,370.

A. T. H. Mullen, 1145 19th Street NW., Washington, D.C.
B. American Paper Institute, Inc., 122 East 42d Street, New York, N.Y.

A. T. H. Mullen, 1145 19th Street NW., Washington, D.C.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. Ray R. Murdock.
B. American Maritime Association.
D. (6) $700.

A. John J. Murphy, Route 2, Box 113–D, Edgewater, Md.
B. National Customs Service Association.

A. Robert F. Murphy, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $2,582.16. E. (9) $91.90.

A. William E. Murray, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Augustus Nasmith, Pennsylvania Station, Raymond Plaza, Newark, N.J.
B. Associated Railroads of New Jersey, Pennsylvania Station, Raymond Plaza, Newark, N.J.

A. National Agricultural Chemicals Association, 1155 15th Street NW., Washington, D.C.
D. (6) $28.75. E. (9) $28.75.

A. National Associated Businessmen, 1000 Connecticut Avenue, Washington, D.C.
D. (6) $1,101.60. E. (9) $651.31.

A. National Association of Direct Selling Companies, 163–165 Center Street, Winona, Minn.
D. (6) $15,000. E. (9) $48.75.

A. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $68,578.53. E. (9) $8,183.85.

A. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $250. E. (9) $250.

A. National Association of Frozen Food Packers, 918 18th Street NW., Washington, D.C.

A. National Association of Margarine Manufacturers, Munsey Building, Washington, D.C.

A. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $2,673.83. E. (9) $2,673.83.

A. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $15,000. E. (9) $7,395.97.

A. National Association of Shoe Chain Stores, Inc., 51 East 42d Street, New York, N.Y.
E. (9) $331.85.

A. National Association of Soil & Water Conservation Districts, League City, Tex.

A. National Association of Travel Organizations, 900 17th Street NW., Washington, D.C.
D. (6) $28,330.89. E. (9) $682.50.

A. National Automobile Dealers Association, 2000 K Street NW., Washington, D.C.
D. (6) $7,460.63. E. (9) $7,460.63.

A. National Coal Association, Coal Building, Washington, D.C.

A. National Committee to Abolish the House Un-American Activities Committee, 555 North Western Avenue, Los Angeles, Calif.
D. (6) $1,050.36. E. (9) $1,050.36.

A. National Conference of Non-Profit Shipping Associations, Inc., Post Office Box 1736, Atlanta, Ga.
D. (6) $2,090.

A. National Cotton Compress & Cotton Warehouse Association, 1085 Shrine Building, Box 23, Memphis, Tenn.

A. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $1,979.77. E. (9) $1,979.77.

A. National Council of Agricultural Employers, 620 Southern Building, Washington, D.C.
D. (6) $248.69. E. (9) $248.69.

A. National Council on Business Mail, Inc., 20 North Wacker Drive, Chicago, Ill.
D. (6) $104.81. E. (9) $166.66.

A. National Electrical Contractors Association, Inc., 1200 18th Street NW., Washington, D.C.

A. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y.
D. (6) $4,337.49. E. (9) $4,337.49.

A. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.
D. (6) $27,642.40. E. (9) $3,100.36.

A. National Federation of Independent Businesses, Inc., 920 Washington Building, Washington, D.C.
D. (6) $18,684.14. E. (9) $18,684.14.

A. National Fisheries Institute, Inc., 1614 20th Street NW., Washington, D.C.

A. National League of Insured Savings Associations, 907 Ring Building, Washington, D.C.
D. (6) $428,590.11. E. (9) $1,184.

A. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
D. (6) $1,227.50. E. (9) $1,227.50.

A. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $938.50. E. (9) $1,299.85.

A. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $7,383.79. E. (9) $7,383.79.

A. National Multiple Sclerosis Society, 237 Park Avenue South, New York, N.Y.
E. (9) $736.27.

A. National Parking Association, 1101 17th Street NW., Washington, D.C.
E. (9) $666.66.

A. National Reclamation Association, 897 National Press Building, Washington, D.C.
D. (6) $6,956. E. (9) $14,689.48.

A. National Restaurant Association, 1155 15th Street NW., Washington, D.C.
D. (6) $10,533.83. E. (9) $10,533.83.

A. National Retail Furniture Association, 1150 Merchandise Mart, Chicago, Ill.

A. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $5,077.22.

A. National Retired Teachers Association and American Association of Retired Persons, 1346 Connecticut Avenue NW., Washington, D.C.
E. (9) $1,525.36.

A. National Rivers and Harbors Congress, 1028 Connecticut Avenue, Washington, D.C.
D. (6) $34,256.04. E. (9) $13,602.86.

A. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
E. (9) $875.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $301,250. E. (9) $2,102.

A. National Tire Dealers & Retreaders Association, 1343 L Street NW., Washington, D.C.
D. (6) $48.68. E. (9) $48.68.

A. National Utility Contractors Association, Inc., 815 15th Street NW., Washington, D.C.

A. Robert R. Neal, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $596.25. E. (9) $330.91.

A. Alan M. Nedry, 888 17th Street NW., Washington, D.C.
B. Southern California Edison Co., Post Office Box 351, Los Angeles, Calif.
D. (6) $2,500.

A. Samuel E. Neel, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.
D. (6) $3,750. E. (9) $2,454.01.

A. George R. Nelson, Machinists Building, Washington, D.C.
B. International Association of Machinists, Machinists Building, Washington, D.C.
D. (6) $1,500. E. (9) $540.10.

A. New England Shoe and Leather Association, 210 Lincoln Street, Boston, Mass.
D. (6) $439.10. E. (9) $439.10.

A. Sarah H. Newman, 1029 Vermont Avenue NW., Washington, D.C.
B. National Consumers League, 1029 Vermont Avenue NW., Washington, D.C.
D. (6) $1,650.

A. George L. Nichols, 1625 Connecticut Avenue, Washington, D.C.
B. National Association of Retired Civil Employees, 1625 Connecticut Avenue, Washington, D.C.
D. (6) $1,750. E. (9) $127.06.

A. Patrick J. Nilan, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, Washington, D.C.
D. (6) $4,999.98. D. (9) $344.58.

A. Stanley D. Noble, Munsey Building, Washington, D.C.
B. Council of Profit Sharing Industries, Munsey Building, Washington, D.C.

A. Robert W. Nolan, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. Charles M. Noone, 1209 Ring Building, Washington, D.C.
B. National Association of Small Business Investment Co.'s, 537 Washington Building, Washington, D.C.
D. (6) $1,500. E. (9) $697.25.

A. Joseph A. Noone, 514 Madison Building, Washington, D.C.
B. National Agricultural Chemicals Association, 1155 15th Street NW., Washington, D.C.

A. O. L. Norman, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $195. E. (9) $14.42.

A. Robert H. North, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Harry E. Northam, 185 North Wabash Avenue, Chicago, Ill.
B. Association of American Physicians & Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.

A. Graham T. Northup, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.
D. (6) $5,000. E. (9) $3,882.74.

A. E. M. Norton, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $300.

A. Michael J. Norton, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $200. E. (9) $485.

A. J. Ronald Nowland, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,308.48. E. (9) $16.57.

A. Ira H. Nunn, 1155 15th Street NW., Washington, D.C.
B. National Restaurant Association, 1155 15th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $2,000.01. E. (9) $250.

A. William B. O'Connell, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railroad Signalmen, 2247 West Lawrence Avenue, Chicago, Ill.

A. R. E. O'Connor, 122 East 42d Street, New York, N.Y.
B. American Paper Institute, Inc., 122 East 42d Street, New York, N.Y.

A. R. E. O'Connor, 122 East 42d Street, New York, N.Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. John B. O'Day, 11 East Adams Street, Chicago, Ill.
B. Insurance Economics Society of America, 11 East Adams Street, Chicago, Ill.
D. (6) $29,496.57.

A. Jane O'Grady, 815 16th Street NW., Washington, D.C.
B. Amalgamated Clothing Workers of America, 15 Union Square, New York, N.Y.
D. (6) $1,645. E. (9) $223.79.

A. Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.

A. Alvin E. Oliver, 400 Folger Building, Washington, D.C.
B. Grain & Feed Dealers National Association, 400 Folger Building, Washington, D.C.

A. Clarence H. Olson, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $4,191.90. E. (9) $72.15.

A. Samuel Omasta, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
E. (9) $5.

A. Morris E. Osburn, Central Trust Building, Jefferson City, Mo.
B. Missouri Railroad Committee.

A. William E. Otwell, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $30.61. E. (9) $4.56.

A. Kermit Overby, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $185.

A. John A. Overholt, 10315 Kensington Parkway, Kensington, Md., and 1106 Munsey Building, Washington, D.C.
B. National Association of Retired Civil Employees, 1625 Connecticut Avenue, Washintgon, D.C.
D. (6) $1,480.08.

A. Raymond S. Page, Jr., Mill Creek Terrace, Gladwyne, Pa.
B. Campbell Soup Co., 375 Memorial Avenue, Camden, N.J.

A. Walter Page, Box 128, Cazenovia, N.Y.

A. Everett L. Palmer, 901 Hamilton Street, Allentown, Pa.
B. Pennsylvania Power & Light Co., 901 Hamilton Street, Allentown, Pa.
E. (9) $39.73.

A. Lew M. Paramore, Post Office Box 1310, Kansas City, Kans.
B. Mississippi Valley Association, 121 South Meramec, St. Louis, Mo.

A. J. D. Parel, 224 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $46.61. E. (9) $48.

A. Holcombe Parkes, 38 South Dearborn Street, Chicago, Ill.
B. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.
D. (6) $9,750.

A. James D. Parriott, Jr., 539 South Main Street, Findlay, Ohio.
B. Marathon Oil Co., 539 South Main Street, Findlay, Ohio.

A. Robert D. Partridge, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $107.50.

A. James G. Patton.
B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $1,375. E. (9) $416.14.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. Charitable Contributors Association, 100 Old York Road, Jenkintown, Pa.
D. (6) $200. E. (9) $39.55.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. Family Tax Association, 100 Old York Road, Jenkintown, Pa.
D. (6) $300.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. The Pitcairn Co., 100 West 10th Street, Wilmington, Del.
D. (6) $400. E. (9) $40.70.

A. Peter J. Pestillo, 1155 15th Street NW., Washington, D.C.
B. National Restaurant Association, 1155 15th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $1,250. E. (9) $125.

A. Ervin L. Peterson, 1104 Barr Building, Washington, D.C.
B. Milk Industry Foundation & International Association of Ice Cream Manufacturers, 910 17th Street NW., Washington, D.C.

A. J. Hardin Peterson, Drawer BS, Lakeland, Fla.
B. Florida Citrus Mutual, Lakeland, Fla.
D. (6) $1,200. E. (9) $43.50.

A. J. Hardin Peterson, Post Office Drawer BS, Lakeland, Fla.
B. Florida Fruit & Vegetable Association, Post Office Box 6787, Orlando, Fla.
E. (9) $11.63.

A. J. Hardin Peterson, Post Office Drawer BS, Lakeland, Fla.
B. West Coast Inland Navigation District, Court House, Bradenton, Fla.
D. (6) $600. E. (9) $23.75.

A. Kenneth T. Peterson, 460 First Street NW., Washington, D.C.
B. Hotel & Restaurant Employees & Bartenders International Union, 6 East Fourth Street, Cincinnati, Ohio.
D. (6) $2,499.99.

A. Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C.

A. Richard N. Philleo, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,275.30. E. (9) $39.

A. Tom Pickett, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $138.91.

A. Albert Pike, Jr., 277 Park Avenue, New York, N.Y.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. T. E. Pinkston, 101 East High Street, Lexington, Ky.

A. James H. Pipkin, 1001 Connecticut Avenue NW., Washington, D.C.
B. Texaco, Inc., 135 East 42d Street, New York, N.Y.
D. (6) $700. E. (9) $1,605.

A. Pitcairn Co., 100 West 10th Street, Wilmington, Del.
E. (9) $440.70.

A. Plains Cotton Growers, Inc., 1720 Avenue M, Lubbock, Tex.
D. (6) $146,977.39. E. (9) $1,350.

A. S. L. Platt, 723 Investment Building, Washington, D.C.
B. Hawaiian Sugar Planters' Association, Honolulu, Hawaii.

A. James K. Polk, 522 Fifth Avenue, New York, N.Y.
B. Consolidated Edison Co. of New York, Inc., 4 Irving Place, New York, N.Y.

A. Robert R. Poston, 908 Colorado Building, Washington, D.C.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $900. E. (9) $152.32.

A. Ramsay D. Potts, 910 17th Street NW., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $4,999.98. E. (9) $182.97.

A. William J. Potts, Jr., 1735 DeSales Street NW., Washington, D.C.
B. Association On Broadcasting Standards, Inc., and Haley, Bader & Potts, 1735 DeSales Street NW., Washington, D.C.

A. Richard M. Powell, 1210 Tower Building, Washington, D.C.
B. National Association of Refrigerated Warehouses, 1210 Tower Building, Washington, D.C.

A. Graydon R. Powers, Jr., 1735 DeSales Street NW., Washington, D.C.

A. William C. Prather, 221 North LaSalle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $347.50.

A. William H. Press, 1616 K Street NW., Washington, D.C.
D. (6) $7,500.

A. Forrest J. Prettyman, 730 15th Street NW., Washington, D.C.
B. Association of Registered Bank Holding Companies, 730 15th Street NW., Washington, D.C.
D. (6) $150.

A. Purcell & Nelson, 888 17th Street NW., Washington, D.C.
B. Sugar Sales (Pvt.) Ltd., Throgmorton House, Jameson Avenue, Salisbury, Rhodesia.
E. (9) $16.30.

A. Luke C. Quinn, Jr., 1001 Connecticut Avenue NW., Washington, D.C.
B. American Cancer Society, New York, N.Y., et al.
D. (6) $13,249.97. E. (9) $6,048.79.

A. Alex Radin, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $333.30.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. The Bermuda Trade Development Board, Hamilton, Bermuda.
D. (6) $1,666. E. (9) $308.18.

A. Ragan & Mason, Farragut Building, Washington, D.C.
B. Sea-Land Service, Inc., Post Office Box 1050, Elizabeth, N.J.
D. (6) $900.

A. Ragan & Mason, Farragut Building, Washington, D.C.
B. Seatrain Lines, Inc., 595 River Road, Edgewater, N.J.
D. (6) $900.

A. Edward F. Ragland, 6917 Marbury Road, Bethesda, Md.
B. The Tobacco Institute, 1735 K Street NW., Washington, D.C.

A. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

A. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.

A. Alan T. Rains, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Donald J. Ramsey, 1625 I Street NW., Washington, D.C.
B. Silver Users Association, 1625 I Street NW., Washington, D.C.
D. (6) $499.99. E. (9) $158.46.

A. James A. Ransford, 1701 Pennsylvania Avenue NW., Washington, D.C.
B. Tidewater Oil Co., Los Angeles, Calif.

A. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.

A. Robert E. Redding, 1101 17th Street NW., Washington, D.C.
B. Committee for Time Uniformity, 1101 17th Street NW., Washington, D.C.
E. (9) $53.

A. Robert E. Redding, 1101 17th Street NW., Washington, D.C.
B. Transportation Association of America, 1101 17th Street NW., Washington, D.C.

A. Otie M. Reed, 1107 19th Street NW., Washington, D.C.
D. (6) $3,050.01. E. (9) $2,864.95.

A. W. O. Reed, 6254 Woodland Drive, Dallas, Tex.
B. Texas Railroads.
D. (6) $124. E. (9) $251.85.

A. J. A. Reidelbach, Jr., 1117 Barr Building, Washington, D.C.
D. (6) $200.

A. Reserve Officers Association of the U.S., 333 Pennsylvania Avenue SE., Washington, D.C.

A. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $118,777.68.

A. Retired Officers Tax Credit Committee, Box 1965, Annapolis, Md.
D. (6) $4,318. E. (9) $1,816.20.

A. Retirement Federation of Civil Service Employees of the U.S. Government, 900 F Street NW., Washington, D.C.
D. (6) $1,653. E. (9) $5,869.63.

A. Theron J. Rice, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C.

A. James W. Richards, 1000 16th Street NW., Washington, D.C.
B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $1,133.34. E. (9) $15.22.

A. Dorsey Richardson, 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Harry H. Richardson, 335 Austin Street, Bogalusa, La.
B. Louisiana Railroads.
D. (6) $32.50. E. (9) $157.40.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Entertainment Law Committee, 731 Washington Building, Washington, D.C.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Indian Sugar Mills Association, Calcutta, India.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. State Farm Mutual Automobile Insurance Co., Bloomington, Ill.

A. Richard J. Riddick, 1012 14th Street NW., Washington, D.C.
B. Freight Forwarders Institute, 1012 14th NW., Washington, D.C.
D. (6) $3,750. E. (9) $194.37.

A. Siert F. Riepma, Munsey Building, Washington, D.C.
B. National Association of Margarine Manufacturers.

A. Gloria Riordan, 1126 16th Street NW., Washington, D.C.
B. International Union of Electrical, Radio & Machine Workers, 1126 16th Street NW., Washington, D.C.
D. (6) $500.

A. John Rippey, 20 E Street NW., Washington, D.C.
B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $500. E. (9) $110.50.

A. Paul H. Robbins, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers, 2020 K Street NW., Washington, D.C.
D. (6) $250.

A. Clyde F. Roberts, Jr., 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D.C.

A. Roberts & Holland, 405 Lexington Avenue, New York, N.Y.
B. Furman-Wolfson Corp., 1440 Broadway, New York, N.Y.

A. Roberts & Holland, 405 Lexington Avenue, New York, N.Y.
B. I.O.S. Ltd. (S.A.), 119, rue de Lausanne, Geneva, Switzerland.

A. Charles A. Robinson, Jr., 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $180.

A. Donald L. Rogers, 730 15th Street NW., Washington, D.C.
B. Association of Registered Bank Holding Companies, 730 15th Street NW., Washington, D.C.
D. (6) $437.50.

A. Frank W. Rogers, 1700 K Street NW., Washington, D.C.
B. Western Oil & Gas Association, 609 South Grand Avenue, Los Angeles, Calif.
D. (6) $526.

A. Royall, Koegel & Rogers, 1730 K Street NW., Washington, D.C.
B. Pinkerton's, Inc., 154 Nassau Street, New York, N.Y.

A. John Forney Rudy, 902 Ring Building, Washington, D.C.
B. The Goodyear Tire & Rubber Co., Akron, Ohio.

A. Rule of Law Committee.
D. (6) $1,242. E. (9) $1,242.

A. Albert R. Russell, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $168.75. E. (9) $46.56.

A. Oswald Ryan, 528 Barr Building, Washington, D.C.
B. Air Traffic Control Association, Inc., 528 Barr Building, Washington, D.C.
D. (6) $300. E. (9) $15.

A. William H. Ryan, 400 First Street NW., Washington, D.C.
B. District Lodge No. 44, International Association of Machinists, 400 First Street N.W., Washington, D.C.
D. (6) $2,999.88. E. (9) $60.

A. Robert A. Saltzstein, 1300 Wyatt Building, Washington, D.C.
B. American Business Press, 205 East 42d Street, New York, N.Y.
D. (6) $3,750. E. (9) $357.02.

A. Robert A. Saltzstein, 1300 Wyatt Building, Washington, D.C.
B. Associated Business Publications, 205 East 42d Street, New York, N.Y.
D. (6) $2,750.

A. O. H. Saunders, 1625 I Street NW., Washington, D.C.
B. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $2,112.50.

A. William H. Scheick, 1735 New York Avenue NW., Washington, D.C.
B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.
D. (6) $400. E. (9) $500.

A. C. Herschel Schooley, 815 15th Street NW., Washington, D.C.
B. Independent Bankers Association, Sauk Centre, Minn.
D. (6) $4,000. E. (9) $2,328.03.

A. Dwight H. Scott, 425 Park Avenue, New York, N.Y.
B. National Biscuit Co., 425 Park Avenue, New York, N.Y.

A. Durward Seals, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit and Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Hollis M. Seavey, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. Leo Seybold, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,125. E. (9) $89.55.

A. Alvin Shapiro, 919 18th Street NW., Washington, D.C.
B. American Merchant Marine Institute, Inc., 919 18th Street NW., Washington, D.C.; and 11 Broadway, New York, N.Y.
D. (6) $675. E. (9) $115.86.

A. David C. Sharman, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Optometric Association, Inc., 100 West Pine Street, Selinsgrove, Pa.
D. (6) $1,093.75. E. (9) $492.37.

A. A. Manning Shaw, 1625 I Street NW., Washington, D.C.
B. Brown & Lund, 1625 I Street NW., Washington, D.C.
D. (6) $968.

A. Carroll M. Shaw, 6326 Southcrest Drive, Shreveport, La.
B. Amalgamated Transit Union, 5025 Wisconsin Avenue NW., Washington, D.C.

A. John E. Shea, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.

A. Ira Shesser, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Robert L. Shortle, 306 International Trade Mart, New Orleans, La.
B. Mississippi Valley Association, 121 South Meramec, St. Louis, Mo.

A. Charles B. Shuman, Merchandise Mart Plaza, Chicago.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $750.

A. Sidley, Austin, Burgess & Smith, 11 South LaSalle Street, Chicago, Ill., and 1625 I Street NW., Washington, D.C.
B. Inland Steel Co., 30 West Monroe Street, Chicago, Ill.

A. Orval A. Siler, 221½ North Second Street, Ponca City, Okla.

B. Independent Unions Legislative Committee.

A. Silver Users Association, 1625 I Street NW., Washington, D.C.

D. (6) $4,820.75. E. (9) $2,696.96.

A. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.

D. (6) $39,000. E. (9) $5,405.30.

A. John T. Skelly, 1730 M Street NW., Washington, D.C.

B. Samuel E. Stavisky & Associates, Inc., 1730 M Street NW., Washington, D.C.

E. (9) $40.

A. Harold S. Skinner, 30 Rockefeller Plaza, New York, N.Y.

B. Continental Oil Co.

A. Carstens Slack, 1625 I Street NW., Washington, D.C.

B. Phillips Petroleum Co., Bartlesville, Okla.

A. Harold Slater, 1 Farragut Square South, Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $1,312.50. E. (9) $81.36.

A. Stephen Slipher, 812 Pennsylvania Building, Washington, D.C.

B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.

D. (6) $3,125. E. (9) $10.50.

A. Gordon L. Smith, 1145 19th Street NW., Washington, D.C.

B. Edward Gottlieb & Associates, Ltd., 640 Fifth Avenue, New York, N.Y.

E. (9) $18.60.

A. Harold Arden Smith, 605 West Olympic Boulevard, Los Angeles, Calif.

B. Standard Oil Co. of California, 225 Bush Street, San Francisco, Calif.

D. (6) $200.

A. Irvin A. Smith, 418 East Rosser Avenue, Box 938, Bismarck, N. Dak.

B. North Dakota Railroads.

E. (9) $157.75.

A. James R. Smith, 1060 Omaha National Bank Building, Omaha, Nebr.

B. Mississippi Valley Association, 121 South Meramec, St. Louis, Mo.

A. Lloyd W. Smith, 416 Shoreham Building, Washington, D.C.

B. Chicago, Burlington & Quincy Railroad Co., 547 West Jackson Boulevard, Chicago, Ill., and Great Northern Railway Co., 175 East Fourth Street, St. Paul, Minn.

A. Robert E. Smith, 41 D Street SE., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

D. (6) $150.

A. Wallace M. Smith, 829 Pennsylvania Building, Washington, D.C.

B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

E. (9) $35.

A. Wayne H. Smithey, 815 Connecticut Avenue, Washington, D.C.

B. Ford Motor Co., Dearborn, Mich.

D. (6) $459.48. E. (9) $397.

A. Lyle O. Snader, 244 Transportation Building, Washington, D.C.

B. Association of American Railroads, Transportation Building, Washington, D.C.

D. (6) $118.35. E. (9) $126.

A. Frank B. Snodgrass, 1025 Connecticut Avenue NW., Washington, D.C.

B. Burley and Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.

D. (6) $325. E. (9) $578.73.

A. Edward F. Snyder, 245 Second Street NE., Washington, D.C.

B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

D. (6) $1,730.77.

A. J. R. Snyder, 400 First Street NW., Washington, D.C.

B. Brotherhood of Railroad Trainmen.

A. Society for Animal Protective Legislation, 745 Fifth Avenue, New York,. N.Y.

D. (6) $4,524.17. E. (9) $6,954.98.

A. Marvin J. Sonosky, 1225 19th Street NW., Washington, D.C.

B. Shoshone Indian Tribe, Fort Washakie, Wyo., et al.

A. W. Byron Sorrell, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. Mobilehome Dealers National Association, 39 South LaSalle Street, Chicago, Ill.

D. (6) $2,025. E. (9) $100.80.

A. William W. Spear, 214 Fremont National Bank Building, Fremont, Neb.

B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.

D. (6) $729.17. E. (9) $10.79.

A. John F. Speer, 1105 Barr Building, Washington, D.C.

B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Samuel E. Stavisky & Associates, Inc., 1730 M Street NW., Washington, D.C.

B. Pan-American Coffee Bureau, 120 Wall Street, New York, N.Y.

E. (9) $80.12.

A. Mrs. Nell May F. Stephens, Post Office Box 6234, North West Station, Washington, D.C.

A. Steptoe & Johnson, 1100 Shoreham Building, Washington, D.C.

B. Rule of Law Committee, 1100 Shoreham Building, Washington, D.C.

D. (6) $1,200. E. (9) $42.

A. Mrs. Alexander Stewart (Annalee), 120 Maryland Avenue NE., Washington, D.C.

B. Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington, D.C.

D. (6) $26,084.42. E. (9) $8,840.14.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.

B. American Council of Flatware Importers, Inc., 241 Fifth Avenue, New York, N.Y.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.

B. Association To Acquire Compensation for Damages Prior to Peace Treaty, Naha, Okinawa.

E. (9) $425.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.

B. Fuji Iron & Steel Co., Ltd., 80 Pine Street, New York, N.Y.

D. (6) $75. E. (9) $74.

A. Stitt & Hemmindinger, 1000 Connecticut Avenue NW., Washington, D.C.

B. Japan General Merchandise Exporters' Association, No. 2, 3-chome, Nihonbashi, Muromachi, Chuo-ku, Tokyo, Japan.

D. (6) $74. E. (9) $74.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.

B. Japan Rubber Footwear Manufacturers' Association of Tokyo, Japan.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.

B. Japan Steel Wire & Wire Products Exporters' Association, 36 Hisamatsucho, Nihonbashi, Chuo-ku, Tokyo, Japan.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW,, Washington, D.C.

B. Japan Vinyl Goods Manufacturers' Association, 11, 3-chome Akasaka-Denmacho, Minato-ku, Tokyo, Japan.

E. (9) $50.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.

B. National Silver Co., 241 Fifth Avenue, New York, N.Y.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.

B. A. D. Sutton & Sons, 1 West 37th Street, New York, N.Y.

E. (9) $200.

A. Sterling F. Stoudenmire, Jr., 61 Saint Joseph Street, Mobile, Ala.

B. Waterman Steamship Corp., 61 Saint Joseph Street, Mobile, Ala.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.

B. The Hualapai Tribe of the Hualapai Reservation, Peach Springs, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.

B. Laguna Pueblo of New Mexico, Laguna, N. Mex.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.

B. Metlakatla Indian Community, Post Office Box 142, Metlakatla, Alaska.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.

B. The Nez Perce Tribe, Lapwai, Idaho.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.

B. The Oglala Sioux Tribe of the Pine Ridge Reservation, Pine Ridge, S. Dak.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.

B. Salt River Pima-Maricopa Community, Box 907–X, Route 1, Scottsdale, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.

B. The San Carlos Apache Tribe, San Carlos, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Seneca Nation of Indians, 25 Main Street, Salamanca, N.Y.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Tuscarora Nation of Indians, Lewiston, N.Y.

A. Ronnie J. Straw, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Herald E. Stringer, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $4,625. E. (9) $298.54.

A. William A. Stringfellow, 6004 Roosevelt Street, Bethesda, Md.
B. National Association of Mutual Insurance Agents, 827 Investment Building, Washington, D.C.

A. Norman Strunk, 221 North LaSalle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $1,875.

A. Sam S. Studebaker, Tipp City, Ohio.
B. National Association of Soil & Water Conservation Districts, League City, Tex.

A. Walter B. Stults, 537 Washington Building, Washington, D.C.
B. National Association of Small Business Investment Cos., 537 Washington Building, Washington, D.C.
D. (6) $600.

A. Roger H. Sullivan.
B. American Sugar Co., 120 Wall Street, New York, N.Y.

A. Frank L. Sundstrom, 1290 Avenue of the Americas, New York, N.Y.
B. Schenley Industries, Inc., 1290 Avenue of the Americas, New York, N.Y.

A. C. Austin Sutherland, 1616 P Street NW., Washington, D.C.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. Russell A. Swindell, Post Office Box 2635, Raleigh, N.C.
B. North Carolina Railroad Association, Post Office Box 2635, Raleigh, N.C.
D. (6) $2,745.66. E. (9) $316.90.

A. Charles P. Taft, 1025 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, 1025 Connecticut Avenue NW., Washington, D.C.

A. Glenn J. Talbot.
B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.

A. C. M. Tarr, 1625 Connecticut Avenue NW., Washington, D.C.
B. National Association of Retired Civil Employees, 1625 Connecticut Avenue, Washington, D.C.
D. (6) $2,153.83. E. (9) $60.29.

A. J. Woodrow Thomas, 1000 16th Street NW., Washington, D.C.
B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.

A. William B. Thompson, Jr., 244 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $46.68. E. (9) $56.

A. Eugene M. Thoré, 277 Park Avenue, New York, N.Y.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. William H. Tinney, 1223 Pennsylvania Building, Washington, D.C.
B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. M. S. Tisdale, 4200 Cathedral Avenue, Washington, D.C.
B. Armed Services Committee, Chamber of Commerce, Vallejo, Calif.
D. (6) $147.50. E. (9) $106.26.

A. Tobacco Associates, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $1,756.

A. H. Willis Tobler, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $3,125. E. (9) $336.30.

A. John H. Todd, 1085 Shrine Building, Memphis, Tenn.
B. National Cotton Compress & Cotton Warehouse Association, 1985 Shrine Building, Memphis, Tenn.

A. Bert Tollefson, Jr., 1 Farragut Square South, Washington, D.C.
B. Blue Cross Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $976.15. E. (9) $506.20.

A. F. Gerald Toye, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $1,000. E. (9) $131.30.

A. Mrs. Hattie B. Trazenfeld, 2012 Massachusetts Avenue NW., Washington, D.C.
B. National Federation of Business & Professional Women's Clubs, Inc., 1012 Massachusetts Avenue NW., Washington, D.C.

A. Matt Triggs, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,900. E. (9) $60.

A. Glenwood S. Troop, Jr., 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $2,187.50. E. (9) $78.

A. Joel B. True, 1800 Connecticut Avenue NW., Washington, D.C.
B. The Tobacco Institute, 1735 K Street NW., Washington, D.C.

A. Galen Douglas Trussell, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D.C.

A. Dick Tullis, 307 Maple Terrace, Dallas, Tex.
B. Superior Oil Co., Houston, Tex., and Los Angeles, Calif.
D. (6) $200. E. (9) $150.

A. John W. Turner, 400 First Street NW., Washington, D.C.
B. Brotherhood of Locomotive Engineers, B. of L. E. Building, Cleveland, Ohio.

A. William S. Tyson, 821 15th Street NW., Washington, D.C.
B. Western Range Association, 375 North Fulton Street, Fresno, Calif.
D. (6) $5,000. E. (9) $60.69.

A. Union Producing Co., and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.
E. (9) $1,131.54.

A. United Cerebral Palsy Associations, 321 West 44th Street, New York, N.Y.
E. (9) $1,227.08.

A. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
D. (6) $439,759.64. E. (9) 52,205.11.

A. United States Cane Sugar Refiners' Association, 1101 Connecticut Avenue NW., Washington, D.C.
E. (9) $1,892.14.

A. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
E. (9) $35,807.44.

A. Universal Exchange, Post Office Box 2782, Orlando, Fla.
E. (9) $463.76.

A. Valicenti, Leighton, Reid & Stock, 70 Pine Street, New York, N.Y.
B. Channing Service Corp., 85 Broad Street, New York, N.Y.
D. (6) $6,500.

A. Mrs. Lois W. Van Valkenburgh, 1673 Preston Road, Alexandria, Va.
B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.

A. Theodore A. Vanderzyde, 400 First Street NW., Washington, D.C.
B. District Lodge No. 44, International Association of Machinists, 400 First Street NW., Washington, D.C.
D. (6) $2,499.90. E. (9) $15.

A. Veterans, World War I, USA, Inc., 40 G Street NE., Washington, D.C.

A. John E. Vetter, 635 F Street NW., Washington, D.C.

A. L. T. Vice, 1700 K Street NW., Washington, D.C.
B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.
E. (9) $150.

A. R. K. Vinson, 1400 20th Street NW., Washington, D.C.
B. Machinery Dealers National Association, 1400 20th Street NW., Washington, D.C.

A. Voice of the People in Action (The Society of the People, Inc.), 621 Sheridan Street, Chillum, Md.
D. (6) $22. E. (9) $174.84.

A. Paul H. Walker, 1701 K Street NW., Washington, D.C.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

D. (6) $148.50. E. (9) $4.23.

A. Stephen M. Walter, 1200 18th Street NW., Washington, D.C.

B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.

D. (6) $298.75. E. (9) $0.38.

A. William A. Walton, 920 Jackson Street, Topeka, Kans.

B. Kansas Railroad Committee, 920 Jackson Street, Topeka, Kans.

A. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D.C.

D. (6) $3,309. E. (9) $4,464.51.

A. Jeremiah C. Waterman, 205 Transportation Building, Washington, D.C.

B. Southern Pacific Co., 205 Transportation Building, Washington, D.C.

A. Waterways Bulk Transportation Council, Inc., 10 East 40th Street, New York, N.Y.

E. (9) $1,941.25.

A. Weaver, Glassie & Molloy, 1527 New Hampshire Avenue NW., Washington, D.C.

B. The Atlantic Refining Co., 260 South Broad Street, Philadelphia, Pa.

D. (6) $200.

A. Weaver, Glassie & Molloy, 1527 New Hampshire Avenue NW., Washington, D.C.

B. Eastern Meat Packers Association, Inc., 1820 Massachusetts Avenue NW., Washington, D.C.

D. (6) $5. E. (9) $1.67.

A. Weaver, Glassie & Molloy, 1527 New Hampshire Avenue NW., Washington, D.C.

B. The National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.

D. (6) $225. E. (9) $48.10.

A. William H. Webb, LaSalle Building, Washington, D.C.

B. National Rivers & Harbors Congress, 1028 Connecticut Avenue, Washington, D.C.

D. (6) $2,689.98. E. (9) $330.22.

A. E. E. Webster, 400 First Street NW., Washington, D.C.

B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.

D. (6) $2,978.90.

A. Peter P. Weidenbruch, Jr., 510 Shoreham Building, Washington, D.C.

B. Socony Mobil Oil Co., Inc., 150 East 42d Street, New York, N.Y.

D. (6) $1,125. E. (9) $170.29.

A. Dr. Frank J. Welch, 3724 Manor Road, Chevy Chase, Md.

B. The Tobacco Institute, 1735 K Street NW., Washington, D.C.

A. Joseph E. Welch, 1630 Locust Street, Philadelphia, Pa.

B. Wellington Management Co., 1630 Locust Street, Philadelphia, Pa.

E. (9) $9.60.

A. William E. Welsh, 897 National Press Building, Washington, D.C.

B. National Reclamation Association, 897 National Press Building, Washington, D.C.

D. (6) $3,750. E. (9) $146.83.

A. West Coast Inland Navigation District, Court House, Bradenton, Fla.

E. (9) $604.05.

A. Marc A. White, 888 17th Street NW., Washington, D.C.

B. National Association of Securities Dealers, Inc.

A. Louis E. Whyte, 918 16th Street NW., Washington, D.C.

B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

A. Claude C. Wild, Jr., 1120 Connecticut Avenue NW., Washington, D.C.

B. Gulf Oil Corp., Pittsburgh, Pa.

D. (6) $1,000. E. (9) $250.

A. Albert E. Wilkinson, Investment Building, Washington, D.C.

B. The Anaconda Co., 25 Broadway, New York, N.Y.

D. (6) $2,250. E. (9) $998.70.

A. John Willard, Box 1172, Helena, Mont.

B. Montana Railroad Association, Helena, Mont.

A. Harding deC. Williams, 1300 Connecticut Avenue NW., Washington, D.C.

B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill.; 1300 Connecticut Avenue NW., Washington, D.C.

D. (6) $1,833. E. (9) $113.

A. Robert E. Williams, 1000 Connecticut Avenue NW., Washington, D.C.

B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $950. E. (9) $275.60.

A. John C. Williamson, 1300 Connecticut Avenue NW., Washington, D.C.

B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill.; 1300 Connecticut Avenue NW., Washington, D.C.

D. (6) $4,167. E. (9) $375.78.

A. Clark L. Wilson, 714 Associations Building, Washington, D.C.

B. Consultant to the Emergency Lead-Zinc Committee.

D. (6) $1,500. E. (9) $885.02.

A. E. Raymond Wilson, 245 Second Street NE., Washington, D.C.

B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

D. (6) $1,538.46.

A. Henry B. Wilson, 1612 K Street NW., Washington, D.C.

B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.

E. (9) $24.75.

A. Richard W. Wilson, 41 D Street SE., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

D. (6) $150.

A. W. E. Wilson, 1525 Fairfield Avenue, Shreveport, La.

B. Union Producing Co. and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.

D. (6) $600. E. (9) $531.54.

A. Everett T. Winter, 121 South Meramec, St. Louis, Mo.

B. Mississippi Valley Association, 121 South Meramec, St. Louis, Mo.

A. Richard F. Witherall, 702 Majestic Building, Denver, Colo.

B. Colorado Railroad Association, 702 Majestic Building, Denver, Colo.

A. Lawton B. Wolfe, 1132 Pennsylvania Building, Washington, D.C.

B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. Venlo Wolfsohn, 1729 H Street NW., Washington, D.C.

B. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D.C.

D. (6) $300. E. (9) $1.

A. Russell J. Woodman, 400 First Street NW., Washington, D.C.

B. The Order of Railroad Telegraphers, 3860 Lindell Boulevard, St. Louis, Mo.

A. John H. Yingling, 905 16th Street NW., Washington, D.C.

B. Support Group for Progressive Banking, 905 16th Street NW., Washington, D.C.

D. (6) $150. E. (9) $20.

A. J. Banks Young, 502 Ring Building, Washington, D.C.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

D. (6) $255.

A. Kenneth Young, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $2,411.20. E. (9) $30.96.

A. Gordon K. Zimmerman, Washington, D.C.

B. National Association of Soil & Water Conservation Districts, League City, Tex.

A. Zimring, Gromfine and Sternstein, 1155 15th Street NW., Washington, D.C., and 11 South La Salle Street, Chicago, Ill.

REGISTRATIONS

The following registrations were submitted for the first calendar quarter 1965:

(NOTE.—The form used for registration is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19______ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
	(Mark one square only)			

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

A. Norman Abelson, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.

A. Alliance of Independent Telephone Unions, 1422 Chestnut Street, Philadelphia, Pa.

A. American College of Radiology, 20 North Wacker Drive, Chicago, Ill.

A. The American Tourist and Trade Association, 303 Fifth Avenue, New York, N.Y.

A. Cyrus T. Anderson, 400 First Street NW., Washington, D.C.
B. International Hod Carriers', Building and Common Laborers' Union of America, 905 16th Street NW., Washington, D.C.

A. Roy A. Archibald, 1705 Murchison Drive, Burlingame, Calif.
B. National Education Association, 1201 16th Street NW., Washington, D.C.

A. Arnold, Frotas & Porter, 1229 19th Street NW., Washington, D.C.
B. The American Tourist and Trade Association, 303 Fifth Avenue, New York, N.Y.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. Council of Savings & Loan Financial Corporations.

A. Association of Petroleum Re-Refiniers, 1500 North Quincy Street, Arlington, Va.

A. Baker, McKenzie & Hightower, 815 Connecticut Avenue NW., Washington, D.C.
B. Club Managers Association of America, 1030 15th Street NW., Washington, D.C.

A. Baker, McKenzie & Hightower, 815 Connecticut Avenue NW., Washington, D.C.
B. National Club Association, 1522 K Street NW., Washington, D.C.

A. Harry A. Barbour, 4925 Deal Drive SE., Washington, D.C.
B. National Parking Association, 1101 17th Street NW., Washington, D.C.

A. Harry A. Barbour, 4925 Deal Drive SE., Washington, D.C.
B. Washington Parking Association, 19th and Jefferson Place NW., Washington, D.C.

A. Ernest L. Barcella, care of General Motors Corp., Washington, D.C.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. Richard B. Barker and Jay W. Glasmann, 306 Southern Building, Washington, D.C.
B. Xerox Corp., Rochester, N.Y.

A. Robert C. Barnard.
B. Cleary, Gottlieb, Steen & Hamilton, 224 Southern Building, Washington, D.C.

A. William S. Bergman, 201 Massachusetts Avenue NE., Washington, D.C.
B. William S. Jamieson, Post Office Box 911, Vallejo, Calif.

A. Blue Cross Association, 840 North Lake Shore Drive, Chicago, Ill.

A. Blumberg, Singer, Ross & Gordon, 350 Fifth Avenue, New York, N.Y.
B. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.

A. Bernard L. Boutin, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.

A. Melvin J. Boyle, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, 1200 15th Street NW., Washington, D.C.

A. Donaldson Brown, Mount Ararat, Port Deposit, Md.

A. Brunswick Corp., 623 South Wabash Avenue, Chicago, Ill.

A. George S. Bullen.
B. National Federation of Independent Business, 921 Washington Building, Washington, D.C.

A. George Bursach, 711 14th Street NW., Washington, D.C.

A. George H. Buschmann, 2000 K Street NW., Washington, D.C.
B. Certain cement producers.

A. Business Equipment Manufacturers Association.

A. Herbert H. Butler, 438 Pennsylvania Building, Washington, D.C.
B. United States Independent Telephone Association, 438 Pennsylvania Building, Washington, D.C.

A. Blue Carstenson.
B. The Farmers' Educational and Co-Operative Union of America, 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D.C.

A. Chapman, Friedman, Shea, Clubb & Duff, 425 13th Street NW., Washington, D.C.
B. Alaska Pipeline Co., Post Office Box 6554, Houston, Tex.

A. James W. Chapman, 1625 I Street NW., Washington, D.C.
B. Retired Officers Association, 1625 I Street NW., Washington, D.C.

A. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.

A. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.

A. William F. Claire, 1145 19th Street NW., Washington, D.C.
B. Pulp, Paper and Paperboard Institute (U.S.A.), Inc., 122 East 42d Street, New York, N.Y.

A. Cleary, Gottlieb, Steen & Hamilton, 224 Southern Building, Washington, D.C.
B. Coconut Oil Consumers Committee, 224 Southern Building, Washington, D.C.

A. Club Managers Association of America, 1030 15th Street NW., Washington, D.C.

A. Committee for Automobile Excise Tax Repeal, 815 Connecticut Avenue NW., Washington, D.C.

A. Committee for a Free Cotton Market, Inc., 1725 K Street NW., Washington, D.C.

A. Joshua W. Cooper, 626 South Lee Street, Alexandria, Va.
B. Armed Forces Committee of Greater Portsmouth Chamber of Commerce, 222 State Street, Portsmouth, N.H.

A. Mitchell J. Cooper, 1625 K Street NW., Washington, D.C.
B. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Lightweight Aggregates Percentage Depletion Committee, Post Office Box 9138, Richmond, Va.

A. John T. Curran, 905 16th Street NW., Washington, D.C.
B. International Hod Carriers', Building and Common Laborers' Union of America, 905 16th Street NW., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. D.C. Transit System, Inc., Washington, D.C.

A. George H. Denison, 4433 31st Street South, Arlington, Va.
B. National Right To Work Committee, 1900 L Street NW., Washington, D.C.

A. James F. Doherty, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

A. Federation of Homemakers, 922 North Sturat Street, Arlington, Va.

A. James H. Ferguson, 1200 18th Street NW., Washington, D.C.
B. National Electrical Contractors Association, 1200 18th Street NW., Washington, D.C.

A. Gadsby, Hannah, Colson & Morin, 729 15th Street NW., Washington, D.C.
B. Committee for International Housing Through Private Investment, 1120 Connecticut Avenue NW., Washington, D.C.

A. Harlan V. Hadley, 1710 H Street NW., Washington, D.C.
B. Taxation Committee of Automobile Manufacturers Association, 320 New Center Building, Detroit, Mich.

A. Redmond Roop Hart, 30 Kennedy Street, Alexandria, Va.

A. Roland S. Homet, Jr.
B. Sleary, Gottlieb, Steen & Hamilton, 224 Southern Building, Washington, D.C.

A. Marion L. Horn, 1422 Chestnut Street, Philadelphia, Pa.
B. Alliance of Independent Telephone Unions, 1422 Chestnut Street, Philadelphia, Pa.

A. International Hod Carriers', Building and Common Laborers' Union of America, 905 16th Street NW., Washington, D.C.

A. Victor A. Knox, 301 G Street SW., Washington, D.C.
B. College of American Pathologists, 2115 Prudential Plaza, Chicago, Ill.

A. Lightweight Aggregates Percentage Depletion Committee, Post Office Box 9138, Richmond, Va.

A. John Linnehan, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.

A. Edward Lyon, 1030 15th Street NW., Washington, D.C.
B. Club Managers Association of America, 1030 15th Street NW., Washington, D.C.

A. J. L. McCaskill, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.

A. Paul D. McCracken, 27 Lawrence Road, Broomall, Penn.
B. The Christian Amendment Movement, 804 Pennsylvania Avenue, Pittsburgh, Pa.

A. Benny W. McGehee, Post Office Box 908, San Antonio, Tex.
B. Air Force Sergeants Association, Post Office Box 908, San Antonio, Tex.

A. F. Howard McGuigan, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

A. Clarence M. McIntosh, Jr., 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway and Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.

A. Miller & Chevalier, 1001 Connecticut Avenue, Washington, D.C.
B. Blue Cross Association, 840 North Lake Shore Drive, Chicago, Ill.

A. Albert J. Milloy, 70-01 115th Street, Forest Hills, N.Y.
B. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.

A. Graham T. T. Molitor, 425 Park Avenue, New York, N.Y.
B. National Biscuit Co., 425 Park Avenue, New York, N.Y.

A. National Committee To Abolish the House Un-American Activities Committee, 555 North Western Avenue, Los Angeles, Calif.

A. National Committee for a New Patent Office Building, 1331 G Street NW., Washington, D.C.

A. National Congress of American Indians, 1765 P Street NW., Washington, D.C.

A. National Grain Producers, Handlers & Processors Association, 842 Board of Trade Building, Kansas City, Mo.

A. National Institute of Locker & Freezer Provisioners, 224 East High Street, Elizabethtown, Pa.

A. Edward K. Nellor.
B. National Right To Work Committee, 1900 L Street NW., Washington, D.C.

A. O'Connor, Green, Thomas & Walters, 508 Federal Bar Building, Washington, D.C.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. O'Connor, Green, Thomas, & Walters, 598 Federal Bar Building, Washington, D.C.
B. Outdoor Amusement Business Association, Box 143, Southfield, Mich.

A. John A. O'Donnell, 1025 Connecticut Avenue NW., Washington, D.C.
B. National Federation of Sugarcane Planters, Gonzaga Building, Manila, Philippines.

A. John A. O'Donnell, 1025 Connecticut Avenue NW., Washington, D.C.
B. Philippine Sugar Association, Davies Building, Manila, Philippines.

A. William E. Otwell, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

A. Kenneth W. Parkinson, 1100 Tower Building, Washington, D.C.
B. National Committee for a New Patent Office Building, 1331 G Street NW., Washington, D.C.

A. Marvin J. Powers, 1629 K Street NW., Washington, D.C.
B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.

A. John H. Pratt, 905 American Security Building, Washington, D.C.
B. Light Bulb Manufacturers Excise Tax Committee, 905 American Security Building, Washington, D.C.

A. John H. Pratt, 905 American Security Building, Washington, D.C.
B. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y.

A. John H. Pratt, 905 American Security Building, Washington, D.C.
B. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y.

A. Roger Robb, 1100 Tower Building, Washington, D.C.
B. National Committee for a New Patent Office Building, 1331 G Street NW., Washington, D.C.

A. Roberts & Holland, 405 Lexington Avenue, New York, N.Y.
B. Furman-Wolfson Corp., 1440 Broadway, New York, N.Y.

A. Kenneth A. Roberts, 1000 Connecticut Avenue NW., Washington, D.C.
B. American Optometric Association, 100 West Pine Street, Selinsgrove, Pa.

A. Rubenstein, Wolfson & Co., Inc., 230 Park Avenue, New York, N.Y.
B. National Independent Coal Operators Association, Pikeville, Ky.

A. Edward C. Rustigan, 231 South La Salle Street, Chicago, Ill.
B. Brunswick Corp., 623 South Wabash Avenue, Chicago, Ill.

A. J. T. Rutherford & Associates, 1555 Connecticut Avenue NW., Washington, D.C.
B. The American College of Radiology, 20 North Wacker Drive, Chicago, Ill.

A. J. T. Rutherford & Associates, Inc., 1555 Connecticut Avenue NW., Washington, D.C.
B. National Grain Producers, Handlers & Processors Association, 842 Board of Trade Building, Kansas City, Mo.

A. Jacques T. Schlenger, 1409 Mercantile Trust Building, Baltimore, Md.
B. Donaldson Brown, Mount Ararat, Port Deposit, Md.

A. Charles B. Scott, 1422 Chestnut Street, Philadelphia, Pa.
B. Alliance of Independent Telephone Unions, 1422 Chestnut Street, Philadelphia, Pa.

A. John W. Shaughnessy, Jr., 1422 Chestnut Street, Philadelphia, Pa.
B. Alliance of Independent Telephone Unions, 1422 Chestnut Street, Philadelphia, Pa.

A. Arnold F. Shaw, 503 D Street NW., Washington, D.C.
B. Industria Escobera Mexicana, S.A., Nuevo Laredo, Tamps., Mexico.

A. Silverstein and Mullens, 1120 Connecticut Avenue NW., Washington, D.C.
B. Association of Petroleum Re-Refiners, 1500 North Quincy, Arlington, Va.

A. Silverstein and Mullens, 1120 Connecticut Avenue NW., Washington, D.C.
B. International Salt Co., Clarks Summit, Pa.

A. Frank Kingston Smith, 1346 Connecticut Avenue NW., Washington, D.C.
B. National Aviation Trades Association, 1346 Connecticut Avenue NW., Washington, D.C.

A. H. Michael Spence, 1705 De Sales Street, NW., Washington, D.C.
B. American Bar Association, 1705 De Sales Street NW., Washington, D.C.

A. Steptoe and Johnson, 1100 Shoreham Building, Washington, D.C.
B. Rule of Law Committee, 1100 Shoreham Building, Washington, D.C.

A. Eugene L. Stewart, 1001 Connecticut Avenue, Washington, D.C.
B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.

A. Stitt and Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. Fuji Iron & Steel Co., Ltd., 80 Pine Street, New York, N.Y.

A. Stitt and Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. Japan Vinyl Goods Manufacturers' Association, 11, 3-chome Akasaka-Denmacho, Minato-ku, Tokyo, Japan.

A. Herald E. Stringer, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.

A. Philip W. Stroupe, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.

A. Surrey, Karasik, Gould & Greene, 1116 Woodward Building, Washington, D.C.
B. Committee for International Housing Through Private Housing, 1120 Connecticut Avenue, Washington, D.C.

A. Monroe Sweetland, 1705 Murchison Drive, Burlingame, Calif.
B. National Education Association, 1201 16th Street NW., Washington, D.C.

A. Richard S. Tribbe, 1000 16th Street NW., Washington, D.C.
B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.

A. David G. Unger, Washington, D.C.
B. National Association of Soil & Water Conservation Districts, League City, Tex.

A. Venable, Baetjer & Howard, 1409 Mercantile Trust Building, Baltimore, Md.
B. Donaldson Brown, Mount Ararat, Port Deposit, Md.

A. Clarence M. Weiner, 350 Fifth Avenue, New York, N.Y.
B. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.

A. Charles H. Whitaker, 238 Dale Drive, Silver Spring, Md.

B. Boston-Panama Co., 1725 De Sales Street NW., Washington, D.C.

A. Douglas Whitlock II, 1616 H Street NW., Washington, D.C.

B. American Retail Federation, 1616 H Street NW., Washington, D.C.

A. Donald S. Whyte, 1629 K Street NW., Washington, D.C.

B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.

A. Clay B. Wolfe, 400 First Street NW., Washington, D.C.

B. Brotherhood of Railway and Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.

A. V. T. Worthington, 1500 North Quincy Street, Arlington, Va.

B. Association of Petroleum Re-Refiners, 1500 North Quincy Street, Arlington, Va.

A. Kenneth Young, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

SENATE

MONDAY, MAY 24, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of grace and glory: Out of our partial and fragmentary conceptions, knowing that, at best, we see as but through a glass darkly, we turn to Thee, who dwelleth in the effulgence of perfect light.

We bring to Thee, on our burdened souls, the moral chaos of our world, its spiritual faltering and fatigue, its restlessness of heart, its dark forebodings. While, with our fellow explorers of earth, our minds are stretched to comprehend the wonders of outer space, with its untold millions of whirling orbs, we come asking that Thou mightest make real to us the mysteries of the universe within, where Thou hast taught us that the kingdom of the heavenly is to be found. Give us to see that there lie our fortune and our destiny—for there, within us, truth may walk in shining garments, and goodness may grow glorious and contagious, and there all that is excellent and beautiful, august, unselfish, and of high repute, may make our inner life even as the garden of the Lord.

Because out of the heart are the issues of life, grant us honesty in dealing with our own besetting sins, humility in confessing them, and the stern will to overcome them.

We ask it in the name of Him whose life is the light of men. Amen.

THE JOURNAL

On request by Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 21, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

REPORT ON WEATHER MODIFICATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 188)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Commerce:

To the Congress of the United States:

I am transmitting herewith for the consideration of the Congress the 6th annual report on weather modification—for fiscal year 1964—as submitted to me by the Director of the National Science Foundation.

The development of methods for altering weather and climate to the benefit of mankind is a subject of quickening interest in the Congress and the executive branch of the Government of the United States—as, indeed, it is to all of the human race. We recognize that achievement of such a capability would mean vast economic and social gains for human life on this earth. I believe it is both symptomatic and symbolic of the character of the American people that we are now engaged in first steps toward this goal, not for any narrow national purpose, but in the confidence that such benefits will be shared as a mutual blessing with all of our fellow men.

We hope someday to acquire the knowledge permitting us to minimize the incidence and severity of hurricanes, tornadoes, and other violent storms and, also, to be able to improve the temperature and rainfall conditions in agricultural and industrial regions. This hope is not fanciful or unrealistic, but it would be misleading to suggest that such a day is near now.

The scientific and engineering obstacles that must be overcome rank in magnitude with those encountered in developing peaceful uses of nuclear power and compare with those now being encountered in our attempts to place a man on the moon. But weather modification is still several steps behind atomic energy and the exploration of space. These latter are essentially engineering problems—extremely complex, of course, but in areas where the basic scientific laws are well understood. In contrast, the achievement of large-scale purposeful weather modification depends upon scientific knowledge not yet acquired—knowledge about atmospheric phenomena ranging from the interactions of minute water droplets to the behavior of global air circulations. Furthermore, it is essential for us to investigate the manner in which man may at present be inadvertently changing weather and climate.

Substantial progress has been made, as this report reflects. But the pace has been slow. To advance the rate of progress, an effort of larger scope and direction is needed both in conducting basic research and in developing means to put the knowledge to work.

Over the past year, there have been positive actions which are reviewed in this report. These actions include the following:

First. Increased support for atmospheric research by a number of Federal agencies, including the National Science Foundation, U.S. Weather Bureau, National Aeronautics and Space Administration, Department of the Interior, and the Department of Defense.

Second. Establishment of a special Commission on Weather Modification by the National Science Foundation charged with assessing the anticipated benefits to be gained from weather modification efforts; the general paths which research and development should take; the support required; and the legal, social, and political problems that will be encountered if weather modification techniques are more broadly applied.

Third. Greater emphasis on the graduate research and education of promising students who will be involved in atmospheric research.

Fourth. Strengthening cooperation among Federal agencies through the Federal Council for Science and Technology.

Fifth. Stepped up international cooperation in support of weather activities because it is clear that large-scale weather or climate control schemes cannot be contained within national boundaries.

Sixth. It is particularly noteworthy—and welcome—that more activity has been initiated by committees of both Houses of Congress looking carefully into weather modification activities in the light of increased Federal investment in field tests and backup basic research, and in response to increasing interest in moving quickly toward application of our knowledge and capabilities.

If the day is distant and dim when the benefits of weather modification will become real, tangible, and universally enjoyed, it is no longer possible for any to argue justifiably that such a day is beyond the reach of man at all. Our knowledge must be enlarged and perfected, far beyond its present limits. But we can—and we do—believe that eventually these efforts underway now will succeed. That success will inure to the credit of the interest, initiative, and understanding of the Congress in offering encouragement and support to this worthy and important research.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 24, 1965.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED BILL AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution:

S. 327. An act to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters; and

H.J. Res. 436. Joint resolution to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed.

ORDER DISPENSING WITH CALL OF LEGISLATIVE CALENDAR UNDER RULE VIII

On request of Mr. Mansfield, and by unanimous consent, the call of the legislative calendar under rule VIII was dispensed with.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements during the transaction of the routine morning business be limited to 3 minutes, and that when the Senator from Georgia [Mr. Talmadge] is recognized, the limitation be flexibly considered.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRIBUTES AND WELCOME BACK TO THE SENATE TO SENATOR RUSSELL OF GEORGIA

Mr. TALMADGE. Mr. President, it is my distinct pleasure today to welcome back to the U.S. Senate my beloved friend and distinguished colleague, the senior Senator from Georgia, Richard Brevard Russell. [Applause, Senators rising.]

Senator Russell has been absent from the Senate because of an unfortunate and unavoidable illness, but we are extremely grateful that he is now fully recovered and again enjoying the benefits of good health. From his appearance today, there is no doubt that Dick Russell is fit and ready, willing, and able to resume his duties and serve the people of his State and Nation with the same wisdom and vigor that has characterized his more than 32 years in the Senate.

In Atlanta last week, Senator Russell held a news conference at which, among other things, he stated unequivocably that he has every intention of offering to the people of Georgia and America his services for another term of office in the Senate.

It is to the great advantage of the State of Georgia, the United States, and the entire non-Communist world, that Senator Russell's dedication to the preservation of our constitutional republican form of government and the maintenance of peace, freedom and security throughout the world is stronger than any wishes he may have to live a quiet life at his family home in Winder, Ga.

Senator Russell is frequently described as "the Senator's Senator." No Member of this body works harder in tireless devotion to his Nation and his native State of Georgia. He is unexcelled in his dedication to the ideals upon which this Nation and this great deliberative body were founded. No one in recent history has been more faithful to the heritage of the Senate which, like the Nation he also serves, is stronger because of Senator Russell's devotion to duty, unswerving courage, wisdom, and foresight.

As chairman of the Senate Armed Forces Committee for 14 years, he has exerted great leadership in assuring a strong and ready Military Establishment, second to none in the world. Through his efforts as one of the Nation's foremost guardians of our national security, no nation on the face of the earth has any doubt that the United States has both capabilities and the will if necessary to mete out certain destruction to any would-be aggressor.

I know that this is indeed a happy occasion for the senior Senator from Georgia, and I join his many friends and colleagues in saying to him, "Welcome home."

Mr. President, there have appeared widespread editorials in numerous newspapers in Georgia commending Dick Russell on his senatorial service and congratulating him on his return to the Senate. I ask unanimous consent that these editorials be printed in the Record at the conclusion of my remarks.

There being no objection the editorials were ordered to be printed in the Record, as follows:

[From The Atlanta (Ga.) Journal, May 19, 1965]

SENATOR RUSSELL

Senator Richard B. Russell is due in Atlanta, reportedly to announce he is back in good health and will offer for the Senate again.

And why not? Here is a man whose career has won him the respect of Washington, the Nation, and the world.

His experience and knowledge are valuable to this country and his personal power is invaluable to this State. Altogether, the Senator is too much of a national and local asset to be placed on emeritus status in Barrow County, unless, of course, he is weary of Washington and wants to remain in Barrow County.

We're happy the Senator has regained his health. We hope he has learned that people with emphysema should stay out of the weather and hold their workdays down to the standard 8 hours, instead of the 10 to 14 the Senator likes to put in.

[From the Atlanta (Ga.) Times, Apr. 27, 1965]

STALWART GIRDS FOR ACTION

The report that Senator Richard Russell has returned from Florida looking fit is good news, indeed. His recovery from illness during the winter months is reputed to presage a forthcoming reiteration that he does plan to run for reelection to the U.S. Senate.

The Georgia Senator has had a long career of effective service in Congress. His enforced absence this past winter has been keenly felt by those who stand for deliberation and conservatism in enacting the laws of the land.

Rumors have run rampant to the effect that Russell would not be able to run for return to the Senate. Actually, the veteran Georgia legislator announced his intent to seek office at a Jaycee meeting a year ago. That intention has not been rescinded.

Senator Talmadge has urged his Dixie confrere not to return to his arduous duties on the Senate floor until the voting rights bill has been resolved, one way or another. Russell himself has said he wants to resume his place in Washington only when he is fully ready for action.

Richard Russell is a Senate stalwart whose views and votes are needed on Capitol Hill in these changing times. Georgians are glad to hear that the senior Senator appears to be ready and willing to "get on with the job."

[From the Atlanta (Ga.) Times, May 21, 1965]

A WARHORSE BACK IN ACTION

One of Georgia's proudest, most revered warhorses is back in action.

Richard B. Russell, from all reports looking healthy and tanned, yesterday announced, albeit informally, his intention to seek reelection in 1966 as Georgia's senior U.S. Senator.

Quoting his doctor as saying he is in "surprisingly good health," Senator Russell declared his recovery from a recent bronchial ailment seems to be complete.

This is good news indeed for all Georgians, and for our country. The counsel of this veteran of 32 years in the Senate is needed in Washington—now and for the years ahead.

Speaking of possible opposition for next year's election, Mr. Russell said, "I know of no reason I shouldn't be (unopposed)."

Neither do the people of your State whom you have served so well for so long, Senator.

[From the Millen (Ga.) News, Apr. 29, 1965]

SENATOR RICHARD B. RUSSELL

This is not an obituary.

"Dick" Russell is very much alive physically and politically.

So let everyone take note.

While in Washington this week we visited the office of our senior Senator from Georgia and by the way, he is regarded as the No. 1 Senator in matter of influence, etc.

The Senator is now at his home in Winder recuperating from an illness that put him to bed early in February.

"Dick" Russell has been in the U.S. Senate since January 1933 and during the interim until now he has taken out 5 days for an appendectomy.

Congressman Phil Landrum once stated to the writer, "There is no more dedicated public servant in Washington nor a harder worker than 'Dick' Russell". And we agree.

You can work night and day in the U.S. Senate for more than 30 years but you can bet your bottom dollar that one of these days you will get sick and then you will have an uphill fight to regain your normal self again. This is what happened to "Dick" Russell but he has about won the fight and will return to the Senate floor within the matter of days now.

The office staff were kind enough to share some snapshot pictures made of the Senator while recuperating in Florida and they all indicated that he is hale and hearty and enjoying a Florida tan.

Senator Carl Hayden entered the U.S. Senate, when Arizona was admitted to the Union, and that was back in 1909. He is No. 1 in point of service and "Dick" Russell is No. 2 in point of service.

Watch Russell beat his record.

So the boys had better start talking local politics instead of senatorial politics for a long spell.

The Nation should be grateful that Senator RUSSELL will soon be back in harness.

[From the Athens (Ga.) Banner-Herald, Apr. 26, 1965]

SENATOR RUSSELL'S SERVICES OF VAST IMPORTANCE TO STATE

Georgia has never sent a representative to Washington who has served the State and the Nation with greater distinction or with more diligence than has Senator RICHARD B. RUSSELL.

The Senator has been ailing of late, suffering from a bronchial infection, and has been away from his post for nearly 3 months. His associates now report that he has almost entirely recovered and will return to his seat in the Senate, where he will demonstrate his usefulness with his oldtime vigor.

Senator RUSSELL is in his 68th year, which is not old in this day and time when the span of life has been so greatly extended. On both sides of the aisle in the Senate he is regarded as one of the ablest and best-informed Members of that august body.

It would be unfortunate indeed if Georgia were deprived of the Senator's services in this period of great world stress and mounting domestic problems. His counsel and leadership are invaluable to the State and Nation and Georgia citizens should rejoice that this distinguished statesman is ready to get back into harness.

It has been noteworthy of late that many of Georgia's problems have suffered in the handling because of the absence of the State's senior Senator. In every crisis that the Southland has faced in the past decade the Washington representatives of this section have turned to DICK RUSSELL to show them the way.

It was to be expected that Senator RUSSELL's illness would give rise to rumors that he will have opposition when he comes up for reelection next year. There are always envious eyes turned upon the high office of a Senator and it is not surprising that his illness has brought on such widespread discussion.

Now we learn that the Senator has recovered from his bronchial ailment and that he will seek the Senate job for another term. Surely this is pleasing news to the people of Georgia and to the Nation.

[From the Thomasville (Ga.) Times-Enterprise, Mar. 8, 1965]

SENATOR RUSSELL'S HEALTH

The illness of Georgia's senior Senator, Hon. RICHARD B. RUSSELL, has been a matter of concern to the people of his home State as well as to his colleagues on Capitol Hill, where he is held in high regard by Members of Congress, Democrats and Republicans alike.

Ill since February 2, he has improved and expects to leave the hospital during the coming week. He expects to go to Key West or Puerto Rico for a few days rest and recuperation in the warm climate. We hope for his early complete recovery.

What effect his illness will have on his ability to continue the fight against changing the rules governing filibusters, is also a matter of concern to his friends and followers, because he has been the generalissimo in charge of opposition to the efforts of those who want to change the rules to suit the expediencies of the moment.

The Senator is recognized as the most influential Member of that body in which he has served well for over 30 years. He is a foremost parliamentarian and his words carry weight when he speaks.

[From the Valdosta (Ga.) Daily Times, Apr. 28, 1965]

RUSSELL'S HEALTH A KEY

Senator RUSSELL's friends and supporters—and they are legion—are hopeful that he will be sufficiently recovered from his illness to resume his activities in the Senate and feel equal to offering for another term this year.

Georgia's senior Senator has been ill and out of harness for a number of weeks and for a time there was fear that he would not regain the vigor and health his position in Washington requires. However, there have been more encouraging reports in late weeks and there is the sincere hope now that he will soon be back at his desk and able to take up where he left off.

Senator RUSSELL occupies a key position in Congress. He is highly regarded by President Johnson and Democratic and Republican forces look to him for leadership which is sorely needed in these troubled times.

Here at home, Senator RUSSELL holds a vital position in State politics. If he feels able to offer for another term he will probably be reelected without too much trouble, although there is evidence he may have opposition. If he does not run again, there is bound to be a confused picture with Gov. Carl Sanders, former Governor Vandiver, and maybe others seeking to succeed him.

In such an event, the race for Governor to succeed Sanders would be a wide-open affair, with one guess as to the outcome being as good as another.

Here is a hope that Senator RUSSELL will be sufficiently recovered to give the voters of the State another opportunity to return him to Washington.

[From the Metter (Ga.) Advertiser, May 13, 1965]

OUR SENATOR RUSSELL

Senator RICHARD B. RUSSELL, of Georgia, is second in seniority only to 87-year-old CARL HAYDEN, of Arizona, the dean and President pro tempore of the Senate. RUSSELL has served continuously since January 12, 1933, a week before Franklin D. Roosevelt began his first term as President.

For 11 weeks, RUSSELL has now been ill and convalescing. His absence has given rise to reports that he may leave the Senate at the expiration of his current term next year. Old as he is in point of service, at 67 he is not old as Senate age goes. His health may be the determining factor, not his age.

RUSSELL's departure would remove the second of the team of Georgians who have given continuous legislative service to the upbuilding of American military might. RUSSELL as chairman of the Senate Armed Services Committee and Representative Carl Vinson as the chairman of the House Armed Services Committee have been stanch champions of U.S. military leadership. Vinson retired early this year.

Sources close to the Georgia Senator say he is giving no thought to stepping down. We hope they are correct. Certainly, there is no one on the political horizon in Georgia now who could begin to fill RUSSELL's shoes. Georgia needs him for as long as he is willing and able to serve.

[From the Sylvania (Ga.) Telephone, May 7, 1965]

SENATOR RUSSELL RECOVERING AND REARING TO GO

From reliable sources we learn that Senator RICHARD B. RUSSELL, Georgia's beloved senior Senator, is fastly recovering from a recent illness and rarin' to get back in harness.

During the Senator's illness there has been some speculation among politicians in Georgia about opposition for him in 1966 if he is a candidate to succeed himself.

We would advise one and all ambitious candidates for the Senate to look carefully before they leap. The people of Georgia, by a big majority, believe in constitutional government. We do not believe they will forget DICK RUSSELL so soon after his gallant service to the State and Nation. He is one of the most influential men in Washington because of his ability and his dignity. He has never made a play for the rabble rousers at the extreme left and extreme right. He, a conservative, has fought for the fundamental principles upon which the Government was founded.

Georgia owes DICK RUSSELL for a service far beyond the ordinary performance of duty. We doubt they will forget him in 1966.

[From the Dublin (Ga.) Courier-Herald, May 4, 1965]

SENATOR RUSSELL AND GEORGIA

There is considerable speculation in political circles in Georgia that veteran Senator RICHARD B. RUSSELL will retire from the Senate after his present term.

We sincerely hope that this will not be true, or that it will be necessary for him to retire.

Sources close to the Senator say he is giving no thought to retiring from the Senate, and we are sure that Senator RUSSELL will make a statement when he feels one is necessary.

Senator RUSSELL is second in the Senate in the point of seniority, second only to the 87-year-old Senator CARL HAYDEN of Arizona. The senior Georgia Senator has served continuously since January 1933, starting his tenure of office in the Senate 7 days before Franklin D. Roosevelt assumed the Presidency.

Georgia has lost a veteran Congressman in the retirement of the old Sixth District's Carl Vinson this year. Mr. Vinson was chairman of the House Armed Services Committee, with Senator RUSSELL the chairman of the Senate's counterpart. With his seniority and his position as head of this powerful defense committee, Georgia, the South, and the Nation can ill afford to lose the experience and the knowledge that Senator RUSSELL has accumulated. The U.S. House of Representatives has already felt the loss of Congressman Vinson; the Senate would do likewise if Senator RUSSELL should retire from the Senate.

While we are sure that some Georgia politicians are eyeing the Senate post from Georgia, Georgia can ill afford to lose the prestige and leadership that Senator RUSSELL affords the State and the Nation, so long as he is willing to serve the State in the U.S. Senate. As leader of the conservative Southern Senators, he has done the Nation a great service by voicing vital objections to the headlong rush of many into the paths of socialism in this country. And though he oftentimes has seemed a voice crying in the wilderness, he nevertheless has focused the attention of much of the Nation on the undesirable characteristics of some legislation that has come before the Congress.

We hope that Senator RUSSELL will soon recover completely from his illness and be active again in the place of leadership that he has earned so well, and that he will continue to serve the people of this State and Nation for many years to come.

AND FIGHT AGAIN

The recent illness of Senator RICHARD B. RUSSELL gave rise to many rumors that he would not be a candidate next year. He has now stated that he intends to run and that settles all of our fears for we do not believe that any person would be a strong contender against Senator RUSSELL. Too many people admire his ability, know his strength, are aware of his popularity and feel the deep debt of gratitude that all Georgians owe the Senator for there to be any doubt of his overwhelming reelection.

Many friends had some anxious moments during the time he was out of his office. Naturally they were anxious about his health. Also they felt a considerable sense of unease and insecurity. Many important things were in the making and thousands of Georgians doubted that any other person in the Nation so well understands, and can champion the Nation's military leadership. It was like a football game without a captain or coach. Or a church meeting without a preacher. Or a symphony orchestra without a conductor. All of us feel more secure and more certain of ourselves now that our real leader will return to Washington real soon.

May the Senator soon be able to return to the fight but may he not take up a full work schedule until he is fully able. He has earned every moment of rest. Let him say to himself as an old baron said long years ago, "I will lay me down and bleed awhile, then I will arise and fight again."

Mr. TALMADGE. Mr. President, I yield to the distinguished minority leader.

Mr. DIRKSEN. Mr. President, the last time I saw our distinguished friend from Georgia was in Walter Reed Hospital. I was delighted—if anyone can ever be delighted at being in a hospital—to be next door to the Senator from Georgia. We kept each other company, and while we were there, we solved all the problems of the world and of the Nation. We not only discussed medicare; we lived medicare while we were there. So to see Senator RUSSELL again, his weight and his energy having been retrieved, and having had restored to him almost—I was about to say "the bloom of youth"—it is a double delight to welcome him back.

Mr. TALMADGE. Mr. President, I yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, it is a personal pleasure for me to join other Senators in welcoming Senator RUSSELL back to the Senate. The distinguished Senator from Georgia [Mr. TALMADGE] has said that Senator RUSSELL is happy to be back. I say to him that the Senate is happy that he is back. I am delighted that he showed some good, sound commonsense by looking after his health for a change—the first time, I believe, in his 33 years in this body.

Senator RUSSELL, we welcome you back because we admire you. You have our affection and respect. We expect to see you at that desk for many years to come.

Mr. TALMADGE. Mr. President, I yield to the distinguished Senator from Washington [Mr. JACKSON].

Mr. JACKSON. Mr. President, since the end of World War II the greatest problems that we have had to face in the Congress have been in the field of national security. During the 13 years that I have been in the Senate, it has been a great privilege to serve on the committee headed by the distinguished senior Senator from Georgia.

Mr. President, his has been a steady hand in a very unsteady world. He has a genius for cutting through confusion to get to the facts and to the truth. It is indeed a privilege to be associated with one who has the rare ability to get to the essence of complex and difficult problems, particularly in the area of national security. We are all happy today that Senator RUSSELL is back with us, because he is a great American and the best in the highest traditions of the U.S. Senate.

Mr. TALMADGE. Mr. President, I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I wish to voice my own personal and official delight that Senator RUSSELL is back. It is the one subject on which I know I can speak for the 6 million people in the State of Florida. I am sure there is not one of them who is not delighted that he is back and in good health. I am glad that he looks so young, virile, and vigorous. We need all of that here on the floor of the Senate. I am glad he is back to advise the administration, the Senate, and the country on the security matters just mentioned by my distinguished friend the Senator from Washington [Mr. JACKSON]. With American boys in Vietnam, the Dominican Republic, and many other farflung places in the world where there is no actual shooting, we need his advice, guidance, and experience in that field more than we have ever needed it before.

Mr. President, I am so happy to have Senator RUSSELL back that I am exuding joy this morning.

Mr. TALMADGE. Mr. President, I yield to the distinguished minority whip.

Mr. KUCHEL. I thank the Senator from Georgia.

Mr. President, today the Members of the Senate—all of us—welcome back one of the giants in the American Government. He has our friendship; that he knows. He also has our respect, and that, I think, is equally important to him alongside the fondness which we extend to him individually.

These are difficult days. Men and women in the U.S. Senate have labored long and hard, year in and year out, trying to solve the burdensome problems which confront the people of the United States and the people of the world who seek freedom. All too often we have seen Members of this body falter because of overwork and the illness which has followed each time.

It has not been too long since we on this side of the aisle, joined by our colleagues on the other side of the aisle, welcomed back our own peerless leader, the distinguished Senator from Illinois [Mr. DIRKSEN]. A short time ago, following his successful operation, we welcomed the return of our friend the distinguished senior Senator from Missouri [Mr. SYMINGTON].

We give our heartfelt thanks that one who has devoted himself assiduously to the public trust, who has been dedicated to his own conception of the United States Constitution, and who is recognized on the floor of the Senate as perhaps the greatest parliamentarian and one of its outstanding debaters, has returned.

Let me say, with other Senators, "DICK," that we are very glad to have you back.

Mr. TALMADGE. Mr. President, I yield to the distinguished senior Senator from Missouri.

Mr. SYMINGTON. Mr. President, for some 25 years it has been my privilege to have been associated in some way with the forces, and the logistics that are incident to the security of the United States. Ever since first coming to the Senate some 13 years ago, it has been my privilege to serve on the Armed Services Committee of which the distinguished senior Senator from Georgia has been chairman. Without exception, in my opinion Senator RICHARD RUSSELL has a better understanding of what is necessary in the way of forces and weapons and overall policy for the security of the United States than any other Member of Congress and, always excepting the President, for that matter any member of the administration.

We who have worked with him respect him and love him, not only because of his great ability, but also because of his understanding and high character.

We welcome his return to the floor of the Senate, not only for our own personal satisfaction, but also for our country. The way the world is today, this, in turn, is a great day for the United States of America.

Mr. TALMADGE. Mr. President, I yield to the distinguished senior Senator from Vermont.

Mr. AIKEN. Mr. President, it seems to me that happier days are in store for the Senate. We have had an arduous spring. But the senior Senator from Georgia coming back to us in his robust, youthful condition I should say that we could probably consign to him much of the work which we thought we would have to do ourselves, knowing perfectly well that, unless appearances are deceptive, he will be able to handle it. We have missed him during his absence as his great ability and knowledge of national affairs has been a source of comfort and strength to us all.

We are delighted to have him back once more apparently fully restored to health and ready to take up his duties again.

Mr. TALMADGE. Mr. President, I yield to the distinguished junior Senator from Mississippi.

Mr. STENNIS. Mr. President, I do not believe there is any doubt that our friend who returns today was personally missed by 99 of his fellow Senators every day during his absence, and that he receives a personal and hearty welcome by all of those 99 today—a welcome that is wholesome and genuine. It is based on the respect and esteem that we all hold for the Senator from Georgia.

There are many reasons, but I shall mention only one or two, why I believe Senator RUSSELL is better equipped in more difficult fields of government than any of the rest of us. The Senate has many outstanding Members in many fields, but none who equal the senior Senator from Georgia in this respect. His knowledge includes a most intimate acquaintance with the most vital parts of the Government, not only in the legislative branch, but in the others, as well. All of us who serve on committees with him as well as on the Senate floor have daily missed his fine judgment as well as his commonsense that pays off from day to day for all of us and for the benefit of our great system of government that he loves. We have keenly felt his absence; now we shall feel his presence. You are the Senate's most useful Member, both to your State and to the Nation.

It is great, Senator, to be missed. Anyone appreciates being missed. I know you do. Your heart can receive comfort and your heart courage from the genuine welcome that is extended to you by your colleagues; and that welcome, in turn, includes all those who benefit from your wonderful service here. We are happy to have you back with us again.

Mr. TALMADGE. Mr. President, I yield to the distinguished senior Senator from Ohio.

Mr. LAUSCHE. Mr. President, about 20 minutes ago I came into the Senate Chamber and found myself inspired and rejoiced in the sight of Senator Russell in his accustomed place.

I have been a Member of the Senate for 8 years and have had an opportunity to observe the character and purposes of the senior Senator from Georgia. I would be amiss unless I said that as I beheld him in his work, I was impressed by the keenness of his intellect, the facility of his expression, and, over and above everything else, his purpose to follow a course that would render our Nation secure against our enemies throughout the world.

Conspicuously, I was struck to observe how constantly he had in mind the youth of our Nation. I say that in connection with his service in the military affairs of our country. My analysis would be that he wanted to make certain that our country would live. He wanted to spare our youth the agony that comes when we are involved in violent relationships with those who seek to destroy us.

I shall feel more secure today in the correctness of the course that our country will follow with respect to the Dominican Republic, South Vietnam, the Congo, East Berlin, and other places of trouble with the presence of Senator Russell than I would be without his being here.

I am proud to welcome you back. I rejoice with your colleagues, Senator Russell, in seeing you in our midst.

Mr. TALMADGE. Mr. President, I yield to the distinguished senior Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, I, too, am delighted that our good friend the senior Senator from Georgia [Mr. Russell] is back with us today. Even more important, I am delighted to know that his health situation now is very good.

I do not know of a Senator who has been missed as much as you were while you were gone, my good friend "Dick" Russell.

The senior Senator from Georgia has a typical southern gentlemanly way about him which has endeared him to every Senator on the Appropriations Committee, on the floor of the Senate, and everywhere else. When we have faced difficult problems, it has always been "Dick" Russell who has come up with the good judgment and additional information that was so badly needed. He has conducted himself, I believe, in the greatest tradition of the U.S. Senate. He is a Senators' Senator.

Some years ago I got the idea and announced publicly that if the Democrats would have sense enough to nominate the senior Senator from Georgia for President, I would support him. As was to be expected, at first there was a violent reaction among some of my Republican friends in North Dakota. However, the more they thought about it, the more they thought that it was a pretty good idea. As a result, I received a bigger vote than ever when I came up for election shortly afterward. I still think it was a good idea.

I hope that the Senator will be with us for a long time and that there will not be another absence like the past one.

Mr. TALMADGE. Mr. President, I yield to the distinguished senior Senator from Rhode Island.

Mr. PASTORE. Mr. President, this is certainly a joyous moment. I associate myself with all the tributes in welcoming back to the Senate my very distinguished colleague, the senior Senator from Georgia [Mr. Russell].

A beautiful and cogent expression was used in a song some time ago. It went something like this:

> Something has been missing from our alley
> Since Sally went away.

Something has been missing in the Senate during the absence of our distinguished colleague, the senior Senator from Georgia [Mr. Russell].

We all rejoice at his return. I extend to him a very warm welcome and wish for him many years of service and happiness in the Senate.

Mr. TALMADGE. Mr. President, I yield to the distinguished senior Senator from New Jersey.

Mr. CASE. Mr. President, I hope that the senior Senator from Georgia will not resent my speaking a word of welcome. I hope the Senator will not feel that my doing so will hurt him in any way.

I recognize, as does the Senator, that no two men can disagree on more things than we do. However, I state very quickly that, in regard to personal relations, at least on the side of the senior Senator from New Jersey, no person could have a warmer feeling for a colleague, or higher regard for his great ability and his services to our country, particularly in the chosen field that he has specialized in for so many years as chairman of the Armed Services Committee, than I have for Senator Russell.

As a junior member of that committee, I found the senior Senator from Georgia to be not only able, but also as fair as any man could be.

On personal grounds, we are all glad to see the senior Senator from Georgia back in the Senate.

Mr. TALMADGE. Mr. President, I yield to the distinguished Senator from North Carolina.

Mr. ERVIN. Mr. President, America has never known a Senator better equipped by experience, intelligence, intellectual integrity, devotion to fundamentals, and courage than Dick Russell.

This fact has been recognized on hundreds of occasions by the Senate when it accepted and followed his leadership. I was very much impressed by the statement made by my good friend from North Dakota [Mr. Young] a few moments ago with reference to the qualifications of Dick Russell for the Presidency.

I had the privilege of making a speech a few years ago to the Georgia State Bar Association. In the course of that speech, I said, and I honestly believed that Dick Russell was the best qualified man in the United States for the office of President. I further stated that if he had been born in Kalamazoo, Mich., instead of Winder, Ga., he might have been elected President.

It can be truly said of Dick Russell that he has never sold the truth to serve the hour.

As a consequence, he has sustained some defeats.

However, he has emerged from those defeats as the finest possible illustration of what the poet meant when he said:

> Defeat may serve, as well as victory,
> To shake the soul and let the glory out.

I join other Senators in saying that it is a happy day for me, for the Senate, and for the American people to have Dick Russell back in his accustomed seat.

Mr. TALMADGE. Mr. President, I yield to the distinguished junior Senator from Wyoming.

Mr. SIMPSON. Mr. President, I am very happy to see the distinguished senior Senator from Georgia back on the floor of the Senate. It augurs well for both the Senators and the Senate itself. We have missed you greatly.

I express my gratitude to the senior Senator from Georgia for the very fine things he has done to help me over some of the rough spots.

We have a saying in Wyoming that I believe applies to the senior Senator from Georgia. The saying is: I hope I live to be 100 years old and you never die. I hope that during all that time you serve in the U.S. Senate.

Mr. TALMADGE. Mr. President, I yield to the distinguished senior Senator from Texas.

Mr. YARBOROUGH. Mr. President, I join my colleagues in welcoming the distinguished senior Senator from Georgia back to the Senate. We congratulate him on his recovery and wish for him many more years of his present vigorous, good health. His keen mind, sharp wit, and parliamentary genius add greatly to our governmental knowledge and lend much to our adherence to the parliamentary rules in the Senate and our dignity and esteem among the parliamentary institutions of mankind.

Some States over the years have paid more attention to the capabilities of the men whom they send to the Senate than have other States.

Georgia is one of the States that has paid great attention to the capabilities of the men whom they have sent to the Senate over the years. Georgia has selected her Senators with great care and has sent to the Senate men who first won distinction in other offices before being entrusted with the senatorial toga.

Georgia is one of the great States. It has kept a powerful senatorial representation in the Senate for many years, having elected Senators with capabilities above the level of Senators from other States.

From the very beginning of the Union, Georgia has sent to the Senate such great Senators as George Walton, one of the signers of the Declaration of Independence, Thomas W. Cobb, Robert Toombs, Benjamin Hill, John B. Gordon, Joseph Brown, Walter F. George, and RICHARD B. RUSSELL.

Senator George was here 35 years to earn his great reputation. DICK RUSSELL has been here 32 years.

Senator RUSSELL has a host of friends in my State and many cousins in Texas. Among the 10.5 million people of my State, I am sure there will be millions who rejoice with me in knowing that he is in such good health.

We welcome you back.

Mr. TALMADGE. Mr. President, I yield to the Senator from Kentucky [Mr. MORTON].

Mr. MORTON. Mr. President, I join my colleagues in welcoming back the Senators' Senator, DICK RUSSELL, of Georgia. I am glad to see him return to us and bring with him his great knowledge of parliamentary procedure to this body.

It seems to me significant that his return comes at a time when we are involved in several crises around the world, of which he has particular knowledge in this field.

In 1954, during the Eisenhower administration, after the fall of Dienbienphu, Congress was not in session. I was serving in the administration. I called him and asked if I could see him. In his thoughtful way he said, "It is hard to get to Winder, but I will be in Atlanta."

I had a pleasant luncheon with him. I told him what the decision was. This was more by way of information rather than consultation as to what we would do in that part of southeast Asia. I outlined what President Eisenhower had embarked upon, or had decided to embark upon. He said, "We commit the flag, and I will support the flag, but it is going to be a long, drawn out affair, costly in both blood and treasure."

How right he was.

How glad I am that he is back at this time when we are about to face up to some very difficult decisions. I know the American people are happy in having him back. I am glad he looks so well. I look forward to serving with him on many important duties.

Mr. TALMADGE. Mr. President, I yield to the distinguished Senator from Hawaii [Mr. INOUYE].

Mr. INOUYE. Mr. President, I join my colleagues in welcoming back the country's greatest Senator, the Senator from Georgia [Mr. RUSSELL]. Many eloquent words have been spoken describing Senator RUSSELL. I associate myself with those words.

Our Nation is great because of the Good Lord's permitting DICK RUSSELL to walk in our pathways.

I am certain the people of Hawaii join me in welcoming Senator RUSSELL.

To you, my chairman, aloha.

Mr. TALMADGE. Mr. President, I yield to the Senator from Nevada [Mr. BIBLE].

Mr. BIBLE. Mr. President, I, too, associate myself with the warm welcome that is being extended to a very close and dear friend of mine, the senior Senator from Georgia, DICK RUSSELL. It is really great to have him back with us. Senators express the deep warmth and feeling that we all have for this great man from Georgia.

I have said before, and I repeat now, that I was delighted to join with the ranks of those who thought he had the qualifications, character, and ability to serve as President of the United States. I was delighted to support him in that cause for the presidency.

In every sense of the word, he is a Senators' Senator. It is good to have you back with us again.

Mr. TALMADGE. Mr. President, I yield to the senior Senator from Colorado [Mr. ALLOTT].

Mr. ALLOTT. I thank the distinguished junior Senator from Georgia.

Mr. President, I do not know when any single person or individual in the Senate has been missed as much as has the distinguished senior Senator from Georgia. My own personal admiration for him has been unbounded for many years, not alone because he is the best parliamentarian in the Senate, not alone because he is a man of extreme wisdom and erudition, not alone because he leads his committee with diligence and real ability, but because he has a quality for which I have praised him on the floor of the Senate; namely, his great courage. When he believes in something, he is not unwilling to espouse it with everything he has.

DICK, we welcome you back.

Mr. TALMADGE. Mr. President, I yield to the Senator from Tennessee [Mr. BASS].

Mr. BASS. Mr. President, I join every Senator who has spoken in expressing our joy at having the Senator from Georgia back. He looks fit, healthy, and hearty. Being a neighbor of his from a neighboring State, I am glad to see him back in the Senate and looking so fit.

He has had a distinguished career in the Senate for, lo, these many years. I am one of his great admirers. I have followed and studied his work for many years. He is not only a great leader of the Senate but a great parliamentarian. He has been missed. We are certainly happy to welcome him back.

Mr. TALMADGE. Mr. President, I yield to the Senator from South Carolina [Mr. RUSSELL].

Mr. RUSSELL of South Carolina. Mr. President, we in South Carolina love the senior Senator from Georgia for the sterling character which he has manifested both in his public and in his private life. We also respect him for the judgment and leadership he has given all of us in the South. While he is the senior Senator from Georgia, we in South Carolina claim him as one of our own, for he lives next door to us; and he has given us the benefit of his leadership in the Congress of the United States.

We delight in seeing him come here fit and hearty and ready for the tasks that are before us. I welcome the opportunity of sharing a common name and the opportunity to work with him under his banner, and to support the leadership he gives to the cause of the South.

Mr. TALMADGE. Mr. President, I yield to the Senator from Michigan [Mr. HART].

Mr. HART. Mr. President, as one who probably does not march under his banner always, I wish to join other Senators in expressing a very warm welcome back to Senator RUSSELL. I would suspect that, under truth serum, I would not have said that a few weeks ago, but I am delighted that he is back and hope he will observe the doctor's advice and obey his admonition.

Mr. TALMADGE. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, for the past few months I have missed my long association in the Committees of Armed Services and Appropriations with the senior Senator from Georgia. He and I have worked together for 18 years and I know how deep is his knowledge of our military affairs and how hard he has worked to build up our strength to insure our security. I am mighty happy to see him back on the job and am pleased to see how well he looks. It will be a great help to all of us who are on his committees.

Our country will benefit by his return to the Senate.

Mr. TALMADGE. Mr. President, I yield to the Senator from Virginia [Mr. BYRD].

Mr. BYRD of Virginia. Mr. President, I want to be foremost among those who today welcome DICK RUSSELL back to his accustomed place in the Chamber of the U.S. Senate.

I welcome his return with a prayer of thanksgiving to divine providence for his recovery from a siege of serious illness.

When I came to the Senate 32 years ago, Senator RUSSELL was one of the first to greet me. He had taken the oath of office 2 months before.

Since that time we have been colleagues in our work, in our beliefs, and in our hopes. I have missed him, for to me our association has been an inspiring friendship.

Friends usually fall into two groups: First, there are those for whom friendship originated in gratitude, and, then there are those for whom friendship is a matter of great esteem.

It is a wonderful thing when friendship develops from this combination of gratitude and esteem. I am grateful to DICK RUSSELL for what he has taught me, and I admire him as a teacher.

He is a master of intellect and circumstance from whom so many can learn so much. The Nation and the Senate have reason to be grateful beneficiaries of the restoration of his health and vigor.

As an authority on the Constitution of the United States, Senator RUSSELL has no peer. He is a man dedicated to the fundamentals on which this Nation was founded, and on which it depends for sound progress.

He is a man of philosophical power who is sincere in thought, word, and principle. He is a stronghold of moderate ideas.

Dick Russell is a friend when we are in trouble; he is our companion in necessary vigils; and he echoes a lifetime to duty and affection.

We never find him far from the realities of life; and he has the enviable faculty of producing, accumulating, and analyzing knowledge.

When he lays hold of a problem, he does it with the capacity of keen intellect, an ability for searching investigation, and a gift of sound judgment.

He works thoroughly, without pause or hurry. He is adept at disengaging essentials from detail. He is skillful in cutting the knots out of tangled issues.

He is accomplished in the art of turning losses into lessons. He knows how to be ready for opportunity, and how to strike straight—at the right time and the right place.

He is chairman of the Armed Services Committee, and the ranking member of the Appropriations Committee; and I have the honor of joining other southern Senators in making him our leader.

It has been my privilege to serve, for years, with and under him on the Armed Services Committee; and we are fortunate to have there a man with his love for exact knowledge and his capacity for vast horizons.

For the South, Dick Russell rises above the whirlpool of political change to discriminate between changes which rob the Nation of more than they give.

We are fortunate that life seeks its own continuance; that it tends to repair itself; and that it reestablishes us in the conditions of health.

Health is the first of all liberties. It brings hope back to our hearts. We are grateful for the restoration of Dick Russell's health and his presence in the Senate again is welcomed, indeed.

Mr. TALMADGE. Mr. President, I yield to the Senator from Connecticut.

Mr. RIBICOFF. Mr. President, if one looks in the Congressional Directory to find out some details of the accomplishments of Georgia's senior Senator, he will be disappointed. For in that volume of biography and factual information, he is listed only as "Richard Brevard Russell, Democrat of Winder, Ga."

But Senator Russell was probably wise in listing himself so modestly. For it would take so many words to outline his distinguished career, so many adjectives to describe his contributions to the Senate and to our country, that the reader might be overcome.

I am honored to join other Senators in saluting Senator Russell—outstanding public servant and great human being. Welcome home, Senator.

Mr. TALMADGE. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I had the honor of serving with Senator Russell on the Armed Services Committee in 1953 and 1954 and learned at firsthand of his thorough knowledge of the defense system of our country and his forceful leadership and determination that the security of our country shall be protected at whatever cost or sacrifice. Last year I served with him on the President's Commission to investigate the assassination of the late President Kennedy and again recognized the strength and clarity of his mind and his devotion to duty.

I join with my colleagues in welcoming the distinguished senior Senator from Georgia, Richard Russell.

Mr. TALMADGE. I yield to the Senator from Nevada.

Mr. CANNON. Mr. President, to define the term "a Senator's Senator" is an assignment that has defied the pen of most of the Washington editorial writers. It is a term reserved for that select few who have achieved lasting accomplishment and fame in this body.

From my experience in this Chamber, no Senator deserves the title more than that giant from the great State of Georgia, Richard Russell.

His leadership of the Armed Services Committee, on which I am privileged to sit, has, in my opinion, immeasurably strengthened the security of this country, and his counsel on leading issues of the day has long brought clarity and reasonableness to difficult situations.

This is why I am extremely happy today to join with Senator Russell's colleagues in welcoming him back to the Senate on the joyful occasion of his recovery from a recent serious illness.

Senator Russell has had virtually every honor that can come to a citizen and he has achieved a place in history of which few men can boast. He is indeed a legend in his own lifetime and I look forward to serving with him for many more years, for he has enriched this body and his colleagues by his presence here.

Mr. TALMADGE. Mr. President, the warmth of Senators in welcoming back the senior Senator from Georgia represents a clear demonstration of the love, affection, and confidence that we have in my distinguished colleague. The Senate is a better body because he is with us. I believe the United States of America will be safer because of his being back in this body and rendering advice from day to day from time to time on problems that confront Congress and the country.

It is a particular honor for me to welcome him back, because we both represent the same State. I know how sorely his advice and aid and leadership have been missed not only by my State, but by the country as well.

Mr. RUSSELL of Georgia. Mr. President, protocol and common decency demand that I undertake to express my appreciation and humility for the generous remarks which my colleagues have made about me today.

My first disposition was to refrain from saying anything because I was so deeply touched by these laudatory statements, but that would have certainly reflected on the Senate if any Member of this body who has served for more than 30 years ever found himself unable to speak no matter what the circumstances or conditions.

But I am deeply touched, and I feel very humble to have so many of those whose good opinions I value so highly pay these overly generous tributes to me today.

I leave it to my colleagues as to how much of a loss the Senate suffered during my absence, but it certainly was a great loss to me not to have been here. I know about that personally. I have some doubt about the other contention.

In my opinion, no greater honor can come to any man than to serve in the Senate of the United States. There are times when the Senate loses stature, and there are times when it regains its position in our scheme of government.

I am proud to be one of those who has great faith in the Senate, even though its actions sometimes shake my confidence in its good judgment.

The Senate is a great body. It is composed of great men who have been selected by the people of the 50 sovereign States of this Union to represent them in Washington. Senators have responsibilities which are greater than those borne by any other parliamentarians in the world.

Mr. President, I have tried, to the limit of my ability, during the period that I have been a Member of this body, to measure up to the ideals and traditions of the Senate. I have failed in some respects, because the Senate has great traditions and high ideals.

There was a time when I feared I might not return to finish out this Congress. The fact that I am here today is due to the dedication and the skill of Lt. Gen. Leonard D. Heaton, the Surgeon General of the Army, and his devoted and loyal medical staff—and the nurses and corpsmen at Walter Reed Hospital—who can bring a man back from the "other shore" if they can get their hands on him before he is cold.

I did not expect to see all these fine people, but my staff invited them to come, and they are now in the galleries. Let me tell the Senate that these dedicated men and women constitute the greatest medical team with which I have ever come in contact. [Applause.]

Mr. President, I shall endeavor, to the limit of my ability, to measure up to my responsibilities in this body. I shall try, though I know I cannot succeed, to earn the very great praise and high tributes which have been heaped upon me today.

But, whether I can in any measure deserve them in the days to come, I shall forever treasure as priceless jewels the very kind words which have been spoken by my colleagues in this body. [Applause, Senators rising.]

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. TALMADGE, from the Committee on Agriculture and Forestry, with amendments:

S. 199. A bill to amend the Watershed Protection and Flood Prevention Act, as amended (Rept. No. 242).

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL STOCKPILE INVENTORIES

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on

Reduction of Nonessential Federal Expenditures, I submit a report on Federal stockpile inventories as of March 1965. I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

FEDERAL STOCKPILE INVENTORIES, MARCH 1965

INTRODUCTION

This is the 64th in a series of monthly reports on Federal stockpile inventories. It is for the month of March 1965.

The report is compiled from official data on quantities and cost value of commodities in these stockpiles submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures by the Departments of Agriculture, Defense, Health, Education, and Welfare, and Interior, and the General Services Administration.

The cost value of materials in inventories covered in this report, as of March 1, 1965, totaled $13,052,653,269 and as of March 31, 1965, they totaled $12,890,137,489, a net decrease of $162,515,780 during the month.

Different units of measure make it impossible to summarize the quantities of commodities and materials which are shown in tables 1, 2, 3, 4, and 5, but the cost value figures are summarized by major category, as follows:

Summary of cost value of stockpile inventories by major category

Major category	Beginning of month, Mar. 1, 1965	End of month, Mar. 31, 1965	Net change during month
Strategic and critical materials:			
National stockpile [1]	$5,521,145,800	$5,494,228,600	−$26,917,200
Defense Production Act	1,414,482,900	1,404,230,000	−10,252,900
Supplemental—barter	1,400,563,510	1,403,425,507	+2,861,997
Total, strategic and critical materials [1]	8,336,192,210	8,301,884,107	−34,308,103
Agricultural commodities:			
Price support inventory	4,294,069,340	4,162,466,544	−131,602,796
Inventory transferred from national stockpile [1]	56,062,977	55,530,922	−532,055
Total, agricultural commodities [1]	4,350,132,317	4,217,997,466	−132,134,851
Civil defense supplies and equipment:			
Civil defense stockpile, Department of Defense	11,857,563	11,855,983	−1,580
Civil defense medical stockpile, Department of Health, Education, and Welfare	200,708,260	200,784,735	+76,475
Total, civil defense supplies and equipment	212,565,823	212,640,718	+74,895
Machine tools:			
Defense Production Act	45,300	45,300	
National Industrial Reserve Act	88,939,100	89,213,100	+274,000
Total, machine tools	88,984,400	89,258,400	+274,000
Helium	64,778,519	68,356,798	+3,578,279
Total, all inventories	13,052,653,269	12,890,137,489	−162,515,780

[1] Cotton inventory valued at $128,409,100 withdrawn from the national stockpile and transferred to Commodity Credit Corporation for disposal, pursuant to Public Law 87-548, during August 1962.

Detailed tables in this report show each commodity, by the major categories summarized above, in terms of quantity and cost value as of the beginning and end of the month. Net change figures reflect acquisitions, disposals, and accounting and other adjustments during the month.

The cost value figures represent generally the original acquisition cost of the commodities delivered to permanent storage locations, together with certain packaging, processing, upgrading, et cetera, costs as carried in agency inventory accounts. Quantities are stated in the designated stockpile unit of measure.

Appendix A to this report, beginning on page 11333, includes program descriptions and statutory citations pertinent to each stockpile inventory within the major categories.

The stockpile inventories covered by the report are tabulated in detail as follows:

Table 1: Strategic and critical materials inventories (all grades), March 1965 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month).

Table 2: Agricultural commodities inventories, March 1965 (showing by commodity net changes during the month in terms of cost value and quantity).

Table 3: Civil defense supplies and equipment inventories, March 1965 (showing by item net changes during the month in terms of cost value and quantity).

Table 4: Machine tools inventories, March 1965 (showing by item net changes during the month in terms of cost value and quantity).

Table 5: Helium inventories, March 1965 (showing by item net changes during the month in terms of cost value and quantity).

New stockpile objectives

The Office of Emergency Planning is in the process of establishing new stockpile objectives for strategic and critical materials.

Table 1 of this report reflects the new objectives established between May 1963 and April 1964, based on essential needs in the event of a conventional war emergency.

Appendix B, beginning on page 11334, contains excerpts from Office of Emergency Planning statements setting forth the new policy and current studies with respect to objectives for strategic and critical materials required for conventional war emergency and nuclear war emergency.

TABLE 1.—*Strategic and critical materials inventories (all grades), March 1965 (showing, by commodity, net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*

Commodity	Cost value			Quantity					
	Beginning of month, Mar. 1, 1965	End of month, Mar. 31, 1965	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1965	End of month, Mar. 31, 1965	Net change during month	Stockpile objective [1]	Excess over stockpile objective
Aluminum, metal:									
National stockpile	$487,680,600	$487,680,600		Short ton	1,128,988	1,128,988			
Defense Production Act	400,267,600	396,576,200	−$3,691,400	do	793,906	786,616	−7,290		
Total	887,948,200	884,256,800	−3,691,400	do	1,922,894	1,915,604	−7,290	450,000	1,465,604
Aluminum oxide, abrasive grain:									
Supplemental—barter	15,717,600	15,717,600		Short dry ton	50,905	50,905		(2)	50,905
Aluminum oxide, fused, crude:									
National stockpile	21,735,100	21,735,100		Short ton	200,093	200,093			
Supplemental—barter	22,747,400	22,747,400		do	178,266	178,266			
Total	44,482,500	44,482,500		do	378,359	378,359		160,000	218,359
Antimony:									
National stockpile	19,655,200	19,425,100	−230,100	do	29,096	28,773	−323		
Supplemental—barter	13,550,500	13,550,500		do	22,704	22,704			
Total	33,205,700	32,975,600	−230,100	do	51,800	51,477	−323	25,500	25,977
Asbestos, amosite:									
National stockpile	2,637,600	2,637,600		do	11,705	11,705			
Supplemental—barter	10,084,168	10,170,698	+86,530	do	40,217	40,467	+250		
Total	12,721,768	12,808,298	+86,530	do	51,922	52,172	+250	40,000	12,172

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), March 1965 (showing, by commodity, net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*—Con.

Commodity	Cost value			Quantity					
	Beginning of month, Mar. 1, 1965	End of month, Mar. 31, 1965	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1965	End of month, Mar. 31, 1965	Net change during month	Stockpile objective [1]	Excess over stockpile objective
Asbestos, chrysotile:									
National stockpile	$3,356,200	$3,356,200		Short ton	6,224	6,224			
Defense Production Act	2,102,600	2,102,600		do	2,348	2,348			
Supplemental—barter	4,990,054	4,990,054		do	7,576	7,576			
Total	10,448,854	10,448,854		do	16,148	16,148		13,700	2,448
Asbestos, crocidolite:									
National stockpile	702,100	702,100		do	1,567	1,557			
Supplemental—barter	10,777,962	11,009,241	+$231,279	do	41,588	42,235	+747		
Total	11,480,062	11,711,341	+231,279	do	43,155	43,902	+747	(2)	43,902
Bauxite, metal grade, Jamica type:									
National stockpile	13,925,000	13,925,000		Long dry ton	879,740	879,740			
Defense Production Act	18,168,000	18,168,000		do	1,370,077	1,370,077			
Supplemental—barter	95,646,124	96,194,152	+548,028	do	6,217,796	6,261,227	+43,431		
Total	127,739,124	128,287,152	+548,028	do	8,467,613	8,511,044	+43,431	5,000,000	3,511,044
Bauxite, metal grade, Surinam type:									
National stockpile	78,552,500	78,552,500		do	4,962,706	4,962,706			
Supplemental—barter	45,197,400	45,197,400		do	2,927,260	2,927,260			
Total	123,749,000	123,749,000		do	7,889,966	7,889,966		5,300,000	2,589,966
Bauxite, refractory grade:									
National stockpile	11,347,800	11,347,800		Long calcined ton.	299,279	299,279		173,000	126,297
Beryl:									
National stockpile	1,768,400	9,768,400		Short ton	23,230	23,230			
Defense Production Act	1,425,600	1,425,600		do	2,542	2,542			
Supplemental—barter	23,049,900	23,055,800	+5,900	do	12,277	12,275	−2		
Total	34,243,900	34,249,800	+5,900	do	38,049	38,047	−2	28,000	10,047
Beryllium metal:									
Supplemental—barter	18,703,500	18,703,500		do	153	153		(2)	153
Bismuth:									
National stockpile	2,674,200	2,674,300		Pound	1,342,402	1,342,402			
Defense Production Act	52,400	52,400		do	22,901	22,901			
Supplemental—barter	5,536,700	5,536,700		do	2,506,493	2,506,493			
Total	8,263,400	8,263,400		do	3,871,796	3,871,796		3,600,000	271,796
Cadmium:									
National stockpile	15,148,200	15,148,200		do	7,699,481	7,699,481			
Supplemental—barter	12,326,600	12,326,600		do	7,448,389	7,448,389			
Total	27,474,800	27,474,800		do	15,147,870	15,147,870		5,100,000	10,047,870
Castor oil:									
National stockpile	44,830,800	44,619,800	−211,000	do	176,204,914	175,361,414	−843,500	22,000,000	153,361,414
Celestite:									
National stockpile	1,412,300	1,412,300		Short ton	28,816	29,017	+201		
Supplemental—barter	885,635	935,173	+49,538	do	20,968	21,947	+979		
Total	2,297,935	2,347,473	+49,538	do	49,784	50,964	+1,180	10,300	40,664
Chromite, chemical grade:									
National stockpile	12,288,000	12,288,000		Short dry ton	559,452	559,452			
Supplemental—barter	21,993,100	21,993,100		do	699,644	699,644			
Total	34,281,100	34,281,100		do	1,259,096	1,259,096		600,000	659,096
Chromite, metallurgical grade:									
National stockpile	264,565,500	264,565,500		do	3,795,291	3,795,291			
Defense Production Act	35,879,900	35,879,900		do	985,646	985,646			
Supplemental—barter	227,245,892	227,250,892	+5,000	do	1,560,749	1,560,749			
Total	527,691,292	527,696,292	+5,000	do	6,341,686	6,341,686		2,970,000	3,371,686
Chromite, refractory grade:									
National stockpile	25,149,300	25,149,300		do	1,047,159	1,047,159			
Supplemental—barter	5,039,000	5,039,000		do	179,775	179,775			
Total	30,188,300	30,188,300		do	1,226,934	1,226,934		1,425,000	(3)
Cobalt:									
National stockpile	169,228,500	169,228,500		Pound	76,068,771	76,068,771			
Defense Production Act	52,075,300	52,075,300		do	25,066,651	25,066,651			
Supplemental—barter	2,169,000	2,169,000		do	1,065,398	1,065,398			
Total	223,472,800	223,472,800		do	102,200,820	102,200,820		42,000,000	60,200,820
Coconut oil:									
National stockpile	984,200	984,200		do	6,517,421	6,517,421		(2)	6,517,421
Colemanite:									
Supplemental—barter	2,636,400	2,636,400		Long dry ton	67,636	67,636		(2)	67,636
Columbium:									
National stockpile	24,845,500	24,849,400	+3,900	Pound	7,364,642	7,361,887	−2,755		
Defense Production Act	50,238,900	50,238,900		do	7,966,341	7,966,341			
Supplemental—barter	799,100	799,100		do	371,426	371,426			
Total	75,883,500	75,887,400	+3,900	do	15,702,409	15,699,654	−2,755	1,176,000	14,523,654

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), March 1965 (showing, by commodity, net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*—Con.

Commodity	Cost value			Quantity					
	Beginning of month, Mar. 1, 1965	End of month, Mar. 31, 1965	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1965	End of month, Mar. 31, 1965	Net change during month	Stockpile objective [1]	Excess over stockpile objective
Copper:									
National stockpile	$524,503,100	$524,568,100	+$65,000	Short ton	1,008,474	1,008,304	−170		
Defense Production Act	34,749,400	30,554,400	−4,195,000	do	61,864	54,214	−7,650		
Supplemental—barter	8,252,100	8,252,100		do	12,382	12,382			
Total	567,504,600	563,374,600	−4,130,000	do	1,082,720	1,074,900	−7,820	775,000	299,900
Cordage fibers, abaca:									
National stockpile	37,034,100	37,034,700	+600	Pound	146,933,033	146,932,241	−792	100,000,000	46,932,241
Cordage fibers, sisal:									
National stockpile	41,822,000	41,750,500	−71,500	do	309,230,337	308,700,592	−529,745	300,000,000	8,700,592
Corundum:									
National stockpile	393,100	393,100		Short ton	2,008	2,008		2,500	(3)
Cryolite:									
Defense Production Act	5,309,900	5,120,700	−189,200	do	19,229	18,544	−685	(2)	18,544
Diamond dies:									
National stockpile	599,800	612,800	+13,000	Piece	19,414	19,621	+207	25,000	(3)
Diamond, industrial, crushing bort:									
National stockpile	61,601,800	61,601,800		Carat	31,109,411	31,109,411			
Supplemental—barter	15,800,500	15,800,500		do	5,550,579	5,550,579			
Total	77,402,300	77,402,300		do	36,659,990	36,659,990		24,700,000	11,959,990
Diamond, industrial, stones:									
National stockpile	100,509,400	100,509,400		do	9,319,183	9,319,183			
Supplemental—barter	186,341,500	186,341,500		do	15,425,827	15,425,827			
Total	286,850,900	286,850,900		do	24,745,010	24,745,010		16,500,000	8,245,010
Diamond tools;									
National stockpile	1,015,400	1,015,400		Piece	64,178	64,178		(2)	64,178
Feathers and down:									
National stockpile	30,734,900	30,652,000	−82,900	Pound	7,418,509	7,398,509	−20,000	3,000,000	4,398,509
Fluorspar, acid grade:									
National stockpile	26,167,500	26,167,500		Short dry ton	463,049	463,049			
Defense Production Act	1,394,400	1,394,400		do	19,700	19,700			
Supplemental—barter	33,531,100	16,098,900	−17,432,200	do	673,232	323,232	−350,000		
Total	61,093,000	43,660,800	−17,432,200	do	1,155,981	805,981	−350,000	540,000	265,981
Fluorspar, metallurgical grade:									
National stockpile	17,332,400	17,332,400		do	369,443	369,443			
Supplemental—barter	1,508,100	18,940,300	+17,432,200	do	42,800	480,800	+438,000		
Total	18,840,500	36,272,700	+17,432,200	do	412,243	850,243	+438,000	850,000	243
Graphite, natural, Ceylon, amorphous lump:									
National stockpile	937,900	937,900		do	4,455	4,455			
Supplemental—barter	341,200	341,200		do	1,428	1,428			
Total	1,279,100	1,279,100		do	5,883	5,883		5,500	383
Graphite, natural, Malagasy, crystalline:									
National stockpile	6,732,800	6,732,800		do	32,678	32,678			
Supplemental—barter	232,500	232,500		do	1,908	1,908			
Total	6,965,300	6,965,300		do	34,586	34,586		18,000	16,586
Graphite, natural, other, crystalline:									
National stockpile	1,894,400	1,894,400		do	5,481	5,481		2,800	2,681
Hyoscine:									
National stockpile	31,200	31,200		Ounce	2,140	2,140		(2)	2,140
Iodine:									
National stockpile	4,082,000	4,082,000		Pound	2,956,713	2,956,713			
Supplemental—barter	1,421,000	1,415,700	−5,300	do	1,333,563	1,333,563			
Total	5,503,000	5,497,700	−5,300	do	4,290,276	4,290,276		8,000,000	(3)
Iridium: National stockpile	2,525,800	2,525,800		Troy ounce	13,937	13,937		17,000	(3)
Jewel bearings: National stockpile	4,578,600	4,578,600		Piece	52,592,365	52,592,365		57,500,000	(3)
Kyanite-mullite: National stockpile	717,200	712,900	−4,300	Short dry ton	8,295	8,246	−49	4,800	3,446
Lead:									
National stockpile	304,397,000	304,207,600	−189,400	Short ton	1,001,195	1,000,572	−623		
Supplemental—barter	78,398,500	78,398,500		do	327,998	327,998			
Total	382,795,500	382,606,100	−189,400	do	1,329,193	1,328,570	−623	0	1,328,570
Magnesium: National stockpile	124,170,500	124,025,400	−145,100	do	171,015	170,815	−200	145,000	25,815
Manganese, battery grade, natural ore:									
National stockpile	21,025,500	21,025,500		Short dry ton	144,485	144,485			
Supplemental—barter	14,121,400	14,121,400		do	142,245	142,245			
Total	35,146,900	35,146,900		do	286,730	286,730		80,000	206,730

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), March 1965 (showing, by commodity, net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*—Con.

Commodity	Cost value			Quantity					
	Beginning of month, Mar. 1, 1965	End of month, Mar. 31, 1965	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1965	End of month, Mar. 31, 1965	Net change during month	Stockpile objective [1]	Excess over stockpile objective
Manganese, battery grade, synthetic dioxide:									
National stockpile	$3,095,500	$3,095,500		Short dry ton	21,272	21,272			
Defense Production Act	2,524,700	2,524,700		do	3,779	3,779			
Total	5,620,200	5,620,200		do	25,051	25,051		6,700	18,351
Manganese, chemical grade, type A:									
National stockpile	2,133,300	2,133,300		do	29,307	29,307			
Supplemental—barter	7,922,100	7,922,100		do	117,607	117,607			
Total	10,055,400	10,055,400		do	146,914	146,914		68,500	78,414
Manganese, chemical grade, type B:									
National stockpile	132,600	132,600		do	1,822	1,822			
Supplemental—barter	6,669,800	6,669,800		do	99,016	99,016			
Total	6,802,400	6,802,400		do	100,838	100,838		64,000	36,838
Manganese, metallurgical grade:									
National stockpile	248,240,900	248,240,900		do	5,852,191	5,852,191			
Defense Production Act	172,122,100	172,122,100		do	2,980,257	2,980,257			
Supplemental—barter	266,630,937	268,570,259	+$1,939,322	do	3,988,982	4,011,302	+22,320		
Total	686,993,937	688,933,259	+1,939,322	do	12,821,430	12,843,750	+22,320	7,900,000	4,943,750
Mercury:									
National stockpile	33,080,300	33,080,100	−200	Flask	184,365	184,365			
Supplemental—barter	3,446,200	3,446,200		do	16,000	16,000			
Total	36,526,500	36,526,300	−200	do	200,365	200,365		200,000	365
Mica, muscovite block:									
National stockpile	27,627,600	27,113,100	−514,500	Pound	11,622,775	11,402,427	−220,348		
Defense Production Act	40,689,700	40,689,700		do	6,432,569	6,432,569			
Supplemental—barter	6,677,544	6,679,444	+1,900	do	1,950,810	1,950,831	+21		
Total	74,994,844	74,482,244	−512,600	do	20,006,154	19,785,827	−220,327	6,000,000	13,785,827
Mica, muscovite film:									
National stockpile	9,058,100	9,058,100		do	1,719,308	1,719,183	−125		
Defense Production Act	633,300	633,300		do	102,681	102,681			
Supplemental—barter	1,062,600	1,062,600		do	116,556	116,556			
Total	10,754,000	10,754,000		do	1,938,545	1,938,420	−125	2,000,000	(3)
Mica, muscovite splittings:									
National stockpile	40,598,300	40,598,300		do	40,040,169	40,040,169			
Supplemental—barter	6,225,800	6,225,800		do	4,826,257	4,826,257			
Total	46,824,100	46,824,100		do	44,866,426	44,866,426		22,200,000	22,666,426
Mica, phlogopite block:									
National stockpile	303,600	303,600		do	223,239	223,239		17,000	206,239
Mica, phlogopite splittings:									
National stockpile	2,580,500	2,580,500		do	3,079,062	3,079,062			
Supplemental—barter	2,501,800	2,501,800		do	1,986,902	1,986,902			
Total	5,082,300	5,082,300		do	5,065,964	5,065,964		1,300,000	3,765,964
Molybdenum:									
National stockpile	74,869,500	72,059,500	−2,810,000	do	72,052,882	69,486,859	−2,566,023	68,000,000	1,486,859
Nickel:									
National stockpile	181,721,100	181,636,200	−84,900	Short ton	166,736	166,628	−108		
Defense Production Act	92,404,700	91,108,000	−1,296,700	do	49,065	48,391	−674		
Total	274,125,800	272,744,200	−1,381,600	do	215,801	215,019	−782	50,000	165,019
Opium:									
National stockpile	13,661,700	13,661,700		Pound	196,364	196,364		141,280	55,084
Palladium:									
National stockpile	2,079,000	2,079,000		Troy ounce	89,811	89,811			
Supplemental—barter	12,170,200	12,170,200		do	648,124	648,124			
Total	14,249,200	14,249,200		do	737,935	737,935		1,300,000	(3)
Palm oil:									
National stockpile	1,776,700	1,682,200	−94,500	Pound	9,871,585	9,346,625	−524,960	(2)	9,346,625
Platinum:									
National stockpile	56,879,900	56,879,900		Troy ounce	716,343	716,343			
Supplemental—barter	4,024,500	4,024,500		do	49,999	49,999			
Total	60,904,400	60,904,400		do	766,342	766,342		450,000	316,342
Pyrethrum:									
National stockpile	415,100	415,600	+500	Pound	66,969	67,044	+75	25,000	42,044
Quartz crystals:									
National stockpile	66,934,100	66,934,100		do	5,412,627	5,412,627			
Supplemental—barter	3,519,200	3,519,200		do	232,352	232,352			
Total	70,453,300	70,453,300		do	5,644,979	5,644,979		650,000	4,994,979
Quinidine:									
National stockpile	1,846,000	1,846,000		Ounce	1,600,428	1,600,428		2,000,000	(3)
Quinine:									
National stockpile	2,617,000	2,617,000		do	4,137,733	4,137,733		4,130,000	7,733

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), March 1965 (showing, by commodity, net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*—Con.

Commodity	Cost value			Quantity					
	Beginning of month, Mar. 1, 1965	End of month, Mar. 31, 1965	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1965	End of month. Mar. 31, 1965	Net change during month	Stockpile objective [1]	Excess over stockpile objective
Rare earths:									
National stockpile	$7,134,900	$7,134,900	------	Short dry ton	9,969	9,969	------	------	------
Supplemental—barter	5,830,900	5,830,900	------	do	5,810	5,810	------	------	------
Total	12,965,800	12,965,800	------	do	15,779	15,779	------	3,000	12,779
Rare earths residue:									
Defense Production Act	657,200	657,200	------	Pound	6,079,961	6,079,961	------	(2)	6,079,961
Rhodium:									
National stockpile	78,200	78,200	------	Troy ounce	618	618	------	(2)	618
Rubber:									
National stockpile	651,272,800	638,391,700	−$12,881,100	Long ton	842,320	825,592	−16,728	130,000	695,592
Ruthenium:									
Supplemental—barter	559,500	559,500	------	Troy ounce	15,001	15,001	------	(2)	15,001
Rutile:									
National stockpile	2,070,100	2,070,100	------	Short dry ton	18,599	18,599	------	------	------
Defense Production Act	2,725,100	2,725,100	------	do	17,385	17,385	------	------	------
Supplemental—barter	1,061,300	1,061,300	------	do	11,632	11,632	------	------	------
Total	5,856,500	5,856,500	------	do	47,616	47,616	------	51,000	(3)
Sapphire and ruby:									
National stockpile	190,000	190,000	------	Carat	16,187,500	16,308,797	+121,297	18,000,000	(3)
Selenium:									
National stockpile	757,100	757,100	------	Pound	97,100	97,100	------	------	------
Supplemental—barter	1,659,294	1,659,094	−200	do	306,603	306,603	------	------	------
Total	2,416,394	2,416,194	−200	do	403,703	403,703	------	475,000	(3)
Shellac:									
National stockpile	8,184,300	8,122,000	−62,300	do	16,324,946	16,200,661	−124,285	8,300,000	7,900,661
Silicon carbide, crude:									
National stockpile	11,394,500	11,394,500	------	Short ton	64,697,	64,697	------	------	------
Supplemental—barter	26,803,600	26,803,600	------	do	131,805	131,805	------	------	------
Total	38,198,100	38,198,100	------	do	196,502	196,502	------	30,000	166,502
Silk noils and waste:									
National stockpile	1,232,100	1,232,100	------	Pound	979,924	979,924	------	(2)	979,924
Silk, raw:									
National stockpile	486,600	486,600	------	do	113,515	113,515	------	(2)	113,515
Sperm oil:									
National stockpile	4,775,400	4,775,400	------	do	23,442,158	23,442,158	------	23,400,000	42,158
Talc, steatite block and lump:									
National stockpile	494,800	494,800	------	Short ton	1,269	1,269	------	200	1,069
Talc, steatite ground:									
National stockpile	231,200	231,200	------	do	3,901	3,901	------	(2)	3,901
Tantalum:									
National stockpile	12,104,200	12,435,300	+331,100	Pound	3,148,556	3,161,550	+12,994	------	------
Defense Production Act	9,734,400	9,734,400	------	do	1,536,023	1,536,023	------	------	------
Supplemental—barter	21,100	21,100	------	do	8,036	8,036	------	------	------
Total	21,859,700	22,190,800	+331,100	do	4,692,615	4,705,609	+12,994	3,400,000	1,305,609
Thorium:									
Supplemental—barter	17,991,700	17,991,700	------	do	3,965,461	3,965,461	------	500,000	3,465,461
Thorium residue:									
Defense Production Act	42,000	42,000	------	do	848,354	848,354	------	(2)	848,354
Tin:									
National stockpile	715,095,800	705,258,700	−9,837,100	Long ton	294,046	290,045	−4,001	------	------
Supplemental—barter	16,404,000	16,404,000	------	do	7,505	7,505	------	------	------
Total	731,499,800	721,662,700	−9,837,100	do	301,551	297,550	−4,001	200,000	97,550
Titanium sponge:									
Defense Production Act	175,871,900	175,871,900	------	Short ton	22,339	22,339	------	------	------
Supplemental—barter	32,097,700	32,097,700	------	do	9,021	9,021	------	------	------
Total	207,969,600	207,969,600	------	do	31,360	31,360	------	20,500	10,860
Tungsten:									
National stockpile	369,128,100	369,128,100	------	Pound	120,013,898	120,014,406	+508	------	------
Defense Production Act	315,413,800	314,533,200	−880,600	do	77,326,520	77,111,237	−215,283	------	------
Supplemental—barter	18,651,400	18,651,400	------	do	5,774,827	5,774,827	------	------	------
Total	703,193,300	702,312,700	−880,600	do	203,115,245	202,900,470	−214,775	44,000,000	158,900,470
Vanadium:									
National stockpile	31,567,900	31,567,900	------	Short ton	7,865	7,865	------	1,400	6,465
Vegetable tannin extract, chestnut:									
National stockpile	9,931,100	9,840,400	−90,700	Long ton	35,595	35,270	−325	15,000	20,270
Vegetable tannin extract, quebracho:									
National stockpile	48,858,500	48,858,500	------	do	197,465	197,465	------	86,000	111,465
Vegetable tannin extract, wattle:									
National stockpile	9,826,900	9,826,900	------	do	38,962	38,962	------	15,000	23,962

See footnotes at end of table.

Table 1.—*Strategic and critical materials inventories (all grades), March 1965 (showing, by commodity, net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*—Con.

Commodity	Cost value			Quantity					
	Beginning of month, Mar. 1, 1965	End of month, Mar. 31, 1965	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1965	End of month, Mar. 31, 1965	Net change during month	Stockpile objective [1]	Excess over stockpile objective
Zinc:									
National stockpile	$342,563,100	$342,541,400	−$21,700	Short ton	1,180,952	1,180,933	−19		
Supplemental—barter	79,588,400	79,588,400		do	323,896	323,896			
Total	422,151,500	422,129,800	−21,700	do	1,504,848	1,504,829	−19	0	1,504,829
Zirconium ore, baddeleyite: National stockpile	710,600	710,600		Short dry ton	16,533	16,533		(2)	16,533
Zirconium ore, zircon: National stockpile	113,300	113,300		do	1,920	1,920		(3)	1,920
Total:									
National stockpile	5,521,145,800	5,494,228,600	−26,917,200						
Defense Production Act	1,414,482,900	1,404,230,000	−10,252,900						
Supplemental—barter	1,400,563,510	1,403,425,507	+2,861,997						
Total, strategic and critical materials	8,336,192,210	8,301,884,107	−34,308,103						

[1] Stockpile objectives for strategic and critical materials are determined pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). The Office of Emergency Planning is currently in the process of revising stockpile objectives. (See app. B.)

[2] No present objective.

[3] Not in excess of stockpile objective.

Source: Compiled from reports submitted by the General Services Administration and the Department of Agriculture.

Table 2.—Agricultural commodities inventories, March 1965 (showing, by commodity, net changes during the month in terms of cost value and quantity)

Commodity	Cost value			Quantity			
	Beginning of month, Mar. 1 1965	End of month, Mar. 31, 1965	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1965	End of month, Mar. 31, 1965	Net change during month
Price-support inventory:							
Basic commodities:							
Corn	$919,955,197	$852,714,529	−$67,240,668	Bushel	748,654,071	693,719,120	−54,934,951
Cotton, extra-long staple	31,464,795	30,422,236	−1,042,559	Bale	119,462	115,498	−3,964
Cotton, upland	1,216,844,375	1,176,246,079	−40,598,296	do	7,365,114	7,118,645	−246,469
Peanuts, farmers' stock	9,301	6,724	−2,577	Pound	78,291	58,109	−20,182
Peanuts, shelled	4,637,836	4,733,885	+96,049	do	26,973,292	27,805,552	+832,260
Rice, milled	111,828	134,252	+22,424	Hundredweight	11,320	13,316	−1,996
Rice, rough	3,965,397	3,367,968	−597,429	do	768,453	654,131	−114,322
Wheat	1,353,406,852	1,323,927,364	−29,479,488	Bushel	656,903,309	641,824,257	−15,079,052
Wheat flour	358,516	93,287	−265,229	Pound	6,443,700	1,702,000	−4,741,700
Total, basic commodities	3,530,754,097	3,391,646,324	−139,107,773				
Designated nonbasic commodities:							
Barley	18,638,000	18,010,569	−627,431	Bushel	21,648,945	20,926,618	−722,327
Grain sorghum	639,242,812	627,491,957	−11,750,855	do	563,923,230	551,372,505	−12,550,725
Milk and butterfat:							
Butter	19,823,947	36,202,504	+16,378,557	Pound	33,879,168	61,880,129	+28,000,961
Butter oil	5,954,555	5,685,633	−268,922	do	7,704,922	7,357,139	−347,783
Cheese	4,269,100	3,329,954	−939,146	do	10,837,897	8,330,038	−2,507,859
Milk, dried	25,836,554	33,822,460	+7,985,906	do	173,725,871	228,579,992	+54,854,121
Oats	19,084,199	18,967,165	−117,034	Bushel	31,520,470	31,154,591	−365,879
Rye	475,792	490,652	+14,860	do	422,766	435,095	+12,329
Tung oil	3,563,619	3,531,965	−31,654	Pound	14,848,355	14,738,424	−109,931
Total, designated nonbasic commodities	736,888,578	747,532,859	+10,644,281				
Other nonbasic commodities:							
Beans, dry, edible	1,427,489	407,000	−1,020,489	Hundredweight	201,428	59,041	−142,387
Cottonseed oil, refined, other	6,482,209	2,073,077	−4,409,132	Pound	57,730,953	18,468,863	−39,262,090
Cottonseed oil, refined, salad oil	1,260,699	3,638,424	+2,377,725	do	6,611,329	18,884,728	+12,273,399
Flaxseed	7,784,763	7,661,630	−123,133	Bushel	2,622,679	2,579,896	−42,783
Linseed oil	9,447,039	9,494,350	+47,311	Pound	79,609,000	80,000,000	+391,000
Soybeans	24,466	12,880	−11,586	Bushel	11,803	10,453	−1,350
Total, other nonbasic commodities	26,426,665	23,287,361	−3,139,304				
Total, price support inventory	4,294,069,340	4,162,466,544	−131,602,796				
Inventory transferred from national stockpile: [1]							
Cotton, Egyptian	33,923,747	33,696,491	−227,256	Bale	40,155	39,886	−269
Cotton, American-Egyptian	22,139,230	21,834,431	−304,799	do	44,017	43,411	−606
Total, inventory transferred from national stockpile	56,062,977	55,530,922	−532,055	do	84,172	83,297	−875
Total, agricultural commodities	4,350,132,317	4,217,997,466	−132,134,851				

[1] Transferred from General Services Administration pursuant to Public Law 85–96 and Public Law 87–548. (See app. A.)

Source: Compiled from reports submitted by the Department of Agriculture.

TABLE 3.—*Civil defense supplies and equipment inventories, March 1965 (showing, by item, net changes during the month in terms of cost value and quantity)*

Item	Cost value				Quantity		
	Beginning of month, Mar. 1 1965	End of month, Mar. 31, 1965	Net change during month	Unit of measure	Beginning of month, Mar 1. 1965	End of month, Mar. 31, 1965	Net change during month
Civil defense stockpile, Department of Defense:							
Engineering equipment (engine generators, pumps, chlorinators, purifiers, pipe, and fittings).	$10,060,221	$10,058,641	−$1,580	10 mile units	45	45	
Chemical and biological equipment	1,797,342	1,797,342		(1)			
Total	11,857,563	11,855,983	−1,580				
Civil defense medical stockpile, Department of Health, Education, and Welfare:							
Medical bulk stocks, and associated items at civil defense mobilization warehouses.	117,078,905	117,243,339	+164,434	(1)			
Medical bulk stock at manufacturer locations	5,036,008	5,036,008		(1)			
Packaged disaster hospitals [2]	71,900,718	71,697,235	−203,483	Each	2,218	2,272	+54
Supply additions (for packaged disaster hospitals)	6,692,629	6,808,153	+115,524	(1)			
Total	200,708,260	200,784,735	+76,475				
Total, civil defense supplies and equipment	212,565,823	212,640,718	+74,895				

[1] Composite group of many different items.
[2] Reported as "Civil defense emergency hospitals," prior to February 1965.

Source: Compiled from reports submitted by the Department of Defense and the Department of Health, Education, and Welfare.

TABLE 4.—*Machine tools inventories, March 1965 (showing, by item, net changes during the month in terms of cost value and quanity)*

Item	Cost value				Quantity		
	Beginning of month, Mar. 1, 1965	End of month, Mar. 31, 1965	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1965	End of month, Mar. 31, 1965	Net change during month
Defense Production Act:							
On loan	$45,300	$45,300		Tool	7	7	
National Industrial Reserve Act:							
In storage	75,962,800	76,151,500	+$188,700	do	6,661	6,685	+24
On lease	27,500	27,500		do	1	1	
On loan to other agencies	14,900	14,900		do	3	3	
On loan to school programs	12,933,900	13,019,200	+85,300	do	3,061	3,083	+22
Total	88,939,100	89,213,100	+274,000	do	9,726	9,772	+46
Total, machine tools	88,984,400	89,258,400	+274,000	do	9,733	9,779	+46

Source: Compiled from reports submitted by the General Services Administration.

TABLE 5.—*Helium inventories, March 1965 (showing, by item, net changes during the month in terms of cost value and quantity)*

Item	Cost value				Quantity		
	Beginning of month, Mar. 1, 1965	End of month, Mar. 31, 1965	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1965	End of month, Mar. 31, 1965	Net change during month
Helium:							
Stored aboveground	$270,436	$251,266	−$19,170	Cubic foot	23,800,000	22,100,000	−1,700,000
Stored underground	64,508,083	68,105,532	+3,597,449	do	6,034,600,000	6,365,200,000	+330,600,000
Total, helium	64,778,519	68,356,798	+3,578,279	do	6,058,400,000	6,387,300,000	+328,900,000

Source: Compiled from reports submitted by the Department of the Interior.

APPENDIX A

PROGRAM DESCRIPTIONS AND STATUTORY CITATIONS

STRATEGIC AND CRITICAL MATERIALS

National stockpile

The Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) provides for the establishment and maintenance of a national stockpile of strategic and critical materials. The General Services Administration is responsible for making purchases of strategic and critical materials and providing for their storage, security, and maintenance. These functions are performed in accordance with directives issued by the Director of the Office of Emergency Planning. The Act also provides for the transfer from other Government agencies of strategic and critical materials which are excess to the needs of such other agencies and are required to meet the stockpile objectives established by OEP. In addition, the General Services Administration is responsible for disposing of those strategic and critical materials which OEP determines to be no longer needed for stockpile purposes.

General policies for strategic and critical materials stockpiling are contained in DMO V–7, issued by the Director of the Office of Emergency Planning and published in the Federal Register of December 19, 1959 (24 F.R. 10309). Portions of this order relate also to Defense Production Act inventories.

Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration is authorized to make purchases of or commitments to purchase metals, minerals, and other materials, for Government use or resale, in order to expand productive capacity and supply, and also to store the materials acquired as a result of such purchases or commitments. Such functions are carried out in accordance with programs certified by the Director of the Office of Emergency Planning.

Supplemental—barter

As a result of a delegation of authority from OEP (32A C.F.R., ch. I, DMO V–4) the General Services Administration is responsible for the maintenance and storage of materials placed in the supplemental stockpile. Section 206 of the Agricultural Act of 1956 (7 U.S.C. 1856) provides that strategic and other materials acquired by the Commodity Credit Corporation as a result of barter or exchange of agricultural products, unless acquired for the national stockpile or for other purposes, shall be transferred to the supplemental stockpile established by section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C.

1704(b)). In addition to the materials which have been or may be so acquired, the materials obtained under the programs established pursuant to the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956 (50 U.S.C. App. 2191–2195), which terminated December 31, 1958, have been transferred to the supplemental stockpile, as authorized by the provisions of said Production and Purchase Act.

AGRICULTURAL COMMODITIES

The price-support program

Price-support operations are carried out under the charter powers (15 U.S.C. 714) of the Commodity Credit Corporation, Department of Agriculture, in conformity with the Agricultural Act of 1949 (7 U.S.C. 1421), the Agricultural Act of 1954 (7 U.S.C. 1741), which includes the National Wool Act of 1954, the Agricultural Act of 1956 (7 U.S.C. 1442), the Agricultural Act of 1958, and with respect to certain types of tobacco, in conformity with the Act of July 28, 1945, as amended (7 U.S.C. 1312). Under the Agricultural Act of 1949, price support is mandatory for the basic commodities—corn, cotton, wheat, rice, peanuts, and tobacco—and specific nonbasic commodities; namely, tung nuts, honey, milk, butterfat, and the products of milk and butterfat. Under the Agricultural Act of 1958, as producers of corn voted in favor of the new price-support program for corn authorized by that Act, price support is mandatory for barley, oats, rye, and grain sorghums. Price support for wool and mohair is mandatory under the National Wool Act of 1954, through the marketing year ending March 31, 1966. Price support for other nonbasic agricultural commodities is discretionary except that, whenever the price of either cottonseed or soybeans is supported, the price of the other must be supported at such level as the Secretary determines will cause them to compensate on equal terms on the market. This program may also include operations to remove and dispose of or aid in the removal or disposition of surplus agricultural commodities for the purpose of stabilizing prices at levels not in excess of permissible price-support levels.

Price support is made available through loans, purchase agreements, purchases, and other operations and, in the case of wool and mohair, through incentive payments based on marketings. The producers' commodities serve as collateral for price-support loans. With limited exceptions, price-support loans are nonrecourse and the Corporation looks only to the pledged or mortgaged collateral for satisfaction of the loan. Purchase agreements generally are available during the same period that loans are available. By signing a purchase agreement, a producer receives an option to sell to the Corporation any quantity of the commodity which he may elect within the maximum specified in the agreement.

The major effect on budgetary expenditures is represented by the disbursements for price-support loans. The largest part of the commodity acquisitions under the program result from the forfeiting of commodities pledged as loan collateral for which the expenditures occurred at the time of making the loan, rather than at the time of acquiring the commodities.

Dispositions of commodities by the Corporation in its price-support operations are made in compliance with section 202, 407, and 416 of the Agricultural Act of 1949, and other applicable legislation, particularly the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691), title I of the Agricultural Act of 1954, title II of the Agricultural Act of 1956, the Agricultural Act of 1958, the Act of August 19, 1958, in the case of cornmeal and wheat flour, and the Act of September 21, 1959, with regard to sales of livestock feed in emergency areas.

Inventory transferred from national stockpile

This inventory, all cotton, was transferred to Commodity Credit Corporation at no cost from the national stockpile pursuant to Public Law 85–96 and Public Law 87–548. The proceeds from sales, less costs incurred by CCC, are covered into the Treasury as miscellaneous receipts; therefore, such proceeds and costs are not recorded in the operating accounts. The cost value as shown for this cotton has been computed on the basis of average per bale cost of each type of cotton when purchased by CCC for the national stockpile.

CIVIL DEFENSE SUPPLIES AND EQUIPMENT

Civil defense stockpile

The Department of Defense conducts this stockpiling program pursuant to section 201 (h) of Public Law 920, 81st Congress, as amended. The program is designed to provide some of the most essential materials to minimize the effects upon the civilian population which would be caused by an attack upon the United States. Supplies and equipment normally unavailable, or lacking in quantity needed to cope with such conditions, are stockpiled at strategic locations in a nationwide warehouse system consisting of general storage facilities.

Civil defense medical stockpile

The Department of Health, Education, and Welfare conducts the stockpiling program for medical supplies and equipment pursuant to section 201(h) of Public Law 920, 81st Congress, as delegated by the President following the intent of Reorganization Plan No. 1, of 1958. The Department of Health, Education, and Welfare plans and directs the procurement, storage, maintenance, inspection, survey, distribution, and utilization of essential supplies and equipment for emergency health services. The medical stockpile includes a program designed to pre-position assembled emergency hospitals and other medical supplies and equipment into communities throughout the Nation.

MACHINE TOOLS

Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration has acquired machine tools in furtherance of expansion of productive capacity, in accordance with programs certified by the Director of the Office of Emergency Planning.

National industrial equipment reserve

Under general policies established and directives issued by the Secretary of Defense, the General Services Administration is responsible for care, maintenance, utilization, transfer, leasing, lending to nonprofit schools, disposal, transportation, repair, restoration, and renovation of national industrial reserve equipment transferred to GSA under the National Industrial Reserve Act of 1948 (50 U.S.C. 451–462).

HELIUM

The helium conservation program is conducted by the Department of the Interior pursuant to the Helium Act, approved September 13, 1960 (Public Law 86–777; 74 Stat. 918; 50 U.S.C. 167) and subsequent appropriations acts which have established fiscal limitations and provided borrowing authority for the program. Among other things, the Helium Act authorizes the Secretary of the Interior to produce helium in Government plants, to acquire helium from private plants, to sell helium to meet current demands, and to store for future use helium that is so produced or acquired in excess of that required to meet current demands. Sales of helium by the Secretary of the Interior shall be at prices established by him which shall be adequate to liquidate the costs of the program within 25 years, except that this period may be extended by the Secretary for not more than 10 years for funds borrowed for purposes other than the acquisition and construction of helium plants and facilities.

This report covers helium that is produced in Government plants and acquired from private plants. Helium in excess of current demands is stored in the Cliffside gasfield near Amarillo, Tex. The unit of measure is cubic foot at 14.7 pounds per square inch absolute pressure and 70° F.

APPENDIX B

NEW STOCKPILE OBJECTIVES

The Office of Emergency Planning is in the process of establishing new objectives for strategic and critical materials. Table 1 of this report reflects the new objectives established between May 1963 and April 1964 for 79 materials (including 3 removed from stockpile list), based on essential needs in the event of a "conventional war emergency." The new objective for each material has been noted in the reports, beginning with June 1963, for the months in which the respective objectives were established.

The following excerpts from OEP statements dated July 11 and 19, 1963, February 28, 1964, March 6, 13, 20, and 27, 1964, and April 3 and 10, 1964, set forth the new policy with respect to objectives for strategic and critical materials:

"The Office of Emergency Planning is now conducting supply-requirements studies for all stockpile materials which will reflect current military, industrial, and other essential needs in the event of a conventional war emergency. On the basis of recently completed supply-requirements studies for the foregoing materials, the new stockpile objectives were established with the advice and assistance of the Interdepartmental Materials Advisory Committee, a group chaired by the Office of Emergency Planning and composed of representatives of the Departments of State, Defense, the Interior, Agriculture, Commerce, and Labor, and the General Services Administration, the Agency for International Development, and the National Aeronautics and Space Administration. Representatives of the Bureau of the Budget, the Atomic Energy Commission, and the Small Business Administration participate as observers.

"These new objectives reflect a new policy to establish a single objective for each stockpile material. They have been determined on the basis of criteria heretofore used in establishing maximum objectives, and reflect the approximate calculated emergency deficits for the materials for conventional war and do not have any arbitrary adjustments for possible increased requirements for other types of emergency.

"Heretofore, there was a 'basic objective' and a 'maximum objective' for each material. The basic objectives assumed some continued reliance on foreign sources of supply in an emergency. The former maximum objectives completely discounted foreign sources of supply beyond North America and comparable accessible areas.

"Previously, maximum objectives could not be less than 6 months' normal usage of the material by industry in the United States in periods of active demand. The 6-month rule has been eliminated in establishing the new calculated conventional war objectives.

"The Office of Emergency Planning also announced that the present Defense Mobilization Order V–7, dealing with general policies for strategic and critical materials stockpiling, was now being revised to reflect these new policies. When finally prepared and approved, the new order will be published in the Federal Register.

"New conventional war objectives for the remaining stockpile materials are being developed as rapidly as new supply-requirements data become available. They will be released as they are approved.

"The Office of Emergency Planning is also making studies to determine stockpile needs to meet the requirements of general nuclear war and reconstruction. Stockpile objectives for nuclear war have not previously been developed. Some commodity objectives may be higher and others may be lower than the objectives established for conventional war.

"After the nuclear war supply-requirements studies are completed, stockpile objectives will be based upon calculated deficits for either conventional war or nuclear war, whichever need is larger.

"The Office of Emergency Planning stressed that any long-range disposal programs undertaken prior to the development of objectives based on nuclear war assumptions would provide against disposing of quantities which might be needed to meet essential requirements in the event of nuclear attack. While the disposal of surplus materials can produce many problems which have not heretofore arisen, every effort will be made to see that the interest of producers, processors, and consumers, and the international interests of the United States are carefully considered, both in the development and carrying out of disposal programs. Before decisions are made regarding the adoption of a long-range disposal program for a particular item in the stockpile, there will be appropriate consultations with industry in order to obtain the advice of interested parties."

The OEP statement of April 17, 1964, contained the following excerpts:

"Today's action completes supply-requirements studies for all stockpile materials based on current military, industrial, and other essential needs in the event of a conventional war emergency. Objectives for 79 materials in the stockpile were established with the advice and assistance of the Interdepartmental Materials Advisory Committee, a group chaired by OEP and composed of representatives of the Departments of State, Defense, the Interior, Agriculture, Commerce, and Labor, and the General Services Administration, the Agency for International Development, and the National Aeronautics and Space Administration. Representatives of the Bureau of the Budget, the Atomic Energy Commission, and the Small Business Administration participate as observers.

"These new objectives reflect a new policy which accords with the recommendation of the Executive Stockpile Committee to establish a single objective for each material in the national stockpile. These new objectives will be reviewed and revised as necessary each year. Because military requirements and estimated emergency supplies of stockpile materials are constantly shifting, the supply-requirements balance for any material that is now or may become important to defense must be kept under continuing surveillance. Supply-requirements studies of the conventional war needs of approximately 20 other strategic and critical materials, which do not have stockpile objectives, are underway and are expected to be completed in the next few weeks. At the same time, studies on supply-requirements for nuclear war are going forward. No definite date for completion of these studies has been established as yet.

"OEP stressed that long-range programs for disposal of identified surpluses would take into account the interests of producers, processors, and consumers, as well as the international interests of the United States. Appropriate consultation with industry will precede all decisions for the adoption of every disposal program and the advice of interested parties will be sought.

STATEMENT BY SENATOR BYRD OF VIRGINIA

The cost value of Federal stockpile inventories as of March 31, 1965, totaled $12,890,137,489. This was a net decrease of $162,515,780, as compared with the March 1 total of $13,052,653,269. Net changes during the month are summarized by major category as follows:

Major category	Cost value, March 1965	
	Net change during month	Total, end of month
Strategic and critical materials	-$34, 308, 103	$8, 301, 884, 107
Agricultural commodities	-132, 134, 851	4, 217, 997, 466
Civil defense supplies and equipment	+74, 895	212, 640, 718
Machine tools	+274, 000	89, 258, 400
Helium	+3, 578, 279	68, 356, 798
Total	-162, 515, 780	12, 890, 137, 489

These figures are from the March 1965 report on Federal stockpile inventories compiled from official agency data by the Joint Committee on Reduction of Nonessential Federal Expenditures, showing detail with respect to quantity and cost value of each commodity in the inventories covered.

STRATEGIC AND CRITICAL MATERIALS

So-called strategic and critical materials are stored by the Government in (1) the national stockpile, (2) the Defense Production Act inventory, and (3) the supplemental-barter stockpile.

Overall, there are now 94 materials stockpiled in the strategic and critical inventories. Stockpile objectives—in terms of volume—are presently fixed for 76 of these 94 materials. Of the 76 materials having stockpile objectives, 64 were stockpiled in excess of their objectives as of March 31, 1965.

Increases in cost value were reported in 13 of the materials stockpiled in all strategic and critical inventories, decreases were reported in 24 materials, and 57 materials remained unchanged during March.

National stockpile

The cost value of materials in the national stockpile as of March 31, 1965, totaled $5,494,228,600. This was a net decrease of $26,917,200 during the month. The largest decreases were $12,881,100 in rubber and $9,837,100 in tin.

Defense Production Act inventory

The cost value of materials in the Defense Production Act inventory as of March 31, 1965, totaled $1,404,230,000. This was a net decrease of $10,252,900. The largest decreases were in copper, aluminum and nickel.

Supplemental barter

The cost value of materials in the supplemental barter stockpile as of March 31, 1965, totaled $1,403,425,507. This was a net increase of $2,861,997. The largest increases were in manganese and bauxite.

OTHER STOCKPILE INVENTORIES

Among the other categories of stockpiled materials covered by the report, the largest is $4.2 billion in agricultural commodities. Major decreases in agricultural commodities during March were reported for corn, cotton, wheat and grain sorghum, partially offset by an increase in milk and butterfat.

Inventories of civil defense supplies and equipment showed a net increase; the machine tools inventories showed a net increase; and the helium inventories showed a net increase during March.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Alan S. Boyd, of Florida, to be Under Secretary of Commerce for Transportation.

By Mr. BREWSTER, from the Committee on Commerce:

Charles S. Murphy, of Maryland, to be a member of the Civil Aeronautics Board.

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Barney B. Taylor, of Michigan, and sundry other persons, for appointment and promotion in the Foreign Service; and

Stanley S. Carpenter, of Virginia, and sundry other persons, for promotion in the Foreign Service.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 2014. A bill for the relief of Basiel Michael Babana; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota:

S. 2015. A bill to authorize the Administrator of General Services to donate certain surplus property to the Summer Institute of Linguistics; to the Committee on Government Operations.

By Mr. INOUYE:

S. 2016. A bill for the relief of Arthur L. Powell; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 2017. A bill to amend the provisions of the Oil Pollution Act, 1961 (33 U.S.C. 1001–1015), to implement the provisions of the International Convention for the Prevention of the Pollution of the Sea by Oil, 1954, as amended, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 2018. A bill to provide a realistic cost-of-living increase in rates of subsistence allowances paid to disabled veterans pursuing vocational rehabilitation training; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS:

S. 2019. A bill to establish an Auto Burial and Beautification Fund in the Treasury of the United States consisting of certain tax revenues derived under section 4061(a)(2) of the Internal Revenue Cole of 1954 (relating to tax on passenger automobiles and trailers) to finance a program for the alleviation of blight along the Nation's highways and in open spaces caused by aged or wrecked motor vehicles which have been abandoned or relegated to scrap or salvage; to the Committee on Finance.

(See the remarks of Mr. DOUGLAS when he introduced the above bill, which appear under a separate heading.)

By Mr. TOWER:

S. 2020. A bill to permit the Administrator of Veterans' Affairs to make a lump-sum settlement with the beneficiary of a national service life insurance policy under certain circumstances even though a different mode of settlement was selected by the insured, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. Tower when he introduced the above bill, which appear under a separate heading.)

By Mr. PROUTY:

S. 2021. A bill for the relief of Chayya B. Mhalunkar and Kanalakant M. Kamaskar; to the Committee on the Judiciary.

By Mr. MUSKIE (for himself, Mr. Clark, Mr. Dodd, Mr. Eastland, Mr. Ervin, Mr. Hartke, Mr. Kennedy of Massachusetts, Mr. McIntyre, and Mr. Pell):

S. 2022. A bill to provide for the orderly marketing of articles imported into the United States, to establish a flexible basis for the adjustment by the U.S. economy to expanded trade, and to afford foreign supplying nations a fair share of the growth or change in the U.S. market; to the Committee on Finance.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. PROUTY:

S. 2023. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Finance.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. PROXMIRE.

S. 2024. A bill for the relief of Louis T. Miller; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S.J. Res. 84. Joint resolution to provide for the issuance of a special series of postage stamps to honor the Nation's law enforcement officers; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Douglas when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. McCARTHY (for himself, Mr. Boggs, Mr. Burdick, Mr. Fong, Mr. Hartke, Mr. Inouye, Mr. Kuchel, Mr. McIntyre, Mr. Mondale, Mr. Moss, Mr. Mundt, Mr. Randolph, Mr. Simpson, Mrs. Smith, Mr. Young of Ohio, and Mr. Muskie):

S.J. Res. 85. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

(See the remarks of Mr. McCarthy when he introduced the above joint resolution, which appear under a separate heading.)

AMENDMENT OF OIL POLLUTION ACT, AND IMPLEMENTATION OF THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF THE POLLUTION OF THE SEA BY OIL

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the provisions of the Oil Pollution Act, 1961 (33 U.S.C. 1001–1005), to implement the provisions of the International Convention for the Prevention of the Pollution of the Sea by Oil, 1954, as amended. I ask unanimous consent to have printed in the Record a letter from the Acting Secretary of State, together with an explanatory memorandum.

The PRESIDING OFFICER (Mr. Montoya in the chair). The bill will be received and appropriately referred; and, without objection, the letter and memorandum will be printed in the Record.

The bill (S. 2017) to amend the provisions of the Oil Pollution Act, 1961 (33 U.S.C. 1001–1015), to implement the provisions of the International Convention for the Prevention of the Pollution of the Sea by Oil, 1954, as amended, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and explanatory memorandum presented by Mr. Magnuson are as follows:

Department of State,
Washington, May 15, 1965.

Hon. Hubert H. Humphrey,
President of the Senate.

Dear Mr. Vice President: I submit herewith for consideration by the Senate a draft bill to incorporate in the Oil Pollution Act, 1961, changes which will be necessary when the amendments of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, become effective. The Senate by its resolution of February 25, 1964, gave its advice and consent to ratification of the amendments to the Convention. The proposed amendments to the Oil Pollution Act would redefine the types and sizes of ships regulated, redefine the extent to which ships must record the discharge of oil, extend the zones in which discharge of oil is prohibited, and make other necessary changes. An outline of the provisions of the amendments is contained in Senate Executive C, 88th Congress, 1st session.

A similar proposed bill has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that, from the standpoint of the administration's program, there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

George W. Ball,
Acting Secretary.

Explanatory Memorandum

The 1954 Convention entered into force on July 26, 1958, 12 months after 10 governments, including 5 each having not less than a half million gross tons of tanker tonnage, had excepted it. The United States, however, did not become a party until 1961, having considered that the Convention did not provide means for effectively enforcing antipollution measures. Approval by the United States of the 1954 Convention was given subject to recommendations that amendments would be sought. It was subject also to two reservations, one concerning the provision of the 1954 Convention which would have obligated the Federal Government to insure that adequate oil reception facilities were at all main U.S. ports although this is not a Federal function in the United States, and the other with respect to a procedure for amendment which gives only 4 months during which a government can declare its nonacceptance of amendments or become automatically bound in 6 months. By the amendments of 1962 the provision as to oil reception facilities is altered to require only that governments promote the provision of adequate facilities, and the amendment procedure is revised to provide reasonable opportunity for governments to accept or reject amendments. The amendments do not revise article XI regarding powers of a Contracting Government to take measures within its jurisdiction regarding pollution matters. Therefore, an understanding, included in the U.S. acceptance of the 1954 Convention, to the effect that we do not consider it to interfere with our freedom of legislative action in our territorial waters, remains in effect. Other provisions of the amendments strengthen and expand the Convention of 1954.

In line with the provisions of the amendments of the 1954 Convention, the enclosed draft bill to amend the Oil Pollution Act, 1961, will bring existing statutory provisions into agreement with the 1954 Convention, as amended. The specific proposals will accomplish the following:

1. Revise the language where necessary so that references will be to the International Convention for the Prevention of the Pollution of the Sea by Oil, 1954, as amended, and that reference to the act as amended will be Oil Pollution Act, 1961, as amended.

2. Revise the definitions in section 2 (33 U.S.C. 1001) to agree with the amendments of the 1954 Convention. The major changes concern the definitions of the terms "oil," "oily," "oily mixture," and "ship," as well as adding a new definition of the term "from the nearest land." The only one of the amended definitions which appears to require comment is the definition of "oily mixture" which indirectly defines what shall constitute oil pollution by designation of a specific concentration. In some countries this may necessitate that samples be produced in court in order to establish proof of a violation. After study and consideration, it was not found possible to develop an acceptable definition which did not refer to a formula, and it was recommended that the formula be retained specifying 100 parts or more of oil in 1 million parts of the mixture. The previous test that the oil in an oily mixture "fouls the surface of the sea" has been removed. It is believed this amended definition is more realistic than the existing one in the 1954 Convention.

3. Revise the scope of application of the act by amending subsection 2(1) and section 3 (33 U.S.C. 1001(1), 1002), so that the law applies to all seagoing vessels of any type whatsoever of American registry or nationality except—(a) tankers of under 150 gross tons and other ships of under 500 gross tons; (b) ships in the whaling industry when actually employed on whaling operations; (c) ship navigating the Great Lakes and tributary waters as specified; and (d) naval ships and ships for the time being used as naval auxiliaries. The reason for the difference in application of requirements to tankers starting at 150 gross tons and other ships at 500 gross tons is that the majority of governments maintained that, in other parts of the world and especially in European waters, tankers between 150 and 500 gross tons, contribute materially to the pollution.

4. Revise the prohibitions against the discharge of oil or oily mixtures in section 3 (33 U.S.C. 1002) to clarify application to ships other than tankers and to add a new subsection (c) to cover all ships of 20,000 gross tons or more, including tankers, which are contracted for on or after the effective date of this act, and prohibit any discharge of oil or oily mixture from such ships except under specified conditions when such dischage must be reported in accordance with regulations of the Secretary of the Army. It is understood that this new prohibition, especially for large tankers, amounts to no more than the current procedures followed by the American oil companies as part of their antipollution program.

5. Revise the excepted discharges of oil or oily mixtures from the general prohibitions in sections 3 and 4 (33 U.S.C. 1002 and 1003) to include such discharges when made for securing safety when another ship is involved and those discharges from the bilges of a ship of an oily mixture containing no oil other than lubricating oil which has drained or leaked from machinery spaces. In addition, this change removes the excepted discharge of sediment which cannot be pumped from the cargo tanks of tankers and cancels the requirements for special explanations in the oil record books in the

event of discharges or escapes referred to in these sections.

6. Revise the provisions regarding the "oil record book," by stating in general terms the requirements in the law and authorizing the Secretary of the Army to describe these in detail in published regulations and booklets to be furnished by him to the masters of seagoing ships subject to this act, by revising section 9 (33 U.S.C. 1008), and by canceling section 13 (33 U.S.C. 1012). The amended 1954 Convention requires this oil record book, and a revised form is specified in Annex B to the amendments. The changes proposed will authorize the Secretary of the Army to make such regulations as necessary to require records to be kept, which will be effective in maintaining adequate enforcement.

7. Revise the provisions regarding the prohibited zone descriptions in section 12 (33 U.S.C. 1011) so that all sea areas within 50 miles from the nearest land shall be prohibited zones subject to extensions or reduction effectuated in accordance with the terms of the Convention, as amended, which the Secretary of the Army shall have published as regulations, including publication in the "Notices to Mariners" issued by the U.S. Coast Guard and U.S. Navy. The prohibited zones are specified in Annex A to the amended 1954 Convention, which in a number of areas extends the prohibited zone beyond 50 miles from the nearest land. For the North-West Atlantic Zone the prohibited area extends to sea 100 miles from the coast of the United States and joins a similar 100-mile zone along the east coast of Canada. Since the Convention and present statute provide for changes to be made in these prohibited zone areas, it is recommended that the designation of extensions or reductions in the areas continue to be made by regulations of the Secretary.

8. Provide that the amended provisions of tht Oil Pollution Act, 1961, be made effective by amendment to section 17 (33 U.S.C. 1015) upon the date of the enactment of this bill or upon the date the amendments to the 1954 Convention become effective as to the United States, whichever is the latter date. The proposed amendments to the Oil Pollution Act, 1961, should become effective when the amendments to the 1954 Convention become applicable to U.S. ships. Until that time, the United States has no obligation for enforcement.

A BILL TO INCREASE SUBSISTENCE ALLOWANCE TO DISABLED VETERANS PURSUING VOCATIONAL REHABILITATION TRAINING

Mr. YARBOROUGH. Mr. President, I introduce a bill to provide a realistic cost-of-living increase in rates of subsistence allowance paid to disabled veterans pursuing vocational rehabilitation training. The primary purpose of this legislation is to provide appropriate cost-of-living increases in the monetary allowances payable as subsistence allowances to disabled veterans training under chapter 31 of title 38, United States Code. It is also designed to replace the cumbersome and outmoded statutory scheme now used in determining the amount of subsistence allowance payable under the vocational rehabilitation program.

The current basic rates of vocational rehabilitation subsistence allowances have been in effect since April 1, 1948, although the cost of living since such date has increased approximately 28 percent. It is therefore apparent that these allowance rates have not kept pace with the rise in living costs and do not now furnish the same degree of assistance that was furnished when the allowances were originally authorized. The proposed legislation would provide a meaningful remedy to this situation.

The following cost estimates are based upon the assumption that the proposed legislation will be enacted prior to, and effective with, the beginning of fiscal year 1966:

Increase in cost of direct benefits for vocational rehabilitation training

Fiscal year:	*Increased cost*
1966	$1,368,000
1967	1,116,000
1968	972,000
1969	828,000
1970	720,000
Total 1st 5 years	5,004,000

The proposed changes in rates of payment would not appreciably change administrative costs.

Mr. President, I ask unanimous consent that the bill and a section-by-section analysis be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and without objection, the bill and section-by-section analysis will be printed in the RECORD.

The bill (S. 2018) to provide a realistic cost-of-living increase in rates of subsistence allowances paid to disabled veterans pursuing vocational rehabilitation training, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1504 of title 38, United States Code, is amended by deleting subsection (c) thereof, redesignating subsection "(d)" as "(c)" and by amending subsection (b) to read as follows:

"(b) The subsistence allowance of a veteran-trainee is to be determined in accordance with the following table, and shall be the monthly amount shown in column II, III, or IV (whichever is applicable as determined by the veteran's dependency status) opposite the appropriate type of training as specified in column I:

Type of training (Col. I)	No dependents (Col.II)	1 dependent (Col. III)	2 or more dependents (Col. IV)
Full-time institutional training	$100	$135	$145
Institutional on-farm, apprentice, or other on-job training	95	120	130

"Where any trainee has more than two dependents and is not eligible to receive additional compensation as provided by section 315 or section 335 (whichever is applicable) of this title, the subsistence allowance prescribed in column IV of the foregoing table shall be increased by an additional $5 per month for each dependent in excess of two."

(b) Section 315 of title 38, United States Code, is amended by deleting "(a)" and subsection (b) thereof.

(c) Any veteran-trainee receiving subsistence allowance on the date of the enactment of this Act while pursuing a course of vocational rehabilitation authorized by chapter 31 of title 38, United States Code, shall not have such allowance reduced by reason of the amendments contained in such Act.

SEC. 2. The foregoing provisions of this Act shall become effective on the first day of the second calendar month which begins following the date of the enactment of this Act.

The section-by-section analysis presented by the Senator from Texas [Mr. YARBOROUGH] is as follows:

SECTION-BY-SECTION EXPLANATION OF THE BILL TO PROVIDE A REALISTIC COST-OF-LIVING INCREASE IN RATES OF SUBSISTENCE ALLOWANCES PAID TO DISABLED VETERANS PURSUING VOCATIONAL REHABILITATION TRAINING

(Matter to be stricken in brackets; new matter in italic.)

Section 1(a): Section 1504 of title 38, United States Code, would be amended to read as follows:

"§ 1504. SUBSISTENCE ALLOWANCES.

"(a) While pursuing a course of vocational rehabilitation training and for two months after his employability is determined, each veteran shall be paid a subsistence allowance as prescribed in this section.

"[(b) If a veteran has no dependent, his subsistence allowance each month shall equal $65, increased by an amount which bears the same ratio to $10 as the institutional part of the veteran's training course bears to a course of full-time institutional training. In no event shall the veteran's subsistence allowance be an amount less than an amount which, when added to any compensation or other benefit payable to him will equal $105 monthly if his service-connected disability is less than 30 per centum, or $115 monthly if his service-connected disability is 30 per centum or more.

"[(c) If a veteran has one dependent, his subsistence allowance each month shall equal $90, increased by an amount which bears the same ratio to $15 as the institutional part of the veteran's training course bears to a course of full-time training. If a veteran has more than one dependent, his subsistence allowance each month shall equal $90, increased by an amount which bears the same ratio to $30 as the institutional part of the veteran's training course bears to a course of full-time training. In no event shall the veteran's subsistence allowance be an amount less than an amount which, when added to any compensation or other benefit payable to him, will equal—

"[(1) if his service-connected disability is less than 30 per centum, $115, plus the following amounts for additional dependents: (A) $10 for one child and $7 for each additional child, plus (B) $15 for a dependent parent; or

"[(2) if his service-connected disability is 30 per centum or more, $135, plus the following amounts for additional dependents: (A) $20 for one child and $15 for each additional child, plus (B) $15 for a dependent parent.]

"*(b) The subsistence allowance of a veteran-trainee is to be determined in accordance with the following table, and shall be the monthly amount shown in column II, III, or IV (whichever is applicable as determined by the veteran's dependency status) opposite the appropriate type of training as specified in column I:*

Type of training (Col. I)	No dependents (Col.II)	1 dependent (Col. III)	2 or more dependents (Col. IV)
Full-time institutional training	$100	$135	$145
Institutional on-farm, apprentice, or other on-job training	95	120	130

Where any trainee has more than two dependents and is not eligible to receive additonal compensation as provided by section 315 or section 335 (whichever is applicable) of this title, the subsistence allowance prescribed in column IV of the foregoing table shall be increased by an additional $5 per month for each dependent in excess of two.

"[(d)] *(c)* Where the course of vocational rehabilitation training consists of training on the job by an employer, such employer shall be required to submit monthly to the Administrator a statement in writing showing any wage, compensation, or other income paid by him to the veteran during the month, directly or indirectly. Based upon such written statements, the Administrator is authorized to reduce the subsistence allowance of such veteran to an amount considered equitable and just."

The amendments proposed in this section would have a twofold purpose. Primarily, they would provide a realistic cost-of-living increase in the rates of subsistence allowance paid to disabled veterans who are pursuing vocational rehabilitation training authorized by chapter 31 of title 38, United States Code. Secondly, the cumbersome, overlapping and ambiguous criteria now used to determine the allowance authorized would be replaced by a simple, easily understood rate table. This will not only facilitate the administration of the program but will also provide a more comprehensible source of information for all interested persons.

A disabled veteran now receives three types of financial assistance while pursuing training under chapter 31: (1) subsistence allowance; (2) tuition, fees, books, supplies, and equipment (paid directly to a school or training establishment by the VA); and (3) disability compensation. The latter benefit is, of course, in no way premised on the pursuit of training.

The current basic rates of subsistence allowance have been in effect since April 1, 1948, with no increase, even though the cost of living since such date has increased 28.2 percent.

It is therefore apparent that the allowances authorized in 1948, to assist veterans in meeting their living expenses while pursuing vocational rehabilitation, have not kept pace with the rise in living costs and do not now furnish the same degree of assistance that was furnished in 1948.

The proposed amendments will provide an estimated overall average increase, in the assistance allowance payable, of about 20 percent. The proposed increases will vary to some extent from individual to individual, depending upon the number of dependents, the degree of disability and the type of training pursued. While not commensurate in all cases with the cost-of-living increase since 1948, they will provide a realistic increase to most veterans and will help bridge the gap that has arisen, since that date, between subsistence allowance rates and actual subsistence costs.

Various factors and provisions of law must now be considered in determining the amount of subsistence payable. Basic rates are prescribed in section 1504 of title 38, United States Code. These rates are in addition to the amount received as disability compensation under chapter 11 of such title 38. Moreover, section 1504 also specifies a minimum amount of combined subsistence allowance and disability compensation to be paid. This floor requirement may, or may not, result in an increase in the basic amount, conditioned upon the percentage of disability and dependency status.

Although this "floor" has become increasingly meaningless, with recent increases in disability compensation rates, it must still be considered in determining the allowance payable, and the amount of such allowance may therefore, in some cases, be determined by a factor that is unrelated to the pursuit of vocational training. Among other complications, this "floor" has the unintended effect of favoring peacetime veterans, over similarly circumstanced wartime veterans, in determining the amount of subsistence payable. For example, a veteran with a disability incurred in peacetime receives a compensation allowance equal to 80 percent of the amount authorized a wartime disabled veteran. Since the same "floor," or minimum amount of combined subsistence and disability compensation allowance, is applicable to all veterans, a greater amount of subsistence allowance may become payable to a peacetime veteran than to a similarly circumstanced wartime veteran.

In addition to the foregoing, the subsistence now payable is also affected by the provision of section 315 of title 38, United States Code, which provides that additional compensation for dependents of veterans 50 percent or more disabled, may not be paid concurrently with increased subsistence allowance for the same dependents, although the veteran may elect whichever is the greater.

The aforestated criteria and adjudication procedure, as is readily apparent, have proven to be complicated, confusing, and time consuming. To facilitate authorization action, and to minimize errors, it was necessary to publish tables showing the monthly subsistence allowance payable under the various conditions or circumstances. (See attachment A.)

The proposed amendment would substitute for this cumbersome criteria a simple, easily understood conversion table showing the monthly amount to be paid under the conditions and circumstances of each case. Veterans rated less than 50-percent disabled will be paid the amount shown in the table plus an additional $5 per month for each dependent in excess of two. Veterans rated 50 percent or more disabled will be paid the monthly amount shown in the table in addition to compensation payable under 38 U.S.C. 315 or 38 U.S.C. 335 (whichever is applicable).

Section 1(b): Section 315 of title 38, United States Code, would be amended to read as follows:

"§ 315. ADDITIONAL COMPENSATION FOR DEPENDENTS.

"[(a)] * * *.

"[(b) The additional compensation for a dependent or dependents provided by this section shall not be payable to any veteran during any period he is in receipt of an increased rate of subsistence allowance or education and training allowance on account of a dependent or dependents under any other law administered by the Veterans' Administration.

"[The veteran may elect to receive whichever is the greater.]"

This subsection deletes the provision of law (38 U.S.C. 315(b)) requiring that a veteran-trainee elect between the receipt of additional disability compensation for a dependent or dependents under chapter 11 and the receipt of an increased rate of subsistence allowance under chapter 31, or of education and training allowances under chapter 33, on account of such dependent or dependents. The new rates which this draft will establish with respect to chapter 31 take the additional compensation payments under section 315 into account. Moreover, the reference to "education and training allowance" is obsolete inasmuch as the program of education and training under chapter 33 terminated on January 31, 1965.

Section 1(c): This subsection provides a savings clause to insure that no veteran's subsistence allowance rate will be reduced by reason of the amendments proposed. Since the present provisions of law contain no limitation upon the increases in subsistence allowance for additional dependents, the possibility exists that there may be cases where veteran-trainees with a large number of children would receive a higher rate of subsistence allowance under the existing law than under this proposal. The savings clause will guard against reduction in such cases.

Section 2: This section provides that the provisions of this act shall become effective on the first day of the second calendar month which begins following the date of enactment of the act.

AUTOMOBILE BURIAL AND BEAUTIFICATION FUND

Mr. DOUGLAS. Mr. President, I introduce a bill which would help us get rid of the growing number of automobile junkpiles which are littered across our Nation. The bill would set up an automobile burial and beautification fund to be financed by the revenues from a 2-percent excise tax on all new-car purchases. The revenues from this tax could only be used to abolish the auto junkpiles and alleviate related problems caused by the auto industry.

We have all seen these rotting and rusting scrap piles defiling our countryside and city lots. And, like the proverbial weather, everyone talks about the problem but does little about it. I believe it is time we used the auto excise tax as a user charge to solve a problem exclusively created by the auto industry.

I am aware, of course, that the President has proposed to reduce auto excise taxes from 10 to 5 percent by 1967 and that the House Committee on Ways and Means has recommended the entire tax be abolished by 1969. Regardless of whatever final action the House may take, I intend to reintroduce my proposal in the form of an amendment to the House bill. If the House eliminates the entire tax, my amendment would thus add back a 2-percent tax for dealing with the junk auto problem. In the meantime, I believe a wide discussion of this problem would be useful and I am, therefore, temporarily introducing my proposal in the form of an amendment to existing law pending House action.

Mr. President, I want to be perfectly frank. My reasons for following this somewhat unusual procedure are due not only to the urgency of the junk auto problem, but also to the urgency of recovering part of the rapidly vanishing auto excise tax. I do not know of a single industry that has such a profound and costly impact upon our society as the auto industry. A whole series of problems can be traced to autos including air pollution, suburban sprawl and city decay, traffic congestion, and auto junkyards. It seems to me that an auto excise tax represents a partial payment toward solving some of these problems by those who buy and use autos and that such a tax is entirely fair and reasonable. I believe President Johnson was absolutely correct, therefore, when he proposed in his recent tax measure to retain a portion of the auto excise tax.

Frankly, I am concerned over the action which is apparently being contemplated by the House. The complete elimination of auto excise taxes would be a serious defeat for the President. Moreover, once the auto excise tax is abolished, it will be extremely difficult to reinstate it in the future regardless of how many future problems the auto industry creates for the rest of the country. Also, once a movement to reduce excise taxes on autos gathers momentum, it will be extremely difficult to reverse. So for all of these reasons, I think it is important to register a clear and immediate dissent to the proposal for abolishing the entire auto excise tax.

EXCISE TAXES AS USER TAXES

Mr. President, of all the problems, created by the auto industry, probably none is as immediate and direct as getting rid of used up cars. We are made painfully aware of our vast productive capacity every time we pass an auto graveyard. There we see ugly rusting auto carcasses which were once gleaming and expensive sedans. These monuments to 20th century affluence are often piled 20 or 30 deep in a jumbled mass of twisted steel. They form a grim testament to our American culture—private waste and public indifference.

The proposed 2-percent excise tax is essentially a user charge for getting rid of these unsightly and unwanted autos. In effect, whenever a person buys a car, the cost of its ultimate disposal will be included in the purchase price. In this way, we can be sure that every new car that rolls off the assembly line will eventually find a proper burying ground. The cost of disposal will become a self-financing venture with the charge being paid by those who buy and use autos.

The basic principle behind a user-charge is that those who uniquely benefit from a service should help pay its cost. By the same token, those who contribute to a serious problem should help to alleviate it.

Some might argue that the automobile industry itself should be held accountable and taxed accordingly. Whatever the merits of this argument, we must be practical. Such taxes would only be passed on to the consumer. We may as well meet the problem directly through the present excise tax which, for all practical purposes, operates as a sales tax upon new autos.

THE AUTO JUNK PROBLEM

What are the underlying causes of the junk auto problem? They are economic and technological.

A few years ago, the system of producing and disposing of cars worked reasonably well. When a car owner decided to junk his aging jalopy, he could usually get $40 to $50 for it from an auto junkyard. Here the car would be stripped of its salable parts and then sold to a scrap processor. The processor would burn out the upholstery and other nonmetallic materials and crunch the remaining body into a compact 1-ton steel cube about the size of a TV set. These cubes would then be sold to steel mills as scrap for making new steel. Eventually, they might even be reincarnated in the form of another gleaming auto fresh from Detroit's assembly line.

Several things have happened to upset this happy ecology.

First of all, there are a growing number of cars being sent to the scrap heap each year. In 1958, 3.6 million cars were retired from service while in 1964 we junked 5.6 million. Part of the reason is increased production. We are now producing between 7 and 8 million cars annually, and sooner or later all of these will find their way into a junkpile. And it will probably be sooner than later. Unlike humans, the average age of a car is declining. In 1960 it was 14 years; in 1964 it was down to 10. If this trend continues, economists will have to revise their definition of durable goods and place autos in the same category of perishable commodities as fruits and vegetables.

Some say the reason for the decline in life expectancy is due to a deliberate built-in obsolescence; others charge shoddy workmanship; still others place the blame on advertising and yearly style changes. Whatever the reasons, there is no doubt that we are getting rid of our old cars faster than ever before and the trend is likely to continue.

Second, not only is the supply of junk autos increasing—but the demand for them is decreasing. The decline in demand is due to a shift in steelmaking technology. The old open-hearth furnace was a voracious consumer of scrap steel. It used about half scrap and half ore in making new steel. However, the oxygen converter method which is used by many mills today, uses only 25 percent of scrap in making new steel. Moreover, it has a finnicky appetite. Bits of glass, plastic, or other impurities will upset its delicate digestive system and as a result, oxygen converter mills are more particular about the quality of scrap they buy.

The prices of scrap steel have declined along with the demand. In 1956, the steel mills consumed over 39 million tons of scrap and paid $42.86 a ton. In 1963, the mills only needed 29.6 million tons and paid $19.84 per ton. In 1964, some dealers had trouble selling scrap at $18 a ton and in many sections of the country, the prices were as low as $12 a ton. It costs a scrap processor about $12 to $14 per ton to pulverize an automobile into scrap and transportation charges to a steel mill add another $4 to $8 to the cost of production. Thus, if the cost of producing scrap steel from autos ranges from $16 to $22 per ton and if prices are only between $12 and $18 per ton, it is obvious that many junk autos are not going to get processed.

THE GROWING JUNKPILES

This, in fact, is what has happened over the last few years. Less than half of the autos junked each year are processed into steel scrap. The majority are tossed upon the 15,000 auto junkpiles which are scattered across the country. One newspaper estimates that there are now between 30 and 40 million junk cars disfiguring our countryside and city lots from coast to coast. A junk dealer in Massachusetts candidly observed:

> People complain about the piles of junk but no one has come up with a solution to get rid of the mess. Until somebody finds the answer, we'll have to keep piling them up wherever we find space.

With the reduced demand for scrap, auto junkyards have cut the price they will pay for an old car. In former years many dealers paid $50 for a junk car but today you are lucky to get $20. Most dealers can still make a profit at these prices by selling the parts and tossing the body on a scrap heap where it will rust away indefinitely. As one writer rhapsodized, these junks are "like lobsters once full of succulent meat but now mostly hard shell that's hard to sell."

In some cases, you can not even give an old car to a junk dealer. If you attempt to leave it anyway, he will call the police and charge trespassing. In other cases, the price a dealer will pay is less than the cost of towing an old disabled car to the yard. The inevitable result has been an alarming increase in the number of old cars found abandoned on the city streets. Last year, 13,600 cars were abandoned in New York City or more than double the number found in 1962. Some 22,000 cars were abandoned in Chicago in 1963, and over 9,000 cars were found in Washington, D.C., in 1964. City officials have contended that these wrecks constitute a serious safety and health hazard as well.

PROSPECTS FOR THE FUTURE

Many cities have clamped down on those who leave their useless cars in the street, but generally, this only removes the problem to a growing scrap heap on the edge of town.

A few scrap processors have been able to sell more scrap at a profit with larger and more efficient processing equipment. But such equipment costs around $2 million and is beyond the reach of most processors.

The Bureau of Mines has been conducting research on alternative uses of scrap steel and they have come up with a few promising ideas.

Some communities have experimented with dumping autos in lakes or rivers to form breakwaters.

All of these actions have achieved limited results, but they are only a dent in the problem. The inventory of junk autos continues to grow faster than it can be processed. There is no foreseeable end to the 30 to 40 million rusting cars which grace our fair country. And the heap will get larger every year despite the limited actions taken to alleviate the problem.

Clearly, an all out assault upon junk autos is in order. We cannot expect to cure the problem without spending money, for, under our present economy, it is cheaper to let these cars rust away in a massive heap than to get rid of them. And this is exactly what is being done. No one enters the esthetic cost of ugliness upon their economic balance sheet—neither the automaker, the person who abandons his car on the street, the junk dealer, the scrap processor, nor the steel mill. And so unless we do something about the problem—unless we inject the public interest into this never ending cycle—unless we declare a war on ugliness and place a premium on beauty—it is obvious that Detroit will continue to churn out 8 million cars a year, only to deposit them a few years later upon the towering scrap piles of junk and steel which will soon surround every major city and extend for miles into the countryside.

Why not consider the disposal problem as a cost of car ownership—to be paid for at the time of purchase? The revenues so collected can be put in a special fund to deal with the junk problem wherever it exists. This is the basic idea behind my bill which I shall now briefly describe. I am not wedded to the details of this bill, and I will be glad to sit down with the auto industry to improve it.

BEAUTIFICATION FUND

The bill would require that one-fifth of the present 10 percent excise tax on autos be diverted into a special fund. This amounts to 2 percent of the manufacturer's price, or an average of $50 per auto. The bill would divert about $400 million a year into the beautification fund.

The fund could be used by the President or his designee only for dealing with the junk auto problem. However, before the funds could be used for this purpose, they would also have to be appropriated by the Congress. Thus, we would have a double check upon the executive branch through the annual appropriation review. It is not certain whether or not a realistic program can be developed to use all of the $400 million each year. Nevertheless, the funds would be available for whatever programs looked promising.

The fiscal mechanics of my proposal are quite similar to the land and water conservation fund which Congress passed last year. Both employ the principle of a user charge which is channeled into a separate fund. And both avoid the practice of back-door financing by subjecting the use of such funds to the appropriation process.

Mr. President, this subject has recently received a good deal of attention by many people in the executive branch and in the Congress. There are many possible ways of dealing with the junk auto problem and some of these are being closely looked into. However, because recognition of the problem is relatively recent and because many alternative approaches are possible, I believe it is necessary to provide the President with broad flexibility to propose a course of action.

The bill does not, therefore, spell out any detailed techniques or methods by which the President is to solve the junk auto problem. Instead, it declares, as a matter of national policy, that junk autos must be effectively dealt with and that the cost shall be borne by those who buy cars. It requires the President to develop the detailed methods and techniques for dealing with the problem and to submit his proposals to the Congress in the form of an annual appropriation.

If this were not such an urgent problem, it might be argued that congressional action should await the development of a detailed action program by the President. However, unless we act quickly, the auto excise tax may soon be gone, and any hope of meeting the problem on a fair and equitable basis will be lost.

By passing this proposal, we are likely to prod the industry to come up with a specific program in a short period of time.

POSSIBLE METHODS OF DEALING WITH JUNK AUTOS

I do not mean to imply that we are starting from scratch on this problem. On the contrary, a lot of work has already been done and a number of possible methods for dealing with junk autos have been identified. Some of these are as follows:

First. Provide payment incentives to defray the cost of moving autos and auto hulks from the street and the junkyard to the scrap processor, and the steel mill or foundry when the scrap market price is not sufficient to provide for satisfactory action.

Second. Help support the cost of organizing and operating effective junk auto collecting systems at the local level.

Third. Pay the cost of transferring certificate of title from the last owner to the dismantler or scrapper to create more incentive for processing junk cars into scrap.

Fourth. Support loans and grants to small business to acquire portable shredding and bailing equipment that can be taken to the places where junk autos are despoiling the landscape.

Fifth. Help to underwrite the increased cost to State governments of administering more effective automobile registration and licensing systems through which auto abandonment and satisfactory disposal may be controlled.

Sixth. Make payments to dismantlers to help defray the cost of moving their operations to areas more compatible with their business practices.

Seventh. Assist in the public cost of local land use planning, zoning, and acquistion to provide suitable locations for stockpiling autos collected through municipal operations and to prevent further blighting of the landscape with new industrial dismantling programs.

Eighth. Help dispose of old autos by other means when the market cannot absorb additional scrap.

CONCLUSION

Mr. President, today the White House Conference on Natural Beauty begins. I cannot think of a single action which would beautify America more than getting rid of our unsightly scrap heaps of junked automobiles. As President Johnson observed in his recent message on natural beauty:

> The skeletons of discarded cars litter the countryside. The same society which receives the rewards of technology, must, as a cooperating whole, take responsibility for control.

No other eyesore can match auto junkpiles for sheer ugliness. No other blemish upon our land is quite as symbolic of the failure of our society to deal with its problems.

We cannot continue indefinitely to pile car upon car in a towering heap of rust and scrap. Sooner or later we will run out of space. Eventually the sight will become unbearably ugly for even the most insensitive observer. By then we will have a full-scale crisis upon our hands.

Why not solve the junk auto problem now while we still have a chance? Let us act now before the auto excise tax, which can finance such an endeavor, disappears forever. Let us put the cost of disposal in the purchase price of each new car. Let us get rid of the rusting scrapheaps that are a disgrace to our country. Let us beautify America. Let us follow the words of the President when he said:

> Association with beauty can enlarge man's imagination and revive his spirit. Ugliness can demean the people who live among it. What a citizen sees every day is his America. If it is attractive it adds to the quality of his life. If it is ugly it can degrade his existence.

Mr. President, I ask unanimous consent that several newspaper and magazine articles on the junk auto problem be included in the RECORD at the end of my remarks.

Mr. President, I also want to ask unanimous consent to permit this bill to lie upon the table until the end of business Thursday so that Members who wish to cosponsor this bill will have a chance to do so.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the articles will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from Illinois.

The bill (S. 2019) to establish an auto burial and beautification fund in the Treasury of the United States consisting of certain tax revenues derived under section 4061(a)(2) of the Internal Revenue Code of 1954 (relating to tax on passenger automobiles and trailers) to finance a program for the alleviation of blight along the Nation's highways and in open spaces caused by aged or wrecked motor vehicles which have been abandoned or relegated to scrap or salvage, introduced by Mr. DOUGLAS, was received, read twice by its title, and referred to the Committee on Finance.

The newspaper and magazine articles presented by Mr. DOUGLAS are as follows:

THAT'S WHERE THE OLD CARS GO—NOW IS THE SEASON OF THE SLOW DEATH OF AUTOS—SOME FALL PREY TO WRECKERS—SOME TO JUNKERS—STILL OTHERS ARE ABANDONED TO ROT AWAY

(By John Keats)

At this time each year, the automobile junk dealer stands a little straighter, walks a little faster, laughs and sings as he goes about his useful toil, his faith in America renewed. For each fall brings the model change, and as the bright new shapes come flooding into the Nation's automobile showrooms, the junkman's spirits soar. He knows that every new car sale eventually means an automobile for him, but he does not see a battered old car simply as scrap metal. An automobile dies bit by bit—a door handle, a windshield wiper, a tie rod at a time. Parts of dying cars are grafted onto other dying cars in order that some of them may wheeze about the streets for yet another year, like a man with a transplanted kidney or wooden leg.

Even when all motion as a vehicle is at last at an end, the squeaking ruin is not just mashed and fed back into a furnace to become another car. Instead, its motor may for a time power a sawmill in Brazil, generate electricity in Canada or push a lobsterman's boat through cold Maine seas. Its tires may become dock fenders in a boathouse or find their way to Africa to be cut into shoe soles. Hubcaps and rear-view mirrors decorate no few Asiatic temples. At least one New Guinea chieftain wears a necklace of brightly polished Jeep valves for which he traded his old necklace of boars' tusks. Even the broken glass from wrecked cars is valuable. Ground up, it makes an excellent subsurface for highways because it can be formed into a compact but porous mass that drains well.

It is the automobile junk dealer who makes all this possible, and there are two kinds of him; the wrecker, who strips cars of their usable parts, and the junker, who takes the leftovers from the wrecker or who accepts the abandoned, the outworn or the no-value car. There are about 11,000 wreckers in the United States and probably another 5,000 junkers, according to estimates of the National Auto and Truck Wreckers Association, which favors the terms "auto dismantlers" for the former group and "preparers" for the latter (since they "prepare" the residue of old cars for the scrap mill or smelter).

The aristocrat of the world of automotive junk is the wrecker, who handles only models of 1957 or more recent vintage, getting them almost exclusively from insurance companies. (These are the wrecks the insurance people believe to be more costly to repair than to replace.) One such wrecker is Samuel D. Zellat, a well-to-do Philadelphian who lives in an opulent apartment, speaks four languages and is proprietor of the Nicetown Auto Parts Co. in Chester, Pa.

Mr. Zellat, affable and urbane away from the shop, is all business during the day. He is constantly on the telephone, or watching his clattering teletype. He subscribes to a network serving 37 other wreckers, many of whom belong to still other teletype, or closed-circuit, networks. The result of the overlapping circuits is practically instantaneous, coast-to-coast coverage of the Nation's automobile junkyards for a wrecker who happens to be in search of a specific part. Each dealer makes his price known in response to a teletyped request, and the dealer requesting the item usually—but not always—takes the lowest price quoted. During one 2-hour morning period at Mr. Zellat's office, 83 requests for puffs and sharps come over the teletype.

In the trade jargon, a sharp is a flawless assembly, such as a motor in good condition, a door whose electrically driven window still works, or an air-conditioning unit. A clip is a major portion of a car and a puff is a clip in perfect condition. A basket is a hopeless tangle of smashed metal. In most wrecks, either the front or the rear is smashed, but not both. So the wrecker cuts away the damaged half, and then looks for a puff to weld onto the undamaged half. A strong weld makes one good car out of two disasters, and the resulting hybrid, looking good as new, goes off to the used-car lot or showroom. Clips are in great demand. In response to teletyped requests, Mr. Zellat that morning sent the front end of a Cadillac to Watertown, N.Y., and the rear end of a Chevrolet to Richmond, Va.

During the same 2 hours, a local Buick dealer came hunting a transmission; a Chevrolet dealer needed a right rear door; an Oldsmobile salesman wanted a new front headlight assembly. Two State detectives sought, and found, a Cadillac instrument panel which they took away to test for fingerprints. (It seemed that every other part of this car, which had been stolen and had been involved in a hit-run death, had been checked for prints; the panel had been somehow neglected). Fifteen telephone calls came from automobile dealers or individuals, the latter looking for used tires, window glass and radiators. Dealers wanted larger, more complicated items; starters, generators, radios.

Among Mr. Zellat's visitors that morning was a thin, shifty boy in tight bluejeans. He said he was broke, on his way home to North Carolina and wanted to sell his car. Mr. Zellat wouldn't take it at any price, suspecting it might have been stolen and fearing, in any event, that there would be some complication. He told the boy to try a used car dealer; if the dealer saw nothing in the car, then the boy could take it to a junker who might offer him, perhaps, $50.

In the teletype circuit to which Mr. Zellat belongs, the smallest wrecker does a $25,000-a-year trade and several gross more than $1 million. Mr. Zellat says he notices a spurt in business every time a new express highway is opened. He said that since the Baltimore Pike leading into Philadelphia was widened and made into a high-speed road, it has produced three times as many wrecks for him. His business thus begins with someone's accident. In the lots to which the insurance companies send broken down cars, the wreckers make their inspections and present their bids, which range from $200 to $1,500, depending upon the model and its condition.

The wrecker's chief customer is your friendly local garage man. Of course the garage man can get all the parts he needs from the factory, but he finds the wrecker quicker. Moreover, it is much cheaper to buy an entire electric door from a wrecker than it would be to pay the cost of parts and labor, to repair a damaged door. Thus, the garage man may often repair your car inexpensively with wrecker's parts, although he may not always tell you this is what he has done when he hands you a bill reflecting hours of union labor and the factory prices of new parts.

So lucrative is the sale of automobile parts that many wreckers branch out into other businesses. Mr. Zellat has done so. Years ago, he took a shipload of secondhand parts to Brazil, only to find the market glutted and the prices unprofitable. On the other hand, he found he could trade his parts for cheap Brazilian goods that could be sold at a profit in America. So he found himsef in the export-import business.

From Brazil he moved on to Argentina. Some of the best pears and apples in the world grow in southern Argentina. Mr. Zellat entered into partnership with an Argentine commission merchant, and soon they were selling more than $1 million worth of fruit in the United States annually and doing a fair business in old automobile parts in Argentina. Mr. Zellat has since extended his operations to every Latin-American nation except Paraguay, which has no seaport.

If the wrecker is the aristocrat of the trade, then the junker is the proletarian. His operation is not nearly so profitable as the wrecker's. Indeed, the junker cannot afford to go out to get his cars but must be paid to haul them away. If you want to junk your car and do not want to pay the dealer to come get it, then you must tow it to him. The most he will give you will be $50.

The junker's intransigence in this regard is a monumental headache for city police departments, which daily haul in jalopies that have been abandoned by their owners on street corners and vacant lots. In most cities, if police can trace the owner of such a car, he is fined and made to take his car at his own expense to the junker. But most abandoned cars cannot be traced, and looking down from Philadelphia's Penrose Bridge, you can see 3,000 of them that police have hauled to a lot in the vain hope of locating the owners. The wreckers will not bid for these cars; the junkers will not cart them away unless paid to do so; the city can no more afford to take them to the junk yard than their owners could, and there they accumulate.

The view from Penrose Bridge can be duplicated in every major city, and in many rural areas throughout the country. One wonders how long it will take Nature to rust away a heavy piece of forged steel or cast iron.

But in the junkyard, the junker is busy with what comes his way. He burns away the once-glistening paint and the worthless upholstery. The useless motor, which is cast iron, he wallops with a sledge-hammer—the most efficient, economical way of getting at its forged-steel pins, valves, aluminum pistons and alloy bearings. The aluminum, alloy, copper wiring, and copper or brass backings from the bearings, are sold to smelters. The steel and cast iron goes to the mills as scrap to be mixed with iron ore in the manufacture of more steel. The body shell—tinware to the trade although it is not tin, but thin sheet steel—is compressed into bundles and also sent as scrap to the mills.

In Vernon, Calif., is the Nation's biggest scrapyard. In this yard a new machine, six stories high, gobbles up old cars at the rate of one a minute. An endless belt carries the expensive purchase of yesteryear to the top and dumps it in. Heavy-duty cutters crash and clang; rotating magnetic drums separate the steel from all other ingredients and the metal, sifting down through the cutters, becomes ever smaller until the old car emerges at the bottom in the form of thousands of pellets. These are sold as high quality scrap steel.

Unfortunately for the junk world, this remarkable machine may be already obsolete. The British have come up with a new process for injecting oxygen into iron ore which produces better steel more cheaply and quickly than does the mixing of ore with scrap steel. The demand for scrap is constantly receding; some junkers gloomily foresee a day when there will be no demand at all. If such a day comes, there will be no business in junking old cars.

Then, having been picked over by the wreckers, the hulks will doubtless be towed by the annual millions to ever-towering junk piles. Within a very few years, it is possible that every major city will be surrounded by rusting mountains, home to flocks of birds, clouds of bats and colonies of rodents, and clearly visible from every part of town.

Whatever the distant future may hold, the fate of the bright new models of 1965 is clear enough: "from crashes and smashes and bust, to rust."

[From the Christian Science Monitor, June 26, 1964]

JUNK CARS SURPLUS TO STEEL INDUSTRY

(By George R. Reiss)

YOUNGSTOWN, OHIO.—The junked automobile is multiplying into something of a serious national problem. The basic steel industry's current technological explosion is behind the trouble.

Besides presenting a costly disposal problem, especially in many larger cities, the vast fleets of unwanted and abandoned old cars are becoming a national eyesore. They are turning up in convenient vacant fields and ravines.

An estimated 5 million old cars, battered, rust-streaked and forlorn, are joining the junker fleet annually. It is now estimated there are somewhere between 30 million and 40 million wornout or wrecked cars abandoned.

MORE COMING

And the number is due to grow rapidly thanks to the three enormous new-car production years. The auto industry is expected to produce some 7,800,000 units this year alone. Meanwhile, the problem of getting rid of the old ones, profitably or otherwise, grows accordingly.

For some years, old cars, unfit for further economical and safe service, found their way to the auto graveyards. The "graveyard" owners willingly paid good prices for them. Here they were stripped of useful accessories—batteries, tires, radios, and heaters—or parts, such as wheels, ignition harnesses, fenders, steering gear parts, and others. The remains—the body, fenders, frame, and others—were crushed or compressed into compact bundles. In the scrap trade, these were known as No. 2 bundles.

READY MARKET THEN

These found a ready market in the Nation's steel mills. The mill operators fed them into open hearth or electric furnaces, mixed with other scrap, such as wornout rail cars or locomotives, ancient household appliances or toys, or with fresh iron, to be melted into new steel for making more new cars or trucks, railroad cars or locomatives, bridges, or other steel items.

But in recent years, auto bundles lost favor in the mills. Using richer raw materials, blast furnaces produced more iron at lower costs; some mills switched to producing steel by the basic oxygen converters which use much smaller percentages of scrap in their charges.

The auto bundles, too, presented problems—too often they contained bits of stainless steel or aluminum from the trim, or copper or other nonsteel materials. This made it more difficult to produce top-grade steel. Firms simply didn't want the bundles.

DOWN TO $12 A TON

In many places, the price of No. 2 bundles is only $12 to $14 a ton, or the equivalent of a single car; it costs the auto wreckers that much to burn off paint or fabrics and then compress the old cars into compact bundles. When they must pay $4 to $8 a ton for freight cars to the nearest mill * * * well, the "graveyards" don't want the "junkers," even as a gift.

Frank J. Lucia, sanitation commissioner of the city of New York, estimated that old cars are being abandoned on New York streets at the rate of 250 a week, costing New York taxpayers several million dollars to remove them. The problem is especially troublesome because space in which they may be dumped is limited and rapidly filling up.

One scrapman explained that owners usually have bought new—or at least newer—cars, can't find anyone to accept the old car, so they simply abandon the old cars. Numerous other major cities, especially the larger ones far removed from steelmaking plants have similar old-car disposal problems.

TAXPAYERS ALERTED

Harry Marley, president of the Institute of Scrap Iron and Steel, recently declared that taxpayers in many cities will have to provide city-owned and operated salvage and scrap disposal services to get rid of the junkers, especially if they continue to tighten up on restrictions of privately owned auto wrecking firms.

Many cities are insisting that the wreckers quit burning old car bodies because of the black smoke and odors. Some also are insisting the wreckers build high fences around their yards to shut off the views of the junkers.

Rochester, N.Y., is considering an unusual old-car graveyard—it will use them to provide a fine new fishing spot in Lake Ontario off Braddock Point, N.Y. The Rochester Chamber of Commerce, through its Greece Ontario Shoals Committee, plans to dump about 3,000 burned-out wrecks approximately 1½ miles off shore to produce a shoal of 1½ miles long and 20 to 30 feet deep.

HOME FOR FISH

The idea is that the submerged wrecks will work as a "home" for fish. Algae and marine growth develop to attract fish.

The idea was tried when many old wrecks were dumped into the Atlantic off Fire Island. The rub was that they interfered with Navy detection devices and rusted out too rapidly in salt water.

But this dumping of the cars goes against the prudence of many scrap executives, who recall the acute scrap shortages of World War II when old dumps were "worked" to burn lead and tin off old tin cans and then the bare plate was compressed for steelmaking.

Many feel that the iron and steel companies, auto makers and scrap firms ought to combine research to determine how the old cars could be conserved more economically as a continuing source of metallics for industry.

[From the Washington (D.C) Post, May 2, 1965]

PUT 'EM IN ROCKETS AND AIM AT THE MOON

(By Jean White)

The wife came home one day to complain about the unsightly auto graveyards blemishing the countryside. When the wife's husband happens to be the President, things can happen.

The eyesore auto junkyard has become a symbol of President Johnson's concern for America's natural beauty much as the doused lights in the White House lit up his drive for economy. The problem is compounded of both esthetics and economics.

Everyone can see the esthetics of the problem: the rusting piles of car carcasses that scar country fields and city lots. But any real solution has to be basically economic: a market must be found for the junked autos or they will continue to pile up.

As part of Mr. Johnson's war on ugliness, the administration is attacking both sides of the problem. The President has asked for $320,000 for research on ways to get castoff cars moving into the "scrap cycle" again on their way back to the steel furnaces. As for esthetics, he has told Commerce Secretary John T. Connor and the Bureau of Public Roads to put high priority on highway landscaping to screen the junkyards from view.

"CAN'T STAND" SIGHT

It was Mrs. Johnson who got the President interested in doing something about roadside car cemeteries. Last fall, in a campaign speech at Portland, Oreg., Mr. Johnson remarked that "Ladybird just can't stand" the sight of auto junkyards. Another time, the President mentioned that the rusting scrap heaps that "litter our countryside * * * are driving my wife mad."

Like Mrs. Johnson, a lot of people have been upset by the clutter of twisted, battered car skeletons defacing the highways. They would like a road with a view when they go out for a drive, the Nation's No. 1 recreation. Many are beginning to feel that there is more danger of America being buried by cars than by communism.

A camouflage of trees and shrubs can help hide the problem but won't solve it. The solution is to empty the scrap heaps, which have been piling up as the demand for scrap has dropped.

The economic facts are these: We are producing more cars each year. New car production probably will go over the 8 million mark this year.

Also, we are discarding our cars at a faster rate. Today, the average life of an automobile is 10 years. In 1960, it was 14 years.

So we are junking more cars each year. This year it will be close to 6 million. These old autos are clogging the scrap yards and sprawling over the countryside and city lots.

The drastic decline in the demand for scrap has come with a shift in steelmaking technology from the open-hearth furnace, which uses up to 50 or 60 percent scrap, to the oxygen converter, which uses only 30 percent scrap in its feed formula along with 70 percent pig iron.

The oxygen converter has a very sensitive digestive system. Car scrap, unless carefully cleaned, is contaminated with plastic, rubber, glass, copper and paint. These ingredients can give a new steel furnace acute dyspepsia.

Prices for auto scrap have fallen along with the demand. In the peak year of 1956, steel mills consumed 39.3 million tons of scrap and paid $42.86 a ton. In 1963, it was 29.6 million tons at $19.84 a ton.

A $20 RESIDUE

Today the car that you bought for $3000 new ends up in a cube about the size of a floor-model TV and worth about $20 to a steel mill or foundry. As a pop art creation, its value may be more, but there are only so many cars that can be used in that way.

From the price of $20, the scrap processor has to pay transportation and processing costs and make his profit.

Auto wreckers and scrap processors don't like to be called junkmen. For that matter, scrap processors don't like to be confused with auto wreckers.

The auto wrecker's primary profit comes from the parts that he can salvage and resell He removes the fancy hubcaps and other parts and then turns the junked auto over to the scrap processor.

The processor strips the car, burns off the paint and other contaminants and then shreds and compresses the car. As anyone who has seen the movie "Goldfinger" knows, a baler or compressor can squeeze a car into a 2-by-2-by-4½-foot cube. (In "Goldfinger," the process was used to dispose of a discarded body as well as a discarded car.) An efficient compressor costs close to a quarter-million dollars.

PROMISING NEW PROCESS

So with prices and demand low, cars have been accumulating on scrap heaps in recent years. A new market may come from a process developed by a Bureau of Mines metallurgist, Norwood B. Melcher, who uses scrap to convert low-grade Lake Superior iron ore into magnetic ore that can be readily concentrated into high-grade feed for blast furnaces.

Ironically, the process capitalizes on scrap's ugly tendency to rust. In rusting, the scrap iron absorbs oxygen from the ore, causing it to change molecular structure and become magnetized.

Frank C. Memmot, head of the Interior Department's Bureau of Mines, emphasizes that the Nation's vast scrap heap represents not only an eyesore but also a waste of a valuable resource. During World War II, the Nation needed its scrap drives.

Another answer to the scrap pileup is to eliminate the contaminants that cause trouble in steelmaking. Two of the Nation's largest scrap firms, Luria Bros. and Proler, say they have developed complicated machines that clean off paint, glass, and rubber before chewing up cars and spitting out pellets of high-quality steel scrap. But the car-eating monsters cost close to $2 million each.

TREES AS CAMOUFLAGE

Even a profitable market and a revived "scrap cycle" are not going to remove junkyards from the scene, however. The old cars must be stored somewhere on their way to the steel furnaces. Zoning and landscaping can help camouflage the unsightly but necessary scrap yard.

States and municipalities have been studying this approach. Vermont and Kentucky have passed laws regulating auto cemeteries and requiring them to be screened from the highway view. Last year, Ohio revised its code to require that auto junkyards be enclosed by an opaque 6-foot-high fence.

A 6-foot fence conceals little, however, when a junk yard sprawls over a hillside. Here a screen of trees and shrubs can help, and some State forestry departments have supplied scrap operators with plantings.

The scrap industry has shown itself more sympathetic to the problem of esthetics in recent years, but scrap men still maintain that they are a necessary business and have a right to operate in areas zoned for business and manufacturing.

JUST ANOTHER INDUSTRY

The Institute of Scrap Iron and Steel held the first National Conference on Auto Salvage here last October. I. D. Shapiro, a Baltimore scrap processor and the institute's first vice president, had this to say:

"No one is saying a scrap yard is a garden spot. We are saying, however, that a city's taxpayers are going to have to dig into their pockets to provide city-owned and city-operated salvage and scrap disposal services if they insist on running private firms out of business. This certainly will not solve the problem we are viewing today."

No one wants a scrap yard near them: it is a noisy, dirty operation. But so also, the scrap industry contends, are other industrial operations.

Some municipalities are attempting to regulate the location of junkyards under their police powers to guard the health, welfare, and safety of the community. Courts have been looking more sympathetically on the concept of esthetics as a legitimate municipal concern, but generally this has not been considered sufficient by itself to justify the use of police powers.

PRINCE WILLIAM INVADED

Prince William County, on the Washington metropolitan fringe, passed an ordinance regulating junkyards in 1958 when it found that the junkyard operators were moving to the county as the closer in areas of Arlington and Fairfax stiffened their regulations.

"We are now the urban fringe," points out Philip C. Gross, Prince William zoning administrator. "We think that it is possible through design to decrease the ugliness. A shed can shield the storage yard, and landscaping helps."

As part of his highway beautification campaign, President Johnson has called for more effective controls of both junkyards and billboards along Federally aided roads. Government economists are understood to have checked into using part of the auto manufacturers excise tax to help pay for landscaping. Federal matching funds for landscaping already are available to States under the highway aid program.

ARTIFICIAL REEFS

Some imaginative disposal methods have been tried in recent years. The New York Sanitation Department has used old car carcasses as landfill. And junked autos have been dumped into the ocean to make artificial reefs that attract fish to their "apartments." But Sweden, which also has tried drowning its old cars, has been worrying about the danger of poisoning fish with rusty water and creating a beach-pollution hazard.

The auto junkyard is certain to be a big item for discussion when the White House Conference on Natural Beauty convenes this month. Maybe the President's beauty advisers can come up with something to help solve Mrs. Johnson's pet peeve.

[From the Christian Science Monitor, May 19, 1965]

THOSE JUNKYARDS FILL A NEED

Insurance manuals classify Mr. Harkins as an automobile dismantler. Motorists who pass his 20-acre field of old automobiles describe him as a junkyard operator.

Thousands of such junkyards, ranging in size from very small to hundreds of acres, dot the landscape from coast to coast. Motorists, municipal authorities—even President Johnson recently—complain that these auto graveyards are an esthetic abomination.

For Mr. Harkins and many other operators, dismantling old cars has become a profitable industry. Sales of automobile parts during the past year totaled some $10 million—used parts accounted for about 20 percent of this.

ANSWER SOUGHT

While local governments are passing ordinances to prevent further use of land for auto graveyards, existing operators are using cranes to build still higher piles of stripped auto bodies.

Says Mr. Harkins: "People complain about the piles of junk but no one has come up with a solution to get rid of the mess. Until somebody finds the answer, we'll have to keep piling them up wherever we can find space."

Mr. Harkins had just sold a truckload of used parts to a wholesale buyer. He was holding a check for $3,000, a sum that would have been considered a big deal a few years ago. Selling used parts is the life of the dismantling business. The demand for remanufactured parts is growing. Big companies like Maremont have entered the business, and their growth has been phenomenal.

PROBLEM WITH HULKS

Each year more old cars are on the road indicating a growing market for used parts.

Buying used parts on a large scale from dismantlers is relatively new. The number of wholesale buyers is increasing as more firms go into the business of rebuilding used parts.

The dismantler's real problem isn't concerned with the storage of parts, which can be stored in an old barn or shed. It's the declining market for the stripped body. These shells are piling up higher every month.

"Eight years ago we were selling scrap to the steel mills for $42 a ton," remarked one wrecker. "Today we're lucky to find a buyer who will pay $18, and that isn't enough to pay for labor and transportation."

There are no reliable figures to indicate the exact number of cars being scrapped each year. Automobile manufacturers estimate that at least 5 million old cars were routed to dismantlers during the past year.

CARS "PELLETIZED"

Until it becomes economical for the graveyard operator to dispose of these bodies, the problem remains unsolved. A number of sophisticated processes have been developed to reduce sheet metal into scrap form that can be utilized by the steel producers in the oxygen process of making steel.

"Prolerization" is a system in which a car minus engine and radiator is fed into a giant machine and emerges in the form of pellets of almost pure steel. Prolerized pellets are being sold to domestic steel mills and exported to Japanese mills. Proler Steel Co. reports that the cost of erecting a pelletizing plant varies from $1 million to $2 million. These plants are designed to reduce from 900 to 1,500 cars a day.

The Lurmet process, developed by Luria Steel Co., requires equally expensive equipment to turn car bodies into steel shavings. A conveyor belt feeds cars into a fragmentizer, resulting in a continuous stream of steel shavings.

BIG BUSINESS

Many small dismantling operators accumulate junk piles because they feel it is residue without value. They make their profit on the parts accumulated. There are about 11,000 dismantlers and an additional 6,000 junkyards in the United States. As the demand for used parts increases, more men are entering the business.

Rebuilding auto parts is a multi-million-dollar business. Rebuilders need a constant supply of parts to keep their plants operating. Wholesale buyers scout around from one dismantler to another to accumulate parts.

At one time remanufactured parts were regarded with suspicion because the work was done in small shops not properly equipped to do precision work. Today many remanufactured parts are produced in large, well-equipped factories. At least several hundred firms are in the business. Many specialize on just one or a few parts while the larger plants handle a variety of items.

PROFITS IN GLASS

Fast-selling items are starters, generators, clutches, carburetors, brake components, water pumps, fuel pumps, power brake units, automatic transmissions, armatures, and alternators.

Many dismantlers find a good market in glass removed from old bodies.

Dismantler Elwood Snelling says: "Glass is a profitable part of the business. We install a piece of glass for about 40 percent less than the owner would pay at one of the glass shops."

When an insurance adjuster decides that the repair cost on a collision job approaches the market value of the car, he declares the car a total loss and pays the owner on the basis of market value. He then solicits bids from a number of dismantlers who buy such cars. If it is a late-model car, it is repaired and then sold as a used car.

WHERE DO OLD AUTOS GO TO DIE?

To big-city dwellers, it sometimes seems that too many old cars are abandoned on the side streets, stripped of everything removable, and left for the cops to cart away. But the fact is that most end up with the 20,000 auto wreckers in the United States who salvage what parts they can, sell what they can for scrap, and leave a mounting pile of hulks to rust in auto graveyards from one end of the country to the other.

Auto wrecking is a billion-dollar business, but it's an ailing business, as Palmer Bell, who runs a junkyard 8 miles south of Atlanta, Ga., can testify. In his 15 years as a scrapman, Bell has accumulated 7,000 twisted auto carcasses sown all over his weed-tangled 43-acre lot.

Late one afternoon last week, the tanned, square-faced Bell lounged with some of his grease-smeared workers in front of his car graveyard and fixed his deep-set eyes on a cluster of fresh cadavers: spavined, aging cars he'd bought that morning from $40 to $75 apiece from the city's auto pounds, insurance companies, and people just tired of pushing their heaps. "We're makin' it on selling accessories and parts," he drawled, "but as far as the metal goes, it's the lowest point it's ever been."

CRUNCHED

The reasons aren't hard to find. Even though the industry scrapped 5.3 million cars last year (Detroit's output of new cars in the same year was 7.6 million) and predicts another 300,000 gain in 1964, its sale of reclaimed metal to steelmills has fallen off drastically. In 1956, total steel scrap-sale revenues hit a high of $3 billion, but they have since been as low as $1.5 billion (in 1958), and last year wobbled to $1.9 billion. Wreckers can still turn a buck by salvaging parts, but their time-honored cleanup men, the processors, just can't make money baling automobiles for the steel mills anymore.

A partial explanation is that the processors are in a profit pinch that's nearly as forceful as the huge hydraulic presses they use to crunch cars into scrap. The 1963 price for a 1-ton bale, $19.84, was the lowest since the war (the same-sized bale fetched $42.86 in 1956). But more to the point has been the domestic steel industry's gradual changeover, since the mid-1950's, to a European steelmaking process called the basic oxygen furnace (BOF). With BOF, the steel mills are taking only about half as much auto scrap as they used to, and what they do use must be of higher quality than the bales of compressed cars which have long been a staple ingredient of the open-hearth furnace's diet.

MASCARA RUNNING

Among the hard-pressed wreckers, Atlanta's Palmer Bell is typical. The cars out back of the sign that reads "Bell's New and Used Auto Parts" were once typical junkers, the sort Vance Packard had in mind in his books, "The Waste Makers"; their heels * * * run over, their mascara * * * running, and their chrome jewelry tarnished." But to Bell, who has plucked the engines and every conceivably useful accessory from them, they're like lobsters once full of succulent meat but now mostly hard shell that's hard to sell. For an office, Bell uses a single roll-top desk, awash in transmission parts, in a rambling white shed whose sole adornments are a calendar nude and a tacked-up pair of women's black panties. His price lists and inventory ledgers are locked securely in his head—"It comes naturally," he admitted—and he swaps fenders, wiper-arms, and radiators on the spot for ready cash that goes into a roll of bills in a pocket of his green work trousers.

Parts prices vary regionally, but with a little luck and haggling, a wrecker like Bell can get as much as $400 for a nearly new complete front end, and $40 for a matched set of fancy hubcaps. Many wreckers share Bell's enterprising, horse-trading business instinct, and most manage to scratch a fair to good living by scavenging cars and selling their inner workings and shiny trinkets. But getting rid of the rusting hulks is another matter. Said one Los Angeles wrecking executive: "The old days are behind, when a steel company would take anything that was thrown at it. If I was smart, I'd look into another business. This one's got a sickness."

In Middleburg, 40 miles west of Albany, N.Y., young Duane and Josephine Palmer recently bought a new 132-acre farm in the lush Schoharie County valley to take the overflow of rusting car bodies from their old, chock-full, 40-acre place. "I've got 600 bodies here I'd give away free if I could find somebody to take them," Duane said, pointing out the economics. "At one time, they were worth $25 a body, but now, by the time you load and take them 55 miles to the Port of Albany by truck, it figures out to cost you about $40 a load. You can't make anything."

"TOUGH, TOUGH"

Palmer's complaints are being echoed by most of the Nation's auto wreckers. In Detroit last week, stocky Samuel Topper, a former real estate man who now manages King Scrap Iron & Metal Co. on a grimy east side block, put it vividly: "This is a tough, tough business." As Sam Proler, the company's lively 47-year-old president, explained last week in his green-walled office near Houston's ship channel: "It was like with Pasteur. I mean like when they came out with pasteurized milk. We called it 'Prolerizing' because we felt like we were purifying scrap metal. It's a pretty good feeling to know that you've done that."

INFERNO

Even so, the backbone of the business continues to be hydraulic baling, which simply squeezes auto hulks into blocks of metal the size of a steamer trunk. At Luria's Lipsett division scrap works in Brooklyn, workmen last week demonstrated that the process is complicated and time consuming. A green 1956 Ford two-door with a Cornell sticker on the rear window began its agonizing odyssey as a four-pronged grapple, biting into the top with the sound of splitting orange crates, swung it off a truck from a Bronx wrecker and onto a two-track conveyor. The Ford moved slowly into a 1,700° inferno inside a corrugated incinerator shed, emerging minutes later, gutted and steaming, in a cutting yard where coveralled men torched off nonferrous parts, drained differential oil, and yanked out copper wiring. Finally, another grappling hook lifted the car into a steel press 12 feet long, 5 feet wide, and 2 feet deep. The press' three hydraulic rams "gathered" in, then "tramped" down, and squashed the car in a 2,210-pound bearhug, finally ejecting the smoking, silver bale with a high-pitched hydraulic sigh. This is the scrapmen's classic baling method, but even with the capacity of Lipsett's noisy and oily yard to dispatch 1,000 cars a week it can't keep pace with the pile-up of hulks.

Today, cars die earlier (after 6 years versus 10 in the 1950's) and an increasing problem is the number abandoned on the streets of big cities. In Boston, where more than 2,000 cars have been discarded like candy wrappers in the past 12 months, police claim that junk attracts junk. "Look," explained one exasperated cop, "one night in a vacant city lot there will be a single car that we're waiting to have removed, and the next morning there'll be three or four of them, and the ones that have been added will have no wheels or engines in them. Obviously, someone is trucking these things in and just dumping them, right?"

BAGELS AND CREAM PUFFS

The problems are greater in Chicago, where 22,000 cars were abandoned last year, and Lt. Raymond D. McCann, in charge of the police pounds, laughingly admits he's become as adept as professional wreckers at spotting "bagels" (shoddy cars), "cream puffs" (cars still in good running shape), and "hot shorts" (stolen cars).

In San Francisco, one police inspector said that roving stripping gangs—an "informal underworld" made up mostly of late-teenagers—have become so adept at lifting engines, transmissions and bucket seats from late-model cars that they remove fingerprints with oil before vamoosing. One of the most highly prized items, coast to coast, is a "four-on-the-floor" stick gearbox; in San Francisco's black market, a car pirate can get $125 for one.

In New York City, car abandonment has increased fivefold just since 1960. Last year, owners walked away from 13,600 cars under bridges and elevated highway girders, at the curbs of already littered streets, and in stadium parking lots. Roving bands of street pirates lose no time going about their midnight auto-supply business, and among the first items to disappear are radio aerials, which police report have been used as barrels for homemade guns.

In all cities, the litterbugs have found it cheaper to leave their cars by the wayside than to pay a tow truck $20 or $25 apiece to haul them to a wrecking yard. After all, the wreckers only pay an average of between $8 and $12 for on-the-hoof metal, even if it's a "runner"—or capable of being rejuvenated with a battery charge.

Along with their financial plight, some auto wreckers are worried about their image as a grime-under-the-fingernails industry and are making an effort to spruce up. In Atlanta, Auto Salvage, Inc., which is owned by a local insurance company, has screened its debris behind a 7-foot, shrubbery-bordered redwood fence, and the 10 employees wear freshly laundered uniforms. "The junkyard business is not what it once was," says manager Allen Stokely. "Why, we even have some ladies come in here." And in Los Angeles, a group of wreckers has been promoting the term "automobile dismantlers" as a substitute for—well, wreckers.

Luria's president, Carl Ablon, 45, believes that the U.S. scrap-metal industry, as a whole, has "matured." As he put it last week: "There's been, and we still face, a definite crisis, and the road of scrap is still hazardous. But we're all more cautious now in how we hold our inventories, and how we make capital investments. If you have been through a health crisis and recovered, and if you're a patient with any memory at all, you avoid the foods and excesses that led you into bad condition."

ONWARD, EVER ONWARD: IT'S THE CHARGE OF THE BLIGHT BRIGADE

(By David R. Berman, NLC research associate)

Natural beauty of America's landscape is going to be a continuing concern to the Johnson administration. Already, the President has said he will call a White House conference on the subject. And—in the just released 1966 budget—there is a $320,000 item which observers interpret as an opening in the "war against ugliness."

The money involved is small, but it is allotted to the Bureau of Mines for research into the recovery of ferrous secondary materials from industrial waste. In other words, making automobile wrecks more valuable as raw material.

Local officials, of course, have been looking for a long time for solutions to the problems caused by the rapid increase in automobile graveyards, which now number about 8,000. But even the recovery of rubber, copper, aluminum, lead, and zinc from scrapped cars would leave the steel carcass in much the same unsightly state. Steel constitutes about two-thirds of the car's weight. The only thing that would change this prospect would be to make the steel hulk much cheaper and more attractive to industrial users of reclaimed steel.

The problem is an obvious one : While some of the more than 5 million cars which go out of service each year are returned to the steel mills as scrap, many more accumulate in scrap yards within the city or along approaches which might otherwise be scenic.

What accounts for the rise in the number and size of automobile graveyards? To help provide some of the answers, the first National Conference on Auto Salvage was held in Washington last October. Sponsored by the Institute of Scrap Iron and Steel (representing the processors who buy the scrapped auto bodies and prepare them as raw materials for the mills), the conference was attended by a representative of the National League of Cities, various public officials, consultants, scrap dealers, processors, and autowreckers. Their discussion centered around the basic cause of the problems and possible solutions.

Spokesmen for the industry pointed out that the problem is basically economic. Steel mills have less need for scrapped cars because they have been operating far below capacity. More importantly, changing steelmaking methods have lessened the need for scrapped cars. Thus, the price paid for scrap is low. Old cars remain in the autowreckers' storage area in the hope that prices will rise.

At the same time, more cars are being scrapped today than ever before: some 5.6 million were scrapped in 1964 compared with 3.6 million in 1958. The number of scrapped cars is likely to increase with the continued growth in the number of car owners. Moreover, people are getting rid of their old cars at an increasingly rapid rate; the average life of an automobile has shrunk from 14 years in 1960 to 10 years today.

The problem has created headaches for local government officials as well as members of the scrap industry. The growth of automobile graveyards has stimulated action by citizens and local officials in regard to urban beautification, land use, noise control, zoning, and smoke abatement. Some States, including Vermont and Kentucky, have passed laws regulating the wrecking yards and requiring them to be screened from view of the highways. New York, Pennsylvania, and Tennessee are actively studying the problem and action seems likely in more State capitols. In 1964, Ohio's Legislature revised sections of the code dealing with licensing of junkyards. It also required their enclosure by a 6-foot-high, nontransparent fence. A Maine statute gives considerable authority to local officials in matters of zoning and licensing junkyards.

From the industry's point of view, action to regulate the wreckers has often been too harsh. Harry Marley, president of the Institute of Scrap Iron and Steel, has stated, "Nobody is saying a scrap yard is a garden spot. We are saying, however, that a city's taxpayers are going to have to dig into their pockets and provide city-owned-and-operated salvage and scrap-disposal services if they insist on running private firms out of business."

Some of the autos which wind up in these graveyards have been abandoned on city streets by their owners and left for the local police to cart away. Last year, 13,600 cars were abandoned in New York City, more than double the number abandoned in 1962. In 1963, some 22,000 cars were found abandoned in Chicago and, in the last 14 months, some 9,500 cars had been found abandoned in the Nation's Capital.

The basic problem, low prices for scrapped cars, is said to underlie this trend toward abandonment of cars. An owner of an inoperative car often finds that it costs him more to tow it into a scrap yard than he can receive for it. Thus, license plates and valuable parts are removed and the auto is left on a street, in a city lot, or in an empty field along the highway.

Impounded cars are usually sold by the city to local wreckers and scrap dealers. In many cases, however, this income does not come close to the administrative costs and the cost of storing and towing the automobile.

Because a rusting hulk on private property can blight a neighborhood, some cities are considering the need for additional authority to collect them without the permission of property owners. Aurora, Colo. (population 65,000), reports it has removed "more than 500 wrecked or stripped automobiles" from private property in the first 6 months under its March 1964 ordinance dealing with "such items."

A recent ordinance passed in Miami, Fla., provided similar authority. Should a court case result, City Manager Melvin Reese says, the city will contend that its tropical climate makes such wrecks a public health hazard as breeding places for mosquitoes. Miami intends to innovate on the problem of removal by contracting with a private company. Wrecks would be removed at a variable cost to the city, depending on the market value of each auto.

Cities have had some luck in finding uses for old cars when they cannot be sold. In New York, the sanitation department buries the scrapped bodies at land fill sites. Several Gulf Coast States have used them as artificial fishing reefs.

No one has yet come up with all the answers to the difficult problems of junked autos. Industry officials point to several new, costly methods of reclamation which result in a higher grade scrap that is more suitable to steelmakers' needs. But each installation so far costs about $2 million. The U.S. Department of Commerce would like to encourage the greater export of scrap. The Interior Department has undertaken research programs. But, it has to be concluded, there will be no immediate drastic changes in the junked automobile picture.

So urgent is the matter to some that proposals have been made to make the automobile manufacturers responsible for scrapping and shipping away from city streets. While hardly likely to gain many adherents now, this idea shows the need to examine the problem from many viewpoints. Perhaps the White House Conference on Natural Beauty will come up with some practical answers.

Douglas Bill Would Establish Automobile Burial and Beautification Fund To Eradicate Auto Junk Piles

Senator Paul H. Douglas Democrat of Illinois, announced today that he intends to introduce a bill to get rid of the growing number of automobile junk piles scattered across the Nation. The bill would set up a special 2 percent excise tax on all new car purchases. The revenues from this tax would establish a beautification fund to help abolish the junk piles.

In a Senate speech, Douglas spoke against repealing the entire 10 percent auto excise tax as suggested by a House committee. President Johnson has proposed to reduce the tax to 5 percent by 1967. Douglas argued that a 2-percent tax should be retained to help get rid of auto junk piles. He said the tax would be a "user charge for getting rid of these unwanted autos. In effect, whenever a person buys a car, the cost of its ultimate disposal will be included in the purchase price."

A 2-percent tax would average about $50 per car and would produce about $400 million a year which would go into the beautification fund for the attack on junk piles. However, the funds would still have to be appropriated by Congress before they could be used.

According to Douglas, the basic problem is economic. The supply of junked autos is increasing while the demand for steel scrap is decreasing. As a result, it is cheaper to let an old car rust away on a junk pile than it is to process it into scrap.

Douglas said unless action is taken now, automakers "will continue to churn out 8 million cars a year, only to deposit them a few years later upon the towering scrap piles of junk and steel which soon will surround every major city and extend for miles into the country."

In outlining the bill before the Senate, Douglas called for quick action. "Let us act now," he said, "before the auto excise tax disappears forever * * * Let us get rid of the rusting scrap heaps that are a disgrace to our country. Every automobile should carry with it the funds for its own burial. Let us beautify America."

LUMP-SUM SETTLEMENT WITH A BENEFICIARY OF A NATIONAL SERVICE LIFE INSURANCE POLICY UNDER CERTAIN CIRCUMSTANCES

Mr. TOWER. Mr. President, it has come to my attention in the handling of a number of cases involving survivors of veterans that a difficulty exists which I believe Congress can properly remedy.

It appears that in some instances there is good reason for a relaxation of regulations governing the method by which survivors' benefits are paid. Sometimes an option taken by a veteran to have payments made in monthly installments does not fit the financial needs of his survivors upon his death.

I believe some carefully circumscribed authority should be given to the Veterans' Administrator for waiver of such options in cases in which extreme hardship and need can be demonstrated by survivors.

Therefore, I send to the desk a bill designed to cope with this situation, and I ask that the text of the bill be printed at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2020) to permit the Administrator of Veterans' Affairs to make a lump-sum settlement with the beneficiary of a National Service Life Insurance policy under certain circumstances even though a different mode of settlement was selected by the insured, and for other purposes, introduced by Mr. Tower, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 717(d) of title 38, United States Code, is amended by adding at the end thereof a new sentence as follows:

"Notwithstanding any other provision of this subchapter, the Administrator is authorized, in any case in which an insured has selected a mode of settlement other than lump-sum payment, to change the mode of settlement from the mode selected by the insured and to make a lump-sum settlement of the insurance, or increase the amount of the monthly installments payable and correspondingly reduce the number of installments to be paid, if the beneficiary applies to the Administrator for such change in the mode of settlement, and if the Administrator determines that (1) the personal circumstances of the beneficiary have materially changed since the insured selected the mode of settlement which the beneficiary wants changed, (2) the beneficiary will suffer financial hardship unless such change is made, and (3) such change is otherwise in the best interest of the beneficiary."

ORDERLY MARKETING ACT OF 1965

Mr. MUSKIE. Mr. President, I introduce, for appropriate reference, for myself and Senators Clark, Dodd, Eastland, Ervin, Hartke, Kennedy of Massachusetts, McIntyre, and Pell, a bill to provide for the orderly marketing of articles imported into the United States, to establish a flexible basis for the adjustment by the U.S. economy to expanded trade, and to afford foreign supplying nations a fair share of the growth or change in the U.S. market. I ask unanimous consent that the bill remain at the desk for 10 days for additional cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, this proposed legislation, "The Orderly Marketing Act of 1965," is designed to protect those industries injured or threatened with injury by a massive flood of low-cost imports. In a number of industries, particularly those with a high labor input, we find that low-wage foreign competition arises quickly, expands rapidly and threatens the existence of domestic manufacturers and workers before they have an opportunity to adjust to the new competition.

We have seen this happen in textiles, in footwear manufacturing, and in wood products manufacturing. These are industries where profit margins have been narrow and where many manufacturers have had limited capital resources. High tariffs do not offer meaningful or desirable relief for those industries. Rigid quota systems would undermine our efforts to increase the general level of international trade.

In the Trade Expansion Act we attempted to develop the concept of flexible quotas as an answer to this problem. It was contained in the orderly marketing amendment to that act. The difficulty has been that the definition of injury, attributable to imports, has been too unrealistic to afford meaningful relief. The procedure for finding injury is cumbersome and time-consuming. It does not take into account the peculiar nature of current volatile trade conditions in those industries I have mentioned and others.

We recognize the need for expanded world trade. But we do not think it makes sense for our workers or industrialists or, in the long run, for industrialists and workers in other countries to depend on erratic, unstable trade developments as a vehicle for economic growth. In our domestic markets we use a number of devices, including minimum wage-and-hours laws, for example, to insure fair competition. We cannot apply similar requirements on foreign countries.

The orderly marketing concept allows us to bring balance to our trade policy. It allows us to overcome unfair competition, through international agreements or through unilateral—but flexible—quotas. And it allows foreign competitors to share in the growth of our economy. It is, in my opinion, a reasonable approach to a difficult and thorny problem.

I ask unanimous consent that the bill be printed in the Record at this point, together with a section-by-section analysis of the bill. I urge my colleagues to give serious consideration to cosponsorship of this legislation which is designed to help American workers and businessmen to meet foreign competition on equal terms.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the Record.

The bill (S. 2022) to provide for the orderly marketing of articles imported into the United States, to establish a flexible basis for the adjustment by the United States economy to expanded trade, and to afford foreign supplying nations a fair share of the growth or change in the U.S. market, introduced by Mr. Muskie (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 2022

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Orderly Marketing Act of 1965."

Section 1. Purposes.—The purposes of this Act are to provide for the orderly marketing of articles imported into the United States, to establish a flexible basis for the adjustment by the United States economy to expanded trade, and to afford foreign supplying nations a fair share of the growth or change in the United States market.

Sec. 2. Definitions.—As used in this Act—

(a) "Domestic industry" shall include all establishments located in the United States in which any article or articles like or directly competitive with the imported article or articles specified in a petition or request under subsection (a) or subsection (b) of section 3 are produced. If an enterprise has several establishments in some of which such articles are not produced, the industry would include only establishments in which the article is produced for purposes of analyzing impairment for purposes of subsection (c) of section 3;

(b) "Like or directly competitive articles" shall mean those articles or closely related groups of articles on which the article or articles specified in a petition or request under subsection (a) or subsection (b) of section 3 have a combined competitive impact;

(c) An imported article is "directly competitive with" a domestic article at an earlier or later stage of processing, and a domestic article is "directly competitive with" an imported article at an earlier or later stage of processing, if the importation of the imported article has an economic effect on producers of the domestic article comparable to the effect of importation of articles in the same stage of processing as the domestic article. For purposes of this paragraph, the unprocessed article is at an earlier stage of processing;

(d) "Secretary" refers to the Secretary of Commerce.

Sec. 3. (a) A petition for orderly marketing may be filed with the Secretary by a trade association, firm, certified or recognized union, or other representative of an industry;

(b) Upon the request of the President, upon resolution of either the Committee on Finance of the Senate or the Committee on Ways and Means of the House of Representatives, or upon the filing of a petition under subsection (a), the Secretary shall promptly make an investigation to determine whether articles or groups of articles specified in the petition or request are being imported into the United States in such increased quantities as to be a factor contributing to a condition of economic impairment of the domestic industry producing such article and like or directly competitive articles.

(c) In making a determination whether there is a condition of economic impairment in the industry, the Secretary shall take into account all economic factors which he considers relevant, including idling of productive facilities, in ability to operate at a reasonable profit or declining profitability, and unemployment, underemployment, or a decline in employment relative to production.

(d) In any event, the Secretary shall make an affirmative determination under subsection (c) and shall find that the articles or groups of articles are being imported in such increased quantities as to be a factor contributing to a condition of economic impairment to the industry, if during the five calendar years immediately preceding the year in which the petition or request is filed the ratio of imports of the article or group of articles to the domestic production of such articles or like or directly competitive articles has increased by 50 percent or more in the aggregate and during the calendar year immediately preceding the year in which the petition or request is filed the ratio of such imports to such domestic production was at least 15 percent.

(e) If the Secretary finds that such articles or groups of articles are being imported into the United States in such increased quantities as to be a factor contributing to economic impairment of a domestic industry he shall forthwith inform the President of his finding and his determination under subsection (c).

(f) If the Secretary would have made the finding specified in subsection (e) but for the fact that the ratio of such imports to such domestic production was more than 10 percent but less than 15 percent in the year in which the petition or request is filed he shall also forthwith inform the President of his finding.

Sec. 4. Upon being informed by the Secretary of a finding pursuant to section 3(e), the President shall by proclamation limit the importation of such articles or groups of articles to which such finding applies for each calendar year succeeding such proclamation to the larger of—

(i) that quantity which equals 15 percent of domestic production of such articles and like or directly competitive articles for each preceding calendar year, or

(ii) That quantity which equals average annual imports of such articles or groups of articles for the five calendar years immediately preceding the calendar year in which such proclamation is made; *Provided, however,* that, with respect to a limitation imposed under paragraph (ii), such quantity shall be increased or decreased for each succeeding calendar year by the same percentage that such domestic production in the preceding calendar year increased or decreased in comparison with such average annual domestic production in the second and third immediately preceding calendar year, and *Provided, further,* that, with respect to a limitation imposed under either paragraph (i) or (ii), in the event of such an increase in domestic production there shall be permitted to enter an increase in quantity equal to 1 per centum of such domestic production for such immediately preceding calendar year.

Sec. 5. (a) After being informed by the Secretary of his findings under Section 3(e), the President may, in lieu of exercising the authority contained in Section 4, negotiate international agreements with foreign countries limiting the export from such countries and the import into the United States of the articles or groups of articles involved whenever he determines that such action would be more appropriate to prevent or remedy economic impairment than action under Section 4.

(b) In order to carry out an agreement concluded under subsection (a), the President is authorized to issue regulations governing the entry or withdrawal from warehouse of the articles or groups of articles covered by such agreement. In addition, in order to carry out a multilateral agreement concluded under subsection (a) among countries accounting for a significant part of world trade in the article covered by such agreement, the President is also authorized to issue regulations governing the entry or withdrawal from warehouse of the like article which is the product of countries not parties to such agreement.

Sec. 6. The Secretary shall allocate the total quantity proclaimed under Section 4, and any increase in such quantity pursuant thereto, among supplying countries on the basis of the shares such countries supplied to the United States market during a representative period of the articles or groups of articles to which such proclamation applies, except that due account may be given to special factors which have affected or may affect the trade in such articles. The Secretary shall certify such allocations to the Secretary of the Treasury.

Sec. 7. In addition to proclaiming import limitations as to the articles or group of articles like or directly competitive with those of domestic industry under this Act, the President may provide with respect to the firms of such industry that they may request the Secretary for certifications of eligibility to apply for adjustment assistance and may provide with respect to the workers of such industry that they may request the Secretary of Labor for certifications of eligibility to apply for adjustment assistance under title III of the Trade Expansion Act of 1962, Public Law No. 794, 87th Congress. Further proceedings and relief and the criteria pertaining thereto shall be the same as under title III of the Trade Expansion Act.

Sec. 8. If the Secretary informs the President of findings under section 2(f) the President may, in his discretion, take any action or any combination of actions specified in section 4, section 5, and section 7 with respect to the articles or groups of articles to which such findings apply.

Sec. 9. (a) Any proclamation made and any adjustment assistance granted pursuant to this Act shall be reviewable by the President after the third calendar year of their effect and prior to the commencement of each calendar year thereafter during which such proclamation or adjustment assistance remains in effect. In his discretion the President may upon such review terminate such proclamation or adjustment assistance if he finds it no longer necessary, appropriate or effective to accomplish the purposes of this Act. No proclamation or adjustment assistance shall remain in effect for a period longer than 10 calendar years.

Sec. 10. Nothing contained in this Act shall affect in any way any quantitative import limitation heretofore or hereafter proclaimed or imposed pursuant to any Act of Congress authorizing such proclamation or imposition, including but not limited to—

(a) section 22 of the Agricultural Adjustment Act,

(b) section 204 of the Agricultural Act of 1956,

(c) section 232, 351, or 352 of the Trade Expansion Act of 1962,

(d) section 2(b) of the Act entitled "an Act to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended", approved July 1, 1945 (19 U.S.C. 1352a),

(e) section 7 of the Trade Agreements Extension Act of 1951,

(f) Public Law No. 481 of the 88th Congress (78 Stat. 593),

(g) The Sugar Act of 1948, as amended.

The section-by-section analysis presented by Mr. Muskie is as follows:

Section-by-Section Analysis of Draft of Orderly Marketing Act of 1965

The purpose of this memorandum is to provide some background as to the thinking and sources which are embraced in the draft of the Orderly Marketing Act of 1965. In general, a variety of sources were employed together with some original approaches; thus, it cannot be said that the bill draws on any particular precedent.

Section 1 is original. It seeks to stress orderly marketing as well as the flexibility features of the bill. Due concern for foreign interests is expressed.

Section 2 establishes four definitions of terms used throughout the draft. The definition of domestic industry is related to establishments producing imported articles or groups of articles specified in a petition for relief. The establishment-by-establishment impact of analysis stated in the second sentence of subsection (a) is derived from the House and Senate committee reports defining the term "industry" within the meaning of the Trade Expansion Act. Under this provision, the entire business of a diversified producer need not be impaired as a precondition to relief, if the imports of selected competitive articles are causing or threatening impairment to individual plants. It was thought that to extend this concept into a subdivision of establishments would be overreaching, although the Senate Finance Committee took this latter position during the deliberations of TEA.

The "like or directly competitive articles" defined in subsection (b) are determined by analysis of general economic concepts of competitive impact, including presumably interchangeability and cross-elasticity of demand. Subsection (c) defining "directly competitive with" is taken directly from section 405(4) of the Trade Expansion Act. Subsection (d) is self-explanatory and seeks to create a factfinding agency with a broader perspective than those currently charged with making relief determinations.

Section 3 outlines the procedure for filing petitions for relief under the Orderly Marketing Act. In general any parties which might initiate proceedings for industry relief under the Trade Expansion Act might file under the proposed bill. In addition, subsection (b) provides that a determination is to be made whether increased quantities of imports are a factor contributing to a condition of economic impairment. These are new approaches attempting to avoid the "in major part" and "major cause" criteria of the Trade Expansion Act and involve "impairment" rather than "injury or threat of injury." Subsection (c) establishes the general guidelines for the Secretary in determining whether or not a condition of economic impairment exists. The standards are derived generally from title III of the Trade Expansion Act but are more liberal in that they include "declining profitability" and "decline in employment relative to production" as conditions suggesting impairment.

The determination of whether or not increased imports are a "factor" in creating such a condition is made conclusive by subsection (b). Two standards are adopted, both of which must exist in order for an affirmative determination to be made:

1. Imports must have increased by more than 50 percent in the aggregate during the 5 calendar years immediately preceding the filing of the petition; and

2. Imports must equal or exceed 15 percent of domestic production during the calendar year immediately preceding the filing of the petition.

Subsections (e) and (f) require the Secretary of Commerce to inform the President of his findings, either if he makes an affirmative finding under subsection (d), or would have done so but for the fact that the ratio of imports to domestic production was more than 10 percent but less than 15 percent in the year before the petition is filed.

Section 5 provides for the imposition of orderly marketing limitations in the event of an affirmative finding by the Secretary under subsection 3(e). The quotas are to be established on one or two bases, either at an annual level equal to 15 percent of domestic production for the preceding year or at the average annual level of importation for the 5 years immediately preceding the proclamation. The latter alternative recognizes the unavailability of rollbacks in levels of importation in those cases where imports have already exceeded the 15-percent ratio. The first proviso establishes a continuing reappraisal and recomputation of import levels based on the second alternative, and is patterned after the meat import bill enacted in the 88th Congress. The second proviso provides for an annual percentage of market import increase in the event domestic production is increasing.

Section 5 is derived almost verbatim from section 352 of the Trade Expansion Act. It offers the President an alternative to proclaiming the quantitative limitations specified in section 4. The alternative contemplates negotiations with principal foreign supplying nations whereby import levels would be established, and in connection with this alternative the most-favored-nation principle is abandoned.

Section 6 creates a mechanism for allocation of U.S. import quotas among countries, generally on an historic level. This section also incorporates flexibility, permitting reconsideration of national quotas based on political or economic considerations. The source for this section is the Meat Import Act.

Further relief would be available under section 7 of the orderly marketing bill. This provision permits automatic certification of firms and workers in an industry as to which a proclamation limiting imports has been made whereby they might apply for adjustment assistance as under title III of the Trade Expansion Act. Pursuant to this measure, such firms and workers would bypass the impossible standards prerequisite to relief under the Trade Expansion Act.

Section 8 authorizes the President in his discretion to take any of the substantive actions specified in the bill in the event he is notified of a finding by the Secretary under section 3(f), that the industry is otherwise qualified for relief but for the fact that imports are more than 10 percent but less than 15 percent of domestic production.

A periodic reevaluation of relief granted under the orderly marketing bill is provided for in section 9, such reappraisal commencing 3 years after the establishment of relief. In no event shall relief continue beyond 10 years after its proclamation.

Section 10 relates to other statutes under which quantitative limitations have been or may be imposed. In general, this provision insures that the bill would not disturb any quotas heretofore or hereafter proclaimed under Federal law. By reason thereof, the bill would have no impact, for example, on the present cotton textile, meat, lead and zinc, oil, or sugar programs.

TAX CREDITS FOR HIGHER EDUCATION—REMOVING THE LAST ROADBLOCKS

Mr. PROUTY. Mr. President, I introduce, for appropriate reference, a bill to provide tax credits to persons now burdened with the rising expenses of higher education.

The idea of tax credits as an aid to education is not new. In the past decade over 400 bills have been introduced in the Congress. In the 88th Congress alone 19 bills were introduced in the Senate and over 100 in the House. I have already joined a number of Senators of both parties in sponsoring S. 12, introduced in January by Senator Abraham Ribicoff, of Connecticut, a former Secretary of Health, Education, and Welfare under President Kennedy.

The Republican platform of 1964 specifically calls for a tax credit plan to aid those who must bear the cost of putting a student through college. The Republican education omnibus bill in the House of Representatives, introduced by Congressman William Ayres, of Ohio, contains a college tax credit section—title III of H.R. 6349.

After a decade of growing support for tax credits for college expenses, the time has come—in fact the time is well overdue—for the Congress to act.

Let us take a look at the hard realities of today.

First. More and more young Americans are going to college. According to the U.S. Office of Education, the fall enrollment in institutions of higher education in 1960 was 3.583 million. Last fall that number had risen to 4.774 million—an increase of 1,191,000 in only 5 years. This represents an average annual increase of 6.5 percent. In 1970 it is estimated that 6.959 million young Americans will be in college, representing an average annual increase over the next 5 years of 9.4 percent.

Second. The percentage of all young people going on to college is also rising.

In 1960, 375 of every 1,000 young people aged 18 through 21 were enrolled in institutions of higher education. In 1963 this number had risen to 404 of every 1,000.

Third. The costs of attending college are rising sharply. According to the U.S. Office of Education, the cost of tuition and required fees for public colleges in the school year 1960–61 was about $179. This fall the estimated cost will have risen to about $241, an increase of 35 percent in 5 years. In private colleges over the same period, tuition and fee expenses have risen from $676 to about $874—an increase of 29 percent.

Fourth. Many of our most promising young men and women cannot afford to go on to college. U.S. Commissioner of Education Francis Keppel has said:

> Each year more than 100,000 high school graduates with high aptitudes and interest in college fail to continue their education because of financial inability.

Note that these are not just young men and women who barely make it through high school and have little interest in college. These are the prime prospects—those with demonstrated aptitude for college work and a high interest in going on to school.

Fifth. An alarming number of young people entering college will drop out before graduation because of inability to pay the bills. Dr. Rexford G. Moon, Jr., director of the college scholarship service of the College Entrance Examination Board, has estimated that around 40 percent of entering freshmen will be forced to drop out due to lack of funds.

Sixth. There are many ways for our society to meet the pressing needs of higher education. Commissioner Keppel told the Senate Education Subcommittee:

> The best way to think about this problem of financial aid at the college level is in terms of a combination of ways of going about it. No single method would seem to me to be suitable to every student.

The private sector of our economy has put forth magnificent efforts to make it possible for qualified young men and women to get through college. This aid has come from philanthropists, foundations, charitable organizations, business firms, banks, savings and loan institutions, and other sources. In addition, a growing number of Government programs, at the State, local and national levels, recognize the importance to the Nation of higher education. It should be our goal to design Government programs so that they effectively and efficiently complement these private programs in helping our institutions of higher education, our college students, and those who must help the student meet his college expenses.

In February 1964, Senator RIBICOFF offered his college tax credit bill as an amendment to the tax cut bill then under debate. Unhappily, the amendment was defeated by a close 45 to 48 vote. Eighty-four percent of the Republican Senators voting on the Ribicoff amendment voted in favor of it, while 31 percent of the Democratic Senators did so.

On June 6 of this year Senator RIBICOFF introduced his amendment as Senate bill 12. Thirty-three Senators joined the Senator from Connecticut as cosponsors. I am happy to say that I am one of them.

The provisions of the Ribicoff bill are simple. It would provide tax credit on the first $1,500 expended on tuition, fees, books, and supplies for a student at an institution of higher education. Unlike a tax deduction or exemption, the tax credit is substracted from the amount of tax due; thus each dollar of tax credit is a dollar actually saved by the taxpayer, regardless of his gross income.

The amount of credit in the Ribicoff bill is computed according to a sliding scale. For the first $200 of expenses the credit would be 75 percent; for the next $300 it would be 25 percent; and for the next $1,000 it would be 10 percent. Thus a taxpayer with allowable college expenses of $1,500 could receive a maximum credit of $325. Room and board expenses are not included.

The credit would be available to any taxpayer who pays the tuition and fees covered in the bill—parents, students or any other persons who pay for a student's higher education.

There is a limitation on credit under the Ribicoff bill which would gradually reduce benefits so that high-income parents, who are more able to provide for the education of their children, would not be unduly benefited at the expense of the ordinary taxpayer. The credit is reduced by an amount equal to 1 percent of the taxpayer's adjusted gross income in excess of $25,000. Thus a taxpayer whose adjusted gross income is $41,250 would be entitled to claim no more than half the maximum credit, and a taxpayer with an income of $58,500 would receive no benefit at all.

I believe that the tax credit plan typified by S. 12 is a sound, responsible plan to promote higher education in America. There is, however, room for improvement in some of its provisions. To that end I am today introducing a similar measure which I believe will help to overcome the objections of some of those who have opposed the Ribicoff bill.

One objection brought against the Ribicoff bill holds that it would disproportionately aid students attending the more expensive private colleges, and thus discriminate against students at the public and land-grant universities, which generally charge lower tuition.

Few would argue that taxpayers should be entitled to claim equal tax deductions for medical expenses, when one taxpayer may have had none, and another many thousands of dollars worth. Naturally, the one with the greater expenses should be allowed to deduct more on an absolute, if not on a percentage, basis. So it is with educational expenses. The argument is not that students attending high-tuition colleges should get no more in credits than students attending low-tuition schools, but that the high-tuition students should not get so much more.

To counter this objection I have designed a compromise sliding scale for benefits which would help students paying low tuitions somewhat more than would Senator RIBICOFF's version.

In my bill a taxpayer could claim a credit of 100 percent of the first $200 of college expenses; 10 percent of the next $300, and 5 percent of the next $1,000. This adds up to a maximum credit of $280 for a student paying $1,500 in expenses.

Simply put, students paying up to $600 in tuition, fees, books, supplies, and equipment would gain substantially from my bill as opposed to the Ribicoff bill, while students paying more than $600 would gain somewhat more under S. 12.

To make a more exact comparison between my bill and S. 12, consider the taxpayer paying the college expenses at a public institution in 1962–63. The median figure for tuition and fees, for a public college in that year was $170, plus an estimated $90 for books, supplies, and so forth. Under the Ribicoff bill the taxpayer could have claimed a credit of $165. Under my bill, he could have claimed $206.

In the same year the taxpayer paying the median expenses at a private college paid out $690 in tuition and $90 in books and supplies. Under the Ribicoff bill he could have claimed $253; under my bill he could have claimed only slightly less—$244.

Thus my bill, more so than S. 12, will tend to equalize the assistance for students now attending our public and land grant colleges and universities. For example, using figures inserted into the CONGRESSIONAL RECORD by Senator RIBICOFF, a student attending the University of California would gain about $209 under my bill, compared to $172 in S. 12. A student at the University of Connecticut would gain $205 under my bill, compared to $163 under S. 12. A student at Cornell or MIT, however, would gain $280 under my bill and $325 under S. 12. The important thing is, however, that the amended scale offered in my bill may be enough, coupled with other improvements, to win the support of the few additional Senators whose votes will guarantee the early passage of tax credit legislation—legislation which will aid all parents and students, whether the students attend private or public colleges.

Another objection raised to the Ribicoff bill was that it afforded no benefit to the individual whose income was so low, or who had so many deductions and exemptions, that he owed less tax than the credit to which he would be entitled, or perhaps no tax at all. I have attempted to ease this objection in my bill by permitting an individual whose computed credit exceeds his tax liability to claim up to $100 of the difference as an overpayment of tax.

This is, in effect, an absolute tax credit. Take the example of a family with a son in college whose tuition, fees, books, and so forth amount to $600 a year. Suppose the family is large, its income modest, and its tax liability to the Federal Government only $100.

Under the Ribicoff bill the computed tax credit would be $235, but since the head of the family owed only $100 in taxes, he could claim only $100 of the computed credit. He would thus not pay any tax at all, but he would not get the maximum aid to which he would otherwise be entitled if his tax liability were $235 or more.

Under my bill this taxpayer would also be entitled to a $235 tax credit, but he would be allowed to claim $200. One hundred dollars would offset his tax liability, and the remaining hundred dollars would be refunded to him by the Treasury, just as an overpayment of withholding tax is now refundable when it exceeds the tax due.

This absolute credit provision absolutely guarantees that every low and middle income taxpayer, regardless of his income, deductions, and exemptions, will get at least $100 in cash or credit toward the expenses of higher education borne by him for himself or any other person whose expenses he pays, provided only that he actually expends that amount or more.

The third difference between the Ribicoff and Prouty bills lies in the reduction-of-credit feature. This feature was introduced to placate those critics who saw the Ribicoff bill as a windfall for high-income taxpayers at the expense of those of middle and low income. In S. 12 the maximum amount of credit the taxpayer may claim is reduced by 1 percent of the excess of the taxpayer's adjusted gross income over $25,000. In my bill the point at which the credit begins to diminish is an adjusted gross income of $10,000, and the rate of decrease is 2 percent instead of 1 percent.

Where under the Ribicoff bill benefits to taxpayers would not decrease to zero until the taxpayer's income rose to $57,500, under my bill a taxpayer with an income of $24,000 would not benefit. It seems to me that those who earn $25,000, $30,000, $40,000 and $50,000 a year should be able to put their children through college without this extra assistance. For taxable year 1961 only 1.3 percent of taxable returns showed incomes above $25,000, so somewhat over 95 percent of the Nation's taxpayers could still benefit under my bill. For these few families who would be excluded there is some consolation in the fact that their children are far more likely to receive scholarship assistance than are children from low-income families. If the Government is to help equalize the educational opportunities for the millions of America's young men and women who come from lower and middle-income families, the Government program must be designed to help where the need is greatest. This my bill attempts to do.

The bill sponsored by Senator RIBICOFF is a sound and much needed measure which has my support. I have introduced my alternative college tax credit bill in an effort to go part way in meeting some of the objections that have been made to S. 12, in the hope that a broad consensus can be reached that will permit speedy enactment of the whole program.

On June 6, 1963, one of the most eminent Democratic Senators rose in advocacy of a very similar college tax credit measure. He told the Senate:

> The pressing need for vastly increased financial resources to support higher education in this country cannot be ignored. This legislation would provide this urgently needed assistance at a time of maximum need. It would represent a capital investment in the minds and talents of our youth and the future of our society. Let us, then, meet this challenge with honesty and courage before this time of great need has passed and millions of American youth have been denied their educational birthright.

These are the words of HUBERT HUMPHREY, now the Vice President of the United States. They were wise then; they are wise now. May the Congress heed them promptly.

Before closing I should also like to mention a bill I have introduced—S. 1486—entitled the "College Student Tax Relief Act of 1965." Joining with me in sponsoring this bill are 26 Republican Senators, but as yet no Democratic Members have seen fit to add their names.

S. 1486 is aimed at a specific problem—that of the college student who must work his own way through school without any tax relief at all. The bill would permit a working college student—but not his parents or any other person—to deduct up to $1,500 actually paid by him for college tuition, fees, books, equipment and supplies when computing his Federal income tax. This bill would provide appropriate and timely aid to those students who are struggling through school primarily on their own earnings.

Last February when the tax cut bill was before the Senate, I offered this tax deduction measure as an amendment, minutes after the Ribicoff amendment was rejected on a 45 to 48 vote. I am sorry to report that it failed of passage by a 47 to 47 tie vote, notwithstanding the fact that every Republican Senator on the floor cast his vote in the affirmative. It is my hope that Senators will have the opportunity again this year to consider one or both of these measures, and that the few additional votes can be found to secure their passage.

The good people of my Green Mountain State of Vermont have for over a century revered the name of U.S. Senator Justin Morrill. He was the author of the famous Morrill Act, that established the great land-grant colleges and universities of our Nation.

When Justin was a lad in the little village of Strafford, he yearned to go on to Dartmouth College in nearby Hanover, N.H. At 15 he was ready; but his father gently told him that he did not have the money to send all his sons to college, and thus, he could not discriminate in favor of Justin, the eldest.

Young Justin Morrill was heartbroken, but he determined to make the best of it. He got a job with the village storekeeper, rose in the ranks of commerce, and was eventually chosen to represent Vermont in the House and then the Senate.

Through the long years Justin Morrill carried with him a dream and a faith—a dream of full educational opportunity for the children of even the most humble families, and a faith that he could persuade his colleagues in the Congress, deeply concerned over the gathering clouds of civil war, to take the action to make that dream a reality.

Millions of young Americans have since benefited from the determination of Vermont's Justin Morrill, whose land-grant college bill was signed into law by President Lincoln on July 2, 1862. When the gate of educational opportunity was closed in his face by the poverty of his family, Justin Morrill made up his mind that it should not be so for those who came after him. His fixity of purpose was rare, and it earned him just renown. But how many young men and women today, possessed perhaps of great talents but somewhat less determination than Justin Morrill, will fail to rise to the heights of achievement of which they are capable? Might it be otherwise if they had the chance to get into and through college, a chance that young Justin never had? The investment we make now in these young men and women will be repaid many times over as they contribute to the improvement of our society in the future. Let us, as Republicans, as Democrats, as Americans, remove the last roadblocks without further delay.

Mr. President, I ask unanimous consent that a table which I have prepared be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparison of college tax credit proposals

	Prouty (89th Cong.)	Ribicoff (S. 12, 89th Cong.)	Humphrey (S. 1677, 88th Cong.)	Goldwater-Curtis (S. 2269, H.R. 8981, 88th Cong.)
Coverage: Expenses incurred for	Taxpayer and any other individual.	Taxpayer and any other individual.	Taxpayer, spouse, or dependent.	Taxpayer, spouse, or dependent.
Maximum anount of credit per student.	100 percent of 1st $200; 10 percent of next $300; 5 percent of next $1,000; maximum, $280.	75 percent of 1st $100; 25 percent of next $300; 10 percent of next $1,000; maximum, $325.	75 percent of 1st $100; 25 percent of next $400; 30 percent of next $500; 20 percent of next $500; maximum, $485.	100 percent of 1st $100; 30 percent of next $400; 20 percent of next $1,000; maximum, $420.
Reduction of credit for higher income taxpayers.	2 percent of adjusted gross income over $10,000; no benefits for taxpayers with over $24,000 income.	1 percent of adjusted gross income over $25,000; no benefits for taxpayers with over $57,500 income.	None	None.
Excess credit over tax liability for low-income taxpayers.	Excess credit over liability treated as overpayment, to a maximum of $100.	None	do	Do.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2023) to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education, introduced by Mr. Prouty, was received, read twice by its title, and referred to the Committee on Finance.

HONOR TO AMERICA'S LAW ENFORCEMENT OFFICERS

Mr. DOUGLAS. Mr. President, the city of Chicago has an outstanding superintendent of police, Orlando W. Wilson. At the suggestion of Lt. Fred G. Ingham of the Chicago Police Force, and Superintendent Wilson, I am introducing today a joint resolution to authorize issuance of a special postage stamp in honor of the Nation's law enforcement officers.

The growth of population and the resultant crowding of our towns and cities continually intensify the problems of law enforcement. Police officers are public servants whose duties are demanding and often dangerous. They receive widespread publicity and criticism for any failing or weakness while their daily services and attention to duty are too often unacknowledged.

Public safety and the maintenance of order are of vital importance to all citizens. We must not underestimate those who preserve our rights and protect our safety. Police work requires specialized training, sharp wits, good judgment, discipline and integrity. It is a proud profession, as is all public service, and I hope the proposed postage stamp will help to indicate the respect and appreciation of the Nation for our law enforcement officers.

Mr. President, I ask unanimous consent that the text of the resolution may be printed in the Record at the close of my remarks.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 84) to provide for the issuance of a special series of postage stamps to honor the Nation's law enforcement officers, introduced by Mr. Douglas, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the Record, as follows:

S.J. Res. 84

Whereas in a democracy social order derives from the voluntary submission of all citizens to the rule of law; and

Whereas we, in the United States, entrust the safety of our citizens and the maintenance of law and order to civilian police officers; and

Whereas the duties of such law enforcement officers require personal courage, integrity and good judgment: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue during the calendar year 1966, a special series of postage stamps, of such appropriate design and denomination as he shall prescribe, to express the respect and appreciation of the people of the United States for their law enforcement officers.

PROPOSED AMENDMENT OF CONSTITUTION RELATING TO EQUAL RIGHTS FOR WOMEN

Mr. McCARTHY. Mr. President, I introduce, for appropriate reference, a joint resolution proposing an amendment to the Constitution to provide for equal rights for women. Joining me in sponsoring the proposed amendment are Senators J. Caleb Boggs, Quentin Burdick, Hiram Fong, Vance Hartke, Daniel Inouye, Thomas Kuchel, Thomas McIntyre, Walter Mondale, Frank Moss, Karl Mundt, Jennings Randolph, Milward Simpson, Margaret Chase Smith, and Stephen Young.

I ask unanimous consent that the resolution remain at the desk for 1 week to provide an opportunity for other Senators to join us in sponsoring the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARTHY. Mr. President, the purpose of this amendment is to establish equality of rights for men and women under the Constitution and the Federal and State statutes and to guarantee the equality of rights already won.

The effort to secure for all adults an equality under the law in basic human and legal rights is an ancient one. There has been, of course, a substantial improvement in the status of women in this century; in some areas, as with the right to vote, the problem has been successfully resolved. However, the fact that a constitutional amendment was needed to guarantee the right of women to vote is an indication of the difficulty encountered in trying to make progress.

There was a hope by some that the passage of the 19th amendment would result in general revision of laws and practices so that discrimination against women would end. Unfortunately, that has not been the case. As recently as last year, the Congress found it necessary to include in title VII of the civil rights bill, provision to prohibit discrimination on the basis of sex as well as race. This provision prohibits discrimination in connection with employment, referral for employment, membership in labor organizations, and participation in apprenticeship or other training programs. Even this legislation does not reach to many employment situations which are not covered by title VII.

The fact is that 45 years after the passage of the 19th amendment, discrimination against adult women continues to exist as regard property rights, inheritance rights, the right to own and control one's earnings, educational opportunity, employment opportunities, jury service, and other areas.

Mr. President, the same resolution as we are introducing today was introduced in the 88th Congress. It was favorably reported by the Committee on Judiciary on September 14, 1964. The committee report submitted last year contains a summary of the purpose and need for this amendment. I ask unanimous consent that excerpts from the committee report and a copy of the resolution we are introducing today be printed at this point in the Record.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and excerpts will be printed in the Record.

The joint resolution (S.J. Res. 85) proposing an amendment to the Constitution of the United States relative to equal rights for men and women, introduced by Mr. McCarthy (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex. Congress and the several States shall have power, within their respective jurisdictions, to enforce this article by appropriate legislation.

"Sec. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States.

"Sec. 3. This amendment shall take effect one year after the date of ratification."

The excerpts presented by Mr. McCarthy are as follows:

Equal Rights for Men and Women: Excerpts From Senate Report No. 1558, Submitted by Committee on the Judiciary, September 14, 1964

STATEMENT

The substantive section of the proposed amendment is quite simple and straightforward. It reads as follows:

"Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex. Congress and the several States shall have power, within their respective jurisdictions, to enforce this article by appropriate legislation."

Senate Joint Resolution 45 was introduced in the 88th Congress by Senator McGee for himself and 35 other Senators as cosponsors. During the past 10 years, the Legislatures of Connecticut, Delaware, Louisiana, Massachusetts, Pennsylvania, and Maryland have adopted resolutions memorializing the Congress to submit this amendment to the States for ratification.

This proposal has been before the Congress since the 19th amendment to the Constitution extended voting rights to women. In recent years, resolutions proposing this amendment were reported favorably by the Committee on the Judiciary in the 80th, 81st, 82d, 83d, 84th, 86th, and 87th Congresses. In the 81st and 83d Congresses, the amendment passed the Senate with a floor amendment, but it was never acted upon by the House of Representatives. In the 86th Congress, the same floor amendment was adopted by the Senate and then the resolution was recommitted to the Committee on the Judiciary upon motion of its principal sponsors. (The provisions of this floor amendment or rider are discussed subsequently in this report.)

Adoption of this amendment will complete women's long movement for legal equality. Like the 14th amendment, the restrictions of this proposed amendment apply only to governmental action. It would not apply to private or to individual action: The 14th amendment provides a body of case law as to what constitutes State action, and its precedents will be available for judicial determination of the scope of this amendment.

There remain many well-known vestiges of ancient rules of law which treat women as inferiors. In many States, a woman cannot handle or own separate property in the same manner as her husband. In some States, she cannot engage in business or pursue a profession or occupation as freely as can a member of the male sex. Women are classified separately for purposes of jury service in many States. Community-property States do not vest in the wife the same degree of property rights as her husband enjoys. The inheritance rights of widows differ from those of widowers in some States. Restrictive work laws, which purport to protect women by denying them a man's freedom to pursue employment, actually result in discrimination in the employment of women by making it so burdensome upon employers. Such protective restrictions hinder women in their competition with men for supervisory, technical, and professional job opportunities.

Your committee has considered carefully the amendment which was added to this proposal on the floor of the Senate in the 81st, 83d, and 86th Congresses. Its effect was to preserve "rights, benefits, or exemptions" conferred by law upon persons of the female sex. This qualification is not acceptable to women who want equal rights under the law. It is under the guise of so-called "rights" or "benefits" that women have been treated unequally and denied opportunities which are available to men.

Just as equal protection of the law under the 14th amendment is not a mathematical equality, this amendment does not contemplate that women must be treated in all respects the same as men. Nor does it mean that all legal differentiation of the sexes will be abolished. "Equality" does not mean "sameness." "Equal" rights does not necessarily mean "identical" rights. For instance, a law granting maternity benefits to women would not be an unlawful discrimination against men. As a grant to mothers, it would be based on a reasonable classification despite its limitation to members of one sex.

Nor would the amendment mean that criminal laws governing sexual offenses would become unconstitutional. The public has such an interest in relations between the sexes that the conduct of both sexes is subject to regulation under the police power apart from any considerations of unequal treatment or protective status.

In the past, it has been suggested that this amendment would require equal treatment of men and women for purposes of compulsory military service. This is no more true than that all men are treated equally for purposes of military duty. Differences in physical abilities among all persons would continue to be a material factor. It could be expected that women will be equally subject to military conscription and they have demonstrated that they can perform admirably in many capacities in the Armed Forces. But the Government would not require that women serve where they are not fitted just as men with physical defects are utilized in special capacities, if at all.

Your committee wishes to emphasize one additional fact. The proposed amendment would confirm equal rights under law for both men and women. In instances where laws are burdensome to men solely because of their sex, they would benefit from the amendment. For instance, alimony laws probably could not favor women solely because of their sex. However, a divorce decree could award support to a mother if she was granted custody of the children. This would be incidental to the children's support. Matters concerning custody and support of children properly should be determined solely with a view to the welfare of the children, without favoritism to either parent solely because of sex.

Both major political parties have repeatedly supported this proposal in their national party platforms. The United States, as a signatory to the United Nations Charter, has confirmed its faith in equal rights of men and women. Nevertheless, we withhold from our women a constitutional guarantee of equal treatment under the law and thus lag behind such countries as Burma, Egypt, Japan, Greece, Pakistan, and West Germany.

Mr. McCARTHY. Mr. President, I also ask unanimous consent that an article written about the issue by Gould Lincoln, which appeared on May 22 in the Washington Star, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Star, May 22, 1965]

RIGHTS LAWS BY THE DOZEN, BUT—

(By Gould Lincoln)

Today when Congress is battling over legislation to outlaw practices that make difficult—or impossible—registration and voting by citizens of the United States because of their race and color, the matter of "equal rights" for the women of America should not be neglected. The women, represented by the National Women's Party, are registering here today for their annual convention. Their drive is on again for an amendment to the Constitution, this time in the 89th Congress.

Coincident with the meeting of the National Women's Party, Senator EUGENE McCARTHY, Democrat, of Minnesota, has announced that he will introduce as chief sponsor in the Senate the following proposed amendment to the Constitution, which has been knocking at the Capitol doors for 43 years.

"Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex."

He has called on all his 99 senatorial colleagues to join him in support of the amendment resolution, becoming cosponsors. In the House, a similar resolution has been introduced by a large number of Representatives, with Representative MARTHA W. GRIFFITHS, Democrat, of Michigan, and Representative CATHERINE MAY, Republican, of Washington, taking the lead in this nonpartisan battle.

The woman's equal rights amendment has had its ups and downs in each Congress since it was first introduced. There is strong belief, however, that it would be approved by more than the necessary two-thirds vote in both the Senate and the House if it can be brought to a vote. There are stumbling blocks, however. In the House these resolutions have been referred to the House Judiciary Committee, but Representative EMANUEL CELLER, Democrat, of New York, committee chairman, has not sent them to a subcommittee or made any move to bring about hearings on them. CELLER's opposition to the measure is no secret. Furthermore, the belief has persisted in the past that important leaders of organized labor have frowned on the measure, although some others have openly indorsed the proposed amendment.

The old idea that woman's place is in the home, not in the factory—outmoded now—has made discrimination against woman in employment, except for menial jobs, a fetish in some quarters. But Congress took the bull by the horns last year and wrote into the Civil Rights Act of 1964 that it is an "unlawful employment practice" for an employer to refuse to hire any individual because of sex, or to discriminate against a woman with respect to compensation. It also made it unlawful to fire any employee because of sex.

This is the law. It may be effective in breaking down some of the opposition to granting women full equality with men in other vastly important matters, relating to children and property and jury duty—where they are and have been discriminated against for many years in many of the States.

Attending the National Woman's Party Convention, which will be held in the stately and beautiful old Dangerfield House—the party's headquarters—a stone's throw from the Capitol at 144 Constitution Avenue NE., will be several of the women who bore the brunt of the fighting back in the days of Woodrow Wilson for the woman's suffrage amendment.

Among them will be Alice Paul, the quiet firebrand who directed the campaign that ended in the triumphal adoption of the 19th amendment to the Constitution in 1920, giving women the right to vote throughout the United States. Miss Paul today is officially the founder and honorary chairman of the party. Another will be Elsie M. Hill of Norwalk, Conn., daughter of the late Representative Ebenezer J. Hill, who served in the House from 1895 until his death in 1917, except for one 2-year term. And still another will be Mrs. Emma Guffey Miller, the present chairman of the National Women's Party, a sister of the late Senator Joseph F. Guffey. She will preside at the opening meeting of the convention tomorrow.

When the woman's suffrage amendment was adopted in 1920, it was generally accepted that the battle for women's rights (in a world of men and or for men) was ended—a battle that had been going on since the days of Susan B. Anthony, the anniversary of whose 145th birthday was celebrated by women all over the country this year.

It is not so at all. Discrimination against women continues to be practiced. It can be dealt with only by a constitutional amendment. Paraphrasing an old saying: Laws we have by the dozen but an amendment's a different thing.

ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of May 14, the names of Mr. LONG of Missouri, Mr. MAGNUSON, and Mr. TYDINGS were added as additional cosponsors of the bill (S. 1976) to repeal the provisions of the Highway Revenue Act of 1956 requiring certain adjustments of apportionments depending upon the amount of funds available in the highway trust fund, introduced by Mr. HARTKE (for himself and other Senators) on May 14, 1965.

CHANGE IN ROOM NUMBER FOR HEARINGS ON CERTAIN HOUSE BILLS RELATING TO THE JUDICIARY

Mr. TYDINGS. Mr. President, for myself, as chairman of the Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary, I wish to advise that there has been a change in room numbers where the hearings will be held by the subcommittee on H.R. 1763, to authorize the payment of witness fees in habeas corpus cases and in proceedings to vacate sentence. H.R. 3989, to extend the time for filing petitions for removal of civil action from State to Federal courts from 20 to 30 days. H.R. 3990, to increase the per diem and subsistence and limit mileage allowances of grand and petit jurors. H.R. 3992, to provide the payment of cost of transcripts furnished by court reporters. H.R. 3998, to increase the fees of jury commissioners in the U.S. district courts. H.R. 5283, to provide for the inclusion of years of service as judge of the U.S. District Court for the Territory of Alaska in the computation of the years of Federal judicial services for judges of the U.S. District Courts for the District of Alaska. H.R. 5640, to provide for a jury commission for each U.S. district court, to regulate its compensation, to prescribe its duties, and for other purposes.

The hearings are scheduled for May 27 at 10 a.m. in room 6226 of the New Senate Office Building.

NOTICE OF JOINT HEARINGS ON OMNIBUS BAIL REFORM BILL (S. 1357)

Mr. ERVIN. Mr. President, for myself as chairman of the Subcommittee on Constitutional Rights, and for the junior Senator from Maryland [Mr. TYDINGS], as chairman of the Subcommittee on Improvements in Judicial Machinery, I wish to announce that joint hearings will be held by the two subcommittees on S. 1357, the omnibus bail reform bill.

The hearings are scheduled for June 15, 16, and 17 at 10:30 a.m. in room 2228 of the New Senate Office Building. Any person who wishes to testify or submit statements pertaining to this measure should communicate with the Subcommittee on Constitutional Rights.

NOTICE OF RECEIPT OF NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nominations of Marshall Green, of the District of Columbia, to be Ambassador to Indonesia; Mrs. Patricia Roberts Harris, of the District of Columbia, to be Ambassador to Luxembourg; and Joseph J. Jova, of New York, to be Ambassador to Honduras.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

UNITED STATES-CANADA INTERPARLIAMENTARY MEETING

Mr. AIKEN. Mr. President, last Thursday and Friday, May 19 and 20, 23 Members of the U.S. Congress met in Ottawa with 24 Members of the Canadian Parliament.

Although a report of this Conference will be made to the Senate later, I wish to say here and now that the people of the United States are extremely fortunate in having Canada as our neighbor to the north.

Canadians are plainspoken—they understand our shortcomings—they are strongly competitive—and they are very cooperative in mutual endeavors.

I doubt if two parliamentary bodies anywhere ever held a more satisfactory or productive conference than the United States-Canadian Conference of last week.

Matters which might have developed into issues of friction and misunderstanding were discussed freely and frankly.

As our discussions went on, I could not help thinking that possibly the kind of association which we have with Canada could be practiced to good advantage by all the countries of the world.

Also, I could not help thinking of the respect in which Canada is held by most of the nations.

This is clearly emphasized by the fact that in every area of the globe where United Nations peacekeeping action has been taken, Canadian forces have been present and welcomed.

As a nation, Canada has never undertaken to throw her weight around among smaller countries nor sought to purchase friendships through the extension of economic aid or handouts which the recipient country might not need or even desire at the price of national subservience.

I believe, Mr. President, that if we were to take a leaf from the Canadian book, put our foreign aid on a more selective and practical basis, and stop trying to make other people love, honor or obey us by bashing their heads in, we would find the U.S. image greatly improved in the eyes of the world.

Mr. MANSFIELD. Mr. President, I wish to go on record as being in accord with what the distinguished senior Senator from Vermont [Mr. AIKEN] has just said.

As we all know, he served as the chairman of the Senate delegation to Ottawa this year, as he has done every year since the Canadian-United States Interparliamentary Group was established.

The Senator from Vermont is held in great respect and affection by our Canadian friends, and deservedly so. We owe him a debt of gratitude for the task which he has undertaken and for the way in which he has conducted himself in our relations with Canada.

He is, indeed, a great Senator, in more senses than one. He has comported himself with his usual dignity and understanding and has contributed greatly to the continued friendship between our two countries.

Mr. AIKEN. Mr. President, I thank the Senator from Montana for his very kind remarks.

APPROPRIATIONS FOR ATOMIC ENERGY COMMISSION FOR FISCAL YEAR 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 230, H.R. 8122, which has been cleared by both sides and reported unanimously.

The **PRESIDING OFFICER.** The bill will be stated by title for the information of the Senate.

The **LEGISLATIVE CLERK.** A bill (H.R. 8122) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. PASTORE. Mr. President, the purpose of H.R. 8122 is to authorize appropriations to the Atomic Energy Commission for fiscal year 1966 in the total amount of $2,555,521,000. This bill is of vital importance to the welfare of this country and the entire world. Because of its significance, I shall endeavor to explain the bill in some detail.

This is the second consecutive year in which the Joint Comittee on Atomic Energy has reviewed the authorization for all appropriations to the AEC, including both construction and operating funds. The Atomic Energy Act of 1954 was amended in 1963 to provide for such an annual review. This was a wise decision because it placed the Joint Committee in a much better position to make recommendations to the Congress on the scope and content of AEC's programs. This year, our hearings on AEC's program took place over a period of 16 days, and required a total of 58 hours in public and executive session. We considered this subject in considerable detail, as evidenced by the hearing record of almost 2,000 pages. The Joint Committee's report on AEC's authorization bill is before the Senate, and I believe that it explains fully the reasons for our recommendations as embodied in the bill.

Mr. President, the bill was reported by the Joint Comittee without dissent, and was passed by the House by a vote of 350 to 1. I am confident that our committee has recommended a well-conceived bill to Congress which will enable the AEC to carry out its vital programs in both the military and civilian fields, with a maximum of efficiency.

These are some comparative statistics concerning this bill. It proposes authorization of about $36.5 million less than AEC's request for fiscal 1966, and about $81 million less than AEC's fiscal year 1965 authorization act. In addition, the bill rescinds prior year authorizations for projects amounting to almost $61 million, exclusive of waiver of fuel use charges by AEC. I feel that the figures demonstrate the Joint Committee has carefully reviewed the budget for the national atomic energy program to prevent possible waste of public funds.

Section 101(a) of the bill would authorize appropriations of about $2.26 billion for operating expenses of the AEC. These are some of the highlights of the Joint Committee's recommendations concerning this authorization.

First. In the civilian power reactor program, the committee has recommended a reduction of $1 million in the AEC's request, the reduction to be applied against the program generally. In its report, the committee has reiterated its position that Government support directly related to the types of reactors now being made available commercially should be phased out, and that increased emphasis should be placed on the longer range developmental objectives of this program, that is, advanced converter and breeder reactors. This is in accordance with the recommendations of the AEC's 1962 Report to the President on Civilian Nuclear Power, which the Joint Committee continues to endorse as a national policy for the development of the atom. Let me add that the committee welcomes President Johnson's strong statement of support of the advanced converter and breeder reactor program. I am sure that Senators will be interested in reading the President's letter of April 17, 1965, on this matter, which is printed at page 52 of the Joint Committee's report.

I believe that a few more words are in order by way of explanation of the civilian power program. This Nation, and in fact the entire world, have only a limited amount of fossil fuel resources, although these resources may indeed last for some years to come. At the same time, our Nation and the world's requirements for electricity are increasing at a fantastic rate. It is predicted that these requirements will double approximately every 10 years in the near future. Without energy, our modern industrial society would be impossible. Next to land, water, and air, without which life would not be possible, energy is the most important of our resources. In common with these other resources, there is no substitute for energy.

The AEC's civilian power reactor program is a long-range research and development effort which is designed to introduce a new energy source into our national economy to supplement, not to replace, our other energy resources. The ultimate objective of this program is the development of a device which can truly meet this Nation's long-term energy needs. I refer to the breeder reactor—a truly remarkable machine which, if we can develop it successfully, not only will produce electric power economically but at the same time will also produce an amount of fuel equal or greater to that which it consumes. When we have been able to acquire the necessary knowledge to build these breeder reactors, we will have solved one of mankind's age old dreams—the acquisition of a virtually limitless supply of energy. This is the ultimate objective of the Commission's reactor development program.

The Joint Committee has carefully considered the best means for achieving this ultimate objective. It is the carefully considered view of the committee and of the distinguished scientists and engineers who head up the Atomic Energy Commission—men like Dr. Seaborg and Admiral Rickover—that we must proceed toward this objective step by step. Otherwise, we run the risk of putting all our eggs in one basket, in the hope that we will be able to achieve the breeder reactor in a reasonable period of time. It is AEC's opinion, which the Joint Committee endorses, that as an intermediate step to the high-gain breeder we should seek to develop advanced converter or low-gain breeder reactors. These are reactors which offer very significant advances over the low-conversion ratio light water reactors currently being offered by manufacturers to utility companies. In addition, they hold the promise of utilizing another source of energy—thorium—which will increase many times over our energy resources. I will say more about these advanced converter reactors in a moment.

I wish to emphasize again our committee's belief that continual vigilance must be exercised by the Government to terminate support of further improvements to types of reactors which are commerically available. This type of support should be carried forward by private industry. We are today reaping the benefits of past Government support of the civilian reactor program, in the forms of offers by equipment manufacturers to public and private utilities to supply large nuclear reactors without Government support. The Government should now turn its attention to the development of the more advanced reactors, which is the proper role of the Government, leaving to private industry its traditional role in our economic system. The Government should also avoid waste of scarce research and development funds in support of those reactor types which appear to be the least promising.

Second. For the AEC's cooperative power program the committee has recommended that $132,363,000 be authorized for two new civilian power projects—the large seed-blanket reactor—LSBR—and the high-temperature gas-cooled reactor—HTGR. Let me add for the benefit of Senators that this amount is included in the approximately $2.5 billion which is authorized for the AEC's total appropriations by section 101 of the bill, even though the LSBR and the HTGR projects are specifically authorized by sections 106 and 107 of the bill before the Senate. The seed-blanket reactor and the high-temperature gas-cooled reactor projects are designed to use thorium as a fuel in addition to uranium. The present type of commercially available reactor uses only approximately 1 percent of the available energy in uranium. However, if we succeed in breeding with thorium we will increase reactor fuel utilization by about 50 times.

LSBR project: The bill would authorize AEC to enter into a cooperative project with a State, its departments and agencies, or with privately, publicly, or cooperatively owned utilities or industrial organizations for participation in the research and development, design, construction, and operation of thorium seed-blanket nuclear powerplant—LSBR. The LSBR currently is under consideration for construction by the State of California to supply power to pump water for the State's water supply project. Dr. Glenn Seaborg, Chairman of the AEC, and Adm. H. G. Rickover, an acknowledged expert in the field of nuclear ractors, strongly believe the LSBR project will help to attain the general objective of the AEC's advanced converter and breeder reactor program. The committee agrees with the AEC's careful analysis of the desirability of supporting this project.

Consistent with other cooperative authorizations, the committee has recommended that the authorization for this project not be limited to the State of California but be broadened to include other potential participants, including public and private utilities. It is possible that events might occur which would make it impracticable to proceed with this arrangement with the State, or would make it desirable to include others in the cooperative arrangement. The committee's recommended change would provide sufficient flexibility to enable the AEC to proceed with this important program in cooperation with the State, or others, and at the same time retain appropriate congressional control over the terms and conditions of a definitive cooperative arrangement.

The committee further believes so strongly, along with the Commission, in the advance of the seed-blanket technology that it expects the research and development on this concept to proceed without interruption. Section 106(b) of S. 1957 would, accordingly, permit the AEC to utilize not in excess of $25 million of the funds appropriated to the AEC pursuant to this authorization for performing research and development work on the LSBR prior to execution of a contract for this project.

HTGR project: The bill would also authorize the AEC to enter into a cooperative project with a utility or group of utilities and an equipment manufacturer or other industrial organization for participation in the research and development, design, construction, and operation of a high-temperature gas-cooled nuclear powerplant—HTGR. The Public Service Co. of Colorado plans to build and operate the HTGR on its electric utility system.

The bill would authorize an appropriation of $40,863,000 for this project, which is included in the overall appropriation to be authorized by this bill. In addition, the AEC would be authorized to waive use charges for the project in an estimated amount of $6,443,000, to purchase U^{233} produced in and discharged from the reactor during the cooperative arrangement, and to make reprocessing arrangements for the reactor fuel.

The Public Service Co. of Colorado, as its portion of the cooperative program, would pay an estimated $45,800,000 for the construction of the powerplant, including the reactor and conventional parts of the plant. The equipment developer, General Atomic Division of General Dynamics Corp., would, among other things pay for all development costs in excess of those paid by the Atomic Energy Commission as provided in the cooperative arrangement.

The committee believes that this project should be approved. Like the seed-blanket reactor, the HTGR is expected to offer significant advantages over light-water reactors currently available today, and to provide a means for making effective utilization of thorium.

Third. In the Euratom program, the committee has recommended authorization of $3 million for continuation of the second 5-year program with the European Atomic Energy Commission originally authorized by Congress in 1958. The committee believes that this program has been a useful one for this country. The entire U.S. participation has been matched by Euratom, and the contribution of the United States to the program is spent within this country. There is a complete exchange of information between the researchers on both sides of the Atlantic, which is helpful to this Nation as well as the Euratom countries.

Fourth. In the SNAP program, which is aimed at the development of compact sources of nuclear energy for use in space and on earth, the Committee has recommended a $10 million cut in the AEC's request.

The committee devoted considerable attention this year to the SNAP-50 program, which concerns the development of a nuclear-electric powerplant with a capability in the hundreds of kilowatts. The SNAP-50 project was started in 1962 and has been subject to a series of cutbacks from the original program objectives in each of its 3 years of existence. These changes included cancellation of the original flight test objective, cancellation of an experimental reactor test, and this year, the administration's proposed cancellation of development of a complete SNAP-50 reactor for ground test.

After a careful review of this program, including a visit by members and staff of the Joint Committee to the facility in which most of this work is being carried on, the committee concluded that trends in this program have now placed it in the classification of advanced technology work with no presently identifiable project-type objectives. Accordingly, the committee has recommended a $10 million reduction in the level of effort for this program from the AEC's request for $22 million, in line with the magnitude of effort considered appropriate for an advanced technology program of this nature.

Fifth. In the physical research program, the committee has recommended for authorization the full amount requested by the AEC. However, important changes have been recommended by the committee in some of the individual subprograms.

For example, the committee has recommended that $1.5 million be added to the medium-energy physics program and that a total of $2 million be utilized for research and development and advanced design studies for an atomic particle accelerator, known as a meson physics facility, to be built at the Los Alamos Scientific Laboratory in New Mexico.

The committee further has recommended a reduction of $1 million in the AEC's controlled thermonuclear research program, which would make the fiscal year 1966 program level about 5 percent greater than that of fiscal year 1965. At the committee's request the AEC is preparing to submit a comprehensive report to Congress concerning thermonuclear research prior to next year's authorization hearings. The committee believes that significant increases in the level of effort for this program cannot be justified until this report is received and evaluated.

During the committee's hearings in March on high-energy physics, there was considerable interest expressed in construction of a large new accelerator in the energy range of several hundred billion electron volts. In view of this interest, I wish to inform the Members that there is included within this year's recommended authorization for high-energy physics $1,900,000 for advanced accelerator design studies on a 100 to 300 billion electron volts proton accelerator.

The AEC announced on April 28, 1965, that it has arranged for the National Academy of Sciences to review and evaluate proposed sites referred to the Academy by the Commission. It is expected that the National Academy of Sciences will complete its evaluations and make recommendations to the Commission by January 1, 1966, with respect to locations for building the large accelerator. While no final decision has been made to build the accelerator, the committee believes that any consideration next year of funds for engineering design of the proposed large accelerator will necessitate prior selection by the AEC of an appropriate site.

Sixth. In the AEC's biology-medicine program, aimed at acquiring a more complete understanding of radiation effects on living systems, the committee has recommended a reduction of $2 million from what was requested by the AEC. Nevertheless, the amount recommended by the committee is $5 million more than the amount funded last year. The committee believes that the Commission should continue to have a strong biomedical research program supported by the necessary equipment and facilities. Significant contributions have been made by this program to the general fields of biology and medicine. We believe that the recommended sum is sufficient to support this program.

My discussion thus far has been focused primarily on the peaceful applications of atomic energy. We must not lose sight of the fact that a very significant percentage of the appropriations authorized by this bill will be used for essential military activities in the atomic energy program. With relatively minor exceptions, the committee has recommended authorization of the full amounts requested by the AEC for its military programs. These funds are used, among other things, for development, production, and storage of atomic weapons and the production of weapons materials. The committee believes that the amounts recommended for authorization in S. 1957 are adequate to enable AEC to carry out its weapons and military production activities as established by the President.

Section 101(b) of the bill would provide an authorization of approximately $295 million for plant and capital equipment for the AEC. The committee has recommended a $1.3 million cut in the authorization requested by the AEC and, in addition, has recommended several changes in individual projects. These changes eliminated funds which the committee believes are unnecessary to carry out the projects to be authorized.

Sections 102, 103, and 104 of the bill would provide certain limitations and conditions on the use of funds authorized by the bill, similar to provisions contained in previous AEC authorization acts.

Section 105 of the bill would extend for 1 year, to June 30, 1966, the date for AEC to approve proposals under the third round of the cooperative power reactor demonstration program. I shall reiterate what I said a few moments ago; namely, that further Government assistance for low conversion ratio light-water reactors which are now being made available commercially is not contemplated. The Government's support in this program has shifted to development of the advanced converter and breeder reactors.

Sections 106 and 107 of the bill would specifically authorize the two new cooperative projects which I have already discussed.

Finally, section 108 of the bill would rescind authorization for five prior-year projects amounting to $60,955,000 exclusive of waiver of use charges for nuclear fuel.

Included among the rescinded projects are two cooperative power reactor demonstration arrangements which had been proposed pertaining to a spectral shift power reactor and the AVR project, at Juelich, Germany. The AEC has determined not to proceed with further support of the spectral shift reactor concept in fiscal year 1966, and the AVR project is now proceeding on a different basis, substantially less costly to the Government than the $5.5 million program authorized in fiscal year 1964.

In summary, Mr. President, I am confident that this bill represents the best thinking of the Atomic Energy Commission and the Joint Committee on Atomic Energy. It was reported out without dissent by our committee. An identical bill was passed by the other body with but one dissenting vote. I believe that we have provided the type of authorization which will allow atomic energy to make a maximum contribution to the general welfare, as well as to the common defense and security. Therefore, I urge its enactment in its present form.

Mr. HICKENLOOPER. Mr. President, I support H.R. 8122, the fiscal year 1966 AEC authorization bill.

As the distinguished vice chairman of our committee has already pointed out, the Joint Committee has given most careful consideration to the many difficult problems presented by an authorization bill of this magnitude. I feel that our committee has done a conscientious job in reviewing the AEC's program and reporting out this important measure. This bill received the unanimous approval of the members of the Joint Committee on Atomic Energy from both sides of the aisle and both Houses.

I should also like to emphasize that this bill authorizes $36.5 million less than the administration's proposed bill.

In addition, we have recommended rescissions of previous project authorizations amounting to $60,955,000, exclusive of use charge waiver authority previously granted to the AEC. Among the areas in which the Joint Committee felt that savings could be accomplished were the SNAP-50, biology and medicine and training, education, and information programs. The committee believes that AEC should have adequate resources to accomplish its mission in these fields. However, there was inadequate justification for the spending levels proposed by the administration.

Notwithstanding these substantial cuts from the administration's proposed bill, I am confident that the Joint Committee's recommended bill in no way impairs, and in fact enhances, the AEC's ability to carry out its essential programs in the military and civilian fields. We on the Joint Committee have always strived to assure that our Nation's atomic energy program, which is so important to our security and well being, will be carried on without waste of public funds. We shall continue to do so.

The distinguished Senator from Rhode Island has already summarized this bill and I will not take up the time of my colleagues to repeat his testimony. In closing I wish to reiterate my support of the bill and my earnest hope that it will be enacted in the form recommended by the Joint Committee.

Mr. JACKSON. Mr. President, the proposed authorization for the naval reactor program in this bill is worthy of special mention. This program is an outstanding example of a successful development program. This program which is under the direction of Admiral Rickover has placed and kept our Nation in a clear position of leadership in the field of naval nuclear propulsion.

A new project is being started in Admiral Rickover's naval reactor program. This bill provides $3.3 million for research and development on a new type of nuclear propulsion plant for a deep diving research submarine. For the first time the unique advantages of nuclear power for submersibles is to be utilized in our important oceanographic program. Such a vehicle will enable scientists to examine, firsthand, an extensive part of the earth's surface for new sources of raw materials. The meager knowledge we have of the vast areas of the world which are under our oceans shows promise of being an enormous storehouse of the basic minerals needed for an industrial society. I would like to refer you to the President's April 18, 1965, announcement of this new oceanographic project which is printed on page 1213 of our hearing record. This announcement nicely summarized the goals and importance of this new project.

The oceans also show promise of being the most important food source for the world of the future. Nuclear propulsion for a research vehicle will give marine life scientists an enormous advantage in their ability to study marine life.

This new research submarine will be specifically designed to facilitate oceanographic research in the fields of marine life and minerals. We look forward to Admiral Rickover's help to place us and keep us in the forefront of oceanographic research.

The AEC proposed a reduction in research and development funds on new, very long-lived reactor cores for surface warships to partially fund the research submarine program. The Joint Committee did not agree with this proposed cutback by the AEC and in this bill recommends the restoration of the $2 million for the advance reactor core work. The committee felt that the $2 million diversion was not justified since it would result in a delay in the completion of the long-lived core development work which is so important to making our present nuclear surface warships even more effective.

I am most pleased to report to you a new result in the cost effectiveness field from the Department of Defense.

You will recall that after a series of hearings on naval surface warship propulsion the Joint Committee published a comprehensive analysis of the subject in a report dated December 1963. Two short quotes from this report summarize its important conclusion:

> It is an indisputable, demonstrated fact that nuclear propulsion increases the combat effectiveness of our surface warships.

* * * * *

> Certain cost effectiveness comparisons were made within the Defense Department and cited to support the contention that the advantages of nuclear propulsion in surface warships are not particularly significant. These studies, however, contain a fundamental weakness that, in the opinion of the Joint Committee, negates their validity. The comparisons cited were based on the assumption that in wartime, logistic support forces will be able to operate unhampered and without losses as they do in peacetime. The defect in this analysis is immediately apparent.

I am most pleased to report a new result from the Pentagon's cost effectiveness accounting department:

The latest cost effectiveness study indicates that if all of the factors which should be considered are considered in the analysis, the conventional carrier task force we are building today is more expensive over its lifetime than the task group with a nuclear carrier. This is borne out in a detailed classified analysis submitted to the Joint Committee on Atomic Energy on January 13, 1965, by the Assistant Secretary of Defense, Mr. Charles J. Hitch.

I am also pleased to report that the House Armed Services Committee in its action on the Defense Department's research and development authorization bill included a clear statement of policy on nuclear propulsion futures for our major warships. The report states:

> The committee is encouraged by testimony received from the Secretary of Defense to the effect that it is highly probable that a nuclear-powered carrier will be requested next year. However, the committee states at this time that it will ask the House to authorize a nuclear-powered carrier next year whether requested by the Department of Defense or not, and whether the two-reactor program has proceeded by that time to the point where this powerplant can be used. A nuclear-powered carrier will appear in next year's bill when presented on the floor regardless of any foreseeable circumstances, technical, fiscal, or otherwise.

The naval reactor program deserves our support. It is a program in which we are ahead. If we fail to capitalize on our advantage we stand to lose our leadership to the detriment of our Nation's security.

Mr. AIKEN. Mr. President, as a longtime member of the Joint Committee on Atomic Energy I am pleased to have participated in detailed review of the bill which is now before the Senate.

In my own review of the evidence presented by representatives of the Atomic Energy Commission and the Department of Defense during our committee hearings, I have paid particular attention to the problems of nuclear weapons and the civilian power reactor program. I have examined the justification for expenditures in the other programs as well, but my interests have been paramount in assuring that this country does not, for reasons of economy or otherwise, reduce its nuclear weapons capability. This is important to us as a nation and because of our international stature it is important to the remainder of the free world as well.

We on the Joint Committee believe that the Commission's program under this bill provides assurance that our nuclear weapons laboratories will be maintained at the highest level, permitting continued improvements to our nuclear capability. In addition, the Commission is maintaining its readiness to conduct weapons tests in the atmosphere if there should be abrogation of the test ban treaty by a foreign nation and the President should decide to resume atmospheric testing.

My interest in the Commission's civilian nuclear power program can be attributed, in part at least, to the fact that my section of the country is a high-power-cost area. We in New England would like to see our power costs reduced, particularly in view of our rapidly increasing requirements for electric power.

We New Englanders are proud of the pioneering nuclear power reactor, the 175,000-kilowatt Yankee plant at Rowe, Mass., the first privately owned power reactor of its kind to be operated in the United States. It has been on the line generating power since 1960. To date it has generated 4½ billion kilowatt-hours of electricity for the consumers of electricity in New England.

The operation of the Yankee plant has been eminently successful. Inspired by this success the Connecticut Yankee Atomic Power Co. undertook the construction of a 490,000-kilowatt power reactor in a cooperative venture with the Atomic Energy Commission. Like Yankee, it is expected to contribute significant technical and economic data pertaining to the operation of commercial-size pressurized water reactors on utility systems. Construction of the Connecticut Yankee plant is expected to be completed in 1967.

Nuclear power has had an important impact on the utility industry of our Nation. At present we have only 1 million kilowatts of nuclear capacity throughout the country. However, recent independent surveys by the Federal Power Commission and the Atomic Energy Commission predict 75 million kilowatts capacity by the year 1980. By the year 2000 all new large units are expected to be nuclear.

Mr. President, I endorse the committee's judgment that the bill now before this body provides adequate funds for the conduct of the Atomic Energy Commission's programs during the coming year. I urge passage of the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be offered, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PASTORE. Mr. President, I ask unanimous consent that S. 1957 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF THE BRETTON WOODS AGREEMENTS ACT AUTHORIZING AN INCREASE IN THE INTERNATIONAL MONETARY FUND QUOTA FOR THE UNITED STATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 182, H.R. 6497.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (H.R. 6497) to amend the Bretton Woods Agreements Act to authorize an increase in the International Monetary Fund quota of the United States.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record at this point an excerpt from the report (No. 196) on the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

1. PURPOSE OF THE BILL

U.S. participation in the International Monetary Fund (hereinafter referred to as "the Fund") derives from the Bretton Woods Agreements Act of 1945, as amended. This bill would add a new section 20 to the act, authorizing the U.S. Governor of the Fund—i.e., the Secretary of the Treasury—to consent to an increase of $1,035 million in the U.S. quota in the Fund; the bill also authorizes appropriation of that sum to remain available until expended. The projected rise in the U.S. quota is part of a proposal for a 25-percent increase in the quotas of all member countries in the Fund.

2. BACKGROUND ON THE FUND

The International Monetary Fund, to which 102 countries now belong, has been in existence since the end of 1945. It was established as a permanent organization devoted to the promotion of international monetary cooperation and the balanced growth of world trade. More specifically, in working toward those goals the Fund attempts to create exchange stability and convertibility of currencies, to avoid competitive exchange depreciation, and to reduce the duration and degree of balance-of-payments difficulties among its members while employing Fund resources to help them correct such difficulties when they arise. These objectives are advanced by the Fund through means of frequent consultations with member countries, technical advice and assistance on monetary problems and stabilization programs, and a pool of currencies and gold upon which members can draw to permit them to take corrective measures against balance-of-payments problems.

These resources of the Fund consist of the subscriptions of member countries—normally payable one-fourth in gold and the remainder in each nation's own currency—which are in accord with quotas established by the Fund on the basis of a highly technical formula devised at the end of World War II. A member in temporary balance-of-payments difficulties may draw currencies from this pool in exchange for its own on a medium-term basis, being obliged to buy back its currency within 3 to 5 years. The total assets of the Fund thus do not change through this revolving process, although their composition will constantly be in flux. A member nation intending to draw from the Fund has almost automatic access to one-fourth of its quota, the so-called gold tranche; beyond this the member must meet increasingly stringent requirements for long-range remedial measures concerning its payments situation.

The total of Fund quotas now amounts to the equivalent of roughly $16 billion, of which the U.S. share is $4,125 million. From its inception to the end of 1964 the Fund made currency sales totaling about $9 billion equivalent, repurchases in currency and gold during that period amounted to over $5,650 million. The Fund has never had a default in these transactions, and it has established a reserve of about $290 million. This latter sum in effect is a net profit accruing to all the member countries.

There has been one major change in Fund quotas to date. It took place in 1959 and consisted of a general increase of 50 percent in the quotas of all members, and additional increases for certain industrialized countries whose financial positions had greatly strengthened in the postwar period. To a substantial degree this change was linked with the exchange crises of 1956–57, which proved both the value of the Fund and the inadequacy of its resources to meet a possible future crisis of similar dimension. The main reason why the Fund's resources were insufficient was that the then existing quotas were determined largely on the basis of financial conditions and international trade as they stood before World War II. As a result of the corrective general increase in 1959 the U.S. quota rose from $2,750 million to the present $4,125 million.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to reconsider the vote by which the bill was passed.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

COMMISSION ON ART AND ANTIQUITIES OF THE CAPITOL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 189, Senate Joint Resolution 65.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The Legislative Clerk. A joint resolution (S.J. Res. 65) establishing the Commission on Art and Antiquities of the Capitol, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. MANSFIELD. Mr. President, I have a personal interest in this joint resolution. I ask unanimous consent that I may insert in the Record at this point an excerpt from the report (No. 201) indicating the need for the establishment of this Commission, to preserve the antiquities, paintings, and other objects in the U.S. Capitol which have a historic interest.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

BACKGROUND

The establishment of a Commission on Art and Antiquities of the Capitol was first proposed during the 87th Congress, by Senator Mike Mansfield and others, in the form of Senate Joint Resolution 195. That joint resolution was passed by the Senate on July 18, 1962, but was not approved by the House of Representatives. Senate Joint Resolution 65 is identical in text with that earlier proposal with the following two exceptions: (1) The compensation of the Curator would be set at $22,000 rather than at $17,500; and (2) the expense authorization of the Commission would be set at $15,000 per fiscal year rather than at $10,000.

PURPOSE

The underlying objective of Senate Joint Resolution 65 is to centralize responsibility for the preservation and enhancement of the Capitol's works of art and historical objects in a bipartisan Commission on Art and Antiquities of the Capitol. The Commission would be empowered to select a Curator of Art and Antiquities of the Capitol to safeguard, maintain, and bring to greater public awareness the treasures of art, culture, antiquity, and architecture contained in the Capitol. In addition, the measure contains ancillary provisions to carry out its general purposes, as indicated in the summary-analysis below.

Further explanation of the background and objectives of Senate Joint Resolution 65 is contained in a statement made by Senator Mike Mansfield, its principal author, on March 22, 1965, when he introduced the measure in the Senate. His statement is as follows:

"CURATOR OF ARTS AND ANTIQUITIES

"Mr. Mansfield. Mr. President, recent acts of vandalism in the Corcoran Gallery underscore a problem in the Capitol which Members of the Senate sought to deal with several years ago. On June 6, 1962, I introduced on behalf of myself, Senator Dirksen, the minority leader, the Senator from Mississippi [Mr. Stennis], and the Senator from North Carolina [Mr. Jordan] Senate Joint Resolution 195 entitled 'Joint resolution establishing the Commission on Arts and Antiquities of the Capitol, and for other purposes.' On July 18, 1962, the Senate passed the bill but it died in the House Committee on Administration.

"The art treasures and antiquities that have accrued to the Congress over the years represent an immensely valuable and irreplaceable part of our American heritage. This collection should be assured maximum safety and should be treated in an integrated fashion. But at the present time no single body in the Congress is charged with its care. The Capitol Architect, committees of each House, and other custodians do the best they can to preserve portions of the collection over which, in a somewhat haphazard fashion, they have been assigned jurisdiction through the years. But it is likely that in years past much of value has been lost. And there is no question that what remains can be more effectively utilized in an inspirational, educational, and patriotic sense. What is involved are priceless benchmarks of our society and its history which have been entrusted to us for safekeeping. The Congress has a responsibility to see to it that they are passed along unscathed and undiminished. These paintings, books, furniture, statues and other historic items belong to all generations of Americans, past, present, and future. Their preservation is a responsibility which cannot be taken lightly, for once marred, lost or destroyed they can never be replaced, and acts of vandalism, may I say, are not unknown in the Capitol.

"I call to the attention of the Senate the fact that Senate Joint Resolution 195 in the 87th Congress had the strong endorsement and support of the minority leader and other Senators who share a keen interest in our past history and its tangible legacies. The Senate Committee on Rules and Administration at that time also gave its unanimous support to the resolution which the Senate proceeded to adopt on a bipartisan basis.

"Since the House did not act one way or the other on the proposal to establish a joint commission and to provide for a Curator of Arts and Antiquities, I again offer at this time a similar resolution. The purpose of this resolution is to provide coordinated protection and the best possible utilization of the objects of art and the antiquities of the Capitol for the mutual benefit of the tens of thousands of visitors who come to their Capitol each year and the Members of Congress.

"Briefly, the resolution would create a commission comprised of the Speaker of the House, the Vice President, the chairman and the ranking minority members of the Senate Rules Committee and the House Administration Committee, and the Architect of the Capitol. It would, as well, create the position of Curator of Arts and Antiquities. I would hope and expect that the Commission would choose for this position on a completely nonpartisan basis an outstanding authority on arts and antiquities and their preservation and display.

"If the joint resolution is passed by the Senate, I hope the House will see fit to consider this pressing need and concur with the Senate in establishing a Commission on Art and Antiquities of the Capitol."

The PRESIDING OFFICER. The joint resolution is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. Res. 65

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a Commission on Art and Antiquities of the Capitol (hereinafter referred to as "the Commission") consisting of the Vice President of the United States, the Speaker of the House of Representatives, the chairman and ranking minority member of the Committee on Rules and Administration of the Senate, the chairman and ranking minority member of the Committee on House Administration of the House of Representatives, and the Architect of the Capitol.

(b) The Commission shall elect a Chairman and a Vice Chairman at the beginning of each Congress. Four members of the Commission shall constitute a quorum for the transaction of business, except that the Commission may fix a lesser number which shall constitute a quorum for the taking of testimony.

(c) The Commission shall select a Curator of Art and Antiquities of the Capitol who shall be an employee of the Office of the Architect of the Capitol. The Curator shall serve at the pleasure of the Commission, shall perform such duties as it may prescribe, and shall receive compensation at a gross rate, not to exceed $22,000 per annum to be fixed by the Commission. At the request of the Commission the Architect of the Capitol shall detail to the Commission such additional professional, clerical, and other assistants as, from time to time, it deems necessary.

(d) The Commission shall be empowered to hold hearings, summon witnesses, administer oaths, employ reporters, request the production of papers and records, take such testimony, and adopt such rules for the conduct of its hearings and meetings, as it deems necessary.

Sec. 2. (a) The Commission is hereby authorized and directed to supervise, hold, place, and protect all works of art, historical objects, and exhibits within the Capitol, and in all rooms, spaces, and corridors thereof, which are the property of the United States, and in its judgment to accept any works of art, historical objects, or exhibits which may hereafter be offered, given, or devised to the Congress, its committees, and its officers for placement and exhibition in the Capitol, or in rooms, spaces, or corridors thereof.

(b) The Commission shall prescribe such regulations as it deems necessary for the care, protection, and placement of such works of art, exhibits, and historical objects in the Capitol and the Senate and House Office Buildings, and for their acceptance on behalf of the Congress, its committees, and others. Such regulations shall be published in the Congressional Record at such time or times as the Commission may deem necessary for the information of the Members of Congress and the public.

(c) Regulations authorized by the provisions of section 1820 of the Revised Statutes (40 U.S.C. 193) to be issued by the Sergeants at Arms of the Senate and the House of Representatives for the protection of the Capitol, and any regulations issued, or activities undertaken, by the Committee on Rules and Administration of the Senate, the Committee on House Administration of the House of Representatives, or the Architect of the Capitol, in carrying out duties relating to the care, preservation, and protection of the Capitol and the Senate and House Office Buildings, shall be consistent with such rules and regulations as the Commission may issue pursuant to subsection (b).

(d) The Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives, with the advice of the Architect of the Capitol and consistent with regulations prescribed by the Commission under subsection (b), shall have responsibility for the supervision, protection, and placement of all works of art, historical objects, and exhibits which shall have been accepted on behalf of the Congress by the Capitol Commission or acknowledged as United States property by inventory of the Commission, and which may be lodged in the Senate and House Office Buildings, respectively, by the Commission.

Sec. 3. (a) The Commission shall have responsibility for the supervision and maintenance of the National Statuary Hall and the old Senate Chamber on the principal floor of the Senate wing of the Capitol insofar as they are to be preserved as patriotic shrines in the Capitol for the benefit of the Congress and the people of the United States.

(b) The Commission, with the advice of the Commission of Fine Arts, is authorized and directed to relocate within the Capitol any of the statues already received and placed in the National Statuary Hall, and to provide for the reception and location of the statues which hereafter may be received from the States pursuant to section 1814 of the Revised Statutes, as amended (40 U.S.C. 187).

Sec. 4. Whoever willfully defaces, injures, or damages any work of art, historical object, exhibit, or architectural feature in the Capitol or in the Senate and House Office Buildings, which is the property of the United States, or violates any of the provisions of the regulations adopted by the Commission for their care and protection, shall be fined not more than $100 or imprisoned not more than sixty days, or both, and prosecution for such offense shall be had in the municipal court of the District of Columbia, upon information by the United States attorney or any of his assistants: *Provided,* That in any case where, in the commission of an offense under this section, any such work of art, historical object, exhibit, or architectural feature is damaged in an amount exceeding $100, the amount of the fine for the offense may be not more than $5,000, the period of imprisonment for the offense may be not more than five years, and prosecution therefor shall be had in the United States District Court for the District of Columbia by indictment except that, if the defendant after he has been advised of the nature of the charge and his rights waives in open court prosecution by indictment, such prosecution may be upon information by the United States attorney or any of his assistants.

Sec. 5. The Commission shall, from time to time, but at least once every ten years, publish as a Senate or House document a list of all works of art, historical objects, and exhibits currently within the Capitol and the Senate and House Office Buildings, together with their description, location, and with such notes as may be pertinent to their history.

Sec. 6. There is hereby authorized to be appropriated for the expenses of the Commission the sum of $15,000 each fiscal year, to be disbursed by the Secretary of the Senate on vouchers signed by the Chairman or Vice Chairman of the Commission. Payment on such vouchers shall be deemed and are hereby declared to be conclusive upon all departments and officers of the Government, and these vouchers shall be reported in the annual report of the Secretary of the Senate: *Provided,* That no payment shall be made from such appropriation as salary.

Sec. 7. (a) The first sentence of section 1814 of the Revised Statutes (40 U.S.C. 187) is amended to read as follows: "Suitable structures and railings shall be erected in the old hall of Representatives for the reception and protection of statuary, and the same shall be under the supervision and direction of the Commission on Art and Antiquities of the Capitol."

(b) Section 1831 of the Revised Statutes (40 U.S.C. 188) is repealed.

(c) Section 1815 of the Revised Statutes, (40 U.S.C. 189), is amended to read as follows:

"Sec. 1815. No work of art or manufacture other than the property of the United States shall be exhibited in the National Statuary Hall, the rotunda, or the corridors of the

Capitol, and no work of art or exhibit shall be offered for sale or displayed for gain in any of the rooms, spaces, or corridors of the Capitol or of the Senate or House Office Buildings."

(d) The paragraph under the heading "Miscellaneous", relating to the use of rooms in the Capitol for private studios or works of art, in the Act of March 3, 1875 (18 Stat. 376; 40 U.S.C. 190) is amended to read as follows:

"No room in the Capitol shall be used for private studios or works of arts, without permission from the Commission on Art and Antiquities of the Capitol, given in writing."

(e) The second paragraph under the heading "Public Buildings" in the appropriations for the Department of the Interior in the Act of March 3, 1879 (20 Stat. 391), is repealed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to reconsider the vote by which the joint resolution was passed.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE SITUATION IN THE DOMINICAN REPUBLIC

Mr. LAUSCHE. Mr. President, this morning's newspapers carry the report that an agreement has been reached by the United States and the rebels on the new Dominican governmental setup. The report states that a choice has been made as to who shall act as the President of the Dominican Republic. The selectee is Antonio Guzman. He was a member of the Bosch government before its overthrow in 1963.

The report further declares that participants in the discussion in the Dominican Republic are on their way back to Washington to submit the name of Antonio Guzman to be President.

What has been proposed is a coalition government. My purpose in speaking on this subject is to express my apprehension that in the selection of the coalition government we may find ourselves in the position that we occupied when Castro was allowed to become the leader of Cuba.

In 1963 the evidence clearly showed that the Bosch government was overthrown because Bosch, a poet and idealist, had no sense of reality. The testimony given before the Foreign Relations Committee was to the effect that Bosch allowed the Government radio to be used by the Communists in propagandizing the citizens of the Republic. He also allowed the Communists to use school buildings for the purpose of indoctrinating citizens of the Dominican Republic in communism. Third, he allowed the youth of the Dominican Republic to go to Cuba to be trained in communism. Fourth, he allowed the leaders of the exiled Communists to return to the Dominican Republic and to operate.

The practically unanimous judgment by businessmen, professional men, merchants, miners, and others was that communism was about to take charge of the Dominican Republic. It was then also said that in the Bosch government were some men of character friendly to our cause.

However, the real reason for the overthrow was the fear that Communists would take charge. I do not know the background of Guzman; nor the background of the men who have been chosen to constitute the coalition government. My only purpose in making this statement today is to call upon our Government to make sure that those who are to take part in the coalition government will not be hostile to our cause and friendly to the cause of communism. We cannot have another Communist government off our southern shores. If that happens, all the problems which we now feel to be grave will become inconsequential in the multiplication of difficulties.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. I ask unanimous consent that I may proceed for 2 more minutes.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. LAUSCHE. Experience in the world has shown that coalition governments are finally taken over by the Communists. I assume that Bundy and the other men who were in the Dominican Republic were conscious of this danger. However, I would not be fair to myself unless I made the statement today that I have grave apprehensions that the result will be that the coalition government will finally be found to be on the side of the Communists.

I sincerely hope and pray that that will not happen, but I felt impelled to make that statement expressing my views for whatever they may be worth.

REMARKS BY SENATOR MANSFIELD AT JEFFERSON-JACKSON DAY DINNER

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD a speech delivered by me at the Jefferson-Jackson Day dinner at the Armory, Wilmington, Del., on May 15, 1965.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR MIKE MANSFIELD, DEMOCRAT, OF MONTANA, AT THE JEFFERSON-JACKSON DAY DINNER, THE ARMORY, WILMINGTON, DEL., MAY 15, 1965

I came here this afternoon by plane. It is a very pleasant flight. It is mostly over Democratic territory—in Maryland and in Delaware. Not that you can recognize Democrats from the air. But you can see the hallmarks of the Democratic Party—smoke rising from busy industrial plants and fine crops on rich farmlands.

I was also going to claim the beauty of Delaware beaches for the party. But there are limits to partisanship—even at a Jefferson-Jackson Day dinner. This lovely stretch of sand, sea, and inlets is above politics. Nevertheless, Delaware's Riviera does give point to the President's suggestion that we spend some travel dollars in the United States. So far as I can see, these beaches have just about everything that you find on the French Riviera except, perhaps, Brigitte Bardot.

If there are any travel dollars to spare here—after this dinner is paid for—I urge you to visit Montana—the Nation's Treasure State. We have magnificent mountains and lakes, and great plains, and a lot of Democrats. We do not have an ocean but we do have more ocean-going admirals per capita in the Navy than any other State in the Union.

We are drawn together, tonight, in a political gathering. It honors two of the great historic figures of the National Democratic Party. But, in a sense, it honors all party members—those who are elected and those who work to get them elected. Here in Wilmington, this dinner honors your distinguished Governor, your able Congressman, your outstanding mayor, and the many other Democrats who lead this State in consonance with the great national Democratic tradition.

And this dinner honors all of you Democrats who are in attendance, even if you have to pay for it. For, in all seriousness, in the end there is no Democratic Party here or anywhere else in the sense we know it, unless there are men and women in great numbers who are prepared to give their time, their energy, their devotion, and their money for the cause of decent and honorable and effective government in the United States.

As we meet tonight, when the Nation is at a pinnacle of economic prosperity and the Democratic Party at a pinnacle of political prosperity, I ask you to think of an earlier period. It used to be, not so long ago that many of us cannot remember, that these Jefferson-Jackson dinners were occasions, primarily, for mutual commiseration and reassurance. We knew, or rather we hoped, that someday the people of the Nation would again turn to the Democratic Party for national leadership. That hope was just about all there was to hold the national party together. That period was—as the present era is—an era of great prosperity for the Nation. There was one big difference: It was also an era of Republican Party prosperity. It was 1929. To the Republicans of that time there was not a cloud on the horizon.

And then look what happened. Look what happened to them again in November last year. I ask you not to laugh at the Republican experience but rather to learn from it. Don't deride their predicament but concentrate on seeing to it that we do not fall into it.

In short, I urge you—as Democrats—to learn to live with political prosperity, not on it. As Democrats, it is more important to preserve the public confidence which we have earned than to entrench the political power which it has brought.

We have had great public acceptance for three decades. It is greater now than in many years. Why did we emerge from the November election with a massive Democratic victory? Not because our electioneering or electronic gimmicks were better. Not because our candidates were more photogenic than Republicans, although that may have been incidentally true. Certainly not because we had more money for campaigns.

The fact is that this Nation has been in a period of general Democratic ascendancy which has persisted through three decades. There is one key reason for that persistence. The Nation has turned to our party because we learned, or rather relearned, one thing during the twenties. The opposition knew it at an earlier time and began to forget it even as we began to relearn it. We learned and we learned the hard way, that beyond all else, it is a sincere and dedicated service to all the people that counts with the people.

We learned in the long years in the wilderness that political ideals without organization and unity are not enough. And we learned that organization and unity without dedicated ideals are not enough. We learned to put the two together and to put both to work for the people of the Nation.

Through these years of Democratic ascendancy, the political problems which have confronted us have changed, even as the needs of the Nation and its people have changed.

And through the years, the Democratic Party has had ideals rooted in the welfare of all the people with which to meet these changing problems and these needs. And through the years, we have found the dedicated leadership to supply the initiative and the energy to overcome the problems and the needs. In short, we have met the responsibilities of party government in this Nation. We have not been without shortcomings, not without failures, not with imperfections. The truth is—and it is as true at a Jefferson-Jackson Day dinner as it is on a Lincoln Day picnic—that there are no prepackaged perfections, no guaranteed successes in the political life of the Nation. We have made our mistakes. We will make more.

But for the past 30 years, as a party in the majority and in the minority, we have met our responsibilities to the people of the Nation and we have met them well. The people of the Nation in increasing numbers have recognized that this party, whatever its shortcomings, is their party. And whether it be in Montana or Delaware or Washington we mean to keep this party, the party of all the people and of all sections of the Nation.

You know, as do I, that for a time, for 8 years, during the past three decades, the people turned away from Democratic administrations in the search for national leadership. I will not go into the reasons. They are many and complex. But I do know that when a young man out of Massachusetts, vibrant with a great human vitality and intelligence, full of decency and good sense, gave renewed expression to the great traditions and finest ideals of the Nation, the American people turned back to the Democratic Party for national leadership. And when Lyndon B. Johnson lifted the Nation out of its hour of profound tragedy, when he acted with a sure hand and an immense dedication—the people underscored their restored confidence in the Democratic Party by giving him one of the greatest political victories in the history of the Presidency.

What have we done to retain the restored public confidence which began in 1960? We have applied ideals of the party to the problems and needs of the people. We have acted to carry the Nation to the highest level of economic prosperity in history and we have kept it there for the longest continuous period since World War II. To that end, an $11.3 billion tax cut was passed last year. That legislation and many other legislative acts of the past 4 years have acted as healthy stimulants to growth and without significant inflation. In the not-too-distant future, moreover, we shall move to reduce and to repeal various excise taxes on consumer goods, dating from the Korean war, as a further stimulus to expansion of the economy.

Times, indeed, are good for most Americans and in most parts of the Nation. It is not only the function but the determined intention of the Democratic national leadership to see to it that they stay good. To that end, the balance of payments—the gold problem, the still obscure implications of automation, of price and wage movements—of all the clear and not so clear forces which shape the Nation's economy are being watched with great care by this administration. This administration will not take national prosperty for granted. The leadership of the Nation will not act unnecessarily but it will not hesitate to act, as necessary, to keep the Nation's economy in full momentum.

By the same token, the administration is not going to overlook in Washington the fact that, for millions of Americans elsewhere, the times are not so good. This party cannot, and should not and will not now, anymore than in the days of Franklin D. Roosevelt, accept the proposition that nothing can be done about Americans who are outside looking in on this great national prosperity. This party is determined now as it was then that something can be done about this situation, that something must be done about it.

And it is doing something about it.

Since 1961, the national leadership has sought to open wider economic opportunities through many programs for those who have been left behind in the great economic surge forward. About a billion and a half dollars will be appropriated this year alone for training and for other special aid to Americans who need help so that they will be able to help themselves.

In the nearby Appalachian region, where vast impersonal economic forces have produced appalling human wastelands, a great effort of economic restoration is underway. In 13 States, over a billion dollars will be spent to encourage new industry, to provide better access, to inject modern skills and techniques—to do all of the things which are necessary to bring this region into the mainstream of American material progress. There are hundreds of thousands of Americans in this region, Americans without hope, Americans fearful of tomorrow. That situation, we will strive to change and we shall persist in this effort until it is changed.

What is learned in Appalachia, moreover, will tell us much of what needs to be done elsewhere in the Nation in similar situations. What is done successfully in Appalachia will be done elsewhere. We shall continue until the map of a prosperous America is no longer pock-marked with areas of economic blight. We shall continue until mass poverty and serious deprivation are banished from the land. We shall continue until, not one-third, not one-fourth, not one-fifth but until no part of the people of this Nation shall go ill-clad, ill-housed or ill-fed.

That is a major aspect of the current responsibility of this party. If we are to learn to live with political prosperity and not on it, we will neglect no longer in this time of economic prosperity those who have been far too long neglected. We will not forget those human needs of the few which are too easily forgotten in the midst of a surfeit of satisfactions for the many.

We will keep our concern for the Nation's economy and we will also keep and deepen our concern for the old, for the young, and others in need of special help.

We will spur the Nation's industry and agriculture and we will also act to clean up its rivers and harbors and the air above it. We will act to preserve and extend the Nation's open spaces and wilderness, its lakes and shores for the benefit of a growing population. We will see to it that the Nation's cities not only remain great centers of commerce but are restored as places in which people can live in decency and in safety, as places in which the arts and sciences are cultivated and encouraged.

John Fitzgerald Kennedy expressed these changing needs of the Nation and he pointed the Democratic Party in the direction of meeting them. President Johnson has underscored, reiterated, and elaborated this direction when he has spoken of a Great Society.

It does not much matter what we call the objective. But we move in the right direction when we pass, as we shall pass, this year a program of health care for older citizens. The time has come—in this session of Congress—to put an end to the crocodile tears over the plight of older people who are faced with the devastating costs of illness and, often, with an income no larger than a social security check. It is time to insure a dignified and decent attention to the health needs of these people. It is time to insure that attention, not as a matter of charity, but as a matter of hard-earned right.

We move, too, in the right direction when we expand as we have expanded and will continue to expand, through legislation, the research and treatment facilities for the mentally ill and the retarded and for those who suffer in the whole range of diseases and illnesses to which the human species is heir.

We move, too, in the right direction when we provide, as this Congress and its predecessor have provided, for a vast increase in the educational facilities of the Nation at all levels, when we act to bring the Nation nearer to the goal of an equal access to education in excellence for every child in the land.

And we move in the right direction when we act as we have acted and will continue to act, to the end that we shall fulfill the purpose and the promise of the Constitution—when we act to the end that all Americans without regard to race, color, creed, or origins shall share the public responsibilities of this Nation and shall have equitable access to its opportunities.

We move in the right direction when we bring Federal cooperation to the hard-pressed States and municipalities—as we have done and will continue to do over a whole range of community and urban needs—for better water supplies, for cleaner air, for recreational facilities, for decent housing, for better transportation and, yes, for a little beauty along with the highways that knit the Nation together. These are some of the needs of the Nation which must be met and which your party's national leadership is working to meet.

And, beyond all those proper demands of the people on the party in which they have reposed their confidence, there is one other which is overriding. It, too, is a most proper demand. The people did not elect this party to office to lead them to a great war, even if there are some who would goad it in that direction. The people elected this party to order the defense and the international policies of this Nation in such a fashion as to safeguard the Nation's freedom in peace. They elected this party to work for peace, to work for it soberly, responsibly, and relentlessly, through all the machinery, national and international, which is open or might be opened.

And yet I would be less than honest with you if I did not say that we work for peace, today, under a cloud and the cloud has darkened. It is in the nature of worldwide events that no single nation can control their flow. It is in the nature of foreign policy that it does not begin afresh with each change of administration. There are no cheap solutions in this realm. There are no easy solutions. In this era, we live every moment of our lives in great danger of the end of life as we have known it. We work and we build in terms of years of dedicated effort and all of it can be reduced to ashes in one blinding instant. And, what applies to us, to every man, woman, and child in America applies to every other nation in the world.

So let there be no glib talk of quick and painless military solutions to the situation in Vietnam or in the Dominican Republic, or anywhere else, however remote, where military force is in use or may come into use. These situations are cause for deep concern. That concern is felt by the President and by all who are in positions of responsibility—Democrats and Republicans alike—in the Government. The President has not placed American military forces in Vietnam and the Dominican Republic because he seeks a great war. He did not put them there because he seeks to demonstrate that the American military muscle is strong. He put them there because, on the basis of the facts available to him, he saw no alternative if he was to meet his responsibilities for the safety and freedom of the Nation. And there is every expectation that he will take them out just as soon as a satisfactory alternative is found.

I can assure you that the search for such an alternative goes on—in the Presidency, in the Congress, and in all available diplomatic channels. It is right and proper and, in the last analysis, essential, that this search go on. We are even now in the Dominican Republic, preparing to reduce our unilateral effort as the Organization of American States, for the first time, moves an inter-American force into that situation in an effor to safeguard the bystanders and to insure the free choice of the Dominican people as to their political future.

That the American states have agreed to act in this fashion is a development of great significance. For the responsibilities of peace are such that they cannot be borne by a single nation acting alone. The responsibilities of peace, whether in southeast Asia, in the Caribbean, or in Africa, or anywhere else, will be discharged successfully in the end only if they can be discharged in concert and in understanding with many other nations, whether within the United Nations, through regional organizations, or through the traditional channels of diplomacy.

Your administration will not be goaded by the voices of an impatient arrogance either at home or abroad. It will do what must be done for the safety of the Nation. But it will continue the search in concert with other nations which was begun in earnest and with firmness and dedication, under the late President John Fitzgerald Kennedy, for a secure peace. It will seek this peace not only in southeast Asia and the Caribbean but throughout the world. For, in the end, it is only in a secure peace in the world that this Nation's own existence and freedom will be secure.

A MONTANA WOMAN'S HEROISM

Mr. MANSFIELD. Mr. President, I should like to read to the Senate a letter received from Missoula, Mont., which I think might be of interest to Senators:

MISSOULA, MONT.,
May 16, 1965.

Hon. MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MANSFIELD: Enclosed is a clipping from Sunday's Missoulian, telling of a northwestern Montana woman's heroism in saving the life of a 3-year-old girl from a runaway truck and thereby losing her own life.

As I read of Mrs. Kenneth Bruch's sacrifice, I was reminded of the Catherine Genovese murder in Queens, Long Island, last year, where 38 neighbors ignored the dying woman's requests for help. Similar incidents have been reported with alarming frequency recently, although Miss Genovese's plight was the most publicized.

It seems to me that in a time when both social and political apathy are on the increase and the watchword seems to be, "I don't want to get involved," Mrs. Bruch's noble act should stand as an encouraging example of the unapathetic, involved American.

I might add that I didn't know Mrs. Bruch or the child whose life she saved. Perhaps her heroism might merit consideration for some type of recognition by the Federal Government.

Sincerely,

——— ———.

I ask unanimous consent to have printed at this point in the RECORD a story of the incident printed in the Missoulian of Missoula, Mont., under date of May 16, 1965.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WOMAN KILLED SAVING GIRL, 3

(By Larry Stem)

KALISPELL.—A Kila woman's successful efforts to save the life of a 3-year-old child resulted in her own death Saturday afternoon.

Mrs. Kenneth Bruch, about 50, was fatally injured about 2:45 p.m., when she was run over by a bulk gasoline delivery truck at the Lost Trail Ranch about 25 miles northwest of Kalispell in Pleasant Valley. She was pronounced dead at the accident scene by a physician.

Flathead County Coroner Sol Catron reconstructed the tragedy as follows:

The gasoline truck had been parked on a slight incline in the ranchyard. It had been sitting there, parked and unattended, for at least 30 minutes.

For some unexplained mechanical reason, the brakes on the truck released and the vehicle started rolling down the incline. Three-year-old Laurie Ann Hall, daughter of Monte Hall, the ranch foreman, was playing directly in the path of the oncoming truck.

Mrs. Bruch rushed to the child and managed to stuff her under another parked vehicle. Before she could get clear, the truck rolled over her, inflicting fatal head injuries.

The vehicle went on across a farm road, through fences, and finally stopped about 300 feet beyond the accident site, bogged down in a small slough, Catron said.

Mrs. Bruch was visiting at the ranch.

The coroner said the handbrakes on the truck was still in the set position following the accident. There was apparently some kind of hydraulic malfunction which permitted the brake to release, he said.

Catron said no inquest was planned, and he also exonerated Kenneth Main, Kalispell, driver of the truck.

"With that handbrake lever still set and the fact the truck was parked for at least 30 minutes, certainly showed there was no blame on Main's part," Catron said.

There was difficulty in reporting the accident and calling for emergency equipment. It took 15 minutes to get the call through to the Kalispell ambulance. The doctor was sent with Montana Highway Patrolman Robert Pike to the scene.

Because the accident took place on private land, the fatality will not be counted in the State's traffic death toll.

Mrs. Bruch is survived by her widower, who witnessed the fatal accident, a married son and a married daughter.

KEYSTONE DAM-ARKANSAS RIVER

Mr. MONRONEY. Mr. President, last Saturday morning, May 22, we dedicated the Keystone Dam, one of the major structures in connection with the comprehensive development of the Arkansas River for flood control, navigation, hydroelectric power, recreation, fish and wildlife, and industrial and domestic water supply.

We were privileged to have as the dedication speaker, Mr. Elmer B. Staats, Deputy Director of the Bureau of the Budget. Mr. Staats has from almost the inception of the Arkansas River project supervised expenditures in Oklahoma and Arkansas that have done so much to advance the construction of this great project. The message he delivered at the Keystone Dam dedication is of the usual quality of the remarks you would expect him to make. Therefore, Mr. President, I ask that the text of his address be printed in the RECORD.

I want to take this opportunity to thank Mr. Staats personally for his participation in this event in Oklahoma.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

(Address by Elmer B. Staats, Deputy Director, Bureau of the Budget, at the dedication of Keystone Dam, Tulsa, Okla.)

KEYSTONE DAM: WHAT IT MEANS TO OKLAHOMA AND TO THE NATION

Mr. Chairman, Governor Bellmon, Senator MONRONEY, Senator HARRIS, Congressman STEED, Congressman BELCHER, Congressman EDMONDSON, and friends. I am greatly honored to be invited to participate in these ceremonies to dedicate Keystone Dam. This is a proud day for Oklahoma, for Arkansas, and indeed for the entire Southwest.

Keystone Dam is well named. Webster's dictionary defines a keystone as "the stone found at the crown of an arch regarded as binding the whole." Indeed, the entire plan for development of the land and water resources of the Arkansas River Basin turns on what has been achieved here.

It means bringing under control devastating floods and ruinous siltation of the river. It means more electric power for a rapidly growing area. It means more and better recreation—fishing, swimming, and boating—for an expanding population. It means that water will be controlled to make navigation possible from Tulsa to the Mississippi River and the Gulf of Mexico.

In a broader sense we are dedicating here today yet another manifestation of the vigor and determination of the people of the Southwest to develop its land, forest, and water resources for the benefit of its people and for the benefit of the entire country.

Achievements like Keystone Dam do not come easily. This is a day to acknowledge the vision, the toil, the perseverance, and the faith of all those who made this dam and reservoir possible, and with it the success of the whole Arkansas River project. And many of them are here today, as they should be.

We pay tribute today to many people and many organizations who have made this possible. But one man above all should be singled out for special mention—one whose efforts to develop the land, forest, and water of his beloved State are well known. I refer, of course, to the late Senator Robert S. Kerr. It is fitting that his name will be carried on one of the important dams downstream, the Robert S. Kerr Lock and Dam.

While Bob Kerr is no longer with us, you are fortunate in having a delegation in the Congress that is carrying forward the fight for Oklahoma resource development. And I should add a footnote to recognize the able assistance given to your State by your former State engineer, Don McBride.

This is also a time to acknowledge the contribution of President Johnson, who knows firsthand the value of water to the development of the Southwest and the Nation. For it was his timely action last year in requesting additional funds for the Arkansas River project which kept the program on schedule and which now assures its completion in 1970. Additional funds requested in the President's budget for next year will bring construction work on the overall project past the midpoint—to about 55 percent completion.

It is a further tribute to the skill and accomplishments of the Army Corps of Engineers for the effective management of this tremendous enterprise. Construction of the Arkansas River project has required, and continues to require, painstaking scheduling of the many thousands of complex activities involved in 18 locks and dams, the bank stabilization work, and the major reservoirs located at Oologah, Eufaula, and here at Keystone. I am sure you will join me in saying to them, "Well done!"

One hundred and thirty-three years ago Washington Irving, one of America's most famous writers, visited this spot. In his book, "A Tour on the Prairies" he records that on October 15, 1832: "We came upon a well-worn Indian track, and following it, scrambled to the summit of a hill from whence we had a wide prospect over a country diversified by rocky ridges and wavy lines of upland, and enriched by groves and clumps of trees of varied tuft and foliage. At a distance to the west, to our great satisfaction we beheld the Red Fork rolling its ruddy current to the Arkansas and found that we were above the point of junction."

Today, 3 generations later, we stand above the junction of the same two rivers. The intervening years have changed the scenery appreciably. The Red Fork is now known as the Cimmaron River and the beautiful blue waters of Keystone Lake have replaced the muddy red waters described by Washington Irving.

The changes which have occurred are not the result of mere chance. And the blossoming of the Arkansas River valley is only now beginning. The major benefits and potentialities for future growth still lie ahead.

These benefits are demonstrated by new investment and job opportunities for many thousands of individuals in the area. They are demonstrated by additional industries, the opening up of new resources, civic improvements, and a healthier tax base.

To illustrate a few of these effects, we need only point to the large number of cities and communities along the Arkansas River which have undertaken or plan terminal and port facilities to coincide with the future navigation of the Arkansas River. One could mention such cities as Pine Bluff, Little Rock, Dardenelle, Fort Smith, Russellville, Muskogee, and Tulsa. Navigation on the Verdigris and Arkansas Rivers from Catoosa to the Mississippi—a distance of some 450 miles—and the port facilities to handle the expected traffic in petroleum and petroleum products, coal, iron and steel, wheat, and other commodities and products will bring new growth and prosperity to the cities and the areas they serve. And let us not forget the volume of public and private developments associated with new water-related recreational facilities, new park areas, and water supply to serve an expanding population and the tourists who will come to this area.

Nor should we overlook the potential additional development of other resources of this region which will inevitably result from the opening up of additional transportation facilities and improved water supply opportunities.

New industrial plants will locate here and existing plants will be expanded to utilize your mineral resources. They will include cement mills, rubber factories, iron and steel works, chemical plants, paper mills, glass factories, and a host of other plants and service establishments.

As a Nation, we have come a long way since the days of the dust bowl, which many of us experienced firsthand in the early 1930's. That, perhaps more than any other single factor, dramatically demonstrated that government had to play a major part in resources conservation and development.

The Soil Conservation Act of 1935 has played a major role in saving the soil and water on the upstreams of our major rivers.

With the Flood Control Acts of 1936 and 1938, the Corps of Engineers embarked on a nationwide flood control program.

With the Watershed Protection and Flood Prevention Act of 1954, the Department of Agriculture extended flood protection and multiple-purpose development to the small watersheds of the Nation.

With the Reclamation Project Act of 1939, the reclamation program in the 17 western States was increasingly directed toward the use of water for multiple-purpose development in addition to irrigation.

The Tennessee Valley Act of 1933 is known throughout the world for what it has done for the Tennessee Valley.

The Land and Water Conservation Fund Act of last year will provide vast new areas for recreation and open spaces for the enjoyment of all our people—particularly those from our large cities.

The Congress acted also last year to preserve wilderness areas—to preserve these for generations to come.

I could add to this list by reciting many other actions on the part of the Federal Government, your State government, and by local governments in recognition of the growing national concern about water. That concern is further expressed in the $1.5 billion being spent this year by the Federal Government for water resources—a fivefold increase in 25 years.

OUR GROWING WATER NEEDS

But the job is by no means complete. Last September, at the dedication of Eufaula Dam, President Johnson spoke in glowing terms of the part played by it in the development of the Arkansas River. However, he went on to say that we "would like to look beyond the celebration of today to the challenge of tomorrow." In keeping with the President's thought, the dedication of Keystone Dam provides a fitting occasion to take stock of the results of our water resources programs and policies and to review our goals for the future.

It has been estimated that by the year 1980 we will require withdrawals of 559 billion gallons of water per day compared with 300 billion gallons per day at the present time. And this requirement is expected to increase to nearly 900 billion gallons per day by the year 2000 along with an expected population of about 300 million. While a major use of water today is for irrigation of agricultural land, the large increases in future years will be in the use of water for steam electric power generation, for manufacturing, and for municipal use. It now requires about 50,000 gallons of cooling water to produce 1,000 kilowatt hours of electricity; about 25,000 gallons to produce a ton of steel; over 50,000 gallons per ton of pulp and paper production; 10,000 gallons per automobile; and more than 750 gallons per barrel of product in oil refining.

Each one of us uses about 150 gallons of water each day. The demand will increase with more air conditioners, more automatic laundry washers, more cars to wash, more backyard swimming pools, more lawns to water, and just plain more people.

IMPORTANCE OF POLLUTION CONTROL

The world has only a fixed supply of water, not one drop has been added since creation. The answer then is that we must learn to reuse the water we have and to keep it usable by controlling pollution.

Water pollution has become a major national problem. We must find the answers and we must find them soon.

In many of the Nation's rivers and streams the quality of water is rapidly deteriorating. The amount of waste being dumped into our rivers, even with the waste treatment now provided, is the equivalent of the untreated sewage of 75 million people. Of the communities of the United States having sewer systems nearly 20 percent still discharge untreated waste into the Nation's waterways. To this must be added the enormous wastes produced by modern industries and the return flow from agricultural use containing increased salt, fertilizers, and pesticides.

Here in the Arkansas River Basin you are not strangers to the problems of water pollution. As you well know, thousands of tons of salt each year enter the Arkansas River. During periods of low water flow, the salt concentration of the river reaches a very high level. Even with the dilution provided by Keystone Lake, the waters discharged from the Keystone Dam will not meet the standards recommended by the Public Health Service for municipal water supply. The Public Health Service and Corps of Engineers are jointly making a comprehensive study of the salt pollution problem in the Arkansas River Basin. We do not now have a solution, but it is certain that it must be found.

The Congress is now considering a major bill to help reverse the deterioration of our water supply. This bill has the strong support of the President. I am speaking of the proposed Water Quality Act of 1965. It would establish a Federal Water Pollution Control Administration and initiate a new 4-year program of grants for projects which will demonstrate new methods for controlling waste discharges. It will also provide for a higher level of Federal grants for waste treatment projects. This legislation is critically needed and it deserves your full support.

PROGRESS IN DESALTING WATER

To help meet our growing water needs we must also call upon science, industry, and Government to join forces in finding new and cheaper ways of converting salt water for human and industrial use. Laboratory research and pilot plants, assisted by the Federal Government, are helping to show the way. President Johnson only last year decided that developments showed such progress that he directed the Department of the Interior and the Atomic Energy Commission to lay plans for a major new program to advance desalting technology. Additional funds have been requested to get this program underway.

Spurred on by the President's interest, private industry is now devoting new and added efforts to this subject. Ten years ago our best efforts resulted in a cost of $4 per thousand gallons of desalted water. Today that cost has been cut to roughly $1 and is going down.

Three years ago Buckeye, Ariz., became the first town to have all of its water supplied by its own demineralization plant, turning out 650,000 gallons of water daily at a cost of 63 cents per thousand gallons. Next month, Port Mansfield, Tex., will stop buying costly bottled drinking water when it completes a new facility to provide 250,000 gallons of fresh water—once too brackish to use.

This administration is confident that, with progressive and imaginative action on the part of Government and industry, desalted water will be an important and, in some cases, the only source of new water supplies in many areas. Here is a challenge worthy of the industrial know-how of the Southwest to find a way to use the brackish water which is present in so much of this area.

UNMET NEEDS ARE MANY

There are many other unmet needs, but our time today is short. I can only highlight a few:

The need for better planning of our river basins. We must bring about a better understanding of the water resource needs of these basins to assure that scarce water will meet its highest and best use. No one understood this better than Bob Kerr. As chairman of the Senate Select Committee on National Water Resources he emphasized the need for careful and long-range planning for each of our river basins. On President Johnson's recommendation, the Congress will soon enact water resources planning legislation which will authorize permanent Federal-State river basin planning commissions.

Nothing so well illustrates the need for careful planning than flood control. Floods in the Pacific Northwest on last Palm Sunday resulted in the loss of 40 lives and more than one-half billion dollars in property damage. It could have easily been twice that much had it not been for the Federal, State, and local flood control systems in the Pacific Northwest. For the Nation as a whole, flood damage loss averages $700 million annually. This is a shocking statistic. We can and should build additional flood control structures but experience has shown that this is not the key to solution of the flood problem. The main reason underlying the current flood problem is that we continue to build in the flood plains—areas which are subject to flooding—without adequate planning. In Tennessee, 30 municipalities have adopted some form of regulation to assure appropriate use of flood plain lands. Maricopa County in Arizona, where Phoenix is growing by leaps and bounds, is effectively working on flood plain regulations to complement flood control measures to reduce future flood damage. The Corps of Engineers stands ready to offer similar assistance to all communities. I urge you to take advantage of it.

There are many ways that we can conserve water. We must learn to line our irrigation canals which transport water, just as a housewife must learn to replace the washer in the leaky faucet.

We cannot afford to develop our water projects without realizing the great value they have for recreation and for fish and wildlife development. The Land and Water Conservation Fund Act passed last year will add vastly to our recreation areas through a special fund financed from admission and user fees at recreation areas, the sale of surplus real property, and a fuel tax on motorboats. About 60 percent of this money will be spent by the States for recreation development, the rest by the Federal Government for Federal recreation areas. With the enactment of the pending Federal Water Project Recreation Act, the Congress will for the first time make recreation and fish and wildlife a full partner in multiple-purpose water resource development and make it possible for the Federal Government to help increase recreation development around Federal reservoir projects—to provide more picnic grounds, more parks, more boating, more fishing—to take advantage of the recreation opportunities made possible by the construction of dams such as Keystone.

CONCLUSION

On Monday, the White House Conference on Natural Beauty will convene in Washington. Leaders from all over the Nation will participate.

Natural beauty has many aspects ranging from billboard control, highway beautification, preserving open spaces in cities, and many others. But of one thing you can be certain—the need to preserve our rivers, our lakes, our seashores, and to provide clean water for our future generations will be high on the agenda.

Last week the administration recommended to the Congress the establishment of a National Water Commission to look into the future—for the next 50 years—and chart the course as to our water supplies and our water needs. This commission would be concerned with problems and opportunities in major regions of the country—the Great Lakes, the Northeast, the Southwest, California, and the Colorado River Basin. This proposal comes none too soon, for as we look back on the events of the past 35 years, we realize that these efforts, however important and however crucial, are only the beginning.

As we look ahead, we must understand and appreciate more than ever before the critical need for sound policies and careful planning to guide our major water resources developments. We must deal not only with problems of efficient use of local and regional water supplies, but we must also deal with the interrelations of water problems among the various river basins. If we are to assure that the Nation achieves the most efficient use of its limited water resources, we must face the full implications of our growing population and increasing urban and industrial requirements and adapt our present policies and programs to the requirements of the future.

Again, let me thank you for inviting me to participate in the dedication of the Keystone Dam. It has been a genuine pleasure to meet so many of you, to renew old acquaintances, and to share in your enthusiasm and justifiable pride in the developments which have occurred here and in the entire Arkansas River Basin.

WHITE HOUSE CONFERENCE ON NATURAL BEAUTY

Mrs. NEUBERGER. Mr. President, it is a pleasure for me to ask unanimous consent to place in the CONGRESSIONAL RECORD the text of two inspiring speeches that I listened to this morning.

The First Lady, Mrs. Lyndon Johnson, opened the White House Conference on Natural Beauty with an appeal not only to the delegates but to every citizen to combat ugliness.

Following Mrs. Johnson's welcome, the Chairman of the Conference, Mr. Laurance S. Rockefeller, announced as the theme of the Conference words from President Johnson's message to the Conference on Natural Beauty in which the President said:

> The beauty of our land is a natural resource.

Mr. Rockefeller spoke of another theme for the Conference which is the practical one of the ways and means of doing the job of combating ugliness:

> This—

He said—

> includes citizen action, government action, and education.

Mr. President, I ask unanimous consent that these two speeches be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the speeches were ordered to be printed in the RECORD, as follows:

REMARKS BY MRS. LYNDON B. JOHNSON, WHITE HOUSE CONFERENCE ON NATURAL BEAUTY, MONDAY, MAY 24, 1965

Ladies and gentlemen, welcome to the White House Conference on Natural Beauty. We are grateful that you have taken 2 days of your busy lives to come here and discuss ways to restore and increase the beauty of our land.

In the catalog of ills which afflicts mankind, civic ugliness and the decay of our cities and countryside is high on America's agenda.

For it seems to me that one of the most pressing challenges for the individual is the depression and the tension resulting from existence in a world which is increasingly less pleasing to the eye. Our peace of mind, our emotions, our spirit—even our souls—are conditioned by what our eyes see.

Ugliness is bitterness.

We are all here to try and change that. This conference is a step toward the solution and I think a great one.

Our immediate problem is: How can one best fight ugliness in a nation such as ours—where there is great freedom of action or inaction for every individual, and every interest—where there is virtually no artistic control—and where all action must originate with the single citizen, or a group of citizens?

That is the immediate problem and the challenge. Most of the great cities and great works of beauty of the past were built by autocratic societies. The Caesars built Rome. Paris represents the will of the Kings of France and the empire. Vienna is the handiwork of the Hapsburgs, and Florence of the Medici.

Can a great democratic society generate the concerted drive to plan, and having planned to execute, great projects of beauty?

I not only hope so—I am certain that it can. All our national history proves that a committed citizenry is a mighty force when it bends itself to a determined effort. There is a growing feeling abroad in this land today that ugliness has been allowed too long, that it is time to say "enough" and to act.

During these 2 days you will discuss and originate plans and projects both great and small. Great must be the scope of the major projects to redesign our urban areas, renew and brighten the gateways to our cities, cleanse, set in order, and dignify our riverfronts and our ports. Small, but equally important—perhaps most important is the single citizen who plants a tree or tends a flower. There are 190 million of him. He is everybody.

Perhaps the most important part of this conference will be to help educate our people that the beauty of their land depends upon their own initiative and their will.

I have heard said—and many times—that among our greatest ills is the deep sense of frustration which the individual feels facing problems which loom so complex and large in our century.

This ugliness is not that sort of problem. The vaster scope of it will call for much coordination on the highest levels. But—and this is the blessing of it—it is one problem which every man and woman and child can attack and contribute to defeating.

Natural beauty may be a national concern and there is much that Government can and should do, but it is the individual who not only benefits, but must protect a heritage of beauty for future generations.

There are no autocrats in our land to decree beauty: only a national will. Through your work, I firmly believe this national will can be given energy and force, and produce a more beautiful America.

REMARKS BY LAURANCE S. ROCKEFELLER, OPENING SESSION, THE WHITE HOUSE CONFERENCE ON NATURAL BEAUTY, WASHINGTON, D.C., MAY 24, 1965

Thank you, Mrs. Johnson. Your presence, your conviction, and your example have our Conference off to an auspicious beginning.

You will note on the program that my assignment is listed as "opening remarks"; not a speech or an address.

This will be one conference without a formal speech on the program. Whatever else we accomplish here, we are perhaps making a contribution to the art of conferencemanship.

But we hope and believe that this meeting will produce more than a break for hardened conference-goers, and it is to this hope and belief that I would like to address my remarks.

In calling us together, President Johnson set the tone and the mood for our endeavor. He said: "I want new ideas." He said: "I want to alert the American people to action." He cited concrete, specific problems for us to consider—not abstractions or theories.

In accordance with the President's direction, this Conference is organized for action. It does not offer opportunity to philosophize or to debate. As Mrs. Johnson said at the first meeting of her committee to beautify Washington, "We must not substitute the delight of debate for the art of action."

This is not to say that a social and moral basis for natural beauty is unnecessary. It is rather to say that we have such a foundation.

President Johnson has already affirmed it.

The people of this country, he has said, do not want only a bigger America but that they want a better and more beautiful America as well; he knows they are concerned about the kind of country they are building for themselves and their children; he knows they are ready to support sound, economical, and imaginative programs to bring about this kind of America.

In his natural beauty message, the President summed up the challenge:

"The beauty of our land is a natural resource. Its preservation is linked to the inner prosperity of the human spirit.

"The tradition of our past is equal to todays' threat to that beauty. Our land will be attractive tomorrow only if we organize for action and rebuild and reclaim the beauty we inherited. Our stewardship will be judged by the foresight with which we carry out these programs. We must rescue our cities and countryside from blight with the same purpose and vigor with which, in other areas, we moved to save the forests and the soil."

I suggest that this Conference accept this commitment as its theme.

We propose this sweeping premise not only because of the President's vision as projected in his speeches but also because the people in the cities and towns across our land have made it clear that they are concerned for a better environment and a better America. Now, as never before, they are ready to work for it.

In a different sense, beauty is its own justification. As Emerson said, "If eyes were made for seeing, beauty is its own excuse for being."

Most of us would agree. Certainly the President does. His personal appreciation and concern for natural beauty is real and effective.

Thus, with his leadership and statement of purpose, we have a clear national goal.

Our task is to produce specific ideas and come up with solutions that will lead us toward these goals.

That is why the panel topics we will be considering are not abstractions or exercises in theory. They are hard, real issues. In selecting these issues, three major areas of concern evolved—the city, the countryside, and the highways. Under each theme, there is a series of panels on specific problems.

We found that the things that needed the most attention were those close to people—physically as well as emotionally. In seeking to translate people's yearning for natural beauty into practical programs, the primary challenge is the environment where most people live and work—our cities and the suburbs and countryside around them.

There is a fourth general theme, concerned with ways and means of doing the job. This includes citizen action, government action, and education.

I personally feel that, in the long run, education may be one of the most important of all, for if succeeding generations of Americans are to know much of the meaning and beauty of nature, most of them, unhappily, must be taught in classrooms. They must have as much opportunity as possible to live and to experience beauty in their formal education.

There are no panels on such elements of beauty as national parks and forests of wilderness. They are so obviously important that the point need not be belabored. They need our continuing support and appreciation, but we believe that this Conference should concentrate on new ideas that have not received as much attention as they should.

We have also not specifically included water and air pollution control. Perhaps no problems are more important to quality of environment and our general health and well-being, but there are established research and action programs in this field. They need to be improved but we can affirm our strong support for pollution control and move on.

In choosing panelists, we chose the individual, not the office. We sought a cross section of varying points of view. There are people from business and labor and the farms. There are interested citizens and government officials and conservationists. We are particularly pleased that some of the most distinguished members of the Congress have agreed to work with us on the panels. We are also grateful that several outstanding foreign authorities have come to work with us.

It might also be noted that those in the audience who are not on the panels are well qualified to serve. Indeed, most if not all of you were nominated to be on them. Obviously, we had to make some arbitrary decisions, but we want to have the benefit of your counsel. Half the panel periods will be devoted to your questions.

Tomorrow afternoon, we have the unique opportunity to give the President some new and important ideas. We can meet this challenge only by being bold and imaginative in concept, and practical and sound in application.

I am sure that we agree that the following conclusions are basic to every panel:

Yes, more research is needed.

Yes, better coordination is needed.

Yes, more money for present programs is needed.

And oh, yes, we need more conferences.

All are indeed essential, but let's accept that as truth and concentrate our effort on new ideas the President can implement.

This is our charge for the next 2 days—new, practical ideas for solving specific problems.

Now, before we get to work in our panels, I would like to take 3 minutes to emphasize three points about the urgency and importance of what we are doing.

The first point is that natural beauty must be an integral part of our national life. It cannot be a frill or afterthought or a luxury subject to the red pencil of accountants, public or private.

It must be a vital part of the way we build our country, and over the next 40 years we are going to rebuild this country almost literally.

We build as many houses as we have since this country was first settled. We will build enough offices and factories to create at least 1½ million new jobs each year. We will complete and expand our network of interstate highways and rebuild our system of secondary roads.

In doing all this, we must provide as much open space and park land as is possible for natural beauty. But the concrete that is poured and the steel that is raised for other purposes will have a far greater effect on our environment than the land we can hope to save or rebuild for natural beauty alone.

How we build our factories; how we create our next generation of suburbs; how we build our great highway system will determine in large measure how well we do the job of building a beautiful America.

The second point is that natural beauty is basic to the spiritual side of our national life, as well as the material. It can determine whether we build only masses of concrete and steel or whether we create a good land for our children and grandchildren.

Conservation, outdoor recreation, physical fitness, and environmental health are all directly involved. Culture and education are as well.

In short, natural beauty is one of the very important expressions of national character. How we treat our land, how we build upon it, how we act toward our air and water will in the long run tell what kind of people we really are.

"The perception of beauty," Thoreau said, "is a moral test." I suggest that perception of beauty and action to preserve and create it are a fundamental test of a great society.

The third point is that natural beauty greatly influences the quality of the individual lives we lead.

When Americans turn down the streets where they live, there can be cleanliness and touchs of green no matter how pretentious or how humble the home; or there can be decay and neglect and depression.

When Americans arrive at their work, whether it be the White House or a mill, there can be touches of beauty; or there can be grime and dirt and spirit-deadening indifference.

When Americans drive along our roads and highways, there can be pleasing vistas and attractive roadside scenes; or there can be endless corridors walled in by neon, junk, and ruined landscape.

When Americans seek the countryside, there can be pleasing landscapes, healthy air and water, and places of beauty; or there can be a wasteland of gravel pits, overgrown fields, and places of refuse rather than refuge.

These are the choices. And there is no question which the American people want.

For the next 36 hours we in this room have a unique opportunity to participate in directing the choice.

We cannot solve all the problems of creating a beautiful America in these hours, but we can take a big step—perhaps many steps—in that direction.

Tomorrow we report directly to the President of the United States, and we also report to the people of the United States. There is every reason to believe that they are eager to follow up on our recommendations.

Therefore, let us now go to work.

ILLINOIS WATERWAY—DUPLICATE LOCKS

Mr. DIRKSEN. Mr. President, the Rivers and Harbors Act of 1962 authorized modification of the existing project for the Illinois Waterway, Ill. and Ind., to provide for the construction of supplemental locks at each of the seven existing lock sites at Lockport, Brandon Road, Dresden Island, Marseilles, Starved Rock, Peoria, and La Grange. The increased tonnage, based on movements at the locks on the Illinois Waterway, is increasing by leaps and bounds.

During the first quarter of 1965, industrial water-site plant locations and expansions reached a greater growth rate than in any other period since the third quarter of 1963. Seven of these plants are located along the Illinois Waterway.

I ask unanimous consent to have printed in the RECORD an article—written by Edward Rohrbach and published in the Chicago Tribune of May 10, 1965—concerning announcement of the construction of a $300 million installation by an out-of-State major steel company, near Hennepin in Putnam County, Ill. The article points out the dire need for the construction of duplicate locks on the waterway.

I also ask unanimous consent to have printed in the RECORD a memorandum—prepared by John L. Killian Associates—on the status of all navigation projects in the immediate area of Chicago as of March 10, 1965.

There being no objection, the article and the memorandum were ordered to be printed in the RECORD, as follows:

[From the Chicago (Ill.) Tribune, May 10, 1965]

NEW J. & L. MILL SPURS NEED TO TWIN LOCKS, SAYS KILLIAN—URGES CONGRESS TO ACT QUICKLY ON FUNDS

(By Edward Rohrbach)

The announcement that Jones & Laughlin Steel Corp. will build a $300 million installation on the Illinois River, near Hennepin, dramatizes the need for rapid action on constructing duplicate locks on the Illinois Waterway, a legislative representative for key Chicago area maritime organizations said yesterday.

John L. Killian, retained by both the Illinois River Carriers' Association, a group which has spearheaded development of the Illinois Waterway, and the Greater Chicago Port Development Association, said the steel company's decision proves that industry realizes the potential of the Illinois Waterway.

ASKS QUICK RESPONSE

Killian urged Congress to act quickly in appropriating funds to pay for the project, estimated to cost $155 million, so the shipping bottleneck now being eliminated by widening the Cal-Sag Channel will not simply "move downstream" into the Illinois River.

Thomas M. Hicks, information officer for the Army Corps of Engineers in Chicago, pointed out that Lockport and Brandon Road locks, the two nearest to Chicago of the waterway's seven locks, each operated only about 2 million tons under capacity in 1964 and additional traffic generated by the new steel mill could strain their capacity.

The original Army Engineers' study sent to Congress in 1958 projected their capacity at 24 million tons a year, a figure not expected to be reached until 1968. However, last year tonnage through each of the two locks was more than 22 million tons.

ONE HUNDRED AND THIRTY-SEVEN MILES AWAY

Hennepin, in Putnam County, is 137 miles away via the Illinois Waterway System from Lake Michigan and is about midway between Starved Rock and Peoria locks.

Recordbreaking tonnage estimated by the Army Engineers at more than 30 million net tons passed through the Illinois Waterway in 1964 and volume this year has continued at a high level.

Shipments of at least two steelmaking ingredients—iron ore and crushed limestone—are certain to increase with the operation of the Jones & Laughlin mill. Neither commodity is presently shipped on the waterway.

In 1963 lake carriers brought 5,600,000 tons of iron ore into Lake Calumet Harbor and Calumet River docks for use by steel plants in the area. Limestone shipments that year to the Calumet area via lake ships totaled 1,800,000 tons.

MARCH 10, 1965, STATUS OF NAVIGATIONAL PROJECTS IN IMMEDIATE CHICAGO AREA

We became interested in waterway projects starting with the Cal-Sag project in April 1953. The following is a review of our accomplishments concerning the following Federal projects requiring congressional appropriations from the time of their inception through March 10, 1965:

CALUMET HARBOR AND RIVER, ILL. AND IND.

Deep draft modification of outer approach and harbor and approach channel to 29 feet, outer harbor to 28 feet, and the river entrance to 27 feet. Now under construction.

Total estimated cost: $8,371,000.

Appropriated to date: $7,371,000.

Estimated to complete: $1 million.

Target completion date: 1966.

Benefit-to-cost ratio: 4.4 to 1.

Appropriated fiscal year 1965: $2,500,000.

Current budget request (fiscal year 1966) not yet appropriated: $1 million.

Completion of this project will allow future navigation to utilize the full capacities of the larger vessels using this harbor.

CALUMET HARBOR AND RIVER, ILL. AND IND.

Widen and deepen Calumet River channel to 27 feet. Now under construction.

Total estimated cost: $9,100,000.

Appropriated to date: $3,106,000.

Estimated to complete: $5,994,100.

Target completion date: After 1970.

Benefit-to-cost ratio: 2.4 to 1.

Appropriated fiscal year 1965: $2,500,000.

Current budget request (fiscal year 1966) not yet appropriated: $3,500,000.

Completion of this project of widening and deepening the Calumet River from E.J. & E. railroad bridge into Lake Calumet will allow future navigation to utilize the full capacities of the larger vessels using Lake Calumet harbor.

CALUMET-SAG CHANNEL PROJECT—PARTS I AND III

To increase barge capacity by widening channel from 60 to 225 feet and relocation of 18 railroad and 17 highway bridges to accommodate this improvement. Now under construction and nearly 80 percent completed.

Total estimated cost: $86,600,000.

Appropriated to date: $60,652,000.

Estimated to complete: $25,948,000.

Target completion date: 1968.

Benefit-to-cost ratio: 2.6 to 1.

Appropriated fiscal year 1965: $4,600,000.

Current budget request (fiscal year 1966): Not yet appropriated: $6,500,000.

Part I of this project includes the channel improvement to 225 feet wide and 9 feet deep, relocation of the 35 railroad and highway bridges, construction of the Thomas J. O'Brien lock and dam, removal of the Blue Island lock, and widening at Acme Bend. Completed as of September 1964: All channel work except 2.7 miles; 60 percent of the railroad relocations; 35 percent of the highway bridge locations; construction of the O'Brien lock and dam, and the work at Acme Bend.

OBSTRUCTIVE BRIDGES, CALUMET RIVER, ILL.

Remove restrictive character of three bridges to safely accommodate passage of 10,000-ton cargo ships in and out of Lake Calumet Harbor. Now under construction.

Total estimated cost: $17,500,000.

Appropriated to date: $1,480,000.

Estimated to complete: $16,020,000.

Target completion date: 1969.

Appropriated fiscal year 1965: $800,000.

Current budget request (fiscal year 1966) not yet appropriated: $2,500,000.

Calumet River is the 7-mile link between Lake Michigan and Lake Calumet Harbor. Removal and replacement of these three railroads (two of which are swing bridges from center of channel) will remove one of the three major bottlenecks on the Gulf of Mexico to Atlantic Ocean inland waterway via the Mississippi River. The other two are the Cal-Sag Channel project (nearing completion) and the present single locks on the Illinois River.

CHICAGO HARBOR, ILL.

To permit full utilization of work already completed by the city of Chicago in deepening outer harbor channels and berthing areas to 28 feet lakeward of the lock. Planning is underway.

Total estimated cost: $627,000.

Appropriated to date: $27,000.

Estimated to complete: $600,000.

Target completion date: None.

Benefit-to-cost ratio: 10.7 to 1.

Appropriated fiscal year 1965: None.

Current budget request (fiscal year 1966): Not yet appropriated $600,000.

Project includes a lake approach channel 800 feet wide and 29 feet deep into the lake and a channel and maneuver area inside the harbor entrance with a maximum width of 1,300 feet and a depth of 28 feet. This improvement will permit full utilization of deep-draft vessels now plying the Great Lakes.

DUPLICATE LOCKS, ILLINOIS WATERWAY, ILL.

To increase barge capacity, reduce lockage delays of breaking up tows by constructing an additional 1,200- by 110-foot lock at each existing (7) 600- by 110-foot lock on the waterway. Project authorized in 1962, including a $40 million expenditure to initiate work—but not appropriated.

Total estimated cost: $155 million.

Appropriate to date: None.

Target completion date: None.

Benefit-to-cost ratio: 4.3 to 1.

Current budget request (fiscal year 1966): None.

Completion of this project would remove one of the three major bottlenecks on the Gulf of Mexico to Atlantic Ocean inland waterway via the Mississippi River. The other two are the Cal-Sag Channel and the obstructive bridges in the Calumet River.

As a member of the Kennedy, Johnson National Resources Advisory Committee, Mr. Killian filed three briefs on January 17, 1961, as follows:

1. Calling for authorization to dredge the Calumet River and Lake Calumet from 21 feet to 27 feet.
2. Calling for an initial appropriation of $1 million for the highway bridges over the Cal-Sag Channel, in accordance with a bill filed and passed by both houses of Congress giving the Cal-Sag highway bridges the same consideration costwise as the railroad bridges under authority granted by the Truman-Hobbs Act—$3,700,000 was appropriated.
3. Calling for authorization of the duplicate locks projects on the Illinois River. The duplication of these seven locks with locks twice the length (1,200 feet over 600 feet) was authorized in 1962, including an expenditure of $40 million to initiate work. No funds have yet been appropriated.

FATHER JOSEPH DAMIEN DE VEUSTER; HAWAII'S REPRESENTATIVE IN NATIONAL STATUARY HALL

Mr. INOUYE. Mr. President, I am privileged to report that the State of Hawaii has chosen Father Joseph Damien de Veuster as one of the State's two representatives in the National Statuary Hall.

The Honolulu Advertiser commented on the selection in an editorial May 17.

I ask unanimous consent that the text of the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Honolulu Advertiser, May 17, 1965]

HONORING FATHER DAMIEN

Selection of Father Joseph Damien de Veuster as one of Hawaii's two representatives in the National Statuary Hall in Washington is a fitting tribute to the memory of the world-renowned Belgian priest.

What Father Damien did on Molokai from 1873 to 1889 could have happened, perhaps, almost anywhere. It was a simple, dedicated commitment to relieve what surely was the worst of human suffering.

But Hawaii rightly takes pride because Father Damien did his great works at the leper colony on Molokai. And in his own example of effective compassion, he helped transform a "hell on earth" to a place of order and what comfort those afflicted could get.

Those were times—as for centuries before—when leprosy was a fearsome disease. It ravaged, and few survived. Leprosy struck widely in the islands in those days, and those who became its victims were forced—at gunpoint at times—to the isolated settlement at then Kalawao.

Much has changed since, even the name. What was leprosy is now called Hansen's disease, and the few cases that occur are effectively controlled and arrested by drugs and other treatment.

When Father Damien voluntarily went to the colony, there was no law, and few of even the basic necessities for those sent there. Generally, society cast out the leper, and forgot about him. Death and despair were prevalent; compassion and comfort rare.

Father Damien went to work. He gave what comfort he could, and began to inspire others to help with supplies. And he gave of himself. He eventually contracted leprosy, and suffered for years along with his "congregation" until he died from the disease in 1889.

Father Damien spent 25 years in the islands—9 on the big island, 16 at Kalawao. He knew the Hawaiian language, and he cared for the people of Hawaii.

He was a member of the Sacred Hearts Fathers, who began their work here in 1827. Eighty-four Sacred Hearts priests and brothers continue to serve the Honolulu diocese today.

In recognition of Father Damien's work, the Roman Catholic Church has begun the Cause of Ratification—a procedure which could lead to sainthood in the church. And there were many other honors, including the Order of Kalakaua from Queen Liliuokalani.

Hawaii is proud to add this new honor to this humble man who did such great things.

MURRAY-GREEN AWARD FOR SERVICE TO LABOR MOVEMENT

Mr. INOUYE. Mr. President, on Thursday night, May 20, together with many other distinguished guests, I was privileged to attend ceremonies at the Shoreham Hotel honoring Mr. Henry J. Kaiser on the occasion of his receiving the Murray-Green Award for outstanding service to the labor movement.

This is the first time in history that the recipent of this award came not from the ranks of labor, not from the ranks of the civil service or government, but from the ranks of commerce and industry.

I think that this is especially noteworthy. It is a testimonial to a man whose vision has been remarkable not only in terms of devising advanced production techniques, which aided this country greatly in World War II, but also in terms of understanding the role and contributions of organized labor and the American public in general.

This remarkable acuity of vision is the reason why, I suspect, Mr. Henry J. Kaiser has been just about the single most productive man in industry in our times. This is the reason why, I know, I personally admire and respect the man.

Leadership must be accompanied by responsibility, dynamism should be tempered with compassion. In Henry J. Kaiser, this has always been so, as witness his industrial contributions while maintaining excellent relations with his workers, as witness his tremendous drive in every conceivable field of industry while constantly exploring means and avenues of helping those who worked in them. His efforts in medicine alone will assure him a substantial role in the chronicles of history yet to be written.

Seldom have I been moved as much as by the statements made last Thursday night. I believe that they should be shared by a larger audience because these testimonies also reflect the American hope where the really outstanding men of the future will be those who will bridge the gap between labor and industry, between those who work and those who manage.

I ask unanimous consent to have the following statements made a part of the RECORD:

Statement by President Lyndon B. Johnson; remarks by Joseph A. Beirne, chairman, AFL–CIO services committee; also a statement by Edgar F. Kaiser, son of the recipient, who read a personal greeting from the recipient, Henry J. Kaiser, who, for reasons of health, was absent.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

NOTES OF REMARKS OF PRESIDENT LYNDON B. JOHNSON AT MURRAY-GREEN AWARD DINNER HONORING HENRY J. KAISER

Mr. Chairman, Mr. George Meany, Mr. Kaiser, members of the Executive Council of the AFL–CIO—I regret very much that I am not able to be there with you tonight in person because this occasion is historical by every measure. It is the first occasion on which the AFL–CIO has selected an outstanding industrialist to receive their highest honor—the Murray-Green Award. I think this is significant, but the significance is not just one-sided. If the presentation of this award by organized labor represents a departure from the past, certainly our friend Henry Kaiser himself epitomizes the departure from the past, from enlightened and progressive leaders of American free enterprise.

We are very fortunate in this country to be free of dogma and doctrine that would lead us into mortal conflict and combat between the forces of labor and capital. The absence of such contention has permitted us to, therefore, devote our full strength and all of our talents and our energy to the perfection and the organization of the system which is richly and generously rewarding to all the segments of our society. Our escape from such division, which has plagued so many other industrial nations, I think, is a tribute to the maturity and to the responsibility of individuals in all sectors—labor and business and public. On the business side, Henry Kaiser was, long before his time, a pioneer of the new breed of responsible businessmen. I remember during the war, when I was in uniform on the west coast, I was constantly startled at the adventure and the compassion and the social consciousness, and Henry Kaiser's willingness to extend a hand to the workingman. Now the two great Americans in whose memory this award is presented—the great Phil Murray and Bill Green—were themselves men of adventure—pioneers of a new spirit and perspective among the leaders of the trade union movement. In years that most of us still remember, these three men received more than their fair share of abuse, denunciation and criticism, because they were willing to depart from the paths that lead elsewhere to deadlock and stalemate, or worse. Today the spirit of sensible cooperation and understanding prevails widely at the top of both labor and business—and I hope it prevails always at the top of our Government.

George Meany has given me some of the best counsel and some of the most patriotic service that any single American has given—and I must say that his efforts have been an example that businessmen have followed, and I think that Government has followed, so there never has been a time, in my judgment, when a responsible labor leader and a responsible business leader and responsible Government leaders could sit in the room with more understanding of each other's problems than we have today, and I think it is good for all of us, and I think Henry Kaiser and George Meany and Phil Murray and Bill Green have all helped to bring this about.

We have challenges to face in this country, the challenges and problems which will determine whether our democratic free enterprise system can succeed and whether we can endure competitively with the Communists in this world and whether our values will survive—and unless we have some understanding and some unity underlies our bargaining with each other, we shall not succeed, and the things we most cherish will surely perish while we eat at each other. I live and I work with an abiding optimism in the future, because I carry with me—every morning when I get up—an abiding faith in the sensibility and the generosity and the understanding of the American people, regardless of the sector with which they are identified. For instance, I think I could call George Meany on the telephone—and George Champion—a business leader—on the telephone—and tell both of them that this is what is good for America—and I think I will get a favorable response—because I have found that the leaders of labor in this country are men of responsibility—that the leaders of business want to help their country—and that if you go direct to them and tell them your problem, you will get the assistance and leadership that Henry Kaiser has given us through the years—and that George Meany is giving us now in the labor movement—so I am proud to congratulate the AFL and the CIO on the presentation of this award to my beloved friend, Mr. Kaiser, whom I called the other day on his birthday. I am proud to congratulate Mr. Kaiser upon this fitting and this appropriate recognition of his pioneering example and his leadership.

One more thing, I am proud Mr. Kaiser has produced a son, Edgar Kaiser, who is helping us in Government by serving on various critical studies that we are making and by counseling with his President. Finally, I know that all Americans will approve and will endorse the spirit of constructive understanding and responsibility that has brought this evening into being.

Remarks by Joseph A. Beirne, Chairman, AFL–CIO Community Services Committee in the Regency Ballroom of the Shoreham Hotel, Washington, D.C., Presenting the 1965 Murray-Green Award to Henry J. Kaiser

We have now reached the high point of this productive conference—the presentation of the Murray-Green Award.

The theme of the conference, as you know, as been "the worker is a consumer.

That is a true statement. But there is an even more basic truth that has been the lifelong theme of our guest of honor. It is this: "The worker is a human being."

And that is why we are honoring him tonight.

Henry J. Kaiser, more than any American of this era, has become a legend within his own lifetime.

Most of us heard of him first because of his fabulous achievements as a shipbuilder, when shipping was so desperately needed by an embattled Nation.

Then his productive genius was drafted by the Government to cope with lagging aircraft output in the Brewster plants, and at Willow Run. He built a great new steel mill in California. Throughout the war he personified the industrial power, the know-how, under which the Axis crumbled.

After the war came Kaiser Aluminum, and other ventures. There was even a try at making automobiles—which I mention only to illustrate that not even a Henry J. Kaiser can win them all.

In war and peace, these vast, imaginative undertakings have been of immeasurable importance to America. And yet, it seems to me, they are less important to the cause of a great and free society than the theme I offered earlier: "The worker is a human being."

Long before the first Kaiser ship slid down the ways and splashed the name of Kaiser across the front pages of the newspapers, that theme was dominant.

It had evolved, in a tangible way, in the early thirties, when Henry Kaiser was building dams—the big ones, as always, Hoover and Bonneville—rather than making ships and steel and airplanes.

Henry Kaiser decided then that the worker could truly be a human being, an independent, self-respecting citizen, only through union organization—strong union organization.

He brought this conviction with him when he became a national figure, and in time, a national symbol.

He brought it, for example, to Brewster, where a disturbed and insecure union had been blamed for the company's difficulties. He refused to pin the whole blame on the union; he was at least as much concerned about the weakness of management, which had led to disturbance and insecurity in the union.

I wish that all those who talk about union power, who back the so-called right-to-work laws and other limitations on trade unionisms, would study the experience and the philosophy of Henry Kaiser. His older son Edgar once put it this way: "We prefer to deal with unions that are strong—strong enough to speak the real will of the employees and to promote vigorously their welfare, and strong enough to hold to upright dealing."

So it came about that in 1944, Henry Kaiser signed for his Fontana, Calif., steel mill the first union shop contract ever achieved in that industry—8 years ahead of his competitors.

But there is more.

The Kaiser aluminum plant at Ravenswood, W. Va., was established in what had been a town with a population of only 1,175. Obviously it lacked the fundamental public facilities needed to meet a huge influx of new families.

Kaiser Aluminum built a $750,000 elementary school, still leased to the county board of education for $1 a year.

The company gave $50,000, the workers gave $165,000 more and a loan of more than $400,000 was obtained from the Area Redevelopment Administration to make possible a new hospital.

When voters—with the obstinacy that only voters can display—three times rejected a tax levy to pay for a secondary school, Kaiser offered to chip in $2 for every $1 raised by a community foundation organized by school backers, up to the $60,000 the company would have paid in added taxes if the referendum had passed. With the help of $34,000 from Kaiser workers, the necessary $120,000 was raised.

There is still more.

The examples I have cited—and let me emphasize that they are merely examples, taken from a long list—demonstrate that Henry J. Kaiser believes in good-faith collective bargaining, that he believes in strong unions and that he wants his companies to be good citizens of the community, even beyond the normal call of duty.

Yet in terms of the future, it may well be that the most memorable, the most significant contributions of Henry J. Kaiser, and the organization that reflects his philosophy, is the progress-sharing plan—and mind you, it is not a profit-sharing plan—begun in 1959 at the Fontana steel plant.

This is not the time or place to go into the details of this plan. Let me only emphasize what most of you know—that it was the first all-inclusive effort to meet the issues raised by productivity increases, the job attrition caused by these increases and the mounting complications of collective bargaining in a complex industry.

It is characteristic, I think, that no one at Kaiser claims that the Fontana program is a cure-all, applicable everywhere. Quite the contrary. But what could be and ought to be applicable everywhere is not the letter but the spirit of Fontana—the spirit of accommodating differences within a framework of common interests.

Or in basic trade-union language—the workers want good wages and job security; the employer wants to make money; how can we work out a plan to satisfy both? This is the question that can best be answered by the spirit of Fontana.

I have taken enough of your time, but I have still to mention one other manifestation of that basic theme—the remarkable program, developed over more than 30 years, which now provides high quality, comprehensive medical care for more than a million Americans on the west coast and in Hawaii. The Kaiser Foundation medical care program is the Nation's largest prepaid, direct service medical and hospital plan—but size alone is not to be our standard in judging this great pioneering effort to serve the needs of our communities. The program has served as a model to many others, and its contribution to the national welfare in leading the way to better health for all is really beyond measure. Important, too, in preparing for the needs of future generations, is the substantial amount of research and medical education supported by this self-sustaining program of service.

It is no surprise, in view of this magnificent record, to find that Henry J. Kaiser looks upon this as his proudest achievement.

Now let me conclude with two very brief observations.

One is that the Kaiser management is not simply a soft touch for unions. These companies are in business to make money. They have been involved in strikes, and in very hard bargaining.

But the basic goal of Kaiser management, when disputes have arisen, has not been "victory" in the narrow sense, but an acceptable agreement between the parties, one that would safeguard the interests of management, and yet adhere to the Kaiser theme: "The worker is a human being."

Now, with pride and pleasure, I present this year's Murray-Green Award to a great industrialist, a great patriot and a great citizen, Henry J. Kaiser.

Introduction to Henry J. Kaiser's Acceptance Remarks, Read by Edgar F. Kaiser, Murray-Green Award Dinner, AFL–CIO, Washington, D.C.

My assignment tonight to accept this award on behalf of my father is most difficult because I know that he wanted to be here with you personally this evening. He had not accepted a speaking engagement for over a year.

He is a builder at heart—a builder of people and things. These are his greatest loves—and almost total dedication. He does not have one son, he has many sons; those of us who have been privileged to grow with him have, through the years, been brought close to him.

When he was first advised of this award, he telephoned from the islands. It was clear he was genuinely appreciative and thrilled, and he wanted to come here tonight to be with his friends, as he put it, who had helped him to grow, along the way.

He has a deep and abiding faith in all people. He believes in the basic principles of a labor movement. He believes that the problems and the opportunities of both labor and management are common and that there is no problem that cannot be resolved if people of good faith sit down together and discuss them, openly and frankly.

He left Honolulu about a week ago, spent several days in Oakland, and then on to New York. He had given very careful thought to his remarks this evening. He read them to me, as a matter of fact, several times. He went into the hospital in New York for some tests and the tests indicated quite clearly that he should have complete rest for several weeks. He was terribly disappointed when the doctors finally told him he would be unable to be with you this evening.

I said this was difficult for me tonight not only because I know how much he wanted to be with you, but because when I was standing with him at the time his doctors made the decision he looked at me and said, "Will you do it for me? And, Edgar, will you give it just as I wrote it." And I assure you I shall. As a matter of fact I had better because I hear they are taping it tonight, and, knowing him, he will not only ask me if I did give it just as he wrote it, but then he'll want to hear the tape—and there are many of you here tonight who know that is just what he'll do because you've been asked the questions.

The example he has set, not only for me, as his son, but as a member of the organization, of his many sons, is well known to you all. It has been our job, to do the work inspired with his vision and leadership.

At Christmas of 1934, when we were building a large dam on the Columbia River, in the Pacific Northwest, we sent him a poem engraved on a silver plate, with some 40-odd signatures inscribed thereon—40 of his sons who were at Bonneville. It goes like this:

"He dreamed cloud empires flaming in the West
And saw his dream come true.
To a dreamer who made his dreams come true,
From those to whom he revealed his vision,
And inspired to its achievement."

Under his leadership we all learned that industrial peace is not, and never can be, the achievement of one man. It is a composite of the best in the many who desire it. It is not a compromise between containing forces—it is an expression of good will, born in a sense of fairplay. There is neither a secret nor mystery about labor relations. There should be no need for cumbersome legislation. The approach is the give-and-take between men of good will, wholehearted in their desire to agree and to work together. This was his teaching in our relations with you.

My associates and their wives, who join with me tonight in accepting this honor for our founder, thank you all for your gracious hospitality and the honor you bestow on dad. The many friends joining hands here tonight in Government, labor, and business, nationally and internationally, are testimony of your tribute.

And so, he is with us tonight in mind, in heart, and in spirit, even though he couldn't be with us in person, and this is his message.

HENRY J. KAISER ADDRESS, MURRAY-GREEN AWARD DINNER, AFL–CIO, WASHINGTON, D.C.

Your tribute tonight makes my heart glad as no other honor that you could bestow upon me because in this Murray-Green Award you emphasize the things that mean the most in my 83 years of life.

The award is related to people's health, and to human relations. These are the most important things, and for this I am most grateful.

My mother died in my arms when I was a boy of 16. We were poor. We could not afford a doctor and the hospital care which could have saved her life. I resolved then and there that if I ever could, I would try to do something about people dying for lack of medical care.

Later my father went blind. His sight could have been saved even at that time with medical and hospital care.

Still later a member of my family had to have a major operation that we could not afford. The doctor operated on the kitchen table and I gave the anesthetic under his direction. This only increased my desire to do something—about making it possible for people to afford to be sick.

My family was all too typical of countless families faced with struggles and the hardships inflicted by illness. So I am thankful the opportunity came to establish the Kaiser Foundation Hospitals and the health plan which now provides medical care of nearly 1¼ million members.

When I heard the Murray-Green Award carried with it $5,000 I immediately began thinking of the ways this could be used—as a stimulator—to help provide better medical care at lower cost. Accordingly, the $5,000 is being contributed—toward advancing certain cherished dreams in the Kaiser Foundation's programs of medical care, the education of physicians and nurses, and health research.

Medical education must be substantially expanded to meet requirements for more physicians in this country and in the emerging lands. Thus—I was heartened—when Senator INOUYE introduced a bill to establish a Pacific Medical Center in Hawaii for the purpose of supplementing the skills of modern medicine, so desperately needed—among countless millions of Pacific and Asian peoples.

We'll never run out of finding human needs waiting to be filled. In fact, the fulfilling of people's wants—is at the heart of all worthwhile enterprises.

Labor has championed—and our organization has supported—the legislation known as medicare. The demands, with or without medicare, for comprehensive service-type health coverage plans—are nowhere near satisfied.

Unions and groups representing the entire cross-section of the citizenship in every part of the United States ask for the establishment of medical centers like ours—the Kaiser program where, under one roof, patients may visit their doctors or undergo hospitalization, where groups of doctors provide professional services, emphasing preventive medicine, where prepayment plans pay the bills—without relating—needed medical care—to a patient's pocketbook.

The enormous demands keep the Kaiser Foundation building hospitals and clinics as fast as we can generate the necessary funds and as fast as dedicated doctors organize the professional services.

I have always advocated that independent groups of doctors in every area of the Nation be encouraged and assisted in establishing self-supporting medical centers—providing voluntary health plans—and I shall keep right on advocating such a program.

Your award tonight pays tribute to our accomplishments in labor-management relations—which I call "human relations."

I have often been asked, "What is it, Mr. Kaiser, in your organization that enables you to make 'impossible' projects become possible?" I appreciate the compliment, and answer that our real job is not the building of dams, ships, factories, and hospitals; our job is to build and develop people, to bring out their courage, their talents, their zeal, and their will to work.

Years ago we adopted the slogan: "Together we build." But—just think about its wider meaning—together Americans build.

Every year the American people grow more united in our goals. The enemy is dead wrong—who would see us as pitted—class against class—we are not arrayed—as capitalists and labor—fighting to slice up a pie that is too small. All may share in the abundance of this land. Ours is a balanced society—a strong united people. Americans do build together.

Look to the year 2000, in just a mere 35 years, we must build the equivalent of another United States of America, a country with almost twice as many people, almost double the present working force, with manifold more needs, requiring greater productivity, and, thus, more purchasing power.

By that year 2000, the number of gainfully employed is forecast to soar from today's 77 million to 135 million.

We must, in order to keep pace, create almost one and a half million more jobs every year. This prospect should be met, not with fear and dread, but as an opportunity, with fabulous potentials. It is clear that educated manpower coupled with human understanding and determination will take this country to undreamed-of new horizons. We've only begun.

By the year 2000 America's gross national product is forecast to attain $2,000 billion a year—in other words three times where we are today, and I intend to be here, participating.

My spirit fairly sings to some lines of a poem—

"To be alive in such an age—
With every year a lightning page."

Working together, unions and management will discover always better ways to conduct human relations. Together all Americans must share the results of productivity.

Together we all gain, when we produce more efficiently, at a lower cost, and the result is more things for more people.

I do not underestimate the magnitude of tomorrow's jobs to be done, the vast and constant changes to be wrought, the fearless imagination and investments to be freed. The challenge calls for the courage to dream; to believe, to dare, to envision, to battle, to work, and so to achieve, the full greatness of our future.

Education has an infinitely greater service to perform. The Nation has barely scratched the surface of manpower development and retraining; for this age of science, new technology, and revolutionary discovery.

The realization of the recommendations advocated by your AFL–CIO Community Services Committee for a sweeping stepup "in the kind of public education which trains people for living as well as for work" is essential for preparing individuals of all ages for satisfying uses of their free time; for expanding the finest in recreation; the arts, culture, in fact, all the most meaningful blessings of modern life. Congratulations on this program.

Both in material civilization and the rewards of heart and mind our children and grandchildren can say with us—

"To be alive in such an age.
When miracles are everywhere,
And every inch of common air,
Throbs a tremendous prophecy,
Of greater marvels yet to be."

Every day we have new marvels in the whole spectrum of the sciences, and marvels which will mean astonishing change, and betterment in the lives of men.

Find the needs and fill them. Eliminate all vestiges of discrimination which hurt our country. Win the war against poverty in this rich land of ours. Clean out the aging slums of our big cities. Develop new modes of transportation to break the strangulation of traffic. Build finer homes. Beautify the cities and countryside. Invest in growth and human well-being with all the patriotic peacetime drive that we have shown when mobilized for war.

Now we mobilize for peace. We pray and struggle to win the ultimate victory for lasting peace, for human freedom, for the revolutionary improvements in the lot of mankind the world around.

Together we build the future with prospects as limitless as the minds and hearts of men, as realizable as the imagination, the love, the faith, the courage, and the joy of work.

You and I can rejoice at the opportunities given to each and every one of us—

"To be alive in such an age—
To live in it,
To give to it!
Give thanks with all thy flaming heart—
Crave but to have in it a part."

Again—my heartfelt thanks.

God bless you.

EDGAR F. KAISER'S CONCLUDING REMARKS

This is my father's message to you this evening, as he wrote it, and as he wanted me to deliver it to you.

I cannot leave you tonight without a closing word of my own:

More than 34 centuries ago there was written the greatest moral code of law which the world has ever known. In 10 brief precepts, magnificent for their simplicity, embracing every essential, for good, in human behavior, there is a pattern for noble living which has never been surpassed.

The fifth is an enduring admonition to the children of men for all time. "Honor thy father and thy mother that thy days may be long upon the land which the Lord thy God giveth thee."

It is the right of a son to believe that there was never a father more worthy of honor.

Speaking as one son for many sons, we join you this evening, in a tribute. There is a poem that we believe best expresses our feeling for him. The author is anonymous. The poem is entitled "The Builder":

"The old man going the lone highway
Came at evening old and gray,

To a chasm, vast and deep and wide.
The old man crossed in the twilight dim.
The sullen stream had no fear for him.
But he turned, when safe on the other side,
And built a bridge to span the tide.

" 'Old man,' said a fellow pilgrim near,
'You're wasting your strength with your building here,
'Your journey will end with the ending day,
'You never again will pass this way.
'You crossed the chasm deep and wide,
'Why build this bridge at eventide?'

"The builder lifted his old gray head—
'Good friend—in the path I've come,' he said,
'There followeth after my day,
'The youth whose feet must pass this way.
'This chasm that has been naught for me,
'To that fair-haired youth may a pitfall be.
'He, too, must cross in the twilight dim.
'Good friend—I'm building this bridge for him.' "

AMERICAN TROOPS IN DOMINICAN REPUBLIC

Mr. INOUYE. Mr. President, when the lives of American citizens were threatened recently by a revolt in the Dominican Republic, President Johnson moved swiftly to assure their safety by dispatching American troops to the scene.

I would like to call to the attention of my colleagues two editorials on this subject. One, published in the New York Journal-American May 2, was written by William Randolph Hearst, Jr., editor in chief of the Hearst newspapers. The other appeared in the Pittsburgh Press on the same day.

Mr. President, I ask unanimous consent that the text of these two editorials be printed in the RECORD.

There being no objection, the editorials were orderer to be printed in the RECORD, as follows:

[From the New York (N.Y.) Journal-American, May 2, 1965]

CHAOS IN THE CARIBBEAN: THE "SENSIBLE THING"

(By William Randolph Hearst, Jr.)

The crisis cauldron, bubbling halfway around the world in Vietnam, has now boiled over on our Caribbean doorstep.

The Dominican Republic is again in turmoil, posing an issue of grave importance to United States and hemispheric interests.

One fact emerges clearly from the host of questions and dilemmas raised by this sudden eruption.

The United States, in the interests of its own security, cannot permit an armed Communist minority to seize the Dominican Republic and transform it into another Cuba.

As President Johnson stated bluntly in his state of the Union message on January 4:

"We are prepared to live as good neighbors with all, but we cannot be indifferent to acts designed to injure our interest, or our citizens or our establishments abroad."

This is the essence of the U.S. military operation in the Dominican Republic, now involving thousands of Marines and paratroopers.

The operation began with the limited objective of protecting American life and prcperty. Its scope has widened into one of vital political-military significance.

The administration must be commended for its dispatch in meeting the crisis.

The State Department was obviously on top of the job, a welcome development. The liaison between that agency, the White House and the Defense Department—down to the naval vessels on patrol in the Caribbean—was manifestly of the highest order.

The operation displayed considerably greater decisiveness than that shown during the incredible mishandling of the Bay of Pigs operation in 1961.

Further, it has received top-level bipartisan support in the form of an endorsement by former President Eisenhower, who observed that President Johnson has done a "sensible thing" and that "it has things under control."

It certainly does.

There is every indication, in fact, that the Dominican Republic action reflects a greater depth of understanding of Latin America, and its fiery instability, than has been seen around Washington in a long time.

This could be due to the fact that a top Latin American expert, Thomas Mann, is now very much in the driver's seat in the State Department's Latin American offices. It also could be traced, on a more subtle basis, to President Johnson's own early background of life near the Texas border country, where the proximity of Latin America is keenly felt.

Communist undertones, or overtones if you will, of the Dominican explosion were not apparent at first. But it would be surprising if the ubiquitous hand of Soviet military intelligence were not a factor in the rebellion.

It is known that many younger officers of the Dominican Army had been subverted; one, in fact, is suspected of siphoning off about $1 million in army funds to Communist sources.

Moreover, the howls of anguish that rose from Communist capitals when marines landed to protect American citizens, evoked suspicions that it was a case of some who "doth protest too much." It is my belief that a carefully hatched conspiracy—of which U.S. intelligence was aware—was neatly strangled at birth.

Marines in Latin America have an old and ugly connotation of Yankee imperialism and their appearance in the region again cannot be treated lightly. Leathernecks tread on sensitive Latin toes, and this is a factor of Latin life that must be reckoned with.

The Communists, of course, know this well. Thus they feel they are in a position of "heads we win, tails you lose." If a Communist conspiracy succeeds, they win. If we send marines to thwart this, they howl: "Look, the Yankees are dominating you again." It is a tactic often difficult to counter; therein lies a challenge to American diplomacy.

The American role in the Dominican crisis is thus delicate indeed.

But what else could L.B.J. have done? To have done nothing would have been inexcusable. To dispatch an ineffectual handful of marines, on a symbolic basis, would no doubt have precipitated as much of a fiasco as that at the Bay of Pigs.

There was only one way to do it: first-class and all the way. This, we should all be proud to note, has been done.

Not unexpectedly, there are protests from Latin American governments. Mexico, Uruguay, and Peru have voiced laments and other objections.

Peru especially deplored the American action, calling it a reverse for the inter-American system. "It is truly lamentable that in this case, it (the United States) has damaged the sovereignty of an independent nation," said Peruvian Foreign Minister Fernando Schwalb.

Yet Senor Schwalb holds office precisely because a Communist take-over was foiled in his own country, although not, admittedly, by U.S. action. A military junta did install itself in Lima, but only to pave the way for formal elections. As a result, Peru today enjoys one of the most progressive administrations in Latin America.

There would be much more "lamenting" in Latin America if Uncle Sam washed his hands of his southern neighbors and withdrew into isolation behind his own formidable defenses.

Whenever the extreme left gets into a political act, flagrant distortion of facts is standard procedure.

Such distortion aided Castro to power to Cuba. Thus it might be well worth our while to take a hard look at events leading to the Dominician crisis.

After 32 years of iron misrule, Dictator Rafael Leonid Trujillo was assassinated in May 1961. Like many dictators, Trujillo preferred a legitimate President under him as ostensible Chief of State. In his case it was Joaquin Balaguer, who remained in office for a few weeks following the assassination.

He later served with the younger Trujillo, until that short-lived ruler departed for Paris, and later with a seven-man Council of State. Since being voted out, Balaguer has been living in the United States and has formed a Dominician political party called the Reformista. This is of considerable size and influence and attests somewhat to his popularity.

After a year of power, the Council of State allowed an election and Juan Bosch was chosen President—in a legal and parliamentary procedure.

But Bosch soon fell out of favor with the country's military establishment. His problem apparently was that he was a well-meaning liberal of the type that so often fails to see the danger inherent in Communist infiltration.

To make matters intolerable to the military, Bosch went along with a left-wing scheme to establish a civilian militia in the country. That was too much for the military. They ousted him in September 1963.

The army then called on the various political parties to put together a government. What came up was a "triumvirate" (which is an idea going back to Roman history, if you recall, and if you don't just take my word for it).

This was made up of three youngish men—of a high, well-educated type. But, as I noted in a column a year ago, they were not sufficently attuned to the political scene to be expected to make the grade.

Removal of the last of these this week—Donald Reid Cabral—might have been expected to follow the traditional Latin American script, Dominican politics, however, are unusual.

In this case it was junior armed forces officers, as I get the picture, who decided they wanted Bosch back and who thus precipitated the crisis.

The roots of this are many. For one thing these junior officers are closer—at least by age—to the armed forces rank and file. For another they had the weapons—and this drew into the revolutionary alliance the activist Communists—many of whom had received insurgency training abroad.

And since the fellow they want back—Juan Bosch—was, after all, once constitutionally elected, this provided the Communist faction in the rebellion with an eagerly sought aura of respectability. They saw this opportunity and seized it swiftly.

Tea-leaf reading is not one of my more successful ventures. But I think I can safely predict that one of two developments, or both, will ensue from the Dominican crisis:

First, the United States will let the matter fall within the jurisdiction of the Organization of American States (OAS)—and that the majority of that body will give the American action its support;

Second, if the present American action in the Dominican Republic should fail—and a Communist coup there succeed—then the current military operation in that country will be dwarfed by what follows.

If I know President Johnson, he is not, repeat not, prepared to tolerate another Cuba in the Western Hemisphere.

[From the Pittsburgh (Pa.) Press, May 2, 1965]

UNPLEASANT NECESSITY

Sending U.S. forces to the neighboring Dominican Republic was an act of necessity. We may deplore the necessity, but we cannot deplore the action. President Johnson's prompt decision illustrated the courage of commonsense. The action had to be swift, or not at all.

Some members of the Organization of American States (OAS) are unhappy with this action. But the United States merely did what the OAS could and should have done, had it been equipped. If the action had awaited time for the OAS to go through its usual mumbo-jumbo, it would have been too late.

The urgent issue was the rescue of Americans whose lives were in danger. That is a first duty of the American Government in any situation. Rescue of other nationals who wanted to leave, including even some Dominicans, could be nothing more than an act of mercy.

At the time of this writing, it still is unclear whether the disorder was being pushed primarily by Communist elements, or whether they simply had followed the usual Communist practice of joining any disturbance. The presence of some known Communist agitators was enough to indicate the possibilities.

The Western Hemisphere cannot tolerate any more Castro's in its middle. Whatever is necessary to prevent a Communist takeover in any American country, big or little, ought to be undertaken in self-protection for the whole areas, especially the countries of Central and South America.

If any of our Latin American friends feel unhappy about this regretful necessity, they need only ask themselves: which would they rather have, a temporary U.S. rescue mission, or another Communist dictatorship to be used as a base for new infiltrations in Venezuela or Peru, or some other free American country?

The United States already has announced it is prepared to "transfer its responsibility to the OAS at the earliest possible moment."

The sooner our forces can leave the better Americans will like it. But we will not leave U.S. citizens, or other innocent victims, to the mercies of mob rule, whether inspired by local ruffians or more sinister elements.

Until then, the whole hemisphere should have but a single, prayerful hope: That some leader in the Dominican Republic can establish a stable, non-Communist government, capable of keeping order—and quickly.

SMALL BUSINESS WEEK

Mr. SMATHERS. Mr. President, the President of the United States by proclamation has recently designated the week of May 23, 1965, as Small Business Week.

I think it is most appropriate that all private and public organizations be called upon to participate in ceremonies recognizing the contributions of small business in the achievement of our national goals.

As chairman of the Government Procurement Subcommittee of the Senate Select Committee on Small Business, I have a special interest in the participation of small business in all Federal procurement programs. The Department of the Air Force has always had a dynamic program to insure that the small business community receives a fair share of the Air Force dollar.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the President's proclamation, together with a copy of Secretary Zuckert's memorandum supporting the President's proclamation.

There being no objection, the proclamation and memorandum were ordered to be printed in the RECORD, as follows:

PROCLAMATION 3648—SMALL BUSINESS WEEK, 1965

(By the President of the United States of America)

Whereas small business has through our history contributed to our cherished system of free, competitive enterprise; and

Whereas the Nation's 4.7 million small businesses—

Include 9 of every 10 businesses that supply the needs and wants of the American people;

Provide more than a third of the Nation's goods and services;

Contribute significantly to the well-being of our citizens, to the defense of freedom, and to the exploration of new scientific frontiers; and

Whereas small business concerns, by continuing to grow in number and strength, will provide additional jobs needed by a growing nation; and

Whereas small business holds open the door of opportunity for men and women of all races and creeds; and

Whereas small business is a source of new ideas, new methods, and new products which enrich the lives of our citizens and stimulate our economic growth; and

Whereas small businessmen are leaders in the business and civic affairs of their communities, and will continue to play a leading role in communitywide action to eliminate poverty wherever it exists;

Now, therefore, I, Lyndon B. Johnson, President of the United States of America, do hereby designate the week beginning May 23, 1965, as Small Business Week; and I call upon chambers of commerce, boards of trade, and other public and private organizations to participate in ceremonies recognizing the contribution of small business to our goal of a better and more productive life for all our people.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this 24th day of March in the year of our Lord 1965, and of the Independence of the United States of America the 189th.

LYNDON B. JOHNSON.

By the President:

DEAN RUSK,
Secretary of State.

DEPARTMENT OF THE AIR FORCE,
Washington, D.C., May 21, 1965.

Memorandum for Chief of Staff, U.S. Air Force.

Subject: Small Business Week.

The President of the United States has by proclamation designated the week beginning May 23, 1965, as Small Business Week and has called upon appropriate private and public organizations to participate in ceremonies recognizing the contribution of small business to the goals of the United States.

In accordance with the highest national policy, the Air Force has placed great emphasis upon assuring that small business concerns are afforded every opportunity to compete for Air Force contracts. Upon the occasion of the observance of Small Business Week, I again stress the Air Force's keen interest in small business and request continued special attention by all Air Force personnel to this matter.

I consider it appropriate and desirable for all Air Force procurement agencies and offices to be made aware of the desire of the President with respect to Small Business Week and to take such action as may be appropriate in connection with its observance. Therefore, a special message to our procurement activities calling attention to the President's proclamation would be appropriate.

EUGENE M. ZUCKERT.

MAN'S BEST FRIEND—THE CIGAR

Mr. SMATHERS. Mr. President, I ask unanimous consent that a very fine article appearing in the June issue of the Argosy magazine, entitled "Man's Best Friend—The Cigar," by Junius Adams, be printed in the RECORD.

The contents of the article merit the reading and thoughtful consideration of all of us. It is interesting to note that the Surgeon General is quoted as saying that if one smokes up to five cigars a day he is as good a health risk as a total nonsmoker, and that if one smokes a dozen or more his chances for survival are anywhere from excellent to superb.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MAN'S BEST FRIEND—THE CIGAR

(What else is there that can warm your heart, calm your nerves, soothe your stomach, give you happiness, satisfaction and peace of mind all wrapped up in a leaf of tobacco?)

(By Junius Adams)

When Mark Twain was in his seventies, he was asked how he managed to keep so alert and vigorous. He put down his stogie for a moment and replied, "I owe it all to the fact that I never smoke more than one cigar at a time."

This was back in an unscientific age when doctors often blamed a man's ailments on the fact that he smoked cigars. Another gentleman of the period, Sam Gompers, the labor leader, was once ordered by his doctor to restrict himself to one cigar a day. Sam, who in his younger days had worked as a cigarmaker, found the perfect way to handle the situation. He rolled that daily cigar himself. One foot long.

As you probably know, last year the Surgeon General released a report entitled "Smoking and Health," which took a rather dim view of cigarettes, blaming them for lung cancer and assorted other illnesses. The cigarette manufacturers are fighting back, claiming that the Surgeon General's statistics do not constitute adequate scientific proof. The controversy is still raging.

But one thing there is no controversy over is the fact that cigars are not injurious to health. If you smoke up to five cigars a day, says the Surgeon General, you're as good a health risk as a total nonsmoker. And even if you smoke a dozen or more a day, your chances for survival are anywhere from excellent to superb.

This is one of the reasons that the cigar manufacturers are wearing just about the biggest smiles in town these days.

The cigar business has just taken off like a rocket and seems to be headed for Mars or beyond. The amazing thing about the cigar boom is that though other industries have gone through something similar in recent years—plastics, for instance, and electronics—those were new industries, with new products to sell. Whereas the cigar industry has been an old and dying one for decades, only slightly more alive than the buggy-whip and the wind-up phonograph trades.

Cigar people used to get all misty eyed about the year 1920. That was a year in which they sold 8½ billion cigars. Immediately thereafter, the cigar business went into a 43-year slump, during which the prospect of another 8-billion-cigar year looked as remote as Jackie Gleason climbing Mount Everest.

Yet last year, cigar sales suddenly zoomed to over 9 billion, with another big increase predicted for this year. This is not a trend, it's a stampede, one that may well turn all of us, including you and me, into cigar smokers. (As a matter of fact, I started smoking cigars 3 months ago, so that leaves you.)

But I can't buy the idea that all us recent cigar converts are merely "I'd rather switch than fight" refugees from cigarettes. For one thing, most cigar smokers I know smoke both cigars and cigarettes. And for another, the whole concept of switching is ridiculous. Can you switch from soda pop to Napoleon brandy, from peanut butter and jelly sandwiches to broiled prime porterhouse? Of course not.

No, the real reason for the switch is that millions of us poor modern slobs are beginning to give expression to our yearnings for a nobler, more elegant, more deeply satisfying way of life.

Back in 1900, when men were men and wore derby hats, mutton-chop whiskers and gold watches on chains to prove it, every man smoked cigars or aspired to. Cigarettes were for sissies, or for the extra-daring woman to toy with. And back in the uncomplicated world, every boy wanted to grow up just like his daddy and be a big, imposing figure of a man, puffing on a majestic cigar.

Typical of the "big-daddy" school of cigar smokers was the financier, J. P. Morgan, Sr. Morgan habitually smoked pretty large cigars, but on special occasions, like board meetings and bankers' conferences, he would take his place at the head of the table and light up a gigantic thing called the Kohinoor, an 8-inch, torpedo-shaped creation made especially for him in Havana. His "conference cigar," he called it. "To see him sitting there smoking that enormous cigar and gazing at you with those steely eyes of his was enough to turn any man into a coward," said an associate of his years ago.

Another cigar-smoking tiger was little Georges Clemenceau, Premier of France during World War I. His cigar, an extra-long, extra-thick model, was known for years as a Clemenceau. It is now called the Churchill, after another not-unknown world figure, the late Sir Winston.

Or take Gen. Curtis LeMay. One afternoon a few years ago, an airplane containing the redoubtable general put down at a western Air Force base. A reception committee of local brass was waiting to greet its distinguished visitor. As the plane halted, two ground crews rushed forward, one to wheel up a set of steps, the other to refuel the plane. The first figure out of the plane was LeMay, a freshly lit cigar jutting from his jaw. No one had had the nerve to remind him that the area was restricted for smoking.

As the great man descended the steps, one of the waiting colonels whispered to his neighbor, "My God, that cigar. The plane could blow up."

The second colonel whispered back, "It wouldn't dare."

The trouble with this traditional image of the cigar smoker—big, rich, powerful, contemplating the 2-inch ash on his panatela while lesser mortals quake and quail—is that it has been frightening away a lot of potential customers.

Not everybody wants to be a big daddy. In fact, surveys indicate that many men don't smoke cigars because they feel they would be "putting on airs" or "playing the big shot" if they did. Others are deathly afraid that their womenfolk would disapprove. Psychologist William D. Wells, who made a survey of noncigar smokers for the Cigar Institute, quotes the remarks of one of his interviewees, remarks that exhibit both these attitudes:

"I just smoked them for a month during the war. We seized a cigar factory in Germany and most of us who had never smoked cigars before used to parade around with them joking and acting big. We got a tremendous kick out of smoking them."

A little later, the same fellow said:

"The women in my family didn't know about my cigar smoking, and if they had, it wouldn't have bothered me. After all, I was in Germany and they were in the Bronx."

There's a chap who probably became a King Sano smoker the moment he got back to the Bronx. Yet it's entirely possible that today he is smoking cigars again.

Because now the cigarmakers have a brandnew way of selling their product. They pitch it to both men and women. The new-style cigarsmoker is a swinger. He's young, he's suave, he's popular, he has dash. The women love him, and when he lights up his cigarillo, they cluster 'round, cooing at the fragrance.

The late President Kennedy was a perfect example of the new cigar smoker. J.F.K. may have been the despair of the hatmakers, but he made the cigar people very happy. His smoke, incidentally, was Dunhill's Flor de A. Allones No. 23, a slim cigar just short of 7 inches long which sells for 50 cents a copy.

The campaign for making cigars acceptable to women is apparently a roaring success, because not only are women accepting them, they are smoking them. According to a Cigar Institute estimate, 700,000 women are now at least part-time cigar smokers. This sounds utterly incredible, but on the other hand, I have before me an authenticated list of several hundred women who have been identified in the press as cigar smokers. I will rattle off a few of the names: Princess Margaret of England; Mrs. Dean Martin; Carol Lynley; Gloria Vanderbilt; the Maharanee of Baroda; Greta Garbo; Marlene Dietrich; Joan Fontaine; Paulette Goddard; Lena Horne; Lauren Bacall; Inger Stevens; Piper Laurie; Mrs. Pierre Salinger; Constance Bennett; Gloria DeHaven; Pat Suzuki, and Tallulah Bankhead.

Had enough?

Not everyone is pleased with this womanization of cigars. The Cigar Smokers of America, for instance. This is a nationwide Dutch treat club with chapters (humidors, they call them) in most of our big cities. The avowed purpose of the CSA is "promoting and fostering the comradery which exists among cigar smokers and protecting their time-honored rights." Each member must subscribe to a creed that tells him: "You shall enjoy cigars on a noble and commanding scale," and, "In smoking a cigar, you shall do justice to your convictions by appearing radiantly and transparently happy." The CSA has among its members and honorary members such luminaries as Speaker of the House JOHN MCCORMACK, Rudy Vallee, Milton Berle, Art Buchwald, Senator MUNDT, etc. But no women.

An attractive redhead, Miss Rosemary O'Brien, of Chicago, tried to crash the CSA national convention last year. She was given a polite brushoff.

"I do not understand it," she complained later. "What is wrong with women? I smoke up to 10 cigars a day and like to be with men who smoke cigars."

Something else that is undoubtedly helping the cigar trade is the fact that it is impossible to buy a truly bad cigar today. This is a very recent development, I must add. A few years ago, you could still find yourself a fairly atrocious smoke if you really went looking for it.

Almost certainly, the worst cigars ever made were those turned out for the American Expeditionary Force during World War I. Our Government decided to stockpile plenty of cigars for the men overseas, and some bureaucrat in the purchasing department gave out a flock of cigar contracts to the lowest bidders. Sharp operators rushed in with impossibly low bids that froze out the reputable manufacturers, and soon the Government was swamped with carloads of "cigars" made with warehouse sweepings, moldy chewing tobacco, brown paper, and whatever else the makers could get away with.

Our troops were unable to smoke these Government-issue stinkers, and many began smoking those newfangled cigarettes which were all the rage in Europe.

It was in 1920 that Vice President Marshall made his historic remark, "What this country needs is a good 5-cent cigar." In the 1930's, Will Rogers commented that there were plenty of good 5-cent cigars "but the trouble is they charge 15 cents for them." Well, today there are dozens of good nickel cigars and a nickel is what they charge for them.

This is because almost all cigars are now made by machine. And while a handmade cigar turned out by a skilled cigarmaker is a joy to smoke, the fact is that there were never enough good cigarmakers to go around, and in the old days of hand manufacture, cheap cigars were apt to be sloppily made by mediocre workmen. The automated machinery of today turns out a cigar of uniformly excellent construction, regardless of how low the sales price.

The wrapper was another thing that in the past prevented manufacturers from turning out good low-priced cigars. Unless a cigar is rolled in a fine, smooth, flavorful outer leaf, it doesn't much matter what's inside of it, and good wrapper leaves have always been devilishly expensive. Our best domestic wrapper leaf, Connecticut Shade grown, is the world's most costly agricultural product. Producing Connecticut Shade, which is meticulously hand tended and protected from the sun by awnings of cheesecloth, requires a cash outlay of more than $5,500 per acre, and the leaves, when harvested, sell for $9 to $10 a pound. The oldtime low-priced cigars were often wrapped in leaves that were coarse, brittle, and of poor flavor. But today's nickel cigar has a "homogenized" wrapper, made from good but rough tobacco which has been mechanically converted into smooth, elastic sheets.

What about the luxury cigars, the 40-, 50-, 60-centers? They haven't been hurt at all by the sudden prosperity of their lower priced brethren. Mr. Al Sylvania, the genial manager of that mecca of the cigar lover, Dunhill's, admits with a certain smug satisfaction that business is fine, just fine.

There was a moment of panic among cigar devotees in 1962 when Uncle Sam slapped an embargo on tobacco from Castro's Cuba, but it turned out that there was no reason to worry. It seems the cigarmakers never did trust Fidel and had been stockpiling Cuban tobacco against just such an emergency. The warehouses at Tampa are still bulging with fine Havana leaf, and by the time that's gone, a new source of top grade leaf will surely have been found.

The cigar industry has sent out task forces of explorer-agronomists to the four corners of the earth to look for soil that will grow a tobacco as good as the Vuelta Abajo Havana. Already there are reports of experimental plantings that look very promising—some in Brazil, some in Guatemala, some in Borneo. Dunhill's already has a prime source in the Canary Islands. I tried one of their new cigars, a 60-center with an all-Canary Island filler, and to my half educated palate, it tasted fine.

If you're new to cigar smoking, a little helpful information will make the plunge easier to take. You've probably noticed a bewildering multiplicity of sizes, shapes, colors, and brands in the display cases. Don't let it throw you. The quickest way to find a cigar you like is to select a shape, size, and price that appeals to you and then buy that cigar in several different brands. If none of the cigars you bought seems quite right, try the brand that came closest, but get it in a darker or lighter color.

Machine-made cigars usually come with a readymade hole in the head. Handmade cigars and those that are good enough so they want to seem like handmade will have to be pierced or cut before they can be smoked. Do it neatly, or the cigar may unravel in your mouth. And remember to remove the band. Only a square smokes a cigar with a band on it.

Light the cigar slowly, turning it as you do so, so that it will burn evenly when lit. The whole point of cigar smoking is to draw in the smoke slowly so that you get the full flavor and aroma. Don't flick off the ash, because the cigar burns cooler and is more tasty when there's a half inch or more of ash on the end. The trick is to let the ash lengthen until it is almost ready to fall of its own weight, then gently break it off in the ashtray, leaving a slight coating on the ember.

I think you'll find something very surprising after you've smoked your first half dozen cigars. And that is that cigars are a genuine pleasure, not a habit. There is something about the experience of smoking, the taste and feel of the tobacco, the heady fragrance of the uninhaled smoke as it lingers around you, that is delightfully satisfying. There are other pleasures in life that compare with it, of course, but as somebody said, they are either immoral, illegal, or fattening.

So let's light up, men.

A THOUGHTFUL LOOK AT A NATIONAL ISSUE

Mr. McGEE. Mr. President, recently I suggested to this body that a great national debate on our role in southeast Asia could serve a constructive purpose if that debate was conducted in the light of all the information available to us and in rational and responsible terms. At that time I also suggested that the nature of the outcry from certain quarters—including our campuses—suggested that the issues were becoming polarized and that dialog was in danger of becoming monolog.

It seems to me that there is an increasing effort to make these debates broader in scope. The teach-in and other such activities now usually include spokesmen from all sides and a broad spectrum of opinion and ideas. If this trend continues I am convinced that the colleges and universities of the Nation will make a real and responsible contribution to the formulation of public opinion and the sharing of information that is necessary if we are to make informed judgments on the issues of the day.

Mr. President, in the May 16 issue of the New York Times Magazine appears an excellent article by Prof. Henry F. Graff, whose field is diplomatic history, on the difference between the so-called neoisolationists of today and the isolationists of the 1930's. This article is a dispassionate and thoughtful analysis of two movements and their difference and similarities. I recommend it to my colleagues not only because I believe it is an interesting analysis of a current phenomenon but also because I think it represents the type of calm, reasoned analysis that we must have if this great national debate is to be informative and productive.

Mr. President, I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Isolationism Again—With a Difference

(By Henry F. Graff, teacher of diplomatic history at Columbia University)

Even as American commitments expand in Vietnam and the Dominican Republic, the Nation is hearing an insistent call to withdraw from full involvement in the military and political processes of the world. The unadorned truth is that isolationism is reviving in our midst. Its advocates are going by the name of neoisolationists—to distinguish them from, but associate them with, their fellows of the 1930's and early 1940's.

The word "isolationist" has somewhat the sound of an epithet, like the word "appeaser" or "monarchist." The connotation results from the history of the 1930's, when to be an isolationist was to seem to say that it made no difference to this country whether or not the Fascist dictators, and especially Hitler, had their way. Moreover, isolationists, like appeasers and monarchists, turned out to be bucking the tide of history—often a cause for an adverse judgment by posterity.

The advocates of neoisolationism are suggesting that the day of globalism ought to be done, that the cold war cannot be waged everywhere in the world, and the coexistence with communism must be accepted with equanimity. A few years ago such sentiments might have sounded impractical to the point of being unpatriotic. Yet today they are being expressed by some of the most respected and well-informed public leaders.

One of these is Walter Lippmann, indisputably the doyen of newspaper columnists, who clearly is blowing the pitch pipe. He recently wrote:

"We have since the end of the Second World War been committed far beyond our primary vital interests and far beyond our military and political reach * * *.

"If it is said that this is isolationism, I would say yes. It is isolationism if the study of our own vital interests and a realization of the limitations of our power is isolationism. It is isolationism as compared with the globalism which became fashionable after the Second World War."

Sentiment akin to this is also present on Capitol Hill. J. W. Fulbright, the chairman of the august Senate Foreign Relations Committee, began the discussion almost a year ago in a now celebrated speech called "Old Myths and New Realities." In it he urged the country "to start thinking some unthinkable thoughts." Among the shibboleths he assailed were these: that "the Communist bloc is a monolith"; that the hostility of Red China is permanent; that Fidel Castro is more than a passing nuisance.

Fulbright was doing nothing less than calling into question the axioms on which the widespread dispersal of U.S. military power has been predicated.

At the time Fulbright was uttering his words, he seemed to be hankering for a debate on the relationship between our power and our policy. But if he generated none, he has not been without sympathetic company among colleagues. Senator George Aiken, Republican, of Vermont, for instance, puts his feelings in a general lament: "We're trying to police the world, and we can't do it." The latest evidence of this comes from the Senate Subcommittee on National Security under the chairmanship of Henry Jackson, Democrat, of Washington. In a caustic memorandum it reproaches public officials who "verbally commit the Nation to policies and programs far beyond our capabilities."

The conjunction of the stepped-up war in Vietnam and the intervention in the Dominican Republic is helping to focus sharply the arguments for retrenchment in our worldwide commitments. Senator George McGovern, Democrat, of South Dakota, for instance, wants the United States to go to the conference table with the North Vietnamese, even without waiting until the military situation is more favorable to us. He is supported in varying degrees by other Senators, including Democrats Wayne Morse, of Oregon, Ernest Gruening, of Alaska,, and Frank Church, of Idaho. Even Mike Mansfield, of Montana, the majority leader, expresses criticism of U.S. policy in Vietnam.

The landing of troops in the Caribbean is generally, though not unanimously, supported. On the Senate floor, for example, Morse asked in obvious perturbation: "Have we lost our minds? Have we become militarily power drunk?"

What has happened that men like these, who only recently were advocates of U.S. involvement in the world, should now seem to shrink from its full implications? And is it a turnabout that Everett McKinley Dirksen, the minority leader, who was once prominently identified with the isolationist wing of the Republican party, is now saying that talk of negotiations under pressure in Southeast Asia is "simply a proposal to run up the white flag"?

It may be too early to say that a debate on isolationism vs. interventionism is at last shaping up. But a cast of characters is waiting in the wings. Their arguments, for the moment, bear chiefly on Vietnam. Nevertheless, the points they make are adaptable, and can be applied elsewhere—as no doubt they will be when the crisis there is finally over.

The neo-isolationists represent an illustrious historical heritage, but their line of descent is not direct or pure. In the nineteen-thirties isolationism meant to many simply letting the rest of the world go hang, or, more politely, it bespoke a go-it-alone policy for the United States. It was deeply rooted in a revulsion from war, which found expression independently of the nation's security needs. Senator Robert A. Taft, a leading isolationist, said in 1940 that for this country to become involved in the fighting would be "even worse than a German victory." And Senator Burton K. Wheeler of Montana, another strident voice of isolationism, was saying: "I will never vote to send a single boy to fight upon foreign soil unless this nation is attacked."

The neo-isolationists are not guided by such an impractical though laudable fear of war. They know what their predecessors learned at great cost: that wars cannot be prevented or avoided unilaterally. They prefer to think that if we must fight we ought to fight on our terms—at a place and time of our choosing. The war in Vietnam is not "the right war"; it does not affect our vital interests.

Nevertheless, there is no running away from hostilities as such. As Lippmann writes: "Our people have shown in three wars that they can take it if they have to." When they do not "have to," they ought not to edge closer to it.

Secondly, the isolationism of the 1930's was notably and implacably anti-Communist. Taft declared unequivocally in 1941: "The victory of communism in the world would be far more dangerous to the United States than a victory of Fascism."

The neoisolationists' response to communism is less intractable and more complex.

Today Senator Fulbright is stating: "The attribution of an unalterable will and constancy to Soviet policy has been a serious handicap to our own policy. We have overestimated the ability of the Soviets to pursue malevolent aims without regard to time or circumstances and, in so doing, we have underestimated our own ability to influence Soviet behavior."

Another difference between the old isolationists and the new is the attitude toward the shape and quality of American power. Senator Wheeler was, like other isolationists of his day, hostile to peacetime conscription. The selective service bill was a principal whipping boy. Its enactment, Wheeler declared in a nationwide radio address in 1940, would constitute a menace to American liberties.

"If this bill passes," he shouted, "it will slit the throat of the last democracy still living; it will accord Hitler his greatest and cheapest victory. On the headstone of American Democracy he will inscribe 'Here lies the foremost victim of the war of nerves.'"

The neoisolationists see no such threat to our institutions in the growth of American military power today. They are not even calling for significant reductions in our armed strength. They argue instead that despite our overwhelming might we are endangered. Senator McGovern states: "We have to recognize the limits of our power. We have to recognize the limits of our influence. We have to recognize that we are not omnipotent."

In the 1930's the argument only on rare occasions revolved around whether we were strong enough to set the world straight. Senator Gerald P. Nye of North Dakota, another of the past generation of isolationists, used to say that the United States did not have power enough "to make itself the guardian of international virtue." But for the most part the earlier isolationists did not ask whether we had the power; they merely asked whether we ought to have the will to use it. Their own reply was "No."

In the 1930's a central question—if not the central question—was whether the United States should participate in collective security measures to help keep the peace. For the isolationists, this answer was also clear. It came in Jefferson's words pledging "entangling alliances with none."

In practical terms this meant continued opposition to U.S. participation in any kind of joint undertaking against warmakers. Arthur Vandenberg of Michigan, later the Senate's archspokesman for isolationism (only to become, later still, an articulate internationalist), stated the classic case against collective security when he demanded "the preservation of our absolute and untrammeled right of self-decision" in international politics.

The neo-isolationists, on the other hand, are men wedded to the idea of collective security. They believe it provides protection against the peacebreakers. They express their conviction that the United States must work through the United Nations and other international organizations. In part, they hold this view because they are aware of the value of public international forums as safety valves for nationalistic anger.

The older isolationists had no doubt that Congress, rather than the executive, was qualified to keep us out of war. That man in the White House was the enemy of peace incarnate. Roosevelt drew the lightning, it sometimes seemed, because of a resentment among some isolationists that his patrician manner was too European.

Senator Nye saw as the only protection for the people appropriate neutrality legislation limiting Presidential power. "If American really means to stay out of foreign war," he said, "she needs to remember how easy it is to get in. We need restraint upon a President."

The latter-day isolationists are not finding scapegoats for our predicament in southeast Asia, Presidential or otherwise—although at the extreme left end of the political spectrum there are deep suspicions of the Secretary of Defense and references to the fighting in Vietnam as "McNamara's war." President Johnson is recognized to be the inheritor, in large measure, of the policies he is following. When he is criticized at all it is chiefly because he is not communicative enough to satisfy everybody. Of course, neoisolationism has not yet become an issue in a political campaign, and so far the Johnson taciturnity has not been explained as conspiratorial. Possibly, though, Senator Morse sounded the tocsin when he recently predicted that Mr. Johnson's policies in Vietnam would send him "out of office the most discredited President in the history of this Nation."

Restraining the Executive through neutrality laws—once a chief hope of isolationists—does not even have an echo today. The former blind faith in such legislation was based on a mistaken notion that by forbidding the shipment of arms to belligerents, controlling the travel of our citizens in war zones and limiting war loans, we could avoid active embroilment in foreign shooting. Isolationists thought they had learned from the history of our entry into the First World War the simple steps to take in order to stay out of the Second.

The neoisolationists also invoke history. They remind us about the bloody experience in Korea, which they hope will never be repeated. But they are also aware that history is being used to argue against them. Senator Gale McGee, of Wyoming, for instance, holder of a Ph. D. in history, chides them for not appreciating that "there is one common denominator in Czechoslovakia and in Munich and Saigon and South Vietnam"—namely, naked aggression against a peaceful neighbor.

Senator McGovern's answer as a neoisolationist is that today's situation cannot be compared with that of 1938–39. The present struggle in southeast Asia, he declares, "does not lend itself to a military solution. The more we try to solve it in that fashion, the more * * * that area is out of control."

The isolationists of the Roosevelt era often were sincerely antiwar. But they were usually only anti-war-in-Europe. They refrained generally from disapproving the strong stand of the administration vis-a-vis Japan. In fact, they were often called Asia-firsters. They were "soft" in Europe, but "hard" in Asia. (Senator Dirksen's present position seems consistent with old attitudes.)

One reason for the pull to the East was that the old isolationism contained a good measure of anti-British sentiment. Charles A. Lindbergh, still another prominent isolationist of other days, in 1941 referred typically to World War II as "the war that England declared in Europe." A fuller involvement of the United States in the Orient would tend to offset Great Britain's power and pretensions there. Many isolationists, incidentally, even avoided the phrase "the Far East" because they regarded it as British usage.

The neoisolationists see the world the other way around from the Asia-firsters. They are hard in Europe and soft in Asia. They recognize our vital interest to lie across the Atlantic, not across the Pacific, too.

With respect to the Western Hemisphere both the old and the new brand of isolationists find a powerful point of agreement. Brig. Gen. Robert E. Wood, head of the America First Committee, the leading isolationist organization of the Roosevelt era, said bluntly in 1940: "I think we should * * * make it clearly understood that no government in Mexico, Central America, and the Caribbean South American, and the Caribbean South American countries will be tolerated unless it is friendly to the United States and that, if necessary, we are prepared to use force to attain that object."

To this the neoisolationists say a hearty amen. In the Americas, they declare unhesitatingly, the United States has a vital interest. In pressing this point, ironically, they seem to strengthen their argument for withdrawing from Vietnam. Vietnam, they say, falls outside our orbit; it is, as it were, China's Dominican Republic.

Moreover, besides believing that we go beyond our power in getting committed on the Asian mainland, the neoisolationists are sensitive to elements of race relations involved in our exercising force in that part of the world. Lippmann warns that "we should not involve ourselves in a war in Asia where Americans, and as a matter of fact Americans only, fight Asians."

In the 1930's isolationism was intertwined with racism—which took the form of more than a little anti-Semitism. Hitler's monstrous acts—against the Jewish people especially—revealed to millions the evil that nazism was. Lindbergh seemed, at the very least, morally obtuse when he said: "An agreement between us (the United States and Germany) could maintain peace and civilization throughout the world as far into the future as we can see."

Neoisolationists are affronting no identifiable segment of the American people. This may be explained partially by the differences in their background from those of the old brand of isolationists.

The isolationists of the thirties, Samuel Lubell and Eric Goldman have shown, tended to stem from communities in which a significant portion of the population was of German origin. One implication of this analysis is that it becomes wrong to think of isolation as being synonymous with neutrality; it was, rather, a significant expression of pro-German sentiment.

Wayne S. Cole has pointed out also the importance of the agrarian outlook in creating, among the farming population, a general suspicion of foreigners, especially but not exclusively in the Middle West. A conclusion that may be drawn from Cole's analysis is that isolationism was one way of giving expression to antiurban fears and hostilities.

Isolationism, in any event, had a broad appeal. Many businessmen and industrialists, possibly sensitive to the charge that their kind had helped bring about U.S. participation in World War I, were isolationists. General Wood, for example, was chairman of Sears, Roebuck. Another important member of America First was Henry Ford.

The American hierarchy of the Roman Catholic Church was divided. Among Catholics of Irish extraction, however, there was a marked tendency to be isolationist, presumably because it was a way of being anti-British. Many were followers of the fiery radio priest, Father Charles E. Coughlin, of Royal Oak, Mich., who effectively joined isolationism and anti-Semitism.

In those years it usually was not easy to correlate American opinion on domestic issues with opinion on international affairs. There were many like Senator William Langer of North Dakota who supported the New Deal ardently but remained inflexibly isolationist. (Langer served long enough to cast one of the two Senate votes against our entry into the United Nations.)

On the other hand, many who opposed Roosevelt's New Deal, heart and soul, like William Allen White, editor of the Emporia Gazette, took a leading hand in battling against isolation. White, in fact, became head of the best-known interventionist organization, the Committee To Defend America by Aiding the Allies.

It is not difficult to discern some of the reasons for the rise of neoisolationism. Unquestionably a fear of nuclear war is fundamental. The cost of such a holocaust would be so great that neoisolationists are able to say we should not risk it except for the ultimate stake itself, survival. They also shudder at the thought of a land war in Asia which, they say, we must avoid because they are sure we cannot win it. The "hordes of the East" are much in their minds.

Neoisolationism is also another way of expressing fatigue with the burdens of the cold war. It appeals to people who simply want "out," or at least a rest from the trials of leading the free world. Young people—members of the cool generation—seem especially ready to have done with the fighting on foreign shores. From the beginning, of course, it may have been ordained that we could not sustain indefinitely the zeal for crusading, which wars on the Asian mainland, or elsewhere far from home, inevitably entail.

Reducing our responsibilities in the world finds favor also with Americans who have been numbed or desensitized to the defense of freedom by the numerous calls for this service they have heard almost as far back as they can remember. Moreover, our pledge to support freedom-loving people everywhere was jolted by our failure to act—for whatever reasons—in the cases of Hungary and Tibet. These episodes engendered a feeling of cynicism about our purpose and capacity.

Shortening the length of our reach into the world, as the neo-isolationists recommend, meshes also with emerging new attitudes toward race. It may be instructive that advocating an end to the killing of North Vietnamese by Americans fits well with the idea that people of color must no longer be abused by white people.

The question of which side is right, the globalists or the neoisolationists, cannot be answered in the abstract. An answer depends ultimately on how we are willing to be related to the rest of the world at this juncture in our history. One thing seems clear: despite the counterefforts now being made by the administration, the neoisolationist argument is gaining ground. It has on its side the tremendous advantage of being the most comfortable answer to our terrible difficulties.

Nevertheless, neoisolationism may only appear to be the best answer. When all the pros and cons are totaled up, the fall of another area to Communist control, which would certainly follow our withdrawal from South Vietnam, would be a defeat for the United States. The effects would reverberate around the world.

It is to be hoped that in fighting Communist aggression, we are not defending a dying cause; that neither ennui nor cynicism is overwhelming us before it overwhelms our sworn enemies, too; that we continue to feel a moral obligation not to abandon those who have battled on our side in Asia—or wherever—for so long; that we learned from the isolationism of the Roosevelt days that our challengers will not invite us to name the site for our duel and the weapons we prefer.

Finally the rational weighing of dangers, in which the neoisolationists are now engaged, has not always resulted in infallible guides to action. Is there a more illuminating picture than that of Senator Nye explaining to an America First rally on December 7, 1941, how the British were the cause of our woes, at the very moment that Japanese bombs were being rained on Pearl Harbor?

OIL IMPORTS STILL PLAGUE DOMESTIC INDUSTRY

Mr. McGEE. Mr. President, the deficit in our Nation's petroleum trade is a significant factor in our balance-of-payments problem. Even though this Nation has a large shut-in petroleum producing capacity, petroleum is the largest import item, dollarwise, coming into the United States. Last year total petroleum imports averaged 2.2 million each day with a dollar value of $1.7 billion.

Mr. President, there is no excuse for this excessive importation of a commodity which we have in abundance here at home.

This is especially so since the great volumes of imported oil seriously aggravate this Nation's balance-of-payments deficit.

President Johnson has sounded the alarm as to the necessity for firm and prompt action to reverse the unhealthy trends in our balance-of-payments problem.

He stated in his February 10 message:

> That pledge is backed by our firm determination to bring an end to our balance-of payments deficit.

Some weeks ago the distinguished assistant majority leader, Mr. LONG of Louisiana, outlined to you the history of what the military has done when called upon to take action to solve the payments problem. I will not repeat that. However, I wish to emphasize that the time has come and gone when we can allow the Department of Defense or any other governmental agency to ignore Presidential directives. How can we expect our citizens to voluntarily cooperate in this endeavor if important agencies in the executive department refuse to comply with appeals and directives to take positive action to reduce oversea purchases of goods.

It is shocking to note that in spite of Presidential directives, beginning in 1959, to cut down oversea purchases to help solve our balance-of-payments problems, the military has increased its purchases of light petroleum products from 169,000 barrels per day to 210,000 barrels per day in 1964. It is shocking to learn, in view of the deficit problem, that the percentage of the Department of Defense petroleum procurement budget spent for foreign oil rose from 29.9 percent in 1959, the date when President Eisenhower first directed a cutback, to almost 35 percent in 1964.

As Senator LONG pointed out, the military's oversea purchases will not solve the balance-of-payments problem, but it surely would be a step in the right direction. Furthermore, it would prove helpful to the domestic petroleum producing industry if the Department of Defense would fill more of its needs from oil produced here at home.

Mr. President, an adjustment in the military buying policies is needed and long overdue. But adjustments in the level of petroleum imports is even more important.

As I mentioned earlier, the idea of importing more than 20 percent of our needs of a commodity which is in great oversupply just does not make sense, particularly when such imports are causing 40 percent of our balance-of-payments problem.

I think that Senator LONG has adequately shown the need to cut imports in the interest of our payments deficit problem. I would like to point out to you the need to reduce the level of petroleum imports in order to save a vital national security industry. The petroleum industry is recognized at all levels of government and industry as being absolutely essential to the security and welfare of this Nation. Yet, we are allowing the producing end of this industry to whither and die on the vine. The independent oil producers, the men who have found 75 to 80 percent of this Nation's oil through their wildcatting efforts, are constantly being driven out of the business.

Mr. President, in a recent report published by the Department of the Interior, it was stated:

> What has been done since 1956 to find new supplies of oil, whether through new discoveries or through increasing recovery rates of old deposits, has not been enough to provide a sound basis for future growth.

This conclusion by the Department of the Interior is due to only one reason—this Nation is not drilling enough exploratory wells. In 1956, we drilled 58,160 wells; 13,034 of them were wildcat—exploratory wells. Last year, we drilled 45,236 wells—9,258 were wildcat wells. Our wildcat wells were down 29 percent. That is why we are not finding enough oil to provide a sound basis for future growth.

Why are we not drilling enough wildcat wells? For one thing, it costs enormous sums of money to carry on meaningful exploratory programs. Producers must be able to sell enough oil already found to create the dollars needed to do the job. When 2.2 million barrels of his market is absorbed each day by foreign imported oil it is little wonder that drilling is going down.

Also, since 1957 the price a producer receives for his oil has gone down from $3.09 to $2.89. This reduction in the face of rising costs puts oil producers in an untenable cost-price squeeze. The result—hundreds of producers are selling out or pulling in their horns.

While not the entire cause, we can lay the lion's share of this reason for deterioration of this vital industry on the doorstep of excessive imports.

Oil imports accounted for over 800 million barrels of oil in 1964.

These outgoing dollars not only helped to bring about what I consider to be a near crisis in our balance-of-payments problem, but these excessive imports are draining off dollars vitally needed to search for oil in this country.

Mr. President, I led a discussion on the Senate floor last year pointing up the conditions then existing in the domestic oil-producing industry. I was joined then by a half dozen of my Senate colleagues. My main reason for bringing the matter to the Senate floor at that time was that in spite of a strong case for a reduction in imports the Department of the Interior actually increased the allowable imports for the last half of 1964 by over 100,000 barrels per day, over the like period of 1963.

Today the case for a substantial reduction in imports is even greater than it was last year.

Senator Long has outlined some recommended changes in the import program. I wish to join with him in urging these improvements as minimum action that should be taken by the Department of the Interior—the agency which is charged with developing oil and gas policies—in order to reverse the declining trends that have plagued this vital industry for the past 7 years.

Last fall I received a letter from Secretary Udall of the Department of the Interior in which he stated:

> The Department will continue to maintain a constant and careful review of the oil import control program. This review will be supplemented in a few months by the comprehensive report referred to earlier in this letter. We are convinced that effective solutions to the problems confronting the petroleum industry can be developed only on the basis of a thorough understanding of the basic causes of those problems. The Department is doing its utmost to develop that understanding.

Mr. President, I hope and trust that the Interior Department will consider and give great weight to the discussions here today as it develops its solutions to the oil import problems.

In adopting Senator Long's recommendations, both as to military purchases, and the level of imports, the executive department would be serving the best interests of this Nation by easing our balance-of-payments deficit and by adding to the strength of our domestic oil-producing industry.

ILLINOIS LEADS MIDWEST AGAINST WATER POLLUTION

Mr. DOUGLAS. Mr. President, I invite the attention of Senators to an address presented by Eugene H. Graves, executive director, Illinois Board of Economic Development, on behalf of Gov. Otto Kerner, May 10, 1965. This statement was presented before the Great Lakes Basin Pollution Conference in Cleveland, Ohio, and outlines the leadership Illinois has taken to help bring cooperation between the Midwestern States, as well as between the United States and Canada, in developing effective programs of water pollution abatement plus water level stabilization in the Great Lakes. I am proud of the efforts taken by Gov. Otto Kerner and the State of Illinois to create a close cooperation among the political and technical leaders of Midwestern States and Canada, and I want the Senate to know that we in Illinois will continue our efforts to meet any place—any time to help restore the purity of Great Lakes water and the benefits it can bring to the Nation. Adequate water quality goals must be established among the States and these goals effectively enforced in each State's respective jurisdiction. In this manner it will not be necessary to call on the Federal resources of the U.S. Department of Health, Education, and Welfare as much as has been the case to date. The Law Enforcement Division of the U.S. Public Health Service has already found it necessary to hold public conferences to initiate Federal action in certain cases involving pollution of the Great Lakes. Frankly, I believe that effective and cooperative action by the States among themselves could abate the pollution which now compels the U.S. Department of Health, Education, and Welfare to take action.

I ask that Mr. Graves' statement be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Gene H. Graves

The State of Illinois appoaches this conference aimed at saving the Great Lakes with little direct interest in Lake Erie. However we are very concerned about the conditions along this shore, as an example of the problems we all share in capturing and developing the magnificent advantages of the Great Lakes. We in Illinois have always been willing to talk with other States about Great Lakes issues; indeed, Governor Kerner sounded a similar alarm 4 years ago and has led an active campaign in the United States and Canada to get effective planning and management of our common resource. We are, therefore, encouraged by such efforts as this because they are evidence of heightening interest in meeting the issues, and because they support our own efforts over the past 4 years.

Before offering Governor Kerner's recommendations, I want to emphasize the progress brought about by his efforts.

In June of 1961, he visited the U.S. Department of State and obtained permission to meet with Canadian provincial officials on our common problems and interests in the Great Lakes. The discussions we held with Ontario and Quebec officials were the first ever held between the Great Lakes States and Provinces. By establishing that there was mutual international interest, Governor Kerner proposed to the Great Lakes Commission that it spearhead a thorough appraisal of the means for solution of the common problems.

Subsequently, several advisory committees made up of technical representatives from each State were formed. During the same period, exchanges with Canadians to seek a common ground continued. Also, the U.S. Public Health started a broad investigation of water quality of the Great Lakes, and the Corps of Engineers began a study to evaluate alternative means of lake level regulation.

In 1964, Governor Kerner and I visited Toronto and Montreal to meet personally with Canadian officials. With agreement on the need for information, he suggested that the investigation of lake levels be referred to the International Joint Commission. With the endorsement of Canadian interests, he reported the proposal to President Johnson. As a result, the International Joint Commission is now conducting hearings throughout the Lakes area as part of its investigation.

I want to recommend now, on the basis of our experiences in seeking cooperative attention to Great Lakes programs, what the State of Illinois believes are the key elements in fostering an effective joint conservation and development program.

First, we cannot let our particular interests detract us from the major issues of Great Lakes development. Just as Governor Rhodes is deeply concerned with the deterioration of Lake Erie, we are concerned about protecting the quality of Chicago's water supply in Lake Michigan. Just as Governor Scranton reported to the Great Lakes Commission on the tragedy of the Delaware diversion case, where the hard feelings inhibited later interstate cooperation, I believe that a similar tragedy is occurring now as we are seeking answers in court to the diversion of water at Chicago. Litigation is no substitute for cooperation. Our first line of attack must be establishment of an understanding among the States on what our common problems are.

Only by keeping before us the basic issues of lake level stabilization and of water quality management can we realize the fullest potentials.

Second, Canadian participation is necessary for an effective program of water development. Fortunately, we have the International Joint Commission to draw upon in achieving our goals.

Further, if international participation is important, interstate cooperation is essential. Although Ohio has only participated in the Great Lakes Commission since 1963, the Commission now represents our mutual interests and better serves as a vehicle for deliberation and scientific interchange.

The International Joint Commission and the Great Lakes Commission deserve our fullest support. The work of both commissions and the studies by the Corps of Engineers and Public Health Service are sources of vital information.

We know already that our basic concern is the fluctuating levels of the lakes. We must work together; let us be sure that those agencies know and understand our needs and that the reports of their work cover all of the ways to regulate the lakes.

We have never had a comprehensive study and plan for effective management of the Great Lakes, but we are well advanced in our pursuit of a broad appraisal of Great Lakes problems and potentials. Such fact gathering takes time, but responsible planning can save years in implementation and millions in costs.

Finally, we must have a vehicle for implementing a Great Lakes development and conservation program. I want to reiterate Governor Kerner's suggestion made 4 years ago:

"Nothing can be more challenging to our imagination than the creation of cooperative administrative devices for the development and full exploitation of this great common resource. It seems to me that the Lakes States can pioneer a new and challenging resource development program comparable to and greater than the Tennessee Valley Authority. Such an agency of the States would be a heartening example of the possibilities of our Federal system.

"Unlike the TVA, it need not be a device of the Federal Government but rather one of the States."

In contrast to the larger task which we must share in managing lake levels, protecting water quality requires a different approach yet still a cooperative one. Only those causing pollution can prevent it. Certainly, we should agree on water quality goals to protect a myriad of vital uses, but pollution control will require the best efforts of each community and industry. We could pursue a pollution cleanup in the courts, but we can advance fastest by recognizing that there is no substitute for forthright local pollution abatement. Chicago has taken such steps, and as a member of the Ohio River Valley Water Sanitation Commission, Illinois is the first State to complete installation of needed treatment facilities. Let us recognize the limitations of these discussions and of Federal assistance and provide the leadership for local water quality protection.

Our problems grow larger as we continue to defer action. Our greatest challenge is in working together, but by our collective imagination and leadership we can face the issues. We in Illinois will continue to do our share and will cooperate with any international, National, State, or local efforts to create a cooperative program aimed at developing and exploiting one of mankind's greatest assets—the waters of the Great Lakes.

POPULAR SUPPORT IS STRONG FOR SECRETARY WIRTZ' ENFORCEMENT OF THE LAW ON BRACEROS LABOR

Mr. DOUGLAS. Mr. President, it is heartening to know that there is a strong public understanding and support with respect to Secretary of Labor Wirtz' enforcement of the law and the intent of Congress in the matter of braceros labor.

The Congress has explicitly terminated the unfortunate braceros labor program which permitted the importation and exploitation of Mexican laborers and their families. This termination represents a judgment of the Congress that there is no justification for continuing this program, instituted as a temporary response to a national emergency, which undermined our national effort to reduce unemployment and kept the wages paid to American farmworkers at an unconscionably low level.

Despite the barrage of propaganda from certain big growers and strong pressures from a few in the Congress, Secretary Wirtz has properly observed the intent of the Congress while taking extreme pains to learn the facts and to see that domestic labor is available if the growers want it. He deserves the highest commendation for not giving in to this unwarranted pressure and I think the American people respect and support his courage.

Mr. President, Chicago's American recently carried a strong editorial on this matter which shows the vigorous support by the press and by the public of congressional and departmental policy. The editorial properly suggests:

> The growers should consider the novel possibility of attracting workers by improving wages and offering decent working conditions.

It goes on to point out:

> This will undoubtedly cost them money, but we don't see why they should be privileged to base their profits on peon labor. No other industry has claimed that privilege for a long time.

Mr. President, I ask unanimous consent that an editorial entitled "Sobs from the Fruit Growers," from Chicago's American of May 13, 1965, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SOBS FROM THE FRUITGROWERS

Maybe we're insensitive, but the anguished cries of California's fruit and vegetable growers do not move us greatly. Since last December 31, when the expiration of Public Law 78 cut off the supply of foreign farm laborers, the growers have been issuing stricken moans about the difficulty of getting hands to replace them. To the Labor Department's order that they use domestic help, the growers contend that they just can't find American workers willing to do stoop labor for 12 to 14 hours a day.

We do not see how this entitles them to sympathy, or why they should expect Americans to do backbreaking work in squalid living conditions and do it cheap. Mexican migratory workers would settle for this—at a $1 an hour guaranteed wage—because they had no better alternative; American workers will not.

This situation is getting acute because the west coast's fruit crops suffered an estimated $10 million worth of damage in recent floods and storms. In some sections, for instance, the strawberry crop is expected to be 50 percent below last years. Yet Salinas Strawberries, Inc., world's biggest producer of the fruit has just announced plans to plow under 480 acres because it can't find enough laborers.

The growers should consider the novel possibility of attracting workers by improving wages and offering decent working conditions. This will undoubtedly cost them money, but we don't see why they should be privileged to base their profits on peon labor. No other industry has claimed that privilege for a long time.

ANNIVERSARY OF LANDING BY ENGLISH SETTLERS AT JAMESTOWN ISLAND, VA.

Mr. BYRD of Virginia. Mr. President, the first permanent English settlers in America landed at Jamestown Island, Va., on May 13, 1607. The 358th anniversary of that historic event was observed at Jamestown on May 9 this year.

The address for the occasion was delivered by our former colleague, Hon. Prescott Bush, who represented the State of Connecticut in the Senate with such distinction.

Both the Jamestown anniversary and the address by Senator Bush are highly worthy of our note in the CONGRESSIONAL RECORD.

I ask unanimous consent to have printed in the RECORD the address by Senator Bush commemorating the 358th anniversary of the landing of the first permanent English settlers at Jamestown, Va.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY FORMER SENATOR BUSH

I feel highly honored to be your guest upon this significant occasion.

I have observed over the years that no State in our Union pays so much attention to its historic anniversaries as does Virginia.

No doubt this is true because it has so much to celebrate, so many important events to recall, so many to honor for their contributions to the history of this State, and the history of the United States.

My qualifications to speak upon this occasion are founded more upon my great admiration for Virginia and her great statesmen of the past and present, than for detailed knowledge of her glorious history.

Perhaps, however, there are not many here today who attended, as did I in 1907, the 300th anniversary celebration of the Jamestown landing, and in 1957 the 350th.

The former I attended as a camper at Camp Greenbrier—the latter as a Senator of the United States from Connecticut. And I doubt there are many citizens of other States, whose lives have been enriched so much as mine, by the friendship of Virginians. Time would hardly permit my arguing this claim at length. But I cannot refrain from mentioning my dear friend Sam Bemiss, of Richmond, longtime president of the Virginia Historical Society and chairman of the Jamestown committee. He must assume the responsibility for my presence here today. And I pay special tribute to my two highly respected colleagues for 10 years in the U.S. Senate, HARRY FLOOD BYRD and WILLIS ROBERTSON.

I have learned much from all three of these distinguished Virginians—and in different ways.

In November 1952 after my first election to the Senate, I introduced myself in the cafeteria at the Capitol to HARRY BYRD, saying I was a friend of Sam Bemiss. From then on, our friendship rested upon a firm foundation. One day in the spring of 1953 I invited Senator BYRD to lunch in the Capitol with Sam Bemiss. I sat between them and watched and listened spellbound as they discussed in detail the history of Virginia and its great families and great statesmen. I felt like a spectator at a tennis match, sitting at midcourt, watching the ball being slammed back and forth across the net. Neither Sam nor HARRY made an error.

It seems so appropriate that patriots should pause each year, here at Jamestown, to pay tribute to the settlers of 1607. Here, within the sight of our platform we see the graves of the very men who 358 years ago came here despite grave dangers and extreme hardships to fulfill their cherished dreams of freedom—and I believe to make their fortunes in a new land.

These graves provide an eternal link that binds together the English-speaking people of the world.

Here is a shrine to their lofty ideals and aspirations.

Today we hear much of the socialist trend in our Government.

Reading the history of the first settlers—of the Virginia Co., Captains Newport, Martin, John Smith, and others—one finds a significant contrast to socialism.

Far from the government running business, the Virginia Co. was running the government. The Virginia Co. under its three successive charters was a business enterprise with the powers of government on this continent, granted formally by the British Crown.

But the Virginia Co. settlers did not impose a dictatorial type of government here. They brought to Virginia the ideals of the Magna Carta, the great charter of 1215. They planted the seeds of democracy here. This great historic document became the foundation of the principle of government under law, rather than men. From it came the assertion that government must be the servant, not the master of the people.

Dick Howard's little book on the great charter last year pointed out that "The Magna Carta's effect on succeeding generations was not so much due to the specific remedies it provided as to the language in which it was couched. Here was set down for the first time the guarantee of freedom under law."

The charter said: "No freeman shall be taken, imprisoned, outlawed, banished, or in any way destroyed, nor will we proceed against or prosecute him except by the lawful judgment of his peers, and by the law of the land."

And so, as Mr. Howard said: "When the colonists crossed the seas from England and settled in Virginia, they took with them the principles set down in the great charter of 1215." They planted in this colony the roots of freedom under law.

And so in the following century we see reflections of the principles of the Magna Carta in our Declaration of Independence, the Constitution of the United States and the Bill of Rights. And over the entrance of the Supreme Court building in Washington today we find these words: "Equal Justice Under Law." And, parenthetically, I digress to observe that while the Supreme Court today is no doubt ever mindful of this admonition above its door, one wonders how the Virginia settlers of 350 years ago would feel about some of the decisions of the Supreme Court today, as, for instance, the abolition of prayer in our public schools.

To be consistent, perhaps the Supreme Court should attempt to forbid the reading of the Declaration of Independence in our public schools, for it refers to: "the laws of nature and of nature's God," men "endowed by their Creator with certain inalienable rights." It "appeals" to the Supreme Judge of the world for the rectitude of our intentions," and "a firm reliance upon the protection of Divine Providence."

It was only in 1954 that the Congress reaffirmed its faith in the divine providence when it voted to modify the Pledge of Allegiance to the Flag by inserting the words "under God"—"one Nation, under God," it reads now. To be consistent, I feel the Supreme Court ought to abolish the Pledge in our public schools.

I fear that the brave people who came here as Anglicans and built the little church whose remains stand nearby us today would be astonished and chagrined to see the official back of our great government turned against the God they came here to worship and to serve.

Thomas Jefferson said: "The God who gave us life, gave us liberty. Can a nation be secure when we have removed a conviction that these liberties are the gift of God?" That is Thomas Jefferson's answer to this Supreme Court—made nearly 200 years ago.

I digress further to wonder how the Supreme Court could find in the Constitution any basis for the decision to say that all State legislative bodies must be apportioned upon the basis of population alone. This is indirectly saying that the U.S. Senate is unconstitutional, since it provides two Senators from every State, regardless of population.

Thus, is the Constitution itself unconstitutional?

Perhaps Thomas Jefferson and others who signed the Constitution of the United States in 1787 were mindful of the fact that the First General Assembly in Virginia met in 1619, 22 in number, 2 from each of the 11 districts. And, I trust the Supreme Court will forgive me if this is too much of a shock to them—the First Assembly meeting was in the choir of the church. The gathering opened with a prayer by the Reverend Mr. Buck, the minister. Thus it has followed that prayer opens the daily session of the U.S. Senate and the House of Representatives to this day, and every day.

Well, 5 years later in 1624 the assembly, foreseeing the end of company rule in the colony, petitioned the Privy Council in England on two important matters that greatly influenced the history of government in the United States.

First, it begged the Privy Council not to give too much power to the colonial Governor, and to allow "the colony to retain the liberty of a general assembly, than which nothing can more conduce to our satisfaction or the public utility."

Second, it demanded as follows: That "the Governor shall not lay any taxes or impositions upon the colony, their lands or commodities, in other way than by the authority of the General Assembly, to be levied and employed as said assembly shall appoint."

These two utterances, says historian Charles Andrews, contain all the laws and the gospel as far as self-government in a colony is concerned. For, in these two utterances we find the very basis of our constitutional government in the United States—a government of coequal branches, each branch serving as a check upon the power of the others, and the power of taxation and of the purse remaining with the legislative branch.

We hear unhappy cries from time to time that the three coequal branches of our Government today are not in balance.

The Supreme Court is seizing the legislative power.

The Presidency has become too powerful and dictates over much to the Congress.

But the Congress can, if it will, assert itself and by new legislation negate Supreme Court decisions. It is about to do this, I hope, with the Dirksen bill on reapportionment which will restore to the States the right to have one house of its legislature apportioned other than on population.

We have seen the Congress arise in its majesty back in 1938 to forbid the Executive from packing the Supreme Court, and I am proud to recall that Virginia Senators were leaders in that fight.

The Congress has risen to override the President's veto of the Taft-Hartley Act, 15 to 18 years ago, in response to a public revulsion against the much-too-biased administration of labor union legislation over a period of 10 years.

The power is there—coequal power—and the Congress will use it from time to time whenever it seems clear that the voters, whom it represents, will support the use of that power, or even without that indication, when it seems clear that the national interest is at stake.

Even today we see in the Senate members of the President's own party taking issue with his policy in Vietnam, thus showing that, in a crisis, conviction may rise above party and personal loyalty, even though the conviction be mistaken.

Yes, we owe a debt to the Jamestown settlers of 350 years ago. They gave birth to the constitutional Republic of the United States.

I wonder what they would think of us today?

I wonder what they would call the Great Society? So different from theirs is the discipline of our lives today that they might think of it as the "decadent society." Sometimes I fear for what historians will call it.

Abject poverty abounds amidst affluence in many areas.

Crime rates increase alarmingly, as both organized and unorganized criminals strain the abilities of rapidly increasing police forces. Most of the bad crimes are committed by juveniles, whose criminality is largely caused by neglect from parents.

The courts fail to support the police, and violators and criminals get off scot free or with light sentences.

Thrift is frowned upon as debt is glorified.

Divorce is rampant as the sanctity of the home is denigrated.

Mother earth is deserted by people, but mined by machines to produce food and fiber for frighteningly overcrowded cities, as well as $10 billion worth for storage bins.

Only the massive strength of our seemingly unlimited natural resources and our amazing industrial development make it possible for us to live with our bad habits, and at the same time live beyond our income as a nation, and act as policeman of freedom all over the world.

I recall Sinclair Lewis' novel "It Can't Happen Here." Disaster could never strike the little town of which he wrote—but it did.

And we of the United States today are too prone to feel that we are just too big and too strong and rich to be endangered by the bad habits that have brought other proud governments to their knees, and hardships to the people of other nations.

So we go right ahead indulging ourselves as a nation and a government in bad fiscal habits, trying to borrow ourselves rich—just doing the things we have cautioned others against, when they have sought our advice to help them solve their own fiscal problems.

Those nations which have risen from the ashes, just as Germany and France have recently done, have exerted a strong fiscal discipline that has commanded the confidence of their own people and of foreign nations.

In contrast here at home, we witness the spectacle of the American dollar—the U.S. dollar being suspect all over the world, simply due to a reluctance in our Government to adopt a firm fiscal discipline and turn away from the primrose path that has always in the end led to bankruptcy.

If I were still in the U.S. Senate, I would introduce a bill for a supplementary national anthem. I'd like to call it "Carry me back to old Virginia." It would be a song of prayer and a song of praise, but it would not plead that we go back "where the cotton and the corn and taters grow."

Rather it would pray that we go back to the disciplines of the early settlers at Jamestown and to the philosophy of government that rules the hearts and minds of Washington, Jefferson, Madison, and others that served this State and Nation in the best traditions of the Jamestown settlers.

We would not be turning back the clock, as they say. The behavior clock is running backward. We would start it going forward again.

We would start our country going forward again with a firmer discipline in the home, in the State, and the Nation, with respect for thrift, for law and order, for the sanctity of the home, and the family, and the simple virtues of the Christian faith that guided those settlers that built the little church nearby.

Yes, my hymn would be also a song of gratitude, a hymn of praise, that would try to express to Virginia the appreciation by Americans everywhere of its glorious history, and its enormous contributions to the people and to the Government of the United States.

Thank you.

SOUTHAMPTON'S ANNIVERSARY

Mr. KENNEDY of New York. Mr. President, history has its pauses for pageantry and for recollection. In this connection, a notable series of summer programs will be held in connection with the 325th anniversary of the founding of Southampton in my home State of New York.

About a dozen communities make up the township of Southampton, one of the very earliest English-speaking settlements in North America. Each will stage special events to tie in with the observance.

I am certain that my colleagues in the Senate will join with me in a message of greeting and best wishes upon this forthcoming occasion.

How different the land was, Mr. President, that June 12th in 1640 than it is today. Scarcely populated by Indians and undeveloped by man, the Southampton area was settled by stanch settlers—eight men and one woman—with equally stanch beliefs about economic and religious freedom and about individual rights. Appropriately, they named the spit of land in Peconic Bay, at which they landed, Conscience Point.

Notably, the first structure these settlers built, according to surviving historical records, was a church.

Their ideas the people of Long Island and New York State in general have harvested, to the lasting benefit of all. We owe them our gratitude.

When these settlers landed at Conscience Point, it was not their first contact with the soil of the New World. They had crossed the Atlantic Ocean to live in the Massachusetts Bay Colony in the vicinity of what is now Lynn. However, they did not find there the freedom best suited to their lives. They then formed a company which received the King's grant carrying with it permission to settle on the far side of Long Island Sound, east of New Amsterdam.

On first landing they were rebuffed by the Dutch at Manhasset. It was at this point they moved eastward by boat to the Southampton area. Where they landed, Conscience Point in the hamlet of North Sea, is now a historical park.

The New York Times, in a recent article on Southampton's founding, quoted records of the landing's aftermath.

> With gifts and greetings, these Puritans made friends with the Indians and were led by them along a trail through the woods, to what came to be known as Old Towne.

Friendly Indians helped the settlers to live on the land. The first houses were built on what is now the site of Southampton Hospital.

Today, the house built by an early settler, Thomas Halsey, has been restored through the efforts of the Southampton Colonial Society. It stands as the oldest colonial style house in the State, I am told.

Other sites of interest include the Shinnecock Indian Reservation, the one-room schoolhouse at Red Creek, the Pelletreau Silvershop, restored by the Southampton Village Improvement Society, the country store, the Captain Rogers homestead, the Parrish Museum on Jobs Lane, the Whaling Museum, the Customs House in Sag Harbor, the Quoque Wildlife Refuge, and the Automotive Museum.

I am certain that tourists from whatever State will be interested in attending the observance in which the communities that make up Southampton will take part: Bridgehampton, Eastport, Hampton Bays, North Sea, Noyack, Quoque, Remsenberg, Sag Harbor, Sagaponack, Shinnecock, Flanders, Water Mill, and Westhampton. The programs, including a reenactment of the Conscience Point landing, will begin in June and extend into September.

Southampton's citizens, including its historian, William K. Dunwell, are to be congratulated for planning a summer in appreciation of our splendid heritage and the makers of that heritage.

CONGRATULATIONS TO HAROLD BEATON

Mr. BOGGS. Mr. President, on Friday the Senate confirmed the nomination of Harold D. Beaton, of Michigan, to be U.S. attorney for the western district of Michigan for a term of 4 years.

It has been my pleasure to know Hal Beaton for many years and I want to join his legion of friends in congratulating him on this well-deserved appointment. I am sure he will do an outstanding job. My best wishes to him and his family.

ANNIVERSARY OF THE CUBAN REPUBLIC

Mr. SMATHERS. Mr. President, 63 years ago—on May 20, 1902—the Republic of Cuba was established. Seven years earlier, the great Cuban patriot, Jose Marti, was killed in Oriente Province, in the battle for freedom.

History thus reflects that the people of Cuba have long been committed to the principles of freedom and liberty. Suffering long under the yoke of Spanish rule, they strove to carve their own destiny. But the people of Cuba have been too often betrayed by men who invoked the name of liberty—only to seize power, to their own selfish ends.

Now, in Fidel Castro, Cuba has suffered the worst betrayal of all, for Castro not only concealed his own motivations but also delivered his countrymen into the hands of Soviet communism, and now conspires to subvert the other nations of the Caribbean and Latin America. The recent events in the Dominican Republic attest to the extent of the menace which the ascendancy of Castro has posed.

Jose Marti said to his people many years ago, in warning them against tyrants:

> He who intends to govern should be worthy of government.

Marti saw the truth; but Castro, the false leader, has thrust down upon his own people a regime of oppression repugnant to the dream of Jose Marti and to all loyal Cubans.

I am hopeful that when the Organization of American States meets, to discuss the new crisis in the Dominican Republic, it will remember the tragic lesson of Cuba.

I know that the United States will never accept Castro and communism in this hemisphere.

The Cuban people will not be abandoned. I know that President Johnson is resolute against the exportation of Castroism to the hemisphere, and will do all that is morally and legally proper to assure the speedy dethroning of that despot.

The Cuban national anthem contains lines that describe the anguish of that nation today:

> To live in chains is to live submitted to opprobium and affront.

The Cuban refugees who streamed to Florida shores and the brave souls who today fight from the mountains give evidence that the fires of liberty still burn among Cubans.

Every effort must be made by the allies of this hemisphere to contain, and then erase, the Castro infamy.

Our other friends in the free world must now realize that Castro is not a comic-opera tyrant, a Lilliputian kicking the shins of the giant to the north, for the forces behind Castro are a threat, not only to the people of Cuba, but also to all in this hemisphere.

We must, of course, restore the path to peace in the Dominican Republic. But we must also stick to our resolve to see that Cuba is made free of its newest and most vicious tyranny.

PROPOSED REVISION OF SKIP-ROW COTTON-PLANTING REGULATIONS

Mr. TOWER. Mr. President, the board of directors of the Littlefield, Tex., Chamber of Commerce recently directed a most important and well chosen letter to the Agricultural Stabilization and Conservation Office.

The directors point out their concern about a proposed revision of regulations pertaining to skip-row planting of cotton. This is a matter which will be of interest to other Senators; and I ask that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LITTLEFIELD CHAMBER OF COMMERCE
Littlefield, Tex., May 13, 1965.

DIRECTOR OF FARMER PROGRAMS DIVISION,
Agricultural Stabilization and Conservation Office, Washington, D.C.

DEAR SIR: The board of directors of the Littlefield Chamber of Commerce has made a thorough study of your proposed changes in the rules for measuring cotton when planted in a skip-row pattern for compliance with acreage allotment. We have also made a survey of the feelings of the farmers and businessmen in this area.

It is our conclusion that your proposed change in the ruling would be very harmful to the farmers and the entire economy of the south plains of Texas. The practice of skip-row planting has been recommended by various Government agencies such as the Extension Service and Soil Conservation Service. It has also been accepted by the farmers as a sound agricultural practice. The farmers tell us that the practice reduces their cost of production, conserves moisture and fertility, and increases the grade of cotton.

Your proposed ruling would make it impossible for economic reasons for farmers to continue this sound practice recommended by other Government agencies.

Since the farmers are already caught in a price squeeze, your proposed change in the rules would bankrupt many of them and vitally affect our entire economy.

The Littlefield Chamber of Commerce has voted unanimously to ask you to please consider not changing the rules on skip-row planting. We leave this vital decision in your hands.

Sincerely,

C. W. CONWAY, *President.*

CASTROVILLE CHAMBER OPPOSES FIREARMS RESTRICTION

Mr. TOWER. Mr. President, the directors of the Castroville, Tex., Chamber of Commerce recently voted unanimously to express its concern over Senate bill 1592. In order that other Senators may judge the worries of Texans over this proposed legislation, I ask that a letter which I have received from the chamber be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CASTROVILLE CHAMBER OF COMMERCE,
Castroville, Tex., May 15, 1965.
Senator JOHN TOWER,
Washington, D.C.

DEAR SENATOR: The directors of the Castroville Chamber of Commerce, acting in behalf of the civic minded citizens of this community, have voted unanimously to express to you their concern over Senate bill 1592, now in committee. We agree that the suppression of armed crime is necessary. However, we are strongly of the opinion that S. 1592 will be not only ineffectual but harmful. Outlawing firearms or severely restricting their ownership or procurement can have little effect on those who are willing to break the law, but such measures can place unreasonable restrictions on the enjoyment of healthful recreation by many law-abiding citizens. Further, a disarmed population is at the mercy of armed criminals or hostile forces. The battles of Lexington and Gonzales were fought by armed citizens to prevent the confiscation of their arms by a tyrannical government.

Thank you, and with best regards, I am
Very truly yours,
LYNN BOEHME,
President.

GUIDE TO WASHINGTON FOR THE PHYSICALLY HANDICAPPED

Mr. TYDINGS. Mr. President, several weeks ago, during the hearing of House District Committee's Subcommittee on Rapid Transit, I expressed my concern for the architectural barriers to our handicapped constituents. Since that time, I have been informed that an architectural barriers project exists, for the purpose of providing information for the handicapped, as well as to alert the public to the need for consideration of the problems of the handicapped.

The architectural barriers project has published a printed guide to Washington for the handicapped. I bring this guide to the attention of Senators, in the hope that it may assist them in giving information to their constituents. The guides are available through the District of Columbia Society for Crippled Children, the Maryland Society for Crippled Children and Adults, and the Northern Virginia Society for Crippled Children and Adults.

I ask unanimous consent to have printed at this point in the RECORD excerpts from the guide, including the table of contents, and a fact sheet on the architectural barriers project.

There being no objection, the excerpts and the memorandum were ordered to be printed in the RECORD, as follows:

A GUIDE TO WASHINGTON FOR THE PHYSICALLY HANDICAPPED

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INTRODUCTION

The architectural barriers project for the Metropolitan Washington area is truly a community undertaking. It is sponsored by the District of Columbia Commissioners Committee on Employment of the Handicapped and by the District of Columbia, Maryland, and Northern Virginia Societies for Crippled Children and Adults.

Many organizations, both public and private, and many individual volunteers have devoted hours of their time to the production of this guide. We wish to thank each and every one of them. This directory would not have been possible without the assistance of these groups and individuals.

Forms provided by the National Society for Crippled Children and Adults were used for surveying a number of the facilities listed here and we wish to thank the society for its valuable support. We also wish to express our appreciation to the owners, managers, or employees of the various places surveyed. Their cooperation made the task a much more pleasant one for our volunteers.

READING THIS DIRECTORY

This directory lists only a cross section of the facilities in the area. There are many not listed that have level entrances; i.e., most stores, service facilities, and movie theaters.

Realizing that a step or curb is as great a barrier as a flight of stairs for many an otherwise completely independent operator of wheelchair and car, we have noted these whenever known. Curbs in the District vary in heights up to 8 inches. The average height is 7 inches.

Those facilities marked with a "W" have been found accessible and usable by a person in a wheelchair, restroom facilities always excepted. In all other listings the front entrance is level unless another entrance is mentioned, in which case it is the one to be used. If there is an attendant to park your car, if leader dogs are allowed, or chairs have arms, it will be mentioned if we have the information. When restroom is on level this will be noted as accessible, meaning no steps but stall doors less than 28 inches. Most restaurant chairs are sturdy, without arms.

PARTICIPATING ORGANIZATIONS

District of Columbia Commissioners' Committee on the Employment of the Handicapped.

Easter Seal Societies of the Metropolitan Washington area.

African Methodist Episcopal Alliance.

American Association of Retired Persons.

American Institute of Architects, Metropolitan Washington Chapter.

American Veterans Committee.

Architect of the Capitol.

ARFAX C. B. Radio Club.

Association of Oldest Inhabitants.

Beta Sigma Phi Sorority of Belair, Bowie, Md.

Bethesda-Chevy Chase Rotary Club.

B'nai B'rith.

B'nai B'rith Women.

Board of Trade, Metropolitan Washington.

Catholic Club of Georgetown.

Chesapeake & Potomac Telephone Co.

Civitan Club of Hyattsville.

Connecticut Avenue Citizens Association.

Council of Churches of Greater Washington.

District of Columbia Department of Buildings and Grounds.

District of Columbia Department of Vocational Rehabilitation.

Episcopal Diocese of Washington.

Federation of Business & Professional Women's Clubs, District of Columbia.

Federation of Business & Professional Women's Clubs, Silver Spring.

Federation of Citizens Associations.

Federation of Civic Associations.

General Services Administration, Region 3.

Health and Welfare Council.

Homemakers Clubs of Prince Georges County.

Hot Shoppes.

Hotel Association of Washinton, D.C.

Howard University.

Junior League of Washington.

Indoor Sports Club, Inc., of Washington, D.C.

Kiwanis Club of Washington.

Methodist Churches of the Washington Districts.

Minute Women of Prince Georges County.

Multiple Sclerosis Association of Greater Washington.

Multiple Sclerosis National Society, Washington, D.C. Chapter.

Muscular Dystrophy Association of America, Inc. Greater Washington Chapter.

National Association of the Physically Handicapped.

NAPH Nation's Capital Chapter.

National Paraplegia Foundation, National Capital Area Chapter.

NOR-VA Cedarettes.

Opening Doors.

Paralyzed Veterans of America.

PVA Capital Area Chapter.

Physical Medicine & Rehabilitation Department of Georgetown University Hospital & Student Rehabilitation Nurses.

Restaurant Association of Metropolitan Washington, Inc.

Roman Catholic Archdiocese of Washington.

Smithsonian Institution.

United Cerebral Palsy of Washington, D.C.

VOICE.

Washington Building Congress.

FOR ADDITIONAL COPIES OF THIS DIRECTORY

Single copies of this booklet are available at 25 cents each to cover handling and postage. Bulk copies are available at a discount price. Write to:

The District of Columbia Society for Cripple Children, 2800 13th Street NW., Washington, D.C. 20009.

The Maryland Society for Crippled Children and Adults, 9422 Annapolis Road, Lanham, Md.

Northern Virginia Society for Crippled Children and Adults, 3105 Columbia Pike, Arlington, Va.

TO LIST A FACILITY

Anyone wishing to have a facility listed in the next edition of this publication should write to: The District of Columbia Society for Crippled Children, at the above address, with information concerning parking, curb height, steps, inside accessibility, and, in appropriate cases (hotels, motels, apartments, etc.) information on bathroom facilities: stalldoor widths, basin heights, etc.

Accessible and usable buildings will help over 202,000 persons in the metropolitan area who are over 65 years old; plus approximately 50,000 with heart ailments; 3,500 wearing leg braces or artificial limbs; 3,000, not in institutions, who are confined to wheelchairs; added thousands who, due to polio, multiple sclerosis or cerebral damage, cannot balance well enough to go up or down a curb or steps safely; and thousands more with mobility limited by the effects of arthritis or accidents. Not included in these numbers are those temporarily "handicapped" with broken legs, sprained ankles, pregnancy, small children or other limitations to their normal mobility.

ARCHITECTURAL BARRIERS FACT SHEET

1. Architectural barriers defined:

Architectural barriers are any architectural feature which prohibits handicapped persons from entering or using buildings where they may need to go for business, recreation, or civic duty.

2. The Architectural Barriers Project Committee:

The ABPC in Washington is a part of a nationwide attack on architectural barriers sponsored by the National Society for Crippled Children and Adults, and the President's Committee on Employment for the Handicapped. The local committee is sponsored by the District of Columbia Commissioners Committee on Employment of the Handicapped, the District of Columbia Society for Crippled Children, and the Crippled Children's Societies of Prince Georges County and northern Virginia.

3. Activities:

An architectural barriers survey of 1,500 buildings in Metropolitan Washington which are intended for public use has been completed. These include hotels, motels, restaurants, theaters, office buildings, apartments, banks, and shopping centers.

Some of the points surveyed were widths of doors, availability of ramps or level entrances, accessibility of phone booths and drinking fountains to persons in wheelchairs, elevator service, width of stalls in public washrooms, touch marks to guide the blind.

Information was gathered on standard survey forms provided by the national project. Similar surveys are being carried out throughout the country and have been completed in Pittsburgh, Seattle, Cincinnati, San Francisco, Chicago, Boston, New York, and other areas.

A directory of accessible buildings based on the survey and entitled "Guide to Washington for the Handicapped" is available for 25 cents.

Educational work is underway to alert the public to the need for accessible buildings and to contract builders and landlords to interest them in considering the needs of handicapped citizens in their building and remodeling plans.

Architectural standards and specifications have been developed by the national project and are available to builders. New Government buildings must comply with these standards. Cost of incorporating the standards in a new building is insignificant, but remodeling costs are sometimes high.

4. Need for the project and for the survey:

National figures: 139,000 people with artificial limbs; 260,000 blind; 200,000 in heavy leg braces; 5,000 with heart conditions: 250,000 in wheelchairs; 20,000 over 65 who need easier access to buildings.

Locally, based on the general population, 12 percent of the people have limited ability to move around freely. Washington, D.C., population is 2 million therefore, some 240,000 here would benefit by more accessible buildings.

The lack of access is the only factor which prevents many of these from leading useful lives.

5. Interest of Capitol Hill:

February 6, 1962: "Standards for Making Buildings Usable by the Physically Handicapped" inserted in the CONGRESSIONAL RECORD. Reprints are available.

April 8, 1963: "Sites in Washington, D.C., With Facilities for the Handicapped" inserted in the daily CONGRESSIONAL RECORD by Congressman TORBERT MACDONALD.

February 19, 1964: "Campaign To Remove Architectural Barriers for the Handicapped" inserted in the CONGRESSIONAL RECORD (vol. 110, pt. 3, pp. 3136, 3137) by Senator Moss, of Utah, the report of the Architectural Barriers Steering Committee, State of Utah.

Year 1965: Several new bills under consideration, dealing with rehabilitation, include reference to the elmination of architectural barriers as they relate to the effectiveness of rehabilitation services.

6. Financing and personnel:

The project committee is entirely a voluntary effort and has no budget whatsoever. Mrs. Allan B. Fay, is chairman of the project committee; Paul O'Donnell is chairman of the survey committee; Dr. Thomas Stein, of Chicago is national director of the project.

Volunteers: The several hunderd volunteers who carried out the survey were drawn from such groups as: National Association of the Physically Handicapped, Inc.; Paralyzed Veterans of America; Washington Building Congress; Washington Chapter of American Institute of Architects; Opening Doors; Federation of Citizens Associations; Indoor Sports Club; District of Columbia Department of Vocational Rehabilitation; Multiple Sclerosis Association; Association of Oldest Inhabitants, Junior League.

For information call: Project Headquarters, Mrs. Miller or Mr. Evans, AD 2-2342; call Mrs. Allan B. Fay, project chairman, 652-5397; call Paul O'Donnell, survey chairman, 961-2249 (office), AD 4-1142 home.

STUDENTS ENACT VITAL EDUCATION BILL

Mr. TOWER. Mr. President, I have been advised by Jerrold Pesz and Bill Walker, of the University of Houston, that the university's student association senate recently gave unanimous approval to a bill that I regard as most important.

In order that all Senators may be advised of this action, I ask that the text of the bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

SENATE BILL No. 20

A bill to support legislation introduced in the U.S. Senate by Senator ABRAHAM RIBICOFF, Democrat of Connecticut, and cosponsored by Senator JOHN TOWER, representative of Texas, providing for income tax credit for college students

Whereas a bill introduced in the U.S. Senate by Senator ABRAHAM RIBICOFF, Democrat, of Connecticut, and cosponsored by Senator JOHN TOWER, representative of Texas, provides for an income tax credit of $1,500 of tuition, fees, books, and supplies for a student at an institution of higher learning; and

Whereas the Student Association of the University of Houston has been asked to support Senator RIBICOFF's bill; and

Whereas this bill would be an effective aid to higher education and would be of benefit to many students and their families: Now, therefore, be it

Resolved by the University of Houston Student Association

ARTICLE I

That the University of Houston Student Association, which represents the students of this university, firmly supports this measure and urges the approval of this bill by the Congress of the United States of America.

ARTICLE II

That this bill, with supporting material, be sent to the Representatives and Senators from Texas, and to the President and Vice President of the United States, urging passage of this bill.

Unanimously passed by the student senate:

RICHARD GAGHAGEN,
President, Student Association.
WILLIAM YARDLEY,
Dean of Students.

SOUTH & EAST DALLAS CHAMBER OF COMMERCE OPPOSES REPEAL OF SECTION 14(b) OF THE TAFT-HARTLEY LAW

Mr. TOWER. Mr. President, the board of directors of the South & East Dallas Chamber of Commerce recently unanimously voted to oppose repeal of section 14(b) of the Taft-Hartley law.

I fully agree with the chamber's position; and in order that other Senators may judge the views of Texans about this vital matter, I ask that a letter I have received from the chamber be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SOUTH & EAST DALLAS
CHAMBER OF COMMERCE,
Dallas, Tex., May 20, 1965.

Senator JOHN G. TOWER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TOWER: The board of directors of the South & East Dallas Chamber of Commerce has unanimously voted to oppose repeal, amendment, or change in section 14(b) of the Taft-Hartley Act.

We Texans believe in every freedom for all citizens and especially the workingman. The requirement that a worker join or not join a union as a term of his contract with his employer should not be permitted in our State. We have prospered well under the right-to-work law which has been a statute in Texas for more than a decade and we want to continue on this basis.

We therefore urge you to vote against any change in section 14(b) and use your good influence to keep this section as it is presently written in the Taft-Hartley law.

Sincerely,

F. S. OLDT, *President.*

ADOLF BERLE SUPPORTS PRESIDENT JOHNSON'S MOVES IN THE DOMINICAN REPUBLIC

Mr. GRUENING. Mr. President, an excellent article on the present situation in the Dominican Republic appears in the current—May 20—issue of The Reporter. It is by Adolf A. Berle, former Assistant Secretary of State, and former U.S. Ambassador to Brazil. Obviously, Mr. Berle is extremely knowledgeable on Latin American affairs.

He starts by writing that he "began his career fighting to end Woodrow Wilson's occupation of that country"; and he believes that President Johnson made the right decision.

His experience parallels mine. In 1920, as managing editor of The Nation, I launched an editorial crusade against our gunboat diplomacy in Latin America. It began with an article by Herbert J. Seligman, on "The Conquest of Haiti." This conquest has taken place under strict military censorship by the U.S. Navy and Marine Corps, during the first administration of Woodrow Wilson. It was wholly contrary to President Wilson's pronouncements about the right of small nations to self-determination.

I first learned of this during the war, while I was a candidate for a commission in the Field Artillery, in Camp Zachary Taylor. One night, in the "Y", I found an item indicating that the U.S. marines had been bombing Haitian villages from the air. This struck me as such a violation of the Wilsonian pronouncements, that I mentally vowed that I would try to find out what this was all about. My opportunity came after the war, when I became managing editor of the New York weekly, The Nation. I sent James Weldon Johnson, who had been a former United States Ambassador to Nicaragua, to Haiti; and he wrote a series of four excellent articles entitled: "Self-Determining Haiti." Lewis S. Gannett wrote an excellent article on our invasion of the Dominican Republic. Much else—editorials and special articles—was printed, including some on the subject of our invasion and occupation of Nicaragua. It should be pointed out that our policies then were dictated by private economic interests of banks and investors in the United States. It was crude "dollar diplomacy," enforced by arms. We should never have pursued such a policy.

I was in correspondence with some of the Senate leaders—William E. Borah, of Idaho; William H. King, of Utah; George W. Norris, of Nebraska; Robert LaFollette, of Wisconsin; and others who shared my views. As a result of my efforts, the Senate appointed a select committee, headed by Medill McCormick, of Illinois, to investigate our occupation of Haiti and Santo Domingo. The chairman asked me to precede the committee and to make arrangements for hearings in Haiti and the Dominican Republic, which I did. Although the result was not satisfactory to me, in that the committee whitewashed the Haitian occupation, and recommended its maintenance, it did make plans for the military evacuation of the Dominican Republic. Unfortunately, we left the legacy of Rafael Leonidas Trujillo y Molina, who had been trained in the Marine Corps, and later seized the presidency; and our subsequent recognition of, and assistance to, this tyrant and butcher do not constitute one of the creditable chapters in American foreign policy.

However, I believe that what President Johnson has initiated is in no sense a revival of our gunboat diplomacy. I feel very definitely that his original purpose in evacuating Americans and other nationals was essential, and that his concern lest there be another Castro-Communist takeover in another Caribbean island warranted his action.

Most important of all was his prompt calling on the Organization of American States to come in and assume responsibility as rapidly as possible. If, out of this chaotic situation, an inter-American police force—a multilateral responsibility for situations such as those which have occurred in the Dominican Republic and are likely to occur elsewhere—will emerge, President Johnson's action will be fully justified. I am not unaware of the great difficulties of having such a program succeed; but the objective is most worthwhile and, indeed, is essential.

Needless to say, I sincerely hope that the reports that in carrying out this mission our policy has been one of leaning toward rightwingers and aiding them militarily, rather than one of neutrality, will prove to be unfounded.

If, in our desire to avoid a Communist takeover, we supported fascist-minded dictators who oppose essential reforms—as, regrettably, we have done on several occasions, such a policy would foster communism and would defeat our declared purpose. We must be determined not to have that happen.

I ask unanimous consent that Adolf Berle's article, entitled "A Stitch in Time," from the Reporter magazine, be printed at this point in my remarks in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A STITCH IN TIME

(By Adolf A. Berle)

On April 28, 1965, after 2 days of painful conferences and consideration, President Lyndon Johnson ordered a detachment of marines to land in the Dominican Republic. The writer, who began his career fighting to end Woodrow Wilson's occupation of that country, believes the President made the right decision.

The President had to act immediately on a telephone report from Ambassador W. Tapley Bennett, Jr., that hundreds of Americans were in danger and strong action was needed to save their lives. In the larger view, he had reports indicating a steady infiltration into the republic of guerrillas trained in Cuba and Czechoslovakia, and of more coming. This was a further move in the continuing Communist campaign of subversion and aggression in the Caribbean. An uprising designed to reinstate Juan Bosch—who was duly elected President of the Dominican Republic in December 1962, but ousted by a military coup in September 1963—had provided the opportunity for a simultaneous rising by organized Communist groups. Within 48 hours the Bosch partisans, seeking democratic government, were infiltrated and then dominated by the trained Communist elements, and many of the Bosch leaders sought refuge in foreign embassies. As the pro-Bosch forces lost control, they opened the army arsenals to the people. Not surprisingly, the Communist groups got most of the arms. Finally Mr. Johnson had to consider the effect of a possible Communist seizure of Santo Domingo in the vast context of Communist agression from Vietnam to Africa.

I think that the President had little choice. He could have called in the Organization of American States, asked it to go to work, and stopped there. But the OAS has no guns and needs time to decide; meanwhile, events were moving dangerously fast. He could have sat by, praying for the American lives and watching unlimited bloodshed as Dominicans killed each other, then dealing as best he could with the outcome. This would have meant continuation of a fierce civil war, supplied with arms and reinforcements from Cuba. In that case, the President might face a Dominican Republic in the hands of a Castro-style regime established by sheer terror. Or the President could act, creating the situation himself. He elected to act.

The elements he had to work with were not promising. Juan Bosch had been elected in 1962 by some 65 percent of the Dominican voters. His government had received all the support the United States could give. It was acclaimed as a worthy companion to the democratic Governments of Venezuela, Colombia, and Costa Rica. Unhappily, there was little solid party organization behind Bosch. Thirty-one years of Trujillo dictatorship had wiped out practically every vestige of political structure. Bosch himself, honest and idealistic, a well-known Latin American literary figure, found trouble in managing affairs of state. Some of his supporters intrigued with the Communists or with the military. An ill-fated Castro-supported expedition of Dominican leftists and Cuban "volunteers" against Santo Domingo in 1959 had left behind a nucleus, the 14th of June Party, that caused intermittent trouble. Two Communist parties, respectively Russian- and Chinese-oriented, were allowed to function. Castro Communists were also infiltrating some important labor unions.

Some Dominican Army officers and also some civilian elements believed that doors were being opened for a Communist takeover, in which case they would have their throats cut. That fear led Gen. Elias Wessin y Wessin and other army chiefs to bring off the coup in September 1963 that sent Bosch into exile. The United States and the democratic governments in the Caribbean protested. For a time, Washington cut off its aid, technical help, and other assistance.

The generals, however, did not follow the usual pattern. Declining to form a military government, they installed a civilian triumvirate that last year gave way to the regime of the former foreign minister Donald Reid Cabral. His brother had been murdered by Trujillo; he himself had been imprisoned. He is the son of a Scot and a Dominican mother. Though Reid Cabral's regime was illegitimate, the American Embassy came to respect him. He was moving toward reestablishment of "legitimacy"—that is, the holding of elections scheduled for September. Cautiously, the U.S. Government was moving to sustain his hand. He endeavored to bring order out of administrative chaos, to pull together the Dominican economy, and to bring the army under civilian control. Many army officers disliked this. Some were pro-Bosch; others perhaps had played with the Communist agents. At all events, these elements planned an uprising, scheduled for June 1, to bring back Juan Bosch. Discovery of this plan forced action on April 25. The officers' revolt simultaneously, and apparently unintentionally, cleared the way for the armed emergence of the Communist guerrillas.

MAKING OUR STAND CLEAR

Meanwhile, the Caribbean situation assumed importance on the worldwide stage. Former President Rómulo Betancourt of Venezuela insists that in Latin America the Communist factions linked to Moscow and Peiping still work together. They cooperate in any action that may make trouble for the United States and in working to overthrow non-Communist governments. They had been unsuccessful in Venezuela, Brazil, and other countries, but they still have small units in armed revolt in Venezuela, Colombia, and Guatemala. Their technique of infiltrating genuine democratic movements and later seizing them has proved successful, as when Castro concealed his Communist affiliations until he had taken over. The probability has to be faced that the Communist Frente de Liberación Nacional in Venezuela, the "violence areas" in Colombia, and the dissolved Guatemalan Communist Party will all become actively terrorist.

The myth had grown up in Communist circles that the United States cannot act in Latin America. American doctrine does indeed prohibit intervention. Too often that has been interpreted to keep Latin-American rebellions armed, organized, financed, and directed in other countries from being recognized as the external attacks they really are. American doctrine does consider an attack on any American state as an attack on all, giving rise to the right of defense.

The time had come to make several things clear if the whole Caribbean was not to erupt.

That the United States would no longer be immobilized by the fiction that externally armed uprisings were merely local movements for reform.

That "nonintervention" in the internal affairs of a country does not prevent the United States from defending a country attacked from outside—despite the camouflage of "internal revolution."

That further attacks of the Castro variety cannot count on immunity from American force on a scale adequate to meet the contingency.

That the United States cannot afford another Cuba—particularly not in the Caribbean. The President's action made this clear—to Latin America, to Peiping, and to Moscow.

"Adverse Latin American opinion" was urged as an argument against action. Actually, Latin America expects the United States to act and does not respect us much when we fail to do so. Argentina and Brazil promptly approved President Johnson's action. Costa Rica reportedly offered "freedom fighters." The Council of the Organization of American States sent a peace-mediating commission; it arrived in Santo Domingo on May 2. The protest has not developed to the extent feared. Until Latin American governments are willing to give the OAS the forces and capacity to defend weak countries, the United States offers those governments their only effective defense, and they know it. Both before and after the Bay of Pigs affair, when the OAS was paralyzed by indecision, many Latin American diplomats said to me they thought the United States should act first and discuss later. Officially they may decry our action, but they want the power vacuum filled.

President Johnson has filled it. He will have many problems as a result. They are, I believe, less dangerous than the problems he would have faced had he stood aside. No one forgets that failure to take decisive action against Castro in 1961 brought us to the brink of nuclear war with the Soviet Union in 1962.

If the President had not acted, what would have been the outcome? No one will ever know. The rebels might have restored the Bosch regime, though this seems unlikely. The Dominican Army might have produced a dictator, perhaps a new Trujillo. The Communist groups might have seized the government, making a new Cuba. They might have taken to the hills, opening a new chapter of guerrilla bloodshed against either the forces of Wessin y Wessin or of a democratic Bosch regime. The least dangerous course for the President was to take the initiative and dominate events.

SENATORS ALLOTT AND FANNIN PROTEST FEATURES OF ADMINISTRATION FIREARMS BILL

Mr. HRUSKA. Mr. President, last week the Senate Juvenile Delinquency Subcommittee, on which I serve, began its hearings on S. 1592. This is the bill sponsored by President Johnson which would ban the interstate shipment of firearms to individuals, greatly increase the fees for manufacturing and selling firearms and ammunition, and curb the importation of surplus foreign firearms.

In reviewing the testimony presented to the subcommittee, I was particularly impressed by the statements of two of our colleagues, the senior Senator from Colorado [Mr. ALLOTT] and the junior Senator from Arizona [Mr. FANNIN].

Senator ALLOTT documents how passage of S. 1592 would work a hardship on many responsible citizens of his State and of many other States in certain sections of this country, including my own State of Nebraska. The Senator from Colorado makes it clear that he recognizes there is a problem in keeping guns out of the hands of the irresponsible element of our society and that the Federal Government has a legitimate contribution to make in the solution of that problem. In this connection Senator ALLOTT is listed as a cosponsor of S. 14, which would prevent convicted felons, juveniles, and fugitives from justice from purchasing firearms by mail.

The Senator from Colorado makes good sense when he argues that the answer does not lie in, as he puts it, "cutting off the head to cure the headache" but rather in an approach which would prevent the acquisition of arms by those who, according to the statistics of the subcommittee, are most likely to use them in crimes of violence.

Senator FANNIN points out that there are many small businesses in his State and throughout the country such as the custom shops that produce fine sporting and target arms for mail-order sale that would suffer severely under the bill. Senator FANNIN shares the view of Senator ALLOTT that the proposed increased license fee for selling ammunition would cause the rural general store and gas stations in his State and throughout the West to cease carrying sporting ammunition for their customers. This would be a great hardship on the farmers, ranchers and sportsmen who live in the sparsely populated areas of our Western States.

I ask unanimous consent that Senator ALLOTT's and Senator FANNIN's statements of last Friday be printed in the RECORD, and I urge Senators to give attention and consideration to the pertinent points made by our colleagues.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GORDON ALLOTT BEFORE SENATE JUVENILE DELINQUENCY SUBCOMMITTEE, MAY 20, 1965

Mr. Chairman, I appreciate the opportunity to appear and be heard today on S. 1592, to amend the Federal Firearms Act. I would like, at the outset, to express my concern that this subject not be acted upon in an emotional manner, nor in haste, perhaps as the result of a shocking incident which still is fresh in all of our minds. For these reasons, particularly, I am pleased to be able to appear here and to note that this committee obviously intends to conduct full hearings and give this bill the deliberation which it merits.

Members of the committee certainly are familiar with President Johnson's message to the Congress expressing his concern about crime and its prevention. As a part of that message, the President called for regulations on interstate shipment of guns and declared the right of citizens to be secure on the streets, and in their homes and places of business.

I certainly agree with the broad outlines of that message and, as a matter or fact, I had joined you, Mr. Chairman, in sponsoring your bill, S. 14, which was designed to help the States cope with the problem of firearms shipped interstate in derogation of the laws of the individual States. As you know, I had studied that bill, I had recognized that a problem does exist, and I had concluded that your earlier bill was a reasonable and effective piece of legislation.

But, it seems to me that there is a basic difference in philosophy between the bill which I was pleased to cosponsor, S. 14, and the bill which is before you today. I believe that the basic philosophy expressed in S. 1592 is that guns are somehow bad per se and must be heavily regulated. With this philosophy, I cannot agree. The word "guns" is not a four-letter, Anglo-Saxon word with dirty connotations, as some seem to think, and putting the epithet "mail order" with it still does not make it unclean.

It has been hammered home that Lee Harvey Oswald used a mail-order gun in committing his heinous crime. So far as I know, however, it has not been generally recognized that Lee Oswald could have walked into any one of several sporting goods stores in Dallas and purchased a rifle of the same quality across the counter and he would not have violated any law in doing so. That gun from a sporting goods store would have been surely just as deadly as the mail-order weapon he used. Further, Jack Ruby, I am informed, used a Smith & Wesson .38 for which he had a permit. Yet, little has been said about the deadliness of a weapon carried by an individual who has a license from the local police authorities to carry that weapon. The point I want to make is that neither firearm nor mail-order firearms by themselves are bad. It is for this reason that I have asked for due deliberation and, insofar as possible, objectivity in approaching this question.

Perhaps we of the West are more familiar with firearms and therefore fear them less, recognizing that it is the abuse of the weapon that is the real problem. There are legitimate uses and legitimate users and I strongly feel that we must not unduly hinder these legitimate uses in attempting to curb the abuses.

S. 1592 may, perhaps, accept as legitimate the sporting use of firearms. It seems to me, however, that the bill rejects self-defense as a legitimate use, but in rejecting this it rejects half of President Johnson's declaration.

An instance of the type of thing I had in mind occurred very close to home just last year. A young lady from Brighton, Colo., employed in my office, owns a hand gun and knows how to use it. She was taught by her father and I can testify that she uses it well and properly. About a year ago she was awakened at 5 in the morning by a noise in her apartment. It subsequently turned out that there was a prowler there. The young lady lives alone and her only real means of protection against lawless elements is the gun, which she brought with her from Colorado and keeps in her apartment here in Washington. With that gun she was able to subdue the housebreaker and hold him until the police arrived and could take charge. The man involved has pleaded guilty and is awaiting sentencing, but I have often wondered what I would have had to tell that girl's parents if she had not had the gun. We are all proud of Joyce Morgan in our office and I take pleasure in recognizing her today. This, gentlemen, is an example of a legitimate use of a weapon.

The Attorney General says this measure is "not intended to curtail the ownership of guns among those legally entitled to own them. It is not intended to deprive people of guns used either for sport or for self-protection. It is not intended to force regulation on unwilling States * * *. The purpose of this measure is simple: it is, merely, to help the States protect themselves against the unchecked flood of mail-order weapons to residents whose purposes might not be responsible, or even lawful. S. 1592 would provide such assistance to the extent that the States and the people of the States want it."

That is certainly not the way I read the bill. The flat prohibition on the shipment of firearms in interstate commerce, coupled with the severe limitations placed on acquisition of hand guns, particularly, seem to me a clear demonstration of an intent to make it difficult, if not impossible, for the ordinary citizen to acquire a pistol.

To be more specific, section 2(a)(2) would prohibit an individual from acquiring or disposing of a pistol or revolver while he was traveling in interstate or foreign commerce. Incidentally, this section would transform any violation of State law concerning the transportation of a hand gun into a Federal offense. Let me give a specific example of what the prohibition on acquisition or disposition may mean. I own a hand gun which I brought with me from Colorado. My legal residence, of course, is Colorado. Am I, while engaged in my duties as a U.S. Senator in Washington, D.C., traveling in interstate commerce? If I am, and if I decide to sell or in any manner dispose of my gun, presumably I cannot legally do it outside of Colorado. If this bill becomes law and I find the regulations promulgated by the Secretary of the Treasury burdensome, I nevertheless must find some way to get that gun back to Colorado before I can legally dispose of it.

Or, presume a person who does not own a hand gun becomes disturbed enough by the crime statistics in Washington, D.C., that he decides to purchase a gun for the protection of himself and his family. After this bill becomes law, as I read the bill, he may not legally be able to acquire that gun here, but would have to return to his home State, purchase one, and then face the problem of legally transporting it here through each State through which he might pass to arrive here.

Another perfectly legitimate use of guns is target shooting, and meets are held all over the United States. Although I have not attended one in recent years, I know that it used to be quite usual for gun enthusiasts to trade not only long guns but hand guns at these meets. If a person attending such a meet has come in from outside that State, may he legally trade with another sportsman? Under the bill as it now stands, I think not. The prohibition is on "sale or other disposition thereof," and on acquisition (2(a) (2) A and B).

Presumably, guns may be shipped by common carrier intrastate under this bill. I would point out to the committee that there are many remote areas in my own State which are not serviced by common carrier. Hand guns, of course, are nonmailable except to manufacturers or dealers. Add to this the prohibition in section 2(b)(3) against sales of hand guns to nonresidents of the State where the dealer is located, and it seems obvious to me that we would make it as a practical matter very difficult for a rancher in eastern Colorado to acquire a pistol. There are areas in my State from which the residents customarily cross State lines and go into Nebraska or Kansas, Wyoming, Utah or New Mexico to do their shopping. This law would be a real imposition on the good citizens of these areas, who have legitimate need for such guns.

The high cost of licenses proposed for dealers under S. 1592 is, of course, designed to, and I believe will, stamp out the carrying of guns and ammunition in stock by small stores. It will lead to further concentration of the industry in a few sources, and these sources would presumably be located in the metropolitan areas. This is simply one further facet of the hardship imposed on the people who live in rural areas, or small communities. I do not happen to know whether Walden, Colo., for example, now has a gun dealer in town, but I do know that the cost of a license proposed under S. 1592 is likely to make it economically infeasible for any store in Walden to purchase such a license, and people from that area will then have a long way to go to purchase even ammunition.

As you know, Mr. Chairman, antiques and unserviceable firearms are exceptions to the Federal Firearms Act. I do not know how many collectors of such firearms there may be in this country, but it is, I believe, a legitimate hobby. An exception is made in S. 1592 for such guns only in the provisions relating to importation. Obviously, S. 1592 is going to work a hardship on the collector, particularly if he wants to acquire as a part of his collection pistols or revolvers, even if those guns cannot possibly be fired. Apparently, the only route of acquisition open to him if he wants a gun presently owned by an individual in another State is to find a licensed dealer who will handle the transportation, thereby presumably adding to the cost of acquisition (sec. 2(a)(4)).

Another exception in the present law, which is dropped from S. 1592, is that for banks, public carriers, and armored car companies and although governmental agencies are excepted generally from the provision of the bill, the "duly commissioned officer or agent" who is exempted under the act now in effect, would be blanketed in under S. 1592. I see no valid reason for dropping these exceptions from the operation of the law, if we start from a premise that there are legitimate uses and legitimate users of firearms.

My mail, Mr. Chairman, has reflected concern over the wide discretion allowed the Secretary of the Treasury in this measure. I will mention only two facets of this which particularly bother me. Section 3(c)(2), which directs the Secretary to disapprove an application for a license if the applicant is not likely to maintain operations in compliance with the act "by reason of his business experience, financial standing, or trade connection," seems to me to be such an unnecessarily broad grant of discretion to the Secretary as to preclude any reasonable hope of reversing the Secretary's decision, thereby vesting final authority in an executive officer contrary to our accepted philosophies and procedures. Such discretion reminds me of the words of Lewis Carroll, the eminent author of Alice's Adventures in Wonderland: "'I'll be judge, I'll be jury,' said cunning old Fury, 'I'll try the whole cause, and condemn you to death.'"

Under the importation provisions of the bill, section 3(e)(3), allows the Secretary—I note that it does not direct him—to authorize importation of a firearm which "is of a type and quality generally recognized as particularly suitable for lawful sporting purposes and is not a surplus military weapon and that the importation or bringing in of the firearm would not be contrary to the public interest." I would simply point out to the committee that aside from the difficulty which will arise in interpreting this language, and thus again, a broad discretion vested in the Secretary, there are many types of surplus military weapons which may be suitable for lawful sporting purposes or which may be readily converted to sports weapons. The British Enfield would be a good example of such a weapon and, in fact, I believe all Mausers are highly regarded by sportsmen and could fit the definition of "particularly suitable for lawful sporting purposes." In the category of handguns, the Luger would also fall into this class. Is there any real reason to put a blanket prohibition on importation of military weapons, or was this perhaps an emotional reaction to a specific incident?

Also, on the import provisions of the bill, I might mention that it appears from Director Margrave's statement that there is presently sufficient authority under the Mutual Security Act of 1954 to prohibit all importation of arms and ammunition, including those items called "destructive devices" in S. 1592. In view of this present authority, I would urge the Committee to explore the enforcement of present law, and whether this may be strengthened, rather than create new legislation in this field.

Mr. Chairman, I commenced my statement with a plea for objectivity. As a cosponsor of S. 14, I believe I have recognized that there is a problem and that the Federal Government has a legitimate contribution to make in the solution of that problem. I have stated before, however, that I believe S. 1592 is not the proper solution and that with all deference to the chairman, this bill is not well drawn.

Again, there is a problem, but the solution is not to be found in depriving legitimate users of firearms of their liberty to acquire and use them. I believe that S. 1592 would cut off the head to cure the headache and, while I, too, am concerned about the threat posed by guns in the hands of irresponsible elements, I would say to the committee, and to Senators, as Ben Franklin said: "Those, who would give up essential liberty to purchase a little temporary safety, deserve neither liberty nor safety."

STATEMENT BY SENATOR PAUL J. FANNIN, SUBCOMMITTEE ON JUVENILE DELINQUENCY, SENATE JUDICIARY COMMITTEE HEARING ON S. 1592, FIREARMS CONTROL LEGISLATION, FRIDAY, MAY 21, 1965

Mr. Chairman and members of the subcommittee, my appearance here today is on behalf of the many individuals and organizations in my State of Arizona who are opposed to S. 1592. I realize that many witnesses want to testify on this important legislation and I want to thank the chairman for granting me the privilege to make a brief statement.

In the interest of conserving time, Mr. Chairman, I ask permission to have two prepared statements included in the record following my remarks. One is Senate Memorial No. 1 of the 27th Arizona Legislature, adopted unanimously by the Arizona State Senate and approved by the Governor on May 14, 1965. The other is a statement submitted on behalf of the Arizona State rifle and pistol association by its president Dr. Leonard Brewster, of Tucson; and the Secretary, Mr. Ben Avery, of Phoenix. Both statements present logical and factual arguments in opposition to S. 1592, and in addition, I believe they are an accurate reflection of majority opinion in my State.

This is borne out by the volume of letters and telegrams I have received from Arizona citizens. Very few have indicated support for the bill, while a substantial number have expressed strong opposition to it.

All of us, I'm sure, share the conviction that an effective attack must be mounted against the rising crime rate in this country. But the regulations embodied in S. 1592 would not prevent the determined criminal from obtaining firearms; instead, it would impose severe penalties on millions of honest, law-abiding citizens.

There are many small businesses in my State and throughout the country which would suffer severely under this bill. Many of these are small custom shops that produce fine sporting and target arms for mail-order sale all over the world.

In addition to these small dealers, there are many sparsely populated areas of Arizona where service stations and small general stores handle firearms and ammunition as an accommodation to the ranchers and farmers who need them.

They also serve the more than 150,000 Arizonans who engage in hunting and whose sport is an important part of game and range management in our State. They could ill afford the drastic increase in dealer fees and recordkeeping contemplated by S. 1592.

It might be argued that the private interests of a relatively small number should not be allowed to take priority over the general public interest in preventing criminals from access to weapons. But this requires proof that S. 1592 would accomplish this—and my evidence is strongly to the contrary.

Any person seeking a gun for illegal purposes, whether he be a dope addict, hardened criminal or juvenile delinquent, would still be able to get one. For that matter, there already are adequate laws in most States against the use of firearms illegally and preventing their use or possession by juveniles without adult supervision.

I know the subcommittee is aware that much of the current difficulty with firearms control has resulted from our Government's policy of permitting the dumping of foreign surplus rifles and pistols in this country. Our late President, John F. Kennedy, sponsored legislation in 1958 to curb these imports, and in fact, I understand they could be curtailed now by administrative action of the executive branch of the Government.

Legislation to ban these foreign weapons, mostly castoff military rifles and cheap pistols, would have broad support throughout the country. It would also be a specific step in reducing the availability of guns for illegal use, because the bulk of these weapons are not purchased by hunters and sportsmen.

Finally, Mr. Chairman, I am concerned over the infringement of basic constitutional rights represented by provisions of S. 1592, and I know many thoughtful Americans share this concern. It is my sincere belief that the public interest would be far better served by more rigid enforcement of existing laws with respect to illegal use and possession of firearms.

OPENING OF MAIL BY THE INTERNAL REVENUE SERVICE

Mr. HRUSKA. Mr. President, I am pleased to join with the chairman of the Administrative Practice and Procedure Subcommittee, Senator LONG of Missouri, in sponsoring S. 1886, a bill to prohibit the Internal Revenue Service from seizing and opening mail in an attempt to collect delinquent taxes.

The fact that the Internal Revenue Service has taken upon itself the authority to violate the sanctity of the mails was forcibly brought to my attention again in a letter I recently received from a constituent. On May 1, 1965, he received a personal letter from his wife stamped "Opened by Mistake, April 17, 1965, Internal Revenue Service, Los Angeles." The letter had been mailed April 16, and he wanted to know why it had been opened and why it delayed 13 days before he received it, and why "The Internal Revenue Service is violating the Constitution when it opens and holds the mail of citizens."

Mr. President, I, too, am concerned about this invasion of an individual's privacy and the violation of his rights—rights which should be guaranteed and protected by the U.S. mails.

The fourth amendment to the Constitution guarantees the right of privacy. The Supreme Court in ex parte Jackson, 96 U.S. 727, in 1877, held that sealed letters are entitled to the same constitutional guarantees of the fourth amendment as are a man's other papers and possessions. The decision states that letters and packages in the mail can only be opened and examined under a search warrant particularly describing the article to be seized.

The Internal Revenue Service claims its authority to seize and open mail was given by the implied consent of Congress. It is based on the curious premise that Congress did not specifically exempt mail matter from the property subject to levy and seizure under title 26, United States Code, section 6334. While Congress has spelled out in sections 6331, 6332, and 6334(c) of the Internal Revenue Code, property not subject to a tax levy, nowhere is authority given to the Internal Revenue Service to seize mail of delinquent taxpayers.

The Internal Revenue Service appears to reason that Congress, by not excluding mail from seizure, must have intended mail to be subject to seizure. The Congress, in writing the Internal Revenue Code, intended no such course. Congress did not anticipate that some bureaucrat would take the opportunity to treat a sealed letter in the custody of the Post Office Department as property on which he could levy a tax claim. The Internal Revenue Service is using methods of highly questionable constitutionality.

Mr. President, the bill will specifically exclude mail from the levy powers of the Internal Revenue Service. In the case of mail delivered to a business which has been seized by the Internal Revenue Service under sections 6331 or 7403(d) of this title, and which is clearly business mail and not personal mail, the bill provides for the former owner or proprietor or designee thereof to be given the opportunity to be present when the mail is opened. This will prevent the Internal Revenue Service from opening personal mail and prevent such mail "inadvertently opened" from lying around an Internal Revenue Service office for days on end to be read by anyone who should care to do so.

One of the things that is most sacred in our system of government is the right of privacy. That this privacy has been violated by the Internal Revenue Service is evident. This bill seeks to protect the sanctity of the mails against an eager but faceless Federal bureaucracy.

Mr. President, I am pleased to note that the chairman of the Administrative Practice and Procedure Subcommittee, Senator LONG of Missouri, has planned early hearings on this legislation. It is hoped that pending action on the bill, the Internal Revenue Service will desist in its deplorable practice.

AGATE FOSSIL BEDS NATIONAL MONUMENT, NEBR.

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 339) to provide for the establishment of the Agate Fossil Beds National Monument in the State of Nebraska, and for other purposes, which was, to strike out all after the enacting clause and insert:

> That in order to preserve for the benefit and enjoyment of present and future generations the outstanding paleontological sites known as the Agate Springs Fossil Quarries, and nearby related geological phenomena, to provide a center for continuing paleontological research and for the display and interpretation of the scientific specimens uncovered at such sites, and to facilitate the protection and exhibition of a valuable collection of Indian artifacts and relics that are representative of an important phase of Indian history, the Secretary of the Interior is authorized to acquire by donation, or by purchase with donated or appropriated funds, or otherwise, title or a lesser interest in not more than three thousand one hundred and fifty acres of land in township 28 north, range 55 west, sixth principal meridan, Sioux County, Nebraska, for inclusion in the Agate Fossil Beds National Monument in accordance with the boundary designation made pursuant to section 2 hereof, which boundary may include such right-of-way as is needed for a road between the Stenomylus Quarry site and the monument lands lying in section 3 or 10 of the said township and range.
>
> SEC. 2. Within the acreage limitation of section 1, the Secretary may designate and adjust the boundaries of Agate Fossil Beds National Monument. When the Secretary finds that lands constituting an initially administrable unit are in Federal ownership, he shall establish such national monument by publication of notice thereof in the Federal Register, and any subsequent adjustment of its boundaries shall be effectuated in the same manner.
>
> SEC. 3. The Agate Fossil Beds National Monument shall be administered by the Secretary of the Interior pursuant to the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented.
>
> SEC. 4. There are hereby authorized to be appropriated the sums of not more than $301,150 for acquisition of lands and interests in land and not more than $1,842,000 for development in connection with the Agate Fossil Beds National Monument under this Act.

Mr. BIBLE. Mr. President, the amendment of the House of Representatives would merely put a limit upon the acquisition and development costs. The subject has been discussed with both the majority and the minority members of the Subcommittee on Parks of the Senate Committee on Interior and Insular Affairs. I move that the Senate concur in the amendment of the House.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

The **PRESIDING OFFICER.** Is there further morning business? If not, morning business is closed.

RESOLUTION TO DISAPPROVE REORGANIZATION PLAN NO. 1

Mr. HOLLAND. Mr. President, I am about to move that the Senate consider a highly privileged question, which has been made so by the so-called Hoover Reorganization Act now in force. It appears on the calendar as Calendar No. 191, Senate Resolution 102, reported adversely by the Committee on Government Operations on May 20.

I understand that a motion to consider the resolution would not be debatable.

Therefore, before I make the motion, I yield to any Senator who may wish to discuss the question. I understand that when I make the motion, the motion will not be debatable.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. KUCHEL. What motion does the distinguished Senator have in mind?

Mr. HOLLAND. A motion to make the pending business Calendar No. 191, Senate Resolution 102, to disapprove Reorganization Plan No. 1 of the Customs Bureau of the Treasury Department.

Mr. KUCHEL. I have sent word to our minority policy luncheon that the resolution is about to be placed before the Senate, so that the minority members of the committee to which the resolution was referred will have an opportunity to be present. I also understand that our able friend the majority leader has previously agreed with the minority leader and my friend the Senator from Florida relative to a unanimous-consent agreement for a limitation on the time for debate.

Mr. HOLLAND. I was happy to concur in that suggestion. I could not speak for other Senators, but as far as I am concerned, the time limitation proposed by the majority leader would be agreeable to me. As soon as the motion is agreed to, or before, if any Senator so desires, in order that Senators who may wish to be present during the consideration of the resolution may be here, I should be very glad to suggest the absence of a quorum.

Mr. MANSFIELD. Before the Senator does so, since I have an engagement, I would prefer that the resolution be laid before the Senate and made the pending business so that I may make the unanimous-consent request that has been discussed.

Mr. HOLLAND. Very well. I shall do so.

Mr. BASS. Mr. President, will the Senator yield for a brief question before he makes his motion?

Mr. HOLLAND. I yield.

Mr. BASS. If I understand correctly, if the Senator's motion prevails, it would then mean that the plan that was suggested by the Customs Bureau to abolish the 35 jobs involving collectors would not be carried out, and the jobs would not be abolished.

Mr. HOLLAND. The Senator is almost correct. If the resolution as originally submitted by the distinguished Senator from Rhode Island [Mr. PASTORE] and several others were approved, adoption of that resolution would disapprove Reorganization Plan No. 1, which would affect the Customs Bureau of the Treasury Department, and would prevent the reorganization plan from going into effect.

The motion which I now propose to make, however, would merely make the item the pending business.

Mr. BASS. One question: The distinguished Senator from Florida, then, is in opposition to the proposed reorganization plan?

Mr. HOLLAND. I am strongly in opposition to it, even if I am the only Senator who feels that way. I do not believe we should trade our heritage as Senators for a mess of pottage, and that is what we are asked to do.

Mr. BASS. I commend the Senator from Florida for his position. Too many times changes are made merely for the sake of change, and they do not produce any results.

Mr. HOLLAND. I thank the Senator from Tennessee.

Mr. President, I move that the Senate proceed to the consideration of Calendar No. 191, Senate Resolution 102.

The PRESIDING OFFICER. The resolution will be stated.

The LEGISLATIVE CLERK. A resolution (S. Res. 102) to disapprove Reorganization Plan No. 1.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am happy to yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be not to exceed 2 hours debate on the pending resolution, one hour to be under the control of the distinguished Senator from Florida [Mr. HOLLAND], the other hour to be under the control of the distinguished Senator from Connecticut [Mr. RIBICOFF], if that much time is needed on either side.

Mr. HOLLAND. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. Is this arrangement agreeable to the distinguished Senator from Connecticut?

Mr. RIBICOFF. It is.

Mr. HOLLAND. I have no objection.

Mr. MANSFIELD. Up to 2 hours.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the agreement is entered.

CALL OF THE ROLL

Mr. HOLLAND. Mr. President, pursuant to the previous statement, I suggest the absence of a quorum, so that Senators who wish to listen to the debate, which I think will not run for 2 hours, may be in the Chamber, if they so desire.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 79 Leg.]

Aiken
Allott
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Clark
Cooper
Cotton
Dirksen
Dodd
Douglas
Eastland
Ervin
Fannin
Fong
Fulbright
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Lausche
Magnuson
Mansfield
McCarthy
McClellan
McGee
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Louisiana [Mr. ELLENDER], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Oregon [Mr. MORSE], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Idaho [Mr. CHURCH], the Senator from New York [Mr. KENNEDY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Tennessee [Mr. GORE] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] and the Senator from Nebraska [Mr. CURTIS] are necessarily absent.

The Senator from New York [Mr. JAVITS] and the Senator from California [Mr. MURPHY] are absent on official business.

The Senator from Pennsylvania [Mr. SCOTT] is absent to attend the funeral of a friend.

The Senator from Colorado [Mr. DOMINICK] is detained on official business.

The PRESIDING OFFICER. A quorum is present.

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the Senator from North Dakota, on the time of the Senator from Florida.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 5 minutes.

DISTRICT 21, CUSTOMS SERVICE—DISTRICT HEADQUARTERS

Mr. YOUNG of North Dakota. Mr. President, the people of North Dakota are deeply concerned over the proposal of the Treasury Department to make Duluth, Minn., district headquarters for the new district 21 of the customs service. This office previously has been located at Pembina, N. Dak. Duluth is at the extreme eastern edge of the proposed district 21, whereas Pembina, N. Dak., is located in approximately the center of the district.

Pembina, N. Dak., has been a port of entry for well over 100 years. It is immediately south of Winnipeg, Manitoba, the largest commercial center in central Canada. Over the years the traditional route for commerce between the United States and Canada has been through the port of entry at Pembina, N. Dak. As a result of this, the United States is presently constructing Interstate Highway 29 from the Canadian border through North Dakota, and eventually it will be extended all the way to the Mexican border. In addition, three major railroads operate through Pembina. Pembina not only is presently the customs headquarters for North Dakota, it is also the district headquarters for the U.S. Immigration Service. To transfer the district headquarters for our district to Duluth would severely complicate communications within the Immigration Service as well as within the customs service.

In recent years, because of Pembina's most favorable location on the border between the United States and Canada and directly south of Winnipeg, Manitoba, a Greyhound bus assembly plant was established there by Canadian interests. Pembina was selected, among other reasons, because of the immediate availability of efficient Customs service through the district headquarters at Pembina. This area can, I believe, look forward to further industrial expansion because of its favored location if the Customs Bureau headquarters remains there. Pembina is located in a rural area which is badly in need of economic diversification which these industries provide. In addition, the International Joint Commission is now considering a joint Canadian-United States water project on the Pembina River immediately west of Pembina. This project will perhaps, if approved, involve considerable construction in both countries with the resultant increase in Customs traffic. After the project is completed it will include a tremendously valuable and attractive recreation area on both sides of the border. Pembina, again because of its highways and other transportation facilities, will be the most logical port of entry with the resultant continuing increase in the use of this port.

I do not believe that Reorganization Plan No. 1, as it affects Pembina, for an example, will result in any economy to the Federal Government. I believe that just the opposite will be true.

It results in the construction of additional facilities in Duluth, increased transportation costs for customs personnel and U.S. Immigration Service personnel, as well as a considerable increase in administrative costs due to the added amount of paperwork in keeping in contact with the rest of the proposed district 21. In addition to the cost to the Federal Government, we must also consider the increase in costs to commercial interests and other individuals availing themselves of the services of the customs service. Rather than have their problems handled locally, it will be necessary for them to communicate in some manner with the district office, far removed from the principal source of business.

Mr. President, in comparing the volume of traffic handled by these two ports, Pembina leads Duluth in all categories with the exception of vessels and aircraft.

I point out that the plan called for the removal of Pembina in favor of one far from the center of the district, away from important business areas of the central border of Canada.

For example, the Pembina port handled 83,084 vehicles in the 12-month period ending last April as compared to none for Duluth. Pembina cleared 236,314 persons during this same period while Duluth cleared 4,027. Pembina processed a total of 39,571 packages and baggage compared to 5,441 pieces handled by Duluth. It would seem only logical to maintain the district headquarters at the port handling the greatest volume of business to provide the most convenient service to the greatest number of persons—both the traveling public as well as business interests.

I hope that Reorganization Plan No. 1 will be defeated.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. RIBICOFF. Did I correctly understand that the Senator's objection is to the removal of Pembina as a district?

Mr. YOUNG of North Dakota. Yes.

Mr. RIBICOFF. My information is that in the reorganization it is the intention of the Treasury Department to keep Pembina as a district.

Mr. YOUNG of North Dakota. I am glad to hear that. I understood that the action was being reconsidered. It would certainly be a mistake to close or reduce service at the port of entry.

Mr. RIBICOFF. There has been much misunderstanding about the entire reorganization plan. The objective of Reorganization Plan No. 1 basically is to eliminate 53 positions in the customs service which are now filled by appointment of the President by and with the advice and consent of the Senate. It is that and nothing more.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. RIBICOFF. Mr. President, I yield myself as much time as required. Many Senators object, for one reason or another, to certain phases of the so-called Stover report. Those phases of the Stover report not dealing with the question of abolishing the 53 positions are not before the Senate at this time. The matter discussed by the Senator from North Dakota for instance involves the reorganization phase of the Stover report whereby the existing 113 independent offices will be consolidated into 6 regions and 25 districts. Reorganization Plan No. 1 does not cover this phase.

When Secretary Fowler was before the committee, he assured us with respect to the entire matter of regionalization as follows:

> With respect to the establishment of a regional customs organization, I have asked that a further study be made as to whether the six regions and the headquarters offices originally announced by the Treasury Department are the number and locations best designed to meet the actual needs of shippers, importers and others in the most efficient manner. I wish to emphasize that, pending completion of that study, no specific number of regions or regional headquarters locations will be finally approved. Meanwhile I have designated Assistant Secretary Reed, who has supervisory responsibility for the Bureau of Customs, to receive any additional information and views which may be submitted concerning the regions and regional headquarters sites. Before a final decision is reached, I shall, of course, review the matter with Mr. Reed.

I have received information that Pembina will remain as a district. I wanted to give that information to the Senator from North Dakota. I think he is entitled to have it.

Mr. YOUNG of North Dakota. I am glad to have that information. I have no objection to removing from patronage some of the less important customs officials. I believe all the Republicans are gone by now. But I read from a letter to me from the Secretary of the Treasury dated May 22, 1965. After discussing patronage he says:

> Approval of Reorganization Plan No. 1 will open the way for realinement and consolidation of many customs field activities. Several substantive organization changes are contemplated to be taken by administrative action.

And so on. I believe he has authority to abolish or consolidate any of these offices. The Veterans' Administration has similar authority, as does the Department of Agriculture. Even the Secretary of Defense will not let money appropriated for research and development be spent for the B-70. I merely point out that every executive branch has authority to do these things.

Mr. RIBICOFF. That is true, but I point out again that Reorganization Plan No. 1 merely involves the elimination of 53 patronage jobs. The matter of districts and regions is not involved. Defeat or approval of Reorganization Plan No.1 will not directly affect Pembina's designation as a customs district.

Mr. President, I yield 7 minutes to the Senator from Rhode Island [Mr. PASTORE].

Mr. PASTORE. Mr. President, as the author of the resolution of disfavor to Reorganization Plan No. 1, which I submitted on April 27, I believe I should explain my reasons for submitting the resolution. I submitted it as a result of a letter, dated April 20, 1965, which I ask unanimous consent to have printed at this point in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 20, 1965.

Senator JOHN L. MCCLELLAN,
Chairman, Senate Committee on Government Operations, 3304 New Senate Office Building, Washington, D.C.

DEAR SENATOR: I wish to urge your committee to schedule immediate hearings into the proposed reorganization of the Bureau of Customs.

The Treasury Department announced on March 22, 1965, its intention to implement the so-called Reorganization Plan No. 1 within 60 days unless Congress interposed objection.

You have before you this plan which deals solely, I understand, with the abolition of offices in the Bureau of Customs to which appointments are required to be made by the President, by and with the advice and consent of the Senate.

I am disturbed by the statement of the Department that approval of this plan will proceed to "open the way for realinement and consolidation of many field activities,"—including establishment of 6 regional offices and about 25 district offices which—"would replace 113 independent field offices now reporting directly to headquarters in Washington, D.C.

I do not believe that the Congress should acquiesce in the abolition of appointive offices in the Bureau of Customs until we have had the opportunity to study thoroughly the ramifications of the implementation of the remainder of the plan of reorganization—and especially since the implementation, from what I am told, will result in a deterioration of local customs service.

Let me point out the effect we expect this reorganization to have on customs activities in my State.

If we interpose no objection, the position of collector of customs in Rhode Island will be abolished. Thereafter, we assume that the Department will put into effect the recommendations contained in the so-called Stover report.

The customs district of Rhode Island will be abolished. Some of the functions now performed at Providence would be transferred to a regional headquarters at Boston, Mass., whose jurisdiction would comprise all of New England, upstate New York, all of Pennsylvania, Delaware, and southern New Jersey.

The Department has assured me that service will be continued in Rhode Island and the other 21 districts to be eliminated.

I recall that a few years ago we were notified that the processing of imports by mail would be transferred from the local customs office in Providence to the Boston office. Providence businessmen protested that this would delay the receipt of their packages. They were assured that the consolidation of service in the regional office would result in better service.

Their fears, however, were justified. I was advised the other day by a member of the jewelry industry that the processing of imports by mail through the Boston office has resulted in delays ranging from 2 to 4 days.

We must realize that the jewelry industry, one of the largest in the State of Rhode Island, is highly competitive. The most important factor of success in this industry, I understand, is the ability to create new and startling designs to complement the prevailing fashion in clothes.

Time, of course, is of the essence. When the trend in fashions is recognized, the jewelry designers attempt immediately to create pieces to flatter the popular fashion.

A jewelry manufacturer explained to me that every day, sometimes every hour, is important. He must obtain the necessary imported materials. The sample line of jewelry must be produced and then distributed into proper sales channels.

The smooth and efficient functioning of the Providence Customs Office often is the difference, he tells me, between success and failure of a line of jewelry.

And, we must remember that over 20,000 Rhode Island jobs are involved in this industry which is essential to the economy of our State.

There are in Rhode Island, over 180 business firms involved directly in the importation of goods through the Providence Customs Office. Imports are a major part of their business activities. Countless other firms are their customers. They rely on the prompt, efficient service of the local office. It is indispensible to their economic success.

Yet, I know that the Stover report recommends a "consolidation of functions of classification, appraisement, and liquidation, thus expediting the entry and clearance of imported mechandise, reducing backlogs, eliminating delays, and improving customs relations with the business community.

The responsibility for these functions presently rests with the local customs officials in Providence.

Local businessmen tell me that the Providence Customs Office handles the entry and clearance of merchandise expeditiously. There are no backlogs, no delays—and the relations between the customs office and the business community is cordial.

How can consolidation improve this situation? Having in mind how the service has deteriorated since the processing of imports by mail was transferred from Providence to Boston, I can only conclude that consolidation will have a similar effect on services presently provided by customs officers.

I can only hope that your committee, Mr. Chairman, will thoroughly investigate the possible effects of the proposed reorganization and determine whether or not they will truly improve customs service before the Congress consents to plan No. 1, the elimination of certain appointive positions.

To this end, I trust that you will cause hearings into this matter to be scheduled in the near future.

With best wishes, I am,
Sincerely,

JOHN O. PASTORE,
U.S. Senator.

Mr. PASTORE. Mr. President, in that letter I pointed out some of my apprehensions with reference to this reorganization plan. Because there was no understanding as to what the plan was designed to do, I thought the committee should hold hearings on the matter.

The Senator from Arkansas [Mr. McCLELLAN] answered my letter the following day, suggesting that if it was desired to have hearings, a resolution of disfavor should be submitted. That is why I submitted the resolution of disfavor. Hearings were held for 2 days.

As I understand from the distinguished Senator from Connecticut, and so far as I am able to gather from the testimony given before the committee, the reorganization plan at this time involves only the elimination of 53 appointive positions.

The argument made by Mr. Fowler was that there will be further reorganization, but the purpose of plan No. 1 is to eliminate these appointive positions.

I have always taken the position that we should have efficient service. The business people of my State want efficient service.

I was assured by Mr. Fowler that, so far as this reorganization plan is concerned, the elimination of these appointive positions is all that is involved.

I have given the reasons why I submitted the resolution of disfavor.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. RIBICOFF. Of course, Senators should be zealous in seeing to it that their States receive what they are entitled to. The Senator asked for hearings, and they were granted. The distinguished Senator asked Secretary Fowler many questions. I am sure the Senator from Rhode Island, with the great port of Providence, agrees that the committee was satisfied that there was not to be a diminution in the service for the people using the great port of Providence; that in many ways the people who found a need to use the port of Providence would have more efficient service; and that all that was involved was the elimination of the collector of customs position in the port of Providence. I believe the objective stated was that we would have more effective and efficient service, and not the mere patronage privilege.

Mr. PASTORE. I was about to come to that. The Senator anticipated me, but I must explain why I became interested and injected myself into the situation by introduction of a resolution of disfavor.

Mr. MAGNUSON. I did not attend the hearings but I should like to ask the Senator from Connecticut [Mr. RIBICOFF] what would happen—it was brought up in the hearings—when an efficient collector of customs was doing his job well. Would he be eliminated, or would he be folded into civil service? How would that process operate?

Mr. RIBICOFF. He would not be automatically folded into civil service. Every present collector of customs has the right to take a civil service examination and attain civil service status. If he is effective, if he is efficient, he can qualify for a top position in the customs service. But he would not automatically get a job.

Mr. MAGNUSON. If he had been serving for a period of time and had done the job well, why would he not automatically qualify?

Mr. RIBICOFF. Because we encounter complicated problems. Pressure would be exerted to automatically fold in everyone. We have a very efficient collector in the State of Connecticut. She is a good, personal friend of mine, and also of the senior Senator from Connecticut. Yet, if we are going to do the job, I do not believe that we should automatically fold everyone in. Some are effective and some are ineffective and inefficient. I believe that the time has come when the Senate must determine whether we wish to have the most effective and efficient government we can give the people of our various States and the Nation.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. RIBICOFF. Mr. President, I yield myself 2 additional minutes, and then I shall yield more time to the Senator from Rhode Island.

Mr. PASTORE. I am overwhelmed by the Senator's generosity.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Montana will state it.

Mr. MANSFIELD. How much time is left on each side?

The PRESIDING OFFICER. Fifty-five minutes are left to the proponents; and 35 minutes are left to the opponents.

Mr. MANSFIELD. I thank the Chair.

Mr. RIBICOFF. Mr. President, I yield myself 1 more minute to reply to the Senator from Washington.

Mr. MAGNUSON. I will take my seat if the Senator will give me 30 seconds.

Mr. RIBICOFF. Mr. President, I yield 30 seconds to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington is recognized for 30 seconds.

Mr. MAGNUSON. It seems to me that the argument of the Senator from Connecticut is that we would have an efficient government, but in effect what he is saying is that if the collector has been efficient he is going to be fired.

Mr. RIBICOFF. No; that is not the answer. The President himself in sending down his Reorganization Plan No. 1 states as follows:

Incumbents of abolished offices will be given consideration for suitable employment under the Civil Service laws in any position in customs for which they may be qualified.

Thus, if we have an efficient collector who is qualified, he can get the position; but if he is inefficient and not qualified, he is out.

Mr. **MAGNUSON.** Does the Senator mean that the civil service test will determine whether the collector has been an efficient or an inefficient collector of customs?

Mr. **RIBICOFF.** I believe that is a part of the test.

Mr. **PASTORE.** Mr. President, in order to crystallize the problem, what the Treasury Department wishes to do is to abolish political appointments made by the President with advice and consent of the Senate. Under present circumstances, they have to send in a knowledgeable person to serve as a deputy to the collector until he has learned the job, which takes a period of time. That is the argument made to us. Everyone except the collector is under civil service. The collector, of course, is designated by the President and confirmed by the Senate.

The **PRESIDING OFFICER.** The time of the Senator from Rhode Island has expired.

Mr. **PASTORE.** Will the Senator from Connecticut yield me 2 more minutes?

Mr. **RIBICOFF.** Mr. President, I yield 2 more minutes to the Senator from Rhode Island.

The **PRESIDING OFFICER.** The Senator from Rhode Island may proceed for 2 additional minutes.

Mr. **PASTORE.** By the way, Mr. President, do I correctly understand that these interludes of colloquy are added to the time?

Mr. **RIBICOFF.** They certainly are.

Mr. **PASTORE.** The argument made by Mr. Fowler was that he believes that by placing this whole system, including the collector, under civil service, he can render better and more efficient administration in that particular department. That is the argument made by him. If Senators disagree with him, they can vote for the resolution, but he claims that the situation has been such that many of the collectors do not cooperate. They hold themselves beholden alone to the Representative in Congress responsible for their appointment. It is not a proper liaison. These are the arguments being made, that the department, step by step, has been deteriorating. They feel that if they bring this whole operation under civil service and make these jobs career jobs, in the final analysis not only will we save $9 million but we also will give the people of this country a better quality of service. That is the argument that is being made.

Mr. **MAGNUSON.** How would it save $9 million?

Mr. **PASTORE.** Because of the consolidation of certain customs services and also because of the use of career civil servants in place of appointive officials.

Mr. **MAGNUSON.** If I had time, I could make a case on the other side.

Mr. **PASTORE.** I would hope that the Senator from Washington could make his argument on the other side. That is the trouble with the situation. When a reorganization plan is brought in, no hearings are held, unless a resolution of disfavor is introduced. The exceptions to that rule have been few and far between.

The **PRESIDING OFFICER.** The time of the Senator from Rhode Island has expired.

Mr. **PASTORE.** Mr. President, will the Senator yield me 2 more minutes, because I addressed myself to the chairman of the committee and he told me we could hold hearings if a resolution of disfavor was introduced. I introduced the resolution. A hearing was held, and I was present when the Secretary of the Treasury, Mr. Fowler, testified. I was satisfied that he was doing the right thing.

Of course, I regret to see this job in Rhode Island lost. On the question of centralization and decentralization, I was assured that everything we are now doing in Rhode Island will be done in Rhode Island efficiently after reorganization. When an appeal is taken, rather than travel to Washington, with the regional setup, an appellant need go only as far as Boston or New York. In other words, everything that a businessman can do in Rhode Island today he could do there after the plan is put into effect.

Mr. **MAGNUSON.** Is that true overall?

Mr. **PASTORE.** More or less. That is the assurance we have received from Secretary of the Treasury, Mr. Fowler.

Mr. **MAGNUSON.** We in the State of Washington are supposed to go down to San Francisco, which is 900 miles away from Seattle.

Mr. **PASTORE.** Let me answer that question. The businessman in the State of Washington, who must now take his appeals to Washington, D.C., will, under this reorganization, have a regional headquarters to which he may appeal. The trouble is that everything in Washington, D.C., becomes confused. The backlog is tremendous. What they are trying to do is to spare those who have to take an appeal from coming to Washington—rather than coming to Washington, to go to San Francisco.

The **PRESIDING OFFICER.** The time of the Senator from Rhode Island has expired.

Mr. **PASTORE.** But everything they can do in Seattle now they can still do, if this plan goes into effect.

Mr. **LAUSCHE.** Mr. President, will the Senator from Florida yield me 2 minutes?

Mr. **HOLLAND.** Mr. President, I yield 2 minutes to the Senator from Ohio.

The **PRESIDING OFFICER.** The Senator from Ohio is recognized for 2 minutes.

Mr. **LAUSCHE.** I have listened to the discussion between the Senator from Washington and the Senator from Rhode Island, and I am struck by the sincerity of purpose of the Senator from Rhode Island.

Let me point to the confusion which is developing with respect to civil service goodness and protection. We have three measures in the Committtee on Foreign Relations contemplating the removal of civil service protection from the workers and giving to administrative officers the ability to select out. In the pending measure, that kind of civil service is good, and should be made applicable to the collector of customs. But, in the Committee on Foreign Relations, it is argued, that kind of civil service is bad; that protection should be removed from the workers; and the right to fire should be placed in administrative officials. Which course to follow, under the advice of those who are in charge, is rather difficult to find.

Mr. **CLARK.** Mr. President, will the Senator from Ohio yield?

Mr. **LAUSCHE.** The three services in which it is proposed to take workers out of civil service are the U.S. Office of Information, the Peace Corps, and the State Department.

Mr. **PASTORE.** Also AID.

Mr. **LAUSCHE.** Also AID. Earlier it was said concerning the Peace Corps bill which we passed, that the Administrator of the Peace Corps feels that in the interest of efficiency, civil service protection should be removed.

He should be given the power to let his employees go. Whither we go is pretty hard to tell, with the conflicting counsel we are now getting.

Mr. **HOLLAND.** Mr. President, I thank the distinguished Senator from Ohio for his comments. They illustrate completely the fact that the Senate might well take cognizance of this situation.

The **PRESIDING OFFICER.** How much time does the Senator yield himself?

Mr. **HOLLAND.** As much time as I need. I control the time.

The Senate might well take cognizance of the fact that as to all the agencies that deal with people outside the United States the attempt is being made to get rid of civil service, apparently on the theory that people who are not citizens of the United States are entitled to more efficient treatment than can be given them under civil service; whereas as to people who deal with officials under our Federal Government, it is being sought to bring under civil service one of the most intimate agencies, which deals with every business that brings in goods from offshore or from Canada or from Mexico, and deals with every person who has relatives coming to this country, or friends or business associates, because that is how far spread this Customs Bureau agency goes.

It is a completely irrational approach. I am very happy that the Senator from Ohio has put his finger on this point.

Mr. **LAUSCHE.** Mr. President, will the Senator yield for half a minute?

Mr. **HOLLAND.** I yield.

Mr. **LAUSCHE.** It is not contemplated only to take those who work in foreign countries out of civil service protection, but also domestic employees in the State Department, in the U.S. Information Agency, and in the Peace Corps. The Administrator of the Peace Corps has taken the position that for efficient administration there should be a turnover of the administrative employees every 2 or 3 years, as there is with the volunteer members.

Which principle is correct? There are two bits of advice given; namely, that civil service is good, and that civil service protection is bad. How are we to decide in the face of such conflicting advice?

Mr. CLARK. Mr. President, will the Senator yield for 1 minute?

Mr. HOLLAND. I shall be glad to yield after I have made my statement. I should have made it in the beginning, but was not able to do so. I wish to get the statement into the RECORD. Then I shall be glad to mark the Senator from Pennsylvania as the first Senator to whom I shall yield.

Mr. President, I ask unanimous consent that the first three paragraphs of my prepared statement be included in the RECORD at this point of my remarks, because they have been adequately covered in the statements that have already been made.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The matter before the Senate is a resolution, Senate Resolution 102, submitted by the distinguished Senator from Rhode Island [Senator PASTORE] and which the senior Senator from Florida, together with Senators BREWSTER, PELL, and YOUNG of North Dakota, had the privilege of cosponsoring.

Approval of this resolution would disapprove Reorganization Plan No. 1, transmitted to the Congress by the President on March 25, 1965. Under the provisions of the Reorganization Act of 1949, under which this plan was submitted to the Congress, no affirmative action is required on the part of either House of the Congress in order to effectuate the plan. Unless disapproved under the procedures established in the Reorganization Act of 1949, Reorganization Plan No. 1 of 1965 would become law 60 days after transmittal to the Congress by the President, which would be midnight tonight, May 24, 1965. This plan would then become law, in the form in which it was submitted. There can be no amendment to the plan, no modification of it, no reservations written into it nor can any limitation be attached.

In other words, today, either by negative action or inaction, we may permit the plan to become law as it stands, or we may nullify it by affirmative action, by adopting a resolution of disapproval, which is the resolution now before the Senate.

Mr. HOLLAND. Mr. President, the immediate purpose of Reorganization Plan No. 1 of 1965 is to place the entire customs service on a career or civil service basis. It would accomplish this purpose by abolishing the offices of all Presidential appointees in the Bureau, thus enabling the appointment of all officials and employees of the Bureau of Customs under civil service laws.

On page 42 of the hearings on the resolution Senators will find the first five recommendations which would be accomplished by the adoption of the reorganization plan. Each of them would be accomplished through the abolishment of positions which now require Presidential nomination and senatorial confirmation.

These positions are: Comptroller of Customs; the comptroller's office in Philadelphia; collectors of customs in 22 small collection districts; 22 small collection districts, and consolidation of them with nearby larger districts; and the remaining positions of collector, appraiser, and surveyor.

Every one of these positions is now covered by Presidential appointment, and with respect to which Senators who are affected have an opportunity to stand as a buffer between their people and the bureaucracy in Washington. It is proposed to abolish every one of those positions.

My regret is that more Senators are not on the floor to listen to the discussion of this proposal. I do not believe that Senators, who may be perfectly happy to get away from the responsibility of recommending people, will wish to shirk their responsibility under present law, a law which has been in existence from the founding of this Nation, and which has put them in the position of standing between their people and essential businesses in their States and the officialdom at Washington or at the local level.

According to the President's message of transmittal, plan No. 1 is part of a customs modernization program, designed to achieve increased efficiency through tightened management controls, which will make possible a net annual savings of $9 million within a few years. Of this amount $1,248,000 will be as a direct result of the reorganization plan and the remainder from administrative action of the Department.

Mr. President, I should like to state for the benefit of the Senate the provisions of the plan as contained in the report on Reorganization Plan No. 1 of 1965—Bureau of Customs—as submitted by the Committee on Government Operations, Senate Report No. 203.

Mr. President, I ask unanimous consent that the next four paragraphs of my prepared remarks be inserted in the RECORD, because they discuss the plan, and the plan has already been sufficiently discussed.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

PROVISIONS OF THE PLAN

Section 1 abolishes, in the Bureau of Customs, Department of the Treasury, the offices of collector of customs, comptroller of customs, surveyor of customs, and appraiser of merchandise, all of which are now required to be appointed by the President, subject to Senate confirmation. The offices would be abolished at such time as the Secretary of the Treasury shall specify, but not later than December 31, 1966. Nothing in the plan would authorize the Secretary to increase the term of any office beyond that provided by law or to affect the Secretary's authority to retain in office, prior to December 31, 1966, those persons whose offices are to be terminated.

Section 2 transfers to the Secretary of the Treasury those functions, if any, which have been vested in statute in officers, agencies, or employees of the Bureau of Customs since the effective date of Reorganization Plan No. 26 of 1950. The committee has been advised by the Treasury Department that no functions have actually been vested in any office other than that of the Secretary and that this provision has been included as a precautionary measure.

Section 3 provides that the abolition of the offices of the Presidential appointees shall not prejudice the right to protest or appeal to the U.S. Customs Court any action taken in the administration of the customs law.

Section 4 provides for the incidental transfer required by section 4 of the Reorganization Act of 1949, as amended, and authorizes the Secretary of the Treasury to make such provisions as he deems necessary to transfer or otherwise dispose of records, property, personnel, and unexpended balances or appropriations, allocations, and other funds, available or to be made available, which are affected by the plan, and to wind up the affairs of any officer whose office is abolished.

Mr. HOLLAND. Mr. President, I testified before the committee on May 14, 1965, at which time I indicated my deep concern over this reorganization plan. My specific concern was, and is, twofold. First, I am deeply concerned over the abolition of all Presidential appointees in the Bureau of Customs and, second, if this plan is permitted to become effective, the reorganization plan submitted to the Congress by the Secretary of the Treasury and described in the voluminous report on the "Evaluation of: Mission, Organization, Management," which contains some 230 recommendations, would be triggered off; and a certain unknown number of those recommendations would, of course, be adopted.

While I am well aware of the fact that the reorganization plan under consideration does not necessarily relate to the recommendations contained in the later report, nevertheless, many of them would be contingent upon approval of Reorganization Plan No. 1, which approval can be accomplished by inaction of this body.

Mr. President, concerning the immediate question of Presidential appointees, I feel that there should be pointed out most emphatically the extreme importance of having customs collectors who are highly knowledgeable of the area, the people and the localities. It is essential in order for the service to operate efficiently. It is important that the collector of customs be responsible to the administration and that he act as a buffer, so to speak, between the citizens and the bureaucracy.

I also believe, Mr. President, that it is of great importance to the service to have a highly competent person, familiar with the public relations aspects in a given locality, which cannot be obtained through the career service.

The only way such a qualified person can be obtained is through Presidential appointment whereby the Senators from the respective States have an opportunity to give their views on a particular candidate for office of collector of customs. They have a joint duty with the President, the duty of confirming or not confirming the appointees.

In this regard, Mr. President, I would like to point out that under a reorganization plan of 1956 the Internal Revenue Service was reorganized to place Presidential appointees under the career civil service. Fortunately, in the State of Florida we have had a most able and competent director, Mr. Laurie W. Tomlinson. He is a Floridian and is conversant with the people and the State. Unfortunately, after 32 years he has found it necessary to retire from the service. During his period of service he has seen the Internal Revenue Service in Florida grow from one collecting $7½ million in 1933 to approximately $2 billion this coming year. We have now been advised that when Mr. Tomlinson retires on May 31, 1965, a man, and undoubtedly a most able and competent man, will take over the directorship of the Internal Revenue Service. However, he is being transferred from Los Angeles, Calif., and I doubt seriously that he will be able to adequately replace a man, a native of the State, and one who is completely familiar with the State and its people for many years.

It would in the very nature of things take several years for an able and competent person—and I assume that he would be—to acquire a knowledge of the people, businesses, geography, and the other things which he should have to preside over such an important office, which knowledge he would not have when he comes to our State from California. I do not know of what State he is a native, except I am told that he is not a native Floridian.

I might also add, Mr. President, that as Presidential appointees, the President has the right to discharge the appointee at any time; whereas, if the position is in the career civil service the matter becomes much more complex, and we are all familiar with the lengthy proceedings that are necessary to discharge a career employee, regardless of his competence.

Many of us have seen cases in which it was made rather clear that mediocrity rather than a high degree of competence was being encouraged by the civil service.

Mr. President, I should like also to suggest that approval of the resolution now before the Senate would prevent the Department of the Treasury from placing into effect many of the 230 proposed recommendations contained in the report submitted to the Congress by the Secretary of the Treasury. To be sure, many of them can be placed into effect without congressional sanction. However, I am sure that approval of this resolution would have a deterrent effect on many of them.

I shall only discuss very briefly two of these recommendations that I am greatly concerned with.

The first relates to the creation of the various regional offices. Initially, the recommendations called for the creation of 6 regional offices with some 25 subordinate district offices. Under the proposed reorganization of the Bureau of Customs, 35 States will be affected by the loss of collectors of customs.

The list of States begins with Alabama and goes through to Wisconsin and consists of 35 States. I should be very glad to advise any Senator who wishes to know whether his State would be affected or not.

I see the distinguished Senator from Washington [Mr. MAGNUSON] in the Chamber. His State would be one of those affected. I see the distinguished Senator from Arizona [Mr. HAYDEN]. His State is one of those which would lose a collector of customs. I see the Senator from North Dakota [Mr. YOUNG]. There would be a loss of an office of collector of customs in his State. I see before me the Senator from Ohio [Mr. LAUSCHE]. His State would lose an office. I see in the Chamber the distinguished Senator from New Jersey [Mr. CASE]. His State would be fortunate. It would not lose an office. However, it would lose a separate collector to be appointed on the recommendation and confirmed upon the vote of the Senate—meaning largely the Senators from that State, but meaning also all the Senate.

Mr. President, I ask unanimous consent that the list be printed in the RECORD at this point.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

STATES AFFECTED BY THE LOSS OF COLLECTORS OF CUSTOMS

Alabama, Alaska, Arizona, California, Colorado, Connecticut, Florida, Georgia, Hawaii, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, Washington, and Wisconsin.

Mr. HOLLAND. However, in reading the hearings of the committee and particularly the testimony of Secretary Fowler, my concern over increasing the cost of operating the Bureau of Customs rather than effectuating a savings is substantiated. In my statement before the committee I said that it was plain nonsense and bureaucracy to believe that the regional offices and the subordinate district offices would replace the 113 independent field offices. I stated that the creation of new offices would pyramid, layer upon layer, and I cited a typical illustration—the creation of the Defense Department under the National Security Act of 1947.

The testimony during the hearings on that reorganization brought out the fact that the personnel assigned to the Secretary of Defense would not exceed 100 persons. Today, Mr. President, personnel so assigned ranges upward of 3,000.

This was the testimony of Vice Adm. Forrest Sherman, then Deputy Chief of Naval Operations, U.S. Navy, before the House Committee on Expenditures in the executive department in the 80th Congress, 1st session, on H.R. 2319, a bill to promote the national security by providing a National Defense Establishment which shall be administered by the Secretary of National Defense, and so forth, May 2, 1947.

I quote from Admiral Sherman's statement at that time to that committee:

> The Secretary of National Defense should have a small executive office for directing and controlling the national defense establishment.

Mr. President, this sounds almost funny now when we look back on it and realize how greatly the able plans of the distinguished naval officer who was testifying at that time have been miscarried. I quote again from his statement:

> In addition to the four assistants provided by section 104, I believe he could accomplish his mission with about 100 people, including stenographic personnel and file clerks. I would expect that he would use to their full capacity such agencies as the War Council, the Joint Chiefs of Staff, Munitions Board, and the Research and Development Board, and would decentralize to a maximum.

Mr. President, instead of decentralizing, the Defense Department has mushroomed until it now has over 3,000 personnel; and the Defense Department as a whole, of course, is not larger than it was shortly after the end of World War II.

Already Secretary Fowler has indicated he would review these recommendations, and I derive from his testimony that he will relent in many instances and permit many field offices to remain as district offices.

Mr. President, I cannot speak as to what other Senators have told me, but the Under Secretary of the Treasury came to see me and told me personally the promises he had given in the matters of the State of New York, the State of Maryland, the State of Texas, and the State of Oregon to meet the objections of the Senators from those States, so that there would be no particular trouble in those States. I do not know how many other instances there were, but it is evident to me that they have set out to do one thing, and that is to accomplish the bringing under civil service of this entire great and vital activity, and then, of course, they could handle it in any way they desired.

Another point, and one which is of very deep concern to me, is recommendation IX–1. I believe I should at this time quote a statement made in the hearing by Secretary Fowler, who quoted from former Secretary Dillon. Secretary Dillon stated in the hearings before the Appropriations Committee of the House only about 3 months ago as follows:

> It is my judgment that, except for the special case of the Secret Service, the Bureau of Customs is far and away the most seriously understaffed of any bureau in Treasury.

Mr. President, he has set out to increase the staff. Let us remember that Secretary Fowler merely has inherited this problem from Secretary Dillon. I believe he is an unhappy man to have so inherited it. They are trying to increase the staff, and they have stated to a committee of Congress—the Appropriations Committee of the House—this year, 3 months ago, that this is the most seriously understaffed bureau in the whole Department of the Treasury except the Secret Service.

Another point, Mr. President, and one which is of very deep concern to me is recommendation IX–1 on page IX–1 of the Secretary of the Treasury's report which is:

> Abandon the present policy of 100 percent examination of passenger baggage and replace it with selective spot-check examinations. The goal to be sought is a generally accepted program of voluntary compliance by the traveling public, supported by an effective enforcement program to discourage would-be smugglers and to apprehend actual violators.

Mr. President, over the years the Congress has appropriated millions of dollars for the eradication of insects and pests which have infiltrated through the borders. We, in Florida, have been through three very expensive and very difficult eradication campaigns for the eradication of the Mediterranean fruit fly. I asked for statements from the Department of Agriculture covering two things. One is table 1, showing the costs of terminating eradication activities against plant diseases and pests which have been introduced. I shall not weary the Senate by reading that, but I wish to state for the record that the total cost of eradicating pests or diseases which have been eradicated—and many have not yet been—has been $175,829,900, and it is shown in a tabulation.

I advert for a moment to the facts shown with relation to the Mediterranean fruit fly. The cost of eradication of that fly in 1929 to 1931 was $7,248,800; in 1956 to 1958, $13,034,800; in 1962–1964, when it was caught very quickly it was only $1,572,200. There was a total of some $22 million cost for the eradication of that one pest alone—the Mediterranean fruit fly.

Mr. President, this bureau, for some reason or other, is "hipped" on the idea that spot inspections will meet the situation. On two former occasions, we have endeavored to put just that into its requests of the Committee on Appropriations. I was present, as were the chairman of the Committee, the distinguished Senator from Arizona [Mr. HAYDEN], and the distinguished senior Senator from North Dakota [Mr. YOUNG]. In both instances, we were able to stop the attempt by appropriating sufficient money to carry on 100 percent inspection, which is so necessary.

It would be a terrible disaster if some pests, such as those which cause hoof-and-mouth disease, or the screw worm, and others, that have caused us much damage, were to return at the places where they have been eradicated.

Mr. President, I ask unanimous consent that table No. 1 be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE I.—TERMINATED PROGRAMS

There follows a tabulation of terminated eradication activities against introduced plant diseases and pests:

Estimated cumulative cost of program through June 30, 1964

	Federal	Cooperators	Total
Dutch elm disease [1]	$22, 312, 200	$2, 488, 600	$24, 800, 800
Hoja blanca	175, 200	78, 000	253, 200
Citrus canker	2, 435, 400	2, 062, 800	4, 498, 200
Hall scale	1, 518, 200	397, 700	1, 915, 900
Mediterranean fruit fly:			
Year of operation:			
1929–31	6, 500, 000	748, 800	7, 248, 800
1956–58	5, 000, 300	8, 034, 500	13, 034, 800
1962–64	773, 100	799, 100	1, 572, 200
White pine blister rust [1]	103, 077, 000	19, 429, 000	122, 506, 000
Total	141, 791, 400	34, 038, 500	175, 829, 900

[1] Diseases still present; program activities terminated except for quarantine enforcement for white pine blister rust.

Mr. HOLLAND. Mr. President, table No. 2 is a recital of the efforts made in this century to eradicate introduced pests. The total cost has been $580,927,300. I ask unanimous consent that table No. 2 be printed at this point in the RECORD.

There being no objection, the table was crdered to be printed in the RECORD, as follows:

TABLE II.—*Estimated cost through fiscal year 1964 of control programs resulting from introduced pests*

Pest	Year first reported in United States	Control program		Estimated cumulative cost of program		
		Year started	Year terminated	Federal	Cooperators	Total
Barberry eradication, acct. *Puccinia graminis*	1726	1918	----------	$27, 400, 100	$7, 722, 300	$35, 122, 400
Gypsy moth	1869	1907	----------	43, 654, 600	66, 390, 200	110, 044, 800
Sweetpotato weevil	1875	1938	----------	5, 116, 900	12, 220, 500	17, 337, 400
White pine blister rust	1898	1916	----------	103, 077, 000	19, 429, 000	122, 506, 000
Mexican fruit fly	1903	1928	----------	5, 970, 700	2, 058, 100	8, 028, 800
European corn borer	1910	1919	1942	15, 999, 700	----------	15, 999, 700
Citrus canker	1910	1915	1950	2, 435, 400	2, 062, 800	4, 498, 200
Japanese beetle	1916	1920	----------	19, 320, 200	17, 767, 000	37, 087, 200
Pink bollworm	1917	1917	----------	40, 263, 800	12, 452, 000	52, 715, 800
Imported fire ant	1920	1958	----------	17, 622, 200	12, 054, 500	29, 676, 700
Burrowing nematode	1926	1955	----------	3, 048, 600	4, 742, 500	7, 791, 100
Mediterranean fruit fly	1929	1929	1931	6, 500, 000	748, 800	7, 248, 800
	1956	1956	1958	5, 000, 300	8, 034, 500	13, 034, 800
	1962	1964	----------	773, 100	799, 100	1, 572, 200
Dutch elm disease	1931	1934	1949	22, 312, 200	2, 488, 600	24, 800, 800
Hall scale	1934	1941	1960	1, 518, 200	397, 700	1, 915, 900
White-fringed beetle	1936	1938	----------	19, 780, 500	11, 133, 600	30, 914, 100
European chafer	1940	1955	----------	1, 101, 500	758, 700	1, 860, 200
Golden nematode	1941	1946	----------	6, 271, 100	4, 683, 500	10, 954, 600
Khapra beetle	1953	1955	----------	6, 490, 600	5, 051, 200	11, 541, 800
Citrus blackfly	1954	1954	----------	2, 604, 300	10, 030, 600	12, 634, 900
Soybean cyst nematode	1954	1956	----------	3, 233, 400	1, 498, 700	4, 732, 100
Witchweed	1956	1957	----------	16, 924, 200	526, 600	17, 450, 800
Hoja blanca	1957	1959	1964	175, 200	78, 000	253, 200
Cereal leaf beetle	1962	1963	----------	711, 800	493, 200	1, 205, 000
Total	----------	----------	----------	377, 305, 600	203, 621, 700	580, 927, 300

Mr. HOLLAND. Mr. President, Senators will note that the list covers pests that have already been eradicated, and also some others as to which we are making major efforts toward eradication at this time, and also other pests of less importance. I am happy to say that, as a result, I believe that the row a good many of us have made in the hearings—and that I made in a personal approach to the Department of Agriculture—has stayed the adoption of this part of the reorganization plan. But I do not wish to give power anywhere to permit the 100-percent inspection to be abandoned, because I know it would involve terrible disaster in areas that may be affected in my own State, lying as close as it does to many areas south of us that are affected by diseases and pests, and are also exposed areas for the introduction of diseases.

At any rate, under date of April 9, 1965, the able Secretary of Agriculture, Mr. Freeman, addressed an exceedingly interesting letter on the subject to Hon. Henry H. Fowler, Secretary of the Treasury. I ask unanimous consent that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., April 9, 1965.

HON. HENRY H. FOWLER,
Secretary of the Treasury.

DEAR MR. SECRETARY: This will acknowledge the letter from your office dated March 23 concerning changes being made in the organization and operations of the Bureau of Customs. We are especially interested in the proposal to adopt a spot-check system in the examination of incoming passenger baggage because of the very serious danger to which such a system would expose American agriculture.

We readily understand that the concept of a selective spot-check examination may be acceptable for Customs' purposes. We can also appreciate the desire of international carriers, with whom we have also discussed this matter on numerous occasions, to have their passengers cleared through Customs with a minimum of delay. We are in full agreement that there should be no more restriction on international travel than is essential to protect our national welfare. We should like to review briefly, however, the effect the proposed procedure would have on our efforts to prevent the introduction of destructive foreign pests and diseases of plants and animals.

The annual value of our crops, livestock, forests, and grazing lands is estimated at approximately $50 billion. Current annual losses from pests and diseases are estimated at $9 billion. Many of the most serious pests and diseases with which we have to contend are of foreign origin. Most of these gained entry before plant quarantine legislation was enacted in 1912, but a few very important ones have been introduced since that time. One of the most recent was the Mediterranean fruitfly which was discovered in Florida in 1956. Subsequent introductions appeared in 1962 and 1963. There is every indication that these infestations resulted from infested fruit brought into the country in passenger baggage. Eradication of the pest cost over $10 million.

There are still thousands of additional pests and diseases throughout the world which could seriously affect United States agriculture if they should become established here. The attached statement lists

> examples of some of the foreign plant pests and diseases about which we were concerned and the possible impact they could have on our agricultural production.
>
> Similarly, certain meats and meat products of foreign origin represent a hazard of introducing serious animal diseases. For example, foot-and-mouth disease and rinderpest, which are extremely destructive, exist in many areas of the world from which travelers arrive daily.
>
> A record 446,484 lots of unauthorized plant and animal material were intercepted at ports of entry during the past fiscal year. There were 35,276 interceptions of plant pests, also a record high. More than half of this material was found in passenger baggage.
>
> In a test survey conducted by Customs and Agriculture, some years ago at Boston, New York, and Miami, it was found that examination of a representative 10 percent of incoming baggage caused the inspectors to miss over 85 percent of the unauthorized agricultural items present. More recently, a 30-day test of the agricultural inspection of the baggage of mainland-bound passengers was conducted in Hawaii. Over 57,000 pieces of baggage were examined after first questioning each passenger as to the presence of any plants, fruits, or other plant material. A total of 1,766 interceptions was made, 48 percent of which were found after the passenger had declared that he had no plant material.
>
> In view of the known and repeatedly demonstrated danger involved, we have no alternative other than to strongly oppose any further relaxation in the examination of passenger baggage. The additional cost of thorough inspection and the brief inconvenience to travelers are negligible when compared with the need for protecting our vast agricultural production and our overall national economy.
>
> We appreciate very much the opportunity to comment on the proposal, and we will be pleased to have our people discuss the matter further with the Commissioner of Customs as suggested.
>
> Sincerely yours,
>
> ORVILLE L. FREEMAN.

Mr. HOLLAND. Mr. President, it would be well to read one paragraph to show the futility of spot inspections. The Secretary of Agriculture said:

> In a test survey conducted by Customs and Agriculture, some years ago at Boston, New York, and Miami, it was found that examination of a representative 10 percent of incoming baggage caused the inspectors to miss over 85 percent of the unauthorized agricultural items present. More recently, a 30-day test of the agricultural inspection of the baggage of mainland-bound passengers was conducted in Hawaii. Over 57,000 pieces of baggage were examined after first questioning each passenger as to the presence of any plants, fruits, or other plant material. A total of 1,766 interceptions was made, 48 percent of which were found after the passenger had declared that he had no plant material.

That is the experience we have had in the past. We are exceedingly anxious to stop now any effort—and this is a part of the program of the agency and of the Treasury Department—to acquire authority to do things of this kind. Whether it can be stopped later through appropriations or other acts of Congress is beside the question. In the meantime, harm might have been done; a disease or a pest might have been brought in.

I do not have to say to the distinguished Senator from Arizona what happened in his State when a certain disease entered his State a few years ago, and a large sum of money had to be spent to eradicate it, both by the killing of cattle and the slaughtering of some 2,000 deer, before the termination of that effort which our Nation had started at its expense.

Mr. YOUNG of North Dakota. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. YOUNG of North Dakota. Mr. President, no Member of the Senate knows better than does the Senator from Florida the problem that arises from insects that come into the country from other parts of the world. This has occurred several times in the last 5 years, and two or three times in Florida. The cost of eradication has been tremendous. Sometime in the future it may not be possible to eradicate these insects at all. So the situation presents a highly important problem.

I do not believe that a strong hierarchy should be built up in the customs service to the extent that they will not listen to pleas by the Secretary of Agriculture and others concerning the danger of this kind of activity.

Mr. HOLLAND. I thank the distinguished Senator from North Dakota. He has been zealous in the effort to insist upon a continuing 100 percent inspection.

As the distinguished Senator from Arizona and other Senators know, the idea proposed by the Treasury has been urged repeatedly. They are again asking for a reorganization plan so that they will have greater celerity in putting it into effect.

In their list of 230 recommendations upon which the proposed reorganization is based, one of the programs which they hope to make effective speaks louder than many words that I could speak in the Senate.

I wish to make it very clear that my State is in a critical condition in this regard because of the great movement of people into our State and the enormous movement of baggage through our ports. I read several paragraphs from my statement before the committee:

> Florida has seen great growth in the past years and there is not one branch in the Government more intimately concerned with this growth than the customs service personnel. It is of interest to note that 302,211 passengers arrived at Miami alone via vessels during 1964, and 146,694 at Port Everglades—

That statement refers to vessels on the seas.

> Much of this volume can be attributed to the tremendous growth of tourist traffic to the Bahamas since its cessation of trade with Cuba, or to Jamaica, or other spots such as Trinidad and the like, and many of the diseases and pests which we are very much afraid of in our subtropical climate are found in these areas from which these many travelers come.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD all of page 85 of the hearings on Senate Resolution 102, except the last paragraph.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> Senator HOLLAND. I will say that Florida has seen great growth in the past years and there is not one branch in the Government more intimately concerned with this growth than the customs service personnel. It is of interest to note that 302,211 passengers arrived at Miami alone via vessel during 1964, and 146,694 at Port Everglades. Much of this volume can be attributed to the tremendous growth of tourist traffic to the Bahamas since its cessation of trade with Cuba, or to Jamaica or other spots such as Trinidad and the like, and many of the diseases and pests which we are very much afraid of in our subtropical climate, Mr. President, are found in these areas from which these many travelers come.
>
> The tourist traffic to Nassau has been implemented by the rapid expansion of tourist facilities on Grand Bahama Islands, including the opening of gambling casinos at Freeport.
>
> Population growth in the Bahamas has been extremely rapid in recent years, thereby giving permanent character to the trade between the islands and Florida. And the trade between Florida and Jamaica, Trinidad, and Tobago and the Lesser Antilles has grown up by leaps and bounds, also.
>
> Now, Mr. President, particularly I want to refer to the tremendous increase in air traffic, most of which has to do with traffic from Latin America.
>
> Air traffic in Florida alone continues to increase at a phenomenal rate. During 1963, 626,596 air passengers arrived, increasing to 705,771 during 1964. Of these, 454,970, or 65 percent of the total, arrived at Miami International Airport. Other international airports are located at Tampa, West Palm Beach, Fort Lauderdale, and near St. Petersburg.
>
> Further, Miami is also the terminal for a constantly increasing volume of aircargo. Many airfreight lines operate from Miami International Airport to all parts of the Caribbean, Central America, and South America.
>
> With the advent of the jet age, each having a large cargo capacity in addition to its passenger loads, the amount of aircargo has increased by leaps and bounds, the number of inbound air shipments handled during 1964 alone being 67,453. That is, that many different shipments, Mr. Chairman, with outbound shipment totaling 343,607.
>
> Mr. Chairman, it is my hope that this committee will favorably report Senate Resolution 102 to the Senate and that they in turn will disapprove Reorganization Plan No. 1.

Mr. HOLLAND. Mr. President, I also invite attention to the air traffic to Florida during the same period:

> During 1963, 626,596 air passengers arrived, increasing to 705,771 during 1964. Of these, 454,970, or 65 percent of the total, arrived at Miami International Airport. Other international airports are located at Tampa, West Palm Beach, Fort Lauderdale, and near St. Petersburg.

Mr. President, consider all those who enter our country, with the best of intentions, to visit us. They bring in oranges and other types of tropical fruit which are carriers of diseases and pests which are a threat to our fruit, vegetables, and cattle producers. Such interceptions at Miami airport alone have risen to the thousands. I continue to read:

> Further, Miami is also the terminal for a constantly increasing volume of air cargo. Many airfreight lines operate from Miami International Airport to all parts of the Caribbean, Central America, and South America.

The number of inbound aircargo shipments handled during 1964 was 67,453.

Outbound aircargo shipments totaled 343,607. Some of those shipments were in more than one package.

Mr. President, this is not a small problem. This is a problem that commands the interest and attention of our entire country. When we have pests and diseases coming in, the whole country suffers, but particularly the area in which the infestation occurs, whether it be an infestation by disease or insect.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. RIBICOFF. I quote to the Senator the remarks of the Secretary of the Treasury:

> I might add that substitution of spot checks for the present 100 percent baggage examination policy would be instituted only after advance consultation with the Department of Agriculture.

Consultation between the Secretary of the Treasury and the Secretary of Agriculture is now underway. I am sure, as stated by Secretary Fowler, that under no circumstances would he allow a system that would mean the importation of any pest that would affect the agriculture of this country in any way. The funds for this kind of inspection come, not from the Treasury budget, but from the agricultural appropriation.

Under the circumstances, the Subcommittee on Agriculture of the Committee on Appropriations is the committee which would control the amount of money which would be allocated for this kind of spot check. The elimination of 53 customs collectors, who are political appointees, would not be a determining factor as to what examination would take place concerning agricultural pests.

Mr. HOLLAND. Mr. President, I know that the distinguished Senator means what he says and thinks that is so. However, the fact of the matter is is that we have seen how civil service workers watch the clock and work by the clock. Many of them are mediocre. We would much prefer not to have that type of administration concerned with this problem, but rather keep it under the management and control of those whom we have selected. These people are well versed in the agricultural industry and have been seeing to it that a 100-percent inspection was made upon the arrival of the baggage of passengers.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. RIBICOFF. Mr. President, it may be true that some civil servants watch the clock. However, there are some political employees who neither watch the clock nor come to work. But they are drawing paychecks for contributing their services.

We can be sure that the men in these new jobs will be the kind of people who will put in a full day's work for the money they receive.

Mr. HOLLAND. Mr. President, I thank the Senator. That is what the Senator believes. He believes that the judgment and approval of those higher up in civil service, or at the top of a department, is sounder than the judgment of the Senators from the jeopardized State.

While I do not have any desire to retain that power, I do have a feeling of responsibility to the people of my State and of the whole area adjoining it. This feeling of responsibility would make me most careful in the submission of the name of a man to be Collector of Customs.

Mr. President, I should like to have a person who has a desire to live with the job and make sure that it is well performed. The subject is still being reviewed. The opponents will not give up. They are not satisfied with the understanding that there must be a 100-percent inspection.

I have before me a letter dated May 23, 1965, from the Acting Assistant Secretary of the Treasury.

Mr. President, I ask unanimous consent that the letter of May 23, 1965, addressed to me from James Pomeroy Hendrick, Acting Assistant Secretary of the Treasury, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> TREASURY DEPARTMENT,
> *Washington, D.C., May 23, 1965.*
>
> Hon. SPESSARD L. HOLLAND,
> *U.S. Senate,*
> *Washington, D.C.*
>
> DEAR SENATOR HOLLAND: You have expressed concern over a proposal announced in a Treasury Department press release of March 22, 1965, to change the present policy of the Bureau of Customs requiring 100 percent examination of incoming passenger baggage.
>
> The particular situation in Florida with regard to introduction of pests brought back in travelers' baggage is fully recognized. I can assure that no change will be made in the present system of examining baggage of travelers clearing Customs on arrival in Florida unless this change has first been explained to, and has not been objected to by, the Secretary of Agriculture or his duly authorized delegate. I am confident that the Secretary or his delegate will in this connection fully take into consideration the views of the Florida agricultural industry, including both producers of citrus fruits and of livestock.
>
> In this connection I enclose herewith for your information an exchange of correspondence between Secretary Dillon and Secretary Freeman on this subject.
>
> The proposal above described is not part of the President's Reorganization Plan No. 1 of 1965.
>
> Sincerely yours,
> JAMES POMEROY HENDRICK,
> *Acting Assistant Secretary of the Treasury.*

Mr. HOLLAND. Mr. President, I wonder if this man thinks that the industries in Florida have no concern in this matter. I wonder if he believes that the Senators from Florida and the Representatives from the districts that are most intimately affected have no concern in this matter.

Apparently the Treasury Department believes that it is enough merely to discuss this subject with the Department of Agriculture. The Acting Assistant Secretary of the Treasury in his letter states:

> I am confident that the Secretary or his delegate will in this connection fully take into consideration the views of the Florida agricultural industry, including both producers of citrus fruits and of livestock.

Mr. Hendrick is going to leave it to someone else to check with those who are most concerned.

Mr. President, it is a responsibility that I am not jealous to retain except for the protection of our people.

The Senator from North Dakota [Mr. YOUNG] well knows what occurred on the two occasions when an attempt was made to eliminate the 100-percent inspection. On one occasion we discovered that a spot inspection had been conducted for a period of time without our knowledge.

The Senator from Florida was highly vocal, if not vociferous, in insisting that the 100-percent inspection be immediately renewed. The entire Committee on Appropriations supported the Senator from Florida on that occasion. We were able to have the 100-percent inspection renewed.

Mr. President, I shall add one more fact as to what has happened in Florida. In the fiscal year 1963, 10,327 lots of plant material were removed from the baggage of people arriving in Florida, and 756 plant pests were removed.

In the fiscal year 1964, 11,563 lots of plant material were removed from the baggage of people arriving in Florida, and 875 plant pests were removed.

It is very evident that the risk is going upward rather than downward. In addition, some 175 to 200 lots of quarantined meat items a month are removed in Miami. That relates to the hoof and mouth disease. Much of that disease comes from countries south of us which put the disease on a control basis rather than eradication. The disease is so widespread that it is believed that eradication can never be obtained.

I appreciate the apparent concession which has been given. However, we all know that the appointed officials of the department are not immortal. We cannot assume that when the tenure of office has expired, the policies which they have put into effect will remain in effect.

Mr. President, I strongly urge the Senate to adopt Resolution 102 and thereby prevent an unnecessary, and, I believe, unwarranted move to place persons in highly responsible positions in the Customs Bureau with no opportunity for the consideration of State and local problems.

I am of the strong opinion that the Senate should not relinquish its responsibility in this field.

Mr. President, I believe it to be important to have printed at this point in the RECORD a suggested recommendation that has been made. This recommendation is one of the recommendations upon which this reorganization is based—although, by no means, is it certain that it will be carried out. I desire to make that very clear. I hope that it will never be carried out. This comes from the brain trusters in the Treasury Department. It reads:

> IX-1. Abandon the present policy of 100 percent examination of passenger baggage and replace it with selective spot-check examinations. The goal to be sought is a generally accepted program of voluntary compliance by the traveling public, supported by

> an effective enforcement program to discourage would-be smugglers and to apprehend actual violators.

Mr. President, they are talking foolishness when they talk of the substitution of a voluntary program for a program that is enforced 100 percent. It is foolishness that I, for one, would never want to see discussed seriously. We have seen what happened when, in good faith, they relied upon the statements of the travelers, as they did in Hawaii, during this most recent test. They found numerous cases in which travelers did not declare the truth, and numerous occasions in which the truth was that they were not only carrying prohibited materials, but also were carrying either the pest or disease along with those prohibited materials.

Mr. President, one more point, and I shall be through. It is this: I have seen this policy of attrition of the responsibilities and powers of the Congress go on until I am literally sick of it.

We have before us a bill which we are to pass upon in the next few days, under which it is proposed that the Attorney General be given authority greater than that possessed by the courts, so he can bypass the courts, so he can bypass the States, so he can bypass Congress in certain important particulars.

That is only one symptom of the disease which has been infecting us. We are suffering from that in Florida as a result of a reorganization plan in 1956. They are sending a man to Florida, who may have had experience and knowledge in California, to the post at Jacksonville, in the Internal Revenue Service, which now produces about $2 billion a year.

Are we going to continue to pass the buck and remove authority which our people want their Senators to have? Senators are representing the people, and are going to do their best to protect the people and the States in critical matters, in matters affecting taxes—which are critical—and affecting also the matter of pests and diseases that are brought into this country through harbors and airports. Are we going to leave the Senate with no voice in these matters and weakly stand aside and abrogate a law which has existed since the country was founded and which has given us important responsibilities in that regard?

I hope the Senate will not do anything of the kind. So far as I am concerned, I could not consent for one moment to doing such a thing.

I promised first to yield to the Senator from Pennsylvania [Mr. CLARK]. Does he wish me to yield for a question?

Mr. CLARK. No; I believe the Senator from Connecticut will yield me some of his time.

Mr. HOLLAND. I yield the floor at this time.

Mr. RIBICOFF. I yield 5 minutes to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, the senior Senator from Rhode Island [Mr. PASTORE] has already made so concise, cogent, and, to me, convincing a statement of why the plan should be approved and the resolution defeated—and the Senator from Connecticut will, I am sure, in closing debate, make an equally strong defense of the administration's position—that I shall be brief indeed in stating my reasons for opposing the resolution.

The resolution came from the committee with a vote of 9 to 1 for disapproval. Senators on that committee are experienced and able Senators who understand the subject, I have no doubt, far better than I.

It is not without significance to me that the senior Senator from Rhode Island went into the matter originally with the intention of opposing the reorganization plan. After hearing the witness, he changed his mind, much to his credit, and made a defense of the reorganization plan.

As the report of the committee states, there are two major issues involved. The first is, Is it in the public interest to replace Presidential appointees in the customs service with career officials?

To me it is clearly in the public interest to do so. I believe that opposition to the reorganization plan is based on an obsolete concept of modern government. I doubt if Senators could find a single competent public administrator who would be willing to testify against the reorganization plan. At least, no such witness showed up.

Political appointment of customs collectors has been the practice for 175 years, and has been the law since the Constitution went into effect. I believe it is high time for us to remedy the situation and appoint skilled administrators instead of political hacks, to those posts.

As stated in the report, the customs service collects $2 billion a year. As also stated in the report:

> What is more, occupants of senior customs field posts today must be trained and knowledgeable with respect to the intricacies and technicalities of customs administration. Changed circumstances have made it vital that they be skilled in Government administration and management rather than policymaking.

I do not know what the situation is in Florida, Connecticut, or New York, but I know what it is in Pennsylvania.

The Senator from Connecticut is absolutely correct when he refers to the political appointments. There are 10 persons after each of those positions in return for political services rendered. Nine of those individuals must be disappointed when one is appointed in return for political services rendered. I would be happy considering my personal interest, and I am sure that of 99 others of my colleagues, to have the necessity of appointing a politician for the customs collector job taken off my shoulders.

The second question raised is: Should Reorganization Plan No. 1 be opposed because of objection to specific administrative measures in implementation of the Customs modernization program?

The answer is clearly "No." The Secretary of the Treasury has said that these are suggestions only; they are purely technical; and they will be gone into on their merits.

I wish to make my statement explicit, because there is a proposal to remove a collector of customs from Philadelphia up to Boston; and I am against that. When I say that I am in favor of the reorganization plan and against the resolution, I want to make it clear that I am not in favor of an administrative change of that kind, which I believe to be wrong.

I support the committee in opposition to the resolution. I yield back the remainder of my time.

Mr. RIBICOFF. I yield 2½ minutes to the Senator from Maryland [Mr. TYDINGS].

Mr. TYDINGS. Mr. President, I wish to speak in support of the committee action in opposition to the pending resolution. The Bureau of Customs is more than 170 years old. The country has grown, and with it the number of customs ports. Today we have 47 major ports, each with a separate collector of customs in charge, and 45 of them are Presidential appointees.

All of the collectors report to the Commissioner of Customs, who is not a Presidential appointee. Thus, though the Commissioner has the superior responsibility, the collectors have the superior status. And the 45 who are Presidential appointees are satisfied with no contact lower than the Commissioner himself. There is no way by which the Commissioner can delegate to members of his staff responsibility for handling a collector, who might be touchy because of his personal status and the fact that he is a Presidential appointee. It is certainly impossible to run any organization efficiently when the senior officials do not feel responsible to the head of the organization—in this case the Commissioner.

The present organizational arrangement is impractical in another aspect as well. With 45 collectors, in addition to 8 other customs officials, all reporting directly to the Commissioner in Washington, it is impossible for the overworked Commissioner and his staff to provide the kind of guidance which results in the best kind of service to the public. Implementation of the present reorganization plan which has been approved by the committee would enable local officials and district offices to handle most questions at the regional level, without having to go directly to Washington for each and every individual solution.

The problem of technical knowledge is another factor which the reorganization plan would affect. At present, it is necessary, when and if a collector is appointed, at least during the initial phase of his responsibility, to rely on a civil service employee who actually operates the office, an assistant who has the technical background necessary for the operation of the port which the average political appointee cannot possibly be expected to have. Thus, duplication is wasteful and unnecessary. By putting the customs service on a career basis, the reorganization plan would eliminate this duplication, and we would have a much better service for the port which is involved, and also for the public as a whole.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The time of the Senator from Maryland has expired.

Mr. TYDINGS. Mr. President, will the Senator from Connecticut yield me 30 seconds more?

Mr. RIBICOFF. Mr. President, I yield 30 seconds to the Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland is recognized for 30 additional seconds.

Mr. TYDINGS. Mr. President, the issue we are voting on today is this proposal—to establish the Customs Bureau on a career civil service merit basis. This is the only immediate purpose of Reorganization Plan No. 1. With respect to the regionalization which the plan would make possible, Secretary of the Treasury Fowler has emphasized that pending further study of the Treasury Department's recommendations, the specific number of regions to be established will not be finally decided.

In the interest of good government and efficient public service, I intend to support the President's Reorganization Plan No. 1. I urge all Senators to do the same.

Mr. HOLLAND. Mr. President, I yield 5 minutes to the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska is recognized for 5 minutes.

Mr. BARTLETT. Mr. President, I associate myself with the position taken by the Senator from Florida [Mr. HOLLAND]. We are inclined to relate such questions, to our personal experience, which I do in this case. I have known many collectors of customs who have been political appointees, and all of them have been working collectors. They have been on the job with their employees in the morning and have stayed on through the day until all business had been transacted. I believe that this has been uniformly true throughout my experience.

It has been argued that some collectors do not show up for hours, days, weeks, and sometimes months, and do nothing other than collect their salary checks. Also, it is said, that in some cases they feel no responsibility to the collector of customs. When this is true, there is cause for action against such officials. They can and should be fired out of hand. If some collectors—as I am told, and believe correctly, I am told—say that they are not responsible to the collector of customs but only to the President, I say that they are wrong. But I say, too, that this can be changed by changing the law. We do not have to abolish the whole system in order to make certain necessary improvements.

I see nothing wrong in having a few political appointees left in this country. Of course, we all subscribe to the proposition that civil service should prevail, and in most cases it does—and properly so. But, it seems to me, there are definite advantages to the Government in certain political appointments. So far as my own State of Alaska is concerned, there are two advantages.

First, I know that by and large appointed collectors have been responsible persons, known well in their own areas and sometimes throughout the former territory and now State. It seems to me that this liaison between the office and the public in the person of the appointee gives the office a standing which it might not otherwise have.

Second, I wish to refer to the proposed creation of regions and the abolishment of customs districts. I am opposed to that change because uniformly the case has been, insofar as Alaska is concerned, that when a direct channel of communication between Alaska and Washington has been severed by placing a region between them, it has always been to the disadvantage of the State of Alaska. We are much better off—and always have been whatever department or agency may be involved—with a direct chain of communication between Alaska and Washington.

For those reasons it is my intention to support and to vote for the position taken by the Senator from Florida.

The PRESIDING OFFICER. Who yields time?

Mr. SMATHERS. Mr. President, will the Senator from Connecticut yield me 3 minutes?

Mr. RIBICOFF. Mr. President, I yield 3 minutes to the junior Senator from Florida [Mr. SMATHERS].

The PRESIDING OFFICER. The Senator from Florida is recognized for 3 minutes.

Mr. SMATHERS. Mr. President, concerning Reorganization Plan No. 1, let me say at the outset that I had considerable concern as to its validity, and consequently whether we should push it through. My doubts arose primarily from the fact that I had read in the recommendation of the plan that there was not going to be a full check made of the baggage of citizens or persons coming into this country from travel overseas.

In my State, and other States, we know that diseases have been brought in which have cost the taxpayers—and the growers of those States particularly—great sums of money. In our State the Mediterranean fruit fly was brought in a few years ago, which cost the growers of my State approximately $50 million. However, since that time, I have recently been assured by the Secretary of Agriculture, and also by the Acting Secretary of the Treasury, that they are not going to eliminate a full check of the baggage of persons who travel outside the United States. In other words, the same system of full inspection which has been practiced in the past will continue to be the practice in the future.

Therefore, Mr. President, I have no longer any concern about that particular matter. I shall support the reorganization plan because I believe that we must always strive to improve the operation of our Government.

It has been stated flatly—and not contradicted, so far as I can discover—that the reorganization plan would save $9 million. That may not sound like a great deal of money in terms of talking about $90 billion. However, it is a step, I believe, in the direction of saving money and streamlining the Government. I believe that wherever and whenever it is possible to bring about greater efficiency in Government, we should do so.

For that reason, and because I have been assured as to what would happen with respect to continued inspection of the plants and articles being brought in from overseas, I shall support Reorganization Plan No. 1.

Mr. RIBICOFF. Mr. President, I yield 1 minute to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, so that the record may be abundantly clear, I have given my reasons why I submitted the resolution of disfavor. I understand that it was rejected by the committee by a vote of 9 to 1. Perforce it had to come back to the Senate, and any Member of the Senate had a perfect right to bring it up, because it is privileged matter.

I shall vote against the resolution, even though it bears my name, for the reason that I have been assured by the Treasury Department that no services now provided to Rhode Island businessmen will be denied after the reorganization. For that reason I will vote against the resolution.

The PRESIDING OFFICER. Who yields time?

Mr. RIBICOFF. How much time have I remaining?

The PRESIDING OFFICER. The Senator has 15 minutes remaining. The Senator from Florida has 5 minutes remaining.

Mr. RIBICOFF. I yield 10 minutes to the majority leader.

Mr. MANSFIELD. Mr. President, I would like to speak for a few moments about the President's Reorganization Plan No. 1, which provides for reorganization of the Bureau of Customs.

I support this plan for a number of reasons. Chief among those reasons is my firm belief in the responsibility of the Government to serve our citizens in the most effective way possible.

Treasury Secretary Henry Fowler summarized this point succinctly when he said:

> We cannot afford organizational arrangements such as those in the Bureau of Customs which have become obsolete and do not meet effectively the requirements of our times. We need a Government structure which is modern, streamlined, and capable of meeting current requirements with maximum efficiency and minimum costs.

The reorganization plan specifically calls for the elimination of all positions within the Bureau now filled by Presidential appointment and the establishment of the Bureau on a career civil service basis. Fifty-three positions would be affected. Further, approval of the plan would pave the way for the modernization of customs activities and the decentralization of its organization in the interest of stronger regional and district supervision.

There has been some confusion as to what the plan itself provides and what it simply recommends. I would like to attempt to clarify this issue, but before I do I would first like to recount the background of this proposal.

The basic structure of the Customs Bureau has not changed since its creation in 1789. Its growth has occurred haphazardly, according to the whims of evolving trade patterns and territorial acquisition. As a result, that structure has little relation to overall organization. It rather consists of many districts which Congress established as our geographical expansion demanded them.

Moreover, since 1954 the volume of imported merchandise has increased 70 percent and international travel has risen by 50 percent. During the same time the increase in Customs personnel has been less than 9 percent. Clearly, there has developed an inconsistency between requirements and capabilities.

In view of these developments former Secretary Dillon 2 years ago requested a complete evaluation of the purpose, organization, and management of the Customs Bureau. The final result of this effort is the so-called Stover report. This report represents 2 years of intensive study on the part of a special Treasury Department survey group created for this purpose and of an advisory committee composed of official of Treasury, the Customs Bureau, the Bureau of the Budget, and the Civil Service Commission. The report contains 230 recommendations to implement an overall reorganization of the Bureau.

Only 5 of these 230 recommendations, however, would be accomplished by Reorganization Plan No. 1. These five recommendations amount to 1 proposal and that is the elimination of 53 Bureau of Customs positions now filled by Presidential appointment, thus placing the Customs Service on a career basis. This is the only purpose of the plan. Abolition of the political appointee positions I am informed, would result in about $1 million annual savings.

Of the remaining recommendations contained in the Stover report, 52, which deal primarily with headquarters operations in Washington, have already been adopted, 31 are dependent on legislation, and 142 may be affected by administrative action.

The proposal to recognize the customs service on a regional basis falls into the last category. Under existing authority, the Secretary of the Treasury may establish the proposed regional, district, and new headquarters offices without further congressional action.

With this background in mind, I would now like to elaborate on the recommendations of the plan itself and those for which it would pave the way.

At present there are 53 positions in the customs service filled by Presidential appointment. At the same, the organizational head of the service is the Commissioner of Customs, an appointee of the Secretary of the Treasury. The responsibility of the Presidential appointees thus is ambiguous and the authority of the Commissioner is open to question. Obviously, this situation makes it difficult, if not impossible, to run the organization properly. It is a violation of good management principle.

In addition to the ambiguity of responsibility in the Bureau, at present 45 Presidentially appointed collectors of customs and 8 other Customs officials report to the Commissioner. This overburdening of the Commissioner defies effective management and supervision.

At the same time, duplication of effort and personnel has arisen as a result of the inexperience of many of the Presidential appointees and the consequent necessity of furnishing them with career assistants who possess the requisite background in customs administration.

Reorganization Plan No. 1 would eliminate this duplication by establishing customs service on a career basis. I agree with the President that this action is essential to good Government administration and economy.

Approval of the plan would open the way for the reorganization and consolidation of field activities, which would considerably improve the operations and service of the Bureau. As originally proposed in a March 21 press release, customs would have been divided into six regions. Secretary Fowler has stated that this proposal is now under review, to ascertain whether the six regions and headquarters offices originally announced by the Treasury Department are the number best designed to meet the actual needs of shippers, importers, and others in the most efficient manner. No proposal had been announced as to location of district headquarters other than the recommendations, which have not as yet been approved, in the Stover report, and a statement in the March 21 press release that there would be about 25 district offices.

The question is likewise under study. The regional and district headquarters would replace the 113 existing independent field offices which now report directly to Washington headquarters. At the headquarters level, four new offices have already been established to replace seven divisions.

These changes would result in greater economy, less duplication of effort, and stronger supervision. According to the proposed schedule for effecting this regionalization, the first region would be established in September 1965 and the last in the spring or summer of 1966. Thus there will be time to evaluate the experience of the first region before the last is created.

Under the new reorganization most of the decisions now made locally by customs officials will continue to be made locally. The decisions which the regionalization will affect will be those generally referred to the Washington headquarters. Under the new organization, the district directors would refer questions to the regional commissioner. The proposed regional commissioner's offices would be staffed by present customs personnel as much as possible so that all but the most difficult questions could be handled at the regional level.

I firmly believe that Reorganization Plan No. 1 and the administrative changes which it would make possible implement the directives of the Reorganization Act. The act cites the following purposes:

First. To promote the better execution of the laws, the more effective management of the executive branch of the Government and of its agencies and functions, and the expeditious administration of the public business;

Second. To reduce expenditures and promote economy to the fullest extent consistent with the efficient operations of Government.

The proposed reorganization of the Customs Bureau is consistent with these purposes. It will improve the Bureau's services, modernize its 175-year old structure and ultimately save the taxpayers at least $9 million annually. This savings represents over 10 percent of the current annual Customs budget. The reorganization is not only a corrective measure. It is also forward-looking in that it will facilitate the more efficient handling of the Customs Service's ever-increasing workload resulting from the growth of international trade and tourist travel.

For all these reasons I intend to support Reorganization Plan No. 1, and I urge my colleagues to do likewise.

Mr. RIBICOFF. Mr. President, how much time have I remaining?

The **PRESIDING OFFICER.** Seven minutes remain.

Mr. RIBICOFF. I yield 4 minutes to the Senator from Arizona.

Mr. HAYDEN. Mr. President, I have listened with great interest to the representations made by the senior Senator from Florida [Mr. HOLLAND] with respect to the requirement of a spot check of all baggage and goods coming into the United States in order to obtain protection against the importation of pests that would be calamitous if they were introduced into the United States.

I have had assurance in connection with this subject from the Secretary of Agriculture and from the Secretary of the Treasury. They are agreed that they will support the enactment of legislation which will compel the making of the spot check that we desire.

I am glad to inform the Senate to that effect.

Mr. HOLLAND. Mr. President, how much time do I have remaining?

The **PRESIDING OFFICER.** The Senator has 5 minutes remaining.

Mr. HOLLAND. Mr. President, I am very glad that we have made this fight. We have now had the announcement by the majority leader that he is supporting the reorganization plan, which means of course, that the forces of the administration are brought into play.

We have also had the announcement by the distinguished nestor of the Senate, the Senator from Arizona [Mr. HAYDEN], that he has received assurance from the two Cabinet officers directly affected, which goes much further than any concession they have been willing to make up to now, namely, that they will sponsor legislation, if I understand the announcement by the Senator from Arizona, which will require a 100-percent check of all baggage that enters our country and of goods coming in by freight from offshore.

Mr. President, we are making progress. I am glad that we have this material evidence of the fact that the forces of the administration, as they keep on getting larger and more centralized and more in control of everything in the government, and with respect to everything that affects our people, nevertheless have made some concessions that are worth while.

I am glad that such is the case. So far as I am concerned, that does not meet the main point. Ever since I came to the Senate the process of downgrading the Senate and downgrading the Congress has been going on. We have done it in connection with the reorganization plan of the Revenue Department, and our State is now suffering from that action, as I have already stated. We are now proposing to do it in connection with the reorganization plan now before the Senate. We have done it in a dozen other different ways.

There are now pending two pieces of proposed legislation which have as their objective the desire of strong centralized Government to control the country and everything it does and everything that all its people do.

The proposal before us now is but another step—not a large step—but a step in that direction, because it proposes that Senators submit supinely, because they are promised various things by officers who are mortal and who will not be in the positions that they now have. They are going to meet the problem immediately, which has most greatly concerned us. Some Senators will vote to reject the theory that we represent the people of our States. We stand as the buffers between the people of our States and a great centralized Government. I believe that most Senators believe, not in the principle of an overgrown and swollen centralized Government, but in the maintenance of some authority back home.

If I could be persuaded that someone sitting in an office in Washington and not knowing anyone except the civil service ratings could act more wisely in recommending a collector of customs for my great State with its 1,200 miles of coastline and all its ports and airports, I would be willing to support the plan of reorganization. I do not believe that is true. The two Senators from our State know well the conditions there and the people who are involved and have been able to persuade fine people who are not political figures to occupy such positions. The present collector of customs in Florida did not support me in my original races. There was no question of my being politically obligated to him, but he was a fine man. He met with the approval of our agricultural and industrial groups, and particularly our importing groups, and he had the great confidence of our people. He served well and ably. If anyone were otherwise selected, the President could always fire him. If he were a civil service employee, the President could not do so.

Mr. President, so far as I am concerned, we have made our fight. We are willing to accept the verdict of the Senate. I wish it distinctly understood that when we have thrown up to us, as we are having it thrown up to us every day, that we are resigning ourselves to continuous attrition of the rights and responsibilities of the Senate, if we vote for the proposed plan of reorganization, we shall be subscribing to that charge. I do not propose to subscribe to that charge. To the contrary, I shall vote for the resolution, which would disapprove the plan.

This is the third time that the proposed program for dropping 100-percent inspection has come back to us. It has not come from those who were in charge at the time when the first two plans came down. That occurred in a different administration. There are employees in the Bureau at a policymaking level who are themselves civil service men who are making these recommendations. There is clear evidence in the recommendation IX-1 that they still think that this is the way to handle the question. I read it again, and then I shall be through:

> Abandon the present policy of 100 percent examination of passenger baggage and replace it with selective spot-check examinations. The goal to be sought is a generally accepted program of voluntary compliance by the traveling public, supported by an effective enforcement program to discourage would-be smugglers and to apprehend actual violators.

Mr. President, they are thinking about smugglers. They are thinking about customs collection. They are not thinking particularly about the protection of agriculture and the livestock business, and we cannot see it more clearly than by reading in this statement the third attempt of the same professional civil service people. I do not want them to have a free hand to continue that course.

I yield the floor.

Mr. RIBICOFF. Mr. President, Reorganization Plan No. 1 is a symbol of our intention as Senators to realize efficient, economical, and modern government.

Earlier this year at hearings being held by our Subcommittee on Executive Reorganization, I asked the Director of the Budget the following question:

> How many programs does the Federal Government engage in?

The reply I received from the Director of the Budget was as follows:

> Not only don't I know, Senator Ribicoff, but I wouldn't even hazard a guess.

Those of us who are familiar with government realize that our's has grown so large, so confused and so inefficient that the time has come for a hard look at the entire executive branch.

In his state of the Union message, President Johnson specifically stated that it was his intention to take such a look and recommend needed reorganization proposals. I feel that we in the Senate have an obligation, also, not merely to stand by and wait for reorganization plans to be sent up by the executive branch, but to take a good, hard look at what is happening in the executive branch.

Today we have second and third layers of bureaucracy in Washington. Under this second-generation bureaucracy the Federal Government is being operated basically on a pattern that was established in the early 1930's.

There has been a multiplication of program after program—many of which have outlived their usefulness. They are simply tucked away in some bureau of the Government doing little, going nowhere. At the same time Congress must also share the blame because we continue to create function after function, with new agency after new agency, without examining whether or not some present agency of the Government could handle the functions that we keep creating anew.

Mr. President, there is not a Senator who from time to time, on the floor of the Senate or back home, has not inveighed against governmental waste, who has not argued the need to save the taxpayers' money. There is an opportunity in Reorganization Plan No. 1 to prove our good intentions. Savings of $9 million are involved in Reorganization Plan No. 1. While $9 million is not a large sum, it does constitute 10 percent of the Customs Service budget. If we could go through other agencies of the Government and effect a saving of 10 percent, we would be doing the people of our Nation and our Government a great service.

Basically, the issue comes down to this: Many of the objections to the Stover report, some of which have been raised by the distinguished Senator from Florida, have absolutely nothing to do with Reorganization Plan No. 1. This plan involves a very simple proposition, and that is whether we, the Congress of the United States, will accept the recommendation of the President of the United States and eliminate 53 patronage jobs which we as Senators control. That is the issue, pure and simple. I believe that the time has come for us to eliminate patronage jobs when, by doing so we can bring about a more effective and efficient Government. The time has come to eliminate patronage jobs if we are to save the taxpayers of this Nation large sums of money.

We held hearings on this plan and we intend to hold hearings on every reorganization plan that is submitted by the executive branch. We believe that our committee has a duty to inform the Congress what the problems are and what we think must be done if we are to have a more effective and efficient Government. If our intentions are correct—to save the taxpayers money and to be efficient and effective—the best way is to start by approving Reorganization Plan No. 1, under which the U.S. Senate gives up 53 patronage posts which we control. We can set an example for the entire Government and Nation—that when we talk about efficiency and economy we are ready to do something about it.

Mr. President, many of the Presidential appointees have demonstrated a thorough understanding and devotion to duty in the highest tradition of American public service. They have made a significant contribution to the Bureau of Customs and the growth of our Nation. In its earliest days our Nation's customs collectors were responsible for collecting almost 80 percent of the total revenue in the U.S. Treasury. Their close ties to the President, in those days, were absolutely essential.

Today the customs service collects nearly $2 billion—but of course this sum now represents only a small fraction of the Government's total revenue. What is more, occupants of senior customs field posts today must be trained and knowledgeable with respect to the intricacies and technicalities of customs administration. Changed circumstances have made it vital that they be skilled in Government administration and management rather than policymaking.

In the half century since the last change of any significance in the organization, there has been a complete revolution in all modes of transportation known at that time, plus the introduction of the new and rapidly growing air transportation industry which has its own peculiar problems. Similar revolutions that have produced entirely new sets of problems have occurred during the same period in travel and international trade practices. Tremendous changes have also occurred in business methods with the introduction of modern business techniques.

A changed method of appointing those responsible for this job is now required. That is what Reorganization Plan No. 1 is all about—substituting a modern career service appointment method for antiquated patronage.

In the meantime we can realize a $9 million savings to the taxpayer.

In his message transmitting Reorganization Plan No. 1 of 1965 to the Congress, the President stated that the tightened management controls that will be achieved under the customs modernization program will make possible a net annual saving of $9 million within a few years. This is more than 10 percent of the present annual customs budget.

In his testimony before the subcommittee Secretary Fowler made clear that he was not promising a $9 million reduction in customs appropriations, since the steady increase in customs activity, referred to earlier, makes this impossible. He stated further, that the Treasury Department contemplates charging off the savings in future years, to the extent of $9 million annually, against the increased costs of handling a steadily growing volume of customs business.

The savings estimates have been broken down into the following categories:

1. Dependent upon elimination of offices of Presidential appointees, as provided in Reorganization Plan No. 1	$1,248,000
2. Dependent upon enactment of new legislation	2,135,000
3. Dependent upon administrative action	7,661,000
Total estimated savings	11,044,000

This total is a gross annual savings estimate. From this the Treasury has deducted $2 million of estimated increased annual costs when the modernization program becomes fully effective, thus leaving a net annual savings of $9 million.

Secretary Fowler advised the committee that the above represents a conservative estimate. In addition, Mr. Harold Seidman, Assistant Director for Management and Organization, Bureau of the Budget, asserted that the Bureau had checked the Treasury savings figures and agreed that they were conservative estimates.

We should not sacrifice these savings, increased efficiency, and the career service to preserve our right to name customs collectors. A 20th century customs bureau cannot operate under 18th century rules.

Mr. President, the legitimate concerns of the Senator from Florida and others have been met and I believe adequately dealt with. We are left with a single issue:

In order to realize $9 million in annual savings and improve the efficiency and economy of the customs bureau, shall we approve Reorganization Plan No. 1?

Or should we return an antiquated patronage system which would jeopardize the above objectives without solving any of the problems complained of?

The answer is clear. We should reject Senate Resolution 102, as its author himself has done, and permit Reorganization Plan No. 1 to become effective at midnight tonight.

The PRESIDING OFFICER (Mr. BASS in the chair). Under the unanimous-consent agreement, all time for debate is exhausted, and the vote now occurs on the resolution.

Mr. HOLLAND. Mr. President, on the resolution, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the resolution. The yeas and nays have been ordered.

Mr. RIBICOFF. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. RIBICOFF. Am I correct in stating that a vote "yea" is a vote in favor of the resolution and in opposition to the plan, and that a vote "nay" is a vote in opposition to the resolution and in favor of the plan?

The PRESIDING OFFICER. The Senator from Connecticut has properly stated the parliamentary situation.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Louisiana [Mr. ELLENDER], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Oregon [Mr. MORSE], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from Idaho [Mr. CHURCH], the Senator from Tennessee [Mr. GORE], the Senator from New York [Mr. KENNEDY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Virginia [Mr. ROBERTSON], and the Senator from North Dakota [Mr. BURDICK] are necessarily absent.

I further announce that, if present and voting, the Senator from North Dakota [Mr. BURDICK], the Senator from New York [Mr. KENNEDY], the Senator from Louisiana [Mr. LONG], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Oregon [Mr. MORSE], the Senator from Virginia [Mr. ROBERTSON], the Senator from Ohio [Mr. YOUNG], and the Senator from Louisiana [Mr. ELLENDER] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] and the Senator from Nebraska [Mr. CURTIS] are necessarily absent.

The Senator from New York [Mr. JAVITS] and the Senator from California [Mr. MURPHY] are absent on official business.

The Senator from Pennsylvania [Mr. SCOTT] is absent to attend the funeral of a friend.

The Senator from Colorado [Mr. DOMINICK] is detained on official business.

If present and voting, the Senator from Nebraska [Mr. CURTIS], the Senator from Colorado [Mr. DOMINICK] and the Senator from Pennsylvania [Mr. SCOTT] would each vote "nay."

The yeas and nays resulted—yeas 17, nays 64, as follows:

[No. 80 Leg.]

YEAS—17

Bartlett
Bass
Eastland
Fannin
Fong
Gruening
Hartke
Holland
Hruska
Magnuson
McIntyre
Metcalf
Montoya
Stennis
Thurmond
Tower
Young, N. Dak.

NAYS—64

Aiken
Allott
Bayh
Bennett
Bible
Boggs
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Clark
Cooper
Cotton
Dirksen
Dodd
Douglas
Ervin
Fulbright
Harris
Hart
Hayden
Hickenlooper
Hill
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Lausche
Mansfield
McCarthy
McClellan
McGee
McNamara
Miller
Mondale
Monroney
Morton
Moss
Mundt
Muskie
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Smathers
Smith
Sparkman
Symington
Talmadge
Tydings
Williams, N.J.
Williams, Del.
Yarborough

NOT VOTING—19

Anderson
Burdick
Carlson
Church
Curtis
Dominick
Ellender
Gore
Javits
Kennedy, N.Y.
Long, Mo.
Long, La.
McGovern
Morse
Murphy
Neuberger
Robertson
Scott
Young, Ohio

The PRESIDING OFFICER. On this vote the yeas are 17, the nays 65. A majority of the authorized Members of the Senate having voted in the negative, the resolution (S. Res. 102) is rejected, and Reorganization Plan No. 1 of 1965—Bureau of Customs—is approved.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. MANSFIELD. Mr. President, it is my understanding that the amendment of the Senator from North Carolina [Mr. ERVIN] to the Mansfield-Dirksen substitute, as amended and modified, is the pending question.

The PRESIDING OFFICER. The Senator is correct.

UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, I ask unanimous consent that 10 minutes be allowed on the Ervin amendment, 5 minutes to be under the control of the distinguished senior Senator from North Carolina [Mr. ERVIN] and 5 minutes under the control of the distinguished

Senator from Michigan [Mr. Hart], or whomever he may designate.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT NO. 191

Mr. ERVIN. Mr. President, I call up my amendment No. 191 and ask that it be stated as modified by me.

The PRESIDING OFFICER. The amendment to the Mansfield-Dirksen substitute amendment, as proposed to be modified, will be stated.

The Legislative Clerk. On page 4, line 24, insert the following proviso after the colon:

Provided, That upon motion of any State or political subdivision of any State embraced by the conditions enumerated in subsection (b), the District Court of the District of Columbia may remove the action for a declaratory judgment for trial to the United States district court for the district in which the capital of the State is located or in which the political subdivision is situated if the District Court of the District of Columbia finds that such action on its part will promote the ends of justice;

On page 4, line 25, insert the word *"further"* between the word *"Provided"* and the comma.

Mr. ERVIN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ERVIN. Mr. President, my amendment is a very simple one. I believe that every Senator should vote for it.

Under the pending measure, seven States or parts of States are condemned by a triggering process without a trial, without evidence, and without an opportunity to be heard. If a State or political subdivision of a State wishes to be exonerated from the legislative condemnation, it will have to come to the District Court of the District of Columbia. This court is as much as 1,000 miles from some of the States or political subdivisions that are to be condemned by the triggering process.

My amendment would merely provide that after a State or political subdivision of a State has appeared before the District Court of the District of Columbia seeking exoneration, it may make a motion to have the case removed for trial in the district court in the area in which the case arose.

The amendment, as modified, would provide that the district court would not have to order the removal. The district court would have discretionary power, however, to order the removal if it should find that the removal would promote the ends of justice.

I submit that my amendment should receive the support of every Senator who has any confidence in the judges sitting in the District Court of the District of Columbia. I also submit that my amendment ought to receive the vote of every Senator who believes that courts of justice exist for the purpose of administering justice.

I yield the floor.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Chair advises the Senator from Montana that there is no specification contained in the request for time.

Mr. MANSFIELD. Mr. President, it will come out of the time of the Senator from Michigan [Mr. Hart].

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Bass in the chair). Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. How much time remains?

The PRESIDING OFFICER. The Senator from Michigan [Mr. Hart] or the Senator from Montana [Mr. Mansfield], as the case may be, has 4 minutes remaining.

Mr. HART. Mr. President, I yield myself the remainder of the time.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 4 minutes.

Mr. HART. Mr. President, this amendment affects the heart of the bill. From the very moment the President addressed us with respect to the seriousness of the problem—I think that was the middle of March—throughout the hearings in the Senate, and I understand in the House, in every version of the bill which has been presented to us, there is retained in section 4 the explicit stipulation that the removal from the reach of this section, the question of the suspension of the tests and devices, shall be determined in every case by the district court here in the District of Columbia.

This, indeed, we feel to be a key and very desirable feature.

For one reason, it is desirable that there be uniformity in the reaction of the court to the question of whether the test or device which once suspended may be reapplied, in fairness to the State and political subdivision of a State and to those we feel to have been disadvantaged in the past by the application of the tests or devices.

Two circuits are involved—the fourth and fifth.

Let us remember that there is no circuit in the country which is more burdened with a workload than the fifth circuit. Indeed, we are mindful of the fact that because of the workload of that circuit, there is a proposal that it be split in half.

This means, in addition to the question of uniformity, the question of avoiding delay to the extent we are able to avoid delay. The decision to be reached with respect to applying the suspension of the test or device is to be made by a three-judge court. This is a burden on the judiciary, admittedly. The District Court in the District of Columbia has some 20 district judges. It is not a regionally selected court, to begin with. Additionally, the circuit judges in the District number about nine.

In the districts where the suspension of the tests and devices is to be instituted under section 4, where there may be at most three judges, because of the way they are distributed geographically they would have to come to one place. In terms of fairness, not alone to those whom we believe to have been disadvantaged, but to the States and subdivisions affected, in consequence of the decision which shall lift the effects, this section should be retained. It should remain not only because of the desirability of uniformity but to avoid delays.

This is a one-shot operation. No one can predict the period of time the provision will be required or when there will be reinstatement in the regions affected with suspended tests. I hope the amendment will be rejected.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ERVIN. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. ERVIN. I yield myself those 2 minutes.

Mr. President, the argument of uniformity is the most peculiar argument I have ever heard. Other cases which fall within the jurisdiction of Federal district courts can be brought in 91 district courts and be passed upon on appeal in 11 circuit courts. No proposal is made to change the condition in the name of uniformity, but this bill proposes that States and political subdivision of States shall travel from 250 to 1,000 miles from their places of business and seek exoneration from a legislative condemnation in the District Court of the District of Columbia where they cannot obtain witnesses by compulsory process.

The bill in this aspect is not a bill to do justice; it is a bill to prevent justice being done. I do not know any better way to prevent justice being done than to have a trial so far removed from the location in which the cause arose and the witnesses reside. And in this instance witnesses cannot be brought to the court by compulsory process.

Mr. RUSSELL of South Carolina. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. RUSSELL of South Carolina. I ask the Senator from North Carolina if there is not a general statute which permits every other litigant appearing in court to apply for and receive the consideration that the Senator is asking for the seven States involved?

Mr. ERVIN. That is true. This is another illustration of the fact that the bill is designed to prostitute the judicial process. The worst prostitution of the judicial process is the giving of exclusive jurisdiction to the District Court for the District of Columbia, and providing that a litigant cannot even have a case moved to another jurisdiction in order to receive a fair trial.

The PRESIDING OFFICER. All time on the amendment has expired.

The question is on agreeing to the amendment (No. 191) as modified, of the Senator from North Carolina to the Mansfield-Dirksen substitute, as amended and modified. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Louisiana [Mr. ELLENDER], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Oregon [Mr. MORSE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Ohio [Mr. YOUNG], and the Senator from Arizona [Mr. HAYDEN], are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Idaho [Mr. CHURCH], the Senator from Tennessee [Mr. GORE], the Senator from New York [Mr. KENNEDY], the Senator from South Dakota [Mr. McGOVERN], and the Senator from Virginia [Mr. ROBERTSON], are necessarily absent.

I further announce that, if present and voting, the Senator from North Dakota [Mr. BURDICK], the Senator from Idaho [Mr. CHURCH], the Senator from New York [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], and the Senator from South Dakota [Mr. McGOVERN], would each vote "nay."

On this vote, the Senator from New Mexico [Mr. ANDERSON] is paired with the Senator from Louisiana [Mr. ELLENDER]. If present and voting, the Senator from New Mexico would vote "nay" and the Senator from Louisiana would vote "yea."

On this vote, the Senator from Louisiana [Mr. LONG] is paired with the Senator from Ohio [Mr. YOUNG]. If present and voting, the Senator from Louisiana would vote "yea" and the Senator from Ohio would vote "nay."

On this vote, the Senator from Virginia [Mr. ROBERTSON] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Oregon would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] and the Senator from Nebraska [Mr. CURTIS] are necessarily absent.

The Senator from New York [Mr. JAVITS] and the Senator from California [Mr. MURPHY] are absent on official business.

The Senator from Pennsylvania [Mr. SCOTT] is absent to attend the funeral of a friend.

If present and voting, the Senator from New York [Mr. JAVITS], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "nay."

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from California [Mr. MURPHY]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from California would vote "nay."

The result was announced—yeas 32, nays 49, as follows:

[No. 81 Leg.]

YEAS—32

Bass
Bennett
Byrd, Va.
Byrd, W. Va.
Cotton
Dominick
Eastland
Ervin
Fannin
Fulbright
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
McClellan
Metcalf
Miller
Mundt
Russell, S.C.
Russell, Ga.
Simpson
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—49

Aiken
Allott
Bartlett
Bayh
Bible
Boggs
Brewster
Cannon
Case
Clark
Cooper
Dirksen
Dodd
Douglas
Fong
Gruening
Harris
Hart
Hartke
Inouye
Jackson
Kennedy, Mass.
Kuchel
Lausche
Magnuson
Mansfield
McCarthy
McGee
McIntyre
McNamara
Mondale
Monroney
Montoya
Morton
Moss
Muskie
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Smith
Symington
Tydings
Williams, N.J.

NOT VOTING—19

Anderson
Burdick
Carlson
Church
Curtis
Ellender
Gore
Hayden
Javits
Kennedy, N.Y.
Long, Mo.
Long, La.
McGovern
Morse
Murphy
Neuberger
Robertson
Scott
Young, Ohio

So Mr. ERVIN's modified amendment No. 191 to the Mansfield-Dirksen substitute amendment, as amended and modified, as modified, was rejected.

Mr. HART. Mr. President, I move to reconsider the vote by which the amendment to the amendment was rejected.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. TOWER. Mr. President, I send to the desk an amendment to the Mansfield-Dirksen substitute amendment, as amended and modified, and ask that it be stated.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. TOWER. Mr. President, I ask unanimous consent that the amendment be not read, but printed in the RECORD at this point.

There being no objection, the amendment to the amendment was ordered to be printed in the RECORD, as follows:

On page 4, beginning with line 7, strike out all through line 19, on page 5, and insert in lieu thereof the following:

"SEC. 4. (a) Whenever the Attorney General certifies to the Civil Service Commission (1) that he has received complaints in writing from twenty-five or more residents of a political subdivision of a State each alleging that (A) the complainant can satisfy the voting qualifications of the political subdivision, and (B) the complainant has been denied or deprived of the right to register or to vote on account of race or color within ninety days prior to the filing of his complaint, and (2) that the Attorney General believes such complaints to be meritorious, the Civil Service Commission shall promptly appoint an examiner for such political subdivision who shall be responsible to the Commission. Persons appointed as examiners under this subsection shall be appointed in the same manner and subject to the same conditions as prescribed in section 6 with respect to examiners. A certification by the Attorney General under this subsection shall be final and effective upon publication in the Federal Register.

"(b) The examiner shall examine each person who has filed a complaint certified by the Attorney General to determine whether he was denied or deprived of the right to register or vote within ninety days prior to the filing of such complaint, and to determine whether such person is qualified to vote under State law. A person's statement under oath shall be prima facie evidence as to his age, residence, and prior efforts to register or otherwise qualify to vote. In determining whether a person is qualified to vote under State law, the examiner shall disregard (1) any literacy test if such person has not been adjudged as incompetent and has completed the sixth grade of education in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico, or (2) any requirement that such person, as a prerequisite for voting or registration for voting (A) possesses good moral character unrelated to the commission of a felony, or (B) prove his qualifications by the voucher of registered voters or members of any other class. If applicable State law requires a literacy test, those persons possessing less than a sixth-grade education shall be administered such test only in writing and the answers to such test shall be included in the examiner's report.

"(c) If the examiner finds that twenty-five or more of those persons within such political subdivision, who have filed complaints certified by the Attorney General have been denied the right to register or to vote and are qualified to vote under State law, he shall promptly place them on a list of eligible voters, and shall certify and transmit such list to the offices of the appropriate election officials, the Attorney General, and the attorney general of the State, together with a report of his findings as to those persons whom he has found qualified to vote. Service shall be as prescribed by rule 5(b) of the Federal Rules of Civil Procedure. The provisions of sections 7(b) and 7(c) shall then apply to persons placed on a list of eligible voters. A finding by the examiner under this subsection shall create a presumption of a pattern or practice of denial of the right to register or to vote on account of race or color.

"(d) A challenge to the factual findings of the examiner, contained in the examiner's report, may be made by the attorney general of the State or by any other person upon whom has been served a certified list and report of persons found qualified to vote, as provided in subsection (c). Such challenge shall be entertained only if filed at such office within the State as the Civil Service Commission shall by regulation designate within ten days after service of the list of eligible voters as provided in subsection (c), and if supported (1) by the affidavit of at least two persons having personal knowledge of the facts constituting grounds for the challenge, and (2) a certification that a copy of the challenge and affidavits have been served by mail or in person upon any person challenged at his place of residence set out in his complaint.

"(e) Upon service of a challenge the Civil Service Commission shall promptly appoint a hearing officer who shall be responsible to the Commission, or promptly designate a hearing officer already appointed, to hear and determine such challenge. A challenge shall be determined within seven days after it has been made. The provisions of section 8(a) shall be applicable with respect to any challenge made under this subsection. A person's fulfillment of literacy test requirements, if not disregarded by the examiner as provided for in subsection (b), shall be renewed solely on the basis of the written answers included in the examiner's report required by subsection (c) and (d).

"(f) A pattern or practice of denial of the right to register or to vote on account of race or color is established (1) if a challenge to a finding under subsection (c) has not been made within ten days after service of the list of eligible voters on the appropriate State election officials and the attorney general of the State, or (2) upon a determination by a hearing officer that twenty-five or more of those persons within the political subdivision, who have been placed on the list of eligible voters by the examiners, have been denied or deprived of the right to register or to vote and are qualified to register and to vote under State law. The listing of additional persons prescribed in section 7 shall not be stayed pending judicial review of the decision of a hearing officer.

"(g) A petition for review of the decision of a hearing officer may be filed in the United States court of appeals for the circuit in which the person challenged resides within fifteen days after service of such decision by mail on the person petitioning for review, but no decision of a hearing officer shall be overturned unless clearly erroneous. Any person listed shall be entitled and allowed to vote pending final determination by the hearing officer and by the court."

On page 5, line 20, immediately preceding "if" insert "Sec. 5. (a)".

On page 5, line 21, strike out "such".

On page 5, line 24, strike out "such judgment" and insert "a declaratory judgment in an action instituted pursuant to subsection (d) with respect to the political subdivision concerned".

On page 5, beginning with line 25, strike out all through line 22 on page 6.

On page 6, line 23, strike out "(c)" and insert "(b)".

On page 7, strike out lines 6 through 14, inclusive.

On page 7, between lines 14 and 15, redesignate the new subsection (e), agreed to by the Senate on May 20, 1965, as subsection (c).

On page 7, strike out lines 15, 16, and 17, and insert in lieu thereof the following:

"(d) Whenever a political subdivision with respect to which a pattern or practice of denial of the right to vote on account of race or color is established under section 4(f), unless such pattern or practice was established upon a determination of a hearing officer which has been overturned upon judicial review filed under section 4(g), shall enact or seek to administer any voting".

On page 8, beginning with "Whenever" on line 17, strike out all through "amendments," on line 8, of page 9, and insert in lieu thereof the following: "Whenever the Attorney General certifies (a) that a court has authorized the appointment of examiners pursuant to the provisions of section 3(a); or (b) that a pattern or practice of denial of the right to vote on account of race or color is established under section 4(f) in any political subdivision, unless such pattern or practice was established upon a determination of a hearing officer which has been overturned upon judicial review filed under section 4(g),".

On page 10, line 22, after "voters." insert the following: "In determining whether a person is qualified to vote under any State law authorizing or imposing any test or device as a prerequisite for voting or registration for voting, the examiner shall administer, or disregard, State law in the same manner as provided in section 4(b)."

On page 12, line 7, after "examiner" insert "pursuant to section 7".

On page 12, line 10, after "prescribe." insert the following: "A person's fulfillment of literacy test requirements, if not disregarded by the examiner as provided for in section 7 (b), shall be reviewed solely on the basis of the written answers included in the examiner's report."

On page 15, lines 8, 9, and 10, strike out "determinations have been made under subsection 4(b) and a declaratory judgment has not been entered under subsection 4(a)," and insert in lieu thereof the following: "a pattern or practice of the right to vote on account of race or color is established under section 4(f), unless such pattern or practice was established upon a determination of a hearing officer which has been overturned upon judicial review filed under section 4 (g),".

On page 16, line 3, after "section" insert "4(c) or".

On page 20, strike out lines 6, 7, 8, and 9, and insert in lieu thereof the following:

"(b) No court other than a court of appeals in any action under section 4 or 8 shall have jurisdiction to review any determination of a hearing officer, no court other than the District Court of the United States for the District of Columbia shall have jurisdiction to issue a declaratory judgment under section 5, and no court other than such courts shall have jurisdiction to issue".

Mr. TOWER. Mr. President, I ask for the yeas and nays on the amendment to the amendment.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that not more than 2 hours of debate be allowed on the pending amendment, the time to be equally divided and to be controlled, respectively, by the distinguished Senator from Texas [Mr. Tower] and the distinguished Senator from Michigan [Mr. Hart].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. TOWER. Mr. President, I should like to advise the Senate that perhaps the full time allowed for debate on the pending amendment will not be used. Therefore, there is the probability that the Senate will come to a vote on the amendment much sooner than 6 o'clock.

Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Texas is recognized for 10 minutes.

Mr. TOWER. The amendment which I offer contains what might be called the heart of my amendment No. 102, but not that entire amendment. My amendment No. 102 was designed as an entire substitute, but in view of the fact that there have been numerous amendments already adopted to the amendment in the nature of a substitute, such as the fraud provision offered by the distinguished Senator from Delaware [Mr. Williams], I have streamlined my amendment and addressed it primarily to the triggering and qualification provision of the administration bill. Therefore, what I offer now is essentially what appears in my amendment No. 102 from section 4 through 7 and then, with some changes, through section 10.

I believe my proposal would accomplish the following:

First. Eliminate, effectively and expeditiously, voting discrimination wherever it exists.

Second. End all vestiges of discriminatory application of voting and registration requirements, without ending constitutional, State-established requirements.

Third. Responsibly refrain from penalizing States and subdivisions which are not guilty of discrimination.

Of particular note I believe, Mr. President, is the absence in my amendment of any so-called percentage formulas. I wish to emphasize my proposal is simply stated, simply understood, and simply applied. Discriminatory voting practices would be strictly prohibited wherever they exist, not in just several States and counties.

Under my amendment, when the Attorney General receives complaints in writing from 25 or more residents of a county or political subdivision, alleging a denial of voting rights on the basis of race or color, the Civil Service Commission appoints an examiner, who immediately determines the validity of the complaints. Any challenge by the State can be made within 10 days before a Federal hearing officer appointed by the Civil Service Commission.

My proposal would establish a pattern or practice of discrimination upon examiner and hearing officer determination that the right of suffrage has been denied to 25 or more persons because of race or color. Once the pattern or practice of discrimination is established, the Civil Service Commission is required to appoint additional Federal examiners to register others within the county or political subdivision who may be subject to discrimination. Under this provision, the voter applicants in such county need not attempt to register first with local registrars. Once the pattern of discrimination is established, all who believe they may be subject to discrimination may register with the Federal examiner if they so desire.

I should like to reemphasize that they would not have to attempt first to register with the local registrar if they thought that to do so might result in some economic retaliation.

My amendment provides for an appeal of the hearing officer decision within 15 days. During this time, however, all persons found to possess requisite voting qualifications shall be entitled to vote provisionally. I repeat, they may vote provisionally, pending the appeal by the hearing officer and the court. The primary purpose of allowing provisional voting is of course to preclude any undue delay of the appeal, and thus to encourage the most expeditious consideration of the matter.

In an effort supposedly to eliminate voter discrimination, the pending bill has as one of its major provisions an automatic assumption of guilt, based on some percentage formula which in turn is tied to some prior election.

The provision is arbitrary and, of course, most discriminatory. As proponents have readily conceded, clearly constitutional voting requirements are to be eliminated in some States and political subdivisions, while such requirements are to remain unscathed in others.

I feel that such action would do violence not only to the spirit and, in my estimate, to the letter of the Constitution, but also I believe it would do violence to our common law and local tradition.

Far worse may come to pass. If this Congress can now legislate to punish one section of the country, to abolish admittedly constitutional State laws, then a subsequent Congress can do likewise to another section of the country, and to other States, and perhaps to other parts of the Constitution. Punishment for past discriminatory practices will not solve nearly as many problems as it will create. I think we can be sure of that.

As I have noted, it may well be the pending bill will establish precedent here which may prove uncontrollable in the very near future. The matter of voting discrimination is a paramount issue. Of this there can be no doubt. The elimination of such discrimination where it exists should be accomplished forthwith. Of this, there can likewise be no doubt.

Mr. President, as a native southerner, I am ashamed of the discrimination that has been practiced in some southern States. However, I might note that discrimination has been practiced in other parts of the country on grounds that are fully as heinous as those that have been resorted to in some southern States.

But without the adoption of my amendment, the main thrust of the bill will be toward past discrimination. Instead of aiming action to correction of existing abuses and eliminating them, this bill will use a "shotgun approach" against all areas not mathematically pure. The fact of the matter is that the majority of the political subdivisions so shotgunned do not discriminate.

Mr. President, as an editorial in a Texas paper so aptly pointed out, in raising objections to a new voting rights bill, if we are to have another law, "at the very least that law should be constitutional, fair, and aimed carefully to correct the problem at hand. It should not be of questionable constitutionality, punitive, or so aimed that it is likely to create new problems and new evils."

Mr. President, the adoption of my amendment would make the application of this bill much fairer.

The adoption of my amendment would make the bill much more sweeping in scope because it would indeed be a national bill and would be designed to prevent discrimination, not merely in a half dozen States, but in all the States.

In the final analysis, the bill would be a more effective bill and would be more likely to preclude discrimination that might conceivably occur in the future in any part of the United States. My amendment is of general application and would strike at discrimination wherever discrimination might rear its ugly head.

As one who is of the conservative political philosophy, I believe that we can do no less than make sure that every American has the opportunity to exercise his privilege—indeed, his duty—as a citizen of the United States, to participate in public decisions. All Americans should vote.

I believe it is detestable when one of our Negro citizens who is a Ph. D. is denied the right to vote on the grounds that he is not literate. That is preposterous, and I believe that we should do something about it.

I believe that in the process we should make sure that the bill we pass is free of any liabilities that might conceivably render it, through judicial decision, unconstitutional. Any constitutional disabilities that appear in the administration bill would be remedied by the adoption of my amendment, and we can be sure that we shall have a measure that will be enforced. I might note that we provide, in the case of literacy tests, although we do not abolish the qualifications——

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The time of the Senator has expired.

Mr. TOWER. Mr. President, I yield myself an additional 2 minutes.

The PRESIDING OFFICER. The Senator from Texas is recognized for 2 additional minutes.

Mr. TOWER. Although we would not abolish the literacy requirement, we specify that the objective standard of a sixth-grade education shall be considered as adequate proof or evidence of literacy. This does not preclude the person who has less than a sixth grade education from taking the literacy test to prove his literacy.

Further, of course, there is the safeguard of a Federal examiner if a pattern of discrimination has been established, to make certain that the test will be administred in a nondiscriminatory, equitable, and fair way, so as to give every citizen equal protection under the law.

It is my fervent hope that my amendment will be adopted.

Mr. HART. Mr. President, I yield myself 5 minutes.

I speak in opposition to the adoption of the amendment, as modified, offered by the distinguished Senator from Texas. This substitute, until modified, was essentially the proposal which has been introduced in the House of Representatives by Representative GERALD FORD, the minority leader, and Representative WILLIAM MCCULLOCH. In my judgment, the substitute amendment, before modification, would have been a totally ineffective response to past discriminations, but more importantly, would almost encourage the continued use of a double standard to measure the major qualifications of applicants for registration for voting.

Mr. TOWER. Mr. President, will the Senator from Michigan yield on my time?

Mr. HART. I yield.

Mr. TOWER. This is not the Ford-McCulloch measure. I do not wish to place a stigma on those men. I should like to say further that although the amendment as modified is similar to the provisions of that bill, it is not their entire bill.

Mr. HART. If I did not say so, I should now say that the amendment as offered was essentially the proposal or in general the approach reflected——

Mr. TOWER. A similar approach.

Mr. HART. A similar approach. Even as the junior Senator from Texas has now modified his amendment, his comment is quite accurate: It is directed to the triggering device of the bill.

There are several reasons which should persuade Senators to reject the Tower amendment and to support the approach which has been retained by the leadership in its substitute, and was reflected in the basic approach in the very first bill presented.

I feel that the amendment now pending would tend to freeze the results of past racial discrimination. I feel that the amendment would insure that the disparity which has developed, reflecting the past application of these tests, would continue to exist for the foreseeable future, requiring a strict application of the standards to Negroes listed by Federal examiners than in all likelihood would be applied by local registrars.

It seems to us that the amendment outlines a procedure that is rather cumbersome and, because of that, might make the bill unworkable in many regards.

The Tower amendment provides that initially a single Federal examiner shall be appointed for a county by the Civil Service Commission whenever the Attorney General certifies that he has received 25 meritorious complaints alleging that each complainant is qualified to vote and that within 90 days he has been deprived of the right to register or to vote on account of race or color. The examiner examines only those persons who have filed complaints certified to the Civil Service Commission by the Attorney General, and he determines whether such persons are qualified under State law to vote and were, in fact, deprived of the right to register or to vote.

In making his determination whether an applicant is qualified to vote under State law, the examiner is to disregard State literacy tests in the case of applicants who have completed the sixth grade of education in a public or accredited private school. The examiner would also disregard any good moral character or voucher requirement. Any applicant who has failed to complete six grades would still be required to take the State literacy test, however.

The examiner may register applicants only if he finds that 25 or more of them were denied the right to register and are qualified to vote under State law. If he makes such a finding and his testing of 25 or more persons is not challenged or the challenge is rejected, a pattern or practice of denial of the right to register or to vote on account of race or color is deemed to be established. The Civil Service Commission must then appoint such additional examiners in the county as may be necessary to pass on applications for listing filed by persons other than the original 25 complainants.

That, in brief, is the substance of the Tower amendment.

One of the principal objections I make to the Tower amendment is that it would simply perpetuate the disparity between Negro and white registration in the Deep South States. In these States there are a large number of Negro and white citizens who have not completed six grades of education. At the same time, almost all white citizens of voting age, whether educated or not, have been permanently registered for life without having been subjected to any sort of literacy test, or despite their performance—or lack of it—on such tests. The evidence of this is set forth in the joint views of the majority of the Judiciary Committee.

Within the past week the U.S. Commission on Civil Rights issued a report on "Voting in Mississippi." In the chapter entitled "Educational Deprivation and Voting," the Commission writes:

> Although education, as such, was not a subject of Commission investigation, witnesses at the hearing asserted that inadequacies in public education provided by the State of Mississippi to Negro schoolchildren made any test of literacy or comprehension unfair as a prerequisite to voting. This view is supported by the history of segregated and inferior Negro public schools in Mississippi—a school system which has produced a 6th-grade median education level for Negroes compared with an 11th-grade median education level for whites.

This means that half of the Negroes educated in the Mississippi school system fall below the median sixth grade education level. Half would be required to take a special literacy test under the provisions of the Tower amendment.

Let me quote also from one of the recent decisions of a district court in Louisiana, referred to in the joint views, where Judge Dawkins said in *United States* v. *Clement*, 231 F. Supp. 913:

> Professionally trained Negroes [including public school principals and teachers] were rejected on the basis of the oral test, while white persons with sixth grade education and less were registered without taking the test at all.

Similarly, the Court of Appeals for the Fifth Circuit said of practices in an Alabama county that the requirement that applicants must fill out a lengthy and complex application form became one of the engines of discrimination because, while whites "were given frequent assistance in determining the correct answers," Negroes "not only failed to receive assistance, but their applications were rejected for slight and technical errors"—*United States* v. *Alabama*, 304 F. 2d 583. Thus over widespread areas many illiterate whites have been registered while at the same time Negroes were consistently refused registration on the often spurious ground that they failed the tests.

The courts have held that to continue to apply a literacy standard to Negro applicants under such circumstances would be to "freeze in" the effects of violations of the 15th amendment and would be grossly unfair and inequitable. Only recently the Supreme Court said just this in United States against Louisiana, decided March 8, 1965. Yet that is precisely what the Tower amendment would require.

Even though in a county there may be hundreds, even thousands, of white persons on the voting rolls who did not complete six grades and would be unable to pass the State literacy test, the Tower amendment would force the Federal examiner to apply that test strictly to any Negro who had not completed the sixth grade. In short, the Tower amendment would be a mandate for the application of standards which the courts have held to be unconscionable. And the irony is that Federal officials would be the instruments for achieving this result.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The time of the Senator from Michigan has expired.

Mr. HART. I yield myself an additional 5 minutes.

Mr. President, the second principal defect in the Tower amendment is in its requirement that examiners administer tests to those with less than a sixth-grade education. This requirement would serve to continue into the present and the future a double standard of testing—the very evil we are attempting to eliminate. Negroes would be tested by the examiners on the basis of the standard set forth in the Tower amendment—completion of six grades or passing of the State literacy test. At the same time, whites would be applying for registration to the State registrar who would presumably do what he has always done—register whites on the basis of their white skin rather than on the basis of any educational achievement or passage of any test.

The Tower amendment thus invites the registration of relatively poorly educated whites while preventing the registration of Negroes with similar education or literacy. Indeed, under that amendment the States are free to increase even further the degree of difficulty of their literacy test requirements so as to make it impossible for anyone to pass these tests. Any Negro with less than a sixth-grade education who applied to a Federal examiner would thus be promptly rejected for his failure to pass the State literacy test while illiterate whites would miraculously pass the same test when it is administered by the local registrar.

On the other hand, those State registrars who took their duties seriously and applied the letter of the State law, would test all who came to them on the basis of the complicated provisions of State law, while Federal examiners, at the same time and in the same place, would register those with a sixth grade education without subjecting them to any interpretation, understanding, or literacy examination. The resulting confusion could be avoided only if all persons—white and Negro—abandoned the State machinery and made exclusive use instead of the Federal examiner system. This is a result hardly to be desired either by those who profess an abiding concern for the strengthening of States rights or by those who wish to promote State responsibility for the fair and equitable administration of their election and registration laws.

In short, the Tower amendment would operate unfairly both in places where State registrars continue to use color as the test for registering, and in places where they objectively apply the law. In the former case, Negroes will inevitably be subjected by Federal examiners to standards which are far stricter than those applied to whites by State registrars. In the latter case, the result will at best be confusion and at worst the permanent, total debilitation of the State and local registration machinery.

The Mansfield-Dirksen substitute avoids all these pitfalls by suspending literacy tests in the areas of discrimination and prohibiting their use by either Federal or State officials. I need not repeat here the case which has been made so often and so well in support of the rationality and constitutionality of this approach. The statistical, factual, and legal materials before the Congress fully demonstrate the reasonableness of the suspension formula.

But beyond that—and this, too, is amply documented in the record of hearings of the Committee on the Judiciary—it is clear that in many places the complex literacy and constitutional interpretation and understanding tests have had no purpose other than to provide a tool for discrimination against Negroes. Given that background, it is hardly surprising to find that many of these tests are not susceptible of fair administration by anyone, including a Federal examiner.

For example, it is hard to see how an examiner could fairly administer the Mississippi constitutional interpretation test—now being challenged in the courts—which requires that an applicant be able to give a satisfactory interpretation of any one of 285 provisions of the State constitution. No explanation is offered in the law of what is a satisfactory interpretation, and obviously the Federal examiners, who will not in most instances be lawyers, will be no more fit than are State registrars in Mississippi to decide whether anyone has passed this test.

To take another instance, some States use the application form itself as a literacy test. They require the applicant to fill out a long, complex, and confusing form without assistance and without errors or omissions. In Alabama, applicants cannot vote unless they know such matters as to which public official one must apply for a gun permit, and in Louisiana they can register only if they are able to compute their age to the exact year, month, and day.

Such tests and knowledge requirements are utterly unreasonable. They are simply a part of the obstacle course erected in those areas to prevent Negroes from reaching their goal of full citizenship. I say such tests could not be applied fairly by an examiner. I say they should not have to be applied by a Federal official appointed to rectify voting discrimination. Yet, under the Tower substitute, the examiners would have to do just that.

A third major defect of the Tower amendment is that the machinery it would set up is so cumbersome and complicated that its performance in actual operation is likely to be disappointing. Let me detail some of the difficulties I see.

First. The Tower amendment requires that the initial 25 persons who must file complaints with the Attorney General to trigger the examiner procedure must each allege that they can satisfy the voting qualifications of the voting district. Since the amendment does not direct State registrars to waive literacy tests or voucher or good moral character requirements, this means that these 25 applicants must allege an ability to satisfy such qualifications. Moreover, since the Attorney General must certify that he believes the complaints to be meritorious before anything happens, he, too, would have to be satisfied that the applicants can fully meet all State and local requirements. Let me make it quite clear that under the Tower amendment these initial allegations and determinations must be made without regard to the sixth grade literacy standard imposed on the examiner.

In other words, before any phase of the Tower amendment would become operative in a county, 25 Negroes would have to allege, and the Attorney General would have to find, that they are able to satisfy even the most technical provisions of State law.

This is not a practical solution to the problems that face us. How, for example, could a Negro living in a county where few or no Negroes are registered allege his ability to satisfy a vouching requirement, since it is notorious that in such places registered whites rarely vouch for Negroes, Indeed, how could a Negro allege his ability to pass a constitutional interpretation test when he does not know what questions of constitutional law he might be asked? It follows that this requirement might well stultify the examiner provisions at the threshold.

Second. Under the Tower amendment, the initial examiner procedure cannot be activated unless complaints are received from 25 or more persons in a county. There is a parallel limitation that additional examiners may not be appointed nor additional persons listed unless the initial examiner finds—and his finding is not upset—that 25 or more persons were denied the opportunity to register and are qualified under State law to vote.

By contrast, the leadership substitute provides that examiners may be appointed either upon the receipt of a number of specified complaints or where the Attorney General otherwise determines that their appointment is necessary to enforce the 15th amendment. This discretionary authority is necessary because in many areas Negroes are well aware that to have applied to State officials for registration might result in loss of employment or even physical injury or death. Thus, it is essential to permit the appointment of examiners in areas where only a relatively limited number of Negroes have sought to register; otherwise, we may find that in the very worst centers of racism the Government is powerless to act.

Third. The Tower amendment raises a number of problems of purpose and language which could be solved only by a long process of revision, clarification, and amendment.

Again, persons applying to an examiner under section 4(a) must allege that they can satisfy the qualification of the voting district, but persons applying for listing under section 8(a) apparently need not make such allegation. If the inconsistency is deliberate, why the difference in treatment?

I feel that, on balance, the leadership substitute as it has now been perfected represents a responsible, effective reply to the concern of America that we insure that the promise of the 15th amendment, long made, long outstanding, shall be delivered, and delivered in every region. As the debate reaches its conclusion, I do not wish to be in the position of arguing that discrimination is a regional monopoly. There is discrimination in the North and in the South alike. Why blink the fact? In the South, I think it is more hard nosed and, until the recent past, was a matter of public policy, related to a man's ability to get a meal and a place to spend the night, or to cast a vote. In the North, the public policy is fine; day-to-day practice often leaves much to be desired. In this instance, it relates to other aspects—discrimination in education, housing, employment.

I have never been sure in my own heart which would be the crueler action if one were on the receiving end of it. However, I believe that the concern of the bill, its purpose, and its reach is to insist that the 15th amendment shall be more than a section of the text that reads well, but has been found wanting on too many occasions.

Mr. DOMINICK. Mr. President, will the Senator yield for a question?

Mr. HART. I yield.

Mr. DOMINICK. Mr. President, I want to make sure in my own mind what the general effect of the triggering provision of the bill would be, as the Senator from Michigan interprets it. The probability, as I understand, is that the triggering provision would apply only to four States, or portions of four States.

Mr. HART. The leadership substitute measure would reach seven States or political subdivisions of such States. Those States are Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Louisiana.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HART. Mr. President, I yield myself an additional 5 minutes.

The PRESIDING OFFICER. The Senator from Michigan is recognized for an additional 5 minutes.

Mr. DOMINICK. Mr. President, if the amendment offered by the Senator from Texas were to be agreed to, instead of having a triggering provision which would apply to only seven States, we would then have a triggering provision which would apply to any subdivision within any State.

Mr. HART. The Senator is correct—subject to the requirement that 25 or more people sign a complaint and thus meet the other tests outlined in the substitute measure offered by the Senator from Texas.

Mr. DOMINICK. Is the Senator from Michigan concerned that the requirement of having 25 people sign a complaint is a requirement that could not be accomplished or would not be accomplished in any of the seven States or political subdivisions thereof named by the Senator?

Mr. HART. No. I would assume and hope that 25 or more people would not find a local attitude such as to deter them from signing if, in fact, they felt they had been denied their right. I should prefer, nonetheless, to retain the leadership substitute measure, which would permit the Attorney General for reasonable cause, even absent such a petition, to set in motion the establishment of examiners.

The Senator feels that the right of the Attorney General to come automatically into those seven States, or political subdivisions thereof, is a better provision than to provide for the rights of citizens to petition for action in any of the States.

I believe that the availability of both courses of action is highly desirable.

Mr. DOMINICK. That provision is not available in the other States, as I understand, under the leadership substitute measure.

Mr. HART. No. However, I know that the Senator from Colorado understands that the leadership substitute motion in section 3 makes provision across the country for the suspension of tests and devices and the appointment of examiners wherever discrimination is found to exist.

It would be a mistaken impression if one were to assume that the leadership substitute would not reach the 50 States and all the subdivisions thereof to the extent that violation of one's right under the 15th amendment is found to exist. Admittedly, the leadership substitute approaches those areas which the Senator has described as hard core with an automatic formula which would have the effect of suspending tests and devices in those areas.

Mr. DOMINICK. Mr. President, I thank the Senator from Michigan for replying very clearly to my question.

Mr. HART. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Texas is recognized. How much time does the Senator from Texas yield to himself?

Mr. TOWER. I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Texas is recognized for 3 minutes.

Mr. TOWER. Mr. President, I believe that we are begging the issue when we talk about the cumbersomeness of my provision as compared to the administration's substitute measure.

Perhaps there is something cumbersome in both of them. We must be less cumbersome in establishing procedures under a bill of this kind.

We could debate the issue of cumbersomeness into the night and not arrive at any definite conclusions as to which measure would provide the least cumbersome procedure.

My substitute measure would seek to eliminate a double standard—one standard held out for one State and a different standard held out for another State.

It seems to me that if discrimination does exist, or could exist at any time in the future, in States other than the six or seven that would be affected by the leadership substitute, we should be prepared to deal with it here and now.

Why is it that a person discriminated against in New York State would have no recourse, whereas a person discriminated against in Alabama would have recourse under the provision of the leadership substitute measure?

I believe, too, that we should be very careful, in trying to remedy a great evil, to make sure that we pass a bill that will not be found wanting when it is tested in the courts.

No precedent is established in the cases that have been resolved by the Supreme Court that would indicate that the leadership substitute proposal is entirely constitutional on its face. The Attorney General of the United States has said that, should we place a provision in the bill to abolish the poll tax as a qualification for voting in State and local elections in the several States, that would render the bill unconstitutional.

I respect the opinion of the Attorney General on this matter. I may not always agree with him—perhaps rarely do. However, I believe this proposal is an absolutely correct approach.

It must then naturally follow that if we cannot abolish the poll tax as a qualification constitutionally, as a prerequisite for voting in local elections, we cannot abolish other qualifications that are established by the States for State and local elections. I believe that if we were to suspend the literacy test for voting in Federal elections, it probably should be done by constitutional amendment, rather than legislation.

I believe that the provisions of the leadership substitute measure could be made constitutional. However, they would have to be made constitutional through the adoption of a constitutional amendment. I believe that that is the way to approach this problem if we want to seal in this policy as law.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. TOWER. I yield myself 5 additional minutes.

The PRESIDING OFFICER. The Senator from Texas is recognized for an additional 5 minutes.

Mr. TOWER. Mr. President, if we want to use the particular triggering device provided in the leadership substitute measure, we should do so by means of constitutional amendment to make sure that it will stand every test in the court. We cannot be sure now that it will.

There is no specific grant of power in the Constitution of the United States to the Congress to suspend or negate voter qualifications in any State so long as those qualifications are not repugnant to the letter of the Constitution.

There is clear implication in the Constitution that this is a right reserved to the States in the 10th amendment, and that this is State responsibility. It is recognized that the States will set voter qualifications. This recognition is made in the provision creating an electorate for the Congress of the United States and for the presidential electors of the United States.

We are running a grave risk of passing a bill that will be wiped out. If the courts do wipe the bill out, we shall be back here again next year in an effort to pass another bill—which we may or may not pass. However, in the meantime, citizens will be denied the right to vote because we have passed a bill that has been declared unconstitutional. We have not given them any protection.

We cannot abrogate to ourselves any power or authority that is not a clearly granted to us or clearly implied in the Constitution. There is no such grant of power. There is no such implication.

We would jeopardize the bill if we were to incorporate therein the provisions relevant to triggering devices and make such provisions apply to only a few States.

I believe that we may wake up some morning and find that we have to do our work all over again.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. TOWER. I yield 5 minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 5 minutes.

Mr. HICKENLOOPER. Mr. President, I compliment the Senator from Texas for this approach to this most important legislation. I thoroughly agree with him that there is serious question about the constitutionality of the legislation, in the main, which is before us at the present time, without proper amendment.

When I say serious question about the constitutionality, I think there is serious question about the constitutionality of the legislation as lawyers generally and as the public and the American people have interpreted and understood the Constitution of the United States in the past. I am not at all sure that the present Supreme Court will not hold it, or anything like it, constitutional. But be that as it may, it requires a reduction in the reserved powers to the States and the people, not only in keeping with the 10th amendment to the Constitution, but the electoral qualifications which the Senator mentioned a moment ago, which clearly implement the rights of the States to fix the qualifications of their voters.

One of the difficulties I see with the substitute which is before us is that it attempts to assault the problem at the wrong place. I do not know of a single State in the Union that has laws on its books that discriminate against persons because of race, color, or previous condition of servitude.

The evil involved in the isolated cases where it is involved in voting is a discrimination exercised by the discretion of a local registering official who uses whatever power he may have to discriminate unfairly, on occasions, as between people, at the point of registration. We are not assaulting the problem at that point to punish the person who exercises that discrimination unfairly. We are punishing all of the people of the area, whether it be under the Constitution as a whole, or the equal protection of the laws principle, or whatever it may be. So I believe the approach of the so-called substitute bill is wrong.

To me, in some ways, it is very much like saying that a few people out of a special group violate the law—therefore, all the people of that group should be punished. I do not believe that that is the basic concept of the Federal Government. It violates the equal protection of the laws doctrine for those who do not violate the laws.

Be that as it may, we seem to be in an emotional state. While I personally would rather see the amendment proposed by the Senator from Texas modified in other ways to assault the problem which I think should be assaulted—and that is punish the individual who exercises the discretion against the equality of treatment; and we have plenty of laws on the books to do that; the statutes provide for that, and they could be enforced—nevertheless, I expect to support the Senator's amendment as a much more equitable and a much more constitutional approach, as many of us understand the Constitution, to these very troublesome problems. I believe that all of us are zealous——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. TOWER. I yield 5 more minutes to the Senator from Iowa.

Mr. HICKENLOOPER. All of us are zealous in trying to eliminate an evil, but I have never believed in trying to kill a cold by cutting off the patient's head.

It seems to me that the approach before us is somewhat of a meat-ax approach to this problem, and does not pinpoint the approach to the problem or the power of the Federal Government to the place where it exists and the people who are responsible for that evil.

I shall not take any more of the Senator's time, but I congratulate him for his devotion to an attempt to correct the proposed legislation and attempt to bring it more in line with constitutional provisions and constitutional reservations as we understand them.

It would be a tragedy, of course, if all this time had been spent and then the legislation were declared unconstitutional. I do not believe any of us can necessarily pass on that question now, except to give our own guess as to its constitutionality, which will be decided not by us, but by the courts in the long run.

I shall support the Senator's amendment, and I hope it will be adopted.

Mr. TOWER. I thank my distinguished friend from Iowa.

Mr. President, I know there are other matters to concern us this afternoon. I shall be prepared to yield back my time, but before I do so, I should like to make one comment.

It is incumbent on us, in pursuance of our duty, to see that provisions of the Constitution which guarantee that there shall be equal protection of the laws are carried out in full. When a person in a State is not granted equal protection of the laws, we must act to see that that person receives equal protection of the laws. But this does not give us the power or the responsibility to negate the law if that law, in equitable enforcement and application, is otherwise constitutional. So I believe we are taking a dangerous step here.

In many States, for example, the assessed valuation of land in a political subdivision is unequal. A $25,000 piece of property may be evaluated in one county at $5,000 for tax purposes, and $10,000 in another county. So actually there is a denial of the equal protection of the laws and in the application of the tax laws in that State. But does this give the United States the power to go into a State and negate the tax laws of the State because there is an inequitable application of the law?

We could pursue this point in other types of legislation. We must make sure that the law falls equally on everyone. What we are trying to do is to implement the ancient Judeo-Christian concept that every man is equal in the eyes of God, which is embodied in the nature of our own great common law tradition to the extent that every man is equal in the eyes of the law.

Let us not, then, destroy the law, but destroy the actions of those who would prostitute the law for their own purposes.

That is what I seek to do by my amendment. I offer it in good faith. I fervently hope it will be given careful consideration by the Senate on its merits.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. TOWER. I yield 5 minutes to the Senator from Colorado.

Mr. DOMINICK. Mr. President, I start by congratulating the Senator from Texas for presenting what seems to me, despite my colloquy with the Senator from Michigan, as a reasonable approach to a very difficult problem.

There have been all kinds of accusations of wrongful action in various States for voting rights purposes, regardless of whether it happened to be in the State of the distinguished minority leader, or whether it happened to be alleged discrimination in Texas or North Carolina. Suddenly, however, we are imposing our great wisdom on the system we have all over the country. We have come to the conclusion that any State which does not vote more than a certain number of citizens is deliberately discriminating against one race. Nothing is said about discrimination in other sections of the country—in other States, or other political subdivisions.

The amendment of the Senator from Texas would change that, so that the law would at least apply equally throughout the country.

In my State of Colorado, there is no poll tax, no literacy test, no requirements other than the fact that a citizen must register. Anyone 21 years of age can vote.

I am sure that many times in the process of State elections, there have been those who felt they had been deprived of the right to vote because they moved too soon before an election, or were not in the right precinct, or because they felt that their own choice of a candidate might not be that of their boss, and therefore did not wish to go ahead and vote. This sort of thing has happened, I am sure, nationwide.

I realize that the 15th amendment applies only to the right of Congress to legislate, in order to assure that there will be no deprivation of the right to vote on account of race or color. But those two factors—race and color, people of different nationalities, of different races, different colors, not only the Negro, but also the Chinese, the Japanese, and many others who would fit into this category—are all spread through the country.

It strikes me that if Congress is going to—and, in my opinion, it should—legislate to protect the right to vote under the 15th amendment, then the proposed legislation should be in effect in all 50 States, not just in the 7 which have been mentioned by the Senator from Michigan.

Therefore, I am happy to support the amendment of the Senator from Texas, and I hope that it will be successful.

Mr. TOWER. I thank the Senator from Colorado for his comments.

Mr. President, I am prepared to yield back the remainder of my time, if the distinguished Senator from Michigan is also prepared to yield back his.

Mr. HART. Mr. President, I yield back the remainder of my time.

Mr. TOWER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

The question is on agreeing to the amendment of the Senator from Texas [Mr. TOWER] to the amendment in the nature of a substitute, as amended, numbered 124, offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. President, have the yeas and nays been ordered?

Mr. TOWER. The yeas and nays have been ordered.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

On this question, all time has been yielded back, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Oregon [Mr. MORSE], the Senator from Wisconsin [Mr. NELSON], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Ohio [Mr. YOUNG], and the Senator from Illinois [Mr. DOUGLAS] are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Idaho [Mr. CHURCH], the Senator from Tennessee [Mr. GORE], the Senator from New York [Mr. KENNEDY], the Senator from South Dakota [Mr. McGOVERN], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from North Dakota [Mr. BURDICK], the Senator from Idaho [Mr. CHURCH], the Senator from Missouri [Mr. LONG], the Senator from South Dakota [Mr. McGOVERN], the Senator from Wisconsin [Mr. NELSON], the Senator from Ohio [Mr. YOUNG], and the Senator from Illinois [Mr. DOUGLAS], would each note "nay."

On this vote, the Senator from New York [Mr. KENNEDY] is paired with the Senator from Louisiana [Mr. LONG]. If present and voting, the Senator from New York would vote "nay," and the Senator from Louisiana would vote "yea."

On this vote, the Senator from Virginia [Mr. ROBERTSON] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Oregon would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] and the Senator from Nebraska [Mr. CURTIS] are necessarily absent.

The Senator from New York [Mr. JAVITS] and the Senator from California [Mr. MURPHY] are absent on official business.

The Senator from Pennsylvania [Mr. SCOTT] is absent to attend the funeral of a friend.

The Senator from Utah [Mr. BENNETT] is detained on official business.

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from New York [Mr. JAVITS]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from New York would vote "nay."

On this vote, the Senator from California [Mr. MURPHY] is paired with the Senator from Pennsylvania [Mr. SCOTT]. If present and voting, the Senator from California would vote "yea," and the Senator from Pennsylvania would vote "nay."

The result was announced—yeas 29, nays 49, as follows:

[No. 82 Leg.]

YEAS—29

Byrd, Va.
Byrd, W. Va.
Cotton
Dominick
Eastland
Ellender
Ervin
Fannin
Fulbright
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
McClellan
Miller
Morton
Mundt
Russell, S.C.
Russell, Ga.
Simpson
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—49

Aiken
Allott
Bartlett
Bass
Bayh
Bible
Boggs
Brewster
Cannon
Case
Clark
Cooper
Dirksen
Dodd
Fong
Gruening
Harris
Hart
Hartke
Inouye
Jackson
Kennedy, Mass.
Kuchel
Lausche
Magnuson
Mansfield
McCarthy
McGee
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Moss
Muskie
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Smith
Symington
Tydings
Williams, N.J.
Yarborough

NOT VOTING—22

Anderson
Bennett
Burdick
Carlson
Church
Curtis
Douglas
Gore
Hayden
Javits
Kennedy, N.Y.
Long, Mo.
Long, La.
McGovern
Morse
Murphy
Nelson
Neuberger
Robertson
Scott
Smathers
Young, Ohio

So Mr. TOWER's amendment to the amendment in the nature of a substitute, as amended (No. 124), offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN], was rejected.

Mr. HART. Mr. President, I move to reconsider the vote by which the amendment to the amendment was rejected.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ALLOTT. Mr. President, I offer a modification of my amendment 197, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Colorado, as modified, will be stated.

The LEGISLATIVE CLERK. On page 21, between lines 15 and 16, it is proposed to insert the following new subsection:

> (e) In any action for a declaratory judgment brought pursuant to section 4 or section 5 of this Act, subpenas for witnesses who are required to attend the District Court for the District of Columbia may be served in any judicial district of the United States: *Provided*, that no writ of subpena shall issue for witnesses without the District of Columbia at a greater distance than one hundred miles from the place of holding court without the permission of the District Court for the District of Columbia being first had upon proper application and cause shown.

Mr. ALLOTT. Mr. President, the Senator from North Carolina [Mr. ERVIN] has talked on various occasions about an aspect of this bill which he feels may constitute a denial of due process of law. The question to which I refer is the lack of power of parties to a declaratory judgment action in the District Court for the District of Columbia to compel attendance of witnesses, when such witnesses are found more than 100 miles from the court. While I do not necessarily agree with the Senator that a due-process question is raised, because the action is not one which might deprive a person of life, liberty, or property, still I do feel that the argument raises a question of equity. I believe that the parties should be given such power if the court, after cause shown, gives it permission. Equity and justice would be served by allowing the parties to require that witnesses appear, so that all relevant facts may be before the court, and it is true that many persons who may have relevant information may be found more than 100 miles from the court.

For that reason, Mr. President, I submitted amendment No. 197 to provide that when the District Court for the District of Columbia deems it necessary, it may provide for service of its process in any other judicial district. Thus, the parties to the action would have a means at their disposal to require witnesses to attend.

My amendment, as modified, would conform to the language of rule 45 of the Rules of Civil Procedure. That rule is the one with which the Senator from North Carolina was concerned, and it provides, in part, in subsection (e):

> A subpoena requiring the attendance of a witness at a hearing or trial may be served at any place within the district, or at any place without the district that is within 100 miles of the place of the hearing or trial specified in the subpoena; and, when a statute of the United States provides therefor, the court upon proper application and cause shown may authorize the service of a subpoena at any other place.

As modified, my amendment would provide as follows:

> In any action for a declaratory judgment brought pursuant to section 4 or section 5 of this Act, subpoenas for witnesses who are required to attend the District Court for the District of Columbia may be served in any judicial district of the United States: *Provided*, That no writ of subpoena shall issue for witnesses without the District of Columbia at a greater distance than one hundred miles from the place of holding court without the permission of the District Court for the District of Columbia being first had upon proper application and cause shown.

Provisions similar to my modified amendment have been included in the law relating to veterans' insurance claims—title 38, United States Code, section 784(c)—and to antitrust cases—title 15, United States Code, section 23. It would promote orderly but equitable procedure, and I feel that it should be adopted. I might mention also, Mr. President, that I have had my staff check this language with representatives of the Justice Department, and they advise that they have no objection to this particular language.

I have also discussed the amendment with the distinguished Senator in charge of the bill, and I understand that he has no objection to it.

Mr. HART. Mr. President, the Senator from Colorado has quite accurately described the amendment. It states the understanding we have had, and I believe it is a very worthwhile amendment. I recommend its adoption, and congratulate the Senator from Colorado on developing the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado to the amendment in the nature of a substitute, as amended (No. 124), offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN].

The amendment to the amendment was agreed to.

Mr. ALLOTT. Mr. President, I move to reconsider the vote by which the amendment to the amendment was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay the motion on the table.

The motion to lay on the table was agreed to.

Mr. TOWER. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Texas will be stated.

The LEGISLATIVE CLERK. On page 21, between lines 18 and 19, it is proposed to insert the following:

> SEC. 16. The Attorney General and the Secretary of Defense, jointly, shall make a full and complete study to determine whether, under the laws or practices of any State or States, there are preconditions to voting, which might tend to result in discrimination against citizens serving in the Armed Forces of the United States seeking to vote. Such officials shall, jointly, make a report to the Congress not later than June 30, 1966, containing the results of such study, together with a list of any States in which such preconditions exist, and shall include in such report such recommendations for legislation as they deem advisable to prevent discrimination in voting against citizens serving in the Armed Forces of the United States.

On page 21, line 19, it is proposed to strike out "SEC. 16." and insert "SEC. 17.".

Mr. TOWER. Mr. President, I hope my amendment will be accepted.

It is generally difficult to determine, by simply looking at State statutes, to see if such statutes may be, in effect, discriminating against the serviceman, particularly one who is engaged in armed conflict, or serving in distant parts of the world.

For example, a statute may require that absentee ballots cannot be mailed out prior to 20 days before the election. Generally the absentee ballots cannot be sent out by the county clerk before a certain time.

By the time the serviceman-voter applies for the ballot, receives it, marks it, and returns it, a considerable period of time has elapsed. Perhaps too much time.

The time period is of course usually sufficient if the serviceman-voter is in the States, but possibly not if he is in Vietnam.

I do not necessarily forsee the enactment of Federal legislation as a result of the study. Perhaps more expeditious handling of serviceman-voter absentee ballot applications, or the wider distribution of necessary information will be all that is needed. In any event, I feel the study called for in my amendment will result in greater participation by the servicemen in our election processes.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. TOWER. I yield to the Senator from North Carolina.

Mr. ERVIN. Am I correct in assuming that the question of literacy tests is not involved, because Uncle Sam will not receive anyone in the Armed Forces unless he can read and write?

Mr. TOWER. The Senator is correct.

Mr. ERVIN. Does not the Senator from Texas think it is peculiar that Uncle Sam should want people who cannot read and write to vote, but is not willing to let them fight for their country unless they can read and write?

Mr. TOWER. I must confess that it seems strange to me; but this amendment, of course, does not address itself to the question of literacy tests. However, the Senator can be certain that there would be literate voters.

Mr. HART. Mr. President, the Senator from Texas, who has clearly described the amendment, is perhaps doing all of us a service in diverting a comprehensive analysis of all aspects of State law which may make it difficult for servicemen to vote. I am prepared to accept it. I have consulted with the distinguished minority leader concerning it. I hope the amendment will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. Tower] to the amendment in the nature of a substitute, as amended, numbered 124, offered by the Senator from Montana [Mr. Mansfield] and the Senator from Illinois [Mr. Dirksen].

The amendment to the amendment was agreed to.

Mr. TOWER. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. WILLIAMS of Delaware. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 195

Mr. MILLER. Mr. President, I call up my amendment No. 195.

Mr. MANSFIELD. Mr. President, will the Senator from Iowa yield?

Mr. MILLER. Mr. President, if the Senator from Montana will indulge me a moment, I send to the desk a modification of my amendment. It is merely a technical modification. I ask that I may be permitted to modify my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLER. Mr. President, I ask that my modified amendment not be read, but that it be printed in the Recrod.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment as modified, is as follows:

On page 2, line 3, strike out the figure "3" and insert in lieu thereof the figure "4".

On page 2, line 8, strike out the figure "6" and insert in lieu thereof the figure "5".

On pages 6 and 7, strike out subsection 4(c) and insert the same after line 3 on page 21 as a new subsection 14(c)(3).

On pages 4 through 8 inclusive, strike out subsections 4(a), 4(b), and 4(d) and section 5 in their entirety.

On page 8, line 17, strike "(a)", and in line 19, strike out the figures "3(a) ;" and insert in lieu thereof the figure "4" and strike out everything beginning with the word "or" on page 8, line 19, through the word "amendment" on page 9, line 8.

After page 2, line 2, add a new section 3 as follows:

"Sec. 3. (a) Whenever the Attorney General has determined that in any State or political subdivision of a State the rights of citizens to vote are being denied or abridged on account of race or color, he shall institute an action in the name of the United States in the District Court of the United States for the District of Columbia against such State or political subdivision alleging that it is engaging in denying or abridging the rights of citizens to vote on account of race or color. Upon demand of the Attorney General, such action shall be tried by a three-judge district court convened in the manner prescribed by section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court.

"(b) A presumption of denial or abridgment of the rights of citizens to vote on account of race or color will be raised upon proof by the Attorney General (1) that the State or political subdivision maintained on November 1, 1964, any test or device, and (2) (A) that less than 50 per centum of the persons, other than aliens and persons in active military service and their dependents, of voting age residing therein were registered on November 1, 1964, or that less than 50 per centum of such persons voted in the presidential election of November 1964, and (B) that, according to the 1960 census, more than 20 per centum of the persons of voting age were nonwhite; or, (3) notwithstanding the foregoing (1) and (2), that the total number of persons of any race or color who are registered to vote in such State or political subdivision is less than 25 per centum of the total number of all persons of such race or color of voting age residing in such State or political subdivision."

On page 17, line 8, strike out the figure "3(a)" and insert in lieu thereof the figure "4(a)".

On pages 19 and 20, strike out section 13 in its entirety and insert in lieu thereof the following:

"Sec. 13. Listing procedures shall be terminated in any political subdivision of any State upon order of the authorizing court."

On page 20, line 8, strike out the figure "8" and insert in lieu thereof the figure "7", and on page 20, lines 8 and 9, strike out the words "any declaratory judgment pursuant to section 4 or".

Renumber sections 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 as sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15.

Mr. MILLER. I now yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate convenes tomorrow, and before the vote on cloture at 1 o'clock, the time be equally divided, one-half to be under the control of the distinguished Senator from North Carolina [Mr. Ervin], the other half to be under the control of the distinguished Senator from Michigan [Mr. Hart].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a vote on the pending Miller amendment at 12:20 p.m. tomorrow, and that the time until 12:20 be divided equally between the Senator from Michigan [Mr. Hart] and the Senator from Iowa [Mr. Miller].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

Unanimous-Consent Agreement

Ordered, That the Senate proceed to vote not later than 12:20 o'clock p.m. on Tuesday, May 25, 1965, on amendment numbered 195, as modified, offered by the Senator from Iowa [Mr. Miller], to the substitute amendment by Senators Mansfield and Dirksen, No. 124, as amended and modified, for the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Provided, That all time for debate after the approval of the Journal on Tuesday, May 25, 1965, which time shall not extend beyond 12:20 o'clock p.m., shall be equally divided and controlled by the Senator from Michigan [Mr. Hart] and the Senator from Iowa [Mr. Miller].

Mr. MANSFIELD. Mr. President, on that basis, I ask unanimous consent that the Miller amendment be temporarily set aside for the purpose of enabling the Senate to consider an amendment to be offered by the distinguished Senator from New Hampshire [Mr. Cotton].

Mr. MILLER. Mr. President, reserving the right to object, will the Senator from Montana answer a question?

Mr. MANSFIELD. Yes.

Mr. MILLER. When the Senate convenes at noon tomorrow, the time is to be equally divided between the Senator from Michigan and me, 10 minutes to a side. I presume that there will be a quorum call. Do I correctly presume that the time for the quorum call will be taken from the 20 minutes?

Mr. MANSFIELD. I would hope that there would not be a quorum call tomorrow.

Mr. MILLER. Mr. President, on my amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MILLER. Mr. President, I have discussed my amendment with the Senator from Michigan. Both of us feel that the amendment can be disposed of briefly. So even if there is a quorum call, it is my hope that with 7 or 8 minutes to a side, the amendment could be disposed of adequately by 20 minutes afer 12.

Mr. MANSFIELD. As I understand, the vote on the Miller amendment will take place at 20 minutes after 12.

Mr. MILLER. Yes.

Mr. COTTON. Mr. President, I call up my amendment No. 172 and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 3, line 6, after "such," insert "definite and limited."

Mr. COTTON. Mr. President, my amendment is on page 3, lines 5 and 6, and applies to the phrase "as the court shall determine is appropriate and for such period as it deems necessary."

This phrase relates to the suspension of the literacy tests. I quite understand that the amendment does not affect the provisions of section 4 which would apply when it is found that literacy tests have been used to discriminate. The purpose of my amendment is to make certain that when there is a suspension of the literacy test in any State it shall not be permanent. It is my belief that the future of the Republic depends on the literacy and intelligence of its voters. I offer the amendment at this point to make certain that it is the intent of Congress, in dealing with literacy tests, that the purpose of the bill is suspension, not abolition. I trust that the amendment will be acceptable to the Senators in charge of the bill.

Mr. HART. Mr. President, I think the Senator from New Hampshire makes a sound point. It is our feeling that the bill makes clear that it is our purpose that tests, under the curcumstances provide for in section 3, shall be suspended only, and most certainly not abolished. Courts should not be limited by restricting their powers to fix appropriate orders which will suspend the tests only for the period during which definite evidence of discrimination exists.

The amendment of the Senator from New Hampshire makes it clear that it is not our intention to abolish tests, but only to suspend them. I hope that the amendment will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire, numbered 172, to the amendment in the nature of a substitute, as amended, numbered 124, offered by the Senator from Montana [Mr. Mansfield] and the Senator from Illinois [Mr. Dirksen], as amended and modified.

The amendment to the amendment was agreed to.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 192 and the rest of the calendar in sequence.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the first bill in accordance with the request.

KURE BEACH, N.C.

The Senate proceeded to consider the bill (H.R. 821) for the relief of the town of Kure Beach, N.C., which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 11, after the word "Act", to strike out "in excess of 10 per centum thereof".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 204), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The purpose of the bill is to pay the town of Kure Beach, N.C., $100,000 in full settlement of its claims against the United States based upon the Army's inclusion of a substantial part of the land area of the town within the safety buffer zone established in connection with the Sunny Point Ammunition Loading Terminal with a consequent impairment of the collateral value of bonds held by the Housing and Home Finance Agency and a partial frustration of the town's obligation to that Agency. The amount stated in the bill is the sum found by the Court of Claims to be equitably due the town of Kure Beach in that court's decision, dated December 11, 1964, in congressional reference case No. 2–60, and is to be paid on the condition that it be paid by the town to the Housing and Home Finance Agency to be applied to the indebtedness represented by the bonds referred to above.

APPOINTMENT OF THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION

The bill (S. 313) relating to the appointment of the Director of the Federal Bureau of Investigation was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective as of the day following the date on which the present incumbent in the office of Director ceases to serve as such, the Director of the Federal Bureau of Investigation shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate prescribed for level II of the Federal Executive Salary Schedule.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 205), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The purpose of this legislation is to provide that the Director of the Federal Bureau of Investigation be appointed by the President, by and with the advice and consent of the Senate, immediately following the time when the present incumbent in the office ceases to serve, and to fix the rate of his compensation.

SAINT AUGUSTINE QUADRICENTENNIAL COMMISSION

The bill (S. 516) to amend the joint resolution entitled "Joint resolution to establish the Saint Augustine Quadricentennial Commission, and for other purposes," approved August 14, 1962 (76 Stat. 386), to provide that eight members of such Commission shall be appointed by the President, to provide that such Commission shall not terminate prior to December 31, 1966, and to authorize appropriations for carrying out the provisions of such joint resolution, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (a) of the first section of the joint resolution entitled "Joint resolution to establish the Saint Augustine Quadricentennial Commission, and for other purposes", approved August 14, 1962 (76 Stat. 386), is amended by striking "eleven" and inserting in lieu thereof "thirteen".

(b) Paragraph (4) of subsection (a) of such section is amended by striking "Six" and inserting in lieu thereof "Eight".

Sec. 2. Section 4(b) of such joint resolution is amended by inserting, immediately after "Congress" in the last sentence thereof, the following: "except that in no event shall the Commission terminate prior to December 31, 1966".

Sec. 3. Such joint resolution is further amended by adding at the end thereof the following new section:

"Sec. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution, but in no event shall the sums hereby authorized to be appropriated exceed a total of $25,000."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 206), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The purpose of the proposed legislation is to amend the joint resolution entitled "Joint resolution to establish the St. Augustine Quadricentennial Commission, approved August 14, 1962", to provide that eight members of such Commission shall be appointed by the President and to provide that such Commission shall not terminate prior to December 31, 1966, and to authorize appropriations for carrying out the provisions of the joint resolution.

ARMANDO S. ARGUILLES

The bill (S. 125) for the relief of Armando S. Arguilles was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Armando S. Arguilles shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

FAUSTINO G. DAMAPLIN, JR.

The bill (S. 133) for the relief of Faustino G. Damaplin, Jr., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Faustino G. Damaplin, Junior, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

OH WHA JA (PENNY KORLEEN DOUGHTY)

The bill (S. 402) for the relief of Oh Wha Ja (Penny Korleen Doughty) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Oh Wha Ja (Penny Korleen Doughty) may be classified as an eligible orphan within the meaning of section 101 (b)(1)(F) of the Act, and a petition may be filed in her behalf by Mr. and Mrs. Edwin Doughty, the adoptive parents who are citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

CARLEEN COEN

The bill (S. 442) for the relief of Carleen Coen was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of subsection 301(a) of the Immigration and Nationality Act, Carleen Coen shall be deemed and considered to have been the daughter of an American citizen, the late Michael G. H. McPharlin, at the time of her birth.

STANISLAW BIALOGLOWSKI

The bill (S. 449) for the relief of Stanislaw Bialoglowski was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Stanislaw Bialoglowski shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

WILLIAM JOHN CAMPBELL McCAUGHEY

The bill (S. 450) for the relief of William John Campbell McCaughey was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William John Campbell McCaughey may be naturalized upon compliance with all of the requirements of title III of the Immigration and Nationality Act, except that no period of physical presence within the United States shall be required in addition to his physical presence within the United States since November 27, 1956.

STATE OF NEW HAMPSHIRE

The bill (S. 579) for the relief of the State of New Hampshire was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the State of New Hampshire the sum of $23,292.50. The payment of such sum shall be in full satisfaction of all claims of the State of New Hampshire against the United States on account of judgments rendered against such State in connection with personal injury and property damage caused by the collision between a private automobile and an Army truck which was owned by the United States and which was, at the time of such collision (August 16, 1958), being operated by a member of the New Hampshire National Guard in Canton, Massachusetts, Public Highway Route 138, while on active duty for training mission authorized by the National Guard Bureau, Department of Defense: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of service rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 213), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill is to pay to the State of New Hampshire the sum of $23,292.50, on account of judgments rendered against the State in connection with personal injury and property damage caused by a collision between a private automobile and an Army truck which was owned by the United States and which was at the time of the collision (August 16, 1958) being operated by a member of the New Hampshire National Guard in Canton, Mass., while on active duty for training mission authorized by the National Guard Bureau, Department of Defense.

ALEKSANDR KAZNACHEEV

The bill (S. 582) for the relief of Aleksandr Kaznacheev was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Aleksandr Kaznacheev, lawfully admitted for permanent residence in the United States on August 16, 1959, shall be held to be included in the class of applicants for naturalization exempted from the provisions of section 313 (a) of the Immigration and Nationality Act, as such class is specified in section 313(c) of the said Act.

SANTIAGO WOO AND MORJIN CHEE DE WOO

The bill (S. 585) for the relief of Santiago Woo and Morjin Chee de Woo was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Santiago Woo and Morjin Chee de Woo shall be deemed to have been born in Nicaragua, and the provisions of section 201(a), 202(a)(5), and 202(b)(2) of that Act shall not be applicable in these cases.

MARIA TSILIS

The bill (S. 586) for the relief of Maria Tsilis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Maria Tsilis shall be deemed to be within the purview of section 101(b) (1)(E) of that Act, and she shall be considered eligible for first preference quota status under section 203(a)(1) of the said Act as one following to join her adoptive parents, Mr. and Mrs. Stavros Manthos Tsilis, and shall be accorded the same priority in the issuance of the visa as that accorded her adoptive parents: *Provided,* That the said Maria Tsillis shall enter the United States within one year following the date of the enactment of this Act.

ANDREINA VISELLI

The bill (S. 1039) for the relief of Andreina Viselli was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That, notwithstanding the provisions of paragraph (1) of section 212(a) of the Immigration and Nationality Act, Andreina Viselli may be issued an immigrant visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act: *Provided,* That this Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act: *And provided further,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

GIUSEPPA RAFALA MONARCA

The bill (S. 1040) for the relief of Giuseppa Rafala Monarca was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Giuseppa Rafala Monarca shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MR. AND MRS. JUAN C. JACOBE AND THEIR CHILDREN

The bill (S. 1064) for the relief of Mr. and Mrs. Juan C. Jacobe, and their four children, Angela Jacobe, Teresita Jacobe, Leo Jacobe, and Ramon Jacobe was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be in enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mr. and Mrs. Juan C. Jacobe, and their four children, Angela Jacobe, Teresita Jacobe, Leo Jacobe, and Ramon Jacobe shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

SHU HSIEN CHANG

The bill (S. 1084) for the relief of Shu Hsien Chang was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be in enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality

Act, Shu Hsien Chang shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 7, 1950.

KATHRYN CHOI AST

The bill (S. 1103) for the relief of Kathryn Choi Ast was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Kathryn Choi Ast may be classified as an eligible orphan within the meaning of section 101(b) (1) (F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Donald Roy Ast, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

MIRHAN GAZARIAN

The bill (S. 1104) for the relief of Mirhan Gazarian was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of the Act of October 23, 1962 (Public Law 87–885), Mirhan Gazarian shall be deemed to be within the purview of section 1 of that Act.

LT. ROBERT C. GIBSON

The bill (S. 1138) for the relief of Lt. Robert C. Gibson was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lieutenant Robert C. Gibson, United States Navy, retired, of Oklahoma City, Oklahoma, is hereby relieved of all liability to repay to the United States the sum of $5,296.36, representing salary paid him during the period from March 20, 1961, through April 6, 1962, while he was employed as an aircraft sheet metal worker at Tinker Air Force Base, Oklahoma, in violation of section 2 of the Act of July 31, 1894 (28 Stat. 205; 5 U.S.C. 62), which prohibits the employment of certain retired military officers in a civilian position, the said Robert C. Gibson having advised the Department of the Air Force of his retired status prior to and after his employment at Tinker Air Force Base. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Robert C. Gibson, the sum of any amounts received or withheld from him on account of the salary payments referred to in the first section of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 223), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of the proposed legislation is to relieve Lt. Robert C. Gibson, U.S. Navy, retired, of Oklahoma City, Okla., of all liability to repay to the United States the sum of $5,296.36 paid to him in error as a civilian employee of the Department of the Air Force during the period from March 20, 1961, through April 6, 1962.

ANGELINA MARTINO

The bill (S. 1197) for the relief of Angelina Martino was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 212 (a)(1) of the Immigration and Nationality Act, Angelina Martino may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *And provided further,* That the exemption granted herein shall apply only to a ground of exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

SPECIALIST MANUEL D. RACELIS

The bill (S. 1209) for the relief of Specialist Manuel D. Racelis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for purposes of the Immigration and Nationality Act, Specialist Manuel D. Racelis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ROCKY RIVER CO. AND MACY LAND CORP.

The bill (S. 1390) for the relief of Rocky River Co. and Macy Land Corp., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Rocky River Company and the Macy Land Corporation, the sum of $88,729.60, representing the amount found by the United States Court of Claims in response to S. Res. 331, Eighty-sixth Congress (congressional numbered 7–60, decided January 22, 1965), to be equitably due the said Rocky River Company and the Macy Land Corporation from the United States. The payment of such sum shall be in full satisfaction of all claims of the said Rocky River Company and the Macy Land Corporation against the United States for compensation for damages not considered or compensated for in a previous settlement and which were sustained by the said Rocky River Company and the Macy Land Corporation with respect to certain lands owned by them and located in Van Buren County, Warren County, and Sequatchie County, Tennessee, such lands having been leased by the United States for use as an artillery range and left uncleared of unexploded shells: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 226), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of the bill is to pay to the Rocky River Co. and the Macy Land Corp., the sum of $88,729.60, representing the amount found by the U.S. Court of Claims to be equitably due from the United States in full satisfaction for the claims of the Rocky River Co. and the Macy Land Corp. for compensation for damages not considered or compensated for in a previous settlement and which were sustained by the Rocky River Co. and the Macy Land Corp. with respect to certain lands owned by them and located in Van Buren County, Warren County, and Sequatchie County, Tenn., such lands having been leased by the United States for use as an artillery range and left uncleared of unexploded shells.

JOZSEF POZSONYI AND HIS WIFE AND MINOR CHILD

The bill (S. 1405) for the relief of Jozsef Pozsonyi and his wife, Agnes Pozsonyi, and their minor child, Ildiko Pozsonyi was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Jozsef Pozsonyi and his wife, Agnes Pozsonyi, and their minor child, Ildiko Pozsonyi, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fees. Upon the enactment of this Act, the Attorney General shall reduce by three numbers the number of refugees who may be paroled into the United States pursuant to sections 1 and 2 (a) of the Act of July 14, 1960, as amended (74 Stat. 504; 75 Stat. 460).

DOROTHY EYRE

The bill (S. 1468) for the relief of Dorothy Eyre was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That any period of time during which Dorothy Eyre may visit in Great Britain between November 19, 1961, and November 19, 1966, shall not be deemed to interrupt the period of continuous physical presence in the United States of said Dorothy Eyre within the meaning of section 301(b) of the Immigration and Nationality Act, as amended.

NIKOLAI ARTAMONOV

The bill (S. 1498) for the relief of Nikolai Artamonov was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Nikolai Artamonov, lawfully admitted for permanent residence in the United States on August 22, 1959, shall be held to be included in the class of applicants for naturalization exempted from the provisions of section 313 (a) of the Immigration and Nationality Act as such class is specified in section 313(c) of the said Act.

JEFFERSON CONSTRUCTION CO.

The bill (H.R. 1453) for the relief of the Jefferson Construction Co. was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 230), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of the bill is to pay the Jefferson Construction Co. the sum of $110,000, in full settlement of its claims against the United States for extra work performed at the direction of the Government in connection with contract No. DA-19-016-ENG-5926. The amount stated in the bill is the amount recommended as that equitably due the Jefferson Construction Co. in congressional reference case No. 1-62, decided by the Court of Claims on December 11, 1964.

EDWARD G. MORHAUSER

The bill (H.R. 1870) for the relief of Edward G. Morhauser was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. Presient, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 231), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of the proposed legislation is to authorize and direct the Secretary of the Treasury to pay the sum of $6,000 to Frank J. Borrelli, in full settlement of his claims against the United States and against Edward G. Morhauser, arising out of an accident on October 24, 1959, involving a postal truck driven by Edward G. Morhauser, as an employee of the Post Office Department. The payment would also be in full satisfaction of a judgment rendered against Edward G. Morhauser in his individual capacity based upon that accident.

MRS. MAURICIA REYES

The bill (H.R. 2139) for the relief of Mrs. Mauricia Reyes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 232), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in RECORD, as follows:

The purpose of the bill is to provide that notwithstanding any statute of limitations, bars of laches or lapse of time, jurisdiction is conferred upon the U.S. District Court for the Western District of Texas to hear, determine, and render judgment upon the claim of Mauricia Reyes for compensation for the injuries sustained by her alleged to have been caused by the improper administration of a spinal anesthetic at the station hospital at Lackland Air Force Base, on December 14, 1948, and of a caudal anesthetic at Brooke Army Hospital, Fort Sam Houston, Tex., on November 23, 1949, and on November 29, 1949; and that suit upon any such claim may be instituted at any time within 1 year after the date of the enactment of this bill, and that the proceedings for the determination of such claim, and the review thereof in payment of any judgment thereon shall be in accordance with provisions of law applicable to cases over which the court has jurisdiction under section 1346(b) of title 28 of the United State Code; and that nothing in the act shall be construed as an inference of liability on the part of the United States.

WILLIAM L. CHATELAIN, U.S. NAVY, RETIRED

The bill (H.R. 2354) for the relief of William L. Chatelain, U.S. Navy, retired, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 233), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of the proposed legislation, as amended, is to relieve William L. Chatelain, of Philadelphia, Pa., of liability to the United States in the amount of $6,134.32, representing an overpayment of disability retired pay for the period from May 1, 1954, to April 30, 1963, inclusive, by the U.S. Navy through an administrative error on the part of the U.S. Navy Finance Center, Retired Pay Department, Cleveland, Ohio. The bill would direct the refund of any amounts repaid or withheld because of the liability.

TRANSFER OF CERTAIN FUNCTIONS OF THE SECRETARY OF THE TREASURY

The bill (H.R. 3995) to transfer certain functions of the Secretary of the Treasury, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 234), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of the bill is to transfer certain functions of the Secretary of the Treasury and of the General Counsel of the Treasury which are no longer deemed to be appropriate for the Treasury. These functions relate to the handling and disposition of property acquired in the collection of debts to the United States and of certain wrecked, abandoned, or derelict property, and to procedures involved in the attachment of Federal property and the sale on execution of a debtor of the United States.

Section 1 of the bill would transfer to the Attorney General the functions now vested in the Secretary of the Treasury by sections 3753 and 3754 of the Revised Statutes (40 U.S.C. 308, 309). These sections set up a procedure which may be invoked by the Secretary of the Treasury, to protect litigants in State courts who have attached property of the Federal Government without depriving the Government of the use of its property. Since the provisions relate to litigation involving the United States, it is believed appropriate that the authority to invoke the procedure should be lodged in the Attorney General. This authority is used infrequently. As a matter of fact, it has been invoked only once in the past 10 years.

Sections 2, 3, and 4 of the bill would transfer certain property functions now vested in the Secretary of the Treasury to the Administrator of General Services. One of the purposes of the Federal Property and Administrative Services Act of 1949 was to consolidate scattered property functions in the General Services Administration. The transfers provided by sections 2, 3, and 4 of the bill would relieve the Treasury Department of functions that have no relation to its primary purpose and place them in the General Services Administration, which is especially designed for the performance of such functions.

Section 2 relates to section 3750 of the Revised Statutes (40 U.S.C. 301) which provides that the General Counsel of the Treasury Department shall have charge of the handling and disposal of real and personal property acquired under judicial process or otherwise in the collection of debts due to the United States. Under existing procedure, whenever any property is turned over to the Treasury Department under the provisions of this section, the Department immediately declares it surplus to its needs and turns it over to the General Services Administration for disposal. In the past 10 years, only four cases have arisen under this section. Section 2 of the bill by transferring the function to the General Services Administration would eliminate an unnecessary step in the existing procedure.

Section 3 relates to section 3751 of the Revised Statutes (40 U.S.C. 306) which authorizes the General Counsel of the Treasury Department to release land taken in payment of the debt in money. The records of this Department contain no indication of any action under this section during the past 10 years.

Section 4 relates to section 3755 of the Revised Statutes (40 U.S.C. 310) which authorizes the Secretary of the Treasury to take action he deems necessary with respect to wrecked, abandoned, or derelict property within the jurisdiction of the United States which should come to the United States. The Department, during the past 10 years, has entered into 12 contracts for salvage of wrecked, abandoned or derelict property.

Section 5 of the bill relates to section 3470 of the Revised Statutes (31 U.S.C. 195) which provides that at every sale, on execution, at the suit of the United States, of lands or tenements of a debtor, the United States may, by such agent as the General Counsel for the Department of the Treasury shall appoint, become the purchaser thereof; but in no case shall the agent bid in behalf of the United States a greater amount than that of the judgment for which such estate may be exposed for sale, and the costs. It would amend section 3470 to permit the head of the department or independent agency, at whose instance a suit is commenced to foreclose a mortgage or for a judgment against a delinquent debtor, to appoint his agent to bid for the property up to the amount of the judgment and costs at the foreclosure sale or the sale on execution without first requesting and obtaining an appointment for that purpose from the General Counsel of the Treasury Department. For the period 1946 to 1962, inclusive, there were 21 cases in which agents were designated by the General Counsel. The Treasury Department in exercising this authority does not make an independent study of the claim involved and of the proposed sale since all Government agencies have their own expert legal officers who are as well, if not better, qualified to pass upon a case arising out of their own activities than an outside agency not having special knowledge of the claim. Consequently, the Department when acting upon the requests of the various agencies has made the designation subject only to the statutory restrictions. The agents designated are, of course, responsible both to the chief legal officer and head of the agency concerned.

BETTY TIN-SANG CHAN CHO

The Senate proceeded to consider the bill (S. 409) for the relief of Betty Tin-Sang Chan Cho, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Act of October 24, 1962 (76 Stat. 1247), Betty Tin-Sang Chan Cho shall be deemed to be within the purview of section 2 of that Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TIMOTEO A. TUAZON

The Senate proceeded to consider the bill (S. 469) for the relief of Timoteo A. Tuazon, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "residence", to strike out "on September 23, 1955," and insert "as of the date of the enactment of this Act,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Timoteo A. Tuazon shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MISS CHOUN SEEM KIM

The Senate proceeded to consider the bill (S. 616) for the relief of Miss Choun Seem Kim, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 10, after the word "orphans.", to insert "Section 205 (c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Choun Seem Kim may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, and a petition may be filed in behalf of the said Choun Seem Kim by Mr. and Mrs. Dennis J. Sherman, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HAR GOBIND KHORANA

The Senate proceeded to consider the bill (S. 826) for the relief of Har Gobind Khorana, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Har Gobind Khorana shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 23, 1960.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WRIGHT G. JAMES

The Senate proceeded to consider the bill (S. 1196) for the relief of Wright G. James, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 5, after the word "of", where it appears the second time, to strike out "$16,894.31" and insert "$12,511.35"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Wright G. James of Heidelberg, Mississippi, is hereby relieved of all liability for repayment to the United States of the sum of $12,511.35, representing overpayments of salary paid to him during the calendar years of 1961, 1962, and 1963, for services he rendered while holding an office as a civilian employee of the United States Army Transportation Depot Activity, Korea, in violation of section 2 of the Act of July 31, 1894 (5 U.S.C. 62), which prohibits the employment of certain retired military officers in a civilian position, the said Wright G. James having advised the Department of the Army of his retired status prior to his employment with such Transportation Depot Activity. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Wright G. James, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 239), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of the proposed legislation, as amended, is to relieve Wright G. James, of Heidelberg, Miss., of all liability for repayment to the United States of the sum of $12,511.35, representing overpayments of salary paid to him during the calendar years 1961, 1962, and 1963 for services rendered while holding office as a civilian employee of the U.S. Army Transportation Depot Activity, Korea, in violation of the Dual Employment Act. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States full credit shall be given for the amount for which liability is relieved by this act.

DAVID LEE BOGUE

The Senate proceeded to consider the bill (S. 1388) for the relief of David Lee Bogue, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That David Lee Bogue, who lost United States citizenship under the provisions of sections 349(a) (1), (2), and (3) of the Immigration and Nationality Act of 1952, may be naturalized by taking, prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such Act. From and after naturalization under this Act, the said David Lee Bogue shall have the same citizenship status as that which existed immediately prior to its loss.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MING CHUP CHAW

The Senate proceeded to consider the bill (S. 584) for the relief of Ming Chop Chaw, which had been reported from the Committee on the Judiciary, with an amendment, in line 4, after the name "Chup", to strike out "Chaw" and insert "Chau"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of section 101(b)(1)(E) of the Immigration and Nationality Act, Ming Chup Chau shall be held and considered to be under twenty-one years of age.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Ming Chup Chau."

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar. I express my deepest thanks to the Senator from Connecticut [Mr. DODD] and to the Senator from Vermont [Mr. PROUTY] for their patience.

OFFICIAL ADOPTION BY BRITISH OF METRIC SYSTEM OF WEIGHTS AND MEASURES

Mr. PELL. Mr. President, I hail the action of the British Government in officially adopting the metric system of weights and measures, announced in the House of Commons today by the President of the British Board of Trade.

The United States finds itself in the odd position of having inherited our anachronistic system of quarts, pounds, and inches from the British, only to find that the parent of the system has recognized its impracticability and is moving over to the metric system. This leaves us virtually alone in the world in our insistance upon our system of weights and measures, which originated in medieval times.

I suggest that we get on with the business at hand and initiate a study of the feasibility of adopting the metric system in this country—a proposal that Representative GEORGE P. MILLER and I have been pressing for several years.

THE DOMINICAN CRISIS

Mr. DODD. Mr. President, in deciding to send the marines into the Dominican Republic, for the purpose of preventing the emergence of a second Castro regime in the Americas, President Johnson took one of the most difficult and courageous decisions ever taken by an American President.

The President must have known that the decision would result in a storm of protest and criticism, some of it uninformed, some of it calculated and malicious.

He was aware, I am certain, that he would be accused of acting unilaterally rather than acting through the OAS, as the United States is obligated to do in such matters.

He was also aware that he would be accused of intervening on behalf of a tyrannical military dictatorship against what claims to be a popular proconstitutional revolution.

He was also aware that the Communist propaganda apparatus would exploit the situation to the utmost in renewed attacks on the theme of American imperialism.

A less courageous President would have hesitated before embarking upon an action which would bring the critics swarming like hornets about his head.

I am afraid, indeed, that there is more than one President in American history who would have put off acting, even confronted with serious evidence of an imminent Communist takeover.

It is to President Johnson's eternal credit that he placed the security of the Nation and of freedom in this hemisphere before every other consideration.

A Castro regime in the Dominican Republic would not merely have been a tragedy for the Dominican people.

It would have constituted an immediate menace to the political stability and security of every Latin American nation and to the freedoms of the Latin American peoples.

I do not see how anyone who stops to seriously assess the human and political consequences of a second Castro regime in the Americas could fail to agree with the President's determination that the establishment of such a regime is something the United States cannot under any circumstances tolerate.

DEMOCRACY VERSUS DICTATORSHIP: FACT OR FALLACY?

There has been a tendency on the part of some writers to oversimplify the situation in the Dominican Republic and overidealize the rebel movement. Their articles suggest that they truly believe that what is involved in the Dominican Republic is a conflict between dictatorship and constitutional democracy.

Regrettably there is no such clear-cut choice.

Stability and democracy do not return instantly or easily to a country which has lived for decades under totalitarian one-man rule. And the sad fact is that at the point of liberation from the Trujillo dictatorship, virtually all the things that are essential to the successful practice of democracy were lacking in the Dominican Republic.

There were no tested political leaders, trained in the ways of democracy.

There was a terrible dearth of responsible editors and newspapermen.

There was no broad popular experience with the machinery of democracy.

Above all, there were no knights in shining armor to be found on any side—among the military, among the political conservatives, among the so-called political progressives.

The government of Juan Bosch, in addition to being impossibly inefficient, was far from being the paragon of democracy that some of its supporters now pretend it was. There were numerous dictatorial actions and threats against the press, which led Dominican publishers and editors to file formal complaints with the Inter-American Press Association. There was, moreover, a serious infiltration of known Communist elements into his government.

The military junta under Gen. Wessin y Wessin, which overthrew Bosch in September 1963, resulted in an infinitely better administration under the civilian triumvirate which it installed, and then under the government of Donald Reid Cabral.

Some articles which appeared in the American press have fostered the impression that the revolt was directed against a ruthless military dictatorship, a kind of reincarnation of the Trujillo regime. Nothing could be further from the truth.

The Cabral regime may not have been constitutional. But Cabral was not a Trujillo. Indeed, his brother had been murdered by Trujillo and he himself had been imprisoned by the Dominican dictator.

According to a recent article by Mr. Adolf A. Berle, former Assistant Secretary of State for Latin American Affairs, Cabral—I quote—"endeavored to bring order out of administrative chaos, to pull together the Dominican economy, and to bring the army under civilian control."

Mr. Berle further pointed out that Cabral was moving toward the reestablishment of legitimacy and that he had scheduled elections for this coming September. And he said that as a result of all this, the American Embassy had come to respect Cabral in the period before his downfall.

I believe this estimate of the Cabral government is all the more significant because, Mr. Berle, in addition to possessing unsurpassed knowledge and experience in Latin American affairs, is a man of impeccable liberal credentials and a lifelong friend of the so-called "liberal left" in Latin American politics.

This, then, was the government against which the Bosch forces and the Communist forces and certain misguided army officers, acted in unison on April 24.

I think it important to note the striking similarity between the situation in Cuba at the time of the Castro takeover and the situation in the Dominican Republic today.

In Cuba the Castro revolution was ostensibly directed against Batista. It is generally forgotten that Batista had already agreed to step down, that Rivera-Aguerra had been elected President in elections which had been held in September 1958, and that, if it had not been for Castro's seizure of power in late December 1958 Batista would have departed and Aguerra would have been sworn in as President on January 28.

Similarly, the Dominican revolution of April 24 was directed not against a government of military dictatorship, but against a civilian government which was doing its level best to reduce the role of the military; not against a government which was ruling by increasingly draconian measures, but against a government that was seeking to return to democratic rule and had scheduled elections for this coming September.

There is another parallel that I believe deserves noting. Both the Bosch elements and the Communists in the Dominican Republic made the return to constitutionalism the prime plank in their platform. In Cuba, Castro also committed himself to the return to constitutionalism.

The American people have traditionally looked upon their Constitution as something almost sacrosanct. Indeed, I think it would be no exaggeration to state that we are probably the most constitutionally minded people in the world. It is perhaps because of the deeply rooted attachment to our own Constitution that certain American correspondents have been taken in by the cry of "constitutionalism" in the Dominican Republic. Certainly their articles convey the impression that they are inclined to regard the so-called government headed by Colonel Caamaño as "constitutional," and therefore good and democratic, while they regard the military junta headed by Brigadier General Imbert as "unconstitutional," and therefore bad and undemocratic.

There are no paragons and no giants in the military junta, and I would not attempt its defense in these terms. But I challenge the hypothesis that all those on the side of the junta are, ipso facto, completely bad, while all those on the side of Bosch and Caamaño are, ipso facto, good.

There could be no more fatal oversimplification of the Dominican situation than to seek to understand it in terms of a division between "good guys" and "bad guys," between "constitutionalists" and "anticonstitutionalists."

This oversimplification had led some critics of the administration policy into a preposterous position.

On the one hand, they oppose General Imbert because he is a soldier; on the other hand, they support Colonel Caamaño despite the fact that he is also a soldier.

They oppose Imbert because Imbert is anti-Bosch; but they drool over Caamaño as a pro-Bosch leader ignoring the fact that he played a key role in the coup which displaced Bosch and that Bosch, in his memoirs, denounced him vigorously.

To justify their support of Caamaño as a constitutionalist and therefore a democrat, they have uncritically repeated all the charges made by the rebels against the Cabral government; but in doing so they ignore the fact that Caamaño was an officer under Trujillo, while Cabral went to prison under Trujillo.

They are all for Caamaño because he purportedly represents the constitution. But in their enthusiasm they conveniently close their eyes to the fact that Caamaño's appointment as President violated the constitution on two counts.

First, the constitution states flatly that the President cannot be a military man. Second, it requires that the President be a member of the majority party—which Caamaño is not.

They accept Caamaño's protestations that he is anti-Communist and that there are no Communists in his movement; but they gloss over the hard evidence of mysterious foreign figures in the Caamaño set-up and of known Communist cadres in command positions among his forces.

They are for progressive, orderly, efficient government, which they identify with constitutionalism. But they seem oblivious to the fact that the Bosch government was, by common consent, one of the most monumentally inept and inefficient governments that ever existed in this hemisphere, while the military junta and the Reid Cabral regime at least governed half efficiently and did something to improve the lot of their people.

I come back to the point that this is not a situation which can be understood in terms of "good guys" versus "bad guys" or constitutionalism versus anticonstitutionalism.

In general, the great majority of Americans are for democracy and for constitutional government everywhere.

In general, too, they do not like military coups or rule by military juntas.

But it would be folly to convert these completely valid general attitudes into fetishes, into rules of conduct from which there must never be any deviation.

We must recognize the fact that there are countries that are not yet prepared for democracy in the Western sense, countries for which autocratic government is still as natural as it was for the Kingdom of Israel in the days of King David and Solomon.

We must further recognize the fact that there are other countries where a temporary suspension of constitutional rule has been the only alternative to complete chaos and the installation of a Communist dictatorship which would permanently negate all constitutionality.

This was so in Guatemala in 1954, when the Arbenz regime was using the facade of democracy and legitimacy for the purpose of imposing communism, and when the country was saved at the last minute by a small band of determined men under the leadership of Col. Castillo Armas.

There were those who had doubts about our support of Castillo Armas at the time, just as there are those who have doubts about our intervention to prevent a rebel takeover in the Dominican Republic. The doubters on both issues would do well to consider the fact that Mr. Arbenz, the supposedly constitutional and non-Communist President of Guatemala, has been living in Castro's Cuba ever since 1959.

We were confronted with the same hard choice in Brazil in April 1964, under the nominally constitutional government of Juan Goulart. Brazil, too, was saved at the last minute by a popular revolt spearheaded by the military.

And from all the evidence there is serious reason for believing that the Americas were confronted with a similar situation in the fall of 1963, when the Dominican military intervened to depose Bosch.

As much as we may regret the need, under any circumstances, to resort to unconstitutional government, it is essential to realize that a number of the governments installed as a result of military coups have been efficient and socially progressive, and that they have, after a period of time, moved back in the direction of democracy and legitimacy.

From the totalitarian political dictatorship of communism, once it is imposed, on the other hand, there is no escape and no reprieve.

Although we cannot reconstruct the past, we can learn from it.

I feel strongly that it would have been an act of wisdom and mercy from the standpoint of the welfare of the Dominican people, if it had been possible to install a provisional OAS government to rule for a period of at least 1 year after the downfall of Trujillo.

And although there will be some who protest that this is undemocratic, I would strongly favor the installation of such a caretaker government by the OAS at this juncture.

If, for reasons of practical politics, a 1-year provisional government by the OAS should prove impossible, then the only alternative, it seems to me, is some kind of mixture of military and civilian rule by a provisional Dominican Government, until conditions can be stabilized sufficiently to permit free elections.

WHY THE PRESIDENT ACTED

The question of why the President acted as he did has, I believe, been amply answered by the President himself and by Ambassador Stevenson and by other spokesmen for the administration.

The hard fact is that, by the time the first American marines landed in the Dominican Republic, Communist elements and elements whom we have every reason to suspect of being Communist, had taken over effective control of the Dominican revolution.

As Haynes Johnson reported in the Washington Evening Star, Latin American diplomats stationed in Santo Domingo, even though they would not say so for publication, felt that President Johnson had taken the only possible action open to him and that he had acted literally with hours to spare.

From other sources of information, inside Latin America and outside, I am convinced that Haynes Johnson reported accurately on the attitude of the Latin American diplomats in Santo Domingo, and, I am convinced further that this was the attitude of the great majority of the Latin American governments, despite all the noise about American intervention.

The fact that there were only hours in which to act is, I think, the best and only answer to those who have argued that we should have endeavored to act through the OAS.

The OAS is, unfortunately, not set up for this kind of lightning reaction.

Had the matter been referred to the OAS, the chances are that the discussions would have dragged on for weeks and months, while a neo-Castro regime firmly established itself in the Dominican Republic.

FIFTY-FOUR COMMUNISTS—NO PROOF OF DOMINATION?

The New York Times and some other papers have argued that the administration has failed to submit conclusive proof that the rebel movement was Communist dominated.

It has been said that 54 identifiable Communists is not proof of domination, that there are bound to be this many Communists or more in any popular movement in the Americas.

I would like to remind my colleagues of our experience with Castro and Cuba, because it is only against this background that the President's intervention can be intelligently assessed.

When Castro and his band of rebels were in the Sierra Maestra mountains, concentrating on acts of terrorism and sabotage in their bid for political power, Castro was visited by several American correspondents.

Most prominent among these were Mr. Herbert Matthews of the New York Times and Mr. Robert Taber of CBS.

Mr. Taber produced a half-hour TV documentary on the Castro movement which portrayed it in a decidedly favorable and indeed heroic light.

I believe that this documentary and the general newscasting that resulted from it did much to create the condition of gullibility that made the American people, for a period of time, regard Castro as a latter-day version of Simon Bolivar, the great Latin American liberator.

Mr. Taber later emerged as the chief organizer and secretary of the Fair Play for Cuba Committee, an organization which, according to evidence given to the Senate Subcommittee on Internal Security, was launched with the help of Castro funds.

The subcommittee's hearings also revealed that Mr. Taber had a felony record which included convictions for armed robbery and kidnaping, and that, after Castro had come to power, he had traveled to Czechoslvakia for some mysterious purpose on a Cuban passport.

So much for Mr. Robert Taber, author of the CBS documentary on Fidel Castro.

But even more damaging in terms of its total impact were the writings of Mr. Herbert Matthews of the New York Times, whose romantic attitude toward Castro led him to describe the Cuban tyrant as a cross between Thomas Jefferson and Robin Hood.

The New York Times has over the decades come to be regarded as one of the world's foremost newspapers, if not the foremost. This is a reputation it richly merits. In the quality of its journalism, in the scope of its coverage, in its open-minded approach to the problems of our society, I can think of no other paper that compares with it.

But the New York Times, like all other human institutions, is fallible; and its correspondents and editors, like all ordinary mortals, sometimes become involved in errors of judgment.

Moreover, the quality of correspondents and editors is bound to vary considerably. Some correspondents are fanatics for thoroughness and objectivity; others are less assiduous, more subjective, more inclined to stretch a point in favor of the headline. Some are more astute, more balanced, more mature. Others are less astute, less balanced, less mature.

That is why the quality of the coverage will vary from one situation to another.

As understandable as these variations may be, it is nevertheless a tragedy for all of us whenever a Times correspondent goes completely astray in his estimates or his judgments.

The influence of the New York Times on a national level cannot be overestimated. It is read by every Member of Congress, by every member of the administration, and, in much of the country, by virtually every member of the clergy and of university faculties and by others who participate in the general task of forming public opinion.

In addition, there is an understandable tendency, even in the newspaper profession, to regard the New York Times as gospel. I have heard from more than one competent correspondent that when they sent in dispatches from foreign countries that contradicted or conflicted with the dispatches being printed by the New York Times, their editors would immediately react by becoming worried and difficult.

"Surely, the New York Times cannot be completely wrong," they would say to their correspondents—thereby implying that their own correspondents must somehow be in error.

Because of the universal respect the Times enjoys, Matthews' misleading reports on the Castro movement did widespread damage.

Long after Castro came to power, when evidence concerning his Communist activities became available in an increasing volume, Herbert Matthews clung to his conviction that Castro was not a Communist.

On July 14, 1959, Maj. Pedro Diaz Lanz, former chief of Castro's Air Force, told the Senate Subcommittee on Internal Security that Castro was trying to convert Cuba into a "tool of Russia."

The subcommittee at the time it took this testimony, already had substantial evidence on hand from other sources that Castro was himself a Communist and that his movement was Communist-dominated.

Twenty-four hours later, Herbert L. Matthews, of the New York Times, filed a dispatch from Havana from which I quote:

> This is not a Communist revolution in any sense of the word and there are no Communists in positions of control * * * The accusations of Maj. Pedro Diaz Lanz before the Senate Internal Security Subcommittee yesterday are rejected by virtually all Cubans. * * * The only power worth considering in Cuba today is in the hands of Premier Castro, who is not only not Communist, but decidedly anti-Communist.

Regrettably, there were many people, both in government and out, who continued to "give Castro the benefit of the doubt," some for another year, some for almost 2 years.

Mr. Matthews' exceeding reluctance to describe anyone as a Communist seems to have communicated itself on a number of issues to the editorial columns of the Times, either because he himself wrote the editorials or because of his personal influence.

On July 17, 1961, in a speech on the floor of the Senate, I warned that the election of Dr. Cheddi Jagan in British Guiana might give us another Communist-dominated government in the Americas. On August 23, the New York Times commented editorially:

> Dr. Jagan has been labeled by some high American officials and some Senators as a Communist, or the equivalent of one. If this were to prove the official U.S. Government attitude, Dr. Jagan and his government would certainly be in the communistic camp alongside of Cuba very soon. If British Guiana is handled by the United States with some understanding, sophistication, and sympathy, there is every reason to hope it will become a desirable member of the inter-American system.

Fortunately, the Department of State did not follow the advice of this editorial, and today British Guiana is no longer ruled by Jagan.

It would be bad enough if Mr. Matthews did not learn from his own errors. It must be stated with regret that the New York Times apparently has not yet evaluated Mr. Matthews' oft-punctured romanticizing on the subject of Latin American Communists.

Against the background of his dismally misleading performance in Cuba, I find it ironical in the extreme that Mr. Herbert Matthews should again have undertaken, in an article in the May 10 edition of the Times, to lecture the President and Congress and the American people on the noncommunism of the Dominican revolution and on the wickedness of American intervention.

To those who say that the presence of several score Communists in key positions does not necessarily make a movement or a revolution Communist dominated, I would reply by again referring to our experience with Cuba.

There were only a handful of clearly identifiable Communists in the upper echelon of Castro's movement. Among them were:

"Che" Guevara, the No. 2 man in the Castro movement;

Raul Castro, commander of the so-called second front;

Gen. Alberto Bayo, who fought with the Communists in the Spanish civil war and who had a reputation as an expert on guerrilla tactics;

Carlos Rodriguez, former editor of the Communist newspaper, "Hoy," who was in charge of propaganda and who drew up the first plans for the revolutionary government;

Ramiro Valdes, political commissar under Raul Castro, now head of the secret police;

Celia Sanchez, Fidel Castro's mistress;

Vilma Espin, who is today the wife of Raul Castro.

As for Castro himself, there was no proof that he was a Communist, but his participation in the Bogotá uprising of 1948, during which he broadcast over the rebel radio, was much more in the pattern of the young Communist revolutionary who looks upon the entire non-Communist world as the target rather than in the pattern of the young Latin American nationalist revolutionary who takes to the streets, rightly or wrongly, because he is concerned over the situation in his own country.

There were elements in our intelligence community at the time who were seriously worried over the degree of Communist participation in the upper echelons of the Castro movement and who submitted warnings that because of this infiltration a Castro takeover would almost certainly mean a Communist takeover.

The Subcommittee on Internal Security received no evidence that any of these warnings had ever been transmitted to the Secretary of State Herter.

On the other hand, the evidence established that reports had come to Secretary Herter from Mr. William Wieland, director of the Caribbean desk, stating that there was no conclusive proof that the Castro movement was Communist-dominated or that Castro himself was a Communist.

In the purely literal sense this was true.

There was no conclusive proof, if by this one means evidence that will stand up in a court of law.

But to anyone who has any understanding of the nature of Communist operations and of how much power can be wielded by a half dozen or a dozen Communists in key positions in a small movement, the participation of this very limited number of clearly identifiable Communists at command level in the Castro movement was ample reason for concern.

There were far more clearly identifiable Communists in key positions in the Dominican rebel movement when President Johnson decided to intervene, than there had ever been in the Castro movement before it came to power.

Fifty-four Communists may seem a trifling matter to the innocent, but as a highly knowledgeable and respected European socialist said when he received the information:

> Fifty-four Communists is fifty-four too many. Even one Communist in a key position would be extremely dangerous.

HOW THE COMMUNISTS STOLE THE REVOLUTION

The attempted coup d'etat of April 24 was originally engineered by prominent Dominicans who were followers of ex-President Bosch.

There is some reason for believing that they solicited the assistance of the Dominican Communists in the mistaken belief that they would be able to control them.

Whether or not there was a formal agreement between the Bosch lieutenants and the Communists, the fact, nevertheless, is that within 1 or 2 hours of the first rebel actions, members of the three Communist movements in the Dominican Republic were out in the streets of Santo Domingo calling on the people to join the demonstration for the restoration of constitutional government under ex-President Bosch.

The Communists moved with precision and discipline, and according to an obvious master plan.

First they obtained quantities of arms and ammunition from the "27th of February camp" outside Santo Domingo, where rebelling army officers had seized control when the coup began.

Then, the armed paramilitary teams fanned out into the downtown and slum areas, taking control of secondary targets and organizing the inhabitants.

According to a communication I received from Mr. Paul Bethel, director of the Citizens Committee for a Free Cuba and an old Latin American hand, the next move of the Communists, after arming their adherents, was to seize the radio station.

"At 2:30 p.m. on Saturday," said Mr. Bethel in his memorandum to me "mobs led by Cuban Communist Luis Acosta seized Santo Domingo's radio and television stations. Acosta paraded people across the TV screen with rehearsed shouts of "We demand a return to constitutionality and we want Juan Bosch as President." Some of the demonstrators were dressed as sailors, others wore army uniforms. All were armed to the teeth with machineguns and rifles. Viewers were told that the military had joined in the demand for the return of Juan Bosh. Mobs were told to "pour into the streets and celebrate the victory of the people over the downfall of Reid Cabral."

Mr. Bethel described how the Communists handed out rifles, tommyguns, and grenades to the so-called turbas, or gangs of street toughs. He quoted a series of eye witnesses by name, describing how the turbas roamed the streets for 2 days, attacking homes and looting and raping and killing all those who disagreed with them or simply killing for kicks. One Scotch news photographer, he said, had counted 90 bodies in a single block and had come back sickened at the wanton murder.

The list of Communist participants in the Dominican revolution made public by the administration, include 18 persons who were known to have received training in subversive and paramilitary tactics in Cuba. The others on the list, although not as important, have been identified over a period of several years as Communists and Castroite adherents.

To run through the entire list would be tiring and meaningless. Let me therefore give you a few examples of the type of Communist participation which was clearly established in the early days of the revolt.

Among the activists who were identified as prime organizers of the paramilitary teams that roamed the streets of Santo Domingo were Buenaventura Johnson and Fidelio Despradel, leaders of the pro-Moscow Communist Party, which calls itself the Dominican Popular Socialist Party, or DPSP for short.

Also identified as prime organizers of the paramilitary units were Jaime Duran, a Dominican who had received training in Cuba, and Juan Ducoudray, a known Castro agent who had been actively engaged in smuggling weapons into the Dominican Republic from Cuba.

It was also established that one of the chief directors of the rebel forces, Manuel Gonzalez Gonzalez, was a veteran of the Spanish Communist Party who had been working with the Dominican Communist Party for several years.

I think it interesting in this connection to quote a paragraph from the report put out by the OAS Committee on its interview with Colonel Caamaño—

> The special committee was witness during that interview with the so-called Constitutional Military Command to one detail that could not pass unnoticed. This was the presence of a uniformed person carrying arms, who said he was part of the command and who spoke Spanish with a pronounced foreign accent. The Secretary General of the Organization of American States interrogated him in a loud voice before everyone, asking him: "Who are you? What are you doing here?" The person replied: "I am Andre Riviere, my nationality is French, I fought in the French army in Indochina, and I am working in Santa Domingo. I have joined this command." While he took no part in the conversations, Riviere was in the discussion room during the time of the interview, and the authority with which he gave orders to the guards posted at the windows and the door where we were was quite obvious.

In stating these facts I do not mean to say that the revolt from its inception was engineered by and under the control of the Communists. On the contrary, the evidence is that the revolt, to the extent that it was organized, was initially organized by followers of ex-President Bosch, but that they were outmaneuvered by the Communists and that the control of the movement was taken out of their hands within a matter of days.

The revolt got underway on April 24. By April 27, virtually all of the authentic non-Communist leaders, recognizing that their movement had been captured by the Communists, had taken asylum in foreign embassies or had gone into hiding.

Rafael Molina Urena, who had been named provisional president when the revolt began, took asylum in the Colombian Embassy.

Martinez Francisco, the secretary general of Bosch's party, publicly called upon the rebels to lay down their arms.

Jose Francisco Pena Gomez, another member of the provisional cabinet, who had been one of the chief architects of the revolt, informed a member of the American Embassy that the Communists had taken over command positions in the revolt and that he himself was withdrawing from it because he did not wish to support a Castroite grab for power.

Colonel Hernandez, the most prominent army officer associated with the revolt, is reported to have suffered a nervous breakdown and to have sought asylum.

It cannot be emphasized too much that President Johnson's decision to intervene came only after the non-Communist leaders of the revolt had admitted defeat and abandoned the movement, leaving it in the virtually undisputed control of the Communist activists.

The Communists began to infiltrate and take control of the insurrection almost from the moment it was launched on the morning of April 24.

By April 26, they already exercised a serious degree of control.

By April 27, their control had reached such alarming proportions that virtually all of the authentic non-Communist leaders had abandoned the revolution.

On April 28, as Ambassador Stevenson pointed out in his speech before the U.N. Security Council, the situation in Santo Domingo was one of complete chaos. Hundreds of bodies lay in the streets. Armed bands, he said, roamed the city, plundering, burning, and murdering; and international Communist agents continued to pass out arms to all those who could be incited to follow them.

On that day, the military junta, which appeared to be the only responsible authority in the whole of Santo Domingo, addressed a request to the American Ambassador for "temporary intervention and assistance in restoring order."

It is clear that, in consequence of early reports from Santo Domingo, preparations had been made to respond to any contingency in the Dominican Republic. However, it cannot be emphasized too much that the landing of the U.S. marines did not take place until the evening of April 28—after the request from the junta had been received, and a full 24 hours after the Communist infiltration of the rebel command had been confirmed by the desertion of Bosch's chief lieutenants.

THE QUESTION OF INTERVENTION

It is a truly superlative exhibition of gall when the Soviet delegates to the United Nations assail American intervention in the Dominican Republic, because this is the same delegation that defended the Soviet action in sending 5,000 tanks into Hungary to put down the Hungarian revolution and in massacring 25,000 citizens of Budapest.

There is somewhat more reason to be concerned when American editorials come out in very similar terms against our intervention in the Dominican Republic, and even go so far as suggesting that there is little to choose, morally, between Soviet intervention in Hungary and American intervention in the Dominican Republic.

All of this suggests to me that the Communists have been able to twist the word "intervention" for their own propaganda purposes in a manner that has induced some of our decent citizens to lose all sight of the basic moral and human issues.

The Communists have intervened, are intervening today, and will continue to intervene in every situation where they can serve their own evil ends.

Sometimes, they have intervened by direct and massive military action, as in Korea, Hungary, and Tibet.

Sometimes they have intervened through quisling minorities, operating under the protection of Red army bayonets. This was how they seized power in Poland, Czechoslovakia, Bulgaria, and Hungary.

Sometimes they have intervened by fostering, training, equipping, and directing guerrilla and terrorist movements.

In this way, they almost succeeded in seizing power in Greece; they threatened and seriously retarded the postwar recovery of the Philippines, Burma, and Malaya; they conquered the greater part of Vietnam, and are now threatening the democratic Republic of South Vietnam.

And, it is in this way, and with logistical support from the Soviet Union, that they have today occupied large parts of the Kingdom of Laos and now threaten its total subjugation.

It is what Soviet intervention stands for, rather than intervention per se, that makes their intervention, whatever form it may take, a crime against mankind and against freedom.

When human life is threatened, it is our moral duty to intervene to save it, if it is reasonably within our power to do so.

When human rights are denied, or human freedoms are threatened, it is also the moral duty of civilized men to intervene. Herein lies the entire justification for the civil rights movement in our own country. But precisely the same considerations should apply in our attitude to other countries, when we can reasonably intervene on behalf of justice.

When the Communists intervene covertly, as they did in Cuba and as they are now doing in the Dominican Republic to establish tyrannical regimes which deny all human freedoms and which massacre those opposing them on a genocidal scale, then I say that it is the moral duty of civilized nations to come to the assistance of those whose freedom is thus threatened.

It is in response to this moral duty that President Johnson acted in the Dominican Republic.

THE NATURE OF OUR INTERVENTION

President Johnson acted forcefully but in my opinion he also acted with the greatest restraint and propriety.

The marines took up positions designed to limit the fighting and protect human life. Although they had the power, if they had desired to use it, to crush rebel resistance and take over rebel held areas within 24 hours, they refrained from any military action against the rebels beyond a number of isolated incidents where they were obliged to fire in self-defense.

Moreover, the administration made it abundantly clear from the beginning that it considers interventions a stopgap measure, that it plans to hand over to an OAS force as soon as such a force can be established, and that it is its intention to withdraw completely from the Dominican Republic as soon as arrangements have been made by the OAS for the establishment of a Dominican Government capable of assuring the people of that country of the right to determine their own future.

This position has been made abundantly clear by every spokesman for the administration from the first day of our intervention.

The fact that American soldiers have sometimes fired upon the rebel forces and that they have not fired on the forces of the junta, has been construed as proof that we have been giving military support to the junta against the rebels. Such an interpretation has a surface plausibility. But it ignores the fact that our men have been firing at the rebels on occasion because the rebels have been firing at them, and that it has not been firing at the forces of the junta for the simple reason that the junta has not been firing at them.

There are standing orders that the U.S. forces will not fire unless fired upon and the right to return fire has been reserved to battalion commanders. Moreover, I am assured by competent authorities that these instructions are understood and that they have, with negligible exceptions, been honored.

Our forces have had to pay a high price for the restraint under which they must operate. The casualty toll as of this weekend was 19 American dead and 99 wounded—this in consequence of 462 cease-fire violations by the rebels.

There has been an unfortunate tendency to report rebel charges and allegations without troubling to check or confirm. Thus, several American newspapers on May 20 reported rebel charges that American troops had fired without provocation from the U.S. zone into rebel positions near the national palace, killing 5 men, among them, Colonel Rafael Fernandez Dominguez, special envoy of ex-president Bosch, who had been named minister of the interior in the Caamaño group.

According to a report I have received, Fernandez was one of a group of 20, operating in the area of the palace, which fired into the U.S. communications corridor. American soldiers returned the fire and soldiers of the Junta forces also opened fire on the rebels. The cross fire apparently killed five of the rebels, including Fernandez. But also among the rebel leaders slain in this exchange was Juan Miguel Roman, a member of the central committee of the Castroite 14th of June party, and a guerrilla expert of some reputation who has, since 1961, visited the U.S.S.R., Cuba, Czechoslovakia, and Algiers.

Told in these terms the story has a somewhat different ring.

THE REACTION IN LATIN AMERICA

Sweeping assertions have been made by some writers that President Johnson's actions in the Dominican Republic has done lasting damage to our relations with the Latin American peoples.

This is simply not so.

It is true that before the basic facts about American intervention in the Dominican Republic were circulated and assimilated, press reaction in Latin America was decidedly negative. But over the past several weeks there has been a dramatic shift in the attitude of the Latin American press and Latin American leaders, because word is getting back from the OAS Commission and from Latin American diplomats in Santo Domingo.

Today there is an increasing awareness of the essential fact that the United States acted as it did because there was an imminent danger of a Communist takeover and because every hour was precious. And there are many who were critical of U.S. intervention during the first days who are now prepared to admit that their initial reaction was "overly legalistic."

As of this juncture it is my understanding that in a few countries notably Mexico, Venezuela, and Chile, the majority of the newspapers still remain critical of U.S. action in the Dominican Republic. In virtually all of the other countries, however, there has been far more press comment supporting U.S. action than criticizing or condemning it.

I believe that some of the critics in our country could learn a good deal from a reading of the Latin American press. Let me quote to you just a few samples of the items that I have had researched.

Example No. 1 is the following statement which appeared in the influential and moderately liberal newspaper "El Tiempo" of Bogotá, Colombia, on May 5:

> So long as the Latin American Republics do not have an international force that can intervene in cases like that of the Dominican Republic, we must accept, much as it hurts our national pride, the inevitability of American intervention.

The second item which I should like to quote is an editorial which appeared on May 4 in "El Mundo," a liberal daily published in Caracas, Venezuela:

> Communist, with its claws hovering over Dominican territory, tried to take over one more front in America and establish there a branch of the island governed by Fidel Castro * * * we freemen of America ought to be on the side of freedom. And the United States, besides being a free country, and being the traditional friends of Venezuelans

> and of all American nations, is defending our right to live in our own way without the intrusion of foreign doctrines which harm and corrupt the thinking of our peoples. Our peoples, traditionally Catholic, never have been on the side of communism.

Next, I should like to call to the attention of my colleagues this statement by a commentator on the Honduras official radio, Radio America, on May 7:

> The humanitarian decisions of the North American President Lyndon B. Johnson has opened the way, over the heads of the timid and the professional pacifists, to authorize the sending of North American soldiers of liberty of America to mitigate the tragedy of a sister country.

As a final sample of the editorials that have recently been appearing in the Latin American press, I wish to read to you a passage from "La Prensa," of Lima, Peru, which is regarded as moderately conservative:

> That the myth of absolute "nonintervention" suits only the Reds is demonstrated by the position taken by the Creole Communists. Their protests against unilateral North American intervention have not been so obstreperous as it has been against the possibility of collective intervention.

Summing up the Latin American reaction in last week's Newsweek, Milan J. Kubic, chief Latin American correspondent, put it this way:

> The relative absence of riots and other demonstrations on this continent emphasizes the general feeling that, while intervention is bad, a second Cuba would be far worse. U.S. justifications of its actions are being listened to attentively.

I ask unanimous consent, Mr. President, to have printed in the RECORD at the conclusion of my remarks excerpts from other editorials that have appeared in Latin American newspapers and statements made by Latin American officials, supporting our action in the Dominican Republic, as well as some sundry items from the American press on this subject.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **DODD**. I have taken the trouble to read these several quotations of the many that have come to my attention, because I believe that an infinite amount of damage is done by supposedly knowledgeable commentators and editors who tell their readers in sweeping terms and without troubling to check the facts, that our action in Vietnam has earned us the hatred of the peoples of Asia or that our action in the Dominican Republic has earned us the hatred of the peoples of the Americas.

THE EUROPEAN REACTION

While it has been reported from many directions that the British Foreign Office and most other allied chancelleries in Europe accept the harsh necessity for President Johnson's action, there can be no question but that there has been far more criticism than support in the columns of the European press.

To a very large extent, this criticism is a playback of the criticism that has appeared in several major American newspapers. And thereby hangs a moral which I believe has been most eloquently articulated by the veteran columnist Joseph Alsop in his article of May 12. I want to quote a few paragraphs from this article, because I believe it merits the attention of all of us in this body as well as of the American press.

> The ugly, unhappy business in Santo Domingo is another, especially clear proof of a rule that should always be borne in mind by all Americans who have a public voice, whether in the Senate, or in the press or elsewhere.
>
> When the going gets rough—so the rule runs—think twice or even three times about what you say; for what you say will always be used to embarrass or restrict your own Government's policy, if this is at all possible.
>
> In the present instance, the Times of London appears to have gone through the U.S. press with a fine-toothed comb, with special emphasis on its great opposite number in New York, to find means of presenting the American action in Santo Domingo in the worst possible light in its news columns.
>
> A good many of the British newspapers have followed suit.
>
> Using the main raw material of American public statements critical of President Johnson's decision, but also using far more freedom of invention, the French television and radio networks and most Gaullist newspapers in Paris have managed to sound pretty much like the Communist East German radio, though with a greater knack for snide insinuations.

THE BALANCE SHEET

It would be senseless to pretend that the President's action in Santo Domingo will overnight usher in an era of tranquillity and plenty and simon-pure democracy for the Dominican people.

The road ahead for the Dominican people will be a hard one, no matter what the composition of the government that emerges from the present turmoil.

Let us hope that, through the OAS, it will prove possible to establish either an interim caretaker government, or else a provisional Dominican administration which is as broad as circumstances will permit, which recognizes the importance of preventive action against the Communist conspiracy, and which contains enough men of ability and dedication to make orderly and progressive government possible.

Whatever the difficulties and uncertainties that lie ahead in the Dominican Republic, all the indications now are that President Johnson's courageous action has struck a decisive blow for the cause of freedom in the Americas.

By his action, President Johnson has prevented the emergence of a second Castro regime in the Americas.

He has saved the Dominican people from the merciless tyranny of communism and has created conditions which will assure them, let us hope at a not-too-distant date, of the opportunity to determine their own future.

He has served firm notice on Havana and Moscow and Peiping that under no circumstances are we prepared to tolerate the establishment in this hemisphere of another regime committed to the subversion and subjugation of the Americas.

He has created an image of America that will serve us in good stead with friend and foe alike.

But, perhaps most important, his leadership has encouraged the Organization of American States to come to grips with the problem of subversion through stealth and fraud.

To my mind, one of the most encouraging developments of recent days is the universally negative reaction, throughout the Americas, to the decision of the U.N. Security Council to dispatch its own observers to the Dominican Republic.

There are places where the U.N. can help and places where it cannot help.

The governments of the Americas resent the intrusion of the United Nations observers because they are convinced that it will only undercut their position and complicate their task. They feel that this is their problem, and they are determined to deal with it on their own.

This is a most wholesome and welcome reaction. In the light of this reaction, indeed, I think our representatives at the U.N. erred in failing to veto the establishment of a U.N. observer team in the Dominican Republic. As distasteful as it may be to resort to the veto, I hope we will not hesitate to employ the veto to prevent further meddling by the U.N. in a situation where their presence can do no good and may do much harm.

Despite all the criticism and abuse and misunderstanding and misrepresentation that has attended President Johnson's action in the Dominican Republic, it is my firm conviction that history will endorse and posterity will applaud his courageous intervention against the Communist conspiracy in the Dominican Republic.

Mr. President, I am sorry that I had to detain the officers of the Senate until this late hour. I am equally sorry that Senators who had obligations at this hour of the day which they were required to attend could not be present. Many Senators spoke to me and told me that they desired to be present but could not be, and that they would read what I had to say. I am grateful for that. I consider the subject important.

When asked by the leadership today if I would wait until we had concluded our work on the voting rights bill, I was happy to do so.

That does not in any sense lessen my feeling that the subject is an important one.

I hope Senators will take the time to read what I have said.

I am confident that some Senators may wish to comment on the subject at a later date. I will be glad to be present when that takes place.

Mr. President, I yield the floor.

EXHIBIT 1

LATIN AMERICAN MEDIA REACTION: RE DOMINICAN CRISIS

Jornal do Comercio of Rio said editorially May 4: "Now there can be no doubt whatever about the necessity of the peacefully inspired intervention in the Dominican Republic which was in the grip of professional revolutionaries. President Johnson's speech last Sunday was convincing because of the detail with which he described the facts."

The Mexico City Ultimas Noticias de Excelsior, conservative, said on May 4: "The Castro-Communist menace was what moved President Johnson to send marines and soldiers to the island, a unilateral act for which he should have been able to count on the decision of the rest of Latin America."

Rio de Janeiro's O Globo said May 5 in its editorial entitled "A Historic Decision": "Determined to deter the advance of Soviet imperialism not only in the West but in the East, as the sacrifice of so many American lives bears witness, it is evident that the United States could not remain idle when in our own hemisphere forces directed from Moscow tried to establish a new beachhead, delivering the Dominican Republic to some native Fidel Castro ready to play the Kremlin's game in America. The action of the United States in the Dominican Republic is not an isolated episode but part of its anti-Communist strategy. It is not an imperialist act, as is alleged by some whenever liberty opposes tyranny."

Rio de Janeiro's liberal Diario de Noticias editorial on May 7 approved the U.S. action and said: "In its intervention the United States is complying with the extensive obligations imposed on it by its status as the major democracy of the hemisphere."

O Estado de São Paulo, moderately conservative of Sao Paulo, said May 4: "In Cuba, in Vietnam, in Zanzibar, in Tanzania, we have seen every year over the past 10 years a repetition of the Communist attempt to establish its domination. 'Realpolitik' demands that we must face these situations despite protests by public opinion and certain diplomatic taboos. Ours must be the policy of the United States and the OAS."

Rio's O Jornal said May 4: "The intervention of the American armed forces in Santo Domingo at that moment was not only urgent but indispensable."

El Espectador, liberal, very influential, of Bogotá, said on May 4: "We would have preferred it if from the first day, from the hour of the first debarkation, statements to the world had been in the same frank and precise language as that employed by Johnson Sunday night."

Jornal do Brasil of May 6 said: "Acting unilaterally in open violation of the inter-American principles, the United States moved to prevent the establishment of one more Soviet beachhead on this continent."

El Mercurio, right center, influential, of Santiago on May 8 declared that: "Democracy cannot be an inoperative and blind concept which permits its own structures to be destroyed and replaced by Marxist totalitarianism."

Independent La Nueva Provincia of Bahia Blanca, Argentina, approved the U.S. action and said May 6: "Everyone knows that for a long time the only country in the Caribbean that has violated the rules of nonintervention has been that of Fidel Castro, in back of whom are Peiping and Moscow supporting unconditionally his activities aimed at subversion and the destruction of liberty on the continent. Those who criticize the United States now are the same ones who would later beg for U.S. intervention to crush the Communist aggressor after he had invaded another Latin American country. Or was it not that which took place in Cuba?"

Managua's La Prensa said May 5 in one of its columns: "As a British newspaper said, being a world power is such a thankless task that nothing that it does sits well with anyone. When they planned to invade Cuba, the Yankees were atrocious imperialists. When they did not invade it they were fools for not having invaded and prevented the Communists from taking over."

La Noticia, liberal, of Managua, on May 5 editorially approved Ambassador Stevenson's explanation of the U.S. position. It said: "Mr. Stevenson, one of the most able politicians and brilliant orators and man of letters in the United States, clearly established in his speech before the Security Council: (1) the United States has no intention of dictating the future policy of the Dominican Republic; (2) the United States will not fail to honor its pledge to defend the rights of all free peoples to choose their own destiny; (3) a revolution becomes a matter of hemispheric preoccupation only when its objective is the installation of a Communist dictatorship. In the case of the Dominican Republic the arguments of Adlai Stevenson were crushing. The propaganda of the Soviet Union were rendered counterproductive."

La Nacion, conservative of San Jose, said on May 4: "How can we silence those who speak nonsense about Yankee imperialism?"

La Religion, Catholic, of Caracas, Venezuela, declared May 5 that: "The North American intervention, with all its obstacles and inconveniences, is completely justified because the Dominican conflict can become a new Cuba."

Comments of Latin American Officials and Statesmen on Dominican Situation

On May 3 former Argentine Minister of Economy Alvero Alsogaray, and Raul Ondarts, leader of the Centrist Udelpa Party, as well as private "anti" Communist association Faeda, justified U.S. action.

Text of Brazilian Foreign Ministry communique, May 3, 1965, supporting a United States proposal on the Dominican situation:

"Aware of its duties as member of the Organization of American States, the Brazilian Government has decided to give its affirmative vote to a proposal presented by the United States to the Foreign Relations Ministers' consultative meeting for the creation of a good offices commission to examine the situation in the Dominican Republic.

"The Brazilian Government will exercise every effort in order to find a solution which, without jeopardizing the principles of nonintervention and self-determination, will contribute to restore order in Santo Domingo and to preserve the democratic liberties, peace, and security of the continent.

"The Brazilian Government has received from the Government of the United States the assurance that the landing of infantry marines was effected to protect the lives of its subjects and other foreign residents in that country, in view of the prevailing insecurity and the authorities' declarations that they could not offer guarantees to the population."

In a press interview on May 4 in Rio, Foreign Minister Vasco Leitao da Cunha gave strong support to the United States. He said that he had hopes that the OAS would act favorably on the U.S. proposal for an international force. He said "there is no time now for hypocritical postures. Countries that now, for public effect, condemn the North American initiative should not be applauded, as the defense of the continent is also in their interest. I wish to point out to you gentlemen that neither the U.N. nor the OAS Charter foresaw establishment of an international force for peacekeeping operations. The U.N. case, i.e., the grave Suez crisis of 1956, stimulated the creation, by an emergency meeting, of an international force that was quickly assembled to operate in the area of conflagration. We are absolutely sure that in the American system it has also become necessary to adopt courageous measures and to put them into practice therein. In the future, should (present) experience make it appear advisable, the subject might become a matter for institutionalization."

On May 5, the Honduras Constituent Assembly rejected a liberal motion to condemn U.S. military intervention in the Dominican Republic.

On May 5, the press of San Jose, Costa Rica, gave wide coverage to a statement addressed to the Costa Rican nation by Otilio Ulate Blanco, ex-President of the Republic and head of the liberal opposition's National Union Party. He denounced Communist penetration in the Dominican Republic and said: "If the United States should lose the leadership of democracy in the hemisphere or suffer a weakening of that leadership, democracy would be in danger of disappearing in a short time * * *. If the United States had not come to the defense of human rights in the Dominican vortex, those rights, the most sacred that men have, would have been wrecked in the midst of devastation and slaughter. To save America, to save democracy, to protect human rights by all the means in its power, to save liberty and peace, these are the tasks which have been imposed on the United States. To refuse support to the United States in one of its severest hours of trial is unworthy and cowardly."

The National Constituent Assembly of Guatemala passed a resolution May 5 supporting "all means the OAS may adopt to avoid allowing the Dominican Republic to fall into the clutches of international communism."

In the deliberative part of the resolution the Assembly declared: "The bloody events which occurred in the Dominican Republic during the past week as a consequence of the fratricidal struggle between the Dominican armed forces and popular militia directed and backed by Castro-communism place in danger the survival of the inter-American system. The Dominican Republic is suffering armed and ideological aggression at the hands of totalitarian communism. At the same time the security of the free nations of the continent is threatened."

The Assembly "urged the OAS and member nations to take charge of the situation so that peace and order may be reestablished in the strife-torn Caribbean island."

On May 5 the President of the Supreme Court of Honduras, Gustavo Acosta Jejia declared that "The landing of U.S. armed forces in the Dominican Republic, rather than being a violation of American pacts, should be called a preventive action in defense of democracy. The United States of America does not seek territorial gains nor any of the other things which the recognized leftist militancy of the hemisphere has accused them. They are only trying to avoid the Dominican Republic's being converted into another advanced base of international communism such as, unfortunately, what the island of Cuba is today."

Nicaragua's President Rene Schick Gutierrez said May 7 in his monthly press conference that Nicaragua, as an OAS member, would consider itself obligated to take part in the inter-American force requested by the OAS for the Dominican Republic. The President added that the OAS resolution was necessary for continental security.

President Schick said the OAS Charter must be reformed to deal with the type of situation that is occurring in the Dominican Republic since existing agreements do not authorize either unilateral or collective intervention in such a case.

Distinguished international jurist Victor Florencio Goytia wrote in El Panama America on May 8 that "on May 6, 1965, an event of American interdependence marked a new era of unity through coercive power, a formula demanded by the new times for the security and independence of nations, protection of popular sovereignty and the defense of the democratic regional system threatened by extracontinental totalitarian absolutism."

On May 8, several deputies of the National Constituent Assembly of Honduras were asked what they thought of the "invasion" by the United States of the Dominican Republic. The Vice President of the Assembly, Senor Urmeneta Ramirez, said: "In my opinion the erroneously labeled 'invasion' by the United States of the Dominican Republic is a legitimate act born of necessity and provoked by the undeniable intervention of foreign forces whose mission is to undermine the bases of the democratic American system." Senor Jose Mazzoni Obando, Nationalist Deputy, said "the intervention is justified since it has to do with rescue from another intervention which would be more disadvantageous, as in the case of Cuba which all of Latin America laments."

Deputy Odilon Ayestas Lopez, a liberal, said: "I consider that in the matter of the Dominican Republic the United States has done nothing more than to preserve democracy in America."

Nationalist Deputy Senora Henrizuez Giron said: "I do not consider that the United States invaded the Dominican Republic for imperialist reasons; its act in my opinion is in the defense of the democratic ideals to which all countries of America are obligated."

Paraguayan Foreign Minister Raul Sapena Pastor declared on May 8 that Paraguay backs the formation of an inter-American force and is in a condition to contribute to it with troops so the OAS can cope with the Dominican crisis. Sapena Pastor said the Paraguayan position in the OAS supports the U.S. operation, which has been carried out very successfully. He added that Paraguay would not presently recognize any Dominican Government. Although Col. Francisco Caamano has asked for Paraguayan recognition in a cable sent by Dominican Foreign Minister Cury, the Paraguayan Foreign Ministry has not answered it.

[From the Washington (D.C.) Sunday Star, May 9, 1965]

Interpretive Reports: The Dilemma in Santo Domingo—United States Averted Red Takeover, Diplomats Say

(By Haynes Johnson, Star staff writer)

Santo Domingo, Dominican Republic.—Some of the pieces of the Dominican puzzle are falling into place. What emerges is a clear pattern of all the classic Communist attempted takeovers—with some new elements added.

U.S. Government sources on Thursday made public a portion of the intelligence information which led President Johnson to decide to send American forces ashore.

Boiled down to the essentials, the intelligence reports showed that widespread Communist and Castroite activity had infiltrated and were dominating the Dominican revolution.

The information in this story comes from top-ranking foreign diplomats here, some of whose countries publicly have expressed criticism of the United States dispatch of troops to the Dominican Republic.

INTERVENTION ESSENTIAL

In private, their story is quite different.

All agree that the U.S. military intervention was essential—and that it came with only hours to spare. Without the presence of U.S. troops, they say, thousands more lives would have been lost.

All agree that if U.S. troops are withdrawn now the situation will return to complete anarchy.

All agree that a definite Communist conspiracy exists within the Dominican Republic. The consensus is that the Communists are small in number, but highly trained and extremely effective.

For the United States, the outlook is gloomy. There appears no way out of the present situation. And the best guesses are that the U.S. occupation will be long and costly.

POORLY EXECUTED

Here is the way one diplomat explained the events of the past 2 weeks:

It began, he said, with the revolt of the Dominican Revolutionary Party (PRD), Juan Bosch's party. The revolt started with sincere elements who wanted to return to the constitutional government and bring Bosch back from exile in Puerto Rico as President. The Dominican generals, led by Elias Wessin y Wessin, a strong anti-Communist, swiftly reacted with a countercoup. General Wessin's planes bombed and strafed the city indiscriminately, killing many innocent people.

"I may say it was very poorly executed," the diplomat said, referring to Wessin's military efforts which resulted only in thoroughly alienating the people.

When the PRD people gave up, General Wessin and the military appeared to have gained a decisive victory. Then the Communists took over.

"My own sources told me that the Communists reorganized with a rapidity that was astounding," the diplomat said.

WESSIN FORCE POSTED

Within 48 hours Wessin had won—and then lost. The ragtag rebels totally routed the Wessin forces. Twenty thousand weapons were distributed to the people. Santo Domingo lived in days of terror and butchery.

"Now bear in mind this was organized by a small number of men. Very small in number, but not in quality. The quality is the point, not the quantity.

"This leadership without any doubt has been expertly trained for this precise purpose. It is sufficient to say that no amateurs could have achieved those results. It was brilliant, a remarkable achievement."

It was at that point that many of the original pro-Bosch leaders of the revolt learned that they had been betrayed—and taken over by Communists. They took refuge in foreign embassies.

One prominent pro-Bosch Dominican, for example, surrounded his own house with barbed wire.

NEW ELEMENTS

"A small body of Communists had achieved a success of significant measure," the diplomat said.

There were new elements in the situation. None of them was promising for the United States and Latin America. The Communists had shown greater capacity, more expertise, and a higher degree of effective use of terroristic attack than many people had thought possible.

"This is what the marines were met with when they arrived," the diplomat said. "It was very trying, and I don't think it's unfair to say that they were shaken.

"Complete anarchy swiftly fell on this city. It was a highly terrifying position.

"I believe the Marine force came to the city with only hours to spare. If they had not been sent in, thousands of lives would have been lost. That is my honest opinion."

ALTERNATIVES POSED

Turning to the future, the diplomat posed three alternatives—none of them attractive for the United States. These were:

First, returning Bosch or backing the rebel leader, Col. Francisco Caamano Deno. If that happened he predicted there would be another crisis in 9 months and the country would collapse economically.

Second, back one of the "old faces"—a politician from the past who might be an acceptable compromise. If that happened rioting would continue. The youths who have had a taste of the power of weapons would make assassination the order of the day. The country would be prostrated.

Third, a long occupation by the U.S. forces coupled with a major economic commitment to the island. In effect, the United States would be ruling the Dominican Republic.

"And that is the only bright feature of that prospect, for the economic position of the Dominican Republic would be greatly improved. Another good feature of that direction is that the old generals would be removed from power.

"You must understand that this is an explosion of rage and fury."

SEES MARINES NEEDED

By that he meant that the Dominican Republic is afflicted with all the ills of a Caribbean country—poverty, ignorance, and disease. To these are added the legacy of the police state of Trujillo, the oppressive opulence of the wealthy contrasted with the misery of the many.

And there are new factors. At the present the country is in the midst of a terrible drought. From the parched soil of the peasants springs a genuine restiveness—and a reception to follow a revolutionary banner. With these facts in mind, it is easy to see why the diplomat commented:

"If your marines are taken away, a great many lives will be lost. War is organized anarchy. This is unorganized anarchy."

Another high diplomat viewed the future this way:

"The political problem is absolutely without solution unless you (the United States) take over completely, and that means you have to solve a problem that is damned difficult to solve."

Then, in the understatement of the day he said:

"I would not want to be advising the American Government now."

[From the Washington (D.C.) Post, May 10, 1965]

Hours of Greatness—U.S. Shoulders Responsibility

(By William S. White)

These are hours of greatness in the long life of this Nation, as both in Asia and in this hemisphere it shoulders the pack of its responsibilities and so walks the hard and lonely road of duty discharged and honor satisfied.

Still, these are hours also of a poignant sadness. For in acting for the safety of free men, specifically and presently in the Dominican Republic in the Western World and in South Vietnam in the East, the U.S. Government is under the most shrill and in some instances the most venomous attacks from tiny but violent minorities that any responsible Government has had to bear in our lifetime.

At home, a bitter half-handful of Democratic Senators snipes tirelessly at an American mission, for the defense of the South Vietnamese victims of a brutal Communist invasion, to which the solemn word of three successive American Presidents and of both political parties has been pledged.

At home a bitter half-handful of Democratic Senators snipes tirelessly at an American intervention to halt an attempt at a Communist takeover in the Dominican Republic, which might one day have confronted us with another Castro Cuba.

These criticisms are presented as only that "free debate" which all Americans expect and defend. But they are not really in the tradition of free debate. For these critics have loaded the dice by ignoring or even denying the immense and crucial truth that it was not we who invaded South Vietnam but rather the Communists; that it was not we who sought to subvert a Latin neighbor but rather the Communists.

The bottom innuendo of such critics is that it is their own country that is the aggressor—that the United States, which is spending blood and treasure to halt a pattern of aggression—is no less plain, no less savage, if at the moment less wide, than was the Hitler pattern long ago.

And the inescapable bottom logic of some of these critics—men like Senator Wayne Morse, of Oregon, whose inevitable contemptuous animus against any who may disagree with him is notorious in his own Chamber—is simply that we should cut and run from Asia and leave it to somebody else to talk the Communist colossus of China out of swallowing it all—perhaps.

Abroad, the European minority of one that is President Charles de Gaulle of France takes step after step to destroy that Western Alliance which lifted his own country from a petulant powerlessness and for half a generation has protected it behind a shield of primarily American power largely raised up on the backs of American taxpayers.

His latest in these steps is to denounce the United States for halting Communist expansionism in Latin America and for attempting to stop it in Asia—and Britain for trying to save Malaysia from Communist-backed Indonesia.

It is quite unnecessary to impute motives to Charles de Gaulle; he himself years ago publicly disclosed them.

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[From the Reporter, May 20, 1965]

EDITORIAL: OUR NO-NONSENSE PRESIDENT

(By Max Ascoli)

In Vietnam and in the Dominican Republic, President Johnson has more than ever before exhibited his immoderate passion for detail, a passion nourished now by a technology that keeps him in close touch with the soldiers whose lives are endangered by the use he makes of his authority. This consuming passion for personal intervention has been characteristic of Lyndon Johnson ever since he started his career in politics, but as long as it could be thought of as a superb exhibit of a wheeler-dealer talent, it was more admired or envied by his fellow politicians than criticized. He has always known how to make people vote freely as he wanted them to vote. But he had been spared, until comparatively recently, the experience of giving men orders that involved the risk of their lives. Neither had he had occasion to command that any wholesale category of people called enemies be killed.

His immense knowledge of domestic politics used to be accompanied by a limited acquaintance with international affairs. When, during the Eisenhower administration, he was Senate majority leader, he played a part, although a secondary one, in all major decisions affecting the conduct of our diplomacy; during the Kennedy administration he became more closely associated with the making of American policy abroad, sat on the National Security Council, traveled widely, and established relationships with statesmen and camel drivers.

Still, as is the case with every Vice President, the ultimate responsibility did not lie with him. Once President, he asserted himself from the start as if supreme authority were conatural with his being, and his subsequent triumphal election showed to what an extent the Nation recognized itself in him. Somehow it also happened that he had no compelling international difficulties to face for a time, a respite he used to lay his plans for the Nation's future. He had known poverty and the difficulty of getting an adequate education, and he had known success. He could not legislate his luck for everybody, but he wanted to see to it that a new American breed could grow free from the cruelties of hazard.

The new perils from abroad that came in the first year of Lyndon Johnson's elective Presidency were singularly mean, orginating in some of the most improbable spots on earth, either in lands too far away or too close to our shores. In the distant lands, we were hampered by inadequate knowledge of their strategic and political relevance; in the lands close to us, we had always tended to act as colonizers or as imitation natives. Our present perils have been aggravated by the policies of the preceding administrations and by obdurate ways of thinking that are mostly inspired by a desire to negotiate our way toward peace.

Day in and day out, we hear the same old chatter about spheres of influence or about the benefit of polycentrism; we hear about the splintering of monoliths so reassuringly keeping pace with the splintering of what was never a monolith, our alliance. Even before the last war the idea was cherished of the miraculous solidarity and legal equality of the nations, great, medium, or pocket size, all called American, all sticking together, each of them going its own merry way.

President Johnson is not a man inclined to look for trouble in foreign affairs until trouble stares him in the face. Then he reacts, and if he has to react militarily, he does so without any of the bravado of the movie frontiersman shooting from the hip. Now his responsibilities have become far greater than any within the previous range of his experience, and this experience he is compelled to broaden, for it has been the inactions or mistakes of some of his predecessors that have placed him in his present predicament. He cannot, for instance, look back for guidance in his action in Vietnam even if he reaches the conclusion that what is going on there is just a civil war. There was another civil war, in Hungary in 1956, but the West carefully avoided intervening. Should he derive from this notion that whenever communism, indigenous or imported, fights a civil war, its victory should be considered a natural right?

Vice President Johnson was in Berlin a very few days after the wall was erected. He saw there what defeat looks like. Under the administration Mr. Johnson served as Vice President, there occurred the Bay of Pigs tragedy, and then the missile crisis, which ended without onsite inspection. Once Cuba was made safe for communism, is there any reason to be surprised that communism started spreading all around?

In southeast Asia the President is unrolling his air attacks, each one because of his will and each one under his watchful eyes. As for the Dominican Republic, he reached his decision with great speed, without consulting many people aside from those strictly charged with giving him advice. There is scarcely any comparison between the two situations, except that in running both, he exhibits a supreme sense of personal responsibility. Why is he so overcommitted? people ask. We venture an answer: he is Lyndon B. Johnson, President of the United States.

[From the Reporter, May 20, 1965]

A STITCH IN TIME

(By Adolf A. Berle)

On April 28, 1965, after 2 days of painful conferences and consideration, President Lyndon Johnson ordered a detachment of marines to land in the Dominican Republic. The writer, who began his career fighting to end Woodrow Wilson's occupation of that country, believes the President made the right decision.

The President had to act immediately on a telephone report from Ambassador W. Tapley Bennett, Jr.—that hundreds of Americans were in danger and strong action was needed to save their lives. In the larger view, he had reports indicating a steady infiltration into the Republic of guerrillas trained in Cuba and Czechoslovakia, and of more coming. This was a further move in the continuing Communist campaign of subversion and aggression in the Caribbean. An uprising designed to reinstate Juan Bosch—who was duly elected President of the Dominican Republic in December 1962, but ousted by a military coup in September 1963—had provided the opportunity for a simultaneous rising by organized Communist groups. Within 48 hours the Bosch partisans, seeking democratic government, were infiltrated and then dominated by the trained Communist elements, and many of the Bosch leaders sought refuge in foreign embassies. As the pro-Bosch forces lost control, they opened the army arsenals to "the people." Not surprisingly, the Communist groups got most of the arms. Finally Mr. Johnson had to consider the effect of a possible Communist seizure of Santo Domingo in the vast context of Communist aggression from Vietnam to Africa.

I think that the President had little choice. He could have called in the Organization of American States, asked it to go to work, and stopped there. But the OAS has no guns and needs time to decide; meanwhile, events were moving dangerously fast. He could have sat by, praying for the American lives and watching unlimited bloodshed as Dominicans killed each other, then dealing as best he could with the outcome. This would have meant continuation of a fierce civil war, supplied with arms and reinforcements from Cuba. In that case, the President might face a Dominican Republic in the hands of a Castro-style regime established by sheer terror. Or the President could act, creating the situation himself. He elected to act.

The elements he had to work with were not promising. Juan Bosch had been elected in 1962 by some 65 percent of the Dominican voters. His government had received all the support the United States could give. It was acclaimed as a worthy companion to the democratic Governments of Venezuela, Colombia, and Costa Rica. Unhappily, there was little solid party organization behind Bosch. Thirty-one years of Trujillo dictatorship had wiped out practically every vestige of political structure. Bosch himself, honest and idealistic, a well-known Latin American literary figure, found trouble in managing affairs of state. Some of his supporters intrigued with the Communists or with the military. An ill-fated Castro-supported expedition of Dominican leftists and Cuban volunteers against Santo Domingo in 1959 had left behind a nucleus, the 14th of June Party, that caused intermittent trouble. Two Communist Parties, respectively Russian- and Chinese-oriented, were allowed to function. Castro Communists were also infiltrating some important labor unions.

Some Dominican Army officers and also some civilian elements believed that doors were being opened for a Communist takeover, in which case they would have their throats cut. That fear led Gen. Elias Wessin y Wessin and other army chiefs to bring off the coup in September 1963, that sent Bosch into exile. The United States and the democratic governments in the Caribbean protested. For a time, Washington cut off its aid, technical help, and other assistance.

The generals, however, did not follow the usual pattern. Declining to form a military government, they installed a civilian triumvirate that last year gave way to the regime of the former Foreign Minister, Donald Reid Cabral. His brother had been murdered by Trujillo; he himself had been imprisoned. He is the son of a Scot and a Dominican mother. Though Reid Cabral's regime was illegitimate, the American Embassy came to respect him. He was moving toward reestablishment of "legitimacy"—that is, the holding of elections scheduled for September. Cautiously, the U.S. Government was moving to sustain his hand. He endeavored to bring order out of administrative chaos, to pull together the Dominican economy, and to bring the army under civilian control. Many army officers disliked this. Some were pro-Bosch; others perhaps had played with the Communist agents. At all events, these elements planned an uprising, scheduled for June 1, to bring back Juan Bosch. Discovery of this plan forced action on April 25. The officers' revolt simultaneously, and apparently unintentionally, cleared the way for the armed emergence of the Communist guerrillas.

MAKING OUR STAND CLEAR

Meanwhile, the Caribbean situation assumed importance on the worldwide stage.

Former President Rómulo Betancourt of Venezuela insists that in Latin America the Communist factions linked to Moscow and Peiping still work together. They cooperate in any action that may make trouble for the United States and in working to overthrow non-Communist governments. They had been unsuccessful in Venezuela, Brazil, and other countries, but they still have small units in armed revolt in Venezuela, Colombia, and Guatemala. Their technique of infiltrating genuine democratic movements and later seizing them has proved successful, as when Castro concealed his Communist affiliations until he had taken over. The probability has to be faced that the Communist Frente de Liberación Nacional in Venezuela, the "violence areas" in Colombia, and the dissolved Guatemalan Communist Party will all become actively terrorist.

The myth had grown up in Communist circles that the United States cannot act in Latin America. American doctrine does indeed prohibit intervention. Too often that has been interpreted to keep Latin American rebellions armed, organized, financed, and directed in other countries from being recognized as the external attacks they really are. American doctrine does consider an attack on any American state as an attack on all, giving rise to the right of defense.

The time had come to make several things clear if the whole Caribbean was not to erupt:

That the United States would no longer be immobilized by the fiction that externally armed uprisings were merely local movements for reform.

That nonintervention in the internal affairs of a country does not prevent the United States from defending a country attacked from outside—despite the camouflage of "internal revolution."

That further attacks of the Castro variety cannot count on immunity from American force on a scale adequate to meet the contingency.

That the United States cannot afford another Cuba—particularly not in the Caribbean. The President's action made this clear—to Latin America, to Peiping, and to Moscow.

Adverse Latin American opinion was urged as an argument against action. Actually, Latin America expects the United States to act and does not respect us much when we fail to do so. Argentina and Brazil promptly approved President Johnson's action. Costa Rica reportedly offered freedom fighters. The Council of the Organization of American States sent a peace-mediating commission; it arrived in Santo Domingo on May 2. The protest has not developed to the extent feared. Until Latin-American governments are willing to give the OAS the forces and capacity to defend weak countries, the U.S. offers those governments their only effective defense, and they know it. Both before and after the Bay of Pigs affair, when the OAS was paralyzed by indecision, many Latin American diplomats said to me they thought the United States should act first and discuss later. Officially they may decry our action, but they want the power vacuum filled.

President Johnson has filled it. He will have many problems as a result. They are, I believe, less dangerous than the problems he would have faced had he stood aside. No one forgets that failure to take decisive action against Castro in 1961 brought us to the brink of nuclear war with the Soviet Union in 1962.

If the President had not acted, what would have been the outcome? No one will ever know. The rebels might have restored the Bosch regime, though this seems unlikely. The Dominican Army might have produced a dictator, perhaps a new Trujillo. The Communist groups might have seized the Government, making a new Cuba. They might have taken to the hills, opening a new chapter of guerrilla bloodshed against either the forces of Wessin y Wessin or of a democratic Bosch regime. The least dangerous course for the President was to take the initiative and dominate events.

[From the New York Herald Tribune, May 4, 1965]

Walter Lippmann

In the state of emergency, there was no time for a thorough investigation of all the facts. President Johnson took his decision to halt the rebellion on what, it seems to me, was the right ground.

It was that, if the Communists in the revolutionary forces took over the Government, the result would be for all practical purposes irreversible. There would never be another election while they were in power in Santo Domingo. On the other hand, while the Bosch restoration has been halted, the way is still open to the return of the party which won the 1963 election. By acting promptly and decisively the President has kept the way open as otherwise it might well have been closed forever.

It is quite plain from the President's speech that the United States does not want to see a restoration of the old reactionary regime and that it does want the kind of popular democratic revolution, committed to "democracy and social justice" which President Bosch represents.

If President Johnson, working with the OAS, can help the Dominicans find that something in between, can restore President Bosch, and shore him up while he carries through the drastic reforms which are necessary in order to extirpate the evils of Trujillo, evils that breed communism, it will be a bright day for the American Republics.

Our intervention in the Caribbean island will, of course, be looked upon all over the world in the context of our intervention in southeast Asia.

How then can we defend and justify ourselves?

The ground, which is the one I take, is the old-fashioned and classical diplomatic ground that the Dominican Republic lies squarely within the sphere of influence of the United States, and that it is normal, not abnormal, for a great power to insist that within its sphere of influence, no other great power shall exercise hostile military and political force.

Since we emerged from isolation in the beginning of this century, American foreign policy has been bedeviled by the utopian fallacy that because this is one world, special spheres of influence are an inherent evil and obsolete. Wilson proclaimed this globalism. Franklin Roosevelt adhered to it against Churchill's better judgment. And Johnson continues to invoke it without, I think, a sufficient study of it.

As a matter of fact, experience must soon verify the truth that spheres of influence are fundamental in the very nature of international society. They are as much a fact of life as are birth and death. Great powers will resist the invasion of their spheres of influence.

[From the Washington Star, May 11, 1965]

U.S. INTERVENTION HELD NECESSARY

(By David Lawrence)

The American people may as well resign themselves to the prospect that both in Vietnam and in the Dominican Republic the conflicts may be long drawn out. Paradoxical as it may seem, the American policy in each instance can do more to avert the disaster of a third world war than all the conferences and discussions of peace objectives in the last decade have accomplished.

What the United States is doing in southeast Asia and in the Caribbean is both significant and constructive. Pacifists and other citizens who would like to make sure that the holocaust is avoided might well take a hard look at the facts of international behavior which led a supposedly civilized society into two world wars, causing the death of millions of human beings and leaving on the surviving peoples scars that have not been removed by the passage of time.

In Vietnam and in the Dominican Republic, the issue today is the same. Will an altruistic and humanitarian Nation, ready to supply billions of dollars for relief and development or armed forces to repel aggression, be thwarted and frustrated by captious critics or misguided appeasers inside and outside the United States?

The fallacy they do not perceive is that, once the tyranny of Communist imperialism takes over—particularly in the Caribbean, where Cuba stands as a realistic example of the tragedy than can ensue elsewhere in Latin America—the struggle against a truly dangerous intervention in the affairs of weaker republics of this hemisphere cannot be abandoned by the United States. The cause is as much one of self-preservation of the people of this country against threats from potential missile bases in nearby islands as it is the avoidance of a world war which could involve also the peoples of every other continent.

Much of the criticism of the policy of the U.S. Government in Santo Domingo is based on superficial thinking. Of what possible avail, for instance, is it to argue that the Communists who infiltrated the Dominican Republic and helped to foment revolution have not yet been convicted in the court of public opinion and that sufficient proof of their insidious deviltry has not been produced? Also, of what real consequence is the argument that what the United States has done by intervening in Santo Domingo will hurt us with the other Latin American nations? This is an age-worn contention.

The truth is the people of the Central and South American countries want freedom and rarely get it. They seek a better standard of living for their growing populations, but they will never achieve it through communism. Their only salvation lies in such projects as the Alliance for Progress and the constant willingness of the United States to step in with its military forces to keep the Communist enemy from committing the peoples of this hemisphere to perennial slavery and bondage.

Despite the revived criticisms of the armed interventions by the United States in past years, the fact remains that this country has not annexed a single foot of territory of another country in this hemisphere. It has, indeed, made many sacrifices and even fought a major war, more than a half-century ago, to liberate Cuba from oppression by a European power. The American record of intervention has been criticized as "gunboat diplomacy," but not a single instance can be cited to show that the American purpose was tainted. Wherever a country has been temporarily occupied not only to protect American lives but to save the native people themselves from the greater dangers that faced them, the end result has been a withdrawal of the military contingents when peaceful conditions have been achieved.

In not all the instances have the villains who threatened these countries come from the outside, as there have been groups and factions which have selfishly exploited the peasant population and obstructed the reforms that could have improved the standard of living and the economic welfare of the country affected.

Today in Santo Domingo the main source of trouble will not be eradicated unless the forces of the United States remain in the Dominican Republic—either alone or with the military units of the Organization of American States—long enough to make certain that an established government will deal effectively with efforts of the Communists to carry on subversive measures.

The Washington Government has a grave problem on its hands and deserves the support of Members of Congress of both parties. The situation in the Dominican Republic concerns not just that tiny island but the future of all other countries in the Caribbean. If abandoned, Latin American can crumble just as southeast Asia can disintegrate, and this could lead to a third world war.

[From the Washington Star, May 11, 1965]

The Monroe Doctrine, 20th Century

(By Eric Sevareid)

President Johnson has enlarged the war in southeast Asia by bombing the territory of a foreign government with which we are not legally at war and he has invaded the territory of a Latin American country without benefit of an invitation or even the prior approval of other hemisphere governments in the Organization of American States.

Domestic critics have said that he has made an ex post facto rationalization of the bombing by emphasizing that North Vietnam is the vital source spring of the fighting in South Vietnam. Domestic critics now argue that he similarly rationalizes the Dominican intervention by emphasizing what evidence there is that Communists were taking over the people's uprising.

There are surface similarities between the two actions, but they remain on the surface. They need not and ought not be lumped together by the President's detractors or by his supporters. Critics of his Asian policy may well turn out to be wrong in the end, but there are much stronger grounds for this criticism than for criticism of his action in the Dominican Republic. Vietnam lies very far away from the United States and very close to a major power that just might enter that war. The Dominican Republic lies very close to us, very far from any other great power and carries no danger of international war.

What deeply puzzles those who are dubious of our Vietnam policies is how we are to make a victory there work, over the long haul, how that area, driven by tribal and sectarian rivalries, with almost no national consciousness, is to be kept stable and in one piece. The Dominican Republic is far more able to usefully employ economic assistance and does have a strong national sense, however, bitter its class enmities. Our aims there have much more chance of realization.

The OAS is a useful entity; we ought to consult it before we act if circumstances make it safe to do so. In the Dominican situation affairs were moving much too rapidly, as, in 1950, the North Koreans were moving much too rapidly for President Truman to throw out the question of American intervention for congressional debate. It would be very nice, indeed, if we could always act by the book. But we cannot always do so in this new era of the quick Communist coup. We cannot because no Latin American government is politically or militarily able to act quickly in concert with us. If it is not too strong, a word, that is the hyprocrisy built into the Organization of American States. Its other members can share its protection; they will not, because they cannot, share the ultimate responsibility of action.

The New York Times, which President Johnson privately refers to as a "yes—but" newspaper, seems to be sad that because of his quick intervention we will never know whether or not the Dominican uprising was falling into the hands of the Communists or not. There are worse sorrows, as Castro has demonstrated to us.

The Dominican Republic is not going to be the last of our dramatic difficulties in this hemisphere, even though the President has used it as an example of what to expect, for the benefit of Latin Communists. And we will save ourselves a great deal of moral and intellectual agony as the future unfolds if only we can clear from our minds certain bits of debris:

1. The notion that the development work of the "Alianza" is the true alternative to physical action to stop communism. In the long, long haul—perhaps several decades—this is probably correct, but Communists in those countries are lighting very short fuses.

2. The notion that all military regimes in Latin America are equally bad. The truth is that in some Latin countries educated, modern military leaders are quite as enlightened and responsible as their political opposite numbers. We simply cannot equate the military now trying to put order into Brazil or the military who took over Peru and produced the free election they had pledged with military characters like a Trujillo or a Batista. Progress without stability is an impossibility and the bitter truth is that in some Latin countries there are times when the sole element of stability is the military.

3. The notion that the United States is reverting to the "big stick," gunboat diplomacy that characterized the earlier third of this century. We are not. There is nothing in Latin America that we want to conquer or possess; and we no longer swing our weight for any pleasurable sensations of fancied moral or racial superiority. Times have changed in another respect: we are now up against an international conspiracy that seeks to unravel from within societies that do not possess the social glue that comes from a long tradition of functioning democracy.

It is a fearful commitment the President has made. We shall prevent, by force if necessary, the establishment of another Communist regime in this hemisphere. It is the Monroe Doctrine, 20th century edition, harder to fulfill than the original version, but even more relevant to the realities.

[From the New York Times, May 10, 1965]

Santo Domingo and "Nonintervention"

(By Herbert L. Matthews)

Back in 1904, the year of our first intervention in the Dominican Republic, it was suggested to President Theodore Roosevelt that the country be annexed. "I have no more desire to take over Santo Domingo," the historian Foster Rhea Dulles quotes the President as saying, "than a gorged boa constrictor would have to swallow a porcupine."

President Johnson, who likewise has no desire to annex the Dominican Republic, must nevertheless feel as if he has swallowed something highly indigestible. Like "Teddy" Roosevelt, he did intervene, and by so doing he violated what is the most treasured of Latin American doctrines—the principle of nonintervention in the internal affairs of a Latin country.

A NEW DOCTRINE

The "Johnson doctrine"—that the United States will intervene automatically against the threat of a Communist takeover in any Latin American country—involves a basic conflict with this nonintervention principle. So does the Monroe Doctrine, which has never been welcomed by our southern neighbors, although it was passively accepted. The historic doctrine is a unilateral instrument of American policy. No Latin American nation need be consulted to implement it. No Latin American nation has the power to stop the United States from applying either the Monroe or the Johnson doctrine.

But the price, this being 1965 and not 1823 or 1904, would be to make a shambles of the Inter-American System, as it was painfully and doggedly built up in conference after conference over more than half a century.

HISTORY TURNS BACK

A key article of the OAS Charter, No. 17, reads:

"The territory of a state is inviolable; it may not be the object, even temporarily of military occupation or if other measures of force taken by another state, directly or indirectly, under any grounds whatever."

The Dominican intervention was a throwback to 1904 in more ways than one. In that year President Roosevelt asserted a right on the part of the United States to exercise a "police power" in Latin America. This was the famous "Roosevelt Corollary" to the Monroe Doctrine, which was supposed to have been ended for all time in 1928.

What is still worse from the Latin-American viewpoint is that Mr. Johnson's intervention was a throwback to the Caribbean interventions in Cuba, Haiti, Nicaragua, Panama and the Dominican Republic. They began with Santo Domingo and they ended in the same capital in 1941 when the United States gave up its treaty rights of intervention. Then they began again on April 28, 1964, in—once more—the Dominican Republic.

The longest intervention in that country was the 8-year occupation by American marines from 1916 to 1924. That time it was President Woodrow Wilson who acted.

The landing by Marines in May 1916 was as flagrant a case of supporting an unpopular executive (President Jimenéz had been impeached on May 1) and backing a corrupted status quo for reasons of "dollar diplomacy" as is to be found in our relations with Latin America. A provisional government headed by a General Arias was thrown out by the Marines, who forced the general to surrender.

When the Americans withdrew 8 years later, the excellent reforms they had forced upon the Dominican people crumbled away quickly. After all, they had been imposed by foreigners who had violated Dominican sovereignity. This happened in the case of all the American occupations in the Caribbean and Central America.

What the United States did leave in 1924 was a military and police structure whose members were armed and trained by Americans, out of which in the course of nature came a military dictator, a certain Lt. Rafael Leonidas Trujillo, a protege of the Marines. The rest is history.

The whole Caribbean history helps explain the firmness of Latin-American opposition to U.S. intervention in their internal affairs. It is now being argued—for instance, by Mr. Johnson's special envoy to South America, W. Averell Harriman—that the historic doctrine of nonintervention is obsolete. It was aimed against external aggression, whereas the present danger is from internal Communist aggression. The United States, mindful of the 1962 missile crisis, is primarily concerned with the danger of "another Cuba."

Latin Americans, while overwhelmingly anti-Communist, are convinced that the defense against Communist penetration must not become an excuse for renewed U.S. intervention, with all its bitter memories. They demonstrated their hostility to Communist incursions by an OAS condemnation of Cuba last year for shipping arms to Venezuelan terrorists.

OAS STEPS IN

Now they have voted, by a two-thirds majority to set an inter-American peace force as an instrument for collective responsibility in this hemisphere. Its immediate objective is to do whatever is now possible to reduce and shorten the American occupation of Santo Domingo.

In Latin America the principle of nonintervention is very much alive; and, so far as the Latins are concerned, it is still chiefly aimed against the kind of military intervention just carried out by the United States in the Dominican Republic.

[From the Sunday Star, May 23, 1965]

SANTO DOMINGO REPORTING

If the President feels he is being badly used by segments of the American press in their reporting from Santo Domingo, he is not without justification.

For example, a newspaper of national circulation published a four-column photograph on its front page Friday. The picture showed a U.S. Marine firing at a target which could not be seen. But the caption read: "On the fence in Santo Domingo, an American Marine, under orders to stay neutral, fires at a sniper."

This is the grossest sort of distortion. The fact is that our troops in Santo Domingo are under orders to return sniper fire if snipers fire at them. And this presumably is what the Marine in the photograph was doing.

A correspondent for the same newspaper reported on May 2 that "U.S. troops yesterday took over the job of wiping out rebel resistance to the Dominican Republic's new military junta." This certainly is not correct. Quite obviously, there has been no massive intervention by our troops. And if they had taken over the job of wiping out rebel resistance 3 weeks ago, it would have been wiped out by this time.

There may have been, and probably have been, instances in which some of our troops have not observed what Secretary of State Dean Rusk calls the policy of "strict neutrality" which they are under orders to obey. In any conflict as disorganized as that in Santo Domingo there are bound to be some incidents which do not conform to a policy of strict neutrality. But it is an absurdity, in our judgment, to claim, as has been claimed, that "while the United States in diplomatic negotiations with the rebels is leaning toward the overwhelming public opinion supporting the Caamano forces, the U.S. military and the junta are going about methodically destroying those people to whom the United States is leaning diplomatically." The junta evidently is attempting a methodical destruction of the rebel forces. But we are not aware of any evidence that the American troops are participating in this methodical effort.

There is no denying that the President has a real mess on his hands in the Dominican Republic. He may not know how to get out of it. But he is trying to find a way out, and this effort should not be made more difficult by careless, inaccurate or irresponsible reporting.

STATEMENT BY AMBASSADOR ADLAI E. STEVENSON, U.S. REPRESENTATIVE TO THE UNITED NATIONS, IN THE SECURITY COUNCIL ON THE DOMINICAN REPUBLIC QUESTION

Mr. President, we have by now heard the complete catalog of all the past sins—relevant and irrelevant, real and imaginary—committed by the U.S. Government over the past century or so.

Mr. President, there is something ludicrous—and transparently false—in the spectacle of Ambassador Fedorenko talking about the sanctity of the doctrine of non-intervention. I shall not detain you with the long and sorry record of interventions and attempted interventions by Communist-controlled states in the affairs of other nations. It is enough to recall the following statements of the Havana Conference of the Communist Parties of Latin America last November:

"Active aid should be given to those who are subject at present to cruel repressions—for instance, the freedom fighters in Venezuela, Colombia, Guatemala, Honduras, Paraguay, and Haiti.

"An active movement of solidarity of all the Latin American countries with the liberation struggle of the people of Venezuela should be organized on a continent-wide scale.

"It is necessary to intensify the movements of solidarity with the people of Panama who are waging a struggle against imperialism in difficult conditions."

And this recalls the opening statement of the representative of Cuba in which he expressed with moving eloquence his passionate devotion to international law and international organization and nonintervention. This display of feeling comes from the representative of a government which invited Soviet missiles into Cuba, which has ostracized itself from the peaceful society of the Western Hemisphere—which has proclaimed its contempt for the Organization of American States and all its works—which works to subvert the governments and destroy the machinery of the inter-American community.

Well, Mr. President, enough of this. The Security Council is not seized with the subject of Vietnam, of the Congo—nor with responsibility for passing historical judgments on events that occured in the last century or in the last generation. The Security Council is seized with the subject of the Dominican Republic in the here and now.

I therefore propose to address myself once again to the Dominican Republic situation and to review once more in simple and factual form the activities of my Government in connection with those events. I hope we can then recognize that effective action is currently being taken by the proper regional body, the OAS, and permit it to do its work.

The basic nature and the overriding purpose of my Government's action can be summed up in one simple sentence, which I shall read slowly: The U.S. action in the Dominican Republic was emergency action taken to protect lives and to give the inter-American system a chance to deal with a situation within its competence.

On April 28 unburied bodies lay in the streets of Santo Domingo while unorganized and rival bands roamed the city committing murder and arson. Agents trained abroad for internal subversion were passing out arms and taking control of marauding groups. The embassies of half a dozen nations were attacked.

The rebels claimed to have formed a government but some of their leaders were taking refuge in foreign embassies. The fact of the matter is that no one was in charge and no one was capable of taking charge.

In brief, a human and political tragedy of the first magnitude was at hand.

And this is not our judgment but the judgment of Dominican security officials who notified the U.S. Embassy that the situation was completely out of hand, that the city police force had disintegrated, and that no guarantees could be given for the safety of thousands of foreign residents of Santo Domingo, including several thousand citizens of the United States.

On the same day, April 28, the only apparent responsible authority in Santa Domingo addressed a request to the U.S. Government to send in armed forces.

At this point the U.S. Government had three choices of action.

First, we could have decided not to do anything—at least for the time being. But the lives of thousands of people from nearly 40 countries hung in the balance.

Second, we could have recognized the military junta claiming to be the government and could have responded to its request for military support. But this would have amounted to taking sides in an internal struggle among Dominican political factions and such a course of action would have been inconsistent with the principles that govern the inter-American system.

Third, we could send in our own security forces on a provisional basis until the Organization of American States could meet and consult and decide what to do.

III

It is at moments like this that nations which possess the capacity to act must make their decisions to exercise or not exercise the unwanted responsibility that sometimes devolves upon them suddenly and unexpectedly. In this case—when hours and even minutes counted—there was no time for deliberate consultation and for the organization of international machinery which did not yet exist.

My Government elected the third alternative.

The United States initially landed troops under these emergency conditions to preserve the lives of foreign nationals—nationals of the United States and of many other countries. Such action is justified both on humanitarian and legal grounds.

IV

I am aware, Mr. President, that some have felt that perhaps we moved too hastily—that more time should have been allowed for the OAS to go into action. My reply to them is this: Try to imagine, if you can, the fate of Santo Domingo if the United States had not acted when it did.

A full week has passed since April 28 and the only effective forces of law and order in and around the capital city of Santo Domingo this afternoon are still much to our regret, the U.S. forces dispatched there during the past week.

As it turned out, the emergency dispatch of these forces was undertaken just in time to avert wholesale deaths by violence and terrorism, compounded by the threat of disease and starvation. The death toll already had reached at least 1,000 and probably more than 1,500. By now, some 4,067 persons have been evacuated, of whom 2,694 are U.S. citizens and about 1,373 are citizens of 41 other nations, and 4 stateless persons.

Emergency shipments of medical supplies and of food have been rushed to the scene. They are now being distributed to all persons in need without regard to their political affiliation by the Dominican Red Cross, CARE, a relief organization of the Catholic church, and by U.S. forces. This morning food from this country has been distributed in the so-called rebel held area by clergymen and officials of the Dominican Red Cross.

This is a task of considerable magnitude and of great urgency. Economic activity has been at a standstill for 10 days. People in Santo Domingo are not working and they are not being paid. Increasing numbers of them are hungry.

We are now bringing in 60 tons of rice daily, which is enough to feed about one-quarter of a million people. Distribution is being made from checkpoints around the neutral security zone and three food distribution centers are being established in areas outside the center of town to be manned by Dominican businessmen and clergymen. Twenty-five trucks have been borrowed to handle the food supplies for distribution to Santo Domingo and in areas of the countryside which are dependent upon the city for their supply of food.

V

So I leave it to the conscience of every fair and humane person to decide for himself whether the United States acted in precititate haste a week ago tonight.

I am aware, Mr. President, that some have questioned the need for such a large force as the United States has dispatched to the Dominican Republic. Perhaps a few words on this point would prove enlightening.

In times of peace and tranquillity a police force of 8,000 men is employed to maintain law and order in the city of Santo Domingo alone. Is it surprising that roughly twice that many men would be needed to restore order in circumstances that amounted to civil war? Would a larger or smaller force minimize the number of casualties on all sides?

Moreover, this force has many tasks. It has the task of evacuating civilians; and despite the speed at which it has worked, several thousand foreign residents have still not been evacuated.

It has the task of establishing and guarding a large neutral security zone against sniper fire around the clock; and only yesterday two more foreign embassies urged the extension of the security zone to include their property.

It has the task of handling and distributing food and medical supplies; and this part of the job grows daily heavier rather than lighter.

It has the task of protecting and supporting the emissaries of the OAS which are seeking to mediate the underlying dispute and to arrange conditions under which the people of the Dominican Republic can exercise their right to choose their own officials without outside subversion or interference of any kind.

Now, Mr. President, that concludes my review of the basic facts with respect to the first of the two purposes of the action undertaken by my Government: to protect lives and sustain life in a large city paralyzed by violence and anarchy.

The mission has been carried out with extraordinary skill and bravery and we are rewarded by the gratitude of those who have been protected and guided to safe havens. And we feel we have done our humane duty by supplying emergency medical care to the wounded and sick and food to hungry thousands.

I might mention in passing that the distinguished representative of the Soviet Union has tried to make something of the fact that not a single citizen of the United States had been killed in Santo Domingo. And let me inform him that not a single other foreign resident has been lost in the evacuation. I do not suppose Ambassador Fedorenko would have insisted on either U.S. citizens or other foreign nationals being killed as a condition precedent to our action. The reason why no one was killed is obvious: Their rescuers got there in time, in sufficient force, and acted with sufficient dispatch to get them to safety.

VI

Now for the second purpose for which we acted: to give the inter-American system an opportunity to deal with a situation within its competence.

The United States continues its presence in the Dominican Republic for this additional purpose of preserving the capacity of the OAS to function in the manner intended by its charter—to achieve peace and justice by securing a cease-fire and the reestablishment of processes within which Dominicans can choose their own government, free from outside interference.

The primary purposes for which the American States established the OAS, as set forth in article I of its charter, were "to achieve an order of peace and justice, to promote their solidarity, to strengthen their collaboration, and to defend their sovereignty, their territorial integrity and their independence." Please note, if you will, that the first purpose of the Organization of American States is "an order of peace and justice."

There are, of course, certain basic principles which the OAS seeks to promote throughout the hemisphere. One of these is respect for the fundamental rights of the individual; and in Santo Domingo last week not only were these rights being obliterated but individuals were being obliterated.

Another fundamental principle of the Inter-American system is the effective exercise of representative democracy. This principle is clearly set out in the charter of OAS, the Rio Treaty, and the charter of the Alliance for Progress. But in Santo Domingo the prospects for representative government have been violently challenged.

After U.S. forces arrived it became apparent that the structure of government had broken down to a point where there was not only no authority capable of preserving law and order but there was no mechanism by which the Dominican people could freely choose their own government.

The obligations of nonintervention contained in articles 15 and 17 of the OAS Charter did not preclude the use of armed forces for the humanitarian purpose of saving lives of foreigners. Nor did those obligations require the United States to withdraw its forces immediately, when it was apparent that there was no local means of keeping order pending the creating of a government capable of keeping order. It would have been irresponsible for the United States to withdraw its forces when such a course would have endangered the lives of those not yet evacuated and would have led to full-scale resumption of bloody warfare among the contending Dominican factors.

The United States has acted to preserve the situation so that the organs of the Inter-American system may carry out their intended responsibilities under Inter-American treaties and assist the people of the Dominican Republic in reestablishing democratic government under conditions of public order.

On the same evening, April 28, when the United States initially dispatched forces to Santo Domingo, my Government also requested an urgent meeting of the Council of the Organization of American States. A meeting of the Council was held on the morning of April 29, and organs of the OAS proceeded to meet in continuing session thereafter.

The OAS first issued a call for a cease-fire and appealed to the papal nuncio in Santo Domingo to use his good offices in an effort to help bring it about—then it called for the establishment of the neutral international safety zone—then it dispatched the Secretary General to give assistance on the scene, then it sent a five-nation commission to the Dominican capital to mediate an end to hostilities and the beginning of a political settlement.

In the course of these proceedings, Mr. President, the U.S. delegate, in addition to supporting the resolutions adopted, has reaffirmed our adherence to the inter-American system, including the doctrines of nonintervention and self-determination. He has urged the OAS to help restore constitutional government by free choice, deplored the lack of available inter-American machinery to deal with such emergencies, and approved the establishment of such machinery as soon as possible.

We have asked the OAS repeatedly to assume responsibility in the Dominican Republic as a common duty and a common task.

And we have earnestly requested the organization to act with a sense of urgency to relieve the United States of an unwanted burden.

As things stand now, the OAS commission is on the scene and appears to be making hopeful progress. Although it has not been fully respected by all hands, an initial cease-fire was arranged on April 30. And yesterday the commission reported by cable that agreement had been reached with the contending parties on confirmation of the cease-fire, demarcation, and enlargement of the security zone to include all embassies, evacuation of asylees and refugees, and distribution of food, medicine, and medical equipment to all sectors of the population without regard to parties.

And today the commission also informed the Ministers of Foreign Affairs of the OAS as follows: "We consider that it would be useful, in order to aid in bringing a return of the Dominican situation to normality, for the member states that are in a position to do so to establish a combined inter-American military force under the Organization of American States to achieve the objectives that are set by the meeting of consultation."

This is to say that the commission which is on the scene has recommended adoption of a resolution which the OAS is now considering for an inter-American force to perform the peacekeeping duties which my Government reluctantly assumed under the desperate conditions prevailing a week ago tonight. We are now hopeful that such action will be taken very soon.

And President Johnson has stated: "All that we are in the Dominican Republic for is to preserve freedom and to save those people from conquest. And the moment that the Organization of American States can present a plan that will bring peace on the island, permit us to evacuate our people, and give us some hope of stability, we will be the first to come back."

Mr. President, it is evident on the face of things that it is only the temporary presence of our forces in Santo Domingo which has made it possible for the Organization of American States to carry out its consultations, to organize its machinery, and to take its proper place on the scene of the fighting in the Dominican Republic.

VII

These are the essential facts of the situation in the matter before us. Obviously the situation is still far from clear and there are unknowns or imponderables in the swirling affairs of the Dominican Republic in recent days and weeks. Indeed, wherever conspiracy lurks there are hidden factors and secret forces at work—a fact which no doubt has much to do with the angry distortions and maliciously false allegations which we have heard from two speakers at this table in recent days.

The fact of the matter is that it appears that what began as a democratic revolution was quickly penetrated by a group of trained Communists. If that movement had succeeded in establishing itself as the government of the Dominican Republic, the events would have been irreversible. The OAS would have been deprived of any realistic possibility of assisting the Dominican people to determine their political future by the free exercise of self-determination.

It is not the "bogey of anticommunism," or a "time worn record," or an imaginary danger with which we are concerned—to borrow some of Ambassador Fedorenko's words.

In the Dominican Republic there are three Communist political organizations. They are the Partido Socialista Popular Dominicano (PSPD, Dominican Popular Socialist Party), which follows Moscow's direction; the Movimiento Popular Dominicano (MPD, Dominican Popular Movement) a small but aggressive Marxist-Leninist revolutionary party which follows the Chinese Communist ideological line; and the largest of the three, the Agrupacion Politica Catorce de Junio (APCJ, Fourteenth of June Political Group), which is Castro oriented and with connections to Soviet and Communist Chinese regimes as well.

All three of these parties have representatives in Cuba and have received training and financial support from abroad. All have participated in armed revolutionary attempts: the PSPD in the invasion of 1959; the MPD in guerrilla fighting in 1963; and the PACJ in the unsuccessful Castro-style guerrilla attempt of late 1963.

Direct involvement of Castro in Dominican affairs is also of long standing. As long ago as 1959 Castro organized, trained, and equipped an expedition which invaded the

Dominican Republic, whose leadership included a Cuban army officer and which was escorted to Dominican shores by the Cuban Navy.

In November 1963 it launched another action against the Dominican Republic, unsuccessfully sending a paramilitary team with supplies of weapons to the north coast of the island.

In 1963 also the Castro and the Chinese-oriented Communist Parties of the Dominican Republic launched an open guerrilla warfare movement in the hinterland of the Dominican Republic. Dominicans known to have received training in Cuba took part in that abortive effort. The bulk of the captured rebels were deported in May 1964, and most of them became political exiles in France. From there, many have since traveled in the Soviet bloc countries, including Cuba, and Communist China.

Last year, Dominican Communists published the Marxist justification for their revolution in terms of national liberation, a handbook entitled "Seven Themes of Study." Later, in September, they issued a call for unity of the "forces of the left under the leadership of the Dominican Communist Party."

And in November the Havana Conference of the Communist Parties of Latin America, to which I have already referred, called for "active aid" to the so-called "freedom fighters" in Latin America.

Beginning in late 1964, various of the exiled Castro and Chinese party leaders began to infiltrate back into the Dominican Republic, some clandestinely, to rejoin their respective political organizations.

Then on the very evening of the army officers' revolt inspired by the PRD, the party of Juan Bosch, April 24, these top-level Communist leaders, especially those of the Moscow-oriented old-line Communist Party, the PSPD, seized upon the unstable situation as ripe for subversive exploitation. Word was issued to party members and to other extremist groups, calling for agitation and the staging of "spot rallies and demonstrations" in the streets.

Within 1 or 2 hours of the first rebel moves, members of the Castroist movement were busy in the streets of Santo Domingo.

Communist and Castroist leaders shortly thereafter got quantities of arms and ammunition from the armory at the "27 February" camp outside Santo Domingo, where rebelling army officers had seized control as the opening act of the coup. A sizable quantity of arms and ammunition thus fell into the hands of leaders of the PSPD—the Moscow party—and the members of this party were quickly formed into armed paramilitary teams which fanned out in the downtown and "Barrio" (slum) areas, taking control of secondary targets and organizing the inhabitants. At the same time a party military headquarters was established and arms collected from loyalist police, and military personnel were stored there.

With relatively tight discipline and effective organization, the extreme leftist groups, particularly the PSPD, but also, prominently, the MPD and the Castro movement, were soon providing a significant portion of the rebel forces and were decisively influencing the political leadership of the rebellion which, in the beginning, had been in the hands of the democratic leaders of the Bosch party.

This was the complexion of the rebellion when the key PRD leaders, who had organized the revolt to restore Bosch, began to take asylum.

Now who are some of these leaders who have sought to turn this rebellion into a Communist takeover?

Playing a key role in the tactical direction of the rebel forces is Manuel Gonzalez Gonzalez, an experienced Spanish Communist Party activist who has been in the Dominican Republic since 1940 and is a member of the Moscow party, and a purported Cuban intelligence agent.

Other PSPD leaders active in the revolt include Buenaventura Johnson, whose house is one of the party's munition dumps and strongholds, and Fidelio Despradel, who received guerrilla training in Cuba in 1963. Leading the organization of paramilitary units were Jaime Duran, who received paramilitary training in Cuba in 1962, and Juan Ducoudray, who has been a liaison link between Cuba and the Dominican Republic for the supply of weapons.

Also participating actively among others:

Rafael De La Altagracia Mejia Lluberes, an APCJ leader, long-time Communist revolutionary. He was involved in a 1963 attempt to overthrow Venezuelan President Betancourt, and has had guerrilla training and political indoctrination course, Cuba 1963.

Nicolas Quirico Valdez Conde, a high-level PSPD member, who has lived in Moscow, speaks Russian fluently, and was Russian interpreter for Fidel Castro in Cuba.

Miguel Angel Deschamps Erickson, an MPD member, who received guerrilla warfare training and explosives course in Cuba in 1962, and carried instructions from Cuba to Dominican Republic for MPD in 1963.

Juan Miguel Roman Diaz, a high-level member of APCJ who was key man in guerrilla activities in the Dominican Republic in late 1963; and subsequently deported and went to Cuba in June 1964.

Mr. President, it may, of course, be said, I think accurately, that the bulk of the participants in the rebellion are not Communist and that even in the present leadership non-Communists are active. I do not purport to predict the future.

But I would remind you that only 12 men went to the hills with Castro in 1956 and that only a handful of Castro's own supporters were Communists. I would also remind you that Castro, too, came into power under cover of constitutionalism, moderation, and cooperation with others. But within months the true complexion appeared and the list of leaders imprisoned, expelled, or forced to flee once control was achieved is well known. It is an impressive list: the first provisional President of the revolutionary government, Dr. Manuel Urrutia; the first Prime Minister, Dr. Jose Miro Cardona; the first president of the supreme court, Dr. Emilio Menendez; nearly two-thirds of Castro's first cabinet, including the Minister of Foreign Affairs, Roberto Agramonte, Minister of Treasury, Rufo Lopez Fresquet, Minister of Labor, Manuel Fernandez, Minister of Agriculture Humberto Sori Marin, and Minister of Public Works, Manuel Ray; companions-in-arms of Fidel Castro, such as Sierra Maestra Commanders Hubert Matos, Mino Diaz, and Jorge Sotus; labor leaders such as David Salvador and Amaury Fraginals; editors and commentators such as Miguel Angel Quevedo, Luis Conte Aguero; even Juan Orta, the head of the Prime Minister's own office, and ultimately Castro's own sister.

Mr. President, participation in the inter-American system, to be meaningful, must take into account the modern-day reality that an attempt by a conspiratorial group, inspired from the outside, to seize control by force can be an assault upon the independence and integrity of a state. The rights and obligations of all members of the OAS must be seen in the light of this reality.

But the fact remains that the action of the United States in the Dominican Republic was not for the purpose of intervening in the affairs of the Dominican Republic or for the purpose of occupying that country. There is no new "doctrine" at work in that part of the world.

The fact remains that United States forces are not asserting any authority to govern any part of the Dominican Republic, nor do we want any such authority even in that neutral zone within the city of Santo Domingo. The fact remains that U.S. forces are not taking sides in the Dominican conflict—and explicitly declined to do so.

Thus the United States is in no sense acting against the Dominican Republic, but in the interests of the Dominican people.

Our action is for the purpose of helping to restore order and to preserve for the people of that nation their right to freely choose their government.

To preserve that right, the United States has protected and evacuated foreign citizens from the danger zone and has provided the Organization of American States with the necessary time to take over its responsibilities in the area of its competence.

Whatever else has been said around this table, that is the whole story as far as it can be known, and these are the relevant facts in the matter before this council.

The case is now in the hands of the competent regional organization. This is an official OAS commission at the scene actively engaged in negotiations which appear to have reached an advanced stage. The council of the OAS was in session this morning.

I therefore trust that this Council will keep the question of the Dominican Republic under review until the Organization of American States completes its work and the people of the Dominican Republic have been able to exercise their own political choice.

STATEMENT BY AMBASSADOR ADLAI E. STEVENSON, U.S. REPRESENTATIVE TO THE UNITED NATIONS, IN THE SECURITY COUNCIL, ON THE DOMINICAN REPUBLIC QUESTION, MAY 5, 1965

Mr. President, I noted what you said about the hour and I noted it with sympathy. I shall try to be very brief.

At the outset of his remarks, Mr. Fedorenko compared me to a reptile. Well, I must say I had not expected to be called a reptile by Ambassador Fedorenko, which adds another colorful epithet to his rich inventory of discourtesies. However, I have been listening to these gracious remarks from representatives of the Soviet Union on and off since 1945 and I am neither surprised nor, indeed, upset. I am insulated by experience from Soviet diplomatic niceties. Moreover, I won't even react in the manner of reptiles by striking back.

Ambassador Fedorenko asks me how many U.S. troops were in the Dominican Republic. Well, I sent out for an evening paper where the figures are published daily, but I haven't got it. However, I have called my Government and as of 5 o'clock the figure was 17,134. I am sorry that that was the figure as of an hour ago, but that was when you asked me.

As to what these forces are doing, I thought I explained that at some length. I explained that they were policing the city, that they were guarding the neutral safety zone, they were evacuating asylees and refugees, they were distributing food and medicine. But evidently Ambassador Fedorenko was not listening when I spoke and I commend to him the transcript of my remarks which will appear in tomorrow's journal, including the information that he apparently overlooked, that it took 8,000 police to maintain order in Santo Domingo in peaceful times when there was a police force.

At the end of his remarks just now, he raised the question of article 53 of the charter. As to this allegation, that the Organization of American States cannot act because enforcement action requires Security Council approval under article 53, there is, of course, a long history of Soviet obstruction and effort to equate all OAS regional action to enforcement action. The reason is obvious because the Soviet Union could then veto the action in the Security Council.

But the steps being taken by the OAS do not constitute enforcement action within the meaning of the United Nations Charter. What enforcement action is being taken against the Dominican Republic? None. What order is being enforced? None. What is being done by the Organization of American States is fully within the proper scope of the authority of regional organizations to deal with the maintenance of peace and security, to quote the language of the charter, within their jurisdiction as provided for by article 52. This issue has, of course, as all of us at this table know, been exhaustively considered in the Security Council in the past and I think hardly requires reopening at this time.

The Soviet representative has again laid great emphasis this afternoon on nonintervention in the affairs of the Dominican Republic. In my remarks earlier today, I described in some detail the Communist intervention in the Dominican Republic which has gone on for some years and which was renewed a few hours after the revolt broke out on April 24. Of course, Communist intervention begins in a clandestine and secret fashion. I reminded the Council of the manner in which the Communists took over the Cuban revolution and executed or exiled many of the original leaders of that revolution. The result of such Communist intervention is, however, decisive. Once a country has been taken over, democratic liberties are destroyed and the opportunity for self-determination ends. That is why the Communist intervention in the Dominican Republic is the most vicious and the most fatal which can be imagined.

And now perhaps you will permit me to ask Ambassador Fedorenko and his Cuban colleague a question: How many Communist agents are now active in the armed uprising in the Dominican Republic? In other words, how many agents of international communism are intervening arms in hand with the obvious intention of setting up another Castro regime in that unfortunate country? If he has to cable to Moscow and to Havana for the latest statistics, we shall be happy to wait until tomorrow for his reply.

Mr. President, the United States has repeatedly announced its intention of withdrawing its forces from the Dominican Republic as soon as arrangements have been made by the OAS for the establishment of an indigenous Dominican Government which will assure the people of that country their right to determine their own future. I believe there are few around this table who do not believe that this pledge will be kept. In Cuba, on the other hand, despite Mr. Castro's pledge of free elections, he has never dared to hold them. The Cuban people have never been given a chance to choose their own government. We doubt that the Communists ever will give them that chance. And I believe that no one around this table, except perhaps Ambassador Fedorenko and his Cuban colleague, want that to happen to the Dominican Republic.

I think, Mr. President, that in view of the hour and the circumstances and the fact that everyhing has been said and resaid so many times, that I shall detain you no longer. I should welcome an answer to the question that I asked the Soviet ambassador.

(In a further intervention, Ambassador Stevenson said:)

Ho hum. Mr. President, the representative of the Soviet Union asked me one question and I got him the answer. And now he has asked me a lot more. I think I have perhaps nothing more to say except that I pray God that I can grow up to be a big boy and ask questions.

(In another intervention, Ambassador Stevenson said:)

I know my proverbs, too, but I am going to mercifully spare both my colleague, Ambassador Fedorenko, and the members of this Security Council from repeating any of them at this hour. But I would like to tell you a story that an old lawyer once told me when I was a young practitioner in my home State of Illinois. He said, "My boy, if you haven't got the facts, argue the law before the jury; and if the law isn't with you, argue the facts; and if you have neither the facts nor the law, then just talk a lot."

Thank you, sir.

Mr. DODD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS UNTIL NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after the vote on the Miller amendment—which is to occur at 12:20 p.m. tomorrow—has been concluded, the time until 1 o'clock p.m. be equally divided between the distinguished Senator from North Carolina [Mr. Ervin] and the majority leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPLY TO WALL STREET JOURNAL CRITICISM OF UNEMPLOYMENT STATISTICS

Mr. PROXMIRE. Mr. President, last Tuesday, May 18, the Wall Street Journal published a lead editorial entitled "Poor Statistics and Worse Economics." The editorial attacked the present statistical methods of our Government in determining unemployment in this country. It is a serious matter when the leading financial journal of the United States attacks the statistics which are used by our Government and by Congress in determining much of our policy.

As chairman of the Subcommittee on Statistics of the Joint Economic Committee, I was particularly concerned with the editorial, so I wrote to Mr. Raymond T. Bowman, Assistant Director for Statistical Standards, Bureau of the Budget. Mr. Bowman is more directly responsible for policy in the statistics field in the executive branch of the Government than anyone else. He has a heavy responsibility for recommending policy with regard to all our statistical programs. He is a man of distinguished ability.

Frankly, when I read the Wall Street Journal editorial I recalled that the many outstanding statisticians, from all over the world, who testified before our Joint Congressional Economic Committee on our statistics program, had unanimously concluded that ours are the best statistics to be obtained anywhere in the world, although, of course, they are subject to criticism and improvement.

The reply by Mr. Bowman should be called to the attention of the Congress and the country, in view of the fact that our policies are seriously influenced by the statistics concerning the level of unemployment in our country.

Mr. President, I ask unanimous consent to have printed at this point in the Record the editorial entitled "Poor Statistics and Worse Economics," published in the Wall Street Journal of May 18, and Mr. Bowman's letter to me dated May 20, which analyzes, point by point, the arguments set forth in the editorial.

There being no objection, the editorial and letter were ordered to be printed in the Record, as follows:

[From the Wall Street Journal, May 18, 1965]

Poor Statistics and Worse Economics

As a voice in the statistical wilderness that has long questioned the validity of the Federal unemployment estimates, we naturally welcome Samuel Lubell's call for a new and sharper definition of the jobless.

Mr. Lubell, the diligent and perceptive political pollster, has spent many recent weeks interviewing hundreds of people out of work in 21 cities around the Nation. His overriding conclusion is that the national unemployment rate as proclaimed by Washington is in several ways misleading and in need of considerable revision.

It is not only that the figure distorts the actual condition. What is worse is that it has come to be regarded as the single most important barometer of the Nation's economic climate. It can be, and is, used as the basis for vast new public spending programs, however irrelevant or wasteful they may be. Another way of putting it, in our somewhat jaundiced view, is that it has become a convenient tool for politicians eager to tap the Treasury.

Yet this sacrosanct statistic, as Mr. Lubell observes, does not provide an accurate estimate of how serious is the need for more jobs. For one thing, the Government does not even attempt to measure the job vacancies that exist along with unemployment. Nor does the announced national rate yield, in the interviewer's words, "a sensitive picture of the shifts taking place in the quality of the unemployed and of the changing nature of their problems."

Moreover, the figure does not tell how much, or how little, hardship there is among the jobless. To us this is a particularly important point. Surely a humanitarian nation should be more concerned with the actual cases of hardship than with statistical veneration. Beyond that, we reject the proletarian doctrine, implicit in governmental attitudes, that everyone should work regardless of need. If some people can make a decent life without working, we would say that is their privilege and pleasure.

Part of the trouble with the official unemployment rate stems from the sampling methods used, a survey of 35,000 households in which the main question is, "Have you been looking for work?"; if the answer is "Yes," the individual is counted as unemployed. As sampling techniques go, 35,000 households might be considered adequate, though obviously capable of producing only a broad national guess. The loose questioning is another matter.

One of its results, Mr. Lubell writes, is that "the identical label 'unemployed' is applied to such an astonishing variety of situations that it has been robbed of much of its real meaning. A coal miner who has lost his job for good is given the same statistical weight as an auto worker who is guaranteed 70 percent of his pay even when laid off for model changes."

The sweeping definition of "unemployed" also leads to abundant abuse: People who are on jobless relief but won't look for work, people who won't take jobs at pay lower than they had been making, people who don't need to work at all but receive compensation. One young man interviewed at an extension university admitted that he was a full-time student and shouldn't be getting unemployment checks.

To give the Labor Department its due, it does put out certain breakdowns of unemployment by groups. Unfortunately the more significant of these figures are usually granted scant attention by the public, the politicians, and apparently Labor Department officials themselves, since they are among those who constantly contend that the aggregate level of unemployment is intolerable.

Almost certainly, it seems to us, the most revealing estimate, in terms both of degree of hardship and of economic significance, is not the national rate, currently given as 4.9 percent of the labor force, but the jobless rate for married men. These, after all, are, generally speaking, the people who do need to work and who comprise the bulk of the labor force. By any standard they are far more deserving of concern than the jobless teenagers about whom there is so much weeping.

That rate for married men is presently put at 2.5 percent. If it is anywhere near a correct approximation, it represents not a state of intolerable unemployment but for all practical purposes full employment. In a huge, complex, and mobile economy, with a considerable amount of seasonal employment, it would be difficult, if not impossible, to attain a much lower rate of unemployment.

The deficiencies of the jobless tabulations suggest their own remedies. One private group, the National Industrial Conference Board, has just shown, in a local survey, the way to correcting part of the problem—the compilation of job-vacancy figures. It is by no means unlikely that a national survey would indicate more job opportunities than qualified jobseekers.

But what is needed most of all is public realization that the lot of the genuinely unemployed is being employed for questionable political purposes. In such a climate, it is at least encouraging when attempts are made to expose an arrangement which builds, on a foundation of faulty evaluation, a pyramid of bad economic policy.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., May 20, 1965.

Hon. WILLIAM PROXMIRE,
Chairman, Subcommittee on Economic Statistics, Joint Economic Committee, U.S. Senate, Washington, D.C.

DEAR SENATOR PROXMIRE: The criticism of the Federal unemployment figures which appeared in an editorial in the May 18 issue of the Wall Street Journal is based on a fundamental misunderstanding of the purpose of the statistics. Economists both in and out of Government do, of course, interpret these figures and do not always arrive at the same interpretation of them as the Wall Street Journal.

Unemployment is measured in order to determine the total number of persons not employed who are offering their services in a free labor market. This is an important measure of available manpower not being utilized by the economy. The Employment Act of 1946 made it the official policy of the Federal Government to foster and promote conditions under which there will be useful employment opportunities "for those able, willing, and seeking to work." One of the most important functions of the monthly statistics is to measure the degree of success with which the American economy is achieving this goal.

The complaint of the Journal seems to be that the unemployment measure "does not provide an accurate estimate of how serious is the need for more jobs." I want to make two points in this connection. First, the unemployment statistics do provide a basis for assessing the effect of idle manpower on the economy and the unemployed individuals. Second, the measure of unemployment was never intended to be and should not be restricted to those who are in dire need of a job.

In connection with my first point it should be fairly obvious that idle resource—unused plant facilities, excessive inventories, or idle manpower seeking jobs—diminishes the efficiency of the economy. Unemployment also affects the individual jobseeker, including those who may not "need" the job. Employment is not only a means for meeting the pressing needs of individuals but, in part at least, an end in itself—or at least a means to much more advanced desires.

My second point is that just as employment includes those who have a job whether they need one or not, so unemployment includes those who seek a job whether they need it or not. It should be clearly recognized that need is largely subjective and very difficult to measure in a practical and objective manner. Working wives want their families to have the things their earnings can provide. Many teenagers, even those going to school, wish to contribute to their own support or to save for future educational or other purposes. Married women and teenagers alone account for over one-fourth of the total of persons counted as employed. Surely if we count them as employed when they are working we should count them as unemployed when they do not have a job and are seeking one.

What I have said above, however, should not be interpreted to mean that the degree of personal hardship resulting from unemployment is identical for all unemployed persons. Nor that these differences should not be taken into account in the development of social policy. But my point clearly is that measuring unemployment (in a free society) cannot appropriately be based on the need of the individual for a job—but must be based on his not having a job and seeking one.

For the reasons just noted, and in recognition of the fact that no single figure on unemployment can possibly meet all analytical purposes, the U.S. Department of Labor's Bureau of Labor Statistics publishes each month in Employment and Earnings, statistics showing employment and unemployment by age, sex, color, marital status, industry, and occupation, with hours of work for the employed and duration of unemployment for the unemployed. The unemployment rates for household heads, for married women, for persons living alone are all published each month in the detailed report.

No one would deny that unemployment works a much greater hardship on married men with family responsibilities than on teenagers or housewives looking for ways to earn extra money. As the Wall Street Journal editorial points out, the Labor Department does publish in its first summary report the seasonally adjusted unemployment rate for married men, which in April 1965 was 2.5 percent. In addition, in the same release separate unemployment rates are published for teenagers, adult women, men 20 to 24 years of age, men 25 years of age and over, and many other groups. The unemployed are subdivided according to the duration of their unemployment and according to whether they were seeking full- or part-time work. For example, in April 1965, 600,000 of the 3.6 million unemployed were looking for part-time jobs. This figure is published very prominently on the very first table of the first release of the figures each month. (A copy of the April report is enclosed for your information.)

The Wall Street Journal is satisfied that the jobless rate for married men is "for all practical purposes full employment." They seem to imply that other groups need not concern us greatly. They note that married men "after all are, generally speaking, the people who do need the work and who comprise the bulk of the labor force." They further note that "By any standard they (married men) are far more deserving of concern than the jobless teenagers about whom there is so much weeping."

This seems a somewhat different emphasis than set forth by Mr. Lubell in an earlier article in the series of articles dealing with unemployment to which the Wall Street Journal editorial refers. Mr. Lubell says in his article entitled "The Teenager Crisis," "We will need not only further increases in available jobs, but a frontal assault on the many restrictive barriers that wall the jobless off from the more secure, prospering part of the economy."

The unemployment statistics now available throw light on most of the facets of the problem which are brought out in the editorial. The concepts and methods used in measuring unemployment are continually reviewed to insure that the official statistics do provide the best possible measure of unemployment. Most recently, a Presidential Committee composed of representative nongovernmental experts conducted an intensive review of the Government's entire employment and unemployment statistics program. It concluded that "The concept of unemployment now in official use is a reasonable one and represents a conscientious and well-designed effort over a long period of time to resolve a wide range of difficult issues." The Committee recommended a program of research and experimentation which would lead to a sharpening of the definitions and procedures, and this research program is now in progress. The amount of data published on the unemployed has already been greatly increased in response to the Committee's recommendations.

I am enclosing a pamphlet which outlines the measurement process in some detail and a copy of the Monthly Report on the Labor Force which contains the detailed statistics on unemployment mentioned above.

The Wall Street Journal editorial states that "the Government does not even attempt to measure the job vacancies that exist along with unemployment." I agree that such a measure would be useful. The Department of Labor has been conducting experiments in 16 metropolitan areas this fiscal year leading toward developing just such job vacancy statistics.

It is my hope that this effort can be moved forward. When it is, we must be careful to keep in mind the fact that no single figure of job vacancies will serve all purposes any more than a single unemployment figure.

Sincerely yours,

RAYMOND T. BOWMAN,
Assistant Director for Statistical Standards.

PROPOSED COMPROMISE ON BILL TO EXEMPT BANKS FROM ANTITRUST LAWS

Mr. PROXMIRE. Mr. President, the distinguished Senator from Virginia [Mr. ROBERTSON], who is chairman of the Committee on Banking and Currency, has introduced a bill that would remove the banks of the United States from the jurisdiction of the Clayton Antitrust Act. His bill provides that final decision on the mergers of banks shall be determined by three banks regulatory agencies: the Federal Reserve Board, in the case of State member banks; the Comptroller of the Currency in the case of national banks; and the Federal Deposit Insurance Corporation, in most other cases.

This proposal is highly controversial. It has merit, but there is also a substantial basis for criticism of it. The committee has already held several days of hearings on the measure. The American Bankers Association favors the bill; the Independent Bankers Association oppose it. The chairman of the House Committee on Banking and Currency also opposes the bill.

The independent bankers proposed an interesting compromise which would provide that the Department of Justice would still have the right to bring suits to deny mergers, but that that right would be strictly limited to from 30 to 90 days, and that mergers which have already taken place should, wherever possible, be permitted to remain, so that the hundreds of banks that have merged in the last 5 or 10 years would not have hanging over them the threat of dissolution, which threat could be very damaging to them.

The New York Times, on May 24, published an excellent article on this subject, entitled "Compromise Seen on Bank Mergers," written by Eileen Shanahan. I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COMPROMISE SEEN ON BANK MERGERS—A SOLUTION ON HOW TO POLICE MOVES IS BEING SOUGHT BEHIND THE SCENES—EASING OF LAWS LIKELY—SOME PULLING AND HAULING IS GOING ON, BUT OPTIMISM MARKS BARGAINING

(By Eileen Shanahan)

WASHINGTON, May 23.—A compromise solution to the controversial question of how the Government should police bank mergers is being worked out quitely behind the scenes.

Some pulling and hauling is still going on among the various participants, but all involved in the compromise effort are optimistic about their chances for success.

The probable compromise, which would require amendment of existing laws, would not completely immunize bank mergers from attack under the antitrust laws, which is what most of the banking industry wants.

However, important restrictions would be placed on the Justice Department's freedom to move against bank mergers under the Clayton and Sherman Acts.

MAJOR PROVISIONS

The compromise legislation would contain three major provisions, the first two of which have been pretty well agreed upon and the third of which is still being fought over. The three provisions are as follows:

Any merger that had already been accomplished would be immune from prosecution under the antitrust laws.

When further mergers were proposed, the Justice Department's antitrust division would be allowed only a limited period of time—30 or 60 days—during which to file suit to block the merger under the antitrust laws. Thereafter, it would be forbidden to act.

Some sort of standard would be established, designed to make the Government's policies toward bank mergers more uniform than they are now, with the three agencies that regulate banks and the Justice Department all in the picture.

TO SOLVE PROBLEM

The first two provisions of the emerging compromise would solve the problem that has most concerned the banking industry. This is the threat that the Government will move to break up existing banks under the antitrust laws, either banks that already exist or those created in the future by mergers.

Three such splitups are under negotiation as a result of recent court decisions holding that the antitrust laws do apply to banks—the Manufacturers-Hanover case in New York, one in Lexington, Ky., and one in Chicago.

Legislation that would take banks completely out from under the antitrust laws and apply special standards to bank mergers has been introduced by the chairman of the Senate Banking Committee, A. WILLIS ROBERTSON, Democrat, of Virginia, who began hearings on his bill last week.

The Federal Reserve Board and the American Bankers Association favor the Robertson bill and the Government's other banking agencies are thought to support it, although they have not officially said so. The Justice Department is said to oppose it adamantly, but it has not officially announced its opposition. The Treasury Department is on the fence.

While there seems to be a good chance that the Robertson bill could pass in the Senate, there is thought to be almost no chance that it could pass in the House. Thus, the large majority of the banking industry that is represented by the banking association is eager to find a compromise rather than see existing banks remain under the threat of antitrust prosecution, which is what would happen if no action at all was taken.

The emerging compromise could come unstuck if the Justice Department and the ABA, which represent the extremes in the argument, were unable to agree on some groundrules for future antitrust cases.

COMPETITIVE IMPACT

The ABA, feeling there are more factors to be considered in ruling on bank mergers than just the competitive impact—and that the Government's banking agencies will pay attention to these factors under the Bank Merger Act of 1960 while the Justice Department will not—want to bar the Justice Department from filing suit against any merger that has the approval of all three of the Government's banking agencies.

The Justice Department position is almost the opposite. It would like to remain free, as it is now, to move against a merger, even if none of the banking agencies shared its view, and to be required to take legal action to prevent any merger that it and two of the three banking agencies agreed should not be allowed.

COMMENT ON ADDRESS BY SENATOR JACKSON AT DUQUESNE UNIVERSITY SCHOOL OF LAW ALUMNI

Mr. PROXMIRE. Mr. President, certainly one of the most competent Members of the Senate in the area of defense is the distinguished junior Senator from Washington [Mr. JACKSON]. Senator JACKSON recently delivered an address to the Duquesne University School of Law alumni. In the course of this he pointed to a serious fallacy of those who argue that the United States should stop fighting and start negotiating in South Vietnam. The Senator from Washington gave telling reasons why it is necessary as a prerequisite to effective negotiations to keep up powerful military pressure on the Vietcong and the North Vietnamese.

Excerpts from his address and comments on it were published in the Washington Daily News of May 21. I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EXCERPT FROM ADDRESS TO THE DUQUESNE UNIVERSITY SCHOOL OF LAW ALUMNI, PITTSBURGH, ON MAY 20 BY SENATOR HENRY H. JACKSON, DEMOCRAT, OF WASHINGTON

A frequent error—voiced by many people of good will is that tne conference table provides an escape from the struggle.

Like many fallacies, this one is attractive. It suggests that the risks and burdens of conflict are unnecessary. But it is a fallacy, for it rests on a mistaken idea of the nature of negotiation.

International relations are a kind of permanent negotiation. The diplomats are always at work. Even in the midst of war, diplomatic soundings never cease. * * *

In the eyes of many Americans, however, when war begins, negotiations end, and when negotiations begin, military pressure should end. It is not so with the Communists.

When American, South Korean, and other U.N. forces threw back the third Chinese spring offensive in 1951, with staggering Chinese casualties, the Communists indicated a willingness to negotiate. Thereupon, instead of keeping up the military pressure which had brought them to the conference table, the U.N. forces were ordered to halt their drive. Some officials thought that the war phase had ended and that the negotiating phase had begun.

Optimists thought we might get an armistice agreement in 3 weeks; pessimists thought it might take 6. No one imagined it would take more than 100 weeks. But once American forces let up their military pressure, the Communists proceeded to drag out the negotiations, trying to win at the bargaining table far more than they had been able to win on the battlefield.

The moral of this story is that negotiation is not a substitute for pressure. On the contrary, pressure is part of the negotiating process. It is an old rule that a diplomat cannot be expected to win more at the conference table than his comrade in arms has won—or is clearly in a position to win—on the field of battle.

I see no reason to doubt the relevance of this principle in Vietnam. * * * Whether Americans understand it or not, the Communists know that the war in Vietnam is part of a negotiation that has been going on for 20 years and will continue as far ahead as anyone can see.

CONSTRUCTIVE PROPOSAL FOR SUPERSONIC AIRLINER

Mr. PROXMIRE. Mr. President, I have been concerned and I know that other Senators have been concerned for some time about the billion-dollar cost of a Federal subsidy for the development of a supersonic airliner.

Some airline experts now contend that these supersonic airliners would permit the most profitable operation in aviation history within a very short time. The supersonic airliner will make immense returns to the big airline companies of the world.

I believe that with this in mind some method other than direct and complete subsidy of the supersonic airliner development should be seriously considered by Congress. I am delighted to see that this has been proposed by Ives, Whitehead & Co., Inc., a highly reputable Washington consulting firm, which has suggested that, instead of a direct subsidy by Congress, there be the creation of an organization similar to that of Comsat, the Communications Satellite Corp. This corporation would be created for the purpose of enabling the Government to guarantee this very risky but extremely important development without the necessity of providing the tremendous funds and huge subsidy involved in direct Federal Government research.

Mr. President, I ask unanimous consent that an article "U.S.-Backed Bonds for Jet Proposed," published in the New York Times of Monday, May 24, 1965, reporting this proposal, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S.-BACKED BONDS FOR JET PROPOSED—PRIVATE FINANCING IS URGED FOR SUPERSONIC AIRLINER

(By Evert Clark)

WASHINGTON, May 23.—A possible answer to the problem of financing the development of a supersonic airliner was offered today by a Washington consulting concern.

Basically, it calls for private financing guaranteed by the Government, rather than public financing through Congressional appropriations.

Congress would create a Government corporation to raise money through the sale of securities and to oversee the plane's development.

The President would appoint five directors, subject to approval by the Senate. The corporation would exist only until the plane was ready to be produced in numbers.

Among the many plans already discussed and discarded for developing the superjet is the creation by Congress of something like the Communications Satellite Corp., or Comsat.

SEEKS A PROFIT

Congress created Comsat in 1962 to establish a space communications network. But Comsat sells stock to communications companies and the public, seeks a profit, and will stay in business indefinitely to help operate the network.

Details of the plan suggested today are being made known to leaders of the Government, the financial community and the aircraft industry by its authors Ives, Whitehead & Co., Inc. The company prepared the plan with its own funds, apparently hoping that its services would be needed if the plan was accepted.

The plan appears to overcome two of the biggest objections to the official plan now proposed by the Government.

One is the need for Congress to appropriate more than $1 billion over the next few years to help build what essentially will become a commercial product. The other is the industry's resistance to risk-sharing formulas suggested by the Government.

KENNEDY'S DECISION

President Kennedy decided in 1963 that it was in the national interest for the Government to help underwrite development of the plane because private industry could not finance it alone.

Under this plan, all the Federal development funds eventually would be repaid. But more pressing technical and administrative problems have kept Government officials and their advisers from resolving details of this plan to the satisfaction of both the Government and the industry.

Questions have been raised as to whether the public and Congress should, or would, advance $1 billion or more toward the long-range gains in aviation leadership and economic returns promised by the airliner.

The new plan would have the Congress establish a small corporation of perhaps 200 employees, called the SST (Supersonic Transport) Development Corporation. It would centralize the supervision of the project in one agency, instead of several as at present.

Fifteen-year guaranteed development bonds, with an interest not to exceed 4 percent a year would be issued for public sale in series as the work progressed.

ADVANCE ROYALTIES

Revenues also would result from advance royalty payments as the airlines ordered planes, from "use" tariffs charged later on passengers and cargo, and from manufacturers' payment of a predetermined percentage of profits on sales of the planes.

If production was finally ordered, the manufacturers would form a private SST production corporation, entering an exclusive, long-term production and management contract with the development corporation.

The production company would gain all assets such as patent rights and would in turn assume the development company's liabilities by offering its own mortgage bonds for development bonds.

In return for such things as patent rights, the production company would pay a predetermined percentage of profits earned each year on the planes until the development bonds had been retired.

RUBEN LEVIN HONORED BY WISCONSIN UNIVERSITY FOR GREAT CONTRIBUTION TO LABOR JOURNALISM

Mr. PROXMIRE. Mr. President, an outstanding newspaper editor was recently honored by the University of Wisconsin for his great contribution to labor journalism.

The recipient of the honor was Ruben Levin, editor and manager of Labor, a weekly newspaper owned by 18 unions in the railroad, airlines, and related transport fields.

The University of Wisconsin cited Mr. Levin as an "outstanding leader in the labor press field" and described Labor as one of the "oldest and best known labor newspapers."

I add my praise to that of the University of Wisconsin's, both to Mr. Levin and to Labor.

I ask unanimous consent to have printed at this point in the RECORD an article entitled "University of Wisconsin Honors 'Labor' and Editor," from the May 22, 1965, edition of Labor.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNIVERSITY OF WISCONSIN HONORS "LABOR" AND EDITOR

Labor newspaper and its editor, Ruben Levin, were honored with a testimonial and a citation at the annual journalism institutes of the University of Wisconsin, held last week in Madison, Wis.

The testimonial said that the university recognizes "the distinguished service of Ruben Levin to the profession of journalism." It was signed by President Fred Harrington of the University of Wisconsin, by Dr. Ralph O. Nafziger, of the school of journalism, and by the president of the board of regents.

Read by Dr. Nafziger at a dinner climaxing the institutes, the citation referred to Levin as "outstanding leader in the labor press field" and as editor of one of the "oldest and best known labor newspapers," with 700,000 readers in the United States and Canada.

Also, the citation paid tribute to "your contributions in telling labor's story to the American public, raising the standards of the workingman * * * and devotion to our free enterprise economy."

The testimonial and citation were authorized by the university's regents and recommended by the faculty of the school of journalism.

Mr. PROXMIRE. Mr. President, I yield the floor.

DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. TYDINGS. Mr. President, I rise to speak about the District of Columbia budget.

The Senate District of Columbia Committee, of which I am a member, and the District of Columbia Appropriations Subcommittee, of which I am a member ex officio, have recently completed hearings on the problems of the city of Washington.

The District Committee, under the most able and dedicated chairmanship of the senior Senator from Nevada, has delved extensively into the problem of crime in the District of Columbia. The members of the committee have heard the District Commissioners, the police chief, representatives of the court system and of public and private social service agencies, in an attempt to construct a program to combat crime in the District.

During the course of the crime hearings, it has become evident, from the testimony of witness after witness, that the most effective way to fight crime is to strike at the roots of crime. Misery, poverty, discrimination, joblessness, hopelessness, and the complete breakdown of the family as a functioning unit are the causes of antisocial behavior. These are the root causes of crime.

At the same time that the District Committee was studying ways to combat crime, the District of Columbia Appropriations Subcommittee was holding hearings on other District problems. The Appropriations Subcommittee, under the chairmanship of the hard-working and able junior Senator from West Virginia, whose knowledge of the fiscal affairs of the District is certainly no less than encyclopedic, has heard testimony about many of the unfilled social needs of the District.

Testimony of the witnesses before the committees made one see very clearly the link between the question of appropriations and the question of a rising crime rate.

There are those who would blame the courts of the District for the crime in this city, with the charge that the courts are too lenient. One need not agree with every decision of the U.S. Court of Appeals to perceive the fallacy of this charge.

The fact is that those convicted of crime in the District of Columbia on the average, serve more severe sentences than in any neighboring jurisdiction.

The median time served by those convicted of homicide in the District of Columbia in 1960 was 83.6 months. The comparable figure for other surrounding States was Maryland, 31.6 months; Delaware, 78 months; Virginia, 51.9 months; and West Virginia, 66.8 months.

The comparative figures for other crimes show a similar pattern. I ask unanimous consent to have printed at this point in the Record a table giving these figures.

There being no objection, the table was ordered to be printed in the Record, as follows:

	Median time served (in months)		
	Robbery	Assault	Burglary
District of Columbia	45.8	31.8	29.0
Maryland	29.4	8.4	15.8
Delaware	32.0	13.2	13.3
Virginia	48.3	16.2	24.6
West Virginia	46.3	31.5	20.5

Mr. TYDINGS. Mr. President, the figures show that the median time served by convicts in the District was the same or substantially higher than in the surrounding jurisdictions.

Therefore, we must look deeper than the courts to find the causes and cure of crime.

Many of the young people who get into trouble—and 58 percent of major crimes are committed by those 21 and younger—have never had the advantages which most Americans take for granted. In a random sample of 100 juveniles referred to the District of Columbia juvenile court in 1964, only 38 percent were living with both of their parents. Many of the young people who have become enemies of society have done so because they became convinced that society is their enemy.

Imagine a child coming into the world unloved. The only thing that he means to the family into which he is born is another mouth to feed. His parents are poor. Their lack of education or the color of their skin makes it difficult for them to find decent employment. All too often, the family—or what family unit there is—disintegrates; the child is raised by only one parent, and sometimes by neither parent.

He learns early the feeling of hunger, of loneliness, of deprivation in a world that seems well off and neglectful of his predicament. This is the child who has a good chance of becoming a delinquent—no, let us not mince words, a criminal.

If we had acted sooner, if we had realized the unfilled social needs of the District, our streets would be safer, and the lives of so many of the young people of our capital would be more meaningful.

And this is where the question of appropriations becomes pertinent. Too often we respond to the problem of crime by appropriating more money for policemen and police dogs and penitentiaries. These are needed. I support additional appropriations for the police department. But they are at best only a temporary solution. Like an aspirin, they deal with the symptoms and not the causes of disease. We must begin to attack the social virus that infects this city, and not merely try to block out the headache it causes.

EDUCATION

Education is the key to achievement in our society. Yet many of the schools in the District are simply a disgrace. In order to break the cycle of poverty for the children of poverty in this city—or in any other city—the schools must provide many of the things which the homes are lacking. As Mr. Hansen, the District School Superintendent has said, the slum schools should be the best in the city, rather than the worst.

We must realize that many of the children whom we are attempting to reach come from homes where there is no respect for learning, no appreciation of the importance of acquiring knowledge. If the children of such families are to be prepared to hold decent jobs and break the cycle of poverty and ignorance, their schools must be well equipped, with adequate libraries and staffed with dedicated teachers who will kindle and nurture the young person's desire to learn.

When the senior Senator from Oregon recently visited the Shaw School, he focused the attention of the citizens of the District on the deplorable conditions of Shaw.

I support the District Commissioners' restoration request for funds for a replacement for Shaw School, as well as the entire education capital outlay request of $6 million. In addition, I support their request for $1.2 million for education operating expense. This latter item, if appropriated, will provide additional teachers, librarians, counselors, and library books, for the children of our Nation's Capital.

I would also urge this body to provide additional librarians and speech teachers for the Washington schools, and to support a larger Capital building program than that envisioned by the restoration request. I believe that this body should provide funds for several additional projects which were originally requested of the other body but denied, and which do not appear in the Commissioner's restoration request.

These would include projects in connection with the West Elementary School, the Walker Jones Elementary School, the Hine Junior High School, the Browne Junior High School, the Terrell Junior High School, and the Sharpe Health School. These projects would total $3.5 million.

Mr. President, I cannot emphasize too strongly that the money spent for educational building programs is more of an investment than an expenditure. It is an investment in the future of the children of the city of Washington, an investment which will pay large dividends, we can each imagine the social benefits to be obtained by helping young people to learn. But from a practical financial point of view, an investment in education is one of the best that we can make.

There are those who think that one of the primary reasons for the prosperity of this country today is the investment we made in the GI bill of rights after World War II. We believe that for every dollar of investment we made the return has been tenfold. I feel the same way about the investment in education for the children of the District of Columbia.

As part of the supplemental appropriation request for police protection, there is a request for $1,388,000 for additional overtime for the police force. The request for the Shaw School is $1,295,300. Is it not possible that if the school expenditure had been made earlier there would be less need for the additional policemen today?

I speak of the children this afternoon, because it is they who will benefit from any enlightened social policies which might be adopted for the District of Columbia. Many of the parents are perhaps too uneducated, too discouraged, too tired, or perhaps too irresponsible, to rear their children properly without the assistance of our society. We can help the children of these parents, help them to grow into honest, decent, responsible citizens, or we can refuse to help the children. We can accuse the parents of irresponsibility—in many cases they are irresponsible—and make the children suffer as a result, but I submit this body does not want to do that.

BIRTH CONTROL

The distinguished junior Senator from West Virginia [Mr. Byrd] has encouraged the development of programs of birth control for the medically indigent of the District. I am happy to support such a policy. It is my feeling that many of the problems of crime in the District are traceable to broken homes, one-parent homes, and too many unwanted children. By providing birth-control information and devices for the poor of the District, we are simply allowing them to share in the knowledge that most of us in our affluent society have had for many years.

I would support a fourfold increase in the proposed birth control clinic program for the District, which means four clinics instead of just one. Dr. Grant, the District Health Officer, testified during the budget hearings that four clinics would provide him with the equipment to mount an extensive program of birth-control assistance for the medically indigent. The cost of three more clinics is $188,000. In terms of the need, and the benefits to be obtained, this is a trivial sum.

RECREATION

I would propose that we restore the cuts by the other body in the capital expenditure for additional playgrounds and recreation areas in the District, for the children of this city, whatever their backgrounds. In this connection the John F. Kennedy Playground, in the midst of an area of poverty and deprivation, deserves special consideration. It might seem to be an expensive playground to maintain, but with more than 1 million children using the playground in the past 11 months, it is the least expensive playground in Washington, in terms of cost per child. The area in which the Kennedy Playground is located presents us with a dire need for recreational facilities. I would respectfully request that we respond to that need.

Mr. President, I have spoken of areas in which we might, by judicious expenditures, aid the children of the District and at the same time aid in the fight against crime.

AID FOR DEPENDENT CHILDREN

I would add one more area of need, a need which the other body has elected to fill. I most earnestly suggest that this body retain in the budget the $340,000 for aid to dependent children of unemployed parents.

I have spoken at some length of the need to help the children of the District, of the need to provide these children with decent education and recreational facilities, as a means of helping them to attain a better life than their parents. This is the single most important thing that we can do for future generations of Americans, to give them a chance at a better life. No matter what sort of people the parents are, we must strive to help the children. We may speak of better educational and recreational facilities—but the child who is hungry, who is deprived, is not going to be a very apt pupil, or a happy playmate.

We must provide aid to dependent children of unemployed parents, because the children are in need—regardless of whether the parents are irresponsible. Indeed, aid to children of the unemployed will help to promote more stable and responsible parents, our present rules force parents to abandon their children, so that their children may receive subsistence.

We should all be clear that aiding the unemployed does not mean that we must abandon a man-in-the-house rule. I support such a rule, if reasonably applied. In those circumstances where a promiscuous woman continues to bear children who require welfare assistance we should meet the needs of the children by furnishing the money for their support through another more responsible adult, not by cutting off these children's food in a misguided belief that it will reform their mother. The District of Columbia Welfare Department already has procedures to channel aid for dependent children through relatives or friends.

Mr. President, I am a very new Member of this body. I am a very junior ex-officio member of the District Appropriations Subcommittee, and the most junior member of the District of Columbia Committee. I have been moved to speak about the needs of the children of the District simply because those needs are so great. We have to act as city councilmen for Washington as we consider these needs, because, regrettably, the citizens of the District have yet been accorded local self-government.

As we consider the very justifiable requests for additional police protection, it would be inexcusable if we were to neglect the equally justifiable programs of health, education, recreation, and welfare, which will reduce the District's crime rate, and at the same time make life in our Nation's Capital more meaningful for all of Washington's residents.

Mr. President, I ask unanimous consent to have printed in the RECORD as part of my remarks a memorandum about the District of Columbia budget, item by item, which I have sent to every member of the District of Columbia Appropriations Subcommittee.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON THE
DISTRICT OF COLUMBIA,
May 17, 1965.

MEMORANDUM

Re District of Columbia appropriations.
From: Senator JOSEPH D. TYDINGS.

The purpose of this memorandum is to set forth those items which I believe we should restore or add to the District of Columbia appropriations bill, as passed by the House. I have attached, as an appendix, some of the best materials from the hearings.

At the same time that the Appropriations Subcommittee was holding hearings on the District of Columbia budget, the Senate District of Columbia Committee was holding hearings on crime in the District.

During the District Committee hearings, the District Commissioners, the Chief of Police, and others explored ways of reducing the crime rate in the District. It was agreed that there was a need for a strengthening of the police force. But the crime hearings also brought out the necessity for mounting a broad-based program to fight crime. The cause of crime is deeply rooted in the social problems of the District.

I would propose that we seek to appropriate sufficient funds to alleviate the District's problems of education, health, and welfare, as an important part of a broadly based program to combat crime in the District.

The House cut the District of Columbia appropriation request by $31.1 million. Of this amount, $23.4 million was requested for capital outlay (primarily schools) and $7.7 million was requested for operating expenses (again, mostly schools).

The Commissioners have revised their budget and requested that we restore only $9.8 million of the House cut.

In my judgment, we should in some cases restore more than this revised request, at least for the purpose of having a better negotiating posture with the House. In other cases, I feel the budget should be reduced substantially. I refer particularly to the requested appropriations for the acquisition of highway rights-of-way and planning where final routes have not been selected, and where the program is not integrated with the proposed new transit system. Needless to say, any net increase in appropriations will require a corresponding increase in the Federal payment.

I. EDUCATION OPERATING EXPENSES

The Commissioners requested $77,984,000. The House cut this by $3,744,000. The Commissioners request that we restore $1,205,000. I support this request.

This will enable the District of Columbia to hire 27 additional full-time teachers, 72 additional summer school teachers, 28 librarians, 58 full-time counselors and guidance workers, 20 summer school counselors and guidance workers, $80,000 worth of library books and supporting administrative and custodial services.

In addition, I would give the District of Columbia schools the following items which appeared in the original budget presented to the House, but were not included in the revised budget:

14 speech teachers.................. $84,840

(The District of Columbia originally asked for 28, the House allowed 5, the revised request adds 9, this would restored the full 28 originally requested.)

I believe we need this because if the children of the District are to become adults capable of getting and holding decent employment, they will have need for proper speech habits. Many of the children of the District must depend on the school to teach correct speech patterns, because their parents are lacking in education.

20 librarians......................... $80,800

(The District of Columbia originally requested 71 librarians, the House allowed 23, the revised request restores 28, this would restore the 71 originally requested.)

I believe we need these additional librarians because the District school system is now woefully short of library space and personnel to operate libraries. We should provide at least as many librarians as there are libraries in the school system.

II. PARKS AND RECREATION OPERATING EXPENSE

The Commissioners originally requested $11,087,000 for parks and recreation. The House allowed $10,555,000, a reduction of $532,000.

The Commissioners have requested a restoration of $109,000. I support this restoration request.

The largest portion of the requested increase is for the JFK Playground. As you know, the President wrote Senator BYRD, requesting restoration of these funds. I have visited this playground, and am convinced that we need more recreation facilities of this kind, not fewer. This playground is one immediate, tangible way to reduce delinquency and crime.

In addition to the requested restoration of $109,000 I would give the District of Columbia the following items which appeared in the original budget presented in the House, but were not included in the revised budget:

3 additional roving leaders and supporting clerk and supplies.......... $21,683

The roving leaders have proved most helpful in dealing with the youth gangs in the District. There are only 12 roving leaders in the District of Columbia. I believe the three additional leaders would be of great assistance in the fight against crime.

III. HEALTH AND WELFARE OPERATING EXPENSES

The Commissioners originally requested an appropriation of $81.3 million. The House allowed $79.5 million, or a cut of $1.8 million. The restoration request: $875,000.

I would very much hope that we could sustain the full House allowance and restore the $875,000 as well.

By far the most controversial item here is aid for dependent children of unemployed parents. (ADC–UP). The House allowed $341,753 to operate this program for the 6 months beginning January 7, 1966. I think we must do whatever we can to keep this item in the bill.

The requested restoration of $875,000 would: (1) enable the Department of Health to increase the nursing staff at District of Columbia General Hospital, supplement the existing school nursing program and (most important) allow a much-needed increase in the payment which the District of Columbia makes to contract hospitals for providing care to indigents. (2) Add 38 new positions in the Child Welfare Division of the Welfare Department in order to enable the Department to find and service foster homes; provide counseling services to families; and to provide additional care for the dependent and deliquent children. These additions will enable the Welfare Department to provide an alternative to Junior Village, and the deadening effects of institutional care.

The District of Columbia Health Department requested from the House the sum of $62,411 to set up a full-time birth control clinic. At the present time the birth control program is handled by physicians who also work in the obstetrical program of the health department. The House granted $50,526 for three nurses, three medical aids, and birth control supplies, but it deleted funds for a physician to head the birth control unit.

The Commissioners have requested that the Senate restore the sum of $11,885 to enable the Health Department to hire a physican to head the birth control unit. This is a most worthwhile request. It is obviously inadvisable to establish a birth control clinic without a physician in charge.

During the hearings on the health department request, Dr. Murray Grant, the director of the department, testified that though the one clinic could do a creditable job of providing birth control services to the medically indigent of the District, four clinics were actually necessary to provide birth control services to all those who request them. Therefore, I strongly recommend that we add the sum of $187,233 to the Health Department budget for the establishment of three additional birth control clinics.

It seems to me that this is one of the answers to many of the problems of the District: the welfare crisis, the congestion of center city, the poverty, the rootlessness. Money spent for adequate birth control services represents one of the most important items in the District of Columbia budget.

There is, in my judgment, an opportunity to reduce expenditures in the welfare area by cutting the number of welfare investigators. As brought out at the hearings, the work of these investigators is a complete duplication of work already done by case workers. Moreover, the excessive number of inspectors has caused a bad morale situation within the Department of Welfare. There are currently 77 authorized investigators but only 58 of the positions are filled. Baltimore, with a population of over 925,000 has 12 investigators. Cuyahoga County, including all of the city of Cleveland, has 11. New York City has 19. Philadelphia, Pittsburgh, and Boston have none.

I think we could safely cut back to 25 authorized investigators and correspondingly reduce supporting clerical and supervisory personnel. This should reduce the cost of the Investigations and Collections branch from $820,000 to approximately $545,000, thus saving $275,000.

IV. CAPITAL EXPENDITURES

The District of Columbia originally requested $73.9 million for capital outlays. The House allowed $50.5 million, a reduction of $23.4 million. The Commissioners have requested a restoration of $7.7 million.

(a) Education: The Commissioners have requested a restoration of $6,001,650. I support this request. Education is, in my judgment, the key to the problems of the District. Crime, unemployment, welfare, dependence, all have their roots in inadequate education. The Commissioners' restoration request would provide the money for site acquisition and plans and specifications for a new Shaw Junior High School, in addition to several other worthwhile and necessary school construction projects.

In addition to the requested restoration, I think we should provide the funds for several projects which were originally presented to the House but rejected there. These include the West Elementary School addition, the Benning Elementary School replacement, site acquisition for the Walker-Jones Elementary School, and the Terrell Junior High School; plans and specifications for additions to the Browne Junior High School; site acquisition, plans, and specifications for an addition to Hine Junior High School; and an addition to the Sharpe Health School. These projects will total $3,500,000.

The condition of the schools in our Nation's Capital are a national disgrace.

(b) Health and welfare: The Commissioners' restoration request totals $1,682,350, which includes a preliminary survey for community health centers, a new food distribution system for District of Columbia General Hospital, a school building at Junior Village, a shop building at the Cedar Knoll School, and repairs at Maple Glen and Cedar Knoll schools. I support each of these requests.

(c) Parks and recreation: If we truly wish to make the District a model city, we must provide the recreational and community service facilities necessary for the children of Washington.

I propose that we add the sum of $453,600, which the House deleted from the Commissioners' original submissions, and which was not included in the restoration request, for additional playground and community center plans, specifications, and construction.

The $436,600 would provide funds for the Wheatley Playground, Langdon Park Playground, Park View Playground, North Michigan Park Playground, Arboretum Playground, Chevy Chase Community Center, Hearst Recreation Center, and several other proposed recreation projects on a smaller scale.

(d) Highways: The House included in its appropriations funds for acquiring the rights-of-way for highways whose plans have not been approved or integrated with the proposed new rapid transit system. I would delete the following items from the highway fund appropriation:

Contract plans and specifications for the north leg, west section of the Inner Loop Freeway, $110,000.

Acquisition of the right-of-way for the center leg of the Inner Loop Freeway, $900,000.

Acquisition of the right-of-way for the Potomac River Freeway, $1,600,000.

Acquisition of the right-of-way for the north leg, central section of the Inner Loop Freeway, $1,200,000.

Acquisition of the right-of-way and contract plans and specifications for the Northeast-North Central Freeway, $520,000.

The Commissioner's authority to request appropriations for these projects is unclear. I have attached, in the appendix, a statement of the Comptroller General, that it would be "more appropriate" if the Commissioners were to seek authorization for these expenditures from the respective District Committees before seeking appropriations. Also in the appendix is a statement by the committee of 100 on the Federal City concerning the highway budget.

Moreover, I have serious questions concerning the last two projects. The North Leg, Central section of the Inner Loop does not seem to be satisfactory in its present form. It would destroy both upper income and slum housing in the Dupont Circle area. If and when the necessity for such a freeway is finally established, a tunneled highway, requiring less destruction of property, should be given primary consideration.

Concerning the last item, I have very strong feelings. This proposed freeway is to interconnect with a throughway in my own State of Maryland. I do not believe that the need for this freeway has been sufficiently justified. Further, I do not believe that the proponents of this proposed freeway have made plans to integrate their highway plans with the proposed District rail rapid transit system. As a Senator from Maryland, I do not believe that this freeway should be thrust up to the Maryland border at this time.

V. POLICE FORCE

The President has proposed a supplemental request to strengthen the District police force. This amendment would appropriate: $1,388,000 to create 235 temporary police positions to preclude additional overtime for the present force; $78,000 to hire 50 school crossing guards, and relieve police officers of school crossing duty; $139,000 to purchase 36 additional patrol cars; $214,000 to finance a new planning and development bureau in the police department; $60,000 to expand the use of two-way radios by foot patrolmen.

I support this request.

Summary of proposed amendments to House-passed budget

		J.D.T.	
		Add	Delete
I. Education operating expenses:			
Commissioners' request	$77,984,000		
House cut	3,744,000		
Restoration request	1,205,000		
J.D.T. recommendation:			
Restoration request		$1,205,000	
14 speech teachers		84,840	
20 librarians		80,800	
II. Parks and recreation operating expenses:			
Commissioners' request	11,087,000		
House cut	532,000		
Restoration request	109,000		
J.D.T. recommendation:			
Restoration request		109,000	
3 roving leaders		21,083	
III. Health and welfare operating expenses:			
Commissioners' request	81,300,000		
House cut	79,500,000		
Restoration request	875,000		
J.D.T. recommendation:			
Restoration request		875,000	
Birth-control clinics		187,233	
Welfare investigators			$275,000
IV. Capital expenditure:			
Commissioners' request	73,900,000		
House cut	50,500,000		
Restoration request	7,700,000		
J.D.T. recommendation:			
Restoration request		7,700,000	
7 additional school projects		3,500,000	
Additional parks and playgrounds		453,600	
Highway planning and acquisition			4,330,000
V. Supplemental appropriation:			
Commissioners' request for additional police coverage	1,879,000		
J.D.T. recommendation		1,879,000	

The additions which I have proposed, over and above the restoration request of the Commissioners, together with the Commissioners' requests are needed desperately, if the District is to become a decent, safe, and healthy city, much less a model city. Health, education, recreation—these items are just as necessary as policemen, if we are to solve the crime problem. We must nip the antisocial activity in the bud, by reaching and helping the children of the District.

As to providing money for these increases, I would suggest that the District finance a larger percentage of its capital outlays, through borrowing from the Treasury. This would free a larger percentage of the annual revenue of the District, from taxation and the Federal payment, for annual operating expenditure.

Of cities approximately comparable to the District in 1963:

Baltimore financed 71 percent of its capital outlays by debt.

Cleveland financed 45 percent of its capital outlays by debt.

Houston financed 68 percent of its capital outlays by debt.

The comparable figure for the District was 23 percent.

Yet the District has authorization to borrow $175 million from the Federal Treasury, and has utilized to date less than $130 million. In addition, the Commissioners have pending in the House authorization to increase District taxes, and increase the Federal payment to $57 million. There is also pending authorization to borrow up to a sliding debt scale limit, which formula, if passed, will authorize debt limit of $293 million by 1971.

With the needs of the District so evident, we should appropriate sufficient funds to attack the District's problems. The money can be provided by appropriating the total authorized Federal payment, and by financing a larger percentage of capital outlays by borrowing up to the authorized limit of $175 million. If necessary, we should appropriate in anticipation of the additional revenue to be obtained by increased District taxation.

But whatever the means we choose, we cannot afford to allow the District to remain the Nation's stepchild.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. PROXMIRE. I congratulate the distinguished Senator from Maryland for the statement he has made. I agree wholeheartedly with what he has just said. I serve as a member of the Appropriations Committee and of the Subcommittee on the District of Columbia Appropriations. The Senator from Maryland has been a most diligent Senator and member of the District of Columbia Committee. As an ex officio member of the District of Columbia Appropriations Subcommittee, he has attended a number of sessions, perhaps more than any other member of that committee with the exception of the Senator from West Virginia [Mr. BYRD], who has shown remarkable diligence and has held hearings longer than any chairman of the Subcommittee on the District of Columbia Appropriations has in many years.

I wish to say a few things to express my concurrence with the distinguished Senator from Maryland. He pointed out that one of the most effective ways to prevent crime is to provide more adequate education. The Senator is completely correct. The overwhelming majority of the people guilty of crimes are people whose education has been deficient.

The distinguished Senator from Maryland gave statistics to show that far more than half of those guilty of crimes in the District of Columbia are 21 years of age or under; is that not correct?

Mr. TYDINGS. The Senator is correct.

Mr. PROXMIRE. I ask the distinguished Senator from Maryland whether I understand correctly that the number of teachers in areas which are peculiarly related to this problem, has been reduced by the House; and is it not also true that the number of counselors requested by the Department of Education in the District was reduced well below the request of Superintendent Hansen?

Mr. TYDINGS. The Senator is correct.

Mr. PROXMIRE. Is it not true that the counselors are particularly qualified to assist students in studying areas which will give them the skills that are needed and the jobs and income which will make crime most unlikely?

Mr. TYDINGS. Absolutely. They are vital in this particular area, as the Senator has so well pointed out.

Mr. PROXMIRE. It is not also true that the cuts made by the House would reduce the number of physical education teachers sharply below that requested by Superintendent Hansen?

Mr. TYDINGS. The Senator is correct.

Mr. PROXMIRE. This is an area in which, if a child has an opportunity to enjoy a supervised sport, if he has an opportunity to develop a skill, something like baseball, basketball—whatever it is, children of this kind who are involved in healthy, wholesome activities and have something to do, are far less likely to engage in crime.

Let me ask the Senator from Maryland two questions which have puzzled me and concerned me a great deal: Is it not true that if we are asked the question—where is the money coming from?—the answer is readily available? One of the answers is that the District of Columbia can afford to pay a somewhat greater tax than it has paid; and is it not also true that the District tax burden is less than that of many cities which have similar populations and problems in about the same dimensions?

Mr. TYDINGS. That is a fair statement.

Mr. PROXMIRE. In Milwaukee, for example, which is about the same size as the District of Columbia, taxes, on the basis of the analyses I have seen, are substantially higher. It is true that to meet these problems adequately is not cheap and easy. Not only is this true in Milwaukee, the biggest city in Wisconsin, but it has been documented in city after city after city in the country. The point I raise is that where people have the ability to govern themselves, because they elect their own city councils, which impose the taxes on themselves, they have chosen to be more generous with education and they have chosen to attempt to solve other serious problems in an attempt to prevent crime.

Mr. TYDINGS. I believe that is a fair statement. I thank the Senator from Wisconsin for his kind comments.

His work on the District of Columbia Committee has been an inspiration to me and to other Senators like myself who are new Members of this body. The Senator has had a long and sometimes lonesome fight in this area.

I believe that the Senator from Wisconsin has grasped the heart of the issue when he pointed to the field of education.

When we neglect the area of education, we compound the problem of the District. There is no question in my mind that education has been neglected in the District of Columbia. The distinguished junior Senator from West Virginia [Mr. BYRD] has fought for education and is fighting for it again this year. I hope that we shall be able to restore in the budget the various cuts which the House has made in the field of education.

I point out also that in this area the District of Columbia has not utilized its presently existing authority to borrow from the Federal Treasury for the building of schools. There is no reason why the District of Columbia should pay for as much of its school capital construction building program out of annual income as it does. Most cities of the size of Washington make much greater use of borrowing for capital expenditures.

In my judgment, the District should utilize its borrowing authority more, as do other municipalities.

I believe that there are areas, as I pointed out in my memordandum, where we can cut the budget of the District, as the General Accounting Office has pointed out. It is not wise policy to give the Highway Department millions of dollars to go ahead with plans for freeways which have not even been finally approved yet, or made part of an integrated transportation system, including the proposed rail rapid transit network. There are plans to connect some District highways with roads in my own State of Maryland, which roads have not been made a part of an integrated transportation system.

In my memorandum, I point out the number of areas where we can reduce the budget in other fields.

Mr. PROXMIRE. Let me ask the Senator one final question in another area, because there is a conflict in the Senate and a conflict in the Appropriations Committee on the issue. For the past several years we have tried hard to provide an aid-for-dependent-children program in the District for the people of the District. It failed by a few votes in the Senate. It did so last year and the year before.

With the addition of the Senator from Maryland and his fine fight in committee and elsewhere, I believe that we have an opportunity to get it.

As I understand, many of the children cannot be sustained at their home because of the administration of the welfare program without aid to dependent children. Many of them, in the absence of a program, are required to go to Junior Village. Junior Village is now greatly overcrowded. Junior Village, on the basis of testimony in committee now costs $297 a month for each child.

On the other hand, the aid-to-dependent-children program costs nationally around $32 to $35 a month. In other words, the cost of the present program is 9 or 10 times greater than the cost of the ADC program which would permit the child to stay with its own mother and in its own family, and permit the kind of family home life which every child needs, instead of having to go to an institution.

It is true that some families face very serious problems of adjustment, but it is hard for this Senator to understand how anyone can argue that an institution as overcrowded as Junior Village and all the problems which Junior Village has can really be a substitute for a child's own mother, ignorant as she may be, lacking as she may be in sophisticated training, still in the overwhelming majority of cases she will have the love only a mother can supply for her own child.

In most cases she will do everything she can to make something of her child even though her own education may be limited and even though her own opportunities may have been limited.

Mr. TYDINGS. I believe that the Senator has made a very important point. In a sense, by depriving these children of the right to grow up with their mother, we would be cutting off our nose to spite our face. The cost of taking care of the child—as the Senator has pointed out—would be much less than the $297 a month it costs to take care of a child in Junior Village. But that is the lesser cost. The real cost to society is the cost of the breakup of the family unit. When we take away from some child its only source of real love and attention, which the child needs, we automatically place that child on a path which may well lead to disaster in later years. Only gratuitous good fortune, or remarkable talents of the child, can prevent the child from ultimately becoming a seriously defective adult. Such defects of character which might be caused by institutionalization may well wind up costing society many thousands of dollars for police protection and penal institutions.

Every time a crime is committed, it costs society a great deal of money. Many times it may not be realized, but when we deprive a child of the benefits which only a family can provide, we are setting up a condition and an environment which may force that child down a road of no return. We cannot expect anything else. If, in a fit of self-righteousness, we penalize the child because we do not like the conduct of the parent, we may well be the cause of the child's future antisocial conduct.

As I have stated before, in many instances the parents are irresponsible, but I do not believe that we should penalize the child, because we do not approve of his parents. The child is a part of the family unit. Even if we do not approve of his parents' conduct, we should not lightly take upon ourselves the task of breaking up the family unit and sending the child to Junior Village, or some detention home. Once a child is placed on that road, a road which has no love, no guiding hand other than that of institutionalized care, that child has so many strikes against him, only a miracle can make him a normal adult.

The Senator from Wisconsin has made a very telling point. With respect to the actual cost, in dollars and cents, we are only kidding ourselves when we think we are saving the District of Columbia $340,000 in aid to dependent children, because in my opinion it will cost the District of Columbia many times that amount, in money for the upkeep of institutions, and in shattered lives.

RECESS UNTIL 12 O'CLOCK NOON TOMORROW

Mr. TYDINGS. Mr. President, in accordance with the previous order, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 50 minutes p.m.) the Senate recessed, under the previous order, until tomorrow, Tuesday, May 25, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 24, 1965:

U.S. Marshal

Charles B. Bendlage, Jr., of Iowa to be U.S. marshal for the southern district of Iowa for the term of 4 years. He is now serving in this office under an appointment which expired May 5, 1965.

Robert O. Doyle, of Georgia, to be U.S. marshal for the middle district of Georgia for the term of 4 years, vice Gibson G. Ezell, deceased.

Diplomatic and Foreign Service

Marshall Green, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Indonesia.

Joseph J. Jova, of New York, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Honduras.

Mrs. Patricia Roberts Harris, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

EXTENSIONS OF REMARKS

Station WEVD's Unique Series: The Jewish Home Show

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1965

Mr. MURPHY of New York. Mr. Speaker, under the leave to extend my remarks in the Record, I would like to commend radio station WEVD in New York.

Enormous attention has been focused in both the public and private sectors of our community on the war against disease and suffering.

Enormously expanded educational programs, increased research, extensive modernization and expansion of hospital facilities are all a part of this vitally important effort to combat illness. An interesting aspect of this problem has been the efforts of many of our radio and television stations in presenting programs of interest designed to increase the public awareness of the care and treatment of various illnesses.

In the forefront of this effort has been radio station WEVD in New York. Six years ago the station instituted what was then a unique series on "The Jewish Home Show." It provided a weekly program dealing with all aspects of the medical profession. The program was arranged in conjunction with the various medical societies in New York City.

The emphasis was on preventative medicine and a wide variety of public information was disseminated.

The host of this show has been Ruth Jacobs. Sholem Rubinstein has been the executive director and producer, while Violet L. Kanfer is associate producer. With great imagination and ability they have presented a truly outstanding series which has been applauded and honored by hospitals throughout the city.

WEVD pioneered in these medical broadcasts and many other stations subsequently developed regular series, all with the public well-being in mind.

On the sixth anniversary of these medical broadcasts, I would like to call them to your attention, salute them for their effectiveness, and laud them for their important role in our community.

Anniversary of the Independence of Israel

EXTENSION OF REMARKS

OF

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1965

Mr. OTTINGER. Mr. Speaker, 17 years ago, on May 14, 1948, a new state gained its independence and took its rightful place as a full member of the family of free and sovereign nations.

This was an independence which had been long sought, for which there had been bitter fighting and which was so richly deserved. The independence of Israel is the story of great determination and courage which lasted for over 2,000 years. During this period there was the continuing struggle of a people to reestablish their country on the site where their ancestors had lived, worked, and prayed. Always there was the one great resounding and unifying spirit—hatikvah—hope.

Israel's independence was gained with the sweat and blood of hundreds and thousands of Jews. Even after it gained its independence this country has had to maintain a continual vigilance against the harassment and aggression of its Arab neighbors. This did not deter them, however, as the Israelis have been steeled to this type of adversity. This strength and determination is exemplified by the term applied to people born in Israel before independence—sabrah—the thorny and tough bush indigenous to that area.

Also, constant intimidation did not hamper the fantastic growth and strengthening of this nation. In many ways Israel's struggle for independence and its growth parallels that of our own country. Perhaps the most noticeable similarity is the pioneering spirit which built our Nation and which is now a major factor in the development of Israel.

Israel is an oasis of growth, stability, and democracy in the Middle East. In a land which was once a desolate and barren desert new cities and flourishing crops now abound. Not only has Israel made great strides in its own economic development but she is now assisting other developing nations of the free world through technical assistance. This country has also become a focal point of culture and learning.

Thus, Mr. Speaker, it is with great pride that I join my distinguished colleagues in congratulating Israel on 17 years of progress. I wish her all success and good fortune for continued prosperity and growth.

High-Speed Transportation

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1965

Mr. ST. ONGE. Mr. Speaker, under leave to extend my remarks, I am inserting into the Record the text of a statement I submitted to the House Interstate and Foreign Commerce Subcommittee on Transportation and Aeronautics in connection with its hearings on legislation for research and development in high-speed ground transportation to improve the national transportation system.

My statement was as follows:

Statement by Congressman William L. St. Onge, of Connecticut, Subcommittee on Transportation and Aeronautics, House Interstate and Foreign Commerce Committee, Wednesday, May 19, 1965, Re H.R. 5863 and Related Bills

Mr. Chairman and members of the subcommittee, I am very grateful to you for this opportunity to present my views regarding the bill H.R. 5863 and related bills, which your committee now has under consideration. Your committee is acting with wisdom in considering this legislation and I feel certain it will reach a wise decision and recommendation.

This legislation would authorize research and development in high-speed ground transportation in order to improve our national transportation system. There is no question that improvement is needed; we are all agreed on that. The longer we wait, the more our transportation system appears to deteriorate. As the process of urbanization grows more rapid, the less our transportation appears to satisfy the needs of the Nation.

I am sure there is no need for me to retell to this committee the problem we have in New England and the northeastern part of the country, particularly in regard to the transportation difficulties encountered by the New Haven Railroad. To date we have still not solved these problems and there is no way of knowing when and if they will ever be solved.

In the last Congress, several Members of Congress introduced a resolution to grant the consent of Congress to eight Northeastern States to enter into a compact for the setting up of a multistate authority to operate fast passenger rail transportation service from Boston to Washington, by way of the State of Connecticut. I was one of the cosponsors of that resolution, but unfortunately no action was taken at the time.

This year, four of us in the House have reintroduced the resolution: the Honorable Robert N. Giaimo, of Connecticut; the Honorable Fernand J. St Germain, of Rhode Island; the Honorable William B. Widnall, of New Jersey; and myself. Senator Claiborne Pell, of Rhode Island, introduced the resolution in the Senate.

In his state of the Union address on January 4, 1965, President Johnson referred to the need for rapid transit in the Northeast. He said: "I will ask for funds to study high-speed transportation between urban centers. We will begin with test projects between Washington and Boston. On high-speed trains passengers could travel this distance in less than 4 hours."

I believe that the proposal contained in our resolution and the proposals in H.R. 5863 and related bills, which deal with the problem on a national scale, constitute a far-reaching approach and a practical solution to the problem of public transportation. The solution proposed in these measures would make possible fast and dependable rail transportation for the urban areas, where the need for this transportation is greatest. It would also help solve the constant problems and losses sustained by the existing lines operating in these areas, problems and losses with which they seem to be unable to cope.

Adequate passenger transportation service is essential to the welfare of the Nation, as well as to the areas directly involved. Unless this problem is solved quickly, unless fast and adequate transportation service is provided soon, the railroad crisis in this country will grow worse and all parts of the country will suffer economically. Industry will be affected. Retail business will be hurt. The whole business community will suffer. The public will be inconvenienced. In New England we may be threatened with the loss of more industries and with greater unemployment. This may be equally true in other sections of the country.

We cannot and we should not ignore this situation. For this reason, I wish to commend this Committee for its timely consideration of these measures. I look forward to your early and favorable action in reporting a bill which will be a definite step in the direction of a solution to the problem.

Hon. Harry F. Byrd Honored by Order of Fraternal Americans

EXTENSION OF REMARKS

OF

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1965

Mr. MARSH. Mr. Speaker, on Monday night, May 17, 1965, the Grand Council of the Order Fraternal Americans, at their State convention, honored U.S. Senator Harry F. Byrd, a distinguished constituent of the Seventh Congressional District of Virginia which I have the privilege to represent.

This well-known patriotic American organization conferred upon Senator Byrd the Outstanding Virginia Citizen Award as testimony to his dedicated service to his State and Nation. I should like to insert at this point in the Record the acceptance remarks made by Senator Byrd on that occasion:

Address by Senator Harry F. Byrd

I am greatly honored to be chosen by the Grand Council, Order Fraternal Americans, to receive your fifth Virginia Citizen Award and Citation.

You are an order of high purposes—a patriotic fraternal benefit society for the working men. Your motto is virtue, liberty, and patriotism. You are dedicated to community service.

And, I know the strict rules under which you give this award and citation to Virginians for "important contribution of service to community and State."

I think it would be appropriate for me to accept the honor with an expression of my deep gratitude to the people of Virginia for allowing me to serve them in State and national office for nearly 50 years.

And, along with this, I should like to say that, as a representative of Virginia in the U.S. Senate, I believe I owe my allegiance to the people of our Commonweath and to the Constitution of the U.S.—partisan political platform planks to the contrary notwithstanding.

I think the great and constructive development in Virginia can be attributed to our adherence to fundamentals as a basis for sound progress.

I watch closely the progress of Virginia. And, compared with national averages, there has been development in the State in which all of us can take great pride.

A few years ago a political opponent of mine made the mistake of saying Virginia was characterized by "dry rot." Facts and figures proved his statement was tommyrot.

If our faith in fundamentals makes us conservative, I am proud to wear the label. But we should be careful when we label people conservative, liberal, etc.

For instance, I have heard these labels defined like this: A conservative defends existing evils; while a liberal wants to replace existing evils with other evils.

Labels like these mean different things to different people. They remind me of the soldier who told the Army doctor he had a pain in his abdomen. The doctor said: "Son, let's get your trouble straight. Only officers have pains in the abdomen. Sergeants have pains in the stomach. You are a buck private, so you have got just a plain bellyache."

Webster says a conservative favors conservation of existing institutions and forms of government. I believe our form of government, with its institutional checks and balances, is the finest ever devised.

It was devised to safeguard our liberties through its dual system of State and Federal Government, and through its separation of executive, legislative, and judicial powers at each level.

This is the form of government that has nourished our competitive enterprise system. And it is the competitive enterprise system which has made sound progress possible.

I believe sound progress should be the primary purpose of every man's life—and the primary objective of all government—Federal, State, and local.

I believe progress is not sound if it is based on unsound financing. In Virginia, our financing is sound—without deficits or debt. And, our progress is solid.

I wish this were true in the Federal Government across the Potomac. Over there, they follow the advice of "brain trusters"—which usually winds up increasing Federal debt and concentrating power in Washington.

Sometimes I think "brain trusters" are people whose education does not include horsesense. (Horsesense is just stable thinking). They deal in theory until their theories are kicked out by facts.

When you analyze their theories, it looks like they are trying to tie a lot of holes together with a piece of string. Let me give you just a few examples.

They bring out monthly figures showing millions unemployed, which I want corrected. But in Washington they are proposing to repeal immigration quotas and let in more people to compete for the jobs we have.

They reduced expenditures to an increase of $2 billion over last year. They cut taxes to increase revenue. And the deficit was curtailed down to more than $5 billion.

What does all of this fiscal mumbo-jumbo add up to? They raised the debt limit to $324 billion to take care of the increase in revenue, and the so-called reduction in expenditures and deficit.

Deficits—you know—they are what you have when you've got less than nothing. And debt is what you have to pay interest on when you borrow money. Interest on the Federal debt is $11 billion a year.

Somebody figured that, paying at the rate of a dollar a minute, it would take 600,000 years to pay off the Federal debt as it now stands. But we aren't paying it off. We are adding to it.

The Federal Government has been in the red 29 out of the past 35 years. Continuing Federal deficits can breed inflation at home and lack of confidence in the dollar abroad.

The purchasing power of the dollar has dropped 55.6 cents since 1939. Gold backs our money. But instead of dollars, foreigners have been taking gold in payment of debts we owe them. Since 1949, they have taken nearly half of all the gold we had.

Legend makes a big thing out of George Washington throwing a coin across the Rappahannock River. But since 1945 we have thrown more than $115 billion over the seven seas in foreign aid.

And, as another example of what goes on in Washington, the so-called voting rights bill, now before the Senate, condones an eighth-grade voting test in New York, but it gives Federal registrars authority to qualify morons to vote in Alabama.

I could go on with examples of Federal prodigality and concentration of power through usurpation of the rights of States and individuals.

But I want to mention the world "liberty." I compliment you for including it in your motto. To me it is a word of special meaning, and I think it should be to all Americans.

We hear much talk these days about freedom—and I think there is more talk than thought. But we seldom find attention—or even lipservice—given to liberty.

Patrick Henry said, "Give me liberty (not freedom) or give me death." We refer to the great bell in Philadelphia as the Liberty Bell (not the freedom bell). The Statue of Liberty is in New York Harbor.

Our hymn "America" says "let freedom ring," but it calls our country "sweet land of liberty," and it pays tribute to "our Fathers' God", as the "Author of Liberty."

There is good reason to believe our Founding Fathers deliberately chose the word "liberty" for use in our basic documents, and elsewhere.

The preamble to the Constitution says a basic purpose for the formation of the United States was to secure the blessings of "liberty" (not freedom).

The second sentence of the Declaration of Independence holds that "life, liberty (not freedom), and the pursuit of happiness" are among the inalienable rights of man.

And the Declaration of Independence goes on to say "governments are instituted among men, deriving their just powers from the consent of the governed." And, we, the people, are the governed who delegate powers to the government.

It is clear to me that the Founding Fathers understood the word "freedom" to carry the connotation of unrestrained * * * and that they understood the word liberty to mean freedom restrained by the responsibilities of citizenship, and orderly self-government, under law.

We are in a new era of atomic energy, rockets, and space. We have the capacity and know-how for development. We are a God-fearing people who have demonstrated our courage and capabilities.

With responsible citizenship, responsible Government, fiscal soundness, and adherence to the principles of our system there should be no fear for the future.

Without these, there will be neither solid progress, nor security with military preparedness. I want the life of this Nation to be the longest and best in history.

I commend the Order Fraternal Americans for its dedication to virtue, liberty, and patriotism. I take this gratifying occasion to rededicate myself to your ideals.

Thank you, and you have my very best wishes.

The AID Research and Analysis Program

EXTENSION OF REMARKS

OF

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1965

Mr. BROWN of California. Mr. Speaker, if the widening of the economic gap between the have and the have-not nations is to be reversed, we must bring to the development of these nations the catalyst of scientific research and development, a catalyst that has spurred our own economy so significantly in the past 20 years. We must use science to leapfrog many of the stages of economic development and to bring the less-developed nations quickly into the modern world, a world, after all, that depends on science and technology for its economic progress.

Recognizing this, the 87th Congress wrote into the Foreign Assistance Act provision for an appropriation for research and analysis. Under this authorization, pioneering work is being carried on by the Agency for International Development aimed at bringing the power of modern science to bear on the complex problems of the less-developed world. Since then, a research program has been developed in AID which spans the broad spectrum of scientific and economic research, from public health to the study of social change, from agriculture to systems analysis, from research on material resources to the development of better education techniques.

One of the major areas of AID research is directed toward that most fundamental problem, the shortage of food. It is a problem whose priority rests not only on humanitarian grounds but also on the fact that economic and social development is firmly linked to the adequacy of nutrition. Whenever the quantity and quality of nutrition is raised, there is an almost automatic increase in productivity, in the effectiveness of education, and in the intangible but all-important spirit of progress. Research on agricultural production is thus a justifiably important phase of AID's program.

One of AID's most dramatic agricultural research efforts is aimed at eradicating the tsetse fly, the carrier of trypanosomiasis infection in both animals and humans; it thus has implications as important to public health as to agriculture. The widespread presence of the tsetse fly in Africa severely limits the utilization of land for agricultural purposes, and the use of insecticides is very expensive and generally impractical. As a result, vast areas of Africa's arable land are today unused, solely because of tsetse fly infestation. An AID research program, conducted through AID financing of U.S. Department of Agriculture scientists, is aimed at developing a method of eradicating the tsetse fly from large areas of Africa. Using techniques of chemical sterilization of the flies originally developed to eliminate the cattle screw-worm in the United States, these scientists have achieved highly promising results and are soon to launch a comprehensive field trial in southern Rhodesia. The results to date show promise that this project may lead to one of the major research achievements of this decade.

Another AID project in agriculture, again executed for AID by the USDA, is showing the potential of making cereal crops in Africa vastly more productive. This program, begun 2 years ago, is attempting to raise the yield of corn, millet, and sorghum, the basic staples of a broad belt of African nations. Results already have yielded an increase in the productivity of corn in experimental plots in Kenya from 25 bushels per acre to almost 200 per acre.

Attacking the problems of agriculture through increased acreage and improved crop yields is not sufficient, however. Recognizing this, AID is sponsoring a number of studies on the economic, political, and social aspects of agriculture. The most comprehensive program in this area is with the University of Wisconsin, whose land tenure center has been created through AID support to examine the vital problem of land reform in South America, in terms of the legal, political, and social systems which are making land reform more or less workable. Field work has been carried out in eight Latin American countries, dozens of Latin American and U.S. scholars have become engaged in attacking these problems, and most important, the findings of these studies are being used by agrarian reform planners in Colombia, Costa Rica, Chile, and other Latin American nations. Possibly the most profound result of the land tenure program is the fact that Latin Americans associated with the program are increasingly being placed by their own countries in policymaking positions.

Another area where both basic human needs and economic necessity compel AID's attention is in the field of public health. Here, AID research is supporting the worldwide effort at malaria eradication. This eradication effort, executed through AID's technical assistance program and the World Health Organization, has had some momentous successes: in India, the number of malaria cases per year has been reduced astonishingly, from over 100 million to less than 100 thousand cases per year. The activities of AID-supported research have not only increased the effectiveness of the eradication program but have resulted in annual savings of over $3 million. In addition, AID research, through an agreement with the U.S. Public Health Service, is initiating a program to discover methods for eliminating the last insecticide-resistant areas of malarial infection. So long as such focuses of resistance exist, the disease can sweep back, at any time, to again subjugate the tropical countries of the world; it is the aim of this research to make available the tools for the complete eradication which is necessary. Thus, a small problem of today is being prevented from growing into a major problem of tomorrow.

Another area of intense AID research interest is in enhancing the development of those human capabilities so essential to the viability of the less-developed nations. AID research has, for example, embarked on a pioneering program of mathematics curriculum development in the English-speaking countries of Africa. At this time, African children in over 400 schools are learning mathematics the modern way and with examples familiar to them, in a highly successful field test of teaching materials developed by Africans themselves, under the direction of a team of eminent researchers drawn from all over the United States. A similar program is underway in developing science curriculums. Through programs like this, AID is attempting to make it possible for the peoples of the less-developed world to leap, in one generation, from a primitive, preliterate way of life to the mainstream of modern society.

AID has learned, through its operations, that new agricultural methods, new technologies, new ways of doing many things will too often not "sell" themselves. It is true, of course, that even in the most advanced nations like the United States, where change is the way of life, long periods of time are needed for the farmers of a region to accept a hybrid seed, or for teachers to begin teaching math in a manner different from the way it was taught in 1800. The conditions which accelerate and retard the acceptance and disffusion of innovation are thus of vital interest to AID, and a number of studies relevant to this problem are being carried on.

I have touched on only a small sample of the many projects underway. Of particular interest to me are other projects on the development of foam plastics for low-cost housing, the use of new computer simulation techniques for sophisticated economic planning in order to maximize the usefulness of AID's resources and national resources, the role of universities in political change in Latin America, the impact of investments in housing, health, and other sectors on overall economic growth, the creation of high-protein food supplements, the development of national accounts systems in the less-developed countries, the rational planning of transportation, and a number of other important problems, including the evaluation of AID operational programs.

I need not elaborate or expand on these programs, for I believe it is already clear that AID is utilizing its very limited research resources in an imaginative and fertile way. I turn now to what I understand to be new directions for research in AID. Under the leadership of the Science Director of AID, Dr. John Wilkes, and with the guidance of the distinguished scientists on AID's Research Advisory Committee, chaired by Dr. Walsh McDermott, and of AID Administrator David Bell, new spheres of action are being defined for AID's Office of Research and Analysis.

First, there are new areas where modern science must be tapped for its contribution, among them population dynamics, where research on the acceptance of family limitation methods is urgently needed—and where the Catholic Church, particularly in Latin America, is taking the lead; food technology, where great potential lies for alleviating the earth's food shortage, through new preservation and storage techniques; power production and distribution, where nuclear engineering may free the power resources of nations from the limitations of natural resources, and thus provide the widespread powerbase that is essential to industrialization; and the development of a scientific capability within the less-developed nations themselves, so that the catalyst of science can eventually come from within.

And, second, there are new scientific approaches and technologies that should be of great use in solving the demanding, unusually complex problems of social and economic development. One of these techniques is advanced systems analysis, which my own State of California, under the imaginative leadership of Gov. Pat Brown, is utilizing to help solve several of its major economic and social problems. It has a unique applicability to many of the complex, multivariable problems of development, and I am pleased that AID research is so forward looking as to utilize the power of this new methodology to serve its ends.

Another area of clear applicability in which AID is becoming increasingly involved is the broad area of industrial technology. We are the most technologically advanced nation on the earth; let us, by all means, use this source of strength in our efforts to aid the less-developed world. It will, of course, be found here, as it has in other areas of advanced technology, that simple adoption of American technologies will often not succeed, that research on adapting them to the new conditions of other parts of the world will be required. But the scientists and engineers of this country are well equipped to address these problems of adaptation, if only they are mobilized. This mobilization AID will attempt to accomplish.

Finally, a third new era area of AID interest that is particularly exciting to me is the utilization of space technology. The ultimate implications of this field for the acceleration of development are staggering. I know that AID research is looking with interest at the potential of satellities for both meteorological and educational telecommunications purposes. One of the seldom realized facts about space technology is that, although the engineering development costs are high, the ultimate products may be very inexpensive compared to conventional methods of accomplishing the same objectives. In this instance, for example, local tie-ins with a world meteorological system can provide daily weather forecasts to the less-developed countries at extremely low cost. The effect of having such forecasts available will have an enormous impact in national planning and on many facets of a nation's economic life. Similarly the use of a satellite for broadcasting educational television programs over a wide geographic area could be far cheaper than the usual educational methods. Providing it is feasible to build an entire educational system around television—and the experience of the Department of the Interior in American Samoa indicates that at least under certain conditions it is not only feasible but effective as well—satellite broadcasting could make possible a dramatic upgrading and expansion, over whole continents, of basic education, adult literacy, vocational and skill training, and the communication of information of all sorts—weather, news, methods of agricultural practices, sanitation techniques, and so forth.

These efforts at using science for development of course cost money. The $12 million earmarked for research in this year's bill is a modest sum, indeed, considering the magnitude and scope of the problems that AID faces and the contribution that I believe scientific research can make toward solving those problems. The selection of areas of concentration made by the Office of Research and Analysis has been a judicious one, but it must be recognized that its limited funds have compelled a choice of only a minute number of the problems which it could fruitfully examine. Its $12 million is, after all, less than one one-thousandth of the Federal Government's annual research and development budget.

One of the effects of its modest budget is to prevent it from supporting any extensive engineering development work, or large-scale field trials of new techniques or technologies, or the kind of extensive survey research on the attitudes and motivations of the people of the less-developed countries that most experts agree is essential to development planning, or use of the pilot study approach of examining whole areas from a multidisciplinary point of view while making a comprehensive attack on development problems.

All these methods could, I am sure, prove themselves most useful in the fulfillment of AID's mission, were funds available; however, they are all of a character that makes them too expensive for the present budget of AID research. I should like to point out, however, a fact about the economics of science. American industry has learned in the last two decades that investment in research and development pays off handsomely. It is true that research and development is expensive, particularly in the areas of "big science," with its massive hardware of satellites, nuclear reactors, and such. However, the benefits of "big science" are more than commensurate with the size of the initial investment; and certain advances can be made only with bigness.

The AID research and analysis program has already demonstrated, within its more limited scope, the dramatic benefits that can accrue from an investment in research on the problems of the developing nations. As it continues to mobilize science in new ways, with huge potential good for the peoples of the world, I wish it well.

Cameron Voting Record

EXTENSION OF REMARKS
OF
HON. RONALD BROOKS CAMERON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 24, 1965

Mr. CAMERON. Mr. Speaker, my second rollcall report of the 89th Congress includes a discussion of these issues which have come before us: Congressional redistricting, Supreme Court salaries, District of Columbia crime bill, aid to elementary and secondary education, offensive mail, medical care for the aged and social security amendments, appropriations for an investigation of the Ku Klux Klan, and appropriations for the defense of South Vietnam.

ROLLCALL NO. 35 CONGRESSIONAL REDISTRICTING

Mr. Speaker, since the Supreme Court's one-man, one-vote decision there has been growing confusion in the States as court after court has attempted to rule on the validity of various redistricting plans. It was the Court's reapportionment decision that provided the impetus for House passage of H.R. 5505.

There is no question that there are gross population disparities among some of the Nation's 435 congressional districts, with the largest containing 951,000 persons and the smallest only 177,000. In many instances these disparities are a result of gerrymandering: carving up a State so that the political makeup of its congressional delegation is not an accurate reflection of overall voter registration.

Under H.R. 5505 not only will a more equitable population balance be achieved, but gerrymandering will become virtually impossible. The bill provides that no congressional district in a State may vary more than plus or minus 15 percent in population from the size of the average district. It also provides that districts must be contiguous and as compact in shape as practicable. States with congressional districts not meeting this criteria must redraw district boundaries by the time of next year's general elections. Although California falls into this group since 9 of its 38 districts fail to meet the population requirements, I am happy to note that the 3-to-2 ratio of Democrats to Republicans in the congressional delegation already mirrors my State's total voter registration.

As you are aware, Mr. Speaker, the bill passed the House on an unrecorded voice vote, the only actual rollcall being on a proposed amendment which would have allowed at-large elections of all Congressmen in States failing to meet the bill's criteria by 1966. I voted against the proposed amendment because in my judgment an at-large election in a State the size of California would be chaotic. No voter could possibly be familiar with more than a few candidates on such a huge ballot. I think we would find straight party-line voting and almost total victory for one party. Certainly this is not representative government. It would upset the existing situation in California where, as I observed a moment ago, the current congressional delegation properly reflects the registration ratio between the two parties on a statewide basis.

I did not want California to go through the same experience which befell Illinois in November. At-large elections for members of the State assembly required a "bed sheet" ballot, a ballot as large as a table. The election results took weeks to tabulate and created a chaotic condition. The proposed amendment to H.R. 5505 was therefore properly rejected.

Now that the House has taken firm action to regain the status of a representative body, I hope the Senate will act on the bill promptly and favorably.

ROLLCALL NO. 39: SUPREME COURT SALARIES

Mr. Speaker, no matter how one attempts to rationalize House action on H.R. 5374 it can only be interpreted as an act of vengeance on the Supreme Court because some among us do not agree with every decision that it hands down.

Intended to correct an injustice dealt the Court last year by the Senate when it failed to give Justices a salary increase similar to that which it gave itself, the bill endeavored to reaffirm House action which declared that Supreme Court Justices are entitled to the same pay raise as Congressmen.

I voted for the bill not because of the salary increase in terms of dollars, but because the integrity and independence of the Supreme Court was at stake. Justices will not suffer greatly because Congress refused to give them a raise equal to that of other high-ranking Government officials. But the very fact that the salary of the Justices should be dependent upon congressional approval of their decisions is a direct and dangerous blow at the concept of the separation of powers among the three branches of Government.

When there is honest disagreement with Court decisions there are legitimate ways to correct the situation—either by statute or by constitutional amendment. But I submit that it is not legitimate to show displeasure with Justices by trying to hurt them financially.

Carried to other extremes this policy could result in a majority of the Members of Congress cutting the salary of the minority when it failed to support a particular program or measure. Or Congress could even decide to dock the President's salary when he refused to bow to its wishes. Surely such a "salary war" would destroy the separation of powers, one of the chief cornerstones of our form of government since its inception.

One wonders, Mr. Speaker, whether those among us who would insult the Court with a financial slap will be satisfied with this assault on the separation of powers. Will they next try to enact legislation requiring the Court to consult with Congress before handing down decisions?

Defeat of H.R. 5374, however, was not the only danger signal which we should recognize. Not content with striking at the Court as an institution and as an independent arm of government, some Members during debate fell to attacking the Justices personally on the basis of their private lives. We witnessed an ugly spectacle of vituperation rarely seen on the floor of the House.

The Congress, in my opinion, should repair this ill-advised damage as soon as possible. We should restore the Court to its respected and proper position as an independent branch of government. We must not continue to subject it to the momentary whims and tantrums of those who disagree with its decisions.

ROLLCALL NOS. 42 AND 43: DISTRICT OF COLUMBIA CRIME BILL

Mr. Speaker, as a preface to my remarks on H.R. 5688 I would like to include a portion of an editorial which appeared in the Washington Post following House passage of the bill. The statement accurately reflects my views on the matter:

> The passage of the District crime bill in the House can only be understood if it is regarded as a vote of confidence in the Senate. One cannot believe that the House Members would have passed such a monstrosity if they had not been certain that the other Chamber would rescue them from the consequences of their folly.
>
> While this explains this particular lapse, it hardly commends it. This is a dangerous piece of business and one day the Senate might nod and let some such measure get into law. In this case, the Senate seems fully alerted and has planned hearings that the House did not hold in which the multiple weaknesses of the omnibus crime bill surely will be made apparent. Failure of the House to even hear the administration

witnesses who are supporting very different proposals is an act of discourtesy to the President that one might think Democratic Members would have wished to avoid.

The bill is similar to a poor proposal which the House approved in the last Congress. At that time I rejected it and was pleased that the Senate allowed it to die. This year I again rejected it and I will again be pleased if the Senate allows it to die.

In my last rollcall report, Mr. Speaker, I stressed my belief that public hearings on controversial matters are vital to our form of government. Thus, I was extremely concerned that no such hearings were held on the crime bill. My concern was compounded by the knowledge that the bill is opposed by the Attorney General, who was not heard; by the District Commissioners, who were not heard; and by the U.S. attorney for the District, who was not heard.

Their united opposition stems in large measure from their belief that the proposal is dangerous and despotic and, in many regards, unconstitutional. Even the Washington Star, which supported the bill, commented editorially through its television outlet that the omnibus crime bill "does not necessarily deprive anyone of his constitutional rights." I find it incredible that this major consideration was dismissed in such cavalier fashion.

There are many objectionable features in the bill which would overturn constitutionally based rules in criminal procedure, rules designed to protect the rights of each citizen. The bill would allow police to violate a Supreme Court ruling which requires them to bring an arrested person for arraignment "without unnecessary delay." It would also abolish the court ruling that an accused person is not criminally responsible if his unlawful act was the product of mental disease or defect. It would allow a police officer to detain for up to 6 hours—although a loophole in the bill would permit this period to be expanded almost without limit—for questioning a person who he thought was committing, had committed, or was about to commit a crime. Any witnesses to an alleged crime could also be held for a similar period.

The bill completely ignores the President's recent message to Congress wherein he requested a "fair and effective system" of law enforcement, and proposed formation of a District Crime Commission.

By no stretch of the imagination can H.R. 5688 be considered fair or effective, and I doubt that any Member would want his constituents subjected to its tyrannical provisions. Unfortunately, the citizens of the District have no representatives in Congress and cannot register their displeasure at the polls. Perhaps this explains why Congress so frequently treats the District with contempt and abuse.

ROLLCALL NOS. 52 AND 53: ELEMENTARY AND SECONDARY EDUCATION

Mr. Speaker, as a long-time advocate of Federal aid to education I deeply regretted to see the administration push through a bill which is based on the supposition that the ends justify the means. As you well know, when the elementary and secondary school aid bill was before the House, my emotions and my intellect were sorely strained in determining what position I should take. It was my final judgment that we should not strike out on a course so filled with potential peril.

It appears to me, and I have expressed this view repeatedly over the years, that it is an extremely dangerous precedent to subvent Federal funds to nonpublic schools. I think it is an even more dangerous precedent to do so in the manner provided in H.R. 2362.

I have long advocated Federal aid to public education, for surely I know as well as any other taxpayer the inability of the local property tax to continue carrying the ever-increasing burden of public education. Under a sound program this burden can, and should, in large measure be shifted to the larger tax base available to the Federal Government.

This shifting of the tax burden is the one area in H.R. 2362 where I shared the opinion of the majority, although the House unfortunately was not permitted to record its vote on this portion of the bill alone. I hope the legislation marks merely the beginning of the transfer from Federal to local coffers of financial resources earmarked for education. The bill provides a $1.3 billion contribution, only a start. Surely, during the next few years this modest contribution, representing only 5 percent of the Nation's total elementary and secondary school expenditures, will be substantially increased. This is as it should be, as it must be.

And what of private education?

When I was first a candidate for Congress in 1962, I found myself at odds with President Kennedy on this issue. The President made his position crystal clear during his famous 1960 confrontation with the ministry in Houston. He believed any Federal subvention to private, particularly parochial, education was unconstitutional. He further enunciated this position with legislation he had introduced in 1961 and 1962 for general support of elementary and secondary education. As you know, Mr. Speaker, President Kennedy was not successful with his proposed education bills, and the lack of success is publicly acknowledged to have been occasioned by the lack of provision in the bills for direct aid to private education.

I had hoped that President Kennedy would advance my approach to the problem by advocating a program of tax credits to provide a measure of relief to parents who choose to send their children to private schools. This method not only would make it possible for an individual to render a greater economic contribution to the school of his choice, but it would also permit the parent and child to continue a proper relationship with private institutions, a relationship which has effectively kept private and public education separate and distinct.

But H.R. 2362 did not take this approach. Instead it created a conflict of interest, a conflict of purpose between public and private education.

Under the terms of the legislation, the State superintendent of public instruction, the State school board, the county superintendent of public instruction, and the many thousands of local school boards across the land will be compelled—I repeat, compelled—to actively involve themselves with rules and regulations affecting private schools, rules that will relate to curriculum, to text material, to hours of education, to building plans, to matters ad infinitum.

I am sure that public school officials do not want to stick their noses under the tent of private education. They do not want to impose their will in matters not public. They recognize that as public officials they have only one proper area of responsibility—public education. They have always dealt only with their proper sphere of operations because this choice was theirs to make. But under H.R. 2362, they will no longer have a choice. They must become involved in private education, if they are to share in the financial rewards of the bill. And because of the pressing financial needs of public education, because of their responsibility to provide the best possible education for children in the public schools, local officials will be compelled to swap noninvolvement in private education for desperately needed Federal dollars. They will have no alternative in the matter. Their first allegiance is to the children in public schools. This commitment can be met only at the expense of private education.

As I stated a moment ago, Mr. Speaker, it is my hope that this marks only the beginning of a period of expanding Federal financial responsibility for education. But it is also my hope that during this expansionary period we shall all recognize that elected and appointed public officials should not be compelled to accept the responsibility of running private schools.

It is also my fervent hope that when the Congress again considers legislation providing Federal funds to elementary and secondary education, it will modify the provisions of H.R. 2362 in a manner which will reject conformity and return autonomy to all schools, public and private.

For only with autonomy will our entire educational structure continue to flourish and grow strong. Only with autonomy can we continue to remain the acknowledged world leader in mass education.

ROLLCALL NO. 62: OFFENSIVE MAIL

Mr. Speaker, while I agree that obscene and offensive mail is a problem that we must all address ourselves to, I do not agree that constitutional guarantees must be sacrificed on the altar of solution. Thus I voted against H.R. 980.

Commentary on the bill's provisions becomes superfluous in view of the Supreme Court's unanimous decision today—its first unanimous decision in 20 years—which decreed that this type legislation is blatantly unconstitutional on its face, a direct violation of the first amendment.

The 1962 law struck down by the Court was coauthored by my predecessor, John Rousselot, who has always made a great issue of his so-called devotion to the Constitution and all of its safeguards for the individual citizen. It is ironic, but not unexpected, that in his irrational zeal to "protect" the Constitution he was actively engaged in promoting legislation to tear it down. Such is the regrettable pattern of extremism.

I suspect that many Members who voted for H.R. 980 did so not because they thought it was a good bill or that it was constitutional, but because they felt it was necessary to go on record as being opposed to offensive mail, just as many of those who supported the 1962 Cunningham-Rousselot bill—today declared blatantly unconstitutional by a unanimous Supreme Court decision—felt that it was necessary to go on record as opposing communism.

We would all do well to constantly recall the words of Justice Holmes when in a 1921 opinion he said:

> The United States may give up the Post Office when it sees fit, but while it carries it on, the use of the mails is almost as much a part of free speech as the right to use our tongues.

ROLLCALLS NOS. 70 AND 71: SOCIAL SECURITY AMENDMENTS

At this time, Mr. Speaker, I do not intend to discuss the many benefits, both new and expanded, which are contained in H.R. 6675. Countless magazine articles and newspaper pieces have related the bill's provisions at great length, and those citizens who are included in the measure's scope will become expertly aware of their new benefits as soon as H.R. 6675 becomes law. However, I would like to say a few words on the bill's most controversial and least understood aspect—medicare—and outline some of the reasons why it had my stanch support.

No informed person will argue with the fact that older people—those over 65—are a growing segment of our population. While today nearly 1 American out of every 10 is in this age group, the percentage is increasing annually. And while medical care is a serious matter for all Americans, the elderly have special problems because they have less income, fewer assets and more illness. No amount of oratory about self-reliance will change this situation. The question is, What are we going to do about it? The House by a margin of almost 3 to 1 decreed that medicare is a start toward an answer, and I am hopeful that the Senate will shortly concur in our judgment.

I regret very much that the American Medical Association does not share our view, but I never really expected that it would. In my opinion the medical profession has been badly advised and poorly led by its national organization. Too often down through the years the AMA has chosen the path of obstruction when a progressive and humanitarian approach would have been better for the profession and the Nation. Thirty years ago the AMA denounced social security itself as a compulsory socialistic tax which would lead to dictatorship. Later it opposed extending social security benefits to the disabled because it was a serious threat to American medicine. The AMA tried to stop Federal grants for maternal and child welfare programs, charging that they were designed to "promote communism." And the AMA fought tooth and nail against the adoption of Blue Cross-type voluntary health insurance programs, the very thing they now praise to the skies. The old and wornout cliches of yesteryear were all paraded before the American public in this year's AMA assault on medicare. And they were properly rejected by the people of this country.

They know that medicare is not socialism as the AMA would have them believe. On the contrary, it is a strong deterrent to socialized medicine because: Medical care for the aged is one of the biggest drags on the American family budget. Private companies have not been able to provide adequate coverage at premiums within reach for the risks involved. But with medicare, that drag will largely be lifted. The insurance industry will be more adequately able to expand group and other protection plans for the nonelderly, thus easing the pressure for more Federal legislation. In my judgment, this is the sound and sensible American way of government and business moving in to solve a problem that was rapidly getting out of hand.

H.R. 6675 is not perfect. But it can be perfected as we go along if the AMA and other groups and individuals involved will move with the times instead of being possessed by the specter of socialism.

ROLLCALL NO. 76: KLAN INVESTIGATION

Mr. Speaker, I want to make it clear to all that I have no objections to the Ku Klux Klan being investigated by the Committee on Un-American Activities. On the contrary, earlier this year, long before the public was aroused by Klan activities and President Johnson called for congressional action, I urged the House Committee on Un-American Activities to investigate hate groups such as the American Nazi Party and the Minutemen. I think the Klan warrants an investigation and I think a congressional committee is a proper investigative body.

But, at this time, I do not think the House Committee on Un-American Activities needs additional funds to conduct its inquiry. On February 25 of this year, less than 2 months before the House Committee on Un-American Activities requested an additional $50,000 to investigate the Klan, I voted to give the committee $370,000 for its nine members to carry out their work. At that time, I questioned the need for such a vast sum to run a nine-member committee when other committees, such as Foreign Affairs, get by on so much less. For example, the House Committee on Un-American Activities budget per member under the original authorization was $41,111 compared to $3,195 per member on foreign affairs. This is a 13-to-1 disparity which has yet to be explained to my satisfaction.

It is standard procedure in the House for a committee to come back to the full body later in the session for supplemental funds if they are needed. But I know of no instance, Mr. Speaker, when a committee requested a supplemental less than 2 months after it received its original appropriation. It is not good fiscal practice, nor does it set a good example for the agencies of government, to follow such procedure.

At a much later date, if the House Committee on Un-American Activities comes before the House and requests additional funds to investigate the Klan and other extremists groups—and is able to offer satisfactory evidence that it is making substantial and acceptable progress in its inquiry—I would in all probability endorse the request.

ROLLCALL NO. 92: DEFENSE OF SOUTH VIETNAM

Mr. Speaker, for many weeks now I have referred to irresponsible voices of dissent emanating from Washington. I have referred to a few Members of the House and a few in the Senate who have, in my view, by their constant and vocal criticism of the President for his course of action in southeast Asia, begun to undermine the faith of the American people in their President and in his unrelenting search for peace.

I know the dissenters are sincere in their views and that they are dedicated to the American ideals of freedom and self-determination. It is, in fact, their long and proven dedication to these ideals which gives their voices such weight—weight which, in this situation, is totally unjustfied by the facts.

As you and my colleagues will remember, Mr. Speaker, on August 7, last, the House voted on a resolution supporting the action of President Johnson in response to the unprovoked attack on the U.S.S. *Turner Joy* in the Gulf of Tonkin. At that time the vote was 417 to 0 in support of the President. I regret that we were unable to show the same unanimity on House Joint Resolution 366.

By my vote in support of the measure I reaffirmed what I said in August 1964—the President deserves the unwavering support of all citizens in any further action which becomes necessary in the critical period ahead.

Mr. Speaker, the United States for more than a decade has spent nearly half of its national income on defense. It has been hoped by all that this expenditure, this great arsenal, would become such a deterrent that no one would question the intent of the American people to live up to their treaty obligations and to their commitment to freedom. But this is not the case.

Red China, since the death of Stalin, has challenged repeatedly and continually the resolve of the American commitment. For nearly a decade it has referred to America as a paper tiger, and during most of this time our answer has merely been to turn the other cheek. Has not our action of the last few years been similar to the handwringing in this country when Japan in 1931 marched on Manchuria, when Italy in 1934 marched on Ethiopia, and when Germany in 1938 marched on Czechoslovakia? Has not this record of U.S. inaction encouraged piecemeal adventure by would-be aggressors? In my view, the answer to these questions is "Yes."

Communist aggression must be halted, Mr. Speaker. I hope, and I fervently pray, that it can be halted at the conference table. But if it can only be halted on the field of battle, then so be it. The choice is the Communists to make.

Roll-call No.	Date	Bill No.	Ronald Brooks Cameron	Vote		Not voting	Brief description
				Yea	Nay		
34	Mar. 16		Present				Quorum call by Mr. Bow, Republican, of Ohio (35 Members absent).
*35	do	H.R. 5505	Nay	147	255	31	To amend congressional apportionment bill to require that candidates run at large if States fail to redraw boundaries before 1966 elections.
36	Mar. 17		Present				Quorum call by Mr. Devine, Republican, of Ohio (35 Members absent).
37	do		Present				Quorum call by Mr. Gross, Republican, of Iowa (36 Members absent).
38	do	H. Res. 276	Yea	202	183	48	To provide for consideration of H.R. 5374.
*39	do	H.R. 5374	Yea	177	203	53	On passage of bill increasing salaries of Supreme Court Justices.
40	Mar. 18		Present				Quorum call by Mr. Curtis, Republican, of Missouri (57 Members absent).
41	Mar. 22		Present				Quorum call by Mr. Sisk, Democrat, of California (69 Members absent).
*42	do	H.R. 5688	Paired—Yea	166	216	51	Motion to recommit District of Columbia omnibus crime bill for public hearings (Ronald Brooks Cameron at television interview).
*43	do	H.R. 5688	Nay	250	131	52	On passage of District of Columbia omnibus crime bill.
44	Mar. 23		Present				Quorum call by Mr. Gross, Republican, of Iowa (50 Members absent).
45	do	H.R. 5721	Nay	206	170	57	On passage of bill providing acreage-poundage marketing quotas for tobacco.
46	Mar. 24		Present				Quorum call by Mr. Arends, Republican, of Illinois (28 Members absent).
47	do		Present				Quorum call by Mr. Gross, Republican, of Iowa (29 Members absent).
48	Mar. 25		Present				Quorum call by Mr. Springer, Republican, of Illinois (18 Members absent).
49	Mar. 26		Present				Quorum call by Mr. Goodell, Republican, of New York (18 Members absent).
50	do		Present				Quorum call by Mr. Andrews, Republican, of Alabama (35 Members absent).
51	do		Yea	274	119	40	To consider motion that the Journal be approved without further reading.
*52	do	H.R. 2362	Nay	149	267	17	Motion to recommit elementary and secondary education bill to change formula for fund allocation.
*53	do	H.R. 2362	Nay	263	153	17	On passage of bill aiding elementary and secondary education.
54	Mar. 29		Present				Quorum call by Mr. Hall, Republican, of Missouri (100 Members absent).
55	Mar. 30		Present				Quorum call by Mr. Pelly, Republican, of Washington (54 Members absent).
56	Mar. 31		Present				Quorum call by Mr. Gross, Republican, of Iowa (43 Members absent).
57	do	H.R. 3708	Yea	391	1	41	On passage of Older Americans Act.
58	do	H.R. 1111	Yea	383	0	53	On passage of Water Resources Planning Act.
59	Apr. 1		Present				Quorum call by Mr. Gross, Republican, of Iowa (40 Members absent).
60	do	H.R. 4257	Yea	392	0	41	On passage of Manpower Act of 1965.
61	Apr. 5		Present				Quorum call by Mr. Ashbrook, Republican, of Ohio (62 Members absent).
*62	do	H.R. 980	Nay	360	21	52	On passage of bill providing for return of offensive mail.
63	do	H.R. 7064	Yea	378	0	55	Authorization to build new chancery building for U.S. Embassy staff in Saigon.
64	do	H.R. 7060	Yea	344	7	82	On passage of Post Office and Treasury Department appropriation bill.
65	Apr. 6		Present				Quorum call by Mr. Gross, Republican, of Iowa (34 Members absent).
66	do	H.R. 7091	Yea	248	62	22	On passage of supplemental appropriations bill.
67	Apr. 7		Present				Quorum call by Mr. Hall, Republican, of Missouri (30 Members absent).
68	do		Present				Quorum call by Mr. Arends, Republican, of Illinois (24 Members absent).
69	Apr. 8		Present				Quorum call by Mr. Anderson, Republican, of Illinois (18 Members absent).
*70	do	H.R. 6675	Nay	191	236	5	Motion to recommit Social Security Amendments of 1965.
*71	do	H.R. 6675	Yea	313	115	5	On passage of Social Security Amendments of 1965.
72	Apr. 13	H.R. 2998	Yea	315	65	53	Acceptance of conference report on arms control bill.
73	do		Present				Quorum call by Mr. Lennon, Democrat, of North Carolina (39 Members absent).
74	do	H.J. Res. 1	Yea	368	29	36	On passage of proposed constitutional amendment relating to Presidential succession and disability.
75	Apr. 14		Present				Quorum call by Mr. Hall, Republican, of Missouri (86 Members absent).
*76	do	H. Res. 310	Nay	312	43	88	Appropriating $50,000 for investigation of the Ku Klux Klan by the House Committee on Un-American Activities.
77	Apr. 27		Present				Quorum call by Mr. Gross, Republican, of Iowa (60 Members absent).
78	do	H.R. 6497	Nay	113	275	45	To recommit authorization for increased U.S. participation in International Monetary Fund.
79	do	H.R. 6497	Yea	301	88	44	Authorizing increased U.S. participation in International Monetary Fund.
80	Apr. 28		Present				Quorum call by Mr. Conte, Republican, of Massachusetts (52 Members absent).
81	do		Present				Quorum call by Mr. Hays, Democrat, of Ohio (71 Members absent).
82	do	S. 4	Yea	396	0	37	Amending the Water Pollution Control Act.
83	Apr. 29		Present				Quorum call by Mr. Springer, Republican, of Illinios, (53 Members absent).
84	do	H.R. 7091	Yea	316	55	62	Acceptance of conference report on supplemental appropriations.
85	do	H.R. 7091	Yea	144	228	61	To accept Senate amendment appropriating funds for helicopter service in Los Angeles, Chicago, and New York.
86	do	H.R. 4714	Yea	239	115	79	Amending National Arts and Cultural Development Act of 1964 to correct legislative oversight.
87	May 3	H.R. 2986	Not voting	347	0	86	Extending certain expiring provisions of the Public Health Service Act (Ronald Brooks Cameron meeting with members of Los Angeles County Building Trades Council).
88	May 4		Present				Quorum call by Mr. Cederberg, Republican, of Michigan (39 Members absent).
89	do		Present				Quorum call by Mr. Hall, Republican, of Missouri (50 Members absent).
90	do	H.R. 2985	Yea	389	0	44	Amendments to Community Mental Health Centers Act.
91	May 5		Present				Quorum call by Mr. Bow, Republican, of Ohio (26 Members absent).
*92	do	H.J. Res. 447	Yea	408	7	18	Supplemental appropriation for defense of South Vietnam.
93	do		Present				Quorum call by Mr. Bray, Republican, of Indiana (31 Members absent).
94	do	H.R. 7657	Yea	395	0	38	Authorization for 1966 military appropriations.
95	May 6		Present				Quorum call by Mr. Monagan, Democrat, of Connecticut (43 Members absent)
96	do	H. Res. 366	Yea	389	0	44	To permit consideration of H.R. 7717, authorizing appropriations for NASA.
97	do	H.R. 7717	Yea	389	11	43	Authorizing appropriations for NASA.
98	May 10		Present				Quorum call by Mr. Gross, Republican, of Iowa (95 Members absent).
99	do	H.R. 2984	Yea	333	4	96	To provide for construction of health research facilities.
100	May 12		Present				Quorum call by Mr. Derwinski, Republican, of Illinois (47 Members absent).
101	do	S. 701	Yea	300	97	36	To carry out U.S. obligations under the International Coffee Agreement.
102	May 18		Present				Quorum call by Mr. Haley, Democrat, of Florida (54 Members absent).
103	May 20		Present				Quorum call by Mr. Hall, Republican, of Missouri (66 Members absent).
104	do	H.R. 8122	Nay	43	313	77	Motion to recommit authorization of appropriations for Atomic Energy Commission.
105	do	H.R. 8122	Yea	350	1	82	Authorizing appropriations for Atomic Energy Commission.

*Items so marked are considered to be of greater significance, and a brief explanation is included herein.

Recent Trends of U.S. Foreign Policy and Their Impact on the Future of the Captive Nations

EXTENSION OF REMARKS

OF

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1965

Mr. FEIGHAN. Mr. Speaker, on Friday, May 21, it was my pleasure to address the Lithuanian American Conservative Club of Cleveland. This club is composed of Americans of Lithuanian extraction who are devoting serious study and attention to our foreign policy and the various problems around the world that bear upon the future security and welfare of our people. In my address I presented what I consider to be the most cogent arguments for widespread public support of President Johnson's policies on Vietnam and the Dominican Republic.

By leave previously obtained, I insert in the RECORD my address on "Recent Trends of U.S. Foreign Policy and Their Impact on the Future of the Captive Nations":

I am happy to have this opportunity to give you my impression of recent trends of U.S. foreign policy and their impact on the future of the captive nations.

But first I wish to congratulate all present here this evening for your continuing interest in the plight of the captive nations. I know of no subject more important than the captive nations, in the context of foreign policy consideration. In my opinion the captive nations are the key to peace just as they are the balance wheel against all out war.

Imperial Russia must give more than a second thought to launching open warfare against the free world because such action would open the way for total political revolution within their empire, from the Baltic to the Caspian Seas. The Kremlin is haunted by the memories of World War II, when the peoples of the non-Russian nations of the Soviet Union rose up against Russian occupation and fought to restore their freedom and national independence. Today the Russian captive empire in Europe includes Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, Yugoslavia, and East Germany, as well as the three Baltic States. The peoples of these nations would join in revolt with their captive, non-Russian brothers in the Soviet Union. That would mean the end of the Russian empire.

By the same token the captive nations are the key to peace with freedom because the peoples of those nations aspire for and work for a return of their freedom and national independence. Those aspirations for freedom and national independence constitute the most powerful political force at work within the Russian Communist empire today. They exert relentless pressures upon the Russian ruling class and create problems which the Communist bureaucrats find to be unsolvable. They mythology of communism, worn paper thin by the harsh realities of life behind the Iron Curtain, cannot contain or turn back the aspirations for freedom in the captive nations. The day of decision will soon be at hand and I am certain the mythology of communism will, like all myths, fade away—exposing in all its ugliness Russian imperialism, the real but hidden threat to peoples and nations.

To understand better recent trends in U.S. foreign policy as they effect the future of the captive nations, we should first look at trends within the Communist empire. There we find ample signs of the growing strength and boldness of nationalism. Even the Communist puppets in some of the captive nations are finding it necessary to stand up to Moscow. Some are even finding it necessary to indulge in anti-Russian statements and public charges. When I say they are finding it necessary, I mean they are aware of the growing storm of resentment among the non-Russian peoples, the failures of the Communist dictatorship to provide the promised utopia on earth and the attitudes of the captive peoples toward their state of human bondage. Like all rogues and rascals, the Communist puppets are opportunists and they recognize the need to establish some line of credit with the subjugated people. Hence, the efforts to exhibit a degree of independence or the indulgence in anti-Russian exercises. Of course they hope to use that line of credit no matter how flimsy it might be when the chains of Russian imperialism are broken by the subjugated peoples.

Red China is feeding the flames of nationalism in the captive nations, by a series of propaganda and political devices hitherto unmentionable within the frozen family of so-called Socialist leaders. Whatever the motives may be, and there is plenty of room for argument on this point, the fact remains that Peiping's maneuvers have had an impact on developments within captive Europe. Let me cite a few examples:

The Chinese central committee has been charging the Russians with great power chauvinism. Interpreted properly this means the Red Chinese are charging that Russian imperialism is the dominant factor in the so-called Socialist camp. This is a very serious charge because it claims the Russians have deserted the principles of Leninism, and have returned to an era of despotic Russia, as it was under the czars. This charge is supported by Lenin himself, who just before his death, expressed the same opinion in letters to the Russian central committee, which were suppressed until somewhat recently. But the Red Chinese charge so offended the new Russian ruling class that they countered with charges against Peiping to the effect that the spirit of Genghis Khan had taken over control of the Chinese Communist Party. Here, in my judgment, is a classic example of Chinese nationalism in conflict with historic Russian imperalism and historic Russian imperalism attempting to disguise its reactionary nature by posing the threat of mongol invasion of Europe.

But let us be wary of all this fire and thunder emanating from the proven Communist propaganda mill. This so-called Sino-Soviet political split may be only a disagreement comparable to a fight between husband and wife, both of whom would turn on any interfering third party. The goal of both Russians and Chinese Communists has been and remains our destruction.

There can be no doubts that this battle of Communist dialectics and double talk is not lost on the peoples of captive Europe. They have been compelled to understand the strange jargon of communism, if for no other reason but self-survival. The kettle of communism calling the pot of communism black must be a source of great hope for captive Europe. For the people there know that the greater the pressure of any type from Peiping on Moscow the less pressure from Moscow on captive Europe. Moreover, the prospect of captive Europe putting greater pressures on Moscow for freedom and national independence are enhanced by Red Chinese pressures from the eastern end of the empire. Moscow cannot cope with this geopolitical pincers development—it must give ground to either captive Europe or to the Red Chinese ambitions to dominate the worldwide conspiracy of communism.

With this brief background of power analysis within the Russian Communist empire let us look at the recent trends in U.S. foreign policy that bear upon the future of the captive nations. In my opinion, events of the recent past and the present tell us most accurately about these trends.

Take Vietnam as a starter. President Johnson has made three elements of national policy clear through action he has directed be taken in that crisis spot. They are:

1. We have rejected the idea that Communist aggression under any cloak can claim sanctuary or protection by virtue of international boundaries or false boundary lines of division perpetrated upon a nation. The conspirators have been taking sanctuary north of the 17th parallel in Vietnam, from which the aggression and atrocities against the people of free Vietnam are planned, directed and supported. That sanctuary for international criminals has been liquidated—it can no longer be used without retaliation by the forces of freedom.

2. The principle of fresh pursuit of the aggressor has been reaffirmed as a solid part of our policy in dealing with the aggressors. This accounts for our hitting the enemy at his source of command and supply of the war against the free people of Vietnam. Further, President Johnson has made it clear to Peiping that should they enter the Communist aggression in Vietnam, either overtly or covertly, they cannot claim sanctuary in South China. Now it is up to Peiping to either stay out or invite retaliation which they cannot counter or long endure.

3. The tactics of nuclear blackmail, used for too long by the Communist conspiracy, have been rejected by President Johnson. You are aware, I am sure, that the tactics of nuclear blackmail have, to a degree, paralyzed purposeful action by the free world. Even measured responses by the free world to Communist aggression were painted as certain to escalate into all-out nuclear war. President Johnson has put that myth to rest, and more important, he has put the responsibility for escalation where it properly belongs—right on the backs of the Communist nuclear blackmailers.

What do these developments mean in terms of the future of the captive nations?

To begin with they mean President Johnson has exposed what the Communists have been calling national liberation movements to be in fact wars of conspiratorial aggression. He has announced that we will not stand by and see free people and countries swallowed up by this tactic—that we will stand by our friends to throw back the Communist aggressors. This, in my opinion, is a great forward step, putting all the people of the world on notice that the time has come to face up to the realities of Communist world objectives and tactics. This bold facing up cannot help but encourage the peoples of the captive nations—it serves notice that a new policy is evolving in the United States which augurs well for their future.

Now let us examine most recent trends in the Western Hemisphere. I refer of course to the crisis in the Dominican Republic. What does Presidential action in that crisis tell us, in terms of new trends in our foreign policy? In my judgment these are the most obvious:

1. President Johnson has served notice that we will not tolerate a second Russian fortress in this hemisphere, as we now have in Cuba.

2. The bold, resolute, and timely action taken by President Johnson in the Dominican Republic resulted from his conviction that unless he so acted, the Communist conspiracy would wrap its tentacles around that country. Time was of the essence. It is now estimated that had he waited 12 more hours it would have been too late. Those who now criticize him for taking resolute action before consulting with the United Nations and the Organization of American States would now be among the first to blame him for a second Russian satellite in our hemisphere because he failed to so act. Consultation is important and necessary, but it is hardly appropriate when one of our neighbors' houses has caught on fire and would burn to the ground unless immediate steps were taken to put the fire out. What needs to be done now is to take a good look at the machinery of consultation to determine how it can be modernized to meet the practical demands put upon us by the worldwide Communist conspirators.

3. What this trend means to Cuba, a captive nation by any definition, remains to be seen. But the Russian puppets in Cuba cannot fail to understand the full meaning of the resolute action taken by President Johnson in the Dominican Republic crisis. Nor will the captive people of Cuba miss the full meaning of the event.

In summary, I believe we may conclude that recent trends in U.S. foreign policy should strengthen our hopes and expectations for the future of the captive nations. I say this because the action President Johnson directed be taken in two crisis spots—where the cause of freedom was at stake—serves notice that we as a nation are facing up to the realities of the Communist conspiracy. This is an important development—heralding positive policies to come which will advance the cause of freedom and national independence for all nations and all peoples.

Those of us who support those goals should lose no time or opportunity in generating further public support for the actions President Johnson has taken. I am aware that he already enjoys the support of the overwhelming majority of our people, but we must help him keep the initiative which he has taken. Let your voices be heard in support of these new trends in U.S. foreign policy.

Federal Meat Inspection Is a Public Health Service, Not a User Convenience—Remarks at an American Meat Institute Luncheon

EXTENSION OF REMARKS
OF
HON. LEONOR K. SULLIVAN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Monday, May 24, 1965

Mrs. SULLIVAN. Mr. Speaker, I am pleased to see in the agricultural appropriation bill scheduled to come before the House on Wednesday that funds have been provided to meet the continuing expansion of the meat and poultry inspection programs. The combined costs of these two inspection services will exceed $52½ million in the coming fiscal year, which is quite a sizable amount more than they cost when I first came to Congress in 1953, prior to the passage of the Poultry Products Inspection Act of 1957. I am proud of the fact that it was my proposal for compulsory Federal inspection of poultry which led to the enactment of the 1957 act. The Meatcutters Union was instrumental at that time in bringing to the fore the need for such legislation, and in spotlighting the abuses taking place in some of the poultry processing plants which made the legislation absolutely essential.

Until recently, meat inspection was administered by the Agricultural Research Service in the Department of Agriculture, while poultry inspection was administered by the Agricultural Marketing Service. They have now been combined in the newly created Consumer and Marketing Service, which includes most of the agencies of the old Marketing Service. The subcommittee on appropriations has performed a very worthwhile service in nailing down in the hearings the need for continued high professional independence for the meat inspection people, so that this program is not considered primarily a marketing promotion service, which it is not. It is essentially a public health service, and must so remain.

ALL CONSUMER PRODUCTS SHOULD BE AS PURE AND WHOLESOME AS MEAT

Under those circumstances, it is vital that this service not be placed under any control—financial or otherwise—of the industries it supervises. I oppose the Budget Bureau's longtime efforts to have Congress change the law so that meat inspection, and poultry inspection also, would be paid for by the processors rather than by the Government.

I went into my reasons for this position, at some length, in a talk to the wives of the members of the board of directors of the American Meat Institute on May 5. As I took pains to point out, my reasons were far different from those of the meatpackers, although we happen to share a similar position on this issue.

My purpose in speaking to the wives of the executives of the meatpacking industry was not to tell them why I sided with their husbands on the meat inspection cost issue so much as it was to enlist their help in the passage of my bill, H.R. 1235, to make other foods and cosmetics and over-the-counter drugs at least as pure and wholesome as the meat products their husbands make and sell in interstate commerce. While it may never be practical to have continuous Federal inspection of all food processing in the same way meat and poultry are inspected, I feel that if the public has the information about the gaps in our Food, Drug, and Cosmetic Act it will demand immediate tightening of the law to close the gaps at which H.R. 1235 is directed. The wives of the meatpackers were gracious and attentive, and I hope they will help in this crusade.

Mr. Speaker, under consent of the House, I submit relevant portions of my speech at the American Meat Institute luncheon, as follows:

"All Consumer Products Should Be as Pure and Wholesome as Meat"—Excerpts From Speech by Congresswoman Leonor K. Sullivan, Democrat, of Missouri, at Luncheon Meeting for Wives of Members of the Board of Directors of the American Meat Institute, at the International Club, Wednesday, May 5, 1965

* * * * *

I came here from the hearings of the National Commission on Food Marketing which began today in the House Caucus Room. I will return to those hearings this afternoon. The Commission is a bipartisan agency created by Congress last year to study all aspects of food marketing from the farm to the ultimate consumer. It is composed of five House Members—three Democrats and two Republicans, including another woman Member, Representative CATHERINE MAY, of Washington; five Senators, similarly divided politically; and five public members appointed by the President. Our assignment is an all-encompassing one, to find out whether the multibillion-dollar food industry in this country is adequately serving the needs of the Nation and assuring sufficient competition under the free enterprise system to provide us with the best food possible at reasonable prices.

In any industry as vast as this one, the rivalries and challenges for dominance among the different levels and segments of food marketing, as well as among individual firms in the same field, are intense and unrelenting. Each segment, of course, believes it could do a better job for the public if its suppliers or customers were not engaged in such cutthroat competition for a bigger share of the consumer dollar. The cattlemen say the chainstores are ruining them, if the packers aren't; the chainstores have a completely different viewpoint, of course; and as for the packers, well, I'm sure they'll have a lot to say for themselves, too. As for those of us on the Commission, we will continue to listen, ask some questions, initiate some independent research of our own, and when we're through—sometime before July 1, 1966—we will be expected to have the true and accurate facts distilled out of all of this controversy. More than that—if you can ask us to achieve more than a determination of the true facts in so complex an economic battleground as this one—we will be expected to reach conclusions about what should be done about the food marketing industry, if anything, to improve the processing and distribution of food for the American consumer.

FOOD MARKETING HEARINGS

Our recommendations, whatever they may be, will then go to Congress where the controversies we will have uncovered and listened to and analyzed and reported on will then be reviewed and debated all over again, before any laws are written to carry out the recommendations we may make.

In the course of our inquiry, we are holding a series of hearings in various parts of the country. The first was held last month in Cheyenne, Wyo., followed by another in Fort Worth, Tex., where cattlemen had much to say—and complain about—in connection with the marketing of beef and veal. Our hearings this week in Washington are on the increased spread in retailing—the difference between the average prices paid by the stores for the merchandise they buy from your husbands' packing plants, or from the other food processors or wholesalers, and the average prices the stores charge the customer. Next week, the Commission meets in Atlanta, Ga., to hear the complaints, suggestions, and operating problems of the poultry industry. Other hearings are scheduled later in Omaha, Nebr.; Minneapolis, Minn.; San Francisco, Calif.; and other localities covering, eventually, all phases of the food industry.

Depending upon the legislation coming before the House of Representatives at those times and dates * * * it is my intention to attend at least some of the out-of-town hearings. For, in getting to the roots of our most important single industry—the one which, more than any other, keeps us alive and healthy and the best fed nation in the world—it is not enough just to sit in Washington listening to the lobbyists and the eloquent spokesmen for big business and big labor and organized consumers. We have to know, too, what the individual in various segments of this industry has to say for himself, on his home grounds.

Of course, as a Member of Congress, I already have a pretty good idea of the views and feelings of executive and working people in the food industry in St. Louis, for they manage to keep me very well informed of their problems and aspirations, and the effect upon their well-being of laws and regulations coming out of Congress or the executive departments here in Washington.

BACKGROUND OF MEAT INSPECTION COST CONTROVERSY

Right now, for instance, I know very well what it would mean to Krey Packing Co., to name one of the firms represented on your board of directors—and to every other packer in St. Louis—and to their customers, including the ultimate consumers—if the Budget Bureau were to succeed in having the costs of Federal compulsory meat inspection transferred from the Federal budget to every meat packing plant engaged in interstate commerce—shouldering them with a $35,700,000 annual cost for a service which has always, except for 1 year right after World War II, been paid for by the Government. Poultry inspection runs to $17,500,000 a year, and that, too, would be assessed against the processors if Congress approved this idea.

I think your husbands in the American Meat Institute know where I stand, and always have stood, on the issue of user charges for meat inspection. I am against the whole idea. I am against it not as a favor to Krey Packing Co., or other firms in St. Louis, or to Armour or Wilson or Rath or Cudahy or any other firms; I am against it because I believe it would be a terrible disservice to the consumer, and to the public health and well-being. And I have never hesitated to say so, ever since the Second Hoover Commission made the recommendation nearly a decade ago that the Government transfer this charge from the Federal budget to the meat processors.

The Bureau of the Budget, which is an arm of the White House, of the President, has persuaded each President since then—Eisenhower, Kennedy and Johnson—to urge Congress to change the law to bring about this alleged reduction in Federal expenditures. Having fought so hard in 1957 to enact the law which required compulsory Federal inspection of poultry in interstate commerce on the same basis as we have had compulsory Federal inspection of red meats since 1906, I have no intention of seeing this work undermined by putting the inspectors—the watchdogs—in the employ of the processors. One of the reasons we enacted the Poultry Products Inspection Act of 1957 was to end abuses which had grown up under the previous voluntary inspection system, under which the processor paid for the service and all too often called the tune on how the service was to be provided.

FEDERAL MEAT INSPECTION BEGAN IN 1906

So, while I may be on the side of the angels, as far as your husbands are concerned, on this particular issue of user charges for meat inspection, we are not necessarily on the same side for the same reasons.

I am sure that making the packers pay for inspection will not put them into bankruptcy. They would just pass the costs on down the line, in higher prices. Every consumer would pay more for meat and poultry—much more than the cost of the inspection, once markups on wholesale costs are pyramided down the line. This would, of course, hit hardest at the lowest income groups. But this is not the only, or even the main reason I oppose it. Sometimes meat or poultry prices rise for other reasons—or fall. Short of the kind of price control no one seriously, or responsibly, would suggest, we cannot guarantee that the price of ground round or pork chops or chicken parts will always remain constant and static. So, while higher cost to the consumer is a factor—perhaps a few cents a pound more in a particular cut of meat—the basic issue of why I oppose the user-charge idea goes more deeply than that.

Meat is inspected for wholesomeness in order to protect the health of the American people. We no longer buy from a neighborhood butcher who slaughters his own steers and whose reputation for sanitation, or lack of it, is known to everyone in the neighborhood. As long ago as 1906, meatpacking had become endowed with such a public health importance that Congress—under prodding from some "wild-eyed radicals" whom your husband's grandfathers or great-grandfathers must have cursed with heartfelt malevolence—enacted the Meat Inspection Act which assures us that the products leaving your husbands' plants are pure and wholesome—derived from disease-free animals, processed in sanitary facilities, and free from dangerous or harmful additives or from contaminants.

INSPECTORS SHOULD NOT BE BEHOLDEN TO PACKERS

Once the products leave the packing plants, the Food and Drug Administration is supposed to keep an eye on their wholesomeness in transit, and then it is usually up to the State or local authorities to make sure the products are properly refrigerated and protected in the retail stores. Of course, when the housewife leaves perishable meat items in a car parked in the hot sun for several hours with the windows closed, before getting them home to the refrigerator or freezer, that's a different story.

But we know—we know—that when that meat left the packing plant, it was as wholesome as it is possible for us to assure meat to be. I wish every processing plant in the food industry were as sanitary as our meatpacking plants in interstate commerce, and every food product as wholesome upon leaving the factory. I doubt if we could ever succeed in having the kind of continuous Federal inspection for wholesomeness in every food plant which we have now in interstate meatpacking. The Federal meat inspectors are the guards of this purity. I don't want them beholden to the packers for their pay.

In view of the reasons I have given you for my opposition to user charges for meat inspection, you might wonder why I have gone to the unusual lengths today of leaving Capitol Hill during congressional working hours in order to come here to meet with the wives of the directors of the American Meat Institute. Obviously, it could not have been in an effort to try to ingratiate myself with the industry your husbands represent, for I hope I have made it clear my position is based very little on consideration for the cost ledgers of your husbands' firms and very much on considerations of public health and public interest and public policy.

GAPS IN FOOD, DRUG, AND COSMETIC ACT

For my answer, I have to go back to an incident last summer when I held an informal press briefing on consumer legislation with many of the women reporters who cover Washington for newspapers, magazines, radio and television. The more I told them about the gaps in our consumer laws, the more incredulous they were.

These were sophisticated, knowledgeable Washington reporters, sharp and well informed. But, like most women, they were generally unaware of the fact that the beauty preparations we buy for billions of dollars each year are freely put on the market without any required preclearance for safety; that medical devices and materials used in or on our bodies for the relief of pain or the mitigation of illness or disease need not be certified as either safe or effective; that drugs or cosmetics which are poisonous if swallowed or inhaled, or food, drug, or cosmetic items which are packaged in dangerous containers, need not indicate that fact, or provide any life-saving instructions if mishandled by children; that half of all of the pep pills and barbiturates produced in this country—drugs which are supposed to be dispensed only by prescription and which are dangerous when misused—end up on the bootleg market where they are peddled to people, including teenagers, who do misuse them to an alarming extent; that hair dyes are being legally marketed which can cause blindness, baldness, scalp burns, or severe dermatitis in individual cases, and the law doesn't care just so long as the label on the container indicates in fine prints that the product may be dangerous to some users—and, I ask you, what woman having her hair dyed in a beauty salon ever gets to read the warning label on the container in which the dye was shipped to the hair-dressing establishment?

A CAUSE ALL WOMEN SHOULD PROMOTE

When I recounted these and a list of other glaring gaps in our basic consumer protection statute, the Food, Drug, and Cosmetic Act of 1938, to the women reporters, they were amazed at how many of these facts were unknown to the public. They promised to do something about it professionally, and I am delighted to say they have done a great deal since then in publicizing the need for corrective legislation such as in my omnibus bill, H.R. 1235. But they gave me a further assignment:

"You will have to get more women interested in these issues," they told me. "See if you can get the League of Women Voters, or the General Federation of Women's Clubs, or other women's organizations behind you. If you can do that, we can help you put this story across."

Ever since then, I have been trying my best to enlist the women of this country in the kind of political campaign in which women are irresistibly effective once they get started. I am not referring to partisan politics, but politics in the broader and deeper meaning as the science and art of government in a democracy. And many of the women's groups are responding and working on this issue. But success is still a long way away.

SLOW PROGRESS IN WINNING REFORMS

I have been introducing an omnibus food, drug, and cosmetic bill in every Congress since 1961—the same basic bill with the same number, H.R. 1235. Parts of my original bill from 4 years ago were enacted in 1962 in the drug control amendments, dealing only with prescription drugs. These provisions were first introduced in legislative form in my bill, and later formed the foundation for the Kefauver-Harris bill which became law. But other features of my original bill are still awaiting action even though they are just as urgently needed as were the drug control provisions enacted 3 years ago. Cosmetics safety legislation has been stalled in Congress for at least 11 years, which is how long it has been since Congressman DELANEY, of New York, and I first introduced companion bills on this subject.

So I am here today not to soft-soap your husbands on the question of meat inspection costs, but to enlist you in a special kind of political campaign—to help get legislation of vital importance to you and to your children and their children taken off the legislative back burner, where it simmers fitfully and ineffectually, and get it on the front burner, where it can come to a boil.

This is legislation in which you, as the wives of leaders of the meat industry, can see some close-to-home relevance. For the issue simply is this: we should expect, and require, that all of the foods we buy and use are as wholesome and pure as the meat which leaves your husband's plants, and all of the drugs—including those bought over the counter—and all of the cosmetics, and also all of the therapeutic devices offered for the relief of illness or disease or pain, are safe to use in the manner indicated and safe to have in the home; or, if they can't always be made completely safe, that then the warnings they must carry are clear and the instructions explicit. For instance, we require bleaches and detergents and paints and solvents and other hazardous household items to be clearly marked as to danger and as to antidotes, but food, drug and cosmetic items are expressly exempt from these requirements. Why? There is no good reason.

NEED FOR POLITICAL ACTION

Your family incomes in the meat business come from a wholesome product which must meet and pass strict Federal inspection and controls. As customers for other consumer products, you are entitled to, and should expect and require, similar guarantees of safety from those whose products you buy for your own homes.

How do we achieve these consumer objectives—and others, too, such as establishing clear-cut national safety standards for automobile tires, which are sold today in a jungle of confusing and misleading claims and descriptions as to quality?

(The other driver's cheap "bargain" tires can take the lives of your entire family on the superhighway.) How do we end pollution of our atmosphere and of our environment? How do we curb the continued improper use of insecticides and pesticides which endanger our food supplies?

The answer is a simple one to state, but difficult to achieve. We accomplish these things through political action, first by arousing citizens to the existence of these problems and having them, in turn, arouse their public officials to the existence of legislative or regulatory means for solving these problems.

I have seen wonders accomplished in this manner—from educational opportunities for retarded and other physically handicapped children to the establishment of a billion-dollar-a-year health research program in the National Institutes of Health; from the development of library facilities in rural areas to our half-billion-dollar-a-year program for expansion of college facilities; from the nationwide polio vaccination program to the creation of an educational television system. All of these things—and many more—were instigated by, or helped to achievement by dedicated women making their voices heard in Washington—by writing to their Congressmen, to their Representatives and Senators, and by talking to other women and encouraging them to do likewise.

PUTTING YOUR FOOT DOWN

When I ask you to enlist in this political campaign for consumer safety, it is primarily for the safety of children, for they are the greatest victims of gaps in our poison control laws. You may not agree with every provision of my omnibus bill; the necessity, however, is to agree on basic objectives, and we can tailor the bills to meet those needs on which we do agree. For example, I propose in my bill a complete ban on sale of flavored aspirin for children. Pediatricians are divided on this idea. If I can't prove the need for it I will back down, but I think I can establish the need. Even so, getting Congress to act on necessary legislation, even when the need is clear, takes a lot of pressure. In that respect, Congress is like the accelerator of your car; you make it go by putting your foot down.

If women generally will help in this drive, we can win our objectives of greater family safety. Knowing that the firms where your husbands work must toe the line on product safety and sanitation and wholesomeness, I feel you can be tremendously effective in calling for similar safeguards in other industries serving the American consumer. That's why I have come here to ask your help.

Secretary Connor Comments on Outlook for Business

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1965

Mr. EVINS of Tennessee. Mr. Speaker, the distinguished Secretary of Commerce, Hon. John T. Connor, was interviewed in depth on May 24, last, by a reporter for the U.S. News & World Report, on the state of our economy and the outlook for business.

Secretary Connor reflects an acute understanding of contemporary economics and the nature of our current prosperity in this interview. He also addresses himself to the broadening area of responsibility in America in which businessmen are assuming greater and greater roles in all dimensions of service.

I ask unanimous consent that the article be reprinted in the Appendix of the RECORD.

The article follows:

OUTLOOK NOW FOR BUSINESS—INTERVIEW WITH COMMERCE SECRETARY JOHN T. CONNOR

Question. Mr. Secretary, business is humming now, but what about next year?

Answer. On the basis of the evidence we have now, it appears that we will continue to achieve economic gains into next year.

Question. Into next year—but can you look through the entire year?

Answer. No. I think it's too early. We still haven't seen the end of the steel-union negotiations, and the questions there overhang the business outlook. Steel production is high compared with user needs.

Question. Do you mean that, once the strike threat is removed, steel operations will decline?

Answer. Inventories of steel will have to be worked off at some point. It's not only the strike threat that causes the current high demand on the part of steel users. There is, also the general high level of business activity in steel-using industries. When there is a lessened demand for steel because of seasonal factors in the automobile industry and other industries, then the production rate will decrease.

Question. But until the strike threat is settled——

Answer. Until then, the consuming industries of steel will continue to maintain high inventories.

The information we have is that many of the users by now have reached the inventories they think they need to see them through a strike of moderate duration. Therefore, they will not build any further, but will hold at about present levels. Then, when the steel situation is definitely settled for a longer period of time, they will eat out of their inventories.

Question. Does your prediction of business growth into next year imply a slowdown then?

Answer. No, not at all. There simply are too many imponderables at the moment to be able to see beyond that.

Question. Some businessmen still seem to feel that there is a possibility of a leveling off in business toward the end of this year. To keep business moving at a brisk pace, do you see the need of Government action—such as a further tax cut, beyond the excise cuts now proposed?

Answer. My opinion is that business prospects through the end of this year and into next year are still sufficiently promising so that no unusual measures are needed—such as a huge public-works program, or substantial excise tax cuts beyond the level recommended by the President.

Question. Do you believe the $1.75 billion of excise cuts recommended by the President are needed?

Answer. Yes, I do. I think these reductions are warranted at this time, and will be helpful to continuation of our high level of prosperity.

Question. Do you see any threat to the economy in the fact that there will be a tremendous stimulus this year in the form of excise cuts and increased social security benefits, followed by a drag on the economy through an increased payroll tax at the start of next year?

Answer. Well, readjustments will certainly be in order, because, as you have indicated, there will be one force flowing one way and a counterforce the other way.

Just what the effect will be would be difficult to forecast. But I don't think that changes of this magnitude month by month will produce immediate reactions in the economy. I think that they can be overbalanced by other factors, such as increased capital investments, increased consumer spending, and so forth. But I think we have to expect some moderating effect on the economy as a result of the balancing of these factors.

Question. Outside of steel, which you have mentioned, are there any particular problems you see in the business outlook that worry you at this time?

Answer. There are some small clouds in the sky here and there, but at the moment things are quite favorable. I'm not being Pollyannaish in saying this. It's a very bright picture as we see it at the moment.

Question. Does your Department accept the idea that recessions are a thing of the past?

Answer. No, we haven't seen any law to repeal the business cycle. But we do think that by looking ahead and getting an understanding of the various factors, and by trying to recommend or suggest adjustments before the full impact hits, the hills and valleys can be leveled out somewhat. Thus we can avoid wild swings such as we have had in the past. We think this process is working now.

Question. Do you think that deep depressions are a thing of the past?

Answer. I think that enough adjustments have been made, and we have enough flexibility in our entire economic picture, so that we can avoid deep depressions, yes.

Question. You talked about the outlook for months ahead in steel. What about another key industry—autos?

Answer. The automobile situation has certainly continued strong for a longer period than even the industry had forecast. This has helped the whole economy.

Question. Do you think the auto boom could go into a fifth year at a rising rate?

Answer. Not necessarily at a rising rate, but certainly at a continued high rate. Remember this: Before long, the replacement market for automobiles bought new at the outset of this recent succession of high-level years will be showing up. This will have an appreciable effect.

There is another important point to note in assessing the outlook for the economy——

Question. What's that?

Answer. The most important development of all, I think, has been the much higher rate of capital investment than was thought possible as the year started. And this investment that is on such an increasing scale seems to be concentrating on additional capacity in industry rather than on labor-saving devices or on new equipment. This can have far-reaching effects in the economy.

Question. What does this trend of investment mean?

Answer. It means that industry is seeing bigger markets ahead.

Question. And is getting ready for those larger markets?

Answer. Right. The boards of directors of these companies voting the increased capital expenditures, having looked at their business prospects, have concluded that they need larger capacities.

Now, a key factor that hasn't been given enough attention, in my opinion, is the effect of the long-range planning programs that are now prevalent in most important companies. I've seen it happen in quite a few companies where the existence of a long-range plan has led the top executives and the board to be more willing to commit themselves to capital investments that result in facilities to be needed over a period of time, rather than just next year or the year thereafter. I think this is an important factor in smoothing out this whole trend of industrial growth.

Question. Does this mean we won't get a sudden spurt of investment and then a sharp decline?

Answer. Exactly, I think this is happening as a result of greater emphasis on long-range planning in most of the big companies.

Question. They are betting that the economy over the years will grow pretty rapidly——

Answer. That's right.

Question. But, looking at the prospects for business in the period immediately ahead, do you think there will be a wage settlement in steel without a strike?

Answer. Yes, I think it is highly probable that this will emerge, once the steel union's election question is settled. And, even though it may be contested, the decision on the union presidency probably will be accepted by the rank-and-file membership. Then it becomes much easier for the negotiations to proceed.

One of the problems is that, up to the present time in the negotiations, they just haven't been able to get down to brass tacks on some of the most difficult issues—particularly those at the local level. And, of course, in the steel union now, the local-district leaders are playing a much more important role.

So it could be as complicated as it was in the automobile situation to bring about a final settlement, because just settling the national issues is only part of the problem.

Question. Might there be local strikes in steel?

Answer. There could very well be, if these local issues are serious enough and are not resolved by timely attention.

Question. What types of issues?

Answer. Well, it becomes a question of job security as much as anything else. Most of the steelworkers share the apprehension in many other industries that their job prospects are jeopardized by increased automation. And this gets to a very basic problem that is emerging in this country as growing emphasis is placed on the need for productivity increases to keep pace with higher and higher wages. And this can be achieved by greater mechanization, greater automation.

When this happens, you can usually soften the impact on the workers employed at the time by phasing out the improvements that are needed and by having the separations take place over a period of time. Normal attrition thus can be an important factor in easing the human impact.

But the result is that, in the company or industry involved, there are fewer job opportunities for the sons and the grandsons of people then in the labor force, particularly those who are unskilled or semiskilled. This is happening at a time when the supply of unskilled people is growing by leaps and bounds. As a result of school dropouts, and also the baby boom after the war, we are getting a very high increase in the number of youngsters joining the labor force, and many of these are relatively untrained and unskilled.

Question. But they can be trained——

Answer. They can be, and this is something that is a serious national problem. We can't really pin the responsibility on one employer or even one industry to train the next generation, although they certainly should feel a moral concern to help all they can.

This is a situation where industry as a whole and the labor movement as a whole—with the Government acting perhaps as a catalytic agent, or perhaps in a more responsible capacity—must look at the problem on a broad basis.

Question. Mr. Secretary, speaking of unemployment: Despite what the bare figures show on the number of people out of work, do you find that there is a labor shortage developing in this country?

Answer. There's a labor shortage among certain of the skilled occupations. Actually, for the labor group as a whole, you have to look at the segments in order to get a real picture of what's happening.

Among adult men and women, the unemployment rate is, as I remember it, slightly below 3 percent, which is a pretty reasonable figure. But the unemployment rate among teenagers is very high—and it's particularly high among nonwhite teenagers, boys and girls. This should be the focal point of our attention, because this is where the need is greatest.

Question. Is that because a lot of them don't want to work on the kinds of jobs that are available?

Answer. No, I think it's due to the fact that many of them dropped out of school or had poor educational advantages or poor home environments or poor job opportunities in the large cities where they are concentrated—factors such as these.

Question. But don't most of them want jobs that pay a certain amount or meet certain other conditions before they will accept them?

Answer. No, most of them will take whatever job is available if it gives them a living wage.

Question. In view of what we now see going in the country, does full employment look like a reasonable goal?

Answer. Of course, full employment has never been defined to mean zero unemployment. And it becomes a question of just what is meant by "full employment."

The people who have the immediate responsibility in this area and are closer to it seem to think that a level of unemployment somewhere in the range of 3 to 4 percent of the labor force would mean employment opportunities for those who really want work. There will continue to be some unemployment, considering the fact that often it takes a little time between jobs to locate the next one that's desirable.

Question. Does full employment actually mean inflation?

Answer. Not necessarily, although it does add to the pressures.

Question. Where has full employment ever been achieved without inflation?

Answer. Well, they are having it in Australia now, and they don't have an inflationary trend to any great extent. Their price index is relatively stable.

Question. But in Europe they certainly have inflation——

Answer. In Europe they've had inflationary situations. Of course, there they've had overemployment, really. Unemployment hasn't been even 1 percent.

Question. Would you say that the labor unions are showing any signs of increased awareness of the problems of productivity and profit margins in the industries with which they negotiate?

Answer. Oh, yes, you see it reflected in the negotiations that are being conducted in industry after industry.

Certainly the atmosphere with respect to the steel negotiations is radically different from the atmosphere that prevailed at the time of the automobile negotiations and in the service-type activities, such as were involved in the longshoremen's dispute, which did result in a prolonged strike.

STEEL INDUSTRY: TROUBLED

Question. What is different about the steel negotiations?

Answer. The profit margins in the steel industry are below the average for U.S. industry as a whole.

The rising volume of imports of steel products has, within a period of about 5 years, reversed what had been a favorable balance of trade in steel to an unfavorable balance. It's becoming increasingly difficult for U.S.-made steel products to be sold in the world market because of price differentials. So this has become a limiting factor in the growth of that industry in the United States.

The steel industry has benefited from the changed depreciation regulations and from the reduced corporate taxes which have given them the opportunity of calling more earnings back into the capital expenditures that are needed for modernization of their facilities.

But the future prospects of the steel industry in this country are much more limited, because of these basic economic conditions, than are the future prospects of the automobile industry. And I think this fact is now recognized in the steel negotiations.

Question. By the union?

Answer. Yes, by the union.

Question. Is productivity increasing in steel as fast as in some other industries?

Answer. No. Productivity in steel is increasing at a slower rate, and this is another factor.

In many industries—particularly the young industries with great growth potential—you can get very rapid productivity increases.

In the chemical industry—at least many parts of it—because of process improvements and other changes that result from capital investments, you can get rapid productivity increases.

It's much more difficult to get it in an industry like steel.

WHAT GUIDEPOSTS CAN'T DO

Question. Will the Johnson administration insist that the steel settlement be within range of the so-called guideposts laid down by the Government?

Answer. Well, the guideposts, of course, are not laws. They don't have the force of law, and there is no legal authority to insist upon their being followed.

In situations that we've seen recently the parties, for their own good reasons, have reached agreements that have been below, or in some cases above, the so-called guideposts with respect to wages.

And the guideposts with respect to price changes, by and large, have been only an influence—not having any determinative effect. The price guideposts, I think, are going to have to be looked at carefully in the months and years ahead.

In a dynamic situation like this, I think it would be a mistake to be wedded forever and a day to any particular formula.

I think we all have to keep looking at the formula critically to see whether it still is responsive to the needs.

Question. Do you find that the unions cite the guidepost figure as a floor for their negotiations—meaning that they insist on getting at least that much?

Answer. Oh, sure. And when many wage settlements made 6 or 12 months before your own negotiations start have resulted in increases of 3.2 percent or more, then 3.2 tends to become the sort of minimum bargaining position on wages.

Question. In your conversations with businessmen, what attitude do you find with regard to increasing the minimum wage?

Answer. Most business people, particularly employers in small businesses, are very anxious to keep their costs down, because it has become increasingly difficult to raise prices to reflect any cost increases.

Therefore, there is strong opposition in many business groups to any increase in the minimum-wage law. And there also is strong opposition to double time for overtime.

The feeling is strong, in small businesses particularly, that the overtime proposal would not result in any added permanent jobs, because some of their activities are part time and seasonal, or involve skilled people who would not be employed in greater numbers by this overtime. In their view, it would not add jobs, but simply add to costs and weaken their competitive position.

The administration position with respect to the labor legislation has not yet been determined, but these various points of view from the labor groups and from the industry groups are being taken into account as the legislation is under consideration.

Question. Does the U.S. Department of Commerce have a position on it?

Answer. We are expressing a position through the usual channel of Bureau of Budget procedure in an attempt to evolve an administration position—yes.

Question. Are these discussions or debates what is holding up the President's labor message? It was scheduled to go up about the middle of February. Later, it was scheduled to go up again. Then the line just went dead——

Answer. Well, the whole question is under active consideration.

Question. When we were discussing the problems of the economy that worry you, you didn't mention the dollar—the balance-of-payments problems. Isn't that a worry any more?

Answer. It's still very much a problem, but the recent developments are encouraging. It looks as if the program outlined by President Johnson on February 10 is going to be successful. His meeting on February 18 with business leaders seemed to have an almost immediate beneficial effect.

Question. You are referring to the voluntary program in which companies are asked to reduce their own outflow of dollars for investment and other purposes abroad——

Answer. Yes. This is, of course, only part of a broader program to deal with the balance-of-payments problem.

Question. How can you tell it's successful?

Answer. We got reports from 344 corporations with operations abroad. The prospect is that these companies will be able to improve their own performance, so far as their own balance-of-payments situation is concerned, by about $1.2 billion in 1965 compared with 1964. So we feel that we are off to a very good start. Business is cooperating fully with the Government in this program.

SLOWING THE DOLLAR DRAIN

Question. How are the companies achieving this improvement in their payments abroad? Are they slowing investment abroad, or bringing funds back home from abroad, or what?

Answer. A variety of things. From their comments to us, we know that many of them, for example, are going to increase their exports beyond what would have been their normal expectation because of their desire to cooperate in the President's program.

Question. How does this work? Can businesses just make a dicision that exports will be increased?

Answer. Yes, they can. These are corporations that have extensive foreign affiliates and foreign subsidiares and foreign marketing orgnizations. By putting greater emphasis on making their final products, or parts or intermediates or supplies, in the United States and selling them abroad through their foreign affiliates, they can make a very appreciable contribution.

As a matter of fact, their foreign affiliates and subsidiaries have already become the most important customers of the parent U.S. corporations. And this can be expanded considerably more.

Question. Have some companies cut back on plans for foreign investment?

Answer. Yes. We, of course, have left it to their own discretion and judgment as to where and how this can be done. And we have pointed out that it is only in the marginal situation where we would suggest that they take a second look.

Many of them have indicated that a capital project that might have been on the drawing board for 1965 can be put off into 1966, or one that is now scheduled for late in 1966 can be put off into 1967. Or they can concentrate on completing others before getting started on some new ones.

Question. What else are companies doing to conserve dollars?

Answer. All of the companies we have talked to are taking another look at their acquisition and expansion plans. And the ones going ahead with those plans are looking to see if at least part of the foreign activity cannot be financed in the host country, instead of bringing all the money needed from the United States in dollars.

Others are phasing out their financing, and many are financing out of earnings on the profit returns of their existing foreign investments. As a result, I think the drain on dollars from these foreign investments will be significantly less this year than it otherwise would have been.

Question. You are not asking business to stop investing abroad, even temporarily?

Answer. Oh, no, not by any means. These foreign investments have been beneficial to the United States. The amount of profits and royalties and fees and other income returned to the United States from foreign affiliates is now at a very high level. We expect continued growth on that account.

So it would be penny-wise and pound-foolish to try to discourage further foreign investments. But we are trying to get a moderating effect in the next year or two while we have this serious balance-of-payments problem.

Question. Mr. Connor, you have charge of the business portion of the voluntary program, as well as the trade and travel portions, but what about the bank program?

Answer. The Federal Reserve System runs that program, with the advice of the Treasury Department.

Question. Can you say how the bank program is working?

Answer. Yes. We don't have any figures, but it certainly has resulted in fewer short-term dollars being made available for foreign investments by foreign nationals in their own countries.

Looking at the whole program, in all of its parts, the base is so big that we think that, by reasonable cooperation and planning ahead, this deficit problem can be licked without doing any serious harm to any segment.

Question. Mr. Secretary, what assurance would you give businessmen that this voluntary program still looks like a temporary proposition?

Answer. Just by the nature of the program, you can expect to keep up the enthusiasm and the interest and the active participation for only a limited period of time. We think that if we can keep it going through 1966, this will be about the end of it. It was designed as a short-term program, as a hold-the-line program, while the more basic problems were being considered.

Now, if we, as a result of this program, get renewed confidence in the dollar among the government officials and economists and financiers in European countries; and if, as a result of that, we are able to work out longer-term arrangements in the monetary field, then we think that the temporary program will gradually just drop off.

Question. Suppose we still have a deficit when the voluntary program wears out—what devices are available to us then?

Answer. We have many possibilities, and some of them depend upon the foreign situation.

You have the question of how much additional contribution you'll get from U.S. direct foreign investments, which we know are in an uptrend. Depending upon the economic conditions in these other countries, we probably will get substantial added benefits there.

You have the export-import situation, which is subject to change, depending upon economic conditions in countries throughout the world.

You have our whole military expenditure program abroad, which is subject to change, depending upon our foreign relationships and developments abroad.

So it is with the foreign aid program. You have expenditures of other Government departments abroad. You have the travel expenditure item. You have all kinds of possibilities, and they're flexible.

NO PLANS FOR TRAVEL TAX

Question. What about Americans traveling abroad? Are you still thinking of a tax on people leaving the country?

Answer. No, not a tax. We think that, so far as travel is concerned, our first job is to get a better understanding on the part of Americans about the effects of foreign travel on our balance-of-payments problem.

Question. Specifically, what are you trying to do in your travel program?

Answer. First of all, we have a positive program of encouraging travel in the United States by our own citizens and those of other countries. If this is successful, a lot of the funds available for travel will be drained off in that direction.

It's almost startling to realize that 52 percent of the people in the United States—the adult people—have never been more than 200 miles away from home. This means that there's a large part of the country that most Americans have never seen. And, therefore, there's a great potential travel market within the United States.

Secondly, we are stepping up our program of encouraging people from other countries to visit the United States, and in this we have the full cooperation of the travel agencies and the airlines, shipping organizations, and so forth.

Question. What else?

Answer. And then, with respect to Americans who decide that either their business interests or their personal interests do require foreign trips, we have been suggesting that American-flag air carriers and ships step up their selling efforts and increase their share of the market.

A more vigorous competitive drive by American carriers can mean quite a lot in the aggregate to our balance-of-payments deficit.

Also, if Americans abroad refrain from purchasing expensive works of art and jewelry, and so forth, this can have an effect. We have made a specific legislative proposal that the duty-free allowance for Americans returning home be reduced from $100 wholesale to $50 retail, and we think this will have a beneficial dollar-saving effect, and also a psychological effect.

Question. What do you do about people who abuse the privilige of sending back duty-free packages valued at not over $10?

Answer. There has been some abuse. These have been tested by sample audits.

The conclusion so far has been that the abuse has not been too important. Now this, I think, will have to be reexamined, if there is a reduction in the duty-free allowance on returning travelers, because the abuses could become more signicant.

Question. As to travel abroad, there seems to be some confusion. You do urge people to travel in the United States. Do you take the next step and urge people not to travel abroad unless they have business reasons to do so?

Answer. No. The Federal Government proposes no restrictions on travel.

Question. Will you straighten us out on just what the official position is on travel abroad?

Answer. We leave it to each American to determine—in light of his own personal situation, his business situation, and the national-interest problem—whether a trip should be taken.

All we're attempting to do is to bring the facts of the national problem to his attention, so that he can consider them along with his personal and business reasons. But if his decision, after considering all the facts, is that the trip is desirable, then there's no Government position that would discourage that trip in any way.

We can't possibly try to make the millions of decisions in those cases, and we're not attempting to.

Question. Does a person need to feel guilty about it, if he's planning to take a trip to Europe this summer?

Answer. Not at all. But if he decides he is going to take a trip, we have the additional suggestion that he use American-owned facilities to the extent possible, and that he keep down his purchases while abroad. This apparently is a suggestion that pleases most husbands, but some of the wives are not so pleased.

RESTRICTIONS ON TRADE

Question. Mr. Connor, for years, the United States has been seeking the removal of restrictions abroad on trade and other commercial relations among nations. Are we not now moving in the opposition direction ourselves, with other countries doing the same thing?

Answer. I don't think the trend has changed at all. This balance-of-payments program of ours does not apply official restrictions as a matter of law or Government regulation. The program is voluntary, and this enables business corporate heads to decide in their own cases how they can cooperate.

The enthusiastic response that we have received from the business community indicates that the voluntary program of throwing the ball to them and letting them decide just how to run with it was the right way.

However, you are right that many other countries have had to take positions that amount to trade restrictions—some of a temporary nature and some of a permanent nature.

This all indicates that the negotiations for the so-called "Kennedy round" of tariff reductions are going to be very difficult. There are very difficult economic problems facing many countries throughout the world, and it may be that progress will be slower than was originally contemplated.

SAFETY IN AUTOS

Question. Mr. Secretary, a few weeks ago you said you would meet with automobile manufacturers to discuss speed and other factors involved in auto safety. What would you like to see done in this area?

Answer. Frankly, I don't know. I think that this whole question of safety in the production and use of automobiles on public roads is of growing importance to us as a nation. Since we in the Department of Commerce do have responsibility for the public roads program, and also have the responsibility for relationships with the business community, it seemed to me to be a good idea to arrange a meeting and discuss the whole question of safety.

There are those—in Congress, particularly—who think that perhaps we should control the automobile manufacturing industry to the extent of specifying just what automobiles can and cannot be built. On the basis of all the information available to me now, I would be opposed to any such move.

On the other hand, highway accidents are resulting in more deaths every year, and the figures on the number of young drivers who will be on the highways in the next 5 to 10 years are staggering. Therefore, I think it's an area where the Government can stimulate more thinking among the automobile manufacturers about building in some more safety devices and, on a voluntary basis, to see if this problem can't be brought into sharper focus.

I just have no idea specifically as to what might emerge from these discussions. For a while there was a horsepower race, and then that was submerged in the interest of economy and safety and various automobile characteristics. But, in the last year or so, there seems to be growing emphasis on speed and on the size of automobile engines. It seems to me that some more thought should be given to the question: Is this a wise policy for the automobile manufacturers to follow, in the public interest and their own interest?

Question. On a number of occasions you have urged businessmen to broaden their responsibilities. What do you have in mind?

Answer. For many years we have watched both labor unions and Government widen their responsibilities—and their power and influence have grown apace. By voluntarily increasing its responsibilities and human concerns, business today is gaining a more influential voice in our national affairs.

President Johnson has asked the help of American business and he is getting it—the voluntary program on the balance of payments is an outstanding example. Growing business involvement in a broad range of serious problems is having the most salutary effect on our entire national life.

The new spirit of cooperation between business and Government can be a decisive force in the pursuit of our national objectives. I think the same sense of partnership that is helping to solve the balance-of-payments problem can be applied to job development and other critical national needs. In the social and economic gains, everyone will benefit.

Twenty-five New Food Stamp Projects Eliminated by Appropriations Committee

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 24, 1965

Mrs. SULLIVAN. Mr. Speaker, as the author of Public Law 88-525 establishing the nationwide food stamp program, I am, of course, anxious to see this program expanded as rapidly as possible to areas of the Nation which want, but do not yet have, food stamp projects in operation. The program originally began as a pilot operation with only 8 projects in severely depressed areas; later it was enlarged on an experimental basis to 40 counties and 3 cities, with the entire costs financed out of section 32 funds.

After the enactment of Public Law 88-525 last August, $60 million was appropriated to finance operations for the remainder of this fiscal year—at a level of $75 million a year—and more than 60 additional projects have been added to the program this year. Several more are to be added next month, at which time there will be 110 projects operating in 29 States.

Under Public Law 88-525, the program in the 1966 fiscal year was to be enlarged further to a level of $100 million a year. This would have made possible the addition of 28 new projects, including the District of Coumbia, the city of Baltimore, the city of Providence, and numerous other localities in Alabama, Alaska, California, Georgia, Hawaii, Maine, Maryland, Michigan, Minnesota, Mississippi, Nevada, New Jersey, New York, Texas, Vermont, and West Virginia.

TWENTY-FIVE-PERCENT BUDGET CUT WOULD LOP OFF 25 PROJECTS

However, Mr. Speaker, the action of the Committee on Appropriations in cutting back the budget for the food stamp program in the coming year from $100 million to $75 million would mean—if allowed to stand—that only 2 or 3 of the 28 additional areas scheduled to come into the program in the new fiscal year beginning July 1 could be included.

Thus, 25 of the following 28 areas—listed along with their Representatives in the House—would be forced to go for another year without the benefits of this excellent program, and their needy families would be denied the opportunity to enjoy a well-rounded nutritious diet at a cost they can afford:

Alabama: Lauderdale County, ROBERT E. JONES.

Alaska: RALPH J. RIVERS, at large (specific area not designated).

California (specific area not designated).

District of Columbia.

Georgia: Habersham County and Hall County, PHILLIP M. LANDRUM.

Hawaii: SPARK M. MATSUNAGA and PATSY T. MINK, at large (specific area not designated).

Maine: Androscoggin County, WILLIAM D. HATHAWAY.

Maryland:

City of Baltimore, EDWARD A. GARMATZ, GEORGE H. FALLON, SAMUEL N. FRIEDEL.

Dorchester County, ROGERS C. B. MORTON.

Michigan, Wayne County[1]: JOHN CONYERS, Jr., WESTON E. VIVIAN, JAMES G. O'HARA, CHARLES C. DIGGS, Jr., LUCIEN N. NEDZI, WILLIAM D. FORD, JOHN D. DINGELL, MARTHA W. GRIFFITHS, BILLIE S. FARNUM.

Minnesota, Ramsey County, JOSEPH E. KARTH.

Mississippi:

Chickasaw County: THOMAS G. ABERNETHY.

Coahoma County: JAMIE L. WHITTEN.

Harrison County: WILLIAM M. COLMER.

Jones County: WILLIAM M. COLMER.

Loundes County: THOMAS G. ABERNETHY.

Madison County: PRENTISS L. WALKER.

Nevada, Clark County: WALTER S. BARING, at large.

New Jersey: (Specific area not designated).

New York, Erie County Welfare District: RICHARD D. MCCARTHY, HENRY P. SMITH, III, THADDEUS J. DULSKI.

Rhode Island: City of Providence: FERNAND J. ST GERMAIN, JOHN E. FOGARTY.

Texas: (Specific area not designated).

Vermont: (Specific area not designated).

West Virginia:

Boone County: JOHN M. SLACK, JR.

Fayette County: JAMES KEE.

Kanawha County: JOHN M. SLACK, JR.

Raleigh County: JOHN M. SLACK, JR.

MORE THAN 300 ADDITIONAL AREAS ALSO WANT FOOD STAMP PLANS

In addition to setting back, for at least a year, the inclusion of the 25 areas which had been scheduled to come into the program during the 1966 fiscal year under a $100 million budget, Mr. Speaker, the action of the Committee on Appropriations would mean further extended delays for 339 additional localities in 35 States, for which State welfare agencies have formally requested food stamp projects. Even under a $100 million annual budget, they could not be included in the coming year; but if the $75 million figure were to stand, it would take a tremendous effort to gear up the program in the 1967 fiscal year to the $200 million level authorized in the enabling legislation. I doubt if the committee, or the Congress, next year would try to go from a $75 million to a $200 million level overnight. On the other hand, if we advance, as scheduled, in the 1966 fiscal year to the $100 million level proposed in the budget, it would be that much more practical to reach the $200 million level the following year, as the law provides.

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[1] The city of Detroit is 1 of the 43 pilot areas.

Those areas on the waiting list, more than 300 of them, and their Representatives, are as follows:

Pending Requests for the Food Stamp Program Submitted by State Welfare Agencies Under the Food Stamp Act, as of May 21, 1965

Alabama: Greene County: Armistead I. Selden, Jr.
Alaska[1]: Ralph J. Rivers, at large.
Arkansas:
Bradley County: Oren Harris.
Crittenden County: E. C. Gathings.
Lonoke County: Wilbur D. Mills.
Mississippi County: E. C. Gathings.
Conway County: Wilbur D. Mills.
Johnson County: James W. Trimble.
Monroe County: Wilbur D. Mills.
Dallas County: Oren Harris.
Poinsett County: E. C. Gathings.
Prairie County: Wilbur D. Mills.
Greene County: E. C. Gathings.
Faulkner County: Wilbur D. Mills.
Ouachita County: Oren Harris.
Perry County: Wilbur D. Mills.
California[1]:
City and county of San Francisco: Philip Burton and William S. Mailliard.
Los Angeles County: Cecil R. King, Chet Holifield, H. Allen Smith, Augustus F. Hawkins, James C. Corman, Delwin M. Clawson, Glennard P. Lipscomb, Ronald B. Cameron, James Roosevelt, Ed Reinecke, Alphonso Bell, George E. Brown, Jr., Edward R. Roybal, Charles H. Wilson, Craig Hosmer.
Kings County: Harlan Hagen.
Merced County: Jeffery Cohelan.
Solano County: Robert L. Leggett.
Butte County: Harold T. Johnson.
Santa Clara County: Charles S. Gubser.
Imperial County: John V. Tunney.
Plumas County: Harold T. Johnson.
Contra Costa County: John F. Baldwin.
Inyo County: Harold T. Johnson.
Sacramento County: John E. Moss.
San Diego County: Robert C. Wilson and Lionel Van Deerlin.
Riverside County: John V. Tunney.
Colorado:
Baca County: Frank E. Evans.
Bent County: Frank E. Evans.
Boulder County: Roy H. McVicker.
Cheyenne County: Frank E. Evans.
Crowley County: Frank E. Evans.
Custer County: Frank E. Evans.
Delta County: Wayne N. Aspinall.
Elbert County: Frank E. Evans.
Garfield County: Wayne N. Aspinall.
Gunnison County: Wayne N. Aspinall.
Huerfano County: Frank E. Evans.
Jackson County: Wayne N. Aspinall.
Jefferson County: Roy H. McVicker.
Logan County: Wayne N. Aspinall.
Mesa County: Wayne N. Aspinall.
Phillips County: Wayne N. Aspinall.
Pueblo County: Frank E. Evans.
Rio Grande County: Wayne N. Aspinall.
San Miguel County: Wayne N. Aspinall.
Washington County: Frank E. Evans.
Connecticut:
Welfare District No. 2, New Haven area: John Stephen Monagan and Robert N. Giaimo.
Welfare District No. 7, Middletown area: William L. St. Onge.
Georgia:
Cherokee County: Phil M. Landrum.
Bibb County: John J. Flynt, Jr.
Hawaii[1]: Spark M. Matsunaga and Patsy T. Mink at large.
Indiana:
Daviess County: William G. Bray.
Gibson County: William G. Bray.
Lake County: Ray J. Madden.
Morgan County: Ray J. Madden.
Newton County: Charles A. Halleck.
Orange County: Lee H. Hamilton.
Pike County: Winfield K. Denton.
Vermillion County: Richard L. Roudebush.
Wells County: E. Ross Adair.
Decatur County: Ralph Harvey.
Franklin County: Lee H. Hamilton.
Madison County: J. Edward Roush.
Marshall County: John Brademas.
Switzerland County: Lee H. Hamilton.
Wayne County: Ralph Harvey.
Marion County: Andrew Jacobs, Jr.
Crawford County: Winfield K. Denton.
Iowa: Cerro Gordo County: H. R. Gross.
Kansas:
Atchison County: Chester L. Mize.
Marion County: Garner E. Shriver.
Kentucky:
Knox County: Tim Lee Carter.
Menifee County: Carl D. Perkins.
Bell County: Tim Lee Carter.
Elliott County: Carl D. Perkins.
Morgan County: Carl D. Perkins.
Edmonson County: William H. Natcher.
Pike County: Carl D. Perkins.
Carter County: Carl D. Perkins.
Harlan County: Tim Lee Carter.
Bowen County: Carl D. Perkins.
Campbell County: Frank Chelf.
Clay County: Tim Lee Carter.
Jefferson County: Charles R. F. Farnsley.
Kenton County: Frank Chelf.
Laurel County: Tim Lee Carter.
Lee County: Carl D. Perkins.
Rockcastle County: Tim Lee Carter.
Whitley County: Tim Lee Carter.
Wolfe County: Carl D. Perkins.
Louisiana:
Caddo Parish: Joe D. Waggonner, Jr.
Red River Parish: Joe D. Waggonner, Jr.
Franklin Parish: Otto E. Passman.
West Carroll Parish: Otto E. Passman.
Tensas Parish: Otto E. Passman.
St. Helena Parish: James H. Morrison.
Richland Parish: Otto E. Passman.
Vernon Parish: Speedy O. Long.
Sabin Parish: Speedy O. Long.
Iberville Parish: James H. Morrison.
Jackson Parish: Otto E. Passman.
Allen Parish: T. A. Thompson.
Madison Parish: Otto E. Passman.
Concordia Parish: Otto E. Passman.
Assumption Parish: Edwin E. Willis.
Jefferson Davis Parish: T. A. Thompson.
St. James Parish: Hale Boggs.
St. John Parish: Hale Boggs.
St. Charles Parish: Hale Boggs.
Iberia Parish: Edwin E. Willis.
Orleans Parish: F. Edward Hébert and Hale Boggs.
Lafayette Parish: Edwin E. Willis.
Cameron Parish: T. A. Thompson.
Lafouche Parish: Edwin E. Willis.
Jefferson Parish: Hale Boggs.
Calcasieu Parish: T. A. Thompson.
Maine:
Washington County: William D. Hathaway.
City of Waterville: Stanley R. Tupper.
City of Portland: Stanley R. Tupper.
City of Bangor: William D. Hathaway.
Michigan:
Alger County: Raymond F. Clevenger.
Arenac County: Elford A. Cederberg.
Berrien County: Edward Hutchinson.
Clare County: Elford A. Cederberg.
Clinton County: Paul H. Todd, Jr.
Eaton County: Paul H. Todd, Jr.
Gratiot County: Elford A. Cederberg.
Hillsdale County: Edward Hutchinson.
Ingham County: Charles E. Chamberlain.
Jackson County: Charles E. Chamberlain.
Kalamazoo County: Paul H. Todd, Jr.
Kent County: Gerald R. Ford.
Lake County: Robert P. Griffin.
Luce County: Raymond F. Clevenger.
Mackinac County: Raymond F. Clevenger.
Macomb County: James G. O'Hara.
Midland County: Elford A. Cederberg.
Monroe County: Weston E. Vivian.
Oakland County: William S. Broomfield.
St. Clair County: James Harvey.
Van Buren County: Edward Hutchinson.
Washtenaw County: Weston E. Vivian.
Minnesota:
Stearns County: Alec Olson.
Renville County: Alec Olson.
Big Stone County: Alec Olson.
Becker County: Odin Langen.
Lyon County: Alec Olson.
Lac qui Perle County: Alec Olson.
Hubbard County: Odin Langen.
Dakota County: Albert H. Quie.
Crow Wing County: Alec Olson.
Swift County: Alec Olson.
Benton County: Alec Olson.
City of Minneapolis: Donald M. Fraser.
Beltrami County: Odin Langen.
Clearwater County: Odin Langen.
Otter Tail County: Odin Langen.
Kandiyohi County: Alec Olson.
Washington County: Joseph E. Karth.
Mississippi:
Adams County: John B. Williams.
Alcorn County: Thomas G. Abernethy.
Carroll County: Jamie L. Whitten.
Claiborne County: John B. Williams.
Clay County: Thomas G. Abernethy.
Covington County: William M. Colmer.
Forrest County: William M. Colmer.
Montgomery County: Jamie L. Whitten.
Jefferson Davis County: William M. Colmer.
Lawrence County: William M. Colmer.
Oktibbeha County: Thomas G. Abernethy.
Perry County: William M. Colmer.
Pike County: John B. Williams.
Quitman County: Jamie L. Whitten.
Scott County: Prentiss L. Walker.
Tallahatchie County: Jamie L. Whitten.
Tippah County: Jamie L. Whitten.
Union County: Jamie L. Whitten.
Wilkinson County: John B. Williams.
Sunflower County: Jamie L. Whitten.
Wayne County: William M. Colmer.
Smith County: Prentiss L. Walker.
Montana:
Cascade County: James F. Battin.
Deer Lodge County: Arnold Olsen.
Nebraska:
Custer County: David T. Martin.
Cheyenne County: David T. Martin.
Scotts Bluff County: David T. Martin.

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[1] Limited expansion was approved under the Department of Agriculture's 1965 expansion plan but the specific area has not yet been selected by the State welfare agency.

Adams County: David T. Martin.
Hall County: David T. Martin.
Sarpy County: Glenn C. Cunningham.
Nevada:
Washoe County: Walter S. Baring, at large.
New Mexico: Colfax County, Union County, Harding County, Quay County, Guadelupe County, Torrance County, DeBaca County, Curry County, Lincoln County, Otero County, Eddy County, Roosevelt County, Lea County, Chaves County: Thomas G. Morris and E. S. Johnny Walker, at large.
New Jersey [1]
North Carolina:
Clay County: Roy A. Taylor.
Mitchell County: Basil Lee Whitener.
Macon County: Roy A. Taylor.
Lee County: Charles R. Jonas.
New Hanover County: Alton A. Lennon.
Dare County: Herbert C. Bonner.
Yadkin County: James T. Broyhill.
Mecklenburg County: Charles R. Jonas.
Hoke County: Alton A. Lennon.
Caswell County: Ralph J. Scott.
Haywood County: Roy A. Taylor.
Gaston County: Basil L. Whitener.
Catawba County: Basil L. Whitener.
Rockingham County: Ralph J. Scott.
Pitt County: Herbert C. Bonner.
Bertie County: Herbert C. Bonner.
Rowan County: James T. Broyhill.
Chowan County: Herbert C. Bonner.
Ohio, Franklin County: Samuel L. Devine.
Oregon, Curry County: Robert B. Duncan.
Pennsylvania:
Huntingdon County: J. Irving Whalley.
Philadelphia County: William A. Barrett, Robert N. C. Nix, James A. Byrne, Herman Toll, and William J. Green.
Bradford County: Joseph M. McDade.
Washington County: Thomas E. Morgan.
Bedford County: J. Irving Whalley.
Jefferson County: Albert W. Johnson.
Armstrong County: John P. Saylor.
Wyoming County: Joseph M. McDade.
Blair County: J. Irving Whalley.
Schuylkill County: George M. Rhodes.
Sullivan County: Joseph M. McDade.
Susquehanna County: Joseph M. McDade.
Venango County: Albert W. Johnson.
Juniata County: John C. Kunkel.
Perry County: John C. Kunkel.
Lackawanna County: Joseph M. McDade.
Beaver County: Frank M. Clark.
Monroe County: Fred B. Rooney.
Butler County: Frank M. Clark.
Montgomery County: Richard S. Schweiker.
South Carolina: Allendale County: L. Mendel Rivers.
Tennessee:
Clay County: Joe L. Evins.
Dyer County: Robert A. Everett.
Jackson County: Joe L. Evins.
Hancock County: James H. Quillen.
Johnson County: James H. Quillen.
Meigs County: William E. Brock.
Lake County: Robert A. Everett.
Stewart County: William R. Anderson.
Cocke County: James H. Quillen.
Morgan County: John J. Duncan.
Macon County: Joe L. Evins.
Cumberland County: Joe L. Evins.
Hardin County: Tom Murray.
Bledsoe County: William E. Brock.
Shelby County: George W. Grider.
Texas [1]:
Cooke County: Graham Purcell.
Irion County: O. Clark Fisher.
McLennan County: William R. Poage.
Hardin County: Jack Brooks.
Cherokee County: John Dowdy.
Jim Wells County: John Young.
Kent County: Graham Purcell.
Nueces County: John Young.
Carson County: Walter E. Rogers.
Maverick County: Eligio de la Garza.
Dallam County: Walter E. Rogers.
Wilbarger County: Graham Purcell.
Tarrant County: James C. Wright, Jr.
El Paso County: Richard C. White.
Hutchinson County: Walter E. Rogers.
Hale County: George H. Mahon.
City of Van Alstyne (Grayson County): Ray Roberts.
Nolan County: Omar Burleson.
Polk County: John Dowdy.
Garza County: George H. Mahon.
Bee County: John Young.
Dawson County: George H. Mahon.
Orange County: Jack Brooks.
Fisher County: Omar Burleson.
Brown County: O. Clark Fisher.
Swisher County: Walter E. Rogers.
Hemphill County: Walter E. Rogers.
Howard County: George H. Mahon.
Franklin County: Wright Patman.
Moore County: Walter E. Rogers.
Brooks County: John Young.
Henderson County: John Dowdy.
Dallas County: Earle Cabell.
Utah:
Utah County: David S. King.
Box Elder County: Lawrence J. Burton.
Cache County: Lawrence J. Burton.
Carbon County: Lawrence J. Burton.
Emery County: Lawrence J. Burton.
Sanpete County: Lawrence J. Burton.
Sevier County: Lawrence J. Burton.
Vermont.[1] St. Albans Welfare District: Robert T. Stafford (at large).
Washington:
Yakima County: Catherine May.
Pacific County: Julia Butler Hansen.
Wahkiakum County: Julia Butler Hansen.
Thurston County: Julia Butler Hansen.
Lewis County: Julia Butler Hansen.
Cowlitz County: Julia Butler Hansen.
Clark County: Julia Butler Hansen.
Klickitat County: Catherine May.
Skamania County: Julia Butler Hansen.
West Virginia:
Lincoln County: Ken Hechler.
Wyoming County: James Kee.
Webster County: Robert W. Kastenmeier.
Braxton County: Arch A. Moore, Jr.
Clay County: John M. Slack, Jr.
Mercer County: James Kee.
Nicholas County: John M. Slack, Jr.
Wisconsin:
Dunn County: Alvin E. O'Konski.
Pepin County: Vernon W. Thomson.
Grant County: Vernon W. Thomson.
Crawford County: Vernon W. Thomson.
Milwaukee County: Clement J. Zablocki and Henry S. Reuss.
Lafayette County: Vernon W. Thomson.
Wyoming:
Uinta County, Niobrara County, Converse County, Sheridan County, Platte County, Goshen County, Albany County, Hot Springs County: Teno Roncalio, at large.
Park County, Washakie County, Big Horn County, Sweetwater County, Carbon County, Natrona County, Laramie County, Wind River Indian Reservation: Teno Roncalio, at large.

FOOD STAMP PLAN NOW OPERATING SUCCESSFULLY IN 105 LOCALITIES WITH 5 MORE TO BE ADDED IN JUNE

Mr. Speaker, I submit at this point, for the purposes of completing the record, a list of the 105 projects now operating and the 5 to be begun next month, and the names of the Members of the House who represent those areas. In the list which follows, the June openings are in Connecticut, South Carolina, Utah, Nebraska, and Houghton County, Mich. All of the others are already in operation, some of them since the program was begun on a very small pilot basis in 1961:

Alabama:
Jefferson County: John H. Buchanan, Jr.
Walker County: James D. Martin.
Arkansas:
Independence County: Wilbur D. Mills.
Phillips County: E. C. Gathings.
Pulaski County: Wilbur D. Mills.
California:
Humboldt County: Don H. Clausen.
Colorado:
Adams County: Roy H. McVicker.
Clear Creek County: Roy H. McVicker.
Denver County: Byron G. Rogers.
Gilpin County: Roy H. McVicker.
Jefferson County: Roy H. McVicker.
Connecticut, Waterbury District: John S. Monagan and Robert N. Giaimo.
Georgia:
Rabun County: Phil M. Landrum.
Stephens County: Phil M. Landrum.
Illinois, Cook County: William L. Dawson, Barratt O'Hara, William T. Murphy, Edward J. Derwinski, John C. Kluczynski, Daniel J. Ronan, Frank Annunzio, Dan Rostenkowski, Sidney R. Yates, Harold D. Collier, Roman C. Pucinski.
Franklin County: Kenneth J. Gray.
Indiana:
Harrison County: Winfield K. Denton.
Perry County: Winfield K. Denton.
Posey County: Winfield K. Denton.
Spencer County: Winfield K. Denton.
Vanderburgh County: Winfield K. Denton.
Kansas:
Bourbon County: Joe Skubitz.
Cherokee County: Joe Skubitz.
Crawford County: Joe Skubitz.
Rice County, Robert J. Dole.
Kentucky:
Breathitt County: Carl D. Perkins.
Floyd County: Carl D. Perkins.
Johnson County: Carl D. Perkins.
Knott County: Carl D. Perkins.
Leslie County: Tim Lee Carter.
Letcher County: Carl D. Perkins.
Magoffin County: Carl D. Perkins.
Martin County: Carl D. Perkins.
Owsley County: Tim Lee Carter.
Perry County: Carl D. Perkins.
Louisiana:
Acadia Parish: T. A. Thompson.
Avoyelles Parish: Speedy O. Long.
Evangeline Parish: T. A. Thompson.
Natchitoches Parish: Speedy O. Long.
Pointe Coupee Parish: James H. Morrison.
Vermilion Parish: Edwin E. Willis.
St. Landry Parish: T. A. Thompson.
St. Martin Parish: Edwin E. Willis.
Winn Parish: Speedy O. Long.
Michigan:
City of Detroit: John Conyers, Jr., James G. O'Hara, Lucien Norbert Nedzi, John D. Dingell, Martha W. Griffiths.
Gogebic County: Raymond F. Clevenger.
Houghton County: Raymond F. Clevenger.
Minnesota:
Carlton County: John A. Blatnik.
Itasca County: John A. Blatnik.
Koochiching County: John A. Blatnik.
Lake County: John A. Blatnik.
St. Louis County: John A. Blatnik.
Missouri, City of St. Louis: Frank W. Karsten and Leonor K. Sullivan.
Montana, Silver Bow County: Arnold Olsen.
Nebraska, Lancaster County: Clair A. Callan.
New Mexico: Mora County, Rio Arriba County, Sandoval County, San Miguel County, Santa Fe County, Taos County: At large, Thomas G. Morris, E. S. Johnny Walker.
North Carolina:
Forsyth County: Ralph J. Scott.

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[1] See footnote 1, p. 11450.

Halifax County: L. H. FOUNTAIN.
Martin County: HERBERT C. BONNER.
Nash County: HAROLD D. COOLEY.
Northampton County: L. H. FOUNTAIN.
Surry County: RALPH J. SCOTT.
Ohio:
Cuyahoga County: CHARLES A. VANIK and WILLIAM E. MINSHALL.
Hamilton County: JOHN J. GILLIGAN and DONALD D. CLANCY.
Lucas County: THOMAS LUDLOW ASHLEY.
Oregon,
Multnomah County: EDITH GREEN.
Pennsylvania:
Allegheny County[1]: WILLIAM S. MOORHEAD, ROBERT J. CORBETT, E. J. HOLLAND, and JAMES G. FULTON.
Cambria County: JOHN P. SAYLOR.
Clearfield County: ALBERT W. JOHNSON.
Fayette County: THOMAS E. MORGAN.
Greene County: THOMAS E. MORGAN.
Indiana County: JOHN P. SAYLOR.
Luzerne County: DANIEL J. FLOOD.
Somerset County: J. IRVING WHALLEY.
South Carolina, Dillon County: JOHN L. MCMILLAN.
Tennessee:
Campbell County: JOHN J. DUNCAN.
Claiborne County: JAMES H. QUILLEN.
Fayette County: JAMES H. QUILLEN.
Grundy County: WILLIAM E. BROCK.
Hamilton County: WILLIAM E. BROCK.
Hardeman County: TOM MURRAY.
Haywood County: ROBERT A. EVERETT.
Marion County: WILLIAM E. BROCK.
Scott County: JOHN J. DUNCAN.
Sequatchie County: WILLIAM E. BROCK.
Utah, Weber County: LAURENCE J. BURTON.
Virginia:
Dickenson County: WILLIAM PAT JENNINGS.
Lee County: WILLIAM PAT JENNINGS.
Wise County: WILLIAM PAT JENNINGS.
Washington, Gray's Harbor County: JULIA B. HANSEN.
West Virginia:
Logan County: KEN HECHLER.
McDowell County: JAMES KEE.
Mingo County: JAMES KEE.
Wayne County: KEN HECHLER.
Wisconsin:
Douglas County: ALVIN E. O'KONSKI.
Iron County: ALVIN E. O'KONSKI.
Langlade County: MELVIN P. LAIRD.
Price County: ALVIN E. O'KONSKI.
Wyoming:
Campbell County, Fremont County, Johnson County, Lincoln County, Sublette County, Teton County, Weston County: At large, TENO RONCALIO.

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[1] Includes the original pilot area of the city of Pittsburgh.